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of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113<sup>th</sup> CONGRESS, FIRST SESSION

## HOUSE OF REPRESENTATIVES—Thursday, May 23, 2013

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. YODER).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

May 23, 2013.

I hereby appoint the Honorable KEVIN YODER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

*Speaker of the House of Representatives.*

### PRAYER

Pastor Frank Hampton, Jr., Church of God, Jackson, Michigan, offered the following prayer:

Our Father in Heaven, we are eternally grateful for the opportunity to approach Your throne as we open this session of Congress in prayer.

We pray for Your particular blessings on those in authority. Please give them guidance, the understanding to recognize the gravity of their responsibilities, and the courage to be unwilling to compromise integrity and moral convictions for any political advantage.

Lord, we are cumbered with critical issues and we are exhausting our resources. In this time of chaos and confusion, we need Your mercy and divine assistance as no other time in our Nation's history. And You said, if we would acknowledge You in all our ways, You would direct our path.

Although circumstances are mounting, Your Word gives us hope. It says, "If My people, which are called by My name, will humble themselves and pray, and seek My face and turn from their wicked ways, then I will hear from Heaven, and will forgive their sin, and will heal their land."

So Lord, at this time we are honestly appealing to Thee in the name of Jesus Christ, our Lord.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. FOXX. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. FOXX. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Rhode Island (Mr. CICILLINE) come forward and lead the House in the Pledge of Allegiance.

Mr. CICILLINE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### WELCOMING PASTOR FRANK HAMPTON, JR.

The SPEAKER pro tempore. Without objection, the gentleman from Michigan (Mr. WALBERG) is recognized for 1 minute.

There was no objection.

Mr. WALBERG. Pastor Frank Hampton, Jr., has been praying over his congregation at the Church of God in Jackson, Michigan, since 1967. Today, it's an honor to have him praying over the U.S. House of Representatives.

Back in Michigan, Pastor Hampton has lived, worked, and served the Jackson community for over 45 years and is a well-respected man of God. Local business owners, elected officials, and pastors from around the country seek his counsel on matters of faith and life itself. I'm grateful for the opportunity to learn from his wisdom and to call him my friend.

I first met Pastor Hampton in 2003 and admire him for his sincere faith and heart of service. His impact has been long and consistent, whether in his church, community, the family barbershop, or his ministry to prisoners in the court system. Pastor Hampton's influence has extended beyond the State of Michigan, speaking at venues in Panama, the Cayman Islands, Honduras, Haiti, and Jamaica.

I sincerely appreciate Pastor Hampton's presence today and his thoughtful prayer. My hope is that Pastor Hampton will continue to have many opportunities to share his faith and uphold this great country in prayer.

May God bless you and all the work you do.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 5 further requests for 1-minute speeches on each side of the aisle.

### IT'S TIME TO BUILD THE KEYSTONE XL PIPELINE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, for over 1,700 days, the administration has delayed the Keystone XL pipeline application. According to a recent Pew Research poll, two-thirds of the American people from both political parties support the project. Last night, there was a bipartisan vote to promote the pipeline from Canada, America's best energy partner. The

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

completion of the Keystone XL pipeline will create 120,000 jobs and produce 830,000 barrels of oil each day, helping to grow our economy.

Two years ago, I had the opportunity to visit Fort McMurray, Alberta, Canada, and I witnessed firsthand the Canadian oil sands and positive impact that exploration has for American families. In South Carolina's Second Congressional District, companies like Michelin Tire Corporation of Lexington and MTU Detroit Diesel of Aiken County will create jobs due to Keystone's production.

As the American people and a bipartisan Congress support it, let's create jobs and build the Keystone pipeline.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

Our sympathy goes to our British allies in this war who were cowardly attacked at the Royal Artillery Barracks in London yesterday.

#### EXPRESSING SYMPATHY FOR VICTIMS OF RECENT TORNADO IN OKLAHOMA

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to express my deepest sympathies for the victims of this week's tornado in Moore, Oklahoma, and the surrounding area. I want to especially pay my respects to my colleagues, Congressmen TOM COLE and JAMES LANKFORD, and their constituents as they begin the difficult work of rebuilding their community following this natural disaster. All of us in this Chamber mourn today for the 24 individuals who were killed, including 9 children, 7 of whom died in their local elementary school. Our thoughts and prayers remain with them and their families.

In the face of such loss, we ask how so many American lives could be taken so quickly. But as we have in the past, through scores of other natural disasters, our country will get through this difficult time, confident in our capacity to persevere through any trial and committed to doing all that we can to help each other. If the spirit of America, in one Nation, indivisible, means anything at all, it means all of us will come together to help Oklahomans through this difficult and painful time.

On behalf of all of the residents of Rhode Island's First Congressional District, I offer my thoughts and prayers to the people of Oklahoma.

#### PASS THE FARM BILL

(Mrs. NOEM asked and was given permission to address the House for 1 minute.)

Mrs. NOEM. Today, I rise in support of passing a 5-year farm bill for rural

and urban America. The House Agriculture Committee acted last week to pass a bipartisan farm bill by a vote of 36-10. It saves nearly \$40 billion and makes substantial reforms to the food stamp program and farm programs. The bill eliminates direct payments and consolidates many of the conservation programs. Through this, it also saves money but promotes a strong safety net in a way that is accountable to taxpayers.

We recognize that the agriculture community will take some cuts, given our Nation's fiscal situation, but we need to continue to support good policies that support our ability to grow our own food in this country. The farm bill we passed out of the committee represents the first reforms to the food stamp program since 1996. We've put a lot of work into this reform and making sure the money goes exactly where it's needed. It closes loopholes in order to crack down on waste, fraud, and abuse. The reforms we make ensure that we can keep integrity in the program. It ensures assistance goes to those who need it most.

I believe we need to hold the Federal Government accountable to the taxpayers, and this bill is a step in the right direction. Our number one industry in South Dakota is agriculture. I'm proud of the families in my State that have dedicated their lives to growing our food.

□ 0910

#### JOBS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, this week, the class of 2013 graduates from college. This Congress is offering them a terrible graduation present. The bill we're voting on today would increase the long-term cost of student loans in order to pay for a budget deficit that college students did not create. But worse, this Congress is doing absolutely nothing to address the core challenge in their lives: jobs, jobs, jobs.

The class of 2013 is entering the most difficult job market of any graduating class in memory. Many who have the good fortune to receive jobs will not be using their university-level skills or earning a living wage.

It has been 872 days since I arrived in Congress, and not one vote on jobs. Mr. Speaker, for the sake of the class of 2013, I urge you to bring the American Jobs Act to the floor for a vote. It deserves a vote. Our mantra should be: jobs, jobs, jobs.

#### ENERGY

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, as House Republicans continue to get to the bottom of what happened last September in Benghazi, it's important to bear in mind how events around the world affect such things as your family's gas bill here at home.

We import a lot of our energy in this country—that's a fact. It's just a natural part of our global economy. But considering how volatile things can get elsewhere in the world, wouldn't it be a good idea to develop as much energy as we can right here at home? You'd think that would be a commonsense idea, but apparently it hasn't occurred to the Democrats who run Washington.

The Keystone XL pipeline, for instance, would be able to transport 830,000 barrels of oil per day. That's about half the oil the U.S. imports from the Middle East.

The more energy we can produce right here in America, the more jobs and more secure future we create. It's time for the President to approve this pipeline.

#### STUDENT LOAN BILL

(Mr. BERA of California asked and was given permission to address the House for 1 minute.)

Mr. BERA of California. Mr. Speaker, I rise in support of affordable student loans for America's students.

I attended California's public schools from kindergarten through undergrad, through medical school. I could afford to go because of Federally funded student loans. My country made an investment in me, and we need to make that same investment in the next generation of students.

Yesterday, I offered an amendment to the Rules Committee, and they rejected it. This amendment would have made student loans more affordable for today's students. That's what we have to do, invest in the next generation.

Unfortunately, the bill that is coming to the floor today is going to make college less affordable for the next generation. We must make education more accessible. Vote "no" on the Making College More Expensive Act.

#### FOREIGN MANUFACTURERS LEGAL ACCOUNTABILITY ACT

(Mr. CARTWRIGHT asked and was given permission to address the House for 1 minute.)

Mr. CARTWRIGHT. Mr. Speaker, I rise in support of H.R. 1910, the bipartisan Foreign Manufacturers Legal Accountability Act, which I've introduced this term with Representative MIKE TURNER of Ohio. This is a bill that will help level the playing field for American manufacturers and retailers and protect American consumers.

Current law allows foreign companies selling defective products in the United States to dodge service of process, and

they do. When a foreign company does that, it puts all of the burden on American retailers to account for any harm that is caused because of the defective product. That is not fair to American companies, and it's not fair to American citizens.

This bill streamlines service rules so foreign companies selling products here in America can be served with process here in America.

Mr. Speaker, I urge the Members to support H.R. 1910. Let's make sure that everyone benefiting from the American marketplace plays by American rules.

#### MENTAL HEALTH MONTH

(Mrs. NAPOLITANO asked and was given permission to address the House for 1 minute.)

Mrs. NAPOLITANO. Mr. Speaker, May is Mental Health Month—has been and will continue to be. It is an opportunity to raise awareness and encourage others to get help and to recognize the symptoms and warning signs of mental health issues.

There is a lot of stigma. We must accept it as an illness. We've got to reduce that stigma. We must expand mental health services and give it the parity needed because it does not know boundaries. It affects everybody in every segment of our communities.

It is all right. It's okay to ask for help and learn to recognize the symptoms and to learn about the service providers in your area. We must expand more mental health services to our community. We need it for the military, because one in five suffer from major depression or PTSD.

Youth—suicide, the third leading cause of death; second for college students. School-based mental health services are greatly needed for early intervention. Minority communities—Native Americans highest ethnicity for suicide.

Mental health services must be provided in languages also.

Thank you to the mental health professionals, the 500,000 licensed certified professional counselors that work for us and throughout the United States. Thank you, President Obama, first U.S. President to declare May Mental Health Month.

#### SMARTER SOLUTIONS FOR STUDENTS ACT

(Mrs. ELLMERS asked and was given permission to address the House for 1 minute.)

Mrs. ELLMERS. Mr. Speaker, I rise today in support of H.R. 1911, the Smarter Solutions for Students Act.

Ever since 2006, student loan interest rates have been set by Congress through legislation. As I'm sure all of us remember, about 1 year ago we were affected by the artificially low interest rates that were ready to expire. But in-

stead of finding a viable solution, Congress temporarily extended the rates and put off a permanent decision for another year.

Now, here we are again. And if we do nothing, we will be here in the same exact place again with the fight again at the expense of our college students. Congress should not be in the business of setting interest rates, and H.R. 1911 fixes this problem and prevents Congress from playing political games with our young Americans' future.

The college experience has always been a large part of the American Dream. We want the best for our children. We want them to have the opportunity to pursue a college education and create a better life for themselves. We owe it to our younger generation. We owe it to those high school seniors. And I believe that this bill will take care of that issue.

#### PROVIDING FOR CONSIDERATION OF H.R. 1911, SMARTER SOLUTIONS FOR STUDENTS ACT

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 232 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 232

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-12 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit with or without instructions.

SEC. 2. In the engrossment of H.R. 1911, the Clerk shall—

(a) await the disposition of H.R. 1949; (b) add the text of H.R. 1949, as passed by the House, as new matter at the end of H.R. 1911;

(c) conform the title of H.R. 1911 to reflect the addition of the text of H.R. 1949, as passed by the House, to the engrossment;

(d) assign appropriate designations to provisions within the engrossment; and (e) conform cross-references and provisions for short titles within the engrossment.

SEC. 3. On any legislative day during the period from May 24, 2013, through May 31, 2013—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

SEC. 5. The Committee on Appropriations may, at any time before 6 p.m. on Wednesday, May 29, 2013, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2014.

SEC. 6. The Committee on Agriculture may, at any time before 6 p.m. on Wednesday, May 29, 2013, file a report to accompany H.R. 1947.

□ 0920

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

##### GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Mr. Speaker, House Resolution 232 provides for a closed rule providing for consideration of H.R. 1911, the Smarter Solutions for Students Act.

As many of us know, on July 1, today's 3.4 percent subsidized Stafford loan interest rate is set to double to 6.8 percent for millions of current students, all because elected officials made a promise they couldn't afford to keep for the long haul. Student borrowers shouldn't have to ride the roller coaster of political largess, wondering every year whether Congress will intervene in time to keep their student loan rates low. And taxpayers shouldn't be expected to foot the bill whenever Members of Congress promise more than they can deliver.

For the sake of students, families, and taxpayers, before July 1 we need to move our Federal student loan programs away from politics. Student loan rates should not be subject to the whims of Washington or seized as bargaining chips.

The Smarter Solutions for Students Act will remove politics, uncertainty, and confusion from the rate-setting equation and instead anchor student loan interest rates on the 10-year Treasury note, not just for 4 years, but for good. By tying rates to the market, the Smarter Solutions for Students Act establishes a predictable rate for

loan calculation insulated from the politics and posturing of Washington.

House Republicans aren't alone in finding the answer for predictability in the market. President Obama offered a similar market-based interest rate plan in his 2014 budget proposal, and some of my colleagues across the aisle have voiced openness to utilizing the market to set interest rates as well.

In developing this legislation, the committee has attempted to build on this common ground and work in good faith with the administration to improve the Smarter Solutions for Students Act and get it to the President's desk by July 1. Students, families, and taxpayers deserve a long-term solution, not more can-kicking from Washington. The Smarter Solutions for Students Act puts an end to the temporary fixes and campaign promises that have failed to deliver the best rates to students.

This legislation offers predictability, simplicity, and the ability for students to take advantage of low rates, even after graduation, a need particularly acute in today's jobless economy. The American people deserve the clarity, certainty, and protection the Smarter Solutions for Students Act offers.

I urge my colleagues to vote for the rule and the underlying bill.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlelady from North Carolina for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

On July 1, interest rates on federally subsidized Stafford student loans will double from 3.4 percent to 6.8 percent. At a time, as everybody said this morning, when job prospects for students remain few and far between, we must not—or should not—let student loan interest rates rise.

That is why it's so disappointing that instead of helping the college students, the majority is doing "go-nowhere" legislation—because the Senate will not take this up—that would actually increase loan costs for the Nation's students.

According to the nonpartisan Congressional Research Service, a student who borrows the maximum subsidized Stafford loans for each of the next 4 years would actually pay \$1,056 more under the majority's plan than they would if Congress failed to act and interest rates doubled. That's a rather sobering idea.

This is just the latest example of putting politics and special interests ahead of the American people. As we speak, the majority is preventing a budget from being finalized even though they have been calling for a budget for years.

Currently, both the House and the Senate have passed the budget resolutions, which means the only step left—

and everybody who knows how a bill is passed knows this—the only step left is to organize a conference committee to finalize the conference report; yet the majority of the House refuses to appoint conferees and begin the conference process.

Now, why is the majority suddenly abandoning their quest to produce a budget? Is it because their desire for a budget is nothing more than to make political points?

It is clear the majority is consistently choosing to put political interests before the welfare of the Nation, even if it means that the American people will and are suffering. This obstructionism must come to an end.

I urge my colleagues, once again, to reject today's rule and the underlying legislation that will never go past the House so that we can get busy solving the American student loan debt crisis in a bipartisan way. Let's protect our Nation's students from a doubling of student loan interest rates and work together to craft a solution that will end the growing mountain of student debt and ensure college is more affordable for our Nation's students. Our Nation's future depends on it.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

It's important to remember how we landed in this predicament to begin with. Why are we now facing this student loan interest rate cliff?

In a push to win votes during the 2006 campaign cycle, Democrats pledged to cut student loan interest rates in half across the board permanently. After gaining control of Congress in 2007, they realized this campaign promise was far too expensive. Instead, they championed legislation to phase down gradually the interest rate on one type of Federal student loan—subsidized Stafford loans made to undergraduates—from 6.8 percent to 3.4 percent over 4 years. Once the law expired in 2012, the interest rates would jump back up to 6.8 percent.

Instead of working with Republicans on responsible solutions that would help make higher education more affordable for students in the long run, the Democrat Congress chose to make false promises to borrowers and kick the can down the road.

Democrats had an opportunity to fix this problem. In 2009, they passed the Student Aid and Fiscal Responsibility Act, which produced large budgetary savings by eliminating the private sector loan program. "Savings" should be in quotation marks, Mr. Speaker. But instead of making good on their campaign promises of lower student loan interest rates, Democrats spent all of the funds on other pet projects, including siphoning \$8 billion from Federal student aid programs to pay for ObamaCare.

It is time for a long-term solution that gets politicians out of the busi-

ness of setting student loan interest rates. That is why Republicans approved a 1-year extension of the 3.4 percent interest rate last year to allow time to work on a comprehensive solution. The Smarter Solutions for Students Act is the result of our efforts.

□ 0930

Republicans and Democrats should come together to pass this legislation and ensure students and families don't have to worry about politicians setting arbitrary interest rates or kicking the can down the road for years to come.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California, the ranking member of the Committee on Education and the Workforce (Mr. MILLER).

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding and for her work on this rule last night in the committee.

It has already been said that, in a little more than a month, the interest rates on loans for millions of the neediest students will double to 6.8 percent from the current 3.4 percent. This morning, unfortunately, the Republican majority has put forth a bill that is even worse than if the Congress does nothing.

Think about it. If Congress does nothing, the interest rates go from 3.4 percent for those most in need of the student loans, for those families most in need to finance their educations, and will jump on July 1 to 6.8 percent. We're trying to avoid that because we know what that means to students who have to borrow money and families who have to borrow money to try to pay for their college educations.

What's the remedy of the Republicans?

The remedy of the Republicans is to do something that is worse than letting the interest rates double. Understand that. They've made a choice that's worse than if the interest rates double. It's no wonder that, beyond the Republican caucus, it's very hard to find anybody who is supporting this legislation. In fact, yesterday, the President said, if this bill is sent to his desk—I hope it will not be—that he will veto it.

Why would we do that?

Because it's very clear that this is going to add \$4 billion to the debt of our students who Members of Congress lament are so deeply in debt because of the money they have to borrow that goes to education. It's not necessarily a choice for students or families if you want to get a college education, but why would you add \$4 billion onto the backs of these students and their families?

Now, the majority had a number of alternatives last night in the Rules Committee. Mr. COURTNEY went there



and said, We'll pay for it. We'll raise additional revenues to keep it at 3.4 percent. Then the Education and the Workforce Committee of this House can do its job, which is to reauthorize the Higher Education Act, and we can put in place a long-term program for helping families finance their educations. We have to also understand that we've got to do something about the State support and the cost of college at the institutional level, but they turned Mr. COURTNEY down.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 2 minutes.

Mr. GEORGE MILLER of California. I offered to have the Obama amendment made in order, the legislation by President Obama, which actually saves students about \$30 billion in interest rates over the next 6 years. It saves students and families over \$30 billion. They wouldn't make that amendment in order.

Mr. HECK of Nevada came before them and said, Why don't we do like the market does? If you pay your loan on time for 4 years, we'll provide you an incentive to continue to be a good payer of your loan—important to the Treasury, important to the students' credit ratings. Let's try that. They turned Mr. HECK down.

Mr. RICE came before the committee, the gentleman from South Carolina, and he said he would like to reduce the interest rates. He understands what students and families are struggling with. They turned him down. They turned down every attempt to try to help students and families.

I appreciate people talking about being through the recession. Well, let me tell you, for a lot of middle-income families, they're not through the recession yet. They've still lost the equity in their homes. They still have their credit problems. But do you know what? Recession or no recession, their kids are graduating from high school, and they want them to go to college. What the hell is this Congress doing making it more difficult for those kids to go to college? But that's the choice the Republicans have given us.

I would hope on a bipartisan basis we would reject this effort and that we would go to work on legislation that is long term, that's in the interest of the students, and stop crushing the aspirations of these families and these students, which this legislation does. It should be rejected. This isn't an interest in the market rates. This is using the market to crush these families by extracting billions of additional dollars off of their school loans.

Ms. FOXX. I yield myself such time as I may consume.

Mr. Speaker, in my career before coming to Congress, I was the director of an Upward Bound special services program. I was an adviser for students

at Appalachian State University. I was the president of a community college. For all of my life, I have devoted my time to helping students—particularly disadvantaged students—who wanted to go to college, who wanted to do the same kind of thing that I did as a disadvantaged person, and that is to get a great education and use that education to better my life.

I am offended that my colleagues would say that what I want to do is to stop people from going to college or to hinder them in any way from achieving the American Dream. My whole goal all my life has been to help other people, particularly young people, and I believe my experience shows that.

So, Mr. Speaker, that's not what this bill is about. This bill is about taking away the arbitrary control of Members of Congress who think of themselves as smarter than everybody else in the world, and it is about allowing the market to work.

The current Federal loan program is broken. An overwhelming majority of students are stuck with interest rates on loans that do not match the current low interest rate environment because of failed Democrat campaign promises to cut student loan interest rates in half permanently. These students are also often confused about why most of their Federal loans are fixed at nearly 7 percent when the market rate is much lower, and they question why each type of student loan has a different rate. To put it simply, student borrowers are getting a raw deal, and they know it.

Under the legislation, student loan interest rates would reset once a year and move with the market, much like they did from 1992 to 2006. This bill is the only viable plan on the table that is fiscally responsible, that helps students and protects taxpayers. We should pass this bill immediately. According to the Congressional Budget Office, the proposal does not cost any additional revenue to implement over the next 5 or 10 years.

H.R. 1911 will provide stability and certainty for students making decisions about how to finance their postsecondary education. They will be assured year after year that the interest rate on their student loans will be similar to market conditions, and they won't have to wonder whether Congress is going to make arbitrary changes to interest rates. The bill offers students the ability to take advantage of interest rates when they're low, and it protects them with affordable caps in high-rate environments. The bill continues current law in which students have the option to consolidate their loans after graduation and to lock in a fixed interest rate for the life of the loan. Mr. Speaker, these are common-sense provisions that will benefit student borrowers greatly.

The legislation also ensures students can continue to take advantage of a

number of generous Federal repayment options and debt management programs available to help those experiencing difficulty in repaying their loans. For example, students can enter one of the income-based repayment plans that caps their monthly payments at affordable levels and provides forgiveness after 20 or 25 years. For students in the public sector, the program allows loan forgiveness after 10 years. The Smarter Solutions for Students Act is a long-term, comprehensive solution that gets Washington politicians out of setting interest rates on Federal loans, and it will better serve the interest of students. We should pass this rule and the underlying bill now.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. I thank the gentlelady for yielding time, and I thank her for her leadership on this issue and here in the Congress.

Mr. Speaker, I rise in strong opposition to the rule for H.R. 1911. I urge my colleagues to vote "no" on this rule to prevent this flawed legislation from moving forward.

We have a student loan debt crisis to be sure, but this is not the solution. A free market approach will not solve this problem, and Mr. MILLER was so accurate in his statement just a moment ago. For my constituents in eastern North Carolina, paying for higher education has never been more difficult.

□ 0940

I represent a very low-income district. One in four people in my district lives below the poverty level. While the economy is recovering, my region's 8.9 percent unemployment rate remains higher than the national average. At the same time, the cost to attend our colleges and universities has been steadily increasing. The cost to attend college is 1,100 percent more expensive than it was 30 years ago. Access to affordable Federal student aid can be the difference between constituents attending college or not.

Just last year, despite strong opposition from Republicans, Congress voted to continue to keep interest rates on federally funded Stafford loans at 3.4 percent, instead of doubling to 6.8 percent. If those rates had doubled, Mr. Speaker, more than 7 million students each would be saddled with an average of \$1,000 in additional debt. Once again, the rates are set to double on July 1 unless we act.

I urge my colleagues to oppose this rule and this misguided approach. This legislation would tie loan interest rates to the 10-year Treasury note but require that rates adjust each year.

That variability, Mr. Speaker, would lead to higher interest rates and increase the debt our students face. In fact, the nonpartisan Congressional Research Service indicates that students will pay more than if interest rates were to double. Mr. MILLER was absolutely correct in that assertion. That's right: passing this rule and this bill would be worse than doing nothing at all.

This bill is a step in the wrong direction and will saddle students and families with unnecessary debt.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

During the 2006 election cycle, Democrats made student borrowers a promise they did not keep. As a result, interest rates on student loans are set to double in a matter of weeks. The Smarter Solutions for Students Act will provide student borrowers with the certainty and stability they need to finance their education.

Today's graduates are facing severe economic headwinds that make finding a job, repaying student loans, and starting a family extremely difficult. These students want nothing more than the opportunity to earn their own success. That's the American Dream. But for many of them, that dream seems hopelessly out of reach. We can do better, Mr. Speaker.

The overall unemployment rate is 7.5 percent. That's hardly better than the day President Obama took office. Twelve million Americans are unemployed and anxious to get back to work, and 7.9 million Americans are underemployed.

According to the Joint Economic Committee, the slight decline in the unemployment rate is largely a mirage created by declining labor force participation. If the labor force participation rate had not declined since January 2009, the unemployment rate would be 10.9 percent instead of 7.5 percent. As we all know, this is well above the officially reported rate and the stimulus promise of 5.1 percent.

According to the Bureau of Labor Statistics, the number of involuntary part-time workers increased in April by 278,000 to 7.9 million. These are people working part time because their hours were cut back or because they are unable to find a full-time job.

There were 835,000 so-called "discouraged workers" in April alone. Discouraged workers are those "persons not currently looking for work because they believe no jobs are available for them."

Mr. Speaker, these people aren't just jobless; they're hopeless and they deserve better. It's time to get America working again. But the failed policies of President Obama and Senate Democrats—higher taxes, more spending, and bigger government—are designed to continue to fail to create jobs or spur economic growth. The effects of

President Obama's runaway spending, spiraling deficits, and mounting debt are being felt by every American.

When President Obama took office, there were 31.9 million Americans using food stamps. Today, 47.3 million Americans use food stamps. That's an increase of 15.4 million people. Today, 15 percent of the entire U.S. population receives food stamp assistance. That is, by far, the largest number in history.

Mr. Speaker, the policies of this administration are taking us in the wrong direction. The Republicans are focused on creating jobs and making things better for all Americans, and we need to pay attention to those policies. We can pass this rule, pass this bill, and get us going in the right direction for college students.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 1 minute to the gentlewoman from the State of Washington (Ms. DELBENE).

Ms. DELBENE. I want to thank the gentlewoman for the time.

Mr. Speaker, I rise today to oppose this rule and discuss the importance of protecting college affordability.

One of my top priorities is to ensure that all students have the opportunity to get a high quality education and acquire the skills needed to compete in the 21st century economy.

I know personally how important this is. When I was young, my father lost his job and my parents never got back on track financially. But thanks to student loans and financial aid, I was able to get a great education and build a successful career as a businesswoman and entrepreneur.

I'm very disappointed that the proposal we are considering today makes college more expensive. If we did nothing and let interest rates double in July, we would actually save students more money in the future than if we pass the underlying bill. It's incredibly disappointing that in our work to make college more affordable, this bill instead makes the problem worse.

I urge my colleagues to join me in opposing this rule so we can work together on a long-term solution that supports our students and their families.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

In my last comments, I talked about statistics and the effect of the policies of this administration. These statistics ultimately say the same thing: the Obama economy is making life more difficult for all Americans, especially young people.

Fortunately, House Republicans have a plan to restore economic growth and spur job creation so that graduating students can find employment.

Job creators are being stymied by mountains of regulatory red tape, crippling tax rates, a perplexing Tax Code,

needlessly high energy prices, and rampant uncertainty caused by the President's failed leadership. Mr. Speaker, there is a better way.

House Republicans are hard at work passing legislation to help grow the economy and create jobs. Our goal is to tear down the barriers to job creation and unleash the power of American ingenuity so that today's graduates can prosper and succeed and achieve the American Dream.

As part of this plan, we're working diligently to make life easier for student borrowers, cut job-killing red tape that costs small businesses \$10,585 per employee each year, reduce gas prices, and create jobs by producing more American energy, which is important since every penny increase per gallon of gas costs consumers \$4 million per day. We also need to simplify a job-killing Tax Code that cost Americans \$168 billion in 2010 just to comply, prevent job-killing tax hikes on small businesses, and reduce uncertainty by tackling the debt crisis with responsible spending cuts.

The Republican plan will demolish Washington's self-made roadblocks to prosperity and put American job creators back on offense.

The trick to growing our economy is getting politicians out of the way and letting American workers and entrepreneurs do what they do best: create shared prosperity through freedom and innovation. The Smarter Solutions for Students Act is an important part of this plan. I urge my colleagues to support this rule and the underlying bill.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. I thank my colleague, the ranking member of the Rules Committee, for yielding the time and for being a consistent voice on behalf of families and students across America.

Mr. Speaker, I rise in strong opposition to the Republicans' Making College More Expensive Act and the rule, and I rise on behalf of students all across America, particularly back home in Florida and in the Tampa Bay area.

□ 0950

Mr. Speaker, we know that a college education is key to success in life, and that the rising costs of attending college can be an impediment to a student's ability to get into the classroom and get the courses that they need.

About 10 days ago, I was at Tampa's Robinson High School talking with graduating seniors, and they implored me to please stand up for them and be a voice because they see the direct connection on the money that their families have to spend and on their ability to attend college. That is why this Republican Making College More Expensive Act would be so detrimental to the

future of our country and to those families and students that really want to get ahead in life.

For example, the GOP's bill is projected to nearly double student loan rates by 2016, and by the time next year's freshmen graduate and start repaying their loans in 2017, the interest rate is expected to more than double beyond today's current rate.

So I think about the 34,000 students in my district who rely on loans, whether they're at Hillsborough Community College, St. Pete College, the University of South Florida, the University of Tampa, or wherever. This Congress has got to stand up for families and students for a change.

So I urge my Republican friends to cross over and join us and to block this student loan increase that the Republican leadership is proposing, side with students and families, oppose the rule and oppose the bill.

Ms. FOXX. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank the gentlelady from New York, a good friend; and I rise in opposition to the rule and the underlying bill. This comes down to an important question of American domestic policy: how important is it to us as a country to make college possible and accessible for students so they can improve their lives and improve our country.

Some of the great historic moments of American policy, the creation of the land grant colleges, the GI Bill, providing student loans, were directed toward increasing access to higher education. And today, the House will vote on a bill that would reverse decades of progress. It would, in effect, transform the Federal Government into a greedy Wall Street bank, charging students punitive and wildly variable interest rates while banking billions in profits. Yes, the government would reap profits derived from students and recent students.

The authors of this bill see this as government revenue. Instead of collecting taxes, they do it through a back door, trying to pay down the deficit on the backs of students.

So today we have a choice: Do we make college more expensive for our low-income and middle class students? For me, the clear answer is "no." It's wrong. It's shortsighted. It's not right for students. It's not right for families, and it's not right for our economy.

The Rules Committee could have given us a bill to lock in low rates for student loans, in the national interest, not to collect interest from students. But instead, they want to balance the budget on the backs of students and recent students.

Ms. FOXX. Mr. Speaker, my colleague is accusing Republicans of in-

creasing taxes on students. That is a laughable accusation, especially when you look at the number of proposed tax increases included in the Democrat budget resolution. It's almost as disingenuous as their calling for dedicating the 10-year savings generated by the underlying bill to higher education. After all, in 2010, House Democrats passed the Student Aid and Fiscal Responsibility Act, SAFRA, which included language that put \$13 billion in savings toward deficit reduction. In the final version of SAFRA, Democrats siphoned approximately \$9 billion of the \$19 billion in savings to pay for ObamaCare. The rest of those savings went to deficit reduction.

The Smarter Solutions for Students Act is a fiscally responsible plan that generates a small amount of savings based on CBO estimates. It stabilizes Federal loan programs for future generations of students and gets Washington out of the business of setting student loan interest rates.

With that, Mr. Speaker I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentlelady from New York and the gentlelady from North Carolina. I thank the gentlelady from New York for her persistent leadership on this issue.

I rise today to first ask the question how you can have legislation that sounds positive, but in actuality literally puts the education system of America upside down.

First, let me tell you how frustrated Americans are as they see the drip, drip, dripping of the sequester; and I join the gentlelady in her frustration on why we have not gone to budget reconciliation. I just want to mention the pathway of education so we can see that families are being pounded upon. Sequestration is causing 70,000 children to lose Head Start and Early Head Start. And, unfortunately, 950,000 military children will lose teachers. I live in a State where we have a lot of military bases.

So when I rise today to oppose H.R. 1911, I rise with a high degree of overwhelming frustration for the people who live in my State. I am sorry that this rule did not accept an amendment that I had that would have submitted a report to Congress on the feasibility of offering loan forgiveness for those who put businesses in economically depressed areas. That truly provides for jobs.

But then the real thing is to cap the interest rates at 4 percent. As was indicated by my colleague, Mr. HOLT, he indicated how the numbers would go up for the students. Well, let me talk to you about Parent PLUS. Now, you can really see the oppression on parents who are trying to help their children

go to school. In addition to the \$100 billion of debt that students are carrying, we now eliminate the feasibility of Parent PLUS loans. Right now in current law, they're \$27,956. But if we go into this bill, they'll go up to almost \$36,000. Imagine a parent with four children.

I've spoken in the last couple of weeks at the University of Houston-Downtown, the University of Houston, Texas Southern University, Houston Community College. I've spoken at Lone Star colleges, all of these colleges in our districts, St. Thomas.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SLAUGHTER. I yield an additional 30 seconds to the gentlewoman.

Ms. JACKSON LEE. All of this does not answer the question when this bill will be passed. I ask my colleagues to oppose the rule, oppose the underlying bill. Cap this. This is not the President's message. The President had an extended life to be able to provide for parents and students. All you have to do is look at the red—\$36,000 is what this bill is going to cost parents, and that means that we're going to close the door of opportunity for women, for minorities, and for Americans to get a higher education.

This is not the way in graduation season to say thank you to our children for being successful and graduating from college. Let's oppose this bill and do the right thing for Americans.

Mr. Speaker, I rise in opposition to the Rule and the underlying legislation because H.R. 1911, the Smarter Solutions for Students Act would cause financial hardship for students seeking a higher education.

The Rule for H.R. 1911 did not fix the underlying legislation. In fact, the Rule we are debating accepted no amendments that were offered by Members of the Congress. I offered the Jackson Lee Amendment #1 that would have capped student interest at 4 percent. This would have removed the threat of the cost of education doubling at the beginning of July.

I also offered the Jackson Lee Amendment #2, which directed the Secretary of Education to submit a report to Congress on the feasibility of offering student loan forgiveness to those who start businesses in economically depressed areas such as HUBZones.

This amendment would have encouraged young people from low income areas who get college degrees to return home to start businesses. This would establish economic opportunities for young graduates as an option for employment and at the same time bring businesses and job opportunities to target areas.

Students who are graduating across the nation are departing colleges and universities this spring with immense debt. Student borrowing is widespread with more than \$100 billion in federal education loans distributed every year. In total, student loan debt adds up to \$1 trillion. As a direct consequence of a weak economy, more than ever students and parents must rely upon loans to pay for higher education.

The American family has been under financial pressure for twenty years resulting in longer hours, less pay and more debt. The only reliable way in today's economy to earn more is to learn more. During difficult economic times adults seek new careers by going back to school. Parents who want a better life for their children will take on college loan debt because the cost of education requires it.

In the City of Houston, this spring I have participated in commencement exercises for the University of Houston, Texas Southern University, Houston Community College and Lone Star College North Harris. There are thousands of new graduates just in the City of Houston alone who are ready to pursue their dreams, but who will wake up to the reality of tens of thousands of dollars in debt.

On July 1, 2013 the student loan interest rate will rise from 3.4 percent to 6.8 percent. As Members of the Congress we know what this will mean for students in our districts and what it will mean for colleges and universities in our Congressional Districts.

Some may try to tell you this bill does what President Obama proposed to do, but it does not. The President's proposal would have fixed the rate on student loans based on the actual Department of the Treasury's cost of borrowing. The Administration's plan would set the repayment costs for the entire life of the student loan, which would have created certainty for the borrower. The President's plan would tie student loan repayments to what graduates were earning after starting their careers. This would have supported a student's dream to become a teacher, social worker, artist, lawyer, doctor or engineer.

Finally, President Obama would extend these favorable loan options to those already in the workforce who still have student loan debt. Paying a reasonable rate that is fixed over the life of the loan and would be based on what you can afford to pay—that is what the President proposed, but this is not what this bill does.

The need for education from cradle to grave should be a national priority, not an afterthought. This is a bad bill that will not solve the problem of out of control student loan debt. For all of these reasons, I urge my Colleagues to join me in voting no on the Rule for H.R. 1911, and the underlying legislation.

AMERICAN ASSOCIATION OF

UNIVERSITY WOMEN,

Washington, DC, May 15, 2013.

Re Oppose the Smarter Solutions for Students Act (H.R. 1911)

DEAR REPRESENTATIVE: On behalf of the over 150,000 bipartisan members and supporters of the American Association of University Women (AAUW), I urge you to vote against the Smarter Solutions for Students Act (H.R. 1911). While AAUW supports preventing the doubling of interest rates on subsidized Stafford loans, scheduled to occur on July 1st, the Smarter Solutions for Students Act fails to provide stability in borrowing for students, and would not ensure that rates stay low in the foreseeable future.

With changes in the workforce over the century, higher education is becoming less of a luxury and more of a necessity. At current rates, the U.S. will add over 16 million jobs by the year 2020 that require at least some postsecondary education. Moreover, the number of jobs requiring a graduate degree is estimated to grow by at least 2.5 million by

that same year. Since many students cannot pay for their degrees out-of-pocket, student loans are an important option and a worthwhile investment. College graduates have fared better in the recent recession and current recovery, and have higher wages and better job prospects overall. Students rely on Stafford loans as a part of the financial aid they use to finance higher education. Subsidized Stafford loans are only offered to students with demonstrated need. Specifically, about 30 percent of undergraduates in 2007–08 received a subsidized Stafford loan, and a majority of those recipients were women.

Many graduates struggle to repay their loans. Loan repayment is an even more significant burden for women, who earn less on average over the course of their lives than their male counterparts. AAUW's research report, *Graduating to a Pay Gap: The Earnings of Women and Men One Year after College Graduation*, found that the median student loan debt burden was slightly higher in 2009 for women than men. In addition, among full-time workers who were repaying their loans in 2009, nearly half (47 percent) of women one year after college graduation were paying more than 8 percent of their earnings toward student loan debt. Only 39 percent of men were in the same position. Furthermore, just over half of women (53 percent) and 39 percent of men, were paying a greater percentage of their income toward student loan debt than AAUW estimates a typical woman or man could afford.

Keeping interest rates low on student loans is important and the Smarter Solutions for Students Act would fail to do so. At the current interest rate of 3.4 percent the government earns almost 12.5 cents per each dollar loaned in the subsidized Stafford loan program. This underscores that there is no reason rates should increase at all for students. Under the Smarter Solutions for Students Act, over the next 3 years interest rates are projected to rise to as much as 7.36 percent. Not only would Fixed rates ensure that when students borrow, they know upfront what their monthly repayment amount will be, as the rate is consistent through repayment. AAUW knows that this is a key component of ensuring students are smart borrowers when it comes to financing their higher education. If they must take out a loan, knowing the repayment schedule of that loan is necessary for their planning purposes.

Allowing the interest rates on subsidized Stafford loans to double on July 1 would have a real impact on students. The interest rate increase could mean as much as \$1,000 in additional debt. But, the Smarter Solutions for Students Act is not a real solution. Under this proposal interest rates would be projected to increase, and students and graduates would be faced with annual uncertainty as their rates at origination and during repayment would vary based on the market. I urge you to vote against the Smarter Solutions for Students Act (H.R. 1911). Votes associated with this legislation may be scored in the AAUW Action Fund Congressional Voting Record for the 113th Congress. If you have any questions or need additional information, feel free to contact me or Anne Hedgepeth, government relations manager.

Sincerely,

LISA M. MAATZ,

Director,

Public Policy and Government Relations.

Ms. FOXX. Mr. Speaker, I'll continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2 minutes to the gen-

tleman from New Jersey (Mr. ANDREWS), a member of the Committee on Education and the Workforce.

Mr. ANDREWS. Mr. Speaker, I thank my friend from New York for giving me the time.

We approach July 1 with a problem where if the Congress does nothing, interest rates will double on student loans from 3.4 percent to 6.8 percent. There are three options that are before the country and before the Congress. The first is to just let it happen, to let the rates go up to 6.8 percent and make higher education less affordable for people in the country.

The second option is the option that's on the floor which will make it worse, to raise the interest rates over the long term higher than 6.8 percent, and cost students and families an additional \$3.7 billion to pay for a higher education.

There is a third option offered by Mr. COURTNEY from Connecticut. That option would say let's leave the rates at 3.4 percent for 2 years, let's pay for that decision so it doesn't add to the deficit, and then use those 2 years to negotiate a sensible, long-term solution to the problem.

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Now I know that there are those who disagree with Mr. COURTNEY's approach. I know there are those who agree with the Republican approach. But what I don't understand is why all three options aren't before the Congress.

See, what we have in front of us today is to either do nothing and let the rates go to 6.8, or do something and make them go even higher. There's a third and better choice that the majority has refused to let the Congress vote on. I suspect the reason we can't vote on that choice is it would win. It would prevail.

This is supposed to be a body where a majority rules. Instead, it's a body where paralysis rules. This bill will probably pass the floor.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 30 seconds.

Mr. ANDREWS. I thank my friend.

This bill will probably pass the floor. It will go nowhere, and we will be back sometime in late June trying to solve this problem.

Let's have a democratic vote with a small D. Let's let the House vote on all the options, and I believe Mr. COURTNEY's option to leave the rates at 3.4 percent would and should prevail.

Ms. FOXX. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'm delighted to yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I rise in opposition to this bill. Why?

It increases the cost of student debt for millions of Americans just trying to continue their education. It is just another example of the House majority who would put a further burden on the middle class and working families.

Without broad access to a good college education and the opportunities and the social mobility that it provides, there will be no middle class in America. The compact will be broken that allows hard work to pay off and allows future generations to do better.

The costs of college are high today. Over the last 30 years, the average tuition at a 4-year State university has almost quadrupled. Sixty percent of Americans now borrow money for college.

Student loan debt last year passed the trillion dollar mark. The average student loan debt among graduating seniors is over \$26,000, a heavy burden to carry into a tough job market.

This bill would compound those costs. A student with that level of debt would pay over \$5,300 more in interest than they would if the current interest rates were extended, leaving them at 3.4 percent.

But this is characteristic of the Republican majority. Let me just give you an example and what they view about the opportunity for education.

In the last election, their standard bearer, Mitt Romney, when he was asked the question about increasing the student loan interest rate, this is what he replied. He said that if students need to borrow money, let them go to their parents.

Well, if your father is the head of American Motors, then, in fact, you can go and get a loan from your parents. But if they are not, and what struggling parents are doing today, if their jobs have either gone or their wages are down, or their health benefits are gone, or their home may be underwater on the mortgage because of the crushing recession that we have had, they're telling their children that they can't afford to send them to college. They can't go to their parents for a loan.

That's where my Republican colleagues would take this issue. And instead of us, here, adding further to students' debt, we should work harder to make college more affordable for families. Let us not let those interest rates double this summer.

This bill moves us in the wrong direction. I urge my colleagues to vote against it.

Ms. FOXX. Mr. Speaker, my colleagues are concerned about the predictability of the market. What about the predictability of Congress?

Congress is the source of this volatility. Our bill protects students if interest rates rise with caps. Not even President Obama's plan does that.

Mr. Speaker, with that, I would like to yield 3 minutes to my distinguished

colleague, the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. I thank my friend from North Carolina for yielding me the time, and really appreciate her leadership on this issue.

You know, Mr. Speaker, I tell the young people when I speak to them back home, I say, turn on C-SPAN. If you don't have cable, don't buy cable; go to your friend's house to watch it. But turn on C-SPAN, and every person who comes to the House floor is going to say whatever they're doing today, no matter what it is that they're doing, they're doing it for the young people. They're doing it for that next generation, so the next generation can have a better life.

And I hear that from every single one of my colleagues on the other side of the aisle. We want to come down here and we want to defeat this rule today and we want to defeat this bill today, and we want to do it for the young people.

Well, Mr. Speaker, I'm down here for the young people of my district too. The young people of my district say, ROB, what about our prosperity? What about our future? What about fiscal responsibility?

Why are you and previous generations doing to us what you're doing?

How can we have a guaranteed access to opportunity, not guaranteed success, but guaranteed access to opportunity, going forward?

And the answer is, when we get out of the business of playing political games with every single issue, every single day, and we get back into the business of providing some certainty.

Mr. Speaker, you remember how we got in this predicament today. We got in this predicament because when my friends on the left were in control and they began to deal with student loan rates, at the time they said a 6 percent rate would be good. At the time they said a 4.5 percent rate would be good. Now, suddenly, only a 3.4 percent can be good.

With every single one of these changes, Mr. Speaker, there are economic consequences. We now know in America today student loan debt is greater than all credit card debt combined. It's an amazing burden that we're passing on to the next generation. We're not giving them opportunity; we are ensuring decades of servitude.

This bill, Mr. Speaker, begins to realign marketplace rates with student loan rates, giving every student a tremendously subsidized Federal rate.

And here's the thing, Mr. Speaker. You hear this debate. It's as if this very small portion of the marketplace, these 3.4 percent subsidized loans, are the "end all, be all" to every student in America. Not true. Not true.

As my friends on the other side of the aisle know perfectly well but never

say, more than 70 percent of all of our students take out both subsidized and unsubsidized loans. And as my friends on the left know perfectly well but never say, they leave those unsubsidized rates at 6.8 percent.

The bill that Ms. FOXX has worked on so carefully with Chairman KLINE brings those rates down to 4.5, maybe even 4.4. We'll see in that last week of Treasury markets in May. But we're tying the fiscal realities of this country to opportunities for our students.

I encourage students, Mr. Speaker, look at your bills, look at your rates. Look at the subsidized and the unsubsidized. You will see what this bill will do for you.

I rise in strong support, Mr. Speaker.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2½ minutes to the gentleman from Colorado (Mr. POLIS), a member of the Committee on Rules.

Mr. POLIS. I thank the gentlelady from New York.

T-minus 38 days, 38 days until student loan interest rates are scheduled to increase from 3.4 to 6.8 percent.

Mr. Speaker, in my district in Colorado, students trying to finance their education through Federally subsidized loans at the University of Colorado and Colorado State University and our other fine universities and, indeed, across the country simply can't afford, in a low interest rate environment today, with the sluggish economy, to have their rates double—double—in 38 days.

Look, there's been a lot of good ideas that have been presented that would allow student loan rates to remain the same or even get better. We had, in our committee, the Education and Labor Committee, a Courtney amendment, which I supported, our Democratic substitute, to keep them at 3.4 percent.

There are even proposals to lower them beyond that. I have a bipartisan bill with Representative PETRI that moves the program over to earnings-contingent education loans, so that repayment amounts are contingent upon how much somebody is earning.

Unfortunately, Mr. Speaker, I oppose the rule because it hasn't allowed any of these ideas to be brought forward to the floor.

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I was glad to see our ranking member, Mr. MILLER, bring forth the President's proposal, which includes Earnings Contingent Education Loans. Unfortunately, the Rules Committee did not make it in order under this rule, which is why I oppose it.

The underlying bill is a step in the right direction towards the President's proposal. I think it provides the framework which we need to improve upon in the Senate and work with the administration over the next 38 days to prevent student loan rates from doubling.

First of all, to be clear, the proposal before us on the underlying bill is not

the President's proposal. It does not include a robust earnings contingent income-based repayment program. It also charges a higher rate of interest above the 10-year Treasury note. To its credit, the Kline-Foxx bill does include a cap on interest rates, which is very borrower friendly and student friendly. Again, what's critical here is it provides a framework for moving forward over the next 38 days to resolve this issue and prevent student loan rates from doubling.

The Washington Post editorialized on this 2 days ago and said that the Education and Workforce Committee bill is "a similar policy" to President Obama's policy, namely, pegging the student loan rates to a rate at which the government borrows, providing more certainty to borrowers, and helping make sure that college can remain affordable.

I call upon my colleagues to oppose the rule and the underlying bill.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

America's college students, especially those who have studied math, understand that if Washington can't get its act together, their generation will be stuck paying the tab. So they have little sympathy for elected leaders who refuse to face reality by pretending that recklessly spending money we don't have will somehow translate into economic prosperity. It's time to face the simple truth: government spending won't fix our economy.

America's growing debt is real, and Congress has the responsibility to deal with it. The first step must be reining in government spending by passing a balanced budget. That is why House Republicans took the lead and passed H. Con. Res. 25, the Path to Prosperity Budget. Our budget brings spending discipline back to Washington, which balances the budget in 10 years, provides for comprehensive tax reform without raising tax rates, and removes many of the regulatory barriers that prevent employers from hiring new graduates. The House Republican budget stops spending money we don't have by cutting waste, fixing our broken Tax Code, and balancing in 10 years.

A balanced budget will promote a healthier economy, create more jobs for graduating students, and put more money in Americans' pockets. Our budget provides economic security for workers and families, ensures a secure retirement for the elderly, repairs the safety net, and expands opportunities for graduating students entering the workforce.

Republicans have passed a bold budget that tackles America's most pressing fiscal challenges and grows our economy today to ensure the next generation inherits a stronger, more prosperous America.

Mr. Speaker, one of the best things we can do for college students now and

in the future is to provide a stronger economy.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I hope my friend's comments mean that the Republicans are ready to appoint conferees.

I am pleased to yield 1 minute to my colleague, the gentlewoman from New York (Ms. CLARKE).

Ms. CLARKE. Today, I rise in opposition to this rule and the underlying bill, H.R. 1911, Smarter Solutions for Students Act, the so-called Republican solution to address the impending student loan interest rate raise.

Despite their rhetoric, the Republicans do not want the American economy more competitive. If they did, they would not have introduced this bill. Under the current law, student loan interest rates are fixed. However, H.R. 1911 would change that and student loan interest rates will become variable rates based on the Treasury interest rate plus additional percentage points. This is truly a bait and switch. Students could start their college careers with a 5 percent student interest rate, but by the time they reach their senior year, have a 7.7 to 8.5 percent student loan rate.

Education has traditionally been and still remains a path out of poverty and into the middle class. And it is middle class that has historically been the backbone of America society. Instead of doing the right thing by permanently lowering student loan interest rates, the Republicans have once again decided to do things the wrong way. The Republicans just don't get it.

Oppose this rule and the underlying bill.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

My colleagues allege, "The Republican bill raises interest rates on students when we should be providing them with relief from their student loan debt." But let me respond to that, Mr. Speaker.

The Smarter Solutions for Students Act will lower the interest rates for all new borrowers in the Stafford loan and PLUS loan programs rather than just extend an artificially low rate to a small subset of borrowers. This makes Federal loans more affordable for all incoming students and parents. The underlying bill helps all students, including those borrowers receiving subsidized loans, whose loans are slated to double, based on the irresponsible actions of the other side.

The bill includes a reasonable cap—something missing in the administration's budget—which protects borrowers in high interest rate environments. If Democrats think the 8.5 percent cap is too high, then let's see their fiscally responsible, paid-for proposal to back up their rhetoric.

The legislation also maintains current law allowing borrowers to take

out a consolidation loan after graduation, where they can lock in their interest rate for the life of the loan. Students can also take advantage of a number of repayment plans and debt management initiatives such as the income-based repayment program, loan forgiveness programs, and opportunities for deferment or forbearance.

The Smarter Solutions for Students Act is a comprehensive, responsible solution that will benefit all students and parents.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule that will allow the House to vote on the Veterans Backlog Reduction Act. To discuss our proposal, I am pleased to yield 4 minutes to the gentleman from Illinois (Mr. ENYART).

Mr. ENYART. I thank the gentlelady from New York.

Mr. Speaker, I rise today in support of H.R. 1739, the Veterans Backlog Reduction Act. As a retired military veteran, one of my top priorities is caring for our veterans. The sad fact is the VA is not honoring its commitment to our veterans today. There are currently over 900,000 claims waiting to be processed. The average wait for that backlog is now 272 days, or nearly 9 months.

These are real people, real American heroes, who deserve disability benefits because they sustained injuries in service to our country. One of these is Michael Boren of Energy, Illinois. Michael came home from Active Duty in Iraq and Afghanistan with nerve damage, an injured back, and other physical problems. By every measure, Michael is legitimately deserving of disability benefits.

The reason I know about Michael is because he contacted my office a few months ago when he was at the end of his rope and in danger of losing his home. Permanently disabled from his injuries sustained in service, he is unable to find gainful employment to sustain himself and his family. The VA couldn't coordinate his paperwork to make a ruling on his claim for nearly 19 months, all while he waited and worried without income.

Too many veterans like Michael are threatened with home foreclosure, having their cars repossessed, their credit cards cut off, all because the VA can't get its act together. It's shameful. And despite promises from the VA to reduce the backlog, just yesterday we learned the backlog is actually increasing and the VA hasn't met a single one of its benchmarks.

The solution is the Veterans Backlog Reduction Act. It says the VA has 125 days to process claims filed by disabled veterans. If the VA can't live up to a reasonable timetable on processing these claims, then disabled veterans will get a provisional payment until a



final ruling is made. If the claim is ultimately deemed valid, then the remainder of the disability benefits will be paid out. If the claim is denied, then the veteran is held harmless and would not have to repay the provisional benefit, unless there would be a finding of fraud or bad faith on the part of the veteran.

□ 1020

The goal is to get these claims processed in a timely manner. And it's my belief that this legislation gives the VA a powerful reason to clean up its act and speed up the process.

This bill serves as a lifeline to countless veterans who can't wait months or years for this problem to be solved. Our veterans are demanding leadership now. This is not a Democrat or a Republican issue. Taking proper care of our wounded veterans is an American issue.

This is a national embarrassment, and we in Congress must meet it head on. It is my hope that we can restore the trust veterans have lost in their government to care for them when they need it most.

Ms. FOXX. Mr. Speaker, I'd like to inquire of the gentlewoman from New York if she is prepared to close.

Ms. SLAUGHTER. Mr. Speaker, I am prepared to close, if my colleague has no further requests for time.

Ms. FOXX. I'll reserve the balance of my time and allow my colleague to close.

Ms. SLAUGHTER. Mr. Speaker, I wish we were debating legislation that I thought might actually have a possibility of becoming law, but we are not.

I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. I urge my colleagues to vote "no" and defeat the previous question and to think about Memorial Day and our proposal to take care of the veterans' backlog. I hope that we are successful in getting that done.

I urge a "no" vote on the rule, and I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, House Republicans are committed to providing more opportunities for more Americans and helping make life work for more families. This legislation is a great step in that direction.

Student borrowers deserve more than platitudes and empty promises. They deserve real solutions that will improve their lives and help them achieve success.

Our conservative solutions to the challenges facing young Americans today are the right solutions, and the

results will speak for themselves. Therefore, I urge my colleagues to vote for this rule and the underlying bill.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 232 OFFERED BY  
MS. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 7. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1739) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to pay provisional benefits for certain nonadjudicated claims, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 8. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1739 as specified in section 7 of this resolution.

#### THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. FOXX. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 224, nays 195, not voting 14, as follows:

[Roll No. 180]

YEAS—224

Aderholt	Black	Campbell
Alexander	Blackburn	Cantor
Amash	Boustany	Capito
Amodei	Brady (TX)	Carter
Bachmann	Bridenstine	Cassidy
Bachus	Brooks (AL)	Chabot
Barletta	Brooks (IN)	Chaffetz
Barr	Brown (GA)	Coble
Barton	Buchanan	Coffman
Benishek	Bucshon	Collins (GA)
Bentivolio	Burgess	Collins (NY)
Bilirakis	Calvert	Conaway
Bishop (UT)	Camp	Cook



Cotton	Jordan	Rice (SC)	Kirkpatrick	Nadler	Schrader	Denham	King (NY)	Roby
Cramer	Joyce	Rigell	Kuster	Napolitano	Schwartz	Dent	Kingston	Roe (TN)
Crawford	Kelly (PA)	Roby	Langevin	Neal	Scott (VA)	DeSantis	Kinzingler (IL)	Rogers (AL)
Crenshaw	King (IA)	Roe (TN)	Larsen (WA)	Negrete McLeod	Scott, David	DesJarlais	Kline	Rogers (KY)
Daines	King (NY)	Rogers (AL)	Larson (CT)	Nolan	Serrano	Diaz-Balart	Labrador	Rogers (MI)
Davis, Rodney	Kingston	Rogers (KY)	Lee (CA)	O'Rourke	Sewell (AL)	Duffy	LaMalfa	Rohrabacher
Denham	Kinzingler (IL)	Rogers (MI)	Levin	Owens	Shea-Porter	Duncan (SC)	Lamborn	Rokita
Dent	Kline	Rohrabacher	Lipinski	Pallone	Sherman	Duncan (TN)	Lance	Rooney
DeSantis	Labrador	Rokita	Loeb sack	Pascrell	Sinema	Ellmers	Lankford	Ros-Lehtinen
DesJarlais	LaMalfa	Rooney	Lofgren	Pastor (AZ)	Sires	Farenthold	Latham	Roskam
Diaz-Balart	Lamborn	Ros-Lehtinen	Lowenthal	Payne	Slaughter	Fincher	Latta	Ross
Duffy	Lance	Roskam	Lowe y	Pelosi	Smith (WA)	Fitzpatrick	LoBiondo	Rothfus
Duncan (SC)	Lankford	Ross	Lujan Grisham	Perlmutt er	Swailwell (CA)	Fleischmann	Long	Royce
Duncan (TN)	Latham	Rothfus	(NM)	Peters (CA)	Takano	Fleming	Lucas	Runyan
Ellmers	Latta	Royce	Luján, Ben Ray	Peters (MI)	Thompson (CA)	Flores	Luetkemeyer	Ryan (WI)
Farenthold	LoBiondo	Runyan	(NM)	Peterson	Thompson (MS)	Forbes	Lummis	Salmon
Fincher	Long	Ryan (WI)	Lynch	Pingree (ME)	Tierney	Fortenberry	Marchant	Sanford
Fitzpatrick	Lucas	Salmon	Maffei	Pocan	Titus	Foxx	Marino	Scalise
Fleischmann	Luetkemeyer	Sanford	Maloney,	Polis	Tonko	Franks (AZ)	Massie	Schock
Fleming	Lummis	Scalise	Carolyn	Price (NC)	Tsongas	Frelinghuysen	McCarthy (CA)	Schweikert
Flores	Marchant	Schock	Maloney, Sean	Quigley	Van Hollen	Gardner	McCaul	Scott, Austin
Forbes	Marino	Schweikert	Matheson	Rahall	Vargas	Garrett	McClintock	Sensenbrenner
Fortenberry	Massie	Scott, Austin	Matsui	Rangel	Veasey	Gerlach	McHenry	Sessions
Foxx	McCarthy (CA)	Sensenbrenner	McCarthy (NY)	Richmond	Vela	Gibbs	McKeon	Shimkus
Franks (AZ)	McCaul	Sessions	McCollum	Roybal-Allard	Velázquez	Gingrey (GA)	McKinley	Shuster
Frelinghuysen	McClintock	Shimkus	McDermott	Ruiz	Visclosky	Gohmert	McMorris	Simpson
Gardner	McHenry	Shuster	McGovern	Ruppersberger	Walz	Goodlatte	Rodgers	Smith (NE)
Garrett	McKeon	Simpson	McIntyre	Rush	Wasserman	Gosar	Meadows	Smith (NJ)
Gerlach	McKinley	Smith (NE)	McNerney	Ryan (OH)	Schultz	Gowdy	Meehan	Smith (TX)
Gibbs	McMorris	Smith (NJ)	Meeks	Sánchez, Linda	T. Waters	Granger	Messa	Southerland
Gingrey (GA)	Rodgers	Smith (TX)	Meng	T. Sanchez, Loretta	Watt	Graves (GA)	Mica	Stewart
Gohmert	Meadows	Southerland	Michaud	Sarbanes	Waxman	Graves (MO)	Miller (FL)	Stivers
Goodlatte	Meehan	Stewart	Miller, George	Schakowsky	Welch	Griffin (AR)	Miller (MI)	Stockman
Gosar	Messer	Stivers	Moore	Schiff	Wilson (FL)	Griffith (VA)	Mullin	Stutzman
Gowdy	Mica	Stockman	Moran	Schneider	Yarmuth	Grimm	Mulvaney	Terry
Granger	Miller (FL)	Stutzman	Murphy (FL)			Guthrie	Murphy (PA)	Thompson (PA)
Graves (GA)	Miller (MI)	Terry				Hall	Neugebauer	Thornberry
Graves (MO)	Mullin	Thompson (PA)				Hanna	Noem	Tiberi
Griffin (AR)	Mulvaney	Thornberry	Bass	Gibson	Miller, Gary	Harper	Nugent	Tipton
Griffith (VA)	Murphy (PA)	Tiberi	Bonner	Herrera Beutler	Speier	Harris	Nunes	Turner
Grimm	Neugebauer	Tipton	Clyburn	Horsford	Westmoreland	Hartzler	Nunnelee	Upton
Guthrie	Noem	Turner	Cole	Lewis	Young (AK)	Hastings (WA)	Olson	Valadao
Hall	Nugent	Upton	Culberson	Mark ey		Heck (NV)	Palazzo	Wagner
Hanna	Nunes	Valadao				Hensarling	Paulsen	Walberg
Harper	Nunnelee	Wagner				Holding	Pearce	Walden
Harris	Olson	Walberg				Hudson	Perry	Walorski
Hartzler	Palazzo	Walden				Huelskamp	Petri	Weber (TX)
Hastings (WA)	Paulsen	Walorski				Huizenga (MI)	Pittenger	Webster (FL)
Heck (NV)	Pearce	Weber (TX)				Hultgren	Pitts	Wenstrup
Hensarling	Perry	Webster (FL)				Hunter	Poe (TX)	Whitfield
Holding	Petri	Wenstrup				Hurt	Pompeo	Williams
Hudson	Pittenger	Whitfield				Issa	Posey	Wilson (SC)
Huelskamp	Pitts	Williams				Jenkins	Price (GA)	Wittman
Huizenga (MI)	Poe (TX)	Wilson (SC)				Johnson (OH)	Radel	Wolf
Hultgren	Pompeo	Wittman				Johnson, Sam	Reed	Womack
Hunter	Posey	Wolf				Jones	Reichert	Woodall
Hurt	Price (GA)	Womack				Jordan	Renacci	Yoder
Issa	Radel	Woodall				Joyce	Ribble	Yoho
Jenkins	Reed	Yoder				Kelly (PA)	Rice (SC)	Young (FL)
Johnson (OH)	Reichert	Yoho				King (IA)	Rigell	Young (IN)
Johnson, Sam	Renacci	Young (FL)						
Jones	Ribble	Young (IN)						

□ 1046

Ms. TSONGAS and Ms. WILSON of Florida changed their vote from “yea” to “nay.”

Mr. LAMALFA changed his vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. HORSFORD. Mr. Speaker, on rollcall No. 180, had I been present, I would have voted “nay.”

The SPEAKER pro tempore. The

NAYS—193

## NOT VOTING—14

□ 1046

Ms. TSONGAS and Ms. WILSON of Florida changed their vote from “yea” to “nay.”

Mr. LAMALFA changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. HORSFORD. Mr. Speaker, on rollcall No. 180, had I been present, I would have voted “nay.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 224, nays 193, not voting 16, as follows:

[Roll No. 181]

YEAS—224

Andrews	Conyers	Gallego
Barber	Cooper	Garamendi
Barrow (GA)	Costa	Garcia
Beatty	Courtney	Grayson
Becerra	Crowley	Green, Al
Bera (CA)	Cuellar	Green, Gene
Bishop (GA)	Cummings	Grijalva
Bishop (NY)	Davis (CA)	Gutierrez
Blumenauer	Davis, Danny	Hahn
Bonamici	DeFazio	Hanabusa
Brady (PA)	DeGette	Hastings (FL)
Braley (IA)	Delaney	Heck (WA)
Brown (FL)	DeLauro	Higgins
Brownley (CA)	DelBene	Himes
Bustos	Deutch	Hinojosa
Butterfield	Dingell	Holt
Capps	Doggett	Honda
Capuano	Doyle	Hoyer
Cárdenas	Duckworth	Huffman
Carney	Edwards	Israel
Carson (IN)	Ellison	Jackson Lee
Cartwright	Engel	Jeffries
Castor (FL)	Enyart	Johnson (GA)
Castro (TX)	Eshoo	Johnson, E. B.
Chu	Esty	Kaptur
Ciilline	Farr	Keating
Clarke	Fattah	Kelly (IL)
Clay	Foster	Kennedy
Cleaver	Frankel (FL)	Kildee
Cohen	Fudge	Kilmer
Connolly	Gabbard	Kind

Aderholt	Boustany	Cassidy
Alexander	Brady (TX)	Chabot
Amash	Bridenstine	Chaffetz
Amodei	Brooks (AL)	Coble
Bachmann	Brooks (IN)	Coffman
Bachus	Brown (GA)	Collins (GA)
Barletta	Buchanan	Collins (NY)
Barr	Buchon	Conaway
Barton	Burgess	Cook
Benishak	Calvert	Cotton
Bentivolio	Camp	Cramer
Bilirakis	Campbell	Crawford
Bishop (UT)	Cantor	Crenshaw
Black	Capito	Daines
Blackburn	Carter	Davis, Rodney

Andrews	Courtney	Green, Gene
Barber	Crowley	Grijalva
Barrow (GA)	Cuellar	Hahn
Beatty	Cummings	Hanabusa
Becerra	Davis (CA)	Hastings (FL)
Bera (CA)	Davis, Danny	Heck (WA)
Bishop (GA)	DeFazio	Higgins
Bishop (NY)	DeGette	Himes
Blumenauer	Delaney	Hinojosa
Bonamici	DeLauro	Holt
Brady (PA)	DelBene	Honda
Braley (IA)	Deutch	Horsford
Brown (FL)	Dingell	Hoyer
Brownley (CA)	Doggett	Huffman
Bustos	Doyle	Israel
Butterfield	Duckworth	Jackson Lee
Capps	Edwards	Jeffries
Capuano	Ellison	Johnson (GA)
Cárdenas	Engel	Johnson, E. B.
Carney	Enyart	Kaptur
Carson (IN)	Eshoo	Keating
Cartwright	Esty	Kelly (IL)
Castor (FL)	Farr	Kennedy
Castro (TX)	Fattah	Kildee
Chu	Foster	Kilmer
Ciilline	Frankel (FL)	Kirkpatrick
Clarke	Fudge	Kuster
Clay	Gabbard	Langevin
Cleaver	Gallego	Larsen (WA)
Cohen	Garamendi	Larson (CT)
Connolly	Garcia	Lee (CA)
Cooper	Grayson	Levin
Costa	Green, Al	

Lipinski	Nolan	Scott (VA)
Loeb sack	O'Rourke	Scott, David
Lofgren	Owens	Serrano
Lowenthal	Pallone	Sewell (AL)
Lowey	Pascarell	Shea-Porter
Lujan Grisham	Pastor (AZ)	Sherman
(NM)	Payne	Sinema
Luján, Ben Ray	Pelosi	Sires
(NM)	Perlmuter	Slaughter
Lynch	Peters (CA)	Smith (WA)
Maffei	Peters (MI)	Swalwell (CA)
Maloney,	Peterson	Takano
Carolyn	Pingree (ME)	Thompson (CA)
Maloney, Sean	Pocan	Thompson (MS)
Matheson	Polis	Tierney
Matsui	Price (NC)	Titus
McCarthy (NY)	Quigley	Tonko
McCollum	Rahall	Tsongas
McDermott	Rangel	Van Hollen
McGovern	Richmond	Vargas
McIntyre	Ruiz	Veasey
McNerney	Ruppersberger	Vela
Meeks	Rush	Velázquez
Meng	Ryan (OH)	Visclosky
Michaud	Sánchez, Linda	Walz
Miller, George	T.	Wasserman
Moore	Sanchez, Loretta	Schultz
Moran	Sarbanes	Waters
Murphy (FL)	Schakowsky	Watt
Nadler	Schiff	Waxman
Napolitano	Schneider	Welch
Neal	Schrader	Wilson (FL)
Negrete McLeod	Schwartz	Yarmuth

## NOT VOTING—16

Bass	Gibson	Roybal-Allard
Bonner	Gutierrez	Speier
Clyburn	Herrera Beutler	Westmoreland
Cole	Lewis	Young (AK)
Conyers	Markey	
Culberson	Miller, Gary	

□ 1058

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 258. An act to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

The message also announced that pursuant to Public Law 94-304, as amended by Public Law 99-7, the Chair, on behalf of the Vice President, appoints the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki) during the One Hundred Thirteenth Congress:

The Senator from Arkansas (Mr. BOOZMAN).

□ 1100

## SMARTER SOLUTIONS FOR STUDENTS ACT

Mr. KLINE. Mr. Speaker, pursuant to House Resolution 232, I call up the bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 232, in lieu of the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-12 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

## H.R. 1911

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Smarter Solutions for Students Act".*

**SEC. 2. STUDENT LOAN INTEREST RATES.**

*Section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) is amended—*

(1) in paragraph (7)—  
*(A) in the paragraph heading, by inserting "AND BEFORE JULY 1, 2013" after "2006";*  
*(B) in subparagraph (A), by inserting "and before July 1, 2013," after "2006,";*  
*(C) in subparagraph (B), by inserting "and before July 1, 2013," after "2006,";* and  
*(D) in subparagraph (C), by inserting "and before July 1, 2013," after "2006,";*  
*(2) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and*  
*(3) by inserting after paragraph (7), the following:*

*"(8) INTEREST RATE PROVISION FOR NEW LOANS ON OR AFTER JULY 1, 2013.—*

*"(A) RATES FOR FDSL AND FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to—*

*"(i) the high-yield 10-year Treasury notes auctioned at the final auction held prior to such June 1; plus*

*"(ii) 2.5 percent, except that such rate shall not exceed 8.5 percent.*

*"(B) PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for any Federal Direct PLUS Loan for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to—*

*"(i) the high-yield 10-year Treasury notes auctioned at the final auction held prior to such June 1; plus*

*"(ii) 4.5 percent, except that such rate shall not exceed 10.5 percent.*

*"(C) CONSOLIDATION LOANS.—Notwithstanding the preceding paragraphs of this subsection, any Federal Direct Consolidation Loan for which the application is received on or after July 1, 2013, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of one percent."*

**SEC. 3. BUDGETARY EFFECTS.**

*(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.*

*(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).*

The SPEAKER pro tempore. The gentleman from Minnesota (Mr. KLINE) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

## GENERAL LEAVE

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1911.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KLINE. Mr. Speaker, I yield myself such time as I may consume. I rise today in strong support of H.R. 1911, the Smarter Solutions for Students Act.

We're here today to address a crisis of Washington's own making. Several years ago, Congress decided politicians, not the free market, were better equipped to set student loan interest rates. Politicians set a fixed rate of 6.8 percent for all loans and then decided to advance legislation based on a campaign promise that would temporarily phase this rate for subsidized Stafford loans down to 3.4 percent.

Last summer, with the expiration of the lower rate scheduled for July 1, 2012, debate about student loans reached a fever pitch. The President began touring college campuses, calling on Congress to prevent the increase that his own party set in motion back in 2007.

As I said at the time, no one wanted to see interest rates double—particularly at a time when one out of every two college graduates was struggling to find a full-time job. But we need to move away from a system that allows Washington politicians to use student loan interest rates as bargaining chips, creating uncertainty and confusion for borrowers.

When Congress approved legislation to temporarily stave off the Stafford loan interest rate increase, my colleagues and I lent our support with the promise that we would use this time to work toward a long-term solution that better aligns interest rates with the free market.

The Smarter Solutions for Students Act accomplishes this goal by simply moving all Federal students loans, except Perkins loans, to a market-based interest rate system. This responsible legislation builds upon a proposal that was actually put forth by the President earlier this year.

The Smarter Solutions for Students Act is a narrow piece of legislation that will provide a lasting solution to

the problem facing the Federal student loan program. Unfortunately, Mr. Speaker, some critics would rather kick the can down the road and simply extend the current arbitrary rates at a taxpayer cost of roughly \$8 billion. They want to continue the failed status quo and leave politicians in charge of setting rates.

Earlier this week, The Washington Post called it a "weird fact" that student loan interest rates:

Aren't pegged to anything real, just to the whims of Congress, which inevitably uses student loans as political playthings.

Students deserve better. They shouldn't have to watch as Washington holds their interest rates hostage each election year. They shouldn't have to deal with the uncertainty that comes with waiting for politicians to cobble together another temporary fix to keep interest rates in line with the market.

We have an opportunity today to get politicians out of the business of setting student loan interest rates. We have an opportunity to provide students with more stability in the long run by putting an end to quick fixes and campaign promises, and we have an opportunity to build upon common ground with the administration and advance a bipartisan solution that's a win for both students and taxpayers.

I urge my colleagues to support the Smarter Solutions for Students Act.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, in little more than a month, the interest rates on loans to millions of the neediest students will double from 3.4 percent to 6.8 percent. With that doubling, those that can afford it least will be burdened with more debt. With total student loan debt already surpassing \$1 trillion, this Congress needs to stop that interest rate hike, that doubling of the interest rates.

But rather than make it more affordable for students and families to pay for college, this Congress this day in this Chamber is debating a bill—I know people won't believe this—but we're debating a bill to make it more expensive for families and students to achieve a college education. At a time when college costs are rising and historic low interest rates, the majority is asking us to accept a bill that would increase interest rates. And even though the student interest rate is scheduled on July 1 to double from 3.4 percent to 6.8 percent, the bill presented on this floor today is worse than that for students and their families. It increases the drag on the economy that the student debt is to families and to young people trying to seek a job and to seek to form family.

This bill is so bad that it means more than the doubling of the interest rates. How do you think that has anything to do with the market rates? According to

the Congressional Research Service, when they look at this bill, you can see that under current law interest rates, they would pay \$4,000. And they are doubling to 6.8 percent, so they'd pay \$8,800 in interest rates. And under the Republican bill, families would pay more than \$10,000 in interest. How can that possibly be in the interest of these families? How can that possibly be happening in this economy when people are struggling with interest rates? It cannot be allowed.

You can see here that the parents who may have to contribute something, they would take out a loan to help their child complete a college education, they are going to pay more than \$35,000 over the life of those loans than under the current law, and that's what we've got to stop from happening.

And so what you see is when it is all said and done, this bill asks students over the next few years to pay more than \$3.7 billion, almost \$4 billion, in increased interest rates. No wonder this poor student has a headache. No wonder this parent is pounding on his head thinking, What am I going to do?

But what do they say? They say we have a market rate here. We have a market rate. Well, many in America, certainly middle class families and many low-income families, will remember the last time when we had this kind of market rate because what they have, they have a teaser rate. For your first year, they'll have a lower interest rate. So you have a teaser rate. But you know that next year that teaser rate adjusts so you don't get that rate because next year you get a new rate. And when you're a sophomore in college and you take out another loan, you get a new rate, a higher rate. And when you're a junior, you take out a loan, and you get a higher rate. And when you graduate, they take all of your loans together and give you a higher rate. Does that sound familiar to people? That's the marketplace. That's the marketplace when you choose to crush the people who are borrowing the money.

The President has the market rate. The chairman has said many times the President is looking to use the markets to set a realistic rate. But as he sets the rate, it's deficit neutral. As he sets the rate, the amendment we tried to offer was deficit neutral. He saves those students and families about \$30 billion over the life of those loans. You get the difference? Yes, the market's the market. But you can pick the worst of the market, and you can pick the best of the market. They've chosen to pick the worst of the market for these students.

Now they had options. Republicans last night in the Rules Committee had options. Mr. COURTNEY offered an amendment to keep rates at 3.4 percent. They rejected it.

I offered the President's market approach. They rejected that.

Then Mr. HECK from the Republican side of the aisle from Nevada offered to say let's provide an incentive to make sure that students in fact continue to pay on time, as they should, as the market would do because you want to incent good behavior because you get more of it. They rejected that.

Mr. RICE of South Carolina went before them. He's a member of the Republican caucus, very concerned about interest rates in this legislation, very concerned about what's going to happen to these families. He thought he could lower the interest rates within their bill, within the market rates, stick with the market principle. They said "no."

So all you get today is whether or not you want a solution that is worse than the doubling of the interest rates on July 1. That's not an answer for America's families. That's not an answer for America's students.

I reserve the balance of my time.

□ 1110

Mr. KLINE. Mr. Speaker, I'm now pleased to yield 2 minutes to the gentleman from Wisconsin (Mr. PETRI), the vice chairman of the Education and the Workforce Committee.

Mr. PETRI. I rise today to support H.R. 1911 because it would put in place a long-term, market-based solution to Federal student loan interest rates.

Some on the other side wish to engage in endless debates on the level of student loan interest rates. This is the wrong debate to be having, however, and distracts us from real reform. By taking this issue out of the hands of politicians, H.R. 1911 moves the discussion forward.

I believe there are better ways to help students manage the repayment of their loans than ever-higher interest rate subsidies. Income-based repayment, an idea that originated with Milton Friedman and was subsequently advocated by Presidents Reagan, Clinton and Obama, is better for students and taxpayers.

While we have an income-based repayment option now, it doesn't do enough to protect our taxpayers. Therefore, working with Representative JARED POLIS, I've introduced legislation to make needed reforms.

With today's bill, we can break free from this debate over interest rates and focus on real reform to help students struggling with student loan debts. So I'd urge passage of H.R. 1911.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I rise in strong opposition to H.R. 1911, the Republican bill to make college more expensive. In America, we often speak of the importance of expanding educational opportunity and supporting students in achieving the American Dream. Unfortunately, our student

loan debt crisis is crushing the dreams and aspirations of students and college graduates.

As Congressman MILLER said earlier, today student loan debt exceeds \$1.1 trillion. According to the Consumer Financial Protection Bureau, student loan debt surpassed total outstanding credit card debt for the first time in 2010. These staggering figures are truly unacceptable and must serve as a wake-up call for developing a long-term solution that helps, not harms, current and future borrowers.

As a result, it is shocking that the majority party would bring a bait-and-switch scheme to the House floor, a bill that would force students into loans with skyrocketing interest rates.

I find it shameful that H.R. 1911 would reduce the Federal deficit on the backs of students and parents by saddling them with almost \$4 billion in additional loan interest charges, and leave students worse off than if Congress simply allowed student loan interest rates to double on July 1.

High levels of student loan debt can limit where college graduates live and work. It can affect the kinds of careers that students can follow. High levels of debt can create obstacles for young people who hope to start a family, to purchase a home and save for retirement.

To be clear, students and families deserve more from the U.S. Congress, not less.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GEORGE MILLER of California. I yield the gentleman an additional 30 seconds.

Mr. HINOJOSA. For these reasons, I urge my colleagues on both sides of the aisle to oppose H.R. 1911. I suggest you do two things: one is work to prevent interest rates from doubling on July 1, and second, work to make college more affordable and accessible through the reauthorization of the Higher Education Act.

Mr. KLINE. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Dr. ROE), the chairman of the Health Subcommittee.

Mr. ROE of Tennessee. I thank the chairman.

I rise in support of the Smarter Solutions for Students Act. Student loan debt, I agree with my colleagues on the other side of the aisle, is a huge issue in this country.

And how did we get to the current rate of 6.8 percent, I asked myself. I went back and reviewed it, and in 2006, the Congress decided that interest rates were too high, so they wanted to lower the interest rates, but found out they couldn't afford the cost of it.

So gradually, stepwise, it went down last year. In 1 year we had a 3.4 percent student loan rate tied to nothing other than the whims of Congress. It created a fiscal cliff for loan rates. So we voted

to extend it for 1 year to give us time to have a permanent solution for this.

The permanent solution that we're offering is to simply treat a student loan like any other loan and tie it to a Treasury note plus 2.5 percent for a Stafford loan.

Now, what does that mean?

Certainly, Mr. Speaker, very eloquently, Mr. MILLER spoke just a moment ago about how rates can go. Variable means rates can change. That's absolutely true. But rates can also go down. It doesn't necessarily mean that rates will go up. And in acknowledging this, an 8.5 percent cap was put on those loans.

I checked the student loan rate if you went to your local bank or credit union to see what a loan rate would be, and it's about 7 percent now, higher than that.

And I agree with my good friend, RUBEN HINOJOSA, who believes that we should work for ways to help make college more affordable. I could not agree more.

The Secretary of Education, just this past Wednesday, said he agreed and supported a permanent solution. The President said he supported a market-based approach. This will give certainty to it, and certainly I would urge my colleagues to vote and support this very-needed piece of legislation.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I thank my friend for yielding.

The question before the House this morning is whether we should make college more affordable or less affordable, which is better for the country.

If we do nothing by July 1, interest rates double on student loan rates from 3.4 to 6.8 percent. This bill makes it worse. It will actually increase college costs for a typical student by \$5- or \$6,000 over a 10-year period, \$3.7 billion across the country.

There's a better way. The government's borrowing money today at 1 percent. Why don't we borrow the money at 1 percent, factor in the cost of administering the loans and setting aside a reserve for default, and charge that amount to the students, rather than run a profit-making enterprise on student loans?

Mr. TIERNEY and others have taken the lead on this, Mr. COURTNEY has, and that's the bill that I think is the appropriate long-term solution.

But I do know this. If you listen to any corporate leader, any business leader in America, they tell you this: we will only grow and prosper with a skilled workforce, and we will only have a skilled workforce if higher education is affordable.

The simple question before the House is, if you think higher education should be less affordable, vote "yes." If you think it should be more affordable, vote "no."

"No" is the right vote. There's a better way. We should put that on the floor and proceed that way.

Mr. KLINE. Mr. Speaker, I now yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON), a member of the committee.

Mr. THOMPSON of Pennsylvania. I thank the chairman for yielding.

Absent congressional action, interest rates on student loans will double from 3.4 to 6.8 percent on July 1. It's not that far away. We need both parties and both Chambers working on solutions now. We can't afford more last-minute, backroom deals and political brinksmanship.

The Smarter Solutions for Students Act is a commonsense approach. This bill prevents the rate hike from happening and ends what has become an annual debate within Congress on how to set the rates for student loans.

This bill puts in place a rate that is more predictable and affordable. It builds on a proposal put forward by President Obama in his fiscal year 2014 budget request.

Now, both these proposals move to a market-based interest rate, not one set by politicians in Washington. We have a responsibility to America's youth to put forward a long-term plan for college affordability. This bill is a good first step. It will offer students the lowest possible rates for higher education by ensuring the solvency of these important loan programs. And I encourage my colleagues to join in support of this bill.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

□ 1120

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

I rise in opposition to the Making College More Expensive Act. In 2007, Congress cut the interest rate on student loans in half, from 6.8 percent to 3.4 percent, for 5 years. Last year, we extended that benefit for 1 more year. In a few weeks, on July 1, if Congress chooses not to act, the interest rate is scheduled to double back to the rate of 6.8 percent.

Incredibly, this bill is so bad that, according to the Congressional Research Service, students will actually be better off if Congress were to let the rate double to 6.8 percent than to adopt this legislation. This bill is also bad because it makes rates variable for the life of the loan, therefore forcing students to sign for an interest rate that will fluctuate over time so they don't even know what it's going to be from one time to the next. This proposal essentially asks students to sign up for loans without knowing what they're signing up for.

This is different from the Democratic proposals on variable interest rates, because the President's proposal and the

Democratic alternative that was offered in committee have a variable rate; but once you sign the loan, that rate is fixed for the duration, so you know what you've signed up for. With the historic low rates now, you can sign up for a loan rate that's probably much lower than any of the numbers that are being considered. But this rate is so bad that the Congressional Research Service estimates that if we return to normal rates, the students will actually be worse off than if we just let the rates double to 6.8 percent.

So I ask my colleagues to work diligently to improve access to quality education by making higher education more affordable and ensuring that the interest loan rates are reasonable, and that starts with defeating this bill.

Mr. KLINE. Mr. Speaker, I yield 2 minutes to the chairman of the Workforce Protection Subcommittee, the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. I thank the chairman.

Mr. Speaker, recently, I had the opportunity to meet with more than a dozen of Michigan's private colleges and university presidents. They're working hard, as you might guess, to address the rising costs of college education with their institutions and other institutions and with students who desire an education. At the same time, this House, under the direction of this committee, is working hard to address student loan interest rates in a way that brings long-term stability to the program.

The interest rate for federally subsidized Stafford loans is currently set to rise to 6.8 percent on July 1, 2013, matching it to the current unsubsidized Stafford loan rate. Other Federal loans have rates as high as 7.9 percent. Any further temporary extension of the current rate only kicks the can down the road. We've done this already. In politicians versus markets, markets will always produce better long-term results, and only those who refuse to deal with the truth of history and reality would say otherwise.

Congress has a unique opportunity to institute long-term, bipartisan reforms. Why not? We know in our hearts it's the right thing to do. Both President Obama and the House have favored market-based solutions to current rates. The Secretary of Education desires a long-term solution like this as well.

Instead of another short-term fix, the Smarter Solutions for Students Act provides a long-term solution to the student loan interest rate problem. It returns all Federal student loans, except Perkins loans, to a market-based interest rate and takes politics out of this part of our children's education.

The only way this plan won't work is if the liberal, progressive, central planners that control our government pol-

icy now are allowed to continue their failed approach. And it is a failed approach. Pass this bill.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. I thank the gentleman for yielding, and I draw the point that was mentioned earlier that the Democrats made a promise to keep these loans at 3.4 percent, and the promise is being broken. It's being broken by this bill, this proposal by the Republican Party. We kept our promise through the entire reauthorization of the Higher Education Opportunity Act, and 2 more years in addition. This is the proposal now. We say stay at 3.4 percent. Republicans say, no, jack it up more than double on that basis.

I join with millions of students and parents and organizations that represent them in strong opposition to this Making College More Expensive Act that's before us here today.

My Republican friends talk about how this bill is simple and predictable. It's predictable all right. I predict the rates are going to go right up beyond the 6.8 percent rate. We've already seen that from the Congressional Research Service, a nonpartisan group that says, if we pass this Republican bill, those rates will go up more than double on that basis. It is not simple.

They would have you believe through this debate that the rates are going to go down to market rates, which, at the current time, are lower. They would if you followed our bill at 3.4 percent. But if you went with this bill of Making College More Expensive Act, it sets it low for the first year but it rewrites the second year, and it resets the third year and it resets the fourth year. So at the end of 4 years, you get the whole package with the higher rate. And that is going to be almost \$4 billion more in cost for these students and parents than it is for people right now.

The Congressional Budget Office said these interest rates would be almost \$4 billion. We know that to be the case. These are the same people that tell us they don't want to burden our next generation with the debt, but they apparently have no problem at all burdening the next generation by burying them in student loan debt year after year after year.

I have been hearing from people all over my district. In fact, one woman from Wilmington wrote me and said that, when her son graduates from college, his loans will equal what her husband and she paid for their first home. With the interest rates he'll pay, it will be even more. Something is not right with the system, she says. Both college tuition costs and student loan interest rates are wrong.

She's right. This bill is wrong. Let's do the right thing. Let's have 3.4 percent now. In the interim, do a Higher Education Reauthorization Act that

takes care of this problem going forward.

Mr. KLINE. Mr. Speaker, in order to balance the speakers, I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 1 minute to the gentlewoman from New York (Mrs. MCCARTHY), a member of the committee.

Mrs. MCCARTHY of New York. Thank you, Mr. Chairman. I appreciate that.

Mr. Speaker, I stand today against the Making College More Expensive Act. Let me tell you why.

I represent a pretty large minority area, and over the last several years, we've seen those scores in those students going up and up. For the first time, we're seeing a higher rate of young people going to college. This is not the time to be looking at making college more expensive. They are first-time-generation students going to college. This is wrong. This is supposed to be a family-friendly bill. For whom? It's certainly not for my constituents.

I'm sorry also to say that what we're going to be seeing is that after this bill passes—and it will probably pass today—it dies. The Senate is not going to pick this up. So, again, we have wasted all our time instead of working together to come to a solution.

Again, as you heard, according to the CBO, if Congress did nothing and let student loan rates double on July 1, students would be better off.

This is not a good bill. I ask my colleagues to vote against it.

Mr. KLINE. I continue to reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 1 minute to the gentlewoman from California (Mrs. DAVIS), a member of the committee.

Mrs. DAVIS of California. Mr. Speaker, student interest rates are set to double in a little over a month unless Congress stops it, and that's why I rise today in opposition to the Making College More Expensive Act. We should be considering legislation like the one my colleague, Mr. COURTNEY, introduced to extend low interest rates for 2 years; but, instead, we're debating a bill that makes students worse off than if Congress does nothing. That's because, under this bill, student interest rates would be subject to the whims of the market.

Today, interest rates are at an all-time low, but what about 5 years? what about 10 years? what about 15 years from now? This bill lures students in with a low variable rate, only to trap them with a higher rate upon repayment. Well, Mr. Speaker, we've seen this bait and switch before, only usually it was by credit card companies setting up shop outside of college sporting events, not by the Federal Government.

We are not subprime lenders. The Federal Government should not be

profiting from students. It shouldn't be making \$4 billion off of students.

Mr. KLINE. I now yield 1 minute to a member of the committee, the gentleman from Tennessee, Dr. DESJARLAIS.

□ 1130

Mr. DESJARLAIS. Mr. Speaker, I rise today in support of H.R. 1911. This commonsense bill, aptly named the Smarter Solutions for Students Act, brings the student loan interest rate program back to reality.

Instead of coming back each year to partake in the Washington tradition of putting last year's failures off to the next year, this bill gives students and their families the certainty that their loan rates won't be subjected to the whims of bureaucrats in Washington or legislators on Capitol Hill.

This legislation ties student loan interest rates to the 10-year Treasury note. In fact, the President's fiscal year 2014 budget request included language very similar to this bill. H.R. 1911 goes even further toward protecting students and families from high interest rate environments by including caps on interest rates.

I encourage my colleagues to support this bill, and I thank Chairman KLINE and VIRGINIA FOXX and their staffs for their hard work in bringing this commonsense legislation to the floor.

Mr. GEORGE MILLER of California. May I inquire of the Chair of the time remaining on both sides?

The SPEAKER pro tempore (Mr. BISHOP of Utah). The gentleman from California has 15 minutes remaining. The gentleman from Minnesota has 20 minutes remaining.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY), a member of the committee.

Mr. COURTNEY. Mr. Speaker, it is amazing. At a time when we know that student loan debt now has skyrocketed above all other forms of consumer debt—credit card debt, car loan debt—and students are now graduating, on average, with over \$25,000 of student loan debt, a ticking clock 38 days away where the rates are going to double, the bill that the majority has come forward with makes the problem worse, not better.

Again, the analysis from independent sources—the ones that we rely on to make decisions in this body, the Congressional Budget Office and the Congressional Research Office—make it clear that if we do nothing, the interest costs for the average Stafford loan will add \$4,000 in interest payments. If we pass this bill, the interest will rise by \$5,000. So the notion that this is somehow a solution to the problem, the misnomer that this bill is given, the reverse is true.

Mr. Speaker, we know that the Senate is not going to move over the next

38 days; they're doing the farm bill, they're doing immigration reform. It is time to protect students by extending the 3.4 percent rate, a rate, which I hasten to add, that was passed in 2007 with a large bipartisan majority, signed into law by George Bush, was extended again last year with large bipartisan majorities, signed by President Obama. Let's do a 2-year extension, and then let's get to work with a 5-year Higher Education Reauthorization Act.

The problem with higher ed is not about Stafford loans only; it's about Pell grants, it's about Perkins loans. It's about students not being given good information in high school. It's about allowing graduates to refinance their debt, which they are now confronted with large barriers to. That's the real work to solve the higher education challenge and issue in this country. In the mean time, let's extend the 2-year rates.

Mr. Speaker, I have letters from 21 campus-based organizations representing real live college students all across America who support the Democratic measure to extend those rates, get a good higher education authorization bill, and totally—totally—reject the measure that's on the floor today, the Make College More Expensive Act.

Mr. KLINE. Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Oregon (Ms. BONAMICI), a member of the committee.

Ms. BONAMICI. Mr. Speaker, I rise today in opposition to the Making College More Expensive Act, a bill that will potentially make college more expensive for thousands of students and families across the country.

Across America, students and graduates are trapped under a trillion-dollar mountain of student loan debt, and with this bill, the problem is about to get worse.

On July 1, interest rates will double for millions of students entering college. But this bill is not a constructive solution; in fact, this bill will make the problem worse.

Rates are currently 3.4 percent, and they will double to 6.8 percent if we do nothing. But under this bill, the rates will be uncertain because they will be variable, and will be as high as 8.5 percent.

According to the Congressional Budget Office, this legislation will force students to pay thousands more in interest than if Congress simply does nothing and lets the rates double.

It's just not fair. On average, middle class families haven't seen a raise in years. Many are working harder for less money. They're struggling to buy everything from groceries to gas. They're relying more on the Federal student loans programs to finance the growing cost of college.

But instead of debating how much we should lower rates, instead of considering comprehensive reforms to address college costs, we're actually considering legislation that would be worse than if we did nothing at all.

Mr. Speaker, this is unproductive, unreasonable, and unacceptable. I urge my colleagues to vote "no."

Mr. KLINE. Mr. Speaker, I'd like to yield 3 minutes to another member of the committee, the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. I would like to thank Chairman KLINE for his hard work on this bill. I'd also like to thank Subcommittee Chairwoman FOXX for her hard work.

I rise today in support of H.R. 1911, the Smarter Solutions for Students Act.

This debate is about a fundamental question: Who do you trust more—the promises of Big Government or the private market setting rates in the marketplace?

I believe we must return to a market-based policy rather than keeping Congress in the business of fixing interest rates by throwing darts at a dart board.

Let me make two simple points to this Chamber. First, markets work. The President has recognized this, Education Secretary Duncan has recognized this. They both have called for a return to market-based rates and policies on our student loan interest. Families deserve the security of knowing that the marketplace will be setting their interest rate, not the results of the next mud wrestling match in Congress.

We've heard a lot of rhetoric on the other side of the aisle about how rates will rise if we change this policy. Lost in that rhetoric is the fact that over the course of the last decade there have been times where interest rates would have been much lower had we had a market-based approach to interest rates.

In 2002, student groups lobbied Congress to set student loan interest rates at a fixed 6.8 percent, beginning in the 2006 academic year. At that time, rates on student loans were variable and at historically low levels. However, student groups believed that a 6.8 rate would result in a better deal. It turned out they were wrong. Through that period, interest rates—had we stayed at a variable rate—would have been 2.36 percent. I don't think it's fair to those families that accumulated loans during those times that we had the government in the way.

The second point I think that needs to be made in this debate is that while we need to have low interest rates for students—and we're all concerned and want to make sure they don't rise—the real threat to young people in this country is not a few dollars on their interest loans.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KLINE. I yield the gentleman 1 minute.

Mr. MESSER. The real threat is the explosive growth of debt in this country, the fact that we are adding \$1 trillion of debt each year, \$6,800 of debt per taxpayer each year. It's dragging down our economy and hurting our ability to create jobs.

Let's return to commonsense policy on interest rates. I urge my colleagues to support H.R. 1911.

Mr. GEORGE MILLER of California. I yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman. Mr. Speaker, I rise today in opposition to the Making College More Expensive Act.

Mr. Speaker, what we're doing is just not right. The Federal Government is borrowing money at 1.8 percent. Then we're lending it—now—at 3.4 percent. If we do nothing, it goes to 6.8 percent. And under this bill, it probably will hit up around 10 percent. We're ripping off kids. I mean, we're making money off of these kids. A confident Nation will invest in the dreams of our young people, it won't crush those dreams.

Why are we doing it? You know what? We're borrowing money as a government at 1.8 percent. The Federal Reserve is lending money to the big money center banks at 0.75 percent. But we're going to be charging up to 8 or 10 percent to our kids? I don't get that.

Families are sitting around the kitchen table having discussions—if they have three kids, which two can we send to college?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GEORGE MILLER of California. I yield the gentleman an additional 30 seconds.

Mr. WELCH. Parents who thought they had equity in their home and were going to be able, after working 30 years of work, to finally take that cruise or that vacation, they're refinancing their home to help their kids. And despite that—which compromises their retirement—their kids are getting out of college in Vermont with an average debt in the range of close to \$30,000.

It's tough on the kids, it's tough on the parents, it's bad for our economy, and it's just not right. We borrow, the Federal Government, at 1.8 percent, and we're going to charge up to 8 percent for families? We're lending to the banks at 0.75 percent.

□ 1140

Mr. KLINE. Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 1 minute to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. I rise in opposition, Mr. Speaker, to the Making College More Expensive Act.

How short are some of the memories of my friends on the other side, for it was market-based principles, unregulated market-based principles, that led to the housing crisis that we are just now getting out of.

Doubling the student loan rate is an attack on students. The increased debt that they will take on will build a great wall around our middle class. There's no better way to have a healthy, growing middle class than access to education.

Today, our middle class is shrinking. If you're in the middle class, you're making about \$5,000 less than you were 10 years ago. If you're in the middle class, you owe about \$25,000 more in debt than you did 10 years ago. Doubling the rates will increase the debt that our middle class has.

I know a thing or two about student loans. I have thousands of dollars of them myself. This is not just dollars on interest rates. We are talking thousands of dollars that individual borrowers like myself and the people that grew up with me in a middle class town called Dublin will take on.

Let's tear down this great wall that the GOP and the House leadership are trying to build around our middle class. Let's not double the rates.

Mr. KLINE. I continue to reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I thank the gentleman for yielding.

I rise in strong opposition to the Republican Making College More Expensive Act that we're considering today. Market-based systems will drive up the cost for millions of middle class families but will, of course, also benefit some of our biggest banks and other financial institutions.

If we want to get our country back on the right track, put men and women back to work and ensure that we remain competitive in the global economy, we have to do more to make higher education more accessible and more affordable, not more expensive.

Without Congressional action, the interest rate on Federal subsidized Stafford loans is scheduled to increase from 3.4 percent to 6.8 percent for more than 7 million students. We should not be making a profit on student loans—period.

We have proposals that will end this practice and give students access to college at the lowest cost possible. Unlike this bill, the Student Loan Relief Act, the Responsible Student Loan Solutions Act, and the Bank on Students Loan Fairness Act would each preserve low interest rates for students.

The bill before us today is a bad Republican idea that will make college more expensive for working families and will benefit some of America's

largest financial institutions who will earn billions more in student loan interest. Hidden within this bill is a blatant bait-and-switch scheme that will allow students to borrow money at one rate before the interest rates skyrocket.

Let's reject the Making College More Expensive Act and find a serious, long-term solution on student loans that will make college more affordable for millions and millions of American students.

Mr. Speaker, I rise in strong opposition to the Making College More Expensive Act that we are considering today. If we are serious about getting our country back on the right track, putting people back to work, and ensuring that we remain competitive in the global economy, we have to do more to make higher education more accessible and more affordable, not more expensive. Without Congressional action, the interest rate on federal subsidized Stafford loans is scheduled to increase from 3.4% to 6.8% for more than seven million students.

The United States Government should not be making a profit on student loans. Period.

And there are several proposals pending before the House today that would give students access to college at the lowest cost possible. Unlike this bill, the Student Loan Relief Act, the Responsible Student Loan Solutions Act, and the Bank on Students Loan Fairness Act would each preserve low interest rates for students. But the bill before us today is a bad Republican idea that will make college more expensive for working families. This bill before us today will make college more expensive to millions of Americans.

According to the independent, non-partisan Congressional Research Service, students with five years of subsidized Stafford loans borrowed at the maximum amount would owe \$4,174 in interest under current rate and \$8,808 if we allow interest rates to double on July 1st. But under this proposal, students would owe a total of \$10,109 in interest payments on their loans.

Hidden within this bill is a blatant bait and switch scheme that will allow students to borrow money at one rate before their interest rates skyrocket. Our friends on the other side of the aisle like to claim that putting student loans into the "marketplace" is a cure-all for increased student debt. But in this case, "marketplace" is code for billions of more dollars in interest payments as this bill would prevent students from enjoying the lowest available interest rates.

Let's reject the Making College More Expensive Act and find a serious long-term solution on student loans that will make college more affordable for millions of Americans.

Mr. KLINE. I continue to reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Speaker, I'm puzzled. This is not the America that I know. It can't be.

When we were growing to make ourselves a great Nation, we were talking



about trying to make sure that our young people had a free education. I can't figure out what's going on here. So many Americans that are doing well now, when I talk to them about when they were going to school back in the forties and the fifties and the sixties, it was a free education. Now we want to ask our young people, the ones that are going to be the middle class, the ones that are going to strengthen this country, to be more in debt than ever.

How could we say to our students—when we're talking about financial literacy everywhere and trying to teach them how to be financially able—that you've got to take a bait-and-switch loan? Didn't we learn anything from this last financial crisis?

What are homeowners doing now? All who had these adjustable-rate mortgages, all of them are running to make the adjustable-rate mortgages fixed-rate mortgages. And yet we take what we say are our precious resources—our children—to say that you've got to pay these resources is ridiculous. Some are wealthy, some are not.

Mr. KLINE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. GEORGE MILLER of California. I have no further speakers.

Is the chairman the last speaker?

Mr. KLINE. I am prepared to close.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself the balance of my time.

I want to thank all of my colleagues who entered into the debate here this morning on this legislation. I think it is clear that there is a very big difference between our positions on this legislation; there's a very big difference between the President's bill, who is trying to use a market system, and this bill before us, Mr. KLINE's bill, that uses a market system.

The fact is that the President's bill saves students billions of dollars, but the Republicans would not make President Obama's bill in order for consideration. Why not? They say it's like they're doing the same thing as the President. Well, they're not. In fact, they're adding \$4 billion worth of debt onto the backs of students over their program.

And how can they possibly do that? You've heard my colleagues on this side of the aisle speak to the issues that we hear all of the time when we go home. The struggle of students, the struggle of families, be they low-income, be they middle-income, to get access and to be able to complete a college education, to get access to a community college, to a State college system, to get a certificate, to get a degree that will allow them to participate in the American society, in the American economy. That's part of the American Dream.

Yes, we lowered the interest rates to 3.4 percent, and they've held over a period of years. And they held over those

exact same years when families were under the most stress because of this recession that was created on Wall Street and the scandals that took away 70 percent of the wealth of African American and Hispanic families in this country, that destroyed the equity and good chunks of middle America because of teaser rate loans, subprime loans.

And what is happening today in the private market? The banks are getting money from the Treasury at 0.75 interest, and they're loaning it to families in private student loans. If you have good credit, they'll loan it to you for somewhere around 7 percent.

Bankers used to go die and go to heaven if they could get a 7 percent spread. That's how you become a billionaire. Get it at 0.75 and put it out at 7. And if your credit rating is not so good, those statistics sort of suggest you drift towards 13 percent.

Obviously, the students and middle class can't survive in that market for the most part, and that's why we have a student loan program. That's why we took this program away from the banks a number of years ago. We took the \$60 billion that we were giving to the banks to loan the public's money to students and we said why don't we put that to use for families, and we did.

And we lowered the interest rates, and we increased the participation in the Pell Grants, made it available. We increased some loan limits. We gave people a chance to manage their debt after they graduated, so the more you earn, the more you pay, but you don't get crushed on your first job that may not have the best salary, even though it's the career you want to go in and it takes time to get that salary. We made it more affordable for America's families.

Yes, we lowered the debt to 3.4 percent. It was paid for, and that's all we could afford. Congress will make that decision. Last year, the Congress made a decision to extend it. This year, they've decided that they don't want to extend it on the other side of the aisle. So, fine, come up with a plan. But the plan they came up with is worse than having the 3.4 percent double on July 1.

How can you develop a plan that's worse for students? I guess maybe if you go home and everybody in your district is working and everybody is participating in this slow-growing economy that's getting better. I don't know. Families I represent, they're still struggling. The recession hasn't left town. The recession hasn't left the country.

If you pick up The Wall Street Journal today, there's greater concern about what's happening in China dragging down the world economy, there's greater concern about the Europeans dragging down the world economy. America is trying to struggle and the students are trying to struggle, and

we're going to come along and more than double the rate.

We're going to give them a teaser rate, though. This next September when families go out and they get a rate, it will be probably somewhat lower than the current rate. But that loan will be adjusted, and they don't know what those rates are going to be. As long as they're paying on that loan, that loan will continue to be adjusted. We just saw that history in America. We saw what that did.

I don't have a problem going to a market system. How about a fair one? When the President went to a market system for the subsidized Stafford loan, he said on the market system we'll go to 0.9. They said they would go to 2.5—10 years plus 2.5. The President said 10 years plus 0.9.

□ 1150

There are a lot of ways to go to a market system. You don't have to punish the American family. You don't have to punish the students in school to go to a market system. I wish the President had a cap. The gentleman has a cap. This could be worked out, but we don't do things bipartisanly anymore in the Congress of the United States. So, because we can't get the President and the majority on the Education and the Workforce Committee to sit down and work out the market system—because that's not allowed and we don't do bipartisan work—the victims are going to be the families and the students, and, in the long term, our Nation.

Every Member of Congress has come to this floor and has said how important this education system is to our future economic growth, to competing in a globalized world, to have innovation, to have discovery, to have job creation. We're now creating a drag on job creation. We're now creating a drag on the opportunities for families. We are creating a drag on the ability to achieve the American Dream—and a college education is part of that dream, but a college education is also critical to keeping this economy and this society moving.

I would hope that my colleagues, whether they are committed to a market rate or not, would understand that this is a very flawed market rate.

Mr. Speaker, I yield back the balance of my time.

Mr. KLINE. I yield myself the balance of my time.

Mr. Speaker, as always in these debates, there is a lot of confusion, and there is a lot of misinformation. We are using that old thing about "figures lie and liars figure," and you've got different guesses for interest rates and reports and all those sorts of things, and I want to get into some of that, but some of it is at the core of our differences here. Let's get a couple of things straight.

We watch what has happened as Congress tries to chase an interest rate and gets in political battles year after year. You'll remember that the 6.8 percent that was put in law was considered a good deal. Then there was the plan to take it from 6.8 percent to 3.4 percent for all loans. It didn't work. It costs a lot of money, and it's added to the debt, which is a problem that is still nagging us to this day. So interest rates were taken from 6.8 to 3.4 percent gradually over years. It got down to the point where, for 1 year, the interest rate on subsidized Stafford loans—not the unsubsidized Stafford loans, not the PLUS loans, because we didn't have the money for that—took it down to 3.4 percent for 1 year, and then there wasn't enough money. So, by law, the interest rates on those loans went back up to 6.8 percent, and last year, an election year, we had a big political fight, and that's what you can anticipate, apparently, forever as politicians try to use this as a political pawn and fight over what the student loan interest rates ought to be and what can be afforded.

Mr. Speaker, what can be afforded counts because a problem, as I said, that is continuing to nag us is we have a mountain of debt in this country. We've been running deficits year after year of over \$1 trillion. We've got over \$16 trillion in debt. We have to face that issue here coming before us. So, while we would like all student loan interest rates to be low and as we want to get them as low as we can, we don't want to add to the mountain of debt that's out there.

We thought that it would be a good idea to let the free market determine what those rates ought to be, and we came forward with a proposal, and we talked about our proposal with our colleagues on the other side of the aisle—staff to staff, hour after hour—trying to beat this out staff to staff and in talking to the White House and the Department of Education about what we're doing and what they're doing and what might work out. I talked to the Secretary of Education before this bill was ever introduced because I agreed with the President and the Secretary that we needed a long-term solution and to get out of kicking this can down the road with annual—or maybe it's semiannual or biannual—political battles.

So we moved to the market. We used a 10-year Treasury that the White House was proposing using—center Republicans wanted to use a 10-year Treasury—and then we worked it, Mr. Speaker. We worked it and worked it to get it as close to budget-neutral as we could possibly get it because we want to help students, and we wanted to give them certainty, and we wanted them not to rely on the whims of politicians here, and we wanted also not to put the burden on the American people

and the taxpayer, and we wanted not to add to that debt. So we tried to get it close to zero.

We've seen charts down here—I love charts, particularly colored charts. We've seen charts down here that say that our bill is adding billions of dollars to student debt. Well, we've got a counterproposal over there. I think the gentleman from California offered it. It's the President's proposal, President Obama's plan. That additional debt to students is \$3.1 billion—ours is \$3.7 billion—over 10 years. We tried to come together on this. Mr. Speaker, I think we can continue to try to come together on this, and we need to move this forward.

There are a lot of things we need to do to help students. Certainly, one of them is to help graduates get to work. Half of all college graduates now are underemployed or unemployed, doing things, working in places, employing none of the skills that they learned in college. We need to get the economy going. We're still asking, Where are the jobs? We need to get Americans back to work. You can't get Americans back to work if you just keep piling on mountains and mountains and mountains of debt and piles of regulations, but that's a fight for another day. Income-based repayment systems we didn't touch in our bill, but there are some interesting proposals out there we want to look at. Right now, with this bill, we're just trying to determine who is going to set interest rates—politicians here or the market.

So here is what we've heard from the other side today: that Washington should be in charge of setting interest rates on student loans, that Washington should be in the business of creating confusion and uncertainty for student loan borrowers. Washington cannot agree to a long-term solution that will serve the best interests of students and taxpayers. I think we need to keep working to do that.

It was pointed out that the Senate won't act. Well, for many of us in this body, that's not a lot of news, but July 1 is still July 1, and there is an incentive over there, and I believe the Senate must take action. I look forward to working with them to achieve the long-term solution that I think that we all need to see.

It was pointed out that we have a variable rate. The President has a variable rate but then his fixes. Certainly, under our law, when you graduate, if you're in a low-interest environment, you can consolidate those loans and fix them for the duration of however long you're taking to pay off those loans. If it's in a high interest rate environment, you may not want to do that. In the other plan, you've already got a fixed rate.

We believe we can work together. The only way we can continue to work together to solve this is to pass this

legislation. Pass it today. I urge my colleagues to reject the failed status quo and to embrace a responsible long-term solution on behalf of students, families, and hardworking American taxpayers. I urge my colleagues to support the Smarter Solutions for Students Act.

I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I rise today in opposition to H.R. 1911, the wrong approach to a very real problem for our nation's students.

As we all know, the interest rate on student loans will double in July if Congress does not act. But today's legislation is not the solution. In fact, today's bill will make student loans more expensive, not less.

Student loan debt already tops \$1.1 trillion, burdening recent graduates with high monthly payments even as they struggle to find jobs and start their lives. With that much debt at the start of their careers, they may put off purchases like a home or a car. But rather than address that problem, today's bill would add \$3.7 billion in additional loan interest charges over the next ten years. In fact, if we did nothing and allowed the student loan interest rate to double, students would be better off than they would be under H.R. 1911.

Today's bill also makes it difficult for students to accurately predict their college costs. Under this proposal, the interest rate on loans would be recalculated every year for the life of the loan. According to Congressional Budget Office estimates, interest rates will be higher than current rates for seven of the next ten years. A borrower who takes out a loan next year under the Republican plan would see his interest rate more than double by the time he starts repaying that loan in 2017.

Mr. Speaker, we need a comprehensive solution to the problem of student debt that includes affordable financial assistance and works with states and colleges to keep costs down. It is time to reauthorize the Higher Education Act—let's take this opportunity to negotiate a sustainable, long-term plan that works better for students.

Ms. WATERS. Mr. Speaker, I rise today in strong opposition to H.R. 1911—the Smarter Solutions for Students Act. Mr. Speaker, this terrible bill should instead be called the Making College More Expensive Act because that is exactly what it would do if passed through Congress.

Instead of making college more affordable for students, H.R. 1911 would burden students with an additional \$4 billion in loan interest charges relative to current law. According to a recent study by the Federal Reserve, there is plenty of evidence that student loan debt has negatively affected a student borrower's participation in our economy. With the national student loan debt already topping \$1.1 trillion, H.R. 1911 would only deepen the college debt crisis students are now experiencing in America.

Over the past couple of years, legislators have been repeatedly warned about the impacts student loan debt has on economic growth. Even the Federal Reserve has identified that student debt is the likely cause of delays by American college graduates in purchasing homes and cars or starting families.

H.R. 1911 is a bait and switch scheme that does nothing to remedy this issue. This bill only makes it more expensive to attend by forcing students and families to accept loans with skyrocketing interest rates that increase annually.

Just this past weekend, students from all over the country in the class of 2013 graduated with an average debt load of \$30,000 (Source: Mark Kantrowitz—publisher of FinAid.org analysis). When adjusted for inflation, that's roughly double the average amount of debt students graduated with 20 years ago.

The passage of this bill would continue this trend by changing student loan interest rates from year-to-year based on the 10-year Treasury note, marked up by 2.5 percent to 4.5 percent. As a result of this variable rate, federal student loans taken out by incoming freshmen class of 2013 would at first be at a lower rate; however, by the time this class of freshman graduates in 2017, the interest rate on their loans is projected to be 7.4 percent, more than double today's current 3.4 percent rate for subsidized Stafford loans.

The Consumer Financial Protection Bureau, CFPB, released a report this month citing the long-term impacts of high student loan debt. The CFPB found "As a growing number of young consumers have been unable to participate more fully in the housing marketplace, the segment of young consumers that remains interested in becoming first-time homebuyers may face new barriers to homeownership. The National Association of Home Builders (NAHB) stated that higher student debt burdens "impair the ability of recent college graduates to qualify for a loan." According to NAHB, high student loan debt has an impact on consumers' debt-to-income (DTI) ratio—an important metric for decisions about creditworthiness in mortgage origination.

I have long championed the importance of developing the next generation of entrepreneurs and innovators to lead our country boldly in the 21st Century. Yet, the CFPB report found that student loan debt is poisoning a barrier to young entrepreneurs.

According to the report by CFPB "For many young entrepreneurs, it is critical to invest capital to develop ideas, market products, and hire employees. Student debt burdens require these individuals to divert cash away from their businesses so they can make monthly student loan payments." Is this the future we want for our nation's student borrowers? Instead of building businesses, buying homes, and having families they are being crushed by the weight of student loan debt. This is not the future I want for current and future student borrowers.

Attaining an education is one of our Nation's founding principles. We should be working on finding solutions to lower the cost of education for our nation's youth rather than debating legislation designed to earn another \$3.7 billion in revenue from struggling student borrowers. This bill is egregious.

Mr. Speaker, it is clear to my Democratic colleagues and I that college affordability is still a pervasive issue in America. It is also clear, that this issue will require more than just a temporary fix. In order for us to maintain our competitive edge as a nation, we need to support every single American who desires to pur-

sue a higher education. Congress needs to pass meaningful legislation that actually solves this problem and not perpetuate it. Let's start by voting no on H.R. 1911 and support our American students by not saddling them with insurmountable debt.

Mr. DINGELL. Mr. Speaker, once again House Republicans refuse to address the affordability of higher education head on and instead are using sleight of hand to make students think their interest rates will remain low. The awful truth is that H.R. 1911 will add even more to the already \$1.1 billion of student debt in this country and further increase the cost of getting a college education.

As we continue to recover economically, we must ensure that students can afford a higher education. In 2007, as we were dealing with the worst of the recession, I voted in favor of legislation to reduce interest rates on Stafford loans from 6.8 to 3.4 percent. On July 1, interest rates will go back to 6.8 percent if Congress does not act.

An increase to 6.8 percent will add an additional \$1,000 in debt over the lifetime on a student's loans. However, the non-partisan Congressional Budget Office estimates that under H.R. 1911 interest rates will rapidly increase to 7.7 percent by 2018. This bill does not guarantee lower interest rates. In fact, it does the opposite. The CBO does not project that interest rates will come down any time in the next 10 years. This is a hard truth students and their families cannot afford.

I am a proud cosponsor, along with 138 of my colleagues, of H.R. 1595, the Student Loan Relief Act by Representative JOE COURTNEY, which keeps the interest rate at 3.4 percent through 2015. That gives the Congress time enough to address comprehensive legislation to amend the Higher Education Act and develop long-term solutions to address student loans.

There are nearly 48,000 students attending a university or college in my district who have a Stafford subsidized student loan. Those loans total over \$212 million. Increasing the interest rate will add an unnecessary burden on those students as they graduate and enter the workforce. We must do everything we can to help as they get started.

We should not have to choose how we are going to invest in our country's future. Republicans don't seem to realize that by not finding a compromise, they are playing politics with students, families, and the future of our country.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to express my opposition to H.R. 1911, the Smarter Solutions for Students Act.

This bill will return federal student loans to a system of market-based variable rates, an imprudent policy that seeks profits for deficit reduction at the expense of students struggling with the substantial and ever-climbing cost of post-secondary education.

With federal student loan interest rates set to double on July 1, 2013, Congress must act quickly to extend the current rate, rather than passing legislation that hurts students and families. According to the Congressional Research Service, H.R. 1911 will actually make it more expensive for students than if Congress did nothing and let the current interest rate expire. The Congressional Budget Office

estimates this bill will cost students and parents an addition \$3.7 billion in additional interest charges over the next 10 years.

This is unacceptable. Approximately 60 percent of students take out loans to attend college and increasing the costs of borrowing will prevent millions from being able to pursue higher education. Last year the total amount of student loan debt reached \$1 trillion and the average borrower from the class of 2011 graduated with \$26,600 in debt.

College educated students are the future engine of our country, and anyone who wants to pursue a post-secondary education should have the opportunity to do so without going into crushing debt. I urge my colleagues to extend the current interest rate of 3.4 percent for two years and find a true long-term solution to the cost of college worthy of our nation's young people.

Mr. CONYERS. Mr. Speaker, I rise today to oppose H.R. 1911, the so-called "Smarter Solutions for Students Act". I propose a more accurate title "The Making Kindergarteners Pay for Our Mistakes Act of 2013." I must confess that every time I hear someone say they support austerity for the children, I am forced to question their understanding of economics. I try not to question their motives, but on a day like today—that is a struggle I am hard pressed to win. This bill does little more than turn the United States government into a payday lender—charging students interest that far outstrips the government's cost of lending. Instead of a fixed interest rate, that will let parents and students know how much their education costs, this bill sets interest at a variable, market rate—plus a nice little premium for the government. I wonder what fury my friends across the aisle would raise if we were to treat banks in a similar manner.

This fall's incoming class of students born in 1994 and 1995 was in kindergarten when Republicans seized control of our country and its surplus, and moved us quickly to deficit and debt. While these children were learning how rewarding it was to read, my colleagues across the aisle learned how remunerative it was to pass unfunded tax cuts and unfunded wars onto those children. While they let wages stagnate—an act which continues to this day—and they cut funding to schools—another policy which continues to this day—they reaped millions in campaign contributions from the billionaire's whose taxes they cut, the military contractors to whom they brought billions. Now, my friends across the aisle will vote to ensure students who were five when Republicans started running up the debt, will pay down that debt as the price of going to college.

Today a college degree is more necessary than ever, and more expensive than ever. Unlike my friends across the aisle, I remember that my own education was subsidized by the state. Unlike my friends across the aisle, I don't brag about paying for my college education during a time when our Federal and State governments looked out for students and the poor—when education was treated as a public good, and the minimum wage far outstripped its modern equivalent.

The modern Republican party—many of them bragging about their in-state educations when they want to stress how much they understand the common person's experience—

have all but officially declared for the for-profit model of education. Cut funding, and cut funding, and cut funding to the school. Push more of the cost onto students. Use those students to profit. I apologize that we cannot politely agree to disagree, but treating our children as a cash cow while proclaiming concern about our children does not pass the test of well-meaning debate. If they want the government out of the educating children business, then say so. But don't treat public education as a chance to pay down the debt. Children born in 1995 aren't the reason for our problems—Republican policies are. Eighteen-year-old kids didn't force them to increase inequality; 18-year-old kids didn't force them to destroy American meritocracy by securing inherited wealth for the child of every billionaire and denying opportunity to low-income children; 18-year-old kids didn't make them destroy the middle class to secure greater wealth for those who line your pockets with contributions.

The promise of the American middle class was created when affordable education made the prospect of a good paying job possible for every child. If they want to destroy it, say so. If they want to take out on our children their own guilt about the haphazard, excessive spending of Republican administrations, say so. If they don't care about our children—at least not those who don't benefit from the millionaire tax cuts they pass at every opportunity—just say so.

I urge my friends across the aisle to look at their own actions, and reassess if they can in good conscience support taking more from children just entering into the adult world. I urge them to drop this bill and begin working on a real solution, one that provides the next generation the same opportunities they were provided.

Ms. JACKSON LEE. Mr. Speaker, I rise in opposition to H.R. 1911, the Smarter Solutions for Students Act because this bill becoming law would be worse than allowing student loan interest rates to double on July 1, 2013.

If Congress does nothing the student loan interest rate will rise from 3.4 percent to 6.8 percent on July 1st. As Members of the Congress, we know what this will mean for students in our states and what it will mean for colleges and universities in our Congressional Districts.

The bill H.R. 1911 does not fix the problem of higher interest rates for student loans, but places a greater financial burden on young professionals just starting out in life. The Treasury 10 year rate over the last several years is abnormally low due to the weak economy, but in years when the economy was strong the rate was consistently above 6 percent or more. This is the rate that H.R. 1911 would use to calculate student loan repayment not over the life of the loan, but each time funds were provided.

I have a strong interest in how student loan repayment plans impact graduates. During the last Congress, I introduced the College Literacy in Finance and Economics Act of 2011 or College LIFE Act to address the challenges faced by African American and Hispanic students who sign loan agreements, but may not have the financial literacy to comprehend the significance of taking on long-term debt.

My bill directed that eligible institutions provide financial literacy counseling to borrowers

within 45 days after students receive their loan.

Literacy counseling under the College LIFE Act would require: a minimum of two 4-hour counseling sessions, the first when a student receives a loan payment, and the second when student's complete their study.

The focus of financial literacy education under the College LIFE Act was to make sure students knew through counseling what they were agreeing to in signing up for and receiving a student loan.

Counseling would provide information on student education financial options that went beyond loans and included scholarships. Student financial literacy programs can provide insight into information on loan management and the basics of personal financial management.

The bill would have also provided financial education that taught students how to: make a budget, prioritize financial decision making related to how to balance income, expenses and personal spending, develop realistic goals based on income, and manage credit and debt.

Students would have learned how to understand credit scores, credit cards, and investing so that they could become better financial consumers.

The College LIFE Act would have benefited thousands of graduating students. In the City of Houston, this spring I have participated in commencement exercises for the University of Houston, Texas Southern University, Houston Community College and Lone Star College North Harris. There are thousands of new graduates just in the City of Houston alone who are ready to pursue their dreams, but who will wake up to the reality of tens of thousands of dollars in debt.

I am proud to call Texas Southern University a constituent of the 18th Congressional District of Houston Texas. Texas Southern University is the third largest Historically Black College and University in the Nation. I joined Texas Southern University's current president Dr. John Rudley at the school's commencement. Texas Southern University has a long proud history of success in the students it has sent forth.

The school was founded in September of 1927 with a loan from the Houston Public School Board. This was not a loan intended to saddle the school with a debt too great to survive. For this reason, along with hard work and the dedication of faculty, students and the Houston Community, the University will celebrate its 86th anniversary this year.

Texas Southern University's loan statistics for the 9,700 students attending the school tells us why financial aid is important:

Eighty-one percent of the students attending the school receive some form of student financial assistance.

Texas Southern University received \$85 million in student financial aid revenue for graduate and undergraduate students.

Due to a change in how the Department of Education determines eligibility for parent student loans, there are over 400 fewer students attending Texas Southern University this year.

Changes to student loan rules—no matter how minor—can result in major consequences for a young person's prospects for a college or

university degree. A college degree can open up a world of opportunities that would otherwise not be available.

I spoke at Texas Southern University's commencement exercise and was pleased to be joined by Michael Strahan, a Texas Southern University Alum who is a co-host of Live with Kelly and Michael.

Not all Texas Southern University graduates are as famous as Michael Strahan, but many of them pursue careers that lead to personal and professional success. The goal of attending a university should and ought not to be gaining fame and fortune.

The outcome of our work in Congress should not result in crushing financial debt, because that will end the dreams of college for otherwise college-ready students.

In 2008, 62 percent of students who graduated with a baccalaureate degree left college with more than knowledge—they were burdened with debt. Students of every race, ethnicity, and gender struggle with loans.

According to 2008 statistics: 92 percent of African-American students, 85 percent of Hispanic students, 85 percent of Native American students, 82 percent of multiracial students, 80 percent of Native Hawaiian and Pacific Island students, 77 percent of white students, and 68 percent of Asian students received financial aid.

Education is the surest path out of poverty. However, if the changes proposed by H.R. 1911, that would amend the Higher Education Act of 1965 are allowed to become law, the cost of education will become more uncertain and much more costly.

The reason, I introduced the College LIFE Act was to deal with the issue of personal financial education that has to proceed or come as a requirement when students take on college education debt.

The bill directed that eligible institutions provide financial literacy counseling to borrowers within 45 days after students receive their loan.

The focus of the financial literacy education under the College LIFE Act was to make sure students knew what they were agreeing to in signing up for and receiving a student loan.

Counseling would provide information on student education financial options that went beyond loans and included scholarships. Student financial literacy programs can provide insight into information on loan management and the basics of personal financial management, such as how to make a budget, prioritizing income, expenses and personal spending, as well as how to develop realistic goals based on income.

These students would have also learned about credit and debt management by understanding the importance of credit scores. Counseling would make sure that students understood credit cards and investing.

The need for education from cradle to grave should be a national priority, not an afterthought. We know that the United States is behind in a wide array of areas related to Science Technology Engineering and Mathematics known as STEM education. The Republican leadership must make the national interest for STEM education a top priority.

Students who are graduating across the Nation are departing colleges and universities

this spring with immense debt. Student borrowing is widespread with more than \$100 billion in federal education loans distributed every year. In total student loan debt adds up to \$1 trillion dollars. As a direct consequence of a weak economy more than ever, students and parents must rely upon loans to pay for higher education.

The only reliable way in today's economy to earn more is to learn more. During difficult economic times adults seek new careers by going back to school. Parents who want a better life for their children will take on college loan debt because the cost of education requires it.

This is a bad bill that will not solve the problem of out-of-control student loan debt. For the reasons stated, I urge my Colleagues to join me in voting no on this bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in opposition to H.R. 1911, the Smarter Solutions for Students Act. I was displeased that the House Committee on Rules decided late last night to consider this bill under a closed rule and would not consider any amendments submitted to H.R. 1911. My amendment would have extended Pay As You Earn in order to give past borrowers the same benefits afforded to new borrowers.

Pay As You Earn, created under the Health Care and Education Reconciliation Act of 2010, reduces the monthly payment under Income Based Repayment, IBR, by a third, from 15 percent of discretionary income to 10 percent of discretionary income, and accelerates the loan forgiveness from 25 years to 20 years. However, it is only effective for new borrowers of new loans on or after July 1, 2014.

We need to protect students from high interest rates on these loans so they are not financially paralyzed for simply pursuing an education. In a global economy, putting a college education within reach for every American has never been more important. But it's also never been more expensive. On July 1, the interest rate on subsidized Stafford student loans will double from 3.4 percent to 6.8 percent if Congress does nothing, increasing college costs for over 7 million students by \$1,000 per student, per loan. Unfortunately, this bill does not adequately provide the assistance our students need and instead exacerbates the college debt crisis.

According to estimates by the Congressional Budget Office, interest rates under H.R. 1911 will be higher than current fixed rates for millions of borrowers seven of the next ten years. Even more troubling, H.R. 1911 also includes provisions that will provide \$3.4 billion in debt reduction. It will be a sad day in American history if should the Congress decide to further burden struggling students to reduce a national debt they will already be paying for throughout the course of their lives.

In Texas and all across the country, students and recent college graduates are now facing the highest unemployment rate of any other group. By 2018, 63 percent of all American job openings will require some sort of postsecondary education. In order for our country to remain competitive, we need to make college more affordable and accessible. Political gimmicks such as H.R. 1911 will only

discourage our Nation's students from pursuing an education.

With the cost of higher education continuing to skyrocket, I simply cannot support a measure that will increase the financial burden for millions of students and their families. If Americans fail to address this issue now, we will default on commitment to a better future for our children. We owe it to our young people to provide the opportunities that will allow them to become successful and productive adults.

Mr. LANGEVIN. Mr. Speaker, I rise today in opposition to H.R. 1911, the Making College More Expensive Act. This misguided bill would actually increase the cost of student loans and make it harder for graduates to escape the crushing burden of college debt.

It is a matter of critical national interest that we ensure our colleges and universities are turning out a well-educated, highly-qualified workforce. Unfortunately, the ever-increasing cost of tuition is creating a permanently indebted generation of graduates who are too often paying off crippling debt instead of building fulfilling careers that will increase their financial mobility and our country's economic competitiveness.

We should be working together to solve this looming crisis. Regrettably, this partisan measure makes college more expensive by tying student loan interest rates to the 10-year Treasury note, plus an additional 2.5 to 4.5 percent, and prevents students from locking in a fixed rate. Since these rates will reset every year, by the time next year's freshmen graduate, they will be paying more than double today's current rate for subsidized Stafford loans. The Congressional Budget Office estimates this will produce an extra \$3.4 billion in federal revenue, meaning the government will be profiting off the extra debt students incur. I find this completely unacceptable.

That is why I am a cosponsor of a bill, introduced by Congressman JOE COURTNEY, to extend the current rate of 3.4 percent on Stafford loans for an additional two years. Rather than waging another partisan fight on a bill that will not pass the Senate and the President is prepared to veto, we should consider legislation that has a real chance of becoming law and that will provide real relief to students and their families. What we have before us today is a bait-and-switch scheme, promising benefits that cannot be realized for another four years and that can in no way be guaranteed.

As part of the upcoming reauthorization of the Higher Education Act, we should take on student loans as part of a comprehensive effort to address student debt, college affordability and the financial aid system as a whole. We can take advantage of today's historically low rates without making empty promises to college students.

Ms. MCCOLLUM. Mr. Speaker, I rise today in strong opposition to a bad bill that increases the cost of financing a higher education and adds to the burden of debt for students and their parents. Without quick Congressional action, the interest rate on subsidized Stafford loans will climb from 3.4 percent to 6.8 percent in July for all new loans. Students and families struggling to afford increasing college costs are relying on us to stop this dramatic increase now, and to work in a bipartisan way

to find a long-term solution that will make financing a college education more affordable. Unfortunately, the Republican bill being considered today will do the opposite; it will actually make college more expensive for millions of young people and their families.

Chairman KLINE and House Republicans are bringing a bill to the House floor that creates greater uncertainty for students and their parents by instituting a variable interest rate over the lifetime of loans. Under this legislation, a college freshman starting school this fall who takes out a subsidized Stafford loan this fall would have no guarantee of what their interest rate would be at graduation! Tying Stafford and Parent PLUS loans to a market-based rate might sound good now, when market rates are low, but that could quickly change. In fact, according to projections from the Congressional Budget Office, CBO, in four short years the Republican plan would have students paying an interest rate of 7.4 percent on the Stafford loans they take out this fall. Students graduating from college in 2017 would be worse off under this bill than if we did nothing at all!

Too many students and college graduates across this nation are already struggling with a crushing amount of student loan debt. Congress should not pass a bill that would burden them with \$3.7 billion of additional debt, as this Republican bill will do. What college students and their families really need is a comprehensive approach that makes college more affordable. The Democratic proposal freezes rates in the short-term so that Congress can incorporate a long-term solution to student loan rates into the upcoming Higher Education Act's reauthorization. Democrats are asking Republicans to work with us to reduce the cost of higher education instead of shutting my colleagues on the Education and Workforce Committee out of policy discussions and bringing partisan proposals like this one to the floor.

Mr. BLUMENAUER. Mr. Speaker, May is college decision time for high school seniors across the country. The excitement and joy of this decision is, increasingly, tempered by concerns about just how they are going to pay for this education. The cost of college has gone up 150 percent since 1995. In July, federal subsidized undergraduate student loan rates are set to double from 3.4 percent to 6.8 percent, following the expiration of a one-year extension of lower rates. I support action to create a permanent fix to hold down student loan rates.

H.R. 1911 would require that student loan interest rates change year-to-year based on the 10-year Treasury note rate. In effect, over today's rates, H.R. 1911 would increase student loans by 2.5 percent to 4.5 percent, depending on the type of loan. Because interest rates on Federal student loans will be reset every year, under the Republican plan, next year's freshmen would face an interest rate on loans taken out freshman year of 7.4 percent, more than double today's current 3.4 percent rate for subsidized Stafford loans. Those borrowing the maximum amount would pay approximately \$2,000 more in interest payments under this plan during the life of those loans.

This is unacceptable in a time of rising tuition costs and growing student debt. Not only

does it burden our students and bar some of them from pursuing higher education, it also burdens our economy and limits economic opportunity.

Instead, I support H.R. 1595, the Student Loan Relief Act, which extends the current lower rate. I also support H.R. 1979, the Bank on Students Loan Fairness Act. This legislation, championed by ELIZABETH WARREN in the Senate, would allow students to take out federal student loans at the same low interest rate offered to large financial institutions. The low rate enjoyed by big banks, currently about 0.75 percent, would make college more affordable for more students.

Interest costs on student loans, however, are only part of the problem. A college education is easily one of the best investments an individual can make and as a nation, educating our young people is the best investment we can make in the future of our economy. Yet, college has become so expensive in the United States that it is far out of reach for too many students and those who do attend often find themselves saddled in a heavy debt load for years to come.

We must work to make education more accessible and affordable to all of our nation's students. H.R. 1911 runs counter to this goal and for that reason I do not support it.

Mrs. CHRISTENSEN. Mr. Speaker, today, the House will consider yet another bill that will make secondary education even more expensive for students. I strongly oppose this legislation that would serve to deepen the student debt, and burden student borrowers with crushing debt, when we have the ability to find a temporary solution, creating the time to find a better solution that would allow student borrowers to thrive.

Pursuing higher education is becomingly increasingly essential to securing gainful and fruitful employment in the United States. Most students and their families cannot afford to pay for college outright and as such, rely on financial assistance from the government. This bill would offer these students the help they are seeking, only to later force them to accept sky-rocketing interest rates. It is projected that student borrowers entering school this fall would be subject to a 7.4 percent interest rate by the time they graduate in 2017. This is more than double the current interest rate of 3.4 percent. Approximately 81 percent of African-American students and 67 percent of Latino students find themselves graduating with both a bachelor's degree and a staggering student loan debt. This is in comparison to the 64 percent of white students who also graduate with student debt.

Students should be focusing on their studies and pursuing their dreams, not about whether or not they can afford to attend the next semester, or how they will be able to repay the tens of thousands of dollars of student debt awaiting them after graduation. Not only would the passage of the "Smarter Solutions for Students Act" create a crushing debt for those students and their families seeking to further their education, it would also create long-term negative effects on our already bruised economy. Student borrowers who are subject to the proposed variable interest rates would have little choice but to delay homeownership and starting families. Furthermore, subjecting

students to such a drastic increase in, and variability of student loan interest rates would prohibit many students from returning to, and revitalizing their rural communities which are in need.

The "Smarter Solutions for Students Act" is entirely nonsensical. Student borrowers are being exploited, and turned into profit generators for the government. Over the last five fiscal years, the department of education has collected approximately \$101.8 billion dollars in profits from student borrowers.

I urge the Republicans to find a short-term solution to this issue and freeze the current interest rates, so that the House can work on a long term solution. We must make college more affordable for those students who wish to attend. Currently, the student loan debt is at \$1 trillion. To allow the student loan interest rate to increase on July first would only serve to exacerbate this debt, and pile on billions of dollars to loan debt.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in opposition to H.R. 1911, the Smarter Solutions for Students Act.

In a global economy, putting a college education within reach for every American has never been more important. But it's also never been more expensive. On July 1, the interest rate on subsidized Stafford student loans will double from 3.4 percent to 6.8 percent if Congress does nothing, increasing college costs for over 7 million students by \$1,000 per student, per loan. Unfortunately, this bill does not adequately provide the assistance our students need and instead exacerbates the college debt crisis.

According to estimates by the Congressional Budget Office, interest rates under H.R. 1911 will be higher than current fixed rates for millions of borrowers seven of the next ten years. Even more troubling, H.R. 1911 also includes provisions that will provide \$3.4 billion in debt reduction. It will be a sad day in American history if should the Congress decide to further burden struggling students to reduce a national debt they will already be paying for throughout the course of their lives.

In Texas and all across the country, students and recent college graduates are now facing the highest unemployment rate of any other group. By 2018, 63 percent of all American job openings will require some sort of postsecondary education. In order for our country to remain competitive, we need to make college more affordable and accessible. Political gimmicks such as H.R. 1911 will only discourage our Nation's students from pursuing an education.

With the cost of higher education continuing to skyrocket, I simply cannot support a measure that will increase the financial burden for millions of students and their families. If Americans fail to address this issue now, we will default on commitment to a better future for our children. We owe it to our young people to provide the opportunities that will allow them to become successful and productive adults.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 232, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Ms. SINEMA. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. SINEMA. I am.

Mr. KLINE. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. SINEMA moves to recommit the bill H.R. 1911 to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith, with the following amendment:

Redesignate section 3 as section 4.

Insert after section 2, the following new section:

#### SEC. 3. PROTECTING STUDENTS FROM TEASER INTEREST RATES THAT LEAD TO HIGHER LONG-TERM COSTS.

Nothing in this Act shall be construed to—

(1) authorize a student or parent borrower to be charged a teaser interest rate that entices the borrower with an initially low-interest rate that subsequently skyrockets, dramatically increasing the total amount of interest due on a Federal student loan for the student;

(2) authorize an increase in the total cost of postsecondary education for students;

(3) authorize false advertising that hides the true cost of any Federal student loan to a student or parent borrower, including possible interest rate increases from year-to-year, the total amount of interest that a borrower may owe on such loan, and the number of years that a borrower may take to repay such loan; or

(4) limit the authority of the Secretary of Education to include in any disclosure related to interest rates that the Secretary is required to provide to a borrower for a loan made under part D of the Higher Education Act of 1965 (20 U.S.C. 1087a) at or prior to the disbursement of such loan—

(A) an explanation that the applicable rate of interest for the loan is a variable interest rate and how such variable rate may affect the borrower's total cost of attending an institution of higher education; or

(B) estimations of the total amount of interest payments that a borrower may owe under all possible interest rate scenarios under this paragraph for each repayment option and length of repayment that is typical for borrowers under such Act.

Mr. KLINE (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Arizona is recognized for 5 minutes in support of her motion.

□ 1200

Ms. SINEMA. Mr. Speaker, this is a final amendment to the bill and will not kill it or send it back to committee.

I oppose H.R. 1911. While it's bad enough that student loan interest rates

are set to double on July 1, this bill actually makes interest loan rates even worse for our students. By allowing interest rates to rise dramatically on their loans, this bill steals from students and forces them to pay for Congress' debt. That's absolutely unacceptable.

The higher interest rates in this bill will force graduates, who are just beginning to plan their lives, to pay an estimated added \$1,200 each year to the government over 5 years. That's in addition to what they're already expecting to pay. And not only that, the interest rate is not guaranteed, so they can't even plan for this bad news.

When you buy a car, you know what your interest rate will be for the life of the loan. Future graduates who are starting a family, looking for work, and hoping to contribute to our communities should at least have the same reassurance about their investment in their hard work as they would have when buying a car.

It is Congress' duty to stop student loan interest rates from increasing by July 1, and it is outrageous that we would force students to pay for the debt that Congress has created. Hard-working students shouldn't have to pay for Congress' mistakes.

Two weeks ago I shared the story of one of my students at Arizona State University, Ariel Carlos. Ariel and his wife, May, worked their way through college to pay for school and put food on the table for their kids. Ariel also took out student loans in order to make it.

Ariel has debt that he and his wife will pay for decades to come. Students of mine, like Ariel, will make about \$30,000 a year when entering the workforce. They can't afford to pay down Congress' debt in addition to taking care of their families. When Ariel asks me to tell Congress not to make matters worse for families like his and then Congress responds with this so-called solution, we have failed him and his family.

My motion to recommit would help students. My amendment includes a truth-in-lending requirement that stops teaser rates. Teaser rates start low, but then skyrocket without warning and cost thousands of dollars more for students in the future. This amendment also requires the government to tell students the true cost of their loans, including the amount of their interest payments. This amendment allows students to plan for their future.

Mr. Speaker, I yield to the gentleman from California, Representative GEORGE MILLER.

Mr. GEORGE MILLER of California. I want to congratulate the gentlewoman for offering this motion to recommit. I think she goes right to the heart of the matter, and that is the uncertainty that is being presented by the legislation on the floor today.

Other Members tried to deal with this issue of uncertainty. Mr. HECK from Nevada tried to deal with this uncertainty by providing an incentive for those students who borrowed money and were able to pay 4 years on steady payments to give them incentive to continue to do that. Mr. RICE of South Carolina sought to have a lower rate.

This lower rate isn't chiseled in granite. This isn't the market rate. This is a choice of the Republican Members of the committee to choose these rates. Mr. RICE thought this time couldn't we have the lower rate to begin with, but the Rules Committee turned that out. Then Obama's plan was offered, and they turned that out.

So now we're stuck, and that's why we need this motion to recommit, to do as the gentlewoman from Arizona has said: to protect the students from the escalation of their interest rates, to protect the students from the escalation of the cost of college.

These are families and students. Companies and colleges create calculators to try to show students what it will cost over 4 years. This legislation takes all of that uncertainty out for families: how they set money aside, how they save money, how they borrow money. Those calculators don't work with this variable rate, and this variable rate can go on and on and on and on. That's the problem here.

This is a big choice for most families. I appreciate for some families that it's not a big deal as they've got enough money. From where I live, my family, people around me, my neighbors, this is a big choice and commitment to finance the education of your children. That's why this motion to recommit from the gentlewoman from Arizona is so important. There should be truth in lending for America's students, truth in lending for America's families, and we should get rid of the rates that will just punish them and crush them into the future as they graduate from college and they seek to participate in the American economy and in a career of their choice with the talents that we need as a Nation.

I want to thank the gentlewoman so very much.

Ms. SINEMA. I yield back the balance of my time.

The SPEAKER pro tempore. Does the gentleman from Minnesota wish to still maintain his point of order?

Mr. KLINE. Mr. Speaker, I withdraw my point of order, and I rise in opposition to the motion.

The SPEAKER pro tempore. The point of order is withdrawn, and the gentleman from Minnesota is recognized for 5 minutes.

Mr. KLINE. Mr. Speaker, we're trying to get to a long-term solution on how student loan interest rates are set. I believe the process for that is to pass the underlying legislation here, talk to our Senate colleagues, get them to act

so that we can come together and come to a long-term solution.

The gentlelady's motion puts Washington squarely back in the middle of setting student loan interest rates. It's the wrong thing to do. I urge my colleagues to vote "no" on the motion and vote "yes" on the underlying bill.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. SINEMA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 194, nays 223, not voting 16, as follows:

[Roll No. 182]

YEAS—194

Andrews	Engel	Lowey
Barber	Enyart	Lujan Grisham
Barrow (GA)	Eshoo	(NM)
Beatty	Esty	Lujan, Ben Ray
Becerra	Farr	(NM)
Bera (CA)	Fattah	Lynch
Bishop (GA)	Foster	Maloney,
Bishop (NY)	Frankel (FL)	Carolyn
Blumenauer	Fudge	Maloney, Sean
Bonamici	Gabbard	Matheson
Brady (PA)	Gallego	Matsui
Braley (IA)	Garcia	McCarthy (NY)
Brown (FL)	Grayson	McCollum
Brownley (CA)	Green, Al	McDermott
Bustos	Green, Gene	McGovern
Butterfield	Grijalva	McIntyre
Capps	Gutierrez	McNerney
Capuano	Hahn	Meeks
Cárdenas	Hanabusa	Meng
Carney	Hastings (FL)	Michaud
Carson (IN)	Heck (WA)	Miller, George
Cartwright	Higgins	Moore
Castor (FL)	Himes	Moran
Castro (TX)	Hinojosa	Murphy (FL)
Chu	Holt	Nadler
Cicilline	Honda	Napolitano
Clarke	Horsford	Neal
Clay	Hoyer	Negrete McLeod
Cleaver	Huffman	Nolan
Cohen	Israel	O'Rourke
Connolly	Jackson Lee	Owens
Conyers	Jeffries	Pallone
Cooper	Johnson (GA)	Pascarell
Costa	Johnson, E. B.	Pastor (AZ)
Courtney	Kaptur	Payne
Crowley	Keating	Pelosi
Cuellar	Kelly (IL)	Perlmutter
Cummings	Kennedy	Peters (CA)
Davis (CA)	Kildee	Peters (MI)
Davis, Danny	Kilmer	Peterson
DeFazio	Kind	Pingree (ME)
DeGette	Kirkpatrick	Pocan
Delaney	Kuster	Polis
DeLauro	Langevin	Price (NC)
DelBene	Larsen (WA)	Quigley
Deutch	Larson (CT)	Rahall
Dingell	Lee (CA)	Rangel
Doggett	Levin	Richmond
Doyle	Lipinski	Roybal-Allard
Duckworth	Loebach	Ruiz
Edwards	Lofgren	Ruppersberger
Ellison	Lowenthal	Rush



Ryan (OH)  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schneider  
 Schrader  
 Schwartz  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sewell (AL)  
 Shea-Porter

# NAYS—223

Aderholt  
 Alexander  
 Amash  
 Amodei  
 Bachmann  
 Bachus  
 Barletta  
 Barr  
 Barton  
 Benishek  
 Bentivolio  
 Bilirakis  
 Bishop (UT)  
 Black  
 Blackburn  
 Boustany  
 Brady (TX)  
 Bridenstine  
 Brooks (AL)  
 Brooks (IN)  
 Broun (GA)  
 Buchanan  
 Bucshon  
 Burgess  
 Calvert  
 Camp  
 Campbell  
 Cantor  
 Capito  
 Carter  
 Cassidy  
 Chabot  
 Chaffetz  
 Coble  
 Coffman  
 Collins (GA)  
 Collins (NY)  
 Conaway  
 Cook  
 Cotton  
 Cramer  
 Crawford  
 Crenshaw  
 Culberson  
 Daines  
 Davis, Rodney  
 Denham  
 Dent  
 DeSantis  
 DesJarlais  
 Diaz-Balart  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Ellmers  
 Farenthold  
 Fincher  
 Fitzpatrick  
 Fleischmann  
 Fleming  
 Flores  
 Forbes  
 Fortenberry  
 Foxx  
 Franks (AZ)  
 Frelinghuysen  
 Gardner  
 Garrett  
 Gerlach  
 Gibbs  
 Gingrey (GA)  
 Goodlatte  
 Gosar  
 Gowdy  
 Granger

Graves (GA)  
 Graves (MO)  
 Griffin (AR)  
 Griffith (VA)  
 Grimm  
 Guthrie  
 Hall  
 Hanna  
 Harper  
 Harris  
 Hartzler  
 Hastings (WA)  
 Heck (NV)  
 Hensarling  
 Holding  
 Hudson  
 Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurt  
 Issa  
 Jenkins  
 Johnson (OH)  
 Johnson, Sam  
 Jones  
 Jordan  
 Joyce  
 Kelly (PA)  
 King (IA)  
 King (NY)  
 Kingston  
 Kinzinger (IL)  
 Kline  
 Labrador  
 LaMalfa  
 Lamborn  
 Lance  
 Lankford  
 Latham  
 Latta  
 LoBiondo  
 Long  
 Lucas  
 Luetkemeyer  
 Lummis  
 Maffei  
 Marchant  
 Marino  
 Massie  
 McCarthy (CA)  
 McCaul  
 McClintock  
 McHenry  
 McKeon  
 McKinley  
 McMorris  
 Rodgers  
 Meadows  
 Meehan  
 Messer  
 Mica  
 Miller (FL)  
 Miller (MI)  
 Mullin  
 Mulvaney  
 Murphy (PA)  
 Neugebauer  
 Noem  
 Nugent  
 Nunes  
 Nunnelee  
 Olson  
 Palazzo  
 Paulsen

Veasey  
 Vela  
 Velázquez  
 Visclosky  
 Walz  
 Wasserman  
 Schultz  
 Waters  
 Watt  
 Waxman  
 Welch  
 Wilson (FL)  
 Yarmuth

Pearce  
 Perry  
 Petri  
 Pittenger  
 Pitts  
 Poe (TX)  
 Pompeo  
 Posey  
 Price (GA)  
 Radel  
 Reed  
 Reichert  
 Renacci  
 Ribble  
 Rice (SC)  
 Rigell  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rokita  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross  
 Rothfus  
 Royce  
 Runyan  
 Ryan (WI)  
 Salmon  
 Sanford  
 Scalise  
 Schock  
 Schweikert  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Shimkus  
 Shuster  
 Simpson  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Southerland  
 Stewart  
 Stockman  
 Stutzman  
 Terry  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Turner  
 Upton  
 Valadao  
 Wagner  
 Walberg  
 Walden  
 Walorski  
 Weber (TX)  
 Webster (FL)  
 Wenstrup  
 Whitfield  
 Williams  
 Wilson (SC)  
 Wittman  
 Womack  
 Woodall  
 Yoder  
 Yoho  
 Young (FL)  
 Young (IN)

# NOT VOTING—16

Bass  
 Bonner  
 Clyburn  
 Cole  
 Garamendi  
 Gibson  
 Gohmert  
 Herrera Beutler  
 Lewis  
 Markley  
 Miller, Gary  
 Speier  
 Stivers  
 Westmoreland  
 Wolf  
 Young (AK)

□ 1230

Messrs. BARLETTA, ROONEY, GRIFFITH of Virginia, COOK, and RYAN of Wisconsin changed their vote from “yea” to “nay.”

Messrs. CARNEY, VISCLOSKY, and COHEN, Ms. TITUS, and Mr. KIND changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

# RECORDED VOTE

Mr. GEORGE MILLER of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 221, noes 198, not voting 15, as follows:

[Roll No. 183]

# AYES—221

Aderholt  
 Alexander  
 Amash  
 Amodei  
 Bachmann  
 Bachus  
 Barletta  
 Barr  
 Barton  
 Benishek  
 Bentivolio  
 Bilirakis  
 Bishop (UT)  
 Black  
 Blackburn  
 Boehner  
 Boustany  
 Brady (TX)  
 Bridenstine  
 Brooks (IN)  
 Broun (GA)  
 Bucshon  
 Burgess  
 Calvert  
 Camp  
 Campbell  
 Cantor  
 Capito  
 Carter  
 Cassidy  
 Chabot  
 Chaffetz  
 Coble  
 Coffman  
 Collins (GA)  
 Collins (NY)  
 Conaway  
 Cook  
 Cramer  
 Crawford  
 Crenshaw  
 Culberson  
 Daines  
 Davis, Rodney  
 Denham  
 Dent  
 DeSantis  
 DesJarlais  
 Diaz-Balart  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Ellmers  
 Farenthold  
 Fincher  
 Fitzpatrick  
 Fleischmann  
 Fleming  
 Flores  
 Forbes  
 Fortenberry  
 Foxx  
 Franks (AZ)  
 Frelinghuysen  
 Gardner  
 Garrett  
 Gerlach  
 Gibbs  
 Gingrey (GA)  
 Goodlatte  
 Gosar  
 Gowdy  
 Granger  
 Graves (MO)  
 Griffin (AR)  
 Griffith (VA)  
 Guthrie  
 Hall  
 Hanna  
 Harper  
 Harris  
 Hartzler  
 Hastings (WA)  
 Heck (NV)  
 Hensarling  
 Holding  
 Hudson  
 Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurt  
 Issa  
 Jenkins  
 Johnson (OH)  
 Johnson, Sam  
 Jordan  
 Joyce  
 Kelly (PA)  
 King (IA)  
 King (NY)  
 Kingston  
 Kinzinger (IL)  
 Kline  
 Labrador  
 LaMalfa  
 Lamborn  
 Lance  
 Lankford  
 Latham  
 Latta  
 LoBiondo  
 Long  
 Lucas  
 Luetkemeyer  
 Lummis  
 Maffei  
 Marchant  
 Marino  
 Massie  
 McCarthy (CA)  
 McCaul  
 McClintock  
 McHenry  
 McKeon  
 McKinley  
 McMorris  
 Rodgers  
 Meadows  
 Meehan  
 Messer  
 Mica  
 Miller (FL)  
 Miller (MI)  
 Mullin  
 Mulvaney  
 Murphy (PA)  
 Neugebauer  
 Noem  
 Nugent  
 Nunes  
 Nunnelee  
 Olson  
 Palazzo  
 Paulsen  
 Pearce

Perry  
 Peters (CA)  
 Petri  
 Pittenger  
 Pitts  
 Poe (TX)  
 Polis  
 Pompeo  
 Posey  
 Price (GA)  
 Radel  
 Reed  
 Reichert  
 Renacci  
 Ribble  
 Rice (SC)  
 Rigell  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rokita  
 Rooney

Ros-Lehtinen  
 Roskam  
 Ross  
 Rothfus  
 Royce  
 Runyan  
 Ryan (WI)  
 Salmon  
 Sanford  
 Scalise  
 Schock  
 Schweikert  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Shimkus  
 Shuster  
 Simpson  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Southerland  
 Stewart  
 Stivers  
 Stockman

# NOES—198

Andrews  
 Barber  
 Barrow (GA)  
 Beatty  
 Becerra  
 Bera (CA)  
 Bishop (GA)  
 Bishop (NY)  
 Blumenauer  
 Bonamici  
 Brady (PA)  
 Braley (IA)  
 Brooks (AL)  
 Brown (FL)  
 Brownley (CA)  
 Buchanan  
 Bustos  
 Butterfield  
 Capps  
 Capuano  
 Cárdenas  
 Carney  
 Carson (IN)  
 Cartwright  
 Castor (FL)  
 Castro (TX)  
 Chu  
 Cicilline  
 Clarke  
 Clay  
 Cleaver  
 Cohen  
 Connolly  
 Conyers  
 Cooper  
 Costa  
 Cotton  
 Courtney  
 Crowley  
 Cuellar  
 Cummings  
 Davis (CA)  
 Davis, Danny  
 DeFazio  
 DeGette  
 Delaney  
 DeLauro  
 DelBene  
 Deutch  
 Dingell  
 Doggett  
 Doyle  
 Duckworth  
 Edwards  
 Ellison  
 Engel  
 Enyart  
 Eshoo  
 Esty  
 Farr  
 Fattah  
 Foster  
 Frankel (FL)  
 Fudge  
 Gabbard  
 Gallego  
 Gohmert  
 Graves (GA)

Grayson  
 Green, Al  
 Green, Gene  
 Grijalva  
 Grimm  
 Gutierrez  
 Hahn  
 Hanabusa  
 Hastings (FL)  
 Heck (WA)  
 Higgins  
 Himes  
 Hinojosa  
 Holt  
 Honda  
 Horsford  
 Hoyer  
 Huffman  
 Israel  
 Jackson Lee  
 Jeffries  
 Johnson, E. B.  
 Jones  
 Kaptur  
 Keating  
 Kelly (IL)  
 Kennedy  
 Kildee  
 Kilmer  
 Kind  
 Kirkpatrick  
 Kuster  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Lee (CA)  
 Levin  
 Lipinski  
 Loebsack  
 Lofgren  
 Lowenthal  
 Lowey  
 Lujan Grisham  
 (NM)  
 Luján, Ben Ray  
 (NM)  
 Lynch  
 Maloney,  
 Carolyn  
 Maloney, Sean  
 Matheson  
 Matsui  
 McCarthy (NY)  
 McCollum  
 McDermott  
 McGovern  
 McIntyre  
 McNerney  
 Meeks  
 Meng  
 Michaud  
 Miller, George  
 Moore  
 Moran  
 Murphy (FL)  
 Nadler  
 Napolitano  
 Neal

Terry  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Turner  
 Upton  
 Valadao  
 Wagner  
 Walberg  
 Walden  
 Walorski  
 Weber (TX)  
 Webster (FL)  
 Wenstrup  
 Whitfield  
 Williams  
 Wilson (SC)  
 Wittman  
 Womack  
 Woodall  
 Yoder  
 Yoho  
 Young (FL)  
 Young (IN)

Negrete McLeod  
 Nolan  
 O'Rourke  
 Owens  
 Pallone  
 Pascarell  
 Pastor (AZ)  
 Payne  
 Pelosi  
 Perlmutter  
 Peters (MI)  
 Peterson  
 Pingree (ME)  
 Pocan  
 Price (NC)  
 Quigley  
 Rahall  
 Rangel  
 Richmond  
 Roybal-Allard  
 Ruiz  
 Ruppersberger  
 Rush  
 Ryan (OH)  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schneider  
 Schrader  
 Schwartz  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sewell (AL)  
 Shea-Porter  
 Sherman  
 Sinema  
 Sires  
 Slaughter  
 Smith (WA)  
 Stutzman  
 Swalwell (CA)  
 Takano  
 Thompson (CA)  
 Thompson (MS)  
 Tierney  
 Titus  
 Tonko  
 Tsongas  
 Van Hollen  
 Vargas  
 Veasey  
 Vela  
 Velázquez  
 Visclosky  
 Walz  
 Wasserman  
 Schultz  
 Waters  
 Watt  
 Waxman  
 Welch  
 Wilson (FL)  
 Yarmuth

## NOT VOTING—15

Bass	Gibson	Miller, Gary
Bonner	Herrera Beutler	Speier
Clyburn	Johnson (GA)	Westmoreland
Cole	Lewis	Wolf
Garamendi	Markey	Young (AK)

□ 1239

Mr. MAFFEI changed his vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. COLE. Mr. Speaker: On rollcall No. 180, (Ordering The Previous Question on H. Res. 232, a resolution providing for consideration of H.R. 1911—Smarter Solutions for Students Act) had I been present, I would have voted “yea.”

On rollcall No. 181, (Adoption of H. Res. 232, a resolution providing for consideration of H.R. 1911—Smarter Solutions for Students Act) had I been present, I would have voted “yea.”

On rollcall No. 182, (Member (D–) Motion to recommit H.R. 1911 with instructions) had I been present, I would have voted “no.”

On rollcall No. 183, (Passage of H.R. 1911—Smarter Solutions for Students Act) had I been present, I would have voted “aye.”

On rollcall No. 184, (Approval of the Journal) had I been present, I would have voted “yea.”

## PERSONAL EXPLANATION

Mr. WOLF. Mr. Speaker, today I was unavoidably detained and missed rollcall vote 182, on consideration of a motion to recommit with instructions for H.R. 1911, and rollcall vote 183, on passage of H.R. 1911, the Smarter Solutions for Students Act, because of a longstanding commitment to discuss compassionate approaches to assist the poor and hungry. Had I been present, I would have voted “no” on rollcall 182 and “aye” on rollcall 183.

## FAREWELL TO AUSTIN BURNES

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I know that Members want to catch planes, and I will be brief; but I did want to take this opportunity.

From time to time we, in sadness, see one of those people leave who have served this institution very well, and served me, both in my role as majority leader and as Democratic whip. But I wanted to rise at this point in time to say thank you—and I know you want to join with me—to Austin Burnes, who is leaving as my floor director and as a valued friend and staff member.

At the same time, I want to thank those on Speaker BOEHNER’s staff, on Majority Leader CANTOR’s staff and on Whip MCCARTHY’s staff who have worked so well and positively with Austin Burnes, for helping us to do our job better. Obviously, there were dif-

ferences from time to time—well, maybe all the time—but I thank you for that.

Austin, I want to thank you for the service you have given to this institution, to your country, to me, and to all the Members who appreciate very much your advice and counsel.

## THE JOURNAL

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker’s approval of the Journal, which the Chair will put de novo.

The question is on the Speaker’s approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

## HOUR OF MEETING ON TOMORROW

Mr. KLINE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1773

Mr. PETERSON. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor on H.R. 1773.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

## KEYSTONE XL PIPELINE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, during the 2013 State of the Union address, President Obama stated that every day we must ask ourselves: How do we attract more jobs to our shore? And how do we make sure that the hard work leads to a decent living? Well, this week the House considered and passed H.R. 3, the Northern Route Approval Act, legislation approving the Keystone XL pipeline.

Despite estimates showing thousands of new jobs resulting from the project, the administration has delayed approval. Despite the Democrat-led Senate passing an amendment recommending its approval, the administration has delayed approval. Despite an environmental review process that has been more rigorous than similar, previously approved projects, the administration has delayed approval. Despite

two-thirds of Americans favoring its approval, this administration has delayed approval.

It’s time for the President to move from asking the jobs question to answering it. He can do so by ending the bureaucratic delays blocking approval of Keystone XL and moving forward with this vital project that will bring thousands of high-paying jobs to America’s shore.

## IRREVERSIBLE DOES NOT MEAN UNAVOIDABLE—REJECT KEYSTONE XL

(Mr. HOLT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLT. Mr. Speaker, I rise today as a member of the Safe Climate Caucus to say that we have now passed 400 parts per million of carbon dioxide in the atmosphere for the first time in human history—in fact, for the first time in several million years.

This is, indeed, a milestone, but it should not be a breaking point. We have done damage to our climate through human activities. If we continue to fill our atmosphere with carbon and other greenhouse gases, then, yes, we will begin to experience irreversible changes to the planet.

Over the last century, we have demonstrated how human actions—especially the unregulated consumption of fossil fuels—can harm our planet and upset human welfare, as we’ve seen with historic droughts, fires, floods, and superstorms more and more.

Yesterday, the House again voted to approve the Keystone XL pipeline, a project that represents a long-term reliance on fossil energy and would commit us to the path toward irreversible global warming and climate change.

The political decisions we make today will decide the future. We must reduce our dependence on conventional fuels and redirect our policies.

□ 1250

## REMEMBERING OUR FALLEN HEROES AT ARLINGTON NATIONAL CEMETERY

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, on Memorial Day we take time to honor all those who sacrificed so much to secure our Nation’s freedom, peace, and prosperity. This week, I came together with a bipartisan group of my freshman colleagues to lay a wreath at the Tomb of the Unknown Soldier at Arlington National Cemetery. We paid respect to our Nation’s fallen heroes, especially those known only to God.

In my opinion, there is no more special place in our Nation’s capital than

Arlington. When you enter the gates, all labels but American are shed. And no words are necessary, for the countless rows of white markers speak volumes. With the sometimes vigorous debate in this Chamber, it is important to remember those who rest just 4 miles from here. There we find what holds our country together.

The Book of Wisdom teaches that: "The souls of the righteous are in the hand of God, and no torment shall touch them. They are at peace." What comfort, indeed, for our fallen heroes.

#### REDUCE THE COST OF COLLEGE

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, higher education has always been the pathway to economic prosperity in this country. In fact, a Georgetown University study—my alma mater—shows that a college graduate earns over \$1 million more over a lifetime than a non-graduate. Yet, today our college students are graduating with debt despair instead of job security.

That's why Barbara Malloy called my office. She's a single mom, an elementary school teacher. She's got a son, James, in his freshman year of college. She is very, very worried that she's not going to be able to afford to keep her son in college because they're racking up tens of thousands of dollars in debt.

Mr. Speaker, that's why I oppose today's plan. I think we have to do better. We need to find a way to reduce the cost of college, not raise the cost of college, and I hope that we can in a bipartisan way do a better job.

#### MEMORIAL DAY 2013

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, they are from every State and territory. They are of all races, both sexes. They are from farms, ranches, and cities. They are rich and poor, but generally they are young. They all to a person are volunteers, the all-American volunteers, volunteers to defend America. Some have gone off to war in Iraq and Afghanistan. Some have returned. Some have returned with the wounds of war, and some have returned with an American flag draped over their coffin.

Here are 37 warriors from the Second Congressional District in Texas who died protecting us from the forces of evil in Afghanistan and Iraq. You see they are very diverse. They are all races, they are young, they are old, they are from privates to colonels, enlisted to even West Point graduates, they are from different branches of the service.

So this Memorial Day we remember them all, those who gave all, and we thank their families for giving America their sons and their daughters, for the worst casualty of war is to be forgotten.

And that's just the way it is.

Mr. Speaker, I submit for the RECORD the list of the 37 warriors killed in Afghanistan and Iraq from the Second Congressional District of Texas.

SSgt Russell Slay, U.S. Marine Corps, 11/9/2004.

LCpl Wesley J. Canning, U.S. Marine Corps, 11/10/2004.

LCpl Fred Lee Michael, U.S. Marine Corps, 1/26/2005.

PFC Wesley R. Riggs, U.S. Army, 5/17/2005.  
SGT William B. Meeuwsen, U.S. Army, 11/23/2005.

LCpl Robert A. Martinez, U.S. Marine Corps, 12/1/2005.

SSG Jerry Michael Durbin, U.S. Army, 1/26/2006.

TSgt Walter M. Moss, Jr., U.S. Air Force, 3/30/2006.

PFC Kristian Menchaca, U.S. Army, 6/16/2006.

SSG Benjamin D. Williams, U.S. Army, 6/20/2006.

LCpl Ryan A. Miller, U.S. Marine Corps, 9/14/2006.

SSG Edward Reynolds, Jr., U.S. Army, 9/26/2006.

CPT Michael Fraser, U.S. Army, 11/26/2006.

LCpl Luke Yepsen, U.S. Marine Corps, 12/14/2006.

SPC Dustin R. Donica, U.S. Army, 12/28/2006.

SPC Ryan R. Berg, U.S. Army, 1/9/2007.

SSG Terrance D. Dunn, U.S. Army, 2/2/2007.

LCpl Anthony Aguirre, U.S. Marine Corps, 2/26/2007.

PFC Brandon Bobb, U.S. Army, 7/17/2007.

PFC Zachary Endsley, U.S. Army, 7/23/2007.

SPC Kamisha Block, U.S. Army, 8/16/2007.

CPL Donald E. Valentine III, U.S. Army, 9/18/2007.

LCpl Jeremy W. Burris, U.S. Marine Corps, 10/8/2007.

SSG Eric Duckworth, U.S. Army, 10/10/2007.

CPL Scott A. McIntosh, U.S. Army, 3/10/2008.

SGT Shawn Tousha, U.S. Army, 4/9/2008.

Lt. Col. Mark Stratton II, U.S. Air Force, 5/26/2009.

SPC Jarrett Griemel, U.S. Army, 6/3/2009.

Cpl Jeremy W. Johnson, U.S. Marine Corps, 5/11/2010.

P03 Zarian Wood, U.S. Navy, 5/16/2010.

Sgt. Brandon Bury, U.S. Marine Corps, 6/6/2010.

SPC Matthew Ryan Catlett, U.S. Army, 6/7/2010.

SSG Edward Loreda, U.S. Army, 6/24/2010.

SSG Jessie Ainsworth, U.S. Army, 7/10/2010.

SSG Leston "Tony" Winters, U.S. Army, 7/15/2010.

SFC Calvin Harrison, U.S. Army, 9/20/2010.

PFC Cody R. Norris, U.S. Army, 11/9/2011.

#### NFL ATHLETE SAFETY

(Mr. GARCIA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARCIA. Mr. Speaker, there are few things Americans enjoy more than watching Sunday football with their friends and family. But the excitement

of football, the clashing of helmets, the tackles, can cause long-term health damage to our Nation's athletes.

Last May, Junior Seau, a former Miami Dolphin and one of the top linebackers in NFL history, sadly took his life after battling a debilitating depression associated with repeated head trauma.

Last season alone, we saw high profile players sent back into the game immediately after suffering concussions. This is unfair to athletes, their families, and it is also unfair to taxpayers since they pick up the cost when these athletes can no longer afford the cost of their injuries.

The NFL has the power to ensure that the American pastime—this American pastime—becomes safe.

#### PATRICK HENRY COLLEGE'S NATIONAL MOOT COURT TEAM

(Mr. MEADOWS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEADOWS. Mr. Speaker, I rise today to congratulate Patrick Henry College's National Moot Court Team on their fifth consecutive national championship this year. The team boasts two two-time national champions, as well as a national orator champion who holds the record for the most points earned in the history of the league.

Patrick Henry College, or PHC, has now won a total of seven national moot court championships and has built a strong reputation for success nationwide. I thank the coaches—Dr. Michael Farris, founder of PHC, and Dr. Frank Guliuzza—for their leadership and investment in these young leaders.

In a time when we are asking the government to get out of the way, PHC serves as a shining example of what can be achieved when freed from the binds of the government's purse strings. From day one, the college has not accepted Federal funding.

I congratulate Patrick Henry College, and its talented young people, for the example it has and will continue to set for higher education in America.

I also thank Congressman FRANK WOLF for graciously giving me the opportunity to make these remarks.

#### MEMORIAL DAY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, as we leave here today, many of us will anxiously return to our constituency to be able to celebrate and pay tribute to soldiers, those who have fallen, and of course those who are now veterans.

As I look out—and will look out—into the vast audience at the Houston veterans cemetery, I can tell you that

I will see an array of America; families who have come to say thank you to the fallen. Those who have no relatives at that particular site are just being Americans. And as we, as Members of Congress, are sent to the podium to say thank you and to talk about the work we have done, the beautiful sunshine will shine on those faces, and we will feel that America is a country that really understands the love and affection for our soldiers and those who are on the battlefield.

I want to thank the city of Jacinto City, which will be placing flags to honor our soldiers. And I want to thank the community of Heights, where I will go later and place flags at the World War II memorial and draw the community together.

It is a day when we bond together as Americans because we are not of any party, of any region, of any political persuasion. We are simply Americans saying thank you to the soldiers, God bless you to America. For those who have fallen, we will never, never forget you, never any day of our lives.

#### IN RECOGNITION OF DEPUTY CHRIS JONES

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor the heroic efforts of Deputy Chris Jones of the Jersey County, Illinois, Sheriff's Department.

On April 23, Deputy Jones pulled a 67-year-old woman from a car that was being swallowed by floodwater. At 8:42 in the evening, Deputy Jones received a call to alert him of a driver in distress on State Highway 100.

When he arrived on the scene, he tried to make verbal contact with her, but her car was submerged in water that covered the hood and part of the trunk, and she was unable to respond. He proceeded to enter the water, where he found the driver still conscious and he assisted her from the vehicle. He later learned that the woman had been trapped for around 40 minutes.

Because of his valiant efforts and service to Jersey County, I am proud to honor the actions that Deputy Chris Jones took on April 23 of this year.

□ 1300

#### THE IRS SCANDAL

(Mr. BARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARR. Mr. Speaker, the IRS has broken faith with the American people. The agency responsible for administering our Tax Code has admitted targeting Americans for their political beliefs.

American families across the country are disappointed and fearful. They are disappointed that the administration that promised hope and change has used its enforcement power as a political weapon. They are fearful of a government that has expanded under President Obama at an alarming rate. They are disappointed that our President has not taken responsibility for his administration's shameful behavior. They are fearful of corruption that is the logical result of a rapidly expanding bureaucracy and an administration that confuses playing politics with leadership.

Hardworking families deserve better. Federal agencies have a responsibility to be above politics, and we have a responsibility to hardworking American families to hold accountable those who politicize decision-making and those who are untruthful about those decisions.

#### THE IRS

(Mr. WEBER of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEBER of Texas. Firings and jail time are in order. On Friday, May 10, the IRS admitted to the targeted scrutiny of conservative groups in their applications for tax-exempt status. Hundreds of groups have been targeted, and it went beyond those with just "Tea Party" or "patriot" in their names.

Since then, there has been a resounding opposition on both sides of the aisle against the IRS' abhorrent actions. The President called this incident "outrageous." Frankly, Mr. Speaker, it's beyond outrageous. It is completely unethical. For those involved in this mess, I expect them to be held accountable for their audacious abuse of power.

Did I mention that firings and jail time are in order?

Thomas Paine said it this way:

Government is at its best a necessary evil and at its worst an intolerable one.

I am RANDY WEBER, and that's the way I see it here in America.

#### MEMORIAL DAY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. Greetings to my friend Jim Withrow, whom I would like to recognize today, and I would just remind everybody of how important it is that we participate in this Memorial Day weekend in order to remember those who have fallen and honor those they've left behind.

It's a lot of times thought of as a weekend to go out and have barbecues or watch car races on TV or sports like that, but it's really rewarding for the

heart for us to go participate on Monday in one of our communities. For those watching, just take that time in the morning to go out and honor those veterans. It will make you feel better as an American. Then our obligation as citizens is to fulfill our role as voters, as people who hold our government officials accountable, because when you hear veterans say that they don't recognize the America they once fought for 50, 60 years ago, it really hurts.

So let's uphold the honor of our Nation that they fought for and be participants in our government in the process and hold all of that accountable and honor them in that ultimate way. We give thanks for their service, and God bless them. Please participate on Memorial Day this weekend.

#### STUDENT LOAN INTEREST RATES

The SPEAKER pro tempore (Mr. HOLDING). Under the Speaker's announced policy of January 3, 2013, the gentleman from Rhode Island (Mr. CICILLINE) is recognized for 60 minutes as the designee of the minority leader.

Mr. CICILLINE. Thank you, Mr. Speaker.

I rise in strong opposition to the Making College More Expensive Act. This legislation is an attack on students, and it undermines the dream of higher education.

If we are serious about getting our country back on the right track, putting people back to work and ensuring that we remain competitive in the global economy, we have to do more to make higher education more accessible and more affordable, not more expensive.

Without congressional action, the interest rate on Federal subsidized Stafford loans is scheduled to increase from 3.4 percent to 6.8 percent for more than 7 million students. Rather than fixing this problem, this legislation makes it worse. This bill will hurt young people and middle class families who are already struggling with crushing student loan debt. The idea that as a country we make money on the pursuit by young people of their educations is plain wrong.

Simply put, the United States Government should not be making a profit on student loans, and there are several proposals pending before the House today that would give students access to college at the lowest cost possible. The Student Loan Relief Act, the Responsible Student Loan Solutions Act, and the Bank on Students Loan Fairness Act would each preserve low interest rates for students; but the bill before us today is a bad Republican idea that will make college more expensive for working families and millions of students.

According to the independent, non-partisan Congressional Research Service, students with 5 years of subsidized

Stafford loans borrowed at the maximum amount would owe \$4,174 in interest under the current rate. It would rise to \$8,808 if we allowed interest rates to double on July 1; but under this proposal, students would owe a total of \$10,109 in interest payments on their loans. Hidden within this bill is a blatant bait and switch scheme that will allow students to borrow money at one rate before their interest rates skyrocket.

We've seen this before. Our friends on the other side of the aisle like to claim that putting student loans into the marketplace is a cure-all for increased student debt; but in this case, the "marketplace" is code for billions of more dollars in interest payments, as this bill would prevent students from enjoying the lowest available interest rates. This is just wrong.

Our young people deserve more. It's in the interest of our entire country to ensure that as many young people as possible have access to higher education. So let's reject the Making College More Expensive Act and find a serious long-term solution on student loans that will make college more affordable for millions and millions of Americans.

Mr. Speaker, I yield back the balance of my time.

#### ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Thank you, Mr. Speaker.

It has been an interesting week here in Washington, especially here on Capitol Hill. We found out a great deal we didn't know before. We're getting more details. It's intriguing that we have the IRS official, Ms. Lerner, who knew—found out about—the outrageous practice of targeting what were perceived to be the President's enemies—people who wanted the Constitution followed, people who felt they had been taxed enough already, the Tea Parties, constitutional groups, pro-Israel groups, conservative groups, people who could have made a difference in the last election.

One reporter had asked before, Why would people even be bothering to get legal status? Why would they even apply to the IRS to get 501(c)(3) or 501(c)(4) status?

The answer is: because that's the way the government has taken over people's political abilities, because you can't call people to Washington or call people to come state their opinions without normally raising money, and if you don't have a legally recognized group by the IRS, then the IRS will go after the individuals who engage in

pooling money and in helping pay people's way to get them here. They'll go after the individual.

□ 1310

We have forced people who want to make their voices heard collectively into begging the IRS for legal status, and the threats are there if you don't get their legal status recognized. Then when we see what the IRS has done as just an arm, basically, of the Democratic Party to help defeat or help prevent people from having legal status, it is absolutely incredible, especially when you find out they wouldn't even give them an answer "yes" or "no"; because these people at the IRS, the higher ranking officials, they knew if they denied a request, gee, that could be appealed and they might get an answer before the election, and they weren't going to let that happen in time, at least, to make a difference in the election. So it's what most people who care about the Constitution have been afraid of for so long.

I've heard some people, some friends, some Republican friends say they think Richard Nixon was a great President, but I've read transcripts of conversations. Anybody who will say one thing to one person and turn right around immediately thereafter and say exactly the opposite to another person and play them against each other, I just can't consider that to be a great President.

We know that under the Nixon administration the IRS was used to target an enemies list, but now we find that under this administration it's been used and abused as a process, as a political arm in ways that Richard Nixon would never have dreamed possible. He never would have dreamed that anybody would get away with this kind of activity before an election, especially after Watergate. And so it has been.

So we want to take this time to make sure, Mr. Speaker, that people are aware and the RECORD contains the stories of different Tea Party groups and the difficulties they've had. In that regard, I am quite proud to yield to my friend from New Mexico, Mr. STEVE PEARCE. Hopefully, it won't hurt his reputation for me to call him a dear friend. That's the way I figure him.

Mr. PEARCE. I thank the gentleman for yielding, and we will hold those comments quietly between ourselves here.

You bring up a point that absolutely must be discussed in public. We need to highlight those things that are going on right now from our government towards its citizens.

Our Founding Fathers understood this policy very well, this concept. They said:

When the people fear the government, there is tyranny. When the government fears the people, there is liberty.

I hear constantly from people in America right now that we fear the government, we fear the retribution, we fear that they're going to come in and take things from us, that they're listening to us at all times. Many would discard that as simply paranoia, until now.

An 83-year-old grandmother in Albuquerque, New Mexico, who I've known for the last 15 years, since I've gotten into political circles—she's probably the most joyful, ebullient person in all of politics because she's here for what comes in the heart, not for what it can do for her. You see, she's a naturalized citizen who was born in Indonesia.

She came here and ended up, from ages 12 to 16, spending time in the Japanese internment camps because of her origin, though she's not Japanese herself. She has experienced the government that would become heavy-handed in a time of war. But the government that would become heavy-handed over political processes is a completely different government than that during World War II.

She helped establish the Children's Freedom Scholarship Fund, where she hands out patriotic coloring books to youngsters in the Albuquerque area. And because of these activities that got the attention of the IRS, they came in and audited and harassed this 83-year-old grandmother.

I had an email before the scandal broke about one of my constituents in Socorro, who said: I was audited and we couldn't figure out why. I talked to my accountant. During the audit, we couldn't figure it out. There was no unusual question. But during the audit, I noticed a handwritten name across my file, and I just made mental note of it.

After an audit that asked nothing specific, the auditor asked, Do you know—and he read the name. The guy says, It doesn't ring a bell to me. It did not. On the drive home, he said, Wait a minute. That's that meeting I went to 3 years ago. That's the meeting where I said, I don't want to be a part of this group. They're interested in the Constitution and the debt. I know about all that stuff. He writes a small check, leaves and never goes back. One meeting with the guy who later formed the Tea Party—it wasn't even formed—causes an audit.

When our government knows this kind of minute information and is willing to single you out, to veritably persecute you, because persecution is when we're dealt with differently, we have a different set of rules, that then qualifies as persecution. When this government is willing to do that, it causes us to say, Wait. This is not paranoia. This is justifiable fear of our government.

A small school in my hometown wanted to charter itself and submitted a 501(c)(3) application. The application was never handled. It went on and on

and on. Our office made a call, and then the person listed on the organizational chart was called in for an audit.

I will tell you that we were told by the administration spokesman yesterday, Mr. Lew, the Treasury Secretary, that there's absolutely no indication that this was anything political.

There's absolutely no indication that it was anything but political, Mr. Lew. Regardless of what you all say down the street, understand that the American people are frightened of the government. They also think, with respect to the idea that we're going to hold people accountable—we hear that: We're going to hold people accountable; we're going to bring them in; we're going to look; we're going to find the facts, and then we're going to hold them accountable.

The American people look with a little bit of curious disregard for those statements.

Why would Americans be suspicious of the government, that they won't actually do anything to the people who are involved, that they won't actually get to the bottom of it? Well, there's a track record in the last 5 years that has caused the American citizens to look with disdain at any promises that there will be penalties, that the wrongdoers would be punished.

You can start with the Fort Hood shooter. He has not yet been brought to trial. He murdered dozens of people, and he has drawn \$287,000 in pay because they can't take him off the payroll until he comes to trial. Meanwhile, the victims can't get their pay from the government that they're supposed to receive, and the American people understand an injustice is occurring from this White House because they will not pursue convicting a man that everyone knows has committed murder.

Well, it's said that's one instance. We can, then, take a look at Fast and Furious. I was one of the first to call for Attorney General Holder to resign, and we should look more closely at his participation in the Fast and Furious, where rifles were sent across the border and came back and killed an American employee of the Border Patrol. Yet no one has been held accountable for that action there.

Mr. GOHMERT. I think that it's worthy to note that apparently, when there was a Fox News reporter named Rosen that wanted to look into this Fast and Furious information and hopefully get the scoop, get to the bottom line of what really happened, instead of this Justice Department doing as it told the American people, as the Attorney General and all these other people said as part of this administration, "We're going to get the people responsible for this," instead of being diligent and relentless in getting to the bottom of what happened—who approved these 2,000 or so guns being sold

to criminals that would be in criminal hands and ultimately used to kill hundreds of Mexicans?

□ 1320

Mexico should be outraged at what this administration has done. Instead of doing that, they go after a reporter that wants to find out what happened. They end up going after his phone records. They go after his email, from what we've learned, apparently. Possibly other family members. And they still, all these years later, haven't given us real information on who was responsible, who authorized that, who forced the sale of those guns. All we know is that this administration has tried to use Fast and Furious to demand more gun control legislation.

And we have a President that goes down to Mexico in the last 2 or 3 weeks and tells them about how outrageous it is that America has been selling guns to criminals that are using them in Mexico. He should have donned his hat and said, Thank you very much, my administration did that to you, and I'm very sorry. But, oh, no, he blames America without actually saying, Please, I beg your forgiveness. This was my administration's doing.

They haven't even gotten to the bottom and, instead, go after the reporter that tried to find out what happened. That's even more outrageous, and it goes to just what the gentleman was saying about people wondering how can we trust this administration when they've said that they're going to get the people responsible and they've done no such thing.

Mr. PEARCE. I think the gentleman's points are well made, and to continue the discussion of why Americans might be skeptical about whether anyone will pay any price for what has happened in the targeting of certain groups in this country by the Internal Revenue Service, it's also important that we look at other cases that have not yet been prosecuted and in which wrongdoing occurred.

MF Global was a commodities trading firm. Jon Corzine, a Democrat-elected official, took over that firm. It's against the law, when you have your money in these trading accounts, whether it be Merrill Lynch or whoever, it is against the law to take your money out and use it for corporate governance activities, for corporate organizational activities. And yet Jon Corzine reached down into customer accounts and pulled out \$1.5 billion of money from account holders and spent it trying to keep his failing organization together. His efforts failed. MF Global filed bankruptcy. That was in 2011, and still Mr. Corzine has not had to answer any questions, has been convicted of no wrongdoing, hasn't been brought to trial, and hasn't had a grand jury impaneled.

Bernie Madoff, we saw him take billions from investors. And for decades,

the regulators had reports that he was doing it, and not one regulator has been held accountable for their oversights and omissions. No one has ever checked.

So when we hear the administration say, Trust us; we're going to get to the bottom of this IRS scandal and we're going to hold people accountable, there is an anger building among the American people that says we don't think that Washington will hold anyone accountable.

You have the AP reporters whose phone records were gotten, and not just the ones who were involved, but the broad pool of reporters, and yet nothing is happening to the people in the Justice Department who did that.

Benghazi is another element where we believe no one will ever be held accountable. In fact, Secretary of State Hillary Clinton says, What does it matter?

What it matters, ma'am, is that someone allowed American soldiers to be killed without reinforcements. C-130s were within flying time. Drones were there. Lasers were locked onto the artillery that were firing rounds into that compound, and no one says a word.

And so we have the Internal Revenue Service investigating and holding audits for law-abiding citizens like this 83-year-old grandmother. Meanwhile, there are over \$1 billion of unpaid taxes by Federal employees. Why doesn't the Internal Revenue Service go after the Federal employees who refuse to pay their own taxes.

The highest profile case is Mr. Geithner, who became Treasury Secretary; and we were told that he's such an important person, he can't be held to account for small actions like that. Yet one political party, one political viewpoint has been singled out by this administration in order to put the chill on people who might be involved in activities that would disagree with the government.

We've seen governments like this before in American history. We've seen tyrants before. We've seen tyranny before in world history, and I think Democrats, Republicans, and Independents are going to stand up on these issues and demand accountability from Washington. I think the American people are coming together with a will and a backbone that will stand up and say, You, the people who perpetrated these evils and these crimes, will be accountable.

That's what makes this country great. That's what makes this country the envy of all other nations because we have a Constitution that our Founding Fathers put in place which gives the people the power. The government is working at the approval of the American people. I think the American people are coming together across racial lines, across party lines, across religious and cultural lines to say that

we demand accountability from our government officials, that we will not allow any citizen to be treated this way.

The Nation spoke this way when it was Richard Nixon, and I think the Nation will speak this way under this administration. The parallels are extreme. When the government gets too strong, it's time for the people to stand up and say, No, you are not all powerful, that we the people do establish and ordain.

I think the people of this country are going to question this establishment and are ordaining. I appreciate the opportunity to speak.

Mr. GOHMERT. Thank you, and I would like to yield to the gentleman for a question.

It's my understanding that the Albuquerque Tea Party was one that filed for 501(c)(4) status 3 years ago. I don't know if the gentleman is familiar with the Albuquerque Tea Party.

Mr. PEARCE. I am. I've been there many times. They're people concerned about small government. They're concerned about the debt and the deficit. They understand that these are the biggest risks that we face, and they speak articulately and coherently about that. They are also groups that hold elected officials accountable for their actions. I think those are positive things.

Mr. GOHMERT. Well, apparently, after 2 years of waiting, they got a multipage letter from the IRS asking for really extensive, intrusive information that it sounds like the IRS should never have had to inquire about. But here again, it sounds like another case where the IRS knew if they ruled on whether or not they would have 501(c)(4) status, they could have appealed and probably had a good case based on what the IRS has been doing. They wouldn't give them an answer.

Mr. PEARCE. We had been listening. Before everyone recognized it was a nationwide scandal, we were hearing these reports. No matter that we disagreed with the Obama administration on policies, we never believed these reports to be true. So we investigated, but you could never substantiate. And now, then, 2 and 3 and 4 years later, to find out that it was systemic, that it was intentional, and that it was politically motivated causes one to fear for the very institution that we call our Constitution and our government.

□ 1330

Mr. GOHMERT. Reclaiming the time momentarily, it's interesting, you know, we find out, as people have been digging deeper over the last few days, that the President of the United States met with the anti-Tea Party IRS union chief the day before the agency targeted the Tea Party.

National Treasury Employees Union President Colleen Kelley commented

on the relationship between the anti-Tea Party IRS union and the Obama White House, and made this statement: For me, it's about collaboration.

So it is also important to note, and I didn't know if my dear friend was familiar with Executive Order 13522, I wasn't until just the last couple of days, but redstate.com had done a job of finding this.

This was an executive order that the President ordered, beginning in 2009, requiring that government agencies collaborate, consult in pre-decisional discussions with union bosses that would have to be off the record, unrecorded, and private, beyond the reach of anyone seeking to get information about the conversations.

And, in fact, this administration said pre-decisional discussions, by their nature, should be conducted confidentially among the parties to the discussions. This confidentiality is an essential ingredient in building the environment of mutual trust and respect necessary for the honest exchange of views and collaboration.

Well, this is the President that was going to have the most transparent administration in American history; yet, I didn't know, in 2009, he ordered these agencies that ought to be completely transparent, ordered them, his employees, to have meetings before they make important decisions with union bosses.

So that tells us something too about the atmosphere that was being created, when a union boss gets to have secret conversations with government officials that cannot be retrieved by any of us wanting the administration to be transparent. And we know that those unions were anti-Tea Party. They wanted them eliminated, and they get to go talk to the IRS officials that are making decisions about targeting the Tea Parties. Something seems awry.

I yield to my friend for a comment.

Mr. PEARCE. Yes, I would agree with the gentleman. Something seems awry.

The American people have a fascinating intuitiveness about them. It's reported that the unions spent \$40 million to defeat Scott Walker. The reason Scott Walker won, he won 40 percent of the union vote.

People who are supposedly represented by the union bosses understand that when their leadership begins to take this country in the wrong direction, that they will exercise their voices and they will speak up; and that's the very powerful reminder that we, as people, have at the ballot box.

When the American people are left without government interference, without government threats, without the IRS intimidation, the American people choose rightly an awfully big percentage of the time. So I have the ultimate belief, because I'm hearing Democrats here on Capitol Hill as outraged as Republicans. I heard Republicans under the Nixon administration as outraged as Democrats.

It's when we come together in a common belief that our Nation, regardless of political viewpoints, represents all viewpoints, that we all have a right to speak, that we all have a right to compel. That's what's made us strong through our history.

And so those Democrats who now are saying that the IRS and this administration have gone too far are the strength of this country, as Republicans were under the Nixon administration.

So I have the ultimate belief that we, as Americans, are coming together again in our core principles to understand that no government, no matter which party, is powerful enough to come in and have watchdogs over us, to allow members of their party to take \$1.5 billion from segregated accounts without being held accountable for the criminal actions.

They understand that we cannot break the laws of this Nation and other nations, sending guns to a foreign country illegally; not even the government can do that.

And they understand there's something intrinsically wrong when we hear the pleas of our four embassy personnel saying we need help, and we refuse it.

The American people have had enough. It doesn't matter that it's Democrat. If it was a Republican, it would be enough too. And I think the American people are coalescing into an idea that we are a government of the people, by the people, and for the people.

And I believe that coalescing is going to provide us the framework for a new political institution. Don't know what it'll look like, don't know how it's going to shape up, but the American people are saying that enough is enough. Enough corruption. Enough scandals. Let's start cleaning out the mess. And that's what I hear from constituents from both parties every week I'm at home.

We're going to continue our work here, but I thank the gentleman for yielding and appreciate his bringing this issue to the floor.

Mr. GOHMERT. Thank you very much. It is an important issue.

We have a report here indicating the currently countless numbers, trying to get a count of groups that were targeted. We've seen reports that groups, Jewish and Christian groups, that were very supportive of Israel got heightened scrutiny by the IRS. They were deemed, apparently, not to be supportive of the President, as the IRS, apparently, at least their leaders, wanted them to be. And, obviously, that was after consulting with the union boss, the IRS employees.

Let me just say I know many IRS employees, and there are those who are afraid to comment because of concern over their repercussions; but they're outraged because they came into the



IRS and they were taught and they were trained you cannot have any conflict of interest. You cannot make any decisions based on political bias. You cannot have ever owed the IRS any money if you're going to work for us.

In fact, there was outrage among some that were afraid to speak up because they were not allowed. They were told that you cannot underpay through withholding what you will ultimately owe on your income tax. Or if you file an amended return where you failed to initially include income, you may be fired from the IRS.

So the first thing that this President does is go out and hire a guy who swore, I believe it was three or four years in a row, he swore to his employer that he would pay the taxes that were due and owing. If they would just give him all the money, he would see that the taxes on that money was paid.

And lo and behold, those taxes were not paid, as he swore he would. And not only was he not barred from working for the IRS; he was made the boss over the IRS, the boss over the entire Treasury Department.

But the Greater Phoenix Tea Party in Arizona filed for a 501(c)(4) in October of 2010 and, after waiting 2 years, received a letter demanding an inordinate amount of information. And so far, even now, this Internal Revenue Service has refused to give them an answer on their 501(c)(4), effectively keeping them out of the political process for the 2012 election cycle, and now working, apparently, even now, to keep them out of the 2014 election cycle.

Amazing how effective the IRS can be when one administration can use them to further their goals.

□ 1340

The Mississippi Tea Party filed for a 501(c)(4) status in 2009. On September 28, 2010, the group received a letter from the IRS wanting additional information, including what their relationship was with the Tea Party Patriots. But their analysis got rather abusive.

The Portage County Tea Party in Ohio applied for tax exempt status and they received incredibly onerous questions, harassing questions, and they answered them, gave them information that no one should have to provide. Four years later, they're still waiting on an answer.

The Mississippi Tea Party. They're still waiting. The Portage County Tea Party. They're still waiting. Anyway, it's just incredible.

The Alabama Tea Party we already mentioned. Really abusive requests were made by the IRS, harassing them. The Texas Patriots Tea Party filed for a 501(c)(4) status in June of 2012. They received numerous followup questions and have not heard back from the IRS about their status. So they were effectively kept out of the 2012 political process.

Again, apparently there are reporters that are so far removed from how the political process has been forced to work. You've got to have IRS approval or they will come after you individually when you try to engage in any type of group effort. It used to be there was a freedom of assembly. You could gather people, assemble people as you want. You could pay for their bus fare. Unions do it all the time. But they have a very special status, obviously, with this administration.

One of the great scenes in video history was my old friend, Andrew Breitbart, coming out of the Coliseum and seeing all these protesters. He starts asking them about their signs, what they mean, can they give specific examples about when Glenn Beck lied or things they had on their signs. They couldn't. And it was amazing. I didn't see it in the beginning of the video but Andrew saw it immediately. These people were plants. They were handed these signs by their union. They were told to stand there and talk about people lying, and just demean individuals and organizations, as instructed by their union leaders.

When he got to the bottom of it, there was a note somewhere that it was produced by the union. So he got to the bottom of it. He had a camera that followed him as he would ask questions very pointedly. It became very clear they didn't know what they were there about, they couldn't give individual examples. They were told to go out there and be a protester. And the unions took care of it. And when the cameras were making them look bad, they were ordered to get back on the union bus and leave the area by the union bosses. Andrew had that gift. He could see right through all the baloney. It's a shame he's no longer with us. But what he has left is an organization that's doing even more amazing things.

You had the Ottawa County Patriots from Michigan file for 501(c)(3) status August 22, 2011. They're still waiting for a "specialist" to approve their application, despite numerous attempts to get clarification from the IRS. So they were totally kept out of the 2012 political process because of the partisan IRS leadership that would not even give a ruling on these things. It wasn't a problem for organizations that were supportive of the administration, apparently.

There were groups like the Louisa, Virginia, Tea Party in Virginia that decided not to apply after they heard from other Tea Party groups just how abusive the IRS was being. And their leaders didn't want to go through individually what other Tea Party leaders were having to go through. So the Louisa VA Tea Party never got their lawful status from the IRS. All of those people were effectively kept out of the 2012 political cycle by this partisan IRS work and effort.

The DeLAND 912 organization from Florida also heard about the horror stories of how abusive the IRS became if you applied for legal status as a Tea Party, so they didn't apply. Once again, the IRS was successful in their political endeavors in silencing another group of people from Florida during that political cycle.

Goose Creek 912 Project from South Carolina, they were preparing to file for a 501(c)(3) status or 501(c)(4) but after they heard about all of the harassment of other Tea Party groups, they voted unanimously not to file. The IRS partisan efforts worked. Another group of Americans were silenced because of the partisan political work of the IRS.

The McLean Tea Party in Illinois, another case where they decided not to apply after they got word of all the horror stories about the IRS abuses of individual Tea Party leaders and the individual Tea Party constituents themselves of the intrusive, abusive questions and information that was being demanded by the IRS.

The Lanier Tea Party Patriots from Georgia also heard about the widespread, massive abuse of Tea Parties that applied for legal status. So yet another group of people was silenced by the partisan, abusive Internal Revenue Service.

As I said, I know numerous employees of the IRS that would never think of being abusive like this. It is completely an anomaly to their way of thinking. It is counterintuitive to everything they have been taught and trained. But somehow this administration comes in and all of a sudden they see the IRS as the greatest political gift any partisan group could ever have and they use and abuse it after consulting, as ordered, by the President of the United States. They are ordered to have secret meetings with union bosses before they make decisions, which we now know occurred before they made decisions to go after the Tea Parties.

So the President of the United States signs Executive Order 13522 and orders an agency that is supposed to be completely nonpartisan, nonpolitical, to meet with an extremely political, extremely partisan boss before they make decisions. It is staggering.

So we know there's some that ask, Did the President know, did he not know? When you see that the President of the United States ordered meetings with partisan union bosses before decisions could be made by administrative heads at the IRS, it doesn't seem to me to matter much whether the President knew that they specifically targeted the Tea Parties. He ordered them to meet and to take in consideration what the union bosses said. If he ordered that those be completely confidential and beyond the scope of Freedom of Information Act requests, then there has to be some responsibility taken where the buck ultimately stops.

□ 1350

The Rowan County Tea Party in Tennessee—hopefully I'm saying that correctly—the good folks there filed for 501(c)(4) status in February of 2010. They received demands for excessive amounts of information, some of which is not required by law whatsoever.

Just 2 weeks ago, after over 3 years, and being kept out of the 2012 election cycle, having any input—not just on the President's race, but on issues—they didn't care about political candidates; they cared about issues. They knew if they could form these political Tea Parties, they could have an effect. Whether it was a Democrat, Republican, a Libertarian or an Independent that came forward, they knew that if they were a group as a Tea Party, they could get powerful enough and have their voices heard loudly, as they spoke loudly enough as a group, that somebody—Republican, Democrat, Libertarian,

Independent—somebody would step forward and say I support what you believe, and I'm with you on the issues.

They were not about a party. They spent a lot of time being mad at the Republican Party, like I do. They weren't about a party; they were about the process. They wanted a constitutional country and a government that acted within the confines of the Constitution. And the IRS was determined to subjugate them, to punish them, to abuse them, and abuse the process of the IRS to make them pay for having the audacity to speak up or try to speak up, as did our Founders.

I can't help but note, I was tickled, some left-wing drone organization—drone basically being unmanned; they're not using their brains; they're just doing as they're directed—came after me for saying here on the floor, gee, the IRS might have shot the original Tea Party participants. Well, obviously that's hyperbole. But I found in Washington if you use sarcasm, you speak metaphorically, allegorically, use hyperbole, that it's often lost here.

We were having a discussion, for example, about endangered species. And I mentioned, gee, I understood—wasn't sure if it was true—but I understood there had been a pair of spotted owls that we were told for years couldn't mate anywhere but virgin woods, untouched by human hands, that may have been seen mating in a Kmart sign. In sheer sarcasm, in irony, I said, you know, a lot of Kmart's have been out of business. Maybe we need to see if that's really true and, if so, maybe get Kmart signs and see if they ought to be declared endangered and maybe have a Kmart sign forest where these little owls could mate like crazy out there in the Kmart sign.

And I look over at people and reporters, folks sitting there, and you could see people looking at each other: Do you think he's serious? Anyway, it's an

interesting place to—not live, but work here in Washington, D.C.

You have the Rochester Tea Party Patriots in Minnesota. They filed for 501(c)(3) status in August 2010. The group finally received their 501(c)(4) status 2 years later in 2012, but not soon enough to have the kind of effect that they could have to make nominees, potential nominees, accountable for abiding by the rule of law and following the Constitution, as they wanted to do.

The Chattanooga Tea Party in Tennessee, they filed for 501(c)(4) status in November of 2009. The group received a letter from the Cincinnati IRS office in July 2010 with extensive, intrusive, abusive questions and demands. After 4 years, they received notification that they were approved. Apparently, as this scandal was about to break, the IRS realized, gee, well, we got what we wanted; we kept them out of the 12 election cycle so they could not have any influence whatsoever there. And we're about to get in trouble, so why don't we start giving approval to some of these folks. And we're seeing that happen.

The San Angelo Tea Party—the town that my parents lived in briefly right after they got married, San Angelo Tea Party back in Texas—they filed for tax-exempt status. But after receiving the intrusive, abusive, mean-spirited demand for information that the IRS had no business inquiring after, they withdrew their application. Once again, the IRS didn't have a chilling effect; they had a freezing effect. Froze them out and kept them from being able to participate as a group in the 2012 election cycle.

The San Fernando Valley Patriots in California filed for 501(c)(4) status in the fall of 2010. The group heard nothing from the IRS until February of 2012, when they received a packet from the IRS in the mail giving the group a 20-day time period to respond. After the abuse, the demands, the intrusiveness, the outrageous activity of the IRS, the San Fernando Valley Patriots in California finally, in August of 2012, felt like they had no choice but to crater under the abusive weight and power of a partisan, mean-spirited IRS leadership; and they pulled their application in order to protect their members from this kind of abuse.

So you've got to say, the executive order in 2009 by the President of the United States—current President—ordering the extremely partisan union bosses to be consulted on decisions by the IRS, find out that the union boss met with the President right before the decision was made as well. I guess when you're the President, you don't have to sign an executive order requiring that you have secret, confidential meetings with union bosses before you make decisions. You just do it, appears to be the case.

Then we find out, gee—and this is a brand-new story, this one by David French dated May 22, yesterday afternoon—that it wasn't just Tea Parties; it wasn't just constitutional groups; it wasn't just pro-Israel groups. The article title is "IRS Morality: Defend Planned Parenthood, Deluge Adoptive Families With Audits." In the article, skimming on down, it says:

During the 2012 filing season, 90 percent of the returns that claimed a refundable adoption credit were subject to additional review to determine if an examination was necessary.

□ 1400

The most common reasons were income and a lack of documentation.

It notes that:

Sixty-nine percent of all adoption credit claims during the 2012 filing season were selected for audit.

Of the completed adoption tax credit audits, over 55 percent ended with no change in the tax owed or refund due in fiscal year 2012. The median refund amount involved in these audits was over \$15,000 and the median adjusted gross income of the taxpayers involved is about \$64,000.

These would be considered middle class Americans.

The average adoption credit correspondence audit currently takes 126 days, causing a lengthy delay for taxpayers waiting for refunds.

It's interesting because we get word—as the article said—that the IRS has harassed a number of pro-life groups, including at least one alleged demand that a pro-life group not picket Planned Parenthood in order to have or keep their tax exempt status.

It points out this statistic:

In 2012, the IRS requested additional information from 90 percent of returns claiming the adoption tax credit and went on to actually audit 69 percent.

And that more details can be obtained from the Taxpayer Advocate Service.

It's really outrageous. And it's pretty clear to anybody familiar with the political process here in Washington that most people that are very supportive of adoption are not in favor of abortion. So if you want to go against—as the IRS, if you want to go after the opponents of Planned Parenthood, you want to go after the opponents of killing babies in utero, then if you go after parents that adopt children—a very, very costly process—you can have a very chilling or freezing effect on those parents who just want to adopt a child, adopt children, give them a loving home.

And this IRS' morality—as the article points out, because of the current leadership that is now under scrutiny—go after these middle-income folks that are not supportive of abortion and want to adopt, we'll teach them a lesson. It's very clear, it just screams from the statistics and information that we get from the IRS.

It's also worth noting—as prior articles have—that people have claimed, not the adoptive tax credit, but the child tax credit has been claimed—as has been shown many times—by people who did not legally come into the country. And there have been articles about that. Of course, I guess, everybody knows they'll never get a Pulitzer Prize for incredible investigative reporting on the billions of dollars that may be obtained by people who come into the country illegally and then have learned you can claim a tax credit and get more money back than you put in. Oh, no, even if you don't have a Social Security number—as the law currently requires—to get that child tax credit, the IRS thought: Hey, we've got a good idea, we don't care that Congress said you've got to have a Social Security number, hey, we want to get all the tax income in we can, and we hear from some of the folks in Congress that there are people somewhere out there in the shadows, so we'll just give them a taxpayer number, even if they don't have a Social Security number, and let them get that child tax credit from there. So there are plenty of people that have come out of the so-called shadows to claim a child tax credit.

That's why Robert Rector, in talking with him this week, he says the projection probably that if people who are here undocumented, illegally, whatever you want to call it, are given legal status, then it will likely cost the country around \$10 billion that these individuals will be able to get back in child tax credit once they're legally here and that many are getting even now. An estimated \$1 billion—one estimate I read was \$4 billion—that we're currently paying out from the Treasury to people that are getting more back than they paid in who are not legally here, don't have a Social Security number.

So they're not going after those folks. Not auditing, not going in and demanding to know where are all these children you claim to get all this money back—\$20,000, \$30,000 you're getting back from the government for a child tax credit—where are all the children? Oh, no, they're not going after them. No. They much prefer to go after what some of these partisan political leaders in the IRS see as their political enemies.

When you have people like that heading up the IRS, you don't have to have an enemies list, like Richard Nixon had. You've got your friends at the IRS that are doing it for you.

So when we hear claims of outrage and we see that these people have suffered absolutely no consequences from this President—the boss—as a result of their outrageous, illegal, unconstitutional activity, then it seems that maybe the outrage is not as loud as we were being told that it originally has been.

And then when you find out that the AP—certainly hasn't helped me any,

but that doesn't matter, we're supposed to have a free press—if they want to go after a guy that's conservative that has a southern accent, that's their prerogative. But we find out that the White House—the Justice Department at least—the Justice Department went after the AP, just like they did Rosen at Fox News, they go after the AP and get hundreds of phone numbers because they say they're after this egregious leak. The Attorney General told our committee last week, Gee, it's one of the most egregious leaks—not the most egregious, one of the most egregious leaks—he had ever seen. Turns out all of the leaks that allow him to go after a conservative group or to intimidate a group like the AP, to them they're egregious. When we find out, Mr. Speaker, he could have just looked at the records of a handful of people in the administration—he chose not to do that, it might have embarrassed the administration—he abuses the freedom of the press.

It's time that people who are responsible are made accountable.

With that, Mr. Speaker, I yield back the balance of my time.

#### IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING. Thank you, Mr. Speaker. I appreciate the privilege to be recognized to address you here on the floor of the House of Representatives to raise the issues of our time and have this opportunity for this dialogue that I know that you turn a focused ear to, as well as do the other Members, their staff, and the American people.

Mr. Speaker, I came to the floor here, one thing is to support the statement made by the gentleman from Texas across the spectrum of the topics that he addressed. He does see the world through a clear set of eyes and isn't afraid to say so, and we need more Members like Congressman GOHMERT, who is fearless and courageous and a constitutionalist and a rule of law Member, and he understands the Constitution and the law, being an attorney and a judge and a member in good standing of the Judiciary Committee for a number of years now, where one can learn a few things about those topics, as well as bring their own expertise in.

But, Mr. Speaker, that's the committee, the Judiciary Committee, where the immigration issue is likely to process through—or up to and, perhaps, not through.

□ 1410

There is a tremendous amount of, I will say, a hurry up, urgency momentum that has been created on the im-

migration issue over in the United States Senate. We can count it in hours the time that it has been since the Senate passed, I call it, an amnesty bill, a comprehensive immigration reform bill, which is the more modern vernacular for “amnesty.” That's phraseology that was manufactured by people who couldn't quite bring themselves to say the truth on this, and that was the case back in 2006 and 2007 when it was George W. Bush and his people who were pushing this comprehensive immigration reform-amnesty.

What happened, Mr. Speaker, was that we had an election last November, on November 6 to be precise, a Tuesday we would all know. There was a great expectation that Republicans would win the majority in the United States Senate and a great expectation that our Republican nominee, Mitt Romney, would be elected as President because, after all, who could imagine a second term for a man who refused to carry out his oath of office in his first term.

So the voters went to the polls, and there was a bit of a lack of enthusiasm on the part of the people on my side of the aisle, and a good number of them stayed home, a number that is calculated to be about 8 million voters; and about a million voters who normally would have voted for Barack Obama stayed home, but that's more than the difference between the election in the popular vote, and it may well have translated into a difference in the election in the electoral vote.

However, we know what happened in the election. The President was re-elected. There were some seats that were lost by Republicans, a net seat lost by Republicans in the Senate. Republicans lost some seats here in the House, but maintained still a strong majority in the House and would expect to do so at least into the foreseeable future.

But the results of that election were overreacted to by many people on my side of the aisle. They looked around and asked, How did we lose? Of course, the people who were the architects of these kinds of campaigns wouldn't want to take on the blame themselves, so they looked around to see where they could cast the blame elsewhere. They settled upon this theory in the middle of the night, so I would say it was in the morning, which started at 12:01 a.m. on the morning of November 7, 2012.

That theory that they settled on was that Mitt Romney would be President-elect that morning and President today if he just had not been so strident on immigration, if he just had not said those two words: self-deport. Their theory was that that was the reason that Mitt Romney is not the President today.

I will tell you, Mr. Speaker, that I think that's a manufactured theory,

that it's a flawed theory, that it's not based on fact, in polling, in logic. If it's likely true that the Hispanic votes were the decision-maker on this election and then if the Hispanic vote went 71 percent for Barack Obama, I would ask those folks who think that you'd turn that vote around the other way by passing amnesty. Can you tell us how it is that Republicans can capture a majority of the African American vote when typically African Americans in this country will vote 92 percent for the Democrat or 95 or 96 percent for the Democrat if it's Barack Obama on the ballot?

So, if they can't tell me how one should reach out to the African American vote when we are the party of the abolition of slavery—and I can stand here and tell you my great grandfather five times great—and for the record, because people get things intentionally confused, that's great, great, great, great, great grandfather—was killed in the Civil War. He was killed in the Civil War, fighting to put an end to slavery. They were an abolitionist family, and 600,000 Americans gave their lives in that struggle to put an end to slavery, roughly half on each side, roughly 300,000 on each side—more on the Union side than actually on the Confederate side by the data that I'm looking at.

Mr. Speaker, the emancipation of the slaves and an end to slavery and the blood that was spilled by the sword that was to be compensated for the blood that was spilled by the lash seems to be forgotten in the political parties of today. When you look to see what it took to pass the Civil Rights Act in the sixties, it took Republicans in greater numbers in the House and Senate to pass the Civil Rights Act than it did Democrats. There were a lot of Southern Democrats who were segregationist Democrats, I would remind people.

Nonetheless, the promise of what's coming out of the U.S. Treasury—and some of it's borrowed money from the Chinese and the Saudis and others—seems to have eroded the support for Republican fiscal conservatives among the certain minority groups in this country and others who are struggling to make a go of it. It's hard for them to see down the line a little ways as to how much more opportunity there is in America if we recreate the opportunity society that is being replaced by the cradle-to-grave welfare state that we have in America today. Not only is it a cradle-to-grave welfare state, but it is a cradle-to-grave welfare state that promises a middle class standard of living.

I look at some of the numbers that have been rolled out by, for example, Robert Rector of the Heritage Foundation, who is the most accomplished, senior, respected, and definitive researcher on these topics that I know,

and I deal with many, many of them. I have in my hand, Mr. Speaker, the executive summary of about a 102-page report that was issued by Robert Rector of the Heritage Foundation. It's a special report dated May 6, 2013, and the title of it is "The Fiscal Cost of Unlawful Immigrants and Amnesty to the U.S. Taxpayer." The data that's in here should cause anyone in this Congress to pause before they would begin to look in any positive way on the Senate bill that is their 844-page comprehensive amnesty bill. Some of this data that's in here, Mr. Speaker, is shocking to people who haven't at least been numbed by the reality of it for some time.

The average illegal household in the interim phase of this bill would be a net cost to the taxpayer. They'd pay taxes and draw down welfare. Some will say that folks who are in this country illegally don't qualify for welfare. No, the truth of that is there are at least 80 different means-tested welfare programs, and those who are in this country illegally just qualify for some of those 80, not for all of those 80. That is the truth, and it has been often distorted. So the net cost to the taxpayer per household in the interim phase for people who are unlawfully here now and who would be granted the amnesty status by the Senate version of the bill would be \$11,455. That's borrowed against our children's labor, I might add, Mr. Speaker.

After that interim, when they qualify for a larger number of those 80 different means-tested Federal welfare programs—"post-interim" is how it's defined by the researcher Robert Rector—then the net cost per household is \$28,000. The taxpayers will be subsidizing these households in the interim for \$11,455, and when they qualify then for more of the welfare benefits, that net cost goes to \$28,000. The average retirement, because they are going to retire just like anyone else, is going to be a net cost to the taxpayers per household of \$22,700.

Robert Rector in his report—and I'm going to quote from it because I think the language is very powerful—says:

Regrettably, many policymakers also believe that because unlawful immigrants are comparatively young they will help relieve the fiscal strains on an aging society.

Regrettably, this is not true. Now here is where I focused on this, Mr. Speaker:

At every stage of the life cycle, unlawful immigrants on average generate fiscal deficits, and that's benefits exceeding taxes. Unlawful immigrants, on average, are always tax consumers. They never once generate a fiscal surplus that can be used to pay for government benefits elsewhere in society. This situation obviously will get much worse after amnesty.

That is an irrefutable fact. There are others who will argue that there is a dynamic economy, and you can calculate this growth and dynamic econ-

omy. Well, they're not calculating the cost to society. They accept that we are a cradle-to-grave welfare state.

I've had this debate with Art Laffer, who I have great respect for. He is the author of Ronald Reagan's, I'll call it, "Laffer curve." I agree with that theory to cut taxes and stimulate the economy. That worked when Ronald Reagan came in in the early part of the eighties and was sworn in January of 1981. Art Laffer was there, and I'm glad he was. The economy grew and we recovered, and the Reagan years are looked back on as the transformative years when America was pulled from the abyss of the malaise.

□ 1420

So I give him great credit. Not only that, he's intelligent and he has a fantastic sense of humor. But here's where I disagree with Art Laffer and why I disagree with some people in Cato and why I disagree with the purist of Libertarians is this:

Many of them believe that labor should flow back and forth across the border as if it were any other commodity like corn, beans, gold, or oil, and that the marketplace will determine where labor will go just like it will determine where you send these other commodities that I've listed.

The flaw in that rationale, Mr. Speaker, was spoken to by Milton Friedman, whom I'm confident Art Laffer knew well and probably had this debate with him. But Milton Friedman, the University of Chicago economist, famed internationally, said a welfare state and open borders cannot coexist. You might actually turn that around the other way, but the principle is the same. Yet we have a cradle-to-grave welfare state that guarantees a middle class income. If you don't work at all, you can draw down enough benefits to live as if you were working at a modest wage.

Milton Friedman understood that, that the welfare magnet will draw people in and they won't have the necessity to work in order to maintain that standard of living because it's being bought down, bid against by the welfare system.

And my debate with Art Laffer came out to be essentially this:

When I make that point to him that open borders and a welfare state cannot coexist, his answer is, Then end the welfare state.

Well, that would be nice if we could do that, Mr. Speaker. If we could at least ratchet it down and take that hammock that used to be a safety net—it was as safety net to keep people from falling through. That was the original welfare system that we had. Now we have people in this Congress that continually ratchet in another program here, another program there, manufacture this one here and that one there. There was only one welfare program out of an entire 80 different

means-tested Federal welfare programs that required work.

Some of us will remember the intense welfare reform debates in the nineties when this Congress so aggressively and eagerly required the Welfare-to-Work program. Most of us in America have forgotten that the Welfare-to-Work program really was only one program, the TANF program, the Temporary Assistance for Needy Families program. All the rest of them, none of them require that there be work, only TANF. And the President of the United States, even though the law is specific and he doesn't have the constitutional authority to do so, the President of the United States simply waived the work requirements in TANF. So this country now has no requirement of Welfare-to-Work, not even in one of the 80 different means-tested programs that we have.

We're seeing wealth transfer in this country. We're seeing class leveling in this country. We're seeing work and production and wealth punished and extracted from the sweat of someone's brow to pass it into the bank account, or, should I say, the EBT card, of someone else. When that happens—John Smith saw that that didn't work. He said, No work, no eat. Jesus said essentially the same thing, that you've got to work and earn your way. It's in numerous places in the Bible. It's in numerous places in our history.

Think about it in your family. If you have one family member that won't do anything, they want to sit on the couch and they want somebody to bring them food and bring them entertainment and they don't want to go out and mow the lawn or carry out the garbage or scrub the floors or do the things that you do around the home, let alone go punch a time clock and earn a living, how long does it take before that family says, I'm tired of that? I'm going to send you out into the world to earn your own way because you're digressing here; you're not developing your skills.

That is the way of the family. It's the way of the tribe. It should be the way of the Nation. Gently and compassionately take care of the people that can't take care of themselves, and nurture those that have an ability to contribute to our GDP out to go contribute to the GDP.

But we've lost that because there's a class-envy wedge that's being driven from the White House on down. It existed before Barack Obama became President. It was driven hard in here when we had the previous Speaker of the House, these class-envy wedges driven in and the effort, because somebody has something more than you have, to take from them and give it to somebody that has less.

Perhaps I can find this while I talk, Mr. Speaker, but that was well-articulated by Adrian Rogers, who has since

passed away. But the principle of why people work and why they won't is an important principle to make, Mr. Speaker. Dr. Adrian Rogers was talking about wealth and work and stated:

You cannot legislate the poor into freedom by legislating the wealthy out of freedom. What one person receives without working for, another person must work for without receiving. The government cannot give to anybody anything that the government does not first take from somebody else. When half of the people get the idea that they do not have to work because the other half is going to take care of them, and when the other half gets the idea that it does no good to work because somebody else is going to get what they work for, that, my dear friend, is about the end of any nation. You cannot multiply wealth by dividing it.

That was the late Adrian Rogers, from 1931 to 2005. I never met him, but with clarity, he spoke to this issue, and more articulately than I am able to, Mr. Speaker. And I appreciate his contribution to the discussion in our society, but there are people here that see this; they see that there is a political gain to be made by expanding the dependency class in America. So they decide that they're going to punish the rich, tax the rich.

Remember, the tax rates had to go up on the upper-income bracket. That was a demand of the President of the United States. He could have gotten just as much revenue by cleaning up the loopholes and it would have given a more balanced tax plan than we have, but he had to raise the taxes on the highest bracket because that was a notch in his belt, a feather in his cap to punish the rich.

There's been a political gain to do that. That's been the motive because it gathers votes and it expands the dependency class. When you do that, that keeps people dependent upon one party with one-party rule. And this country and this society has one place where we block bad ideas. That's here in the House of Representatives where there is a Republican majority, where there's still a majority of us, I believe, that support and will defend free enterprise capitalism.

Anybody that's going to take the naturalization test to become a citizen of the United States can go look at the flashcards that CIS—Citizen Immigration Services—hand out. They're a glossy flashcard like that on a red backing, and you can pick them up. On one side it will say, Who's the father of our country? Flip it over, George Washington. Who emancipated the slaves? Abraham Lincoln. What's the economic system of the United States of America? Flip that over, and it says, Free enterprise capitalism.

Newly arriving immigrants, to-be-naturalized citizens study that and know that, but I suspect there are a whole lot of people over on this side of the aisle that, if they know that, they don't believe it. They don't understand

how supply and demand is answered by the marketplace, how people need to be rewarded for the work that they do.

I take you back, Mr. Speaker, to 1976 when Jimmy Carter, one of the least successful Presidents in our history, said something that I'm happy to quote. He said this in Iowa, as he traveled all over Iowa and made the first-in-the-Nation caucus an effective venue for Presidential candidates. He said:

I believe the people that work should live better than those that don't.

That's probably going to be labeled "offensive" in today's Congress. But it was Jimmy Carter's statement back then in 1976, and I believe it.

And we have people in this party, my party, that looked at that theory that popped up in the early morning hours of November 7 and concluded, We're never going to win another Presidential election, another national election if we don't first pass comprehensive immigration reform. That's based on Barack Obama getting 71 percent of the Hispanic vote because that number has—it's gone up and down, but it's crept up for Democrats over time.

What they have forgotten is that tens of millions of dollars and very much organizational effort has been put into it by the Democrats to call Republicans racists; and my colleagues on my side of the aisle, they seem to disregard all of that money spent, all of those dishonesties perpetrated. They think that if it exists at all, it didn't have any effect. It all was just those two words that Mitt Romney said, "self-deport."

□ 1430

We need to look at the actual facts. The actual facts are Bob Dole had the lowest percentage of Hispanic vote when he ran for President in '96. It was 21 percent. It is also true that Ronald Reagan, who signed an amnesty act in 1986, didn't get George H.W. Bush, Bush 41, a higher percentage of the Hispanic vote. It got him a lower percentage of the Hispanic vote.

If they're going to correlate this thing, I tell you, here's how you correlate it, Mr. Speaker, and it's this:

There were about 800,000 people that originally were to qualify for the amnesty in 1986 that Ronald Reagan signed. That number crept up to about a million. That's kind of the settled historical number. There were about a million that were here that fit the qualifications to receive amnesty from the '86 act that Reagan was honest enough to call the Amnesty Act.

And then once he signed that bill, then there was document fraud and people who came across the border. The magnet of amnesty drew more people in, and that number now, the lowest number that I see of those who received amnesty in 1986, or from the 1986 Amnesty Act, is about 2.7 million people. A lot of times you see 3 million as

the quote. It'll go up to 3.5. Well, let's just settle on 3 million people.

If 3 million people received amnesty under Ronald Reagan's 1986 Amnesty Act, and then on average each of them—and this is data that can be chased down, and bigger numbers than I'm about to quote are available out there in certain studies, but on average a low number for family members brought in because of those that received amnesty is about a factor of five, or a little bit more. So let's just hold it down on the low end.

Three million received amnesty. They averaged bringing in five people by the family reunification plans that are there. Now, that's 15 million people. Some of them have died, and some perhaps have gone back to their home country, but there are a large block of voters there that have shifted over to vote for whom, Mr. Speaker? Barack Obama. Barack Obama.

I will make this statement. If the theory of those who believe that they can reverse the trend of Hispanic vote, if their theory is correct, then I would suggest to them, if they can provide amnesty and somebody is going to benefit from that, if their theory is correct, they have to admit that Ronald Reagan's signature on the 1986 Amnesty Act brought about Barack Obama's election. If you take those numbers of people out of the polls and you calculate that percentage of 71 percent—so let's just say we take 15 million people out of the rolls and say they wouldn't have been here without the 1986 Amnesty Act, or at least they wouldn't be voting, and if 71 percent of them voted for Barack Obama, then it's clear to anybody that can do any kind of statistical analysis that Barack Obama wouldn't be President of the United States without Ronald Reagan's 1986 Amnesty Act.

And if that's the case, then how do the people on my side of the aisle think they're going to fix that problem? If it was created by amnesty, you create a bigger problem by amnesty by a factor of, let's say, four. And I'm just rounding 3 million times up to about 12 million, or 2.7 times 4 gets you in that 11.5 million range.

That's the facts of what we're dealing with here, Mr. Speaker. They've suspended their logic. They've suspended their reason. They've suspended their ability to look at data, surveys, polls. They've suspended their respect for the intelligence of the American people who honestly want to see the rule of law.

And all of us have compassion for all humanity, and I believe in the dignity of every human person. It's commanded by my faith. But also, when those who use religion to advocate for amnesty say, "For I was a stranger, and you let me in," Matthew 25:35, when you look at the interpretation, you have to go back to the Greek.

"Stranger" in English, in Greek is "xenos." Xenos in Greek means invited friend, invited guest. It doesn't mean intruder. There's no religious commandment that says when someone comes into your house that you have to welcome them in. You're not commanded by God to do so. That's why we have a man's home is his castle. That's why we have nation-states with borders.

In fact, it says in Act 17:

And God created all nations on Earth, and he decided when and where each nation would be.

That's his commandment. And I'd suggest to those people that say to us, "For I was a stranger, and you let me in," they should understand also what Jesus said when they tried to trick him on that question about whether to pay taxes or not. And they showed him the coin and he said:

Render unto Caesar the things that are Caesar's, and render unto God the things that are God's.

Civil mercy is not something that can be delivered by religion, and mercy is not something to be delivered by government. We have civil law. Civil laws are set up by the judgment of the people. That's why we have penalties that are written into these laws, and that needs to be applied evenly. And, yes, people can have their dignity and still respect our laws; but somehow, some of the religious movement in the country believes that mercy should be delivered by civil law, that we can grant amnesty in the name of mercy to give a legal status to people here that are unlawfully here in the United States.

And so I'd ask them to go back and peruse through their Bible, Old and New Testament, and show me where the word "mercy" is used. And wherever mercy is advocated in the Bible, next to it you will see the word "repentance." Mercy is never delivered biblically without repentance as a prerequisite, a requirement.

I don't see repentance out here in the people advocating for U.S. citizenship and the reward for that, but I can tell you, they and their descendants will remember who offered it, as they did in 1986.

And when the President of the United States came to the Republican Conference and he said to us, You must pass comprehensive immigration reform as Republicans or you will never win another national election; I'm trying to help you—that's the President of the United States. He's not trying to help Republicans.

We have some people who will take the bait on that, and the hook has already been set and they're trying to reel that amnesty bill over from the Senate and line it up here in the House of Representatives. It will split this party in half. It will pit Republicans against Republicans. The Democrats

know that. That is a clear tactic in politics to divide the other party down an issue if you can. Republicans are falling for that. We should not take up anything until the President keeps his oath of office and enforces the laws that we have.

And with that, Mr. Speaker, I yield back the balance of my time.

#### COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,

Washington, DC, May 23, 2013.

Hon. JOHN BOEHNER,  
Speaker, U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to the National Foundation on the Arts and Humanities Act of 1965 (20 U.S.C. 955(b) note), I am pleased to re-appoint of The Honorable Betty McCollum of Minnesota to the National Council on the Arts.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,  
Democratic Leader.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today until 11:15 a.m. on account of a family obligation.

Mr. GIBSON (at the request of Mr. CANTOR) for today on account of traveling to Fort Bragg, North Carolina, to serve as the senior guest speaker for the 82nd Airborne's All-American Week Division Review.

Mr. CLYBURN (at the request of Ms. PELOSI) for today.

Mr. LEWIS of Georgia (at the request of Ms. PELOSI) for today.

#### ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, May 24, 2013, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1596. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Horse Protection Act; Requiring Horse Industry Organizations to Assess and Enforce Minimum Penalties for Violations; Correction [Docket No.: APHIS-2011-0030] (RIN: 0579-AD43) received May 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.



1597. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: System for Award Management Name Changes, Phase 1 Implementation (DFARS Case 2012-D035) (RIN: 0750-AH87) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1598. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Government Support Contractor Access to Technical Data (DFARS 2009-D031) (RIN: 0750-AG38) received May 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1599. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Clarification of "F" Orders in the Procurement Instrument Identification Number Structure (DFARS Case 2012-D040) (RIN: 0750-AH80) received May 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1600. A letter from the Director, Office of Public and Congressional Affairs, National Credit Union Administration, transmitting NCUA 2012 Financial Statement Audits for Temporary Corporate Credit Union Stabilization Fund; to the Committee on Financial Services.

1601. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final priority. National Institute on Disability and Rehabilitation Research—Traumatic Brain Injury Model Systems Centers Collaborative Research Project [CFDA Numbers: 84.133A-7.] received May 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1602. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Documentation of Immigrants Under the Immigration and Nationality Act, as Amended (RIN: 1400-AC86) received May 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1603. A letter from the Executive Secretary, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1604. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Threatened Status for *Eriogonum codium* (Umtanum Desert Buckwheat) and *Physaria douglasii* subsp. *tuplashensis* (White Bluffs Bladderpod) [Docket No.: FWS-R1-ES-2012-0017] (RIN: 1018-AX72) received May 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1605. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Eriogonum codium* (Umtanum Desert Buckwheat) and *Physaria douglasii* subsp. *tuplashensis* (White Bluffs Bladderpod)

[Docket No.: FWS-R1-ES-2013-0012] (RIN: 1018-AZ54) received May 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1606. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; 2013 and 2014 Atlantic Bluefish Specifications [Docket No.: 130104009-3416-02] (RIN: 0648-XC432) received May 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1607. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 50 [Docket No.: 130219149-3397-02] (RIN: 0648-BC97) received May 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1608. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Temporary Placement of Three Synthetic Cannabinoids Into Schedule I [Docket No.: DEA-373] received May 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1609. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Tentative Eligibility Determinations; Presumptive Eligibility for Psychosis and Other Mental Illness (RIN: 2900-AN87) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1610. A letter from the Assistant Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Proportional method for OID on pools of credit card receivables (Revenue Procedure 2013-26) received May 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1611. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2013-32] received May 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GOODLATTE (for himself, Mr. PETERSON, Mr. SMITH of Texas, Mr. OWENS, Mr. COBLE, Mr. SCHRADER, and Mr. BACHUS):

H.R. 2122. A bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents; to the Committee on the Judiciary.

By Mr. THOMPSON of Pennsylvania (for himself and Mr. PALLONE):

H.R. 2123. A bill to amend title XIX of the Social Security Act to extend the Medicaid rules regarding supplemental needs trusts for Medicaid beneficiaries to trusts estab-

lished by those beneficiaries; to the Committee on Energy and Commerce.

By Mr. BARROW of Georgia:

H.R. 2124. A bill to amend the Immigration and Nationality Act to improve worksite enforcement, prevent crime, and gain operational control of the borders, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, Ways and Means, Armed Services, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHUSTER:

H.R. 2125. A bill to prevent implementation and enforcement of Obamacare; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Education and the Workforce, the Judiciary, Natural Resources, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself and Mr. WELCH):

H.R. 2126. A bill to facilitate better alignment, cooperation, and best practices between commercial real estate landlords and tenants regarding energy efficiency in buildings, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCKINLEY (for himself, Mr. RAHALL, Mrs. CAPITO, Mr. JOHNSON of Ohio, Mr. OLSON, Mr. LATTI, Mr. GRIFFITH of Virginia, and Mr. PETERSON):

H.R. 2127. A bill to prohibit the Administrator of the Environmental Protection Agency from finalizing any rule imposing any standard of performance for carbon dioxide emissions from any existing or new source that is a fossil fuel-fired electric utility generating unit unless and until carbon capture and storage is found to be technologically and economically feasible; to the Committee on Energy and Commerce.

By Mr. MCKINLEY (for himself and Mr. WELCH):

H.R. 2128. A bill to provide for the establishment of a Home Energy Savings Retrofit Rebate Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS (for himself, Mr. TIERNEY, and Ms. SHEA-PORTER):

H.R. 2129. A bill to amend the Defense Base Act to require the provision of insurance under that Act under a Government self-insurance program, and to require an implementation strategy for such self-insurance program; to the Committee on Education and the Workforce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Ms. HAHN, Mr. GRIJALVA, Mr. RANGEL, Ms. LEE of California, Mr. RUSH, Mr. CONYERS, Mr. RYAN of Ohio, Mr. HASTINGS of Florida, Ms. NORTON, Mr. CARSON of Indiana, Mr. BRADY of Pennsylvania, Mr. HOLT, Mr. CAPUANO, Ms. SHEA-PORTER, Ms. MCCOLLUM, Mr. PAYNE, Mr. HUFFMAN, Mr.



BEN RAY LUJÁN of New Mexico, Mr. KILMER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ROYBAL-ALLARD, and Mr. POLIS):

H.R. 2130. A bill to amend the Public Health Service Act to provide grants for treatment of heroin, cocaine, methamphetamine, 3,4-methylenedioxymethamphetamine (ecstasy), and phencyclidine (PCP) abuse, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ISSA (for himself, Mr. GOODLATTE, Mr. SMITH of Texas, Mr. COBLE, Mr. ROKITA, Mr. POE of Texas, Mr. FARENTHOLD, Mr. HOLDING, Mr. SENSENBRENNER, Mr. THOMPSON of Pennsylvania, Mr. CAMPBELL, Mr. CHABOT, Mr. BACHUS, Mr. HANNA, Mr. CALVERT, Mr. FRANKS of Arizona, and Mr. TERRY):

H.R. 2131. A bill to amend the Immigration and Nationality Act to enhance American competitiveness through the encouragement of high-skilled immigration, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WILSON of Florida (for herself and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 2132. A bill to reauthorize Federal natural hazards reduction programs, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Natural Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself and Mr. THOMPSON of California):

H.R. 2133. A bill to amend the Internal Revenue Code of 1986 to make permanent the work opportunity tax credit for veterans and to allow an exemption from an employer's employment taxes in an amount equivalent to the value of such credit in the case of veterans; to the Committee on Ways and Means.

By Mrs. BROOKS of Indiana (for herself and Mr. KIND):

H.R. 2134. A bill to provide an election for funding parity for charity-sponsored pension plans; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OLSON (for himself, Mr. GALLEGO, Mr. ROE of Tennessee, Mrs. BLACKBURN, Mr. BURGESS, Mr. HARRIS, and Mr. CONNOLLY):

H.R. 2135. A bill to amend the Public Health Service Act to clarify liability protections regarding emergency use of automated external defibrillators; to the Committee on Energy and Commerce.

By Mrs. HARTZLER:

H.R. 2136. A bill to ensure small businesses in rural America have access to credit to promote economic growth and job creation, and for other purposes; to the Committee on Agriculture.

By Mr. PASCRELL (for himself, Mr. RUNYAN, Mr. GRIMM, Mr. LANCE, Mr. KING of New York, Mr. REED, Mr. FRELINGHUYSEN, Mr. LOBIONDO, Mr. SMITH of New Jersey, Mr. RANGEL,

Mr. CROWLEY, Mr. LARSON of Connecticut, Mr. MEEKS, Mr. COURTNEY, Ms. DeLAURO, Mr. BISHOP of New York, Mrs. MCCARTHY of New York, Mr. LANGEVIN, Mr. PAYNE, Mr. SERRANO, Mr. PALLONE, Mr. NADLER, Mr. SIREN, Mr. ANDREWS, Mr. ENGEL, Mr. CICILLINE, Mr. ISRAEL, Ms. MENG, and Mr. HOLT):

H.R. 2137. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for damages relating to Hurricane Sandy, and for other purposes; to the Committee on Ways and Means.

By Mr. MCCARTHY of California (for himself, Mr. MILLER of Florida, and Mr. COFFMAN):

H.R. 2138. A bill to direct the Secretary of Veterans Affairs to resolve the backlog of disability claims of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRENSHAW (for himself and Mr. SMITH of Nebraska):

H.R. 2139. A bill to make certain luggage and travel articles eligible for duty-free treatment under the Generalized System of Preferences, and for other purposes; to the Committee on Ways and Means.

By Mr. GARY G. MILLER of California (for himself and Mrs. MCCARTHY of New York):

H.R. 2140. A bill to permit insurance companies that are depository holding companies, or are subsidiaries of depository holding companies, to comply with the accounting and capital requirements applicable to the insurance company under State law, and for other purposes; to the Committee on Financial Services.

By Mrs. BEATTY (for herself, Mr. VARGAS, Ms. NORTON, and Mr. POLIS):

H.R. 2141. A bill to amend the Internal Revenue Code of 1986 to allow Head Start teachers the same above-the-line deduction for supplies as is allowed to elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. BISHOP of New York (for himself, Mr. KING of New York, and Mr. RUNYAN):

H.R. 2142. A bill to amend the Housing and Community Development Act of 1974 to set-aside community development block grant amounts in each fiscal year for grants to local chapters of veterans service organizations for rehabilitation of their facilities; to the Committee on Financial Services.

By Mrs. BLACKBURN (for herself, Mr. BARROW of Georgia, Mr. TERRY, and Mrs. CHRISTENSEN):

H.R. 2143. A bill to amend title IX of the Public Health Service Act to revise the operations of the United States Preventive Services Task Force; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa:

H.R. 2144. A bill to amend the Internal Revenue Code of 1986 to provide for a refundable adoption tax credit; to the Committee on Ways and Means.

By Mr. CALVERT (for himself, Mr. RUIZ, and Mr. TAKANO):

H.R. 2145. A bill to provide for the conveyance of a small parcel of Natural Resources

Conservation Service property in Riverside, California, and for other purposes; to the Committee on Agriculture.

By Mr. CAPUANO (for himself, Mr. KING of New York, Ms. MOORE, Mrs. MCCARTHY of New York, Mrs. BEATTY, Ms. SINEMA, Mr. MEEKS, Ms. WATERS, Mr. MCGOVERN, Mr. HECK of Washington, Mr. KENNEDY, Mr. MARKEY, Mr. WATT, Mr. HINOJOSA, Mr. RANGEL, Mr. NADLER, Mr. KEATING, Mr. CLAY, Mr. CARSON of Indiana, Mr. LYNCH, and Ms. MENG):

H.R. 2146. A bill to extend the Terrorism Risk Insurance Program of the Department of the Treasury for 10 years; to the Committee on Financial Services.

By Mr. CARSON of Indiana:

H.R. 2147. A bill to provide grants to enhance the most effective freezing methods to improve access to affordable and locally produced specialty crops; to the Committee on Agriculture.

By Mr. CARSON of Indiana:

H.R. 2148. A bill to amend the Office of National Drug Control Policy Reauthorization Act of 1998 to increase public awareness about the dangers of synthetic drugs through the national youth antidrug media campaign; to the Committee on Energy and Commerce.

By Mr. CONYERS (for himself and Mr. BUCHANAN):

H.R. 2149. A bill to provide for the issuance and sale of a semipostal by the United States Postal Service to support effective programs targeted at improving permanency outcomes for youth in foster care; to the Committee on Oversight and Government Reform, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOK (for himself, Mr. FLORES, Mr. DENHAM, Mr. CALVERT, Mr. HUNTER, Mr. WILLIAMS, Mrs. NEGRETE MCLEOD, and Mr. TAKANO):

H.R. 2150. A bill to amend title 38, United States Code, to provide for a five-year extension to the homeless veterans reintegration programs; to the Committee on Veterans' Affairs.

By Mr. DEFAZIO (for himself, Mr. MICHAUD, and Mr. TAKANO):

H.R. 2151. A bill to amend title 38, United States Code, to authorize individuals who are pursuing programs of rehabilitation, education, or training under laws administered by the Secretary of Veterans Affairs to receive work-study allowances for certain outreach services provided through congressional offices, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DOYLE:

H.R. 2152. A bill to authorize the Secretary of Education to establish the National Program for Arts and Technology; to the Committee on Education and the Workforce.

By Mr. DOYLE (for himself and Mr. MURPHY of Pennsylvania):

H.R. 2153. A bill to amend title 38, United States Code, to require the reporting of cases of infectious diseases at facilities of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DUNCAN of Tennessee (for himself, Mr. LIPINSKI, Mr. ROE of Tennessee, and Mr. HARPER):

H.R. 2154. A bill to mandate the monthly formulation and publication of a consumer price index specifically for senior citizens for

the purpose of establishing an accurate Social Security COLA for such citizens; to the Committee on Education and the Workforce.

By Mr. FATTAH (for himself and Mr. HINOJOSA):

H.R. 2155. A bill to award grants in order to establish longitudinal personal college readiness and savings online platforms for low-income students; to the Committee on Education and the Workforce.

By Mr. FINCHER (for himself, Mrs. BLACKBURN, and Mr. TIBERI):

H.R. 2156. A bill to encourage uniformity and reciprocity among States that license insurance claims adjusters and to facilitate prompt and efficient adjusting of insurance claims in the case of natural and other disasters and losses, and for other purposes; to the Committee on Financial Services.

By Mr. FITZPATRICK (for himself and Mr. VISCLOSKEY):

H.R. 2157. A bill to authorize the ground burial at Arlington National Cemetery of members of the United States Army who served honorably in the Tomb of the Unknown Soldier platoon, Third Infantry Regiment (Old Guard), United States Army; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLEMING:

H.R. 2158. A bill to exempt from the Lacey Act Amendments of 1981 the expedited removal from the United States of certain snake species, and for other purposes; to the Committee on Natural Resources.

By Mr. FOSTER (for himself, Mr. COURTNEY, Mrs. CAROLYN B. MALONEY of New York, Ms. ESTY, Mr. RYAN of Ohio, Ms. ESHOO, Mr. LANGEVIN, Mr. KENNEDY, Mrs. NEGRETTE MCLEOD, and Mr. MCGOVERN):

H.R. 2159. A bill to amend the Elementary and Secondary Education Act of 1965 to direct the Secretary of Education to carry out a STEM grant program; to the Committee on Education and the Workforce.

By Ms. FUDGE (for herself, Mr. POLIS, and Mr. LEWIS):

H.R. 2160. A bill to support and encourage the health and well-being of elementary school and secondary school students by enhancing school physical education and health education; to the Committee on Education and the Workforce.

By Mr. GOHMERT:

H.R. 2161. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rates for Federal Direct Stafford Loans; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR:

H.R. 2162. A bill to provide for transparency and reporting related to direct and indirect costs incurred by the Bonneville Power Administration, the Western Area Power Administration, the Southwestern Power Administration, and the Southeastern Power Administration related to compliance with any Federal environmental laws impacting the conservation of fish and wildlife, and for other purposes; to the Committee on Natural Resources.

By Ms. HAHN (for herself and Mr. FATTAH):

H.R. 2163. A bill to authorize the Secretary of Transportation to establish a program to make grants to ports to enable ports to employ high school students during the summer; to the Committee on Transportation and Infrastructure.

By Mr. HARRIS (for himself, Mr. LIPINSKI, Mr. SMITH of New Jersey, Mr. FLEMING, Mr. JOHNSON of Ohio, and Mr. KELLY of Pennsylvania):

H.R. 2164. A bill to amend title 18, United States Code, to prohibit human cloning; to the Committee on the Judiciary.

By Mr. HECK of Nevada (for himself and Mr. FITZPATRICK):

H.R. 2165. A bill to amend the Public Health Service Act to provide individual and group market reforms to protect health insurance consumers, to make such reforms and protections contingent on the enactment of legislation repealing the Patient Protection and Affordable Care Act, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HECK of Nevada (for himself and Mr. AMODEI):

H.R. 2166. A bill to direct the Secretary of the Interior and Secretary of Agriculture to expedite access to certain Federal lands under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HECK of Washington (for himself and Mr. FITZPATRICK):

H.R. 2167. A bill to authorize the Secretary of Housing and Urban Development to establish additional requirements to improve the fiscal safety and soundness of the home equity conversion mortgage insurance program; to the Committee on Financial Services.

By Mr. HECK of Washington:

H.R. 2168. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to promote the efficient delivery and receipt of absentee ballots and other voting materials to absent uniformed services voters, and for other purposes; to the Committee on House Administration.

By Mr. HIGGINS:

H.R. 2169. A bill to amend title 38, United States Code, to eliminate the time limitation for use of eligibility and entitlement to educational assistance under certain programs of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT (for himself, Mr. McDERMOTT, Mr. POLIS, Mr. TIERNEY, Ms. SCHAKOWSKY, Mr. MCGOVERN, and Mr. PRICE of North Carolina):

H.R. 2170. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a partnership program in foreign languages; to the Committee on Education and the Workforce.

By Mr. HOLT (for himself, Mr. PETRI, Mr. KIND, and Mr. REICHERT):

H.R. 2171. A bill to amend the Employee Retirement Income Security Act of 1974 to require a lifetime income disclosure; to the Committee on Education and the Workforce.

By Mr. HONDA (for himself, Mr. HINOJOSA, and Mrs. NAPOLITANO):

H.R. 2172. A bill to improve quality and accountability for educator preparation programs; to the Committee on Education and the Workforce.

By Mr. HONDA (for himself and Mrs. NAPOLITANO):

H.R. 2173. A bill to improve teacher quality, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ISRAEL (for himself, Ms. DELAUNO, Mr. LARSON of Connecticut, Mr. HIMES, Ms. ESTY, Mr. COURTNEY, Mr. BISHOP of New York, Mr. CROWLEY, Mr. ENGEL, Ms. MENG, Mr. NADLER, Mr. KING of New York, and Mrs. MCCARTHY of New York):

H.R. 2174. A bill to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Ohio:

H.R. 2175. A bill to direct the Secretary of the Interior to install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the United States on June 6, 1944, the morning of D-Day; to the Committee on Natural Resources.

By Mr. JONES:

H.R. 2176. A bill to require express prior statutory authorization from Congress to carry out any activities under the United States-Afghanistan Strategic Partnership Agreement, and for other purposes; to the Committee on Foreign Affairs.

By Ms. KAPTUR (for herself, Mr. GRIJALVA, Mr. GENE GREEN of Texas, Ms. MCCOLLUM, and Mr. POCAN):

H.R. 2177. A bill to eliminate the application of sequestration to unemployment benefits, and for other purposes; to the Committee on the Budget.

By Mr. KIND (for himself and Mr. SCHOCK):

H.R. 2178. A bill to authorize a grant program to promote physical education, activity, and fitness and nutrition, and to ensure healthy students, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KIND (for himself and Mr. SCHOCK):

H.R. 2179. A bill to provide for the publication by the Secretary of Human Services of physical activity guidelines for Americans; to the Committee on Energy and Commerce.

By Mr. LARSEN of Washington:

H.R. 2180. A bill to amend the Procurement Technical Assistance Cooperative Agreement Program in title 10, United States Code; to the Committee on Armed Services.

By Mr. LATHAM (for himself and Mr. BLUMENAUER):

H.R. 2181. A bill to amend titles XVIII and XIX of the Social Security Act with respect to the qualification of the director of food services of a Medicare skilled nursing facility or a Medicaid nursing facility; to the

Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California (for herself, Mr. HOYER, Ms. BROWNLEY of California, Ms. CHU, Mr. HASTINGS of Florida, Mr. SERRANO, Mr. NADLER, Mr. CONYERS, Mr. VELA, Ms. CLARKE, Mr. RUSH, Ms. MOORE, Ms. SEWELL of Alabama, Ms. KAPTUR, Mrs. BEATTY, Mr. CICILLINE, Mr. ELLISON, Mr. GRIJALVA, Ms. FUDGE, Mr. CONNOLLY, Mr. RANGEL, Ms. SCHAKOWSKY, Mr. LANGEVIN, Mr. SIRES, Mr. CÁRDENAS, Ms. EDWARDS, Mr. DANNY K. DAVIS of Illinois, Mr. RICHMOND, Ms. WILSON of Florida, Mr. CARSON of Indiana, Ms. BROWN of Florida, Mr. TONKO, Mr. VEASEY, Ms. KELLY of Illinois, Mr. CLAY, Mr. BUTTERFIELD, Mrs. NAPOLITANO, Mr. HECK of Washington, Mr. HONDA, Ms. DELAURO, Mr. BRADY of Pennsylvania, Ms. NORTON, and Ms. JACKSON LEE):

H.R. 2182. A bill to establish the Federal Interagency Working Group on Reducing Poverty which will create and carry out a national plan to cut poverty in America in half in ten years; to the Committee on Oversight and Government Reform.

By Ms. LEE of California:

H.R. 2183. A bill to direct the Director of the CIA to cease lethal drone operations, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Intelligence (Permanent Select), and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOEBSACK:

H.R. 2184. A bill to amend the Elementary and Secondary Education Act of 1965 to foster community involvement, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LYNCH (for himself, Ms. CLARKE, Mr. CONYERS, Mr. HASTINGS of Florida, Ms. JACKSON LEE, Mr. JONES, Mr. KENNEDY, Mr. MARKEY, Mr. MCGOVERN, Mr. MICHAUD, Mr. NEAL, Mr. POCAN, and Ms. TSONGAS):

H.R. 2185. A bill to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day; to the Committee on Veterans' Affairs.

By Mr. MARKEY (for himself, Ms. SLAUGHTER, Mr. CLAY, and Mr. RANGEL):

H.R. 2186. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the compounding of drug products; to the Committee on Energy and Commerce.

By Mr. MEEHAN (for himself, Mr. CARNEY, Mr. RENACCI, Mr. DELANEY, Mr. OWENS, Mr. GRIMM, Mr. BUCHSON, Mr. YODER, and Mr. FATTAH):

H.R. 2187. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize veterans' treatment courts and encourage services for veterans; to the Committee on the Judiciary.

By Mr. MICHAUD (for himself and Ms. PINGREE of Maine):

H.R. 2188. A bill to amend title 37, United States Code, to ensure that footwear furnished or obtained by allowance for enlisted members of the Armed Forces upon their initial entry into the Armed Forces complies

with domestic source requirements; to the Committee on Armed Services.

By Mr. MILLER of Florida (for himself and Mr. MCCARTHY of California):

H.R. 2189. A bill to establish a commission or task force to evaluate the backlog of disability claims of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. MORAN (for himself, Mr. WITTMAN, Mr. CONNOLLY, and Mr. SCOTT of Virginia):

H.R. 2190. A bill to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; to the Committee on Natural Resources.

By Mr. NADLER (for himself, Ms. HAHN, Mr. RANGEL, and Mrs. CAROLYN B. MALONEY of New York):

H.R. 2191. A bill to direct the Secretary of Transportation to issue regulations with respect to ensuring families are able to sit together on flights, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. NUNES:

H.R. 2192. A bill to amend the Act popularly known as the Antiquities Act of 1906 to require certain procedures for designating national monuments, and for other purposes; to the Committee on Natural Resources.

By Mr. PALLONE:

H.R. 2193. A bill to amend the Internal Revenue Code of 1986 to extend the financing of the Superfund; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 2194. A bill to amend the Internal Revenue Code of 1986 to improve access to health care through expanded health savings accounts, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE (for himself, Ms. CLARKE, Mr. DANNY K. DAVIS of Illinois, Mr. FATTAH, Ms. FUDGE, Mr. GRIJALVA, Mr. HINOJOSA, Mr. HONDA, Ms. LEE of California, Mr. MCGOVERN, Mr. POLIS, Mr. HORSFORD, Mr. RANGEL, Ms. WILSON of Florida, Ms. NORTON, Mr. ELLISON, Mr. AL GREEN of Texas, Ms. JACKSON LEE, Mr. THOMPSON of Mississippi, Mr. BISHOP of Georgia, Ms. BASS, Mr. SCOTT of Virginia, Ms. WASSERMAN SCHULTZ, Mr. CARSON of Indiana, Mr. CLAY, Mr. MEEKS, Mr. BUTTERFIELD, and Mr. HIGGINS):

H.R. 2195. A bill to support Promise Neighborhoods; to the Committee on Education and the Workforce.

By Mr. PETRI (for himself and Mr. POLIS):

H.R. 2196. A bill to create and expand innovative teacher and principal preparation programs known as teacher and principal preparation academies; to the Committee on Education and the Workforce.

By Ms. PINGREE of Maine (for herself and Mr. MICHAUD):

H.R. 2197. A bill to amend the Wild and Scenic Rivers Act to designate segments of the York River and associated tributaries for study for potential inclusion in the National Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Mr. POSEY:

H.R. 2198. A bill to require State governments to submit fiscal accounting reports as a condition to the receipt of Federal financial assistance, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. RICHMOND (for himself, Ms. WATERS, Mr. ALEXANDER, Mr. BOUTSTANY, Mr. CASSIDY, Mr. SCALISE, and Ms. MATSUI):

H.R. 2199. A bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes; to the Committee on Financial Services.

By Mr. SABLON (for himself, Mr. FALBOMAVEGA, Mrs. CHRISTENSEN, and Ms. BORDALLO):

H.R. 2200. A bill to improve the administration of programs in the insular areas, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Education and the Workforce, Financial Services, Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Washington (for himself, Mr. GRIJALVA, Mr. LARSEN of Washington, Mr. WAXMAN, Mr. SCHIFF, Mr. MORAN, Ms. LEE of California, Mr. MCDERMOTT, and Ms. DELBENE):

H.R. 2201. A bill to authorize voluntary grazing permit retirement on Federal lands managed by the Department of Agriculture or the Department of the Interior where livestock grazing is impractical, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THORNBERRY (for himself, Mr. LARSON of Connecticut, and Mr. MATHESON):

H.R. 2202. A bill to amend the Internal Revenue Code of 1986 to provide for the equalization of the excise tax on liquefied natural gas and per energy equivalent of diesel; to the Committee on Ways and Means.

By Mr. TIBERI (for himself and Mr. ROONEY):

H.R. 2203. A bill to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy; to the Committee on Financial Services.

By Ms. TSONGAS:

H.R. 2204. A bill to authorize the Secretary of Labor to award grants for the employment of individuals in targeted communities to perform work for the benefit of such communities; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TSONGAS (for herself, Mr. MCGOVERN, and Ms. NORTON):

H.R. 2205. A bill to authorize the Secretary of the Interior, in consultation with the Groundwork USA national office, to provide grants to certain nonprofit organizations; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, and Financial Services, for a

period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TURNER (for himself and Mr. HECK of Nevada):

H.R. 2206. A bill to provide enhanced protections for prospective members and new members of the Armed Forces during entry-level processing and training; to the Committee on Armed Services.

By Mr. TURNER (for himself and Ms. TSONGAS):

H.R. 2207. A bill to amend title 10, United States Code, to make certain improvements in the Uniform Code of Military Justice related to sex-related offenses committed by members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. WITTMAN (for himself, Mr. THOMPSON of Mississippi, Mr. KING of Iowa, and Mr. DINGELL):

H.R. 2208. A bill to extend the authorization of appropriations for allocation to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017; to the Committee on Natural Resources.

By Mr. WITTMAN:

H.R. 2209. A bill to establish a chain of command for Army National Military Cemeteries; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Florida:

H.R. 2210. A bill to amend title 38, United States Code, to expand the eligibility of children of certain deceased veterans to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. BASS (for herself and Mr. HONDA):

H. Res. 234. A resolution commemorating the 50th anniversary of the founding of the Organization of African Unity (OAU) and commending its successor, the African Union; to the Committee on Foreign Affairs.

By Mr. GRIMM (for himself and Mr. SIRES):

H. Res. 235. A resolution expressing support for designation of March 29 as Vietnam Veterans Day; to the Committee on Oversight and Government Reform.

By Ms. HAHN (for herself, Mr. POE of Texas, and Ms. BROWN of Florida):

H. Res. 236. A resolution expressing the sense of the House of Representatives on fully spending the receipts of the Harbor Maintenance Trust Fund on United States ports and harbors each year, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HIMES (for himself, Ms. LEE of California, and Mrs. BEATTY):

H. Res. 237. A resolution expressing the sense of the House of Representatives with respect to childhood stroke and recognizing May 2013 as "National Pediatric Stroke Awareness Month"; to the Committee on Energy and Commerce.

By Ms. LEE of California (for herself, Mr. JOHNSON of Georgia, Mr. GRIJALVA, Mr. GEORGE MILLER of California, and Mr. CONYERS):

H. Res. 238. A resolution expressing the sense of the House of Representatives regarding United States efforts to promote Israeli-

Palestinian peace; to the Committee on Foreign Affairs.

By Mr. PETERSON:

H. Res. 239. A resolution expressing support for the designation of the third week in October as National School Bus Safety Week and for the designation of Wednesday of that week as National School Bus Drivers Appreciation Day; to the Committee on Education and the Workforce.

By Mr. REED (for himself, Mr. BARR, and Mr. HUIZENGA of Michigan):

H. Res. 240. A resolution directing the Clerk of the House of Representatives to place a real time display of the United States gross national debt in the House Chamber; to the Committee on House Administration.

By Mr. VARGAS (for himself, Mr. PETERS of California, Mrs. DAVIS of California, Mr. CÁRDENAS, and Mr. GRIJALVA):

H. Res. 241. A resolution recognizing the importance of the United States International Boundary Water Commission (USIBWC) and its recent efforts to address trash, sediment, and water quality issues with their Mexican counterparts, Comisión Internacional de Límites y Aguas (CILA), through a proposed minute; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 3 of rule XII,

32. The SPEAKER presented a memorial of the House of Representatives of the State of Maine, relative to a Joint Resolution urging the President and the Congress to support the Clean Air Act; to the Committee on Energy and Commerce.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GOODLATTE:

H.R. 2122.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1 of the United States Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; Article I, Sections 8 and 9 of the United States Constitution, in that the legislation concerns the exercise of specific legislative powers granted to Congress by those sections, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof;" and Article III of the United States Constitution, in that the legislation defines or affects powers of the Judiciary that are subject to legislation by Congress.

By Mr. THOMPSON of Pennsylvania:

H.R. 2123.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3; and including, but not solely limited to Article I, Section 8, Clause 14.

By Mr. BARROW of Georgia:

H.R. 2124.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. SHUSTER:

H.R. 2125.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have the Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. MCKINLEY:

H.R. 2126.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. MCKINLEY:

H.R. 2127.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 18 of the Constitution: The Congress shall have power to enact this legislation to enact this legislation to make all laws which shall be necessary and proper for carrying into Execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCKINLEY:

H.R. 2128.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. CUMMINGS:

H.R. 2129.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States and Article I, Section 9, giving Congress the authority to control the expenditures of the federal government.

By Mr. CARTWRIGHT:

H.R. 2130.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII which states "The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;"

Most recently the Supreme Court has held that Article I, Section VIII gives Congress a plenary power to impose taxes and to spend money for the general welfare subject almost entirely to Congress's own discretion.

By Mr. ISSA:

H.R. 2131.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4, which states that Congress has the power to establish a uniform Rule of Naturalization.

By Ms. WILSON of Florida:

H.R. 2132.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. POE of Texas:

H.R. 2133.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mrs. BROOKS of Indiana:

H.R. 2134.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 and 18 of Section 8 of Article 1 of the Constitution

By Mr. OLSON:

H.R. 2135.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

The Congress shall have Power to . . . regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mrs. HARTZLER:

H.R. 2136.

Congress has the power to enact this legislation pursuant to the following:

Article I: Section 8: Clause 3 The United States Congress shall have power

"To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. PASCRELL:

H.R. 2137.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. MCCARTHY OF California:

H.R. 2138.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12,13,18.

By Mr. CRENSHAW:

H.R. 2139.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution, commonly referred to as the Commerce Clause. The Commerce Clause states that the Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes. This bill changes U.S. trade

By Mr. GARY G. MILLER of California:

H.R. 2140.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power to regulate interstate commerce).

By Mrs. BEATTY:

H.R. 2141.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution

By Mr. BISHOP of New York:

H.R. 2142.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. BLACKBURN:

H.R. 2143.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution

By Mr. BRALEY of Iowa:

H.R. 2144.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CALVERT:

H.R. 2145.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 and clause 18, and Article IV, section 3, clause 2.

By Mr. CAPUANO:

H.R. 2146.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3 (relating to the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes).

By Mr. CARSON of Indiana:

H.R. 2147.

Congress has the power to enact this legislation pursuant to the following:

Under Clause 1 of Section 8 of Article 1 of the Constitution, Congress has the power to provide for the general welfare of the United States.

By Mr. CARSON of Indiana:

H.R. 2148.

Congress has the power to enact this legislation pursuant to the following:

Under Clause 1 of Section 8 of Article 1 of the Constitution, Congress has the power to provide for the general welfare of the United States.

By Mr. CONYERS:

H.R. 2149.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution.

By Mr. COOK:

H.R. 2150.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution.

By Mr. DEFAZIO:

H.R. 2151.

Congress has the power to enact this legislation pursuant to the following:

Congress under Article I, Section 8, Clause 18 of the United States Constitution

By Mr. DOYLE:

H.R. 2152.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. DOYLE:

H.R. 2153.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. DUNCAN of Tennessee:

H.R. 2154.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 8.

1) The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the

United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FATTAH:

H.R. 2155.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. FINCHER:

H.R. 2156.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mr. FITZPATRICK:

H.R. 2157.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulations of the land and naval forces; and to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the Service of the United States.

By Mr. FLEMING:

H.R. 2158.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, Section 8, Clause 3 of the U.S. Constitution, which states the Congress shall have the power "to regulate commerce with foreign nations, and among the several states and with the Indian tribes."

By Mr. FOSTER:

H.R. 2159.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

By Ms. FUDGE:

H.R. 2160.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3 the Commerce clause.

By Mr. GOHMERT:

H.R. 2161.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: "The Congress shall have power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the . . . general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States"

Article 1, Section 8, Clause 1 of the United States Constitution provides spending authority for Congress to issue debt and set the interest rates thereof to insure that such debt will be paid, and under the "general welfare" clause the authority to pass laws that provide loans to students.

By Mr. GOSAR:

H.R. 2162.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate commerce and provide for the general

welfare as envisioned and enumerated by Article I, Section 8, Clauses 1 and 3.

By Ms. HAHN:

H.R. 2163.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. HARRIS:

H.R. 2164.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution of the United States.

By Mr. HECK of Nevada:

H.R. 2165.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: The Congress shall have Power To . . . regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

and

Article I, Section 8, Clause 18: . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. HECK of Nevada:

H.R. 2166.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.1

By Mr. HECK of Washington:

H.R. 2167.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the General Welfare of the United States) and clause 3 (relating to the power to regulate interstate commerce)

By Mr. HECK of Washington:

H.R. 2168.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 clause 12, which gives Congress the authority to "raise and support Armies";

Article I Section 4, which gives Congress the authority to enact legislation pertaining to the time and manner by which Representatives and Senators are elected;

The Fourteenth Amendment to the Constitution, which guarantees, in part, that no State shall "deny to any person within its jurisdiction the equal protection of the laws," which the Supreme Court of the United States has ruled to be inclusive of those laws pertaining to the right to vote.

By Mr. HIGGINS:

H.R. 2169.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14

To make Rules for the Government and Regulation of the land and naval Forces.

By Mr. HOLT:

H.R. 2170.

Congress has the power to enact this legislation pursuant to the following:

Article I of the United States Constitution

By Mr. HOLT:

H.R. 2171.

Congress has the power to enact this legislation pursuant to the following:

Article I of the U.S. Constitution

By Mr. HONDA:

H.R. 2172.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. HONDA:

H.R. 2173.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 2174.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article 1, Sec. 8, Clause 3 of the United States Constitution

By Mr. JOHNSON of Ohio:

H.R. 2175.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, Clause 18 and pursuant to Article I, Section 8, Clause 18.

By Mr. JONES:

H.R. 2176.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 11, and Article II, Section 2, Clause 2 of the United States Constitution.

By Ms. KAPTUR:

H.R. 2177.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. KIND:

H.R. 2178.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. KIND:

H.R. 2179.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. LARSEN of Washington:

H.R. 2180.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 "all legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

By Mr. LATHAM:

H.R. 2181.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Ms. LEE of California:

H.R. 2182.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 2183.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LOEBSACK:

H.R. 2184.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Mr. LYNCH:

H.R. 2185.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution—the Necessary and Proper Clause.

By Mr. MARKEY:

H.R. 2186.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. MEEHAN:

H.R. 2187.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8.

By Mr. MICHAUD:

H.R. 2188.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. MILLER of Florida:

H.R. 2189.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 8.

By Mr. MORAN:

H.R. 2190.

Congress has the power to enact this legislation pursuant to the following:

This Bill is enacted pursuant to Article I, Section 8 of the United States Constitution, which provides Congress with the power to regulate commerce and relations between the United States and Indian Tribes, and to pass all laws necessary and proper for carrying into execution the foregoing powers, as well as all other Power vested by the Constitution.

By Mr. NADLER:

H.R. 2191.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution and Article I, Section 8, Clause 18 of the Constitution.

By Mr. NUNES:

H.R. 2192.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of section 3 of article IV of the Constitution of the United States.

By Mr. PALLONE:

H.R. 2193.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. PAULSEN:

H.R. 2194.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mr. PAYNE:

H.R. 2195.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PETRI:

H.R. 2196.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Ms. PINGREE of Maine:

H.R. 2197.

Congress has the power to enact legislation pursuant to the following:

Article I, Section 8, Clause 1—The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; and Article 1, Section 8, Clause 3—The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. POSEY:

H.R. 2198.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. RICHMOND:

H.R. 2199.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. SABLAN:

H.R. 2200.

Congress has the power to enact this legislation pursuant to the following:

Under Article IV, section 3, clause 2 of the Constitution.

By Mr. SMITH of Washington:

H.R. 2201.

Congress has the power to enact this legislation pursuant to the following:

Article IV Section 3. "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . ."

By Mr. THORNBERRY:

H.R. 2202.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the U.S. Constitution.

By Mr. TIBERI:

H.R. 2203.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article 1 of the Constitution—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Ms. TSONGAS:

H.R. 2204.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Ms. TSONGAS:

H.R. 2205.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Mr. TURNER:

H.R. 2206.

Congress has the power to enact this legislation pursuant to the following:

Military Regulation: Article I, Section 8, Clauses 14 and 18

To make Rules for the Government and Regulation of the land and naval Forces; and

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. TURNER:

H.R. 2207.

Congress has the power to enact this legislation pursuant to the following:

Military Regulation: Article I, Section 8, Clauses 14 and 18

To make Rules for the Government and Regulation of the land and naval Forces; and

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. WITTMAN:

H.R. 2208.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. WITTMAN:

H.R. 2209.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. YOUNG of Florida:

H.R. 2210.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. SHUSTER.

H.R. 36: Mr. COFFMAN and Mr. BONNER.

H.R. 94: Mr. KLINE.

H.R. 146: Mr. LATHAM.

H.R. 164: Mrs. WALORSKI, Mrs. CAPITO, and Mr. CRAWFORD.

H.R. 176: Mr. HUIZENGA of Michigan.

H.R. 198: Mr. HUFFMAN.

H.R. 239: Mrs. BLACK.

H.R. 309: Mr. DUNCAN of Tennessee, Mr. PALAZZO, Mr. LAMALFA, and Mr. MULVANEY.

H.R. 312: Mr. CICILLINE.

H.R. 318: Ms. WILSON of Florida, Mr. HASTINGS of Florida, Mr. PETERSON, and Mr. THOMPSON of Pennsylvania.

H.R. 351: Mr. DUNCAN of South Carolina, Mr. CRENSHAW, and Mr. FRELINGHUYSEN.

H.R. 357: Ms. SINEMA and Mr. GERLACH.

H.R. 455: Ms. JACKSON LEE.

H.R. 460: Mr. KEATING.

H.R. 494: Mr. LOBIONDO, Mr. PASCRELL, Mr. LYNCH, Mr. NUGENT, Ms. CASTOR of Florida,

Mr. PETERS of California, and Mr. HULTGREN.

H.R. 508: Mr. COLLINS of New York, Mr. DENHAM, Mr. HANNA, Mr. KILDEE, Mr. ISRAEL,

Mr. WATT, and Mr. KILMER.

H.R. 531: Mr. HASTINGS of Florida and Mr. ROSS.

H.R. 533: Mr. DUFFY, Mr. POCAN, Mr. HUFFMAN, and Mr. MORAN.

H.R. 567: Mr. MESSER.

H.R. 594: Mr. FITZPATRICK.

H.R. 628: Mrs. KIRKPATRICK.

H.R. 640: Mr. BROUN of Georgia.

H.R. 664: Mr. CARSON of Indiana.

H.R. 685: Mr. MCGOVERN, Mrs. HARTZLER, and Mr. RYAN of Wisconsin.

H.R. 686: Mr. COBLE.

H.R. 712: Mr. MEEHAN.

H.R. 713: Mr. LARSON of Connecticut, Mr. BISHOP of Georgia, Mr. MCINTYRE, Mr. POCAN, Mr. BISHOP of New York, Mr. YOUNG of Alaska, Mrs. KIRKPATRICK, Mr. PETERSON,

Mr. O'ROURKE, Mr. PERLMUTTER, Mr. OLSON, and Mr. LEVIN.

H.R. 714: Mr. VALADAO.

H.R. 724: Mr. DUNCAN of South Carolina.

H.R. 736: Ms. LOFGREN.

H.R. 755: Ms. EDWARDS, Ms. MOORE, and Mrs. NEGRETTE MCLEOD.

H.R. 765: Mrs. LOWEY and Ms. SCHWARTZ.

H.R. 778: Mrs. BLACKBURN.

H.R. 792: Mr. GRAVES of Georgia.

H.R. 797: Mr. RAHALL, Mr. SHERMAN, Mr. MATHESON, Mr. GARY G. MILLER of California, Mr. SCHWEIKERT, Mr. GRIFFIN of Arkansas, Mr. KING of New York, Mr. HUIZENGA of Michigan, Mrs. MCMORRIS RODGERS, Mr. SCHOCK, and Mr. CARSON of Indiana.

H.R. 805: Mr. LARSON of Connecticut, Mr. GRIFFIN of Arkansas, Mr. LUETKEMEYER, Mr. BURGESS, Mr. BARTON, and Mr. BARROW of Georgia.

H.R. 822: Ms. DELAURO.

H.R. 842: Mr. WELCH.

H.R. 847: Ms. WILSON of Florida and Ms. ESHOO.

H.R. 850: Ms. JACKSON LEE and Mr. JOHNSON of Georgia.

H.R. 855: Mr. POCAN and Mrs. KIRKPATRICK.

H.R. 915: Mr. KLINE.

H.R. 938: Ms. JACKSON LEE, Mr. TIPTON, Mr. RUIZ, Mr. POE of Texas, Ms. SEWELL of Alabama, Mr. CRAMER, Mr. ROONEY, Mrs. NOEM, Mrs. MCMORRIS RODGERS, Mr. COLLINS of Georgia, Mr. GRAVES of Georgia, Mr. BISHOP of Georgia, Mr. ROHRBACHER, Mr. FLORES, Mr. BRIDENSTINE, Mr. YOUNG of Florida, Ms. DEGETTE, Mr. HARRIS, Mr. LAMALFA, and Mr. NOLAN.

H.R. 940: Mr. MCKEON.

H.R. 942: Mrs. BLACK, Mr. MICHAUD, and Mr. AMODEI.

H.R. 952: Ms. GABBARD and Mr. RODNEY DAVIS of Illinois.

H.R. 961: Ms. DELBENE and Mr. FATTAH.

H.R. 984: Mr. ANDREWS.

H.R. 1012: Mr. HUFFMAN and Mr. COURTNEY.

H.R. 1014: Mr. OWENS and Mr. SEAN PATRICK MALONEY of New York.

H.R. 1015: Mr. SIRES, Mr. ELLISON, Mr. YOUNG of Alaska, and Mr. PRICE of North Carolina.

H.R. 1020: Mr. KELLY of Pennsylvania and Mr. NEUGEBAUER.

H.R. 1024: Mr. OWENS, Mr. FARENTHOLD, and Ms. LEE of California.

H.R. 1074: Mrs. KIRKPATRICK.

H.R. 1077: Mr. STOCKMAN and Mr. KLINE.

H.R. 1083: Mr. DUNCAN of South Carolina.

H.R. 1098: Mr. WELCH.

H.R. 1129: Mr. JOHNSON of Ohio, Ms. SHEA-PORTER, and Mr. FRELINGHUYSEN.

H.R. 1136: Mr. VEASEY.

H.R. 1146: Mr. NADLER.

H.R. 1148: Mr. ROE of Tennessee.

H.R. 1151: Mr. PALLONE.

H.R. 1155: Mr. SOUTHERLAND, Mr. LAMBORN, and Mr. PERRY.

H.R. 1175: Ms. CLARKE and Ms. DEGETTE.



H.R. 1176: Mr. JOYCE.  
 H.R. 1180: Ms. FUDGE.  
 H.R. 1199: Mr. WAXMAN and Mr. ENGEL.  
 H.R. 1201: Ms. LEE of California.  
 H.R. 1251: Mrs. CAPPS and Mr. VEASEY.  
 H.R. 1252: Mr. BISHOP of Georgia.  
 H.R. 1254: Mr. DUNCAN of South Carolina, Mr. MULVANEY, Mr. BISHOP of Utah, Mr. PEARCE, Mr. FRANKS of Arizona, Mr. HULTGREN, Mr. POSEY, Mr. HALL, and Mr. SOUTHERLAND.  
 H.R. 1289: Mr. MICHAUD, Mr. DELANEY, and Mr. GARAMENDI.  
 H.R. 1339: Mr. HIGGINS.  
 H.R. 1343: Mr. GRAYSON and Mr. DOGGETT.  
 H.R. 1355: Mr. PITTENGER.  
 H.R. 1358: Ms. WILSON of Florida.  
 H.R. 1416: Mr. REED.  
 H.R. 1421: Ms. JACKSON LEE.  
 H.R. 1428: Mr. OWENS.  
 H.R. 1437: Ms. SEWELL of Alabama and Ms. WILSON of Florida.  
 H.R. 1440: Mr. LOEBSACK and Mr. CRAWFORD.  
 H.R. 1451: Mr. SEAN PATRICK MALONEY of New York.  
 H.R. 1461: Mr. SESSIONS and Mr. PRICE of Georgia.  
 H.R. 1462: Mr. PRICE of Georgia and Mr. SHUSTER.  
 H.R. 1464: Mrs. BROOKS of Indiana.  
 H.R. 1496: Mr. PITTS.  
 H.R. 1498: Ms. SLAUGHTER.  
 H.R. 1500: Mr. TAKANO and Mr. HONDA.  
 H.R. 1507: Ms. LORETTA SANCHEZ of California, Mr. GRIFFIN of Arkansas, and Mr. WOLF.  
 H.R. 1538: Mr. ELLISON, Mr. VEASEY, Mr. DAVID SCOTT of Georgia, Ms. WILSON of Florida, Mr. RUSH, Ms. CLARKE, Ms. FUDGE, Mrs. CHRISTENSEN, Mr. CLEAVER, Mr. AL GREEN of Texas, Mr. PAYNE, Mr. JEFFRIES, Mr. THOMPSON of Mississippi, Mr. RANGEL, Mr. WATT, Mr. RICHMOND, Mr. BUTTERFIELD, Mr. SCOTT of Virginia, Mr. JOHNSON of Georgia, Ms. SEWELL of Alabama, and Mr. CLAY.  
 H.R. 1546: Mr. STIVERS.  
 H.R. 1563: Mrs. ROBY, Mr. WILSON of South Carolina, Mr. DESJARLAIS, and Mrs. BROOKS of Indiana.  
 H.R. 1595: Mr. MURPHY of Florida, Ms. FRANKEL of Florida, Mr. BLUMENAUER, and Mr. BISHOP of Georgia.  
 H.R. 1616: Ms. KUSTER.  
 H.R. 1619: Mr. FITZPATRICK.  
 H.R. 1623: Mr. CICILLINE.  
 H.R. 1630: Mr. PASCRELL, Mr. CARTWRIGHT, and Mrs. BUSTOS.  
 H.R. 1646: Mr. BISHOP of New York.  
 H.R. 1690: Mr. SALMON, Ms. DELAURO, Ms. WILSON of Florida, Mr. KILMER, and Ms. BONAMICI.  
 H.R. 1692: Mr. HONDA.  
 H.R. 1708: Mr. DUFFY.  
 H.R. 1717: Mr. WILSON of South Carolina, Mr. ROSS, Mr. JOHNSON of Georgia, Mr. NUNES, Mr. MEEHAN, and Mr. SMITH of New Jersey.  
 H.R. 1725: Mr. MURPHY of Florida, Mr. DELANEY, Mr. ELLISON, Ms. ESHOO, Mr. KILMER, and Mrs. KIRKPATRICK.  
 H.R. 1727: Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
 H.R. 1729: Ms. SLAUGHTER, Mr. MAFFEI, Mr. KILDEE, and Mr. LARSEN of Washington.  
 H.R. 1734: Mr. TAKANO.  
 H.R. 1735: Mr. MULVANEY.  
 H.R. 1742: Mr. BARBER.  
 H.R. 1755: Mr. PIERLUISI.  
 H.R. 1764: Mr. HALL, Mr. WITTMAN, and Mr. DUNCAN of Tennessee.

H.R. 1774: Ms. BORDALLO, Mr. COURTNEY, Mr. O'ROURKE, and Mrs. KIRKPATRICK.  
 H.R. 1787: Mr. MICHAUD and Mr. THOMPSON of Mississippi.  
 H.R. 1795: Mr. WAXMAN, Mr. GARAMENDI, Mr. SCHNEIDER, Mr. MCNERNEY, Ms. ESTY, Mr. WITTMAN, and Mr. MURPHY of Pennsylvania.  
 H.R. 1797: Mr. LAMBORN, Mr. SOUTHERLAND, Mr. RIBBLE, Mr. BARTON, Mr. CHABOT, Mr. SMITH of Texas, and Mr. WENSTRUP.  
 H.R. 1798: Mr. MICHAUD and Mr. HECK of Nevada.  
 H.R. 1801: Ms. SCHAKOWSKY and Mr. ISRAEL.  
 H.R. 1806: Mr. SCHRADER and Ms. BONAMICI.  
 H.R. 1814: Mr. RUSH, Ms. ESTY, and Mr. DUNCAN of South Carolina.  
 H.R. 1823: Mrs. KIRKPATRICK, Mr. BEN RAY LUJAN of New Mexico, and Mr. SIMPSON.  
 H.R. 1825: Mr. STIVERS.  
 H.R. 1829: Mr. AUSTIN SCOTT of Georgia.  
 H.R. 1830: Mr. KIND, Mr. BRALEY of Iowa, and Mrs. CAPPS.  
 H.R. 1837: Mr. BLUMENAUER, Ms. MATSUI, Mr. FOSTER, and Ms. SHEA-PORTER.  
 H.R. 1851: Ms. DELAURO, Mr. ANDREWS, Mr. NADLER, and Ms. TSONGAS.  
 H.R. 1861: Mrs. MILLER of Michigan and Mr. FARENTHOLD.  
 H.R. 1877: Ms. SHEA-PORTER and Ms. MOORE.  
 H.R. 1891: Ms. SLAUGHTER and Ms. MCCOLLUM.  
 H.R. 1900: Mr. LATTI.  
 H.R. 1910: Ms. EDDIE BERNICE JOHNSON of Texas and Ms. JACKSON LEE.  
 H.R. 1915: Mr. LATHAM.  
 H.R. 1918: Mr. HUNTER.  
 H.R. 1919: Mr. RUSH.  
 H.R. 1920: Mr. KING of New York and Mr. VARGAS.  
 H.R. 1926: Mr. KING of Iowa.  
 H.R. 1933: Mrs. MCCARTHY of New York and Mr. QUIGLEY.  
 H.R. 1940: Ms. BONAMICI.  
 H.R. 1941: Ms. NORTON and Mr. LOWENTHAL.  
 H.R. 1950: Mr. CALVERT.  
 H.R. 1963: Mrs. LUMMIS.  
 H.R. 1971: Mr. CARSON of Indiana.  
 H.R. 1975: Mr. MCNERNEY and Mr. COOPER.  
 H.R. 1978: Mr. BRADY of Pennsylvania, Mr. CARTWRIGHT, Mrs. MCCARTHY of New York, Mr. PASCRELL, Mr. NEAL, Ms. LINDA T. SANCHEZ of California, Mr. BISHOP of New York, Ms. LEE of California, Ms. JACKSON LEE, Mr. THOMPSON of Mississippi, Mr. RICHMOND, Mr. DOYLE, Ms. WASSERMAN SCHULTZ, Ms. DELAURO, Mr. CUELLAR, Ms. PINGREE of Maine, Mr. GARAMENDI, and Mr. POCAN.  
 H.R. 1993: Mr. BENTIVOLIO, Mr. AUSTIN SCOTT of Georgia, and Mr. LANCE.  
 H.R. 1999: Mr. ENYART, Mr. SWALWELL of California, Mr. BERA of California, Mrs. KIRKPATRICK, Mr. GARCIA, and Mr. DELANEY.  
 H.R. 2000: Mr. CONYERS, Mr. PASTOR of Arizona, Mr. FARR, Ms. JACKSON LEE, and Mr. PERLMUTTER.  
 H.R. 2009: Mr. THORNBERRY.  
 H.R. 2014: Mr. HUDSON, Mr. NADLER, Mr. RODNEY DAVIS of Illinois, Ms. LEE of California, Mr. MICHAUD, Mr. BLUMENAUER, and Mr. RICE of South Carolina.  
 H.R. 2019: Mr. WALBERG, Mr. MILLER of Florida, Mr. HECK of Nevada, Mr. GUTHRIE, Mr. FORBES, Mr. TIPTON, and Mr. WALDEN.  
 H.R. 2020: Mr. CÁRDENAS, Mrs. NAPOLITANO, Mr. TONKO, and Mr. CARSON of Indiana.  
 H.R. 2022: Mr. OLSON, Mr. BARTON, and Mr. WILSON of South Carolina.  
 H.R. 2025: Mr. DUNCAN of Tennessee and Mr. STOCKMAN.

H.R. 2030: Mrs. CAPPS, Ms. SLAUGHTER, Mr. LOWENTHAL, and Ms. BONAMICI.  
 H.R. 2035: Mr. ELLISON.  
 H.R. 2041: Mr. BOUSTANY.  
 H.R. 2042: Mr. WELCH.  
 H.R. 2043: Ms. LEE of California.  
 H.R. 2053: Mr. RIBBLE and Mr. KIND.  
 H.R. 2055: Mr. HUELSKAMP.  
 H.R. 2056: Mr. ANDREWS, Ms. BASS, Mr. BUTTERFIELD, Mr. CASTRO of Texas, Ms. CLARKE, Mr. CICILLINE, Mr. CROWLEY, Ms. EDWARDS, Ms. FUDGE, Mr. GRAYSON, Mr. HOLT, Mr. JOHNSON of Georgia, Mr. KILMER, Mr. LARSON of Connecticut, Mr. LEWIS, Mrs. LOWEY, Ms. MATSUI, Ms. MCCOLLUM, Ms. TITUS, Mr. TONKO, Ms. MOORE, Mr. THOMPSON of California, Mr. VAN HOLLEN, Mr. PAYNE, Ms. SHEA-PORTER, Ms. LORETTA SANCHEZ of California, and Mr. HASTINGS of Florida.  
 H.R. 2059: Ms. BONAMICI.  
 H.R. 2066: Mr. BROWN of Florida, Mr. BUCHANAN, Mr. WHITFIELD, and Mr. POLIS.  
 H.R. 2070: Ms. BROWNLEY of California and Mr. LOEBSACK.  
 H.R. 2083: Mr. HOLT.  
 H.R. 2092: Mr. MASSIE.  
 H.R. 2093: Mr. WILSON of South Carolina, Mr. LATHAM, and Mr. JOHNSON of Ohio.  
 H.R. 2107: Mr. MCGOVERN and Mr. O'ROURKE.  
 H.J. Res. 47: Mr. ROE of Tennessee and Mr. MICHAUD.  
 H. Res. 24: Mr. MARKEY.  
 H. Res. 30: Ms. DELBENE.  
 H. Res. 89: Mr. LUTKEMEYER.  
 H. Res. 102: Ms. EDWARDS.  
 H. Res. 109: Mr. NUGENT, Mr. MATHESON, Mr. LATHAM, and Ms. BROWNLEY of California.  
 H. Res. 135: Ms. DELBENE, Mrs. MCCARTHY of New York, and Mr. GRAYSON.  
 H. Res. 136: Mr. CROWLEY.  
 H. Res. 147: Ms. FRANKEL of Florida.  
 H. Res. 155: Mr. HONDA.  
 H. Res. 188: Mr. CROWLEY.  
 H. Res. 208: Mr. FARR.  
 H. Res. 209: Ms. FUDGE.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1773: Mr. PETERSON.

#### PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

19. The SPEAKER presented a petition of the City of Seaside, California, relative to Resolution No. 2013-31 urging Congress to enact comprehensive immigration reform; to the Committee on the Judiciary.

20. Also, a petition of the Borough of Edgewater, New Jersey, relative to Resolution No. 2013-114 expressing condolences and support for the victims of gun violence and their families; to the Committee on the Judiciary.

21. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 186 urging the House of Representatives to pass H.R. 712; jointly to the Committees on Natural Resources and Agriculture.

## SENATE—Thursday, May 23, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

### PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rabbi Michael Beals, rabbi at Congregation Beth Shalom in Wilmington, DE.

The guest Chaplain offered the following prayer:

Let us join together in prayer.

Adon Olam, Master of the Universe, we send our first prayer to the residents of Moore, OK. May it be Your will that those who are missing be found alive and be cared for. Send comfort to those who have suffered loss, and with the help of those gathered here, send the resources required to rebuild.

Eternal our God, You commanded us to care for the widow, the orphan, and You commanded us to care for—so appropriate today—the stranger in our midst. Thank You for giving our Nation these esteemed Senators to help us as a nation fulfill the command to care for the most vulnerable in our midst. Into each of these honorable Senators You implanted Your divine spark. Help these Senators, Your humble servants, find a way of working together for the common good. In doing so, may they thus take their individual holy inner lights and join them together, creating one unified shaft of light so strong that it will shine clear up to the firmament above.

We pray this in Your sacred and Holy Name. And let us all say amen.

### PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 23, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### ORDER OF PROCEDURE

Mr. REID. Mr. President, I am going to have a few things to say, as will Senator MCCONNELL, but now I will yield to my friend from Delaware, the junior Senator from Delaware.

I ask unanimous consent that when Senator MCCONNELL and I finish our remarks, he be recognized to speak for 7 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### WELCOMING THE GUEST CHAPLAIN

Mr. COONS. Mr. President, thank you for the opportunity to recognize and celebrate this morning's Chaplain. Rabbi Michael Beals has served our community in Wilmington, DE, and our country admirably and with a strength of faith and foundation that you have heard in this morning's prayer. He is joined by his wife Elissa, a caring veterinarian, his daughter Ariella, whose bat mitzvah was just celebrated, and his daughter Shira and many other family and friends. He has a wonderful and accomplished education, being ordained at the Jewish Theological Seminary and also having studied at the American University, the University of California at Berkeley, and the Hebrew University in Jerusalem.

In addition to his remarkable education, he is someone who is profoundly grounded in the calling, in the challenge of rebuilding. As you heard in his reflections in prayer this morning, he is someone who cares deeply for the widow, the orphan, the stranger, and is true to the Biblical calling of us to be witnesses to our communities wherever we might be found.

I am grateful for the chance to add his voice to the many who have brought this Senate into session year in and year out over the centuries, and I am grateful for his friendship and

leadership in my hometown of Wilmington, DE.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. With the Republican leader's consent, I ask now that the senior Senator from Delaware be allowed to say a few words regarding our guest Chaplain.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CARPER. Mr. President, Senator COONS and I spent a couple of lovely hours together in Michael Beals' synagogue last Saturday as his daughter was going through bat mitzvah. I will never forget that occasion. What a joy for everyone there, people from all over the country. I know it was a source of family pride for the father, the mom, and for the rabbi to be there with their daughter on that special day.

To my colleagues I would say that one of the things I pray for every day is that we will find our way to a two-state solution in the Middle East that provides a homeland for the Palestinians, a capital for the Palestinians, and security for the people of Israel and peace for the people of Israel.

There is a great partnership in our State between Rabbi Beals' synagogue and my church and a number of other churches of different faiths. I just want to mention that here today and thank you for your commitment not just to the least of those in our society and those who need our help but also across the world to a really big trouble spot that needs our attention and our thoughts and our prayers. I thank you very much for being here today. Thank you for your prayer.

I thank the leader for letting me say a few words.

### SCHEDULE

Mr. REID. Following leader remarks, the Senate will be in a period morning business until 10:30 a.m. The time until then will be equally divided and controlled between the two leaders or their designees.

Mr. President, if Republicans want to use extra time because of my two Democrats here, there will be no problem with that. The Chair will know how much time was taken by Senator COONS and Senator CARPER.

At 10:30 there will be two rollcall votes—first a cloture vote on the Srinivasan nomination for the D.C. Circuit and a second vote on the Sanders amendment to the farm bill.

The managers will continue to work through amendments to the farm bill

today. Senators will be notified when additional votes are scheduled. I would note we are going to see if we can get a finite list of amendments today on the farm bill. Senators STABENOW and COCHRAN are working on that. It would be nice if we can do that.

Also, we hope we can work something out so we can finish our work today. If we do not, we will have to be here tomorrow in the afternoon to finish this circuit court business.

#### MAKING THE SENATE WORK

Mr. REID. Mr. President, as a boy, as I grew up, what I wanted to be was a baseball player. It didn't take long until I learned I was not big enough, fast enough, or good enough to be the baseball player of my dreams, but that has not taken away my love of the game. I have followed it so closely for many years. I follow it really, really closely.

I was a cheerleader for any team Greg Maddux was on. He came from Valley High School, from Las Vegas. Almost immediately he was a star baseball player in the Major Leagues. Whatever team he was on was the team I cheered for.

I have been here in Washington now for a number of years. They have had in recent years a professional baseball team. I am reminded that when I was going to law school, working in this building, I went to Griffith Stadium and watched baseball games. I only watched two, but I watched the Washington Senators play the New York Yankees twice—Mickey Mantle, Yogi Berra, all that crowd. I remember that.

In recent years—in fact, the last 2 years—I have focused on the Nationals a lot because of another phenomenon from Las Vegas by the name of Bryce Harper. He has meant so much to that team, as we learned last night. He is recovering from running into the wall at full speed, hurting himself. But last night he was the reason they won—hit a home run and a double in the 10th inning and made a sensational catch. He is really very good.

The reason I mention that is that Davey Johnson is the manager of the Washington Nationals. He has managed five different Major League Baseball teams. He is one of the greatest managers in the history of baseball. He won pennants, won national championships. But what would the Washington Nationals be like today if he did not have the ability to have the players he wanted? Someone would say: OK, you can have your third baseman Ryan Zimmerman, but you are going to have to wait—not at the beginning of the season, you are going to have to wait until August. We are willing to have him come in August. Or their first baseman, Adam LaRoche—he is a good first baseman, Golden Glove. But you can't have him for a while. Wait for a few months and then bring him on.

That is an example of what is going on in the Senate. The President of the United States does not have the team he wants, the team he deserves.

Yesterday my friend—and he is my friend—the minority leader offered a full-throated defense of the dysfunctional status quo here on Capitol Hill. Here is what he said: "I think we have demonstrated there is no real problem here," talking about the Senate. This he said yesterday on this floor.

Congress has an approval rating I don't even like to talk about. It is very low. Senator MCCONNELL stood on the Senate floor and said things here in Congress are going just fine. I think it is safe to say Americans disagree, and I am on their side. Senator MCCONNELL is free to defend this Republican-created logjam that exists in the Senate today, but I will not join him in this defense. The problem of gridlock in Washington is real, and it must be fixed. I am committed to making the Senate work again.

These remarks I am giving today are only in an effort to get this body to work well. There is nothing sinister in what I am saying. I just want the Senate to work well. I have been here a long time, and it did not work this way before.

Despite the agreement we reached in January of this year, Republican obstruction on nominees continues unabated—no different than it was the last Congress.

The minority leader used strong words yesterday accusing me of going back on my word. I take that accusation very seriously. It is true that in January Democrats and Republicans entered into an agreement. Republicans agreed to cease the endless obstruction of Presidential nominees. They agreed they would work with us "to schedule votes on nominees in a timely manner except in extraordinary circumstances." This is what he said, what the minority leader said. I just quoted that. He said it this year. I repeat, "Republicans agreed they would no longer block the President's nominees without extraordinary circumstances."

Look at the dictionary about "extraordinary circumstances." Here is how it is defined: "going beyond what is usual, regular, or customary." That is not some definition I came up with, that is the definition in the dictionary. "Extraordinary" is defined as "going beyond what is usual, regular, or customary."

In return for their saying that is what they would do, we agreed that we would not consider any changes to the Senate rules outside of regular order. Democrats have kept our word. We intend to keep our word. We have not altered the rules. But since we entered into that agreement, Republicans have failed to hold up their end of the bargain. What they have done these past 5

months has not been usual, regular, or customary as defined in the dictionary. Not only have they failed to work with us to schedule votes on nominees in a timely manner, they are doing everything in their power to deny the President his team and thus undermine Obama's Presidency.

Instead of throwing about accusations, let's look at the facts. Let's stick with the facts. Republican obstruction has slowed down nearly every nominee President Obama has submitted. Even Cabinet Secretaries have faced unparalleled procedural hurdles, and Republicans are threatening to block many more of them. For example, in the some 230-plus years we have been a country, for the first time in the history of this country, while a war is going on and one is winding down, for the first time in the history of this country, Senate Republicans filibustered the nomination of Secretary of Defense Chuck Hagel—who, by the way, is a Republican and, by the way, is a Vietnam hero for his combat activities there and was a Republican Senator from Nebraska.

The minority leader himself is threatening to block President Obama's nominee for Secretary of Labor, and he said so. The Secretary of Labor is a good person. He put himself through school working as a garbage man. His parents are immigrants.

What we have done here for generations of the Senate is we have had hearings on these nominees. That is the way it should be.

In recent years, after the hearings have taken place, a Senator will say: I have a few more questions. We will send them. Usually there would be two or three or four or five questions. Secretary Geithner, who recently resigned as Secretary of the Treasury, got 28 questions.

Mr. MCCONNELL. Would the majority leader yield for a question?

Mr. REID. No, I am going to finish my statement.

What happens in these committees is they ask all the questions they want, but 28 questions is not enough for them. For example, on Gina McCarthy—the President asked her to be the Director of the EPA—more than 1,100 questions were submitted to her after the hearing.

Jack Lew—who has basically had many jobs in government—had a full hearing. They gave him more than 700 questions to answer. This has gotten way out of hand. Anything they can do to slow things down, that is what they do.

Executive and judicial nominees who are ready to be confirmed by the Senate have been pending an average of 200 days—more than 6 months. Let me repeat that: Executive and judicial nominees who are ready to be confirmed by the Senate have been pending an average of 200 days. That is more than 6

months. The confirmation process has moved at a glacial pace because of extraordinary Republican obstruction.

Cloture has been filed on 58 of President Obama's nominees—58. By this point in President Bush's term, cloture had been filed on a handful of nominees. Republicans are not blocking these nominations because they object to the qualifications of the nominees.

This body passed something called Dodd-Frank. It was an answer to what was going on on Wall Street—the collapse of Wall Street. Richard Cordray, the nominee to lead the Consumer Finance Bureau—which is part of that bill that is now law—is a perfect example. He was nominated by the President of the United States almost 2 years ago—23 months ago. Republicans are not concerned about his ability to do the job. They are afraid, I guess, he would do his job too well. He is extremely well-qualified. If anything, they are concerned he might, as I said, actually do the job, protecting consumers from the kind of corporate greed that collapsed the financial markets in the first place. If he received an up-or-down vote here today, he would be approved in a minisecond, however long it takes to call the roll.

I have a couple of other examples. Yesterday we talked about the D.C. Circuit. By statute, the D.C. Circuit—some say the most important court in America, more important than the Supreme Court—has 11 spots. Justice Roberts went to the Supreme Court in 2005. His spot has not yet been filled. We have tried, but there have been two filibusters stopping that. There are four vacancies there.

President Obama is the first President in more than 50 years who has not had an appointment confirmed in the D.C. Circuit, but it is not because we have not tried. For example, we tried to get Caitlyn Halligan for 4 years, but her nomination has been filibustered twice. The seat she was nominated for—I repeat—was the seat vacated by Justice Roberts in 2005. Today it is 2013. Do the math.

Now Republicans have forced cloture on this nomination even though Sri Srinivasan was nominated for the D.C. Circuit a year ago. Even though it was reported out of the committee unanimously, they have decided to stall and not have a vote on it.

The nominee has wide bipartisan support, it appears, from both sides of the aisle. If it was reported out of the committee unanimously, I would assume that is the case. Neither stellar qualifications nor bipartisan support are enough to prevent Republican obstruction.

According to a report released this month by the nonpartisan Congressional Research Service, first-term judicial nominees who were reported out of committee unanimously have waited nine times longer to be confirmed than

under President Bush. President Obama's first-term district court nominees have waited five times longer than those previously. The first-term circuit court nominees have waited more than seven times longer.

Yesterday the Republican leader raised the example of a Wyoming judge as proof they are willing to support some of our nominees. Wyoming—as I indicated yesterday, there may be a more Republican State in the Union, but I don't know where it is. I said, well, let's schedule a vote yesterday—Wednesday. The Republican leader said no.

It doesn't take a mathematician to figure why we have a judicial vacancy crisis in this country. We can talk about how we cleared most of the calendar. I take the Senate's charge to advise and consent very seriously, but Republicans have corrupted the Founders' intent by blocking qualified nominees for the slightest reason, if no reason.

President Obama deserves to choose his team, just as Davey Johnson deserves to choose his team. I believe any President deserves his or her team.

The Republicans have again and again delayed or obstructed the President's nominees. This Republican obstruction has created an unreasonable and unworkable standard where minor issues are raised as excuses to block major nominees or require a 60-vote supermajority for confirmation.

Before the Republican leader accuses me of going back on my word, he should take a long look in the mirror, and he should spend some time in honest reflection of Republican contributions to the gridlock threatening this storied institution before he claims “there is no real problem here.”

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

#### NOMINATIONS

Mr. McCONNELL. Mr. President, according to the Congressional Research Service, President Obama has had his Cabinet nominees confirmed quicker than his predecessors during the same period in the second term—quicker.

I don't know what the majority leader thinks advise and consent means. Listening to him it means: Sit down, shut up, don't ask any questions, and confirm immediately. I don't think that is what the Founding Fathers had in mind.

Talk about manufacturing a problem—the Secretary of Energy, 97 to 0; the Secretary of Interior, 87 to 11; Secretary of the Treasury, 71 to 26; Office of Management and Budget, 96 to 0; Secretary of State, 94 to 3—in 7 days.

What we have just heard, I am afraid for my good friend the majority leader,

in spite of the baseball analogy—and I read in the papers this morning he has been meeting with his members and trying to get 51 votes to blow the Senate up.

We have important issues coming down the pike. We want to finish the farm bill. We have been working hard to develop a broad bipartisan support for an immigration bill. We know what is going on here. What I fear is that the majority leader is working his way toward breaking his word to the Senate and to the American people, blowing up this institution, and making it extremely difficult for us to operate on the collegial basis we have operated on for over 200 years.

He wants to have no debate. Do what I say and do it now. This is the culture of intimidation we have seen at the IRS, HHS, FCC, SEC, and now here at the Senate: Do what I say when I say it. Sit down and shut up or we will change the rules. We will break the rules to change the rules.

We need to think over how we conduct ourselves in this body. The majority leader has a very important position. It is not only to lead the party of the majority, it is also to protect the institution. What I hear lacking in that speech is any interest whatsoever in protecting the traditions of this institution. What I hear is: We are going to get our way as rapidly as possible. You guys and gals, sit down and shut up. Don't ask too many questions; don't make it take a week longer. Do what we say, and if you don't, we will break the rules to change the rules. That is what this is about.

I want to make sure everybody understands where the majority leader is taking us. Make no mistake about it, the American people have given us divided government, but that doesn't mean they expect us not to accomplish things. We are on the cusp of beginning an extremely important debate about the future of the country after the recess, but we know what is going on. What I hear is the majority leader does not want to keep his word to the Senate or to the American people. We will take that into consideration as we move forward.

With regard to this D.C. Circuit nomination—talk about a manufactured crisis. This well-qualified nominee came out of the committee unanimously. We have been operating on confirming judges on the basis of coming out of committee. So the majority leader decided that wasn't good enough and to do it now.

Yesterday I objected to that simply because—we did not have a problem here. We have been operating in a very collegial and sensible way. However, he has now manufactured something he can call a filibuster by filing cloture on a nominee we were prepared to confirm in an up-or-down vote in a week from now. So we ought to confirm him now.

Therefore, as I noted yesterday, Senate Republicans don't have a problem with an up-or-down vote on this pending nominee for the D.C. Circuit. Indeed, the day after his nomination appeared on the Executive Calendar for the first time, we offered to have an up-or-down vote on the nomination. The only thing we asked was that Members who did not serve on the Judiciary Committee have at least a reasonable amount of time to review his record. Unfortunately, the majority would not take yes for an answer.

Instead, it moved to set a 60-vote hurdle by filing cloture on the nomination the day after it first appeared on the calendar. It was heavyhanded, and, frankly, completely mystifying. As I said, the nomination had been on the Executive Calendar for barely a day, but we are not going to let the majority leader manufacture an obstruction crisis where none exists.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the cloture vote scheduled for Executive Calendar No. 95 be vitiated; further, the Senate proceed to executive session at 1 p.m. today for the consideration of Calendar No. 95; there be 1 hour of debate equally divided in the usual form, and at the use or yielding back of time, the Senate proceed to a vote on the confirmation of the nomination with no intervening action or debate, and that the President then be notified of Senate's action.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I am not going to have a long conversation this morning with my friend the Republican leader, other than to say this: My speech speaks for itself. I wrote it; no one else wrote it. It is my speech, and I want everyone to look at that. I want Republicans and Democrats to look at it.

I also want the record to be clear: This man, on whom we are going to vote this afternoon at 1 p.m. or 2 p.m.—whatever time the consent agreement suggests—has been waiting 1 year. So the Republican leader can talk about how quickly it came, but this man has been waiting for a year. I went through the statistics, and I will not go over them again. I hope things work out in this Senate so we don't have to go through any more procedural battles, but things are not working well. I went through the statistics, and they are in my speech.

I don't object.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Republican leader.

Mr. MCCONNELL. Let me make sure everybody understands where we are. Let's have no misunderstandings. What the majority leader is doing is trying to get 51 votes to break the rules of the Senate and change the rules of the Senate. We know what he is doing, and let's make no mistake what the stakes are: He is threatening this institution, which he elected, in part, to protect, by manufacturing a crisis that does not exist. As we all know, in the Senate every Senator has the ability to impact how we do business. Unanimous consent means exactly what it says, unanimous consent.

I hope the majority leader will think long and hard, and I hope my friends in the majority, who may some day be in the minority—I know there are a lot of new Democratic Senators who think that will never happen, but amazingly enough the American people do, from time to time, change their minds about who they want running the country. The shoe could be on the other foot, and we never know when. I could have the job the majority leader currently has.

I think we need to think long and hard about protecting this institution and its traditions, particularly manufacturing crises when they don't exist.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, prior to coming to Congress, I was a trial lawyer. I tried more than 100 cases to a jury. The jury decided what was right or wrong in the particular conflict, and I have the American people on my side with this conflict. They don't like what is going on in the Senate, and I have an obligation to protect the Senate. I know that, and my friend reminds me of that, and I think of it very often. I think of it every day and when I have my weekly caucus with my 54 Democratic Senators. I represent them to represent the people they represent. I represent, because the people they represent are Republicans, Democrats and Independents, and I understand that.

So I am willing to take this case to the American people. I hope we can resolve any problems we have, but it is not right what is going on. I submit my case to the American people. I submit my case to the American people.

I don't know what he is talking about. I had a very early meeting this morning. I haven't read the newspaper. Maybe there is something in there I will have to deny. I don't know anything about the 51 votes. I look for 51 votes all the time on many different issues.

As I said, I don't want to have any animosity between me and my friend. He is a lawyer. I am a lawyer. He represents Kentucky. I represent Nevada. We both represent our respective caucuses and we both have an obligation to make this place work better.

The ACTING PRESIDENT pro tempore. The Republican leader.

#### IRS AND OBAMACARE

Mr. MCCONNELL. Mr. President, now I wish to talk about a real scandal and not a manufactured crisis.

Nearly 2 weeks have now passed since we learned about the scandal at the IRS. The more we learn, the more troubling it becomes. It is now clear this was about much more than one or two employees going rogue at some far-flung office out in the administrative hinterlands as was first suggested.

The facts we have seen so far point to something far more systemic than that, and it shouldn't surprise anybody. This is the IRS we are talking about—the IRS. This is an agency that is basically a euphemism for mind-numbing bureaucracy—the kind of place where one would assume nobody does much of anything without signatures and countersignatures from section chiefs and subsection chiefs and deputy office heads and secondary assistant deputy subassociate directors; sort of like a Kafka novel without the laughs.

So what we first heard always stretched credulity. Employees at ground zero of the Federal bureaucracy going rogue? Come on. Think back to the testimony we heard this week—or didn't hear. Why did Lois Lerner and other senior and former IRS officials refuse to address questions they had previously misled Congress? Somehow I doubt it is because they had nothing of interest to say. We will look forward to hearing more from them and we will look forward to hearing from whom ever actually made the decisions that led to these abuses, since no one we have heard from yet is able to take responsibility for what went on.

Let's not forget the administration continues to give us different timelines about who knew what and when.

So the long and short of the situation is this: The public doesn't know the full story yet. A number of my constituents have shared stories with my office about the IRS auditing their organizations and businesses during the recent Presidential campaign for the first time ever. All of a sudden they get audited during the Presidential campaign for the first time ever.

These folks believe the audits were conducted for no other reason than the fact that their groups were conservative, and they believe the questions they have been asked have more to do with their political views than their business activities.

Without a proper investigation, frankly, we will just never know. So we owe it to our constituents to have a detailed and deliberate investigation. That is why both House and Senate committees have begun investigations into the matter.

That is why, last week, every Republican on the Finance Committee signed a letter to the Inspector General for Tax Administration requesting a probe into reports that the IRS leaked confidential information about conservative groups—actually, to their political opponents—leaked information about conservative groups to their political opponents, and that is why even the FBI is looking into the matter, because as Attorney General Holder recently testified, the IRS's targeting of conservative groups could have violated numerous criminal provisions.

I am willing to bet there is a lot more we will discover in terms of scope, in terms of timeline, in terms of who was involved and why. But we certainly can't go about fixing the problem—we can't remove all of those who need to be removed, we can't put safeguards in place if they are deemed necessary—until we find out all the details.

Here is another thing we shouldn't be doing: handing over the administration of ObamaCare to these folks—handing over the administration of ObamaCare to the IRS. Think about that, the deeply unpopular law being administered by an agency that has so betrayed the public trust. Even the IRS's staunchest defenders in this scandal describe their actions as a case of "horrible customer service." That is the best they can say: "Horrible customer service." Now they are going to be put in charge of a new \$1 trillion program, one that will give them access to all sorts of sensitive and deeply personal information?

That is just what the administration and congressional Democrats are about to let happen. The IRS is in charge of administering some of the most important elements of ObamaCare, and for many Americans that is going to mean submitting to probing questions about their health insurance, questions such as—this is the IRS asking you, American citizens: Do you have insurance? What kind of insurance is it? Does it follow our rules? If the people at the IRS don't like the answers, Americans will be hit with new taxes. If the people over at the IRS don't like the answers to their questions about Americans' health insurance, they will be hit with new taxes.

For small businesses, the questions are going to be far more extensive and the consequences for noncompliance far worse. The agency will have broad discretion to define what constitutes noncompliance. The IRS will have broad authority to determine what is noncompliance with ObamaCare. This is nuts.

The potential for waste and abuse would have been there regardless of which agency was put in charge of administering this bloated law. ObamaCare is massive—about 20,000 pages of regulations already. That is about 7 feet tall. So waste and abuse is

basically unavoidable, but now we are going to have Americans worrying they might be discriminated against too, just for having an opinion. Do my colleagues know what. We are not going to be able to tell them not to worry because we don't know the truth ourselves yet.

Guess who is heading the IRS office charged with managing ObamaCare. Get this. It is the very same person who led the division of IRS now embroiled in the scandal who oversaw the very office now under fire for the discriminatory and harassing behavior. I am not making this up.

Here is what needs to be done today: No. 1, the administration needs to work honestly and transparently with us to get to the bottom of this scandal once and for all. They can do that by working cooperatively with congressional investigators. They can do it by testifying openly and sharing key documents with House and Senate committees. They can help us conduct a thorough administrationwide review to ensure no other discrimination of this kind is occurring anywhere else—anywhere else—in the Federal Government.

No. 2, the administration needs to suspend its implementation of ObamaCare until all the things I mentioned have been taken care of. The Supreme Court declared the individual mandate, the core of ObamaCare, to be a tax—a tax—so IRS involvement is going to be absolutely unavoidable. That needs to be halted.

Better yet, the administration could work with us to repeal the law and put in place health reforms that might actually work to control costs and provide better quality of care for our constituents. I wouldn't hold my breath on that one, by the way, but here is what I do know. I know we need to get to the bottom of this IRS scandal because, at a minimum, Americans from the left, right, and center should not have to worry their government will harass or intimidate them for daring—daring—to have an opinion and express it. They shouldn't have to worry about that when partaking in the political process, and they certainly should not have to worry about it when it comes to an issue as personal and as sensitive as health care.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 10:30 a.m., with Senators permitted to speak for up to 10 minutes

each, with the time equally divided between the two leaders or their designees.

The Senator from Kansas.

#### TRIBUTE TO MELVIN MINOR

Mr. MORAN. Mr. President, I rise to speak in morning business, and I wish to recognize the presence of my senior Senator from Kansas.

I am here to visit about an individual who died in Kansas recently to whom I wish to pay tribute. There are many things we admire about our folks back in our home State of Kansas, but one of the things that stands out to me is how strongly people care about their local communities and the citizens who live there. It is demonstrated by volunteering at school, serving at their church or getting involved in public service. Kansans are often looking for ways to improve the lives of those who are around them.

Former Kansas State Representative Melvin Minor was exactly one of those individuals. In Kansas, his family, his constituents lost a great man. He was a talented educator, highly regarded by his students, and a dedicated public servant.

Mel was born in 1937 in the small Central Kansas community of Arlington. As a young man, he attended Kansas State Teachers College—now known as Emporia State University—where he graduated in 1959.

Six years later, Mel married Carolyn Fuller and spent the next 46 years by her side before her passing in 2011. Together they raised two daughters, Gayle and Mary Jo.

Mel and Carolyn had a lot in common, especially their interest in education and in young people. In fact, they met while they were both serving, working as teachers. For 15 years Mel taught American Government and Carolyn taught home economics in the St. John School District.

Many of us can remember a favorite teacher who made an impact on our lives when we were growing up, someone who taught us not only facts and figures but also instilled in us a love for learning and an interest in the world around us. Mel was just that kind of teacher for many Kansas high school students. St. John is a small rural community in Central Kansas with less than 1,500 people.

Many folks who live in St. John make their living on the farm and Mel understood this way of life and could relate to his students from the farm because he too was a farmer. For more than a decade Mel taught them about how our government works and invested in their lives. He helped broaden the horizons of those students and opened their eyes to new subjects and to new ideas. Upon learning of his passing, one of his former students said, "There was no better social studies and

government teacher than Melvin Minor."

After teaching government for 15 years, Mel decided to try his own hand at governing and he campaigned for a seat in the Kansas State Legislature. He was elected and he served Kansans in the 114th District in the Kansas House of Representatives for the 14 years to follow.

We all know that to serve in public office takes a great commitment from your family, but especially from your spouse. For the Minor family running for office was a team effort. Mel and Carolyn made a great team—such a team that, in fact, Carolyn served as his campaign manager and treasurer.

I had the privilege of getting to know Mel when I served as a State senator and our terms overlapped for 6 years. Even though we were of different political parties, we had a lot in common because it was about our love for Kansas and interest in rural issues that brought us together.

He was such a strong advocate for rural Kansas and the special way of life we enjoy in small communities across our State. As a farmer Mel was especially interested in agriculture policy and stood up for the best interests of Kansas farmers and ranchers.

As a longtime Kansas resident, Mel was well known and respected throughout our State but especially there in Central Kansas where he was very active in the community of Stafford. He was a member of the Stafford United Methodist Church and served on the board of directors of the St. John National Bank, the Zenith COOP, and the Stafford District Hospital.

He was also dedicated to making sure all Kansans have access to a quality education and served on the Stafford Board of Education.

During his time on the school board, he met another strong advocate for education, Ruth Teichman. After getting to know Ruth and witnessing her dedication to Kansans, Mel encouraged her to run for the State senate. Here it was a Democrat encouraging a Republican to run. It took 8 years of prodding, but he finally convinced her, and she served Kansans for 12 years in the Kansas Senate.

Ruth remembers Mel as someone who was never without a smile and someone who simply enjoyed life and spending time with people. Even when things were not going his way, he was known for saying "the sun will come out tomorrow" and took all of life in stride.

His family and friends described him as someone to whom others went for advice and counsel. He was known for his integrity, hard-working spirit, and dedication to the work at hand—whether as a teacher, a farmer, or a legislator.

One of his former colleagues in the house, Dennis McKinney of Greensburg, eventually rose to become the

minority leader in the Kansas House of Representatives and considered Mel his mentor when he began his political career. He remembers Mel as someone who always lived out the biblical command to care for those with the greatest needs. From the patients at Larned State Hospital to the youth in the juvenile justice system, Mel was always looking for ways to serve his fellow Kansans and improve their lives.

Dennis McKinney also remembers that Mel Minor had a great sense of humor. Dennis recalled one time when the two of them were the only two Democrats voting in favor of an appropriations bill in the Republican-controlled house of representatives. Dennis was sitting behind Mel at the time and leaned forward to tell him that he felt a little bit awkward. Mel looked around the chamber, and with a glint in his eye told Dennis he did not see anyone in the chamber registered to vote in his district. He said he was not concerned about the pressure from his colleagues but was more concerned about doing what was right for the people who voted him into office.

Mel lived each day to its fullest, and his commitment to his fellow man serves as an example for all of us.

I extend, on behalf of Senator ROBERTS and me, our sympathies to his two daughters Gayle and Mary Jo and to his grandchildren Abby, Katie, and Barrett. I know they loved him dearly. He loved them dearly. He will miss them and they will miss him very much.

I ask my colleagues and Kansans to remember the Minor family in your thoughts and your prayers as they face these days ahead.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I thank my colleague from Kansas for his wonderful eulogy to a wonderful man, a teacher, a State legislator, and just a very nice individual. I thank the Senator for that excellent eulogy. We will miss him.

#### FOOD LABELING

Mr. ROBERTS. Mr. President, I understand that the distinguished chairperson of the sometimes powerful Senate Agriculture Committee will be on the floor to lock in amendment No. 965 by Senator SANDERS.

I rise in opposition to that amendment. The amendment would allow States to require—let me emphasize the word, "require"—that any food, beverage, or other product be labeled if it contains a genetically engineered ingredient.

Now, that is how it is described mostly in this debate: a genetically engineered ingredient. I think it would be more accurately called modern science to feed a very troubled and hungry world.

We already have policies and procedures, I would tell my colleagues, in place at the Food and Drug Administration to address labeling of foods that are derived from modern biotechnology. The U.S. standards ensure that all labels for all foods are truthful and are not misleading to the public.

FDA has a scientifically based review process to evaluate all food products.

The Food and Drug Administration states:

FDA has no basis for concluding that bioengineered foods are different from other foods in any meaningful or uniform way, or that, as a class, foods developed by the new techniques present any or greater safety concern than foods developed by traditional plant breeding.

The FDA reviews products and determines that they are safe. I think we need to trust the science of their review and allow this process to work.

The amendment by Senator SANDERS would result in additional costs to food producers, and that is going to come right back to consumers. The FDA has determined that approved biotech crops are not materially different than conventional crops and therefore do not require segregation from conventional crops.

The only difference—if you have a bioengineered product, and let's say you come from Africa, one of the countries over there that continually has a very difficult time trying to feed themselves—the only difference is if you use a bioengineered product that makes that crop more resistant to heat or to rain or to a particular insect that is causing a lot of problems—you have a choice: You can have a crop or you can have no crop or you can have perhaps a crop with a pesticide or you can have a bioengineered product that is perfectly safe.

Furthermore, a change in policy would place additional costs on farmers by potentially requiring them to segregate crops and change their equipment. It would also be very problematic for grain processing facilities. I know some fail to recognize—and I know many criticize—the importance of biotechnology or criticize the safety of the product. I just say, let science be the judge. Each product goes through extensive tests to ensure safety to both human health and the environment.

There are different views, of course, on farming, and some of my colleagues in the Senate believe we should focus on those that only farm a few acres—the small family farmer; somebody about 5 foot 3 inches from Vermont—and then grow organic crops and sell them to the local farmers market. There is nothing wrong with that. I encourage that. There is nothing wrong with organic farming, and there is certainly nothing wrong with regard to farmers who farm less acres. God bless them.

However, if we are going to supply enough food for this growing population around the world—9 billion more



people in the next several decades—we need agriculture of all types, and that includes organic and conventional and biotech crops. The more nations we can help to feed and bring economic prosperity, the more stable the world will become. That is good for our families, our Nation, and the world, and the world's stability. We can only do that through commonsense policies based on sound science that will allow our producers to do what they need to do to get the job done.

My colleagues—and I see the distinguished chairperson. I will conclude in just about 30 seconds. I am glad she is here. I will just say to my colleagues in the Senate that we should not be putting on lab coats individually and taking action on this amendment. We have a clear scientifically based review process that works. If we pass this amendment, probably in Vermont, California, you will have a requirement; some other States may or may not; in Kansas we will not, and so our State legislature would have no need of putting on lab coats.

At any rate, the FDA has guidance for voluntary labeling, and companies can choose to voluntarily label food and products if their customers want it, if they demand it. Let the consumer decide.

I urge my colleagues to reject this amendment.

I yield back.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

#### ORDER OF PROCEDURE

Ms. STABENOW. Mr. President, now that the circuit court nomination vote has been scheduled for later this afternoon, I ask unanimous consent that at 10:30 a.m. the Senate resume consideration of S. 954, the farm bill; that there be 2 minutes equally divided prior to a vote in relation to the Sanders amendment No. 965, as provided under the previous order; finally, following the confirmation vote at 2 p.m., the Senate resume legislative session and consideration of S. 954.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will resume consideration of S. 954, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 954) to reauthorize agricultural programs through 2018.

Pending:

Stabenow (for Leahy) amendment No. 998, to establish a pilot program for gigabit Internet projects in rural areas.

Sanders/Begich amendment No. 965, to permit States to require that any food, beverage, or other edible product offered for sale have a label on indicating that the food, beverage, or other edible product contains a genetically engineered ingredient.

The ACTING PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate prior to a vote in relation to amendment No. 965 offered by the Senator from Vermont, Mr. SANDERS. The time is equally divided.

The Senator from Vermont.

Mr. SANDERS. Mr. President, I wanted to thank Senators BEGICH, BLUMENTHAL, BENNET, and MERKLEY for cosponsoring this amendment, as well as support from many environmental and food organizations all over this country. The concept we are talking about today is a fairly commonsense and nonradical idea. All over the world, in the European Union, in many other countries, dozens and dozens of countries, people are able to look at the food they are buying and determine through labeling whether that product contains genetically modified organisms.

That is the issue. In the State of Vermont our legislature voted overwhelmingly for labeling. The State Senate in Connecticut, by an almost unanimous vote, did the same. All over this country States are considering this issue.

One of the concerns that arises when a State goes forward is large biotech companies such as Monsanto suggest that States do not have the constitutional right to go forward; that they are preempting Federal authority. This bill makes it very clear that States can go forward. I would appreciate my colleagues' support for it.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Ms. STABENOW. First, Mr. President, before discussing the amendment, I think it is important to note that this is not germane to the farm bill. Food labeling is properly subject to the jurisdiction of the HELP Committee; therefore, Senator HARKIN opposes the amendment.

While I appreciate very much the advocacy of Senator SANDERS on so many different issues, I do believe this particular amendment would interfere with the FDA's science-based process to determine what food labeling is necessary for consumers. It is also important to note that around the world now we are seeing genetically modified crops that have the ability to resist

crop disease and improve nutritional content and survive drought conditions.

In many developing countries we see wonderful work being done by foundations such as the Gates Foundation and others that are using new techniques to be able to feed hungry people. I believe we must rely on the FDA's science-based examination before we make conclusions about food ingredients derived from genetically modified foods. They currently do not require special labeling because they have determined that food content of these ingredients does not materially differ from their conventional counterparts. I would urge a "no" vote.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

Ms. STABENOW. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. FLAKE).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 27, nays 71, as follows:

[Rollcall Vote No. 135 Leg.]

#### YEAS—27

Begich	King	Reid
Bennet	Leahy	Rockefeller
Blumenthal	Manchin	Sanders
Boxer	Merkley	Schatz
Cantwell	Mikulski	Schumer
Cardin	Murkowski	Tester
Feinstein	Murphy	Udall (NM)
Heinrich	Murray	Whitehouse
Hirono	Reed	Wyden

#### NAYS—71

Alexander	Enzi	McCaskill
Ayotte	Fischer	McConnell
Baldwin	Franken	Menendez
Barrasso	Gillibrand	Moran
Baucus	Graham	Nelson
Blunt	Grassley	Paul
Boozman	Hagan	Portman
Brown	Harkin	Pryor
Burr	Hatch	Risch
Carper	Heitkamp	Roberts
Casey	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shaheen
Cochran	Johanns	Shelby
Collins	Johnson (SD)	Stabenow
Coons	Johnson (WI)	Thune
Corker	Kaine	Toomey
Cornyn	Kirk	Udall (CO)
Cowan	Klobuchar	Vitter
Crapo	Landrieu	Warner
Cruz	Lee	Warren
Donnelly	Levin	Wicker
Durbin	McCain	

#### NOT VOTING—2

Flake	Lautenberg
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The ACTING PRESIDENT pro tempore. Under the previous order requiring 60 votes for the adoption of this

amendment, the amendment is rejected.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Ms. STABENOW. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mrs. MCCASKILL. Mr. President, I rise to make a unanimous consent request, but I want to make a few remarks first.

At the risk of being patronizing to my colleagues about the Constitution, I wish to give a basic lesson on the Constitution this morning.

My understanding is our Founding Fathers in the Constitution devised a system where we had a House of Representatives and a Senate, and they have to agree before something becomes a law. I think this is an amazing decision our Founding Fathers made because what it does is require the Senate, where all of us represent a whole State, to reach agreement with our colleagues in the House, who have much smaller constituencies and, therefore, may be targeted more to one specific area than some of us are.

I have listened to lecture after lecture from my colleagues across the aisle about the Constitution. It is almost as if some of them think they are the only ones who have read it or that they are the only ones who understand it. Well, they are not. Here is how the Constitution works: When we pass a bill and the House passes a bill, we go to conference. Why did the Founding Fathers want that? Because they understood that compromise was the mother's milk of a democracy.

But here is the bizarre thing about this. As a candidate for office last year, I bet I heard 10,000 times: Why don't you pass a budget? I listened to the leader of the Republican Party stand on this floor—and I would love to put together a montage, because we do a lot of hyperbole around here. We exaggerate, we go too far and say too much—but it is not exaggerating that the rallying cry of the Republican Party was: Pass a budget. Regular order. Pass a budget. Regular order. Pass a budget. Regular order. So what did we do? We passed a budget in regular order.

Here is the bizarre part. Following the Constitution, which my friends like to wave around and pretend they are the only ones who love it, some people on that side now think regular order doesn't matter and, by the way, they do not want to go to conference and they do not want to compromise, blowing up the constitutional premise of compromise between the two Houses—blowing it up.

I don't know what the American people think of this, but we have to shake

our head at the politics of this. We have got to shake our heads, because here is what is bizarre. They keep moving the goalpost about what it would take to get us to conference.

By the way, the people who are going to be conferring on the other side are in the Republican Party. Are my colleagues worried their counterparts in the House haven't read the Constitution and they are not answerable to their constituents who voted them into office as Republicans so that we have to have another budget bill and redo the debate or we have to make sure they can't compromise on anything and we have to put it in the law?

They had an opportunity to get their way. It is called amendments. My colleagues could have gotten their way through the amendment process. We had over 100 of them. We were here until 5:30 in the morning voting on them. We passed 70 of them. How many amendments did the Senator from Texas offer on the debt ceiling that he is now saying he has to have before we can go to conference? How many amendments did he offer on that? Zero. He offered 17 amendments, but he didn't offer 1 on the debt ceiling. In fact, there was not one Republican amendment on the debt ceiling—not one. So I have to say it is pretty obvious they didn't want a budget, they wanted a political talking point. They wanted to make it look as though we didn't care about doing our job.

They didn't care about a budget. Because if they cared about a budget they would hightail it to conference right now. They would hightail it to conference. It has been 2 months.

I hope the American people are paying attention. No wonder they think we are all losers. This is not a game. You can't love the Constitution one day and blow it up the next. You can't be a situational constitutionalist when you don't get your way. That is not the way our democracy works. I got elected fair and square, and so did my Republican colleagues, and that is why we all have to be willing to compromise with one another. We are not serving the American people by playing these games, and they are sick and tired of it. Frankly, I think it makes the body look a little silly.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate; that following the

authorization, two motions to instruct conferees be in order from each side—motion to instruct relative to the debt limit, and motion to instruct relative to taxes and revenue; that there be 2 hours of debate equally divided between the two leaders or their designees prior to votes in relation to the motions; further, that no amendments be in order to either of the motions prior to the votes; all of the above occurring with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I ask unanimous consent that the Senator modify her request so that it not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

The ACTING PRESIDENT pro tempore. Will the Senator so modify her request?

Mrs. MCCASKILL. Could I inquire of the Senator? I am asking: Is the Senator saying the constitutional provision for a conference between the two Houses—what the Founding Fathers put in the Constitution for conferences—is, in fact, a backroom deal of the Constitution; you don't accept that part of the Constitution?

Mr. LEE. My friend and my distinguished colleague from Missouri is absolutely correct in citing the Constitution and pointing out the fact the two Houses do have to agree before something becomes law.

It is also important to point out that under article 1, section 5, clause 2 of the Constitution, each House of Congress is constitutionally charged with the task of establishing its own rules for operation. The rules of operation in this body, as they apply right here, require this kind of request receive unanimous consent. What that means is every one of us has to be willing to vote for this. What I and a few of my colleagues have said is that regardless of what you might decide to do, we respect your opinion. But if you are asking us to vote for this, meaning to give our consent, which is a vote, we are asking for one slight modification, and that slight modification includes something very simple, which says we are not going to negotiate the debt limit as part of a budget resolution.

They are two separate things. We didn't consider a single amendment that would have addressed the debt limit. Not a single part of the budget resolution passed out of this body addressed the debt limit. The debt limit not having been the subject of the budget resolution, it is not important for that to be addressed by the conference committee.

The ACTING PRESIDENT pro tempore. Will the Senator so modify her request?

Mr. McCAIN. Reserving the right to object, and I will object to the modification.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. McCAIN. First of all, I think what is being done here, if we agree that a small number of Senators could basically change the way the Senate does business, could have serious ramifications for the future.

The Senator from Utah said he doesn't want to be deprived of his vote. We are ready to vote, I say to my colleague from Utah. We are ready to vote. We are ready to vote on a motion that would send this bill, which was the subject of an enormous amount of debate and discussion for hours and hours—until perhaps 7 in the morning—to a conference, with motions to instruct the conferees.

I would be more than happy to vote on instructions to the conferees concerning his previous concern about a tax increase, which somehow has been removed, and/or that of increasing the debt limit—instructing those conferees. That is the way the Senate should do business.

If the Senator from Utah will allow this body to vote on whether we should move to conference with instructions to conferees, that is the regular order. It is not the regular order for a number of Senators, a small number—a minority within a minority here—to say we will not agree to go to conference because of a particular problem with an issue, which I grant is important to the Senator from Utah, and it is important to many Senators as to whether we raise the debt limit.

We are on the agriculture bill right now, I say to my colleague from Mississippi. Suppose we pass the agriculture bill and the House of Representatives passes the agriculture bill and we want to appoint conferees, but there is a burning issue that a number of my colleagues might have. Are we then going to block going to conference?

Look, this isn't just about the budget conferees, this is about whether we will ever be able to appoint conferees on a bill that has been passed by the House and also by the Senate; that we will come together and do what we have been doing since the Congress of the United States started functioning, and that is to sit down and iron out our differences.

If the Senator from Utah is worried about the result, I understand. I am worried about the result. I am worried about a bill right now that is just outrageous, porkbarrel spending on catfish and all kinds of stuff I have concerns about, subsidies for the tobacco companies and all that. But that does not mean I am going to object that we move for conferees, not when the will of the Senate and the Congress and the people is heard in open and honest de-

bate and voting. We are here to vote. We are not here to block things. We are here to articulate our positions on the issues in the best possible and most eloquent way we can and do what we can for the good of the country and then let the process move forward.

I say to my friend from Utah, he is not going to win every fight here. He is not going to win every battle here. But if he is right, I can tell him from the experience I have had in the Senate, he will win in the end if his cause is just. But he can only win if he articulates his argument before his colleagues in the Congress and the American people.

We are about to, I hope—I hope—conclude the immigration reform bill. There will be portions of that bill I do not like. There will be portions of that bill that many of my colleagues do not like. But we are not counting on 100 votes in the Senate. But we are counting on a majority of votes in passing it, and we are hoping the House will do the same. Then we will go to conference.

Does that mean that if a group of Senators—4, 5, 10; I don't know how many colleagues the Senator has on this issue—object to us going to conference on the immigration bill that therefore it should stop?

I am very worried, if this happens, about the precedent that will be set on how the Congress of the United States does business. Just a couple or few weeks ago, after the Newtown massacre, my colleague from Utah and my colleague—I believe from Florida, I am not sure who else—said we do not want to take up the gun bill. We do not want to discuss the gun bill.

I happen to have disagreed with many of the proposals, but was it right? Would it have been right for us not even to debate in light of the Newtown massacre? But the Senator from Utah thought it was the best thing for us not to move forward. Thank God there was a group of us who said let's move forward, let's debate the gun bill, let's do what we can to prevent these further massacres. That is our obligation and our duty to the American people. So here we are again. So here we are again.

The budget that for 4 years I loved beating the daylights out of my friend from Missouri, who would not insist on a budget being brought to the Senate—now a budget has been passed. Everybody was talking about what a great moment it was. We stayed up all night—at my age that is not nearly as enjoyable as it once was—and now, after being so proud, we cannot observe at least a vote?

If the Senator from Utah wants a vote on whether we should appoint conferees and what those instructions to the conferees should be, then that is what we should be doing. I understand how important it is for the Senator from Florida or the Senator from

Utah—I don't know how many there are. But I can tell you there is a majority of us who want the Congress to work the people's will.

All I would do is say I hope my colleagues will agree with motions to instruct the conferees. If it is the concern of the Senator from Utah that the conferees should not address the issue of the debt ceiling, then let's vote to instruct the conferees to do that. That is the regular process. That is regular order around here.

But I can also tell my colleague from Utah something else. If we continue to block things such as this and block what is the regular order, then the majority will be tempted to change the rules of the Senate. That would be the most disastrous outcome I could ever imagine. I do not begrudge anybody—whether they have been here 6 months or they have been here 30 years—their rights as Senators. But I hope my colleagues will look at the way the Senate has functioned in the past.

Are the American people unhappy with us? Of course they are unhappy with us. One reason is because they do not see us accomplishing anything.

What I have done for these years, and the people whom I have respected in this body on both sides of the aisle—we fight the good fight. We make our case to our colleagues and the American people, and then we accept the outcome of a regular order while preserving our rights as an individual Senator. We have maintained that balance to a large degree. I hope my colleagues will understand how important that is. I urge my colleagues to do what we have been doing; that is, to have motions to instruct the conferees—if their issue is taxes, if their issue is the debt ceiling—and we vote to instruct those conferees and those conferees carry out the will of the majority of the Senate. [Several Senators addressed the Chair.]

The ACTING PRESIDENT pro tempore. Is there objection to the modified request? The Senator from Missouri.

Mrs. MCCASKILL. I reserve the right to object to the request made by the Senator from Utah to amend my request. I would say within my request there is, in fact, the opportunity to vote; and he had the opportunity to offer an amendment on the debt ceiling on the budget and he did not.

I thank my colleague from Arizona and I renew my unanimous consent request.

The ACTING PRESIDENT pro tempore. Is there objection to the modified request?

Mrs. MCCASKILL. There is an objection to the modified request.

The ACTING PRESIDENT pro tempore. Objection is heard. The Senator from Michigan.

Ms. STABENOW. Just for 30 seconds, this is a very important debate. I do not intend to interrupt it. But for purposes of colleagues who wish to speak

next, I ask that once the debate is done, Senator FEINSTEIN and Senator MCCAIN have 15 minutes to discuss a farm bill amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Is there objection to the original request?

Mr. LEE. Mr. President, reserving the right to object.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. LEE. Mr. President, for 62 days several of my colleagues and I have objected to the majority's request for unanimous consent to circumvent regular order to go to conference with the House on the budget.

They want permission to skip a few steps in the process, and jump straight to the closed-door back-room meetings.

There, senior negotiators of the House and Senate will be free to wait until a convenient, artificial deadline and ram through their compromise—un-amended, un-debated and mostly un-read.

And with the country backed up against another economic cliff crisis, we are concerned they will exploit that opportunity to sneak a debt-limit increase into the budget.

We think that is inappropriate.

And yet, objecting to this dysfunctional, un-republican, undemocratic process has invited anger and criticism from colleagues here on both sides of the aisle.

We just don't get it, you see.

Proceeding to a secret, closed-door, back-room, 11th-hour deal, we are told, is the way the process works. It is the way the Senate works. It is the way the House works. It is the way Washington works.

We know this. That is why we're objecting. In case nobody has noticed, the way Washington works stinks. Closed-door, back-room, cliff deals are not the solution, they are the problem.

The unspoken premise of every argument we have heard in favor of going to conference on this budget without conditions is that Congress knows what it is doing.

"Trust us—to go into a back room and cut a deal."

"Trust us—to ignore special interests and only work for the good of the country."

"Trust us—to not wait until the 11th hour, to not hold the full faith and credit of the United States hostage, to not ram through another thousand-page, trillion-dollar bill, sight unseen."

"Trust us—We're Congress!"

As it happens, the American people don't trust Congress—or either party. And we have given them at least 17 trillion reasons not to.

I can even provide physical evidence to support my claim. If the American people had confidence in the way the Senate works I know for a fact I would

not be here. I do not think my colleagues joining me in this objection would be here either.

We were not sent here to affirm "the way the Senate worked" as Congress racked up trillions in debt, inflated a housing bubble, doled out favors to special interests, squeezed the middle class and trapped the poor in poverty.

We were sent here to change all that. We are fully aware that "Washington" and the establishments of both parties do not like what we are doing—but as computer programmers say, "that's a feature, not a bug."

The tactics of Washington serve the interests of Washington—of Congress itself, the Federal bureaucracy, corporate cronies and special interests.

And does so at the expense of the American people, their wallets, and their freedom.

The only time I can think of when it has not worked out that way was with the recent budget sequestration and that was—literally—an accident; a mistake.

The sequestration process worked out exactly the opposite of how Washington expected and intended.

There is a reason that six of the ten wealthiest counties in the United States are suburbs of Washington, D.C.—a city that produces almost nothing of actual economic value.

And it is not because the two parties have been so effective taking on the special interests and doing the people's business.

There is a reason Tea Partiers on the right and Occupiers on the left protest their shared perception that our economy, our politics, and our society seem rigged.

That elites on Wall Street, K Street, and Pennsylvania Avenue get to play by one set of rules and people on Main Street have to play by another.

It is because they are mostly right. This is our true inequality crisis: not between rich and poor, but between Washington and everyone else.

The national debt, and its statutory limit, is a hidden part of this inequality crisis.

After all, what is new debt but a tax increase on future Americans? On those who cannot yet vote? On those who have not yet been born?

Raising the debt limit thus results in a form of taxation without representation. That is why the American people resent it. And it is why Washington desperately wants to raise the debt limit with as little public scrutiny and accountability as possible.

And that is why we're objecting.

Our critics say we should allow the process to move forward so we can have a debate. I don't know if they've noticed, but we are having the debate. We have had it several days in a row.

More than that, we are having the debate here on the floor, open to public scrutiny, and not secretly behind

closed doors. This, right here, is how the process is supposed to work. The only way the American people can have any hope of supervising their Congress—not ours, their Congress—is for us to do our work above board and in the open, according to the rules.

That is all we are asking for—and only on one issue. For all our concerns, we have still said all along that we will not block a budget conference. We can go to conference right now. We are willing to give the majority permission to break from regular order and scurry off to closed door negotiations to cut their back room deal.

All we have asked is one thing, a very small and simple request: leave the debt limit out of it. Do everything else you want, spend all the money you want, use all the accounting gimmicks you want, but when you go into that back room, check the debt limit at the door. That way the American people can have that separate debate, on its own merits, here on the floor.

This should not be controversial. The House Republican budget did not include a debt limit increase or instructions to include one. The Senate Democratic budget does not include it either. House and Senate negotiators, therefore, have no procedural or democratic justification for including a debt limit hike in their talks. They have no right to do it. Yet they won't promise not to.

Once again: Trust us, we are Congress.

"This is how the Senate works," they say. "This is how we do things."

Respectfully, this is how we fail. This is how we earn our 15 percent approval rating. We know this is business as usual around here. That is why we're objecting.

If the majority wants to proceed to a budget conference through regular order, we can not stop them. But again, that is not their request. Their request is for permission to break from regular order, skip a few steps, and go straight to the secret negotiations, behind closed doors, where in the Washington-centered view of the world, the real governing can be done.

The American people do not trust secret, back-room deals, and neither do I. Unless and until the American people are assured that we will not sneak a debt limit increase into the Conference report, I will happily continue to object.

I object to the motion on the floor.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, we have been through it before. In a nutshell, what the Senator from Utah has just said is that if we pass this legislation, and if the House passes this legislation, we will not go to conference unless certain conditions are imposed on those conferees that happen to be important

to a small group of Senators. Obviously, that will paralyze the process. Obviously, we can predict the outcome.

The Senator from Utah keeps talking about backroom, closed-door deals. It is the process of the Senate and the House to appoint conferees. Those conferees come to agreement and then subject their agreement to an overall vote in both bodies.

If the Senator from Utah wants to get rid of the "backroom"—and all of the other adjectives and adverbs he used—then what is the process? What is the process? How do we reconcile legislation that is passed by one body and the other body? That is what we have been doing for a couple of hundred years.

Mr. DURBIN. Will the Senator yield for a question?

Mr. McCAIN. All I can say is, Does the Senator from Utah have another way of reconciling legislation between the House and Senate? Of course not. Of course he doesn't. Of course he doesn't. Of course he doesn't because that is the only way we can get legislation that will be passed by both bodies and signed by the President of the United States. That is the only way.

I tell the Senator from Utah again, if this condition is imposed then there is no reason why any group of Senators should impose conditions on conferees from now on, which will then mean, of course, we would not go to conference.

I would be glad to answer a question.

Mr. DURBIN. Mr. President, I would like to ask the Senator from Arizona a question through the Chair.

It is my understanding the budget resolution passed by the House and the budget resolution passed by the Senate, if conferenced and agreed upon, will result in a resolution passed by both the House and Senate but never sent to the President. It is a budget resolution that governs the way we appropriate from that point forward.

So as to the question of the debt ceiling, it could not be done in a budget resolution. If there is going to be any action on the debt ceiling, it has to be in a separate legislative vehicle that ultimately goes to the President of the United States.

Even if there were an agreement on debt limit in the budget conference, it would have no impact of law. Is that not true?

Mr. McCAIN. Perhaps the Senator from Utah doesn't know about that, and the fact that even if they did raise the debt limit, it could not become law because it doesn't go to the President of the United States.

Again, maybe the Senator from Utah ought to learn a little bit more about how business has been done in the Congress of the United States. Budget resolutions are not signed by the President of the United States, so even if we did vote to increase the debt limit as a result of the conference—which, by the

way, would be irrelevant to the work of the conference—it would not have any meaning whatsoever.

Mrs. MCCASKILL. Would the Senator yield?

Mr. McCAIN. This business of secret backroom dealmaking, that is what conferences are about, and conference results are subject to a vote of both Houses as to the conference result.

Mrs. MCCASKILL. Will the Senator yield for a question?

Mr. McCAIN. I would be glad to yield for a question.

Mrs. MCCASKILL. I say to the Senator, through the Chair, I have conferred with our budget chair while Senator McCAIN was debating this with the Senator from Utah, and maybe they are not aware that conference committees are open to anyone who wants to observe them. I would like Senator McCAIN to invite the Senator from Utah to sit in on the conference committee and listen to every word.

This notion that our democracy is a backroom deal because of bills in conference—the Founding Fathers are shaking their heads in disgust at this notion. It is not a closed-door process. It is an open process. Anybody can come and listen.

Mr. McCAIN. It is my understanding since the conference is open to the public, it will also be broadcast on C-SPAN so all the American people can watch the deliberations.

I wonder, why would the Senator from Utah say it is a backroom, closed-door deal when, in fact—doesn't the Senator from Utah know this conference is open to the public and seen by everybody?

I mean, for the Senator from Utah to say this is a backroom, closed-door deal, he is either directly misleading or my colleague has no knowledge of how the budget conference works. I don't know which one it is, and I don't know which one is worse.

All I can say is we know, one, even if we had a restriction on allowing raising of the debt limit, it would not matter because it is not legislation that would be signed by the President of the United States—no matter what the budget conferees did. We also know the budget conferees—I will admit, unlike many—meet in open session with C-SPAN so the American people are able to observe it.

So I at least hope the Senator from Utah would withdraw his comment that this is a backroom, closed-door deal because it is not. Those are fundamental facts.

Again, it is disappointing that we are spending this time when we should be on the farm bill. The Senator from California and I have an important amendment to remove a lot of the corruption that is in that bill.

I will yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. LEE. Mr. President, as to the suggestion that this produces a budget resolution that at the end of day does not go to the President, and therefore it isn't law, technically, on its own face, is accurate.

What we are concerned about are the instructions which would accompany the conference report. We are concerned about instructions that would allow the normal rules of the Senate to be circumvented specifically for something like this or perhaps a piece of legislation which would itself raise the debt limit to be considered—

Mr. DURBIN. Would the Senator yield for a question?

Mr. LEE. I would like to finish what I am saying—legislation which would itself raise the debt limit and voted on a 51-vote margin rather than a 60-vote margin. So this is different.

Regardless of how open they make that conference meeting, it is not the same kind of open debate in which every Senator and every Representative is able to participate in the same way they would be able to on the floor.

Mr. McCAIN. Does the Senator admit it is not a deal that is made behind closed doors? Does the Senator admit that? Does the Senator admit he misspoke on that issue? It is not behind closed doors.

Mr. LEE. Compared to the way we do things on the floor, this is a closed-door deal. Compared to the way we do things on the floor, this is not subject to the same kind of scrutiny.

The fact is that we have rules in the Senate—rules—on something like this, which would allow us to proceed on the basis of a 60-vote threshold. That is the whole purpose of this discussion. That is the basis of our concern. We don't want legislation that can run through to raise the debt limit, incurring potentially trillions of dollars in borrowing authority on the basis of only a 51-vote threshold. That is our concern.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I have been listening to this debate, not just today but for 61 days as we have been working extremely hard to get the budget passed and go to conference so we can work with our House colleagues—and, by the way, the majority are Republicans. We are working to do that because the American people have been very loud about not managing by crisis. We all know that what will happen if we don't go to conference is exactly what the Senator from Utah has been saying he doesn't want.

If we go to conference we will have an open conference committee to discuss the differences between the House and the Senate budgets. They will then give those instructions to the conference committee on how to move forward on our appropriations bills that we are now looking at and how we are going to deal with sequestration. It

will be an open debate that will come back here.

If we are not allowed to go to conference—we do have to pass our appropriations and spending bills or move to a continuing resolution because we can't if we don't get a budget deal—we are going to have to have a closed-door and secret discussion to figure out what we are going to do when the debt ceiling hits. It will come down on them in the middle of the night, and they will not have had an opportunity to be a part of it because of the delay that is occurring right now.

If the Senate allows us to go to conference, Members of the Senate, both Democrats and Republicans, my counterpart Senator SESSIONS, and I, his committee, as well as Congressman RYAN from the Republican Party in the House and his committee members and Democrats will sit together in an open process and determine how we move our budget forward.

Mr. MCCAIN. Will the Senator yield for a question?

Mrs. MURRAY. I am happy to yield for a question.

Mr. MCCAIN. In the case of the appointment of conferees, will that be open to the public on C-SPAN or any other media coverage that wishes to come in the room?

Mrs. MURRAY. Once the conference is set and we begin meeting in a conference, it is like any other committee hearing where the public will be able to come in and listen. They will be able to watch on C-SPAN, and it will be an open process.

I will tell the Senator from Arizona that if we don't get to conference, we are going to have to have discussions, as a country, about how we manage our finances and our government moving forward, and those will be behind closed doors.

So what the Senator is objecting to as to the closed-door secret meetings he is causing.

I hope our Republican colleagues would allow us to move forward. As the Senator from Missouri said, we had 50 hours of debate, we had over 100 amendments which were considered. Not one amendment was offered or considered on the debt ceiling, which is now what they are objecting to if we go to conference.

The Senator from Texas, I believe, offered 17 amendments, and he has been objecting because of this. Not one of them was about the debt ceiling.

I know the Senator wants to have a debt ceiling debate on the floor of the Senate. He is welcome to come to the floor anytime and talk about the debt ceiling. We welcome that discussion. We believe our bills should be paid, but that is separate from what we are talking about here. We are talking about a budget resolution.

Mr. MCCAIN. How many amendments were considered?

Mrs. MURRAY. There were over 100 amendments considered. There was 50 hours of debate equally divided. Every Senator participated.

Mr. MCCAIN. How many were voted on?

Mrs. MURRAY. Over 70 were agreed to.

Mr. MCCAIN. But there was not one amendment on the debt ceiling?

Mrs. MURRAY. Not one amendment was offered or considered on the debt ceiling.

Mr. MCCAIN. I thank the Senator.

Mrs. MURRAY. I would add that what the Senator from Missouri has offered, after talking with the Senator from Arizona, is the ability now to have a vote, despite there wasn't any during that time. There was an offer, with our consent, that, yes, OK, fine. If you have to have that now, we want to get to conference so we will allow a vote on that and proceed to the conference.

So I do not understand this argument that we are going into some secret meeting. I assure the Senator that we have seen secret meetings here when it comes to the budget in the past that have gotten us all to a very frustrating point.

Let's move to conference so we do not have those secret meetings. The Senator is arguing for something—I say to the Senator from Utah—that the Senator from Utah is going to cause.

I hope we can come to an agreement. We have offered a consent which offers two motions to be considered. We hope to have those, and we hope to go to conference.

I assure the Senator that we will be as open and as transparent as possible. That budget resolution will come back to the Senate, everyone will have a chance to have their say if they want that, and then that budget resolution will give us our instructions so we can continue to move forward on regular order to fund the Defense Department, Agriculture, Education, and to fund the different aspects of government such as transportation and housing. That is our obligation as the United States Congress in order for the American public to be able to manage what they are required to do once we pass our budget.

I urge our Republican colleagues to back off on their insistence on this matter. I am ready to go to conference. Am I going to like what comes out of conference as chair of the Budget Committee that worked very hard to get a budget passed in the Senate? Probably not.

I know my responsibility as a Senator is to work with my House Republican colleagues and those on our conference committee to come to the best judgment we can mutually so we can move our country forward and get us out of this management by crisis that has been forced on us time and time again over the last several years.

The American people deserve certainty. That certainty will come when we can move to conference with an open, transparent committee process which allows us to get the budget in order.

Again, I urge my colleagues to reconsider their objections.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. RUBIO. Mr. President, I too want the Senate to move to negotiate with the House on the budget. I think it is critically important.

I have tremendous respect for the legislative process and our Republic at the State level, local level, and the Federal level. In fact, my colleagues are correct. Oftentimes in this place we have to vote for issues we don't like because it is a product of compromise. It may not have everything we want, but it gives us the things we need.

I have certainly been on the losing end during multiple votes in this place during the time I have been here because I am in the minority both in party and sometimes in view. So I certainly understand that part of it.

That is why I voted against the budget. I am glad we finally produced a budget after 1,000 days, but that budget is one that I believe is deficient. That is why I voted against the budget.

Nevertheless, I believe this institution should move forward in negotiating the differences between our budget and the budget that the House has so we can finally have a budget in this country and so this country can move forward.

The only thing me and my colleagues are asking for is that as part of that negotiation the issue of the debt limit not be included.

I have heard here today statements made that there were X number of amendments filed and they didn't include the debt limit. I think the reason is because most of us agree that is an issue which needs to be dealt with on its own. This is not just some issue. It is an extremely consequential issue—one that needs to be debated in and of itself because it is a function not just of an annual budget. The massive debt our country faces is a function of a structural problem we have. We basically have these massive government programs that are going bankrupt, and if we don't deal with it, it will keep getting worse.

I have also heard statements made here today that we can't raise the debt limit even if we wanted to because of the way it is structured. That is why I am puzzled. Why, then, the objection? Why the objection to a very simple notion?

We could be in conference with the House today. We could be negotiating with the House at this very moment if all we would do is just say: Go ahead and negotiate the differences with the budget. Negotiate taxes. If there is a

tax increase, I am voting against it, but negotiate that. Negotiate all of these sorts of things. But the debt limit cannot be part of it; it has to be dealt with separately.

I don't understand the objection to that being in there.

I would say one more thing about the amendment process, and this is a cautionary tale. The next time someone comes up to you and says, "Don't file any more amendments; you are slowing the place down," maybe you should file them because if you don't file them, you will have to hold your peace forever.

With that being the case, I think we need to move to negotiation with the House with the very simple language in it that it should not have a debt limit increase.

I am going to move and ask for unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; that the motion to reconsider be made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses; and that the Chair be authorized to appoint conferees on the part of the Senate, all with no intervening action or debate; further, that a conference report in relation to H. Con. Res. 25 not be in order in the Senate that includes reconciliation instructions to increase the debt ceiling.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCAIN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. RUBIO. Well, then, we are in the same place we were before. Basically, this is senatese, but what I basically said is that I want the Senate to go into negotiations with the House. The only thing we ask is that when they come back, there not be reconciliation instructions in there that the debt limit be dealt with or increased because the debt limit is so consequential for our country that it needs to be dealt with on its own.

Let me remind everybody of what we are dealing with. Let me tell my colleagues that this is a bipartisan debt. I said it yesterday, and I will repeat it today. This is a debt that grew over the last 20 or 30 years with the cooperation of both parties, unfortunately, although we have never seen anything like the last 5 years. It is a function of a structural problem in our spending programs. If we don't deal with those programs, it is going to collapse our economy within our lifetime and certainly that of our children. It is time to deal with it now. That issue should be debated on its own, not as part of a

budget negotiation that deals with a 1-year spending agreement.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, we have been through this quite a bit, but, again, I wish to respond by saying that if it were part of the budget resolution, it would have no effect in law. So one has to then question what the knowledge of those who are advocating this is about fundamental procedures.

Second of all, if this is a prerequisite, then for every conference we send, Senators will be allowed, according to this precedent, to set certain parameters of those conferences, which is a procedure we use now—instructions to conferees. We are willing to have votes on instructions to conferees on any issue any Senator feels necessary for the conferees to do their job.

Mrs. MCCASKILL. Will the Senator yield for a question?

Mr. MCCAIN. I will be glad to.

Mrs. MCCASKILL. The Senate is a wondrous creation by our Founding Fathers in that a great deal of power was given to the minority in the Senate.

Mr. MCCAIN. Thank God.

Mrs. MCCASKILL. And I know the Senator from Arizona has enjoyed having that power from time to time, and I am sure when my party has been in the minority it has been important, and we have respected that in this body, although there have been some really dicey times, and I am sure the Senator from Arizona has been involved when we have been on the brink of blowing up the rights of the minority.

I want to make sure I understand. The way I really see what is going on is we now have a superminority. If this were allowed to pass, what we would be doing is changing what the Founding Fathers had in mind in terms of the power of the minority and actually saying: Let's go back in history and say there were one or two or three Senators or four Senators who decided, by gosh, they weren't going to do voting rights legislation or they weren't going to do the vote for women or they weren't going to do some of the changes that have occurred in our country.

Does the Senator from Arizona see a problem that if we allow a superminority—a minority of the minority—to hijack a process laid out in our Constitution, that what would happen is the majority would have no choice at that point other than to begin to circumscribe the rules for the minority?

Mr. MCCAIN. Well, I think that is a danger and I think it is a significant danger if a number of Senators, either large or small, should insist that certain conditions be imposed unilaterally without motions to instruct. That is what we have the motions to instruct for. It is not that we don't want the conferees to do certain things, but we

have motions to instruct. That is the regular order of how we do business.

The Senators who are here who say the debt ceiling should not be part of any negotiations, fine. Let's have a vote, motions to instruct the conferees. It has been my experience that the conferees have stuck with the instructions that were voted on by the majority of the Senate.

So this is kind of a sad time because here we are debating as to whether we should allow the debt limit to be part of negotiations, which would have no meaning in law whatsoever because it is not signed by the President. We have pressing issues. The Senator from California and I have an issue that has to do with tobacco and the health of our kids that we would like to have considered before the Senate. We could be debating on the instructions to the conferees. We could be doing so many things, and we are not. We are not doing those things.

Finally, I would again share my experience with my colleagues. I have lost a lot more times than I have won, but I have come to the floor of the Senate using the rules of the Senate and made the argument on those things I believe in and stand for. I have been passionate on those issues, and sometimes I have irritated my colleagues, but at least I have had my say.

But then after I have had my say, there have been votes, and the body has decided, and the body has decided whether I was right or wrong. When I have been voted down, I have gone back on those issues and I have tried to convince my colleagues of the rightness of my position, rather than, as with the gun bill, after people were slaughtered in Newtown, CT, my colleagues didn't even want to debate the issue of gun control and what we should do about that. That is not how the Senate should function. The Senate is supposed to debate and discuss and give our passionate appeals and beliefs and then put it to the will of the body. That is the protection of the individual Senator, not to just say we are not going to do anything. That is not the way the American people want us to act. And to throw in all this stuff about the debt and the deficit—I will match my record on opposing the debt and the deficit against certainly my colleagues here.

But that is not the point. The point is, will this deliberative body, whether it is the greatest in the world or the worst in the world, go ahead and decide on this issue so we can have a budget so we can at least tell the American people we are going to do what we haven't done for 4 years and what every family in America sooner or later has to do, and that is to have a budget.

So, as I say, we have gone on too long. The farm bill is of the utmost importance, and the Senator from California and I have amendments on it. I



hope my colleagues will realize the best way to get their point of view over and sway the opinion of our colleagues and the American people is to engage in honest and open debate, as the Senate does, instruct the conferees, let them go to conference in an open—not closed-door, not behind closed doors, not backroom—process that is the procedure employed by the Budget Committee in conference.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CRUZ. Mr. President, in "Gulliver's Travels," Swift told us of two fictional lands—Lilliput and Blefuscu—that had been at war for years over which end of the egg to open first. In Lilliput they opened the big end of the egg, and in Blefuscu they opened the small end of the egg, and the big-enders and little-enders battled endlessly. I am sorry to say that satirical depiction often reflects what occurs in this august body. We spend a great deal of time arguing about procedural niceties, about motions to commit or not commit that do not matter to the American people, and all the meantime we are bankrupting our children and our grandchildren.

If I could, I wish to cut through all of the arguments back and forth because in my view most of the arguments are by design missing the point of this disagreement. This disagreement is over one issue and one issue only: Can the Senate raise our debt limit with only 50 votes or does it take 60? Everything else that is being talked about is smoke, is a side issue. The central fight is, Should the Senate be able to raise the debt limit with 50 votes or 60?

I will note that my friend from Arizona questioned the knowledge of those who are objecting, and he suggested that perhaps our knowledge was lacking because this could not be done. Well, I know my friend from Arizona is a long veteran of this body, and he surely knows it was done in 1987 and 1990. This is not a hypothetical. In 1995 and in 2004 it was attempted. It didn't quite get accomplished, but it was attempted.

What occurs under the Budget Act of 1974 is that when a conference report is adopted and reconciliation instructions are sent, that raises the debt ceiling, and that can then be passed by this body with merely 50 votes. This is all an avenue to allow a debt ceiling increase to be raised with 50 votes. And I know my friend from Arizona is well aware of that because he is such an esteemed historian of this body, he knows not only that it can be done but that it has been done.

We don't need to hypothesize over whether that is what this is about because for 62 days we have asked the majority leader: Simply say we won't use this as a procedural trick to raise the debt ceiling with 50 votes and then

we can go to conference. For 62 days the majority leader has said: No, no, I will not do that; I will not do that. And those protestations make absolutely clear what this is about.

I think that on both sides of the Chamber there are different things at work. On the Democratic side of the Chamber—President Obama has been very explicit. He wants to raise the debt limit, and he has said he wants no debate about it. He is unwilling to debate. He wants to shut down the discussion. He simply wants a blank check. He simply wants an unlimited credit card to keep digging the debt hole this Nation is in deeper and deeper and deeper. He said this publicly, repeatedly from the White House.

What our friends the Democrats are doing is standing shoulder to shoulder with the Democratic President in fighting to enable the Senate to raise the debt limit with just 50 votes, which means, if that happens, that would then allow the 55-Member Democratic majority to vote to do so without listening to a word from the minority. That is what this fight is about, and there is no other issue being contested here.

What is happening on the Republican side? Well, some have suggested we ought to just have a motion to instruct. The problem with the motion to instruct is that a motion to instruct is nonbinding, so it is a purely symbolic gesture. But even a motion to instruct not to raise the debt ceiling would lose. Why? Because there are 55 Democrats, and the 55 Democrats would vote against it.

Here is the dirty little secret about some of those on the right side of the aisle: There are some who would very much like to cast a symbolic vote against raising the debt ceiling and nonetheless allow our friends on the left side of the aisle to raise the debt ceiling. That, to some Republicans, is the ideal outcome because they can go to their constituents and say: See, I voted no, and yet at the same time, wonderfully, they lost, and they did not actually have to stand up and stop what was happening. That is an outcome I believe some on this side of the aisle desire.

I do feel obliged to rise in defense of my colleagues, the Republicans, because the senior Senator from Arizona has impugned the Republicans by claiming repeatedly it is only a minority of Republicans who are opposed to raising the debt ceiling on 50 votes. He has repeatedly suggested on the floor of the Senate that, in fact, it may be a small minority, that the overwhelming majority of Republicans, the senior Senator from Arizona said, stand with HARRY REID in wanting to be able to raise the debt ceiling on 50 votes.

Let me suggest to the senior Senator from Arizona that, No. 1, in saying that, he is impugning all 45 Repub-

licans in this body, but, No. 2, it has been suggested that those of us who are fighting to defend liberty, fighting to turn around the out-of-control spending and out-of-control debt in this country, fighting to defend the Constitution—it has been suggested we are wacko birds. Well, if that is the case, I will suggest to my friend from Arizona there may be more wacko birds in the Senate than are suspected. Indeed, I would encourage my friend, the senior Senator from Arizona, that if he were to circulate to Republicans a simple statement that said: We, the undersigned Republican Senators, hereby state we support giving HARRY REID and the Democrats the ability to raise the debt ceiling with 50 votes instead of 60, I believe he will find his representation to this body that it is only a minority of Republicans who oppose that is not accurate.

This issue gets obscured by the procedural complexities, and that is not by accident. Washington is very good at speaking doublespeak that makes the citizens' eyes glaze over. But as its heart it is very simple. Majority Leader REID and the Democrats want to raise the debt ceiling. They have stated they want to raise the debt ceiling, and they want to do so consistent with President Obama's instructions to do so without debate because he does not want to debate this issue, without conditions, without anything to fix our out-of-control spending, our out-of-control debt—simply give him an additional blank credit card because going from \$10 trillion to \$17 trillion has not been enough. That is the desire of the Democrats, and it is candid.

We could go to conference right now, today, if the Democrats would simply say: We will not raise the debt ceiling with just using 50 votes. We will debate it on the floor with a 60-vote threshold and actually be forced to find some bipartisan agreement. But that is not what the majority wants to do.

Those who are arguing that Republicans should accede to that demand are arguing that all of us who have told our constituents we are going to fight to solve this economic problem, we are going to fight to stop out-of-control spending, we are going to fight to stop bankrupting our kids—that those promises are hollow, those are just what we tell constituents at home, that is not actually what we do when we are on the floor of the Senate.

I would note, indeed, when the senior Senator from Arizona said it is only a small minority that believes this on the Republican side, if my friend, the senior Senator, is able to produce a written letter with the signature of a majority of Republicans, I will offer here and now to go to a home game of my Houston Astros wearing an Arizona Diamondback hat. And I can guarantee you, in Houston that will not be well received. But yet I stand in complete

comfort that I will not find myself in that situation because I do not believe it is right that a majority of the Republicans in this body have given up the fight on spending, have given up the fight on reining in out-of-control Washington bipartisan spending, deficits, and debt. I believe we are seeing leadership in this body stand together to fix the problem. That is what the American people want.

Let me say this in closing: It is easy to get confused by all of the procedural discussions back and forth. This issue is about one issue alone: Should Majority Leader HARRY REID be able to raise the debt limit an unlimited amount with just 50 votes or should it require 60? If it requires 60, there will have to be some positive steps made to fix the problem. If it is just 50, the majority leader has the votes right now, today, to write a blank check for the Federal debt.

That is the issue, and I think the American people are not conflicted in the answer to that issue. The American people want us to fix the problem and stop digging the debt hole deeper and deeper, stop putting our kids and grandkids on the path to Greece.

I am proud so many Senators are standing here working very hard to honor our commitments to our constituents because that is exactly what our job is.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Utah.

Mr. LEE. Madam President, I thank my friend and my colleague, the Senator from Texas, for his remarks and I speak briefly to respond to a couple of points that have come up today.

First of all, it is important for us to remember that although the rules of our body might allow for a conference committee to meet in public, and although that may have happened in the past from time to time, it is not the norm. In asking around to some senior staff members who have been here longer than I have, it typically has not happened in recent years. In fact, it has become relatively rare in recent years. So to suggest it necessarily is an open process because it has the capacity to be made into an open process, those are not the same things. Typically, we can legitimately expect for this to be a backroom, closed-door process.

That is not the end of the world; we, of course, need conference committees. They do valuable, important work. We are not disputing that. We are not disputing the fact that sometimes it is important for conference committees to meet in order to reconcile competing versions of the same legislation—one passed in the House and one passed in the Senate. But what we are talking about here is a very limited request: to limit the scope of their work so as to exclude the possibility of a

debt limit increase without the 60-vote threshold.

It is also important to remember that although this is the procedure the majority has chosen to use in order to try to get to a conference committee, it is not the only way. In fact, it is possible to do this without unanimous consent. It is possible to do this without, in other words, all of us being willing to do it—all of us—by withholding our objection as effectively voting to do that.

If, as has been suggested, the other body does, in fact, want to go to conference, the other body could take the budget we passed, could slap their amendments on top of it, could even replace most or even all of our budget with theirs, send it back over, and at that point it is my understanding we could go to conference without the need for a unanimous consent.

So there are other ways. This is just the way the majority has chosen to go. The majority has every right to do that, and we have every right to object. That we do and that we will continue to do until such time as it either becomes unnecessary or until such time as the majority agrees to modify the request along the lines we have specified so as to permit and ensure that any debt limit discussions and votes will take place subsequent to the normal order and subject to a 60-vote threshold.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I believe pursuant to a unanimous consent agreement propounded by the chairwoman of the Agriculture Committee that I am next up to be able to speak on an amendment. But for a brief moment I want to reflect on what I have heard and the lens through which I see it.

I have been here for 20 years. When I came to the Senate, it was not this way. The rules of the Senate were observed. A small minority never tried to subvert the will of a majority. I think Senator MCCAIN said it well. We stand on the floor. We advocate for our views. We either win or lose. The dye is cast. But we have an opportunity for full deliberation.

It is one thing to have a minority have their rights. It is another thing to have a minority of the minority absolutely try and handcuff a committee of the Senate. I believe that is wrong. Because what is happening here sets a precedent for future answers. And there is no reason not to have a conference committee.

I think the Senator from Utah knows full well these conference committees are open to the public. They are open to the press. They are often long. They can be laborious. But it is a way of reconciling the differences between the House and the Senate.

So to handcuff this Budget Committee and say it can do this but it cannot do that is not the right thing to do. I hope the credibility of the minority of the minority running this body diminishes with this debate.

AMENDMENT NO. 923

Let me now go to an amendment Senator MCCAIN and I are offering to eliminate taxpayer subsidies for tobacco production in the farm bill of America. It is No. 923. I will not call it up because I understand an agreement is—I am just told by the chairwoman of the committee that I can call up the amendment, and to this end I call up amendment No. 923.

The PRESIDING OFFICER. Is this objection?

Without objection, it is so ordered.

The clerk will report the amendment.

Mrs. FEINSTEIN. I ask reading of the amendment be vitiated, and I will proceed with my remarks.

The PRESIDING OFFICER. The clerk will simply report the amendment first.

Mrs. FEINSTEIN. Fine.

The bill clerk read as follows:

The Senator from California [Mrs. FEINSTEIN, for herself and Mr. MCCAIN, proposes an amendment numbered 923.

The amendment is as follows:

(Purpose: To prohibit the payment by the Federal Crop Insurance Corporation of any portion of the premium for a policy or plan of insurance for tobacco)

On page 1101, between lines 5 and 6, insert the following:

**SEC. 11. PROHIBITION ON PAYMENT OF PORTION OF PREMIUM BY CORPORATION FOR TOBACCO.**

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11030(b)(2)) is amended by adding at the end the following:

“(9) PROHIBITION ON PAYMENT OF PORTION OF PREMIUM BY CORPORATION FOR TOBACCO.—

“(A) IN GENERAL.—Effective beginning with the 2015 reinsurance year, notwithstanding any other provision of this subtitle, the Corporation shall not pay any portion of the premium for a policy or plan of insurance for tobacco under this subtitle.

“(B) DEFICIT REDUCTION.—Any savings realized as a result of subparagraph (A) shall be deposited in the Treasury and used for Federal budget deficit reduction.”.

Mrs. FEINSTEIN. Madam President, I thank the chairwoman. She made a commitment to hold a vote on this amendment on Monday evening, and she has sought mightily to keep her word, and I very much appreciate that.

This amendment is, to my view, about common sense. Tobacco is not just another crop; it causes 443,000 deaths each year. It is the leading cause of preventable death in America. The CDC estimates that tobacco costs the American economy more than \$200 billion each year in health care expenses and lost productivity.

A recent study estimates that annual smoking-attributable expenditures add \$22 billion each year to Medicaid's bottom line. In other words, Medicaid

costs \$22 billion more because of tobacco.

In 2004, Congress approved nearly \$10 billion—\$9.6 billion, to be exact—in payments over the next 10 years to tobacco farmers and quota holders in exchange for ending the tobacco program.

In addition to this \$10 billion, tobacco farmers also received more than \$276 million in taxpayer-funded crop insurance subsidies since 2004. That is what we are trying to change. Unlike crop insurance indemnities, the tobacco insurance subsidy is not based on losses. The government pays premium support subsidies year in and year out regardless of losses.

In 2012, farmers received \$37.4 million in subsidies; in 2011, \$33 million; in 2010, \$37.1 million; in 2009, \$40.1 million. If you add this up, there is \$147 million in subsidies given, despite the big tobacco buyout of \$10 billion, in subsidies to crop insurance.

If you look at our \$642 billion deficit, why would the government continue to subsidize crop insurance for tobacco?

Now that is not to say tobacco farmers should not have access to crop insurance. Insurance is an important risk management tool for any business, and our amendment allows tobacco farmers to continue to purchase crop insurance.

The amendment is specific. It eliminates the government's contribution to the annual cost of tobacco insurance premiums. But it does not impact the ability for crop insurance companies to sell these products. Farmers can manage weather and market risk without the mandatory taxpayer premium support.

Some may say: Well, market rate insurance is not feasible for farmers. I challenge that notion. Carrot farmers do not have access to any crop insurance—federally subsidized or otherwise—neither do spinach farmers, broccoli farmers, or artichoke farmers.

The list of crops with no insurance support goes on: cauliflower, celery, eggplant, cut flowers, Kiwi, kumquats, melons, garlic, raspberries, and pomegranates, to name a few.

Farming without government-subsidized crop insurance is possible, contrary to what some would have you believe.

I also want to remind my colleagues that tobacco farmers have done quite well by the government. In 2014, North Carolina tobacco farmers and quota owners will have received \$3.9 billion in buyout payments. In other words, they have taken this money to be bought out. Kentucky quota owners and farmers will have received \$2.4 billion from the government. Quota holders and farmers in Tennessee, South Carolina, Virginia, and Georgia will each have received more than \$600 million in buyout payments by the end of next year.

Evenly divided among the thousands of tobacco quota holders and farmers

nationwide, the nearly \$10 billion buyout has provided very generous support. We need to remember this is not a struggling industry. Contrary to what some would have you believe, a 2012 University of Illinois study found that productivity on Kentucky tobacco farms increased by 44 percent in the last 10 years.

At the same time, tobacco farmers are seeing some of their best paydays since the 2004 buyouts began. Tobacco is fetching nearly \$2 a pound for some farmers. The 2012 crop was valued at \$1.579 billion.

To return to the question at hand, should taxpayers continue to subsidize tobacco productions, I believe the answer is no. Tobacco is the leading cause of preventable death in the United States. As I said, it kills 443,000 people each year. It costs \$200 billion in health care and reduced productivity.

I am not alone. This amendment is supported by the American Cancer Society, the American Heart Association, the American Lung Association, the Campaign for Tobacco Free Kids, the American Public Health Association, the Environmental Working Group, Doctors for America, Physicians for Responsible Medicine, and Taxpayers for Common Sense.

Some would have you believe this is going to affect the small tobacco farmer. Let's take a look at it. There are 16,228 farms that grow tobacco nationwide. Well, I will not get into that. The industry is concentrated. A small number of large farms produces the vast majority of the crop. Two percent of the farms produce 50 percent of the annual tobacco crop; 10 percent, 75 percent of the annual tobacco crop. Twenty percent of farms that grow tobacco are smaller than 50 acres. Eighty percent of farms that grow tobacco are larger than 50 acres.

The bottom line is most tobacco farmers are not relying on tobacco as their primary crop. Thus, it is not surprising that only 4,495—that is 72 percent of farms—have tobacco sales of more than \$50,000 a year. A fair assessment shows that about 5 percent of tobacco farmers, 908, do fall into the category of small farmers who rely on tobacco as their primary farm income.

The buyout expires, I believe, at the end of 2014. My point is nearly \$10 billion of taxpayer funds is in the process of being expended to buy out tobacco farmers. Why should we then subsidize crop insurance? I very much hope my colleagues will join me in supporting what I think is commonsense reform. We have to say no to tobacco in America. Most of us think we have made great progress. Young people smoke less; older people smoke less; you do not smoke in public places. All of these have had a big impact. I think by eliminating this subsidy on crop insurance, it also can have a constructive impact.

I urge an "aye" vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I thank the Senator from California for her excellent work on the amendment she is offering which takes to another level the fight against tobacco addiction that has so plagued this country. She has been such a champion of the victims of nicotine and tobacco addiction. Her work certainly has been a model for many of us who have been involved in this fight.

(The remarks of Mr. BLUMENTHAL pertaining to the introduction of S. 1041 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BLUMENTHAL. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I ask unanimous consent that the time until 1 p.m. be equally divided between proponents and opponents of the Feinstein-McCain amendment No. 923; that following the confirmation vote this afternoon and the resumption of legislative session, the Senate proceed to vote in relation to the amendment; that there be 2 minutes equally divided prior to the vote and that the amendment be subject to a 60-affirmative-vote threshold.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. One more comment, as I see my colleague is waiting to speak on the Senate floor. I want to thank everyone. As we are working through the farm bill, we are making progress, moving forward, and looking forward to continuing to put in place the final path for passage of the bill.

The PRESIDING OFFICER. The Senator from Pennsylvania.

UNANIMOUS CONSENT REQUEST—S. RES. 133

Mr. TOOMEY. Madam President, I rise to make a unanimous consent request.

We have been following an extraordinary horror story in the news, and it is the story of Kermit Gosnell's truly unspeakable crimes that were committed over a long period of time—maybe as long as two decades—at the Women's Medical Society in Philadelphia, PA.

We suspect there were literally hundreds of late-term and very late-term abortions that were conducted there, and we now know from his conviction in a criminal trial that there were babies born alive—probably many—who were then murdered when scissors were used to sever their spinal cords after they were born alive in a failed abortion attempt. Further, we know that Kermit Gosnell and some of his colleagues kept aborted fetuses in bags and bottles, discarded them, left them on shelves.

It is unbelievable what was happening at that place for years and

years. In fact, the crimes were discovered by accident. Police raided offices to seize evidence of illegal sales of prescription drugs. It was only during that raid for illegal prescription drug sales that they discovered the evidence of these atrocities.

It is my view and the view of many of my colleagues that we need to do a lot more to make sure that the laws, which were blatantly being violated by Kermit Gosnell, are better enforced. We need to do that through proper due diligence and discover where they are being violated.

About 2 weeks ago Kermit Gosnell was convicted. He was convicted of three counts of first-degree murder for killing three infants. He was convicted of one count of third-degree murder in the overdose death of a woman. There were 21 counts of abortion of an unborn child of 24 weeks or more, and he was convicted of 208 counts of violation of informed consent.

We have a resolution, S. Res. 133. It points to these atrocities that were committed. It simply calls on Congress and the States to investigate and correct the abusive, unsanitary, and the blatantly illegal abortion practices that certainly were conducted here at the Women's Medical Society in Philadelphia and similar such practices that may be occurring in other places.

I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 133, that the Senate proceed to its consideration, and that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be made and laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, reserving the right to object, and I will, in fact, but I want to first discuss the resolution that now for the third time essentially has been brought to this body, and I am here to speak and object for a third time but not out of disagreement with the basic goal that has been well articulated by my friend from Pennsylvania.

I think I am quoting him directly from his remarks just now in saying that the goal is to do a lot more to ensure that the laws violated by Kermit Gosnell are vigorously enforced. I am here to say, yes, let's condemn the kinds of practices that resulted in the conviction of Kermit Gosnell and his sentence, in effect, to life in prison. Let's do more to ensure that laws are vigorously enforced that protect innocent patients in any setting, whether it is a doctor's office, a hospital, or a nursing home; whether it is by a nurse, a doctor, or another kind of caregiver, or by a vicious, conscienceless practitioner like Kermit Gosnell.

Let's stop this kind of despicable medical conduct even if it may be only

a tiny fraction of all the caregiving that occurs in the United States by an even tinier fraction of a great and noble profession, by extraordinarily experienced and expert members of our medical profession.

We need to talk about all of the kinds of malpractice and criminal misconduct that can cause death or injury or the threat of death or injury.

We ought to be equally outraged by the doctors and the nurses in States such as, for example, hospitals and nursing homes in both New Jersey and Pennsylvania—in 2006, a nurse was sentenced to multiple life sentences for killing at least 29 patients by intentionally overdosing them with medication. There was simply no justification for those actions, and they are equally as heinous and unforgivable as the crimes that resulted in the conviction of Kermit Gosnell.

We need to talk about the nurse who was charged with killing 10 patients in a hospital in Texas by injecting them with a medication to stop their breathing. She pleaded no contest and is now serving life in prison.

I want this body to adopt a resolution that addresses those kinds of lapses in basic decency, ethics, and morality, as well as law.

We ought to be talking about the doctor who worked in hospitals in seven States—New Hampshire, Kansas, Maryland, Pennsylvania, Michigan, New York, Georgia—and exposed almost 8,000 patients to hepatitis C. He knowingly injected patients with his own infected blood and exposed them to a life-threatening disease.

The resolution I am going to ask this body to adopt speaks to those violations of trust, decency, and law.

In this place, I have talked about other similar violations—the Oklahoma dentist who exposed as many as 7,000 patients to HIV and hepatitis B and C through unsanitary practices. In Nevada, practitioners at an endoscopy center exposed 40,000 patients to hepatitis C through their unsanitary practices, and it went on for years.

My resolution speaks to those basic violations of trust and morality.

Kermit Gosnell's case has run its course. Our criminal justice system has done its work.

I have a resolution, and I ask unanimous consent that it be adopted.

I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 134 and that the Senate proceed to its consideration; that the resolution be agreed to, the Blumenthal amendment to the preamble, which is at the desk, be agreed to, the preamble, as amended, be agreed to, and the motion to reconsider be laid on the table, with no intervening action or debate.

I object to the resolution offered by my colleague from Pennsylvania and ask him and my colleagues to join me

in support of this alternative resolution.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the request of the Senator from Connecticut?

The Senator from Pennsylvania.

Mr. TOOMEY. Reserving the right to object, I think the Senator from Connecticut makes a number of important observations and raises a number of very important issues. I think there is an opportunity for the two of us to work together to address some of these. However, my reading of the actual resolution for which he is requesting unanimous consent, in my view, equates outcomes—including deaths but outcomes resulting from malpractice and unsanitary conditions and other completely indefensible practices—equates those with the serial, premeditated, intentional murder of babies. I don't think those things ought to be equated because I think they are of a very different nature.

Furthermore, the resolution of the Senator from Connecticut, it is my understanding, does not call for the investigations that I think are necessary to determine how widespread these practices are, under what circumstances they are occurring, and what more could be done to prevent them.

For those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Tennessee.

Mr. ALEXANDER. Madam President, being a majority leader is not an easy job whether you are a Republican or a Democrat. Some good things have been happening in the Senate recently, and I think we should credit both the majority leader and the Republican leader with helping to make that happen.

Over the last few weeks we have seen the water resources bill come to the floor. The majority leader allowed Senator BOXER and Senator VITTER to manage the amendment process, to handle the necessary arguments that always occur about what they will be. They came to a conclusion and passed a bill. The bill went through committee, went through the floor. It is a very important bill because it deals with locks, dams, and ports in the United States. We want to make sure that as the Panama Canal is widened and deepened, that ports in the United States are deep enough to receive the bigger ships and that the locks and the dams are in good enough shape so that commerce can move through the company and the jobs can be created. That is an important piece of legislation.

And now we are on the farm bill and we see the Senator from Mississippi and the Senator from Michigan managing a bill. There is plenty of opportunity for amendments, as far as I have been able to tell, and that has been very helpful.

At the same time, we have coming out of the Judiciary Committee, after

several days of intense work, a bill on immigration. Probably the four most important words that can be said about the immigration debate is that we are all Americans, and Americans know we must have a legal immigration system if we want to be able to say we are all Americans. And we want one. We don't have an enforceable legal system today. All of us know that. None of us like the status quo, I don't think, and all of us know the President and the Congress are the only ones who can fix it. This is not something we can dump on the mayors or the State legislatures.

Many of us haven't formed a final opinion about this legislation that is coming forward, but I, for one, respect the fact that it has moved; that it has four principal Republican sponsors and four principal Democratic sponsors. It has moved through the committee, voices have been heard, it is coming to the floor, and, again, the majority leader has indicated, and the Republican leader has agreed, there will be a full and open debate so the American people can see it and watch us come to a result.

All those are good things. In addition, so that we might do that, there are a number of nominations about which we are likely to disagree. They will come after that so as not to interfere with the immigration debate.

That brings me to my final point. I would note the fact that with occasional interruptions for debate over whether we are going to go to a budget, which I hope gets resolved, we are on a pretty good path right now. I hope the majority and the minority leaders can see that.

We are moving this afternoon to a vote on a Federal appellate judge for the D.C. Circuit. A major objective of the Democratic side has been to get another judge on that circuit, and the President has nominated a person, Mr. Srinivasan, who, by every account, is an exceptional attorney. He came out of the committee with an 18-to-0 vote and has widespread respect and support.

The only glitch in the process is the majority leader believed it was necessary to file a cloture motion this week, even though the Republican leader had agreed we would have an up-or-down vote on the Tuesday we get back, and every indication is that almost everyone would vote for that judge. That has now been resolved, and we are going to vote this afternoon at 2 p.m. I know better than to predict how the Senate will vote, but I will vote for Mr. Srinivasan, and I suspect he will be easily confirmed.

In all of this the majority leader has believed it was necessary to suggest that somehow there is a problem with the President's nominations being considered by the Senate, so I think it is important that someone other than the

Republican leader—because it is his job, really, to defend our side—lay out the facts, and I hope I can do that with some credibility because I worked with my Democratic colleagues at the beginning of the last Congress and at the beginning of this Congress to make it easier for this President and future Presidents to have their nominations considered. We have changed the rules to make it easier.

Just a few months ago, in a long discussion that involved Senators on both sides in a debate on the floor, we made a number of changes to make it easier for a President to have his nominations considered. And 2 years ago we adopted the expedited nominations, where nominations simply come to the desk. If no single Senator wants it sent to committee, it just sits there until all the paper is in, then the majority leader will just move it on. Within the next few days there will be a number of those that come out of the Health, Education, Labor and Pensions Committee. So that speeds things up.

We removed from the list of nominations about 160 low-level executive nominations. They are not subject anymore to Senate advice and consent. The President may just go ahead and appoint those persons.

We have gotten rid of the secret hold, which was used for a long time to hold up nominees, and even to block them, because no one knew who was doing that. Earlier this year we changed the rules so that when a district judge comes up, there can't be a long debate after the district judge comes to the floor. As a result, things are moving along very well.

So I would like to say there is not a problem with the President's nominations being considered in a timely fashion by the Senate. There is no problem. There is, however, the responsibility for advice and consent. Most of our Founders did not want a king. They created a Congress and they said: Here is an advice and consent. So we now have about 1,000 people the President will nominate whom we are supposed to consider, and we should do that well. That is our job to do, and it is our check on a runaway Executive.

When I first came here, Senator Byrd made wonderful speeches about that. I remember the speeches Senator Kennedy gave from the back row, with that big booming voice of his, about President George W. Bush's recess appointments and how offended he was by those because they offended the Constitution. Senator Byrd, as I mentioned, was very eloquent, going all the way back to President Reagan's days.

So we have always jealously defended the people's right to have an elected group of representatives to check the Executive, and we need to use that in a responsible way. Therefore, it is important to have an accurate report on just how well President Obama is being

treated by the Senate in terms of his nominations.

I have just noted that we have changed the rules to make it easier. I did not even say we have even made it easier for the nominees; we set up a working process to make it easier. I like to call it a response to the "innocent until nominated" syndrome.

The President picks some well-respected person from the Midwest and sends his or her nomination to the Senate, and all of a sudden it is as if they were a criminal of some kind. That is because there were so many conflicting forms to fill out it was easy to make a mistake and look as though you were misleading the Senate. We have tried to simplify that, and this President is the first beneficiary of that change.

So this President is the first beneficiary of consecutive Congresses that have changed the rules to reduce the number of potential nominees subjected to advice and consent. We have expedited a number of others, and we have made it easier—easier and quicker—for the President to have his nominations considered. This President is the first to benefit from that.

So what are the results? The majority leader suggested there was delay and obstruction. Those words just come out automatically sometimes when people wake up in the morning on that side of the aisle. But let's look at the facts.

I asked the Congressional Research Service to take a look at the Washington Post article written earlier this year—now, these are not Republican people I am asking, this is the Congressional Research Service—about how President Obama is being treated in terms of his Senate nominees.

According to the Congressional Research Service, as of May 16, 2013—that is last week—President Obama's Cabinet nominees were still, on average, moving from announcement to confirmation faster than those of President George W. Bush or President Clinton. President Obama's nominees were moving from announcement to confirmation, at that time last week, in 50.5 days. George W. Bush averaged 52 days, and President Clinton averaged 55 days.

So let me say that again: President Obama's Cabinet nominees are moving ahead in the Senate more rapidly than those of his two predecessors: one of them President George W. Bush and one of them President Clinton. So there is no delay there that is unusual.

It is not unprecedented, Madam President, for some second-term nominations to take much longer to move from announcement to confirmation than the average. President Clinton's nominee for Secretary of Labor, Alexis Herman, took 135 days; President George W. Bush's nominee for Attorney General, Alberto Gonzalez, took 85

days. I remember the case of one especially distinguished nominee for Secretary of Education by President George H.W. Bush, a former Governor of Tennessee whose name was ALEXANDER. His nomination took 88 days from announcement to confirmation, and President Reagan's nominee for Attorney General, Ed Meese, took nearly 1 year.

Now that is an unusual case, but it is not so unusual for second-term nominees to take a little while—for the Senate to perform advice and consent. And as the Congressional Research Service and the Washington Post have reported in their own analysis, President Obama's Cabinet nominees are being better treated than either President Bush's or President Clinton's in terms of the time it takes to confirm them from announcement to confirmation.

Now, one last thing. What about judges? Sometimes I have heard Senators on that side and Senators on this side get up and give conflicting information about whether judges are being considered rapidly. Here is what the data says about the judicial nomination process.

If Mr. Srinivasan is confirmed today, as I expect he will be, President Obama will have had 20 judges confirmed at this point in his second term, including 6 circuit judges and 14 district court judges. At this point in his second term, President George W. Bush had 4. So that is 20 for President Obama, 4 for President George W. Bush. No unusual delay there.

Apparently, President Obama's nominations are being considered more rapidly than those of President Bush. To be specific, let's go to the district court nominations. We know, with all the talk of a filibuster, in the history of the Senate there has never been a nominee for a Federal district court judge who has ever been denied his seat by a filibuster after that nomination came to the floor. So that needs to be said, too. But right now there are five pending district judge nominations that have been reported from committee that haven't been confirmed.

There have been 33 nominations this year. Fourteen are already confirmed, five are reported from committee, as I said, and await floor action. They were reported in May and April and three of them in March. So there is no big backlog. There are five. They were reported in the last few weeks. So no excessive delay there.

Finally, on circuit court nominations. I mentioned we are likely to confirm one of the three that are today pending, Mr. Srinivasan. Twelve nominations of Federal circuit court judges have been received this year. Six will have been confirmed after this afternoon. That leaves two—two—circuit court judges who have been nominated by the President and await floor action. They were reported by the committee in April and February.

So I can't find any evidence of any delay on Cabinet nominations. In fact, President Obama is being treated better than his predecessors. I don't see any evidence of any delay on judicial nominations. After the vote on Mr. Srinivasan, President Obama will have 20 confirmed in his second term, President Bush had 4. And there are only five pending district court nominations, all reported within the last few weeks. There are only three circuit nominations, one of which is likely to be confirmed this afternoon. On that one, the majority leader indicated Mr. Srinivasan, who has such widespread support on both sides of the aisle, had been waiting forever. Well, he has been waiting a while. President Obama nominated him on June 11, 2012. But why did he wait? Madam President, he had no hearing. Who is in charge of setting hearings? The Democratic majority is in charge of setting hearings. The Republicans can't call a hearing in the Judiciary Committee.

So their nominee, Mr. Srinivasan, sat there all of last year, after June 11, without a hearing. There may have been delay, but that was a self-inflicted delay.

What about this year for Mr. Srinivasan? Here is the timeline. He was nominated again on January 4 by the President. His hearing was April 10. I don't know why they had to go from January to April to have a hearing, but, again, that is solely within the control of the Democratic majority. He returned his questions—which we all have to do if we are nominated for an executive position—on May 6. That is this month. The committee considered his nomination May 16, which is just last week. They approved it 18 to 0. That is all Democrats and all Republicans voting yes. He came to the calendar of the Senate on May 20. That was on Monday.

The PRESIDING OFFICER. Will the Senator yield?

#### EXECUTIVE SESSION

#### NOMINATION OF SRIKANTH SRINIVASAN TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 60 minutes of debate equally divided in the usual form.

The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I will conclude for those who are expecting to do that, but these are timely remarks.

So, Mr. Srinivasan, nominated on June 11, 2012—no hearing by the Democratic majority and the executive committee, I wonder why; nominated January 4 by President Obama this year again, no hearing until April 10. If there is any delay there, it has no fault anywhere on the Republican side. May 6, questions returned; no nominee is considered by the committee until his questions come back; marked up May 16 last week, 18 to 0, unanimous; came to the floor on Monday and the Republican leader moved yesterday to ask unanimous consent that we consider an up-or-down vote for Mr. Srinivasan when we return after a week, which means he would have been fully considered then, to which the majority leader put down a cloture motion.

Now he has removed the cloture motion but there was no need for the cloture motion. The only suggestion may be he did it, he made it so it would look as though there was some delay over here, but there is no delay. Mr. Srinivasan has broad support. We are ready to vote for him up or down. I think it is time we got away from this idea of manufacturing a crisis about nominations when in fact we have made it easier for any President to offer his nominations, and the majority leader and Republican leader agreed at the beginning of this year when we did that, that that was the end of the rule changes for the Congress in this Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, I ask unanimous consent to speak for 5 minutes on the Feinstein amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURR. Madam President, let me first say about the comments of Senator ALEXANDER, you see why he is a former university president, a Governor, a Secretary of Education, a candidate for President, and now some would call him a Senator. I think you would call him a statesman, because he tries to lay it out in a way we can all understand it, with facts and not hyperbole, and this is an opportunity for us on both sides to step back from the brink and actually do the people's business, to get something done, to solve big problems.

I came to the floor to talk on the Feinstein amendment, knowing it is not up for an hour—and I will be very brief, to my colleague from Virginia, because I know he wants to talk about judges—primarily because there is some misinformation that has been stated. Let me recap the tobacco industry in a very brief summary.

Tobacco, like many agricultural products, for years received a price support system that the Federal Government, the Congress of the United States, put in place. A number of years ago, Members of Congress said, for obvious reasons, the Federal Government probably should not have a price support on something we consider not to be best for people's health. At that time farmers reluctantly listened to Members of Congress who said the international market should be open to you and we should do our best to make it unlimited, and we did. At that time we eliminated the price support system.

Senator FEINSTEIN came to the floor—I do not think she did this intentionally—and she said it costs the American taxpayer \$10 billion. In fact, there was not one dime of American taxpayer money that went to the tobacco buyer; 100 percent of the cost of the elimination of that program was absorbed by the tobacco companies. So, yes, if the purchase of a pack of cigarettes and the profit that goes to a tobacco company and the \$1.01 in Federal taxes they pay per pack of cigarettes is the American taxpayer paying the price of the buyout, she is right. I am not sure you can make that connection.

But I want to state for my colleagues: The Federal Treasury did not pay \$10 billion to buy out tobacco farmers. It was the companies, the ones that understand they have to have a viable, abundant source of product. Sixty percent of what we grow in the United States is shipped for export. It does not go to the domestic market.

Let me say to my colleague, if the intention of this is to be punitive to this product, for gosh sakes, come to the floor; change your amendment; let's vote up or down as to whether tobacco is going to be legal. If the purpose here is to suggest we are going to save taxpayer money, let me suggest if you put every tobacco farmer out of business—and this is the commodity that achieves, actually, our best balance of trade in agricultural products—you would make a real long-term mistake. The only thing this commodity, this agricultural commodity, asks is let us participate in the Federal Crop Insurance Program. Without that protection it is impossible for my neighbor, your neighbor, the backbone of the community—a farmer—to go to a bank and say: Can you lend me enough money to plant my crop this year? And if Mother Nature is good and I work hard I am going to be able to sell this product, I am going to be able to pay you back, and I am going to be able to make a profit to feed my family. Without that assurance of a safety net they would never get the bank to loan the money.

This is about availability of capital, this one cost. Why in the world we would pick one commodity out of the

entire agricultural industry and say everybody else can participate in the crop insurance program but you can't is insane.

Let me say to my colleague from California, Senator FEINSTEIN, I don't think this was intentional. I think she either got bad staff information or she made a gaffe.

To my colleagues, let me encourage you, vote against this amendment. Don't do this to a piece of the agricultural community that is profitable, that works hard, but, more importantly, contributes a lot to the backbone of this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Madam President, I rise to support the nomination of Srikanth Srinivasan to be judge for the U.S. Court of Appeals for the D.C. Circuit. This matter will be before us for a vote later today. I want to talk for a bit about Sri's significant qualifications. I am going to discount the fact that he was born in Kansas and raised in Kansas, as I was. I will not take that into account. I will discount the fact he lives in Virginia as I do, and focus on other qualifications because he has them by the boatload.

Sri has a wonderful background that equips him for this most important judicial position, and this has been a position that has been vacant since June of 2008. He was an undergraduate and then law degree and then business degree, MBA at Stanford after he grew up in Lawrence, KS. Like many law graduates, his next step was to work in a clerkship with appellate judges. He worked first for a wonderful Virginia jurist, Judge J. Harvie Wilkinson, who was the chief judge of the Fourth Circuit Court of Appeals headquartered in Richmond. Judge Wilkinson is well known as a superb legal scholar and judge.

After he completed that clerkship, he had the honor of being selected to work as a clerk for Justice Sandra Day O'Connor, also a tremendous honor for a young lawyer. I talked at length with Mr. Srinivasan and heard about the fact that he learned a great deal from both of these judges about judicial temperament and the importance of so many aspects to be a good judge.

Sri had the expertise developed in private practice at one of America's major firms, O'Melveny and Myers. O'Melveny and Myers has had a very significant pro bono practice for years, headed by Bill Coleman, who was a long-time official—one of the lawyers who worked on the *Brown v. Board of Education* case in the 1950s. Sri eventually became the leader of the appellate practice in O'Melveny and Myers, in that capacity doing good work. He has been a teacher at Harvard Law School.

Probably most specific to the needs of the D.C. Circuit, Sri has had a long

career working in the Solicitor General's Office, the key legal office of the United States, charged with representing the United States on important matters before the Supreme Court and the Federal appellate courts. He has worked two stints in the Solicitor General's Office, having worked both under the Solicitor General's Office during President Bush 43's tenure, and then again returning to work as the principal deputy solicitor general under President Obama. In that capacity he has had extensive arguments, more than 20 arguments before the U.S. Supreme Court and numerous appellate court arguments in the Federal appellate courts, including the D.C. Circuit Court for which he is nominated.

Srikanth Srinivasan enjoys broad support. Numerous officials in the Solicitor General's Office under both Democratic and Republican administrations have weighed in on behalf of his candidacy. The ABA, American Bar Association, which looks at candidates and scrutinizes their qualifications, has given him the "most qualified" award, their highest recommendation. He comes with significant support in this body and others with whom he has practiced.

The area I probably spent most time with him on as I was interviewing him was the whole notion of judicial temperament. These are important positions, and under the Constitution we grant them to people for life. You can have all the intellectual qualifications, but if you do not have the life experience to enable you to understand situations and pass judgment on matters important to people, and if you do not have the temperament to work in a collegial body—circuit courts, as you know, hear cases generally in panels of three and then occasionally hear cases en banc, the entire list of the circuit court judges for the D.C. Circuit would sit together—it is not enough to be a scholar; you have to be a good listener, you have to be a good colleague. Srikanth Srinivasan's career is a track record of his dedication and ambition, but his temperament is a real tribute to his humility, to his ability to listen not only to litigants but to other judges.

I think these credentials, both his formal credentials—his work experience and temperament—would make him an excellent choice. For that reason I am proud to stand up as one of his home State Senators. I am proud to acknowledge the Judiciary Committee's unanimous vote on his behalf and urge my colleagues today as we move to the vote to support his nomination. None of us will be disappointed in his work as a D.C. Circuit judge.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I voted for this nominee out of committee. I will vote for this nominee on



the floor of the Senate. He is well qualified for this position.

I come to the floor not to repeat what a lot of other people have said about this nominee, but the process that was connected with arranging the vote for today's vote. Basically I want to speak about the needless shenanigans that have gone on before we get to this point where we vote at 2 o'clock.

Today's nominee for the D.C. Circuit was voted out of committee 1 week ago, on May 16, a unanimous vote of 18 to 0. He was placed on the Executive Calendar 3 days ago, on Monday, May 20. One day later, on May 21, the Republicans cleared this nominee to have an up-or-down vote when we returned from the Memorial Day recess, but the majority leader was not content to take yes for an answer. One day after this nominee was placed on the Executive Calendar and after Republicans agreed to an up-or-down vote, the majority leader chose to file cloture.

Why file cloture? Why would the majority leader do that on a nominee whom the minority party, the Republicans, were ready and willing to vote on, backed up by the fact that every Republican on the committee voted for this nominee?

There is only one plausible answer: That is part of the majority's attempt to create the appearance of obstruction where no obstruction ever existed. It is pure nonsense. It is a transparent attempt to manufacture a crisis, a crisis that does not exist. The fact of the matter is there is no obstruction and particularly no obstruction on this nominee, and the other side knew it before they filed cloture.

This morning in his opening remarks the majority leader tried to argue he has had to file cloture 58 times. But what the majority leader did this week illustrates precisely why that claim is completely without merit.

What the Majority Leader did fits neatly into the Democratic Majority's playbook.

First, file cloture for no apparent reason, none whatsoever. And then immediately turn around and claim: See, look everybody, we had to file cloture.

The fact is, we are confirming the President's nominee—all nominees—at a near-record pace. After today, the Senate will have confirmed 193 lower court nominees. We have defeated only two. That is 193 to 2, which in baseball terms is a .990 batting average. Anybody would agree that is an outstanding record. Who could complain about 99 percent?

After today—this year alone, the first year of the President's second term—the Senate will have confirmed 22 judicial nominees. Let's compare that to the previous President's first year of his second term—President Bush—when there was a Democratic Congress. In that same period of time in 2005, the Senate had only confirmed

four nominees. So that is a record of 22—the first year of this President's second term—compared to only 4 for the first year of President Bush's second term.

If we were treating this President in the same way the Senate Democrats treated President Bush in 2005, we would not be confirming the 22nd nominee, we would be confirming only the 4th. So it should be clear to everyone that these are needless shenanigans.

Anyway, based on that record, what can the Senate Democrats possibly complain about? The bottom line is they can't complain—or they shouldn't complain. That is not based upon rhetoric but based on the record of 22 so far this year and 193 total confirmations for this President versus 2 disapprovals.

Of course, because the record is so good, the other side needs to manufacture a crisis, and that is why the other side filed cloture on this nomination just 1 day after it appeared on the Executive Calendar.

Yesterday, when the majority leader was pressed on why he chose to file cloture 1 single day after his nomination appeared on the Executive Calendar, he pointed to the fact that the nominee was first nominated in the year 2012. But apparently the majority leader was unaware that the chairman of the Judiciary Committee made no effort to schedule a hearing on this nominee until late last year.

Apparently, the majority leader was unaware that by January of this year, we learned the nominee was potentially involved in the quid pro quo that Mr. Perez—the President's nominee for Labor Secretary—orchestrated between the Department of Justice and the city of St. Paul.

I spoke on this issue last week regarding the deal Mr. Perez struck, where he agreed the Department would decline two False Claims Act cases in exchange for the city of St. Paul withdrawing a case from the Supreme Court. I am not going to go into those details again, but that is a very serious issue. The Department—and as it turns out Mr. Perez in particular—bartered away a case worth about \$200 million of taxpayers' money to come back into the Federal Treasury under the False Claims Act. To have that case withdrawn is a pretty serious matter.

As it turns out, the nominee before us today happened to be the lawyer in the Solicitor General's Office who handled the case Mr. Perez desperately wanted withdrawn from the Supreme Court.

So, as would be expected, any Member of the Senate—particularly those who have the responsibility in the minority—needed to know what the nominee knew about the quid pro quo and what Mr. Perez told the committee about that deal.

We needed the documents about this issue, and we needed to speak with the

witnesses involved, but the Department was desperate to keep those documents from Congress. They were desperate to keep the witnesses from being involved and interviewed.

The bottom line is that the Department of Justice dragged its feet for months. If the Department of Justice had turned over those documents and made witnesses available way back when we asked for them, the hearing for this nominee could have been one of the first we had this year. Instead, the Department of Justice chose to try their best to keep Congress from getting to the bottom of that quid pro quo, and, frankly, Mr. Perez's involvement in that matter.

If the majority wishes to complain about the nominee having his hearing in April rather than February, they should pick up the phone and call those in charge at the Department of Justice and ask: Why didn't you give Congress the information they needed?

It wasn't the Senate Republicans who withheld the documents, it was the Department of Justice. It wasn't Senate Republicans who held up the nominee's hearing, it was the Department of Justice.

The bottom line is that the Senate is processing the President's nominees exceptionally fairly. I will not repeat those statistics because I have already gone through them in this speech and in previous speeches.

This President is being treated much more fairly than Senate Democrats treated President Bush in 2005.

The fact is this: Filing cloture on this nominee—who will probably pass unanimously—was nothing but a transparent attempt to create the appearance of obstruction.

As I said, I intend to support this nominee, just as I did in committee, and I encourage my colleagues to support the nomination as well.

But as we move forward on these nominees, I wish we could stop these needless shenanigans. I wish the other side would stop shedding those crocodile tears. The statistics of approval by this Senate of judicial nominees, which is 193 to 2, is no justification for any crocodile tears whatsoever.

I yield the floor and suggest the absence of a quorum.

**THE PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

**THE PRESIDING OFFICER.** The Senator from Delaware.

**Mr. COONS.** Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

**Mr. COONS.** Madam President, today this body will have the chance to vote on the nomination of the highly qualified Sri Srinivasan for the D.C. Circuit Court of Appeals.

I am a member of the Judiciary Committee and have had the honor and privilege of chairing Mr. Srinivasan's confirmation hearing. I can say, without question, he has the background, skills and, perhaps most importantly, the temperament to serve as a circuit court judge.

He is one of the single most qualified judicial nominees I have seen in my years in this body, and he deserves better than the games which have been played with his confirmation. He already has bipartisan support. Now let's work together and give him a strong bipartisan vote.

The Constitution of the United States gives the Senate the responsibility to advise and consent to the President's nominations for important posts, such as the bench of the D.C. Circuit Court of Appeals. It is certainly our responsibility to review and vet candidates—nominees—who come over from the President. We should not simply serve as a rubberstamp but neither should we be a firewall, unreasonably blocking qualified nominees from service at the highest levels of our government.

Our Nation's courts should be above politics. When the President submits a highly qualified candidate of good character and sound legal mind, as that of Mr. Srinivasan, then absent exceptional circumstances that candidate should be entitled to a rollcall vote.

Up to this point in President Obama's administration—nearly 1,600 days—the Senate has failed to live up to its responsibility and to confirm any nominee to the D.C. Circuit Court of Appeals. The D.C. Circuit Court of Appeals is often called the second most important court in the Nation.

Similar to the Supreme Court, the D.C. Court of Appeals handles cases that impact Americans all over the country and from all walks of life. It regularly hears cases that range very broadly from terrorism and detention to the scope of Federal agency power. Yet today it is critically understaffed. The D.C. Circuit Court of Appeals has not seen a nominee confirmed since President George W. Bush's fourth nominee to that court was confirmed in 2006—7 years ago.

Republicans in this Chamber filibustered President Obama's nominee, Caitlin Halligan, until she ultimately—after hundreds and hundreds of days of waiting across several Congresses—gave up and withdrew. Her opponents said the caseload at the D.C. Circuit was too low and that it did not deserve another judge.

Such concerns about caseload did not prevent the Republican-led Senate from confirming two nominees to the 10th seat on the D.C. Circuit and one to the 11th. Mr. Srinivasan is not nominated for the 10th or 11th seat on the D.C. Circuit but for the 8th.

We need to confirm Mr. Srinivasan and we need to act quickly on the

President's next nominee for that court and the one after that.

I believe we have a chance to start fresh with Mr. Srinivasan, who would serve equally well and ably on the D.C. Circuit Court of Appeals, as might Ms. Halligan.

Mr. Srinivasan has a razor-sharp legal mind. He served in the Solicitor General's Office for both Republican and Democratic administrations and has earned the bipartisan support of his colleagues. Twelve former Solicitors General and Principal Deputy Solicitors General wrote a letter supporting his nomination—6 Democrats and 6 Republicans.

The letter, which is signed by conservative legal luminaries such as Paul Clement and Ted Olson, notes that Mr. Srinivasan is "one of the best appellate lawyers in the country." They commented further in the letter and said that he has an "unsurpassed" work ethic and is "extremely well prepared to take on the intellectual rigors of serving as a judge on the D.C. Circuit."

My point is a simple one: Sri is a capable and, in fact, highly accomplished attorney, with the character and demeanor to serve admirably on this bench, which has sat without a nominee from the Obama administration for the entire time our current President has served.

Sri Srinivasan has earned bipartisan support. Today, let's give him a bipartisan vote.

I thank the Chair.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Madam President, I ask unanimous consent that any time during quorum calls leading up to the vote be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Thank you, Madam President.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, I certainly recognize that providing advice and consent of Presidential nominees is one of our most important responsibilities

as Members of the Senate, and it is a responsibility that I expect and believe all of us take very seriously.

On a number of occasions, I have had the opportunity to meet Sri Srinivasan, whom President Obama has now nominated to fill a vacancy on the U.S. Court of Appeals for the District of Columbia Circuit. I have found Sri to be a highly qualified candidate who has a distinguished career in the private sector and in the Department of Justice of both Republican and Democratic administrations, for President Bush and President Obama. I announced my support for his confirmation in advance of the Judiciary Committee realizing the same circumstance I realized, which is that we have a very highly qualified individual of integrity who has been nominated by the President. Of course, the Judiciary Committee unanimously supported that nomination to confirm him.

Sri is a fellow Kansan and is one of our State's most accomplished legal minds. He was born in India and moved with his parents to Lawrence, KS, where he graduated valedictorian from Lawrence High School in 1985. As do most Kansans, he enjoyed basketball and at one point in time was a guard on the high school basketball team playing alongside one of our State's most famous athletes, Danny Manning.

After high school, he went to Stanford University, earning a bachelor's degree, an MBA, and a law degree.

Sri served as a clerk for the U.S. Supreme Court and served with Justice Sandra Day O'Connor and later worked in the Solicitor General's Office under President George W. Bush. He became the Principal Deputy Solicitor General in 2011.

Sri has argued more than two dozen cases before the U.S. Supreme Court, and his nomination is supported by 12 former Solicitors General and Principal Deputy Solicitors General evenly split among political parties.

If confirmed today, Sri would become the first South Asian to serve on a Federal circuit court.

I wish to indicate to my colleagues how proud Kansans are of Sri and his success, his accomplishments, and I am pleased to support his nomination. He is one of our Nation's leading appellate lawyers, and I believe he will serve our Nation well on the U.S. Circuit Court of Appeals for the D.C. Circuit.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the U.S. Court of Appeals for the D.C. Circuit has primary responsibility to review administrative actions taken by countless Federal departments and agencies. The court's decisions—including its recent invalidation of President Obama's unconstitutional "recess" appointments—often have significant political implications. As a result, this body—

the Senate—has a longstanding practice and tradition of scrutinizing nominees to the D.C. Circuit very carefully. When evaluating those nominees, we have also carefully considered the need for additional judges on that court.

In July 2006 President Bush nominated an eminently qualified individual, Peter Keisler, to fill a seat on the D.C. Circuit. I know Peter Keisler. Peter Keisler is among the very finest attorneys I have ever worked with. In fact, most who know him would agree he is among the very finest attorneys in the entire country. He is one who happened to have enjoyed bipartisan support throughout the legal profession at the time of his nomination. Nevertheless, Democratic Senators blocked Mr. Keisler's nomination, and his nomination simply languished in the Judiciary Committee.

At the time a number of my Democratic colleagues signed a letter arguing that a nominee to the D.C. Circuit "should under no circumstances be considered—much less confirmed—before we first address the very need for that judgeship." Those Senators argued that the D.C. Circuit's modest caseload simply did not justify the confirmation of any additional judge to that court.

More than 6 years have elapsed from that moment, but the D.C. Circuit's caseload remains just as minimal as it was back then. The court's caseload has actually decreased since the time Democrats blocked Mr. Keisler. The total number of appeals filed is down over 13 percent, and the total number of appeals pending is down over 10 percent. With just 359 pending appeals per panel, the D.C. Circuit's average workload is less than half of other Federal appellate courts.

Some have sought to make much of the fact that since 2006 two of the court's judges have taken senior status, leaving only seven active judges on the D.C. Circuit. But the court's caseload has declined so much in recent years that even filings per active, non-senior, sitting judge are roughly the same as they were back then.

Of course, this doesn't account for the six senior judges on the D.C. Circuit who continue to hear appeals and author opinions. Their contributions are such that the actual work for each active, non-senior judge has declined and the caseload burden for the D.C. Circuit judges is less than it was when the Democrats blocked Mr. Keisler on the basis of declining caseload in the D.C. Circuit. Indeed, the average filings per panel—perhaps the truest measure of actual workload per judge—is down almost 6 percent since the time Democrats blocked Mr. Keisler. And those who work at the court suggest that in reality, the workload isn't any different today than it was back at the time the Democrats blocked Mr. Keisler's nomination to that court.

Much like Mr. Keisler, the D.C. Circuit nominee before us today, Mr. Srinivasan, is exceptionally qualified, and I am pleased to say he enjoys broad bipartisan support from throughout the legal profession.

Unlike what the Democrats did to Mr. Keisler, I will vote to confirm Mr. Srinivasan. I do not believe in partisan retribution and hope that, moving forward, the Senate—whether controlled by Democrats or Republicans at any moment in the future—will rise above such past differences and disputes.

The D.C. Circuit is one area in which we share common ground. Both Democrats and Republicans have argued repeatedly that the D.C. Circuit has too many authorized judgeships. Indeed, while other Federal circuit courts throughout the country struggle to keep up with rising caseloads, in each of the last several years the D.C. Circuit has canceled regularly scheduled argument dates due to a lack of pending cases.

For these reasons I am an original cosponsor of S. 699, the Court Efficiency Act, which was introduced last month. The bill does not directly impact today's nominee, but it will reallocate unneeded judgeships from the D.C. Circuit to other Federal appellate courts where caseloads are many times higher than that of the D.C. Circuit.

Especially after we have confirmed Mr. Srinivasan, I hope Members on both sides of the aisle will join me in ensuring that these unnecessary D.C. Circuit judgeships are reallocated to courts that need those judge slots.

I certainly hope neither the White House nor my Democratic colleagues will instead decide to play politics and seek—without any legitimate justification—to pack the D.C. Circuit with unneeded judges simply in order to advance a partisan agenda.

Now, importantly, it was stated earlier in debate that we should stop "playing games" with this nomination. We agree. In fact, we could not agree more. Unfortunately, the only game played was by the majority leader in manufacturing a false impression by filing cloture one day after the nominee was listed on the Executive Calendar and after Senate Republicans agreed to a vote.

It has also been suggested that Senate Republicans have somehow refused to fill this seat or any other on the D.C. Circuit since 2006. Apparently, this is representative of a memory lapse or perhaps they want to rewrite history.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The nomination of Srikanth Srinivasan to the D.C. Circuit Court.

Mr. LEAHY. Thank you, Mr. President.

I am glad to hear what my friend from Utah said about voting for this nominee because this is the second time this year the majority leader had to file cloture on one of President Obama's well-qualified nominees to the D.C. Circuit. Sri Srinivasan is not a nominee who should require cloture, and I am glad he is not going to now that cooler heads have prevailed, but neither was Caitlin Halligan. Caitlin Halligan is a woman who is extraordinarily well qualified and amongst the most qualified judicial nominees I have seen from any administration. It was shameful that Senate Republicans blocked an up or down vote on her nomination with multiple filibusters and procedural objections that required her to be nominated five times over the last three years.

Had she received an up or down vote, I am certain she would have been confirmed and been an outstanding judge on the United States Court of Appeals for the District of Columbia. Instead, all Senate Republicans but one supported the filibuster and refused to vote up or down on this woman, who is highly-qualified and would have filled a needed judgeship on the D.C. Circuit. Senate Republicans attacked her for legal advocacy on behalf of her client, the State of New York. It is wrong to attribute the legal positions a lawyer takes when advocating for a client with what that person would do as an impartial judge. That is not the American tradition. That is not what Republicans insisted was the standard for nominees of Republican Presidents but that is what they did to derail the nomination of Caitlin Halligan.

Also disconcerting were the comments by Republicans after their filibuster in which they gloated about payback. That, too, is wrong. It does our Nation and our Federal Judiciary no good when they place their desire to engage in tit-for-tat over the needs of the American people. I rejected that approach while moving to confirm 100 of President Bush's judicial nominees in just 17 months in 2001 and 2002.

Like Caitlin Halligan, Sri Srinivasan has had an exemplary legal career and has the support of legal professionals from across the political spectrum. Born in Chandigarh, India, he grew up in Lawrence, KS, and earned his B.A., with honors and distinction, from Stanford University. He also earned his M.B.A. from the Stanford Graduate School of Business along with his J.D., with distinction, from Stanford Law School, where he was inducted to the Order of the Coif. At Stanford Law School, Sri Srinivasan served as the Note Editor of the Stanford Law Review. After completing law school, he clerked for Judge J. Harvie Wilkinson III on the U.S. Court of Appeals for the Fourth Circuit and for Justice Sandra Day O'Connor on the U.S. Supreme Court.

Sri Srinivasan has experience in private practice, where he served as a partner and chaired the Appellate Practice at O'Melveny & Myers LLP. He has also served in the Office of the Solicitor General during both the Bush and Obama administrations, where he is currently the Principal Deputy Solicitor General. He has argued more than 25 cases before the U.S. Supreme Court and several cases before the U.S. Courts of Appeal. The ABA Standing Committee on the Federal Judiciary unanimously rated him "well qualified" to serve on the D.C. Circuit, its highest rating. The Judiciary Committee reported him a week ago by a unanimous 18-to-0 vote. That means every single Republican on the committee who had a chance to review the nominee's record and to ask him questions supported him.

He was first nominated almost 1 year ago—a longer wait than any other current judicial nomination. His Committee hearing was delayed by 4 months from when I first planned on holding it, at the request of the Republicans. Sri Srinivasan has waited long enough, and, given his unanimous support in Committee, there was no reason to delay his confirmation. The Senate confirmed 18 of President Bush's circuit nominees within a week of being reported by the Judiciary Committee, while not a single one of President Obama's circuit nominees has received a floor vote within a week of being reported. Senate Democrats even allowed a vote on a controversial Fourth Circuit nominee within just 5 days of being reported. By that standard, there is no reason not to vote now on Sri Srinivasan. When confirmed, he will be the first Asian American in history to serve on the D.C. Circuit, and the first South Asian American to serve as a Federal circuit judge.

But, regrettably, even after their unwarranted filibuster of Caitlin Halligan, and even after their efforts to delay Sri Srinivasan's confirmation, Senate Republicans are expanding their efforts through a "wholesale filibuster" of nominations to the D.C. Circuit by introducing a legislative proposal to strip three judgeships from the D.C. Circuit.

I am almost tempted to suggest they amend their bill to make it effective whenever the next Republican President is elected. I say that to point out they had no concerns with supporting President Bush's four Senate-confirmed nominees to the D.C. Circuit. They did this even though for the previous President—a Democrat—they said we had too many judges there. But as soon as a Republican came in they suddenly found the need and did confirm four judges to the D.C. Circuit. Those nominees filled the very vacancies for the 9th, 10th, and even the 11th judgeship on the court that Senate Republicans are demanding be eliminated

now that President Obama has been re-elected by the American people. In other words, filling those seats was okay with a Republican President but not okay with a Democratic President. The target of this legislation seems apparent when its sponsors emphasize that it is designed to take effect immediately and acknowledge that "[h]istorically, legislation introduced in the Senate altering the number of judgeships has most often postponed enactment until the beginning of the next President's term" but that their legislation "does not do this." It is just another one of their concerted efforts to block this President from appointing judges to the D.C. Circuit.

In support of this effort, Senate Republicans are citing a subcommittee hearing they held back in 1995 on the D.C. Circuit's caseload in an attempt to eliminate the 12th seat during President Clinton's tenure. They are fond of citing the testimony of Judge Laurence Silberman, a Reagan appointee, that he felt the 12th seat was not necessary. What Senate Republicans do not mention is that Judge Silberman believed that 11 judgeships was the proper number on that Circuit, and that the notion that the D.C. Circuit should have only nine judges was "quite farfetched." I would echo those comments, and note that it is beyond farfetched that the same Senate Republicans who cite Judge Silberman's view on the 12th seat are ignoring the rest of his statement and seeking to reduce the court to eight seats. In fact, we have already acted to eliminate the 12th seat from the D.C. Circuit. What Senate Republicans are now proposing during this President's tenure is the elimination of the 11th, 10th, and 9th seats, as well.

In its April 5, 2013 letter, the Judicial Conference of the United States, chaired by Chief Justice John Roberts, sent us recommendations "based on our current caseload needs." They did not recommend stripping judgeships from the D.C. Circuit but state that they should continue at 11. Four are currently vacant. According to the Administrative Office of U.S. Courts, the caseload per active judge for the D.C. Circuit has actually increased by 50 percent since 2005, when the Senate confirmed President Bush's nominee to fill the 11th seat on the D.C. Circuit. When the Senate confirmed Thomas Griffith—President Bush's nominee to the 11th seat in 2005—the confirmation resulted in there being approximately 119 pending cases per active D.C. Circuit judge. There are currently 188 pending cases for each active judge on the D.C. Circuit, more than 50 percent higher.

This falls into a larger pattern that we have seen from Senate Republicans over the past 20 years. While they had no problem adding a 12th seat to the D.C. Circuit in 1984, and voting for President Reagan and President George

H.W. Bush's nominees for that seat, they suddenly "realized" in 1995, when a Democrat served as President, that the court did not need that judge. When Judge Merrick Garland was finally confirmed in 1997, many Senate Republicans voted against him, because they had decided that the 11th seat was also unnecessary. Senate Republicans then refused to act on President Clinton's final two nominees to the D.C. Circuit, one of whom now serves on the Supreme Court.

In 2002, during the George W. Bush administration, the D.C. Circuit's caseload had dropped to its lowest level in the last 20 years. During that Republican administration, Senate Republicans had no problem voting to confirm President Bush's nominees to the 9th, 10th, and 11th seats. These are the same seats they wish to eliminate now that Barack Obama is President, even though the court's current caseload is consistent with the average over the past 10 years. Maybe they are suggesting people work harder and more effectively if there is a Democrat in the White House than a Republican, but I suspect they may have a different motive. Even on its own terms, it is apparent this has nothing to do with caseload; it has everything to do with who is President.

Contrary to what Senate Republicans are arguing, the D.C. Circuit does not even have the lowest caseload in the country. The circuit with the lowest number of pending appeals per active judge is currently the Eighth Circuit, to which the Senate recently confirmed a nominee from Iowa, supported by the ranking Republican on the Senate Judiciary Committee. I do not recall seeing any bills from Senate Republicans to eliminate that seat.

So I think it depends more on politics than on judicial independence, and that is not a path to follow. The Federal courts have been too politicized as it is. There have been more filibusters and more blocking of judicial nominations by President Obama, than of nominations by any President of either party in the past. It makes me wonder, what is different about this President from all these other Presidents that he is given such a more difficult time—even the blocking, the filibustering of judges supported by home State Republican Senators.

This kind of political faldral with our Federal judiciary has come at a price. The Federal judiciary is losing the perception of independence it had before because it is being seen as being politically manipulated, even though virtually every Federal judge I have met—almost every Federal judge I have met—nominated by either a Republican or a Democratic President has shown independence.

The public gets a view otherwise, especially when they see a number of judicial vacancies where nominations

have been made and even nominees who get through the Judiciary Committee unanimously or virtually unanimously then have to wait for months and months, even a year, to finally get a vote, and then only after we have either had a cloture vote or a threat of a cloture vote.

As I have said, I was Chairman of the Senate Judiciary Committee for 17 months at the beginning of President George Bush's term, and we put through 100 of his nominees. Now, in the other 30 months of his first term, with Republicans in charge, they did better. They put through 105. My point being, of course, that we actually moved his judges faster even than Republicans did when they were in the majority. But now the willingness to cooperate demonstrated there has broken down. Now the rules that worked for a Republican President, we are told, cannot apply for a Democratic President—especially this President.

Moreover, the unique character of the D.C. Circuit's caseload means that it is misleading to compare its caseload to that of the other Circuits as part of this effort to eliminate its judgeships. The D.C. Circuit Court of Appeals is often considered "the second most important court in the land" because of its special jurisdiction and because of the important and complex cases that it decides. The Court reviews complicated decisions and rule-making of many Federal agencies, and in recent years has handled some of the most important terrorism and enemy combatant and detention cases since the attacks of September 11. These cases make incredible demands on the time of the judges serving on this Court. It is misleading to cite statistics or contend that hardworking judges have a light or easy workload. All cases are not the same and many of the hardest, most complex and most time-consuming cases in the Nation end up at the D.C. Circuit.

Former Chief Judge Harry Edwards has said:

[R]eview of large, multi-party, difficult administrative appeals is the staple of judicial work in the D.C. Circuit. This alone distinguishes the work of the D.C. Circuit from the work of other Circuits; it also explains why it is impossible to compare the work of the D.C. Circuit with other Circuits by simply referring to raw data on case filings.

Former Chief Judge Patricia Wald has written:

The D.C. Circuit hears the most complex, time-consuming, labyrinthine disputes over regulations with the greatest impact on ordinary Americans' lives: clean air and water regulations, nuclear plant safety, health-care reform issues, insider trading and more. These cases can require thousands of hours of preparation by the judges, often consuming days of argument, involving hundreds of parties and interveners, and necessitating dozens of briefs and thousands of pages of record—all of which culminates in lengthy, technically intricate legal opinions . . . The nature of the D.C. Circuit's caseload is what sets it apart from other courts.

Judge Laurence Silberman has said: "I very much agree . . . as to the unique nature of the D.C. Circuit's caseload, and therefore do not believe a direct comparison to the other circuits is called for."

And Chief Justice Roberts, who formerly served on the D.C. Circuit, has noted that "about two-thirds of the cases before the D.C. Circuit involve the federal government in some civil capacity, while that figure is less than twenty-five percent nationwide," and that less time-consuming "prisoner petitions which make up a notable portion of the docket nation-wide on other courts of appeals—are a less significant part of its work." He also described the "D.C. Circuit's unique character, as a court with special responsibility to review legal challenges to the conduct of the national government."

The arguments now being made by Senate Republicans to eliminate three seats on the D.C. Circuit are not based on the reality of that court's caseload. Even if we do make these misleading comparisons to other circuits, the arguments ultimately do not withstand scrutiny since other circuits have caseloads that are lower than the D.C. Circuit's. And most do not have the complexity of the cases that come to the D.C. Circuit. So the D.C. Circuit's need for judges will not be met by Sri Srinivasan alone. We must work hard to fill the three additional vacancies currently on that court so the D.C. Circuit can have its full complement of judges to decide some of the most important cases to the American people.

Some have called the D.C. Circuit a court second only to the Supreme Court in its importance. Let's not politicize it. Let's not say here is this rule that applies to a Republican President, and we want an entirely different one with a Democratic President. That does not do the court any good, it does not do the country any good, and it actually is beneath this great body, the U.S. Senate.

Sri Srinivasan is a superbly-qualified, consensus nominee. I am glad the Republican filibuster has come to an end and the Senate is being permitted to vote on this nomination. I will, again, vote in favor of confirmation.

Mr. President, I understand we have a vote scheduled for 2 o'clock.

The PRESIDING OFFICER. The Senator is correct.

Ms. KLOBUCHAR. Mr. President, I come to the floor today in support of the nomination of Sri Srinivasan to the D.C. Circuit Court.

Mr. Srinivasan is an exemplary nominee to the Federal bench, and I am here to encourage my colleagues to confirm him without delay.

Sri Srinivasan is currently the Principal Deputy Solicitor General at the Department of Justice and was previously a partner at the law firm of O'Melveny & Myers LLP.

Born in India, Mr. Srinivasan grew up in Lawrence, KS, and earned his B.A., with honors and distinction, his M.B.A., and his J.D., Order of the Coif, all from Stanford University. After completing law school, Mr. Srinivasan served as a clerk on the U.S. Court of Appeals for the Fourth Circuit, and then for Justice Sandra Day O'Connor on the U.S. Supreme Court.

Mr. Srinivasan has extensive Federal appellate court experience representing pro bono clients, private sector clients, and, in his current post, the U.S. government.

Over the course of his 17-year legal career, Mr. Srinivasan has argued an impressive 24 cases before the U.S. Supreme Court and 9 cases in the Federal courts of appeal. His arguments before the Supreme Court include a wide range of subject matters ranging from the First Amendment, criminal procedure, and foreign sovereign immunity to banking, immigration, and Native American law.

If confirmed, Mr. Srinivasan will be the first Asian American in history to serve on the D.C. Circuit, and the first South Asian American to serve as a Federal circuit judge, which is a very significant milestone.

The non-partisan American Bar Association committee that reviews every Federal judicial nominee gave Mr. Srinivasan its highest possible rating. And a group of solicitors general and principal deputy solicitors general of the United States wrote a letter saying that "Sri has first-rate intellect, an open-minded approach to the law, a strong work ethic, and an unimpeachable character."

In addition to his professional accomplishments, Mr. Srinivasan has dedicated substantial time to teaching, mentoring and pro bono representation.

His achievements as a public servant and a private attorney are outstanding, and if confirmed, I have no doubt that he will serve as a committed and distinguished member of the Federal bench.

Mr. Srinivasan has received considerable praise from all parts of the legal community including former Supreme Court Justice Sandra Day O'Connor.

In an interview with *The New Yorker* last year, Ms. O'Connor said she remembers Sri, "as a very skilled, intellectually gifted clerk." She went on to say that Mr. Srinivasan deserves a smooth ride to confirmation. She said, "he's not anybody who's been politically active, he's been very serious in his work habit, and people have had an ample opportunity to see his work."

With a strong vote of confidence from Sandra Day O'Connor, an esteemed former Supreme Court Justice, Mr. Srinivasan has garnered the one of greatest endorsements any nominee to the Federal bench can receive in my view.

Not only is Mr. Srinivasan remarkably credentialed and widely supported, he is nominated to serve on one of the most important courts in the Nation, a court that currently has four of its eleven judgeships vacant.

The D.C. Circuit is widely regarded as the second-most important court in the United States, behind only the U.S. Supreme Court, because of the complexity and significance of the cases it decides.

The court has significant responsibility in deciding cases regarding the balance of powers of the branches of government and actions by Federal agencies that affect our health, safety, and industry.

With the court's current vacancies, the D.C. Circuit caseload per active judge has increased 50 percent from 2005, when the Senate confirmed a nominee to fill the eleventh seat on the D.C. Circuit bench.

Vacancies on this court should only be filled by the best and the brightest legal minds in the country—those who have demonstrated the most sophisticated legal and analytical skills, those who have committed their careers to justice, and those who personify professional excellence and impeccable character.

Based on his impressive qualifications and stature in the legal community, it is clear that Mr. Srinivasan embodies those ideals. I strongly support his nomination to the D.C. Circuit Court.

Mr. DURBIN. Mr. President, I rise to speak in support of the nomination of Sri Srinivasan to serve on the D.C. Circuit Court of Appeals.

There is no question that Mr. Srinivasan has the qualifications and experience to be an outstanding Federal judge. He earned undergraduate, business and law degrees from Stanford. He clerked for Supreme Court Justice Sandra Day O'Connor. He worked at the prestigious law firm O'Melveny & Myers where he chaired the firm's appellate practice group. He has worked for nearly a decade in the United States' Solicitor General's office, where he currently serves as the Principal Deputy Solicitor General. He has argued 20 cases before the United States Supreme Court and worked on many more briefs before that court.

Mr. Srinivasan has also been praised for his independence and his integrity. He has worked for the Solicitor General's office under both Democratic and Republican administrations. His nomination has been strongly endorsed by former Democratic Solicitors General such as Walter Dellinger, Seth Waxman and Neal Katyal, and by former Republican Solicitors General such as Paul Clement, Ted Olson and Ken Starr.

Mr. Srinivasan was reported out of the Judiciary Committee in a unanimous vote. Democrats and Republicans from across the ideological spectrum

came together to support his nomination.

I would also note that Mr. Srinivasan's nomination is a historic one. Upon confirmation he will be the first Indian-American to serve on a Federal circuit court. I am glad that the Senate is soon going to vote on Mr. Srinivasan's nomination. This vote is coming not a moment too soon.

The D.C. Circuit urgently needs the Senate to confirm judges to serve on that court. Right now, there are only 7 active status judges on the D.C. Circuit. There are supposed to be 11.

This vacancy situation is untenable. Retired D.C. Circuit Judge Patricia Wald, who served as the chief judge of the Circuit for 5 years, recently wrote in the Washington Post that "There is cause for extreme concern that Congress is systematically denying the court the human resources it needs to carry out its weighty mandates."

In 2010 the President nominated another well-qualified attorney, former New York solicitor general Caitlin Halligan, to serve on the D.C. Circuit, but she was filibustered twice by Senate Republicans.

There were no legitimate questions about Ms. Halligan's qualifications, her judgment, her temperament, or her ideology. She was filibustered simply because some lobbying interests—mainly the gun lobby—did not agree with positions she argued on behalf of her client. She eventually withdrew her nomination.

It is truly unfortunate that Ms. Halligan's nomination was filibustered to death. She deserved better. She would have served with distinction on the Federal bench.

The Senate urgently needs to address the vacancy situation on the D.C. Circuit. We can start by confirming Mr. Srinivasan. We should then work to confirm other qualified nominees to fill vacancies in the D.C. Circuit and across the Federal judiciary.

I urge my colleagues to vote in favor of Mr. Srinivasan's nomination.

I yield the floor.

Mr. LEAHY. Mr. President, I do not see anyone else seeking recognition.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. LEAHY. Madam President, I yield back the remainder of my time and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of

Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit?

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. FLAKE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 136 Ex.]

#### YEAS—97

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Baucus	Harkin	Portman
Begich	Hatch	Pryor
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Blunt	Heller	Risch
Boozman	Hirono	Roberts
Brown	Hoeven	Rockefeller
Burr	Inhofe	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Scott
Chambliss	Kaine	Sessions
Coats	King	Shaheen
Coburn	Kirk	Shelby
Cochran	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Thune
Corker	Lee	Toomey
Cornyn	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Crapo	McCain	Vitter
Cruz	McCaskill	Warner
Donnelly	McConnell	Warren
Durbin	Menendez	Whitehouse
Enzi	Merkley	Wicker
Feinstein	Mikulski	Wyden
Fischer	Moran	
Franken	Murkowski	

#### NOT VOTING—3

Boxer	Flake	Lautenberg
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

#### AGRICULTURAL REFORM, FOOD, AND JOBS ACT OF 2013—Continued

The PRESIDING OFFICER. The majority leader.

Mr. REID. I have spoken to the managers of the bill, and they have one vote scheduled right now. They expect—they hope—they can have a couple more today, maybe even three today, but they are not sure. It will have to be done by consent. They are confident they can get that done. We will have to wait and see.

When this vote is over, we should have in the near future an idea of what we are going to finish today. If we are here and we have a few more votes, it should not be past 5:00. We will see. We are going to finish today sometime—hopefully soon.

A decision is being made as to what we are going to do when we get back. The managers of this bill are trying to come up with a finite list of amendments. They hope to be able to do that today.

Then we will make a decision on whether we are going to move to immigration when we get back or wait a week. I have spoken to the Gang of 8 today, and they are going to give me some indication of what they want to do. I have also spoken to the chairman of the committee, and that decision should be made very soon. We will have a vote on the Monday we get back.

#### AMENDMENT NO. 923

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 923, offered by the Senator from California, Mrs. FEINSTEIN.

Mrs. FEINSTEIN. Madam President, this amendment is offered on behalf of Senator MCCAIN and myself.

Ladies and gentlemen, tobacco is not just another crop. It is the largest preventable cause of cancer deaths in this country. Exactly 443,000 people die every year. It costs Medicaid an additional \$22 billion.

In 2004 a special assessment of \$9.6 billion was authorized to buy out tobacco farms in the United States. That has 1 more year to run.

We subsidize tobacco crop insurance. We should not. This country should become tobacco-free. It will save lives.

I urge you to support this amendment.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. I speak in opposition to the amendment.

Let me say to my dear friend from California, whom I really respect, the tobacco buyout was not paid by taxpayers, it was paid by the tobacco companies. It happened several years ago. The only program tobacco farmers participate in today is crop insurance, like every other agricultural product in America. Without that safety net, those farmers can't go to the bank and get capital to plant their crops.

Although I think we can all agree that tobacco is not healthy for you, some Americans make the decision to do it because it is legal. Eliminate the American tobacco farmer and you will replace them with tobacco grown in Zimbabwe and Brazil—around the world. If we want to outlaw tobacco, let's have that vote, but don't walk away and believe that a vote eliminating crop insurance is going to change the health care of the American people as it relates to this product.

I urge my colleagues to vote against this amendment.

The PRESIDING OFFICER. All time has expired.

Mrs. HAGAN. Madam President, I request 1 minute.

The PRESIDING OFFICER. Is there objection?

Mrs. FEINSTEIN. I request 1 minute to respond to Senator BURR, if I may.

The PRESIDING OFFICER. Is there objection to the request, as modified?

Without objection, it is so ordered.

The Senator from North Carolina.

Mrs. HAGAN. Madam President, I too rise to express strong opposition to the amendment. This amendment would prevent our tobacco growers from being eligible for Federal crop insurance. This amendment would do significant harm to the small tobacco farmers in North Carolina and in other parts of the country. There are 2,000 farmers in North Carolina who would be affected, and it would be devastating to them and their families. Without access to crop insurance, they wouldn't be able to borrow money from the banks to receive financing.

It does nothing to alter the amount of tobacco used in our country. Demand will be filled by foreign imports, probably from Brazil and other countries. It would put our American farmers out of work.

For all of these reasons, I urge my colleagues to vote no on this amendment.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, we are not talking about eliminating crop insurance. There are plenty of crops that don't have crop insurance, but this crop does. We are talking about eliminating the Federal subsidy, which amounts to \$30 million-plus a year for crop insurance.

With respect to my distinguished friend and colleague on the other side of the aisle, I misspoke once today. This is an assessment from the tobacco industry. I thought I straightened that out. But the assessment that paid for the buyout of \$9.6 billion is what I am speaking of.

But this is a Federal subsidy on crop insurance. You can still get crop insurance, but it won't be federally subsidized.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Michigan (Mr. LEVIN) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. FLAKE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 52, as follows:

[Rollcall Vote No. 137 Leg.]

#### YEAS—44

Ayotte	Hatch	Murray
Baldwin	Heinrich	Reed
Blumenthal	Heller	Risch
Brown	Johnson (SD)	Rockefeller
Cantwell	Johnson (WI)	Sanders
Cardin	Kirk	Schatz
Carper	Klobuchar	Schumer
Casey	Lee	Shaheen
Coats	Manchin	Toomey
Collins	McCain	Udall (CO)
Crapo	McCaskill	Udall (NM)
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murkowski	

#### NAYS—52

Alexander	Fischer	Nelson
Barrasso	Graham	Paul
Baucus	Grassley	Portman
Begich	Hagan	Pryor
Bennet	Harkin	Reid
Blunt	Heitkamp	Roberts
Boozman	Hirono	Rubio
Burr	Hoever	Scott
Chambliss	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Stabenow
Coons	Kaine	Tester
Corker	King	Thune
Cornyn	Landrieu	Vitter
Cowan	Leahy	Warner
Cruz	McConnell	Wicker
Donnelly	Moran	
Enzi	Murphy	

#### NOT VOTING—4

Boxer	Lautenberg
Flake	Levin

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, through no one's fault but my own, I got here a couple of minutes late for the last amendment, the vote on the Feinstein amendment. I would have voted aye had I gotten here in time.

The Senator from Michigan.

Ms. STABENOW. Madam President, I ask unanimous consent that the following first-degree amendments be in order to be called up: Hagan No. 1031, and Durbin-Coburn No. 953; that we have 5 minutes of debate on the Hagan amendment, that there be 10 minutes allotted to Senators Durbin and Coburn for their amendment, and I reserve 5 minutes I would control on their amendment; that we have a vote then at 3:15, and that when we vote in relation to the amendments we proceed to the votes in the order listed; that no second-degree amendments be in order to either amendment prior to the votes; that there will be 2 minutes equally divided between the votes; and then finally, upon disposition, Senator MERKLEY will be recognized.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. Madam President, we have no objection.



The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Carolina is recognized.

AMENDMENT NO. 1031

Mrs. HAGAN. Madam President, I ask unanimous consent to call up amendment No. 1031.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mrs. HAGAN] proposes an amendment numbered 1031.

Mrs. HAGAN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To authorize the use of the insurance fund to reduce fraud and maintain program integrity in the crop insurance program)

On page 1076, between lines 17 and 18, insert the following:

**SEC. 110. CROP INSURANCE FRAUD.**

Section 516(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1516(b)(2)) is amended by adding at the end the following:

“(C) **REVIEWS, COMPLIANCE, AND PROGRAM INTEGRITY.**—For each of the 2014 and subsequent reinsurance years, the Corporation may use the insurance fund established under subsection (c), but not to exceed \$5,000,000 for each fiscal year, to pay the following:

“(i) Costs to reimburse expenses incurred for the review of policies, plans of insurance, and related materials and to assist the Corporation in maintaining program integrity.

“(ii) In addition to other available funds, costs incurred by the Risk Management Agency for compliance operations associated with activities authorized under this title.”.

Mrs. HAGAN. Madam President, I rise today to offer an amendment to make sure we are doing all we can to prevent fraud and abuse in the Federal Crop Insurance Program. The issue of fraud in this program hit home for me in March of this year when the Justice Department announced a \$100 million crop insurance fraud case in eastern North Carolina, the largest ever of its kind. Forty-one defendants were found guilty and many are serving prison time for profiting from false claims for losses of soybeans, tobacco, wheat, and corn.

Following this incident I regularly have farmers coming up to me, telling me they are nervous, nervous that the actions of a few bad actors will lead the Federal Government to cease providing crop insurance assistance. In these difficult budget times, these are valid concerns. For Federal assistance to continue, the integrity of these programs must be rock solid. Crop insurance fraud not only harms the integrity of Federal safety net programs and increases the cost to taxpayers, it also drives up the cost of the insurance program for our honest, law-abiding farmers.

The amendment I am offering would provide additional tools to the Risk

Management Agency to analyze and combat fraud, waste, and abuse. The Risk Management Agency can expand the sampling requirements to test for and address the concerns with these improper program payments. This is in accordance with the Federal Improper Payments Information Act and the Improper Payments Elimination and Recovery Act, as recommended by the office of the inspector general. The Risk Management Agency can increase the number of reviews of the approved insurance providers conducted each year. Currently we are able to review only about one-third of these providers due to our resource constraints. It also will provide additional support for data-mining activities to detect the fraud and abuse in the program and develop proactive underwriting and loss adjustment applications to minimize the scope for such activities to occur.

The farm bill before us now includes extensive reforms to create a host of new safety net programs. As the complexity of these programs grows, the resources needed to oversee these programs are actually shrinking. This amendment will provide the resources necessary to proactively detect and combat fraud and abuse. Funding for this amendment will come out of the general savings contained in the underlying bill. The cost of this amendment is minimal and I believe this investment will generate substantial savings for taxpayers, expanding our efforts to tackle the fraud and abuse in the crop insurance program. Protecting the integrity of these programs is critical to ensuring the safety net programs are available for the vast majority of our farmers who are honest, and to avoid undermining public confidence in these programs.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Madam President, I support the amendment offered by the Senator from North Carolina. This amendment would provide additional support for data-mining activities to detect fraud. It would develop proactive underwriting and loss adjustment applications to minimize the scope for such activities to occur. It would help reduce improper payments through better controls and reviews of policies. All of these will result in saving taxpayer money and ensuring program integrity in the long run.

I urge approval of the amendment.

The PRESIDING OFFICER (Ms. WARREN). Who yields time?

The Senator from Illinois.

AMENDMENT NO. 953

Mr. DURBIN. Madam President, how much time remains for the Durbin-Coburn amendment?

The PRESIDING OFFICER. Ten minutes.

Mr. DURBIN. Please notify me when I have used 2 minutes.

The PRESIDING OFFICER. Yes, the Chair will.

Mr. DURBIN. The Durbin-Coburn amendment says this: We have the Crop Insurance Program in America. Farmers buy crop insurance because they could have a drought, flood, lose their crop, or the market price could fall down to nothing, so they buy insurance to cover the loss. However, it isn't really insurance as we understand insurance. It is not like fire or auto insurance because farmers don't pay enough in premiums to cover the actual losses paid out by crop insurance.

In fact, the farmer's contribution to crop insurance is only 38 percent of the actual premium cost. Who pays the rest? Hold up your hand, America. All the taxpayers in this country subsidize crop insurance—62 percent. What did it cost us last year? Over \$7 billion, and then an additional \$1 billion to administer the program.

Here is what this amendment says: We stand behind crop insurance. We believe in crop insurance, but for that tiny 1 percent of farmers across America making over \$750,000 a year, their Federal subsidy will be cut from 62 percent, on average, to 47 percent. They can afford it, and over the span of 10 years we will save over \$1 billion. That is money we can better spend either to reduce our debt or on critical programs for this country.

I want farmers to have crop insurance, but I want those who are doing so well in this system and getting hundreds of thousands of dollars of Federal subsidy to show a little bit of sacrifice on their part. Keep this program sound and keep it fair. The Durbin-Coburn amendment moves in that direction.

I urge my colleagues to vote for this amendment.

I yield the floor to my friend from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, 4 percent of the farmers in this country receive 33 percent of the benefits from crop insurance. I don't think it could be said any better than Senator DURBIN has said it. The point is, what we ought to do is make sure there is a safety net, and crop insurance is the way to do that. But like every other program, we eventually are going to ask those who have more to participate more.

I have the location and how much the top five farmers in this country actually get. The No. 1 farmer in the country gets \$1.9 million worth of subsidies a year. All we are going to do is cut his subsidy to \$1.6 million. His income is far in excess of \$750,000.

The No. 2 farmer is from Washington State. We will cut his subsidy from \$1.7 million to \$1.4 million, and, of course, he made far more than that in the last year and in the previous years.

No. 3, located in Minnesota, we are going to cut from \$1.6 million to \$1.4

million. We are still going to subsidize \$1.4 million a year for this one individual who is going to make in excess of \$2 million this year.

All we are asking is to appropriately limit the benefits that are coming from borrowed money against our children's future for the very wealthy in this country.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, while I very much appreciate the amendment of Senator DURBIN and Senator COBURN, I urge my colleagues to oppose this amendment.

Crop insurance is insurance, and the farmer gets a bill not a check. They get a bill. The question is whether we are going to provide a discount so it is an affordable policy.

We ended subsidies through direct payments. We want them to move to a voluntary system of crop insurance. The bill they get has to be a bill they can afford to be able to provide the coverage, and then there is no payout unless they have a loss, such as a flood, drought, or whatever has happened. It is insurance.

There are several reasons this is not the same vote the Senate took last year on this amendment. With the historic agreement to attach conservation compliance to crop insurance—potentially reducing the acres and numbers of producers covered by crop insurance—will only reduce the environmental benefits and could lead to draining wetlands and plowing highly erodable land.

Let me say this another way: Of course most of the crop insurance goes to the largest farmers because they have the most land to insure. Just by definition, the larger the insurance policy, the more they are trying to cover. The question is—and the reason conservationists and environmentalists have come together—is because they want the large tracts to become conservation compliant.

There is even more environmental impact on the large tracts than on the small tracts, which is why we saw this historic agreement between 30-some different farm, environmental, and conservation groups to say: We will support crop insurance, but you have to do conservation compliance on all of the land.

Limiting crop insurance support to producers will cause producers with large pieces of land to leave the insurance system, losing the conservation benefits and possibly increasing the costs, again, to smaller providers. If everybody is not in, then the cost goes up for who is in.

In fact, we know if we take the largest purchasers out, it is estimated we could see premiums go up nearly 40 percent for those who are currently in the system, and we are more likely to go back to ad hoc disaster assistance.

In the drought of 2012, one of the worst on record for U.S. farmers, there were no calls for our crops to receive ad hoc disaster assistance. The corn, wheat, soybean growers, and others across the country were able to survive. Why? Because of crop insurance, and it worked.

I urge colleagues to take a second look at this. We are talking about preserving a historic agreement that came together around conservation compliance. We want to make sure all of the land that is in crop insurance is covered, and we are protecting our soil and water.

I ask for a “no” vote on the amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. The No. 1 person who cares about the environmental quality of their land is the farmer. The bigger the farmer, the more they care.

The No. 4 farmer, as far as crop insurance in the country, farms 105,000 acres. The average farmer in Oklahoma has 160 acres. They will make an economic decision, and if a 15-percent bump in their premium will cause them to go out, they will go out. But they will not go out because it is too much of a sweetheart deal. We are still going to pay almost half of their crop insurance—50 percent.

Does anybody else have that kind of deal going? Nobody else has that kind of deal going.

What we are saying is, let's save some money and ask those who are more well endowed with benefits and profits to pay a fairer share of what they should be paying based on the benefits they get.

The one thing the chairwoman didn't say is these are the guys who collect the big bucks when there is one. They do pay a portion of it, but their payouts are hundreds of times higher than the average farmer.

They will make an economic decision, and they are not going to walk away from this because it is still—even at 48 percent—too sweet of a deal for any of them to walk away. There is no study that says they will walk away.

Wait and see. If they walk away, Senator DURBIN and I will walk down and offer mea culpas on the Senate floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. I appreciate the confidence my friend from Oklahoma has about what business decisions will be made. Let's assume they don't walk away from crop insurance; they will be walking away from conservation compliance if they are not required to do that.

If this agreement falls apart—and it is an agreement that was delicately put together with over 30 different farm organizations, as well as conservation and environmental folks, to work together to support crop insur-

ance. But to require environmental compliance—they may or may not make decisions about crop insurance. I do know if they do leave, the folks in the program, which are small- and medium-sized programs—as a matter of economics, like any other kind of insurance—will see their costs go up. We do know that.

We also have this broader question that relates to the large farmers the Senators are talking about where the benefit to having comprehensive conservation compliance for our country is a benefit we want to make sure we keep intact. It would be undermined with the passage of this amendment.

Mr. COBURN. Madam President, how much time remains?

The PRESIDING OFFICER. Senators DURBIN and COBURN have 5 minutes remaining, Senator HAGAN has 1 minute remaining, and Senator STABENOW has 1 minute remaining.

Mr. COBURN. Let me just make the point. The large farmers I know in Oklahoma really don't want the government telling them what kind of agreement they are going to have with their crop insurance and environmental things. We already have a ton of rules.

What I do know is there is nobody in Oklahoma who cares more about the environment than our farmers. I disagree there is a disconnect if we limit the crop insurance subsidy to the very large farmers in Oklahoma and that they are not going to do what is in the best interests of the environment since it is a benefit to their own economic well-being.

We understand a deal was cut to get us to where we are on the bill, and we are not trying to disturb that. We don't want to disturb that, but we cannot continue to subsidize the very well heeled in this country to the same level that we try to protect those who are marginal. We just cannot do it.

We could have made this a whole lot different. We could have lowered it even lower. We didn't do that. The average median family income in this country is less than \$60,000. We are talking about almost 15 times more than the average family in this country makes, and saying: If you make more than that, maybe you could take a little trim off the subsidy of your crop insurance. That is not an unfair question.

I yield to my colleague from Illinois. Mr. DURBIN. I thank the Senator from Oklahoma.

Let's get it straight: Every farmer buying crop insurance gets a subsidy. The question is, How big is the subsidy? Is it 62 percent of the actual premium cost—that is what they are all receiving now—or will it be 47 or 48 percent, which is what we are suggesting, for 1 percent of the farmers, of the wealthiest farmers.

How many farmers are we talking about? There are roughly 2 million

farmers in America. The people we are talking about number 20,000. There are 20,000 farmers who would be affected by our amendment. One would think we are about to destroy agriculture in America. There are 2 million farmers, and all of them get a subsidy.

Senator COBURN and I are saying: Let's nix the subsidy for the wealthiest. What we hear is that is too much to ask—it is too much sacrifice. I don't think so.

One example in Illinois—and I will not read the examples from other Midwestern States—a corn and soybean grower received \$740,000 in premium subsidies to cover the crops he planted in my State in 18 counties. There are 102 counties in Illinois. We would cut his subsidy from \$740,000 to \$639,000. Does anyone think he will notice? Does anyone think he will stop buying crop insurance on what he has planted in 18 counties? I don't think so.

At a time when we are asking people in the Head Start Program to make a sacrifice across America, can we at least ask for a little bit of a sacrifice from the 20,000 of the wealthiest farmers out of 2 million? I don't think it is asking too much.

Madam President, I ask that the amendment be called up for consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Illinois, [Mr. DURBIN], for himself and Mr. COBURN, proposes an amendment numbered 953.

The amendment is as follows:

(Purpose: To limit the amount of premium subsidy provided by the Federal Crop Insurance Corporation on behalf of any person or legal entity with an average adjusted gross income in excess of \$750,000, with a delayed application of the limitation until completion of a study on the effects of the limitation)

On page 1101, between lines 5 and 6, insert the following:

**SEC. 11. LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.**

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11030(b)) is amended by adding at the end the following:

“(9) LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.—

“(A) DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term ‘average adjusted gross income’ has the meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(a)).

“(B) LIMITATION.—Notwithstanding any other provision of this subtitle and beginning with the 2014 reinsurance year, in the case of any producer that is a person or legal entity that has an average adjusted gross income in excess of \$750,000 based on the most recent data available from the Farm Service Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508B, or section 508C issued on behalf of the producer

for a reinsurance year shall be 15 percentage points less than the premium subsidy provided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.

“(C) APPLICATION.—

“(i) STUDY.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Government Accountability Office, shall carry out a study to determine the effects of the limitation described in subparagraph (B) on—

“(I) the overall operations of the Federal crop insurance program;

“(II) the number of producers participating in the Federal crop insurance program;

“(III) the level of coverage purchased by participating producers;

“(IV) the amount of premiums paid by participating producers and the Federal Government;

“(V) any potential liability for participating producers, approved insurance providers, and the Federal Government;

“(VI) different crops or growing regions;

“(VII) program rating structures;

“(VIII) creation of schemes or devices to evade the impact of the limitation; and

“(IX) administrative and operating expenses paid to approved insurance providers and underwriting gains and loss for the Federal government and approved insurance providers.

“(ii) EFFECTIVENESS.—The limitation described in subparagraph (B) shall not take effect unless the Secretary determines, through the study described in clause (i), that the limitation would not—

“(I) significantly increase the premium amount paid by producers with an average adjusted gross income of less than \$750,000;

“(II) result in a decline in the crop insurance coverage available to producers; and

“(III) increase the total cost of the Federal crop insurance program.”.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, it was my understanding that the consent was for the Hagan amendment and then the Durbin-Coburn amendment. So if we could proceed in that order—

The PRESIDING OFFICER. That is the order in which they will be voted.

Mr. COBURN. Madam President, I ask for the yeas and nays on our amendment and yield back our time.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

**AMENDMENT NO. 1031**

Ms. STABENOW. Madam President, I ask for the yeas and nays on the Hagan amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are so ordered.

Ms. STABENOW. We yield back all time.

The PRESIDING OFFICER. If all time is yielded back, the question is on agreeing to amendment No. 1031.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Nevada (Mr. REID) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE), the Senator from Nevada (Mr. HELLER), and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 138 Leg.]

**YEAS—94**

Alexander	Franken	Murphy
Ayotte	Gillibrand	Murray
Baldwin	Graham	Nelson
Barrasso	Grassley	Paul
Baucus	Hagan	Portman
Begich	Harkin	Pryor
Bennet	Hatch	Reed
Blumenthal	Heinrich	Risch
Blunt	Heitkamp	Roberts
Boozman	Hirono	Rockefeller
Brown	Hoeven	Rubio
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Scott
Casey	Kaine	Sessions
Chambliss	King	Shaheen
Coats	Kirk	Shelby
Coburn	Klobuchar	Stabenow
Cochran	Landrieu	Tester
Collins	Leahy	Thune
Coons	Lee	Toomey
Corker	Levin	Udall (CO)
Cornyn	Manchin	Udall (NM)
Cowan	McCain	Vitter
Crapo	McCaskill	Warner
Cruz	McConnell	Warren
Donnelly	Menendez	Whitehouse
Durbin	Merkley	Wicker
Enzi	Mikulski	Wyden
Feinstein	Moran	
Fischer	Murkowski	

**NOT VOTING—6**

Boxer	Heller	Lautenberg
Flake	Inhofe	Reid

The amendment (No. 1031) was agreed to.

**AMENDMENT NO. 953**

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 953, offered by the Senator from Illinois, Mr. DURBIN.

Who yields time?

The Senator from Illinois.

Mr. DURBIN. Madam President, I am cosponsoring this amendment that says the wealthiest 20,000 farmers in America will pay slightly more for their crop insurance so the program will be a sound program for all farmers.

I urge my colleagues, in the name of deficit reduction and making this a good program, to vote yes on the Durbin-Coburn amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I would urge a “no” vote for a number of reasons, but let me simply say the problem with increasing crop insurance premiums by about 40 percent, which is what this does, is we are going to reduce participation in crop insurance,

reduce coverage, and drive up premiums. Most important for me, we have a historic agreement to tie crop insurance to conservation compliance, and this would undermine that effort.

I would urge a “no” vote.

Before proceeding, I wish to thank everyone for their good work up to this point and announce there will be no further votes. The next vote will be at 5:30 p.m. on the Monday we return, and we will proceed and complete the bill. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 953.

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Arizona (Mr. FLAKE), the Senator from Nevada (Mr. HELLER), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “nay.”

The PRESIDING OFFICER (Mr. COONS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 33, as follows:

[Rollcall Vote No. 139 Leg.]

#### YEAS—59

Ayotte	Franken	Murray
Baldwin	Graham	Nelson
Begich	Grassley	Paul
Bennet	Hatch	Portman
Blumenthal	Heinrich	Reed
Brown	Johnson (SD)	Reid
Burr	Johnson (WI)	Rubio
Cantwell	King	Schatz
Cardin	Kirk	Schumer
Carper	Klobuchar	Scott
Casey	Lee	Sessions
Coats	Levin	Shaheen
Coburn	Manchin	Tester
Collins	McCain	Toomey
Coons	McCaskill	Udall (CO)
Corker	Menendez	Udall (NM)
Cornyn	Merkley	Warren
Cruz	Mikulski	Whitehouse
Durbin	Murkowski	Wyden
Feinstein	Murphy	

#### NAYS—33

Barrasso	Gillibrand	McConnell
Baucus	Hagan	Moran
Blunt	Harkin	Pryor
Boozman	Heitkamp	Risch
Chambliss	Hirono	Roberts
Cochran	Hoeben	Sanders
Cowan	Isakson	Shelby
Crapo	Johanns	Stabenow
Donnelly	Kaine	Thune
Enzi	Landrieu	Warner
Fischer	Leahy	Wicker

#### NOT VOTING—8

Alexander	Heller	Rockefeller
Boxer	Inhofe	Vitter
Flake	Lautenberg	

The amendment (No. 953) was agreed to.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 978

Mr. MERKLEY. Mr. President, I ask unanimous consent that the pending amendment be set aside and that my amendment No. 978 be called up.

Mr. COCHRAN. Mr. President, I object to the request.

The PRESIDING OFFICER. Objection is heard.

Mr. MERKLEY. Mr. President, I regret that we have heard an objection to pulling up this amendment. Many may not understand that to pull up an amendment and to have it considered in the Senate takes unanimous consent. All 100 have to agree.

My colleague has objected, making it impossible to consider an amendment that should be debated here on the floor of the Senate because this amendment is about good policy and good process.

Not so long ago, in the continuing resolution, a provision was slipped in by the House of Representatives. Because this was a must-pass bill under tight time constraints, it also slipped through the Senate with no debate. And what did this legislation do, the Monsanto protection act? This legislation does something that I think most would find astounding. It allows the unrestricted sale and planting of new variants of genetically modified seeds that a court has ruled have not been properly examined for their effect on other farmers, the environment, and human health.

Obviously, this raises a lot of concerns about the impact on farmers and the impact on human health, but there is even more. The fact that the act instructs the seed producers to ignore a ruling of the court is equally troubling. It raises profound questions about the constitutional separation of powers and the ability of our courts to hold agencies accountable to the law and their responsibilities.

I can tell my colleagues that this process and this policy has provoked outrage across the country. When I held townhalls in Oregon after this happened, at every townhall it was raised by farmers concerned that this would endanger the crops they were growing and hoped to export overseas. I have received over 2,200 letters on this topic.

I am very hopeful that when we come back next week, we can have a full debate on this amendment, that it won't be objected to, and that certainly there will be no opportunity of any kind for this policy to be extended because it hurts a process of holding our departments accountable for enforcing the law, and it provides a policy of overriding the court order designed to protect other farmers, to protect the environment, and to protect human health, and that is absolutely unacceptable.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I would like to respond to my friend Mr. MERKLEY.

This act, which I would think would more properly be called the farmer assurance act, was passed by both the House and the Senate and signed into law by President Obama in March of 2013, March of this year.

Many have claimed it was never publicly debated and it was slipped into the bill by the House of Representatives, as my good friend said on the floor a minute ago, and passed the Senate without debate. Now, this was a big bill, I will admit that, and there was a lot of debate.

While that would certainly be, I am sure, what Mr. MERKLEY believes happened, I don't think the facts would bear that out. In fact, this language originated, as he said, and was passed by the House after it was debated in committee, and it was posted for several months. This was not mystery language.

In fact, on June 6, 2012, the House publicly posted their resolution that included this in the Agriculture appropriations bill. It was available on the House Web site from that point on. Section 733 of the House bill is identical to the farmer assurance language included in the final fiscal year 2013 appropriations bill that was passed by the Congress.

On June 19, 2012, the House Agriculture appropriations bill was passed out of committee. That bill included this exact language. That was June 19, 2012.

The continuing resolution, actually, on the AG/FDA—the Agriculture, Rural Development, Food and Drug Administration—bill included a coming together of these two bills.

The CR—the continuing resolution—included items in the Senate bill that dealt principally with agricultural research that the House didn't have, and there were provisions in the House version like this one that the Senate accepted.

The language was publicly available and posted as part of the agreed-to appropriations bill for 9 days before the vote.

A week before the vote, Senator TESTER filed an amendment which is exactly like the amendment we just heard about today because it would have struck this provision. On that same day, Senator TESTER spoke at length on the floor about his amendment. This was a week before the continuing resolution was passed.

I don't mind having a debate about the provisions. I do mind the idea that somehow nobody knew about this. Now, I can't watch the debate for every Member of the Senate and say: Here is what you should have been paying attention to that one of our colleagues said, but it was fairly substantial and took some time, and it was a week before we voted.

By the way, nobody in the Senate proposed this provision. Nobody put it in the House bill, as some have contended. But I do think this provision, as it turns out, this policy, protects farm families. That is why it was supported by the American Farm Bureau Federation, the American Council of Farmer Cooperatives, the American Soybean Association, the National Association of Wheat Growers, the Congressional Hunger Center, the National Corn Growers Association, and others.

Many have incorrectly claimed that this language gives priority to the needs of a small number of businesses over the rights and needs of the American consumers. I don't think that is true either. This provision doesn't protect any seed company—Monsanto or Pioneer Seed—or even the U.S. Department of Agriculture. It would help the family who planted a crop that was legal to plant.

My mom and dad were dairy farmers. The one thing I do know about the farming cycle is that once you have made a decision to plant a crop, it is usually too late to plant another one, and there are times when it is absolutely too late to plant another crop. So what does your family do that year when the crop the government told you you could plant, some Federal judge decides you can't plant it, only to have maybe another—in the few cases where this has happened—other Federal judges later say that the first Federal judge was wrong and that those crops were legal to be planted and legal to be harvested.

Both challenges, by the way, were about what environmental impact this might have if something happened from one property to another. There was never a question in those two cases about the safety of the food.

This provision allows the Secretary of Agriculture to create a way for those farm families to sell that crop, but it doesn't require the Secretary do that.

Remember, the U.S. Department of Agriculture has already said: This is a crop that we have deregulated. It has heavily regulated these kinds of crops until the Secretary of Agriculture says it is not, and when the Secretary of Agriculture says it is not, then anybody who wants to can plant these crops. This gives the farmers and their families the assurance that a legally planted crop is likely to be able to be harvested.

In addition, the authority granted to the USDA in this language was only temporary. It was in the House bill, and it lasts until September 30 of this year. The Secretary of Agriculture said he already had the authority. It didn't seem to me that the return for ag research and other things we had in our bill—that repeating the authority the Secretary of Agriculture said he had and had used was a bad thing.

It basically tells the Secretary of Agriculture: If you agree with the court, by the way, and don't think you did your job and you don't intend to appeal the case, you don't have to do anything that allows a crop to be harvested. But if you still think you were right and you are going to appeal that case, you have the authority, if you want to use it, to figure out how to let that crop be harvested for that year and that time.

USDA can determine at any time that a biocrop should not be approved, and USDA can pull its approval on a crop that it has approved. FDA also has to approve the food value of these things before they can go into food.

This language doesn't require USDA to approve biotech crops. It doesn't prevent individuals from suing the government over a biotech crop approval. Ultimately, this language simply codifies the authority the Secretary believes he had.

As recently as May 9 of this year, Secretary Vilsack testified before the Appropriations Agriculture Subcommittee and said this language "doesn't necessarily do anything I can't already do. We're going to make these decisions based on the science and based on the law, which is the way they ought to be made."

Unfortunately, if you took a quick search of the Internet, you wouldn't find out these facts. But we have the advantage that we can search actually what the law said, not what somebody else said it might have said.

These provisions protect farm families and their livelihoods, and that is why they are supported by some groups I have already mentioned and some I haven't: the American Farm Bureau Federation, National Council of Farmer Cooperatives, National Soybean Association, National Association of Wheat Growers, the Congressional Hunger Center, National Corn Growers Association, National Cotton Council, American Sugarbeet Growers Association, the Agriculture Retailers Association, the Biotechnology Industry Organization, the American Seed Trade Association, and many other groups.

Facts are stubborn, and the law here is easy to find and read, and it doesn't say anything about protecting anybody because, frankly, you can't sue these companies anyway. They sold you a legal product. The only people protected here are the people who have put the seeds in the ground. A farmer can't put those seeds in the ground in August or September and expect to harvest a crop that year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I would like to take a few moments to thank colleagues for their work this week, to thank my partner Senator COCHRAN and both of our staffs, who have been working very hard to com-

plete the process of this very important jobs bill called the farm bill.

Let me take a moment to remind everyone that we are talking about 16 million jobs in America that come because of agriculture, because of what we do in the food industry altogether. It is incredibly important we complete this work. I am very confident when we come back into session in another week that we will complete our process.

I thank our majority leader and the Republican leader for their support in our moving through this process, and certainly our majority leader, Senator REID, who has been incredibly supportive in working with us and giving us the time to come directly from committee to the floor of the Senate and to work with colleagues through amendments on both sides of the aisle to get this done. We are doing this the way we have always done it, which is in a bipartisan fashion, working through both Democratic and Republican amendments. At the end we will have produced what I believe is the most reform-minded farm bill in decades.

Let me also remind my colleagues we have before us a bill that is different than anything I can think of actually in terms of deficit reduction. We have a bill that has over \$24 billion in spending cuts put forward by our committee and supported by the communities that are affected—\$24 billion in deficit reduction, which is much more than we would be required to do if we went with the across-the-board cuts that have been so debated with the sequester. The Agriculture Department and the farm bill are responsible for \$6 billion in deficit reduction through the sequester. We have added four times to that amount in deficit reduction, but we are doing it in a smart, focused way, making tough decisions, setting priorities, eliminating subsidies that don't make sense anymore, and strengthening risk management, market-oriented programs.

We have debated, and will debate more, something called crop insurance, which I will remind my colleagues does not allow for someone getting a check. They get a bill. They pay for crop insurance. We do it in a partnership between the Federal Government and farmers to help them have affordable risk management. That is what we strengthen in this bill. We have been told by farmers all across the country that the most important risk management tool for them is insurance—crop insurance that is affordable.

We have also in this legislation done something that is historic, which is as we have moved from subsidies to insurance, we are tying conservation compliance to the purchase of insurance. This is a very important policy, and we have many groups—over 30 groups—that have come together, and I want to commend all the commodity groups

and the Farm Bureau and the Farmers Union and all those that came together, along with environmentalists and conservation organizations, to put a real priority on both a strong risk management system called crop insurance and a strong conservation policy called conservation compliance. This is a very important part of our bill as we look to savings.

Frankly, we have looked at savings in every single part of this bill. We have 12 different bills all put together called titles in this thing we call a farm bill, and we have looked at savings in each area of the bill. We have, for instance, taken a hard look at our conservation programs and decided that instead of 23 different kinds of programs, we actually could consolidate and streamline down to 13. We put them in four different buckets of activities, with a lot of flexibility, working with community groups and grassroots groups on conservation, and saw that we could save money, which we have done.

We listened to mayors and rural communities around Michigan and around the country—those who represent townships and counties—who said make sure you continue to have a strong rural economic development presence. Because once you get outside the cities in Michigan or around the country every community is partnering with rural development for business loans, water and sewer projects, transportation, firetrucks, police cars, housing, and all those efforts working through rural development. But we heard from our local officials that it was complicated. We currently, in law, have 11 different definitions of “rural.” That made no sense. They said: Could you please give us one? We looked through all the different programs and streamlined it and now we have one definition, so it is easier to work with, less paperwork, and it makes much more sense.

We have continued to strengthen the part of our agricultural economy called “specialty crops.” This is near and dear to me in Michigan—fresh fruits and vegetables and other areas that are very important to many States, including mine. The organic community is a fast-growing part of agriculture, and so we strengthen that as well.

We have looked from Mississippi to Michigan, California to Delaware, and everything in between, to make sure this is a bill that works for all parts of agriculture, and I am pleased to say we have been able to do that.

We have also made sure the energy title is strong, both in supporting farmers and ranchers who want to be focused on energy efficiency on the farm or the ranch, and also in expanding efforts beyond our traditional biofuel efforts to something that is near and dear to my heart which is called bio-based manufacturing.

We have very exciting opportunities in America. I know our Presiding Officer is as passionate about manufacturing as I am, and we now have the opportunity, working with our agricultural groups, to create ways to replace petroleum in plastics and other types of materials that we have today—synthetic fibers and so on—with agricultural by-products.

If you buy many of our great American automobiles today, you might find you are sitting on foam that is actually made from soybean oil instead of petroleum oil. So you might be sitting on soybeans in the seats. Many parts of the interior of the automobiles that folks are now buying actually have some kind of agricultural by-product, whether it is wheat chaff or corn husks or soybean oil. So we know we can use these new opportunities to not only create markets but create situations that are much better for our environment and that create jobs. This is a new and exciting part of what we are doing to expand opportunities through the energy title as well.

We also are very pleased and proud of the efforts around nutrition for folks in this country who, through no fault of their own, have found themselves hit hard by the economy. We want to make sure they continue to have the support they need around food assistance. That is absolutely critical, and I am pleased we have stood together in opposing very damaging amendments to the Supplemental Nutrition Assistance Program. Because just as crop insurance is important for our farmers when they have a disaster, food assistance is important for our families when they have a disaster. I think it reflects the best about us as Americans that we want to make sure we are providing that assistance.

We also are making sure we are doing more around farmers markets, and fresh fruits and vegetables in schools, making local food hubs a possibility so we have local farmers being able to come together to market their products as well.

There are many pieces in this farm bill that all relate back to jobs, all relate back to reforms we have put in place, and relate to making sure we have a continuation of the safest, most affordable food supply in the world here in America. When you go home tonight, if you sit down to have supper, thank a farmer. We all understand this is the riskiest business in the world, and the job of the farm bill is to provide support and risk management tools for our growers when they need them, but also to be great stewards of taxpayer dollars and to do what is right for rural communities across America and for families that need some temporary help as well.

There are many pieces, and I haven't even mentioned all of them. But I did want to remind people why we take the

time on the floor to work through these issues and these amendments. We have more work to do, but we see the light at the end of the tunnel. We will be putting together a list for final votes on amendments when we come back into session, and we are looking forward to doing that and to completing this effort.

Again, I would remind colleagues, we did this last year. The House did not do their job. They did in committee, on a bipartisan basis, but not on the floor. We did our job. Last time around I remember doing 73 different votes on this particular bill. We wrapped in almost every single one of those amendments that were passed into the bill we presented to the Senate this time, and we are continuing to work together on other amendments as well. But it will be time, when we get back, to bring this to closure and to once again demonstrate the Senate can work together on a bipartisan basis to do the right thing for the families and the businesses and the farmers and the ranchers we represent. Sixteen million people in this country are counting on us to get our job done, and I am sure we will.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am pleased to join my distinguished colleague from Michigan in predicting that we are moving in the right direction. We have covered a lot of important issues during the debate over the last couple of days and taken up a good many amendments. We have had recorded votes and free and full discussion of a lot of issues that are affected by this legislation, and I must say it has been a remarkable performance in terms of the subjects that have been covered and amendments disposed of. True progress has been made in developing what I think can be a very important contribution toward a legal framework and support structure to help enable American farmers to compete in the international marketplace and to sustain the jobs that flow from these important activities throughout the United States.

At a time when, in some places, jobs are hard to find, this is a job creator and it is a step toward strengthening our economy not just in rural America but throughout the country—in municipalities as well.

I hope everybody recognizes what a strong leader our committee chairman has become, as she has demonstrated in her performance as chairman of our committee. She has done an excellent job. I commend her and all of our colleagues on the committee for helping shape this product so it can be adopted by the Senate and signed into law by the President. I look forward to that day and to celebrating and helping salute those who have been responsible for this good work.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PORTMAN. Mr. President, I rise today to join my colleagues on both sides of the aisle in condemning the Internal Revenue Service for intentionally singling out dozens of non-profit organizations for no cause other than their political leanings. This is not an issue of Democrat versus Republican. Indeed, the actions of the IRS have brought rare bipartisan accord. There are lessons for us all in this scandal.

One is that a government that is too big, too powerful, and too all-encompassing is prone to overstep its bounds. It becomes unwieldy and inefficient. And sometimes, it tramples upon the rights of the people it is supposed to serve. We have seen those maxims in action over these last few weeks.

We have an IRS that targeted groups of American citizens, threatening them with the force of law and imprisonment, for no other reason than they had certain political affiliations. We know now the IRS selected these groups by zeroing in on certain words and phrases.

And what were these words and phrases that elicited such concern in the halls of the Internal Revenue Service? Words like "patriot" and "we the people."

It seems to me that we can draw only one of two conclusions from the actions of the IRS. Either some in the administration intentionally attempted to use the power of the Federal Government to target and cripple their political enemies, or they lack the competence to oversee a bureaucracy that has grown too big not to fail.

One thing is for sure, though. The reputation of the IRS has been tarnished in ways that will take years to repair, and it is imperative that we restore the trust that has been lost between the American people and our government. That work begins with getting to the bottom of this scandal.

We have many questions that need answers. Did these IRS officials act on their own, or did they have direction from their superiors? How high up does this scandal go? What did the White House know, and when did they know it?

This scandal comes as Washington is preparing to hand over even more power and authority to the IRS. It will be the IRS that enforces the mandates of the new health care law. It will be the IRS that will have control over some of our most private, personal decisions.

It is not too late to change course. But if we insist on placing the blame for the IRS's actions on a few low-level staffers without looking at the root cause of the abuse—corruption, or a government that, as the President's former Senior Advisor David Axelrod recently admitted, has become too vast to manage and oversee—then we will continue to witness scandals like this.

Big government comes with bigger problems, bigger scandals, and bigger dangers for our liberties. The Tea Party and organizations like it have been arguing that position since they were founded. And while I know there are some in this chamber that will hate to hear this, it turns out the Tea Party's fears were justified.

We need more than just an audit of what happened at the IRS. We have given the IRS every opportunity to deal with this issue internally. More than a year ago, Senator HATCH and I sent a letter to the IRS expressing our concerns about the targeting of conservative groups. We received a response assuring us that our concerns were unfounded.

We now know that this response was false, and perhaps intentionally misleading. Tuesday, former-Commissioner Steven Miller appeared before the Homeland Security and Government Affairs committee on which I serve. During that hearing, Mr. Miller claimed that while he had dispatched a team to investigate our concerns a month before he responded to our letter, the response was sent without input from that team. He claims he did learn that targeting had occurred, but not until a week after misinforming the Senate that all was fine. He said he was "outraged." And yet he never corrected the record, choosing instead to allow his false response to stand. At the very least we have a situation where the IRS, knowing what had happened a week after they sent a response saying everything was fine, refused to correct the Record. I believed them at the time. Unfortunately, we were misinformed. And yesterday, Lois Lerner, the head of the IRS's tax-exempt organizations division, declined to answer questions regarding this scandal, deciding instead to invoke her Fifth Amendment rights against self-incrimination.

Despite all this, the IRS asks us to trust them when they tell us that this scandal was simply the result of a few misguided, low-level employees, and that no senior officials were involved. With all due respect, I am done taking the IRS's word for it. We need an in-depth investigation, one that fully documents the what, when, and who of this scandal. Only when we get to the bottom of this incident can we begin to rebuild the bridge of trust between us as citizens and our Federal Government here in Washington, DC.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I come to the floor to talk a little bit about the farm bill which is before the Senate. Notwithstanding all the rhetoric we have had around the budget over the last 4 years or so around here, last year the Senate Agriculture Committee was the only committee, to my knowledge in either House, the Senate or the House, that passed a bipartisan deficit reduction plan. We did it together, Democrats and Republicans, working together on the committee with the various constituencies around the United States of America. That bill ultimately passed the Senate in a broad bipartisan vote right here on this floor.

The House of Representatives was unable, for whatever reason, to enact a version of the farm bill over there, which was an incredible disservice to rural America. Farmers in my State, ranchers in my State, the State of Colorado, faced an unprecedented drought throughout this entire period. Throughout the summer of 2012, when I was traveling the State, no one was talking about the Presidential election—particularly in these rural areas, which was on the mind of everybody in Washington. What they wanted to know was why a farm bill had not been passed and for good reason—because the Senate had passed a bill that was supported by both Republicans and Democrats, by producers of all types across the country, and it was a good piece of legislation.

Fast forward to this week, when the Senate Agriculture Committee has once again passed a bipartisan bill with meaningful deficit reduction. I thank Chairwoman STABENOW from Michigan and the ranking member Senator THAD COCHRAN for their leadership on this bill. This bill now has gone through two different ranking members on the Republican side and has been supported in a bipartisan way, as I said earlier. This farm bill, similar to the last version we passed, reflects the values and the process we want to see in other areas of our budget. We identify priorities in this bill. We streamline duplication in this bill. We break away from old, inefficient ways of doing business in this farm bill.

We eliminate direct payments in one of the most significant reforms we have seen in a farm bill in a very long time. These payments are issued to farmers regardless of economic need or market signals. We do away with that abuse. This bill prioritizes what is working for producers and it strengthens crop insurance as a result, which is what my farmers have said is most important to them.

I have spoken on this floor before about Colorado's battle against historic drought conditions. Some farmers lost over half their corn yields in 2012 alone. It is hard to imagine, when you think about it, any business losing half



of its production in 1 year, but that is what happened to Colorado's corn growers. Crop insurance is what is keeping farmers and rural economies in business and that is why this should be a priority. That is why this bill should have been passed 2 years ago when it first came to the floor of the Senate. It is why we should pass it next month.

Beyond crop insurance, another key highlight of this bill for those of us from Colorado is conservation. The title carries over the reforms from last year's bill, and this year's bill includes a provision to ensure that recipients of government-supported crop insurance comply with basic conservation requirements. This measure is the result of a historic agreement between the commodity groups and the conservation groups in this country. It is supported by a wide variety of stakeholders—from the Farm Bureau to the National Wildlife Federation.

This revamped conservation title is huge for rural America and for my State. It is critical for farming and ranching families looking to keep their land in agriculture generation to generation. It is incredibly important for our hunters and sportsmen. It is important for anybody—which is most of us—who cares about the long-term health of our soil, our air, and our water. These conservation measures help us improve the efficiency of production agriculture and improve the quality of the environment in farm country. We recognize that keeping these landscapes in their historical, undeveloped state is an economic driver for our entire State and for our entire region—for tourism, for wildlife habitat.

As I have traveled Colorado over the last several years, farmers and ranchers constantly were talking to me about the importance of conservation. They highlighted, in particular, conservation easements which provide Department of Agriculture assistance to help landowners who are interested in voluntarily conserving the farming and ranching heritage of their land.

I wish to spend a few minutes sharing stories that Coloradans have shared with me. This is a photo—you don't have this as much in Delaware. I know you have other things. Here is a photo of a ranch in Colorado, the Music Meadows Ranch. It is outside of Westcliffe, CO, elevation 9,000 feet.

I have a version of this picture in my office here in Washington. It is 4,000 acres. The rancher's name is Elin Ganschow. It is some of the finest grass-fed beef in the country, raised by Elin and her family at this ranch. Thanks to the Grassland Reserve Program, Elin's ranch now has a permanent conservation easement. It provides wildlife habitat for elk, mule deer, pronghorn antelope, black bear, and mountain lions, species prized by

Colorado sportsmen. They contribute millions of dollars to our State's economy, and she has been able to continue having her family ranch.

Thanks to an amendment adopted by the Agriculture Committee this year, we will see even more of these easements happen on high-priority landscapes such as the Music Meadows Ranch. I thank Chairwoman STABENOW and Senator COCHRAN for working so hard with me to get that amendment approved.

Private lands conservation such as this, the type aided by the farm bill, is absolutely critical for so many reasons. It is poorly understood in the East, but it is an incredibly important tool for those of us in the West to keep our family farms and ranches family farms and ranches and provide the habitat needed for our sportsmen and for tourism.

Here is another example of why this bill is so crucial for our sportsmen and outdoor recreation economy. This is a photo taken of a friend, John Gale, hunting pheasants in Yuma County, CO. The Conservation Reserve Program, CRP, provides important habitat for pheasants and other upland birds all across the country. The land surrounding this is all CRP land—everything you can see and far beyond that—and it has enabled this pheasant hunting to happen in our State.

The CRP program protects habitats in addition to holding in place highly erodible soil—something we have a lot of history with in Colorado. For instance, the soil in Baca County, CO, has over 250,000 acres enrolled in CRP. Baca County was absolutely devastated by the Dust Bowl of the 1930s, as chronicled in Tim Egan's "The Worst Hard Time," and other books. Thanks to CRP, Baca County has weathered recent droughts much better than it otherwise would have.

Healthy grasslands, open landscapes, and abundant wildlife are a fundamental part of what it is to be in the West. We need to preserve those grasslands, those open spaces, and those species, and that is what the conservation title of the farm bill does.

I strongly support this new conservation title as reported out of the committee in a bipartisan vote. I know some are going to try to amend this bipartisan consensus.

One of the great things about serving on the Agriculture Committee is there is so little partisanship. The differences we have are not Republican versus Democrat. We have some differences, but they tend to be regional and understandable. We have a way, a process, and the leadership to actually work through issues together. It would be nice if we did more of that around here.

I am worried there will be some amendments that will come forward, among other things, in the name of def-

icit reduction, which, as I mentioned earlier, is already reflected by this committee's work, unlike every other committee in the Congress.

As far as Lee amendment No. 1017 and No. 1018, I appreciate my neighbor's effort on deficit reduction. These programs repeal the important programs I talked about here on which our farmers and ranchers rely, and they keep our soil on the ground, not in our wind and air.

Lee amendment No. 1017 repeals the CRP program I spoke about earlier. I have been on this floor many times to talk about cutting our deficit. I am glad we have been part of a process which has actually led to deficit reduction. We need to put the entire budget under a microscope, including agriculture, to cut waste and eliminate redundancies.

Let me say again, including agriculture, the bill we have on this floor makes those cuts—\$24 billion in all. Some \$6 billion of these cuts come from conservation. Not all of those cuts are cuts I like, but I agreed to them in the package we were moving forward. We made difficult compromises at the committee level, and now we have a more efficient conservation title as a result that won support from both sides of the aisle. Over 650 conservation groups support the conservation title before us, and I urge my colleagues to support it and oppose amendments which would weaken the title and undermine the good work of Republicans and Democrats on the committee.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I rise today to discuss some of the amendments I offered to the 2013 farm bill. First of all, let me start by thanking the chairwoman and the ranking member for their leadership and listening to the voices of the members of the Agriculture Committee when it comes to reauthorizing the farm bill which is set to expire at the end of September. We have not been able to agree on all aspects of the farm bill, but our chairwoman and ranking member should, however, be recognized for their tireless work in getting a farm bill done this year.

One way or another, we need to move this process forward. We came close when the Senate passed a farm bill, but we were unable to get the House to move it. I hope this year we can complete the process and get a bill we can put on the President's desk so we are able to give the producers around this country the certainty they need when it comes to planting and making decisions about the future of their farming operations.

While this bill is commonly called the farm bill, the majority of spending is not for the agricultural producers.

The nutrition title of this bill, which is primarily food stamps, or what we refer to as SNAP, Supplemental Nutrition Assistance Program, accounts for 77 percent of the spending in the farm bill programs over the next 10 years. Let me repeat that: Seventy-seven percent of all spending in this farm bill doesn't have anything to do with production agriculture, but is in what we refer to as the nutrition title of the farm bill.

It is important we subject all areas of Federal spending to close examination, and that includes the nutrition title of the farm bill. There should be no exceptions.

I recently introduced legislation that will reform several components of the nutrition title and save more than \$30 billion from the \$760 billion nutrition title, and that is a 10-year number.

These commonsense reforms to SNAP generate significant savings without altering benefits to needy families. The SNAP is exceedingly complex. We should be vigilant to ensure that taxpayers' money is indeed going to help lift those in need out of poverty instead of going to ineffective programs that are mired in bureaucracy.

I have offered several parts of the amendments of this reform package to the farm bill currently on the floor. My amendment No. 991, which I hope to have an opportunity to get voted on after we return following next week, reforms the nutrition, education, and obesity prevention grant program. While well-intended, the current structure of this program funnels 52 percent of the funding to only four States. This is an inequitable use of funds which should be spent more equitably among program participants.

My amendment restructure of these grants will allow the States to receive up to \$5 per SNAP enrollee indexed for inflation. Five dollars is the median value of what is currently spent on this education program per capita across all the States.

This amendment in no way limits the capacity of the States to leverage those dollars with their own funding to deliver more nutrition education services. By reforming these grants, all recipients of SNAP benefits will have more equal access to nutrition education and obesity prevention resources that will help them make healthy choices when shopping on a budget.

This amendment will save \$2 billion over the next 10 years without impacting SNAP's benefits for those in need. Again, I want to stress this: Reforming this program does not affect the true mission of SNAP, which is providing food assistance to needy families. There is nothing in this amendment that changes eligibility requirements for SNAP benefits. Even after this nutrition education program is reformed, approximately \$250 million a year will

still be available to the States for these education programs.

The priority of the SNAP should be providing food assistance to needy families while they work to get back on their feet. Unfortunately, the nutrition, education and obesity grant program has become so partial to just a few large States that these States are expanding the use of these grants to fund lobbying campaigns instead of reaching out to educate SNAP families on making healthy choices while shopping on a budget.

Clearly, this program is in need of reform. Making commonsense changes to the SNAP shows the American people we are holding each Federal program up to the light and making sure the taxpayers' money is being spent for the public good.

Again, these are largely administrative changes to the SNAP that do not impact SNAP benefits for those who are truly in need of food assistance. A \$2 billion cut represents less than 1/2 of 1 percent of what the Federal Government will spend on SNAP over the next 10 years.

I ask my colleagues on both sides of the aisle to join me today in telling the American people we are committed to program integrity and quality among SNAP beneficiaries.

In the course of the next few weeks when we get back on this bill, I look forward to engaging my colleagues in a fair and open debate about how we can improve all farm bill programs that strengthen the stability and safety of our Nation's food supply for the next 5 years and beyond.

This is a commonsense amendment that saves us a couple of billion dollars which we can add to the savings in this bill in a time when we have rising deficits and debt and budgetary constraints we are operating with.

I hope we will be able to come together in the interest of reform—reform that actually targets the administrative costs of a program and does not impact benefits that are so needed for people who truly do need food assistance. I hope to get that amendment voted on when we return to the bill.

The second amendment I want to mention today is another one I have filed, and that deals with the commodity title of the farm bill.

Last year this body passed a farm bill by a vote of 64 to 35. This was a farm bill that most of us believed offered a level of reform we could support and defend to the American taxpayer.

Several of my colleagues and I pointed out in the Agriculture Committee debate that we have deep concerns regarding what we believe is a step backward in the commodity title of this bill with the creation of the Adverse Market Payments, or what we now call the AMP Program.

This program takes us a step backward from last year's farm bill by re-

creating a program with countercyclical payments and fixed target prices which the Senate farm bill completely eliminated last year.

Our concerns are not crop specific, but they are policy specific. Most Agriculture Committee members were told by our producers that they don't need an additional commodity title program, and that a sound crop insurance program is a much higher priority.

My amendment No. 1092 is a response to the wishes of most of the farmers in the United States. It simply strikes the newly created and unneeded Adverse Market Payments or AMP Program and places peanuts and rice back into the ARC Program. To put it simply, this amendment restores the reform-minded, market-oriented commodity title included in the farm bill we passed in the Senate last year.

This amendment also saves taxpayers more than \$3 billion relative to the bill that is on the floor today.

High target prices are an outdated concept from past farm bills. They distort planning decisions, raise trade compliance issues, and they are not an effective use of limited taxpayer dollars.

While I appreciate the work our chairwoman and ranking member have put into this farm bill, I believe the inclusion of target prices is a step backward from a market-oriented farm policy that is anchored by a strong crop insurance program.

I urge my colleagues to support this amendment that recaptures the level of reform we achieved in last year's farm bill, and at the same time saves more than \$3 billion over the bill that is on the floor today.

Both of these amendments have been filed. I hope as the debate moves forward we can get these amendments up and voted on.

If we are serious about moving farm policy in this country in a direction of reform that is market oriented and is about the future and not the past, then this commodity title amendment makes all the sense in the world and, again, saves \$3 billion over the bill that is on the floor today.

I simply say with regard to the nutrition title amendment that too saves a couple of billion dollars. It makes reforms that I think create greater efficiency in the food stamp program and helps to address what I think is a very serious need which I think we all need to be aware and conscious of in the times we are in, and that is the out-of-control spending and out-of-control debt we are passing on to our children, grandchildren, and future generations. Passing a farm bill to achieve the highest level possible of additional savings, to me, seems to be a very high priority, and both of these amendments address those particular objectives.

I look forward to getting these amendments hopefully voted on when we return.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COWAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. I ask unanimous consent that the following amendments be in order: Moran No. 987 and Coons-Johanns No. 1079; that at 5:30 p.m. on Monday, June 3, the Senate proceed to votes in relation to the two amendments in the order listed; that there be no second-degree amendments in order to either amendment prior to the votes, and that there be 2 minutes equally divided between the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. Mr. President, in recent years the farm bill has changed and become more about welfare than providing a safety net for America's agriculture producers. Because this is so frustrating to me, I offered an amendment that would have restored the integrity of the farm bill. It would have cut the food stamp program by about \$250 billion over ten years and converted it into a discretionary block grant. I am disappointed the Senate rejected my amendment by a vote of 36-60.

But the crop insurance program remains the heart of the farm bill. Many of my colleagues believe it is appropriate to reduce the program's effectiveness by imposing means testing and other limitations on participation. These restrictions are counterproductive and result in crop insurance becoming more expensive for family farmers. I agree there are many issues that should be addressed to make the farm bill more about farming, but I am opposed to efforts to limit the effectiveness of the crop insurance program.

#### VOTE EXPLANATION

• Mrs. BOXER. Mr. President, I was unable to attend four roll call votes that occurred on May 23, 2013. Had I been present, I would have voted yea on the confirmation of Srikanth Srinivasan to be U.S. Circuit Judge, yea on Feinstein amendment No. 923 to end the Federal crop insurance subsidy for tobacco, yea on Hagan amendment No. 1031 to reduce fraud in the crop insurance program, and yea on Durbin amendment No. 953 to reduce crop insurance premium subsidies for those earning over \$750,000 annually in adjusted gross income. •

#### MORNING BUSINESS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate

proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Michigan.

#### SEQUESTRATION

Mr. LEVIN. Mr. President, I wish to start by thanking Senator WHITEHOUSE who has shown such strong leadership on the issue we are going to be discussing this afternoon, which is how do we get out of the sequestration box we are now in. I also wish to thank him for joining with me in sponsoring the Cut Unjustified Tax Loopholes Act, which could do so much to address the problems we will be discussing today, including the need to move forward on solutions to our budget deficit and to ending sequestration.

I ask unanimous consent that following my remarks, the Senator from Rhode Island be recognized for his remarks on this subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, at the beginning of March, when Congress's failure to reach a compromise on deficit reduction triggered sequestration, some in Congress were ready to declare victory. "Sequestration will take place . . . [and] I am excited," said one Member of the House of Representatives. "It's going to be a home run," said another Member of the House of Representatives. "This will be the first significant tea party victory," said a third Member of the House of Representatives.

Well, sequestration may be a victory for the tea party, but it isn't a victory for the American people. It is not a victory for the men and women of our military and their families.

Over the past 2 months, the Senate Armed Services Committee has heard testimony from our highest ranking military leaders, including the Chairman of the Joint Chiefs of Staff, the Army Chief of Staff, the Chief of Naval Operations, the Air Force Chief of Staff, the Commandant of the Marine Corps, and the Combatant Commanders who are responsible for our forces in Afghanistan and Korea and around the world. Each of these military leaders told us that continued sequestration will damage our security and harm the troops they lead.

General Dempsey, the Chairman of the Joint Chiefs of staff, warned us:

If sequestration occurs, it will severely limit our ability to implement our defense strategy. It will put the Nation at greater risk of coercion, and it will break faith with men and women in uniform.

He warned us that continued sequestration would "destroy" military readiness. General Amos, the Commandant of the Marine Corps, told us: "Sequestration will leave ships in ports, air-

craft grounded for want of necessary maintenance and flying hours, units only partially trained and reset after 12 years of continuous combat, and modernization programs canceled." The result, he stated, would be "a lapse in American leadership."

General Odierno, the Chief of Staff of the Army, told us:

Sequestration will result in delays to every one of our 10 major modernization programs, the inability to re-set our equipment after 12 years of war, and unacceptable reductions in unit and individual training. . . . It will place an unreasonable burden on the shoulders of our soldiers and civilians. . . . If we do not have the resources to train and equip the force, our soldiers, our young men and women, are the ones who will pay the price, potentially with their lives.

The Vice Chief of Staff of the Air Force warned:

Lost flight hours will cause unit stand-downs which will result in severe, rapid, and long-term unit combat readiness degradation. We have already ceased operations for one-third of our fighter and bomber force. Within 60 days of a stand down, the affected units will be unable to meet emergent or operations plans requirements.

The Vice Chief of Naval Operations told us:

In FY13, we will reduce intermediate-level ship maintenance, defer an additional 84 aircraft and 184 engines for depot maintenance, and defer eight of 33 planned depot-level surface ship maintenance availabilities. At our shore bases, we have deferred about 16% of our planned FY13 shore facility sustainment and upgrades, about \$1 billion worth of work. . . . By the end of FY13 . . . nearly two thirds of the fleet . . . will be less than fully mission capable and not certified for Major Combat Operations.

We rely on the men and women of our military to keep us safe and to help us meet the U.S. national security objectives around the world. We expect our men and women in uniform to put their lives on the line every day, but in return what we tell them is that we will stand by them, we will stand by their families, we will provide them the best training, the best equipment, and the best support available to any military anywhere in the world. Sequestration in fiscal year 2013 is already undermining that commitment to the men and women in the military and their families.

There may be a few people who, hearing all of this, might still consider sequestration a "victory." But members of the Armed Services Committee who have heard the testimony—Democrats and Republicans—believe the continued sequestration is a grave mistake.

These cuts will damage our military readiness, restrict our ability to respond when crisis erupts, and restrict our flexibility in confronting national security threats from Iran to North Korea to international terrorism. These cuts will cost taxpayers in the long run because maintaining our military readiness today is far less expensive than rebuilding our military readiness tomorrow after it has been squandered.

The devastating effects of sequestration are also felt in other of our agencies and departments. These effects are going to harm students and seniors and farmers and families across this Nation. Continued sequestration will set back our slow climb out of recession, as well as education and medical research and health care and public safety.

As former Defense Secretary Panetta told our committee in February:

It's not just defense, it's education, loss of teachers, it's childcare. . . . It's about food safety, it's about law enforcement, it's about airport safety.

The desire to avoid this outcome is, I believe, bipartisan. That is why it is so baffling to me that some of our Republican colleagues still refuse to allow us to take the necessary next step to avert this continued damage. By refusing to allow a House-Senate conference committee to meet—a meeting in which Members of both Chambers and both parties would work to resolve differences between the Senate- and House-passed budgets—a few Senate Republicans are objecting to the search for a solution to sequestration. For reasons I do not understand, they are objecting now to the normal budget process they previously urged us on with such energy to follow.

It is truly baffling because 2 months ago we heard from some Republicans that it was a travesty that we had failed to pass a budget. They called failure to pass a budget an outrage. Now that we have passed a budget, a few of our colleagues across the aisle are preventing us from going to conference so we can work out our differences with the House and finalize a budget.

Those colleagues want a guarantee in advance of a conference in which they will get their way on a number of issues or else, they say, they are going to prevent the conference from even occurring. They want the rules of the game to guarantee they are going to win even before they agree to play. The budget resolution is no game, but the analogy is apt.

I cannot understand the reasoning—I simply cannot understand that reasoning—but at a time when our national security is challenged on so many fronts and we face the effects of sequestration that I have outlined, this is not just illogical, it makes responsible governing impossible. It is harmful to our Nation. Getting to conference and working out our differences is simply essential.

I am very much encouraged that some of our Republican colleagues have come to the floor to point this out. They have spoken forcefully, admirably, courageously about the need for the Senate to move forward. They give me hope. Those Senate Republicans who have come to the floor and urged us to go to conference and urged

those who are blocking our move to conference to remove the blockage have a mission which I hope succeeds.

I have spoken on this floor on a number of occasions about what I see as the proper path to sensible deficit reduction, and that is the reverse of sequestration. A significant majority of Americans believes we need a balanced deficit reduction plan to dig us out of the hole we are in. Such an approach would include some additional discretionary budget cuts, but prudent, prioritized cuts, replacing the hatchet which is sequestration with a scalpel instead.

Such an approach would include reforms to entitlement programs, and it would include revenue. Budget experts of all ideological stripes know additional revenue must be part of our deficit solution. By closing unjustifiable tax loopholes, such as those my Permanent Subcommittee on Investigations has outlined in detail on a bipartisan basis, we can provide tens of billions of dollars for deficit reduction—deficit reduction that does not require us to raise the burden on working families or on the men and women in uniform who put their lives on the line to keep us safe. That kind of revenue will help us reverse sequestration—part of a solution to this budget crisis we are in.

A balanced approach to deficit reduction is the approach to the budget which this body passed on March 24. I hope this position prevails in conference when we get to conference with the House. I would hope the Senate position prevails. But I cannot even believe that Members of this body would consider obstructing the budget process until they were given a guarantee they could get their way. It is the wrong way to govern. Most of us know it. You cannot guarantee in advance of a conference that the conference is going to have your outcome. If you want to instruct conferees, fair enough, and that is what the effort has been here on the part of the Democratic majority leader. But for some Members of this body to insist that unless they are guaranteed they will get their way in conference or else they are going to block us going to conference is not the way we are able to get anything done here. If we all took that position, we would never get anything done.

This obstruction does a disservice to the men and women who serve in our military and to the people of this great Nation whom they protect. Their position is as damaging as it is illogical. I hope they will soon relent to logic, to the needs of the Nation, and end the objection to proceeding to conference with the House of Representatives, because that is the way we can try to work out our differences, finalize a budget, and take the necessary steps toward deficit reduction and the end of sequestration.

I thank our Presiding Officer.

Again, I thank Senator WHITEHOUSE. It is his initiative that brings us to the floor today. It is his initiative which has cast a light in so many ways on the budget dilemmas we face, but also the solution to these challenges.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, let me first thank Chairman LEVIN for the immense amount of work and passion and good thought he has put into trying to accelerate the day when we can say good riddance to the sequester. He sees firsthand, as chairman of the Armed Services Committee, how much damage the sequester is doing to the military, to the soldiers and sailors and airmen and marines who honor us by their service, to the talented and loyal civilians who support their efforts. But families all across the country also are feeling the painful consequences of this sequester.

Just in my small State, Rhode Island, 8,100 folks have already seen their weekly unemployment checks reduced by \$50. For a family struggling to get by, losing \$50 can hurt. Federal rental assistance has been eliminated for 500 low-income Rhode Island families, which may cause some even to lose their homes.

Economy-wide, our nonpartisan Congressional Budget Office estimates that the \$85 billion in sequester cuts this year will cost us 750,000 jobs nationwide. We have 12 million Americans out of work already. Why on Earth would we want to cut 750,000 more jobs?

As Chairman LEVIN said, it does not have to be this way. In fact, Leader REID tried twice to bring up measures that would get rid of the sequester, but twice Republicans filibustered. Now they refuse even to allow the process to go forward that would negotiate a solution through the regular legislative process. They will not even let us appoint Senators to negotiate a compromise between the Senate and the House budgets.

It has been 61 days since we passed our budget, and each time we try to move the process along, Republicans object. If their rule is: I have to have it my way before I am willing to enter into negotiations and I need a guarantee, I would like some of that deal too. I have some things I feel pretty passionately about, and if they want to play by those rules, then we should all be playing by those rules. If not, then let's follow the regular order and let the process of democracy work.

From government shutdowns to Federal default, the other party has a strategy: to manufacture one crisis after another, each time holding our economy hostage to demands for radical policies that the vast majority of the American people reject.

They demand the end to Medicare as we know it. The American people want

no part of that. They demand cuts to Social Security. The American people want no part of that. They refuse to close a single—not one, not a single—corporate tax loophole. Well, huge majorities of Americans want that to happen. But our friends do not care. They are extremists.

It is not just the American public, by the way, that rejects the extremist tea party agenda. So do economists. What economists say has been confirmed in practice by the experiences of other nations that followed the Republican austerity strategy.

Republicans say budget cuts are necessary to reduce the deficit, but their fervor ignores the established economic effect that has during a recovery. Right now, for every \$1 we cut, the economy shrinks by more than \$1. Their theory is when you cut \$1 in government spending, that releases the economy to grow more rapidly. Well, the fact is, during a recovery the exact opposite is true. The way this is measured is through an economic phenomenon called the fiscal multiplier.

There have been a number of recent studies that try to identify what the fiscal multiplier is right now, and they range from 1.4 to 3.7, which means that for every \$1 you cut, the economy takes a \$1.40 hit. There is an extra 40-cent harm for each \$1 cut to our national economy.

If this one is right, 3.7, then every \$1 cut is \$3.70 worth of harm to our economy. It is a multiplier of damage from government cuts. So shrink the GDP, which we do if we have a fiscal multiplier of 1, and collect less taxes. Less taxes means less of the deficit reduction that is supposedly achieved by the budget cuts. It is a vicious cycle that could keep our economy weak and our deficits high. We can go backward, and Europe proves it from Spain to Portugal to Greece.

Countries slashed their budgets and things got worse, double-digit unemployment and negative growth. We have a U.S. unemployment rate of about 7.5 percent. That is way too high, but it is way better than 27 percent in Spain, 27 percent in Greece, and 16 percent in Portugal. We had 2.3 percent growth last year. They had negative growth rates. Negative growth rates. Their economies contracted.

The evidence from the austerity experiment is in countries that cut the deepest hurt themselves the worst. As we can see, employment in the eurozone is worse by about 20 percent since the major austerity programs kicked in.

Over that same time period unemployment in the United States is better by about 25 percent. Their policies, unemployment worse by 20 percent; our policies, employment better by 25 percent. A lot of these Republican calls for harmful U.S. austerity cited a 2010 paper called "Growth in a Time of

Debt" by Harvard economists Reinhart and Rogoff. Republicans loved Reinhart and Rogoff. They cited them at least five dozen times on the House and Senate floors to justify their demands for budget cuts.

They cannot get enough of Reinhart and Rogoff. It turns out there is a big problem. There were numerous errors in Reinhart and Rogoff's computations; math errors, programming errors, dropping a column of data. Oh, oops. With the fiscal multiplier over 1, the best thing we can do to accelerate our recovery is to lift the harmful European-style sequester cuts. The Job Preservation and Sequester Replacement Act of 2013 would do just that, through September 30, giving us time to negotiate a broader compromise.

Cosponsored by Chairman LEVIN, Chairman HARKIN, Senator LAUTENBERG, Senator MERKLEY, Senator SCHATZ, and Senator WARREN, it would replace the sequester from the Buffet rule and from closing corporate tax loopholes, sensible tax changes that on their own we should do because they make the Tax Code fairer.

The Buffet rule would ensure that multimillion-dollar earners pay at least a 30-percent effective Federal tax rate. Last year we debated whether the top income tax rate should be 35 percent or 39.6 percent. But the fact is that many at the top, people making hundreds of millions of dollars in a single year, will not pay anything close to that rate. Why? Because the Tax Code is riddled with special provisions that favor ultra-high-income earners.

For example, investment income is taxed at the special rate of 20 percent. The so-called carried interest loophole allows billionaire private equity fund managers to pay this low rate. So many of them pay the same tax rate or even less than a hard-working average firefighter or brick mason in Rhode Island making \$50,000 a year. So at \$200 million a year, they are paying the same tax rate as folks making \$50,000 a year. The Buffet rule follows the common sense that people earning millions of dollars a year, even hundreds of millions of dollars a year, should pay higher tax rates than middle-class families. It would also cut the deficit by \$71 billion.

Another loophole, the so-called Edwards-Gingrich loophole, lets high-earning professionals dodge paying payroll taxes by calling themselves corporations. We close that too, saving another \$9 billion. We save another \$3 billion by going after a deduction that allows private jet owners to depreciate their planes faster than commercial aircraft are allowed to be depreciated, another commonsense change.

The fourth part of the proposal would contribute \$24 billion to lifting the sequester by ending tax breaks for Big Oil. Over the past decade, the five largest oil companies have reaped over \$1

trillion in profits. That is trillion with a "t"—\$1 trillion in profits. While they are making that massive profit, they nevertheless pull strings in Congress to keep billions of dollars a year that regular taxpayers have to cough up for them in tax giveaways. As with all of the elements in this bill, repealing Big Oil giveaways is something we should be doing anyway, just because it is the right thing to do.

Finally, we end a tax break for companies that ship jobs overseas. Believe it or not, the Tax Code allows manufacturers to indefinitely delay paying taxes on profits in overseas operations. Ending this unfair and un-American advantage would lower the deficit by another \$20 billion. Each one of those five reforms would make the Tax Code fairer for all Americans. They are each worth passing for that reason alone. They are embarrassments in our Tax Code. Getting rid of them could stop the sequester while Democrats and Republicans work together on a balanced deficit reduction package; that is, of course, if we could get Republicans to actually work with us and negotiate and go through the regular order they have claimed for so long to seek, to get to a balanced and negotiated deficit reduction package.

But as Chairman LEVIN pointed out, at the moment they refuse to even appoint conferees to begin the process. They want to be assured they will have it their way before they even begin to negotiate. As I said earlier in the speech, if that is the way they are going to behave, I want some of that action myself. I have many things I feel very strongly about.

I could be in a position to say I will not allow us to go to conference either until we are clear that we are never going to do chained CPI and put that burden on our Social Security-receiving seniors. I could do that and say we are never going to go to conference unless I get a guarantee that we are going to get a carbon fee so the big polluters are paying their share and we are not having to subsidize what they are doing to our atmosphere and oceans. I could say those things. Any one of us could say those things.

Mr. LEVIN. If the Senator would yield for a question, if that position were taken by all of us, that is a guarantee of inaction?

Mr. WHITEHOUSE. That is a guarantee of total gridlock and failure. That is why it is so important that no one in this body try to use that kind of hostage-taking extremist tactic, rather than allowing the regular order to continue.

Mr. LEVIN. Since I have interrupted the Senator, let me ask one additional question. I notice that even though the Senator's menu yields \$127 billion, that he only requires \$85 billion for the 1-year sequester replacement, which means that, for instance, if just the

Buffet rule were put in place, which is a tax fairness approach, plus the bottom one, a tax break for offshoring, those two items out of this menu—and there are many other items which are not on the Senator's menu, those two items alone could reverse sequester for 1 year?

Mr. WHITEHOUSE. Yes.

Mr. LEVIN. I wish to make one more comment about offshoring. My dear friend from Rhode Island knows that my permanent subcommittee has done a lot of work on the tax breaks for offshoring. In addition to what the Senator said about delaying the tax on profits, under our Tax Code, companies which move jobs overseas get a tax deduction for the cost of the moving?

Mr. WHITEHOUSE. They do.

Mr. LEVIN. If they are building a plant overseas, the cost of that plant can be deducted currently?

Mr. WHITEHOUSE. It can.

Mr. LEVIN. This is perhaps the most stunning thing I have learned fairly recently. It is even possible under our Tax Code for the cost of operations of that facility to be deducted currently, while the tax on the profits or the income of that operation is delayed, which means they can cut domestic taxes by the cost of running a foreign operation currently. That takes a little bit of gimmickry to do it, but that is what is going on. I just wanted to kind of fill in that one little element of some of these offshore bonanzas, these incredible loopholes that are in the Tax Code.

As the Senator from Rhode Island said, we should get rid of some of these things even if we had no deficit because, as the Senator put it, they are embarrassments.

Mr. WHITEHOUSE. Nobody has spent more time and more energy and put more effort into the way in which American income gets hidden offshore so people can avoid paying taxes and corporations can avoid paying taxes than Chairman LEVIN. He is our expert. There are indeed other loopholes that are exploited, primarily by corporations but also by very high-income taxpayers, hiding money in the Cayman islands, putting assets into Ireland and other tax havens, and refusing to treat them as American, even though it is nominally an American company. There are enumerable tricks.

I will close by making one point. Very often people look at what we are trying to accomplish, and even actually pretty honest reporters will say the Democrats actually want to raise taxes. That is the fight. Republicans want to cut spending; Democrats want to raise taxes. No. We raised taxes once already. We raised the rates for people over \$450,000 thousand a year in the last big agreement. What we want to do now is to go into the Tax Code and close down the loopholes. That is all we are looking for.

What most Americans do not understand is that if we look at how much money goes out the backdoor of the Tax Code through loopholes, through special rates, through exemptions and so forth, it is very nearly the same amount of money that is actually collected through the Tax Code and becomes the revenue of the United States of America. We let almost as much money out the backdoor of the Tax Code as we collect through the Tax Code. If we take a look at the areas where Chairman LEVIN has done so much good research, that money actually never gets into the Tax Code to go out the backdoor.

If we were to count that, in addition to the money that is allowed out the backdoor of the Tax Code, there is actually more that goes out the backdoor of the Tax Code and is avoided coming through the Tax Code than is actually collected as the revenues of the United States of America.

So it is a big number. The refusal of the Republicans to let us attack one single loophole, not one loophole—every loophole is sacred right now to them—I think is unjustified. I hope the people of America understand we are not looking at more tax rate increases; we are looking only at closing these loopholes. It is a rich field to pursue because more money goes through that than actually gets collected. You can bet, if you are an average American, that when those loopholes were being carved into the Tax Code, you were not in the room. The special interests were in the room.

That is why a lot of people want to defend them. But it is also a very good reason for making a more honest Tax Code that gets rid of these loopholes. But our friends want to crisis manufacture. They want to do crisis manufacture so they can force-feed on all of us bad economic ideas that Americans do not want. I think we need to resist that.

I yield to the chairman.

Mr. LEVIN. Again, if my friend would yield, the name of the bill which the Senator cosponsored is called Cut Unjustifiable Tax Loopholes.

There are plenty of tax deductions which are totally justified. Mortgage interest is justified, accelerated depreciation, there are all kinds of contributions.

Mr. WHITEHOUSE. Charitable deductions.

Mr. LEVIN. These are justifiable tax deductions. What we are talking about are the unjustifiable ones which shouldn't be there. As the Senator points out, we are not proposing tax rate increases. The way I phrase it is I am talking about collecting taxes which should be paid.

Mr. WHITEHOUSE. Yes.

Mr. LEVIN. Not increasing taxes or the rates for taxes, but collecting the taxes which, in all justice, really should be collected by Uncle Sam.

Mr. WHITEHOUSE. Let me thank the chairman for allowing me to join him today. He has shown great leadership in this area, and I am privileged to be here with him today.

I yield the floor.

#### IMMIGRATION

Mr. LEAHY. Mr. President, after several hearings and five lengthy markup sessions, the Senate Judiciary Committee Tuesday evening voted with a strong bipartisan vote of 13–5 to report the Border Security, Economic Opportunity, and Immigration Modernization Act to the full Senate. This vote demonstrated our commitment to bring millions of people out of the shadows and into American life by establishing a pathway to citizenship for the 11 million undocumented immigrants in this country. It addresses the lengthy backlogs in our current immigration system that have kept families apart sometimes for decades. It grants a faster track to the “dreamers” and to the agricultural workers who are an essential part of our communities and our economy. It makes important changes to the visas used by dairy farmers, tourists, and investors who create American jobs that spur our economy. It improves the treatment of refugees and asylum seekers so that the United States will remain the beacon of hope in the world.

I am immensely proud of the process through which the Judiciary Committee considered this bill. The Committee held more than 37 hours of debate in five markup sessions spread over almost 2 weeks. We considered 212 amendments offered by Republican and Democratic Senators, and voted to accept 141 of those amendments. The committee accepted amendments from nearly every member of the Judiciary Committee. Every Republican member but one offered amendments the committee voted to accept by a bipartisan majority. Senator CRUZ is the lone exception and his amendments were all defeated by bipartisan majorities.

Of the more than 300 amendments filed, more than 200 were debated. By contrast, during the committee's consideration of the Immigration Reform and Control Act of 1986, the number of amendments voted on was 11. In 2006, the committee's consideration of the Securing America's Borders Act voted on approximately 60 amendments. The quality of the debate and the effort that went into it is a testament to the committee and each of its members, even those who ultimately voted against the bill.

As Chairman of the Senate Judiciary Committee, I ensured more process and transparency than any previous committee consideration of immigration reform. Committee members filed their amendments 2 days before our first markup, giving members, their staffs

and the public ample time to review those amendments so they could be thoroughly debated. For the first time in the committee's history, amendments were posted online on our committee website for the public to review. The markup meetings themselves were broadcast online and on public television so that they could be viewed across the country. Many members of the public also lined up early each morning to attend the meetings in person. Families, faith leaders, advocates and community leaders were present to witness the committee's deliberations. This was an open, thorough, and thoughtful debate.

In real time, as members accepted and rejected amendments, the committee's website was updated to reflect which amendments were modified, accepted or defeated. In addition to the live webcast and gavel-to-gavel coverage on C-SPAN, I provided regular updates through the Judiciary Committee's website, Twitter and other means. I was heartened to see a Vermont editorial describe the Judiciary Committee markup as a "lesson in democracy."

The committee unanimously approved my amendment to permanently authorize and further strengthen the EB-5 Regional Center Program which will benefit the economy. The United States Citizenship and Immigration Services, USCIS, estimates that the EB-5 Regional Center Program has created tens of thousands of American jobs and has attracted more than \$1 billion in investment in communities all across the United States since 2006. Senator SESSIONS spoke in support of my amendment before it was adopted without a single vote in opposition.

Another example of the Committee's bipartisan efforts to improve this legislation was offered by Senators HATCH, COONS and KLOBUCHAR, to increase certain immigration fees and direct a portion of the proceeds to the States to fund science, technology, engineering, and mathematics education and training that will help drive American competitiveness. Senator SCHUMER offered a second degree amendment to ensure that a percentage of the funding is used to promote STEM education in groups that are underrepresented in the sciences, such as women and racial minorities. Both amendments were accepted by the committee by unanimous consent.

The committee considered 35 amendments to strengthen the bill's border security provisions offered by both Republicans and Democrats. Of the 26 amendments accepted to this section, 10 were offered by Republicans. Senator GRASSLEY offered an amendment to expand the Comprehensive Southern Border Strategy to include all border sectors, not just high-risk sectors. The committee accepted amendments by Senators FLAKE and GRASSLEY to in-

crease oversight of DHS enforcement strategies, and amendments by Senators SESSIONS and CORNYN to protect border communities. These amendments add to, and strengthen, the strong enforcement provisions already included in the bill.

These amendments are just a few of the amendments offered to strengthen provisions in the pre-Title and Title I border security provisions and promote jobs and innovation in the non-immigration visa provisions in Title IV of the bill. Other bipartisan proposals to provide assistance for American workers to apply for jobs in the technology sector and establish employee reporting requirements to address potential abuse of the visa system have also been adopted.

The Judiciary Committee debated and accepted 48 amendments offered by Republican members. I was encouraged by the committee's open and respectful debate. In a time where partisan brinksmanship has become the norm, the Judiciary Committee was able to demonstrate the need for compromise and find common ground to stand on in pursuit of comprehensive immigration reform. The result of our committee's consideration is a stronger, more bipartisan bill, and I look forward to working with the rest of the Senate to ensure its passage.

The bill is not the one that I would have drafted. I voted for amendments that were rejected and against amendments that were accepted. The bill mandates more than \$1.5 billion of more southern border fencing, which I believe a mistake. My greatest disappointment is that the legislation that comes from the Senate Judiciary Committee does not recognize the rights of all Americans, including gay and lesbian Americans who have just as much right to spousal immigration benefits as anyone else. I will continue my efforts to end the needless discrimination so many Americans face in our immigration system. This discrimination serves no legitimate purpose and it is wrong.

Since the beginning of this Congress, I have tried to make comprehensive immigration reform our top legislative priority in the Senate Judiciary Committee. In January at Georgetown University Law Center, I outlined my expectation that comprehensive immigration reform would be the matter to which the Judiciary Committee would devote itself this spring and announced an early hearing to highlight the national discussion. I followed through. The committee held three hearings on comprehensive immigration reform in February and March.

I have said since the beginning of the year that I was looking forward to seeing principles turned into legislation. The Judiciary Committee has now advanced such a bill. We completed our work a month later than I had hoped,

but we had to begin much later than I had hoped. We were able to make up ground by concentrating our efforts during the 5 weeks since the bill was introduced in which we held three more hearings and five extended markup sessions.

I have favored an open and transparent process during which all 18 Senators serving on the Senate Judiciary Committee had the opportunity to participate and to propose or oppose ideas for reform. The Majority Leader agreed that we needed regular order in the consideration of comprehensive immigration reform. The process took time and was not easy. There were strongly-held, differing points of view.

I am encouraged that after two resounding presidential defeats, some Republican politicians are concerned enough about the growing Hispanic voting population that they are abandoning their former demagoguery and coming to the table. In what is being called its "autopsy" of the last election, the Republican National Committee wrote: "Hispanic voters tell us our Party's position on immigration has become a litmus test, measuring whether we are meeting them with a welcome mat or a closed door." After slamming the door on our efforts for comprehensive immigration reform during the Bush administration, I welcome Republicans to this effort. I continue to fear that some merely want to talk the talk while looking for excuses to abandon what needs to be a bipartisan effort.

Few topics are more fundamental to who and what we are as a Nation than immigration. The Statue of Liberty has long proclaimed America's welcome: "Give me your tired, your poor, your huddled masses yearning to breathe free. . . . Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door!" That is what America has stood for and what we should continue to represent. Immigration throughout our history has been an ongoing source of renewal of our spirit, our creativity and our economic strength.

In the course of our deliberations I have quoted my friend of many years, Ted Kennedy. In the summer of 2007, as our effort at comprehensive immigration reform was being blocked in the Senate, he spoke about his disappointment and our resolve. He said: "A minority in the Senate rejected a stronger economy that is fairer to our taxpayers and our workers. A minority of the Senate rejected America's own extraordinary immigrant history and ignored our Nation's most urgent needs. But we are in this struggle for the long haul. . . . As we continue the battle, we will have ample inspiration in the lives of the immigrants all around us." I have taken inspiration from many sources, from our shared history as immigrants and as Americans, from the



experiences of my own grandparents, and from our courageous witnesses Jose Antonio Vargas and Gaby Pacheco and from the families that can be more secure when we enact comprehensive immigration reform.

The dysfunction in our current immigration system affects all of us and it is long past time for reform. I hope that our history, our values, and our decency can inspire us finally to take action. We need an immigration system that lives up to American values and helps write the next great chapter in American history by reinvigorating our economy and enriching our communities. Together we can work to pass a bill that repairs our broken immigration system.

#### POSTAL REFORM

Mr. LEAHY. Mr. President, this year, as I do every year, I have met with many Vermonters who have come up to me to express their views about the future of the U.S. Postal Service. But this year, these meetings have taken a different tone. Today, rather than asking me how the Senate can make a durable and effective institution even stronger, Vermonters ask me how the Senate can stave off the impending default of the Postal Service. I hear these questions from businesses, from private citizens, and from postal employees. I am stopped by Vermonters in the grocery store or at the gas pump, wanting to know what we in the Senate will do. Vermont, because of our mostly rural population, is more dependent on the Postal Service than are urban and densely populated States. Vermonters, almost to a person, subscribe to Ben Franklin's vision of a public Postal Service that guarantees the delivery of mail to everyone.

These questions about the coming collapse of the Postal Service are strange to say the least. The USPS posted a \$100 million profit from its business operations during the first quarter of fiscal year 2013. So how is it that a company that made \$100 million in the first quarter of this fiscal year is in financial trouble? As in far too many other instances, the problem is not with the Postal Service, the problem is with the United States House of Representatives.

In 2006, by unanimous consent, the Senate took up and passed the House's Postal Accountability and Enhancement Act. One of the provisions of this bill, meant to shore up the long-term security of postal retiree health benefits, required that the Postal Service begin the prepayment of health benefits 75 years in advance. While no other public agency or private business stipulates this degree of prepayment, I consented in 2006 because the economy was strong, the Postal Service could manage these prepayments, and I believed that any needed changes to the pro-

posal could be made with the same level of bipartisan comity as in 2006. How wrong I was.

Of course, since 2006, the economy has collapsed, first-class mail volume has fallen precipitously, and bipartisanship in the Congress has taken a nose dive. These factors together explain how the U.S. House of Representatives has converted a \$100 million profit in the first quarter of fiscal 2013 into a \$1.3 billion loss. While many American businesses have gone under during the Great Recession and others have struggled just to stay afloat, House Republicans have refused to budge on the health benefits prepayment.

You may ask why the onus resides at the feet of House Republicans. After all, the Senate consented to the 2006 House Republican-sponsored bill. But since that time, only the U.S. Senate has taken measures to solve the problem. Last year we took up and passed the 21st Century Postal Service Act of 2012, which would have lightened the fiscal burden on the Postal Service until its lost revenues from the economic slump and reductions in first-class mail could be offset by growth into the package delivery market. This bill was passed on a bipartisan basis here in the Senate despite record-breaking partisanship by the Senate minority. I should note, as with any bipartisan measure, there were provisions in this bill with which I disagreed. Yet it turned out to make little difference, since the Senate bill languished in the House. In fact, the House even failed to take up its own bill and pass it as an alternative to the Senate proposal.

Meanwhile, the Postal Service continues to stagger under the crushing burden of 75 years of prepayments for retiree health benefits. This effort, which originally looked like a reasonable effort to shore up retiree benefits, has become the proverbial albatross.

Rather than addressing this problem, the strategy of the House of Representatives appears to be to force the Postal Service into default, at which point their draconian demands for slashing cuts will look reasonable by comparison to their manufactured crisis. If this strategy sounds familiar, it should—it is the same strategy Republicans used to negotiate the Budget Control Act of 2011, using U.S. credit worthiness as a hostage they seemed more than willing to kill. This strategy ultimately cost the United States its triple-A rating with Standard and Poor's and an estimated \$1.3 billion in additional interest payments in 2011 alone, according to the Government Accountability Office. And that figure will escalate with time. That's \$1.3 billion more that taxpayers will pay to Chinese lenders and Wall Street banks in order for Republicans to secure sequestration cuts to Medicare cancer treatments, cut Na-

tional Guard technicians' salaries through furlough, and reduce Head Start programs for needy children.

The strategy worked so well in the summer of 2011 that it has overtaken everything else in the Republican playbook. Unable to sell a shrinking vision of America to voters in 2012, Republicans are left with procedural mechanisms to obtain their desired outcome. Ironically, if they are successful, they are likely to simultaneously celebrate victory and blame President Obama and Senate Democrats for letting them get their way. If that seems like an absurdity, compare the conflicting statements of the Speaker of the House JOHN BOEHNER and Chairman of the National Republican Congressional Committee GREG WALDEN on proposed cuts to Social Security in the President's 2014 budget proposal. The President finally proposed reductions to entitlement programs after Republicans had long demanded such cuts, eliciting muted praise from Speaker BOEHNER while Chairman WALDEN accused the President of "going after seniors." I should note that as part of House leadership, Chairman WALDEN works for Speaker BOEHNER.

So do not be surprised when a new rendition of this plan causes a default by the Postal Service, after which Republicans demand reductions in the Postal Service's competitive product line and massive layoffs of postal employees. I supported last year's Senate postal reform bill in the hope of striking a compromise. But there are better ways to balance the Postal Service's books, and recognizing that the House has refused compromise, I am glad to join Senator SANDERS and other Democratic Senators in a full-throated articulation of a better vision for the USPS.

This vision is articulated by our bill, the Postal Service Protection Act of 2013. This bill would allow the Postal Service to recover huge retirement pension overpayments estimated by the Inspector General of USPS to be \$75 billion. It would alleviate the remaining health benefits prefunding requirement. It would protect postal customers from having their local postal facilities closed without the Postal Service following proper criteria. The bill would permit the Postal Service to sell non-postal products and services. It would allow the mailing of beer or wine by a licensed manufacturer in accordance with the laws of the States. It would permanently protect one of the Postal Service's greatest commercial advantages over its competitors, Saturday delivery. And it would set the table for long-term growth into the package delivery market by establishing a Chief Innovation Officer and a Postal Innovation Advisory Commission.

Like any business enterprise, the Postal Service cannot cut its way to

greatness. It must find areas where it can grow. The Postal Service Protection Act of 2013 would give the Postal Service the financial breathing room and innovation mechanisms it needs to chart a new and sustainable course in the next century, when email and package delivery will supplant first class mail. These changes do not diminish our commitment to Ben Franklin's vision; they facilitate its renewal, recognizing that while change is not easy, it is also unavoidable. In that spirit, I call on all Senators to join me in cosponsoring Senator SANDERS' Postal Service Protection Act and in keeping faith with Americans by protecting an indispensable American institution.

#### TRIBUTE TO JOHN VARRICCHIONE

Mr. LEAHY. Mr. President, I wish to recognize a man who is a leading contributor to the preservation of the Italian community in Burlington, VT.

John Varricchione grew up in a former Italian neighborhood adjacent to downtown Burlington. I have my own fond memories of that neighborhood, travelling with my mother—a first generation Italian-American—from Montpelier to Burlington to shop in the small, family-owned, Italian markets there. Only remnants of the neighborhood remain, as most of it was lost to urban renewal in the 1960s.

I had the pleasure of joining John and other members of the Vermont Italian Club for the dedication of a historic marker, which serves as a reminder of the wonderful neighborhood in which he grew up, and of the people who lived there. John was instrumental in making the marker possible. We all shared wonderful Italian food after the dedication ceremony. I was honored to be part of such a special event.

John never moved far from the old neighborhood. He stayed in Vermont and became an outstanding teacher and coach at Rice Memorial High School—a Catholic school in South Burlington—where he became affectionately known among students as “Mister V.” Many Rice graduates consider him a favorite teacher.

John's contributions to the Vermont Italian Club, and his efforts to preserve our State's Italian heritage, are many. In honor of his work, I ask unanimous consent that an article published in *The Burlington Free Press* on May 10, 2013, “Fragrant memories of Burlington's deep Italian roots,” be printed into the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, May 10, 2013]

#### FRAGRANT MEMORIES OF BURLINGTON'S DEEP ITALIAN ROOTS (By Melissa Pasanen)

John Varricchione, 66, has strong memories of growing up in the heart of Burlington's Little Italy, he said last Monday while he and his wife helped their friend Mary Anne Gucciardi make a batch of her famous meatballs in their Burlington kitchen.

At one point, Varricchione donned an apron imprinted with the name of the Vermont Italian Club and three photos from the early 1900s of three families who were among the pillars of the community: the Eveltis, the Varricchiones and the Merolas.

His grandfather, Luigi Varricchione, originally came to Burlington in 1912 at the suggestion of the Merolas who preceded him and who hailed from the same town about an hour east of Naples back in Italy.

The family first lived on Cherry Street at the core of the Italian neighborhood, and Luigi Varricchione made wine in his basement like many of the area's Italian families. He was a member of the Vermont Italian Club in the 1930s when it was men-only, although the club hosted regular meals for everyone, charging 50 cents for men and a quarter for women and children. The club maintains the tradition with an annual fundraising dinner in late winter or early spring. (See [vermontitalianclub.org](http://vermontitalianclub.org) for more information.)

Varricchione remembers back to when he was 9 or 10 “going to mass with my father at the old Cathedral of the Immaculate Conception” and then walking a block to where his grandmother lived on South Union Street with one of her sons after her husband passed away.

“There were grapevines growing up the wall and a garden in the back for herbs,” Varricchione recalled. “Grandma would often be making pasta from scratch and it would be hanging all over on wooden drying racks or laid out on the bed on a clean sheet. She would serve me a bowl of pasta with sauce or a bowl of her greens and beans. On occasion,” he added, “she'd pull out the anisette and little Johnny got to taste.”

Both Varricchione and Gucciardi recalled the bustling Italian stores with cheeses and salamis hanging from the ceiling and shelves holding big jars of olives and boxes of torrone, Varricchione's favorite nougat candy.

“We'd go to the store for penny candy,” said Varricchione. “There was Merola's and also Izzo's Market. Both stores were very generous in allowing people to buy on credit.” The whole neighborhood was lost to urban renewal by the late 1960s, Varricchione explained sadly.

Looming large in his recollections was the image of the Italian mama “with plenty of love and food to share,” Varricchione said. There were always many mouths to feed, he said with a chuckle: “There weren't too many small Italian families.”

Varricchione's parents, Francesco and Simone (known as Si), raised their eight children at 85 Bank St. and then 78 Pine St. (now a law office).

“We would have crowds to eat,” said Varricchione, recalling with relish how his mother browned pork chops and then slow-braised them in red sauce. Even though his mother, like Gucciardi's mother, was originally French-Canadian, she learned all the Italian recipes and became a true Italian mama and then nonna.

In a family history written by Varricchione's wife, Joanne, she describes the scene:

“Everyone managed to squeeze around the kitchen table while Nona [sic] stood watch over the stove, stirring her delicious sauce. The menu seldom varied: spaghetti and meatballs, chicken or pork, salad, wine, garlic bread and ice cream. The laughter and commotion only added to the wonderful aromas and meals she prepared . . . Si seldom sat down and ate with the family; she preferred to make sure everyone had enough to eat. (‘Does anyone need more sauce?’ was the question she always asked.) ‘No, Ma. Come and sit down.’ ‘I will in a minute.’ It was a habit she never broke.”

#### TRIBUTE TO MARY ANNE GUCCIARDI

Mr. LEAHY. Mr. President, Vermont is home to many treasures, from our natural beauties to our manufactured goods to our award-winning agricultural industry. It is also home to many spirited personalities, and today I would like to honor one of them: a good friend and talented cook, Mary Anne Gucciardi. Affectionately known as “Mama Gucc” to those who have had the good fortune of sitting at her dining room table, she makes newcomers feel like old friends. For more than two decades, she has opened her home to hundreds of University of Vermont sports teams, from skiing to soccer, hockey to basketball. Her menu includes classics like baked stuff mushrooms, chicken cacciatore, and of course meatballs and sauce. The mere mention of her name makes both coaches' and athletes' mouths water.

Mama Gucc grew up in Haverhill, Massachusetts, the daughter of an Italian-American father and a French-Canadian mother. It was her mother's Italian mother-in-law who served as the inspiration for Mama Gucc's gourmet Italian favorites. As the grandson of Italian immigrants myself, I have benefited from Mama Gucc's lavish feasts. She has made me feel right like I was right back in my own mother's kitchen. Mary Anne's heart is even bigger than her generous portions. She has not only cooked for hundreds of athletes, hosted distinguished guests such as bishops, senators and governors, but she has prepared countless charity dinners, raising over \$50,000 in scholarships in memory of a UVM student, Kevin Roberson, tragically killed in a car accident. Her love for cooking and for hosting has made “Mama Gucc” a surrogate mother for the lucky student-athletes to come through her door, making those students, sometimes hundreds of miles from their families, feel right at home. In 1999, The University of Vermont honored Mama Gucc and her husband by naming a new fitness facility the Richard and Mary Anne Gucciardi Recreation and Fitness Center, a tribute most rightfully deserved.

From every Vermonter who has indulged in Mama Gucc's famous cooking, and has been blessed with her

warm hospitality and generous support, we thank Mary Anne Gucciardi for providing a home-away-from-home to all who have passed through her doors.

I ask unanimous consent that The Burlington Free Press article, "Celebrating the Italian Mama," be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, May 10, 2013]

**"CELEBRATING THE ITALIAN MAMA"**

Among iconic maternal figures, the Italian mama or nonna (grandmother) hovering over a fragrant pot of tomato sauce ranks high—and few bring the legend to life better than South Burlington's Mary Anne Gucciardi.

Recently in the Burlington kitchen of friends, Gucciardi, 80, known as Mama Gucc (pronounced "gooch"), arrived not only with ingredients to make her famous meatballs and sauce, but also containers of meatballs and sauce, Italian wedding soup and sausage Calabrese to give away.

"You get back what you give out," said the mother of four and grandmother of four with a smile and a shrug.

If that were literally the case, Gucciardi would be swimming in an ocean of herb-flecked tomato sauce with meatballs.

For more than two decades until just a few years ago, Gucciardi regularly cooked huge Italian feasts for a number of University of Vermont sports teams with the support of her husband and family. Her multi-course dinners—usually once a season for the ski, soccer, hockey and basketball teams—included a variety of home-cooked Italian classics like minestrone, baked stuffed mushrooms, chicken cacciatore, meatballs and sauce, and lasagna for as many as 40 team members.

"She opened up her home to us," said longtime UVM men's ice hockey coach, Mike Gilligan. "She just treated the kids and the coaches like they were her own family."

"Mama Gucc was just wonderful," agreed former men's basketball coach, Tom Brennan. "She took care of us before we got pretty," he joked, referring to the pre-championship-era of his team. "The food was always so lavish, from soup to nuts . . . You know these kids, they eat like horses. Everybody would eat until they couldn't stand up."

"She was always there for us," Brennan continued, recalling how Gucciardi accompanied the team to the 1993 funeral of their recently graduated teammate, Kevin Roberson, who had been tragically killed in a car accident. "It was so comforting to have her there and she brought a big pile of food."

In addition, the Gucciardi family held frequent dinner parties for distinguished guests including coaches, senators, governors, professors and bishops, and also cooked countless benefit dinners, which raised more than \$50,000 for a UVM scholarship fund in Roberson's name. In September 1999, UVM honored Gucciardi and her husband by naming a new 6,000-square-foot fitness facility the Richard and Mary Anne Gucciardi Recreation and Fitness Center.

It all began after Gucciardi met some student-athletes while helping with a Newman Catholic Center fundraiser, she explained while mixing together a double batch of meatballs. ("I never make a single batch," she said.) During winter break, when athletes often had to stay on campus to train,

she said, "they were away from home, looking for a good meal. There was a lot of joy in seeing them enjoy the food."

Gucciardi also shared a more personal motivation to give back after her youngest son, now 50, survived a very serious car accident when he was 3½. The family was in the process of moving to Burlington where her husband had landed a job with General Electric. For six weeks, Gucciardi slept by her son's bedside in the hospital and prayed daily in the chapel at UVM. The local Italian community warmly welcomed them, she recalled, and offered support. "I just always said I would give back for what was given to us," she said.

**FAMILY RECIPES**

Scraping the fat and caramelized bits from a pan of roasted Italian sausage into her sauce pot, Gucciardi explained that she has taken family recipes and "made them my own over the years."

She grew up in Haverhill, Mass., with an Italian-American father and a French-Canadian mother, but her mother learned to cook Italian from her mother-in-law, Gucciardi's paternal grandmother, "a great cook," Gucciardi said.

After frying the onions and garlic in the sausage fat ("You just get such flavor from that," she explained), Gucciardi added tomato paste and canned Italian tomatoes along with a little water and generous amounts of dried parsley and basil, which would come fresh from her garden in the summer, she said.

"I never measure anything," she added apologetically.

Luckily for her fans, Gucciardi taught a series of cooking classes in the mid-'80s for which she had to write down her recipes. It was in that class that Gucciardi met John Varricchione, in whose Burlington kitchen she was cooking last week.

Varricchione, 66, a retired teacher and football coach at Rice Memorial High School, grew up in the center of Burlington's Italian community where, just like in Gucciardi's family, his paternal grandmother taught his French-Canadian mother to cook family favorites.

"But I never got my grandmother's recipes," he said with regret.

Last week, Varricchione and his wife, Joanne, helped Gucciardi form meatballs while her sauce simmered on the stove. The Varricchiones' 3-year-old grandson, Carlo Pizzagalli, popped in and out of the kitchen to visit with his grandparents and "Mama Goose," as he called her.

The cooks used a small ice cream scoop to measure out each meatball, a tool Gucciardi said she adopted years ago when student-athletes helped her to produce meatballs for fundraising dinners during which they would feed more than 800. "I had it down to a science," she said proudly.

Gucciardi watched her helpers with a kind but careful eye. "If they have any cracks in them, I reject them," she said, explaining that they would fall apart in the sauce.

As they worked, the scent of meatballs and simmering sauce filled the kitchen. "I can smell those meatballs cooking," said Gucciardi happily.

"That's always a good thing," agreed Varricchione.

The first batch of meatballs emerged from the oven, brown and sizzling, and the second batch went in. Gucciardi stirred a generous pinch of sugar into her sauce to balance the acidity of the tomatoes.

When the meatballs had cooled a little, Carlo tasted one and gave his full approval, followed by a big hug for the cook.

The next generation had fallen in love with the cooking of Mama Gucc.

**MEMORIAL DAY**

Mr. McCONNELL. Mr. President, Monday, May 27, is Memorial Day—the day Americans set aside to honor the brave men and women in uniform who have made the greatest possible sacrifice for their country.

Memorial Day was informally begun by MG John A. Logan, the head of an organization of Union Army Civil War veterans, in 1868. It is believed Major General Logan chose a date in late May because flowers would be in bloom all over the country. He asked the Nation to decorate the graves of the war dead with flowers.

Mr. President, 1.1 million Americans have died defending the country in our Nation's wars. Freedom as we know it—here at home and around the world—would not exist without their heroism.

The Commonwealth of Kentucky has played a vital role in this Nation's defense during our history. I am honored to represent Kentuckians in the Armed Forces, including those stationed at Fort Knox, Fort Campbell, the Blue Grass Army Depot, and members of the Reserves and Kentucky National Guard.

At Fort Knox, the Memorial Day ceremony this year will continue a tradition of honoring the memory of one particular fallen soldier. This year, that soldier is PFC David P. Nash of Daviess County, KY.

While serving in Vietnam on December 29, 1968, 20-year-old Private First Class Nash valiantly rolled on top of an exploding grenade to save the lives of three other soldiers. We must not forget the deeds of Private First Class Nash, or the many other men and women in uniform who gave their lives in service.

Memorial Day is a day to honor their memories, and to let their loved ones know our country has not forgotten them. I know my fellow Kentuckians agree that we are honored to fly the flag which these brave heroes sought to protect.

Ms. MURKOWSKI. Mr. President, I rise to recognize the importance of Memorial Day, a day that means so much to me, the Nation, and those I represent in Alaska. For many Alaskans, Memorial Day means the unofficial beginning of summer, sunlight, and enjoying the great outdoors.

But let us never forget the deep, true meaning of Memorial Day. It is about taking time to pay respect, and appreciating the sacrifices of men and women who have defended the rights and privileges we enjoy today. On this solemn day in which Americans unite to remember our Nation's fallen, we also pray for our military personnel and their families, our veterans, and all who have lost loved ones.

For over two centuries, brave men and women have laid down their lives in defense of our great Nation. These heroes have made the ultimate sacrifice so we may uphold the ideals we all cherish. Ordinary men and women of extraordinary courage have, since our earliest days, answered the call of duty with valor and unwavering devotion. America's sons and daughters have served with honor and distinction, securing our liberties and laying a foundation for lasting peace.

Memorial Day officially began nearly 100 years before Alaskan statehood, but even in our territorial days we had Alaskans who fought on our own soil against foreign enemies—one of the few States that can say such a thing. It is because of those early successes—and the success of Alaskans from then to those deployed today—that we salute our flag.

Although we may not be able to fully measure the cost of our heroes' sacrifice, we can commit ourselves to preserving their memory. So on Memorial Day 2013, I ask that we honor our fallen heroes, comfort the loved ones of those we lost, and carry on our lives in a manner that is worthy of their sacrifice. May God continue to bless our great Nation.

Mr. CARDIN. Mr. President, as Memorial Day 2013 approaches, as our fellow Americans are making plans to have cookouts, enjoy the outdoors, and spend precious time with their loved ones, I believe we should remember that the reason we are able to enjoy these moments is because of the military servicemembers who have given "the last full measure of devotion" in the service of our great Nation. From the American Revolution to the wars in Iraq and Afghanistan, brave young men and women have always answered the call to fight for our country and for our freedom. They have made many sacrifices, and as we remember in particular those who have fallen, I am inspired by their courage and dedication to freedom. The death of each one of these service men and women represents not only a tragic loss to their loved ones, but to their community and to the country.

This Memorial Day should be observed as a time for all Americans to reconnect with our history and core values by honoring those who gave their lives for the ideals we cherish. In addition to remembering the servicemembers who have fought and died in our Nation's wars, I believe that we must also take care of the servicemembers and veterans who are still with us. There are, regrettably, serious issues that still need to be addressed with regard to our military and veteran communities. Active-Duty military and veteran suicides are at record rates, Veterans Administration disability claims continue to be severely delayed, programs that assist discharged serv-

icemembers transition to civilian life are still inadequate, and many of our servicemembers and veterans still lack the healthcare they need—and are entitled to—after a decade of war. I believe that we in the Congress must do everything we can do to remedy these problems. As George Washington famously said "The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive veterans of early wars were treated and appreciated by our Nation." I believe this statement has added weight and meaning and truth with our Nation's movement to an all-volunteer military after the Vietnam War.

With fewer than 1 percent of our Nation's population on active military duty, the gap between those who have served in uniform and those who have not has never been greater. These differences in life experiences have led to misguided perceptions of how each group views the other. The widening of this "civilian-military gap" makes it less likely that our servicemembers and veterans will properly reintegrate back into our society, and less likely that our best and brightest will pursue military service. As a society, we must address the problem. If we can't care for the service men and woman and their families who have made so many sacrifices on our behalf, then holidays such as Memorial Day end up having little relevance. One veteran I recently met with said to me, "I fought proudly for my country in Afghanistan, but when I came back I didn't feel like I came back. I'm still waiting to feel like I came back." No American who has worn the uniform of this country should have to feel this way.

Memorial Day is a day we Americans hold close to our hearts because in the sometimes hectic pace of our daily lives, we can forget just how fortunate we are. Memorial Day reminds us. Throughout this holiday weekend we will see many American flags and flowers adorning the graves of those who have made the ultimate sacrifice for our Nation. I will especially remember in my thoughts and prayers the 127 Marylanders who have been killed in our most recent conflicts, and I will remind myself that our freedom isn't free. And I will remember that the best way to honor their ultimate sacrifice is to ensure that we are unwavering in our support to care for those who do return to us wounded, ill, and injured. This Memorial Day, let us affirm our commitment to those who have returned from the fields of battle as the best way to honor their fallen comrades.

#### PUERTO RICO

Mr. WICKER. Mr. President, it is important for the United States to continue its efforts to promote a close re-

lationship with Puerto Rico and its citizens. That includes supporting a fair and democratic process for Puerto Ricans on the perennial and controversial issue of statehood.

I commend Puerto Rico's new Governor Alejandro García Padilla on his work to tackle the current challenges facing the island, particularly on the economic front. Congress has long supported reciprocity between Puerto Rico and the United States, with very positive results. When the Puerto Rican economy flourishes, trade with the United States increases, helping promote job creation here at home.

I am disappointed the most recent budget proposal submitted to Congress by the White House recommends \$2.5 million in fiscal year 2014 to conduct yet another referendum on Puerto Rico's political status. Allocating U.S. taxpayer dollars for this purpose is wasteful and unnecessary, since a plebiscite was just held in Puerto Rico last November on this very question.

The vote on Election Day specifically called for Puerto Ricans to express their views on the island's political status. Its backers sought to show that popular support exists for turning Puerto Rico into a State. But it is widely acknowledged that the ballot was not developed in a fair and inclusive manner. It instead presented statehood alternatives with a predetermined result in mind, to force Puerto Ricans toward an option they have rejected time and again, and to stack the deck in favor of statehood.

The first part of the ballot asked whether or not Puerto Rican voters wanted to continue their territorial status. The second portion then provided three different non-territorial alternatives: statehood, sovereign free associated state, or independence. Keeping the island's current Commonwealth status was not even listed as an option in the second round.

As expected, a slim majority—nearly 51.7 percent of the 1.9 million who voted—opted for changing the current status. However, in response to the second question, 834,191 voters chose statehood, 498,604 left the second question blank, 454,768 selected sovereign free associated state, and 74,895 favored independence. Any way you slice it, 1,028,267—or nearly 55 percent—of the Puerto Ricans who traveled to the polls voted for options other than statehood.

As Congresswoman NYDIA VELÁZQUEZ, the first woman of Puerto Rican heritage elected to the United States House of Representatives, correctly pointed out: "Casting a blank ballot is part of traditional form of objecting to an unfair process in Puerto Rican political history." In accordance with this tradition, the Commonwealth Party in Puerto Rico adopted a resolution calling on Puerto Rican voters to protest last November's plebiscite process by casting blank ballots.

When you include the nearly half a million voters who left the second question on the ballot blank, it is clear—despite the claims of some statehood proponents—that a majority of voters do not support statehood for Puerto Rico. In fact, more than 1 million, or nearly 55 percent, of Puerto Rican voters who participated in the plebiscite actually demonstrated support for something other than statehood.

A concurrent resolution was adopted last week by the legislature in Puerto Rico stating that the plebiscite on November 6, 2012, portrayed a false majority in favor of statehood and prevented an accurate vote on the option of Commonwealth status. I ask unanimous consent to insert into the RECORD the text of that resolution.

THE SENATE AND THE HOUSE OF  
REPRESENTATIVES OF PUERTO RICO  
COMMONWEALTH OF PUERTO RICO  
THE CAPITOL

We, EDUARDO BHATIA-GAUTIER, President of the Senate, and JAIME R. PERELLÓ-BORRÁS, Speaker of the House of Representatives,

CERTIFY

That the Senate of Puerto Rico and the House of Representatives of Puerto Rico approved in final vote Senate Concurrent Resolution No. 24, introduced by Messrs. Nadal-Power and Rosa-Rodríguez and Co-sponsors Messrs. Fas-Alzamora, Tirado-Rivera, Bhatia-Gautier, Dalmau-Santiago, Torres-Torres; Mmes. López-León, González-López; Messrs. Nieves-Pérez, Pereira-Castillo, Rivera-Plomero, Rodríguez-González, Rodríguez-Otero, Rodríguez-Valle, Ruiz-Nieves, Suárez-Cáceres, and Vargas-Morales and that the same reads as follows:

CONCURRENT RESOLUTION

To inform the President and the Congress of the United States about the results of the plebiscite held on November 6, 2012, and support the request of the President of the United States of America for the Congress to appropriate \$2.5 million to the State Elections Commission for a federally-sponsored plebiscite after conducting the appropriate voter education campaign, which incorporates all options, including the enhanced Commonwealth, based on the principles of fairness and equality; to authorize the disbursement of funds; and for other purposes.

STATEMENT OF MOTIVES

On November 6, 2012 a plebiscite was held in Puerto Rico along with the general elections. The results of such plebiscite were inconclusive because none of the options on Puerto Rico's political status that received a majority of votes. Said plebiscite consisted of two separate questions, formulated by the preceding pro-statehood government administration, which favored statehood for Puerto Rico, in order to portray a false majority in favor of statehood and prevent such formula from competing against the Commonwealth option that had been favored by the people of Puerto Rico in all previously-held plebiscites.

The results were the following: the first question asked voters whether or not Puerto Rico should maintain its current form of political status. Nine hundred seventy thousand nine hundred ten (970,910), that is, fifty-one point seven percent (51.7%) of the people

voted "NO"; whereas eight hundred twenty-eight thousand seventy-seven (828,077), that is, forty-four point one percent (44.1%) of the people voted "YES." However, a total of sixty-seven thousand two hundred sixty-seven (67,267) voters cast a blank ballot, which accounted for three point six percent (3.6%) of voters.

The second question asked voters to choose from options that excluded the current political status. Statehood received eight hundred thirty-four thousand one hundred ninety-one (834,191), or forty-four point four percent (44.4%) of the votes cast; sovereign free associated state received four hundred fifty-four thousand seven hundred sixty-eight (454,708), or twenty four point three percent (24.3%) of the votes cast; and independence received seventy four thousand eight hundred ninety-five (74,895), or four percent (4%) of the votes cast. However, such question received a total of four hundred ninety-eight thousand six hundred four (498,604) blank votes, which accounted for twenty-six point five percent (26.5%) of the votes cast. These results should not surprise us, since the preceding Legislative Assembly approved the plebiscite disregarding the procedural and substantive consensuses required to legitimize any plebiscite held.

The Party that supported the Commonwealth option, which was the political opposition at the time, objected this process. It also argued that the process was contrary to the provisions of H.R. 2499, as amended, approved by the United States House of Representatives, which included the Commonwealth among the options in the second question. Moreover, it stated that the process had been criticized by the White House because it was designed with the intent to conceal the true expression of the people of Puerto Rico.

Commonwealth supporters employed two methods to express their opposition. On the one hand, the Governing Board of the Party supporting the Commonwealth option adopted a resolution asking voters to protest the process by casting a blank ballot. On the other hand, a significant number of pro-Commonwealth leaders openly conducted campaigns in favor of the Sovereign Free Associated State option.

There is no doubt that the voters who wish to express their dissatisfaction with the proposals or the candidates in the ballot, traditionally do so by spoiling their ballots, casting a blank ballot, or voting for a fictional character.

If the United States Congress wishes to know the amount of Puerto Rican voters against statehood for Puerto Rico, the blank ballots should be taken into account because such votes clearly express the intent of voters against statehood. Thus, it should be understood that votes cast in favor of statehood did not exceed forty-four point four percent (44.4%), which shows a two percent (2%) decrease in the historical peak it achieved in 1998. In other words, fifty-five point six percent (55.6%) of Puerto Rican voters rejected statehood in the 2012 plebiscite.

Previously, in 1998, the pro-statehood party had also designed a unilateral and exclusionary plebiscite; nonetheless, voters had the option to vote for "None of the Above." The "None of the Above" option received fifty point three percent (50.3%) of the votes cast, followed by Statehood and Independence, which received forty-six point five percent (46.5%) and two point five percent (2.5%) of the votes cast, respectively. The results of the 1998 plebiscite were consistent with those of the 1993 plebiscite, in which the

Commonwealth option received forty-eight point six percent (48.6%) of the votes cast, whereas Statehood and Independence received forty-six point three percent (46.3%) and four point four percent (4.4%) of the votes cast, respectively. The only other event of this kind held since the establishment of the Commonwealth of Puerto Rico in 1952, took place in 1967. In the 1967 plebiscite, the Commonwealth received sixty point three percent (60.3%) of the votes cast, while Statehood received thirty-nine percent (39%).

Unfortunately, the preceding government administration in Puerto Rico, whose term ended in December 2012, failed to sponsor a process that would include the recommendations of the President's Task Force on Puerto Rico's Status appointed by President Barack Obama. Such Task Force proposed—on a Report released in March 2011—various methods to ask Puerto Ricans about their political status in a manner that is fair for the supporters of all options. Furthermore, it also failed to address the issue of Puerto Rico's political status in an inclusive and responsible manner.

On April 10, 2013, President Barack Obama included in the budget proposal for the fiscal year 2014, an appropriation of \$2.5 million to the State Elections Commission in order to conduct a voter education campaign and a plebiscite which would include all constitutionally viable status options. The action taken by the President of the United States shows that the plebiscite designed by the preceding government administration lacks legitimacy or credibility before the government of the United States of America.

In light of the history of imposed and exclusionary plebiscites that only attest to our people's division with regard to this issue, it is necessary to inform the President and the Congress of the United States about the true results of the plebiscite held on November 6, 2012.

*Be it resolved by the Legislative Assembly of Puerto Rico:*

Section 1.—To inform the President and the Congress of the United States about the results of the plebiscite held on November 6, 2012, and support the request of the President of the United States of America for the Congress to appropriate \$2.5 million to the State Elections Commission for a federally-sponsored plebiscite, after conducting the appropriate voter education campaign, which incorporates all options, including the enhanced Commonwealth, based on the principles of fairness and equality; to authorize the disbursement of funds; and for other purposes.

Section 2.—The results of the 2012 plebiscite were the following: in the first question, which asked voters whether or not Puerto Rico should continue to have its current form of political status, the "NO" option received fifty-three point nine percent (53.9%) of the votes cast, whereas the "YES" option received forty-six percent (46%). The results of the second question, which asked voters to choose from the options that did not included the current status, were the following: the statehood option received forty-four point four percent (44.4%) of the votes cast (834,191); the "sovereign free associated state" received twenty-four point three percent (24.3%) of the votes east (454,768); the independence option received four percent (4%) of the votes cast (74,895), and blank ballots accounted for twenty-six point five percent (26.5%) of the votes cast (498,604).

Section 3.—The foregoing shows that the representations made before the United

States Congress stating that the statehood option was favored by the majority of Puerto Ricans, does not accurately reflect the results of the plebiscite on Puerto Rico's status held on November 6, 2012.

Section 4.—A copy of this Concurrent Resolution shall be delivered to the President, the Vice President, and the Secretary of State of the United States, to all the Members of the 113th United States Congress, as well as to all pertinent government and non-governmental organizations, human rights organizations, and the local, national, and international media, among others.

Section 5.—A certified copy of this Concurrent Resolution shall be translated into English and delivered by the Secretary of the Senate and the Clerk of the House of Representatives of Puerto Rico to the members of the United States Congress.

Section 6.—This Concurrent Resolution shall take effect immediately after its approval.

In witness whereof we hereunto sign and affix the Seal of the Senate and the House of Representatives of Puerto Rico. Issued this Tuesday, 14th of May of 2013, at our offices at the Capitol Building, San Juan, Puerto Rico.

EDUARDO BHATIA-GAUTIER,

*President of Senate.*

JAIME R. PERELLÓ-BORRÁS,

*Speaker of House of Representatives.*

#### TRIBUTE TO GEORGE W. SCOTT

Mr. DURBIN. I would like to take a few minutes to recognize a true American hero from my home State of Illinois. George W. Scott of Williamsville, IL, was an airman in the U.S. Army Air Corps during World War II and is a survivor of a group of airmen who were imprisoned at the Buchenwald Concentration Camp by the Nazi government.

Many people have heard of Buchenwald, one of the first and one of the largest concentration camps in Germany. But few people have heard the story of the Lost Airmen of Buchenwald, of which George was one.

In 1944, George was flying a Douglas A-20 Havoc aircraft barely 500 feet off the ground over France when he was shot down by German anti-aircraft guns. He was able to escape the aircraft before it crashed, and he escaped capture for a short time. George hid in bushes and in barns. He even milked a few cows for nourishment. He was fortunate to be taken in by a French family who provided food and shelter. But soon after, he was discovered by the Nazi patrols scouring France for resistance fighters or Allied soldiers and airmen.

George was transported to Buchenwald Concentration Camp in Germany, where he joined 168 Allied airmen from six countries. These airmen were not afforded the Prisoner of War protections outlined in The Hague and Geneva Conventions. Instead, they were classified as "Terrorflieger," or terror flyers, considered criminals and spies, and were not given a trial.

At Buchenwald, the conditions were unimaginable. Many prisoners starved

to death within 3 months of imprisonment. Prisoners were beaten, scarcely fed, and forced to work grueling shifts. But the Allied airmen organized themselves into units based on their nationality, appointed commanding officers, and instilled discipline and order. This self-imposed military hierarchy helped them to build morale, work as a team, and increase their chances of survival.

But those chances remained low. George and his fellow airmen were scheduled to be executed at Buchenwald on the orders of Adolf Hitler. Facing their impending execution, the airmen managed to pass a note detailing their captivity in the camp to the nearby Luftwaffe. After visiting the camp, German Luftwaffe officers demanded that the airmen be transferred to their custody. George and his fellow airmen were transferred to a POW camp and liberated when the Russian Army reached the camp in 1945.

It is a remarkable story and one that the U.S. Government kept quiet after the war. Yet George and his fellow airmen deserve immense credit and long-overdue recognition for their immeasurable contribution to the Allied war effort and their unimaginable pain and suffering.

When asked how George managed, at 19 years old, to survive in the unbearable conditions of Buchenwald, he says that he thought often of his mother and maintained the resolve that "every time they hit you, you just get back up."

Now, some 69 years later, George lives just outside of my hometown of Springfield, in Williamsville, IL. He is blessed with a wonderful family, who is steeped in pride and loves him deeply.

I am particularly impressed by George's dedication to our nation, and I hope to express the thanks of a grateful Nation for his service. George is a shining example of the American ideal, fighting for what is right in the face of immense adversity.

#### REMEMBERING ANNE G. MURPHY

Mr. REED. Mr. President, today I pay tribute to Ms. Anne G. Murphy.

Ms. Murphy, a Rhode Islander by birth and a strong advocate for the arts, passed away in April at the age of 74.

Throughout her distinguished lifetime and career, Ms. Murphy worked to defend Federal investments in the arts. After graduating from Rhode Island College in 1959, she volunteered on the presidential campaign of Senator John F. Kennedy and taught elementary school in Rhode Island before relocating to Washington, DC to work on the staffs of two Representatives from Rhode Island, Congressmen John Fogarty and Robert Tiernan. While in Congressman Fogarty's office, she helped contribute to legislation that led to the creation of the National Endowment for the Arts, NEA.

After leaving Capitol Hill, Ms. Murphy continued serving in the arts arena. She worked at both the NEA and the Public Broadcasting Service, and then joined the American Arts Alliance, where she served as executive director in the 1980s and early 1990s. As the leader of this major arts advocacy group, now known as the Performing Arts Alliance, Ms. Murphy defended arts programs from budget cuts and other attacks.

Ms. Murphy also served on the board of the Corcoran Gallery of Art and was a co-chair of the annual Washington Project for the Arts Gala. During the 2000s, she served as the director and co-chair of the nonprofit digital technologies research organization, Digital Promise.

I know how proud Congressman Tiernan remains of the important work that Anne did while working in his office and in her endeavors that followed in the arts community, and I want to share and echo his sentiments. We remember and thank Anne for her tireless efforts to support and protect federal investment in the arts. We are all beneficiaries of her advocacy.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO CHARLES E. WELCH

• Mr. CARPER. Mr. President, today I wish to pay tribute to Mr. Charles E. Welch, who I have had the privilege of knowing for more than three decades. Known to his many friends as Chuck, he is a World War II veteran, humanitarian, lawyer and leader in the business community in the State of Delaware.

Born in 1925, Chuck is a native of Columbus, OH. He graduated with a B.S. in Business Administration in 1949 from The Ohio State University, 19 years ahead of me, and went on to receive his Juris Doctor in 1951 from the same institution. He served in the United States Army from 1943 to 1946 as a rifle platoon leader and later served as a company commander in the Judge Advocate General Corps from 1952 to 1955. During this time, he was also employed by the Ohio Tax Department as Chief Counsel from 1951 to 1958.

Chuck later moved to Delaware to work for the DuPont Company. There, he rose through the ranks and held the position of General Counsel until 1979 when he was appointed by DuPont CEO Irving S. Shapiro to the newly created position of Vice President for External Affairs. After a distinguished 26-year career with DuPont, Chuck retired from the company. He did not retire from an active life as a husband, father, grandfather and community leader. At an age when a lot of people are ready to slow down, Chuck picked up the pace.



Chuck's commitment to the community and State was demonstrated most clearly through his passion for education and helping the disabled. Chuck and his late wife Charma understood the struggles of special needs children and were the driving forces behind the development of The Mary Campbell Center, a remarkable facility for individuals with physical and cognitive disabilities. Chuck and Charma, who themselves were parents of a special needs child, had the shared vision to develop a safe, loving place for children and young adults, and since its opening in 1976, The Mary Campbell Center has touched the lives of literally thousands of people.

Chuck and Charma were the parents of six children: Ed, Patricia, John, Mary Beth, and the late Jeff and Charmie, the inspiration for The Mary Campbell Center. Chuck is now married to Barbara G. Welch.

In addition to his work with The Mary Campbell Center, Chuck was a member of the Mt. Pleasant Board of Education from 1967–1973, Chair of the Vocational Education Task Force in 1986, Chair of the Delaware Compensation Review Commission, Member of the Judicial Nominating Commission, Chair of the Committee to Reorganize Farmers Bank, Head of the Commission to study New Castle County Government, Director of the Wilmington Medical Center, Past President of the Delaware Foundation for Retarded Children and of United Cerebral Palsy, and was appointed by the Governor as President of the State Board of Education in 1986 where he served for 3 years. He was also a member of the committee for the Delaware Justice Center, President of the Rockledge Community Association and Chairman of the Advisory Board of The Mary Campbell Center where he continues to serve to this day.

Over the years, Chuck's guidance to both Democratic and Republican party leaders has proven pivotal to Delaware's success. He served as co-chair of Governor Mike Castle's transition team and a member of my transition team when I was elected Governor. For both Mike and me, Chuck has been an invaluable adviser and a wonderful friend.

Chuck's lifetime of serving others has attracted many prestigious awards and distinctions including The Marvel Cup from the Delaware State Chamber of Commerce, The J. Thompson Brown Award for Family Service, The Good Government Award from the Civic League for New Castle County, the Heart Association's Gilliam Award, an award from the National Conference of Christians and Jews and the First State Distinguished Service Award from the Delaware State Bar Association.

I am proud to congratulate my longtime friend on a lifetime of achieve-

ment. He is a role model for us all. The people of Delaware, and especially the many children and adults who have benefitted from his good work, are certainly fortunate to count Chuck as a fellow Delawarean. The First State is a far better place in which to live and work because of his stewardship and his leadership.●

#### CONGRATULATING STEVE MCGOWAN

● Mr. MANCHIN. Mr. President, today I wish to congratulate my friend Steve McGowan for receiving this year's Silver Buffalo Award from the Boy Scouts of America. This is the highest commendation Scouting extends to individuals for their distinguished service to the organization, and I am so proud that the Boy Scouts have honored Steve for his extraordinary efforts on their behalf.

Steve McGowan is a very successful lawyer in Charleston, WV, with the law firm of Steptoe & Johnson. And even though his law practice is demanding, Steve has devoted countless hours to the Boy Scouts of America as a volunteer. This should come as no surprise to anyone who knows Steve. He was, after all, an Eagle Scout long before he ever was a lawyer.

The Boy Scouts of America inaugurated the Silver Buffalo Award in 1926, and in its 87-year history only 732 awards have been presented. This year, Steve is one of 12 Americans chosen to receive the award—and the first ever from West Virginia to be so honored. And in receiving the Silver Buffalo Award, Steve now holds all three of the Boy Scouts highest commendations for adult Scout leaders and volunteers, having already been awarded the Silver Beaver and Silver Antelope Awards.

Steve's background in Scouting was one of the reasons I reached out to him in 2007 when the Boy Scouts decided to move their National Jamboree from a Virginia military base to a permanent location. As Governor, I assembled a team of government officials and private volunteers to identify the best site in West Virginia and market it to the Boy Scouts. I called the group the West Virginia Project Arrow Task Force, and it was headed by Steve McGowan.

The competition with other States was tough. Proposals were submitted for 82 sites in 28 States. But with Steve as its chief, the West Virginia Project Arrow Task Force hit the bull's eye. The Boy Scouts chose a home in West Virginia—a 10,600-acre site in the New River Gorge, with easy access to white-water rafting, hiking, bicycling and rock climbing.

And this July, this permanent new home for the National Jamboree, the Summit Bechtel National Family Scout Reserve, will welcome more than 40,000 Boy Scouts and their leaders

from all across the country to their 10-day long gathering of Scouts. This is going to be a wonderful experience for the Scouts. But it's also going to be an unprecedented opportunity for the entire world to see West Virginia hospitality at its best.

Steve McGowan helped to make all of this happen. And on Friday, when he accepts his Silver Buffalo Award at the Boy Scouts of America National Annual Meeting in Dallas, I hope he will take a well-deserved bow for all his contributions to Scouting. The Boy Scouts oath begins with a promise to do one's best and to do one's duty to God and country, and that is a promise Steve McGowan has kept every day.

Again, I extend my sincerest congratulations to him on being honored with the Silver Buffalo Award, and I thank him for all he has done for the Boy Scouts of America, for God and country and for the great State of West Virginia.●

#### TRIBUTE TO COLONEL KEITH KLEMMER

● Mr. PRYOR. Mr. President, today I wish to recognize and congratulate Arkansas's native son, Col. Keith Klemmer, for attaining to the rank of Brigadier General. On June 1 of this year, Col. Klemmer will receive this well-deserved promotion to the rank of Brigadier General at a ceremony in Arkansas.

Colonel Klemmer has served in a variety of positions in the 39th Infantry Brigade, 142nd Fires Brigade, and 87th Troop Command including Battery Commander, Battalion S3, Battalion XO, Battalion Commander, Brigade FSO, Brigade XO, and Brigade Commander. He is a veteran of both Operation Desert Storm and Operation Iraqi Freedom. Colonel Klemmer entered Title 32 Active Guard/Reserve service as a full-time soldier in March 1994. His full-time assignments have included Battalion Training Officer, Battalion and Brigade Administrative Officer, Recruiting and Retention Executive Officer, Recruiting and Retention Manager, Deputy Property and Fiscal Officer for Arkansas, State Training Officer, and Chief of Staff for the Arkansas Army National Guard.

Since October of 2011, Colonel Klemmer has served as the Chief of Staff for the Arkansas Joint Force Headquarters, where he is responsible for synchronizing efforts of unit readiness, force structure, and the sustainment of the National Guard for mobilization and domestic missions, a position which he has commanded with distinction.

Colonel Klemmer is a graduate of Arkansas State University and received a master's degree from the United States Army War College in 2007. He has received numerous awards and decorations for his service to our country,



which include two Bronze Star Medals, the Meritorious Service Medal, the Army Commendation Medal with four Oak Leaf Clusters, the Army Achievement Medal with two Oak Leaf Clusters, the Arkansas Commendation Medal, and the Ancient Order of Saint Barbara. His career has been so impressive that he was inducted into the Arkansas Recruiting and Retention Hall of Fame in 2003.

In addition to his excellent military career, Colonel Klemmer is also an assistant scoutmaster for the Boy Scouts, serves as a deacon at his church in Russellville, AR, and is often a featured speaker for numerous local Memorial Day and Veteran's Day events. He and his wife, Sandra, have raised two wonderful children, Rachel and Gunner. Rachel graduated Summa Cum Laude from Harding University in 2010 and served as an intern in my Washington, D.C. office, while Gunner is currently a Trustee Scholar at Harding University.

Colonel Klemmer is a valued servant to the people of Arkansas and the United States of America. Our State and Nation have been fortunate to have Colonel Klemmer's 30 years of service, and I can only hope he can serve another 30 years. I thank him again for his dedication and commitment to keeping our Nation and State safe.●

#### TRIBUTE TO NORM BROWNSTEIN

● Mr. UDALL of Colorado. Mr. President, today, I wish to speak about a very special Coloradan on the occasion of his 70th birthday—Mr. Norm Brownstein. I am joined by two of my esteemed colleagues, who associate themselves with these remarks today: Majority Leader HARRY REID and my fellow Colorado senator MICHAEL BENNET.

Norm Brownstein is someone who many Americans may not know, but he is someone who has had an indelible effect on our Nation's public policy over the past several decades.

At root, Norm's story is an American success story. A Coloradan, a husband, a father of three, and a grandfather of four, Norm is someone who advocates passionately on behalf of the causes in which he believes. He is a man who rose from nothing to be involved at the apex of many of our country's most important political debates.

We are proud today to speak on the floor of the United States Senate on behalf of a man known by many of us as the "101st Senator," to wish him a happy birthday, and, on behalf of so many of our colleagues, to let the American people know a little bit about this man.

The son of a Russian immigrant, and an orphan in his teenage years, Norm was not afforded the opportunities granted to many others who find success. And yet, despite his hardships,

Norm excelled at academics, and, while working part time at a bicycle shop, became the first in his family to graduate from college. After getting his degree at the University of Colorado in Boulder, he went on to get a law degree there.

Norm may have done well in school, but in the late 1960s the Nation's top firms were not as hospitable as they should have been to talented Jewish lawyers. But that did not stop him. Norm and his childhood friend Steve Farber decided to open up their own firm in 1968 and away they went. Today, that firm—Brownstein Hyatt Farber Schreck—has 240 lawyers and consultants and 10 offices.

At first, Norm was not involved in politics—instead focusing on building his firm through real estate and other traditional legal work. But as Norm's legal practice grew, so too did his community involvement, as well as his interest in policy and politics.

Norm's firm already was involved very much in Denver and Colorado from a civic standpoint as well as with Colorado's political leaders. But Norm decided to take it to the next level and work with as many political leaders in the country as he could, both Democrats and Republicans. But, unlike so many who develop political relationships to pursue a narrow personal agenda, Norm pursued these political relationships based on his love of Israel and his desire to promote America's relationship with our most important ally in the Middle East. He joined the board of AIPAC, the American/Israel Public Affairs Committee, and if a Member of Congress supported Israel, Norm worked with that Member, to help them help the United States and Israel. This went on for decades. After a while, Norm knew so many Senators so well, he was presented in 2003 with a photograph of this Chamber, with the signature of every senator in the body at that time, to go with a plaque previously signed by several of our colleagues with the title "our 101st Senator".

Over the years, folks would ask for Norm's help in Washington, DC, and eventually he decided to open an office in Washington in the late-1990s. Like his challenging childhood, and his rough introduction to the legal community, Norm faced numerous obstacles in opening a DC office operating out of Denver. But as with everything else he set his mind to, this effort also thrived. Today, Brownstein's DC office has risen from a meager shop of two people in 1997 to being at the top of its field.

In a tribute to Norm's many decades of work and successes, the Smithsonian Institution recently honored him in a permanent exhibit displaying 89 Americans who have had a profound impact on America's politics and policy. His colleagues in this exhibit include a

who's who of major American political figures and business leaders including: our former Senate Majority Leader George Mitchell, the current House Majority Leader ERIC CANTOR, our current U.S. Secretary of Health and Human Services Secretary Kathleen Sebelius, the business icon and entrepreneur Steve Case, and the list goes on. It is not easy to be mentioned on a list of the most influential people in our Nation's political discourse when you are not in government. So it makes us proud that such a list would include a homegrown lawyer from Denver.

And through all of his policy and political work, Norm has always remained true to his core—helping Israel and helping the people of Colorado. For example, in our home State, Norm has worked with the U.S. Congress to, among other things: help the University of Colorado build its Health Sciences Center as well as obtain federal funding to research Down Syndrome; help the City of Denver obtain federal funding to build the Denver International Airport; and help National Jewish Health obtain federal funding for life saving respiratory projects.

This next example is instructive of where Norm's heart is—finding opportunities that intersect with good business, good public policy, and good benefits to everyday Americans. A number of years ago, some of our colleagues were talking about changing the laws involving foundations, because they thought there were a lot of abuses there. These were well-intentioned changes, but they would have prevented a particular philanthropist in Colorado from providing full-ride scholarship programs to students who could not otherwise afford to go to college in the State. Norm worked tirelessly on this issue. He educated numerous Members and staffs about the anomalous effect the pending proposals would have. His efforts led to a restructuring of the proposed law that allowed the bank that this philanthropist owned to stay private, and more importantly, stay involved. This bank is now the largest bank in Colorado, and it houses one of the largest scholarship programs in the United States—and literally thousands of students will get to go to college because of Norm Brownstein's work.

Norm's incredible life story is one that could and should be instructive to us in these partisan times. His talent and work ethic are enormous. His love of the United States and Israel is limitless. And his affection for so many of us here in Congress is 100 percent genuine. And while his passion for politics and public policy is boundless, Norm does not care if you are a Democrat or a Republican. Instead, he just cares about you the person. Partisanship is a dirty word to Norm. We should all take a page from his playbook.

There are many of us here in the Congress who know Norm Brownstein as a friend and we are truly blessed. We hope we have helped you get to know him a little bit better too. Happy birthday to a great Coloradan—and a truly great American.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. William, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 1:40 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3. An act to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes.

H.R. 271. An act to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes.

H.R. 1949. An act to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level.

The message also announced that pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a), and the order of the House of January 3, 2013, the Speaker appoints the following Members on the part of the House of Representatives to the Migratory Bird Conservation Commission: Mr. WITTMAN of Virginia and Mr. DINGELL of Michigan.

The message further announced that pursuant to section 672(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), and the order of the House of January 3, 2013, the Speaker appoints the following individuals on the part of the House of Representatives to the Military Compensation and Retirement Modernization Commission: Mr. Dov S. Zakheim of Silver Spring, Maryland, and Mr. Michael R. Higgins of Washington, DC.

The message also announced that pursuant to section 3 of the Protect Our Kids Act of 2012 (Public Law 112-

275) the Minority Leader appoints the following individual on the part of the House of Representatives to the Commission to Eliminate Child Abuse and Neglect Fatalities: Robert E. "Bud" Cramer of Huntsville, Alabama.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1949. An act to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level; to the Committee on Health, Education, Labor, and Pensions.

#### MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 3. An act to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes.

H.R. 271. An act to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1628. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Immokalee, FL" ((RIN2120-AA66) (Docket No. FAA-2012-1051)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1629. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; West Palm Beach, FL" ((RIN2120-AA66) (Docket No. FAA-2012-0922)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1630. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Griffin, GA" ((RIN2120-AA66) (Docket No. FAA-2012-1219)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1631. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of VOR Federal Airway V-595, OR" ((RIN2120-AA66) (Docket No. FAA-2012-1004)) received in the Office of the President of the Senate on May 6, 2013; to

the Committee on Commerce, Science, and Transportation.

EC-1632. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Restricted Areas R-6703A, B, C, D; and Establishment of Restricted Areas R-6703E, F, G, H, I, and H, J; WA" ((RIN2120-AA66) (Docket No. FAA-2013-0371)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1633. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace, Omak, WA" ((RIN2120-AA66) (Docket No. FAA-2012-1247)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1634. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Lakeview, OR" ((RIN2120-AA66) (Docket No. FAA-2012-1254)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1635. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Astoria, OR" ((RIN2120-AA66) (Docket No. FAA-2012-0853)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1636. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace; Portland-Hillsboro, OR" ((RIN2120-AA66) (Docket No. FAA-2012-1142)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1637. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; St. Helena, CA" ((RIN2120-AA66) (Docket No. FAA-2013-0283)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1638. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Caldwell, NJ" ((RIN2120-AA66) (Docket No. FAA-2012-0609)) received in the Office of the President of the Senate on May 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1639. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E

Airspace; Reading, PA" ((RIN2120-AA66) (Docket No. FAA-2012-1270)) received in the Office of the President of the Senate on May 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1640. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Area Navigation (RNAV) Route T-266; AK" ((RIN2120-AA66) (Docket No. FAA-2012-1295)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1641. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Restricted Area R-6601; Fort A.P. Hill, VA" ((RIN2120-AA66) (Docket No. FAA-2012-0561)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1642. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; Sub-ACL (Annual Catch Limit) Harvested for Management Area 2" (RIN0648-XC500) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1643. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XC593) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1644. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska" (RIN0648-XC606) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1645. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XC605) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1646. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Approval of Emergency Action to Establish Recreational Closure Authority Specific to Federal Waters Off Individual States for the Red Snapper Component of the Reef Fish Fishery" (RIN0648-BD00) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1647. A communication from the Acting Deputy Director, Office of Sustainable Fish-

eries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Hook-and-Line Gear in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XC633) received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1648. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries in the Western Pacific; American Samoa Pelagic Longline Limited Entry Program" (RIN0648-XC629) received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1649. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC638) received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1650. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic" (RIN0648-BB70) received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1651. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Reassessment of Federal Communications Commission Radiofrequency Exposure Limits and Policies and Proposed Changes in the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields" (FCC 13-39) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1652. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Parts 1, 2, 15, 74, 78, 87, 90 and 97 of the Commission's Rules Regarding Implementation of the Final Acts of the World Radiocommunications Conference (WRC, Geneva 2007), Other Allocation Issues and Related Rule Updates" (FCC 12-140) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1653. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; Developing a Unified Inter-carrier Compensation Regime" ((RIN3060-AG49) (DA 13-564)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1654. A communication from the Chief of Staff, Wireless Telecommunications Bu-

reau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 90 of the Commission's Rules" (FCC 13-52) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1655. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Standards of Identity for Pisco and Cognac" (RIN1513-AB91) received in the Office of the President of the Senate on May 22, 2013; to the Committee on the Judiciary.

EC-1656. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-065, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-1657. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Announcement of Effective Date for Regulations Implementing the Defense Trade Cooperation Treaty between the United States and Australia" (RIN1400-AD38) received in the Office of the President of the Senate on May 23, 2013; to the Committee on Foreign Relations.

EC-1658. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-071); to the Committee on Foreign Relations.

EC-1659. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-062); to the Committee on Foreign Relations.

EC-1660. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-059); to the Committee on Foreign Relations.

EC-1661. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-035); to the Committee on Foreign Relations.

EC-1662. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-039); to the Committee on Foreign Relations.

EC-1663. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, the Department of Defense 2013 Major Automated Information System (MAIS) Annual Reports (MARs); to the Committee on Armed Services.

EC-1664. A communication from the Principal Deputy Under Secretary of Defense (Policy), transmitting, pursuant to law, a report entitled "Combating Terrorism Activities Fiscal Year 2014 Budget Estimates"; to the Committee on Armed Services.

EC-1665. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on

the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-1666. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1667. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1668. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the 99th Annual Report of the Federal Reserve Board covering operations for calendar year 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-1669. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Physical Protection of Irradiated Reactor Fuel in Transit" (RIN3150-A164) received in the Office of the President of the Senate on May 23, 2013; to the Committee on Environment and Public Works.

EC-1670. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision to the Washington State Implementation Plan; Tacoma-Pierce County Nonattainment Area" (FRL No. 9817-1) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Environment and Public Works.

EC-1671. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Threatened Status and Designation of Critical Habitat for *Eriogonum codium* (Umtanum Desert Buckwheat) and *Physaria douglasii* subsp. *tuplashensis* (White Bluffs Bladderpod)" (RIN1018-AX72; RIN1018-AZ54) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC-1672. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Eriogonum codium* (Umtanum Desert Buckwheat) and *Physaria douglasii* subsp. *tuplashensis* (White Bluffs Bladderpod)" (RIN1018-AZ54) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC-1673. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Threatened Status for

*Eriogonum codium* (Umtanum Desert Buckwheat) and *Physaria douglasii* subsp. *tuplashensis* (White Bluffs Bladderpod)" (RIN1018-AX72) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC-1674. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for 38 Species on Molokai, Lanai, and Maui" (RIN1018-AX14) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC-1675. A communication from the Director, Office of Regulations and Report Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Amendments to the Rules on Determining Hearing Appearances" (RIN0960-AH40) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Finance.

EC-1676. A communication from the Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Technical Assistance to Improve State Data Capacity—National Technical Assistance Center to Improve State Capacity to Accurately Collect and Report IDEA Data" (CFDA No. 84.373Y) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1677. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013 and Management Report of final actions taken; to the Committee on Homeland Security and Governmental Affairs.

EC-1678. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Copayments for Medications in 2013" (RIN2900-AO58) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Veterans' Affairs.

EC-1679. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1042)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1680. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1094)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1681. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of

a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0933)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1682. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0809)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1683. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0994)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1684. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0413)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1685. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0932)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1686. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0938)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1687. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0803)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1688. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0935)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1689. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation,

EC-1712. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Aviation Airplanes" (RIN2120-AA64) (Docket No. FAA-2013-0306)) received during adjournment of the Senate in the Office of the President of the Senate on May 2,

2013; to the Committee on Commerce, Science, and Transportation.

EC-1713. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. Turbo shaft Engines" ((RIN2120-AA64) (Docket No. FAA-2012-1131)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1714. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; International Aero Engines AG Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2012-1217)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1715. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1148)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1716. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BRP-Powertrain GmbH and Co KG Rotax Reciprocating Engines" ((RIN2120-AA64) (Docket No. FAA-2013-0263)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1717. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Kelowna Flightcraft R and D Ltd. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0330)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1718. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Diamond Aircraft Industries Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0348)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1719. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0773)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1720. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Helicopters" ((RIN2120-AA64) (Docket No. FAA-2010-1303)) received

in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1721. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2012-0817)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1722. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XC542) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1723. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions Nos. 1 and 2" (RIN0648-XC631) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1724. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments" (RIN0648-BD14) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1725. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Hook-and-Line Gear in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XC612) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1726. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for South Atlantic Golden Tilefish" (RIN0648-XC626) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1727. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Exempted Fishery for the Spiny Dogfish Fishery in the Waters East and West of Cape Cod, MA" (RIN0648-BC50) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1728. A communication from the Director, Office of Sustainable Fisheries, Depart-

ment of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Final 2013-2015 Spiny Dogfish Fishery Specifications" (RIN0648-BC85) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1729. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Catch Sharing Plan; Correcting Amendment" (RIN0648-BC75) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1730. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XC651) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1731. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Temporary Rule To Extend the Increase of the Commercial Annual Catch Limit for South Atlantic Yellowtail Snapper" (RIN0648-BC59) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Rachel Elise Barkow, of New York, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2017.

Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2015.

William H. Pryor, Jr., of Alabama, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2017.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SANDERS (for himself, Ms. KLOBUCHAR, Ms. WARREN, Ms. BALDWIN, Mrs. BOXER, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. FRANKEN, Mr. SCHATZ, Mr. JOHNSON of South Dakota, Mr. CARDIN, Mrs. GILLIBRAND, Mr. LEAHY, Mr. CASEY, and Mr. NELSON):

S. 1028. A bill to reauthorize and improve the Older Americans Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.



By Mr. PORTMAN (for himself, Mr. PRYOR, Ms. COLLINS, Mr. NELSON, Mr. CORNYN, Mr. MANCHIN, Ms. AYOTTE, Mr. KING, and Mr. JOHANNIS):

S. 1029. A bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WYDEN (for himself, Ms. COLLINS, Mr. MERKLEY, and Mr. KING):

S. 1030. A bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. RUBIO, Mr. BARRASSO, and Mr. INHOFE):

S. 1031. A bill to amend the Internal Revenue Code of 1986 to improve access to health care through expanded health savings accounts, and for other purposes; to the Committee on Finance.

By Mrs. MCCASKILL (for herself, Ms. COLLINS, Mrs. SHAHEEN, Mr. BLUNT, and Ms. KLOBUCHAR):

S. 1032. A bill to amend title 10, United States Code, to make certain improvements in the Uniform Code of Military Justice related to sex-related offenses committed by members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. HARKIN:

S. 1033. A bill to authorize a grant program to promote physical education, activity, and fitness and nutrition, and to ensure healthy students, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEVIN (for himself and Mr. INHOFE) (by request):

S. 1034. A bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; to the Committee on Armed Services.

By Mr. KING (for himself and Mr. RUBIO):

S. 1035. A bill to require an independent alternative analysis of the consideration of the use of targeted lethal force against a particular, known United States person knowingly engaged in acts of international terrorism against the United States and for other purposes; to the Select Committee on Intelligence.

By Mr. REID (for Mr. LAUTENBERG):

S. 1036. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a partnership program in foreign languages; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:

S. 1037. A bill to ensure adequate protection of the rights under the Fourth Amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. DURBIN, Mr. BLUMENTHAL, Mr. COONS, Mr. HARKIN, Mr. MENENDEZ, Ms. STABENOW, Mr. LEVIN, Ms. MIKULSKI, Ms. WARREN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. LAUTENBERG, and Ms. HIRONO):

S. 1038. A bill to eliminate racial profiling by law enforcement, and for other purposes; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself and Mr. HELLER):

S. 1039. A bill to amend title 38, United States Code, to expand the Marine Gunnery

Sergeant John David Fry scholarship to include spouses of members of the Armed Forces who die in the line of duty, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PORTMAN (for himself, Mr. ISAKSON, Mr. COBURN, and Mr. BROWN):

S. 1040. A bill to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL:

S. 1041. A bill to amend title 10, United States Code, to afford crime victims' rights to victims of offenses under the Uniform Code of Military Justice, and for other purposes; to the Committee on Armed Services.

By Mrs. SHAHEEN (for herself, Ms. KLOBUCHAR, and Mr. MURPHY):

S. 1042. A bill to authorize the Secretary of Veterans Affairs to provide support to university law school programs that are designed to provide legal assistance to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BENNET:

S. 1043. A bill to promote innovative practices for the education of English learners and to help States and local educational agencies with English learner populations build capacity to ensure that English learners receive high-quality instruction that enables them to become proficient in English, access the academic content knowledge needed to meet State challenging academic content standards, and be prepared for post-secondary education and careers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PORTMAN:

S. 1044. A bill to direct the Secretary of the Interior to install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the United States on D-Day, June 6, 1944; to the Committee on Energy and Natural Resources.

By Mr. COBURN (for himself and Mr. PRYOR):

S. 1045. A bill to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHATZ (for himself, Mr. BARRASSO, Mr. TESTER, and Ms. HIRONO):

S. 1046. A bill to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994; to the Committee on Indian Affairs.

By Mr. GRASSLEY (for himself, Ms. LANDRIEU, and Mr. COCHRAN):

S. 1047. A bill to provide for the issuance and sale of a semipostal by the United States Postal Service to support effective programs targeted at improving permanency outcomes for youth in foster care; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ISAKSON:

S. 1048. A bill to revoke the charters for the Federal National Mortgage Corporation and the Federal Home Loan Mortgage Corporation upon resolution of their obligations, to create a new Mortgage Finance Agency for the securitization of single family and multifamily mortgages, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HELLER:

S. 1049. A bill to direct the Secretary of the Interior and Secretary of Agriculture to expedite access to certain Federal lands under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself, Mrs. MCCASKILL, Mr. BLUNT, Mr. BLUMENTHAL, Ms. MURKOWSKI, Mr. BEGICH, Mr. COCHRAN, Mr. JOHANNIS, Ms. AYOTTE, Mrs. GILLIBRAND, and Ms. KLOBUCHAR):

S. 1050. A bill to amend title 10, United States Code, to ensure the issuance of regulations applicable to the Coast Guard regarding consideration of a request for a permanent change of station or unit transfer submitted by a member of the Coast Guard who is the victim of a sexual assault; to the Committee on Commerce, Science, and Transportation.

By Ms. COLLINS (for herself and Mr. KING):

S. 1051. A bill to amend title 37, United States Code, to ensure that footwear furnished or obtained by allowance for enlisted members of the Armed Forces upon their initial entry into the Armed Forces complies with domestic source requirements; to the Committee on Armed Services.

By Mr. BENNET (for himself, Mr. ALEXANDER, Ms. MIKULSKI, Mr. KIRK, Ms. KLOBUCHAR, and Ms. LANDRIEU):

S. 1052. A bill to create and expand innovative teacher and principal preparation programs known as teacher and principal preparation academies; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. ROBERTS):

S. 1053. A bill to amend title XVIII of the Social Security Act to strengthen and protect Medicare hospice programs; to the Committee on Finance.

By Mr. REID:

S. 1054. A bill to establish Gold Butte National Conservation Area in Clark County, Nevada in order to conserve, protect, and enhance the cultural, archaeological, natural, wilderness, scientific, geological, historical, biological, wildlife, educational, and scenic resources of the area, to designate wilderness areas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself and Mr. BROWN):

S. 1055. A bill to authorize the Secretary of Education to establish the National Program for Arts and Technology; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Ms. LANDRIEU, and Mr. BLUNT):

S. 1056. A bill to amend the Internal Revenue Code of 1986 to provide for a refundable adoption tax credit; to the Committee on Finance.

By Mr. UDALL of Colorado:

S. 1057. A bill to prohibit the use of unmanned aircraft systems by private persons to conduct surveillance of other private persons, and for other purposes; to the Committee on the Judiciary.

By Mr. HELLER (for himself and Mrs. MURRAY):

S. 1058. A bill to amend title 38, United States Code, to authorize per diem payments under comprehensive service programs for homeless veterans to furnish care to dependents of homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.



By Mr. KIRK:

S. 1059. A bill to amend the Immigration and Nationality Act to deem any person who has received an award from the Armed Forces of the United States for engagement in active combat or active participation in combat to have satisfied certain requirements for naturalization; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mr. ENZI):

S. 1060. A bill to amend the Public Health Service Act to facilitate emergency medical services personnel training and certification curriculums for military veterans; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. GRASSLEY):

S. 1061. A bill to amend the Public Health Service Act to designate certain medical facilities of the Department of Veterans Affairs as health professional shortage areas, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED:

S. 1062. A bill to improve quality and accountability for educator preparation programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED:

S. 1063. A bill to improve teacher quality, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN:

S. 1064. A bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program; to the Committee on Finance.

By Mr. FRANKEN (for himself and Mrs. MURRAY):

S. 1065. A bill to amend the Child Care and Development Block Grant Act of 1990 to improve the quality of infant and toddler care; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 1066. A bill to allow certain student loan borrowers to refinance Federal student loans; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself, Mr. REID, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. BEGICH, Mr. COONS, and Mr. FRANKEN):

S. 1067. A bill to establish within the Department of Education the Innovation Inspiration school grant program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH (for himself, Mr. WICKER, and Mr. SCHATZ):

S. 1068. A bill to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND (for herself, Mr. SCHUMER, Ms. WARREN, Mrs. MURRAY, Mr. WYDEN, Mr. FRANKEN, and Mr. LAUTENBERG):

S. 1069. A bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mr. BROWN, Mr. UDALL of Colorado, and Mrs. BOXER):

S. 1070. A bill to make it unlawful to alter or remove the unique equipment identification number of a mobile device; to the Committee on the Judiciary.

By Mr. UDALL of Colorado (for himself and Mr. BENNET):

S. 1071. A bill to authorize the Secretary of the Interior to make improvements to support facilities for National Historic Sites operated by the National Park Service, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself, Ms. MURKOWSKI, Mr. MORAN, Mr. ROBERTS, Mr. JOHANNES, Mr. BEGICH, Mr. RISCH, Mr. UDALL of New Mexico, and Mr. TESTER):

S. 1072. A bill to ensure that the Federal Aviation Administration advances the safety of small airplanes and the continued development of the general aviation industry, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself, Mr. FRANKEN, and Mr. HOEVEN):

S. 1073. A bill to amend the Energy Independence and Security Act of 2007 to improve the coordination of refinery outages, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KAINE (for himself and Mr. WARNER):

S. 1074. A bill to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; to the Committee on Indian Affairs.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 1075. A bill to extend the phase-in of actuarial rates for flood insurance for certain properties under the Biggert-Waters Flood Insurance Reform Act of 2012; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. HAGAN (for herself and Mrs. GILLIBRAND):

S. 1076. A bill to amend title 10, United States Code, to provide for the payment of monthly annuities under the Survivor Benefit Plan to a supplemental or special needs trust established for the sole benefit of a disabled dependent child of a participant in the Survivor Benefit Plan; to the Committee on Armed Services.

By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. CARPER, Mr. WARNER, Mr. COONS, and Mr. KAINE):

S. 1077. A bill to amend the Chesapeake Bay Initiative Act of 1998 to provide for the reauthorization of the Chesapeake Bay Gateways and Watertrails Network; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR (for herself and Ms. HIRONO):

S. 1078. A bill to direct the Secretary of Defense to provide certain TRICARE beneficiaries with the opportunity to retain access to TRICARE Prime; to the Committee on Armed Services.

By Mr. VITTER:

S. 1079. A bill to require the Director of the Bureau of Safety and Environmental Enforcement to promote the artificial reefs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND (for herself, Mr. BLUMENTHAL, Mr. SCHUMER, and Mr. MURPHY):

S. 1080. A bill to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship; to the

Committee on Environment and Public Works.

By Mr. WARNER (for himself and Mr. KAINE):

S. 1081. A bill to amend title 10, United States Code, to expand and enhance authorities on protected communications of members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. FRANKEN:

S. 1082. A bill to promote Advanced Placement and International Baccalaureate programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. KIRK):

S. 1083. A bill to provide high-quality public charter school options for students by enabling such public charter schools to expand and replicate; to the Committee on Health, Education, Labor, and Pensions.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. TOOMEY:

S. Res. 153. A resolution recognizing the 200th anniversary of the Battle of Lake Erie; to the Committee on the Judiciary.

By Mr. HOEVEN (for himself and Mr. BLUMENTHAL):

S. Res. 154. A resolution supporting political reform in Iran and for other purposes; to the Committee on Foreign Relations.

By Mr. CASEY:

S. Res. 155. A resolution recognizing the City of Erie, Pennsylvania, for its critical role in the development and construction of the fleet of Commodore Oliver Hazard Perry during the War of 1812; to the Committee on the Judiciary.

By Mr. WARNER:

S. Res. 156. A resolution expressing the sense of the Senate on the 10-year anniversary of NATO Allied Command Transformation; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR (for herself, Mr. JOHNSON of South Dakota, Mrs. FISCHER, Mr. SANDERS, Mr. LEAHY, Mr. MERKLEY, Mrs. BOXER, Mr. PRYOR, Mr. GRASSLEY, Mr. BOOZMAN, Mr. ENZI, Ms. BALDWIN, and Mr. THUNE):

S. Res. 157. A resolution expressing the sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas; to the Committee on Commerce, Science, and Transportation.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 158. A resolution to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Con. Res. 17. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 183

At the request of Mrs. McCASKILL, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 346

At the request of Mr. TESTER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 381

At the request of Mr. BROWN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 415

At the request of Ms. LANDRIEU, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 415, a bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, and for other purposes.

S. 420

At the request of Mr. ENZI, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 420, a bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to long-standing regulatory rule.

S. 462

At the request of Mrs. BOXER, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 541

At the request of Ms. LANDRIEU, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 596

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 596, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to furnish remote patient monitoring services that reduce expenditures under such program.

S. 604

At the request of Mr. HELLER, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 604, a bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes.

S. 650

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 650, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 674

At the request of Mr. HELLER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 674, a bill to require prompt responses from the heads of covered Federal agencies when the Secretary of Veterans Affairs requests information necessary to adjudicate claims for benefits under laws administered by the Secretary, and for other purposes.

S. 699

At the request of Ms. COLLINS, her name was added as a cosponsor of S. 699, a bill to reallocate Federal judgeships for the courts of appeals, and for other purposes.

S. 700

At the request of Mr. KAINE, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

S. 723

At the request of Mrs. GILLIBRAND, the names of the Senator from Michi-

gan (Ms. STABENOW) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 723, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 734

At the request of Mr. NELSON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 777

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 777, a bill to restore the previous policy regarding restrictions on use of Department of Defense medical facilities.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Indiana (Mr. DONNELLY), the Senator from Wyoming (Mr. ENZI), the Senator from Missouri (Mr. BLUNT), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 815

At the request of Mr. MERKLEY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 820

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 820, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 825

At the request of Mr. SANDERS, the name of the Senator from Washington

(Mrs. MURRAY) was added as a cosponsor of S. 825, a bill to amend title 38, United States Code, to improve the provision of services for homeless veterans, and for other purposes.

S. 831

At the request of Mr. COATS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 831, a bill to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2017, under the Surface Mining Control and Reclamation Act of 1977.

S. 842

At the request of Mr. SCHUMER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 871

At the request of Mrs. MURRAY, the names of the Senator from Colorado (Mr. UDALL), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 897

At the request of Ms. WARREN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 897, a bill to prevent the doubling of the interest rate for Federal subsidized student loans for the 2013–2014 academic year by providing funds for such loans through the Federal Reserve System, to ensure that such loans are available at interest rates that are equivalent to the interest rates at which the Federal Government provides loans to banks through the discount window operated by the Federal Reserve System, and for other purposes.

S. 941

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 941, a bill to amend title 18, United States Code, to prevent discriminatory misconduct against taxpayers by Federal officers and employees, and for other purposes.

S. 948

At the request of Mr. SCHUMER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 948, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program.

S. 950

At the request of Mr. MORAN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cospon-

sor of S. 950, a bill to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location.

S. 953

At the request of Mr. REED, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

S. 958

At the request of Mr. UDALL of Colorado, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 958, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes.

S. 964

At the request of Mrs. MCCASKILL, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 964, a bill to require a comprehensive review of the adequacy of the training, qualifications, and experience of the Department of Defense personnel responsible for sexual assault prevention and response for the Armed Forces, and for other purposes.

S. 975

At the request of Ms. KLOBUCHAR, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 975, a bill to provide for the inclusion of court-appointed guardianship improvement and oversight activities under the Elder Justice Act of 2009.

S. 992

At the request of Mrs. SHAHEEN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 992, a bill to provide for offices on sexual assault prevention and response under the Chiefs of Staff of the Armed Forces, to require reports on additional offices and selection of sexual assault prevention and response personnel, and for other purposes.

S. 1006

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1006, a bill to preserve existing rights and responsibilities with respect to waters of the United States.

S. 1009

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1009, a bill to reauthorize and modernize the Toxic Substances Control Act, and for other purposes.

At the request of Mrs. GILLIBRAND, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from

Iowa (Mr. HARKIN) were added as cosponsors of S. 1009, *supra*.

S. 1015

At the request of Mr. CASEY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1015, a bill to amend the Internal Revenue Code of 1986 to allow credits for the purchase of franchises by veterans.

S. 1016

At the request of Mr. PAUL, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1016, a bill to protect individual privacy against unwarranted governmental intrusion through the use of the unmanned aerial vehicles commonly called drones, and for other purposes.

S.J. RES. 15

At the request of Mr. CARDIN, the names of the Senator from Virginia (Mr. KAINE) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of S.J. Res. 15, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 134

At the request of Mr. BLUMENTHAL, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. Res. 134, a resolution expressing the sense of the Senate that all incidents of abusive, unsanitary, or illegal health care practices should be condemned and prevented and the perpetrators should be prosecuted to the full extent of the law.

AMENDMENT NO. 953

At the request of Mr. DURBIN, the names of the Senator from Alaska (Mr. BEGICH), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Arizona (Mr. MCCAIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 953 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 965

At the request of Mr. SANDERS, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 965 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 978

At the request of Mr. MERKLEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 978 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1026

At the request of Mrs. BOXER, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of amendment No. 1026 intended to be proposed to S. 954, an original bill to

reauthorize agricultural programs through 2018.

AMENDMENT NO. 1027

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1027 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1057

At the request of Mrs. FEINSTEIN, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 1057 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1075

At the request of Mr. JOHNSON of Wisconsin, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of amendment No. 1075 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1077

At the request of Mr. HEINRICH, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 1077 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1079

At the request of Mr. COONS, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of amendment No. 1079 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1088

At the request of Mr. BROWN, the names of the Senator from New Mexico (Mr. UDALL), the Senator from Pennsylvania (Mr. CASEY), the Senator from Iowa (Mr. HARKIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 1088 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1092

At the request of Mr. THUNE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 1092 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1104

At the request of Mr. CHAMBLISS, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of amendment No. 1104 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1106

At the request of Mr. CHAMBLISS, the name of the Senator from Idaho (Mr.

RISCH) was added as a cosponsor of amendment No. 1106 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1115

At the request of Mr. BEGICH, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of amendment No. 1115 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

STATEMENTS ON INTRODUCED  
BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Ms. COLLINS, Mr. MERKLEY, and Mr. KING):

S. 1030. A bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, today I am being joined by my colleagues Senators COLLINS, MERKLEY, and KING on the introduction of the Storage Technology for Renewable and Green Energy Act of 2013 or the STORAGE 2013 Act. The purpose of the bill is to promote the deployment of energy storage technologies to make the electric grid operate more efficiently and help manage intermittent renewable energy generation from wind, solar, and other sources that vary with the time of day and the weather.

Traditionally, peak demand has been met by building more generation and transmission facilities, many of which sit idle much of the time. The Electric Power Research Institute's White Paper on storage technology observed that 25 percent of the equipment and capacity of the U.S. electric distribution system and 10 percent of the generation and transmission system is needed less than 400 hours a year. Peak generation is also often met with the least efficient, most costly power plants. Energy storage systems offer an alternative to simply building more generation and transmission to meet peak demand because they allow the current system to meet peak demands by storing less expensive off-peak power, from the most cost-efficient plants, for use during peak demand.

The growth of renewable energy from wind and solar and other intermittent renewable sources, like wave and tidal energy, raises yet another challenge for the electric grid that storage can help address. These renewable sources deliver power at times of the day or night when they might not be needed or fluctuate with the weather. Energy storage technology allows these intermittent sources to store power as it is generated and allow it to be dispatched when it is most needed and in a pre-

dictable, steady stream of electricity no longer at the vagaries of weather conditions. And equally important, it allows this intermittent generation to more closely match demand. Instead of trying to find a place to sell power at 3:00 a.m. in the morning when demand is down, wind farms for example would be able to sell their power at 3:00 p.m. in the afternoon when demand is up.

The STORAGE 2013 Act is substantially similar to the STORAGE Act of 2011 I introduced last Congress. It offers investment tax credits for three categories of energy storage facilities that temporarily store energy for delivery or use at a later time. The bill is technology neutral and does not pick storage technology "winners" and "losers" either in terms of the storage technology that is used or in terms of the source of the energy that is stored. The electricity can come from a wind farm or it can come from a coal or nuclear plant. Pumped hydro, compressed air, batteries, flywheels, and thermal storage are all eligible technologies as are smart-grid enabled plug-in electric vehicles.

First, the STORAGE 2013 Act provides a 20 percent investment tax credit of up to \$40 million per project for storage systems connected to the electric grid and distribution system. A total of \$1.5 billion in these investment credits are available for these grid-connected systems. Developers would have to apply to the Treasury Department and DOE for the credits, similar to the process used for the green energy manufacturing credits the "48C" program. This is a 20 percent credit so that means the actual cost of the project that would be eligible for the full credit would be \$200 million.

The act also provides a 30 percent investment tax credit of up to \$1 million per project to businesses for on-site storage, such as an ice-storage facility in an office building, where ice is made at night using low-cost, off-peak power and then used to help air-condition the building during the day while reducing peak demand. This is a 30 percent credit so the cost of the actual projects that would get the full credit amount would be around \$3.3 million.

One change from last year's version of the bill is that the minimum size for storage systems to be eligible for this credit is now 5 kWh, whereas it was 20 kWh before. 20 kWh is a reasonable size for industrial energy consumers and big-box stores, but a 5 kWh limit is a size that makes sense for small businesses. This change will allow small businesses to participate in pioneering storage on the grid, and will incentivize storage companies to create leasing models for residential users. Leasing models are proving very successful at increasing grid-connected residential solar, and this credit will open up a whole new market for storage to follow suit.

But if homeowners want to install storage on their own, they will be able to. The Act also provides for 30 percent tax credit for homeowners for on-site storage projects to store off-peak electricity from solar panels or from the grid for later use during peak hours.

As the EPRI white paper noted “(d)espite the large anticipated need for energy storage solutions within the electric enterprise, very few grid-integrated storage installations are in actual operation in the United States today.” The purpose of the STORAGE 2013 Act is to help jump start the deployment of these storage solutions so that renewable energy technologies can increase their economic value to the electric grid while reducing their power integration costs as well as to improve the overall efficiency of the electrical system.

I urge my colleagues to take a closer look at what storage technologies can do to help reduce the cost of electricity and improve the performance of the electric grid and renewable energy technologies. If they do, I am confident my colleagues will join Senators COLLINS, MERKLEY, and KING in supporting this bipartisan legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1030

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Storage Technology for Renewable and Green Energy Act of 2013” or the “STORAGE 2013 Act”.

#### SEC. 2. ENERGY INVESTMENT CREDIT FOR ENERGY STORAGE PROPERTY CONNECTED TO THE GRID.

(a) UP TO 20 PERCENT CREDIT ALLOWED.—Subparagraph (A) of section 48(a)(2) of the Internal Revenue Code of 1986 is amended—

(1) by striking “and” at the end of subclause (IV) of clause (i),

(2) by striking “clause (i)” in clause (ii) and inserting “clause (i) or (ii)”,

(3) by redesignating clause (ii) as clause (iii), and

(4) by inserting after clause (i) the following new clause:

“(ii) as provided in subsection (c)(5)(D), up to 20 percent in the case of qualified energy storage property, and”.

(b) QUALIFIED ENERGY STORAGE PROPERTY.—Subsection (c) of section 48 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(5) QUALIFIED ENERGY STORAGE PROPERTY.—

“(A) IN GENERAL.—The term ‘qualified energy storage property’ means property—

“(i) which is directly connected to the electrical grid, and

“(ii) which is designed to receive electrical energy, to store such energy, and—

“(I) to convert such energy to electricity and deliver such electricity for sale, or

“(II) to use such energy to provide improved reliability or economic benefits to the grid.

Such term may include hydroelectric pumped storage and compressed air energy storage, regenerative fuel cells, batteries, superconducting magnetic energy storage, flywheels, thermal energy storage systems, and hydrogen storage, or combination thereof, or any other technologies as the Secretary, in consultation with the Secretary of Energy, shall determine.

“(B) MINIMUM CAPACITY.—The term ‘qualified energy storage property’ shall not include any property unless such property in aggregate has the ability to sustain a power rating of at least 1 megawatt for a minimum of 1 hour.

“(C) ELECTRICAL GRID.—The term ‘electrical grid’ means the system of generators, transmission lines, and distribution facilities which—

“(i) are under the jurisdiction of the Federal Energy Regulatory Commission or State public utility commissions, or

“(ii) are owned by—

“(I) the Federal government,

“(II) a State or any political subdivision of a State,

“(III) an electric cooperative that is eligible for financing under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.), or

“(IV) any agency, authority, or instrumentality of any one or more of the entities described in subclause (I) or (II), or any corporation which is wholly owned, directly or indirectly, by any one or more of such entities.

“(D) ALLOCATION OF CREDITS.—

“(i) IN GENERAL.—In the case of qualified energy storage property placed in service during the taxable year, the credit otherwise determined under subsection (a) for such year with respect to such property shall not exceed the amount allocated to such project under clause (ii).

“(ii) NATIONAL LIMITATION AND ALLOCATION.—There is a qualified energy storage property investment credit limitation of \$1,500,000,000. Such limitation shall be allocated by the Secretary among qualified energy storage property projects selected by the Secretary, in consultation with the Secretary of Energy, for taxable years beginning after the date of the enactment of the STORAGE 2013 Act, except that not more than \$40,000,000 shall be allocated to any project for all such taxable years.

“(iii) SELECTION CRITERIA.—In making allocations under clause (ii), the Secretary, in consultation with the Secretary of Energy, shall select only those projects which have a reasonable expectation of commercial viability, select projects representing a variety of technologies, applications, and project sizes, and give priority to projects which—

“(I) provide the greatest increase in reliability or the greatest economic benefit,

“(II) enable the greatest improvement in integration of renewable resources into the grid, or

“(III) enable the greatest increase in efficiency in operation of the grid.

“(iv) DEADLINES.—

“(I) IN GENERAL.—If a project which receives an allocation under clause (ii) is not placed in service within 2 years after the date of such allocation, such allocation shall be invalid.

“(II) SPECIAL RULE FOR HYDROELECTRIC PUMPED STORAGE.—Notwithstanding subclause (I), in the case of a hydroelectric pumped storage project, if such project has not received such permits or licenses as are determined necessary by the Secretary, in consultation with the Secretary of Energy, within 3 years after the date of such allocation,

begun construction within 5 years after the date of such allocation, and been placed in service within 8 years after the date of such allocation, such allocation shall be invalid.

“(III) SPECIAL RULE FOR COMPRESSED AIR ENERGY STORAGE.—Notwithstanding subclause (I), in the case of a compressed air energy storage project, if such project has not begun construction within 3 years after the date of the allocation and been placed in service within 5 years after the date of such allocation, such allocation shall be invalid.

“(IV) EXCEPTIONS.—The Secretary may extend the 2-year period in subclause (I) or the periods described in subclauses (II) and (III) on a project-by-project basis if the Secretary, in consultation with the Secretary of Energy, determines that there has been a good faith effort to begin construction or to place the project in service, whichever is applicable, and that any delay is caused by factors not in the taxpayer’s control.

“(E) REVIEW AND REDISTRIBUTION.—

“(i) REVIEW.—Not later than 4 years after the date of the enactment of the STORAGE 2013 Act, the Secretary shall review the credits allocated under subparagraph (D) as of the date of such review.

“(ii) REDISTRIBUTION.—Upon the review described in clause (i), the Secretary may reallocate credits allocated under subparagraph (D) if the Secretary determines that—

“(I) there is an insufficient quantity of qualifying applications for certification pending at the time of the review, or

“(II) any allocation made under subparagraph (D)(ii) has been revoked pursuant to subparagraph (D)(iv) because the project subject to such allocation has been delayed.

“(F) DISCLOSURE OF ALLOCATIONS.—The Secretary shall, upon making an allocation under subparagraph (D)(ii), publicly disclose the identity of the applicant, the location of the project, and the amount of the credit with respect to such applicant.

“(G) TERMINATION.—No credit shall be allocated under subparagraph (D) for any period ending after December 31, 2020.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after the date of the enactment of this Act, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

#### SEC. 3. ENERGY STORAGE PROPERTY CONNECTED TO THE GRID ELIGIBLE FOR NEW CLEAN RENEWABLE ENERGY BONDS.

(a) IN GENERAL.—Paragraph (1) of section 54C(d) of the Internal Revenue Code of 1986 is amended to read as follows:

“(1) QUALIFIED RENEWABLE ENERGY FACILITY.—The term ‘qualified renewable energy facility’ means a facility which is—

“(A)(i) a qualified facility (as determined under section 45(d) without regard to paragraphs (8) and (10) thereof and to any placed in service date), or

“(ii) a qualified energy storage property (as defined in section 48(c)(5)), and

“(B) owned by a public power provider, a governmental body, or a cooperative electric company.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to obligations issued after the date of the enactment of this Act.

#### SEC. 4. ENERGY INVESTMENT CREDIT FOR ON-SITE ENERGY STORAGE.

(a) CREDIT ALLOWED.—Clause (i) of section 48(a)(2)(A) of the Internal Revenue Code of 1986, as amended by this Act, is amended—

(1) by striking “and” at the end of subclause (III),

(2) by inserting “and” at the end of subclause (IV), and

(3) by adding at the end the following new subclause:

“(V) qualified onsite energy storage property.”

(b) **QUALIFIED ONSITE ENERGY STORAGE PROPERTY.**—Subsection (c) of section 48 of the Internal Revenue Code of 1986, as amended by this Act, is amended by adding at the end the following new paragraph:

“(6) **QUALIFIED ONSITE ENERGY STORAGE PROPERTY.**—

“(A) **IN GENERAL.**—The term ‘qualified onsite energy storage property’ means property which—

“(i) provides supplemental energy to reduce peak energy requirements primarily on the same site where the property is located, or

“(ii) is designed and used primarily to receive and store, firm, or shape variable renewable or off-peak energy and to deliver such energy primarily for onsite consumption.

Such term may include thermal energy storage systems and property used to charge plug-in and hybrid electric vehicles if such property or vehicles are equipped with smart grid equipment or services which control time-of-day charging and discharging of such vehicles. Such term shall not include any property for which any other credit is allowed under this chapter.

“(B) **MINIMUM CAPACITY.**—The term ‘qualified onsite energy storage property’ shall not include any property unless such property in aggregate—

“(i) has the ability to store the energy equivalent of at least 5 kilowatt hours of energy, and

“(ii) has the ability to have an output of the energy equivalent of 1 kilowatts of electricity for a period of 5 hours.

“(C) **LIMITATION.**—In the case of qualified onsite energy storage property placed in service during the taxable year, the credit otherwise determined under subsection (a) for such year with respect to such property shall not exceed \$1,000,000.”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to periods after the date of the enactment of this Act, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

#### **SEC. 5. CREDIT FOR RESIDENTIAL ENERGY STORAGE EQUIPMENT.**

(a) **CREDIT ALLOWED.**—Subsection (a) of section 25D of the Internal Revenue Code of 1986 is amended—

(1) by striking “and” at the end of paragraph (4),

(2) by striking the period at the end of paragraph (5) and inserting “, and”, and

(3) by adding at the end the following new paragraph:

“(6) 30 percent of the qualified residential energy storage equipment expenditures made by the taxpayer during such taxable year.”

(b) **QUALIFIED RESIDENTIAL ENERGY STORAGE EQUIPMENT EXPENDITURES.**—Section 25D(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(6) **QUALIFIED RESIDENTIAL ENERGY STORAGE EQUIPMENT EXPENDITURES.**—For purposes of this section, the term ‘qualified residential energy storage equipment expenditure’ means an expenditure for property—

“(A) which is installed in or on a dwelling unit located in the United States and owned and used by the taxpayer as the taxpayer’s principal residence (within the meaning of section 121), or on property owned by the taxpayer on which such a dwelling unit is located,

“(B) which—

“(i) provides supplemental energy to reduce peak energy requirements primarily on the same site where the property is located, or

“(ii) is designed and used primarily to receive and store, firm, or shape variable renewable or off-peak energy and to deliver such energy primarily for onsite consumption, and

“(C) which—

“(i) has the ability to store the energy equivalent of at least 2 kilowatt hours of energy, and

“(ii) has the ability to have an output of the energy equivalent of 500 watts of electricity for a period of 4 hours.

Such term may include thermal energy storage systems and property used to charge plug-in and hybrid electric vehicles if such property or vehicles are equipped with smart grid equipment or services which control time-of-day charging and discharging of such vehicles. Such term shall not include any property for which any other credit is allowed under this chapter.”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

By Mr. LEVIN (for himself and Mr. INHOFE) (by request):

S. 1034. A bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; to the Committee on Armed Services.

Mr. LEVIN. Mr. President, Senator INHOFE and I are introducing, by request, the administration’s proposed National Defense Authorization Act for fiscal year 2014. As is the case with any bill that is introduced by request, we introduce this bill for the purpose of placing the administration’s proposals before Congress and the public without expressing our own views on the substance of these proposals. As Chairman and Ranking Member of the Armed Services Committee, we look forward to giving the administration’s requested legislation our most careful review and thoughtful consideration.

By Mr. CARDIN (for himself, Mr. DURBIN, Mr. BLUMENTHAL, Mr. COONS, Mr. HARKIN, Mr. MENENDEZ, Ms. STABENOW, Mr. LEVIN, Ms. MIKULSKI, Ms. WARREN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. LAUTENBERG, and Ms. HIRONO):

S. 1038. A bill to eliminate racial profiling by law enforcement, and for other purposes; to the Committee on the Judiciary.

Mr. CARDIN. Mr. President, today I rise to introduce legislation in the Sen-

ate that would prohibit the use of racial profiling by Federal, State, or local law enforcement agencies. This legislation is entitled the End Racial Profiling Act, ERPA, 2013. I thank my colleagues who have joined me as original cosponsors of this legislation, including Senators DURBIN, BLUMENTHAL, COONS, HARKIN, MENENDEZ, STABENOW, LEVIN, MIKULSKI, WARREN, BOXER, GILLIBRAND, LAUTENBERG, and HIRONO.

Last year, the Nation’s attention was riveted to the tragic, avoidable death of Trayvon Martin in Florida in February 2012. As we all know from the news, an unarmed Martin, 17, was shot in Sanford, FL, on his way home from a convenience store, while carrying a can of iced tea and a bag of Skittles.

After the tragedy, I met with faith and civil rights groups at the Center for Urban Families in Baltimore to discuss the issue of racial profiling. Joining me were representatives from various faith and civil rights groups in Baltimore, as well as graduates from the center’s program. I heard there first-hand accounts of typical American families that were victims of racial profiling. One young woman recounted going to a basketball game with her father, only to have her dad detained by police for no apparent reason other than the color of his skin.

That is why I was pleased that the Justice Department, under the supervision of Attorney General Eric Holder, announced a Civil Rights Division and FBI investigation into the shooting death of Trayvon Martin. I join all Americans in wanting a full and complete investigation into the shooting death of Trayvon Martin to ensure that justice is served. There are many questions that we need answered.

Was Trayvon targeted because he was black? The State of Florida has already charged the shooter with second-degree murder, and the defendant will be given a jury trial of his peers, which begins next month in State court.

Trayvon’s tragic death leads to a discussion of the broader issue of racial profiling. The Senate Judiciary Committee held a hearing entitled “Ending Racial Profiling in America” in April 2012, which was chaired by Senator DURBIN.

At the hearing I was struck by the testimony of Ronald L. Davis, the Chief of Police of the City of East Palo Alto, CA. I want to quote part of Chief Davis’ testimony, in which he stated that:

[T]here exists no national, standardized definition for racial profiling that prohibits all uses of race, national origin, and religion, except when describing a person. Consequently, many state and local policies define racial profiling as using race as the ‘sole’ basis for a stop or any police action. This definition is misleading in that it suggests using race as a factor for anything other than a description is justified, which it is not. Simply put, race is a descriptor not a predictor. To use race along with other salient descriptors when describing someone



who just committed a crime is appropriate. However, when we deem a person to be suspicious or attach criminality to a person because of the color of his or her skin, the neighborhood they are walking in, or the clothing they are wearing, we are attempting to predict criminality. The problem with such predictions is that we are seldom right in our results and always wrong in our approach.

After the hearing I was joined at a press conference by Baltimore's Rev. Dr. Jamal Bryant, a leading youth activist and advisor to the Trayvon Martin family. He echoed the call to end racial profiling by law enforcement in America:

This piece of legislation being offered by my senator, Senator CARDIN, is the last missing piece for the civil rights bill from 1965 that says there ought to be equality regardless of one's gender or one's race. Racial profiling is in fact an extension of racism in America that has been unaddressed and this brings closure to the divide in this country.

I have called for putting an end to racial profiling, a practice that singles out individuals based on race, ethnicity, national origin, or religion.

My legislation would protect minority communities by prohibiting the use of racial profiling by law enforcement officials.

First, the bill prohibits the use of racial profiling by all law enforcement agents, whether Federal, State, or local. Racial profiling is defined in a standard, consistent definition as the practice of a law enforcement agent relying on race, ethnicity, religion, or national origin as a factor in their investigations and activities. The legislation creates an exception for the use of these factors where there is trustworthy information, relevant to the locality and time frame, which links persons of a particular race, ethnicity, or national origin to an identified incident or scheme.

Law enforcement agencies would be prohibited from using racial profiling in criminal or routine law enforcement investigations, immigration enforcement, and national security cases.

Second, the bill would mandate training on racial profiling issues, and requires data collection by local and State law enforcement agencies.

Third, this bill would condition the receipt of Federal funds by state and local law enforcement on two grounds. First, under this bill, state and local law enforcement would have to "maintain adequate policies and procedures designed to eliminate racial profiling." Second, they must "eliminate any existing practices that permit or encourage racial profiling."

Fourth, the bill would authorize the Justice Department to provide grants to State and local government to develop and implement best policing practices that would discourage racial profiling, such as early warning systems.

Finally, the bill would require the Attorney General to provide periodic

reports to assess the nature of any ongoing discriminatory profiling practices.

The bill would also provide remedies for individuals who were harmed by racial profiling.

The legislation I introduce today is supported by the Leadership Conference on Civil and Human Rights, NAACP, Rights Working Group, ACLU, and numerous other national, state, and local organizations.

Racial profiling is bad policy, but given the state of our budgets, it also diverts scarce resources from real law enforcement. Law enforcement officials nationwide already have tight budgets. The more resources spent investigating individuals because of their race, religion, national origin, or ethnicity, the fewer resources directed at suspects who are actually demonstrating illegal behavior.

Using racial profiling makes it less likely that certain affected communities will voluntarily cooperate with law enforcement and community policing efforts, making it harder for our law enforcement community to combat crimes and fight terrorism.

Minorities living and working in these communities in which racial profiling is used may also feel discouraged from traveling freely, which corrodes the public trust in government. This ultimately demonizes entire communities and perpetuates negative stereotypes based on an individual's race, ethnicity, or religion.

Racial profiling has no place in modern law enforcement. The vast majority of our law enforcement officials who put their lives on the line every day handle their jobs with professionalism, diligence, and fidelity to the rule of law.

However, Congress and the Justice Department can and should still take steps to prohibit racial profiling and finally root out its use.

I agree with Attorney General Holder's remarks to the American-Arab Anti-Discrimination Committee where he stated:

In this Nation, security and liberty are—at their best—partners, not enemies, in ensuring safety and opportunity for all . . . In this Nation, the document that sets forth the supreme law of the land—the Constitution—is meant to empower, not exclude . . . Racial profiling is wrong. It can leave a lasting scar on communities and individuals. And it is, quite simply, bad policing—whatever city, whatever state.

The Fourteenth Amendment to the U.S. Constitution guarantees the "equal protection of the laws" to all Americans. Racial profiling is abhorrent to that principle, and should be ended once and for all.

As the late Senator Ted Kennedy often said, "civil rights is the great unfinished business of America." Let us continue the fight here to make sure that we truly have equal justice under law for all Americans. I urge my colleagues to support this legislation.

By Mr. BLUMENTHAL:

S. 1041. A bill to amend title 10, United States Code, to afford crime victims' rights to victims of offenses under the Uniform Code of Military Justice, and for other purposes; to the Committee on Armed Services.

Mr. BLUMENTHAL. Mr. President, I rise today to introduce the Military Crime Victims Rights Act of 2013. There are 26,000 victims of sexual assault in the military every year; at least last year there were that number estimated. But only a fraction, some 3,000-plus, were reported.

This measure encourages more accurate and complete reporting of all kinds, by guaranteeing all victims of crimes in the military the basic rights that victims have in civilian courts under current law. These rights are not a matter of discretion, they are a legal right that victims of crimes in our Federal courts enjoy. My proposal is essentially to apply these same rights, guarantee them, in the Uniform Code of Military Justice.

The Uniform Code of Military Justice fails to afford these basic rights. They are rights of decency and fairness to crime victims. It requires many of these victims to endure humiliating and insulting obstacles in their quest for justice, so it naturally discourages them from coming forward and reporting these acts, most especially the act of sexual assault.

Those rights that I believe should be applied under the Uniform Code of Military Justice are, for example, the right to protection from the accused, notice and opportunity to speak at trial, the right against unreasonable delay in trial proceedings. Those are a few of the rights that would be guaranteed. They are standards of decency and fairness that are essential to effective prosecution and the goals of good order and discipline in the military.

These fundamental rights are well-established in the civilian courts and well-esteemed by prosecutors and defendants as well as the victims, because they enable the justice system to function more fairly and effectively. Few would imagine going into a civilian court in a criminal trial without the statutory right to be protected from the accused, protection against physical threats or intimidation. Few would imagine going into a civilian court and being denied the right to appear and to speak when one's history, one's personal and sexual history is an issue in the trial. Few would imagine the denial of a right to be heard in the course of sentencing. Few would imagine unreasonable delay and permission for the accused to actually leave the country and be unavailable for the trial and thereby have that unreasonable delay. Yet in the military court, these events are routine and expected. This bill would correct that failing.



There is no reason military sexual assault victims should be given less respect or fewer rights than civilian victims of the same offense. The key to deterring crime is prosecuting and punishing it effectively, which requires reporting by victims. More than reporting, it requires cooperation. We know for a fact that victims denied rights and respect will simply not report sexual assault in the military. They fear retaliation and discouragement of many kinds in reporting serious crimes of all kinds. If sexual assault is not reported, it cannot be prosecuted. If it is not prosecuted, it certainly cannot be punished or deterred.

I became involved in this issue of victims rights in the military because of a constituent who came forward to me. I became involved in her case because she was denied basic justice. Her case was delayed. She was a victim of sexual assault in the apartment of an officer stationed in Rhode Island. She never had the opportunity to speak in court in a timely way. Her credibility was directly put at issue. She had no opportunity to rebut, in effect, the charges brought against her. So often the victim is the one on trial. So often she or he is forced to relive that brutal, vicious predatory act of criminal conduct simply to bring charges and seek justice.

She is seeking justice not only on her own behalf but on behalf of the Nation, because it is clearly the experience, as proven by solid evidence, that a sexual offender repeats that offense. The rate of recidivism is higher for sexual offenses than any other kind of crime.

Last year I requested that the Department of Defense investigate both their failures to afford victims the right to be heard during public proceedings and victims' rights to be free from unreasonable delay and the lack of remedies available to victims. The report I received as a result of that request explained, in February, that the Department of Defense does not include the full list of crime victims rights in its directive because it references a repealed statute, one from 1990, rather than the more recent one passed by Congress, the United States Justice for All Act of 2004.

That is why still today our military services, each of them, is operating on out-of-date and inadequate victim protection. The reason is not military necessity; it is simply ignoring the law that exists right now in spirit if not in letter. My bill would correct the letter of the law to guarantee these rights.

I appreciate the investigation conducted by the Department of Defense General Counsel Robert Taylor and the military's commitment to revising their out-of-date directives and instructions, but we need a statutory remedy now, so people whose rights are violated will have a remedy, so they will have a recourse and relief when their rights are violated.

This victims bill of rights has proved feasible and effective in the civilian justice proceedings involving the very same offenses.

The rights are not novel or untested, they are well established and esteemed.

I ask today for support from my colleagues in passing this measure. It is a basic, commonsense measure. It requires a military judge—just like their civilian counterparts—to take up and decide any motion asserting a victim's rights right away. It requires an ombudsman within the Department of Defense just like the ombudsman for crime victims' rights in the Department of Justice. It requires training for judge advocates and other appropriate members of the Armed Forces and personnel of the Department to assist them in responding more effectively to the needs of victims' rights. It requires trial counsel in a military case to advise the victim that he or she can seek the advice of their own attorney with respect to these rights.

We have an opportunity and an obligation to stand for those who stand for us and defend us, and I refuse to disappoint them. I look forward to working on enacting this proposal with my colleagues in the Senate Armed Services Committee, the Department of Defense, and the U.S. military. And I would welcome the views of the response systems panel established by Congress when they have views they wish to impart.

We have the best and strongest military force in the history of the world, in the history of our Nation. Our men and women in uniform deserve a military justice system worthy of their excellence.

By Mr. SCHATZ (for himself, Mr. BARRASSO, Mr. TESTER, and Ms. HIRONO):

S. 1046. A bill to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994; to the Committee on Indian Affairs.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1046

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Native American Veterans' Memorial Amendments Act of 2013".

#### SEC. 2. NATIVE AMERICAN VETERANS' MEMORIAL.

(a) AUTHORITY TO ESTABLISH MEMORIAL.—Section 3 of the Native American Veterans' Memorial Establishment Act of 1994 (20 U.S.C. 80q-5 note; 108 Stat. 4067) is amended—

(1) in subsection (b), by striking "within the interior structure of the facility" and inserting "on the property"; and

(2) in subsection (c)(1), by striking "in consultation with the Museum, is" and in-

serting "and the National Museum of the American Indian are".

(b) PAYMENT OF EXPENSES.—Section 4(a) of the Native American Veterans' Memorial Establishment Act of 1994 (20 U.S.C. 80q-5 note; 108 Stat. 4067) is amended—

(1) in the heading, by inserting "AND NATIONAL MUSEUM OF THE AMERICAN INDIAN" after "AMERICAN INDIANS"; and

(2) in the first sentence, by striking "shall be solely" and inserting "and the National Museum of the American Indian shall be".

By Ms. COLLINS (for herself and Mr. KING):

S. 1051. A bill to amend title 37, United States Code, to ensure that footwear furnished or obtained by allowance for enlisted members of the Armed Forces upon their initial entry into the Armed Forces complies with domestic source requirements; to the Committee on Armed Services.

Ms. COLLINS. Mr. President, I rise today to introduce a bipartisan bill cosponsored by Senator KING that would ensure the Department of Defense provides military recruits with athletic footwear made in the U.S.A.

The Berry Amendment, established by Congress in 1941, requires the Department to give preference to clothing and other items made in the United States for any contract valued at \$150,000 or more.

For decades, the military issued American-made uniforms, including athletic footwear, for our troops. However since fiscal year 2002, the purpose and intent of the Berry Amendment have been undermined by a change in DOD policy. The Army, Air Force, and the Navy now provide a cash voucher that incoming servicemembers use to purchase athletic footwear, without providing any preference for domestically manufactured footwear.

DOD claims that a soldier's individual purchase of athletic footwear with a DOD-provided cash allowance is not subject to the Berry Amendment because such individual purchases fall below the simplified acquisition threshold of \$150,000.

Yet, the cash allowances provided with Federal funds for athletic shoes are valued at about \$15 million annually, an amount that is 100 times the minimum contract value at which the Berry Amendment applies.

Like all other clothing items issued directly by the military services, athletic footwear should be made in the U.S.A. by American companies. It is time for DoD to treat athletic footwear like every other uniform item, including boots, and buy them from American manufacturers.

This bill would require DOD to comply with the Berry Amendment for footwear either issued directly to or through a cash allowance to servicemembers upon initial entry into the Armed Forces. In other words, athletic footwear would be treated like boots and all other uniform items.

In the past, opponents of ensuring compliance with the Berry amendment

have argued there is an insufficient domestic market for athletic shoes, that Berry compliant shoes somehow would not provide adequate comfort or safety, and that athletic shoes are not uniform items. None of these objections withstands scrutiny.

After the Senate Armed Services Committee required DOD to conduct a market survey to determine vendor interest, DOD found that vendor interest and capacity do exist to support a Berry compliant shoe market. The report also found that at least two American companies can produce high-quality Berry compliant footwear right now in the quantity and at the price point needed. Today, a 100 percent Berry compliant shoe is on the market at a price of \$68, \$6 less than the current Army allowance of \$74, and without requiring waivers.

The comfort argument is also based on the unfounded premise that recruits somehow would not enjoy the same degree of comfort or safety with a Berry compliant shoe. Yet the military makes no distinction for boots or other uniform shoes, to no adverse effect upon recruits. To address this concern, however, the amendment would exempt servicemembers requiring a waiver for medical reasons.

Finally, I dispute the characterization that athletic shoes are not uniform items. Federal funds are used to purchase the shoes, and recruits are required to wear them. If this is not a uniform item, why are we allocating Federal funding at all? I would also suggest that any initial entry trainee who arrives at a physical training formation without athletic shoes would also dispute the characterization.

This bill is consistent with several Congressional interventions that have corrected a pattern of Federal agencies ignoring or narrowly interpreting domestic sourcing statutes contrary to Congress's intent.

During the Senate Armed Services Committee markup of the fiscal year 2013 NDAA, the Committee unanimously adopted an amendment offered by Senator GRAHAM to require the fabric of clothing provided to Afghanistan security forces comply with the Berry Amendment without exception or exemption.

In July 2012, 12 Senators introduced legislation to require the United States Olympic Committee adopt a policy that ceremonial athletic uniforms, including accessories such as shoes, be produced in the United States.

If American-made uniforms are appropriate for U.S. Olympic athletes and Afghan security personnel, surely our servicemembers deserve the same. Federal funds for clothing worn by new recruits should benefit American workers and American companies rather than workers overseas.

This is about supporting American manufacturing jobs and having Amer-

ican soldiers fight and train in American-made footwear. I urge my colleagues to support this bill to provide military recruits with athletic footwear made in the U.S.A.

By Mr. WYDEN (for himself and Mr. ROBERTS):

S. 1053. A bill to amend title XVIII of the Social Security Act to strengthen and protect Medicare hospice programs; to the Committee on Finance.

Mr. WYDEN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1053

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Hospice Evaluation and Legitimate Payment Act of 2013".

#### SEC. 2. ENSURING TIMELY ACCESS TO HOSPICE CARE.

(a) IN GENERAL.—Section 1814(a)(7)(D)(i) of the Social Security Act (42 U.S.C. 1395f(a)(7)(D)(i)) is amended to read as follows:

"(i) a hospice physician, nurse practitioner, clinical nurse specialist, or physician assistant (as those terms are defined in section 1861(aa)(5)), or other health professional (as designated by the Secretary), has a face-to-face encounter with the individual to determine continued eligibility of the individual for hospice care prior to the first 60-day period and each subsequent recertification under subparagraph (A)(ii) (or, in the case where a hospice program newly admits an individual who would be entering their first 60-day period or a subsequent hospice benefit period or where exceptional circumstances, as defined by the Secretary, may prevent a face-to-face encounter prior to the beginning of the hospice benefit period, not later than 7 calendar days after the individual's election under section 1812(d)(1) with respect to the hospice program) and attests that such visit took place (in accordance with procedures established by the Secretary); and"

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on January 1, 2014, and applies to hospice care furnished on or after such date.

#### SEC. 3. RESTORING AND PROTECTING THE MEDICARE HOSPICE BENEFIT.

(a) IN GENERAL.—Section 1814(i) of the Social Security Act (42 U.S.C. 1395f(i)) is amended—

(1) in paragraph (6)—

(A) in subparagraph (D)—

(i) in clause (i)—

(I) in the first sentence, by striking "not earlier than October 1, 2013, the Secretary shall, by regulation," and inserting "subject to clause (iii), not earlier than the later of 2 years after the demonstration program under subparagraph (F) is completed or October 1, 2017, the Secretary shall, by regulation, preceded by a notice of the proposed regulation in the Federal Register and a period for public comment in accordance with section 1871(b)(1)," and

(II) in the second sentence, by inserting "and shall take into account the results of the evaluation conducted under subparagraph (F)(ii)" before the period; and

(ii) by adding at the end the following new clause:

"(iii) The Secretary shall implement the revisions in payment pursuant to clause (i) unless the Secretary determines that the demonstration program under subparagraph (F) demonstrated that such revisions would adversely affect access to quality hospice care by beneficiaries under this title."; and

(B) by adding at the end the following new subparagraph:

"(F) HOSPICE PAYMENT REFORM DEMONSTRATION PROGRAM.—

"(i) ESTABLISHMENT OF DEMONSTRATION PROGRAM.—

"(I) IN GENERAL.—Before implementing any revisions to the methodology for determining the payment rates for routine home care and other services included in hospice care under subparagraph (D), the Secretary shall establish a Medicare Hospice Payment Reform demonstration program (in this subparagraph referred to as the 'demonstration program') to test such proposed revisions.

"(II) DURATION.—The demonstration program shall be conducted for a 2-year period beginning on or after October 1, 2013.

"(III) SCOPE.—Any certified hospice program may apply to participate in the demonstration program and the Secretary shall select not more than 15 such hospice programs to participate in the demonstration program.

"(IV) REPRESENTATIVE PARTICIPATION.—Hospice programs selected under subclause (III) to participate in the demonstration program shall include a representative cross-section of hospice programs throughout the United States, including programs located in urban and rural areas.

"(ii) EVALUATION AND REPORT.—

"(I) EVALUATION.—The Secretary shall conduct an evaluation of the demonstration program. Such evaluation shall include an analysis of whether the use of the revised payment methodology under the demonstration program has improved the quality of patient care and access to hospice care for beneficiaries under this title and the impact of such payment revisions on hospice care providers, including the impact, if any, on the ability of hospice programs to furnish quality care to beneficiaries under this title.

"(II) REPORT.—Not later than 2 years after the completion of the demonstration program, the Secretary shall submit to Congress a report containing the results of the evaluation conducted under subclause (I), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

"(iii) BUDGET NEUTRALITY.—With respect to the 2-year period of the demonstration program, the Secretary shall ensure that revisions in payment implemented as part of the demonstration program shall result in the same estimated amount of aggregate payments under this title for hospice care for the programs participating in the demonstration as would have been made if the hospice programs had not participated in the demonstration program."

#### SEC. 4. HOSPICE SURVEY REQUIREMENT.

Section 1861(dd)(4) of the Social Security Act (42 U.S.C. 1395x(dd)(4)) is amended by adding at the end the following new subparagraph:

"(C) Any entity that is certified as a hospice program shall be subject to a standard survey by an appropriate State or local survey agency, or an approved accreditation agency, as determined by the Secretary, not less frequently than once every 36 months beginning 6 months after the date of the enactment of this subparagraph."

By Mr. REID:

S. 1054. A bill to establish Gold Butte National Conservation Area in Clark County, Nevada in order to conserve, protect, and enhance the cultural, archaeological, natural, wilderness, scientific, geological, historical, biological, wildlife, educational, and scenic resources of the area, to designate wilderness areas, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, today I rise to introduce the Gold Butte National Conservation Area Act of 2013. This legislation will designate the Gold Butte National Conservation Area in Southern Nevada and designate wilderness within Gold Butte.

I am proud to introduce this important bill, which has been in the making for at least a decade. The establishment of the Gold Butte National Conservation Area has been supported by Clark County, the City of Mesquite, Friends of Gold Butte, the Moapa Band of Paiutes, the Nevada Resort Association, and thousands of Nevadans.

By establishing the Gold Butte National Conservation Area as a unit of the National Landscape Conservation System, managed by the Bureau of Land Management, we will conserve, protect and enhance this unique part of Southern Nevada's landscape.

The proposed National Conservation Area is located in Clark County, south of the City of Mesquite and surrounded on three sides by the Lake Mead National Recreation Area and the Grand Canyon Parashant National Monument in Arizona. Gold Butte, deemed by locals as "Nevada's piece of the Grand Canyon", is recognized for its amazing sandstone formations, critical habitat for desert tortoise, mining heritage and the ancient Native American rock art that is so prevalent throughout the area. The land is home to a number of rare plants and animals such as desert tortoise, desert bighorn sheep, golden eagles, and bear poppies. The legislation will also protect current uses which include camping, hunting, hiking and riding off-highway vehicles on previously designated routes.

Gold Butte is named for the mining town of the same name comprised of approximately 1,000 miners in the early 1900s. Long since abandoned, Gold Butte shows the remnants of an early pioneer history of ranching and mining. Even before the early settlers, however, Native Americans depended on this area. The evidence of ancient people can be found nearly everywhere in Gold Butte—petroglyphs, agave roasting pits, hunting blinds, rock shelters, stone tools, pottery shards and charcoal are found across the landscape.

For decades, the Gold Butte area has been a special place for those in the surrounding community. Over 10 years ago people started noticing the impacts

of increased unmanaged visitation such as litter, fires, waste and degradation of cultural and natural resources. Unfortunately, these human impacts were becoming a common occurrence in Gold Butte. It was then that a group of conservationists, sportsmen, archaeologists, tribal members, ranchers and community members formed Friends of Gold Butte and started advocating for a higher level of protection for the area. Since 2000, Friends of Gold Butte has worked to create and shape a proposal for protection of these important resources.

The National Conservation Area will also benefit the local economy by bringing tourists and outdoor enthusiasts to explore the natural beauty of this desert landscape. Nevada already benefits from \$14.9 billion annually in consumer spending directly related to the outdoor recreation industry, which directly supports 148,000 jobs. Designation of the Gold Butte National Conservation Area will draw more people to the area and bring in vital tourist dollars to the City of Mesquite and to Clark County.

The legislation also designates wilderness areas within the Gold Butte National Conservation Area. These wilderness areas provide key habitat for a number of critical species, protects the cultural resources and the many primitive places in Gold Butte.

The Gold Butte National Conservation Area Act is an ambitious piece of legislation, built on years of hard work by local advocates and stakeholder input. It protects vital natural and cultural resources and preserves an important area of recreation for future generations.

I understand that more work will need to be done on this bill and I anticipate feedback by stakeholders to improve the legislation.

I look forward to working with my colleagues to move this important legislation through the legislative process.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1054

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Gold Butte National Conservation Area Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.

#### TITLE I—GOLD BUTTE NATIONAL CONSERVATION AREA

- Sec. 101. Establishment of Gold Butte National Conservation Area.
- Sec. 102. Management of Conservation Area.

Sec. 103. General provisions.

Sec. 104. Gold Butte National Conservation Area Advisory Council.

#### TITLE II—DESIGNATION OF WILDERNESS AREAS IN CLARK COUNTY, NEVADA

Sec. 201. Findings.

Sec. 202. Additions to National Wilderness Preservation System.

Sec. 203. Administration.

Sec. 204. Adjacent management.

Sec. 205. Military, law enforcement, and emergency overflights.

Sec. 206. Release of wilderness study areas.

Sec. 207. Native American cultural and religious uses.

Sec. 208. Wildlife management.

Sec. 209. Wildfire, insect, and disease management.

Sec. 210. Climatological data collection.

Sec. 211. National Park System land.

#### TITLE III—GENERAL PROVISIONS

Sec. 301. Relationship to Clark County Multi-Species Habitat Conservation Plan.

Sec. 302. Visitor center, research, and interpretation.

Sec. 303. Termination of withdrawal of Bureau of Land Management land.

#### SEC. 2. FINDINGS.

Congress finds that—

(1) the public land in southeastern Nevada generally known as "Gold Butte" is recognized for outstanding—

(A) scenic values;

(B) natural resources, including critical habitat, sensitive species, wildlife, desert tortoise habitat, and geology;

(C) historic resources, including historic mining, ranching and other western cultures, and pioneer activities; and

(D) cultural resources, including evidence of prehistoric habitation and rock art;

(2) Gold Butte has become a destination for diverse recreation opportunities, including camping, hiking, hunting, motorized recreation, and sightseeing.

(3) Gold Butte draws visitors from throughout the United States;

(4) Gold Butte provides important economic benefits to Mesquite and other nearby communities;

(5) inclusion of the Gold Butte National Conservation Area in the National Landscape Conservation System would provide increased opportunities for—

(A) interpretation of the diverse values of the area for the visiting public; and

(B) education and community outreach in the region; and

(6) designation of Gold Butte as a National Conservation Area will permanently protect the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources within the area.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) ADVISORY COUNCIL.—The term "Advisory Council" means the Gold Butte National Conservation Area Advisory Council established under section 104(a).

(2) CONSERVATION AREA.—The term "Conservation Area" means the Gold Butte National Conservation Area established by section 101(a).

(3) COUNTY.—The term "County" means Clark County, Nevada.

(4) DESIGNATED ROUTE.—The term "designated route" means a road that is designated as open by the Route Designations for Selected Areas of Critical Environmental Concern Located in the Northeast Portion of the Las Vegas BLM District Environmental Assessment, NV-052-2006-0433.

(5) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the Conservation Area developed under section 102(b).

(6) **MAP.**—The term “Map” means the map entitled “Gold Butte National Conservation Area” and dated May 23, 2013.

(7) **PUBLIC LAND.**—The term “public land” has the meaning given the term “public lands” in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(8) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(9) **STATE.**—The term “State” means the State of Nevada.

(10) **WILDERNESS AREA.**—The term “wilderness area” means a wilderness areas designated by section 202(a).

### **TITLE I—GOLD BUTTE NATIONAL CONSERVATION AREA**

#### **SEC. 101. ESTABLISHMENT OF GOLD BUTTE NATIONAL CONSERVATION AREA.**

(a) **ESTABLISHMENT.**—There is established the Gold Butte National Conservation Area in the State.

(b) **AREA INCLUDED.**—The Conservation Area shall consist of approximately 348,515 acres of public land administered by the Bureau of Land Management in the County, as generally depicted on the Map.

(c) **MAP AND LEGAL DESCRIPTION.**—

(1) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Conservation Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) **EFFECT.**—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description.

(3) **PUBLIC AVAILABILITY.**—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the National Park Service.

#### **SEC. 102. MANAGEMENT OF CONSERVATION AREA.**

(a) **PURPOSES.**—In accordance with this title, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and other applicable laws, the Secretary shall manage the Conservation Area in a manner that conserves, protects, and enhances the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources of the Conservation Area.

(b) **MANAGEMENT PLAN.**—

(1) **PLAN REQUIRED.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term protection and management of the Conservation Area.

(2) **CONSULTATION.**—The Secretary shall prepare the management plan in consultation with the State, local and tribal government entities, the Advisory Council, and the public.

(3) **REQUIREMENTS.**—The management plan shall—

(A) describe the appropriate uses and management of the Conservation Area; and

(B) include a recommendation on interpretive and educational materials regarding the cultural and biological resources of the region within which the Conservation Area is located.

(4) **INCORPORATION OF ROUTE DESIGNATIONS.**—The management plan shall incorporate the decisions in the Route Designa-

tions for Selected Areas of Critical Environmental Concern Located in the Northeast Portion of the Las Vegas BLM District Environmental Assessment, NV-052-2006-0433.

(c) **USES.**—The Secretary shall allow only such uses of the Conservation Area that the Secretary determines would further the purpose of the Conservation Area described in subsection (a).

(d) **INCORPORATION OF ACQUIRED LAND AND INTERESTS.**—Any land or interests in land located within the boundary of the Conservation Area that is acquired by the United States after the date of enactment of this Act shall become part of the Conservation Area and be managed as provided in subsection (a).

(e) **MOTORIZED VEHICLES.**—

(1) **IN GENERAL.**—Except in cases in which motorized vehicles are needed for administrative purposes or to respond to an emergency, the use of motorized vehicles shall be permitted only on designated routes.

(2) **MONITORING AND EVALUATION.**—The Secretary shall annually—

(A) assess the effects of the use of motorized vehicles on designated routes; and

(B) in consultation with the Nevada Department of Wildlife, assess the effects of designated routes on wildlife and wildlife habitat to minimize environmental impacts and prevent damage to cultural and historical resources from the use of designated routes.

(3) **MANAGEMENT.**—

(A) **IN GENERAL.**—The Secretary shall manage designated routes in a manner that—

(i) is consistent with motorized and mechanized use of the designated routes that is authorized on the date of the enactment of this Act;

(ii) ensures the safety of the people that use the designated routes;

(iii) does not damage sensitive habitat or cultural or historical resources; and

(iv) provides for adaptive management of resources and restoration of damaged habitat or resources.

(B) **REROUTING.**—

(i) **IN GENERAL.**—A designated route may be temporarily closed or rerouted if the Secretary, in consultation with the State, the County, and the Advisory Council, subject to subparagraph (C), determines that—

(I) the designated route is having an adverse impact on—

(aa) sensitive habitat;

(bb) natural resources;

(cc) cultural resources; or

(dd) historical resources;

(II) the designated route threatens public safety;

(III) temporary closure of the designated route is necessary to repair—

(aa) the designated route; or

(bb) resource damage; or

(IV) modification of the designated route would not significantly affect access within the Conservation Area.

(ii) **PRIORITY.**—If the Secretary determines that the rerouting of a designated route is necessary under clause (i), the Secretary may give priority to existing roads designated as closed.

(iii) **DURATION.**—A designated route that is temporarily closed under clause (i) shall remain closed only until the date on which the resource or public safety issue that led to the temporary closure has been resolved.

(C) **NOTICE.**—The Secretary shall provide information to the public regarding any designated routes that are open, have been rerouted, or are temporarily closed through—

(i) use of appropriate signage within the Conservation Area; and

(ii) the distribution of maps, safety education materials, law enforcement, and other information considered to be appropriate by the Secretary.

(4) **NO EFFECT ON NON-FEDERAL LAND OR INTERESTS IN NON-FEDERAL LAND.**—Nothing in this section affects ownership, management, or other rights relating to non-Federal land or interests in non-Federal land.

(5) **MAP ON FILE.**—The Secretary shall keep a current map on file at the appropriate offices of the Bureau of Land Management.

(6) **ROAD CONSTRUCTION.**—Except as necessary for administrative purposes or to respond to an emergency, the Secretary shall not construct any permanent or temporary road within the Conservation Area after the date of enactment of this Act.

(f) **NATIONAL LANDSCAPE CONSERVATION SYSTEM.**—The Conservation Area shall be administered as a component of the National Landscape Conservation System.

(g) **HUNTING, FISHING, AND TRAPPING.**—Nothing in this title affects the jurisdiction of the State with respect to fish and wildlife, including hunting, fishing, and trapping in the Conservation Area.

#### **SEC. 103. GENERAL PROVISIONS.**

(a) **NO BUFFER ZONES.**—

(1) **IN GENERAL.**—The establishment of the Conservation Area shall not create an express or implied protective perimeter or buffer zone around the Conservation Area.

(2) **PRIVATE LAND.**—If the use of, or conduct of an activity on, private land that shares a boundary with the Conservation Area is consistent with applicable law, nothing in this title concerning the establishment of the Conservation Area prohibits or limits the use or conduct of the activity.

(b) **WITHDRAWALS.**—Subject to valid existing rights, all public land within the Conservation Area, including any land or interest in land that is acquired by the United States within the Conservation Area after the date of enactment of this Act, is withdrawn from—

(1) entry, appropriation or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(c) **SPECIAL MANAGEMENT AREAS.**—

(1) **IN GENERAL.**—The establishment of the Conservation Area shall not affect the management status of any area within the boundary of the Conservation Area that is protected under the Clark County Multi-Species Habitat Conservation Plan.

(2) **CONFLICT OF LAWS.**—If there is a conflict between the laws applicable to an area described in paragraph (1) and this title, the more restrictive provision shall control.

#### **SEC. 104. GOLD BUTTE NATIONAL CONSERVATION AREA ADVISORY COUNCIL.**

(a) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an advisory council, to be known as the “Gold Butte National Conservation Area Advisory Council”.

(b) **DUTIES.**—The Advisory Council shall advise the Secretary with respect to the preparation and implementation of the management plan.

(c) **APPLICABLE LAW.**—The Advisory Council shall be subject to—

(1) the Federal Advisory Committee Act (5 U.S.C. App.); and

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(d) **MEMBERS.**—

(1) **IN GENERAL.**—The Advisory Council shall include 13 members to be appointed by

the Secretary, of whom, to the extent practicable—

(A) 4 members shall be appointed after considering the recommendations of the Mesquite, Nevada, City Council;

(B) 1 member shall be appointed after considering the recommendations of the Bunkerville, Nevada, Town Advisory Board;

(C) 1 member shall be appointed after considering the recommendations of the Moapa Valley, Nevada, Town Advisory Board;

(D) 1 member shall be appointed after considering the recommendations of the Moapa, Nevada, Town Advisory Board;

(E) 1 member shall be appointed after considering the recommendations of the Moapa Band of Paiutes Tribal Council; and

(F) 5 at-large members from the County shall be appointed after considering the recommendations of the County Commission.

(2) SPECIAL APPOINTMENT CONSIDERATIONS.—The at-large members appointed under paragraph (1)(F) shall have backgrounds that reflect—

(A) the purposes for which the Conservation Area was established; and

(B) the interests of persons affected by the planning and management of the Conservation Area.

(3) REPRESENTATION.—The Secretary shall ensure that the membership of the Advisory Council is fairly balanced in terms of the points of view represented and the functions to be performed by the Advisory Council.

(4) INITIAL APPOINTMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall appoint the initial members of the Advisory Council in accordance with paragraph (1).

(e) DUTIES OF THE ADVISORY COUNCIL.—The Advisory Council shall advise the Secretary with respect to the preparation and implementation of the management plan, including budgetary matters relating to the Conservation Area.

(f) COMPENSATION.—Members of the Advisory Council shall receive no compensation for serving on the Advisory Council.

(g) CHAIRPERSON.—

(1) IN GENERAL.—The Advisory Council shall elect a Chairperson from among the members of the Advisory Council.

(2) TERM.—The term of the Chairperson shall be 3 years.

(h) TERM OF MEMBERS.—

(1) IN GENERAL.—The term of a member of the Advisory Council shall be 3 years.

(2) SUCCESSORS.—Notwithstanding the expiration of a 3-year term of a member of the Advisory Council, a member may continue to serve on the Advisory Council until a successor is appointed.

(i) VACANCIES.—

(1) IN GENERAL.—A vacancy on the Advisory Council shall be filled in the same manner in which the original appointment was made.

(2) APPOINTMENT FOR REMAINDER OF TERM.—A member appointed to fill a vacancy on the Advisory Council shall serve for the remainder of the term for which the predecessor was appointed.

(j) TERMINATION.—The Advisory Council shall terminate not later than 3 years after the date on which the final version of the management plan is published.

## TITLE II—DESIGNATION OF WILDERNESS AREAS IN CLARK COUNTY, NEVADA

### SEC. 201. FINDINGS.

Congress finds that—

(1) public land administered by the Bureau of Land Management, Bureau of Reclamation, and National Park Service in the County contains unique and spectacular natural,

cultural, and historical resources, including—

(A) priceless habitat for numerous species of plants and wildlife;

(B) thousands of acres of land that remain in a natural state; and

(C) numerous sites containing significant cultural and historical artifacts; and

(2) continued preservation of the public land would benefit the County and all of the United States by—

(A) ensuring the conservation of ecologically diverse habitat;

(B) protecting prehistoric cultural resources; and

(C) conserving primitive recreational resources; and

(D) protecting air and water quality.

### SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

(a) ADDITIONS.—In furtherance of the Wilderness Act (16 U.S.C. 1131 et seq.), the following public land administered by the National Park Service or the Bureau of Land Management in the County is designated as wilderness and as components of the National Wilderness Preservation System:

(1) VIRGIN PEAK WILDERNESS.—Certain public land managed by the Bureau of Land Management, comprising approximately 18,296 acres, as generally depicted on the Map, which shall be known as the “Virgin Peak Wilderness”.

(2) BLACK RIDGE WILDERNESS.—Certain public land managed by the Bureau of Land Management, comprising approximately 18,192 acres, as generally depicted on the Map, which shall be known as the “Black Ridge Wilderness”.

(3) BITTER RIDGE NORTH WILDERNESS.—Certain public land managed by the Bureau of Land Management comprising approximately 15,114 acres, as generally depicted on the Map, which shall be known as the “Bitter Ridge North Wilderness”.

(4) BITTER RIDGE SOUTH WILDERNESS.—Certain public land managed by the Bureau of Land Management, comprising approximately 12,646 acres, as generally depicted on the Map, which shall be known as the “Bitter Ridge Wilderness”.

(5) BILLY GOAT PEAK WILDERNESS.—Certain public land managed by the Bureau of Land Management, comprising approximately 30,460 acres, as generally depicted on the Map, which shall be known as the “Billy Goat Peak Wilderness”.

(6) MILLION HILLS WILDERNESS.—Certain public land managed by the Bureau of Land Management, comprising approximately 24,818 acres, as generally depicted on the Map, which shall be known as the “Million Hills Wilderness”.

(7) OVERTON WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 23,227 acres, as generally depicted on the Map, which shall be known as the “Overton Wilderness”.

(8) TWIN SPRINGS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 9,684 acres, as generally depicted on the Map, which shall be known as the “Twin Springs Wilderness”.

(9) SCANLON WASH WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 22,826 acres, as generally depicted on the Map, which shall be known as the “Scanlon Wash Wilderness”.

(10) HILLER MOUNTAINS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approxi-

mately 14,832 acres, as generally depicted on the Map, which shall be known as the “Hiller Mountains Wilderness”.

(11) HELL'S KITCHEN WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 12,439 acres, as generally depicted on the Map, which shall be known as the “Hell's Kitchen Wilderness”.

(12) INDIAN HILLS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 8,955 acres, as generally depicted on the Map, which shall be known as the “Indian Hills Wilderness”.

(13) LIME CANYON WILDERNESS ADDITIONS.—Certain public land managed by the Bureau of Land Management, comprising approximately 10,069 acres, as generally depicted on the Map, which is incorporated in, and shall be managed as part of, the “Lime Canyon Wilderness” designated by section 202(a)(9) of the Clark County Conservation of Public Land and Natural Resources Act of 2002 (16 U.S.C. 1132 note; Public Law 107-282).

(b) NATIONAL LANDSCAPE CONSERVATION SYSTEM.—The wilderness areas administered by the Bureau of Land Management shall be administered as components of the National Landscape Conservation System.

(c) ROAD OFFSET.—The boundary of any portion of a wilderness area that is bordered by a road shall be at least 100 feet away from the centerline of the road so as not to interfere with public access.

(d) LAKE OFFSET.—The boundary of any portion of a wilderness area that is bordered by Lake Mead or the Colorado River shall be 300 feet inland from the high water line.

(e) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of each wilderness area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—Each map and legal description under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(3) AVAILABILITY.—Each map and legal description under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the National Park Service.

### SEC. 203. ADMINISTRATION.

(a) MANAGEMENT.—Subject to valid existing rights, the wilderness areas shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land within the boundaries of a wilderness area that is acquired by the United States after the date of enactment of this Act shall be added to, and administered as part of, the wilderness area within which the acquired land or interest is located.

(c) WATER RIGHTS.—

(1) FINDINGS.—Congress finds that—

(A) the land designated as a wilderness area—

(i) is within the Mojave Desert;

(ii) is arid in nature; and

(iii) includes ephemeral streams;

(B) the hydrology of the land designated as a wilderness area is locally characterized by complex flow patterns and alluvial fans with permanent channels;

(C) the subsurface hydrogeology of the region within which the land designated as a wilderness area is located is characterized by ground water subject to local and regional flow gradients and artesian aquifers;

(D) the land designated as a wilderness area is generally not suitable for use or development of new water resource facilities;

(E) there are no actual or proposed water resource facilities and no opportunities for diversion, storage, or other uses of water occurring outside the land designated as a wilderness area that would adversely affect the wilderness or other values of the land; and

(F) because of the unique nature and hydrology of the desert land designated as a wilderness area and the existence of the Clark County Multi-Species Habitat Conservation Plan, it is possible to provide for proper management and protection of the wilderness, perennial springs, and other values of the land in ways different than the methods used in other laws.

(2) **STATUTORY CONSTRUCTION.**—

(A) **NO RESERVATION.**—Nothing in this title constitutes an express or implied reservation by the United States of any water or water rights with respect to the land designated as a wilderness area.

(B) **STATE RIGHTS.**—Nothing in this title affects any water rights in the State existing on the date of enactment of this Act, including any water rights held by the United States.

(C) **NO PRECEDENT.**—Nothing in this subsection establishes a precedent with regard to any future wilderness designations.

(D) **NO EFFECT ON COMPACTS.**—Nothing in this title limits, alters, modifies, or amends any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State and other States.

(E) **CLARK COUNTY MULTI-SPECIES HABITAT CONSERVATION PLAN.**—Nothing in this title limits, alters, modifies, or amends the Clark County Multi-Species Habitat Conservation Plan with respect to the land designated as a wilderness area, including specific management actions for the conservation of perennial springs.

(3) **NEVADA WATER LAW.**—The Secretary shall follow the procedural and substantive requirements of State law in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the land designated as a wilderness area.

(4) **NEW PROJECTS.**—

(A) **DEFINITION.**—

(i) **IN GENERAL.**—In this paragraph, the term “water resource facility” means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

(ii) **EXCLUSION.**—In this paragraph, the term “water resource facility” does not include wildlife guzzlers.

(B) **NO LICENSES OR PERMITS.**—Except as otherwise provided in this title, on and after the date of enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water

resource facility within the land designated as a wilderness area.

(d) **WITHDRAWAL.**—Subject to valid existing rights, any Federal land within the wilderness areas, including any land or interest in land that is acquired by the United States within the Conservation Area after the date of enactment of this Act, is withdrawn from—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

#### **SEC. 204. ADJACENT MANAGEMENT.**

(a) **NO BUFFER ZONES.**—Congress does not intend for the designation of land as wilderness areas to lead to the creation of protective perimeters or buffer zones around the wilderness areas.

(b) **NONWILDERNESS ACTIVITIES.**—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness area shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

#### **SEC. 205. MILITARY, LAW ENFORCEMENT, AND EMERGENCY OVERFLIGHTS.**

Nothing in this Act restricts or precludes—

(1) low-level overflights of military, law enforcement, or emergency medical services aircraft over the area designated as wilderness by this Act, including military, law enforcement, or emergency medical services overflights that can be seen or heard within the wilderness area;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military, law enforcement, or emergency medical services flight training routes, over the wilderness area.

#### **SEC. 206. RELEASE OF WILDERNESS STUDY AREAS.**

(a) **FINDING.**—Congress finds that, for the purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the Bureau of Land Management land in any portion of the wilderness study areas located within the Conservation Area not designated as a wilderness area has been adequately studied for wilderness designation.

(b) **RELEASE.**—Any Bureau of Land Management land described in subsection (a) that is not designated as a wilderness area—

(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c));

(2) shall be managed in accordance with—

(A) the land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and

(B) cooperative conservation agreements in existence on the date of enactment of this Act; and

(3) shall be subject to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

#### **SEC. 207. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.**

Nothing in this title diminishes—

(1) the rights of any Indian tribe; or

(2) tribal rights regarding access to Federal land for tribal activities, including spiritual, cultural, and traditional food-gathering activities.

#### **SEC. 208. WILDLIFE MANAGEMENT.**

(a) **IN GENERAL.**—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the wilderness areas.

(b) **MANAGEMENT ACTIVITIES.**—

(1) **IN GENERAL.**—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), management activities to maintain or restore fish and wildlife populations and the habitats to support the populations may be carried out within the wilderness areas, if the activities—

(A) are consistent with relevant wilderness management plans; and

(B) are carried out in accordance with appropriate policies, such as those set forth in Appendix B of House Report 101-405.

(2) **USE OF MOTORIZED VEHICLES.**—The management activities under paragraph (1) may include the occasional and temporary use of motorized vehicles, if the use, as determined by the Secretary, would—

(A) promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values; and

(B) accomplish the purposes described in subparagraph (A) with the minimum impact necessary to reasonably accomplish the task.

(c) **EXISTING ACTIVITIES.**—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and in accordance with appropriate policies such as those set forth in Appendix B of House Report 101-405, the State may continue to use aircraft (including helicopters) to survey, capture, transport, monitor, and provide water for wildlife populations, including bighorn sheep, and feral stock, horses, and burros.

(d) **WILDLIFE WATER DEVELOPMENT PROJECTS.**—Subject to subsection (f), the Secretary shall authorize structures and facilities, including existing structures and facilities, for wildlife water development projects, including guzzlers, in the wilderness areas if—

(1) the structures and facilities will, as determined by the Secretary, enhance wilderness values by promoting healthy, viable and more naturally distributed wildlife populations; and

(2) the visual impacts of the structures and facilities on the wilderness areas can reasonably be minimized.

(e) **HUNTING, FISHING, AND TRAPPING.**—

(1) **IN GENERAL.**—The Secretary may designate, by regulation, areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the wilderness areas.

(2) **CONSULTATION.**—Except in emergencies, the Secretary shall consult with the appropriate State agency before promulgating regulations under paragraph (1).

(f) **COOPERATIVE AGREEMENT.**—The State, including a designee of the State, may conduct wildlife management activities in the wilderness areas—

(1) in accordance with the terms and conditions specified in the cooperative agreement between the Secretary and the State entitled “Memorandum of Understanding between the Bureau of Land Management and the Nevada Department of Wildlife Supplement No. 9” and signed November and December 2003, including any amendments to the cooperative agreement agreed to by the Secretary and the State; and

(2) subject to all applicable laws (including regulations).

#### **SEC. 209. WILDFIRE, INSECT, AND DISEASE MANAGEMENT.**

(a) **IN GENERAL.**—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may take such measures in each wilderness area as the Secretary determines to be necessary for the



control of fire, insects, and diseases (including, as the Secretary determines to be appropriate, the coordination of the activities with a State or local agency).

(b) EFFECT.—Nothing in this Act precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)).

#### SEC. 210. CLIMATOLOGICAL DATA COLLECTION.

Subject to such terms and conditions as the Secretary may require, nothing in this title precludes the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas if the facilities and access to the facilities are essential to flood warning, flood control, and water reservoir operation activities.

#### SEC. 211. NATIONAL PARK SYSTEM LAND.

To the extent any of the provisions of this title are in conflict with laws (including regulations) or management policies applicable to Federal land within the Lake Mead National Recreation Area designated as a wilderness area, the laws (including regulations) or policies shall control.

### TITLE III—GENERAL PROVISIONS

#### SEC. 301. RELATIONSHIP TO CLARK COUNTY MULTI-SPECIES HABITAT CONSERVATION PLAN.

(a) IN GENERAL.—Nothing in this Act limits, alters, modifies, or amends the Clark County Multi-Species Habitat Conservation Plan with respect to the Conservation Area and the wilderness areas, including the specific management actions contained in the Clark County Multi-Species Habitat Conservation Plan for the conservation of perennial springs.

(b) CONSERVATION MANAGEMENT AREAS.—The Secretary shall credit the Conservation Area and the wilderness areas as Conservation Management Areas, as may be required by the Clark County Multi-Species Habitat Conservation Plan (including amendments to the plan).

(c) MANAGEMENT PLAN.—In developing the management plan, to the extent consistent with this section, the Secretary may incorporate any provision of the Clark County Multi-Species Habitat Conservation Plan.

#### SEC. 302. VISITOR CENTER, RESEARCH, AND INTERPRETATION.

(a) IN GENERAL.—The Secretary, acting through the Director of the Bureau of Land Management, may establish, in cooperation with any other public or private entities that the Secretary may determine to be appropriate, a visitor center and field office in Mesquite, Nevada—

(1) to serve visitors; and

(2) to assist in fulfilling the purposes of—

(A) the Lake Mead National Recreation Area;

(B) the Grand Canyon-Parashant National Monument; and

(C) the Conservation Area.

(b) REQUIREMENTS.—The Secretary shall ensure that the visitor center authorized under subsection (a) is designed—

(1) to interpret the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources of each of the areas described in that subsection; and

(2) to serve as an interagency field office for each of the areas described in that subsection.

(c) COOPERATIVE AGREEMENTS.—The Secretary may, in a manner consistent with this

Act, enter into cooperative agreements with the State, the State of Arizona, and any other appropriate institutions and organizations to carry out the purposes of this section.

#### SEC. 303. TERMINATION OF WITHDRAWAL OF BUREAU OF LAND MANAGEMENT LAND.

(a) TERMINATION OF WITHDRAWAL.—The withdrawal of the parcels of Bureau of Land Management land described in subsection (b) for use by the Bureau of Reclamation is terminated.

(b) DESCRIPTION OF LAND.—The parcels of land referred to in subsection (a) consist of the Bureau of Land Management land identified on the Map as “Transfer from BOR to BLM”.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the land reverting to the Bureau of Land Management under subsection (a).

(2) MINOR ERRORS.—The Secretary may correct any minor error in—

(A) the Map; or

(B) the legal description.

(3) AVAILABILITY.—The Map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the Bureau of Reclamation.

By Mr. KIRK:

S. 1059. A bill to amend the Immigration and Nationality Act to deem any person who has received an award from the Armed Forces of the United States for engagement in active combat or active participation in combat to have satisfied certain requirements for naturalization; to the Committee on the Judiciary.

Mr. KIRK. Mr. President, I rise today to introduce a bill that waives the naturalization requirements for non-citizen recipients of our armed forces' combat service awards. When a soldier, sailor, airman, or marine puts their life on the line for the United States, it only makes sense that we reciprocate their commitment to this nation by awarding these heroes U.S. citizenship as expeditiously as possible.

These awards include the Combat Infantryman Badge, the Combat Medical Badge, the Combat Action Badge, the Combat Action Ribbon, the Air Force Combat Action Medal, or any equivalent award recipients. They recognize a servicemember's presence under hostile fire or engagement in combat missions.

According to the Center for Naval Analysis, roughly 70,000 non-citizens enlisted in the active duty military between 1999 and 2008. These men and women have served in Operations New Dawn and Iraqi Freedom, and continue to serve today in Operation Enduring Freedom and elsewhere around the world.

The contributions of these men and women to the character of our military are unquestionable, and they possess language and cultural skills that are critical to the Department of Defense's mission. This legislation honors their service, and I encourage my colleagues to support its passage.

By Mr. REED:

S. 1062. A bill to improve quality and accountability for educator preparation programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, we rely on our public schools to prepare the next generation for success as citizens, workers, and innovators. We have asked educators to raise the bar and educate all students to internationally competitive college and career-ready standards. To achieve these goals, we need to focus on the professionals who have the greatest impact on student learning at school—teachers and principals.

Today, I am pleased to be reintroducing the Educator Preparation Reform Act with Representative HONDA to improve how we prepare teachers, principals, and other educators so that they can be effective right from the start. We have also reintroduced the Effective Teaching and Leading Act to support teachers, librarians, and principals currently on the job through a comprehensive system of induction, professional development, and evaluation.

The Educator Preparation Reform Act builds on the success of the Teacher Quality Partnership Program, which I helped author in the 1998 reauthorization of the Higher Education Act. The legislation we are reintroducing today places specific attention and emphasis on principals with the addition of a residency program for new principals.

Improving instruction is a team effort, with principals at the helm. This bill better connects teacher preparation with principal preparation. The Educator Preparation Reform Act will also allow partnerships to develop preparation programs for other areas of instructional need, such as for school librarians, counselors, or other academic support professionals.

The bill also revamps the accountability and reporting requirements for teacher preparation programs to provide greater transparency on key quality measures such as admissions standards, requirements for clinical practice, placement of graduates, retention in the field of teaching, and teacher performance, including student learning outcomes. All programs—whether traditional or alternative routes to certification—will be asked to report on the same measures.

Under our legislation, states will be required to identify at-risk and low-performing programs and provide them with technical assistance and a timeline for improvement. States would be encouraged to close programs that do not improve.

The Educator Preparation Reform Act refocuses the state set-aside for higher education in Title II of the Elementary and Secondary Education Act on technical assistance for struggling



teacher preparation programs and the development of systems for assessing the quality and effectiveness of professional development programs. At the same time, it allows for activities to support the development and implementation of performance assessments to measure new teachers' readiness for the classroom and enhance professional development in the core academic areas.

We have been fortunate to work with many stakeholders on this legislation. Organizations that have endorsed the Educator Preparation Reform Act include: The Alliance for Excellent Education, American Association of Colleges for Teacher Education, American Association of State Colleges and Universities, American Council on Education, American Psychological Association, Association of American Universities, Association of Jesuit Colleges and Universities, Association of Public and Land-grant Universities, Council for Christian Colleges and Universities, First Focus Campaign for Children, Higher Education Consortium for Special Education, Hispanic Association of Colleges and Universities, National Association of Elementary School Principals, National Association of Independent Colleges and Universities, National Association of Secondary School Principals, National Association of State Directors of Special Education, National Council of Teachers of Mathematics, National Science Teachers Association, National School Boards Association Opportunity to Learn Action Fund, Public Education Network, Rural School and Community Trust, Silicon Valley Education Foundation, Teacher Education Division of the Council for Exceptional Children, American Association of Colleges of Teacher Education, The Higher Education Task Force, National Association of Elementary School Principals, and National Association of Secondary School Principals.

I look forward to working to incorporate this legislation into the upcoming reauthorizations of the Elementary and Secondary Education Act and the Higher Education Act. I urge my colleagues to join in this effort and support this legislation.

By Mr. REED:

S. 1063. A bill to improve teacher quality, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I am reintroducing the Effective Teaching and Leading Act to foster the development of highly skilled and effective educators.

In the upcoming reauthorization of the Elementary and Secondary Education Act, ESEA, building the capacity of our Nation's schools to enhance the effectiveness of teachers, principals, school librarians, and other

school leaders must be among our top priorities.

Decades of research have demonstrated that improving educator and principal quality as well as greater family involvement are the keys to raising student achievement and turning around struggling schools. To strengthen teaching and school leadership, the Effective Teaching and Leading Act would amend Title II of ESEA to provide targeted assistance to schools to develop and support effective teachers, principals, school librarians, and school leaders through implementation of comprehensive induction, professional development, and evaluation systems.

Every year across the country thousands of teachers leave the profession—many within their first years of teaching. An estimate by the National Commission on Teaching and America's Future of the nationwide cost of replacing public school teachers who have dropped out of the profession is \$7.3 billion annually.

There are proven and well-documented strategies to support teachers that will keep them in our schools. Evidence has shown that providing teachers with comprehensive mentoring and support during their first two years of teaching reduces attrition by as much as half and increases student learning gains. The Effective Teaching and Leading Act would help schools implement the key elements of effective multi-year mentoring and induction for beginning teachers.

The bill also significantly revises the definition of "professional development" in current law to foster an ongoing culture of teacher, principal, school librarian, and staff collaboration throughout schools. All too often the available professional development still consists of isolated, check-the-box activities instead of helping educators engage in sustained professional learning that is regularly evaluated for its impact on classroom practice and student achievement. Effective professional development is collaborative, job-embedded, and informed by data.

It is also clear that evaluation systems have an important role to play in educator development. Through Race to the Top, ESEA waivers, and other initiatives many states and school systems are focusing on reforming their evaluation systems. When evaluation is done right, it provides educators with individualized ongoing feedback on their strengths and weaknesses and offers a path to improvement. The Effective Teaching and Leading Act would require school districts to establish rigorous, fair, and transparent evaluation systems that use multiple measures, including growth in student achievement.

Principals and school leaders also play a leading role in school improvement efforts and managing a collabo-

rative culture of ongoing professional learning and development. Research has shown that leadership is second only to classroom instruction among school-related factors that influence student outcomes. As such, this bill would provide ongoing high-quality professional development to principals and school leaders, including multi-year induction and mentoring for new administrators.

Recognizing the importance of creating career advancement and leadership opportunities for teachers, the Effective Teaching and Leading Act supports opportunities for teachers to serve as mentors, instructional coaches, or master teachers, or take on increased responsibility for professional development, curriculum, or school improvement activities. It also calls for significant and sustainable stipends for educators that take on these new roles and responsibilities.

The bill also requires school districts to conduct surveys of the working and learning conditions educators face so this data could be used to better target investments and professional development support.

Improving teaching and school leadership is not simply a matter of sorting the good teachers and principals from the bad. What is needed is a comprehensive and integrated approach that supports new teachers and leaders as they enter the profession; provides on-going professional development that helps them improve and their students achieve; and that fairly assesses performance and provides feedback for improvement. This is the approach taken by the Effective Teaching and Leading Act.

I worked with a range of education organizations in developing this bill, including the Alliance for Excellent Education, American Federation of School Administrators, American Federation of Teachers, American Association of Colleges for Teacher Education, Association for Supervision and Curriculum Development, National Association of Elementary School Principals, National Association of Secondary School Principals, National Board for Professional Teaching Standards, Learning Forward, the National Commission for Teaching and America's Future, and the New Teacher Center. I thank them for their input and support for the bill.

I thank Congressman MIKE HONDA of California for introducing the companion bill in the House. I encourage my colleagues to cosponsor the Effective Teaching and Leading Act and work for its inclusion in the upcoming reauthorization of the Elementary and Secondary Education Act.

By Mr. KAINE (for himself and Mr. WARNER):

S. 1074. A bill to extend Federal recognition to the Chickahominy Indian

Tribe, the Chickahominy Indian Tribe-Easter Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; to the Committee on Indian Affairs.

Mr. KAINE. Mr. President, I am pleased to introduce the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2013.

This legislation is critically important, because it is a major step towards reconciling an historic wrong for Virginia and the Nation. While the Virginia Tribes have received official recognition from the Commonwealth of Virginia, acknowledgement and officially-recognized status from the federal government has been considerably more difficult due to their systematic mistreatment over the past century.

The identities of the tribal members of Virginia's Indian Tribes were stripped away by Virginia's Racial Integrity Act, a State law in effect from 1924 to 1967. Racial identifications of those without white ancestry were changed to "colored" on birth certificates during that period. In addition, 5 of the 6 courthouses that held the vast majority of the Virginia Indian Tribal records needed to document their history to the degree required by the Bureau of Indian Affairs Office of Federal Acknowledgement were destroyed in the Civil War.

Furthermore, Virginia Indians and England signed the Treaty of Middle Plantation in 1677. This predated the creation of the United States of America by just short of 100 years. This Treaty was never recognized by the founding fathers of the United States. Therefore, the Tribes were not granted Federal recognition upon signing treaties with the federal government like tribes in other states did.

I am proud of Virginia's recognized Indian Tribes and their contributions to our Commonwealth. The Virginia Tribes are a part of us. We go to school together, work together, and serve our Commonwealth and nation together every day. These contributions should be acknowledged, and this Federal recognition for Virginia's native peoples is long overdue.

It is my hope that the Senate will act upon my legislation this year, to give these 6 Virginia Native American Tribes the Federal recognition that is long overdue.

By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. CARPER, Mr. WARNER, Mr. COONS, and Mr. KAINE):

S. 1077. A bill to amend the Chesapeake Bay Initiative Act of 1998 to provide for the reauthorization of the Chesapeake Bay Gateways and Watertrails Network; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, authorized under P.L. 105-312 in 1998 and reau-

thorized by P.L. 107-308 in 2002, the Chesapeake Bay Gateways and Watertrails Network helps several million visitors and residents discover, enjoy, and learn about the special places and stories of the Chesapeake Bay and its watershed. Today I am introducing legislation to reauthorize this successful program.

For visitors and residents, the Gateways are the "Chesapeake connection." The Network members provide an experience of such high quality that their visitors will indeed connect to the Chesapeake emotionally as well as intellectually, and thus to its conservation.

The Chesapeake Bay is a national treasure. The Chesapeake ranks as the largest of America's 130 estuaries and one of the nation's largest and longest fresh water and estuarine systems. The Atlantic Ocean delivers half the bay's 18 trillion gallons of water and the other half flows through over 150 major rivers and streams draining 64,000 square miles within six states and the District of Columbia. The Chesapeake watershed is among the most significant cultural, natural and historic assets of our nation.

The Chesapeake is enormous and vastly diverse—how could you possibly experience the whole story in any one place? Better to connect and use the scores of existing public places to collaborate on presenting the many chapters and tales of the bay's story. Visitors and residents go to more places for more experiences, all through a coordinated Gateways Network.

Beyond simply coordinating the Network, publishing a map and guides, and providing standard exhibits at all Gateways, the National Park Service has helped Gateways with matching grants and expertise for 200 projects with a total value of more than \$12 million. This is a great deal for the Bay—it helps Network members tell the Chesapeake story better and inspires people to care for this National Treasure—and it's a good deal for the Park Service. In this legislation, we cap the Gateways authorization at just \$2 million annually. It serves all 150+ Gateways and their 10 million visitors. No other National Park can provide such a dramatic ratio of public dollars spent to number of visitors served.

With the National Park Service's expertise and support, Gateways have made significant progress in their mission to tell the bay's stories to their millions of members and visitors, extend access to the bay and its watershed, and develop a conservation awareness and ethic. It is time to reauthorize the Chesapeake Gateways and Watertrails program. It is my hope that the Congress will act quickly to adopt this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1077

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Chesapeake Bay Gateways and Watertrails Network Reauthorization Act".

#### SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; Public Law 105-312) is amended by striking "fiscal years" and all that follows through the period at the end and inserting "fiscal years 2014 through 2018."

By Mr. DURBIN (for himself and Mr. KIRK):

S. 1083. A bill to provide high-quality public charter school options for students by enabling such public charter schools to expand and replicate; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, today I am introducing legislation designed to improve educational opportunities for students. The All Students Achieving Through Reform Act, or All-STAR Act, would provide Federal resources to the most successful charter schools to help them grow and replicate their success. I thank Senator KIRK, for joining me in this effort.

Across the nation, public charter schools are achieving promising results in low-income communities. I have been particularly impressed by the Noble Street schools in Chicago. Since opening its first campus in 1999, Noble Street has expanded to 12 charter high schools educating over 7,600 students from more than seventy communities, including some of Chicago's most difficult neighborhoods.

Noble Street has achieved phenomenal results. Even though seventy-five percent of students enter school with below grade level skills, Noble juniors have the highest ACT scores among Chicago open-enrollment schools. Moreover, 99 percent of Noble Street's seniors graduate and 90 percent go on to college. I see this success in action when I visit Noble Street schools. As soon as you walk in the door, you can tell that everyone in the building is focused on academic success. The students are actively engaged in their learning. Their teachers and principals are demanding and inspiring. Noble Street would like to continue to grow and educate more students in Chicago.

Every day 2.3 million students attend approximately 6,000 public charter schools nationally. Let us be honest, not all charter schools are excellent. Poor-performing charter schools should be closed. But we also need to replicate and expand the ones that are beating the odds, and we need to learn from them. The 2013 U.S. News and World

Report's Best High Schools list included three public charters in its top ten and twenty-eight charter schools in its top 100. We need more excellent charters, like these and the Noble Street schools, in Illinois and around the country.

The bipartisan bill I am introducing today would help make that possible. My bill would allow the existing charter school program to fund the expansion and replication of the most successful charter schools. Schools that have achieved positive results with their students will be able to apply for Federal grants to expand, allowing them to include additional grades or to replicate the model at a new school. Successful charters across the country will be able to grow, providing better educational opportunities to thousands of students.

The bill also incentivizes the adoption of strong charter school policies by states. We know that successful charter schools can thrive when they have autonomy, freedom to grow, and strong accountability based on meeting performance targets. The bill would give grant priority to States that provide that environment. The bill also requires new levels of charter school authorizer reporting and accountability to ensure that good charter schools are able to succeed while bad charter schools are improved or shut down.

This bill will improve educational opportunities for students across the nation. Charter schools represent some of the brightest spots in urban education today, and successful models have the full support of the President and Secretary Duncan. We need to help these schools grow and bring their best lessons into our regular public schools so that all students can benefit. Supporting the growth of successful charter schools should be a part of the conversation when we take up reauthorization of the Elementary and Secondary Education Act. I look forward to being a part of that discussion.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1083

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "All Students Achieving through Reform Act of 2013" or "All-STAR Act of 2013".

#### SEC. 2. CHARTER SCHOOL EXPANSION AND REPLICATION.

(a) IN GENERAL.—Subpart 1 of part B of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221 et seq.) is amended—

- (1) by striking section 5211;
- (2) by redesignating section 5210 as section 5211; and
- (3) by inserting after section 5209 the following:

#### "SEC. 5210. CHARTER SCHOOL EXPANSION AND REPLICATION.

"(a) PURPOSE.—It is the purpose of this section to support State efforts to expand and replicate high-quality public charter schools to enable such schools to serve additional students, with a priority to serve those students who attend identified schools or schools with a low graduation rate.

"(b) SUPPORT FOR PROVEN CHARTER SCHOOLS AND INCREASING THE SUPPLY OF HIGH-QUALITY CHARTER SCHOOLS.—

"(1) GRANTS AUTHORIZED.—From the amounts appropriated under section 5200 for any fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to make subgrants to eligible public charter schools under subsection (e)(1) and carry out the other activities described in subsection (e), in order to allow the eligible public charter schools to serve additional students through the expansion and replication of such schools.

"(2) AMOUNT OF GRANTS.—In determining the grant amount to be awarded under this subsection to an eligible entity, the Secretary shall consider—

"(A) the number of eligible public charter schools under the jurisdiction or in the service area of the eligible entity that are operating;

"(B) the number of new openings for students that could be created in such schools with such grant;

"(C) the number of students attending identified schools or schools with a low graduation rate in the State or area where an eligible entity intends to replicate or expand eligible public charter schools; and

"(D) the success of the eligible entity in overseeing public charter schools and the likelihood of continued or increased success because of the grant under this section.

"(3) DURATION OF GRANTS.—

"(A) IN GENERAL.—A grant under this section shall be for a period of not more than 3 years, except that—

"(i) an eligible entity receiving such grant may, at the discretion of the Secretary, continue to expend grant funds after the end of the grant period; and

"(ii) the Secretary may renew such grant for 1 additional 2-year period, if the Secretary determines that the eligible entity is meeting the goals of the grant.

"(B) SUBSEQUENT GRANTS.—An eligible entity that has received a grant under this section may receive subsequent grants under this section.

"(c) APPLICATION REQUIREMENTS.—

"(1) APPLICATION REQUIREMENTS.—To be considered for a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(2) CONTENTS.—The application described in paragraph (1) shall include, at a minimum, the following:

"(A) RECORD OF SUCCESS.—Documentation of the record of success of the eligible entity in overseeing or operating public charter schools, including—

"(i) the performance of the students of such public charter schools on the student academic assessments described in section 1111(b)(3) of the State where such school is located (including a measurement of the students' average academic longitudinal growth at each such school, if such measurement is required by a Federal or State law applicable to the entity), disaggregated by—

"(I) economic disadvantage;

"(II) race and ethnicity;

"(III) disability status; and

"(IV) status as a student with limited English proficiency;

"(ii)(I) the status of such schools in making adequate yearly progress, as defined in a State's plan in accordance with section 1111(b)(2)(C) or, in the case of schools for which the Secretary has waived the applicability of such section pursuant to the authority under section 9401, the status of such schools under the accountability standards authorized by such waiver; and

"(II) the status of such schools as identified schools;

"(iii) documentation of demonstrated success by such public charter schools in closing historic achievement gaps between groups of students; and

"(iv) in the case of such public charter schools that are secondary schools—

"(I) the number of students enrolled in dual enrollment, Advanced Placement, International Baccalaureate, or other college level courses;

"(II) the number of students earning a professional certificate or license through the school;

"(III) student graduation rates; and

"(IV) rates of student acceptance, enrollment, and persistence in institutions of higher education, where possible.

"(B) PLAN.—A plan for—

"(i) replicating and expanding eligible public charter schools operated or overseen by the eligible entity;

"(ii) identifying eligible public charter schools, or networks of eligible public charter schools, to receive subgrants under this section;

"(iii) increasing the number of openings in eligible public charter schools for students attending identified schools and schools with a low graduation rate;

"(iv) ensuring that eligible public charter schools receiving a subgrant under this section enroll students through a random lottery for admission, unless the charter school is using the subgrant to expand the school to serve additional grades, in which case such school may reserve seats in the additional grades for—

"(I) each student enrolled in the grade preceding each such additional grade;

"(II) siblings of students enrolled in the charter school, if such siblings desire to enroll in such grade; and

"(III) children of the charter school's founders, staff, or employees;

"(v)(I) in the case of an eligible entity described in subparagraph (A) or (C) of subsection (k)(4), the manner in which the eligible entity will work with identified schools and schools with a low graduation rate that are eligible to enroll students in a public charter school receiving a subgrant under this section and that are under the eligible entity's jurisdiction, and the local educational agencies serving such schools (as applicable), to—

"(aa) engage in community outreach, provide information in a language that the parents can understand, and communicate with parents of students at identified schools and schools with a low graduation rate who are eligible to attend a public charter school receiving a subgrant under this section about the opportunity to enroll in or transfer to such school, in a manner consistent with section 444 of the General Education Provisions Act (commonly known as the 'Family Educational Rights and Privacy Act of 1974'); and

"(bb) ensure that a student can transfer to an eligible public charter school if the public

charter school such student was attending in the previous school year is no longer an eligible public charter school; and

“(II) in the case of an eligible entity described in subparagraph (B) or (D) of subsection (k)(4), the manner in which the eligible entity will work with the local educational agency to carry out the activities described in items (aa) and (bb) of subclause (I);

“(vi) disseminating to public schools under the jurisdiction or in the service area of the eligible entity, in a manner consistent with section 444 of the General Education Provisions Act (commonly known as the ‘Family Educational Rights and Privacy Act of 1974’), the best practices, programs, or strategies learned by awarding subgrants to eligible public charter schools under this section, with particular emphasis on the best practices with respect to—

“(I) focusing on closing achievement gaps; or

“(II) successfully addressing the education needs of low-income students; and

“(vii) in the case of an eligible entity described in subsection (k)(4)(D)—

“(I) supporting the short-term and long-term success of the proposed project, by—

“(aa) developing a multi-year financial and operating model for the eligible entity; and

“(bb) including, with the plan, evidence of the demonstrated commitment of current partners, as of the time of the application, for the proposed project and of broad support from stakeholders critical to the project’s long-term success;

“(II) closing public charter schools that do not meet acceptable standards of performance; and

“(III) achieving the objectives of the proposed project on time and within budget, which shall include the use of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

“(C) CHARTER SCHOOL INFORMATION.—The number of—

“(i) eligible public charter schools that are operating in the State in which the eligible entity intends to award subgrants under this section;

“(ii) public charter schools approved to open or likely to open during the grant period in such State;

“(iii) available openings in eligible public charter schools in such State that could be created through the replication or expansion of such schools if the grant is awarded to the eligible entity;

“(iv) students on public charter school waiting lists (if such lists are available) in—

“(I) the State in which the eligible entity intends to award subgrants under this section; and

“(II) each local educational agency serving an eligible public charter school that may receive a subgrant under this section from the eligible entity; and

“(v) students, and the percentage of students, in a local educational agency who are attending eligible public charter schools that may receive a subgrant under this section from the eligible entity.

“(D) TRADITIONAL PUBLIC SCHOOL INFORMATION.—In the case of an eligible entity described in subparagraph (A) or (C) of subsection (k)(4), a list of the following schools under the jurisdiction of the eligible entity, including the name and location of each such school, the number and percentage of students under the jurisdiction of the eligible entity who are attending such school, and such demographic and socioeconomic information as the Secretary may require:

“(i) Identified schools.

“(ii) Schools with a low graduation rate.

“(E) ASSURANCE.—In the case of an eligible entity described in subsection (k)(4)(A), an assurance that the eligible entity will include information (in a language that the parents can understand) about the eligible public charter schools receiving subgrants under this section—

“(i) in the notifications provided under section 1116(c)(6) to parents of each student enrolled in a school served by a local educational agency identified for school improvement or corrective action under paragraph (1) or (7) of section 1116(c); or

“(ii) in any case where the requirements under section 1116(c) have been waived in whole or in part by the Secretary under the authority of section 9401, to parents of each student enrolled in a school served by a local educational agency that has been identified as in need of additional assistance under any accountability system established under such section.

“(3) MODIFICATIONS.—The Secretary may modify or waive any information requirement under paragraph (2)(C) for an eligible entity that demonstrates that the eligible entity cannot reasonably obtain the information.

“(d) PRIORITIES FOR AWARDING GRANTS.—

“(1) IN GENERAL.—In awarding grants under this section, the Secretary shall give priority to an eligible entity that—

“(A) serves or plans to serve a large percentage of low-income students from identified schools or public schools with a low graduation rate;

“(B) oversees or plans to oversee one or more eligible public charter schools;

“(C) provides evidence of effective monitoring of the academic success of students who attend public charter schools under the jurisdiction of the eligible entity;

“(D) has established goals, objectives, and outcomes for the proposed project that are clearly specified, measurable, and attainable;

“(E) in the case of an eligible entity that is a local educational agency under State law, has a cooperative agreement under section 1116(b)(11); and

“(F) is under the jurisdiction of, or plans to award subgrants under this section in, a State that—

“(i) ensures that all public charter schools (including such schools served by a local educational agency and such schools considered to be a local educational agency under State law) receive, in a timely manner, the Federal, State, and local funds to which such schools are entitled under applicable law;

“(ii) provides funding (such as capital aid distributed through a formula or access to revenue generated bonds, and including funding for school facilities) on a per-pupil basis to public charter schools commensurate with the amount of funding (including funding for school facilities) provided to traditional public schools;

“(iii) provides strong evidence of support for public charter schools and has in place innovative policies that support academically successful charter school growth;

“(iv) authorizes public charter schools to offer early childhood education programs, including prekindergarten, in accordance with State law;

“(v) authorizes or allows public charter schools to serve as school food authorities;

“(vi) ensures that each public charter school in the State—

“(I) has a high degree of autonomy over the public charter school’s budget and expenditures;

“(II) has a written performance contract with an authorized public chartering agency that ensures that the school has an independent governing board with a high degree of autonomy; and

“(III) in the case of an eligible public charter school receiving a subgrant under this section, amends its charter to reflect the growth activities described in subsection (e);

“(vii) has an appeals process for the denial of an application for a public charter school;

“(viii) provides that an authorized public chartering agency that is not a local educational agency, such as a State chartering board, is available for each individual or entity seeking to operate a public charter school pursuant to such State law;

“(ix) allows any public charter school to be a local educational agency in accordance with State law;

“(x) ensures that each authorized public chartering agency in the State submits annual reports to the State educational agency, and makes such reports available to the public, on the performance of the schools authorized or approved by such public chartering agency, which reports shall include—

“(I) the authorized public chartering agency’s strategic plan for authorizing or approving public charter schools and any progress toward achieving the objectives of the strategic plan;

“(II) the authorized public chartering agency’s policies for authorizing or approving public charter schools, including how such policies examine a school’s—

“(aa) financial plan and policies, including financial controls and audit requirements;

“(bb) plan for identifying and successfully (in compliance with all applicable laws and regulations) serving students with disabilities, students who are English language learners, students who are academically behind their peers, and gifted students; and

“(cc) capacity and capability to successfully launch and subsequently operate a public charter school, including the backgrounds of the individuals applying to the agency to operate such school and any record of such individuals operating a school;

“(III) the authorized public chartering agency’s policies for renewing, not renewing, and revoking a public charter school’s charter, including the role of student academic achievement in such decisions;

“(IV) the authorized public chartering agency’s transparent, timely, and effective process for closing down academically unsuccessful public charter schools;

“(V) the academic performance of each operating public charter school authorized or approved by the authorized public chartering agency, including the information reported by the State in the State annual report card under section 1111(h)(1)(C) for such school (or any similar reporting requirement authorized by the Secretary through a waiver under section 9401);

“(VI) the status of the authorized public chartering agency’s charter school portfolio, by identifying all charter schools served by the public chartering agency in each of the following categories: approved (but not yet open), operating, renewed, transferred, revoked, not renewed, voluntarily closed, or never opened;

“(VII) the authorizing functions provided by the authorized public chartering agency to the public charter schools under its purview, including such agency’s operating costs and expenses as detailed through annual auditing of financial statements that conform with general accepted accounting principles; and

“(VIII) the services purchased (such as accounting, transportation, and data management and analysis) from the authorized public chartering agency by the public charter schools authorized or approved by such agency, including an itemized accounting of the actual costs of such services; and

“(xi) has or will have (within 1 year after receiving a grant under this section) a State policy and process for overseeing and reviewing the effectiveness and quality of the State’s authorized public chartering agencies, including—

“(I) a process for reviewing and evaluating the performance of the authorized public chartering agencies in authorizing or approving public charter schools, including a process that enables the authorized public chartering agencies to respond to any State concerns; and

“(II) any other necessary policies to ensure effective charter school authorizing in the State in accordance with the principles of quality charter school authorizing, as determined by the State in consultation with the charter school community and stakeholders.

“(2) SPECIAL RULE.—In awarding grants under this section, the Secretary may determine how the priorities described in paragraph (1) will apply to the different types of eligible entities defined in subsection (k)(4).

“(e) USE OF FUNDS.—An eligible entity receiving a grant under this section shall use the grant funds for the following:

“(1) SUBGRANTS.—

“(A) IN GENERAL.—An eligible entity shall award subgrants, in such amount as the eligible entity determines is appropriate, to eligible public charter schools to replicate or expand such schools.

“(B) APPLICATION.—An eligible public charter school desiring to receive a subgrant under this subsection shall submit an application to the eligible entity at such time, in such manner, and containing such information as the eligible entity may require.

“(C) USES OF FUNDS.—An eligible public charter school receiving a subgrant under this subsection shall use the subgrant funds to provide for an increase in the school’s enrollment of students through the replication or expansion of the school, which may include use of funds to—

“(i) support the physical expansion of school buildings, including financing the development of new buildings and campuses to meet increased enrollment needs;

“(ii) pay costs associated with hiring additional teachers to serve additional students;

“(iii) provide transportation to additional students to and from the school (including providing transportation to students who transfer to the school under a cooperative agreement established under section 1116(b)(11)), as long as the eligible public charter school demonstrates to the eligible entity, in the application required under subparagraph (B), that the public charter school has the capability to continue providing such transportation after the expiration of the subgrant funds;

“(iv) purchase instructional materials, implement teacher and principal professional development programs, and hire additional non-teaching staff; and

“(v) support any necessary activities associated with the school carrying out the purposes of this section, including data collection and management.

“(D) PRIORITY.—In awarding subgrants under this subsection, an eligible entity shall give priority to an eligible public charter school that—

“(i) (I) has significantly closed any achievement gaps on the State academic assess-

ments described in section 1111(b)(3) among the groups of students described in section 1111(b)(2)(C)(v) by improving scores; or

“(II) in the case of a school in a State for which the Secretary has granted a waiver under section 9401, has significantly closed any achievement gaps among groups of students, as determined by the Secretary in accordance with any accountability standards that the Secretary has authorized through such waiver; and

“(ii) has been in operation for not less than 3 consecutive years and has demonstrated overall success, including—

“(I) substantial progress in improving student achievement, as measured—

“(aa) for tested grades and subjects, by a student’s score on State academic assessments required under this Act, and other rigorous measures of student learning that are comparable across classrooms, such as the measures described in item (bb); and

“(bb) for non-tested grades and subjects, alternative measures of student learning and performance, such as student scores on pretests and end-of-course tests, student performance on English language proficiency assessments; and other measures of student achievement that are rigorous and comparable across classrooms; and

“(II) the management and leadership necessary to overcome initial start-up problems and establish a thriving, financially viable charter school.

“(E) DURATION OF SUBGRANT.—A subgrant under this subsection shall be awarded for a period of not more than 3 years, except that an eligible public charter school receiving a subgrant under this subsection may, at the discretion of the eligible entity, continue to expend subgrant funds after the end of the subgrant period.

“(2) FACILITY FINANCING AND REVOLVING LOAN FUND.—An eligible entity may use not more than 25 percent of the amount of the grant funds received under this section to establish a reserve account described in subsection (f) to facilitate public charter school facility acquisition and development by—

“(A) conducting credit enhancement initiatives (as referred to in subpart 2) in support of the development of facilities for eligible public charter schools serving students;

“(B) establishing a revolving loan fund for use by an eligible public charter school receiving a subgrant under this subsection from the eligible entity under such terms as may be determined by the eligible entity to allow such school to expand to serve additional students;

“(C) facilitating, through direct expenditure or financing, the acquisition or development of public charter school buildings by the eligible entity or an eligible public charter school receiving a subgrant under this subsection from the eligible entity, which may be used as both permanent locations for eligible public charter schools or incubators for growing charter schools; or

“(D) establishing a partnership with 1 or more community development financial institutions (as defined in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702)) or other mission-based financial institutions to carry out the activities described in subparagraphs (A), (B), and (C).

“(3) ADMINISTRATIVE TASKS, DISSEMINATION ACTIVITIES, RESEARCH, AND DATA COLLECTION.—

“(A) IN GENERAL.—An eligible entity may use not more than 7.5 percent of the grant funds awarded under this section to cover administrative tasks, dissemination activities,

and outreach, including data collection and management.

“(B) NONPROFIT ASSISTANCE.—In carrying out the administrative tasks, dissemination activities, and outreach described in subparagraph (A), an eligible entity may contract with an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) and exempt from tax under section 501(a) of such Code (26 U.S.C. 501(a)).

“(f) RESERVE ACCOUNT.—

“(1) IN GENERAL.—To assist eligible entities in the development of new public charter school buildings or facilities for eligible public charter schools, an eligible entity receiving a grant under this section may, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the amount of funds described in subsection (e)(2) in a reserve account established and maintained by the eligible entity.

“(2) INVESTMENT.—Funds received under this section and deposited in the reserve account established under this subsection shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

“(3) REINVESTMENT OF EARNINGS.—Any earnings on funds received under this subsection shall be deposited in the reserve account established under this subsection and used in accordance with the purpose described in subsection (a).

“(4) RECOVERY OF FUNDS.—

“(A) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

“(i) all funds in a reserve account established by an eligible entity under this subsection if the Secretary determines, not earlier than 2 years after the date the eligible entity first received funds under this section, that the eligible entity has failed to make substantial progress carrying out the purpose described in paragraph (1); or

“(ii) all or a portion of the funds in a reserve account established by an eligible entity under this subsection if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of funds in such account to accomplish the purpose described in paragraph (1).

“(B) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided under subparagraph (A) to collect from any eligible entity any funds that are being properly used to achieve such purpose.

“(C) PROCEDURES.—Sections 451, 452, and 458 of the General Education Provisions Act shall apply to the recovery of funds under subparagraph (A).

“(D) CONSTRUCTION.—This paragraph shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act.

“(5) REALLOCATION.—Any funds collected by the Secretary under paragraph (4) shall be awarded to eligible entities receiving grants under this section in the next fiscal year.

“(g) FINANCIAL RESPONSIBILITY.—The financial records of each eligible entity and eligible public charter school receiving a grant or subgrant, respectively, under this section shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

“(h) NATIONAL EVALUATION.—

“(1) NATIONAL EVALUATION.—From the amounts appropriated under section 5200, the Secretary shall conduct an independent,

comprehensive, and scientifically sound evaluation, by grant or contract and using the highest quality research design available, of the impact of the activities carried out under this section on—

“(A) student achievement, including State standardized assessment scores and, if available, student academic longitudinal growth (as described in subsection (c)(2)(A)(i)) based on such assessments; and

“(B) other areas, as determined by the Secretary.

“(2) REPORT.—Not later than 4 years after the date of the enactment of the All Students Achieving through Reform Act of 2013, and biannually thereafter, the Secretary shall submit to Congress a report on the results of the evaluation described in paragraph (1).

“(i) REPORTS.—Each eligible entity receiving a grant under this section shall prepare and submit to the Secretary the following:

“(1) REPORT.—A report that contains such information as the Secretary may require concerning use of the grant funds by the eligible entity, including the academic achievement of the students attending eligible public charter schools as a result of the grant. Such report shall be submitted before the end of the 3-year period beginning on the date of enactment of the All Students Achieving through Reform Act of 2013 and every 2 years thereafter.

“(2) PERFORMANCE INFORMATION.—Such performance information as the Secretary may require for the national evaluation conducted under subsection (h)(1).

“(j) INAPPLICABILITY.—The provisions of sections 5201 through 5209 shall not apply to the program under this section.

“(k) DEFINITIONS.—In this section:

“(1) ADEQUATE YEARLY PROGRESS.—The term ‘adequate yearly progress’ has the meaning given such term in a State’s plan in accordance with section 1111(b)(2)(C).

“(2) ADMINISTRATIVE TASKS, DISSEMINATION ACTIVITIES, AND OUTREACH.—The term ‘administrative tasks, dissemination activities, and outreach’ includes costs and activities associated with—

“(A) recruiting and selecting students to attend eligible public charter schools;

“(B) outreach to parents of students enrolled in identified schools or schools with low graduation rates;

“(C) providing information to such parents and school officials at such schools regarding eligible public charter schools receiving subgrants under subsection (e);

“(D) necessary oversight of the grant program under this section; and

“(E) initiatives and activities to disseminate the best practices, programs, or strategies learned in eligible public charter schools to other public schools operating in the State where the eligible entity intends to award subgrants under this section.

“(3) CHARTER SCHOOL.—The term ‘charter school’ means—

“(A) a charter school, as defined in section 5211(1); or

“(B) a school that meets the requirements of such section, except for subparagraph (D) of the section, and provides prekindergarten or adult education services.

“(4) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a State educational agency;

“(B) an authorized public chartering agency;

“(C) a local educational agency that has authorized or is planning to authorize a public charter school;

“(D) an organization (including a nonprofit charter management organization) that has

an organizational mission and record of success supporting the replication and expansion of high-quality charter schools and is—

“(i) described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)); and

“(ii) exempt from tax under section 501(a) of such Code (26 U.S.C. 501(a)); or

“(E) a consortium of organizations described in subparagraph (D).

“(5) ELIGIBLE PUBLIC CHARTER SCHOOL.—The term ‘eligible public charter school’ means a charter school that has no significant compliance issue and shows evidence of strong academic results for the past three years (or over the life of the school if the school has been open for fewer than three years), based on—

“(A) increased student academic achievement and attainment for all students, including, as applicable, educationally disadvantaged students served by the charter school;

“(B)(i) demonstrated success in closing historic achievement gaps for the subgroups of students described in section 1111(b)(2)(C)(v)(II) at the charter school or, in the case of a school in a State for which the Secretary has granted a waiver under section 9401, demonstrated success in closing achievement gaps among groups of students, as determined by the Secretary in accordance with any accountability standards that the Secretary has authorized through such waiver; or

“(ii) no significant achievement gaps between any of the subgroups of students described in section 1111(b)(2)(C)(v)(II) (or as determined by the Secretary in accordance with any accountability standards authorized through a waiver under section 9401) and significant gains in student achievement with all populations of students served by the charter school; and

“(C) results (including, where applicable and available, performance on statewide tests, attendance and retention rates, secondary school graduation rates, and attendance and persistence rates at institutions of higher education) for low-income and other educationally disadvantaged students served by the charter school that are above the average achievement results for such students in the State.

“(6) GRADUATION RATE.—The term ‘graduation rate’ has the meaning given the term in section 1111(b)(2)(C)(vi), as clarified in section 200.19(b)(1) of title 34, Code of Federal Regulations.

“(7) IDENTIFIED SCHOOL.—The term ‘identified school’ means a school—

“(A) identified for school improvement, corrective action, or restructuring under paragraph (1), (7), or (8) of section 1116(b); or

“(B) in the case of a school for which the Secretary has waived the applicability of such paragraphs pursuant to section 9401, identified as a priority school, a focus school, or a school otherwise in need of significant assistance, as determined by the accountability standards authorized by such waiver

“(8) LOCAL EDUCATIONAL AGENCY.—The term ‘local educational agency’ includes any charter school that is a local educational agency, as determined by State law.

“(9) LOW-INCOME STUDENT.—The term ‘low-income student’ means a student eligible for free or reduced price lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

“(10) SCHOOL FOOD AUTHORITY.—The term ‘school food authority’ has the meaning given the term in section 250.3 of title 7,

Code of Federal Regulations (or any corresponding similar regulation or ruling).

“(11) SCHOOL YEAR.—The term ‘school year’ has the meaning given such term in section 12(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(d)).

“(12) TRADITIONAL PUBLIC SCHOOL.—The term ‘traditional public school’ does not include any charter school, as defined in section 5211.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Part B of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221 et seq.) is amended—

(1) by striking section 5231; and

(2) by inserting before subpart 1 the following:

“SEC. 5200. AUTHORIZATION OF APPROPRIATIONS FOR SUBPARTS 1 AND 2.

“(a) IN GENERAL.—There are authorized to be appropriated to carry out subparts 1 and 2, \$700,000,000 for fiscal year 2014 and such sums as may be necessary for each of the 5 succeeding fiscal years.

“(b) ALLOCATION.—In allocating funds appropriated under this section for any fiscal year, the Secretary shall consider—

“(1) the relative need among the programs carried out under sections 5202, 5205, 5210, and subpart 2; and

“(2) the quality of the applications submitted for such programs.”.

(c) CONFORMING AMENDMENTS.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended—

(1) in section 2102(2) (20 U.S.C. 6602(2)), by striking “5210” and inserting “5211”;

(2) in section 5204(e) (20 U.S.C. 7221c(e)), by striking “5210(1)” and inserting “5211(1)”;

(3) in section 5211(1) (as redesignated by subsection (a)(2)) (20 U.S.C. 7221i(1)), by striking “The term” and inserting “Except as otherwise provided, the term”;

(4) in section 5230(1) (20 U.S.C. 7223i(1)), by striking “5210” and inserting “5211”; and

(5) in section 5247(1) (20 U.S.C. 7225f(1)), by striking “5210” and inserting “5211”.

(d) TABLE OF CONTENTS.—The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended—

(1) by inserting before the item relating to subpart 1 of part B of title V the following:

“Sec. 5200. Authorization of appropriations for subparts 1 and 2.”;

(2) by striking the items relating to sections 5210 and 5211;

(3) by inserting after the item relating to section 5209 the following:

“Sec. 5210. Charter school expansion and replication.

“Sec. 5211. Definitions.”;

and

(4) by striking the item relating to section 5231.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 153—RECOGNIZING THE 200TH ANNIVERSARY OF THE BATTLE OF LAKE ERIE

Mr. TOOMEY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 153

Whereas the 9 vessels in the United States naval fleet on the Great Lake of Erie during the War of 1812 were assembled and stationed at Presque Isle Bay, Pennsylvania;

Whereas the American forces, under the command of 28-year-old Rhode Island native



Oliver Hazard Perry, were tasked to subdue the enemy fleet on the lake and sever its vital supply lines to the northwestern front;

Whereas the United States fleet met its adversaries a short distance from Put-in-Bay, Ohio on September 10, 1813;

Whereas during the intense fight that ensued, the flagship of Commodore Perry, the U.S. Brig *Lawrence*, was disabled and its crew suffered over an 80 percent casualty rate;

Whereas Commodore Perry refused to surrender, courageously boarded a small rowboat, traversed a half-mile through hostile waters, and transferred his command to the U.S. Brig *Niagara*;

Whereas the U.S. Brig *Niagara* steered back into the heart of the battle, outmaneuvered its foes, and forced the subsequent surrender of the entire British fleet on Lake Erie;

Whereas 100 sharpshooters from the Kentucky militia stationed on board the flotilla provided devastating covering fire throughout the encounter;

Whereas to communicate the conclusion of the engagement to Major General William Henry Harrison, Commodore Perry provided the historic and succinct battle summary: "We have met the enemy, and they are ours—two ships, two brigs one schooner & one sloop.";

Whereas the victory solidified American control of Lake Erie for the duration of the conflict, enabling United States forces to retake Detroit and win further battles in the Old Northwest and the Niagara Valley;

Whereas the state of Pennsylvania to this day maintains the U.S. Brig *Niagara* as its State ship;

Whereas the battle flag of Commodore Perry, "Don't Give Up the Ship", is preserved in the United States Naval Academy Museum in Annapolis, Maryland; and

Whereas the battle is immortalized in the United States Senate by the masterpiece painted by William Henry Powell in 1873: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the 200th anniversary the Battle of Lake Erie;

(2) remembers with great pride this significant victory in the "Second War of Independence" of the United States;

(3) commends the city of Erie, Pennsylvania and the Perry 200 Commemoration Commission for their efforts to ensure the appropriate recognition of this historic event; and

(4) expresses its deepest gratitude to all the sailors and marines who gave their lives in honorable service to the United States of America on the Great Lake of Erie 200 years ago.

Mr. TOOMEY. Mr. President, I am submitting a resolution to commemorate the 200th anniversary of the Battle of Lake Erie.

In the history of United States, the War of 1812 is often an overlooked chapter. However, for any visitor intrepid enough to forego the elevators in the Senate side of the Capitol, it is impossible not to notice one important day within those years of turmoil and war. Dominating the staircase is a massive rendition of the Battle of Lake Erie, painted by William Henry Powell in 1873.

The Battle of Lake Erie was one of the few unquestioned American triumphs in the war. In the center of

Powell's painting is the young and courageous Oliver Hazard Perry. On September 10, 1813, after two hours of intense fighting, defeat stared Commodore Perry dead in the face, yet he refused to succumb. The painting depicts the famous point in the battle when Perry transfers his command from his disabled flagship to the U.S. Brig *Niagara* to begin the fight anew. His determination would pay off as the confused and battered enemy fleet would be unable to sustain the ongoing punishment from the *Niagara's* cannonade. One by one each enemy vessel would strike their colors as they were forced to relinquish control of the Great Lake of Erie.

The dramatic encounter breathed new life into a damaged American war effort and captured the imagination of our young nation. Contributing in no small way to this victory was Pennsylvania's own city on the lake, Erie, that provided the safe locale, supplies, and muscle necessary to build the victorious fleet in limited time.

Just as the Battle of Lake Erie would test the resolve of the young commander Perry and his fleet, the overall war would test the resolve of our young nation. For those who think that partisan division is something unique to our country's current condition, I encourage you to look back to the bitter struggles between the Republicans and Federalists at the beginning of the 19th century. Those years would produce not only disagreement on the direction of our nascent union but also uncertainty of the ultimate success of this great experiment in representative government and the war very nearly tore us apart.

This upcoming bicentennial affords us the opportunity to reflect on the challenges overcome by our forefathers to shape and preserve this great nation that we have inherited. My friends in Erie and the Perry 200 Commemoration Commission will spend this summer paying tribute to this great battle and its participants, and I thank them for their hard work and dedication to ensure their appropriate recognition. I am hopeful this resolution can help bring attention to this remarkable event that so moved our Nation 200 years ago.

#### SENATE RESOLUTION 154—SUPPORTING POLITICAL REFORM IN IRAN AND FOR OTHER PURPOSES

Mr. HOEVEN (for himself and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 154

Whereas democracy, human rights, and civil liberties are universal values and fundamental principles of the foreign policy of the United States;

Whereas an essential element of democratic self-government is for leaders to be

chosen and regularly held accountable through elections that are organized and conducted in a manner that is free, fair, inclusive, and consistent with international standards;

Whereas governments in which power does not derive from free and fair elections lack democratic legitimacy;

Whereas the Supreme Leader of Iran is unelected, has the power to veto any decision made by the president or parliament of Iran, and controls the foreign and defense policy of Iran;

Whereas the current Supreme Leader of Iran has been in power since 1989 and has never been subject to a popular referendum of any kind;

Whereas elections in Iran are marred by the disqualification of candidates based on their political views, the absence of credible international observers, widespread intimidation and repression of candidates, political parties, and citizens, and systemic electoral fraud and manipulation;

Whereas elections in Iran consistently involve severe restrictions on freedom of expression, assembly, and association, including censorship, surveillance, disruptions in telecommunications, and the absence of a free media;

Whereas the current president of Iran came to office through an election on June 12, 2009, that was widely condemned in Iran and throughout the world as neither free nor fair and provoked large-scale peaceful protests throughout Iran;

Whereas authorities in Iran continue to hold several candidates from the 2009 election in indefinite detention;

Whereas the Government of the Islamic Republic of Iran banned more than 2,200 candidates from participating in the March 2, 2012, parliamentary elections and refused to allow domestic or international election observers to oversee those elections;

Whereas the Government of the Islamic Republic of Iran seeks to prevent the people of Iran from accessing news and information by disrupting access to the Internet, including blocking e-mail and social networking sites, limiting access to foreign news and websites, and developing a national Internet that will facilitate government censorship of news and information, and by jamming international broadcasts such as the Voice of America Persian News Network and Radio Farda, a Persian language broadcast of Radio Free Europe/Radio Liberty;

Whereas authorities in Iran have announced that a presidential election will be held on June 14, 2013; and

Whereas the Government of the Islamic Republic of Iran has banned numerous candidates from participating in the June 14, 2013, presidential election: Now, therefore be it

*Resolved*, That the Senate—

(1) recalls Senate Resolution 386, 112th Congress, agreed to March 5, 2012, which called for free and fair elections in Iran;

(2) reaffirms the commitment of the United States to democracy, human rights, civil liberties, and the rule of law, including the universal rights of freedom of assembly, freedom of speech, freedom of the press, and freedom of association;

(3) expresses support for freedom, human rights, civil liberties, and rule of law in Iran, and for elections that are free and fair;

(4) expresses strong support for the people of Iran in their peaceful calls for a representative and responsive democratic government that respects human rights, civil liberties, and the rule of law;



(5) condemns the widespread human rights violations of the Government of the Islamic Republic of Iran;

(6) calls on the Government of the Islamic Republic of Iran to respect freedom of expression and association in Iran by—

(A) holding elections that are free, fair, and responsive to the people of Iran, including by refraining from disqualifying candidates for political reasons;

(B) making the highest level of executive power in the Government of the Islamic Republic of Iran accountable to the people of Iran through free and fair elections;

(C) ending arbitrary detention, torture, and other forms of harassment against media professionals, human rights defenders and activists, and opposition figures, and releasing all individuals detained for exercising universally recognized human rights;

(D) lifting legislative restrictions on freedom of assembly, association, and expression; and

(E) allowing the Internet to remain free and open and allowing domestic and international media to operate freely;

(7) calls on the Government of the Islamic Republic of Iran to allow international election monitors to be present for the June 14, 2013, election;

(8) notes that the legitimacy of the June 14, 2013, election will be further called into question if—

(A) candidates are disqualified for political reasons;

(B) international election monitors are not present; and

(C) following the election, the highest level of executive power in Iran remains unaccountable to the people of Iran; and

(9) urges the President of the United States, the Secretary of State, and other world leaders—

(A) to express support for the universal rights and freedoms of the people of Iran, including to democratic self-government and fully accountable elected leaders;

(B) to engage with the people of Iran and support their efforts to promote human rights and democratic reform, including supporting civil society organizations that promote democracy and governance;

(C) to support policies and programs that preserve free and open access to the Internet in Iran; and

(D) to condemn elections that are not free and fair and that do not meet international standards.

#### SENATE RESOLUTION 155—RECOGNIZING THE CITY OF ERIE, PENNSYLVANIA, FOR ITS CRITICAL ROLE IN THE DEVELOPMENT AND CONSTRUCTION OF THE FLEET OF COMMODORE OLIVER HAZARD PERRY DURING THE WAR OF 1812

Mr. CASEY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 155

Whereas the City of Erie, Pennsylvania, due to its abundant resources and strategic positioning, was recommended by shipbuilder Daniel Dobbins to the United States Department of the Navy as an ideal location for the construction of a naval fleet;

Whereas the victory by the United States over Great Britain in the Battle of Lake Erie on September 10, 1813 was a crucial victory for the United States during the War of 1812,

and ensured that the United States maintained control over Lake Erie for the duration of the war;

Whereas the success of the fleet of Commodore Oliver Hazard Perry in the Battle of Lake Erie helped to facilitate the important victory of General William Henry Harrison at the Battle of the Thames, as well as other military actions of the United States throughout the War of 1812;

Whereas the USS *Lawrence* and the USS *Niagara*, 2 flagships of the fleet of Commodore Perry, were returned to Presque Isle Bay, off the coast of the City of Erie, after completion of their service;

Whereas the City of Erie is home to the USS *Niagara*, which continues to sail in memory of the heroism of the United States forces in the Battle of Lake Erie;

Whereas the City of Erie honors the legacy of Commodore Perry through the Perry Monument at Presque Isle State Park; and

Whereas the City of Erie this year is recognizing the 200th anniversary of the Battle of Lake Erie: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the City of Erie, Pennsylvania, for its role in the development and construction of the fleet of Commodore Oliver Hazard Perry during the War of 1812; and

(2) recognizes the historical significance of the construction of the fleet of Commodore Perry and the consequent victory of the United States in the Battle of Lake Erie.

#### SENATE RESOLUTION 156—EXPRESSING THE SENSE OF THE SENATE ON THE 10-YEAR ANNIVERSARY OF NATO ALLIED COMMAND TRANSFORMATION

Mr. WARNER submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 156

Whereas, on June 19, 2003, NATO's Allied Command Transformation (ACT), was formally established to increase military effectiveness and prepare the Alliance for future security challenges;

Whereas, on June 19, 2013, the North Atlantic Treaty Organization (NATO) will celebrate the 10-year anniversary of the establishment of NATO ACT;

Whereas the security of the United States and its NATO allies have been enhanced by the establishment and continued work of NATO ACT;

Whereas, for the past 10 years, ACT has been leading the charge for NATO military transformation, and providing relevant and timely support to NATO operations, and developing partnerships around the globe to adapt to the changing global security environment;

Whereas ACT is the only NATO headquarters in the United States, and the only permanent NATO headquarters outside of Europe;

Whereas ACT provides state of the art education, training, and application of best practices and lessons learned from past operations, and equips Alliance troops with the tools they need to win today's wars;

Whereas ACT improves NATO's defense planning and develops compatible equipment and common standards necessary to keep Alliance capabilities aligned;

Whereas NATO ACT has been integral to a NATO mission of promoting a Europe that is whole, undivided, free, and at peace;

Whereas NATO ACT strengthened the ability of NATO to perform a full range of missions throughout the world;

Whereas NATO ACT has provided crucial support and participation in the NATO International Security Assistance Force in Afghanistan, as NATO endeavors to help the people of Afghanistan create the conditions necessary for security and successful development and reconstruction;

Whereas ACT employs personnel from 26 NATO member nations and 6 NATO Partner nations and contributes more than \$100,000,000 annually to the local economy;

Whereas NATO has been the cornerstone of transatlantic security cooperation and an enduring instrument for promoting stability in Europe and throughout the world for over 60 years, representing the vital transatlantic bond of solidarity between the United States and Europe, as NATO nations share similar values and interests and are committed to the maintenance of democratic principles;

Whereas the Chicago Summit Communiqué affirms that all NATO members "are determined that NATO will continue to play its unique and essential role in ensuring our common defense and security" and that NATO "continues to be effective in a changing world, against new threats, with new capabilities and new partners";

Whereas, through the Alliance, the United States and Europe are effective and steadfast partners in security, and ACT is well positioned to contribute to the strength of the Alliance on both continents;

Whereas NATO ACT has done much to help NATO meet the global challenges of the 21st century, including the threat of terrorism, the spread of weapons of mass destruction, instability caused by failed states, and threats to global energy security; and

Whereas the 10th anniversary of NATO ACT is an opportunity to enhance and more deeply entrench those principles, which continue to bind the alliance together and guide our efforts today: Now, therefore, be it

*Resolved*, That the Senate—

(1) celebrates the 10th anniversary of the establishment of NATO Allied Command Transformation (NATO ACT);

(2) recognizes NATO ACT's leading role to continue to transform alliance forces and capabilities, using new concepts such as the NATO Response Force and new doctrines in order to improve the alliance's military effectiveness;

(3) expresses appreciation for the continuing and close partnership between the United States Government and NATO to transform the alliance;

(4) remembers the 65 years NATO has served to ensure peace, security, and stability in Europe throughout the world, and urges the United States Government to continue to seek new ways to deepen and expand its important relationships with NATO;

(5) recognizes the service of the brave men and women who have served to safeguard the freedom and security of the United States and the whole of the transatlantic alliance;

(6) honors the sacrifices of United States personnel, allies of the North American Treaty Organization (referred to in this resolution as "NATO"), and partners in Afghanistan;

(7) Recognizes the outstanding partnership between the local community in Norfolk, Virginia and NATO personnel assigned to ACT;

(8) reaffirms that NATO, through the new Strategic Concept, is oriented toward the changing international security environment and the challenges of the future;

(9) urges all NATO members to take concrete steps to implement the Strategic Concept and to utilize the taskings from the 2012 NATO summit in Chicago, Illinois, to address current NATO operations, future capabilities and burden-sharing issues, and strengthen the relationship between NATO and partners around the world; and

(10) conveys appreciation for the steadfast partnership between NATO and the United States.

**SENATE RESOLUTION 157—EXPRESSING THE SENSE OF THE SENATE THAT TELEPHONE SERVICE MUST BE IMPROVED IN RURAL AREAS OF THE UNITED STATES AND THAT NO ENTITY MAY UNREASONABLY DISCRIMINATE AGAINST TELEPHONE USERS IN THOSE AREAS**

Ms. KLOBUCHAR (for herself, Mr. JOHNSON of South Dakota, Mrs. FISCHER, Mr. SANDERS, Mr. LEAHY, Mr. MERKLEY, Mrs. BOXER, Mr. PRYOR, Mr. GRASSLEY, Mr. BOOZMAN, Mr. ENZI, Ms. BALDWIN, and Mr. THUNE) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 157

Whereas all people in the United States rely on quality, efficient, and dependable telephone service in many aspects of life, including conducting business, securing the safety of the public, and connecting families;

Whereas multiple surveys conducted by the National Exchange Carrier Association revealed that complaints of uncompleted telephone calls persist, with the most recent survey in October 2012 indicating a 41 percent increase in uncompleted calls between March and September of the same year;

Whereas the National Exchange Carrier Association and rural telecommunications carriers in April 2012 supplied information that—

(1) 6.4 percent of calls to rural areas failed, but only 0.5 percent of calls to urban areas failed; and

(2) 11 percent of calls to rural areas were either poor quality or were delayed, compared to only 5 percent in urban areas;

Whereas the Federal Communications Commission was made aware of an issue regarding telephone service connection in rural areas in November 2010 and has since issued a declaratory ruling and a notice of proposed rulemaking with respect to the issue and has reached a settlement with one telecommunications carrier;

Whereas, in a declaratory ruling in February 2012, the Federal Communications Commission made it clear that blocking or otherwise restricting telephone service is a violation of section 201(b) of the Communications Act of 1934 (47 U.S.C. 201(b)), which prohibits unjust or unreasonable practices, and section 202(a) of that Act (47 U.S.C. 202(a)), which outlines the duty of a telecommunications carrier to refrain from discrimination;

Whereas actions by the Federal Communications Commission have not significantly decreased the prevalence of telephone calls being rerouted by telecommunications carriers and some States are seeing an increase in complaints as of April 2013;

Whereas telephone communications are vital to keeping rural areas of the United

States competitive in the economy, and a low rate of telephone call completion results in economic injury to rural businesses, including farmers, trucking companies, and suppliers who have seen thousands of dollars in business lost when telephone calls are not completed;

Whereas the safety of the public is at risk from a lack of quality telephone communications, including 911 services;

Whereas schools depend on telephone calls to notify students and parents of emergencies, and health care centers depend on telecommunications services to save lives and to communicate with rural patients;

Whereas small, local telecommunications carriers are losing valuable, multi-line business subscribers because of a lack of quality telecommunications services, which is financially detrimental to those carriers and adversely affects the rural communities served by those carriers; and

Whereas it may cost a telecommunications carrier serving a rural area hundreds of dollars to investigate each complaint of an uncompleted telephone call: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) all providers must appropriately complete calls to all areas of the United States regardless of the technology used by the providers;

(2) no entity may unreasonably discriminate against telephone users in rural areas of the United States; and

(3) the Federal Communications Commission should—

(A) aggressively pursue those that violate the rules of the Federal Communications Commission and create these problems, and impose swift and meaningful enforcement actions to discourage—

(i) practices leading to telephone calls not being completed in rural areas of the United States; and

(ii) unreasonable discrimination against telephone users in rural areas of the United States; and

(B) move forward with clear, comprehensive, and enforceable actions in order to establish a robust and definitive solution to discrimination against telephone users in rural areas of the United States.

**SENATE RESOLUTION 158—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 158

Whereas, the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs conducted a review of the expenditures of U.S. funds related to U.S. efforts in Afghanistan;

Whereas, the Subcommittee has received a request from a federal agency for access to records of the Subcommittee's review;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs, acting jointly, are authorized to provide to law enforcement officials, regulatory agencies, and other entities or individuals duly authorized by federal, state, or foreign governments, records of the Subcommittee's review of the expenditures of U.S. funds related to U.S. efforts in Afghanistan.

**SENATE CONCURRENT RESOLUTION 17—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES**

Mr. REID (for himself and Mr. MCCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 17

*Resolved by the Senate (the House of Representatives concurring)*, That when the Senate recesses or adjourns on any day from Thursday, May 23, 2013, through Friday, May 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, June 3, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, May 23, 2013, through Friday, May 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, June 3, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 1116. Mr. COWAN (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table.

SA 1117. Mr. JOHNSON, of South Dakota (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1118. Mr. BROWN (for himself, Mr. CASEY, Mr. COWAN, Mrs. GILLIBRAND, Mr.

HARKIN, Mr. HEINRICH, Mr. REED, Mr. SCHATZ, Mr. TESTER, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1119. Mr. THUNE (for himself, Mr. DURBIN, Mr. ROBERTS, Mr. BROWN, Mr. JOHANNES, Mr. JOHNSON of South Dakota, Mr. GRASSLEY, and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1120. Mr. JOHANNES submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1121. Mr. SCHATZ (for himself and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1122. Mr. DONNELLY (for himself, Mr. BOOZMAN, and Mr. COATS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1123. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1124. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1125. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1126. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1127. Mr. VITTER (for himself, Mr. COATS, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1128. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1129. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1130. Mr. MANCHIN (for himself, Mr. BOOZMAN, and Mr. COATS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1131. Mr. SANDERS (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1132. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1133. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1134. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1135. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1136. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1137. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1138. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1139. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1140. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1141. Mr. COBURN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1142. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1143. Mr. REID (for Ms. HIRONO) proposed an amendment to the resolution S. Res. 129, recognizing the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States.

#### TEXT OF AMENDMENTS

**SA 1116.** Mr. COWAN (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 396, strike lines 8 through 12, and insert the following:

#### **SEC. 4202. SENIOR FARMERS' MARKET NUTRITION PROGRAM.**

Section 4402(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007(a)) is amended—

(1) by striking “Of the funds” and inserting the following:

“(1) MANDATORY FUNDING.—Of the funds”;

(2) in paragraph (1) (as so designated by paragraph (1)), by striking “2012” and inserting “2018”; and

(3) by adding at the end the following:

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2014 through 2018.”.

**SA 1117.** Mr. JOHNSON of South Dakota (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

#### **Subtitle D—National Flood Insurance Program**

#### **SEC. 12301. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) the National Flood Insurance program is \$24,000,000,000 in debt to the United States Treasury, with additional claims from Superstorm Sandy and other disasters still pending;

(2) in the absence of adequate, risk-based premiums, the National Flood Insurance Program is at risk of being unable to pay claims to policyholders or borrow additional funds from the United States Treasury;

(3) actions must be taken to balance the need for affordability in the National Flood Insurance Program with the need to pay claims to policyholders;

(4) the Federal Emergency Management Agency should expedite its study into methods to encourage and maintain participation in the National Flood Insurance Program and methods to educate consumers about the flood risk associated with their property;

(5) the Federal Emergency Management Agency should report promptly on methods for establishing an affordability framework for the National Flood Insurance Program, including methods to aid individuals to afford risk-based premiums under the National Flood Insurance Program through targeted assistance, including means-tested vouchers, rather than generally subsidized rates; and

(6) Congress must work to—

(A) ensure that flood insurance rates are affordable; and

(B) strengthen the National Flood Insurance Program to ensure that it can pay future claims.

#### **SEC. 12302. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.**

(a) STUDY.—

(1) STUDY REQUIRED.—The Administrator of the Federal Emergency Management Agency (referred to in this section as the “Administrator”) shall conduct a study to assess options, methods, and strategies for making available voluntary community-based flood insurance policies through the National Flood Insurance Program.

(2) CONSIDERATIONS.—The study conducted under paragraph (1) shall—

(A) take into consideration and analyze how voluntary community-based flood insurance policies—

(i) would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches; and

(ii) could satisfy the applicable requirements under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a); and

(B) evaluate the advisability of making available voluntary community-based flood insurance policies to communities, subdivisions of communities, and areas of residual risk.

(3) CONSULTATION.—In conducting the study required under paragraph (1), the Administrator may consult with the Comptroller General of the United States, as the Administrator determines is appropriate.

(b) REPORT BY THE ADMINISTRATOR.—

(1) REPORT REQUIRED.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains the results and conclusions of the study conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include recommendations for—

(A) the best manner to incorporate voluntary community-based flood insurance policies into the National Flood Insurance Program; and

(B) a strategy to implement voluntary community-based flood insurance policies that would encourage communities to undertake flood mitigation activities, including

the construction, reconstruction, or improvement of levees, dams, or other flood control structures.

(c) **REPORT BY COMPTROLLER GENERAL.**—Not later than 6 months after the date on which the Administrator submits the report required under subsection (b), the Comptroller General of the United States shall—

(1) review the report submitted by the Administrator; and

(2) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains—

(A) an analysis of the report submitted by the Administrator;

(B) any comments or recommendations of the Comptroller General relating to the report submitted by the Administrator; and

(C) any other recommendations of the Comptroller General relating to community-based flood insurance policies.

#### **SEC. 12303. AMENDMENTS TO NATIONAL FLOOD INSURANCE ACT OF 1968.**

(a) **ADEQUATE PROGRESS ON CONSTRUCTION OF FLOOD PROTECTION SYSTEMS.**—Section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(e)) is amended by inserting after the second sentence the following: “Notwithstanding any other provision of law, in determining whether a community has made adequate progress on the construction, reconstruction, or improvement of a flood protection system, the Administrator shall consider all sources of funding for the construction, reconstruction, or improvement, including Federal, State, and local funds.”

(b) **COMMUNITIES RESTORING DISACCREDITED FLOOD PROTECTION SYSTEMS.**—Section 1307(f) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(f)) is amended in the first sentence by striking “no longer does so.” and inserting the following: “no longer does so, and shall apply without regard to the level of Federal funding of or participation in the construction, reconstruction, or improvement of the flood protection system.”

#### **SEC. 12304. AFFORDABILITY STUDY.**

Section 100236 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 957) is amended—

(1) in subsection (c), by striking “Not” and inserting the following: “Subject to subsection (e), not”;

(2) in subsection (d)—

(A) by striking “Notwithstanding” and inserting the following:

“(1) **NATIONAL FLOOD INSURANCE FUND.**—Notwithstanding”;

(B) by adding at the end the following:

“(2) **OTHER FUNDING SOURCES.**—To carry out this section, in addition to the amount made available under paragraph (1), the Administrator may use any other amounts that are available to the Administrator.”; and

(3) by adding at the end the following:

“(e) **ALTERNATIVE.**—If the Administrator determines that the report required under subsection (c) cannot be submitted by the date specified under subsection (c)—

“(1) the Administrator shall notify, not later than 60 days after the date of enactment of this subsection, the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives of an alternative method of gathering the information required under this section;

“(2) the Administrator shall submit, not later than 180 days after the Administrator submits the notification required under paragraph (1), to the Committee on Banking,

Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives the information gathered using the alternative method described in paragraph (1); and

“(3) upon the submission of information required under paragraph (2), the requirement under subsection (c) shall be deemed satisfied.”.

**SA 1118.** Mr. BROWN (for himself, Mr. CASEY, Mr. COWAN, Mrs. GILLIBRAND, Mr. HARKIN, Mr. HEINRICH, Mr. REED, Mr. SCHATZ, Mr. TESTER, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 380, strike line 24 and all that follows through page 381, line 13, and insert the following:

(A) in paragraph (1)(B)—

(i) in clause (i)—

(I) by striking subclause (I) and inserting the following:

“(I) to create or implement a coordinated community plan to meet the food security needs of low-income individuals;”;

(II) in subclause (II), by inserting “and effectiveness” after “self-reliance”;

(III) in subclause (III), by inserting “food access,” after “food,”; and

(ii) in clause (ii), by striking subclause (I) and inserting the following:

“(I) infrastructure improvement and development;”;

On page 381, between lines 20 and 21, insert the following:

(2) in subsection (b)(2)(B), by striking “\$5,000,000” and inserting “\$10,000,000”;

On page 381, line 21, strike “(2)” and insert “(3)”.

On page 381, strike lines 22 through 24 and insert the following:

(A) in the matter preceding paragraph (1), by inserting “or a nonprofit entity working in partnership with a State, local, or tribal government agency or community health organization” after “nonprofit entity”;

On page 382, strike lines 7 through 10 and insert the following:

“(C) efforts to reduce food insecurity in the community, including increasing access to food services or improving coordination of services and programs;”;

Beginning on page 382, strike line 19 and all that follows through page 383, line 12, and insert the following:

(4) in subsection (d), by striking paragraphs (3) and (4) and inserting the following:

“(3) develop innovative linkages between the for-profit, nonprofit, and public sectors;

“(4) encourage long-term planning activities and multisystem interagency approaches with multistakeholder collaborations (such as food policy councils, food planning associations, and hunger-free community coalitions) that build the long-term capacity of communities to address the food, food security, and agricultural problems of the communities;

“(5) develop new resources and strategies to help reduce food insecurity in the community and prevent food insecurity in the future; or

“(6) achieve goal 2 or 3 of the hunger-free communities goals.”;

On page 383, strike lines 13 through 16 and insert the following:

(5) in subsection (f)(2), by striking “3 years” and inserting “5 years”;

(6) by striking subsection (h) and inserting the following:

On page 384, line 2, strike the period at the end and insert “; and”.

On page 384, between lines 2 and 3, insert the following:

(7) in subsection (i)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “and recommend to the targeted entities” and inserting “create a nationally accessible web-based clearinghouse of regulations, zoning provisions, and best practices by government and the private and nonprofit sectors that have been shown to improve community food security, and provide to targeted entities training, technical assistance, and”; and

(ii) by striking subparagraphs (C) and (D) and inserting the following:

“(C) health disparities;

“(D) food insecurity;”;

(B) in paragraph (4), by striking “\$200,000” and inserting “\$500,000”.

On page 396, strike lines 8 through 12 and insert the following:

#### **SEC. 4202. SENIORS FARMERS' MARKET NUTRITION PROGRAM.**

Section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) is amended by striking subsection (a) and inserting the following:

“(a) **FUNDING.**—Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall use to carry out and expand the seniors farmers' market nutrition program—

“(1) \$23,100,000 for fiscal year 2014; and

“(2) \$25,600,000 for each of fiscal years 2015 through 2018.”.

On page 420, strike lines 13 through 16 and insert the following:

(1) **MANDATORY FUNDING.**—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

“(A) \$1,000,000 for fiscal year 2014;

“(B) \$2,000,000 for fiscal year 2015;

“(C) \$3,000,000 for fiscal year 2016;

“(D) \$4,000,000 for fiscal year 2017; and

“(E) \$5,000,000 for fiscal year 2018.

Beginning on page 636, strike line 21 and all that follows through page 639, line 2, and insert the following:

“(A) **FAMILY FARM.**—The term ‘family’ farm has the meaning given the term in section 761.2 of title 7, Code of Federal Regulations (as in effect on December 30, 2007).

“(B) **MID-TIER VALUE CHAIN.**—The term ‘mid-tier value chain’ means a local and regional supply network (including a network that operates through food distribution centers that coordinate agricultural production and the aggregation, storage, processing, distribution, and marketing of locally or regionally produced agricultural products) that links independent producers with businesses and cooperatives that market value-added agricultural products in a manner that—

“(i) targets and strengthens the profitability and competitiveness of small- and medium-sized farms that are structured as family farms; and

“(ii) obtains agreement from an eligible agricultural producer group, farmer cooperative, or majority-controlled producer-based business venture that is engaged in the value chain on a marketing strategy.

“(C) **VALUE-ADDED AGRICULTURAL PRODUCT.**—The term ‘value-added agricultural product’ means any agricultural commodity or product—

“(i) that—

“(I) has undergone a change in physical state;

“(II) was produced in a manner that enhances the value of the agricultural commodity or product, as demonstrated through a business plan that shows the enhanced value, as determined by the Secretary;

“(III) is physically segregated in a manner that results in the enhancement of the value of the agricultural commodity or product;

“(IV) is a source of farm-based renewable energy, including E-85 fuel; or

“(V) is aggregated and marketed as a locally produced agricultural food product or as part of a mid-tier value chain; and

“(ii) for which, as a result of the change in physical state or the manner in which the agricultural commodity or product was produced, marketed, or segregated—

“(I) the customer base for the agricultural commodity or product is expanded; and

“(II) a greater portion of the revenue derived from the marketing, processing, or physical segregation of the agricultural commodity or product is available to the producer of the commodity or product.

On page 639, line 5, insert “on a competitive basis” after grants.

On page 640, strike lines 12 through 21 and insert the following:

“(i) PRIORITY.—In awarding grants under this subsection, the Secretary shall—

“(I) in the case of a grant under subparagraph (A)(i), give priority to—

“(aa) operators of small- and medium-sized farms and ranches that are structured as family farms; or

“(bb) beginning farmers and ranchers or socially disadvantaged farmers or ranchers; and

“(II) in the case of a grant under subparagraph (A)(ii), give priority to projects (including farmer cooperative projects) that best contribute to—

“(aa) increasing opportunities for operators of small- and medium-sized farms and ranches that are structured as family farms; or

“(bb) creating opportunities for beginning farmers and ranchers or socially disadvantaged farmers and ranchers.

On page 642, line 21, strike “June 30 of” and insert “the date on which the Secretary completes the review process for applications submitted under this section for”.

On page 643, line 4, strike “\$12,500,000” and insert “\$20,000,000”.

On page 663, strike lines 8 through 23 and insert the following:

“(ii) PRIORITY.—In making or guaranteeing a loan under this paragraph, the Secretary shall give priority to projects that would—

“(I) result in increased access to locally or regionally grown food in underserved communities;

“(II) create new market opportunities for agricultural producers; or

“(III) support strategic economic and community development regional economic development plans on a multijurisdictional basis.

“(iii) GUARANTEE LOAN FEE AND PERCENTAGE.—In making or guaranteeing a loan under clause (i) the Secretary may waive, incorporate into the loan, or reduce the guarantee loan fee that would otherwise be imposed under this paragraph.

On page 1025, line 8, strike “\$20,000,000” and insert “\$30,000,000”.

**SA 1119.** Mr. THUNE (for himself, Mr. DURBIN, Mr. ROBERTS, Mr. BROWN, Mr. JOHANNIS, Mr. JOHNSON of South Dakota, Mr. GRASSLEY, and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the

bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

**SEC. 12. SENSE OF CONGRESS REGARDING UNITED STATES FARM POLICIES.**

(a) FINDINGS.—Congress finds that—

(1) farming is a uniquely high-risk undertaking that is vital to the United States economy and well-being, as well as to the ability to feed a growing and hungry world;

(2) commodity prices are inherently linked to the laws of supply and demand;

(3) Congress has never demonstrated that Congress knows better than the market regarding what the proper price for a commodity should be in any given year and, especially, over the course of multiple years in the future;

(4) historically, when Congress has set fixed floor prices for commodities at artificially high levels to address low prices and depressed markets, the policies have created market-distorting cycles under which farmers have planted excessive acres of an oversupplied commodity in order to capture Government assistance, which significantly increased Federal outlays at taxpayer expense as prices continued to decline;

(5)(A) commodities are traded worldwide, and the United States is the leading producer of many of the basic commodities in the world; and

(B) therefore, the planting decisions American farmers make can impact prices farmers receive around the world;

(6) Federal assistance provided when Congress has set fixed floor prices for commodities at artificially high levels linked to planting decisions creates oversupplied and depressed markets affecting farmers in the United States and overseas and raises concerns regarding—

(A) United States commitments to international trading partners, as agreed to in the World Trade Organization Uruguay Round; and

(B) whether such policies could lead to disputes before the World Trade Organization;

(7) the United States recently lost a dispute before the World Trade Organization, costing United States taxpayers millions of dollars to maintain current farm policy and avoid retaliation;

(8) recent crop prices have reached record highs, but market demands are signaling a trend for lower price levels;

(9) future Federal farm policies that create artificially high crop price floors, especially if the price floors are linked to planting decisions, may result in a new era of taxpayer-funded Federal farm program outlays rather than a market-driven farm economy; and

(10) addressing market-based risks, such as declining or depressed prices, is difficult because providing assistance in a declining or depressed market can make the situation worse and cause significant unintended consequences for the farmer, the Federal taxpayer, the land, and markets in the United States and around the world.

(b) SENSE OF CONGRESS.—It is the Sense of Congress that—

(1) it is critical to reform Federal farm policy to make that policy—

(A) more market-oriented; and

(B) an effective risk management tool for United States farmers;

(2) Congress should develop market-oriented programs that—

(A) assist with price or market risks only when needed;

(B) treat crops equitably; and

(C) limit the potential risk for market distortion that may make disputes before the World Trade Organization more difficult to defend;

(3) Congress should not establish any farm assistance program that includes high fixed target prices or planting requirements, especially in combination, due to the risk that such a program will—

(A) distort markets;

(B) influence planting decisions; or

(C) jeopardize vital natural resources, such as soil and water, particularly in sensitive areas prone to natural disasters or with fragile ecosystems; and

(4) Congress should not require farmers to choose between assistance programs that cover fundamentally different risks as it forces farmers to make choices based on an unforeseeable future.

**SA 1120.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1111, after line 20, add the following:

**SEC. . REPORT ON FARM RISK MANAGEMENT PROGRAMS.**

(a) IN GENERAL.—Not later than December 1, 2014, and each December 1 thereafter until December 1, 2017, the Secretary, acting through the Chief Economist, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that analyzes—

(1) the impact of the agriculture risk coverage program under section 1108;

(2) the interaction of that program with—

(A) the adverse market payment program under section 1107;

(B) the marketing loan program under subtitle B of title I;

(C) the supplemental coverage option under section 508(c)(3)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(3)(B)) (as added by section 11001); and

(D) other Federal crop insurance programs;

(3) any distortion caused by the programs described in paragraphs (1) and (2), and any other farm programs as determined by the Chief Economist, on planting and production decisions; and

(4) any overlap or substitution caused by the programs described in paragraphs (1) and (2)(A) with Federal crop insurance.

(b) SUMMARY.—Not later than June 1, 2018, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a summary report that analyzes the issues described in subsection (a) over the period of crop years 2014 through 2017.

(c) NEW PRODUCTS.—The Secretary, in consultation with the Administrator of the Risk Management Agency, shall investigate the establishment of new crop insurance products to address the multi-year crop revenue risks of agricultural producers.

**SA 1121.** Mr. SCHATZ (for himself and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1024, strike lines 15 and 16 and insert the following:

mid-sized farm and ranch operations;

“(3) procure mobile payment solutions in the form of attachments, accessories, software, or technical assistance to vendors, subject to the condition that such a grant shall not be used to procure cellular or mobile devices and shall be used to enable technology to increase the availability of wireless points-of-sale for electronic benefit transfer transactions; and

“(4) include a strategic plan to maximize the

On page 1026, between lines 6 and 7, insert the following:

“(C) ALLOWABLE EXPENSES.—The Secretary shall determine a percentage of the grants awarded under subsection (b)(1)(B) that may be used for transaction and operational costs associated with providing the use of benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), with preference given to projects that collaborate with appropriate State agencies on a plan to make their operations sustainable and replicable in the State and outside of the State without outside support over a period of not more than 3 years.

**SA 1122.** Mr. DONNELLY (for himself, Mr. BOOZMAN, and Mr. COATS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

**SEC. 122. EXCLUSION OF FLUORIDE FROM AGGREGATE EXPOSURE ASSESSMENT.**

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency shall exclude naturally occurring fluoride in drinking water and fluoride in dental health products from any determination required under section 408(b)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(b)(2)) regarding the aggregate exposure to the pesticide chemical residue of sulfuryl fluoride.

**SA 1123.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 861, between lines 11 and 12, insert the following:

**SEC. 61. PROHIBITION ON USE OF FUNDS UNDER THE RURAL UTILITIES SERVICE PROGRAM.**

Notwithstanding any other provision of this Act, including amendments made by this Act, any amounts used to carry out the rural utilities service program, including amounts for grants and loans, shall be used to provide services to communities that do not already have access to broadband services.

**SA 1124.** Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 433, strike line 23 and all that follows through page 434, line 5, and insert the following:

“(3) JOINT FINANCING ARRANGEMENT.—If a direct farm ownership loan is made under

this chapter as part of a joint financing arrangement and the amount of the direct farm ownership loan does not exceed 50 percent of the total principal amount financed under the arrangement, the interest rate on the direct farm ownership loan shall be a rate equal to the greater of—

“(A) the difference between—

“(i) 2 percent; and

“(ii) the interest rate for farm ownership loans under this chapter; or

“(B) 2.5 percent.

**SA 1125.** Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 573, line 25, strike “\$4,226,000,000” and insert “\$5,726,000,000”.

On page 574, line 9, strike “\$1,000,000,000” and insert “\$2,500,000,000”.

**SA 1126.** Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place in title XI, insert the following:

**SEC. 11. LIVESTOCK GROSS MARGIN.**

Section 523(b)(10) of the Federal Crop Insurance Act (7 U.S.C. 1523(b)(10)) is amended—

(1) in subparagraph (C), by striking “fiscal year 2004 and each subsequent fiscal year” and inserting “each of fiscal years 2004 through 2013”; and

(2) by adding at the end the following:

“(D) \$30,000,000 for each of fiscal years 2014 through 2018.

“(E) \$20,000,000 for fiscal year 2019 and each subsequent fiscal year.”.

**SA 1127.** Mr. VITTER (for himself, Mr. COATS, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . PROHIBITION AND CAP RELATING TO LIFELINE PROGRAM.**

(a) DEFINITIONS.—In this section—

(1) the term “commercial mobile service” has the meaning given the term in section 332(d)(1) of the Communications Act of 1934 (47 U.S.C. 332(d)(1));

(2) the term “eligible telecommunications carrier” has the meaning given the term in section 214(e) of the Communications Act of 1934 (47 U.S.C. 214(e)); and

(3) the term “Lifeline program” means the Lifeline program of the Federal Communications Commission set forth under sections 54.400 through 54.417 of title 47, Code of Federal Regulations.

(b) PROHIBITION ON UNIVERSAL SERVICE SUPPORT OF COMMERCIAL MOBILE SERVICE THROUGH LIFELINE PROGRAM.—A provider of commercial mobile service may not receive universal service support under sections 214(e) and 254 of the Communications Act of 1934 (47 U.S.C. 214(e) and 254) for the provision of such service through the Lifeline program.

(c) LIMITATION ON AGGREGATE LEVEL OF SUPPORT FOR LIFELINE PROGRAM.—Beginning

in fiscal year 2014, and each fiscal year thereafter, eligible telecommunications carriers shall receive, in the aggregate, in universal service support under section 254 of the Communications Act of 1934 (47 U.S.C. 254) for the provision of service through the Lifeline program, an amount that is not more than the amount that eligible telecommunications carriers received in universal service support under such section for the provision of service through the Lifeline program during fiscal year 2008.

**SA 1128.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 309, between lines 8 and 9, insert the following:

**SEC. 26. WETLANDS CERTIFICATION AND DELINEATION.**

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall revise and promulgate regulations to implement section 1222(a) of the Food Security Act of 1985 (16 U.S.C. 3822(a)).

(b) CONSIDERATION.—In promulgating the regulations described in subsection (a), the Secretary shall consider—

(1) any wetland delineated on a map by the Secretary during the period beginning November 29, 1990, and ending on December 3, 1996;

(2) any revision to the delineation described in paragraph (1) that was made as a result of a final decision (including any subsequent appeal) and certified accordingly; and

(3) any revision to applicable procedures needed to ensure the use of the calculated average of annual levels of precipitation recorded on a farm during the period beginning on January 1, 1971, and ending on December 31, 2000.

**SA 1129.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 308, after line 25, add the following:

(c) PROHIBITION ON EXCESSIVE PENALTIES.—Section 1221 of the Food Security Act of 1985 (16 U.S.C. 3821) is amended by adding at the end the following:

“(f) PROHIBITION ON EXCESSIVE PENALTIES.—The maximum penalty assessed against a person determined to have committed a violation under subsection (a) or ineligible under subsection (c) shall be an amount equal to the product obtained by multiplying—

“(1) the net quantity of acres of the specific wetland determined to be subject to noncompliance;

“(2) the average land rent for the applicable county for each relevant crop year, as determined by the National Agricultural Statistics Service; and

“(3) the number of crop years of determined noncompliance, not to exceed 3 crop years.”.

**SA 1130.** Mr. MANCHIN (for himself, Mr. BOOZMAN, and Mr. COATS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs

through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

**SEC. 12 . AGRICULTURAL DISCHARGES.**

Section 402(l) of the Federal Water Pollution Control Act (33 U.S.C. 1342(l)) is amended by adding at the end the following:

“(3) CERTAIN AGRICULTURAL DISCHARGES.—A permit shall not be required by the Administrator nor shall the Administrator require a State to require a permit under this Act for a routine agricultural discharge caused by runoff from any agricultural area that is not used for the concentrated confinement of animals or the storage or application of animal manure.”.

**SA 1131.** Mr. SANDERS (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table, as follows:

On page 1150, after line 15, add the following:

**SEC. 12 . STUDY ON THE ECONOMIC IMPACTS OF EXTREME WEATHER EVENTS AND CLIMATE CHANGE.**

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall conduct regional studies of the economic and other risks and vulnerabilities due to extreme weather events and climate change on agriculture in the United States.

(b) REQUIREMENTS.—The studies under subsection (a) shall—

(1) build and expand on previous USDA studies, and updating those analyses based on the most current climate change modeling;

(2) characterize the economic and other risks due to changes in extreme weather events and climate change over the short-term and long-term, such periods defined as the Secretary determines to be appropriate.

(3) assess risks and vulnerabilities and the potential economic impacts of climate change and extreme weather on, a range of agricultural sectors important within each region, including for example, dairy, grain, meat and poultry, specialty crops (such as fruits, vegetables, wine, and maple syrup), forestry and forest products, and other agricultural products; and

(4) consider factors such as changes in the cost of feedstock, changes in fertility and productivity, vulnerability to disease, environmental degradation, and other relevant factors; and

(5) consider the potential economic impacts to rural economies resulting from direct impacts to agriculture, tourism, and other economic sectors on which rural, agricultural communities depend heavily;

(6) use a range of sources for purposes of analyzing the economic impacts, including observations from, and the experience of, agriculture producers.

(7) cooperate with Public and Land Grant Institutions within each region in carrying out these studies.

**SA 1132.** Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table, as follows:

On page 1111, after line 20, insert the following:

**SEC. 11 . NATIONAL DROUGHT COUNCIL AND DROUGHT PREPAREDNESS PLANS.**

(a) DEFINITIONS.—In this section:

(1) COUNCIL.—The term “Council” means the National Drought Council established by this section.

(2) CRITICAL SERVICE PROVIDER.—The term “critical service provider” means an entity that provides—

(A) power;

(B) water, including water provided by an irrigation organization or facility;

(C) sewer services; or

(D) wastewater treatment.

(3) DROUGHT.—The term “drought” means a natural disaster that is caused by a deficiency in precipitation—

(A) that may lead to a deficiency in surface and subsurface water supplies, including rivers, streams, wetlands, ground water, soil moisture, reservoir supplies, lake levels, and snow pack; and

(B) that causes or may cause—

(i) substantial economic or social impacts; or

(ii) physical damage or injury to individuals, property, or the environment.

(4) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(5) INTERSTATE WATERSHED.—The term “interstate watershed” means a watershed that transcends State or tribal boundaries, or both.

(6) MEMBER.—The term “member”, with respect to the National Drought Council, means—

(A) a member of the Council specified or appointed under this section; or

(B) the designee of a member of the Council.

(7) MITIGATION.—The term “mitigation” means a short- or long-term action, program, or policy that is implemented in advance of or during a drought to minimize any risks and impacts of drought.

(8) NEIGHBORING COUNTRY.—The term “neighboring country” means Canada and Mexico.

(9) STATE.—The term “State” means—

(A) the several States;

(B) the District of Columbia;

(C) American Samoa;

(D) Guam;

(E) the Commonwealth of the Northern Mariana Islands;

(F) the Commonwealth of Puerto Rico; and

(G) the United States Virgin Islands.

(10) TRIGGER.—The term “trigger” means the thresholds or criteria that must be satisfied before mitigation or emergency assistance may be provided to an area—

(A) in which drought is emerging; or

(B) that is experiencing a drought.

(11) UNDER SECRETARY.—The term “Under Secretary” means the Under Secretary of Agriculture for Natural Resources and Environment.

(12) WATERSHED.—

(A) IN GENERAL.—The term “watershed” means—

(i) a region or area with common hydrology;

(ii) an area drained by a waterway that drains into a lake or reservoir;

(iii) the total area above a given point on a stream that contributes water to the flow at that point; or

(iv) the topographic dividing line from which surface streams flow in 2 different directions.

(B) EXCLUSIONS.—The term “watershed” does not include an area or region that is larger than a river basin.

(13) WATERSHED GROUP.—The term “watershed group” means a group of individuals, formally recognized by the appropriate State or States, who represent the broad scope of relevant interests within a watershed and who work together in a collaborative manner to jointly plan the management of the natural resources contained within the watershed.

(b) NATIONAL DROUGHT COUNCIL.—

(1) ESTABLISHMENT.—There is established in the Office of the Secretary of Agriculture a council to be known as the “National Drought Council”.

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Council shall be composed of—

(i) the Secretary (or the designee of the Secretary);

(ii) the Secretary of Commerce (or the designee of the Secretary of Commerce);

(iii) the Secretary of the Army (or the designee of the Secretary of the Army);

(iv) the Secretary of the Interior (or the designee of the Secretary of the Interior);

(v) the Director of the Federal Emergency Management Agency (or the designee of the Director);

(vi) the Administrator of the Environmental Protection Agency (or the designee of the Administrator);

(vii) 4 members appointed by the Secretary, in coordination with the National Governors Association, each of whom shall be the Governor of a State (or the designee of the Governor) and who collectively shall represent the geographic diversity of the United States;

(viii) 1 member appointed by the Secretary, in coordination with the National Association of Counties;

(ix) 1 member appointed by the Secretary, in coordination with the United States Conference of Mayors;

(x) 1 member appointed by the Secretary of the Interior, in coordination with Indian tribes, to represent the interests of tribal governments; and

(xi) 1 member appointed by the Secretary, in coordination with the National Association of Conservation Districts, to represent local soil and water conservation districts.

(B) DATE OF APPOINTMENT.—The appointment of each member of the Council shall be made not later than 120 days after the date of enactment of this Act.

(3) TERM; VACANCIES.—

(A) TERM.—A non-Federal member of the Council appointed under paragraph (2) shall be appointed for a term of 2 years.

(B) VACANCIES.—A vacancy on the Council—

(i) shall not affect the powers of the Council; and

(ii) shall be filled in the same manner as the original appointment was made.

(C) TERMS OF MEMBERS FILLING VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term of a member shall be appointed only for the remainder of that term.

(4) MEETINGS.—

(A) IN GENERAL.—The Council shall meet at the call of the co-chairs.

(B) FREQUENCY.—The Council shall meet at least semiannually.

(5) QUORUM.—A majority of the members of the Council shall constitute a quorum, but a lesser number may hold hearings or conduct other business.

(6) COUNCIL LEADERSHIP.—



(A) IN GENERAL.—There shall be a Federal co-chair and non-Federal co-chair of the Council.

(B) APPOINTMENT.—

(i) FEDERAL CO-CHAIR.—The Secretary shall be Federal co-chair.

(ii) NON-FEDERAL CO-CHAIR.—The non-Federal members of the Council shall select, on a biannual basis, a non-Federal co-chair of the Council from among the members appointed under paragraph (2).

(7) DIRECTOR OF THE OFFICE.—

(A) IN GENERAL.—The Director of the Office shall serve as Secretary of the Council.

(B) DUTIES.—The Director of the Office shall serve the interests of all members of the Council.

(c) DUTIES OF THE COUNCIL.—

(1) IN GENERAL.—The Council shall—

(A) not later than 1 year after the date of the first meeting of the Council, develop a comprehensive National Drought Policy Action Plan that—

(i) delineates and integrates responsibilities for activities relating to drought (including drought preparedness, mitigation, research, risk management, training, and emergency relief) among Federal agencies; and

(II) ensures that those activities are coordinated with the activities of the States, local governments, Indian tribes, and neighboring countries;

(ii) is consistent with—

(I) this Act and other applicable Federal laws; and

(II) the laws and policies of the States for water management;

(iii) is integrated with drought management programs of the States, Indian tribes, local governments, watershed groups, and private entities; and

(iv) avoids duplicating Federal, State, tribal, local, watershed, and private drought preparedness and monitoring programs in existence on the date of enactment of this Act;

(B) evaluate Federal drought-related programs in existence on the date of enactment of this Act and make recommendations to Congress and the President on means of eliminating—

(i) discrepancies between the goals of the programs and actual service delivery;

(ii) duplication among programs; and

(iii) any other circumstances that interfere with the effective operation of the programs;

(C) make recommendations to the President, Congress, and appropriate Federal agencies on—

(i) the establishment of common inter-agency triggers for authorizing Federal drought mitigation programs; and

(ii) improving the consistency and fairness of assistance among Federal drought relief programs;

(D) encourage and facilitate the development of drought preparedness plans under this Act, including establishing the guidelines under this section;

(E) based on a review of drought preparedness plans, develop and make available to the public drought planning models to reduce water resource conflicts relating to water conservation and droughts;

(F) develop and coordinate public awareness activities to provide the public with access to understandable and informative materials on drought, including—

(i) explanations of the causes of drought, the impacts of drought, and the damages from drought;

(ii) descriptions of the value and benefits of land stewardship to reduce the impacts of drought and to protect the environment;

(iii) clear instructions for appropriate responses to drought, including water conservation, water reuse, and detection and elimination of water leaks;

(iv) information on State and local laws applicable to drought; and

(v) opportunities for assistance to resource-dependent businesses and industries in times of drought; and

(G) establish operating procedures for the Council.

(2) CONSULTATION.—In carrying out this subsection, the Council shall consult with groups affected by drought emergencies.

(3) REPORTS TO CONGRESS.—

(A) ANNUAL REPORT.—

(i) IN GENERAL.—Not later than 1 year after the date of the first meeting of the Council, and annually thereafter, the Council shall submit to Congress a report on the activities carried out under this section.

(ii) INCLUSIONS.—

(I) IN GENERAL.—The annual report shall include a summary of drought preparedness plans.

(II) INITIAL REPORT.—The initial report submitted under clause (i) shall include any recommendations of the Council.

(B) FINAL REPORT.—Not later than 7 years after the date of enactment of this Act, the Council shall submit to Congress a report that recommends—

(i) amendments to this section; and

(ii) whether the Council should continue.

(d) POWERS OF THE COUNCIL.—

(1) HEARINGS.—The Council may—

(A) hold hearings;

(B) meet and act at any time and place; and

(C) take any testimony and receive any evidence that the Council considers advisable to carry out this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Council may obtain directly from any Federal agency any information that the Council considers necessary to carry out this section.

(B) PROVISION OF INFORMATION.—

(i) IN GENERAL.—Except as provided in clause (ii), on request of the Secretary or the non-Federal co-chair of the Council, the head of a Federal agency may provide information to the Council.

(ii) LIMITATION.—The head of a Federal agency shall not provide any information to the Council that the Federal agency head determines the disclosure of which may cause harm to national security interests.

(3) POSTAL SERVICES.—The Council may use the United States mail in the same manner and under the same conditions as other agencies of the Federal Government.

(4) GIFTS.—The Council may accept, use, and dispose of gifts or donations of services or property.

(e) COUNCIL PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—

(A) NON-FEDERAL EMPLOYEES.—A member of the Council who is not an officer or employee of the Federal Government shall serve without compensation.

(B) FEDERAL EMPLOYEES.—A member of the Council who is an officer or employee of the United States shall serve without compensation in addition to the compensation received for services of the member as an officer or employee of the Federal Government.

(2) TRAVEL EXPENSES.—A member of the Council shall be allowed travel expenses at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Council.

(f) TERMINATION OF COUNCIL.—The Council shall terminate on September 30 of the eighth fiscal year following the date of enactment of this Act.

(g) EFFECT OF SECTION.—This section does not affect—

(1) the authority of a State to allocate quantities of water under the jurisdiction of the State; or

(2) any State water rights established as of the date of enactment of this Act.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the activities of the Council \$2,000,000 for each of fiscal years 2014 through 2021.

**SA 1133.** Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 986, strike lines 21 through 23 and insert the following:

forest materials.”;

(3) in paragraph (13) (as redesignated by paragraph (1))—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by inserting “to be used for the generation of renewable heat or electricity” after “materials”; and

(ii) in clause (i)—

(I) in subclause (II), by striking “or” at the end;

(II) in subclause (III), by inserting “or” at the end; and

(III) by inserting after subclause (III) the following:

“(IV) to generate usable heat or electricity.”;

(iii) in clause (iii), by striking “in accordance with—” and all that follows through the end of subitem (bb) and inserting “in accordance with applicable law and land management plans; or”;

(B) in subparagraph (B)(ii)—

(i) in subclause (III), by striking “and” at the end;

(ii) in subclause (IV), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(V) byproducts of the manufacture of pulp and paper.”; and

(4) by inserting after paragraph (13) (as redesignated by paragraph (1)) the following:

**SA 1134.** Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 174, between lines 6 and 7, insert the following:

**SEC. 16 . PROHIBITION.**

Notwithstanding any other provision of law, a producer on a farm that sells corn to an ethanol production facility shall not be eligible to receive any payment or benefit described in section 1001D(b)(1)(B) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(1)(B)) for that corn.

**SA 1135.** Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

**SEC. 122. REPEAL OF RENEWABLE FUEL STANDARD.**

Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended by striking subsection (o).

**SA 1136.** Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 168, strike line 8 and insert the following:

Reform Act of 1996 (7 U.S.C. 7333).

“(v) A benefit from the renewable fuel program established under section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) or any similar biofuel program, as determined by the Secretary.”.

**SA 1137.** Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

**SEC. 122. REFORM OF RENEWABLE FUEL STANDARD.**

(a) **REVISED DEFINITION OF RENEWABLE FUEL.**—Section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)) is amended by striking subparagraph (J) and inserting the following:

“(J) **RENEWABLE FUEL.**—The term ‘renewable fuel’ means fuel that—

“(i) is produced from renewable biomass;

“(ii) is used to replace or reduce the quantity of fossil fuel present in a transportation fuel; and

“(iii) beginning on January 1, 2016, is advanced biofuel.”.

(b) **APPLICABLE VOLUMES.**—Section 211(o)(2)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amended—

(1) in the table in subclause (I)—

(A) by striking “16.55” and inserting “11.95”;

(B) by striking “18.15” and inserting “8.55”;

(C) by striking “20.5” and inserting “5.5”;

(D) by striking “22.25” and inserting “7.25”;

(E) by striking “24.0” and inserting “9.0”;

(F) by striking “26.0” and inserting “11.0”;

(G) by striking “28.0” and inserting “13.0”;

(H) by striking “30.0” and inserting “15.0”;

(I) by striking “33.0” and inserting “18.0”;

and

(J) by striking “36.0” and inserting “21.0”;

(2) in subclause (II)—

(A) in the matter preceding the table, by striking “2022” and inserting “2015”; and

(B) in the table, by striking the items relating to calendar years 2016 through 2022;

(3) in subclause (III), in the matter preceding the table, by striking “of the volume of advanced biofuel required under subclause (II)” and inserting “of the volume of advanced biofuel required for calendar years 2010 through 2015 under subclause (II), as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, and of the volume of renewable fuel required for calendar years 2016 through 2022 under the subclause (I)”;

(4) in subclause (IV), by inserting “, as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013” after “of the volume of advanced biofuel required under subclause (II)”.

(c) **CONFORMING AMENDMENTS.**—

(1) **OTHER CALENDAR YEARS.**—Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)) is amended—

(A) in clause (ii)(III), by striking “advanced biofuels in each category (cellulosic biofuel and biomass-based diesel)” and inserting “cellulosic biofuel and biomass-based diesel”;

(B) by striking clause (iii); and

(C) by redesignating clauses (iv) and (v) as clauses (iii) and (iv), respectively.

(2) **MODIFICATION OF GREENHOUSE GAS REDUCTION PERCENTAGES.**—Section 211(o)(4) of the Clean Air Act (42 U.S.C. 7545(o)(4)) is amended—

(A) in subparagraph (E), in the second sentence, by striking “20, 50, or 60 percent reduction levels” and inserting “applicable percent reduction level”; and

(B) in subparagraph (F), by inserting “(if applicable)” after “(2)(A)(i)”.

(3) **WAIVERS.**—Section 211(o)(7) of the Clean Air Act (42 U.S.C. 7545(o)(7)) is amended—

(A) in subparagraph (D)(i), in the second sentence, by inserting “, if that year is before 2016,” before “advanced biofuels”; and

(B) in subparagraph (E)(ii), in the second sentence, by inserting “, if that year is before 2016,” before “advanced biofuels”.

(d) **APPLICABILITY AND REGULATIONS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the amendments made by this section to section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) shall apply only with respect to calendar year 2014 and each calendar year thereafter.

(2) **REGULATIONS.**—The Administrator of the Environmental Protection Agency shall—

(A) not later than 180 days after the date of enactment of this Act, promulgate regulations to carry out the amendments described in paragraph (1), including by amending existing regulations; and

(B) take any steps necessary to ensure those amendments are carried out for calendar year 2014 and each calendar year thereafter.

**SA 1138.** Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

**SEC. 122. REFORM OF RENEWABLE FUEL STANDARD.**

(a) **REVISED DEFINITION OF RENEWABLE FUEL.**—Section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)) is amended by striking subparagraph (J) and inserting the following:

“(J) **RENEWABLE FUEL.**—The term ‘renewable fuel’ means fuel that—

“(i) is produced from renewable biomass;

“(ii) is used to replace or reduce the quantity of fossil fuel present in a transportation fuel; and

“(iii) beginning on January 1, 2022, is advanced biofuel.”.

(b) **APPLICABLE VOLUMES.**—Section 211(o)(2)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amended—

(1) in the table in subclause (I)—

(A) by striking “16.55” and inserting “15.17”;

(B) by striking “18.15” and inserting “15.27”;

(C) by striking “20.5” and inserting “16.0”;

(D) by striking “22.25” and inserting “16.25”;

(E) by striking “24.0” and inserting “16.5”;

(F) by striking “26.0” and inserting “17.0”;

(G) by striking “28.0” and inserting “17.5”;

(H) by striking “30.0” and inserting “18.0”;

(I) by striking “33.0” and inserting “19.5”;

and

(J) by striking “36.0” and inserting “21.0”;

(2) in subclause (II)—

(A) in the matter preceding the table, by striking “2022” and inserting “2021”; and

(B) in the table, by striking the item relating to calendar year 2022;

(3) in subclause (III), in the matter preceding the table, by striking “of the volume of advanced biofuel required under subclause (II)” and inserting “of the volume of advanced biofuel required for calendar years 2010 through 2021 under subclause (II), as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, and of the volume of renewable fuel required for calendar year 2022 under subclause (I)”;

(4) in subclause (IV), by inserting “, as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013” after “of the volume of advanced biofuel required under subclause (II)”.

(c) **CONFORMING AMENDMENTS.**—

(1) **OTHER CALENDAR YEARS.**—Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)) is amended—

(A) in clause (ii)(III), by striking “advanced biofuels in each category (cellulosic biofuel and biomass-based diesel)” and inserting “cellulosic biofuel and biomass-based diesel”;

(B) by striking clause (iii); and

(C) by redesignating clauses (iv) and (v) as clauses (iii) and (iv), respectively.

(2) **MODIFICATION OF GREENHOUSE GAS REDUCTION PERCENTAGES.**—Section 211(o)(4) of the Clean Air Act (42 U.S.C. 7545(o)(4)) is amended—

(A) in subparagraph (E), in the second sentence, by striking “20, 50, or 60 percent reduction levels” and inserting “applicable percent reduction level”; and

(B) in subparagraph (F), by inserting “(if applicable)” after “(2)(A)(i)”.

(3) **WAIVERS.**—Section 211(o)(7) of the Clean Air Act (42 U.S.C. 7545(o)(7)) is amended—

(A) in subparagraph (D)(i), in the second sentence, by inserting “, if that year is before 2022,” before “advanced biofuels”; and

(B) in subparagraph (E)(ii), in the second sentence, by inserting “, if that year is before 2022,” before “advanced biofuels”.

(d) **APPLICABILITY AND REGULATIONS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the amendments made by this section to section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) shall apply only with respect to calendar year 2014 and each calendar year thereafter.

(2) **REGULATIONS.**—The Administrator of the Environmental Protection Agency shall—

(A) not later than 180 days after the date of enactment of this Act, promulgate regulations to carry out the amendments described in paragraph (1), including by amending existing regulations; and

(B) take any steps necessary to ensure those amendments are carried out for calendar year 2014 and each calendar year thereafter.

**SA 1139.** Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

**SEC. 122. REFORM OF RENEWABLE FUEL STANDARD.**

(a) REVISED DEFINITION OF RENEWABLE FUEL.—Section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)) is amended by striking subparagraph (J) and inserting the following:

“(J) RENEWABLE FUEL.—The term ‘renewable fuel’ means fuel that—

“(i) is produced from renewable biomass;

“(ii) is used to replace or reduce the quantity of fossil fuel present in a transportation fuel; and

“(iii) beginning on January 1, 2014, is advanced biofuel.”.

(b) APPLICABLE VOLUMES.—Section 211(o)(2)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amended—

(1) in the table in subclause (I)—

(A) by striking “18.15” and inserting “3.75”;

(B) by striking “20.5” and inserting “5.5”;

(C) by striking “22.25” and inserting “7.25”;

(D) by striking “24.0” and inserting “9.0”;

(E) by striking “26.0” and inserting “11.0”;

(F) by striking “28.0” and inserting “13.0”;

(G) by striking “30.0” and inserting “15.0”;

(H) by striking “33.0” and inserting “18.0”;

and

(I) by striking “36.0” and inserting “21.0”;

(2) in subclause (II)—

(A) in the matter preceding the table, by striking “2022” and inserting “2013”; and

(B) in the table, by striking the items relating to calendar years 2014 through 2022;

(3) in subclause (III), in the matter preceding the table, by striking “of the volume of advanced biofuel required under subclause (II)” and inserting “of the volume of advanced biofuel required for calendar years 2010 through 2013 under subclause (II), as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 , and of the volume of renewable fuel required for calendar years 2014 through 2022 under the subclause (I)”;

(4) in subclause (IV), by inserting “, as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013” after “of the volume of advanced biofuel required under subclause (II)”.

(c) CONFORMING AMENDMENTS.—

(1) OTHER CALENDAR YEARS.—Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)) is amended—

(A) in clause (ii)(III), by striking “advanced biofuels in each category (cellulosic biofuel and biomass-based diesel)” and inserting “cellulosic biofuel and biomass-based diesel”;

(B) by striking clause (iii); and

(C) by redesignating clauses (iv) and (v) as clauses (iii) and (iv), respectively.

(2) MODIFICATION OF GREENHOUSE GAS REDUCTION PERCENTAGES.—Section 211(o)(4) of the Clean Air Act (42 U.S.C. 7545(o)(4)) is amended—

(A) in subparagraph (E), in the second sentence, by striking “20, 50, or 60 percent reduction levels” and inserting “applicable percent reduction level”; and

(B) in subparagraph (F), by inserting “(if applicable)” after “(2)(A)(i)”.

(3) WAIVERS.—Section 211(o)(7) of the Clean Air Act (42 U.S.C. 7545(o)(7)) is amended—

(A) in subparagraph (D)(i), in the second sentence, by inserting “, if that year is before 2014,” before “advanced biofuels”; and

(B) in subparagraph (E)(ii), in the second sentence, by inserting “, if that year is before 2014,” before “advanced biofuels”.

(d) APPLICABILITY AND REGULATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section to section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) shall apply only with respect to calendar year 2014 and each calendar year thereafter.

(2) REGULATIONS.—The Administrator of the Environmental Protection Agency shall—

(A) not later than 1 year after the date of enactment of this Act, promulgate regulations to carry out the amendments described in paragraph (1); and

(B) take any steps necessary to ensure those amendments are carried out for calendar year 2014 and each calendar year thereafter.

**SA 1140.** Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle D—Renewable Fuel Standard Reform**

**SEC. 12301. DEFINITION OF RENEWABLE FUEL.**

(a) DEFINITION OF RENEWABLE FUEL.—

(1) IN GENERAL.—Section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)) is amended by striking subparagraph (J) and inserting the following:

“(J) RENEWABLE FUEL.—The term ‘renewable fuel’ means fuel that—

“(i) is produced from renewable biomass;

“(ii) is used to replace or reduce the quantity of fossil fuel present in a transportation fuel; and

“(iii) beginning on January 1, 2014, is advanced biofuel.”.

(2) CONFORMING AMENDMENT.—Section 211(o)(1)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(1)(B)(i)) is amended by striking “renewable fuel” and inserting “fuel described in clauses (i) and (ii) of subparagraph (J)”.

(b) APPLICABLE VOLUMES.—Section 211(o)(2)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amended—

(1) in the table in subclause (I)—

(A) by striking “18.15” and inserting “3.75”;

(B) by striking “20.5” and inserting “5.5”;

(C) by striking “22.25” and inserting “7.25”;

(D) by striking “24.0” and inserting “9.0”;

(E) by striking “26.0” and inserting “11.0”;

(F) by striking “28.0” and inserting “13.0”;

(G) by striking “30.0” and inserting “15.0”;

(H) by striking “33.0” and inserting “18.0”;

and

(I) by striking “36.0” and inserting “21.0”;

(2) in subclause (II)—

(A) in the matter preceding the table, by striking “2022” and inserting “2013”; and

(B) in the table, by striking the items relating to calendar years 2014 through 2022;

(3) in subclause (III), in the matter preceding the table, by striking “of the volume of advanced biofuel required under subclause (II)” and inserting “of the volume of advanced biofuel required for calendar years 2010 through 2013 under subclause (II), as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, and of the volume of renewable fuel required for calendar years 2014 through 2022 under the subclause (I)”;

(4) in subclause (IV), by inserting “, as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013” after “of the volume of advanced biofuel required under subclause (II)”.

(c) CONFORMING AMENDMENTS.—

(1) OTHER CALENDAR YEARS.—Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)) is amended—

(A) in clause (ii)(III), by striking “advanced biofuels in each category (cellulosic biofuel and biomass-based diesel)” and inserting “cellulosic biofuel and biomass-based diesel”;

(B) by striking clause (iii); and

(C) by redesignating clauses (iv) and (v) as clauses (iii) and (iv), respectively.

(2) APPLICABLE PERCENT REDUCTION LEVEL.—Section 211(o)(4) of the Clean Air Act (42 U.S.C. 7545(o)(4)) is amended—

(A) in subparagraph (E), in the second sentence, by striking “20, 50, or 60 percent reduction levels” and inserting “applicable percent reduction level”; and

(B) in subparagraph (F), by inserting “(if applicable)” after “(2)(A)(i)”.

(3) WAIVERS.—Section 211(o)(7) of the Clean Air Act (42 U.S.C. 7545(o)(7)) is amended—

(A) in subparagraph (D)(i), in the second sentence, by inserting “, if that year is before 2014,” before “advanced biofuels”; and

(B) in subparagraph (E)(ii), in the second sentence, by inserting “, if that year is before 2014,” before “advanced biofuels”.

**SEC. 12302. CELLULOSIC BIOFUEL REQUIREMENT BASED ON ACTUAL PRODUCTION.**

(a) PROVISION OF ESTIMATE OF VOLUMES OF CELLULOSIC BIOFUEL.—Section 211(o)(3) of the Clean Air Act (42 U.S.C. 7545(o)(3)) is amended—

(1) in subparagraph (A), by striking “Not later than” and inserting the following:

“(i) IN GENERAL.—Not later than”;

(2) by adding at the end the following:

“(ii) REQUIREMENTS.—

“(I) IN GENERAL.—In determining any estimate under clause (i), with respect to the following calendar year, of the projected volume of cellulosic biofuel production (as described in paragraph (7)(D)(i)), the Administrator of the Energy Information Administration shall—

“(aa) for each cellulosic biofuel production facility that is producing (and continues to produce) cellulosic biofuel during the period of January 1 through October 31 of the calendar year in which the estimate is made (in this clause referred to as the ‘current calendar year’)—

“(AA) determine the average monthly volume of cellulosic biofuel produced by the facility, based on the actual volume produced by such facility during the period; and

“(BB) based on that average monthly volume of production, determine the estimated annualized volume of cellulosic biofuel production for the facility for the current calendar year; and

“(bb) for each cellulosic biofuel production facility that begins initial production of (and continues to produce) cellulosic biofuel after January 1 of the current calendar year—

“(AA) determine the average monthly volume of cellulosic biofuel produced by the facility, based on the actual volume produced by the facility during the period beginning on the date of initial production of cellulosic biofuel by the facility and ending on October 31 of the current calendar year; and

“(BB) based on that average monthly volume of production, determine the estimated annualized volume of cellulosic biofuel production for the facility for the current calendar year.

“(II) CALCULATION.—An estimate under clause (i) with respect to the following calendar year of the projected volume of cellulosic biofuel production (as described in paragraph (7)(D)(i)), shall be equal to the

total of the estimated annual volumes of cellulosic biofuel production for all cellulosic biofuel production facilities described in subclause (I) for the current calendar year.”.

(b) **REDUCTION IN APPLICABLE VOLUME.**—Section 211(o)(7)(D)(i) of the Clean Air Act (42 U.S.C. 7545(o)(7)(D)(i)) (as amended by section 12301(c)(3)(A)) is amended—

(1) in the first sentence, by striking “based on the” and inserting “using the exact”; and

(2) in the second sentence—

(A) by striking “may also reduce” and inserting “shall also reduce”; and

(B) by striking “by the same or a lesser volume” and inserting “by the same volume”.

**SEC. 12303. REDUCTION IN APPLICABLE VOLUME OF RENEWABLE FUEL CORRESPONDING TO CERTAIN REDUCTIONS IN APPLICABLE VOLUME OF BIOMASS-BASED DIESEL.**

Section 211(o)(7)(E)(ii) of the Clean Air Act (42 U.S.C. 7545(o)(7)(E)(ii)) (as amended by section 12301(c)(3)(B)) is amended in the second sentence by striking “may also reduce” and inserting “shall reduce”.

**SEC. 12304. APPLICABILITY AND REGULATIONS.**

(a) **IN GENERAL.**—Except as provided in subsection (b), the amendments made by sections 12301 through 12303 to section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) shall apply only with respect to calendar year 2014 and each calendar year thereafter.

(b) **REGULATIONS.**—The Administrator of the Environmental Protection Agency shall—

(1) not later than 1 year after the date of enactment of this Act, promulgate regulations to carry out the amendments described in subsection (a); and

(2) take any steps necessary to ensure those amendments are carried out for calendar year 2014 and each calendar year thereafter.

**SEC. 12305. PROHIBITION OF GASOLINE BLENDS WITH GREATER THAN 10-VOLUME-PERCENT ETHANOL.**

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency may not, including by granting a waiver under section 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)), authorize or otherwise allow the introduction into commerce of gasoline containing greater than 10-volume-percent ethanol.

**SEC. 12306. PROHIBITION OF WAIVERS.**

(a) **IN GENERAL.**—Any waiver granted under section 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)) before the date of enactment of this Act that allows the introduction into commerce of gasoline containing greater than 10-volume-percent ethanol for use in motor vehicles shall have no force or effect.

(b) **CERTAIN WAIVERS.**—The waivers described in subsection (a) include the following:

(1) The waiver entitled, “Partial Grant and Partial Denial of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent; Decision of the Administrator”, 75 Fed. Reg. 68094 (November 4, 2010).

(2) The waiver entitled, “Partial Grant of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent; Decision of the Administrator”, 76 Fed. Reg. 4662 (January 26, 2011).

**SEC. 12307. MISFUELING RULE.**

The portions of the rule entitled, “Regulation to Mitigate the Misfueling of Vehicles and Engines with Gasoline Containing Great-

er Than Ten Volume Percent Ethanol and Modifications to the Reformulated and Conventional Gasoline Programs”, 76 Fed. Reg. 44406 (July 25, 2011) to mitigate misfueling shall have no force and effect beginning on the date that is 60 days after the date of enactment of this Act.

**SA 1141.** Mr. COBURN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

**SEC. 12213. SMALL BUSINESS FAIRNESS AND REGULATORY TRANSPARENCY.**

Section 609(d) of title 5, United States Code, is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(4) the Department of Agriculture.”.

**SA 1142.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 299, line 18, strike “May 1, 2013” and insert “the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013”.

On page 306, strike lines 12 through 16 and insert the following:

“(A)(i) Subject to clause (ii), in the case of wetland that the Secretary determines was converted after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and continues to be

Beginning on page 306, strike line 21 and all that follows through page 307, line 3.

On page 307, line 4, strike “for” and insert “For”.

On page 307, strike lines 13 through 18, and insert the following:

“(B) In the case of a wetland that the Secretary determines was converted prior to the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, ineligibility under this subsection shall not apply.

On page 307, line 19, strike “(C)” and insert “(D)”.

**SA 1143.** Mr. REID (for Ms. HIRONO) proposed an amendment to the resolution S. Res. 129, recognizing the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; as follows:

In the fifth whereas clause of the preamble, strike “nearly 6 percent” and insert “approximately 5.5 percent and 0.4 percent, respectively.”.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Com-

mittee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 23, 2013, at 11 a.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 23, 2013, at 10 a.m., in room 216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 23, 2013, at 9 a.m., in room 406 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON FOREIGN RELATIONS**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 23, 2013, at 10 a.m., to hold a hearing entitled, “United States-European Union Economic Relations: Crisis and Opportunity.”

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON THE JUDICIARY**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 23, 2013, at 10:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled, “Nominations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON THE JUDICIARY**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 23, 2013, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

**SELECT COMMITTEE ON INTELLIGENCE**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 23, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE EFFICIENCY AND EFFECTIVENESS OF FEDERAL PROGRAMS AND THE FEDERAL WORKFORCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 23, 2013, at 10 a.m. to conduct a hearing entitled, "Improving Federal Health Care in Rural America: Developing the Workforce and Building Partnerships."

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to executive session to consider these nominations: Calendar Nos. 93, 94, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, with the exception of COL Joseph J. Heck, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, and 140, and all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy, that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid on the table with no intervening action or debate, that no further motions be in order to any of the nominations, any related statements be printed in the Record; and President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

#### DEPARTMENT OF STATE

Deborah Kay Jones, of New Mexico, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Libya.

James Knight, of Alabama, Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chad.

#### THE JUDICIARY

Michael Kenny O'Keefe, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Robert D. Okun, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the

grade indicated under title 10, U.S.C., section 624:

#### To be brigadier general

Col. James E. McClain

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be lieutenant general

Lt. Gen. David L. Goldfein

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

#### To be brigadier general

Col. Robert C. Bolton

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 9335:

#### To be brigadier general

Col. Andrew P. Armacost

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

#### To be major general

Brig. Gen. John F. Wharton

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

#### To be brigadier general

Col. Gabriel Troiano

The following named officer for appointment in the United States Army Medical Corps to the grade indicated under title 10, U.S.C., sections 624 and 3064:

#### To be brigadier general

Col. Jeffrey B. Clark

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., sections 12203 and 12211:

#### To be major general

Brig. Gen. James A. Adkins

#### To be brigadier general

Col. James D. Campbell

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

#### To be brigadier general

Colonel Wayne L. Black  
Colonel Michael K. Hanifan  
Colonel Daniel M. Krumrei  
Colonel Robert E. Windham, Jr.

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

#### To be major general

Brigadier General Mark E. Anderson  
Brigadier General Julie A. Bentz  
Brigadier General Courtney P. Carr  
Brigadier General Daniel R. Hokanson  
Brigadier General Francis S. Laudano, III  
Brigadier General Scott D. Legwold  
Brigadier General Roger L. McClellan  
Brigadier General Timothy M. McKeithen  
Brigadier General Michael D. Navrkal

Brigadier General Bruce E. Oliveira  
Brigadier General Charles E. Petrarca, Jr.  
Brigadier General Kenneth C. Roberts  
Brigadier General William F. Roy  
Brigadier General William L. Smith

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

#### To be brigadier general

Colonel Steven R. Beach  
Colonel Kenneth A. Beard  
Colonel Fred C. Bolton  
Colonel Michael J. Bouchard  
Colonel Gregory S. Bowen  
Colonel Mark D. Brackney  
Colonel John E. Burk  
Colonel Christopher M. Burns  
Colonel Sean M. Casey  
Colonel Russell A. Crane  
Colonel Richard H. Dahlgren  
Colonel Marc Ferraro  
Colonel Robert A. Fode  
Colonel Christopher J. Fowler  
Colonel Paul F. Griffin  
Colonel Gerald E. Hadley  
Colonel Patrick M. Hamilton  
Colonel William M. Hart  
Colonel Robert T. Herbert  
Colonel Marvin T. Hunt  
Colonel Charles T. Jones  
Colonel Hunt W. Kerrigan  
Colonel John F. King  
Colonel Dirk R. Kloss  
Colonel Jeffrey P. Kramer  
Colonel Gordon D. Kuntz  
Colonel Masaki G. Kuwana, Jr.  
Colonel Donald P. Laucirica  
Colonel Mark S. Lovejoy  
Colonel Mark A. Lumpkin  
Colonel Robert K. Lytle  
Colonel Tammy J. Maas  
Colonel Francis B. Magurn, II  
Colonel Mark G. Malanka  
Colonel Thomas R. McCune  
Colonel Francis M. McGinn  
Colonel Michael D. Merritt  
Colonel Richard J. Noriega  
Colonel Robert D. Pasqualucci  
Colonel Val L. Peterson  
Colonel Christopher J. Petty  
Colonel John M. Rhodes  
Colonel Scott H. Schofield  
Colonel Linda L. Singh  
Colonel Danny K. Speigner  
Colonel Bryan E. Suntheimer  
Colonel Michael A. Sutton  
Colonel Steven A. Tabor  
Colonel Gregory A. Thingvold  
Colonel Michael C. Thompson  
Colonel Kirk E. Vanpelt  
Colonel William A. Ward  
Colonel Steven R. Watt  
Colonel Ronald P. Welch  
Colonel David B. Wiles  
Colonel Giselle M. Wilz  
Colonel James P. Wong  
Colonel Jerry L. Wood  
Colonel Gary S. Yaple

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., sections 12203 and 12211:

#### To be major general

Brigadier General Louis H. Guernsey, Jr.  
Brigadier General Kenneth L. Reiner

#### To be brigadier general

Colonel Stephen G. Kent  
Colonel Juan A. Rivera

The following named officer for appointment in the Reserve of the Army to the

grade indicated under title 10, U.S.C., section 12203:

*To be brigadier general*

Col. Richard J. Torres

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

*To be brigadier general*

Col. Michael Dillard

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

*To be brigadier general*

Col. Donald E. Jackson, Jr.

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. William T. Grisoli

The following named officer for appointment in the United States Army Medical Corps to the grade indicated under title 10, U.S.C., sections 624 and 3064:

*To be brigadier general*

Col. John M. Cho

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

*To be brigadier general*

Col. Brian E. Alvin

The following named officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

*To be major general*

Brigadier General William F. Duffy  
Brigadier General Ronald E. Dziedzicki  
Brigadier General Mark T. McQueen  
Brigadier General Lucas N. Polakowski  
Brigadier General Ricky L. Waddell

*To be brigadier general*

Colonel Steven W. Ainsworth  
Colonel Ronald A. Bassford  
Colonel Jose R. Burgos  
Colonel John E. Cardwell  
Colonel Daniel J. Christian  
Colonel John J. Elam  
Colonel Bruce E. Hackett  
Colonel Thomas J. Kallman  
Colonel William B. Mason  
Colonel Kenneth H. Moore  
Colonel Thomas T. Murray  
Colonel Michael C. O'Guinn  
Colonel Miyako N. Schanely

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Rear Adm. Terry J. Benedict

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Rear Adm. (1h) Joseph W. Rixey

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral (lower half)*

Captain John W. V. Ailes

Captain Babette Bolivar  
Captain Daryl L. Caudle  
Captain Kyle J. Cozad  
Captain Randy B. Crites  
Captain Daniel H. Fillion  
Captain Lisa M. Franchetti  
Captain Marcus A. Hitchcock  
Captain Thomas J. Kearney  
Captain Roy J. Kelley  
Captain James T. Loeblein  
Captain Brian E. Luther  
Captain William R. Merz  
Captain Michael T. Moran  
Captain Christopher J. Murray  
Captain John B. Nowell, Jr.  
Captain Timothy G. Szymanski  
Captain Richard L. Williams, Jr.

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral (lower half)*

Capt. Timothy J. White

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral (lower half)*

Capt. Nancy A. Norton

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral (lower half)*

Capt. Robert D. Sharp

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral (lower half)*

Capt. Louis V. Cariello

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Mark I. Fox

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Vice Adm. Michelle J. Howard

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Rear Adm. Ted N. Branch

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Rear Adm. Sean A. Pybus

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Rear Adm. Paul A. Grosklags

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Vice Adm. Scott H. Swift

IN THE MARINE CORPS

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Robert R. Ruark

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Glenn M. Walters

# NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN349 AIR FORCE nomination of Matthew J. Gervais, which was received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN429 AIR FORCE nomination of Bradly A. Carlson, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN430-1 AIR FORCE nominations (118) beginning MICHAEL LUCAS AHMANN, and ending BERNARD JOHN YOSTEN, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

IN THE ARMY

PN226 ARMY nominations (556) beginning JAMES ACEVEDO, and ending D011666, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN227 ARMY nominations (600) beginning GARLAND A. ADKINS, III, and ending G010188, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN228 ARMY nominations (1007) beginning STEVEN J. ACKERSON, and ending G010128, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN336 ARMY nomination of Michael B. Moore, which was received by the Senate and appeared in the Congressional Record of April 18, 2013.

PN350 ARMY nominations (5) beginning THOMAS G. BEHLING, and ending RAYMOND G. STRAWBRIDGE, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN431 ARMY nomination of Shercoda G. Smaw, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN432 ARMY nomination of Carl N. Soffler, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN433 ARMY nomination of Owen B. Mohn, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN434 ARMY nominations (2) beginning CARMELO N. OTEROSANTIAGO, and ending JOHN H. SEOK, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.



PN435 ARMY nominations (2) beginning Brent E. Harvey, and ending Joohyun A. Kim, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN436 ARMY nominations (9) beginning JERRY M. ANDERSON, and ending MAUREEN H. WEIGL, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN437 ARMY nominations (16) beginning DENNIS R. BELL, and ending KENT J. VINCE, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN438 ARMY nominations (26) beginning DAVID W. ADMIRE, and ending D006281, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN439 ARMY nominations (32) beginning CHRISTOPHER G. ARCHER, and ending D011779, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN440 ARMY nominations (86) beginning JAMES A. ADAMEC, and ending VANESSA WORSHAM, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN441 ARMY nominations (105) beginning EDWARD P.C. AGER, and ending JOHN P. ZOLL, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

#### IN THE MARINE CORPS

PN89 MARINE CORPS nomination of Darren M. Gallagher, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN90 MARINE CORPS nomination of Dusty C. Edwards, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN95 MARINE CORPS nomination of Sal L. Leblanc, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN96 MARINE CORPS nomination of Mauro Morales, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN113 MARINE CORPS nominations (232) beginning JESSICA L. ACOSTA, and ending MATTHEW S. YOUNGBLOOD, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN114 MARINE CORPS nominations (281) beginning RICO ACOSTA, and ending ANDREW J. ZETTS, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN454 MARINE CORPS nomination of Randolph T. Page, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

#### IN THE NAVY

PN231 NAVY nomination of Jeremy J. Aujero, which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN283 NAVY nomination of John P. Newton, Jr., which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN284 NAVY nomination of Daniel W. Testa, which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN315 NAVY nomination of Kevin J. Parker, which was received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN326 NAVY nomination of Maria V. Navarro, which was received by the Senate and appeared in the Congressional Record of April 15, 2013.

PN327 NAVY nomination of Shane G. Harris, which was received by the Senate and appeared in the Congressional Record of April 15, 2013.

PN351 NAVY nomination of Latanya A. Oneal, which was received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN400 NAVY nominations (3) beginning STEPHEN J. LEPP, and ending JOHN C. RUDD, which nominations were received by the Senate and appeared in the Congressional Record of May 6, 2013.

PN401 NAVY nomination of Sarah E. Niles, which was received by the Senate and appeared in the Congressional Record of May 6, 2013.

PN402 NAVY nomination of Richard Diaz, which was received by the Senate and appeared in the Congressional Record of May 6, 2013.

PN442 NAVY nomination of Tanya Wong, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN443 NAVY nomination of Karen R. Dallas, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN444 NAVY nominations (2) beginning Ronald G. Oswald, and ending Nikita Tihonov, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN450 NAVY nominations (19) beginning CRAIG S. COLEMAN, and ending WILLIAM R. VOLK, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

#### NOMINATION OF MARK A. BARNETT TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE

#### NOMINATION OF CLAIRE R. KELLY TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE

Mr. REID. I ask unanimous consent the Senate proceed to consider Calendar Nos. 11 and 12; that the Senate proceed to vote on the nominations listed with no intervening action or debate, the motions to reconsider be considered made and laid upon the table, with no intervening debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD, and President Obama be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the nominations.

The assistant legislative clerk read the nomination of Mark A. Barnett, of Virginia, to be a Judge of the United States Court of International Trade, and the nomination of Claire R. Kelly, of New York, to be a Judge of the United States Court of International Trade.

Mr. LEAHY. Mr. President, as we vote today on two nominations to the Court of International Trade, I want to note that this week we reached a milestone. It is 5 months into President Obama's second term, and we have just now reached the same number of circuit and district confirmations that President George H.W. Bush achieved in his 4 years as President. Of course, we remain nearly 20 confirmations behind the pace we set when President George W. Bush was in office. While some have argued that this is because President Obama has not made enough nominations, the fact is that he has sent up more district nominees at this point in his presidency than President George W. Bush had at the same point. The reason the Senate confirmations are lagging behind is because Senate Republicans have engaged in unprecedented obstruction of district court nominees. At this point in 2005, over 97 percent of President Bush's district nominees had been confirmed, but just 86 percent of President Obama's have been confirmed.

Today's vote on Mark Barnett is also a milestone of a sort. He was one of the 11 judicial nominees who were stalled at the end of last year because Senate Republicans refused to allow him a vote. We are approaching the Memorial Day recess and the Senate is still working on nominations that could and should have been completed last year. These unnecessary delays on confirmations are bad for the Senate, bad for our Federal courts, and bad for the American people.

After today's votes, there will be another seven nominees pending on the Executive Calendar, and all but one were reported unanimously by the Judiciary Committee. There is no reason to further delay action on these nominees: We should follow Senate tradition and vote on all of them before the recess. Nitza Quinones Alejandro, Luis Restrepo, Jeffrey Schmehl, Kenneth Gonzales, Gregory Phillips, Ray Chen, and Jennifer Dorsey are awaiting confirmation.

These nominees would fill important vacancies. For example, three of these nominees would fill vacancies in the Eastern District of Pennsylvania, where there are seven current vacancies. These are vacancies we need to fill, and, since the nominees are supported by every Republican on the Judiciary Committee, as well as their home State Republican Senator, there is no reason not to vote on them today.

Mark Barnett is currently the Deputy Chief Counsel in the U.S. Department of Commerce, Office of Chief Counsel for Import Administration, where he has worked since 1995. From 2008 to 2009, he was on detail to the U.S. House Committee on Ways and Means, Subcommittee on Trade. Prior to his government service, Mr. Barnett was an associate in the Washington, DC office of Steptoe & Johnson.



Claire Kelly is a professor of law at Brooklyn Law School, where she teaches classes on international trade, international business law, and administrative law. Prior to entering academia, she spent 4 years as an associate and 3 years as a consultant specializing in customs and trade law at the law firm Coudert Brothers in New York City.

I congratulate both nominees. Nominations to the Court of International Trade have historically been non-controversial and have been moved quickly by the full Senate. The most recent confirmation to that court came less than a month after the nominee had been reported, so it is unfortunate that Mark Barnett and Claire Kelly have been unnecessarily stalled for more than 3 months.

Earlier this week I placed in the RECORD a Wall Street Journal article titled "Open Judgeships Show D.C. Dysfunction." I, again, urge Senate Republicans to work in a bipartisan way and show that the Senate can make real progress. All Senate Democrats are ready to vote on all these judicial nominees.

The PRESIDING OFFICER. If there is no further debate on the nomination, the question is, Will the Senate advise and consent to the nomination of Mark A. Barnett, of Virginia, to be a Judge of the United States Court of International Trade?

The nomination was confirmed.

The PRESIDING OFFICER. If there is no further debate on the nomination, the question is, Will the Senate advise and consent to the nomination of Claire R. Kelly, of New York, to be a Judge of the United States Court of International Trade?

The nomination was confirmed.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate resumes legislative session.

#### ASIAN/PACIFIC AMERICAN HERITAGE MONTH

Mr. REID. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 129 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 129) recognizing the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the Hirono

amendment to the preamble be agreed to, the preamble, as amended, be agreed to, and the motion to reconsider be laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 129) was agreed to.

The amendment (No. 1143) was agreed to, as follows:

In the fifth whereas clause of the preamble, strike "nearly 6 percent" and insert "approximately 5.5 percent and 0.4 percent, respectively,".

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

#### S. RES. 129

Whereas the United States joins together each May to pay tribute to the contributions of generations of Asian Americans and Pacific Islanders who have enriched the history of the United States;

Whereas the history of Asian Americans and Pacific Islanders in the United States is inextricably tied to the story of the United States;

Whereas the Asian-American and Pacific Islander community is an inherently diverse population comprised of more than 45 distinct ethnicities and more than 100 language dialects;

Whereas, according to the Bureau of the Census, the Asian-American population grew faster than any other racial or ethnic group in the United States during the last decade, surging nearly 46 percent between 2000 and 2010, which is a growth rate 4 times faster than that of the total population of the United States;

Whereas the 2010 decennial census estimated that there are approximately 17,300,000 residents of the United States who identify as Asian and approximately 1,200,000 residents of the United States who identify themselves as Native Hawaiian or other Pacific Islander, making up approximately 5.5 percent and 0.4 percent, respectively, of the total population of the United States;

Whereas the month of May was selected for Asian/Pacific American Heritage Month because the first immigrants from Japan arrived in the United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from immigrants from China;

Whereas 2013 marks 70 years since the repeal of the Act of May 5, 1892 (27 Stat. 25, chapter 60) (commonly known as the "Geary Act" or the "Chinese Exclusion Act"), and 25 years since the passage of the Civil Liberties Act of 1988 (50 U.S.C. App. 1989b et seq.) that granted reparations to Japanese Americans interned during World War II, both cases in which Congress acted to address discriminatory laws that targeted people of Asian descent;

Whereas section 102 of title 36, United States Code, officially designates May as Asian/Pacific American Heritage Month and requests the President to issue an annual proclamation calling on the people of the United States to observe the month with appropriate programs, ceremonies, and activities;

Whereas, in 2013, the Congressional Asian Pacific American Caucus, a bicameral caucus of Members of Congress advocating on behalf of Asian Americans and Pacific Islanders, is composed of 40 Members, includ-

ing 13 Members of Asian or Pacific Islander descent;

Whereas, in 2013, Asian Americans and Pacific Islanders are serving in State legislatures across the United States in record numbers, including in the States of Alaska, Arizona, California, Connecticut, Colorado, Georgia, Hawaii, Idaho, Maryland, Massachusetts, New York, Pennsylvania, Texas, Utah, Vermont, Virginia, and Washington;

Whereas the number of Federal judges who are Asian Americans or Pacific Islanders more than doubled between 2009 and 2013, reflecting a commitment to diversity in the Federal judiciary that has resulted in the confirmations of high caliber Asian-American and Pacific Islander judicial nominees;

Whereas there remains much to be done to ensure that Asian Americans and Pacific Islanders have access to resources and a voice in the Government of the United States and continue to advance in the political landscape of the United States; and

Whereas celebrating Asian/Pacific American Heritage Month provides the people of the United States with an opportunity to recognize the achievements, contributions, and history of Asian Americans and Pacific Islanders, and to appreciate the challenges faced by Asian Americans and Pacific Islanders: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; and

(2) recognizes that the Asian-American and Pacific Islander community enhances the rich diversity of and strengthens the United States.

#### AUTHORIZING DOCUMENT PRODUCTION

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 158.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 158) to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has received a request from a Federal agency seeking access to records that the subcommittee obtained during its recent review of the expenditures of U.S. funds related to U.S. efforts in Afghanistan.

This resolution would authorize the chairman and ranking minority member of the Permanent Subcommittee on Investigations, acting jointly, to provide records, obtained by the Subcommittee in the course of its review, in response to this request and requests from other government entities and officials with a legitimate need for the records.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 158) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND ADJOURNMENT OF THE HOUSE

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Con. Res. 17.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 17) providing for a conditional adjournment or the recess of the Senate and an adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 17) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

#### MEASURES READ THE FIRST TIME—H.R. 3 AND H.R. 271

Mr. REID. Mr. President, I am told there are two bills at the desk. If that is the case, I ask for their first reading.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL Pipeline, and for other purposes.

A bill (H.R. 271) to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes.

Mr. REID. I now ask for a second reading and object to my own request, all en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for the second time on the next legislative day.

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader,

after consultation with the Republican leader, pursuant to Public Law 93-415, as amended by Public Law 102-586, announces the appointment of the following individual to the Coordinating Council on Juvenile Justice and Delinquency Prevention: The Honorable Maura Corrigan of Michigan, vice Steven Jones.

#### SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that from Friday, May 24, through Monday, June 3, Senators LEVIN and ROCKEFELLER be authorized to sign any duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REPORTING AUTHORITY

Mr. REID. I ask unanimous consent that notwithstanding the Senate's recess, committees be authorized to report legislative and executive matters on Tuesday, May 28, from 10 a.m. to noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPOINTMENT AUTHORITY

Mr. REID. I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore of the Senate, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR FRIDAY, MAY 24, 2013 THROUGH MONDAY, JUNE 3, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to convene for pro forma sessions only with no business conducted on the following dates and times and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, May 24, at 12:30 p.m.; Tuesday, May 28, at 12:00 p.m.; and Friday, May 31, at 12 p.m.; and that the Senate adjourn on Friday, May 31, until 2 p.m. on Monday, June 3, 2013, unless the Senate receives a message from the House that it has adopted S. Con. Res. 17, the adjournment resolution, and that if the Senate receives such a message, the Senate adjourn until 2 p.m. on Monday, June 3, 2013; that on Monday, following the prayer and the pledge, the morning hour be deemed expired, the Journal of pro-

ceedings be approved to date, the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate be in a period of morning business until 4 p.m. with Senators permitted to speak for up to 10 minutes each; that following morning business, the Senate resume consideration of the farm bill, S. 954.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. REID. Mr. President, Senator STABENOW and Senator COCHRAN have arranged two votes that will begin on Monday, June 3, at 5:30.

#### CONDITIONAL ADJOURNMENT UNTIL FRIDAY, MAY 24, AT 12:30 P.M.

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:33 p.m., conditionally adjourned until Friday, May 24, 2013, at 12:30 p.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### THE JUDICIARY

LANDYA B. MCCAFFERTY, OF NEW HAMPSHIRE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW HAMPSHIRE, VICE STEVEN J. MCAULIFFE, RETIRED. BRIAN MORRIS, OF MONTANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA, VICE SAM E. HADDON, RETIRED.

SUSAN P. WATTERS, OF MONTANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA, VICE RICHARD F. CEBULL, RETIRED.

##### DEPARTMENT OF JUSTICE

ZACHARY THOMAS FARDON, OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE PATRICK J. FITZGERALD, TERM EXPIRED.

##### FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MATTHEW D. LOWE, OF THE DISTRICT OF COLUMBIA  
MELISSA JO GARZA, OF TEXAS

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

CHRISTIAN CHARETTE, OF FLORIDA  
CYNTHIA ANNE EHRLICH, OF CALIFORNIA  
ROGER CHANCE SULLIVAN, OF WASHINGTON

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JUANITA LUCIA AGUIRRE, OF TEXAS  
MICHAEL AHN, OF CALIFORNIA  
REBEKAH DAVIS AHRENS, OF THE DISTRICT OF COLUMBIA

RYAN AIKEN, OF UTAH  
R. ANDREW ALLEN, OF VIRGINIA  
NAFEESAH ALLEN, OF NEW JERSEY  
NATALIA ALMAGUER, OF FLORIDA  
MAYRA ALEJANDRA ALVARADO TORRES, OF CALIFORNIA

MOLLY MCKNIGHT AMADOR, OF TENNESSEE  
KRISTER BERNT ANDERSON, OF MARYLAND  
REBECCA ARCHER-KNEPPER, OF VIRGINIA  
JOHN S. ARMIGER, OF COLORADO  
BRIAN P. ASMUS, OF FLORIDA  
WILLIAM P. ASTILLERO, OF NEW JERSEY  
KARA B. BABROWSKI, OF FLORIDA

ZACHARY BAILEY, OF MARYLAND  
 JUDITH E. BAKER, OF NEW HAMPSHIRE  
 TERESA SUSAN BALL, OF TENNESSEE  
 DAWN ELIZABETH BEAUPAIN, OF FLORIDA  
 ESTHER FALCON BELL, OF RHODE ISLAND  
 JESSICA ERIN BERLOW, OF FLORIDA  
 VIRGINIA ELEANOR BLAKEMAN, OF NEW YORK  
 CHELAN BLISS, OF WASHINGTON  
 AJA CITTRECE BONSU, OF TEXAS  
 ANTHONY JUNG BONVILLE, OF TEXAS  
 VIRGILE GEORGES BORDERIES, OF CALIFORNIA  
 ASHLEY CHANTÉL BORDNER, OF PENNSYLVANIA  
 DAVID SEAN BOXER, OF CALIFORNIA  
 ANNE BRAGHETTA, OF CALIFORNIA  
 VIRGINIA CLAIRE BREEDLOVE, OF CALIFORNIA  
 BRIGETTE BUCHET, OF MARYLAND  
 RAVI FRANKLIN BUCK, OF MISSOURI  
 PETER BURBA, OF CALIFORNIA  
 MATTHEW A. BUSHELL, OF CONNECTICUT  
 WILLIAM A. CAMPBELL, OF WISCONSIN  
 CARINA R. CANAAN, OF FLORIDA  
 NATALIA DEL PILAR CAPEL, OF FLORIDA  
 ALYSSA M. CARALLA, OF GEORGIA  
 OMAR CARDENTY, OF FLORIDA  
 MARCUS BLAIR CARPENTER, OF THE DISTRICT OF COLUMBIA  
 DANIEL C. CARROLL, OF HAWAII  
 MELISSA ANN RHODES CARTER, OF ARKANSAS  
 ANDREW NICHOLAS CARUSO, OF VIRGINIA  
 MICHAEL PATRICK CASEY, OF VIRGINIA  
 BETH M. CHESTERMAN, OF TEXAS  
 JONATHAN B. CHESTNUT, OF GEORGIA  
 SARAH JANE CIACCIA, OF TENNESSEE  
 ERIN JORDAN CLANCY, OF CALIFORNIA  
 TRAVIS JOHN COBERLY, OF KANSAS  
 JACLYN ANNE COLE, OF MARYLAND  
 DESIREE MICHELLE CORMIER, OF CALIFORNIA  
 CHRISTOPHER A. CRAWFORD, OF UTAH  
 CHRISTOPHER B. CREAGHE, OF COLORADO  
 ROBIN SLOAN CROMER, OF SOUTH CAROLINA  
 JUAN C. CRUZ, OF FLORIDA  
 GAETAN WILLIAM DAMBERG-OTT, OF NEW YORK  
 JESSICA RENEE DANCEL, OF COLORADO  
 SCOTT B. DARGUS, OF WASHINGTON  
 PETER JOHN DAVIDIAN, OF OHIO  
 JUSTIN E. DAVIS, OF GEORGIA  
 NEIL MICHAEL DIBIASI, OF FLORIDA  
 TRENTON BROWN DOUTHETT, OF OHIO  
 SADIE ELEN DWORAK, OF NEW HAMPSHIRE  
 JASON DYER, OF NEW MEXICO  
 CHRISTOPHER MICHAEL ELMS, OF NEW YORK  
 STEPHEN J. ESTE, OF TEXAS  
 MARCUS GEORGE FALION, OF TENNESSEE  
 JOHANNA L. FERNANDO, OF TEXAS  
 JOSEPH ANTON FETTE, OF VIRGINIA  
 KYLE FIELDING, OF WASHINGTON  
 ERIK T. FINCH, OF TEXAS  
 JESSE KYLE FINKEL, OF THE DISTRICT OF COLUMBIA  
 COLIN W. FISHWICK, OF WASHINGTON  
 JOAN H. FLYNN, OF VIRGINIA  
 PHILIP LOWELL FOLKEMER, OF MARYLAND  
 NICOLE LOKOMAIIKA'I KIKUE PROBST FOX, OF HAWAII  
 MATTHEW A. FULLERTON, OF MARYLAND  
 AARON ELLIOTT GARFIELD, OF CALIFORNIA  
 GERALDINE B. GASSAM, OF LOUISIANA  
 JOSEPH GIORDONO-SCHOLZ, OF CALIFORNIA  
 ANGELA CARMEN GJERTSON, OF TENNESSEE  
 SARAH ELIZABETH GJORGJJEVSKI, OF CALIFORNIA  
 CATHERYN MARGARET GLEASMAN, OF TEXAS  
 SAMUEL EVERETT GOFFMAN, OF ILLINOIS  
 HOLLYN J. GREEN, OF MASSACHUSETTS  
 CATHERINE PHYLLIS GRIFFITH, OF VIRGINIA  
 PRISCILLA GUZMAN, OF TEXAS  
 JAMES J. HAGENGROBER, OF WASHINGTON  
 LAURA JANE HAMMOND, OF MINNESOTA  
 CHERYL HARRIS, OF VIRGINIA  
 DANIEL ROSS HARRIS, OF CALIFORNIA  
 NICHOLAS R. HARRIS, OF VIRGINIA  
 JANEL MARGARET HEIRD, OF MICHIGAN  
 PEPLIN M. HELGERS, OF NEW YORK  
 PATRICIA ADRIENNE HILL, OF MASSACHUSETTS  
 LAUREN D. HOLMES, OF NORTH CAROLINA  
 WILLIAM N. HOLTON, JR., OF CALIFORNIA  
 VERONICA HONS-OLIVER, OF FLORIDA  
 KATHLEEN INGRID HOSIE, OF THE VIRGIN ISLANDS  
 DONNA J. HUSS, OF INDIANA  
 MOUNIR E. IBRAHIM, OF NEW YORK  
 AMENAGHAMWON IYI-EWEKA, OF WISCONSIN  
 DANA MARIE JEA, OF VIRGINIA  
 JENNIFER JENSEN, OF CALIFORNIA  
 MATTHEW B. JONES, OF VIRGINIA  
 RYAN D. KARNES, OF WASHINGTON  
 JOANNA TRACY KATZMAN, OF NEW JERSEY  
 JENNIFER ANNE KELLEY, OF FLORIDA  
 CRAIG S. KENNEDY, OF WASHINGTON  
 JANET MARIE KENNEDY, OF FLORIDA  
 MORGAN WHITMIRE KENNEDY, OF THE DISTRICT OF COLUMBIA  
 WALTER ANTHONY KERR, OF CONNECTICUT  
 LAWRENCE J. KORB, JR., OF VIRGINIA  
 LORRAINE JEAN KRAMER, OF VIRGINIA  
 JACK C. LAMBERT, OF OREGON  
 BRENT JOSEPH LAROSA, OF MARYLAND  
 ELIZABETH E. A. LEE, OF WEST VIRGINIA  
 ALEXI LEFEVRE, OF FLORIDA  
 SCOTT HAMILTON LINTON, OF COLORADO  
 JONATHAN L. LOW, OF THE DISTRICT OF COLUMBIA  
 W. GARY LOWMAN, JR., OF FLORIDA  
 SCOTT C. LUEDERS, OF FLORIDA  
 AMANDA LUGO, OF TEXAS  
 IAN ROBERT MACKENZIE, OF THE DISTRICT OF COLUMBIA

ERIN RUTH MAI, OF VIRGINIA  
 NAVEED AHMED MALIK, OF TEXAS  
 MATTHEW R. MALOY, OF MONTANA  
 ARYANI ELISABETH MANRING, OF PENNSYLVANIA  
 NICHOLAS B. MANSKE, OF WISCONSIN  
 TARA L. MARIA, OF VIRGINIA  
 IZAAK MARTIN, OF WASHINGTON  
 JUAN D. MARTINEZ, OF NEW YORK  
 LAUREN D. MATAACK, OF CALIFORNIA  
 TRISHITA MAULA, OF NEW YORK  
 KELLY JEAN MCANERNEY, OF PENNSYLVANIA  
 JAMES PATRICK MCCORMICK, OF ILLINOIS  
 JOHN B. MCDANIEL, OF TEXAS  
 GREGORY G. MCELWAIN, OF NEW MEXICO  
 KELLY A. MCGUIRE, OF TEXAS  
 RYAN EDWARD MCKEAN, OF WISCONSIN  
 GREGORY MEIER, OF MARYLAND  
 ROBERT E. MELVIN, OF TEXAS  
 MATAN MEYER, OF FLORIDA  
 AYSA MATTHEW MILLER, OF THE DISTRICT OF COLUMBIA  
 BEAU JUSTIN MILLER, OF MICHIGAN  
 BENJAMIN J. MILLS, OF NEW MEXICO  
 SEAN PATRICK MOFFATT, OF NEW YORK  
 JEREMY JASON MONKS, OF VIRGINIA  
 NAVARRO MOORE, OF FLORIDA  
 PATRICIA RENEE MORALES, OF TEXAS  
 ROBERT E. MORGAN, OF TEXAS  
 CHAD WILLIAM MORRIS, OF COLORADO  
 STEPHEN MRAZ, OF FLORIDA  
 MILESSA N. MUCHMORE-LOWRIE, OF TEXAS  
 CHARLES VINCENT MURPHY, OF CALIFORNIA  
 W. MARC MURRI, OF UTAH  
 KATHERINE MUSGROVE KETCHUM, OF KANSAS  
 MARK ROBERT NAYLOR, OF TEXAS  
 PATRICIA NEARY, OF VIRGINIA  
 LINDA A. NEILAN, OF NEW JERSEY  
 THOMAS ANDREW NIBLOCK, OF IOWA  
 JOHN DAVID NORDLANDER, OF COLORADO  
 ELIZABETH NORMAN, OF WASHINGTON  
 FREDERICK NICHOLAS NOYES, OF TEXAS  
 AUTUMN K. OAKLEY, OF WASHINGTON  
 ELIZABETH CURRAN O'ROURKE, OF ILLINOIS  
 ALEXANDER R. ORR, OF NEW YORK  
 MICHELLE R. OSADCZUK, OF FLORIDA  
 ANDREW J. PARTIN, OF NEW HAMPSHIRE  
 MARY LILLIAN PELLEGRINI, OF NEW HAMPSHIRE  
 XIXALA SANDRA PEREZ, OF VIRGINIA  
 LISA MARIE PETZOLD, OF NEW YORK  
 JULIAN I. PHILLIPPI, OF OHIO  
 CAITLIN S. PIPER, OF NEW HAMPSHIRE  
 RICHARD JOHN POLNEY, OF NEVADA  
 MARIA DEL PILAR QUIGUA, OF MASSACHUSETTS  
 RYAN M. QUINN, OF FLORIDA  
 THOMAS LEE RADKE, JR., OF MISSOURI  
 SCOTT R. RASMUSSEN, OF VIRGINIA  
 KATHERINE O. RAY, OF OREGON  
 NANCY FARQUHAR RHODES, OF TEXAS  
 LEA PALABRICA RIVERA, OF NEW YORK  
 LAURA AYLWARD ROBINSON, OF WASHINGTON  
 TANYA ELAINE ROGERS, OF TEXAS  
 TYLER J. ROGSTAD, OF MINNESOTA  
 DOUGLAS B. ROSE, OF MINNESOTA  
 SUSAN ROSS, OF NEW YORK  
 TERESA ROTUNDO, OF NEVADA  
 CAREY HALE RUDELL, OF THE DISTRICT OF COLUMBIA  
 LAUREN C. SANTA, OF NEW JERSEY  
 NADIA DINA SBEIH, OF CALIFORNIA  
 JANICE SCHILL, OF CALIFORNIA  
 KIMBERLY K. SCRIVNER, OF NEVADA  
 BEHRANG FARIAN SERAJ, OF CALIFORNIA  
 JAMES P. SHAK, OF ARIZONA  
 LAUREN C. SHELTON, OF VIRGINIA  
 LEVI W. SHEPHERD, OF VIRGINIA  
 AARON M. SINGLETERRY, OF WASHINGTON  
 MONICA AMELIA SLEDJESKI, OF NEW YORK  
 LAURENCE J. SOCHA, OF ILLINOIS  
 JEREMY DAVID SPECTOR, OF TEXAS  
 MATTHEW BOUTON STANNARD, OF CALIFORNIA  
 MATTHEW M. STED, OF CALIFORNIA  
 DAVID S. STIER, OF NEW YORK  
 ANNA STINCHCOMB, OF VIRGINIA  
 DANETTE I. SULLIVAN, OF TENNESSEE  
 SHANNA DIETZ SURENDRA, OF MICHIGAN  
 ETHAN KENT TABOR, OF MARYLAND  
 VIOLETA D. TALANDIS, OF FLORIDA  
 VANESSA ANNE TANTILLO, OF NEW YORK  
 DANIEL J. TARAPACKI, OF NEW YORK  
 JAY B. THOMPSON, OF THE DISTRICT OF COLUMBIA  
 JULIE THOMPSON, OF FLORIDA  
 GRETCHEN L. TIETJE, OF TEXAS  
 PATRICK ALLARD TILLOU, OF VIRGINIA  
 NICOLE ANNE MARIE TOBIN, OF KANSAS  
 EMERITA F. TORRES, OF NEW YORK  
 MIRNA R. TORRES, OF NEW MEXICO  
 TIMOTHY TRANCHILLA, OF MISSOURI  
 MARY ELLEN TSEKOS-VELEZ, OF VIRGINIA  
 GREGORY J. VENTRESCA, OF THE DISTRICT OF COLUMBIA  
 DANIEL VILLANUEVA, OF FLORIDA  
 DOMINGO J. VILLARONGA, OF NEW YORK  
 NICHOLAS VON MERTENS, OF NEW HAMPSHIRE  
 DAMIAN GEORGE WAMPLER, OF NEW YORK  
 DARREN IBRAHIM WANG, OF CALIFORNIA  
 THOMAS CHARLES WEBER, OF TEXAS  
 BROOKE WEHRENBURG, OF TEXAS  
 JOE WELSH, OF CALIFORNIA  
 CHAD JACOB WESEN, OF WASHINGTON  
 JOHN NOEL WINSTEAD, OF WYOMING  
 SCOTT B. WINTON, OF MISSOURI  
 STACEY ELIZABETH-VERSIE WOOD, OF CALIFORNIA  
 THOMAS N. WOTKA, OF VIRGINIA

CHRISTIAN S. YUN, OF CALIFORNIA  
 RUSSELL A. ZALIZNIAK, OF FLORIDA  
 WILBUR G. ZEHR, OF NEW YORK

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

LT. GEN. STEPHEN L. HOOG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

LT. GEN. BROOKS L. BASH

#### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

MAJ. GEN. THOMAS W. SPOEHR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

LT. GEN. JOHN D. JOHNSON

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be brigadier general*

COL. IVAN E. DENTON

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601; AND FOR APPOINTMENT AS A SENIOR MEMBER OF THE MILITARY STAFF COMMITTEE OF THE UNITED NATIONS UNDER TITLE 10, U.S.C., SECTION 711:

#### *To be vice admiral*

VICE ADM. FRANK C. PANDOLFE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be vice admiral*

REAR ADM. NORA W. TYSON

#### IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be colonel*

BRIAN K. ABNEY  
 RONALD L. BECKHAM  
 GEORGIA K. KROESE  
 ERIC J. OH

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be commander*

JASON T. STEPP

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be colonel*

DAVID W. ABBA  
 BRIAN P. AFFLERBAUGH  
 LATHEEF N. AHMED  
 RICKY L. AINSWORTH  
 SUSAN M. AIROLA SKULLY  
 ANTHONY J. AJELLO, JR.  
 JENNIFER C. ALEXANDER  
 THADDEUS P. ALLEN  
 RAYMOND ALVES II  
 MARK C. ANARUMO  
 LEIGHTON T. ANDERSON, JR.  
 MICHAEL A. ANDERSON  
 MICHAEL S. ANGLE  
 CHRISTOPHER T. ANTHONY  
 REGINALD E. G. ASH III  
 SCOTT J. BABBITT

LESLIE P. BABICH  
 FRED P. BAIER  
 RICHARD J. BAILEY, JR.  
 WILLIAM C. BAILEY  
 BRANDON E. BAKER  
 JONATHAN P. BAKONYI  
 THOMAS C. BALLARD  
 DAVID BALLEW  
 MATTHEW A. BARKER  
 BRADLEY W. BARNHART  
 STEPHEN P. BARROWS  
 SAMUEL D. BASS  
 ROBERT G. BATTEMA  
 JOHN D. BEDINGFIELD  
 DEAN C. BELLAMY  
 DAVID M. BENSON  
 BRADLEY C. BIRD  
 PETER D. BLAKE  
 CHRISTOPHER J. BLANEY  
 THOMAS R. BLAZEK  
 CHARLES D. BOLTON  
 ROBERT P. BONGIOVI  
 DONALD J. BORCHELT  
 JAMES D. BOTTOMLEE  
 LORENZO C. BRADLEY  
 JAMES A. BRAUNSCHNEIDER  
 STEVEN J. BREEZE  
 LARA C. BRINSON  
 KERRY D. BRITT  
 LARRY R. BROADWELL, JR.  
 KEVIN W. BROOKS  
 MATTHEW R. BROOKS  
 ERIC D. BROWN  
 ROBERT G. BROWN  
 NEAL W. BRUEGGER  
 MICHAEL A. BRUZZINI  
 RICHARD K. BULLOCK  
 AMY S. BUMGARNER  
 JEFFREY S. BURDETT  
 JOSHUA C. BURGESS  
 AARON D. BURGSTEIN  
 TIMOTHY J. BURKE  
 LAUREL M. BURKEL  
 ANGELA J. BURTH  
 FREDERICK E. BUSH III  
 RICHARD D. BUTLER  
 CHRISTOPHER L. BYROM  
 DENNIS O. BYTHEWOOD  
 STEVEN R. CABOSKY  
 PHILIP M. CALI  
 KENNETH D. CALLAHAN  
 SHAWN W. CAMPBELL  
 JIMMY R. CANLAS  
 MICHAEL R. CARDOZA  
 BRIAN L. CARR  
 STEPHEN T. CARSON  
 EUGENE M. CAUGHEY  
 ROBERT L. CHARLESWORTH  
 ROBERT M. CHAVEZ  
 JULIAN C. CHEATER  
 SAMUEL J. CHESNUT IV  
 JASON J. E. CHILDS  
 VINCENT J. CHIOMA  
 ROBERT O. CIOPPA  
 ANNE L. CLARK  
 MICHAEL J. CLARK  
 PHILIP A. CLINTON  
 DONALD W. CLOUD  
 NILES M. COCANOUR  
 JED S. COHEN  
 DARREN R. COLE  
 JAMES E. COLEBANK  
 BRIAN D. COLLINS  
 ROY W. COLLINS  
 TODD A. COLLINS  
 REYES COLON  
 CHAD L. CONERLY  
 SIDNEY S. CONNER  
 COLIN J. CONNOR  
 JOEL O. COOK  
 ROBERT J. COOK  
 BRYAN S. COON  
 CHARLES J. COOPER  
 THOMAS M. COOPER  
 BRADLEY M. CRITES  
 ALBERTO E. CRUZ  
 WILLIAM C. CULVER  
 DONALD J. DAVIS  
 PATRICK W. DAVIS  
 CHRISTOPHER DE LOS SANTOS  
 MICHAEL J. DEAN  
 BRIAN J. DELAMATER  
 CHARLES J. DELAPP II  
 JAMES M. DELONG  
 ELIZABETH A. DEMMONS  
 THOMAS E. DEMPSEY III  
 JAMES L. DENTON  
 CHAD P. DERANGER  
 ABNER DEVALLO, JR.  
 DANIEL A. DEVOE  
 STEVEN N. DICKERSON  
 BRIAN C. DICKINSON  
 GEORGE T. M. DIETRICH III  
 TOR F. DIETRICH  
 STEVE A. DINZART  
 JAMES E. DITTUS  
 MICHAEL P. DOMBROWSKI  
 THOMAS R. DORL  
 JOHN L. DORRIAN  
 CHARLES W. DOUGLASS  
 JAMES F. DOWNS  
 NORMAN A. DOZIER

ERIK A. DRAKE  
 DARIN C. DRIGGERS  
 RUSSELL D. DRIGGERS  
 MICHAEL R. DROWLEY  
 DARON J. DROWN  
 DAVID W. DYE  
 CHRISTOPHER A. EAGAN  
 KEVIN M. EASTLAND  
 DARREN A. EASTON  
 LEIF E. ECKHOLM  
 GILBERT B. EDDY  
 BRIAN J. EDE  
 JOHN R. EDWARDS  
 STEVEN G. EDWARDS  
 CLINTON W. EICHELBERGER  
 MARK R. ELY  
 TODD M. EMMONS  
 TROY L. ENDICOTT  
 ERIC A. ESPINO  
 DARREN E. EWING  
 JEFFREY K. FALLESEN  
 THOMAS G. FALZARANO  
 MICHAEL A. FELICE  
 MATTHEW C. FINNEGAN  
 PAUL R. FIORENZA  
 JACK D. FISCHER  
 ARMANDO E. FITTERRE  
 FRANK A. FLORES  
 STEVEN J. FOLDS  
 MATTHEW J. FOLEY  
 KYLE C. FORRER  
 ERIC N. FORSYTH  
 BRADLEY D. FRAZIER  
 ANDREW B. FREEBORN  
 CHRISTOPHER A. FREEMAN  
 SCOTT A. GAAB  
 JOHN J. GALIK  
 DANIEL D. GARBER  
 JOHN M. GARVER  
 MICHAEL A. GEER  
 KEITH P. GIBSON  
 ROBIN L. GIBSON  
 JOHN W. GILES, JR.  
 CARMELO J. GIOVENCO, JR.  
 JOHN C. GLASS  
 JAIME GOMEZ, JR.  
 STEVEN M. GORSKI  
 DOUGLAS C. GOSNEY  
 GLEN L. GOSS  
 DANIEL F. GOTTRICH  
 RODNEY GRAY  
 GREGORY S. GREEN  
 NATHAN C. GREEN  
 MANUEL G. GRIEGO  
 MICHAEL A. GROGAN  
 TYRONE L. GROH  
 MICHAEL GRUNWALD, JR.  
 SCOTT D. GUNDLACH  
 MICHAEL D. HADDOCK  
 JOSEPH E. HALL  
 WILLIAM D. HALL  
 ERIC K. HALVERSON  
 ANDREW K. HAMANN  
 PAULA A. HAMILTON  
 JENNIFER HAMMERSTEDT  
 DARIEN J. HAMMETT  
 STEWART A. HAMMONS  
 TERRY J. HAMRICK, JR.  
 DAVID S. HANSON  
 CRAIG A. HARDING  
 MICHAEL S. HARPER  
 ALAN T. HART  
 STEVEN C. M. HASSTEDT  
 JEAN E. HAVENS  
 TIMREK C. HEISLER  
 LANDON L. HENDERSON  
 ERICH D. HERNANDEZBAQUERO  
 SHAUN R. HICK  
 JAMES P. HICKMAN  
 KEVIN D. HICKMAN  
 LAWRENCE C. HICKS  
 HAROLD T. HOANG  
 GEORGE K. HOBSON  
 STEPHEN G. HOFFMAN  
 JACOB J. HOLMGREN  
 MICHAEL K. HONMA  
 JEFFREY F. HUBER  
 JAMES P. HUGHES, JR.  
 ROMAN L. HUND  
 KARL D. INGEMAN  
 GEORGE W. IRVING IV  
 LYNN MARIE IRWIN  
 JASON M. JANAROS  
 GARY D. JENKINS II  
 JONATHAN A. JENSEN  
 MICHAEL W. JIRU, JR.  
 MICHAEL W. JOHANEK  
 CLARENCE A. JOHNSON, JR.  
 CRAIG P. JOHNSON  
 LAURA M. JOHNSON  
 PAUL M. JOHNSON  
 RAY A. JONES  
 TERRI A. JONES  
 WILLIAM R. JONES  
 ROSE M. JOURDAN  
 CHRISTOPHER L. JUAREZ  
 DARRELL F. JUDY  
 JAY L. JUNKINS  
 WILLIAM H. KALE  
 AMANDA G. KATO  
 MICHELLE L. KAUFMANN  
 BRYAN A. KEELING

DAVID D. KELLEY  
 CHARLES O. KELM  
 SCOTT M. KIEFFER  
 DAVID N. KINCAID, JR.  
 MICHAEL O. KINSLOW  
 KELLY M. KIRBY  
 LEA T. KIRKWOOD  
 DONALD A. KLECKNER  
 LEE E. KLOOS  
 THOMAS A. KONICKI  
 KURT D. KONOPATZKE  
 KEN W. KOPP  
 JAMES K. KOSSLER  
 DAVID D. KRETZ  
 GREGORY KREUDER  
 MOHAN S. KRISHNA  
 JOSEPH D. KUNKEL  
 DWAYNE A. LAHAYE  
 MICHAEL F. LAMB  
 DAWN C. LANCASTER  
 MICHAEL D. LAY  
 JAMES S. LEFFEL  
 CHAD E. LEMAIRE  
 SEAN P. LEROY  
 ANDREW J. LESHIKAR  
 ERIC L. LESHINSKY  
 JONATHAN M. LETSINGER  
 CHRISTOPHER P. LEVY  
 TARA A. LEWELING  
 ANDREW J. LEWIN  
 RICHARD J. LINEHAN III  
 CHRISTINE A. LOCKE  
 KEITH M. LOGEMAN  
 JILL A. LONG  
 PERRY M. LONG III  
 DEBRA A. LOVETTE  
 MATTHEW J. LUPONE  
 MARC A. LYNCH  
 WILLIAM J. MACLEAN  
 CHRISTOPHER V. MADDOX  
 STEPHEN W. MAGNAN  
 MATTHEW T. MAGNESS  
 LESLIE A. MAHER  
 RYAN D. MANTZ  
 DANIEL N. MARTICELLO, JR.  
 JOHN D. MARTIN  
 DAVID J. MARTINSON  
 SCOTT P. MASKERY  
 RICHARD S. MATHEWS  
 SCOTT B. MATTHEWS  
 SEAN M. MCCARTHY  
 BRADLEY W. MCDONALD  
 SEAN S. MCKENNA  
 ROBERT T. MEEKS III  
 THOMAS B. MEEKS  
 JAMES S. MEHTA  
 KELLY K. MENOZZI  
 JAMES S. MERCHANT  
 MICHAEL L. MERRITT  
 JACK W. MESSER  
 MICHAEL J. MEYER  
 JOSEPH K. MICHALEK  
 HANS H. MILLER  
 MICHAEL A. MILLER  
 RICKY L. MILLS  
 DAVID A. MINEAU  
 STEVEN J. MINKIN  
 DAVID K. MOELLER  
 VICTOR W. MONCRIEFFE II  
 JACQUELINE M. MONGEON  
 SEAN P. MONOGUE  
 SCOTT D. MOON  
 ERIC Y. MOORE  
 TODD R. MOORE  
 ERIC J. MORITZ  
 WILLIAM B. MOSLE  
 KENNETH E. MOSS  
 MICHAEL D. MOTE  
 STEPHEN R. MOYES  
 JAMES F. MUELLER  
 KEITH E. MUELLER  
 TODD A. MURPHEY  
 AMANDA S. MYERS  
 GEORGE R. NAGY  
 ARNOLD W. NASH III  
 ROBERT JAMES NEAL, JR.  
 JODI A. NEFF  
 TY W. NEUMAN  
 KARA KJ NEUSE  
 HARVEY F. NEWTON  
 THOMAS W. NICHOLSON  
 ROBERT T. NOONAN  
 WILLIAM J. NORTON  
 PAUL C. NOSEK  
 SCOTT R. NOWLIN  
 SHAN B. NUCKOLS  
 NEIL P. OAKDEN  
 JEFFERSON JAMES O'DONNELL  
 BRIAN D. OELRICH  
 KENNETH W. OHLSON  
 PETER P. OHOTNICKY  
 RONNI M. OREZZOLI  
 CHARLES D. ORMSBY  
 BRIAN A. PAETH  
 JAMES C. PARSONS  
 LUDWIG K. PAULSEN  
 JEFFREY P. PEARSON  
 DAVID L. PEELER, JR.  
 LYNN P. PEITZ  
 DANA C. PELLETIER  
 DOUGLAS W. PENTECOST  
 KEITH A. PERKINS

LEON J. PERKOWSKI  
KRISTOPHER E. PERRY  
BRIAN C. PETERS  
KENDALL D. PETERS  
JAMES D. PETRICK  
MICHAEL S. PETROCCO  
GEORGE E. PETTY  
JAMES W. PIEL  
SAMMY T. PIERCE  
RONALD L. PIERI  
WILLIAM C. PLEASANTS  
ALAIN D. POISSON  
BRIAN H. PORTER  
CHRISTOPHER T. PREJEAN  
MICHAEL J. PRICE  
SAMUEL T. PRICE  
ARTHUR W. PRIMAS, JR.  
DONALD D. PURDY  
STEPHEN G. PURDY, JR.  
MARK B. PYE  
ROBERT J. QUIGG IV  
ALESIA A. QUITON  
BRIAN J. RAY  
KEITH W. REEVES  
BRAXTON D. REHM  
CHRISTOPHER S. REIFEL  
STEPHEN L. RENNER  
NEIL R. RICHARDSON  
ROBERT A. RICKER  
ALLEN R. ROBERTS  
DWAYNE M. ROBISON  
SHELLEY A. RODRIGUEZ  
MICHAEL K. ROKAW  
RICHARD B. ROLLER  
SCOTT A. ROMBERGER  
ROBERT T. ROMER  
MARGARET M. ROMERO  
RICHARD M. ROSA  
DOUGLAS W. ROTH  
TARA K. ROUTSIS  
LEERNEST M. B. RUFFIN  
BRYAN T. RUNKLE  
STEPHEN M. RUSSELL  
ANDREW J. RYAN  
PATRICK S. RYDER  
JOHN D. RYE  
JAY A. SABIA  
FRANK D. SAMUELSON  
DORAL E. SANDLIN  
TIMOTHY A. SANDS  
MATTHEW D. SANFORD  
JOE H. SANTOS  
JOSEPH C. SANTUCCI  
TODD A. SAULS  
DAVID R. SCANLON  
JEFFREY A. SCHAVLAND  
ANTHONY W. SCHENK  
KEVIN E. SCHILLER  
KARL C. SCHLOER  
MICHAEL K. SCHNABEL  
ADRIAN C. SCHUETTKE  
THERESE A. SCHULER  
GEORGE N. SCHWARTZ  
PAUL J. SCOTT  
TIMOTHY A. SEJBA  
TRISHA M. SEXTON  
ERIC K. SHAFIA  
SCOTT A. SHEPARD  
THOMAS P. SHERMAN  
RYAN C. SHERWOOD  
JOHN W. SHIRLEY  
JENNIFER M. SHORT  
DAVID K. SIEVE  
ERIK L. SIMONSEN  
RAY L. SIMPSON  
RODNEY SINGLETON  
CHRISTOPHER M. SMITH  
DAVID C. SMITH  
KENNETH A. SMITH  
KEVIN D. SMITH  
MATTHEW D. SMITH  
RICHARD L. SMITH  
ROBERT D. SNODGRASS  
MATTHEW O. SNYDER  
JEFFREY A. SORRELL  
MICHAEL J. SOWA  
KENNETH S. SPEIDEL  
RONALD D. STENGER  
MARK A. STEPHENS  
LISA Y. STEVENSON  
EARL W. STOLZ II  
WILLIAM M. STOWE III  
SUZANNE M. STREETER  
CHRISTOPHER R. STRICKLIN  
BRIAN R. STUART  
STEVE S. SUGIYAMA  
JAMES M. SUHR  
JASON K. SUTTON  
THOMAS T. SWAIM  
DOUGLAS H. SWIFT  
RAYMUND MICHAEL TEMBREULL  
MICHAEL P. TERNUS  
ANTHONY L. THOMAS  
JOHN J. THOMAS  
SPENCER S. THOMAS  
PAUL A. TOMBARGE  
STEPHON J. TONKO  
THOMAS D. TORKELSON  
BRIAN E. TOTH  
KELVIN J. TOWNSEND  
ROBERT W. TRIPLETT  
GEORGE E. TROMBA

ROBERT B. TRSEK  
DAVID C. TRUCKSA  
DONNA L. TURNER  
ERIC S. TURNER  
JAMES R. TWIFORD  
MICHAEL D. TYNNISMAA  
JEFFERY D. VALENZIA  
RUSSELL S. VOCE  
ROGER R. VROOMAN  
WILLIAM E. WADE, JR.  
RALPH J. WAITE IV  
ALEXANDER W. WALFORD  
CHARLES J. WALLACE II  
MATTHEW V. WALLACE  
HOWARD T. WALLER  
KARL C. WALLI  
WILLIAM B. WALPERT  
SCOTT L. WARD  
MICHAEL D. WEBB  
CHRISTOPHER M. WEGNER  
GEOFFREY F. WEISS  
KEITH A. WELCH  
SAMUEL G. WHITE III  
TODD A. WHITE  
DAVID P. WILDER  
RICHARD WILGOS  
SHANE C. WILKERSON  
JON C. WILKINSON  
KEVIN A. WILSON  
MARK D. WITZEL  
PATRICK F. WOLFE  
BOBBY C. WOODS, JR.  
PARKER H. WRIGHT  
TINA M. WYANT  
SCOTT D. YANCY  
MATTHEW H. YETISHEFSKY  
YOUNGKUN S. YU  
KENNETH J. YUNEVICH  
DUSTIN P. ZIEGLER  
MATTHEW E. ZUBER

#### IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be commander*

MARK R. ALEXANDER  
SEAN J. BRANDES  
ROBERT C. CADENA  
JAMES C. DUDLEY, JR.  
TRACY L. EMMERSEN  
CHRISTOPHER D. ENG  
KEVIN L. ERNEST  
DAVID W. FILANOWICZ  
MATTHEW W. GARRISON  
JONATHAN M. GROENKE  
BRIAN A. HARDING  
BLAKE G. JACOBSON  
CYNTHIA P. KEATING  
PAUL D. LASHMET  
DANYELLE M. LOW  
ANDREA J. MCLEMORE  
ANDREW T. NEWSOME  
ROGER D. NISBETT  
JOSEPH E. SISSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be commander*

LANE C. ASKEW  
ROBERT A. CLARADY  
MATTHEW L. CHEN  
TODD P. GLIDEN  
LOUIS M. GUTIERREZ  
ROGER L. KOOPMAN  
PATRICK E. LANCASTER  
SYLVIA M. LAYNE  
JAMES M. MAHER  
ERIC N. MOYER  
JASON T. NICHOLS  
DAVID P. PERRY  
PAUL M. SALEVSKI  
DALE H. SHIGEKANE  
JEFFREY S. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be commander*

BERNARD BILLINGSLEY  
BRADLEY D. BROWN, JR.  
JEFFREY P. BUSCHMANN  
JAMES L. CASTLEBERRY  
DAVID M. CROWE  
BRIAN M. FOSS  
JOSEPH D. FRASER  
TYLER L. GOAD  
JAMIE L. HORNING  
GRANT M. KOENIG  
KRISTI A. LEHMKUHLER  
GEORGE M. LOWE  
JAMES T. MERCHANT  
MARCELLE L. MOLETT  
STEPHANY L. MOORE  
KRISHNA C. PULGAR  
DARREN E. RICE  
KYLE P. RILEY  
CHARLEESE R. SAMPA

LENSWORTH A. SAMUEL  
RISA B. SIMON  
CHAD E. SIMPSON  
JOHN M. SMAHA, JR.  
CHRISTOPHER H. SMITH  
BRADLEY J. STOREY  
ROBERT J. TEAGUE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be commander*

DARYL G. ADAMSON  
CHARLES E. ARDINGER  
MICHAEL J. BEAL  
STEVEN G. BEALL  
MATTHEW P. BEARE  
KENNETH T. BELLOMY  
JOHN M. CARMICHAEL  
KEVIN P. CHILDRE  
KENNETH C. COLLINS II  
DONALD F. CRUMPACKER  
MICHAEL T. CURRY  
JAMES S. DANCER  
DZUNG P. DAVIS  
WILLIAM R. DONNELL, JR.  
ARTHUR M. DUVALL  
JAMES C. DYER  
WILLIAM E. EDENBECK  
DANIEL W. ELSASS  
ALAN D. FEENSTRA  
KARL G. GILES  
CORY M. GROOM  
RICHARD R. GROVE, JR.  
PHILLIP A. GUTIERREZ  
JAMES D. HAIR  
AUBREY K. HAMLETT  
DAVID A. HARRIS  
KENNETH L. HOLLAND  
DOUGLAS E. HOUSER  
EDWARD G. JASO  
CHARLES O. JONES  
SANFORD L. KALLAL  
DAVID D. LITTLE  
ROBERT J. LOPEZ  
RICHARD F. LOVE III  
ANTHONY J. MATA  
RODNEY H. MOSS  
JOHN D. NAYLOR  
SCOTT A. NOE  
RODNEY J. NORTON  
JOHN A. OMAN  
RAYMOND A. PARHAM  
ANTHONY M. PECORARO  
GEORGE A. PORTER  
REX N. PUENTESPINA  
RONALD G. RANCOURT  
SHAWN J. REAMS  
KENNETH B. SANCHEZ  
NICHOL M. SCHINE  
JACKIE A. SCHWEITZER  
SCOTT E. SHEA  
JEFFREY R. SHIPMAN  
PATRICK H. SUTTON  
QUINTIN G. TAN  
KENNETH C. TEASLEY  
MICHAEL L. THOMPSON  
KEITH A. TUKES  
LAWRENCE W. UPCHURCH  
GREGORY A. VERLINDE  
ALEC C. VILLEGAS  
WILBERT M. WAFFORD  
DAVID L. WALKER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be lieutenant commander*

ROBERT S. ALMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be commander*

JEFFREY J. ABBADINI  
RYAN P. AHLER  
DANIEL R. ALCORN  
EVERETT M. ALCORN, JR.  
STEPHEN W. ALDRIDGE  
ERNESTO R. ALMONTE  
GERVY J. ALOTA  
JEFFREY A. ANDERSON  
EDWARD A. ANGELINAS  
CHRISTOPHER W. ARTIS  
STEPHEN A. AUDELO  
SPENCER P. AUSTIN  
SHELBY Y. BAECKER  
JOSEPH A. BAGGETT  
CASEY B. BAKER  
JEFFREY D. BAKER  
ZATHAN S. BAKER  
DWAYNE E. BARNETT  
JONATHAN L. BARON  
JOHN R. BARTAK  
QUINCY E. BEASLEY  
WILLIAM M. BEATY  
LEOPOLDO L. BENITES  
MANUEL A. BIASCOECHEA  
CHRISTOPHER M. BIGGS  
BRIAN A. BINDER

JAMES R. BIRD  
NATHAN R. BITZ  
BRIAN C. BLACK  
R. W. BLIZZARD  
THOMAS T. BODINE  
TIMOTHY C. BOEHME  
MICHAEL P. BORRELLI  
SILAS L. BOUYER II  
JOHN A. BOWMAN  
HAROLD W. BOWMANTRAYFORD  
COLIN K. BOYNTON  
BRIAN A. BRADFORD  
DEREK BRADY  
JASON E. BRAGG  
PAUL S. BRANTUAS  
SAMUEL P. BRASFIELD III  
JASON J. BRIANAS  
DANIEL E. BROADHURST  
JOSEPH M. BROMLEY  
DAVID P. BROOKS  
MARK J. BROPHY  
ELAINE A. BRUNELLE  
SCOTT P. BRUNSON  
JASON A. BUCKLEY  
TERRY L. BUCKMAN  
DOUGLAS J. BURFIELD  
MICHAEL J. BURKS  
ROBERT S. BURNS  
JASON G. BUTLER  
MILTON BUTLER III  
WILLIAM CALLAHAN  
ROBERT A. CAMPBELL  
BURT J. CANFIELD  
JOEL M. CAPONIGRO  
NICK A. CARDENAS  
TED W. CARLSON  
JAMES K. CARVER  
DAVID J. CASTEEL  
CAREY F. CASTELEIN  
GABRIEL B. CAVAZOS  
BLAKE L. CHANEY  
DEWON M. CHANEY  
JONATHAN S. CHANNELL  
MATTHEW E. CHAPMAN  
PETER J. CHAVERIAT  
ADAM G. CHEATHAM  
THOMAS G. CHEKOURAS  
CHARLES M. CHOATE III  
MATTHEW W. CIESLUKOWSKI  
BENJAMIN J. CIPPERLEY  
GILBERT E. CLARK, JR.  
TIMOTHY M. CLARK  
PAUL D. CLARKE  
MARK A. CLOSE  
MICHAEL S. CLOUD  
DANIEL D. COCHRAN  
DAVID J. COE  
ERIC D. COLE  
BENJAMIN D. CONE  
BRIAN D. CONWAY  
NAKIA M. COOPER  
ALAN M. COPELAND  
JOHN C. CORRELL  
JOSEPH W. CORTOPASSI  
BRENT J. COTTON  
ADAN J. COVARRUBIAS  
SHAWN M. COWAN  
DAVID S. COX  
BRADFORD P. CRAIN  
CLARKE S. CRAMER  
CURTIS W. CRUTHIRDS  
SCOTT M. CULLEN  
MATTHEW D. CULP  
BRIAN G. CUNNINGHAM  
CHARLES E. DALE III  
CHRISTINA L. DALMAU  
ROBERT B. DANBERG, JR.  
TODD M. DANTONIO  
MARC E. DAVIS  
TIMOTHY P. DAVIS II  
DANA A. DECOSTER  
DANIELLE C. DEFANT  
SARAH H. DEGROOT  
WILLIAM G. DELMAR  
MARC R. DELTETE  
RAVI M. DESAI  
JOHN A. DIGIOVACCHINO  
CHRISTOPHER J. DOMENCIC  
MARK D. DOMENICO  
JARROD D. DONALDSON  
CHRISTOPHER D. DOTSON  
KENNETH S. DOUGLAS  
CLINTON L. DOWNING  
BRIAN M. DRECHSLER  
DOUGLAS A. DREESE  
JOSEPH M. DROLL  
ROBERT E. DUCOTE  
DERRICK A. DUDASH  
ENNO J. DUDEN  
DANIEL P. DUHAN  
ROBERT A. DULIN  
DAVID P. DURKIN  
BRIAN C. EARP  
GEORGE R. EBARB  
DAVID L. EDGERTON  
STEVEN D. ELIAS  
BRIAN C. EMME  
THEODORE E. ESSENFELD  
ROY C. EVANS  
LOUIS A. FAIELLA  
WILLIAM P. FALLON  
MICHEL C. FALZONE

JEFFREY A. FARMER  
CHRISTOPHER M. FARRICKER  
RYAN M. FARRIS  
CHAD A. FELLA  
PATRICE J. P. FERNANDES  
JOSEPH M. FIKSMAN  
MICHAEL B. FINN  
PAULA A. FIRENZE  
EDWARD K. FLOYD  
JENNIFER L. FORBUS  
TONREY M. FORD  
MEGHAN B. FOREHAND  
DAVID S. FORMAN  
STEPHEN C. FORTMANN  
VINCENT A. FORTSON  
HANS A. FOSSER  
WILLIAM D. FRANCIS, JR.  
BRIAN D. FREMMING  
JONAS FREY  
KENNETH J. FROBERG  
JOHN T. FRYE  
JOHN D. GAINES IV  
BRYAN S. GALLO  
RUBEN GALVAN  
NEAL T. GARRETT  
GILBERT D. GAY  
ALBERT H. GEIS, JR.  
ROBERT J. GELINAS  
ANDREW D. GEPHART  
ANDREW H. GILBERT  
CHRISTOPHER S. GILMORE  
CHRISTIAN P. GOODMAN  
BRIAN W. GRAVES  
DOUGLAS T. GRAY  
WELLS W. GREEN  
JASON P. GROWER  
JASON M. GUSTIN  
MARK A. HAAS  
DAVID S. HAASE  
AARON R. HAGER  
BRIAN J. HAGGERTY  
MICHAEL D. HALL  
PETER F. HALVORSEN  
JOSHUA A. HAMMOND  
EDMUND J. HANDLEY  
DAVID J. HANEY  
MARK W. HANEY  
MATTHEW T. HARDING  
GARY A. HARRINGTON II  
DAVID F. HARRIS  
JUSTIN L. HARTS  
MICHAEL P. HARVEY II  
AMANDA A. M. HAWKINS  
CHRISTOPHER N. HAYTER  
GARETH J. HEALY  
ROBERT A. HEELY, JR.  
CRAIG W. HEMPECK  
KEITH A. HENDERSON  
OLIVER R. HERION  
JASON B. HIGGINS  
LISA B. HODGSON  
BRIAN L. HOLMES  
DAVID C. HOLMES  
CHRISTOPHER T. HORGAN  
MATTHEW G. HORR  
MICHAEL W. HOSKINS  
PATRICK W. HOURIGAN  
MICHAEL P. HOWE  
JAMES B. HOWELL  
HOLLY A. HOXSIE  
JOSEPH A. HUFFINE  
CHRISTOPHER S. HULITT  
DAVID P. HURN  
FRANK T. INGARGIOLA  
RICHARD J. ISAAK  
QUINTIN L. JAMES  
JAMES P. JEROME  
WILLIAM A. JOHANSSON  
JOHANNES E. JOLLY  
HOWARD L. JONES  
STEVEN C. JONES  
MICHAEL D. KAMPFE  
BRANDON S. KASER  
DANIEL J. KEELER  
PATRICK A. KELLER  
JASON T. KETELSEN  
ROBERT B. KIMNACH III  
JASON D. KIPP  
JEFFREY A. KJENAAS  
KEN J. KLEINSCHNITTGER  
WILLIAM C. KLUTTZ  
SEAN P. KNIGHT  
CHRISTOPHER J. KREIER  
NICHOLAS A. KRISTOF  
TIMOTHY D. LABENZ  
TODD I. LADWIG  
KELLY L. LAING  
ROBERT T. LANANE II  
WILLIAM G. LANE  
SHANE A. LANSFORD  
THOMAS E. LANSLEY  
BRIAN LARMON  
SCOTT W. LARSON  
RYAN E. LAWRENZ  
DOUGLAS W. LEAVENGOOD  
CHRISTOPHER LEE  
DUSTIN E. LEE  
MICHAEL W. LEE  
PAUL LEE  
JEREMY L. LEIBY  
DAVID C. LEIKER  
JOSEPH L. LEPPA

ANDRE B. LESTER  
JOSEPH M. LEVY  
KENNETH R. LIEBERMAN  
MATTHEW E. LIGON  
RYAN J. LILLEY  
CHRISTOPHER C. LINDBERG  
ERIC D. LINDGREN  
CHAD J. LIVINGSTON  
JAMES P. LOMAX  
TIMOTHY J. LONG  
MARK R. LUKKEN  
ERIC H. LULL  
MICHAEL E. MADRID  
GREGORY P. MALANDRINO  
JAMES R. MALONE  
DENNIS N. MALZACHER, JR.  
SHANE T. MARCHESI  
HARRY L. MARSH  
MICHAEL J. MARTHALER  
DARRYL B. MARTIN  
MIGUEL R. MARTINEZ  
JONATHAN A. MARVELL  
WALTER B. MASSENBURG, JR.  
TODD M. MASSOW  
GABRIEL A. MAULDIN  
MATTHEW M. MAZAT  
DANIEL R. MCAULIFFE  
MITCHELL S. MCCALLISTER  
GILL H. MCCARTHY  
GRADY S. MCDONALD  
JAMES D. MCDONALD  
KEVIN T. MCGEE  
ROBERT A. MCGILL  
JEFFREY M. MCGRADY  
MATTHEW S. MCGRAW  
BRIAN W. MCGUIRK  
JAMES F. MCKENNA  
SIMON C. MCKEON  
ANDREW R. MCLEAN  
MICAHAH T. MCLENDON III  
BRANDY T. MCNABB  
MICHAEL A. MCPHAIL  
RALPH L. MCQUEEN III  
DOUGLAS K. MEAGHER  
JAVIER MEDINAMONTALVO  
HOWARD V. MEEHAN  
JOSHUA M. MENZEL  
DENNIS METZ  
KELLY R. MIDDLETON  
STEVEN F. MILGAZO  
GREGORY J. MILICIC  
ALAN D. MILLER  
MAX F. MILLER  
STEPHEN J. MINIHANE  
ANDREW B. MIROFF  
DENNIS C. MONAGLE  
KENNETH E. MONFORE III  
DAVID P. MOORE  
JAMES A. MORROW  
STEVEN S. MOSS  
CHRISTOPHER L. MOYLAN  
MICHAEL G. MULLEN  
DARRIN R. MULLINS  
JOSEPH D. MURPHY III  
PATRICK J. MURPHY  
BRANDON L. MURRAY  
ALAN A. NELSON  
MICHAEL D. NORDEEN  
MICHAEL C. OBERDORF  
HEATHER L. ODONNELL  
THOMAS M. OGDEN  
MICHAEL P. ONEILL  
BRETT R. OSTER  
CHRISTOPHER J. PACENTRILLI  
JUAN C. PALLARES  
CHRISTOPHER A. PAPAIOANU  
PHILIP L. PARMLEY  
JOHN G. PARQUETTE  
JASON P. PATTERSON  
JOHN C. PATTERSON  
JOHN E. PATTERSON  
MICHAEL S. PAYNE  
RICHARD D. PAYNE  
JEREMY A. PELSTRING  
KENNETH S. PICKARD  
LEIGHTON J. PITRE  
JASON C. PITTMAN  
DMITRY POISK  
JASON R. POMPONIO  
COREY A. POORMAN  
JOHN D. PORADO  
JOHN D. PORTER  
MICHAEL M. POSEY  
MARK E. POSTILL  
CHARLES T. PRIM  
DANIEL R. PROCHAZKA  
ROBERT S. PUDNEY IV  
MICHAEL T. PUFFER  
ROBERT L. RADAK, JR.  
VICTORIO A. RAMIREZ  
DOUGLAS E. RAMSEY  
DANIEL C. RAPHAEL  
DONALD V. RAUCH  
CHAD A. REDMER  
ELIZABETH A. REGOLI  
DANIEL J. REISS  
JEFFREY M. REYNOLDS  
BRIAN A. RIBOTA  
KEVIN S. RICE  
JOHN P. RICHERSON  
JACK C. RIGGINS  
DONOVAN C. RIVERA

KEVIN E. ROBB  
 DARYL ROBBIN  
 REMY P. ROBERT  
 JOEL RODRIGUEZ  
 DARREN C. ROE  
 HENRY M. ROENKE IV  
 JASON E. ROGERS  
 SCOTT D. ROSE  
 SCOTT A. ROSETTI  
 KENNETH R. RUSSELL  
 MATTHEW D. RUSSELL  
 GARY A. RYALS  
 ERIC M. SAGER  
 ROMMEL J. SALGADO  
 PETER J. SALVAGGIO, JR.  
 ALFREDO J. SANCHEZ  
 GREGG S. SANDERS  
 TODD A. SANTALA  
 JEFFERSON P. SARGENT  
 ROBERT W. SAVERING  
 MATTHEW D. SCARLETT  
 JOHN M. SCHILLER  
 RYAN C. SCHLEICHER  
 LUKE D. SCHMIDT  
 JAMES A. SCHROEDER  
 ADAM T. SCHULTZ  
 CHAD C. SCHUMACHER  
 WINSTON E. SCOTT II  
 PAUL A. SEITZ  
 SHAUN S. SERVAES  
 GENE G. SEVERTSON II  
 TERRENCE M. SHASHATY  
 COLBY W. SHERWOOD  
 AARON F. SHOEMAKER  
 PETER M. SHOEMAKER  
 ANDREW J. SHULMAN  
 RICHARD A. SILVA  
 DAVID W. SKAROSI  
 SHARN R. SKELTON  
 ANDRIA L. SLOUGH  
 CHRISTOPHER E. SMITH  
 KENT D. SMITH  
 SUSAN J. SMITH  
 WARREN D. SMITH  
 JOSEPH W. SMOTHERMAN  
 GUY M. SNODGRASS  
 LESLIE D. SOBOLE  
 BRIAN J. SOLANO  
 KEVIN J. SPROGE  
 LANCE A. SRP  
 JASON R. STAHL  
 ROBERT STANSELL  
 MARK B. STEFANIK  
 NEIL J. STEINHAGEN  
 BRETT A. STEVENSON  
 MATTHEW A. STEVENSON  
 KELSEY P. ST. LOUIS  
 RYAN M. STODDARD  
 MICHAEL G. STOKES  
 KRISTOPHER W. STONAKER  
 ADAM H. STONE  
 GEOFFREY S. STOW  
 JOSEPH V. STRASSBERGER  
 MICHAEL L. STRONG  
 TEAGUE J. SUAREZ  
 JAMES E. SUCKART  
 MICHAEL B. SWEENEY  
 MATTHEW A. SZOKA  
 AARON M. TABOR  
 SHANE P. TANNER  
 TODD D. TAVOLAZZI  
 AARON J. TAYLOR  
 CORA C. TAYLOR  
 ERIC L. TAYLOR  
 PAUL J. TILL  
 WARREN W. TOMLINSON  
 MICHAEL H. TOTH  
 ROBERT M. TOTH  
 GERALD L. TRITZ  
 AUGUST J. TROTTMAN  
 BRADY W. TURNAGE  
 BRIAN T. TURNEY  
 BENJAMIN D. VANBUSKIRK  
 NICHOLAS A. VANDEGRIEND  
 ADRIAN F. VANDELLEN  
 JASON R. VANPIETERSOM  
 DAVID C. VEON  
 JEREMY E. VELLON  
 JAMES T. WADELLE  
 DAVID B. WADELICH  
 SCOTT A. WALGREN  
 WILLIAM J. WALSH  
 FRANCIS J. WALTER III  
 JASON L. WARD  
 CHRISTOPHER J. WARDEN  
 BRANDON W. WARREN  
 GLENN K. WASHINGTON  
 STEVEN H. WASSON  
 SCOTT A. WASTAK  
 CURTIS E. WEBSTER  
 JASON E. WEED  
 STEPHEN R. WEEKS  
 CHAD E. WELBORN  
 EDDIE F. WHITLEY, JR.  
 ROBERT G. WICKMAN  
 ADAM D. WIEDER  
 TED W. WIEDERHOLT  
 DONALD J. WILLIAMS  
 ROBERT R. WILLIAMS IV  
 JASON J. WILLIAMSON  
 MICHAEL A. WILSON  
 WILLIAM C. WIRTZ

TERRY P. WISE, JR.  
 MICHAEL D. WISECUP  
 CHRISTOPHER J. WOOD  
 KEITH C. WOODLEY  
 MATTHEW A. WRIGHT  
 RAFA K. WYSHAM  
 JEFFREY M. YACKEREN  
 TIMOTHY J. YANIK  
 BRIAN A. YOUNG  
 MICHAEL J. ZAIKO  
 TODD D. ZENTNER  
 TRAVIS W. ZETTEL  
 DAVID M. ZIELINSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

ALDRITH L. BAKER  
 CHRISTOPHER G. BRIANAS  
 JED R. ESPIRITU  
 HOWARD B. FABACHER II  
 VANESSA GIVENS  
 RICHARD A. HUTH  
 RICHARD D. JOHNSTON, JR.  
 RICHARD A. KNIGHT, JR.  
 YOLANDA K. MASON  
 KATHLEEN B. MILLIGAN  
 NINA M. NICASIO  
 SHANE D. RICE  
 ROBERT S. SMITH  
 DAVID C. WEBBER  
 ENNIS E. WILLIAMS  
 JOHN E. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

MARK A. ANGELO  
 ANDREW J. BALLINGER  
 CHRISTOPHER L. CANNIFF  
 MATTHEW A. DENISING  
 DAVE S. EVANS  
 MATTHEW W. FARR  
 CHRISTOPHER W. GAVIN  
 KATHLEEN B. GILES  
 ROBERT D. MCCLURE  
 JUDITH A. MULLER  
 JOHN D. PETERSON  
 BRIAN J. SAWICKI  
 GREGORY E. SUTTON  
 THOMAS J. M. WEAVER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

ROBERT L. BURGESS  
 BERNARD F. CALAMUG  
 KENNETH D. CAMERON  
 JAMES S. CARMICHAEL  
 FRANCINI R. CLEMMONS  
 MARC K. FARNSWORTH  
 CHRISTOPHER J. HAAS  
 JON M. HERSEY  
 JOSEPH A. HIDALGO, JR.  
 VINCEN T. W. LOGAN  
 JOSE A. MARTINEZ  
 LOUIS V. SCOTT  
 KENTARO A. TACHIKAWA  
 JACINTO TORIBIO, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

LASUMAR R. ARAGON  
 BRIAN T. BIALEK  
 REX A. BOONYOBHAS  
 THOMAS J. BRASHEAR  
 MICHAEL A. BURKHARD  
 PAUL J. COSTANZO  
 LUC D. DELANEY  
 KRISTINE M. DESOTO  
 CHRISTOPHER D. EPP  
 KEITH B. FAHLENKAMP  
 WILLIAM F. FALLIER  
 ERIC D. FELDER  
 JOHN W. GAMBLE  
 ROBERT A. GOLD  
 WESTON L. GRAY  
 CARLUS A. GREATHOUSE  
 TODD R. GREENE  
 WILLIAM L. HAGAN  
 AARON M. HAY  
 ANDREW J. HOFFMAN  
 WILLIAM E. KOSZAREK III  
 HANNAH A. KRIEVALDT  
 NATHAN E. LYON  
 KEITH G. MANNING II  
 LEE A. NICKEL  
 NICOLE K. NIGRO  
 CARL L. PARKS  
 WILLIAM P. PEMBERTON  
 MITCHELL R. PERRETT  
 THOMAS A. SEIGENTHALER  
 RANDOLPH E. SLAFF, JR.  
 SALVADOR M. SUAREZ  
 ZALDY M. VALENZUELA

TYRONE Y. VOUGHS  
 BENJAMIN A. WILDER  
 ROBERT E. WILLIAMS  
 SARAH E. ZARRO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

DENVER L. APPELEHANS  
 COREY B. BARKER  
 PAMELA S. BOU  
 WILLIAM H. CLINTON  
 RONALD S. FLANDERS  
 JAMES T. KROHNE, JR.  
 DAVID R. MCKINNEY  
 ERIK J. REYNOLDS  
 SARAH T. SELFKYLER  
 CHRISTOPHER S. SERVELLO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

ENID S. BRACKETT  
 GEORGE M. DOLAN  
 MICHAEL L. FARMER  
 LUIS M. FIGUEROA  
 LUCAS B. GUNNELS  
 ROBERT A. HOCHSTEDLER  
 COREY S. JOHNSTON  
 MATTHEW J. LEDRIDGE  
 THOMAS S. PRICE  
 GERALD JAMES M. SANTIAGO  
 KARSTEN E. SPIES  
 EDWARD A. SYLVESTER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

CHRISTINA N. GRIFFIN  
 PATRICIA K. MCCAFFERTY  
 MILAN MONCLOVICH  
 SCOTT A. OLIVOLO  
 RICK D. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

MONIQUE J. BOCOCK  
 TONY F. DEALICANTE  
 MATTHEW J. DORAN  
 SANDRA L. HODGKINSON  
 ERIC M. HURT  
 MONTE G. MILLER, JR.  
 CHARLES D. STIMSON  
 JORDAN A. THOMAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

JOHN G. CLAY  
 DEBORAH A. CURRAN  
 CAROL C. GIBSON  
 MARY L. HIATT  
 STEPHEN K. KURIGER  
 PAMELA A. MCGLOTHLIN  
 MILDRED H. OWINGS  
 STEPHANIE A. REISDORF  
 PAUL R. RUSSO  
 STEPHANIE L. SANDERS  
 DEBRA D. SOTO  
 DONALD J. STAFFORD  
 VALERIE A. STANLEY  
 SUSAN L. WALKER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

DANIEL C. ALMER  
 WALLACE A. BURNS, JR.  
 PATRICK S. HAYDEN  
 STEVEN J. LATHROP  
 ROBERT S. MARTIN  
 WILLIAM J. MAY, JR.  
 VALERIE F. PARKER  
 JEFFREY J. TRIBIANO  
 BRIAN D. WEISS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

STEVEN G. FUSELIER  
 EILEEN B. WERVE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

SEAN P. OBRIEN  
 CHARLES S. THOMPSON III



THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

TIMOTHY M. COLE  
REGINA G. MARENGO  
ANTHONY B. SPINLER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

JOHN B. BACCUS III  
CRAIG E. ROSS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

THOMAS A. J. OLIVERO  
ROBERT A. STUDEBAKER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

ERIN E. O. ACOSTA  
JOHN C. BLEIDORN  
JILLENE M. BUSHNELL  
HARTWELL F. COKE  
JOHN P. GARSTKA  
ELIZABETH M. S. HIGGINS  
JOHN M. MARBURGER  
DWIGHT E. SMITH, JR.

SECURITIES AND EXCHANGE COMMISSION

KARA MARLENE STEIN, OF MARYLAND, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2017, VICE ELISSE WALTER, TERM EXPIRED.

MICHAEL SEAN PIWOWAR, OF VIRGINIA, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2018, VICE TROY A. PAREDES, TERM EXPIRING.

DEPARTMENT OF COMMERCE

MARK E. SCHAEFFER, OF CALIFORNIA, TO BE ASSISTANT SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE, VICE LARRY ROBINSON.

CONSUMER PRODUCT SAFETY COMMISSION

ANN MARIE BUERKLE, OF NEW YORK, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2011, VICE ANNE M. NORTHP, TERM EXPIRED.

DEPARTMENT OF STATE

JAMES F. ENTWISTLE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF NIGERIA.

DOUGLAS EDWARD LUTE, OF INDIANA, TO BE UNITED STATES PERMANENT REPRESENTATIVE ON THE COUNCIL OF THE NORTH ATLANTIC TREATY ORGANIZATION, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

VICTORIA NULAND, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN ASSISTANT SECRETARY OF STATE (EUROPEAN AND EURASIAN AFFAIRS), VICE PHILIP H. GORDON, RESIGNED.

DANIEL A. SEPULVEDA, OF FLORIDA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS DEPUTY ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL COMMUNICATIONS AND INFORMATION POLICY IN THE BUREAU OF ECONOMIC, ENERGY, AND BUSINESS AFFAIRS AND U.S. COORDINATOR FOR INTERNATIONAL COMMUNICATIONS AND INFORMATION POLICY.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

WILLIAM IRA ALTHEN, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2018, VICE MICHAEL F. DUFFY, TERM EXPIRED.

NATIONAL LABOR RELATIONS BOARD

LAPE E. SOLOMON, OF MARYLAND, TO BE GENERAL COUNSEL OF THE NATIONAL LABOR RELATIONS BOARD FOR A TERM OF FOUR YEARS, VICE RONALD E. MEISBURG, RESIGNED.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

CHAI RACHEL FELDBLUM, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2018. (REAPPOINTMENT)

GENERAL SERVICES ADMINISTRATION

DANIEL M. TANGHERLINI, OF THE DISTRICT OF COLUMBIA, TO BE ADMINISTRATOR OF GENERAL SERVICES, VICE MARTHA N. JOHNSON, RESIGNED.

OFFICE OF PERSONNEL MANAGEMENT

KATHERINE ARCHULETA, OF COLORADO, TO BE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT FOR

A TERM OF FOUR YEARS, VICE JOHN BERRY, TERM EXPIRED.

DEPARTMENT OF COMMERCE

JOHN H. THOMPSON, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE CENSUS FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 31, 2016, VICE ROBERT M. GROVES, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 23, 2013:

THE JUDICIARY

MARK A. BARNETT, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE.  
CLAIRE R. KELLY, OF NEW YORK, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE.

DEPARTMENT OF STATE

DEBORAH KAY JONES, OF NEW MEXICO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LIBYA.

JAMES KNIGHT, OF ALABAMA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHAD.

THE JUDICIARY

SRIKANTH SRINIVASAN, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT.

MICHAEL KENNY O'KEEFE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

ROBERT D. OKUN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. JAMES E. MCCLAIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. DAVID L. GOLDFEIN

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COL. ROBERT C. BOLTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 9335:

*To be brigadier general*

COL. ANDREW P. ARMACOST

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. JOHN F. WHARTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. GABRIEL TROIANO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be brigadier general*

COL. JEFFREY B. CLARK

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be major general*

BRIG. GEN. JAMES A. ADKINS

*To be brigadier general*

COL. JAMES D. CAMPBELL

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COLONEL WAYNE L. BLACK  
COLONEL MICHAEL K. HANIFAN  
COLONEL DANIEL M. KRUMREI  
COLONEL ROBERT E. WINDHAM, JR.

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be major general*

BRIGADIER GENERAL MARK E. ANDERSON  
BRIGADIER GENERAL JULIE A. BENTZ  
BRIGADIER GENERAL COURTNEY P. CARR  
BRIGADIER GENERAL DANIEL R. HOKANSON  
BRIGADIER GENERAL FRANCIS S. LAUDANO III  
BRIGADIER GENERAL SCOTT D. LEGWOLD  
BRIGADIER GENERAL ROGER L. MCCLELLAN  
BRIGADIER GENERAL TIMOTHY M. MCKEITHEN  
BRIGADIER GENERAL MICHAEL D. NAVRKAL  
BRIGADIER GENERAL BRUCE E. OLIVEIRA  
BRIGADIER GENERAL CHARLES E. PETRARCA, JR.  
BRIGADIER GENERAL KENNETH C. ROBERTS  
BRIGADIER GENERAL WILLIAM F. ROY  
BRIGADIER GENERAL WILLIAM L. SMITH

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COLONEL STEVEN R. BEACH  
COLONEL KENNETH A. BEARD  
COLONEL FRED C. BOLTON  
COLONEL MICHAEL J. BOUCHARD  
COLONEL GREGORY S. BOWEN  
COLONEL MARK D. BRACKNEY  
COLONEL JOHN E. BURK  
COLONEL CHRISTOPHER M. BURNS  
COLONEL SEAN M. CASEY  
COLONEL RUSSELL A. CRANE  
COLONEL RICHARD H. DAHLMAN  
COLONEL MARC FERRARO  
COLONEL ROBERT A. FODE  
COLONEL CHRISTOPHER J. FOWLER  
COLONEL PAUL F. GRIFFIN  
COLONEL GERALD E. HADLEY  
COLONEL PATRICK M. HAMILTON  
COLONEL WILLIAM M. HART  
COLONEL ROBERT T. HERBERT  
COLONEL MARVIN T. HUNT  
COLONEL CHARLES T. JONES  
COLONEL HUNT W. KERRIGAN  
COLONEL JOHN F. KING  
COLONEL DIRK R. KLOSS  
COLONEL JEFFERY P. KRAMER  
COLONEL GORDON D. KUNTZ  
COLONEL MASAKI G. KUWANA, JR.  
COLONEL DONALD P. LAUCIRICA  
COLONEL MARK S. LOVEJOY  
COLONEL MARK A. LUMPKIN  
COLONEL ROBERT K. LYTLE  
COLONEL TAMMY J. MAAS  
COLONEL FRANCIS B. MAGURN II  
COLONEL MARK G. MALANKA  
COLONEL THOMAS R. MCCUNE  
COLONEL FRANCIS M. MCGINN  
COLONEL MICHAEL D. MERRITT  
COLONEL RICHARD J. NORIEGA  
COLONEL ROBERT D. PASQUALUCCI  
COLONEL VAL L. PETERSON  
COLONEL CHRISTOPHER J. PETTY  
COLONEL JOHN M. RHODES  
COLONEL SCOTT H. SCHOFIELD  
COLONEL LINDA L. SINGH  
COLONEL DANNY K. SPEIGNER  
COLONEL BRYAN E. SUNTHEIMER  
COLONEL MICHAEL A. SUTTON  
COLONEL STEVEN A. TABOR  
COLONEL GREGORY A. THINGVOLD  
COLONEL MICHAEL C. THOMPSON  
COLONEL KIRK E. VANPELT  
COLONEL WILLIAM A. WARD  
COLONEL STEVEN R. WATT  
COLONEL RONALD P. WELCH  
COLONEL DAVID B. WILES  
COLONEL GISELLE M. WILZ  
COLONEL JAMES P. WONG  
COLONEL JERRY L. WOOD  
COLONEL GARY S. YAPLE

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be major general*

BRIGADIER GENERAL LOUIS H. GUERNSEY, JR.  
BRIGADIER GENERAL KENNETH L. REINER

*To be brigadier general*

COLONEL STEPHEN G. KENT  
COLONEL JUAN A. RIVERA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. RICHARD J. TORRES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. MICHAEL DILLARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. DONALD E. JACKSON, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. WILLIAM T. GRISOLI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be brigadier general*

COL. JOHN M. CHO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. BRIAN E. ALVIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203:

*To be major general*

BRIGADIER GENERAL WILLIAM F. DUFFY  
BRIGADIER GENERAL RONALD E. DZIEDZICKI  
BRIGADIER GENERAL MARK T. MCQUEEN  
BRIGADIER GENERAL LUCAS N. POLAKOWSKI  
BRIGADIER GENERAL RICKY L. WADDELL

*To be brigadier general*

COLONEL STEVEN W. AINSWORTH  
COLONEL RONALD E. ASSFORD  
COLONEL JOSE R. BURGOS  
COLONEL JOHN E. CARDWELL  
COLONEL DANIEL J. CHRISTIAN  
COLONEL JOHN J. ELAM  
COLONEL BRUCE E. HACKETT  
COLONEL THOMAS J. KALLMAN  
COLONEL WILLIAM B. MASON  
COLONEL KENNETH H. MOORE  
COLONEL THOMAS T. MURRAY  
COLONEL MICHAEL C. O'GUINN  
COLONEL MIYAKO N. SCHANELY

## IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. TERRY J. BENEDICT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. (LH) JOSEPH W. RIXEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPTAIN JOHN W. V. AILES  
CAPTAIN BARRETTE BOLIVAR  
CAPTAIN DARYL L. CAUDLE  
CAPTAIN KYLE J. COZAD  
CAPTAIN RANDY B. CRITES  
CAPTAIN DANIEL H. FILLION  
CAPTAIN LISA M. FRANCHETTI  
CAPTAIN MARCUS A. HITCHCOCK  
CAPTAIN THOMAS J. KEARNEY  
CAPTAIN ROY J. KELLEY  
CAPTAIN JAMES T. LOEBLEIN  
CAPTAIN BRIAN E. LUTHER  
CAPTAIN WILLIAM R. MERZ  
CAPTAIN MICHAEL T. MORAN  
CAPTAIN CHRISTOPHER J. MURRAY  
CAPTAIN JOHN B. NOWELL, JR.  
CAPTAIN TIMOTHY G. SZYMANSKI  
CAPTAIN RICHARD L. WILLIAMS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. TIMOTHY J. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. NANCY A. NORTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. ROBERT D. SHARP

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. LOUIS V. CARIELLO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

MARK I. FOX

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

VICE ADM. MICHELLE J. HOWARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. TED N. BRANCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. SEAN A. PYBUS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. PAUL A. GROSKLAGS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

VICE ADM. SCOTT H. SWIFT

## IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. ROBERT R. RUARK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. GLENN M. WALTERS

## IN THE AIR FORCE

AIR FORCE NOMINATION OF MATTHEW J. GERVAIS, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF BRADLY A. CARLSON, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL LUCAS AHMANN AND ENDING WITH BERNARD JOHN YOSTEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

## IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH JAMES ACEVEDO AND ENDING WITH D011666, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATIONS BEGINNING WITH GARLAND A. ADKINS III AND ENDING WITH G010188, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATIONS BEGINNING WITH STEVEN J. ACKERSON AND ENDING WITH G010128, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATION OF MICHAEL B. MOORE, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH THOMAS G. BEHLING AND ENDING WITH RAYMOND G. STRAWBRIDGE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

ARMY NOMINATION OF SHERCODA G. SMAW, TO BE MAJOR.

ARMY NOMINATION OF CARL N. SOFFLER, TO BE MAJOR.

ARMY NOMINATION OF OWEN B. MOHN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH CARMELO N. OTEROSANTIAGO AND ENDING WITH JOHN H. SEOK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH BRENT E. HARVEY AND ENDING WITH JOOHYUN A. KIM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH JERRY M. ANDERSON AND ENDING WITH MAUREN H. WEIGL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH DENNIS R. BELL AND ENDING WITH KENT J. VINCE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH DAVID W. ADMIRE AND ENDING WITH D006281, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH CHRISTOPHER G. ARCHER AND ENDING WITH D011779, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH JAMES A. ADAMEC AND ENDING WITH VANESSA WORSHAM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH EDWARD P. C. AGER AND ENDING WITH JOHN P. ZOLL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

## IN THE MARINE CORPS

MARINE CORPS NOMINATION OF DARREN M. GALLAGHER, TO BE MAJOR.

MARINE CORPS NOMINATION OF DUSTY C. EDWARDS, TO BE MAJOR.

MARINE CORPS NOMINATION OF SAL L. LEBLANC, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF MAURO MORALES, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATIONS BEGINNING WITH JESSICA L. ACOSTA AND ENDING WITH MATTHEW S. YOUNGBLOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH RICO ACOSTA AND ENDING WITH ANDREW J. ZETTS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATION OF RANDOLPH T. PAGE, TO BE COLONEL.

## IN THE NAVY

NAVY NOMINATION OF JEREMY J. AUJERO, TO BE COMMANDER.

NAVY NOMINATION OF JOHN P. NEWTON, JR., TO BE CAPTAIN.

NAVY NOMINATION OF DANIEL W. TESTA, TO BE COMMANDER.

NAVY NOMINATION OF KEVIN J. PARKER, TO BE CAPTAIN.

NAVY NOMINATION OF MARIA V. NAVARRO, TO BE COMMANDER.

NAVY NOMINATION OF SHANE G. HARRIS, TO BE CAPTAIN.

NAVY NOMINATION OF LATANYA A. ONEAL, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH STEPHEN J. LEPP AND ENDING WITH JOHN C. RUDD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 6, 2013.

NAVY NOMINATION OF SARAH E. NILES, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF RICHARD DIAZ, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF TANYA WONG, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF KAREN R. DALLAS, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH RONALD G. OSWALD AND ENDING WITH NIKITA THONOV, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

NAVY NOMINATIONS BEGINNING WITH CRAIG S. COLEMAN AND ENDING WITH WILLIAM R. VOLK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

## EXTENSIONS OF REMARKS

## RETIREMENT OF DEPUTY SERGEANT AT ARMS KERRI HANLEY

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Mr. BOEHNER. Mr. Speaker, I rise today on behalf of the House of Representatives to pay tribute to Kerri Hanley, Deputy Sergeant at Arms, on the occasion of her retirement on June 30, 2013. Kerri Hanley has served the people's House with distinction since 1988, and her sound leadership, extensive institutional knowledge, and trusted guidance have been heavily relied upon by two Sergeants at Arms, House Leadership and Officers, and Members of Congress alike.

Kerri Hanley—a native of America's heartland, Mitchell, South Dakota—began her 25 years of service to the House of Representatives in 1988 with the Republican Leader of the House, Robert H. Michel of Illinois. She left the House briefly in 1989, to serve as Confidential Assistant to the Administrator, United States General Services Administration. However, she soon returned to the Office of the Republican Leader in August 1989, to serve as Deputy Press Secretary. In 1994, Leader Michel promoted her to Press Secretary and she remained in that position until he retired from the House of Representatives in January 1995. Hanley then joined the staff of incoming Sergeant at Arms Wilson Livingood as Executive Assistant. In January 2001, she was appointed Deputy Sergeant at Arms of the United States House of Representatives. As Deputy Sergeant at Arms, Ms. Hanley serves as chief of staff and together with the Sergeant at Arms she is responsible for the overall planning, organization, and implementation of all of the office's activities.

Kerri's commitment to this institution is second to none, clearly demonstrated by the variety of highly trusted positions she has held while serving the House of Representatives. Her keen insight and a practical, hands-on approach to problem solving, are the hallmarks of a consummate professional. Her natural sense of calm and whenever needed, a dose of good humor in stressful situations, have helped her to provide effective leadership and guidance during some of the most challenging times in this institution's history—in particular, 9/11 and the anthrax incident. Her tireless work over the years has helped shape the Office of the Sergeant at Arms into one of the most respected support organizations in Congress. She has much to be proud of as she reflects on her long and distinguished career, during which she has earned the respect and admiration of her peers.

I know her husband Jon—a long-time Capitol Guide Service employee who recently retired—and their two children, Christopher and

Keli, are very proud of all of her accomplishments. While we are certainly sorry to see Kerri go, I am hopeful she will now be able to devote far more time to all of them in the months and years to come.

Please join me in commending the outstanding service of Kerri Hanley to the Congress of the United States and congratulating her on her retirement. On behalf of the U.S. House of Representatives we wish you well in all your future endeavors.

IN HONOR OF A FALLEN HERO: PO 2ND CLASS TONY MICHAEL RANDOLPH—"A MAN ON A MISSION", EODT, THE UNITED STATES NAVY

HON. MARKWAYNE MULLIN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. MULLIN. Mr. Speaker, on this upcoming Memorial Day, I rise to honor an American Hero and a PO 2ND CLASS, Tony Michael Randolph, of Henryetta, Oklahoma. Last year, on July 6th, Tony was killed by a roadside bomb while traveling in a convoy in southern Afghanistan. His Strength in honor would make any American proud! And as a member of Navy's EOD Team, he had one of the most dangerous jobs in the military. He received a Bronze Star with Valor and a Purple Heart. From the early age of 12, he knew he wanted to be in the Military and serve his country. His reputation in High School and in the Military for his selfless and relentless work effort impressed all who had the pleasure to come into contact with him. Our prayers go out to him and his family on this Memorial Day and all of the thousands of families whose pain mounts. It's true, only The Good Die Young! I submit this poem penned in his honor and memory by Albert Caswell.

IN HONOR'S GRACE

In . . .  
In Honor's Grace!  
We now so see your face!  
As high above all others,  
we now you so place!  
All in how you've so lived your life,  
all in your most selfless of all sacrifice!  
As up to Heaven,  
to our Lord Tony you now so rise!  
So rise!  
As this new Angel,  
so takes flight!  
To so watch over us so day and night!  
Day and night!  
As here we so stand,  
with tears all in eyes!  
As our Hero,  
has so died!  
As we so all realize,  
what pain before your family now so lies!  
So lies!  
And that great future before you would have  
so realized!

But it's far . . . far . . . better,  
to have died for something,  
than to have so lived for nothing at all!  
As it's for you Tony,  
America's son out to you our hearts now so  
call!

For your fine short life,  
was but like a song up on high!  
NAVY STRONG!  
As A Man On A Mission,  
who to our Lord now so belongs!  
Who'd so cast his light!  
As An Angel In The Army of Our Lord,  
to so watch over us both day and night!  
Day and night!

And we will hear you on the wind,  
as you take flight!  
And we will feel you in the morning,  
as we awake all by our side!  
As you Tony were EOD,  
and as brave and as bold as could be!  
Could be!

To So Make A Difference With It All!  
Was want you so Tony wanted,  
and what you so saw!  
As you Tony,

so answered that most noble of all calls!  
That Call To Arms!  
Where only, the most courageous of all  
hearts of honor do so roam!

Moments,  
are all that we so have!  
To Grab Hearts!  
To Make A Difference With It All!  
To bring our light!  
To evil,  
to so fight!  
Goodness!

Evil!  
Darkness!  
Light!  
Those Brave Hearts,  
who evil must fight!  
Who bring their light!  
And across Oklahoma on this very night,  
as your love ones so lay their heads down so  
to sleep . . .  
there comes a gentle rain as our Lord so  
weeps!

Are his tears coming down from Heaven to so  
ease your pain!

Until, up in Heaven you all so meet once  
again . . .

And you won't have to cry no more!  
And now,  
as we so lay your fine body down to rest!  
For this our Nation Tony,  
you have so blessed!  
For it's All In Honor's Grace,  
That You Now So Rest!  
So Rest!  
Amen!

## PERSONAL EXPLANATION

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. HUDSON. Mr. Speaker, on rollcall No. 164, I was unavoidably detained off of the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

House floor at a doctor's appointment. Therefore, I was unable to cast my vote on H.R. 1412, the Improving Job Opportunities for Veterans Act of 2013.

Had I been present, I would have voted "yes".

Also on rollcall No. 165, I was unable to cast my vote on H.R. 1344, the Helping Heroes Fly Act.

Had I been present, I would have voted "yes."

And on rollcall No. 166, I was unable to cast my vote on H.R. 3234, the bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II, as amended.

Had I been present, I would have voted "yes."

RAVEN CLEVELAND

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Raven Cleveland for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Raven Cleveland is a 10th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Raven Cleveland is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Raven Cleveland for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING THE REPUBLIC OF  
AZERBAIJAN ON ITS 95TH ANNI-  
VERSARY

**HON. BILL SHUSTER**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. SHUSTER. Mr. Speaker, I ask my colleagues to join me in honoring the Republic of Azerbaijan in celebration of the 95th anniversary of Republic Day on May 28th.

Azerbaijan and the United States have developed a robust and growing relationship over the last two decades. I am extremely proud that we have established what Secretary Clinton has called "deep, important, and durable bonds between the United States and Azerbaijan."

Although located in a geopolitically tough location between Russia and Iran, Azerbaijan has consistently looked to the United States as an ally despite these difficult neighbors. A

secular country with a predominantly Muslim population, Azerbaijan has also been home to vibrant Christian and Jewish communities representing a role model for peaceful coexistence and harmony of different religions and ethnic groups.

Azerbaijan was also the first country to open Caspian energy resources to development by U.S. and European companies and has emerged as a key player for global energy security. The Baku-Tbilisi-Ceyhan pipeline project, supported by successive U.S. Administrations, is the most successful project contributing to the development of the South Caucasus region. Realization of the Trans Anatolian Pipeline (TANAP) Project between Azerbaijan and Turkey will immensely contribute to energy security in Europe by exporting Azerbaijani natural gas to the European markets.

On a security front, Azerbaijan has been a key ally in a post 9/11 era, emerging as one of the first countries to offer strong support and assistance to the United States. Actively participating in joint operations in both Iraq and Afghanistan, Azerbaijan has also extended important overflight clearances for U.S. and NATO flights and provided key supply routes to Afghanistan by making available its ground and Caspian naval transportation facilities. The transit route through Azerbaijan accounts for roughly 40 percent of the Coalition supplies bound for Afghanistan.

As the Co-Chairman of the Congressional Azerbaijan Caucus, it is my distinct pleasure to honor the Republic of Azerbaijan in celebration of the 95th anniversary of Republic Day and to recognize the valuable bilateral relationship between the United States and Azerbaijan. I also encourage my colleagues who are interested in supporting Azerbaijan to join me as a member of the Congressional Azerbaijan Caucus, a bipartisan group of more than 40 Members of Congress working to help foster the growing partnership between the United States and Azerbaijan and to advance U.S. interests in this pivotal region.

THE GREATEST GIFT IN HONOR OF  
THE FALLEN THIS MEMORIAL  
DAY THE ONES WHO GAVE THAT  
LAST FULL MEASURE

**HON. CORY GARDNER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. GARDNER. Mr. Speaker, I rise today in honor and in gratitude, for all of the fallen and their families this Memorial Day. I submit this poem penned in their honor by Albert Caswell.

THE GREATEST GIFT

The . . .  
The Greatest Gift!  
As such as this,  
is a many splendor thing!  
To lay down ones life,  
is but the brightest of all bright!  
To go off to war,  
all for your Nation . . . to so insure!  
Our freedom to so bring!  
As throughout the years . . .  
As have so come here!  
All of our most precious of all Daughter's  
and Son's,

who have so persevered!  
With courage clear,  
as the face of death upon them so appeared!  
And for all of their lost loves,  
we now hold so very high above so very dear!  
The ones who so went off to war,  
all for our freedoms to so insure!  
To do what must so be done!

For these are the ones,  
who so lived and so died and did so not ask  
why!

As the Angels up in heaven all for them so  
cried!

And, all of those families who so now live  
without!

As their pain and their heartache so seems  
to mount!

Until, up in Heaven again they all so meet  
on this you can count!

As all of their loved ones tears now so fall to  
the ground!

The Mother's! The Father's! The Sister's!  
The Brother's!

The Son's and The Daughters!  
Who together no longer so remain!  
Who so gave all that they so could!

But For The Greater Good!  
The Ones Who So Heard The Call!  
The Ones Who So Stood So Very Tall!  
To Do What Must So Be Done!

On Earth as it is In Heaven,  
In Thy Kingdom Come!  
To take up that flight,  
in The Army of Our Lord to so overcome!  
To so watch over us all day and night!

And This Is Their Blood,  
that which now so runs!  
And these are the tears,  
that which your families have now so begun!  
And these are all of their dreams that which  
will so never become!

For this is The Day . . .  
that which so all portrays . . .  
America's very heart to so everyone!  
So give thanks,  
to all of those Yanks who lie now deep in the  
cold dark ground!

On This Memorial Day,  
forget not what they all so gave!  
And the families who with their tears will all  
so pay!

As on your knees,  
I bid you please to so say a prayer for all of  
these!

Who but with their fine lives so bought us  
peace!

The ones who so lived and so died,  
while all of their families so cried . . .  
Who so fought all of those Wars which were  
waged!

With but their fine lives that they gave,  
was but the high price of Freedom paid!  
Sadly,

for any Nation to so live free!  
For any Nation to so find her most blessed  
peace!

Her most precious of all Son's and Daugh-  
ters,

must lay down into the ground so very deep!  
Is but the cruel and high cost of most pre-  
cious liberty!

North, South, West, and so East!  
On This Memorial Day,  
please . . . please . . . Remember All of  
These!

And so say a prayer!  
Amen!

ROBERTO MAESTAS

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Roberto Maestas for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Roberto Maestas is a 12th grader at Standley Lake High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Roberto Maestas is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Roberto Maestas for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING CHAPLAIN (LT. COL.)  
CHARLES CURRIE, RET.

**HON. MARSHA BLACKBURN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mrs. BLACKBURN. Mr. Speaker, there are citizens making up this great country who never cease in offering themselves to their communities while improving the quality of our lives. They are the lights of our neighborhoods and families that bring hope long after they are gone. I rise today to celebrate one such glorious light and honor the legacy of Chaplain (Lt. Col.) Charles Currie, Ret.

Chaplain Currie dedicated his life to the calling of the Almighty and in service to the country he loved. During World War II, Currie played the trombone in the 11th Airborne Division Band. He returned to the Army as a Chaplain after graduating from Dallas Theological Seminary with a Master's Degree in Theology. He preached of the goodness and hope of the Almighty at Ft Bragg, Ludwigsburg, Germany, Fort Campbell, Pajori, Bayreuth, and Nuremberg, Germany, Vietnam, and Fort Knox. He retired as a Lt. Colonel with more than 20 years of service and began to travel the world serving and leading mission trips to more than 38 countries.

From all of Judea to the ends of the Earth, Chaplain Currie's legacy will be long remembered. Mr. Speaker, the Tennessee 7th Congressional District is better for his lasting goodwill. I ask my colleagues to join with me in honoring the life and service of Chaplain Charles Currie.

HONORING CAPTAIN EMERY BURK

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. CONYERS. Mr. Speaker, I rise today in recognition of the valiant services of Captain Emery Burk and thank him, as he retires, for serving Wayne State University and wider Detroit communities for 36 years.

Captain Emery Burk is retiring from the Wayne State University Police Department after 36 years of dedicated service. Born in Detroit, Michigan, Emery Burk attended Hamtramck Public schools and then attended Michigan State University, graduating in 1975 with a Bachelor of Science Degree in Criminal Justice. Mr. Burk was hired by the Wayne State University Department of Public Safety on June 21, 1976, and started the Detroit Police Academy the same month. Upon his completion of the Police Academy, Emery was assigned to patrol, often leading his shift in arrest and other related statistics. During his patrol operations, Emery was a Field Training Officer and trained many of the officers who came through the department.

Mr. Burk was the recipient of the Valor Award for heroic service as a patrol officer. At the time, he was only the second officer in the department to receive this high award. As an officer, in addition to patrol and field training, he was also assigned to the Crime Abatement Team. He led the team to a record number of quality felony arrest and crime prevention efforts.

Captain Burk received promotions to Sergeant, Lieutenant and Captain, and currently serves as the Coordinator of Line Operations. In this capacity he has shaped and directed the Department's Comparative Statistic Model of data-driven policing, directed the campus high visibility campaign, and restructured the Field Training Program for all incoming officers.

All the while, he has worked on various university committees, including the Commencement Committee and Major Special Event Coordination Committee. In serving as Coordinator of Line Operations, he also managed the additional duties of Coordination of Auxiliary Functions, handling budget and grant management, and human resource functions.

Captain Burk has received 52 Letters of Appreciation from citizens, two Presidential Award for exceptional service to the University, a Lifesaving Award, 14 Commendations for outstanding police work, a Merit Award for exceptional service to the department, and a Valor Award for Heroic service. I applaud his career and wish him a wonderful retirement.

HONORING FATHER THEODORE  
HESBURGH

**HON. NANCY PELOSI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Ms. PELOSI. Mr. Speaker, seventy years ago, a young man was ordained as a priest of

the Congregation of Holy Cross and immediately volunteered to serve as a Navy Chaplain in World War II. At the time, duty to his church and commitments to his studies prevented him from serving in the Navy. Yet earlier this year, Father Theodore Hesburgh finally realized his dream: earning recognition as an Honorary Navy Chaplain.

This honor paid tribute to Father Hesburgh's extraordinary contributions—as a patriot of our country, as a leader of his Church, as a teacher and mentor, as a champion of the civil rights movement. He has been recognized by American presidents from Eisenhower to Obama. President Lyndon Johnson awarded him with the Presidential Medal of Freedom; President Clinton presented him with the Congressional Gold Medal, the highest honor Congress can bestow. These all paid tribute to a life that exemplified and gave meaning to the Navy Chaplain motto: "vocati ad servitium"—"called to serve."

It is only fitting that Father Hesburgh would be honored by the Navy, which has a rich history with Notre Dame. As he has noted in the past, during World War II, "The Navy came in and kept us afloat until the war was over," using the Notre Dame campus for the Midshipmen's School, constructing drill halls and headquarters at the school, and building classrooms on the site of what is now the Hesburgh Library.

Father Hesburgh was called to serve his faith and his fellow Catholics. He would take his first job at Notre Dame as chaplain for married veterans and would rise to serve as President of the University. But what he has embraced most is performing the most basic duties of a C.S.C. priest: saying mass; assisting the needy and giving voice to the voiceless; serving the poor and the abandoned, the hungry and the homeless.

Father Hesburgh was called to serve the future of our country through his leadership in the field of higher education. He led Notre Dame for an incredible 35 years, yet his imprint extended further than a single campus. He demonstrated how to transform Catholic universities into exemplary institutions of higher education in modern times. He championed academic freedom and the pursuit of academic excellence. He has earned 150 honorary degrees, more than any other person in history.

Father Hesburgh was called to serve to advance the cause of human dignity and justice in our society. Appointed by President Eisenhower to the Civil Rights Commission in 1957, he would shine a light on the need for voting rights in the south. He would become known as an architect of the Civil Rights Act. He would find himself standing hand-in-hand with Martin Luther King Jr. at Soldier Field in Chicago, singing "We Shall Overcome"—a photograph of which is proudly displayed in the National Portrait Gallery.

Known as "Father Ted" to many, he understood the purpose behind the call to service, once charging a group of graduates to "be the kind of person who not only understands the injustices of this life, but is also willing to do something about them." That is what Father Hesburgh has done every day for the past 70 years.

His students have been inspired by his message. Our country has been blessed by his

leadership. The people have been strengthened by his presence. We are all grateful that he answered the call to serve.

On the 70th anniversary of his ordination and as we approach his 96th birthday, we know that Americans will long be blessed by the legacy of Father Theodore Hesburgh.

#### PERSONAL EXPLANATION

### HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mrs. HARTZLER. Mr. Speaker, on Tuesday, May 21, 2013, I was unable to vote. Had I been present, I would have voted as follows: on rollcall No. 164, "yea;" on rollcall No. 165, "yea;" on rollcall No. 166, "yea."

### SARAH BOOTHBY

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Sarah Boothby for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Sarah Boothby is an 8th grader at Mandalay Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Sarah Boothby is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Sarah Boothby for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

#### HONORING MR. RODRIC J. MYERS UPON THE OCCASION OF HIS RETIREMENT

### HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mrs. MILLER of Michigan. Mr. Speaker, today Ranking Member ROBERT BRADY and I join together on behalf of the House of Representatives to pay tribute to Mr. Rodric J. Myers, Director of House Garages and Parking Security with the Sergeant at Arms, on the occasion of his retirement on June 14, 2013. Rod has served this institution with distinction for over 40 years—both as an officer with U.S. Capitol Police and with the Office of the Sergeant at Arms. His capable guidance, trusted mentorship, and steady leadership have been invaluable assets not only to his staff and colleagues, but to every Congressional office.

A native of Indianapolis, Indiana, Rod Myers joined the U.S. Capitol Police in June 1972. He both began and ended his career with the U.S. Capitol Police in the Capitol Division, first as a uniform patrol officer in and around the U.S. Capitol, and eventually as the Administrative Specialist for the entire Capitol Division. Rod was responsible for time and attendance for approximately 100 officers, the daily roster assignment of officers, as well as working an assignment of his own outside of his administrative duties. Rod was—as everyone who ever worked with him will attest—the man who made the trains run on time. His 29 years of service with the department were marked by a remarkable devotion to detail and a demonstration of professionalism in the highest degree.

During Rod's long tenure with the U.S. Capitol Police he had the honor of working ten Presidential Inaugurations, as well as 40 State of the Union addresses. Needless to say, he had the opportunity to meet and greet numerous dignitaries and heads of state over the years, but perhaps his most cherished moment was a visit by his beloved Dallas Cowboys football team. Rod—being the U.S. Capitol Police administrative specialist—got this assignment himself.

On July 9, 2001, Rod was appointed Director of House Garages and Parking Security with the Sergeant at Arms. Throughout the past 11 years, he has worked tirelessly to establish parking protocols and procedures that enhance both the safety and security of Members and staff. Rod has crafted a comprehensive on-going training program for all Garages and Parking Security staff, coordinating with the U.S. Capitol Police and the Office of the Attending Physician to ensure that his staff is prepared for any eventuality. He has worked closely with the Committee on House Administration over the years concerning every facet of the House parking regulations. Rod is also involved in continuity and contingency planning efforts for the Sergeant at Arms.

Rod Myers' profound compassion and deep commitment to this institution are second to none. From events such as 9/11 and the anthrax incident, to an earthquake, his gentle nature always projects a sense of assurance and calm to all who encounter him. His leadership by example and an ability to motivate are benchmarks in a long and distinguished career.

Please join me in commending the outstanding service of Mr. Rodric J. Myers, to the Congress of the United States and congratulating him on his retirement. We wish you well in all your future endeavors.

#### IN MEMORY OF MR. LONAL XELA ROBINSON

### HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. AL GREEN of Texas. Mr. Speaker, I would like to honor the memory of a gifted young man and community servant, Mr. Lonal Xela Robinson. With exceptional skill and purpose, he dedicated his life to helping those

around him and enlightening his community through the arts.

Mr. Robinson was born in Champaign, Illinois on June 24, 1979. His parents instilled within him a love for community service and an evident compassion for all of God's creatures. While in high school, Mr. Robinson achieved the prodigious feats of writing the play "CHANGE" for the National Association of Negro Business and Professional Women's Club, Inc, as well as serving as vice president in charge of programs for the organization. His play, "CHANGE," won first place in a national convention held in New York City, judged by Broadway stage casts. Mr. Robinson later attended Langston University where he distinguished himself further by founding the Langston University Theatre and Drama Club, as well as traveling the country doing mission work with the Wesley Foundation and United Methodist Church.

After graduating college, Mr. Robinson went on to lead and write for the Houston Sun. Under his leadership, the newspaper expanded its presence and embarked on bold community initiatives in Houston. He led the organization in its adoption of Emancipation Park to present back-to-school rallies and talent shows for children in the community. He started the Houston Sun Presents program, which offered educational, instructive, and entertaining programs and services to the community. Along with his work in the community and leadership of the Houston Sun, Mr. Robinson wrote two yet-to-be published works of poetry, "Pieces of Me" and "Poetry for all Seasons." He also served in various organizations: ombudsman for the National Association of Negro Business and Professional Women's Clubs, Inc. and the National Council of Negro Women. He also received a number of awards for his contributions to the community, including the 4-H Club Spirit Award, Million Men March Award, and the Houston Sun Beacon of Light: Men of Valor Award.

Finally, Mr. Speaker, Mr. Robinson will be missed dearly by a multitude of family and friends. This family includes his mother, Dorris Ellis Robinson; brother, Sirrod Robinson; two sisters, Shuronda and Dorcaus Robinson; as well as a loving extended family. Mr. Robinson will be remembered in Houston as a thoughtful and intelligent young man who used the prime years of his life to make his community a better place.

#### HONORING HEROES FOR VICTIMS 2013 CONGRESSIONAL VICTIMS' RIGHTS CAUCUS AWARDS

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. POE of Texas. Mr. Speaker, RAINN, Merced's Community Violence Intervention and Prevention Task Force, Michele Steeb, Martha Herm, LaWanda Hawkins, and Suzanne Beaudoin are six selfless individuals and organizations that have changed the lives of innumerable victims around the country.

Recently, the Congressional Victims' Rights Caucus honored these very special advocates

and organizations during our annual VRC Awards Ceremony for going above and beyond for victims.

Congressman JIM COSTA and I serve as co-chairs of the Victims' Rights Caucus.

I nominated RAINN, the Rape Abuse and Incest National Network, for the Suzanne McDaniel Award for Public Awareness. Just like Suzanne, RAINN has pioneered efforts in the victims' rights community.

RAINN was founded by my friend Scott Berkowitz. It began with the creation of the National Sexual Assault Hotline and has grown to assist and advocate for victims in a variety of innovative ways. Although Scott is from New Jersey, he's a lot like a Texan, and that is why I respect him so much.

Scott and his organization RAINN do not stop until they reach their goal. And their goal is to prevent sexual assault and serve the victims of this awful crime. RAINN never gave up advocating for the SAFER Act (Sexual Assault Forensic Evidence Reporting Act), a bill to end the rape kit backlog. This organization knows firsthand the importance of testing rape kits in order to bring justice to victims and put perpetrators behind bars. Because of RAINN's unceasing efforts, the SAFER Act was signed into law as part of the Violence Against Women Reauthorization Act earlier this year.

RAINN's National Sexual Assault Hotline has served more than 1.5 million victims, and the number of victims affected by RAINN's other services and advocacy are countless. Groups like RAINN turn victims into survivors.

Merced's Community Violence Intervention and Prevention Task Force, nominated by VRC co-chair Congressman JIM COSTA for the Lois Haight Award of Excellence and Innovation, is helping to prevent crime before it happens.

This organization is a collaboration of local leaders formed in 2006 in response to gang related violence in the Merced community.

The Task Force makes Merced a safer place by educating the community about violence, promoting character development, and providing information for families and youth.

From Gang Awareness Workshops to Merced County's first anonymous "text a tip" line, the Task Force has contributed greatly to the Merced community. Organizations like this Task Force are critical to stopping our citizens from becoming victims.

Congressman COSTA's fellow member of the California Delegation, Congresswoman DORIS MATSUI, a particularly active member of the Caucus recognized a leader in her community, Michele Steeb. Ms. Steeb, the CEO of St. John's Shelter Program for Women and Children in Sacramento received the Allied Professional Award for her dedication. Under Ms. Steeb's guidance, St. John's Shelter Program has expanded into more than just a safe place for women and children but a program to help victims thrive. The unique assistance offered like parenting classes, financial management classes, and on-the-job training empower the victims under Ms. Steeb's care to take on the world. Leaders like Michele Steeb transform the lives of crime victims.

Like Michele Steeb, Martha Herm runs a domestic violence program with innovative, community-based components that have led to the betterment of Peoria, IL for years. Ms.

Herm is the Executive Director at the Center for the Prevention of Abuse, which she has lead for many years. The Center for the Prevention of Abuse is well known and highly regarded in Congressman AARON SCHOCK's district. To honor Ms. Herm's leadership, Congressman SCHOCK nominated this hero to victims with the Ed Stout Memorial Award for Outstanding Victim Advocacy. This award honors the memory of Ed Stout, the Director of Aid for Victims of Crime of St. Louis, MO—one of the nation's three oldest victim assistance organizations—who died in 2005 following a 30+ year career of inspiring crime victims and those who serve them.

Through Ms. Herm's efforts, the Center has grown from serving mainly women and children to serving all populations and working to stop violence before it starts. In the words of Mike McCoy, the Sheriff of Peoria County, "Martha Herm is a constant voice for those in need."

LaWanda Hawkins is another one who helps those in need. Congresswoman KAREN BASS nominated her for the Eva Murillo Unsung Hero Award. Ms. Hawkins is an inspiration to her community and mothers around the country.

I won't forget the story Ms. Hawkins shared with us during the award ceremony. One day she was in her car, listening to a story on the radio about a young man that was murdered. She prayed for the young man and his family the whole car ride, only to find out later that it was her own son, Reggie. He had been tragically murdered.

Ms. Hawkins never wanted another family to feel the pain she felt when she answered the phone that day notifying her that the young man she heard about on the radio was her son. She connected with other parents who experienced similar tragedies. They realized that their cases were not being solved, and they were left out of the criminal justice process. Ms. Hawkins knew that this was not right and in 1996, founded Justice for Murdered Children. Through her organization, she provides a variety of services to families of murdered children, including legal assistance, family support groups, counseling, and community outreach and education. Not only does she continue to help aid families, but she successfully advocates for legislation to protect victims' rights.

Ms. Hawkins is a force to be reckoned with and a true champion for crime victims.

Suzanne Beaudoin is another bold woman who dedicated her life to serving crime victims. She was nominated for the Ed Stout Memorial Award by one of our newest VRC Members, Congressman MARK POCAN from Wisconsin. Like Ed Stout, Ms. Beaudoin has seen her work directly benefit survivors of crime.

Suzanne Beaudoin currently serves on the Wisconsin Crime Victims Council and has been the Director of the Victim Witness Unit of the Dane County District Attorney's Office for 20 years.

Throughout her years working in the Victim Witness Unit, she established ground-breaking programs in her community and advocated for critical victim legislation, including Wisconsin Victim's Rights Constitutional Amendment and the establishment of a local children's advo-

cacy center. We are thankful for Ms. Beaudoin and those like her who guide victims through the criminal justice system and address the needs of survivors.

The work of these determined individuals never ceases to amaze me.

America is the greatest country in the world because of people like these.

And that's just the way it is.

SAMANTHA BENNETT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Samantha Bennett for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Samantha Bennett is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Samantha Bennett is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Samantha Bennett for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mrs. HARTZLER. Mr. Speaker, on Monday, May 20, 2013, I was unable to vote. Had I been present, I would have voted as follows: on rollcall No. 161, "yea;" on rollcall No. 162, "yea;" on rollcall No. 163, "yea."

CONGRATULATING DR. DAVID J. VERDUGO, SUPERINTENDENT OF THE PARAMOUNT UNIFIED SCHOOL DISTRICT

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to recognize and congratulate Dr. David J. Verdugo on his retirement after forty years as an educator. For the last eight years, Dr. Verdugo has served as the superintendent of the 16,000 student Paramount Unified School District. He will retire in June at the end of the current school year.

Before coming to the Paramount Unified School District, Superintendent Verdugo



served at three uniquely different school districts: Spokane Public School District in the state of Washington, El Rancho Unified School District in Pico Rivera, California, and Placentia-Yorba Linda Unified School District, also in California. Dr. Verdugo has been a teacher, assistant principal, and principal, working with children grades K–12. He has also served as an assistant superintendent, where his responsibilities included school facility management, extensive involvement with budget development, implementation of technology programs, employer/employee relations, curriculum and instructional strategies and organizational development.

He is highly respected throughout the school district, the community and the education field. Dr. Verdugo is known for his strategic approach to major decisions, his communication with all stakeholders and his efforts to build a culture where individuals care about each other, resulting in a dramatic difference for students. His communications and work at Paramount Unified during the State's budget crisis resulted in everyone coming together so they could continue their efforts to benefit children, families and employees.

Dr. Verdugo has established a reputation as a leader focused on student learning and achievement. He possesses those critical skills essential to understanding and meeting the needs of students, staff, and parents. He is committed to excellence and believes that all students should be provided the highest quality of education in a safe and secure environment.

With experience serving students of diverse populations and socioeconomic levels in urban and suburban settings, Dr. Verdugo is a staunch supporter of strategic planning and believes strongly that it is essential to the success of any progressive school district.

As Superintendent, Dr. Verdugo has been instrumental in leading many of the school district's significant accomplishments, including dramatically increasing college and career pathways for students, fostering a resurgence of the arts, building new and transforming existing school facilities, and most importantly, raising the level of academic achievement of students to an all-time high.

Dr. Verdugo received his B.A. from Whitworth College in Spokane, Washington; his M.A. from La Verne University; and his Doctorate in Educational Administration from the University of Southern California. He was recognized as the 2008 ACSA Region 14 Superintendent of the Year. He also received the California State University of Long Beach Superintendent Leadership Award for 2012 and was selected as a National Governing Board Member for the American Association of School Administrators (AASA). He currently serves as President of the highly respected Southern California Superintendents' Association.

Mr. Speaker, I urge my colleagues to join me in thanking and congratulating Dr. David J. Verdugo for his many years of outstanding service to our community and our young people, and wish him many happy years of retirement.

## ANNIVERSARY OF THE IMPRISONMENT OF BAHAI LEADERS IN IRAN

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. MORAN. Mr. Speaker, this month we mark the fifth anniversary of a terrible abuse of human rights in Iran.

Seven Baha'i leaders in Iran have been in prison for five years as of May 14, 2013. They are Mahvash Sabet, Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Saeid Rezaie, Behrouz Tavakkoli, and Vahid Tizfahm.

Tragically, there are many prisoners of conscience filling Iran's jails. Our Department of State's annual Human Rights Report documents case after case of violations of religious freedom. Indeed, in Iran, a climate of hostility surrounds all non-Shia religious communities. The Baha'i as well as Sunni Muslims, evangelical Christians, and Jews are victims of discrimination and persecution.

For all the victims of this persecution, and in particular for the seven Baha'i whose grim milestone we mark this month, it is critical that we raise our voices to send a message that they are not forgotten.

These seven leaders are all members of a national-level group—the "Yaran-i-Iran" or "Friends in Iran"—which oversaw the welfare of Iran's Baha'i community. Their 20-year prison term is the longest sentence of any current prisoners of conscience in Iran.

The seven were charged with espionage, propaganda against the Islamic republic, the establishment of an illegal administration, and corruption on earth. These are typical of the false charges and misinformation used to vilify Baha'is in Iran. The defendants rejected these charges completely and categorically. Their crime is being members of the Baha'i Faith, a religion which has been the focus of systematic, government-sponsored persecution in Iran since the 1979 revolution.

The trial of the seven leaders was also the trial of an entire community of more than 300,000. For the last 30 years, more than 200 Baha'is have been killed, hundreds more imprisoned, and thousands deprived of jobs, education, and the freedom to worship.

In an act of communal self-preservation, the Baha'is created an internal university called the Baha'i Institute of Higher Education to educate those denied entry to university. It was raided in 2011 and seven educators and administrators were sentenced to four or five years' imprisonment.

In addition, some 600 Baha'is have suffered arbitrary arrests since 2004. The number of Baha'is arrested and/or imprisoned has increased dramatically in the past two years. In January 2011, 56 were in prison and 230 were awaiting trial, appeal, or sentencing; currently, there are 110 in prison and 436 awaiting the other procedures.

Followers of the Baha'i Faith, founded in Iran in 1863, are regarded as infidels and have suffered persecution both before and after the 1979 Islamic Revolution. Baha'i teachings emphasize the oneness of God, the

unity of humankind, the underlying harmony of major religions, universal education, and the equality of women and men.

I support House Resolution 109 condemning the Iranian government for its persecution of its Baha'i minority. I call on my colleagues in the House of Representatives to join in co-sponsoring this resolution and my Senate colleagues in co-sponsoring Senate Resolution 75.

**RAYANNA ROMERO**

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Rayanna Romero for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Rayanna Romero is a 9th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Rayanna Romero is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Rayanna Romero for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

## HONORING SING FOR HOPE AND THE SING FOR HOPE PIANOS PROJECT

**HON. JERROLD NADLER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. NADLER. Mr. Speaker, I rise today to recognize and commend the non-profit organization Sing for Hope, located in midtown Manhattan and dedicated to making the arts accessible to all. The Sing for Hope vision of "art for all" reflects their belief that the arts have the unique power to uplift, unite, and transform individuals and communities. They rely on the time and services donated by over 1,000 local New York City artists and performers who perform in schools, community centers and healthcare facilities. The mission of Sing for Hope is defined by the volunteer service of artists, and their belief in the transformative power of the arts.

The co-founding Directors of Sing for Hope, Camille Zamora and Monica Yunus, are internationally acclaimed opera singers who met as students at Juilliard. They established Sing for Hope in 2006 as a vehicle to encourage artists to give back to their communities. Since then, Sing for Hope has brought the magic of the arts to underserved communities throughout New York City and implemented a variety

of outreach programs serving children, senior citizens, and people recovering from illness at healthcare facilities.

This summer marks the return of a very popular program created by Sing for Hope—"The Sing for Hope Pianos." Eighty-eight colorfully decorated pianos, which symbolize the 88 keys of a piano, are placed throughout New York City's public spaces in all five boroughs, for all members of the public to play and to enjoy. After the project ends, the pianos are then donated to underresourced schools and hospitals. "The Sing for Hope Pianos" are a striking embodiment of the role the arts play in our lives, and remind us that everyone should have access to treasured cultural resources. This year's return of "The Sing for Hope Pianos" has been made possible by the dedicated generosity of several entities: Chobani, Inc., a New York State-based company led by its President & CEO, Hamdi Ulukaya, as well as the Arnhold Foundation in honor of Sissy Arnhold, the Anna-Maria and Stephen Kellen Foundation, and the Bill and Ann Ziff Foundation.

Mr. Speaker, I ask my colleagues to join me in thanking and congratulating Sing for Hope on this year's "Sing for Hope Pianos" project, as well as their ongoing dedication to volunteer service and community engagement, through encouraging greater access to the arts.

**MS. LISA TATUM, J.D. ELECTED  
FIRST AFRICAN AMERICAN  
PRESIDENT OF THE STATE BAR  
OF TEXAS**

**HON. AL GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. AL GREEN of Texas. Mr. Speaker, today I would like to acknowledge the extraordinary accomplishment of Ms. Lisa Tatum, J.D. On June 21, 2013, Ms. Tatum will be sworn in as the 133rd President of the State Bar of Texas, and thereby become the first African American to hold that position. With exceptional dedication, Ms. Tatum has risen through the ranks of the legal profession to become one of the preeminent lawyers in the State of Texas.

Ms. Tatum grew up and still resides in San Antonio, TX, the product of an Air Force veteran father and a loving mother. In 1991, she received her Bachelor's degree from Smith College before going on to receive her Juris Doctor in 1994 from Santa Clara University Law School. Ms. Tatum quickly attained distinction in the legal profession, prosecuting over a hundred cases for Bexar County's Criminal District Attorney's Office before successfully transitioning to private practice. Eventually, Ms. Tatum established her own law firm, LM Tatum, PLLC, informally known as The Tatum Law Practice, in 2011. The Tatum Law Practice primarily handles cases related to corporate, public finance, financial transaction, employment, and estate contingency planning law. In addition to her remarkable career accomplishments, Ms. Tatum is a Leadership San Antonio graduate, lifelong supporter of the YMCA, and a Rotarian.

Ms. Tatum's leadership has been consistently recognized by her colleagues: Ms. Tatum was honored with a Presidential Citation in 2006 and named a Texas Rising Star by SuperLawyers in 2007. She also served on the Board of Governors of the National Bar Association, City of San Antonio Housing Authority Commission, the San Antonio Water System Citizen Advisory Panel, and as President of the San Antonio Black Lawyers Association.

Mr. Speaker, I am pleased to have the opportunity to pay tribute to Ms. Tatum, an accomplished lawyer and public servant. She is a determined and driven individual who will bring her diverse skills and life experience to the presidency of the State Bar of Texas.

**RETIREMENT PLAN SIMPLIFICATION AND ENHANCEMENT ACT OF 2013**

**HON. RICHARD E. NEAL**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. NEAL. Mr. Speaker, today I am pleased to come before the House to reintroduce the Retirement Plan Simplification and Enhancement Act of 2013. Our current retirement plan rules are very complicated. My bill includes a number of common sense reforms that will simplify the rules while still protecting participants.

For example, under current law, small businesses that adopt a new retirement plan are eligible for a tax credit to cover some of their start-up costs. We're increasing the credit to \$5,000 to cover all of these expenses. I hope this will encourage more small employers to sponsor retirement plans.

Also, currently employers can exclude some part-time workers from participating in their 401(k) plans. As women are more likely than men to work part-time, these rules can be quite harmful for women in preparing for retirement. So my bill would require employers to allow certain long-term, part-time workers to make elective deferrals to their 401(k) plans.

My bill also reforms the Saver's Credit. The current Saver's Credit provides a tax incentive for families to save for retirement. However, because the Saver's Credit is currently non-refundable, it does not benefit those who need it most—low and moderate income households who have little or no federal income tax liability. Therefore, my bill would make the Saver's Credit refundable and also incentivize taxpayers to pay the credit into their retirement accounts.

The Retirement Plan Simplification and Enhancement Act also would establish a new automatic enrollment safe harbor. It was my legislation that established the existing safe harbor that promotes automatic enrollment in 401(k) plans. The power of inertia is a powerful tool. And automatically enrolling employees in 401(k)s unless they decide to opt out is a simple and effective way to harness this power of inertia. And my legislation has incentivized many employers to implement automatic enrollment in their 401(k) plans.

However, the current safe harbor sets a minimum default level of contributions of 3

percent in the first year. Under the existing rules, employers can set the default at a higher percentage if they want to but many employers just stick with the floor amount of 3 percent. We all know that 3 percent is not enough savings for most American families—in fact, many financial institutions recommend that employees save at least 10 percent of their salary. So my proposal would keep the existing automatic enrollment but it would create a second safe harbor. And this second safe harbor would set the minimum default contribution rate at 6 percent in the first year, 8 percent in the second year and 10 percent in all subsequent years. Now remember, employees can lower the rate if it's too high for them—but this proposal would use the power of inertia to encourage employees to save more.

Finally, my bill would help consolidate and simplify the many employee notices required by retirement plans. The current rules require retirement plans to provide employees with lots of information regarding their plans. Although well intended, it has become information overload with many employees just ignoring the many notices—or even worse, it confuses employees. My bill would direct the Secretaries of Treasury and Labor to review the current retirement plan reporting and disclosure rules and make recommendations to improve these requirements.

Let me conclude by saying that I also intend to keep working on allowing for greater disclosure to participants in an electronic manner. We certainly need to protect employees without computers or individuals who just prefer paper. However, electronic disclosure provides many efficiencies, saves participants money that could otherwise be taken from their retirement accounts, and provides easy access to educational and financial tools. And, therefore, I plan to continue working on this issue.

My legislation provides common-sense reforms that will help Americans prepare for a financially secure retirement. I urge my colleagues to join me in supporting "The Retirement Plan Simplification and Enhancement Act."

**RAFAEL RESENDEZ**

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Rafael Resendez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Rafael Resendez is a 12th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Rafael Resendez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Rafael Resendez for winning the Arvada

Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

# EAST BAY PROFILE: VETERAN OF RICHMOND'S NEIGHBORHOOD WARS CHANGES LIFE

## HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to commend my colleagues to read the following article, titled "East Bay Profile: Veteran of Richmond's neighborhood wars changes life," posted in the West County Times on May 21, 2013.

I've had the opportunity to meet this extraordinary young man, Eric Welch, a number of times, both here in Washington and in my district in Richmond, California, during visits with the City of Richmond's Office of Neighborhood Safety's Peacekeeper Fellowship program, of which Eric is a member.

Eric's only 24 years old but has had a long history of involvement with gun violence. At 14, he was almost killed in a shooting, and by the time he was 22 he had already been shot on four separate occasions. But now, he is on a new path in life now, and that is very encouraging.

I was so proud to read that this fall Eric will start classes at Tallahassee Community College in Florida, and that he hopes to later transfer to Florida A&M University. And just as exciting, Eric has been selected as a Summer Policy Fellow for the Campaign for Youth Justice in Washington, D.C. this summer where he will write for the group's blog, brief congressional committees on his experience, and work with grass-roots groups to reduce youth crime.

The Richmond ONS Peacemaker Fellowship exists to save lives—Eric is a living testament to that. It is designed to create a viable space for at-risk individuals ages 16–25 to contribute in a real way to building and sustaining community peace, health and well-being—with the express purpose of eliminating gun violence in Richmond. Time and again I'm blown away by the work these young men do to develop a positive life path forward and mentor other young men in similar situations.

I wish Eric all the best, both in Washington this summer and at school this fall. I hope his successes will serve as inspiration for many more to follow in his steps.

[From the Contra Costa Times, May 21, 2013]

EAST BAY PROFILE: VETERAN OF RICHMOND'S NEIGHBORHOOD WARS CHANGES LIFE

(By Robert Rogers)

RICHMOND.—Eric Welch's mind and heart are on a higher plane, but the street reflexes remain.

He'll be in Washington, D.C., this summer, wearing tailored suits and briefing Congress.

But for now, Welch still tenses when certain cars round the block.

He has good reason. He was shot four times before his 22nd birthday.

"At first, getting shot was a source of anger," Welch said. "Now I look back at it

differently. I wonder why I got so lucky in a place where people like me get killed all the time.

Welch, now 24 but with the weary face and measured speech of an older man, has gone from self-described "goon" and survivor of multiple episodes of gun violence to celebrated member of the Office of Neighborhood Safety's fellowship program. The program appeals to about 50 violent residents with incentives, including small cash stipends, if they give up gunplay and pick up education and job training.

The program is unique in the region, a city-sponsored department that stems violence through intervention in the lives of violent offenders. For his efforts, Welch earned an internship with the Campaign for Youth Justice, a Washington, D.C.-based nonprofit focused on juvenile justice.

Welch will serve as a "policy fellow" from June 10 to Aug. 9, writing for the group's blog, briefing congressional committees on his experience and working with grass-roots groups to reduce youth crime.

It's a far cry from Welch's teen and early adult years, a haze of neighborhood beefs and sporadic gunfire, interrupted by hospital and jail stints. He bounced between a dozen schools, toting guns when most kids still were watching Saturday morning cartoons.

Guns and violence permeated his rugged south Richmond neighborhood. It was only when he enrolled in the Office of Neighborhood Safety program after a 2010 jail stint that he turned away from crime.

"Eric is a shining example to other young people in Richmond and beyond that people can change, and in the virtue of hard work," said program director DeVone Boggan.

### CHEATING DEATH

Welch leans on a black gate in front of a California bungalow home at 26th Street and Virginia Avenue.

"This is the spot where I got shot that first time, almost died, man," Welch says, looking down the street. "I was 14."

Welch re-enacts the scene from a decade ago. He was "hanging" with another teen a few blocks from the apartment where he grew up with his mother and sister.

One block west, a car glided around the corner. Rifles poked through the windows and spit flames from the barrels, a nano-second before the crackle of gunfire.

"I don't remember the car, just the flame spit out in the night; it was AK-47s," Welch said.

Welch and his friend dove to the sidewalk and crawled for cover.

"The bullets was whistling by, and ricocheting all over the concrete, too," Welch said.

The pain was an intense heat, Welch remembered. A large-caliber slug struck Welch underneath his left arm, collapsing his lung and breaking his clavicle. Welch's friend was hit in the hip. The car screeched away.

"Lot of blood, out my mouth, out my chest. I thought I was going to die," Welch said. "I couldn't breathe."

Three scars mark his upper torso. One is the entry point near his armpit. One is the spot in his side where doctors plunged a tube to help him breathe. The exit wound is on his back, knotted into a mound of dark scar tissue the size of a golf ball.

### LOW POINTS

Welch survived, but his innocence didn't.

"After that, I was bouncing around schools, just living the neighborhood life," Welch said. "I was angry. I was vengeful."

His drive for vengeance intensified after the 2006 killing of Sean "Shawny Bo"

Melson, a pint-size 15-year-old police say was a charismatic, up-and-coming neighborhood leader. To this day, odes to "Shawny Bo" and old photos are posted on social networking sites.

Welch and other friends vowed to "keep it lit" for Melson, meaning to exact retribution on rival neighborhoods they blamed for his death.

Welch was shot three more times, in both ankles, the buttocks and the hip. He declines to get into specifics but admits he has been involved in "shootouts."

"I have a chance at a peaceful life; I just don't want to die or go to jail when I am so close."

Welch said that in Richmond's toughest neighborhoods, violent deaths of relatives and friends, shootouts and close calls "hang over everything."

### THE FUTURE

The mere notion of a future is a far cry from where Welch has been.

"Eric was on his way to prison or death, for sure," said Sam Vaughn, an Office of Neighborhood Safety neighborhood change agent who has worked closely with Welch. "Where he is now, about to go to college, is a miracle given what he's been through."

Welch spends little time in the old neighborhood, knowing he could lose it all in an instant.

He plans to attend Tallahassee Community College in Florida in the fall, and he hopes to transfer to Florida A&M University. But first, he's on his way to the Capitol.

"I am really looking forward to a new start, a place where I can be by myself and focus and not worry about my past catching up with me," Welch said. "I feel alone here, in my neighborhood. My friends are mostly dead or incarcerated."

## OUR UNCONSCIONABLE NATIONAL DEBT

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,787,282,992,090.73. We've added \$6,160,405,943,177.65 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

### SANDY MATA

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Sandy Mata for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Sandy Mata is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Sandy Mata is exemplary of the type of achievement

that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Sandy Mata for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING MINNESOTA STATE  
REPRESENTATIVE KAREN CLARK

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Ms. McCOLLUM. Mr. Speaker, I had the honor of serving as a member of the Minnesota House of Representatives for eight years prior to being elected to Congress in 2000. One of my Democratic-Farmer-Labor Party colleagues from Minneapolis, State Rep. Karen Clark, was a constant and vocal champion for social justice, economic opportunity, environmental sustainability, and human rights. State Rep. Clark continues to serve in the Minnesota House, having just completed her thirty-third legislative session. Karen's passion, determination, and commitment as a legislator were recently displayed for the entire nation to admire as she authored legislation and lead the push for marriage equality. That legislation passed the legislature, was signed into law, and now Minnesota is the twelfth state in the union to legalize same sex marriage.

Today, the White House is recognizing the achievements and contributions of ten openly lesbian, gay, bisexual, and transgender (LGBT) public officials from across the United States. One of those officials being honored is State Rep. Karen Clark, who will join a distinguished group of leaders named "Harvey Milk Champions of Change." This is a tremendous honor for Karen and I want to extend my heartfelt congratulations on this well deserved recognition.

Throughout her career, Karen Clark has advocated and given voice to the issues and hopes of gay, lesbian, bisexual and transgender Minnesotans. As the longest serving openly lesbian state legislator in the country, Karen has battled against discrimination, hate-crimes, and intolerance faced by LGBT Americans, yet she has always conducted herself with a spirit of openness, kindness, and courage. Karen has dedicated three decades to improving the lives of LGBT Minnesotans, but also all families in her South Minneapolis district. From LGBT youth to new African or Latino immigrants, low-income families to Native American women, Karen Clark has always been on the side of making government work for people to improve their lives.

Again, I would like to extend my congratulations and the shared sense of pride many friends, colleagues, and constituents of Karen feel as she is recognized by President Obama for her leadership. State Rep. Karen Clark is truly a national leader for LGBT Americans and a champion for all Minnesotans.

TRIBUTE TO BENTON AND SANDI  
MARKS

**HON. TODD ROKITA**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. ROKITA. Mr. Speaker, I rise today to recognize an exceptional Hoosier couple, Mr. Benton and Mrs. Sandi Marks, who are being honored with the 2013 HAI-Life Distinguished Service Award by Hasten Hebrew Academy of Indianapolis. This honor is well-deserved because of their many years of philanthropic service to the Indianapolis Jewish community, as well as to the broader community.

Mr. Marks joined the Hasten Hebrew Academy Board of Directors in 1997 and has served in a number of leadership positions, including as president of the school. In the 1990s, he was president of the Bureau of Jewish Education and is the only person in the Indianapolis Jewish community to serve as president of both educational institutions. Mr. Marks also served as the president of the Jewish Federation and as Campaign Chair a record five times. He also was chairman of State of Israel Bonds for three years. Mr. Marks has served as a member of the Indiana Judicial Nominating Commission, and has donated his time locally to United Cerebral Palsy, Indiana Building Owners and Managers Association, and the Indiana Chapter of the Brown University National Secondary School Committee.

Mrs. Marks has devoted her life to education, serving on the Hasten Hebrew Academy Education Committee and as a board member of the school. She recently retired from Washington Township Schools but continues to serve the district as a school psychologist. She is a member of several women's organizations in our community and works with the Great American Songbook Initiative at the Center for the Performing Arts in Carmel. Mrs. Marks is also a trusted friend and confidant of mine on education issues in my capacity as chairman of the Subcommittee on Early Childhood, Elementary, and Secondary Education.

Mr. and Mrs. Marks are wonderful entrepreneurs, philanthropists, and friends. I am honored to know them and look forward to our continued friendship. I know they will continue to serve as leaders in our community for many years to come.

IN RECOGNITION OF LUZERNE  
COUNTY HEAD START, INC. FOR  
DEDICATED AND SELFLESS  
SERVICE TO THE COMMUNITY

**HON. MATT CARTWRIGHT**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Luzerne County Head Start, Inc. for recently celebrating its 48th Anniversary on Monday, May 20, 2013. For nearly half a century, the program has been serving Luzerne County and Wyoming County by pro-

viding quality prekindergarten education to children who come from low-income families. Head Start teachers work with children, and their families, to help them set the foundations for success in school and in later life.

Head Start is unique in its comprehensive approach to the needs of children and families. Currently Luzerne County Head Start provides 1,037 children with early learning education. In addition to creating an environment for early academic development, Head Start also provides an environment for healthy early physical development. Children that attend Head Start receive health checkups, oral screenings and nutritious meals. The Head Start faculty also teaches their students about comprehensive health and nutrition, giving them the knowledge they will need to make the right choices about the food they eat.

Head Start also focuses on the whole family unit, not just the child. One primary goal of the program is to move preschool children and their families toward self-sufficiency. Parents are assisted with a wide range of family needs including housing and employment, as well as adult education. Head Start offers assistance to parents interested in obtaining a high school General Equivalency Diploma or other adult education and employment opportunities.

Head Start works with children at a critical learning age. The children begin to socialize with others, solve problems, and have other experiences that help them to become self-confident. I commend the Luzerne County Head Start program for their continuing service to the community. I thank them for being a valuable educational asset to the community these past 48 years, and I wish them all the best in the future.

ROSELINE MUGARUKA

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Roseline Mugaruka for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Roseline Mugaruka is an 11th grader at Standley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Roseline Mugaruka is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Roseline Mugaruka for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PENNY FREDERICK RETIRES  
AFTER 25+ YEARS OF PUBLIC  
SERVICE

**HON. CHARLES W. BOUSTANY, JR.**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. BOUSTANY. Mr. Speaker, I rise today to honor the service and career of Penny Angelle Frederick. For the last 25 years, she has served the people of South Louisiana for three Members of Congress as a dedicated Congressional staffer.

Penny began her career in public service working as a legislative assistant for Louisiana State Representative Harry L. Benoit. She then worked with U.S. Representatives James "Jimmy" Hayes and Chris John of South Louisiana. In January of 2005, Penny joined my staff as a constituent service representative. From Day One, Penny has been a great resource to the Third Congressional District of Louisiana. Her knowledge and guidance provided my office with a strong foundation to build on. Her personality and reputation have forged many bonds across South Louisiana. I will miss her ability to provide help and insight to constituents and most importantly, to me.

As Penny enters retirement, I would like to thank her for the work she's done as a public servant. However, I am positive her husband, Kendall, and daughters, Abbey and Lindsey, will be happy to have her around a little more. Penny, I wish you nothing but the best as you enter this next phase of your life and hope you know how grateful I am for all of your hard work over the course of these many years.

IN HONOR OF COLORADO STATE  
SENATOR PAT STEADMAN

**HON. DIANA DeGETTE**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Ms. DeGETTE. Mr. Speaker, I rise to recognize Colorado State Senator Pat Steadman, who today was honored by the White House as a "Harvey Milk Champion of Change" for his commitment to equality and public service.

Pat has championed equality for LGBT Coloradans for over 20 years. While studying at the University of Colorado School of Law, Pat fought against ballot issues that targeted gay, lesbian, bisexual and transgender communities. After law school, Pat worked to oppose Amendment 2 on the 1992 Colorado general election ballot. When that anti-gay amendment passed, Pat co-founded the non-profit organization that spearheaded the lawsuit to challenge the constitutionality of Amendment 2; the case eventually went all the way to the Supreme Court. This landmark case *Romer v. Evans* declared Amendment 2 unconstitutional and established the first major court precedent protecting the equal rights of LGBT Americans.

In 2009, Pat was selected to fill the vacant Colorado Senate seat in the 31st District. Since that time, he has worked hard to protect and defend the rights of all his constituents

and continue his fight for equality. Last year, his partner of many years Dave Misner was diagnosed with pancreatic cancer and died in September after a brief battle. Dave was also a champion for equality, and I know he would have been so proud when this year Pat introduced for the third time the Colorado Civil Unions Act, which legalized civil unions for any two unmarried adults, regardless of gender. This landmark was signed into law by Governor John Hickenlooper on March 21, 2013. I was honored to be able to perform some of the first civil union ceremonies in Denver earlier this month. The joyful celebrations reinforced the fact that Pat has achieved extraordinary things that empower and inspire his fellow Coloradans. And I know Dave would be even more proud of Pat today.

Yesterday, Pat visited the Jefferson Memorial in Washington, D.C. and shared online his favorite inscription at the Memorial. On the southeast interior panel, he was moved by an inscription from an 1816 letter by Jefferson to a friend that reads: "I am not an advocate for frequent changes in laws and constitutions. But laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions change, with the change of circumstances, institutions must advance to keep pace with the times. We might as well require a man to wear still the coat which fitted him when a boy as civilized society to remain ever under the regimen of their barbarous ancestors."

Pat, your service to Colorado has embodied this quote, as you work to keep our laws and institutions moving hand in hand with progress. On behalf of a grateful state, thank you.

IN HONOR OF SECOND  
LIEUTENANT LUTHER MCLWAIN

**HON. NIKI TSONGAS**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Ms. TSONGAS. Mr. Speaker, today I rise to recognize and pay tribute to Second Lieutenant Luther Mclwain, of the United States Army Air Corps' famed Tuskegee Airmen. Mr. Mclwain recently passed away at the age of 91 and I seek to honor him for his dedicated service to the United States as an airman escorting bombers during World War II.

Lieutenant Mclwain was born in Blaine, South Carolina. His family moved to Lawrence, Massachusetts when he was two and he lived there until his graduation from Methuen High School in 1939. He attended college at Allen University in Columbia, South Carolina. Upon graduation, he sought to join the military in order to serve his country at a momentous time. On his first attempt, military recruiters ridiculed him for his desire to become a pilot. He was repeatedly told that he would not be able to fly because of his race. Undeterred, Luther enlisted in the Army Air Corps in 1943 and ultimately became an aviator with the famed Tuskegee Airmen.

The Tuskegee Airmen were a group of soldiers who continuously placed their country's

needs above their own, often in the face of extreme adversity. Due to the segregation of the military at the time, the Tuskegee Airmen were routinely subjected to racial discrimination from their fellow service members and civilians alike. This never dissuaded their devotion to their duty or their Nation. They chose to pursue difficult training, knowing it would ultimately place them in direct confrontation with enemy combatants. Luther Mclwain proudly stood as a member of this elite unit.

Luther Mclwain fought in the skies above Europe and North Africa with bravery and distinction. He continued to place others first by serving as an instructor during the war, training nearly one thousand aviators in his unit. Shortly after WWII, Mr. Mclwain was honorably discharged. He went on in his great tradition of service after the war by serving 22 years on the New York City Police Department.

In 2007 he was awarded the Congressional Gold Medal by President Bush. The ceremony was held in the U.S. Capitol, and Mr. Mclwain, along with nearly three hundred surviving members of the Tuskegee Airmen and their families, accepted the award on behalf of their departed colleagues.

Today, we honor Second Lieutenant Luther Mclwain for his lifetime of exemplary service, especially during WWII as a member of the legendary Tuskegee Airmen, who, undeterred by the rampant racism and prejudice of the time, sought to place their country above all else and paved the way for desegregation of our Armed Forces.

SAVANNAH GALLEGOS-ALEXUS

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Savannah Gallegos-Alexus for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Savannah Gallegos-Alexus is a 7th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Savannah Gallegos-Alexus is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Savannah Gallegos-Alexus for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

MAY IS MOTORCYCLE AWARENESS  
MONTH**HON. TIM GRIFFIN**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. GRIFFIN of Arkansas. Mr. Speaker, as Co-Chair of the Congressional Motorcycle Caucus and a motorcycle enthusiast, I rise today in support of Motorcycle Awareness Month, which is celebrated each May.

With more than 27 million motorcycle riders today, and that number steadily increasing, being mindful of other types of road and highway users is critical for everyone.

This is especially the case as the weather is warming up and more motorcycle riders are hitting the road.

Drivers' failure to see motorcycles is one of the leading causes of motorcycle crashes, and the prevalence of distracted and inattentive driving poses a significant threat to motorcycle riders.

I urge vehicle drivers to check mirrors and blind spots and actively look for motorcycles—especially at intersections. Taking that brief moment can mean the difference between life and death for motorcycle riders and vehicle drivers alike.

I also encourage my fellow motorcycle riders to take appropriate safety precautions by practicing safe riding techniques and wearing appropriate safety equipment.

The goal is to get all road and highway users to their destinations without incident.

Let's work together to make this a reality.

RECOGNIZING THE 95TH ANNIVERSARY  
OF THE REPUBLIC DAY OF  
AZERBAIJAN**HON. STEVE COHEN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. COHEN. Mr. Speaker, I rise today to honor the people of the Republic of Azerbaijan—as they are celebrating the 95th anniversary of the Republic Day on May 28.

The Republic Day commemorates the day Azerbaijan first declared independence from the Russian Empire on May 28, 1918. Though the independence of the Republic of Azerbaijan was ended by occupying Soviet forces in 1920, in its 2 years of independence Azerbaijan made important accomplishments on state-building, armed forces, education, their economy, and universal suffrage, from which it benefits today.

Following the collapse of the Soviet Union, Azerbaijan restored its independence in 1991. Parliament adopted the Constitution Act on the Restoration of the State of Independence of the Republic of Azerbaijan on October 18, 1991.

The last two decades of independence has not been without challenges. The territorial integrity of Azerbaijan was violated and the Nagorno-Karabakh and seven surrounding regions of Azerbaijan have been occupied by neighboring Armenia. In 1993 the UN Security

Council adopted four resolutions demanding complete, unconditional, and immediate withdrawal of Armenian forces from the occupied territories of Azerbaijan. I am happy that Azerbaijan is committed to peaceful resolution of the conflict with Armenia, and I support a swift, peaceful resolution to this conflict, as well.

Azerbaijan is a key global security partner for the United States. Azerbaijan has extended important over-flight clearances for U.S. and NATO flights to support ISAF and has regularly provided landing and refueling operations at its airports for U.S. and NATO forces. Also, Azerbaijan plays an important role in the Northern Distribution Network, a supply route to Afghanistan, by making available its ground and Caspian naval transportation facilities. Azerbaijan was also the first predominantly Muslim country to send troops to Iraq.

Azerbaijan has opened Caspian energy resources to development by U.S. companies and has emerged as a key player for global energy security. The Baku-Tbilisi-Ceyhan pipeline project is the most successful project contributing to the development of the South Caucasus region and has become the main artery delivering Caspian Sea hydrocarbons to the U.S. and our partners in Europe. Notably, Azerbaijan also provides roughly 40% of Israel's oil consumption. Azerbaijan is considered a leading initiator of the Trans Anatolian Natural Gas Pipeline (TANAP) which will open up the Southern Gas Corridor to Europe. As a co-chair of the Congressional Azerbaijan Caucus, I congratulate the Republic of Azerbaijan on the Republic Day. I believe we will continue to work with them to advance our partnership which benefits both the U.S. and Azerbaijan. I look forward to further collaboration between our two nations.

## HONORING BOB J. McDONALD

**HON. JEB HENSARLING**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. HENSARLING. Mr. Speaker, today I would like to recognize Mr. Bob McDonald from Athens, Texas. Mr. McDonald is to be commended for his work to support and maintain the historic Athens Cemetery in Henderson County, Texas.

A retired engineer, Mr. McDonald began his work at the cemetery at a time when it was badly in need of refurbishment. He designed and oversaw the installation of a new sprinkler system, a new brick entry and wrought-iron fencing, a columbarium, and numerous other improvements. For more than fifteen years, he has played a vital role in the cemetery's operation, serving as treasurer, public liaison, and overseer of the grounds.

Mr. McDonald also spearheaded efforts to research and classify the cemetery's interments so that visitors could easily find the graves they sought. He also created a roster of veterans buried at the cemetery that dates back to 1850, which is sorted according to the conflict in which the veterans served.

Mr. McDonald also volunteers his time at the East Texas Arboretum, and is a former

member of the Trinity Valley Community College Board of Trustees. He was honored as the Athens Citizen of the Year in 1999.

I would like to take this opportunity, on behalf of the entire 5th Congressional District of Texas, to thank Mr. Bob McDonald for his dedicated philanthropy to the citizens of Henderson County, Texas.

IN HONOR OF THE QUAKERTOWN  
BUSINESS AND PROFESSIONAL  
WOMEN'S CLUB**HON. MICHAEL G. FITZPATRICK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. FITZPATRICK. Mr. Speaker, the Quakertown Business and Professional Women's Club celebrates its 60th anniversary on May 28, 2013. The diverse group of working women came together in January 1953, setting a goal of equity and economic self-sufficiency for women by elevating standards, promoting their interests and bringing about a spirit of cooperation among business and professional women in Quakertown.

Club members provide support for local organizations: St. Luke's Hospital, Children's Developmental Center, Quakertown Community Day, Quakertown Alive, YMCA and A Women's Place.

Also, they proudly participate in the March of Dimes Walk, American Cancer Society, Relay for Life, Quakertown Cares, Quakertown Food Pantry, and the Sarah Parvin Soccer Fest.

The club annually awards two \$1,000 scholarships to graduating seniors at Quakertown Community High School.

Congratulations to the Quakertown Business and Professional Women's Club for inspiring women to achieve their personal goals and contribute to the greater community.

THE GROWING CRISIS IN AFRICA'S  
SAHEL REGION**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. SMITH of New Jersey. Mr. Speaker, yesterday, the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, which I chair, held a hearing that examined the challenges faced by the nations of Africa's Sahel region, especially the spread of terrorism and drug trafficking in the area. These problems alone pose a danger to the security of both the Sahel and developed countries, not only because of air traffic to West Africa that transits northern Mali, but also because of the use of the region as a base of attacks by Islamic extremists on Western targets. Moreover, the preexisting humanitarian crisis is now worsened, as are human rights concerns. The underlying political instability is becoming equally serious.

We held the hearing as a joint session because the threat we face goes beyond the jurisdiction of one subcommittee. It involves not

only Africa's Sahel region, but also countries in North Africa, specifically Algeria and Libya. It also involves terrorist groups originating from and based in nations outside the Sahel. It is a sign of how seriously the Foreign Affairs Committee considers this matter that our three subcommittees have come together today to consider this matter.

There are various definitions of the Sahel, but for the purpose of the hearing, we meant the nations of Senegal, Mauritania, Mali, Burkina Faso, Niger and Chad.

In early 2012, the Government of Mali was overthrown in a military coup and subsequently lost control of the northern area of the country, which constitutes more than half of its land area. Mali had long been considered a stable example of African democracy, but as we learned in our Subcommittee's hearing in June 2012, the coup and resulting loss of so much territory revealed a hollowness and rot within the Mali democratic system. The influx of well-armed terrorist groups, broken promises to neglected ethnic groups, lack of adherence to democratic principles and rampant drug smuggling all made the Mali government vulnerable to breakdown. We must ask now whether other countries in Africa's Sahel region are also more vulnerable than we think.

Mali provided a staging ground for al-Qaeda in the Islamic Mahgreb, or AQIM, which is daily becoming an ever-greater threat in the region and perhaps globally. AQIM is considered the best funded of all al-Qaeda affiliates and, through its ties to other terrorist groups, may be funding their activities as well.

In a July Subcommittee hearing last year, we learned that Boko Haram in Nigeria is not a unified organization, but rather various factions—some of which are focused on embarrassing the Nigerian government, but others that have a more global jihadist view. It is the latter that have been present in northern Mali and pose a threat to Western interests. Boko Haram attacks led Nigerian President Goodluck Jonathan last week to declare a state of emergency in three northern states in his country. A radical Boko Haram splinter group, known as Ansaru, may have attacked Nigerian troops en route to the peacekeeping operation in Mali.

In Mali, three terrorist groups dominate the rebellion that split off the North: MUJWA, a splinter group of AQIM; Ansar al Deen, an Islamist Tuareg rebel group, and the MNLA, a more secular Tuareg group. These groups have different aims and sometimes clash with one another. Nevertheless, they collectively have posed and continue to pose a threat to the peace in Mali and the region. As a result of the rebel actions in northern Mali, there currently are more than 300,000 internally displaced persons in Mali, more than 74,000 refugees in Mauritania, 50,000 refugees in Niger and nearly 50,000 refugees in Burkina Faso. The displacement of nearly half a million Malians strains already-scarce resources in the Sahel, with aid recipients often in remote areas.

French forces were able to forestall a rebel advance into southern Mali earlier this year, and an African military contingent is in the process of being deployed to Mali even now. However, chasing rebels out of Mali's major northern towns will be easier than ending on-

going terrorist attacks or reconciling ethnic groups whose enmity has grown over the last year.

#### TRIBUTE TO JANE MARKS

### HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mrs. CAPITO. Mr. Speaker, I rise today to recognize Jane Marks for her years of work helping families affected by Alzheimer's disease, not only in West Virginia, but across the United States of America.

Jane Marks joined the Alzheimer's Association, West Virginia Chapter in 2001 as Executive Director and has been serving in the role as a tireless advocate ever since. Through her work with the State chapter, Jane has raised the association's profile by expanding their programmatic reach and championing various policy initiatives.

Recently, Jane served on the 2012–2014 Alzheimer's Association Strategic Plan Steering Committee, which aimed to aggressively advance their mission to eliminate Alzheimer's disease. In addition, she presented at the White House Conference on Aging Solutions Forum and has testified at numerous legislative committee hearings. Jane has also developed a wide variety of training and curriculum for families and caregivers, focusing on all facets of Alzheimer's, from caring for the baby boomer generation to a new extended learning course in partnership with West Virginia University.

On May 23, Jane Marks will receive the 2013 Rockefeller Award for her outstanding support and dedication to the cause of Alzheimer's disease in West Virginia, and indeed, throughout the United States. Jane is truly deserving of this honor, as thousands of Alzheimer's families, including my own, have her to thank for many years fighting this disease and helping those affected by it. After twelve years as Executive Director, Jane will be retiring June, however, she will remain a passionate advocate for everyone facing this terrible disease.

Jane lives in Charleston with her husband, John. She has two children, John Thomas and Elizabeth, and is expecting her first grandchild in just a few weeks.

Mr. Speaker, the State of West Virginia, the United States of America, and my own family owe Jane Marks a sincere and heartfelt thanks for her tireless service to everyone affected by Alzheimer's disease.

#### HONORING THE MEMORY OF LANDSMAN WALTER P. JOHNSTON

### HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mrs. WALORSKI. Mr. Speaker, today I wish to honor Civil War Medal of Honor recipient Landsman Walter P. Johnston.

At the young age of 13, Landsman Johnston bravely enlisted in the United States Navy. He

was assigned to the USS *Fort Hindman*, a steamboat built in Jeffersonville, Indiana. During an engagement near Harrisonburg, Louisiana, Landsman Johnston suffered a severe hand wound that dramatically impaired his physical condition. Despite his horrendous injury, Landsman Johnston bravely took the place of another seaman to sponge and lead one of the cannons against the Confederate forces. The USS *Fort Hindman* was severely damaged in the battle, but thanks to the heroism of Landsman Johnston and his fellow sailors, the ship lived to see another day. After serving in the Navy, Landsman Johnston moved to La Porte, Indiana where he worked in the broom manufacturing business, until he passed away on May 8th, 1888 at the age of 39.

Too often, the heroic tales of our Nation's brave servicemen are lost to the back pages of history. Thanks to the hard work of Ms. Colleen Malinowski and the Sons of Union Veterans of the Civil War, Landsman Walter P. Johnston's legacy has been revived. Landsman Johnston leaves behind an incredible legacy that will live on to inspire many Hoosiers. His life is a testament to the American fighting spirit that still lives on in all our men and women currently serving in the Armed Forces.

I am honored to recognize the selfless heroics of Landsman Walter P. Johnston. Joining Hoosiers across the State, we remember his brave actions that helped preserve the lives of his fellow sailors, and the Union.

#### HONORING THE KENTUCKY HEADHUNTERS

### HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. WHITFIELD. Mr. Speaker, what began in 1968 as family members joining together to play in an old house on their farm in Metcalfe County, Kentucky, eventually grew to become the Grammy-winning group, the Kentucky Headhunters.

Recognized by the Country Music Association, Academy of Country Music, and American Music Awards, the Kentucky Headhunters share elite company with other legends such as Bill Monroe, The Everly Brothers, and Loretta Lynn in the Kentucky Music Hall of Fame.

Like several other leading bands, the road to success for this small-town group was paved with various stumbling blocks and changes in course, but eventually they found their way and in doing so established their own brand of music.

In honor of this journey, quite fittingly, new signage will be unveiled today proclaiming Highway 640 in Metcalfe County "The Kentucky Headhunter Highway."

Also, in conjunction with this, Metcalfe County Judge Executive Greg Wilson and Mayor Howard Garrett will sign a proclamation declaring today "Kentucky Headhunter Day" in Edmondson/Metcalfe County.

As business owners and residents throughout this community come together to celebrate



this occasion, I too wish to recognize the accomplishments of band members Richard Young, Fred Young, Greg Martin, and Doug Phelps.

Forty-five years after first assembling in that farmhouse in rural Metcalfe County, a permanent marker will now stand to remind travelers of the road to success for this enduring band. May it also seek to inspire others to follow their dreams and never give up on their own pursuits.

**NOW THERE ARE FIVE TEAMS  
FROM VANDALIA CHRISTIAN  
SCHOOL CALLED CHAMPIONS**

**HON. HOWARD COBLE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. COBLE. Mr. Speaker, Vandalia Christian School in Greensboro, North Carolina, wrapped up its spring sports season with two more championships—girls soccer and boys baseball. I say two more because this past fall, Vandalia Christian won State championships in boy's basketball, boy's soccer, and cheerleading. It is a year unlike any other, five championships for one school from the Sixth District of North Carolina.

The boy's baseball team finished the regular season with an impressive 15-game-winning streak. This was the first time in school history that the boys won championships in soccer, basketball, and baseball in the same school year. A ton of credit can be given to VCS triple threat athlete, Houston Miller, who was a part of all three championship squads and pitched for the Vikings throughout the season. On May 10, Vandalia defeated Wilson Christian, 8–3, for the championship. This was the boy's baseball second championship in the past two years under Coach Luke Oates. Those who assisted Coach Oates included Assistant/Pitching Coach Ryan Nelson, Statistician Alyce Lentz, and Bookkeeper Laura Joyce. The team roster include the aforementioned Houston Miller, Michael Matthews, Nathaniel Hobbs, Josh McClellan, James Waggoner, Jasper White, Noah Joyce, Ethan Willis, Brayden McMillan, Jordan Mitchell, Bryson Gordon, Jacob Cable, Hunter Miller, Tyler Crook, Matt Hobbs, Henderson Lentz, and Rex Atkins.

On May 11, the Vandalia girls won the State soccer crown with their win over Wilmington Christian after the game came down to a series of penalty kicks (PKs). Katelyn Roop scored in regulation for the Vikings, while Allison Garner, Sydney Mitchell, and Laurie Powell scored the penalty kicks. The Vikings went three for four in PKs while VCS goalie Makayla Miller stopped three of four PKs by Wilmington Christian. The team was led by Head Coach Bobby Kaiser and Assistant Kristen Kaiser. The championship squad includes Katie Talkington, Laurie Powell, Melissa Pando, Ashley Pollard, Sydney Mitchell, Cristan Lewis, Abby Pack, Addy Hargett, Rene Burton, Lauren Chestnutt, Kalie Hazelwood, Elizabeth Fondow, Courtney Wood, Kara Smith, Whitney Dickens, Jill Georgevich, Allison Garner, Madison Ellis, Katie White, Makayla Miller, and Katelyn Roop.

Everyone who calls themselves a Viking should be rightfully proud of the five State championships this year. Congratulations to Principal Jeremy Cordova, Athletic Director Luke Oates, the faculty, staff, students, and particularly, the athletes of Vandalia for winning five sports crowns this year. The citizens of the Sixth District of North Carolina are proud to say that we are the home of the champions from Vandalia Christian School.

**HONORING CHAIM WEIZMANN**

**HON. LARRY BUCSHON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. BUCSHON. Mr. Speaker, I rise today to honor a man with considerable ties to the 8th District of Indiana and the first President of the State of Israel, Chaim Weizmann.

Weizmann was born in Poland in 1874 and became an accomplished chemist. While lecturing in England in 1916 he was asked by Winston Churchill to help Britain meet its acetone shortage.

In an effort to meet this request, Weizmann created a new process of acetone production through the fermentation process, which came to be known as the Weizmann Process and greatly outpaced previous production processes. As a physician with a strong background in organic chemistry, I can appreciate this work.

This breakthrough led to the issuance of U.S. Patent on the Weizmann Process, and in 1917 Weizmann established his first U.S. acetone plant on the Wabash River in Terre Haute, Indiana, a city in my home district.

The profits from his Terre Haute plant, Commercial Solvents Corporation, ultimately aided Weizmann in realizing his dream of establishing the State of Israel.

I am glad to honor President Weizmann for his contributions to the establishment of the State of Israel and to the 8th Congressional District of Indiana.

**TRIBUTE TO NANCY CIPOLETTI**

**HON. SHELLEY MOORE CAPITO**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mrs. CAPITO. Mr. Speaker, I rise today to recognize Nancy Cipoletti for her twenty-two years serving thousands of West Virginia families affected by Alzheimer's disease through outreach and support programs.

Nancy Cipoletti began her work with the Alzheimer's Association as Executive Director of the Southern West Virginia Chapter before becoming Program Director for the merged statewide chapter. Currently, Nancy works with Alzheimer's families as Director of Alzheimer's Programs for the West Virginia Bureau of Senior Services, where she manages and monitors the Family Alzheimer's In-Home Respite (FAIR) Program and Title III-E of the Family Caregiver Support Act.

In addition, Nancy serves on the Advisory Council of the West Virginia Partnership for

Elder Living as well as the Direct Care Worker Curriculum Work Group, which developed a standardized curriculum and certification process for in-home direct care workers. As a part of the Alzheimer's Association's Make-A-Plan Subcommittee on Care Systems, Nancy helped develop West Virginia's Alzheimer's State Plan in 2011.

On May 23, Nancy Cipoletti will receive the 2013 Rockefeller Award for her outstanding support and dedication to the cause of Alzheimer's disease in West Virginia. Nancy is truly deserving of such an honor, as thousands of West Virginia Alzheimer's families have her to thank for support coping and fighting this awful disease.

Nancy lives in Charleston with her husband of forty-six years, Jack Cipoletti. Together they have two sons, Jay and Chad, and three granddaughters.

Mr. Speaker, the State of West Virginia owes Nancy Cipoletti a debt of gratitude for her many years of working with, and caring for, Alzheimer's families.

**ADVOCATING FOR AMERICAN  
JACOB OSTREICHER'S FREEDOM  
AFTER TWO YEARS IN BOLIVIAN  
DETENTION**

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 22, 2013*

Mr. SMITH of New Jersey. Mr. Speaker, earlier this week, I chaired a hearing of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations that pressed for the immediate freedom and repatriation of Mr. Jacob Ostreicher, a U.S. citizen from Brooklyn, New York, who has been detained in Bolivia for 720 days. I especially want to thank our distinguished witness who testified at that hearing, Mr. Sean Penn, for taking time out of his very busy schedule to testify before the subcommittee.

The human rights subcommittee that I chair held two hearings in the 112th Congress on Mr. Ostreicher's case, one in June and the second in August 2012. The witnesses included Mr. Ostreicher's wife, Miriam Ungar, his daughter, Chaya Weinberger, Steve Moore, a retired FBI agent who investigated Mr. Ostreicher's case on a pro bono basis, and Mr. Ostreicher's two Bolivian attorneys, Mr. Yimy Montaoño and Mr. Jerjes Justiniano—who are not only extraordinarily effective and competent defense lawyers, but brave as well.

The record—including their testimonies—established that Mr. Ostreicher is innocent, and is the victim of an elaborate, high-level government extortion ring that has fleeced approximately \$27 million worth of assets from the rice operation that he had been managing.

It's time Jacob came home to his wife and family and friends. Basic justice and humanitarianism—Jacob is very ill—adds to the urgency that he be freed.

In one sense, a lot has happened since the hearing last August. Tragically, Mr. Ostreicher has developed the symptoms of Parkinson's Disease, likely due to the sustained, severe stress to which he has been subjected.

Immediately following meetings that I had with Bolivian officials in La Paz last June, including Carlos Romero, Minister of Government, Bolivia started to investigate whether Mr. Ostreicher was the victim of extortion. A total of 27 prosecutors, judges, and officials responsible for confiscated goods who were involved in Mr. Ostreicher's case have now had charges made against them. Currently, 13 of them are in the Palmasola prison, 9 are under house arrest, and 5 are fugitives.

One of those in prison, Fernando Rivera, is a Ministry of Government adviser who I personally witnessed threaten the judge presiding at one of Mr. Ostreicher's hearings in a Santa Cruz court room. Mr. Rivera recently apologized to Mr. Ostreicher during a bail hearing, claiming that he was only following orders from then-Minister of Government Sacha Llorenti. In one of the many bizarre twists to this story, Mr. Llorenti is now the Bolivian representative to the United Nations, living in New York, just a few miles from Mr. Ostreicher's home.

I traveled for a second time to Bolivia in early December, this time with Representative NYDIA VELÁZQUEZ, to visit Mr. Ostreicher and again to press Bolivian officials to either produce the evidence that he has committed a crime or free him. High level officials assured us that Mr. Ostreicher's case would proceed fairly and expeditiously now that the extortion network was being exposed. Some officials even admitted to us privately that they believed Mr. Ostreicher is innocent.

Mr. Penn became involved in the case in October, and was instrumental in obtaining medical care for Mr. Ostreicher and for helping to secure his release from the Palmasola prison to house arrest on December 18th. With Mr. Penn's personal intervention with President Morales and with Mr. Penn in the court room, all of us hoped that Jacob would be at long last released and vindicated at a hearing in December. Inexplicably, that didn't happen.

The State Department references Mr. Ostreicher's case in its 2012 Country Reports on Human Rights Practices for Bolivia, and notes the arrest of government officials and the stolen assets as part of its section on "arbitrary arrest or detention."

However, in another sense, the most important aspects of the case have not changed. Mr. Jacob Ostreicher is still in the custody of the Government of Bolivia. On June 4th, it will be two years since he was imprisoned. Bolivian officials are employing delay tactics and giving excuses for his continued detention that we have heard before. No evidence whatsoever has been presented to indicate that Mr. Ostreicher is guilty of any crime. And there is no sign of the \$27 million in assets from his rice operation that were confiscated. Perhaps this last fact is the real reason why Mr. Ostreicher still is not home with his family in the United States.

Recently, there have been reports from credible sources that there is another "security threat" to Mr. Ostreicher's safety. These followed the sudden removal of Bolivian security officers from the parameter of Mr. Ostreicher's residence, the day after Mr. Rivera implicated the current Bolivian representative to the U.N. in the extortion case. As long as Mr. Ostreicher is forced to remain in Bolivia, the

government is responsible for and must take all necessary measures to ensure his safety.

As a result of the continued injustice in Mr. Ostreicher's case, and also in response to the growing number of cases of Americans being detained abroad in violation of their human and due process rights, I together with Rep. VELÁZQUEZ have reintroduced the Justice for Imprisoned Americans Overseas Act, or "Jacob's Law." H.R. 1778 would deny visas to foreign government officials responsible for violating the human or due process rights of an American in their custody. The travel ban would also apply to the officials' immediate family members.

It is wrong for our government to give foreign officials and their families the privilege—and it is a privilege, not a right—to visit and study in the U.S. while those same officials are wrongfully detaining an American abroad.

While this bill works its way through the legislative process, my committee will continue to pursue every means possible to secure Mr. Ostreicher's safe return to his wife, children and grandchildren. And that is why we are holding this hearing.

President Morales is flying to Atlanta today for a meeting with former-President Jimmy Carter to ask for his assistance in negotiating land access through Chile to the Pacific Ocean.

While the Bolivian media is reporting on these events, I hope that they will also note that I am sending the former president the transcripts of the hearings that this subcommittee has held on the case of Jacob Ostreicher. I contacted the Carter Center earlier today to ask the former President Carter to intervene personally in Mr. Ostreicher's case. I was advised that Jacob's case is on the agenda today and would be raised.

It was very much a privilege to have Mr. Penn with us this week, not only because of the fame that he has rightly garnered through his Academy Award-winning acting, and not only because of the highly commendable assistance he is bringing to the suffering people in Haiti through the relief organization that he founded, but also because of the extraordinary assistance that he has provided to Mr. Ostreicher, who he had never met and to whom he owed no obligation prior to being asked to assist with the case last fall. That assistance now includes joining us today to highlight Mr. Ostreicher's continued plight and to advocate for his freedom.

#### IN HONOR OF SHERRY POST

### HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. FITZPATRICK. Mr. Speaker, Sherry Post of the 8th Congressional District of Pennsylvania is an outstanding and enterprising businesswoman who created a successful company that manufactures nutritional supplements in the Borough of Hatfield. The company, Simple Brandz, was recently certified as a veteran-owned business through the United States Veterans Administration, which will assist in its further growth by expanding busi-

ness opportunities. She is an 8-year Army veteran, who is recognized as a dynamic entrepreneur and recently received the 2013 Women of Influence Community Achievement Award in the Greater Lehigh Valley. We commend her for outstanding achievement and also her goal of providing manufacturing jobs for other veterans in the region. We congratulate Sherry Post for setting an example of professional excellence and advocacy of women in business, as well as her commitment to the greater community.

#### IN RECOGNITION OF THE RETIREMENT OF REVEREND O.C. STIGGERS

### HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. ROGERS of Alabama. Mr. Speaker, I would like to ask for the House's attention today to recognize Reverend O.C. Stiggers, who is retiring at the age of 85.

Pastor Stiggers was born in Chambers County, Alabama to the late John and Historia Williams Stiggers. Pastor Stiggers graduated from the Lanett School System. Afterwards, he attended the Columbus, Georgia branch of American Baptist Theological Seminary of Nashville, Tennessee. He also attended Moody's Bible College. He received his Doctorate of Divinity and his Doctorate of Laws.

Pastor Stiggers has served as the Executive Chair of the Western Union Missionary Baptist Association, as a member of the Board of Trustees of Mt. Calvary Baptist Association and a Dean of the Bryant Theological Seminary School in Hamilton, Georgia. Pastor Stiggers is also a former member of the Board of Trustees at Selma University in Selma, Alabama, and he is a former president of the Parent/Teachers Association.

Currently, Pastor Stiggers is a member of the Ebenezer Baptist Church in Lanett, Alabama. He also serves as Pastor of Ozias Ministry Baptist Church and Eastside Baptist Church.

Mr. Speaker, I would like to join Reverend Stiggers' friends, family, and congregation in wishing him the best after his retirement.

#### TAIWAN-PHILIPPINES FISHERY DISPUTE

### HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Mr. FARENTHOLD. Mr. Speaker, last Thursday, May 9, 2013, a Taiwanese fishing vessel, the Guang Da Xing No. 28, was fired upon by a Philippine government vessel in waters 164 nautical miles southeast of Eluanbi, the southernmost part of Taiwan in waters considered by both Taiwan and the Philippines to be within Taiwan's 200 nautical-mile-from-shore Exclusive Economic Zone.

The Taiwanese fishing boat was severely damaged and suffered engine failure, causing

it to float adrift. Crew member Hong Shicheng, a Taiwanese national, was shot and killed. The Philippine government vessel sailed away without offering any assistance.

A government vessel's shooting of an unarmed fishing boat is an act of violence, and is in violation of international law. Therefore, we call upon the Philippines to promptly and sincerely respond to the requests of the Taiwan government to apologize, punish the perpetrators, and provide proper compensation to the victim's family based on humanitarian grounds.

It is imperative that these two close and longstanding allies of the United States work together for an immediate and peaceful resolution of this incident. The circumstances that have given rise to such an incident must be addressed so as to guarantee as much as possible that such an incident will never happen again. Ultimately, this means the negotiation of an agreement or treaty on marine fishing between Manila and Taipei.

During this difficult time, we express our condolences to the family and friends of Mr. Hong.

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REMEMBERING COMMANDER  
ROBERT EDWARD MAY

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. BURGESS. Mr. Speaker, I rise today to honor the life of Commander Robert Edward May. Commander May passed away late last year at the age of 88. He served in the United States Navy for over 25 years and worked for another 25 years as an engineer in process control in Honeywell, part of Phoenix, Arizona.

Mr. May had various interests from a young age. At 15, he was Rochester's 1939 Soap Box Derby Champ and flew his first solo airplane at the age of 16. At 20, he graduated from the U.S. Naval Academy in three years, and his first orders were to be stationed on the Flagship USSN *Nashville* in the Pacific, surviving the largest naval battle in history. He witnessed a Kamikaze strike killing hundreds and injuring many more on *Nashville's* command center.

After returning to the U.S. for repairs on the *Nashville*, Mr. May married his sweetheart Ruth Schlitzer. Together, they had 10 children. During that time, he sailed as Lieutenant and Lieutenant Commander aboard vessels in Key West. He then attended the Naval Postgraduate School before earning a Master's in Science from the Massachusetts Institute of Technology, writing a then classified dissertation on fire control for torpedoes in conjunction with the latest sonar.

After finishing his post-doctorate work, Mr. May was assigned to one of the largest and most successful projects ever completed, the Polaris Project. The Polaris nuclear missile placed on submarines was the first submerged launch missile to use thrust vectoring and on-board telemetry to guide the missile, changing the course of warfare. Mr. May also aided in the development of the TALOS missile system, and worked in the submarine Anti-Submarine Warfare.

After retiring from the Navy, Mr. May continued to do work for SAC and NELC through data control at Honeywell. While raising his 10 children, he was active in his community, as an organizer and volunteer at church, scouts, little league, and blood drives.

Mr. May's successes in the United States Navy and local communities across the country have strengthened our nation's Defense program. His dedication and passion to serve our country well will certainly be missed. I would like to extend my sincerest condolences to Commander May's family and friends as he will be laid to rest in Arlington National Cemetery in Virginia on April 23, 2013.

Family members include: Bill & Marsha May, John Fredrick May, Joanne Mell, Ruth & Schuyler Hoffman IV, Martin Hoffman, Schuyler Hoffman V, Eileen May, Cynthia & Karl Ponath, Quentin Ponath, Jim & Sugene (McClain) May, James May, Collin May, Ashton May, Don & Connie May, Harrison May, Kenny May, John & Chris Ann (Hardin) May, Caroline May, Daniel May, Ray & Delores Schlitzer, Pete Schlitzer, Marta Schlitzer, Tom Schlitzer, Mary Ann (Schlitzer) & Tom Maszerowski, Walter May, Christopher and Cynthia May, Bill and Gail Schults.

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PASTOR VANDY S. POPE—50  
YEARS OF SERVICE

**HON. PHIL GINGREY**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to honor Pastor Vandy S. Pope, on the 50th anniversary of his calling to serve his community through the word of God.

While he currently serves as pastor of New Life Apostolic Church in Cartersville, Georgia, Pastor Pope's vocation has taken him across the globe. Since he graduated Bible College in 1966, his sermons have been heard in 17 different countries, and the 3 States where he served as Pastor. In Georgia alone, Pastor Pope has served three separate communities, and touched countless lives.

1 Peter 4:10 says, "Each of you should use whatever gift you have received to serve others, as faithful stewards of God's grace in its various forms."

All too often, we forget that our religious leaders take on roles that extend so much farther than that of a pastor. These chosen few work long hours, undertaking duties of educators, social workers, charity organizers, and counselors. Moreover, they are often by the side of families and friends, as they face the challenge of laying a loved one to rest.

Mr. Speaker, it is with this in mind that I extend my most heartfelt thanks to Pastor Pope for accepting God's call to this challenging, yet critical profession for the future of our great Nation. On behalf of Georgia's 11th District, I congratulate him as he marks this most impressive achievement.

PERSONAL EXPLANATION

**HON. JOHN A. YARMUTH**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. YARMUTH. Mr. Speaker, during rollcall 179 on final passage of H.R. 3, the Northern Route Approval Act, my vote was incorrectly recorded as "yes." I intended to vote "no."

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TRIBUTE TO THE CITY OF  
FONTANA, CALIFORNIA

**HON. GARY G. MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. GARY G. MILLER of California. Mr. Speaker, I rise to pay tribute today to the City of Fontana, California, as their community celebrates 100 years of settlement.

Fontana has a rich history of hard work and ingenuity. From its humble roots as a rural community and agricultural town of citrus orchards, vineyards and chicken ranches astride historic Route 66, the city is now home to over 200,000 residents.

Since its incorporation in June of 1952, Fontana has grown to become a regional hub of the trucking industry, with Interstate 10 and State Route 210 transecting the city from east to west and Interstate 15 passing diagonally through its northwestern quadrant. Due to its prime location, the City is also home to a number of product distribution centers for large companies, including Target and Sears. Fontana is also the home of the Auto Club Speedway, which has hosted national racing events since 1997. The Speedway is the home of the Auto Club 400 race in the NASCAR Spring Cup Series, the NASCAR Nationwide Series Royal Purple 300, the IZOD Indy Car Series race, and numerous other local events. Fontana is also home to numerous industrial sales centers and commercial strip zoning such as "The Miracle Mile" and the Fontana Auto Center.

With a city theme of "open for business" and dedication to a "Healthy Fontana" lifestyle, the citizens of Fontana continually demonstrate their enthusiasm for their City by actively participating in local government and future city planning. It is indeed my pleasure to represent the residents of this beautiful city, who have contributed much of their time towards the betterment of their community.

Mr. Speaker, on this very special year for the City of Fontana, please join me in commemorating their one hundredth anniversary.

**AUTHORIZING USE OF EMANCIPATION HALL FOR UNVEILING OF STATUE OF FREDERICK DOUGLASS**

**HON. HENRY C. "HANK" JOHNSON, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. JOHNSON of Georgia. Mr. Speaker, I rise to support S. Con. Res. 16, legislation authorizing the use of Emancipation Hall for the unveiling of a statue of Frederick Douglass.

Frederick Douglass was an historic figure, whose work and legacy continues to improve lives and help us form a more perfect union.

The battle he valiantly led in the 19th century for equal rights and dignity has yielded great results and his sage advice to agitate at every turn continues to inspire men and women into action.

With each passing generation the march toward freedom and equal opportunity is moving closer to full realization thanks in part to the actions of Frederick Douglass.

I have had the pleasure of meeting Nettie Washington Douglass, the great great granddaughter of Frederick Douglass, who chairs the Frederick Douglass Foundation, and continues the difficult work he started.

I proudly joined with her in urging President Obama to issue posthumously the Presidential Medal of Freedom and I am proud to support this resolution to properly recognize this great man and all that he has given to our country.

**HONORING JOHN C. TOY**

**HON. ANDY BARR**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. BARR. Mr. Speaker, I rise today to recognize the accomplishments of Kentucky native John C. Toy, a true American patriot.

John C. Toy was born on August 14, 1918, in Montgomery County, Kentucky to Ella Lee and Edward Joseph Toy. Mr. Toy joined the Army in June, 1941, and was stationed at Schofield, Honolulu, Hawaii, in the anti-aircraft division. While there, he survived the bombing of Pearl Harbor on December 7, 1941. He served in the Army until 1945 when he was Honorably Discharged with the rank of Staff Sergeant.

Since his military service to this country, Mr. Toy has remained active in his community by teaching Sunday school at the First Church of God in Mt. Sterling, serving on the Board at Mt. Sterling Swimming Pool and Park, as a Member and Past Commander American Legion Post 22, and as current President of the Kentucky Pearl Harbor Association.

Mr. Toy is married to Gerturde Fletcher of Bourbon County, and has been blessed with two daughters, Pam Ishmael and Sandy McDonald, as well as three grandchildren and four great grandchildren.

As a U.S. Congressman, I am forever grateful for John C. Toy's service to our country. Because of his bravery and that of his fellow men and women in uniform, our American

freedoms are protected for future generations. Truly, he is a hero to us all.

**HONORING DEPUTY SHERIFF TIM CAUSEY AND THE CAUSEY FAMILY**

**HON. TOM RICE**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. RICE of South Carolina. Mr. Speaker, it is with great sadness that I recognize the Causey Family today, as they have lost a husband, father, son, and friend. Deputy Sheriff Tim Causey passed away on Sunday from complications he suffered from bravely fighting the devastating fire in Windsor Green this past March.

Beloved by family, friends, and co-workers, Mr. Causey served Horry County with a fervor and commitment that residents can only hope to find in a first responder. As we look back on his 25 years of service, his bravery and selflessness in times of crisis will not be forgotten.

On behalf of Horry County and the Seventh Congressional District of South Carolina, I ask that we remember today Deputy Sheriff Tim Causey for his service and ultimate sacrifice. Wrenzie and I hope that they may find peace in a time of sorrow, clarity in a time of distress, and strength through the support of family and friends.

**CUMBERLAND CID 25TH ANNIVERSARY**

**HON. PHIL GINGREY**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to recognize the Cumberland Community Improvement District (CID), which is celebrating 25 years of fostering economic growth in Cobb County, Georgia.

First known as "Cobb County CID," Cumberland CID was launched in 1988 as the first program of its kind in the State of Georgia. Since then, the Cumberland economy has grown into one of the largest economic engines in the state, attracting companies like The Home Depot, GE Energy, Travelport, and many more. Because of their efforts, the Cumberland market now totals an estimated five percent of Georgia's overall economy, and has brought tens of thousands of jobs to Cobb County.

Not only has the Cumberland CID been critical to economic growth, but it represents hundreds of millions of dollars in state infrastructure project investments. Over the next 30 years, Cumberland CID will underscore their commitment to Georgia's economic future by investing \$133 million in community improvement projects.

Mr. Speaker, I extend my thanks to the hard-working people who make up the Cumberland CID, and who have played such an important leadership role in making Cobb

County's economy flourish. On behalf of Georgia's 11th district, congratulations to Cumberland CID on 25 years of success, and here's to 25 more.

**OLDER AMERICANS MONTH**

**HON. DANIEL B. MAFFEI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. MAFFEI. Mr. Speaker, I rise today in recognition of Older Americans Month.

Every year since 1963, May has been a month to honor older Americans and highlight the value that senior citizens contribute to our communities.

The theme for Older Americans Month 2013 is "Older Americans: Connecting the Community." Older Americans are more active in community life than ever before and continue to make a significant impact across the region. Our seniors are mentoring the leaders of tomorrow, taking to heart the need for intergenerational learning to guide and inspire young minds.

In my Congressional District, we are lucky to have many older Americans embracing their role in building connections for the community. I want to recognize individuals who were recently honored by the Cayuga County Legislature as Senior Citizens of the Year: Trudy Buxenbaum of Aurora, Joni Lincoln and Anita Messina of Port Byron, and Betty Miller of Auburn.

I appreciate this opportunity to recognize the accomplishments of older Americans in New York's 24th District and applaud the Cayuga County Office for the Aging for its efforts to enhance the quality of life for seniors and encourage them to share their lifetime of experience with those around them.

**COMMEMORATING THE FIVE YEAR ANNIVERSARY OF THE UNLAWFUL IMPRISONMENT OF THE IRANIAN BAHAI LEADERSHIP**

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. ENGEL. Mr. Speaker, I rise today to express my support for the Iranian Baha'i community, Iran's largest minority religion, and in commemoration of the five year anniversary of the unlawful imprisonment of its leadership, known as the Yaran-i-Iran, or "friends of Iran."

In 2008 the Iranian regime arrested seven members of the Yaran-i-Iran on several trumped up charges including espionage, propaganda activities against the Islamic order, the establishment of an illegal administration, cooperating with Israel, sending secret documents outside the country, acting against the security of the country, and "corruption on earth." Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Saeid Rezaie, Mahvash Sabet, Behrouz Tavakkoli, and Vahid Tizfahm were "tried" in a series of closed-door sessions from January to August 2010, during

which they were denied meaningful access to their lawyers.

Shirin Ebadi, Nobel Peace Prize Laureate and a member of the group's legal team, has said that there is no evidence against them to sustain the charges. Nonetheless, all seven were sentenced to 20 years in prison—the longest of all prisoners of conscience in Iran. The conditions within the prison where they are being held are appalling. Their unfortunate circumstance reminds us of the intolerant character and brutality of the current Iranian regime, not only towards the Baha'i, but also the Iranian population as a whole.

In conclusion, I want to reiterate my support for the Baha'i community in calling for the immediate release of the Yaran-i-Iran members, as well as the release of all Iranian prisoners of conscience. I will continue to monitor this situation and hold Iran accountable for its abuse of its citizens.

HONORING MR. DANIEL SISTO

**HON. PETER T. KING**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. KING of New York. Mr. Speaker, on behalf of myself and members of the New York delegation, Mr. BISHOP, Ms. CLARKE, Mr. COLLINS, Mr. CROWLEY, Mr. ENGEL, Mr. GIBSON, Mr. GRIMM, Mr. HANNA, Mr. HIGGINS, Mr. ISRAEL, Mr. JEFFRIES, Ms. LOWEY, Mr. MAFFEI, Ms. MALONEY, Mr. MALONEY, Ms. MCCARTHY, Mr. MEEKS, Ms. MENG, Mr. NADLER, Mr. OWENS, Mr. RANGEL, Mr. REED, Mr. SERRANO, Ms. SLAUGHTER, Mr. TONKO, and Ms. VELÁZQUEZ, I would like to recognize Daniel Sisto of The Healthcare Association of New York State (HANYS) for his many years of outstanding service to the cause of advancing health care delivery and improving the health of all New Yorkers.

Mr. Sisto is one of the nation's leading experts on health care public policy. Over the course of his nearly three decades as President of HANYS he has worked tirelessly to advance positive change in health care and achieve fairness and balance in resolving essential health policy issues. Because of his leadership, Mr. Sisto has helped establish HANYS as a valued, trusted voice on health policy matters in Washington, D.C., and in New York State.

Mr. Sisto has never been satisfied with the status quo. Recognizing the need to improve the health care delivery system to ensure efficient, high-quality care for all New Yorkers, he embraced patient-centered delivery system reform, worked to expand coverage, and has positioned HANYS as a leader in guiding quality improvement initiatives at hospitals and health systems across the state.

Under Mr. Sisto's guidance, HANYS has worked with hospitals, nursing homes, and other health care provider organizations in collaboratives, including the New York State Partnership for Patients, sharing best practices and facilitating the widespread adoption of proven clinical protocols to improve care delivery for all New Yorkers.

Mr. Sisto began his career in health care advocacy on Long Island, New York, as the

Executive Vice President of the Nassau-Suffolk Hospital Council and former Deputy Director of the Nassau-Suffolk Health Systems Agency. Mr. Sisto holds a Bachelor of Science degree in Management and a Master of Business Administration degree in Marketing from St. John's University.

During his nearly three decades of distinguished work in health care, Mr. Sisto has repeatedly proven himself to be one of New York State's most respected advocates and health care leaders and we, as New York's Delegation to the U.S. House of Representatives, wish him health and happiness in his retirement.

HONORING CHRISTIAN THORNTON  
BRYAN

**HON. RALPH M. HALL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. HALL. Mr. Speaker, I rise today to honor Christian Thornton Bryan, who graduated from Lehigh University in Bethlehem, PA on May 20, 2013.

Christian graduated with a degree in International Relations. He also participated in the ROTC program where he was selected to join the Lehigh Valley Steel Battalion. As a member of this Battalion, he competed in the 2nd Army ROTC Brigade's Ranger Challenge Competition and helped his team place third. He will now serve as an Infantry Officer in the United States Army and is assigned to Joint Base Lewis-McChord in Washington as an Infantry Platoon Leader.

Christian follows in the footsteps of his father, who serves as a Major in the U.S. Army Infantry. I am proud of this young man's decision to serve his country, and I know he will go above and beyond to uphold this duty.

I wish him the best of luck in the Army and in all his future endeavors. Mr. Speaker, I ask those present today to join me in honoring Christian Thornton Bryan.

RECOGNIZING SUPPORT OF OUR  
SOLDIERS FOR ITS UNWAVERING  
DEDICATION TO OUR TROOPS

**HON. ROGER WILLIAMS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. WILLIAMS. Mr. Speaker, I rise today to recognize the outstanding work and admirable service of a very special military support nonprofit in Texas—Support our Soldiers (SOS).

Led by Teresa Nelson, whose father served in the Army's 101st Airborne Division, SOS was founded to care for our troops at home and abroad with support they might otherwise not receive. SOS volunteers often create custom boxes to meet the unique needs of troops. Just this week, a Marine unit serving overseas received a shipment of pillows after SOS learned they had none. Since its establishment in June 2011, over 17,000 pounds of food and supplies have been sent overseas to benefit more than 500 soldiers.

Texans are always looking for ways to give back to the men and women of the United States armed forces, and SOS provides a wide range of opportunities for its surrounding communities to serve those who wear the uniform. Teresa and her team host monthly meetings with sell-out crowds and organize community events across 6 cities in Tarrant and Johnson County to raise awareness, funds, and support for our troops. Beyond collecting and distributing material goods, SOS also works with ROTC programs and students to teach them the importance of patriotism.

It's people like Teresa Nelson and organizations like Support our Soldiers who embody the American spirit of gratitude and generosity. Our nation is free today because of the selfless sacrifices of thousands of brave men and women who have answered the call of duty. We owe these troops and their families abundant support, whether it's food, shelter, clothing, or comfort. I commend SOS for their commitment to providing this much-needed support, and I am proud to know the wonderful leaders and volunteers of this great organization.

God bless our troops and God bless America.

HONORING THE LIFE OF JILLIAN  
DAGON ANDOLINA

**HON. TOM REED**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. REED. Mr. Speaker, I rise today to celebrate the life of a truly courageous young woman, Jillian Dagon Andolina. Jill, 26, passed away on May 11, 2013 after a two-and-a-half-year battle with leukemia. She always carried a bright smile with her and was an inspiration for her parents, Dr. Richard and Molly Andolina, and for all those in our community who had the fortune of meeting her.

A resident of Arkport, New York, Jill graduated from Arkport Central School in 2005. She received an associate's degree from SUNY Alfred before continuing on to SUNY Geneseo where she earned a bachelor's degree in psychology in 2009. The diagnosis of leukemia interrupted her plan to acquire a master's degree in November of 2010.

Despite this setback, Jill persevered through chemotherapy and bone marrow transplants to remain an active member of the community. She was a member of the Hornell Association and the Arkport American Legion Post 1248 Auxiliary. The Hornell Humane Society and Relay for Life were also graced with her time and efforts.

Jill Andolina will be missed by all, but her legacy will continue to inspire. She touched the lives of hundreds of people and her spirit and determination motivate each and every one of us every day.

TRIBUTE TO PROVIDENCE  
HOSPITAL

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a hospital system that has served as a beacon for 75 years in Columbia, South Carolina. Providence Hospital in the Palmetto State's capital city has provided extraordinary care and healing for three quarters of a century, earning it the appreciation and admiration of a grateful community.

Providence Hospital was founded in 1938 as an act of faith and charity. The vision behind the hospital came from Father Martin C. Murphy of St. Peter's Church, who wanted to bring the quality care that Catholic hospitals provide to the Columbia area. With a generous donation from local businessman James B. Younginer, he was able to put a downpayment on an 18-acre tract of land. The final piece of the puzzle fell into place when the Sisters of Charity of St. Augustine in Ohio mortgaged their motherhouse in Cleveland in order to finance the new hospital. This was extraordinary considering the sisters had never been to Columbia.

Today Providence Hospital operates under the auspices of the Sisters of Charity Health System. Over the last 75 years, the non-profit organization has grown to provide 304 beds in four hospitals: Providence Hospital, Providence Heart & Vascular Institute, Providence Hospital Northeast and Providence Orthopaedic & Neuro Spine Institute. Providence Hospital is a faith-based health care facility that employs more than 1,900 caring individuals.

Providence Hospital is renowned as South Carolina's "heart hospital." Since 1974, Providence Heart & Vascular Institute physicians and staff have performed more cardiovascular procedures than any medical team in the state. It is recognized statewide as a referral center for the prevention, diagnosis and treatment of cardiovascular disease.

In 1985, Providence Hospital added a helicopter service to help bring critically ill patients to the facility to be treated. Today LifeNet South Carolina is a 24 hour a day airborne intensive care unit serving Providence and other facilities in the Carolinas and Georgia.

In 1999, Providence Hospital established a 46-bed community hospital in the Northeast area of Columbia. This facility offers a range of medical services in surgery, emergency care, women's and children's services and rehabilitation. Also located on this campus is the Providence Orthopaedic & Neuro Spine Institute, which offers an integrated continuum of care for orthopaedic and neurosurgical patients throughout the region.

Mr. Speaker, I ask that you and my colleagues join me in congratulating Providence Hospital for its 75 years of compassionate health care. As the facility continues to grow and expand, I commend Providence for its commitment to improving the delivery of quality health care to the people of South Carolina and maintaining its focus on faith. Providence Hospital has become synonymous with excep-

tional patient care and embodying the values of respect, compassion, collaboration, courage and justice. I look forward to its continued service to the community and the Creator.

5-YEAR ANNIVERSARY OF  
PARKERSBURG TORNADO

**HON. BRUCE L. BRALEY**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. BRALEY of Iowa. Mr. Speaker, May 25th, 2008, a devastating tornado ripped through northeastern Iowa. This was the strongest to hit Iowa in 32 years and the most powerful tornado in the United States that year, leaving a path of devastation throughout Iowa's First District. Five communities—Dunkerton, Hazelton, New Hartford, Lamont, and Parkersburg, Iowa—suffered massive damage. Eight people lost their lives, 50 businesses were destroyed, and thousands of homes were severely damaged.

Five years later, the memory of the tornado is still fresh in the minds of many Iowans. But tremendous progress has been made since then. Parkersburg is a model for recovery after a natural disaster. Through community service the town has rebuilt and come together to improve the lives of its citizens and its community.

I also want to acknowledge the tragic events in Oklahoma. The people of Iowa stand in solidarity with those affected by the devastation caused by the tornado. Our hearts and prayers go out to them. We take solace in knowing that if communities like Parkersburg can rebuild after such tragedy, then there is hope for the people of Oklahoma.

These communities have shown incredible strength and resolve in the face of such a terrible catastrophe. As we look to the future, we must never forget the service and sacrifice made by those who have rebuilt and revitalized Parkersburg.

HONORING OUR TROOPS AND  
VETERANS ON MEMORIAL DAY

**HON. MICHELLE LUJAN GRISHAM**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, with Memorial Day just around the corner, I rise to honor the memory of our brave men and women in uniform who have sacrificed their lives for our country in what Abraham Lincoln called "the last full measure of devotion."

At this weekend's parades, festivals, and barbecues, let's all pause for a moment to recognize the sacrifices of those who put themselves in harm's way so we don't have to.

Let's continue to support our troops on the battlefield, and let's make sure to support our veterans and their families when they return home. That means ensuring quality health care for the 61,000 veterans in New Mexico's

First Congressional District, ending the unconscionable backlog of disability claims at the VA, and providing our veterans with good-paying jobs.

Our national heroes deserve nothing less.

HONORING ANDREW REID BRYAN

**HON. RALPH M. HALL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. HALL. Mr. Speaker, I rise today to honor Andrew Reid Bryan, who will be graduating from Patriot High School in Nokesville, VA on June 13, 2013.

Andrew is a member of the National Honor Society and Future Business Leaders of America, a two-time Varsity Boy's Lacrosse team captain, and has earned All District Athletic Honors as well as All District Academic Honors. Andrew also made the academic honor roll for both his junior and senior years. He plans to continue his education at Stevenson University in Baltimore, Maryland, where he will study Business Administration and play for the Men's Lacrosse team.

Andrew's achievements set a wonderful example for his peers around him, and I am confident he will have continued success. I wish him the best of luck in all his endeavors, both on and off the field. Mr. Speaker, I ask those present today to join me in honoring Andrew Reid Bryan.

PEACE FOR THAILAND

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. POE of Texas. Mr. Speaker, at 1.8 million people, Thailand is home to the third largest ethnic Malay population in the world. Since 2004, extremists in the country have been fighting the government for an independent state for the ethnic group. This has been one of the bloodiest conflicts in Southeast Asia and has left nearly 5,000 people dead.

According to the Combating Terrorism Center at West Point, in the past four years alone, more than 1,400 people have died and 3,200 have been wounded. The violence has killed indiscriminately. Fatalities have included soldiers, policemen, village leaders, monks, teachers, and innocent civilians. While most of those killed were the victims of shootings, there have also been nearly 600 improvised explosive device attacks and 40 beheadings since January 2009.

Thankfully, it is possible this cycle of violence could be coming to an end.

With the help of Malaysian mediators, the chairman of the Thai National Security Council and a representative of one of the Malay separatist groups active in the region, Barisan Revolusi Nasional (BRN), signed an agreement in February to formally begin peace talks. Reports indicate former Thai Prime Minister Thaksin Shinawatra's started talks behind the scenes years ago that helped lead to this

milestone agreement. He should be commended for those efforts.

Public peace talks between the government and the rebels will be a big step forward in solving the conflict in southern Thailand. While previous attempts have been made, this marks the first time that both sides have agreed in writing to hold talks.

Mr. Speaker, the progress that is slowly being achieved in southern Thailand is significant, and we should hope that it continues until there is lasting peace throughout the country. And that's just the way it is.

RECOGNIZING THE ROTARY CLUB  
OF NORTH CHICAGO AND THEIR  
2013 HUMANITARIAN PATRIOT  
HONOREES

**HON. BRADLEY S. SCHNEIDER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. SCHNEIDER. Mr. Speaker, I rise today to pay tribute to the outstanding community service of the Rotary Club of North Chicago and to recognize this year's recipients of their Humanitarian Patriot Award.

Each year the Rotary Club in North Chicago, home of Naval Station Great Lakes, recognizes their Humanitarian Patriot honorees for their service to veterans. This year's recipients have all demonstrated an incredible sense of commitment to the men and women of our armed forces. They understand that veterans have sacrificed greatly for this country and deserve nothing but our highest gratitude and respect.

The Rotary Club was founded on the principle of service, and the Humanitarian Patriot Award is an inspiring extension of that original mission.

It is entirely fitting that this year's ceremony will be held at the Lovell Federal Health Care Center—an institution dedicated to caring for the brave members of our armed forces, veterans and their families.

Mr. Speaker, I congratulate this year's recipients: Alan Belcher; Ken Duffy; Patricia Jones; Alain H. Oller; Donna E. King; Tom Marks; John Mroczka; the Navy League of the United States, Lake County Council; Paula Caraballido; William R. Beiersdorf; Gregory Padovani; Eli Williamson; Thomas Zengeler; and Jim Dolan.

But much more than that, I thank them for the incredible work they have done. Their service strengthens our communities, and I am grateful for the work of the Rotary Club of North Chicago and all of this year's honorees.

REMEMBERING THE LIFE OF  
ARLENE BILLAK

**HON. TIM RYAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. RYAN of Ohio. Mr. Speaker, I rise today to remember the extraordinary life of my friend and supporter Arlene Billak who sadly passed

away on April 21, 2013. Arlene was born January 13, 1949, in Sharon, Pennsylvania to her loving parents Stan and Marie Izenas. Arlene was a graduate of Sharon High School and retired from State Farm Insurance as an office manager.

Arlene was a devoted wife and mother who provided constant love and support and was always willing to sacrifice her all for her family. Arlene was a woman of strength and humility who never refused to give up after being diagnosed with cancer. She courageously fought until her final days, always making sure that she had a smile on her face. Her loving heart and spirit will continue to be felt everyday by those who loved her and those she loved.

I would like to extend my deepest and heartfelt sympathies to Arlene Billak's family: her husband Rick, her son Damian, her two brothers Paul and Bob Izenas, and her two sisters Kathy and Irene. Rest assured the love and devotion she had for her family and friends will never be forgotten.

I have known Arlene and Rick for many years. They have been active in politics for decades. They were always there to support and push their candidates and those issues that improve the quality of life for those who have the least. Arlene believed that politics could make a positive difference in people's lives, and she showed us all how one person can make a difference. I will always remember the example she set and how she constantly shared her upbeat and positive demeanor with the world. Our community, and all that knew her, are better because we crossed paths with Arlene Billak.

PERSONAL EXPLANATION

**HON. JIM BRIDENSTINE**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. BRIDENSTINE. Mr. Speaker, I wish to inform the House of Representatives that on May 21, 2013, I was unable to participate in three recorded votes due to my participation, along with the entire Oklahoma delegation, in a tour of tornado affected areas in and around Moore, Oklahoma.

I wish to submit for the RECORD a summary of these bills, as well as statement on how I would have voted on each had I been present. I would also like to note that these are the only votes I have missed so far as a Member of Congress.

H.R. 1412, the Improving Job Opportunities for Veterans Act of 2013, passed the House by a vote of 416-0. Had I been present, I would have voted for H.R. 1412. The bill incentivizes private sector companies to participate in Veterans Administration (VA) on-the-job-training (OJT) training programs by reducing the level of employer contributions. It also requires the VA to enter into OJT agreements with other federal departments and agencies, which will encourage the federal government to hire veterans by fully leveraging available authorities. Finally, H.R. 1412 offsets any additional costs by extending for one month the VA's authority to pay reduced pensions to veterans using Medicaid-

approved nursing facilities. According to the Congressional Budget Office (CBO), H.R. 1412 would reduce direct spending about \$14 million from FY14-FY18 and produce an "insignificant effect on discretionary spending."

H.R. 1344, the Helping Heroes Fly Act, passed the House by a vote of 413-0. Had I been present, I would have voted for this bill. H.R. 1344 directs the Department of Defense to develop processes to expedite airport screening for severely injured and disabled service members and veterans.

H.R. 324, to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II, passed the House by a vote of 415-0. I co-sponsored this bill and I would have voted for it had I been present. The bill authorizes two Congressional Gold Medals for the First Special Service Force, a joint Canadian-U.S. special operations unit that served with distinction during WWII. The First Special Service Force was the precursor unit for both the U.S. and Canadian Special Operations forces.

IN RECOGNITION OF EXERCISE IS  
MEDICINE MONTH

**HON. RON KIND**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. KIND. Mr. Speaker, I rise today to recognize May as Exercise is Medicine Month. Physical inactivity is a fast-growing public health problem and contributes to a variety of chronic diseases and health complications, including obesity, diabetes, hypertension, cancer, depression and anxiety, arthritis, and osteoporosis. The Exercise is Medicine program seeks to reverse that trend. In addition to improving a patient's overall health, increasing physical activity has been shown to be effective in the treatment and prevention of chronic diseases. Beyond the benefits to individual health and quality of life, increased levels of physical activity are associated with lower health care costs, reduced environmental impact and other co-benefits.

Exercise is Medicine is an initiative focused on encouraging primary care physicians and other health care providers to include exercise when designing treatment plans for patients. Exercise is Medicine is committed to the belief that exercise and physical activity are integral to the prevention and treatment of chronic disease and should be regularly assessed as part of medical care. The U.S. Federal Physical Guidelines and many studies show that 150 minutes per week of moderate-intensity physical activity is required to achieve these health benefits.

During May, communities throughout the U.S. will hold activities that recognize physical activity and exercise—shown to help prevent and treat more than 40 chronic diseases—should be part of everyone's health care plan. Since 2010, Exercise is Medicine Month has been proclaimed by mayors, governors, Congress and the President. Individuals and organizations of all kinds, from youth groups to universities, churches, fitness centers, corporations and hospitals, hold events aimed at keeping people active and healthy.



I urge all Americans to recognize Exercise is Medicine month this May to build, support and advocate for physical activity as essential for global health and wellbeing by committing to action.

REMEMBERING ONE YEAR ANNIVERSARY OF THE SARTELL VERSO MILL FIRE

**HON. MICHELE BACHMANN**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mrs. BACHMANN. Mr. Speaker, I rise today in memory of the upcoming one-year anniversary of the tragic Memorial Day explosion and fire at the Verso Paper Mill in Sartell, Minnesota. Jon Maus, a father of four from Albany, Minnesota was tragically killed during the accident. This mill has been a fixture in the community for nearly a century, and its destruction and ultimate closure were devastating for hundreds of employees and their families.

One year later, the community is still working to recover from this setback. While many of the former workers have found jobs elsewhere or have gone back to school, quite a few are still searching for full-time employment. Our heart breaks for their struggle. But remember that when times are tough, Minnesotans band together. It is because of the love, support and friendship within the Sartell community that I know that they will overcome this tragedy.

The Maus Family and all those affected by the explosion and fire remain in my prayers. My staff and I will continue to work with local leaders and community members to make sure that they receive the support they need to get back to work.

NORTH KANSAS CITY SCHOOLS CENTENNIAL

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, please join me in congratulating North Kansas City Schools for celebrating 100 years of providing exceptional education to our youth.

The North Kansas City School District 74 was founded on March 14, 1913. During the district's inaugural year, it employed a principal, an assistant, and taught 32 students in grades one through nine. By 1917, the school district was home to grades 1–12. As enrollment increased, the district voted to build a high school building that was dedicated on January 24, 1926.

After World War II, the district passed bond issues for long-range building programs. The enrollment swelled to 17,273 in 1963 due to the arrival of the baby boomers. Currently, the North Kansas City School District is home to 21 elementary schools, 5 middle schools, and 4 high schools. The newest of these is Staley High School, which was added in 2008.

North Kansas City Schools is a state and nationally accredited school district, and they are known for innovation and excellence. For example, they were the first local school district to provide laptops to their students and offer Apple technology-powered classrooms. They offer outstanding educational programs that no other area school district provides, including the International Baccalaureate Diploma.

Mr. Speaker, I ask that you join me in applauding North Kansas City Schools for celebrating their 100th anniversary of providing extraordinary educational experiences to students in Clay County, Missouri. North Kansas City Schools is a true community partner, and I wish them 100 more years of greatness to come.

RECOGNIZING THE NORTH SYRACUSE FIRE DEPARTMENT'S 100TH ANNIVERSARY

**HON. DANIEL B. MAFFEI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. MAFFEI. Mr. Speaker, I rise to extend my congratulations to the North Syracuse Fire Department on the occasion of its Centennial Celebration. I am honored to join the community in celebrating the Department on this historic occasion.

The North Syracuse Fire Department has changed significantly over the past 100 years. From having just two hand drawn chemical carts, to now operating with over a dozen fire and rescue vehicles, the North Syracuse Fire Department has been able to adapt to the changing times. The North Syracuse Fire Department Operates out of two stations: Station 1, located at 109 Chestnut Street, and Station 2, located at 70 General Irwin Boulevard, both in North Syracuse, New York.

In 1913, a group of citizens living in the village of North Syracuse presented a petition to the Board of Supervisors of Onondaga County, asking that a fire district be established in North Syracuse. As a result, the North Syracuse Fire Department was founded and began its extraordinary service to the residents of North Syracuse. In 1950, the department moved to its new quarters in the old trolley station at the corner of South Bay Road and Church Street. In 1983, a new building was built on Chestnut Street. This was the first building in fire department history built solely for fire department use.

Despite the dramatic changes that have taken place over the past 100 years, a few things remain the same. The North Syracuse Fire Department continues its mission of Fire Prevention and Education, Fire Suppression, and the prevention of the loss of life. This mission continues that the department shall assist in any disaster, emergency, or occasion for which it is properly equipped. The Fire Department continues to be a central part of life for residents. Furthermore, for 100 years North Syracuse's finest have dedicated themselves to protecting their fellow citizens and making the community a safer place to live.

Mr. Speaker, we are grateful for the extraordinary service that the volunteers of the North

Syracuse Fire Department have provided to residents of our community over the past century, and I ask this Honorable Body to join me in congratulating the members and supporters of the North Syracuse Fire Department and wishing them good luck in the next 100 years.

HONORING OFFICERS OF THE ST. PETERSBURG POLICE DEPARTMENT AND THE U.S. MARSHAL'S SERVICE FOR RECEIVING THE CONGRESSIONAL BADGE OF BRAVERY

**HON. C. W. BILL YOUNG**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. YOUNG of Florida. Mr. Speaker, I rise today to honor Officer Jeffrey Yaslowitz, Sergeant Thomas Baitinger, Sergeant Karl Lounge, Officer Timothy McClintick, Officer Max McDonald, and Officer Douglas Weaver of the St. Petersburg Police Department and U.S. Deputy Marshal Scott Ley for being awarded the Congressional Badge of Bravery.

The Congressional Badge of Bravery was established to honor exceptional acts of bravery in the line of duty by federal, state, and local law enforcement officers. In award year 2012, only 16 Badges of Bravery were awarded.

On January 24, 2011, Officer Yaslowitz, Officer McClintick, and Marshal Ley attempted to apprehend a violent fugitive in St. Petersburg, Florida.

Officer Yaslowitz and Marshal Ley courageously engaged the suspect, who was hiding in an attic. While attempting to handcuff the suspect, Officer Yaslowitz was shot and killed. Marshal Ley was also shot and severely wounded. Officer McClintick was able to pull Marshal Ley from the kill zone while coming under fire himself.

Immediately, a Rapid Response Team comprised of Sergeant Baitinger, Sergeant Lounge, Officer MacDonald, and Officer Weaver was formed. Sergeant Baitinger, a Rapid Response Instructor, volunteered to lead the team into the house to rescue of his fellow officers and was fatally wounded.

Officer Weaver dropped his weapon and attempted to recover the body of Officer Yaslowitz, but was driven back by the gunfire and was wounded himself. He then helped Officer MacDonald move Officer McClintick and Marshal Ley to safety. Officer Weaver was then able to move Sergeant Baitinger's body out of the house along with Sergeant Lounge and Officer MacDonald.

On that January evening, it pained me to take to the House floor to inform my colleagues of the tragedy that had occurred. As I stated that day, "This is a sober reminder that the men and women who serve us as law enforcement officers put their lives on the line every day. It is also a good time to say thank you for all those who serve us in uniform at home or abroad."

Sergeant Baitinger and Officer Yaslowitz made the ultimate sacrifice while serving their community and now have their names inscribed on the National Law Enforcement Officers Memorial in Washington, D.C. Marshal

Ley, Sergeant Lounge, Officer MacDonald, Officer Weaver, and Officer McClintick all showed tremendous bravery in the line of fire. Because of their selfless actions, these law enforcement officers earned the Congressional Badge of Bravery.

IN HONOR AND MEMORIAM OF  
STANLEY WILSON, A COURAGEOUS DALLAS FIREFIGHTER

**HON. PETE SESSIONS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. SESSIONS. Mr. Speaker, I rise today to honor the life of fallen Dallas firefighter Stanley Allen Wilson.

Stanley worked selflessly alongside his fellow firefighters and was an exemplary example of steadfast commitment to bettering, protecting and saving lives. When others run away, the brave men and women who serve as our first responders rush in. Stanley Wilson was no different. Responding to a massive six alarm fire, he answered the call of duty and made the ultimate sacrifice to keep our community safe.

Stanley, a lifelong native of Dallas, Texas, was a 1979 graduate of Lake Highlands High School and attended the University of Texas. As a 28-year veteran of the Dallas Fire Department, Stanley served proudly at Dallas Fire Station #53 in Lakewood.

Stanley's life reflected his love for family and community. He was a devout Christian, dedicated husband and father, and a true public servant. Whether it was serving his church community at Park Cities Baptist Church, serving his sons as the quartermaster for Boy Scout Troop 890, or serving the City of Dallas as a firefighter, Stanley held true to his principles and never wavered in his loyalty to those around him.

Stanley Wilson is survived by his wife of 20 years, Jenny and his two sons Noah and Luke.

I am privileged to honor this fellow Boy Scout Leader and commend him for "leaving his campsite better than he found it." Stanley Wilson will be greatly missed. May the peace of God be with those he loved and sustain them through this hour of sorrow.

IN RECOGNITION OF NATIONAL  
ARTHRITIS MONTH

**HON. PATRICK MEEHAN**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. MEEHAN. Mr. Speaker, I rise today in recognition of National Arthritis Month. Arthritis is a disease that affects more than 50 million Americans of all ages including some residents of Pennsylvania's 7th District. Arthritis includes more than 100 joint diseases that can affect the entire body, causing severe pain for many. While questions still remain, I am encouraged by the cutting edge research being conducted on arthritis, particularly at the NIH.

Early diagnosis and disease management can help prevent long term pain for individuals living with arthritis and their families. As May draws to a close, let us continue to raise awareness of arthritis, remembering the individuals living with the disease every day.

A TRIBUTE TO WWII VETERAN  
JERRY LUPTAK

**HON. DAVE CAMP**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to Jerry Luptak, a Michigan resident, a veteran, and a hero of one of World War II's most infamous battles—the "Battle of the Bulge."

Jerry began his military career in the ROTC at Michigan State University. His group was called into duty and assigned to the 36th Infantry division. Upon landing in Italy, he and his unit fought through southern France, advancing the Allied line.

During the Battle of the Bulge, Jerry served as a 2nd Lieutenant in the 131st Field Artillery Battalion. He was positioned as a forward Artillery Observer on a bridgehead on the German side of the river, the very front of the Allied line. From his position in the fourth floor of a building, Jerry saw the enemy advancing with an overwhelming force of troops and tanks. Thinking quickly, Lieutenant Luptak called for his fellow troops to take cover, then called in an artillery barrage on the German advance. Still exposed in his fourth floor position, Jerry put his own life in danger to give the American forces their only chance at avoiding defeat. His quick decision-making and bravery proved successful, and the artillery barrage defeated the German advance.

Lieutenant Luptak was awarded a silver star for his gallantry in action. According to his citation, Jerry "effectively directed artillery fire was of material aid in crushing enemy attacks." This battle was an important stepping stone in halting the German opposition during World War II.

Jerry's vast combat experience and tactical knowledge provided vital tools to the United States Armed Forces. In addition to his silver star, he also received the American Theater Service Medal, German Occupation Medal, and the European-African-Middle Eastern Campaign Medal.

As Memorial Day approaches, all Americans should remember our brave servicemen and women, like Jerry Luptak, who dutifully and nobly answered the call to service for our nation, and the debt of gratitude we owe to them. On behalf of Michigan's 4th Congressional District, the Members of the Michigan Congressional Delegation, and all Americans, I thank Jerry Luptak for his dedicated and selfless service, and bravery in the face of the enemy.

RECOGNIZING THE DEDICATION  
AND SERVICE OF CHAPLAIN  
DAVID L. GIBSON OF NORTH-  
WEST FLORIDA

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. MILLER of Florida. Mr. Speaker. I rise today to recognize the dedication and service of Chaplain David L. Gibson upon the occasion of his retirement. Chaplain Gibson is a proud resident of the Gulf Coast, where he is retiring after serving his nation with honor and distinction as Command Chaplain and Protestant Chapel Pastor at Naval Air Station Pensacola.

Chaplain Gibson was born in Mableton, Georgia, and began serving his community at an early age through religious education. He acted as a minister of Youth, Music, and Christian Education at numerous churches, first as an intern and ultimately as director of a tri-city area based in Midland, Michigan. After receiving his Bachelor's degree in Christian Education in 1980 and his Masters in Divinity in 1983, Chaplain Gibson was ordained in July 1984 and commissioned as an officer in the United States Navy.

Chaplain Gibson led his military communities spiritually in posts as Chaplain or Command Chaplain in Naples, Italy; Norfolk, Virginia; Yorktown, Virginia; and Beaufort, South Carolina; before arriving in Pensacola to serve in 1998. While assigned to Naval Air Station Pensacola as the Assistant Department Head of the Naval Education and Training Professional Development Command, he designed and delivered over two hundred professional development courses. For his dedication and exceptional service, Chaplain Gibson was awarded the Navy-Marine Corps Commendation Medal and the Meritorious Service Medal. Following his promotion to Commander in 2003, Chaplain Gibson moved to serve at the Navy Chaplains School in Newport, Rhode Island for three years before returning to Naval Air Station Pensacola. In a further testament to his devotion to education, he earned his Doctorate of Strategic Leadership from Regent University in 2006.

During his career, Chaplain Gibson founded the Applied Suicide Intervention Skills Training Program. Today, this program is the standardized training that all chaplains and other Navy leaders receive in order to effectively deal with suicide situations. Further, he worked extensively on combat operation stress, particularly with its diagnosis and response. He co-authored a chapter in a 2012 Marine Corp University textbook on combat operation stress titled, "Spiritual Injuries: Wounds of the American Warrior on the Battlefield of the Soul." He was also instrumental in training chaplains on how to minister to these hidden wounds. As a pastor and an educator, Chaplain Gibson has had an enormous impact on our Armed Services both in Northwest Florida and throughout the United States.

From an early age, Chaplain Gibson learned the importance of serving God and his community. It is evident that this dedication has remained over the years, and thousands have been touched by his presence and service.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to honor the selfless service of David L. Gibson. My wife Vicki joins me in wishing David, his wife Tami, and their children, Zachary and Micah, all of the best.

**HONORING THE VETERANS OF THE  
MAY 23, 2013 HONOR FLIGHT OF  
THE QUAD CITIES**

**HON. DAVID LOESACK**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. LOESACK. Mr. Speaker, today, over ninety Iowa veterans of World War II and the Korean War will travel to our Nation's Capital. Together, they will visit the monuments that were built in their honor by a grateful Nation.

We owe these heroes a debt of gratitude. For many, today will be the first time they will see the National World War II Memorial and the Korean War Veterans Memorial. I can think of no greater honor than to be able to greet them and thank Iowa's—and our Nation's—heroes for their service to our country.

That is why I am deeply honored to join them for their visit to the National World War II Memorial to personally thank these heroes for their service to our Nation and to pay tribute to the incredible sacrifice they made for our country.

We owe these heroes a debt of gratitude and the Honor Flight demonstrates that we as a State and as a country will never forget the debt we owe those who have worn our Nation's uniform. As a reminder of the service and sacrifice of the Greatest Generation, I am proud to have a piece of marble in my office from the quarry that was used to build the World War II Memorial. Our World War II and Korean War veterans rose to defend not just our Nation, but the freedoms, democracy, and values that make our country the greatest Nation on earth. They did so as one people and one country. Their sacrifices and determination in the face of great threats to our way of life are both humbling and inspiring.

I am tremendously proud to welcome the Honor Flight of the Quad Cities and Iowa's veterans of World War II and the Korean War to our Nation's Capital today. On behalf of every Iowan I represent, I thank them for their service to our country.

**PERSONAL EXPLANATION**

**HON. SEAN P. DUFFY**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. DUFFY. Mr. Speaker, last week, the needs of my constituents took me away from D.C. and my work here in this Chamber. Though this absence was excused, I would like the RECORD to show my support for legislation which was passed to repeal the misguided and over-burdensome health care law known as Obamacare, and two bills which increase analysis of new and existing regula-

tions and strengthen our local financial institutions. I have supported these pieces of legislation in the past, and would have voted for them had I been here.

That being said, last week, a devastating forest fire—the largest Wisconsin has seen in 33 years—hit the northwest corner of my district in Douglas County. I was grateful to be back home to evaluate the damage, offer assistance to those who suffered loss and personally thank the first responders. By the grace of God, and with the help of many selfless first responders and firefighters, no one was injured and the destruction was limited. I was inspired by neighbors coming together to help each other, and was proud to see governments at the local, State, and Federal level respond quickly and effectively. I commend all those who stepped up and took charge in this situation, and my staff and I will continue to offer our assistance in any way we can.

**HONORING WHITNEY COY AND  
OTHER MEMBERS OF  
FIREWIVES.COM**

**HON. STEVE STIVERS**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. STIVERS. Mr. Speaker, I rise today to recognize a group of my constituents from Lancaster, Ohio, who pulled together to make a difference in the wake of an explosion at a fertilizer plant in West, Texas that injured hundreds and killed at least 14 people.

Of those lost in the explosion on April 17, many were firefighters from different departments who responded to the fire and explosion. When the wives of Lancaster firefighters and members of "Firewives.com" heard about what happened, they knew something had to be done.

Whitney Coy and the other members of "Firewives.com" formed a committee to fundraise for the West, Texas Volunteer Fire Department. Their group has grown to roughly 350 members since April. The group's original goal was to sell 150 T-shirts, which they sold in the very first day. So far, they have sold more than 850 t-shirts and raised more than \$7,500 for West, Texas.

The money raised by our neighbors in Lancaster will be used to purchase new equipment to help protect firefighters in West, Texas. I am confident that Whitney Coy and her team played a very important role in ensuring the new equipment could be purchased.

Again, I am thankful for Whitney Coy's hard work in helping the people of West, Texas. I ask that all Members of Congress stand with me to recognize her, and her team, for their acts of selflessness and kindness.

**CONGRATULATING THE COM-  
MITTEE OF 100 ON THE FEDERAL  
CITY ON ITS 90TH ANNIVERSARY**

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in congratulating The Committee of 100 on the Federal City on its 90th anniversary and for its work in promoting the District of Columbia's distinction, beauty, and grace as a community.

Founded in 1923 by Frederic A. Delano under the auspices of the American Civic Association, the Committee of 100 was formed to sustain and to safeguard the fundamental values for establishing strong standards for parks, monuments, public buildings, and scenic vistas far beyond the monumental core of Washington, D.C. Today, the Committee of 100 acts as a force of conscience in the evolution of the nation's capital city, engaging in the planning processes for the development of significant large sites in the District, including the Southwest Waterfront, St. Elizabeths, Walter Reed and the McMillan Reservoir.

For 90 years the Committee of 100 has continued to work to ensure that what is built—or not built—in the nation's capital reflects the historical significance of the District and its diverse, growing population. We appreciate the Committee 100 for its long presence in the District and its continued service to the ever-changing landscape of the District, and we wish them many more years of outstanding service.

Mr. Speaker, I ask the House of Representatives to join me in celebrating the 90th anniversary of Committee of 100 on the Federal City.

**FULL HMTF UTILIZATION  
RESOLUTION**

**HON. JANICE HAHN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Ms. HAHN. Mr. Speaker, our ports are a vital part of our nation's economy. They move more than 2.3 billion tons of cargo a year in the United States, generating economic activity that touches every Congressional district in the country.

Our ports are more than just gateways, they are engines—for the economy and for jobs.

Unfortunately, our nation's ports and harbors are severely under-dredged and under-maintained. According to a recent report by the American Association of Port Authorities, full channel dimensions are available less than 35% of the time.

We need to keep our ports strong. And so in 1986, we came up with a way to fund strong, fully dredged and well maintained ports and harbors, by assessing a tax on the goods imported through U.S. ports. That Harbor Maintenance Tax collects roughly \$1.6 billion a year: plenty of money to keep our ports and harbors the best in the world.

Yet as our ports suffer from historic underdredging and lack of investment, we continue to spend only half of the funds we collect with the Harbor Maintenance Tax on maintaining our harbors.

We have an \$8 billion dollar surplus sitting in the Harbor Maintenance Trust Fund. That's outrageous.

When our ports have such a clear need, when we have such a desperate need for the jobs that the work of dredging and modernizing out ports would create, it is scandalous that we will not fully utilize the funds we have collected for that very purpose.

I am introducing this resolution because we need to fully utilize the Harbor Maintenance Trust Fund. The wind in Congress is shifting, and I believe that we will pass legislation to achieve that. The Army Corps of Engineers needs to prepare to put people to work fixing our ports the day after the President signs that bill into law.

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A TRIBUTE TO THE IOWA ELK'S  
ASSOCIATION

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**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to honor and recognize the great work of the Iowa Elk's Association for their efforts to make the reunion of Marine Sergeant Ross Gundlach and his former combat partner, a yellow Labrador named Casey, a reality. Their dedication to this great event has truly changed two deserving lives.

In Afghanistan, Sergeant Gundlach and Casey were deployed on more than 125 missions to detect and clear suspicious packages along military convoy routes. Sergeant Gundlach and Casey's great work no doubt saved American lives as they were able to detect improvised explosive devices along the road and contain them before they could harm US Marines aboard the convoy. As their tour of duty concluded, Sergeant Gundlach made a promise to Casey he would do everything in his power to find her and care for her when they returned to America.

Upon returning home, Sergeant Gundlach, a Wisconsin native, was able to locate Casey, who had been acquired to continue her work detecting bombs in Iowa on behalf of the State Fire Marshal's Office. He reached out to Casey's new handler via email in an attempt to adopt Casey, often relaying photographs and stories of their service together. Unfortunately, hope for a reunion looked dim as the State Fire Marshal's Office would require \$8,500 to acquire a replacement dog equipped to inspect venues for explosives should Casey's position be vacated.

To make this reunion happen, the Iowa Elk's Association, a fraternal organization with a proud history of assisting our veterans, graciously donated the full sum required to the State of Iowa to purchase a new explosive detection K-9. Governor Terry Branstad accepted the gift request and Sergeant Gundlach was unknowingly invited to Iowa under the pretense he would have to present his case

for the adoption of Casey to a bureaucratic state board. Instead, the Iowa Elk's generosity supported a heartwarming surprise ceremony in Iowa's Capitol to formally reunite this remarkable veteran and his faithful companion after 333 days of separation. The selfless efforts of the Governor's Office, the State Fire Marshal's Office, and the Iowa Elk's Association left few dry eyes as Casey greeted her old friend and new adoptive parent.

Mr. Speaker, in an increasingly chaotic and unpredictable world, it can seem good news is harder and harder to come by. Yet, the actions of the Iowa Elk's Association and the State of Iowa as a whole to do the right thing in such a remarkable fashion is a testament to our state and nation's innate optimism and gratitude to our servicemembers. It is with great pride that I invite my colleagues in the House to join me in thanking all those involved in this heartwarming event and wishing both Sergeant Gundlach and his dog Casey a long and happy future as the friends they have been from day one.

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CONGRATULATING NOREEN SALAH  
BURPEE

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**HON. LOIS FRANKEL**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to congratulate Noreen Salah Burpee on winning the Ellis Island Medal of Honor. Ms. Burpee is an outstanding member of our community, and I am proud to represent her in Florida's 22nd District.

The Ellis Island Medal of Honor recognizes American immigrants who make extraordinary contributions to the community, and Ms. Burpee has certainly earned this distinction. As the executive director of The Salah Foundation, she helps distribute millions of dollars to small nonprofits nationwide, while helping those nonprofits maximize their funds and fulfill their missions. Many of the Salah Foundation's beneficiaries are right here in Palm Beach and Broward Counties. For example, she worked with nonprofit Broward Health Systems, helping them mobilize more than \$1 million to improve cancer-treatment facilities and marketing efforts.

In honor of her Ellis Island Medal of Honor, I am proud to recognize Noreen Salah Burpee for her amazing achievements and wish her continued success in her endeavors.

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HONORING DICK WEAVER FOR HIS  
SERVICE TO OUR COUNTRY

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**HON. HOWARD COBLE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. COBLE. Mr. Speaker, as we approach Memorial Day 2013, I hope that everyone spends some time this holiday to honor the men and women who made the ultimate sacrifice to preserve our nation's freedoms. We also need to thank those who serve today in

harm's way for their dedication to the ideals and principles that made this country great.

I would like to take this opportunity to tell the story of one such man who performed heroic feats on the battlefield, and thankfully, is still with us today so that we may honor him for his service. That man is named C.W. (Dick) Weaver, Jr., and he lives in the Sixth District of North Carolina.

Dick Weaver is a man who was destined to receive honors for his leadership ability in many aspects of his life. He graduated in 1951 from Rankin High School in Guilford County, North Carolina, where he was Valedictorian and President of the Senior Class. As an athlete at Rankin, he was All Conference for two years in baseball and football. He then attended Lees McRae Junior College until he became a United States Marine. Dick was shipped overseas to join the Korean Conflict.

On March 28, 1953, Sergeant Weaver was subject to devastating enemy artillery fire. The unit received word that one of the men had been wounded and was lying helpless and unprotected. Under heavy artillery fire, Sergeant Weaver rushed to the stricken man and carried him to cover. He was painfully injured in his heroic act of courage. Sergeant Weaver, by his outstanding leadership, indomitable courage, and selfless efforts on behalf of another, served to inspire all who observed him and upheld the highest tradition of the United States Naval Services. For his action, he was awarded the Silver Star and Purple Heart by the President of the United States.

Sergeant Weaver spent 11 months in a military hospital for his wounds. Joseph J. McCaffrey, in a letter to Sergeant Weaver's mother wrote, "that his action inspired his men to get the wounded men out of danger." McCaffrey added, "that he literally walked into an artillery barrage and certain death."

Dick Weaver returned to Lees McRae and was graduated in 1957. He was student body president, Phi Beta Kappa, Best All-Around Student, Most Valuable Player in baseball, and the recipient of a prestigious Morehead Scholarship to the University of North Carolina, from where he was graduated in 1959.

After serving in personnel positions at Cone Mills, General Dynamics, and Duke University, Dick founded and served as president of Dick Weaver Associates from 1975 to 1995, and his company was rated by the College and University Personnel Association as one of the top three in the nation.

Dick Weaver has been a friend of mine for decades. As youngsters, we competed against each other on the ball fields of Piedmont North Carolina. In all the years that I have known Dick, I never really knew of the heroism he displayed in Korea. Dick is a humble and self-effacing gentleman who doesn't seek out the glory. I wanted to take this moment, as we celebrate Memorial Day 2013, to honor Dick Weaver and the countless others just like him who serve our country with dignity and distinction.

## HONORING KAYLEIGH FAAS

## HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Kayleigh Faas is a sophomore at Needville High School in Fort Bend County, Texas. Her essay topic is: In your opinion, what role should government play in our lives?

## THE POSITIVE POWER OF GOVERNMENT

What role should government play in our daily lives? In my opinion, government should be a structured framework for our education system, economy, and healthcare programs. In hopes of creating a "more perfect union", our founding fathers strived to create a fair and just system to serve Americans.

We depend on our government to protect its citizens. Government affects all human activity. Some of the important groups are consumers, workers, investors, and the environment. The Constitution was designed to defend our "lives, liberties and pursuits of happiness". Only the government has the power to maintain these rights.

Government itself is valuable and beneficial to Americans. It is a powerful force in forming and maintaining a strong society. Citizens have different relationships with their government whether it be at the federal, state, or local level. In my opinion, people should support their governmental systems and view them as an institution rather than an administration. We may not agree with elected officials on all issues, but should work together with them to better our nation. We are lucky to live in a democratic society where we have a voice and the right to vote for our leaders of choice.

We should have a positive attitude towards our democratic government. As stated in our Constitution, our forefathers created our government in order to create a more perfect union and to defend and promote the welfare and tranquility of our citizens. These are assurances that most of the world's countries wish they could achieve.

Government, in my opinion, is valuable and beneficial to all citizens and should continue to positively affect various aspects of our lives on a daily basis. Our government is the only entity that can help us grow together as a strong and healthy nation. It provides the foundation for our economic growth. It also positively impacts our education system and promotes a higher level of competency which results in better lives. Other nations look to our form of government as a model for shaping and bettering their own. Our government has a vital and indispensable role to play in continuing to improve the lives of all Americans. We, as responsible citizens, must support our government system, because after all, WE have created it.

## HONORING WOMEN OF INFLUENCE

## HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise to honor 32 women who were recognized as New Mexico "Women of Influence" for 2013.

It is important to highlight women in our communities who are achieving incredible success as local business and community leaders. Albuquerque Business First partnered with the local business community to evaluate a record number of nominations for the Women of Influence awards.

I understand the challenges of being a small business owner and overcoming hurdles that are all-too-common for women in a male-dominated culture. I appreciate and applaud this year's honorees, each of whom has contributed to the state of New Mexico in unique and exiting ways.

New Mexico's Women of Influence include CEO's, educators, entrepreneurs, and leaders in financial services, government, health and fitness, non-profits and technology firms.

## BUSINESS SERVICES

Virginia R. Dugan, Esquire, Atkinson & Kelsey, P.A.; Annette Gardiner, President, New Mexico Gas Company; Debra P. Hicks, PE/LSI, President and CEO, Pettigrew & Associates, P.A.; Jennifer Hise, Vice President, CEMCO, Inc.; Laurie Monfiletto, Vice President of Human Resources, PNM Resources; Dorothy Stermer, Manager, Sandia National Laboratories; Dr. Sandra Taylor-Sawyer, Director, NM Small Business Development Center, CEO, Dream Givers, LLC, Independent Associate, LegalShield.

## EDUCATION

Barbara Bergman, Interim Dean, University of New Mexico School of Law; Marilyn Melendez Dykman, Director, University of New Mexico Veterans Resource Center; Dr. Viola E. Florez, Professor and PNM Education Endowed Chair, University of New Mexico College of Education.

## ENTREPRENEUR

Sherry M. Keeney, President/CEO, PECOS Management Services, Inc.; Janice J. Lucero, CEO/Owner, MVD Express; Susan MacLean, President & CEO, The Solutions Group; DeAnn Sena O'Connor, Creative Director, dso creative.

## FINANCIAL SERVICES

Karen M. Bard, Wealth Management Advisor, Merrill Lynch; Dohnia Dorman, MBA, VP of Marketing, Rio Grande Credit Union, Part-Time Adjunct Lecturer II, UNM; Tammy S. Jaramillo, Director of Administration, Burt & Company CPAs, LLC.

## GOVERNMENT

Mary Ann Chavez-Lopez, Executive Director, El Camino Real Housing Authority; Ann Lerner, Film Liaison, City of Albuquerque; Katherine Carroll Martinez, Director, Construction Industries Division/Manufactured Housing Division, Regulation and Licensing Department, State of New Mexico.

## HEALTH/FITNESS

Kristie Bair, J.D., President, Bair Medical Spa; Gayle Dine'Chacon, MD, Surgeon Gen-

eral, Navajo Nation, Associate Professor, UNM School of Medicine; E. DeAnn Eaton Azar, CEO, Haverland Carter Lifestyle Group; Kim E. Hedrick, Vice President Strategic Business Development, University of New Mexico Medical Group, Inc.; Mary G. Martinez, Franchise Owner/CEO, Home Instead Senior Care; Dawn Tschabrun, COO, Chief Nursing Officer, Lovelace Regional Hospital-Roswell.

## NONPROFIT

Andrea Fisher Maril, CEO, Big Brothers Big Sisters of Northern New Mexico; Kathy Mechenbier, Founder and president of the board, El Ranchito de los Ninos Inc.; Carol Wight, CEO, New Mexico Restaurant Association.

## TECHNOLOGY

Marjorie M.K. Hlava, President and chairman, Access Innovations Inc.; Caroline Dennis, Cyber Security and STEM education consultant; Elizabeth J. (Lisa) Kuuttila, President and CEO, STC.UNM.

I congratulate these women leaders and thank them for their contributions to New Mexico.

## A TRIBUTE TO ACACIA SCOTT

## HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and honor Acacia Scott for being named a 2013 recipient of the Dorothy Andrews Kabis Memorial Internship by the National Federation of Republican Women.

The Dorothy Kabis Internship is named after former National Federation of Republican Women President who served from 1963–1967 before being appointed as the United States Treasurer by President Nixon. This Memorial Internship Program is a highly selective program that offers just three young women from across the nation the chance to work in the headquarters of this prominent women's political organization in our national's capital. This program is reserved for undergraduate college students that display a keen knowledge of government and a strong interest in politics.

Mr. Speaker, Acacia's ability to be named to just one of three nationwide internships by the National Federation of Republican Women speaks volumes to her abilities and renowned Iowa work ethic. It is an honor to represent future leaders like Acacia from the great state of Iowa in the United States Congress and I invite my colleagues in the House to join me in congratulating her for receiving this prestigious designation. I wish her the best of luck in her future studies and career.

GREAT TEACHERS AND  
PRINCIPALS ACT OF 2013**HON. THOMAS E. PETRI**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. PETRI. Mr. Speaker, today Rep. JARED POLIS and I are introducing the Growing Excellent Achievement Training Academies (GREAT) Teachers and Principals Act.

The bill would implement reforms to encourage the growth of teacher and principal training academies that are held accountable for producing effective graduates in exchange for freedom from unnecessary regulations and bureaucracy.

Research continues to confirm that effective teaching is a critical component of student success. However, despite these findings, many teachers report feeling ill-prepared for their work in the classroom. These reforms will harness the power of innovation to create teacher and principal preparation programs that are more effective and more responsive to the needs of educators.

One leading study found that a majority of education school alumni (61 percent) reported that schools of education did not adequately prepare their graduates for the classroom. Principals surveyed as part of that study also gave schools of education low marks, with only 30 percent reporting that such schools prepare teachers very well or moderately well to meet the needs of students with disabilities, and only 16 percent reporting at those levels for students with limited English proficiency. It is well known that nearly half of new teachers leave the profession in the first five years.

In our bill, states would be given the flexibility to use a portion of the funds they receive for teacher and principal reforms to support the development of teacher or principal preparation academies. These academies, which may be traditional colleges of education but need not be, would be required to be selective in their admissions processes; emphasize clinical preparation by pairing their candidates with effective teachers or principals in the classroom; and produce a certain number of effective teachers or principals in order to maintain their authority to operate. In exchange for this accountability, they would be free of much of the red tape currently imposed on schools, much of which has no demonstrated tie to student achievement.

The GREAT Act also has more than 80 endorsements from prominent education organizations, college of education deans, and state chief school officers, including Chiefs for Change, the Business Round Table, Teach For America, and the United Negro College Fund.

I urge my colleagues to join me and Rep. POLIS in supporting these important reforms.

RECOGNIZING SPECIALIST DANIEL  
LUCAS ELLIOT IN MEMORIAM**HON. RENEE L. ELLMERS**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mrs. ELLMERS. Mr. Speaker, I rise today to recognize the service and sacrifice of Specialist Daniel Lucas Elliot.

On July 15, 2011, Specialist Elliott's vehicle was the lead vehicle of a convoy performing an improvised explosive device patrol in Basra, Iraq. Specialist Elliott's vehicle struck an improvised explosive device, killing him instantly. Specialist Elliott is survived by his parents, Ed A. and Martha P. Elliott of Youngsville, North Carolina, and his wife Trisha H. Elliott of Raleigh, North Carolina.

Specialist Elliott was born on July 18, 1989 in Youngsville, NC. He entered the United States Army Reserve on January 10, 2007. Specialist Elliott attended Basic Training and Advanced Individual Training at Fort Leonardwood, MO where he was awarded the Military Occupational Specialty of Military Police.

In January 2009, Specialist Elliott deployed with the 810th Military Police Company to Baghdad, Iraq, in support of Operation Iraqi Freedom. Later that year he moved to Basra, Iraq, where he served the rest of his deployment.

In March 2011, Specialist Elliott volunteered to deploy to Iraq a second time with the 805th Military Police Company in support of Operation New Dawn. He found himself stationed in Basra, Iraq, with the 3rd Brigade Combat Team, 1st Cavalry Division. It was during this assignment that he gave his life for his fellow soldiers.

Specialist Elliott's awards and decorations include the Bronze Star Medal (posthumous), Purple Heart Medal (posthumous), Meritorious Service Medal (posthumous), Army Commendation Medal, Army Good Conduct Medal, Army Reserve Component Achievement Medal, National Defense Service Medal, Army Service Ribbon, Overseas Service Ribbon, Iraqi Campaign Medal and the Global War on Terrorism Service Medal.

On June 8, 2013, the Army Reserve will dedicate the Cary, North Carolina, US Army Reserve Center to the memory of Specialist Elliot and his sacrifice for our country. The "Specialist Daniel Lucas Elliot Army Reserve Center" will serve as a reminder to the community, the nation, and our army of the courage and sacrifice of our Soldiers as they provide us security and defend our way of life.

Mr. Speaker, I ask that you please join me, and the United States Army Reserve, in recognizing Specialist Elliott's dedicated service to the Army and our Nation. His performance and selfless service are in keeping with the highest traditions of military service and reflect great credit upon himself, the United States Army Reserve, and the United States Army.

## CONGRATULATING MOLLY FREY

**HON. STEVE STIVERS**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. STIVERS. Mr. Speaker, I rise today to congratulate Molly Frey on her achievement as a Military Kid of the Year from "Our Military Kids." I am honored that one of my very own constituents has been selected for this prestigious award.

According to "Our Military Kids," Molly was selected for the award because of her talents in ballet, figure skating, and sailing. She also has a philanthropic spirit, which has led to her helping raise money for breast cancer awareness and volunteering to support other military families through "Operation Baking GALS" (Give a Little Support).

Molly's father, Ohio Air Reserve Guard Senior Master Sgt. Kim Frey, was away on a seven-month deployment, which included six months in Afghanistan. As a Colonel in the Ohio Army National Guard and veteran of Operation Iraqi Freedom, I am impressed with the sacrifices that Molly and her family have made for our country and our freedom. Their family knows all too well that these sacrifices are shared, and I admire their strength to persevere.

Again, I offer my congratulations to Molly Frey. It was an honor to meet her and her family in April when she was in Washington, DC. I ask that all Members of Congress rise and join me in recognizing the sacrifices that all military families and personnel make for this great nation, including Molly Frey and her family.

## A TRIBUTE TO THOMAS GRIFFIN

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. LATHAM. Mr. Speaker, I rise today to recognize the achievements of Thomas Griffin of Ankeny, Iowa for receiving a coveted 2013 James Madison Fellowship from the James Madison Memorial Fellowship Foundation.

The James Madison Fellowship is offered to current and prospective teachers of American history and social studies to support study of the history and principles enshrined in the U.S. Constitution, at the graduate level. These fellowships provide a valuable service to our Nation by both fostering the aspirations of the Nation's most promising and distinguished teachers while continually improving the quality of teaching in our Nation's schools.

Mr. Griffin, a teacher at Johnston High School, represents one of just 56 fellowships that were awarded nationwide in 2013. His selection for this honor will include up to \$24,000 toward a master's degree in his field of study.

Mr. Speaker, it is a profound honor to represent leaders like Mr. Griffin from the great State of Iowa in the United States Congress. I know my colleagues in the United States House will join me in congratulating him for receiving this recognition, and I wish him the

best of luck in his studies and continuing career in education.

# RECOGNIZING NATIONAL EMERGENCY MEDICAL SERVICES WEEK

## HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Mr. REED. Mr. Speaker, I rise today to recognize May 19–25 as National Emergency Medical Services Week. The goal of this important week is to encourage safety and to honor the dedication of those who provide day-to-day lifesaving services. Though this honorary title may only last a week, the highlighted message should be recognized throughout the entire year.

This year's theme is "EMS: One Mission. One Team." This powerful theme serves as a reminder that emergency providers work selflessly each and every day to aid those in need whenever the call may be heard. Though the titles may differ—paramedics, first responders, firefighters—they all strive to improve the communities in which we live and work.

One does not have to look past the recent tragedy in Boston to fully understand just how important emergency medical services are in our daily lives. The heroes on that dark day were ordinary citizens who rose up in the face of tragedy to treat the dozens of wounded runners and innocent bystanders.

It is my hope that everyone takes a moment to thank those around them who perform these live-saving services. They are America's true everyday heroes.

# CONGRATULATING THE BOROUGH OF NEW BRIGHTON ON ITS 175TH ANNIVERSARY

## HON. KEITH J. ROTHFUS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Mr. ROTHFUS. Mr. Speaker, I rise today to congratulate the Borough of New Brighton on the 175th anniversary of its founding in 1838. The Borough of New Brighton is located on the east bank of the Beaver River, about two miles from its junction with the Ohio River.

The present site of New Brighton was first settled by United States Army Colonel Josiah Harmar, who built a blockhouse with the help of troops from nearby Fort McIntosh in 1788. William and David Constable surveyed and laid out the site of the new town, which they named Brighton, after their old home in England. Residents soon popularized the name to New Brighton, and the new town was incorporated as such by an Act of Assembly in 1838.

New Brighton's early settlers were skilled tradesmen drawn by good factory sites, water power, and the demand for their specialized skills. Others sought religious freedom and economic opportunity. Today, New Brighton's

residents take pride in their community, which balances suburban living with a walkable downtown area. New Brighton is one of Beaver County's Rivertowns, and it offers a variety of recreation and cultural attractions including Big Rock Park, the New Brighton Fishing Park, and the Merrick Art Gallery.

Mr. Speaker, fellow Members, please join me in congratulating the Borough of New Brighton on the 175th anniversary of its founding.

# HONORING STEVE PATERNOSTER

## HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise to honor Steve Paternoster, who was recently selected as the National Restaurant Association's 2013 Cornerstone Humanitarian of the Year for his extraordinary contributions to his community and for his philanthropic service to others. Steve has selflessly dedicated his life to improving the lives of countless New Mexicans. An alumnus of New Mexico Military Institute, Steve now serves as CEO of the YMCA of Central New Mexico and is the owner of a successful restaurant. From donating about \$200,000 annually through his business to serving on local non-profit boards, he focuses on organizations that support chronic disease, the less fortunate, young adults at risk and the arts.

In 2009, Steve and his daughter Haley founded the Special Programs Youth Assistance Foundation to help troubled and disadvantaged youth in New Mexico, including those in Children's Drug Court and those suffering from domestic abuse. After losing Haley to a heroin overdose in 2010, Steve has made it his life's mission to help others overcome obstacles similar to those Haley and the Paternoster family faced. Steve also hosts an annual holiday dinner at his restaurant for troubled teenagers, their families, Court staff and their families.

Steve works closely with many other causes including Isshin Ryu, a non-profit organization designed to provide education, recreation and enrichment activities to disadvantaged youth. He also works with the Heart Gallery of New Mexico Foundation, which helps hard-to-place children in foster homes. Additionally, Steve is involved with New Mexico AIDS Services, the American Heart Association, the American Stroke Association, the Heart Hospital of New Mexico Foundation and Dismas House, which provides support for people with chronic illnesses.

I congratulate Steve on receiving this prestigious award and thank him for his hard work and for the many contributions he has made and will continue to make to New Mexico.

# TRIBUTE TO DEBORAH OSAKUE

## HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Deborah Osakue is a senior at Hightowner High School in Fort Bend County, Texas. Her essay topic is: In your opinion, why is it important to be involved in the political process?

Our constitution was framed according to the Lockean social contract that government should have the "consent of the governed". As an African American female, I know that people have died and have spent their lives fighting to give me an opportunity to participate in the American political process. If I abstain from the political process, these people would have fought and died in vain. I owe the likes of Susan B. Anthony, Sojourner Truth, and Martin Luther King the respect of my participation in a democracy they toiled to create. The American system of government gives its citizens one crucial responsibility: to vote. Men and women have died on foreign and domestic soil all so that I can be free. To abstain from the democratic process is to spill their blood in contempt. It is undeniable that the practice of gerrymandering has been used to oppress minority voices. I know our political process is not flawless, but I also know that it is my responsibility to improve it.

Mahatma Ghandi once said, "You must be the change you wish to see in the world." I am responsible for creating the America of tomorrow. I must be involved in the political process in order to do so. I grew up observing the disparity between the quality of public education provided to students of lower and higher income homes. I spend a good amount of time each day watching the news and reading about what is wrong with the world. According to Beyond ABC 2012, an assessment of children's health, about eight percent of children in the U.S. have no medical insurance but the percentage of Texas children without medical insurance is significantly higher at fourteen percent. According to the National Institutes of Health, twenty percent of Americans suffer from a diagnosable form of mental illness and yet the problem of mental illness remains largely unscathed. These problems will not simply fix themselves. It is up to me to exercise my rights as a citizen to change my city, state and nation for the better. If I do not make an effort to fight for what I believe in, I cannot expect others to do so for me.



## TRIBUTE TO CHARLES W. GOULD

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a tremendous educator and wonderful visionary on the occasion of his retirement. Dr. Charles W. Gould is retiring as president of Florence-Darlington Technical College after nearly 20 years of service. His leadership will certainly be missed, but his legacy will continue at the college and throughout the State of South Carolina.

Dr. Gould knew from a young age that he was passionate about education. He earned a Master's degree from the University of Wisconsin-Milwaukee with an emphasis on the philosophy of mathematics and a Ph.D. from Duke University with an emphasis on ethics and law.

Early in his career, Dr. Gould taught at Duke University, the University of Wisconsin-Milwaukee, and he was an Associate Managing Editor of a national educational publishing company. He has been in the technical college system of South Carolina for over thirty years and has served in three of the system's sixteen technical colleges.

His last and most significant position is serving as president of Florence-Darlington Technical College since November, 1993. During his tenure he has more than doubled the student body from less than 3,000 to more than 6,000 today. He has also grown the college by adding the health sciences campus in downtown Florence, the Lake City and Mullins satellite sites as well as expanding the Hartsville campus.

My service in Congress has coincided with Dr. Gould's presidency at Florence-Darlington Tech. During those two decades it was an honor to work with him, especially to secure funding for his crowning achievement. In 2007, the Southern Institute of Manufacturing and Technology (SIMT) opened and fulfilled Dr. Gould's vision for the college to provide hands on technical training in advanced manufacturing for students and local industry professionals. He oversaw the completion of the second phase of SIMT earlier this year which serves as a manufacturing business incubator.

In addition to his leadership at Florence-Darlington Tech, Dr. Gould serves on the board of the Commission on Colleges for the Southern Association of Colleges and Schools and frequently chairs accreditation teams and special projects for the Commission on Colleges. He also serves on the board of the National Council of Advanced Manufacturing and Technology Centers, Global Learning Systems and several other national organization boards of directors.

In the community, he currently chairs the Florence County Economic Development Partnership; is past president and ex-officio board member of the Greater Florence Chamber of Commerce; is an advisory board member for the Darlington County Economic Development Board, SCANA, Progress Energy, and BB&T Bank.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Dr. Charles Gould

for his visionary leadership and tremendous dedication to Florence-Darlington Technical College and the State of South Carolina. He deserves commendation for his many contributions as he embarks on a well-deserved retirement. I extend best wishes to him as he enters this new phase in his life, and thank him for his service and his friendship.

## PERSONAL EXPLANATION

**HON. JOHN P. SARBANES**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. SARBANES. Mr. Speaker, on rollcall Nos. 164–179, had I been present, I would have voted: No. 164—"yes"; No. 165—"yes"; No. 166—"yes"; No. 167—"no"; No. 168—"no"; No. 169—"no"; No. 170—"yes"; No. 171—"yes"; No. 172—"yes"; No. 173—"yes"; No. 174—"yes"; No. 175—"yes"; No. 176—"yes"; No. 177—"yes"; No. 178—"yes"; No. 179—"no".

## PERSONAL EXPLANATION

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. MARKEY. Mr. Speaker, on rollcall vote No. 179, Final Passage of H.R. 3: Northern Route Approval Act (Keystone XL Pipeline), my vote is not recorded. Had I been present, I would have voted "nay."

## PERSONAL EXPLANATION

**HON. GWEN MOORE**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Ms. MOORE. Mr. Speaker, I rise today regarding my absence from the House for the first votes on the evening of May 22, 2013. During this time, I was unfortunately detained in traffic returning to Capitol Hill following an event in downtown DC. I would like to submit how I would have voted had I been in attendance for the following votes:

Rollcall No. 169, on Agreeing to Amendment No. 1 (H.R. 3). I would have voted "no."

Rollcall No. 170, on Agreeing to Amendment No. 2. I would have voted "yea."

Rollcall No. 171, on Agreeing to Amendment No. 3. I would have voted "yea."

Rollcall No. 172, on Agreeing to Amendment No. 4. I would have voted "yea."

Rollcall No. 173, on Agreeing to Amendment No. 5. I would have voted "yea."

Rollcall No. 174, on Agreeing to Amendment No. 6. I would have voted "yea."

Rollcall No. 175, on Agreeing to Amendment No. 7. I would have voted "yea."

Rollcall No. 176, on Agreeing to Amendment No. 8. I would have voted "yea."

## PERSONAL EXPLANATION

**HON. MICHAEL E. CAPUANO**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. CAPUANO. Mr. Speaker, I missed several votes on Monday, and I wish to state for the record how I would have voted had I been present: rollcall No. 161—"yes"; rollcall No. 162—"yes."

## THOMASINA E. JORDAN INDIAN TRIBES OF VIRGINIA FEDERAL RECOGNITION ACT

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. MORAN. Mr. Speaker, today I am introducing the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act. This is the seventh time I have introduced legislation that would grant federal recognition to six Indian tribes in Virginia: the Chickahominy, the Eastern Chickahominy, the Upper Mattaponi, the Rappahannock, the Monacan, and the Nansemond. I am joined by my Virginia colleagues, Reps. BOBBY SCOTT, ROBERT WITTMAN and GERRY CONNOLLY.

Similar measures passed the House and the Senate Indian Affairs Committee during the 110th and 111th Sessions of Congress. Unfortunately, both measures were ultimately defeated when the objections of a few Senators were not overridden.

The impasse in Congress and the demeaning and dysfunctional acknowledgement process at the Bureau of Indian Affairs only compound the grave injustices this legislation seeks to redress and compels me to continue this cause and reintroduce this legislation today. The injustices the Virginia tribes have experienced extend back in time for hundreds of years, back to the establishment of the first permanent English settlement in America at Jamestown. For the Members of these tribes are the descendants of the great Powhatan Confederacy who greeted the English and provided food and assistance that ensured the settlers' early survival.

Six years ago, America celebrated the 400th anniversary of the settlement of Jamestown. But it was not a celebration for Native American descendants of Pocahontas, for they have yet to be recognized by our federal government. Unlike most Native American tribes that were officially recognized when they signed peace treaties with the federal government, Virginia's six Native American tribes made their peace with the Kings of England. Most notable among these was the Treaty of 1677 between these tribes and King Charles II. This treaty has been recognized by the Commonwealth of Virginia every year for the past 334 years when the Governor accepts tribute from the tribes in a ceremony now celebrated at the Commonwealth Capitol. I had the honor of attending one of what I understand is the longest-celebrated treaty recognition ceremony in the United States.

The forefathers of the tribal leaders who gather on Thanksgiving in Richmond were the first to welcome the English, and during the first few years of settlement, ensured their survival. Had the tribes not assisted those early settlers, they would not have survived. Time has not been kind to the tribes, however. As was the case for most Native American tribes, as the settlement prospered and grew, the tribes suffered. Those who resisted quickly became subdued, were pushed off their historic lands, and, up through much of the 20th Century, were denied full rights as U.S. citizens. Despite their devastating loss of land and population, the Virginia tribes survived, preserving their heritage and their identity. Their story of survival spans four centuries of racial hostility and coercive state and state-sanctioned actions.

The Virginia tribes' history, however, diverges from that of most Native Americans in two unique ways. The first explains why the Virginia tribes were never recognized by the federal government; the second explains why congressional action is needed today. First, by the time the federal government was established in 1789, the Virginia tribes were in no position to seek recognition. They had already lost control of their land, withdrawn into isolated communities and been stripped of most of their rights. Lacking even the rights granted by the English Kings, and our own Bill of Rights, federal recognition was nowhere within their reach.

The second unique circumstance for the Virginia tribes is what they experienced with the destruction of their official records. From the destruction of local courthouses wrought by the Civil War to the 20th Century "paper genocide" perpetrated by the Commonwealth of Virginia, there are gaps in their records which could ultimately invalidate their petitions for recognition that have been filed with the Interior Department's Bureau of Indian Affairs.

With great hypocrisy, Virginia's ruling elite pushed policies that culminated with the enactment of the Racial Integrity Act of 1924. This act directed Commonwealth officials, and zealots like Walter Plecker, to destroy Commonwealth and local courthouse records and reclassify in Orwellian fashion all non-whites as "colored." It targeted Native Americans with a vengeance, denying Native Americans in Virginia their identity.

To call oneself a "Native American" in Virginia was to risk a jail sentence of up to one year. In defiance of the law, members of Virginia's tribes traveled out of state to obtain marriage licenses or to serve their country in wartime. The law remained in effect until it was struck down in federal court in 1967. In that intervening period between 1924 and 1967, Commonwealth officials waged a war to destroy all public and many private records that affirmed the existence of Native Americans in Virginia. Historians have affirmed that no other state compares to Virginia's efforts to eradicate its citizens' Indian identity.

All of Virginia's state-recognized tribes have filed petitions with the Bureau of Acknowledgment seeking federal recognition. But it is a very heavy burden the Virginia tribes will have to overcome, and one fraught with complications that officials from the bureau have acknowledged may never be resolved in their

lifetime. The acknowledgment process is already expensive, subject to unreasonable delays, and lacking in dignity. Virginia's paper genocide only further complicates these tribes' quest for federal recognition, making it difficult to furnish corroborating state and official documents and aggravating the injustice already visited upon them. The Bureau of Acknowledgment officials have admitted that the Virginia petitions may not be resolved for generations.

In appreciation of the fact that the issue of gambling and its economic and moral dimensions influence many Members' perspectives on tribal recognition issues, you should be aware that the bill has carried language every year prohibiting these tribes from gaming on their federal lands. This prohibition extends indefinitely, even if Virginia were to one day change course and allow gaming. The tribes find gambling offensive to their moral beliefs. They are seeking federal recognition because it is a matter of justice.

In the name of decency, fairness and humanity, I urge my colleagues to support this legislation and bring closure to the centuries of injustice Virginia's Native American tribes have experienced.

#### TRIBUTE TO JENNIFER ELLEFSON

#### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Jennifer Ellefson is a junior at George Ranch High School in Fort Bend County, Texas. Her essay topic is: In your opinion, what role should government play in our lives?

Government should be nothing more than a regulatory force. Too often people see the Government as a great power, but the government should only be given the power it is deemed worthy of by the people. That is the principle of popular sovereignty, the people rule. Without that principle, governments lose balance and forget their purpose. Our government's purposes are in protection, business regulation, law enforcement, and medicine among other things. The government's job is not to be a part of your life, but to keep your life from becoming anarchy, and provide ease for certain things. An oppressive form of government is one that is invasive in day to day life; the American government should play scarcely a role in your life outside of organization and providing order. Our police officers are given their power by the people. They are not above us, but they regulate us due to the right we give them through our government,

the people's government. Law enforcement ensures that we are not victimized by the masses daily, without the government to regulate our protection, anarchy would ensue, and violence and murder would ravage the land. Business regulation insures that employees cannot be mistreated, and that customers are kept safe through standard requirements of cleanliness and durability. Before the FDA, thousands of people would die a year from food poisoning. While some still slip through the cracks, the government has all but eliminated business corruption at the production and employment levels. Standardized medical procedure has saved millions of lives in the last century; if it were not government regulated there would still be frequent abortions in truck beds and household remedies killing people all over. Now the government is attempting to regulate medicine even further; socialized medicine, in my view, is a must. Part of government regularity is protection; is it not protection to ensure that even a homeless man should not die from a disease because he cannot afford the surgery? Some people say it is invasive, but further taxation for the better of you and all is not an invasion of life, it is a regulation of order. Regulation and facilitation is the government role and nothing further.

#### PORT OPPORTUNITY, REINVESTMENT AND TRAINING ACT

#### HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Ms. HAHN. Mr. Speaker, as Memorial Day, the unofficial start of summer approaches, students across the country are turning to figuring out how they are going to fill their time. But this summer, many of those students looking for a summer job face an uphill battle.

High teen unemployment continues to cast a shadow over communities struggling to bounce back from the recession. For many teens, summer is a time to find their first jobs and learn their first lessons about making and managing money, building vital professional and personal skills. Unfortunately, the recovery has not reached many of our communities, which impacts these teens as they struggle to find employment to keep themselves out of trouble and maybe bring in a little extra money to ease the burden on their families today; we are diminishing their ability to compete in the workforce tomorrow.

Last summer, the unemployment rate for teenagers in the United States remained intolerably high, at 17.1 percent. The teen unemployment rate is even higher for young African-Americans and Latinos, putting them at a special disadvantage as they try to enter the adult workforce. Just in my community of Compton, the overall unemployment rate jumped to a staggering 20 percent, as schools let out for the summer and students tried to find summer work.

That is why I have re-introduced the "Port Opportunity, Reinvestment and Training (PORT) Act" with my colleague, Chair of the Congressional Urban Caucus and PORTS Caucus member, Congressman CHAKA FATTAH of Pennsylvania. This legislation authorizes the creation of a grant program at

ports throughout the country to hire eligible high school students over the summer. This is a win-win for the American economy. Our nation's ports have long been engines of economic growth, and so there is no better place for students to learn the skills they need to compete in today's workforce.

These grants are an investment in the communities that need them most. Not only will these grants put money in the pockets of high school students facing unprecedented levels of unemployment, but they will build a foundation for successful communities and successful adults.

I urge my colleagues to support this crucial investment in our students, our communities, and our economy.

CELEBRATING JOHN AND JEANETTE MASON'S 50TH ANNIVERSARY

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize John and Jeanette Mason, who are celebrating their 50th anniversary this month. As John and Jeanette have discovered, the secret to a successful marriage is having a supportive partner. Interestingly enough, this same quality serves as the foundation for strong and vibrant communities. John and Jeanette's commitment not only to one another but also to our community has touched the lives of countless families in Fairfax City and across Northern Virginia, and I ask my colleagues to join me in celebrating this wonderful couple.

John's public service began with the U.S. Army, where he served for 21 years before retiring as a Colonel. Any longtime resident of Northern Virginia is familiar with the tremendous work done during John's 14-year tenure as the Mayor of the City of Fairfax, where his leadership ensured adoption of the city's "2020 Plan," which became the roadmap for Fairfax City's revitalization efforts. Moreover, John is responsible for spearheading the redevelopment of Old Town Fairfax, including the new City of Fairfax Regional Library that serves as the anchor for the area's redevelopment efforts. John and Jeanette were instrumental in the building of the beautiful Stacy C. Sherwood Community Center in Fairfax City and countless other community projects that have ensured Fairfax remains one of the region's top-rated communities in which to live, work, and raise a family.

I have had the privilege of working closely with John on many of the issues he is most passionate about and dedicated to, including the future of transportation in Northern Virginia. After retiring from the Army, John was tapped by SAIC for his expertise on transportation issues, and with Jeanette's support, John's decision to enter public service once again ensured that Northern Virginia benefitted from his wealth of knowledge on transportation policy. Through John's tireless work on the National Capital Region Transportation Planning Board at the Metropolitan Washington

Council of Governments and the Northern Virginia Transportation Authority, he became the go-to elected official on regional transportation issues. Over the years, John became a force to be reckoned with. As many can attest, few individuals know more than John does about bus fleets, congestion patterns, Metro, or commuter delays in Northern Virginia.

John's work on the Fairfax County-Fairfax City Interjurisdictional Committee and his belief in vigorous good neighbor policies elevated the relationship between the City and County to new heights. In addition, John worked to strengthen the City's ties with neighboring George Mason University, which would not enjoy the prominence it does today without John's advocacy for a robust relationship between the university and the surrounding community.

More recently, John and Jeanette have made incalculable contributions to Fairfax's local arts community. John has served as the Chairman of the Arts Council of Fairfax County and as the President of the Fairfax Symphony. He currently serves as the President and CEO of the Lorton Workhouse Arts Center, where he oversees all aspects of the art center's planning and operations. He is also the founder and president of Fairfax Spotlight on the Arts, an annual three-week festival that showcases artists in local venues. And of course, many of the region's music patrons are familiar with John and Jeanette's active support of the City of Fairfax Band Association, Fairfax Symphony Orchestra, not to mention many other orchestras across Northern Virginia.

John and Jeanette's marriage is a testament to the durability of a loving relationship, and our community continues to benefit mightily from the local contributions from their partnership. John would happily admit that his many accomplishments would not be possible without the love and support of Jeanette. Her care, love, and support during John's battle with cancer assured his return to vigor, ensuring a healthy retirement spent with their children, John Jr., Joanna, and Jeffrey, and their grandchildren.

Mr. Speaker, I ask that my colleagues join me in congratulating John and Jeanette Mason on their 50th anniversary and in wishing them many more years of happiness.

RECOGNIZING NEW MEXICO STATE REPRESENTATIVE NICK SALAZAR

**HON. MICHELLE LUJAN GRISHAM**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise to honor New Mexico Rep. Nick Salazar who received the "Lifetime Achievement Award" from Los Alamos National Laboratory.

Rep. Salazar is one of the most distinguished members of the New Mexico Legislature, having represented his district, which encompasses Colfax, Mora, Rio Arriba and San Miguel counties, since 1973. Incredibly, Rep. Salazar has worked for Los Alamos National Laboratory for 63 years. In both roles, Rep.

Salazar has been an effective leader who has had a profound impact on his community, his state and a thankful nation.

During his distinguished career at LANL, Rep. Salazar was responsible for ensuring that the lab was a responsible and productive partner to the communities of northern New Mexico. He played a key role in expanding opportunities for research and development, the development of small and minority-owned businesses, technology transfer initiatives, math and science programs, and job training and development. He promoted these programs while advocating for stringent environmental regulations that protected the public. He also served as a member of the Los Alamos National Security Board of Governors.

Rep. Salazar honorably served his country as a Sergeant in the United States Air Force and his community as a County Commissioner from 1964 to 1968.

Rep. Salazar is one of the longest-serving members of the state House of Representatives, having been elected 20 times and serving 40 years. He has been a champion for working class families. Rep. Salazar sponsored legislation to create Northern New Mexico College in Espanola, and led the effort to broaden the mission of the school to allow for four-year degrees. He has also served as chairman of the North Central New Mexico Economic Development District for decades. Rep. Salazar is one of New Mexico's foremost advocates for the state's senior citizens. In 1991, he led the effort to establish the nation's first Indian Area Agency on Aging, and in 2003, he sponsored legislation that created the New Mexico Aging & Long-Term Services Department, elevating the agency to Cabinet-level status.

Rep. Salazar's colleagues in the Legislature have turned to him through the years as a trusted mentor, known for his erudition and his principled approach to the most important issues facing the state. He is a quintessential leader who cares deeply for his family, his community, the Labs and the institution of the New Mexico House of Representatives.

Rep. Nick Salazar is a resident of San Juan Pueblo. He is married to Maria Ana and has three adult children, Yvonne, Earl and Gregory.

IN HONOR OF THE LITERACY COUNCIL OF MONTGOMERY COUNTY, MARYLAND

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. VAN HOLLEN. Mr. Speaker, I am pleased to extend my heartiest congratulations to the Literacy Council of Montgomery County, Maryland ("LCMC") on its 50th anniversary.

In 1963, Elizabeth Kilgore, a county resident who recognized serious literacy deficiencies in her community, began working with community leaders, educators, clergy, and other concerned residents to develop an organizational plan and charter to create the LCMC. Utilizing only volunteers, and because 96% of Montgomery County residents spoke English as

their first language, LCMC initially focused on improving the literacy skills of native-born citizens. In 1967, LCMC offered its first English as a Second Language (ESL) tutoring program to serve the growing immigrant population in Montgomery County.

Fifty years later, LCMC, based in Rockville, Maryland, has developed into an organization of more than 800 volunteers, teachers and staff. Now with 12 full- and part-time staff members, LCMC's programs include intensive classroom-based instruction taught by professional instructors, conversation classes, independent computer-based instruction, short-term "life-skills" classes, an online GED preparation program, and a workplace literacy program. In its 50 years of service, LCMC has provided literacy instruction to approximately 15,000 adult learners and has trained nearly 8,700 volunteer tutors. Its programs currently serve 1,500 adults each year.

In Montgomery County, where approximately 40% of the current population speaks a language other than English at home, the success of this program is critical. Nearly 15% of Montgomery County residents over age 5 speak English less than "very well." Twelve percent of children in Montgomery County public schools are enrolled in ESOL classes and are likely to have parents with limited English proficiency. LCMC also serves native-born adults who are able to speak English, but are unable to read and/or write.

Thanks to LCMC's outstanding work, many members of our community have been able to overcome the challenges posed by illiteracy, allowing them to participate more fully in the community and to improve their quality of life. In short, LCMC has transformed the lives of thousands of adults and families.

I am proud that LCMC is located in Maryland's Eighth Congressional District, and I ask my colleagues to join me in congratulating LCMC on its extraordinary accomplishments and extend to it all good wishes for continued success.

**HONORING BRIGADIER GENERAL  
STEVEN RUDDER**

**HON. WALTER B. JONES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. JONES. Mr. Speaker, Brigadier General Steven Rudder is a man for whom I have great respect. During his time in Washington serving the Commandant of the United States Marine Corps, I have gotten to know BGen Rudder in his efforts to work with me to clear the names of two Marine pilots who were killed in a V22 crash.

Because of this issue, I have had many opportunities to meet with BGen Rudder over the past two years and have found him to be a man of great integrity and reason. He is a man who does all he can to help someone else.

He has served as a knowledgeable advisor to me and my staff and I believe our country is better protected because of leaders like him.

I will always be grateful for BGen Rudder's assistance and I wish him and his family all

the best in their move to Japan. I know he will continue to serve our country with honor.

May God continue to bless the Rudder family, our men and women in uniform, and the United States of America.

IN HONOR AND MEMORY OF MARINE PFC OSCAR A. MARTINEZ AND NAVY MASTER-AT-ARMS 2ND CLASS MICHAEL J. BRODSKY

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to recognize two American heroes, Marine PFC Oscar A. Martinez and Navy Master-at-Arms 2nd Class (MA2) Michael J. Brodsky, who made the ultimate sacrifice in service to their country. They are the first residents of the City of North Lauderdale, Florida to be killed while serving in the Armed Forces since it was founded 50 years ago, and I am truly honored to have had the privilege to represent them in Congress. My heartfelt condolences go out to the families and friends of these two young men for their loss.

PFC Oscar Martinez was born in Dallas in 1984. Originally from El Salvador, his family settled in South Florida in 1987. Oscar's mother died when he was a child, leaving him and his three younger siblings to be raised by his uncle, Rene Martinez, and the children's grandmother, Maria Marta Mendez. According to his sister, Morena Martinez, Oscar dreamt of being a Marine ever since he was little, and was determined to be the best at what he did.

Oscar joined the Marine Corps in 2003, shortly before graduating from North Lauderdale High School, and was assigned to the 1 Marine Expeditionary Force based out of Camp Pendleton, California. Sadly, he was killed on October 12, 2004 when a mortar fired by insurgents exploded at a U.S. base where he was eating with his unit in the Iraqi province of Anbar. He was just 19 years old.

MA2 Michael Brodsky, of Tamarac, Florida, enlisted in the Navy in 2001, following the September 11, 2001 terrorist attacks. He was stationed in the security department at Sasebo Naval Base in Japan from 2002 to 2005 before earning the award of Distinguished Graduate from the Military Working Dog Course at Lackland Air Force Base in Texas. Mike also served at Naval Support Activity (NAS) Bahrain. In December 2010, he was assigned to Navy Region Southwest Security Detachment in San Diego, California.

On July 7, 2012, Mike was on patrol in Kandahar Province, Afghanistan in support of Operation Enduring Freedom when his unit started taking fire. He rushed to protect his dog Jackson by putting him back in the truck as he was trained to do, and then returned to the fight. It was then that Mike stepped on the pressure plate of an improvised explosive device (IED), and the blast took both his legs. In critical condition and unresponsive, he was flown to Germany where doctors tried to save him. On the morning of July 17, 2012, Mike was awarded the Purple Heart. Tragically, the 33-year-old died from his injuries on July 21,

2012 at Landstuhl Regional Medical Center in Germany. He is survived by his daughter Natalia, parents Debra and Steven Brodsky, younger brother Corey Brodsky, and grandfather Stanley Brodsky.

Mr. Speaker, on May 31, 2013, the City of North Lauderdale will be dedicating a fallen soldier statue in memory of PFC Oscar Martinez and MA2 Michael Brodsky, who gave their lives in order to protect freedom and democracy around the world. As we recently observed the 10th anniversary of the Iraq War and over 11 years of U.S. involvement in Afghanistan, we must remember all those who have fallen in service to our great country. Our nation owes them, as well as the millions of brave servicemen and women who have served and continue to serve, an eternal debt of gratitude. Their service will not be forgotten.

**HONORING DEBBIE ZELMAN**

**HON. LOIS FRANKEL**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to honor Debbie Zelman, a truly inspiring woman from South Florida. Five years ago, Ms. Zelman was a successful attorney, wife, and mother, when she heard those life shattering words that she was diagnosed with Stage IV stomach cancer. The doctor gave her only a 50/50 chance to live after one year and only a four percent chance to live after five years. It's been four years now, and I am proud to say Debbie is with us today, beating the odds every day.

Debbie is not alone in her struggle against stomach cancer. This terrible disease is the most common form of cancer in the world. Every year in America, 21,000 Americans are diagnosed with stomach cancer, and it is the second leading cause of cancer deaths for women in this country.

After receiving her diagnosis, Debbie was frustrated to find little information on her disease and fewer options for treatment and support. Fortunately, she persevered and got treatment. Today, she is not only a cancer survivor, she is an advocate.

In 2009, she founded Debbie's Dream Foundation: Curing Stomach Cancer, which provides a voice for the victims of this under-recognized and under-funded disease. Initially working in South Florida, Debbie's Dream has grown into a national organization that provides support and awareness for patients and their families. During their 4th Annual Night of Laughter, Debbie's Dream raised \$21,000 for stomach cancer research.

In honor of her inspiring fight against cancer and her tireless advocacy, I am pleased to recognize Debbie Zelman and wish her continued success in this important endeavor.

RECOGNIZING MS. SHIRLEY ISON-  
NEWSOME

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize Ms. Shirley Ison-Newsome, the departing Assistant Superintendent of the Dallas Independent School District. Ms. Ison-Newsome will retire after 37 years of dedicated service.

Ms. Ison-Newsome has a long history as an educator and administrator within the Dallas ISD. She first began her work with the Dallas ISD during the 1970s, helping to lead further efforts to desegregate schools. Ms. Ison-Newsome's role within the Dallas ISD evolved quickly, as she assumed the role of principal of the Harry Stone Middle School, and then later as Area 2 Superintendent.

Ms. Ison-Newsome has contributed substantially to building Dallas ISD's academic program. She has frequently been recognized by her colleagues and outside organizations for her extensive work in education.

Mr. Speaker, I commend Ms. Ison-Newsome for devoting much of her life to the students of the Dallas ISD. I wish Ms. Ison-Newsome well in her retirement and her future endeavors. Public education is absolutely critical for our future generations, and having devoted educators as part of the public education system is an asset for the sound development of our youth.

HONORING FAITH ORAKWUE

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Faith Orakwue is a senior at Lamar Consolidated High School in Fort Bend County, Texas. Her essay topic is: In your opinion, what role should government play in our lives?

What role should the government play in our lives? This is an issue that I have often mulled over during my years as a young adult, and, at different times, I offer varying answers regarding this particular issue.

The American government was an institution created by the people and for the people, so it seems logical that the people should maintain ultimate control over the government, right? However, the Articles of Confederation helped to disprove this theory quite a bit—without the strong backing of a

central government (ultimately acting as a backbone), the states acted according to their whim and the nation was weak and in ultimate disarray. The Constitution later came in and created a stronger central government, which helped to establish a more cohesive structure to the nation.

The point I am trying to make is that government should be resilient and diligently involved in the welfare of its people in order to create a nation that works to promote the well-being of all of its people. In order to do this, the government has to be involved, and that means being present in all issues, even personal and moral ones. The thing is, once a person is sworn into a public office, they are there to promote the well-being and advancement of the American people. In order to do this, government has to temporarily put aside their own views and beliefs and truly work towards the choice that is best for the American people. For example, had Lyndon B. Johnson listened to other Southern governors who despised African Americans and allowed their thinking to cloud his judgment, African Americans may not have received their rights until much later in history, because, at that time, integration was not a favorable idea/belief. Or, if the government had not ruled in *Roe v. Wade*, women would not have total control over their bodies. And, although I may not necessarily agree with abortion, it is definitely not in my place to dictate whether a woman should have a baby or not, and it is not in the government's place to tell the American people they cannot do something (that does not hurt others) simply because it goes against their moral beliefs.

The United States is an amalgamation of different cultures, viewpoints, and ideas that works to create the nation we call America. And, in order to preserve that order and openness that we are famous for, the government has to be both strong and involved in the issues that concern us. However, in order to be truly effective, a country's government has to be both strong and unbiased, an institution truly working for the betterment of its people.

THE CLAIMS LICENSING ADVANCEMENT FOR INTERSTATE MATTERS ACT (CLAIM) ACT

**HON. STEPHEN LEE FINCHER**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. FINCHER. Mr. Speaker, I rise today to introduce the Claims Licensing Advancement for Interstate Matters Act, known as the CLAIM Act to help consumers save millions of dollars in insurance costs and create more jobs.

Under current law, independent claims adjusters face a hodgepodge of inconsistent state regulations that only serve to delay the prompt adjustment of claims for natural disasters, car accident victims, and other tragedies in life. Independent claims adjusters must take a license examination in each state in which they work. This requires adjusters to take time off from their job and travel to each state in which they seek a license. This is a costly burden on the claims adjusters, the companies that employ them, and ultimately, the consumer. Sadly, it is the consumer who currently pays for these costs in higher premiums.

Today, it is my pleasure to re-introduce a bill that would end this costly burden. The CLAIM Act would lead to a process that would provide independent claims adjusters licensing reciprocity so their home-state license is valid in any other state.

The CLAIM Act would also provide specific relief during a natural disaster. In areas designated by the President of the United States as a "Disaster Area," independent claims adjusters who meet certain criteria would be eligible to adjust claims for losses notwithstanding the state where the adjuster is licensed.

To be clear, the CLAIM Act does not create a new federal law and does not "federalize" the insurance industry. The CLAIM Act respects states' rights to continue to regulate insurance. Rather, the CLAIM Act would urge the National Association of Insurance Commissioners to adopt a model licensing standard for state regulation for independent claims adjusters that each individual state would adopt. The CLAIM Act would make sure that each state keeps its independence to adopt rules as they see fit and recognizes that state insurance regulators are best situated to address insurance licensing standards.

In the 112th Congress, I sponsored H.R. 6415, the CLAIM Act, a bill very similar to what I am introducing today. After working with stakeholders, I added a new Section 4 that clarifies the CLAIM Act will not interfere with State insurance regulation. I made this change at the request of State insurance regulators who felt the previous bill did not go far enough to protect State insurance regulation. Mr. Speaker, I am confident the CLAIM Act will further protect the State insurance industry and regulation.

The goal of this bill is to streamline the claims adjustment process so that individual claims adjusters can respond in the fastest possible and most cost-effective manner possible. I look forward to further discussing the issues of uniformity and reciprocity and the CLAIM Act as we move forward in the Committee process.

AGAINST CUTS TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IN THE 2013 FARM BILL

**HON. MICHELLE LUJAN GRISHAM**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today appalled by proposed cuts to the Supplemental Nutrition Assistance Program (SNAP) in the 2013 Farm Bill. This program provides crucial support to families in New Mexico and across the country that continue to struggle to make ends meet.

SNAP benefits help many households lift themselves out of poverty, and prevent families from falling even deeper into poverty. With SNAP benefits already averaging less than \$1.50 per person per meal, any reduction in a family's monthly benefits or eligibility would be devastating. We cannot keep expecting poor working families and senior citizens to shoulder the burden of misguided deficit reduction.

In my state, over 78 percent of SNAP participants are in families with children. Instead of taking food out of the mouths of the one in five New Mexicans who depend on these benefits for their basic nutrition and economic security, Congress should focus on creating jobs that will grow the economy. New Mexico's farmers and ranchers deserve a Farm Bill, but it's wrong to harm our children, seniors and veterans in the process.

I urge the House of Representatives to oppose any short-sighted cuts to this vitally important program.

TRIBUTE TO DEPARTMENT OF  
HOMELAND SECURITY AGENTS,  
OFFICERS, AND COAST GUARD  
PERSONNEL

**HON. JOHN R. CARTER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. CARTER. Mr. Speaker, the mission of the Department of Homeland Security (DHS) is broad and diverse. The men and women of DHS protect our borders and modes of transportation; they guard our waterways; they protect U.S. and foreign leaders; they prepare for and respond to disasters; they manage our immigration process; and, they defend us against cyberattack. DHS employees provide selfless service to their nation and they do so with honor and distinction under an ever-present threat.

I would like to pay tribute to the Department of Homeland Security's agents, officers, and Coast Guard personnel who lost their lives in the service of our nation in 2012. I would like to enter into the RECORD the names of all sixty-one courageous men and women of DHS who have died in the line of duty since the Department's inception in 2003. We owe them more than a tribute on this day, but our gratitude begins with that.

LORENZO R. GOMEZ, Immigration Enforcement Agent, U.S. Immigration and Customs Enforcement, El Paso, Texas, End of Watch: November 8, 2003.

JAMES P. EPLING, Border Patrol Agent, U.S. Customs and Border Protection, Yuma, Arizona, End of Watch: December 16, 2003.

NATHAN B. BRUCKENTHAL, Damage Controlman Third Class (E-4), U.S. Coast Guard, Iraq, End of Watch: April 24, 2004.

TRAVIS W. ATTAWAY, Senior Patrol Agent, U.S. Customs and Border Protection, Harlingen, Texas, End of Watch: September 19, 2004.

JEREMY M. WILSON, Senior Patrol Agent, U.S. Customs and Border Protection, Harlingen, Texas, End of Watch: September 19, 2004.

PHILIP C. LEBID, Special Agent, U.S. Secret Service, Tampa, Florida, End of Watch: November 22, 2004.

GEORGE B. DeBATES, Senior Patrol Agent, U.S. Customs and Border Protection, Casa Grande, Arizona, End of Watch: December 19, 2004.

DAVID G. WILHELM, Assistant Special Agent in Charge, U.S. Immigration and Customs Enforcement, Atlanta, Georgia, End of Watch: March 11, 2005.

CHRISTOPHER J. SMITH, Assistant to the Special Agent in Charge, U.S. Secret Serv-

ice, Atlanta, Georgia, End of Watch: March 25, 2005.

NICHOLAS D. GREENIG, Senior Patrol Agent, U.S. Customs and Border Protection, Tucson, Arizona, End of Watch: March 14, 2006.

JESSICA E. HILL, Lieutenant (O-3), U.S. Coast Guard, Arctic Ocean, End of Watch: August 17, 2006.

STEVEN DUQUE, Boatswain's Mate Second Class (E-5), U.S. Coast Guard, Arctic Ocean, End of Watch: August 17, 2006.

DAVID N. WEBB, Senior Patrol Agent, U.S. Customs and Border Protection, Ajo, Arizona, End of Watch: November 3, 2006.

RAMON NEVAREZ, JR., Border Patrol Agent, U.S. Customs and Border Protection, Lordsburg, New Mexico, End of Watch: March 15, 2007.

DAVID J. TOURSCHER, Border Patrol Agent, U.S. Customs and Border Protection, Lordsburg, New Mexico, End of Watch: March 16, 2007.

RONALD A. GILL, JR., Port Security Specialist Third Class U.S. Coast Guard Reserve, Puget Sound, Washington, End of Watch: March 25, 2007.

CLINTON B. THRASHER, Air Interdiction Agent, U.S. Customs and Border Protection, McAllen, Texas, End of Watch: April 25, 2007.

RICHARD GOLDSTEIN, Border Patrol Agent, U.S. Customs and Border Protection, Indio, California, End of Watch: May 11, 2007.

ROBERT F. SMITH, Air Interdiction Agent, U.S. Customs and Border Protection, El Paso, Texas, End of Watch: May 22, 2007.

ERIC N. CABRAL, Border Patrol Agent, U.S. Customs and Border Protection, Boulevard, California, End of Watch: July 26, 2007.

JULIO E. BARAY, Air Interdiction Agent, U.S. Customs and Border Protection, El Paso, Texas, End of Watch: September 24, 2007.

LUIS AGUILAR, Border Patrol Agent, U.S. Customs and Border Protection, Yuma, Arizona, End of Watch: January 19, 2008.

JAROD C. DITTMAN, Border Patrol Agent, U.S. Customs and Border Protection, San Diego, California, End of Watch: March 30, 2008.

THOMAS G. NELSON, Captain (O-6) U.S. Coast Guard, Oahu, Hawaii, End of Watch: September 4, 2008.

ANDREW C. WISCHMEIER, Lieutenant Commander (O-4), U.S. Coast Guard, Oahu, Hawaii, End of Watch: September 4, 2008.

DAVID L. SKIMIN, Aviation Survival Technician First Class (E-6), U.S. Coast Guard, Oahu, Hawaii, End of Watch: September 4, 2008.

JOSHUA W. NICHOLS, Aviation Maintenance Technician First Class (E-6), U.S. Coast Guard, Oahu, Hawaii, End of Watch: September 4, 2008.

NATHANIEL A. AFOLAYAN, Border Patrol Agent, U.S. Customs and Border Protection, Artesia, New Mexico, End of Watch: May 1, 2009.

CRUZ C. McGUIRE, Border Patrol Agent, U.S. Customs and Border Protection, Del Rio, Texas, End of Watch: May 21, 2009.

ROBERT W. ROSAS, JR., Border Patrol Agent, U.S. Customs and Border Protection, Campo, California, End of Watch: July 23, 2009.

CHE J. BARNES, Lieutenant Commander (O-4), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

ADAM W. BRYANT, Lieutenant (O-3), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

JOHN F. SEIDMAN, Aviation Maintenance Technician Chief Petty Officer, U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

CARL P. GRIGONIS, Avionics Electrical Technician Second Class (E-5), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

MONICA L. BEACHAM, Avionics Electrical Technician Second Class (E-5), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

DANNY R. KREDER, JR., Aviation Maintenance Technician Third Class (E-4), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

JASON S. MOLETZSKY, Aviation Maintenance Technician Third Class (E-4), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

MARK F. VAN DOREN, Border Patrol Agent, U.S. Customs and Border Protection, Falfurrias, Texas, End of Watch: May 24, 2010.

SEAN D. KRUEGER, Lieutenant (O-3), U.S. Coast Guard, La Push, Washington, End of Watch: July 7, 2010.

ADAM C. HOKE, Aviation Maintenance Technician First Class (E-6), U.S. Coast Guard, La Push, Washington, End of Watch: July 7, 2010.

BRETT M. BANKS, Aviation Maintenance Technician Second Class (E-5), U.S. Coast Guard, La Push, Washington, End of Watch: July 7, 2010.

CHARLES F. COLLINS II, CBP Officer, U.S. Customs and Border Protection, Anchorage, Alaska, End of Watch: August 15, 2010.

MICHAEL V. GALLAGHER, Border Patrol Agent, U.S. Customs and Border Protection, Casa Grande, Arizona, End of Watch: September 2, 2010.

JOHN R. ZYKAS, CBP Officer, U.S. Customs and Border Protection, San Diego, California, End of Watch: September 8, 2010.

SHAUN M. LIN, Maritime Enforcement Specialist Third Class (E-4), U.S. Coast Guard, Portsmouth, Virginia, End of Watch: October 13, 2010.

BRIAN A. TERRY, Border Patrol Agent, U.S. Customs and Border Protection, Naco, Cochise, Arizona, End of Watch: December 15, 2010.

JAIME J. ZAPATA, Special Agent, U.S. Immigration and Customs Enforcement, Mexico City, Mexico, End of Watch: February 15, 2011.

HECTOR R. CLARK, Border Patrol Agent, U.S. Customs and Border Protection, Yuma, Arizona, End of Watch: May 12, 2011.

EDUARDO ROJAS, JR., Border Patrol Agent, U.S. Customs and Border Protection, Yuma, Arizona, End of Watch: May 12, 2011.

DALE T. TAYLOR, Lieutenant Commander (O-4), U.S. Coast Guard, Point Clear, Alabama, End of Watch: February 28, 2012.

THOMAS J. CAMERON, Lieutenant Junior Grade (O-2), U.S. Coast Guard, Point Clear, Alabama, End of Watch: February 28, 2012.

FERNANDO JORGE, Aviation Survival Technician (E-7), U.S. Coast Guard, Point Clear, Alabama, End of Watch: February 28, 2012.

ANDREW W. KNIGHT, Avionics Electrical Technician (E-4), U.S. Coast Guard, Point Clear, Alabama, End of Watch: February 28, 2012.

JAMES A. HOPKINS, Electronics Technician (E-6), U.S. Coast Guard, Kodiak, Alaska, End of Watch: April 12, 2012.

RICHARD W. BELISLE, Civilian Employee (WG-8), Chief Boatswain's Mate (E-7), Retired, U.S. Coast Guard, Kodiak, Alaska, End of Watch: April 12, 2012.

LEOPOLDO CAVAZOS, JR., Border Patrol Agent, U.S. Customs and Border Protection, Fort Hancock, Texas, End of Watch: July 6, 2012.



JAMES R. DOMINGUEZ, Border Patrol Agent, U.S. Customs and Border Protection, Cline, Texas, End of Watch: July 19, 2012.

JEFFREY RAMIREZ, Border Patrol Agent, U.S. Customs and Border Protection, Laredo, Texas, September 15, 2012.

NICHOLAS J. IVIE, Border Patrol Agent, U.S. Customs and Border Protection, Bisbee, Arizona, October 2, 2012.

DAVID R. DELANEY, Border Patrol Agent, U.S. Customs and Border Protection, Big Bend National Park, Texas, November 2, 2012.

TERRELL E. HORNE III, Senior Chief Boatswain's Mate (E-8), U.S. Coast Guard, Marina Del Ray, California, End of Watch: December 2, 2012.

## CELEBRATING THE CENTENNIAL OF THE CITY OF CARROLLTON, TEXAS

### HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Mr. MARCHANT. Mr. Speaker, I am honored to recognize and celebrate the centennial of the City of Carrollton, Texas, which sits fourteen miles north of downtown Dallas at the intersection of Collin, Dallas, and Denton counties. The rich history of Carrollton is a quintessential American story.

Long before it was the city that it is today, the region around Carrollton was home to Wichita natives as well as the French and Spanish who sought to claim east Texas. The modern history of Carrollton began in the 1840s when Sam Houston, president of the Republic of Texas, made an agreement with the Peters Colony Company to offer free land to new settlers. The Lerner, Myers, Nix, Witt, Lee, Rainwater, and Perry families were among the original founders who came to the area—some from Carrollton, Illinois, from which Carrollton, Texas, may have gotten its name. Families from England, including Jackson, Furneaux, Morgan, and Rowe also settled in the area.

In 1846, the first Baptist church was established in Carrollton and ten years later the Union Baptist Church opened the first community school. Small homes and businesses began to grow in this rural environment and in 1878 the railroad arrived, with the Dallas and Wichita line being the first of three that would eventually intersect and form a hub in the community. That same year, on May 16, Carrollton's first Post Office opened, giving the unincorporated town its name. Built on grain and gravel industries, Carrollton had a population of 150 by 1885 and the town square began to take shape in 1901 after land purchases by George and J.S. Myers.

The City of Carrollton was incorporated one hundred years ago, on June 14, 1913, by a vote of 52 to 23. The City Council was elected the next month and William Forest Vinson was elected as the first Mayor, though he actually declined to serve and the first mayorship was held by Junius Tribble "J.T." Rhoton. In the following decades, Carrollton would grow into a thriving and modern city. Yet a simple gazebo, built in 1921, would become the landmark and centerpiece of the town square. In

the 1920s, a volunteer fire department was established and the police department followed by the 1940s. Bringing a distinct attitude to the area around that time was "Colonel" C.W. Josey, an oilman who bought expansive land in Carrollton on which he hosted annual rodeos as well as elaborate parties. Carrollton was also the first city in Dallas County to integrate its schools, in 1963.

Carrollton has truly blossomed into a prosperous and exemplary city. From a population of 1,610 in 1950, it has now grown to over 121,150 residents, with the most rapid growth occurring in the 1970s and 1980s. The city features thirty-five schools, two libraries, the Baylor Medical Center hospital which covers 36 specialties, two other long-term acute care hospitals, and over 1,200 acres of park land. True to the railroad heritage that first brought new life to Carrollton, the city is now connected to the DART commuter system. Landmarks today include the Plaza Theater and the A.W. Perry Homestead Museum. Carrollton's vibrant success is evident in its strong education system and quality of life. The city has been ranked twelfth in Forbes Magazine's "America's 25 Best Places to Move", as well as fifteenth in MONEY Magazine's "Best Places to Live" in 2008. Just this month, Carrollton was also named one of the top ten "Best Texas Cities for Young Families" by a financial website, based on its public education, affordability, and opportunity for growth.

I am proud to say that the Marchant family has been an important part of Carrollton's story. It was my privilege to serve on the city council for four years and then as Mayor from 1984 to 1986. Ronnie Marchant was a member of the city council for several years. The present Mayor is Matthew Marchant, who also served several terms on the city council and as Mayor Pro Tempore. Nothing in those roles, however, can compare to the character and qualities that the people of Carrollton have brought to it for over a century and that will propel it into the future.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in recognizing the one hundredth anniversary of the incorporation of the City of Carrollton, Texas.

## HONORING MINNESOTA STATE REPRESENTATIVE KAREN CLARK

### HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Mr. ELLISON. Mr. Speaker, I rise today in honor of Minnesota State Representative Karen Clark. Representative Clark grew up on a small farm in southwest Minnesota. She moved to South Minneapolis in 1967 and was elected to the Minnesota House of Representatives in 1980. She is the longest-serving openly gay state legislator in the country.

Representative Clark has long worked for the civil rights of all Americans, including LGBT Americans. She led the effort to add sexual orientation to the categories protected by the Minnesota Human Rights Act of 1993.

The law now bans discrimination based on sexual orientation in employment, housing, public services, public accommodations, education, credit, and business contracting. In addition, the law defines sexual orientation broadly to include gender identity, providing important protections for transgendered Minnesotans. Representative Clark has also sponsored successful legislative initiatives to strengthen enforcement of hate crime laws in Minnesota. Her efforts on behalf of LGBT Minnesotans have earned Representative Clark numerous awards, including the Minneapolis Commission on Human Rights' first Martin Luther King Award, the National Gay and Lesbian Task Force's Leadership Award for antiviolen legislation, and the International Network of Gay & Lesbian Officials' Founding Member Service Award.

Representative Clark's work for LGBT rights has culminated in the passage of the Minnesota Freedom to Marry bill that will legalize same-sex marriage in Minnesota. Representative Clark was the chief author of this historic legislation and helped shepherd it through the Minnesota House of Representatives, where it passed by a vote of 75 to 59 on May 9, 2013. In a public ceremony on May 14, 2013, Governor Mark Dayton signed the bill into law, legalizing same-sex marriage for all Minnesotans. For her decades-long fight for LGBT equality, the Obama Administration rightly honored Representative Clark as a Harvey Milk Champion of Change.

Representative Clark makes Minnesotans proud. I urge this Congress to recognize her extraordinary efforts on behalf of the rights and freedoms of all Minnesotans and Americans.

## IN HONOR OF THE UNIVERSITY OF CENTRAL FLORIDA'S GOLDEN ANNIVERSARY

### HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 2013

Mr. MICA. Mr. Speaker, I rise today to recognize the University of Central Florida on the occasion of its golden anniversary. Located in Florida's 7th Congressional District, UCF is one of America's great education institutions.

Over the past 50 years, UCF's campus has grown from what was once a commuter school with limited academic programs to today having nearly 60,000 undergraduate and graduate students and over 10,000 faculty and staff on 12 campuses spread across the vast footprint of central Florida. Through the tireless efforts of its first University President, Dr. Charles M. Millican to its current President Dr. John C. Hitt, UCF has become the second largest university in the United States. Today's student body is composed of some of the brightest minds from Florida, the Nation, and around the world while assembling some of the finest faculty and senior staff professionals in the country. Under the direction of Dr. Hitt, UCF has achieved high admission standards, dramatically increased research funding, built new state of the art facilities and established significant partnerships with major research institutions. The campus now features an on-campus stadium, indoor sports arena, increased



and modern campus housing and the impressive development of the UCF College of Medicine at Lake Nona. UCF has been named one of the Nation's top 5 "up-and-coming" schools according to U.S. News and World Report while advancing in the annual overall best colleges rankings released each year.

UCF has become a national leader in research with an outstanding academic reputation. Its regional assets include a collaboration of military commands, advanced simulation research coupled with the strength of UCF's renowned Institute for Simulation and Training. Further boasting its commitment to high-tech research, UCF is home to CREOL, The College of Optics & Photonics, a world-renowned graduate college for optical science and engineering education. UCF is also nationally recognized as having the top hospitality management program in the country, residing on the Rosen College campus in the heart of Orlando's entertainment and tourist district.

I join my Florida colleagues and Members of Congress in extending congratulations to the University of Central Florida on reaching this important milestone. I have watched with pride the positive growth and impact of this great institution of higher learning. Central Florida, the State and Nation are richer for the investable contributions of its students, faculty and staff, and outstanding graduates. Looking back over these past 50 years with excitement for the next 50, Mr. Speaker, I would again like to extend my congratulations to UCF and join others in saying: Go Knights!

RECOGNIZING MICHELLE & GIL  
TRENUM AND THE 3RD ANNUAL  
TOM McHALE MEMORIAL

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. CONNOLLY. Mr. Speaker, I rise today to congratulate Michelle and Gil Trenum on receiving the Sports Legacy Institute's, SLI, Legacy Award for their role in improving programs for concussion management in Prince William County, Virginia. I also commend SLI on the occasion of its 3rd Annual Tom McHale Memorial for its commitment to improving the prevention and treatment of concussions.

The Sports Legacy Institute is a non-profit organization that uses medical research, treatment, education and prevention to minimize the threat of concussions. Each year the Sports Legacy Institute sponsors the Tom McHale Memorial to benefit its efforts to lower the risks and end the tragic effects of brain trauma. Tom McHale was a collegiate and professional football player as well as a successful business owner. McHale tragically died at the age of 45 and later became the sixth former NFL player diagnosed with Chronic Traumatic Encephalopathy, CTE. CTE is a degenerative brain disease linked to a history of concussions and head injuries.

Michelle and Gil Trenum have championed concussion management and CTE education within the Prince William County Public Schools. The Trenums became advocates for

more comprehensive concussion education after losing their own son, Austin, to the effects of multiple concussions and CTE. In 2010, Austin was a mature, vibrant, charismatic 17-year-old student at Brentsville District High School. Everyone who knew Austin says that he loved his family, his friends, and football. He played fullback and linebacker on his high school varsity football team. After Austin's untimely death in September of 2010, his parents donated his brain to Boston University, where doctors discovered injuries consistent with CTE.

Since then, Gil, a representative on the Prince William County School Board, along with his wife, Michelle, have pushed for urgent comprehensive changes to the parent and student concussion education laws. As a result of their advocacy, Prince William County Schools implemented concussion education policies an entire year earlier than originally required by the state. Concussion education in Prince William County includes a mandatory one-hour seminar for students trying out for sports and their parents. The policy also has strict return-to-play guidelines and thorough concussion education for school athletic trainers.

I commend the Trenums for transforming their grief into an opportunity to achieve systemic changes that will help local athletes, coaches, and parents make better decisions concerning concussion management.

Mr. Speaker, I ask my colleagues to join me in extending our appreciation to Michelle and Gil Trenum for making sports safer for our children. The Sports Legacy Institute chose deserving recipients for its Legacy Award. The Trenums have proven to be passionate and effective advocates on behalf of concussion prevention and treatment.

HONORING THE AMERICAN  
MUSLIM ALLIANCE OF FLORIDA

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the American Muslim Alliance of Florida. This organization does excellent work for so many people around the State.

Foremost among those is its annual scholarship dinner for graduating high school seniors. Now in its sixth year, the scholarship program received applications from 138 students at 56 high schools across Florida, and will present ten winners with an award on June 1, 2013.

Past awardees have enrolled in some of America's most prestigious colleges and universities, as well as continued to excel in their chosen fields of study.

I am very proud of the Alliance, and am privileged to have so many of its members live in my Congressional district.

Mr. Speaker, it is my distinct pleasure to recognize the American Muslim Alliance, and express my most sincere gratitude for all that they do in our community. I also want to congratulate this year's winners, and wish them much success in their future endeavors.

OUR UNCONSCIONABLE NATIONAL  
DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,734,032,974,210.27. We've added \$6,107,155,925,297.19 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING EVAN VOSS

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 23, 2013*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Evan Voss is a junior at Pearland High School in Brazoria County, Texas. His essay topic is: In your opinion, what role should government play in our lives?

A SOCIAL CONTRACT

At the time when the U.S. government was created, the Framers of the Constitution generally believed that all men, though created equal, were naturally greedy and selfish, and that without proper leadership or guidance, the world would be wrought with anarchy and chaos. The political philosopher.

Thomas Hobbes best demonstrated the views of western government officials at the time when he wrote that in its natural state, mankind would instigate a "war of all against all", where man would live forever in fear of death, a solitary, isolated, and animalistic life. This being said, the only way to protect mankind from itself was through social contract and the creation of governing body. This body would protect its citizens and in return, its citizens would give up several of their natural rights. This was the original function of the federal government.

This original purpose of the government is the true purpose of the government, that is to say that to keep the social contract established between the governing and the governed valid, the federal government must protect its citizens. This desire to protect, however, has, in recent times, changed the government into an overbearing figure. It has been called "Big Brother" for a reason,

and, although it does fulfill its end of the social contract, it is to the degradation of the people. Yes, the people agreed to sacrifice several of their natural liberties to be secure, but now, it seems that instead of protection from themselves, the citizenry of the United States require guard against the United States itself. The interference of the

government in individual personal affairs has led to growing mistrust among the people towards the very thing that originally protected them.

To resolve this issue, the government must simply return to its foundation, its core. In doing so, the people will feel that the social

contract conceived between themselves and their protector has been honored and is valid. Because, inevitably, a well liked and well perceived national government holds more power than that of one that is thought to be dishonest and a threat to the very lives it is obligated to protect.

## HOUSE OF REPRESENTATIVES—*Friday, May 24, 2013*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
May 24, 2013.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### PRAYER

The Reverend William Gurnee, Blessed John Paul II Seminary, Washington, D.C., offered the following prayer:

Gracious Lord, as we approach the day of remembrance for the fallen heroes of our country, we take the opportunity to give thanks for each and every one of them. We recall their heroic sacrifice and we ask that You shine the perpetual light of mercy on their souls. Our gratitude and our sympathy are directed as well to the families who helped shoulder the burden of service and grieved the loss of their loved ones. May the time soon come when such sacrifices are no longer necessary.

God of heaven, we implore Your blessings upon the House of Representatives today and every day. May those who serve in this body continue to do so with honor, patience, and a genuine care for all Members. Give them wisdom, give them joy in their office, and give them the lasting memory that they have served their country well.

We ask all these things in Your holy name. Amen.

### THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 232, the Journal of the last day's proceedings is approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

MAY 24, 2013.

Hon. JOHN A. BOEHNER,  
*Speaker, The Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 24, 2013 at 9:06 a.m.:

That the Senate agreed to S. Con. Res. 17. Appointments:

Coordinating Council on Juvenile Justice and Delinquency Prevention.

With best wishes, I am

Sincerely,

KAREN L. HAAS,  
*Clerk.*

### PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 17

*Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, May 23, 2013, through Friday, May 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, June 3, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, May 23, 2013, through Friday, May 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, June 3, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.*

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

### ADJOURNMENT

The SPEAKER pro tempore. Without objection, pursuant to Senate Concurrent Resolution 17, 113th Congress, the House stands adjourned until 2 p.m. on Monday, June 3, 2013.

There was no objection.

Thereupon (at 10 o'clock and 5 minutes a.m.), the House adjourned until Monday, June 3, 2013, at 2 p.m.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1612. A letter from the Director, Office of Management and Budget, transmitting OMB Sequestration Preview Report to the President and Congress for Fiscal Year 2014 and the OMB Report to the Congress on the Joint Committee Reductions for Fiscal year 2014, pursuant to 2 U.S.C. 902(d)(2); to the Committee on Appropriations.

1613. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John W. Morgan III, United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1614. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Kevin M. McCoy, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

1615. A letter from the Under Secretary, Department of Defense, transmitting the 2013 Major Automated Information System (MAIS) Annual Reports (MARs); to the Committee on Armed Services.

1616. A letter from the Director, Office of Management and Budget, transmitting a report on discretionary appropriations legislation within seven calendar days of enactment; to the Committee on the Budget.

1617. A letter from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — Final priority. National Institute on Disability and Rehabilitation Research — Disability and Rehabilitation Research Projects and Centers Program — Rehabilitation Research Training Centers [CFDA Number: 84.133B-7] received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1618. A letter from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — Final

Priorities. National Institute on Disability and Rehabilitation Research — Rehabilitation Research and Training Centers [CFDA Numbers: 84.133B-3, 84.133B-4, 84.133B-5, and 84.133B-6] received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1619. A letter from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — Final Priority. National Institute on Disability and Rehabilitation Research — Rehabilitation Research and Training Centers [CFDA Number: 84.133B-9] received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1620. A letter from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — Final Priority. National Institute on Disability and Rehabilitation Research — Disability and Rehabilitation Research Projects — Inclusive Cloud and Web Computing [CFDA Number: 84.133A-1] received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1621. A letter from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — Final priorities and definitions — NIDRR DRRP — Community Living and Participation, Health and Function, and Employment of Individuals with Disabilities [CFDA Numbers: 84.133A-3 and 84.133A-9; 84.133A-4 and 84.133A-10; and 84.133A-5 and 84.133A-11] received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1622. A letter from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — Final Priority. National Institute on Disability and Rehabilitation Research — Disability and Rehabilitation Research Projects and Centers Program — Rehabilitation Engineering Research Centers [CFDA Number: 84.133E-1] received April 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1623. A letter from the Secretary, Department of Health and Human Services, transmitting a report on Tobacco Product Exports That Do Not Conform to Tobacco Product Standards; to the Committee on Energy and Commerce.

1624. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — State Medicaid Fraud Control United; Data Mining [OIG-1203-F] received May 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1625. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Pre-Existing Condition Insurance Plan Program [CMS-9995-IFC3] (RIN: 0938-AQ70) received May 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1626. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Lake and Porter Counties, Indiana, 1997 8-Hour Ozone Maintenance Plan and 1997 Annual Fine Particulate Matter Maintenance Plan Revision to Approved Motor Vehicle Emissions Budgets [EPA-R05-OAR-2013-0021 and

EPA-R05-OAR-2013-0022; FRL-9812-4] received May 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1627. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Sulfur Dioxide and Nitrogen Dioxide Ambient Air Quality Standards [EPA-R05-OAR-2011-0406; EPA-R05-OAR-2013-0083; FRL-9811-6] received May 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1628. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Flint Hills Resources Pine Bend [EPA-R05-OAR-2011-0328; FRL-9811-7] received May 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1629. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; Canton-Massillon 1997 8-Hour Ozone Maintenance Plan Revision to Approved Motor Vehicle Emissions Budgets [EPA-R05-OAR-2012-0968; FRL-9812-2] received May 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1630. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; North Carolina; State Implementation Plan Miscellaneous Revisions [EPA-R04-OAR-2007-0602; FRL-9813-5] received May 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1631. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revocation of TSCA Section 4 Testing Requirements for One High Production Volume Chemical Substance [EPA-HQ-OPPT-2005-0033; FRL-9369-1] (RIN: 2070-AD16) received May 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1632. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Listing of Substitutes for Ozone-Depleting Substances — Fire Suppression and Explosion Protection [EPA-HQ-OAR-2011-0111; FRL-9800-9] (RIN: 2060-AQ84) received May 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1633. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Greenhouse Gas Reporting Rule: Revision to Best Available Monitoring Method Request Submission Deadline for Petroleum and Natural Gas Systems Source Category [EPA-HQ-OAR-2011-0417; FRL-9806-7] received May 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1634. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revision to the Washington State Implementation Plan; Tacoma-Pierce County Nonattainment Area [EPA-R10-OAR-

2012-0712; FRL-9817-1] received May 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1635. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Telecommunications Carriers Eligible for Support; Lifeline and Link Up Reform; Virgin Mobile USA, L.P. Petition for Forbearance; Cox Communications, Inc. Petition for Forbearance; Time Warner Cable, Inc. Petition for Forbearance; i-wireless, LLC Petition for Forbearance; Q Link Wireless, LLC Petition for Forbearance; Global Connection Inc. of America Petition for Forbearance [WC Docket No.: 09-197] [WC Docket No.: 11-42] received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1636. A letter from the Deputy Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund [WC Docket No.: 10-90] received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1637. A letter from the Deputy Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Implementation of Sections 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010; Amendments to the Commission's Rules Implementation Sections 255 and 251(a)(2) of the Communications Act of 1934, as Enacted by the Telecommunications Act of 1996; In the Matter of Accessible Mobile Phone Options for People who are Blind, Deaf-Blind, or have Low Vision [CG Docket No.: 10-213] [WT Docket No.: 96-198] [CG Docket No.: 10-145] received May 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1638. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund; High-Cost Universal Service Support [WC Docket No.: 10-90] [WC Docket No.: 05-337] received May 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1639. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Regulatory Guide 1.57; Design Limits and Loading Combinations for Metal Primary Reactor Containment System Components received May 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1640. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on gifts given by the United States to foreign individuals for Fiscal Year 2012, pursuant to 22 U.S.C. 2694(2); to the Committee on Foreign Affairs.

1641. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of a proposed lease with the Government of Canada (Transmittal No. 02-13) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1642. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-22, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1643. A letter from the Director, Defense Security Cooperation Agency, transmitting

Transmittal No. 13-24, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1644. A letter from the Acting Secretary, Department of Commerce, transmitting Periodic Report on the National Emergency Caused by the Lapse of the Export Administration Act of 1979 for August 26, 2012 — February 25, 2013; to the Committee on Foreign Affairs.

1645. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-059, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1646. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-035, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1647. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-071, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1648. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-054, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1649. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-039, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1650. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-062, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1651. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-014, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1652. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-060, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1653. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-052, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1654. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-061, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1655. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No.

DDTC 13-018, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1656. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Announcement of Effective Date for Regulations Implementing the Defense Trade Cooperation Treaty between the United States and Australia (RIN: 1400-AD38) received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1657. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter regarding violations of retransfer obligations by the Government of Albania; to the Committee on Foreign Affairs.

1658. A letter from the Acting Assistant Secretary, Department of State, transmitting a letter regarding the unauthorized retransfer of defense articles; to the Committee on Foreign Affairs.

1659. A letter from the Presiding Governor, Broadcasting Board of Governors, transmitting the Broadcasting Board of Governors' 2012 Annual Report, pursuant to Section 305(a)(9) of the U.S. International Broadcasting Act of 1994, Pub. L. 103-236, pursuant to 22 U.S.C. 6204; to the Committee on Oversight and Government Reform.

1660. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Threatened Status and Designation of Critical Habitat for *Eriogonum codium* (Umtanum Desert Buckwheat) and *Physaria douglasii* subsp. *tuplashensis* (White Bluffs Bladderpod) [Docket Nos.: FWS-R1-ES-2012-0017; FWS-R1-ES-2013-0012] (RIN: 1018-AX72) (RIN: 1018-AZ54) received May 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1661. A letter from the Chief, Branch of Listing, Endangered Species, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for 38 Species on Molokai, Lanai, and Maui [Docket No.: FWS-R1-ES-2011-0098] (RIN: 1018-AX14) received May 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1662. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Framework Adjustment 48 [Docket No.: 120814336-3408-02] (RIN: 0648-BC27) received May 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1663. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures for the 2013 Tribal and Non-Tribal Fisheries for Pacific Whiting [Docket No.: 130114034-3422-02] (RIN: 0648-BC93) received May 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1664. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric

Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC581) received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1665. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Exempted Fishery for the Spiny Dogfish Fishery in the Waters East and West of Cape Cod, MA [Docket No.: 120905422-3394-01] (RIN: 0648-BC50) received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1666. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries in the Western Pacific; American Samoa Pelagic Longline Limited Entry Program (RIN: 0648-XC629) received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1667. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Accountability Measures for Species in the U.S. Caribbean [Docket Nos.: 100120037-1626-02 and 101217620-1788-03] (RIN: 0648-XC574) received May 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1668. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Classification of Immediate Family Members as G Nonimmigrants (RIN: 1400-AD21) received May 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1669. A letter from the Staff Director, United States Sentencing Commission, transmitting the Commission's report entitled, "2012 Annual Report and Sourcebook of Federal Sentencing Statistics", pursuant to 28 U.S.C. 997; to the Committee on the Judiciary.

1670. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0333; Directorate Identifier 2013-NM-080-AD; Amendment 39-17436; AD 2013-08-12] (RIN: 2120-AA64) received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1671. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Airplanes [Docket No.: FAA-2012-18033; Directorate Identifier 2004-CE-16-AD; Amendment 39-17400; AD 2004-21-08 R1] (RIN: 2120-AA64) received May 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1672. A letter from the Director, Regulation Policy and Management, Department of Veterans Affairs, transmitting the Department's final rule — Copayments for Medications in 2013 (RIN: 2900-AO58) received May 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1673. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — United States-Korea Free Trade Agreement [USCBP-2012-0007] [CBP Dec. 13-08] (RIN: 1515-AD86) received May 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1674. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Standards of Identity for Pisco and Cognac [Docket No.: TTB-2012-0001; T.D. TTB-113; Re: Notice No. 126] (RIN: 1513-AB91) received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1675. A letter from the Secretary, Department of the Treasury, transmitting a letter stating that the Department will begin implementing the standard set of extraordinary measures that enable them to protect the full faith and credit of the United States; to the Committee on Ways and Means.

1676. A letter from the Assistant Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Regulations Enabling Elections for Certain Transactions under Section 336(e) (RIN: 1545-BD84) (TD 9619) received May 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1677. A letter from the Assistant Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Biodiesel and Alternative Fuels; Claims for 2012; Excise Tax [Notice 2013-26] received May 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1678. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Credit for Carbon Dioxide Sequestration 2013 Section 45Q Inflation Adjustment Factor [Notice 2013-34] received May 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1679. A letter from the Assistant Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — June 2013 (Rev. Rul. 2013-12) received May 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1680. A letter from the Assistant Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Fringe Benefits Aircraft Valuation Formula (Revenue Ruling 2013-8) received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1681. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Opinion and Advisory Letters for Section 403(b) Pre-approved Plans (Revenue Procedure 2013-22) received May 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1682. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2013-28] received May 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1683. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Fringe Benefits Aircraft Valuation Formula (Revenue Ruling 2012-27) received May

22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1684. A letter from the Assistant Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2013-28] received May 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1685. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Medical Loss Ratio Requirements for the Medicare Advantage and the Medicare Prescription Drug Benefit Programs [CMS-4173-F] (RIN: 0938-AR69) received May 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

1686. A letter from the Assistant Secretary of Defense, Department of Defense, transmitting additional legislative proposals that the Department requests be enacted during the first session of the 113th Congress; jointly to the Committees on Veterans' Affairs, Oversight and Government Reform, Transportation and Infrastructure, Armed Services, the Judiciary, and Foreign Affairs.

1687. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department requests be enacted during the first session of the 113th Congress; jointly to the Committees on House Administration, Financial Services, Natural Resources, Ways and Means, Education and the Workforce, Armed Services, Foreign Affairs, the Judiciary, Oversight and Government Reform, and Appropriations.

1688. A letter from the Assistant Secretary, Department of Defense, transmitting proposed legislation, titled "National Defense Authorization Act for Fiscal Year 2014"; jointly to the Committees on Intelligence (Permanent Select), Rules, Financial Services, Natural Resources, House Administration, Foreign Affairs, Oversight and Government Reform, Science, Space, and Technology, Ways and Means, Energy and Commerce, Transportation and Infrastructure, Armed Services, Veterans' Affairs, and the Judiciary.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GARY G. MILLER of California (for himself and Mrs. MCCARTHY of New York):

H.R. 2211. A bill to amend the Fair Debt Collection Practices Act to provide for a timetable for verification of medical debt and to increase the efficiency of credit markets with more perfect information; to the Committee on Financial Services.

By Mr. BARR:

H.R. 2212. A bill to amend the Internal Revenue Code of 1986 to allow a 3-year recovery period for all race horses; to the Committee on Ways and Means.

By Mr. MCCAUL (for himself and Mr. CUELLAR):

H.R. 2213. A bill to incorporate into the design and construction of reconfigured and new ports of entry certain concerns relating to border location-dependent businesses, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infra-

structure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MENG (for herself, Mr. BLUMENAUER, Mr. CAPUANO, Mr. CARTWRIGHT, Ms. CHU, Mr. CICILLINE, Mr. COHEN, Mr. CONYERS, Ms. EDWARDS, Mr. ELLISON, Mr. CONNOLLY, Mr. JOHNSON of Georgia, Mr. HUFFMAN, Mr. MCGOVERN, Mr. MURPHY of Florida, Mr. POCAN, Mr. RANGEL, Ms. SHEA-PORTER, Ms. SLAUGHTER, and Mr. MICHAUD):

H.R. 2214. A bill to amend the securities laws to require that registration statements, quarterly and annual reports, and proxy solicitations of public companies include a disclosure to shareholders of any expenditure made by that company in support of or in opposition to any candidate for Federal, State, or local public office; to the Committee on Financial Services.

By Mr. MCDERMOTT:

H.R. 2215. A bill to amend the Civil Rights Act of 1991 with respect to the application of such Act; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

33. The SPEAKER presented a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 71 memorializing the Congress and the President to fully fund all special education mandated by Federal Laws or regulations; to the Committee on Education and the Workforce.

34. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 14 recognizing May 2013 as Amyotrophic Lateral Sclerosis Awareness Month; to the Committee on Energy and Commerce.

35. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 21 memorializing the Congress to take whatever actions necessary to encourage and support the reunification of Ireland; to the Committee on Foreign Affairs.

36. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 25 requesting that the Secretary of Commerce to take such actions as necessary to require the regional administrator of NOAA Fisheries Service's Southeast Regional Office to provide information on the red snapper season; to the Committee on Natural Resources.

37. Also, a memorial of the Senate of the Commonwealth of the Northern Mariana Islands, relative to Senate Resolution No. 18-10 urging the Congress to officially acknowledge the Chamorro and Carolinian people of the Commonwealth of the Northern Mariana Islands as Native Americans; to the Committee on Natural Resources.

38. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 4 urging the federal government to fund necessary improvements at the San Ysidro, Calexico, and Otay Mesa Ports of Entry; to the Committee on Homeland Security.

39. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 4 urging the federal government to fund necessary improvements at the San Ysidro, Calexico, and Otay Mesa Ports of Entry; to the Committee on Homeland Security.

40. Also, a memorial of the Senate of the State of California, relative to Senate Resolution No. 10 recognizing the importance of continued access to safe and legal abortion; jointly to the Committees on the Judiciary and Energy and Commerce.

41. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 8 requesting the President and the Congress to pass the Violence Against Women Reauthorization Act; jointly to the Committees on the Judiciary, Education and the Workforce, Financial Services, Natural Resources, and Energy and Commerce.

42. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 8 requesting the President and the Congress to pass the Violence Against Women Reauthorization Act; jointly to the Committees on the Judiciary, Energy and Commerce, Financial Services, Natural Resources, and Education and the Workforce.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GARY G. MILLER of California:

H.R. 2211.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power to regulate interstate commerce).

By Mr. BARR:

H.R. 2212.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8 of the United States Constitution.

By Mr. MCCAUL:

H.R. 2213.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clause 1 and Clause 3

By Ms. MENG:

H.R. 2214.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII

By Mr. McDERMOTT:

H.R. 2215.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8—To make all laws which shall be necessary and proper for carrying into execution the foregoing powers

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 176: Mr. WILSON of South Carolina.

H.R. 241: Mr. COBLE.

H.R. 351: Mr. LYNCH.

H.R. 451: Mr. GARCIA.

H.R. 792: Mr. KINZINGER of Illinois and Mr. HUDSON.

H.R. 924: Mr. HIMES, Mr. PALLONE, Mr. THOMPSON of California, Mr. DINGELL, and Mr. QUIGLEY.

H.R. 940: Mr. HUDSON and Mr. STEWART.

H.R. 1010: Ms. MENG.

H.R. 1015: Mr. FORBES.

H.R. 1029: Ms. DELAURO.

H.R. 1179: Ms. SHEA-PORTER.

H.R. 1431: Mr. HORSFORD and Mr. CLEAVER.

H.R. 1528: Mr. BUTTERFIELD and Mr. KELLY of Pennsylvania.

H.R. 1731: Ms. LORETTA SANCHEZ of California.

H.R. 1759: Ms. SHEA-PORTER, Mr. WAXMAN, and Mr. CICILLINE.

H.R. 1761: Mr. CONNOLLY, Mr. KILDEE, Mr. DEFazio, Mr. ROGERS of Kentucky, and Mr. KING of Iowa.

H.R. 1767: Mr. CAPUANO.

H.R. 1771: Mr. CONNOLLY, Ms. MENG, Mr. LOWENTHAL, and Mr. PERRY.

H.R. 1797: Mr. COTTON, Mr. ROGERS of Kentucky, Mr. COLLINS of Georgia, Mr. STUTZMAN, Mr. COBLE, and Mr. MURPHY of Pennsylvania.

H.R. 1809: Mr. CICILLINE.

H.R. 1812: Ms. MENG.

H.R. 1824: Mr. CICILLINE, Mr. SWALWELL of California, Ms. SHEA-PORTER, Mr. WAXMAN, Mr. RUIZ, and Mr. COHEN.

H.R. 1825: Mr. TIPTON.

H.R. 1869: Mr. ENYART and Ms. JENKINS.

H.R. 1898: Mr. KLINE, Mr. CARSON of Indiana, Mr. FRANKS of Arizona, Ms. BORDALLO, Mr. SALMON, Mr. RUNYAN, Mr. JONES, Mr. WITTMAN, and Mr. LANGEVIN.

H.R. 1904: Mr. BARBER.

H.R. 1950: Mr. WOMACK and Mr. YOHO.

H. Res. 112: Mr. GRIFFITH of Virginia, Mr. WELCH, Mr. ELLISON, and Mr. FINCHER.

H. Res. 213: Mr. CARSON of Indiana.

#### PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

22. The SPEAKER presented a petition of the Municipal Government of Orocovis, Puerto Rico, relative to Resolution No. 53 rejecting the application of the Death Penalty by the Federal Court of the United States for the District of Puerto Rico; to the Committee on the Judiciary.

23. Also, a petition of the City of Tucson, Arizona, relative to a Memorial urging the Congress to enact comprehensive immigration reform; to the Committee on the Judiciary.



## EXTENSIONS OF REMARKS

HONORING MISHI JAIN

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 24, 2013*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Mishi Jain is a junior at Elkins High School in Fort Bend County, Texas. Her essay topic is: In your opinion, what role should government play in our lives?

Thomas Jefferson once said "The care of human life and happiness, and not their destruction, is the first and only objective of [a] good government." Jefferson is correct when he describes the objectives of a government. A government's role is not to coerce or force citizens, but, rather, a government's roles include guiding, assisting, and taking care of the lives of citizens. A government's primary obligation is to uphold the best interest of the people and to take actions that will enhance societal welfare.

To begin, the government must function as a mechanism that protects its people from foreign invasions and other threats. In order to fulfill its primary obligation, a government must take all and any actions necessary to protect our nation and its people. It has become evident through past events where the United States was under attack or under threat, and necessary action was taken to preserve the safety and wellbeing of the people. Whether it be against foreign threats or domestic threats, a government must make the nation a safe place to be. Furthermore, governments must also regulate companies and the market to ensure that corruption should not take place. To prevent a situation like that of during the late 1800s where corruption was prominent and big businesses acted as monopolies, a government, like ours today, is needed to ensure that there is a sufficient standard of economic wellbeing and that all businesses are getting a fair chance. Therefore, a major role of the government is to monitor economic practices and place laws to regulate those as well. Finally, a government's obligation is to take care of those who are underprivileged or may not be as lucky as others. It must regulate social security, help out the unemployed, and assist families that are financially unstable. As a government, it is of the utmost importance that it takes into account all of the issues mentioned and ensure that these issues are taken care of. Many people in our country need help, and in

order to uphold societal welfare, a government must help out everyone equally.

In retrospect, a government's main and most important role is to secure the lives of its people. These lives are extremely significant and a government must take all actions necessary in the best interest of the society and its people. Therefore, Jefferson was correct and making the assertion that "the care of human life and happiness [ . . . ] is the first [ . . . ] objective of a government."

REINTRODUCING "JUSTICE FOR  
WARDS COVE WORKERS ACT"**HON. JIM McDERMOTT**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 24, 2013*

Mr. McDERMOTT. Mr. Speaker, I rise today to reintroduce the "Justice for Wards Cove Act" to correct a grave injustice against thousands of Asian-American workers that took place over a quarter century ago.

In the 1970s, workers of Filipino, Samoan, Chinese, Japanese and Native American descent traveled north during the summer to work in the fish canneries in Alaska. Management at the Wards Cove Packing Company treated these migrant workers differently from white workers. They were forced to eat in separate dining halls, sleep in separate bunkhouses, and were unable to rise to top-paying positions in the company.

In 1973, two Seattle Filipino labor activists named Silme Domingo and Gene Viernes led several class-action lawsuits on behalf of these Asian-American and Native American cannery workers alleging discrimination in the workplace. In 1989, the Supreme Court ruled against the Wards Cove workers, in *Wards Cove Packing Co. v. Atonio*, which became a major impetus for the civil rights community to reverse the tide against employee rights. The result was the Civil Rights Act of 1991, which became the most comprehensive civil rights legislation signed into law since the Civil Rights Act of 1964.

However, what most civil rights communities forgot was that in the final hours before passage of the Civil Rights Act, a highly unusual and narrow amendment was inserted by two Senators from Alaska that exempted the Wards Cove workers from the expansive protections against workplace discrimination outlined in the Civil Rights Act. They feared that the Civil Rights Act could be applied retroactively to the workers.

The Senators' amendment was inserted in Section 402(b) of the Civil Rights Act, and its sole target was the Wards Cove workers. To date, the Wards Cove workers remain the only people who have been denied the rights promulgated by the Civil Rights Act of 1991.

Mr. Speaker, while my bill cannot retroactively alter the Supreme Court's ruling or

grant retroactive rights for the Wards Cove workers, it does remove Section 402(b) of the Civil Rights Act of 1991 as a symbolic measure to right the wrong.

This is a legislative fight that I started in 1991, when I first introduced this bill. Each time I introduced this bill, it received bipartisan support but was never voted on the floor of the House of Representatives. In 1993, then-President Bill Clinton wrote a letter of support for my bill, stating, "It is contrary to all of our ideas to exclude any American from the protection of our civil-rights laws."

Too often, the struggles of Asian-American and other ethnic minorities do not get the attention they deserve by policymakers and law enforcement officials. This issue is about justice and fairness.

Mr. Speaker, I ask that my colleagues join me in honoring the Wards Cove workers by supporting this bill.

TRIBUTE TO PALLAVI DEV

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 24, 2013*

MR. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Pallavi Dev is a junior at Glenda Dawson High School in Brazoria County, Texas. Her essay topic is: Select an important event that has occurred in the past 50 years and explain how that event has changed our country.

THE NEWTOWN SHOOTING

The worst events in our country's history happened when we least expected them. As citizens we carry on with our normal lives, busy within our own bubble of school, family, work, holidays, and so on. But every so often something happens that shakes the foundations upon which our existence is built, and we are reminded of how fragile our bubble is and how easy it is for someone to pop it.

That someone for the people of Newtown, Connecticut was Adam Lanza, a 20-year-old who killed his mother and 25 other students, teachers, and staff in Sandy Hook Elementary School on December 14, 2012. Twenty of those he killed were young children, between the ages of 5 and 10, who would have had bright futures before them had their lives not been cut short. The motives for Lanza's

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

actions are still unclear, but it is known that he used a military-style rifle to end the lives of those mentioned and his own. The tragedy of this event has intensified the debate over gun control in the U.S., but more importantly, has reminded us to take a break in our busy lives and be thankful for our family, friends, and everything else we have.

Today the grief that has settled over the nation is like a thick fog that seeps into every corner, never seeming to disappear or be forgotten. Tomorrow it will lift slightly, and ten years from now for many it will have faded to only a memory. However, we cannot allow what happened in Newtown to vanish from our minds. It is a warning to American citizens that something needs to change. Our nation has become a safe haven for people from all over the world who come to seek protection under our democratic government and its infrastructure. But in this moment, the people of America are shaken and the majority of the population is worried for the safety of their own children and families. The path to preventing a catastrophe like the Newtown shooting faces many difficulties ahead. Our government will have to overcome a load of disagreement before a solution is reached. However, I, along with my fellow citizens, have faith that they will take the right action, and that a small quantity of good will come out of this event that has caused an immeasurable amount of pain. At the end of the day, we are all united as citizens who only want the best for their country and the people who live in it.

HONORING THE SERVICE OF VICE  
ADMIRAL KEVIN M. MCCOY

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 24, 2013*

Mr. COURTNEY. Mr. Speaker, I rise proudly today to honor Vice Admiral Kevin M. McCoy, United States Navy, who is retiring after more than 34 years of faithful service to our nation, culminating in his service as the 42nd Commander of the Naval Sea Systems Command, NAVSEA.

A graduate of the State University of New York at Stony Brook, Vice Admiral McCoy held several key leadership positions over the course of his distinguished career, including the NAVSEA Deputy Commander for Ship Design Integration and Engineering, NAVSEA Deputy Commander for Industrial Operations, and the 80th Commander of the Portsmouth Naval Shipyard in New Hampshire. He also served aboard USS *Daniel Webster*, USS *L.Y. Spear*, and at the naval shipyards at Mare Island, California; Charleston, South Carolina; Puget Sound, Washington; Norfolk, Virginia and Portsmouth, New Hampshire.

Vice Admiral McCoy's initiative, vision and wise counsel were of extraordinary value to the Department of the Navy during a period of significant change and challenge. Leading the Navy's largest Echelon II Command, he oversaw more than 60,000 civil service and military personnel at 38 major shore locations nationwide and an annual budget of more than \$30 billion.

A leader in the acquisition community, McCoy stewarded NAVSEA's associated Pro-

gram Executive Offices through the design, contracting, construction, testing, and delivery of the *San Antonio*-class Amphibious Transport Dock program, the *Virginia*-class submarine program, the *Freedom*-class Littoral Combat Ship program, the *Lewis and Clark*-class Dry Cargo Ammunition program, the Mobile Landing Platform program, the Joint High Speed Vessel program, the *Zumwalt*-class DDG 1000 program, the *Gerald R. Ford*-class Next Generation Carrier program and the USS *George H.W. Bush*. Vice Admiral McCoy was integral to successfully transitioning the Littoral Combat Ship from concept to first deployment in a fraction of the time required for earlier ship classes.

Most notably, he was the driving force behind significant improvements in performance across the shipbuilding industrial base, the execution of maintenance and modernization in both public and private shipyards, process changes to improve the overall readiness of the Fleet, innovative business practices to garner savings for Navy leadership to reinvest in high priority requirements and human capital strategies designed to continue the development of the future workforce.

Under his leadership, the naval shipyard community experienced the highest workload faced by the four Naval Shipyards in two decades, resulting in the execution of 72 major depot-level availabilities, 8 submarine refueling overhauls and an additional 31 minor maintenance periods all supported by a \$15.2 billion operating budget. Vice Admiral McCoy's leadership and focus was directly responsible for the successful execution and completion of the bow wave of submarine depot maintenance work begun ten years earlier resulting from an overlap in the life cycle maintenance plan of submarine refueling and depot maintenance work. The annual rate of submarine days lost due to depot availability delays at Naval Shipyards dropped during this period to an all time low of 205 days—the lowest value ever achieved. Compared to historic averages in the 900-plus day range, this is the equivalent of providing the fleet with an additional two submarines for their use every year.

However, his achievements did not stop there. Vice Admiral McCoy led a number of wide-sweeping improvements to ensure that our surface and submarine fleets can reach their expected service lives. For example, he led a series of initiatives to increase support and improve maintenance practices across ship classes, while also modernizing the fleet to keep pace with mission requirements. Vice Admiral McCoy was also the driving factor within the Navy to improve surface ship material readiness. He developed an end-to-end surface maintenance, modernization, and sustainment process to better ensure readiness and meet service life and total ownership costs. This process led to the development of the Surface Ship Maintenance Engineering Planning Program, SURFMEPP, which re-established surface ship maintenance requirements similar to those used by carrier and submarine communities, and the reconstitution of the Regional Maintenance Centers. He also spearheaded the stand up of Surface Team One, which brought together maintenance and modernization stakeholders, operating as a single community, to measure surface fleet

material readiness. Similarly for submarines, Submarine Team One was chartered to develop, champion, and improve cross-organizational processes for the planning and execution of submarine depot availabilities and provide a structure for the management and long term systematic improvement of cost, schedule, and quality performance.

The cornerstones of Vice Admiral McCoy's corporate operations were sound corporate strategy, mission focus, a dedicated attention to detail, and a devoted commitment to meet fiscal and technical goals. Demonstrating a consistent drive to streamline the organization, he instituted a process for services contracting reviews that ensures constant vigilance of contracting and respect for the tax dollars that fund it. This process is now in use across the Navy. Additionally, through his efforts as the NAVSEA commander, his organization has offered the Navy more than \$2.7 billion in Future Year Defense Program savings in response to calls for cost reduction through Total Ownership Cost reduction projects and corporate efficiencies.

As important as his achievements in the shipbuilding maintenance area, Vice Admiral McCoy also took a leading role in the Wounded Warrior Program to offer education counseling, internships, apprenticeships and employment to injured veterans culminated in the hiring of more than 1,500 Wounded Warriors in the NAVSEA enterprise—the largest single-organization Wounded Warrior hiring effort in the nation. Under his leadership, NAVSEA was recognized as a Top 50 Employer Award winner four times.

Mr. Speaker, as a member of the House Armed Services Committee, I have been fortunate to work closely with Vice Admiral McCoy both at many appearances before the committee, and working with him and his great staff directly to address workload shortfalls in our submarine maintenance programs. He has consistently been accessible, thoughtful and forthright, and I am grateful for all his assistance. With his retirement, our Navy—and our nation—will lose a tremendous leader and friend both to our men and women in uniform and our defense industrial base. I am sure though that he will write a new, interesting chapter in his life of amazing service to our nation. I thank him and his family for his honorable service in the United States Navy and ask my colleagues to join me in wishing him "fair winds and following seas" as he concludes a distinguished naval career.

TRIBUTE TO PAULINA AGYEI

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 24, 2013*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents

and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Paulina Agyei is a sophomore at Travis High School in Fort Bend County, Texas. Her essay topic is: In your opinion, why is it important to be involved in the political process?

Even though I myself am too young to vote, I still like to be involved as much as possible in the political process. If not I just become of the ignorant masses who knows nothing of how our world works, causing them to make asinine comments on political infrastructure. Ignorance is not a quality that should be coveted, it should be sniffed out and destroyed. To be a member of the United States of America one must know the most elementary basics of government.

When you know little to nothing about politics that is when you are swayed by politicians and biased media corporations who will twist and pervert the truth to fall in line with their own beliefs and ideas. The whole point of living is having free will to make our own choices, and think for ourselves. This is impossible when one doesn't arm himself with the best weapon in the universe, knowledge.

That being said, I as a teenager technically have no say in government (i.e. voting) but there are other ways I, and others who fall into the same category as me, can still have our voices be heard and take a stand on issues we feel strongly about.

Now let's say, hypothetically speaking of course, that a Senator from Maryland is lobbying to have a national law pass that will have all dogs be dyed blue. I myself am not a dog owner, but I still feel strongly that dog owners should have a choice in the colors of their dogs. I could then start a petition against the bill, at the same time raising awareness.

Using the newfound power of social media, I could create a Facebook Page about the unjustness that Senator from Maryland wanted to thrust upon the American people. I could raise even more awareness by creating a Reddit page, then a Twitter, and even a Myspace. I would be very involved in the legislation of this law, without even voting.

In conclusion it is extremely important to be as involved as possible in the political process that runs essentially our whole lives as Americans.

**CONGRATULATIONS CHAIRMAN  
JAMES G. REBHOLZ**

**HON. JOE WILSON**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 24, 2013*

Mr. WILSON of South Carolina. Mr. Speaker, I would like to congratulate James G. Rebholz, Chairman of the National Committee for Employer Support of the Guard and Reserve, ESGR. James is serving his second and final term with the ESGR and I am very grateful for his service.

Chairman James Rebholz has demonstrated great leadership throughout his tenure with the ESGR by helping the Department of Defense agency fulfill its mission developing and promoting a culture of employer support from all

public and private employers for the men and women of the National Guard and Reserve and their families. Throughout his 31 years of service in the United States Air Force Reserve, his long history of community service, and his success as a small business owner, James has proven his dedication to our great nation. His programs have been extremely beneficial in working with John Green, Chairman of the South Carolina ESGR, and Major General Bob Livingston, the South Carolina Adjutant General.

As Chairman James Rebholz's service with the ESGR comes to an end, I would like to wish him and his wife Jean Boser best wishes in the future.

**TRIBUTE TO LAUREN AHART**

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 24, 2013*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Lauren Ahart is a senior at Stephen F. Austin High School in Fort Bend County, Texas. Her essay topic is: In your opinion, why is it important to be involved in the political process?

It is crucial for everyone in the United States to be involved with the political process because every vote counts and you have the right to represent what you believe. In my opinion, if someone does not vote they should not complain about anything that goes on in the country. Therefore if someone wants something to be different or to make a change, they must put their voice out there to be heard. This concept of speaking out for what one believes is held sacred throughout society and should be maintained during political times.

If someone votes, they have expressed their thoughts and have helped the tally. The number of people that vote conclude the winner. So, obviously it would be smart if everyone marked their ballot for the people they want to rule so we will get a reliable source of votes. The number of people that did not vote was terribly low, during the 2012 presidential election, which makes me frustrated. The right of freedom to vote is something that we should take advantage of and without it our country would not be how it is today.

People that fight for the freedom everyday and give up their lives so we can have all the rights we do today, would find it disrespectful if they knew that someone was simply staying home and not voting. If the right causes are not supported and the issues of the times are not addressed, our society are at risk for a less secure and overall quality of living. As a citizen, everyone should be

able to participate and take one hour from your day to stand up and pay your respect for our country and its governing bodies.

From my point of view, when someone votes they are speaking their values and beliefs, and showing what they would like to see in this country. It's the participant rate that helps guide our country for the greatest good of all. If you want to live the life you dream of, you must help the cause of a healthy political process. The decision to vote should be a given, but because the people have not cared as much about what happens this leads to our country not reaching the full potential of a fair democracy. So please take part in putting your ideas and your wants for America out there, be knowledgeable at election time and ultimately go vote your ballot.

**PERSONAL EXPLANATION**

**HON. LUIS V. GUTIERREZ**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 24, 2013*

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for a vote on Thursday, May 23. Had I been present, I would have voted "nay" on rollcall vote 181.

**HONORING MEGAN EMILIANI**

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 24, 2013*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Megan Emiliani is a sophomore at Travis High School in Fort Bend County, Texas. Her essay topic is: Select an important event that has occurred in the past 50 years and explain how that event has changed our country.

**DESEGREGATION IN SCHOOLS**

In 1964, the Civil Rights Act was passed. Civil rights issues in our nation have a long history dating back to the Civil War but this legislation came at a critical time during the 1960's civil rights movement. The 1964 Civil Rights Act, introduced by President Kennedy and signed by President Johnson, opened the door to providing more opportunities and limiting discrimination for all minorities. The legislation dealt with voting rights of minorities, prohibited segregation in public places, and addressed desegregation in public schools. While the 1954 Supreme Court ruling on Brown vs. the Board of Education had already began the process of desegregating schools, the Civil Rights Act continues to enforce equality in schools. It

encouraged desegregation in public schools to help give minorities more rights in education.

Not long ago, schools were separated by color. Since the Civil Rights Act, schools claim that race is not important and should not affect the way a student is viewed. However, my experience has been that students, while not separated by schools, are still classified by race. When we take PSAT, TAKS, or STAAR test, why do we have to check a

box with our race? Why is race a factor looked upon when reviewing test scores? Students and their test scores are being categorized by race. Additionally in our society today, there are many multiracial people, including myself, but on those tests you only get to choose one box. I am Mexican, Spanish, Italian, Hungarian, Irish and I am sure a few other things. What box should I pick? On some forms mixed is an option, but that does

not seem accurate either. I am the American Melting Pot.

America is a group of immigrants and to separate us by such limited race designations does not help to end segregation. The purpose of the Civil Rights Act was to help create equality, and every time we have to check off a box, it only emphasizes the differences. I am proud of my heritage, but I do not think classifying me by this really says who I am as a student. I am an American.

## SENATE—Monday, June 3, 2013

The Senate met at 2 p.m. and was called to order by the Honorable TIMOTHY M. KAINÉ, a Senator from the Commonwealth of Virginia.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, thank You for being near to us in good and bad times. We celebrate Your wonderful blessings that bring us new victories each day.

As we look at the flowers on the desk of our friend and brother, Senator FRANK LAUTENBERG, we thank You for his life and legacy. As we mourn his death, send Your comfort into our hearts. Bless Bonnie and his family and give them Your peace. Let our memory of this good and courageous American inspire us to transcend the barriers that divide us and to work for the good of America.

We pray in Your merciful Name.  
Amen.

### PLEDGE OF ALLEGIANCE

The Honorable TIMOTHY M. KAINÉ led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 3, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TIMOTHY M. KAINÉ, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. KAINÉ thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### MOMENT OF SILENCE

Mr. REID. Mr. President, I ask that the Senate observe a moment of silence

in honor of the late FRANK LAUTENBERG, a Senator from the State of New Jersey.

The ACTING PRESIDENT pro tempore. The Senate will have a moment of silence.

If all will please stand.  
(Moment of silence.)

### SCHEDULE

Mr. REID. Mr. President, there are a few matters I must take care of. We will be in morning business until 4 p.m. Following that, the Senate will resume consideration of S. 954, the farm bill.

At 5:30 p.m. there will be two rollcall votes on amendments to that bill.

### MEASURES PLACED ON THE CALENDAR—H.R. 3 AND H.R. 271

Mr. REID. Mr. President, I understand there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The leader is correct. The clerk will read the titles of the bills for a second time.

The legislative clerk read as follows:

A bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes.

A bill (H.R. 271) to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes.

Mr. REID. Mr. President, I object to further proceedings with regard to both of these matters.

The ACTING PRESIDENT pro tempore. Objection having been heard, the measures will now be placed on the calendar.

### REMEMBERING FRANK R. LAUTENBERG

Mr. REID. Mr. President, when I learned early this morning that FRANK LAUTENBERG had died, of course, I immediately became very sad. I served with him for 2½ decades or more in the Senate.

I see there are flowers on his desk. It seems the flowers have barely wilted on the desk—which is right behind me—of Senator Inouye. So I have a heavy heart.

As we all know, the senior Senator from New Jersey and my friend FRANK LAUTENBERG died this morning. My thoughts are with his lovely wife Bonnie, his children, and 13 grandchildren.

Few people in the history of this institution contributed as much to this

Nation and to the Senate as FRANK LAUTENBERG. His success story is what the American dream is all about.

He came from a family of working-class immigrants from Eastern Europe—Russia and Poland. His parents struggled. I heard FRANK talk about how they struggled. They worked so hard. They moved around New Jersey often.

When FRANK was 18, during the middle of World War II he enlisted in the U.S. Army. During World War II he served with distinction in the Army Signal Corps. I can remember FRANK talking about his experiences in the European theater. While he was in the Army Signal Corps, he said he could see the war going on in his sight while he was up on a wooden power pole.

He talked about the many experiences he had during World War II, as he said, making him a better American. He was very proud of his military service. He is the last World War II veteran having served in the Senate. We don't have any World War II veterans anymore. His death is a great loss to this institution in many different ways.

When FRANK came home from the war—he was obviously very smart—he was permitted to attend the very prestigious Columbia University. He did it, of course, on the GI bill—just as so many of the other returning Americans did.

He quickly founded his own company. He started the company with two boyhood friends. All three kids were from New Jersey. Under his leadership, his firm, Automatic Data Processing, known as ADP, grew into the largest computing company of its kind in the world.

He was so very proud of that company, and he never hesitated to tell everyone that he made money. He became rich. He was a poor boy who became wealthy as a result of being able to fulfill his dreams, as people can do, in America.

FRANK wasn't content with his personal success alone. He was proud of the civic and charitable things he did, but nothing made him more proud of what he did outside government than when he served as the top lay leader of the United Jewish Appeal, known as the Jewish Federations of North America. He was very proud of that.

FRANK LAUTENBERG was known for many things before he came to the Senate. He ran an impossible race for the Senate and was elected. He came to the Congress in 1982, the same year I did. Over the course of three decades he worked tirelessly on behalf of his State and the country.

He retired once. He could not stand retirement. He hated retirement. He could not stay away from public service, and he returned to the Senate in 2002.

He had a remarkable career. I just touched upon a few of his accomplishments. He had determination that made him successful in the private sector and also served him well in the Senate. Motivated by his own experience, Senator LAUTENBERG, a World War II veteran, cowrote the 21st century GI bill of rights. Recognizing how much this meant to him, he wanted to ensure that the vets returning from Iraq and Afghanistan enjoyed the same opportunities for education that helped him become so successful.

My youngest boy just hated cigarette smoke, and it really made him ill. There was a time when people could smoke everywhere in the airplane and then finally in a different part of the airplane; however, it didn't matter. Everybody sucked in the secondhand smoke.

FRANK LAUTENBERG took care of my boy and millions of other people who would no longer have to suck in that smoke in an airplane. He is the one, more than anyone else, whom we have to thank for protecting us from deadly secondhand smoke in an airplane because his legislation banned smoking on airplanes.

He was also a long-time member of the Environment and Public Works Committee. Had he not retired in that very short period of time that he did, he would have been chairman of that committee. However, because he wasn't there, I had the opportunity to be chair of that committee on two separate occasions.

He focused on this Nation's infrastructure, such as roads and highways. One of the ideas he thought would make this country a much safer place was to pass a drinking limit so a person could not drink alcohol anywhere in the country until they were 21 years of age. It was called a national drunk driving standard.

He believed in helping the State of New Jersey as well as helping the country, but I am not sure in which order. It was hard to understand the difference because he was focused on the country and New Jersey at the same time.

FRANK wanted to make sure that women and children were protected from gun violence. Thanks to him, we passed legislation that convicted domestic abusers so they could not own firearms.

Those are just a few examples of his work in the Senate that literally saved lives. He came from his sick bed—in a wheelchair—to vote on gun legislation. He agreed with 90 percent of the American people—that people who had severe mental problems or were felons should not be able to buy guns. He

agreed with 90 percent of the American people.

He came from his bed to be here and vote with us. He was so happy to be here. After that, he came once—just a few days ago—to vote when we needed him again. He tried so hard.

When I talked to Bonnie today, she said he was confident he would live to be 100. He was a very strong man physically.

A couple years ago, I took a big delegation to China. It was a bipartisan group. It was a wonderful trip. For FRANK LAUTENBERG, that was his last foreign travel. I can remember indicating what a strong man he was physically. I had never been to the Great Wall of China. I don't know how many of the other 10 Senators had been there, but I had not. It is pretty steep, and there are big rocks that have been there for centuries and centuries. Because FRANK was 88 years old at the time, somebody grabbed his arm to help him go up. He pushed them away. He wanted no help from anybody. He was on his own, and that is the way he wanted to be.

I and our Nation owe a great debt of gratitude to FRANK for his outstanding service. He had always been so kind to me. He was someone who appreciated serving. He appreciated being here. He loved being in the Senate, and the Nation is going to miss his strength and his progressive leadership.

The other attribute that probably a lot of people didn't know about FRANK LAUTENBERG was his sense of humor. I always had him tell stories because no one could tell a story like him. Another reason I liked FRANK is he laughed at his own jokes. He thought they were funny, as did most everyone who listened to them.

One of our favorite jokes was about two wrestlers. It would take 5 minutes or more to tell the story, but it was hilarious. No one could tell it like FRANK. He had a sense of humor, and we certainly appreciated that. Even though the Senate has AL FRANKEN, there was room for two funny people prior to FRANK's death this morning. FRANK LAUTENBERG—and AL FRANKEN—always made us smile and often made us laugh. Now I guess it is going to be up to Senator FRANKEN to do this alone, because they were both funny, together and apart.

It is with deep sadness that his Senate family is going to say goodbye. We are going to do that Wednesday morning. We will say goodbye to an exemplary public servant and a faithful friend, Senator FRANK LAUTENBERG.

I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Tennessee.

Mr. ALEXANDER. Thank you, Mr. President. If the Acting President pro tempore will let me know when I have used 10 minutes, I would appreciate it.

The ACTING PRESIDENT pro tempore. The Chair will so notify the Senator.

Mr. ALEXANDER. If no other Senator is on the floor, I will continue.

#### REMEMBERING FRANK R. LAUTENBERG

Mr. ALEXANDER. Mr. President, I am here today to speak on clean energy independence, but before I do that I want to note the passing of Senator FRANK LAUTENBERG.

When I came to the Senate 10 years ago, there were a number of Members here who were veterans of World War II. Now there are none. Senator LAUTENBERG was the last. He was a member of the generation often described as the greatest.

He was the son of immigrants. He made a lot of money in business as an entrepreneur in the American dream. Then he did another entrepreneurial thing: He ran for the U.S. Senate and served twice here. He was an advocate for the things he believed in, and he was a productive Senator. Just in the last couple of weeks he helped to fashion an agreement on amending the Toxic Substances Control Act, of which I am a cosponsor. It has been a long time coming, and he had a major role in that.

We will miss him. To his wife Bonnie and to his family, they have my respect and condolences and admiration for his long service to our country.

#### CLEAN ENERGY INDEPENDENCE

Mr. ALEXANDER. Mr. President, 5 years ago I spoke at the Oak Ridge National Laboratory. I began with a story from our past about our future. It is a familiar story to those of us in Tennessee.

President Franklin Roosevelt called the chairman of the Senate Appropriations Committee into his office in 1942

and said: Mr. Chairman, I would like to ask you to hide a couple billion dollars in the budget for a secret project to win the war.

Senator McKellar replied: Mr. President. I just have one question: Where in Tennessee would you like me to hide it?

That place turned out to be Oak Ridge. That was how Tennessee became one of the sites where scientists worked to build the atomic bomb before the Germans.

I suggested 5 years ago that we have a new Manhattan Project—really mini-Manhattan Projects for clean energy independence.

Last week at Oak Ridge, 5 years after that first speech, I suggested four grand principles to help us chart a competitive energy future for the next 5 years to end our obsession with taxpayer subsidies and strategies for expensive energy and instead focus on doubling government-sponsored research and allowing marketplace solutions to create an abundance of cheap, clean, reliable energy. I would like to renew those comments today on the floor of the Senate. The four grand principles I mentioned were, No. 1, cheaper, not more expensive, energy; No. 2, clean, not just renewable, energy; No. 3, research and development, not government mandates; and No. 4, the free market, not the government, picking winners and losers.

The seven grand challenges I suggested 5 years ago were grounded in challenges from the U.S. National Academy of Engineering. My challenges included making plug-in electric vehicles more commonplace, finding ways to capture and use carbon, helping solar become cost-competitive, safely managing nuclear waste, encouraging cellulosic biofuels, making new buildings green buildings, and creating energy from fusion.

My goal in laying out those seven challenges was clean energy independence. At the time, some took issue with the idea of a grand goal underlying these challenges, but I thought independence was a good goal then, and it is a good goal now because the United States should not be held hostage by any other country because of our energy needs.

Since I spoke 5 years ago, the Department of Energy has established the energy innovation hubs that are producing fuels from sunlight and advancing nuclear reactor and battery technologies. That, paired with the work of the new energy research agency—which we call ARPA-E—and others, has moved us forward on my seven grand challenges in a number of ways. Let me summarize that briefly.

Electric vehicles sales are approaching 100,000 in the United States, and ARPA-E has helped a company that has doubled the energy density of lithium-ion batteries.

Carbon capture. We are developing commercial uses for carbon dioxide, such as liquid fuels produced from microbes.

Solar power. Though the goal is around \$1 per watt installed by 2020, the cost has fallen from \$8 to \$4 per watt in the past five years. It still has a long way to go, but it is promising.

Nuclear waste. Four of us in the Senate have drafted comprehensive nuclear waste legislation. For the first time in 30 years, we are building new large reactors, and we are moving forward on small modular nuclear reactors.

Advanced biofuels. There are three new bioenergy research centers that are developing next-generation bioenergy crops for industrial-scale production.

Green buildings. Research and development has meant 20 new commercial products in energy efficiency.

Fusion. We have already demonstrated human-engineered fusion on a small scale, and now we are trying to scale it up for commercial energy production.

The United States has made gains, but we still have challenges. Even as other parts of the world grow rapidly, the U.S. still uses about 20 percent of the world's energy, and the Energy Information Administration estimates that our country's energy demand will increase more than 10 percent by 2040.

Second, we have record oil and gas production at home, but we need to be as independent as possible from those who might want to use our demand for oil to hold us hostage. Former Secretary Condoleezza Rice once said she had "never seen anything warp diplomacy like high oil prices." And affording a tank of gasoline remains a struggle for many families.

Another challenge is failing to keep up with energy research and development, which is one of the major points I want to make today—failing to keep up with energy R&D. That energy research has given us abundant, reliable, clean, cheap energy from unconventional gas to nuclear power. The amount we spend on energy research and development—nearly \$5 billion a year at the Department of Energy in nondefense and noncleanup research; or nearly \$9 billion if you count other agencies and their energy-related research, such as the National Science Foundation, the Department of the Interior, and the National Institute of Standards and Technology—still, those dollars are lower as a percentage of our gross product than major competitors such as France or Japan or Korea or China.

Another challenge is that while the United States has made more gains in reducing the use of carbon than any other industrial country, the National Academies of the United States and 12 other countries have warned that

human activity has contributed significantly to climate change and global warming.

So thinking about the progress we have made from 5 years ago and taking into account the challenges we still have, let me suggest four grand principles that could guide our energy future. First, cheaper, not more expensive energy. Five years ago all the talk was about a cap-and-trade program for the United States and deliberately raising the price of energy as a way of achieving clean energy independence.

Last year I was in Germany, a country that adopted exactly that policy. In addition, Germany is closing its nuclear powerplants and becoming more dependent on natural gas but buying both forms of energy from other countries rather than producing it on its own. The Germans are subsidizing wind and solar but are building new coal plants in order to have enough reliable electricity.

In short, what I found in Germany was an energy policy mess that discourages job growth. The end result is that Germany has the second highest household electricity prices in the European Union. When I asked an Economic Minister what he would say to a manufacturer about energy costs in Germany, he said: I would suggest he go somewhere else. Well, that somewhere else is turning out to be the United States: Virginia, Tennessee, other States.

In the United States, we pursued a different track, the most conspicuous example of which is finding unconventional gas and oil. This has created for our country a remarkable phenomenon, a large amount of cheap, clean energy with our own domestic price for natural gas.

This has been the result of a peculiar combination of factors that, in my opinion, amount to a better energy policy than most people give us credit for. The first element is the entrepreneurial spirit of America and the large amount of private property ownership and our huge private market. Another is access to capital. A third and indispensable element is government-sponsored research.

Take our Nation's natural gas boom as an example. In the past it was uneconomical to develop so-called unconventional gas. Government-sponsored research enabled it and demonstrated how it could be done. A temporary Federal tax credit that expired for new shale projects at the end of 1992 encouraged new sources of private capital. Natural gas will be a big part of where we get our clean energy, which leads me to my second principle: clean, not just renewable, energy. Too often we define our energy goals in terms of renewable energy when we should mean clean energy. There are a number of States that have renewable energy mandates defined mainly to include



wind and solar power. The Congress is regularly asked to pass a narrowly defined renewable energy mandate for the same purpose.

It is true these energy sources emit no air pollution. These mandates say a certain amount of electricity generated within a State must come from these specific sources. But focusing on this narrow definition for clean energy misses the point, and at a high cost to our electric bills.

Such narrow definitions also discount hydropower and nuclear power, some of our country's cheapest and most available sources of air pollution-free electricity. In the Tennessee Valley Authority region where I live, for example, more than 95 percent of our pollution-free electricity comes from TVA's dams and three nuclear plants, which include six reactors.

Second, mandating renewable energy runs the risk of creating too much reliance on sources that generate power only intermittently. There is certainly a place for these renewable technologies, and solar power especially seems to me to have great promise. But renewable energy consumes great amounts of space, whether it is solar or wind or biomass.

For example, it would take a row of giant wind turbines all the way from Georgia to Maine on the Appalachian Trail to generate the same amount of electricity that we would get from four nuclear power plants. You would still need the nuclear plants because the wind only blows when it wants to.

Fortunately, we have plenty of rooftops on which to put solar panels. When they become cheap enough and aesthetically pleasing enough, they will probably become an increasingly important supplement to our country's huge appetite for electricity, especially because the Sun shines during the peak-use hours.

Battery technology will help make all forms of renewable energy more useful, which brings me to my next principle: research and development, not government mandates. It is hard to think of an important technological advance in our country that has not involved at least some government-sponsored research, especially in the area of energy.

The most recent example is the development of unconventional gas that was enabled by 3D mapping invented at Sandia National Laboratory in New Mexico and the Department of Energy's large-scale demonstration project.

There is an argument that by imposing government mandates, just as by imposing higher prices, government could force some innovation that could move us toward clean energy independence. But I believe the surer path would be to double the federal funding we spend annually on non-defense and non-cleanup energy research and development and trust the marketplace to produce better results.

In 2005 the "Rising Above the Gathering Storm" report, written by a commission led by former Lockheed Martin CEO Norman Augustine, recommended doubling energy research and development. In 2007 Congress responded by passing the America COMPETES Act with overwhelming bipartisan support. Senator COONS and I are working together to reintroduce the America COMPETES Act for a second reauthorization after its original passage.

One small agency that is the result of the America COMPETES Act is what we call ARPA-E. It is already showing signs of the wisdom of this approach. ARPA-E has helped improve battery technology and worked to produce liquid fuel from microbes, among other accomplishments. Seeing how our free enterprise can capitalize on this brings me to my fourth and last principle: free market, not government picking winners and losers.

We are more likely to have abundant supplies of cheap, clean, reliable energy in the United States if we trust the marketplace. The most appropriate role for government is in research. I believe a second role is limited jump-starting of new technologies; for example, unconventional gas, about which I just spoke, involves government research and a limited tax credit.

The full tax credit for electric cars is capped at 200,000 vehicles per manufacturer. To encourage innovation in nuclear energy, the government provided research and licensing support for small modular reactors, but that is limited to 5 years.

Even for nuclear power plants there is a production tax credit, but it is limited to 6,000 megawatts. On the other hand, President Reagan used to say the nearest thing to eternal life we will ever see on this Earth is a government program. That is too often the case with energy subsidies. The most glaring example of that is the more than 20-year-old subsidy for wind power, a technology that former Energy Secretary Chu said was a technology that had "matured."

This was supposed to help jump-start wind. But we have already lost \$16 billion in Federal revenue from 2009 through the end of 2012 alone. Congress just added a 1-year extension of the wind production tax credit, costing \$12 billion. Remember, the Department of Energy spends just \$5 billion on energy research.

We are spending \$12 billion in a 1-year extension of the wind tax credit. The wind industry's idea of a phaseout would cost tens of billions more. People talk about Big Oil, but the big, unnecessary subsidy is big wind, and a much better place to spend our money would be energy research.

I have been fascinated with the progress we have made on the seven grand challenges I suggested 5 years ago. Perhaps by focusing on these four

grand principles, the ones I have suggested in this speech, we can capitalize on the last 5 years of progress and move toward cheap, clean, reliable energy.

Oak Ridge's evolution since the Manhattan Project days provides a good model. About 70 years ago the astonishing collection of physicists that produced the two atomic bombs also enabled nuclear power, nuclear medicine, and other technological advances.

What can we expect 5 years from now? To get a glimpse of the future we might look at what fits within the guiding principles I have suggested today. For example, small modular reactors and virtual reactors that scientists are developing will revolutionize the safety and effectiveness of our nuclear technology.

Game-changing manufacturing is also on the horizon with 3D printing. ARPA-E, a small agency of the Department of Energy that came from America COMPETES, and other groups are increasing the reliability of our electricity supply.

This United States of America is a remarkable place. With the potential I have described and the principles I have suggested, a competitive energy future is well within our grasp.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MORAN. I thank the Chair for the recognition.

#### THE FARM BILL

Mr. MORAN. I just returned from my home State of Kansas to return to the work we are about to do in the Senate. This week away from Washington, DC, gave me the opportunity to travel all corners of our State. I went from southeast Kansas in Galena to northwest Kansas in Goodland, and almost every night while I was home weather was the topic of conversation.

Certainly, as Kansans who have experienced tornadoes in our own State over the last week and, certainly, over the life of our State, we extend our deepest sympathies and concerns to the people of Oklahoma. It is weather that I wanted to talk about on the Senate floor today in preparation for an amendment I will offer, which is being offered to the farm bill, and continued discussion of that farm bill throughout this week.

As I listened to Kansas farmers, the most prevalent request when it comes to farm policy, to a request for what

ought to be in a farm bill is the request by Kansans that the Crop Insurance Program remain solid and viable. We live in a State in which weather is not always a friend to agriculture. Yet agriculture is our most significant creator of economic activity and generator of jobs and economic growth in our State.

We have the pleasure, in fact we are very proud, to feed, clothe, and provide energy to much of the world. At the moment the challenges are great because of the significant effect the drought has had on Kansas and much of the Midwest. That drought has been ongoing for more than 2 years, and it has had a significant impact on agricultural production. It is that point I want to make as we debate the farm bill, the importance of the Crop Insurance Program in response to those difficult times.

Despite the drought, our Nation remains the land of plenty, and Americans continue to enjoy the safest and most abundant food supply in the world. The reason we have so much is because of many factors: Prayers, the work ethic of American farmers and ranchers, the courage to persevere in spite of enormous challenges, and, among those things, finally, is the ability to manage risk.

Farming and ranching is a high-risk occupation. Producers can't manage the one thing that matters most to them, Mother Nature. Mother Nature is the one variable that can't be controlled. Mother Nature brings drought, rain, wind, and hail, the things a producer must face head on each year and each year to follow.

With the inability to control the weather, we must control what we can—the great risks associated with agriculture. This is required for the United States to remain that land of plenty.

The risk management tool of choice is crop insurance. Crop insurance gives producers a safety net so when there is a drought, a flood, a hailstorm, or windstorm, they can pick up the pieces and try again. This is what sets us apart from the rest of the world. We have the ability to manage our risks so when Mother Nature gives us something bad, our Nation's farmers and ranchers can live to start again.

Crop insurance is a public-private partnership. The government helps the producers cover some of the costs of the policy, and the producer covers the rest. Consumers help the producer, and the producer helps the consumer.

To be clear, producers pay a significant part of the premium out of their own pocket. In 2012 they paid \$4.1 billion to buy insurance to manage their risks. When farmers take out a crop insurance policy, they get a bill, not a check.

Crop insurance has virtually replaced the need for ad hoc disaster measures

for crops. During my time in the House of Representatives and now in the Senate, going back to 1989, 42 such pieces of legislation have cost the taxpayer more than \$70 billion. During my time in the House, and now the Senate, many times we have asked for ad hoc disaster assistance, a bill to pass the legislature to provide assistance at the moment. Crop insurance is the tool by which we can avoid those requests. When you manage risks with crop insurance, you save the taxpayers money and give the producers a better program.

Today, as we have scheduled votes, I have an amendment on the Senate floor dealing with a crop called alfalfa. Alfalfa is the Nation's fourth most valuable crop, and it plays a significant role in our daily lives.

Alfalfa is a building block for milk and meat. The hay that is grown in the fields of California, Idaho, South Dakota, Colorado, Oregon, Washington, Texas, Wisconsin, Kansas, and the rest of the 50 States is a driver of the cost of products on grocery store shelves. The Nation's fourth most valuable crop is vitally important.

The reality is producers are faced with risks, and there is no good way to manage them when it comes to this crop, alfalfa. The current Crop Insurance Program, Forage Production APH, is severely inadequate, as demonstrated by the fact that less than 10 percent of the acres are enrolled in the program—compared to corn, soybeans, and wheat, which are all more than 80 percent.

Producers are going back to the bank to borrow operating money and being told not to plant alfalfa because there is no good way to manage the risk. This is very troubling because of the impact that alfalfa has on the economy and our Nation's food supply.

The crop is important, and we need to figure out a way to manage its risks. Producers are being told to grow crops that have a safety net, crops that have some kind of guarantee when weather is bad. My amendment, No. 987, requires the Federal Crop Insurance Corporation to conduct research and development regarding the policy to insure alfalfa and a report describing the results of that study. There are no additional costs to the taxpayer with my amendment.

We need to take a good hard look at alfalfa and recognize its value to the Nation. We need to study and develop something that will work, save taxpayer money, and make certain the land of plenty remains the land of plenty. Alfalfa is a building block of milk and meat. With a risk management tool for alfalfa production, producers will enjoy lower input cost and consumers will enjoy less expensive products on the grocery store shelves.

I know you understand the value of agriculture in Kansas, and I appreciate

the opportunity to be on the Senate floor today to describe the value of crop insurance and particularly to highlight the amendment we will vote on later today.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

#### ALASKA FLOODING

Mr. BEGICH. Mr. President, I rise today to describe the devastating spring breakup flooding affecting my home State of Alaska. As we just heard about Kansas, weather patterns are affecting long-term droughts in farmlands, while in Alaska it is warm weather that is actually going in the opposite direction.

Over the last several weeks our country has witnessed devastating tornadoes in Oklahoma. Our hearts go out to the families of Moore, Oklahoma City, and many others that have been affected, as they rebuild their lives.

Disasters such as these remind us of the importance of family and community, and it should make us again examine the work being done by FEMA and other agencies to help communities prepare for natural disasters. While it didn't make national news, Alaska's families along the Yukon River are putting their lives back together after record flooding last week.

Thick river ice, high temperatures, and fast melting combined to flood the community of Galena during what we call "breakup" in Alaska. For those who have never witnessed it, breakup on Alaska's biggest and mightiest river is a spectacle almost beyond description. As the ice begins to move, buckle, and crack, you can sometimes hear it from miles away. The trouble is, in the wrong conditions, the moving ice can get caught where the rivers make their natural bends. It piles up into mountains of jumbled ice, creating a natural dam that floods everything behind it, or when it suddenly breaks loose, torrents of raging water and ice rush downstream. This year breakup has, unfortunately, caused some extreme conditions in interior Alaska.

Last week, quickly rising waters from a 30-mile ice jam along the Yukon River had the village of Galena underwater for 3 days. This is an example of what you can see. The woods, the trees are there, but all along there is water burying the buildings.

Galena is a village of fewer than 500 people located in the interior of Alaska. At least 300 of these residents had to be evacuated to keep them from danger. Others moved to buildings on higher ground to keep safe from the rising water.

We are grateful to be able to say no deaths or serious injuries have been reported. It is a miracle when you look at the photos of the damage. As I said, this photo, the aerial photo of Galena,

shows the extent of the damage. As mentioned, this was a severe flood. It came on very fast, and we had to try to deal with this very quickly because the power of the Yukon, when it is moving, is fast and furious. These ice jams move fast once they break. It is the worst flooding they have seen in 70 years.

When this happens in very remote communities such as Galena, they don't have communications, river-monitoring technology, and transportation infrastructure to react quickly. Let me remind people that you cannot drive out of this community. You have to fly out of this community. So when the river is breaking, it is all hands on deck for everybody.

We are thankful for the response by the Tanana Chiefs Conference, which safely evacuated many residents. The American Red Cross, the Salvation Army, and many volunteers provided invaluable help. I am proud of the community for coming together to support each other and evacuating the elders and those most in need first. Alaskans are the type of people who are always willing to lend a hand to their neighbor.

This flood hit the community hard. Nearly every structure in Galena and the surrounding 25-mile-wide valley basin was under water. You can see here in this photo how that water moved and flooded out the whole area. The ice jam on the Yukon causing this flooding isn't gone yet. Villages down river from Galena, such as St. Mary's or Holy Cross, remain on alert and are bracing for their possible evacuation.

Once again I remind folks, you cannot drive out of these communities, you have to fly out or take the river. The people who live along the Yukon River respect it as a resource but know that living along the banks can also bring dangerous conditions which we must prepare for.

Although the waters in Galena are subsiding, we know the real work is just beginning. This community must rebuild stronger, more prepared for future disasters. And they must do so within the short summer construction season, an added complication for Alaska. Again, our spring is here now, summer will soon be here, and within 3½ months winter will be back.

As chairman of the Senate Homeland Security Subcommittee on Emergency Management, I take this flooding event very seriously. I have been in touch with local leaders, State disaster response agencies, and FEMA. I will remain engaged throughout the cleanup and rebuilding process.

I am working with the State on this emergency, and I will make sure we have all the resources possible as Galena repairs and rebuilds. The emergency response priorities right now are restoring essential services and getting people back in their homes. I am

pleased Alaska's Governor Parnell declared a State disaster for Galena last week, and I urge the President to act quickly to declare a Federal disaster to free up vital resources to help our State and its people recover.

Responding to natural disasters in Alaska is very different than in the lower 48. We have very unique challenges. It is important to have some perspective on the size and scope of Alaska. Alaska's land is two-and-a-half times the size of the State of Texas. Our road system is smaller than that of Rhode Island, and 82 percent of Alaskan communities are only accessible by air. Flying from Galena to Fairbanks, or back and forth, is equivalent to flying from Washington, DC, to New York. Actually, it is a little longer. It is an amazing distance when you have to go from place to place.

I remind folks, as you can see the great Yukon, in order to bring supplies and necessities in, it is an hour-long flight from the Fairbanks region. This makes the traditional lower 48 disaster response unrealistic for Alaska. In most communities we don't have the road system to truck in critical supplies. We frequently rely on skilled bush pilots and boat captains to bring relief to communities in need. Our pilots are often forced to land on gravel runways or river sandbars and our barge captains must navigate dangerous waters to access rural villages.

Most residents of the lower 48 couldn't even begin to imagine these experiences. This disaster in Galena is a stark reminder of why we must continue to invest in the aviation and maritime lifelines Alaskans rely on for survival.

Another issue unique to my State is the absence of broadband access in rural areas. When I say that, most people say: What is the big deal? Everyone is hooked up. Not in Alaska. This is something most people would consider critical infrastructure in order to respond to disasters.

Increased broadband deployment throughout rural Alaska would help communities such as Galena by providing vital information, such as telehealth access to help injured residents, up-to-date information on changing weather conditions, better communication between responders and the disaster response center, and information on incident response teams and cleanup strategies.

I might relate a personal example here. When I called the individual in charge of the situation on the ground, we were waiting for another radio call-in—let me repeat that: a radio call-in—to get an update from someone on the site because the technology doesn't exist at the level necessary to monitor a disaster of this magnitude.

This disaster is a reminder of the inequities that still exist in serving rural America. I will continue to look for

ways to work with my Senate colleagues to act to provide rural communities with better broadband access, not only for emergency disasters, such as we are having here, but also for basic communication.

All these factors mean Alaskans must work and respond differently when disasters occur in our State. As our State emergency response chief often tells me, "You can't do 'big city' response in most of Alaska." FEMA rules don't always work for rural Alaska. One key concern is making sure FEMA programs for individual assistance are fully employed and complement State assistance.

I am hopeful that between the Federal, State, local, and tribal governments we can get some much-needed assistance to the residents of Galena who are living through this nightmare. I know how strong the people of Galena are, and we know they will continue to stick together through this trying time. But they couldn't do it without the ongoing support of the National Guard and the Alaska Department of Homeland Security Emergency Management Office. We will all continue to work with them as we help the residents of Galena get back on their feet.

Looking forward, as chairman of the Emergency Management Subcommittee, I will be holding listening sessions in Alaska to discuss preparedness and mitigation solutions to natural disasters. Because it is not just the interior that faces serious threats from natural disasters, we must also consider North Slope communities that are often confronting changes from the warming Arctic. It is important for us to tackle these issues head on, to create public-private partnerships, strong communication lines, and disaster response plans so our communities are protected and our residents are safe.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### REMEMBERING FRANK R. LAUTENBERG

Mr. DURBIN. Mr. President, I just flew in from Chicago. Early this morning, I was given the news that I had lost a great friend and one of my dearest colleagues; Senator FRANK LAUTENBERG of New Jersey passed away.

Most of us saw FRANK a few weeks ago. He was here on the floor of the Senate. He had to come down; it was one of those moments where his vote was crucial. We knew he was struggling, but we also knew he would be

here. He said he would, and he was. He sat right over here in a wheelchair, with that trademark FRANK LAUTENBERG smile. I don't think I have ever run into a person in my life as happy as FRANK LAUTENBERG. He was a great joke-teller. The best thing about FRANK's joke—even if he was telling it for the 254th time—is he would start laughing before the end of the joke and pretty soon the whole room was laughing.

You always wanted to be out for dinner with FRANK and Bonnie because you knew there was going to be a good time. You would hear a lot of jokes you had heard before, but you encouraged him to tell them. He had so many stories to tell.

Here he was, a member of the “greatest generation,” having served in World War II, and served here in the Senate. Two different approaches. He retired once and came back, and served here to the age of 89.

He astonished us all when he came here on the floor of the Senate, that he was wheeled in in a wheelchair to vote on some important amendments related to gun safety and gun control. FRANK, if he were alive, would not have missed those votes; it meant so much to him. It was an issue that he led on, he was respected for. When it came to closing the loopholes where convicted felons and people who had no business owning guns were buying them anyway, FRANK LAUTENBERG led the effort to stop the proliferation of guns and the distribution of them to people who would misuse them. It was a cause he felt passionately about, and one he cast many tough votes on as he served in the Senate.

His return that day for those votes was an act of courage in a long life that was filled with courage, starting with his service in the U.S. Army in World War II, and continuing throughout his life—physical courage, political courage, and moral courage.

When FRANK LAUTENBERG spoke to some law students at Rutgers University about 10 years ago, he said he had considered briefly studying law himself after he had served in the Army in World War II but decided he was too old to start law school. He told the law students: It was too late; I missed my opportunity.

FRANK LAUTENBERG may not have earned a law degree, but make no mistake, FRANK LAUTENBERG of New Jersey left an important mark on the laws of America.

Here is how I first came to know him. In 1986, I was a Congressman from Springfield, IL, and had been here 4 years. I had never met FRANK LAUTENBERG of New Jersey, who was a Senator at the time. I got this crazy notion to introduce a bill to ban smoking on airplanes. I didn't have a chance, not a chance. The entire leadership of the House of Representatives opposed me—

all the Democratic leaders of my party and all the Republican leaders too. Yet I put the amendment on a transportation appropriations bill, and through some good luck and breaks it made it through the Rules Committee. That wasn't supposed to happen.

It turned out that when the chairman of the Rules Committee—Claude Pepper of Florida—was a Senator years before, he had been instrumental in starting the National Cancer Institute. As a southerner, he didn't talk much about tobacco—nobody did from the South in those days—but in his heart he knew tobacco smoking was killing people. He let me get that amendment to the floor, which shocked everybody. I remember the day—and this goes back 27 years—I was in the House of Representatives, brand new, calling this amendment to ban smoking on flights of 2 hours or less. That is how we started. I looked up in the gallery, and the gallery was filled with flight attendants in their uniforms from all different airlines. They were victims too of second-hand smoke.

We called that measure for a vote, and it passed. It shocked everybody. It turned out the House of Representatives was the biggest frequent flier club in America. They were sick and tired of sitting on airplanes and breathing in somebody else's secondhand smoke.

Well, there were a few moments of jubilation and celebration. Then somebody said, Well, what are you going to do in the Senate? I thought, Oh, my goodness; that is an important part of this. So I decided to call the chairman of the Transportation Appropriations Subcommittee—a fellow named FRANK LAUTENBERG of New Jersey. I didn't know him, but I said to him, FRANK, I would like to ask you a favor. Would you consider offering this bill as an amendment to the Senate transportation appropriations bill. He said, I will get back to you. And he did—in a hurry. He said, I am on board. Let's do it together.

It was the best phone call I ever made. And for the people of this country and those who fly on airplanes, that team of LAUTENBERG and DURBIN managed to pass a bill, signed into law, which did much more than we ever dreamed of. We thought this little idea of taking smoking off airplanes would make flight a little more comfortable and safer from a health point of view. What neither FRANK nor I realized at the time was it was a tipping point. Americans looked around and said, If we are going to take smoking off airplanes, why stop there? Trains, buses, offices, hospitals, restaurants—look across the board at what has happened in America. Neither FRANK nor I saw this coming, but it worked. It has changed this country. It has changed the Senate, the House—it has changed this country. I wouldn't be standing here today telling you the story were it

not for FRANK LAUTENBERG. He was the very best partner I ever could have had. The day came when I was elected to the Senate. He and I used to go around and tell the story from time to time, reminiscing about that battle back in 1986.

FRANK told us he was once a two-pack-a-day cigarette smoker himself, but when it came to this bill, he knew the right thing to do. I was lucky to have him by my side. I couldn't have done it without him.

He was the driving force behind a lot of other laws that were important to America: setting the national drinking age at 21; setting the national blood level definition of 0.08 for drunk driving. These laws on smoking and drunk driving have saved millions of lives thanks to the leadership of FRANK LAUTENBERG.

He was the last remaining World War II veteran in the Senate. A few weeks ago we lost Danny Inouye, who used to sit right here. He, of course, served in World War II as well.

FRANK passed away early this morning in New York. He is survived by his wife Bonnie Englehardt Lautenberg. What an extraordinarily good person she is. I left a message for her on her voicemail and said, Standing by FRANK's side made a big difference in his life, in the years they were together. They were a great partnership. In addition, he is survived by 6 children and 13 grandchildren.

He was a leader on environmental protection, transportation, and protecting public health. He authored the law that prevented domestic abusers from possessing guns. It wasn't easy to do. It looks pretty obvious, doesn't it? It turned out police organizations were opposing him, because some policemen had been accused of domestic abuse and they couldn't carry a gun under the Lautenberg amendment. FRANK stood his ground.

He cowrote the new GI bill for the 21st century. A man who was a beneficiary of the original GI bill in World War II teamed up with Jim Webb of the State of Virginia, and the two of them put together a GI bill that our men and women who serve richly deserve.

He authored the toxic right to know law. It was another great law he and I cosponsored. It came down to the question of the chemicals that are put in fabric in our furniture—which, sadly, leach out and get into the environment of our homes, many times affecting small children. FRANK was quick to be the leader on that issue. Even though his State of New Jersey is one with a lot of chemical manufacturers and producers, he led in this effort to protect families and children.

He wrote the law to create the Paterson Great Falls National Historic Park. After he cast his 9,000th vote in December of 2011, Senator HARRY REID proclaimed on the Senate floor,

"FRANK LAUTENBERG has been one of the most productive Senators in the history of this country."

It was February 15 that FRANK announced he wasn't going to seek another term in the Senate. At the time of his announcement in his hometown of Paterson, he set out an agenda for the remaining 2 years of what he wanted to get done before he left the Senate: reforming the U.S. chemical safety laws, improving gun safety, and providing Federal resources for New Jersey to rebuild from Superstorm Sandy.

We owe it to FRANK and his memory to make sure those things are done. I know that BOB MENENDEZ, his friend and close colleague from New Jersey, will pick up that gauntlet and proceed to carry on in FRANK's name.

He used to say with some pride that he was a success in business—and he was—and that he understood the mind of businessmen. But he never ever lost touch with the common man and the people who counted on him in New Jersey and around the United States.

The Senate is going to miss FRANK LAUTENBERG. I am going to miss a great pal. I am going to miss one of the best dinner companions you could ever dream of here in Washington, DC. We are going to join together on Wednesday up in New York for a memorial service. I am sure it is going to be widely attended, because FRANK did a lot of good for a lot of people over the course of his years in public service. I am going to miss him.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I was going to speak on a different subject, but I will speak further about our dear colleague Senator LAUTENBERG. I look at the flowers on his desk—it seems in the years I have been here I have seen too many colleagues' flowers there. Of course, every day FRANK LAUTENBERG was here, I had the privilege of serving with him, a dear friend. I missed him when he left the Senate and was overjoyed when he came back to the Senate. He was a man who cared about his country, cared about the Senate, cared about the people.

He was a man who came from humble beginnings and became extremely wealthy. He spent a lot of time giving that wealth away. He was the last combat veteran—in fact, the last veteran from World War II serving in this body. Those of us who got to know him and spent time hearing of those horrendous times in Europe during World War II

are better for it. We realized a person who had served the country during that time did more than any of the rest of us.

I will speak further about my friend FRANK LAUTENBERG. I know Marcelle and I extend our love to Bonnie and his children, his family.

I ask consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### NOMINATIONS

Mr. LEAHY. Mr. President, before the Senate went into recess, I was disappointed with the statements made to the Senate that misstated the history of Judge Srinivasan's confirmation process. The Senator who said the chairman of the Judiciary Committee made "no effort, no effort" to have a hearing on Judge Srinivasan until late last year was misinformed, and in stating what he did, he misinformed the Senate.

We made efforts in the fall before the election to schedule such a hearing, and I renewed our push to have a hearing on the nomination before the end of the session. I was accommodating Republican objections by not scheduling a hearing before the end of last year.

These erroneous RECORD statements—these erroneous statements to the rest of the Senate—have me wondering whether I should be so accommodating to Republican scheduling demands if they then forget their demands in their efforts to avoid responsibility and to blame others. In other words, they request a delay and then say, well, of course it is somebody else's fault that we had the delay.

Judge Srinivasan was nominated June 11, 2012, during a summer when Senate Republicans were in the process of constricting the confirmation process and intent on their misapplication of the so-called Thurmond rule to stall judicial nominees before the Presidential election. It was only in May, 2012, that the Senate completed action on the 19 nominees held over on the Senate Executive Calendar in 2011. Republicans were in the process of filibustering a nominee to the Ninth Circuit from Arizona. Interestingly enough, the person they were filibustering had been recommended by Jon Kyl of Arizona, the deputy Republican leader, of course a Republican Senator. Republicans were dragging out confirmations of judicial nominees who had been nominated in the fall of 2011 and the early months of 2012. They even filibustered a Tenth Circuit nominee from Oklahoma who had been supported by the two Republican Senators from Oklahoma in what was the first filibuster of a circuit court nominee reported with bipartisan support by the Judiciary Committee. Throw out all

the precedents, throw out all the rule books, throw out everything Democrats and Republicans have done in the past—it is going to be our way or the highway. Even when the President of the United States, in trying to reach out, nominates a judge supported by the two Republican Senators of that State, a judge reported out by a bipartisan vote by the Senate Judiciary Committee, they say: Oh, what the heck, President Obama nominated him, let's filibuster him. This is wrong. It is a pity. It is beneath the United States Senate.

They filibustered a First Circuit nominee from Maine who was supported by the two Republican Senators from Maine. In addition, Republicans had filibustered the earlier nomination of Caitlin Halligan to the D.C. Circuit. Anybody who needs to refresh their recollections of those months should reread my statements on judicial nominations from June 6, June 11, June 12, June 18, June 26, July 10, July 16, July 23, July 30, August 2, September 10, September 20, November 30, December 3, December 6, December 11, December 13, and December 17. Unlike the recent misstatements made to the Senate, the facts are in those statements of mine.

By July 19, 2012, I had determined that the paperwork on the Srinivasan nomination was complete and the nominee could be included in a hearing. It has been my practice as chairman of the Judiciary Committee, in an effort to be fair, to do something that was not always done by others, to give the minority notice and allow consultation before scheduling a nomination for a hearing. At that time, the next July hearing had been discussed as one devoted to the nominee to head the Antitrust Division of the Department of Justice, a nomination that itself had been delayed and to which there was Republican opposition. During the August recess, my staff asked Senator GRASSLEY's about holding a hearing on the Srinivasan nomination in September. They raised objections and concerns about proceeding with the D.C. Circuit nomination at that time but agreed to proceed with four district nominees and a Court of International Trade nominee.

In November 2012, after the American people had solidly reelected President Obama, we raised the need for the hearing on the D.C. Circuit nomination anew. Republicans objected, again, in spite of the precedent of holding a hearing on one of President Bush's D.C. Circuit nominees during a similar lameduck session.

Instead, they said: No, no, no. It is all right to do it for a Republican President but not for this Democratic President, Barack Obama. We can't do it for him. I know you allowed it for President George W. Bush, but after all, he

is different. He was a Republican President. We cannot do it for this Democratic President. Instead they wanted to proceed only with district court nominees during the lameduck. Republicans insisted the Srinivasan hearing be put off until the next Congress and the new year. In deference to the Republican minority, I held off. They agreed that he would be included in the first nominations hearing of the 113th Congress.

Then, in early January this year, when called upon to hold up what they said they would agree to, their end of the bargain, Republicans wanted to change the rules again and they balked. They insisted the nominee and others be interviewed and scores of documents be produced in their effort to stall other nominations. In other words, having made an agreement, they backed out of it. The nominee was not, and could not have been, the "lawyer . . . who handled" the *Magner* case. In fact, the United States was not a party in the *Magner* case. As was readily apparent from the one email that named Srinivasan, his alleged "involvement" was merely being asked by Tom Perez, now the President's nominee to be Labor Secretary, a technical legal question about U.S. Supreme Court procedure. It was the nominee's job as the Principal Deputy Solicitor General to answer such questions for administration officials—and he did answer it appropriately. Republicans could have asked him about it at his confirmation hearing in January and fulfilled their agreement, but they insisted on using his nomination as leverage against the administration. They insisted, instead, on first interviewing three U.S. Department of Justice officials, including Tom Perez, before they would go forward with his hearing.

After months of attempts to get the committee Republicans to focus on the nominee at hand while they insisted on their wide-ranging investigation of Tom Perez, a nominee not pending before the Judiciary Committee, Republicans finally agreed to include Srinivasan at the Judiciary Committee on April 10, 2013. That was more than 7 months after the hearing I had first been proposed and more than three months after the hearing to which they had previously agreed.

As I noted in my December 12 hearing statement, as Chairman I had not jammed the minority with judicial confirmation hearings the way my Republican predecessor did. I was trying to bring the Senate back to the way it should be, the same way I did during the immigration hearings and markup. I did not want to go back to the games played that we had to face when they were in charge. I think no good deed goes unpunished.

We held only 11 judicial nomination hearings in 2012. In light of the Sen-

ate's recess schedule for the election cycle, we held only two after the August recess. The nominations included at those hearings were the result of consultation with the ranking minority member and were essentially by agreement.

I now see that when we try to work it out, and we keep our word and we have conciliation and accommodation and keep our word and our part of the bargain, all we get is recrimination from the other side as they try to break the bargain. That is not the Senate I have been proud to serve in for 38 years.

This nominee was praised at the hearing and proceeded to answer scores of written questions after the hearing. When he had provided his written responses, I listed his nomination for action by the Judiciary Committee on May 9, 2013. In what has become standard practice for the Republicans on the Judiciary Committee, they still insisted on holding him over for another week for no good reason. I protected their right on that, even though it has been abused in a way I have never seen in 38 years.

Presaging the unanimous Senate vote, the vote in the Judiciary Committee was 18 to zero when it was finally allowed to proceed on May 16. Republicans then insisted that the Senate vote on his confirmation be delayed two weeks until after the Memorial Day recess. I would not be surprised if Senate Republicans now took credit for expediting that vote despite the fact that it took the Majority Leader filing a cloture petition to get that vote in May.

I make significant efforts to ensure that the minority is prepared to move forward on a nomination before we schedule a hearing. My staff routinely gives them our plan weeks in advance. Even with this advance notice, I routinely have to notice a hearing without listing nominees because the minority has not yet taken the time to read the basic material on the nominations despite its being available for weeks, and sometimes months, with something a law clerk could have done in 20 minutes, but this highly paid professional staff can't get around to doing it.

I am disappointed that despite the fact that I have bent over backwards to accommodate them, Senate Republicans contend that I made "no effort, no effort" to hold Judge Srinivasan's hearing last fall. One Republican Senator said during the debate on the Srinivasan nomination that the delay must have been my choice since that decision was "solely within the control of the Democratic majority." For Senate Republicans to pretend that they had no role in delaying this nomination was wrong. Do they really think the American people are that gullible? I think not.

We had the Policeman of the Year award early this morning in the Mans-

field Room. When I looked up at that painting of Mike Mansfield, I thought of how wonderful it was to come here when he was the majority leader. I remember him saying one thing: Senators, no matter what their party, should always keep their word; and when on the floor of the Senate, they should always tell the truth. That is good advice. I wish people would start following it.

#### COMMENDING SENATOR STABENOW

I see the distinguished Senator from Michigan, the chair of the Senate Agriculture Committee, on the floor. If I could take 30 seconds longer so I can say with her here what I said about her in Vermont to a group of farmers this past week: The Senate is blessed to have her as chair. Nobody has done it better, and I can speak with some experience. She brought through a wonderful bipartisan farm bill last year. The other body did not take it up. She is going to bring through a wonderful one this year. I hope they will take it up.

While she is on the Senate floor, I want to say the same thing I said about her in the State of Vermont: Every one of us is so proud of the Senator. Whether it was a Republican or Democrat, they all agreed.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 954, which the clerk will report.

The bill clerk read as follows:

A bill (S. 954) to reauthorize agricultural programs through 2018.

Pending:

Stabenow (for Leahy) amendment No. 998, to establish a pilot program for gigabit Internet projects in rural areas.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Ms. STABENOW. Mr. President, before the distinguished chair of the Judiciary Committee—and former chair of the Agriculture Committee—leaves the floor, I just want to thank him not only for being a wonderful role model for me in chairing the Agriculture Committee, but also for the way in which he conducts the Judiciary Committee. He is evenhanded, fair, and gives every member the opportunity to make their case, whether it is legislation coming through on gun violence, immigration, or judicial nominations. I just want to thank the Senator for being the model of a statesman in all he does.

I agree that we need to move forward in a fair and open bipartisan way in

filling the nominations of our judiciary. I just wanted to thank the Senator from Vermont.

Mr. President, we are resuming the consideration of the farm bill, the agriculture reform, food, and jobs bill. Before I address that, I want to take a moment—as many colleagues have already done, and many more will do—to pay a very special tribute to a dear friend and colleague, Senator FRANK LAUTENBERG of New Jersey.

#### REMEMBERING FRANK R. LAUTENBERG

I was deeply saddened, as we all were today, to learn Senator LAUTENBERG had passed away during the night. My thoughts and prayers are with Bonnie and the whole family, as I know they are grieving because of the special loss they feel and we will all feel.

He was the kind of Senator we will not see again—a World War II veteran. We have lost our World War II veterans. He defended freedom against some of the most evil forces of the 20th century, and he was truly a member of the “greatest generation” of Americans.

We saw him battle cancer and survive. We have seen him come to the floor time after time on behalf of the people of New Jersey and our country to fight with tremendous courage for what he believed was right.

I daresay he was one of the lions of the Senate. He served for nearly 30 years, casting over 9,000 votes on behalf of the State and the people he loved.

What makes Congress special is that we all come from all walks of life, and as we know that is what makes a great democracy. That is what gives us our strength, not weakness.

Senator LAUTENBERG was the son of Jewish immigrants. He went to school on the GI bill—as my dad did—after defending our country. He went on to become a successful businessman by developing one of the most successful payroll companies in the world.

We were proud to have Senator LAUTENBERG speak on what it meant to be a success in creating jobs. He has been a wonderful voice in that regard.

He found his true calling in public service, and we all know that. During his five terms in the Senate he was one of the most fearless fighters on a whole range of issues. He has made a permanent mark on the quality of life of Americans. Among other things, he helped to strengthen drunk driving laws, pass the ban on smoking, prevent those convicted of domestic violence from possessing guns, to author legislation to help the public discover what pollutants were being released into neighborhoods, and to cowrite the new GI bill for the 21st century. I could go on and on with so many other examples.

I am proud to have worked with him to champion cleaning our beaches all along our coasts and Great Lakes, working to increase the awareness and

treatment of autism, and fighting to make sure women have access to the health care we need and deserve.

He was a true fighter for the rights of all Americans, and he will be greatly missed.

Once again, I send my thoughts and prayers to his wife Bonnie, who is an amazing woman in her own right, his children, and his grandchildren during this very difficult time.

Mr. President, as we return to the debate on the farm bill today, it is important to note that what we do this week will reflect just how committed we are to 16 million Americans who depend on agriculture for their livelihood. All Americans depend on its success for the safest, most affordable, and abundant food supply in the world.

We have to lead by example. We cannot kick the can down the road. We, in the Senate, have already worked hard together on this farm bill which passed out of the Agriculture Committee with broad bipartisan support. We have had a good debate on the Senate floor and a number of votes. We are close to finishing the bill, and we need to get it done this week.

I will note that it was just a year ago when we were also working on this bill. At that time, after coming out of committee on a strong bipartisan vote as well, we had 73 record rollcall votes. Every one of the substantive amendments that passed on the floor is already in this bill.

So we started with the work we did a year ago and the amendments of colleagues that were passed on the floor of the Senate, and now we are building on that with additional ideas. We know it is time to bring this work to a close and get it done.

We need to move forward in order to take care of the people who rely on agricultural policy, conservation policy, nutrition, energy policy, and rural development. Every community outside of our major cities depends on rural development funds in order to be able to provide economic development, build the water and sewer project, build the road, and provide a loan for a small business. They are all counting on us to get this bill done so they have some long-term certainty.

This is a jobs bill, and the 5-year bill in front of us needs to get passed so they have certainty about how to plan for the future and how to continue to create jobs.

We also need to pass this bill because we need to stop unnecessary spending, and we do that in this bill. We need to also ensure that consumers will continue to have a safe, healthy, and affordable food supply. We need to come together to show that, once again, we can work together across party lines as we have done on this legislation. It is important to get this bill done this week.

I am very proud of the fact that last year we were the only committee that

produced a voluntary deficit reduction plan. We went through every single page of the policy under the farm bill, and I asked: Does it duplicate something else? Does it work? Is it needed anymore? Is it worthy of taxpayer dollars?

At the end we had eliminated 100 different programs or authorizations. Some programs were consolidated or strengthened, such as conservation. Others were eliminated because they did not make sense. Things such as direct payment subsidies did not make sense. Last year we were able to produce \$23 billion in savings.

This year we were back at it again and looked at a couple of other ideas, and it is \$24 billion in savings to reduce the deficit. To put that in some kind of context, under the across-the-board cuts we have all known to be called the sequester—the across-the-board cuts over the next 10 years for every agency—agriculture’s across-the-board cut is \$6 billion.

We could have said: Well, the sequester is \$6 billion, so we will find \$6 billion in savings. We didn’t do that. We found four times as much in savings. We wanted to come to the floor of the Senate to tell every colleague that there is integrity in every program; that we have done everything we could to cut duplication, create accountability, and provide policies that make sense for the American taxpayer.

We don’t do subsidies anymore, we do insurance. We partnered with farmers to buy insurance so they have skin in the game. They don’t receive a check, they get a bill for the insurance. But just like any other insurance, there is no payout unless there is a loss. So that is the basic structure.

We have done a tremendous amount to also hone in on areas of, frankly, misuse or abuse in policy as it relates to the commodity title as well. For instance, this bill caps payments in the commodity program to half of what they currently are. So we cut in half the current limit on what may be received by an individual farmer.

Senator GRASSLEY and Senator TIM JOHNSON deserve tremendous credit. Senator GRASSLEY, as a member of our committee, has championed these reforms in payments for years, and this is the first farm bill that has that in the base bill. We are cutting the payments in half.

We closed something called the manager’s loophole to ensure that so-called farm managers actually have to be farming. They have to actually be farming to get a farm payment.

Today the Washington Post has an article that I would encourage folks to read. It talks about folks who are in Manhattan and Georgetown, living in multimillion-dollar homes, receiving these payments, and they are not farmers. Because of the current structure and lack of accountability and focus,



they are actually getting paid. They do not get that anymore under this bill. We have important reforms.

This bill saves money by tightening rules to prevent fraud and misuse in our nutrition programs. Our nutrition programs are critical and essential. Just as crop insurance is there when a farmer has a disaster, food programs are there when a family has a disaster.

We know, as in anything else, there are areas where there can be abuse or waste. In my own home State, much to my chagrin, we have seen lottery winners continue to receive food assistance. We stop that. We crack down on retailers engaged in trafficking of benefits, and we prevent States from allowing some individuals to claim expenses they don't really have in order to increase their benefits.

By ending the misuse but making sure we keep the standard benefit for every man, woman, and child who deserves some temporary help, we are putting more integrity into the food program. I would argue we need to make sure we stand strong against the cuts coming from the House of Representatives when we talk about food assistance for folks who have paid taxes all of their lives, who never thought in their wildest dreams they would ever need help, who are mortified and who suddenly find themselves out of work and need to know somebody will be there to help them put food on the table, help them get back on their feet. Our bill does that while creating accountability. I am very proud of the work our committee has done.

We also have streamlined programs not only to save dollars but to create more flexibility.

We have done a tremendous amount of work in the area of conservation. We have over 650 conservation and environmental groups across the country endorsing our work in conservation. We took 23 conservation programs and cut them down to 14 and then put them in 4 very different and flexible areas. These conservation groups see that as an improvement because we are cutting down the paperwork and making it more flexible for farmers and community groups to be able to access conservation programs, and we are actually saving money as we are doing that.

In this bill, as the Presiding Officer knows, we have also codified a very important agreement that environmentalists, conservation groups, and farm commodity group leaders have come to in supporting crop insurance and making sure those who receive crop insurance are compliant with conservation. It is a very important policy, and I commend everybody who worked so hard on it.

Once again, as we go into this week, I wish to remind colleagues this is a jobs bill. Agriculture is a bright spot in

our economy. It is the only area in which we actually have a trade surplus. The farm bill invests in a number of areas to boost exports and to help family farmers sell more goods locally. We make some changes. While we are cutting in certain areas, we actually increase in others. That is what we ought to do when we make good policy decisions. So we have increased funding for farmers markets, local food hubs, the ability for schools to be able to purchase more fresh foods and vegetables locally—things that create jobs locally.

We have spurred innovations in new biobased manufacturing—not just bioenergy, but we can replace chemicals and petroleum with things such as soybean oil and other agricultural byproducts that are actually cleaner, biodegradable, create jobs, and get us off foreign oil. So there are new initiatives in the farm bill that allow us to do that as well.

It really is a time for reform of the policies that fall under what we dub the “farm bill.” This bill, I believe and I think it is safe to say, is the most reform we have seen in decades. We have done it on a bipartisan basis. We have had tough votes and made tough decisions, but I believe they are the right decisions in terms of reform. This is a bipartisan effort, coming out of committee 15 to 5, and I hope for and expect a strong bipartisan vote as we had a year ago.

This really is a jobs bill. It really is a jobs bill, and in order to keep it a set of jobs policies, our farmers and ranchers need to have the economic certainty of getting this work done and having a 5-year policy that will allow them to plan and to continue to create the safest, most affordable food supply for Americans of anyone in the world. So it is time to get it done. We are anxious to work with colleagues this week to do that.

Thank you, Mr. President. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. INHOFE. I ask unanimous consent to speak as in morning business for such time as I may consume.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### SEXUAL ASSAULT

Mr. INHOFE. Mr. President, tomorrow the Senate Armed Services Committee is going to hold a hearing on the pending legislation regarding sexual assault in the military.

Lately, we have been bombarded, we have been inundated with news reports about sexual assault in the military in our Nation. We can't lose sight of the fact that we have the finest military in the world. The presence of sexual predators in our force does not take away from the overwhelming good that is done around the world by our members in uniform, but the presence of these sexual predators in the ranks needs to be addressed, and that is what the military is doing now with or without our interference.

Last year's NDAA—the National Defense Authorization Act—signed into law in January of this year, included 10 new provisions dealing with sexual assault that commanders have barely had time to begin implementing, let alone to assess the effectiveness of them. Yet some want to provide still more changes in the law this year. These commanders need time to act. We can't keep piling new demands on our commanders until they have had time to meet the previous demands. That is what the hearing tomorrow is really all about. We are going to be talking about more demands along these lines.

Today, sexual assault has not been eliminated, but we are working on it. The battle is not lost. More needs to be done. We understand that, and more is going to be done. But we have to preserve the leadership tools that make our forces the finest in the world. One such tool has been to give commanders authority to identify and correct problems firmly and fairly and dispose of disciplinary offenses that destroy morale and readiness. That is why I oppose the proposals to eliminate the role of the commander in this process.

To take the commander out of the process would invite failure. These commanders have to make decisions to send our brave troops into battle. How ludicrous is it that we would say to our commanders: You have to make a decision to send one of our kids into battle where they may end up losing their lives; however, you can't participate in the justice system of the troops. It doesn't make any sense at all.

As we consider the many proposals to combat sexual assault in the military, we can't lose sight of the importance to do three things. The three things are protect, prevent, and preserve. We have to protect the critical role of the commander in driving cultural changes and accountability. We have to prevent case disposition authority from being transferred outside the chain of command. Those of us who have been in the service know what that is. Thirdly, we have to preserve the integrity of the Uniform Code of Military Justice as an integrated, functional system of justice.

First, we have to protect the critical role of the commander. The military is a hierarchy. The most junior recruit quickly learns there is always someone

above him in the military organization. I have been there. I understand that. The need to follow the chain of command has been instilled in our troops. That is what they do. It is not a social system; this is a chain of command. Our military is both an organization of leaders and of followers who are in training to become leaders. In peacetime or in war, leaders establish clear expectations and insist on meeting objectives. Every job in the military is important, and every job needs to be done correctly because lives depend on it. The security of our Nation also depends on it. To ensure that the tough jobs get done, the military has a justice system that sets the expectation that decisions have consequences and, I might add, bad decisions have consequences also.

Today there are four major bills that have been introduced to address perceived deficiencies in how the armed services address sexual assault. I think these will very likely be discussed—maybe not all four of them, but some of them are going to be discussed in tomorrow's hearing. I believe that before we make significant, substantive, and procedural changes to the law, including the UCMJ, we need the benefit of adequate review. We need to think before we act.

We have to prevent case disposition authority from being transferred outside the chain of command. It is a terrible idea to remove the authority of commanders to dispose of the military justice offenses. If commanders will be held responsible for abolishing sexual assault, then they must have the tools they need.

Some propose establishing colonel-level JAGs—judge advocate generals—instead of commanders as disposition authorities who would decide what cases should go to courts-martial. The awesome authority of a commander is the foundation for discipline within the organization. The most junior servicemember in the organization knows, under the current law, their commander has the ability to decide if misconduct should be disposed of through administrative measures, by non-judicial punishment, or by a court-martial. Others within the command watch how the commander deals with misconduct. All of this stuff doesn't happen in a vacuum. People are watching. Those individuals who are going to be under the control and command and jurisdiction of a commander have to know how they are doing it. If the commander is not allowed to exercise that authority, it will destroy discipline within the command. When discipline declines, the military's ability to deflect threats declines with it.

Another proposal would create two separate disciplinary systems: one in which commanders retain limited ability to dispose of minor, uniquely military offenses; another where a judge

advocate, far removed from the commander, decides what offenses go to trial by court-martial. Now, how can two systems possibly be more efficient and effective than one system in the hands of commanders who are fully vested in the wellness and the readiness of their commands?

Another proposal would revoke designation of certain senior officers who are currently authorized by Federal law to convene general courts-martial. This has broad implications beyond military justice. This would require the services to revise literally hundreds of service regulations.

Another proposal that I think is worthy of careful review would establish a special victims counsel. The proposal would assign an attorney to the victim of sexual assault to provide advice throughout the process, from initial complaint of sexual assault through final disposition. The Air Force has already developed a pilot program. We are doing it now. So I think the suggestion is good, but it is simply what we are currently doing. Wouldn't it be better to wait and get the results of what the Air Force is doing in their program to determine whether this is something we want to continue?

I am willing to consider appropriate changes to the UCMJ in a thoughtful bipartisan approach that is consistent with the longstanding traditions of the Senate Committee on Armed Services. In the fiscal year 2013 NDAA—the National Defense Authorization Act—we created an independent panel to review the UCMJ and judicial proceedings of sexual assault cases. The panel is tasked with assessing the response systems used to investigate, prosecute, and adjudicate sexual assault and related offenses and to recommend how to improve effectiveness. The commission has only just begun, and we must allow it the opportunity to do what it was created to do. So we established this. It was just last January when we established this, and they are busy doing what we have asked them to do.

Sexual assault cannot be abolished by legislation alone. While we should not wait to provide additional tools that could make a difference immediately, we have to be deliberate in making fundamental changes that could undermine the UCMJ. I said we should do three things, and this is the third thing.

The third thing is to preserve the integrity of the UCMJ as an integrated, functional system of justice. Since 1951, the UCMJ has backed up commanders' authority and their best leadership skills with the force of law. The UCMJ is a deployable justice system that has proved to be effective throughout our Nation's conflicts.

Some believe military justice under the UCMJ and the Manual for Courts-Martial is an informal, undisciplined system. Nothing could be further from

the truth. The UCMJ is a highly developed and codified legal system. The Rules of Court Martial are the military counterpart to the Federal Rules of Criminal Procedure and provide detailed and structured procedural rules. The Military Rules of Evidence are based on the Federal Rules of Evidence.

The UCMJ has been at the forefront of changes in the civil criminal justice system. In fact, it has been ahead of the civil system. They are doing things in advance of what the civil system actually does.

A rights warning statement similar to the now-familiar Miranda warnings was required by article 31 of the UCMJ a decade and a half before the Supreme Court decision of *Miranda v. Arizona*. The UCMJ was offering these protections long before the civil courts did—the same thing with article 38(b). It continued the 1948 Articles of War guarantee of qualified defense counsel—in other words, you get a defense counsel—to be provided to all accused and at earlier stages than required in civilian jurisdictions. So the military was providing counsel long before the civil system was. Yet the U.S. Supreme Court only guaranteed counsel to the poorest criminal defendants in 1963. Again, UCMJ was way ahead of the game.

Our Nation has 238 years of investment in our military justice system, a system of Federal law, rules of procedure and evidence, and case history interpreting those rules that form the foundation for one of the most comprehensive and sophisticated justice systems the world has ever known.

The UCMJ is not static and unchanging. It has continuously been updated. Article 146 of the UCMJ requires an annual comprehensive update. The Joint Service Committee reviews recommendations to modify the UCMJ on a regular basis.

Some remain committed to yet another round of changes to the law and, in fact, the recently passed fiscal year 2013 NDAA included some 10 legislative changes addressing sexual assault in the military.

The services need adequate time to implement recent legal changes that give them the tools to fight these assaults. Stop and think about it. Just last January we gave 10 new rules for them to absorb and put into play. They have not had time to do that yet. Yet we are talking about having a meeting and putting together something that would be maybe even contradicting what we have already told them to do.

Some would criticize our commanders and the entire military justice system because of a recent case in which a court-martial conviction was set aside. If we take time to look at the statistics, we will see commanders have only set aside findings of guilty in about 1 percent of the cases.

The Marine commanders only set aside findings in 7 out of 1,768 cases

from 2010 to 2012. That is 0.4 percent of the cases—less than 1 percent.

The Air Force commanders only set aside findings in 40 of 3,713 cases over 5 years. That is 1 percent.

The Army commanders set aside findings in only 68 of 4,603 cases since 2008.

The Navy says its commanders only set aside findings in 4 of the 16,056 cases they have tried from 2002 to 2012. That is 0.0001 percent in a 10-year period.

Clearly, the commanders have been doing a good job. The Defense Legal Policy Board released a subcommittee report on military justice in combat zones just last week. This Defense Legal Policy Board was put together and they have experts to study this matter. We all agreed this was a good move. They came out with their report last week. This is not something that might have happened 2 or 3 years ago. It happened just last week.

The subcommittee began its work on July 30, 2012, to assess the application of military justice in combat zones in Afghanistan and Iraq. This report states, since the beginning of 2001, the Army conducted over 800 courts-martial in deployed environments, the Navy and Marine Corps conducted 8 courts-martial in Afghanistan and 34 in Iraq, and the Air Force conducted 3 courts-martial in Iraq and 3 in Afghanistan.

The main theme of the Defense Legal Policy Board's subcommittee hearings and their 208-page report is the need for the joint commander to have a central role in the administration of justice in deployed theaters of operations. This is the opposite of what some people are saying now. They are saying take the commander out of it.

I am going to read this quote. This report came out just 1 week ago.

While good order and discipline is important and essential in any military environment, it is especially vital in the deployed environment. The military justice system is the definitive commanders' tool to preserve good order and discipline, and nowhere—I repeat—nowhere is this more important than in a combat zone. A breakdown of good order and discipline while deployed can have a devastating effect on mission effectiveness.

Continuing to quote the report that came out last week:

The Joint Commander is ultimately responsible for the conduct of his forces. As such the Subcommittee has determined that the Joint Commander MUST have the authority and apparatus necessary to preserve good order and discipline through the military justice system.

Let me repeat the last line.

As such the Subcommittee—

The experts who were looking at this and came out with the report last week—

has determined that the Joint Commander MUST have the authority and apparatus necessary to preserve good order and discipline through the military justice system.

The services can do better, and they will. But the record clearly demonstrates these commanders take their responsibility very seriously, and we should continue to let them lead the men and women of our Armed Forces into battle, bring them home safely, and to use all the tools in the military justice system to enforce their authority.

At the very least, let's give the commanders a chance to implement the changes we ordered them to make as recently as last January before we go imposing more systems on them.

I know it is popular to do this and say we have all these sexual harassments and all that, but these figures speak for themselves. These are facts, and I think we cannot expect our people—our commanders in the field, the ones who are responsible for the lives and deaths of the troops they send into harm's way—to continue to spend all of their time making these changes and not even have time to make the changes we ordered them to do last January.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KING). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

#### TRIBUTE TO MAX BAUCUS

Mr. REID. Mr. President, in a few minutes Senators will cast votes on two amendments to the farm bill that is now pending before this body. Before we do, I wish to take a minute to acknowledge that the senior Senator from Montana, MAX BAUCUS, has cast more than 12,000 votes over the past three decades in this institution, the Senate. This is a remarkable accomplishment, and it speaks to his dedication to the Senate and to the people of Montana.

He is a hard-working Senator. He learned the value of hard work on a ranch outside of Helena, the capital, in the State of Montana. From the time he was a boy, he was noted as being extremely smart. That is why he was able to obtain both his bachelor's degree and his law degree from one of the most prestigious universities in the world, Stanford University.

I have worked with him the many years I have been here in the Senate. I worked with him when he was chairman of the Environment and Public Works Committee during a massive highway bill. He has been a member of the Agriculture Committee for many years.

His mark in this body, though, has been as a member of the Finance Committee. He has done many things. He

was involved over the course of the 1982 bill that reformed the Tax Code significantly, called Bradley-Gephardt. MAX BAUCUS was in there working on what he thought was important to Montana and the country.

He became chairman of this very important committee, and he has been instrumental in developing many massive pieces of legislation but nothing more significant than the months and months and months he spent managing the health reform bill, the ObamaCare bill. He has long been an advocate for children's health. He was an advocate for the Children's Health Insurance Program and has fought to strengthen Medicare for seniors all over America and, of course, in his State of Montana.

As I mentioned, he served on the Agriculture Committee, the Environment and Public Works Committee, and the Joint Committee on Taxation. His legislative record is open for everyone to see. It is massive, it is important, and he has done a remarkably good job.

The one thing Senator BAUCUS and I have spent a lot of time talking about is running—not running for office but running with your feet. He is an avid runner. I used to feel and always felt pretty cocky that I have run quite a few marathons, but they pale in comparison to the running MAX BAUCUS has done. No. 1, he is faster than I am, and, No. 2, he can run longer than I can. He has completed a 50-mile race in less than 12 hours. That is remarkable, and he did that less than 10 years ago. This is just one way MAX has gone the distance. Anyone willing to spend half a day running must love the outdoors. I am speaking about half a day. That is 12 hours. This is especially true for MAX, who enjoys hunting and fishing and has been an important advocate for public lands in Montana and the Nation. He was the author of one of the largest conservation bills I know of in American history, except for perhaps some Alaska lands bills, which preserved more than 310,000 acres of forest land in northwestern Montana.

I congratulate Senator BAUCUS on reaching this impressive milestone of 12,000 votes and recognize the contributions he has made to this country are significant.

The PRESIDING OFFICER. The Senator from New Jersey.

#### REMEMBERING FRANK R. LAUTENBERG

Mr. MENENDEZ. Mr. President, today I come to the floor shaken and deeply saddened, as we all are, by the loss of our colleague, my good friend and ally, the senior Senator from New Jersey, Senator FRANK LAUTENBERG. When I think of Senator LAUTENBERG, I think of the word "tenacity." FRANK LAUTENBERG was tenacious. When he had a setback, he always got right back into the game. He was as tenacious in life as he was here in the Senate, where that tenacity paid off for the people of New Jersey and for the Nation.

When he had a setback with cancer, he did not let himself take 1 minute more than he had to before he got back up and went right back at it. I will always remember his tenacity, a strength of will, and an unshakable resolve that helped him in his own life and in making life better for others.

FRANK LAUTENBERG loved the Senate. He loved his job and the people who elected him time and time again—five times, in fact; the longest serving Senator for the State of New Jersey—people he cared deeply about: working families, seniors, single moms, and the hard-working folks who trusted him always to be on their side, and he was. He was a man for New Jersey, a man for his time—one of the “greatest generation,” the last in the Senate to have served in World War II.

His story was a quintessential American story. His father Sam worked in the silk mills of Paterson, NJ. He sold coal, he farmed, and he once ran a tavern. FRANK lost his father to cancer when he was 19 and he learned the lesson of hard work, having to take on a job nights and weekends until he graduated from Nutley High School, when he joined the Army and went to Europe. When he came back, he went to Columbia University on the GI bill, and he got a degree in economics. He understood the value of that opportunity given to him as a veteran and he extended that forward when he later co-authored the new 21st century GI bill.

Anyone who knew FRANK LAUTENBERG knew he was destined to make something of himself, and he did. He joined two of his boyhood friends to found a very successful business, ADP, and he did it well. But if losing his father, working his way through high school, going to war, starting a business and making a success of himself wasn't enough, FRANK wanted to give something back. He was very comfortable in life and he could have said: I am going to enjoy this hard work and sacrifice that has brought me to this comfortable stage in life, but he considered himself lucky and he wanted to help others. That is why he ran for office. It is why he served and it is why the people of New Jersey kept electing him.

New Jerseyans loved and admired FRANK for what he did for the Nation and what he did to help them and every American build a better life for themselves and their families. In death, those accomplishments and the love and admiration New Jerseyans have always had for FRANK LAUTENBERG will not diminish, whether it was his landmark drunk driving law, coauthoring the 21st century GI bill, or introducing the toxic right to know law that empowered the public to know what pollutants were being released into their neighborhood, FRANK gave something back to all of us.

We can talk about how hard he fought for the victims of Superstorm

Sandy this year. Even in illness he came back to the Senate to try to make sure New Jerseyans and all those who suffered from Superstorm Sandy were taken care of. Or we can talk about how he worked to make the Paterson Great Falls—his hometown he loved so dearly—a national park. But above all, he was Mr. Transportation here in the Senate. Whether it was roads or bridges, airlines or the rail system, he believed in having the best and safest transportation system in the world. And when it comes to air travel, he was way ahead of his time when it came to safety. Let's not forget it was FRANK LAUTENBERG who ended the dangers of smoking on airlines so none of us would be subjected to sitting in a smoke-filled aircraft and with the dangers of smoking on a plane. Today, when I took the Amtrak from Newark to Union Station, I thought through most of that ride of FRANK. I remembered how many times he came to this floor to fight for America's railways, how much he believed in the importance of rail travel and what it meant to keeping this Nation's transportation system competitive.

Given all those accomplishments, it still would not adequately reflect the gift of governing he gave this Nation in the 9,000 votes he cast in this Chamber. Maybe not all of them made the headlines, but they made a difference for every American family. With each of those votes, FRANK LAUTENBERG helped shape the history of America, and not just for his time but for all generations to come.

When I think of FRANK I also certainly not only look back to the fact he was part of that “greatest generation” of World War II veterans, but I also think FRANK may have left us too soon at the age of 89 because he never missed a beat. He lived in the moment. I remember about 3 years ago, in January, he and his wife Bonnie celebrated his 86th birthday in what some might say was an unusual way. FRANK wanted to spend his birthday with his favorite singer. He was a fan of Lady Gaga, and so to celebrate his birthday, he and Bonnie went to Radio City Music Hall for Lady Gaga's Monster Ball Tour.

No, FRANK was not yesterday's news. He was always about today's news, and he lived in the moment. But that moment is gone now. We remember well, and we were lucky to share that moment with him. Time goes by all too quickly, but the memories last forever. His accomplishments will last forever. They will touch the lives of people well beyond his death, and our image of what it means to learn to live, to learn, to earn, and then give something back will never be forgotten because it lives in FRANK LAUTENBERG's legacy to this Chamber, this Nation, and to the people of my home State.

There is a quote from the Old Testament, from Daniel, chapter 12, and it says:

Many of those who sleep in the dust of the earth shall awake . . . and the wise shall shine brightly like the splendor of the firmament . . . And those who lead the many to justice shall be like the stars forever.

FRANK LAUTENBERG stood for justice in all of its forms for every American every day he served in this Chamber, and his memory shall be like a constellation showing us the way.

Today we say: Thank you, Senator LAUTENBERG, for a life well lived and a job well done. Thank you, on behalf of a grateful State and Nation.

Our deepest thoughts and prayers are with his wife Bonnie and his entire family. I know we will miss him as they will miss him, as the Nation will miss his incredible work.

With that, Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDENT OFFICER (Mr. COWAN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 987

Mr. MORAN. Mr. President, I ask unanimous consent to temporarily set aside the pending amendment so that I may call up my amendment No. 987, which is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. MORAN] proposes an amendment numbered 987.

Mr. MORAN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Federal Crop Insurance Corporation to carry out research and development regarding a crop insurance program for alfalfa)

After section 11024, insert the following:

#### SEC. 110. ALFALFA CROP INSURANCE POLICY.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11024) is amended by adding at the end the following:

“(25) ALFALFA CROP INSURANCE POLICY.—

“(A) IN GENERAL.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out research and development regarding a policy to insure alfalfa.

“(B) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).”.

Mr. MORAN. Mr. President, I was on the floor earlier today describing this amendment, and I will do so very briefly.

This is an amendment to the farm bill that deals with a crop called alfalfa, one that is grown and produced in most States but often not known a lot about, as we discovered in this farm bill discussion. What we know about this crop is that it is very important and used in many ways—to feed cattle and produce milk by feeding dairy cattle—and so it is a very important component in the livestock industry and valuable as feed for both cattle for meat consumption and cattle for dairy consumption.

There is a real challenge in getting crop insurance available for this crop. So this amendment would require the Federal Crop Insurance Corporation to conduct research and development regarding an insurance policy to insure alfalfa and then provide us with a report from the results of that study. There is no cost to the taxpayer. As I understand, this is a noncontroversial amendment.

I see the chairperson of the committee is on the Senate floor, and I would be happy to yield to her.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I urge adoption of the amendment. The Moran amendment follows the philosophy of this farm bill of moving from direct subsidies to crop insurance. It is an important crop, and it is important to make sure that we do have crop insurance tailored to alfalfa growers.

I urge colleagues to support the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Connecticut (Mr. MURPHY) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: The Senator from Wisconsin (Mr. JOHNSON), the Senator from Utah (Mr. LEE), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Alabama (Mr. SESSIONS), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 72, nays 18, as follows:

[Rollcall Vote No. 140 Leg.]

YEAS—72

Alexander	Barrasso	Begich
Baldwin	Baucus	Bennet

Blumenthal	Grassley	Moran
Blunt	Hagan	Murray
Boozman	Harkin	Nelson
Brown	Hatch	Portman
Burr	Heinrich	Pryor
Cantwell	Heitkamp	Reid
Cardin	Hirono	Roberts
Carper	Hoeven	Rockefeller
Casey	Inhofe	Sanders
Chambliss	Isakson	Schatz
Cochran	Johanns	Schumer
Collins	Johnson (SD)	Shaheen
Coons	Kaine	Stabenow
Cowan	King	Tester
Crapo	Landrieu	Thune
Donnelly	Leahy	Udall (CO)
Enzi	Levin	Udall (NM)
Feinstein	McCaskill	Warner
Fischer	McConnell	Warren
Franken	Menendez	Whitehouse
Gillibrand	Merkley	Wicker
Graham	Mikulski	Wyden

NAYS—18

Ayotte	Durbin	Reed
Coats	Flake	Risch
Coburn	Heller	Rubio
Corker	Kirk	Scott
Cornyn	Manchin	Shelby
Cruz	Paul	Toomey

NOT VOTING—9

Boxer	Lee	Murphy
Johnson (WI)	McCain	Sessions
Klobuchar	Murkowski	Vitter

The amendment (No. 987) was agreed to.

Ms. STABENOW. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### VOTE EXPLANATION

• Mrs. BOXER. Mr. President, I was unable to attend this roll call vote. Had I been present, I would have voted yea on the Moran amendment No. 974 to require the Federal Crop Insurance Corporation to carry out research and development regarding a crop insurance program for alfalfa. •

The PRESIDING OFFICER. The Senator from Michigan.

#### AMENDMENT NO. 1079

Ms. STABENOW. Mr. President, on behalf of Senator COONS and Senator JOHANNIS—I am not sure if Senator JOHANNIS is here—I wish to call up amendment No. 1079 on their behalf. We intend to take this by voice vote this evening.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Ms. STABENOW], for Mr. COONS and Mr. JOHANNIS, proposes an amendment numbered 1079.

The amendment is as follows:

(Purpose: To modify a provision relating to funding of local and regional food aid procurement projects)

On page 339, line 13, strike “\$40,000,000” and insert “\$60,000,000”.

Ms. STABENOW. Mr. President, this simply increases the authorization for the local and regional procurement program from \$40 million per year to \$60 million per year. It is based on a pilot project from the last farm bill to test various options on food aid for hungry populations, how to do it faster and more efficiently.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 1079 offered by the Senator from Delaware, Mr. COONS.

Mr. COONS. Mr. President, I wish to speak to my amendment No. 1079 to the farm bill. This amendment—with Republican and Democratic support—would simply increase the authorization for the Local and Regional Procurement Program from \$40 million per year to \$60 million per year.

It would increase the flexibility for aid providers to use locally and regionally purchased food, which is an important element of U.S. food assistance. There is no score because we are simply increasing the authorization for this discretionary program.

The Local and Regional Procurement Program is based on a pilot program authorized in the 2008 farm bill to test projects that could help get food aid to hungry populations faster and more efficiently by sourcing food in the communities and regions closest to those in need.

USDA and Cornell University have studied the pilot program and found it has been able to provide aid quickly and efficiently while also supporting development of food markets in low-income countries. This amendment would simply increase the authorized funding level so we can invest additional resources in this successful program.

My amendment is supported by 20 groups, including American Jewish World Service, Bread for the World, CARE, Catholic Relief Services, Church World Service, Columbian Center for Advocacy and Outreach, Evangelical Lutheran Church in America, Institute for Agriculture and Trade Policy, InterAction, Lutheran World Relief, Mennonite Central Committee U.S. Washington Office, Mercy Corps, Modernizing Foreign Assistance Network—MFAN—ONE, Oxfam America, Partners in Health, Save the Children, United Church of Christ Justice and Witness Ministries, United Methodist Church-General Board of Church and Society, and World Food Program USA.

I wish to thank the cosponsors of this amendment—Republicans and Democrats—for supporting this effort, including Senators JOHANNIS, DURBIN, ISAKSON, and LEAHY.

Ms. STABENOW. Mr. President, I would simply say that this is an amendment we are happy to accept on behalf of Senator COONS, Senator JOHANNIS, Senator DURBIN, Senator ISAKSON, and Senator LEAHY. It would modestly increase the authorization for the local and regional food procurement program. I ask that we accept it on a voice vote.

I yield back the remaining time on both sides.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment.

The amendment (No. 1079) was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask that I be recorded as voting no on this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Michigan.

Ms. STABENOW. Have we completed the vote?

The PRESIDING OFFICER. Yes.

Ms. STABENOW. Mr. President, I see colleagues who wish to speak. I wish to thank colleagues for their diligence as we work through amendments on the farm bill. Our goal is to complete this by the end of the week. It is important that we complete this jobs bill. Sixteen million people work in agriculture and are depending on it, and they are depending on us to get it right, as we did a year ago. So I look forward to working with colleagues as we continue to work through the amendment process. I appreciate everybody's hard work.

The PRESIDING OFFICER. The Senator from Arkansas.

HONORING JOEL CAMPORA AND CODY CARPENTER

Mr. PRYOR. Mr. President, Members of the Senate often come to the floor and talk about our men and women in uniform and their incredible bravery and the sacrifice they make for our country, and that is true. We certainly honor them and appreciate them for all they do for our country as they serve us overseas. However, there are other men and women in uniform who also serve our country by serving our citizens in our communities, and those are our policemen and policewomen and others in law enforcement as well as first responders and others who wear a uniform as well.

I rise today to honor two heroes from Arkansas. Last week we lost a sheriff and a game warden who were trying to help victims of a flood in our State. These two first responders answered the call when there was an emergency, a dire situation. They jumped in their vehicles and headed to the danger. They got into a boat, and they went to a home of some victims who were stranded and very much in danger by the floodwaters. Unfortunately, all four lost their lives in this terrible incident in Arkansas.

Arkansas game and fish wildlife officer Joel Campora and sheriff Cody Carpenter of Scott County both drowned while assisting victims in this overnight flash flood near Y City, AR. In times of distress such as these, we should come together to help others, which is exactly what they were doing as they sacrificed their lives for others. They put others' needs ahead of their own because of their sense of duty and honor and their belief in helping their fellow man.

In closing, I wish to commend these men and offer condolences to their families for their sacrifice.

I yield to my colleague from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, I also wish to take a pause. It seems as though for the last several weeks on a very regular basis storms have been ravaging the country and different events have been occurring where we have had cause to pause, and certainly this tragedy that struck Arkansas is one. So we would like for our colleagues to keep in their thoughts and prayers those in western Arkansas who have suffered this flood.

As the Senator from Arkansas said, six people lost their lives to the terrible storm that brought significant flooding to western Arkansas late last week. Scott County sheriff Cody Carpenter and wildlife officer Joel Campora, two dedicated public servants, were among them. They gave their lives while responding to a 9-1-1 call at a home in Y City. The two arrived at a home to help two female victims trapped by the flooding. While they were there, the house exploded, killing all four of them. Additionally, a Grant County man was killed when a tree fell on him as a result of the storm.

These are people who are true heroes not because of the way they died but because of the way they lived their lives.

Sheriff Carpenter was a leader who was never content to sit behind the desk. He bravely put the safety of others before his own to protect those in harm's way. He rose from a dispatcher to deputy, chief deputy, and then finally sheriff. He was a man of faith who loved life, loved his family, loved his job, and loved the Lord.

Officer Campora began his law enforcement career in Mena, AR. In 2007 he became a wildlife officer for the Arkansas Game and Fish Commission. His desire to serve led him down this career path, but it also led him to serve as a volunteer youth minister for the Salem Baptist Church and Pencil Bluff First Baptist Church.

Again, these were ordinary people doing extraordinary deeds.

Sheriff Carpenter left behind his wife Aime Beth and four children: Garren, Christian, Douglas, and Irelynn. Officer Campora left behind his wife Rebecca and two daughters: Dacie and Bethany.

Again, we would very much like everyone to remember these families and keep them in their thoughts and prayers as time goes on.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING FRANK R. LAUTENBERG

Mrs. MURRAY. Mr. President, I come to the floor this evening with a very sad heart to speak about one of our colleagues here in the Senate who gave tremendous service to his country and sadly passed away last night.

Senator FRANK LAUTENBERG was a true American. He earned a lot throughout his lifetime, but he came here to the Senate floor to fight for all of those people who didn't have the ability to fight for themselves. He was here in the Senate with us just a few weeks ago even though he himself was battling an extremely difficult illness.

I think of FRANK LAUTENBERG as a man of tremendous determination, an awful lot of grit, and someone who really embodies the term "happy warrior." He wanted to be here to fight for those who didn't have what he did. Throughout his career, that is exactly what he did.

FRANK lived the American dream. He was the son of poor immigrants, and he rose to become a chief executive of a business that employed thousands of people around the world. He personally did very well, but he was never satisfied with just his own personal success. He understood, as so many other great Americans, that his success was based on the opportunities this country afforded him. So he chose over three decades to give back and to fight for people to make sure they had the opportunities he had.

He started his career in the Senate back in 1982. As many of us who served with him know, he decided to retire, but he was not happy in retirement. He wanted to be here doing what he loved—being a Senator and fighting for the people of his home State of New Jersey and fighting for Americans all over to have the opportunities I just spoke about. He made it his mission to make sure the ladders that were there for him were there for the generations that came behind him.

He was a proud World War II veteran—in fact, the last this body will know. He fought for the post-9/11 GI bill because, as did my dad, who was also a World War II veteran, he had used the GI bill after World War II. He knew it was the key to unlocking the knowledge that powered the "greatest generation." He wanted that for those who came behind him.

His desire to stand for the powerless is also why he championed legislation to protect families from gun violence, why he stood to safeguard families against dangerous chemicals time and time again, and why he took on the powerful to ban smoking on airplanes and to bring about tougher drunk driving protections.

I personally will always remember FRANK's passion for transportation. He chaired the Transportation and Housing and Urban Development Appropriations Subcommittee before I did, and I

spent many years working with him to make sure we funded the infrastructure of this country—rail, highway, airline safety issues.

FRANK's legacy really is that his direct work saved lives. He saved lives. He helped to build transportation networks that brought families, businesses, and communities together. He wanted a better life for families in America. He was a champion for the underserved and underrepresented.

How many times have I been on the floor feeling like a lonely voice—fighting for women's health care issues or fighting for the protection of families against hazardous chemicals or fighting for victims of domestic violence—and time and time again FRANK LAUTENBERG would come over here to stand beside and fight with me, no matter what the time of day or the late hour of the night, because that was his passion and his cause.

He was a passionate public servant. He was not afraid to fight and vote for what he believed. He could never understand anyone who came here and tried to figure out which way the winds were blowing in order to take a vote. FRANK came and was passionate about whom he cared for, and he did not care about the political consequences. He wanted to fight for the underserved.

He loved the Senate. In fact, he loved it so much that one tour of duty was not enough and service called him back, as I said. Up until just a few days ago, nothing could stop FRANK from taking Amtrak down here to fight for the issues he believed in and the people of New Jersey whom he represented so well.

FRANK LAUTENBERG gave everything he had to public service, and those who served with him, as I was so fortunate to do, know it gave him all the satisfaction in the world.

He is going to be missed by all of us. He will be missed for his determination, for his passion, for always caring, and for fighting for what was right for all the people in this country.

I just wish to say tonight that my thoughts and prayers are with Bonnie and all of his family as they struggle with this loss but to know that his legacy lives on in the safety and caring of so many families in this country for whom he worked so passionately and hard.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MORNING BUSINESS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## BERWICK, ME

Ms. COLLINS. Mr. President, I rise today to commemorate the 300th anniversary of the town of Berwick, ME. As the ninth incorporated town in Maine, Berwick holds a very special place in our State's history, and one that exemplifies the determination and resiliency of Maine people.

While this landmark anniversary marks Berwick's incorporation, the year 1713 was but one milestone in a long journey of progress. It is a journey that began thousands of years earlier with Native American villages on the banks of the Piscataqua and Salmon Falls Rivers. In 1631, barely a decade after the Pilgrims landed at Plymouth Rock, Ambrose Gibbens established a settlement at Quampeagan Falls and built the first sawmill in North America. That manufacturing heritage has remained strong in the three communities known today as The Berwicks, from the textile and iron works of the 18th century to the cutting-edge biotechnology and aerospace industries of today.

Industry is only part of Berwick's story. During the Revolutionary War, the town provided two full companies to fight for America's independence, more than many towns of greater size. The courage and character demonstrated by the townspeople in standing for liberty echo throughout Berwick's history. In the years before the Civil War, the many churches in town were powerful voices for the abolition of slavery. During that terrible conflict, more than 200 of Berwick's young men fought, and many died, so that all might live in freedom. The town's honor roll of current military personnel demonstrates an ongoing commitment to our Nation's founding principles.

This anniversary is not just about something that is measured in calendar years. It is about human accomplishment. We celebrate the people who, for more than three centuries, have pulled together, cared for one another, and built a great community that is a wonderful place to live, work, and raise families. Thanks to those who came before, Berwick has a wonderful history. Thanks to those who are here today, it has a bright future.

## ADDITIONAL STATEMENTS

### TRIBUTE TO TERRY SCHOW

• Mr. LEE. Mr. President, today I wish to recognize Terry Schow for his exemplary work in behalf of Veterans in the State of Utah.

Mr. Schow has provided a strong voice and steady hand in fighting for the critical services our veterans need and deserve. Three Utah Governors recognized and tapped into his tremendous talent and unchallenged commitment to our veterans. He was appointed as Director of the Utah Division of Veterans Affairs in October 2001 by Governor Michael O. Leavitt. Governor Jon M. Huntsman Jr. then appointed Mr. Schow as Executive Director of the Utah Department of Veterans Affairs and Governor W. Herbert named him to the same post.

Terry Schow is a U.S. Army Veteran who served in the 5th and 10th Special Forces Groups and the 25th Infantry Division. He also served a tour of duty in Southeast Asia.

Mr. Schow has demonstrated through his long years of service what it means to honor the promises we make as a country to those who stand in harm's way defending our freedom. He paid special attention to our veterans who suffer from mental and emotional challenges and the troubling trend of suicide among veterans. Terry Schow worked tirelessly to ensure we never lose a member of the military whether on the battlefield or long after they have left active duty.

Terry Schow's efforts have improved the quality of life for countless Utah veterans through increased access to critical care and specialized services. I thank Mr. Terry Schow for his extraordinary impact on our veterans. •

### TRIBUTE TO DAVID MCCULLEN

• Mr. TESTER. Mr. President, today I wish to honor David McCullen, a veteran of the war in Vietnam. David, on behalf of all Montanans and all Americans, I stand to say thank you for your service to this Nation. It is my honor to share the story of David's service because no story of heroism should ever go unrecognized.

David was born in Miles City, MT, in February of 1949. Soon after, his family moved to California, where he attended Asuza High School near Los Angeles. While in high school, David was a wrestler, lettering in the sport his senior year. After graduating from high school, David joined the famed 101st Airborne Division—known as the Screaming Eagles—and began training at Fort Ord.

David then attended advanced individual training at Fort Gordon and jump school at Fort Benning—both in Georgia.



On May 8, 1969, David left for Vietnam. Just 2 days later, David's regiment was assigned to Operation Apache Snow and took part in the mission that became known as the Battle of Hamburger Hill. This hard-fought offensive became the basis for several movies and books about the Vietnam war. For over a week, American forces attempted to take Hill 937. Seventy-two American soldiers were killed in the battle, and more than 300 were wounded. For its heroism, David's battalion was awarded the Presidential Unit Citation.

After a 2-year tour in the military, David returned to California, living there and in Iowa for many years. David moved back home to Miles City in 2000.

Today, in our presence, it is my honor to present David with his Presidential Unit Citation. These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service. These medals are presented on behalf of a grateful nation.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The messages received today are printed at the end of the Senate proceedings.)

#### REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER TO TAKE ADDITIONAL STEPS WITH RESPECT TO THE NATIONAL EMERGENCY ORIGINALLY DECLARED ON MARCH 15, 1995 IN EXECUTIVE ORDER 12957 WITH RESPECT TO IRAN—PM 11

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), I hereby report that I have issued an Executive Order (the "order") that takes additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995, and implements certain statutory requirements of the

Iran Freedom and Counter-Proliferation Act of 2012 (subtitle D of title XII of Public Law 112-239) (22 U.S.C. 8801 *et seq.*) (IFCA), which amends the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) (22 U.S.C. 8501 *et seq.*) (CISADA).

In Executive Order 12957, the President found that the actions and policies of the Government of Iran threaten the national security, foreign policy, and economy of the United States. To deal with that threat, the President declared a national emergency and imposed prohibitions on certain transactions with respect to the development of Iranian petroleum resources. To further respond to that threat, Executive Order 12959 of May 6, 1995, imposed comprehensive trade and financial sanctions on Iran. Executive Order 13059 of August 19, 1997, consolidated and clarified the previous orders. To take additional steps with respect to the national emergency declared in Executive Order 12957 and to implement section 105(a) of CISADA, I issued Executive Order 13553 on September 28, 2010, to impose sanction on officials of the Government of Iran and other persons acting on behalf of the Government of Iran determined to be responsible for or complicit in certain serious human rights abuses.

To take additional steps with respect to the threat posed by Iran and to provide implementing authority for a number of the sanctions set forth in the Iran Sanctions Act of 1996 (Public Law 104-172) (50 U.S.C. 1701 note) (ISA) as amended by CISADA, I issued Executive Order 13574 on May 23, 2011, to authorize the Secretary of the Treasury to implement certain sanctions imposed by the Secretary of State pursuant to ISA, as amended by CISADA. I also issued Executive Order 13590 on November 20, 2011, to take additional steps with respect to this emergency by authorizing the Secretary of State to impose sanctions on persons providing certain goods, services, technology, or support that contribute either to Iran's development of petroleum resources or to Iran's production of petrochemicals, and to authorize the Secretary of the Treasury to implement some of those sanctions. On February 5, 2012, in order to take further steps pursuant to this emergency, and to implement section 1245(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) (22 U.S.C. 8513a), I issued Executive Order 13599 blocking the property of the Government of Iran, all Iranian financial institutions, and persons determined to be owned or controlled by, or acting for or on behalf of, such parties. On April 22, 2012, and May 1, 2012, I issued Executive Orders 13606 and 13608, respectively. Executive Orders 13606 and 13608 each take additional steps with respect to various emergencies, including the

emergency declared in Executive Order 12957 concerning Iran, to address the use of computer and information technology to commit serious human rights abuses and efforts by foreign persons to evade sanctions.

To take additional steps with respect to the national emergency declared in Executive Order 12957, I issued Executive Order 13622 of July 30, 2012, imposing further sanctions in light of the Government of Iran's use of revenues from petroleum, petroleum products, and petrochemicals for illicit purposes; Iran's continued attempts to evade international sanctions through deceptive practices; and the unacceptable risk posed to the international financial system by Iran's activities.

Most recently, I issued Executive Order 13628 of October 9, 2012, to take additional steps with respect to the national emergency declared in Executive Order 12957 and to implement certain statutory requirements of the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112-158) (22 U.S.C. 8701 *et seq.*) (TRA), including its amendments to the statutory requirements of ISA and CISADA.

With respect to the order that I have just issued, section 1 of the order authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to impose financial sanctions on or to block all property and interests in property that are in the United States, that come within the United States, or that are or come within the possession or control of any United States person (including any foreign branch) of a foreign financial institution determined to have, on or after the effective date of the order:

knowingly conducted or facilitated any significant transaction related to the purchase or sale of Iranian rials or a derivative, swap, future, forward, or other similar contract whose value is based on the exchange rate of the Iranian rial; or

maintained significant funds or accounts outside the territory of Iran denominated in the Iranian rial.

Section 2 of the order authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to block all property and interests in property that are in the United States, that come within the United States, or that are or come within the possession or control of any United States person (including any foreign branch) of any person upon determining:

that the person has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any Iranian person included on the list of Specially Designated Nationals and Blocked Persons maintained by the Office of Foreign Assets Control (SDN List) (other than an Iranian depository institution whose property and interests in property are blocked solely pursuant to Executive Order 13599) or any other person included on the SDN List whose property and interests in property are blocked pursuant to this paragraph or Executive Order 13599

(other than an Iranian depository institution whose property and interests in property are blocked solely pursuant to Executive Order 13599); or

pursuant to authority delegated by the President and in accordance with the terms of such delegation, that sanctions shall be imposed on such person pursuant to section 1244(c)(1)(A) of IFCA.

Section 3 of the order authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to impose financial sanctions on a foreign financial institution determined to have knowingly conducted or facilitated any significant financial transaction:

on behalf of any Iranian person included on the SDN List (other than an Iranian depository institution whose property and interests in property are blocked solely pursuant to Executive Order 13599) or any other person included on the SDN List whose property and interests in property are blocked pursuant to subsection 2(a)(i) of the order or Executive Order 13599 (other than an Iranian depository institution whose property and interests in property are blocked solely pursuant to Executive Order 13599); or

on or after the effective date of the order, for the sale, supply, or transfer to Iran of significant goods or services used in connection with the automotive sector of Iran.

Section 5 of the order authorizes the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Homeland Security, and the United States Trade Representative, and with the President of the Export-Import Bank, the Chairman of the Board of Governors of the Federal Reserve System, and other agencies and officials as appropriate, to impose sanctions on a person upon determining that the person:

on or after the effective date of the order, knowingly engaged in a significant transaction for the sale, supply, or transfer to Iran of significant goods or services used in connection with the automotive sector of Iran;

is a successor entity to a person determined to meet that criterion;

owns or controls a person determined to meet that criterion, and had knowledge that the person engaged in the activities referred to therein; or

is owned or controlled by, or under common ownership or control with, a person determined to meet that criterion, and knowingly participated in the activities therein.

Sections 6 and 7 of the order provide that, for persons determined to meet any of these criteria, the heads of the relevant agencies, in consultation with the Secretary of State, shall implement the sanctions imposed by the Secretary of State. Those sanctions may include the following actions:

the Board of Directors of the Export-Import Bank shall deny approval of the issuance of any guarantee, insurance, extension of credit, or participation in an extension of credit in connection with the export of any goods or services to the sanctioned person;

agencies shall not issue any specific license or grant any other specific permission or authority under any statute that requires

the prior review and approval of the United States Government as a condition for the export or reexport of goods or technology to the sanctioned person;

for a sanctioned person that is a financial institution: the Chairman of the Board of Governors of the Federal Reserve System and the President of the Federal Reserve Bank of New York shall take such actions as they deem appropriate, including denying designation, or terminating the continuation of any prior designation of, the sanctioned person as a primary dealer in United States Government debt instruments; or agencies shall prevent the sanctioned person from serving as an agent of the United States Government or serving as a repository for United States Government funds;

agencies shall not procure, or enter into a contract for the procurement of, any goods or services from the sanctioned person;

the Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien that the Secretary of State determines is a corporate officer or principal of, or a shareholder with a controlling interest in, a sanctioned person;

the heads of the relevant agencies, as appropriate, shall impose on the principal executive officer or officers, or persons performing similar functions and with similar authorities, of a sanctioned person any of the sanctions described above, as selected by the Secretary of State;

the Secretary of the Treasury shall take actions where necessary to:

prohibit any United States financial institution from making loans or providing credits to the sanctioned person totaling more than \$10,000,000 in any 12-month period, unless such person is engaged in activities to relieve human suffering and the loans or credits are provided for such activities;

prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the sanctioned person has any interest;

prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person;

block all property and interests in property that are in the United States, that come within the United States, or that are or come within the possession or control of any United States person, (including any foreign branch) of the sanctioned person, and provide that such property and interests in property may not be transferred, paid, exported, withdrawn, or otherwise dealt in;

prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of a sanctioned person;

restrict or prohibit imports of goods, technology, or services, directly or indirectly, into the United States from the sanctioned person; or

impose on the principal executive officer or officers, or persons performing similar functions and with similar authorities, of a sanctioned person any of the sanctions described above, as appropriate.

Section 7 of the order also provides that, when the Secretary of State or the Secretary of the Treasury pursuant to authority delegated by the President and in accordance with the terms of such delegation, has determined that

sanctions shall be imposed on a person pursuant to section 1244(d)(1)(A), 1245(a)(1), or 1246(a)(1) of IFCA (including in each case as informed by section 1253(c)(2) of IFCA), such Secretary may select one or more of the sanctions described above for which the Secretary of the Treasury shall take such action, and the Secretary of the Treasury shall take actions where necessary to implement those sanctions.

Sections 8 and 11 of the order implement the statutory requirements of CISADA, as amended by sanction 1249 of IFCA. They authorize the Secretary of the Treasury to block all property and interests in property that are in the United States, that come within the United States, or that are or come within the possession or control of any United States person (including any foreign branch), and the Secretary of State to suspend entry into the United States, of persons determined by the Secretary of the Treasury, in consultation with or at the recommendation of the Secretary of State:

to have engaged, on or after January 2, 2013, in corruption or other activities relating to the diversion of goods, including agricultural commodities, food, medicine, and medical devices, intended for the people of Iran;

to have engaged, on or after January 2, 2013, in corruption or other activities relating to the misappropriation of proceeds from the sale or resale of goods described above;

to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the activities described above or any person whose property and interests in property are blocked pursuant to these provisions; or

to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to these provisions.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA, as may be necessary to carry out the purposes of the order, other than the purposes described in sections 5, 6, and 11 of the order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

The order, a copy of which is enclosed, becomes effective at 12:01 a.m. eastern daylight time on July 1, 2013.

BARACK OBAMA.  
THE WHITE HOUSE, June 3, 2013.

#### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on May 24, 2013, during the adjournment of the Senate,

received a message from the House of Representatives announcing that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 17. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

The message further announced that pursuant to the National Foundation of the Arts and Humanities Act of 1965 (20 U.S.C. 955(b) note), the Minority Leader re-appoints the following Member of the House of Representatives to the National Council of the Arts: Ms. BETTY MCCOLLUM of Minnesota.

#### ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on May 24, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Acting Speaker pro-tempore (Mr. WOLF) has signed the following enrolled bill:

H.R. 258. An act to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

Under the authority of the order of the Senate of January 3, 2013, the enrolled bill was signed on May 24, 2013, during the adjournment of the Senate, by the Acting President pro tempore (Mr. LEVIN).

#### MESSAGE FROM THE HOUSE

At 2:09 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1911. An act to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 3. An act to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes.

H.R. 271. An act to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes.

#### REPORTS OF COMMITTEES DURING ADJOURNMENT

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 744. A bill to provide for comprehensive immigration reform and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WYDEN, from the Committee on Energy and Natural Resources:

Report to accompany S. 306, a bill to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes (Rept. No. 113-35).

Report to accompany S. 545, a bill to improve hydropower, and for other purposes (Rept. No. 113-36).

Report to accompany S. 761, a bill to promote energy savings in residential and commercial buildings and industry, and for other purposes (Rept. No. 113-37).

Report to accompany H.R. 267, a bill to improve hydropower, and for other purposes (Rept. No. 113-38).

Report to accompany H.R. 678, a bill to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes (Rept. No. 113-39).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. UDALL of Colorado (for himself and Ms. COLLINS):

S. 1084. A bill to amend the Energy Policy and Conservation Act to establish the Office of Energy Efficiency and Renewable Energy as the lead Federal agency for coordinating Federal, State, and local assistance provided to promote the energy retrofitting of schools; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself and Mr. CASEY):

S. 1085. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for small businesses; to the Committee on Finance.

By Ms. MIKULSKI (for herself, Mr. BURR, Mr. HARKIN, and Mr. ALEXANDER):

S. 1086. A bill to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

#### ADDITIONAL COSPONSORS

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 186

At the request of Mr. SHELBY, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 186, a bill to award posthumously a

Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, in recognition of the 50th anniversary of the bombing of the Sixteenth Street Baptist Church, where the 4 little Black girls lost their lives, which served as a catalyst for the Civil Rights Movement.

S. 346

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 403

At the request of Mr. CASEY, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Ohio (Mr. BROWN), the Senator from Massachusetts (Mr. COWAN), the Senator from Iowa (Mr. HARKIN), the Senator from Washington (Mrs. MURRAY), the Senator from Minnesota (Mr. FRANKEN), and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 420

At the request of Mr. ENZI, the names of the Senator from Delaware (Mr. COONS), the Senator from New Mexico (Mr. UDALL), and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 420, a bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to longstanding regulatory rule.

S. 460

At the request of Mr. HARKIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 460, a bill to provide for an increase in the Federal minimum wage.

S. 470

At the request of Mr. JOHANNES, his name was added as a cosponsor of S. 470, a bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

S. 501

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 501, a bill to amend the Internal Revenue Code of 1986 to extend and

increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 506

At the request of Ms. COLLINS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 506, a bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers.

S. 534

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 534, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 569

At the request of Mr. BROWN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 600

At the request of Mr. GRASSLEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 600, a bill to amend the Immigration and Nationality Act to reform and reduce fraud and abuse in certain visa programs for aliens working temporarily in the United States, and for other purposes.

S. 602

At the request of Mr. TESTER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 602, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 674

At the request of Mr. HELLER, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 674, a bill to require prompt responses from the heads of covered Federal agencies when the Secretary of Veterans Affairs requests information necessary to adjudicate claims for benefits under laws administered by the Secretary, and for other purposes.

S. 682

At the request of Mr. COBURN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 682, a bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

S. 700

At the request of Mr. KAINE, the names of the Senator from Utah (Mr. HATCH) and the Senator from Massa-

chusetts (Mr. COWAN) were added as cosponsors of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

S. 734

At the request of Mr. NELSON, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 749

At the request of Mr. CASEY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 749, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 783

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 783, a bill to amend the Helium Act to improve helium stewardship, and for other purposes.

S. 789

At the request of Mr. BAUCUS, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 815

At the request of Mr. MERKLEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 829

At the request of Mrs. HAGAN, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 829, a bill to improve the financial literacy of students.

S. 842

At the request of Mr. SCHUMER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 864

At the request of Mr. WICKER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 864, a bill to amend the Safe Drink-

ing Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

S. 871

At the request of Mrs. MURRAY, the names of the Senator from Nevada (Mr. HELLER), the Senator from South Dakota (Mr. THUNE), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from South Dakota (Mr. JOHN-SON), the Senator from Alaska (Mr. BEGICH) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 878

At the request of Mr. FRANKEN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 878, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 886

At the request of Mr. LEE, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 886, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 897

At the request of Ms. WARREN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 897, a bill to prevent the doubling of the interest rate for Federal subsidized student loans for the 2013-2014 academic year by providing funds for such loans through the Federal Reserve System, to ensure that such loans are available at interest rates that are equivalent to the interest rates at which the Federal Government provides loans to banks through the discount window operated by the Federal Reserve System, and for other purposes.

S. 950

At the request of Mr. PAUL, his name was added as a cosponsor of S. 950, a bill to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location.

S. 953

At the request of Mr. REED, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 953, a bill to amend the Higher

Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

S. 963

At the request of Mr. COBURN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 963, a bill preventing an unrealistic future Medicaid augmentation plan.

S. 964

At the request of Mrs. McCASKILL, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 964, a bill to require a comprehensive review of the adequacy of the training, qualifications, and experience of the Department of Defense personnel responsible for sexual assault prevention and response for the Armed Forces, and for other purposes.

S. 965

At the request of Mr. INHOFE, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 965, a bill to eliminate oil exports from Iran by expanding domestic production.

S. 967

At the request of Mrs. GILLIBRAND, the names of the Senator from Delaware (Mr. CARPER) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 980

At the request of Mr. MENENDEZ, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 980, a bill to provide for enhanced embassy security, and for other purposes.

S. 987

At the request of Mr. SCHUMER, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 987, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 1003

At the request of Mr. COBURN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1003, a bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

S. 1032

At the request of Mrs. McCASKILL, the name of the Senator from North

Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1032, a bill to amend title 10, United States Code, to make certain improvements in the Uniform Code of Military Justice related to sex-related offenses committed by members of the Armed Forces, and for other purposes.

S. CON. RES. 15

At the request of Mr. HARKIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. Con. Res. 15, a concurrent resolution expressing the sense of Congress that the Chained Consumer Price Index should not be used to calculate cost-of-living adjustments for Social Security or veterans benefits, or to increase the tax burden on low- and middle-income taxpayers.

S. RES. 75

At the request of Mr. KIRK, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from Vermont (Mr. LEAHY) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 154

At the request of Mr. HOEVEN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. Res. 154, a resolution supporting political reform in Iran and for other purposes.

AMENDMENT NO. 966

At the request of Mr. FRANKEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 966 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1027

At the request of Mr. HEINRICH, his name was added as a cosponsor of amendment No. 1027 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1077

At the request of Mr. HEINRICH, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of amendment No. 1077 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1079

At the request of Mr. COONS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of amendment No. 1079 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1082

At the request of Mr. FLAKE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a co-

sponsor of amendment No. 1082 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1096

At the request of Mr. INHOFE, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 1096 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1099

At the request of Mr. BEGICH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 1099 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1102

At the request of Mr. JOHANNIS, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from South Dakota (Mr. THUNE) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of amendment No. 1102 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1115

At the request of Mr. BEGICH, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of amendment No. 1115 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1120

At the request of Mr. JOHANNIS, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from South Dakota (Mr. THUNE) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of amendment No. 1120 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1130

At the request of Mr. BOOZMAN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 1130 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. CASEY):

S. 1085. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for small businesses; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise to speak about legislation, the Small Business Tax Certainty and Growth Act of 2013, which I introduced today along with my friend and colleague, Senator CASEY.

Small businesses are our Nation's job creators. Firms with fewer than 500

employees generate about 50 percent of our Nation's GDP, account for more than 99 percent of employers and employ nearly half of all workers. According to the Bureau of Labor Statistics, firms with fewer than 500 employees accounted for 65 percent of the new jobs created from 1993 to 2009.

Even the smallest firms have a huge effect on our economy. Small Business Administration data indicate that businesses with fewer than 20 employees accounted for 18 percent of all private sector jobs in 2010.

The Small Business Tax Certainty and Growth Act of 2013 allows small businesses to plan for capital investments that are vital to expansion and job creation. Our bill eases complex accounting rules for the smallest businesses, and it reduces the tax burden on newly formed ventures.

Recent studies by the National Federation of Independent Business, NFIB, indicate that taxes are the number one concern of small business owners, and that constant change in the tax code is among their chief concerns. A key feature of this bill is that it provides the certainty small businesses need to create and implement long-term capital investment plans, which are vital to growth. For example, section 179 of the Internal Revenue Code allows small businesses to deduct the cost of acquired assets more rapidly. The amount of the maximum allowable deduction has changed three times in the past 6 years, and is usually addressed as a year-end "extender," making this tax benefit unpredictable from year to year, and therefore difficult for small businesses to take full advantage of in their long-range planning. Our bill permanently sets the maximum allowable deduction under section 179 at \$250,000, indexed for inflation, and ensures that only small businesses can take advantage of the benefit because it phases out as acquisitions exceed \$800,000.

The Small Business Tax Certainty and Growth Act of 2013 also allows more companies to use the intuitive cash method of accounting by permanently doubling the threshold at which the more complex accrual method is required, from \$5 million in gross receipts to \$10 million. This includes an expansion in the ability of small businesses to use simplified methods of accounting for inventories.

The bill also eases the tax burden on new businesses by permanently doubling the deduction for start-up expenses from \$5,000 to \$10,000. Like section 179, this benefit is limited to small businesses, and the deduction phases out for expenses exceeding \$60,000.

The Small Business Tax Certainty and Growth Act of 2013 extends for one year provisions which provide benefits to businesses large and small—so-called "bonus depreciation" and 15-year depreciation for improvements with respect to restaurants, retail fa-

cilities, and leaseholds. Although permanence is important, I believe that tax provisions that affect businesses of all sizes should be debated and addressed in the context of comprehensive, pro-growth tax reform, which I urge the Senate to undertake.

The provisions in the Small Business Tax Certainty and Growth Act of 2013 would make a real difference in our Nation's small businesses' ability to survive and thrive. I recently spoke with Rob Tod, the founder of Allagash Brewing Company, which is based in Portland, ME. Allagash makes some of the best craft beer in the country. It started as a one-man operation in 1995. In the 18 years since, it has grown into a firm that employs approximately 65 people and distributes craft beer throughout the United States. Rob noted that his company's expansion was fueled in part by bonus depreciation and section 179 expensing. New to the craft beer business, Rob had difficulty obtaining financing on favorable terms. But these cost recovery provisions allowed Rob to pay less in taxes in the years he acquired the equipment needed to expand his business. Those tax savings were then reinvested in his business, thus creating jobs. This economic benefit is multiplied when you consider the effect of Allagash's investment on the equipment manufacturers, the transportation companies needed to haul new equipment to his brewery, the increased inventory in his brewery, and the suppliers of the materials needed to brew additional beer.

In light of the positive effects this bill would have on small businesses and our economy, I urge my colleagues to support the Small Business Tax Certainty and Growth Act of 2013. This bill has been endorsed by the NFIB, an important voice for small business.

Mr. President, I ask unanimous consent that a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL FEDERATION OF  
INDEPENDENT BUSINESS,  
Washington, DC, June 3, 2013.

Hon. SUSAN COLLINS,  
U.S. Senate, Dirksen Senate Office Building,  
Washington, DC.

DEAR SENATOR COLLINS: On behalf of the National Federation of Independent Business (NFIB), the nation's leading small business advocacy organization, I am writing in support of the Small Business Tax Certainty and Growth Act of 2013, which provides permanency and certainty to small businesses regarding several tax provisions including Section 179, cash accounting, and deductions for startup and organizational expenses.

The most important source of financing for small business is their earnings, i.e. cash flow, which is closely tied to a small business' overall tax burden. In NFIB Research Foundation's Problems and Priorities, five of the top ten small business concerns are tax related. The preservation of cash flow is a

key element for small businesses as Congress considers comprehensive tax reform.

Cost recovery for capital investments is closely tied to a small business' effective tax rate and its ability to manage cash flow. Section 179 expensing—especially with the inclusion of real property—provides small businesses with an immediate source of capital recovery and improved cash flow. We appreciate you including this in your legislation. Additionally, small businesses would benefit from an expanded ability to use cash accounting for tax purposes. Permitting more business entities with higher gross receipts to use cash accounting helps small businesses to manage cash flow because it better reflects the business owner's ability to pay taxes. We appreciate you including both of these provisions in your bill.

Thank you for introducing this important legislation, and we look forward to working with you to provide for permanent small business tax incentives as the 113th Congress moves forward.

Sincerely,

SUSAN ECKERLY,  
Senior Vice President,  
Public Policy.

By Ms. MIKULSKI (for herself,  
Mr. BURR, Mr. HARKIN, and Mr.  
ALEXANDER):

S. 1086. A bill to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. MIKULSKI. Mr. President, I rise today to introduce the Child Care and Development Block Grant Act of 2013, along with Senators BURR, HARKIN, and ALEXANDER.

For the past year, our offices have worked on a bipartisan basis to draft a comprehensive reauthorization of the Child Care Development Block Grant, CCDBG, a program that helps low- and moderate-income working families access and afford child care. This program helps working parents keep working, it helps parents who are in school stay in school, and it is supposed to ensure that children are in safe environments that support their physical, emotional, and cognitive development. It is a vital program and its reauthorization is of the utmost importance.

We did not draft this reauthorization in a vacuum. We held three public hearings in the Subcommittee on Children and Families, and we worked closely with all members, Democrat and Republican, of the Senate Health, Education, Labor, and Pensions Committee. We also asked for input and recommendations from folks on the ground since we know that parents, child care providers, and early learning and developmental experts, know best how this program works and how it can be improved. It is my hope that the bill we're introducing today represents all of the good ideas that have been brought to us throughout this process.

It is noteworthy that the CCDBG program has not been reauthorized since 1996. The last time we reauthorized CCDBG was during welfare reform. At



that time, the program was envisioned solely as a workforce aid—something to help moms and dads get back to work or school. This was, and remains, an important goal, but we have learned a lot since 1996. We know that child care can, and should, be constructed in such a way that benefits both the parent and the child: it should allow parents to go to work or school, but it should also give kids the building blocks to be successful in their lives.

What we know today, that we didn't 17 years ago, is that the most rapid period of development for the brain happens in the first 5 years of life. That is why it is so imperative that we ensure our children are in high-quality child care programs. While important, it is not enough to simply ensure that kids have someplace to go. We must also ensure that they go someplace that is safe, that nurtures their development, that challenges their mind, and that prepares them for school.

The current program is outdated. It does not go far enough in promoting and supporting high-quality child care programs. It does not do enough to safeguard the health and safety of children. It does not always ensure that children have continuity of care, nor does it provide sufficient protections for working families when their employment situations change. It does not focus enough on infant and toddler care. It does not require mandatory background checks for child care providers in this program.

So, today we are introducing a bill that makes needed changes to address shortcomings in current law.

Our bill requires States to devote more of their funding to quality initiatives, such as: training, professional development, and professional advancement of the child care workforce, supporting early learning guidelines, developing and implementing quality rating systems for providers, and improving the supply and quality of child care programs and services for infants and toddlers.

Our bill says that CCDBG providers must meet certain health and safety requirements related to prevention and control of infectious diseases, first aid and CPR, child abuse prevention, administration of medication, prevention of and response to emergencies due to food allergies, prevention of sudden infant death syndrome and shaken baby syndrome, building and physical premises safety, and emergency response planning.

Our bill gives families more stability in the CCDBG program. It ensures that children in the program can get care for at least a year, even if their parent sees a change in their working status or income.

Our bill works to improve early childhood care by requiring States to spend a certain portion of their funding on infant and toddler quality initia-

tives. The bill requires States to develop and implement plans to increase the supply and quality of care for infants and toddlers, as well as children with disabilities and children receiving care during non-traditional work hours.

And our bill requires mandatory background checks for child care providers in the CCDBG program.

At the outset, I would like to say that most child care providers I have met and spoken with are wonderful, caring people committed to ensuring that the children in their care are safe and happy. This proposal is not meant to insinuate anything negative about our child care workforce.

Instead, it is simply meant to ensure that we are doing our due diligence to ensure that the adults entrusted with our children's day-to-day care are not murderers, child molesters, kidnappers, arsonists, drug dealers, or rapists. Background checks are required for many jobs and I believe they should be required for child care providers.

Every working parent with children, no matter their income level, worries about child care. What's affordable? What's accessible? Will my child be safe? Where can I get the very best care for my kid? The CCDBG program is supposed to give parents peace of mind. And for many families over many years, it has. But we can and should be doing more to improve child care for children, parents, and providers alike. It is long past time to revitalize, refresh, and reform this vitally important program.

Again, I would like to thank Senator BURR, Chairman HARKIN, Ranking Member ALEXANDER, and all members of the Senate HELP Committee for their hard work on this bipartisan proposal. It is my hope that we can move swiftly to get this bill passed out of House and Senate and onto the President's desk.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1144. Mr. MORAN (for himself and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table.

SA 1145. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1146. Mr. BENNET (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1147. Mr. PRYOR (for himself and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1148. Mr. COWAN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1149. Mr. SCHATZ submitted an amendment intended to be proposed by him to the

bill S. 954, supra; which was ordered to lie on the table.

SA 1150. Mr. SCHATZ (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1151. Ms. COLLINS (for herself, Mr. UDALL of Colorado, Mr. RISCH, Mr. KING, and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1152. Mr. COBURN (for himself and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1153. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1154. Ms. STABENOW (for Mr. WYDEN) proposed an amendment to the bill H.R. 588, to provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes.

SA 1155. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 1144. Mr. MORAN (for himself and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of title XII, insert the following:

#### SEC. 12. TRANSPORT AND DISPENSING OF CONTROLLED SUBSTANCES IN THE USUAL COURSE OF VETERINARY PRACTICE.

Section 302(e) of the Controlled Substances Act (21 U.S.C. 822(e)) is amended—

(1) by striking “(e)” and inserting “(e)(1)”; and

(2) by adding at the end the following:

“(2) Notwithstanding paragraph (1), a registrant who is a veterinarian shall not be required to have a separate registration in order to transport and dispense controlled substances in the usual course of veterinary practice at a site other than the registrant's registered principal place of business or professional practice, so long as the site of transporting and dispensing is located in a State where the veterinarian is licensed to practice veterinary medicine and is not a principal place of business or professional practice.”.

SA 1145. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 877, after line 18, add the following:

#### SEC. 6208. NATURAL GAS DISTRIBUTION UTILITY PILOT LOAN PROGRAM.

(a) AUTHORIZATION OF PILOT LOAN PROGRAM.—Section 232(c) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6942(c)) is amended—

(1) in paragraph (1)(B), by striking “; and” and inserting a period; and

(2) by adding at the end the following:



“(3) The natural gas distribution utility pilot loan program authorized by section 6208(b) of the Agriculture Reform, Food, and Jobs Act of 2013.”.

(b) ESTABLISHMENT OF PILOT LOAN PROGRAM.—

(1) IN GENERAL.—The Administrator of the Rural Utilities Service shall establish a natural gas distribution utility pilot loan program to add cooperatives and municipally owned natural gas distribution utilities to the list of utilities eligible to receive loans from the Rural Utilities Service.

(2) PRIORITY.—In making loans authorized under paragraph (1), the Administrator of the Rural Utilities Service shall give priority to utilities located in areas that—

(A) have been designated as PM<sub>2.5</sub> non-attainment areas by the Environmental Protection Agency; and

(B) pay more than 200 percent of national average for space heat on a dollar per Btu basis.

(3) FUNDING.—The Administrator of the Rural Utilities Service—

(A) shall carry out the loan pilot program using existing funds of the Rural Utilities Service; and

(B) shall not make loans under the loan pilot program in excess of \$500,000,000 over the duration of the program.

(4) DURATION.—The loan pilot program shall be authorized for a period of 5 years, beginning on the date of enactment of this Act.

(5) REPORT.—At the conclusion of the loan pilot program, the Administrator of the Rural Utilities Service shall complete a report examining—

(A) the economic benefits of providing low cost loans; and

(B) any upward price pressure on natural gas prices in the United States resulting from the loan pilot program.

**SA 1146.** Mr. BENNET (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 273, line 17 strike “.”.

On page 273, between lines 17 and 18, insert the following:

“(3) FOREST SERVICE PARTICIPATION.—The Secretary (acting through the Chief of the Forest Service) may use funds derived from conservation-related programs executed on National Forest System land to carry out the ACES Program on National Forest System land.”.

**SA 1147.** Mr. PRYOR (for himself and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 573, line 25, strike “\$4,226,000,000” and insert “\$5,726,000,000”.

On page 574, line 7, strike “\$3,026,000,000” and insert “\$4,526,000,000”.

On page 574, line 9, strike “\$1,000,000,000” and insert “\$2,500,000,000”.

**SA 1148.** Mr. COWAN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 914, between lines 13 and 14, insert the following:

“(i) SOIL AMENDMENT STUDY.—

“(1) IN GENERAL.—The Secretary shall conduct a study to assess which types of, and which practices associated with the use of, fertilizers, biostimulants, and soil amendments best achieve the goals described in paragraph (2).

“(2) GOALS.—The goals referred to in paragraph (1) are—

“(A) increasing organic matter content;

“(B) reducing atmospheric volatilization;

“(C) identifying cost-effective conservation or production practices that reduce or eliminate nutrient runoff or leaching into groundwater or other water sources; and

“(D) understanding current bioactivity or nutrient loads in soil.

“(3) REPORT.—Not later than 1 year after the date of receipt of funds to carry out this subsection, the Secretary shall make publicly available and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

“(A) describes the results of the study; and

“(B) identifies the types of, and practices using, fertilizers, biostimulants, and soil amendments that best achieve the goals identified in paragraph (2).”.

**SA 1149.** Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 396, strike lines 2 through 7 and insert the following:

**SEC. 4201. ADDITIONAL AUTHORITY FOR PURCHASE OF FRESH FRUITS, VEGETABLES, AND OTHER SPECIALTY FOOD CROPS.**

Section 10603 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 612c-4) is amended—

(1) in subsection (b), by striking “2012” and inserting “2018”;

(2) by redesignating subsections (a), (b), and (c) as subsections (b), (c), and (a), respectively; and

(3) by inserting after subsection (c) (as so redesignated) the following:

“(d) LOCAL PREFERENCE IN MEMORANDUM OF AGREEMENT.—To the maximum extent practicable, a memorandum of agreement between the Secretary of Agriculture and the Secretary of Defense related to the purchase of fresh fruits and vegetables under this section shall require that fruits and vegetables purchased under the agreement be locally grown (as determined by the Secretary).

“(e) PILOT GRANT PROGRAM FOR PURCHASE OF FRESH FRUITS AND VEGETABLES.—

“(1) IN GENERAL.—Using amounts made available to carry out subsection (c), the Secretary of Agriculture shall conduct a pilot program under which the Secretary will give not more than 5 participating States the option of receiving a grant in an amount equal to the value of the commodities that the participating State would otherwise receive under this section for each of fiscal years 2014 through 2018.

“(2) USE OF GRANT FUNDS.—

“(A) IN GENERAL.—A participating State receiving a grant under this subsection may use the grant funds solely to purchase fresh fruits and vegetables for distribution to schools and service institutions in the State that participate in the food service programs under the Richard B. Russell National

School Lunch Act (42 U.S.C. 51 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

“(B) LOCALLY GROWN.—To the maximum extent practicable, the fruits and vegetables shall be locally grown, as determined by the State.

“(3) SELECTION OF PARTICIPATING STATES.—The Secretary shall select participating States from applications submitted by the States.

“(4) REPORTING REQUIREMENTS.—

“(A) SCHOOL AND SERVICE INSTITUTION REQUIREMENT.—Schools and service institutions in a participating State shall—

“(i) maintain records of purchases of fresh fruits and vegetables made using the grant funds; and

“(ii) report to the State the records.

“(B) STATE REQUIREMENT.—Each participating State shall submit to the Secretary a report on the success of the pilot program in the State, including information on—

“(i) the amount and value of each type of fresh fruit and vegetable purchased by the State; and

“(ii) the benefit provided by the purchases in conducting the school food service in the State, including meeting school meal requirements.”.

**SA 1150.** Mr. SCHATZ (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1122, between lines 2 and 3, insert the following:

**SEC. 121. LABELING REQUIREMENTS FOR KONA COFFEE.**

Subtitle A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) (as amended by section 12104(b)) is amended by adding at the end the following:

**“SEC. 211. LABELING REQUIREMENTS FOR KONA COFFEE.**

“(a) IN GENERAL.—No person shall sell or offer, expose for sale, or transport Hawaii-grown green coffee packed in wholesale quantities outside the geographic region of production described in subsection (b) unless each container is conspicuously marked, stamped, printed, or labeled in the English language with the exact grade or lower grade for the green coffee or the term ‘offgrade’, as applicable.

“(b) GEOGRAPHIC REGION OF PRODUCTION.—For purposes of subsection (a), the geographic region of production is—

“(1) the State of Hawaii;

“(2) the island of Maui;

“(3) the island of Moloka'i;

“(4) the island of Oahu;

“(5) the island of Kaua'i;

“(6) the district of Ka'u on the island of Hawai'i, as designated by the State of Hawaii Tax Map;

“(7) the district of Hamakua on the island of Hawai'i, as designated by the State of Hawaii Tax Map; and

“(8) the North Kona and South Kona districts on the island of Hawai'i, as designated by the State of Hawaii Tax Map.

“(c) PLACEMENT.—The grade statement shall appear on—

“(1) the label required under subsection (a); or

“(2) the container on the same panel as the declaration of identity required by the matter under the headings ‘Uniform Laws and Regulations’ and ‘Uniform Packaging and

Labeling Regulation' of section A of part IV of the National Institute of Standards and Technology handbook No. 130 (1993 edition), with amendments specified in section 4-93-2(a) of the Hawaii Administrative Rules.

“(d) CORRECTION.—Any label that is determined to be incorrect shall be corrected by complete obliteration of the incorrect information and substitution with the correct statement of fact.

“(e) LETTERS AND FIGURES.—The letters and figures used to meet the requirements of this section shall be of bold type and legible.

“(f) GRADE TERMS.—The grade terms shall be exactly as shown in sections 4-143-4, 4-143-5, and 4-143-6 of the Hawaii Administrative Rules (as in effect on the date of enactment of this section).”.

**SA 1151.** Ms. COLLINS (for herself, Mr. UDALL of Colorado, Mr. RISCH, Mr. KING, and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 421, between lines 3 and 4, insert the following:

**SEC. 42. AVAILABILITY OF VEGETABLES AS SUPPLEMENTAL FOODS UNDER WIC PROGRAM.**

Section 17(f)(11) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(f)(11)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following:

“(C) VEGETABLES.—The regulation required under paragraph (1) shall not exclude or restrict the eligibility of any variety of fresh, whole, or cut vegetables (other than vegetables with added sugars, fats, or oils) from being provided as supplemental foods under the program under this section.”.

**SA 1152.** Mr. COBURN (for himself and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 421, between lines 3 and 4, insert the following:

**SEC. 40. DEMONSTRATION PROJECTS TO PROMOTE HEALTHY EATING AMONG SNAP RECIPIENTS.**

(a) IN GENERAL.—The Secretary shall carry out 2 demonstration projects in States that agree to plan, design, develop, and implement programs to eliminate purchases of unhealthful foods or beverages under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

(b) REQUIREMENTS.—In selecting States to carry out a demonstration project under this section, the Secretary shall ensure that each proposed demonstration project includes—

(1) a standard based on nutritional content that—

(A) is demonstrated to be clear, practical, and consistent in excluding certain items from eligibility;

(B) limits the use of benefits for purchasing foods or beverages that are identified in the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341) as foods, beverages, or food components that—

(i) are consumed in excessive amounts; and  
(ii) may increase the risk of certain chronic diseases or conditions; and

(C) does not—

(i) expand the number of items otherwise eligible for assistance under the supplemental nutrition assistance program; or

(ii) classify alcoholic beverages, tobacco, and hot foods or hot food products ready for immediate consumption as eligible for assistance under that program;

(2) a description of the cost of implementing the demonstration project in the State;

(3) a description of the number of households participating in the supplemental nutrition assistance program to be affected by the demonstration project;

(4) a process for participating States to educate participants and retailers about eligible and ineligible foods, including a procedure for disseminating product eligibility information to participants and retailers periodically;

(5) a procedure to work with retailers to identify problems and best practices in implementing new product eligibility standards;

(6) a procedure to monitor and evaluate program operations, including the impact on participating households and small businesses;

(7) a statement that the demonstration project does not reduce the eligibility for, or amount of, benefits available under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(8) notwithstanding section 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)), complies with the requirements of the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(9) the ability of the State to meet the evaluation criteria under subsections (c) and (d); and

(10) any other requirements that the Secretary determines to be appropriate.

(c) CONSIDERATION.—In selecting States to carry out a demonstration project under this section, the Secretary shall consider whether a State has previously applied for a waiver under the supplemental nutrition assistance program to carry out a similar project.

(d) EVALUATION.—Not later than 2 years after the date on which a demonstration project is initiated under this section, the Secretary shall provide for an independent evaluation of the projects selected under this section that uses rigorous methodologies, particularly random assignment or other methods that are capable of producing scientifically valid information regarding effective restrictions to measure the impact of the pilot program on—

(1) the costs and benefits under the supplemental nutrition assistance program in the State;

(2) the access of individuals receiving benefits under the supplemental nutrition assistance program in the State to nutritious food;

(3) the dietary intake of—

(A) supplemental nutrition assistance program recipients participating in the supplemental nutrition assistance program demonstration project; and

(B) a control group of supplemental nutrition assistance program recipients not participating in the demonstration project; and

(4) other effects that the Secretary determines to be appropriate.

(e) COSTS.—

(1) IN GENERAL.—All costs associated with carrying out a pilot project and an evaluation of that pilot project under this section shall—

(A) be provided by the State; and

(B) not be eligible for administrative matching under section 16(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)).

(2) CONTRIBUTIONS.—A State may accept and use contributions from nongovernmental entities, including nonprofit organizations, to carry out a pilot project and an evaluation of that pilot project under this section.

**SA 1153.** Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 986, between lines 4 and 5, insert the following:

**SEC. 83. EXEMPTION OF CERTAIN PAYMENTS FROM SEQUESTRATION ORDERS.**

(a) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(g)(1)(A)) is amended by inserting after “Payment to Civil Service Retirement and Disability Fund (24-0200-0-1-805).” the following:

“Payments to Counties under the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393).

“Payments in lieu of taxes under chapter 69 of title 31, United States Code.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on October 1, 2012.

**SA 1154.** Ms. STABENOW (for Mr. WYDEN) proposed an amendment to the bill H.R. 588, to provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. DONOR CONTRIBUTIONS.**

Section 8905(b) of title 40, United States Code is amended by striking paragraph (7) and inserting the following:

“(7) DONOR CONTRIBUTIONS.—

“(A) IN GENERAL.—Except as otherwise provided in this paragraph, the Secretary or Administrator, as applicable, may permit a sponsor described in subsection (a) to acknowledge donor contributions at the commemorative work.

“(B) REQUIREMENTS.—Acknowledgments shall—

“(i) be displayed inside a visitor center or other ancillary structure associated with the commemorative work; and

“(ii) conform to applicable National Park Service or General Services Administration guidelines for donor recognition, as applicable.

“(C) LIMITATIONS.—Acknowledgments shall—

“(i) be limited to an appropriate statement or credit recognizing the contribution;

“(ii) be displayed in a form approved by the Secretary or Administrator;

“(iii) be displayed for a period of time determined by the Secretary or Administrator to be appropriate, commensurate with the level of the contribution;

“(iv) be limited to short, discrete, and unobtrusive acknowledgments or credits; and

“(v) not include any advertising slogans or company logos.

“(D) SUBMITTAL OF PLAN.—

“(i) IN GENERAL.—Prior to the display of donor acknowledgments, the sponsor shall

submit to the Secretary or Administrator, as applicable, for approval a plan for displaying the donor acknowledgments, including—

“(I) the sample text and types of acknowledgments to be displayed; and

“(II) the form and location of all displays.

“(ii) NOTIFICATION AND RESUBMITTAL.—If the Secretary or Administrator does not approve the plan submitted under clause (i), the Secretary or Administrator shall—

“(I) not later than 60 days after the date on which the plan is received, notify the sponsor of the reasons the plan is not approved; and

“(II) allow the sponsor to resubmit a revised donor acknowledgment plan.

“(E) COST.—The sponsor shall bear all expenses related to the display of donor acknowledgments.

“(F) APPLICABILITY.—This paragraph shall apply to any commemorative work dedicated after January 1, 2010.”.

## SEC. 2. EXTENSION OF LEGISLATIVE AUTHORITY FOR VIETNAM MEMORIAL VISITOR CENTER.

Section 6(b)(5) of Public Law 96-297 (16 U.S.C. 431 note; 124 Stat. 2851) is amended by striking “2014” and inserting “2018”.

**SA 1155.** Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 199, strike lines 11 through 24, and insert the following:

“(A) the level of natural resource and environment benefits resulting from existing and proposed conservation treatment on all applicable priority resource concerns; and

On page 200, line 1, strike “(E)” and insert “(B)”.

On page 200, beginning on line 4, strike “; and” and all that follows through “production” on line 8.

On page 206, line 9, strike “not less than 5” and insert “a limited number of”.

On page 210, line 2, insert “or improve” after “adopt”.

## NOTICES OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources has been postponed. This hearing was scheduled to be held on Thursday, June 6, 2013, at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to examine the progress made by Native Hawaiians toward stated goals of the Hawaiian Homelands Commission Act.

For further information, please contact Cisco Minthorn at (202) 224-4756 or Danielle Deraney at (202) 224-1219.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural

Resources. The hearing will be held on Tuesday, June 11, 2013, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the November 6, 2012 referendum on the political status of Puerto Rico and the Administration's response.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to danielle.deraney@energy.senate.gov.

For further information, please contact Allen Stayman at (202) 224-7865 or Danielle Deraney at (202) 224-1219.

### COMMITTEE ON INDIAN AFFAIRS

Ms. CANTWELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on June 12, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing to consider the President's Nomination of Yvette Roubideaux, to be Director of the Indian Health Service, Department of Health and Human Services. (Re-appointment)

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## VIETNAM VETERANS DONOR ACKNOWLEDGEMENT ACT OF 2013

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 588, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 588) to provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. STABENOW. Mr. President, I ask unanimous consent that a Wyden amendment which is at the desk be agreed to, the bill, as amended, be read a third time and passed, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1154) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

## SECTION 1. DONOR CONTRIBUTIONS.

Section 8905(b) of title 40, United States Code is amended by striking paragraph (7) and inserting the following:

“(7) DONOR CONTRIBUTIONS.—

“(A) IN GENERAL.—Except as otherwise provided in this paragraph, the Secretary or Administrator, as applicable, may permit a sponsor described in subsection (a) to acknowledge donor contributions at the commemorative work.

“(B) REQUIREMENTS.—Acknowledgments shall—

“(i) be displayed inside a visitor center or other ancillary structure associated with the commemorative work; and

“(ii) conform to applicable National Park Service or General Services Administration guidelines for donor recognition, as applicable.

“(C) LIMITATIONS.—Acknowledgments shall—

“(i) be limited to an appropriate statement or credit recognizing the contribution;

“(ii) be displayed in a form approved by the Secretary or Administrator;

“(iii) be displayed for a period of time determined by the Secretary or Administrator to be appropriate, commensurate with the level of the contribution;

“(iv) be limited to short, discrete, and unobtrusive acknowledgments or credits; and

“(v) not include any advertising slogans or company logos.

“(D) SUBMITTAL OF PLAN.—

“(i) IN GENERAL.—Prior to the display of donor acknowledgments, the sponsor shall submit to the Secretary or Administrator, as applicable, for approval a plan for displaying the donor acknowledgments, including—

“(I) the sample text and types of acknowledgments to be displayed; and

“(II) the form and location of all displays.

“(ii) NOTIFICATION AND RESUBMITTAL.—If the Secretary or Administrator does not approve the plan submitted under clause (i), the Secretary or Administrator shall—

“(I) not later than 60 days after the date on which the plan is received, notify the sponsor of the reasons the plan is not approved; and

“(II) allow the sponsor to resubmit a revised donor acknowledgment plan.

“(E) COST.—The sponsor shall bear all expenses related to the display of donor acknowledgments.

“(F) APPLICABILITY.—This paragraph shall apply to any commemorative work dedicated after January 1, 2010.”.

## SEC. 2. EXTENSION OF LEGISLATIVE AUTHORITY FOR VIETNAM MEMORIAL VISITOR CENTER.

Section 6(b)(5) of Public Law 96-297 (16 U.S.C. 431 note; 124 Stat. 2851) is amended by striking “2014” and inserting “2018”.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 588), as amended, was read the third time and passed.

## ORDERS FOR TUESDAY, JUNE 4, 2013

Ms. STABENOW. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, June 4, 2013; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the

two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the final half; that following morning business the Senate resume consideration of S. 954, the farm bill; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. STABENOW. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:55 p.m., adjourned until Tuesday, June 4, 2013, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be general*

LT. GEN. FRANK GORENC

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be vice admiral*

REAR ADM. PHILIP S. DAVIDSON

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

##### *To be major*

DAISY Y. ENG

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

##### *To be lieutenant colonel*

JOSEPH N. KENAN

##### *To be major*

SIRPA T. AUTIO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

##### *To be lieutenant colonel*

SCOTT M. SHEFLIN

##### *To be major*

CHRISTOPHER F. TANA  
ERIC J. TURNERY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

##### *To be lieutenant colonel*

CHRISTOPHER E. CIEURZO  
CHARLES C. MARTINEAU

##### *To be major*

VINH Q. TRAN

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### *To be major*

JASON R. PURVIS

THE FOLLOWING NAMED ARMY NATIONAL GUARD OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### *To be colonel*

THOMAS R. BOUCHARD  
PETER M. EMERSON  
JAMES M. HARMON  
PHILLIP F. JOHNSON  
JESSE J. KIRCHMEIER  
ALEXANDER D. LAWSON  
JAN M. OLEEN  
ROBERT D. PARRISH II  
JOHN A. ZENKER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be colonel*

GEORGE T. BARIDO  
LISA M. BROWN  
DON S. COLT II  
CYNTHIA S. KNYSAK  
PETER B. OLSON  
REGINA POWELL  
MICHAEL N. PULLEN  
KEVIN S. SHARP  
MATTHEW A. SHEAFFER  
CHARLES J. SIZEMORE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be colonel*

TIMOTHY BARNARD  
BRIAN R. BEA  
FRED D. BICOY  
GARY R. BRICKNER  
DAVID W. BUTLER  
LISA J. DEWITT  
FREDDIE J. FRIEL  
DAVID B. HALE  
JAMES W. HALLIDAY, JR.  
EDWIN P. HENDRICKS, JR.  
LISA J. HOU  
MARGUERITE L. KNOX  
JAMES B. KYLE III  
JOSHUA H. LIPSCHUTZ  
MARTIN J. LUCENTI, JR.  
BEN R. MALTZ  
MICHAEL D. MCLEARY  
LISA MERIWETHER  
JEFFREY P. MILES  
RICARDO MUNOZ, JR.  
MARTIN D. ORTIZ  
MICHAEL S. PIZZATO  
SCOTT A. POCHA  
MICHAEL S. RANDOLPH  
SHAKTI S. SABHARWAL  
STARR M. SEIP  
ANGELA M. STEWARDRANDLE  
JEFFREY A. STEWART  
MICHAEL J. STURKIE  
STEWART H. TANKERSLEY  
OSCAR L. TROCHEMATOS  
KEVIN D. VAUGHN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be colonel*

JEFFREY S. ACREE  
SAMUEL C. ALDRIDGE  
JEAN M. ANDERSON  
YOLANDA ANTHONY  
JOSEPH S. ATKINS  
KULVINDER S. BAJWA  
LEE J. BARTON  
PAULA M. BEHRENS  
RICARDO J. BERRIOS  
OMAR S. BHOLAT  
GEOFFREY BLOOMFIELD  
JOHN H. BORDES, JR.  
WILLIAM H. BOSWORTH  
JACQUELINE J. BRADLEY  
KEVIN M. BRADLEY  
JOHN P. BRIDE, JR.  
ARNOLD D. BRIDGES  
MATTHEW D. BRIDGES  
PATRICK A. BRODIE  
ANDREW T. BRYAN  
JOHN R. BURCHFIELD  
BRUCE E. BURNS  
MARK A. CANNON  
ROBERT P. CASILLAS  
CATHERINE W. CATINA  
MICHAEL J. CEPE  
GREGORY H. CHOW  
JULIA L. CHRISTIAN

ANTONIO DELAROSA  
JAMES G. DELUCA  
GLENN A. DONOVAN  
ANGELA M. DOUGLAS  
MARC T. DOWNING  
JEFFREY DREXLER  
MARC R. DUCHETTE  
ANNE M. EMSHOFF  
LOUIS A. FELICIANO  
PEDRO FLORESRUZ  
DIANE R. FORBES  
KATHLEEN P. FOREMAN  
CAROLYN L. FORRISI  
AMELIA J. FOSTER  
ALAN G. GETTS  
STEVEN L. GLORSKY  
THOMAS S. GRANCHI  
JAMES L. HALEY  
JONATHAN P. HALISCAK  
LUCY A. HALL  
HUNTER A. HAMMILL  
JEFFERY K. HARPSTRITE  
BERNARD S. HARRISON  
KENT E. HARSHBARGER  
DANIEL W. HASH  
CHERYL A. HENDRIX  
PETER J. HENSLEY  
DAVID R. HINCKLEY  
JON A. HINMAN  
DIANA M. HOEK  
PHILLIP S. HOLMES  
GREGORY B. HUGHES  
ERMA J. JACKSON  
JONI J. JOHNSON  
CYRUS KARIMIAN  
MICHAEL S. KILLEN  
DAVID G. KING  
LISA A. KLATKA  
FRANCIS W. KLOTZ  
STEVEN M. KOSTRZEWA  
DIXON A. LACKEY III  
LOREN S. LASATER  
JOHN S. LEE  
PAUL J. LEE  
JOHN F. LOPINTO  
DAVID G. LUKENS  
EARL H. LYNCH  
KATHLEEN A. MALONE  
GEORGE G. MANLONGAT  
JENNIFER A. MARRASTHOS  
STEVEN R. MCCOLLEY  
DANA E. MCDANIEL  
MARY E. MCLAUGHLIN  
MICHELLE C. MCLAUGHLIN  
MARTIN E. MENOSKY  
PAUL F. MESSINA  
GABRIELLA G. MILLER  
JACQUELINE C. MITCHELL  
BRIAN A. MONTGOMERY  
CLARA E. MOSES  
ROBERT L. MOSSER  
THOMAS J. MURPHY  
CLAYTON H. NASH  
MITCHELL NAZARIO  
REGINA C. NOETH  
MATTHEW P. NOVAK  
EDWARD E. ORONSAYE  
MARIA E. OSTRANDER  
NOEL C. PACE  
JIMMY A. PAULK  
EILEEN A. PILLMEIER  
JEFFERY S. PORTER  
MELODY A. QUESENBERRY  
MARGARET J. RAMSDALL  
PETER D. RAY  
FREDERICK A. REMICK, JR.  
RANDY F. RIZOR  
MICHAEL A. ROWLEY  
MARIA SANTIAGOSOSA  
WILLIAM D. SCHAEFER  
PAUL J. SCHENARTS  
DUANE R. SHARPE  
SHIRLEY A. SPENCER  
JOHN F. STECKER III  
KENNETH E. STONE  
MICHAEL C. STYPULA  
ERIC J. TOBIASON  
CAROLINE A. TOFFOLI  
DIANE TRAVER  
ELIZABETH M. TRINIDAD  
ELIZABETH S. TUGAS  
EDWARD L. VANOEVEREN  
SUSAN L. B. WALTON  
SANDRA M. WANKE  
CALVIN W. WASHINGTON  
MELINDA L. WELLBORN  
FRANCIS X. WHALEN  
JEFFREY L. WILSON  
JASON R. WING  
VICKY L. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

##### *To be lieutenant colonel*

MAZEN ABBAS  
JULIE A. AKE  
JOSEPH F. ALDERETE, JR.  
SHANE ANDERSON  
JARED M. ANDREWS  
ALISON L. BATIG

ADRIENA C. BEATTY  
STEPHEN BECKWITH  
ROBERT BEJNAROWICZ  
JENNIFER L. BELL  
CHAD L. BENDER  
JASON W. BENNETT  
EDWARD C. BERGEN  
NICI E. BOTHWELL  
REBECCA A. BOUCHER  
BRANDON D. BROWN  
JON S. CAMPI  
SUYOUNG CHANG  
JASON COLEMAN  
JACOB F. COLLEN  
MISTY C. COWAN  
JOHN M. CSOKMAY  
JEANCLAUDE G. DALLEYRAND  
PATRICK DEPENBROCK  
JUSTIN P. DODGE  
DAVID M. DOMAN  
DAVID DURUSSEL  
NICOLE M. EHRHARDT  
TRACY L. EICHEL  
DAVID ESCOBEDO  
PAUL M. FAESTEL  
DEAN R. FELLABAUM  
KATHLEEN M. FLOCKE  
MICHELLE L. FONTAINE  
LEVI FUNCHES  
DANIEL J. GALLAGHER  
DALE W. GEORGE  
RUSSELL GIESE  
JASON A. GRASSBAUGH  
ADAM T. GROTH  
REY D. L. GUMBOC  
MATTHEW B. HARRISON  
JOSHUA D. HARTZELL  
ALAN F. HELMBOLD  
DAVID C. HILE  
GUYON J. HILL  
SEAN J. HIPPI  
MICHAEL C. HJELKREM  
MATTHEW H. HOEFER  
JOSEPH HUDAK  
JOHN R. HUGHES  
ADAM L. HUILLET  
STEPHEN P. HYLAND  
NICHOLAS JASZCZAK  
JEREMY N. JOHNSON  
YANG E. KAO  
SEAN C. KEENAN  
PATRICK R. KENNY  
SAMEER D. KHATRI  
STEVEN W. KHOO  
DANIEL E. KIM  
JONATHAN KITCHIN  
JEFFREY S. KUNZ  
GREGORY LACY  
JASON S. LANHAM  
MATTHEW A. LAUDIE  
MARK Y. LEE  
ERIK K. LUNDMARK  
JONATHAN B. LUNDY

RODD E. MARCUM  
KATHARINE W. MARKELL  
PETER K. MARLIN  
VINCENT J. MASE, JR.  
SHANNON M. MASNERI  
GABRIELLE MAYBEE  
DANIRA H. MAYES  
KRISTI MCKINNEY  
JOHN J. MCPHERSON  
NIA R. MIDDLETON  
CRISTIN A. MOUNT  
GEORGE R. MOUNT  
THORNTON MU  
TERRY L. MUELLER  
PETER D. MUENCH  
JAMALAH A. MUNIR  
KEITH P. MYERS  
ANICETO J. NAVARRO  
NICHOLAS J. NOCE  
WILLIAM D. OCONNELL  
MICHEAL A. ODLE  
BRUCE A. ONG  
JUAN A. ORTIZPEREZ  
JAMES J. PARK  
JEFFREY T. PARKER  
JONATHAN R. PARKS  
CHRISTOPHER T. PERRY  
WYLAN C. PETERSON  
TRAVIS PFANNENSTIEL  
ERIC PRYOR  
ANITA F. QURESHI  
JASON A. REGULES  
JAMIE C. RIESBERG  
JEFFREY L. ROBERTSON  
MARK J. ROSCHEWSKI  
KIMBERLY C. SALAZAR  
DENNIS M. SARMIENTO  
DAVID J. SCHWARTZ  
DEREK K. SEAQUIST  
MARK SHASHIKANT  
ROBERT SHIH  
NATHAN M. SHUMWAY  
JOSEPH SHVIDLER  
CARL G. SKINNER  
JOHN W. SONG  
DARREN C. SPEARMAN  
MICHAEL P. STANY  
JOSEPH R. STERBIS  
TOIHUNTA STUBBS  
GUY H. TAKAHASHI  
SCOT A. TEBE  
ARTIN TERHAKOPIAN  
WESLEY M. THEURER  
JOHN E. THOMAS  
ROY F. THOMAS  
JEFFREY M. TIEDE  
MICHAEL TODD  
DAWN M. TORRES  
JAIME L. TORRES II  
DAVID B. TROWBRIDGE  
DAVID A. VAN DE CAR  
JEFFERY W. VANDENBROEK  
KATRINA E. WALTERS

SCOTT M. WATERMAN  
JAMES A. WATTS  
MICHAEL A. WIGGINS  
JOSHUA S. WILL  
GARY H. WYNN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be lieutenant colonel*

EDWARD T. BREECHER  
JASON BULLOCK  
LEENA C. CALDWELL  
PAUL COLTHIRST  
LUKE K. DALZELL  
CHAD V. DAWSON  
JEAN R. ELYSEE  
CYNTHIA V. FELEPPA  
THOMAS M. JOHNSON  
YOUNG S. KANG  
DENNIS J. KANTANEN  
PETER KIM  
JAYANTHI KONDAMANI  
LOUIS R. KUBALA  
CHARLES C. LAMBERT  
BENJAMIN R. METHVIN  
JUSTIN N. NAYLOR  
WADE H. OWENS  
MANUEL PELAEZ  
MICHAEL PICCIONE  
CONSTANCE L. SEDON  
THOMAS STARK  
STEPHEN TURELLA  
LEWIS WAYT  
DEMETRES WILLIAMS  
EDWARD M. WISE, JR.

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be commander*

KIMBERLY K. YEAGER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

JAMES D. HARRISON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

KERRIE L. ADAMS  
AMANDA FEIGEL  
ANTONIA J. HENRY

## HOUSE OF REPRESENTATIVES—Monday, June 3, 2013

The House met at 2.p.m. and was called to order by the Speaker pro tempore (Mr. WOMACK).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
June 3, 2013.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: We give You thanks, God of the universe, for giving us another day.

As the various Members of this people's House return, we ask Your blessing upon each as they resume the difficult responsibilities that await them. Give each the wisdom and good judgment needed to give credit to the office they have been honored by their constituencies to fill.

Bless the work of all who serve in their various capacities here in the United States Capitol.

Bless all those who visit the Capitol this day, be they American citizens or visitors or guests of our Nation. May they be inspired by this monument to the noble idea of human freedom and its guarantee by the democratic experiment that is the United States.

God, bless America, and may all that is done this day be for Your greater honor and glory.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### GOD BLESS OUR TROOPS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, during the Memorial Day work period, I was grateful to participate on a congressional delegation visiting with servicemembers and our allies. We went to thank them, but the reality is our new greatest generation has inspired us.

We began at Pristina, Kosovo, where NATO personnel are nurturing a 5-year-old nation with a Muslim majority while respecting the rights of a Christian minority.

In Germany, we thanked the dedicated personnel of Landstuhl Regional Medical Center for lifesaving care of courageous warriors for freedom. At Kaiserslautern, the American City of Germany, we were reassured of Germany's appreciation of America's promoting peace through strength.

Across Afghanistan, we witnessed a developing civil society from the rubble of a Soviet occupation. Our heroic personnel have trained 352,000 Afghans into an effective force to protect the civilian population from cowardly terrorists.

To protect American families at home, we must deny safe havens from terrorists overseas.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

### AMNESTY IS NOT THE ANSWER

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, both the President and the Senate have immigration plans with a central component of amnesty for those who are in the country without the benefit of citizenship.

Past experience has shown us that amnesty hinders us from creating the actual solution to our problems. Remember Congress, in 1986, allowed amnesty during the Reagan administration. We were then promised solutions, but those have not been met.

But let's focus for just a minute on the reality and forget the rhetoric. Which country has been the most wel-

coming to new citizens? Which country has offered the oath of citizenship to more people who chose to legally enter that country? If you look at this chart, you see it on the far end. It's the United States of America, where, in 2010, 1 million new residents were offered the oath of citizenship. That's better than Turkey, better than Belgium, better than Germany.

Look, amnesty will not solve the problems of drug violence and firearms. In Texas, increased border patrol has been asked for but not delivered, and fencing along the southwest border has been canceled.

We already do a good job allowing new citizens into our country. Perhaps if we focus on securing our borders instead of rewarding or offering amnesty, some of the problems would become more manageable.

### STUDENT LOAN RATE HIKES

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, student loan interest rates are scheduled to double July 1 unless the President and Senate act now to remove politics from the rate-setting process.

No amount of White House campaigning will stop the increase. We have to work together. And that shouldn't be hard since House Republicans already share a great deal of common ground with President Obama's own interest rate proposal. He asked for a permanent solution to Washington's interest rate conundrum. He asked that the solution anchor rates in the market and away from election cycles and that it include protections for the most vulnerable. The Smarter Solutions for Students Act, passed by the House with bipartisan support, meets those criteria.

Our solution to stop rates from doubling provides a good starting point for Senate Democrats and President Obama to take action before July 1. The President must not cede this common ground to empty speeches and political posturing.

Let's build on the common ground to keep rates from doubling.

### PRESIDENT'S COMPETENCY CALLED INTO QUESTION

(Mr. BRIDENSTINE asked and was given permission to address the House for 1 minute.)

Mr. BRIDENSTINE. Mr. Speaker, the President's Justice Department sold

weapons to narcoterrorists south of our border who killed one of our finest.

The President's State Department lied about Benghazi with false information provided by the White House.

The President's Attorney General authorized spying on a Fox News journalist and his family for reporting on a North Korean nuclear test.

The President's Justice Department confiscated phone records of the Associated Press because they reported on a thwarted terrorist attack.

The President's Treasury Department uses the IRS to target political opposition.

The President's Health and Human Services Secretary pressures the insurance companies she is supposed to regulate to promote ObamaCare, which is the same law she uses to force citizens to pay for abortion-inducing drugs against their religious liberties.

Mr. Speaker, the President's dishonesty, incompetence, vengefulness, and lack of moral compass lead many to suggest that he is not fit to lead. The only problem is that his Vice President is equally unfit and even more embarrassing.

The SPEAKER pro tempore. The Chair advises Members to refrain from improper references to the President and Vice President.

#### TWENTY-FOURTH ANNIVERSARY OF TIANANMEN SQUARE

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Twenty-four years ago, peaceful, pro-democracy demonstrators gathered in Tiananmen Square were brutally crushed by the People's Liberation Army. The Chinese Government remains frightened by the spirit that animated that protest.

I will submit for the RECORD an article from today's Washington Post, which reported that:

In the 2½ decades since the protests' violent end, China's government has largely scrubbed Tiananmen from history.

In 1991, Congressman CHRIS SMITH and I traveled to China where we visited Beijing Prison Number One, which housed approximately 40 Tiananmen Square protesters. While our request to visit the demonstrators was denied, we left with a pair of socks made by prisoners for export to the West.

The events of the past and the continued repression today are made worse by this administration's failure to prioritize human rights in our relationship with China.

Will President Obama even mention Tiananmen in his summit with the Chinese President this week, or will he abide by the censor's wishes and pretend it never happened?

□ 1410

IT'S 2013

(Mr. MESSER asked and was given permission to address the House for 1 minute.)

Mr. MESSER. Mr. Speaker, it's 2013, and the world is full of successful women, women like my mother, who raised her two sons on her own while working at the Delta Faucet factory in Greensburg.

Some women, like my wife—a successful full-time lawyer and a successful full-time mother—balance career with family and still find time to celebrate good report cards, birthday parties, and family vacations.

Last week, a national debate broke out over reports that 4 out of 10 households now have women as the lead breadwinner. I live in and grew up in two such households.

Strong women are central to today's family, and that is a good thing. I look forward to a time when statistics about the success of women are no longer newsworthy.

#### COMMUNICATION FROM THE OFFICE OF THE LEGISLATIVE COUNSEL

The SPEAKER pro tempore laid before the House the following communication from Peter Szvec, Senior Systems Analyst, Office of the Legislative Counsel:

HOUSE OF REPRESENTATIVES,  
OFFICE OF THE LEGISLATIVE COUNSEL,  
Washington, DC, May 28, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States District Court for the District of Arizona, for witness testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House, except to the extent that questions put to me seek information that is privileged.

Sincerely,

PETER SZVEC,  
Senior System Analyst.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by Speaker pro tempore WOLF on Friday, May 24, 2013:

H.R. 258, to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 11 minutes p.m.), the House stood in recess.

□ 1602

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 4 o'clock and 2 minutes p.m.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record votes on postponed questions will be taken later.

#### SAFEGUARDING AMERICA'S PHARMACEUTICALS ACT OF 2013

Mr. LATTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1919) to amend the Federal Food, Drug, and Cosmetic Act with respect to the pharmaceutical distribution supply chain, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1919

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the "Safeguarding America's Pharmaceuticals Act of 2013".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Pharmaceutical distribution supply chain.
- Sec. 3. Enhanced drug distribution security.
- Sec. 4. National standards for wholesale distributors.
- Sec. 5. National licensure standards for third-party logistics providers.
- Sec. 6. Penalties.
- Sec. 7. Uniform national policy.
- Sec. 8. Electronic labeling.

#### SEC. 2. PHARMACEUTICAL DISTRIBUTION SUPPLY CHAIN.

Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by adding at the end the following:

#### "Subchapter H—Pharmaceutical Distribution Supply Chain

##### "SEC. 581. DEFINITIONS.

"In this subchapter:

"(1) AUTHORIZED.—The term 'authorized' means—



“(A) in the case of a manufacturer or repackager, having a valid registration in accordance with section 510; and

“(B) in the case of a wholesale distributor, third-party logistics provider, or dispenser, licensed (as defined in this section).

“(2) DISPENSER.—The term ‘dispenser’—

“(A) subject to subparagraph (C), means a retail pharmacy, hospital pharmacy, a group of chain pharmacies under common ownership and control, or any other person authorized by law to dispense or administer prescription drugs, to the extent such pharmacy, group, or person does not act as a wholesale distributor;

“(B) includes warehouses and distribution centers under common ownership or control of entities described in subparagraph (A) that are members of an affiliated group pursuant to section 1504(a) of the Internal Revenue Code of 1986, to the extent such warehouses and distribution centers do not act as a wholesale distributor; and

“(C) does not include a person who only dispenses prescription drug product to be used in animals in accordance with section 512(a)(5).

“(3) DISPOSITION.—The term ‘disposition’, with respect to a prescription drug product within the possession and control of an entity—

“(A) means the removal of such prescription drug product, or taking measures to prevent the introduction of such prescription drug product, from the pharmaceutical distribution supply chain; and

“(B) may include disposal, return of the prescription drug product for disposal, or other appropriate handling and other actions such as retaining a sample of the prescription drug product for additional physical examination or laboratory analysis by a manufacturer or regulatory or law enforcement agency.

“(4) DISTRIBUTE OR DISTRIBUTION.—The terms ‘distribute’ and ‘distribution’ mean the sale, purchase, trade, delivery, handling, or storage of a prescription drug product.

“(5) ILLEGITIMATE PRESCRIPTION DRUG PRODUCT.—The term ‘illegitimate prescription drug product’ means a prescription drug product which a manufacturer has confirmed—

“(A) is counterfeit, diverted, or stolen;

“(B) is intentionally adulterated such that the prescription drug product would result in serious adverse health consequences or death to humans; or

“(C) is otherwise unfit for distribution such that the prescription drug product is reasonably likely to cause serious adverse human health consequences or death.

“(6) LICENSED.—The term ‘licensed’ means—

“(A) in the case of a wholesale distributor, having a valid license to make wholesale distributions consistent with the standards under section 583;

“(B) in the case of a third-party logistics provider, having a valid license to engage in the activities of a third-party logistics provider in accordance with section 584; and

“(C) in the case of a dispenser, having a valid license to dispense prescription drugs under State law.

“(7) MANUFACTURER.—The term ‘manufacturer’ means, with respect to a prescription drug product—

“(A) a person that holds an application approved under section 505 or a license issued under section 351 of the Public Health Service Act for such prescription drug product, or if such prescription drug product is not the subject of an approved application or license,

the person who manufactured the prescription drug product;

“(B) a co-licensed partner of the person described in subparagraph (A) that obtains the prescription drug product directly from the person described in such subparagraph; or

“(C) a person that—

“(i) is a member of an affiliated group (as defined in section 1504(a) of the Internal Revenue Code of 1986) to which a person described in subparagraph (A) or (B) is also a member; and

“(ii) receives the prescription drug product directly from a person described in subparagraph (A) or (B).

“(8) PACKAGE.—

“(A) IN GENERAL.—The term ‘package’ means the smallest individual saleable unit of prescription drug product for distribution in interstate commerce by a manufacturer or repackager that is intended by the manufacturer for ultimate sale to the dispenser of such prescription drug product.

“(B) INDIVIDUAL SALEABLE UNIT.—The term ‘individual saleable unit’ means the smallest container of prescription drug product introduced into interstate commerce by the manufacturer or repackager that is intended by the manufacturer for individual sale to a dispenser.

“(9) PRESCRIPTION DRUG.—The term ‘prescription drug’ means a drug for human use subject to section 503(b)(1).

“(10) PRESCRIPTION DRUG PRODUCT.—The term ‘prescription drug product’ means a prescription drug in a finished dosage form for administration to a patient without substantial further manufacturing (such as capsules, tablets, and lyophilized prescription drug products before reconstitution).

“(11) PRESCRIPTION DRUG PRODUCT IDENTIFIER.—The term ‘prescription drug product identifier’ means a standardized graphic that—

“(A) includes the standardized numerical identifier, lot number, and expiration date of a prescription drug product; and

“(B) is in both human-readable form and on a machine-readable data carrier that conforms to the standards developed by a widely recognized international standards development organization.

“(12) QUARANTINE.—The term ‘quarantine’ means to store or identify a product, for the purpose of preventing distribution or transfer of the product, in a physically separate area clearly identified for such use, or through use of other procedures such as automated designation.

“(13) REPACKAGER.—The term ‘repackager’ means a person who owns or operates an establishment that repacks and relabels a prescription drug product or package for further sale or distribution.

“(14) RETURN.—The term ‘return’ means providing prescription drug product to the authorized trading partner or trading partners from which such prescription drug product was purchased or received, or to a returns processor for handling of such prescription drug product.

“(15) RETURNS PROCESSOR.—The terms ‘returns processor’ mean a person who owns or operates an establishment that provides for the disposition of or otherwise processes saleable and nonsaleable prescription drug product received from an authorized trading partner such that the prescription drug product may be processed for credit to the purchaser, manufacturer, seller, or disposed of for no further distribution.

“(16) SPECIFIC PATIENT NEED.—The term ‘specific patient need’—

“(A) means with respect to the transfer of a prescription drug product from one phar-

macy to another, to fill a prescription for an identified patient; and

“(B) does not include the transfer of a prescription drug product from one pharmacy to another for the purpose of increasing or replenishing stock in anticipation of a potential need.

“(17) STANDARDIZED NUMERICAL IDENTIFIER.—The term ‘standardized numerical identifier’ means a set of numbers or characters that—

“(A) is used to uniquely identify each package or homogenous case of the prescription drug product; and

“(B) is composed of the National Drug Code that corresponds to the specific prescription drug product (including the particular package configuration) combined with a unique alphanumeric serial number of up to 20 characters.

“(18) SUSPECT PRESCRIPTION DRUG PRODUCT.—The term ‘suspect prescription drug product’ means a prescription drug product for which there is reason to believe that such prescription drug product—

“(A) is potentially counterfeit, diverted, or stolen;

“(B) is potentially intentionally adulterated such that the prescription drug product would result in serious adverse health consequences or death to humans; or

“(C) appears otherwise unfit for distribution such that the prescription drug product would result in serious adverse health consequences or death to humans.

“(19) THIRD-PARTY LOGISTICS PROVIDER.—The term ‘third-party logistics provider’ means an entity that provides or coordinates warehousing, distribution, or other logistics services of a prescription drug product in interstate commerce on behalf of a manufacturer, wholesale distributor, or dispenser of a prescription drug product, but does not take ownership of the prescription drug product, nor have responsibility to direct the sale or disposition of, the prescription drug product.

“(20) TRADING PARTNER.—The term ‘trading partner’ means—

“(A) a manufacturer, repackager, wholesale distributor, or dispenser from whom a manufacturer, repackager, wholesale distributor, or dispenser accepts ownership of a prescription drug product or to whom a manufacturer, repackager, wholesale distributor, or dispenser transfers ownership of a prescription drug product; or

“(B) a third-party logistics provider from whom a manufacturer, repackager, wholesale distributor, or dispenser accepts possession of a prescription drug product or to whom a manufacturer, repackager, wholesale distributor, or dispenser transfers possession of a prescription drug product.

“(21) TRANSACTION.—

“(A) IN GENERAL.—The term ‘transaction’ means the transfer in interstate commerce of prescription drug product between persons in which a change of ownership occurs.

“(B) EXEMPTIONS.—The term ‘transaction’ does not include—

“(i) intracompany distribution of any prescription drug product, including between members of an affiliated group (as defined in section 1504(a) of the Internal Revenue Code of 1986);

“(ii) the distribution of a prescription drug product among hospitals or other health care entities that are under common control;

“(iii) the distribution of a prescription drug product for emergency medical reasons including a public health emergency declaration pursuant to section 319 of the Public Health Service Act, except that a drug shortage not caused by a public health emergency

shall not constitute an emergency medical reason;

“(iv) the dispensing of a prescription drug product pursuant to a valid prescription executed in accordance with section 503(b)(1);

“(v) the distribution of prescription drug product samples by a manufacturer or a licensed wholesale distributor in accordance with section 503(d);

“(vi) the distribution of blood or blood components intended for transfusion;

“(vii) the distribution of minimal quantities of prescription drug product by a licensed retail pharmacy to a licensed practitioner for office use;

“(viii) the distribution of a prescription drug product by a charitable organization to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

“(ix) the distribution of a prescription drug product pursuant to the sale or merger of a pharmacy or pharmacies or a wholesale distributor or wholesale distributors, except that any records required to be maintained for the prescription drug product shall be transferred to the new owner of the pharmacy or pharmacies or wholesale distributor or wholesale distributors;

“(x) the dispensing of a prescription drug product approved under section 512(b);

“(xi) the transfer of prescription drug products to or from any facility that is licensed by the Nuclear Regulatory Commission or by a State pursuant to an agreement with such Commission under section 274 of the Atomic Energy Act of 1954 (42 U.S.C. 2021);

“(xii) the distribution of a combination product that consists of—

“(I) a product comprised of two or more components that are each a drug, biological product, or device and that are physically, chemically, or otherwise combined or mixed and produced as a single entity;

“(II) two or more separate products packaged together in a single package or as a unit and comprised of a drug and device or a device and biological product; or

“(III) two or more finished devices plus one or more drug or biological products which are packaged together in a medical convenience kit described in clause (xiii);

“(xiii) the distribution of a medical convenience kit which is a collection of finished products (consisting of devices or drugs) assembled in kit form strictly for the convenience of the purchaser or user if—

“(I) the medical convenience kit is assembled in an establishment that is registered with the Food and Drug Administration as a medical device manufacturer;

“(II) the person who manufactures the medical convenience kit purchased the prescription drug product directly from the manufacturer or from a wholesale distributor that purchased the prescription drug product directly from the manufacturer;

“(III) the person who manufactures the medical convenience kit does not alter the primary container or label of the prescription drug product as purchased from the manufacturer or wholesale distributor;

“(IV) the medical convenience kit does not contain a controlled substance (as defined in section 102 of the Controlled Substances Act); and

“(V) the prescription drug products contained in the medical convenience kit are—

“(aa) intravenous solutions intended for the replenishment of fluids and electrolytes;

“(bb) drugs intended to maintain the equilibrium of water and minerals in the body;

“(cc) drugs intended for irrigation or reconstitution;

“(dd) anesthetics;

“(ee) anticoagulants;

“(ff) vasopressors; or

“(gg) sympathicomimetics;

“(xiv) the distribution of an intravenous prescription drug product that, by its formulation, is intended for the replenishment of fluids and electrolytes (such as sodium, chloride, and potassium) or calories (such as dextrose and amino acids);

“(xv) the distribution of an intravenous prescription drug product used to maintain the equilibrium of water and minerals in the body, such as dialysis solutions;

“(xvi) the distribution of a prescription drug product that is intended for irrigation or reconstitution, or sterile water, whether intended for such purposes or for injection;

“(xvii) the distribution of compressed medical gas; or

“(xviii)(I) the distribution of a product by a dispenser, or a wholesale distributor acting at the direction of the dispenser, to a repackager registered under section 510 for the purpose of repackaging the drug for use by that dispenser or another health care entity that is under the dispenser's ownership or control, so long as the dispenser retains ownership of the prescription drug product; and

“(II) the saleable or non-saleable return by such repackager of such prescription drug product.

“(C) COMPRESSED MEDICAL GAS.—For purposes of subparagraph (B)(xvii), the term ‘compressed medical gas’ means any substance in its gaseous or cryogenic liquid form that meets medical purity standards and has application in a medical or homecare environment, including oxygen and nitrous oxide.

“(22) TRANSACTION HISTORY.—The term ‘transaction history’ means a statement that—

“(A) includes the transaction information for each transaction conducted with respect to a prescription drug product beginning with the manufacturer or initial purchase distributor; and

“(B) is in paper or electronic form.

“(23) TRANSACTION INFORMATION.—The term ‘transaction information’ means—

“(A) the proprietary or established name or names of the prescription drug product;

“(B) the strength and dosage form of the prescription drug product;

“(C) the National Drug Code number of the prescription drug product;

“(D) the container size;

“(E) the number of containers;

“(F) the lot number of the prescription drug product;

“(G) the date of the transaction;

“(H) the business name and address of the person from whom ownership is being transferred; and

“(I) the business name and address of the person to whom ownership is being transferred.

“(24) TRANSACTION STATEMENT.—The ‘transaction statement’ is a statement, which states that the manufacturer, repackager, wholesale distributor, third-party logistics provider, or dispenser transferring ownership in a transaction—

“(A) is authorized;

“(B) received transaction information and a transaction statement as required under section 582 from the prior owner of the prescription drug product;

“(C) did not knowingly and intentionally ship an illegitimate prescription drug product;

“(D) did not knowingly and intentionally provide false transaction information; and

“(E) did not knowingly and intentionally alter the transaction history.

“(25) VERIFICATION AND VERIFY.—The terms ‘verification’ and ‘verify’—

“(A) mean determining whether the prescription drug product identifier affixed to, or imprinted upon, a package or homogeneous case of the prescription drug product corresponds to the standardized numerical identifier or lot number, and expiration date assigned to the prescription drug product by the manufacturer or the repackager, as applicable; and

“(B) include making the determination under subparagraph (A) using human-readable or machine-readable methods.

“(26) WHOLESALE DISTRIBUTOR.—The term ‘wholesale distributor’—

“(A) means a person engaged in wholesale distribution (as defined in section 583); and

“(B) excludes—

“(i) a manufacturer, a co-licensed partner of a manufacturer, or a third-party logistics provider, or a dispenser who does not engage in such wholesale distribution;

“(ii) a repackager engaged in such wholesale distribution; or

“(iii) the distribution of prescription drug product or an offer to distribute prescription drug product by an authorized repackager that has taken ownership or possession of the prescription drug product and repacked the prescription drug product in accordance with the requirements of section 582(e).

#### “SEC. 582. REQUIREMENTS.

“(a) IN GENERAL.—

“(1) COMPLIANCE REQUIRED.—An entity that is a manufacturer, repackager, wholesale distributor, third-party logistics provider, or dispenser shall comply with the requirements of this section. If an entity meets the definition of more than one of the entities referred to in the preceding sentence, such entity shall comply with all applicable requirements of this section, but shall not be required to comply with duplicative requirements.

“(2) STANDARDS.—The Secretary shall, in consultation with other appropriate Federal officials, manufacturers, repackagers, wholesale distributors, third-party logistics providers, and dispensers, establish, by regulation, standards for the exchange of transaction history and transaction statement (in paper or electronic form) for purposes of complying with this section. The standards established under this paragraph shall be in accordance with a form developed by a widely recognized international standards development organization. In establishing such standards, the Secretary shall consider the feasibility of establishing standardized documentation to be used by all members of the pharmaceutical distribution supply chain to convey the transaction history and transaction statement to the subsequent owner of a prescription drug product. The Secretary shall publish such standards not later than 180 days after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013.

“(3) WAIVERS, EXCEPTIONS, AND EXEMPTIONS.—Not later than one year after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, the Secretary shall promulgate a regulation to—

“(A) establish a process by which the Secretary may grant, at the request of an authorized manufacturer, repackager, wholesale distributor, or dispenser, a waiver from any of the requirements of this section—

“(i) if the Secretary determines that such requirements would result in an undue economic hardship; or

“(ii) for emergency medical reasons, including a public health emergency declaration pursuant to section 319 of the Public Health Service Act;

“(B) establish a process, with respect to the prescription drug product identifier requirement under paragraph (2) of subsections (b), (c), (d), and (e) through which—

“(i) a manufacturer or repackager may request a waiver with respect to prescription drug products that are packaged in a container too small or otherwise unable to accommodate a label with sufficient space to bear the information required for compliance with such requirement; and

“(ii) the Secretary determines whether to waive such requirement; and

“(C) establish a process by which the Secretary may add the prescription drug products or transactions that are exempt from the requirements of this section.

“(4) GRANDFATHERED PERSONS AND PRESCRIPTION DRUG PRODUCTS.—

“(A) IN GENERAL.—Not later than one year after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, the Secretary shall specify, by regulation, whether and under what circumstances the prescription drug product identifier requirement under paragraph (2) of subsections (b), (c), (d), and (e) shall apply to a prescription drug product that is in the supply chain or in a manufacturer's inventory on the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013.

“(B) THIRD-PARTY LOGISTICS PROVIDER LICENSES.—Until the date that is 1 year after the effective date of the third-party logistics provider licensing requirements under section 584, a third-party logistics provider shall be considered ‘licensed’ under section 581(6)(B) unless the Secretary has made a finding that the third-party logistics provider does not utilize good handling and distribution practices and publishes notice thereof.

“(C) LABEL CHANGES.—Changes made to package labels solely to incorporate the prescription drug product identifier may be submitted to the Secretary in the annual report of an establishment, in accordance with section 314.70(d) of chapter 21, Code of Federal Regulations (or any successor regulation).

“(b) MANUFACTURER REQUIREMENTS.—

“(1) PRESCRIPTION DRUG PRODUCT TRACKING.—

“(A) IN GENERAL.—Beginning not later than January 1, 2015, a manufacturer shall—

“(i) prior to, or at the time of, each transaction in which such manufacturer transfers ownership of a prescription drug product—

“(I) until the date that is 5 years after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, provide the subsequent owner with the transaction history and a transaction statement in a single document in paper or electronic form; and

“(II) on or after such date, provide the subsequent owner with the transaction history and a transaction statement in electronic form; and

“(ii) maintain the transaction information for each such transaction for not less than 3 years after the date of the transaction.

“(B) REQUESTS FOR INFORMATION.—Upon a request by the Secretary or other appropriate Federal or State official, in the event of a recall or for the purpose of investigating a suspect prescription drug product or an illegitimate prescription drug product, a manufacturer shall, not later than 2 business days after receiving the request or in such reasonable time as determined by the Sec-

retary, provide to the Secretary or other official, the applicable transaction history and transaction statement for the prescription drug product.

“(2) PRESCRIPTION DRUG PRODUCT IDENTIFIER.—Beginning not later than 5 years after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, a manufacturer shall affix or imprint a prescription drug product identifier on each package and homogenous case of a prescription drug product intended to be introduced in a transaction. Such manufacturer shall maintain the information in the prescription drug product identifier for such prescription drug product for not less than 3 years after the date of the transaction.

“(3) AUTHORIZED TRADING PARTNERS.—Beginning not later than January 1, 2015, a manufacturer shall ensure that each of its trading partners is authorized.

“(4) LIST OF AUTHORIZED DISTRIBUTORS OF RECORD.—Beginning not later than January 1, 2015, each manufacturer of a prescription drug shall—

“(A) maintain a list of the authorized distributors of record of such drug at the corporate offices of such manufacturer;

“(B) make such list publicly available, including placement on the Internet Website of such manufacturer; and

“(C) update such list not less than once per quarter.

“(5) VERIFICATION.—Beginning not later than January 1, 2015, a manufacturer shall implement systems and processes to enable the manufacturer to comply with the following requirements:

“(A) SUSPECT PRESCRIPTION DRUG PRODUCT.—

“(i) IN GENERAL.—Upon making a determination that a prescription drug product in the possession or control of the manufacturer is a suspect prescription drug product, or upon receiving a request for verification from the Secretary that a prescription drug product within the possession or control of a manufacturer is a suspect prescription drug product, a manufacturer shall promptly conduct an investigation in coordination with trading partners, as applicable, to determine whether the prescription drug product is an illegitimate prescription drug product. Beginning not later than 5 years after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, such investigation shall include—

“(I) verifying the prescription drug product at the package level;

“(II) validating any applicable transaction history in the possession of the manufacturer; and

“(III) otherwise investigating to determine whether the prescription drug product is an illegitimate prescription drug product.

“(ii) CLEARED PRESCRIPTION DRUG PRODUCT.—If the manufacturer determines that a suspect prescription drug product is not an illegitimate prescription drug product, the manufacturer shall promptly notify the Secretary of such determination and such prescription drug product may be further distributed.

“(iii) RECORDS.—A manufacturer shall keep records of its investigation of a suspect prescription drug product for not less than 3 years after the conclusion of the investigation.

“(B) ILLEGITIMATE PRESCRIPTION DRUG PRODUCT.—

“(i) IN GENERAL.—Upon determining that a prescription drug product in the possession or control of a manufacturer is an illegitimate prescription drug product, the manufacturer shall—

“(I) quarantine such prescription drug product from prescription drug product intended for distribution; and

“(II) provide for the disposition of the illegitimate prescription drug product.

“(ii) TRADING PARTNER.—Upon determining that a prescription drug product in the possession or control of a trading partner is an illegitimate prescription drug product, the manufacturer shall take reasonable steps to assist a trading partner to provide for the disposition of the illegitimate prescription drug product.

“(iii) MAKING A NOTIFICATION.—Upon determining that a prescription drug product in the possession or control of the manufacturer is an illegitimate prescription drug product, the manufacturer shall notify the Secretary of such determination not later than 24 hours after making such determination. The Secretary shall determine whether additional trading partner notification is appropriate.

“(iv) RESPONDING TO A NOTIFICATION.—Upon the receipt of a notification from the Secretary that a determination has been made that a prescription drug product is an illegitimate prescription drug product, a manufacturer shall—

“(I) identify all illegitimate prescription drug products that are subject to such notification and in the possession or control of the manufacturer, including any prescription drug product that is subsequently received; and

“(II) perform the activities described in clause (i).

“(v) RECORDS.—A manufacturer shall keep records of the disposition of an illegitimate prescription drug product for not less than 3 years after the conclusion of the disposition.

“(C) ELECTRONIC DATABASE.—A manufacturer may satisfy the requirements of this paragraph through the use of a secure electronic database developed and operated by the manufacturer or another entity. The owner of such database shall establish the requirements and processes to respond to requests and may provide for data access to other members of the pharmaceutical distribution supply chain, as appropriate. The development and operation of such a database shall not relieve a manufacturer of the requirement under this paragraph to respond to a verification request submitted by means other than a secure electronic database.

“(D) RETURNED PRESCRIPTION DRUG PRODUCT.—Beginning not later than 5 years after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, upon receipt of a returned prescription drug product that the manufacturer intends to further distribute, before further distributing such prescription drug product, the manufacturer shall—

“(i) verify the prescription drug product identifier for each sealed homogeneous case of such prescription drug product; or

“(ii) if such prescription drug product is not in a sealed homogeneous case, verify the prescription drug product identifier on each package.

“(c) WHOLESALE DISTRIBUTOR REQUIREMENTS.—

“(1) PRESCRIPTION DRUG PRODUCT TRACKING.—

“(A) IN GENERAL.—Beginning not later than April 1, 2015, a wholesale distributor shall—

“(i) not accept ownership of a prescription drug product unless the previous owner prior to, or at the time of, the transaction provides the applicable transaction history and a transaction statement for the prescription drug product;

“(ii) subject to clause (iv), prior to, or at the time of, each transaction in which the wholesale distributor transfers ownership of a prescription drug product—

“(I) in the case that the wholesale distributor purchased the prescription drug product directly from the manufacturer, the exclusive distributor of the manufacturer, or a repackager that purchased directly from the manufacturer, provide the subsequent owner with transaction history and a transaction statement for the prescription drug product—

“(aa) if the subsequent owner is a dispenser, on a single document in paper or electronic form; or

“(bb) if the subsequent owner is a wholesale distributor, through any combination of self-generated paper, electronic data, or manufacturer-provided information on the product package;

“(II) in the case that the wholesale distributor did not purchase the prescription drug product as described in subclause (I)—

“(aa) provide the subsequent owner with the transaction history and a transaction statement beginning with the wholesale distributor that did so purchase the prescription drug product in paper or electronic form; or

“(bb) pursuant to a written agreement between the wholesale distributor and a dispenser, maintain the transaction history and transaction statement on behalf of the dispenser and if requested by the dispenser, provide the transaction history and transaction statement to the dispenser in paper or electronic form in a timely manner so as to permit the dispenser to comply with requests pursuant to subsection (d)(1)(D);

“(iii) maintain the transaction information for each transaction described in clauses (i) and (ii) for not less than 3 years after the transaction; and

“(iv) on or after the date that is 5 years after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, provide the transaction history and transaction statement in electronic form.

“(B) INCLUSION OF LOT NUMBER IN TRANSACTION HISTORY.—Until the date that is 5 years after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, the transaction history provided by a wholesale distributor under this paragraph shall not be required to include the lot number of the product or the initial date of the transaction from the manufacturer (as such terms are used in subparagraphs (F) and (G) of section 581(23)).

“(C) RETURNS EXCEPTION.—

“(i) SALEABLE RETURNS.—Notwithstanding subparagraph (A), a wholesale distributor may—

“(I) accept returned prescription drug product without a transaction history from a dispenser or repackager; and

“(II) distribute such returned prescription drug product with a transaction history that begins with the wholesale distributor that so accepted the returned product.

“(ii) NONSALEABLE RETURNS.—A wholesale distributor may return a nonsaleable prescription drug to the manufacturer or repackager, to the wholesale distributor from whom such prescription drug was purchased, or to a person acting on behalf of such a person, including a returns processor, without providing the information required under subparagraph (A).

“(D) REQUESTS FOR INFORMATION.—Upon a request by the Secretary or other appropriate Federal or State official, in the event of a recall or for the purpose of investigating

a suspect prescription drug product or an illegitimate prescription drug product a wholesale distributor shall, not later than 2 business days after receiving the request or in such other reasonable time as determined by the Secretary, provide the applicable transaction history and transaction statements for the prescription drug product.

“(2) PRESCRIPTION DRUG PRODUCT IDENTIFIER.—Beginning not later than 7 years after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, a wholesale distributor may engage in transactions involving a prescription drug product only if such prescription drug product is encoded with a prescription drug product identifier, except as provided in subsection (a)(4).

“(3) AUTHORIZED TRADING PARTNERS.—Beginning not later than January 1, 2015, a wholesale distributor shall ensure that each of its trading partners is authorized.

“(4) VERIFICATION.—Beginning not later than April 1, 2015, a wholesale distributor shall implement systems to enable the wholesale distributor to comply with the following requirements:

“(A) SUSPECT PRESCRIPTION DRUG PRODUCT.—

“(i) IN GENERAL.—Upon making a determination that a prescription drug product in the possession or control of the wholesale distributor is a suspect prescription drug product, or upon receiving a request for verification from the Secretary that a prescription drug product within the possession or control of a wholesale distributor is a suspect prescription drug product, a wholesale distributor shall promptly conduct an investigation to determine whether the prescription drug product is an illegitimate prescription drug product. Beginning not later than 7 years after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, such investigation shall include—

“(I) verifying a package of the prescription drug product;

“(II) validating any applicable transaction history in the possession of the wholesale distributor; and

“(III) otherwise investigating to determine whether the prescription drug product is an illegitimate prescription drug product.

“(ii) CLEARED PRESCRIPTION DRUG PRODUCT.—If the wholesale distributor determines that a suspect prescription drug product is not an illegitimate prescription drug product, the wholesale distributor shall promptly notify the Secretary of such determination and such prescription drug product may be further distributed.

“(iii) RECORDS.—A wholesale distributor shall keep records of its investigation of a suspect prescription drug product for not less than 3 years after the conclusion of the investigation.

“(B) ILLEGITIMATE PRESCRIPTION DRUG PRODUCT.—

“(i) IN GENERAL.—Upon receiving notice that a manufacturer of a prescription drug product has determined that a prescription drug product in the possession or control of a wholesale distributor is an illegitimate prescription drug product, the wholesale distributor shall—

“(I) quarantine such prescription drug product within the possession or control of the wholesale distributor from prescription drug product intended for distribution; and

“(II) provide for the disposition of the illegitimate prescription drug product within the possession or control of the wholesale distributor.

“(ii) TRADING PARTNER.—Upon determining that a prescription drug product in the possession or control of a trading partner is an illegitimate prescription drug product, the wholesale distributor shall take reasonable steps to assist a trading partner to provide for the disposition of the illegitimate prescription drug product.

“(iii) MAKING A NOTIFICATION.—Upon determining that a prescription drug product in the possession or control of the wholesale distributor is an illegitimate prescription drug product, the wholesale distributor shall notify the Secretary of such determination not later than 24 hours after making such determination. The Secretary shall determine whether additional trading partner notification is appropriate.

“(iv) RESPONDING TO A NOTIFICATION.—Upon the receipt of a notification from the Secretary that a determination has been made that a prescription drug product is an illegitimate prescription drug product, a wholesale distributor shall—

“(I) identify all illegitimate prescription drug products subject to such notification that are in the possession or control of the wholesale distributor, including any such prescription drug product that is subsequently received; and

“(II) perform the activities described in clause (i).

“(v) RECORDS.—A wholesale distributor shall keep records of the disposition of an illegitimate prescription drug product for not less than 3 years after the conclusion of the disposition.

“(C) ELECTRONIC DATABASE.—A wholesale distributor may satisfy the requirements of this paragraph through the use of a secure electronic database developed and operated by the manufacturer or another entity. The owner of such database shall establish the requirements and processes to respond to requests and may provide for data access to other members of the pharmaceutical distribution supply chain, as appropriate. The development and operation of such a database shall not relieve a wholesale distributor of the requirement under this paragraph to respond to a verification request submitted by means other than a secure electronic database.

“(D) RETURNED PRESCRIPTION DRUG PRODUCT.—Beginning not later than 7 years after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, upon receipt of a returned prescription drug product that the wholesale distributor intends to further distribute, before further distributing such prescription drug product, the wholesale distributor shall—

“(i) verify the prescription drug product identifier for each sealed homogeneous case of such prescription drug product; or

“(ii) if such prescription drug product is not in a sealed homogeneous case, verify the prescription drug product identifier on each package.

“(d) DISPENSER REQUIREMENTS.—

“(1) PRESCRIPTION DRUG PRODUCT TRACKING.—

“(A) IN GENERAL.—Beginning not later than July 1, 2015, a dispenser—

“(i) shall not accept ownership of a prescription drug product, unless the previous owner prior to, or at the time of, the transaction, provides transaction history and a transaction statement;

“(ii) prior to, or at the time of, each transaction in which the dispenser transfers ownership of a prescription drug product (but not including dispensing to a patient or returns) shall provide the subsequent owner

with transaction history and a transaction statement for the prescription drug product, except that the requirements of this clause shall not apply to sales by a dispenser to another dispenser to fulfill a specific patient need; and

“(iii) shall maintain transaction information for a period of not less than 3 years after the date of the transaction.

“(B) AGREEMENTS WITH THIRD PARTIES.—A dispenser may enter into a written agreement with a third party, including an authorized wholesale distributor, under which the third party confidentially maintains the transaction information required to be maintained under this subsection on behalf of the dispenser. If a dispenser enters into such an agreement, the dispenser shall maintain a copy of the written agreement.

“(C) RETURNS EXCEPTION.—

“(i) SALEABLE RETURNS.—Notwithstanding subparagraph (A)(ii), a dispenser may return prescription drug product to the trading partner from which the dispenser obtained the prescription drug product without providing the information required under such subparagraph.

“(ii) NONSALEABLE RETURNS.—Notwithstanding subparagraph (A)(ii), a dispenser may return a nonsaleable prescription drug to the manufacturer or repackager, to the wholesale distributor from whom such prescription drug was purchased, to a returns processor, or to a person acting on behalf of such persons without providing the information required under such subparagraph.

“(D) REQUESTS FOR INFORMATION.—Upon a request by the Secretary or other appropriate Federal or State official, in the event of a recall or for the purpose of investigating a suspect prescription drug product or an illegitimate prescription drug product—

“(i) a dispenser shall not later than 2 business days after receiving the request or in another such reasonable time as determined by the Secretary, provide the applicable transaction history and transaction statement which the dispenser received from the previous owner;

“(ii) the information provided by the dispenser under clause (i) is not required to include the lot number of the product, the initial date of the transaction, or the initial date of the shipment from the manufacturer unless such information was provided electronically by the previous owner, manufacturer, or wholesale distributor to the dispenser; and

“(iii) a dispenser may respond to the request by providing the paper documentation received from the previous owner or by providing electronic information.

“(2) PRESCRIPTION DRUG PRODUCT IDENTIFIER.—Beginning not later than 8 years after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, a dispenser may engage in transactions involving a prescription drug product only if such prescription drug product is encoded with a prescription drug product identifier, except as provided in subsection (a)(4).

“(3) AUTHORIZED TRADING PARTNERS.—Beginning not later than January 1, 2015, a dispenser shall ensure that each of its trading partners is authorized.

“(4) VERIFICATION.—Beginning not later than January 1, 2015, a dispenser shall implement systems to enable the dispenser to comply with the following requirements:

“(A) SUSPECT PRESCRIPTION DRUG PRODUCT.—

“(i) IN GENERAL.—Upon making a determination that a prescription drug product in the possession or control of the dispenser is

a suspect prescription drug product, or upon receiving a request for verification from the Secretary that a prescription drug product within the possession or control of a dispenser is a suspect prescription drug product, a dispenser shall promptly conduct an investigation to determine whether the prescription drug product is an illegitimate prescription drug product. Such investigation shall include—

“(I) verifying whether the lot number of a suspect prescription drug product corresponds with the lot number for such prescription drug product;

“(II) beginning 8 years after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, verifying that the product identifier of at least 3 packages or 10 percent of such suspect prescription drug product, whichever is greater, or all packages, if there are fewer than 3, corresponds with the prescription drug product identifier for such product;

“(III) validating any applicable transaction history in the possession of the dispenser; and

“(IV) otherwise investigating to determine whether the prescription drug product is an illegitimate prescription drug product.

“(ii) CLEARED PRESCRIPTION DRUG PRODUCT.—If the dispenser makes the determination that a suspect prescription drug product is not an illegitimate prescription drug product, the dispenser shall promptly notify the Secretary of such determination and such prescription drug product may be further dispensed.

“(iii) RECORDS.—A dispenser shall keep records of its investigation of a suspect prescription drug product for not less than 3 years after the conclusion of the investigation.

“(B) ILLEGITIMATE PRESCRIPTION DRUG PRODUCT.—

“(i) IN GENERAL.—Upon receiving notice that a manufacturer of a prescription drug product has determined that a prescription drug product in the possession or control of a dispenser is an illegitimate prescription drug product, the dispenser shall—

“(I) quarantine such prescription drug product within the possession or control of the dispenser from prescription drug product intended for distribution; and

“(II) provide for the disposition of the illegitimate prescription drug product within the possession or control of the dispenser.

“(ii) TRADING PARTNERS.—Upon determining that a prescription drug product in the possession or control of a trading partner is an illegitimate prescription drug product, the dispenser shall take reasonable steps to assist a trading partner to provide for the disposition of the illegitimate prescription drug product.

“(iii) MAKING A NOTIFICATION.—Upon determining that a prescription drug product in the possession or control of the dispenser is an illegitimate prescription drug product, the dispenser shall notify the Secretary of such determination not later than 24 hours after making such determination. The Secretary shall determine whether additional trading partner notification is appropriate.

“(iv) RESPONDING TO A NOTIFICATION.—Upon the receipt of a notification from the Secretary that a determination has been made that a prescription drug product is an illegitimate prescription drug product, a dispenser shall—

“(I) identify all illegitimate prescription drug products that are subject to such notification and in the possession or control of the dispenser, including any such prescription

drug product that is subsequently received; and

“(II) perform the activities described in clause (i).

“(v) RECORDS.—A dispenser shall keep records of the disposition of an illegitimate prescription drug product for not less than 3 years after the conclusion of the disposition.

“(C) ELECTRONIC DATABASE.—A dispenser may satisfy the requirements of this paragraph through the use of a secure electronic database developed and operated by the manufacturer or another entity. The owner of such database shall establish the requirements and processes to enable responding to requests and may provide for data access to other members of the pharmaceutical distribution supply chain, as appropriate. The development and operation of such a database shall not relieve a dispenser of the requirement under this paragraph to respond to a verification request submitted by means other than a secure electronic database.

“(e) REPACKAGER REQUIREMENTS.—

“(1) PRESCRIPTION DRUG PRODUCT TRACKING.—

“(A) IN GENERAL.—Beginning not later than April 1, 2015, with respect to a prescription drug product received by a repackager from a wholesale distributor, and beginning not later than January 1, 2015, with respect to any other prescription drug product, a repackager shall—

“(i) not accept ownership of a prescription drug product unless the previous owner, prior to, or at the time of, the transaction, provides transaction history and a transaction statement for the prescription drug product;

“(ii) prior to, or at the time of, each transaction in which the repackager transfers ownership of a prescription drug product, provide the subsequent owner with transaction history and a transaction statement;

“(iii) maintain the transaction information for each transaction described in clause (i) or (ii) for not less than 3 years after the transaction; and

“(iv) maintain records that allow the repackager to associate the prescription drug product identifier the repackager affixes or imprints with the prescription drug product identifier assigned by the original manufacturer of the prescription drug product.

“(B) RETURNS EXCEPTION.—Notwithstanding subparagraph (A)(ii), a repackager may return prescription drug product to the trading partner from whom the repackager obtained the prescription drug product without providing the information required under such subparagraph.

“(C) REQUESTS FOR INFORMATION.—Upon a request by the Secretary or other appropriate Federal or State official, in the event of a recall or for the purpose of investigating a suspect prescription drug product or an illegitimate prescription drug product, a repackager shall, not later than 2 business days after receiving the request or in such other reasonable time as determined by the Secretary, provide the applicable transaction history and transaction statement for the prescription drug product.

“(2) PRESCRIPTION DRUG PRODUCT IDENTIFIER.—Beginning not later than 6 years after the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, a repackager—

“(A) shall affix or imprint a prescription drug product identifier to each package and homogenous case of prescription drug product intended to be introduced in a transaction;

“(B) shall maintain the prescription drug product identifier for such prescription drug

product for not less than 3 years after the date of the transaction; and

“(C) may engage in transactions involving a prescription drug product only if such prescription drug product is encoded with a prescription drug product identifier except as provided in subsection (a)(4).

“(3) AUTHORIZED TRADING PARTNERS.—Beginning on January 1, 2015, a repackager shall ensure that each of its trading partners is authorized.

“(4) VERIFICATION.—Beginning not later than January 1, 2015, a repackager shall implement systems to enable the repackager to comply with the following requirements:

“(A) SUSPECT PRESCRIPTION DRUG PRODUCT.—

“(i) IN GENERAL.—Upon making a determination that a prescription drug product in the possession or control of the repackager is a suspect prescription drug product, or upon receiving a request for verification from the Secretary that a prescription drug product within the possession or control of a repackager is a suspect prescription drug product, a repackager shall promptly conduct an investigation to determine whether the prescription drug product is an illegitimate prescription drug product, including—

“(I) beginning not later than 6 years after the date of the enactment of the Safe-guarding America's Pharmaceuticals Act of 2013, verifying the prescription drug product at the package level;

“(II) validating any applicable transaction information in the possession of the repackager; and

“(III) otherwise investigating to determine whether the prescription drug product is an illegitimate prescription drug product.

“(ii) CLEARED PRESCRIPTION DRUG PRODUCT.—If the repackager determines that a suspect prescription drug product is not an illegitimate prescription drug product, the repackager shall promptly notify the Secretary of such determination and such prescription drug product may be further distributed.

“(iii) RECORDS.—A repackager shall keep records of its investigation of a suspect prescription drug product for not less than 3 years after the conclusion of the investigation.

“(B) ILLEGITIMATE PRESCRIPTION DRUG PRODUCT.—

“(i) IN GENERAL.—Upon receiving notice that a manufacturer of a prescription drug product has determined that a prescription drug product in the possession or control of a repackager is an illegitimate prescription drug product, the repackager shall—

“(I) quarantine such prescription drug product within the possession or control of the repackager from prescription drug product intended for distribution; and

“(II) provide for the disposition of the illegitimate prescription drug product within the possession or control of the repackager.

“(ii) TRADING PARTNER.—Upon determining that a prescription drug product in the possession or control of a trading partner is an illegitimate prescription drug product, the repackagers shall take reasonable steps to assist the trading partner to provide for the disposition of the illegitimate prescription drug product.

“(iii) MAKING A NOTIFICATION.—Upon determining that a prescription drug product in the possession or control of the repackager is an illegitimate prescription drug product, the repackager shall notify the Secretary of such determination not later than 24 hours after making such determination. The Secretary shall determine whether additional trading partner notification is appropriate.

“(iv) RESPONDING TO A NOTIFICATION.—Upon the receipt of a notification from the Secretary that a determination has been made that a prescription drug product is an illegitimate prescription drug product, a repackager shall—

“(I) identify all illegitimate prescription drug products that are subject to such notification and in the possession or control of the repackager, including any such prescription drug product that is subsequently received; and

“(II) perform the activities described in clause (i).

“(v) RECORDS.—A repackager shall keep records of the disposition of an illegitimate prescription drug product for not less than 3 years after the conclusion of the disposition.

“(C) ELECTRONIC DATABASE.—A repackager may satisfy the requirements of this paragraph through the use of a secure electronic database developed and operated by the manufacturer or another entity. The owner of such database shall establish the requirements and processes to respond to requests and may provide for data access to other members of the pharmaceutical distribution supply chain, as appropriate. The development and operation of such a database shall not relieve a repackager of the requirement under this paragraph to respond to a verification request submitted by means other than a secure electronic database.

“(D) RETURNED PRESCRIPTION DRUG PRODUCT.—Beginning not later than 6 years after the date of the enactment of the Safe-guarding America's Pharmaceuticals Act of 2013, upon receipt of a returned prescription drug product that the repackager intends to further distribute, before further distributing such prescription drug product, the repackager shall—

“(i) verify the prescription drug product identifier for each sealed homogeneous case of such prescription drug product; or

“(ii) if such prescription drug product is not in a sealed homogeneous case, verify the prescription drug product identifier on each package.

“(f) THIRD-PARTY LOGISTICS PROVIDER REQUIREMENTS.—

“(1) AUTHORIZED TRADING PARTNERS.—Beginning on January 1, 2015, a third-party logistics provider shall ensure that each of its trading partners is authorized.

“(2) VERIFICATION.—Beginning not later than January 1, 2015, a third-party logistics provider shall implement systems to enable the third-party logistics provider to comply with the following requirements:

“(A) SUSPECT PRESCRIPTION DRUG PRODUCT.—

“(i) IN GENERAL.—Upon making a determination that a prescription drug product in the possession or control of a third-party logistics provider is a suspect prescription drug product, a third-party logistics provider shall promptly notify the owner of such prescription drug product of the need to conduct an investigation to determine whether the prescription drug product is an illegitimate prescription drug product.

“(ii) CLEARED PRESCRIPTION DRUG PRODUCT.—If the owner of the prescription drug product notifies the third-party logistics provider of the determination that a suspect prescription drug product is not an illegitimate prescription drug product, such prescription drug product may be further distributed.

“(iii) RECORDS.—A third-party logistics provider shall keep records of the activities described in clauses (i) and (ii) with respect to a suspect prescription drug product for

not less than 3 years after the conclusion of the investigation.

“(B) ILLEGITIMATE PRESCRIPTION DRUG PRODUCT.—

“(i) IN GENERAL.—Upon receiving notice that a manufacturer of a prescription drug product has determined that a prescription drug product in the possession or control of a third-party logistics provider is an illegitimate prescription drug product, the third-party logistics provider shall—

“(I) quarantine such prescription drug product within the possession or control of the third-party logistics provider from prescription drug product intended for distribution;

“(II) promptly notify the owner of such prescription drug product of the need to provide for the disposition of such prescription drug product; and

“(III) promptly transfer possession of the prescription drug product to the owner of such prescription drug product to provide for the disposition of the prescription drug product.

“(ii) MAKING A NOTIFICATION.—Upon determining that a prescription drug product in the possession or control of the third-party logistics provider is an illegitimate prescription drug product, the third-party logistics provider shall notify the Secretary not later than 24 hours after making such determination. The Secretary shall determine whether additional trading partner notification is appropriate.

“(iii) RESPONDING TO A NOTIFICATION.—Upon the receipt of a notification from the Secretary, a third-party logistics provider shall—

“(I) identify all illegitimate prescription drug products subject to such notification that are in the possession or control of the third-party logistics provider, including any such prescription drug product that is subsequently received; and

“(II) perform the activities described in clause (i).

“(iv) RECORDS.—A third-party logistics provider shall keep records of the activities described in clauses (i) and (ii) with respect to an illegitimate prescription drug product for not less than 3 years after the conclusion of the disposition.

“(g) DROP SHIPMENTS.—This section does not apply to any entity, notwithstanding its status as a wholesale distributor or repackager, or other status that is not involved in the physical handling, distribution, or storage of a prescription drug product. For purposes of this subsection, facilitating the distribution of a prescription drug product by providing various administrative services, including processing of orders and payments, shall not, by itself, be construed as being involved in the handling, distribution, or storage of a prescription drug product.”

### SEC. 3. ENHANCED DRUG DISTRIBUTION SECURITY.

#### (a) PILOT PROJECTS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall establish one or more pilot projects in coordination with manufacturers, repackagers, wholesale distributors, third-party logistics providers, and dispensers to explore and evaluate methods to enhance the safety and security of the pharmaceutical distribution supply chain.

#### (2) CONTENT.—

(A) IN GENERAL.—The Secretary shall ensure that the pilot projects under paragraph (1) collectively—

(i) reflect the diversity of the pharmaceutical distribution supply chain; and

(ii) include participants representative of every sector within the pharmaceutical distribution supply chain, including participants representative of small businesses.

(B) **PROJECT DESIGN.**—The pilot projects shall be designed to—

(i) utilize the prescription drug product identifier for tracing of a prescription drug product, which utilization may include—

(I) verification of the prescription drug product identifier of a prescription drug product; and

(II) the use of aggregation and inference;

(ii) improve the technical capabilities of each sector within the pharmaceutical supply chain to comply with systems and processes needed to utilize the prescription drug product identifiers to enhance tracing of a prescription drug product; and

(iii) conduct such other activities as the Secretary determines appropriate to explore and evaluate methods to enhance the safety and security of the pharmaceutical distribution supply chain.

(b) **PUBLIC MEETINGS.**—

(1) **IN GENERAL.**—Not later than 6 months after the date of the enactment of this Act, and at least every 6 months thereafter until the submission of the report required by subsection (e)(2), the Secretary shall hold a public meeting to enhance the safety and security of the pharmaceutical distribution supply chain. In conducting such meetings, the Secretary shall take all measures reasonable and practicable to ensure the protection of confidential commercial information and trade secrets.

(2) **CONTENT.**—In conducting meetings under this subsection, the Secretary shall seek to address, in at least one such meeting, each of the following topics:

(A) Best practices in each of the sectors within the pharmaceutical distribution supply chain to implement the requirements of section 582 of the Federal Food, Drug, and Cosmetic Act, as added by section 2.

(B) The costs and benefits of implementation of such section 582, including the impact on each pharmaceutical distribution supply chain sector and on public health.

(C) Whether additional electronic traceability requirements, including tracing of prescription drug product at the package level, are feasible, cost effective, overly burdensome on small businesses, and needed to protect public health.

(D) The systems and processes needed to utilize the prescription drug product identifiers to enhance tracing of prescription drug product at the package level, including allowing for verification, aggregation, and inference by each sector within the pharmaceutical distribution supply chain for cases, pallets, totes, and other containers of aggregated prescription drug product as necessary.

(E) The technical capabilities and legal authorities, if any, needed to establish an electronic system that provides for enhanced tracing of prescription drug product at the package level.

(F) The impact that the requirements, systems, processes, capabilities, and legal authorities referred to in subparagraphs (C), (D), and (E) would have on patient safety, the drug supply, cost and regulatory burden, the timeliness of patient access to prescription drugs, and small businesses.

(c) **STUDY OF THE PHARMACEUTICAL DISTRIBUTION SUPPLY CHAIN.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study to examine implementation of the requirements established under subchapter H of

chapter V of the Federal Food, Drug, and Cosmetic Act, as added by section 2, in order to inform the regulations promulgated under this section.

(2) **CONSIDERATION.**—In conducting the study under this subsection, the Comptroller General shall provide for stakeholder input and shall consider the following:

(A) The implementation of the requirements established under such subchapter H with respect to—

(i) the ability of the health care system collectively to maintain patient access to medicines;

(ii) the scalability of such requirements, including with respect to prescription drug product lines; and

(iii) the capability of different sectors within the pharmaceutical distribution supply chain, including small businesses, to affix and utilize the prescription drug product identifier.

(B) The need for additional legal authorities and activities to address additional gaps in the pharmaceutical distribution supply chain, if any, after the implementation of the requirements established under such subchapter H with respect to—

(i) the systems and processes needed to enhance tracing of prescription drug product at the package level, including the use and evaluation of verification, aggregation, and inference by each sector within the pharmaceutical distribution supply chain as necessary;

(ii) the impact, feasibility, and cost effectiveness that additional requirements pursuant to this section would have on each pharmaceutical distribution supply chain sector and the public health; and

(iii) the systems and processes needed to enhance interoperability among trading partners.

(C) Risks to the security and privacy of data collected, maintained, or exchanged pursuant to the requirements established under such subchapter H.

(d) **SMALL DISPENSERS.**—

(1) **IN GENERAL.**—Not later than 10 years after the date of the enactment of this Act, the Secretary shall enter into a contract with a private, independent consulting firm with relevant expertise to conduct a technology and software study on the feasibility of dispensers that have 25 or fewer full-time employees conducting interoperable, electronic tracing of prescription drug products at the package level.

(2) **CONDITION.**—As a condition of the award of a contract under paragraph (1), the private independent consulting firm awarded such contract shall agree to consult with dispensers that have 25 or fewer full-time employees when conducting the study under such subparagraph.

(3) **STUDY CONTENT.**—The study conducted under paragraph (1) shall assess whether, with respect to conducting interoperable, electronic tracing of prescription drug products at the package level, the necessary hardware and software—

(A) is readily accessible to such dispensers;

(B) is not prohibitively expensive to obtain, install, and maintain for such dispensers; and

(C) can be integrated into business practices, such as interoperability with wholesale distributors, for such dispensers.

(4) **PUBLICATION.**—The Secretary shall publish—

(A) the statement of work for the study conducted under paragraph (1) for public comment not later than 30 days before commencing the study; and

(B) the final version of such study for public comment not later than 30 days after such study is completed.

(5) **REPORT TO CONGRESS.**—Not later than 30 days after the date on which the study conducted under paragraph (1) is completed, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, a report on the findings of the study and any recommendations to improve the technology and software available to small dispensers for purposes of conducting electronic, interoperable tracing of prescription drug products at the package level.

(6) **PUBLIC MEETING.**—Not later than 180 days after the date on which the study conducted under paragraph (1) is completed, the Secretary shall hold a public meeting at which members of the public, including stakeholders, may present their views on the study.

(e) **REPORTS.**—

(1) **GAO REPORT.**—Not later than 12 years after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the results of the study conducted under subsection (c).

(2) **FDA REPORT.**—Not later than 12 years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the results of the pilot program conducted under subsection (a), taking into consideration—

(A) the comments received during the public meetings conducted under subsection (b); and

(B) the results of the study conducted, and the public comments received during the public meeting held, under subsection (d).

(f) **ESTABLISHMENT OF ADDITIONAL REQUIREMENTS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of this Act, including the amendments made by this Act, not earlier than January 1, 2027, and not later than March 1, 2027, the Secretary shall issue proposed regulations that establish additional requirements to prevent a suspect product, illegitimate product, or a product that is counterfeit, stolen, diverted, or otherwise unfit for distribution from entering into or being further distributed in the supply chain, including—

(A) requirements related to the use of interoperable electronic systems and technologies for enhanced tracing of prescription drug product at the package level, which may include verification of the prescription drug product identifier of a package of prescription drug product and enhanced verification of saleable returns;

(B) requirements related to the use of additional prescription drug product identifiers or prescription drug product identifier technology that meet the standards developed under section 582(a)(2) of the Federal Food, Drug, and Cosmetic Act, as added by section 2;

(C) requirements related to the use of aggregation, inference, and other methods, which shall permit the use of aggregation and inference for cases, pallets, totes, and other containers of aggregated prescription drug products by each sector of the pharmaceutical distribution supply chain, if determined to be necessary components of the



systems and technologies referred to in subparagraph (A); and

(D) other data transmission and maintenance requirements and interoperability standards.

(2) FLEXIBILITY.—The requirements described in paragraph (1) shall provide for flexibility for a member of the pharmaceutical supply chain, by—

(A) with respect to dispensers, allowing a dispenser to enter into a written agreement with a third party, including an authorized wholesale distributor, under which—

(i) the third party confidentially maintains any information required to be maintained under such requirements for the dispenser; and

(ii) the dispenser maintains a copy of the written agreement and is not relieved of the other obligations of the dispenser under such requirements;

(B) establishing a process by which an authorized manufacturer, repackager, wholesale distributor, or dispenser may request a waiver from any such requirements if the Secretary determines that such requirements would result in an undue economic hardship on the manufacturer, wholesale distributor, or dispenser;

(C) not requiring the adoption of specific business systems by a member of the pharmaceutical supply chain for the maintenance and transmission of prescription drug product tracing data; and

(D) prescribing alternative methods of compliance for small businesses, as specified in paragraph (4).

(3) CONSIDERATIONS.—In issuing proposed regulations under paragraph (1), the Secretary shall consider—

(A) the results of, and public comments resulting from, the pilot project conducted under subsection (a);

(B) the public meetings held under subsection (b) and public comments from such meetings;

(C) the studies conducted under subsections (c) and (d);

(D) the reports submitted under subsection (e);

(E) the public health benefits of such regulations compared with the cost of compliance with the requirements contained in such regulations, including with respect to entities of varying sizes and capabilities; and

(F) the diversity of the pharmaceutical distribution supply chain by providing appropriate flexibility for each sector in the supply chain, including small businesses.

(4) SMALL BUSINESS PROTECTION.—The Secretary, taking into consideration the study conducted under paragraph (d), shall, if the Secretary determines that the requirements established pursuant to paragraph (1) would result in an undue economic hardship on small businesses, provide for alternative methods of compliance with any such requirement by small businesses, including—

(A) establishing timelines for such compliance (including compliance by dispensers with 25 or fewer full-time employees) that do not impose undue economic hardship for small businesses, including dispensers with respect to which the study concluded has insufficient hardware and software to conduct interoperable, electronic tracing of prescription drug products at the package level; and

(B) establishing a process by which a dispenser may request a waiver from any such requirement.

(5) REGULATIONS.—In issuing regulations to carry out this subsection, the Secretary shall—

(A) issue a notice of proposed rulemaking that includes a copy of the proposed rule;

(B) provide for a period of not less than 60 days for comments on the proposed rule; and

(C) provide for an effective date of the final rule that is 2 years after the date on which such final rule is published.

(6) SUNSET.—The requirements regarding the provision and receipt of transaction history and transaction statements under section 582 of the Federal Food, Drug, and Cosmetic Act, as added by section 2, shall cease to be effective on the date on which the regulations issued under this section are fully implemented.

(g) DEFINITIONS.—In this section:

(1) The terms defined in section 581 of the Federal Food, Drug, and Cosmetic Act, as added by section 2, shall have the same meanings in this section as such terms are given in such section 581.

(2) The term “Secretary” means the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs.

#### SEC. 4. NATIONAL STANDARDS FOR WHOLESALE DISTRIBUTORS.

(a) STANDARDS.—Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended—

(1) in section 503 (21 U.S.C. 353), by striking “(e)(1)(A)” and all that follows through “(3) For the purposes of this subsection and subsection (d)—” and inserting the following:

“(e) For purposes of subsection (d)—”;

(2) in section 503(e) (21 U.S.C. 353(e)), by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively; and

(3) in subchapter H, as added by section 2, by adding at the end the following:

#### “SEC. 583. NATIONAL STANDARDS FOR WHOLESALE DISTRIBUTORS.

“(a) STANDARDS.—

“(1) IN GENERAL.—The Secretary shall establish, by regulation, standards for the licensing of persons that make wholesale distributions.

“(2) REQUIREMENTS.—The standards under paragraph (1) shall, with respect to wholesale distributions, include requirements for—

“(A) the storage and handling of drugs subject to section 503(b)(1), including facility requirements;

“(B) the establishment and maintenance of records of the distributions of such drugs;

“(C) the furnishing of a bond or other equivalent means of security in accordance with paragraph (3);

“(D) mandatory background checks and fingerprinting of facility managers or designated representatives;

“(E) the establishment and implementation of qualifications for key personnel;

“(F) the mandatory physical inspection of any facility to be used in wholesale distribution within a reasonable timeframe from the initial application for licensure of the wholesale distributor; and

“(G) in accordance with paragraph (5), the prohibition of certain persons from engaging in wholesale distribution.

“(3) BOND OR OTHER SECURITY.—The requirements under paragraph (2)(C) shall provide for the following:

“(A) An applicant that is not a government-owned-and-operated wholesale distributor, for the issuance or renewal of a wholesale distributor license, shall submit a surety bond of \$100,000 or other equivalent means of security acceptable to the applicable licensing authority.

“(B) For purposes of subparagraph (A), the applicable licensing authority may accept a surety bond of less than \$100,000 if the annual gross receipts of the previous tax year for the wholesale distributor is \$10,000,000 or

less, in which case the surety bond may not be less than \$25,000.

“(C) If a wholesale distributor can provide evidence that it possesses the required bond in a State, the requirement for a bond in another State is waived.

“(4) INSPECTIONS.—To satisfy the inspection requirement under paragraph (2)(F), the Secretary may conduct the inspection, or may accept an inspection by—

“(A) the government of the State in which the facility is located; or

“(B) a third-party accreditation or inspection service approved by the Secretary.

“(5) PROHIBITED PERSONS.—The requirements under paragraph (2) shall include requirements to prohibit a person from receiving or maintaining licensure for wholesale distribution if the person—

“(A) has been convicted of—

“(i) any felony for conduct relating to wholesale distribution;

“(ii) any felony violation of section 301(i) or 301(k); or

“(iii) any felony violation of section 1365 of title 18, United States Code, relating to prescription drug product tampering; or

“(B) has engaged in a pattern of violating the requirements of this section that presents a threat of serious adverse health consequences or death to humans.

#### “(b) REPORTING BY LICENSED WHOLESALE DISTRIBUTORS.—

“(1) ANNUAL REPORT.—Beginning not later than 1 year after the date of the enactment of this section, each person engaged in wholesale distribution in interstate commerce shall submit on an annual basis, and update as necessary, a report to the Secretary including—

“(A) the wholesale distributor’s name;

“(B) the wholesale distributor’s address;

“(C) a listing of each State in which the wholesale distributor is licensed for wholesale distribution; and

“(D) any disciplinary actions taken by a State, the Federal Government, or a foreign government during the reporting period against the wholesale distributor.

“(2) POSTING ON INTERNET.—The Secretary shall post on the public Internet Website of the Food and Drug Administration the name of each wholesale distributor, and the State in which each such distributor is licensed, based on reports under paragraph (1).

“(c) PRESERVATION OF STATE AUTHORITY.—This subchapter does not prohibit a State from—

“(1) licensing wholesale distributors for the conduct of wholesale distribution activities in the State in accordance with this subchapter; and

“(2) collecting fees from wholesale distributors in connection with such licensing, so long as the State does not require such licensure to the extent to which an entity is engaged in third-party logistics provider activities.

“(d) DEFINITION.—In this section, the term ‘wholesale distribution’ means the distribution of a drug subject to section 503(b)(1) to a person other than a consumer or patient, but does not include—

“(1) intracompany distribution of any drug between members of an affiliated group (as defined in section 1504(a) of the Internal Revenue Code of 1986);

“(2) the distribution of a drug, or an offer to distribute a drug among hospitals or other health care entities which are under common control;

“(3) the distribution of a drug or an offer to distribute a drug for emergency medical reasons, including a public health emergency

declaration pursuant to section 319 of the Public Health Service Act, except that a drug shortage not caused by a public health emergency shall not constitute such an emergency medical reason;

“(4) dispensing of a drug pursuant to a valid prescription executed in accordance with subsection 503(b)(1);

“(5) the distribution of minimal quantities of drug by a licensed retail pharmacy to a licensed practitioner for office use;

“(6) the distribution of a drug or an offer to distribute a drug by a charitable organization to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

“(7) the purchase or other acquisition by a dispenser, hospital, or other health care entity of a drug for use by such dispenser, hospital, or other health care entity;

“(8) the distribution of a drug by the manufacturer of such drug;

“(9) the receipt or transfer of a drug by an authorized third-party logistics provider provided that such third-party logistics provider does not take ownership of the drug;

“(10) the transport of a drug by a common carrier, provided that the common carrier does not take ownership of the drug;

“(11) the distribution of a drug, or an offer to distribute a drug, by an authorized repackager that has taken ownership of the drug and repacked it in accordance with section 582(e);

“(12) saleable drug returns when conducted by a dispenser in accordance with section 203.23 of title 21, Code of Federal Regulations (or any successor regulation);

“(13) the distribution of a combination prescription drug product described in section 581(20)(B)(xii);

“(14) the distribution of a medical convenience kit described in section 581(21)(B)(xiii);

“(15) the distribution of an intravenous drug that, by its formulation, is intended for the replenishment of fluids and electrolytes (such as sodium, chloride, and potassium) or calories (such as dextrose and amino acids);

“(16) the distribution of an intravenous drug used to maintain the equilibrium of water and minerals in the body, such as dialysis solutions;

“(17) the distribution of a drug that is intended for irrigation or reconstitution, or sterile water, whether intended for such purposes or for injection;

“(18) the distribution of compressed medical gas (as defined in section 581(21)(C));

“(19) facilitating the distribution of a prescription drug product by providing administrative services, such as processing of orders and payments, without physical handling, distribution, or storage of a prescription drug product; or

“(20)(A) the distribution of a product by a dispenser, or a wholesale distributor acting at the direction of the dispenser, to a repackager registered under section 510 for the purpose of repackaging the drug for use by that dispenser or another health care entity that is under the dispenser's ownership or control, so long as the dispenser retains ownership of the prescription drug product; and

“(B) the saleable or nonsaleable return by such repackager of such prescription drug product.

“(e) EFFECTIVE DATE.—The standards required by subsection (a) shall take effect not later than 2 years after the date of the enactment of this section. The Secretary shall issue the regulations required by subsection (a) not later than 1 year after the date of the enactment of this Act.”.

(b) CONFORMING AMENDMENT.—Section 804(a)(5)(A) of the Federal Food, Drug, and

Cosmetic Act (21 U.S.C. 384(a)(5)(A)) is amended by striking “503(e)(2)(A)” and inserting “583(a)”.

#### SEC. 5. NATIONAL LICENSURE STANDARDS FOR THIRD-PARTY LOGISTICS PROVIDERS.

Subchapter H of chapter V of the Federal Food, Drug, and Cosmetic Act, as amended by section 4, is further amended by adding at the end the following:

#### “SEC. 584. NATIONAL LICENSURE STANDARDS FOR THIRD-PARTY LOGISTICS PROVIDERS.

“(a) LICENSE REQUIREMENT.—No facility may engage in the activities of a third-party logistics provider in any State unless—

“(1) the facility is licensed—

“(A) by the State from which the drug is distributed by the third-party logistics provider in accordance with a qualified licensing program, if the State has such a program; or

“(B) by the Secretary under this section, if the State from which the drug is distributed does not have such a program; and

“(2) if the drug is distributed interstate and the facility is not licensed by the Secretary under paragraph (1)(B), registers with the State into which the drug is distributed if such State requires such registration.

“(b) REPORTING BY LICENSED THIRD-PARTY LOGISTICS PROVIDERS.—

“(1) ANNUAL REPORT.—Beginning not later than 1 year after the date of the enactment of this section, each facility engaged in the activities of a third-party logistics provider shall submit on an annual basis, and update as necessary, a report to the Secretary including—

“(A) the facility's name;

“(B) the facility's address;

“(C) a listing of each jurisdiction (whether State or Federal) in which the facility is licensed for third-party logistics provider activities; and

“(D) any disciplinary actions taken by a State or Federal licensing authority during the reporting period against the facility.

“(2) POSTING ON INTERNET.—The Secretary shall post on the public Internet Website of the Food and Drug Administration the name of each third-party logistics provider, and each jurisdiction (whether State or Federal) in which the provider is licensed, based on reports under paragraph (1).

“(c) PRESERVATION OF STATE AUTHORITY.—This subchapter does not prohibit a State from—

“(1) licensing third-party logistic providers for the conduct of third-party logistics provider activities in the State in accordance with this subchapter; and

“(2) collecting fees from third-party logistics providers in connection with such licensing,

so long as the State does not require such licensure to the extent to which an entity is engaged in wholesale distribution.

“(d) COSTS.—

“(1) AUTHORIZED LICENSURE FEES.—In the case of a facility engaging in the activities of a third-party logistics provider licensed by the Secretary under this section, the Secretary may assess and collect a reasonable fee in an amount equal to the costs to the Federal Government of establishing and administering the licensure program established, and conducting period inspections, under this section.

“(2) ADJUSTMENT.—The Secretary shall adjust the amount of the fee under paragraph (1) on an annual basis, if necessary, to generate an amount of revenue equal to the costs referred to in such paragraph.

“(3) AVAILABILITY.—Fees assessed and collected under this subsection shall be available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees shall remain available until expended.

“(e) LICENSE REGULATIONS.—

“(1) IN GENERAL.—The Secretary shall establish, by regulation, standards, terms, and conditions for licensing persons to engage in third-party logistics provider activities.

“(2) CONTENT.—The regulations under paragraph (1) shall—

“(A) include standards relating to eligibility for, and revocation and reissuance of, licenses;

“(B) establish a process by which the applicable licensing authority will, upon request by a third-party logistics provider that is accredited by a third-party accreditation program approved by the Secretary, issue a license to the provider;

“(C) establish a process by which the Secretary shall issue a license to a third-party logistics provider if the Secretary is not able to approve a third-party accreditation program because no such program meets the Secretary's requirements necessary for approval of such a third-party accreditation program;

“(D) require that the third-party logistics provider comply with storage practices, as determined by the Secretary, at the provider's facilities, including—

“(i) maintaining access to warehouse space of suitable size to facilitate safe operations, including a suitable area to quarantine suspect prescription drug product;

“(ii) maintaining adequate security; and

“(iii) having written policies and procedures to—

“(I) address receipt, security, storage, inventory, shipment, and distribution of a prescription drug product;

“(II) identify, record, and report confirmed losses or thefts in the United States;

“(III) correct errors and inaccuracies in inventories;

“(IV) provide support for manufacturer recalls;

“(V) prepare for, protect against, and address any reasonably foreseeable crisis that affects security or operation at the facility, such as a strike, fire, or flood;

“(VI) ensure that any expired prescription drug product is segregated from other prescription drug products and returned to the manufacturer or repackager or destroyed;

“(VII) maintain the capability to electronically trace the receipt and outbound distribution of a prescription drug product, and supplies and records of inventory; and

“(VIII) quarantine or destroy a suspect prescription drug product if directed to do so by the respective manufacturer, wholesale distributor, dispenser, or an authorized government agency;

“(E) provide for periodic inspection, as determined by the Secretary, of such facility warehouse space to ensure compliance with this section;

“(F) prohibit a facility from having as a manager or designated representative anyone convicted of any felony violation of section 301(i) or 301(k) or any felony violation of section 1365 of title 18, United States Code, relating to prescription drug product tampering;

“(G) perform mandatory background checks of the provider's facility managers or designated representatives of such managers;

“(H) require a third-party logistics provider to provide to the applicable licensing authority, upon the authority's request, a

list of all prescription drug product manufacturers, wholesale distributors, and dispensers for whom the third-party logistics provider provides services at the provider's facilities; and

“(I) include procedures under which any third-party logistics provider license—

“(i) will expire on the date that is 3 years after issuance of the license; and

“(ii) may be renewed for additional 3-year periods.

“(f) **VALIDITY OF LICENSE.**—A license issued under this section shall remain valid as long as such third-party logistics provider remains accredited by the Secretary, subject to renewal under subsection (d). If the Secretary finds that the third-party accreditation program demonstrates that all applicable requirements for licensure under this section are met, the Secretary shall issue a license under this section to a third-party logistics provider receiving accreditation.

“(g) **QUALIFIED LICENSING PROGRAM DEFINED.**—In this section, the term ‘qualified licensing program’ means a program meeting the requirements of this section and the regulations thereunder.

“(h) **EFFECTIVE DATE.**—The requirements of this section shall take effect not later than 1 year after the date of the enactment of this section. The Secretary shall issue the regulations required by subsection (d) not later than 180 days after the date of the enactment of this section.”

#### **SEC. 6. PENALTIES.**

(a) **PROHIBITED ACTS.**—Section 301(t) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(t)) is amended by striking “or the distribution of drugs in violation of section 503(e) or the failure to otherwise comply with the requirements of section 503(e)” and inserting “the failure to comply with any requirement of section 582, engaging in the wholesale distribution of a drug in violation of section 583 or the failure to otherwise comply with the requirements of section 583, or engaging in the activities of a third-party logistics provider in violation of section 584 or the failure to otherwise comply with the requirements of section 584”.

(b) **ENHANCED PENALTY FOR KNOWING UNLICENSED ACTIVITIES.**—Section 303(b)(1)(D) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(b)(1)(D)) is amended by striking “503(e)(2)(A)” and inserting “583 or 584”.

(c) **MISBRANDING.**—Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352) is amended by adding at the end the following:

“(bb) If it is a drug and it fails to bear a prescription drug product identifier as required by section 582.”

#### **SEC. 7. UNIFORM NATIONAL POLICY.**

Subchapter H of chapter V of the Federal Food, Drug, and Cosmetic Act, as amended by section 5, is further amended by adding at the end the following:

##### **“SEC. 585. UNIFORM NATIONAL POLICY.**

“(a) **PREEMPTION OF STATE PRESCRIPTION DRUG PRODUCT TRACING AND OTHER REQUIREMENTS.**—Beginning on the date of the enactment of the Safeguarding America's Pharmaceuticals Act of 2013, no State or political subdivision of a State may establish or continue in effect any requirements for tracing drugs through the distribution system (including any requirements with respect to paper or electronic pedigrees, track and trace, statements of distribution history, transaction history, or transaction statements, or verification, investigation, disposition, alerts, or recordkeeping relating to the pharmaceutical distribution supply chain system) that—

“(1) are inconsistent with, more stringent than, or in addition to any requirements applicable under this Act; or

“(2) are inconsistent with any applicable waiver, exception, or exemption issued by the Secretary under section 582(a).

“(b) **STANDARDS OR LICENSURE.**—

“(1) **IN GENERAL.**—Beginning on the date of the enactment of Safeguarding America's Pharmaceuticals Act of 2013, no State or political subdivision of a State may establish or continue any standards, requirements, or regulations with respect to wholesale drug distributor or third-party logistics provider licensure which are inconsistent with, less stringent than, in addition to, or more stringent than, the standards and requirements under this Act.

“(2) **LICENSING FEES.**—Paragraph (1) does not affect the authority of a State to collect fees from wholesale drug distributors or third-party logistics providers in connection with State licensing under section 583 or 584 pursuant to a licensing program meeting the requirements of such sections.

“(3) **ENFORCEMENT, SUSPENSION, AND REVOCATION OF LICENSES.**—Notwithstanding paragraph (1), a State—

“(A) may take administrative action, including fines, to enforce a licensure requirement promulgated by the State in accordance with this Act;

“(B) may provide for the suspension or revocation of licenses issued by the State for violations of the laws of such State;

“(C) upon conviction of a person for a violation of Federal, State, or local controlled substance laws or regulations, may provide for fines, imprisonment, or civil penalties; and

“(D) may regulate activities of entities licensed pursuant to section 583 or 584 in a manner that is consistent with the provisions of this subchapter.”

#### **SEC. 8. ELECTRONIC LABELING.**

(a) **IN GENERAL.**—Section 502(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(f)) is amended by adding at the end the following new sentence: “Required labeling (other than immediate container or carton labels) that is intended for use by a physician, a pharmacist, or another health care professional, and that provides directions for human use of a drug subject to section 503(b)(1), may (except as necessary to mitigate a safety risk, as specified by the Secretary in regulation) be made available by electronic means instead of paper form, provided that such labeling complies with all applicable requirements of law, the manufacturer or distributor, as applicable, affords health care professionals and authorized dispensers (as defined in section 581) the opportunity to request the labeling in paper form, and after such a request the manufacturer or distributor promptly provides the requested information without additional cost.”

(b) **REGULATIONS.**—The Secretary of Health and Human Services shall promulgate regulations implementing the amendment made by subsection (a).

(c) **APPLICATION.**—The last sentence of section 502(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(f)), as added by subsection (a), shall apply beginning on the earlier of—

(1) the effective date of final regulations promulgated under subsection (b); or

(2) the day that is 180 days after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATTA) and the gentleman

from California (Mr. WAXMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

#### **GENERAL LEAVE**

Mr. LATTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous matters in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1919, the Safeguarding America's Pharmaceuticals Act of 2013. This legislation is the culmination of many years of hard work by legislators and stakeholders alike, and I'm honored to have introduced this legislation, along with Congressman MATHESON.

This is an issue that was brought to my attention when I was first elected to Congress 5½ years ago by concerned stakeholders in Ohio, and I am pleased that the legislation is being considered on the House floor today. Securing our Nation's pharmaceutical supply chain is an extremely important issue, and passage of this bill will be an important step forward to protecting America's families.

The pharmaceutical supply chain touches every part of the health care system, and it is imperative that we get the structure and segments of it connected in a safe, secure, and effective manner that provides the best protection for patients.

H.R. 1919 will make improvements to the current supply chain while providing a clear path for industry stakeholders towards enhanced supply chain protections.

Pharmaceutical distribution occurs nationwide, and it is estimated that within the United States there are more than 4 billion prescriptions filled each year. By replacing the current patchwork of multiple State laws with a uniform national standard, we improve safety, eliminate duplicative regulations, and create certainty for all members of the pharmaceutical supply chain.

When anyone takes a prescribed medication, he or she should have full confidence that the medication is as prescribed and will do no harm. It is of utmost importance that we implement commonsense solutions to safeguard our distribution supply chain against counterfeit and adulterated drugs, as well as improve security and integrity throughout the supply chain. This legislation is an important step forward to ensure greater patient safety for all Americans.

I was pleased to receive a support letter for H.R. 1919 from the United States Deputy Sheriffs' Association, which

also recognizes that a national system will help curb criminal activity surrounding prescription drug diversion and criminal counterfeiting.

In the letter, it discusses how a national system could deter opportunists' ability to focus their efforts on differing State laws, or those States that have no laws or regulations, thereby allowing for criminal infiltration.

Specifically, the letter states that "tracking packages destined for patients is a good defense against criminals who would profit from contaminating or stealing those medicines, and put patients at risk."

To protect patient safety, this bill would replace multiple State laws and create a uniform national standard for securing the pharmaceutical distribution supply chain, thereby preventing duplicative State and Federal requirements.

It would increase security of the supply chain by establishing tracing requirements for manufacturers, wholesale distributors, pharmacies, and repackagers based on changes in ownership.

The bill also establishes a collaborative, transparent process between the Food and Drug Administration and stakeholders to study ways to even further secure the pharmaceutical supply chain.

Finally, the bill puts in place a requirement for the FDA to issue proposed regulations on unit-level traceability. The timeline put forth in this bill for all those steps is reasonable and will allow enough time for stakeholders to comply with these new national standards and ensure that, through feedback from these same stakeholders, phase two is done efficiently and correctly.

As I stated earlier, this issue has been worked on for many years, and setting up a track and trace process is complicated.

Chairman UPTON, I appreciate your leadership in moving the Safeguarding America's Pharmaceuticals Act to the floor today. We made a number of changes in the Energy and Commerce Committee to improve the language of the bill as we work to create a safer pharmaceutical distribution system to protect against the threat of counterfeit drugs.

This is a highly complex area, and I understand that additional changes were made to the language in the version we are considering today. Further changes are necessary to ensure that the wholesale distribution system meets the highest standards of safety and consumer protection. In order to achieve those high standards, I am committed to ensuring that language is included in the conference report brought back to the House that establishes a direct purchase pedigree for those wholesalers who only purchase pharmaceuticals directly from the manufacturers.

I know you share my goal of creating the strongest supply chain system, and I look forward to working with you as we move forward.

There has been much work done on this issue over the many years, and I am appreciative of all the input I have received on this bill from stakeholders and interested parties. And I again want to specifically thank Chairman UPTON and Subcommittee Chairman PITTS for all their assistance in advancing this legislation. I urge full support of my colleagues for H.R. 1919.

I reserve the balance of my time.

□ 1610

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to discuss a number of concerns I have about H.R. 1919, the Safeguarding America's Pharmaceuticals Act of 2013. It's a bill designed to improve the integrity of our drug supply chain. Unfortunately, this bill falls far short of achieving that goal.

Throughout last year, Members on a bipartisan, bicameral basis engaged in extensive discussions on legislation to protect our drug supply chain. During those months of discussion last year—and at the Health Subcommittee's hearing this past April—we repeatedly heard loud and clear from FDA, the National Boards of Pharmacy, and many others, that if we want a secure drug supply chain, we will ultimately need an electronic interoperable system that tracks each package of drugs at the unit level and that involves the entire supply chain. This kind of system would enable us to identify illegitimate product in real-time and prevent it from ending up in patients' hands. We also heard repeatedly that creating this kind of system is doable. Unfortunately, the bill we are considering today will not create that kind of system. The bill does not require the establishment of an electronic, interoperable unit-level system.

By 2027, 14 years from now, FDA will be required to issue proposed regulations for such a system. But there's no requirement that these regulations ever be finalized. And if they are ever finalized, they cannot go into effect for at least 2 more years. Almost certainly we are looking at 2030 or beyond under this proposed legislation; and, in fact, it may never be done.

This bill also has a number of additional deficiencies. It fails to adequately address the potential for bad actors to introduce illegitimate product into the supply chain through supposed returns from pharmacies to wholesale distributors. In the meantime, it will prevent States from responding to particular needs they may have in regulating their wholesale distributors, and it preempts important existing State safeguards against the entry into the supply chain of unsafe

counterfeit drugs before any adequate substitute will be in place.

Two weeks ago, Mr. Speaker, the Senate HELP Committee unanimously approved a bill sponsored by Senators BURR, BENNET, HARKIN, and ALEXANDER that requires the establishment of a unit-level, electronic, interoperable system within 10 years and is not dependent upon FDA issuing regulations. But the Senate bill still provides plenty of notice, input, and guidance for industry stakeholders. FDA is required to hold public meetings, one or more pilot projects, and to issue draft and final guidances and, as needed, regulations. Because they will not be able to delay or prevent implementation of the system, stakeholders will have the incentive to work with FDA to see that the guidances and any needed regulations are developed and released.

Our fundamental goal in establishing a Federal system should be to prevent Americans from being harmed by counterfeit and substandard medicines. If we cannot assure the public that legislation will establish a system that will protect them and that will do so by a date certain, then, in my view, it's not worth doing. The House bill needs significant improvement as it moves forward if our goal is to enact legislation that will truly protect the American public.

Mr. Speaker, I reserve the balance of my time.

Mr. LATTA. I yield 2 minutes to the chairman of the full committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Certainly, this afternoon I rise today in strong support of H.R. 1919, the Safeguarding America's Pharmaceutical Act of 2013. I want to thank the bill's authors, including Mr. LATTA, for their bipartisan leadership on this very important issue.

This bill strengthens the prescription drug supply chain in order to protect American families against counterfeit drugs. The bill also would help prevent increases in drug prices, avoid additional drug shortages, and literally eliminate hundreds of millions of dollars worth of duplicative government red tape on American businesses that is harming job growth.

As Mr. LATTA said, supporters of the Federal track and trace legislation include the U.S. Deputy Sheriffs' Association and also those in the supply chain, including the National Community Pharmacists Association. According to the CBO, the bill would reduce the deficit by \$24 million.

Last Congress, we spent a significant amount of time working on this very important issue as we successfully moved the Food and Drug Administration Safety and Innovation Act through the legislative process, and our efforts continued beyond enactment and into the 113th Congress. During that entire process, we also sought input from stakeholders like Pfizer and

Perrigo, in my district in Michigan, as well as our smaller pharmacies, too. This hard work allowed us to better understand the issue, and this bill reflects that understanding.

At the Energy and Commerce Committee, we held a legislative hearing on the bill last April. We approved the bill in both subcommittee and full committee by voice vote. We certainly did have a spirited debate at the committee, but we stand here united in our belief that the prescription drug supply chain has to be strengthened.

We look forward to working with our Senate colleagues on H.R. 1919 on a bipartisan basis to improve the bill, including how it addresses issues related to wholesale distributors during phase one. Because of the hard work that has already been put in on this issue and the importance of protecting our Nation's families from counterfeit drugs, I am hopeful we can get a product to the President's desk by the August recess.

Mr. WAXMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. MATHESON), one of the original sponsors of this legislation.

Mr. MATHESON. I thank the gentleman for yielding, and I thank Mr. LATTA for his work on this issue as well.

This bill before us today is a product of several years of collaboration. It's a really complicated issue, and it's important that you have a lot of collaboration to address something of this complexity.

This legislation that Mr. LATTA and I have introduced together will provide what I think are important steps for the security of our prescription drug supply chain from counterfeiters and other bad actors. We've seen in recent press reports about fake drugs slipping into the supply chain, so the threat of counterfeit drugs is a growing problem in this country. In fact, when you think about it, the counterfeit drug trade may be a more lucrative opportunity than the illegal drug trade, since the United States, overall, spends roughly \$325 billion a year on prescription drugs. This bill is an effort to try to keep those bad actors from entering the drug supply.

Since we've had some of these problems, some States have, rightly, tried to take action to deal with this. What this legislation is going to do, however, is establish more of a national standard to create some certainty for everyone in the supply chain so there's an opportunity to work effectively in a national way. Without such action, everyone in the supply chain could be forced to comply with a never-ending patchwork of different and complex State laws. That patchwork will force stakeholders to step up multiple State systems, and it could still open the door for bad actors to exploit security gaps through some States that may have weaker laws.

This bill also establishes a collaborative process between the FDA and the industry in establishing protocols for unit-level traceability. The bill stipulates the FDA will hold regular meetings and conduct pilot programs with stakeholders to better inform the agency as to the feasibility of unit-level traceability and the processes needed to achieve that goal. This is critical to ensure that the unit-level traceability regulation is achievable, does not increase prescription drug costs for consumers, and ultimately protects patients from counterfeit and adulterated prescription drug products. What we do not want to see are regulations that are not technologically achievable by industry stakeholders, causing a delay in implementation, as we've seen in some States' circumstances.

□ 1620

Now, there's no question that this legislation has been an effort of several years, and there's still perhaps some work to be done. I'm hopeful that as this legislation moves through the process, as the House and the Senate go to conference, that there are some other outstanding issues that can be addressed and we can build even greater consensus as we go to a final product that goes to the President's desk.

I urge my colleagues to support this bipartisan bill.

Mr. LATTA. Mr. Speaker, at this time I yield 2 minutes to the gentleman from Pennsylvania (Mr. PITTS), the chairman of the subcommittee.

Mr. PITTS. Mr. Speaker, the bill before us today is important and necessary legislation to strengthen the prescription drug supply chain and to provide greater safety for our Nation's patients.

Safeguarding our prescription drug supply chain is important to protect against counterfeit drugs. It is necessary to help prevent increases in drug prices while also ensuring adequate supplies of much-needed prescription drugs. Equally important, H.R. 1919 includes reforms that will eliminate hundreds of millions of dollars' worth of duplicative government red tape on American drug manufacturers, wholesale distributors, and pharmacies.

Sadly, counterfeit prescription drugs have proven to be a lucrative business, with many of these illegal counterfeit drugs finding their way to some of our sickest patients, including those with cancer.

Additionally, some States have taken draconian actions to safeguard their prescription drug supply chain, but many of these steps will force small and large businesses to implement costly and indefensible electronic systems for tracking such drugs at the unit level.

After hearings in the Health Subcommittee of the Energy and Com-

merce Committee, which I chair, we heard that a more feasible and practical solution to this serious problem is attainable, and those provisions are included in H.R. 1919.

Mr. Speaker, by approving this legislation, we will be saving our Nation's businesses millions of dollars, protecting our patients from counterfeit drugs, and securing our drug supply chain in a reasonable, commonsense way.

I urge all my colleagues to support this bill and vote for H.R. 1919.

Mr. WAXMAN. Mr. Speaker, I'd like to yield 3 minutes at this time to the gentleman from North Carolina (Mr. BUTTERFIELD) to speak on this legislation.

Mr. BUTTERFIELD. First, let me thank Mr. WAXMAN for yielding time and thank him for his extraordinary leadership on our committee. Let me also thank Mr. LATTA and Mr. MATHESON for working together to try to get this legislation to the floor today.

Mr. Speaker, I rise in support of H.R. 1919 and urge its passage. Since the Prescription Drug Marketing Act was signed into law some 25 years ago, a patchwork of varying State pedigree laws has evolved, leaving our drug supply chain very vulnerable. Resources should focus on up-to-date and adaptable technology using global serialization standards.

In the past 25 years, industry stakeholders have been unable to agree on a uniform Federal solution, but today I'm happy to report that it does exist. The fact that so many members of the industry have finally come together to embrace new, commonsense regulations speaks to the importance of getting this done soon.

If we fail to enact drug distribution safety legislation soon, my fear is, Mr. Speaker, that we will miss the opportunity to significantly enhance patient safety for all Americans.

The House bill has improved since its introduction. And while I strongly support some of the provisions in the Senate companion bill, including a date certain to reach unit-level tracking, the House bill represents a good step forward and advances the ball toward one ultimate goal. Hopefully, some of these concerns can be addressed in conference.

My constituents, like all of yours, deserve to know that the prescription drugs that they use to treat diabetes, high blood pressure, and heart disease are not stolen, misbranded, or counterfeited. This bill—and the Senate counterpart—addresses the very real concerns that spurred the introduction of this legislation.

While the House bill isn't everything many of us want it to be—and Mr. WAXMAN spoke to that earlier—I am hopeful that once the House and Senate bills move to conference, we will see a final version that will protect

consumers and better protect the prescription drug supply chain.

Therefore, Mr. Speaker, I urge my colleagues today in the Senate to proceed with deliberate and swift action so that we can pass a workable solution as soon as possible so as to better protect the American people.

I ask my colleagues to support H.R. 1919.

Mr. LATTA. Mr. Speaker, at this time I yield 2 minutes to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. I thank the gentleman for yielding.

You know, the United States has the best drug supply chain in the world, but it faces attack each and every day by counterfeiters, thieves, and rogue distributors.

Most Americans would just assume that their prescription drugs that they buy in their drugstore have been tracked rigorously from manufacturer to retail, but that assumption could not be more wrong. In fact, current law leaves a great deal of leeway for counterfeit medications to enter the market, and the punishment for those counterfeiting prescription medication is oftentimes far from adequate. From fake flu vaccines to fake cancer drugs, counterfeit medications have been manufactured and allowed to enter the supply chain and in some cases, unfortunately, even administered to unsuspecting patients. The United States may be the most secure, but we are still at risk.

I believe we have a bill before us today that is guided by the strong principles of patient safety and supply chain integrity. The bill is flexible and does not seek to overly burden States, suppliers, or small businesses. Maintaining the integrity of the United States' prescription drug supply is a compelling national priority.

I want to congratulate Mr. LATTA and Mr. MATHESON, as well as Chairman UPTON and Ranking Member DINGELL, for their leadership on the issue. I appreciate you allowing me to be involved in the development of this bill. I think it is a testament to all the hard work done, including that by our committee staff, Clay Alspach and Paul Edattell, and my personal staff, J.P. Paluskievicz.

I urge my colleagues to support this.

Mr. WAXMAN. Mr. Speaker, at this time I wish to yield 3 minutes to the gentleman from Maine (Mr. MICHAUD).

Mr. MICHAUD. Mr. Speaker, I rise today to express opposition to H.R. 1919.

Specifically, I rise to express concern with section 8 of this bill, which allows prescription drug labeling for physicians, pharmacists, and other health care professionals to be provided solely by electronic means.

This provision is flawed on multiple levels. First, Internet access in rural States like mine can often be intermit-

tent at best. In an area with low Internet connectivity or reliability, health care providers would not automatically have the necessary information about the drugs to make sure that they're being administered and prescribed appropriately. This is even true in areas that have good Internet connectivity, but may have been hit by a natural disaster like Hurricane Sandy.

Second, eliminating the paper labeling requirement will have repercussions for the industry that it supports. There are more than 10,000 jobs nationwide associated with the printing of this sensitive information.

In Maine, the paper industry supports 7,000 workers, including hundreds in the pharmaceutical paper industry. These workers are part of an important industry that keeps health care professionals, dispensers, and consumers informed about their drugs. Section 8 would jeopardize the jobs of more than 1,000 Mainers.

Finally, legislation passed during the 112th Congress required GAO to conduct a study of the advantages and risks of electronic-only labeling of pharmaceuticals. This study is due to be released next month. Passing this legislation that preempts the finding of this study is bad policy. So I would urge my colleagues to support informed health care professionals and consumers and to fight for more than 10,000 manufacturing jobs across the country. So I would urge a "no" vote on H.R. 1919.

Mr. WAXMAN. Will the gentleman yield?

Mr. MICHAUD. I yield to the gentleman from California.

Mr. WAXMAN. I thank you for yielding to me.

You're raising issues that I don't think were really brought to our attention when we were considering the legislation, and I want to look it over carefully.

But I think you raise an interesting point; and as we go into the conference after this bill is passed, I want to pledge to you that I will continue to review this issue with you and others to see what the merits would be of whether this provision should continue in the bill.

I talked to Chairman UPTON, who told me that he would continue to review the issue as well.

Mr. LATTA. Will the gentleman yield?

Mr. MICHAUD. I yield to the gentleman from Ohio.

Mr. LATTA. I thank the gentleman.

As we discussed a little earlier, I will be happy to continue discussing this with you.

Mr. MICHAUD. I thank both gentlemen for your willingness to look at section 8 more closely.

□ 1630

Mr. LATTA. Mr. Speaker, at this time I yield 2 minutes to the gen-

tleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Speaker, I rise today in support of H.R. 1919.

Let me bring attention to a provision in the bill that we were just discussing about electronic distribution of prescription information for health care professionals and pharmacists. Industry and the FDA have been in discussions for years about eliminating the paper attached to bottles of prescription drugs.

Let me show you this. This is what we are talking about—this wad of paper on the top of a prescription bottle. It's a folded up piece of paper. It can be in three and four parts. This is not an efficient way to distribute critical information about prescription drugs. Eliminating this wad of paper would save the consumers millions of dollars in printing and shipping costs.

The House committee recognized the need to allow pharmacists the option of electronic or paper copies, because some rural pharmacies may not have Internet capabilities. Unfortunately, this labeling provision is not in the Senate bill.

So, as the process moves forward into conference, this labeling provision needs to be retained so that we have a final product that assures patient safety and provides uniform national standards to strengthen the national drug supply chain.

I urge my colleagues to support this bill and the labeling provision.

Mr. WAXMAN. Mr. Speaker, I would like to submit for the RECORD three letters from the California State Board of Pharmacy and four letters from dozens of organizations representing consumers, patients, physicians, researchers, and public health advocates. These letters raise serious concerns with H.R. 1919, the track and trace legislation before us today.

I would like to read a few sentences from just one of the letters:

We are concerned that the legislation as currently written does not contain the minimum safeguards to keep unsafe medicines from reaching patients. The subcommittee's proposal does not create a clear path forward to a meaningful unit-level traceability system. Furthermore, the proposed legislation would eliminate all existing State drug pedigree laws—which provide essential patient safety protections as well as major tools for law enforcement. The bill would leave the U.S. pharmaceutical supply unprotected for a full 2 years before introducing even limited traceability requirements.

I urge my colleagues on both sides of the aisle to read these letters carefully. They provide a detailed critique of the legislation and offer suggestions on how to fix it. I hope we can improve this bill as it moves forward through the legislative process.



COMMENTS OF THE PEW CHARITABLE TRUSTS TO HOUSE COMMITTEE ON ENERGY AND COMMERCE ON H.R. 1919—PROPOSED LEGISLATION TO IMPROVE DRUG DISTRIBUTION SECURITY, MAY 14, 2013

DEAR CHAIRMAN UPTON AND RANKING MEMBER WAXMAN: Thank you for your ongoing interest in measures to secure the drug distribution system in the United States.

We have reviewed H.R. 1919, the legislative proposal that will be considered by the Committee on Energy and Commerce on May 15. As currently drafted, this legislation does not establish meaningful patient protections and does not justify the preemption of state laws. The legislation continues to provide no guarantee that there will be a national drug distribution security system that will involve all members of the supply chain and will track drugs at the unit level within a reasonable time frame.

This bill does not require a proposed regulation until 2027, and does not set a timeline for a final rule. The soonest an enhanced distribution security system could possibly be in place is 2029—assuming FDA could propose and finalize the regulations in one year. This prolonged timeline will eradicating momentum in the supply chain towards unit-level traceability, will halt progress on serialization and data sharing system development, and will seriously undermine investments already being made by stakeholders. We urge the committee to amend this legislation to establish a clear path to a unit-level traceability system, as called for by a majority of the witnesses who testified at your April 25th hearing.

Pharmaceutical manufacturers are already making investments in drug serialization technology. To justify the expense—and the preemption of strong state laws—it is essential that any federal law establish meaningful patient protections through use of this technology. Legislation must achieve the following within a reasonable time frame:

Participation of all members of the supply chain

Traceability of drugs at the package/unit level, and

Routine checking of drug serial numbers.

We attach herewith our comments on the proposed legislation considered by the Energy and Commerce Subcommittee on Health on May 8, 2013.

CALIFORNIA STATE BOARD  
OF PHARMACY,  
Sacramento, CA, May 28, 2013.

Re Federal efforts to secure drug distribution security

Hon. HENRY WAXMAN,  
Ranking Member, Energy and Commerce Committee.

Hon. FRANK PALLONE, JR.,  
Ranking Member, Health Subcommittee, Energy and Commerce Committee.

DEAR MR. WAXMAN AND MR. PALLONE: I write on behalf of the California State Board of Pharmacy (Board). We appreciate this opportunity to submit our written comments on H.R. 1919, titled the "Safeguarding America's Pharmaceuticals Act of 2013." Our comments pertain to H.R. 1919 as it was reported out of the Energy & Commerce Committee on or about May 15, 2013. We write to express our concern that this bill, as currently drafted, does not do enough to promise an increase in the security of the drug distribution supply chain, while at the same time preempting the California pedigree law and tying the hands of states like California to regulate wholesalers.

We want to first thank you and the bill's authors and co-sponsors for acknowledging

and taking on the challenge of increasing drug supply chain security. We understand that it is not an easy task to balance the need for increased security against a desire to avoid adding unnecessary costs and possible interruptions to the supply chain. We also recognize and appreciate just how much effort has gone into the bipartisan and bicameral effort to reach agreement on legislation necessary to achieve needed improvements in drug supply chain security. Finally, we agree that it would be ideal for the subject of supply chain security to have a federal legislative solution, as this is a subject that would be more ideally regulated at the federal level than by the states.

However, we believe H.R. 1919 does not promise the kind of robust supply chain security that is necessary to ensure adequate patient protection, and is not an adequate replacement for the California pedigree law that, absent this bill, will go into effect beginning in 2015. Our reasons for this are various; many of these have been covered in our comments on prior legislative drafts. In the interest of brevity, and because we want to get these comments to you in time for them to be considered along with any action that might be taken on H.R. 1919, we will keep this iteration of our comments relatively succinct. Please find enclosed our letters dated April 26, 2013, on the draft of the bipartisan Senate bill released for comment at that time (since introduced in much the same form as S. 957, and combined with S. 959), and November 7, 2012, on the bicameral DDS Draft that was at that time sent out for comment, which we hereby incorporate by reference.

In brief, our primary though by no means only objection to this draft is that it promises no certainty that we will ever see the end-to-end, full participation, electronic track-and-trace system monitoring drug distribution security at the unit (package) level, with trading partner verification and validation and the resulting protections against counterfeit and adulterated products, that has been the recommendation of the FDA since its Counterfeit Drug Task Force convened in 2004. This bill leaves the development of any such system to some future rulemaking, to be published no sooner than 2027, effective 2 years later, and even then this legislation requires no particular outcome of such rulemaking. We have no confidence, given the history of the Prescription Drug Marketing Act of 1987 (PDMA), that this deferral will result in any increase in security. While we have also expressed concern (see April 26, 2013 comments) that Section 3 of the Senate draft should be improved and strengthened, and that it should not take an additional 10 years to get to the system outlined in that section, we far prefer the relative certainty of the Senate model to this draft. There has already been substantial agreement that a uniform track-and-trace infrastructure is needed to ensure supply chain security, and many participants in the supply chain are already well on their way to implementing that infrastructure to comply with the California timeline. We believe that without placing a definite outcome and a date certain into the legislation, all of that momentum will be lost and all of that industry investment will be wasted. We believe the public deserves a robust supply chain security system, and we further believe that the industry needs the certainty of firm deadlines and objectives in order to adequately plan their capital investments.

Of nearly co-equal importance, we also object, for many of the same reasons stated in

our November 7, 2012 letter, to the language in Section 585, subdivision (b) (and/or elsewhere), that has the effect of making the proposed national wholesaler licensure standards both a "floor" and a "ceiling" on the independent authority of states to regulate wholesalers. We support national minimum standards for wholesalers, and also support federal licensure of distributors in states that do not provide such licensure. But we strongly believe that states should remain able to enact and enforce state-specific provisions that go above and beyond national minimums, to respond to more local issues and also to later developments requiring more immediate action. We are happy to work with you further on this topic, and to share examples of why we believe it is so crucial for states to retain flexibility and additional authority with regard to regulating wholesalers.

One such example would be the difficulty experienced in California and other states over the last few years with "gray market" purchase and re-sale practices by (secondary) wholesalers. California has seen a dramatic uptick in re-sales of drugs that are in short supply, as wholesalers and their trading partners evade typical drug shortage allocations by purchasing from pharmacies who become de facto "purchasing agents" for the secondary wholesalers, acquiring drugs from a primary wholesaler for the purposes of resale to the secondary wholesaler, which in turn re-sells the drugs to another secondary wholesaler or to an end user. These practices can result in further increases in the already-increased prices of shortage drugs, in further distortions in supply, and in supply chain vulnerabilities from the multiple purchases/re-sales. Some of these problems have been documented in a bicameral investigation report by Senators Rockefeller and Harkin, and by Representative Cummings, which addressed the problem and possible solutions. A copy of this report is available at <http://cummings.house.gov/cummings-releases-joint-report-gray-market-drug-companies>. This kind of unexpected and unprecedented conduct by wholesalers presents a new challenge that has not been anticipated by previous licensing schemes (or the framework in the present draft). California and other states will have to devise new regulatory language that is able to better handle these kinds of market innovations. We must retain the flexibility to do so, and to add to the federal minimums when these kinds of situations come up. Under the language of H.R. 1919, we will not have the necessary flexibility and authority to do so.

#### CONCLUSION

For these reasons, as well as those spelled out in more detail in the enclosed letters, we cannot support the current draft of H.R. 1919, although we believe and reiterate that a federal model is ideal. We do not believe that additional drug security can await the possible development of future standards some 14 or more years after enactment. We believe the security of the drug supply and the public's trust in that drug supply are threatened, and any further delay simply adds to the scope of these threats.

We also believe that the endpoint should be a national end-to-end track-and-trace system that is worthy of any additional delay, and adequate to replace the California model. We believe the necessary components of any such system include: participation by all industry partners; in passing and receiving electronic drug "pedigree"/chain-of-custody data as to all prescription drugs; to which data all shipments and deliveries are



validated; by tracking and validating shipments at the (saleable) unit level at each stage of distribution. We believe this proposal fails to fully articulate the system first envisioned by the FDA.

Finally, we remain concerned that the hands of California and other states with robust programs to license and regulate wholesale distributors will be tied by the national licensure standards section(s) of the bill. We would encourage you to adopt a model wherein the federal legislation sets a floor for wholesaler licensure standards (and provides for federal licensure where states do not offer same) but not a ceiling.

We again commend you for your leadership on these vital issues of national security. Thank you also for your willingness to hear our input. We look forward to our continuing work together to secure the nation's drug supply. Please feel free to contact the Board any time if we can be of assistance.

The best ways to reach me are on my cell phone or by email. You may also communicate with the Board's Executive Officer, Virginia Herold, by telephone or by email.

Thank you again for your efforts. We are grateful to all of you, and hopeful that we are nearing a strong federal system for regaining a strong pharmaceutical supply.

Sincerely,

STANLEY C. WEISSER, R.Ph.,  
President, California State Board  
of Pharmacy.

Enclosures: April 26, 2013 Board comment letter, November 7, 2012 Board comment letter.

NATIONAL RESEARCH CENTER FOR  
WOMEN & FAMILIES, THE TMJ AS-  
SOCIATION, WOODYMATTERS,

MAY 7, 2013.

Re Energy and Commerce Health Subcommittee markup to amend the Federal Food, Drug, and Cosmetic Act with respect to the pharmaceutical distribution supply chain.

Hon. FRED UPTON,

*Chairman, Committee on Energy and Commerce,  
Committee on Energy and Commerce, Wash-  
ington, DC.*

Hon. HENRY WAXMAN,

*Ranking Member, Committee on Energy and  
Commerce, Health Committee on Energy and  
Commerce, Washington, DC.*

Hon. JOSEPH R. PITTS,

*Chairman, Subcommittee on Health, Committee  
on Energy and Commerce, Washington, DC.*

Hon. FRANK PALLONE,

*Ranking Member, Subcommittee on Committee  
on Energy and Commerce, Washington, DC.*

DEAR CHAIRMAN UPTON, CHAIRMAN PITTS, RANKING MEMBER WAXMAN, AND RANKING MEMBER PALLONE: Thank you for the opportunity to provide comments on the pharmaceutical supply chain legislation being marked up on May 7 and May 8.

We are writing on behalf of consumers, patients, scientists, and public health advocates to express our strong support for a drug distribution system that will protect patients and the public's health from unsafe medicines. The ongoing threat to the U.S. drug supply must be addressed through a strong national serialization and traceability system to track and authenticate medicines at the unit level. Without such a system to track and authenticate drugs at the unit level as they move from manufacturer to wholesaler to pharmacy to patient, the public's health continues to be placed at risk from unsafe or counterfeit medicines.

The Subcommittee on Health's proposed legislation, as currently written, lacks nec-

essary and clearly defined elements to guarantee a unit-level serialization and traceability system in a timely manner. This is a serious patient safety concern, and must be rectified. The proposed legislation would also eliminate all existing state drug pedigree laws—major tools for law enforcement—and would leave the U.S. pharmaceutical supply unprotected for a full two years before putting a limited system in place.

We do not support a federal law that preempts existing strong state laws. The federal law should be a floor, not a ceiling. Any federal law must create a system that includes the following elements within a timely manner:

#### PARTICIPATION OF ALL MEMBERS OF THE SUPPLY CHAIN

We need full participation of all supply chain stakeholders in a unit-level serialization and traceability system to protect the integrity of the supply chain. Pharmacies are the last step in drug distribution before medicine reaches a patient and are essential for ensuring pharmaceutical integrity.

#### TRACEABILITY OF DRUGS AT THE SMALLEST SALEABLE UNIT LEVEL

The legislation needs to create a clear, assured path to a unit-level traceability system. The proposal takes away strong existing state drug pedigree requirements, and does not replace them with assurances that unit-level traceability will be achieved. The legislation's requirement for numerous studies and meetings and lack of requirement for a final rule will create years of regulatory uncertainty and will not protect the public's health.

#### ROUTINE CHECKING AND VERIFICATION OF DRUG SERIAL NUMBERS

The legislation calls for limited verification under an interim system, and does not create a meaningful framework to achieve enhanced verification. A robust system should include proactive verification of drug units in order to prevent stolen and counterfeit drugs that are being distributed as legitimate pharmaceutical products from entering the supply chain.

The risk of counterfeit and diverted medicines in the U.S. drug supply has not abated over the years. The Food and Drug Administration announced three times in the past year that it had discovered counterfeit Avastin—a critical drug used to treat several types of advanced cancer—in the United States. The FDA issued letters to clinical practices in California, Texas, and Illinois warning that they may have knowingly or unknowingly purchased and administered treatments missing active ingredients to cancer patients.

In 2012 in New York, 48 individuals were charged in a huge criminal diversion and fraud scheme to buy prescription drugs “on the street,” re-package or re-label them and sell them back into distribution through licensed pharmaceutical wholesalers, who in turn sold the drugs to pharmacies. These “recycled” medicines put patients at risk of contaminated or compromised drugs. In addition, authorities estimated the large-scale drug diversion scheme cost the New York state Medicaid program \$500 billion. Similar schemes in other states are well documented, including one in Tennessee earlier this year that cost the state Medicaid program more than \$58 million.

These incidents represent an unacceptable risk to patients. We urge the Energy and Commerce Subcommittee on Health to consider a strong unit-level serialization and traceability framework that appropriately

secures and protects the distribution of medicines in the U.S. in a timely fashion.

Thank you for the opportunity to comment.

NATIONAL RESEARCH  
CENTER FOR WOMEN &  
FAMILIES.  
THE TMJ ASSOCIATION.  
WOODYMATTERS.

CANCER LEADERSHIP COUNCIL,  
Washington, DC, May 14, 2013.

Hon. FRED UPTON,  
*Chairman, Committee on Energy and Commerce,  
House of Representatives, Washington, DC.*

Hon. JOSEPH PITTS,  
*Chairman, Subcommittee on Health, Committee  
on Energy and Commerce, House of Rep-  
resentatives, Washington, DC.*

Hon. HENRY WAXMAN,  
*Ranking Member, Committee on Energy and  
Commerce, House of Representatives, Wash-  
ington, DC.*

Hon. FRANK PALLONE,  
*Ranking Member, Subcommittee on Health,  
Committee on Energy and Commerce, House  
of Representatives, Washington, DC.*

DEAR CHAIRMAN UPTON, RANKING MEMBER WAXMAN, CHAIRMAN PITTS, AND RANKING MEMBER PALLONE: The undersigned organizations representing cancer patients, physicians, and researchers are writing in support of efforts to develop legislation to protect the security of the pharmaceutical distribution supply chain.

Cancer patients and physicians have experienced the adverse effects of disruptions in the supply chain and the counterfeiting of cancer drugs, occurrences which can compromise the quality of care they receive and the effectiveness of their treatments. Patients and their physicians must be able to trust that the drugs they prescribe and receive are consistent with their labeling. In the past, cancer patients have received counterfeit drugs that were ineffective. In those circumstances, cancer patients were harmed by time wasted receiving therapies that provided no medical benefit.

As you continue your work on supply chain protections, we urge that you develop a supply chain protection system that: Includes participation by all those involved in the supply chain; requires traceability of drugs at the smallest unit level; and facilitates routine verification of drug serial numbers.

We also urge that existing state drug pedigree laws not be preempted until a strong national system is implemented. Eliminating state protections without a national system to replace them would not be in the best interest of cancer patients and other Americans who trust that the medications they are prescribed are safe and effective.

We understand that developing a strong supply chain protection system will be accompanied by some costs. However, the health care system and patients are already bearing the costs associated with diversion and counterfeiting. Diversion schemes can cost health care payers significant sums. Money is wasted on counterfeit medicines, and additional resources must be spent on the therapies that patients may need to address the harm and/or lack of effectiveness of counterfeit drugs. Companies that have been victims to counterfeiting or diversion may bear significant costs as a result. Finally, the human costs of counterfeiting and diversion are great, as patients may be harmed by unsafe or ineffective medications.

We commend your commitment to addressing the safety of the pharmaceutical distribution system and urge you to develop

protections that are adequate to meet the needs of cancer patients and their physicians.

Sincerely,

Cancer Leadership Council:

American Society for Radiation Oncology  
Bladder Cancer Advocacy Network  
The Children's Cause for Cancer Advocacy  
Coalition of Cancer Cooperative Groups  
Fight Colorectal Cancer  
International Myeloma Foundation  
Kidney Cancer Association  
Lymphoma Research Foundation  
National Coalition for Cancer Survivorship  
National Lung Cancer Partnership  
Ovarian Cancer National Alliance  
Pancreatic Cancer Action Network  
Prevent Cancer Foundation  
Sarcoma Foundation of America  
Susan G. Komen for the Cure Advocacy Alliance

MAY 7, 2013.

Re Energy and Commerce Health Subcommittee markup to amend the Federal Food, Drug, and Cosmetic Act with respect to the pharmaceutical distribution supply chain.

Hon. JOSEPH R. PITTS,

*Chairman, Subcommittee on Health, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.*

Hon. FRANK PALLONE,

*Ranking Member, Subcommittee on Health, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN PITTS AND RANKING MEMBER PALLONE: We, the undersigned, thank the Health Subcommittee for the opportunity to provide feedback on the pharmaceutical distribution supply chain legislation being marked up on May 8.

On behalf of millions of consumers, patients, and public health advocates, we write in support of a strong national unit-level serialization and traceability system to secure the U.S. pharmaceutical supply. Without such a system to track and authenticate drugs at the unit level as they move from manufacturer to wholesaler to pharmacy to patient, the public's health continues to be placed at risk from diverted or counterfeit medicines.

We are concerned that the legislation as currently written does not contain the minimum safeguards to keep unsafe medicines from reaching patients. The Subcommittee's proposal does not create a clear path forward to a meaningful unit-level traceability system. Furthermore, the proposed legislation would eliminate all existing state drug pedigree laws—which provide essential patient safety protections as well as major tools for law enforcement. The bill would leave the U.S. pharmaceutical supply unprotected for a full two years before introducing even limited traceability requirements.

In order to justify the preemption of existing strong state laws, it is essential that any federal law create a system that includes the following elements within a reasonable time frame: (1) Participation of all members of the supply chain; (2) Traceability of drugs at the smallest saleable unit level; (3) Routine checking and verification of drug serial numbers.

As we have seen over the last several years, the risk of counterfeit and diverted medicines in the U.S. drug supply is real. The Food and Drug Administration announced three times over the past year that it had discovered counterfeit Avastin—a critical drug used to treat several types of can-

cer—in the United States. The FDA issued letters to clinical practices in California, Texas, and Illinois warning that they may have knowingly or unknowingly purchased and administered treatments missing active ingredients to cancer patients.

Last year the U.S. Attorney for the Southern District of New York charged 48 individuals in a large-scale criminal diversion scheme to buy prescription drugs “on the street”, re-package and/or re-label them and sell them back into distribution through licensed pharmaceutical wholesalers, who in turn sold the drugs to pharmacies. The scheme included medicines for HIV/AIDS, schizophrenia, and asthma, some of which were stored under unsafe conditions, or removed from their original packaging and mixed with other medication. Patients receiving these “recycled” medicines were at risk of contaminated or compromised drugs. Authorities estimate the large-scale drug diversion scheme cost the New York state Medicaid program almost half-billion dollars. Similar schemes in other states are well documented, including one in Tennessee earlier this year that cost the state Medicaid program more than \$58 million.

In light of this ongoing and unacceptable risk to patients we urge the Energy and Commerce Subcommittee on Health to consider a strong unit-level serialization and traceability framework that appropriately secures and protects the distribution of medicines in the U.S. in a timely fashion. Thank you again for your work on this important issue.

American Public Health Association (APHA)

American Medical Women's Association  
Annie Appleseed Project  
Bladder Cancer Advocacy Network  
Community Catalyst  
Consumers Union  
Fight Colorectal Cancer  
International Myeloma Foundation  
Lymphoma Research Foundation  
National Association of County and City Health Officials (NACCHO)  
National Women's Health Network  
Ovarian Cancer National Alliance  
Pancreatic Cancer Action Network  
Susan G. Komen  
Trust for America's Health  
U.S. PIRG

I would like to ask the gentleman from Ohio how many speakers he has?

Mr. LATTA. We have none.

Mr. WAXMAN. Mr. Speaker, I yield back the balance of my time.

Mr. LATTA. Mr. Speaker, we have no further speakers. I ask for support for the bill, and yield back the balance of my time.

Mr. DINGELL. Mr. Speaker, I rise today in support of H.R. 1919, the Safeguarding America's Pharmaceuticals Act of 2013. The American people deserve peace of mind in knowing the pharmaceuticals they take every day are safe and have not been stolen, misbranded, or counterfeited. In last year's Food and Drug Administration Safety and Innovation Act, we took important steps to secure the upstream supply chain by ensuring FDA has accurate information about who is manufacturing and importing drugs, as well as requiring manufacturers to notify FDA if their pharmaceuticals may cause injury or death or have been stolen or counterfeited. That was a good first step, but now Congress must act to secure our downstream drug supply chain.

A strong, national track-and-trace system for our pharmaceutical supply chain will help improve public health and protect the American people from harm. We have seen far too many examples of counterfeit or unsafe pharmaceuticals entering the supply chain and ultimately ending up in the hands of patients. Now is the time to act and implement a system to trace pharmaceuticals as they move through the supply chain to prevent this from ever happening again. This system must be fair, feasible, and provide certainty to industry as to what is required of it. If done properly, a strong track-and-trace system will protect our pharmaceuticals from tampering and ensure their safety for patient use.

I want to thank my friends, Mr. MATHESON and Mr. LATTA, for their hard work on this important issue. I am the first to admit that this is not a perfect bill, and we have more work ahead of us. I also want to acknowledge the concerns of my friend and colleague from Maine, Mr. MICHAUD, about e-labeling. I commit to working with him to address this issue of great importance and ask that my colleagues do the same.

The Senate has also made real, bipartisan progress on this issue and taken a slightly different approach. I urge my colleagues to vote in favor of this legislation today to move the process forward on this matter. Congress has a clear opportunity to pass a bill with major benefits for the American people and must avail itself of the opportunity. I look forward to working with my colleagues on both sides of the aisle and both sides of Capitol Hill to send a strong, bi-partisan bill to President Obama.

Mr. PALLONE. Mr. Speaker, drug distribution security is critical to public health and safety, and I strongly support taking steps to ensure that the final pharmaceutical products patients receive are safe and effective. Although the bill before us today, H.R. 1919, the “Safeguarding America's Pharmaceuticals Act,” is well-intentioned, I have a number of concerns and believe the bill must be strengthened before it becomes law in order to truly protect the American people.

There is widespread agreement that the best way to protect the supply chain is to establish a unit-level, interoperable system that involves all members of the supply chain. However, under H.R. 1919, there is no assurance that an effective system for tracking and tracing drugs will ultimately be put into place. The bill only calls on FDA to issue proposed regulations—there is no requirement for final regulations.

In order to protect the drug supply chain, it is also important to ensure that unused drugs that are returned to the previous supplier and then re-enter the supply chain are just as safe as drugs going through the chain for the first time. I am concerned that the provisions in H.R. 1919, which allow the wholesaler to begin a new transaction history when it sells a returned product, create the potential for entry of illegitimate product into the system.

While I am pleased that H.R. 1919 sets national standards for the licensing of wholesale distributors, I am concerned that these standards preempt all state laws, effectively preventing states from having stronger licensing standards if they deem it necessary in their

unique circumstance. National licensing standards should act as a floor defining what states must require, not as a floor and a ceiling.

I am also concerned that if H.R. 1919 becomes law, there will be a significant gap in the current level of information about a drug's path through the supply chain. H.R. 1919 preempts all state requirements regarding drug tracing on the date of enactment, but the new federal standards do not go into effect until 2015. This leaves a potentially-long window open for counterfeit or substandard products to enter the supply chain and reach customers.

It is crucial that if we are going to preempt state efforts, we must have a strong federal standard. This standard should serve as a true building block to tracking drugs at the unit level, so that each and every product is authenticated at the lowest unit of sale before they reach patients, and counterfeit or contaminated products are kept out of the drug supply chain or quickly eliminated from it. Unfortunately, H.R. 1919 does not meet these goals.

While I do not want to stop this process from moving forward, I remain concerned about the provisions in H.R. 1919 and look forward to conference with the Senate to strengthen the bill and, ultimately, enacting legislation that will truly protect the nation's drug supply.

Mr. PASCRELL. Mr. Speaker, as the House considers H.R. 1919, the Safeguarding America's Pharmaceuticals Act of 2013, I would like to voice my specific concerns with one provision within the legislation. While the underlying bill seeks to address the issue of preventing counterfeit drugs from reaching consumers, and improving national regulatory standards for pharmaceuticals, Section 8 of the proposed legislation instead mandates an electronic labeling requirement for pharmaceuticals. This serves to eliminate hard copy professional literature, and transition exclusively to electronic only literature. Based on legislation passed by Congress in 2012, GAO was tasked with studying the issue of e-labeling. This study is expected to be issued in July of this year. I urge my colleagues to carefully consider the potential ramifications of exclusive electronic labeling, and be cautious about any premature legislative action on this issue until the GAO report is released. The findings of this Congressionally mandated study should be deliberated before making a change that has the potential to impact consumers and providers.

Mr. CUMMINGS. Mr. Speaker, although this bill takes important steps to secure our nation's pharmaceutical supply chain, we need to do more to protect patients and the public health.

For over a year, I have been investigating the problem of so-called "gray market" drug companies that take advantage of critical drug shortages to charge exorbitant prices.

Working with the Senate Commerce Committee and the Senate HELP Committee, we identified numerous cases in which gray market drug companies were able to get their hands on shortage drugs when hospitals and other providers could not. And in many cases, these middleman companies exploited national drug shortages by charging exorbitant mark-ups for drugs used to treat cancer and other life threatening conditions.

This kind of price gouging is unconscionable, and it represents a serious threat to patients' health and safety.

Our investigation found that in more than two-thirds of cases, prescription drugs entered the gray market through pharmacies. These pharmacies purchased their drugs from authorized distributors, but instead of dispensing them to providers or patients in accordance with state laws, the pharmacies re-sold them to gray market wholesalers.

For these reasons, I introduced the Gray Market Drug Reform and Transparency Act to implement reforms in this area and to protect consumers and providers from exploitation.

I am encouraged that the bill before us takes up one of my proposals, which is to require wholesalers to register and report annually to the FDA, including on their disciplinary actions. Although this is a step in the right direction, the bill fails to make this information publicly available, which is critical to consumers, healthcare providers, and state boards of pharmacy.

The bill also fails to close the primary loophole by which drugs enter the gray market, by prohibiting wholesalers from buying drugs from pharmacies.

We need to put an end to unethical profiteering at the expense of patients with cancer and other critical illnesses, and I hope we can add these common sense provisions to H.R. 1919 in conference negotiations.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATTA) that the House suspend the rules and pass the bill, H.R. 1919, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### ANIMAL DRUG AND ANIMAL GENERIC DRUG USER FEE REAUTHORIZATION ACT OF 2013

Mr. LATTA. Mr. Speaker, I move to suspend the rules and pass the bill (S. 622) to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 622

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013".

#### SEC. 2. TABLE OF CONTENTS; REFERENCES IN ACT.

(a) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents; references in Act.

#### TITLE I—FEES RELATING TO ANIMAL DRUGS

Sec. 101. Short title; finding.

Sec. 102. Definitions.

Sec. 103. Authority to assess and use animal drug fees.

Sec. 104. Reauthorization; reporting requirements.

Sec. 105. Savings clause.

Sec. 106. Effective date.

Sec. 107. Sunset dates.

#### TITLE II—FEES RELATING TO GENERIC ANIMAL DRUGS

Sec. 201. Short title; finding.

Sec. 202. Authority to assess and use generic new animal drug fees.

Sec. 203. Reauthorization; reporting requirements.

Sec. 204. Savings clause.

Sec. 205. Effective date.

Sec. 206. Sunset dates.

(b) REFERENCES IN ACT.—Except as otherwise specified, amendments made by this Act to a section or other provision of law are amendments to such section or other provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

#### TITLE I—FEES RELATING TO ANIMAL DRUGS

##### SEC. 101. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the "Animal Drug User Fee Amendments of 2013".

(b) FINDING.—Congress finds that the fees authorized by the amendments made in this title will be dedicated toward expediting the animal drug development process and the review of new and supplemental animal drug applications and investigational animal drug submissions as set forth in the goals identified, for purposes of part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Energy and Commerce of the House of Representatives and the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate as set forth in the Congressional Record.

##### SEC. 102. DEFINITIONS.

Section 739 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-11) is amended to read as follows:

##### "SEC. 739. DEFINITIONS.

"For purposes of this part:

"(1) The term 'animal drug application' means an application for approval of any new animal drug submitted under section 512(b)(1). Such term does not include either a new animal drug application submitted under section 512(b)(2) or a supplemental animal drug application.

"(2) The term 'supplemental animal drug application' means—

"(A) a request to the Secretary to approve a change in an animal drug application which has been approved; or

"(B) a request to the Secretary to approve a change to an application approved under section 512(c)(2) for which data with respect to safety or effectiveness are required.

"(3) The term 'animal drug product' means each specific strength or potency of a particular active ingredient or ingredients in final dosage form marketed by a particular manufacturer or distributor, which is uniquely identified by the labeler code and product code portions of the national drug code, and for which an animal drug application or a supplemental animal drug application has been approved.

"(4) The term 'animal drug establishment' means a foreign or domestic place of business which is at one general physical location consisting of one or more buildings all of which are within 5 miles of each other, at

which one or more animal drug products are manufactured in final dosage form.

“(5) The term ‘investigational animal drug submission’ means—

“(A) the filing of a claim for an investigational exemption under section 512(j) for a new animal drug intended to be the subject of an animal drug application or a supplemental animal drug application; or

“(B) the submission of information for the purpose of enabling the Secretary to evaluate the safety or effectiveness of an animal drug application or supplemental animal drug application in the event of their filing.

“(6) The term ‘animal drug sponsor’ means either an applicant named in an animal drug application that has not been withdrawn by the applicant and for which approval has not been withdrawn by the Secretary, or a person who has submitted an investigational animal drug submission that has not been terminated or otherwise rendered inactive by the Secretary.

“(7) The term ‘final dosage form’ means, with respect to an animal drug product, a finished dosage form which is approved for administration to an animal without substantial further manufacturing. Such term includes animal drug products intended for mixing in animal feeds.

“(8) The term ‘process for the review of animal drug applications’ means the following activities of the Secretary with respect to the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions:

“(A) The activities necessary for the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

“(B) The issuance of action letters which approve animal drug applications or supplemental animal drug applications or which set forth in detail the specific deficiencies in animal drug applications, supplemental animal drug applications, or investigational animal drug submissions and, where appropriate, the actions necessary to place such applications, supplements or submissions in condition for approval.

“(C) The inspection of animal drug establishments and other facilities undertaken as part of the Secretary’s review of pending animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

“(D) Monitoring of research conducted in connection with the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

“(E) The development of regulations and policy related to the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

“(F) Development of standards for products subject to review.

“(G) Meetings between the agency and the animal drug sponsor.

“(H) Review of advertising and labeling prior to approval of an animal drug application or supplemental animal drug application, but not after such application has been approved.

“(9) The term ‘costs of resources allocated for the process for the review of animal drug applications’ means the expenses in connection with the process for the review of animal drug applications for—

“(A) officers and employees of the Food and Drug Administration, contractors of the Food and Drug Administration, advisory

committees consulted with respect to the review of specific animal drug applications, supplemental animal drug applications, or investigational animal drug submissions, and costs related to such officers, employees, committees, and contractors, including costs for travel, education, and recruitment and other personnel activities;

“(B) management of information and the acquisition, maintenance, and repair of computer resources;

“(C) leasing, maintenance, renovation, and repair of facilities and acquisition, maintenance, and repair of fixtures, furniture, scientific equipment, and other necessary materials and supplies; and

“(D) collecting fees under section 740 and accounting for resources allocated for the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

“(10) The term ‘adjustment factor’ applicable to a fiscal year refers to the formula set forth in section 735(8) with the base or comparator month being October 2002.

“(11) The term ‘person’ includes an affiliate thereof.

“(12) The term ‘affiliate’ refers to the definition set forth in section 735(11).”

#### **SEC. 103. AUTHORITY TO ASSESS AND USE ANIMAL DRUG FEES.**

Section 740 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12) is amended to read as follows:

#### **“SEC. 740. AUTHORITY TO ASSESS AND USE ANIMAL DRUG FEES.**

“(a) TYPES OF FEES.—Beginning in fiscal year 2004, the Secretary shall assess and collect fees in accordance with this section as follows:

“(1) ANIMAL DRUG APPLICATION AND SUPPLEMENT FEE.—

“(A) IN GENERAL.—Each person that submits, on or after September 1, 2003, an animal drug application or a supplemental animal drug application shall be subject to a fee as follows:

“(i) A fee established in subsection (c) for an animal drug application, except an animal drug application subject to the criteria set forth in section 512(d)(4).

“(ii) A fee established in subsection (c), in an amount that is equal to 50 percent of the amount of the fee under clause (i), for—

“(I) a supplemental animal drug application for which safety or effectiveness data are required; and

“(II) an animal drug application subject to the criteria set forth in section 512(d)(4).

“(B) PAYMENT.—The fee required by subparagraph (A) shall be due upon submission of the animal drug application or supplemental animal drug application.

“(C) EXCEPTION FOR PREVIOUSLY FILED APPLICATION OR SUPPLEMENT.—If an animal drug application or a supplemental animal drug application was submitted by a person that paid the fee for such application or supplement, was accepted for filing, and was not approved or was withdrawn (without a waiver or refund), the submission of an animal drug application or a supplemental animal drug application for the same product by the same person (or the person’s licensee, assignee, or successor) shall not be subject to a fee under subparagraph (A).

“(D) REFUND OF FEE IF APPLICATION REFUSED FOR FILING.—The Secretary shall refund 75 percent of the fee paid under subparagraph (B) for any animal drug application or supplemental animal drug application which is refused for filing.

“(E) REFUND OF FEE IF APPLICATION WITHDRAWN.—If an animal drug application or a

supplemental animal drug application is withdrawn after the application or supplement was filed, the Secretary may refund the fee or portion of the fee paid under subparagraph (B) if no substantial work was performed on the application or supplement after the application or supplement was filed. The Secretary shall have the sole discretion to refund the fee under this paragraph. A determination by the Secretary concerning a refund under this paragraph shall not be reviewable.

#### **“(2) ANIMAL DRUG PRODUCT FEE.—**

“(A) IN GENERAL.—Each person—

“(i) who is named as the applicant in an animal drug application or supplemental animal drug application for an animal drug product which has been submitted for listing under section 510; and

“(ii) who, after September 1, 2003, had pending before the Secretary an animal drug application or supplemental animal drug application, shall pay for each such animal drug product the annual fee established in subsection (c).

“(B) PAYMENT; FEE DUE DATE.—Such fee shall be payable for the fiscal year in which the animal drug product is first submitted for listing under section 510, or is submitted for relisting under section 510 if the animal drug product has been withdrawn from listing and relisted. After such fee is paid for that fiscal year, such fee shall be due each subsequent fiscal year that the product remains listed, upon the later of—

“(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

“(ii) January 31 of each year.

“(C) LIMITATION.—Such fee shall be paid only once for each animal drug product for a fiscal year in which the fee is payable.

#### **“(3) ANIMAL DRUG ESTABLISHMENT FEE.—**

“(A) IN GENERAL.—Each person—

“(i) who owns or operates, directly or through an affiliate, an animal drug establishment;

“(ii) who is named as the applicant in an animal drug application or supplemental animal drug application for an animal drug product which has been submitted for listing under section 510; and

“(iii) who, after September 1, 2003, had pending before the Secretary an animal drug application or supplemental animal drug application, shall be assessed an annual establishment fee as established in subsection (c) for each animal drug establishment listed in its approved animal drug application as an establishment that manufactures the animal drug product named in the application.

“(B) PAYMENT; FEE DUE DATE.—The annual establishment fee shall be assessed in each fiscal year in which the animal drug product named in the application is assessed a fee under paragraph (2) unless the animal drug establishment listed in the application does not engage in the manufacture of the animal drug product during the fiscal year. The fee under this paragraph for a fiscal year shall be due upon the later of—

“(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

“(ii) January 31 of each year.

“(C) LIMITATION.—

“(i) IN GENERAL.—An establishment shall be assessed only one fee per fiscal year under this section, subject to clause (ii).

“(ii) CERTAIN MANUFACTURERS.—If a single establishment manufactures both animal drug products and prescription drug products, as defined in section 735(3), such establishment shall be assessed both the animal drug establishment fee and the prescription drug establishment fee, as set forth in section 736(a)(2), within a single fiscal year.

“(4) ANIMAL DRUG SPONSOR FEE.—

“(A) IN GENERAL.—Each person—

“(i) who meets the definition of an animal drug sponsor within a fiscal year; and

“(ii) who, after September 1, 2003, had pending before the Secretary an animal drug application, a supplemental animal drug application, or an investigational animal drug submission, shall be assessed an annual sponsor fee as established under subsection (c).

“(B) PAYMENT; FEE DUE DATE.—The fee under this paragraph for a fiscal year shall be due upon the later of—

“(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

“(ii) January 31 of each year.

“(C) LIMITATION.—Each animal drug sponsor shall pay only one such fee each fiscal year.

“(b) FEE REVENUE AMOUNTS.—

“(1) IN GENERAL.—Subject to subsections (c), (d), (f), and (g)—

“(A) for fiscal year 2014, the fees required under subsection (a) shall be established to generate a total revenue amount of \$23,600,000; and

“(B) for each of fiscal years 2015 through 2018, the fees required under subsection (a) shall be established to generate a total revenue amount of \$21,600,000.

“(2) TYPES OF FEES.—Of the total revenue amount determined for a fiscal year under paragraph (1)—

“(A) 20 percent shall be derived from fees under subsection (a)(1) (relating to animal drug applications and supplements);

“(B) 27 percent shall be derived from fees under subsection (a)(2) (relating to animal drug products);

“(C) 26 percent shall be derived from fees under subsection (a)(3) (relating to animal drug establishments); and

“(D) 27 percent shall be derived from fees under subsection (a)(4) (relating to animal drug sponsors).

“(c) ANNUAL FEE SETTING; ADJUSTMENTS.—

“(1) ANNUAL FEE SETTING.—The Secretary shall establish, 60 days before the start of each fiscal year beginning after September 30, 2003, for that fiscal year, animal drug application fees, supplemental animal drug application fees, animal drug sponsor fees, animal drug establishment fees, and animal drug product fees based on the revenue amounts established under subsection (b) and the adjustments provided under this subsection.

“(2) INFLATION ADJUSTMENT.—For fiscal year 2015 and subsequent fiscal years, the revenue amounts established in subsection (b) shall be adjusted by the Secretary by notice, published in the Federal Register, for a fiscal year, by an amount equal to the sum of—

“(A) one;

“(B) the average annual percent change in the cost, per full-time equivalent position of the Food and Drug Administration, of all personnel compensation and benefits paid with respect to such positions for the first 3 of the preceding 4 fiscal years for which data are available, multiplied by the average pro-

portion of personnel compensation and benefits costs to total Food and Drug Administration costs for the first 3 years of the preceding 4 fiscal years for which data are available; and

“(C) the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC-MD-VA-WV; not seasonally adjusted; all items less food and energy; annual index) for the first 3 years of the preceding 4 years for which data are available multiplied by the average proportion of all costs other than personnel compensation and benefits costs to total Food and Drug Administration costs for the first 3 years of the preceding 4 fiscal years for which data are available.

The adjustment made each fiscal year under this paragraph shall be added on a compounded basis to the sum of all adjustments made each fiscal year after fiscal year 2014 under this paragraph.

“(3) WORKLOAD ADJUSTMENT.—For fiscal year 2015 and subsequent fiscal years, after the revenue amounts established in subsection (b) are adjusted for inflation in accordance with paragraph (2), the revenue amounts shall be further adjusted for such fiscal year to reflect changes in the workload of the Secretary for the process for the review of animal drug applications. With respect to such adjustment—

“(A) such adjustment shall be determined by the Secretary based on a weighted average of the change in the total number of animal drug applications, supplemental animal drug applications for which data with respect to safety or effectiveness are required, manufacturing supplemental animal drug applications, investigational animal drug study submissions, and investigational animal drug protocol submissions submitted to the Secretary;

“(B) the Secretary shall publish in the Federal Register the fees resulting from such adjustment and the supporting methodologies; and

“(C) under no circumstances shall such adjustment result in fee revenues for a fiscal year that are less than the fee revenues for that fiscal year established in subsection (b), as adjusted for inflation under paragraph (2).

“(4) FINAL YEAR ADJUSTMENT.—For fiscal year 2018, the Secretary may, in addition to other adjustments under this subsection, further increase the fees under this section, if such an adjustment is necessary, to provide for up to 3 months of operating reserves of carryover user fees for the process for the review of animal drug applications for the first 3 months of fiscal year 2019. If the Food and Drug Administration has carryover balances for the process for the review of animal drug applications in excess of 3 months of such operating reserves, then this adjustment will not be made. If this adjustment is necessary, then the rationale for the amount of the increase shall be contained in the annual notice setting fees for fiscal year 2018.

“(5) LIMIT.—The total amount of fees charged, as adjusted under this subsection, for a fiscal year may not exceed the total costs for such fiscal year for the resources allocated for the process for the review of animal drug applications.

“(d) FEE WAIVER OR REDUCTION.—

“(1) IN GENERAL.—The Secretary shall grant a waiver from or a reduction of one or more fees assessed under subsection (a) where the Secretary finds that—

“(A) the assessment of the fee would present a significant barrier to innovation because of limited resources available to such person or other circumstances;

“(B) the fees to be paid by such person will exceed the anticipated present and future costs incurred by the Secretary in conducting the process for the review of animal drug applications for such person;

“(C) the animal drug application or supplemental animal drug application is intended solely to provide for use of the animal drug in—

“(i) a Type B medicated feed (as defined in section 558.3(b)(3) of title 21, Code of Federal Regulations (or any successor regulation)) intended for use in the manufacture of Type C free-choice medicated feeds; or

“(ii) a Type C free-choice medicated feed (as defined in section 558.3(b)(4) of title 21, Code of Federal Regulations (or any successor regulation));

“(D) the animal drug application or supplemental animal drug application is intended solely to provide for a minor use or minor species indication; or

“(E) the sponsor involved is a small business submitting its first animal drug application to the Secretary for review.

“(2) USE OF STANDARD COSTS.—In making the finding in paragraph (1)(B), the Secretary may use standard costs.

“(3) RULES FOR SMALL BUSINESSES.—

“(A) DEFINITION.—In paragraph (1)(E), the term ‘small business’ means an entity that has fewer than 500 employees, including employees of affiliates.

“(B) WAIVER OF APPLICATION FEE.—The Secretary shall waive under paragraph (1)(E) the application fee for the first animal drug application that a small business or its affiliate submits to the Secretary for review. After a small business or its affiliate is granted such a waiver, the small business or its affiliate shall pay application fees for all subsequent animal drug applications and supplemental animal drug applications for which safety or effectiveness data are required in the same manner as an entity that does not qualify as a small business.

“(C) CERTIFICATION.—The Secretary shall require any person who applies for a waiver under paragraph (1)(E) to certify their qualification for the waiver. The Secretary shall periodically publish in the Federal Register a list of persons making such certifications.

“(e) EFFECT OF FAILURE TO PAY FEES.—An animal drug application or supplemental animal drug application submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for filing by the Secretary until all fees owed by such person have been paid. An investigational animal drug submission under section 739(5)(B) that is submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for review by the Secretary until all fees owed by such person have been paid. The Secretary may discontinue review of any animal drug application, supplemental animal drug application or investigational animal drug submission from a person if such person has not submitted for payment all fees owed under this section by 30 days after the date upon which they are due.

“(f) ASSESSMENT OF FEES.—

“(1) LIMITATION.—Fees may not be assessed under subsection (a) for a fiscal year beginning after fiscal year 2003 unless appropriations for salaries and expenses of the Food and Drug Administration for such fiscal year (excluding the amount of fees appropriated for such fiscal year) are equal to or greater than the amount of appropriations for the salaries and expenses of the Food and Drug Administration for the fiscal year 2003 (excluding the amount of fees appropriated for

such fiscal year) multiplied by the adjustment factor applicable to the fiscal year involved.

“(2) **AUTHORITY.**—If the Secretary does not assess fees under subsection (a) during any portion of a fiscal year because of paragraph (1) and if at a later date in such fiscal year the Secretary may assess such fees, the Secretary may assess and collect such fees, without any modification in the rate, for animal drug applications, supplemental animal drug applications, investigational animal drug submissions, animal drug sponsors, animal drug establishments and animal drug products at any time in such fiscal year notwithstanding the provisions of subsection (a) relating to the date fees are to be paid.

“(g) **CREDITING AND AVAILABILITY OF FEES.**—

“(1) **IN GENERAL.**—Subject to paragraph (2)(C), fees authorized under subsection (a) shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to be appropriated to remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salary and expenses with such fiscal year limitation. The sums transferred shall be available solely for the process for the review of animal drug applications.

“(2) **COLLECTIONS AND APPROPRIATION ACTS.**—

“(A) **IN GENERAL.**—The fees authorized by this section—

“(i) subject to subparagraph (C), shall be collected and available in each fiscal year in an amount not to exceed the amount specified in appropriation Acts, or otherwise made available for obligation for such fiscal year, and

“(ii) shall be available to defray increases in the costs of the resources allocated for the process for the review of animal drug applications (including increases in such costs for an additional number of full-time equivalent positions in the Department of Health and Human Services to be engaged in such process) over such costs, excluding costs paid from fees collected under this section, for fiscal year 2003 multiplied by the adjustment factor.

“(B) **COMPLIANCE.**—The Secretary shall be considered to have met the requirements of subparagraph (A)(ii) in any fiscal year if the costs funded by appropriations and allocated for the process for the review of animal drug applications—

“(i) are not more than 3 percent below the level specified in subparagraph (A)(ii); or

“(ii)(I) are more than 3 percent below the level specified in subparagraph (A)(ii), and fees assessed for the fiscal year following the subsequent fiscal year are decreased by the amount in excess of 3 percent by which such costs fell below the level specified in subparagraph (A)(ii); and

“(II) such costs are not more than 5 percent below the level specified in subparagraph (A)(ii).

“(C) **PROVISION FOR EARLY PAYMENTS.**—Payment of fees authorized under this section for a fiscal year, prior to the due date for such fees, may be accepted by the Secretary in accordance with authority provided in advance in a prior year appropriations Act.

“(3) **AUTHORIZATION OF APPROPRIATIONS.**—For each of the fiscal years 2014 through 2018, there is authorized to be appropriated for

fees under this section an amount equal to the total revenue amount determined under subsection (b) for the fiscal year, as adjusted or otherwise affected under subsection (c) and paragraph (4).

“(4) **OFFSET OF OVERCOLLECTIONS; RECOVERY OF COLLECTION SHORTFALLS.**—

“(A) **OFFSET OF OVERCOLLECTIONS.**—If the sum of the cumulative amount of fees collected under this section for fiscal years 2014 through 2016 and the amount of fees estimated to be collected under this section for fiscal year 2017 (including any increased fee collections attributable to subparagraph (B)), exceeds the cumulative amount appropriated pursuant to paragraph (3) for the fiscal years 2014 through 2017, the excess amount shall be credited to the appropriation account of the Food and Drug Administration as provided in paragraph (1), and shall be subtracted from the amount of fees that would otherwise be authorized to be collected under this section pursuant to appropriation Acts for fiscal year 2018.

“(B) **RECOVERY OF COLLECTION SHORTFALLS.**—

“(i) **FISCAL YEAR 2016.**—For fiscal year 2016, the amount of fees otherwise authorized to be collected under this section shall be increased by the amount, if any, by which the amount collected under this section and appropriated for fiscal year 2014 falls below the amount of fees authorized for fiscal year 2014 under paragraph (3).

“(ii) **FISCAL YEAR 2017.**—For fiscal year 2017, the amount of fees otherwise authorized to be collected under this section shall be increased by the amount, if any, by which the amount collected under this section and appropriated for fiscal year 2015 falls below the amount of fees authorized for fiscal year 2015 under paragraph (3).

“(iii) **FISCAL YEAR 2018.**—For fiscal year 2018, the amount of fees otherwise authorized to be collected under this section (including any reduction in the authorized amount under subparagraph (A)), shall be increased by the cumulative amount, if any, by which the amount collected under this section and appropriated for fiscal years 2016 and 2017 (including estimated collections for fiscal year 2017) falls below the cumulative amount of fees authorized under paragraph (3) for fiscal years 2016 and 2017.

“(h) **COLLECTION OF UNPAID FEES.**—In any case where the Secretary does not receive payment of a fee assessed under subsection (a) within 30 days after it is due, such fee shall be treated as a claim of the United States Government subject to subchapter II of chapter 37 of title 31, United States Code.

“(i) **WRITTEN REQUESTS FOR WAIVERS, REDUCTIONS, AND REFUNDS.**—To qualify for consideration for a waiver or reduction under subsection (d), or for a refund of any fee collected in accordance with subsection (a), a person shall submit to the Secretary a written request for such waiver, reduction, or refund not later than 180 days after such fee is due.

“(j) **CONSTRUCTION.**—This section may not be construed to require that the number of full-time equivalent positions in the Department of Health and Human Services, for officers, employees, and advisory committees not engaged in the process of the review of animal drug applications, be reduced to offset the number of officers, employees, and advisory committees so engaged.

“(k) **ABBREVIATED NEW ANIMAL DRUG APPLICATIONS.**—The Secretary shall—

“(1) to the extent practicable, segregate the review of abbreviated new animal drug applications from the process for the review of animal drug applications; and

“(2) adopt other administrative procedures to ensure that review times of abbreviated new animal drug applications do not increase from their current level due to activities under the user fee program.”.

**SEC. 104. REAUTHORIZATION; REPORTING REQUIREMENTS.**

Section 740A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-13) is amended to read as follows:

**“SEC. 740A. REAUTHORIZATION; REPORTING REQUIREMENTS.**

“(a) **PERFORMANCE REPORT.**—Beginning with fiscal year 2014, not later than 120 days after the end of each fiscal year during which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report concerning the progress of the Food and Drug Administration in achieving the goals identified in the letters described in section 101(b) of the Animal Drug User Fee Amendments of 2013 toward expediting the animal drug development process and the review of the new and supplemental animal drug applications and investigational animal drug submissions during such fiscal year, the future plans of the Food and Drug Administration for meeting the goals, the review times for abbreviated new animal drug applications, and the administrative procedures adopted by the Food and Drug Administration to ensure that review times for abbreviated new animal drug applications are not increased from their current level due to activities under the user fee program.

“(b) **FISCAL REPORT.**—Beginning with fiscal year 2014, not later than 120 days after the end of each fiscal year during which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the implementation of the authority for such fees during such fiscal year and the use, by the Food and Drug Administration, of the fees collected during such fiscal year for which the report is made.

“(c) **PUBLIC AVAILABILITY.**—The Secretary shall make the reports required under subsections (a) and (b) available to the public on the Internet Web site of the Food and Drug Administration.

“(d) **REAUTHORIZATION.**—

“(1) **CONSULTATION.**—In developing recommendations to present to the Congress with respect to the goals, and plans for meeting the goals, for the process for the review of animal drug applications for the first 5 fiscal years after fiscal year 2018, and for the reauthorization of this part for such fiscal years, the Secretary shall consult with—

“(A) the Committee on Health, Education, Labor, and Pensions of the Senate;

“(B) the Committee on Energy and Commerce of the House of Representatives;

“(C) scientific and academic experts;

“(D) veterinary professionals;

“(E) representatives of patient and consumer advocacy groups; and

“(F) the regulated industry.

“(2) **PRIOR PUBLIC INPUT.**—Prior to beginning negotiations with the regulated industry on the reauthorization of this part, the Secretary shall—

“(A) publish a notice in the Federal Register requesting public input on the reauthorization;

“(B) hold a public meeting at which the public may present its views on the reauthorization, including specific suggestions



for changes to the goals referred to in subsection (a);

“(C) provide a period of 30 days after the public meeting to obtain written comments from the public suggesting changes to this part; and

“(D) publish the comments on the Food and Drug Administration’s Internet Web site.

“(3) PERIODIC CONSULTATION.—Not less frequently than once every 4 months during negotiations with the regulated industry, the Secretary shall hold discussions with representatives of veterinary, patient, and consumer advocacy groups to continue discussions of their views on the reauthorization and their suggestions for changes to this part as expressed under paragraph (2).

“(4) PUBLIC REVIEW OF RECOMMENDATIONS.—After negotiations with the regulated industry, the Secretary shall—

“(A) present the recommendations developed under paragraph (1) to the Congressional committees specified in such paragraph;

“(B) publish such recommendations in the Federal Register;

“(C) provide for a period of 30 days for the public to provide written comments on such recommendations;

“(D) hold a meeting at which the public may present its views on such recommendations; and

“(E) after consideration of such public views and comments, revise such recommendations as necessary.

“(5) TRANSMITTAL OF RECOMMENDATIONS.—Not later than January 15, 2018, the Secretary shall transmit to Congress the revised recommendations under paragraph (4) a summary of the views and comments received under such paragraph, and any changes made to the recommendations in response to such views and comments.

“(6) MINUTES OF NEGOTIATION MEETINGS.—

“(A) PUBLIC AVAILABILITY.—Before presenting the recommendations developed under paragraphs (1) through (5) to Congress, the Secretary shall make publicly available, on the Internet Web site of the Food and Drug Administration, minutes of all negotiation meetings conducted under this subsection between the Food and Drug Administration and the regulated industry.

“(B) CONTENT.—The minutes described under subparagraph (A) shall summarize any substantive proposal made by any party to the negotiations as well as significant controversies or differences of opinion during the negotiations and their resolution.”.

#### SEC. 105. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–11 et seq.), as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to animal drug applications and supplemental animal drug applications (as defined in such part as of such day) that on or after October 1, 2008, but before October 1, 2013, were accepted by the Food and Drug Administration for filing with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2014.

#### SEC. 106. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2013, or the date of enactment of this Act, whichever is later, except that fees under part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as amended by this title, shall be assessed for all animal drug applications and supplemental animal drug applications

received on or after October 1, 2013, regardless of the date of the enactment of this Act.

#### SEC. 107. SUNSET DATES.

(a) AUTHORIZATION.—Section 740 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12) shall cease to be effective October 1, 2018.

(b) REPORTING REQUIREMENTS.—Section 740A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–13) shall cease to be effective January 31, 2019.

(c) PREVIOUS SUNSET PROVISION.—

(1) IN GENERAL.—Section 108 of the Animal Drug User Fee Amendments of 2008 (Public Law 110–316) is repealed.

(2) CONFORMING AMENDMENT.—The Animal Drug User Fee Amendments of 2008 (Public Law 110–316) is amended in the table of contents in section 1, by striking the item relating to section 108.

(d) TECHNICAL CLARIFICATION.—Effective November 18, 2003, section 5 of the Animal Drug User Fee Act of 2003 (Public Law 108–130) is repealed.

### TITLE II—FEES RELATING TO GENERIC ANIMAL DRUGS

#### SEC. 201. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the “Animal Generic Drug User Fee Amendments of 2013”.

(b) FINDING.—The fees authorized by this title will be dedicated toward expediting the generic new animal drug development process and the review of abbreviated applications for generic new animal drugs, supplemental abbreviated applications for generic new animal drugs, and investigational submissions for generic new animal drugs as set forth in the goals identified in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Energy and Commerce of the House of Representatives and the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate as set forth in the Congressional Record.

#### SEC. 202. AUTHORITY TO ASSESS AND USE GENERIC NEW ANIMAL DRUG FEES.

Section 741 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21) is amended to read as follows:

#### “SEC. 741. AUTHORITY TO ASSESS AND USE GENERIC NEW ANIMAL DRUG FEES.

“(a) TYPES OF FEES.—Beginning with respect to fiscal year 2009, the Secretary shall assess and collect fees in accordance with this section as follows:

“(1) ABBREVIATED APPLICATION FEE.—

“(A) IN GENERAL.—Each person that submits, on or after July 1, 2008, an abbreviated application for a generic new animal drug shall be subject to a fee as established in subsection (c) for such an application.

“(B) PAYMENT.—The fee required by subparagraph (A) shall be due upon submission of the abbreviated application.

“(C) EXCEPTIONS.—

“(i) PREVIOUSLY FILED APPLICATION.—If an abbreviated application was submitted by a person that paid the fee for such application, was accepted for filing, and was not approved or was withdrawn (without a waiver or refund), the submission of an abbreviated application for the same product by the same person (or the person’s licensee, assignee, or successor) shall not be subject to a fee under subparagraph (A).

“(ii) CERTAIN ABBREVIATED APPLICATIONS INVOLVING COMBINATION ANIMAL DRUGS.—An abbreviated application which is subject to the criteria in section 512(d)(4) and submitted on or after October 1, 2013 shall be subject to a fee equal to 50 percent of the

amount of the abbreviated application fee established in subsection (c).

“(D) REFUND OF FEE IF APPLICATION REFUSED FOR FILING.—The Secretary shall refund 75 percent of the fee paid under subparagraph (B) for any abbreviated application which is refused for filing.

“(E) REFUND OF FEE IF APPLICATION WITHDRAWN.—If an abbreviated application is withdrawn after the application was filed, the Secretary may refund the fee or portion of the fee paid under subparagraph (B) if no substantial work was performed on the application after the application was filed. The Secretary shall have the sole discretion to refund the fee under this subparagraph. A determination by the Secretary concerning a refund under this subparagraph shall not be reviewable.

“(2) GENERIC NEW ANIMAL DRUG PRODUCT FEE.—

“(A) IN GENERAL.—Each person—

“(i) who is named as the applicant in an abbreviated application or supplemental abbreviated application for a generic new animal drug product which has been submitted for listing under section 510; and

“(ii) who, after September 1, 2008, had pending before the Secretary an abbreviated application or supplemental abbreviated application, shall pay for each such generic new animal drug product the annual fee established in subsection (c).

“(B) PAYMENT; FEE DUE DATE.—Such fee shall be payable for the fiscal year in which the generic new animal drug product is first submitted for listing under section 510, or is submitted for relisting under section 510 if the generic new animal drug product has been withdrawn from listing and relisted. After such fee is paid for that fiscal year, such fee shall be due each subsequent fiscal year that the product remains listed, upon the later of—

“(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

“(ii) January 31 of each year.

“(C) LIMITATION.—Such fee shall be paid only once for each generic new animal drug product for a fiscal year in which the fee is payable.

“(3) GENERIC NEW ANIMAL DRUG SPONSOR FEE.—

“(A) IN GENERAL.—Each person—

“(i) who meets the definition of a generic new animal drug sponsor within a fiscal year; and

“(ii) who, after September 1, 2008, had pending before the Secretary an abbreviated application, a supplemental abbreviated application, or an investigational submission, shall be assessed an annual generic new animal drug sponsor fee as established under subsection (c).

“(B) PAYMENT; FEE DUE DATE.—Such fee shall be due each fiscal year upon the later of—

“(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

“(ii) January 31 of each year.

“(C) AMOUNT OF FEE.—Each generic new animal drug sponsor shall pay only 1 such fee each fiscal year, as follows:

“(i) 100 percent of the amount of the generic new animal drug sponsor fee published for that fiscal year under subsection (c) for an applicant with more than 6 approved abbreviated applications.



“(ii) 75 percent of the amount of the generic new animal drug sponsor fee published for that fiscal year under subsection (c) for an applicant with more than 1 and fewer than 7 approved abbreviated applications.

“(iii) 50 percent of the amount of the generic new animal drug sponsor fee published for that fiscal year under subsection (c) for an applicant with 1 or fewer approved abbreviated applications.

“(b) FEE AMOUNTS.—Subject to subsections (c), (d), (f), and (g), the fees required under subsection (a) shall be established to generate fee revenue amounts as follows:

“(1) TOTAL FEE REVENUES FOR APPLICATION FEES.—The total fee revenues to be collected in abbreviated application fees under subsection (a)(1) shall be \$1,832,000 for fiscal year 2014, \$1,736,000 for fiscal year 2015, \$1,857,000 for fiscal year 2016, \$1,984,000 for fiscal year 2017, and \$2,117,000 for fiscal year 2018.

“(2) TOTAL FEE REVENUES FOR PRODUCT FEES.—The total fee revenues to be collected in generic new animal drug product fees under subsection (a)(2) shall be \$2,748,000 for fiscal year 2014, \$2,604,000 for fiscal year 2015, \$2,786,000 for fiscal year 2016, \$2,976,000 for fiscal year 2017, and \$3,175,000 for fiscal year 2018.

“(3) TOTAL FEE REVENUES FOR SPONSOR FEES.—The total fee revenues to be collected in generic new animal drug sponsor fees under subsection (a)(3) shall be \$2,748,000 for fiscal year 2014, \$2,604,000 for fiscal year 2015, \$2,786,000 for fiscal year 2016, \$2,976,000 for fiscal year 2017, and \$3,175,000 for fiscal year 2018.

“(c) ANNUAL FEE SETTING; ADJUSTMENTS.—

“(1) ANNUAL FEE SETTING.—The Secretary shall establish, 60 days before the start of each fiscal year beginning after September 30, 2008, for that fiscal year, abbreviated application fees, generic new animal drug sponsor fees, and generic new animal drug product fees, based on the revenue amounts established under subsection (b) and the adjustments provided under this subsection.

“(2) WORKLOAD ADJUSTMENT.—The fee revenues shall be adjusted each fiscal year after fiscal year 2014 to reflect changes in review workload. With respect to such adjustment:

“(A) This adjustment shall be determined by the Secretary based on a weighted average of the change in the total number of abbreviated applications for generic new animal drugs, manufacturing supplemental abbreviated applications for generic new animal drugs, investigational generic new animal drug study submissions, and investigational generic new animal drug protocol submissions submitted to the Secretary. The Secretary shall publish in the Federal Register the fees resulting from this adjustment and the supporting methodologies.

“(B) Under no circumstances shall this workload adjustment result in fee revenues for a fiscal year that are less than the fee revenues for that fiscal year established in subsection (b).

“(3) FINAL YEAR ADJUSTMENT.—For fiscal year 2018, the Secretary may, in addition to other adjustments under this subsection, further increase the fees under this section, if such an adjustment is necessary, to provide for up to 3 months of operating reserves of carryover user fees for the process for the review of abbreviated applications for generic new animal drugs for the first 3 months of fiscal year 2019. If the Food and Drug Administration has carryover balances for the process for the review of abbreviated applications for generic new animal drugs in excess of 3 months of such operating reserves, then this adjustment shall not be made. If this ad-

justment is necessary, then the rationale for the amount of the increase shall be contained in the annual notice setting fees for fiscal year 2018.

“(4) LIMIT.—The total amount of fees charged, as adjusted under this subsection, for a fiscal year may not exceed the total costs for such fiscal year for the resources allocated for the process for the review of abbreviated applications for generic new animal drugs.

“(d) FEE WAIVER OR REDUCTION.—The Secretary shall grant a waiver from or a reduction of 1 or more fees assessed under subsection (a) where the Secretary finds that the generic new animal drug is intended solely to provide for a minor use or minor species indication.

“(e) EFFECT OF FAILURE TO PAY FEES.—An abbreviated application for a generic new animal drug submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for filing by the Secretary until all fees owed by such person have been paid. An investigational submission for a generic new animal drug that is submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for review by the Secretary until all fees owed by such person have been paid. The Secretary may discontinue review of any abbreviated application for a generic new animal drug, supplemental abbreviated application for a generic new animal drug, or investigational submission for a generic new animal drug from a person if such person has not submitted for payment all fees owed under this section by 30 days after the date upon which they are due.

“(f) ASSESSMENT OF FEES.—

“(1) LIMITATION.—Fees may not be assessed under subsection (a) for a fiscal year beginning after fiscal year 2008 unless appropriations for salaries and expenses of the Food and Drug Administration for such fiscal year (excluding the amount of fees appropriated for such fiscal year) are equal to or greater than the amount of appropriations for the salaries and expenses of the Food and Drug Administration for the fiscal year 2003 (excluding the amount of fees appropriated for such fiscal year) multiplied by the adjustment factor applicable to the fiscal year involved.

“(2) AUTHORITY.—If the Secretary does not assess fees under subsection (a) during any portion of a fiscal year because of paragraph (1) and if at a later date in such fiscal year the Secretary may assess such fees, the Secretary may assess and collect such fees, without any modification in the rate, for abbreviated applications, generic new animal drug sponsors, and generic new animal drug products at any time in such fiscal year notwithstanding the provisions of subsection (a) relating to the date fees are to be paid.

“(g) CREDITING AND AVAILABILITY OF FEES.—

“(1) IN GENERAL.—Subject to paragraph (2)(C), fees authorized under subsection (a) shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to be appropriated to remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salary and expenses with such fiscal year limitation. The sums transferred shall be available solely for the process for the review of abbreviated applications for generic new animal drugs.

“(2) COLLECTIONS AND APPROPRIATION ACTS.—

“(A) IN GENERAL.—The fees authorized by this section—

“(i) subject to subparagraph (C), shall be collected and available in each fiscal year in an amount not to exceed the amount specified in appropriation Acts, or otherwise made available for obligation for such fiscal year; and

“(ii) shall be available to defray increases in the costs of the resources allocated for the process for the review of abbreviated applications for generic new animal drugs (including increases in such costs for an additional number of full-time equivalent positions in the Department of Health and Human Services to be engaged in such process) over such costs, excluding costs paid from fees collected under this section, for fiscal year 2008 multiplied by the adjustment factor.

“(B) COMPLIANCE.—The Secretary shall be considered to have met the requirements of subparagraph (A)(ii) in any fiscal year if the costs funded by appropriations and allocated for the process for the review of abbreviated applications for generic new animal drugs—

“(i) are not more than 3 percent below the level specified in subparagraph (A)(ii); or

“(ii) (I) are more than 3 percent below the level specified in subparagraph (A)(ii), and fees assessed for the fiscal year following the subsequent fiscal year are decreased by the amount in excess of 3 percent by which such costs fell below the level specified in subparagraph (A)(ii); and

“(II) such costs are not more than 5 percent below the level specified in subparagraph (A)(ii).

“(C) PROVISION FOR EARLY PAYMENTS.—Payment of fees authorized under this section for a fiscal year, prior to the due date for such fees, may be accepted by the Secretary in accordance with authority provided in advance in a prior year appropriations Act.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fees under this section—

“(A) \$7,328,000 for fiscal year 2014;

“(B) \$6,944,000 for fiscal year 2015;

“(C) \$7,429,000 for fiscal year 2016;

“(D) \$7,936,000 for fiscal year 2017; and

“(E) \$8,467,000 for fiscal year 2018;

as adjusted to reflect adjustments in the total fee revenues made under this section and changes in the total amounts collected by abbreviated application fees, generic new animal drug sponsor fees, and generic new animal drug product fees.

“(4) OFFSET.—If the sum of the cumulative amount of fees collected under this section for the fiscal years 2014 through 2016 and the amount of fees estimated to be collected under this section for fiscal year 2017 exceeds the cumulative amount appropriated under paragraph (3) for the fiscal years 2014 through 2017, the excess amount shall be credited to the appropriation account of the Food and Drug Administration as provided in paragraph (1), and shall be subtracted from the amount of fees that would otherwise be authorized to be collected under this section pursuant to appropriation Acts for fiscal year 2018.

“(h) COLLECTION OF UNPAID FEES.—In any case where the Secretary does not receive payment of a fee assessed under subsection (a) within 30 days after it is due, such fee shall be treated as a claim of the United States Government subject to subchapter II of chapter 37 of title 31, United States Code.

“(i) WRITTEN REQUESTS FOR WAIVERS, REDUCTIONS, AND REFUNDS.—To qualify for consideration for a waiver or reduction under

subsection (d), or for a refund of any fee collected in accordance with subsection (a), a person shall submit to the Secretary a written request for such waiver, reduction, or refund not later than 180 days after such fee is due.

“(j) CONSTRUCTION.—This section may not be construed to require that the number of full-time equivalent positions in the Department of Health and Human Services, for officers, employees, and advisory committees not engaged in the process of the review of abbreviated applications for generic new animal drugs, be reduced to offset the number of officers, employees, and advisory committees so engaged.

“(k) DEFINITIONS.—In this section and section 742:

“(1) ABBREVIATED APPLICATION FOR A GENERIC NEW ANIMAL DRUG.—The terms ‘abbreviated application for a generic new animal drug’ and ‘abbreviated application’ mean an abbreviated application for the approval of any generic new animal drug submitted under section 512(b)(2). Such term does not include a supplemental abbreviated application for a generic new animal drug.

“(2) ADJUSTMENT FACTOR.—The term ‘adjustment factor’ applicable to a fiscal year is the Consumer Price Index for all urban consumers (all items; United States city average) for October of the preceding fiscal year divided by—

“(A) for purposes of subsection (f)(1), such Index for October 2002; and

“(B) for purposes of subsection (g)(2)(A)(ii), such Index for October 2007.

“(3) COSTS OF RESOURCES ALLOCATED FOR THE PROCESS FOR THE REVIEW OF ABBREVIATED APPLICATIONS FOR GENERIC NEW ANIMAL DRUGS.—The term ‘costs of resources allocated for the process for the review of abbreviated applications for generic new animal drugs’ means the expenses in connection with the process for the review of abbreviated applications for generic new animal drugs for—

“(A) officers and employees of the Food and Drug Administration, contractors of the Food and Drug Administration, advisory committees consulted with respect to the review of specific abbreviated applications, supplemental abbreviated applications, or investigational submissions, and costs related to such officers, employees, committees, and contractors, including costs for travel, education, and recruitment and other personnel activities;

“(B) management of information, and the acquisition, maintenance, and repair of computer resources;

“(C) leasing, maintenance, renovation, and repair of facilities and acquisition, maintenance, and repair of fixtures, furniture, scientific equipment, and other necessary materials and supplies; and

“(D) collecting fees under this section and accounting for resources allocated for the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions.

“(4) FINAL DOSAGE FORM.—The term ‘final dosage form’ means, with respect to a generic new animal drug product, a finished dosage form which is approved for administration to an animal without substantial further manufacturing. Such term includes generic new animal drug products intended for mixing in animal feeds.

“(5) GENERIC NEW ANIMAL DRUG.—The term ‘generic new animal drug’ means a new animal drug that is the subject of an abbreviated application.

“(6) GENERIC NEW ANIMAL DRUG PRODUCT.—The term ‘generic new animal drug product’

means each specific strength or potency of a particular active ingredient or ingredients in final dosage form marketed by a particular manufacturer or distributor, which is uniquely identified by the labeler code and product code portions of the national drug code, and for which an abbreviated application for a generic new animal drug or a supplemental abbreviated application has been approved.

“(7) GENERIC NEW ANIMAL DRUG SPONSOR.—The term ‘generic new animal drug sponsor’ means either an applicant named in an abbreviated application for a generic new animal drug that has not been withdrawn by the applicant and for which approval has not been withdrawn by the Secretary, or a person who has submitted an investigational submission for a generic new animal drug that has not been terminated or otherwise rendered inactive by the Secretary.

“(8) INVESTIGATIONAL SUBMISSION FOR A GENERIC NEW ANIMAL DRUG.—The terms ‘investigational submission for a generic new animal drug’ and ‘investigational submission’ mean—

“(A) the filing of a claim for an investigational exemption under section 512(j) for a generic new animal drug intended to be the subject of an abbreviated application or a supplemental abbreviated application; or

“(B) the submission of information for the purpose of enabling the Secretary to evaluate the safety or effectiveness of a generic new animal drug in the event of the filing of an abbreviated application or supplemental abbreviated application for such drug.

“(9) PERSON.—The term ‘person’ includes an affiliate thereof (as such term is defined in section 735(11)).

“(10) PROCESS FOR THE REVIEW OF ABBREVIATED APPLICATIONS FOR GENERIC NEW ANIMAL DRUGS.—The term ‘process for the review of abbreviated applications for generic new animal drugs’ means the following activities of the Secretary with respect to the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions:

“(A) The activities necessary for the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions.

“(B) The issuance of action letters which approve abbreviated applications or supplemental abbreviated applications or which set forth in detail the specific deficiencies in abbreviated applications, supplemental abbreviated applications, or investigational submissions and, where appropriate, the actions necessary to place such applications, supplemental applications, or submissions in condition for approval.

“(C) The inspection of generic new animal drug establishments and other facilities undertaken as part of the Secretary’s review of pending abbreviated applications, supplemental abbreviated applications, and investigational submissions.

“(D) Monitoring of research conducted in connection with the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions.

“(E) The development of regulations and policy related to the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions.

“(F) Development of standards for products subject to review.

“(G) Meetings between the agency and the generic new animal drug sponsor.

“(H) Review of advertising and labeling prior to approval of an abbreviated application or supplemental abbreviated applica-

tion, but not after such application has been approved.

“(11) SUPPLEMENTAL ABBREVIATED APPLICATION FOR GENERIC NEW ANIMAL DRUG.—The terms ‘supplemental abbreviated application for a generic new animal drug’ and ‘supplemental abbreviated application’ mean a request to the Secretary to approve a change in an approved abbreviated application.”

#### SEC. 203. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 742 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-22) is amended to read as follows:

#### “SEC. 742. REAUTHORIZATION; REPORTING REQUIREMENTS.

“(a) PERFORMANCE REPORTS.—Beginning with fiscal year 2014, not later than 120 days after the end of each fiscal year during which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives a report concerning the progress of the Food and Drug Administration in achieving the goals identified in the letters described in section 201(b) of the Animal Generic Drug User Fee Amendments of 2013 toward expediting the generic new animal drug development process and the review of abbreviated applications for generic new animal drugs, supplemental abbreviated applications for generic new animal drugs, and investigational submissions for generic new animal drugs during such fiscal year.

“(b) FISCAL REPORT.—Beginning with fiscal year 2014, not later than 120 days after the end of each fiscal year during which fees are collected under this part, the Secretary shall prepare and submit to Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the implementation of the authority for such fees during such fiscal year and the use, by the Food and Drug Administration, of the fees collected during such fiscal year for which the report is made.

“(c) PUBLIC AVAILABILITY.—The Secretary shall make the reports required under subsections (a) and (b) available to the public on the Internet Web site of the Food and Drug Administration.

“(d) REAUTHORIZATION.—

“(1) CONSULTATION.—In developing recommendations to present to Congress with respect to the goals, and plans for meeting the goals, for the process for the review of abbreviated applications for generic new animal drugs for the first 5 fiscal years after fiscal year 2018, and for the reauthorization of this part for such fiscal years, the Secretary shall consult with—

“(A) the Committee on Energy and Commerce of the House of Representatives;

“(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

“(C) scientific and academic experts;

“(D) veterinary professionals;

“(E) representatives of patient and consumer advocacy groups; and

“(F) the regulated industry.

“(2) PRIOR PUBLIC INPUT.—Prior to beginning negotiations with the regulated industry on the reauthorization of this part, the Secretary shall—

“(A) publish a notice in the Federal Register requesting public input on the reauthorization;

“(B) hold a public meeting at which the public may present its views on the reauthorization, including specific suggestions for changes to the goals referred to in subsection (a);

“(C) provide a period of 30 days after the public meeting to obtain written comments from the public suggesting changes to this part; and

“(D) publish the comments on the Food and Drug Administration’s Internet Web site.

“(3) PERIODIC CONSULTATION.—Not less frequently than once every 4 months during negotiations with the regulated industry, the Secretary shall hold discussions with representatives of veterinary, patient, and consumer advocacy groups to continue discussions of their views on the reauthorization and their suggestions for changes to this part as expressed under paragraph (2).

“(4) PUBLIC REVIEW OF RECOMMENDATIONS.—After negotiations with the regulated industry, the Secretary shall—

“(A) present the recommendations developed under paragraph (1) to the congressional committees specified in such paragraph;

“(B) publish such recommendations in the Federal Register;

“(C) provide for a period of 30 days for the public to provide written comments on such recommendations;

“(D) hold a meeting at which the public may present its views on such recommendations; and

“(E) after consideration of such public views and comments, revise such recommendations as necessary.

“(5) TRANSMITTAL OF RECOMMENDATIONS.—Not later than January 15, 2018, the Secretary shall transmit to Congress the revised recommendations under paragraph (4), a summary of the views and comments received under such paragraph, and any changes made to the recommendations in response to such views and comments.

“(6) MINUTES OF NEGOTIATION MEETINGS.—

“(A) PUBLIC AVAILABILITY.—Before presenting the recommendations developed under paragraphs (1) through (5) to Congress, the Secretary shall make publicly available, on the Internet Web site of the Food and Drug Administration, minutes of all negotiation meetings conducted under this subsection between the Food and Drug Administration and the regulated industry.

“(B) CONTENT.—The minutes described under subparagraph (A) shall summarize any substantive proposal made by any party to the negotiations as well as significant controversies or differences of opinion during the negotiations and their resolution.”.

#### SEC. 204. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 5 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as in effect on the day before the date of enactment of this title, shall continue to be in effect with respect to abbreviated applications for a generic new animal drug and supplemental abbreviated applications for a generic new animal drug (as defined in such part as of such day) that on or after October 1, 2008, but before October 1, 2013, were accepted by the Food and Drug Administration for filing with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2014.

#### SEC. 205. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2013, or the date of enactment of this Act, whichever is later, except that fees under part 5 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as amended by this title, shall be assessed for all abbreviated applications for a generic new animal drug and supplemental abbreviated applications for a ge-

neric new animal drug received on or after October 1, 2013, regardless of the date of enactment of this Act.

#### SEC. 206. SUNSET DATES.

(a) AUTHORIZATION.—Section 741 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-21) shall cease to be effective October 1, 2018.

(b) REPORTING REQUIREMENTS.—Section 742 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-22) shall cease to be effective January 31, 2019.

(c) PREVIOUS SUNSET PROVISION.—

(1) IN GENERAL.—Section 204 of the Animal Generic Drug User Fee Act of 2008 (Public Law 110-316) is repealed.

(2) CONFORMING AMENDMENT.—The Animal Generic Drug User Fee Act of 2008 (Public Law 110-316) is amended in the table of contents in section 1, by striking the item relating to section 204.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATTA) and the gentleman from California (Mr. WAXMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

#### GENERAL LEAVE

Mr. LATTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 622, the Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013. The Energy and Commerce Committee passed H.R. 1407, a nearly identical bill, through the committee last month with broad bipartisan support.

The agriculture industry, animal drug manufacturers, veterinarians, pet owners, and the Food and Drug Administration have all found both the Animal Drug User Fee and Animal Generic Drug User Fee to be very effective, and have asked Congress to reauthorize the programs as soon as possible. In addition, there is strong bipartisan support for the programs, which I think is a reflection of their success and effectiveness.

Passing S. 622 is extremely important for our Nation. First, having quality and safe medications is essential for ensuring the safety of our Nation’s food supply chain. Second, these programs help livestock producers, poultry producers, and veterinarians keep their animals healthy. Third, these programs enable families to have safe and affordable drugs for their pets so they can live longer and healthier lives. It is essential that the House passes this bill swiftly so we can guarantee that these programs continue without interruption.

I would like to thank my colleagues, Mr. SHIMKUS and Mr. GARDNER, for

their hard work on this very important piece of legislation. It is no small feat to move legislation to the President’s desk in such an efficient manner.

I would also like to thank our colleagues in the Senate, including Senator HARKIN and Senator ALEXANDER, for their leadership.

Mr. Speaker, I support this bill, encourage my colleagues to do the same, and I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1407, the Animal Drug User Fee Amendments of 2013. FDA’s Animal Drug User Fee programs have been successful at speeding both brand and generic drugs for animals to the market, and that’s important.

However, I regret that we have not taken this opportunity to provide FDA with new tools to address a glaring public health crisis—the problem of antibiotic resistance.

Antibiotics are truly a lifesaving gift. Unfortunately, the more they are used, the less they work. Untold numbers of Americans die or are infected each year by antibiotic-resistant bugs.

We know that most antibiotic use occurs on the farm, and much of this issue is not to treat sick animals, but most of the use is for disease prevention or growth promotion. If it’s for treating sick animals, no one could quarrel with that. Unfortunately, if it’s used for growth promotion or disease prevention, that is a misuse of it and could lead to antibiotic-resistant bugs.

We don’t know exactly how much is for which of these two uses of the drug. That’s why we need to ask industry to give us more data on how these drugs are being used, and to take steps to curtail the inappropriate use in animals of important human antibiotics.

My bill, the Delivering Antibiotic Transparency in Animals, or DATA, Act, would enhance the information FDA gets about how these drugs are used. Representative SLAUGHTER has a bill, which I have cosponsored, the Preservation of Antibiotics for Medical Treatment Act, or PAMTA, that would curtail the inappropriate use in animals of important human antibiotics.

We need to ensure that FDA not only has the resources and procedures for speeding safe and effective animal drugs to market, but also the information and tools to ensure that they are being used judiciously.

□ 1640

I regret that we are not taking this opportunity to give FDA these tools, but I hope we will soon have an opportunity to move these bills forward.

Mr. Speaker, I ask unanimous consent that the control of the time on my side of the aisle be given to the gentleman from North Carolina (Mr. BUTTERFIELD), and I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from North Carolina will control the time.

There was no objection.

Mr. LATTA. Mr. Speaker, at this time, I yield 2 minutes to the chairman of the full committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. I rise today in strong support of S. 622, the Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013.

This bipartisan bill is nearly identical to H.R. 1407, which we favorably reported out of the Energy and Commerce Committee last month. This bill, as well as the Animal Generic Drug User Fee Act, has proven to be very successful; and they are so important for the Nation's public health. Congress first created ADUFA back in 2003 and AGDUFA in 2008. Collectively, these programs have yielded many benefits for the American public.

These two bills have ensured that veterinarians, livestock, poultry producers, and pet owners have access to new and affordable animal drugs to keep their animals healthy. They have assisted animal drug producers by fostering a stable and predictable FDA review process, a rigorous process that helps expedite access to new therapies and fosters new drug development. The programs have also helped American consumers by keeping the food supply safe. Having medications that keep our animals healthy is essential to keeping our Nation's food supply safe. For companies like Zoetis, which employs some 700 people in southwest Michigan, these programs are vital in allowing them to keep producing innovative drugs for pets and livestock.

I was the lead sponsor of the original ADUFA legislation back in 2003, and it is terrific to see how successful it has been and how many Americans it has helped over the last decade.

I want to thank my colleagues, particularly Mr. SHIMKUS and Mr. GARDNER, for their real leadership on this important issue. They deserve tremendous credit as we work to get this bill to the President's desk, and I urge my colleagues to support it.

Mr. BUTTERFIELD. Mr. Speaker, at this time, I yield such time as she may consume to the gentlelady from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. I thank my friend for yielding.

Mr. Speaker, just today, The New York Times reported that we are simultaneously facing a shortage of effective antibiotics and the growing threat of antibiotic-resistant bacteria. Already antibiotic-resistant disease claims 70,000 American lives each year.

According to today's story, Dr. Janet Woodcock, the director of the Center for Drug Evaluation and Research at the Food and Drug Administration, has warned "it is bad now, and the infectious disease docs are frantic, but what

is worse is the thought of where we will be 5 to 10 years from now."

They are even desperate enough to ask GlaxoKleinSmith, which is working on some new antibiotics, to allow the use of them untested—the FDA is considering this—and to try, in perhaps what will turn out to be a vain attempt, to save people who are dying from infections that we can no longer cure. GlaxoKleinSmith has said the new antibiotics they are working on they will not license for livestock feed.

Eighty percent of the antibiotics produced in the United States of America is put every day in livestock feed. The major reason for the increase in the antibiotic-resistant bacteria is the routine overuse of antibiotics in the Nation's livestock. These are not sick livestock, Mr. Speaker. This is simply put in the feed because they grow faster and they are fatter and they can get to market a little quicker. This irresponsible practice has already been scientifically linked to the growth of superbugs.

It's clear—and it has been clear for quite a while—that the Federal Government must act to end this dangerous practice. Yet, incomprehensibly, for more than 35 years the United States Food and Drug Administration has refused to follow its own advice and ban the routine use of antibiotics in agriculture, not just use it for sick animals. Instead, they have proposed voluntary guidance that naively asks industry to put public welfare before private profits—something the industry has repeatedly shown in 35 years they will not do.

As if such dereliction of duty were not enough, the FDA is now panicked about the superbug threat that they helped to create; but instead of finally removing routine antibiotic use from livestock production, the FDA is thinking of waiving important drug-testing procedures, as I said, in order to rush new drugs to market. The testing procedures that are currently in place are in place for a reason. Waiving these requirements sets a dangerous precedent and is one that is only being considered because the FDA is panicked and has refused to challenge the special interests that have helped to create this superbug threat in the first place.

As the only legislator in Congress with a background in microbiology, I can assure you we will never win the arms race against nature. As long as we allow the irresponsible use of antibiotics in our society, nature will always evolve to create stronger bacteria. As I said, with 80 percent of all of the antibiotics going to agricultural use, our answer has to start on the farm. We have to end the unnecessary use of antibiotics on healthy animals before it's too late. Indeed, it may almost be too late.

At the very least today, the ADUFA legislation should include language to

collect important data on antibiotics. That provision would at least allow us to finally learn the full scope of the problem that we confront. Even more importantly, I urge my colleagues to support my legislation, H.R. 1150, the Preservation of Antibiotics for Medical Treatment Act, which would ban the routine use of eight important classes of antibiotics in livestock, but still allow a sick animal to be treated, and would help curb the growing threat of superbugs.

We are literally standing today on the brink of a public health crisis as the food industrial complex fritters away one of the most important advances in medical history—the beginning of the use of antibiotics to cure human beings. Already, some strains of tuberculosis have evolved that are incurable, and others are coming. Some experts have said that if we don't do something soon—and it may already be too late—that strep throat could become a fatal illness. That's what they're worried about, what could happen here in 5 years.

I urge my colleagues to oppose this legislation today and to please join me in the fight to protect the antibiotics for human health. It is so important. I cannot vote for this bill, although I recognize that some work has gone into it. I have spent years on this, and the years are running out, and the time is short.

Mr. LATTA. Mr. Speaker, at this time, I yield 2 minutes to the chairman of the subcommittee, the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. I rise today in support of the reauthorization of two successful programs—the Animal Drug User Fee Act, ADUFA, and the Animal Generic Drug User Fee Act, AGDUFA.

The bill we have before us today originated in the Senate and was approved by unanimous consent on May 8, 2013; and I urge my colleagues in the House to support this legislation as well.

In 2003, the first ADUFA was authorized to help the Food and Drug Administration's review of animal drugs. Similar to the Prescription Drug User Fee for human drugs, under ADUFA, FDA collected funds to help expedite the new animal drug approval process, to reduce application backlog, and to improve communications with drug sponsors. The program was authorized for 5 years, and Congress renewed the program for an additional 5 years in ADUFA II in 2008. In 2012, FDA completed 747 ADUFA reviews; and, according to FDA, the agency has exceeded all performance goals outlined in ADUFA I and ADUFA II. However, absent congressional action, FDA's ability to collect these user fees will expire on September 30, 2013.

□ 1650

AGDUFA I, ADUFA's generic cousin, was first authorized in 2008 for 5 years

in order to improve the review of abbreviated new animal drug applications, eliminate application backlogs, and reduce review times.

To date, according to FDA, the agency has exceeded all performance goals but one from AGDUFA I. This program also expires September 30, 2013, unless it is reauthorized and FDA and industry have negotiated an agreement for AGDUFA II. These programs are extremely important not only for our animals and livestock on our farms and ranches, but for our pets' health and well-being as well.

I want to thank my colleagues, Representative JOHN SHIMKUS and Representative CORY GARDNER, for their outstanding work on this legislation, and I urge my colleagues to support this important legislation.

Mr. BUTTERFIELD. I inquire as to whether the gentleman from Ohio has any additional speakers.

Mr. LATTA. We have one, Mr. Speaker.

Mr. BUTTERFIELD. Then I will reserve the balance of my time.

Mr. LATTA. Mr. Speaker, at this time I yield 2 minutes to the gentleman from Colorado (Mr. GARDNER).

Mr. GARDNER. Mr. Speaker, I thank the gentleman for yielding time.

I rise today in support of Senate Bill 622, the Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013.

This legislation will reauthorize two very important programs at the Food and Drug Administration that will provide farmers, ranchers, pet owners, and veterinarians with speedy access to medications that they need for the treatment of herds and pets.

I would like to thank Senator HARKIN for leading its passage in the U.S. Senate, and I would also like to thank Congressman SHIMKUS for his leadership with the House version of H.R. 1407.

These programs have been a success story at the FDA, and this legislation will ensure that drug approvals are done efficiently and to the highest quality standards. ADUFA and AGDUFA expire at the start of September, and we will need to pass this reauthorization today to assure there is no delay for animal caretakers and livestock producers. This bill will also help companies that develop and manufacture animal drugs by providing predictable time lines. It will also help them to benefit from a more stable review process so they can make decisions about where to invest research dollars.

Colorado has a thriving livestock industry which supports rural communities and economic strength for the entire State. I said this during the committee markup of H.R. 1407: there is more livestock in my district than people, or at least that's what I'm told. Colorado is also home to one of the Na-

tion's premier schools of veterinary medicine at Colorado State University. Keeping livestock animals healthy, in particular, is crucial to ensuring our own health, not to mention the health of our family pets. The ADUFA and AGDUFA program keeps our food healthy and safe, while the application of animal drugs poses no risk to animal health.

I had the honor of introducing, with bipartisan support, H.R. 1408, the Animal Generic Drug User Fee Act, or AGDUFA. The bill was later incorporated into H.R. 1407. This program at FDA has achieved noteworthy success since first being authorized in 2008. The FDA has decreased a backlog of applications and reduced the review time for new generic drug applications. The reauthorization of this program will continue this success and allow our animal caretakers and livestock producers to utilize cost savings associated with generic medications.

Mr. BUTTERFIELD. Mr. Speaker, I ask if my friend has any further speakers on his side.

Mr. LATTA. I have none.

Mr. BUTTERFIELD. As we have no further speakers either, Mr. Speaker, I yield back the balance of my time.

Mr. LATTA. Mr. Speaker, I ask for passage of S. 622, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I rise in strong support of S. 622, the Animal Drug and Animal Generic Drug User Fee Reauthorization Act.

Congress enacted the Animal Drug User Fee Act (ADUFA) in 2003 to help improve the FDA review of new animal drugs, and subsequently enacted the Animal Generic Drug User Fee Act (AGDUFA) to improve the review of abbreviated new animal drug applications, or generic versions of animal drugs. These programs have been extremely effective, and have helped expedite the approval process, reduce application backlogs, and improve communications with drug sponsors.

Without congressional action, the current agreements will expire at the end of this fiscal year, which would have a serious and harmful impact on the ability of the FDA's Center for Veterinary Medicine to review new and generic drug applications in a timely manner. S. 622 will extend FDA's authority to collect user fees from manufacturers for five years.

I urge my colleagues to vote in favor of S. 622, so that progress is not impeded and the Food and Drug Administration can continue to review new and generic animal drug applications in a timely manner. Industry, farmers, ranchers, and pet owners are counting on an uninterrupted supply of animal drugs.

Ms. MCCOLLUM. Mr. Speaker, I oppose the Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013 (S. 622).

While the Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013 (S. 622) will improve the FDA's ability to evaluate and process the approval of drugs for use in animals, it fails to require the Food and Drug Administration (FDA) to also address the growing overuse of antibiotics fed to our na-

tion's livestock that ends up on our dinner tables.

According to the New York Times article of June 2, 2013 ("Pressure Grows to Create Drugs for 'Superbugs'"), America is facing a worsening crisis in which drug development has not kept pace with the growth of resistant bacterial strains. More than 70,000 Americans die each year from antibiotic resistant infections. Scientists agree that antibiotic overuse, including in animals and on farms, is a contributor to development of resistant bacteria. Congress must start to address the looming public health crisis posed by the combination of a shortage of effective antibiotics and a rising threat of antibiotic-resistant bacteria.

Congress needs to direct the FDA to develop better means of data collection and research on antibiotic use in both humans and animals. Without this information, we cannot fully understand the breadth and depth of this issue and its impact on our health. Reducing unnecessary overprescribing and overuse of antibiotics in an appropriate manner is an important step to improve both human and animal health. I urge my colleagues to vote no.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATTA) that the House suspend the rules and pass the bill, S. 622.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BUTTERFIELD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### COROLLA WILD HORSES PROTECTION ACT

Mr. WITTMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 126) to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 126

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Corolla Wild Horses Protection Act".

#### SEC. 2. WILD HORSES IN AND AROUND THE CURRITUCK NATIONAL WILDLIFE REFUGE.

(a) AGREEMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of the Interior shall enter into an agreement with the Corolla Wild Horse Fund (a nonprofit corporation established under the laws of the State of North Carolina), the County of Currituck, North Carolina, and the State of North Carolina within 180 days after the date of enactment of this Act to provide for management of free-roaming wild horses in and around the Currituck National Wildlife Refuge.

(2) TERMS.—The agreement shall—

(A) allow a herd of not less than 110 and not more than 130 free-roaming wild horses in and around such refuge, with a target population of between 120 and 130 free-roaming wild horses;

(B) provide for cost-effective management of the horses while ensuring that natural resources within the refuge are not adversely impacted;

(C) provide for introduction of a small number of free-roaming wild horses from the herd at Cape Lookout National Seashore as is necessary to maintain the genetic viability of the herd in and around the Currituck National Wildlife Refuge; and

(D) specify that the Corolla Wild Horse Fund shall pay the costs associated with—

(i) coordinating a periodic census and inspecting the health of the horses;

(ii) maintaining records of the horses living in the wild and in confinement;

(iii) coordinating the removal and placement of horses and monitoring of any horses removed from the Currituck County Outer Banks; and

(iv) administering a viable population control plan for the horses including auctions, adoptions, contraceptive fertility methods, and other viable options.

(b) REQUIREMENTS FOR INTRODUCTION OF HORSES FROM CAPE LOOKOUT NATIONAL SEASHORE.—During the effective period of the memorandum of understanding between the National Park Service and the Foundation for Shackleford Horses, Inc. (a non-profit corporation organized under the laws of and doing business in the State of North Carolina) signed in 2007, no horse may be removed from Cape Lookout National Seashore for introduction at Currituck National Wildlife Refuge except—

(1) with the approval of the Foundation; and

(2) consistent with the terms of such memorandum (or any successor agreement) and the Management Plan for the Shackleford Banks Horse Herd signed in January 2006 (or any successor management plan).

(c) NO LIABILITY CREATED.—Nothing in this section shall be construed as creating liability for the United States for any damages caused by the free-roaming wild horses to any person or property located inside or outside the boundaries of the refuge.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. WITTMAN) and the gentleman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. WITTMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WITTMAN. Mr. Speaker, I yield myself such time as I may consume.

In 2007, the State of North Carolina, the County of Currituck, the Corolla Wild Horse Fund, and the U.S. Fish and Wildlife Service signed a comprehensive wild horse management plan for

the colonial Spanish mustangs that live on 7,500 acres of private and public lands in North Carolina. This plan expired last year, and the U.S. Fish and Wildlife Service indicated that it will not sign a new agreement.

H.R. 126, authored by Congressman WALTER B. JONES, requires the Secretary of the Interior to enter into a new agreement within 180 days of enactment. It will also cap the number of horses to no more than 130, allow the introduction of a small number of Shackleford Banks horses to improve genetic diversity, and will ensure that the Corolla Wild Horse Fund, which is a volunteer organization, will continue to pay for the cost of caring for and managing these horses in the future. These horses are living symbols of our colonial history. H.R. 126, which is a similar bill to one that passed the House by a voice vote last year, will ensure their survival at no cost to the taxpayers.

I urge adoption of the measure and compliment the author for his tireless leadership and his passion for this issue and reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 126 directs the Secretary of the Interior to enter into an agreement with the Corolla Wild Horse Fund, as well as local and State authorities, to provide for the management of the wild horses in and around the Currituck National Wildlife Refuge. The agreement will increase the cap on the herd size and specify that the privately funded Corolla Wild Horse Fund will cover the cost of managing the herd.

This refuge was established in 1984 to preserve and protect the native coastal barrier ecosystem. The refuge provides habitat for the migrating wild fowl and for the endangered species, such as piping plover and sea turtles.

It is unusual to protect a nonnative species such as these horses in a wildlife refuge. Extra effort and resources are needed to ensure that the herd does not impair the ecosystem for the native animals and plants.

H.R. 126 is an imperfect solution, though a solution, to a very difficult problem. We must continue working with Fish and Wildlife Service and with the local community to achieve balance between the needs of the refuge and these wild horses.

With that, I reserve the balance of my time.

Mr. WITTMAN. Mr. Speaker, I yield as much time as he may consume to the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Mr. Speaker, I want to thank the chairman and the ranking member for their words today, and I'll take just a few minutes.

Mr. Speaker, as has been said by both, this is a plan to maintain and

protect a part of North Carolina's history. As Mr. WITTMAN said, these horses have been traced back by genetic experts to the Spanish mustangs that swam ashore in the 1600s. They are really part of our heritage.

These beautiful little horses roam, as has been said by both sides today, over 7,500 acres of public and private land. This is in Currituck County out at Corolla.

□ 1700

These little horses are so special that the citizens of our area decided that they should try to create a foundation where they could work together with the Federal Government, the State government, and the county government; and it's known as the Corolla Wild Horse Fund. It is a nonprofit. These people are absolutely convinced and committed to making sure that for years to come down the road that these little horses will still have the ability to reproduce. And that's been part of the problem, Mr. Speaker, is that if you allow this herd to get down to about 60 horses, you will not be able to maintain the diversity of the herd.

That is why an expert, Dr. Gus Cothran of Texas A&M, as has been said in the comments by both sides, has said that you have to have a minimum of 120 horses but no more than 130. We are of the firm belief that H.R. 126 will do what is necessary to continue to make sure that we have a viable herd of these horses that have been traced back to the Spanish galleons that came to the coast of North Carolina and wrecked and these horses swam ashore. They've been able to live for that many years.

This is very close to legislation, and I want to thank the House in a bipartisan way, in 1998 we did the same thing that we are trying to do in Corolla down in Currituck County down at Shackleford Banks. And what was interesting, President Clinton was President at the time, and Erskine Bowles was Chief of Staff to President Clinton, and Erskine Bowles got behind the legislation, and that's exactly what we're trying to do. It was the Park Service down at Shackleford Banks; this is Fish and Wildlife, but thank you for your comments.

I want to thank the chairman for his comments because there's no reason that we cannot make both sides happy to do what needs to be done and to protect what, to me, when you look at this beautiful little horse, it is God's gift to the world. So thank you so much, Mr. Chairman and ranking member. Thank you for giving me this time to speak on behalf of these horses. I hope that we can pass this legislation.

Mrs. NAPOLITANO. Mr. Speaker, I yield back the balance of my time.

Mr. WITTMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by



the gentleman from Virginia (Mr. WITTMAN) that the House suspend the rules and pass the bill, H.R. 126.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### PERMANENT ELECTRONIC DUCK STAMP ACT OF 2013

Mr. WITTMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1206) to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1206

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Permanent Electronic Duck Stamp Act of 2013".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) **ACTUAL STAMP.**—The term "actual stamp" means a Federal migratory-bird hunting and conservation stamp required under the Act of March 16, 1934 (16 U.S.C. 718a et seq.) (popularly known as the "Duck Stamp Act"), that is printed on paper and sold through the means established by the authority of the Secretary immediately before the date of enactment of this Act.

(2) **AUTOMATED LICENSING SYSTEM.**—

(A) **IN GENERAL.**—The term "automated licensing system" means an electronic, computerized licensing system used by a State fish and wildlife agency to issue hunting, fishing, and other associated licenses and products.

(B) **INCLUSION.**—The term "automated licensing system" includes a point-of-sale, Internet, telephonic system, or other electronic applications used for a purpose described in subparagraph (A).

(3) **ELECTRONIC STAMP.**—The term "electronic stamp" means an electronic version of an actual stamp that—

(A) is a unique identifier for the individual to whom it is issued;

(B) can be printed on paper or produced through an electronic application with the same indicators as the State endorsement provides;

(C) is issued through a State automated licensing system that is authorized, under State law and by the Secretary under this Act, to issue electronic stamps;

(D) is compatible with the hunting licensing system of the State that issues the electronic stamp; and

(E) is described in the State application approved by the Secretary under section 4(b).

(4) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

#### SEC. 3. AUTHORITY TO ISSUE ELECTRONIC DUCK STAMPS.

(a) **IN GENERAL.**—The Secretary may authorize any State to issue electronic stamps in accordance with this Act.

(b) **CONSULTATION.**—The Secretary shall implement this section in consultation with State management agencies.

#### SEC. 4. STATE APPLICATION.

(a) **APPROVAL OF APPLICATION REQUIRED.**—The Secretary may not authorize a State to

issue electronic stamps under this Act unless the Secretary has received and approved an application submitted by the State in accordance with this section. The Secretary may determine the number of new States per year to participate in the electronic stamp program.

(b) **CONTENTS OF APPLICATION.**—The Secretary may not approve a State application unless the application contains—

(1) a description of the format of the electronic stamp that the State will issue under this Act, including identifying features of the licensee that will be specified on the stamp;

(2) a description of any fee the State will charge for issuance of an electronic stamp;

(3) a description of the process the State will use to account for and transfer to the Secretary the amounts collected by the State that are required to be transferred to the Secretary under the program;

(4) the manner by which the State will transmit electronic stamp customer data to the Secretary;

(5) the manner by which actual stamps will be delivered;

(6) the policies and procedures under which the State will issue duplicate electronic stamps; and

(7) such other policies, procedures, and information as may be reasonably required by the Secretary.

(c) **PUBLICATION OF DEADLINES, ELIGIBILITY REQUIREMENTS, AND SELECTION CRITERIA.**—Not later than 30 days before the date on which the Secretary begins accepting applications under this section, the Secretary shall publish—

(1) deadlines for submission of applications;

(2) eligibility requirements for submitting applications; and

(3) criteria for approving applications.

#### SEC. 5. STATE OBLIGATIONS AND AUTHORITIES.

(a) **DELIVERY OF ACTUAL STAMP.**—The Secretary shall require that each individual to whom a State sells an electronic stamp under this Act shall receive an actual stamp—

(1) by not later than the date on which the electronic stamp expires under section 6(c); and

(2) in a manner agreed upon by the State and Secretary.

(b) **COLLECTION AND TRANSFER OF ELECTRONIC STAMP REVENUE AND CUSTOMER INFORMATION.**—

(1) **REQUIREMENT TO TRANSMIT.**—The Secretary shall require each State authorized to issue electronic stamps to collect and submit to the Secretary in accordance with this section—

(A) the first name, last name, and complete mailing address of each individual that purchases an electronic stamp from the State;

(B) the face value amount of each electronic stamp sold by the State; and

(C) the amount of the Federal portion of any fee required by the agreement for each stamp sold.

(2) **TIME OF TRANSMITTAL.**—The Secretary shall require the submission under paragraph (1) to be made with respect to sales of electronic stamps by a State according to the written agreement between the Secretary and the State agency.

(3) **ADDITIONAL FEES NOT AFFECTED.**—This section shall not apply to the State portion of any fee collected by a State under subsection (c).

(c) **ELECTRONIC STAMP ISSUANCE FEE.**—A State authorized to issue electronic stamps

may charge a reasonable fee to cover costs incurred by the State and the Department of the Interior in issuing electronic stamps under this Act, including costs of delivery of actual stamps.

(d) **DUPLICATE ELECTRONIC STAMPS.**—A State authorized to issue electronic stamps may issue a duplicate electronic stamp to replace an electronic stamp issued by the State that is lost or damaged.

(e) **LIMITATION ON AUTHORITY TO REQUIRE PURCHASE OF STATE LICENSE.**—A State may not require that an individual purchase a State hunting license as a condition of issuing an electronic stamp under this Act.

#### SEC. 6. ELECTRONIC STAMP REQUIREMENTS; RECOGNITION OF ELECTRONIC STAMP.

(a) **STAMP REQUIREMENTS.**—The Secretary shall require an electronic stamp issued by a State under this Act—

(1) to have the same format as any other license, validation, or privilege the State issues under the automated licensing system of the State; and

(2) to specify identifying features of the licensee that are adequate to enable Federal, State, and other law enforcement officers to identify the holder.

(b) **RECOGNITION OF ELECTRONIC STAMP.**—Any electronic stamp issued by a State under this Act shall, during the effective period of the electronic stamp—

(1) bestow upon the licensee the same privileges as are bestowed by an actual stamp;

(2) be recognized nationally as a valid Federal migratory bird hunting and conservation stamp; and

(3) authorize the licensee to hunt migratory waterfowl in any other State, in accordance with the laws of the other State governing that hunting.

(c) **DURATION.**—An electronic stamp issued by a State shall be valid for a period agreed to by the State and the Secretary, which shall not exceed 45 days.

#### SEC. 7. TERMINATION OF STATE PARTICIPATION.

The authority of a State to issue electronic stamps under this Act may be terminated—

(1) by the Secretary, if the Secretary—

(A) finds that the State has violated any of the terms of the application of the State approved by the Secretary under section 4; and

(B) provides to the State written notice of the termination by not later than the date that is 30 days before the date of termination; or

(2) by the State, by providing written notice to the Secretary by not later than the date that is 30 days before the termination date.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. WITTMAN) and the gentleman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. WITTMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.



Mr. WITTMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation, which I sponsored, would make permanent the ability of a migratory waterfowl hunter to electronically purchase their annual Federal duck stamp.

For the past 6 years, eight States have participated in a pilot effort, and by all accounts this program has been a huge success. Many Americans have been able to enjoy the convenience of using their own personal computer to purchase a Federal duck stamp online and in some cases to obtain that required document the evening before a duck hunt. Mr. Speaker, I can tell you from experience and knowing that people want that opportunity, that that timeliness is a factor in people being able to enjoy waterfowl hunting.

In August 2011, the U.S. Fish and Wildlife Service submitted a report to Congress which stipulated that the E-Duck stamp program has proven to be a practical method that is readily accepted by the stamp-buying public. E-stamps now account for more than 20 percent of all duck stamp sales, which demonstrates widespread acceptance of this sales option.

As vice chair of the Congressional Sportsmen's Caucus, I can proudly say that this legislation is important to waterfowl hunters across the country. H.R. 1206 is supported by the Congressional Sportsmen's Foundation and Ducks Unlimited. I would also like to thank and acknowledge Representative RON KIND as an original cosponsor of this bill. The gentleman from Wisconsin is a dedicated conservationist, an avid outdoorsman, and a longtime supporter and friend to sportsmen.

There is no cost to the taxpayers, and there is broad bipartisan support for this innovative idea, and this convenient 21st-century delivery system will be utilized by thousands of American sportsmen in the future.

Allowing the purchase of duck stamps online is an important technological advancement, and it is time to make this a permanent feature of Federal law. During the last Congress, an identical bill passed the House by a vote of 373-1. I urge adoption of this measure.

I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1206 would allow the Secretary of the Interior to continue the sale of electronic duck stamps and also expands the program to include all of our 50 States.

The Migratory Bird Hunting and Conservation Stamp, commonly known and called the "duck stamp," must be purchased and carried by all waterfowl hunters 16 years and older when hunting migratory waterfowl on both public and private land.

Ninety-eight cents of every dollar generated by the sales of these stamps

go to purchase or lease wetland habitat for the National Wildlife Refuge system, which benefits waterfowl. In some rural areas, purchasing the duck stamp can be very difficult. Often, hunters have to wait a significant amount of time to receive their official duck stamp, so utilizing the system of electronic duck stamp producing would eliminate the wait by issuing an electronic stamp with a unique identifying number to serve as a proof of purchase. Hunters can hunt and use the electronic stamp for 45 days until the actual duck stamp arrives via the postal service.

This is a worthwhile piece of legislation, and I reserve the balance of my time.

Mr. WITTMAN. Mr. Speaker, may I inquire if the minority has any more speakers.

Mrs. NAPOLITANO. No, sir, not on this bill.

Mr. WITTMAN. With that, Mr. Speaker, I yield back the balance of my time.

Mrs. NAPOLITANO. I yield back the balance of my time, sir.

Mr. KIND. Mr. Speaker, I rise today to show my strong support for the Permanent Electronic Duck Stamp Act of 2013, H.R. 1206. I want to thank my coauthor and friend, ROB WITTMAN, for his dedication to getting this important legislation passed. In the 109th Congress, I authored legislation that created a pilot program for selling duck stamps electronically. The legislation passed with wide bipartisan support and the Electronic Duck Stamp program went on to become one of the most successful conservation programs in our history.

Since the beginning of duck stamp sales in 1934, the stamps have generated more than \$750 million used to purchase more than 5.3 million acres of waterfowl habitat. In Wisconsin alone, 6.78 million duck stamps have been sold thereby conserving numerous acres for waterfowl, birds, reptiles, mammals, fish, and amphibians. In addition to the benefits of conservation for wildlife, the habitats preserved give hunters and nature enthusiasts places to enjoy hiking, hunting, and animals watching. Additionally, these wetlands naturally purify water supplies, keep flood lands, and help decrease soil erosion.

The Electronic Duck Stamp is terribly important to the district I represent in Wisconsin, which is home to three wildlife refuges. Almost the entire west side of my district is a refuge—the Upper Mississippi River Wildlife & Fish Refuge which is visited by 4 million people every year, more than Yellowstone. I want to urge my colleagues to support this commonsense yet vital legislation. I look forward to working toward getting this bill through the Senate and signed into law this year.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. WITTMAN) that the House suspend the rules and pass the bill, H.R. 1206.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WITTMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1710

#### SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK BOUNDARY EXPANSION ACT OF 2013

Mr. WITTMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 885) to expand the boundary of San Antonio Missions National Historical Park, to conduct a study of potential land acquisitions, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 885

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "San Antonio Missions National Historical Park Boundary Expansion Act of 2013".*

#### SEC. 2. BOUNDARY EXPANSION.

*Section 201(a) of Public Law 95-629 (16 U.S.C. 410ee(a)) is amended—*

*(1) by striking "In order" and inserting "(1) In order";*

*(2) by striking "The park shall also" and inserting the following:*

*"(2) The park shall also";*

*(3) by striking "After advising the" and inserting the following:*

*"(5) After advising the".*

*(4) by inserting after paragraph (2) (as so designated by paragraph (2)) the following:*

*"(3) The boundary of the park is further modified to include approximately 137 acres, as depicted on the map titled 'San Antonio Missions National Historical Park Proposed Boundary Addition', numbered 472/113,006A, and dated June 2012. The map shall be on file and available for inspection in the appropriate offices of the National Park Service, U.S. Department of the Interior.*

*"(4) The Secretary may not acquire by condemnation any land or interest in land within the boundaries of the park. The Secretary is authorized to acquire land and interests in land that are within the boundaries of the park pursuant to paragraph (3) by donation or exchange only (and in the case of an exchange, no payment may be made by the Secretary to any landowner). No private property or non-Federal public property shall be included within the boundaries of the park without the written consent of the owner of such property. Nothing in this Act, the establishment of the park, or the management plan of the park shall be construed to create buffer zones outside of the park. That an activity or use can be seen or heard from within the park shall not preclude the conduct of that activity or use outside the park."*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. WITTMAN) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. WITTMAN. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WITTMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 885 will expand the San Antonio Missions National Historic Park to include an additional 137 acres. Each of these 137 acres is currently owned and being managed by the National Park Service, so additional operating costs will be minimal, if there are any at all.

The Natural Resources Committee amended H.R. 885 to further control costs by requiring that any property acquired through this legislation be only by donation or exchange, and condemnation is explicitly prohibited. Additional property rights provisions require written consent of property owners before their land can be included in the boundaries of the park, and the creation of buffer zones around the park is forbidden.

Mr. Speaker, with that, I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 885, the San Antonio Missions National Historical Park Boundary Expansion Act 2013. Being a born-and-raised Texan, this is a very dear to my heart issue.

I do want to thank Congressman LLOYD DOGGETT and the entire bipartisan San Antonio delegation for pushing this very important piece of legislation forward. This is the third time the House has considered legislation to expand the San Antonio Missions. Hopefully, the third time will be the charm.

Currently, there are 137 acres of land managed by the National Park Service that are not part of the existing San Antonio Missions National Historical Park. Expanding the boundaries of the park will ensure that these cultural and archaeological resources are protected.

Mr. DOGGETT has been involved with this legislation since the proposal first came before us several years ago—I'm not sure when. Though I know that he would have preferred a broader bill that included a study of the additional potential park areas, I thoroughly appreciate his efforts to work with our Republican colleagues to obtain a bill that they can support.

It's a very unique place, and I can appreciate Mr. DOGGETT's commitment to getting this legislation approved, and I look forward to working with him on this.

Again, this is a very important bill for Texans, and I urge your support.

I reserve the balance of my time.

Mr. WITTMAN. Mr. Speaker, I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield as much time as he may consume to the sponsor of this piece of legislation, the gentleman from Texas (Mr. LLOYD DOGGETT).

Mr. DOGGETT. Thank you to my colleague from California, who has ties directly to San Antonio and appreciates the importance of this legislation.

I do rise in support of the San Antonio Missions National Historic Park Boundary Expansion Act, a measure that has enjoyed the support of all of the members of the Texas delegation who represent a part of Bexar County. The bill does expand the park by 137 acres.

The Spanish Missions in San Antonio are truly a unique treasure—for us as Texans, and for all Americans. The Missions National Historic Park preserves the largest collection of Spanish colonial resources anywhere in the United States. It's an educational, historical, and cultural resource that each year is bringing over a million people to enjoy and learn from it.

The park is important to the understanding of Texas and the development of the United States and, of course, it has a significant impact on San Antonio and Bexar County economically.

In his famous "San Antonio Rose," Bob Wills sung of the Alamo and "old San Antone." And most people do associate San Antonio with the Alamo, a landmark of Texas independence. But in addition to the Alamo, there are five remaining Spanish Missions in San Antonio.

The Alamo lies just north of these four missions that compose the Missions National Historical Park. All of them date back to the 1600s, 1700s, the oldest one to 1690, and they were built when the first of six flags flew over Texas, as Spanish colonialists settled San Antonio, then on the frontier with the Comanches and Apaches.

The missions reached out to a number of local Native American tribes, teaching them trades and crafts. The missions do reflect the original "old San Antone."

Thanks to the leadership of Bexar County Judge Nelson Wolff, there's now a great new Mission Reach Trail that connects from near the Alamo to all four missions within the park. It's possible to walk or cycle that trail along the San Antonio River, from the excitement of downtown, first to Mission Concepcion.

Next up is the larger Mission San Jose, site of so many gatherings. Recently, I joined Father Tony Posadas, Andrew Anguiano, Neighborhood Association President Armando Cortez and thousands of people who gathered there for the annual Mission Fest.

Nearby is Mission San Juan Capistrano, a very narrow white stucco

building, beautiful with its simplicity. Archbishop Gustavo Garcia-Siller, Father David Garcia and Father Jim Galvin recently reopened that mission after an impressive and complex restoration effort. Each of these missions is a working parish church, relying on their parishioners, and fully restored thanks to the leadership of Father Garcia.

Working closely with him is a group called Los Compadres, a group of committed citizens who've raised over \$1 million for the continued restoration and preservation of the missions, led by Pamela Bain and Executive Director Susan Chandoha. Their annual Music Under the Stars concert at Mission San Jose is a great way to experience the park.

And thanks to the leadership of State Representative Joe Farias, park visitors also benefit now from a newly dedicated Veterans Memorial Bridge in the historic Bergs Mill area.

The last of the missions, or the first when it comes to our colleague, Congressman GALLEGO, is Mission Espada, and he'll have more to say about it, a very important part of the park.

Among the many community partners who've joined with us in the delegation for park expansion are Susan Snow, the World Heritage coordinator of the National Park Service; Suzanne Dixon, with the National Parks Conservation Association; Bexar County Commissioners Tommy Adkisson and Chico Rodriguez; Shannon Miller, with the city's Historic Preservation Office; Suzanne Scott, with the River Authority; and Marco Barros, with the San Antonio Tourism Council. They're making the missions even more accessible and enjoyable for both neighbors and tourists.

One economic study has recently concluded that the park is already supporting almost \$100 million in annual economic activity and over 1,100 jobs. With the completion of initiatives associated with this park expansion, the missions can more than double their economic impact in San Antonio.

In addition to the bill that we have here today, it is very important that we achieve our Quest for World Heritage Status for the missions. About a year ago this week, then-Secretary of the Interior Ken Salazar announced that the Department of the Interior had officially authorized the Spanish Missions for nomination to the UNESCO World Heritage List.

Another economic study has found that that World Heritage status for this expanded park could yield over \$500 million for the San Antonio area within a decade of the World Heritage status.

Unfortunately, because the United States is not paying its dues to UNESCO, which funds the World Heritage Committee, our application could be hampered. I hope that obstacle can

be overcome by the time next year that there's a formal submission of this application.

I'm hopeful that by passing this bill relatively early in this Congress that the Senate will finally be able to move it and have ample time to consider it.

Frankly, as my colleague Mrs. NAPOLITANO pointed out, I would have liked to have achieved more today. There are other lands in Bexar and Wilson County with historic ties to the mission that should really be a part of this park. I know the Wilson County part is of particular importance to Congressman CUELLAR. But after so many years of failed attempts to secure this legislation, it's better to move forward together and achieve what is possible today.

So together, I believe we are taking constructive steps forward to enhance a national treasure. Our action is not only about preserving culture but about promoting jobs. This park expansion provides another good reason for family vacations and national conventions to take the "road to San Antone."

Mr. WITTMAN. Mr. Speaker, I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, how much time is left?

The SPEAKER pro tempore. The gentlewoman from California has 12½ minutes remaining.

Mrs. NAPOLITANO. I yield 3 minutes to the gentleman from Texas (Mr. GALLEGOS).

□ 1720

Mr. GALLEGOS. I'd like to thank Chairman HASTINGS and the ranking member for their work on this vital piece of legislation.

I'm proud to be an original cosponsor of the San Antonio Missions National Historical Park Boundary Expansion Act of 2013. This bill would expand the boundaries of the San Antonio Missions National Historical Park, including the Espada Mission in the 23rd District.

Originally, the Espada Mission was the front door. It was the mission in San Antonio that grew the food that raised the cattle that fed the rest of the missions. It's the only mission that still retains its original property. This is a great opportunity for the redevelopment on the south side of San Antonio.

Texas' missions are inextricably part of our culture, our heritage, and our history. Like the families of their founders, the missions can trace their history back to decades before the United States ever claimed its independence. All four of the missions, as Congressman DOGGETT has said, are within several miles of each other. Individually, they're marvels of architecture and history. Together, they're an incomparable treasure, allowing each of us the opportunity to come face-to-

face with our Nation's proud past. Enacting this legislation is critical to the completion of the world-famous San Antonio Mission Trail, which is a national example of public and private cooperation. The community needs the resources and the expertise of the National Park Service. Yet the National Park Service could not operate without the investment of time and money by the local community.

As the Congressman who represents the Espada Mission—and as a personal fan of the missions and their history—I believe the National Park Service, the city of San Antonio, and the county of Bexar, will benefit historically and economically with the passage of this act. It's very rare that we can protect key areas, preserve history, and create jobs all at the same time. Expanding the mission boundaries will do all of that—and much more.

I encourage my colleagues to support and pass this bill.

Mr. WITTMAN. Mr. Speaker, I reserve the balance of my time.

Mrs. NAPOLITANO. I yield 3 minutes to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. I want to thank the gentlewoman from California and also the chairman.

Mr. Speaker, I also rise to encourage my colleagues to support the San Antonio Missions National Historical Park Boundary Expansion Act. I want to thank in particular my colleague, Representative LLOYD DOGGETT, who's taken the leadership on this particular bill, along with the entire San Antonio delegation of Congressman GALLEGOS, Congressman CASTRO, and Congressman LAMAR SMITH, all working in a bipartisan way to make sure that this legislation passes.

The San Antonio Missions are a crucial piece of history to the State of Texas, and we have to make sure that the National Park Service has the ability to make needed improvements to the park and the ability to expand the areas under its protection. The lands operated by the National Park Service reflect our Nation's historical treasures and tell the story of our country, and it's important that Texas' history is preserved and included among them.

The San Antonio Missions National Historical Park is the home to four Spanish frontier missions first established in the 1600s. The Park was established by the National Park Service in 1975. However, over the past 37 years, the needs and the scope of the park require this legislation.

This bill would authorize the transfer of 137 acres by the San Antonio River Authority, Bexar County, and the city of San Antonio, to the National Park Service. This land transfer will allow for the expansion of Missions Park, which I used to represent some time ago. Again, it's needed to ensure that these parks are accessible and serving

the public to the fullest extent possible.

I'm proud to have this legislation considered today, as we must preserve our Nation's treasures for many years. I know the park missing is in Wilson County. We're hoping that we can continue to work to make sure that we include that sometime in the future, but we must continue working together now.

I urge all my colleagues to vote "yes" on this bill.

Mr. WITTMAN. Mr. Speaker, I'd like to advise the gentlewoman from California that I have no other speakers and am prepared to yield back the balance of my time if she is prepared to close.

Mrs. NAPOLITANO. I do urge my colleagues to support this legislation. It is critical to help Texas preserve such a national treasure that all of us have seen in the movies and heard about and read about.

I yield back the balance of my time.

Mr. WITTMAN. Mr. Speaker, I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, I rise to congratulate the bi-partisan effort that took place here today to resurrect a piece of legislation that is very important to San Antonio, Texas and to our national heritage.

Last Congress my good friend and our former colleague, Mr. Canseco of San Antonio, worked diligently for over a year to craft this legislation only to see its success thwarted at the last minute by our colleagues in the United States Senate.

I want to thank Mr. DOGGETT for not letting this issue go away and helping to fulfill Mr. Canseco's vision for San Antonio and for the protection of such a historical landmark in Texas.

I am proud to stand today and support this bill, which most of us voted for last year, so that we may see through the vision Mr. Canseco had for the San Antonio Missions National Park.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. WITTMAN) that the House suspend the rules and pass the bill, H.R. 885, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to expand the boundary of the San Antonio Missions National Historical Park, and for other purposes."

A motion to reconsider was laid on the table.

**AUTHORIZING THE IMPLEMENTATION OF CERTAIN SANCTIONS SET FORTH IN THE IRAN FREEDOM AND COUNTER-PROLIFERATION ACT OF 2012 AND ADDITIONAL SANCTIONS WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-32)**

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), I hereby report that I have issued an Executive Order (the “order”) that takes additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995, and implements certain statutory requirements of the Iran Freedom and Counter-Proliferation Act of 2012 (subtitle D of title XII of Public Law 112-239) (22 U.S.C. 8801 *et seq.*) (IFCA), which amends the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) (22 U.S.C. 8501 *et seq.*) (CISADA).

In Executive Order 12957, the President found that the actions and policies of the Government of Iran threaten the national security, foreign policy, and economy of the United States. To deal with that threat, the President declared a national emergency and imposed prohibitions on certain transactions with respect to the development of Iranian petroleum resources. To further respond to that threat, Executive Order 12959 of May 6, 1995, imposed comprehensive trade and financial sanctions on Iran. Executive Order 13059 of August 19, 1997, consolidated and clarified the previous orders. To take additional steps with respect to the national emergency declared in Executive Order 12957 and to implement section 105(a) of CISADA, I issued Executive Order 13553 on September 28, 2010, to impose sanctions on officials of the Government of Iran and other persons acting on behalf of the Government of Iran determined to be responsible for or complicit in certain serious human rights abuses.

To take additional steps with respect to the threat posed by Iran and to provide implementing authority for a number of the sanctions set forth in the Iran Sanctions Act of 1996 (Public Law 104-172) (50 U.S.C. 1701 note) (ISA), as amended by CISADA, I issued Executive Order 13574 on May 23, 2011, to authorize the Secretary of the Treasury to implement certain sanctions imposed by the Secretary of State pursuant to ISA, as amended by CISADA. I also issued Executive Order 13590 on November 20, 2011, to take additional

steps with respect to this emergency by authorizing the Secretary of State to impose sanctions on persons providing certain goods, services, technology, or support that contribute either to Iran’s development of petroleum resources or to Iran’s production of petrochemicals, and to authorize the Secretary of the Treasury to implement some of those sanctions. On February 5, 2012, in order to take further steps pursuant to this emergency, and to implement section 1245(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) (22 U.S.C. 8513a), I issued Executive Order 13599 blocking the property of the Government of Iran, all Iranian financial institutions, and persons determined to be owned or controlled by, or acting for or on behalf of, such parties. On April 22, 2012, and May 1, 2012, I issued Executive Orders 13606 and 13608, respectively. Executive Orders 13606 and 13608 each take additional steps with respect to various emergencies, including the emergency declared in Executive Order 12957 concerning Iran, to address the use of computer and information technology to commit serious human rights abuses and efforts by foreign persons to evade sanctions.

To take additional steps with respect to the national emergency declared in Executive Order 12957, I issued Executive Order 13622 of July 30, 2012, imposing further sanctions in light of the Government of Iran’s use of revenues from petroleum, petroleum products, and petrochemicals for illicit purposes; Iran’s continued attempts to evade international sanctions through deceptive practices; and the unacceptable risk posed to the international financial system by Iran’s activities.

Most recently, I issued Executive Order 13628 of October 9, 2012, to take additional steps with respect to the national emergency declared in Executive Order 12957 and to implement certain statutory requirements of the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112-158) (22 U.S.C. 8701 *et seq.*) (TRA), including its amendments to the statutory requirements of ISA and CISADA.

With respect to the order that I have just issued, section 1 of the order authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to impose financial sanctions on or to block all property and interests in property that are in the United States, that come within the United States, or that are or come within the possession or control of any United States person (including any foreign branch) of a foreign financial institution determined to have, on or after the effective date of the order:

knowingly conducted or facilitated any significant transaction related to the purchase or sale of Iranian rials or a derivative, swap, future, forward, or other similar contract whose value is based on the exchange rate of the Iranian rial; or

maintained significant funds or accounts outside the territory of Iran denominated in the Iranian rial.

Section 2 of the order authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to block all property and interests in property that are in the United States, that come within the United States, or that are or come within the possession or control of any United States person (including any foreign branch) of any person upon determining:

that the person has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any Iranian person included on the list of Specially Designated Nationals and Blocked Persons maintained by the Office of Foreign Assets Control (SDN List) (other than an Iranian depository institution whose property and interests in property are blocked solely pursuant to Executive Order 13599) or any other person included on the SDN List whose property and interests in property are blocked pursuant to this paragraph or Executive Order 13599 (other than an Iranian depository institution whose property and interests in property are blocked solely pursuant to Executive Order 13599); or

pursuant to authority delegated by the President and in accordance with the terms of such delegation, that sanctions shall be imposed on such person pursuant to section 1244(c)(1)(A) of IFCA.

Section 3 of the order authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to impose financial sanctions on a foreign financial institution determined to have knowingly conducted or facilitated any significant financial transaction:

on behalf of any Iranian person included on the SDN List (other than an Iranian depository institution whose property and interests in property are blocked solely pursuant to Executive Order 13599) or any other person included on the SDN List whose property and interests in property are blocked pursuant to subsection 2(a)(i) of the order or Executive Order 13599 (other than an Iranian depository institution whose property and interests in property are blocked solely pursuant to Executive Order 13599); or

on or after the effective date of the order, for the sale, supply, or transfer to Iran of significant goods or services used in connection with the automotive sector of Iran.

Section 5 of the order authorizes the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Homeland Security, and the United States Trade Representative, and with the President of the Export-Import Bank, the Chairman of the Board of Governors of the Federal Reserve System, and other agencies and officials as appropriate, to impose sanctions on a person upon determining that the person:

on or after the effective date of the order, knowingly engaged in a significant transaction for the sale, supply, or transfer to Iran of significant goods or services used in connection with the automotive sector of Iran;

is a successor entity to a person determined to meet that criterion;

owns or controls a person determined to meet that criterion, and had knowledge that the person engaged in the activities referred to therein; or

is owned or controlled by, or under common ownership or control with, a person determined to meet that criterion, and knowingly participated in the activities therein.

Sections 6 and 7 of the order provide that, for persons determined to meet any of these criteria, the heads of the relevant agencies, in consultation with the Secretary of State, shall implement the sanctions imposed by the Secretary of State. Those sanctions may include the following actions:

the Board of Directors of the Export-Import Bank shall deny approval of the issuance of any guarantee, insurance, extension of credit, or participation in an extension of credit in connection with the export of any goods or services to the sanctioned person;

agencies shall not issue any specific license or grant any other specific permission or authority under any statute that requires the prior review and approval of the United States Government as a condition for the export or reexport of goods or technology to the sanctioned person;

for a sanctioned person that is a financial institution: the Chairman of the Board of Governors of the Federal Reserve System and the President of the Federal Reserve Bank of New York shall take such actions as they deem appropriate, including denying designation, or terminating the continuation of any prior designation of, the sanctioned person as a primary dealer in United States Government debt instruments; or agencies shall prevent the sanctioned person from serving as an agent of the United States Government or serving as a repository for United States Government funds;

agencies shall not procure, or enter into a contract for the procurement of, any goods or services from the sanctioned person;

the Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien that the Secretary of State determines is a corporate officer or principal of, or a shareholder with a controlling interest in, a sanctioned person;

the heads of the relevant agencies, as appropriate, shall impose on the principal executive officer or officers, or persons performing similar functions and with similar authorities, of a sanctioned person any of the sanctions described above, as selected by the Secretary of State;

the Secretary of the Treasury shall take actions where necessary to:

prohibit any United States financial institution from making loans or providing credits to the sanctioned person totaling more than \$10,000,000 in any 12-month period, unless such person is engaged in activities to relieve human suffering and the loans or credits are provided for such activities;

prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the sanctioned person has any interest;

prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person;

block all property and interests in property that are in the United States, that come

within the United States, or that are or come within the possession or control of any United States person, (including any foreign branch) of the sanctioned person, and provide that such property and interests in property may not be transferred, paid, exported, withdrawn, or otherwise dealt in;

prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of a sanctioned person;

restrict or prohibit imports of goods, technology, or services, directly or indirectly, into the United States from the sanctioned person; or

impose on the principal executive officer or officers, or persons performing similar functions and with similar authorities, of a sanctioned person any of the sanctions described above, as appropriate.

Section 7 of the order also provides that, when the Secretary of State or the Secretary of the Treasury pursuant to authority delegated by the President and in accordance with the terms of such delegation, has determined that sanctions shall be imposed on a person pursuant to sections 1244(d)(1)(A), 1245(a)(1), or 1246(a)(1) of IFCA (including in each case as informed by section 1253(c)(2) of IFCA), such Secretary may select one or more of the sanctions described above for which the Secretary of the Treasury shall take such action, and the Secretary of the Treasury shall take actions where necessary to implement those sanctions.

Sections 8 and 11 of the order implement the statutory requirements of CISADA, as amended by section 1249 of IFCA. They authorize the Secretary of the Treasury to block all property and interests in property that are in the United States, that come within the United States, or that are or come within the possession or control of any United States person (including any foreign branch), and the Secretary of State to suspend entry into the United States, of persons determined by the Secretary of the Treasury, in consultation with or at the recommendation of the Secretary of State:

to have engaged, on or after January 2, 2013, in corruption or other activities relating to the diversion of goods, including agricultural commodities, food, medicine, and medical devices, intended for the people of Iran;

to have engaged, on or after January 2, 2013, in corruption or other activities relating to the misappropriation of proceeds from the sale or resale of goods described above;

to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the activities described above or any person whose property and interests in property are blocked pursuant to these provisions; or

to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to these provisions.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the pro-

mulgation of rules and regulations, and to employ all powers granted to the President by IEEPA, as may be necessary to carry out the purposes of the order, other than the purposes described in sections 5, 6, and 11 of the order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

The order, a copy of which is enclosed, becomes effective at 12:01 a.m. eastern daylight time on July 1, 2013.

BARACK OBAMA,  
THE WHITE HOUSE, June 3, 2013.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 29 minutes p.m.), the House stood in recess.

□ 1830

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MILLER of Florida) at 6 o'clock and 30 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order: H.R. 1206, by the yeas and nays; and S. 622, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

## PERMANENT ELECTRONIC DUCK STAMP ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1206) to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. WITTMAN) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 401, nays 0, not voting 32, as follows:

[Roll No. 184]

YEAS—401

Aderholt	Duckworth	Kind
Amash	Duffy	King (IA)
Amodei	Duncan (SC)	King (NY)
Andrews	Duncan (TN)	Kingston
Bachmann	Edwards	Kinzinger (IL)
Bachus	Ellison	Kirkpatrick
Barber	Ellmers	Kline
Barletta	Engel	Kuster
Barr	Enyart	Labrador
Barrow (GA)	Eshoo	LaMalfa
Barton	Esty	Lamborn
Bass	Farenthold	Lance
Beatty	Farr	Langevin
Becerra	Fincher	Lankford
Benishek	Fitzpatrick	Larsen (WA)
Bentivolio	Fleming	Larson (CT)
Bera (CA)	Flores	Latham
Bishop (GA)	Forbes	Latta
Bishop (NY)	Fortenberry	Lee (CA)
Bishop (UT)	Foster	Levin
Black	Fox	Lewis
Blackburn	Frankel (FL)	Lipinski
Blumenauer	Franks (AZ)	LoBiondo
Bonamici	Frelinghuysen	Logfron
Boustany	Fudge	Long
Brady (PA)	Gabbard	Lowenthal
Brady (TX)	Gallago	Lowe
Braley (IA)	Garamendi	Lucas
Bridenstine	Garcia	Luetkemeyer
Brooks (AL)	Gardner	Lujan Grisham
Brooks (IN)	Garrett	(NM)
Brown (GA)	Gerlach	Lujan, Ben Ray
Brownley (CA)	Gibbs	(NM)
Buchanan	Gibson	Lummis
Bucshon	Gingrey (GA)	Lynch
Burgess	Gohmert	Maffei
Bustos	Goodlatte	Maloney, Sean
Butterfield	Gosar	Marchant
Calvert	Gowdy	Marino
Camp	Graves (GA)	Massie
Cantor	Graves (MO)	Matheson
Capito	Grayson	Matsui
Capps	Green, Al	McCarthy (CA)
Capuano	Green, Gene	McCaul
Carney	Griffin (AR)	McClintock
Carson (IN)	Griffith (VA)	McCollum
Carter	Grimm	McGovern
Cartwright	Guthrie	McHenry
Castor (FL)	Hahn	McIntyre
Castro (TX)	Hall	McKeon
Chabot	Hanabusa	McKinley
Chaffetz	Hanna	McMorris
Chu	Harper	Rodgers
Cicilline	Harris	McNerney
Clay	Hartzler	Meadows
Cleaver	Hastings (FL)	Meehan
Clyburn	Hastings (WA)	Meeks
Coble	Heck (NV)	Meng
Coffman	Heck (WA)	Messer
Cohen	Hensarling	Mica
Cole	Herrera Beutler	Michaud
Collins (GA)	Higgins	Miller (FL)
Collins (NY)	Himes	Miller (MI)
Conaway	Hinojosa	Miller, Gary
Connolly	Holding	Miller, George
Conyers	Holt	Moore
Cook	Horsford	Moran
Cooper	Hoyer	Mullin
Costa	Hudson	Mulvaney
Cotton	Huelskamp	Murphy (FL)
Courtney	Huffman	Murphy (PA)
Cramer	Huizenga (MI)	Nadler
Crawford	Hultgren	Napolitano
Crenshaw	Hunter	Negrete McLeod
Crowley	Hurt	Neugebauer
Cuellar	Israel	Noem
Culberson	Issa	Nolan
Cummings	Jackson Lee	Nugent
Daines	Jeffries	Nunes
Davis (CA)	Jenkins	Nunnelee
Davis, Danny	Johnson (GA)	O'Rourke
DeFazio	Johnson (OH)	Olson
DeGette	Johnson, E. B.	Owens
Delaney	Johnson, Sam	Palazzo
DeLauro	Jones	Pallone
DelBene	Jordan	Pascarell
Denham	Joyce	Pastor (AZ)
Dent	Kaptur	Paulsen
DeSantis	Kelly (IL)	Payne
DesJarlais	Kelly (PA)	Pearce
Deutch	Kennedy	Pelosi
Diaz-Balart	Kildee	Perlmutter
Doggett	Kilmer	Perry

Peters (CA)	Salmon	Tierney
Peters (MI)	Sánchez, Linda	Tipton
Peterson	T.	Titus
Petri	Sanford	Tonko
Pingree (ME)	Sarbanes	Tsongas
Pittenger	Scalise	Turner
Pitts	Schiff	Upton
Pocan	Schneider	Valadao
Poe (TX)	Schock	Van Hollen
Polis	Schwartz	Vargas
Pompeo	Schweikert	Veasey
Posey	Scott (VA)	Vela
Price (GA)	Scott, Austin	Velázquez
Price (NC)	Scott, David	Visclosky
Quigley	Sensenbrenner	Wagner
Radel	Serrano	Walberg
Rahall	Sessions	Walden
Rangel	Sewell (AL)	Walorski
Reed	Shea-Porter	Walz
Reichert	Sherman	Wasserman
Renacci	Shuster	Schultz
Ribble	Simpson	Waters
Rice (SC)	Sinema	Waxman
Rigell	Sires	Weber (TX)
Roby	Slaughter	Webster (FL)
Roe (TN)	Smith (NE)	Welch
Rogers (AL)	Smith (NJ)	Wenstrup
Rogers (KY)	Smith (TX)	Westmoreland
Rogers (MI)	Smith (WA)	Williams
Rohrabacher	Southerland	Wilson (FL)
Rokita	Speier	Wilson (SC)
Rooney	Stewart	Wittman
Ros-Lehtinen	Stivers	Wolf
Roskam	Stockman	Womack
Ross	Stutzman	Woodall
Rothfus	Swalwell (CA)	Yarmuth
Roybal-Allard	Takano	Yoder
Royce	Terry	Yoho
Ruiz	Thompson (CA)	Young (AK)
Runyan	Thompson (MS)	Young (FL)
Ruppersberger	Thompson (PA)	Young (IN)
Ryan (OH)	Thornberry	
Ryan (WI)	Tiberi	

NOT VOTING—32

Alexander	Fattah	McCarthy (NY)
Bilirakis	Fleischmann	McDermott
Bonner	Granger	Neal
Brown (FL)	Grijalva	Richmond
Campbell	Gutierrez	Rush
Cárdenas	Honda	Sanchez, Loretta
Cassidy	Keating	Schakowsky
Clarke	Loeb	Schrader
Davis, Rodney	Maloney,	Shimkus
Dingell	Carolyn	Watt
Doyle	Markley	Whitfield

□ 1854

Mr. BRADY of Pennsylvania changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### ANIMAL DRUG AND ANIMAL GENERIC DRUG USER FEE REAUTHORIZATION ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 622) to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATTA) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 390, nays 12, not voting 31, as follows:

[Roll No. 185]

YEAS—390

Aderholt	Dent	Johnson, Sam
Amash	DeSantis	Jones
Amodei	DesJarlais	Jordan
Andrews	Deutch	Joyce
Bachmann	Diaz-Balart	Kaptur
Bachus	Doggett	Keating
Barber	Duckworth	Kelly (IL)
Barletta	Duffy	Kelly (PA)
Barr	Duncan (SC)	Kennedy
Barrow (GA)	Duncan (TN)	Kildee
Barton	Ellmers	Kilmer
Bass	Engel	Kind
Beatty	Enyart	King (IA)
Becerra	Eshoo	King (NY)
Benishek	Esty	Kingston
Bentivolio	Farenthold	Kinzinger (IL)
Bera (CA)	Farr	Kirkpatrick
Bishop (GA)	Fincher	Kline
Bishop (NY)	Fitzpatrick	Kuster
Bishop (UT)	Fleming	Labrador
Black	Flores	LaMalfa
Blackburn	Forbes	Lamborn
Blumenauer	Fortenberry	Lance
Bonamici	Foster	Langevin
Boustany	Fox	Lankford
Brady (PA)	Frankel (FL)	Larsen (WA)
Brady (TX)	Franks (AZ)	Larson (CT)
Braley (IA)	Frelinghuysen	Latham
Bridenstine	Fudge	Latta
Brooks (AL)	Gabbard	Lee (CA)
Brooks (IN)	Gallago	Levin
Broun (GA)	Garamendi	Lipinski
Brownley (CA)	Garcia	LoBiondo
Buchanan	Gardner	Long
Bucshon	Garrett	Lowenthal
Burgess	Gerlach	Lowe
Bustos	Gibbs	Lucas
Butterfield	Gibson	Luetkemeyer
Calvert	Gingrey (GA)	Lujan Grisham
Camp	Gohmert	(NM)
Cantor	Goodlatte	Lujan, Ben Ray
Capito	Gosar	(NM)
Capps	Gowdy	Lummis
Capuano	Graves (GA)	Lynch
Carney	Graves (MO)	Maffei
Carson (IN)	Grayson	Maloney, Sean
Carter	Green, Al	Marchant
Cartwright	Green, Gene	Marino
Castor (FL)	Griffin (AR)	Massie
Castro (TX)	Griffith (VA)	Matheson
Chabot	Grimm	Matsui
Chaffetz	Guthrie	McCarthy (CA)
Chu	Hahn	McCaul
Cicilline	Hall	McClintock
Clay	Hanabusa	McHenry
Cleaver	Hanna	McIntyre
Clyburn	Harper	McKeon
Coble	Harris	McKinley
Coffman	Hartzler	McMorris
Cohen	Hastings (FL)	Rodgers
Cole	Hastings (WA)	McNerney
Collins (GA)	Heck (NV)	Meadows
Collins (NY)	Heck (WA)	Meehan
Conaway	Hensarling	Meeks
Connolly	Herrera Beutler	Meng
Conyers	Higgins	Messer
Cook	Himes	Mica
Cooper	Hinojosa	Michaud
Costa	Holding	Miller (FL)
Cotton	Holt	Miller (MI)
Courtney	Horsford	Miller, Gary
Cramer	Hoyer	Moran
Crawford	Hudson	Mullin
Crenshaw	Huelskamp	Mulvaney
Crenshaw	Huffman	Murphy (FL)
Cuellar	Huizenga (MI)	Murphy (PA)
Culberson	Hultgren	Nadler
Cummings	Hunter	Napolitano
Daines	Hurt	Negrete McLeod
Davis (CA)	Israel	Neugebauer
Davis, Danny	Issa	Noem
DeFazio	Jackson Lee	Nolan
DeGette	Jeffries	Nugent
Delaney	Jenkins	Nunes
DeLauro	Johnson (GA)	Nunnelee
DelBene	Johnson (OH)	O'Rourke
Denham	Johnson, E. B.	Olson

Owens	Roybal-Allard	Thompson (PA)
Palazzo	Royce	Thornberry
Pallone	Ruiz	Tiberi
Pascrell	Runyan	Tierney
Pastor (AZ)	Ruppersberger	Tipton
Paulsen	Ryan (OH)	Titus
Payne	Ryan (WI)	Tonko
Pearce	Salmon	Tsongas
Pelosi	Sánchez, Linda	Turner
Perlmutter	T.	Upton
Perry	Sanford	Valadao
Peters (CA)	Sarbanes	Van Hollen
Peters (MI)	Scalise	Vargas
Peterson	Schiff	Veasey
Petri	Schneider	Vela
Pittenger	Schock	Velázquez
Pitts	Schwartz	Visclosky
Poe (TX)	Schweikert	Wagner
Polis	Scott (VA)	Walberg
Pompeo	Scott, Austin	Walden
Posey	Scott, David	Walorski
Price (GA)	Sensenbrenner	Walz
Price (NC)	Serrano	Wasserman
Quigley	Sessions	Schultz
Radel	Sewell (AL)	Waters
Rahall	Shea-Porter	Waxman
Rangel	Sherman	Weber (TX)
Reed	Shuster	Webster (FL)
Reichert	Simpson	Welch
Renacci	Sinema	Wenstrup
Ribble	Sires	Westmoreland
Rice (SC)	Smith (NE)	Williams
Rigell	Smith (NJ)	Wilson (FL)
Roby	Smith (TX)	Wilson (SC)
Roe (TN)	Smith (WA)	Wittman
Rogers (AL)	Southerland	Wolf
Rogers (KY)	Stewart	Womack
Rogers (MI)	Stivers	Woodall
Rohrabacher	Stockman	Yarmuth
Rokita	Stutzman	Yoder
Rooney	Swalwell (CA)	Yoho
Ros-Lehtinen	Takano	Young (AK)
Roskam	Terry	Young (FL)
Ross	Thompson (CA)	Young (IN)
Rothfus	Thompson (MS)	

## NAYS—12

Edwards	McCollum	Pingree (ME)
Ellison	McGovern	Pocan
Lewis	Miller, George	Slaughter
Lofgren	Moore	Speier

## NOT VOTING—31

Alexander	Fattah	McDermott
Billirakis	Fleischmann	Neal
Bonner	Granger	Richmond
Brown (FL)	Grijalva	Rush
Campbell	Gutierrez	Sánchez, Loretta
Cárdenas	Honda	Schakowsky
Cassidy	Loeb sack	Schrader
Clarke	Maloney,	Shimkus
Davis, Rodney	Carolyn	Watt
Dingell	Markay	Whitfield
Doyle	McCarthy (NY)	

□ 1902

Ms. MCCOLLUM changed her vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE FRANK R. LAUTENBERG, A SENATOR FROM THE STATE OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Speaker, I offer a privileged resolution, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 242

*Resolved*, That the House has heard with profound sorrow of the death of the Honorable Frank R. Lautenberg, a Senator from the State of New Jersey.

*Resolved*, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

*Resolved*, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased Senator.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 1 hour.

Mr. SMITH of New Jersey. Mr. Speaker and Members of the House, it is my sad duty to inform you that Senator FRANK LAUTENBERG has passed away. He died from complications from viral pneumonia this morning at New York-Presbyterian Hospital. FRANK LAUTENBERG was 89 years old.

I join with my friends and colleagues from our delegation—and, I know, with the entire House—in expressing our profound sorrow to his family—his wife, Bonnie, his six children, and his 13 grandchildren. Senator LAUTENBERG will be deeply missed.

We will have a Special Order to honor this wonderful man, but just one point: that with his passing he is the last of World War II—of the Greatest Generation—to serve in the United States Senate, and I want everyone to know he will be deeply missed. I, personally, worked very closely with him on a number of issues, in particular on combating anti-Semitism, so I just want to say that we are all in sorrow for his passing. We pray for him and for his family.

I would like to yield to my good friend and colleague from New Jersey (Mr. PALLONE) for any comments he might have.

Mr. PALLONE. I want to thank my colleague.

It's really with a great deal of sadness that we come to the well this evening to announce—or to comment, if you will—on Senator LAUTENBERG's passing.

I really can't imagine the Congress without him. I worked on his campaign from the very first day in 1982, and he was the longest-serving Member of the U.S. Senate from the State of New Jersey in our entire history.

The fact of the matter is that Senator LAUTENBERG was always there for the little guy. Many of you know that he was a wealthy individual, but he never forgot his roots, and they were very humble roots. He always believed that the Congress should be there for people in need and that the American Dream required that everyone had an equal opportunity and that Congress could do things. FRANK LAUTENBERG understood that there were a lot of

problems out there, but he felt that Congress needed to work together on a bipartisan basis to solve those problems.

There are so many that I can mention, but I won't. Whether it was the Nation's infrastructure, mass transit, all of the environmental concerns, whether he wanted to clean up the ocean or clean the air or clean the water for the next generation, he really believed that things could get done here, and he worked hard to get things done. We know, more than anybody else, he was able to accomplish a lot because of the hard work that he put into it.

So I just want to thank him for all of that and for his legacy, and I want to express sympathy, obviously, to Bonnie and his family. He will be missed for what he accomplished and also for what he told us about what our job is when we're here—to get things done and to worry about the little guy and to make sure that we are always out there, working every day to make this a better country.

Mr. SMITH of New Jersey. I yield to my colleague from New Jersey (Mr. LANCE).

Mr. LANCE. Thank you, Congressman PALLONE, and thank you, Congressman SMITH, the dean of the delegation.

Senator LAUTENBERG was a tenacious fighter for the 9 million residents of the State of New Jersey, and tenacity was at the heart of his public service. New Jersey is a State that is complex and that is comprised of many different ethnicities, and Senator LAUTENBERG represented all of us extremely well. The only person in history of the State to serve five terms in the United States Senate, Senator LAUTENBERG died with his boots on in the saddle as he would have wished.

He was extremely proud of his roots in Paterson, a great industrial city in this Nation, where he was born and raised; and at age 18 he went off to war, World War II, as one of the Greatest Generation. Senator LAUTENBERG was the beneficiary of the GI Bill of Rights, and he was able to attend Columbia University from which he graduated after the Second World War, and his brilliant career in the private sector at ADP is a hallmark to the entrepreneurial spirit of the American people; but he recognized that he could do more for the people of our State and of the Nation when he was elected to the United States Senate in 1982, reelected in 1988 and reelected again in 1994, a hiatus of 2 years, then elected for a fourth term in 2002, and again for a fifth term in 2008. He was a person of perseverance.

To Mrs. Lautenberg and the Lautenberg children and family, we extend our profound sympathy. The people of New Jersey and, might I suggest, the Nation are saddened by his death.



Mr. SMITH of New Jersey. I yield to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friends and colleagues for joining in this moment of solemn remembrance.

There is not a corner of our State that does not bear the manifestation of the greatness of Senator LAUTENBERG's career. Some of the manifestations are functional and somewhat ordinary—bridges and exit ramps—but so many of the things are things of beauty and splendor. This is a person who risked his life for his country in the Second World War and who gave his life to building a successful business and building a great State and a great country.

We are profoundly saddened by his loss, but we are heartened by his example, and I thank all of us on both sides of the aisle for remembering him. Our prayers go to his family, and our thanks go to him for a great life well led.

Mr. SMITH of New Jersey. I yield to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. FRANK LAUTENBERG was my friend for 45 years. We drank the same water in Paterson, New Jersey. He was a person of very small means when you looked at his mom and dad. They worked in the factories in Paterson, New Jersey, as so many other people did. His father died when he was 43 years of age. He got sick from the jobs that he had when there was no protection for workers, not like it is now.

Now, can you picture this in a garage in Paterson, New Jersey, off of Carroll Street, four guys together, putting a company together, that if you didn't invest in it you kicked yourself after that, ADP?

He had a business acumen, a business sense, that went beyond votes on the floor of the Senate. He was a good guy, and I know that the talking heads would say he was a liberal's liberal. FRANK LAUTENBERG was a very basic, conservative guy when it came to our values in this country. He was not a spectator by any stretch. He was in there. He was in the battle. He came back to School No. 6 on Mercer Street in Paterson to take care of those kids, to give them computers and to say make sure you take care of those computers because this is going to get you, perhaps, on a path to something better in life for you and your family. He didn't forget it. A lot of people say he didn't forget his roots. That's a wave. That's a passing by. He was not that kind of a person.

So, to Bonnie and to his beautiful family, our best, best, deepest feelings of condolences and sorrow.

We don't know what we've lost—we never do—but we pray that everyone begins to understand, at least now, that each of us is significant, that each

of us is important and, as FRANK would say, that no one is better than anyone else.

God bless FRANK LAUTENBERG.

Mr. SMITH of New Jersey. I yield to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. We mark with sorrow and with admiration the loss of FRANK LAUTENBERG—a loss to Bonnie and his family, a loss to this Congress, a loss to New Jersey, a loss to America.

He served in the Army as a youngster. His father died while he was serving in the Second World War—and “serve” is the right word. He saw service as his duty, as his life—serving other people, never forgetting the common person and the common good. Whether he was working for public health or individual health care or education or was helping prevent bullying in schools or was teaching foreign languages or was providing for safety in chemical plants, he was thinking about the ordinary person. He never forgot that, he never stopped fighting, and the people of New Jersey knew that. They knew they had somebody in the Senate who was looking out for them.

What I think of most is his work that he did on the Transportation Subcommittee about the blood alcohol level and drunk driving. He did more than any other single person in this country to prevent drunk driving. You could fill many football stadiums with people who are alive today because of FRANK LAUTENBERG. The interesting thing is that not one of them would know who they are.

We have a lot to be grateful for to FRANK LAUTENBERG, and his legacy is something that we should work hard to continue.

Mr. SMITH of New Jersey. I yield to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. To the dean of the delegation and to the rest of my colleagues from New Jersey, Washington, D.C., the Senate, the Chambers will not be the same without FRANK LAUTENBERG walking about.

He is and he was a man who lived truly an extraordinary life. You've heard of his humble beginnings that BILL, I guess, knows pretty well, of his growing up in that neighborhood and going on to fight through World War II, as LEONARD points out; and of that extraordinary entrepreneurial spirit. In all of those ways, he lived an extraordinary life that left an extraordinary impact upon the people of his community and the State and on all of those people who benefited from his business acumen—to be able to use that service—to the jobs that he provided and then to take that and bring it here to Washington and the benefits that he provided even far beyond his own humble beginnings back in Paterson, New Jersey, but across the country as well.

So we come here today, joined in the thought that our prayers are with him,

his family, his children, and grandchildren. We just hope that through this difficult time that they must be going that they can find some solace in the fact that so many people who have come here today and who are back in New Jersey respect him and appreciate him and thank him for what he did for the State.

Mr. SMITH of New Jersey. I yield to the gentleman from New Jersey (Mr. SIRES).

Mr. SIRES. I want to thank my colleagues for being here today and for expressing the sentiment towards a friend.

I knew FRANK LAUTENBERG for a long time. I was a mayor when I first met him. He never changed. He was a fighter. He was a real product of New Jersey in his coming from Paterson, serving in the service, starting a business. He became one of the best Senators we ever had in New Jersey. He was a man who had a vision, because he was one of the first ones who saw that riding on a plane and having somebody smoking next to you was not healthy. FRANK fought that fight, and President Reagan signed it into law.

So, today, New Jersey is sad. It's sad because one of its own is not going to be with us any more. Right down to the end, FRANK fought. I will remember him fighting Governor Christie. I remember him fighting for the tunnel. So we are all sad in New Jersey today.

To the whole family, we extend our condolences.

Mr. SMITH of New Jersey. I yield to the gentleman from New Jersey (Mr. RUNYAN).

Mr. RUNYAN. I, too, want to reflect on all of the kind and gracious words that my colleagues have expressed up here.

I, only being in my second term, can't say that I knew FRANK that well, but I want to point out one thing: that it's unfortunate that sometimes it takes someone's passing to realize all of the great things he did in his life. I've learned in coming here to Washington sometimes that people forget they are people who come here to represent the people back home, and you forget about the good deeds, the hard work. When you look at what FRANK did, working every single day until today, that is something that, I think, we as Americans do—take that work ethic into everything we do every single day. That's what makes us the greatest country in the world.

With FRANK's obviously being that type of role model, I think we are all saddened by his passing. We will miss him. Again, our condolences go out to his family, and I thank you all for taking time out to recognize him as an individual because, I think, sometimes that is lost.

Mr. SMITH of New Jersey. I yield to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Thank you to my colleagues from New Jersey and in the House of Representatives.

Once again, I stand here in almost over a year with sorrow in my heart. The New Jersey delegation has lost another great member.

Senator LAUTENBERG had been an example to me over the course of his career. I'd seen him in many instances in Newark and in other settings, and he always had a common message to young people. It was that there was nothing special about me that you could not do this yourself. If you applied yourself in school, worked hard, honored your country, and did the things that were right, one day you could be in this position as well.

FRANK LAUTENBERG embodies what a New Jerseyan is. So look at his career. Look at his life. He is a true New Jerseyan. He will sorely be missed in this delegation, in this House, in this Congress, and in this country. My condolences to his family on this sad occasion.

Mr. SMITH of New Jersey. Mr. Speaker, FRANK LAUTENBERG will be missed. As you could hear from my colleagues on both sides of the aisle, it is a great loss for the State of New Jersey. We will have a Special Order next Tuesday to speak even more to his legacy.

With that, I yield back the balance of my time.

Ms. PELOSI. Mr. Speaker, today, our country mourns the loss of Senator FRANK LAUTENBERG—a man whose life embodied the American Dream and who dedicated his career to putting that dream in reach for all Americans. The longest-serving senator in New Jersey's history and the last remaining World War II veteran in the Senate, he served us all with the strength, perseverance, and compassion that exemplifies the greatest generation.

A proud son of hard-working immigrants, Senator LAUTENBERG rose from humble beginnings to meet great success in business and public service. He was an entrepreneur who turned a small business into one of the largest computing services companies in the world. He was a soldier who put his life on the line to protect our country. He was a Senator who helped ban smoking in airplanes and around children, who worked to ensure parents could take time off to care for sick family members, who helped modernize the G.I. bill to ensure today's veterans could benefit from the same opportunity that he received.

Senator LAUTENBERG spent each day fighting to protect and improve the health, security, and well-being of every American. His lifetime of service leaves a legacy we must follow, and an expectation we must meet. We only hope it is a comfort to his wife Bonnie, his children and grandchildren that so many mourn their loss at this sad time.

Ms. BROWN of Florida. Mr. Speaker, I was deeply saddened when I learned of the passing of Senator FRANK LAUTENBERG. I am certain that anyone who had ever met Senator LAUTENBERG would agree, regardless of political party affiliation, that he was a remarkable

statesman and hard working government servant. The longest-serving senator in New Jersey's history, he was gifted in interpersonal relations, and recognized for reaching across the aisle to benefit the people of his state, and the citizens of our nation as a whole. And as the last veteran to serve in World War II in the U.S. Senate, he represented a generation of leaders who left a legacy of service that continues to inspire all Americans.

A proud son of hard-working immigrants, Senator LAUTENBERG rose from humble beginnings to attain success in business and public service. He was an incredibly efficient entrepreneur who turned a small business into one of the largest computing services companies in the world; a soldier who put his life on the line to protect our country; a Senator who helped ban smoking in airplanes and around children, who worked to ensure parents could take time off to care for sick family members, and the Senator who helped modernize the G.I. bill to ensure today's veterans could benefit from the same opportunities he did.

Additionally, throughout his years in the U.S. Senate, he worked tirelessly to secure investments in infrastructure for the Northeast Corridor, and it was in the area of transportation that I personally worked with Senator LAUTENBERG as a close partner. Senator LAUTENBERG's staunch efforts to augment Amtrak and commuter rail parallel my own. And as the Chair of the House Transportation Subcommittee on Railroads under a House Democratic Majority, we worked closely to increase funding for Amtrak and passenger rail both in the Northeast Corridor and throughout the entire United States.

Senator LAUTENBERG, who served on four Commerce, Science and Transportation subcommittees, including aviation operations and surface transportation, helped save Amtrak from budget hawks; supported tarmac delay protections for airline passengers; was instrumental in increasing transportation spending for mass transportation and other infrastructure improvements; succeeded in getting stricter limits on drinking and driving, and managed to get smoking banned from airplanes, among numerous other transportation-related accomplishments.

In fact, Senator LAUTENBERG wrote the 2008 law to increase Amtrak funding and create the nation's high-speed rail grant program. And in 2011, he got the Northeast Corridor designated as a federally-recognized high-speed rail corridor, which allowed Amtrak to receive \$450 million in federal funding for high-speed rail upgrades, and the Secaucus Junction train station in fact, is named after him.

He fought New Jersey Governor Chris Christie over the ARC tunnel, a rail improvement LAUTENBERG saw as essential for allowing the continued flow of commuters between New Jersey and New York under the Hudson River. The Gateway tunnel project, a substitute for ARC, is under development and just received a promise of \$185 million in federal funds. LAUTENBERG's dream of an intermodal freight policy is also on its way toward being realized, thanks to increased federal attention on creating a national freight strategic plan. Complete streets policies, which he consistently supported, are in place in nearly 500 communities around the country, and his zeal

to create a National Infrastructure Bank as a way to invite more private investors to partner with the government on infrastructure is still struggling for wide acceptance.

I join in expressing my prayers and condolences to his wife, Bonnie, and to his children, his grandchildren, his entire family, and to the people of New Jersey.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### HONORING THE MEMORY AND SACRIFICE OF FIREFIGHTERS MATTHEW RENAUD, ROBERT BEBEE, ROBERT GARNER, AND ANNE SULLIVAN

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, I, along with fellow Members of the Texas and Harris County delegation, stand together to honor and recognize the sacrifice of four fallen firefighters who died last Friday, May 31, 2013, in the city of Houston serving in the line of duty.

We offer our heartfelt sympathy to the families and fellow firefighters of those who died and those who were injured.

We are united with the city of Houston in grief over the deaths of Captain EMT Matthew Renaud, Engineer Operator EMT Robert Bebee, Firefighter EMT Robert Garner, and Probationary Firefighter Anne Sullivan, who died last Friday while searching a blazing hotel and restaurant for possible trapped victims.

In the 118-year history of the Houston City Fire Department, this was the greatest loss of life of their members while on duty. Their heroism will not be soon forgotten nor their sacrifice dimmed by time.

In the Firemen's Creed, these words are heard loudly:

But, above all, our proudest endeavor is to save lives of men, the work of God, Himself.

We ask that our colleagues join us now in a moment of silence in their memory.

Mr. Speaker, we wish all firefighters injured last Friday a speedy recovery.

Mr. Speaker, I along with fellow members of the Harris County Delegation stand together to honor and recognize the sacrifice of four fallen firefighters who died last Friday, May 31, 2013 in the City of Houston, Texas serving in the line of duty.

We offer our heartfelt sympathy to the families and fellow firefighters of those who died.

We are united with the City of Houston in grief over the deaths of Captain EMT Matthew Renaud, Engineer Operator EMT Robert Bebee, Firefighter EMT Robert Garner and Probationary Firefighter Anne Sullivan who died on Friday, while searching a blazing hotel and restaurant for possible trapped victims.

In the 118 year history of the Houston City Fire Department this was the greatest loss of

life of their members while on duty. Their heroism will not be soon forgotten nor their sacrifice dimmed by time.

#### EXCERPTS FROM THE FIREMEN'S CREED

I have no ambition in this world but one and that is to be a fireman . . . We strive to preserve from destruction the wealth of the world . . . We are the defenders from fire . . . But, above all, our proudest endeavor is to save lives of men, the work of GOD himself.

We ask that our colleagues join us in a moment of silence in their memory.

We wish a speedy recovery for all those firefighters injured during Friday's tragedy.

#### MENTAL HEALTH TREATMENT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today the White House held a conference on mental health and the importance of removing the stigma associated with seeking mental health treatment. The conference dovetailed with an announcement by the Department of Veterans Affairs that it had met its goal to hire 1,600 new mental health professionals.

Despite the positive news from the VA, the President appropriately stated:

It's not enough to help more Americans seek treatment. We also have to make sure the treatment is there when they are ready to seek it.

I could not agree more, for a major barrier for individuals seeking care is not just access, but the stigma that is oftentimes associated with seeking professional help—especially for our veteran population.

Thankfully, there is more we can do.

I encourage my colleagues to learn more about H.R. 2001, the Veterans E-Health & Telemedicine Support Act. This bipartisan, no-cost bill expands the number of qualified providers servicing our veteran population and also helps remove the stigma associated with seeking treatment through the expansion of telemedicine at the VA.

#### CONGRATULATING MARK CROGHAN

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. I rise today to recognize Mark Croghan, the longest serving school administrator from Castro Valley Unified School District, which is in my district, who will be retiring this year after 27 years of service in the East Bay.

Mark was raised and educated in Hayward, California. After a swimming career at Hayward High School, he earned a swimming scholarship to attend the University of California at Berkeley, where he received his college degree.

Mark began a long teaching career after college. He taught kids both in and out of the classroom, coaching a variety of sports, including swimming, basketball, softball, and he even served as the advisor for the ski team.

After receiving his master's degree in 1993, Mark began his administrative career as an assistant principal of Canyon Middle School in Castro Valley. Since then, Mark has served as a principal at both Marshall Elementary and Canyon Middle School.

Over his career as an administrator, Mark has created a positive learning environment and has prioritized the needs of students and their families. His leadership surely will be missed.

But if Mark's past service is any evidence of what to expect of him in the future, surely we have a lot in store for what his public service will bring to our community.

I wish Mark the best in his retirement. It is well earned.

□ 1930

#### LINE DANCING AT THE IRS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the taxman has gone wild. The IRS spent \$50 million on boondoggle conferences. At one conference, the agency declined the cheaper government group rate and instead opted for perks including stays at swanky presidential suites, free drinks, and high-dollar tickets to the L.A. Angels baseball game. Now, isn't that lovely?

The IRS spent thousands on touchy-feely speakers, including a \$17,000 lecture about "leadership through art." More like the art of wasting money.

The taxacrats-turned film-makers spent \$50,000 for videos, including spoofs of "Star Trek," "Gilligan's Island," and line dancing to "Cupid Shuffle." Cupid Shuffle? Are you kidding me?

Mr. Speaker, this is corrupt, contemptible behavior. Ironically, instead of tracking our tax dollars, the Internal Revenue Squanderers waste tax dollars.

The head of the IRS says the expenses were inappropriate. Well, no kidding.

When the revenueurs find inappropriate behavior by taxpayers, the taxpayers pay more taxes with interest. The IRS should return the \$50 million with interest to the Treasury, and it's time it audited the taxman.

And that's just the way it is.

#### SAFE CLIMATE CAUCUS

(Mr. WAXMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WAXMAN. Mr. Speaker, I rise today as a member of the Safe Climate Caucus to urge the House to act on climate change.

Last month, scientists recorded atmospheric concentrations of carbon dioxide at more than 400 parts per million. The long-term consequences of this development are going to get worse in the future, but we're already seeing the immediate impacts today.

The Philadelphia Inquirer has recently reported on the sea level rising along the Delaware Bay and the spring season coming earlier to the Philadelphia region. I will insert these two articles into the CONGRESSIONAL RECORD.

And just last month, the Natural Resources Defense Council released a report on the cost of climate change, showing that the Federal Government spent \$100 billion on disaster relief last year. That's more than we spent on education, transportation, or even non-discretionary spending on health.

And, yet, not only does the Republican majority in the House refuse to address climate change; they're actively pursuing legislation that is sure to make things worse. We must address this problem now.

ALONG N.J. BAY, RISING SEA DRAWS EVER CLOSER

[The Inquirer, Apr. 29, 2013]

(By Sandy Bauers)

The night Meghan Wren got stranded by floodwaters and had to sleep in her car, she knew it was time for a reckoning.

She had been driving to her waterfront home along the Delaware Bay in South Jersey. As she crossed the wide marsh in the dark, the water rose quickly. It became too deep—ahead and behind. She had to stop and wait.

To her, no longer were climate-change predictions an abstract idea. Sea level has been rising, taking her waterfront with it.

"This isn't something that's coming," she later told a group of bay shore residents and officials. "It's here. We just happen to live in a place that will affect us sooner."

Wren lives on tiny Money Island—more a peninsula of bayfront land with about 40 small homes and trailers in Cumberland County.

Just visible across the grassy marsh is Gandys Beach with 80 homes. Farther south, Fortescue with 250 homes. All three are steadily disappearing.

On the Atlantic coast, beach replenishment masks the effects of sea-level rise. But along the low-lying bay shore, veined with creeks, the problems are striking.

With each nor'easter, more of the beachfronts erode. More of the streets and driveways flood. Septic systems, inundated with salt water, are failing.

"We're seeing beyond the normal damage," said Steve Eisenhauer, a regional director with the Natural Lands Trust, which has a 7,000-acre preserve in the area "We see the problems getting worse."

In the last century, sea level in the bay has risen a foot, gauges show, partly because the warming ocean is expanding and polar ice is melting. Also, New Jersey is sinking.

All the while, humans have been pumping more and more greenhouse gases into the atmosphere. The planet's average temperature has increased.

"All those links are very strong," said Pennsylvania State University's Raymond Najjar Jr., an expert on climate change in Mid-Atlantic estuaries.

"The reason the sea is rising as fast as it is in the Delaware Bay is human-induced climate change," he said, echoing many experts.

Sea level is rising faster now than in the early 20th century, and scientists expect it to rise even faster in the future.

The three towns' beachfronts and marshes have always been nibbled away by ship wakes, storms, and more typical erosion—but sea-level rise, combined with more frequent and intense storms, makes them all worse.

Can these three communities, all within Downe Township, adapt to climate change?

Or is there a point beyond which no amount of money can stop the sea? Should everyone relocate?

It's been done. After a \$1.8 million seawall in nearby Sea Breeze failed a year after being built, the state bought out the 23 remaining households three years ago for \$3.3 million. Tiny Thompson's Beach and Moore's Beach are gone, too.

These are special places, where people look out their windows and see eagles soaring. The bay turns red at sunset. Salt marshes thick with aquatic life stretch for miles.

With marinas in Fortescue and Money Island, they are among the last places in South Jersey where people can access Delaware Bay—vital for generating support to preserve the rich habitat.

But, like Wren, residents sometimes see white caps in their driveways.

Downe officials have come up with a \$50 million plan to not only shore up the shore, but also add amenities across the township to draw tourists who could revive the economy.

The plan, which would cost the equivalent of \$31,500 per resident, calls for bulkheads and truckloads of sand, restrooms, picnic benches, nature-viewing areas, and a township visitor center.

Officials identified nearly 30 "potential" funders—from agencies to nonprofits. But many feel the project is a long shot.

Meanwhile, bumper stickers are plastered on homes: "No retreat. Save the Bayshore communities."

"I refuse to give up one house, one lot, one piece of land," said Robert Campbell, Downe's mayor. "These towns are 200 years old . . . It's a special place. We've got to preserve it."

Their survival is also fiscally crucial; they represent half of Downe's tax base.

He and others blame flooding not on sea-level rise but on the decline of dikes once used for salt hay farming. (Scientists say the dikes blocked the tides from naturally bolstering marshes with sediment.)

Campbell also blames the state for being too tough in issuing permits for bulkheads and jetties.

After Hurricane Irene struck in 2011, the town put up temporary bulkheads. The state issued violation notices.

Now, those structures need restoration, too.

#### "WE CAN SURVIVE"

Before modern travel made all the Atlantic beaches so easily accessible, Delaware Bay was the shore that many Philadelphians went to.

In the late 1800s, Fortescue was the Cape May of the bay shore, with hotels and a boardwalk.

"We are so rich in our history," said Dennis Cook of Money Island, who specified in

his will that his ashes be thrown off his pier. "We can survive."

Or at least they feel compelled to try. Many residents are retirees who have sunk their savings into their homes. Now that prices have fallen, they can't get out unless the state buys them out.

Nine Money Island property owners have already requested that.

One is Tony Novak, owner of the local marina. He wants to stay, and thinks he can for the near future, but "there is no doubt that the only reasonable, logical, long-term approach is strategic retreat."

"I have neighbors," he said, "and all they have left in the world is being washed away."

In October, Wren held a forum on what many consider the hot issue for the bay shore: "Rising Tides."

About 100 people went to the nearby hamlet of Bivalve on the Maurice River, and filled a chilly room in a historic shipyard shed owned by the nonprofit Bayshore Discovery Project, which Wren founded.

It owns New Jersey's tall ship, a historic oyster schooner called the A.J. Meerwald, and the walls of the room were lined with vintage oyster cans.

Outside, docks built in the early 1900s still exist, and old-timers notice that the tide comes up higher than it used to.

On the serpentine Maurice River, erosion—a natural process worsened by sea-level rise—has almost cut through the bend at Bivalve. If it occurs, the docks might end up high and dry, and land to the east will flood.

Toward the bay are "ghost forests"—skeletons of trees killed by saltwater intrusion.

Upstream, a quarter century of bird counts shows that black vultures, a Southern species, are becoming more numerous.

In decline are American black ducks, which depend on a freshwater wild rice that is being depleted as saltier water moves up the Maurice River.

"The coast is changing," Jennifer Adkins told the group in Bivalve that night.

The executive director of the Partnership for the Delaware Estuary, she cited research showing the dramatic loss of the bay's wetlands. Nearly 5,000 football fields' worth vanished from 1996 to 2006 alone, mostly from sea-level rise and erosion.

Wetlands protect coastal areas by absorbing water from storm surges, so losing these natural buffers makes the bay shore communities more vulnerable.

And then Matt Blake, then with the American Littoral Society, raised the topic few wanted to hear.

"Strategic retreat," he said "The questions of whether to pull back or reinforce are going to come up again and again."

He didn't claim to have an answer. But he said solutions should be based on research, not emotion "We'll never have enough resources to defend every community. Before we start spending on new roads and bridges and pipes, we have to run a cost-benefit analysis."

But Campbell wouldn't hear of it. "There seems to be a double standard between the Atlantic coast communities and the Delaware Bay," the mayor said when he got to the lectern. A murmur of assent rose from the audience.

"I don't hear anybody talking about retreat in Atlantic City," he said. Or "moving the casinos back to Absecon."

Still, he handed out a summary of township problems: collapsed pavement, eroded road shoulders, failing seawalls.

"Downe Township is just one hurricane away from becoming a bayfront statistic" like the three other abandoned towns.

Eleven days later. Hurricane Sandy hit.

Bayfront houses were undermined, the sand washing out from under them. Front steps hung in the air. Decks and front rooms were gone.

Campbell said damage along the bay front totaled \$20 million; about 30 homes were destroyed.

"Sandy focused everybody's attention," Wren said. You can't just quietly ignore [the rising ocean] anymore."

#### REMOTE AND LITTLE CLOUT

The bay shore, unlike the Atlantic coast, is ill equipped to respond.

Cumberland County is remote, rural, and economically depressed, the poorest county in the state.

"They don't have the population. They don't have the tax base. They don't have the votes," said the trust's Eisenhauer. "They don't have the clout to get the funding they get on the Atlantic coast."

Yet the area is hugely vulnerable. About 12 percent of the county's population lives in a floodplain, according to a federal analysis. Ditto 6 percent of the schools, police stations, and other "critical facilities." Plus 10 percent of the road miles.

Local leaders feel they aren't getting much help.

Across the bay, Delaware has a climate-change action plan and a sea-level rise advisory group. It has listed strategies for its bay shore and analyzed the costs and benefits.

"The first step is to have rock-solid science and good economics," said the state's environmental head, Collin O'Mara.

In New Jersey, Gov. Christie closed the Office of Climate Change, although a spokesman said several agencies deal with the issue, and many efforts have been launched since Sandy.

Department of Environmental Protection spokesman Larry Hajna said officials visited Downe "to see what we can do."

"Sea-level rise is clearly one of the biggest concerns along the bay," he said. "But at this point there aren't any long-term answers." Federal, state, and local entities would have to get involved, he said.

Ultimately, the question may not be how to keep the waterfront intact but how to get to the towns in the first place.

A new sea-level rise mapping tool from Rutgers University shows that with one more foot of rise—easily possible before century's end—the roads through the marshes would be underwater at high tide.

#### RUDE AWAKENING

Wren thought she would have more time.

She imagined that the changes "would be far enough in the future that I could figure out how to manage it"—maybe by working from home during floods. Not anymore.

She and her husband, Jesse Briggs, subscribe to an alert system for when higher-than-usual tides are predicted.

But in December, an alert went out at 3 a.m. When Wren woke up, it was already too late. Her Prius was swamped. Now, she drives a hybrid SUV that is six inches higher.

She thinks it was hubris for humans to build on the shore. And "it seems like folly to be trying to control nature" now.

But she's lived on the water her whole life. Briggs is captain of the A.J. Meerwald. They named their son Delbay—for Delaware Bay.

"I can kind of see it from all sides," Wren said of the debate over Money Island and its neighbors. So far, it comes down to this: "If the township decides to keep the infrastructure, I'm committed to keeping my house."

[From the Inquirer, May 22, 2013]

SPRING COMES SOONER TO PHILA.—AND THAT'S NOT GOOD

(By Sandy Sabers, Inquirer Staff Writer)

One in an occasional series about the regional effects of climate change and how we're coping.

On May 2, 1908, as he strolled along the Perkiomen Creek in Montgomery County, Bayard Long collected a flowering sprig of redbud.

He mounted it, labeled it, and added it to the herbarium at the Academy of Natural Sciences, where he was the curator.

A century later, but just miles away in Chester County, botany graduate student Zoe Panchen also found a redbud in flower. But this time, the short-lived blooms had appeared much earlier. It was April 13, 2010.

Those two data points—and 2,537 others that Panchen analyzed—show a dramatic change in this region's flowering plants.

On average, about 20 species of common spring plants are flowering a day earlier every decade, Panchen concluded.

That scenario is happening across the biological spectrum in ways that could put nature out of sync, worsening pest problems and helping invasive species to flourish.

Migrating birds are arriving earlier, frogs are calling earlier, and insects are emerging earlier than they were decades ago, according to an analysis of the Northeastern United States by a national group focused on phenology—the study of all the things that animals and plants do that are related to the seasons.

Researchers link the numerous shifts they're seeing to climate change—mostly, the warmer springs associated with it.

Individual years are highly variable, of course. Last year was the earliest spring in the North American record, based on "indicators" such as plant leaf-out and flowering. This year in the Philadelphia region, temperatures were slightly cooler than normal. But many creatures shift their cycles to go with the overall trend.

"Climate change is here, it's now, it's in your backyard; that's the way we put it," said ecologist Jake Weltzin, who directs the National Phenology Network, a federal program that is enlisting citizen scientists to gather data on the plants and animals in their own backyards.

Weltzin and others acknowledge that many factors affect living things—habitat loss, pollution, urban heat islands.

But as they try to understand the changes in timing and shifts in abundance, again and again, climate change appears dominant.

"If you have multiple species that aren't even related, and they're all doing something similar, it's likely that there's a shared cause," said Keith Russell, science coordinator with Audubon Pennsylvania. "Climate change is the one thing that makes the most sense."

An international coalition of scientists that produced the seminal analyses of climate change noted in their latest report, in 2007, that phenology "is perhaps that simplest process in which to track . . . responses to climate change."

Even then, they were seeing it. Numerous studies had documented a progressively earlier spring—by two to five days a decade, the group said.

The evidence continues to mount.

A longtime study of lilacs and honeysuckles across North America shows the plants are leafing out several days earlier than in the early 1900s.

Ten bee species have accelerated their emergence date by roughly 10 days over the

last 130 years, a Rutgers University entomologist and others reported in a 2011 paper.

Several studies have pointed to earlier bird migrations. One analysis found that 17 forest species were arriving in Pennsylvania earlier over the last 40 or so years—three days for the cerulean warbler to 25 days for the purple finch.

In addition, a National Audubon Society study looking at 305 species found that birds' wintering grounds had shifted northward an average of 35 miles in four decades.

In Pennsylvania and New Jersey, black vultures moving up from the south are becoming more numerous.

"We're seeing this in real time," said Eric Stiles, president of New Jersey Audubon, whose data collectors are part of a national breeding bird survey that is seeing species show up two and three weeks early. "It's all happening in our lifetime."

Some of these changes in patterns may not be bad. They're just changes.

But some changes have been linked to pest outbreaks. A longer growing season for some plants means a lengthening of the allergy season.

Scientists don't know how the changes will reverberate. "If you tug at anything in nature, it's a web," said Gary Stolz, manager of the John Heinz National Wildlife Refuge at Tinicum. "You pull one little string, and it's tied to everything else on Earth."

Researchers have found some cases where early bird arrivals put them out of sync with the sweet spot of insect emergence—their dinner.

Plants that shift their bloom times earlier could be damaged by even a normally timed frost—a potential disaster if the flower happens to be a crop species. Last year in Michigan, frost damage to fruit trees totaled half a billion dollars.

Organizers may need to rethink the timing of a few festivals to boot.

Last year, the parade for cherry blossoms in Washington happened just as the flowers were beginning to fade. The town's cherry tree cultivars now bloom an average of seven days earlier than in the 1970s.

Scientists say much more research is needed.

Some important data are coming from citizen scientists—people who go out in their backyards and simply notice what's going on. Even with inevitable mistakes, the bigger picture emerges.

Observers are reporting leaf-outs and flowering times to Project BudBurst, nighttime trills and croaks to FrogWatch USA, and backyard bird sightings to Cornell University's FeederWatch project.

Diane House, a physician who lives in Newtown Square, tracks beeches and red maples for the Phenology Network's "Nature's Notebook."

The granddaddy of citizen-science efforts, it has nearly 2,000 data gatherers. Its more than 1.8 million records on plants, trees, animals, and birds are already informing research, including a paper showing how ruby-throated hummingbirds are arriving in North America 12 to 18 days earlier than in the 1960s.

In 2010, with a grant from Toyota, Moravian College biologist Diane Husic began a local version, the Eastern Pennsylvania Phenology Project.

She now has 50 regular contributors—master gardeners, nature center staffers, even grade-school teachers who take students on a recess walk past the same trees every day.

Scientists also have a mother lode of data from more than a century ago—before the

Industrial Revolution, when temperatures and CO<sub>2</sub> levels began to rise.

In the mid-1800s in Concord, Mass., Henry David Thoreau noted enough about the flowering plants of the region that a modern Boston University professor was able to determine that, on average, spring flowers in Concord are blooming 20 days earlier. The work is being featured in a special exhibit at the Concord Museum through Sept. 15.

Philadelphia's Academy of Natural Sciences of Drexel University is known for its wealth of early data.

Its herbarium—with 400,000 specimens from Pennsylvania, New Jersey, Delaware, and Maryland—was crucial to Panchen, who at the time was in the Longwood graduate program at the University of Delaware.

In recent years, volunteers at the North American Bird Phenology Program have begun to transcribe more than 1.2 million bird-migration records—most of them handwritten on old cards—that were collected between 1881 and 1970.

The idea is to digitize the records and make them more researcher-friendly.

None too soon. Within the last month, the level of heat-trapping carbon dioxide in the atmosphere, as measured at a key station in Hawaii, has breached levels that haven't been seen in millions of years.

"All the models say changes are going to accelerate," Husic said. The more data, the better.

#### AMERICAN FAMILIES CANNOT AFFORD OBAMACARE

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Mr. Speaker, two-thirds of the uninsured say they may not purchase insurance under ObamaCare. A new survey of the uninsured says only 19 percent will opt for coverage by January 1, meaning that only the sickest will buy insurance, driving up the cost of health care for all of us.

In fact, 61 percent expect their health care costs to go up as a result of ObamaCare. You may recall that earlier this year a Federal analysis estimated that the cheapest health insurance plan available for a family in 2016 will cost no less than \$20,000 a year per family.

And it's not just the uninsured who are filled with uncertainty about ObamaCare. More than two-thirds of small business owners surveyed by the U.S. Chamber say ObamaCare will make it harder for them to hire more employees. Many are busily converting employees to part-time as we speak.

American families cannot afford ObamaCare. It must be repealed, just as I and my Federal Republicans, and even some Democrats, have voted to do.

#### CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore (Mr. WEBER of Texas). Under the Speaker's announced policy of January 3, 2013, the gentleman from Nevada (Mr.

HORSFORD) is recognized for 60 minutes as the designee of the minority leader.

Mr. HORSFORD. Mr. Speaker, tonight the Congressional Black Caucus comes before this body and the American people for the next hour to talk about important issues facing our country.

Tonight, we will discuss the problem of poverty in America and what we can do to bring more Americans into the middle class. From SNAP to the earned income tax credit, from Head Start to TRIO and GEAR UP, we have effective programs that reduce poverty and open up opportunities for people in the low income. Unfortunately, these programs are often the first targeted for cuts.

When you are worrying where your next meal is going to come from, you probably don't have a lot of time to lobby Congress. Well, tonight, we're here to speak to these important issues, and we're also here to listen. So, hopefully, we will be able to answer some questions from our constituents from across America.

If you're watching and you have something that you'd like to let us know about, get on Twitter and tweet #CBCtalks, and we'll do our best to answer your questions.

At this time, I'd like to turn to the chair of the Congressional Black Caucus, the gentlelady from Ohio, the woman providing tremendous leadership to the members of the Congressional Black Caucus to bring forward the issues that are facing so many American families, and those families particularly in poverty today, they have a voice, and for the next hour we're going to bring their voice to this body here in Congress.

Ms. FUDGE. Thank you so very, very much for yielding. And I, as always, want to thank Congressmen HORSFORD and JEFFRIES for leading the Congressional Black Caucus hour.

Today's topic is critically important. The rapid rise of poverty and, particularly, the rapid growth of poverty in minority communities, is troubling. The latest Census Bureau numbers report that 15 percent of Americans live in poverty.

The poverty rate among African Americans is nearly double the national rate, 27 percent. And almost 1 in 4 African American children lives in poverty. I'm not sure how many children you come in contact with each day, but this statistic means that every fourth African American child you see lives a life of struggle. Food is scarce in their home. Their neighborhoods are riddled with crime. There is no guarantee that the lights and heat will be on when they come home from school each day.

As our economy sputters and more Americans slip below the poverty line, Federal anti-poverty programs are essential. Yet, over the last year, conservatives on and off the Hill have

begun to spin a story of how anti-poverty programs have done nothing but foster a culture of dependency.

On Capitol Hill, lawmakers have used this narrative over and over again, giving them license to place social safety net programs on the chopping block. While the Republican budget retains tax breaks for the wealthiest Americans, it places Social Security and Medicare on the chopping block.

House leadership will send a farm bill to the floor that reduces total spending by almost \$40 billion over 10 years. And what's most troubling, more than half of the cuts come from the Supplemental Nutrition Assistance Program, otherwise known as SNAP, otherwise known as food stamps. This bill alone would cut off nearly 2 million people from SNAP.

Making matters worse, anti-poverty programs around the country are reducing services because of sequester. Our communities cannot continue to face cut after cut, while Washington does little to create economic opportunity.

This week we will consider the Military Construction and Veterans' Affairs appropriations bill. I want to make sure we bring attention to the vast poverty plaguing veterans. As our troops come home from Iraq and Afghanistan, the United States must prepare for their return. Many of our vets will need help from local safety net programs; but due to budget cuts, help is not guaranteed. As the statistics show, homelessness will be the reality of thousands of returning veterans.

This Congress cannot continue to ignore poverty in our communities. This Congress cannot ignore the fact that nearly 1½ million veterans live in poverty. America cannot be complicit in allowing families, children, and our Nation's veterans to struggle without assistance, not now, not ever.

□ 1940

The CBC will continue to advocate for policies that eliminate persistent poverty. We will rightfully defend critically important antipoverty programs. Our goal is to create opportunities for all Americans—opportunities that help improve lives and move people closer to achieving their version of the American Dream.

Mr. HORSFORD. Thank you for your leadership and for fighting the fight on this very important issue of poverty in America.

Over the last week, we had our work period. And I had the opportunity to be in my district, Mr. Speaker. One of the things we did was an outreach event where we had a "Commuting with your Congressman." I boarded a bus—public transportation in my district—and I met and listened to my constituents for 4 hours as we traveled throughout the various corners of my district—from Centennial Hills to downtown to

the new veterans' hospital, where our veterans literally board a bus in a wheelchair—to listen to the struggle that so many Americans are facing; the fact that they are even struggling to make ends meet. There was a mom who boarded the bus who said it takes 2 hours each way to get to work. They can't always make it to a town hall meeting. They can't always come to our district offices. But they deserve to have a voice here in Washington on these important issues.

So much of what this Congress is talking about is the budget and the priorities of the budget. Well, that mom is a priority of mine. That veteran who takes public transportation to get to their veterans' appointment is a priority of mine. That young man who is 17 years old and going to his first job interview so that he can work his way through college is a priority of mine. And it's a priority of my colleagues who are here tonight, along with the cochair for the CBC hour, Mr. JEFFRIES from New York. We're going to bring a voice to these issues tonight—and everyday—as the CBC does.

At this time I would like to turn to my colleague who cochairs Poverty and the Economy for the CBC, as well as chairing the whip's task force on eliminating poverty, the gentlelady from California, Representative LEE.

Ms. LEE of California. First, let me thank my colleague for your tremendous leadership and yourself and Congressman JEFFRIES for leading the charge on another timely and important topic: the ongoing crisis of poverty. You both are continuing in the tradition of the Congressional Black Caucus being the conscience of the Congress. And so thank you very much for your leadership and for your commitment to the least of these. I think in your remarks, Congressman HORSFORD, you laid it out as clear as anyone could lay it out.

As the cochair of the Congressional Black Caucus' Poverty and Economy Task Force, as well as, as Congressman HORSFORD said, the chair of the new Whip Task Force on Poverty and Opportunity, let me just highlight how truly important it is to continue to, first, fund programs that lift Americans out of poverty. Income inequality continues to grow. Unfortunately, too many people who are working are poor, and they're living on the edge. It's truly unacceptable that 46 million people in our country live in poverty in the richest and most powerful country in the world. And 16 million of those are children. In communities of color, poverty rates are even worse. A staggering 27 percent of African Americans are living in poverty. And so the Congressional Black Caucus, through the tremendous leadership of our chairwoman, Congresswoman MARCIA FUDGE, has made the eradication of poverty a key priority.



Our policies and programs addressing poverty have not kept pace with the growing needs of millions of Americans. It is time that we make a commitment to confront poverty head on, create pathways out of poverty and provide opportunities for all. Yes, we want to make sure the middle class is strong and survives and the middle class does not fall back into poverty. But we have many, many people who are not even part of the middle class and who are striving and working hard just to maintain and take care of their families and who would one day like to be part of the middle class. And so the Congressional Black Caucus and our whip task force and many in this body continue to speak on their behalf and represent them.

That's why many of our CBC colleagues and I came together to introduce H.R. 2182, which is the Half-in-Ten Act of 2013. The Half-in-Ten Act would establish the Federal agency working group on reducing poverty. The working group will develop and implement a national strategy to reduce poverty in half in 10 years, as well as provide regular reports of its progress to Congress and the American people. Our Nation needs a coordinated and comprehensive plan to bring an end to poverty in America. It is morally right, economically sound, and fiscally prudent.

So I urge all of our colleagues to join us and support the Half-in-Ten Act. It's beyond time that we put the ongoing crises of poverty on the front burner for this country. Yet the draconian sequester and harmful budget cuts to vital human-needs programs are only making things worse for struggling families.

I serve on the Budget Committee and the Appropriations Committee. It was mind-boggling to hear the other side talk about a commitment to reducing poverty. Yet they gut the vital programs, the ladders of opportunity, the pathways out of poverty such as the Supplemental Nutrition Assistance Program, better known as food stamps; the Women, Infants, and Children program, or WIC; Meals on Wheels; the Earned Income Tax Credit, and all of these programs that lift people out of poverty.

Our chair mentioned the House farm bill. Let me emphasize this again. The reauthorization includes more than \$20 billion in harmful and fiscally irresponsible cuts to the food stamp program, our Nation's first line of defense against hunger. Not only is cutting SNAP morally wrong, it's economically bankrupt. Cuts to nutrition programs will cost the government more money in the long run, but also it is just probably the worst thing that I have ever seen proposed.

As a former food stamp recipient myself, I know firsthand how important these safety net programs are. I would not be here today if it were not for the

lifeline that the American people extended to me when I was a single mother struggling to care for my kids. No one wants to be on food stamps. No one. Everyone wants a job. They want to take care of their kids. But there are bumps in the road and the economy has not turned around for many. And so that bridge over troubled waters needs to be there.

So a \$20 billion cut, people cannot afford that. Our economy cannot support that. Hungry children do not deserve these cuts. And cuts to any hunger program will have further cascading impacts that will create a bleaker future for our children. Communities of color, again, especially African American communities, will feel these impacts even more. African American communities have higher infant mortality rates, diabetes, HIV and AIDS and are more likely to be uninsured. If we continue to balance our budget on the backs of the most vulnerable, we will surely push these families over the edge. That is why members of the Congressional Black Caucus will do everything in our power to ensure that our Nation's most vulnerable are protected.

Starting next week, in an effort to highlight the impact of any further cuts to our Nation's food and nutrition programs, myself, as well as Congressman JIM MCGOVERN; our Congressional Black Caucus chair, MARCIA FUDGE; Congresswoman JAN SCHAKOWSKY; our Democratic vice chair, JOE CROWLEY; and others are, leading and taking part in the food stamp challenge.

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We need to raise the level of awareness of what is taking place here in Washington, D.C. So we are going to commit ourselves to limiting our food budget to the average SNAP benefit for a week; that's \$1.50 per person per meal. We will show how vital it is to strengthen and fully fund SNAP, and we're asking all of those who can do so to join with us. We will just be on this for a day or a week. Millions of people will live daily on \$4.50 with no end in sight.

Finally, let me just say we must protect the most vulnerable and grow the economy and our antipoverty programs like SNAP, which is one of the best programs to do that.

So I urge my colleagues to reject these cuts, stop sequestration, and let's work together to create jobs—because that's what everyone needs and wants—and lift the economy for all.

Thank you again for your leadership. Mr. HORSFORD. Thank you, Congresswoman. Let me just engage you for a moment because you hit on a number of points.

I want, again, to make sure that we are providing a voice to these very important issues. And to follow the conversation, if you're tuning in, go to our hashtag at #CBCTalks.

But you focused on the fact that nearly 46 million people in our country live in poverty; 16 million of them are children. You talked about the poverty line. In 2013, the poverty line for an individual is \$11,490. For a family of four, it's \$23,550.

So can you elaborate further on the SNAP program, how that program provides for a safety net for individuals and how is it that a family of four in America can survive on \$23,550 a year?

Ms. LEE of California. Thank you very much, Congressman HORSFORD, for that question and for laying the facts out.

There's no way a family can survive on \$23,000 a year in America, I don't care what region that they live in. Secondly—and Congressman ELLISON is going to speak in a moment—the Progressive Caucus held a hearing, and we talked with low-wage workers, workers who are actually working for Federal Government contractors in our Nation's capital making \$6, \$7, \$8 an hour. You know what? These are working men and women who need food stamps. They're working each and every day, 10, 12 hours a day.

So when you look at what a cut like this would do, first, you have people who are making \$6 or \$7 an hour, living on \$23,000 a year, family of four, and then you're going to cut their food supply. I mean, people are going to go hungry. We are going to see an increase in hunger both in rural communities and in urban communities in our country. In the long run, it's going to just cost us. If people just care about the fiscal impact—which I hope everyone in this body cares about, first, the human and the moral impact, but also the economy and the economic impact—you know, we're going to pay in the long run.

So it's just wrong and it doesn't make any economic sense. There's no way people in this country, in America, the wealthiest and most powerful country in the world, can survive off of \$23,000 a year. We need to, first of all, raise the minimum wage. We need a living wage. In my region, it would be about \$25 an hour. People deserve to live the American Dream, and they're not.

Mr. HORSFORD. Well, I know the challenge is something that you have called upon for people to accept. This is a reality for 16 million children, 46 million Americans who are living at this level now. The average meal is \$1.48 per meal.

Ms. LEE of California. \$4.50 a day, Congressman HORSFORD. And let me tell you, these people are living in our districts, in Democratic Members of Congress' districts and Republicans' districts and Independents' districts. They're in rural communities and in urban communities. So, unfortunately, it's an equal opportunity.

Mr. HORSFORD. Poverty is not partisan.



Ms. LEE of California. No way. So we need bipartisan support to begin to eliminate poverty.

Mr. HORSFORD. Thank you very much, Congresswoman LEE. Thank you for your leadership and for those solutions that you're offering to help move people out of poverty and into the middle class and recognizing that many of these programs that those on the other side propose to cut are actually safety nets.

The sequester alone would cut \$85 billion but would directly affect 50 million Americans living below the poverty income line. So they're hurting the very people that we should be sustaining during these difficult economic times.

Ms. LEE of California. Adding insult to injury. That's what's happening here.

Mr. HORSFORD. At this time, Mr. Speaker, I'd like to turn to my colleague, the gentlelady from Wisconsin (Ms. MOORE), the alum of TRIO. She is a dynamic leader who talks so much about the need to help young people get the quality education, particularly first generation college students. I know we're having a college student debate right now on whether or not we're going to allow student loan rates to double on July 1. The Republican plan puts students in debt, provides no certainty. We're hoping that between now and July 1 we will come up with a bipartisan solution that will keep our college loan rates and will address the more comprehensive need to make college more affordable.

I defer to the gentlelady from Wisconsin, Congresswoman MOORE.

Ms. MOORE. I want to thank you so much, Representative HORSFORD from Nevada—and Representative HAKEEM JEFFRIES as well, who is here with us—for focusing on this effort and to conduct, this evening, this Special Order on lifting Americans out of poverty.

You know, it was very, very difficult to listen to Representative BARBARA LEE provide those data and those statistics of the numbers of Americans who are living in poverty. Reflecting on my own personal experience, reflecting on what I see every single day among my constituents, the stark poverty, especially of children, it is very, very difficult to talk about this because this is just not abstract; this is very real.

For the purposes of this discussion though, with your permission, Representative HORSFORD, I would like to just modify your motto or your theme for one moment. Instead of talking about lifting Americans out of poverty, I'd like to talk about lifting America out of poverty.

You see, America is heading down the road to not just having 46 million Americans living in poverty, not just having half of Americans during the recession relying on food stamps and

having that as their only means of support, not just having African Americans or Hispanics or those living in stark rural poverty being the victims of poverty, but having poverty pervade our entire community. Because we, by not investing in educational opportunity of young people, are eating our seed corn.

Rice farmers have taught us not to eat our seed corn. They say that when we do that, when you plant something, you eat a certain portion of it and you preserve some of it so that you can plant and have a harvest for the future. Those people who eat their seed corn are committing an act of desperation. And that is what we're doing by cutting off educational opportunity to programs.

I'm specifically talking about TRIO. TRIO is a set of federally funded college and university-based educational opportunity outreach programs that modify and support students from low-income backgrounds from first generations. It's not a race-based program, but it includes military veterans, students with disabilities. Currently, they serve about 790,000 students from middle schools through postgraduate studies.

These programs are very, very important because we have found that there aren't enough trust fund kids, Representative HORSFORD, to really put this country on a sustainable course of graduating enough high-skilled workers and innovators for our country to enjoy the kind of economic hegemony in a global economy. There aren't enough.

If we graduated every high school senior this June, if every single high school senior went to college, it still would not be enough in order for us to reach those goals of maintaining global hegemony. Yet we have allowed, since 2005, the TRIO programs to lose \$66 million in funding, which translates into 88,000 fewer low-income and potential first-generation students—including adult learners, military veterans, and students with disabilities—to study.

Of course, under sequestration, which went into effect March 1, TRIO has received another \$42 million cut, which means that in the beginning of the 2013-2014 program year, individual grant awards will be reduced by 5 percent. That translates into 40,000 fewer students to be served by TRIO.

□ 2000

Now, as I indicated in the beginning of my discussion here, this program is a set of programs that seek to identify brilliant students, but for their income, or but for their having not been born into a family where college was a tradition, who can contribute to the growth of our economy in our society.

Talent Search is a very low-cost early invention program which identi-

fies students with college potential in grades 6 through 12. They really work toward giving students information about going to college. Seventy-nine percent of Talent Search participants were admitted to postsecondary institutions.

Upper Bound is an intensive intervention program that prepares students for higher education. Seventy-seven percent of these students who participated in Upper Bound enrolled in college.

The Upper Bound Math/Science program—which we know we need more of them—is a model similar to Upper Bound; 86.5 percent of these students go on to college.

We have Veterans Upper Bound and Student Support Services. Again, the numbers are very, very high for students who matriculate and complete in these programs.

The Educational Opportunity Centers is a program where we have reached back for displaced workers, people who have not been in college, and bring them back into the fold. We have seen a 57 percent increase in the number of participants who have been college dropouts that have re-enrolled or displaced workers.

We also have the Ronald E. McNair Postbaccalaureate Achievement Program—named after the famous astronaut who lost his life—which prepares low-income minority students for doctoral programs.

I will yield to you for questions, Mr. HORSFORD, but just let me finish this segment by reiterating this point. If we fail to invest in young people, I mean starting out with starving them—you know I'm still reeling from the comments of my colleague BARBARA LEE because the food stamp bill that is before us will have nearly a quarter of a million students lose their free lunch program. And the majority of folks who are served by the food stamp program are not these welfare queens or slick hustlers; they're elderly children and disabled people—so if we as a country have decided that we don't need to feed babies, we're eating our seed corn, and that is an act of desperation that will take us down a perilous road.

Mr. HORSFORD. Thank you, Congresswoman MOORE. I couldn't agree with you more when you talk about, first and foremost, your last point, which is if we fail to invest in our children, in our elderly, and in the disabled, then we have done a disservice to them and to society as a whole.

Ms. MOORE. That's exactly right, because we can't lift America out of poverty without lifting Americans out of poverty. We are a family.

Mr. HORSFORD. And so a lot of times when these programs get talked about, the various acronyms, billions of dollars here and billions of dollars there—waste, fraud, and abuse I know gets brought up oftentimes as kind of

the red herring in the room in a lot of our committee hearings—but really the reality is there's a face behind each one of these programs. There's real people depending on them—as you indicate, the 250,000 children who would lose free and reduced-cost lunches.

How is a child supposed to learn if they're hungry? How are they supposed to focus if they haven't been able to see a doctor or see a dentist? These are real issues that are facing this Congress. And I know a lot of times, again, those on the other side somehow want to make this out to be more than what it is on people, and how it affects people.

Ms. MOORE. Well, I can tell you, we can have a society by design or by default. We can just let it all go as it will.

I was very moved earlier by the tribute that our colleagues on a bipartisan basis made to Senator LAUTENBERG upon his passing. And once again, here's an example of an American who ultimately became very wealthy, but it was because America embraced him with their values.

He went to school on the GI bill. He was able to go to school. He did not have any wealth. And because he was an American and an American soldier, he was able to benefit from our community of interests to build not only a great senator, but great economic enterprises and a lot of jobs that he created. That's the way America is supposed to work. And we need to realize that educational opportunity is one of our basic strategies for staying on top in a global economy.

Mr. HORSFORD. "Opportunity" I think is the key word there, Mr. Speaker. This isn't about a handout, this isn't about providing social services; it's about opportunity. Education is one of those most fundamental opportunities. And you, again, as an alum of TRIO programs and an advocate for funding up TRIO/GEARUP, these programs which provide tremendous opportunity to particularly first generation college students, those who may not have even had the knowledge of how to go about applying to enroll, let alone financial aid and scholarships—but yet it's that opportunity, that door to opportunity that then leads to careers and their ability to contribute, to sustain for themselves and their family.

That's what we're talking about, Mr. Speaker, is providing that opportunity. And right now we're having this big debate of whether that opportunity should come with a huge burden of debt.

Ms. MOORE. Exactly.

Mr. HORSFORD. Because if they finish school, when they finish school, should they be so far in debt they can't afford to buy a home, to buy a car, to start saving for their future, or should they be focused on paying \$1,000, \$1,500,

\$2,000 a month in debt for college loans?

Ms. MOORE. And that is an extremely important point, because these young people who are going to college are doing us a favor to become educated. The jobs, you know, making the widgets, are dying out from not only technology but from outsourcing.

We are going to only win this game by having the highest skilled worker, whether it be in farming or manufacturing or research and development. And to see this Congress gutting research and development, anything that looks academic or associated with intelligence or studying at all, it's just across the board decimating it. Again, it's eating our seed corn. Hopefully we can reverse this curse before they get too far down the line.

Thank you so much for letting me participate in this Special Order.

Mr. HORSFORD. Of course. And with your voice and your continued participation I'm sure we will do just that, which is to continue to advocate for these as priorities.

And I do want to go, as I turn to my colleague from North Carolina, the vice chairman of the CBC, to a quick question that came in from the Twitter line. It's from Dr. Davis 920, who asks: How can we increase money in underserved areas for students from high school to college instead of doing more with less funding?

I'm going to ask our vice chairman if he would tackle that question as he provides his response.

I yield now to the gentleman from North Carolina, Congressman BUTTERFIELD.

Mr. BUTTERFIELD. Well, let me thank you, Mr. HORSFORD. I have a few points that I want to make.

Do you have an idea of how much time we have remaining so I can allocate my time?

The SPEAKER pro tempore. The gentleman from Nevada has 26 minutes remaining.

□ 2010

Mr. BUTTERFIELD. Mr. HORSFORD, I think the question that has been raised by the gentleman is a very pertinent point.

We have seen over the last 18 to 24 months some very deep cuts in our Federal budget. There are some who believe that discretionary spending is too much and that we need to engage in what I call "draconian cuts" to discretionary spending. Because of that, we've seen discretionary accounts reduced significantly, and it's going to affect what the gentleman has in mind. It's going to affect not only higher education but public education as well.

Mr. HORSFORD. I want to thank you for allowing me to say a few words here this evening. This is a very appropriate conversation for the Congressional Black Caucus to have. I want to thank

you and Mr. JEFFRIES for coming to the floor each week and for lifting up the issues that the Congressional Black Caucus feels are so vitally important for us to debate here in this Congress.

Ms. FUDGE has left the floor, but I certainly want to thank MARCIA FUDGE of Ohio, the chair of our caucus, for all that she does. She somehow just stays in perpetual motion, and her staff works so very closely with her. I just want to thank her publicly for all that she does, not only for the people of Ohio, but for us here in the Congress.

And what can I say about BARBARA LEE? BARBARA LEE has been talking about issues of poverty ever since I came to this place 9 years ago, and I just want to associate myself with everything that she has said and with everything that Congresswoman GWEN MOORE said just a moment ago.

Mr. HORSFORD, I don't know much about your State of Nevada, but I can tell you a lot about my State of North Carolina. I can tell you that these are some tough times. These are tough times for poor people. These are tough times for rural communities all across America. I represent one of the poorest districts in the whole country in which one in four people in my district, Mr. Speaker, including 36 percent of children, live at or below the poverty level. That's a statistic that is worth bearing. I want to repeat it: 36 percent of the children who live in my congressional district live below the poverty level. That is unacceptable.

The poverty problem in America is actually getting worse. At a time when it should be getting better, it is actually getting worse. There is a huge difference, there is a huge gap, between the haves and the have-nots. The poverty rate now is the highest that it has been in the last 20 years; and in rural North Carolina, median household incomes have dropped since the year 2000.

My district has vivid and unfortunate illustrations of poverty. For example, nearly one in 20 homes in some counties does not have a telephone or a kitchen. A lot of my friends in urban communities cannot relate to that, but nearly one in 20 homes in some counties does not have a telephone or a kitchen. Many of my constituents are still living without indoor plumbing in the year 2013. The time to invest in our children and in our Nation's future is now.

We must first undo the cuts from sequestration. The gentleman who sent us the message a few moments ago may have been referring to sequestration. We must undo the cuts that we are seeing involving sequestration. They are devastating to our communities all across the country. Sequestration has slashed Head Start funding, impacting thousands and thousands of children. It has cut job search assistance for thousands of people. It eliminated millions of dollars from the meals for low-income seniors program. Sequestration

cut nutrition funding for 600,000 women and children all across the country, housing and emergency shelter funding for nearly 100,000 homeless people and emergency unemployment compensation benefits by nearly 11 percent.

Instead of indiscriminately cutting funding for critical economic development programs, we must invest in programs. I think, Mr. HORSFORD, that's what you've been saying each week that we have this conversation. We must invest in programs which give people a hand up toward making it on their own, important programs such as emergency unemployment insurance, the Workforce Investment Act, the Supplemental Nutrition Assistance Program, and the special supplemental nutrition program for Women, Infants, and Children—we call it the WIC program—which gives people the ability to provide for their families.

The House version of the farm bill, which has been alluded to by the two previous speakers, cuts \$20 billion from the SNAP program. That is unthinkable. The House version of the farm bill has cut \$20 billion from the SNAP program. SNAP is not a government throwaway or a handout. SNAP monies go directly to needy families that are in need the most. We are talking about seniors and children and families who need it the most. Republican proposals to slash funding for a program that feeds poor people is simply unacceptable.

There is hope on the horizon for some of our country's poor and uninsured. We can be encouraged that the Affordable Care Act will be fully implemented in just a few months, helping some of the one and a quarter million uninsured people in my State qualify for affordable health coverage through the marketplace.

I will say in closing that the Congressional Black Caucus is very concerned about poverty. We have constructed a plan to address persistent poverty. We are alarmed that so many communities all across the country have experienced a poverty level that exceeds 20 percent and that has persisted now for more than 30 years. So our plan in the Congressional Black Caucus is to target Federal resources and Census tracts that have high levels of unemployment and high levels of poverty. We call it the 10-20-30 plan. We must do it. We have to do it for the sake of America.

Mr. HORSFORD. Thank you again to our vice chairman for the Congressional Black Caucus, the gentleman from North Carolina.

I really want to commend you for being very plain with how desperate the situation is for so many people. You talked about 36 percent of the people in North Carolina, in parts of your district, who are living in poverty and about the fact that they are going without basic fundamentals, things that many of us probably just take for

granted in America. There are people in America who are going without the basics, and that is not something often that's talked about here in Washington, definitely not in this House. When so much attention is placed on corporate special interests and subsidies for big corporations, it's time that we start changing the debate and focusing on the people who most need government support, and those are the people you just talked about, so I commend you for that.

Mr. BUTTERFIELD. Poverty is all around us, Mr. HORSFORD, whether it's in my district or in your district or in any of my colleagues' districts. Poverty is persistent, and it's all across America. It's within the shadows of this Capitol. When I drive home in just a few minutes here in Washington, I will go right through some very poor, low-income communities within blocks of this Capitol. We must do better. We have got to address as a Congress the whole issue of poverty.

Mr. HORSFORD. You were very clear, and I know Mr. CLYBURN would expect nothing less than for us to lay out what our position is.

I know some people ask: What is the Congressional Black Caucus' position on how to address poverty?

You touched on it. It's the 10-20-30 policy. This means that 10 percent of funds from certain accounts would be directed to areas that have had a poverty rate of 20 percent for the last 30 years in America.

So, rather than spending money everywhere, let's spend it where there is the most need, the most critical need, and where there has been a generational need now for 30 years so that we can see the type of outcomes, the return on investment and the change that people so desperately need.

Mr. BUTTERFIELD. Absolutely.

Mr. HORSFORD. Thank you to the gentleman from North Carolina.

Now I would like to turn to the co-chairman of the Progressive Caucus, the gentleman from Minnesota. I want to commend the gentleman and the Progressive Caucus because I know you had a hearing before the recess in which you brought low-income wage earners and had a special hearing to listen to their concerns and on how working people, really the working poor, are struggling. I would like to yield to the gentleman from Minnesota at this time.

□ 2020

Mr. ELLISON. Mr. Speaker, I just want to say that the Congressman from Nevada, my friend STEVE HORSFORD, and HAKEEM JEFFRIES are doing such an awesome job. I'm so proud to see you gentlemen holding forth about the issues that affect this whole country and things that the Congressional Black Caucus, of which we are all members, are doing.

I also just want to let people know who may be tuned in, Mr. Speaker, there are people in this Congress who believe that hard work should be rewarded, who believe that when people get up in the morning, pound it out all day to put food on the table for their families, that it is nothing less than an insult for somebody else who is living in plenty to look back on them and say, You're not working hard enough; you're not doing quite enough.

The fact is that sometimes hard-working people need the help of their government. There's no shame in that. There is nothing wrong with that. Lord knows, Apple Computer agrees that sometimes hardworking people need the help of their government.

The fact of the matter is that we did have a hearing and that hearing did involve low-wage workers, people making \$7, \$8, \$8.25 an hour, some of whom were working for contractors who had contracts with the Federal Government, people who were literally working in buildings like Union Station, like the Reagan building, Federal buildings across Washington but also across this country, who were not working for the Federal Government but were working for contractors who had contracts with the Federal Government, paying them \$8 an hour, a wage that is not livable, is not sustainable.

Folks often speak derisively, Mr. Speaker, about low-income folks. They'll say, Why don't they make more money? What's wrong with them? They're working 8 hours a day. They're working 40 hours a week. They're working three jobs, but they can still barely put food on the table, and they're raising their children. They need food stamps. And if we cut the food stamp budget by \$20 billion, we're going to be cutting families who work hard at two or three jobs every day.

I've heard my Republican friends talk about this cultural dependency. Somehow that moral judgment—you know, the Good Book says, Judge not, lest ye be judged.

Mr. HORSFORD. What's ironic about the culture of dependency is they never talk about it when we bring up corporate welfare and corporate entitlements.

If we really want to talk about entitlements and who is depending upon government, then let's put it all on the table: the billions of dollars that go to special interests, but yet we want to take away services for poor, needy children, families, the elderly, and the disabled. That's really the comparison.

Mr. ELLISON. The gentleman is absolutely right.

I mean, it is utter hypocrisy to sit up here and talk about the cultural dependency and not talk about corporate welfare.

Senator BERNIE SANDERS and I—an awesome gentleman, by the way—have a bill called the End Corporate Welfare

Act in which we identify \$110 billion worth of corporate giveaways to Big Oil, Big Coal, and Big Natural Gas.

Look, these are industries that are making record profits. ExxonMobil is not having any trouble. Why do they need the American people's money? Why do they need a subsidy? Well, they're getting one, and yet people in this very body are willing to stand back and say that poor folks working three or four jobs need to have their money cut. I mean, it is astounding. It is shocking how hypocritical some of the things that we see go on now.

I just want to say this, Mr. Speaker. This is a country of, by, and for the people. It's a country designed to let the voice of the people be heard, and yet sometimes the people's voice is muted because it's so difficult for the average person to take off time to come down here to talk about what they want to talk about, to be able to access their government.

So these are times when you and Mr. JEFFRIES can come down here and talk about the importance of food stamps, of TRIO, and talk about the absolute concentration of wealth at the very tip-top of the economic stream in this committee.

I'm going to wrap up here, Mr. HORSFORD, but I just want to wrap up by saying this: working people around this country need to know that when poverty increases, the money just doesn't disappear; it goes to the very top of the economy. That is why, since about 2008, if you look at the newly created wealth in this economy, about 93 percent of it went to the top 1 percent.

My friends in the Republican caucus believe that rich people don't have enough money and poor people have too much, which is why they want to cut food stamps and cut taxes for the richest people. One of them even said to me one time, KEITH, a poor person has never given me a job.

Like, wow. That's the attitude we're dealing with.

The bottom line, Mr. HORSFORD, is that low-income workers are taking matters in their own hands. Low-income workers in Detroit and Chicago and New York and St. Louis, even here in Washington, D.C., have come together and had strikes—even McDonald's workers—in order to get better pay. They are brave and they are courageous. They're taking their families' needs in their own hands. We wish them the best. We had a hearing so they could let their voices be heard.

But if we had a functioning National Labor Relations Board, would they need to go on strike and risk their jobs? If we had a social safety net, would they be in such dire straits? If we made sure that American workers had an increase in the minimum wage and we were paying a livable wage, would they be in this situation?

The American people are standing up for a better life, but the truth is public policies are failing them and we've got to do better. We can start by getting rid of sequester and getting rid of this very bad idea of cutting \$20 billion out of supplemental nutrition.

Thank you for your excellent work.

Mr. HORSFORD. Thank you to the gentleman from Minnesota, and, again, thank you for your leadership. On behalf of the Progressive Caucus, we work together here to try to bring these issues forward and we appreciate your hard work.

I'm so pleased to be joined by the co-anchor for this hour, my good friend, the gentleman from New York, who represents, I think, a community that has constituents who are struggling, like many constituents in my district, the Fourth District in Nevada.

So I just want to pose the question to you, Mr. JEFFRIES, around this whole issue of income inequality that we just spent nearly the hour talking about. The fact that it's increased by more over the last 3 years than in the previous 12 years, that under the Republican policies, the budget that they proposed, middle class families with children pay, on average, \$3,000 more in taxes, but yet higher tax cuts, upwards of \$245,000, were given to some of the wealthiest in America, and here we've heard about so many programs such as SNAP to GEAR UP to TRIO, funding for K-12 education, for Head Start, \$20 billion cuts to SNAP that are on the cutting board, and yet we are giving tax cuts to wealthy Americans and corporate subsidies, what do you say about that, my friend from New York?

I yield to you at this time.

Mr. JEFFRIES. I want to thank my good friend, the distinguished gentleman from the Silver State, for once again anchoring this the CBC Special Order, this hour of power where, for the 60 minutes that we've been allotted, we in the Congressional Black Caucus have an opportunity to speak directly to the American people on an issue of great significance, income inequality, which, as you have pointed out Representative HORSFORD, has increased, has gotten worse, not better, in recent years and, in fact, in recent decades. It's a very troubling trend.

The fact is, in America, we celebrate success, celebrate entrepreneurship and the ability of people to prosper. But we in the CBC think that America is at its greatest when we promote progress for everybody, when we work as hard as we can in this Congress and this country to lift the entire civic participation rates and economic participation rates of everybody in this country.

For the last several decades, objectively and empirically, the rich have gotten richer. They've seen their incomes increase since 1979 in excess of 275 percent. In isolation, that wouldn't be problematic. But when you consider

what has happened to the least of those amongst us, to middle-income Americans as well, the situation is extremely troubling. The poor in many instances have gotten poorer, and working families and middle class folks and those who aspire to be part of the middle class are still struggling. In many instances, they've been left behind.

□ 2030

Now it has often been said that when Wall Street catches a cold, many low-income Americans get a fever. Well, we know in 2008, Wall Street, in fact, Representative HORSFORD, got the flu. And ever since, many low-income communities across this great country have been dealing with economic pneumonia. That's bad for the country, that's bad for our democracy, and we here in the country ought to do something about it.

Now, since the collapse of the economy in 2008, one of the things that has exacerbated the income and inequality dynamic is the fact that some Americans have recovered, but others have been left behind. We are in the midst of a very schizophrenic economic situation right now. Corporate profits are way up. The stock market is way up. The productivity of the American worker is way up. Yet unemployment remains stubbornly high and wages for working families and for low-income Americans has remained stagnant.

That's why we're arguing in the CBC that what we should be doing in America right now is investing in our economy, lifting up low-income workers and working families and those who aspire to be part of the middle class; invest in education; invest in job training; invest in research and development; invest in transportation and infrastructure and technology and innovation. Invest in America in these ways. Put people back to work so we can increase consumer demand; and if you increase consumer demand, the economy is going to grow. And if the economy grows, then the deficit as a percentage of GDP will reduce itself, and everybody benefits.

So if you can't find the compassion simply to do the right thing for those low-income Americans who are struggling here in this great country, basic economic theory suggests that the right thing to do would be to provide support to those Americans who will spend that additional income that they have, put it into the economy in order to help create a more robust recovery.

So I thank the gentleman from Nevada for his leadership on this issue of great importance.

Mr. HORSFORD. I thank, again, my good friend from New York, Mr. JEFFRIES. I just want to ask you, the proposal by the CBC which supports a 10-20-30 policy for Federal spending, how do you feel this would improve outcomes, address prioritizing of resources, and create the type of positive

impact that would ultimately lead to reduced poverty in America?

Mr. JEFFRIES. Well, we don't need slash-and-burn budgets that reduce our investment in social safety net programs that are an important part of who we are in America. What we should be doing, consistent with the 10-20-30 proposal, is targeting our investment in a way that is nonpartisan in nature, that will direct resources to rural America and to urban America, to blue States and to red States, that will focus on the poverty problem in a way that will benefit Americans no matter where they might be. That's what we should be doing as a Congress. That's what 10-20-30 is all about, and I'm hopeful that we can find our way to a bipartisan meeting of the minds, find common ground, and engage in investing in programs that will lift people out of poverty in this great country.

Mr. HORSFORD. I thank my friend and co-anchor and those who have listened for the last hour. Thank you for joining the conversation at #CBCTalks, and we are going to continue this conversation because 46 million people in our country live in poverty; 16 million of them are children. The U.S. poverty rate has risen and approaches a 50-year high. There's no way in America a family of four can live on \$23,550 and not expect some type of support.

So these are the issues that we're confronting, Mr. Speaker. We want to work with our colleagues on the other side, but we want to do it in a way that addresses the root causes of the issue.

#### GENERAL LEAVE

Mr. HORSFORD. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert additional materials on this topic and also House Resolution 242.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to discuss the ongoing crisis of poverty in some of the most vulnerable communities in our country. In the United States, one out of every three African American children lives in poverty, which is three times higher than the rate of white American children living in poverty. Over 30 percent of African American children suffer from food insecurity—more than twice the rate of food insecurity among white children. At the same time, residents of predominantly black or Hispanic neighborhoods have access to about half as many social services as residents of predominantly white neighborhoods.

These disparities are unacceptable. Every American deserves enough food to eat and an equal opportunity to get a quality education, a good job, and safe housing.

Our Nation's basic social safety net improves access to affordable housing, childhood education, and adequate nutrition, and serves as a lifeline for millions of Americans. Providing a helping hand to the nearly 50 mil-

lion Americans who are living in poverty should be at the forefront of Congress' priorities. Instead, we are still living with the sequester, which has delivered devastating cuts to many of our essential safety net programs. I call on my colleagues to prioritize our most vulnerable communities and replace the sequester with an agreement that protects vital safety net programs.

In particular, the Supplemental Nutrition Assistance Program, or SNAP, helps low-income families across the country put food on the table. Of the 47 million Americans who rely on SNAP for access to nutritious food, nearly half are children. Even more strikingly, nearly half of all American children will receive SNAP benefits at some point in their lives. SNAP is one of our Nation's most effective anti-poverty programs, helping families get back on their feet while providing an economic stimulus to the local economy.

We must not balance our budget on the backs of children and families struggling to make ends meet. With our economy still recovering, it is time to invest in Americans and in our Nation's future, by supporting important programs like SNAP.

Mrs. BEATTY. Mr. Speaker, first I want to thank Mr. HORSFORD and Mr. JEFFRIES for leading this important effort for the CBC this evening—so that we can discuss a particularly important issue for me, my district, and this nation, and that is: "Lifting Americans out of Poverty."

As many of my constituents and colleagues already know, the great recession cost this country roughly 13 trillion dollars in household wealth, and pushed millions of Americans into poverty.

The poverty rate is at levels not seen in twenty years, and the most recent numbers show that more than 46 million Americans are currently living below the poverty line.

The most distressing fact is that the youngest Americans represent a disproportionate share of the poor in the U.S.

Though children make up less than a quarter of the population, they constitute more than one-third of Americans in poverty.

And, studies by the American Psychological Association have found correlations between poverty in children and higher rates of illness, abuse, neglect, developmental and educational delays, participation in risky behaviors such as smoking or sexual activities, and problems with self-esteem and depression.

And worse, growing up in poverty has a lasting negative impact on lifetime earning potential.

As a joint Princeton University—Brookings Institute study reported, the U.S. has decreasing income mobility, and increasing income inequality.

This means that more than ever, youths that grow up in poverty are more likely to remain in poverty for the duration of their lives.

But we have programs designed to buffer our youth from some of the harshest effects of situations for which they deserve no blame, and over which they have no control.

Programs like the Supplemental Nutrition Assistance Program which provides nutritional support for the most vulnerable families, and which will face cuts in just a few months without intervening Congressional action.

Or programs like Section 8 Housing Choice Vouchers. The Housing Choice Vouchers provide subsidies to landlords directly by public housing agencies, to create housing options for very low-income families.

Though it varies from state to state, on average, a family earning \$26,000 per year would be making too much to be eligible.

This program for the least fortunate among us will likely have to cut aid to 125,000 families immediately, due to cuts from sequestration.

Or programs like the Earned Income Tax Credit. This tax credit for low-to moderate-income couples, primarily those with qualifying children, not only provides a tax refund to the most deserving, but it dually functions to incent work even if the pay isn't great.

This is the type of progressive tax system that encourages self-sufficiency and in the long-run can reduce the need for government dependence.

Yet even this simple, long-standing beneficial tax credit is being offered up by some as ripe for elimination.

I can talk about the children and families who need these programs, in the abstract, as if they are some sort of different Americans—people who didn't work hard, or didn't spend wisely.

But the reality is: this type of poverty can happen to anyone.

Anyone in this Chamber, or watching at home on Wall Street or Main Street—this can happen to you.

One unexpected illness, one lost job due to "just a bad economy," or one elderly family member whose medical and caretaking bills continue to pile up, and anyone can find themselves unable to make it without a little help.

That's what these vital programs do. That's why these programs are so important.

We as legislators have the opportunity and obligation to make sure that we put safeguards in place to ensure that no one is left out from the chance to pursue the American dream.

It's not just about helping the poorest Americans. It's about doing the right thing to help our neighbors, knowing that at any time, the shoe could be on the other foot.

I thank you for the opportunity to speak on this most important issue.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2216, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2014; AND PROVIDING FOR CONSIDERATION OF H.R. 2217, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2014

Mr. WEBSTER of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 113-95) on the resolution (H. Res. 243) providing for consideration of the bill (H.R. 2216) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; and providing for consideration of the bill

(H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RODNEY DAVIS of Illinois (at the request of Mr. CANTOR) for today on account of personal reasons.

#### ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 258. An Act to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

#### ADJOURNMENT

Mr. WEBSTER of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 36 minutes p.m.), under its previous order and pursuant to House Resolution 242, the House adjourned until tomorrow, Tuesday, June 4, 2013, at 10 a.m., for morning-hour debate, as a further mark of respect to the memory of the late Honorable FRANK R. LAUTENBERG.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1689. A letter from the Secretary, Department of the Interior, transmitting the Department's semiannual report from the office of the Inspector General for the period October 1, 2012 through March 31, 2013, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1690. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's semiannual report from the office of the Inspector General for the period October 1, 2012 through March 31, 2013; to the Committee on Oversight and Government Reform.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

*[Pursuant to the provisions of H. Res. 232, the following report was filed on May 28, 2013:]*

Mr. CULBERSON: Committee on Appropriations. H.R. 2216. A bill making appropriations for military construction, the Depart-

ment of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2014, and for other purposes (Rept. 113-90). Referred to the Committee of the Whole House on the state of the Union.

*[Pursuant to the provisions of H. Res. 232, the following report was filed on May 29, 2013:]*

Mr. CARTER: Committee on Appropriations. H.R. 2217. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes (Rept. 113-91). Referred to the Committee of the Whole House on the state of the Union.

*[Submitted June 3, 2013]*

Mr. UPTON: Committee on Energy and Commerce. H.R. 1919. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the pharmaceutical distribution supply chain, and for other purposes; with an amendment (Rept. 113-93). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 357. A bill to amend title 38, United States Code, to require courses of education provided by public institutions of higher education that are approved for purposes of the educational assistance programs administered by the Secretary of Veterans Affairs to charge veterans tuition and fees at the in-State tuition rate; with amendments (Rept. 113-94). Referred to the Committee of the Whole House on the state of the Union.

Mr. WEBSTER of Florida: Committee on Rules. H. Res. 243. A resolution providing for consideration of the bill (H.R. 2216) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; and providing for consideration of the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes (Rept. 113-95). Referred to the House Calendar.

#### REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

*[Pursuant to the provisions of H. Res. 232, the following report was filed on May 29, 2013:]*

Mr. LUCAS: Committee on Agriculture. H.R. 1947. A bill to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes; with an amendment; referred to the Committee on Foreign Affairs for a period ending not later than June 7, 2013 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of those committees pursuant to clause 1(i) of rule x; referred to the Committee on the Judiciary for a period ending not later than June 7, 2013 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of those committees pursuant to clause 1(i) of rule x. (Rept. 113-92, Part I). Ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MCKINLEY (for himself, Mr. PETERSON, Mr. WHITFIELD, Mr. ENYART, Mr. ROGERS of Kentucky, Mr. BARROW of Georgia, Mr. RAHALL, Mr. KIND, Mr. JOHNSON of Ohio, Mr. CUELLAR, Mr. STUTZMAN, Mr. WALZ, Mrs. CAPITO, Mr. WOMACK, Mr. HARPER, Ms. JENKINS, Mr. GIBBS, Mrs. BLACKBURN, Mr. NUNNELEE, Mr. GOSAR, Mr. BARLETTA, Mr. MATHE-SON, Mr. STIVERS, Mr. LONG, Mr. GUTHRIE, Mr. BARR, Mr. ROKITA, Mrs. ELLMERS, Mr. YOUNG of Indiana, Mr. BUCSHON, Mrs. LUMMIS, Mr. RENACCI, Mr. BISHOP of Georgia, Mr. THOMPSON of Mississippi, Mr. SHIMKUS, and Mr. KELLY of Pennsylvania):

H.R. 2218. A bill to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 2219. A bill to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009; to the Committee on Natural Resources, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself, Mr. FLORES, Mr. SMITH of Texas, Mrs. BLACK, and Mr. GINGREY of Georgia):

H.R. 2220. A bill to provide for operational control of the international border of the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Armed Services, Rules, Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRAWFORD (for himself, Mr. COTTON, Mr. GRIFFIN of Arkansas, and Mr. WOMACK):

H.R. 2221. A bill to create a centralized website on reports issued by the Inspectors General, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. FITZPATRICK (for himself and Mr. MEADOWS):

H.R. 2222. A bill to prohibit performance awards in the Senior Executive Service during sequestration periods; to the Committee on Oversight and Government Reform.

By Mr. BENISHEK (for himself, Mr. CONYERS, Mrs. MILLER of Michigan, Mr. CAMP, Mr. LEVIN, Mr. DINGELL, Mr. HUIZENGA of Michigan, Mr. AMASH, Mr. WALBERG, and Mr. KIL-DEE):

H.R. 2223. A bill to designate the facility of the United States Postal Service located at 220 Elm Avenue in Munising, Michigan, as the "Elizabeth L. Kinnunen Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. DOYLE:

H.R. 2224. A bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally; to the Committee on Agriculture.

By Ms. HANABUSA:

H.R. 2225. A bill to restore the traditional day of observance of Memorial Day, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for



a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Ohio:

H.R. 2226. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 relating to State consultation on removal and remedial actions, State concurrence with listing on the National Priorities List, and State credit for contributions to the removal or remedial action, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM:

H.R. 2227. A bill to improve the response to and prevention of sexual assaults involving members of the Armed Forces; to the Committee on Armed Services.

By Mr. PETRI (for himself and Mr. BUTTERFIELD):

H.R. 2228. A bill to increase assessment accuracy to better measure student achievement and provide States with greater flexibility on assessment design; to the Committee on Education and the Workforce.

By Mr. ROSS (for himself and Ms. CASTOR of Florida):

H.R. 2229. A bill to require the Commissioner of Social Security to issue uniform standards for the method for truncation of Social Security account numbers in order to protect such numbers from being used in the perpetration of fraud or identity theft and to provide for a prohibition on the display to the general public on the Internet of Social Security account numbers by State and local governments and private entities, and for other purposes; to the Committee on Ways and Means.

By Ms. LORETTA SANCHEZ of California:

H.R. 2230. A bill to address the prevalence of sexual harassment and sexual assault in the Armed Forces; to the Committee on Armed Services.

By Mr. SMITH of New Jersey:

H. Res. 242. A resolution relating to the death of the Honorable Frank R. Lautenberg, a Senator from the State of New Jersey; considered and agreed to.

By Ms. NORTON:

H. Res. 244. A resolution expressing support for Lunchtime Music on the Mall in Washington, DC, to benefit the District of Columbia, regional residents, and visitors and recognizing the public service of the performers and sponsors; to the Committee on Natural Resources.

States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. CARTER:

H.R. 2217

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. MCKINLEY:

H.R. 2218.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. YOUNG of Alaska:

H.R. 2219.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. POE of Texas:

H.R. 2220.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8, of Article 1, in the United States Constitution.

By Mr. CRAWFORD:

H.R. 2221.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 and 3 of Section 8 of Article I of the Constitution of the United States.

By Mr. FITZPATRICK:

H.R. 2222.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have the power to lay and collect taxes, duties, imposts, and excises, to pay the Debts and provide for the common Defense and general welfare of the United States;

By Mr. BENISHEK:

H.R. 2223.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7

The Congress shall have Power . . . To establish Post Offices and post roads.

By Mr. DOYLE:

H.R. 2224.

Congress has the power to enact this legislation pursuant to the following:

This law is enacted pursuant to Article 1, Section 8, Clauses 1 and 3 to the U.S. Constitution.

By Ms. HANABUSA:

H.R. 2225.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. JOHNSON of Ohio:

H.R. 2226.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mrs. NOEM:

H.R. 2227.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14: To make Rules for the Government and Regulation of the land and naval Forces.

By Mr. PETRI:

H.R. 2228.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution

By Mr. ROSS:

H.R. 2229.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18; Article I, Section 8, Clause 3—This legislative action is necessary and proper for the protection of American citizen's identity, where possession and subsequent inter/intrastate transmission of individuals unique Social Security Number is concerned.

By Ms. LORETTA SANCHEZ of California:

H.R. 2230.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers."

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. STIVERS, Mr. MURPHY of Pennsylvania, and Mr. SENSENBRENNER.

H.R. 32: Ms. DELBENE, Mr. KEATING, and Mr. VELA.

H.R. 50: Mr. DEUTCH.

H.R. 104: Mr. GENE GREEN of Texas.

H.R. 148: Mr. DEUTCH.

H.R. 183: Ms. SINEMA.

H.R. 241: Mr. GARY G. MILLER of California and Ms. SINEMA.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CULBERSON:

H.R. 2216.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United



- H.R. 288: Mr. CONNOLLY and Ms. SINEMA.  
H.R. 301: Mr. DUFFY.  
H.R. 303: Mr. VELA, Mr. VEASEY, and Ms. SINEMA.  
H.R. 322: Mr. HOLDING and Mr. COTTON.  
H.R. 335: Ms. BONAMICI.  
H.R. 343: Mr. DUNCAN of South Carolina.  
H.R. 419: Mrs. HARTZLER.  
H.R. 455: Mrs. NAPOLITANO and Mrs. DAVIS of California.  
H.R. 460: Mr. DAVID SCOTT of Georgia.  
H.R. 508: Mr. HECK of Nevada and Mr. MEEHAN.  
H.R. 515: Mrs. KIRKPATRICK.  
H.R. 521: Ms. ESHOO.  
H.R. 556: Mr. WOMACK and Mr. PAULSEN.  
H.R. 594: Mr. TONKO and Mr. COHEN.  
H.R. 595: Mrs. DAVIS of California.  
H.R. 621: Mr. COTTON.  
H.R. 640: Mr. BARLETTA.  
H.R. 655: Mr. VISCLOSKEY and Mr. CARSON of Indiana.  
H.R. 664: Mr. CONNOLLY.  
H.R. 676: Mr. TONKO.  
H.R. 685: Mr. KENNEDY and Ms. NORTON.  
H.R. 698: Mr. RADEL, Mr. COSTA, and Mr. MICHAUD.  
H.R. 708: Mr. TERRY.  
H.R. 719: Mr. RANGEL.  
H.R. 721: Mr. FLEISCHMANN, Mr. SIMPSON, and Mr. NEAL.  
H.R. 736: Mr. LOWENTHAL.  
H.R. 739: Mr. CONNOLLY.  
H.R. 755: Mr. GUTIERREZ, Mr. RODNEY DAVIS of Illinois, Ms. ESHOO, Mr. JOHNSON of Georgia, Ms. SCHWARTZ, Mr. KIND, Ms. DELAURO, Mr. NEAL, Ms. NORTON, and Mr. GENE GREEN of Texas.  
H.R. 761: Mr. THOMPSON of Pennsylvania.  
H.R. 763: Mr. COLLINS of Georgia, Mr. ADERHOLT, Mr. HUDSON, Mr. BRADY of Texas, and Mr. FLORES.  
H.R. 764: Ms. EDWARDS and Mr. LOWENTHAL.  
H.R. 769: Ms. KELLY of Illinois, Mr. OWENS, and Mr. RICHMOND.  
H.R. 776: Mr. COLLINS of New York.  
H.R. 778: Mr. DESANTIS.  
H.R. 792: Mr. CÁRDENAS.  
H.R. 794: Mr. ANDREWS, Ms. LEE of California, Mr. TONKO, and Mr. COHEN.  
H.R. 805: Mr. LANGEVIN.  
H.R. 819: Mr. FORBES and Ms. FOXX.  
H.R. 850: Mr. SHIMKUS, Mr. YARMUTH, Mr. FORTENBERRY, and Mr. TURNER.  
H.R. 904: Mrs. BUSTOS and Mr. WOLF.  
H.R. 911: Mr. PRICE of Georgia.  
H.R. 920: Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 921: Mr. PETRI.  
H.R. 940: Mr. ROSS.  
H.R. 958: Mrs. CAPPS.  
H.R. 961: Mr. RAHALL.  
H.R. 964: Mr. GRIJALVA, Ms. NORTON, and Ms. LEE of California.  
H.R. 979: Mr. MATHESON.  
H.R. 982: Mr. CHABOT.  
H.R. 1010: Mr. SMITH of Washington.  
H.R. 1015: Mr. DEFazio, Mrs. LOWEY, Mr. FRELINGHUYSEN, Mr. MCGOVERN, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Mr. YARMUTH, Ms. PINGREE of Maine, Ms. SCHAKOWSKY, and Mr. CONYERS.  
H.R. 1024: Mr. CÁRDENAS, Ms. SHEA-PORTER, Mr. QUIGLEY, and Ms. DELBENE.  
H.R. 1078: Mr. WALDEN.  
H.R. 1094: Mr. SMITH of Washington, Ms. GABBARD, and Mr. SANFORD.  
H.R. 1095: Mr. HORSFORD.  
H.R. 1098: Ms. ESHOO.  
H.R. 1129: Ms. DELBENE.  
H.R. 1140: Mr. HECK of Nevada.  
H.R. 1141: Ms. DELBENE.  
H.R. 1146: Mr. COHEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. RUIZ, and Ms. DELBENE.  
H.R. 1148: Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 1149: Mr. CUMMINGS.  
H.R. 1151: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. CRAWFORD.  
H.R. 1154: Mr. MCGOVERN and Ms. CLARKE.  
H.R. 1155: Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 1175: Mr. MCDERMOTT.  
H.R. 1179: Mr. CUMMINGS and Mr. STIVERS.  
H.R. 1213: Mr. JEFFRIES.  
H.R. 1223: Ms. SINEMA.  
H.R. 1240: Mr. CÁRDENAS.  
H.R. 1250: Ms. EDWARDS and Mr. CRAWFORD.  
H.R. 1254: Mr. ROE of Tennessee, Mr. CRAMER, Mr. JONES, and Mr. WESTMORELAND.  
H.R. 1276: Mr. BISHOP of Utah, Mr. THOMPSON of California, Mr. BRADY of Pennsylvania, and Ms. BONAMICI.  
H.R. 1281: Mr. NADLER and Mr. GENE GREEN of Texas.  
H.R. 1284: Ms. SINEMA.  
H.R. 1304: Mr. COTTON.  
H.R. 1309: Mr. GRAVES of Missouri, Mr. BURGESS, Mr. CONNOLLY, and Mr. ROSKAM.  
H.R. 1318: Mr. HIGGINS and Mrs. DAVIS of California.  
H.R. 1331: Mr. STIVERS.  
H.R. 1332: Mr. ENYART.  
H.R. 1339: Mr. LOEBSACK.  
H.R. 1346: Mr. ELLISON and Ms. LEE of California.  
H.R. 1355: Mr. COTTON and Mr. RADEL.  
H.R. 1359: Mr. BARR.  
H.R. 1404: Mr. MASSIE.  
H.R. 1416: Mr. THOMPSON of Pennsylvania, Mr. MURPHY of Florida, Mr. YOHIO, Mr. FORTENBERRY, and Mr. GRAVES of Georgia.  
H.R. 1449: Mr. CHABOT, Mr. AL GREEN of Texas and Mrs. CAPITO.  
H.R. 1451: Ms. CLARKE, Ms. VELÁZQUEZ, Ms. MENG, Mr. MEEKS, Mrs. LOWEY, and Mr. CROWLEY.  
H.R. 1466: Mr. HOLT.  
H.R. 1502: Mr. ROSS.  
H.R. 1518: Mr. BISHOP of New York, Ms. CLARKE, Mr. SMITH of New Jersey, Ms. MCCOLLUM, Mrs. CAROLYN B. MALONEY of New York, Mr. GARY G. MILLER of California, Mr. SHUSTER, Mr. CÁRDENAS, and Ms. FRANKEL of Florida.  
H.R. 1521: Mr. PERLMUTTER and Mr. SWALWELL of California.  
H.R. 1528: Mr. NUGENT and Mr. SMITH of Washington.  
H.R. 1598: Ms. SINEMA.  
H.R. 1621: Mr. CÁRDENAS.  
H.R. 1640: Mr. MAFFEI.  
H.R. 1657: Mr. BENTIVOLIO.  
H.R. 1661: Mr. CARSON of Indiana.  
H.R. 1690: Mr. CONNOLLY and Mr. BERA of California.  
H.R. 1692: Ms. EDDIE BERNICE JOHNSON of Texas.  
H.R. 1693: Mrs. BROOKS of Indiana.  
H.R. 1699: Mr. CONYERS, Ms. TITUS, and Mr. PAYNE.  
H.R. 1701: Mr. CUELLAR.  
H.R. 1717: Mr. CRAMER, Mr. BUCSHON, Mr. SALMON, Mr. ISRAEL, and Mr. PITTENGER.  
H.R. 1727: Mrs. BUSTOS.  
H.R. 1729: Mr. GARAMENDI, Mr. THOMPSON of California, Mr. PERLMUTTER, Mr. KILMER, Mr. BISHOP of New York, Mr. VAN HOLLEN, Mr. SWALWELL of California, Ms. SCHAKOWSKY, Ms. BROWNLEY of California, Mr. CARSON of Indiana, and Mrs. CHRISTENSEN.  
H.R. 1731: Mr. BUCHANAN, Ms. SPEIER, Ms. BORDALLO, Mr. RUPPERSBERGER, Mr. SMITH of Washington, Ms. SLAUGHTER, and Mr. MCGOVERN.  
H.R. 1739: Ms. DUCKWORTH, Mr. HASTINGS of Florida, and Mr. BERA of California.  
H.R. 1749: Mr. FALCOMAVEGA and Mr. POCAN.  
H.R. 1771: Mr. BROOKS of Alabama and Ms. BORDALLO.  
H.R. 1775: Mr. MICHAUD.  
H.R. 1780: Mr. COTTON.  
H.R. 1785: Mr. MCDERMOTT.  
H.R. 1796: Mr. COHEN, Mr. RUNYAN, Ms. HANABUSA, Mr. BROOKS of Alabama, Mr. COURTNEY, Mr. KILDEE, Mrs. NEGRETE MCLEOD, Ms. FRANKEL of Florida, Mr. CONNOLLY, Mr. RUSH, Ms. NORTON, and Mr. RUPPERSBERGER.  
H.R. 1797: Mr. FARENTHOLD, Mr. MCHENRY, Mr. DUFFY, and Mr. PETERSON.  
H.R. 1798: Mr. SALMON and Mr. PETRI.  
H.R. 1805: Mrs. BEATTY, Ms. SHEA-PORTER, Mr. CICILLINE, Mr. SWALWELL of California, and Ms. SINEMA.  
H.R. 1809: Ms. SINEMA, Mr. SWALWELL of California, and Ms. CASTOR of Florida.  
H.R. 1825: Mr. YODER, Mr. COTTON, Mr. HOLDING, and Mr. BARLETTA.  
H.R. 1827: Mr. QUIGLEY and Mr. LANGEVIN.  
H.R. 1829: Mr. GUTHRIE and Mr. MURPHY of Pennsylvania.  
H.R. 1830: Mr. CASSIDY, Mr. BERA of California, Ms. MATSUI, Mrs. BUSTOS, Mr. ENYART, Mr. GARY G. MILLER of California, Mr. LAMALFA, Ms. BONAMICI, Ms. FUDGE, Mr. SARBANES, and Mr. DESANTIS.  
H.R. 1843: Mr. RANGEL, Mr. HONDA, Mr. CICILLINE, Ms. MOORE, Mr. TAKANO, Mr. SCHIFF, Mr. CONYERS, Ms. FUDGE, Mrs. DAVIS of California, Mr. WAXMAN, Mr. SWALWELL of California, Mr. CLAY, Ms. BASS, Ms. MCCOLLUM, Ms. NORTON, Ms. ROYBAL-ALLARD, Mr. PAYNE, Mr. ELLISON, Ms. JACKSON LEE, and Mr. POLIS.  
H.R. 1848: Mr. CARSON of Indiana, Mr. CAMPBELL, and Mr. GRIFFIN of Arkansas.  
H.R. 1864: Ms. KELLY of Illinois, Mr. LATHAM, Mrs. WAGNER, Mrs. BEATTY, Mr. MURPHY of Florida, Ms. MENG, Mr. HUDSON, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HORSFORD, Mrs. NEGRETE MCLEOD, Mr. O'ROURKE, Ms. ESHOO, Ms. SINEMA, Mr. RUSH, Ms. ROS-LEHTINEN, Mr. GIBSON, Mr. SEAN PATRICK MALONEY of New York, Ms. SHEA-PORTER, Mr. POCAN, Mr. MAFFEI, Mr. SWALWELL of California, Mr. GALLEGO, Mrs. MILLER of Michigan, Mr. KILDEE, Mr. MILLER of Florida, Mr. WENSTRUP, Ms. JENKINS, Mr. TIERNEY, Mrs. ROBY, and Mr. GARDNER.  
H.R. 1868: Mr. MCCLINTOCK.  
H.R. 1869: Mr. COFFMAN, Mr. MICHAUD, Mr. BROOKS of Alabama, and Mr. HUFFMAN.  
H.R. 1878: Ms. SHEA-PORTER and Mr. KILMER.  
H.R. 1882: Mr. RIGELL.  
H.R. 1893: Mr. MICHAUD.  
H.R. 1907: Mr. DEFazio, Mr. ENYART, Mr. LOWENTHAL, and Mrs. BEATTY.  
H.R. 1919: Mr. VEASEY, Mr. WALBERG, and Mrs. WALORSKI.  
H.R. 1921: Mr. DEFazio, Mr. TONKO, Mrs. CAROLYN B. MALONEY of New York, Mr. HOLT, Mr. MORAN, Ms. MENG, Mr. BLUMENAUER, Ms. SLAUGHTER, Mr. HUFFMAN, Ms. SCHAKOWSKY, Ms. ESHOO, Mr. LARSON of Connecticut, and Mr. PRICE of North Carolina.  
H.R. 1946: Ms. DEGETTE.  
H.R. 1950: Mr. RADEL.  
H.R. 1962: Mr. STUTZMAN, Mr. ENYART, Mr. MESSER, Mr. MARCHANT, Ms. ESHOO, and Ms. MCCOLLUM.  
H.R. 1971: Mrs. BLACKBURN, Mr. VELA, Mr. WELCH, and Mr. LOEBSACK.  
H.R. 1976: Mrs. DAVIS of California.  
H.R. 1979: Mr. KENNEDY, Ms. DEGETTE, and Mr. ELLISON.  
H.R. 1981: Mr. BERA of California.  
H.R. 1994: Mr. GINGREY of Georgia.  
H.R. 1995: Mr. CONYERS and Mr. DEFazio.  
H.R. 1998: Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, Ms. SPEIER, Ms. SCHAKOWSKY, Mr. LANGEVIN, Mr. SCHIFF, Mr.

COHEN, Mr. RANGEL, Mr. NADLER, Mr. PRICE of North Carolina, Mrs. DAVIS of California, Mr. NEAL, Mr. DEUTCH, and Mr. HASTINGS of Florida.

H.R. 1999: Ms. KUSTER and Mr. CÁRDENAS.

H.R. 2000: Mr. CONNOLLY, Ms. PINGREE of Maine, Mr. MURPHY of Florida, and Mr. RUPPERSBERGER.

H.R. 2002: Mr. MORAN, Mr. VISCLOSKEY, and Mr. CALVERT.

H.R. 2005: Mr. HOLT.

H.R. 2009: Mr. ROGERS of Alabama, Mr. KINGSTON, Mr. RADEL, Mr. BUCHANAN, and Mr. FRANKS of Arizona.

H.R. 2014: Ms. SCHAKOWSKY and Mr. HANNA.

H.R. 2016: Mr. KILDEE.

H.R. 2019: Mr. ROONEY, Mr. HUNTER, Mr. RENACCI, Mrs. BLACK, Mr. REICHERT, Mr. ENYART, Mr. MORAN, and Mr. GRIMM.

H.R. 2022: Mr. HOLDING, Mr. FLEISCHMANN, and Mr. MESSER.

H.R. 2023: Mr. GRIJALVA.

H.R. 2026: Mrs. CAPITO, Mr. MULVANEY, Mr. NOLAN, and Mr. FLEMING.

H.R. 2027: Mr. THORNBERRY, Mr. HALL, and Ms. SINEMA.

H.R. 2036: Mr. COHEN.

H.R. 2060: Ms. SHEA-PORTER and Mr. SWALWELL of California.

H.R. 2086: Mr. PERLMUTTER.

H.R. 2088: Mr. SWALWELL of California and Ms. PINGREE of Maine.

H.R. 2089: Mr. BENTIVOLIO.

H.R. 2092: Mrs. WAGNER.

H.R. 2093: Mr. CRAWFORD, Mr. KLINE, Mr. RIBBLE, Mr. FINCHER, and Mr. GINGREY of Georgia.

H.R. 2099: Mr. BUCHANAN.

H.R. 2115: Mr. NUGENT.

H.R. 2116: Ms. MOORE and Mr. CONYERS.

H.R. 2131: Mr. KINZINGER of Illinois and Mr. WESTMORELAND.

H.R. 2134: Ms. MOORE.

H.R. 2144: Mr. WITTMAN.

H.R. 2174: Ms. SLAUGHTER.

H.R. 2182: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SWALWELL of California, Mr. JOHNSON of Georgia, and Mr. CLEAVER.

H.R. 2188: Ms. TSONGAS.

H.R. 2215: Ms. CHU, Mr. RANGEL, Mr. ELLISON, and Ms. LEE of California.

H.J. Res. 40: Mr. LOWENTHAL.

H.J. Res. 43: Ms. LEE of California, Mr. TAKANO, Mrs. DAVIS of California, Ms. DEGETTE, Mr. CARNEY, Mr. BUCHANAN, Mr. MCGOVERN, Mr. MARKEY, Mr. TIERNEY, Ms. SHEA-PORTER, Mr. RYAN of Ohio, Mr. BLUMENAUER, Mr. CARTWRIGHT, Mr. CONNOLLY, and Mr. POCAN.

H.J. Res. 44: Mr. LOWENTHAL.

H.J. Res. 47: Mr. RAHALL, Mr. PALAZZO, Mr. SIMPSON, Mr. HUELSKAMP, and Mr. KLINE.

H. Con. Res. 23: Mr. RODNEY DAVIS of Illinois and Mr. OWENS.

H. Con. Res. 30: Mr. CARTWRIGHT and Mr. BERA of California.

H. Res. 30: Ms. BROWN of Florida and Mr. YARMUTH.

H. Res. 35: Mr. MICA and Mr. SENSENBRENNER.

H. Res. 36: Mr. LAMBORN.

H. Res. 63: Mr. FARR, Mr. CÁRDENAS, Mr. BUCHANAN, Mr. HASTINGS of Florida, Ms. WILSON of Florida, Mr. JOHNSON of Georgia, Ms. BORDALLO, Mrs. BUSTOS, Ms. SPEIER, Mr. MCGOVERN, Mr. LYNCH, Mr. LEVIN, Mr. CLAY, Mr. BISHOP of Utah, Mrs. CAROLYN B. MALONEY of New York, Mr. CHABOT, Mr. COHEN, Mr. BISHOP of New York, and Ms. LORETTA SANCHEZ of California.

H. Res. 75: Mr. COFFMAN, Mr. HANNA, and Mr. LOEBSACK.

H. Res. 90: Mr. CASTRO of Texas and Mr. KILMER.

H. Res. 101: Mr. TONKO.

H. Res. 104: Mr. KENNEDY, Mr. CARSON of Indiana, Ms. NORTON, Mr. RUSH, Mr. THOMPSON of Pennsylvania, and Mr. HIMES.

H. Res. 109: Mr. BROOKS of Alabama.

H. Res. 112: Mr. HECK of Washington.

H. Res. 118: Mr. TAKANO.

H. Res. 190: Mr. RUIZ and Mr. CONNOLLY.

H. Res. 195: Ms. EDWARDS.

H. Res. 211: Mr. SALMON.

H. Res. 213: Ms. SCHAKOWSKY, Ms. DELBENE, Mr. PAYNE, Ms. ESTY, Mr. McDERMOTT, Mr. CONYERS, and Mr. KILDEE.

H. Res. 220: Mr. NADLER, Ms. LORETTA SANCHEZ of California, Mr. MORAN, Mrs. MCCARTHY of New York, Mr. RANGEL, and Mr. MCGOVERN.

H. Res. 229: Mr. SCHOCK.

H. Res. 234: Ms. LEE of California, Mr. CLAY, and Ms. JACKSON LEE.

H. Res. 236: Mr. JOYCE and Mr. VELA.

H. Res. 237: Mr. HASTINGS of Florida.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2216

OFFERED BY: Mr. GRIFFITH OF VIRGINIA

AMENDMENT No. 1. Page 18, line 8, strike “\$35,000 per unit” and insert “\$15,000 per unit”.

H.R. 2216

OFFERED BY: Mr. FARR

AMENDMENT No. 2. At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement Veterans Health Administration directive 2011-004 regarding “Access to clinical programs for veterans participating in State-approved marijuana programs”.

H.R. 2216

OFFERED BY: Mr. ROTHFUS

AMENDMENT No. 3. At the end of the bill (before the short title), insert the following:

Sec. \_\_\_\_\_. None of the funds made available by this Act may be used by the Secretary of Veterans Affairs to pay a performance award under section 5384 of title 5, United States Code.

## EXTENSIONS OF REMARKS

## A TRIBUTE TO VERNON YOUNG

## HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 3, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and honor Vernon Young, an Iowan and a World War II Navy veteran, for joining Des Moines North High School's Class of 2013 and accepting his diploma after more than seven decades.

Vernon Young, now age 88, was set to graduate from North High School in the spring of 1942. However, Mr. Young's plans for the future drastically changed as a result of the devastating attack on Pearl Harbor on December 7, 1941. Vernon wasted no time to answer the call of service and enlisted with the United States Navy a day after the attack. One short month later, he was deployed and contributing to America's pivotal and ultimately successful war effort.

Mr. Young served honorably and went on to obtain a bachelor's degree after being accepted to school on the basis of equivalency criteria—but he never attained his high school diploma. Now, more than 70 years later on May 24, 2013, Vernon, adorned in a green cap and gown, crossed the stage of North High School's 2013 graduation ceremony to receive it. At the ceremony, Vernon's older brother Marion Young was also honored for his service and sacrifice in World War II. Marion, a 1939 graduate of North High School and an enlisted service member, was killed in action during the war.

Mr. Speaker, it goes without saying that the selflessness and patriotism displayed by these brothers is truly extraordinary and a proud testament to the Iowa spirit. The efforts put forth by our country's greatest generation in a time of worldwide combat and uncertainty defined the prosperous and free nation that future generations continue to love and enjoy today. It is a great honor to represent veterans like Vernon Young in the United States Congress, and I invite my colleagues in the House to join me in congratulating him as both a veteran and as an official high school graduate. In all he has done, Vernon continues to be an example that our state and nation can be proud of.

TRIBUTE TO COMMAND SERGEANT  
MAJOR LAWRENCE VANCE

## HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 3, 2013

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the distinguished military career of West Virginia National Guard Command Ser-

geant Major Lawrence Ray Vance. CSM Vance's service is one of honor and devotion; to which the people of West Virginia and the United States of America owe a tremendous debt of gratitude.

Lawrence Vance began serving his country in 1971 when he enlisted in the United States Army. Following a short stint as a civilian, Vance joined the WVNG in 1975 and embarked on a journey that would take him around the globe. He began as an Armor Crewman at Fort Hood, Texas and gained extensive experience as a Tank Commander at Camp Casey, Korea; Fort Benning, Georgia; Ferris Barracks, Germany; and Fort Polk, Louisiana. He returned to WV in 1981 as a Motor Sergeant with the WVNG, later earning the rank of Command Sergeant Major after completing the United States Army Sergeants Major Academy Course in June of 2005. In the same year, he was promoted to the fourth highest position of leadership in the WVNG, State Enlisted Leader.

CSM Vance has received a host of awards and decorations throughout his service to our country, including the Bronze Star, Meritorious Service Medal, Army Commendation Medals, Achievement Medals, Good Conduct Medals, and Reserve Components Achievement Medals, among many others. In addition to the federal awards, CSM Vance received state recognition in the form of multiple WV Achievement Ribbons, Emergency Service Ribbons, State Service Ribbons, and Minute Man Ribbons, as well as a North Carolina Achievement Ribbon for his service to the state.

CSM Vance lives in Charleston, West Virginia with his wife, Ute. Together they have five children and sixteen grandchildren, many of whom followed their father's footsteps through work in the military or ministry.

On May 31, 2013 CSM Vance will retire from the WVNG after 38 years, 5 months, and 18 days of commendable service. Mr. Speaker, on behalf of the State of West Virginia and the United States of America, I would like to thank CSM Lawrence Vance for his years of selfless service to our state and country.

TRIBUTE TO KAREN L.  
DELLAROCCHO

## HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 3, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to recognize the outstanding career of an individual whose meritorious civil service to our country has come to a close after 38 years. My staff and I came to know Karen L. Dellarocco through her work as Legislative Specialist at the Federal Bureau of Prisons (BOP), but her storied career with the federal

government began back in 1975 when Karen joined the Department of Defense as a clerk typist. Karen's talent and professionalism became apparent immediately as she quickly rose through the ranks to become a Department of the Army Protocol Officer. In 1990, she began work with BOP at Federal Correctional Institution Petersburg, Virginia and seven years later, transitioned to the BOP's Office of Legislative Affairs where she served until her retirement last month in May 2013.

My staff tells me that Karen's customer service to the Congress is simply unparalleled, and that she has always approached her work with enthusiasm, professionalism, fairness and attention to detail. With her retirement, Karen will be deeply missed by my office and every Capitol Hill office which she has faithfully served. Unquestionably, Congress has lost a kind-hearted and talented Legislative Affairs counterpart who will be appreciated for her humor, hard work and ever-present willingness to lend a helping hand.

Karen is an avid antiquer, gardener and traveler—and a friend to many. We wish you all the best in your retirement. Congratulations.

BUSINESS INCUBATOR CENTER  
TRIBUTE

## HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 3, 2013

Mr. TIPTON. Mr. Speaker, I rise today to recognize the Business Incubator Center of Grand Junction, Colorado. Founded in 1987, the Business Incubator Center is a private non-profit organization with the sole mission of fostering economic growth and entrepreneurial spirit in Western Colorado. Earlier this year, the Business Incubator Center was named "Incubator of the Year" by the National Business Incubation Association for the second time in its 25 year history.

Working with both start-up and established businesses in the Grand Junction area, the Business Incubator Center has played a significant role in building and maintaining thousands of businesses. Over the past 25 years, the Business Incubator Center has helped launch more than 575 businesses in the community, which have gone on to generate more than \$156 million in revenue, and create more than 10,000 jobs. The impact the Business Incubator Center has had on the community is immeasurable.

In both 1996 and 2013, BIC was chosen by the National Business Incubation Association as America's top incubator, well deserved honors for this vital organization that has led to the creation of so many jobs. The success of the Business Incubator Center's model has sparked innovation and fostered prosperity for

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

thousands of Coloradans. Mr. Speaker, it is an honor to recognize The Business Incubator Center of Grand Junction, Colorado for its commitment to the economic development of Western Colorado.

IN HONOR OF ELIZABETH JORDAN  
GIBSON

**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart that I rise today to pay tribute to an outstanding educator and truly one of a kind woman, Mrs. Elizabeth Viola Jordan Gibson. Sadly, Mrs. Gibson passed away on Monday, May 27, 2013. A funeral service will be held on Monday, June 3, 2013 at 12:00 p.m. at the First African Baptist Church in Columbus, Georgia.

The oldest of five children born to Alonza T. Jordan, Sr. and Olive Scott Jordan, Mrs. Gibson was born and reared in Petersburg, Virginia. She graduated with honors from Peabody High School and earned a Bachelor of Arts degree in English from Virginia State College. She earned a Master of Science degree in English Education from Tuskegee Institute. She also studied at Georgia State University and American University.

Mrs. Gibson came to live in Columbus, Georgia when she accompanied her husband, Elwood T. Gibson, Sr., on his military assignment to Fort Benning during World War II. She joined First African Baptist Church and for the next 60 years plus, she served the church faithfully in many capacities, including the Rebekah Missionary Circle, Deaconesses Ministry, and the Music Ministry. In addition to showcasing her lovely voice as a soloist in the Senior and Smithsonian choirs, she served as a director and pianist for the Youth Choir. Due to her devoted leadership and service, the women of First African selected her to chair the Women's Day Program in 1972, and in 2000, the Women's Day Program was dedicated to her. Mrs. Gibson and her husband co-chaired the church's anniversary in 1993.

Mrs. Gibson began her teaching career while still in Virginia and when she moved to Columbus, she taught briefly at South Girard High School in Phenix City, Alabama. Shortly thereafter, she was employed to teach at the historic William Henry Spencer High School in Columbus before joining her husband on a three-year tour in Germany. Extensive travel in Germany, Italy and Austria provided experiences which enhanced her teaching skills upon her return to the Muscogee County School System. In 1968, Mrs. Gibson was one of two black teachers selected to be transferred to Jordan High School when schools in Muscogee County were desegregated. Well respected at Jordan High, she was the faculty sponsor of the Frank David Chapter of the National Honor Society for 14 years until her retirement in 1991, after 42 years as an educator.

Mrs. Gibson was not only an English teacher, she was also a dedicated mentor who taught her students to be of service to others.

And she herself epitomized a life of service. She was a Golden Soror and Life Member of Alpha Kappa Alpha Sorority, Incorporated. In 1979, she was elected Soror of the Year by the Gamma Tau Omega chapter of Alpha Kappa Alpha and was honored for her 20 years as chairman of the Senior Citizens Luncheon at which time the chapter changed the event's name to the "Elizabeth Gibson Senior Citizens Luncheon." She was a Platinium member of the Links, Incorporated, as well as a member of the Columbus Community Center Board of Directors; Muscogee Retired Educators Association; West Central Georgia Chapter of American Red Cross Board of Directors; and the American Cancer Society Board of Directors. She was also a charter member of the local chapter of Jack and Jill of America, Inc. and the Mr. and Mrs. Club; a member of the Pleasure Seekers Club; was named in the Model Club's first list of "The Columbus Ten Best Dressed Black Women" and was among the club's first "Hall of Fame" inductees. Fondly called "Gip" by her friends, she was known as a shopper extraordinaire.

Mrs. Gibson was preceded in death by her beloved husband of sixty years, Elwood T. Gibson, Sr.; her sister, Mildred J. Campbell; and her brother, Alonza "Buzzy" Jordan, II. She is survived by her children; Olive, Elwood, Andre and Alan; her brothers, Benjamin Jordan and Samuel Jordan; her nine grandchildren and three great-grandchildren; and many other family members and friends.

George Washington Carver once said, "No individual has any right to come into the world and go out of it without leaving behind distinct and legitimate reasons for having passed through it." We are all so blessed that Mrs. Elizabeth Viola Jordan Gibson passed this way and during her life's journey did so much for so many for so long. Her smile, her affectionate mentorship, her beautiful singing voice, and her warm, shining presence will be greatly missed.

Mr. Speaker, my wife Vivian and I, along with the more than 700,000 people of the Second Congressional District salute Mrs. Gibson for her outstanding achievements, service, and public distinction. I ask my colleagues in the House of Representatives to join us in extending our deepest condolences to Mrs. Gibson's family, friends and the Columbus, Georgia community during this difficult time. We pray that they will be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks and months ahead.

WITNESSES TO TIANANMEN  
SQUARE

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. WOLF. Mr. Speaker, following is the article I referred to earlier today in my one-minute speech.

[From the Washington Post, June 2, 2013]

WITNESSES TO TIANANMEN SQUARE STRUGGLE  
WITH WHAT TO TELL THEIR CHILDREN  
(By William Wan)

BEIJING.—From a young age, Qi Zhiyong's daughter asked him how he lost his leg.

To everyone else in the world, Qi always responded to the question with an unflinching, often angry, answer: He lost his left leg when soldiers fired on him and other unarmed civilians during protests at Tiananmen Square in one of modern history's most brutal crackdowns.

But when his daughter asked, Qi choked back the words.

"I lost it in an accident," he mumbled for years.

The lie, however, burned at him, he said.

In the 2½ decades since the protests' violent end, China's government has largely scrubbed Tiananmen from history. Bullet holes on the streets of Beijing have long been patched over. The government has barred any independent inquiry and censored all mention online. Instead, Tiananmen Square has been reduced to a single euphemistic sentence in most school textbooks, making vague reference to "political turbulence in 1989."

But for those who were part of the student-led protests against government repression and corruption, those dark morning hours of June 4, 1989, remain etched in memory and, in cases like Qi's, on their bodies. That generation must now decide what to tell their children about that day, if anything at all.

For many, the decision is colored by how their own views have changed over time. In interviews with more than a dozen survivors, a few wondered whether the democratic cause they fought for was misguided by youthful passion. Others have won asylum abroad, and when they talk of Tiananmen to their children, it is as history—just one part of their life's larger story.

But the dilemma is often more complicated for those who remain in China, where public mention of Tiananmen can result in government retribution. To this day, officials maintain that the decision was necessary for stability, and the anniversary is marked with thousands of police officers patrolling the square and chasing off journalists.

Those who have found successful careers in business, law and academia often talk of it only in private, fearful of consequences for themselves and their offspring.

Even some of those who have soldiered on as activists deliberately say little of Tiananmen to their children, who grow up not fully understanding why police barge into their homes each year as the anniversary approaches to interrogate and spirit away their parents for weeks without explanation. Some children experience restrictions and warnings at school.

For most parents, it comes down to a choice between protecting their children from the past or passing on dangerous and bitter truths about the authoritarian society they continue to live under.

It is something Qi and his wife have wrestled with throughout their 14-year-old daughter's life. The two have fought so often and so heatedly on the subject that neither dares mention 1989 at home anymore.

"THE VEIL WAS LIFTED"

A 33-year-old construction worker at the time of the Tiananmen protests, Qi took a detour that night toward the central Beijing square with co-workers out of curiosity, not activism. Qi, who later converted to Christianity, now likens the moment that troops fired without warning at the crowd around him to a baptism of sorts.

"The veil was lifted from my eyes, and I saw the party for what it really was," he said.

In the hospital, he said, as doctors tried to salvage his bullet-torn left thigh, he took a

purple antiseptic liquid and, to their chagrin, angrily scrawled on his leg: "This bullet belongs to the Communist Party's army."

After the amputation, he was forced to give up his construction job and has not found work since. By the time Qi Ji was born in 1998, her father had become a full-time activist, protesting the government's maltreatment of the disabled and democracy advocates, along with other human rights abuses.

Qi's wife warned him early on: Say what you want about the government to everyone else, but Ji is too young. Why create problems for her, his wife argued. Why poison her against the society she must live in?

"But I don't think it's a bad thing for her to understand this government," Qi said on a recent afternoon while waiting for his daughter's return from school. "I want her to be prepared to handle life and to face these problems. Why should we cover up the truth and let her live in illusion?"

For Qi, the Tiananmen crackdown—or June 4, as it is commonly referred to in China—has become the defining moment of his life.

While most people, including some former Tiananmen protesters, have learned to avoid the topic, Qi carries business cards listing his job title as "Disabled Victim of June 4." His home telephone number, cell phone number and e-mail address end with deliberately chosen digits: "89 64." And on the back of his cards, he has emblazoned this slogan: "Facts written in ink cannot conceal the truth written in blood."

His family lives in a cramped Beijing apartment, dependent on his wife's \$320-a-month job as a drugstore sales assistant, while Qi cares for their daughter and supports human rights causes—work that has resulted in long stretches of detention and frequent government harassment.

Qi's wife, Lu Shiyang, wishes he would let go of what happened 24 years ago. She recently declined to meet with foreign journalists and warned Qi against it.

"How come others are able to move forward?" she often asks him, he said. "You were not the only victim on June Fourth."

'NOTHING TO BE GAINED'

Kong Weizhen also was shot and lost the use of his left leg that night. But after seeing the danger and futility of his anti-government activism, he abandoned the opposition work that had brought him to the streets. Instead, he tried to make a new life for himself within the existing system.

He became a salesman and worked his way up to owning a computer store. He even tried in vain to join the Communist Party at one point—an attempt, he says, to increase his pay for the sake of his 12-year-old daughter.

"My family is now my first priority," he explained in a phone interview. "There's nothing to be gained from telling her about June 4. If I tell her, she may form some dangerous resentment against the party. . . . I just want her to have a safe and happy life."

The only reason he would tell her, he said, is if another anti-government protest erupted. "If that happened, I would use my own example to teach her what such movements can accomplish and what they cannot. And I would ask her to get as far away as she can."

But even those who have devoted their lives to fighting for the democratic ideals of 1989 disagree on how much to tell their children. Many of them now form the core of China's dissident community.

"I don't want my children to know," said Zhang Lin, a rights activist in Anhui province who has spent many years in jail on state subversion charges.

In February, authorities pulled his 10-year-old daughter, Anni, from school as an apparent punishment to her father. The incident spurred dozens of other activists to stage a hunger strike in front of the school. Weeks later, Anni was allowed to resume class, but only in another town far away.

His daughter now loses her temper easily, Zhang said, and has become obsessed with cartoons in which the good guys beat up the bad. "I don't want my children to follow the same path as me," he said.

In a phone interview, his daughter said, "I don't know why the police keep coming," though she knows it's related somehow to her father.

When asked about June 4, she responded: "What is June 4? I haven't heard anything about it."

'I HAVE NO REGRETS'

Qi said he doesn't begrudge other parents their personal decisions, but he worries that staying silent contributes to the gradual purge of China's collective memory.

To this day, he said, his amputated stump hurts whenever he hears the crack of fireworks. He avoids passing Tiananmen Square, he said, because he tastes blood whenever he gets too close.

In the end, suppressing all mention of June 4 in front of his daughter proved impossible. And after his daughter turned 10, a teacher made a passing reference to the date while talking about the physical space of Tiananmen Square.

That night, with Qi's wife still at work, his daughter mentioned it to him, and the memories poured out. The clacking advance of tanks. The shocking sound of gunfire. The blood he saw all around him and the sudden pain and darkness.

In the years that followed, he secretly told her more and more. They watched banned videos about that day on overseas Web sites. They talked about the party and its instinct for self-preservation.

He watched both proud and pained as June 4 began to color her worldview as it had his.

She became both more rebellious and more mature, he said. Like her parents, she now refers to the police watching their home as "dogs," but she accepts without questioning when school leaders exclude her from trips abroad and from student parades at Tiananmen celebrating China's Communist rule.

Lately, she's talked of becoming a kindergarten teacher so she can teach kids how to think for themselves about what's right and wrong.

"All parents want their children to live a happy life, but I have no regrets about telling her," Qi said. "Only after she first tastes the bitter can she know what the sweet is."

Qi's wife now knows that her daughter knows. But the family recently reached a kind of detente—similar to the one in Chinese society at large. When together at home these days, the family simply avoids all mention of Tiananmen Square, June 4 and what happened that day 24 years ago.

#### TRIBUTE TO CURTIS EDWARD PRICE

#### HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 3, 2013

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the life of Curtis Edward Price Jr.,

who passed peacefully in his home, surrounded by family, on May 30, 2013. An able athlete, gifted musician, and beloved mentor, he epitomized the notion of a true gentleman. It goes without saying that Curtis made quite a positive impression on all of us, and he will be sorely missed.

Curtis was born in Charleston on May 6, 1950, to the late Curtis Edward Price Sr. and Ethel Price. He was a graduate of Charleston High School and West Virginia University. Upon receiving his bachelor's degree, he became the youngest head basketball coach in the country when he accepted the position at West Virginia State College. After leaving WVSC he worked with then-Governor Jay Rockefeller as the Director of Affirmative Action for the State of West Virginia. He ended his career at the Charleston Job Corps Center as its Center Director, where he continued to use his gift of helping others.

Throughout his life, Curtis possessed a profound belief that he could make a positive difference in the lives of others. He was a beloved husband, a devoted father, and a loving grandfather, and worked tirelessly for those outside of his family. Although he is best known for his skills on the basketball court, his passion for politics, championing of the rights of others, and efforts toward ensuring quality education for all children were important facets of his life's work. He was also deeply involved in serving churches through the Ministry of Music, and cherished spending time with his family and close friends.

Curtis is survived by his wife, Judy; two daughters, seven grandchildren; one brother; and two sisters-in-law.

Mr. Speaker, this high level of devotion to both family and the State of West Virginia is one deserving of great honor and respect. Through this Extension of Remarks, I would like to thank Curtis for returning to his native West Virginia to share his life and wonderful spirit with us. We, in the mountain state, are fortunate to remember him as one of our own.

HONORING THE REV. DR. WADE A. STEVENSON ON THE OCCASION OF HIS 10TH PASTORAL ANNIVERSARY

#### HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 3, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to honor a great man and a wonderful community. Ten years ago, on June 3, 2003, Gideon Missionary Baptist Church in Waukegan invited the Rev. Dr. Wade A. Stevenson to become its pastor. Since then, the church has grown its following and expanded its positive reach in the community.

I have had the privilege of getting to know Pastor Stevenson as an exceptional leader of men, student of faith and community servant. On the several occasions that I have visited his church, I leave each time with a renewed sense of hope and purpose. Pastor Stevenson is dedicated to the belief that helping your neighbor helps you.

Pastor Stevenson's ten years at Gideon Missionary Baptist Church have been a joyous

time for the community, and his presence is an indelible part of Waukegan.

Since his earliest days growing up in Kentucky, Pastor Stevenson has heeded the call to serve others. Rather than constantly guide his church members, he prefers to teach, or, as he says, "to equip."

Armed with the tools of faith that Pastor Stevenson teaches, his church members are better prepared to have the same positive impact on their communities that Pastor Stevenson has had on his.

During the course of his career, Pastor Stevenson has been recognized with many awards and by various organizations—during the course of his career, Pastor Stevenson has been recognized.

In honor of his tenth pastoral anniversary with Gideon Missionary Baptist Church, I congratulate Pastor Wade A. Stevenson, his wife Gloria and his three sons on this great achievement.

#### PERSONAL EXPLANATION

#### HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Ms. SPEIER. Mr. Speaker, I was unfortunately unable to cast a vote on rollcall 179 on the evening of May 22, 2013. I strongly oppose the Northern Route Approval Act and I would have voted "no" on passage of H.R. 3. This legislation is another reckless attempt to disregard due process for reviewing projects with significant implications for national security, the environment and public health. I have consistently stated that TransCanada's application for a permit to build the Keystone XL tar sands pipeline must undergo a full environmental review and public comment period, as required by law, before the President determines whether the project is within the national interest. It is irresponsible to waive environmental review and public comment, much less "deem approved" a project of such magnitude as the Keystone XL pipeline, especially in light of the recent tar sands disaster in Mayflower, Arkansas that spilled 210,000 gallons of heavy crude oil and displaced 22 families from their homes.

#### IN RECOGNITION OF LINDA HUTCHENRIDER

#### HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. KEATING. Mr. Speaker, I rise today to recognize and congratulate Linda Hutchenrider upon her upcoming retirement from her position as Town Clerk of Barnstable, Massachusetts.

Ms. Hutchenrider has been a constant figure in Barnstable's Town Hall since she first took a position with the town's local government in 1987. She was elected to her current position in 1993, and has been reelected in every election since. She has administered over 38 elec-

tions during her twenty-year tenure as Town Clerk, and her knowledge of the many intricacies of the position has gained her the respect and admiration of Clerks throughout the Commonwealth.

Ms. Hutchenrider's many accomplishments include having served as President of the Massachusetts Town Clerks Association, President of the Cape and Islands Town Clerks Association, and Chair of the New England Municipal Clerks' Institute and Academy. During her time as Barnstable Town Clerk, Ms. Hutchenrider also attained her Master Municipal Clerk (MMC) and Certified Massachusetts Municipal Clerk (CMMC) designations, both of which required many hours of advanced training. While Ms. Hutchenrider may be retiring this June, she has not finished giving back to her field, and plans to serve as a volunteer teacher for the New England Municipal Clerks' Institute and Academy this summer.

It is fitting to acknowledge and to thank those who have offered service to their communities, and Ms. Hutchenrider is a true embodiment of such an individual. I thank her for all that she has done for the Barnstable community, and wish her the best of luck in her future endeavors.

Mr. Speaker, I ask that my colleagues join me in recognizing and congratulating Ms. Linda Hutchenrider upon her retirement.

#### CONGRATULATING CARTERSVILLE BASEBALL ON THE DIVISION AAA STATE CHAMPIONSHIP

#### HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. GINGREY of Georgia. Mr. Speaker, today I rise to recognize the Cartersville High School Baseball team. On May 25th, the Purple Hurricanes swept the North Hall Trojans in a best of three championship series to win the AAA division state championship.

Although the North Hall Trojans put up a memorable fight, the Purple Hurricanes ultimately hit walk-off single to clench the program's 6th title in 12 years.

This season, Coach Stuart Chester, his staff, and these young men have worked tirelessly to earn their place in Georgia baseball history. The team's 14 seniors—who are no strangers to adversity—will enter the next chapter of their lives knowing that they have upheld their school's legacy of excellence and have set a high bar for future Purple Hurricanes teams to strive for.

I encourage the entire team to savor their victory and remember the season's important life lessons of responsibility, persistence, and self-discipline; they will undoubtedly make them better citizens and fathers as they grow older.

Mr. Speaker, it is with great pride that I congratulate the Cartersville Purple Hurricanes on their well-deserved 2013 division AAA State Championship title and wish them luck as they defend their title next year. This team has brought great pride to their school, the city of Cartersville, and Georgia's 11th District. Go Canes.

#### RECOGNIZING THE JEWISH COMMUNITY CENTER OF SYRACUSE'S 150TH ANNIVERSARY

#### HON. DANIEL B. MAFFEI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. MAFFEI. Mr. Speaker, I rise today to honor the Jewish Community Center of Syracuse in celebrating 150 years of proudly serving the Central New York community.

The Jewish Community Center of Syracuse is the second oldest of its kind in North America. Located at 5655 Thompson Road in DeWitt, the center offers a variety of services that have enriched the lives of the Jewish community in Syracuse for generations.

The center's Early Childhood Development Program introduces young children the important concepts of learning and teamwork. In addition, The Children's Department provides care whenever schools are closed, including: state and national holidays, school conference closure days, half days, and snow days.

Many seniors take advantage of the community center's Senior Department for services ranging from affordable kosher meals to free manicures. Furthermore, the Jewish Community Center of Syracuse offers seniors an opportunity to stay active by utilizing the Neulander Family Sports & Fitness Center. Seniors can rest assured that the center provides instructors that take measures to ensure the safety and comfort of participants. Participation in these various programs allow seniors to stay involved in the community.

On June 6, 2013, The Jewish Community Center of Syracuse will hold its Annual Community You Can Count on Gala, with its focus on honoring its rich heritage over the past 150 years. The Gala will pay tribute to the past presidents who have had an instrumental role in forming what the Jewish Community Center of Syracuse is today. In addition to the 150th celebration on June 6, the Jewish Community Center will formerly recognize the renaming of the Jewish Community Center of Syracuse to the Sam Pomeranz Jewish Community Center of Syracuse.

Mr. Speaker, I ask my colleagues to join with me in recognizing The Jewish Community Center of Syracuse and its 150 years of bettering the Syracuse community.

#### HONORING THE 2013 FREDERICKSBURG, VIRGINIA AREA HIGH SCHOOL SENIOR MILITARY ENLISTEES

#### HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. WITTMAN. Mr. Speaker, I rise today to recognize the one hundred and eighteen Fredericksburg, Virginia area high school seniors who plan to enlist in the United States Armed Forces after graduation. These students have excelled in their academic and extracurricular activities and I offer my sincere congratulations upon their high school graduation.

I commend these student leaders for their selfless and courageous decision to serve their country as members of the Armed Forces:

Alva, Andrew E.; Anderson, James E.; Armstrong, Stephanie L.; Arrington, Tarance L.; Atkinson, Rebecca; Barksdale, Alexis; Barrett, Maurice N.; Baxter, Austen J.; Beckwith, Dillion B.; Benabides, Erika Y.; Berrios, Christopher B.; Bowling, Clinton M.; Boyd, Brandon M.; Bridgers, Charles W.; Cain, April R.; Campbell, Brandon J.; Carter, Devonte M.; Caylor, Steven W.; Clark, Nathan T.; Coleman, Sergio J.; Comings, Heather N.; Cooper, Theophilus G.; Corbett, Zoe; Daley, John R.; Davis, Devin H.; Dejesus, Joseph K.; Dejesus, Raskey R.; Dennison, Michael P.; Devine, Andrew D.; Doggett, Daquan; East, Donald E.; Fagan, Daniel J.; Floyd, William; Frady, Nicholas; Gail, Liam M.; Gandy, Sabrina; Gonzalez, Dion A.; Grenke, Konnor E.; Griffiths, Tyler D.; Hall, Nathanael J.; Harcum, Brandon L.; Hartless, Evan; Hashbarger, Kyle R.; Hayward, Michael A.; Heard, Dwune A.; Heilman, John; Hennessey, Patrick J.; Herrera, Abraham L.; Hodge, Austin C.; Hopewell, Lashaad; Howell, Thomas J.; Hulo, Zachary R.; Irace, Dominic R.; Jenkins, Tiffany J.; Jeter, Chelsi; Johnson, Casey W.; Johnson, Dakota W.; Johnson, Ricky D.; Johnson, Simeon T.; Jones, Asya D.; Korovin, Nikita K.; Kratz, Joseph A.; Leclair, Daniel R.; Lee, Cameron T.; Lyterisher, Sean S.; Mahon, Elias; Marquez, Anthony M.; Martin, Anika O.; Mason, Brittny Keith; Mason, James P.; Masters, Jonathan E.; McCoy, Nyia N.; McDermott, Brian; McKinney, Darlene A.; McLaughlin, Jonathan Evan; Mendozaguevara, Jose M.; Merritte, Ebony; Mlaka, Desiree J.; Mondragon Pina, S.; Moore, Shawn E.; Morad, Brandon; Morin, Jonathan; Morris, Joshua L.; Mote, Andrew A.; Naylor, Ryan A.; Newcomb, Douglas K.; Peacher, Matthew; Peck, Cody T.; Pena Andia, Wendy L.; Pitts, Cameron N.; Rastall, Brooke N.; Rathbone, William; Raymer, Nicholas M.; Rhodes, Trevon C.; Riggs, McKenzie W.; Rocha, Helena M.; Rodriguezramos, Herson C.; Rose, Eric M.; Roush, Casey A.; Russell, Carter; Schmitt, Phorrest J.; Shackleton, Christopher D.; Shry, Kelly L.; Smith, Latifah E.; Stephens, Caleb M.; Stotler, Corey A.; Taylor Lewis, Alexis B.; Thomas, Vanessa; Tuel, Chancellor K.; Turner, Seth; Turner, Walter B.; Vogel, Michael A.; Walker, Joshua; Williams, Lorenzo D.; Williams, Derek A.; Winans, Nikolas A.; Woodard, David E.; Young, Joseph K.

These students will be honored by the Greater Fredericksburg Chapter of Our Community Salutes at their 2nd Annual Military Enlistee Recognition Ceremony on Wednesday, June 5, 2013 at the University of Mary Washington in Fredericksburg, Virginia.

Mr. Speaker, I ask my colleagues to join me in thanking these young men and women and their families for their dedication to serving this great Nation. We owe them and the many Americans who have served and will serve a debt of gratitude.

## HONORING THE SERVICE OF CAPTAIN MARC DENNO

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 3, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to honor Captain Marc Denno, United States Navy, as he concludes his service as the 49th Commanding Officer of Naval Submarine Base New London. On behalf of southeastern Connecticut, I thank Captain Denno for his service, his leadership and his friendship to our community.

A native of Minnesota, Denno graduated from the Naval Academy in 1985 and went on to serve in a number of capacities throughout the Submarine Force, including Damage Control Assistant on the USS *George Bancroft* (SSBN 643), Engineer Officer on the USS *Bluefish* (SSN 675), Executive Officer of USS *West Virginia* (SSBN 736) (Blue) and Commanding Officer of Pre-Commissioning Unit (PCU) *Jimmy Carter* (SSN 23). He served as Commanding Officer of the USS *City of Corpus Christi* (SSN 705), which, while under his command, was twice awarded the Battle "E" and earned the Meritorious Unit Commendation and Navy Unit Commendation. Captain Denno's shore assignments include the Shift Engineer and Material Officer at Nuclear Power Training Unit Charleston, as well as Chief Staff Officer and Director of the Tactical Analysis Group on the staff of Commander, Submarine Development Squadron Twelve.

It was during his tour as Commanding Officer of Submarine Base New London, however, that I got the chance to work closely with Captain Denno. Known both as the "First and Finest" submarine base in our Navy and the "Submarine Capital of the World," Submarine Base New London is a military installation that is closely tied to the fabric of the community that surrounds it. In a region that follows developments on the base like a box score, Captain Denno's four-year tour at the base was distinguished by a focus on the fundamentals of supporting the submarine force, a focus on the vitality and viability of the base, and deepening the connections between the base and its host community and state.

During his tenure, Captain Denno was an active leader in tending to the base's key mission area: the support and operation of the submarines assigned to New London. Under Captain Denno's leadership the base undertook close to \$200 million in major infrastructure projects and capital investment. Infrastructure improvements included the recapitalization of Pier 31 and the construction of a new Port Operations Center, a new Indoor Smalls Arms Range, and a new synthetic Track and Field, among other projects. As important, he led the demolition of 450,000 square feet of excess and outdated buildings and infrastructure that have reduced the footprint and operating costs of the base. And, working joining with the State of Connecticut, Captain Denno deepened the relationship between the base and its host state through a unique partnership. Under Captain Denno's command and through his collaboration with State officials, Connecticut invested unprece-

dent resources into the future of the base, supporting new projects like a new diver facility, an up to date boiler for the power plant, critical additions to training facilities, and a joint project with the local communities to address encroachment issues.

Beyond the nuts and bolts of base infrastructure, Captain Denno prioritized efforts to deepen the connection between the sailors assigned to New London and the surrounding community. Under his watch, 9,000 members of the base community contributed 47,000 community service volunteer hours in the region in local schools and in a number of organizations like the American Red Cross, the Boy and Girls Scouts of America, Big Brothers and Big Sisters, and the Special Olympics. And, Captain Denno was instrumental in broader regional events like OPSAIL Connecticut 2012, in which he helped to coordinate Navy involvement in this daunting undertaking, from working with the local community to support the event to coordinating naval vessel participation—and many things in between.

From being a constant presence at community meetings to spearheading stakeholder orientation tours of the base, leading key military education initiatives and being the public face of the base, Captain Denno was a fixture in the southeastern Connecticut community during his four years at SUBASE New London. It is no wonder then that SUBASE New London was selected from among the region's more than 20 other installations and activities as the unprecedented winner for two consecutive years of the annual Commander, Navy Region Mid-Atlantic's Award for Installation Excellence, in 2010 and 2011.

As you might imagine, a good working relationship with SUBASE New London and its Commanding Officer is a prerequisite for anyone in the position of representing eastern Connecticut in Congress. However, I consider myself privileged to have worked so closely with Captain Denno over the last four years not just in his capacity as a Navy officer, but as a friend and occasional golf partner. He and his team have never been more than a phone call or email away, and the connection between his office and mine has been nothing short of a two way street as we tackled the key challenges facing the base. I am grateful for his time, his advice, his counsel and most of all, his unflagging commitment to Connecticut's base and the sailors and submarine stationed at it.

Mr. Speaker, I ask all my colleagues to join me in thanking Captain Denno for his service to SUBASE New London and wishing him and his family "fair winds and following seas" as he heads to his next assignment in service to our country.

## A SALUTE TO FLORIDA NATIVE WILLIAM R. ELLIS

### HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 3, 2013

Mr. POSEY. Mr. Speaker, I rise to recognize William R. Ellis who has been an integral part of Brevard County, Florida for more than 50



years. Bill currently serves as the Vice President of Government and Industry Relations for Health First, Inc. in Melbourne, Florida. He will retire from that position on June 14, 2013, after 57 years of distinguished service to our community and the State of Florida.

For the past 15 years, Mr. Ellis has been responsible for all governmental and industry relations for Health First, Inc. Bill also currently serves as a consultant for The Viera Company and has served as a consultant for the Governmental and Community Affairs of the Canaveral Port Authority. In that position, Bill was responsible for maintaining community and governmental relations locally and statewide.

Bill Ellis is well recognized for his early years of service. From 1956–1982 he served in various managerial positions with the Florida Power & Light Company in Brevard County, Florida. From 1982–1986 he held the position of Federal and State Regulatory Representative in Washington DC and in Tallahassee, Florida. From 1986–1991 he served as District General Manager with Florida Power & Light Company in West Palm Beach, Florida. From 1991–1993 he served as an Area Manager for Florida Power & Light Company in Brevard County, Florida and retired in 1993. From 1993–1998 he served as the Director of Public Affairs for the Canaveral Port Authority in Cape Canaveral, Florida.

Bill's community service includes: past President and current Board Member for BCC Foundation and Brevard Cultural Alliance; Secretary of Civilian Military Affairs Council; past Chairman of Brevard County Tourist Development Council; past Chairman of Cocoa Beach Area Chamber of Commerce; past Chairman and current Executive Committee and Board Member EDC Government Relations of the Economic Development Commission of Florida's Space Coast; Board of Governors, Executive Committee, Florida Chamber of Commerce; Chairman of Governmental Relations Committee for the Melbourne-Palm Bay Chamber of Commerce; past President and member of the Space Coast Tiger Bay Club; and past Chairman of United Way. Bill is also member of the following professional associations: the American Hospital Association; the Associated Industries of Florida; the Florida Hospital Association; Keep Brevard Beautiful; the Titusville Area Chamber of Commerce; and serves as an associate member with the Florida League of Cities.

Bill Ellis is married to Carol, with 3 grown children and 5 grandchildren. He is a 4th generation Floridian and was raised and educated in the Florida school system.

Bill has been an integral part of Brevard County for more than 50 years and for that we are grateful. Bill and Carol will be missed as they leave Brevard and relocate further south. Now, that community will be the beneficiaries of their commitment to service.

Thank you for making the Space Coast and Brevard County a better place.

## RECOGNIZING SNOOTY THE MANATEE'S 65TH BIRTHDAY

### HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. BUCHANAN. Mr. Speaker, I rise to recognize Snooty the Manatee's 65th Birthday.

Snooty is an ambassador for wildlife preservation, a local celebrity, and tourist attraction to Manatee County, most of which I represent in Congress.

Born on July 21st, 1948, Snooty is the world's oldest known living manatee.

Since June 20, 1949 he has lived at South Florida Museum in Bradenton, Florida, where researchers from New College of Florida and Mote Marine are able to learn more about the health and life cycles of manatees.

Manatees frequently suffer from both man-made and natural hazards, such as red tide, cold water, boat strikes, and, in the past, hunting.

Snooty is one of the most popular representatives for endangered species.

He has fostered 26 manatees recuperating from illness or injury and is currently sharing his 60,000 gallon fresh water pool with two young rescued manatees, Cheeno and Longo.

Snooty has also contributed to public education by appearing on Captain Kangaroo in 1982 and greeting more than 2 million visitors of all ages who learn about manatee care, conservation, eating habits, reproduction and physiology.

He reaches people world-wide on the "Snooty Cam," an online, live webcast.

The beloved Manatee was declared the County's official mascot by the Manatee County Commission on April 4, 1979.

I appreciate this opportunity to recognize the many contributions Snooty has made to the world's knowledge of Manatee's and encourage my constituents to participate in Snooty's 65th Birthday Bash and Wildlife Awareness Festival on July 20.

## CONGRATULATING U.S. SOUTHERN COMMAND ON THEIR 50TH ANNIVERSARY

### HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. DIAZ-BALART. Mr. Speaker, I rise today to congratulate U.S. Southern Command (SOUTHCOM) on their 50th anniversary, and to commend its exemplary service to the United States in Central America, South America, and the Caribbean.

SOUTHCOM provides invaluable contingency planning, operations, and security cooperation to the volatile region, and has been an invaluable asset to the area. Whether it be through deterring illegal activities such as drug trafficking, dismantling transnational organized crime networks, or fostering alternatives to criminal influence in under-governed areas. SOUTHCOM has consistently supported the region for all their security needs, and has strengthened the regions defense capabilities.

Recently, vital humanitarian assistance and disaster relief missions have underscored the importance of their presence in the South Florida community. For example, in 2010 SOUTHCOM led Operation Unified Response, in which a force of about 22,000 troops, more than 30 ships, and 300 aircraft provided life-saving assistance and distributed millions of pounds of food and water in Haiti following its devastating earthquake.

With an economic impact of \$600 million on Miami-Dade County, SOUTHCOM's positive influence is keenly felt throughout the community. SOUTHCOM personnel are mainstays in community organizations and contribute an astonishing 30,000 volunteer hours each year to local charity groups, community projects, and events. Moreover, by participating in activities such as color guard presentations at sporting events and parades, and giving speeches at meetings sponsored by local organizations, we are all reminded of our civic duty and the sacrifices made by those who serve.

SOUTHCOM has become an invaluable organization for the state of Florida, the Nation as a whole, and the region it serves. I am extremely proud to have SOUTHCOM in my Congressional district, and I am confident that they will continue to represent the interests of the United States with distinction.

Mr. Speaker, I am honored to congratulate SOUTHCOM as they celebrate this milestone. I am certain that we can all look forward to many more years of outstanding service, and I ask my colleagues to join me in recognizing SOUTHCOM's achievement.

## RECOGNIZING THE ACCOMPLISHMENTS OF KEVIN KUHN AND ANDY MOTEL

### HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Kevin Kuhn and Andy Motel for their years of dedicated and distinguished service to Charlestown Township, Chester County, Pennsylvania.

Kevin Kuhn, Charlestown Township Supervisor and Member of the Open Space Commission, and Andy Motel, Charlestown Township Planning Commissioner and Member of the Open Space Commission, have each demonstrated exceptional commitment to the concerns of Charlestown Township's residents by working to permanently preserve over 30 percent of Charlestown Township as open space. They have each worked to maintain the historic and rural character of the Township with diligence and unwavering leadership. Additionally, Kevin Kuhn and Andy Motel have helped to enable Charlestown Township to expand the hiking and equestrian trail network, provide additional stream protection, and to slow residential growth.

Kevin Kuhn and Andy Motel have been the principal leaders in open space preservation for Charlestown Township and have spearheaded efforts to negotiate with various entities while keeping the community abreast of all such developments. Through their energies

and direction, the Charlestown Township Board of Supervisors has managed the Earned Income Tax and Open Space Fund to ensure all resources are invested wisely.

Mr. Speaker, in honor of their years of service and commitment to the preservation of open space, I ask that my colleagues join me today in recognizing Kevin Kuhn and Andy Motel of Charlestown Township, Chester County, Pennsylvania, for their many valuable contributions to their community.

#### HONORING THE TOWN OF RUMFORD'S NATIONAL MAIN STREET DESIGNATION

**HON. MICHAEL H. MICHAUD**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. MICHAUD. Mr. Speaker, I rise today to congratulate the town of Rumford on receiving a national Main Street designation and for joining the Maine Downtown Network program.

The National Main Street Program was launched in 1980 by the National Trust for Historic Preservation. For over three decades, this program has promoted the revitalization of downtowns across the country by leveraging local assets such as cultural or architectural heritage, local enterprise, and community pride. Since 2009, the Maine Downtown Center, MDC, has served as the state coordinator for the National Main Street Program. MDC has done an excellent job building a network of participating communities over the last several years.

As a national Main Street designee, Rumford will receive guidance, resources and professional training in community development from MDC. They will also have access to MDC staff, 24-member volunteer Advisory Council and the National Main Street Center resources. Rumford is capitalizing on its distinct character, through a unique public-private partnership, to stimulate economic vitality in the heart of their community.

This recognition acknowledges the hard work that the Town of Rumford and its business community have put towards strengthening the local economy. Their efforts are already yielding dividends and making the region a better place to do business.

Mr. Speaker, please join me again in congratulating the town of Rumford and on their outstanding achievement.

#### HONORING CAPITAL ENERGY GROUP INCORPORATED (CEG)

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in honoring Capital Energy Group Incorporated (CEG) as the 2013 District of Columbia Small Business of the Year, as well as its president and chief executive officer, Norman H. Jones, Sr.

CEG is a District of Columbia small business specializing in energy efficient windows and glass installation. CEG has been awarded contracts on three of the largest projects in the District of Columbia, the U.S. Coast Guard building at the Department of Homeland Security complex at St. Elizabeths, Progression Place—The United Negro College Fund Building, and City Center D.C. In addition to working on large-scale projects, CEG has completed projects for Anacostia Senior High School, Unity Healthcare and Building K167 in Southwest D.C. Because of CEG's high-quality work, it has now become the largest African-American owned glass and window company in the national capital region. CEG has used its growth to further its goals of employing D.C. residents and promoting glass/glazing as a career option.

CEG's president and chief executive officer, Norman H. Jones, Sr., has over 30 years of experience in the glass/glazing and window industry. He continues to share his knowledge with future generations by establishing apprenticeship programs for District residents to learn more about window glazing and installation.

I ask the House to join me in honoring Capital Energy Group Incorporated and its president and chief executive officer, Norman H. Jones, Sr., for their outstanding accomplishments and commitment to the residents of the District of Columbia, and in commending Capital Energy Group Incorporated on becoming the 2013 District of Columbia Small Business of the Year.

#### RECOGNIZING LOUDOUN STUDENTS WHO "BEAT THE ODDS"

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. WOLF. Mr. Speaker, I rise today to recognize four remarkable students from my congressional district who were recently awarded college scholarships through the "Beat the Odds" program.

Hosted by the Loudoun Bar Association, "Beat the Odds" provides financial support to area students who have overcome challenging, and often tragic circumstances. The students who received awards this year have endured hardships ranging from sexual abuse to illness to poverty, yet have still achieved great success in the classroom or on the athletic field.

I had the privilege of attending a ceremony for the recipients on Thursday, May 23, in Leesburg. It was an honor to meet the students and hear firsthand how they overcame adverse situations. Their ability to remain positive and work hard despite the difficulties they face is inspiring. I wish them all the best as they embrace this wonderful opportunity and move on to college.

The recipients of this year's scholarships are: Jonathan "Cory" Dickey of Loudoun County High School, Shannon Hayes of Park View High School, Leanna Moron of Loudoun County High School and Vineetha Thekkel of Tuscarora High School.

I submit two recent news articles from the Loudoun Times-Mirror and Leesburg Today on these remarkable students.

[From the Loudoun Times-Mirror, May 24, 2013]

#### FOUR LOUDOUN STUDENTS AWARDED "BEAT THE ODDS" SCHOLARSHIPS (By Alanna Dvorak)

Looking at Loudoun County High School senior Leanna Moron, one wouldn't suspect the challenges she's overcome.

The poised girl of Thai and Bolivian descent is an academic, sitting within the top 10 percent of her class. She takes time out of her day to work with English Language Learners. She will be attending Penn State to study nursing.

She's also endured multiple traumas, from sexual abuse, financial struggles, alcoholic family members and "tremendous heartache and pain."

"To know what she has lived through everyday and see her still be who she is is amazing," said Megan Dunn, a guidance counselor at Loudoun County and the person who nominated Moron for the award.

Moron received a \$6,000 scholarship from the Loudoun Bar Association's Beat the Odds program at a ceremony May 24 at the historic courthouse in Leesburg. "It's an amazing honor," Moron said. "I'm very thankful for this scholarship and this opportunity."

The Beat the Odds program awards scholarships to students who have overcome significant life obstacles, such as abuse, illness or poverty. A national program, the Loudoun chapter was founded nine years ago by members of the Loudoun County Bar Association.

"In a given year, there are roughly 245 days we hold court," said Juvenile and Domesticities Court Judge Pamela Brooks, who hosted the ceremony. "I have two favorite days: today and adoption day."

In addition to Moron, three other students received merit awards at the ceremony.

Jonathan "Cory" Dickey, a senior football player and wrestler at Loudoun County High School, received a \$2,000 award. At age 14, he physically stopped his alcoholic father from strangling his mother. His father left and the family was forced to make do with food stamps, social security benefits his mother, who is unable to work, receives and a part-time job Dickey took on. Still, the family was unable to stave off foreclosure.

"I did it not only for myself, but I try to be strong for my brothers," Dickey said. "It is very tough growing up at an early age but I think it's made me a stronger person in the long run."

Park View's Shannon Hayes' parents divorced when she was eight, after her father's struggles with alcoholism made it unsafe for her. Two years later, her mom became ill and her father moved back in with the family to help out.

"I thought our family was finally growing back together," Hayes said.

However, her father was diagnosed with Leukemia and died just 15 days before Hayes' 13th birthday. Hayes' family has also struggled financially.

Hayes received a \$2,500 award to put toward her education at Penn State, where she plans to study biochemistry to become a genetic engineer.

Vineetha Thekkel of Tuscarora received the third merit award of the evening. Thekkel and her parents came to America in 2009 and the then 13 year old immediately had to take on an adult role, trying to find transportation for the family from the airport. Once the family settled in Leesburg, the young teenager then solicited for jobs for her mother and deaf father. Despite being laughed out by numerous business owners, Thekkel was able to help her parents find

employment. They currently each work three jobs.

Thekkel credits much of her success to agencies around Loudoun County who supported her family during their financial struggles with food stamps and free medical care and teachers who personally supported her.

"With their support, I was able to stay on top of my schoolwork," Thekkel said.

Thekkel will be attending Mt. Vernon Nazarene University in Ohio and hopes to become a missionary doctor. She received a \$2,500 scholarship.

Several prominent members of the community came out to support the students, including Board of Supervisor member Ken Reed, School Board member Thomas Reed, Town of Leesburg Mayor Kristen Umstattd and Congressman Frank Wolf, who served as keynote speaker.

Wolf told of his adversities from childhood and being teased as a stutterer and poor student. He told the students their adversity would determine their success, rather their character and ability to overcome.

"Do not be afraid to take on tough issues," Wolf told the students.

The Beat the Odds program will hold a special event June 13 at the Tally Ho in Leesburg from 5 to 7:30 p.m. The event will serve as both a fundraiser and an opportunity for the community to hear the stories from this year's winners.

[From the Leesburg Today, May 24, 2013]

#### BAR AWARDS SCHOLARSHIPS TO HELP STUDENTS CONTINUE BEATING THE ODDS

"Everything has a way out. You have the choice to keep going."

Those were the words of Vineetha Thekkel, a graduating senior at Tuscarora High School, but it was a message shared by all four students awarded scholarships through the Loudoun Bar Association's Beat the Odds program during a ceremony at the historic courthouse in Leesburg Thursday night.

In its ninth year, the program provides financial support to college-bound students who have overcome remarkably challenging, often tragic circumstances. The annual awards ceremonies—attended by relatives, teachers and members of the Bar—are known for their emotional rollercoaster ride of pride in the students' accomplishments and sadness at the situations the teens lived through. The tales bring tears to the eyes of even the most experienced lawyers in the room. The wider public will have the opportunity to hear the stories of this year's honorees and past scholarship winners during a special June 13 event at the Tally Ho Theatre in Leesburg.

This year's winners, while coming from decidedly different backgrounds, told similar stories involving domestic violence, financial struggles and lost youth.

At age 14, Jonathan "Cory" Dickey said he stopped his alcoholic father from choking his mother and then had to start working to support her and his siblings when his father left. "Dad got off easy," the Loudoun County High School senior said. Food stamps and Social Security benefits for his mother, who is unable to work because of a medical condition, helped, but not enough to hold off a foreclosure. His hard work has paid off with a chance to continue his education in college. "It's going to help me in so many ways," he said of the \$2,000 scholarship award.

Park View High School's Shannon Hayes' parents divorced when she was 8, after her mother felt that her father's alcoholism

made it too dangerous to live together. Two years later her mother became ill and her father returned to help. Although the relationship with her father healed and a strong bond was formed, he died when she was 12. "He was my best friend," Hayes said. It was her father's wish that she succeed that has inspired her to pursue a degree in biochemistry at Penn State and a career in genetic engineering. "He is with me every day. He is my angel."

Thekkel said she flew to the U.S. March 18, 2009, with her deaf father and a mother who did not speak English. It was at the airport making phone calls to try to find a ride where the then-13-year-old realized, "I had to be the adult in the family." Once settled in a Leesburg townhouse, she went around to area businesses to collect job applications for her parents who now work three jobs. Although the halls of Tuscarora High School presented a completely new experience for the first-generation immigrant, it was at school where she found support from teachers who understood the challenges she faced.

"I loved going to school. That was the only place where I could stay away from the tough times," she said. "I was forced to become an adult at a very young age." With the help of her \$2,500 scholarship, she will attend Mount Vernon Nazarene University in Ohio with the goal of working as a missionary doctor.

Loudoun County's High School's Leanna Moron received the largest scholarship—the \$6,000 Beat the Odds Award. She described her story as "complex," involving family financial struggles, a foreclosure, alcoholic and abusive family members, "and tremendous heartache and pain."

At times life may seem too challenging and hopeless, she said, but with determination you can get through it. She found education as "a way out" and will graduate in the top 10 percent of her class. She will pursue a nursing degree at Penn State.

Juvenile and Domestic Relations Court Judge Pamela L. Brooks led the ceremony and U.S. Rep. Frank R. Wolf (R-VA-10) was the keynote speaker, telling students of his struggles growing up in Philadelphia as a picked-on, stuttering youth and poor student. He urged them to continue to be willing to pay the price to do the right things and to thank God for the adversity that helps make them better people.

Attorney Matt Snow, co-chairman of the Bar's Beat the Odds Committee, encourages residents to attend a special forum at the Tally Ho, 5-7:30 p.m. Saturday, June 13, to gain a better understanding of the program and the impact it is having on the lives of the students. Attendees are advised to bring tissues to wipe away tears; and may bring their checkbooks to support the program.

#### INTRODUCTION OF THE ASSESSMENT ACCURACY AND IMPROVEMENT ACT OF 2013

**HON. THOMAS E. PETRI**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 3, 2013

Mr. PETRI. Mr. Speaker, as Congress considers the reauthorization of the No Child Left Behind Act this year, we have an obligation to listen closely to the students, parents, and educators that we represent to ensure that our efforts result in responsible and pragmatic im-

provements. While we have made great strides in the areas of assessment and accountability over the last nine years, this reauthorization provides a critical opportunity to learn from our experiences and fine-tune the law.

One example of a lesson my constituents have learned, and have vigorously shared with me, is that we should be encouraging states to move towards better assessment models. As I have met with educators over the past several years, one of the primary concerns that I have heard is that the state assessment fails to provide information of value to educators and administrators. Even more disturbing, it often takes four to six months before scores are returned to schools, which leaves little or no time for teachers to use the information to address student performance before they advance to the next grade.

However, I believe there is a sensible solution that Congress can adopt to address these concerns and give states more options in assessment design. Today, working with Representative G. K. BUTTERFIELD, I am introducing the bipartisan Assessment Accuracy and Improvement Act of 2013 to give states the option to use adaptive testing as their statewide assessment measuring reading, math, and science to fulfill No Child Left Behind requirements. I believe that this legislation will give states the ability to truly track the academic growth of every child and provide more accurate information to teachers, parents and school administrators through the use of an adaptive test.

For those who may be unfamiliar with adaptive testing, it is a test that changes in response to previously-asked questions. For example, if a student answers a question correctly, the test presents a question of increased difficulty. If a student answers incorrectly, the test presents a question of decreased difficulty. As you can see, an adaptive test customizes itself to a student's actual level of performance with a great degree of accuracy.

Giving states the flexibility to use an adaptive test and to ask questions outside of grade level will improve the accuracy of student assessment and enable educators to target appropriate instruction for each child based on performance at, above, or below grade level. In addition, using an adaptive test over time will allow accurate measurement of the performance growth of each individual student.

In Wisconsin, hundreds of school districts currently use their own funds to participate in adaptive testing in addition to the state assessment required by NCLB. Educators and administrators appreciate the diagnostic information it yields and the efficiency that it provides. I believe that school districts nationally are already "speaking with their wallets" by spending scarce resources to voluntarily participate in this testing because it provides valuable information that the state assessment does not.

Mr. Speaker, adaptive testing is one of the keys to putting the 'child' back into No Child Left Behind. I hope that our colleagues will join us in this pragmatic and responsible improvement to the law as we work towards a bipartisan reauthorization this year.

RECOGNIZING THE 40TH ANNIVERSARY OF THE CHARLESTOWN HISTORICAL SOCIETY

**HON. JIM GERLACH**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. GERLACH. Mr. Speaker, I rise today to congratulate the Charlestown Historical Society on the occasion of its 40th anniversary.

The Charlestown Historical Society was founded in 1973 at the home of Ms. Betty Stonorov to discover and maintain the rich historical heritage of Charlestown Township, Chester County, Pennsylvania. The Society currently boasts over 160 members and is led by President John W. Pittock, who has served in that capacity since 2007. The Society meets at the historic Wisner-Rapp House, which was built in 1835 by Revolutionary War soldier Jacob Wisner.

The Charlestown Historical Society has supported the preservation, repair and stabilization of the Woolen Mill, which was established in 1725 and acquired by the Township in 2002. In 2011, the Society published a book entitled "Historical Sketches of Charlestown" which highlighted the historical roots of the Township. This book contains the original manuscript written in 1943 by resident Harman D. Rees and includes additional sketches and art by Charlestown Historical Society members and Township residents.

Mr. Speaker, in honor of its 40th anniversary, I ask that my colleagues join me today in recognizing the Charlestown Historical Society, Chester County, Pennsylvania, for its contributions to exploring and maintaining the rich historical heritage of Charlestown Township.

OUR UNCONSCIONABLE NATIONAL DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,738,821,943,986.12. We've added \$6,111,944,895,073.10 to our debt in 4 years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

**HON. KEITH ELLISON**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. ELLISON. Mr. Speaker, on May 14, 2013, I inadvertently missed rollcall vote No. 146. Had I been present I would have voted "yes."

CELEBRATING THE 150TH ANNIVERSARY OF FIREMAN'S FUND INSURANCE COMPANY

**HON. MICHAEL G. GRIMM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. GRIMM. Mr. Speaker, on June 11, 2013 the Fireman's Fund Insurance Company will celebrate their 150th anniversary at the New York City Public Library on 42nd Street. Originally founded in San Francisco, California in 1863 with a mission to assist the widows and orphans of fallen firefighters, the Fireman's Fund grew into a national company with significant size operations in New York City and other locations throughout the United States.

The Fireman's Fund has played an important role in New York's history with the company insuring, among other things, Charles Lindbergh's Spirit of St Louis flight from New York to Paris in 1927, the construction of the Radio City Music Hall during the 1930's and the World Heavyweight Championship Fight between Joe Frazier and Muhammad Ali in Madison Square Garden. More recent work of note has been the company's tremendous response efforts to the 9/11 World Trade Center Tragedies, and its excellent work in coming to the assistance of those who suffered damages to their homes and businesses during the 2012 Hurricane Sandy disaster.

Over the last eight years the Fireman's Fund Heritage Program has provided over \$30 million in grants to Fire Departments throughout the nation, allowing them to purchase safety equipment and training services that might otherwise have gone unattended during this difficult time of constrained public spending. Closer to home, the company has given \$630,000 to New York City and another \$1.2 million to the rest of New York State. Furthermore, on June 12, 2013 at a public ceremony, the Fireman's Fund will present checks awarded under the auspices of three of its major insurance agents that total more than \$60,000.

New York City has always played a prominent role in the United States and international insurance business, and we are pleased that the Fireman's Fund and its affiliated companies have chosen to be in lower Manhattan providing quality jobs and excellent risk management services to America's businesses and families.

Mr. Speaker, It is an honor to recognize the Fireman's Fund today and we commend the company and its employees for the valuable services they continue to provide. In our transitory times, 150 years is an impressive feat and we extend best wishes for the continued success of the company. May it grow and prosper, bringing with it the company's generous legacy of assisting the Firefighters whose daily lives are dedicated to our own personal safety.

HONORING CAPTAIN DAN JOHNSON

**HON. DANIEL LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Captain Dan Johnson on his installation as Post Commander of the Johnson-Phelps VFW Post 5220 in Oak Lawn, Illinois. As a decorated veteran, a dedicated citizen, and a loyal patriot, Captain Johnson continues to serve his community and his tireless dedication deserves our recognition.

An active member of the United States Army since 1992, Captain Johnson has served in Iraq and Afghanistan, as a Platoon Leader and on Security Forces Assistance Advisor Teams. He has earned 17 awards, including the Army Reserve Components Achievement Medal with 5 Oak Leaf Clusters, and the Bronze Star.

Captain Johnson is a resident of Oak Lawn, Illinois, so I am especially proud to have such a committed serviceman from the 3rd Congressional District. I am confident that his leadership will be an asset to the Johnson-Phelps VFW Post 5220, and thank him for his service and commitment to his fellow countrymen.

Today I stand and ask you to join me in honoring Captain Dan Johnson on his new position as Commander of Johnson-Phelps VFW Post 5220.

IN RECOGNITION OF JIM HANSEN'S RETIREMENT

**HON. ERIC SWALWELL**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 3, 2013*

Mr. SWALWELL of California. Mr. Speaker, today I recognize Jim Hansen, principal of Amador Valley High School in Pleasanton, California. Jim will be retiring this year after serving the East Bay as both a principal and a teacher for over three decades. I benefitted personally from his thoughtful leadership when I was a student at Wells Middle School during his time as principal there.

Jim was born and raised in the East Bay, where he attended St. Joseph's College High School. After high school, Jim worked his way through college where he held positions as a gardener, maintenance man, and many interesting jobs. He went to school at University of California, Berkeley, where he majored in history.

After earning his bachelor's degree, Jim took his first teaching job at St. Clement School in Hayward, where he taught sixth grade science and physical education. While Jim was teaching at St. Clement, he also coached the Pleasanton Valley swim team. Jim then began teaching at St. Elizabeth's school.

Jim transferred to Village High School in the Amador Valley Joint Union School District, teaching English to freshman and sophomore students. While teaching, Jim attended San Francisco State University, where he received

his Master's degree in Education Technology. He later received his Administrative Services Credential from California State University, Hayward.

In 1988, Jim became the principal of Valley Continuation High School in Dublin, while also serving as vice principal for Wells Middle School. Jim has also served as principal at Dublin High School, Wells Middle School, Harvest Park Middle School, and, most recently, at Amador Valley High School.

Today, Jim resides in San Ramon, where he has lived with his wife, Judy and children, Kelly, Kevin, and Brian since 1986. Jim's service to the East Bay as both a teacher and administrator will be remembered for his openness and accessibility to both students and parents. I wish Jim the best in his retirement.

#### HONORING THE 60TH ANNIVERSARY OF THE VILLAGER

#### HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 3, 2013

Ms. McCOLLUM. Mr. Speaker, today I rise to pay tribute to the 60th anniversary of The Villager. Born to give neighborhoods in Saint Paul, Minnesota a voice, the Villager is a local newspaper dedicated to covering Highland Village and other neighborhoods. Since 1953, the Villager has served as an important source of news to its loyal readers. Today it continues to be the voice of Highland Village and beyond and the trusted go-to source for local news.

The Villager began when Barry Prichard and Arnold Hed were seeking a way for merchants in the Highland Village area of Saint Paul to connect with local shoppers. Mr. Prichard and Mr. Hed were helped in their venture by Harold Shapira, the de facto mayor of Highland, who endorsed the Villager as the "Official Publication of Highland Village Merchants." As time progressed, the Villager turned from a local bulletin board of events and news briefs, to a full-fledged community newspaper. Today, the Villager is freely distributed in over 10 Twin Cities neighborhoods, and has a regular readership of over 100,000 people—making it the largest neighborhood newspaper in the Twin Cities.

Much has changed in Highland Village and the surrounding area since the first edition of the Villager was published. In 1953 the first color ad ran, featuring rib steaks for 49 cents a pound and salad dressing at 32 cents a quart and an article on the dedication of the \$100,000 Ford Auto Workers Union meeting hall. In recent times, the Villager has reported on main community topics such as the closure of Saint Paul's Ford plant (after 86 years) and subsequent redevelopment efforts for the site, as well as the restoration of the historic Union Depot multi-modal transit hub in downtown Saint Paul.

Born to give our Saint Paul neighborhoods a voice, the Villager has evolved throughout the years, but has continued to keep the journalistic integrity that makes the paper a reputable source of information throughout our community.

Mr. Speaker, in honor of the Villagers' dedication to the businesses and residents of the many neighborhoods it serves, I am pleased to submit this statement for the CONGRESSIONAL RECORD recognizing the 60th Anniversary of this Saint Paul publication.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 4, 2013 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### JUNE 5

10 a.m.

Committee on Finance

To hold hearings to examine sex trafficking and exploitation in America, focusing on child welfare's role in prevention and intervention.

SD-215

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine reducing duplication and improving outcomes in Federal information technology.

SD-342

2:30 p.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on Economic Policy

To hold hearings to examine the state of the American dream, focusing on economic policy and the future of the middle class.

SD-538

Committee on Foreign Relations

To hold hearings to examine the nominations of Tulinabo Salama Mushingi, of Virginia, to be Ambassador to Burkina Faso, and Catherine M. Russell, of the District of Columbia, to be Ambassador at Large for Global Women's Issues, both of the Department of State.

SD-419

##### JUNE 6

9:30 a.m.

Committee on Appropriations

Subcommittee on Legislative Branch

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Architect of the Capitol, Secretary of the Senate, the Sergeant at Arms and the United States Capitol Police.

SD-138

Committee on Energy and Natural Resources

To hold hearings to examine programs and activities of the Department of the Interior.

SD-366

10 a.m.

Committee on Appropriations

Subcommittee on Commerce, Justice, Science, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Justice.

SD-192

Committee on Banking, Housing, and Urban Affairs

Business meeting to consider S. 534, to reform the National Association of Registered Agents and Brokers, and the nomination of Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States.

SD-538

Committee on Finance

To hold hearings to examine the nomination of Michael Froman, of New York, to be United States Trade Representative, with the rank of Ambassador.

SD-215

Committee on Foreign Relations

To hold hearings to examine labor issues in Bangladesh.

SD-419

Committee on the Judiciary

Business meeting to consider S. 394, to prohibit and deter the theft of metal, and the nominations of Patricia E. Campbell-Smith, of the District of Columbia, and Elaine D. Kaplan, of the District of Columbia, both to be a Judge of the United States Court of Federal Claims, Derek Anthony West, of California, to be Associate Attorney General, Department of Justice, and Valerie E. Caproni, of the District of Columbia, and Vernon S. Broderick, both to be a United States District Judge for the Southern District of New York.

SD-226

10:30 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine a progress report 3 years after the Deepwater Horizon disaster, focusing on Gulf restoration.

SR-253

2:15 p.m.

Committee on Foreign Relations

To hold hearings to examine the nomination of Geoffrey R. Pyatt, of California, to be Ambassador to Ukraine, Department of State.

SD-419

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

##### JUNE 11

9:30 a.m.

Committee on Armed Services

Subcommittee on Airland

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

## Committee on the Judiciary

To hold hearings to examine the nominations of Byron Todd Jones, of Minnesota, to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives, and Stuart F. Delery, of the District of Columbia, to be an Assistant Attorney General, both of the Department of Justice.

SD-226

10 a.m.

## Committee on Energy and Natural Resources

To hold hearings to examine the November 6, 2012 referendum on the political status of Puerto Rico and the Administration's response.

SD-366

11 a.m.

## Committee on Armed Services

## Subcommittee on Readiness and Management Support

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

2 p.m.

## Committee on Armed Services

## Subcommittee on Personnel

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

3:30 p.m.

## Committee on Armed Services

## Subcommittee on Strategic Forces

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

6 p.m.

## Committee on Armed Services

## Subcommittee on Emerging Threats and Capabilities

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

## JUNE 12

9:30 a.m.

## Committee on Armed Services

## Subcommittee on SeaPower

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

10 a.m.

## Committee on Veterans' Affairs

To hold hearings to examine pending benefits legislation.

SR-418

2:30 p.m.

## Committee on Armed Services

Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

## Committee on Indian Affairs

To hold hearings to examine the nomination of Yvette Roubideaux, of Maryland, to be Director of the Indian Health Service, Department of Health and Human Services.

SD-628

## JUNE 13

9:30 a.m.

## Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

2 p.m.

## Commission on Security and Cooperation in Europe

To hold hearings to examine Syrian refugees in the Organization for Security and Cooperation in Europe (OSCE) region, focusing on the United States and international response to the humanitarian crisis that threatens to destabilize the entire region.

SD-562

## JUNE 14

9:30 a.m.

## Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

## JUNE 20

10 a.m.

## Committee on Energy and Natural Resources

To hold an oversight hearing to examine water resource issues in the Klamath River Basin.

SD-366

## POSTPONEMENTS

## JUNE 5

10 a.m.

## Committee on Appropriations

## Subcommittee on Department of Defense

To hold hearings to examine the Missile Defense Agency.

SD-192

## Committee on Appropriations

## Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies

To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Labor.

SD-138

## Committee on Banking, Housing, and Urban Affairs

## Subcommittee on Housing, Transportation, and Community Development

To hold hearings to examine long term sustainability for reverse mortgages, focusing on Home Equality Conversion Mortgage's (HECM) impact on the Mutual Mortgage Insurance Fund.

SD-538

## Joint Economic Committee

To hold hearings to examine building job opportunities for veterans.

SH-216

## JUNE 6

2:30 p.m.

## Committee on Energy and Natural Resources

## Subcommittee on Water and Power

To hold an oversight hearing to examine the progress made by Native Hawaiians toward stated goals of the Hawaiian Homelands Commission Act.

SD-366

## SENATE—Tuesday, June 4, 2013

The Senate met at 10 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

### PRAYER

The PRESIDING OFFICER offered the following prayer:

Let us pray.

Because of You, God most high, we have strength for today and bright hope for tomorrow. Your presence sustains us, even in the midst of storms. Because of You, O God, we face the future confident that You will guide us with the same love with which You sustained us in the past.

Bless our Senators. May Your spirit be with them and may Your love follow them and their families this day and always.

Today we also thank You for our pages and the good work they do. As their graduation date approaches, bless them with the satisfaction that comes from work well done.

We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The PRESIDING OFFICER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 4, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following my remarks and those of Senator McCONNELL, we will be in a period of morning business for 1 hour. The majority will control the first half and the Republicans the final half.

Following morning business, the Senate will resume consideration of the farm bill.

The Senate will recess from 12:30 p.m. until 2:15 p.m. to allow for our weekly caucus meetings.

### THANKING THE PRESIDING OFFICER

Mr. REID. Mr. President, first of all, I thank the Senator from Massachusetts for giving the prayer and doing a wonderful job. Our pastor, who was supposed to give the prayer, was not here. We are all very proud of the Senator, and today we are especially proud of Gov. Deval Patrick for appointing Senator COWAN, as he has done a remarkably good job.

As we all know, there will be an election in 2 or 3 weeks to fill the seat, but Senator COWAN will be known as one of the nicest and most competent people I have served with in my many years in Congress.

Again, I thank the Senator very much.

### GOODBYE TO SENATOR LAUTENBERG

Mr. REID. Mr. President, this week the Senate will say goodbye to a valued friend and colleague, Senator FRANK LAUTENBERG. The funeral for FRANK will be in New York. He is a great American success story and the Senate's last World War II veteran.

As I indicated, we will recognize his passing and celebration of his life. It has been made pretty clear that he will be buried in Arlington Friday afternoon.

Senator LAUTENBERG loved this institution, where he spent more than three decades. He would understand that its work must go on, despite our sorrow.

### WORK TO BE DONE

Mr. REID. Mr. President, this week work continues on the farm bill, which will create jobs, cut taxpayer subsidies, and reduce the deficit. Chairman STABENOW and Ranking Member COCHRAN have worked very hard to come up with a finite list of amendments. They are still trying to do that. I hope they can complete that today. I will give the

managers as much time as we can to reach an agreement to consider a finite number of amendments to the farm bill.

I will not file cloture unless I have spoken more than once, before the day is out, to Senator STABENOW and Senator COCHRAN. I hope I don't have to file cloture on this legislation tonight, but we need to move forward. It is important to have ample time for debate on the immigration bill reported just a few weeks ago by the Judiciary Committee.

The Senate must move forward before the end of June to protect students from the rising cost of education by keeping the loan rates low. If we don't do something about that before the end of this month, it is going to more than double the rates. If we do nothing, it will double the rates. If we do what the House wants, it will triple the rates, so we cannot do that. College is already unaffordable for too many young people, and if Congress fails to take action this month, as I have indicated—and I have certainly underlined and underscored the fact—the pricetag will go up significantly for them.

What is suggested by the House and the legislation they passed, it will add about \$6,500 to the average student's loan bill. Their proposal would be worse than doing nothing at all—worse than letting rates double next month.

I hope my Senate Republican colleagues will instead support our efforts to give middle-class families security by freezing interest rates at current levels for 2 years without adding a penny to the deficit. This is exactly the kind of commonsense proposal we need to keep our economy growing, and I will do everything I can to have a vote on the student loan bill this week.

If the Republicans in the Senate want to put forward what they think should be done, I will be happy to have a vote on theirs, and then we will vote on ours.

Even if we have not completed action on the farm bill or student loan proposals, we will bring immigration to the floor next week. The immigration system is broken and it needs to be fixed.

I am grateful Senator McCONNELL said he would not oppose moving to the bill—at least that is the way I read it in the press. He doesn't believe we will need to have cloture on the bill. I hope we do not need to do that, but if we need to do it in order to get on the bill, I will do that.

I know the Republican leader cannot control virtually every Republican, but I hope we can move forward and start the debate on this bill.



## IMMIGRATION REFORM

During the recess I had the opportunity to appear at a number of events in Nevada, and the topic at each one of those events was immigration.

I appeared at an event in Las Vegas, where we had between 1,000 and 2,000 people on the street. It was a very moving event. This has always been a personal issue for me. As I have said many times, my father-in-law emigrated from Russia.

I have seen firsthand a huge increase in the number of people coming to Nevada over the last 15 to 20 years. These people have been devastated by our broken immigration system. I have personally devoted more time to immigration reform than any other issue over my career in Congress. Each time I meet with my constituents, they are desperate for commonsense reform. Each time I meet with them, my passion for fixing our broken immigration system is renewed.

This is personal for a lot of reasons. I will always remember when there was a lot of anti-immigration stuff going on in Congress, I went home—to my Washington home—and my wife said: Remember who I am; remember why I am here. My dad came from Russia.

Her words were to that effect. As a result of that brief conversation with Landra, I got the message and I became an advocate for fixing our broken immigration system.

My father-in-law contributed a lot to this country, but the one most important contribution was his only child who is now the mother of my 5 children and the grandmother of 16 grandchildren. So this issue is something that is important to me.

I admire and respect the work of the eight Senators—four Republicans and four Democrats. We need to move forward on this legislation. It is so very important.

I appeared not only at that huge event in Las Vegas, where there were thousands of people, I appeared in a Catholic Church last week in Reno. There were 1,500 people who filled the church and people were standing outside. The 1,500 didn't count toward the people who were outside.

This was organized by faith leaders, not just Catholics. All faiths that believe immigration reform is not a political issue but a moral issue were there. They don't believe it is an economic issue or political issue. I repeat, they believe it is a moral issue, and I agree. A Catholic priest from Carson City shared the story of his grandparents who emigrated from Italy.

As I have already indicated, my wife's parents emigrated from Russia—my father-in-law at least. My mother-in-law barely made it here; she almost was an immigrant, but she was a little baby born someplace in Canada.

Families who come here from other countries need to understand what the

law is, and we are trying to determine that as that is our job. Today immigrant families come seeking the same as generations before them. My father-in-law Israel Goldfarb came here and changed his name. He became Earl Gould, and that was the only person I ever knew. He died as a young man. He didn't get to enjoy his grandchildren.

So there are lots of reasons why we have to fix our broken immigration system and help the many people who are undocumented here get right with the law. It is time for reform that helps them contribute fully to their communities by learning English, paying taxes, and starting down the pathway to earn their citizenship.

The bill we have from the Judiciary Committee is not a perfect bill, but we don't have that here. In my more than three decades in Congress, there has never been a perfect bill. The Founding Fathers could envision nonperfect bills. They knew that is how we would get things done, by compromise. Legislation is the art of compromise. It is up to us to ensure America remains the land of opportunity for people born within our borders as well as those who seek a better future on our shores.

Finally, on another subject, ads have been run on TV, the radio, and in the newspaper about how the Democrats need to follow regular order in the Senate, and we have done that. But now my Republican colleagues are silent. We have been waiting for months now to allow them to allow us to go to conference for regular order. They are refusing to go to conference so we can come up with a budget that we can negotiate with the House as to what we should do.

It is obvious why we are not able to go to conference. It is so obvious. The Speaker does not want us to go to conference and the Republicans in the Senate are trying to protect him and the unwieldy job he has over there. He is trying to protect his job, and the tea party people are wreaking havoc with our country.

We should be able to go to conference. Republican Senators have said: Let's go to conference. What is stopping us from going to conference? I just talked about what is stopping us from going to conference, and it is truly detrimental to our country.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### REGULAR ORDER

Mr. MCCONNELL. Mr. President, I wish to associate myself with the remarks of the majority leader with regard to our late colleague FRANK LAUTENBERG. He was, indeed, a member of

the greatest generation, having fought in World War II and also has had distinguished service in the Senate.

I would also like to mention to my friend the majority leader, before he leaves the floor, I indicated to him before the recess that I intended to bring up each day going forward a commitment he made to the Senate back in January of 2011 and again in January of 2013—the beginning of the last two Congresses—with regard to using the nuclear option to change the rules of the Senate.

The most important currency of the realm in the Senate is one's word, and my good friend the majority leader said in January of 2011: "I will oppose any effort in this Congress, or the next, to change the Senate's rules other than through the regular order." It was not a contingent commitment, it was not a contingent based on my judgment of good behavior, it was a commitment.

Then again in January of 2013, in an exchange the majority leader and I had on the floor, I said I would confirm with the majority leader that the Senate would not consider other resolutions relating to any standing order or rules of this Congress unless they went through the regular order process. That was my question to my friend the majority leader to which he replied, "That is correct." Any other resolutions related to Senate procedure would be subject to a regular order process, including consideration by the Rules Committee.

My point is the commitment has been made, an unequivocal commitment has been made. In the Senate, of course, how we deal with all issues is related to keeping our word. It will be important for the Senate to understand, before we go much further this year, what the majority leader's intentions are. Does he plan to keep his word issued in January of 2011 and January of 2013 or not? I think the Senate is entitled to an answer. All Senators would be entitled to an answer, but particularly the minority would be interested in an answer to that before we go any further into this session.

#### STUDENT LOANS

With regard to the loan rates for students, I think it is interesting to note, as we go into this needless controversy because we are not that far apart, one of the driving reasons for the increase in the student loan rates—two of them—is directly related to the passage of ObamaCare. In ObamaCare, the Democratic majority, without a single Republican vote, abolished the student loan program. The government took it over and raised the rates. So that is one reason rates are going up. The second reason is the Medicaid mandate, which the Supreme Court said is optional, but States are now wrestling with whether to accept this additional responsibility for vast new numbers of Americans who will receive a free health care card.

The two biggest items in every State budget are Medicaid and education. As Medicaid expenses rise, what State governments all across America have done is reduced educational funding to public colleges and universities, and in response to that the colleges and universities raise tuition. So the new generation coming along is getting it both ways: The rates are going up and the tuition is going up, so they have to pay back more at a higher rate, all related to something young people had nothing to do with, which was the passage of ObamaCare.

Washington has had to grapple with a lot of big issues over the past few years and we have had some pretty heated debates because there were real philosophical differences over how to address those challenges. That is why it is so nice to work on an issue where the two parties are in relative agreement. We are not that far apart on this student loan issue now. Neither party wants to see the rates rise in July, and both the President and Republicans generally agree on the way to make that happen. So there is no reason we should be fighting over this issue at this particular point. There is no reason the President should be holding campaign-style events to bash Republicans for supposedly opposing him on student loans when we are in agreement on the need for a permanent reform and when the plan we put forward is actually pretty similar to his own. Yet, somehow, that is what we saw last Friday at the White House.

That is certainly not going to help the students. Having a true policy debate is one thing, but provoking a partisan squabble seemingly for its own sake is, frankly, ridiculous. Our constituents sent us here to govern, not to try to pick fake fights in some crusade to restore NANCY PELOSI to her speakership.

What I am saying to the President and my Democratic friends is this: Let's put politicking aside. There is no reason for a fight here. I hope we can finally begin to work. Students are counting on us to actually get something done.

Here is a quick rundown of where we are on the issue. There is the Senate Democratic plan that everyone knows is just a political bill—a short-term fix that would only apply to less than half of the students who plan to take out new loans—new loans—and it would impose permanent tax hikes—permanent tax hikes—in return for a temporary plan for half of the students. Let me repeat that: Another temporary fix paid for with a permanent tax hike. Even the President has dismissed this approach. So in my view it is not worth much of a discussion at this point.

The fact is the proposals Republicans put forward are actually closer to what President Obama has asked for. We both agree on the need for permanent

reform that takes the decisions on interest rates out of the hands of politicians. The House has already passed a bill that would achieve those two goals, and Senate Republicans have put forward a bill that is also similar to the President's proposal, as both of our plans would employ a variable market rate that, as with a mortgage, doesn't change over the life of an individual student's loan. The President said he opposed a bill that didn't lock in rates. Ours gives students the certainty that the President agrees they should have. So if the President were serious about getting this done, he would have spent that time on Friday ringing up Senators to see how we could bridge our relatively small differences, not having a press conference and bashing Congress. This is one issue where both parties can find quick agreement, but only if Washington Democrats have the will to do so. Young Americans already have enough to worry about. They don't need Washington creating even more problems for them.

The youth unemployment rate for 20- to 24-year-olds is over 13 percent. In Kentucky it is more than 14 percent. Once many students graduate from college, they face a highly uncertain future. So the President has a choice to make: Does he want to push some campaign issue for 2014 or does he want to address the problem here and prevent this rate increase?

Mr. President, I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half.

The assistant majority leader.

#### STUDENT LOANS

Mr. DURBIN. Mr. President, I listened carefully to the statement made by the Republican leader. He talked about the issue of increased costs for colleges, saying the tuition is going up, and we have a student loan issue coming up with interest rates perhaps doubling. It was interesting when the Republican leader said the root cause of the problem is ObamaCare.

Well, it turns out, if we listen to the statements and speeches from the Republican side of the aisle, if a person's car won't start: ObamaCare. Too many

popups on your computer: ObamaCare. Basically, it turns out that every problem in America can be traced to ObamaCare. ObamaCare, of course, is the health care reform act.

The health care reform act said, incidentally, that students in college can stay on their parents' health insurance plan until they reach the age of 26: ObamaCare. It also said those who are receiving prescription drugs under Medicare will pay less: ObamaCare. It went on to say you cannot discriminate against people when it comes to health insurance if they have a pre-existing medical condition: ObamaCare. So what we hear from the Republican side of the aisle: Any problem we have in the Midwest including too much rain in the Midwest: ObamaCare. It reaches the point where it strains credibility.

Here is what the problem is. On July 1, the interest rates on subsidized loans double—double—from 3.4 percent to 6.8 percent if we do nothing. The Republicans in the House of Representatives said they have a better plan. It is a plan which the Republican leader in the Senate just spoke to. We are going to move the interest rates—we are going to peg them to the 10-year Treasury bill, and the next thing we know it turns out the interest rate coming out of the Republican bill in the House is higher than 6.8 percent. In other words, if we did nothing as opposed to the Republican plan, students would be better off.

But we have a better idea. We are going to do our best to make sure we preserve the 3.4-percent interest rate on subsidized student loans. Is it important? It is critically important.

Look what is happening to students across America today. A lot of young people listen to their parents, listen to their teachers, and all their friends who say, Go to college, get a degree. It is good advice. Then they sit down to figure out what it is going to cost and it turns out to be pretty expensive. As I look back on my college education—I won't tell my colleagues what my student loans were; they will date me—I was scared to death when I ended up with this huge student loan at the end of law school when I accumulated it all together. At the time I said to my wife, I don't know if we will ever be able to pay this back, it is so big. It was \$8,500—\$8,500 for college and law school—but it was more than half of my first year's income, to put it in perspective.

Now look at what students are faced with. The average for-profit college costs \$30,900 a year in tuition fees. These for-profit schools I will talk about in a minute are the most expensive schools in America. They are the ones trying to lure students into their schools. The biggest ones are the University of Phoenix, which has more students than the combined enrollment

of all the big 10 universities; Kaplan University, which is owned by the Washington Post; DeVry University out of Chicago; and a variety of others. They can't wait to see these students coming out of high school and to sign them up for these for-profit schools, the most expensive schools in America. There is something else involved in those schools. They have the highest student loan default rates. They charge the students too much for tuition and they offer them too little by way of education and training. A lot of kids drop out, and even those who finish can't find a job. They default on their student loans for these for-profit schools. But take a look at the cost of education in general. Most students, unless they are lucky, with parents who have a lot of money in the bank, have to borrow money, and if they have to borrow it, the question is, What do they pay when it comes to the interest on the student loans? Private loans—not the government loans but private college loans—can have interest rates up to 18 percent. So unless a person has taken a course in consumer economics or business in high school, that person may not know what the difference is between 3.4 percent interest on a loan and 18 percent interest. Believe me, it is dramatic. Students are faced with this reality.

The question obviously is what is Congress going to do about it? If we are going to continue keeping the interest rate at an affordable level—3.4 percent for student loans—then we are going to have to take action before July 1. If we do nothing, it will double. If we do nothing, students will pay thousands of dollars more in paying off their loans.

How big is student loan debt in America? Student loan debt in America is larger than credit card debt. It is over \$1 trillion. It is one of the fastest growing areas of debt in America. As students get encumbered by this debt, obligated by this debt, many don't realize what they are up against.

This is not like any other loan a person can take out. Any loan a person takes out for a car or a house or to buy a washer and a dryer is dischargeable in bankruptcy. If a person's finances go completely in the tank and that person goes to a bankruptcy court, those other loans go away, but not student loans. There are only four things that cannot be discharged in bankruptcy: taxes owed to the government, alimony, child support, and student loans. What it means is the decision made by the 19- or 20-year-old about debt to go to school is a decision for a lifetime. It is going to stick with that person for a lifetime. When the parents sign on as guarantors on these student loans, or grandparents, they are on the hook too. If the student ends up dropping out of school, with plenty of debt and no diploma, they are in a bad situation. They still have to pay off the loans.

What we are trying to do on the Democratic side is to keep the interest rate on these loans as low and affordable as possible. I think that is only reasonable. Why make it any harder for these students and their families? The Republican side, sadly, more than doubles the interest rate on student loans. That is a worthy debate. I know the side I will be on. I think most Americans know what side we should all be on: to try to keep the cost of these loans closer to being under control; to try to keep the interest rate at the 3.4-percent level.

Senator JACK REED of Rhode Island recently introduced the Student Loan Relief and Refinancing Act which would prevent the interest rate hike by moving Federal student loans back to a market-based rate as it was prior to 2007. Senator REED's bill would offer adjustable interest rates for Federal student loans and parent PLUS loans—with a cap of 6.8 percent for subsidized loans and 8.25 percent for unsubsidized and parent PLUS loans. Rates would be set every year based on the 91-day Treasury bill, plus a percentage determined by the Secretary of Education to be necessary to cover program administration and borrower benefits. The bill is revenue neutral. The bill will help current borrowers by allowing those stuck with high fixed-rate Federal student loans to refinance their loans into a new variable rate loan with a cap. Many students signed up for loans that were a bad deal and they want to change them but they are stuck with them, so this Reed bill gives them a chance to refinance.

Congress should consider a long-term interest rate fix, but we need to act quickly to stop the interest rates from doubling on July 1. We have a good short-term path that will extend the current 3.4-percent interest rate for 2 years. The bill is fully paid for by closing three tax loopholes.

Senator MCCONNELL was on the floor here complaining that we are doing Tax Code changes to keep the interest rates low. Well, here are a couple of the changes he was complaining about.

Our proposal would include a tax on the oil and gas companies from tar sands so they would put more money into the oil spill liability trust fund. That is one of the things Senator MCCONNELL said is not appropriate. The other one would close a tax loophole that allows non-U.S. companies to reduce their U.S. tax liability on income from their sales in the United States. I do not think that is unreasonable, particularly if the money we are getting from that will help subsidize a low-interest rate on student loans.

This bill is a temporary solution, I understand. But it is going to save students in States like my State of Illinois a thousand dollars—at least a thousand dollars—by keeping the interest rate low in terms of what they will pay back over a lifetime.

The complicated proposal that came out of the House of Representatives—the Republican proposal—as I said, will more than double the interest rates students are going to face. Parents are going to have to have a higher liability on the loans they sign up for for the students in their family, and that, to me, is not a good outcome either.

There has been a proposal that has been pushed by some of my Republican colleagues—Senators COBURN, BURR, and ALEXANDER—which would adjust interest rates annually for both subsidized and unsubsidized loans, and it would be, like the House Republican bill, an increase of 3 percent over the 10-year Treasury rate. There are no caps, incidentally, on where that interest rate is going to go. So the students could have a liability much greater in the future.

Here is what it boils down to: If you believe education is important—and I think everyone does—if you believe college education is a ticket for a better life and a better opportunity to contribute to this country—and most people do—we want to make sure it is affordable for students from working-income homes and middle-income homes. That is why we want to keep this interest rate low. The Republican proposals—all of the Republican proposals—dramatically raise the student loan interest rate beyond the level the Democrats are pushing for.

We have heard a lot of comment on the floor. There will be a lot of debate on the floor about a lot of other issues—the IRS and other things such as that. They are all worthy issues worth talking about. But if you talk to the average family in my home state of Illinois or around the country, they are going to tell you that something like a student loan debate is much more important to them.

We want to be on the side of working to help middle-income and those families who are working for a living, to give those families a chance to send their sons and daughters to college to have a better life in the future and not burden them with a loan that is impossible for them to pay back.

I want to close by saying a word about one category of schools I mentioned earlier, the for-profit schools. We have in our country not-for-profit schools that include private colleges and universities as well as public colleges and universities. Then there is a for-profit sector of higher education. I mentioned the leaders earlier—the University of Phoenix, Kaplan, and DeVry. Those are three of the biggest in the United States.

Currently, our Federal Government is subsidizing these for-profit schools in ways most taxpayers would not believe. Right now what these schools are bringing in is 75, 80, 85, and 90 percent of their revenue directly from the Federal Treasury. In other words, students

come in and turn over their Pell grants, sign up for their government loans, and all of this government money flows into these for-profit schools.

Many of these schools offer valuable courses, but many of them are worthless. Many of them, unfortunately, burden these young people with debt and offer them nothing by way of education or training so they can have a better life. As a result, the students end up with a mountain of debt they cannot pay back and they default on the debt. Here are the numbers to keep in mind: There are three basic numbers which explain the for-profit education industry in America.

Twelve. Twelve percent of high school graduates go to for-profit schools.

Twenty-five. Twenty-five percent of all the Federal aid to education goes to for-profit schools; over \$30 billion a year to for-profit schools. They would be the ninth largest Federal agency if you took for-profit schools in the private sector by themselves; over \$30 billion. They would be the ninth largest, but they are private companies, for-profit companies.

The third number to remember is 47. Forty-seven percent of all the student loan defaults are by students in for-profit schools. That number tells the story. These poor students are being loaded with debt, and they are being given an education that is not worth it. At the end, they cannot pay back their debt and they default on those debts. That is the reality of where we are today. In a few weeks—July 1—if we do nothing, interest rates on loans at all schools for government loans are going to double. If we do something, we can continue to protect students. But, in addition to that, we have to do something about higher education and what is happening there. It is not just the for-profit schools, many of which are ripping off these students. It is the overall cost of higher education. It is going beyond the reach of average families across America.

I look back to my own life experience and, thank goodness, I had a chance to borrow the money and go to school, get an education, and end up, as I say, with a full-time government job. But the bottom line is, other people deserve the same opportunity. And if you are not from a wealthy family, you should be able to borrow the money to be able to get through school and make a success of your life.

Let's do our part here. Let's stand behind the working families. Let's support the Democratic approach, which will keep the interest rates at 3.4 percent. Let's reject the Republican approach that would more than double these interest rates on these students and their families. Let's give these young people a fighting chance to get a good education and an opportunity to prosper in this great Nation.

Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### REMEMBERING REVEREND ANDREW GREELEY

Mr. DURBIN. Mr. President, last week we lost a Chicago original. Father Andrew Greeley was a Catholic priest in Chicago and a man of great accomplishment.

He was a best-selling author, college professor, newspaper columnist, and a sociologist at the University of Chicago. Most importantly, according to Father Greeley, he was "just a priest."

Andrew Moran Greeley was born in Oak Park, a suburb west of Chicago. By the time he was in second grade at St. Angela Elementary School, he knew he wanted to be a Catholic priest.

After being ordained, he served as an assistant pastor at Christ the King Parish in Chicago and studied sociology at the University of Chicago. He was released from archdiocesan duties to pursue his academic interests in 1965, but he remained a priest in good standing the rest of his life.

Although he never led a parish, Father Andrew Greeley regularly filled in at Saint Mary of the Woods Church in Edgebrook. He would lead mass, preach, hear confessions, and officiate at weddings and baptisms.

But what brought Andrew Greeley international recognition was his work as a writer, an author. He built an international assemblage of fans over a career spanning five decades.

Of the 60 novels Father Greeley wrote, some were considered scandalous with their portraits of hypocritical and sinful clerics. But he also wrote more than 70 works of nonfiction, often on the sociology of religion. His clear writing style, consistent themes, and celebrity stature made him a leading spokesman for generations of Catholics.

Father Greeley enjoyed being a sociologist and a commentator on current affairs. For much of his career, he divided his time between Chicago and Tucson, AZ, where he taught at the University of Arizona.

He also achieved prominence as a journalist, writing a weekly column for the Chicago Sun-Times and contributing regularly to American and international publications.

His weekly columns touched on all sorts of issues. From critiquing the Catholic Church to the war in Iraq, Father Greeley was unapologetic in his "tell it like it is" Chicago style.

In July of 1986, Father Greeley wrote the first of many columns in the Chicago Sun-Times about allegations of sexual abuse by Roman Catholic priests. His thoroughly honest and powerful reporting alerted the Nation to this scandal way ahead of many others. It forced the Church to acknowledge that it had a problem and a problem it had to solve.

His opposition to the war in Iraq and a war on terror was so deep-seated that he compiled his writings and published them in a book. It was meekly titled: "A Stupid, Unjust, and Criminal War: Iraq 2001-2007." He gave me an autographed copy of that book.

Needless to say, Father Greeley rarely thought twice about holding back from saying what he thought.

He was criticized by his early critics for "never having had an unpublished thought." But his ability to convey his opinion was also what made him successful in connecting with readers all over the world. He had a popular approach to writing that interested people on issues they normally would not connect with.

He attended Quigley Prep in Chicago, received his Licentiate in Sacred Theology in 1954 from Saint Mary of the Lake Seminary in Mundelein, and was ordained in 1954 as well. He continued his love of learning by earning a master's degree in 1961 and a doctorate in 1962 with a study on the effect of religion on the career paths of 1961 college grads.

His scholarship led to his longtime position as a senior researcher on the staff of the university's National Opinion Research Center, which surveys American opinion on religion and other issues.

Later in life, after finding success as a novelist and published sociologist, Father Greeley created a foundation to help inner-city kids with a \$1 million grant to distribute money to Catholic schools in Chicago with high minority enrollments.

Father Greeley's other lifelong love—besides the Church, his family, and his writing—was the great city of Chicago. He was a classic example of what Chicagoans call a "lifer"—someone who never felt at home anywhere other than the Windy City. Father Greeley was fond of the different architectures and sculptures atop ordinary buildings around Chicago, places the common working people lived, but which were adorned with beautiful handmade workmanship. He would take pictures of these buildings and sculptures and loved to show them off.

He was a great fan of the Chicago Bulls and the Bears, and he never stopped praying that the Cubs would one day win another pennant.

Father Greeley wanted people to think of him as an honest and humble priest. But he was truly one of a kind. He touched and enriched so many lives.

I remember having lunch with him several years ago. He was just one of a kind—a Catholic priest who was part of the world and part of the world's conversation but still dedicated to his vocation.

I send my condolences to his sister Mary Jule Durkin, his five nieces and two nephews.

Father Greeley blessed us with his presence for many wonderful years. His passing is a great loss to the people of Chicago and to his friends and fans all over the world.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ORDER OF PROCEDURE

Mr. VITTER. Mr. President, I ask unanimous consent to speak in morning business for up to 12 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. VITTER. Mr. President, I further ask unanimous consent to bring on to the floor and display a box of home keys, which I will explain in a moment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. VITTER. Thank you, Mr. President.

#### NATIONAL FLOOD INSURANCE

Mr. VITTER. Mr. President, as is obvious, the people of South Louisiana have been through a whole lot in the last several years—Hurricane Katrina, Hurricane Rita, many significant hurricanes since then, most recently Hurricane Isaac, and the BP oil disaster, to name just a few really trying tragedies.

But now, having survived all of that, having endured through all of that, many residents of South Louisiana think they face a challenge which is even greater and which is completely wholly manmade; that is, the challenge presented by new changes to the National Flood Insurance Program that many South Louisiana residents fear could make staying in their homes that they built, following all the rules every step of the way, unaffordable. That is a crying shame. We must avoid that happening at all costs.

First of all, let me underscore that I talk about the folks of South Louisiana because I represent them. They have been through so much. But this is a national concern which potentially affects tens of millions of residents all

around the country, in every one of the 50 States. That too is a reason we must solve this problem.

Again, it is simple. When we reauthorized the National Flood Insurance Program last year, when we finally got past only renewing that program by fits and starts for a very short-term period, we put into the law several reforms that were supposed to make the program fiscally sound. However, as some of those reforms are beginning to be implemented, they threaten to produce sky-high flood insurance premiums that no one at the time we debated these changes—no one at FEMA, no one in private insurance, and no outside expert—forecasted.

These sky-high premiums, if they are allowed to happen, threaten two things: First of all, they threaten, as I said, many good, hard-working taxpayers, residents who have followed all of the rules every step of the way in building their homes, in renovating their homes, and buying flood insurance. They threaten their being able to stay in their homes. They threaten the affordability of living that big part of the American dream. Second, they threaten making the National Flood Insurance Program sound because if significant numbers of folks cannot stay in their homes, cannot afford flood insurance, cannot pay into the system and therefore leave the system, potentially turn over their keys to the bank, walk away, certainly leave the national flood insurance system, perhaps leave home ownership, that is a big defeat for the fiscal soundness of the National Flood Insurance Program as well.

About 2½ weeks ago I was in Bayou Gauche, which is a middle-class neighborhood in St. Charles Parish, LA, up the river from New Orleans. I stood in the driveway of a home owned by homeowners who are facing just this crisis, just this challenge. As I said a few minutes ago, they have survived a whole lot over the last several years: Hurricane Katrina, Hurricane Rita to their west, many major hurricanes since then, including most recently Hurricane Isaac and the BP oil spill, the BP disaster. They have survived more than they ever imagined was possible in a lifetime. Yet now they are fearful that their greatest challenge is yet ahead. Their greatest challenge is completely manmade—the fact that some of these new changes to the National Flood Insurance Program could cost them their house, could make their staying in that solid middle-class neighborhood and in their house unaffordable.

When I was there, when we were talking about this challenge with many local residents and leaders, those homeowners presented me with this box of keys. It is pretty heavy, but I want the Presiding Officer and every-

one on the floor to see it. These are hundreds of house keys that have been put in this box by homeowners who face the same threat, who say that if the right reforms and changes are not made, they are handing over these keys. They are handing them over to FEMA, they are handing them over to the Federal Government, they are handing them over to the bank because their homes will no longer be affordable. They have to have flood insurance if they have any mortgage. Virtually everybody has to have a mortgage to afford their house over time. If flood insurance rates go sky high and rates are really unaffordable, they will be handing over these keys for good.

They all know and expect that there are going to have to be changes to the program and some significant increases for the program to be fiscally sound and pay for itself. They are not arguing with that. I am not arguing with that. What we are arguing against is completely unaffordable premium increases, things that will literally drive middle-class families out of their homes and out of their neighborhoods and make their American dream completely unaffordable. That should not be allowed to happen. That should not be allowed to happen because it is wrong to give them that uncertainty and that future when they have followed the rules every step of the way as they existed under the National Flood Insurance Program, under their mortgage, under everything else. It should not be allowed to happen because it will mean we will never achieve fiscal sustainability if tens of thousands and potentially hundreds of thousands of people around the country exit the program as they are threatening to do.

We need to take action to be able to assure these homeowners that will not happen to them. With that goal in mind, I am pursuing several things.

First of all, some of this can and must be fixed administratively at FEMA. I have led several delegations to FEMA to talk about this, to demand that they do what they can under their authority—particularly under the so-called LAMP process—to make sure they get it right, particularly in drafting and issuing new flood maps. LAMP is the new process that is under way at FEMA under which they are supposed to take into account, in making new maps, all flood protections, all features that are there on the ground to provide homeowners under that terrain flood protection, even if it is less than a 100-year level of protection. FEMA is still in the midst of their LAMP process. They are not finished by a long shot. We have to make sure FEMA gets that right, builds all protection features into their new map before any of those new maps and any of those rates take effect. That is just the biggest example of what FEMA needs to do to get it right, what they can do under their authority.

Part of this challenge is definitely administrative. That is why I have led those groups to FEMA and why FEMA needs to get it right. That is also why I will be presenting this box of home keys to FEMA later this week at the request of these Louisiana homeowners.

The other part of our challenge is that we get it right legislatively because, in addition to everything FEMA can and must do, there probably also needs to be changes to Biggert-Waters to ensure homeowners are not thrown out of their homes because flood insurance is now unaffordable. That is why I have teamed up with the senior Senator from Mississippi, THAD COCHRAN, in introducing the Vitter-Cochran measure to fix provisions in the National Flood Insurance Program. It will do several things, at least four that are significant:

First, it would ensure that communities that are developing new maps by the end of this year will be able to maintain the old grandfathered rates that are subject to change in section 207 of Biggert-Waters.

Second, the bill would allow a 5-year phase-in of actuarially sound rates for newly purchased homes to require a reasonable phase-in to those higher rates.

Third, the bill would authorize State and local governments flexibility to directly subsidize homeowners' flood-insured properties if that can be part of a solution as well.

Fourth, it would require that a minimum of 25 percent of mitigation funding go directly to homeowners in a given year for programs and help that directly impacts homeowners, such as home elevation.

I will be advancing that bill along with THAD COCHRAN and many other interested Members. We will also be looking for amendment opportunities to advance those ideas and those provisions as well. Certainly, I am joining with my other colleagues from Louisiana, from the Sandy-hit area in the Northeast, and from all parts of the country to advance these fixes.

Senator LANDRIEU has an amendment on the farm bill which is on the Senate floor now of which I am cosponsor, and I am certainly working with her and many other Members to get this fix, to get it done, to reassure these threatened homeowners that help is on the way. We need to do this. We need to preserve the American dream and treat these people right, not make their middle-class homes and middle-class neighborhoods all of a sudden, through no fault of their own, unaffordable. We need to do it for the very goal of putting the National Flood Insurance Program on fiscally sound footing because if we have tens or hundreds of thousands of residents exiting the program, turning their keys over, turning them in to FEMA, turning them in to the

bank, the National Flood Insurance Program will never get to that fiscally sound basis. We will have people exiting the system, no longer able to pay premiums. We need to get it right for them. We need to get it right for the American dream.

I look forward to working with all of our colleagues in doing so because, again, I started at the beginning talking about what South Louisiana has been through—many hurricanes and the BP disaster and more. But this is not a parochial issue. It is not a Katrina issue. It is not a Sandy issue. It is far broader than this. This movie is coming to a theater near you. I urge Members to learn about that threatened impact on their constituents, on their homeowners, and to immediately join me and many others in this effort.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Texas.

#### REMEMBERING FRANK R. LAUTENBERG

Mr. CORNYN. Mr. President, I join others of our colleagues in mourning the passing of our friend and former colleague Senator FRANK LAUTENBERG. Senator LAUTENBERG joined this body in 2003 for the second time. I was immensely struck by his tenacious work ethic and his deep-seated devotion to the people of his State, the State of New Jersey. These are attributes that would serve all of us well and served him well and are something to which we can all and should all aspire.

Senator LAUTENBERG's legacy will be forever woven in the fabric of America's history. His work on the new GI bill of rights has helped ensure that thousands of America's fighting men and women receive the support they need when they come home and the opportunity to become part of the next "greatest generation."

With his passing, the Senate has lost its final member of what we all know or have come to call, as Tom Brokaw did, the "greatest generation," the World War II generation, the generation my dad served in as part of the Army Air Corps in flying B-17s in World War II, and my father-in-law, who landed on Utah Beach on the second day of the Normandy invasion. These were great Americans, and it is their sacrifice and the contribution they have made to our way of life that have made it possible for America to remain the envy of the world.

We are also reminded that our time in this Chamber is fleeting, and we should be humbled by that reminder.

There have been 43 new Senators who have come to the Senate since 2007 alone. The reason I counted is because that was the last time we took up immigration reform—a subject we are going to turn to perhaps next week. Forty-three new Senators since 2007.

Perhaps we will have 44 by the time we turn to that topic next week. We are reminded it is our duty as Americans to ensure this Chamber will host future generations of great Americans as well.

As Senator LAUTENBERG goes to his rest, my prayer is that his loved ones can take solace in the fact that he played such an important part in the great American story with honor and integrity.

#### CULTURE OF INTIMIDATION

Mr. CORNYN. Mr. President, the events of the last few weeks have thrown a spotlight on a culture in Washington which threatens the very fabric of what I just spoke about and that Senator LAUTENBERG fought for and contributed to, one that would hopefully instill confidence in the American people that what is happening here is in their best interest; that people realize we are the employees of the American people, here to serve their interests. That should be our primary focus.

Unfortunately, we have learned a culture of intimidation has arisen in Washington, and, unfortunately, it has become all too pervasive and threatens to become a cancer that cannot only destroy the public confidence in their Federal Government but also destroy the nature of our democracy itself.

We have learned that IRS agents—we don't know how many yet, but we do know that some—were deliberately targeting different political groups because of their political activities. Remember, this is activity protected by the First Amendment of the United States Constitution. If it weren't for the political activity of the American people, we wouldn't have this great democracy which is the envy of the world. But we have learned the Internal Revenue Service was asking different groups inappropriate questions about their donors, their positions on various issues of the day, and the political affiliations of its officers and directors. We have learned these abuses went far beyond two rogue employees in the Cincinnati field office; that the IRS headquarters in Washington was involved as well.

Of course, the initial story that this was confined to a couple of self-starters and free agents in Cincinnati was laughable. We all know enough about bureaucracies to know that no one, particularly at a lower level to mid-level, instigates any sort of initiative as bold and as toxic as this without some sort of approval from on high, whether it is implicit or explicit.

We have now learned senior officials in the IRS knew about these abuses at least 2 years ago, yet failed to notify Congress or the public. We have learned that one conservative activist

from Houston, TX, one of my constituents, Catherine Engelbrecht, was targeted by multiple Federal agencies, including the IRS, the FBI, the Bureau of Alcohol, Tobacco and Firearms, and OSHA.

We have also learned the Environmental Protection Agency is yet another agency that has discriminated against political organizations they do not happen to agree with. And we have learned the Obama administration, in the form of the Justice Department, has treated a reporter as if he were a criminal simply for doing his job.

I have seen the explanation of the apologists at the Justice Department. They said just because they identified James Rosen as a potential criminal coconspirator, they never intended to prosecute him. This is part of an affidavit designed to get at certain records that Mr. Rosen and his family maintained, invading their privacy. It makes no sense they would claim in this affidavit, in order to get this search warrant, that he was a potential criminal coconspirator and at the same time they never intended to prosecute him. Those are simply incompatible and inconsistent statements.

We have also learned the Department of Justice has conducted a disturbingly intrusive and broad investigation into the phone records of journalists who worked for the Associated Press.

At the Department of Health and Human Services we have learned that Kathleen Sebelius, the Secretary of Health and Human Services, has literally been raising money from private companies she is responsible for regulating in order to fund ObamaCare. That is a conflict of interest, and that is the most charitable thing one can say about it.

We have further learned this culture of intimidation has also given way to a culture of coverups and misinformation. We have learned more about the Obama administration's dishonest portrayal of the September 2012 terrorist attack that killed four Americans in Benghazi, Libya. We have learned the Obama State Department punished U.S. diplomats, whistleblowers, for cooperating with congressional investigators.

Sadly, these abuses are part of a larger pattern that goes back several years. For example, in 2010, when we were considering the matter of ObamaCare, various health insurance companies began alerting their customers about what they believed the impact of ObamaCare would be on them, and that specifically, if passed, it would force them to raise premiums on their own customers. Secretary Sebelius, at the time, threatened to punish these companies and bar them from participating in the ObamaCare exchanges if they followed through in communicating with their own customers about what the impact of this legislation would be on them.

By the way, the same IRS official who led the division to target political speech is now in charge of administering large portions of ObamaCare, which depends upon the Internal Revenue Service to implement so much of it. At a time when the Internal Revenue Service has lost credibility with the American people, it has no business administering a law that will affect one-sixth of our national economy.

The same culture of intimidation we have seen at Health and Human Services and at the Internal Revenue Service has also been prevalent at the Justice Department. That should be the bastion of justice and equal treatment under the law, but, sadly, it is not. The case of Fox News reporter James Rosen is only the latest example.

In recent days we have learned DOJ officials tracked Rosen's movements, got a search warrant to examine his private e-mails, and even obtained his parents' phone records. They treated him like a criminal, which is quite remarkable because, as I said, he was simply doing his job.

As the Washington correspondent for the New Yorker magazine noted:

It is unprecedented for the government, in an official court document, to accuse a reporter of breaking the law for conducting routine business of reporting on government secrets.

I believe national security leaks should be investigated. But what about going after the leaker? We recognize when reporters are targeted, it becomes especially sensitive, given the role of reporting the news and the freedom of the press guaranteed by the Constitution and the need of our society to maintain the kind of openness that only comes with a free and robust press.

In addition to an overbearing surveillance of individual journalists, the Obama Justice Department also targeted whistleblowers in the notorious Fast and Furious investigation. This is where guns were purchased in bulk in the United States and allowed to walk into the hands of the drug cartels in Mexico.

One Department of Justice official, a U.S. attorney in Arizona, tried to smear a whistleblower by leaking a private document. The Department of Justice inspector general called this behavior "inappropriate for a department employee and wholly unbecoming a United States attorney." Meanwhile, a separate Justice Department official was forced to resign her position when she was caught collaborating with left-wing bloggers to slander both whistleblowers and journalists.

As you can see, my conclusion there has been created a culture of intimidation is not the result of just one incident but a number of incidents and data points that, when connected, I think clearly paint that very sad and troubling picture. This culture of in-

timidation has become entrenched at Federal agencies and departments all across the Obama administration.

This culture of intimidation was troubling before the IRS scandal broke, and it is even more troubling given all we have learned in the past few weeks. So I hope Congress will do its job on a bipartisan basis—as the Finance Committee, under the leadership of Senators MAX BAUCUS and ORRIN HATCH, have already done on the IRS matter—to investigate this in a bipartisan way to get to the bottom of this matter, recognizing this kind of abuse of power on the part of the Internal Revenue Service can be turned not just against conservative political speech but also against people on the political left or anybody in between. This should not and cannot be tolerated.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

#### THE FISCAL CRISIS

Mr. COATS. Mr. President, I thank my colleague and couldn't agree with him more on a number of the things he listed; in particular, the so-called affordable care act, which is anything but affordable.

I found out, as I traveled across the State of Indiana and spoke with Hoosiers, that this law is having an enormous negative impact on the decisions of employers, on health care providers, and on average citizens relative to what is coming down the line within the next several months and into 2014.

This legislation is a colossal mistake. It is a mess. It is distorting the economy, it is keeping people out of work, and it is keeping employers from hiring new workers. People are trying to manipulate the system now because what is being imposed on them is so Draconian and unsustainable and unaffordable. That is why we need to officially call this "unaffordable comprehensive health care reform" rather than the Affordable Care Act. It is unaffordable.

But that is not why I came here today. I came here today to talk about our current fiscal crisis. That has sort of taken a back seat to the debates we have been having on the Senate floor, even though they are necessary—immigration, which is coming up, the farm bill that we are currently dealing with, gun issues, and others. The looming dark cloud, the big bear in the closet, is our fiscal crisis, and it is not going away.

Last Friday, the Social Security and Medicare trustees issued their annual report on the long-term financial status of the health and retirement security programs, and there was a little bit of good news; that is, the current numbers that exist out there and the rate of spending down on these programs has slowed somewhat. But it is



not the kind of news we ought to celebrate.

Some are saying: Oh, well, this takes the pressure off. Now we don't need to do anything about the structural reform of our mandatory spending for our entitlement programs because, look, we just had a good report. Let's just get back to regular business and we will worry about this later.

Well, the fact remains our mandatory spending is not only unsustainable, it is having an immediate impact and will continue to have an even greater impact on other essential functions of government as the cost of funding for the mandatory systems continues to rise—and rise dramatically in future years with 10,000 baby boomers retiring every day.

Let me repeat that: 10,000 baby boomers are reaching retirement age each day, adding to the cost of Medicare, Medicaid, and Social Security.

We have known this was coming for years. We have known it was coming for decades; that an amazing number of people born post-World War II now have worked their way to the point of retirement. This has had an impact on our economy, whether they were babies needing more cribs and diapers, whether they were young children going to elementary school and we needed more schools, going to secondary colleges and universities and we needed to expand those, working their way through the economy, having children—a dramatic impact with this bulge of baby boom babies growing up and working their way through the system. Yet while we knew all this was coming, Congress and the administration repeatedly said: We will deal with this later. It is a crisis, we know, but it is just too tough to deal with now.

What I am afraid of is that this latest report which came out and provided a little bit of relief, a little bit of wiggle room, but it did nothing to solve the long-term problem. What I am concerned about is that this report may be used to basically say we don't have to do anything now.

What is the impact? The nonpartisan Congressional Budget Office reported earlier this year that spending on mandatory programs and interest on the debt—because we have to borrow to cover this cost—will consume 91 percent of all Federal revenues 10 years from now. Already it is putting the squeeze on discretionary spending because what this means is that all other spending priorities are being squeezed out by spending on Medicare, Medicaid and Social Security and some of the other mandatory programs.

If we are interested in a strong national defense, in a solid education system, infrastructure and bridges and paving roads, medical research, food and drug safety, homeland security, border security—and other programs, these programs are getting squeezed

every day in terms of the amount of resources available.

Why these groups don't form a coalition and come marching through the Halls of Congress and demand that we take action now on runaway mandatory spending, because it is simply wiping out their programs, is beyond me. But it is the nature of the political beast to postpone the tough stuff, to not have to get to the point where they have to tell anybody no because we want everybody to love us so they will vote for us in the next election. It is incomprehensible that we continue to put this off day after day, month after month, year after year, election after election.

I have been around a while. How many times have we heard people say we will do that after the next election? That was the mantra in the 2012 Presidential election. Well, no. You see, the President couldn't step up and do this and the ruling party couldn't step up and do this because we had a Presidential election. They said that as soon as the election takes place, then we will have a period of time where we have been reelected to office or we have new Members coming in and we will not have the pressure of an election before us and we will address this problem.

Here we are now into the sixth month of this year, when everyone knows that the first 100 days of the new administration—or a second-term in this case—is the best time to enact long-term good legislation that addresses major problems—the days are slip-sliding away. The days are counting, and we continue debate and talk about and interject issues here that, yes, have importance but don't begin to rise to the level of importance of the need to address our fiscal situation.

The other thing I don't understand is why the young people of this country aren't standing up and demanding that we take action, because we are taking money away from them. We are diminishing their future. We are leaving them with a debt burden they may not be able to pay.

The International Monetary Fund put out a report recently that to cover current obligations for young people, they—not us—will have to pay either 35 percent more in taxes to keep these mandatory funds alive and solvent or receive 35 percent fewer benefits. This is at a time when our Nation's youth already face an unemployment crisis.

It is unconscionable. It is immoral for us to defer and to delay and to simply say we can't take care of these issues now and then move on through our lives, reap the benefits that come from some of these programs, and then hand it over to our children and say: Good luck. You are either going to pay one-third more in taxes or you are going to get one-third less in benefits, lifetime savings, Social Security for

your retirement, health care coverage for your later years. Good luck with that one. But we couldn't summon the will to do it. We couldn't bring ourselves to make the hard choices.

Are we going to step up to the plate and be responsible? What is our legacy going to be for those of us who are serving now? What are we going to tell our children and grandchildren? Will we say sorry, we just weren't able to do it? It was just too tough politically, we are worried about the folks back home that they might not take it the right way. It requires a little bit of sacrifice to reform these programs—actually, to save the programs—before they go broke. But, no, we just couldn't do it. The President? No; kind of AWOL on this, hasn't stepped up. We thought for sure that after reelection, not being elected again, we would get some kind of leadership.

I see it slip-sliding away, and now we are faced with that ultimate day of crisis when it hits and we have to make painful choices because we have no other choice.

So why don't we take the rational approach? Why don't we have leadership that steps up and basically says this is what we need to do? Why don't we put the future of America and the future of our children and grandchildren and succeeding generations ahead of our own political interests? It is selfish not to do so. I think it is unconscionable. I think it is immoral for us to continue doing this.

So I am going to continue to come to the floor as much as I can—I have been doing this all year—and I am going to continue to urge the President to work with us. I am not making this a partisan issue. We are working with people across the aisle who understand this and want to do something about it. But we know we can't get it done without the President taking leadership and standing up and working with us.

There is a little bit going on right now, but here we are, 6 months later, and we are not making the progress we need to make.

In the end, maybe we will pass another patch of legislation—a little patch here, a little patch there—and we will deal with the big thing later. We just can't do it now.

For the sake of the future of this country, for the sake of the future of our children and grandchildren, for living up to our sworn oath to do what is necessary to continue the great story of democracy in this Nation, we need to step up and do this. These reforms are necessary. We all know it. We know the numbers. We know they are unsustainable. We know we must address it.

I urge my colleagues to do whatever is necessary to make the tough choices. Interestingly enough, that legacy, if we stand up to do it, will be

worth whatever results or consequences come from our making these decisions.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 954, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 954) to reauthorize agriculture programs through 2018.

Pending:

Stabenow (for Leahy) amendment No. 998, to establish a pilot program for gigabit Internet projects in rural areas.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I see my distinguished ranking member on the floor. We are proceeding in our work on the farm bill this morning.

As we are moving through, we have a lot of discussions going on, working to get agreement on both sides to be able to offer a number of amendments for votes. We certainly are going to do everything we can, working with colleagues on both sides of the aisle. It is critical that we complete our work, ideally, this week.

I appreciate our Senate majority leader understanding what I say over and over, which is this is a jobs bill. Sixteen million people work in this country because of agriculture and the food industry. This is their economic development jobs policy, and it is very important that we complete our work as we have done this last year.

Let me remind colleagues again that 1 year ago—and most of us were here at that time—one year ago we worked very hard. In fact, other than the Budget resolution, I think we may have a record for the most amendments that were voted on, on a piece of legislation. I don't know for sure, but I think it ranks right up there. We voted on 73 different amendments last year. Every one of the substantive amendments that was passed by the Senate is included in the bill that is in front of us, so we start from a bill that was worked on by the entire Senate last year. We are back again working through additional ideas, additional amendments that people are interested in.

It is very important that we complete our work so that, hopefully, when the House brings the bill to the floor—and we are encouraged. We are hearing that within a couple of weeks it will come to the floor of the House—that

when they complete their work, we can actually go to conference and get a final bill on the President's desk before September 30, which is what people around the country are counting on us to do.

Farmers and ranchers have to do the job in the morning, whether they feel like it or not, because the job is in front of them. They have to work hard and get it done, and we have to work hard and get our job done. This is the time to complete a 5-year policy, and we intend to do that and get it done in time so the right kinds of decisions can be made.

Let me stress again that this bill is the one bill that has come before the Senate and passed last year that has real deficit reduction in it. We have looked at every page of what is called the farm bill. We have called ours the Agriculture Reform, Food, and Jobs bill because it is just that. It is about reform—reforming policies, cutting waste, fraud and abuse and creating more accountability. It is about food policies for our country, nutrition policies for our country, and it is about jobs.

We have scoured every page and actually in our process ended up cutting over 100 different programs and authorizations by either combining them, cutting down on the duplication and paperwork or eliminating them if they didn't make sense. If it doesn't work anymore, if it doesn't work from the taxpayers' standpoint, if it doesn't work from the standpoint of agricultural policy, we eliminated it.

We took what are currently 11 different definitions of what is "rural"—we had local mayors, local township officials telling us they appreciate and count on rural development as their economic development arm for grants and loans for small businesses, for water and sewer projects, road projects. Whatever is done in small towns and rural communities across the country, USDA rural development is there supporting those local efforts. But they said could you give us 1 definition of "rural" instead of 11, so we can figure out the paperwork and know how to interact with the USDA.

It sounded simple. It wasn't simple. But we have actually gotten it down to one definition, dramatically cut the paperwork and reformed and streamlined the process for local units of government.

We have \$24 billion in bipartisan deficit reduction. We have, in fact, put together something that is four times more than required of the across-the-board cuts in what has been dubbed sequestration. So rather than just doing what we are required to do under the law that established sequestration, we have gone four times more and created policies supported by farmers, ranchers, those involved in conservation, and those involved across our country in every part of the farm bill.

We have 12 different titles—and each one could actually be a separate bill if we wanted to—that deal with a wide variety of topics, from our traditional commodities where there is certainly a lot of debate as we have eliminated subsidies called direct payments and moved to crop insurance where it is based on risk. Farmers share in the cost of the insurance. There is no subsidy given. They get help if they have a disaster. If something happens with the weather or there is some other kind of disaster, then, similar to any other kind of insurance, it helps cover the risk, and that is what we are moving to.

Conservation and bringing together 23 different programs; we cut it down to 13, consolidated, streamlined, did a better job with more flexibility for communities and have created a conservation title supported by more than 650 different conservation and environmental organizations across the country.

As to specialty crops, half of the cash receipts of the country roughly are something called fruits and vegetables and other specialty crops. We strengthen those efforts, which are very important—local food systems, farmers markets, areas that are very important in growing and certainly address the health of our country.

I mentioned rural development; an energy title that we have not only focused on in terms of energy efficiency for our farmers on the farm, bioenergy, biofuels, but also a new area of reducing our reliance on petroleum by using agricultural products and byproducts in manufacturing called biobased manufacturing. That is an exciting new area for jobs for us. We are seeing a lot of different possibilities in the area of soybeans. We are seeing soybean oil used to replace petroleum oil in things such as foams. If you buy a number of different vehicles today and certainly in every Ford vehicle I know that is being produced, the new Chevy Volt, and many other automobiles today, you are actually sitting on soybean foam instead of petroleum foam. It is biodegradable. There are a lot of jokes about sitting on soybeans, but the reality is this is something that is creating a market for growers. It is biodegradable, gets us off foreign oil, and is creating jobs. There are a lot of possibilities in this bill for new jobs.

We focus on foreign trade. The one area where we actually have a trade surplus in our country is in agriculture. We are, in fact, feeding the world and working with those around the globe to develop their own food systems. I am very proud of the role American farmers play in addressing hunger around the world as well as international food assistance.

We could go on. The bottom line is that this is a bill with tremendous impact—16 million people in the country

directly impacted in terms of their jobs. Every American, if you had breakfast this morning, thank a farmer. If you have lunch today, thank a farmer. If you have dinner today, thank a farmer. We have the safest, most affordable food supply in the world because of a group of people who go out and take the risk against the weather, which is getting tougher and tougher as the climate is changing. They are willing to go out there and continue to be in this business. Our bill supports them with tools to help them manage their risk through insurance, to help them manage their risks on the farm in terms of keeping the soil on the ground as well as protecting our water and protecting our air. Those kinds of tools are critically important as well.

This is a bill we have worked on now twice in the last year—last year, this year—and we are looking forward to having the opportunity to bring this to completion, to work with our House colleagues in a bipartisan way to provide legislation that is good for those directly involved in agriculture and that is good for consumers, that is good for taxpayers as we look at ways to reform our government, to work more efficiently and effectively on fewer dollars.

We look forward to continuing throughout the day working with colleagues. We are hopeful we will have amendments to bring forward, but we do understand we have to move forward and get this done.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mrs. MURRAY. Madam President, Senate Democrats have been waiting a very long time to go to conference on our budget. In fact, it has now been 73 days. Until recently, we have gotten pretty used to Senate Republicans simply standing and saying no.

For months Republicans have been offering a lot of excuses for why they do not want to go to conference on the budget. They have said they want a preconference “framework,” which, by the way, is what a budget is. They have said they would not allow us to go to conference unless we guaranteed that the wealthiest Americans and biggest corporations would be protected from paying a penny more in taxes. They

said they did not want a bipartisan conference to take away the leverage they have on the debt ceiling. And then they called for a do-over, which, actually, my ranking member on Budget called for again this morning—to bring up the House budget, have 50 hours of debate, a whole new round of unlimited amendments, go through the process all over, and they did this after they praised the very open and thorough floor debate we had on the Senate budget.

The story keeps changing. But even as some Republicans were focused on finding excuses to move us closer and closer to this crisis rather than have a budget deal, we have a number of Republicans who are now joining with us to call on regular order. Senator COBURN said that blocking conference is “not a good position to be in.” Senator BOOZMAN said he would “very much like to see a conference.” Senator WICKER said weeks ago that “by the end of next week, we . . . should be ready to go to conference.” We have known for a while that blocking regular order—especially after calling for it so eagerly just a matter of months ago—was not sitting well with a number of our Republican colleagues, and now, according to Politico, “more Republicans appear to favor heading to conference than blocking it.” I welcome that.

We need to move this to conference. It is the regular order. It will allow us to solve our country’s problems, and we truly need a process to allow us to deal with our Nation’s problems.

Senator MCCAIN is on the floor, and I thank him because he understands the importance not just for this bill but for all legislation in the Senate that we come here, we compromise, we fight hard for what we believe in, but at the end of the day just saying “my way or the highway,” even if you are a small minority, does not move this country to the place where we need it to get to, which is not a crisis-by-management place. I thank him for taking a lead and calling for regular order. He has said that Republican preconditions such as demanding that the conference agree to not raise the debt ceiling or raise taxes are “absolutely out of line and unprecedented.” Senator COLLINS joined us on the floor a few weeks ago to say that even though there is a lot we do not see eye to eye on, we should at least go to conference and make our best effort to get a deal. I could not agree more.

The stalling that we have seen is, as some have said on their side, “a little bizarre” and “ironic to say the least,” especially after, I would remind everyone, 50 hours of debate, innumerable amendments that took us way into the early hours, and we offered everybody the chance to speak. After that session was over, many of our Republican colleagues came to me personally and

thanked me for finally having an open process. If they want us to have an open process, then they have to take that process and take it to the next step.

So I am deeply concerned. We are moving toward another manufactured crisis this fall. We have our Appropriations subcommittees that need to move forward. The country is very clearly tired of this country being managed by crisis. We just had a budget hearing this morning in which our witnesses, both Republicans and Democrats alike, said that moving us to a manufactured crisis would impact this economy in a horrific way this fall. We do not need to have that happen.

I want to go to conference. Do I want to have a compromise? Not really. I love where I stand. But I have been here a long time. You do not get everything you want, but you do have to compromise in order to move the country forward. And I am willing to go to conference with my counterpart, Chairman RYAN, who is on a very different page than I am, and find our compromise and be willing to move that forward here in the Congress so we can get to a place that allows us to be able to lead this country again. So I think we are at a very critical point.

I see Senator MCCAIN is on the floor. I would be happy to yield to him for a comment.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I understand that one of my colleagues who will object is coming to the floor, so perhaps I would reserve the right to object on his behalf even though I am in stark disagreement. But instead I will just make a comment, and I am sure my colleague on this side of the aisle will voice an objection when he arrives.

Mrs. MURRAY. The Senator is here.

Mr. MCCAIN. He is here.

Mrs. MURRAY. If the Senator will yield, I can go ahead and offer the unanimous consent request at this time and we can move from there.

Mr. MCCAIN. If it is OK with the Senator, because we know what is going to happen, I would like to make remarks, and then the Senator from Florida will make the same argument that was made the last few days, and fortunately I do not have to listen again.

For 4 years Members on this side of the aisle argued strenuously that we were doing a great disservice to the country by not taking up and debating and amending a budget that would then go to conference with the other side of the Capitol, the House of Representatives, and then we would do what we expect and, unfortunately, every family in America has to do, and that is to pass a budget under which we would be guided in our authorization and appropriations process.

Now my colleague from Florida will come to the floor and say that we have

amassed a debt because of the budget. But we did not have a budget for 4 years. So how can you argue that the fact that we may go to conference on a budget—that somehow that would be responsible for the debt? Obviously, it is nonsense. Obviously, it is nonsense, just as, frankly, it was nonsense when the same group of Senators said we should not even debate gun measures in light of a tragedy that took place in Connecticut and another tragedy that took place in Tucson, AZ. They did not even want to take up and debate ideas that some of us had to try to keep weapons out of the hands of criminals and the hands of the mentally ill.

So now we have a Senate where we refuse to move forward on issues and have open debate and discussion and votes. I have always believed, in the years I have been here, with Republican and Democratic majorities, that the way we are supposed to function is to say: OK, let's give it our best shot, and let's do the best we can, and let's have votes.

One of our objections against the majority leader was that he would not let us have votes on amendments. We had—I have forgotten how many—votes on the budget that lasted until I believe around 7 o'clock in the morning. So the opponents of moving forward on anything cannot argue we did not have votes on the budget, cannot argue they were blocked from whatever amendment they wanted to have voted on.

So now we are faced with a situation where we will not go to conference. And I want to tell my colleagues who continue to do this that, with my strenuous objections, the majority will become frustrated and the majority can change the rules of the Senate. They can do that. And I must say that although I would strenuously object to a change in the rules, I can understand the frustration many of my friends on the other side of the aisle feel at a failure of a simple process of going to conference when the majority on the other side of the Capitol is of our party. That is really very difficult to understand, unless you take the word of one of my colleagues who came to the floor and said: I do not trust Democrats, and I do not trust Republicans. Let me repeat what he said: I do not trust Democrats, and I do not trust Republicans. It is not a matter of trusting Democrats or Republicans. What this is a matter of is whether we will go through the legislative process that people sent us here to do. And I have probably lost many more times than I have won, but I have been satisfied in the times that I have lost that I was able to make my argument, put it to the will of the body, and it was either accepted or rejected. That is how people, schoolchildren all over America, expect us to behave. That is the way our Constitution is written. That is what this body is supposed to be about.

So when we have a—by the way, Madam President, this is the last time I am going to come to the floor on this exercise because it is obviously a fruitless kind of effort until something changes, and obviously that is not going to happen in the short term.

My friends will be saying they are Reagan Republicans, they are Reagan Republicans. Well, I was here when Ronald Reagan was President of the United States. President Reagan, rightly or wrongly, passed amnesty for 3 million people who were in this country illegally. Ronald Reagan sat down with Tip O'Neill, and they saved Social Security from bankruptcy. Ronald Reagan sat down with the Democrats, and they agreed on ways of increasing revenues and cutting spending. Ronald Reagan's record is very clear, and by the way, it was one of an assertive role of the United States of America and leadership in the world and not come home to "fortress America." So sometimes when I hear my colleagues here talk about how they are Ronald Reagan Republicans, I do not think Ronald Reagan would have disagreed that we should have a budget, we should have a budget to guide the legislative agenda of the Congress of the United States.

So, as I said, I will not be coming back to the floor again while my colleagues object. And I see my colleague from Utah who was so unfamiliar with what we do here that he claimed it was behind closed doors in back rooms. The fact is that the budget conference is on C-SPAN and open to all.

So I can just say to my colleagues that this is not a proud moment for me, as we block a process that was agreed to and enacted for many, many years; was not enacted for 4 years over the strenuous objections of myself and my colleagues that we did not enact a budget. We enacted a budget after an all-night marathon of vote after vote after vote on literally any issue, and there was not a single vote proposed by my colleagues here that said that we cannot agree to a lifting of the debt limit. Now, the floor was open for that amendment, and I do not know why my colleagues now view this as the criteria for us moving forward on the bill. So I wish them luck, and I will not be coming to the floor again to object to their objection, and we will let the American people make a judgment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I thank the Senator from Arizona for his very heartfelt remarks. I know he and I do not agree on a lot, but we do agree that we want this country to work because the alternative is not great. The way for this country to work is for us to come together with our differences of opinion and move forward, and that is what the conference committee is all about.

So, Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to, the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate; that following the authorization, two motions to instruct conferees be in order from each side: motion to instruct relative to the debt limit and motion to instruct relative to taxes and revenue; that there be 2 hours of debate equally divided between the two leaders or their designees prior to votes in relation to the motions; further, that no amendments be in order to either of the motions prior to the votes, all of the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. RUBIO. Madam President, reserving the right to object, first, I want to thank the Senator from Arizona for protecting my right to object in my absence before I made it to the floor.

Just to set the record straight, I do not think that we object to moving to a budget conference; we object to moving to a budget conference and having the debt limit raised within that conference. So I would ask the Senator if she would consider adding a unanimous consent agreement and that she modify her request so that it not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, if the Senator heard my request, I said we would consider a motion to instruct relative to the debt limit as part of our agreement to move to conference. So the Senator would be allowed to make his voice heard at that time. I would object to making it a requirement without a vote of the Senate that says the majority agrees with that. So I would object to his amendment and again ask for unanimous consent on the original request.

The PRESIDING OFFICER. Objection is heard. Is there objection to the original request?

Mr. RUBIO. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

PROVIDING FOR USE OF THE  
CATAFALQUE

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to S. Con. Res. 18.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 18) providing for the use of the catafalque situated in Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the United States Senate Chamber for the Honorable Frank R. Lautenberg, late a Senator from the State of New Jersey.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 18) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions".)

MEMORIAL OBSERVANCES OF THE  
HONORABLE FRANK R. LAUTENBERG

Mr. REID. Madam President, I now ask unanimous consent the Senate proceed to the consideration of S. Res. 160.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 160) relative to the memorial observances of the Honorable Frank R. Lautenberg, late a Senator from the State of New Jersey.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 160) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions".)

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

AGRICULTURE REFORM, FOOD,  
AND JOBS ACT OF 2013—Continued

The PRESIDING OFFICER. The Senator from Arizona.

THE PAST, PRESENT, AND FUTURE

Mr. FLAKE. Madam President, the Senate, I am learning, is an institution bound by tradition and precedent. One of the time-honored and worthwhile traditions in this body is that new Senators, for at least the first few months of their service, are to be essentially seen and not heard until they deliver their maiden speeches on the Senate floor. This, Madam President, I am doing today.

As an aside, and in the same vein of new Senators traditionally not being heard but seen, I may have been well advised for the first few months of my service to avoid the throngs of reporters who congregate outside this Chamber, but it is too late for that. Politicians, after all, can only heed so much advice.

For the past 12 years it was my privilege to serve in the House of Representatives, a body that has its own traditions and precedents. At its core the House is governed by the concept of majority rule—one party can have a majority of only one or two and, by virtue of the rules, can still maintain control of that body. During my time in the House, I had the experience of being both in the majority and in the minority. All things equal, I have preferred the former, but I understood the power wielded by being in the majority is fleeting. That is as it should be.

The Senate, on the other hand, is a body governed by consensus. The party holding the gavel is on a short leash. Bringing even the most noncontroversial resolutions to the Senate floor requires the agreement, or at least the acquiescence, of the minority party. Over the past decades, both parties have chafed under this arrangement. Both parties have at times considered changing the rules that would in some way make the Senate more like the House. Both parties have wisely reconsidered. The House has rules appropriate for the House. The rules of the Senate, however frustrating to the party that happens to wield the gavel, are appropriate for the Senate.

I come to this point with great appreciation for those Arizona Senators who have preceded me. The 48th State in the Union, Arizona celebrated its centennial just last year. Prior to my swearing in this year, Arizona had sent just 10 Senators to this body. These Arizonans who came before me left more of an impression than simply carving their names in these desks. Few in this body have matched the longevity of Carl Hayden. Few have had the lasting impact of Barry Goldwater, who helped launch the conservative movement.

I consider it a high honor to follow in the footsteps of Senator Jon Kyl, whose steady principled leadership

shaped Arizona for the better and made our Nation stronger and more secure. My constituents now call the same telephone number I once answered as an intern for Senator Dennis DeConcini. He taught me a great deal about constituent service.

Now I have the incredible honor to serve here with Senator JOHN MCCAIN who, as a prisoner of war, taught us all the meaning of sacrifice. Since that time he has served Arizona, the country, and the Senate nobly and honorably. Fortunately for all of us his service to this institution continues. It is my great privilege to serve with him.

The challenges America faces today are legion and growing. Abroad, cells of terrorists bent on our destruction continue to incubate. Some receive aid and comfort from countries with long-held grievances and irreconcilable enmity toward the United States. Other terrorists take advantage of failed states and lawless regions to hatch their plans.

But it is not just individual terrorists or terror cells we have to worry about. Countries unbound by the norms and conventions of traditional nation-states now threaten peace. Today our concern is primarily focused on Iran and North Korea, but myriad other countries are but one election or coup removed from boiling over into regional and international instability.

Here at home our fiscal situation is dire. We continue to spend considerably more than we take in. Worse yet, we have no serious plan to remedy the problem in any structural way. We seem to endlessly lurch from cliff to crisis and back again with fiscal high-wire acts that erode the confidence of markets and invite the disdain of our constituents.

It is understandable that with 2-year election cycles the House of Representatives begins to focus on the next election as soon as one election is finished. In the House difficult issues are often avoided or perpetually shelved until the next election. But in the Senate we have 6-year terms. Senators, therefore, should come with an added dose of courage to take up the thorny and vexing issues on which the other Chamber takes a pass. It is our responsibility to lead, and if there was ever a time for this body, this Chamber—the United States Senate—to lead, this is it.

I am a proud and unapologetic conservative and a Republican, and I hope my votes will consistently reflect that philosophy. So I am not suggesting we hold hands and agree on every issue or even most issues. There are profound and meaningful differences between the parties. But I want to spend more time exercising my franchise while debating the legislation itself and less time on deciding whether such legislation should be debated on the Senate floor.

There is a time and a place for using supermajority rules to block legislation and/or nominees from coming to

the Senate floor; there is a time and a place for partisanship but not every time and not every place.

This country yearns for a functioning Senate, a Senate that recognizes the gravity of our fiscal situation and its responsibility to propose and adopt measures to solve it for the long term. This country yearns for a Senate that exercises its prerogative as part of the first branch of government to rein in executive branch excesses in both domestic and foreign affairs.

Domestically, the parade of missteps and abuses at the IRS and other Federal agencies stand as exhibit A of the need for more robust legislative direction and oversight. Recent Presidents, both Republican and Democratic, have exercised authority in the foreign arena far beyond that contemplated for a Commander in Chief, often obligating future Congresses to financial commitments far beyond security arrangements. A better functioning Senate, less distracted by games of shirts and skins, would not countenance such theft of its authority.

Now is not the time for this institution to retreat into irrelevance, where the sum of our influence is to sign off on another continuing resolution to fund the government for another 6 months; where success is measured by how well our tracks are covered when the debt ceiling is raised; where prioritizing spending cuts are avoided by invoking another sequester. No, we have been there, done that. It is time now for the Senate to lead.

There are encouraging signs we may be moving in this direction. Earlier this year a budget was passed by this Chamber. It wasn't a budget I preferred, but I was given ample opportunity to offer and debate amendments to that legislation, as were my Republican colleagues. We came up short, but at least the Senate got back to regular order.

In the coming weeks this body will consider an immigration bill. Immigration reform has been and remains a complex and vexing issue, with Members holding strong and discordant views on many of its facets. Still, a bill having had a thorough vetting in committee will now be allowed to come to the Senate floor to be debated, amended, and, hopefully, improved upon. This is the way it should work.

To conclude, a few days after last November's election, the 12 newly elected Senate freshmen were invited to the National Archives. We were taken to the legislative vault where we viewed the original signed copies of the first bill enacted by Congress, as well as other landmark pieces of legislation and memorabilia. Oaths of allegiance signed by Revolutionary War soldiers witnessed by General Washington, and documents and artifacts related to the Civil War, segregation, and women's suffrage were also on hand. It was an

affirmation to me of the tumultuous seas through which our ship of state has sailed for more than 200 years.

We have had many brilliant and inspired individuals at the helm and trimming the sails along the way. We have also had personalities ranging from mediocre to malevolent. But our system of government has survived them all.

Serious challenges lie ahead, but any honest reckoning of our history and our prospects will note we have confronted and survived more daunting challenges than we now face. This is a durable, resilient system of government, designed to withstand the foibles of men, including yours truly.

It is the honor of a lifetime just to be here in this storied institution—more than I could have ever hoped for. My modest hope going forward is that my contributions will in some small way honor the Senate's storied past and help it realize its full potential as the world's most deliberative body.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

#### GUN VIOLENCE

Mr. MURPHY. Madam President, first let me congratulate Senator FLAKE on his maiden speech. It was very thoughtful and I think a challenge to this body to get back to the work it has been given by the American people.

I come to the floor to once again talk about the 4,670 victims of gun violence we have seen across this country since December 14.

December 14 is a date that everyone in Connecticut knows but, as time goes by, maybe fades from the memories of other Americans. That is the day in which a deranged young man walked into Sandy Hook Elementary School in Newtown, CT, and gunned down 20 6- and 7-year-olds, in addition to 6 teachers and education professionals who were charged with taking care of those kids. That is a day none of us will ever forget.

We came to the floor of the Senate in the weeks and months that followed with the intention of passing legislation that would make sure we did everything within our power to assure that another Sandy Hook didn't happen somewhere else in this country. But we also were endeavoring to do something about the all too routine gun violence that has plagued our cities and our suburbs—frankly, almost every community in this country.

This is a stunning number. Since December 14 of last year, in just over 6 months, 4,670 people have died from gun violence, and during that time the Senate and the House of Representatives have done nothing to try to change that reality. I will at least give this body credit; we debated a bill in the Judiciary Committee and we brought it to the Senate floor. Because of the rules of this place, unfortu-

nately, 55 votes was not enough to get a gun violence package passed that would have imposed criminal background checks on thousands of gun purchases that now operate outside that system that would have made it a Federal crime to illegally traffic in guns, that would have placed more resources in the hands of mental health professionals. At least in the Senate we tried to do it. The House, on the other hand, has taken no steps to try to cut down on the 4,670 deaths all across this country just in the last 6 months.

What I have tried to do every week since the failure of that bill is to come down to the floor of the Senate. Instead of talking over and over about the policy implications or the different ways and paths we can get to a gun violence package, instead, I think it is important to talk about the victims. Who are these 4,670 people? Because their stories should be the ones that move this place to action.

One such story is that of Matthew Tarto, age 16, who died just a few days ago, May 24. He was killed implausibly by his father. His 52-year-old father killed his 16-year-old son in an apparent murder-suicide.

Matthew was an amazing young man. He was a backup offensive lineman for his high school, John Curtis Christian School. He was a superior track and field athlete. He was an honor roll student. His friends called him a happy-go-lucky kid. They said he always had a smile. His football coach said:

This kind of thing is unbelievable, that something like this could happen. The only way we know how to get through this is with deep prayer. I just feel so heartbroken, not only for his family but for the kids, his friends and his teammates.

We talk a lot about the fact that it is important to change gun laws. There are others who say that all of our emphasis should be on early intervention; that our mental health system should be the sole focus of this place so we can stop these murders before they happen. But as we know, often we can't see these things coming.

The case of Matthew Tarto is such an illustration. Neighbors said they never saw any signs of trouble from this household. In fact, one neighbor remembers seeing the father and the son taking walks together through the neighborhood just days and weeks before this happened.

Matthew was an amazing guy: honor roll student, great athlete, friendly, happy-go-lucky kid, but in an awful murder-suicide, he was taken from us, as well as his father.

Another 16-year-old 3 days before-hand was gunned down in the Back of the Yards neighborhood of Chicago. Angel Cano was killed with a gunshot wound to the head. He was pronounced dead on the scene, according to the Cook County Medical Examiner's Office.

His father had brought his oldest son to Chicago from Mexico in 2004 in search of a better life. His father said his son just desperately wanted to be someone. His son, at 16 years old, had dreams of becoming a singer or a professional soccer player. He was always down at the local soccer fields playing soccer, endlessly, teaching other young kids how to be better soccer players. At 16, he still had this dream. Yet apparently on the way back from the soccer fields that evening, he was gunned down. The police have said it may be gang related, but the family says that Angel was never, ever affiliated with any gangs.

Then, lastly, the story of Jamica Woods. Ms. Woods was 37 years old. The night before she died, on May 20, her boyfriend uploaded pictures onto his Facebook page of a shotgun, along with pictures of a shotgun shell, that he had recently bought at Walmart. He uploaded the pictures because he had already set about a plan to kill his girlfriend the next night.

According to police, Ms. Woods had taken out an emergency protective order against her boyfriend last December, but she had never gone about the process of finalizing it. She was in the process of kicking her boyfriend out when she got killed. Had she just taken a few more steps, it is possible he would have never been able to buy that gun in the first place. If she had taken those steps to fill out a protective order and if that order had been filed and if the Walmart had run a background check and found that protective order, it is possible she would still be alive today.

Frankly, there are hundreds, if not thousands, of men and women across this country who are alive today because of that law—because of that law that came so very close to saving Jamica Woods: a protective order being filed due to domestic violence, a gun purchase being stopped because of that order.

One of the reasons we have that law on the books today is the advocacy of Senator FRANK LAUTENBERG. Senator FRANK LAUTENBERG, who died this week, made it his life's cause to try to make the streets of his State of New Jersey safer. He was advocating right up until his final days on the floor of this Chamber to enact a ban on high-capacity magazines such as the one that killed 20 little 6- and 7-year-olds in Connecticut.

But he was successful in passing through this Chamber a piece of legislation that keeps guns out of the hands of people who have been convicted of domestic violence. It is a law that has worked. It is a law that has saved the lives of hundreds, if not thousands, of men and women all across this country. It is a reminder that this place can do something about the 4,670 people who have died since Newtown due to gun violence.

FRANK LAUTENBERG knew this place had the power to save lives by enacting commonsense gun violence legislation—in his case, just a simple rule that if someone has been convicted of domestic violence, maybe they shouldn't get their hands on a gun.

Senator LAUTENBERG's work is a reminder that whether it is next month, later this year or next year, we still have work to do to try to honor the memories of the thousands of victims of gun violence all across this country. I yield the floor.

Ms. STABENOW. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. SANDERS. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IMMIGRATION

Mr. SANDERS. Madam President, I rise this afternoon to say a few words about the immigration reform bill that, as I understand it, we will begin discussing next week. As the son of an immigrant, somebody who came to this country at the age of 17 without a nickel in his pocket and who was able to send his two kids to college, needless to say I support immigration. Our country is unique in the world. Our country is great because we are the sons and daughters of immigrants. I think we should all be very proud of that.

I also commend the Judiciary Committee, Senator LEAHY and Senator SCHUMER and Senator DURBIN—all of those people who have been working very hard on what I consider to be a good and strong immigration reform bill. Here are some of the very strong components of that bill that I hope every Member of the Senate would support: That is the need for a pathway to citizenship for the 11 million undocumented immigrants in this country. Bringing undocumented workers out of the shadows and giving them legal status will make it more difficult for employers to undercut the wages and benefits of all workers and, in my view, will be good for the entire economy.

I have always—and continue to—strongly support the DREAM Act part of the immigration reform bill, which is to make sure that children of illegal immigrants who are brought into this country by their parents years and years ago are allowed to become citizens.

I strongly support a number of the provisions that deal with agriculture. Some years ago I was in Immokalee, FL, a place that I suspect has some of the most exploited workers in America. They pick the tomatoes which go to the fast-food restaurants throughout this country. I can tell everyone that

in the State of Vermont, we have dairy farms that are now dependent on foreign labor, and it is important that we treat those workers with dignity and give them legal status. It is extremely important to have an approach which provides legal status for agricultural workers.

I obviously support making sure our borders are strong and that we stop illegal immigration as best we can, and I applaud the committee for including all of those provisions in the immigration bill that is going to come to the Senate I expect next week.

What I worry about very much, and have deep concerns about in terms of the current legislation, is that while we have made a good step forward in terms of improving our economy as to where it was in the midst of the financial crisis, we still have a long way to go. The real unemployment rate in America is not 7.5 percent. That is the official unemployment rate. The real unemployment rate is closer to 14 percent. If we include those people who have given up looking for work in high-unemployment areas and people who are working part time and want to work full time, the real unemployment rate is closer to 14 percent. In other words, if we include unemployment among minorities as well as the young people in this country, we continue to have a very serious unemployment problem in the United States of America, and it is an issue with which we have to deal. I have a number of ideas on how to deal with it. One thing we sure as heck do not want to do is make a bad situation worse.

It seems to me that in a moment when our middle class continues to disappear, when millions of workers are working longer hours for lower wages, when median-family income has gone down by \$5,000 since 1999, it does not make a lot of sense to me that we have an immigration reform bill which includes a massive increase in temporary guest worker programs that will allow large multinational corporations to import hundreds of thousands of temporary blue-collar and white-collar guest workers.

One of my major concerns is that corporate America is sort of using immigration reform as a means to continue their effort to lower wages in the United States of America, and we must not allow that to happen.

We all know we have a serious crisis in terms of the high cost of a college education, which is another issue we are going to be dealing with soon on the floor. One thing I can say—and I suspect I speak for a number of other Members in Congress—is if we didn't come from a family with a lot of money and we needed to get some financial help in order to pay for college, we worked in the summertime. I find it alarming that within this bill we are looking at a situation in which we are



importing a lot of young people from Europe and elsewhere to fill jobs which young people in this country need in the summertime to allow them to get going in terms of their careers and allow them to make a few bucks in order to help them with their college education.

I understand that jobs such as a waiter, waitress, or busboy—and I did some of that when I was a kid—are not glamorous jobs. But you know what. They help a little bit as far as paying for college. I know it is not glamorous to work as a lifeguard, at the front desk of a hotel or resort, as a ski instructor, as a cook or chef in a kitchen, as a chambermaid, or as a landscaper. The jobs I just mentioned will not pay huge amounts of money, but for someone who needs to figure out how to pay for college in the fall, those jobs help. For someone who needs some experience in order to get their career off the ground, those jobs help. I am concerned that kids in this country are going to be looking for jobs and employers are going to say: Well, actually we don't have any jobs; the job has been filled by some young person from Eastern Europe. So I want us to take that issue into account.

Theoretically the J-1 Program is supposed to bring young people into this country so they can learn about our culture. It is a program to expose young people from around the world to American culture, and that is a good thing. I believe in that. I believe young people in America should have the opportunity to go abroad, and young people from around the world should have the opportunity to learn about America. It is a good thing.

I fear this J-1 Program is being exploited by corporations such as Hershey's and McDonald's in an effort to simply bring students from abroad to work at low-paying jobs in the United States.

Supporters of the temporary H-2B Guest Worker Program claim there are not enough Americans willing to do these types of jobs; that in essence what they are saying is the young American people are too lazy to work at these jobs. I do not accept that. I truly do not accept it. I think it is a slap in the face not only to our young people but to the many working people who do not have much in the way of an education and want to work so they can earn some money. It is a slap in the face to say to those people: No, we are going to have to bring people in from abroad to do those jobs, such as being a waiter, waitress, chambermaid, or lifeguard. These are not high-tech skilled jobs; these are jobs our young people can do and need to do.

I have a great concern about the transformation of the J-1 Program from being a program dealing with American culture to being one where corporations are exploiting young peo-

ple from abroad to work in low-paying jobs in the United States.

I also find it interesting that instead of raising wages in this country to attract workers, what many of these companies are doing is bringing in people from abroad. We know what supply and demand is about. What we learned in economics 101 in college is that if an employer cannot find a certain type of worker, the way to entice that worker is to raise wages. Instead of raising wages, what employers are saying is: We have huge amounts of cheap labor all over the world. Instead of raising wages for American workers, we are going to bring in cheap labor from around the world, and I think that is wrong. I think as we deal with this legislation, this is an issue we have to address front and center.

When we talk about H-2B jobs, what we are talking about is people who may be working as a landscaper, amusement park worker, housekeeper, waiter, or waitress. Further, during the summer, businesses are using guest worker programs to hire young people from other countries to be lifeguards.

Maybe I am mistaken, but I kind of think there are young people in this country who can work as lifeguards and hold other positions in some of the resorts all over this country. We are talking jobs such as being a ski instructor in Vermont. I can tell everyone that in the State of Vermont, we have a whole lot of young people who are very good at skiing and can teach skiing. We don't need people from Europe to take those jobs away from young Americans.

Let me be clear—and I find this to be interesting, if not ironic—the same corporations and businesses that support a massive expansion in guest worker programs coincidentally happen to be the same exact corporations that are opposed to raising the minimum wage. These are the same corporations that support the outsourcing of American jobs, not to mention the same corporations which in some cases have reduced wages and benefits for American workers at a time when corporate America is making record-breaking profits.

In too many cases the H-2B Program for lower skilled guest workers, as well as the H-1B Program for high-skilled guest workers, is being used by employers to drive down the wages and benefits of American workers and to replace American workers with cheap labor from abroad.

Here is what it comes down to: supply and demand. If the employers of this country need labor, let them start raising wages for American workers rather than bringing in cheap labor from all over this world. The immigration reform bill that passed the Senate Judiciary Committee could increase the number of low-skilled—I hear speeches here that we are going to have

these genius high-tech guys who are going to start companies and create all kinds of jobs. Great. That is not what we are talking about here. We are talking about an immigration reform bill from the Judiciary Committee that could increase the number of low-skilled guest workers by as much as 800 percent over the next 5 years and could more than triple the number of temporary white-collar guest workers coming into this country. During the next 5 years, H-1B high-skilled visas could go from 85,000 to as many as 230,000. The number of H-2B low-skilled visas could go from 65,000 to as many as 325,000. The new W visa program for low-skilled workers could go as high as 200,000.

The first question the American people and Members have to ask is, is unemployment throughout America in States such as Arizona, Oklahoma, Vermont, Michigan so low right now that we desperately need more and more foreign workers to fill jobs Americans cannot fill?

The high-tech industry tells us they need the H-1B Program so they can hire the best and the brightest science, technology, engineering, and math workers in the world, and that there are not qualified American workers in these fields. Let me be the first to admit that in some cases I believe that is true. I have spoken to employers in Vermont. I suspect it is true all over this country, that there are areas where companies cannot find the skilled workers they need so they need employees from abroad, and to the degree that is true, let us address that issue. But let's also give some facts which suggest that may not be quite as true as some of the employers and corporations are saying.

In 2010, 54 percent of H-1B guest workers were employed in entry-level jobs. So the argument is: Hey, we need all of these brilliant guys who are going to start companies and create jobs. In 2010, 54 percent of the H-1B guest workers were employed in entry-level jobs and performed "routine tasks requiring limited judgment" according to the Government Accountability Office.

In 2010 the official U.S. unemployment rate averaged more than 9.6 percent per month. Why couldn't these types of jobs be performed by Americans?

So, again, the point is—I know some of my friends say: Every one of these guys is some genius who is going to start a company. I wish that were the case. Many of these are lower wage, entry-level jobs that certainly American workers could do.

Further, only 6 percent of H-1B visas were given to workers with highly specialized skills in 2010. That is the issue I keep hearing about, highly specialized skills, but only 6 percent of H-1B visas went to those folks. More than 80

percent of H-1B guest workers are paid wages that are less than American workers in comparable positions, according to the Economic Policy Institute. Over 9 million Americans have degrees in a STEM-related field, but only about 3 million have a job in that area.

Last year the top 10 employers of H-1B guest workers were all offshore outsourcing companies. Let me repeat that. One of the great crises we have faced in the last 30 years is that companies have shut down in America, moved abroad, and gotten cheap labor abroad. The top 10 employers of H-1B guest workers were all offshore outsourcing companies. These firms are responsible for shifting huge numbers of American information technology jobs to India and other countries. Nearly half of all H-1B visas go to offshore outsourcing firms, while less than 3 percent of them apply to become permanent residents.

Further, half of all recent college graduates majoring in computer and information science did not receive jobs in the information technology sector. In other words, we have large numbers of Americans who are graduating with degrees who can handle these jobs. Yet we are bringing in large numbers of people from abroad to do them. It doesn't make a whole lot of sense to me.

Not only would the Senate immigration bill greatly expand the number of H-1B guest workers, it also would provide an unlimited number of green cards to foreign graduates who receive a master's degree or a Ph.D. in a STEM-related field. If we are going to provide green cards to every foreign student with an advanced STEM degree, what purpose does the H-1B program serve other than to suppress the wages of American workers who are already struggling? At the very least I believe we should prohibit offshore outsourcing firms from hiring temporary guest workers.

Under the Senate immigration bill, the number of college-educated H-1B guest workers and STEM green card holders who are under 30 years of age will exceed the number of jobs that are available for young information technology graduates. What message does that send to young people in our country who are interested in pursuing careers in information technology?

Making matters even worse, I am very concerned that Senator HATCH was able to gut the very modest reforms to the H-1B program designed to prevent companies from replacing American workers with H-1B guest workers. At a minimum it is essential that these proworker reforms be put back into the bill before it is passed by the full Senate.

This country was built by immigrants. I am a son of an immigrant, and many of us are. I believe we are a

nation that wants to see comprehensive immigration reform passed. I certainly do.

Again, I wish to congratulate all of those people who have worked on this bill because there are a lot of very important and positive provisions in the bill. But I think we have to improve the bill as it leaves committee and as it comes to the floor of the Senate. What we want to make certain of is that at a time when this country continues to struggle economically, when millions of people are working longer hours for lower wages, when minority unemployment is extraordinarily high, we do not take any action that lowers wages or increases unemployment for American workers.

Again, my congratulations to those who worked on this bill, but we have a whole lot of work to do as the bill reaches the floor, and I intend to be working with my colleagues to make those improvements.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Arizona.

Mr. MCCAIN. Mr. President, I say to the Senator from Vermont that I appreciate much of what he had to say, and I look forward to working with him to see how we can best address some of his very legitimate concerns.

I would point out to my friend from Vermont that there is going to be a requirement for any of these foreign workers that first the job be advertised in a variety of ways to make sure there are no American workers who would take these jobs. I hope that to some degree resolves some of his concerns. But I paid close attention to his statement, and I look forward to addressing some of those very legitimate concerns. I thank the Senator from Vermont.

Mr. President, I ask unanimous consent to set aside the pending amendment and call up McCain amendment No. 956.

The PRESIDING OFFICER. Is there objection?

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I object. Reserving the right to object, I have some difficulty with the amendment the Senator from Arizona wishes to discuss. I have been trying to get a vote on amendment No. 1113 on flood insurance, and one of the Members from the other side is holding it up. So until we get things worked out—and I hope the Senator from Arizona will appreciate the predicament we are in. I am happy for the Senator to discuss his amendment, but to call up an amendment and to then vote on it, I would have to object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCAIN. Mr. President, I appreciate the Senator from Louisiana allowing me to discuss my amendment. I am deeply appreciative.

This amendment would eliminate a proposed catfish inspection program

within the U.S. Department of Agriculture, USDA. The Government Accountability Office, GAO, warns that this catfish program will be “duplicative” and “wasteful” of federal resources. I am grateful for the support of my colleagues who have cosponsored this amendment: Senators SHAHEEN, CRAPO, COBURN, CANTWELL, MURRAY, WARNER, AYOTTE, RISCH, KIRK, LAUTENBERG, and INHOFE.

Mr. President, I will ask to add the following senators as cosponsors to this amendment: Senators WHITEHOUSE, REED, HELLER, and COWAN.

When Congress passed the 2008 Farm Bill, a small provision was quietly added in conference that requires USDA to establish an office to inspect catfish. Just catfish. According to USDA, setting up the catfish office will cost taxpayers about \$30 million, and then cost another \$15 million a year to operate. At least 95 new government inspectors would be hired, trained, and placed throughout the United States to inspect catfish. I support ensuring that our Nation's food supply is safe—except that USDA is not in the business of inspecting catfish or any other seafood. USDA is responsible for inspecting meat, poultry, and egg products. All other food, including seafood, is inspected and certified by the Food and Drug Administration, FDA.

There is no such thing as “USDA Grade A seafood.” So why should we spend millions in taxpayer dollars every year to inspect catfish? GAO asked the same question and in 4 different reports concluded that the catfish office is duplicative of FDA functions and explicitly recommended that Congress repeal it.

It's “duplicative” because we would be wasting tax dollars on having USDA inspectors doing the same work alongside FDA inspectors. This would be a burden to any business that stores, processes or distributes seafood.

According to a GAO report titled “Actions Needed to Reduce Fragmentation, Overlap, and Duplication,” GAO said: “We suggest that Congress repeal the provisions that assigned USDA responsibilities for examining and inspecting catfish” because “USDA plans are essentially the same as FDA's hazard analysis requirements.”

In another report published in 2011, GAO said the USDA catfish program “fragments our food safety system” and “splits up seafood oversight between FDA and USDA, expending scarce resources.”

In another GAO report, simply titled—“Responsibility for Inspecting Catfish Should Not Be Assigned to USDA,” GAO said: “[USDA] uses outdated and limited information as its scientific bases for catfish inspection” and that “the cost effectiveness of the catfish inspection program is unclear because USDA would oversee a small fraction of all seafood imports while

FDA, using its enhanced authorities, could undertake oversight of all imported seafood.”

GAO is not the only critic of the catfish office. The Centers for Disease Control reports that of the 1.8 billion catfish meals enjoyed by Americans, only two people get sick a year. FDA requires foreign producers to abide by the same food safety standards as domestic facilities and turns away unsafe seafood. In fact, USDA itself says there is no benefit for having them inspect catfish. A report issued in 2010 by the USDA Food Safety Inspection Service said, “There is substantial uncertainty regarding the actual effectiveness of the catfish inspection program” and that there is “no rational relationship” between the Catfish Office and human health. That is probably why the President’s Budget for FY2014 proposes to eliminate the program. If USDA can’t justify a catfish inspection program—how can anyone in Congress?

The USDA catfish does nothing to enhance food safety. GAO says it’s a sham. USDA says it’s a sham. FDA says it’s a sham. OMB says it’s a sham. So why did Congress propose it in 2008? It turns out there’s a group of domestic catfish farmers in two or three southern States that are having a difficult time competing against catfish importers. In classic Farm Bill politics, they worked up some talking points about how Americans need a whole new government agency to inspect foreign catfish imports.

Unfortunately, there are grave trade implications if we don’t repeal the catfish program. Trade experts warn that Vietnam and other Asian exporters of catfish have a strong case that the USDA Catfish Office would constitute a WTO violation.

I have a letter from former Congressman and WTO appellate judge Jim Baucus to Congress concerning the WTO risk posed by this catfish office. He says, “There was, and still is no meaningful evidence that catfish, domestic or imported, posed a significant health hazard when Congress acted in 2008 to shift [catfish] jurisdiction from FDA to USDA, in essence singling out catfish from all other seafood products.” He goes on to say, “the United States would face a daunting challenge in defending the catfish rule . . . it will be giving other nations an opening to enact ‘copycat legislation’ which will disadvantage our exports.” This is “particularly inopportune” in the face of Trans-Pacific Partnership, TPP, negotiations that are important to American exporters.

The trade concern is that USDA catfish office is a de facto trade barrier on foreign imports. It is meant to enrich the domestic catfish industry. The USDA would ban catfish imports for 5–7 years while USDA duplicates FDA’s rules for foreign catfish farms. During that time, American farmers, dairy-

men, cattle growers risk WTO retaliation against a \$20 billion export market for American soybean, pork, beef, dairy, and poultry exports.

Is it worth sacrificing the export markets of our American beef producers, wheat and soy farmers just because southern catfish farmers don’t want to compete? Absolutely not.

USDA catfish office serves no public health purpose and duplicates FDA work in inspecting catfish. It wastes millions of tax dollars just so that southern catfish farmers will have less competition. My amendment would eliminate the USDA catfish office just as GAO recommends.

I urge my colleagues to support this amendment.

I also wish to say to the distinguished managers of the bill that there are a number of amendments—my colleague from Oklahoma has them—and it is going to be regrettable if we are not able to take up and address these amendments. It is not really what we had agreed to when we took up the bill. So I hope there will be another opportunity.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I do not like at all objecting to the McCain amendment, but I am compelled to because I have been literally trying for several weeks now—not just on this bill but the previous bill—to get a vote, just a vote. I will even take a 60-vote threshold. I am not asking for a 53-vote threshold; I will accept a 60-vote threshold on an amendment that will make it clear that we could grandfather in flood insurance rates until an affordability study that was supposed to be done is done.

The interesting thing about this is that my amendment has no score. It wouldn’t cost the Federal Government anything if this amendment were to pass. It is a zero score. It simply delays for 3 years a certain category of flood insurance premium until an affordability study can be conducted. It is a zero score.

Unfortunately, the Senator from Pennsylvania, to my knowledge, is still holding up this amendment. So I know there are other Republicans who would like to offer amendments, but I am going to object to the offering or voting on any Republican amendments until the Senator from Pennsylvania allows me to have a vote on my amendment.

I hate to be here because I don’t like being in this position, but I have no choice because I can’t even get the Republicans to vote on the flood insurance amendment. They can vote no. The amendment may not pass. I think I have the 60 votes to pass it. I hope it will. We have explained it. It is important not just to Louisiana but to New York, California, New Jersey, and even Virginia has some issues.

Please understand, because I have a lot of respect for Senator COBURN—he and I work together on the Homeland Security Committee. I know this program has to be self-sustaining over time. No one depends on it to be self-sustaining more than the people in Florida and Louisiana and California. But there is a right way to get it self-sustaining and there is a wrong way. The wrong way is going to blow up the dreams of people who built their homes according to official flood maps, who did everything they were supposed to do under the official flood maps, and then when those maps changed, their rates then can go up 25 percent, compounded for the next 5 years, not only pricing them out of the market but making their homes unsellable, and it affects banks in these communities.

This is not just a Louisiana issue. I am proud to advocate so much for my State that when people come here and see me, they say: Oh, there she goes again, advocating for Louisiana. I wear that as a badge of honor. Let me be clear. My State has the 32 lowest kinds of rates of insurance on these claims. I am not even in the top three. This is affecting States—and I read them out earlier. Let me just say for the record that the top 10 States affected are Rhode Island, Connecticut, Massachusetts, Vermont, New York, Maine, New Jersey, Pennsylvania, Alaska, New Hampshire, Illinois, Michigan, West Virginia, Missouri, Indiana, Iowa, California, and Ohio. These are the States with the highest premiums now, and they could double or triple—actually almost triple—in the next 5 years.

Maybe some of these rates need to go up. Interestingly, when the recalculations are done, some of the rates around the country will go down. I am not disagreeing with that. What I am disagreeing with is the rapid rate in which it is going to happen, and it is going to have catastrophic effects on many communities—not all but many—and I happen to represent some of those on which it will. So my realtors have asked me to stand up for this. My homebuilders have called with concerns. My community bankers are very concerned.

I wish to thank the Senator from Michigan and the Senator from Mississippi. I know they are doing their very best job to move this bill forward. I think they have been quite fair, giving people on both sides an opportunity for amendments. I have been very patient. I have not objected to many amendments. The irony of this is that even the Toomey amendment—the Senator from Pennsylvania, my friend, who was going to end a program that was vitally important to my State, I even allowed him to have a vote on that. I mean, it is a terrible amendment for Louisiana. We were happy we beat the amendment, but I even allowed him to have a debate. I could

have stopped it. I am one Senator here. One Senator can stop anything. But I am not trying to stop this, I am just trying to advance a vote on flood insurance.

So maybe Senator COBURN and Senator MCCAIN can be more convincing to their colleague from Pennsylvania than I have been. But I will just say for the record that if I have to stay on the floor until the end of the week, I will have to stay here, but I will object to any Republican amendment until we get a vote on the Landrieu-Vitter, et al., Schumer, Gillibrand, Menendez—and our good friend Senator LAUTENBERG who just passed was also a supporter. I would like to keep his name on it, if I could.

I yield the floor, and I am very sorry, I say to my colleague from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I somewhat associate myself with the remarks of the Senator from Louisiana. We have unwound because we don't want to have real debates and real votes. We just fixed the flood insurance program. We didn't fix it well enough, and if Senator LANDRIEU is allowed her amendment, I will vote against it, but I think she ought to be able to have her amendment.

The reason the Senate isn't working is because we want to use a procedure that has never before been used except in the last 2 or 3 years in this body, and that is to limit the rights of Senators to offer amendments.

The fact is that Senator LANDRIEU may, in fact, win her amendment, but there is another chance. The House may not go along with it. There will be a conference committee. It may not go anywhere. She didn't win this when we fixed the flood insurance. She wasn't for us raising it to the extent we did. We didn't raise it nearly enough to make it healthy yet. And delaying the 3 years will markedly hurt the Flood Insurance Program, which is operated through FEMA, and I am the ranking member on that subcommittee. But the fact is that she ought to be able to offer her amendment. I agree with that.

So what I am going to do is painfully go through and talk about every amendment I have for the farm bill. I understand there will be objections. If there are objections to mine—and even if the Landrieu amendment gets cleared, I am going to object to everybody else's until mine are cleared.

So we can either keep going around in this circle or we can start acting like grownups and have debate. Even if a Member doesn't like an amendment, we can vote on it. And if a Member is not capable of defending their vote on any issue, they don't have any business being here in the first place.

But to not vote, to not allow the managers of the bill to operate the bill

the way they want to operate it and put it on the table—because the majority leader is going to file cloture, and so all of these amendments are going to fall, which may be pleasing to the managers—I don't know—and only the germane amendments are going to be available, and they are going to be under a time constraint. So the American people are actually going to get cheated out of a full and rigorous debate on what ought to be changed in this bill.

So I am going to act as though the amendments are approved even though they are not, and I am going to debate the amendments. I am going to propose every one of them, and I am going to let the Senator from Louisiana object, and then she can explain to her constituents the dysfunction of the Senate. It does not just happen on the Republican side, I would remind my colleague from Louisiana. There are plenty of unilateral objections on the other side. And if we are going to operate this way, then nothing is going to happen in the Senate.

With that, I will begin.

Ms. STABENOW. Mr. President, will the Senator yield for a question?

Mr. COBURN. I will be happy to yield for a question.

Ms. STABENOW. I thank the Senator.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I thank my friend. Before the Senator proceeds with his unanimous consent request, I would ask the Senator if he would agree that when we brought the farm bill to the floor the last time, we had 73 votes and it was done in a large agreement, but we worked through every one of them. I agree. My preference is—as I know our distinguished ranking member's preference is—to be able to work through amendments and to have votes and so on. Would the Senator agree that process worked last time—and I know my friend did not end up voting for the final bill, but we did work through a process of 73 votes; it was a very long day or 2 days, I think, actually—and that would be a good way to proceed on this bill?

Mr. COBURN. I agree.

Ms. STABENOW. Mr. President, I certainly yield back to my friend, but I just want to indicate that is what we have been working on doing, and we do, in fact, have objections from various Members for various reasons. But we have been spending our time hoping to come up with—even postcloture it would be our desire to come up with a finite list of amendments that we could then move forward and get an agreement to vote on because I am very happy to have additional votes on the bill.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I ask unanimous consent that the pending

amendment be set aside and Coburn amendment No. 1003 be called up.

The PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. Mr. President, I am going to talk about this amendment. This is an amendment that prohibits—let me set the stage for it. We are going to have somewhere between a \$500 billion and \$700 billion deficit. We have \$17.5 trillion worth of debt today. What this amendment does is it prohibits people who are tax evaders from receiving government assistance, including grants, contracts, loans, and tax credits provided in the farm bill, with the exception of SNAP. So we are still going to take care of the food provision. Even if they refuse to pay their taxes, we are going to still provide them food. But we are not going to allow them, with this amendment, to take advantage of other programs within the farm bill or any other area that is associated with direct grants or associated with the Agriculture bill.

The most critical issues facing our country today—and everybody knows how to solve it. We know what has to be done to save Medicare. We know what has to be done to save Social Security. We know we need to reform the Tax Code so we generate more jobs, we generate more income to the Federal Government. We know all that. But we have billions of dollars that are owed—it is not being contested; it is owed—and then we turn around to those same people who owe us billions of dollars and give them programs and benefits. Whether it be conservation payments or whether it be crop insurance or whatever it is, we turn around and give them money. I think the average tax-paying American does not agree with that.

Part of being a responsible citizen is paying the taxes you owe. We are not talking about things that are in dispute. We are talking about settled agreements that are not paid, and they continue to not be paid, and it is billions of dollars.

This provision would not apply if the individual is currently paying the taxes, interest, and penalties that are owed to the IRS; if the individual and the IRS have worked out a compromise on the amount of taxes, interest, and penalties and it is in the process of being repaid; if the individual has not exhausted his or her right to due process under the law; if the individual has filed a joint return and successfully contends that he or she should not be fully liable for the taxes in a joint return because of something the other party to the return did or did not do. Further, this provision would not apply to SNAP payments provided in the bill.

Farm income is subject to very little scrutiny and reporting requirements.

In fact, there was a 78-percent reporting gap in farm income reported to the IRS just last year—a 78-percent gap. This is by far the largest gap in individual income reporting to the IRS.

In a time of strict budgets and when many in Washington are calling for an increase in revenue, it is inappropriate for us to continue to provide funding to individuals who owe back taxes and are not in compliance with their obligations. Total taxes owed in the United States in 2006 were \$2.66 trillion. The gross tax gap for that year—taxes owed but not collected—was \$450 billion. The net tax gap in 2006—taxes still not paid after late payments enforced—was still \$385 billion. Now the President wants another \$600 billion or \$800 billion. What we have to do is start figuring out ways to collect the taxes that are owed.

According to the Internal Revenue Service, the difference between the amount legally owed in taxes and the amount actually collected was this \$385 billion. That is the most recent year the IRS can give us—5-year-old data. Mr. President, \$28 billion that was owed was because people failed to file. Underpayment was \$46 billion, and intentional underreporting of income was \$376 billion.

So what this amendment does is it just puts a prohibition in place. It says: You cannot have this money if you owe X money and it is settled, it is not under dispute. So it is not about not giving people their rights. It has already been adjudicated. Why would we not want to do that with the farm bill? Can you think of a reason why we would not want the people who owe taxes, who already have agreed they owe the taxes—that we are going to give them money, and they are not going to pay the taxes they owe the Federal Government?

It is a commonsense amendment. We are not going to get a vote on that, and we are not going to get a vote on it because we have cowardly Members of the Senate—and I am not talking about the Senator from Louisiana—who refuse to come down here and voice their objections to bills and refuse to debate why they will not allow an amendment that does something for the future, that actually will make a difference in a kid's life in the future, that will actually increase some income so we can afford the Flood Insurance Program we have. They will not come down and debate it and express an opinion why they will not allow a vote on it. It dishonors the Senate.

Mr. President, I ask unanimous consent that the pending amendment be set aside and amendment No. 1004 be called up.

The PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. Mr. President, I object to that as well, but I know the Senator wants to speak about it.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. Mr. President, this amendment ends conservation payments to millionaires—people who make a million bucks a year.

We have a rule at the USDA that says people making \$1 million a year are not supposed to get these payments. But guess what the USDA does. They waive the rule. What this amendment would do is say you cannot waive the rule.

If you, again, are talking about our debt, the very well-heeled, the very well-connected are getting a majority of the conservation payments in this country. They are the ones most capable of doing conservation on their own land, and do, but now they do it with the assistance of my or the President pro tempore's grandchildren because what we are actually doing is paying them dollars that our grandkids are going to have to pay back. What we are doing with this program is incentivizing people to do what they are already going to do in their best interests.

All I am saying is, enforce the rule, the law today. Do not give the Department of Agriculture the ability to waive. If somebody is making \$1 million a year, they do not need our help right now. Our kids need that help, our grandkids need that help, our schools need that help. They do not need that help.

Ms. STABENOW. Mr. President, will the Senator yield for actually a question and a clarification?

Mr. COBURN. Absolutely.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. I have good news for the Senator. On page 309 of the bill, based on the fact that we took the amendments from last time, his language is in the bill. It was part of the 73 amendments that were offered. As I indicated earlier, we included everything that was, in fact, passed by the Senate on the floor last time so that people would know that their amendments were included in the bill. There was one exception to that, which was the Coburn-Durbin amendment, which was, in fact, revoked on and is now a part of the bill. But I refer the Senator to page 309, section 2610, "Adjusted Gross Income Limitation For Conservation Programs." So the Senator is correct. It was passed last time. And the good news is that it is in the bill.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Well, Mr. President, I thank the chairman of the committee. I will double-check that with my staff. This excludes something that was in the bill, so I will have to look at what the old bill said to be able to concur with that. If that is the case, then there should not be any problem with accepting this amendment if, in fact, it

is not complete because it is the intent of the authors—both the chair and the ranking member—that this limitation be a part of this farm bill.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, if I might, I say to the Senator, we will work with you and look at the intent, and it is the intent. I would also just in passing indicate that hopefully we will have an opportunity, as we come to a universe of amendments, as we did last year, to have the Senator's previous amendment that he talked about, which is also one that I support.

So as we work through this, again, what we need to do is what we did last time: to come up with a universe—it can be large or small—and in the interest of time make sure a variety of Senators have the opportunity to offer different amendments as well—not just one or two Senators but that a number of Senators have the opportunity to—and hopefully Members will be willing to come together and put together a list that includes Senator LANDRIEU's flood insurance amendment, which is absolutely critical. We have other amendments. Senator GRASSLEY has an amendment we have been working on to pair with Senator LANDRIEU's that we would like very much to put together. I would be very interested in including Senator COBURN's amendment No. 1003, which he talked about previously, because I think it makes sense.

So right now we are at a point where we just have to get people positively working together on a list that we can move through together. But the good news is, I say to Senator COBURN, the one you are speaking about, I believe, is as you had offered it last time. But we will be happy to work with the Senator.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I thank the chairman of the committee.

Mr. President, I ask unanimous consent that the pending amendment be set aside and amendment No. 1005 be called up.

The PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. Mr. President, 3½ years ago, with the debt limit increase, my colleagues and I overwhelmingly voted to ask the GAO to study duplicative programs in the Federal Government. This last April they gave the third in what will be a continuing roll-out of the programs in the Federal Government.

I will say that the Director of the OMB followed another amendment that I offered directing that all the programs of the Federal Government be published. They made their first stab

at that. This was last week. Director Burwell, in whom I have the utmost confidence at OMB—a stellar individual—made the first attempt. The problem is, what is a program in the Federal Government? There is no definition. So we have a rough start in an attempt to do that.

But what the GAO has done—and they are magnificent employees—over the last 3½ years is identified at least \$250 billion of waste and duplication that we ought to be getting rid of.

Here is an amendment that is not highly prescriptive but recognizes what GAO told us about food assistance programs—domestic food assistance programs. We did not make any attempt in this bill to streamline those or consolidate them or put metrics on them. So this amendment tries to bring that together through the USDA to put, No. 1, metrics on them; and, No. 2, combine the ones that are duplicative so we can actually be effective in what we intend them to be, but also be efficient.

Those are two words that hardly ever happen in Washington, “efficiency” and “effectiveness.” GAO found signs of overlap and inefficient use of the resources within the 18 different programs. Now, we have 18 different programs. Three of them are outside of the Department of Agriculture. One of them is in Homeland Security.

First of all, there should not be a food assistance program in the Department of Homeland Security. Two of them are at HHS. We should not have duplicative bureaucracies in those other two departments when we have a bureaucracy in Agriculture. But of those 18 programs, what they found was the following: In 11 of the 18 programs, there was not enough research to even determine whether the programs were effective.

We do not know if what we are doing is working because never when we pass these programs do we require a metric or some type of method to assess their effectiveness. So that is one of the things this amendment will do. It allows the Department of Agriculture to do that. As a matter of fact, it mandates it. Is it effective? What parameters are you using to say it is effective? In other words, if the American taxpayers are going to spend money on this program, ought they to know whether it works? I mean, only in Washington do we do programs and not know whether they work and not ask whether they work.

So in 11 of the 18 programs there is not enough knowledge even at the Department of Agriculture to know whether they are working. This amendment requires the Department of Agriculture to evaluate the following 10 programs: Child and Adult Care Food Program, the Community Food Projects Competitive Grant Program, the Emergency Food and Shelter National Board Program, the Grants to

the American Indian, Alaska Native, and Native Hawaiian Program, the Organizations for Nutrition and Support Services Program, the Food Distribution Program on Indian Reservations, the Fresh Fruit and Vegetables Program, the Senior Farmer Market Nutrition Program, the Summer Food Service Program, the Emergency Food Assistance Program, and the WIC Farmers Nutritional Program.

Now, let me just mention one of these. The Summer Food Service Program, as announced by KOTV in Tulsa, OK, just last night, no matter who you are they are going to feed you two meals a day in the summer, whether you make \$100,000 a year or whether you are in need of a meal. So, first of all, we have a problem with that program. We ought to be supplying food for people who need food, not for people who do not need food. Smart people are going to take advantage of that and say: Man, I can get two meals a day. I am not in need, but since it is free I am going to take it.

Last summer we served 180,000 meals in Tulsa. A large proportion of those were not people in need. So I have no objection to helping people who have need, but here is a program that has no limits on it and no metrics on it. It is a wide open program—well intentioned, but there is not a metric and there is not a limitation.

So here is all we are saying with this amendment: Here are 10 programs, Department of Agriculture. Determine whether they are effective. And, by the way, how did you determine that? What were the parameters you used to do that?

That is just common sense. Why would we not want to know if the programs are working? Why would we not want to know if they are efficient and effective? Why shouldn't we look at it when we are running—we are down to 24 cents on the dollar that we are just borrowing against our kids' future from 48. That is because of the economy growing last year to the tune of \$360 billion coming in, and \$620 billion over the next 10 years in tax increases on the very wealthy in this country. So we are down to 24 cents, but we are still borrowing 24 cents out of every dollar we spend. Why would we not want to spend the time to make sure these programs are effective and efficient?

It is very straightforward. This amendment also eliminates one program, the Commodity Supplemental Food Program, and moves any incomplete or ongoing projects to the appropriate USDA programs. USDA proposed eliminating this program which targets low-income pregnant women, children, persons age 60 or over, but Congress continued to fund the program. The reason they wanted to get rid of it is because there are already programs that duplicate this one. Yet here we

find it is still going to get funded. It is going to get authorized. Even USDA says we do not need this program.

It is the only program we have—in 2012, the program was funded at \$177 million, and it duplicates SNAP, Grants to Native Americans, the Home Delivered Nutrition Program. In other words, USDA already recognizes it is a duplicative program. They have asked for it to be eliminated. We did not eliminate it. So this amendment would eliminate it.

This amendment also eliminates the Senior Farmers Market Nutrition Program and moves the nonduplicate function to the WIC Farmers Nutrition Program. Both of these programs do exactly the same thing. They provide grants to participating States to offer vouchers and coupons and electronic benefit cards to low-income participants that may be used in farmers' markets, roadside stands, and other approved venues to purchase fresh produce.

They provide exactly the same assistance to women, children, and seniors and should be combined. GAO says they should be combined. USDA says they should be combined. But they are not combined in the bill. All cost savings from the elimination of those consolidations and three eliminations are directed toward providing food assistance. In other words, none of the money comes back out. It goes back into programs that have proven to be effective.

This amendment also directs the USDA to coordinate with the Health and Human Services Administration on Aging to identify and address fragmentation, overlap, and duplication between the programs providing food services on Indian reservations where we have a real need. So we are not just looking for duplication, we are looking for gaps in service.

It also requires them to report their recommendations back to Congress. Since I do not want to use my big slides today I will use my small slides.

Here are the food assistance programs, all 18 of them. Fifteen are run at the Department of Agriculture, two are run through HHS, and one through Homeland Security. Yet GAO says we can collapse these 18 into 10 and be more effective and get better nutrition to the people in at-risk groups. We have not done it. So it is like we asked GAO to do all of this work, and then we did not pay any attention to it.

I ask that the pending amendment be set aside and amendment No. 1006 be called up.

THE PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. I object. May I say something? First of all—

THE PRESIDING OFFICER. Would the Senator yield?

Mr. COBURN. I will yield for a question, but I will not yield the floor. I will be happy to yield for a question.

Ms. LANDRIEU. I would ask the Senator, does he know that some of us are very sympathetic with the amendments he is offering, and does he know some of us would actually really like to vote on some of those amendments? I am sure he is aware. Is he aware that I am sorry that I have to object, but it is the only way I can get my amendment up.

Mr. COBURN. I would respond to the Senator from Louisiana, I have no ill will toward her objection. I stated it plainly before. I believe the Senate ought to have any and all amendments prior to cloture. I think Senators have the right to offer anything they think is pertinent to this country on any bill that is going through here. I used that tactic for the first 3 years I was in the Senate. Nobody objected. Now that we have become so partisan and so cowardly that we are afraid to vote on issues, and that we abuse the rights in the Senate to the detriment of the whole body, I hold no ill will against the Senator for objecting.

The point is, is the country worse off for it? I am sure some of my colleagues do not want to have to vote on some of my amendments. I understand that. There are amendments I do not like voting on either, but I have no problem going home and taking a stand. The fact is we can figure out what we are for and what we are against. You know, the fact is, when it goes through here it does not mean it is law. What it means is it has to be conferred with the House. We ought to let it roll. We ought to open the spigot and let things roll in the Senate, have the votes.

We used to have 10 and 12 votes at a time. We used to do bills. Come down and all morning long we would be offering amendments. We would have committee hearings and other things in the afternoon. At 4 o'clock we would come down and vote, 9, 10, 8 amendments. The next day we would do the same thing. The next day we would do the same thing.

So the fact is, if we really want to get our country back, if we really want the confidence of the American people to return to those who represent them in Washington, we have to start saying, you know, you cannot win everything. I am going to try. If I lose, I lose. But I tried hard. That is how we ought to play the game.

The fact that we have people abusing the process on both sides, not just one side—I will never forget, former Senator Akaka, one of the loveliest men I have ever met in my life, when I first came to the Senate and offered an amendment that was not germane, he objected to it. One of my colleagues stood up and said: Senator Akaka, do you really mean that? You have to understand where that starts. If you object to his amendment, that means in the future I am going to be objecting to your amendment, and we have not done

that. What we actually want is a free-wheeling, open amendment process so people can be heard.

The fact is I represent 4 million people. The Senators from California represent 37 million. Everybody's voice ought to be heard. We each ought to be able to have our voice heard. We each ought to be able to offer amendments. We ought to be able to get votes on those amendments. What are we afraid of? Is the next election really that important that we do not want to allow people to offer their ideas, in what used to be the greatest deliberative body? It certainly is not now. It is not anywhere close. Do we really not want ideas to be offered and debated and the American people to understand what is at stake?

I mean, what I have offered today maybe not everybody would agree with, but you cannot disagree that it does not make sense; that it is not common sense; that we should not be more efficient and more effective; that we should worry about the future as we worry about the present; that we ought not to be spending 24 cents out of every dollar by borrowing it from other people in the world or having Ben Bernanke print it at the Federal Reserve.

We can solve these problems. The grown-ups need to stand and say we are going to have debate, we are going to have amendments, even if we do not like them.

So I have no ill will toward the Senator from Louisiana. I have ill will for the process that has devolved. I think the shame is that the American people are being shortchanged by the lack of debate and lack of votes.

I think this amendment, even though objected to, is another critical area where we do not have our eye on the ball. This is an amendment that relates to the Specialty Crop Block Grant Program. What it does is in this bill it has been increased, the amount of money has been increased to \$70 million a year. It was at \$55 million in 2012. There is nothing wrong with having this block grant program, but I want to show you how we can save \$75 million over the next 5 years. And \$75 million is not chump change, it is \$75 million.

The amendment freezes spending for the specialty crop block grant at \$55 million authorized by the bill. The amendment prioritizes food safety and access to affordable foods for school-children and low-income families. One-third of the projects funded by the Specialty Crop Block Grant Program last year were for marketing and promotion. They were not for kids, they were not for seniors, they were spending money to promote.

Let me show you who got the money. Let's see. We spent money to promote the emotional benefits of real flowers and plants in the home. That has to be a priority right now; is it not? We are going to borrow \$500 billion this year.

We are going to spend money to make sure everyone in America knows the emotional value of having real flowers and plants in the home. That is a priority right now. How about grant funds for floats that travel to fairs and festivals and encourage people to eat more fruits and vegetables? That has to be a priority. We are going to pay for a float that goes around to all these festivals so we can promote eating. People know about eating properly. Could we spend that dollar in a better way and get a better effect?

How about wine receptions and tasting? By the way, the Market Access Program already covers it, but we take money from this block grant program and promote wines in China and in Taiwan. We do it also with the Market Access Program. Here is an absolute direct duplication. We are spending millions of dollars promoting something that another program is designed to promote, and we didn't do anything about that.

How about a short video showcasing pear growers and promoting State wines in Mexico and in India? Again, duplication of what the Market Access Program does, but we take from the Specialty Crop Block Grant Program. We have one program for market access and promotion and then we take a different program and use it for exactly the same thing.

Specifically, the amendment requires that no less than 80 percent of the total funding appropriated for the Specialty Crop Block Grant Program be spent on the following: increasing access, availability and affordability of specialty crops for children, youth, families and others at risk, including but not limited to specialty crops for meals served at schools and food banks; ensuring food safety; protecting crops from plant pests and disease; and production of specialty crops.

That is what it was originally set up for, by the way. It wasn't set up to promote wines in India or China or Taiwan or Brazil or Mexico. So part of it is the way we wrote the bill that allows USDA to give grants that go outside the original purposes of it. Funds could still be spent on marketing promotion but not at the expense of crops and consumers.

I ask unanimous consent that the pending amendment be set aside and Coburn amendment No. 1007 be called up.

The PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. Reserving the right to object, may I ask the good Senator from Oklahoma, since he has talked about three amendments, may I ask unanimous consent for my amendment, to see if anybody would object to it?

Mr. COBURN. I would be happy to yield a limited time for the Senator to ask for unanimous consent.



The PRESIDING OFFICER. Without objection, the Senator from Louisiana is recognized.

Ms. LANDRIEU. I will try to do this in less than 3 minutes.

I ask unanimous consent that the pending amendment be set aside and the following amendments be made pending en bloc: Landrieu No. 1113, Johnson No. 1117, Cardin No. 1159, and Grassley No. 1097; that the time until 5 p.m. today be equally divided and controlled in the usual form and that at 5 p.m. the Senate proceed to vote on the amendments listed; that there be 2 minutes of debate prior to each vote; that no second-degree amendments be in order to any of the amendments prior to the votes and that the amendments be subject to a 60-affirmative-vote threshold.

I would also like to add that I would not object personally to having one of Senator COBURN's amendments added to this list, but this is the list I was given to ask unanimous consent for—just four amendments, two on flood insurance and the Grassley amendment on freedom of information regarding EPA.

So we would have votes, all of them requiring a 60-vote threshold, with both sides having a side-by-side, which we sometimes do in this body so if someone wants to vote no they can then have something to vote yes for. This is the most reasonable way I could present this list to help us get a vote on flood insurance and another important amendment to Senator GRASSLEY, a Republican. I am a Democrat, Senator GRASSLEY is a Republican, so it is very balanced on each side.

So I am asking unanimous consent to try to get a vote this afternoon.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, reserving the right to object, the Senator from Louisiana is proposing an amendment that I strongly disagree with the substance on. Despite that, I don't object to her having a vote on her amendment. What I object to is the fact there are only four Senators who get to have amendments.

We have a list of maybe a dozen, maybe it is 15 amendments, that Senators from our side have been requesting to have considered and they have been objected to all week long. Now we are told that soon we can expect the majority leader to file a cloture motion on the bill which will lead to shutting off this bill entirely. This seems to me a clear strategy to block amendments.

So far we have had 10 rollcall votes on amendments on this bill. Of those, three have been Republican. Last year, the farm bill had 42 rollcall votes. What I would like to do is work this out right now, and we can do that, as far as I am concerned, if these amend-

ments could be made in order. Maybe there are others on your side, and I would welcome them.

I have no objection to the Senator from Louisiana having a vote on her amendment, but I don't think we should be doing just these four or some subset thereof and continuing to shut out all the other Senators who have been trying to get their amendments agreed to.

So, for that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I would respond to the Senator from Pennsylvania, then I will relinquish the floor to the managers of the bill because it is their responsibility and they have been doing a great job trying to help us get through the farm bill.

I wish to thank the Senator from Pennsylvania because this is real progress. He said he will not object to a vote on our amendment on flood insurance. I appreciate that because I know he has strong objections to it. I may not win the vote, but the people in my State have asked me to do everything I can to fight for them. This is a very serious issue in the State of Louisiana, in Texas, in Florida, in Rhode Island, in Maine, in Massachusetts, in Vermont, and even in Pennsylvania.

So I thank the Senator. Let me yield the floor back to the chairman of the committee to see what could potentially be worked out, but I am so happy the Senator will not object to a flood insurance amendment if we can ever get to one.

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Does the Senator from Oklahoma yield?

Mr. COBURN. I yield to the chairman of the committee.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. I realize the Senator from Oklahoma has the floor and he wishes to continue with his amendments.

I wish to speak to all the Members who are on the floor as well as those who are in their offices, because, as everyone knows—again, to hearken back to the last time around we did this—we had 73 amendments. Not all of them took a recorded vote, but we did come up with a finite list. It was 73. It was a big list, but we came up with a list.

That is what we are trying to do now. We have been working with colleagues. We want that list. No one wants that more than I and Senator COCHRAN—to come up with a group of amendments, so everyone knows what we will be voting on so we can begin to move through that.

I indicated we had included in the bill the amendments we had voted on the floor the last time. I did make one error that my staff reminded me of.

There was one we did vote on that is not in here, which was the amendment of Senator MCCAIN on catfish. That was not included, in deference to those who had objected. But everything else that was of substance, as I understand, is in the underlying bill.

I also do want to note the distinguished Senator from Oklahoma did have a significant amendment that came very early in this process. In fact, it was one I did not support, but he won his amendment. We could have blocked it. I could have objected, because I don't support the policy, but I did not do that. So the Senator's amendment did pass, even though I voted no and do not support it. So from my perspective, as the chair of the committee, I am happy to have debate. I am happier when I win than when I lose, but I am happy to have debate.

We want to put together a universe of amendments. Right now we don't, at this point, have time to go through 150 amendments. So we have to find out what is a priority for everyone, put together a finite list, and we are going to continue to work on that. If the majority leader files cloture, we can still continue to do that. We can put together a finite list, vitiate the cloture vote, and move to a vote on a group of amendments.

That would be my preference. I know it would be the preference of Senator COCHRAN as well. So we are going to continue to work on that, whether cloture is filed or not—see if we can't come together with a group of amendments and, hopefully, we will be able to get that done. That is my preference on how to do a bill. We will continue to attempt to make that happen.

I appreciate the time allotted, with the Senator from Oklahoma yielding to me, and we will continue to work with him as well as all Members to move to a place where we can have an opportunity for amendments to be offered in a timely manner to get the bill done.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma to set aside the pending amendment?

Ms. STABENOW. On behalf of Senator LANDRIEU, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. Mr. President, I think I am starting to hear the Senate starting to work the way it should, and so I am going to offer a unanimous consent request that the list she presently has, with the ranking member, the Senator from Mississippi, of a large number of amendments be considered as read and in order; that the list the Senator proffered, which went through both cloakrooms this afternoon, I ask unanimous consent that be agreed to and those be filed and considered.

The PRESIDING OFFICER. Is there objection?

Ms. STABENOW. Reserving the right to object, that is, unfortunately, an unrealistic motion from my perspective.

We have to work with Members. Many Members, including the Senator who is speaking, have multiple amendments and we need to get a list of priorities from people so we have a smaller list we can work with to get this done in a timely manner.

So I object at this point. I would like very much to see us get together a list but to do this in a way where some Members have many amendments and others have very few—

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

Mr. COBURN. Since objection is heard, it was my understanding the Senator from Michigan had an agreed-upon list that was sent to both cloakrooms.

Ms. STABENOW. No. I wish I did.

Mr. COBURN. Failing that, what I would propose, based on what I have heard out here this afternoon, is that the chairman put it together and let's try it and let's ask unanimous consent.

The fact is the chairman and ranking member of this committee have worked hard to get this bill. We can do this bill. But one thing the Senator said in her statement is she wants a finite list. That is fine. What we want to do is have an open amendment process. So as the Senator considers that, let's move it.

Here is what will happen, and here is what used to happen in the Senate, for my colleagues who are new. People file all sorts of amendments, including me, and about half of them we wouldn't bring up. So we don't know in this universe of 150 how many are truly serious, how many are done filing an amendment and made a statement, such as I did on one amendment changing the name of SNAP. I have no intention of calling that up, but I wished to make a statement about whether it is really nutrition—the Supplemental Nutrition Access Program. So I would suggest the chairman and ranking member put that out there. Give it to me and let me offer a unanimous consent request on the floor live. We have had a great debate. We understand what the problems are. Let's start voting. Let's start debating and voting.

When we consider all the time huddled in a group of staffers, we don't do anything. We don't debate the bill, we don't vote the bill, and so, consequently, the American people get shortchanged. So I will offer that unanimous consent request. I will not even participate in what is in the mix. I believe the process ought to move forward, whether I win or not. The fact is it is selfishness on the part of our colleagues, because they do not want to vote on something, that keeps us from doing the country's work.

I believe we are at a seminal moment right now in the Senate where we can change what is happening in this body if, in fact, we will lead in doing that. I

know the President pro tempore wants to see that happen. I believe my colleague from Michigan wants to see that happen. I know the ranking member has had that philosophy for years in the Senate. He taught it to me. I learned that from him.

I offered a lot of amendments that he opposed and didn't like, some of them affecting Mississippi, and he beat me every time. But he never said, You can't offer the amendment.

I think we are at a seminal moment. Let's start moving things. What I will do is call on the ranking member and the chairman: Give me that list. Let me go fight for it. Let's break this beaver dam in the Senate, and let's start acting like grownups here.

Ms. STABENOW. Would the Senator be willing to yield?

Mr. COBURN. I would be willing to yield for a question.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Let me first say that if I am hearing the Senator right, he will work with us to move forward on a unanimous consent request on a list of amendments. I certainly would welcome his doing that.

I also do need to indicate we spent last week and this week moving amendments. We started moving amendments. The Senator's was one of the very first ones we did vote on. We have been working together today, trying to move in small groups amendments to be able to get things moving, now facing objections as we do that. But we did have the opportunity to do a number of amendments last week and have moved forward to vote on some. We will continue to do that with colleagues. That is our intent.

Again, if my friend will remember, this is the second time around for us. We have already done this once. We are back doing it again. We want to get it done. We want to have the opportunity for people to offer more amendments.

Mr. COBURN. I know there is a question in there somewhere.

Ms. STABENOW. Yes, there is a question. If I might say to my friend I am hearing that he is desiring to work with us in order to get together a list. Is that correct?

Mr. COBURN. That is correct.

Mr. President, I have a unanimous consent, and I want to preface this unanimous consent. There are 150 amendments, I think the chairman said, or thereabouts. A lot of those aren't going to require votes; some are. I ask unanimous consent that every amendment that has been filed at this point be considered as read and considered debatable and votable.

The PRESIDING OFFICER. Is there objection?

Ms. STABENOW. There is objection.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. If an objection is heard—I retain my time.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. I would appreciate my time.

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Mr. COBURN. Let me make this point. If the Senator from Michigan wouldn't have objected, we could start voting tonight, we could vote tomorrow, we could get through those. Half of those will be pulled, and we would be almost to the same number of votes you would have had, that you did have, the last time the bill came to the floor. So do we really want to break this logjam? Let me offer it again. We can move this thing. Let's just do it. Let's go out and vote. Let's take the tough votes. Some of us are going to get bruised. Big deal. We are all grownups. Let's have the votes. Let's move amendments. Let's debate in the Senate. Let's do the country's business. Instead, we are not going to do it.

There is a compromise. More than half of those will be withdrawn. My colleagues know that. Let's put them all in order. Let's vote them, let's take care of it, and let's be grown up and get the Senate back to where it is supposed to be.

I am going to offer my unanimous consent one more time, that every amendment that has been filed today as of now be considered as read and pending.

The PRESIDING OFFICER. Is there objection?

Ms. STABENOW. Reserving the right to object, let me indicate, as the manager of this bill, I appreciate the advice we are receiving from the Senator from Oklahoma, and we will certainly look forward to working with him and receiving his advice. We are managing the bill on the floor. We appreciate very much the efforts of the Senator to come down and move things in the direction he wishes. We will continue to manage this bill in a way that is fair and open and work with all of our colleagues and look forward to getting this done.

I would—also reserving the right to object—indicate we have a bill in front of us that affects 16 million people and their jobs. We have a bill that is \$24 billion in deficit reduction, unlike any other bill that has come before us in bipartisan deficit reduction. We have a bill in front of us that has eliminated 100 different authorizations or programs because of duplication, which I know is near and dear to the heart of the Senator from Oklahoma.

We have a bill right now worthy of voting on and passing. We will continue to work with all of our colleagues to move this forward to get this done on behalf of the 16 million men and women who work in agriculture. We will certainly take his ideas under consideration as we move forward to manage this bill.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. Mr. President, fair and balanced consideration to our colleagues is allowing them to have amendments, and the Senator just objected to that. So that is where we are. That doesn't keep her from managing the bill. The Senator still gets to set the priorities of what comes up when. But here lies the problem in the Senate: There are obviously some amendments in there they don't want to vote on; otherwise, we would not have heard an objection. So it is not just Senator TOOMEY, who has now said he would not object to Senator LANDRIEU's amendment, it is other objections of people who won't come down here to the floor and show their constituency what they are objecting to. In other words, it is darkness. It is not light, it is not transparency, it is not of good character, it is not of good moral fiber. What it is, is the least of these, the lowest of these, who refuse to participate in an open and honest debate about what is going to happen in our country.

I call on all my colleagues, Republican and Democrat alike. We know what has to happen to open the Senate. Let's vote. Let's vote. For my colleagues on the Republican side objecting, I disagree. Go ahead and vote. For my colleagues on the Democratic side, let's vote. Let the chips fall. The American people decide who is to come up here. Gaming this system by hiding behind an anonymous objection, putting it through the chairman—I am proud to see the Senator from Louisiana. She came down here, she showed courage and said, Here is why I am doing it. She spoke honestly to her constituents back home and also to the Members of this body. We don't have enough of that.

We had an opportunity just then to move this bill, restore the Senate to the way it should function, and we chose not to do it. The American people have got to be shaking their head right now in disgust, because had the time been spent, instead of figuring out what is OK and what is not OK, actually debating and then voting amendments, we could have voted 30 or 40 amendments by now on this bill. But we chose not to do it. Some of us chose not to do it.

Kindergarten is out around most of the rest of the country, except in the Senate, and it is still in session here. We ought to be disgusted with ourselves, and the American people ought to be disgusted with us as well, because we are not allowing this body to do what our Founders intended it to do. I am going to spend a minute talking about that.

This place is very different than the House. No matter who is in charge, the tendency is to overuse the power of the

majority. But what our Founders intended was the Senate to be totally different than the House. The reason 6-year terms were put there was so you wouldn't be susceptible to the political influence of reelection, so you would become a long-term thinker, and that your motivation would be primarily a motivation for the best will of this country and not your State or your political career.

The assessment of the Senate today is that we have lost our focus. It is about politics, not our country. It is about the short term, not the long term. It is about anything but the best interests of the country.

Here we have commonsense amendments. I appreciate the fact that the chairman and ranking member have included some of mine in what they were proffering, but let's include them all. What is so bad about voting on a stupid amendment? If it is really stupid, they are either going to withdraw it or lose big. If it is really controversial, the American people want to see us debate and vote on controversial topics. They do not want to see us duck our responsibilities.

We have met the enemy. The enemy is us.

Mr. President, since I have an objection to that amendment 1007, I ask unanimous consent that amendment No. 1008 be called up.

The PRESIDING OFFICER. Is there objection?

Ms. STABENOW. Mr. President, on behalf of Senator LANDRIEU, I would object.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. Mr. President, even though the amendment has been objected to, I am going to talk about it.

The amendment is to require the Rural Utilities Service of the Department of Agriculture to ensure that the grants and loans it makes to provide access to broadband telecommunications services in rural areas are made to rural areas that don't already have access to broadband.

Wait a minute. Why would we want an amendment to do that? This is an amendment to tell them to do what they are supposed to be doing.

Over the years, the rural broadband program has seen a large amount of Federal funding. In 2009, the Department of Agriculture broadband program received \$2.5 billion from the stimulus bill. The inspector general examined the Rural Utilities Service broadband loan and guarantee program, and what he found was that a large majority of the funds went to areas that already had broadband services. In other words, they didn't spend the money where we don't have broadband; they spent the money where we already do.

Specifically, this inspector general found that 148 communities that re-

ceived broadband service funded by this program were within 30 miles of cities with more than 200,000 people—including the cities of Chicago and Las Vegas.

Some of the Federal funds going to broadband programs originate from the Department of Commerce as well. So we have the Department of Agriculture and the Department of Commerce both doing the same thing.

The issue is highlighted by the problems with the broadband program that occurred in West Virginia, the President pro tempore's State. Specifically, the State could not handle nor had the use for the routers that were delivered to them. Put simply, the libraries and schools didn't have the need for the powerful stuff that was sent to them. So we wasted the money. It was a \$24 million error.

You get to \$1 billion \$1 million at a time, and you get to \$1 trillion \$1 billion at a time.

What this amendment does is make them spend the money where we don't have broadband, not where we do. In other words, it prioritizes—which most of us would agree to—that broadband funds through this grant program go to areas that don't have broadband rather than areas that already do. So let's wire the whole country first before we upgrade everybody else.

Mr. President, I ask unanimous consent that the pending amendment be set aside, and amendment No. 1010 be brought up.

The PRESIDING OFFICER. Is there objection?

Ms. STABENOW. There is objection. On behalf of Senator LANDRIEU, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. Mr. President, this amendment is very controversial, I know, amongst my colleagues. But I have practiced medicine for 25 years, and before that I ran a pretty successful business.

The Department of Health and Human Services delayed the implementation of ICD-10. Let me explain what that is. ICD-10 is a new diagnostic code book. Why is that important? Well, we use ICD-9 now, which helps us write the diagnostic codes. Whether you are in a hospital, a clinic, a doctor's office, an outpatient surgery center, a home health, whatever it is, those diagnostic codes categorize what we actually did for you. Well-intentioned public health experts thought we aren't broad enough in what we do with the ICD-9, International Classification of Diseases, so as a part of the Affordable Care Act, ICD-10 was implemented.

There is nothing wrong with updating it, but let me explain to you what we did. We went from 18,000 codes of diseases to 140,000 codes, the cost of which, at a minimum, in the health care system under various studies will

be at least \$5 billion a year in added costs.

Will there be some benefit? Yes, to the public health experts who study disease patterns there will be some limited benefit. The question we have to ask is, What is our biggest problem with health care? Our biggest problem with health care is it costs too much. What we have done with ICD-10 is, just the implementation—I am talking \$5 billion a year from here on. The implementation is going to cost \$10 to \$15 billion to put it in. What this amendment would do is make a significant delay in the implementation of ICD-10.

The implementation of the Affordable Care Act is going to cost enough as it is. This would refocus us on what is important. It is important that providers spend time with patients, not spend time trying to figure out how they fill out a disease code. For any of you who doubt the significance of this now, if there are 18,000 codes now—most doctors write the disease code. They don't have a staff to do that. When you go from 18,000 to 140,000, what are your doctors going to be doing? They are not going to take care of you, they are going to be spending time looking at a book that has 140,000 diagnostic codes and listing that. So we are going to take time away from patient care.

Why is it important that the doctors get it right? Because the penalties under Medicare for mislabeling are severe and the sanctions are severe—penalties of 1 percent to 2 percent payment per year on your total billing to Medicare or Medicaid. So the costs associated with ICD-10 are enormous. So it is not only hard and costly to implement it, but it takes people away, the very doctors we want spending time with patients. It limits that because they are going to be spending more time filling out paperwork for the Federal Government.

The other thing it will do is it will not improve health care outcomes at all. It does nothing to improve health care outcomes. It will not improve the first patient, so there is no positive benefit in the short run or medium term to the patient. The only limited benefit would be to long-term studies of public health.

Let me give some diagnostic codes to think about how foolish this is.

The new codes account for injury sites ranging from opera houses to chicken coops to squash courts. Not only do you have to list what an injury was, you then have to go through this book and find out where it was. Was it on a ranch? Was it in the coral? Was it in the chicken coop? If you mislabel it, you are under threat of penalty from CMS.

How about nine different codes where you got hurt around a mobile home? How about a burn due to water skis? How about walking into a lamp post? If

you hit your head it is important for public health officials to know that you walked into a lamp post.

It includes 300 different codes related to every different animal. So if you got a bite from a rat or a chipmunk or a squirrel, there are 312 different codes around each one of those animals.

It has 72 codes pertaining to birds. You got pooped on, you got pecked at, you got bit—72 separate codes.

How about bitten by a turtle or, the second one, struck by a turtle? Or walked on a turtle? Or kicked a turtle? That is how much foolishness is in ICD-10. We are going to ask our doctors to spend time figuring out 160,000 different codes, disease related, when 18,000 does it just fine right now. What this would do would forego the implementation of ICD-10.

I ask the present amendment be set aside and amendment No. 1076 be called up.

The PRESIDING OFFICER. Is there objection?

Ms. STABENOW. On behalf of Senator LANDRIEU, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. I understand the objection. I have no ill will toward my chairman or ranking member for their objection.

What this amendment does is during sequester, it prohibits performance awards in the Senior Executive Service. We are paying performance bonuses right now during sequester. The Office of Management and Budget has ordered a freeze on most bonuses for Federal workers during sequestration, but the current law provides an exemption for members of the Senior Executive Service who are among the most highly paid Federal Government employees. This amendment closes that exemption loophole. If we are all going to suffer, everybody is going to suffer. Just because you work in the Senior Executive Service doesn't mean you should not have to participate and lead on the sacrifice this country is going to have to be making and is making. This treats SES personnel just like every other Federal employee.

I ask the pending amendment be set aside—actually, I think I will stop with that—one other.

Mr. President, I ask amendment No. 1152 be called up.

The PRESIDING OFFICER. Is there objection?

Ms. STABENOW. Reserving the right to object, I will object, Mr. President, but I would like to ask my friend, given all the amendments, if we were able to accept all of his amendments would he be supporting the bill?

Mr. COBURN. I have not made that decision.

Ms. STABENOW. I object on behalf of Senator LANDRIEU.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. I will tell you how I go through looking at the farm bill. I believe farmers ought to farm. I don't believe they ought to farm the government. I think you all, over the last few years, have done a good job changing that scenario.

I believe food security is an important part of what America can do for both our country and our world. I also know our farmers are some of our hardest working people.

Having said all of that, there are a ton of programs in here that do not directly benefit food security in this country or the American public. When we still have the well-heeled, well-connected in this country taking advantage of farm programs, from pro athletes to everything else, who use the farm program as a method, as a tax hedge, and use the supplemental systems, by eliminating direct payments, you have done a great deal.

I am all for crop insurance. I think it ought to be a little more costly and spread around. I think crop insurance in terms of the commissions paid to the people who sell it are a little too rich. There are a lot of people who would like to have that book of business for a whole lot less money. We have not done that. It will be a balance to me as I look at improvements.

I congratulate the chairman and ranking member for making progress on the farm bill. We have a long way to go. This amendment relates to one of those, which is how do we I make sure, if we are going to take taxpayer money and help people with their needs under the Supplemental Nutrition Assistance Program, how do we make sure we are doing it in a way that actually gives them nutritious food?

As a physician who has cared for obesity and heart disease and cancer and high blood pressure for years, diet is a big factor on that. Senator HARKIN and I have an amendment together, this amendment, which would create a pilot project in two States to allow States to use a nutrition assessment for setting what can be brought with SNAP. That is what this amendment does.

A lot of the companies do not like it. A lot of people say: How can you do that? But I remind our colleagues, for many of the people who do not buy nutritious food when we are helping them, we are paying for it twice. That is because when they make poor choices with our money to buy their food, they are creating disease categories that we are going to pay for in the future, with our money, for their disease.

So the idea of trying a pilot project in two States where they use nutritional value to make a determination of what food products are eligible and what are not for the SNAP program, this is a try that most people out in the country would like to see.

Most Americans want to help anybody who needs help, but I hear it all

the time when people say: I see people buying stuff I don't buy or I can't afford to buy with their SNAP card.

There is no good way to do that other than do it on a nutritional basis. That is the only way we should look at that. If we are going to help somebody we ought to help them.

There is a great book by Marvin Olasky. It is called "The Tragedy of American Compassion." He talks about how to help people. You do not help people by giving them a blank check. You help people in short term. You help them as long as they have a need. But you help them in a way that they get to help themselves and by that they get to help themselves and get their dignity back.

Senator HARKIN and I have agreed that this is a pilot project that will have to be evaluated at the end of 2 years. All the costs of it have to be borne by the States. We have checked out all the computer companies. There is no problem in putting limitations on UPC codes or anything on all the checkout items. It is not an issue. We have done all the homework on it.

It would be interesting to see, once we do a nutritional evaluation and a limitation on SNAP products, what would happen to the health of the people we are helping. That is the amendment he and I have worked on together. We would love to see it go. We think it is time for that to happen. It certainly will be good.

The key is, can we help people get back to being self-reliant? I don't want us to be a big brother, but I also want to make sure the money we are stealing from our kids, from their future, actually does help somebody and doesn't hurt them.

With that, I again congratulate both the chairman and ranking member for the bill they brought. It has marked improvements. I thank them for their patience dealing with me today on the floor. I very much regret that you have objected to a way to move this bill forward because it doesn't just have implications for this bill. The courage to stand up and say let's do that will have great implications for how this body functions for the next 16 months. I think we are going to miss a big opportunity if we do not do that.

I would love to see the Senate go back to operating the way it did when I first came here. My hopes were dashed, however, with that objection.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

REMEMBERING FRANK R. LAUTENBERG

Ms. CANTWELL. Mr. President, I have been listening to this debate with my colleagues, but I came to share a few thoughts about the passing of our dear friend Senator FRANK LAUTENBERG. He was a dear friend, a colleague. When I originally sat in the Senate, he sat right behind me. We shared seats

together on the Commerce Committee. I can tell you FRANK's wit was as quick as his downhill slalom skiing. He always had something funny to say.

We knew him as somebody who had been in one of the largest computer services companies, ADP, and helped get that company started, and as somebody who represented veterans as one of the last World War II veterans in this body. He served here for almost 30 years.

What always amazed me about FRANK is that he brought that business attitude to the Senate when it came to legislating; that is, results matter. Because of that, he had a long list of legislative accomplishments.

I don't know if everybody, because of the turnover in the Senate, realized how many things FRANK accomplished: banning smoking on airplanes, lowering the threshold for drunk driving, better protection against toxic chemicals, helping to improve the everyday safety of Americans, improving the quality of our environmental laws in the United States. He also had an amendment that helped allow for better refugee status, for members of historically persecuted groups to easily get refugee status in the United States.

He did many different things while he was in the Senate, and he worked very hard because of that experience in World War II and being a veteran and going to school on the GI bill—somebody who lost his father at a very early age. He used that GI bill to get the education he needed to do these incredible things.

When FRANK had a victory, he didn't stop at that victory, he kept going. After he and DICK DURBIN helped ban smoking on commercial flights, he followed that with a provision to the Transportation appropriations bill that extended the ban to include all Federal buildings.

In the same kind of fervor, once he helped make our drunk driving laws stronger, he continued to try to implement stronger measures as a key player in establishing a national blood alcohol level at 0.08 percent. At the time, many States decided to do otherwise, but FRANK worked to try to champion this at the Federal level, and as a result he helped to save tens of thousands of lives.

He was also a huge champion of our environment. He championed ocean acidification issues before they were probably really known by a lot of people in America. He understood that this was a looming disaster and that we needed to do more research for marine life, our economy, and our way of life.

He also knew and understood that Americans needed protection from toxic pollutants. Well, that is something most of us would say: Yes, we don't like toxic pollutants. Back in 1986 he wrote a bill that created a pub-

lic database about toxins released in the United States. That was certainly brave for somebody from New Jersey because it was a leading chemical-producing State. The fact that FRANK took that on showed a lot of tenacity and a lot of courage, and just as he did on the other things, he followed that up.

Recently, he introduced the Safe Chemicals Act to improve the understanding and reporting of chemicals found in products that make their way into the hands of Americans every single day.

He also championed improving our transportation system. I asked him: FRANK, how did you already get a train station named for you on the Jersey line? Anyone who has taken the Amtrak up to New York has had a chance to see that one of the stops in Secaucus is named the FRANK R. LAUTENBERG Station. He had been a great champion for Amtrak, but he was also a great champion for freight and freight mobility. He knew it was important to New Jersey as a major port in our country, and he wanted to make sure that not only people but products got to where they needed to go and got there on time.

We all like to think we are remembered by the American people for the accomplishments we have, and I am not sure whether they will remember all of the things FRANK LAUTENBERG did to contribute to their way of life. One thing I can say is that when I think about his advocacy for a modernized GI bill or banning smoking on planes, he touched the lives of millions of Americans.

He also had tenacity. He had the tenacity once to help a boy from New Jersey who had been involved in a domestic dispute where the father had lost custody. The young boy at that time, Sean Goldman, who was from New Jersey, had been taken by a family member and was in Brazil. His father tried going through the Brazilian courts for years to get him back. He really wasn't successful until FRANK LAUTENBERG joined the fight. FRANK brought the same tenacity he had shown in the past and held up a generalized system of preferences bill—which remove tariffs on \$2.7 billion worth of Brazilian goods—here in the Senate. He knew that threatening to hold up that bill would get their attention, and he was right. He literally got them to do something and return this young boy, Sean Goldman, to his father. FRANK really cared about results. He knew it was important to get that father and son reunited, and he knew the importance of getting results for his constituency in New Jersey.

We will miss FRANK. We will miss all of his legislative actions, his standing on the Senate floor and giving a speech or, as he would say, giving heck to somebody. Oftentimes it was somebody

on the other side or somebody he thought was a big giant doing too many things that needed to be challenged. He will be remembered as part of a great generation of Americans who were successful in so many ways. He lived the American dream, came to the Senate and was a contributor. He will be remembered for his tenacity and standing and fighting for people.

We are going to miss you, FRANK.

I yield the floor.

Mr. COCHRAN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. HOEVEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IRAN ELECTIONS

Mr. HOEVEN. Madam President, I rise to speak about S. Res. 154. S. Res. 154 is a resolution I submitted last month with Senator BLUMENTHAL. It calls for fair and free elections in Iran and points out that the Iranian regime is fundamentally illegitimate.

Americans believe in the power of elections. We believe voting means something. The rest of the world also understands and respects that elections are powerful events. Most countries that hold elections want to channel the will of their people into the governing of their country.

The Supreme Leader of Iran believes in the power of elections too, but he does not respect them. He himself has never been elected, and he knows a free election might threaten his power base. So he ensures that a truly free election is impossible for the Iranian people.

In past elections fraud has been rampant. The government has cracked down on public dissent and moved against media sources that are not officially sanctioned.

But most of all, Iran's Supreme Leader has developed the unfortunate habit of selecting which candidates may be permitted to run for office.

Hundreds of candidates were prohibited from running for Parliament last year and hundreds more were denied the right to run for President this year. Apparently, the Supreme Leader believes there is too much at stake to risk anyone other than a handpicked candidate to prevail at the voting booth.

The restrictions on candidates are so strict it almost seems it would be easier for the Supreme Leader to cancel the elections altogether and just appoint a President. But the Supreme Leader wants the legitimacy conferred by elections as badly as he wants to retain full control of the Iranian regime.

There are lots of analysts in the United States and elsewhere who attempt to understand which way Iran is

going based on which candidates stand for election and which ones prevail. Some candidates are judged to be reformers, others conservatives, and so forth.

But this analysis gives the Iranian regime more legitimacy than it deserves. Because dissent is stifled, because candidates are blocked for political reasons, and, most of all, because the Supreme Leader holds all of the levers of power, Iran's regime cannot be seen to have legitimacy.

Consider that the current Supreme Leader came to power in 1989. He has never been held accountable to the people of Iran, but he is in full control of the country. He controls the defense and foreign policy outright.

He has the power to veto anything that comes from Parliament. He vets candidates for Parliament, and he helps choose the members of the Assembly of Experts and the Guardian Council—the very governing bodies that formally oversee the Supreme Leader. Simply put, power in Iran begins and ends with the Supreme Leader.

On June 14, Iran will elect a new President. While much will be said about who wins that election, we already know what the outcome will be. The Supreme Leader will continue to dominate Iran, run roughshod over the rights of the people of Iran, and deny the Iranian people the ability to chart their own future.

For this reason I urge my colleagues to join Senator BLUMENTHAL and myself in supporting S. Res. 154. Our resolution points out, first, that Iran has a terrible track record of fraudulent and illegitimate elections; two, that Iran crushes the right to free speech and to a free press; and, three, that true power in Iran remains firmly in the grip of the Supreme Leader.

Our resolution calls on Iran to correct these injustices. It makes clear that the United States will not view Iran's regime as a legitimate expression of the will of its people unless and until its elections are free and truly fair, until those at the highest level of power are made accountable.

Holding autocracy responsible is important not only to the Iranian people but to the people of the world at large.

We face an enormous challenge in trying to get Iran to abandon its nuclear program, and we would be dangerously mistaken if we believed that the winner of the June 14 election will somehow represent the Iranian people.

We must remember—and remind the world—that if Iran continues to work toward a nuclear weapon, it will be because that is the course plotted and pursued by the Supreme Leader. The June 14 elections, unfortunately, will not change that reality.

I hope my colleagues will join us in standing with the Iranian people and against an unelected and illegitimate

regime bent on a dangerous course of action.

I hope we can adopt this resolution to demonstrate that we are not fooled by elections that give voters false choices and install leaders determined to threaten the security of other nations.

Only true and fair elections that hold Iran's leaders accountable to the Iranian people will produce a government that deserves to be seen by the world as legitimate. I call on my Senate colleagues to send that message loud and clear to Tehran.

I now yield the floor to my esteemed colleague from the State of Connecticut who is joining me in this resolution, Senator BLUMENTHAL. I wish to thank him for his support of this resolution and for his willingness to not only speak up but to stand up for the people of Iran.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I thank my colleague Senator HOEVEN for his leadership on this issue, for his dedication to this cause, his perseverance and persistence in support of democracy.

This resolution, in fact, is all about democracy in a land that has been deprived of it for far too long. Unless Americans think this cause of democracy is far removed and inconsequential to their lives, Americans know elections have consequences. In this instance, the consequences have ramifications across the world because it is the authoritarian, undemocratic regime of Iran that is pursuing nuclear weapons without regard to the well-being of its people.

If it does not answer to its people, if it is undemocratic and authoritarian, it can continue to pursue this nonsensical, thoughtless, lawless course of seeking to arm itself with nuclear weapons. That is bad not only for the Iranian people but for the American people and for the people of the world.

I rise today in support of the Hoeven-Blumenthal resolution calling for free and fair elections in Iran and condemning the Government of the Islamic Republic of Iran for its ongoing violation of human rights.

On June 14, Iran will hold what looks to be yet another round of elections that are not fair, not free, and certainly not democratic—a sham, a charade that demeans even the pretense of democracy. On June 14 Iranians will elect a new president, but they will do so in an environment filled with systematic fraud and manipulation. They will be faced with a ballot hand-selected by the Supreme Leader, because he and his aides have prohibited literally hundreds of candidates from running. They have accepted only eight candidates for this election.

They are doing so in a country with severe restrictions on freedom of expression and assembly and without

media freedom. We ought to note and, as my colleague Senator HOEVEN says so well, remind the world that the real power in Iran continues to rest with the Supreme Leader who controls foreign policy and defense and can veto any decision made by the President or the Parliament. The Supreme Leader has been in power since 1989. He has never been subject to an election or popular referendum of any kind. That is why Senator HOEVEN and I are again offering this resolution supporting political reform and freedom in Iran, and strongly siding with the Iranian people on behalf of the American people in the struggle for democracy. I thank Senator HOEVEN and so many of my colleagues who worked with us before when we sponsored a similar resolution last year condemning the 2012 elections which were neither free nor fair.

We rise again to speak this truth to power. The Iranian people are denied basic and fundamental universal human rights and continue to suffer a repressive leadership that denies the validity of their views. As a global leader on human rights and a beacon to the world on democratic values, this body has an obligation to stand with the people of Iran and demand accountability from their leaders.

Other countries around the world are struggling for democracy, and our ally in the Middle East, Israel, exemplifies it as a shining model. I am reminded of how many people in that region are denied rights and freedoms. But we should reaffirm at every opportunity our commitment to democracy and urge the Iranian Government to hold free elections, end arbitrary detentions, stop harassing people who fight for basic rights and freedoms, and reform their political process.

I also want to commend President Obama for tightening sanctions on Iran's currency and auto industry, which should prevent the government from procuring some equipment used in nuclear programs. I support continuing efforts to show Iran that we are serious when we say they must halt their nuclear weapons development program. People look to the United States for democracy and freedom. They watch what we do and what we say on this floor of the greatest deliberative body in the world.

We must be unequivocal and remind the world how important it is to stand with the people of Iran, which is what the Hoeven-Blumenthal resolution does. I thank again my colleague Senator HOEVEN.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Madam President, I ask unanimous consent that the Senator from Ohio, Mr. BROWN, speak after me for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HEALTH CARE

Mr. BARRASSO. Madam President, I come to the floor today as millions of students in high school and colleges across the country have recently graduated. I had an opportunity to attend a number of commencements across Wyoming to speak to a number of students who were graduating. I note that President Obama has also been out giving graduation speeches this year. At Ohio State University, the President criticized those of us who warn that government does not always have the best answer. The President suggested that anyone who thinks Washington has grown too inefficient or too ineffective is somehow opposed to democracy entirely. That is what President Obama told new college graduates. It is absurd, but that is exactly what he had to say. He told them he wants to give everyone, as he says, "a fair shake." What he did not tell these young people, these young men and woman, is that his policies—the policies he has been promoting and passing—have actually been hurting them and millions of other young Americans.

He made no mention of the heavy burdens he has heaped on their backs, or the damage his policies have done to our economy. President Obama did not say anything about it, but those graduates are actually going to figure it out very quickly. They are going to see what they are getting from President Obama is not at all a fair shake.

The first thing they will notice is how difficult it is for them to find a good job in the Obama economy. One of the things the Wall Street Journal had to say in an article by Dan Henninger:

In Campaign 2012, Barack Obama promised the youth vote a rose garden. What they've got instead, as far as the eye can see, is an employment wasteland.

According to a report by the Center for American Progress, the unemployment rate for Americans under age 24 is 16.2 percent. Their study estimated that even when this group eventually starts earning a paycheck, these young Americans, they will collectively suffer reduced earnings of about \$20 billion over the next decade. It works out to about \$22,000 for each one of those young men and young women.

The Center for American Progress, which did this study and did this report, is actually a very liberal think tank. Here is what else they said: "Em-

ployment prospects for young Americans are dismal." This is what the liberal think tank is saying. "The employment prospects for young Americans are dismal by both historical and by international comparisons."

We know young people who do find jobs are often stuck with part-time work. What they are looking for is a career. It has been nearly 4 years since the recession ended. Since then we have had a much weaker economic recovery than we should have. In the first quarter of this year alone, the economy grew at an annual rate of 2.4 percent. Wages have continued to stagnate. The average work week continues to shrink.

Why would that be? Why would we see wages stagnating? Why would the average work week shrink? Why are employment prospects so dismal for young Americans? One big reason is the weight of government regulations on our economy. Businesses want to grow. They want to hire. But they have been buried under a mountain of new rules and Washington mandates.

So far in 2013, the Obama administration has released more than 32,000 pages of new regulations. All of that new red tape is strangling our economy and making it tougher for businesses to create jobs for these young graduates.

One part of this—and I have warned about it before—is the new mandate in the President's health care law. It says businesses with 50 or more full-time workers have to provide expensive government-approved health insurance. The law does not say "expensive" government-approved health insurance, but the government-approved health insurance is turning out to be expensive.

A lot of us on this side of the aisle predicted the President's mandates were going to do terrible things to the economy. Well, that is exactly what happened. That is exactly what happened. It is one of the reasons we have had such weak job creation. The new jobs we do get, well, they are concentrated in businesses that basically use hourly workers.

I have come to the floor and talked about one small business after another that is saying they are keeping workers to less than 30 hours. That usually hits people without work experience. It hits people like new graduates, just starting out, especially hard. Of course, the President didn't mention any of that at his graduation speeches.

There is another thing the President hasn't told young people. It has to do with the sticker shock a lot of them are going to have when they try to buy health insurance. One reason is because the health care law forces young healthy people to pay more so that older sicker people can pay less. Another reason is because the Obama administration has come up with a long



list of things insurance policies have to cover. Remember, none of these extras is free; they are just prepaid at higher premiums. Young people won't be able to just get the insurance they want that is right for them or that they can afford. No. Now they will have to pay for the Obama administration mandated and approved health insurance. It is going to be much more expensive, and it may actually do them no medical good.

Why should Washington tell a single 23-year-old woman she has to pay for prostate cancer screening? Why should a 22-year-old man with no children have to pay for a plan that covers pediatric eye exams? Young people don't need many of these mandated services, they do not want them, and they don't want to pay for them. Yet they are mandated to buy them. Again, President Obama is making young people pay more for health insurance so that someone else might pay less.

How much more are they going to have to pay? Well, according to one survey of insurance companies, younger and healthier people can expect average premium increases of 169 percent next year. While some people are going to get government subsidies to help cover part of this extra cost, not everyone will. Even with the subsidies, a lot of young people are still going to pay much more than they would have without the President's health care law. We haven't heard the President talk much about that during his graduation speeches.

Young people and future generations have already been saddled with \$6 trillion in new debt since President Obama took office. Washington's debt is now more than \$53,000 for every man, woman, and child in the United States. These are people who will end up spending the rest of their lives paying higher taxes to cover that debt and the interest on the debt. President Obama's latest budget called for young people to pay even more by increasing the debt another \$7 trillion over the next decade. That is something else he didn't happen to tell young people during his graduation speeches.

That doesn't mean Washington Democrats are keeping quiet. According to an article by Bloomberg, they are trying hard to sell the President's health care law. Here is how they put it in the article by Bloomberg:

The White House has told all cabinet members and senior officials to use commencement speeches to drive home for graduating college students and their parents the benefits they gain from a provision of the law that allows young adults to stay on their families' insurance plans until they turn 26.

Other Democrats are trying to say the same thing. NANCY PELOSI sent out a 78-page booklet telling Democrats in the House how to spin this unpopular health care law. I have a copy of it here. It is astonishing. Roll Call wrote

about it the other day. The article is entitled "Democrats Unleash a Binder Full of Obamacare Messaging." One of the suggestions was to find one or two young adults in your district who are now on their parents' plan because of the new law. That is what NANCY PELOSI is recommending to the Democrats. That is the sales pitch. The President wants young people to believe they are getting free insurance. He doesn't want them to see all the ways the health care law is going to hurt them. That is what the President is telling young people. That is his message. That is what he wants other Washington Democrats to tell everyone too.

Health and Human Services Secretary Kathleen Sebelius is leading the cheers. She says she plans to travel around the country to spread the word about enrollment. The enrollment she is talking about is trying to get people to sign up for the health care law's insurance exchanges. She especially needs young healthy people to sign up for the exchanges, such as these new graduates. In the Wall Street Journal, Dr. Ezekiel Emanuel spelled out why in an op-ed. Remember, he was one of the President's top advisers in creating the health care law. He is also the brother of former White House Chief of Staff Rahm Emanuel. This is what he had to say. He wrote that young people "are bewildered about the health care reform in general and exchanges in particular." The title is "Health Care Exchanges Will Need the Young Invincibles."

Just yesterday the Los Angeles Times front page read "Young adults a hurdle for health act." Dr. Emanuel is concerned these young people won't see the Obama exchanges as being in their best interest. Well, of course they won't see it as being in their best interest, and that is because the exchanges are not in their best interest. That is why the Los Angeles Times is right—"Young adults a hurdle for health act." The solution, Ezekiel Emanuel writes, is that "every commencement address by an administration official should encourage young graduates to get health insurance."

That is not going to be an easy sell for this administration. A recent Harvard poll of 18-to-24-year-old college students found that only 42 percent approve of how the President has handled health care. Young people are skeptical about the health care law. They are being told they have to buy expensive insurance that they may not need or may not want and that is not right for them because if they do not, the only people in the exchanges will be the old and the sick, and the whole thing will collapse under its own weight. For the President, that would be a terrible political disaster, and apparently this administration is willing to do whatever it takes to avoid that disaster.

According to the Washington Post, Secretary Sebelius is now going hat in hand to health industry officials asking them to donate to nonprofit groups in trying to enroll more people in the exchanges. At best, the Sebelius shake-down is a conflict of interest. And this latest scandal will only make young people more skeptical of the President's sales job on his health care law.

Young people understand they will have to pay more for health coverage so that older people will pay less. Young people understand they are being told to do something that is not in their best interest, and the reason they are being told to do it is to give the President a political win—not because they will get better health care but to give the President a political win. They understand the President's bad economy means they may not find a job, but they are supposed to be OK with that because mom and dad are allowed to pay their bills for a couple more years. Young people know a Cabinet Secretary shouldn't pressure businesses to support organizations that share the President's political agenda. They understand all of that even if the President won't say it to them during commencement speeches. If the President really wants to give young people a speech they will remember, he will tell them the truth about how terrible these policies are for them.

The President should leave the spin for the campaign trail and then come back to Washington and be ready to sit down and work with Republicans on policies that work for our economy, that work for young people, that work for future generations, and that work for all Americans.

Madam President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

MR. BROWN. I thank the Senator from Wyoming for his unanimous consent request, and I ask unanimous consent that after I conclude my remarks, the Senator from Rhode Island Mr. WHITEHOUSE be recognized for up to 15 minutes.

THE PRESIDING OFFICER. Without objection, it is so ordered.

U.S.-CHINA TRADE DEFICIT

MR. BROWN. Madam President, today new U.S.-China trade deficit figures from April show a 34-percent increase since March. Last month our trade deficit with the world's second largest economy was more than \$24 billion. I remember about a dozen years ago when the Senate and the House approved PNTR—permanent normal trade relations—with China. Around that time the bilateral yearly trade deficit with China was barely \$10 billion. Today, just for last month, it was \$24 billion. It has persistently and consistently been over \$200 billion a year in recent history.

This kind of trade deficit keeps our domestic companies on the defensive.

It means workers in Ohio, Massachusetts, Rhode Island, throughout the Midwest, and across America are prevented from unlocking their potential. Our manufacturers are still the most productive in the world. Our workers are the most skilled and the most productive in the world. Their productivity continues to go up and up and up, in part because of globalization; however, their wages have been stagnant. That is part of the price our country has paid for globalization.

Our workers can't compete when China cheats. How can we win the future when our manufacturers can't win contracts because China doesn't play fair? In many ways China and so many of our trading partners practice trade according to their national interest. Yet we in the United States practice trade according to some economics textbook that has been out of print for the last 20 years.

Despite universal agreement that China continues to manipulate its currency to gain an artificial advantage over American-made goods, no action has been taken down the hall by the House of Representatives and no action has been taken down the street at the White House. No action has been taken by the House despite widespread support for legislation this Chamber passed in October 2011. That legislation, worked on by many of my colleagues, would establish new criteria for the Treasury Department to identify countries that misalign their currency. The bill would trigger tough consequences for those countries which engage in such unfair trade practices. It would allow for industries harmed by currency manipulation to seek relief, the way they do for other export subsidies, which several industries in my State have sought, such as steel pipe producers in Lorain, where I visited last week, in Youngstown.

We can solve this problem. The major reason there have been new investments in the Lorain U.S. Steel plant, at V&M Star in Youngstown, at Wheatland Tube, also in the Mahoning Valley, stabilization in jobs, and growth in jobs is because we have enforced trade laws. We can solve this problem further with currency reform. That is why Senator SESSIONS, a Republican from Alabama, and I will join our colleagues, including Senators SCHUMER, COLLINS, STABENOW, and BURR, tomorrow when we reintroduce this bill. Why? Because more nations are engaged in this practice, and it is clear we don't have the tools to address it.

It is no longer just China manipulating its currency. There are a number of other countries—especially in East Asia—that are engaging in this practice, and, as I said, we don't have the tools to address it.

In 2009, as nations were seeking to restore stability to financial markets

and respond to the global financial crisis, G-20 leaders met in Pittsburgh to set a framework that would better promote more evenly balanced trade. Among the steps to be taken would be a more market-oriented exchange rate—something China obviously isn't familiar with—and a move away from the practice of adopting artificial, manipulated exchange rates not based on market forces.

While this appeared to be a step in the right direction, there has been too little to show for the good intentions stated back in 2009. Here is what we know. Workers and manufacturers still face an unfair advantage from currency manipulation. By keeping the value of the RMB—the Chinese currency—artificially low, China drives foreign corporations to shift production there because it makes exports to China more expensive and it makes Chinese exports back into the United States cheaper.

It has only been in recent history that business after business after business, as we have seen in the United States, has developed a business plan that involves shutting down production in Lima, OH, move that production to Beijing, and then sell back to the United States of America. Never really in history has that been a widely adopted business plan in a country—shut down production in Springfield, MA, or Springfield, OH, move that production to Shihan, China, or Wuhan, China, get tax breaks for doing it, and then sell those products back into the United States. Part of the reason for that is currency manipulation.

This continued undervaluation has caused serious harm for this economy. It has cost American jobs. The first President Bush said in the 1980s that \$1 billion in trade surplus or trade deficit could translate into some 12,000 jobs—meaning that if there is a trade deficit with a country, it costs this country 12,000 jobs. Multiply that by a \$500 billion, \$600 billion, or \$700 billion trade deficit, and see what we get.

A December 2012 report by the Peterson Institute for International Economics found that currency manipulation by foreign governments had cost the U.S. from 1 to 5 million jobs and increased the U.S. trade deficit by \$200 billion to \$500 billion per year.

Think of that. By addressing currency manipulation now, we could create up to 5 million jobs and reduce our trade deficit by tens of billions of dollars, and doing so wouldn't cost taxpayers a cent.

But let's look for a moment beyond the numbers. Workers in my home State who work hard and play by the rules at Titan Tire in Bryan, OH, American Aluminum Extrusions in Stark County, Wheatland Tube in Trumbull County, the people who make coated paper and lightweight thermal paper in southern Ohio, the Ohioans who forge steel into products we all

use—these women and men deserve a chance to earn a living without companies in other countries illegally dumping goods—or legally if we don't do anything about currency—on our markets. We can't afford to sit idly by while our trade deficit grows and our domestic manufacturing base erodes.

By addressing currency manipulation and other unfair trade practices, we create American jobs and position ourselves to meet the challenges and opportunities of globalization.

I look forward to continued debate and action on finally penalizing the countries that cheat on trade.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I would like to yield 5 minutes to my friend Senator BLUNT and then reclaim the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUNT. Madam President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUNT. I appreciate my good friend Senator WHITEHOUSE yielding the time for me.

REMEMBERING FRANK R. LAUTENBERG

Mr. BLUNT. I would like to talk for a few minutes about Senator LAUTENBERG and what he brought to this body and what he brought to public service.

I represent Missouri in the Senate, and in the House I represented southwest Missouri. Many times in the last 2½ years, Senator LAUTENBERG wanted to talk about going to basic training at Camp Crowder near Neosho, MO, as a young man barely on the edge of his twenties—I am not sure which edge of his twenties it was, but he was serving in World War II, first as a teenager and then as a man barely in his twenties—and what it was like to be surrounded by small communities, all of which were smaller than the camp at which the enlisted men were training, and what it was like when they had some free time and could go to any of these communities where they probably outnumbered the community. He always remembered that part of his training with some pleasure. The story was always different from the story before, but I am sure all the stories happened.

But what he was really talking about to me every time was that commitment to service that particularly our World War II veterans brought to this body. And we all know, after the reflections of the last 2 days, that he was the last of the World War II veterans to serve here and likely to be the last of the World War II veterans to ever serve here, and the spirit of service they all brought was reflected in Senator LAUTENBERG in lots of ways.

All you would have to do is look at our voting record to know there were

lots of areas at the end of the day we didn't agree on, but somehow we managed to do that and still appreciate the commitment to public service that he reflected, and I think he appreciated that in me.

One of the chances I missed here was the opportunity to serve with him on the surface subcommittee in Commerce. He was going to be the chairman of that committee for this Congress, and I was going to be the leading Republican and was looking forward to that because this was one area where I thought we were going to find and would have found a lot of common ground. Senator LAUTENBERG's understanding of transportation, his understanding beyond most of us of the importance of passenger rail and rail generally and how you need to integrate this system so that it works the best and the most efficiently, was clearly one of the areas where he had spent a lot of time over the years.

Remember, Senator LAUTENBERG was here as a Senator, and then he decided to retire and then called back into public service. At a time when most people would have made that decision and moved on, he came back and served here, as it turned out, for the rest of his life of service.

It was an honor for us to get to serve with him. It was an honor for me to get to serve with him. It is a disappointment for me that I didn't get to learn more about this issue he and I were about to join hands on together.

But there is a lot we should learn from his service and the service of that World War II generation. I hope that is one of the things we will be reflecting on over the next few days as we reflect on his career of service and that whole generation of service. We really do see that moment pass with Senator Inouye and Senator LAUTENBERG and others who have served here just in recent years, all gone. But if we could look at the times they could come together in that spirit of World War II to make things happen, we would all learn an important lesson.

I join his family and his friends and his colleagues in missing him and missing his service.

I am pleased to yield the time back to my good friend Mr. WHITEHOUSE, who gave me the time to say these words.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### GASPEE DAYS

Mr. WHITEHOUSE. Madam President, American summertime is when we celebrate and commemorate the patriots who fought to establish and protect this great Republic. From Memorial Day through Independence Day and on to Veterans Day, communities across this country turn out star-spangled bunting and gather for parades, cookouts, and wreath layings to reflect on the heroes and events that embody our Nation's great spirit.

June in Rhode Island is marked by the annual celebration of *Gaspee* Days, when we recognize and celebrate one of the earliest acts of defiance against the British Crown in our American struggle for independence. Most Americans remember and I know the Presiding Senator from Massachusetts certainly is well aware of the Boston Tea Party when, in fact, literally spirited Bostonians clamored onto the decks of the East India Company's ships and dumped tea bags into Boston Harbor to protest British taxation without representation.

I am sure throwing tea bags into the harbor is a very big deal, but there was another milestone in the path to the Revolutionary War that is too often overlooked. It is the story of 60 brave Rhode Islanders who, more than a year before the Tea Party in Boston, risked their lives in defiance of oppression more than 240 years ago and drew the first blood in what became the revolutionary conflict.

In the years before the Revolutionary War, one of the most notorious of the armed customs vessels patrolling Rhode Island's Narragansett Bay, imposing the authority of the British Crown, was Her Majesty's ship *Gaspee*. The ship and its captain, Lieutenant William Dudingston, were known for destroying fishing vessels, seizing cargo, and flagging down ships only to harass, humiliate, and interrogate the colonials.

A 100-year-old report says:

This unprincipled ruffian had ruthlessly ravaged the Rhode Island coast for several months, destroying offending fishing vessels, and confiscating everything he could lay hands on. The attack on the "*Gaspee*" caused the first bloodshed in the struggle for American independence, and was the first resistance to the British navy.

How did it come about? Well, on June 9, 1772, Rhode Island ship captain Benjamin Lindsey was en route to Providence from Newport, sailing in his packet sloop the *Hannah*, when he was accosted and ordered to yield for inspection by the *Gaspee*. Captain Lindsey had had enough of the *Gaspee*. He ignored the command and raced up Narragansett Bay, ignoring warning shots fired at him by the *Gaspee*. As the *Gaspee* gave chase, Captain Lindsey—who was a wily Rhode Island ship captain—realized that his ship was lighter and drew less water than the *Gaspee*, so he sped north toward Pawtuxet Cove, toward the shallows off of Namquid Point. The *Hannah* shot over these shallows, but the heavier *Gaspee* grounded and stuck firm. The British ship and her crew were caught stranded in a falling tide and would need to wait many hours for a rising tide to free the hulking *Gaspee*.

Captain Lindsey continued on his way to Providence and rallied a group of Rhode Island patriots at Sabin's Tavern. Together, the group resolved to put an end to the *Gaspee*'s menace to

Rhode Island waters. They may have shared one thing with their Boston compatriots: They may have been spirited themselves.

That night the men embarked down Narragansett Bay in eight longboats with muffled oars. They encircled the stranded *Gaspee* and called on Lieutenant Dudingston to surrender his ship. Dudingston refused and ordered his men to fire on anyone who tried to board. The Rhode Islanders forced their way onto the *Gaspee*'s deck, and in the struggle Lieutenant Dudingston was wounded, shot with a musket ball. Right there in the waters off Warwick, RI, the very first blood in the conflict that was to become the American Revolution thus was drawn.

The brave patriots took the captive Englishmen ashore and returned to the *Gaspee* to rid Narragansett Bay of her noxious presence once and for all. Near daylight on June 10, they set her afire. The blaze spread to the ship's powder magazine, and the resulting blast echoed across Narragansett Bay as airborne fragments of this former ship splashed down into the water.

The incident prompted a special commission instructed by King George III to deliver any persons indicted in the burning of the *Gaspee* to the Royal Navy for transport to England for trial and execution.

Samuel Adams, in a letter published in the Newport Mercury on December 21, 1772, and reprinted in the Providence Gazette on December 26, called it "a court of inquisition, more horrid than that of Spain or Portugal. The persons who are the commissioners of this new-fangled court are vested with most exorbitant and unconstitutional power." A few days later he wrote that "an Attack upon the Liberties of one Colony is an Attack upon the Liberties of all; and therefore in this Instance all should be ready to yield Assistance to Rhode Island."

In a letter to a friend in Rhode Island, John Adams, the future President, summed up the tension felt across the Colonies:

"We are all in a fury here about . . . the Commission for trying the Rhode Islanders for Burning the *Gaspee*. I wonder how your Colony happens to sleep so securely in a whole skin, when her sisters are so worried and tormented."

King George III offered a handsome reward for information leading to the arrest of those responsible for the burning and destruction of his revenue cutter. But Rhode Islanders are a loyal bunch—the reward went unclaimed.

The site of Rhode Island's opening salvo in the American Revolution is now named Gaspee Point. The annual Gaspee Days celebration has grown to span several weeks each June and includes an arts and crafts festival, a walking tour with students playing the roles of Colonialists, an encampment of local militia, a parade down Narragansett Parkway in Warwick, and, of

course, a mock burning of the HMS *Gaspee*.

My friend, State Representative Joe McNamara, and the Gaspee Days Committee work each year to make these events the best they can be and to remind our State and Nation of the bravery of those few dozen souls. Indeed, this year another Rhode Islander Mark Tracy, a pediatric neurologist at Hasbro Children's Hospital, was able to acquire original news stories from 1772 that related this incident and gave them to the Gaspee Committee. I will note that he was able to get them rather inexpensively because "the auction house concentrated on describing the batches of newspapers—from the estate of an unnamed Providence collector—in terms of the coming Boston Tea Party and other events," paying no attention to the fact that Rhode Island's greater act and prior act was actually enclosed and described in these newspapers.

This summer will also mark another historic anniversary for Rhode Island because it was in July of 1663–350 years ago this summer—that King Charles II granted a royal charter establishing the Colony of Rhode Island and Providence Plantations.

"To hold forth a lively experiment," it declared "that a most flourishing civil state may stand and best be maintained . . . with a full liberty in religious concerns."

This charter provided in Rhode Island the world's first formal establishment of freedom of religion, distinguishing us from the rigid theocracy of Massachusetts. I am sorry to say, where ideological conformity was enforced by the gallows and the lash.

This charter has been called America's Magna Carta, for it is the first formal document in all of history granting the separation of church and state, along with extraordinary freedoms of speech, to a political entity. This "lively experiment" in Rhode Island blazed a path for American freedom of religion, one of our greatest national blessings. And, more practically, this liberty also allowed trading networks of Quakers and Baptists and Jews to connect in Newport and created their abundant wealth and commerce.

That freedom of religion, that freedom of conscience was the great legacy of Rhode Island's founder Roger Williams, who had been banished from Massachusetts for his beliefs about religious tolerance. Williams established his new colony as "a shelter for persons," as he said, "distressed for conscience." His battle for freedom of conscience, won and reflected in the King Charles Charter, is the reason his statue stands right out there, outside the Chamber of the Senate.

I know these events and the patriots whose efforts allowed for their success are not forgotten in my home State.

This summer we will gather in these ways to celebrate Rhode Island's independent streak. We will recall the courage and zeal of these men and women who embodied those most American values—freedom of conscience and freedom from tyranny, values that ignited a revolution in the summer of 1776.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Madam President, I ask unanimous consent to enter into a colloquy with Senator STABENOW.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MONSANTO PROTECTION ACT

Mr. MERKLEY. Madam President, I rise to talk about an issue that is important to many Oregonians, section 735 of the continuing resolution, also known as the Monsanto Protection Act. I appreciate this opportunity to engage in a dialog about it with Senator STABENOW, who, as the chair of the committee, is doing a magnificent job of guiding this farm bill through the Senate.

The Monsanto Protection Act refers to a policy rider the House slipped into the recently passed continuing resolution and sent over to the Senate. Because of the time-urgent consideration of this must-pass legislation—necessary to avert a government shutdown—this policy rider slipped through without examination or debate.

That outcome is unfortunate and unacceptable because the content of the policy rider is nothing short of astounding. It allows the unrestricted sale and planting of new variants of genetically modified seeds that a court ruled have not been properly examined for their effect on other farmers, the environment, and human health.

The impact on other farmers can be significant. The current situation in Oregon of GMO wheat escaping a field test—resulting in several nations suspending the import of white wheat from the United States—underscores the fact that poorly regulated GMO cultivation can pose a significant threat to farmers who are not cultivating GMO crops.

Equally troubling to the policy rider's allowance of unrestricted sale and planting of GMO seeds is the fact that the Monsanto Protection Act instructs the seed producers to ignore a ruling of the court, thereby raising profound questions about the constitutional separation of powers and the ability of our courts to hold agencies accountable.

Moreover, while there is undoubtedly some difference in this legislative body

on the wisdom of the core policy, there should be outrage on all sides about the manner in which this policy rider was adopted. I have certainly heard that outrage from my constituents in Oregon. They have come to my town-halls to protest, and more than 2,200 have written to me.

In an accountable and transparent legislative system, the Monsanto Protection Act would have had to be considered by the Agriculture Committee, complete with testimony by relevant parties. If the committee had approved the act, there would have been a subsequent opportunity to debate it on the floor of this Chamber. Complete transparency with a full opportunity for the public to weigh in is essential.

Since these features of an accountable and transparent legislative system were not honored and because I think the policy itself is unacceptable, I have offered an amendment to the farm bill which would repeal this rider in its entirety. To this point, my efforts to introduce that amendment have been objected to, and it takes unanimous consent. This type of rider has no place in an appropriations bill to fund the Federal Government, and a bill that interferes with our system of checks and balances should never have become law.

Ms. STABENOW. Madam President, I absolutely understand Senator MERKLEY's concerns about the issue and the concerns of many people about this issue. There has been a long-running understanding that we should not be legislating on appropriations, and I share the concern of my colleague that the Agriculture Committee and other appropriate committees didn't have an opportunity to engage in this debate.

As the Senator from Oregon knows, this language was included in the continuing resolution, the bill that funds the government, and that bill will expire on September 30 of this year. I agree with my colleague; we should not extend that provision through the appropriations process. We should have the same type of full and transparent process that both Senator MERKLEY and I have talked about today.

I wish to assure my friend that I think it would be inappropriate for that language to be adopted in a conference committee or otherwise adopted in a manner designed to bypass open debate in the relevant committees and this Chamber.

I will do my best to oppose any effort to add this kind of extension in the conference committee on this farm bill or to otherwise extend it without appropriate legislative examination.

Mr. MERKLEY. Madam President, I thank Senator STABENOW. I deeply appreciate the commitment of my colleague to ensure that the Monsanto Protection Act is not tucked into subsequent legislation in a manner that bypasses full committee examination and Senate debate.

The farm bill is extremely important to our Nation. The Senator from Michigan has worked with me to incorporate a number of provisions that are important to the farmers in Oregon, including disaster programs, responding to forest fires, specialty crop research programs, improvements in insurance for organic farmers, and low-cost loans offered through rural electrical co-ops for energy-saving home and business renovations.

It has been a real pleasure to work with Senator STABENOW on those provisions and, again, I thank the Senator for her support for them and for advocating responsible legislative examination of measures such as the Monsanto Protection Act.

Ms. STABENOW. Madam President, I thank the Senator from Oregon for his advocacy on so many important policies in this legislation. We worked together closely on forest fires. Senator MERKLEY and I have been on the phone many times. He wanted to make sure I was aware of what has happened to farmers, homeowners, and landowners in Oregon.

We share a great interest in so many areas as it relates to our organic growers and rural development as well as what is happening in terms of energy efficiency, and, as my friend mentioned, rural electric co-ops.

I thank Senator MERKLEY for his leadership in many areas, and I look forward to working with the Senator from Oregon as we bring the farm bill to a final vote.

Mr. MERKLEY. Madam President, again, I thank the chair for her leadership. I know how much she looks forward to the conclusion of this process as we try to enable folks to have various amendments which are appropriate for the farm bill debated on the floor.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I ask unanimous consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, the last week we were here, I gave my weekly "Time To Wake Up" speech, as usual. It is a speech I wrote well earlier. In a truly and, unfortunately, almost eerie coincidence, in my speech last week I spoke about a variety of natural disasters, including—and I will quote my own speech—"cyclones

in Oklahoma." I said that in the same hour the cyclone touched down in Moore, OK.

When people are suffering in the wake of a calamity such as that, they need to hear one thing from Washington; that is, how can we help. That is all they need to hear. No one likes to be chided when what they need is help and comfort.

J.E. Reynolds of the Daily Oklahoman wrote: "Victims and survivors need help, not a sermon in the first hours following a storm." I agree. I agree very much. My thoughts are with the victims of those Oklahoma storms and with everyone who is working to pick up the pieces.

Far from seeking to exploit their tragedy, I had no idea of the weather in Oklahoma that was happening virtually at the time I gave the speech, mentioning Oklahoma cyclones among other examples of extreme weather. But the eerie timing was what it was, and it did not send that single simple message: How can we help? So I am sorry. I have apologized to my Oklahoma colleagues for the unfortunate coincidence of timing of my earlier remarks, and I, of course, stand ready to help them speed relief to their State.

It is, of course, impossible to say that any single weather event is caused by climate change, and that is not something I have ever said. What is true is that climate change is altering weather patterns. Scientists have studied these changes in weather patterns, and they have modeled what is to come. Most are convinced that increases in the frequency and intensity of extreme weather will be a result of the megatons of carbon pollution we continue to emit.

The way I have described it is that climate change "loads the dice" for extreme weather. We might not know which roll is caused by the loaded dice. We are going to get a 6 or a 7 or a 12 or a 2 sooner or later anyway, but the extreme weather will come more often because of this. We cannot pretend this isn't happening. We just hit 400 parts per million of carbon in the atmosphere, measured at the NOAA observatory on Mauna Loa in Hawaii.

What does 400 parts per million mean? Well, look at it this way: For at least 800,000 years, and perhaps millions, we have been in a range on Earth between 170 and 300 parts per million of carbon in our atmosphere—800,000 years, minimum. Homo sapiens as a species have only been around for about 200,000 years, but just since the industrial revolution and the "Great Carbon Dump" began, we have blown out of the 170- to 300-parts-per-million range and have now hit 400.

This is very serious. We already see the effects. In Alaska, permafrost is melting and native villages once protected by winter ice are being eroded into the sea. In the Carolinas, roads to

the Outer Banks have to be raised as seas rise and storms worsen. Coral reefs are fading off in Florida and in the Caribbean. In Rhode Island, we have measured almost 10 inches of sea level rise since the 1930s. Rhode Island fishermen going out to sea from Point Judith are reporting "real anomalies . . . things just aren't making sense."

All of these effects from climate change hit our farmers too. Since before the founding of this Republic, our farmers have relied on the Sun, the rain, and the land to provide us their bounty. In 2011, farming and the industries that rely directly on agriculture accounted for almost 5 percent of the entire U.S. economy. But growing conditions in the United States are changing. More and more of our rainfall is coming in heavy downpours. Since 1991, the amount of rain falling in what scientists call "extreme precipitation events"—the amount of rain falling in extreme precipitation events has been above the 1901-to-1960 average in every region of the country.

In the Northeast where I am from extreme precipitation has increased 74 percent just between 1958 and 2010. That matters to our farmers. The very seasons are shifting. During the last two decades, the average frost-free season was about 10 days longer than during that period between 1901 and 1960. In the Southwest it is an astonishing 3 weeks longer. That matters to our farmers.

Average temperature in the contiguous United States has increased by about 1.5 degrees Fahrenheit since records began in 1895. Most of that increase occurred since the 1980s, and 2012 was the warmest year ever. That matters to our farmers.

This chart shows the extent of the U.S. drought in August of 2012. The red and the dark areas indicate extreme and exceptional drought. These conditions lasted most of the year. That matters to our farmers.

The U.S. Department of Agriculture Chief Economist Joseph Glauber testified before the Agriculture Committee that "the heat and rainfall deficit conditions that characterized the summer of 2012 were well outside the range of normal weather variation." That is precisely what scientists mean when they say climate change "loads the dice" for extreme weather.

Climate change doesn't cause specific heat waves but the average temperature shifts to warmer weather and the extremes move with it.

The New York Botanical Garden has seen apricot trees blossom in February. The Audubon Society of Rhode Island has reported cherry trees in Providence blooming as early as December. This could affect farmers too.

Jeff Send, a Michigan cherry farmer, explained to the Agriculture Committee that the record warm March temperatures brought his region's

cherry trees out of dormancy early and exposed them to later freezes. In Michigan he said:

We have the capacity to produce 275 million pounds of tart cherries. In 2012, our total was 11.6 million pounds.

A potential of 275 million pounds; actual crop, 11.6 million pounds, less than one-twentieth, all because of that early warming and that early bloom and the freezes that then killed them.

These changes I keep speaking about will continue if we go on polluting our atmosphere with greenhouse gases. As the harmful effects of climate change become more prevalent, our agricultural policies should reflect the threat posed to farming and food production by these changes. Yet in the farm bill climate change and extreme weather are not mentioned once.

Well, let me correct myself. They are mentioned once. The bill makes reference to an earlier law from 1990, and in the title of that 1990 law the words "climate change" appear. So by referring to the 1990 law, the farm bill once mentions climate change. But with all of this going on, that is the only reference. And the reason is that our Republican colleagues will oppose legislation if it even mentions the words "climate change."

We can't get around using the name of a statute that passed 20-plus years ago, if "climate change" is in the name, so that one had to go in. But, otherwise, climate change is not mentioned in the farm bill, despite all of this activity and effect on farming.

It is not that there aren't things we could do. The Bicameral Task Force on Climate Change, which I cochair with Representative WAXMAN, Senator CARDIN, and Representative MARKEY, asked stakeholders in the agriculture economy about carbon pollution and our resiliency to climate change.

The National Farmers Union, which represents more than 200,000 family farmers, ranchers, and rural members, responded—this is the National Farmers Union:

Mitigating and adapting to climate change is of significant concern to our membership and will be a defining trend that shapes the world.

That is the National Farmers Union on climate change. It will be "a defining trend that shapes the world."

Cap-and-trade legislation, the Farmers Union said, would provide a boon to farming and forest lands that take the lead on reducing greenhouse gases. The National Sustainable Agricultural Coalition encouraged a comprehensive approach. An effective policy to reduce greenhouse gas emissions, wrote the group, "should have as its cornerstone the support and promotion of sustainable organic cultural systems throughout USDA's programs and initiatives."

Even the American Farm Bureau Federation, which has at times opposed climate change legislation, expressed

clear support for farming practices that keep carbon out of the atmosphere and for investments in biofuels and in renewable energy.

We are grateful to all of the scientific and industry leaders who have shared their ideas with the Bicameral Task Force on Climate Change. We need active and willing partners in the effort to ensure our farms can meet the needs of a strong nation.

They are not alone. Responsible people across the spectrum want us to act on carbon and climate. Responsible people such as the Joint Chiefs of Staff of the United States of America, the U.S. Conference of Catholic Bishops, and dozens of major scientific societies—virtually every major one—and the folks in the corporate sector who run Apple and Ford and Nike and Coca Cola—get it. Republicans such as Ronald Reagan's Secretary of State George Schultz, former House Science Committee chair Sherry Boehlert, former Utah Governor and GOP Presidential candidate John Huntsman—responsible people across the spectrum get it. The scientists at NASA get it, and they are telling us to get serious. They are the ones who took a robot the size of an SUV and sent it millions of miles to Mars where they landed it safely on the surface of Mars and now they are driving it around. Do we think they might know what they are talking about? They get it. All across the spectrum, people get it. They are on one side getting something done about climate change.

On the other side are the polluters with their familiar retinue of cranks, extremists, and front organizations. That is basically it. And for some reason, the Republican Party—the great American Republican Party—has chosen to hitch its wagon to the polluters. I do not get it. I do not see how that works out for them.

Every day the pollution gets worse, and every day the evidence that this is serious gets stronger. I do not know why the Republican Party of Theodore Roosevelt wants to paint itself as the party that went with the polluters and not the scientists; that went with the fringe extreme against the responsible center. It has to be a bad bet. It is a crazy bet.

To make that bet you have to believe God will intervene and perform some magic, in violation of His own laws of physics and chemistry. Is that a bet you want to take? You have to believe that the market will work, even though the market is flagrantly skewed. Is that a bet you want to make? And you have to believe the people who have a vested interest to lie and disbelieve the people who have no conflict of interest, unless you are prepared to think that the Joint Chiefs of Staff and the Catholic bishops and all the major scientific organizations all have a conflict of interest. Does that

sound very sensible? Does that sound like where you want to hitch the wagon of one of America's great political parties?

Let me close, as we talk about climate change in the context of the farm bill, by quoting our friend Senator TESTER, who recently spelled out the crisis facing our farmers in an op-ed in USA Today.

I ask unanimous consent that op-ed be printed at the conclusion of my remarks.

Senator TESTER and his wife Sharla have been farming for almost 40 years—the same land that his grandparents homesteaded. This is how our friend from Montana described the changes he sees:

When I was younger, frequent bone-chilling winds whipped snow off the Rocky Mountain Front and brought bitterly cold days that reached -30 degrees. Today, we have only a handful of days that even reach 0 degrees. Changes in the weather are forcing Sharla and I to change how we operate our farm. It's now more difficult to know when to plant to take advantage of the rains.

Some might say the end of bitter winters will be a boon for Montana's economy. But with milder winters, we've seen the sawfly come out earlier to destroy our crops before they can be harvested. Montana's deep freezes also used to kill off the pine bark beetle, which today kills millions of acres of trees across the American West.

He writes:

Montanans already understand that climate change is affecting our daily lives. The argument isn't whether the world is changing, it's how to respond.

I will say, once again, it is time—it is well past time—for us in Congress to wake up to the urgent challenge of our time. There is a lot at stake. There is a lot at stake for all of us. There is a lot at stake for every State, and there is a lot at stake for every generation, particularly for the generations that are to follow.

So often I hear my Republican colleagues expressing concern about what our debt will do to future generations. Fine. What will a ruined climate do to future generations? What will acidified seas do to future generations? What will worse extreme weather and rising seas do to future generations?

There is indeed a lot at stake, and it is time to wake up. It is time to take action.

I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From USA Today, Apr. 5, 2013]

#### CLIMATE CHANGE ALREADY FELT BY FARMERS

Montanans already understand that climate change is affecting our daily lives. The argument isn't whether the world is changing, it's how to respond.

I am a third-generation farmer from north-central Montana. My wife, Sharla, and I farm the same land homesteaded by my grandparents a century ago, continuing a Montana tradition of making a living off the land. We've farmed this land for nearly 40 years.



For the average American, particularly those of us from rural America, the political conversation about climate change seems worlds away. For us, warmer winters and extreme weather events are already presenting new challenges for our way of life.

It's an experience with climate change that too often goes unreported and overlooked. But as a nation we must start paying attention, because the experiences of America's farmers, ranchers, and sportsmen and women will change the debate if policymakers start listening.

Scientists tell us that climate change will bring shorter, warmer and drier winters to Montana. I see it every time I get on my tractor.

When I was younger, frequent bone-chilling winds whipped snow off the Rocky Mountain Front and brought bitterly cold days that reached -30 degrees. Today, we have only a handful of days that even reach 0 degrees. Changes in the weather are forcing Sharla and I to change how we operate our farm. It's now more difficult to know when to plant to take advantage of the rains.

Some might say the end of bitter winters will be a boon for Montana's economy. But with milder winters, we've seen the sawfly come out earlier to destroy our crops before they can be harvested. Montana's deep freezes also used to kill off the pine bark beetle, which today kills millions of acres of trees across the American West.

Those dead trees—many of which litter our National Forests—combined with historic drought to make 2012's record-setting wildfires possible. Last year's blazes, which burned Colorado suburbs, National Parks and more than 1 million acres in Montana, will become commonplace as the West continues to heat up. And I fear that epic droughts and floods will continue to be regular stories in the national news.

Montana's economy depends in part on the natural beauty of our state. Our outdoor economy generates nearly \$6 billion each year. But decimated forests, wildfires and lost wildlife habitat put our outdoor economy at risk.

Our economy also depends on our state's number one industry: agriculture. Montana's farmers and ranchers feed our state and our nation, but back-to-back years of record flooding and drought are testing even the hardiest of our producers.

Montanans already understand that climate change is affecting our daily lives. The argument isn't whether the world is changing, it's how to respond.

History will judge us based on what we do next. In the Senate, I am pushing to develop more sources of renewable energy. I still fill up my tractor with diesel fuel because there are no better options available, but by encouraging the development of wind, water, next-generation biofuels and other renewables, we will create new jobs as we cut the emissions that warm our planet and increase our energy options. That's why I introduced my Public Lands Renewable Energy Development Act ([http://www.wildlifemanagementinstitute.org/index.php?option=com\\_content&view=article&id=562:bipartisan-senate-bill-would-establish-renewable-energy-leasing-process&catid=34:ONB%20Articles&Itemid=54](http://www.wildlifemanagementinstitute.org/index.php?option=com_content&view=article&id=562:bipartisan-senate-bill-would-establish-renewable-energy-leasing-process&catid=34:ONB%20Articles&Itemid=54)) to streamline the permitting for renewable energy projects on public lands.

I've also proposed my Forest Jobs and Recreation Act (<http://www.testersenate.gov/?p=issue&id=70>). For decades, conservationists and loggers fought to control Montana's forests while our trees became fodder for fire and infestation. My bill brought Montanans

together to set aside some lands for recreation while requiring logging in others. By better taking care of our forests, we will reduce the growing threat of wildfire.

These are important steps, but achieving a comprehensive solution to climate change and energy development and use will require all Americans to work together before it's too late. Last year was the hottest year on record ([http://articles.washingtonpost.com/2013-01-08/national/36207396\\_1\\_noaa-analysis-climate-change-thomas-r-karl](http://articles.washingtonpost.com/2013-01-08/national/36207396_1_noaa-analysis-climate-change-thomas-r-karl)) in the United States. We are increasingly victims of strong and frequent natural disasters that leave us struggling to pay for both prevention and recovery efforts.

Folks in rural America are already adapting to the new realities brought by climate change. For farmers like me, it means erratic weather is putting my ability to make a living off the land and produce food at risk.

But for folks devastated by Hurricane Sandy or picking up the pieces from last year's wildfires, the ongoing political debate over climate change is even more frustrating. They know action is needed. They're calling for change. The only question is when we are going to listen.

Jon Tester is the junior Senator from Montana. He and his wife, Sharla, still farm the 1,800 acres his grandparents homesteaded in 1912.

The PRESIDING OFFICER (Mr. KING). The majority leader.

Mr. REID. Mr. President, before my friend leaves the floor, I appreciate very much him doing his utmost to keep our eye on the problem we have facing this country. We have no more important issue in the world than this issue, period. So I appreciate very much the Senator from Rhode Island keeping us focused on this.

Mr. WHITEHOUSE. I thank the majority leader.

#### CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 954, a bill to reauthorize agricultural programs through 2018.

Harry Reid, Debbie Stabenow, Amy Klobuchar, Christopher A. Coons, Sherrod Brown, Tom Harkin, Benjamin L. Cardin, Heidi Heitkamp, Patrick J. Leahy, Michael F. Bennet, Joe Donnelly, Al Franken, Max Baucus, Patty Murray, Tim Johnson, Mark Udall, Jon Tester.

UNANIMOUS CONSENT AGREEMENT—S. 1003 AND S. 953

#### CLOTURE MOTIONS

Mr. REID. Mr. President, I ask unanimous consent that it be considered as if the following motions to proceed were made: motion to proceed to Calendar No. 76, S. 1003, and motion to proceed to Calendar No. 74, S. 953; further, that the cloture motions, which are at the desk, be reported in the

order the motions were considered made; finally, that the mandatory quorum required under rule XXII be waived for these cloture motions and the cloture motion for S. 954.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The cloture motions having been presented under rule XXII, the Chair directs the clerk to read the motions.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to S. 1003, a bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

Mitch McConnell, John Cornyn, Lamar Alexander, Kelly Ayotte, David Vitter, Thad Cochran, Orrin G. Hatch, John Thune, Rob Portman, Lisa Murkowski, Michael B. Enzi, John Barrasso, John McCain, Roger F. Wicker, Roy Blunt, Johnny Isakson, Daniel Coats.

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 74, S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pensions plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

Harry Reid, Jack Reed, Tom Harkin, Richard J. Durbin, Patty Murray, Benjamin L. Cardin, Al Franken, Amy Klobuchar, Jeff Merkley, Jon Tester, Sherrod Brown, Barbara A. Mikulski, Robert P. Casey, Jr., Elizabeth Warren, Charles E. Schumer, Sheldon Whitehouse, Barbara Boxer.

Mr. REID. Mr. President, I ask unanimous consent that at 10 a.m. on Thursday, June 6, the Senate proceed to vote on the motion to invoke cloture on S. 954; that upon the conclusion of that vote and notwithstanding cloture having been invoked, if invoked, the Senate then proceed to vote on the motion to invoke cloture on the motion to proceed to Calendar No. 76, S. 1003; that upon the conclusion of the vote and notwithstanding cloture having been invoked, if invoked, the Senate proceed to vote on the motion to invoke cloture on the motion to proceed to Calendar No. 74, S. 953; that upon the conclusion of the vote and notwithstanding cloture having been invoked, if invoked, the Senate resume consideration of S. 954, postcloture, if cloture was invoked on the bill; that upon disposition of S. 954, if cloture had been invoked on one of the motions to proceed, the Senate then resume that motion to proceed postcloture; further, if cloture was invoked on both motions to proceed, the Senate consider the motions, postcloture, in the order in which cloture was invoked; finally, if the motion to proceed to S.



1003 is agreed to, and notwithstanding cloture having been invoked on the other motion to proceed to S. 953, the Senate resume the following motion to proceed, postcloture, upon disposition of S. 1003.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO KRY'S BART

Mr. REID. Mr. President, I rise today to recognize the leadership of Krys Bart, the president and CEO of the Reno-Tahoe Airport Authority. Krys has worked at the airport authority for 14 years and transformed the airport into a modern facility that welcomes visitors from across the United States and the world to Northern Nevada.

Krys arrived in Northern Nevada in 1998 at a turning point for the airport. Decisions by the previous management team had negatively impacted employee morale and hurt the airport authority's reputation in the community. With her steady leadership, Krys focused on achievable goals to deliver results for airport passengers and improve the airport authority's reputation. Krys helped direct more than \$500 million in infrastructure upgrades at the airport, including upgrading runways, taxiways, safety systems, and noise mitigation programs. I worked with Krys to secure more than \$250 million in Federal funding for Reno-Tahoe, including a new \$27 million air traffic control tower. These infrastructure upgrades not only created jobs in Northern Nevada, but they also improved the passenger experience for flyers. In fact, the Reno-Tahoe Airport was recognized as one of the top five most efficient airports in North America three times under Krys' leadership.

Krys' reputation as an innovative Nevada leader has been recognized on a national scale by major industry groups and associations. She was selected by her peers to serve as the chair of the board of the American Association of Airport Executives, the largest airport association in the world. Krys is a frequent lecturer at international aviation conferences, sharing the best management practices from her time as an airport executive. In 2011, Krys received the Distinguished Service Award from the American Association of Airport Executives. In 2008, she was chair of the American Association of Airport Executives, and the Airport Revenue News named her

the 2006 Airport Manager of the Year. These are just a few of the many awards and accomplishments that have followed Krys throughout her career, and it is a testament to the respect she has earned as one of the Nation's great airport managers.

Later this year, Krys will step down as the president of the Reno-Tahoe Airport Authority after a long and distinguished career in the aviation industry. While Krys' departure is a loss for the greater Reno community, her work to improve the airport and the greater community will benefit Nevadans for decades to come. I am pleased to recognize Krys' accomplishments before the Senate today and I wish her all the best in her retirement.

#### VOTE EXPLANATION

Ms. KLOBUCHAR. Mr. President, I was absent for the vote on an amendment to S. 954 on Monday, June 3, 2013. Had I been present, I would have voted in favor of amendment No. 987. Alfalfa growers face unique risk management challenges and the amendment would require the U.S. Department of Agriculture to develop improved crop insurance policies for this crop.

I have been closely monitoring reports of widespread loss of alfalfa in Minnesota this spring. Following last year's drought, this loss of alfalfa is particularly troubling for cattle and dairy producers. I am working closely with the U.S. Department of Agriculture and Minnesota farmers to remove barriers for planting forages and also to expand opportunities for grazing livestock on conservation program acres. I will continue to push for immediate relief for Minnesota agriculture producers.

#### TRIBUTE TO CAPTAIN JAMES T. LOEBLEIN

Mr. MCCAIN. Mr. President, today I honor a superb leader, liaison, and warrior. After more than 3 years of service as Director of the Navy Senate Liaison Office, CAPT James T. Loeblein is very deservedly moving on and moving up to assume the responsibilities of a rear admiral, lower half. On this occasion, I believe it is fitting to recognize Captain Loeblein's distinguished service and dedication to fostering the relationship between the U.S. Navy and this Chamber.

The captain is a 1985 graduate of the U.S. Naval Academy. In addition to serving as the executive officer of the USS *John S. McCain* DDG 56, he has held both command-at-sea and major command. Captain Loeblein has also served as executive assistant to commander, U.S. Third Fleet, and as chief of staff and Maritime Operations Center (MOC) director, U.S. Naval Forces Central Command/U.S. Fifth Fleet in Manama, Bahrain. Captain Loeblein re-

ported as director, Navy Senate Liaison, in May 2010.

Over the course of the last 3 years, Captain Loeblein has led 37 congressional delegations to 47 different countries. He has escorted 44 Members of Congress, 48 personal and professional staff members, and I have had the pleasure of traveling with Captain Loeblein on many of these trips. He has distinguished himself by going above and beyond the call of duty to facilitate and successfully execute each and every trip, despite any number of weather, aircraft, and diplomatic complications.

This Chamber will feel Captain Loeblein's absence. I join many past and present Members of Congress in my gratitude and appreciation to Captain Loeblein for his outstanding leadership and his unwavering support of the missions of the U.S. Navy, the Senate Armed Services Committee, Senate Foreign Relations Committee, Senate Select Committee on Intelligence, and others. I wish him and his wife CAPT Carol Loeblein "fair winds and following seas."

#### OBSERVING PRIDE MONTH

Mrs. MURRAY. Mr. President, when Governor Christine Gregoire signed the Washington State marriage equality bill into law last year, it was a day of joy for all of the loving, committed LGBT couples of Washington—and for all who love, respect, and support them. And when voters approved the law in a referendum last November, we showed the Nation once again that we can change the course of history and give true voice and meaning to the idea that all are created equal. This law takes us one important step closer towards true equality for LGBT families across Washington State. It is proof of the incredible power a community can have when we come together to fight for equality. Washington is now 1 of 12 States to have affirmed the right for LGBT couples to marry—an amazing sign of progress in our Nation.

I am proud to work with my colleagues in the Senate to achieve equal rights for LGBT Americans in Washington State and across the country. Earlier this year, I joined 172 Members of the House of Representatives and 39 Senators in filing an amicus brief to the U.S. Supreme Court in *United States v. Windsor*, arguing the Defense of Marriage Act is unconstitutional and should be struck down. And, as a senior member of the Senate Veterans' Affairs Committee, I led a letter to Veterans Affairs Secretary Eric Shinseki calling for an expedited waiver process to grant every same-sex spouse of a veteran burial rights in our national cemeteries.

There is much to celebrate today, but still so much more to be done to ensure equal rights for LGBT Americans. As

we look back upon our recent victories, we must also recommit to our efforts and harness the energy we used to achieve marriage equality last year to continue this fight. From our immigration and employment laws to our policies for veterans and military families, there is still plenty of work to be done to ensure all Americans, including members of our LGBT community, are treated equally.

Equal protection under the law is a fundamental right in our country. No one should suffer discrimination because of their race, religion, national origin, age, sex, disability, sexual orientation, or gender identity. Whether applying for a job, finding a home, eating in a restaurant, seeking credit, serving in our military, or attending school, we must ensure all citizens are treated fairly and equally. To me, the fight for equality for the LGBT community is a fight for what it means to be American. That is why Pride Month is so important.

Each June, Pride Month brings our community together to honor diversity, equality, and love. And this year, we can celebrate some truly historic gains as LGBT couples are finally able to express their commitment to each other in the same way so many other Washingtonians have throughout our State's history—by joining in marriage and saying “I do.”

Pride Month is a time to commemorate our accomplishments and recharge for the fight ahead. We have many more opportunities to advance our efforts in the coming months and years, and we will not give up until we have achieved full equality under the law for all Washingtonians and all Americans. I wish to thank the countless organizations that have led us to the victories and accomplishments we celebrate in June. When we gather together in moments such as this, we speak with one unified voice for the cause of equality and give true meaning to our Founders' belief that all are created equal. I am proud to fight for the LGBT community in Washington and across the country, and I will continue to ensure the voices of LGBT Americans and their allies are heard in the United States Senate.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING COLORADO EXPORTERS

• Mr. BENNET. Mr. President, today I wish to congratulate four outstanding businesses that have won the President's “E” Award for their role in advancing Colorado's export industry. The “E” Award was created by President John F. Kennedy in 1961 to recognize companies that have made significant contributions to increasing American exports. It is one of the highest honors an export company can receive.

Many of these companies are small- and medium-sized firms—the lifeblood of our economy—and we can proudly say that of the 57 businesses honored, 4 were from our home State of Colorado: Frederick Exports, World Trade Center Denver, Geotech Environmental Equipment, and Lightning Eliminators. These innovative companies are strengthening our State's economy, creating jobs, and paving the way for other businesses in the State interested in exporting their products and services overseas.

In 2012, American exports hit an all-time record high of \$2.2 trillion and Colorado exports increased by more than 10 percent growing to \$8.1 billion. These businesses are a perfect example of how companies across the State can take advantage of this trend by tapping the growing international market. These achievements not only benefit these individual businesses, but they increase economic development for our State.

The World Trade Center Denver and Frederick Export, both based in Denver, were honored for assisting and facilitating export activities. The World Trade Center Denver educates businesses throughout the Rocky Mountain region about international trade and connects these businesses to the more than 300 World Trade Centers located in 100 countries. With over 250 members locally, the World Trade Center Denver has helped countless local businesses expand their markets and build strategic partnerships.

Frederick Export is an export management company that has successfully helped more businesses in Colorado export their products and services abroad and grow their customer base. Companies represented by Frederick Export have seen growth of 20 percent or more each year.

Denver-based Geotech Environmental Equipment and Boulder-based Lightning Eliminators were recognized for showing sustained export growth. Lightning Eliminators, a leading supplier of lightning protection and prevention products and services, has grown its exports by nearly 200 percent over the past 4 years. Lightning Eliminators exports its innovative, patented lightning protection technology to such faraway places as Bangladesh, Nigeria, and Taiwan.

Geotech Environment Equipment provides quality environmental equipment to more than 20,000 companies worldwide and employs almost 100 people. Its exports have grown 40 percent over the past 4 years.

The pioneering spirit and innovative nature of Coloradans like these are spurring new job growth, driving our economy, and moving our State forward. I join the White House in honoring the contributions these companies have made to both Colorado and the country. I look forward to seeing

their future progress and thank them for the vital part they have played in helping our State thrive.●

##### RECOGNIZING EXCEPTIONAL NEVADA STUDENTS

• Mr. HELLER. Mr. President, today I wish to recognize three of Nevada's brightest students—Caolinn Mejza, Sharon Fang, and Justin Joseph—for earning the prestigious title of Presidential Scholar from the U.S. Department of Education. Presidential scholars are chosen for outstanding test scores, essays, grades, and community service commitments.

The White House Commission on Presidential Scholars named only 141 scholars throughout the United States this year. Caolinn Mejza, who attends the Las Vegas Academy of International Studies, Performing & Visual Arts, Sharon Fang of Clark High School, and Justin Joseph of Valley High School will represent Nevada as our State's winners. Each Presidential scholar will receive a medallion at a ceremony on June 16 in Washington, DC.

While honoring these students' academic achievements, it is also important to recognize the value and importance of education in our State. We must continue to support teachers and to improve our education system for students at all stages. I am dedicated to increasing the quality of education and ensuring that every student graduates prepared to enter college or the workforce.

On behalf of the residents of the Silver State, I am proud to recognize Caolinn, Sharon, and Justin for their accomplishments and their contributions to our State. They are undoubtedly some of the finest and most talented students in Nevada. Today, I ask my colleagues to join me in congratulating these exceptional young Nevadans.●

##### CONGRATULATING CEASAR SALICCHI

• Mr. HELLER. Mr. President, today I wish to congratulate Ceasar Salicchi for being named a Distinguished Nevadan by the Nevada System of Higher Education Board of Regents during the commencement ceremony at the University of Nevada, Reno, UNR. Mr. Salicchi is a military veteran and advocate for people with disabilities. He is truly deserving of this prestigious honor, which is awarded to current and former Nevadans who have made significant contributions to the cultural, economic, and scientific or social advancement of Nevada and its people.

Mr. Salicchi served in the U.S. Army from 1946 to 1947. After he contracted polio at the age of 25 in 1952, he became an advocate for others with disabilities. He is a founding member of the

Elko Association for Retarded Children, established in 1969, and served as the office manager for Elko General Hospital from 1962 to 1970. Mr. Salicchi went on to serve four different Nevada Governors as a committee member for the Developmental Disabilities Act as well as the Employ the Handicapped Act. His lifetime dedication to serving those with disabilities is inspiring.

Not only is Mr. Salicchi a strong advocate and proponent for those with disabilities, but he is also a dedicated public servant. He has served the people and community of Elko County with dignity and honor as the county treasurer from 1971 to 2006.

Today, I ask my colleagues to join me in congratulating Cesar Salicchi for his accomplishments and contributions to Nevada. I hope Mr. Salicchi's example of public service and advocacy will be an example to all of us of the power that one individual can have on the positive progression of the Silver State and its people. He is a truly a distinguished Nevadan and has earned our admiration and gratitude.●

#### TRIBUTE TO ARTHUR H. WILSON

● Mr. SANDERS. Mr. President, I rise to ask that this body pay high tribute to an outstanding leader and trusted advocate for our nation's injured and ill veterans, their families, and survivors. I am referring to Arthur H. Wilson, the chief executive officer and national adjutant of the Disabled American Veterans. Mr. Wilson, after dedicating 47 years of service to our nation's veterans, is retiring as leader of that august group of 1.2 million veterans. His steadfast devotion and dedication in leading DAV has made the organization the Nation's premier veterans service organization offering assistance, compassion, and support to our injured heroes.

DAV is a service organization representing the brave men and women who have suffered and survived wartime military service. Founded in 1920 by those wounded in World War I, DAV has been a devoted advocate for 92 years on behalf of those who have sacrificed for our freedom.

Mr. Wilson served with distinction in the U.S. Air Force as a runway construction specialist from 1962 to 1966, including service in Southeast Asia. He joined DAV as a national service officer trainee in Atlanta following his honorable discharge in 1966. He was subsequently assigned as a national service officer in Buffalo, NY, and Philadelphia, PA, and later held supervisory positions in DAV's national appeals office at the Department of Veterans Affairs' Board of Veterans Appeals in Washington, DC, in 1974.

In 1976, Mr. Wilson was promoted to management duties at DAV's National Service and Legislative Headquarters in Washington, DC, serving for 12 years

as national service director before being appointed Executive Director of the Washington headquarters in 1993.

For the past 19 years, Mr. Wilson has served as national adjutant and chief executive officer of DAV.

He is retiring from his distinguished career as only the sixth national adjutant in the history of the organization. He also serves as president of the Disabled Veterans' LIFE Memorial Foundation working to build the American Veterans Disabled for Life Memorial in Washington, DC, and is a member of the board of trustees of the USS Intrepid Museum Foundation.

I ask my colleagues to join me in extending our nation's thanks to Arthur Wilson for his dedication and commitment to our nation's veterans and his leadership of DAV. His devotion to America's wartime heroes serves as a brilliant example to all citizens of our nation.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 12:25 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 126. An act to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge.

H.R. 885. An act to expand the boundary of the San Antonio Missions National Historical Park, and for other purposes.

H.R. 1206. An act to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes.

H.R. 1919. An act to amend the Federal Food, Drug, and Cosmetic Act with respect to the pharmaceutical distribution supply chain, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 622. An act to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

The message further announced that the House has agreed to the following resolution:

H. Res. 242. Resolution relative to the death of the Honorable Frank R. Lautenberg, a Senator from the State of New Jersey.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 885. An act to expand the boundary of San Antonio Missions National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1206. An act to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes; to the Committee on Environment and Public Works.

H.R. 1919. An act to amend the Federal Food, Drug, and Cosmetic Act with respect to the pharmaceutical distribution supply chain, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

#### MEASURES DISCHARGED

The following bill was discharged from the Committee on Banking, Housing, and Urban Affairs, and referred as indicated:

S. 993; A bill to authorize and request the President to award the Medal of Honor to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for acts of valor on January 28, 1945, during the Battle of the Bulge in World War II; to the Committee on Armed Services.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1732. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "United States Standards for Grades of Almonds in the Shell" (Docket No. AMS-FV-11-0046) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1733. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pork Promotion, Research, and Consumer Information Program; Section 610 Review" (Docket No. AMS-LS-07-0143) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1734. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Lamb Promotion, Research, and Information Order; Amendment to the Order to Raise the Assessment Rate" (Docket No. AMS-LS-11-0038) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1735. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Mandatory Country of Origin Labeling of Beef, Pork, Lamb, Chicken, Goat Meat, Wild and Farm-Raised Fish and Shellfish, Perishable Agricultural Commodities, Peanuts, Pecans, Ginseng, and Macadamia Nuts" (Docket No. AMS-LS-13-0004) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1736. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Revision of Regulations Defining Bona Fide Cotton Spot Markets" (Docket No. AMS-CN-12-0024) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1737. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Milk in the Northeast and Other Marketing Areas; Order Amending the Orders" (Docket No. AMS-DA-07-0026; AO-14-A77) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1738. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Milk in the Northeast and Other Marketing Areas; Termination of Proceeding on Proposed Amendments to Tentative Marketing Agreements and Orders" (Docket No. AMS-DA-13-0016; AO-14-A74) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1739. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cranberries Grown in States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Changing Reporting Requirements" (Docket No. AMS-FV-12-0002; FV12-929-1 FIR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1740. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Increased Assessment Rate" (Docket No. AMS-FV-12-0038; FV12-906-1 FIR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1741. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pears Grown in Oregon and Washington; Committee Membership Reapportionment for Processed Pears" (Docket No. AMS-FV-12-0032; FV12-927-3 FR) received

during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1742. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pears Grown in Oregon and Washington; Modification of the Assessment Rate for Fresh Pears" (Docket No. AMS-FV-12-0030; FV12-927-1 FR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1743. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Onions Grown in South Texas; Increased Assessment Rate" (Docket No. AMS-FV-12-0039; FV12-959-1 FR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1744. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Colorado; Modification of the Handling Regulation for Area No. 2" (Docket No. AMS-FV-12-0043; FV12-948-1 FIR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1745. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Washington; Decreased Assessment Rate" (Docket No. AMS-FV-13-0010; FV13-946-1 IR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1746. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Domestic Dates Produced or Packed in Riverside County, California; Decreased Assessment Rate" (Docket No. AMS-FV-12-0035; FV12-987-1 FIR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1747. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Olives Grown in California; Decreased Assessment Rate" (Docket No. AMS-FV-12-0076; FV13-932-1 IR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1748. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Redistricting and Reapportionment of Grower Members, and Changing the Qualifications for Grower Membership on the Citrus Administrative Committee" (Docket No. AMS-FV-11-0076; FV11-905-1 FR) received during adjournment

of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1749. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pears Grown in Oregon and Washington; Assessment Rate Decrease for Processed Pears" (Docket No. AMS-FV-12-0031; FV12-927-2 FIR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1750. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Apricots Grown in Designated Counties in Washington; Temporary Suspension of Handling Regulations" (Docket No. AMS-FV-12-0028; FV12-922-2 FIR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1751. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) and Class 3 (Native) Spearmint Oil for the 2012-2013 Marketing Year" (Docket No. AMS-FV-11-0088; FV12-985-1A FIR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1752. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Vidalia Onions Grown in Georgia; Change in Reporting and Assessment Requirements" (Docket No. AMS-FV-12-0071; FV13-955-1 IR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1753. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Colorado; Reestablishment of Membership on the Colorado Potato Administrative Committee, Area No. 2" (Docket No. AMS-FV-12-0044; FV12-948-2 FR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1754. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Relaxing Size and Grade Requirements on Valencia and Other Late Type Oranges" (Docket No. AMS-FV-13-0009; FV13-905-2 IR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1755. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sweet Cherries Grown in Designated

Counties in Washington; Decreased Assessment Rate" (Docket No. AMS-FV-12-0026; FV12-923-1 FIR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1756. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tomatoes Grown in Florida; Decreased Assessment Rate" (Docket No. AMS-FV-12-0051; FV12-966-1 FIR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1757. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Increased Assessment Rate" (Docket No. AMS-FV-12-0045; FV12-905-1 FR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1758. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Apricots Grown in Designated Counties in Washington; Decreased Assessment Rate" (Docket No. AMS-FV-12-0027; FV12-922-1 FIR) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1759. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Azoxystrobin; Pesticide Tolerance; Technical Correction" (FRL No. 9387-4) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1760. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Guarhydroxypropyltrimethylammonium chloride; Exemption from the Requirement of a Tolerance" (FRL No. 9387-2) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1761. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Core Principles and Other Requirements for Swap Execution Facilities" (RIN3038-AD18) received during adjournment of the Senate in the Office of the President of the Senate on May 30, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1762. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Procedures to Establish Appropriate Minimum Block Sizes for Large Notional Off-Facility Swaps and Block Trades" (RIN3038-AD08) received during adjournment of the Senate in the Office of the President of the Senate on May 30, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1763. A communication from the Under Secretary of Defense (Acquisition, Tech-

nology and Logistics), transmitting, pursuant to law, Selected Acquisition Reports (SARs) for the quarter ending December 31, 2012 (DCN OSS 2013-0764); to the Committee on Armed Services.

EC-1764. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of two (2) officers authorized to wear the insignia of the grade of major general and brigadier general, respectively, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-1765. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Joseph D. Kernan, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1766. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals and accompanying reports relative to the National Defense Authorization Act for Fiscal Year 2014; to the Committee on Armed Services.

EC-1767. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to blocking property of the Government of the Russian Federation relating to the disposition of highly enriched uranium extracted from nuclear weapons that was declared in Executive Order 13617 of June 25, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-1768. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-1769. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, a report entitled "Report to the Congress on the Profitability of Credit Card Operations of Depository Institutions"; to the Committee on Banking, Housing, and Urban Affairs.

EC-1770. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Amendments to the 2013 Escrows Final Rule under the Truth in Lending Act (Regulation Z)" ((RIN3170-AA37) (Docket No. CFPB-2013-0009)) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1771. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of California; Redesignation of San Diego County to Attainment for the 1997 8-Hour Ozone Standard" (FRL No. 9818-1) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Environment and Public Works.

EC-1772. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Oklahoma: Final Authorization of

State Hazardous Waste Management Program Revision" (FRL No. 9817-6) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Environment and Public Works.

EC-1773. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "United States-Korea Free Trade Agreement" (RIN1515-AD86) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Finance.

EC-1774. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-090, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-1775. A joint communication from the Secretary of Defense and the Chairman of the Joints Chiefs of Staff, transmitting a request relative to distinguished visitor trips to Afghanistan for the period of June 1 through October 1, 2013; to the Committee on Foreign Relations.

EC-1776. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-064); to the Committee on Foreign Relations.

EC-1777. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-026); to the Committee on Foreign Relations.

EC-1778. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013-0084-2013-0098); to the Committee on Foreign Relations.

EC-1779. A communication from the President and CEO of the African Development Foundation, transmitting, pursuant to law, the Foundation's Congressional Budget Justification for fiscal year 2014; to the Committee on Foreign Relations.

EC-1780. A communication from the Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priority; Technical Assistance to Improve State Data Capacity—National Technical Assistance Center to Improve State Capacity to Accurately Collect and Report IDEA Data" (CFDA No. 84.373Y) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1781. A communication from the Acting Chief Policy Officer, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022) received in the Office of the President of the Senate

on May 23, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1782. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of Health and Human Services, received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Health, Education, Labor, and Pensions.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. HAGAN (for herself, Mrs. MURRAY, and Ms. BALDWIN):

S. 1087. A bill to award grants to encourage State educational agencies, local educational agencies, and schools to utilize technology to improve student achievement and college and career readiness, the skills of teachers and school leaders, and the efficiency and productivity of education systems at all levels; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRANKEN (for himself, Mrs. MURRAY, Mrs. GILLIBRAND, Mr. CASEY, Mr. LEAHY, Mrs. BOXER, Mr. BEGICH, Ms. STABENOW, Mr. UDALL of New Mexico, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. BENNET, Mr. SANDERS, Mr. HARKIN, Ms. MIKULSKI, Mr. BROWN, Mr. COWAN, Ms. WARREN, Mrs. HAGAN, Mrs. SHAHEEN, Mr. COONS, Mr. MURPHY, Ms. KLOBUCHAR, Ms. CANTWELL, Mr. SCHATZ, Mr. HEINRICH, Ms. BALDWIN, Mr. DURBIN, Mr. WYDEN, Mr. REED, Mr. UDALL of Colorado, Mr. SCHUMER, Mr. CARDIN, and Mr. MERKLEY):

S. 1088. A bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself, Mr. BLUMENTHAL, Mrs. BOXER, Mr. MANCHIN, Ms. MURKOWSKI, and Mr. BOOZMAN):

S. 1089. A bill to provide for a prescription drug take-back program for members of the Armed Forces and veterans, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO:

S. 1090. A bill to amend the Internal Revenue Code of 1986 to consolidate the current education tax incentives into one credit against income tax for higher education expenses, and for other purposes; to the Committee on Finance.

By Ms. MIKULSKI:

S. 1091. A bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself, Mrs. MCCASKILL, and Mr. SCHATZ):

S. 1092. A bill to amend title 10, United States Code, to require an Inspector General investigation of allegations of retaliatory personnel actions taken in response to making protected communications regarding sexual assault; to the Committee on Armed Services.

By Mr. COCHRAN:

S. 1093. A bill to designate the facility of the United States Postal Service located at

130 Caldwell Drive in Hazlehurst, Mississippi, as the "First Lieutenant Alvin Chester Cockrell, Jr. Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, Mr. CASEY, Mrs. HAGAN, Mr. FRANKEN, Mr. BENNET, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MURPHY, and Ms. WARREN):

S. 1094. A bill to amend the Elementary and Secondary Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 1095. A bill to amend the Individuals with Disabilities Education Act in order to limit the penalties to a State that does not meet its maintenance of effort level of funding to a one-time penalty; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS (for himself, Mr. ROCKEFELLER, and Ms. COLLINS):

S. 1096. A bill to establish an Office of Rural Education Policy in the Department of Education; to the Committee on Health, Education, Labor, and Pensions.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PAUL:

S. Res. 159. A resolution expressing the sense of the Senate condemning the targeting of Tea Party groups by the Internal Revenue Service and calling for an investigation; to the Committee on Finance.

By Mr. REID:

S. Res. 160. A resolution relative to the memorial observances of the Honorable Frank R. Lautenberg, late a Senator from the State of New Jersey; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr.

REID, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COWAN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY,

Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 161. A resolution relative to the death of the Honorable Frank R. Lautenberg, Senator from the State of New Jersey; considered and agreed to.

By Mr. BLUMENTHAL (for himself, Mr. CHAMBLISS, and Mr. MURPHY):

S. Res. 162. A resolution expressing the sense of the Senate with respect to childhood stroke and recognizing May 2013 as "National Pediatric Stroke Awareness Month"; considered and agreed to.

By Mr. REID:

S. Con. Res. 18. A concurrent resolution providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the United States Senate Chamber for the Honorable Frank R. Lautenberg, late a Senator from the State of New Jersey; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 104

At the request of Mr. VITTER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 104, a bill to provide for congressional approval of national monuments and restrictions on the use of national monuments.

S. 267

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 267, a bill to prevent, deter, and eliminate illegal, unreported and unregulated fishing through port State measures.

S. 269

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 269, a bill to establish uniform administrative and enforcement authorities for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 316

At the request of Mr. SANDERS, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 360

At the request of Mr. UDALL of New Mexico, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 360, a bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and



the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service.

S. 381

At the request of Mr. BROWN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 397

At the request of Mr. NELSON, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 397, a bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

S. 403

At the request of Mr. CASEY, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 462

At the request of Mrs. BOXER, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from Delaware (Mr. COONS) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 500

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 500, a bill to amend the Internal Revenue Code of 1986 to apply payroll taxes to remuneration and earnings from self-employment up to the contribution and benefit base and to remuneration in excess of \$250,000.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 596

At the request of Mr. THUNE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 596, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to

furnish remote patient monitoring services that reduce expenditures under such program.

S. 650

At the request of Ms. LANDRIEU, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 650, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 669

At the request of Mr. PRYOR, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 669, a bill to make permanent the Internal Revenue Service Free File program.

S. 699

At the request of Mr. BLUNT, his name was added as a cosponsor of S. 699, a bill to reallocate Federal judgeships for the courts of appeals, and for other purposes.

S. 728

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 728, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 783

At the request of Mr. WYDEN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 783, a bill to amend the Helium Act to improve helium stewardship, and for other purposes.

S. 789

At the request of Mr. BAUCUS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 820

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 820, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 842

At the request of Mr. SCHUMER, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 871

At the request of Mrs. MURRAY, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 888

At the request of Mr. JOHANNIS, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 888, a bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 918

At the request of Mr. COONS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 918, a bill to award grants in order to establish longitudinal personal college readiness and savings online platforms for low-income students.

S. 953

At the request of Mr. REED, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

S. 967

At the request of Mrs. GILLIBRAND, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 971

At the request of Mr. WYDEN, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Maine (Mr. KING), the Senator from Maine (Ms. COLLINS) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 971, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.



S. 988

At the request of Mr. LEE, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 988, a bill to provide for an accounting of total United States contributions to the United Nations.

S. 1007

At the request of Mr. KING, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1007, a bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property.

S. 1009

At the request of Mr. VITTER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1009, a bill to reauthorize and modernize the Toxic Substances Control Act, and for other purposes.

S. 1012

At the request of Mr. BLUNT, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1012, a bill to amend title XVIII of the Social Security Act to improve operations of recovery auditors under the Medicare integrity program, to increase transparency and accuracy in audits conducted by contractors, and for other purposes.

S. 1035

At the request of Mr. KING, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1035, a bill to require an independent alternative analysis of the consideration of the use of targeted lethal force against a particular, known United States person knowingly engaged in acts of international terrorism against the United States and for other purposes.

S. 1038

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1038, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S.J. RES. 15

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S.J. Res. 15, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 154

At the request of Mr. HOEVEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 154, a resolution supporting political reform in Iran and for other purposes.

S. RES. 157

At the request of Ms. KLOBUCHAR, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. Res. 157, a resolution expressing the

sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas.

AMENDMENT NO. 1118

At the request of Mr. BROWN, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of amendment No. 1118 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1151

At the request of Ms. COLLINS, the names of the Senator from Colorado (Mr. BENNET), the Senator from Nebraska (Mr. JOHANNES) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 1151 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

At the request of Mr. UDALL of Colorado, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 1151 intended to be proposed to S. 954, *supra*.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. BLUMENTHAL, Mrs. BOXER, Mr. MANCHIN, Ms. MURKOWSKI, and Mr. BOOZMAN):

S. 1089. A bill to provide for a prescription drug take-back program for members of the Armed Forces and veterans, and for other purposes; to the Committee on the Judiciary.

Ms. COLLINS. Mr. President, I rise today to introduce the Servicemembers and Veterans Prescription Drug Safety Act of 2013, with my colleagues Senators BLUMENTHAL, BOXER, MANCHIN, MURKOWSKI, and BOOZMAN. This bill would require the Attorney General to establish drug take-back programs in coordination with both the Department of Defense and the Department of Veterans Affairs.

The number of reported suicide deaths in the U.S. military surged to a record 349 in 2012, which is more than the number of servicemembers who lost their lives in combat while serving our nation in Afghanistan during the same period of time. According to the Department of Veterans Affairs, the number of suicides among veterans has reached an astounding rate of 22 each day based on data collected from more than 21 states.

These losses are unacceptable. We are losing dozens of America's finest each month, squandering precious talent that our nation needs and depriving families of their loved ones. Today's soldiers are tomorrow's veterans; their mental health needs must be met now to avoid future suicides.

There is substantial evidence that prescription drug abuse is a major factor in military and veteran suicides. In its January 2012 report, *Army 2020: Generating Health and Discipline in the Force*, the Army found that 29 percent of suicides involved individuals with a known history of psychotropic medication use, including anti-depressants, anti-anxiety medicine, anti-psychotics, and other controlled substances such as opioids.

This report recommended the establishment of a military drug take-back program to help combat prescription drug abuse in the ranks. Given that more than 49,000 soldiers were issued three or more psychotropic or controlled substance prescriptions last year, and an estimated 3,500 soldiers illicitly used prescription drugs, it is past time we act on this recommendation and implement a military drug take-back program.

In Afghanistan, we have invested billions of dollars and devoted some of the military's best minds to protect our soldiers and give them the tools they need to reduce the threat of an improvised explosive device attack. Unfortunately, we have not focused sufficient resources or creativity to suicide prevention. While I applaud the military's, and especially the Army's, and VA's efforts to address this threat seriously, we must do more.

At present, only the Drug Enforcement Administration, DEA, has the inherent authority to conduct a drug take-back program. Three years ago, the Congress passed the Secure and Responsible Drug Disposal Act of 2010, which provided the Attorney General the flexibility necessary to delegate similar authority to other agencies for the collection and disposal of controlled substances. Since that time, the Attorney General has not sufficiently exercised his existing authority to provide this much needed assistance to the Department of Defense and the VA. The DEA recently proposed new regulations to expand the options available to collect controlled substances for purposes of disposal. Unfortunately, the proposed regulations fall short because they fail to authorize the Department of Defense or the VA to collect controlled substances through appropriate mechanisms.

DEA has concerns that DOD and VA cannot maintain the same strict accountability of drugs to prevent the misuse, abuse, or sales in the black market. I am confident, however, that the DOD—the institution that has developed and implemented programs for the handling of nuclear weapons and classified information—and the VA are capable of conducting drug take-back programs with the utmost accountability and highest of standards.

Excluding the DOD and VA from conducting drug take-back programs is detrimental to efforts to reduce controlled substance abuse, decrease non-

medical use of prescription drugs, prevent diversion of controlled substances, and limit the possibility for accidental overdose and death for our servicemembers and veterans, or their family members. This legislation will provide the necessary authority to give both departments an effective drug-take back program that will help address the scourge of suicide.

The loss of even one servicemember or veteran to a potentially preventable suicide involving controlled substance abuse or misuse is unacceptable. I look forward to working with my colleagues to pass this important, life-saving legislation.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, Mr. CASEY, Mrs. HAGAN, Mr. FRANKEN, Mr. BENNETT, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MURPHY, and Ms. WARREN):

S. 1094. A bill to amend the Elementary and Secondary Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, throughout my career in public service I have been committed to ensuring that all children in this country receive a quality education. Today, I join my Democratic colleagues on the Senate Health, Education, Labor and Pensions Committee, which I chair, in introducing a bill to reauthorize the Elementary and Secondary Education Act of 1965, ESEA, which has become better known in recent years as the No Child Left Behind Act, NCLB. In my view, our bill will appropriately redefine the Federal role in education in this country and will focus our collective efforts to improve the lives of our most vulnerable children.

I want to start with a few words about the Federal role in education, since ESEA, in large measure, determines that role. While it is certainly true that education is primarily a State and local function, the Federal Government also plays an important role, and a well-educated citizenry is clearly in the national interest. A cardinal Federal role is to ensure all Americans, regardless of race, gender, national origin, religion and disability have the same equal opportunity to a good education. Likewise, the Constitution expressly states that our national government was formed to “promote the general welfare, and secure the blessings of liberty.” The general welfare is greatly endangered when the populace is not adequately educated. And, education is critical to liberty.

ESEA was first passed in 1965 in order to provide aid to States and school districts to improve education for children from low-income families. And in 1975, Congress passed the Education for All Handicapped Children Act, later re-

named the Individuals with Disabilities Education Act, to assist States and districts in educating children with disabilities. For more than 40 years, the Federal government has trained its focus on the mission that all children should have the chance to fulfill their full potential.

The No Child Left Behind Act represented a departure from previous reauthorizations of ESEA. Lawmakers felt compelled to be more prescriptive with States to ensure that they improved their low-performing schools and focused on closing pernicious student achievement gaps. NCLB defined “adequate yearly progress” for schools and districts; it required districts to put aside money to implement public school choice and tutoring in schools identified for improvement; it included a list of rigorous interventions for low-performing schools and an additional category of “restructuring” for the most chronically low-performing schools with even more severe consequences. NCLB reflected good intentions. However, as we have seen over the course of the past 12 years, those good intentions did not translate to good policy on-the-ground. Many States lowered expectations for students with the standards and assessments they developed. Many local schools and teachers were branded failing when some of their students did not meet the rigid benchmarks the Federal Government had set—even though in many instances students had made substantial progress. Districts felt hamstrung by the requirement to spend money on reforms that simply did not meet the needs of many students.

The Secretary of Education has given schools a reprieve from these onerous requirements through a flexibility agreement that States have undertaken voluntarily. While this reflects a positive change for the time being, it is no substitute for a new law. The actions of the Secretary, while laudable, may only last as long as this administration. What will happen in 2016? Will the flexibility agreements stay in place or will States be forced to revert to the requirements of what will then be a 15-year-old law that reflects old thinking?

The bill I am introducing along with HELP Committee Democrats follows a different course than NCLB, and one similar to the flexibility agreements instituted by the U.S. Department of Education. We ask for a system of shared responsibility with States and school districts. I believe that we are entering an era in which the Federal Government can work in partnership with States to improve our Nation's schools, while continuing to provide a backstop to avoid returning to old ways. Our bill gets rid of AYP, but sets Federal parameters for State- and locally-designed accountability systems. These systems must: cover all students, including students with disabili-

ties and English learners; continue to measure and report on the performance of all schools; expect sufficient progress for all schools and subgroups of students; and provide for local interventions in low-performing schools or schools with low-achieving student subgroups beyond the lowest performing 5 percent. States that have received a waiver from the Secretary in the past two years can continue to operate under the agreements they made. States without a waiver will develop accountability plans that set schools on a path to attain the same levels of student achievement as the top 10 percent of schools in their State. However, if States have a different accountability system in mind, they can develop one that is equally ambitious to the ones above, subject to approval by the Secretary of Education, an important safeguard on the quality and integrity of these systems.

Our bill sets the high bar of ensuring that students who graduate from high school are college- and career-ready. It narrows the Federal focus to turning around persistently low-achieving schools and our Nation's dropout factories—those schools that graduate less than 60 percent of their students—as well as schools with significant student achievement gaps.

Our bill also asks States to put greater emphasis on the learning of children in the early years because we know that so many of our children, particularly children from low-income families, have gaps in learning before they even enter the school door. I have often said that learning begins at birth and the preparation for learning begins before birth. For the first time in the law's history, it is a purpose of Title I to provide children access to high-quality early learning experiences so that they come to school ready to learn. Our bill also encourages States to begin providing full-day kindergarten if they do not do so already. It also asks States to have, or establish, early learning and development guidelines that describe what children should know and be able to do before they enter kindergarten so that States can address gaps in learning as early as possible.

Our bill also takes the significant step of closing the “comparability loophole” so that funds provided through Title I of ESEA will finally serve as additional dollars for our neediest students, and Title I schools will get their fair share of Federal resources. It also provides districts with more flexibility in how States and districts spend their Federal funds while ensuring that the resources designated to serve our most disadvantaged students get to those students. The bill creates a Professional Growth and Improvement System that requires the development of rigorous and fair teacher and principal evaluations, and provides these critical school staff with

the support they need to continually improve teaching and learning. It also leverages opportunities for more children to access high quality early learning programs and adds new protections for some of our most vulnerable children—homeless students and students in foster care—so that they will be better served by schools.

Our bill strategically consolidates programs and focuses grant funds on a smaller number of programs to allow for greater flexibility, and supports districts in extending the school day and year, strengthening their literacy, science, math or technology programs, fostering safe and healthy students, and offering a more well-rounded curriculum that includes the arts and physical education. It invests in effective programs to train and support principals and teachers for high-need schools. And, it fosters innovation through new programs like Race to the Top, Investing in Innovation, and Promise Neighborhoods.

I believe this is a very good bill and I am proud of our efforts. We owe it to our kids and our nation to produce a law that provides States and districts with the certainty, support and resources they need to make meaningful strides in improving our educational system. To that end, I would note that historically, education policy in Congress has been done in a bipartisan fashion. I want to give appropriate credit to the Ranking Member of the HELP Committee, the distinguished senior Senator from Tennessee, Senator ALEXANDER. We worked in good faith for many months to attempt to forge an agreement on a path forward. However, in the end, there were certain fundamental issues on which we could not agree. That is why, along with other HELP Committee Democrats, I have decided to move forward with a Democratic bill. It is my strong hope that Senate Republicans will recognize the significant changes that we have made in this bill to address their concerns, and will work with us to reconcile remaining disagreements so that together we can pass a law that provides children with a greater chance at reaching their full potential. It is the duty and responsibility of members of Congress in both houses to replace the No Child Left Behind Act with a new and better law.

This bill represents significant change, and change is difficult. We must work to together to move from a culture of minimal compliance with Federal requirements to one of shared innovation, shared responsibility and success for all students. I look forward to working towards this new partnership and to the next chapter of an effective Federal role in promoting educational excellence and equity.

By Mr. BAUCUS (for himself, Mr. ROCKEFELLER, and Ms. COLLINS):

S. 1096. A bill to establish an Office of Rural Education Policy in the Department of Education; to the Committee on Health, Education, Labor, and Pensions.

Mr. BAUCUS. Mr. President, in 1865, Horace Greeley wrote in the New York Tribune, "Go West, young man, and grow up with the country."

For decades, Greeley's words captured the imagination of a country, and millions of families flocked to the West for a glimpse of the American dream. Rural America continues to thrive, and places like my home State of Montana offer an excellent place to raise a family. But there is a no question that rural and frontier America present unique circumstances that differ substantially from our more urban neighbors.

While rural education is becoming an increasingly large and important part of the U.S. public school system, the unique challenges and opportunities within rural communities are often misunderstood or overlooked. According to the Digest of Education Statistics reported annually by the National Center for Education Statistics, the number of students attending rural schools increased by over 11 percent, from 10.5 million in 2004 to nearly 11.7 million by 2008. Rural students now comprise almost one fourth of the Nation's public school enrollment. And nearly one-third of all schools in the nation are located in rural areas.

Yet despite the significant percentage enrolled in rural schools, the importance of rural education is often obscured by the fact that rural students are—naturally—widely dispersed, located in small, geographically isolated school districts. The size, diversity, and complexity of rural education support a greater policy focus on the unique challenges and solutions for rural education.

Montana is the fourth largest State by land mass, totaling over 147,000 square miles. More than half of Montana's 830 schools enroll less than 100 students. From Eureka to Ekalaka, from Scobey to Darby, these small schools dot the landscape, providing not only a learning environment but often a thriving community center.

Montana's rural communities are doing an excellent job educating our next generation. Overall, Montana graduation rates are higher than the national average. Montana students taking the National Assessment of Educational Progress, NAEP, in 2011 scored higher than the national average in both reading and math.

But despite the success of Montana's rural schools, they also face a unique set of challenges that their urban-centric peers may not even comprehend.

For example, rural schools report greater difficulties in recruiting and retaining qualified teachers, due to inability to offer competitive salaries,

geographic isolation, and for some, severe weather. Rural districts often have fewer personnel. The district superintendent is often also the high school principal. He or she may also be the Title I coordinator, the math curriculum specialist, and sometimes also the bus driver. In isolated areas, schools face challenges in providing professional development and training for teachers and principals. Small rural districts are often located long distances from other districts, towns, and universities, drastically reducing opportunities to partner or collaborate. Additionally, the long distances students must travel between school and home make it more difficult to participate in traditional remedial services, mentoring, and after-school programs.

And while Horace Greeley encouraged us to "Go West", many of the Department of Education's recent initiatives have failed to do just that. In the first two rounds of the Race to the Top competitive grant, only one State west of the Mississippi received funding.

And in some cases, even good intentions have created adverse consequences. The first round of the Investing in Innovation, I3, competitive grant program provided "competitive preference points" for applicants serving at least one rural district, in an effort to encourage and support rural applicants. However, the Department's lack of guidance and independent scorers' lack of understanding of rural areas still left authentically rural programs at a clear disadvantage. The Rural School & Community Trust highlighted in its report Taking Advantage that this "rural preference" instead had the effect of inducing urban applicants to include minimal rural participation merely in order to gain the additional scoring points for primarily urban projects. While the Department has made strides to improve the competitive chances of rural applicants, funding under the I3 grant continues to be directed to more urban school districts.

I am joined today by my colleagues Senator ROCKEFELLER of West Virginia and Senator COLLINS of Maine in reintroducing the Office of Rural Education Policy Act. This bipartisan bill will establish the Office of Rural Education Policy, housed at the Department of Education's Office of Elementary & Secondary Education. This Office and its Director will be tasked with coordinating the activities related to rural education and advising the Secretary on issues important to rural schools and districts. The legislation requires the Department to consider the impact of proposed rules and regulations on rural education and to produce an annual report on the condition of rural education. The goal of this bill is to allow rural schools to focus their time and resources on students in the classroom rather than red tape in the bureaucracy.

The Office of Rural Education Policy will be tasked with establishing a clearinghouse for collecting and disseminating information related to the unique challenges of rural areas, as well as, the innovative efforts underway in rural schools to tackle these challenges.

We have received strong support from dozens of organizations, including: American Association of Community Colleges, American Association of School Administrators, Alliance for Excellent Education, Center for Rural Affairs, Coalition for Community Schools, Council for Opportunity in Education, Montana School Board Association, Montana State Superintendents Association, Montana Rural Education Association, National Association of Development Organizations, National Education Association, National Farmers Union, National School Board Association, Organizations Concerned about Rural Education, Rural School and Community Trust, and Save the Children. I want to thank all the supporters of the bill, and want to particularly thank the efforts of the Rural School and Community Trust for its steadfast commitment to this proposal.

I look forward to working with my colleagues here in the Senate to move this legislation, to ensure our rural students and schools across the country are given a fair shake.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1096

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Office of Rural Education Policy Act”.

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The Secretary of Education has recognized that “[r]ural schools have unique challenges and benefits”, but a recent report by the Rural School and Community Trust refers to the “paucity of rural education research in the United States”.

(2) Rural education is becoming an increasingly large and important part of the United States public school system. According to the Digest of Education Statistics reported annually by the National Center for Education Statistics, the number of students attending rural schools increased by more than 11 percent, from 10,500,000 to nearly 11,700,000, between the 2004–2005 and 2008–2009 school years. The share of the Nation’s public school enrollment attending rural schools increased from 21.6 percent to 23.8 percent. In school year 2008–2009, these students attended 31,635 rural schools, nearly one-third of all schools in the United States.

(3) Despite the overall growth of rural education, rural students represent a demographic minority in all but 3 States, according to the National Center for Education Statistics.

(4) Rural education is becoming increasingly diverse. According to the National Center for Education Statistics, the increase in rural enrollment between the 2004–2005 and 2008–2009 school years was disproportionately among students of color. Enrollment of children of color in rural schools increased by 31 percent, and the proportion of students enrolled in rural schools who are children of color increased from 23.0 to 26.5 percent. More than one-third of rural students in 12 States are children of color, according to research by the Rural School and Community Trust (Why Rural Matters 2009).

(5) Rural education is varied and diverse across the Nation. In school year 2007–2008, the national average rate of student poverty in rural school districts, as measured by the rate of participation in federally subsidized meals programs, was 39.1 percent, but ranged from 9.7 percent in Connecticut to 71.9 percent in New Mexico, according to the National Center for Education Statistics.

(6) Even policy measures intended to help rural schools can have unintended consequences. In awarding competitive grants under the Investing in Innovation Fund program under section 14007 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), the Secretary of Education attempted to encourage and support rural applicants by providing additional points for proposals to serve at least 1 rural local educational agency. But according to research by the Rural School and Community Trust (Taking Advantage, 2010), this “rural preference” mainly had the effect of inducing urban applicants to include rural participation merely in order to gain additional scoring points for primarily urban projects.

(7) Rural schools generally utilize distance education more often for both students and teachers. A fall 2008 survey of public schools by the National Center for Education Statistics found that rural schools were 1½ times more likely to provide students access for online distance learning than schools in cities. A September 2004 study from the Government Accountability Office reported that rural school districts used distance learning for teacher training more often than non-rural school districts.

(8) The National Center for Education Statistics reports that base salaries of both the lowest and highest paid teachers are lower in rural schools than any other community type.

(b) PURPOSES.—The purposes of this Act are—

(1) to establish an Office of Rural Education Policy in the Department of Education; and

(2) to provide input to the Secretary of Education regarding the impact of proposed changes in law, regulations, policies, rules, and budgets on rural schools and communities.

#### SEC. 3. ESTABLISHMENT OF OFFICE OF RURAL EDUCATION POLICY.

(a) IN GENERAL.—Title II of the Department of Education Organization Act (20 U.S.C. 3411 et seq.) is amended by adding at the end the following:

##### “SEC. 221. OFFICE OF RURAL EDUCATION POLICY.

“(a) IN GENERAL.—There shall be, in the Office of Elementary and Secondary Education of the Department, an Office of Rural Education Policy (referred to in this section as the ‘Office’).

“(b) DIRECTOR; DUTIES.—

“(1) IN GENERAL.—The Office shall be headed by a Director, who shall advise the Secretary on the characteristics and needs of

rural schools and the effects of current policies and proposed statutory, regulatory, administrative, and budgetary changes on State educational agencies, and local educational agencies, that serve schools with a locale code of 32, 33, 41, 42, or 43, as determined by the Secretary.

“(2) ADDITIONAL DUTIES OF THE DIRECTOR.—In addition to advising the Secretary with respect to the matters described in paragraph (1), the Director of the Office of Rural Education Policy (referred to in this section as the ‘Director’), through the Office, shall—

“(A) establish and maintain a clearinghouse for collecting and disseminating information on—

“(i) teacher and principal recruitment and retention at rural elementary schools and rural secondary schools;

“(ii) access to, and implementation and use of, technology and distance learning at such schools;

“(iii) rigorous coursework delivery through distance learning at such schools;

“(iv) student achievement at such schools, including the achievement of low-income and minority students;

“(v) innovative approaches in rural education to increase student achievement;

“(vi) higher education and career readiness and secondary school completion of students enrolled in such schools;

“(vii) access to, and quality of, early childhood development for children located in rural areas;

“(viii) access to, or partnerships with, community-based organizations in rural areas;

“(ix) the availability of professional development opportunities for rural teachers and principals;

“(x) the availability of Federal and other grants and assistance that are specifically geared or applicable to rural schools; and

“(xi) the financing of such schools;

“(B) identify innovative research and demonstration projects on topics of importance to rural elementary schools and rural secondary schools, including gaps in such research, and recommend such topics for study by the Institute of Education Sciences and other research agencies;

“(C) coordinate the activities within the Department that relate to rural education;

“(D) provide information to the Secretary and others in the Department with respect to the activities of other Federal departments and agencies that relate to rural education, including activities relating to rural housing, rural agricultural services, rural transportation, rural economic development, rural career and technical training, rural health care, rural disability services, and rural mental health;

“(E) coordinate with the Bureau of Indian Education, the Bureau of Indian Affairs, the Department of the Interior, and the schools administered by such agencies regarding rural education;

“(F) provide, directly or through grants, cooperative agreements, or contracts, technical assistance and other activities as necessary to support activities related to improving education in rural areas; and

“(G) produce an annual report on the condition of rural education that is delivered to the members of the Education and the Workforce Committee of the House of Representatives and the Health, Education, Labor, and Pensions Committee of the Senate and published on the Department’s Web site.

“(c) IMPACT ANALYSES OF RULES AND REGULATIONS ON RURAL SCHOOLS.—

“(1) PROPOSED RULEMAKING.—Whenever the Secretary publishes a general notice of proposed rulemaking for any rule or regulation that may have a significant impact on State educational agencies or local educational agencies serving schools with a locale code of 32, 33, 41, 42, or 43, as determined by the Secretary, the Secretary (acting through the Director) shall prepare and make available for public comment an initial regulatory impact analysis. Such analysis shall describe the impact of the proposed rule or regulation on such State educational agencies and local educational agencies and shall set forth, with respect to such agencies, the matters required under section 603 of title 5, United States Code, to be set forth with respect to small entities. The initial regulatory impact analysis (or a summary) shall be published in the Federal Register at the time of the publication of general notice of proposed rulemaking for the rule or regulation.

“(2) FINAL RULE.—Whenever the Secretary promulgates a final version of a rule or regulation with respect to which an initial regulatory impact analysis is required by paragraph (1), the Secretary (acting through the Director) shall prepare a final regulatory impact analysis with respect to the final version of such rule or regulation. Such analysis shall set forth, with respect to State educational agencies and local educational agencies serving schools with a locale code of 32, 33, 41, 42, or 43, as determined by the Secretary, the matters required under section 604 of title 5, United States Code, to be set forth with respect to small entities. The Secretary shall make copies of the final regulatory impact analysis available to the public and shall publish, in the Federal Register at the time of publication of the final version of the rule or regulation, a statement describing how a member of the public may obtain a copy of such analysis.

“(3) REGULATORY FLEXIBILITY ANALYSIS.—If a regulatory flexibility analysis is required by chapter 6 of title 5, United States Code, for a rule or regulation to which this subsection applies, such analysis shall specifically address the impact of the rule or regulation on State educational agencies and local educational agencies serving schools with a locale code of 32, 33, 41, 42, or 43, as determined by the Secretary.”

(b) EFFECTIVE DATE.—Section 221(c) of the Department of Education Organization Act, as added by subsection (a), shall apply to regulations proposed more than 30 days after the date of enactment of this Act.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 159—EXPRESSING THE SENSE OF THE SENATE CONDEMNING THE TARGETING OF TEA PARTY GROUPS BY THE INTERNAL REVENUE SERVICE AND CALLING FOR AN INVESTIGATION

Mr. PAUL submitted the following resolution; which was referred to the Committee on Finance;

S. RES. 159

Whereas it is a well-founded principle that the power to tax involves the power to destroy;

Whereas employees of the Internal Revenue Service (commonly known as the “IRS”) have publicly admitted that the IRS targeted Tea Party groups in a manner that

infringes on the free association rights and free speech rights of those groups;

Whereas the IRS admitted that employees of the IRS engaged in politically discriminatory actions;

Whereas the IRS used the taxing power as a political tool to intimidate Tea Party groups from engaging in free speech;

Whereas, according to media reports, as early as in 2010, the IRS was targeting Tea Party groups;

Whereas President Obama is aware that a Federal agency under his control has admitted to targeting Tea Party groups;

Whereas, according to media reports, a report by the Treasury Inspector General for Tax Administration indicates that some Tea Party groups withdrew applications for tax-exempt status as a result of the discriminatory actions of the IRS;

Whereas, according to the Washington Post, in late June 2011, employees of the IRS discussed giving special attention to case files in which groups made statements that “criticize[d] how the country is being run” and educated the people of the United States “on the Constitution and Bill of Rights” and targeting groups interested in limiting government; and

Whereas the discriminatory actions of the IRS impacted the free speech rights of the groups targeted by the IRS: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the Internal Revenue Service engaged in discriminatory behavior;

(2) Congress should use existing authority—

(A) to investigate potential criminal wrongdoing by individuals who authorized or were involved in targeting people of the United States based on their political views; and

(B) to determine if other entities in the administration of President Obama were involved in or were aware of the discrimination and did not take action to stop the actions of the Internal Revenue Service;

(3) President Obama should terminate the individuals responsible for targeting and willfully discriminating against Tea Party groups and other conservative groups; and

(4) the Senate condemns the actions of all individuals and entities involved in the infringement of the First Amendment rights of members of the Tea Party and other affected groups.

#### SENATE RESOLUTION 160—RELATIVE TO THE MEMORIAL OBSERVANCES OF THE HONORABLE FRANK R. LAUTENBERG, LATE A SENATOR FROM THE STATE OF NEW JERSEY

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 160

Whereas, The Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Frank R. Lautenberg, late a Senator from the State of New Jersey: Now, therefore, be it

*Resolved*, That the memorial observances of the Honorable Frank R. Lautenberg, late a Senator from the State of New Jersey be held in the Senate Chamber on Thursday, June 6, 2013, beginning at 2:00 p.m., and that the Senate attend the same.

*Resolved*, That paragraph 1 of Rule IV of the Rules for the Regulation of the Senate

Wing of the United States Capitol (prohibiting the taking of pictures in the Senate Chamber) be temporarily suspended for the sole and specific purpose of permitting the Senate Photographic Studio to photograph this memorial observance.

*Resolved*, That the Sergeant at Arms be directed to make necessary and appropriate arrangements in connection with the memorial observances in the Senate Chamber.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives, transmit an enrolled copy thereof to the family of the deceased, and invite the House of Representatives and the family of the deceased to attend the memorial observances in the Senate Chamber.

*Resolved*, That invitations be extended to the President of the United States, the Vice President of the United States, and the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations of the Navy, the Major General Commandant of the Marine Corps, the Chief of Staff of the Air Force, and the Commandant of the Coast Guard to attend the memorial observances in the Senate Chamber.

#### SENATE RESOLUTION 161—RELATIVE TO THE DEATH OF THE HONORABLE FRANK R. LAUTENBERG, SENATOR FROM THE STATE OF NEW JERSEY

Mr. MENENDEZ (for himself, Mr. REID, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COWAN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. Kaine, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

## S. RES. 161

Whereas the Honorable Frank R. Lautenberg served the people of the State of New Jersey for over 28 years in the United States Senate;

Whereas the Honorable Frank R. Lautenberg was the longest serving United States Senator from the State of New Jersey;

Whereas the Honorable Frank R. Lautenberg cast 9,267 roll call votes—more than any other United States Senator from the State of New Jersey and the 40th most in United States Senate history;

Whereas the Honorable Frank R. Lautenberg served on multiple Committees in the Senate including the Committee on the Environment and Public Works; the Committee on Commerce, Science, and Transportation; and the Committee on Appropriations; and served as Chairman of the Environment and Public Works Subcommittee on Superfund, Toxics, and Environmental Health; the Commerce, Science, and Transportation Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security; the Appropriations Subcommittee on Transportation; and the Appropriations Subcommittee on Financial Services, and General Government;

Whereas the Honorable Frank R. Lautenberg enlisted in the United States Army at the age of 18 and served in the European Theater during World War II;

Whereas the Honorable Frank R. Lautenberg was able to attend Columbia University as a result of G.I. Bill benefits following his military service;

Whereas the Honorable Frank R. Lautenberg co-founded the company Automatic Data Processing (ADP) and worked as its Chief Executive Officer, helping it become one of America's most successful companies;

Whereas the Honorable Frank R. Lautenberg dedicated his Senate career to improving the environment and public health, strengthening our nation's transportation systems, and working tirelessly on behalf of the people of New Jersey: Now, therefore, be it

*Resolved, That—*

(1) the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Frank R. Lautenberg, Senator from the State of New Jersey;

(2) the Secretary of the Senate shall transmit this resolution to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased; and

(3) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the deceased Senator.

#### SENATE RESOLUTION 162—EXPRESSING THE SENSE OF THE SENATE WITH RESPECT TO CHILDHOOD STROKE AND RECOGNIZING MAY 2013 AS “NATIONAL PEDIATRIC STROKE AWARENESS MONTH”

Mr. BLUMENTHAL (for himself, Mr. CHAMBLISS, and Mr. MURPHY) submitted the following resolution; which was considered and agreed to:

## S. RES. 162

Whereas a stroke, also known as cerebrovascular disease, is an acute neurologic injury that occurs when the blood supply to a part of the brain is interrupted by a clot in the artery or a burst of the artery;

Whereas a stroke is a medical emergency that can cause permanent neurologic damage

or even death if not promptly diagnosed and treated;

Whereas stroke occurs in approximately 1 out of every 3,500 live births, and has an overall annual incidence of 4.6 per 100,000 children age 19 and under;

Whereas a stroke can occur before birth;

Whereas stroke is among the top 12 causes of death for children between the ages of 1 and 14 in the United States;

Whereas 20 to 40 percent of children who have suffered a stroke die as a result;

Whereas stroke recurs within 5 years in 10 percent of children who have had an ischemic or hemorrhagic stroke;

Whereas the death rate for children who experience a stroke before the age of 1 year is the highest out of all child age groups;

Whereas there are no approved therapies for the treatment of acute stroke in infants and children;

Whereas approximately 60 percent of infants and children who have a pediatric stroke will have serious, permanent neurological disabilities, including paralysis, seizures, speech and vision problems, and attention, learning, and behavioral difficulties;

Whereas those disabilities may require ongoing physical therapy and surgeries;

Whereas the permanent health concerns and treatments resulting from strokes that occur during childhood and young adulthood have a considerable impact on children, families, and society;

Whereas not enough is known about the cause, treatment, and prevention of pediatric stroke;

Whereas medical research is the only means by which the people of the United States can identify and develop effective treatment and prevention strategies for pediatric stroke; and

Whereas early diagnosis and treatment of pediatric stroke greatly improves the chances that the affected child will recover and not experience a recurrence: Now, therefore, be it

*Resolved, That the Senate—*

(1) recognizes May 2013 as “National Pediatric Stroke Awareness Month”;

(2) urges the people of the United States to support the efforts, programs, services, and organizations that work to enhance public awareness of pediatric stroke;

(3) supports the work of the National Institutes of Health in pursuit of medical progress on the matter of pediatric stroke; and

(4) urges continued coordination and cooperation between the Federal Government, State and local governments, researchers, families, and the public to improve treatments and prognoses for children who suffer strokes.

#### SENATE CONCURRENT RESOLUTION 18—PROVIDING FOR THE USE OF THE CATAFALQUE SITUATED IN THE EXHIBITION HALL OF THE CAPITOL VISITOR CENTER IN CONNECTION WITH MEMORIAL SERVICES TO BE CONDUCTED IN THE UNITED STATES SENATE CHAMBER FOR THE HONORABLE FRANK R. LAUTENBERG, LATE A SENATOR FROM THE STATE OF NEW JERSEY

Mr. REID submitted the following concurrent resolution; which was considered and agreed to:

## S. CON. RES. 18

*Resolved by the Senate (the House of Representatives concurring), That the Architect of the Capitol is authorized and directed to transfer the catafalque which is situated in the Exhibition Hall of the Capitol Visitor Center to the Senate Chamber so that such catafalque may be used in connection with services to be conducted there for the Honorable Frank R. Lautenberg, late a Senator from the State of New Jersey.*

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1156. Mr. COBURN (for himself, Mr. BURR, Mr. ALEXANDER, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table.

SA 1157. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1158. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1159. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1160. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1161. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1162. Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1163. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1156.** Mr. COBURN (for himself, Mr. BURR, Mr. ALEXANDER, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, insert the following:

#### SEC. 12213. INTEREST RATES.

(a) INTEREST RATE PROVISIONS.—Section 455(b)(7) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)(7)) is amended by adding at the end of the following:

“(E) INTEREST RATE PROVISIONS FOR NEW LOANS ON OR AFTER JULY 1, 2013.—

“(i) IN GENERAL.—Notwithstanding the preceding paragraphs of this subsection or subparagraph (A) or (B), for Federal Direct Stafford Loans, Federal Direct Unsubsidized Stafford Loans, and Federal Direct PLUS Loans, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to—

“(I) the bond equivalent rate of 10-year Treasury bills auctioned at the final auction held prior to such June 1; plus



“(II) 3.0 percent.

“(ii) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this subparagraph after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination.

“(iii) RATE.—The applicable rate of interest determined under clause (i) for a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct PLUS Loan shall be fixed for the period of the Loan.”.

(b) SAVINGS FOR DEFICIT REDUCTION.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall determine the savings to the Federal Government resulting from the amendment made by subsection (a).

(c) AMOUNT TO BE USED FOR DEFICIT REDUCTION.—Any savings determined under subsection (b) shall be transferred to the Treasury for deficit reduction.

**SA 1157.** Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 998, strike line 25 and all that follows through page 999, line 14, and insert the following:

(i) in paragraph (4), by striking subparagraph (A) and inserting the following:

“(A) GRANTS.—The amount of a grant under this subsection shall not exceed the lesser of—

“(i) \$500,000; and

“(ii) 25 percent of the cost of the activity carried out using funds from the grant.”; and

(iii) by adding at the end the following:

“(5) TIERED APPLICATION PROCESS.—

**SA 1158.** Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 628, between lines 13 and 14, insert the following:

**“SEC. 3502. RIGHTS-OF-WAY FOR RURAL WATER PROJECTS.**

“The Secretary shall waive land use fees for rights-of-way issued or reauthorized for any rural water project on National Forest System land that is federally financed (including a project that receives Federal funds under section 3501 or from a State drinking water treatment revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12)).

**SA 1159.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

**SEC. 12. STRICT COMPLIANCE WITH EXISTING PROTECTIONS FOR PERSONALLY IDENTIFIABLE INFORMATION.**

The Administrator of the Environmental Protection Agency shall comply with all applicable laws (including section 552a of title 5, United States Code (commonly known as the “Privacy Act of 1974”) and section 552 of title 5, United States Code (commonly

known as the “Freedom of Information Act”)) that pertain to the disclosure of any personally identifiable information, including, as applicable, the personally identifiable information of any owner, operator, or employee of a livestock or farming operation.

**SA 1160.** Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

**SEC. 12. FELLOWSHIP AND SCHOLARS PROGRAM.**

Section 226B of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(c)) is amended—

(1) by striking “The duties of the Office shall be to” and inserting “(1) FARMERS AND RANCHERS.—The Office shall”; and

(2) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively; and

(3) by adding at the end the following:

“(2) FELLOWSHIP AND SCHOLARS.—

“(A) IN GENERAL.—The Office shall continue, through the agencies and offices of the Department, competitive fellowship and scholars programs for the purpose of promoting the study of food and agricultural sciences (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)) at—

“(i) 1890 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601));

“(ii) 1994 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601)); and

“(iii) Hispanic-serving institutions (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)).

“(B) APPOINTMENTS.—The Secretary may make a noncompetitive appointment of a fellowship or scholars program participant leading to term, career, or career-conditional employment within the Department upon a participant obtaining an academic degree, subject to the condition that the applicant is adequately equipped to perform the duties of the position, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.”.

**SA 1161.** Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 250, strike line 12 and insert the following:

“rolled in this program.

“(e) CONSULTATION.—

“(1) IN GENERAL.—After an easement has been acquired under the program, the Secretary shall consult with the landowner to assist with the completion of the terms of the easement.

“(2) REQUIREMENTS.—In providing the consultation required under paragraph (1), the Secretary shall provide to the landowner—

“(A) once every 30 days during the term of easement, a status update with respect to

the easement, including a list of outstanding items to be performed by the landowner and the Secretary in order for the terms of the easement to be completed; and

“(B) an estimate of the number of days needed to complete the terms of the easement.

“(3) NOTIFICATION.—The Secretary shall notify the landowner of any changes to the estimate provided under paragraph (2)(B), including an explanation of the reason for the changes.”.

**SA 1162.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 174, between lines 6 and 7, insert the following:

**SEC. 1615. PROHIBITION ON USE OF FUNDS TO DELAY COMPLIANCE WITH WTO DECISIONS.**

None of the funds made available by this Act (including funds of the Commodity Credit Corporation) may be used by the Secretary to make payments or influence a foreign government or organization (including the Brazilian Cotton Institute) for the purpose of delaying compliance with a decision of the World Trade Organization.

**SA 1163.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1111, after line 20, add the following:

**SEC. 11. SPECIAL PROVISIONS.**

As soon as practicable after the date of enactment of this Act, the Secretary shall remove from the Special Provisions of crop insurance related to prevented planting any limitation that would apply to acreage that—

(1) would be prevented from the proper and timely planting of the crop when weather and other conditions are normal for the area in which the acreage is located.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 4, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 4, 2013, at 10 a.m., to conduct a hearing entitled “Iran Sanctions: Ensuring Robust Enforcement, and Assessing Next Steps.”

The PRESIDING OFFICER. Without objection, it is so ordered.



COMMITTEE ON ENERGY AND NATURAL  
RESOURCES

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 4, 2013, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SELECT COMMITTEE ON INTELLIGENCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 4, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMMUNICATIONS,  
TECHNOLOGY, AND THE INTERNET

Ms. STABENOW. Mr. President, I ask unanimous consent that the Subcommittee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 4, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "State of Wireless Communications."

The PRESIDING OFFICER. Without objection, it is so ordered.

RELATIVE TO THE DEATH OF  
FRANK R. LAUTENBERG

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of S. Res. 161.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 161) relative to the death of the Honorable Frank R. Lautenberg, Senator from the State of New Jersey.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 161) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

NATIONAL PEDIATRIC STROKE  
AWARENESS MONTH

Mr. REID. I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 162.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 162) expressing the sense of the Senate with respect to childhood stroke and recognizing May 2013 as "National Pediatric Stroke Awareness Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 162) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

## DISCHARGE AND REFERRAL—S. 993

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 993 and that the bill be referred to the Committee on Armed Services.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JUNE 6,  
2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m. on June 6, 2013; that following the pledge and prayer, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the farm bill under the previous order; that notwithstanding the Senate not being in session, the filing deadline for first-degree amendments to S. 954 be 1 p.m. on Wednesday and the filing deadline for second-degree amendments be 9:45 a.m. on Thursday.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PROGRAM

Mr. REID. Mr. President, the Senate will not be in session tomorrow to allow Senators to attend Senator LAUTENBERG's funeral. I would just mention, I just spoke to the Sergeant at Arms Office and the Secretary's Office. They are very impressed with the effusive outpouring of respect for Senator LAUTENBERG. We have four airplanes going up there. It is so wonderful. I am so impressed.

On Thursday, at 10 a.m., there will be three rollcall votes: one on the farm bill, two on the motions to proceed to student loans.

ADJOURNMENT UNTIL THURSDAY,  
JUNE 6, 2013, AT 9 A.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the provisions of S. Res. 161 as a further mark of respect to the memory of the late Senator FRANK R. LAUTENBERG of New Jersey.

The PRESIDING OFFICER. The Senate stands adjourned until 9 a.m. on Thursday, June 6, and does so under the provisions of S. Res. 161 as a further mark of respect to the late Senator FRANK R. LAUTENBERG of New Jersey.

Thereupon, the Senate, at 7:14 p.m., adjourned until Thursday, June 6, 2013, at 9 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

## THE JUDICIARY

PATRICIA ANN MILLETT, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE JOHN G. ROBERTS, JR., ELEVATED.

CORNELIA T. L. PILLARD, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE DOUGLAS H. GINSBURG, RETIRED.

ROBERT LEON WILKINS, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE DAVID BRYAN SENTELLE, RETIRED.

## IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. KEITH D. JONES

## HOUSE OF REPRESENTATIVES—Tuesday, June 4, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BROOKS of Alabama).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
June 4, 2013.

I hereby appoint the Honorable MO BROOKS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
Speaker of the House of Representatives.

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### HOUSTON FIREFIGHTERS KILLED FIGHTING HOTEL FIRE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, when there is a blaze, when there is a fire, when there is an explosion, when someone has an emergency medical problem, the firefighter—the EMT rush in. That is what they do. While others flee danger, the firefighter with sirens, red lights, horns, red and white trucks charge into the jaws and midst of danger. Sometimes the danger is overwhelming and firefighters are injured and some are killed.

This has been a tragic year in Texas for firefighters. On April 17 in West, Texas, 10 firefighters were killed while putting out the fire at a fertilizer plant that had exploded.

Last Friday, in the heat of the Texas noonday Sun, a restaurant on the highly traveled Southwest Freeway caught fire. Then with the high winds, the fire spread to a nearby hotel. Houston firefighters arrived at the scene in minutes. They heard screams from citizens, and they rushed into the hotel to find potential trapped guests.

The hotel suddenly became a hellish inferno. First, the two-alarm, then a

five-alarm fire. It took over 2 hours to get the fires under control. While the firefighters were in the hotel looking for people who stayed there, the roof of the hotel collapsed, trapping and killing four firefighters. Thirteen others were injured—some critically.

These are photographs of the four firefighters, Mr. Speaker:

Engineer Operator EMT, Robert Bebee, right here. He was 41 years of age. He's a graduate from Dobie High School, and he was a firefighter at Station 51. He started his career at the Houston Fire Department in August of 2001. His cousin, Joshua Gandara, said when he heard his cousin died, he knew why. "I knew he was saving somebody else." "That's him. He always put people first before himself, anybody's needs before his own needs."

Over here on the far left, photograph Mr. Speaker, is Anne Sullivan. She was 24 years of age. She was assigned to Station 58. She grew up in Sugar Land, Texas. She was just 5 feet 2 inches tall. Anne knew she wanted to be a firefighter since the day she graduated from high school. She had just graduated from the Houston Fire Department Academy in April. Anne was an avid soccer player, cross-country runner, and she ran 10 miles a day. Her father, Jack Sullivan, was in his car on the way home from work Friday when he heard on the radio about the fire. He realized the fire was in the same area where his daughter Anne worked. He wasn't sure whether or not she was involved and hoped with all his might it wouldn't be her. Then came the terrible news that four firefighters had been killed in the blaze. He started to cry. When he pulled up to his home, the emergency vehicle parked in front of his house said it all. Anne, 24, was one of the fallen firefighters.

Firefighter Captain EMT Matthew Renaud, 35 years of age. He graduated from North Shore Senior High School. He was an 11-year veteran of the fire department. Station 51 was where he was assigned. He was close to Bebee. He transferred to Station 51 to work with him because they were like brothers.

And then firefighter EMT Robert Garner, 29 years of age, Station 68. He had previously served in the United States Air Force; and since he finished serving, he wanted to be a firefighter in Houston. He did two tours of duty in Iraq. Garner's dad once told him: "Use your training because God will be with you." He awoke his dad that morning when he walked out of the house to go to work. That was the last time he saw his father.

Mr. Speaker, Houston is the third largest fire department in the United States. It is the busiest. This is the most tragic event in the history of the Houston Fire Department. So tomorrow at Reliant Stadium, an estimated 30,000 citizens, firefighters, police officers, and other people will pay tribute to these amazing firefighters. They were the best we have in Houston, and we are saddened that they are gone; but we thank the good Lord that such people ever lived.

And that's just the way it is.

I insert into the RECORD the 10 firefighters killed in West, Texas, on April 17, 2013.

### FIREFIGHTERS KILLED IN WEST, TEXAS, EXPLOSION—APRIL 17, 2013

(1) Morris Bridges, Jr., 41, West, Texas Volunteer Fire Department.

(2) Perry Calvin, 37, Merkel, Texas Fire Department.

(3) Firefighter Jerry Chapman, 26, Abbott, Texas Fire Department.

(4) Cody Dragoo, 50, West, Texas Volunteer Fire Department.

(5) Captain Kenneth Harris, 52, Dallas, Texas Fire-Rescue.

(6) Jimmy Matus, 52, West, Texas Volunteer Fire Department.

(7) Joey Pustejovsky, 29, West, Texas Volunteer Fire Department.

(8) Firefighter Cyrus Reed, 29, Abbott, Texas Fire Department.

(9) Kevin Williams Sanders, 33, Bruceville-Eddy, Texas Volunteer Fire Department.

(10) Douglas Snokhous, 50, West, Texas Fire Department.

(11) Robert Snokhous, 48, West, Texas Volunteer Fire Department.

(12) William "Buck" Uptmor, Jr., 45, West, Texas Volunteer Fire Department.

### TAX REFORM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, I rise today to urge my colleagues to come together and improve our broken, misguided, and convoluted tax system. The time is right for tax reform.

We currently spend \$1 trillion through the Tax Code each year, all of which is off budget, meaning it is not scrutinized each year by appropriators. Once a tax break is written into the Tax Code, it usually remains, unlike discretionary programs which are reexamined for their necessity each year. To put this in perspective, \$1 trillion would be the single largest government spending program—larger than the Pentagon's budget, larger than Social Security, and larger than Medicare or Medicaid.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

As we desperately search for ways to reduce the deficit, we are making deep and painful cuts to discretionary spending. All the while, we are spending more than \$1 trillion through the Tax Code with little oversight.

I have introduced a bipartisan bill with Congressman RENACCI, which would bring greater transparency and oversight to such expenditures. But in addition to greater oversight, we also need reform. While many of these tax expenditures incentivize worthwhile behavior, such as homeownership and increased savings and investment, there are others, such as the yacht interest deduction, which clearly need to be reconsidered. We are cutting the funding for the National Institutes of Health, Head Start, and Meals on Wheels, while subsidizing yachts.

Let's put this into perspective. If one of my constituents takes out a loan to buy a car to get to work or take the kids to school, the interest on that loan is not tax deductible; but if they were to go out and buy a yacht, the interest on that loan would be tax deductible.

Clearly, it's time to reexamine our Tax Code and get our priorities in order. I have a bill that would end this tax break for yachts. But rather than tackling these tax breaks individually, we need a wholesale rewrite of the Tax Code.

Our Tax Code is the product of years of small tweaks and layers of changes. We need to step back and ask ourselves: If we were to start over and rewrite the Tax Code today, what would it look like? With such limited resources, what do we need? What behavior should we be incentivizing?

Due in part to years of additions and changes, our current Tax Code is deeply recessive. According to a report released last week by the Congressional Budget Office, the richest 20 percent of households in America receive over 50 percent of the tax breaks. The top 1 percent benefited the most, receiving approximately 17 percent of all funds flowing from tax breaks.

It's time for a reexamination of our Tax Code: Who benefits from it? How much do we spend? What are our priorities?

Not only is it time for reform because of our fiscal situation; but at a time of frequent partisan gridlock, tax reform is one area where the two sides seem to agree. Members from both sides of the aisle have said tax reform is essential.

I commend Chairman CAMP and his counterpart in the Senate, Chairman BAUCUS, for their efforts to reform our Tax Code. I hope they will continue their bipartisan work and give the two Houses a package of reforms we can live with.

□ 1010

I have no illusion this will be simple or that everyone will like everything

in the package, but that's the beauty of democracy—we don't have to agree on everything, but everyone's voice has to be heard. We have to compromise, and in the end, we vote. I hope we get to vote on a tax reform package that is big, bipartisan and balanced—and soon—because reforming our Tax Code will save us billions, lower tax rates, and help reduce the deficit. As we sit down to address our fiscal woes, everything has to be on the table, including the trillion dollars we spend each year on tax expenditures.

#### EGYPT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. WOLF) for 5 minutes.

Mr. WOLF. News broke today that an Egyptian court sentenced dozens of NGO workers, including the son of Transportation Secretary Ray LaHood, our former colleague, to jail, for their involvement with prominent pro-democracy organizations.

Beginning with the December 2011 raids and throughout the course of the so-called "investigation" involving Freedom House, the National Democratic Institute and the International Republican Institute have been a highly politicized charade. Prior to their closure, these organizations carried out important and legitimate programs to help support citizen participation in the Egyptian transition process—the very essence of democracy and America's greatest export.

I was in Egypt in February and heard firsthand that the Egyptian Government's handling of this case is symptomatic of a broader crackdown on civil society. This was a sham trial from the start. If this decision stands, not a penny more of U.S. taxpayer money should go to the Muslim Brotherhood-led government in Cairo.

I call on President Obama and Secretary of State Kerry to personally raise this travesty of justice with the Egyptian President, Mr. Morsi, and I would urge every Member of the House and Senate to send a letter to the Egyptian Government protesting what took place yesterday in Cairo.

#### SWAMI VIVEKANANDA

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. BERA) for 5 minutes.

Mr. BERA of California. Today, I rise to celebrate our core values, American values, of religious freedom and tolerance. These are values that our Founders held sacred, and they are core to our Constitution.

In that light, this year across this country and across the globe, we are celebrating the 150th anniversary of the birth of Swami Vivekananda. Born in India, he was known as Hinduism's Ambassador to the West. Many say he

was the first Hindu monk to visit the U.S., spreading that same message of religious freedom and tolerance. Today, my friends from the Hindu American Foundation are here in Washington, D.C., for their annual meeting. As they visit Members of this body, they will be carrying that same message of religious freedom and tolerance.

As someone who was raised in a culturally Hindu household, I was taught by my parents to honor and exhibit this same message of respect and tolerance for all religions and faith traditions. That's why, as an adult, I am part of the Unitarian Universalist tradition, a faith tradition that is rooted with our Founding Fathers and includes John Adams as one of its members, and it's this tradition that was embraced by Swami Vivekananda.

So on this 150th anniversary of his birth, let's celebrate his message of religious freedom and tolerance, and let's remember the core values that our Founding Fathers wrote into our Constitution. Let's celebrate our individual freedom of thought and faith, which was captured in this quote by Swami Vivekananda:

Dare to be free; dare to go as far as your thoughts lead; and dare to carry that in your life.

#### THE AFGHANISTAN-IRAQ WAR

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, like all Members of Congress during the Memorial week break, I had two occasions to give different types of recognition speeches to the families of those who gave loved ones who never came back from war; so therefore I had several opportunities in eastern North Carolina, the home of Camp Lejeune Marine Base and Cherry Point Marine Corps Air Station.

Every time I would make the comment that it was time to bring our troops home from Afghanistan and that it was time to stop paying the crook named Karzai, who is the President of Afghanistan, truthfully, Mr. Speaker, I would get strong applause; and many times after the speeches, people would come up to me and say, We agree with you. It's time to stop spending this money in Afghanistan. It's time to start spending the money in America and to let the Afghans take care of themselves.

Mr. Speaker, probably a couple of weeks ago, I spoke on the floor of the House, and probably other Members had seen the article that was in The New York Times in which the CIA acknowledged that, after 10 years, they had been giving hundreds of millions of dollars to Karzai in cash. In that same article, Karzai was interviewed, and

one of his comments was that of “an easy source of petty cash.” Karzai wants to continue to get an easy source of petty cash—tens of millions of dollars going to Karzai in order to prop him up until the Taliban takes Afghanistan over. When I think about the number of young men and women being killed in Afghanistan to prop up this corrupt leader, it reminds me of another tragedy in recent American history—the tragedy of the unnecessary war in Iraq.

Mr. Speaker, this past week, in being home, I watched three times on HBO a movie called “Taking Chance,” which is the true story of Lieutenant Colonel Michael Strobl’s journey to escort the body of PFC Chance Phelps, a fellow marine who died in Iraq, from Dover Air Force Base to the young man’s funeral in Wyoming. It is a beautiful story of love, of pain, and of concern. I hope that Members of Congress as well as the American people will get a chance to see the movie called “Taking Chance.” It’s a true story. In that story about Taking Chance home, it is a beautiful understanding of the pain and the love of those at Dover Air Force Base who receive the remains from Afghanistan and who take care of those remains. It is absolutely heart-wrenching to see the love that these people have for those who have given their lives for this country.

Mr. Speaker, after seeing this movie and then reading in the papers that Iraq is falling apart, I would like to say to Mr. Rumsfeld and to the previous administration: thank you for getting us into this unnecessary war. Mr. Rumsfeld, you were wrong. You said that Iraqi oil was going to pay for the war. No. The Chinese are benefiting.

This is another article in The New York Times in which it says that China is the biggest winner. According to this article, the Chinese buy almost half of the oil produced in Iraq.

Again, the previous administration got us into an unnecessary war. In fact, a Defense Department official from the Bush administration said:

We lost out. The Chinese had nothing to do with the war, but from an economic standpoint, they are benefiting from it, and our Fifth Fleet and Air Forces are helping to assure their supply.

Even worse, we are borrowing this Chinese money to fund this corrupt leader.

I hope that Congress will wake up. Next week, we will be debating the armed services bill. I am on that committee. I have worked across the aisle with my friends on the Democratic side to cut the funding for Afghanistan.

Mr. Speaker, in closing, I have this photograph of a flag-draped coffin. It could have been PFC Chance Phelps’ coffin—it’s not, but it could have been—or it could have been the coffin of 4,400 other servicemen and women who died in Iraq.

God, please continue to bless our men and women in uniform. God, continue to bless America; and please, God, let us never forget the sacrifices made by so many in these wars that are unnecessary and in these wars that are necessary.

The SPEAKER pro tempore. As a reminder, Members should address their remarks to the Chair.

#### SMALL BUSINESS TAX EQUITY ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Since 1996, when California voters legalized the medical use of marijuana, the movement has spread across America. Over the last 17 years, 19 States and the District of Columbia have been pioneering therapy involving the medical use of marijuana.

It has long been recognized that marijuana had therapeutic values which were utilized with chemotherapy patients to mitigate or to stop the constant nausea. People have used it to deal with chronic paralyzing pain. There is now a wide range of therapeutic uses, from a system of multiple sclerosis to helping some of our veterans with PTSD.

□ 1020

A million people seek treatment that is perfectly legal under their State laws. What is not legal is for these hundreds of legitimate businesses providing a product that is important to a million people to be able to treat their business expenses like every other business and be able to deduct them from their operating income for tax purposes.

Decades ago, a drug dealer attempted to deduct the cost of his yacht and his weapons as a business expense. Congress, understandably, responded in 1982 by making expenses associated with dealing in a controlled substance ineligible for a deduction. That fixed the drug dealer, but it is has now ensnared hundreds of legitimate businesses operating under State law, by the way, laws usually approved by a vote of the people. As a result, they cannot now deduct entirely legitimate business operating expenses; they cannot claim the work opportunity tax credit if they hire a veteran; and they cannot depreciate their American-made irrigation equipment. The deduction for the construction or operating costs of a facility that they may want to revitalize is not allowed. As a result, these small businesses end up paying an effective tax rate that is double or triple the 15 percent to 30 percent that would normally be associated with the profits on most businesses. Their effective tax rates often are 60 percent to 75 percent.

Washington and Colorado are about to begin operation of businesses for the recreational adult use of marijuana authorized by their voters last fall. The situation is thus to become more complex and a burden even greater for more emerging small businesses.

We don’t have to penalize hundreds of legitimate small businesses across the country to deal with a drug dealer. I’m introducing bipartisan legislation, the Small Business Tax Equity Act of 2013. Any business under this act that operates under State law would be able to deduct legitimate expenses for their business.

We shouldn’t impose punitive double, triple, or quadruple ordinary rates because Congress has not modernized either the Federal drug laws or the Tax Code. We should not force them to discontinue a vital service for a million Americans or drive it underground or, frankly, encourage evasion by punitive taxes that are unjustified or unnecessary.

Let’s bring this out of the shadows and encourage these small businesses to be treated fairly. It’s entirely possible that we will end up actually collecting more revenue, fostering more respect for the law, and ensuring a vital supply of medical marijuana for more than a million people who depend upon it.

#### BAD DECISIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise this morning to talk about a couple of unrelated topics, except that they both are examples of officials in positions of power overreacting to situations and making very bad decisions as a result.

Mr. Speaker, when I read that a 5-year-old boy in Calvert County, Maryland, had been suspended from school for 10 days simply for showing a toy cap gun to his friend on the school bus, I was shocked and saddened. I became even sadder when I read the little boy was questioned for over 2 hours by school officials before his parents were called, and the boy uncharacteristically wet his pants during this interrogation. His mother said later this boy was all boy and all about rocks, frogs, and cowboys.

This interrogation was ridiculous, and a 10-day suspension was ridiculous overkill. I wondered if these school officials who did this to this little boy had lost their common sense and human decency. I am now pleased that the situation has been partially rectified by cutting the 10-day suspension back to the 3 days he has already served, and I hope the parents’ request to remove the incident from the boy’s school records are granted.

Rigid one-size-fits-all solutions almost never work and frequently lead to

very bad, very unfair solutions. I hope that school boards all across this country will at least come to their senses and do away with so-called “zero tolerance policies,” especially when it comes to very small children, and especially 5-year-old boys who simply want to be boys.

A second topic that I wanted to mention today, Mr. Speaker, is about the Dodd-Frank law. The Dodd-Frank law has produced many thousands of pages of rules, regulations, and red tape in a misguided attempt to rein in abuses by some of the Nation’s biggest banks; however, as is the case with most Federal regulations, this law ended up hurting the smallest banks in this Nation and, thus, helping the big banks to get even bigger.

Listen to these words from a columnist from the Washington Times:

It’s been 3 years since the Senate passed the Dodd-Frank financial reform legislation.

So far, the effects are not what Washington promised. More than 200 smaller banks have failed in the wake of Dodd-Frank.

Does it comfort them that politicians proclaim smaller banks were exempt from the market distortions lawmakers created?

Since community banks are being forced to stay below the asset threshold forced on them by Dodd-Frank, they are lending less and making less.

This further strains banks and limits job growth.

We have learned once again that whenever Washington announces new regulations, hold on to your wallet.

Increasing Federal regulations, Mr. Speaker, always end up helping extremely Big Business, but makes it even harder for our smallest businesses to survive. We have this Big Government, Big Business duopoly in this Nation, and I hope those who continue to vote for bigger and bigger government realize that all they’re really helping are the extremely big giants in any industry and they’re hurting the small- and medium-sized businesses. I hope that this trend will at least slow down so we don’t run more small- and medium-sized businesses out of existence in this Nation.

Now, finally, as I hadn’t intended to say anything, Mr. Speaker, but my friend, the gentleman from North Carolina (Mr. JONES), spoke about the very unnecessary wars in Iraq and Afghanistan. He was 100 percent correct. I admire his courage in speaking out in the way that he has done.

Unfortunately, the Armed Services Committee is about to produce a bill that continues this war funding at the rate of \$85 billion for the war in Afghanistan just to continue in other overseas situations like in Iraq where we happen to have had the most deadly month in May that we’ve had in several years.

The situations are not getting better, and this country will be far better off when we start putting our own people and our own country first and stop try-

ing to be the policemen for the world and start doing things that need to be done in this country.

#### CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. CHU) for 5 minutes.

Ms. CHU. I rise today to bring much-needed attention to a serious threat to our Nation: climate change.

There are those of my colleagues on the other side of the aisle that routinely dismiss this threat or brush it under the rug as normal or even false, but the true consequences of climate change are not lost on the American people.

Extreme weather is real. From monster tornados destroying Oklahoma, to Hurricane Katrina destroying the Jersey shore, to wildfires raging out of control in the West, climate change is not an issue that we can put off.

As Environment Task Force chair on the House Sustainable Energy and Environment Coalition, this issue is extremely important to me. In fact, it should be important to all of us because we all bear the cost. Climate change does not have geographic boundaries and it does not discriminate on whom it wreaks havoc.

If you do not believe that climate change is a threat or that the costs are real today, let me share with you a few facts:

In 2011 and 2012, there were 25 extreme weather events affecting 43 States.

In 2013, we have already started with an early and intense wildfire season in my home of southern California.

□ 1030

Extreme weather events in 2011 and 2012 caused \$188 billion in economic damage and cost American taxpayers \$136 billion. That is nearly \$1,000 per individual taxpayer, or the equivalent of approximately a 2 percent tax increase. And these are low estimates. Literally thousands of heat, rain, and snow records were broken.

My State of California is particularly vulnerable to wildfires. In the previous decade, the average size of these wildfires was 89 acres. But in 2012, the average size was 165 acres, nearly double. And 9.2 million acres, mostly in the western U.S., were burned. And in the last 5 years, fires have been more damaging and more costly than ever before.

Other regions are vulnerable to floods, droughts, hurricanes, and tornadoes. Just recently, while storm waters were inundating homes in one part of our country, ships were unable to navigate the Mississippi River due to extremely low water levels. These are facts we cannot afford to ignore.

It is true that changes in the Earth’s climate have occurred cyclically over

eons. But human activity has accelerated these changes, fundamentally jeopardizing our environment. And, we do not have eons to fix it. We rely on this environment for water, air, food and so much economic activity. We cannot turn a blind eye to climate change. Instead, we need to start preparing for it and work harder to stop it. That’s why I call on Congress to stop the attacks on our environment and finally pass legislation to reduce greenhouse gas and carbon pollution.

#### MISHANDLING OF COMPETITIVE BIDDING PROCESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to voice my serious concern with Medicare’s implementation of the durable medical equipment, prosthetics, orthotics, and supplies competitive bidding program.

Despite strong congressional concern about the need for further transparency, the lack of binding bids during the contract process, and the improper vetting of the financials of many firms that have been awarded contracts, Medicare still plans to move forward with implementing round two of the program on July 1.

We learned that Medicare awarded contracts under the program to dozens of firms that do not have the proper credentials to serve these contracts. In other words, leaving Medicare beneficiaries without the needed access to the durable medical equipment that allows them to live with dignity during times of disease and disability.

Unfortunately, CMS has created a situation where servicing these contracts will either violate State licensure requirements or leave contracts unfulfilled, again leaving beneficiaries and consumers without access to the health care equipment that they need. Furthermore, unqualified bids from firms that are unlicensed to service contracts create significant distortions of the bid prices in every bidding area nationwide.

I’m extremely concerned that mishandling of the bidding process is going to have a devastating impact on Medicare beneficiaries. This is a serious issue that warrants a full review of the process and a delay of round two until this fatally flawed program is fixed.

I encourage my colleague to join me and Congressman BRUCE BRALEY in co-signing a letter to the Medicare administrator requesting an administrative delay of the durable medical equipment competitive bidding program. This is absolutely necessary to ensure that older adults have access to the equipment that they require to live at home with independence and dignity. It also is about jobs as one of the unintended

consequences, I believe, but it is still a devastating consequence regarding how the implementation of round two will continue to see the loss of small businesses all throughout this great Nation. And so I just encourage my colleagues to join Congressman BRALEY and I in signing this letter to the Medicare administrator.

#### HOW MANY MORE CHILDREN HAVE TO DIE?

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, it has now been almost 6 months since the tragedy of Newtown. The American response to that tragedy was quick and overwhelming. And yet, we have done nothing to prevent such a tragedy from happening again.

In fact, many of my colleagues here in this institution seem all too ready to forget Newtown and the gun violence epidemic that is devastating families and communities across our country every single day.

According to Slate's gun-death tracker, an estimated 4,620 people have died as a result of gun violence in America since Newtown—4,620 people.

In 12 U.S. States, gun deaths now outpace auto deaths.

A new analysis from the Violence Policy Center found that in 2010, there were 31,672 firearm deaths and 35,498 motor vehicle deaths, compared with 1999, when there were 28,000 firearm deaths and 42,000 motor vehicle deaths, which is startling considering more than 90 percent of the American households own a car while less than one-third of American households own a gun.

We require auto manufacturers to include safety features like seatbelts and airbags, and to pass crash safety tests, and lives are being saved as a result.

By 2015, gun deaths will outnumber auto deaths on a national scale. Think about that. More gun deaths than auto deaths, and we require all these precautions and restrictions on manufacturers to make sure our cars are safe and we do nothing—nothing—when it comes to gun manufacturers. Think about that. Mandatory safety measures, and auto manufacturers can be held liable for defects in their products. We expect cars to be built safely, but when it comes to guns, a product designed to kill, manufacturers have been given a free pass. They can't be held liable for the deaths and destruction their products may cause. We don't even require gun manufacturers to make guns child-safe.

How many more children have to die as a result of senseless gun violence and avoidable gun accidents? New York Times columnist Joe Nocera is producing a weekly "Gun Report" that compiles gun deaths and injuries from

around the country. I'm going to read a few of the recent posts since Newtown that deal specifically with children.

A 2-year-old boy is dead after an accidental self-inflicted gunshot wound. Trenton Mathis shot himself in the face with a 9-millimeter pistol in a house in Cherokee County, Texas, while at home with his great-grandmother.

A 6-year-old girl was shot in the leg by her father during a boisterous party in Federal Heights, Colorado.

Joshua Johnson, 4, was playing with a gun at a Memphis apartment complex when it went off. He was pronounced dead at the scene.

A Garland, Texas, toddler was fatally shot in his home in what police are calling a tragic accident. Three-year-old John O'Brien was shot in the head with a handgun in front of his mother, father, and two young sisters. He was taken to Children's Medical Center in Dallas, where he later died from his injuries.

The 4-year-old son of a Jackson County, Michigan, sheriff's deputy accidentally shot and killed himself. Authorities say it happened around 5 p.m. in the deputy's home.

Michael Easter, a 3-year-old boy in Liberty Township, Michigan, died after he accidentally shot himself in the head while alone in his parents' bedroom. Police are unsure how the boy gained access to the gun. Michael was home with his mother and two sisters at the time.

A 3-year-old toddler accidentally shot himself in the head with a relative's gun but was listed in stable condition at a Nashville, Tennessee, hospital.

A teen boy accidentally shot and killed his 12-year-old brother in Orlando, Florida. The shooting happened at home in the Lake Nona area. Investigators said they are working to determine what led to the shooting.

A dad accidentally shot his son dead as he cleaned his gun in the family's living room. Christopher Stanlane, 34, was wiping down a loaded weapon in his home in Fairmont, North Carolina, when it discharged. His 10-year-old son, Christopher Stanlane, Jr., was watching television, and was struck in the back of his head with a bullet. His 8-year-old daughter was also in the room. The boy was pronounced dead at the scene.

How many more children have to die before Congress acts?

□ 1040

#### MORE CAN BE DONE FOR VETERANS ACROSS THE NATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCNERNEY) for 5 minutes.

Mr. MCNERNEY. Mr. Speaker, I rise to talk about the veterans' disability

backlog, but this time on a positive note.

First I want to thank Appropriations Subcommittee on Military Construction and Veterans Committee Chair JOHN CULBERSON and Ranking Member SANFORD BISHOP for their work on the fiscal year 2014 Military Construction and Veterans Affairs appropriations bill and for including report language that my California colleague, Representative PAUL COOK, and I recommended to address the backlog of claims at the Department of Veterans Affairs.

Our veterans are heroes, and they deserve the benefits they've earned. The VA has set a goal of processing all disability claims within 125 days by the year 2015. This is an ambitious goal that deserves our attention as the agency works to meet its self-imposed deadline.

Unfortunately, too many VA regional offices across the country are underperforming by failing to process benefits claims for veterans in a timely manner. Recent data indicates that it takes 552 days, on average, for a claim to be processed at the VA's Oakland regional office, which serves the veterans in my district. This is unacceptable. While I'm pleased that the VA has made a concerted effort to improve accuracy and timeliness at the Oakland RO, more can be done for veterans across the Nation.

The VA has made a genuine effort to help veterans suffering from Agent Orange, posttraumatic stress, and to recognize the special needs of women veterans, among others. In addition, the VA recently announced it would mandate overtime at its regional offices and place a priority on claims pending for more than 1 year.

However, we must hold the VA accountable for its results. Additional oversight and accountability will not only benefit our Nation's veterans and their families, but it will allow Congress to ensure the VA has the resources it needs to properly support our heroes.

In addition to these efforts, I was joined by a bipartisan group of colleagues in requesting that the VA submit quarterly reports for each regional office where disability claims are pending for an average of 200 days or more. These reports must outline any progress the RO has made as well as the steps it's taking to reduce the backlogs, such as hiring more claims processors or requiring additional training.

I am pleased that this language was included in the committee report accompanying H.R. 2216. This is a move in the right direction as Congress continues its oversight of the VA to improve the lives of our veterans.

# HONORING THE SERVICE OF FOUR FALLEN HOUSTON FIREFIGHTERS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, I rise with a very sad duty and, as well, an appreciation to my colleagues from Texas who joined me yesterday with a 1-minute request of silence, commemoration of the four fallen firefighters in Houston, Texas.

First responders belong to all of us, no matter where they live. When a devastating incident occurs that causes them to lose their lives, we all feel the pain and sadness for them and the families that mourn them.

We in Texas recently lost a number of firefighters in West, Texas. Now, sadly, I come today to acknowledge the loss of four firefighters in the Houston Fire Department in the city of Houston: Matthew Renaud, Robert Bebee, Robert Garner, and Anne Sullivan. Unfortunately, these wonderful people lost their lives in a fire where they were fighting to save the lives of others.

The mission of firefighters is constantly with courage and commitment and compassion, and today I recount the history of the Houston firefighters and fire department.

March 14, 2012, was the last time the city of Houston lost a firefighter in the line of duty when Senior Captain Thomas Dillon died. 1929 marked the last time more than two firefighters lost their lives in the line of duty, when Edgar Grant and Harry Oxford and John Little were killed when their engine was struck by a train.

But on May 31, just a few days ago, 2013, a 5-alarm fire, just after noon, at the location of a motel and restaurant, is now the most deadly fire in the history of the 118 years of the Houston City Fire Department.

Sadly, Captain EMT Matthew Renaud of Station 51, Engineer Operator EMT Robert Bebee of Station 51, Firefighter EMT Robert Garner of Station 68, and Probationary Firefighter Anne Sullivan of Station 68 died in the line of duty.

All we can see as we look to the heavens is that we hope that they will rest in peace. But they were our brothers and our sisters.

Anne Sullivan of Station 68 was a gifted athlete who played soccer and was a cross-country runner, focused her life's ambition upon graduating from high school to become a firefighter and began her quest by joining the Wharton County Junior College Fire Academy. After graduation, she became a student at the Houston Fire Department Academy, while also previously doing work in another jurisdiction.

Whereas, Firefighter EMT Robert Garner of Station 68 was proud to call himself a Houston firefighter who

sought out this honor after leaving the United States Air Force, where he honorably served his country and completed two tours of duty in Iraq and his fire department career at the Val Jahnke Fire Academy.

Captain Matthew Renaud, who served the Houston Fire Department for 11½ years, joined the Houston Fire Department in October of 2001 and was assigned to Station 51 upon graduation from the academy and awarded the Unit Meritorious Medal for saving a female who had been trapped in an apartment.

And Engineer Operator EMT Robert Bebee of Station 51 graduated from Dobie High School in southwest Houston in 1990 and began his fire department career at the fire academy on August 6, 2001, but served the majority of his career at Station 51.

Over the last couple of days, I've visited the command station, logistics, and the firemen's union, and then went to Fire Station 51.

To Fire Stations 51 and 68, we offer our deepest sympathy in understanding that your brothers and sister have been lost. But today we also pay tribute, because the members of the Texas delegation will be introducing a resolution in honor of these heroes. And we're reminded of their words and the words in the Fireman's Creed, that their work is to save lives, the lives of men, the lives of women, but it is God's work.

Those fallen heroes were engaged in God's work, for they were looking for lost souls that might have been in that building, that horrific, horrible fire that has seen thousands of Houstonians go by to pay tribute; and thousands more to go by and pay tribute at Fire Stations 51 and 68 and also to acknowledge Local 341.

Tomorrow, Houston will grieve together and, as well, I want them to know that the Members of the United States Congress grieve with them as we introduce this resolution.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 49 minutes a.m.), the House stood in recess.

□ 1200

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at noon.

## PRAYER

Satguru Bodhinatha Veylanswami, Kauai Aadheenam Hindu Monastery, Kapaa, Hawaii, offered the following prayer:

May today's session of the House of Representatives, to which Americans rightly turn for leadership, be abundantly blessed by the Lord Supreme.

Through personal introspection, a collaborative heart, and by God's all-pervasive grace, may the Members present here, despite differing views and staunchly held convictions, find the wisdom to craft mutually acceptable solutions to our Nation's challenges.

The tragic Boston Marathon bombings, still vivid in all our minds, implore us to advocate the humanity of a nonviolent approach in all of life's dimensions. Hindu scripture declares, without equivocation, that the highest of high ideals is to never knowingly harm anyone.

May we here in this Chamber, and all the people of our great Nation, endeavor to face even our greatest difficulties with an unwavering commitment to seek out and to find nonviolent solutions.

Peace, peace, peace to us, and peace to all beings.

## THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Arkansas (Mr. COTTON) come forward and lead the House in the Pledge of Allegiance.

Mr. COTTON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## WELCOMING SATGURU BODHINATHA VEYLANSWAMI

The SPEAKER pro tempore. Without objection, the gentleman from California (Mr. ROYCE) is recognized for 1 minute.

There was no objection.

Mr. ROYCE. Mr. Speaker, Congresswoman TULSI GABBARD and I are proud to have the opportunity to welcome Satguru Bodhinatha Veylanswami, the spiritual leader and head of Kauai's Hindu monastery. He has come here today to give the opening prayer on the Hindu American Foundation's 10th Annual Capitol Hill Advocacy Day, and he is a true leader in the Hindu community.

Satguru has been head of the monastery since 2001, and works to spread the principles of peace and inclusiveness around the community. Additionally, his achievements have international reach. Not only does he oversee the Himalayan Academy's various



publications, he serves as a publisher of the international magazine *Hinduism Today*.

Furthermore, Satguru dedicates his time to cultivating the religious instruction of Hindu youth around the world through producing a series of books that teach Hinduism's ethical restraints, and teach religious observances as well.

Thank you, Satguru, for your opening prayer.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

#### HONORING THE MEMORY AND SACRIFICE OF CODY CARPENTER AND JOEL CAMPORA

(Mr. COTTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COTTON. Today, on behalf of a grateful State, I rise to honor Scott County Sheriff Cody Carpenter and Arkansas Game and Fish wildlife officer Joel Campora, who died heroically last week trying to save their fellow Arkansans from flash floods.

Sheriff Carpenter leaves behind a wife and four children. Officer Campora leaves behind a wife and two daughters. Along with my fellow Arkansans, I want to express my deepest condolences to their families, their communities, and their brothers and sisters in law enforcement.

But even as we mourn their deaths and console their loved ones, let us also honor their sacrifice and courage. Sheriff Carpenter and Officer Campora died in the line of duty protecting their fellow citizens. John 15:13 says:

Greater love hath no man than this, that a man lay down his life for his friends.

These men volunteered for duty that can call for that ultimate sacrifice every day. Now that they have laid down their lives, I join my State and my country in mourning and celebrating their cherished memory.

#### JOBS NOW ACT

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WILSON of Florida. Mr. Speaker, it has now been 884 days; no serious jobs bill yet.

I'm proud to announce a powerful alternative to this shameful inaction. Today, I am again introducing the Jobs Now Act, a bill that would give local officials the resources and flexibility they need to retain, hire, and train workers immediately.

If this sounds like some left-wing idea, I ask you to consider who served as the key initiator and advocate for the CETA program on which this legislation is based: President Richard Milhous Nixon.

I have no doubt that many Americans hearing me today benefited—either directly or indirectly—from CETA.

Mr. Speaker, let's return to the days when investing in job creation and human potential was a bipartisan cause. Let's bring this important bill to the floor for a vote.

Our mantra in this Congress should be jobs, jobs, jobs.

#### DEAL WITH THE DEBT NOW

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, this week the national debt reached an unprecedented record of over \$16.85 trillion. Such a figure is so mind-boggling that I will make this simple. This means that every person in the United States now owes \$53,329 to pay down the debt, and every U.S. taxpayer's debt share is now \$148,186.

With a debt at such high levels, it is not surprising that we are still experiencing an anemic 2 percent growth rate, which has produced the lowest job participation rate in 30 years. The ever-rising public debt threatens to drive up interest rates, crowd out private investment, and increase inflation. The implications will be severe and pronounced for all Americans, but most especially for the poor, the elderly, and the middle class.

Mr. Speaker, if we don't deal with the debt now, the debt will deal with us.

□ 1210

#### LET'S BRIDGE THE INFRASTRUCTURE GAP

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, last month we saw two bridges in this country collapse in 1 week. If that fact doesn't get us to act, maybe this one will:

According to the Federal Highway Administration, over 70,000 bridges nationwide have been "deemed structurally deficient." That's one in nine bridges.

Congress can't continue to kick this can down the road on this critical issue. That's why I've called on my colleagues on the Transportation Committee to hold hearings to focus on the state of our Nation's bridges.

Last week we had the Special Freight Transportation Panel in southern California on a 3-day fact-finding trip to

see how businesses rely on our transportation arteries, bridges, highways, ports to grow and sustain the trade industry and our global economy.

When we invest in our infrastructure, we create a future with good-paying jobs; a strong, thriving economy; and an efficient, safe transportation system.

We have Americans who need work. We have an infrastructure that needs fixing. Let's bridge that gap.

#### THE NORTH FORK WATERSHED PROTECTION ACT

(Mr. DAINES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAINES. Mr. Speaker, as a fifth-generation Montanan and sportsman, I know how special the Treasure State is. Our State's rivers and mountains and our outdoor heritage are an important part of every Montanan's way of life and play an important part in our State's economy.

It's important that we work together to protect these valuable resources so that future generations can enjoy them for years to come. The North Fork Watershed, on the western slope of Glacier National Park, is critical to our State's outdoor heritage and the tourism economy in the Flathead Valley.

Efforts to protect the North Fork Watershed, like the North Fork Watershed Protection Act, is a good example of how we can work together to put Montana first. That's why I'm introducing legislation to protect this valuable resource, while also ensuring that current recreational uses, livestock management, and forest management in this region are maintained.

I'm glad to be part of this important, bipartisan effort in leading the charge in the House to achieve the goals that the Flathead community supports.

#### IT'S TIME FOR COMPREHENSIVE IMMIGRATION REFORM

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. I rise today to ask Speaker BOEHNER to recognize that the time is now for this House to take up comprehensive immigration reform.

I spent all of last week on an innovation road show. I went up and down Silicon Valley—and I have northern Silicon Valley in my district—and I listened to the job creators. I listened to the innovators. And one message is clear: we have unfilled jobs here in America that require immigration fixes, require increasing the H-1B visas so that we can create jobs behind high-skilled immigrants.

We know that Silicon Valley was built on a three-legged stool: access to

capital, brain trusts, and a risk-taking culture. And we know that immigrants build jobs behind them. They have that brain trust. They have that risk-taking culture. Forty percent of the largest companies in America were built by immigrants or the children of immigrants.

It's time to also put the 11.5 million Americans who are undocumented on a pathway to citizenship. I've been on the ground. I've talked to the innovators, and I hear their cry.

The time is now. So for the sake of our economy, and the sake of our communities, the right thing to do is to put these undocumented immigrants on a path to citizenship and to make sure that we can take high-skilled workers from across the world, put them in our country, and create thousands of new jobs behind them.

#### SEQUESTRATION AND THE TOBYHANNA ARMY DEPOT

(Mr. MARINO asked and was given permission to address the House for 1 minute.)

Mr. MARINO. Last week, thousands of my constituents felt even more pain as a result of the President's sequestration when Tobyhanna Army Depot began to furlough over 5,000 of its civilian employees.

One constituent called my office and asked, "How are we supposed to afford our mortgage if my husband is not allowed to work? There must be a more logical way to cut the budget."

Well, Mr. Speaker, that is what I would like to know. Why can the President jet around the country to play golf on the taxpayers' dime when the hardworking families cannot make ends meet?

The House acted twice last year to replace the sequestration with more commonsense solutions, but the Senate refused to consider these bills. They even rejected a measure that would have given the administration more flexibility in implementing these cuts.

Because of the President's insistence and the Senate's inaction, these families will now face even more financial uncertainty, struggling to pay their bills instead of earning a steady paycheck.

Mr. Speaker, the people of the 10th Congressional District have had enough of the President's rhetoric, and they have certainly had enough of his sequestration. It's time that the President started working for the American people.

#### PROJECT LABOR AGREEMENTS

(Mr. KILMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KILMER. Mr. Speaker, I rise today in support of a policy that allows

Federal agencies to determine whether it makes sense for certain construction projects to have project labor agreements, PLAs, which are agreements between owners, including Federal agencies, and workers that establish work-site conditions.

Federal agencies are currently empowered to consider PLAs as a means of reducing on-the-job conflicts, saving money, speeding up construction, and improving efficiency and worker safety. Unfortunately, this body will soon consider removing this tool from our construction toolbox.

While they may not always be the answer on complex projects, PLAs make it more likely that a project will be done right the first time, on time, and on budget. That's why some of the most successful companies in the world, including Boeing, in my State, use a similar model for construction. It's why the Department of Energy uses a PLA at Hanford, and the Department of Energy has a PLA at the Explosives Handling Wharf in Kitsap County in my district.

PLAs are open to all companies, union and nonunion, who see the value of this tool. At a time when we're looking to rein in wasteful spending, PLAs can be a successful model in improving and promoting high-quality, cost-efficient construction.

#### HONORING THE SERVICE OF OUR FIRST RESPONDERS

(Mr. DUNCAN of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN of South Carolina. Mr. Speaker, last week I had the pleasure of spending time with first responders and public safety personnel in my district. I toured facilities in seven counties, meeting with the men and women who are the first line of defense, the ones who go into danger rather than run away from it, the folks who are so critical to the safety of our citizens.

I believe it's important for our first responders to know that their hard work and sacrifice are appreciated. As one final step of this tour, I'd like to extend my deepest appreciation and gratitude to all those whom I did not get to personally speak with last week. On behalf of South Carolina's Third District, and Americans all across the country, we thank you for everything that you do.

Mr. Speaker, it is also with great sadness that I rise today in honor of the fallen first responders, many of whom are volunteers, who gave their lives in Houston, Texas, and West, Texas, recently. May the Members of this House honor the memory and heroism of every first responder who has lost their life serving this great Nation.

May God bless the families of the fallen. And I ask every American to re-

member them in your thoughts and prayers.

May God continue to bless the United States of America with heroes such as these.

#### COLLEGE AFFORDABILITY

(Mr. CARNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARNEY. Mr. Speaker, I rise today to discuss the urgent need to make college more affordable. As the father of a rising college freshman, I have renewed appreciation for the astronomical cost of college.

On July 1, the problem will get even worse. Interest rates on Federal student loans are set to double; and that's why I cosponsored the Student Loan Relief Act, which would extend the current, lower rates for 2 more years.

Last month, I voted against a proposal that would have increased rates with the extra money raised going to the Federal Government. Balancing the budget on the backs of our college students is just plain wrong.

The amount of money Americans owe in student loans is greater than the amount we owe in credit card debt. This is a serious problem with serious consequences, and it's getting worse.

The future of our country, we know, depends on the ability of our young people to compete in this global economy. This means making it easier to go to college, not harder.

I urge my colleagues to support legislation that will keep interest rates low and make college more affordable.

#### HONORING THE SERVICE OF STAFF SERGEANT BOBBY BRIDGET AND MR. AND MRS. STEVE MASSA

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Mr. Speaker, I rise today to pay honor and tribute to three wonderful North Carolina heroes, Army Staff Sergeant Bobby Bridget, and his neighbors back home, Steve and Pat Massa.

Sergeant Bridget served us in Afghanistan with three tours. During that time, his job was to go find IEDs and then take those IEDs and dismantle them to protect his fellow soldiers.

Meanwhile, his neighbors back home, Pat and Steve Massa, they would take care of his lawn, they would do the errands around the house to make sure that their neighbor could go and serve his country and defend our freedoms.

Well, the rest of the story is, Mr. Speaker, that the Massas, during this time, were going through their own challenges. They had cancer surgeries;

they had cancer treatments. It was a very difficult, emotional time; yet they did what it took to take care of their neighbor.

We're grateful for the service of Sergeant Bridget and particularly grateful for the wonderful neighbors that he had in the Massas.

May God richly bless these people.

□ 1220

#### REPEAL SEQUESTRATION

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. Mr. Speaker, it has now been more than 2 months since across-the-board sequestration cuts were enacted, devastating so many important programs that Americans rely upon. Instead of working together to find compromise to fully reverse these automatic, indiscriminate spending cuts, House Republicans have voted for the Ryan budget, leaving these cuts in place and hurting our economy, just to gain political points.

This is not President Obama's sequestration. The GOP effort to make sequestration a reality shows they are ready and willing to take our economy backwards at a time when Americans are desperate to move the Nation forward. In fact, sequestration will cost 750,000 jobs this year alone.

House Democrats want sequestration repealed and replaced with a combination of revenue and cuts. The President has proposed \$2 in spending cuts for every \$1 of revenue. But Republicans remain dug in. Republicans refuse to address 70,000 children who could lose Head Start. They refuse to address the SNAP program, which is very important to feed the elderly and children. Republicans refuse to address the cuts to NIH and other very important programs.

We must work together. We must repeal sequestration.

#### VISIT OF PRESIDENT OF BURMA TO THE U.S.

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, the visit a couple of weeks ago of Burma's President, with the surrounding high-level honors, was a little disturbing. This leader's regime has engaged in well-documented horrific attacks against the various ethnic minority groups in his country—ethnic cleansing of minority groups.

When looking to the future of the country, President Thein Sein said last year that the ethnic youth should "hold laptops" and "try to live a good life." Laptop computers are going to suddenly erase the effects of years of

violence, racism, rape, and decimation by the ruthless military? I don't think so.

We must stand firmly with the minority ethnic groups in protecting their rights and ensuring justice is done for all the violence perpetrated by the Burmese military before we rush in to extracting resources and applauding democracy gains with no record of results.

And to the minority ethnic groups of Burma, many of us still stand with you.

#### CLIMATE CHANGE AND THE UPCOMING HURRICANE SEASON

(Mr. PETERS of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PETERS of California. I rise today as chair of the Climate Task Force in the House Sustainable Energy and Environment Coalition. June 1 marked the start of hurricane season, and this is a reminder that we must start planning ahead for extreme weather that we now face regularly, while also recognizing the cost of inaction.

Taxpayers spent \$136 billion on disaster relief in just the last 2 years. However, FEMA estimates that every \$1 spent on planning, preparation, and prevention yields the Nation \$4 in future benefits. We are facing harsher droughts, deadlier heat waves, more severe storms, and, in San Diego, increasingly intense wildfires. In 2012 alone, wildfires burned 9.2 million acres in the United States, an area larger than the States of Delaware, Rhode Island, and Connecticut combined.

There's no clear national plan for how to make our society more resilient in the face of extreme weather. This is unacceptable. We deserve better. Developing a planning structure for community resiliency is necessary. It will reduce Federal spending, save lives, and it's what Washington could do more of. We must act now.

#### FOCUSING ON SOLUTIONS

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, I'm proud to serve in the House, where we're continuing to work on the American peoples' priorities: encouraging job creation, growing our economy, and stopping policies that hurt American families.

Already this year, we voted to create tens of thousands of jobs and move toward North American energy independence by passage of Keystone pipeline legislation.

We've also voted to save jobs from policies that hurt our economic growth

by passing a budget that will balance in 10 years and repealing the President's health care law that is already costing jobs.

In addition, we've worked to expand opportunities for all Americans by passing legislation that allows for a better trained workforce in removing barriers to help balance the needs of family time and work.

Our focus is on solutions—not blame and excuses—to help encourage a healthy and prosperous economy, to create jobs, and to expand opportunities for all Americans.

#### IN HONOR OF HOUSTON FIREFIGHTERS

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, today I rise to honor the Houston firefighters who lost their lives and were injured battling a deadly five-alarm blaze.

Every year, our Houston Firefighters Pension Board holds a memorial service to honor all firefighters, but especially those who gave their lives in the service as firefighters. I have attended many of those services over the years.

Last Friday, May 31, the deadliest fire in the 118-year history of the Houston Fire Department broke out in southwest Houston. Unfortunately, four brave firefighters lost their lives performing their duties. Captain Matthew Renaud, Engineer Operator Robert Bebee, Firefighter Robert Garner, and Firefighter Anne Sullivan tragically fell during the fire. Many firefighters were injured, including Engineer Operator Anthony Livesay, EMT Robert Yarbrough, EMT Foster Santos, Engineer Operator and Paramedic Marcus Hernandez, and Captain William Dowling. These firefighters were injured and died trying to save people in a motel unit.

Our hearts and our prayers go out to their families and friends. Being the grandson and nephew of a family of Houston firefighters, I understand the sacrifice their loved ones made. We shall never forget their heroic efforts to keep us safe.

#### WHERE ARE THE JOBS?

(Mr. POSEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POSEY. Where are the jobs?

I'll tell you where they're not. They're not created or seemingly even encouraged by the U.S. Department of Commerce. The Department is still bullying small mom-and-pop businesses to complete lengthy, time-consuming, and expensive questionnaires about their personal business; but they don't

have time to answer my questions about the need, the justification, or the actual use of the information in those questionnaires.

A letter received by a constituent just yesterday threatens that if they don't get their economic census back within 2 weeks, they will refer their case to general counsel. How can constituents trust this agency when even the formerly independent IRS is now used as a partisan tool to punish people the administration does not like?

If the Department of Commerce really cared about improving our commerce, they would leave our mom-and-pops alone to make a living, creating jobs.

#### ANNIVERSARY OF PASSAGE OF TITLE IX

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, 41 years ago, President Nixon signed the landmark Title IX legislation into law, giving girls and boys equal opportunities in sports. But what many people don't know is that there was a 5-foot, 2-inch Japanese American woman from Hawaii who was behind this law. While she may not have been a contender for the WNBA, she laid the groundwork for women to participate in sports at every level. She was a fierce fighter for equal treatment and rights for women and held the seat in Congress which I'm privileged to hold today.

Congresswoman Patsy Mink led the way to create equal opportunities for women and girls with her landmark Title IX bill. She grew up wanting to be a doctor and was rejected from over a dozen medical schools in the 1940s simply for being a woman. She went on to attend law school and dedicated her life to battling the status quo.

Title IX is a mere 37 words, but over the last 40 years it has made an incredible impact in the lives of young women around the country. Today girls can play basketball, volleyball, golf, tennis, or even football. Patsy opened the door for these opportunities. Many young women have walked through this door, paving the way for great athletes everywhere.

#### GET OUR ECONOMY GOING AGAIN

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, as many have heard me say on the floor of this Chamber many times before, we have a tremendous opportunity to revitalize America's economy through domestic energy production. We can create jobs, lower energy costs, and become energy independent. We simply need to seize that opportunity.

And to do that, we need this administration and its Federal agencies to be partners in progress rather than roadblocks to prosperity. Job creation does not mean hiring more bureaucrats, and "no" should be the answer of last resort after all other avenues have failed.

Two weeks ago, the Department of Energy approved one of many requested permits to export liquefied natural gas. Given that a recent study showed that exporting liquid natural gas can lead to over 200,000 U.S. jobs, it's time for the Department of Energy to approve the rest of the applications and let the market drive our success. Cut the red tape for job creators. And if we embrace a path to energy independence, one that allows the market to pick winners and losers rather than Washington, D.C., we'll get our economy going again.

□ 1230

#### ATTORNEY GENERAL OF THE UNITED STATES

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I am a strong advocate for the First Amendment and for the freedom of the press. I believe that there is no question of the sanctity of that provision, even to the extent of being a strong supporter of the SHIELD Act so many years ago, and now joining my colleagues, Congressmen TED POE and JOHN CONYERS and others, on legislation to provide that armor.

But I will not stand by while malicious and unsubstantiated attacks go against a very fine and outstanding public servant, and that is the Attorney General of the United States of America, Eric Holder. I was in the Judiciary Committee when he was asked a question about whether or not he had prosecuted or intended to prosecute anyone in the press. And his words were very clear:

We have a long way to go to prosecute the press. You've got to go a long way. With regard to the potential prosecution of the press for the disclosure of material, that is not something I have been involved in or heard of or would think would be wise to do.

That is what Holder said in the hearing. Holder did not have anything to do with prosecuting anyone, and that particular affidavit or subpoena was in 2010. The Justice Department has not charged or prosecuted anybody in the press. Stop the malicious attacks on Eric Holder and the President of the United States of America. Enough is enough.

#### INEXCUSABLE IRS ACTIONS

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, I rise today to highlight the inexcusable actions taken by the IRS. Their decision to target conservative groups based on their political beliefs transcends party politics and represents an indefensible abuse of power. These actions indicate that the agency was operating with political agendas in mind—and not the best interests of the American people—and that must change.

We must refuse to tolerate this egregious behavior, and we must provide major oversight into the IRS so the American people remain protected and can trust that the Tax Code will treat them fairly.

The American people demand answers—not just an apology—from the Internal Revenue Service. That is why Congress, the House Ways and Means Committee, and the Oversight and Government Reform Committee have led, and will continue to lead, vigorous and thorough investigations into this issue, seek out those responsible, and ensure that they are held accountable for their actions.

Federal Government officials should implement the law fairly, not abuse their power for political gain.

#### HONORING THE LIFE AND MEM- ORY OF CAPTAIN BRANDON L. CYR

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise today to honor the life and memory of a true American hero, Captain Brandon L. Cyr.

Yesterday morning, I was humbled to attend Brandon's interment at Arlington National Cemetery. Standing on that hallowed ground surrounded by Brandon and his fallen comrades is a sobering testament to the sacrifice of those who gave their lives in the defense of freedom.

Brandon was killed in the line of duty when the plane he was commanding crashed in Afghanistan on April 27, 2013.

A distinguished officer, accomplished pilot and dedicated friend, Brandon received the Meritorious Service Medal, five Air Medals and the Air Force Achievement Medal. At the time of his death, Brandon had logged 1,700 flight hours—900 of those in combat. Brandon enters into the honored company of those who, in the words of Abraham Lincoln, "gave the last full measure of devotion" so "that this Nation might live."

It is with heartfelt gratitude that I recognize Brandon, his family, and American veterans and their families everywhere for their service and dedication to this Nation.

## OBAMACARE

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUTZMAN. Mr. Speaker, I rise on behalf of 600 people in Fort Wayne, Indiana, who are earning smaller paychecks today because of ObamaCare. Just last week, the largest school district in Indiana, Fort Wayne Community Schools, announced it would cut the hours of 610 part-time cafeteria workers and teachers' aides. These are hardworking folks who play a vital role in the education of our children. Officials running schools across Indiana and the Nation are beginning to realize these unsustainable costs and are taking similar measures to comply with its mandate.

Mr. Speaker, we know now that President Obama's claim that "under ObamaCare if you like your health care you can keep it" was false. Now we know that ObamaCare is also hurting the very people it was meant to help.

Employees in school districts across the country deserve certainty and security, and they don't have it. Americans are being crushed by the cost of the Affordable Care Act. We must repeal ObamaCare and start over for the sake of Americans and our Nation's children.

## RECREATIONAL FISHING AND HUNTING

(Mr. HOLDING asked and was given permission to address the House for 1 minute.)

Mr. HOLDING. Mr. Speaker, Americans are struggling to find jobs in our economy, so we must take advantage of the opportunities for job growth where and whenever they arise. And today I want to highlight the positive economic impact of recreational fishing and hunting.

Mr. Speaker, nationwide, sportsmen contribute over \$3 billion of State and Federal revenue annually through hunting and fishing licenses, fees, and excise taxes.

In my home State of North Carolina, hunters and anglers produced over 35,000 jobs in 2011—more than the combined employment of the two largest private employers in the State. Sportsmen and -women generated \$249 million in State and local taxes in 2011—enough to support the salaries of over 6,000 police and sheriff's patrol officers.

I rise today to support this important industry and what it is doing for my home State. Hunting, fishing, boating, and other recreational sports foster growth in our economy and create jobs.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

JUNE 4, 2013.

Hon. JOHN A. BOEHNER,  
*Speaker, The Capitol, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 4, 2013 at 11:00 a.m.:

That the Senate passed with an amendment H.R. 588.

With best wishes, I am

Sincerely,

KAREN L. HAAS,  
*Clerk.*

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

## RUTH MOORE ACT OF 2013

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 671) to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 671

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

*This Act may be cited as the "Ruth Moore Act of 2013".*

## SEC. 2. REPORTS ON CLAIMS FOR DISABILITIES INCURRED OR AGGRAVATED BY MILITARY SEXUAL TRAUMA.

(a) ANNUAL REPORTS.—

(1) IN GENERAL.—Subchapter VI of chapter 11 of title 38, United States Code, is amended by adding at the end the following new section:

**"§ 1164. Reports on claims for disabilities incurred or aggravated by military sexual trauma**

**"(a) REPORTS.—Not later than December 1, 2014, and each year thereafter through 2018, the Secretary shall submit to Congress a report on covered claims submitted during the previous fiscal year.**

**"(b) ELEMENTS.—Each report under subsection (a) shall include the following:**

**"(1) The number of covered claims submitted to or considered by the Secretary during the fiscal year covered by the report.**

**"(2) Of the covered claims listed under paragraph (1), the number and percentage of such claims—**

**"(A) submitted by each sex;**

**"(B) that were approved, including the number and percentage of such approved claims submitted by each sex; and**

**"(C) that were denied, including the number and percentage of such denied claims submitted by each sex.**

**"(3) Of the covered claims listed under paragraph (1) that were approved, the number and percentage, listed by each sex, of claims assigned to each rating percentage.**

**"(4) Of the covered claims listed under paragraph (1) that were denied—**

**"(A) the three most common reasons given by the Secretary under section 5104(b)(1) of this title for such denials; and**

**"(B) the number of denials that were based on the failure of a veteran to report for a medical examination.**

**"(5) The number of covered claims that, as of the end of the fiscal year covered by the report, are pending and, separately, the number of such claims on appeal.**

**"(6) For the fiscal year covered by the report, the average number of days that covered claims take to complete beginning on the date on which the claim is submitted.**

**"(7) A description of the training that the Secretary provides to employees of the Veterans Benefits Administration specifically with respect to covered claims, including the frequency, length, and content of such training.**

**"(c) DEFINITIONS.—In this section:**

**"(1) The term 'covered claims' means claims for disability compensation submitted to the Secretary based on a covered mental health condition alleged to have been incurred or aggravated by military sexual trauma.**

**"(2) The term 'covered mental health condition' means post-traumatic stress disorder, anxiety, depression, or other mental health diagnosis described in the current version of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association that the Secretary determines to be related to military sexual trauma.**

**"(3) The term 'military sexual trauma' means, with respect to a veteran, psychological trauma, which in the judgment of a mental health professional, resulted from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred during active military, naval, or air service."**

**(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:**

**"1164. Reports on claims for disabilities incurred or aggravated by military sexual trauma."**

**(3) INITIAL REPORT.—The Secretary of Veterans Affairs shall submit to Congress an initial report described in section 1164 of title 38, United States Code, as added by paragraph (1), by not later than 90 days after the date of the enactment of this Act. Such initial report shall be in addition to the annual reports required under such section beginning in December 2014.**

**(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Veterans Affairs should update and improve the regulations of the Department of Veterans Affairs with respect to military sexual trauma by—**

**(1) ensuring that military sexual trauma is specified as an in-service stressor in determining the service-connection of post-traumatic stress disorder by including military sexual trauma as a stressor described in section 3.304(f)(3) of title 38, Code of Federal Regulations; and**

**(2) recognizing the full range of physical and mental disabilities (including depression, anxiety, and other disabilities as indicated in the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association) that can result from military sexual trauma.**

**(c) PROVISION OF INFORMATION.—During the period beginning on the date that is 15 months after the date of the enactment of this Act and**

ending on the date on which the Secretary updates and improves regulations as described in subsection (b), the Secretary shall—

(1) provide to each veteran who has submitted a covered claim or been treated for military sexual trauma at a medical facility of the Department with a copy of the report under subsection (a)(3) or section 1164 of title 38, United States Code, as added by subsection (a)(1), that has most recently been submitted to Congress;

(2) provide on a monthly basis to each veteran who has submitted any claim for disability compensation or been treated at a medical facility of the Department information that includes—

(A) the date that the Secretary plans to complete such updates and improvements to such regulations;

(B) the number of covered claims that have been granted or denied during the month covered by such information;

(C) a comparison to such rate of grants and denials with the rate for other claims regarding post-traumatic stress disorder;

(D) the three most common reasons for such denials;

(E) the average time for completion of covered claims;

(F) the average time for processing covered claims at each regional office; and

(G) any information the Secretary determines relevant with respect to submitting a covered claim;

(3) in addition to providing to veterans the information described in paragraph (2), the Secretary shall make available on a monthly basis such information on a conspicuous location of the Internet website of the Department; and

(4) submit to Congress on a monthly basis a report that includes—

(A) a list of all adjudicated covered claims, including ancillary claims, during the month covered by the report;

(B) the outcome with respect to each medical condition included in the claim; and

(C) the reason given for any denial of such a claim.

(d) **MILITARY SEXUAL TRAUMA DEFINED.**—In this section:

(1) The term “covered claim” has the meaning given that term in section 1164(c)(1) of title 38, United States Code, as added by subsection (a)(1).

(2) The term “military sexual trauma” has the meaning given that term in section 1164(c)(3) of title 38, United States Code, as added by subsection (a)(1).

**SEC. 3. EXTENSION OF ROUNDING DOWN OF PERCENTAGE INCREASES OF RATES OF CERTAIN EDUCATIONAL ASSISTANCE.**

(a) **MONTGOMERY GI BILL.**—Section 3015(h)(2) of title 38, United States Code, is amended—

(1) by striking “fiscal year 2014” and inserting “fiscal year 2019”; and

(2) by striking “fiscal year 2013” and inserting “fiscal year 2018”.

(b) **SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL ASSISTANCE.**—Section 3564(b) of such title is amended—

(1) by striking “fiscal year 2014” and inserting “fiscal year 2019”; and

(2) by striking “fiscal year 2013” and inserting “fiscal year 2018”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

**GENERAL LEAVE**

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Mem-

bers have 5 legislative days within which to revise and extend their remarks and add any extraneous material they may have on H.R. 671, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. I yield myself such time as I might consume.

Mr. Speaker, H.R. 671, as amended, will demand that the Department of Veterans Affairs place an immediate and concerted focus upon updating and improving its regulations for processing claims based upon military sexual trauma, commonly known as MST.

Reported incidences of military sexual trauma have risen markedly in recent years, a disturbing trend affecting both women and men serving in the military. I have spoken with many servicemembers who have suffered MST, and one sentiment is commonly echoed—these servicemembers feel a sense of betrayal and lack of trust. They have said that they feel betrayed by their fellow military attacker; and, without proper handling of the crime, they also feel betrayed by their command and their service branch.

The Department of Defense must take the lead on this issue and must address military sexual assault and trauma throughout the ranks in the strongest possible terms. Additionally, our veterans who have suffered military sexual trauma who live with this sense of betrayal must be confident that they will not be further traumatized by the Department of Veterans Affairs when they seek necessary and proper assistance.

Survivors of MST must not be subjected to outdated and antiquated regulations of the Department.

□ 1240

VA’s approach to claims of MST and its processing thereof require immediate and thoughtful review, and that is the intent of H.R. 671, as amended.

I want to thank Congresswoman PINGREE for bringing this important bill to the committee. And I commend Subcommittee Chairman RUNYAN and Ranking Member TITUS for their bipartisan work on bringing this bill to the floor today.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. MICHAUD. Mr. Speaker, I yield myself such time as I may consume.

I wholeheartedly support H.R. 671, the Ruth Moore Act of 2013. This bill was introduced by my colleague and good friend of mine from the State of Maine, Congresswoman CHELLIE PINGREE. It is named after a constituent of mine, Ruth Moore.

This important legislation seeks to better serve those men and women who have become victims of military sexual trauma. This legislation makes clear

that we expect the VA to update its regulations in regards to military sexual trauma, which we believe are outdated and do not reflect the needs of those who are living through this awful experience. This bill would encourage the VA to update its regulations to ensure that military sexual trauma is specified as an in-service stressor and that those updated regulations also recognize the full range of physical and mental disabilities that may result.

Mr. Speaker, VA did the right thing by our Vietnam veterans exposed to Agent Orange by updating their regulations. We expect VA to also do the right thing by veterans who have been suffering from military sexual trauma.

H.R. 671, as amended, contains language to ensure VA follows through on the requirement to do better by those who have suffered military sexual trauma. It will dramatically increase the reporting requirements of VA in the event that these regulations are not updated within 15 months in an appropriate manner.

Let’s be clear: Congress disagrees with VA’s assessment that MST is being adjudicated effectively. We expect VA to take a good, hard look at this issue and update its regulations in a timely fashion. We will be watching, and we will be having oversight hearings to make sure that the reporting requirements are upheld.

I would urge my colleagues to support passage of H.R. 671, the Ruth Moore Act.

With that, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, at this time, I yield as much time as he might consume to the subcommittee chairman of Disability Assistance and Memorial Affairs, the gentleman from New Jersey (Mr. RUNYAN).

Mr. RUNYAN. Thank you, Chairman MILLER, for yielding me time.

Mr. Speaker, H.R. 671, as amended, is known as the Ruth Moore Act of 2013.

As chairman of the Subcommittee on Disability Assistance and Memorial Affairs, I am pleased once again that our subcommittee worked in a productive and bipartisan manner on this important bill for our Nation’s servicemembers. I also applaud the leadership shown by Ms. PINGREE in sponsoring this legislation.

Military sexual trauma is a terrible act, a betrayal of trust, and it is not to be tolerated. Furthermore, those veterans who were victimized by their fellow servicemembers are entitled to VA assistance, and they are entitled to a fair and thoughtful review of their claims.

Thus, H.R. 671, as amended, sets stringent reporting requirements and urges the Department of Veterans Affairs to make necessary changes to their regulations on military sexual trauma to ensure their fair review.

I strongly support H.R. 671, as amended, and I urge my colleagues to also support this bill.



Mr. MICHAUD. Mr. Speaker, at this time, I would like to yield 5 minutes to the author of the bill, the gentlewoman from my home State of Maine, Congresswoman CHELLIE PINGREE.

Ms. PINGREE of Maine. Mr. Speaker, first, I want to thank my colleague from Maine, Mr. MICHAUD, for his time, for his leadership on the Veterans' Affairs Committee, and for sharing his brave constituent, Ruth Moore, with me.

I also want to thank Chairman MILLER for his bipartisan work on this bill, as well as subcommittee chair, Mr. RUNYAN, and Ms. TITUS, the ranking member, for their work on this issue as well. Thank you very much.

Mr. Speaker, lately it has been hard to escape the news about the crisis of sexual assault in the military. Senior military personnel charged with preventing sexual assault are themselves investigated or arrested for the very same thing.

A new Pentagon report showing 26,000 men and women were sexually assaulted in the military last year—up 35 percent. And only about one in 10 of those assaults were reported, and even fewer ended up with a prosecution. In fact, the Pentagon says that every week—every single week—400 sexual assaults go unreported.

But even though we've heard much more about this problem lately, in no way is it a new problem. Almost every day I hear from another veteran who is the survivor of sexual assault in the military. Men and women of all ages, from every branch of the service, from every era. I have heard from survivors of sexual assault from World War II, the war in Afghanistan, and every conflict and every era in between.

There is no question that we have to get to the root of the problem, that we have to reform the legal service and change the culture so sexual assault in the military is no longer tolerated and is thoroughly prosecuted.

But the sad fact remains: even if sexual assault in the military ended today, even if a woman or man in uniform was never raped again, there would still be tens of thousands of veterans who survived a sexual assault and suffer a disability because of it, but still can't get veterans disability benefits that they are owed.

That's why we need this bill, the Ruth Moore Act. This bill doesn't create any new benefits for survivors of sexual assault. This bill doesn't give any special treatment to the survivors of sexual assault. This bill just levels the playing field and makes it easier for those survivors to get the benefits they are owed.

A few years ago, the Department of Veterans Affairs acknowledged that too many combat veterans were suffering from PTSD and they were being denied benefits because it was too difficult to document what happened to

them on the battlefield. So the VA made a commonsense change. They said if you were in combat and a VA doctor gives you a diagnosis of PTSD, and if an examiner links that diagnosis to the combat you experienced, then you are eligible for benefits.

The Ruth Moore Act asks the VA to do the same thing for victims of military sexual assault. If a VA doctor gives a veteran a diagnosis of a mental health condition and there is a medical link to the sexual assault, then the VA will have to qualify the veteran for service-related disability benefits.

Currently, the VA requires "secondary markers" to show the sexual assault occurred. Those secondary markers—statements from relatives or friends or a supervisor—are often hard to come by, especially for veterans who suffered an assault years or even decades ago. In the case of combat-related PTSD, those secondary markers are no longer required and the sworn statement of a veteran is sufficient. The same reform should apply to survivors of sexual assault.

We named this bill after a very brave woman from Maine. Ruth Moore was in the Navy when she was 19, serving her country. At a base in the Azores she was raped. When she reported it, she was told to keep quiet, and then she was raped again. For 23 years she fought for the benefits she was owed. Her records were tampered with, she was diagnosed with mental illness, and her life fell apart. After decades of fighting, Ruth was finally given the benefits we owed her, and slowly she has put her life back together.

When I met her in my office in Maine 2 years ago, she could barely tell her story. Her friends, her neighbors, even many of her loved ones didn't know what had happened to her. But bit by bit, Ruth has rebuilt her trust of people in positions of responsibility to the point where she came here to Washington and testified before the Veterans' Affairs Committee—a very brave woman.

But there are thousands and thousands of Ruth Moores out there who have been fighting for their benefits for years or even for decades. As survivors of sexual assault, they have suffered and sacrificed enough. We can make the process of getting the benefits they are owed a little bit simpler.

I urge my colleagues to support this important bill.

□ 1250

Mr. MILLER of Florida. I continue to reserve the balance of my time.

Mr. MICHAUD. At this time, I yield 3 minutes to the gentlewoman from California (Mrs. NEGRETE MCLEOD).

Mrs. NEGRETE MCLEOD. Thank you, Ranking Member MICHAUD.

Mr. Speaker, today, I rise in support of H.R. 671, the Ruth Moore Act of 2013.

This bill specifies military sexual trauma as a type of stressor for

posttraumatic stress disorder. This is an important step forward in assuring that the VA gives full consideration for disability claims originating from sexual violence committed against military personnel while they serve our country.

As a cosponsor of H.R. 671 and as a member of the Military Sexual Assault Prevention Caucus, I believe we must support our veterans who may confront challenges upon returning to civilian life. This includes obtaining compensation for violence committed by a fellow servicemember.

Mr. MILLER of Florida. Mr. Speaker, we are ready to close if the ranking member is ready as well, so I continue to reserve the balance of my time.

Mr. MICHAUD. Mr. Speaker, I yield myself such time as I may consume.

In closing, today, we can take a meaningful step to ensure the VA better serves veterans who were subject to sexual trauma while serving in our military. These veterans' disabilities were not the result of fire from the enemy, and they were not the result of injury incurred during training. They were the result of the armed services' continual failure to systematically address the culture of sexual assault in the military.

This situation is unacceptable and unconscionable, and we must act. With this legislation, we hope to ensure that the VA helps these disabled veterans. We have a duty to make the lives of these men and women a little better. They never should have had to deal with these events in the service of our Nation anyway, so I encourage my colleagues to support this legislation.

I also want to thank the chairman of the full committee and the chairman of the subcommittee and their staffs for their hard work in bringing this bill before the floor for us to vote on today. I know the committee staffs on both sides of the aisle have worked very hard to amend this bill so that it's acceptable to both sides of the aisle. I thank the chairman for all his hard efforts, not only on this legislation, but also on legislation as it affects veterans and their families throughout the country.

With that, Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I think the words speak for themselves as well as the comments that have been made here on the floor. I would just close with this: that I urge all of my colleagues to support the Ruth Moore Act. I support H.R. 671, as amended, and I yield back the balance of my time.

Ms. BROWNLEY of California. Mr. Speaker, as Ranking Member of the House Veterans' Affairs Subcommittee on Health—and an original co-sponsor of the bill—I would like to express my wholehearted support for H.R. 671 and to urge my colleagues to vote in favor of this critical legislation.



I would also like to thank my colleague from Maine for introducing this important bill.

It is absolutely intolerable for any servicemember to be subjected to sexual assault while serving in our nation's armed forces.

It is also unacceptable that veterans are being denied treatment at the VA because they don't have adequate proof that the assault happened.

Under existing VA policies, a lack of military documentation and inconsistencies among VA regional offices have resulted in veterans, like Ruth Moore, being denied disability benefits.

For 23 years Ruth was told by the VA that she did not provide enough evidence proving the assault happened.

Instead of receiving the high quality VA care and benefits she had earned immediately upon separation, she had to fight and wait for over two decades for benefits.

Again, I urge my colleagues to vote for H.R. 671 to correct this injustice.

Mrs. KIRKPATRICK. Mr. Speaker, I submit this statement in support of H.R. 671, the Ruth Moore Act of 2013, introduced by Rep. CHELLIE PINGREE of Maine.

This legislation makes it easier for veterans to receive benefits for disabilities (PTSD) that stem from sexual assaults. The Pentagon reports that the number of sexual assaults in the military has grown from 19,000 to 26,000 since last year. One in 3 servicewomen report having been sexually assaulted, but an estimated 86 percent of assaults are never reported.

Our military is a source of great strength and national pride, and we should expect nothing less than the highest standards of conduct, from rank and file troops to the upper echelons of leadership.

We must eradicate the criminal, violent acts of sexual assault, and we must remove institutional barriers that allow perpetrators to go unpunished and victims to be revictimized.

I agree with the provision of H.R. 671, which asks the Department of Veterans Affairs to lower the burden of proof to receive benefits. Currently, servicewomen are required to provide secondary evidence to show that the trauma occurred—a burden not required for other combat-related claims.

Let's stand up for our brave servicewomen by building a better system—one that honors and affirms them as members of the mightiest military force on the globe.

Ms. BROWN of Florida. Mr. Speaker, I rise today in support of H.R. 671, Ruth Moore Act of 2013. This bill will right a wrong in our veterans' compensation process for those servicemembers suffering from military sexual trauma.

One of the problems we have when trying to help veterans victimized by their superiors is lack of information about how often it happens and how many veterans are victims.

This bill requires the VA to collect and report on many aspects of those who are suffering from MST, but are unable to get relief from the VA.

The VA will be required to provide on a monthly basis its progress with regards to military sexual trauma of every veteran that has applied for benefits or has been treated at a VA facility. This update shall include: The three most common reasons for denial, the

average time for completion of these claims, the average time for processing MST claims and how MST compares to other PTSD claims.

We cannot know how to begin to treat and compensate victims of Military Sexual Trauma until we know more about this disability.

I fully support this legislation and urge its passage by the House.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 671, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit to Congress an annual report on claims for disabilities incurred or aggravated by military sexual trauma, and for other purposes."

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2216, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014; AND PROVIDING FOR CONSIDERATION OF H.R. 2217, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2014

Mr. WEBSTER of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 243 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 243

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2216) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2014, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that

the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except for section 563. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. Pending the adoption of a concurrent resolution on the budget for fiscal year 2014, the provisions of House Concurrent Resolution 25, as adopted by the House, shall have force and effect in the House as though Congress has adopted such concurrent resolution, and the allocations of spending authority printed in Tables 11 and 12 of House Report 113-17 shall be considered for all purposes in the House to be the allocations under section 302(a) of the Congressional Budget Act of 1974.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

□ 1300

Mr. WEBSTER of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend and colleague, the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WEBSTER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. WEBSTER of Florida. Mr. Speaker, I rise today in support of the rule and the two underlying bills.

House Resolution 243 provides for an open rule for consideration of H.R. 2216,

the Military Construction and Veterans Affairs, and Related Agencies Appropriations Act of 2014, and H.R. 2217, the Department of Homeland Security Appropriations Act of 2014.

This rule provides ample opportunities for Members from both the minority and majority to participate in the debate, and it does not limit the number of amendments that may be considered, so long as the amendments comply with the rules of the House.

My colleagues from both sides of the aisle agree that these appropriation acts for fiscal year 2014 are the products of an open, collaborative, and bipartisan process.

They provide critical funding for military construction, housing, schools, and medical facilities for our servicemembers and their families, important veteran programs, the protection and security of our airports, seaports and national border, and disaster relief efforts. They also reduce duplication, improve oversight, encourage efficiency, and increase coordination of services.

Mr. Speaker, these bills address non-partisan issues that affect every one of us. The seamless operation of these agencies and programs and projects will benefit all Americans.

Let me first address H.R. 2216, the Military Construction and Veterans Affairs, and Related Agencies Appropriations Act of 2014.

This fiscally sound bill funds programs that are necessary to keep our promises to our veterans and to train, equip, house, and support the brave men and women in uniform, as well as their families.

This bill provides over \$73 billion in discretionary funding, which is \$1.4 billion above the enacted fiscal year 2013 level. It continues to provide advanced funding that was approved in fiscal year 2013 for veteran medical care and funds programs to reduce the staggering backlog which severely delayed the process of veteran benefits claims. This advance funding will ensure that our veterans have full access to medical care regardless of where we stand in the annual appropriation process.

H.R. 2216 funds military construction projects, including family housing, military medical facilities, and Department of Defense education facilities. It also funds critical VA medical services and provides for a unified electronic health record system to integrate Department of Defense and Veterans Affairs health records.

Currently, our veterans must physically present a hard copy of their DOD health records at their VA appointments, and physicians are unable to look up the patient's medical history if a patient does not have their records with them. This bill addresses this frustrating and inefficient process and will begin to replace an archaic paper record system with an electronic sys-

tem that will ensure our veterans will be efficiently served and receive the care they need and deserve.

Next, I'd like to talk about and highlight a few of the important provisions in H.R. 2217, the Department of Homeland Security Appropriations Act of 2014. This bill is essential to protect the security of our national borders and the safety and well-being of all Americans.

This bill provides \$38 billion in discretionary funding for the Department of Homeland Security, which includes funding for 21,370 Border Patrol agents and nearly 22,800 Customs and Border Protection officers—the largest totals in history. It also directs U.S. Immigration and Customs Enforcement to train agents to identify and assist victims of human trafficking and directs ICE to increase spending on human trafficking and smuggling investigations.

H.R. 2217 also provides funding for FEMA to ensure our Nation is prepared to provide disaster relief and funds the Coast Guard.

Finally, I'd like to reiterate that these bills strengthen our national security and continue the well-being of our brave servicemembers, their families, and other veterans. They also recognize that our growing debt threatens the stability and safety of our Nation, and for this reason these bills make recommendations to reduce bureaucratic inefficiencies, duplication, and overhead.

Once again, Mr. Speaker, I rise in support of this rule and the underlying legislation. The Appropriations Committee has worked hard to provide us with two fiscally responsible appropriation bills that will meet the housing construction and medical needs of our military and provide support to their families. They will keep our promises to America's veterans, and they will enhance our national security.

I encourage my colleagues to vote "yes" on the rule and "yes" on the underlying bills, and I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

I'd also like to thank my friend and colleague, the gentleman from Florida, the former Speaker of the Florida House of Representatives, who clearly championed there and here, likewise, regular order.

Mr. Speaker, this rule provides for consideration of H.R. 2216 and H.R. 2217, as outlined by my colleague from the other side, two appropriations measures that fund military construction and family housing projects, the Department of Veterans Affairs and the Department of Homeland Security.

Once again, my friends on the other side are using this particular rule as yet another attempt to deem and pass the controversial budget offered by our colleague PAUL RYAN.

This is exactly what they did in April of last year when they reneged on their promises in the Budget Control Act and also during consideration of H.R. 5326, the Commerce, Justice, Science Appropriations for fiscal year 2013.

My Republican colleagues have been calling for regular order; however, both the House and the Senate each passed a budget this year and regular order would have them go to conference to negotiate a budget for the 113th Congress. But instead of appointing conferees, the Speaker of the House and the House Republican leadership are deeming the Ryan budget passed.

□ 1310

Someone in a graphic that I saw said they're deeming the impossible deem.

I, as one exemplar, should know, having served on the Rules Committee in the majority when we were going forward. We did consider deem and pass, and we learned along the way that that was going to skew the process. Therefore, we retreated from that, and I would urge my friends, the Republicans, to do likewise.

They would rather see, it appears, greater military spending, at the expense of vital programs that millions of Americans rely on, than work with Democrats to replace the sequester and properly fund our Nation's government.

Now, I'm not going through the litany of all the things that the sequester has cut and the problems that it has caused. Most people know that. But the Meals on Wheels program has been the one put forward, and I just think it is plain dumb and crazy to not take care of older people in our society. Never mind all the ideology, all the deficit, all the other hawk talk, who cares when someone that is a grandmother goes to sleep hungry because we didn't do what we should have done and that we passed a foolish sequester that has caused these problems.

As a result, we're working with different budget target levels. In the House, it is \$0.966 trillion and approximately \$1.07 trillion for the Senate, which both sides agreed upon in the Budget Control Act of 2011.

These differences are important. The reductions imposed by the House 302(b) allocations mean greater cuts for agencies and programs that already face difficult budget decisions due to sequestration. The two funding bills coming before us for consideration this week, along with those for defense and the legislative branch, are the only ones expected to receive an increase over the 2013 post-sequester levels. This means that we'll be forced to sacrifice health care, environment, education, transportation, and other important spending priorities in order to meet the new overall reductions required by the sequester.

Furthermore, the appropriation for Military Construction and Veterans Affairs is the only budget with a 302(b) allocation that is higher than pre-sequestration funding levels, whereas funding for Homeland Security, in my opinion, is unacceptably low in some areas, and the bill is encumbered by very, very troublesome riders, and I would urge the Members of the House to look carefully at those riders.

Consequently, the 302(b) allocation would provide a 22 percent reduction to the pre-sequestration budget for health care, education, and labor programs. In my opinion, that's just plain outrageous.

Republicans are again asking—I'm fond of saying in the Rules Committee that when I was 11 and 12 years old, my favorite radio program that my grandmother would let me listen to on Saturdays was a program called "Let's Pretend." Little did I know 65 years later that I would be in an august body that is also in and of itself sitting around with people pretending that things are happening that are not happening.

Republicans are asking us to pretend that the Ryan budget is law, when in fact it is not. This unilateral action is a formula for conflict, and I predict for you that that's what we'll have. While I appreciate the spirit of bipartisanship, and those gentlemen who came yesterday, Mr. PRICE and Mr. BISHOP, the ranking members, and Judge CARTER and his counterpart did an exceptional job, as did JOHN CULBERSON, in showing this body that there can be bipartisan efforts. They did so, and I would hope that would serve for the rest of appropriations and for this body to take notice that people can work together when they try. And that bipartisanship led to the funding levels contained in both of these bills that we are considering under this rule. It is regrettable that it was not extended to the entire process.

Simply put, the framework within which we are considering these bills—the Ryan budget that House Republicans have deemed as passed—is a non-starter.

Administration folks said yesterday that unless this bill passes the Congress in the context of an overall budget framework that supports our recovery and enables sufficient investments in education, infrastructure—and a footnote right there: Do we need to be reminded about the bridge that fell in the State of Washington, about the number of bridges in this Nation that are in disrepair and have been in disrepair? When Bill Clinton became President, he advocated that there were 14,000 bridges in need of repair, and he asked for a little bit of money that we should have allocated then. Now we have thousands of bridges in disrepair, and we are going about a process like this ignoring them.

Where do we get the innovation at NIH for the health needs that are coming and the technological needs that are coming? How do we protect national security for our economy to be able to compete in the future?

The President's senior advisers indicated that they would recommend to the President that he veto H.R. 2216 and H.R. 2217, and any other legislation that implements the House deemed budget framework. As I've said time and again, this is no way to run a budget process, and no way to conduct the business of the House of Representatives.

Mr. Speaker, I reserve the balance of my time.

Mr. WEBSTER of Florida. Mr. Speaker, I just want to remind everyone that we're talking about a rule here. And this rule, different from those that were proposed in the Congresses before I got here, in the 111th Congress, is an open rule. It allows for amendments. If there are those who do not like what's in these bills, they can do everything that they need to do in an amendment and get 218 votes and pass it, and it'll change. If this bill needs perfecting, either one of these bills need perfecting, they can be perfected.

I believe that is as close to regular order as we can get. If we can come down to this floor, offer an amendment, get an opportunity to debate that amendment, have our say, hopefully get the votes to pass it, change the bill, that's the way this process should work.

This rule provides for that. It provides for two very well-thought-out appropriation bills, which may have flaws. But if there are flaws, whether you're a Republican or Democrat, come on down. Once we pass this rule, we'll be taking those bills up one at a time. And any amendment, as long as it's within the germaneness rules of this House, can be offered. We would welcome that. I think both sides would welcome that.

That's why when both of these bills came out of committee, there were glowing reports, both from the minority report and from the majority report. They are well-thought-out bills. They are well-done bills. They are bipartisan. They're done in an open and collaborative way, in an open, real, and regular order process. So for those reasons, I think this is a great rule because it sets forward the opportunity of people on this floor, no matter who they are, from a freshman to a senior Member, from Republican to Democrat, from moderate, liberal, and conservative, no matter who they are, to offer amendments to these bills, both of them. And if they get a majority vote, they can pass them. So I think that to me is an open process. That's also regular order.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, my colleague began by saying

that's as close to regular order as we can get. I would tell him, close, but no cigar.

Mr. Speaker, I'm very pleased to yield 2½ minutes to my very good friend from New York, Mrs. LOWEY, who has been on the Appropriations Committee at times when we didn't deem things and we did, in fact, pass appropriations measures.

□ 1320

Mrs. LOWEY. Mr. Speaker, I rise in strong opposition to this rule, which would deem the discretionary spending levels in the Ryan budget as law.

The Ryan budget endorses sequestration, is unrealistic, unworkable, economically misguided. The Senate and the White House are using a different set of numbers.

By adopting the rule and the Ryan budget and breaking caps in the Budget Control Act which passed this body, we guarantee gridlock. The House majority will pass a small number of bills at roughly the President's requested levels, but will be unable to get bipartisan support for the remaining bills.

It would also jeopardize our economic recovery. Europeans are experiencing the limits of austerity in the midst of a fragile recovery. We should invest more in education, biomedical research, transportation infrastructure, clean energy and other initiatives that grow our economy and create jobs. Instead, the deeming resolution would take a step back, all but ensuring significant reductions.

To turn off the sequester, ensure the House's relevance in the process, and pass reasonable bills, Democrats offered in committee a motion to postpone consideration of subcommittee allocations until a budget resolution could be conferred.

And I do want to say this, and I would like to say this to my friend, the distinguished Chair on the other side of the House, there has been a call for a budget resolution on the Senate. They did a budget resolution on the Senate that has been requested by my good friends on the other side of the aisle. That budget resolution passed.

However, I know the ranking member of the House Budget Committee, CHRIS VAN HOLLEN, has called for a conference, went to the Rules Committee five times and said, Let's have a conference so we can move forward. That was denied.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS of Florida. I yield the gentlewoman an additional 1 minute.

Mrs. LOWEY. So, my colleagues, with a balanced deficit reduction plan, we could establish an alternative allocation that would sufficiently fund our priorities and allow us to follow regular order for the appropriations process.

Instead of my friends engaging today in a futile process—it's just a futile exercise—the House should abide by the

discretionary caps in the Budget Control Act. Turn off the sequester before we consider spending bills.

My friends, vote “no” on the rule.

Mr. HASTINGS of Florida. Mrs. LOWEY, just before you leave, you have just an additional few seconds. Will the gentlelady yield to me?

Mrs. LOWEY. I would be delighted to yield to the gentleman.

Mr. HASTINGS of Florida. I just want to say, in addition to the fact that CHRIS VAN HOLLEN came to the Rules Committee five times, HARRY REID has offered eight times to go to conference and Republicans have blocked it. And I just want that to be understood, because later on we're going to hear somebody stand up here and say it's Democrats that are holding it up, and it's not.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. LOWEY. Will the gentleman yield?

Mr. HASTINGS of Florida. I yield the gentlewoman an additional 30 seconds.

Mrs. LOWEY. I just want to make a point to my friend on the other side of the aisle: the bill before us today is a bipartisan bill. There was strong support on both sides of the aisle. The chair and the ranking member worked together in a collegial way because this bill is so important for our country.

The problem here is, after this bill and Homeland Security, there's nothing left. Education, National Institutes of Health are in a bill that's going to be cut 22 percent.

So, my friend, the issue is not these bills today; it's the process and the fact there isn't a complete plan in place.

Mr. WEBSTER of Florida. Mr. Speaker, I yield myself such time as I may consume.

I've been in this process a long time, not necessarily here, but in other venues, and what I have found is what's before you is before you, and what comes later may or may not come later.

But I would say this to the gentlelady, that what we have here are two bills that are bipartisan bills, and they have a great deal of input from both sides. They came out of committee with a strong vote, with both Republicans and Democrats.

And so my thought is: here we are. We're here. We're addressing this particular issue. Now, when these other bills come to the floor of the House, before they get here they're going to pass through the Rules Committee, too, these appropriation bills. I will do everything I can to make them open, also, so that anybody that wants to amend them or perfect them has the opportunity.

I believe in an open process. I believe that Members, no matter how long it takes, should have the opportunity to say their piece. And no matter what your philosophy is, no matter what

your party is, no matter what your position is, no matter what your rank is, if you're 435th it doesn't really matter, you should have an opportunity to present your case.

And so, these are these two bills. We have talked about the fact that we're going to have an open process here, and people want to perfect these bills; then great, offer an amendment. When the other appropriation bills come, that'll be the time to talk about them. But when they do, just know this: I'm going to be one that is going to be pressing hard to have open rules for them, also.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, at this time I'm very pleased to yield 2 minutes to the distinguished gentleman from Maryland (Mr. HOYER), my very good friend, the minority whip of the House of Representatives.

Mr. HOYER. I thank my friend.

Mr. Speaker, what's before us is before us. What's before us is a rule, not the MilCon bill, not Homeland Security.

What's before us is the bill. And what does the bill do?

It doesn't have an open process. It doesn't allow us an amendment. Mr. VAN HOLLEN wanted to have an amendment and say let's go to conference on the budget; let's decide what these numbers ought to be. No, it's our way or the highway.

You've passed a budget. You're going to stick with those numbers. They won't work. You know they won't work. That's why you don't go to conference, because Mr. RYAN knows he couldn't make a deal that he could bring back to this House and your side would vote for, I tell my friend on the Rules Committee.

So what's before us is before us, a ratification of sequester, which starts with “S,” which stands for “stupid.” It is a terrible process. It is an irrational, commonsense-defying process.

And yet my Republican friends continue to demand that we mark to figures that were contrary to the understanding, agreement—deal, if you want—that we made.

In August of 2011, we made a deal and we said these are going to be the numbers, and the ink was not dry on the paper until such time as you violated that agreement. And the Ryan budget violates it once again and is \$91 billion, almost 9 percent, less than the deal we made.

What's before us is before us, the gentleman says. What's before us is the rule to ratify the sequester.

Now, your side blames the President for it. The President doesn't want the sequester. We don't want the sequester. Mr. VAN HOLLEN, who's sitting here, doesn't want the sequester, and he's tried to offer amendments to obviate the sequester and hasn't been allowed to have those amendments on the floor. I tell my friend on the Rules Committee.

And I congratulate him for his position, but he ought to allow the Van Hollen amendment so the House can, in fact, work its will, so that we can, in fact, have a process that will work.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Florida. I yield the gentleman an additional 1 minute.

Mr. HOYER. Now, my friend says he's been here for some time and he's participated in another legislative body. Well, I've been here for a long time myself, as the gentleman knows, some 33 years, and 12 years in the Maryland Senate, President of the Senate for the last 4 I was there. So I've been around for some years myself.

The fact is, I will tell the gentleman, there is no possibility you're going to consider all 12 bills because, as the gentlelady said, you're going to run out of money. Why? Because you're front-loading that which you like, and that which you're not too happy about is going to be not only breaking the agreement we made, but far below your own budget numbers because you didn't want to mark to your 966 with this bill.

□ 1330

Why? Because you want to make sure the veterans were taken care of. God bless you. I agree with that. But there's only X number of dollars in that pot, and somebody's going to lose.

What the President is saying is let's consider them all together. That's what we ought to be doing. Reject this bill, reject this sequester, reject this deeming resolution, and let us have a rule that makes common sense for our country.

Mr. WEBSTER of Florida. I yield myself such time as I may consume.

Again, I will reiterate the fact that it is what is before us. We cannot get to these two bipartisan, well-thought-out, well-debated, well-collaborated pieces of legislation which deal with some issues that are very, very important without passing a rule to allow us to do that. That's what this rule does. It deals with those two bills. No, those two bills aren't before us, but this rule is the gateway to get to those bills. How are we going to get there? We're going to pass this rule. Once we get there, what are we going to do? We're going to have an open process—one that has been foreign until the Republicans took control of this legislature—foreign, no matter what your standing in this body was.

There were closed bills after closed bills after closed bills after closed bills that came up. Was there an opportunity to amend it, to perfect it, to do anything with it? Absolutely not. But that's not the way it is now. If we pass this rule, we're going to get to a process that allows every Member to come down to this floor and offer an amendment, debate that amendment, and

have the possibility of passing that amendment.

So, yes, there are other issues, there are other appropriations, there are other bills that will be coming to this floor at some point in time. And at that time we can debate them. But right now, this is the issue before us. These two very important bills—and very much agreed-on bills—are only going to be taken up on this floor if this rule passes.

I reserve the balance of my time.

Mr. HASTINGS of Florida. May I inquire how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from Florida (Mr. HASTINGS) has 13½ minutes remaining. The gentleman from Florida (Mr. WEBSTER) has 19 minutes remaining.

Mr. HASTINGS of Florida. Thank you very much.

Mr. Speaker, I'm very pleased and privileged at this time to yield 3 minutes to my friend, the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I rise in strong opposition to this rule, which aims to approve the House majority's inadequate appropriations allocation level for 2014, a level that is over \$90 billion below that of the Senate and the President and violates the agreement that we all voted on a year ago, Democrats and Republicans, in the Budget Control Act to increase that funding above the number that they present to us today.

The budget reflects our values, reflects our priorities, and our responsibilities to the people that we represent. It is our job to make sure that that is the case. And yet for the third time in 3 years, this House majority has put forward a reckless and ideological funding level that ensures that our government cannot even meet its most basic responsibilities to the American people.

Under this House majority's plan, we will see cuts that are deeper than the indiscriminate across-the-board cuts. The funding for the Labor, Education, and Health and Human Services is drastically cut. And this rule accepts those cuts made to the program this year and then it multiplies that by four in 2014. What are those cuts? Where do they fall? And if enacted, the wrong choices will cause incalculable damage. They severely weaken these critical programs that protect public health and safety, that promote and develop our workforce, training programs, education, Pell Grants, Meals on Wheels, special education, and biomedical research so that people can live. It affects our seniors, our veterans, our middle class, and our most vulnerable families.

I, along with Congressman VAN HOLLEN and others, have offered legislation that cuts \$30 billion from the Federal deficit and replaces the deep and indiscriminate cuts for the next 2 years

with a more balanced and a targeted approach. That's the direction we should be moving in—keeping up with our fundamental responsibilities to the families who have elected us to stand up for them.

Rather than going down this path, the House majority should appoint budget conferees and do its job and negotiate with the Senate. Our appropriations chairman claims to want to undo sequestration. Yet rather than showing leadership, the House majority fails to address the sequester and create conditions for another budget crisis down the road.

We hear so much talk from this majority about regular order. What does that mean? The House passes a bill, the Senate passes bill, they work out their differences, they get it to the President, and the President signs the bill. Well, Mr. Speaker, where is the regular order? It is autocracy.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS of Florida. I yield the gentlelady an additional 30 seconds.

Ms. DELAURO. No more games. I urge all of my colleagues to vote against this disastrous funding level. Let's work together to fix the sequester and get us back on the path to economic growth. This is our top priority. It must be our top priority. And this House of Representatives needs to show the American people that it can lead.

Mr. WEBSTER of Florida. I yield myself such time as I may consume.

I want to reiterate again the benefits of these two bills that we're going to be debating if we pass this rule. They provide critical funding for military construction, housing, schools, and medical facilities for our servicemembers and their families, as well as important veterans programs. They protect security for our airports, seaports, and national border, as well as disaster relief efforts. They also reduce duplication, improve oversight, encourage efficiency, and increase coordination of services.

If there were one provision in a bill that would push you over the edge of voting for or against something, it would be the idea of getting rid of this old paperwork. I've had someone come and tell me that they had gotten a tetanus shot, I think, about 3 weeks before they got out of the service. Once they got out, they went to the VA and they forgot to take the record with them. So they had no proof. They went to the VA and they said, You're going to have to get a tetanus shot. He says, Wait a minute, I've already gotten one. You don't have that record? No. And if you don't have it with you, we don't know. Because you can tell us you had one 3 months ago, but that doesn't matter.

We need to do it. This one bill gets rid of that process and says we're going to move towards a modern system of

electronically transferring these records. There's so many good things in these two bills; it's just pretext for the fact that this rule needs to be approved.

I reserve the balance of my time.

Mr. HASTINGS of Florida. If we defeat the previous question, we'll offer an amendment to the rule that strikes the provision of the rule that deems the passage of the Ryan budget and will allow the House to consider the resolution calling on Speaker BOEHNER to proceed to conference on the budget.

It is time for the majority to follow regular House procedure by immediately requesting a conference and appointing conferees to negotiate a fiscal 2014 budget resolution conference agreement with the Senate.

To discuss our proposal, I'm very pleased to yield 5 minutes to my good friend, the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank my friend, Mr. HASTINGS.

I've been listening to Mr. WEBSTER. And if I were Mr. WEBSTER, I'd be doing exactly what he's doing, which is focusing on the underlying bills: the spending bill to support our veterans, to support military construction, and homeland security.

□ 1340

But as others have pointed out, the vote before us is not on those underlying bills. It's on the rule. And everybody needs to understand that what's at play here is a scheme to use the rules to affect not just the veterans budget, but to affect other parts of our budget.

In fact, Mr. Speaker, I find it especially cynical that our colleagues would use the spending bills on veterans and military construction as the vehicle to pass their budget levels which will result in dramatic cuts to the parts of the budget that fund our kids' education and that fund the investments in science and research to find cures and treatments to things like cancer, because we know the Appropriations Committee has already set out what the levels for those categories to the budget will be. And do you know what they are? A \$30 billion cut below the sequester level to the parts of the budget that fund our kids' education and that fund that scientific research.

So, yes, this is the rule for two particular bills. They are good bills. The veterans bill is a good bill. But the rule, ladies and gentlemen, has embedded in it the Republican budget levels for the overall budget process. And that's going to hurt education for the kids of those veterans and the family members of those veterans who have diseases whose funding for research is going to be dramatically cut. A 20 percent cut below the sequester level, that's what you're adopting in this

rule, a 20 percent cut for the category of the budget on education.

Now, why are we here? We're supposed to have a budget process. The House passed a budget. I don't like the budget, but it passed a budget. The Senate passed a budget. Under the rules of the Congress, in fact, as a matter of law, the House and Senate are supposed to have completed a conference committee by April 15. That was quite a while ago. In fact, it's been over 70 days since the Senate passed a budget and the House passed a budget.

Now, we don't have a House-Senate conference committee report. Why might that be? Well, it turns out that the Speaker of the House has refused to appoint conferees to work with the Senate to come up with a budget. Now, our Republican colleagues beat up for years on the Senate for not having a budget. I can understand that complaint. But the Senate has a budget now, and yet our Republican colleagues refuse to go to conference.

You made a big deal about "no budget, no pay." Guess what? We don't have a budget. We have a House budget and we have a Senate budget, but we don't have a Federal budget, and yet everybody is getting paid. What happened to that?

Now, why would we not want to go to conference? Mr. Speaker, just today in the United States Senate, PATTY MURRAY, the chairwoman for the Budget Committee, for the 11th time tried to get consent to go to conference to work these differences out in a transparent way, blocked by a Republican Senator.

Here is what Senator McCAIN has had to say about the whole process, because I would urge our colleagues to listen to him. This is a quote from Senator McCAIN:

I think it's insane for Republicans who complained for 4 years about HARRY REID not having a budget and now we're not going to agree to conference? That is beyond comprehension for me.

And I think it's beyond comprehension for the American people. Why are you sitting on the budget?

So what are we doing in this rule? This rule says let's pretend. Let's make believe that the House and Senate went to conference, and let's pretend that they agree, except let's pretend that they agreed on the House budget numbers, the numbers that would cut the part of the budget that deals with our kids' education by over 20 percent. Let's pretend that because we don't want to go through the normal process. That's what this rule does. It's a total fake. And it's a fake because of the refusal to work these issues out in a transparent manner for the American people.

So, the previous question is a very simple statement. It just says let's comply with the law which says a conference committee was supposed to have met and completed action by

April 15; let's at least start down the process of complying with the law. It says that it is the sense of the House of Representatives that the Speaker should follow regular House procedure and immediately request a conference and appoint conferees to negotiate a fiscal year 2014 budget resolution so we can have a real Federal budget, not a fake budget, which is what you're calling for in this rule under the guise of saying let's just fund our veterans.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Florida. I yield the gentleman an additional 30 seconds.

Mr. VAN HOLLEN. As I said, Mr. Speaker, I find it especially cynical that we would use a good bill to provide spending and support to our veterans as the vehicle to impose this scheme on the Congress which will have terrible, negative effects on other parts of the budget.

Do you know that while this Congress was away, I don't know if people saw it, but down in Fort Bragg, the home of the 82nd Airborne, they just said that teachers who were going to teach the kids of our servicemen and -women are going to be furloughed for 5 days this fall—for 5 days this fall. So we want to replace the sequester. Let's go to conference and get it done.

I urge my colleagues who said they want a transparent process to vote for our measure.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 5 minutes of my time to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. Mr. Speaker, I thank my friend and colleague from Florida for yielding me the time.

I hadn't anticipated coming down here today, Mr. Speaker. I came down to listen, but I hadn't anticipated coming down to speak. And I will say to my friend from Maryland his words struck me, because twice in his presentation he said, you know, I think it's especially cynical that we're using this process to bring forward two bills that in a bipartisan way we agree on.

I would say to my friend with a heavy heart, Mr. Speaker, that I think it's especially cynical, since we both know these bills need to be passed, to describe what is happening here in any terms other than that which is exactly necessary in order to get these bills passed.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. WOODALL. Let me get this off my chest, and I'd be happy to yield to my friend. I would be happy to yield when I'm done, because I have a copy of the rule here.

And the gentleman was in the Rules Committee last night, and the gentleman knows this is what section 3 provides, that pending the adoption of a concurrent resolution on the budget, we're going to move forward, pending the adoption.

Now, my friend knows, Mr. Speaker, how hard it is to find that agreement. And the reason my friend knows is because I voted for the Budget Control Act in August of 2011, which put my friend and five other Members of the House, it was six House Members, six Senate Members, six Republicans, six Democrats, it put them in a room together for August, September, October, and November with the entire Federal budget over the next 100 years in front of them, allowing them to choose anything they wanted to to agree on to let us move forward as a nation.

Do you know what, Mr. Speaker? Collectively they agreed on not one dollar. I don't fault my friend for that. I know my friend was working as hard as my friend could possibly work to find agreement. But finding agreement is hard. What we're talking about finding agreement with, Mr. Speaker, this comes from The Washington Post editorial page. It's entitled, "The Democrats' complacent budget plan." It says:

Partisan in tone and complacent in substance, the budget scores points against the Republicans and reassures the party's liberal base but deepens these Senators' commitment to an unsustainable policy agenda.

This is what it is that we're trying to find agreement on. Now, my friend from Maryland knows, in fact, he may have even brought it to my attention yesterday, a letter directing the chairman of the Rules Committee, on which I sit, Mr. Speaker, from the chairman of the Budget Committee, also on which I sit, that's signed by Chairman PAUL RYAN. It says this, over PAUL RYAN's signature:

I want to emphasize that this is a request for an interim measure while the Committee on the Budget continues to work towards an agreement with the Senate on a budget resolution for the coming fiscal year.

And I would, with your permission, Mr. Speaker, I would ask my friend from Maryland, does he doubt the chairman's word when the chairman says this is an interim solution until we find agreement?

I'd be happy to yield to my friend.

Mr. VAN HOLLEN. My colleague, what I know are the facts, which is just today, as I said on the floor, the chairwoman of the Senate Budget Committee, for the 11th time, said to Mr. RYAN, Let's go to conference so we can work out these differences in a public way. And she was blocked over here just like we've been blocked over here.

Mr. WOODALL. Reclaiming my time, the gentleman knows that Chairman RYAN has no control over the inside workings of the United States Senate, and Chairman RYAN did not block what was going on in the United States Senate. The United States Senators were blocking it.

I would ask the gentleman again: Does the gentleman doubt the chairman's word? I understand that the gentleman is frustrated about process, and



goodness knows, as someone who supports open rules, I'm frustrated with process, too. We have that in common. But notwithstanding that process, what I have here is a letter from a man which you and I both support—and "support," I mean we believe in his integrity. And he tells us that he is working towards a solution and that what we're doing here today is just an interim step to get these bills that we all agree are so very important, we all agree are so very important, the interim step to get these moving down the process.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. WOODALL. I would yield to ask the gentleman does he disagree with the commitment made by the chairman? And I yield to the gentleman.

Mr. VAN HOLLEN. I'm not questioning the integrity of the chairman of the Budget Committee.

This is not just about process. As I indicated, you adopt this rule and you're essentially applying a 20 percent cut below sequester to the part of the budget that deals with our kids' education and science and research. So this is way beyond process.

□ 1350

So this is way beyond process.

Mr. WOODALL. Reclaiming my time, I would say to the gentleman that's just not the case.

Mr. VAN HOLLEN. That is the case. The gentleman should go read the Appropriations Committee 302(b) allocations.

Mr. WOODALL. I'm aware of the Appropriations Committee 302(b) allocations. And what I'm aware of, Mr. Speaker, is that we have to have those allocations to begin the process. The gentleman is talking about where we are going to finish the process on October 1. I'm trying to get it started today. The gentleman knows that we can't get started.

Mr. VAN HOLLEN. Will the gentleman yield?

Why are those levels at the levels they are? Would the gentleman answer that question?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WEBSTER of Florida. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. WOODALL. Mr. Speaker, I thank my friend for yielding.

I want to quote what one of my Democratic colleagues quoted last night in the Rules Committee, and that's Federalist Paper No. 58, written by James Madison for the Independent Journal back on February 20, 1788. And he said this:

This power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people, for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure.

Because that's the constitutional responsibility of this body, Mr. Speaker, to appropriate these dollars. This process of appropriations, this constitutional responsibility, cannot begin until we have some numbers against which to budget and appropriate.

What my chairman on the Budget Committee has asked is that as an interim step, and an interim step only, we adopt these numbers today on bills about which we all agree. What is cynical, Mr. Speaker, is that these are things on which we all agree, and we're using this as a position to talk about other issues about which we disagree.

Mr. VAN HOLLEN. Will the gentleman yield, because we don't agree on cutting the kids' education budget?

Mr. WOODALL. As my friend knows from his time having to negotiate on the joint select, what we'll call the supercommittee, my friends at The Washington Post go on to say:

In short, this document—

Talking about the budget passed by the Senate.

—gives voters no reason to believe that Democrats have a viable plan for—or even a responsible public assessment of—the country's long-term fiscal predicament.

Now, I will say, Mr. Speaker, that gives me great concern about whether we will be able to reach agreement with the Senate. As my friend from Maryland knows, Mr. Speaker, the House budget reduces spending by trillions of dollars and the Senate budget increases spending even more. In many years, it spends more than even the President requested.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. WOODALL. As my friend from Maryland knows, we keep tax revenues the same and the Senate increases taxes by almost \$1 trillion.

Mr. VAN HOLLEN. I just want to know why you're afraid to go to conference. Why is that? That's what this is about.

The SPEAKER pro tempore. The time of the gentleman from Georgia has again expired.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my very good friend from California, Ms. BARBARA LEE.

Ms. LEE of California. Mr. Speaker, I would like to thank the gentleman for yielding.

Let me just say, first, as a member of both the Appropriations and the Budget Committees, I rise in strong opposition to this rule. The allocations provided under this rule will savage vital programs that protect the public health and safety, promote and develop our workforce, and educate the next generation of Americans.

Sequester cuts are already hitting low-income families throughout our country and also in my congressional district in my home State of California. And every single household in

America, especially the millions of Americans who are struggling still to find a job, these cuts are hitting them disproportionately.

Our economy cannot afford these cuts. Hungry children do not deserve these cuts. Students who depend on Pell Grants, TRIO, and Head Start do not deserve these cuts. And certainly, our seniors and our veterans do not deserve these cuts.

The Military Construction-Veterans bill on the floor this week assumes the sequester cuts have been replaced. Why in the world can't we do this for the other bills as well? We all know that the allocation for the rest of the subcommittees will make it nearly impossible to fund education, senior programs, infrastructure, and job creation. While all of us believe it is important to keep the government functioning, governing by a continuing resolution is really no way to run the Federal Government, and that is exactly what course we are on unless we come to some agreement.

The majority claims that they care about the middle class and the poor, yet these cuts really do begin to erode the middle class and force more people into poverty. So it's time for Congress to reject these draconian cuts and replace the sequester with a bipartisan agreement on the budget resolution to create jobs and to lift the economy for all.

Enough is enough, Mr. Speaker. We need to vote "no" on the rule, and we need to go back to the drawing board.

Mr. WEBSTER of Florida. Mr. Speaker, that last discussion was worth paying the price to come here. But I would like to say this, to bring it back to where we are, and that is:

We have before us a rule. This rule is going to be the gateway—the gateway—to an open process. That open process, when it opens up, is beautiful to behold. We have two bills that will be heard. Both of those bills are going to be able to be amended by any Member that would like to do it. And to me, that is what I have searched for, and I think it's a great thing.

We have the opportunity to come to this floor, agree or disagree, but in the end we will produce a product that was put together by a bipartisan group of members of two different committees of the Appropriations Committee. And it went through the regular process. Bringing it to the floor with an open rule is the regular process. That is why I'm supporting this rule, because the rule gives the gateway to us doing those bills.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I would advise my colleague that I have no further speakers, and I'm prepared to close. So I yield myself such time as I may consume.

Mr. Speaker, I guess I have to ask the question at the beginning that Mr.



VAN HOLLEN has persisted in asking, and I as well and others: Why are you afraid to go to conference? I have no idea why you can't do that and follow the regular order.

I agree with my colleague that this bipartisan measure is a very good thing that we are bringing here, but I also agree with other speakers that when we finish doing these two bills—and I predict for my friend that we will not reach a single other measure of appropriations for the reason that if you're going to cut 22 percent from everything else and you're going to hold harmless the things that you and I like, then be assured we are in serious trouble as the appropriations process moves forward.

We have a responsibility to implement a budget framework that supports programs which help Americans provide for their families, to stay in their homes, and remain competitive in the global economy. The Ryan budget picks winners and losers, and we are picking two winners today, and we are going to have 11 losers on down the road.

"Deem and pass" did not work the last Congress, it didn't work when Democrats thought that they could try it, and it ain't gonna work now. It is long past time that House Republicans work together with Democrats in conference, just as these two committees did, to negotiate a budget and put an end to the devastating sequester.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question. I urge a "no" vote on the rule, and I'm prepared to yield back the balance of my time after I ask the question one more time: Why are you afraid to go to conference?

I yield back the balance of my time.

□ 1400

Mr. WEBSTER of Florida. I yield myself such time as I may consume.

Mr. Speaker, I would like to submit two letters into the RECORD.

The first letter is from the Budget Committee chairman, PAUL RYAN. In his letter, Chairman RYAN asks the Rules Committee to follow standard practice by addressing budget enforcement pending a conference report on the budget resolution. To prevent greater uncertainty and further delays in the appropriations process, House Resolution 243 will include a provision and does include a provision that adopts the House-passed budget resolution, H. Con. Res. 25, as an interim budget enforcement measure until an

agreement may be reached with the Senate on the budget resolution for the coming fiscal year.

I would like to read an excerpt from that letter. This is from Chairman RYAN to Chairman SESSIONS, who is the Rules Committee chairman:

As you know, the budget passed by the House reduces spending by \$4.6 trillion and achieves balance in 2023—all without raising taxes on the American people. In contrast, the budget resolution adopted by the Senate raises taxes by over \$900 billion, increases spending by \$265 billion and never balances. While I continue to work with my Senate counterpart to find common ground, we have not yet been able to reach agreement.

Mr. VAN HOLLEN. Will the gentleman yield on that point?

Mr. WEBSTER of Florida. Let me finish this first.

Another part of that reads:

Until such time as we are able to reach agreement and consistent with the practice in previous years when the House and Senate have been delayed in completing action on a budget resolution, I am asking that the rule include a provision that adopts the House-passed budget resolution as an interim budget enforcement measure that will allow the appropriations process to proceed without further delay.

The second letter is just a response from Representative SESSIONS, who is the chair of the Rules Committee, acknowledging that the rule would include the requested interim budget enforcement measure.

I yield to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I just have a simple question, which is: How is it that we are going to get agreement from the House and the Senate in a conference committee if the Speaker of the House continues to refuse to go to conference? How are we going to get that agreement?

The reason we don't have a conference committee budget report and you have to use this device is that there is no conference, and the reason there is no conference is that our Republican colleagues in the House refuse to appoint conferees, which is why we want to pass this amendment and let the Members vote on whether or not we go to conference.

Mr. WEBSTER of Florida. I reclaim my time and will not yield any more time after this.

In closing, Mr. Speaker, I am not involved in that process. However, I can tell you this: I was a speaker at one point in time in a different body and at a different time in my career. Even if a conference committee has not been formed, there are discussions that go on. Then, eventually, there will be a conference committee, and things work out, but it doesn't necessarily mean that nothing is happening. I think things are happening. I think they are working on solutions. We have to have a solution at some point in time, and that's happening.

This resolution provides for an open rule to allow all Members to offer their ideas and to debate them through regular order. Two underlying bills fund necessary programs that train, equip, house, and support the brave men and women who sacrificially defend our freedoms, and the bills also support their families. Our debt of gratitude to these individuals does not expire when they retire, as the legislation also funds important programs to provide benefits and medical care for our veterans. Additionally, the legislation equips our Coast Guard and supports the individuals who guard our borders, secure our airports and seaports, and who respond to natural disasters.

However, we would be doing a great disservice, Mr. Speaker, to future generations if we were to fail to consider the effect our current spending will have on the future fiscal health and safety of our Nation. For that reason, these bills reduce costs, require the coordination of medical care and ensure the efficient operation of those critical programs so that we may continue to support those who protect us.

I encourage my colleagues to join me in voting in favor of this rule and in the passage of the underlying bills.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, May 31, 2013.

Hon. PETE SESSIONS,  
Chairman, Committee on Rules,  
The Capitol, Washington, DC.

DEAR MR. CHAIRMAN: Yesterday you announced that the Committee on Rules will meet on June 3 to report a rule to govern the floor consideration of the first appropriations bills for fiscal year 2014. I am writing to ask that you include in that rule a provision providing for the enforcement of the concurrent resolution on the budget as passed by the House (H. Con. Res. 25) until such time as the House adopts a conference report on the budget for fiscal year 2014.

As you know, the budget passed by the House reduces spending by \$4.6 trillion and achieves balance in 2023—all without raising taxes on the American people. In contrast, the budget resolution adopted by the Senate raises taxes by over \$900 billion, increases spending by \$265 billion, and never balances. While I continue to work with my Senate counterpart to find common ground, we have not yet been able to reach agreement.

Until such time as we are able to reach agreement and consistent with the practice in previous years when the House and Senate have been delayed in completing action on a budget resolution, I am asking that the rule include a provision that adopts the House-passed budget resolution as an interim budget enforcement measure that will allow the appropriations process to proceed without further delay.

Pursuant to the authority provided in the Congressional Budget Act of 1974 and in title VI of the House-passed concurrent resolution on the budget and consistent with longstanding practice, once the House passes the rule adopting the House-passed budget resolution, as the Budget Committee Chairman I intend to file the allocations and adjustments in the Congressional Record to put in force such concurrent resolution.

To ensure the Rules Committee and House members have full transparency on the budget levels that would be enforced, enclosed are

the relevant budget aggregates and committee allocations that I will file if the House adopts the rule. The House-passed budget resolution was based on CBO February budget projections and estimates. The funding levels for global war on terror (GWOT)/overseas contingency operations (OCO) and for veterans programs were based on an extrapolation of the President's budget request from last year. Because the House acted on the budget resolution before CBO had completed its updated budget projections and before the President had submitted his fiscal year 2014 budget request, the resolution provided authority for the Chairman to adjust the relevant levels in the resolution to reflect CBO's updated budget projections and the President's request for GWOT/OCO and veterans advance appropriations. The adjustments for CBO's updated baseline will be limited to changes due to updated technical estimates. Now that we have CBO's revised baseline projections and the President's budget request, it is possible to update the levels in the House-passed budget resolution to reflect this updated information. Enclosed are tables showing aggregate budget and committee allocations that will be used for budget enforcement purposes.

I want to emphasize that this is a request for an interim measure while the Committee on the Budget continues to work toward an agreement with the Senate on a budget resolution for the coming fiscal year. The nation's fiscal problems cannot be addressed solely through the appropriations process and the budget remains the critical vehicle for identifying a solution.

To ensure full transparency as to my intent should this request be granted, I ask that you include this letter and the enclosures in the Rules Committee's record of consideration of the rule. I appreciate your consideration. If there are any questions, please contact Paul Restuccia, Chief Counsel of the Committee on the Budget.

Sincerely,

PAUL D. RYAN,  
Chairman.

Enclosures.

#### BUDGET AGGREGATES

(On-budget amounts, in millions of dollars)

	Fiscal year	
	2014	2014–2023
Current Aggregates:		
Budget Authority .....	2,755,317	<sup>1</sup>
Outlays .....	2,810,979	<sup>1</sup>
Revenues .....	2,310,972	31,089,081

<sup>1</sup>Not applicable because annual appropriations acts for fiscal years 2015–2023 will not be considered until future sessions of Congress.

#### ALLOCATION OF SPENDING AUTHORITY TO HOUSE COMMITTEE ON APPROPRIATIONS

(In millions of dollars)

	2014
ID Base Discretionary Action:	
BA .....	966,924
OT .....	1,117,675
Global War on Terrorism:	
BA .....	92,289
OT .....	48,010
Total Discretionary Action:	
BA .....	1,059,213
OT .....	1,165,685
Current Law Mandatory:	
BA .....	749,400
OT .....	738,140

#### RESOLUTION BY AUTHORIZING COMMITTEE

(On-budget amounts in millions of dollars)

	2014	2014–2023
Agriculture:		
Current Law:		
BA .....	92,956	906,903
OT .....	89,341	900,800
Resolution Change:		
BA .....	–2,631	–209,044
OT .....	–2,501	–208,556
Total:		
BA .....	86,840	692,244
Armed Services:		
Current Law:		
BA .....	150,138	1,764,863
OT .....	149,922	1,768,772
Resolution Change:		
BA .....	0	0
OT .....	0	0
Total:		
BA .....	150,138	1,764,863
OT .....	149,922	1,768,772
Financial Services:		
Current Law:		
BA .....	12,981	114,942
OT .....	2,112	–57,397
Resolution Change:		
BA .....	–11,465	–94,439
OT .....	–10,428	–94,325
Total:		
BA .....	1,516	20,503
OT .....	–8,316	–151,722
Education & Workforce:		
Current Law:		
BA .....	–25,740	–661
OT .....	–18,800	2,383
Resolution Change:		
BA .....	–21,712	–217,458
OT .....	–7,430	–198,921
Total:		
BA .....	–47,452	–218,119
OT .....	–26,230	–196,538
Energy & Commerce:		
Current Law:		
BA .....	356,892	4,936,804
OT .....	356,892	4,936,804
Resolution Change:		
BA .....	–22,996	–1,604,166
OT .....	–20,659	–1,596,356
Total:		
BA .....	333,896	3,332,638
OT .....	334,125	3,339,482
Foreign Affairs:		
Current Law:		
BA .....	29,118	241,385
OT .....	26,085	235,012
Resolution Change:		
BA .....	0	0
OT .....	0	0
Total:		
BA .....	29,118	241,385
OT .....	26,085	235,012
Oversight & Government Reform:		
Current Law:		
BA .....	102,657	1,199,434
OT .....	99,645	1,170,525
Resolution Change:		
BA .....	–11,758	–165,996
OT .....	–11,758	–165,996
Total:		
BA .....	90,899	1,033,438
OT .....	87,887	1,004,529
Homeland Security:		
Current Law:		
BA .....	1,916	22,255
OT .....	1,779	22,321
Resolution Change:		
BA .....	–305	–12,575
OT .....	–305	–12,575
Total:		
BA .....	1,611	9,680
OT .....	1,474	9,746
House Administration:		
Current Law:		
BA .....	40	371
OT .....	6	206
Resolution Change:		
BA .....	–34	–295
OT .....	0	–130
Total:		
BA .....	6	76

#### RESOLUTION BY AUTHORIZING COMMITTEE—Continued

(On-budget amounts in millions of dollars)

	2014	2014–2023
OT .....	6	76
Natural Resources:		
Current Law:		
BA .....	6,441	63,590
OT .....	7,069	66,964
Resolution Change:		
BA .....	–900	–17,995
OT .....	–632	–17,225
Total:		
BA .....	5,541	45,595
OT .....	6,437	49,739
Judiciary:		
Current Law:		
BA .....	19,809	102,678
OT .....	11,573	105,537
Resolution Change:		
BA .....	–11,506	–47,461
OT .....	–637	–45,809
Total:		
BA .....	8,303	55,217
OT .....	10,936	59,728
Transportation & Infrastructure:		
Current Law:		
BA .....	71,454	728,035
OT .....	16,822	193,098
Resolution Change:		
BA .....	–78	–116,444
OT .....	–47	–951
Total:		
BA .....	71,376	611,591
OT .....	16,775	192,147
Science, Space & Technology:		
Current Law:		
BA .....	101	1,010
OT .....	104	1,013
Resolution Change:		
BA .....	0	0
OT .....	0	0
Total:		
BA .....	101	1,010
OT .....	104	1,013
Small Business:		
Current Law:		
BA .....	0	0
OT .....	0	0
Resolution Change:		
BA .....	0	0
OT .....	0	0
Total:		
BA .....	0	0
OT .....	0	0
Veterans Affairs:		
Current Law:		
BA .....	2,939	93,544
OT .....	3,098	95,206
Resolution Change:		
BA .....	0	0
OT .....	0	0
Total:		
BA .....	2,939	93,544
OT .....	3,098	95,206
Ways & Means:		
Current Law:		
BA .....	963,421	14,458,848
OT .....	962,271	14,455,530
Resolution Change:		
BA .....	–22,567	–1,298,202
OT .....	–21,667	–1,291,946
Total:		
BA .....	940,854	13,160,646
OT .....	940,604	13,163,584

#### ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS

#### ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS FOR FISCAL YEAR 2015

(Subject to a General Limit of \$28,852,000,000)

Payment to Postal Service

Employment and Training Administration

Education for the Disadvantaged

School Improvement Programs

Special Education

Career, Technical and Adult Education

Tenant-based Rental Assistance

Project-based Rental Assistance  
 VETERANS ACCOUNTS IDENTIFIED FOR ADVANCE  
 APPROPRIATIONS FOR FISCAL YEAR 2015  
 (Subject to a Separate Limit of \$55,634,227)  
 VA Medical Services  
 VA Medical Support and Compliance  
 VA Medical Facilities

COMMITTEE ON RULES  
 HOUSE OF REPRESENTATIVES,  
 Washington, DC, June 3, 2013.

CHAIRMAN PAUL RYAN,  
*Committee on the Budget, Cannon House Office  
 Building, Washington, DC.*

DEAR CHAIRMAN RYAN: Thank you for your letter of May 31, 2013. I appreciate your desire and commitment to achieving a final resolution of the Budget for Fiscal Year 2014 with the Senate. Your leadership on the budget challenges facing the Nation is unmatched.

I agree with you that, pending a conference report on the budget, it is both timely and proper to ensure that we have the necessary budget enforcement mechanisms in place as we begin the annual appropriations process. Despite the fact that the President's Budget was submitted more than two months after the statutory deadline, we must move forward on the annual appropriations process if we have any hope of meeting the deadlines imposed by the end of the fiscal year.

To that end, I intend to recommend to the Committee on Rules that we agree to your request for the inclusion of budget enforcement language in the rule that will be considered by the Committee later today. This will allow you to continue your negotiations with the Senate and allow the House to begin its work on the appropriations bills, which I believe is a responsible approach.

Thank you again for your leadership.

Sincerely,

PETE SESSIONS.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to the rule for H.R. 2216, Military Construction/VA Appropriations act for FY 2014.

I oppose the rule because it adheres to the draconian spending limits imposed by the Ryan Budget resolution rather than more realistic and responsible limits to be negotiated and agreed to by House and Senate budget conferees.

Indeed, the Republican House leadership has refused for months to appoint conferees empowered to reach a budget agreement that is fair, balanced and would end sequestration.

I agree with President Obama that prior to consideration of appropriations bills the House and Senate should first reach agreement on an appropriate framework for all appropriations bills and one does not harm our economy or require draconian cuts to middle-class priorities.

Without such an agreement, House Republican appropriation bills will result in: hundreds of thousands of low-income children losing access to Head Start programs; tens of thousands of children with disabilities losing federal funding for their special education teachers and aides; thousands of federal agents who will not be able to secure the border, enforce drug laws, combat violent crime or apprehend fugitives; and thousands of scientists without medical grants to conduct research to find new treatments and cures for diseases like breast cancer and Alzheimer's.

As Ranking Member of the Homeland Security Border and Maritime Security Sub-

committee, I will continue working with my colleagues across the aisle and in the Senate to ensure that our firefighters and other first responders have the resources needed to keep the American people safe.

But I oppose this rule and urge all Members to join me in voting against it.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in opposition to H. Res. 243, the rule providing for consideration of both H.R. 2216, the Fiscal Year 2014 Military Construction and Veterans Affairs, and Related Agencies Appropriations Act and H.R. 2217, the Fiscal Year 2014 Department of Homeland Security Appropriations Act because it deems the draconian and harmful Ryan budget as law. We should be using this opportunity to pass a budget, in consultation with the Senate, which will get the economy back on the right track in this new fiscal year. I stand before you today to express my opposition to the Ryan budget and thereby my opposition to the rule that deems this budget passed.

The Ryan budget is an economic catastrophe of this Tea Party majority's choosing. Support for this rule, and by default the Ryan budget, is support for deep cuts to programs that help needy Americans as well as for infrastructure programs that put people to work and help our businesses thrive. Under the Ryan Budget, draconian limits will be placed upon Food Stamps and Temporary Assistance for Needy Families, which would be an enormous detriment to those in poverty. According to the National Poverty Center, in 2010, 15.1 percent of Americans lived in poverty, the highest rate of poverty since 1993. In the last year, the number of Georgians on food stamps has risen to 1.9 million, almost 20 percent of the population.

A vote for this rule and the Ryan budget would be a choice to slow our economic recovery. Mr. Speaker, I cannot make that choice. I cannot choose to cut Head Start for parents who cannot afford daycare or end Medicare as we know it for seniors.

I have heard the complaints from Republicans about the need for a budget, which is why this rule is so disappointing. Mr. Speaker, there are people in Georgia's Fourth District, and here at the steps of the Capitol living on the streets, desperate for food and shelter; yet, Tea Party Republicans are willing to exacerbate the situation by snatching away the programs that help the poor get back on their feet.

Do not allow this Tea Party Congress to "deem" the Ryan budget as law, ignoring regular order, and cutting benefits for those Americans who need them the most.

I urge a "no" vote on the Rule.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 243 OFFERED BY  
 Mr. HASTINGS OF FLORIDA

Strike Section 3, and insert the following new sections:

Sec. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the resolution (H. Res. 174) expressing the sense of the House of Representatives that the Speaker should immediately re-

quest a conference and appoint conferees to complete work on a fiscal year 2014 budget resolution with the Senate. The first reading of the resolution shall be dispensed with. General debate shall be confined to the resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Budget. After general debate the resolution shall be considered for amendment under the five-minute rule. At the conclusion of consideration of the resolution for amendment the Committee shall rise and report the resolution to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the resolution, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the resolution.

Sec. 4. Clause 1(c) of rule XIX shall not apply to the consideration of the resolution specified in section 3 of this resolution.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
 IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the

motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WEBSTER of Florida. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 229, nays 193, not voting 11, as follows:

[Roll No. 186]

YEAS—229

Aderholt	Chabot	Forbes
Alexander	Chaffetz	Fortenberry
Amash	Coble	Foxx
Amodei	Coffman	Frelinghuysen
Bachmann	Cole	Gardner
Bachus	Collins (GA)	Garrett
Barletta	Collins (NY)	Gerlach
Barr	Conaway	Gibbs
Barton	Cook	Gibson
Benishek	Cotton	Gingrey (GA)
Bentivolio	Cramer	Gohmert
Bilirakis	Crawford	Goodlatte
Bishop (UT)	Crenshaw	Gosar
Black	Culberson	Gowdy
Blackburn	Daines	Graves (GA)
Bonner	Davis, Rodney	Graves (MO)
Boustany	Denham	Griffin (AR)
Brady (TX)	Dent	Griffith (VA)
Bridenstine	DeSantis	Grimm
Brooks (AL)	DesJarlais	Guthrie
Brooks (IN)	Diaz-Balart	Hall
Broun (GA)	Duffy	Hanna
Buchanan	Duncan (SC)	Harper
Buchanan	Duncan (TN)	Harris
Burgess	Ellmers	Hartzler
Calvert	Farenthold	Hastings (WA)
Camp	Fincher	Heck (NV)
Cantor	Fitzpatrick	Hensarling
Capito	Fleischmann	Herrera Beutler
Carter	Fleming	Holding
Cassidy	Flores	Hudson

Huelskamp	Miller (MI)	Scalise
Huizenga (MI)	Miller, Gary	Schock
Hultgren	Mullin	Schweikert
Hunter	Mulvaney	Scott, Austin
Hurt	Murphy (PA)	Sensenbrenner
Issa	Neugebauer	Sessions
Jenkins	Noem	Shimkus
Johnson (OH)	Nugent	Shuster
Johnson, Sam	Nunes	Simpson
Jones	Nunnelee	Smith (NE)
Jordan	Olson	Smith (NJ)
Joyce	Palazzo	Smith (TX)
Kelly (PA)	Paulsen	Southerland
King (IA)	Pearce	Stewart
King (NY)	Perry	Stivers
Kingston	Petri	Stockman
Kinzinger (IL)	Pittenger	Stutzman
Kline	Pitts	Terry
Labrador	Poe (TX)	Thompson (PA)
LaMalfa	Pompeo	Thornberry
Lamborn	Posey	Tiberi
Lance	Price (GA)	Tipton
Lankford	Radel	Turner
Latham	Reed	Upton
Latta	Reichert	Valadao
LoBiondo	Renacci	Wagner
Long	Ribble	Walberg
Lucas	Rice (SC)	Walden
Luetkemeyer	Rigell	Walorski
Lummis	Roby	Weber (TX)
Marchant	Roe (TN)	Webster (FL)
Marino	Rogers (AL)	Wenstrup
Massie	Rogers (KY)	Westmoreland
McCarthy (CA)	Rogers (MI)	Whitfield
McCaul	Rohrabacher	Williams
McClintock	Rokita	Wilson (SC)
McHenry	Rooney	Wittman
McKeon	Ros-Lehtinen	Wolf
McKinley	Roskam	Womack
McMorris	Ross	Woodall
Rodgers	Rothfus	Yoder
Meadows	Royce	Yoho
Meehan	Runyan	Young (AK)
Messer	Ryan (WI)	Young (FL)
Mica	Salmon	Young (IN)
Miller (FL)	Sanford	

NAYS—193

Andrews	Dingell	Kirkpatrick
Barber	Doggett	Kuster
Barrow (GA)	Doyle	Langevin
Bass	Duckworth	Larsen (WA)
Beatty	Edwards	Larson (CT)
Becerra	Ellison	Lee (CA)
Bera (CA)	Engel	Levin
Bishop (GA)	Enyart	Lewis
Bishop (NY)	Eshoo	Lipinski
Blumenauer	Esty	Loeback
Bonamici	Farr	Lofgren
Brady (PA)	Fattah	Lowenthal
Braley (IA)	Foster	Lowe
Brown (FL)	Frankel (FL)	Lujan Grisham
Brownley (CA)	Fudge	(NM)
Bustos	Gabbard	Lujan, Ben Ray
Butterfield	Gallego	(NM)
Capps	Garamendi	Lynch
Capuano	Garcia	Maffei
Cárdenas	Grayson	Maloney,
Carney	Green, Al	Carolyn
Carson (IN)	Green, Gene	Maloney, Sean
Cartwright	Grijalva	Matheson
Castor (FL)	Gutierrez	Matsui
Castro (TX)	Hahn	McCollum
Chu	Hanabusa	McDermott
Cicilline	Hastings (FL)	McGovern
Clarke	Heck (WA)	McIntyre
Clay	Higgins	McNerney
Cleaver	Himes	Meeks
Clyburn	Hinojosa	Meng
Cohen	Holt	Michaud
Connolly	Horsford	Miller, George
Conyers	Hoyer	Moore
Cooper	Huffman	Moran
Costa	Israel	Murphy (FL)
Courtney	Jackson Lee	Nadler
Crowley	Jeffries	Napolitano
Cuellar	Johnson (GA)	Neal
Cummings	Johnson, E. B.	Negrete McLeod
Davis (CA)	Kaptur	Nolan
Davis, Danny	Keating	O'Rourke
DeFazio	Kelly (IL)	Owens
DeGette	Kennedy	Pallone
DeLaney	Kildee	Pascarell
DeLauro	Kilmer	Pastor (AZ)
DelBene	Kind	Payne

Pelosi	Sarbanes	Thompson (MS)
Perlmutter	Schakowsky	Tierney
Peters (CA)	Schiff	Titus
Peters (MI)	Schneider	Tonko
Peterson	Schrader	Tsongas
Pingree (ME)	Schwartz	Van Hollen
Noem	Scott (VA)	Vargas
Polis	Scott, David	Veasey
Price (NC)	Serrano	Vela
Quigley	Sewell (AL)	Velázquez
Rahall	Shea-Porter	Visclosky
Richmond	Sherman	Walz
Roybal-Allard	Sinema	Wasserman
Ruiz	Sires	Schultz
Ruppersberger	Smith (WA)	Waters
Rush	Speier	Waxman
Ryan (OH)	Swalwell (CA)	Welch
Sánchez, Linda	Takano	Wilson (FL)
T.	Thompson (CA)	Yarmuth

NOT VOTING—11

Campbell	Honda	Sanchez, Loretta
Deutch	Markey	Slaughter
Franks (AZ)	McCarthy (NY)	Watt
Granger	Rangel	

□ 1430

Ms. ESHOO, Ms. SINEMA, and Messrs. FOSTER and McGOVERN changed their vote from "yea" to "nay."

Mr. NUNNELEE changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. TERRY). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 194, not voting 12, as follows:

[Roll No. 187]

YEAS—227

Aderholt	Cole	Gerlach
Alexander	Collins (GA)	Gibbs
Amash	Collins (NY)	Gingrey (GA)
Amodei	Conaway	Gohmert
Bachmann	Cook	Goodlatte
Barletta	Cotton	Gosar
Barr	Cramer	Gowdy
Barton	Crawford	Graves (GA)
Benishek	Crenshaw	Graves (MO)
Bentivolio	Culberson	Griffin (AR)
Bilirakis	Daines	Griffith (VA)
Bishop (UT)	Davis, Rodney	Grimm
Black	Denham	Guthrie
Blackburn	Dent	Hall
Bonner	DeSantis	Hanna
Boustany	DesJarlais	Harper
Brady (TX)	Diaz-Balart	Harris
Bridenstine	Duffy	Hartzler
Brooks (AL)	Duncan (SC)	Hastings (WA)
Brooks (IN)	Duncan (TN)	Heck (NV)
Broun (GA)	Ellmers	Hensarling
Buchanan	Farenthold	Herrera Beutler
Buchon	Fincher	Holding
Burgess	Fitzpatrick	Hudson
Calvert	Fleischmann	Huelskamp
Camp	Fleming	Huizenga (MI)
Cantor	Flores	Hultgren
Capito	Forbes	Hunter
Carter	Fortenberry	Hurt
Cassidy	Foxx	Issa
	Franks (AZ)	Jenkins
	Frelinghuysen	Johnson (OH)
	Gardner	Johnson, Sam
	Garrett	Jones

Jordan  
Joyce  
Kelly (PA)  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Marchant  
Marino  
Massie  
McCarthy (CA)  
McCauley  
McClintock  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer

Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paulsen  
Pearce  
Perry  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Runyan  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schock

Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southerland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walorski  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Yoder  
Yoho  
Young (AK)  
Young (FL)  
Young (IN)

## NAYS—194

Andrews  
Barber  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Dingell  
Doggett  
Doyle  
Duckworth

Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Gibson  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Holt  
Horsford  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin

Lewis  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham  
(NM)  
Lujan, Ben Ray  
(NM)  
Lynch  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Matheson  
Matsui  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moore  
Moran  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
Nolan  
O'Rourke  
Owens  
Pallone  
Pascarelli  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (CA)  
Peters (MI)  
Peterson  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley  
Rahall

Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schwartz  
Scott (VA)  
Scott, David

Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Smith (WA)  
Speier  
Swailwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Tsongas

## NOT VOTING—12

Bachus  
Campbell  
Deutch  
Granger

Honda  
Markey  
McCarthy (NY)  
Rangel

Sanchez, Loretta  
Slaughter  
Watt  
Woodall

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1437

So the resolution was agreed to.  
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 186 and 187. Had I been present, I would have voted “nay” on rollcall vote Nos. 186 and 187.

PUBLICATION OF BUDGETARY  
MATERIALREVISIONS TO THE AGGREGATES AND ALLOCA-  
TIONS OF THE FISCAL YEAR 2014 BUDGET RESO-  
LUTIONHOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, June 4, 2013.

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to title VI of House Concurrent Resolution 25 (113th Congress), the Concurrent Resolution on the Budget for Fiscal Year 2014, which was put into effect by House Resolution 243 (113th Congress), I hereby submit for printing in the Congressional Record revisions to the aggregates, allocations and other budgetary levels set forth pursuant to the Concurrent Resolution on the Budget for Fiscal Year 2014, as put into effect by House Resolution 243.

These revisions are provided for bills, joint resolutions, and amendments thereto or conference reports thereon, considered by the House subsequent to this filing, as applicable.

The adjustments made by this communication are pursuant to the terms of the H. Con. Res. 25. They are made in order to take into account new information included in the budget submission by the President for fiscal year 2014 for the following: veterans' programs, Overseas Contingency Operations/Global War on Terrorism, or the 302(a) allocation to the Committee on Appropriations set forth in the report on H. Con. Res. 25, as deemed in force, to conform with section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as adjusted by section 251A of that Act).

The chair of the Committee on the Budget is also permitted to adjust the allocations, aggregates, and other appropriate budgetary levels to reflect changes resulting from technical assumptions in the most recent baseline published by the Congressional Budget Office.

The adjustments made by this communication are pursuant to the authority granted in section 603 of H. Con. Res. 25. The adjusted levels also incorporate a technical correction to the committee allocations included in House Report 113–17 to accurately reflect the levels of the budget resolution.

Associated tables are attached. These adjustments are made for the purposes of enforcing titles III and IV of the Congressional Budget Act of 1974, and other budgetary enforcement provisions.

If there are any questions on these adjustments to the aggregates, allocations, and other budgetary levels in the concurrent resolution on the budget, please contact Paul Restuccia, Chief Counsel of the Budget Committee.

Sincerely,  
PAUL D. RYAN of Wisconsin,  
*Chairman, House Budget Committee.*  
ADJUSTMENTS TO THE LEVELS IN HOUSE  
REPORT 113–17

## BUDGET AGGREGATES

(On-budget amounts, in millions of dollars)

	Fiscal year	
	2014	2014–2023
Current Aggregates:		
Budget Authority .....	2,755,317	<sup>1</sup>
Outlays .....	2,810,979	<sup>1</sup>
Revenues .....	2,310,972	31,089,081

<sup>1</sup> Not applicable because annual appropriations acts for fiscal years 2015–2023 will not be considered until future sessions of Congress.

ALLOCATION OF SPENDING AUTHORITY TO HOUSE  
COMMITTEE ON APPROPRIATIONS

(In millions of dollars)

	2014	
Base Discretionary Action:		
BA .....	966,924	
OT .....	1,117,675	
Global War on Terrorism		
BA .....	92,289	
OT .....	48,010	
Total Discretionary Action		
BA .....	1,059,213	
OT .....	1,165,685	
Current Law Mandatory		
BA .....	749,400	
OT .....	738,140	

## RESOLUTION BY AUTHORIZING COMMITTEE

(On-budget amounts in millions of dollars)

	2014	2014–2023
Agriculture:		
Current Law:		
BA .....	92,956	906,903
OT .....	89,341	900,800
Resolution Change:		
BA .....	–2,631	–209,044
OT .....	–2,501	–208,556
Total:		
BA .....	90,325	697,859
OT .....	86,840	692,244
Armed Services:		
Current Law:		
BA .....	150,138	1,764,863
OT .....	149,922	1,768,772
Resolution Change:		
BA .....	0	0
OT .....	0	0
Total:		
BA .....	150,138	1,764,863
OT .....	149,922	1,768,772
Financial Services:		
Current Law:		
BA .....	12,981	114,942

# RESOLUTION BY AUTHORIZING COMMITTEE—Continued

(On-budget amounts in millions of dollars)

	2014	2014–2023
OT .....	2,112	– 57,397
Resolution Change:		
BA .....	– 11,465	– 94,439
OT .....	– 10,428	– 94,325
Total:		
BA .....	1,516	20,503
OT .....	– 8,316	– 151,722
Education & Workforce:		
Current Law:		
BA .....	– 25,740	– 661
OT .....	– 18,800	2,383
Resolution Change:		
BA .....	– 21,712	– 217,458
OT .....	– 7,430	– 198,921
Total:		
BA .....	– 47,452	– 218,119
OT .....	– 26,230	– 196,538
Energy & Commerce:		
Current Law:		
BA .....	356,892	4,936,804
OT .....	354,784	4,935,838
Resolution Change:		
BA .....	– 22,996	– 1,604,166
OT .....	– 20,659	– 1,596,356
Total:		
BA .....	333,896	3,332,638
OT .....	334,125	3,339,482
Foreign Affairs:		
Current Law:		
BA .....	29,118	241,385
OT .....	26,085	235,012
Resolution Change:		
BA .....	0	0
OT .....	0	0
Total:		
BA .....	29,118	241,385
OT .....	26,085	235,012
Oversight & Government Reform:		
Current Law:		
BA .....	102,657	1,199,434
OT .....	99,645	1,170,525
Resolution Change:		
BA .....	– 11,758	– 165,996
OT .....	– 11,758	– 165,996
Total:		
BA .....	90,899	1,033,438
OT .....	87,887	1,004,529
Homeland Security:		
Current Law:		
BA .....	1,916	22,255
OT .....	1,779	22,321
Resolution Change:		
BA .....	– 305	– 12,575
OT .....	– 305	– 12,575
Total:		
BA .....	1,611	9,680
OT .....	1,474	9,746
House Administration:		
Current Law:		
BA .....	40	371
OT .....	6	206
Resolution Change:		
BA .....	– 34	– 295
OT .....	0	– 130
Total:		
BA .....	6	76
OT .....	6	76
Natural Resources:		
Current Law:		
BA .....	6,441	63,590
OT .....	7,069	66,964
Resolution Change:		
BA .....	– 900	– 17,995
OT .....	– 632	– 17,225
Total:		
BA .....	5,541	45,595
OT .....	6,437	49,739
Judiciary:		
Current Law:		
BA .....	19,809	102,678
OT .....	11,573	105,537
Resolution Change:		
BA .....	– 11,506	– 47,461
OT .....	– 637	– 45,809
Total:		
BA .....	8,303	55,217
OT .....	10,936	59,728

# RESOLUTION BY AUTHORIZING COMMITTEE—Continued

(On-budget amounts in millions of dollars)

	2014	2014–2023
Transportation & Infrastructure:		
Current Law:		
BA .....	71,454	728,035
OT .....	16,822	193,098
Resolution Change:		
BA .....	– 78	– 116,444
OT .....	– 47	– 951
Total:		
BA .....	71,376	611,591
OT .....	16,775	192,147
Science, Space & Technology:		
Current Law:		
BA .....	101	1,010
OT .....	104	1,013
Resolution Change:		
BA .....	0	0
OT .....	0	0
Total:		
BA .....	101	1,010
OT .....	104	1,013
Small Business:		
Current Law:		
BA .....	0	0
OT .....	0	0
Resolution Change:		
BA .....	0	0
OT .....	0	0
Total:		
BA .....	0	0
OT .....	0	0
Veterans Affairs:		
Current Law:		
BA .....	2,939	93,544
OT .....	3,098	95,206
Resolution Change:		
BA .....	0	0
OT .....	0	0
Total:		
BA .....	2,939	93,544
OT .....	3,098	95,206
Ways & Means:		
Current Law:		
BA .....	963,421	14,458,848
OT .....	962,271	14,455,530
Resolution Change:		
BA .....	– 22,567	– 1,298,202
OT .....	– 21,667	– 1,291,946
Total:		
BA .....	940,854	13,160,646
OT .....	940,604	13,163,584

# ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS

# ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS FOR FISCAL YEAR 2015

(Subject to a General Limit of \$28,852,000,000)

# Financial Services and General Government

# Payment to Postal Service

# Labor, Health and Human Services, and Education

# Employment and Training Administration Education for the Disadvantaged School Improvement Programs Special Education Career, Technical and Adult Education

# Transportation, Housing and Urban Development

# Tenant-based Rental Assistance Project-based Rental Assistance

# VETERANS ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS FOR FISCAL YEAR 2015

(Subject to a Separate Limit of \$55,634,227)

# Military Construction, Veterans Affairs

# VA Medical Services VA Medical Support and Compliance VA Medical Facilities

# PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2014 BUDGET RESOLUTION RELATED TO LEGISLATION REPORTED BY THE COMMITTEE ON APPROPRIATIONS

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, June 4, 2013.

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to section 314(a) of the Congressional Budget Act of 1974, I hereby submit for printing in the Congressional Record revisions to the aggregate budget levels and committee allocations set forth pursuant to H. Con. Res. 25, the Concurrent Resolution on the Budget for Fiscal Year 2014, as put into effect by H. Res. 243. The revision is for new budget authority and outlays for provisions designated as disaster relief, pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985, contained in a bill making appropriations for the Department of Homeland Security reported by the Committee on Appropriations. A corresponding table is attached.

This revision represents an adjustment for purposes of enforcing sections 302 and 311 of the Budget Act. For the purposes of the Budget Act, these revised allocations are to be considered as allocations included in the levels of the budget resolution, pursuant to section 101 of H. Con. Res. 25 and H. Rept. 113–17, as adjusted.

Sincerely,

PAUL D. RYAN of Wisconsin,  
Chairman, House Budget Committee.

# BUDGET AGGREGATES

(On-budget amounts, in millions of dollars)

	Fiscal year	
	2014	2014–2023
Current Aggregates:		
Budget Authority .....	2,755,317	<sup>1</sup>
Outlays .....	2,810,979	<sup>1</sup>
Revenues .....	2,310,972	31,089,081
Adjustment for Disaster Designated Spending:		
Budget Authority .....	5,626	<sup>1</sup>
Outlays .....	281	<sup>1</sup>
Revenues .....	0	0
Revised Aggregates:		
Budget Authority .....	2,760,943	<sup>1</sup>
Outlays .....	2,811,260	<sup>1</sup>
Revenues .....	2,310,972	31,089,081

<sup>1</sup> Not applicable because annual appropriations acts for fiscal years 2015–2023 will not be considered until future sessions of Congress.

# ALLOCATION OF SPENDING AUTHORITY TO HOUSE COMMITTEE ON APPROPRIATIONS

(In millions of dollars)

	2014
Base Discretionary Action:	
BA .....	966,924
OT .....	1,117,675
Adjustment for Disaster Designated Spending:	
BA .....	5,626
OT .....	281
Global War on Terrorism:	
BA .....	92,289
OT .....	48,010
Total Discretionary Action:	
BA .....	1,064,839
OT .....	1,165,966
Current Law Mandatory:	
BA .....	749,400
OT .....	738,140

# MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 160

Whereas the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Frank R. Lautenberg, late a Senator from the State of New Jersey: Now, therefore, be it

*Resolved*, That the memorial observances of the Honorable Frank R. Lautenberg, late a Senator from the State of New Jersey be held in the Senate Chamber on Thursday, June 6, 2013, beginning at 2 p.m., and that the Senate attend the same.

*Resolved*, That paragraph 1 of Rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol (prohibiting the taking of pictures in the Senate Chamber) be temporarily suspended for the sole and specific purpose of permitting the Senate Photographic Studio to photograph this memorial observance.

*Resolved*, That the Sergeant at Arms be directed to make necessary and appropriate arrangements in connection with the memorial observances in the Senate Chamber.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives, transmit an enrolled copy thereof to the family of the deceased, and invite the House of Representatives and the family of the deceased to attend the memorial observances in the Senate Chamber.

*Resolved*, That invitations be extended to the President of the United States, the Vice President of the United States, and the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations of the Navy, the Major General Commandant of the Marine Corps, the Chief of Staff of the Air Force, and the Commandant of the Coast Guard to attend the memorial observances in the Senate Chamber.

The message also announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House's requested:

S. Con. Res. 18. Concurrent Resolution providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the United States Senate Chamber for the Honorable Frank R. Lautenberg, late a Senator from the State of New Jersey.

□ 1440

PROVIDING FOR THE USE OF THE CATAFALQUE IN THE EXHIBITION HALL OF THE CAPITOL VISITOR CENTER IN CONNECTION WITH MEMORIAL SERVICES TO BE CONDUCTED IN THE UNITED STATES SENATE CHAMBER FOR THE HONORABLE FRANK R. LAUTENBERG, LATE A SENATOR FROM THE STATE OF NEW JERSEY

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate Concurrent Resolution 18, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 18

*Resolved by the Senate (the House of Representatives concurring)*, That the Architect of the Capitol is authorized and directed to transfer the catafalque which is situated in the Exhibition Hall of the Capitol Visitor Center to the Senate Chamber so that such catafalque may be used in connection with services to be conducted there for the Honorable Frank R. Lautenberg, late a Senator from the State of New Jersey.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

##### GENERAL LEAVE

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill under consideration and include extraneous material on the consideration of H.R. 2216, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 243 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2216.

The Chair appoints the gentlewoman from Florida (Ms. ROS-LEHTINEN) to preside over the Committee of the Whole.

□ 1442

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2216) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2014, and for other purposes, with Ms. ROS-LEHTINEN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. CULBERSON) and the gentleman from Georgia (Mr. BISHOP) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CULBERSON. Madam Chair, I yield myself such time as I may consume.

It is my privilege, along with my good friend from Georgia (Mr. BISHOP), to present to the House for its consideration the 2014 appropriations bill for Military Construction and Veterans Affairs.

One of the most important obligations this Congress has is to ensure that our men and women in uniform have everything they need to do their job without worry. We think of ourselves on this subcommittee as the peace-of-mind committee for our military so that they can focus on their missions, standing on the walls of Rome, protecting our freedom, at the far corners of the world.

I think of all the appropriations bills we consider, we're honored to bring this one to the House first because of its importance to our men and women in uniform, to their families, and to our veterans who have served our Nation. We want to be sure, as I say, that they have no worries and that they don't ever have to look over their shoulder and be concerned that the United States Congress and the American people don't support them 110 percent, as we have done in this legislation, which my colleague from Georgia and I have drafted arm-in-arm.

This is a bipartisan bill that we present to the House today to ensure that the military construction needs of the armed services are fully met. We have also done our best to ensure that when our men and women in uniform retire and move into the Veterans Affairs system, they will have the best medical care possible and that this backlog of disability claims that's been plaguing us for a number of years will be cleared as rapidly as possible.

We've done this in a way that's also fiscally responsible. We have found every dollar we could that was left unspent from previous years and returned that to the taxpayers. At the same time, we make sure that our veterans and our men and women in uniform have everything that they need to do their job.

Our committee has also been very committed to ensuring that their families are taken care of and that the Defense Department schools on bases are the best that they can be and in the best condition that they can be in. I know all of us as parents are concerned about the quality of our kids' education. The last thing that a man or woman who's deployed at a United States base overseas—we don't want them to worry about the caliber of the school that their children are attending. So we've also placed emphasis on the ability of our military base commanders to contract with the State in which they're located to set up charter schools at their military bases if the base happens to be located in an area where the local schools can't provide the quality that they need.

We have in this appropriations bill, as I say, fully funded the Department



of Veterans Affairs. Some of this money is advance appropriated. So while we've got a total funding level in this bill for 2014 of \$73.3 billion, that's \$1.4 billion more than last year. We provide an additional \$2.1 billion more than last year for the Department of Veterans Affairs. But of that increase, \$1.9 billion was provided as an advance appropriation from previous years.

The Congress began several years ago to appropriate funding in advance for our Veterans Affairs Department to ensure that because of the uncertainty and the unpredictability of the appropriations cycle, again, we want our men and women in uniform and our veterans to have absolute peace of mind and no worries as they serve our country or as they move into retirement in the veterans hospital system, so we advance appropriate some of this money.

Any reductions that we made in this bill, again, were done to make sure that we're doing our part to control spending at a time of record debt and deficit, which is at the top of our minds. As fiscal conservatives, we want to ensure that we have done everything in our power to reduce the debt and to reduce the burden that is passed on to our children and grandchildren.

So we have not provided funding in the bill for 10 military construction projects that the committee believed it lacked sufficient justification for. And we funded only what the Department of Defense expects to spend in fiscal year 2014 for six military construction projects. We've also reduced the funding available for the Contingency Construction account, which has not even been used since fiscal year 2008. Our marvelous staff did a good job in identifying \$659 million in unobligated balances from previous years for construction projects that have been left unspent, and we're able to return that to taxpayers.

We have also reduced the Department of Veterans Affairs request for funding in a program where they substantially overestimated their projections. The scope of this committee's jurisdiction also includes military memorials and cemeteries. We've made sure those are fully funded and that our memorials and cemeteries here in the United States and around the world are going to be well tended and that veterans, no matter where they may be in the

United States, will be able to get the health care and benefits that they have earned by their service to this country.

□ 1450

We did everything we could in this bill to ensure that our men and women in uniform are taken care of and that our veterans are taken care of, but we are very concerned about the backlog in the disability claims that the VA has accumulated. The VA has promised us that they would have the backlog cleared up by the year 2015, so the bill contains very strong language that holds the VA to account ensuring that they will give the committee and the Congress detailed accounts and reports to ensure that they stay on target. Mr. KINGSTON of Georgia is going to offer an amendment later, which I intend to accept, to help ensure that the VA holds themselves to the standard that they have set for themselves to reduce the backlog.

And then, finally, Madam Chairman, I want to mention something that we are particularly exercised about. Our committee chairman, HAL ROGERS from Kentucky, has told us a story that I have never forgotten of a young man who I believe was wounded in Afghanistan—Iraq, who lost one eye, lost eyesight in one eye. When he left the service to go into the VA system, in order to save his remaining eye, he had to have medical records that could be read by the VA doctors. And because of bureaucratic inefficiency and pure idiocy, we've got a completely separate set of medical records in the DoD and the Veterans Administration. And for years, taxpayers have spent upwards of a billion dollars or more over the last 10 years to get the Department of Defense and the Department of Veterans Affairs operating in a single, using a single unified medical record so that when a young man like this moves out of active service and into the VA, when it's a time-critical surgery such as this young man needed to have to save his eyesight, that the doctors in the VA could read those medical records and get him the help that he needs. But, sadly, because of bureaucratic inefficiency and refusal to cooperate—and, of course, we're all human and we're all flawed, but there's this instinctive human, I think, reaction to make sure you protect your own turf. Whatever it is, the VA and the DoD have not adopted a unified medical record. As a re-

sult, this young man lost his eyesight. He could not get the surgery he needed in the VA, and he is now permanently blinded as a result of the failure of these two departments to do their job.

Now, the week before last when we were considering this bill in committee, the Secretary of Defense, Mr. Hagel, said that the DoD was just going to go ahead and adopt their own medical record system separate from the VA. This is just unacceptable. I ask all my colleagues in Congress to work with Mr. BISHOP and me and to work with Chairman ROGERS, Ranking Member LOWEY, with the members of the Veterans' Affairs Committee, the members of the Armed Services Authorizing Committee and the members of the Defense Appropriations Subcommittee so that we develop identical, parallel language that compels the Department of Defense and the Department of Veterans Affairs to come up with a single, integrated, unified medical record so that no one will ever suffer the fate that this young man did who is now permanently blinded because of bureaucratic inefficiency.

It's unacceptable. The Congress won't stand for it any longer, and we've got strong language in this bill and will continue to work to strengthen it to ensure that these men and women, as they move from their days of uniformed service to the country into the VA, that it is seamless, that it is easy, that they can get their disability claims handled in a timely and efficient manner and that they can get their medical records read quickly and efficiently by the doctors in the VA system who do such a good job.

We deeply appreciate our extraordinary staff working together with my good friend from Georgia (Mr. BISHOP) in a truly bipartisan way. I'm proud to present to the House, Madam Chairman, the 2014 Military Construction and VA appropriations bill for approval by the House, a bill that is fiscally conservative and responsible yet fully funds and takes care of our men and women in uniform and our veterans in a way that they deserve, because our men and women who have fought so valiantly for this country deserve nothing less than the very best of the United States Congress, and we've done that for them in this bill today.

I reserve the balance of my time.

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2014 (H.R. 2216)  
(Amounts in thousands)

	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE					
Military construction, Army.....	1,682,639	1,119,875	1,099,875	-582,764	-20,000
Military construction, Navy and Marine Corps.....	1,547,615	1,700,269	1,616,281	+68,666	-83,988
Military construction, Air Force.....	322,220	1,156,573	1,127,273	+805,053	-29,300
Military construction, Defense-Wide.....	3,578,841	3,985,300	3,707,923	+129,082	-277,377
Total, Active components.....	7,131,315	7,962,017	7,551,352	+420,037	-410,665
Military construction, Army National Guard.....	613,185	320,815	315,815	-297,370	-5,000
Supplemental (P.L. 113-2) (Emergency).....	24,235	---	---	-24,235	---
Subtotal.....	637,420	320,815	315,815	-321,605	-5,000
Military construction, Air National Guard.....	42,344	119,800	107,800	+65,456	-12,000
Military construction, Army Reserve.....	305,540	174,060	174,060	-131,480	---
Military construction, Navy Reserve.....	49,482	32,976	32,976	-16,506	---
Military construction, Air Force Reserve.....	10,968	45,659	45,659	+34,691	---
Total, Reserve components.....	1,045,754	693,310	676,310	-369,444	-17,000
Total, Military construction.....	8,177,069	8,655,327	8,227,662	+50,593	-427,665
North Atlantic Treaty Organization Security Investment Program.....	253,909	239,700	199,700	-54,209	-40,000
Family housing construction, Army.....	4,636	44,008	44,008	+39,372	---
Family housing operation and maintenance, Army.....	529,521	512,871	512,871	-16,650	---
Family housing construction, Navy and Marine Corps....	102,080	73,407	73,407	-28,673	---
Family housing operation and maintenance, Navy and Marine Corps.....	377,852	389,844	389,844	+11,992	---
Family housing construction, Air Force.....	83,740	76,360	76,360	-7,380	---
Family housing operation and maintenance, Air Force....	497,331	388,598	388,598	-108,733	---
Family housing operation and maintenance, Defense-Wide	52,186	55,845	55,845	+3,659	---
Department of Defense Family Housing Improvement Fund.....	1,784	1,780	1,780	-4	---
Total, Family housing.....	1,649,130	1,542,713	1,542,713	-106,417	---
Chemical demilitarization construction, Defense-Wide..	150,849	122,536	122,536	-28,313	---
Base realignment and closure:					
Base realignment and closure account, 1990.....	408,987	---	---	-408,987	---
Base realignment and closure account, 2005.....	126,570	---	---	-126,570	---
Base realignment and closure account.....	---	451,357	451,357	+451,357	---
Total, Base realignment and closure.....	535,557	451,357	451,357	-84,200	---
Military Construction, Army (Sec. 126).....	---	---	-89,000	-89,000	-89,000
Military Construction, Navy and Marine Corps (Sec.127)	---	---	-49,920	-49,920	-49,920
Military Construction, Defense-Wide (Sec. 128).....	-20,000	---	-358,400	-338,400	-358,400
Rescission (P.L. 113-6):					
Base Realignment and Closure, 2005.....	-132,513	---	---	+132,513	---
Military construction, Army, Planning and design FY12 (Sec. 129).....	---	---	-50,000	-50,000	-50,000
Military construction, Defense-Wide, Unspecified minor construction FY09 and FY10 (Sec. 130).....	---	---	-16,470	-16,470	-16,470
Military construction, Air National Guard, Unspecified minor construction FY09 and FY10 (Sec. 131).....	---	---	-45,623	-45,623	-45,623
42 USC 3374 (Sec. 132).....	---	---	-50,000	-50,000	-50,000
Reduction of funds (Sec. 133).....	---	---	-4,668	-4,668	-4,668
Navy Land Transfer (P.L. 113-6).....	10,989	---	---	-10,989	---

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2014 (H.R. 2216)  
(Amounts in thousands)

	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
Military Construction, Navy and Marine Corps (Sec. 135).....	---	---	75,000	+75,000	+75,000
Total, title I, Department of Defense.....	10,624,990	11,011,633	9,954,887	-670,103	-1,056,746
Appropriations.....	(10,753,268)	(11,011,633)	(10,614,300)	(-138,968)	(-397,333)
Rescissions.....	(-152,513)	---	(-659,413)	(-506,900)	(-659,413)
Emergency appropriations.....	(24,235)	---	---	(-24,235)	---
TITLE II - DEPARTMENT OF VETERANS AFFAIRS					
Veterans Benefits Administration					
Compensation and pensions.....	60,599,855	71,248,171	71,248,171	+10,648,316	---
Readjustment benefits.....	12,023,458	13,135,898	13,135,898	+1,112,440	---
Veterans insurance and indemnities.....	104,600	77,567	77,567	-27,033	---
Veterans housing benefit program fund:					
(indefinite).....	184,859	---	---	-184,859	---
(Limitation on direct loans).....	(500)	(500)	(500)	---	---
Administrative expenses.....	157,656	158,430	158,430	+774	---
Vocational rehabilitation loans program account.....	19	5	5	-14	---
(Limitation on direct loans).....	(2,729)	(2,500)	(2,500)	(-229)	---
Administrative expenses.....	346	354	354	+8	---
Native American veteran housing loan program account..	1,088	1,109	1,109	+21	---
Total, Veterans Benefits Administration.....	73,071,881	84,621,534	84,621,534	+11,549,653	---
Veterans Health Administration					
Medical services:					
Advance from prior year.....	(41,354,000)	(43,557,000)	(43,557,000)	(+2,203,000)	---
Current year request.....	154,845	157,500	---	-154,845	-157,500
Advance appropriation, FY 2015.....	43,557,000	45,015,527	45,015,527	+1,458,527	---
Supplemental (P.L. 113-2) (Emergency).....	21,000	---	---	-21,000	---
Subtotal.....	43,732,845	45,173,027	45,015,527	+1,282,682	-157,500
Medical support and compliance:					
Advance from prior year.....	(5,746,000)	(6,033,000)	(6,033,000)	(+287,000)	---
Advance appropriation, FY 2015.....	6,033,000	5,879,700	5,879,700	-153,300	---
Subtotal.....	6,033,000	5,879,700	5,879,700	-153,300	---
Medical facilities:					
Advance from prior year.....	(5,441,000)	(4,872,000)	(4,872,000)	(-569,000)	---
Advance appropriation, FY 2015.....	4,872,000	4,739,000	4,739,000	-133,000	---
Supplemental (P.L. 113-2) (Emergency).....	6,000	---	---	-6,000	---
Subtotal.....	4,878,000	4,739,000	4,739,000	-139,000	---
Medical and prosthetic research.....	582,091	585,664	585,664	+3,573	---
Medical care cost recovery collections:					
Offsetting collections.....	-2,527,000	-2,485,000	-2,485,000	+42,000	---
Appropriations (indefinite).....	2,527,000	2,485,000	2,485,000	-42,000	---
Subtotal.....	---	---	---	---	---
DoD-VA Joint Medical Funds (transfers out).....	(-279,720)	(-254,257)	(-271,000)	(+8,720)	(-16,743)
DoD-VA Joint Medical Funds (by transfer).....	(279,720)	(254,257)	(271,000)	(-8,720)	(+16,743)
DoD-VA Health Care Sharing Incentive Fund (Transfer out).....	(-15,000)	(-15,000)	(-15,000)	---	---

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2014 (H.R. 2216)  
(Amounts in thousands)

	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
DoD-VA Health Care Sharing Incentive Fund (by transfer).....	(15,000)	(15,000)	(15,000)	---	---
<hr/>					
Total, Veterans Health Administration.....	55,225,936	56,377,391	56,219,891	+993,955	-157,500
Appropriations.....	(736,936)	(743,164)	(585,664)	(-151,272)	(-157,500)
Emergency appropriations.....	(27,000)	---	---	(-27,000)	---
Advance appropriations, FY 2015.....	(54,462,000)	(55,634,227)	(55,634,227)	(+1,172,227)	---
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Advances from prior year appropriations.....	(52,541,000)	(54,462,000)	(54,462,000)	(+1,921,000)	---
<hr/>					
National Cemetery Administration					
National Cemetery Administration.....	258,026	250,000	250,000	-8,026	---
Supplemental (P.L. 113-2) (Emergency).....	2,100	---	---	-2,100	---
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Subtotal.....	260,126	250,000	250,000	-10,126	---
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Departmental Administration					
General administration.....	424,312	403,023	403,023	-21,289	---
General operating expenses, VBA.....	2,161,910	2,455,490	2,455,490	+293,580	---
Information technology systems.....	3,324,117	3,683,344	3,683,344	+359,227	---
Supplemental (P.L. 113-2) (Emergency).....	531	---	---	-531	---
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Subtotal.....	3,324,648	3,683,344	3,683,344	+358,696	---
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Office of Inspector General.....	114,885	116,411	116,411	+1,526	---
Construction, major projects.....	531,938	342,130	342,130	-189,808	---
Supplemental (P.L. 113-2) (Emergency).....	207,000	---	---	-207,000	---
<hr/>					
Subtotal.....	738,938	342,130	342,130	-396,808	---
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Construction, minor projects.....	606,922	714,870	714,870	+107,948	---
Grants for construction of State extended care facilities.....	84,915	82,650	82,650	-2,265	---
Grants for the construction of veterans cemeteries.....	45,954	44,650	44,650	-1,304	---
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Total, Departmental Administration.....	7,502,484	7,842,568	7,842,568	+340,084	---
Emergency appropriations.....	(207,531)	---	---	(-207,531)	---
<hr/>					
Administrative Provisions					
FY 2014 Advance Rescission (Sec. 230).....	---	---	-156,000	-156,000	-156,000
FY 2014 Current Reduction (Sec. 230).....	---	---	-24,000	-24,000	-24,000
<hr/>					
Section 225					
Medical services.....	1,498,500	1,400,000	1,400,000	-98,500	---
(Rescission).....	-1,500,000	-1,400,000	-1,400,000	+100,000	---
Medical support and compliance.....	199,800	100,000	100,000	-99,800	---
(Rescission).....	-200,000	-100,000	-100,000	+100,000	---
Medical facilities.....	249,750	250,000	250,000	+250	---
(Rescission).....	-250,000	-250,000	-250,000	---	---
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Total, Administrative Provisions.....	-1,950	---	-180,000	-178,050	-180,000
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Total, title II.....	136,058,477	149,091,493	148,753,993	+12,695,516	-337,500
Appropriations.....	(83,309,846)	(95,207,266)	(95,025,766)	(+11,715,920)	(-181,500)
Emergency appropriations.....	(236,631)	---	---	(-236,631)	---
Rescissions.....	(-1,950,000)	(-1,750,000)	(-1,750,000)	(+200,000)	---
Advance appropriations, FY 2015.....	(54,462,000)	(55,634,227)	(55,634,227)	(+1,172,227)	---
<hr/>					
Advances from prior year appropriations.....	(52,541,000)	(54,462,000)	(54,462,000)	(+1,921,000)	---
(Limitation on direct loans).....	(3,229)	(3,000)	(3,000)	(-229)	---

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2014 (H.R. 2216)  
(Amounts in thousands)

	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
Discretionary.....	(63,145,705)	(64,629,857)	(64,292,357)	(+1,146,652)	(-337,500)
Advances from prior year less FY 2015 advances	-1,921,000	-1,172,227	-1,172,227	+748,773	---
Less emergency appropriations.....	-236,631	---	---	+236,631	---
Net discretionary.....	(60,988,074)	(63,457,630)	(63,120,130)	(+2,132,056)	(-337,500)
Mandatory.....	(72,912,772)	(84,461,636)	(84,461,636)	(+11,548,864)	---
Total mandatory and net discretionary.....	133,900,846	147,919,266	147,581,766	+13,680,920	-337,500
=====					
TITLE III - RELATED AGENCIES					
American Battle Monuments Commission					
Salaries and expenses.....	61,348	58,200	57,980	-3,368	-220
Foreign currency fluctuations account.....	14,818	14,100	14,100	-718	---
Total, American Battle Monuments Commission.....	76,166	72,300	72,080	-4,086	-220
U.S. Court of Appeals for Veterans Claims					
Salaries and expenses.....	31,665	35,408	35,272	+3,607	-136
Department of Defense - Civil					
Cemeterial Expenses, Army					
Salaries and expenses.....	64,146	45,800	70,685	+6,539	+24,885
Construction program.....	100,412	---	---	-100,412	---
Total, Cemeterial Expenses, Army.....	164,558	45,800	70,685	-93,873	+24,885
Armed Forces Retirement Home - Trust Fund					
Operation and maintenance.....	63,941	66,800	66,400	+2,459	-400
Capital program.....	1,950	1,000	1,000	-950	---
Armed Forces Retirement Home - General Fund					
Capital program.....	---	---	---	---	---
Total, Armed Forces Retirement Home.....	65,891	67,800	67,400	+1,509	-400
=====					
Total, title III.....	338,280	221,308	245,437	-92,843	+24,129
=====					
TITLE IV - OVERSEAS CONTINGENCY OPERATIONS					
Military Construction, Navy and Marine Corps.....	150,768	---	---	-150,768	---
Rescission (P.L. 112-10).....	-150,768	---	---	+150,768	---
Total, title IV.....	---	---	---	---	---
=====					
Grand total.....	147,021,747	160,324,434	158,954,317	+11,932,570	-1,370,117
Appropriations.....	(94,401,394)	(106,440,207)	(105,885,503)	(+11,484,109)	(-554,704)
Rescissions.....	(-2,102,513)	(-1,750,000)	(-2,409,413)	(-306,900)	(-659,413)
Emergency appropriations.....	(260,866)	---	---	(-260,866)	---
Advance appropriations, FY 2015.....	(54,462,000)	(55,634,227)	(55,634,227)	(+1,172,227)	---
Overseas contingency operations.....	---	---	---	---	---
Advances from prior year appropriations.....	(52,541,000)	(54,462,000)	(54,462,000)	(+1,921,000)	---

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2014 (H.R. 2216)  
(Amounts in thousands)

	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
(By transfer).....	(294,720)	(269,257)	(286,000)	(-8,720)	(+16,743)
(Transfer out).....	(-294,720)	(-269,257)	(-286,000)	(+8,720)	(-16,743)
(Limitation on direct loans).....	(3,229)	(3,000)	(3,000)	(-229)	- - -
	=====	=====	=====	=====	=====

Mr. BISHOP of Georgia. Madam Chair, I yield myself such time as I may consume.

Madam Chairman, as you know, the allocation provides \$73.3 billion for the FY14 Military Construction-VA bill, which is \$1.4 billion above the FY13 and \$1 billion below the request. In my opinion, the allocation is what we could have expected had the Republican leadership addressed sequestration.

Madam Chairman, I know some folks will say that title 2 of this bill is exempt from sequestration and that is why the bill received a decent allocation, but I just want to point out that the funding in the bill largely mirrors the administration's request which does not reflect sequestration, even for the portions of the bill that were not exempted. I think that we all agree that we need to address the sequester, and I hope that we do it in the near future, because if we don't, the long-term effects will be devastating to our economy.

With that being said, I'm pleased to join Chairman CULBERSON as the House takes up the FY14 appropriations bill for Military Construction, Veterans Affairs, and related agencies. The MilCon-VA bill is critically important to the strength and the well-being of our military, our veterans, and the families who sacrifice so much to defend our country. In fact, Mr. Chairman, I find it quite fitting that we are debating this bill immediately after observing Memorial Day last week.

Working with Chairman CULBERSON and the members of our subcommittee, we have crafted a bill that will address the funding needs for military construction and family housing for our troops and their families, as well as other quality-of-life construction projects. In addition, it will provide funding for many important VA programs, as well as agencies like the Veterans Court of Appeals and the American Battle Monuments Commission.

The bill before us today touches every soldier, sailor, marine, and airman. In addition, the bill also will impact military spouses, their children, and every veteran that participates in VA programs.

I want to commend the chairman for his work. Together, we sat through numerous hearings, gaining valuable insight to the workings of all the agencies under the subcommittee's jurisdiction. Also, we would like to thank our subcommittee members and recognize them for their hard work on this bill. I believe that the minority was treated fairly during this process, and I want to thank the chairman for ensuring this bipartisan result.

Chairman CULBERSON has already provided the funding highlights in the bill, and I will not repeat them all, but I would like to point out a few items that I believe are extremely important.

The bill before us today includes \$797 million for the renovation and replacement of 17 Department of Defense schools. I believe that providing the funds for the DoD schools will help our servicemembers' children get a quality education in safe facilities and will give our servicemembers peace of mind.

I'm pleased that the bill includes \$151 million for the third increment of the Landstuhl Medical Center replacement in Germany. As you know, a large portion of the serious casualties from Afghanistan are treated there, and I'm pleased to see that we are making this important investment.

The Department of Veterans Affairs is funded at \$63.1 billion, and overall, the subcommittee recommendation meets the discretionary budget request in all areas of administrative expenses, research, information technology, and facilities.

In addition, the bill contains \$55.6 billion in advance appropriations for medical services, medical support and compliance, and medical facilities at the VA, which is \$1.1 billion above the amount included in FY13. Madam Chairman, I strongly believe that advance funding provides timely and predictable resources for the veterans' health care system, and I'm so glad that we have been able to do it now for this 5th year in a row.

Now, I know that a lot of Members of this body are deeply concerned about the claims backlog and the electronic health records challenge. Trust me, the members of our committee, especially Chairman CULBERSON and I, have spoken directly with Secretary Shinseki about these issues numerous times, and I believe that our bill provides the resources and the accountability needed to address these two problems:

First, the bill funds the general operating expenses for the VBA, which will support 20,851 claims processors, which is 94 more than FY2013, and all 94 new claims processors will work disability claims;

Second, the bill fully funds the Veterans Benefits Management System at \$155 million and the Veterans Claim Intake Program at \$136.4 million.

□ 1500

These two efforts should speed up the VA's efforts to take old claims that are filed on paper and convert them into digital files that are easily searchable by claims processors, thus speeding up the claims process.

Second, we include a monthly reporting requirement every 30 days for the VA to provide Congress with several statistics, such as the average wait time at each regional office, rating inventory that has been pending for 125 days, rating claims advocacy, and month-to-month updates in changes in those statistics.

Third, we require a report on the VA's expedited claims initiative that

was announced just a few weeks ago. This report should give the committee and the Congress insight into whether or not the Secretary's new initiatives are having positive results.

Finally, the bill directs the VA and the Department of Defense toward one integrated electronic health record system in bill language, and it restricts the availability of funds for the development of a system that meets the requirements of being single, joint, common, and integrated with open architecture and is the sole system used by both the Veterans Administration and the Department of Defense. This initiative would ensure that veterans get their records to the VA electronically, thus reducing the number of claims filed on paper and speeding up the claims process.

Now, the committee's action—and I want to make this point clear—the committee's action and this bill do not mandate the adoption of a particular system, only that it be a single system that is used by both Departments. I don't think that we should get into the business of picking the software, but I do believe that by mandating a single system between the Department of Defense and the VA, that veteran claims in the future will not continue to fall victim to the slow inefficiencies that we're dealing with today.

Madam Chair, I believe that we have a strong, bipartisan bill that supports our military, their families, and our veterans. I would hate to see the hard work of our committee up-ended by contentious partisan riders intended to serve in scoring political points instead of those that serve our Nation. I also believe that the most important parts of this bill are the resources and accountability provided to assist the VA in tackling this outrageous claims backlog.

So I say to my colleagues that our committee strongly shares the deep commitment of this body to fixing the claims backlog issue. We looked at numerous approaches and further believe that our bill has found the optimal approach in dealing with this pressing concern of our veterans.

Before I close, Madam Chair, I would like to recognize the staff for all of the hard work and time that they've put into this bill. From the minority committee staff, I would like to thank Matt Washington, as well as Michael Reed and Adam McCombs from my personal staff. From the majority committee staff, I would like to thank Donna Shabazz, Sue Quantius, Sarah Young, and Tracey Russell.

I would also like to thank Mrs. LOWEY and Mr. ROGERS, the chairman and the ranking member, who served so valiantly and who are so diligently trying to seek the well-being of our servicemen and -women, their families, and our veterans.

At this time, Madam Chair, I reserve the balance of my time.



Mr. CULBERSON. Madam Chairman, the House budget that we adopted set a total spending limit of \$967 billion in the 3 years that the Republicans have had the majority in the House and the leadership of Chairman HAL ROGERS of Kentucky. For the first time since World War II, we have reduced annual spending from year to year, each year, under Chairman ROGERS' leadership.

It's also, I think, important for the country to know that one of the first and most important responsibilities of the chairman of the full committee is to take that total spending number that's given to us by Chairman RYAN's Budget Committee, that \$967 billion—Chairman ROGERS, one of his first responsibilities is to take that \$967 billion and use his best judgment to allocate or divide that money among the subcommittees of the Appropriations Committee. And it's a real tribute to this good man's commitment, a demonstration of his commitment to our men and women in uniform, a vivid illustration of the bipartisan nature of this bill, that with the help of Ranking Member LOWEY, that Chairman ROGERS gave this subcommittee for military construction and VA allocation that enabled us to fully fund the request to the military and the Veterans Affairs.

It is my privilege now, Madam Chairman, to recognize the distinguished chairman of the full committee, HAL ROGERS of Kentucky, who has done so much to save our taxpayers' hard-earned dollars, and do everything that can be done to help support our men and women in uniform, and yield him as much time as he may consume.

Mr. ROGERS of Kentucky. Madam Chairman, I thank the chairman for the generous introduction.

I rise in support of this, the first of 12 appropriations bills that I hope to bring to the floor under regular order. Although we received the President's budget nearly 2 months beyond the deadline, I have every intention of drafting and considering all 12 appropriations measures in a timely fashion and in the traditional open process that allows all Members to have their say in how taxpayer dollars should be spent.

As we kick off the appropriations season on the floor today, we face some of the most challenging circumstances in recent memory—a tardy Presidential budget, a divided Congress, the ham-handed cuts of sequestration, and historically low funding levels.

Given our tight budget, my committee has and will continue to prioritize funding in areas of the highest national need—our security and enforcement of law. However, virtually all areas of the government will face cuts this year, including critical national security programs.

Clearly, this is an austere budget year, to put it mildly. Our top line number is severely low and billions

apart from the Senate's number. It is my sincere hope that there will soon be a budget compromise that will undo the harmful sequestration law and give us a single common top line allocation that we can work with the Senate to pass all of the funding of the government.

In spite of all this, I want to reiterate my commitment to regular order. This is not a pie-in-the-sky endeavor. It's what our Founding Fathers wanted and directed in the Constitution. Under regular order, each of my esteemed colleagues in this body will have their chance to put their stamp on this bill, to have their voices heard and represented on these must-pass bills.

We have a lot of work to do in a very limited amount of time, so I suggest we get down to it. Today, we are considering the Military Construction and VA bill, a truly bipartisan effort that this entire body can and should support.

This bill funds critical Department of Defense infrastructure that gives our men and women in uniform the quality of life they deserve, including hospitals, schools, and family housing. This bill also includes \$63.1 billion to provide our veterans with the benefits and care they've earned for their service.

Notably, we support medical treatment for 6.5 million veterans, including funding for traumatic brain injury treatment, suicide prevention, and important mental health care programs.

This bill also addresses two of the VA's biggest problems, Madam Chairman—the disgraceful disability claims backlog and the lack of a seamless coordinated Department of Defense-Veterans electronic health record system.

□ 1510

The bill includes funding that will jump-start efforts to clean up the backlog and force DoD and VA to get moving on a system that should have been in place years ago.

But this is not the easiest of budget times. While most of the funding in this bill is not subject to sequestration, we could not in good conscience let a single dollar in this bill go to waste. Every nickel and dime appropriated was carefully assessed to ensure these funds are used properly, efficiently and responsibly.

We took the difficult but responsible step to reduce military construction funding to offset the increases in VA spending, but we made these reductions without affecting military readiness or effectiveness. To make sure that our careful work in this bill does not go to waste, we've implemented strict oversight protocols, and we have included certain benchmarks to help guarantee that disability claims are not piling up again and that we aren't throwing away precious taxpayer dollars as we try to get this DoD-VA electronic health records system up and running.

Before concluding, Madam Chairman, I would like to spend a half-minute here thanking the chairman of the MilCon Subcommittee on our committee, JOHN CULBERSON, for his time and attention to this bill and for his dedication and perseverance, as well as to thank the work of the ranking member, Mr. BISHOP. These two gentlemen of the House, dedicated appropriators, have spent untold hours working with each other to try to come to agreement on the items in this bill. It has worked, and it is a good example, perhaps the best I can think of, in which we see that bipartisanship in support of our military and our veterans takes place. So I want to congratulate Mr. CULBERSON and Mr. BISHOP for a job well done, and we thank you for your bipartisanship.

Madam Chairman, I think this bill is one that Members on both sides of the aisle can wholeheartedly support to keep our military in fighting form and to give our veterans the benefits that they have so sincerely earned, many of them in the loss of limb, some in the loss of life. So I urge my colleagues to support this bill.

Mr. BISHOP of Georgia. At this time, I yield 3 minutes to the ranking member of the Appropriations Committee, who, along with the entire leadership and Members on this side of the aisle, is committed to this bipartisan work product in support of our military construction needs and our veterans, the distinguished gentlelady from New York (Mrs. LOWEY).

Mrs. LOWEY. I would like to thank distinguished Ranking Member BISHOP. I would like to thank Chairman CULBERSON. I would like to thank Chairman ROGERS. I would like to thank all of the outstanding staffs for putting together a really good bipartisan bill. It's an important bill, and I know how hard you worked together to produce a really good product, and we thank you.

This bill does represent a reasonable approach and continues a long commitment to our veterans and our military facilities. It continues the bipartisan tradition of providing funding levels that Members on both sides of the aisle could agree are appropriate while avoiding contentious legislative riders that complicate passage.

However, the Republican majority's refusal to go to conference to forge a bipartisan agreement on the budget resolution is really unacceptable. This imperils this year's appropriations process, making it nearly impossible to move all 12 bills. Instead, it is likely that we will consider in the full House only a few bills with reasonable allocations, including MilCon-VA, while others are left in limbo indefinitely until we pass a continuing resolution.

I am optimistic that this bill has a good chance of enactment as long as we don't attach any controversial riders,

but other important priorities will assuredly suffer. While veterans programs are exempt from sequestration, \$73.3 billion provided in the bill largely mirrors the administration's request and does not reflect sequestration even for the portions of the bill that were not exempted. In fact, the differences between this bill and the administration's request are relatively small: an adjustment of \$1.05 billion, due to bid savings and other project adjustments, and the misguided decision not to provide \$185 million for the requested 2014 civilian pay raise.

If the MilCon-VA bill assumes the sequester cuts have been replaced, why can't we join with the administration and the Senate and assume it will be addressed for the other bills?

On a positive note, this bill would better support our female veterans who are struggling with the trauma of sexual assault and would support those in need of prosthetics. It also continues to focus on the mental health needs of our Nation's veterans.

The CHAIR. The time of the gentleman has expired.

Mr. BISHOP of Georgia. I yield the gentleman an additional 1 minute.

Mrs. LOWEY. The bill, which takes several steps related to the shameful veterans claims backlog, would hire 94 additional claims processors; provide \$155 million for the Veterans Benefit Management System and \$136 million for the Veterans Claims Intake Program in order to significantly speed up claims by converting old paper files into digital files; restrict funds to force DoD and the VA to use a seamless electronic health records system; and require the VA to provide monthly reports.

We cannot accept any further excuses. The VA must make progress. This is a good bill. I hope we can avoid adding contentious and unnecessary legislative riders today, and I hope that the chairman from Kentucky's optimism about sequestration reflected in the allocation for the first bill is proven true.

I commend the chairman and ranking member once again on their good work, and I urge your support.

Mr. CULBERSON. Madam Chairman, at this time, I yield 2 minutes to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. First, let me thank Chairman CULBERSON for his stalwart leadership on this important bipartisan measure. Let me also thank Ranking Member BISHOP as well for his leadership and support.

Madam Chair, many people in America want Congress to find constructive solutions, seek good answers, overcome problems, and say "yes" to our essential needs. While Congress is stuck on certain areas, this bill takes a bipartisan step forward in defense of our country and in service to our veterans.

This bill says "yes" in a bipartisan manner to meet our Department of Defense infrastructure needs and to properly care for those who have served us so well, our veterans.

The bill spends a little bit less than the President asked for and a little bit more than last year. Projects that are not justifiable are removed, but others receive increases. The bill also pushes forward, as we've heard, a seamless transition of care when our warfighters leave active service by integrating their medical records and expeditiously dealing with a very serious claims backlog. I am pleased as well that my colleagues have continued funding for the headquarters construction of the United States Strategic Command. STRATCOM is an important force in protecting our Nation from nuclear threats.

Madam Chair, we need to continue to work hard and smart to reduce budgets while also delivering essential policy services that are necessary and fundamental at the Federal level. I think that this bill accomplishes that goal. I think we also accomplish the goal of doing what is just and what is right.

□ 1520

Mr. BISHOP of Georgia. At this time, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE), the ranking member of the Appropriations Subcommittee on Homeland Security and a distinguished member of the MilCon-VA Subcommittee.

Mr. PRICE of North Carolina. I thank my colleague for yielding.

Madam Chairman, I rise today in qualified support of the fiscal year 2014 Military Construction and Veterans Affairs, and Related Agencies Appropriations bill.

I want to thank Chairman CULBERSON and Ranking Member BISHOP for their leadership and commend my colleagues on the Appropriations Committee for a cordial, timely, and deliberative process.

I have to caution, however, that this bill's relatively generous allocation must be viewed in the context of the overall fiscal year 2014 appropriations process. To get workable allocations for the two appropriations bills we will consider this week, the majority has drastically underfunded other critical appropriations bills, from educational research, to health care, to repairing and maintaining our Nation's crumbling infrastructure.

Earlier today, I joined with many colleagues to vote against the rule providing for consideration of the bill before us, because the resolution requires this body to carry out the fiscal year 2014 appropriations process within the framework of the so-called "Ryan budget," which doubles down on sequestration and will have devastating consequences as our Nation continues its economic recovery.

So the overall appropriations process is in deep trouble. But the bill before us gives the Departments of Defense and Veterans Affairs adequate resources to address several critical challenges faced by our military and veterans community. I'm particularly pleased the bill would fully fund the President's request for military construction projects at Fort Bragg, which is adjacent to my district.

The bill also provides critical funding for the Department of Veterans Affairs to assure that those who have served our country receive the benefits and services that they need and deserve. Our subcommittee paid particular heed to the ongoing disabilities claims backlog issue at the VA. The bill provides nearly \$300 million for the continued implementation of electronic management systems and improved processing of both new and existing claims.

I'm also pleased the bill provides robust funding for medical and prosthetic research, suicide prevention and mental health treatment, addressing unacceptable levels of unemployment among veterans, and pressing to end veteran homelessness.

The CHAIR. The time of the gentleman has expired.

Mr. BISHOP of Georgia. I yield the gentleman an additional 30 seconds.

Mr. PRICE of North Carolina. These are priorities, and this is a bill I hope all of our colleagues will be able to support.

Mr. CULBERSON. Madam Chairman, at this time I yield 2 minutes to a distinguished and valued member of our subcommittee, the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Madam Chairman, I rise today in strong support of the fiscal year 2014 Military Construction and Veterans Affairs, and Related Agencies Appropriations bill.

Let me first of all thank Chairman CULBERSON and your staff. You've done a spectacular job. This has been among the most inclusive processes that I've ever been involved with. So thank you.

Madam Chairwoman, this bill includes almost \$10 billion for critical military construction projects, as well as imperative funding for the NATO Security Investment Fund.

Our bill fully funds the fiscal year 2014 National Guard and Reserve construction programs as requested, by the way, as well as fully funding the family housing construction program.

The bill also includes \$55.6 billion in fiscal year 2015 advanced appropriations for VA medical care, the level approved in the House budget resolution and the same, by the way, as was actually requested.

This bill provides targeted funding for various information technology programs to ensure that the VA can tackle the enormous backlog of compensation claims, something that this chair and Chairman ROGERS have already talked about.

These funds will provide the resources that the VA indicates it requires to meet its goals of ending the disability compensation claims backlog by 2015.

Additionally, it includes stringent reporting requirements for the VA so the Members of Congress and the American people can have direct oversight on the progress of the claims backlog.

The committee also included report language to address the issue of prescription painkiller abuse.

This important bill also funds critical programs like the American Battle Monuments Commission, the United States Court of Appeals for Veteran Claims, as well as cemeterial expenses, including Arlington National Cemetery.

So I thank the chairman and urge my colleagues to join me in supporting this very important piece of legislation that has been done in a very bipartisan way.

Mr. BISHOP of Georgia. At this time, I yield 2 minutes to the gentleman from Texas (Mr. CUELLAR), a distinguished member of the Appropriations Committee.

Mr. CUELLAR. Madam Chair, I've been concerned also, as my ranking member and as the chairman also of the committee, the gentleman from Texas, about the claims backlog that exists at the VA.

Veterans of all generations deserve a benefits system that is easy to navigate and responsive to their needs. Currently, the VA is still experiencing a huge backlog in processing claims. As of May 2013, the VA claims totaled 843,000, with more than two-thirds that have been pending over 125 days.

Currently, in my congressional district, we're working with over 205 veterans: 60 them are from Laredo, 30 of them from the valley, and 115 in San Antonio with outstanding claims with the VA that have been unresolved for 18 to 24 months, which is unacceptable and shameful.

I am pleased that the chairman and the ranking member have worked in a bipartisan manner to make sure the Veterans Benefits Administration is able to support 20,851 claims processors.

Additionally, the bill includes the necessary funding so that old claims filed on paper can be converted to digital files, making them more accessible and researchable.

I also support the inclusion of the monthly reporting requirement of the claims backlog, so that way we can put performance measures also to make sure that we get rid of this backlog.

Finally, I know also my good friend will be having another amendment that I support with him, which is that if the VA doesn't do its work, I think some of those bureaucrats should have their pay cut; because if the veterans are not getting their benefits, then I

think that should affect the bureaucrats also.

I want to thank the chairman and the ranking member for all their good work on this bipartisan bill, and I appreciate their efforts to ensure that veterans receive their benefits.

Mr. CULBERSON. Madam Chairman, I yield myself just a moment to particularly point out and thank my friend from Laredo.

Mr. CUELLAR and I have worked together since 1986 in the Texas Legislature. The people of the United States often read in the national press that Democrats and Republicans don't get along. That's just simply not true. HENRY CUELLAR and I have been the best of friends since 1986. Mr. BISHOP and I worked together beautifully on this subcommittee. This bill is a great example of bipartisan cooperation, and it's a privilege to work on this committee where we really don't pay attention to party labels as we try to do what is best for the country.

At this time, Madam Chairman, it's my privilege to yield 2 minutes to the gentleman from Georgia (Mr. GINGREY) for the purpose of a colloquy.

Mr. GINGREY of Georgia. First of all, I want to thank the chairman, my colleague from Texas, for putting together this critical bill. I know that Mr. CULBERSON has been a longtime advocate for the best care possible for our Nation's veterans, and I thank the chairman of the subcommittee for his continued leadership and, of course, that of the ranking member, my Georgia colleague, Mr. BISHOP.

Madam Chair, I rise today to bring attention to the recent tragic events at the Atlanta VA Medical Center. According to an April report by the inspector general and continued news stories, mismanagement and lack of oversight at the Atlanta facility contributed to at least four deaths. Additionally, the Atlanta VA Medical Center has admitted that the combination of a large volume of patients and a lack of appropriate tracking has led to patients "slipping through the cracks."

The mental health unit at the Atlanta VA Medical Center has been of particular concern and is at the center of these recent tragedies. Mental health is a critical component of care for our veterans, and as our soldiers continue to return home from war, we must ensure that they're receiving the attention and care that they deserve.

I would ask that as this bill moves forward, Madam Chair, to the Senate and to conference, that the chairman and the ranking member join me and the chairman of the authorizing committee to get answers from the Department of Veterans Affairs as to why we have yet to see those responsible held accountable and what changes the Atlanta VA Medical Center is going to make.

And I ask that question of the subcommittee chair.

□ 1530

Mr. CULBERSON. Will the gentleman yield?

Mr. GINGREY of Georgia. I yield to the gentleman from Texas.

Mr. CULBERSON. Madam Chairman, I would say to the gentleman from Georgia that both Mr. BISHOP and I and the subcommittee are keenly aware of these terrible tragedies in Atlanta and the very critical and important inspector general's report, and we intend to aggressively pursue the recommendations in the inspector general's report and work with you and the delegation from Georgia to ensure that this does not happen again.

Mr. GINGREY of Georgia. Madam Chair, I thank the chairman.

Mr. BISHOP of Georgia. May I inquire how much time remains on our side?

The CHAIR. The gentleman from Georgia has 12½ minutes remaining. The gentleman from Texas has 6 minutes remaining.

Mr. BISHOP of Georgia. At this time I'm delighted to yield 2 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the distinguished ranking member and distinguished chairman, and I know that they have worked collaboratively together on behalf of our veterans, so I rise in recognition of the important work that they have done and to compliment them for the work that involves fully funding the military construction and certainly something that rises every moment that I'm amongst veterans. Just recently, as I was in a town hall meeting and had the Veterans Affairs Department represented, the question came up about benefits. I was glad that the initiative that has been offered, all of us embraced it. All of us have been fighting to stop this backlog and to move this backlog forward. And now we see the funding of this initiative, and it is most important.

I am also glad that there's a focus on jobs for veterans. I will say that we need to do more, because when you talk to our veterans of various wars, particularly the Vietnam War, there's always the sense of lack of employment, along with those who come in from Iraq and Afghanistan.

But I do want to raise the point of what we have deemed ourselves into. We've deemed ourselves into a Ryan budget that causes a great deal of suffering: a cap of \$967 billion versus the mark of \$1.58 billion that would be more helpful that was produced by the consensus during the Budget Control Act. Basically, we are ignoring the suffering of the middle class, and we're allowing the sequestration to run rampant over those who are in need.

I can particularly say to you that teachers and schools in Texas are losing \$67.8 million in education for children with disabilities; \$51 million for

620 teachers. Head Start is going kaput with 4,800 children losing their seat. Military readiness is being challenged in Texas with 52,000 civilian Department of Defense employees furloughed. In law enforcement and public safety funds, Texas will lose \$1.103 million.

And then when we look at the United States, we go far and beyond that. We're looking at the fires in the West, the devastation of what happened in West, Texas, and the tornadoes. And we see, for the Coast Guard, there's a 25 percent reduction. This is a crisis.

The CHAIR. The time of the gentlewoman has expired.

Mr. BISHOP of Georgia. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE. This is a crisis not only in the making, Madam Chair, but it is a crisis that is going forward. Whether we're talking about the National Institutes of Health or the Centers for Disease Control, my main concern is that the middle class is suffering from the sequestration.

The Ryan budget cannot be deemed the appropriations cap as we go through this process of appropriations. There is a desperate need of responding to the middle class, allowing for the continuation of job creation, making sure that we do not lose 125,000 in section 8 vouchers, rural rental assistance, or the Community Development Financial Institutions Fund.

#### NEGATIVE IMPACT OF SEQUESTRATION

The middle class are suffering and they need help. We need to stop the sequestration—now.

In Texas—

The state of Texas will greatly be affected by sequestration in the following ways:

**Teachers and Schools:** Texas will lose approximately \$67.8 million for primary and secondary education, putting around 930 teacher and aide jobs at risk. In addition about 172,000 fewer students would be served and approximately 280 fewer schools would receive funding.

**Education for Children With Disabilities:** Texas will lose approximately \$51 million for about 620 teachers, aides, and staff who help children with disabilities.

**Head Start:** Head Start and Early Head Start services would be eliminated for approximately 4,800 children in Texas, reducing access to critical early education.

**Military Readiness:** In Texas, approximately 52,000 civilian Department of Defense employees would be furloughed, reducing gross pay by around \$274.8 million in total.

**Law Enforcement and Public Safety Funds:** Texas will lose about \$1,103,000 in Justice Assistance Grants that support law enforcement, prosecution and courts, crime prevention and education, corrections and community corrections, drug treatment and enforcement, and crime victim and witness initiatives.

**Job Search Assistance:** Around 83,750 fewer Texans will get the help and skills they need to find employment as Texas will lose about \$2,263,000 for job search assistance, referral, and placement, meaning.

**Child Care:** Up to 2300 disadvantaged and vulnerable children could lose access to child

care, which is also essential for working parents to hold down a job.

**Vaccines for Children:** In Texas around 9,730 fewer children will receive vaccines for diseases such as measles, mumps, rubella, tetanus, whooping cough, influenza, and Hepatitis B due to reduced funding for vaccinations.

**Violence Against Women Grants:** Texas could lose up to \$543,000 to provide services to victims of domestic violence, resulting in up to 2,100 fewer victims being served.

**Public Health:** Texas will lose approximately \$2,402,000 to help upgrade its ability to respond to public health threats including infectious diseases, natural disasters, and biological, chemical, nuclear, and radiological events. In addition, Texas will lose about \$6,750,000 in grants to help prevent and treat substance abuse, resulting in around 2,800 fewer admissions to substance abuse programs. And the Texas State Department of Public Health will lose about \$1,146,000 resulting in around 28,600 fewer HIV tests.

In the U.S.A.—

Across-the-board cuts from sequestration began in March, and the detrimental effects are gradually coming into focus. These cuts are diminishing the effectiveness of federal initiatives, with a direct impact on the lives of virtually every American. Highlights of specific cuts to vital services and investments that have been documented to date are outlined below.

#### Public Safety

1. **Wildland Fire:** U.S. Forest Service understaffed and under-equipped for fire season with 500 fewer firefighters, 50–70 fewer fire engines, and 2 fewer aircraft.

2. **U.S. Coast Guard:** 25 percent reduction in training, maintenance and drug interdiction patrols.

3. **Extreme Weather:** A 3–6 month delay in NOAA's weather satellite launch will increase costs and risk of inaccurate forecasts.

4. **U.S. Park Police:** Up to 10,640 combined furlough days for officers leave national landmarks understaffed and increase response time for emergencies.

5. **Food Safety:** Fewer FDA inspections, increasing risk of food-borne illness, even as Congress demands stricter food safety standards.

#### Health

1. **National Institutes of Health:** \$1.5 billion cut from life-saving research projects.

Estimated loss of more than 20,000 jobs and \$3 billion in economic activity.

2. **Centers for Disease Control:** \$285 million cut from research to detect and combat disease outbreaks, facilitate immunizations, plan for public health emergencies, conduct HIV/AIDS tests, and more.

3. **Environmental Health:** More than 3,200 furloughs and layoffs delay cleanup from nuclear weapons development in Washington, New Mexico, Kentucky and Tennessee.

#### Housing

1. **Section 8 Vouchers:** 125,000 fewer vouchers.

b. 750 Public Housing Authorities terminating tenants within 3 months.

2. **Rural rental assistance:** 15,000 aid recipients affected, usually elderly, disabled, or single mothers.

3. **Community Development Financial Institutions Fund:** Up to thousands fewer units of affordable housing built.

#### Education and Science

1. **Head Start and Early Head Start:**

70,000 children will lose access.

Thousands of layoffs of teachers and aides.

2. **Impact Aid:** \$68 million cut from schools that educate 950,000 children of military members, or who are otherwise federally connected, resulting in layoffs and larger class sizes.

3. **Research:** 1,000 fewer National Science Foundation grants and thousands fewer jobs.

#### National Security

1. **Defense:** \$37 billion in FY13, largest drag on broader economic growth, includes:

a. Cancelled deployment of aircraft carrier USS Harry S. Truman,

b. Cancelled Army training rotations,

c. Grounded Air Force squadrons,

d. 800,000 civilian employees facing furloughs of 11 days, and

e. Reduced equipment and facilities maintenance.

2. **Defense Health Program (DHP):** \$2.6 billion reduction will result in TRICARE funding being exhausted by August and delayed payments of TRICARE contracts.

#### The Judiciary and Legal Representation for Low-Income Americans

1. **Public defenders:** Up to 15 furlough days per public defender will delay trials and force courts to hire private attorneys for defendants at \$125 per hour.

2. **Judiciary:** 20 percent reduction in electronic monitoring & drug testing of offenders.

3. **Violence Against Women Grants:** \$20 million cut from grants for prevention and prosecution of violence against women.

#### Senior Citizens

1. **Senior nutrition:** 4 million fewer meals for low-income seniors.

2. **Social Security Administration:**

3,300 additional staff lost, increasing backlog of disability claims by nearly 100,000 and increasing processing time of claims to more than one year.

82,000 fewer continuing disability reviews, which save \$9 for every \$1 spent.

3. **Medicare:** Thousands of cancer patients turned away by cancer clinics due to cuts in provider payments.

#### Commerce and Economic Security

**Small Business:** lending guarantees drastically reduced.

**Oil and gas drilling permits:** 300–400 fewer oil & gas drilling permits processed, 150 fewer leases issued, resulting in \$150 million loss to taxpayers.

**Customs Border Protection:** Wait times at land border ports of entry up to 6x longer.

**National Parks and public lands:** Reductions in 900 permanent and 1,000 seasonal positions will reduce public access and result in hundreds fewer trained firefighters.

**Unemployment compensation:** 10.7 percent cut in weekly benefits.

**Fiscal Malpractice Results in Job Loss and Stunted Economic Growth—**The Federal Reserve announced, "Fiscal policy is restraining economic growth." The Congressional Budget Office (CBO) and independent economists forecast sequestration costing 750,000 jobs

and a 0.6 percent reduction in growth in 2013. While many agree we can find additional spending cuts in the long-term, such large cuts now—instead of phasing them in responsibly when the economy is stronger—amounts to fiscal malpractice.

**Squeaky Wheel “Fixes” Exacerbate Long-Term Problems**—Congress acted to prevent furloughs of food inspectors and air traffic controllers, and departments and agencies are using limited transfer and reprogramming authority to mitigate other immediate problems caused by cuts. These gimmicks merely kick the can down the road, sparing short-term pain through one-time savings that delay long-term needs like construction, maintenance, and training.

These expenses will have to be repaid in future years even as the sequester cuts deeper into the overall budgets for these agencies. While industries’ bottom lines were protected from flight delays and fewer meat inspections, infrastructure at airports will suffer this year, increasing needs in the future, and this year’s fixes do nothing to address the cuts required of these same programs in the coming years.

**Responsible Fix is Needed**—In just two short months of sequester cuts, the impacts are hurting our economy, increasing financial burdens on families, and forcing the federal government to make false choices between essential services. We simply cannot afford 10 years of job loss and stunted economic growth. Congress must replace these mindless cuts with a sensible and balanced plan to promote growth and reduce the long-term deficit and debt.

Mr. CULBERSON. I reserve the balance of my time.

Mr. BISHOP of Georgia. I yield 2 minutes to the gentleman from California (Mr. FARR), the ranking member of the Appropriations Subcommittee on Agriculture and a valuable member of the Subcommittee on Military Construction and Veterans Affairs.

Mr. FARR. Madam Chair, I thank Ranking Member BISHOP for that kind introduction. And, Mr. Chairman, I thank you for your leadership on this committee. I have been on this committee since I’ve been on the Committee on Appropriations, and I’m really excited about the ability for us to respond to the quality of life for people in uniform and their families.

This is the committee that helps the families with housing, with health care, with child care, with the benefit packages that the military allows. It’s very, very important because we also have the responsibility for the Department of Veterans Affairs. It’s the only one-stop in an entire Congress, because the Senate has no comparable committee where both the responsibility of the Active Duty and the veterans are in one place. You know, in this country you can’t be a veteran unless you’ve first been a member of the Department of Defense, so it’s a continuum of care.

If you add up the budgets of both the Defense Department and veterans and our military construction, it’s the largest of all the budgets that the appro-

priations does, so it is important that we pay a lot of attention to detail. We have a lot of issues dealing with not only Active Duty military and their living conditions, but also conditions, serious conditions with veterans and the backlog that veterans have.

I think we’re on the road to solving that problem. California has the worst backlog in the office in Oakland, but the Secretary has been paying a lot of attention and putting a lot of technology into it. I want to commend the chair and the ranking member of this committee for the leadership they’ve provided in trying to solve it.

I also want to commend, I think the Department of Defense has the best capital outlay program. It’s called the FYDP. It stands for fiscal year improvement plan or something like that. What it does, all of the services, whenever they need anything constructed, they have to go in and compete against each other, and so it’s on merit. Then the project with the most merit moves to the top of the list. We have been able to take care of that in a very responsible way.

Mr. CULBERSON. I reserve the balance of my time.

Mr. BISHOP of Georgia. Madam Chair, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER) for the purpose of a colloquy.

Mr. BLUMENAUER. Madam Chair, I thank Mr. BISHOP for his courtesy. I also would really like to thank you, Chairman CULBERSON, for your excellent work on this bill. This is a massive undertaking.

One aspect here that I want to focus on is the policies. The Pentagon has set its sight on good policies. Not only do our troops benefit, but so does the American public. Nothing demonstrates this more than the recent Defense Department’s Unified Facilities Criteria, UFC 2–100–01. Behind this strange-sounding title is the Pentagon’s installation master planning document for over 500 installations around the world, four times the amount of space of Wal-Mart’s. This document, updated for the very first time since 1986, has the potential to positively impact every military servicemember and their families by making our military bases more welcoming, more connected, and more livable.

However, the UFC is only guidance for each branch of the military. In order for it to have a positive and transformative impact, we will need to see strong implementation guidance from each service branch. I believe this is a priority for the Department of Defense. Delay and deviation would only serve to harm or set back our military families who deserve nothing but the best.

As such, I deeply appreciate the opportunity to work with the chairman and ranking member to include lan-

guage urging the Department of Defense to provide an assessment of the progress and barriers to the implementation of UFC 2–100–01.

Mr. BISHOP of Georgia. Will the gentleman yield?

Mr. BLUMENAUER. I am happy to yield to the gentleman.

Mr. BISHOP of Georgia. The gentleman from Oregon raises a really important issue that the subcommittee will look into and will work to address in some way as we move through this process.

Mr. BLUMENAUER. Terrific. Thank you very much.

□ 1540

If I have time remaining, I was curious if the chairman of the subcommittee feels comfortable with working with us to make some progress on this implementation.

Mr. CULBERSON. Of course we will do all we can to work together.

Mr. BLUMENAUER. Thank you. I really appreciate the opportunity to work with you on this and look forward to making this progress for our military families. Thank you very much.

Mr. BISHOP of Georgia. Madam Chair, we have no further speakers on this side.

I yield back the balance of my time.

Mr. CULBERSON. Madam Chairman, it’s a pleasure to bring this bill to the House and to recommend it to every Member of the House to support this bipartisan bill to make sure that our men and women in uniform—as my good friend, SAM FARR, said, this is such a privilege to be on this committee, the only one in Congress that can ensure the quality of life and peace of mind of our men and women in uniform and our men and women who, once they’ve served our country, move into the VA system. And I would urge the adoption of the bill by the Members of the House.

I yield back the balance of my time.

Ms. FRANKEL of Florida. Madam Chair, Jeff Calacovo is a military veteran living with his loving wife in Ft. Lauderdale. He is an American hero who received two Purple Hearts for his courage and service during the Vietnam War. Jeff fought for, and suffered for this country, spending five months in a burn ward as a result of his exposure to Agent Orange.

Today, Jeff suffers from PTSD, loss of hearing and other medical complications that should be covered by his veterans’ benefits. But our claims system failed him.

Jeff first initiated his claim in May 2011. Until his case was brought to my office’s attention, he had made little progress towards receiving the benefits he deserves.

My staff worked with Jeff over many months so that he finally will begin receiving his benefits after waiting nearly two years.

Sadly, Jeff’s story is not unique. The average wait time for claims processing is 292 days with some regional offices averaging 450 days.

Having just returned from visiting our service men and women in Afghanistan, and as

the mother of a Marine veteran, I know firsthand the sacrifices our troops make for our freedoms. Our veterans have fought for this country and it is time we fight for them.

That is why I have joined my colleagues in enacting a number of measures that will help eliminate the veterans' claims backlog once and for all, in H.R. 2216, the Military Construction and Veterans Affairs, and Related Agencies Appropriations Act of 2014.

These measures include finally requiring the DoD and the VA to move towards one integrated electronic system, requiring more frequent reporting to Congress on the status of claims processing, and boosting VA funding to allow for 94 new claims processors to tackle head on the disability claims backlog.

I am confident these new measures will put us on the road towards eliminating an unacceptable problem that has neglected our American heroes.

Ms. SCHAKOWSKY. Madam Chair, I rise today to express my strong support for funding veterans' programs. However, I am very concerned that this bill is part of a Republican budget that would shortchange other critical priorities—like education, nutrition and housing assistance, healthcare and medical research.

I voted in favor of H.R. 2216, the Military Construction—VA Appropriations bill for FY 2014 because I believe it is critical that we keep our promises to our veterans. Today's legislation provides \$157.8 billion for veterans' programs and military construction in FY 2014, including the over \$73 billion in advance appropriations for veterans' health care approved in last year's appropriations measure. It also contains \$55.6 billion in advance FY 2015 funding for VA medical programs.

Among other critical priorities, it provides over \$290 million to help the VA eliminate the disability claims backlog by 2015, including funding for the VA's paperless process claims system. It provides \$344 million for the Pentagon and the VA to implement a joint integrated electronic health records system. These funds are critical: the VA has nearly 900,100 Pending disability claims and, of those, 72 percent have been pending for over 125 days. That is unacceptable; the backlog is causing serious hardships for veterans and families throughout our country, and it is imperative that we work with the VA to ensure that the backlog is eliminated and all claims are processed in a fair and timely manner.

While I am proud to support critical funding for those who served our nation, I have serious concerns about the implications this bill carries for the rest of the appropriations process. The Republican Budget sets the lowest cap on discretionary spending in a decade. Non-defense discretionary spending would be reduced even below the levels required under the sequester. Because of those limits, the adequate funding of this bill will result in inadequate funding of other spending bills down the line. Those other bills fund national priorities including education, nutrition and housing assistance, and programs to spur job growth. We cannot afford to abandon those important initiatives.

The White House warned, in its veto threat for this legislation, that enacting this bill "while adhering to the overall spending limits in the House Budget's top line discretionary level for

fiscal year (FY) 2014, would hurt our economy and require draconian cuts to middle-class priorities." I couldn't agree more. We need to set a realistic spending ceiling so that all of our national priorities receive adequate funding.

Mr. HOLT. Madam Chair, I rise in support of this bill.

I agree with my colleague and our ranking member on the full committee, Rep. LOWEY of New York, that this bill will help us do all we can to help bring down the disability claims backlog, which unfortunately is at record levels. I am also very grateful to the committee for including an additional \$20 million dollars for suicide prevention and outreach services for our veterans—the third such year I've made such a request. I also noted with satisfaction the committee's inclusion of language directing the VA to work far more closely with community-based organizations that have successful programs to prevent suicides. Indeed, the most successful of these programs in the nation is the Vets4Warriors program at the University of Medicine and Dentistry in New Jersey. My late friend, Senator Lautenberg, worked closely with me to support this program and bring it to the attention of senior VA and Pentagon officials. The VA should have a direct partnership with Vets4Warriors and I will certainly continue to press for that, and am very happy to have the committee's support for that effort.

Madam Chair, while I will support this bill I do not support the process that brought it to the floor today. This bill came up under a rule that enshrines sequester, cutting another \$90 billion in overall funding for the government at a time when it has become clear to all but the most obtuse among us that the sequester has caused real harm to real people. The self-executing rule under which this bill is being considered will cause still more harm—not directly to our veterans, but to millions of other Americans from the additional draconian cuts the majority is seeking to impose. That's why this bill and the Homeland Security bill are under a veto threat from the President, and rightly so. I urge my Republican colleagues to abandon the budget gamesmanship, drop Sequester 2.0, and work with us and the President to implement a budget that is fair to all Americans.

Mr. VAN HOLLEN. Madam Chair, I rise today to express my support for H.R. 2216, the FY14 Military Construction and Veterans Affairs Appropriations bill. I commend Chairmen ROGERS and CULBERSON and Ranking Members LOWEY and BISHOP for crafting a bipartisan bill that addresses the needs of current and former service members and their families.

This MilCon-VA bill provides critical funding for the DoD to build hospitals, clinics, schools, family housing and other facilities in order to deliver timely and vital medical care to our nation's veterans, active military members and their families. In addition, it provides funding for disability care, educational benefits and other resources to help advance U.S. missions abroad.

I specifically applaud the committee for addressing the inexcusable backlog problem that continues to plague our Veteran's Affairs Regional Offices, including the VA's Baltimore Regional Office. This bill provides \$155 million

for the paperless claims process system, \$136 million for the digital scanning of health records, and \$252 million to establish a single, integrated Department of Defense (DoD) and VA electronic health record system. I am hopeful that these measures will be an important step in ensuring that backlogged claims are expedited as quickly as possible.

In addition, this bill fully funds the FY2014 budget request for Family Housing construction at \$1.542 billion, providing these necessary resources for service members, veterans, and their families. I am also pleased that this bill provides for much needed improvements at the Arlington National Cemetery.

While I support the military construction/veterans spending bill, I strongly oppose the procedure Congressional Republicans used to bring it to the House floor. The Rule governing this bill affects not just the MilCon-VA budget, but other parts of our budget. I find it especially cynical that our Republican colleagues would use the spending bills on veterans and military construction as the vehicle to pass their overall budget levels, which will result in dramatic cuts to the parts of the budget that fund our kids' education and that finance investments in scientific research to find cures and treatments to cancer and other diseases. The House Appropriations Committee has already set the funding levels for those categories of the budget. And you know what they are? A \$30 billion cut below the sequester level to the parts of the budget that fund our kids' education and that fund scientific research.

We're supposed to have a budget process. The House passed a budget. I don't like the House Republican budget, but it passed. The Senate passed a budget. Under the rules of the Congress—in fact, as a matter of law—the House and the Senate are supposed to have completed a budget conference by April 15th. That was quite a while ago. In fact, it's been over 70 days since the Senate passed a budget and the House passed a budget. We still don't have a House-Senate conference committee report. Why might that be? Well, it turns out that the Speaker of the House has refused to appoint conferees to work with the Senate to come up with a budget.

The Rule for the military construction/veterans spending bill says "let's pretend." Let's make believe that the House and Senate went to conference, and let's pretend that they agreed on the House budget numbers—the numbers that would cut the part of the budget that deals with our kids' education—by over 20 percent. Let's pretend that, because we don't want to go through the normal process. That's what this Rule does. It's a total fake, and it's a fake because of the refusal to work these issues out in a transparent manner for the American people.

Let's at least start the process of complying with the law. Speaker BOEHNER and House Republicans should follow regular House procedure and immediately request a conference and appoint conferees to negotiate a Fiscal Year 2014 budget resolution—so we can have a real federal budget, not a fake budget.

For these reasons, I support President Obama's threat to veto final passage of this legislation unless it "passes the Congress in



the context of an overall budget framework that supports our recovery and enables sufficient investments in education, infrastructure, innovation and national security for our economy to compete in the future."

It is also troubling that this bill rejects the President's proposed 1.0 percent pay raise for federal workers. These individuals have already contributed more than their fair share to reducing the deficit, sacrificing more than \$100 billion in pay and benefits. It is unreasonable to ask federal employees, who have already disproportionately sacrificed for deficit reduction, to bear the burden again.

This year's MilCon-Va bill continues to ensure our veterans and active servicemen and women have the resources they need to succeed when they come home. However, Congress must also come together to follow regular order and appoint budget conferees so we can pass a final budget and have a normal appropriations process. It's time to replace the sequester, invest in our economy, and reduce our long-term deficit.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment who has caused it to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2216

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2014, and for other purposes, namely:

#### TITLE I

##### DEPARTMENT OF DEFENSE MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$1,099,875,000, to remain available until September 30, 2018: *Provided*, That of this amount, not to exceed \$64,575,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine

Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,616,281,000, to remain available until September 30, 2018: *Provided*, That of this amount, not to exceed \$89,830,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

##### MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,127,273,000, to remain available until September 30, 2018: *Provided*, That of this amount, not to exceed \$11,314,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

##### MILITARY CONSTRUCTION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$3,707,923,000, to remain available until September 30, 2018: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed \$237,838,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount appropriated, notwithstanding any other provision of law, \$38,513,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.

##### AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 14, after the dollar amount, insert "(reduced by \$38,513,000)".

Page 5, line 6, after the dollar amount, insert "(reduced by \$38,513,000)".

Page 63, line 6, after the dollar amount, insert "(increased by \$38,513,000)".

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Madam Chairman, my amendment would zero out our contribution to the brand-new NATO headquarters in Brussels and transfer that amount, more than \$38 million, to the spending reduction account to help us deal with our debt.

This line item within the bill is the very definition of ridiculous. The U.S. is furloughing civilian military personnel and sacrificing our own military readiness here at home, policies with which I disagree. And yet, here we are, sending millions of dollars overseas to build a lavish new headquarters for the international bureaucrats in NATO.

Madam Chairman, the planned NATO headquarters is an unfortunate example of excess and waste. While every NATO member-nation is cutting back on overall spending, the new headquarters remains on track as a monument to bureaucracy. In total, the building will cost well over \$1 billion to build, and it's taken 13 years just to finalize the plans.

If we are serious about confronting our spending problem, we must fundamentally re-evaluate our priorities. We don't need to help NATO build a new headquarters. We need to ask what are we doing in NATO in the first place. The Cold War is over. It's time to stop policing Europe and start worrying about our deficit.

I encourage all Members to support this commonsense amendment to help us reduce our spending and to pay off our unsustainable debt.

Madam Chairman, I yield back the balance of my time.

Mr. CULBERSON. I rise in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I share my colleague from Georgia's passion and commitment to reduce the deficit to avoid passing on this debt to our children. This bill has bipartisan support. It has been put together very carefully to ensure that we're supporting our men and women in uniform, and I'm looking forward to finding ways to save money in other parts of the appropriations bill and in the parts of the budget that are actually, truly crushing our kids with debt and deficit.

It's the social safety net that has grown so tremendously that is causing the greatest burden on our kids, the Social Security and Medicare and Medicaid. The growth of these programs has been so astronomical it's swallowing up almost all of our national income on an annual basis. And that's where we need to focus our attention is saving those programs from bankruptcy. In fact, that's where we will really save the big money for our children in the future.

Medicare is in such dire straits that if you're 54 years of age or younger, the Medicare hospital fund can only pay about 50 cents on the dollar of the benefits that have been promised. So the



Medicare program, for all intents and purposes, for people that are 54 years of age or younger, is bankrupt.

And the Social Security program, if you're 47 years of age or younger, that program is bankrupt because it can only pay about 60 cents on the dollar.

So we've got to, as a Congress, in order to save our Nation from bankruptcy, to save our kids from crushing levels of taxation, to prevent this mountain of debt from being passed on to our children, save Medicare and Social Security from bankruptcy. And that's what Congressman RYAN, chairman of the Budget Committee is working on. Congressman SAM JOHNSON from the Ways and Means Committee is working on legislation to save Social Security, and that's where we're going to save the big money.

On things like NATO, we have over 600,000 troops in Europe. We have 127 military installations. I am no fan of the United Nations, but NATO has served a vital role since the end of World War II in preserving the peace in Europe. We've expanded NATO membership now to the former countries of Eastern Europe that were behind the Iron Curtain.

It was NATO and the leadership of President Ronald Reagan and the resolute courage of our men and women in uniform that led to the fall of the Soviet Union and the collapse of the Iron Curtain. But for NATO, but for that strategic alliance, we may still be facing Communist Russia. Today the Soviet Union is gone, the Iron Curtain is gone, and many of those nations that were once in the Soviet Bloc are members of NATO.

So with great respect for my colleague from Georgia and his conservative commitment to balance the budget, let us focus on saving Social Security and Medicare from bankruptcy, first and foremost, as the most effective, long-term way to save the Nation from bankruptcy and to get us back on track to a balanced budget.

Look for other opportunities to save money in our multiple appropriations bills that are coming up, but not at the expense of a great strategic alliance that has served this Nation well since the end of World War II.

I'd urge my colleagues to vote against this amendment.

I yield back the balance of my time. Mr. BISHOP of Georgia. I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. I'd like to join my distinguished chair in opposition to this amendment.

I certainly appreciate and understand the gentleman from Georgia's commitment to reducing the deficit. The deficit is something that is undermining the economic foundation of this Nation. It is like a cancer that is eating away at us, and we have to do all that

we can to reduce that deficit and get us on track to a balanced budget.

However, I suspect that this amendment, while well intentioned, may be penny-wise and pound-foolish because NATO, this account from which these funds will be taken, supports a strategic alliance that has helped to protect the American people.

Just over the last decade, NATO has been our strategic partner in the war against terrorism in Iraq and in Afghanistan and in our efforts to protect the American people and to protect us abroad.

□ 1550

We simply cannot afford to turn our backs on our allies who have stuck with us and who have supported us in our efforts to protect this world from the bad actors in the war against terrorism. And as a result of that, I reluctantly oppose the gentleman's amendment, while understanding and commending him for his commitment toward deficit reduction.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by law, \$315,815,000, to remain available until September 30, 2018: *Provided*, That of the amount appropriated, not to exceed \$24,005,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by law, \$107,800,000, to remain available until September 30, 2018: *Provided*, That of the amount appropriated, not to exceed \$13,400,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by law, \$174,060,000, to remain available until September 30, 2018: *Provided*, That of the amount appropriated, not to exceed \$14,212,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by law, \$32,976,000, to remain available until September 30, 2018: *Provided*, That of the amount appropriated, not to exceed \$2,540,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by law, \$45,659,000, to remain available until September 30, 2018: *Provided*, That of the amount appropriated, not to exceed \$2,229,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$199,700,000, to remain available until expended.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, line 12, after the dollar amount, insert "(reduced to \$0)".

Page 63, line 6, after the dollar amount, insert "(increased by \$199,700,000)".

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. My amendment would totally zero out the North Atlantic Treaty Organization Security Investment Program and transfer its

nearly \$200 million into the spending reduction account.

The world has changed dramatically since the creation of NATO. Its mission, as stated by the first Secretary General, Lord Ismay, is "to keep the Russians out, the Americans in, and the Germans down." I have a hard time seeing how this is relevant to our post-Soviet world and a post-Cold War world.

In this modern age and in this time of domestic fiscal emergency, it makes no sense for the United States to manage the defense of Europe through NATO. And it certainly makes no sense for us to pay such a large share of it. It's time for us to wind down our involvement with NATO instead of making up new justifications for this defense warfare.

Madam Chair, our Nation is broke. We have an unsustainable debt. We're spending money that's going to crush our children's future and make their future much dimmer than it is today. We have to reallocate our resources and put them towards what's going to deal with this unsustainable debt. We've got to stop this out-of-control spending. Both parties are guilty of doing so.

Though some would say nearly \$200 million is just a paltry amount, when our soldiers, sailors, airmen, and marines are not getting the finances that they need and when Americans are struggling just to make ends meet and we have an economy that is really hurting and jobs are not being created and students are not having jobs when they graduate from college, we have to deal with this debt that's unsustainable. This \$200 million would be transferred into the spending reduction account and help us to start—just a small start—to stop this out-of-control spending. It's absolutely critical that we do so.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. CULBERSON. Madam Chairman, I rise in opposition to the amendment and move to strike the last word.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Madam Chairman, I oppose this amendment because I share the gentleman's concern about the debt and the deficit. As I mentioned a moment ago, the way we're going to save the country from bankruptcy and protect our kids from this crushing debt burden that they're about to inherit is to rescue Social Security and Medicare from their certain bankruptcy, which is just around the corner. The Republican constitutional conservative majority of this House is working hard to develop legislation to save those two programs from bankruptcy. But this amendment would zero out the funding that the Congress has invested in the acquisition and

construction of military facilities and installations for NATO.

NATO has been a vital part of our Nation's security since the end of World War II. We have over 600,000 men and women in uniform in Europe who depend on the resources that this Congress provides to them, in part, through the work of NATO. We have 127 military installations in Europe that depend, in part, on the work that is done through our contribution to NATO.

If the gentleman offers an amendment later on, for example, on the foreign operations part of the bill to cut funding for the United Nations, I look forward to supporting that because I have no particular love for the United Nations. They vote against us at every chance they get. We contribute the majority of money that the United Nations receives and they happily vote against us at every opportunity.

But when it comes to NATO, that's of strategic importance to the security of the United States. And while I share the gentleman's passion to cut the deficit and the debt, let's save it for cutting the United Nations and foreign aid, other than for Israel. I'm wearing proudly my pin of the two lone star States, the State of Texas and the State of Israel. Except for our funding for the great State of Israel, which we need to preserve and protect, I look forward to helping the gentleman cut foreign aid and cut funding for the United Nations, but not for NATO.

I urge the House to reject this amendment.

Mr. BROWN of Georgia. Will the gentleman yield?

Mr. CULBERSON. I will happily yield to my friend from Georgia.

Mr. BROWN of Georgia. I appreciate the comments from my dear friend from Texas. He and I have been involved in trying to cut spending in many ways for a long period of time. In fact, I have a freestanding bill to zero out spending for the United Nations. I want to get the U.N. out of the U.S. and the U.S. out of the U.N. And so that's to come, I promise you. That will be coming. I'll give you that opportunity.

And you're exactly right, Social Security and Medicare need to be fixed so that our senior citizens and poor people have the proper help that they need. And I'm all for that, too. But we've got to cut where we can. I'm a marine. I was deployed to Afghanistan last year as a Navy reservist. And I believe in a strong military. I believe in peace through strength. And we've got to have the strongest military in the world. I don't believe our military should ever be in a fair fight. We need to be in a fight that's overwhelming.

But NATO is a relic of the Cold War. It's a relic that we need to look at. And when we have such a huge debt—almost \$17 trillion—we need to cut wher-

ever we can, whenever we can. I think it's extremely important for us to reorder our priorities, particularly across the world, and getting rid of this money for NATO is a way of doing that.

Mr. CULBERSON. Madam Chairman, reclaiming my time, the gentleman is correct that \$200 million is a lot of money, but we have to preserve our investment in NATO. I would point out that the former Soviet Union is sending submarines into the Gulf of Mexico. The former Soviet Union, now Russia, is aggressively sending their strategic nuclear bombers pushing up against the outer limits of our airspace around Guam and around Alaska.

□ 1600

So the Russians are no longer overtly and openly Communist, but they are not necessarily our friends. They and the Communist Chinese are aggressively attacking the United States in the cyberworld. If a state of war could be declared in the cyberworld, a state of war already exists. The Communist Chinese have already attacked us and are at war with the United States over the Internet and over in Russia, as well. They are not our friends. And we, of course, are going to look for every opportunity to work together with them, but NATO is a vital part of America's strategic security.

I urge defeat of the gentleman's amendment and yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Again, I certainly understand and commend the gentleman for his commitment and his passionate support for reduction of the debt and the deficit, and I think that we on this side of the aisle join him in that quest. However, again, I submit that this amendment is probably one that is penny-wise and pound-foolish. We have an alliance with the countries in NATO. Those countries have been our staunch supporters in Operation Iraqi Freedom, our efforts in Afghanistan; and, of course, each of those NATO countries has a developing presence of al Qaeda just as we in the United States. So it's very, very important that we maintain that strategic alliance.

This amendment would cut our share of the responsibility for NATO, which we share with the other member countries. And I think that since we are deriving a mutual benefit that we should have a mutual responsibility to support, this joint support, and I think that it would not be wise for us to withdraw our aspect of that support. We should assume our responsibility with our allies for the mutual support and the mutual benefits.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROWN).

The amendment was rejected.

The CHAIR. The Clerk will read.

The Clerk read as follows:

#### FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$44,008,000, to remain available until September 30, 2018.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$512,871,000.

#### FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$73,407,000, to remain available until September 30, 2018.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$389,844,000.

#### FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$76,360,000, to remain available until September 30, 2018.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$388,598,000.

#### FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$55,845,000.

#### DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$1,780,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

#### CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chem-

ical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, \$122,536,000, to remain available until September 30, 2018, which shall be only for the Assembled Chemical Weapons Alternatives program.

#### DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), as amended by section 2711 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), \$451,357,000, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new in-

stallation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries within the United States Central Command Area of Responsibility, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 117. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available

for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 120. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

AMENDMENT NO. 1 OFFERED BY MR. GRIFFITH OF VIRGINIA

Mr. GRIFFITH of Virginia. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 8, strike "\$35,000 per unit" and insert "\$15,000 per unit".

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRIFFITH of Virginia. Madam Chair, this is a simple little amendment. Currently, any expenditures for flag officers' general housing on base has to be reported if there is an expenditure in excess of \$35,000. This lowers this number down to \$15,000. It doesn't mean they can't do the work. It just means that if they're going to spend more than \$15,000, they have to file a report with Congress before they do so.

In this day and age where we're trying to make sure that we're spending the taxpayers' money wisely, this seems to be appropriate. My wife and I put a roof on our house a couple of years ago for about \$15,000. If they need more than that, that's fine, but make a report to Congress. If there's something terribly wrong with the flooring and it costs more than \$15,000, they can report it. But most repairs to a home can be done under \$15,000.

This is just simply saying, hey, tell us what you're doing so that we can have a more transparent expenditure and a more transparent government.

I yield back the balance of my time.

Mr. CULBERSON. I rise in support of the gentleman's amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. We'd be happy to accept it. I think it's more than reasonable to report that you're going to expend more than \$15,000. Certainly, we want to help make sure that our officers have everything that they need, but it would be nice to have them report it. And I would be willing to accept the gentleman's amendment if my colleague from Georgia is in agreement.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GRIFFITH).

The amendment was agreed to.

Mr. FATTAH. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. FATTAH. I just wanted to come to the floor. I have had the opportunity to serve on this subcommittee under the leadership of my great friend from Texas and our ranking member, Congressman BISHOP from Georgia.

□ 1610

The focus of the work is in a bipartisan process to come up with the best possible set of proposals to move our

country forward to respond to our needs in terms of military construction.

I rise today, in particular, to thank the two leaders of the subcommittee, and in particular, the chairman for his great leadership on veterans benefits. I had breakfast with General Shinseki, and the staff of the VA I think has been clearly moved by the ranking member and the chairman's insistence that we deal with the challenges around the backlog.

I want to particularly note the great work in this bill on neuroscience and brain disorders. The chairman and I began some work together in the CJS appropriations process a year and a half ago, which has moved our country, I think, forward in terms of dealing with some 600 different brain diseases and disorders in a much more aggressive fashion, and we compliment the President on the brain initiative. Right here in this VA bill there are actual concrete steps being taken to deal with posttraumatic stress, to deal with traumatic brain injury. And I had a Nobel Prize laureate, who has done work on TV, really come just to say that the focus we put on this has been so important because some 40 percent of our injured veterans have some type of traumatic brain injury or posttraumatic stress challenges that they face. I visited the Intrepid Center.

So I didn't want this moment to pass without thanking the two leaders of the subcommittee for their work. I could go on and on about the Epilepsy Centers of Excellence, but I know I only have a few minutes, so I'll cease here. I want to thank them, because it won't necessarily be recorded. But in the lives of tens of thousands of our veterans and servicemen, differences in their life circumstances will be made for the positive because of what's in this bill. So thank you, and I yield back the balance of my time.

The CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 121. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 122. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense

certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of canceling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: *Provided*, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 123. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 124. None of the funds made available by this Act may be used for any action that relates to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

SEC. 125. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5-10 relating to the policy, procedures, and responsibilities for Army stationing actions.

(INCLUDING RESCISSION OF FUNDS)

SEC. 126. Of the unobligated balances available for "Military Construction, Army", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), \$89,000,000 are hereby rescinded.

(INCLUDING RESCISSION OF FUNDS)

SEC. 127. Of the unobligated balances available for "Military Construction, Navy and Marine Corps", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), \$49,920,000 are hereby rescinded.

(INCLUDING RESCISSION OF FUNDS)

SEC. 128. Of the unobligated balances available for "Military Construction, Defense-Wide", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), \$358,400,000 are hereby rescinded.

(INCLUDING RESCISSION OF FUNDS)

SEC. 129. Of the unobligated balances available for "Military Construction, Army", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), \$50,000,000 are hereby rescinded.

(INCLUDING RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances available for "Military Construction, Defense-Wide", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), \$16,470,000 are hereby rescinded.

(INCLUDING RESCISSION OF FUNDS)

SEC. 131. Of the unobligated balances available for "Military Construction, Air National Guard", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), \$45,623,000 are hereby rescinded.

(INCLUDING RESCISSION OF FUNDS)

SEC. 132. Of the unobligated balances made available in prior appropriation Acts for the fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), \$50,000,000 are hereby rescinded.

SEC. 133. Discretionary appropriations in this title are hereby reduced by \$4,668,000.

SEC. 134. Notwithstanding section 116, the Secretary of Army may obligate from any available military construction funds such additional funds that the Secretary determines are necessary to complete the Explosive Research and Development Loading Facility, Picatinny Arsenal, New Jersey.

SEC. 135. For an additional amount for "Military Construction, Navy and Marine Corps", \$75,000,000, to remain available until September 30, 2018: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and construction of projects that (1) are of critical importance to the Armed Forces, (2) will be conducted within the 50 States, and (3) were contained in the fiscal year 2014 portion of the future-years defense program submitted to Congress under section 221 of title 10, United States Code, for fiscal years 2013 through 2017 and are also contained in the fiscal year 2015 portion of the future-years defense program submitted under such section for fiscal

years 2014 through 2018: *Provided further*, That not later than 30 days after the date of enactment of this Act, the Secretary of Defense shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this heading.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$71,248,171,000, to remain available until expended: *Provided*, That not to exceed \$9,232,000 of the amount appropriated under this heading shall be reimbursed to "General Operating Expenses, Veterans Benefits Administration" and "Information Technology Systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and Pensions" appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical Care Collections Fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, and for the payment of benefits under the Veterans Retraining Assistance Program, \$13,135,898,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$77,567,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during fiscal year 2014, within

the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$158,430,000.

#### VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$5,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,500,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$354,000, which may be paid to the appropriation for "General Operating Expenses, Veterans Benefits Administration".

#### NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,109,000.

Mr. BLUMENAUER. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. Thank you, Madam Chair.

As our veterans return home from Iraq and Afghanistan after 10 years of conflict, it's critical that they're able to get the care they need and deserve. Part of that care must be greater access to complementary and alternative medicine. Unfortunately, based on conversations I've had with veterans back in my district and with practitioners of alternative medicine, and letters I've received, it's too often difficult for the veterans to utilize complementary and alternative medicine through the VA system, even though research is showing that a holistic approach to treatment, including complementary and alternative medicine, can make a significant impact. A recent survey conducted by the Samuels Institute, which shared its findings at a Senate Veterans' Affairs hearing 2 weeks ago, demonstrated how the effectiveness of drugless self-care and integrative practices for treatment of these conditions had immediate and long-lasting impacts.

Many VA practitioners have taken note and are doing their best to integrate these practices. Many veterans are seeking out these services. Both, sadly, are encountering institutional barriers and limited availability.

Given the steadfast commitment of this committee to do all it can to increase the quality of care for our veterans, I would sincerely request the chairman and ranking member to address this issue as the bill proceeds through the process.

Mr. BISHOP of Georgia. Will the gentleman yield?

Mr. BLUMENAUER. I would be happy to yield.

Mr. BISHOP of Georgia. The gentleman from Oregon, again, raises a very important issue that the subcommittee will look into, and we will do our best to address in some way as we move forward through this process.

Mr. BLUMENAUER. Thank you.

Mr. CULBERSON. Will the gentleman yield?

Mr. BLUMENAUER. I would be happy to yield to the gentleman.

Mr. CULBERSON. I agree with my colleague from Georgia, and we look forward to working closely with you to be sure that we continue to address these vital issues.

Mr. BLUMENAUER. I appreciate the hard work of the committee and the willingness to work with us, to be able to make sure our veterans have access to these services, and look forward to working with you to make it happen.

I yield back the balance of my time.

The CHAIR. The Clerk will read.

The Clerk read as follows:

#### VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of health care employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code, \$45,015,527,000, plus reimbursements, shall become available on October 1, 2014, and shall remain available until September 30, 2015: *Provided*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

#### MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and re-

search activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), \$5,879,700,000, plus reimbursements, shall become available on October 1, 2014, and shall remain available until September 30, 2015.

#### MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, \$4,739,000,000, plus reimbursements, shall become available on October 1, 2014, and shall remain available until September 30, 2015.

#### MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$585,664,000, plus reimbursements, shall remain available until September 30, 2015.

#### AMENDMENT OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, line 18, after the dollar amount insert the following: "(reduced by \$35,000,000) (increased by \$35,000,000)".

The CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. Thank you, Madam Chair. And I do appreciate the courtesy that the chair and ranking member have evidenced. I appreciate the fact that the gentleman from Texas—we've worked not only on these issues, but he's played a critical role on another issue near and dear to my heart dealing with international water, and it's a pleasure to work again.

Those efforts have saved countless lives abroad, and today, with this amendment, it's my hope that we can partner to improve and hopefully save lives right here at home.

I helped organize, found and chair the Congressional Neuroscience Caucus. It's clear from our work that we find America standing on the precipice of discovery in neuroscience research that will lead to a higher quality of life for the 50 million Americans affected by neurological illnesses every year.

□ 1620

Conditions in neuroscience have already dwarfed other areas of health



care expenditures, and that's before the waves of baby boomers turning 65 at a rate of 10,000 per day for another 14 years are going to drive it even further. There are more people with brain disorders than all cancers and heart problems combined; and as society ages, this number will increase exponentially as will the cost to the health care system and the economy.

But the importance of neuroscience isn't just about the numbers. It's about improving the quality of life for those affected by neurological trauma, and no one is more deserving of these breakthroughs than the returning servicemembers affected by traumatic brain injuries or posttraumatic stress disorder.

As stated by General Peter Chiarelli, now the CEO of One Mind for Research and the 32nd chief of staff of the Army, TBI and PTSD have accounted for 36 percent of the disabling injuries suffered by soldiers in Iraq and Afghanistan. He is convinced, as I think most of us in Congress are, that we must do all we can to help our veterans because these invisible wounds have devastating and long-lasting impacts.

The amendment before the committee is identical to the one that I and Congresswoman MCMORRIS RODGERS, who is my cochair of the Neuroscience Caucus, offered and had adopted in last year's MilCon-VA appropriations bill.

The amendment aims to ensure that the Veterans Administration continues to have the resources it needs to find innovative new medicines and enhanced diagnostics for what can truly be termed an "epidemic." The amendment does not increase or decrease any accounts in the appropriations bill. It simply requires that no less than \$35 million of the Medical and Prosthetic Research account goes towards posttraumatic stress disorder and traumatic brain injury so that we can expedite the cure for Active Duty personnel and veterans suffering from the effects of brain and psychological trauma incurred during their service.

The amendment, I hope, symbolizes a commitment from this Congress that, even in the midst of sequestration and tight budgets, we will not yield on this critical issue and area of funding.

In meeting with neuroscientists, I am always amazed to hear how this one area of research often leads to positive, but unexpected, breakthroughs. For example, in researching depression, scientists found out that Prozac can help stroke victims recover motor skills more quickly.

The account, the Military and Prosthetic Research, funds many critical areas of research with direct and indirect links to PTSD, and this complementary amendment ensures that these links are made and that research is shared to everyone's benefit. It's a commitment to using resources in a

way that allows one scientific inquiry to seek out other areas of impact that will lead to breakthroughs in TBI and PTSD. These items demand our special attention because their effects can so easily harm a soldier's family and loved ones if not properly diagnosed. Early detection and prevention prevents chaos, hardship and, indeed, in some cases, a further loss of life.

We must remember our duty to the wounded warriors who face a long journey to recovery. These harms may not be as visible as a missing limb, but can be even more damaging to a veteran's future. I urge my colleagues to support this amendment—a commitment from Congress to our servicemembers. We will continue to do all we can in developing new medicines and technology to improve the lives for those in need. I appreciate the extraordinary courtesy of the subcommittee, and respectfully urge adoption of the amendment.

Mr. CULBERSON. Will the gentleman yield?

Mr. BLUMENAUER. I yield to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Madam Chairman, I have no objection to the amendment.

I want to acknowledge and thank the gentleman from Oregon for his long labors and support of this important work to identify and cure these invisible injuries that many of our soldiers have suffered as a result of concussion, as a result of the circumstances of battle in which they find themselves.

We appreciate your good work, sir, and I will continue to work with you. I thank you for the amendment. I have no objection.

Mr. BLUMENAUER. I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. The gentleman's amendment would require that no less than \$35 million goes towards traumatic brain injury and posttraumatic stress disorder research from the Medical and Prosthetic Research account. I want to bring to the attention of this House that \$32 million was already included for this purpose.

I do have some concerns regarding the amendment. I understand what the gentleman is trying to do, and I agree that PTSD and traumatic brain injury are the two major problems that the VA needs to focus on. Tens of thousands of veterans have suffered traumatic brain injury. Most are mild concussions that get better within a few months, but serious ones and multiple concussions can raise the risk of dementia and other problems. The gentleman points that out rightly.

With the tight budgets that we are facing, I am concerned, however, where the reduction would come from. For example, this account also provides for

the research for prosthetics, for women's health, and for gulf war veterans illness. So I just want to make sure that the gentleman is aware that his amendment could cause shortfalls in other areas of research that are vital to the health care needs of our veterans.

I do assure the gentleman that the subcommittee and the committee will work hard to try to make sure that traumatic brain injury and PTSD are adequately addressed with our resources available for funding research there.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The amendment was agreed to.

The CHAIR. The Clerk will read.

The Clerk read as follows:

#### NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$250,000,000, of which not to exceed \$25,000,000 shall remain available until September 30, 2015.

#### DEPARTMENTAL ADMINISTRATION

##### GENERAL ADMINISTRATION

##### (INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$403,023,000, of which not to exceed \$20,151,000 shall remain available until September 30, 2015: *Provided*, That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

##### GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,455,490,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That of the funds made available under this heading, not to exceed \$123,000,000 shall remain available until September 30, 2015.



AMENDMENT OFFERED BY MR. GALLEGO

□ 1630

Mr. GALLEGO. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 5, after the dollar amount, insert "(reduced by \$5,000,000) (increased by \$5,000,000)".

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. GALLEGO. Madam Chair, I would like to thank my long-time friend, even from the Texas Legislature, Representative CULBERSON, the chairman of the Appropriations Subcommittee on Military Construction and Veterans Affairs, as well as Representative BISHOP, the ranking Democrat on the subcommittee, for their work on these important issues.

I rise today to offer an amendment to H.R. 2216, the appropriations bill for the Department of Veterans Affairs. The amendment is for the brave men and women who have served our country—our veterans.

It's simple. It's common sense. It highlights job training for veterans, helping them to find employment. Within the general operating expenses for the Veterans Benefits Administration account, this would support funding for veterans to become employable and maintain their jobs to meet the workforce needs of the 21st century.

Over the next 4 years, 1 million veterans are expected to transition into the workforce from the armed services. This makes this specific account vital to the lifeblood of decreasing our unemployment rate for veterans once they return home. 1.6 million veterans call Texas home, and 64,000 of these men and women reside in the 23rd Congressional District. These men and women have obtained tremendous skill sets while serving our country, and yet many have difficulty finding employment after they've completed their service. Nearly 700,000 veterans are unemployed. The jobless rate among our veterans is at 6.2 percent. Among veterans who served after 9/11, that rate increases to 7.5 percent.

These men and women have served this country, and they have put their lives on the line. It is our turn to serve them. Let's make certain that Congress focuses on training our veterans to meet the workforce needs of the 21st century. We should make the transition from military service to the workforce as seamless as possible. Lastly, this amendment doesn't present any budgetary issues, and the Congressional Budget Office confirms that the amendment doesn't score. Additionally, it doesn't have a net change in funding levels.

I encourage my colleagues to stand up for veterans' employment and to support my commonsense amendment. I look forward to working with all of you to get veterans back to work.

Mr. CULBERSON. Will the gentleman yield?

Mr. GALLEGO. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, I have no objection to the amendment. The gentleman is absolutely right. We're all committed to making sure that when our veterans return home, they are fully employed and well taken care of.

I thank my friend from the Texas Legislature, Mr. GALLEGO, for offering his amendment, and we have no objection.

Mr. GALLEGO. Mr. Chairman, I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR (Mr. POE of Texas). The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. I rise in support of the gentleman's amendment.

Mr. Chairman, after returning home from the war, veterans are now fighting for jobs back home. According to the Bureau of Labor Statistics, last year's unemployment rate for veterans was 12.1 percent, a significantly higher figure than the 8.7 percent unemployment rate for nonveterans. Even more staggering is that 19.1 percent of young veterans between the ages of 20 and 24 are unemployed.

All veterans, because of their service, have basic skills, and the only thing that they're missing is formal job training to match their abilities with the specific needs of an employer. This is another issue on Secretary Shinseki's plate. I believe that anything that we can do to help veterans gain employment we should do.

I thank the gentleman for raising this issue, and I support the amendment and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. GALLEGO).

The amendment was agreed to.

Mr. SWALWELL of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SWALWELL of California. Mr. Chairman, the sacrifices of the few, our military veterans, provide the freedom for the many.

We know that it is our military veterans, who only make up just 1 percent of our population, that provide 100 percent of our freedom. But far too many of our veterans seeking the disability assistance that they rightly earned are running into a severe backlog at the Department of Veterans Affairs.

Nationwide, there are close to 800,000 pending disability claims at the VA, and almost 550,000 of these claims have been pending for over 125 days. At the Oakland VA in Oakland, California,

which serves the 15th Congressional District, which I represent, the constituents in my district have been waiting, on average, a staggering 552 days. Over 81 percent of the constituents have been waiting over 125 days. This is the longest average wait time across the United States. These numbers are a national disgrace, and I'm ashamed that the veterans who have served our country and have fought so hard have to wait so long.

Our military spends \$1.8 billion a year recruiting young Americans to join our military. We spend it on NASCAR, Super Bowl ads, and we send our recruiters out to our schools to have our young men and women join in the honorable profession of defending our country, but we are neglecting the needs of the veterans. We're failing to keep the promises we make after they serve.

This weekend I had the opportunity to go to a Salute to New Recruits who are going into the military. I looked at those young, bright faces of young men and women who are going to go off to serve their country, and I told them, You are doing something that is very brave and very noble, but I hope that your families and you stand up for the benefits that you are rightfully earning.

Right now what we're seeing at the VA is shameful, Mr. Chairman. It's shameful that we would treat our veterans like this and not give them the benefits that they've earned. We're failing to live up to that solemn pledge that we've made to our Nation's wounded warriors. That's why this bill is so important. It reaffirms our commitment to caring for the men and women who made sacrifices to serve in uniform.

It contains commonsense solutions to eliminate the disability claims backlog by mandating that the VA modernize the disability claims process, and it also ensures greater efficiency and accountability on the part of the VA.

It would fully fund the President's requested budget to allow for an increase of the staff levels at the Veterans Benefits Administration. These funds would support an additional 94 claims processors, all of whom will work solely on disability claims, helping to address the heart of the backlog.

Increasing staff levels, as we know, however, is not a silver bullet. Creating a more efficient and responsive VA is also necessary if the disability claims process is going to be fixed. Today, the VA spends, on average, 175 days waiting for the Department of Defense to send them a veteran's record, mostly because these records are still kept in the form of paper files. It's time we bring this process into the 21st century.

In addition to moving away from paper files, it's clear that it would be

far better for servicemembers and veterans, as well as taxpayers, for the DoD and the VA to maintain one integrated system for electronic health records. This bill seeks to move the DoD away from paper and towards an integrated system that can be used both for DoD and the VA. It also fully funds the Veterans Claims Intake Program, which is working to convert all those paper records the VA receives into digital files.

Mr. Chairman, the constituents of the 15th Congressional District who served so honorably should not have to wait 552 days for their disability compensation cases to be processed.

Those parts of the bill that I outlined will help to improve veterans' access to the benefits that they have earned and enable us to better live up to President Lincoln's promise in his second inaugural address:

To care for him who shall have borne the battle and for his widow and his orphan.

President Lincoln's words happen to be at the core of the VA's mission statement. Words, however, are not enough. Congress must act swiftly to fix the VA backlog with practical solutions and fulfill our pledge to veterans. We must leave no veteran behind when they come back. We must make sure that when we say "thank you for your service" to a veteran, that we mean it and we follow up with a meaningful and responsive claims process. The funding in this bill helps move us in that direction.

With that, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. AMODEI

Mr. AMODEI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 5, after the dollar amount insert the following: "(reduced by \$44,000,000)(increased by \$44,000,000)".

The Acting CHAIR. The gentleman from Nevada is recognized for 5 minutes.

Mr. AMODEI. Mr. Chairman, first of all, I would like to thank Chairman CULBERSON and Ranking Member BISHOP for their effort on bringing forth a good bill that addresses the needs of our veterans and maintains our commitment to providing them with the benefits that they earned and deserve.

I rise with this amendment for the first time since I've been in this body because of the existing claims backlog, which is over 600,000 claims nationwide.

As a member of the primary committee of jurisdiction and the primary subcommittee of jurisdiction on the House Veterans' Affairs Committee, I can tell you that, in dealing with this number of claims, we are not making mission in the Department of Veterans Affairs. I can also tell you that the proposal to spend \$44 million, according to

the Veterans Affairs testimony in front of our committees, to clear 50,000 of those claims in the backlog is, quite simply, more of the same. That's about \$900 a claim and will leave you with 550,000 claims when it's done this year.

I appreciate the opportunity of coming technology, but I can tell you this: if you represent a district that's in California, New York, Arizona, Indiana, Virginia, Illinois, Pennsylvania, Texas, Ohio, Maryland, another Texas hit, Boston or Mississippi, which is the majority of Members in this House, then guess what; you've got a majority of those claims in your district offices.

I say it's time for this House to take action and say this: don't cut a single regional office's budget. This amendment does not attempt to do that. This amendment says take that \$44 million and allocate it for personnel in those 15 offices that all have over a year of processing time.

By the way, while we're mentioning that, I want to give you a quote that is from Under Secretary Hickey that basically says:

Quite frankly, we have a resource allocation model that doesn't make any sense.

That's before the Veterans' Affairs Committee.

Let's try something new. Let's put the staffing where those offices are that are in need of it most. Two of them are in California and two of them are in the Lone Star State. Chicago also needs help. You name it. Let's try that instead of just doing what we have been doing. It adds no money to the bill, and it also does not take any money away from existing offices.

□ 1640

In closing, Mr. Chairman, I would like to say this. Even though staffing at the VA's 58 regional offices has increased by almost 300 people since September 2010, because of turnover and loss of more than 2,000 workers temporarily paid through stimulus funds, the VA regional offices are severely understaffed. Overtime will not be the answer. At a majority of the regional offices, including those in New York, Chicago, Los Angeles, Waco, and Oakland, the VA presently employs fewer people than it did 2 years ago, according to their own internal documents.

Let's take the leadership on this issue and do something that's a little different than, quite frankly, a resource allocation model which the determined Under Secretary says makes no sense.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I have no opposition to the gentleman's amendment and share his frustration and concern, as Mr. BISHOP and I and the subcommittee have done in this

bill repeatedly throughout the series of our hearings to literally pound on the VA to get them to move more rapidly on this backlog.

We have included, Mr. BISHOP and I, in this bill, very powerful and strong reporting language that we're going to get detailed information on a level that we've never seen before from the VA. In fact, later today we're going to have an amendment from Mr. KINGSTON of Georgia that I will support that will hold the VA to the same standard as the private sector in that either they meet their performance levels that they have set for themselves or they will not be paid, as they are in the private sector. You miss your goal, you don't get your full compensation.

We are addressing this in a number of different ways. I think the gentleman's amendment is helpful and constructive in driving home the point to the VA that it's absolutely vital that we get this backlog disposed of and that we expect the VA to live up to the time line that they've promised us, and that's to eliminate the backlog within the next 24 months by the year of 2015.

And so we have no opposition to the gentleman's amendment, and we appreciate his concern for ensuring that our men and women in uniform receive the disability benefits that they have so rightly earned.

I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chairman, I think this is a subject on which we need to tread very, very, very carefully. As we all know, the VA announced that it's mandating the use of overtime for claims processors at the 56 regional offices as part of a "surge" aimed at eliminating the disabilities claims backlog.

This effort is the latest in a series of measures that the VA has adopted in recent months in response to sharp criticism and to the cajoling by Members of this Congress and the public over the number of claims pending from veterans seeking disability compensation. That number, which was over 900,000 earlier this year, had fallen to 843,000 as of May 13, with more than two-thirds of those having been pending for over 125 days. I believe that Secretary Shinseki should and I believe that Secretary Shinseki is using every option available to him to make progress in eliminating this backlog.

Furthermore, the overtime measure is on top of the VA's recent announcement that it's giving priority to claims that have been pending for longer than a year. I believe that the increased overtime initiative coupled with the expedited claims initiative will provide more veterans with more expedited decisions on their claims and will help us to achieve our goal of eliminating the

claims backlog. I believe that this overtime initiative correctly shows that the Secretary's commitment is there to end the problem of the backlog. And so I think we should tread very carefully in this regard.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Nevada (Mr. AMODEI).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. AMODEI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Nevada will be postponed.

Ms. BROWNLEY of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. BROWNLEY of California. Mr. Chairman, this bill is one of the most important that the House will consider all year. It provides critical funds for military training facilities, improves living conditions for our troops and their families, and addresses the needs of our Nation's veterans.

As ranking member of the House Veterans' Affairs Subcommittee on Health, however, I wanted to bring your attention to a serious issue.

As you know, the advance appropriations process ensures that the VA health care funding is not delayed by Congress' failure to pass the appropriations bills on time. For the past 3 years, the GAO has been required to review the accuracy of the administration's projections for advance funding for veterans' health care programs. The report helps Congress evaluate VA projections for advance appropriations and ensures the VA receives the funding needed for veterans' health care.

Unfortunately, this GAO reporting requirement is scheduled to sunset on September 30. I believe this requirement should be extended, and a number of veterans service organizations have expressed concerns about this issue as well.

As the bill moves forward, I ask the committee to review this issue and continue the reporting requirement.

On another note, one of our most important obligations is to ensure adequate training and support of our troops. That is why one of my first stops as a Member of Congress was to Naval Base Ventura County. For fiscal year 2014, the Navy has requested funding for several important projects at Point Mugu and Port Hueneme, including military housing, training, and maintenance facilities. This bill provides funding for base infrastructure improvements, but it is a decrease from last year and also below the DoD request.

On behalf of my constituents serving at Naval Base Ventura County, I would like to express my hope that these reductions do not come at the expense of the much-needed infrastructure improvements at Point Mugu and Port Hueneme.

As a VA committee member, I am also pleased that H.R. 2216 funds veterans' benefits and programs. It provides \$43.6 billion for VA medical services to serve about 6.5 million veterans. It supports mental health care services, suicide prevention activities, traumatic brain injury treatment, homeless veterans' programs, and rural health initiatives. It continues work on an integrated DoD-VA electronic health record system, the paperless claims process system, digital scanning of health records, and transparent reporting on our progress with the claims backlog for VA benefits.

Finally, it funds construction and renovation of hundreds of VA health clinics, medical residences, and nursing homes. Support of our servicemembers, veterans, and their families is of the highest importance. However, we must be mindful of the entire budget picture.

Like many of my colleagues, I am concerned that we are operating under inadequate discretionary budget caps that will not allow us to provide sufficient funding later in the appropriations process for programs that are important to middle class families and seniors, such as education and health care programs.

While this bill is not perfect, it does provide critical funding for our Nation's military construction projects and for our Nation's veterans, and I intend to support the final passage of this bill.

I yield back the balance of my time. The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

INFORMATION TECHNOLOGY SYSTEMS  
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$3,683,344,000, plus reimbursements: *Provided*, That \$1,026,400,000 shall be for pay and associated costs, of which not to exceed \$30,792,000 shall remain available until September 30, 2015: *Provided further*, That \$2,161,653,000 shall be for operations and maintenance, of which not to exceed \$151,316,000 shall remain available until September 30, 2015: *Provided further*, That \$495,291,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2015: *Provided further*, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Sec-

retary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: *Provided further*, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three sub-accounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That amounts made available for the "Information Technology Systems" account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: *Provided further*, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: *Provided further*, That none of the funds made available under this Act may be obligated or expended for the development or procurement of an electronic health record unless the health record will be a single, joint, common, integrated health record with an open architecture that will be used by both the Department of Veterans Affairs and the Department of Defense: *Provided further*, That funds made available for such an integrated electronic health record may not be obligated or expended until the Secretaries of the Departments of Defense and Veterans Affairs jointly certify in writing to the Committees on Appropriations of both Houses of Congress that the proposed integrated electronic health record will be the sole electronic health record system used by each Department and that it meets the requirements established in the previous proviso: *Provided further*, That not more than 25 percent of the funds made available for the integrated electronic health record may be obligated or expended until: (1) the Government Accountability Office confirms to the Committees, after reviewing the Secretaries' certification, that the proposed integrated electronic health record system does in fact meet the requirements established in this paragraph; and (2) the Secretaries of the Departments of Defense and Veterans Affairs submit to the Committees, and such Committees approve, a plan for expenditure that: (A) defines the budget and cost baseline for development and procurement of the integrated electronic health record; (B) identifies the deployment timeline for the system for both Departments and the performance benchmarks for deployment; and (C) identifies annual and total spending on such efforts for each Department: *Provided further*, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act.

AMENDMENT OFFERED BY MR. CULBERSON

Mr. CULBERSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

Mr. CULBERSON. Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 35, line 11, strike "Act" and insert "heading".

Page 35, line 13, strike "unless" and all that follows through "Department:" on page 36, line 16, and insert the following: "except for a health record as set forth in the Joint Strategic Plan for Fiscal Years 2013-2015 of the Department of Veteran Affairs and Department of Defense, Joint Executive Council:".

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

□ 1650

Mr. CULBERSON. Mr. Chairman, I rise today with an amendment to clarify the House Appropriations Subcommittee's intent with regard to the integrated electronic health records system that we want the Department of Defense and Veterans Affairs to adopt.

This issue necessarily involves two appropriation subcommittees and two authorizing committees, Armed Services and Veterans' Affairs. We have talked with our friends on the authorizing committees and agree that the best way forward is for language to be included in each one of these bills that conveys a unified position.

I am confident that all parties in Congress and in the Department of Defense and Veterans Affairs share the same goal of having an integrated, unified health record.

My amendment removes some of the specificity of the original House language, but retains the reference point of an integrated record. This allows all sides to continue to spend more time to develop mutually acceptable language that we can carry in the National Defense Authorization Act and other legislation as we move forward with this bill as well, which clearly defines the intent of Congress that we will have an integrated record with its capability of helping our men and women in uniform when they move out of active service into the VA.

We are unshakeable in our commitment, as a Congress, to make certain that we solve this problem as quickly as humanly possible. I can tell you that the subcommittee, the committees of jurisdiction, the entire Congress is tired of the delays. We're tired of postponement. We're tired of disputes. This has to be solved immediately.

And I'm going to continue to work aggressively with our colleagues on the authorizing committee and with our good friends on the Defense Appropriation Subcommittee, all of us together, arm-in-arm, regardless of party, from all parts of the country, to make sure that we get one single, unified, inte-

grated electronic medical record as fast as humanly possible.

So that's the reason I offer this amendment today, and I urge its support.

I yield back the balance of my time. Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chairman, I believe that this amendment reflects the apparent obstruction of the Department of Defense on the electronic health record issue; and let me explain to you how we got here.

The 2008 National Defense Authorization Act directed the two Departments to develop a single electronic health record system that will follow a servicemember from the time he or she enlisted in the military to the time they exited the VA care, by 2009.

However, after a number of management, oversight, and planning snags and snafus, and the cost estimates that grew from \$4 billion to now nearly \$12 billion, former Defense Secretary Leon Panetta and VA Secretary Eric Shinseki decided to alter their plans to focus on making that current electronic health record system more interoperable.

Just recently, Secretary Hagel, the Department of Defense, made the decision to modernize the Defense Department's electronic health record through purchase of commercial software. A recent memo released by the Department of Defense makes no reference to the integrated electronic health records; and it seems more of the same go-it-alone, stovepipe approach that has been favored by the Pentagon in the past.

In addition to the Department of Defense's memo, it also made no mention of the congressionally mandated role of the Interagency Program Office set up to run the integrated electronic health records project and staffed by more than 300 personnel from both Departments.

Finally, by going the commercial route, I believe the Department of Defense has opened up its latest electronic health records scheme to protest and subsequent delays.

With all these issues I laid out, some still want to think that the Department of Defense should be free to do whatever it pleases.

Mr. Chairman, paper is a problem, and we cannot keep letting servicemembers leave the Department of Defense with paper records. Please know that this situation will be addressed further as we move through the process.

And we support the gentleman's amendment. I think it is timely. I think it is necessary.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CULBERSON).

The amendment was agreed to.

Mr. MORAN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. Mr. Chairman, I have an amendment at the desk that would strike section 413 of this bill.

First of all, I have great respect, even affection, for the chairman of the subcommittee and the ranking member, and their exemplary staff, Mr. Washington. But section 413 of this bill, Mr. Chairman, would prohibit funds to construct, renovate, or expand any facility in the U.S. for the purposes of housing Guantanamo detainees.

According to a recent GAO report, there are prisons in the U.S. that could hold the Guantanamo detainees as safely and securely as the security conditions at the Guantanamo facility. The Department of Defense and the Department of Justice both operate detention facilities comparable to Guantanamo Bay and currently hold convicted terrorists and other felons connected to terrorism.

The GAO report, however, noted that existing facilities would need to be slightly modified, and current inmates would need to be relocated perhaps. But this would prohibit that.

I can't imagine that there are Members of this Chamber that believe that indefinitely detaining individuals at Guantanamo Bay for the rest of their lives, without access to a fair trial, comports with American standards of justice.

Now, first of all, a few words about Gitmo itself. Eighty-six percent of the Guantanamo detainees were captured in exchange for a bounty. A majority of these young men never actually committed an act of violence against the United States or its allies. Five percent were perhaps members of al Qaeda. So let's assume that 5 percent were, because there seems to be some indication that they were; but 95 percent were not.

From a national security standpoint, Gitmo has been too easily used as a rallying cry and a recruitment tool for our enemies. For that reason, its continued existence really is a direct threat to our national security.

Language such as is in this bill has constrained the President's options for closing this detention facility. President Obama still retains the authority to significantly decrease the prison's population, though, should he choose to do so. He could waive the certification requirements if receiving countries take actions to substantially mitigate the risk that a detainee were to re-engage in terrorism. That would clear the release of at least 86 detainees, about half of the entire prison's population.

Since Guantanamo was opened, the statistics indicate that about 13 percent may have become recidivists. But

less than 5 percent of President Obama's transfers have.

Military strategy often dictates that by releasing lower-threat detainees, you mitigate the risk of radicalizing more. We released many foot soldiers in Afghanistan who are far worse than the Guantanamo detainees.

But what is most relevant to this bill's language is that 46 detainees have been designated for indefinite detention, either because they are too dangerous to release, or they can't be charged in a court due to evidentiary standards.

The President did establish a Periodic Review Board, but the panel has never been formed. Frankly, the President should do that.

But those detainees that cannot be transferred, I think, should be tried in courts here in the United States. The problem is, given the limitation that Congress has wrongly placed on such transfers, that can't be done today, notwithstanding the fact that our Federal courts have tried more than 1,000 terrorists.

The United States already holds 373 individuals convicted of terrorism in 98 facilities across the country. There are six Department of Defense facilities where Guantanamo detainees could be held in the United States that are currently at a combined 48 percent capacity. In other words, less than half the capacity is being used.

Believing that they will never leave Cuba, more than 100 are protesting their indefinite detention the only way that they can, with a hunger strike. Thirty-seven detainees are currently being tube-fed. It's a procedure that requires a lubricated plastic tube to be inserted down a detainee's nose and into their stomach while they're being restrained. They are then held in a chair for about 2 hours to force them to digest the liquid.

The fact is that the President can't do what he needs to do as long as section 413 remains in this bill, and that's why my amendment would remove this restriction.

I yield back the balance of my time.

□ 1700

Mr. VARGAS. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. VARGAS. Today, I rise in support of the efforts to address the increasing backlog of veterans disability claims in the FY 2014 Military Construction and Veterans Affairs appropriations bill. We must do everything in our power to ensure that the men and women who have served honorably in the armed services receive the full benefits they have earned protecting our Nation and our freedoms abroad. It is a shame that our veterans have to wait an average of 321 days to receive a

response from the Department of Veterans Affairs after filing a claim.

In my district, I have the privilege of representing the southern portion of San Diego County and all of Imperial County in California. San Diego is the home to the third-largest veteran resident population in the Nation. Current processing times have tripled in the area since 2009, with over 28,500 pending disability claims being processed and an average wait time of 334 days.

As we continue to wind down our operations in Iraq and Afghanistan, more and more men and women will be seeking the benefits they are owed. We must continue to find workable solutions for these heroes and their families. This bill presented today provides more than \$290 million to help the VA meet its goal of ending its disability claim backlog by 2015. In order to meet this deadline, funds will be provided for the digital scanning of health and benefit files and for the development of a paperless process claim system. Additionally, \$344 million will be appropriated to the Departments of Defense and Veterans Affairs to implement a single, integrated health record system used by both Departments. Both of these measures are needed to speed up the processing and to modernize our record-keeping system.

We must also hold the VA accountable for its results, and I am glad to see that the monthly reporting requirements on the process of the expedited claims initiative for veterans is included in this bill.

During the final throes of the Civil War, President Lincoln affirmed the government's obligation to care for those injured during the war and to provide for the families of those who perished on the battlefield. With the commitment "to care for him, who shall have borne the battle, and for his widow and his orphan," President Lincoln laid the foundation for our moral responsibility to our Nation's veterans. Let's continue to work in this tradition by reducing the backlog and the wait times of disability claims for the veterans and their families across our Nation.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 59, line 18, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The text of that portion of the bill is as follows:

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$116,411,000, of which \$6,000,000 shall remain available until September 30, 2015.

#### CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$342,130,000, of which \$322,130,000 shall remain available until September 30, 2018, and of which \$20,000,000 shall remain available until expended: *Provided further*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds made available under this heading for fiscal year 2014, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2014; and (2) by the awarding of a construction contract by September 30, 2015: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

#### CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$714,870,000, to remain available until September 30, 2018, along with unobligated balances of previous "Construction, Minor Projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in

such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE  
EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$82,650,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS  
CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$44,650,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS  
(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2014 for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2014, in this Act or any other Act, under the “Medical Services”, “Medical Support and Compliance”, and “Medical Facilities” accounts may be transferred among the accounts: *Provided*, That any transfers between the “Medical Services” and “Medical Support and Compliance” accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers between the “Medical Services” and “Medical Support and Compliance” accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the “Medical Facilities” account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for “Construc-

tion, Major Projects” and “Construction, Minor Projects”) shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the “Medical Services” account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2013.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from “Compensation and Pensions”.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2014, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans’ Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the “General Operating Expenses, Veterans Benefits Administration” and “Information Technology Systems” accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2014 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2014 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title for funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Of-

fice of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not exceed \$42,904,000 for the Office of Resolution Management and \$3,360,000 for the Office of Employment and Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the “General Administration” and “Information Technology Systems” accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than \$1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the “Construction, Major Projects” and “Construction, Minor Projects” accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in “Construction, Major Projects” and “Construction, Minor Projects”.

SEC. 214. Amounts made available under “Medical Services” are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to “Medical Services”, to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The



Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the Municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, Major Projects" and "Construction, Minor Projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical Services", "Medical Support and Compliance", "Medical Facilities", "General Operating Expenses, Veterans Benefits Administration", "General Administration", and "National Cemetery Administration" accounts for fiscal year 2014 may be transferred to or from the "Information Technology Systems" account: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2014, in this Act or any other Act, under the "Medical Facilities" account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: *Provided*, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2014 for "Medical Services", "Medical Support and Compliance", "Medical Facilities", "Construction, Minor Projects", and "Information Technology Systems", up to \$254,257,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122

Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for health care provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Of the amounts available in this title for "Medical Services", "Medical Support and Compliance", and "Medical Facilities", a minimum of \$15,000,000, shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 225. (a) Of the discretionary funds made available to the Department of Veterans Affairs for fiscal year 2014, the following amounts which became available on October 1, 2013, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical Services", \$1,400,000,000.

(2) "Department of Veterans Affairs, Medical Support and Compliance", \$100,000,000.

(3) "Department of Veterans Affairs, Medical Facilities", \$250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2015:

(1) "Department of Veterans Affairs, Medical Services", \$1,400,000,000.

(2) "Department of Veterans Affairs, Medical Support and Compliance", \$100,000,000.

(3) "Department of Veterans Affairs, Medical Facilities", \$250,000,000.

SEC. 226. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further*, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 227. The scope of work for a project included in "Construction, Major Projects"

may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 228. The Secretary of the Department of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$2,000,000.

SEC. 229. The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming request if at any point during fiscal year 2014, the funding allocated for a medical care initiative identified in the fiscal year 2014 expenditure plan is adjusted by more than \$25,000,000 from the allocation shown in the corresponding congressional budget justification. Such a reprogramming request may go forward only if the Committees on Appropriations of both Houses of Congress approve the request or if a period of 14 days has elapsed.

(INCLUDING RESCISSION OF FUNDS)

SEC. 230. Discretionary fiscal year 2014 appropriations in this title are hereby reduced by \$24,000,000: *Provided*, That the Secretary of Veterans Affairs shall allocate this reduction within the accounts to which the reduction is applied: *Provided further*, That \$156,000,000 are hereby rescinded from the fiscal year 2014 funds appropriated in title II of division E of Public Law 113-6 for "Department of Veterans Affairs, Medical Services", "Department of Veterans Affairs, Medical Support and Compliance", and "Department of Veterans Affairs, Medical Facilities": *Provided further*, That the Secretary shall allocate this rescission among the three accounts.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION  
SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$57,980,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR  
VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$35,272,000: *Provided*, That \$2,500,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-229.



DEPARTMENT OF DEFENSE—CIVIL  
CEMETERIAL EXPENSES, ARMY  
SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$1,000 for official reception and representation expenses, \$70,685,000. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

ARMED FORCES RETIREMENT HOME  
TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$67,400,000, of which \$1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

ADMINISTRATIVE PROVISION

SEC. 301. Funds appropriated in this Act under the heading "Department of Defense—Civil, Cemeterial Expenses, Army", may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

TITLE IV  
GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 403. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 404. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 405. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military

Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 407. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 408. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 409. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 410. None of the funds made available in this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries or successors.

SEC. 411. None of the funds made available in this Act may be used by an agency of the executive branch to exercise the power of eminent domain (to take the private property for public use) without the payment of just compensation.

SEC. 412. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 413. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

AMENDMENT OFFERED BY MR. MORAN

Mr. MORAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 413.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. Mr. Chairman, section 413 prohibits any funds, no matter how small they might be, to renovate or expand any facility in the U.S. for the purposes of housing Guantanamo detainees. The fact is that the Department of Defense does have six facilities where Guantanamo Bay detainees could be held in the United States. Those facilities are currently operating at only 48 percent capacity.

Mr. Chairman, if we were to look deeply into this issue of detention at Guantanamo Bay, we would conclude: number one, that this detention facility doesn't meet the standards of justice that our American jurisprudence system demands; number two, the vast majority of people at Guantanamo Bay should have been released. Even the Bush Administration recognized by their actions, that the vast majority of the 779 people that were put there should never have been detained, because they released most of them; number three, the best place for them to be detained and then tried is in the United States; and number four, the continuance of the Guantanamo Bay facility represents an immediate security threat to the United States because it is a rallying cry and a recruitment tool for our enemies.

Right now, there are more than a hundred detainees that are protesting what appears to be an indefinite detention the only way they can—through hunger strikes. Thirty-seven of them are being tube-fed through their noses into their stomach. They're held for about 2 hours to make sure that this liquid stuff is digested.

Guantanamo has become an immediate humanitarian crisis. It needs to be addressed urgently because the rest of the world can't understand why we don't do the right thing by those detainees who still are at Guantanamo Bay, whom we have cleared. In fact, the Bush administration cleared them for release because they had no evidence on them. President Obama has asked the Congress to lift restrictions on detainee transfers. He's asked DoD to identify a site in the United States for military commissions.

□ 1710

They will appoint a senior envoy charged with transferring detainees to third countries and he's got to lift the restriction on transfers to Yemen. He's going to staff the periodic review board for those that cannot be transferred. I think he should use the certification and waiver provisions in the National Defense Authorization Act to transfer detainees from Guantanamo beginning with the reported 86 detainees already cleared for transfer.

But he can't do what he needs to do for our national security as long as the language of section 413 is in this bill. That's why my amendment would remove this restriction. What we're doing does not comport with America's system of justice or with fairness. And as I say, I believe it's a direct threat to our national security.

So, Mr. Chairman, I would urge that we remove this language by voting for my amendment. We have Department of Defense facilities, they're being underused in the United States, and that's the way that we could clear up a situation that we never should have created in the first place.

At this point—well, can I reserve time in order to respond to Mr. CULBERSON?

The Acting CHAIR. The gentleman may not reserve time. Does the gentleman yield back?

Mr. MORAN. I suspected not. So at this point I will yield back the balance of my time, and I'm anxious to hear from the chairman of the subcommittee.

Mr. CULBERSON. Mr. Chairman, I rise in strong opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, this language is in the bill because it has strong, bipartisan support. The American people do not want these terrorists, these criminals, captured either on battlefields overseas or who have sworn to kill innocent American men, women and children housed in American prisons.

In the Second World War, Nazi soldiers—saboteurs—landed on Long Island and on the beaches of Florida carrying explosives with the intent of killing innocent Americans. Franklin Roosevelt, as President, when they were captured, they were held and tried in the military, and within 90 days they were executed. The prisoners at Guantanamo Bay, quite frankly, are being treated much more leniently than I think they should be, than most Americans think they should be.

Mr. Chairman, I rise in strenuous opposition to the gentleman's amendment. I'd like to, if I could, yield the remainder of my initial time in opposition to my good friend, the chairman of the Commerce, Justice, Science Subcommittee, the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. I rise in opposition to my good friend's—and we are good friends—amendment. Let me tell you why. One, at the outset, in the President's first term, an executive order declared the intention to close Guantanamo Bay and bring the detainees to the United States. That proposal was rejected by the Congress overwhelmingly on a bipartisan basis.

Similar language is carried in a Commerce, State, Justice bill on the subcommittee on which I serve. These provisions reflect a consensus of this and previous Congresses.

But let me tell you some of the real reasons why this is a bad and even, I would say, a dangerous amendment.

Several of these men who have been released from Guantanamo have gone back into the battlefield and have killed Americans. Secondly, Director Mueller, and I don't have the letter here, but I will give it to my friend, said this could have an impact on local jails, the locality of the jails. Do you remember the Blind Sheikh Rahman when Officer Pepe was stabbed in the eye with regard to an escape? To bring people like this into the United States could have an impact not only on the jail but also on the community.

To bring Khalid Sheikh Mohammed to the United States would cost roughly, if you recall, \$250 million a year. Moussaoui, who was tried in the gentleman's district in Alexandria, it literally upset Alexandria, and if you take the same timeframe that Moussaoui was tried in, Khalid Sheikh Mohammed's trial would go on for 4 years, would cost \$1 billion—\$250 million a year.

Do you remember when this idea first came out, Mayor Bloomberg said nothing, and CHUCK SCHUMER said nothing, and then all of a sudden everything broke loose and Mayor Bloomberg came out against it and Senator SCHUMER came out against it.

Lastly, the Bureau of Prisons, we had to give Holder the ability to reprogram money because they were going to furlough prison guards. They were going to furlough prison guards. So to bring people like this in to put this stress on the Bureau of Prisons would be absolutely crazy.

Let me just debunk another thing. For people who say, and I heard the President say it, that Guantanamo causes terrorism, Guantanamo Bay Prison was not there when 9/11 took place. The Blind Sheikh who was involved in trying to blow up the World Trade Center in 1993, there was no Guantanamo. It's a hoax to say that. What you say is not true. It's false. To say that Bin Laden and people like that, we're going to say, oh, well, the Congress and the administration they're going to close down Guantanamo, we're going to close down al Qaeda, we're going to close down all the terrorism, it just doesn't make any sense.

This is a bad amendment. The gentleman is a good friend, but it's a bad amendment, and it's a very dangerous amendment and it would cost a lot of money and, quite frankly, I think would endanger the locality.

If you vote for this amendment, you'd better be prepared. What locality wants to bring Khalid Sheikh Mohammed to their local neighborhood. What locality wants to bring Khalid Sheikh Mohammed to their county, to their State? I say none. I urge a "no" vote on the amendment.

Mr. CULBERSON. Mr. Chairman, I would just also say that bringing these terrorists in to the United States we would be giving them American constitutional rights, a very precious, very special privilege that is reserved for the people of the United States. These people should be tried in military court and treated as prisoners of war and the criminals and the cowards that they are. And I urge a "no" vote against the amendment.

I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. I stand today also concerned about the policy on Guantanamo Bay detention facility. And as I listened to my colleague and as I consider the speech from the President last week, it is very, very clear that there needs to be additional debate on this subject. Also I understand that the House Armed Services Committee will be holding discussions on this very important issue in the coming days as they begin marking up the National Defense Authorization Act.

And so I say to my colleagues that this issue deserves a more vigorous debate but that this is not the proper venue to hold that debate. As I stated in my opening remarks today, this bill was crafted and brought to the floor as a result of bipartisan work and compromise due to the committee's commitment to our servicemembers, their families and to all of our veterans.

This is a deeply, deeply controversial issue that I believe requires much more in-depth discussion than we can have here today. And I respectfully submit that this appropriations bill is not the appropriate venue for discussion and action on this very, very controversial policy. Today is not the time, and this bill, I submit, is not the place.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MORAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from Virginia will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 414. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 415. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 416. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 417. None of the funds made available in this Act may be used to wind down or otherwise alter the implementation of a program, project, or activity in anticipation of any change (including any elimination or reduction of funding) proposed in a budget request, until such proposed change is subsequently enacted in an appropriation Act.

#### SPENDING REDUCTION ACCOUNT

SEC. 418. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

#### AMENDMENT NO. 2 OFFERED BY MR. FARR

Mr. FARR. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement Veterans Health Administration directive 2011-004 regarding "Access to clinical programs for veterans participating in State-approved marijuana programs".

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

□ 1720

Mr. FARR. Thank you very much, Mr. Chairman. I have a very simple amendment. As most Members know, 19 States and the District of Columbia

have enacted laws that provide for the legal access to medical marijuana. Two of those States provide access to marijuana for more than medicinal purposes.

In checking out the rules within the VA on the matter of medical marijuana, it turns out that there is a policy in force, which is called Directive 2011-004, that specifically "prohibits VA providers from completing forms seeking recommendations or opinions regarding a veteran's participation in a State marijuana program."

My amendment denies the VA any funds to implement that prohibition, thus freeing up the VA doctors to assist VA patients in accessing medical marijuana outside of the VA system. All this amendment does is make it possible for the VA doctors to provide medical advice to the VA patients on the relative pros and cons of medical marijuana if they want to have that discussion. For those doctors who wish to offer recommendations to VA patients on accessing medical marijuana, they are no longer prohibited from doing so.

Essentially, the VA order is a censorship in those 19 States and the District of Columbia saying that doctors can't even have this discussion, yet the civilians going to a civilian doctor can have that discussion. So what we're doing is removing the ability for the VA to enforce that provision thinking that that's fair.

This is a very controversial, I know, issue of medical marijuana, but in those States that have made it the law of that State, then veterans ought to be treated equally with civilian patients in being able to have access to the total array of applicable medical devices, including the use of medical marijuana.

I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. Thank you very much, Mr. Chairman.

I appreciate my colleague, Mr. FARR, bringing this forward. I agree with what he said, except for one item. And that is that somehow medical marijuana is intensely controversial. What we're finding is that with the American public it's no longer really that controversial. As he said, 20 jurisdictions, 19 States and the District of Columbia, have approved medical marijuana to be available to their citizens. Over 1 million Americans are people who are legally entitled to have the qualities of medical marijuana.

It has long been recognized that it has therapeutic values. They use it to deal with chronic paralyzing pain, the nausea associated with chemotherapy, symptoms of multiple sclerosis. There are many applications that are going

to make a difference to our veterans dealing with traumatic brain injury or PTSD.

Now, it is ironic that when we are trying to have a veterans health system that deals with the total patient—and the committee just supported an amendment that I had earlier to help give them alternative therapies—that we would prohibit a VA doctor from even discussing a therapy that is perfectly legal in 20 jurisdictions.

What is the rationale here to prohibit the doctor from being able to have that conversation, forcing our veterans to go outside the system and incur additional costs? I think it is a misguided policy in the extreme.

We are in the process now where the majority of Americans think that marijuana should be legalized; and if you ask the question, "Should we respect the decisions of States?" that majority gets even bigger. Over 60 percent say the Federal Government ought not to interfere.

But here, the Veterans Administration is prohibited from giving candid advice to people in our system, people who could benefit, like the over 1 million legal medical marijuana patients. I think that's inappropriate. I think it's unfortunate. I think we should do everything we can to try and relieve the pain and suffering that our veterans are incurring; and if it means having a conversation with a VA doctor about something perfectly legal in their community, I think that's the least we could do.

I commend the gentleman for bringing the amendment forward, and I hope that the day will come when we provide this service to veterans who would like information about it.

Mr. Chairman, I yield back the balance of my time.

Mr. POLIS. Mr. Speaker, I rise in support of this important amendment.

As I'm sure my colleagues know, last November Coloradans voted overwhelmingly in favor of Amendment 64, which legalized the recreational use of marijuana in our State.

Marijuana policy is a public health issue, and should be regulated like one.

Americans across the country already know that the so-called 'War on Drugs' is a failed Federal policy that clogs our prisons, drains Federal resources and disproportionately penalizes African-American and Latinos.

But Amendment 64 represents even more than an acknowledgement of failure and a triumph of common sense.

For Colorado veterans who suffer from post traumatic stress disorder, Amendment 64 measure offers them something more: relief.

And for combat veterans who have tried everything the VA has thrown at them to fight their symptoms medical marijuana may be their only relief.

Colorado service men and women have fought valiantly for their country in every American military conflict.

It is not just Iraq and Afghanistan—from Korea to Vietnam to military engagements

around the globe, over 420,000 veterans live in Colorado today.

Our commitment to our veterans should not end once they are back on American soil, and in most cases, it does not.

But for a number of veterans—those who the system denies when they try to access one of the few treatments that actually works for them—we are not living up to our promise.

If we continue to prescribe powerful, addictive drugs with dangerous side effects—but prevent even preliminary medical research into the efficacy of medical marijuana—we are not living up to our promise.

Some estimate that nearly 20 percent of returning Iraq and Afghanistan war vets are suffering from PTSD.

If we continue to fail to provide relief to veterans suffering from this condition, we are not living up to our promise.

Eighteen States and the District of Columbia currently allow some form of marijuana use. A third of Americans live in one of these States, and more States are approving these common-sense measures every year.

But the Federal Government continues to stand in the way of progress. Is there any other situation where this would be acceptable? Where some of our bravest men and women could be denied effective care by their own government?

Our servicemen and women deserve better treatment from the country they defend.

I believe the Federal Government should get out of the business of telling states they can or cannot do something that States are perfectly capable of regulating themselves.

But that's a big step. At the very least, the government that sent our troops into harm's way should not turn around and stop them from accessing treatment that works for them—sometimes the only treatment that works for them.

How many more veterans have to suffer the emotional and physical scars of war before we listen to what they have to say?

I urge my colleagues to support this important amendment.

Mr. FARR. Madam Chair, on Memorial Day, we remembered the patriotic sacrifice of those that have lost their lives in service to our country and today, we renew our commitment to keep our promise to our nation's more than 2 million troops and reservists, their families, 22.2 million veterans, and 35.5 million family members of living veterans or survivors of deceased veterans.

This committee has a strong history of working in a bipartisan way to produce a bill that supports our active duty servicemembers, our veterans and their families, and this bill is no exception.

I commend the Chairman and Ranking Member for their hard work in ensuring that this bill is another significant step in fulfilling the promise our country made to leave no veteran behind.

For example, even though Congress has fully funded the VA budget request for additional staffing and technology, the disability claims backlog continues to grow.

While the VA has taken steps to rectify this deplorable backlog, we owe it to our veterans to exercise our Congressional oversight responsibilities to ensure that the VA actually fixes the backlog.

I am pleased the bill before us today includes language I requested, with some of my Northern CA colleagues, that would add additional oversight requirements for the Veterans Benefits Administration and require regular updates from the VA on the status of the backlog.

Through regular updates from the VA, we ensure accountability and end the backlog.

Additionally, I am pleased to see that this bill again recognizes the burial needs of our veterans in rural areas. The National Cemetery Administration has repeatedly stated that 10% of all veterans will not have access to a burial option in a national, state or tribal cemetery within 75 miles of their home.

While the VA strategy outlined in the FY13 budget request to extend burial services to some rural veterans is a good first step, it fails to address a long-term strategy. The FY13 bill and report instructed the VA to correct this oversight and the FY14 report language reaffirms the need for the VA to develop a long-term strategy to provide burial services for all our nation's veterans, including those who live in rural areas. Veterans in my congressional district do not have access to a VA burial option, so I look forward to the Secretary's report on the VA's long-term strategy to address their burial needs.

I would note that while this bill is \$1.4 billion above last year's enact level, it is also \$1.4 billion less than the President's request. While I am glad to see this bill has been protected from senseless cuts imposed by sequestration, I strongly believe this Congress needs to get back to the balanced approach we agreed to in the bipartisan Budget Control Act.

The Acting CHAIR. Is there further debate on the amendment?

Mr. FARR. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. KINGSTON

Mr. KINGSTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. \_\_\_\_\_. (a) None of the funds made available in this Act may be used to pay more than 75 percent of the salary of any senior Department of Veterans Affairs official during the period beginning on July 1, 2014, and ending on September 30, 2014, unless as of July 1, 2014, the percentage of disability compensation claims that are more than 125 days old is less than or equal to 40 percent.

(b) In this section, the term "senior Department of Veterans Affairs official" means the Secretary of Veterans Affairs, the Deputy Secretary of Veterans Affairs, and any Under Secretary or Assistant Secretary of Veterans Affairs.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Thank you, Mr. Chairman. This bill provides \$43.6 billion for medical treatment for the 6.5 million veterans today who use the VA.

It increases funding for processes, such as the electronic health record system and the disability claims process, the paperless environment, and yet that's what we did last year and the year before.

Nonetheless, today, as we sit here, the VA has 865,265 claims in their backlog; 66½ percent of these claims have been pending for more than 125 days. The current claim to be processed, the current amount of time is 292 days, and some offices report some claims that have been pending for 450 days.

This is not acceptable. But every year we provide more money for the VA to process claims, and every year the backlog gets more.

So what this amendment does is it takes a different approach. It takes an approach that's used in the private sector on a regular basis for compensation. It says to the senior members of the VA that if they don't have the claims backlog reduced by 40 percent by next July, the senior leadership will have a pay cut of 25 percent. Mr. Chairman, this follows their own goal. All it says is that if you don't make your own goal, there will be a 25 percent pay reduction for the senior management of the VA.

I think everyone in Congress has a VA office with problems in their own district. In Decatur, Georgia, a VA hospital that serves 86,000 patients in the State of Georgia has a backlog of over 4,000—or 4,000 patients have fallen through the cracks. Three deaths occurred over the past 2 years when the VA lost track of mental health patients and referred it to a contractor while not keeping a close eye on them while they were supposed to be monitored.

□ 1730

One may have committed suicide because he could not see a doctor and had an overdose of his treatment. There are other atrocities that have happened in that one VA clinic. Again, Mr. Chairman, this is not adequate. This is not acceptable. For our veterans, we need to treat them better.

I am a member of the Armed Services Committee and often say that the American soldier needs to have the best equipment and the best training that's out there because we want them to fight and win wars; but we also want them to come home and live normal lives, so we need to make sure that our treatment of the American military does not end in a theater of war but continues throughout the rest of their lives. As the claims or as the injuries that they incurred while rendering service to the Nation haunt them for the rest of their lives, we need to be there for them for their medical treatment.

This amendment sends a very strong signal to the VA that we are serious that this backlog will be cleaned up

and that, if not, there will be a price to pay.

With that, I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I rise in support of the gentleman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I believe Mr. KINGSTON has correctly identified the problem in the private sector. If you don't meet a performance goal, you're going to suffer a cut in pay. You can be discharged from your job. Mr. KINGSTON correctly points out that the VA set their own standard. They have set this goal of eliminating the backlog by the year 2015. Mr. KINGSTON's amendment simply says that, if they don't meet their own standard—their own yardstick, a measurement of success in reducing the backlog—that there will be a pay cut of 25 percent to the senior leadership that is responsible for setting this goal, that's responsible for leading the VA and executing this goal.

Congress is, frankly, tired of the delays, tired of the excuses, and we want our veterans to receive what they have earned. We want to be sure that they are given compensation for the injuries they suffered in the course of service to the United States of America, so I urge the adoption of Mr. KINGSTON's amendment.

I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. I could not agree more with the gentleman from Georgia that the claims backlog is absolutely unacceptable.

I think the chairman of the full Appropriations Committee, the ranking member of the full Appropriations Committee, the chairman of our subcommittee, and yours truly as the ranking member of the subcommittee have met with and have criticized and have done everything that we could possibly do to try to bring to the attention of the Veterans Administration and the Secretary of the need to have this backlog addressed, and I do think we address that in this bill; but I must rise in opposition to this amendment.

When I talk to veterans, the number one issue that they always have is the claims and claims backlog. The number one issue being worked on by my staff in southwest Georgia is VA claims and the claims backlog. I believe that what we have done in this bill will finally do something about the backlog.

Now let me just put a pin right there for a moment. The backlog, while inexcusable, does have some basis.

Just a couple of years ago, this Congress, in an effort to support our Vietnam era veterans, made it possible for the Agent Orange claims to be covered by the VA even though that had been

an ongoing issue for the two decades that I've been a Member of Congress. As a result of that, there was a great surge of VA claims by Vietnam veterans, which added to the backlog. Add to that the returning veterans from Iraq and now from Afghanistan, which has added even more to that backlog, resulting in the now almost 850,000 claims when, 2 years ago, before the Agent Orange claims, we had just about eliminated that backlog.

I think that, even though there is some justification, the backlog is inexcusable, but in this bill that we are debating right now, we've done something about the backlog:

First, the bill fully funds the general operating expenses by the VBA, which will support 20,851 claims processors, which is 94 more than in last year's bill, and all 94 of these new claims processors will work disability claims. The bill fully funds the Veterans Benefits Management System at \$155 million and the Veterans Claims Intake Program at \$136.4 million. These two efforts should speed up the VA's efforts to take old claims that are filed on paper and convert them into digital files that are easily searchable by the claims processors, thus speeding up the claims process;

Second, we include a monthly reporting requirement for the VA to provide Congress with several statistics, such as the average wait time at each regional office, the rating inventory that has been pending for 125 days, rating claims accuracy, and month-to-month updates of any changes in those statistics;

Third, we require a report on the VA's expedited claims initiative that was announced just a few weeks ago. This report should give the committee insight into whether or not the Secretary's new initiative is having a positive result.

I believe that we should let the measures in this bill take effect before we turn to these more drastic measures. I understand the frustration that the gentleman feels and that is felt by most of the Members of this Congress, and I understand the frustration that is felt by our veterans and even by the Secretary, who is quite frustrated. I am open to all reasonable methods to solve the problem, but I believe that we should avoid measures like this as it is unnecessarily punitive, and I believe that the measures that we have put forth in this bill will adequately get results, accountability, and ultimately meet our objective of eliminating the claims backlog by 2015.

With that, I yield back the balance of my time.

Mr. CULBERSON. I ask unanimous consent to strike the last word.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I yield to my good friend, the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman from Texas for the time.

To my friend from Georgia, who I know is just as fervent as we are in terms of cleaning up the backlog, I would say the only part with which we are in disagreement is this approach, again emphasizing that this committee has provided the adequate funding to reduce the backlog. We did it last year, and we did it the year before, and we did it the year before that.

What we are doing with this amendment is what the private sector does every single day—it bases compensation on performance. We are saying, if you don't perform to your own guidelines, there will be a compensation penalty for it.

Congress has reduced its expenses, depending on the committee, anywhere from 8 to 14 percent. We have not had a COLA in several years now. In fact, the only way the United States Senate passed a budget this year was because of an amendment that was offered, called "no budget, no pay," and the House passed a budget, too, under that threat. One way you do get people's attention is to say, You have got to perform in your job or there will be a salary cut. That's all we're doing.

For the men and women who put their lives on the line for our country that we could have this debate today and that we can go about our lives tomorrow and the next day and raise families in a free and independent country, we owe it to them. A backlog of 800,000 claims is not acceptable, and we are tired of talking about it. This amendment takes the final step. We are going to make a change. We are going to get that backlog cleaned up.

Mr. CULBERSON. Mr. Chairman, it's common sense that your performance should be tied to your pay, so I urge the adoption of the gentleman from Georgia's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. KINGSTON).

The amendment was agreed to.

□ 1740

AMENDMENT OFFERED BY MS. KUSTER

Ms. KUSTER. I have an amendment at the desk and offer that amendment at this time.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used for any conference (as described in the Office of Management and Budget memorandum M-12-12, "Promoting Efficient Spending to Support Agency Operations", dated May 11, 2012) for which the cost to the agency exceeds \$500,000.

The Acting CHAIR. The gentlewoman from New Hampshire is recognized for 5 minutes.

Ms. KUSTER. Mr. Chairman, my amendment is straightforward. It would prohibit the Federal Government from spending more than \$500,000 of the funds appropriated by this bill on any single conference. This amendment would simply enforce the Obama administration's May 11, 2012, Office of Management and Budget memorandum promoting efficient spending.

I understand the need for the VA and other agencies to invest in workforce development, and I recognize the role that conferences can play in improving services for our constituents. But from the GSA to the IRS, time and again we have seen Federal agencies misuse public funds at conferences and make expenditures of questionable value. In recent years, this problem has extended to the VA.

In 2011, the VA spent over \$6 million on just two conferences. This prompted an investigation by the Department's Inspector General, who documented numerous examples of excessive cost and unnecessary and unsupported expenditures, including over \$49,000 for a parody video, over \$97,000 for unnecessary promotional items, and over \$43,000 in awards paid to the staff managing these conferences.

We can all agree that the VA should focus its limited resources on its core mission: serving those brave men and women who have worn the uniform and served our country.

There are so many worthwhile uses for VA funding, from eliminating the egregious claims backlog, to improving support for survivors of military sexual trauma, to expanding access to health care services in rural communities such as in my district in the northern town of Colebrook, New Hampshire, on the Canadian border.

I commend my colleagues on both sides of the aisle for their support for America's veterans.

Out of respect for our constituents during these times of enhanced fiscal responsibility and in service to our veterans, I urge my colleagues to support this commonsense amendment.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Hampshire (Ms. KUSTER).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. ROTHFUS

Mr. ROTHFUS. I have an amendment at the desk printed as No. 3 in the CONGRESSIONAL RECORD.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Secretary of

Veterans Affairs to pay a performance award under section 5384 of title 5, United States Code.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. ROTHFUS. Mr. Chairman, I rise today to stand with our Nation's veterans and their families.

We owe our veterans a debt of gratitude that can never be repaid. As public servants, we have a solemn obligation to make sure that our veterans receive the respect, support, and care that they have earned and rightly expect.

That responsibility extends to employees and executives of the Department of Veterans Affairs. Unfortunately, the VA has failed veterans in western Pennsylvania and around the Nation.

This failure has resulted in the outrageous disability claims backlog and the unconscionable death of five veterans at the VA Pittsburgh Health Care System. In light of these unresolved problems, no one in the senior leadership of the VA should be paid a performance bonus.

Today, over 865,000 veterans around the Nation are waiting to receive disability benefits from the VA. Of those veterans, almost 576,000 are considered part of the VA backlog, meaning their claims have been pending for more than 125 days.

On average, our Nation's veterans must wait between 316 and 327 days for their first-time disability claims to be processed. Wait times in major population centers and in my district are often longer. For example, veterans must wait 642 days in New York, 619 days in Los Angeles, 542 days in Chicago, 517 days in Philadelphia, and 625 days in Pittsburgh.

The number of veterans who have been forced to wait more than a year to receive their benefits has grown by more than 2,000 percent over the last 4 years, despite significant increases in the VA's budget during the same time period.

In addition, a study conducted by the Pittsburgh Tribune-Review found that veterans who disagree with the VA's initial decision must wait even longer. That study found that it takes an average of 1,040 days for the agency to make decisions in appeals cases. That's almost 3 years.

In fact, some veterans wait so long that they die before their claims are processed. The Trib-Review study found almost 3,000 cases between 2009 and 2013 in which veterans or their surviving spouses died before getting decisions on their disputed claims.

Western Pennsylvania veterans have recently seen even more egregious failures of the VA firsthand in the death of five veterans due to an outbreak of Legionnaires' disease. The VA Inspector General found that the systemic failure

of the Pittsburgh VA to follow its own safety protocols and a breakdown in communication resulted in these unconscionable deaths.

Four days after the Inspector General's report was released, the regional director of the Pittsburgh VA was awarded an almost \$63,000 bonus and presented with the Presidential Distinguished Rank award.

In total, the VA gave its senior executives bonuses totaling \$2.8 million in 2011 and \$2.3 million in 2012. Paying bonuses to executives of an organization with this kind of abysmal performance record is ridiculous. In the private sector, this level of performance achievement is rewarded with a pink slip, not a bonus check.

Rather, this hard-earned taxpayer money should be properly directed towards fixing the problems at the VA and ensuring that our veterans receive the first-rate service and care they rightfully deserve. VA executives need to take responsibility, fix these problems, and do their jobs.

I urge my colleagues to stand with our veterans and their families and support the Rothfus-Roby-Tipton-Kelly-Huelskamp amendment.

Mrs. ROBY. Will the gentleman yield?

Mr. ROTHFUS. I yield to the gentlewoman from Alabama.

Mrs. ROBY. Mr. Chairman, I would like to rise in support of the gentleman's amendment and I just want to add—and you've heard the statistics—that the number of backlogged cases—each case represents a veteran who may have earned a benefit but is currently being denied because of bureaucratic delay.

In the last 4 years, the number of VA claims pending for longer than a year has grown by 2,000 percent.

An award of a bonus should be a special recognition of success and accomplishment, not a right or a routine payment.

Mr. Chairman, I don't consider a backlog of over 1.2 million cases to be cause for celebration or reward. I consider it a catastrophe that must be fixed. Restricting the ability to award bonuses until that backlog is cleared is a commonsense good-government policy. I'm pleased to support my colleague's amendment. It is a strong step in that direction.

Mr. ROTHFUS. Reclaiming my time, I urge my colleagues to stand with our veterans and their families by supporting this amendment and yield back the balance of my time.

Mr. SCHNEIDER. I move to strike the last word.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SCHNEIDER. Mr. Chairman, I rise to lend my support for the underlying bill we are debating today that addresses critical health care, housing,



education, and unemployment needs for our soldiers who are deploying and our veterans who are returning from the battlefield.

The Military Construction and Veterans Affairs, and Related Agencies Appropriations measure is one of the most important pieces of legislation Congress considers annually. It provides the necessary funding to house, train, and equip our brave men and women in uniform, support our military families, and maintain our military base infrastructure. Put simply, no one should stand ahead of our men and women in uniform or our Nation's veterans when it comes to making Federal funding decisions.

Critical to this discussion is the priority placed on investments in medical care for our Active Duty servicemembers and veterans.

I appreciate that the committee continues the precedence set in past years of providing advanced appropriations for the VA.

□ 1750

Allowing for advanced appropriations provides a platform for long-term planning and investment in critical programs that meet the emerging needs of our servicemembers and military families.

I want to personally thank the committee for providing these resources that will allow our VA hospitals, including those in my district, to prepare adequately for the number of veterans returning home from deployment. This approach will provide flexibility to capitalize on emerging technology and treatments that will ensure our warriors here at home are receiving the very best health care possible.

As well, I would like to thank the committee for its important work to ensure that we are maintaining investment in our military installations. I applaud the inclusion of \$35.8 million for the construction of housing units at Naval Station Great Lakes, located in my district. This funding will allow more servicemembers to receive the training they need, while not overburdening them with complicated, temporary housing conditions.

This forward-looking investment is one that illustrates how we can further utilize existing military infrastructure to achieve efficiencies in training and services. I want to again thank the committee for its work on this important bipartisan bill.

Mr. Chairman, I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chairman, we are all outraged in regards to the claims backlog and the incidences of poor quality health services and safety. The current claims backlog is,

as we have said over and over today, unacceptable. There is no question that the VA has failed to successfully deliver one of its key missions—to provide timely ratings of disability.

Given this failure, it is hard to imagine how VA leaders responsible for disability claims rating and the claims processing transformation could warrant high performance ratings and substantial bonuses. It is also clear that some VA health facilities have had serious issues that put the health, safety, and well-being of veterans at risk. This, too, is unacceptable. Where these failures have occurred, it is hard to imagine how the VA leaders of these facilities could have received high performance ratings and substantial bonuses.

However, this amendment will not provide any solution in the short term, and in the long term it may have adverse consequences and compound the very problem that it attempts to address.

Many VA workers are compassionate and hard workers. The previous amendment that was adopted, which was adopted by this body by voice vote, referenced models from the private sector by cutting pay, reducing the pay by 25 percent until the backlog is reduced. However, if you follow that same model from the private sector, bonuses are the converse of that so that when those backlogs are reduced, and if there is exceptional work that goes in to reducing that backlog by those responsible at the VA, then appropriate bonuses could be granted.

This amendment, I submit, would make the VA a less attractive option than other agencies when it comes to recruiting and retaining quality executive leaders, and it will not have the very talent it needs to solve the problems that it faces today, like the claims backlog and the health care deficiencies.

Furthermore, the SES pay and bonuses are governed by title 5 of the United States Code and administered by the Office of Personnel Management. Any change to title 5 to address VA would then also apply to all other Federal agencies. Attempting an across-the-board, one-size-fits-all fix will penalize those dedicated VA executives who are working hard, and well, to find solutions to the VA's problems.

So I urge our colleagues to vote "no" on this amendment, that's the Rothfus amendment, not because we don't have the challenges and the obligation to eliminate this backlog and to do it forthwith, but because I think we are going a little bit too far in attempting to create a disincentive for people, not solving this backlog.

I think that recruitment and retention of people in the VA, talented people, talented executives who can effectively solve the challenges that we face, like eliminating the backlog, will

be undermined if this amendment should become law.

With that, I yield back the balance of my time.

Mr. HUELSKAMP. I move to strike the last word, Mr. Chairman.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. HUELSKAMP. Mr. Chairman, I won't take quite that long, but I appreciate the opportunity to visit about this amendment. I have always thought bonuses and performance awards to employees should only be given out to those who go above and beyond the expectations laid out in their job description. An end-of-the-year bonus should never be an assumed addition to an employee's paycheck, but the Department of Veterans Affairs apparently takes a very different approach to performance awards for many of their employees, particularly top-level administrators and supervisors.

As a member of the VA Oversight and Investigations Subcommittee, we've held multiple hearings on the mismanagement and negligence of Federal employees at the VA. What's worse, many of these individuals have been rewarded for their behavior.

We're all aware of the situation at the VA Pittsburgh health care system and the outbreak of Legionnaires' disease, but how many of us know that the individual in charge received a bonus for the very year that we potentially had five deaths from that outbreak that could have been prevented?

At another hearing conducted by our Oversight Investigations Committee, I recently asked a VA bureaucrat who had missed deadlines and overspent on VA construction projects of over a billion dollars to explain why he deserved \$55,000 in bonuses. In our exchange, he had no idea—claimed to have no idea why he received this bonus; and, actually, neither did I, Mr. Chairman.

Earlier this afternoon, much more troubling, we had another VA Oversight hearing where it was revealed that potentially up to 20 million veterans' records have been hacked and perhaps accessed by foreign state actors, and the individual in charge of the security during these last 4 years when this apparently occurred has received over \$87,000 in bonuses. This has become a trend within the VA departments, and I believe taxpayer dollars would be better directed towards protecting the sensitive records of our veterans and their dependents and improving veterans' health care options.

I support this amendment. I am glad my colleague from Pennsylvania has offered it.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.



Mr. CULBERSON. Mr. Chairman, I want to express my support for this amendment. I share the gentleman's intense frustration with the VA for their failure to meet their own guidelines and their own deadlines for eliminating the backlog, and I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. ROTHFUS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:

(A) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(B) are presently indicated for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in subsection (A); or

(C) within a three-year period preceding this officer, has been notified of any delinquent Federal taxes in an amount that exceeds \$3,000 for which the liability remains unsatisfied.

Mr. GRAYSON (during the reading). Mr. Chair, I ask unanimous consent to waive the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAYSON. Mr. Chairman, this amendment strengthens existing provisions in the bill by preventing the award of contracts of money allocated under this bill to offerors or principals of offerors who, within the 3-year period preceding the offer, have been convicted or had a civil judgment rendered against them for such action as fraud, theft, bribery, making false statements, tax evasion, and so on.

□ 1800

It would be unconscionable, Mr. Chairman, if we allowed taxpayer money to be given to contractors who have been convicted of such things as

bribery; and, therefore, I offer this amendment to prevent that.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RUNYAN

Mr. RUNYAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. 419. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. RUNYAN. Mr. Chairman, my amendment states that none of the funds made available by this act may be used to propose, plan, or execute a new or an additional round of base realignment and closure, otherwise known as BRAC.

We all recognize the budget pressures we face. A round of BRAC closures now will entail a large up-front cost. We should direct these limited dollars to addressing the current mission and readiness needs supporting our warfighters.

For that reason, I urge my colleagues to support this amendment, which helps ensure these funds address current needs. I know that many Members of this Chamber want Congress to continue to have oversight of our base and force structure, and my amendment ensures that we do so.

I thank the chairman and members of the subcommittee for working with me on this important amendment.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I just want to express my support for the gentleman's amendment and urge its adoption by the House.

I yield back the balance of my time

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MURPHY OF FLORIDA

Mr. MURPHY of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to award any contract in an amount greater than \$1,000,000 for which the Department of Defense did not receive at least two offers.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MURPHY of Florida. Mr. Chairman, I rise today to offer an amendment to the Military Construction and Veterans Affairs appropriations bill that would boost competitive bidding across defense construction projects.

The Department of Defense manages hundreds of billions of dollars in contracts each year, 43 percent of which are noncompetitively awarded. The Government Accountability Office has reported that the Department of Defense does not keep accurate records of which contracts received multiple bids or why sole-sourced contracts are awarded. This is not good government.

Competition works because it drives down cost while giving consumers greater choice. It is the cornerstone of our free-market economy and needs to be integrated throughout the government.

I recently introduced the SAVE Act with my colleague, Representative DAVID JOYCE from Ohio, to root out wasteful and duplicative government spending. The bipartisan legislation would implement several commonsense solutions outlined by the GAO to reduce up to \$200 billion in spending over the next 10 years.

One of the 11 measures in my bill encourages the robust use of competitive bidding to reduce contract costs across all agencies.

Today's amendment is an extension of the SAVE Act. It would prevent the Department of Defense from spending the taxpayers' money on contracts over \$1 million that have not received at least two competitive bids.

With the national deficit currently at almost \$17 trillion, and the current deficit over \$600 billion annually, it is clear that we must rein in government spending, but we must do it in a strategic way, cutting programs that are wasteful, duplicative, or ineffective; and this amendment would do just that.

Mr. Chairman, I urge my colleagues on both sides of the aisle to support this commonsense and cost-saving amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MURPHY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TERRY

Mr. TERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. 419. None of the funds made available by this Act, including the funds made available for "Construction, Major Projects", may be used to increase the funding for any major medical facility project (as defined in subsection (a)(3)(A) of section 8104 of title 38, United States Code), which is under construction as of the date of the enactment of this Act, above the amount specified in the

prospectus described in subsection (b) of such section 8104 and the detailed estimate of cost described in paragraph (1) of such subsection.

Mr. TERRY (during the reading). Mr. Chairman, I ask unanimous consent to waive the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. Mr. Chairman, the Terry amendment requests that none of the funds made available by this act, including the funds made available for the Construction and Major Projects account, be used to increase funding for any major medical facility project that is under construction as of the date of enactment of this act.

A major medical facility project, as defined by section 8104 of Title 38 in the U.S. Code, is a project that involves a total expenditure of more than \$10 million. This includes the cost overruns of new VA hospitals.

Take the new VA Hospital in New Orleans that was originally supposed to cost \$625 million, but a new GAO report shows that the cost overruns at this particular facility is \$370 million, pushing that to a near-billion-dollar hospital.

The Navy Times recently reported about a GAO report that clearly illustrates this problem and should greatly disturb everyone. The Government Accountability Office found that the VA Hospital construction projects in Denver, Las Vegas, New Orleans, and Orlando are, on average, experiencing delays of 35 months and cost overruns of around \$366 million. This comes out to about, with the expected costs and the overruns, almost a billion dollars per hospital.

My amendment is designed to stop these cost overruns. In the Omaha metropolitan area, eastern Nebraska and western Iowa, there's about 112,000 underserved veterans in Omaha that are all too familiar with the cost overruns and delays associated with the building of VA hospitals.

We have an almost 70-year-old facility in Omaha that is in dire need of replacement. The infrastructure's decrepit; it's rusting away. The HVAC system is so poor that we can't use many of the rooms. And then on top of that, our seven operating rooms have been shut down recently.

Unfortunately, there's no telling when the VA is going to get to it. The veterans in Omaha are being told that there's no money left.

This isn't just Omaha; this is occurring in California, Texas, and all over the world. This is unfair to the seniors to have this level of cost overruns and mismanagement.

So that's the purpose and reason behind this amendment, to start making

them focus on the bidding process, do it right, and not simply just have a bid and then make all the additions and changes afterwards that drive up the costs. And so I urge support for this amendment.

I yield back the balance of my time. Mr. CULBERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I would rise in support of the gentleman's amendment. I share his concerns; and that's why, in section 227 of our bill, we included language that's very similar. And I look forward to supporting the gentleman's amendment and working with him in conference to make sure there's no duplication.

The committee is also concerned about increases in costs beyond that originally specified on the project, and that's why we included the section and why I welcome the gentleman's amendment and urge its adoption.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Nebraska (Mr. TERRY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

□ 1810

Mr. ENGEL. On May 24, 2011, President Obama issued a Memorandum on Federal Fleet Performance that requires all new light-duty vehicles in the Federal fleet to be alternate fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31, 2015. My amendment echoes the Presidential Memorandum by prohibiting funds in the Military Construction and Veterans Affairs, and Related Agencies Appropriations Act from being used to lease or purchase new light-duty vehicles, except in accord with the President's Memorandum.

Our transportation sector is by far the biggest reason we send \$600 billion per year to hostile nations to pay for oil at ever-increasing costs. But America does not need to be dependent on foreign sources of oil for transportation fuel. Alternative technologies exist today that, when implemented

broadly, will allow any alternative fuel to be used in America's automotive fleet. The Federal Government operates the largest fleet of light-duty vehicles in America. According to GSA, there are over 660,000 vehicles in the Federal fleet, with over 14,000 being used by the Department of Veterans Affairs.

By supporting a diverse array of vehicle technologies in our Federal fleet, we will encourage development of domestic energy resources, including biomass, natural gas, agricultural waste, hydrogen, renewable electricity, methanol, and ethanol. Expanding the role these energy sources play in our transportation economy will help break the leverage over Americans held by foreign government-controlled oil companies and will increase our Nation's domestic security and protect consumers from price spikes and shortages in the world oil markets.

Let me say that the gentlewoman from Florida, Congresswoman ROSLEHTINEN, and I have a bill that would mandate that by a certain date all vehicles made in America would be flex-fuel vehicles. It would cost \$100 or even less to make each vehicle flex-fuel. Other countries have it. America should not be behind other countries. We will be introducing this legislation shortly.

So I ask that my colleagues support the Engel amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TIPTON

Mr. TIPTON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The amounts otherwise provided by this Act are revised by reducing the amount made available for "Department of Veterans Affairs—Departmental Administration—General Administration", and increasing the amount made available for "Department of Veterans Affairs—Departmental Administration—Information Technology Systems", by \$10,000,000.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. TIPTON. Mr. Chairman, I rise today with an amendment to reduce wasteful spending by the Department of Veterans Affairs on conferences and use the money to be able to assist the VA backlog of processing disability claims for veterans. Two-thirds of all veterans who file disability claims with the VA must wait longer than 125 days to be able to receive their benefits. I have seen this firsthand from constituents in my district. People have contacted my office in sheer exasperation by the lack of response and

endless delays by the VA in processing their claims.

This isn't a statistic we're talking about. This is literally peoples' lives. Many of the veterans on the backlog are in desperate need of care, care that has been delayed by needless lag of bureaucratic backlogs in the Department of Veterans Affairs. This is deplorable, Mr. Chairman. The VA backlog has grown by over 2,000 percent over the last 4 years, despite an increase in the budget of more than the 20 percent. As of March 28 of this year, the VA reported that there are over 606,007 backlogged claims and 865,989 total claims. Nearly 900,000 veterans who have sacrificed for our country are not getting their benefits. They're not getting the care that they need. Our veterans deserve better.

Despite the inability of the VA to be able to process claims in a timely manner, the agency continues to waste money on unnecessary conferences. In September of 2012, the VA Office of the Inspector General released a report highlighting abuses by the VA at conferences. That report included numerous troubling findings. According to the report, the VA spent more than \$6.1 million on two human resource conferences in Orlando, and nearly \$100,000 on unnecessary promotional items like bags, pins, and water bottles. In addition to these, the report included information on many more instances of waste, fraud, and abuse at the VA.

Following the release of the OIG report, Congressman JEFF MILLER, chairman of the House Committee on Veterans' Affairs, stated "it can be reasonably concluded that 10 to 15 percent of VA's conference spending is wasteful, amounting to \$10 to \$15 million a year, at the least." I wholeheartedly agree with Chairman MILLER. That is why today I'm proposing this amendment to target \$10 million in wasteful spending on conferences from the Secretary's \$403 million budget and reprioritize these funds to be able to assist with addressing the VA backlog.

It's time that the VA focus their efforts on serving our veterans and processing their claims in a reasonable amount of time—not in 125 days or more. The VA must reduce the backlog, and it won't get it done by wasting time and taxpayer dollars at conferences. It's time that the benefits work for our veterans rather than our veterans having to be able to work for their benefits.

I urge my colleagues to be able to support this commonsense amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. TIPTON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MURPHY OF FLORIDA

Mr. MURPHY of Florida. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. 419. None of the funds made available by this Act may be used to maintain or improve Department of Defense real property with a zero percent utilization rate according to the Department's real property inventory database, except in the case of maintenance of an historic property as required by the National Historic Preservation Act (16 U.S.C. 470 et seq.) or maintenance to prevent a negative environmental impact as required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MURPHY of Florida. I rise today to offer an amendment to the Military Construction and Veterans Affairs appropriations bill that would eliminate wasteful spending on unused facilities, which could save tens of millions of dollars in fiscal year 2014 alone.

The Department of Defense has hundreds, possibly thousands of buildings and structures that it has rated at zero percent utilization. This is an incredible number of useless facilities the Department of Defense is paying to maintain. Federal agencies, as a whole, must do a better job at managing their facilities. Taxpayers cannot continue paying for unused and underused buildings while the Nation is at record debt levels. That is not good government and that is not smart spending.

That is why I joined with Representative DAVID JOYCE of Ohio to introduce the SAVE Act to root out the up to \$200 billion in wasteful and duplicative government spending over the next years. This amendment is an extension of one of the 11 commonsense solutions included in the bipartisan SAVE Act, preventing the Department of Defense from spending money on facilities that the Department itself has rated at zero percent utilization.

Mr. Chairman, we all agree that we must rein in government spending. The best place to start is by rooting out waste. My amendment is a commonsense solution to do just that, and I urge my colleagues on both sides of the aisle to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MURPHY).

The amendment was agreed to.

□ 1820

Mr. GARCIA. Mr. Chairman, I move to strike the last word and enter into a colloquy with the gentleman from Georgia, the ranking member of the committee.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. GARCIA. The President's budget request included \$3.6 million for the Special Operations Boat Docks in Key

West, Florida. These improvements will help ensure that the Special Forces Underwater Operations School, which trains more than 300 servicemembers and conducts support training for troops preparing for deployments, can continue to meet its critical role in our Nation's defense.

The Appropriations Committee recommended no funds for the project. As I understand it, the subcommittee made that recommendation with no prejudice against the boat dock project. Having determined that the Army had sufficient military construction funds available to complete the project without additional appropriations, the committee recommended no additional funds to undertake the project.

I yield to my friend from Georgia to ask if it is a fair characterization of the committee's recommendation.

Mr. BISHOP of Georgia. I would agree with the gentleman from Florida. The Army does have sufficient funds in bid savings and in unobligated balances from prior military construction appropriations to undertake a \$3.6 million project. I would be happy to work with the gentleman to see if the Army would use those existing funds on this project.

Mr. GARCIA. I thank the gentleman, and I look forward to working with him.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 419. None of the funds made available by this Act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

The Acting CHAIR. The gentleman from Iowa is recognized for 5 minutes.

Mr. KING of Iowa. Mr. Chairman, I appreciate being recognized. I bring this amendment to the floor out of a sense of fiscal responsibility and a sense of duty to the people that go out and work hard every day and return a value for every dollar, for every hour they invest, a value returned on production.

I have spent my life in the construction industry. We have paid Davis-Bacon wage scales, I believe, in each year that I have been in business, and we were a merit shop operation. So I have both sides of experience to this. I have worked underneath Davis-Bacon wage scales, and I have worked in competition with them.

Davis-Bacon is rooted back in the early 1930s. There was a decision made by a couple of people from New York,

both Republicans I might add. They let me down then before I was born. They wanted to provide protectionism for their people in New York and lock out minorities that would be coming from the South to build Federal buildings during that era of the Great Depression in New York. It remains the last vestige of Jim Crow laws that's designed to protect and lock out minorities from the construction industry as far as labor is concerned.

My records on this is it costs a lot of money to have Davis-Bacon wage scales imposed. And our King Construction records show over the years that there is somewhere between 8 and 38 percent increase in the costs that we have to bid a project when we make the adjustment for Davis-Bacon. According to Beacon Hill, there's a 9 to 37 percent increase. I just simply use a 20 percent increase as a rule of thumb to discuss the amount of cost that is extra.

So it's this: if we're going to have federally mandated union scale that turns out to be the increase in price for every Federal construction project that has \$2,000 or more in it, the result of that is then that if we're going to build only 4 miles of road instead of 5; only four bridges instead of five; only four military facilities instead of five; only four sets of barracks instead of five; only four training facilities instead of five, we can get 20 percent more production out of the dollars that we have and maintain the quality and maintain that sense of responsibility and have a trained workforce, and we can bring more trainees into the process and we'll employ, according to the study I have in front of me here, an average of about 25,000 more minorities each year within the construction business that's there.

What we have instead is we have some people that are in the industry that sit down once a year and they take a look at the records and they decide, well, let's see, let's pay a little bit more to the people here in labor because we don't want to compete outside of our particular industry. We'll raise these wages and we'll transfer that to the taxpayers. It is not a prevailing wage; it is a mandated union scale. That is the effect of it, Mr. Chairman.

I have lived under this for at least 28 years that I operated King Construction. We're now in about our 38th or 39th year of business. We have deep experience with it; and the quality of the work does not suffer, neither does the finishing, neither does the completion, neither does the bonding. All of this construction industry works better when you have real competition instead of some kind of mandated wage scale. Plus, eliminating the enforcement of Davis-Bacon wage scale brings efficiency in and it brings competition in. It's an impossible and onerous Federal regulation to seek to try to regu-

late. No one can sit in government and determine what a prevailing wage is.

It upsets the relationship between management and workers. And I've been on both sides of that, on all four sides of it, as a matter of fact. It reduces the efficiency of the crews that are there because it reduces your ability to be flexible with the assignment of workforce and their flexibility to self-assign.

For every possible financial reason, you cannot be fiscally responsible or a fiscal conservative and oppose this amendment, Mr. Chairman. It must be supported by a country that's going deeply in debt. We're borrowing over 40 cents out of every dollar that we spend. Meanwhile, we can save 20 cents out of every dollar in this MilCon appropriation bill simply by eliminating the enforcement of the Davis-Bacon wage scale on it.

So I urge in the strongest terms possible the adoption of this amendment which would eliminate the effect of the last vestige of Jim Crow law with regard to where military construction is concerned, save 20 percent, someplace between 9 and 37 according to Beacon Hill. And we can build five facilities instead of four. This is the right way to go to support my amendment.

I urge its adoption, and I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BISHOP of Georgia. I rise in opposition to the amendment.

I respect my good friend, but I am totally baffled by the comparison of Davis-Bacon to Jim Crow laws. I think it's totally inapplicable. Davis-Bacon is a pretty simple concept, and it's a fair one. What the Davis-Bacon Act does is protect the government as well as the workers in carrying out the policy of paying decent wages on government contracts.

The act requires that workers on federally funded construction projects be paid no less than the wages paid in the community for some of the work. It requires that every contract for construction to which the Federal Government is a party in excess of \$2,000 contain a provision defining the minimum wages paid to various classes of laborers and mechanics.

Mr. Chairman, the House has taken numerous votes on this issue, and on every vote this body has voted to maintain Davis-Bacon requirements. Last year, we avoided including divisive language like this, and it's my hope that we stop attacking the working class and defeat the amendment before us today and move on to more important matters.

Davis-Bacon wages actually save construction costs. A study of more than 4,000 new schools, some built with pre-

vailing wage and others not, found that there were no significant differences in construction costs associated with prevailing wage requirements. A repeal in Davis-Bacon wages has consistently been shown to increase costs because of the poor construction resulting in repairs, revisions, and project delays and consequently substantial cost overruns all as a result of the increase in employing unskilled, unqualified workers on projects.

For example, when President Bush suspended Davis-Bacon wages during the Hurricane Katrina building efforts, construction costs went up due to the dramatic increase in the employment of unqualified workers.

Opponents of the prevailing wage claim that the government can save billions by eliminating them. But they ignore how the Davis-Bacon Act has proven to increase workforce productivity and result in cost-effective projects. For example, a study of 10 States when nearly half of all highway and bridgework in America is done showed that when high-wage workers were paid double the wage of low-wage workers, they built 74.4 more miles of roadbed and 32.8 more miles of bridges for \$557 million less.

Repealing Davis-Bacon wages dramatically decreases the economic benefits to the local community. For example, studies have shown that Davis-Bacon wages generate more than two times the amount spent on the construction project itself in the local community since the workers spend part of their income in local businesses and pay local taxes, all of which recirculates throughout the economy.

Driving wages down will not help to balance the Federal budget. A Florida analysis such as the Bluegrass Institute study fails to take into account the spin-off economic benefits of maintaining prevailing wages. Davis-Bacon improves the skill level and the training of all of the workers. Opponents of prevailing wage regulations assume that repealing the law and lowering wages will not erode training nor lead to an exodus of skilled workers.

□ 1830

They are wrong, because it has that exact effect. Davis-Bacon increases training opportunities for all workers, both union and nonunion.

Finally, a Davis-Bacon wage is usually not a union wage. The Davis-Bacon prevailing wage is based on surveys of wages and benefits paid to various job classifications of construction workers in the community without regard to union membership. According to the Department of Labor, a whopping 72 percent of the prevailing wage rates issued in 2000 were based upon nonunion wage rates. A union wage prevails only if the Department of Labor survey determines that the local union wage is paid to more than 50 percent of the workers in the job classifications.

Let me just say that we have in the past avoided including divisive language in our bill, and it is my hope that we can stop attacking the working class and we can defeat this amendment.

I urge all of the Members in this House to vote “no.” Davis-Bacon is good law, it produces good results, and it is cost effective for the taxpayers of the United States.

I yield back the balance of my time.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Mrs. LOWEY. Mr. Chairman, the MilCon-VA bill should be one of the least controversial measures this committee considers. I am deeply disappointed that instead of seeking to pass the most bipartisan bill possible, some would prefer to weigh down the bill that funds veterans and military construction with divisive riders.

Not only is this procedurally problematic, but it's completely wrong on substance. Repealing Davis-Bacon has consistently, as my colleague has shown, been shown to increase costs. Poor construction results in repairs, revisions, project delays, and cost overruns. Let's not add an unnecessary policy rider that will not be included in the final version.

Again, this is probably one of the most bipartisan bills that we have considered. I have applauded the chair and the ranking member for working so closely together to produce a really important bill that helps our veterans. Why weigh this down with this divisive rider? Let's vote against this amendment.

I yield back the balance of my time.

Mr. FRANKS of Arizona. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. FRANKS of Arizona. Thank you, Mr. Chairman. I rise in support of my colleague, Mr. KING's amendment, to H.R. 2216, the Military Construction and Veterans Affairs Appropriations Act. This amendment would ensure that no funds made available by H.R. 2216 could be used to implement, administer, or enforce the Davis-Bacon Act requirements for government contracts.

Mr. Chairman, the Davis-Bacon Act is an anachronistic law that was enacted during the Great Depression to prevent wayfaring contractors from lowballing local construction bids. In defense of my colleague, Mr. KING's characterization, the sponsors of the Davis-Bacon Act originally intended for it to actually discriminate against nonunionized Black workers in favor of White workers belonging to White-only unions. Mr. KING is correct—and that's in all deference to everyone in this debate—but this is indeed a vestigial

remnant of the Jim Crow era and has no place in our military construction contracts and should be abandoned.

Furthermore, the Davis-Bacon Act results in billions of wasted taxpayer dollars every year. This act requires Federal construction contractors to pay their workers “prevailing wages,” which could be as much as 1½ times greater than their basic pay rate. This results in artificially high costs of construction, which are ultimately shouldered by American taxpayers.

Contractors wishing to offer a lower bid would still be required by law to pay their employees the prevailing wage and file a weekly report of the wages paid to each worker. This has a particularly negative effect on small businesses, as they are often unable to compete due to Davis-Bacon wage and benefit requirements, which reduces competition and further inflates contract rates.

Moreover, Mr. Chairman, Davis-Bacon was enacted before the Fair Labor Standards Act and the National Labor Relations Act. According to the GAO, these acts have rendered Davis-Bacon obsolete and unnecessary. There are a number of laws passed by this body that protect construction workers without the discriminatory intent and effect of Davis-Bacon.

During this time of fiscal austerity and responsibility, Congress must do all it can to lower Federal contract costs and decrease the burden on American taxpayers. This amendment is intended to stop the hemorrhage of wasteful spending and rein in our debt.

I would urge my colleagues to support this amendment by Mr. KING that would, again, ensure no funds made available by H.R. 2216 could be used to implement, administer, or enforce the wasteful Davis-Bacon Act, and I yield back the balance of my time.

Mr. LYNCH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. LYNCH. Thank you, Mr. Chairman.

First of all, I would like to associate myself with the remarks of the gentleman from Georgia and the gentlelady from New York who spoke previously on this, and I rise in strong opposition to the gentleman from Iowa's amendment that would prevent Davis-Bacon from being enforced on projects under this act.

It is a shame, I believe, that this funding bill—which provides needed facilities for our servicemembers and benefits to our veterans—is being exploited to undermine hardworking Americans, but here we have it.

Ironically, however, in contravention with some of the things that have been said here on the floor under this amendment, Davis-Bacon requires that workers of every color and every gen-

der be paid based on their work, not on the color of their skin, not on their gender. That flies in the face of some of the accusations that have been put out for the original purpose of this.

I do agree with the gentleman from Iowa that there were two Republicans who did originally sponsor this back in 1931, but I disagree that the danger, that the evil that it was trying to fight against back then, has gone away. As a matter of fact, it is just a race to the bottom that would ensue if we got rid of Davis-Bacon.

Like the gentleman from Iowa, I have worked on Davis-Bacon jobs. I was an ironworker for 18 years—very proud to work with the men and women of the building trades—and I've worked on jobs where some of the workers were union and some of the workers were nonunion; but the important thing was that we were not exploited by trying to pit us against each other in a race to the bottom based on the wages that we earned.

Since 1931, the Davis-Bacon Act has required Federal contractors to provide workers the local “prevailing local wage.” What happens is that's not the union wage, and in many cases, as the gentleman from Georgia has pointed out, it's the nonunion wage, but it is determined by a survey of the Department of Labor of the wages in that area.

The danger that it's meant to deal with is that, in some areas of the country where there's no work and folks are dealing with the recession or depression-like conditions in the construction industry, unscrupulous contractors can go down there where workers don't have any shot of going to work and they can take them at very low wages and transport them to another area of the country that has work and then depress the wage base in that area. That's what Davis-Bacon is meant to deal with, and that's still the situation that we have today and the danger that we guard against.

On these federally funded construction projects, Davis-Bacon protects these workers by preventing wage exploitation while still ensuring that the value for the taxpayer dollar and work quality are not compromised. This amount would bar funding to administer these wage requirements. Without Davis-Bacon protection, unscrupulous contractors will be free to exploit those tradesmen and -women who, despite a slight recovery in their jobs numbers, still today face high levels of unemployment.

□ 1840

Mr. Chairman, I want to speak for a moment about my time as an ironworker and about my involvement with the men and women of the building trades. These people are incredibly hardworking, they are immensely skilled, and they work in a dangerous

industry. They truly care about the craftsmanship, and they are dedicated to getting the job done and doing it right, and working side by side with them was a true honor for me.

Generations of trades workers, by the sweat of their brows and the toil of their hands, built our great Nation. They deserve our respect, as does the work that they do. Protecting Davis-Bacon does just that.

The amendment offered by the gentleman from Iowa will not create jobs, it will not house our military, and it certainly will not result in better care and services for our veterans. All it will do is take away critical wage protections and open our workers to exploitation in a race to the bottom.

I urge my colleagues to stand behind our American workers and to stand behind our veterans and oppose this amendment. I yield back the balance of my time.

Mr. CULBERSON. I move to strike the last word.

The Acting CHAIR (Ms. Foxx). The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Madam Chairman, I rise in strong support of the gentleman's amendment.

It is just common sense that the free market and competitive open bidding process is going to result in a savings to taxpayers. Davis-Bacon artificially drives up the cost to taxpayers at a time when we simply cannot afford it. With record debt, record deficit and at a time when all of us as stewards of the Treasury need to do everything we can to protect our constituents' hard-earned tax dollars, I strongly support the gentleman from Iowa's amendment, which is to make sure that we have a competitive bidding process in which the lowest price and, obviously, free market wages in this environment in the 21st century are going to be fair wages with good compensation and good benefits. We truly don't need to pay higher wages in an era of record debt and deficit.

I would, Madam Chairman, like to yield to the gentleman from Iowa.

Mr. KING of Iowa. I appreciate the gentleman from Texas for yielding.

First, in response to some of the remarks that were made that Davis-Bacon wages are based on surveys, well, technically they are based on surveys, but merit shop employers often do not answer those surveys because union organizers show up to organize their employees very shortly after that. It's not always a wise decision to turn your wage records in to the Department of Labor, because in many environments that just about guarantees union organizers coming in to try to drive the wages up more.

The statement about the cost of Davis-Bacon wages actually saving money in Katrina reconstruction, that's a new one for me. My recollec-

tion is that George Bush initially after Katrina suspended Davis-Bacon wages so that the money could be best applied to get the cleanup and then the reconstruction done down in New Orleans, in that area, under Katrina. He shortly thereafter lifted that order, so I don't know how a study could show how much money was actually saved. If my memory is correct, it never really was implemented for any length of time that would be appreciable. I don't know of a study that shows that imposed union scale Davis-Bacon wages actually saves the taxpayers money unless that study might be funded by the unions themselves.

There is no argument that this is the last remaining Jim Crow law, the law that was designed to lock Black Americans out of the union trades in New York, particularly in New York City. The vestiges of that remain today, and I think it's worthy to go back and look at a study and see what representation of the ethnic population is represented within these construction trades in places like New York City. It would be very constructive, I think, to look at that.

Also, labor is a commodity. The value of it needs to be determined by supply and demand in the marketplace, Madam Chair. And just like gold or oil or corn or beans, where I come from, you're not going to get the real wages out of that unless you let competition determine that.

And I, as an employer for all of these years, want to pay the best wages I can, I want to provide the best benefits that I can, I want to hire the best people that I can, and in doing so, your people are your company, and when you hire good people and you pay them a good wage, you get to keep them. What I set up a business model on was hiring people in a seasonal business to work 12 months out of the year, not seasonally, not going into the union hall and pulling somebody out and putting him to work for a few days and putting him back again, but saying to him, You can have a career here, and I'll give you 12-months' work for 12-months' pay, and I'll give you a benefits package.

I want to compete with that, but when the Federal Government comes in and tells you that somebody on a shovel has to be paid this and that somebody on a backhoe has to be paid this and that somebody on a motor grader has to be paid this, you will see them machine hopping during the day because they'll always be maneuvering to get on the machine that pays the highest wages, not the one that does the best for efficiency to get the job done.

I've had to go in and police that, and I've had to go in and build a spreadsheet that calculates the movement of everybody on our jobs going on in order to determine that I can comply with the Federal Government's requirement

that I pay the wages that they demand and insist, instead of the simplicity of saying, Here is what I'll offer you for pay and benefits.

They've sometimes come to me and have said, What's my job?

I'll define your job for you. Help me make money, and I'll pay you for that, and I want to reward you by trying to give you enough money in benefits to keep you.

That's how free markets work. We cannot be out here setting up a union scale imposed by some people who are sitting in a backroom, which is what happens, by the way. We can't be supporting the last vestige of Jim Crow laws. We can't be letting the Federal Government decide what job categories are going to be paid what wages when we just want to put people to work and let them develop a skill and develop their trades.

So the machine hopping is something that gives me a lot of heartburn. Even if we have an actual representation of prevailing wage, it's still not representative of supply and demand because many States have passed their many Davis-Bacon laws, and the market has been so distorted that we don't today have a concept of what that cost is, Madam Chair. So I urge the adoption of my amendment.

Mr. CULBERSON. I yield back the balance of my time.

Mr. KILDEE. I move to strike the last word.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. KILDEE. I come from Flint, Michigan, a working class community. I represent Flint-Saginaw-Bay City, and it's a community that's proud of the fact that in this area—and it's true across the country—the notion has been that, if you work hard, if you train yourself, if you focus on a trade or go to school, you'll be paid a wage or a salary commensurate with the contribution that you make to the work that you're doing.

We live in a time when we're seeing decreasing compensation for the value that the worker brings to the working place. Between 1945 and 1975, we saw worker productivity rise in this country by 97 percent, and we saw household income rise in that same 30-year period by 95 percent. There was some parity in the contribution that workers made and the compensation that they received. You fast-forward to the last 30-year period, and we've seen a period of economic growth and expansion, increased productivity—80 percent over the last 30 years—but in real wages, a 10 percent increase in productivity.

One of the reasons that we've seen such a drop is that we are not compensating the average workers for the quality and the work that they do and that they contribute to the highly productive society that we live in. This is

yet another attempt to continue the race to the bottom, where we continue to see real wages go down and productivity continue to rise.

I have done a tremendous amount of work in local development. As a public and private citizen, I have been involved in lots and lots of construction projects involving hundreds of millions of dollars, and I will tell you one thing: there is absolutely nothing sacrificed by making sure that the people who do this important work are paid wages that are fair and that fit the marketplace. It is not only good for those families that benefit from a decent and fair wage, but it supports those local employers and those small businesses that we all talk about every day that we're trying to support.

Where does the money come from into communities that support those folks?

It comes from the fact that the workers have a decent living wage that allows them to pay their bills, set a little money aside for their families and contribute to a local economy. Davis-Bacon wages contribute to the ability for workers to be trained as well.

This is the wrong direction for this country. This is certainly the wrong direction in this particular budget connected to the work that our Nation does when what we fought for in this country was a society that rewards people for the quality and the quantity of their hard work and their training that they put to work in doing these tough construction jobs particularly. When we're already seeing private sector wages go down, we ought not as a Nation participate in this race to the bottom.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. BISHOP of Georgia. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

□ 1850

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. BROWN of Georgia.

An amendment by Mr. AMODEI of Nevada.

An amendment by Mr. MORAN of Virginia.

An amendment by Mr. KING of Iowa.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in the series.

#### AMENDMENT OFFERED BY MR. BROWN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROWN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 151, noes 269, not voting 13, as follows:

[Roll No. 188]

#### AYES—151

Amash  
Bachmann  
Bachus  
Barr  
Barrow (GA)  
Barton  
Benishek  
Bentivolio  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Brady (TX)  
Brooks (AL)  
Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Camp  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman  
Collins (GA)  
Collins (NY)  
Cotton  
Daines  
Davis, Rodney  
DeSantis  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fleischmann  
Fleming  
Flores  
Franks (AZ)  
Gardner  
Garrett  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gowdy  
Graves (GA)

Graves (MO)  
Green, Gene  
Griffith (VA)  
Guthrie  
Hall  
Harris  
Hensarling  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kilmer  
King (IA)  
Kingston  
LaMalfa  
Lance  
Latta  
LoBiondo  
Long  
Luetkemeyer  
Lummis  
Maffei  
Marchant  
Massie  
Matheson  
McCaul  
McClintock  
Meehan  
Messer  
Mica  
Michaud  
Miller (MI)  
Miller, George  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Nolan  
Olson  
Paulsen  
Pearce  
Perry  
Peters (CA)

Peters (MI)  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Polis  
Pompeo  
Posey  
Price (GA)  
Radel  
Renacci  
Ribble  
Rice (SC)  
Roe (TN)  
Rogers (AL)  
Rogers (MI)  
Rohrabacher  
Rokita  
Ross  
Royce  
Ruiz  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Shuster  
Smith (NE)  
Smith (TX)  
Southernland  
Stockman  
Stutzman  
Tiberi  
Tipton  
Upton  
Wagner  
Walberg  
Walden  
Weber (TX)  
Webster (FL)  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Woodall  
Yoder  
Yoho

#### NOES—269

Aderholt  
Alexander  
Amodei  
Andrews  
Barber  
Barletta  
Bass  
Beatty  
Bera (CA)  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Blumenauer

Bonamici  
Boustany  
Brady (PA)  
Braley (IA)  
Bridenstine  
Brooks (IN)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Calvert  
Cantor  
Capito

Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Carter  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clarke  
Clay

Cleaver  
Clyburn  
Cohen  
Cole  
Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Costa  
Courtney  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Denham  
Dent  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Fattah  
Fitzpatrick  
Forbes  
Fortenberry  
Foster  
Foxy  
Frankel (FL)  
Frelinghuysen  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Gerlach  
Gosar  
Grayson  
Green, Al  
Griffin (AR)  
Grijalva  
Grimm  
Gutierrez  
Hahn  
Hanabusa  
Hanna  
Harper  
Hartzler  
Hastings (WA)  
Heck (NV)  
Heck (WA)  
Herrera Beutler  
Higgins  
Himes  
Hinojosa  
Holt  
Honda  
Horsford  
Hoyer  
Huffman  
Israel  
Issa  
Johnson, E. B.

Joyce  
Kaptur  
Kelly (IL)  
Kelly (PA)  
Kennedy  
Kildee  
Kind  
King (NY)  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Kuster  
Labrador  
Lamborn  
Langevin  
Lankford  
Larsen (WA)  
Larson (CT)  
Latham  
Lee (CA)  
Levin  
Lewis  
Lipinski  
Loebach  
Lofgren  
Lowenthal  
Lowey  
Lucas  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Lynch  
Maloney, Carolyn  
Maloney, Sean  
Marino  
Matsui  
McCarthy (CA)  
McCollum  
McDermott  
McGovern  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meeks  
Meng  
Miller (FL)  
Miller, Gary  
Moore  
Moran  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
Noem  
Nugent  
Nunes  
Nunnelee  
O'Rourke  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peterson  
Pingree (ME)  
Pocan  
Price (NC)  
Quigley  
Rahall

Rangel  
Reed  
Reichert  
Richmond  
Rigell  
Roby  
Rogers (KY)  
Rooney  
Ros-Lehtinen  
Roskam  
Rothfus  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schock  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (NJ)  
Smith (WA)  
Speier  
Stewart  
Stivers  
Swalwell (CA)  
Takano  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tierney  
Titus  
Tonko  
Tsongas  
Turner  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walorski  
Walz  
Wasserman  
Schultz  
Waters  
Waxman  
Welch  
Wenstrup  
Wilson (FL)  
Wittman  
Wolf  
Womack  
Yarmuth  
Young (AK)  
Young (FL)  
Young (IN)

#### NOT VOTING—13

Becerra  
Campbell  
Cramer  
Granger  
Hastings (FL)

Jackson Lee  
Jeffries  
Johnson (GA)  
Keating  
Markey

□ 1917

Messrs. RIGELL, KELLY of Pennsylvania, ALEXANDER, GOSAR, GARY G. MILLER of California, BOUSTANY, HINOJOSA, RUSH and Ms. GABBARD changed their vote from "aye" to "no."



Messrs. POE of Texas, GUTHRIE, JOHNSON of Ohio, HUNTER, McCAUL, OLSON and MEEHAN changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. AMODEI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Nevada (Mr. AMODEI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 248, noes 172, not voting 13, as follows:

[Roll No. 189]

AYES—248

Aderholt	Doggett	Joyce
Alexander	Doyle	Keating
Amodei	Duckworth	Kelly (PA)
Bachus	Duffy	Kennedy
Barber	Duncan (SC)	King (IA)
Barletta	Duncan (TN)	King (NY)
Barr	Engel	Kingston
Barton	Enyart	Kinzinger (IL)
Bass	Farr	Kirkpatrick
Bera (CA)	Fincher	Kline
Bishop (NY)	Fleischmann	Labrador
Bishop (UT)	Fleming	LaMalfa
Black	Forbes	Latham
Blackburn	Foster	Latta
Bonner	Fox	Lee (CA)
Boustany	Franks (AZ)	Lipinski
Brady (TX)	Frelinghuysen	LoBiondo
Bridenstine	Galleo	Lofgren
Brooks (AL)	Garamendi	Long
Brooks (IN)	Gardner	Lowenthal
Brownley (CA)	Garrett	Lucas
Buchanan	Gerlach	Luetkemeyer
Bucshon	Gibbs	Lummis
Burgess	Gibson	Lynch
Bustos	Gingrey (GA)	Maloney, Sean
Calvert	Gohmert	Marchant
Cantor	Goodlatte	Marino
Capito	Gosar	Matheson
Capps	Gowdy	McCarthy (CA)
Capuano	Graves (GA)	McCauley
Castor (FL)	Graves (MO)	McClintock
Castro (TX)	Green, Gene	McGovern
Chabot	Griffin (AR)	McHenry
Chaffetz	Griffith (VA)	McIntyre
Coble	Hahn	McKeon
Coffman	Hall	McKinley
Cole	Hanna	McMorris
Collins (GA)	Harper	Rodgers
Collins (NY)	Harris	Meadows
Connolly	Hastings (WA)	Meehan
Conyers	Heck (NV)	Meng
Cook	Hensarling	Messer
Cotton	Herrera Beutler	Mica
Cramer	Hinojosa	Miller, Gary
Crawford	Honda	Miller, George
Crenshaw	Horsford	Mullin
Crowley	Huelskamp	Mulvaney
Cuellar	Huffman	Murphy (PA)
Culberson	Hultgren	Nadler
Daines	Hurt	Napolitano
Davis, Rodney	Israel	Neal
DeFazio	Jenkins	Neugebauer
Denham	Johnson (OH)	Nugent
Dent	Johnson, Sam	Nunes
DesJarlais	Jones	Nunnelee
Diaz-Balart	Jordan	Olson

Pastor (AZ)	Ruiz	Tiberi
Pearce	Ryan (WI)	Tierney
Perry	Salmon	Tipton
Petri	Sanford	Titus
Pittenger	Scalise	Tonko
Pitts	Schneider	Tsongas
Poe (TX)	Schock	Turner
Pompeo	Schweikert	Valadao
Price (GA)	Scott, Austin	Vela
Radel	Sensenbrenner	Velázquez
Rahall	Sessions	Walden
Reed	Sherman	Walorski
Reichert	Shimkus	Waters
Renacci	Shuster	Waxman
Ribble	Simpson	Wenstrup
Rigell	Sinema	Westmoreland
Rogers (AL)	Smith (NE)	Whitfield
Rogers (KY)	Smith (NJ)	Williams
Rohrabacher	Smith (TX)	Wilson (SC)
Rokita	Speier	Wittman
Rooney	Stewart	Wolf
Ros-Lehtinen	Stivers	Womack
Roskam	Stutzman	Woodall
Ross	Swalwell (CA)	Yoder
Rothfus	Takano	Young (AK)
Roybal-Allard	Thompson (CA)	Young (FL)
Royce	Thompson (PA)	Young (IN)

NOES—172

Amash	Grijalva	Payne
Andrews	Grimm	Pelosi
Bachmann	Guthrie	Perlmutter
Barrow (GA)	Hanabusa	Peters (CA)
Beatty	Hartzler	Peters (MI)
Benishek	Heck (WA)	Peterson
Bentivolio	Higgins	Pingree (ME)
Bilirakis	Himes	Pocan
Bishop (GA)	Holding	Polis
Blumenauer	Holt	Posey
Bonamici	Hoyer	Price (NC)
Brady (PA)	Hudson	Quigley
Braley (IA)	Huizenga (MI)	Rangel
Broun (GA)	Hunter	Rice (SC)
Brown (FL)	Issa	Richmond
Butterfield	Johnson, E. B.	Roby
Camp	Kaptur	Roe (TN)
Cárdenas	Kelly (IL)	Rogers (MI)
Carney	Kildee	Runyan
Carson (IN)	Kilmer	Ruppersberger
Carter	Kind	Rush
Cartwright	Kuster	Ryan (OH)
Chu	Lamborn	Sánchez, Linda
Cicilline	Lance	T.
Clarke	Langevin	Sanchez, Loretta
Clay	Lankford	Sarbanes
Cleaver	Larsen (WA)	Schakowsky
Clyburn	Larson (CT)	Schiff
Cohen	Levin	Schrader
Conaway	Lewis	Schwartz
Cooper	Loeb sack	Scott (VA)
Costa	Lowey	Scott, David
Courtney	Lujan Grisham	Serrano
Cummings	(NM)	Sewell (AL)
Davis (CA)	Lujan, Ben Ray	Shea-Porter
Davis, Danny	(NM)	Sires
DeGette	Maffei	Slaughter
Delaney	Maloney,	Smith (WA)
DeLauro	Carolyn	Southerland
DeBene	Massie	Stockman
DeSantis	Matsui	Terry
Deutch	McCollum	Thompson (MS)
Dingell	McDermott	Thornberry
Edwards	McNerney	Upton
Ellison	Meeks	Van Hollen
Ellmers	Michaud	Vargas
Eshoo	Miller (FL)	Veasey
Esty	Miller (MI)	Visclosky
Farenthold	Moore	Wagner
Fattah	Moran	Walberg
Fitzpatrick	Murphy (FL)	Walz
Flores	Negrete McLeod	Wasserman
Fortenberry	Noem	Schultz
Frankel (FL)	Nolan	Weber (TX)
Fudge	O'Rourke	Webster (FL)
Gabbard	Owens	Welch
Garcia	Pallone	Wilson (FL)
Grayson	Pascarell	Yarmuth
Green, Al	Paulsen	Yoho

NOT VOTING—13

Hastings (FL)	McCarthy (NY)
Jackson Lee	Palazzo
Jeffries	Watt
Johnson (GA)	
Markey	

□ 1923

Mr. NOLAN changed his vote from “aye” to “no.”

Ms. WATERS and Messrs. LYNCH, McINTYRE, GARRETT, and BONNER changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MORAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. MORAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 170, noes 254, not voting 9, as follows:

[Roll No. 190]

AYES—170

Amash	Farr	McDermott
Andrews	Fattah	McGovern
Bass	Foster	Meeks
Beatty	Frankel (FL)	Meng
Becerra	Fudge	Michaud
Bera (CA)	Gabbard	Miller, George
Bishop (NY)	Garamendi	Moore
Blumenauer	Grayson	Moran
Bonamici	Green, Al	Nadler
Brady (PA)	Green, Gene	Napolitano
Braley (IA)	Grijalva	Neal
Brown (FL)	Gutierrez	Negrete McLeod
Bustos	Hahn	Nolan
Butterfield	Hanabusa	O'Rourke
Capps	Heck (WA)	Pallone
Capuano	Himes	Pascarell
Cárdenas	Hinojosa	Pastor (AZ)
Carney	Holt	Payne
Carson (IN)	Honda	Pelosi
Cartwright	Horsford	Perlmutter
Castor (FL)	Hoyer	Peters (CA)
Castro (TX)	Huffman	Peterson
Chu	Israel	Pingree (ME)
Cicilline	Johnson (GA)	Pocan
Clarke	Johnson, E. B.	Polis
Clay	Kaptur	Price (NC)
Clyburn	Keating	Quigley
Cohen	Kelly (IL)	Rangel
Connolly	Kennedy	Richmond
Conyers	Kildee	Roybal-Allard
Cooper	Kilmer	Rush
Costa	Kind	Ryan (OH)
Courtney	Kuster	Sánchez, Linda
Crowley	Langevin	T.
Cummings	Larsen (WA)	Sarbanes
Davis (CA)	Larson (CT)	Schakowsky
Davis, Danny	Lee (CA)	Schiff
DeFazio	Levin	Schneider
DeGette	Lewis	Schradler
Delaney	Loeb sack	Schwartz
DeLauro	Lofgren	Scott (VA)
DeBene	Lowenthal	Scott, David
Deutch	Lowey	Serrano
Dingell	Lujan Grisham	Sewell (AL)
Doggett	(NM)	Sherman
Doyle	Lujan, Ben Ray	Slaughter
Duckworth	(NM)	Smith (WA)
Edwards	Lynch	Speier
Ellison	Maffei	Swalwell (CA)
Engel	Maloney,	Takano
Enyart	Carolyn	Thompson (CA)
Eshoo	Matsui	Thompson (MS)
Esty	McCollum	Tierney

Titus  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey

Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters

Waxman  
Welch  
Wilson (FL)  
Yarmuth

Campbell  
Granger  
Hastings (FL)

## NOT VOTING—9

Higgins  
Jackson Lee  
Jeffries

Markey  
McCarthy (NY)  
Watt

Rooney  
Ross  
Rothfus  
Royce  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Simpson  
Smith (NE)  
Smith (TX)

Southerland  
Stewart  
Stockman  
Stutzman  
Thompson (PA)  
Thornberry  
Tipton  
Valadao  
Wagner  
Walberg  
Walorski  
Weber (TX)  
Webster (FL)  
Wenstrup

Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (FL)  
Young (IN)

## NOES—254

Aderholt  
Alexander  
Amodei  
Bachmann  
Bachus  
Barber  
Barletta  
Barr  
Barrow (GA)  
Barton  
Benishkek  
Bentivolio  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Brownley (CA)  
Buchanan  
Bucshon  
Burgess  
Calvert  
Camp  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Cleaver  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cotton  
Cramer  
Crawford  
Crenshaw  
Cuellar  
Culberson  
Daines  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Franks (AZ)  
Frelinghuysen  
Galleo  
Garcia  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Graves (GA)

Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Herrera Beutler  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kelly (PA)  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
Lipinski  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Maloney, Sean  
Marchant  
Marino  
Massie  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paulsen  
Pearce  
Perry

Peters (MI)  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Rahall  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Ruiz  
Runyan  
Ruppersberger  
Ryan (WI)  
Salmon  
Sanchez, Loretta  
Sanford  
Scalise  
Schock  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shea-Porter  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southerland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Valadao  
Vela  
Wagner  
Walberg  
Walden  
Walorski  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (FL)  
Young (IN)

□ 1928  
Ms. GABBARD changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 231, not voting 10, as follows:

[Roll No. 191]

## AYES—192

Aderholt  
Alexander  
Amash  
Amodei  
Bachmann  
Bachus  
Barr  
Barton  
Benishkek  
Bentivolio  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Calvert  
Camp  
Cantor  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cotton  
Cramer  
Crawford  
Crenshaw  
Culberson  
Daines  
Denham  
Dent  
DeSantis  
DesJarlais  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Franks (AZ)  
Frelinghuysen  
Galleo  
Garcia  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Graves (GA)

Fincher  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gardner  
Garrett  
Gibbs  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Guthrie  
Hall  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hensarling  
Herrera Beutler  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kelly (PA)  
King (IA)  
Kingston  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lankford  
Latham  
Latta

Long  
Lucas  
Luetkemeyer  
Lummis  
Marchant  
Marino  
Massie  
McCarthy (CA)  
McCaul  
McClintock  
McHenry  
McKeon  
McMorris  
Rodgers  
Meadows  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paulsen  
Pearce  
Perry  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Reed  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita

## NOES—231

Andrews  
Barber  
Barletta  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capito  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cook  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Duffy  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Fattah  
Fitzpatrick  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallo  
Garamendi  
Garcia  
Gerlach  
Gibson  
Grayson  
Green, Al  
Green, Gene  
Grijalva

Grimm  
Gutierrez  
Hahn  
Hanabusa  
Hanna  
Heck (NV)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Holt  
Honda  
Horsford  
Hoyer  
Huffman  
Hultgren  
Israel  
Johnson (GA)  
Johnson, E. B.  
Joyce  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
King (NY)  
Kinzinger (IL)  
Kirkpatrick  
Kuster  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis  
Lipinski  
LoBiondo  
Loebach  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Lynch  
Maffei  
Maloney, Carolyn  
Maloney, Sean  
Matheson  
Matsui  
McCollum  
McDermott  
McGovern  
McIntyre  
McKinley  
McNerney  
Meehan  
Meeks  
Meng  
Michaud  
Miller, George  
Moore  
Moran  
Murphy (FL)  
Murphy (PA)  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
Nolan  
O'Rourke  
Owens  
Pallone  
Pascrell

Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (CA)  
Peters (MI)  
Peterson  
Petri  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reichert  
Richmond  
Roskam  
Roybal-Allard  
Ruiz  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schock  
Schroder  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Sinema  
Sires  
Slaughter  
Smith (NJ)  
Smith (WA)  
Speier  
Stivers  
Swalwell (CA)  
Takano  
Terry  
Thompson (CA)  
Thompson (MS)  
Tiberi  
Tierney  
Titus  
Tonko  
Tsongas  
Turner  
Upton  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walden  
Walz  
Wasserman  
Schultz  
Waters  
Waxman  
Welch  
Wilson (FL)  
Yarmuth  
Young (AK)

## NOT VOTING—10

Campbell	Jackson Lee	Ros-Lehtinen
Diaz-Balart	Jeffries	Watt
Granger	Markey	
Hastings (FL)	McCarthy (NY)	

□ 1933

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2014".

Mr. CULBERSON. Madam Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments and with the recommendation that the amendments be agreed to, and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2216) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2014, and for other purposes, and, pursuant to House Resolution 243, she reported the bill back to the House with sundry amendments adopted in the Committee of the Whole, with a recommendation that the amendments be adopted and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT

Mr. ENYART. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ENYART. I am opposed in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ENYART moves to recommit the bill H.R. 2216 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 22, line 10, after the dollar amount, insert "(increased by \$9,200,000)".

Page 33, line 5, after the dollar amount, insert "(increased by \$9,200,000)".

Mr. ENYART. Mr. Speaker, I rise today in support of this amendment to H.R. 2216 to increase funding for veterans claims processors so that we can reduce the disgraceful backlog of claims waiting to be processed.

This is the final amendment to the bill, which will not kill the bill nor send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

We have been fighting two wars for over 10 years, which has resulted in a large number of veterans returning home with both physical and mental injuries.

□ 1940

In addition, veterans who served in Vietnam and the gulf war are getting older, and many are discovering health issues that are related to their service. The result is that currently there are over 900,000 veterans' disability claims waiting to be processed. The average wait for that backlog is now 9 months.

We are talking about American heroes like Michael Boren of Energy, Illinois. Michael is a veteran in my district who was in danger of losing his home because the VA took 19 months to track down his paperwork and process his claim. Veterans like Michael are in your district, and you've heard their stories, just as I have. Too many veterans are threatened with home foreclosure, having their cars repossessed, having their credit cards cut off, all because of the VA backlog. It's shameful.

We must act to speed up the process so that disabled, honorably discharged American veterans are not waiting without income for months and years. This motion to recommit adds \$9.2 million to hire 94 additional VA claims processors. This doubles the number of claims processors in the base bill. The amendment is fully offset from unobligated and unused funds and funds from military construction.

This vote serves as a lifeline to countless veterans who can no longer wait for this problem to be solved.

When I look out at this House, I look down the center aisle. I look at the right side and see my colleagues, my friends in the party of Dwight David Eisenhower; I see the party of Teddy Roosevelt; I see the party of Abraham Lincoln.

When I look at the left side, I see my friends who represent the party of Harry S Truman; the party of Franklin Delano Roosevelt; the party of Woodrow Wilson—great wartime leaders, all.

Those great Presidents knew the meaning of commitment to the troops that we sent to defend and protect our Nation. Today, we stand in their shadows. We in Congress committed to send these brave men and women in harm's way for our country. Folks in the Active Duty service, in the Guard, and in the Reserve, they have served us hon-

orably; they have served their commitment proudly. Now we must complete our commitment to veterans in our time.

To paraphrase President Lincoln, many of the votes we cast here in Congress will be little noted, nor long remembered. But the veterans, veterans up there in that gallery, veterans back in your district, veterans all across this Nation will remember this vote; their families will remember this vote. Today, we vote to fulfill the promise of a great Nation to those who have served that great Nation. This is a vote to serve them.

Vote "yes" on this final amendment to help veterans get the benefits they have earned and they deserve. Vote "yes" on this motion to recommit.

When I step down from this podium, I will walk up that center aisle, not to the right, nor to the left, but up that center aisle, and cast my vote "yes" for this amendment, because it is for the veterans and for our great Nation.

I yield back the balance of my time.

The SPEAKER pro tempore. The Chair reminds Members to refrain from referring to occupants in the gallery.

Mr. CULBERSON. Mr. Speaker, I am opposed to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Our third-highest priority in the Constitution is to provide for the common defense. This bill, more than any other, has been done in a bipartisan way; this bill more than any other is vitally important to the peace of mind, to the quality of life of our men and women in uniform when they're on Active Duty standing on the walls of Rome defending our freedom and protecting us and putting themselves in harm's way, and the peace of mind and comfort of their families back in the United States and around the world where they're deployed, and when they become veterans and move into the veterans system.

We in this subcommittee, more than any other in the House, have been bipartisan, arm-in-arm, doing everything in our power to help ensure that no man or woman wearing the uniform of the United States should ever worry for one moment about the quality of their life, about the quality of their health care. We think of ourselves as the peace-of-mind committee for the men and women in uniform defending the United States. There's been no more bipartisan bill than this one, there's been no more open bill than this one, there's been no more open process for amendment than the appropriations process.

It is possible, in fact, for you to walk down here on the floor and with a yellow notepad and a pen write an amendment and walk down and hand it to the Clerk at any point during the debate on this bill and have it considered by

the House. Yet we got this amendment 3 minutes and 45 seconds before the debate began. It reflects so poorly on the House of Representatives for the minority to present an amendment that we would have happily worked with you on to have accomplished in a bill in an amendment form had you just brought it down to the floor.

In fact, we have given the Veterans Affairs Secretary everything that he's asked for. The Veterans Administration has been given massive increases in funding to handle the claims backlog. In fact, Congressman KINGSTON of Georgia just offered an amendment, which the House has approved, which will cut the salary of the senior leadership of the VA by 25 percent if they don't meet their own deadlines on reducing the backlog.

The United States Congress has literally done everything. We've given them every dollar, everything they have possibly asked for. We've offered you every opportunity to just walk down here and amend the bill, yet you give it to us 3 minutes and 45 seconds before the debate begins. This ought to be exhibit A of why we need a rule in the House that all amendments ought to be published at least 24 hours in advance on the Internet, especially a motion to recommit as embarrassing, frankly, as this one.

I am happy to yield my time to the chairman of the Veterans Committee, Mr. MILLER.

Mr. MILLER of Florida. I thank the chairman very much for yielding his time. And I do think it's important that the Members know that the committee under both Democrat and Republican chairmen have given every dollar, every person, every piece of equipment, every software that the Department of Veterans Affairs has asked for. And to do this at the 12th hour is not the way to make a difference in what we are trying to do.

Our committee, the authorizing committee, has made it their number one focus; and Members here know this. MIKE MICHAUD and I together have worked with our committee members and other Members across the floor trying to make sure that the backlog is taken care of. This is purely a political stunt and not one that we should vote for.

Mr. CULBERSON. I urge Members to defeat this motion to recommit and vote "no."

I yield back the balance of my time. The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. ENYART. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on the passage of the bill.

The vote was taken by electronic device, and there were—ayes 198, noes 227, not voting 8, as follows:

[Roll No. 192]

AYES—198

Andrews	Green, Al	O'Rourke
Barber	Green, Gene	Owens
Barrow (GA)	Grijalva	Pallone
Bass	Gutierrez	Pascarell
Beatty	Hahn	Pastor (AZ)
Becerra	Hanabusa	Payne
Bera (CA)	Hastings (FL)	Pelosi
Bishop (GA)	Heck (WA)	Perlmutter
Bishop (NY)	Higgins	Peters (CA)
Blumenauer	Himes	Peters (MI)
Bonamici	Hinojosa	Peterson
Brady (PA)	Holt	Pingree (ME)
Braley (IA)	Honda	Pocan
Brown (FL)	Horsford	Polis
Brownley (CA)	Hoyer	Posey
Bustos	Huffman	Price (NC)
Butterfield	Israel	Quigley
Capps	Johnson (GA)	Rahall
Capuano	Johnson, E. B.	Rangel
Cárdenas	Jones	Richmond
Carney	Kaptur	Roybal-Allard
Carson (IN)	Keating	Ruiz
Cartwright	Kelly (IL)	Ruppersberger
Castor (FL)	Kennedy	Rush
Castro (TX)	Kildee	Ryan (OH)
Chu	Kilmer	Sánchez, Linda
Cicilline	Kind	T.
Clarke	Kirkpatrick	Sanchez, Loretta
Clay	Kuster	Sarbanes
Cleaver	Langevin	Schakowsky
Clyburn	Larsen (WA)	Schiff
Cohen	Larson (CT)	Schneider
Connolly	Lee (CA)	Schrader
Conyers	Levin	Schwartz
Cooper	Lewis	Scott (VA)
Costa	Lipinski	Scott, David
Courtney	Loeb sack	Serrano
Crowley	Lofgren	Sewell (AL)
Cuellar	Lowenthal	Shea-Porter
Cummings	Lowe	Sherman
Davis (CA)	Lujan Grisham	Sinema
Davis, Danny	(NM)	Sires
DeFazio	Luján, Ben Ray	Slaughter
DeGette	(NM)	Smith (WA)
DeLaney	Lynch	Speier
DeLauro	Maffei	Swalwell (CA)
DelBene	Maloney,	Takano
Deutch	Carolyn	Thompson (CA)
Dingell	Maloney, Sean	Thompson (MS)
Doggett	Matheson	Tierney
Doyle	Matsui	Titus
Duckworth	McCollum	Tonko
Edwards	McDermott	Tsongas
Ellison	McGovern	Van Hollen
Engel	McIntyre	Vargas
Enyart	McNerney	Veasey
Eshoo	Meeks	Vela
Esty	Meng	Velázquez
Farr	Michaud	Visclosky
Fattah	Miller, George	Walz
Foster	Moore	Wasserman
Frankel (FL)	Moran	Schultz
Fudge	Murphy (FL)	Waters
Gabbard	Nadler	Waxman
Gallego	Napolitano	Welch
Garamendi	Neal	Wilson (FL)
García	Negrete McLeod	Yarmuth
Grayson	Nolan	

NOES—227

Aderholt	Bilirakis	Buchanan
Alexander	Bishop (UT)	Bucshon
Amash	Black	Burgess
Amodei	Blackburn	Calvert
Bachmann	Bonner	Camp
Bachus	Boustany	Cantor
Barletta	Brady (TX)	Capito
Barr	Bridenstine	Carter
Barton	Brooks (AL)	Cassidy
Benishek	Brooks (IN)	Chabot
Bentivolio	Brown (GA)	Chaffetz

Coble	Hurt	Renacci
Coffman	Issa	Ribble
Cole	Jenkins	Rice (SC)
Collins (GA)	Johnson (OH)	Rigell
Collins (NY)	Johnson, Sam	Roby
Conaway	Jordan	Roe (TN)
Cook	Joyce	Rogers (AL)
Cotton	Kelly (PA)	Rogers (KY)
Cramer	King (IA)	Rogers (MI)
Crawford	King (NY)	Rohrabacher
Crenshaw	Kingston	Rokita
Culberson	Kinzinger (IL)	Rooney
Daines	Kline	Ros-Lehtinen
Davis, Rodney	Labrador	Roskam
Denham	LaMalfa	Ross
Dent	Lamborn	Rothfus
DeSantis	Lance	Royce
DesJarlais	Lankford	Runyan
Diaz-Balart	Latham	Ryan (WI)
Duffy	Latta	Salmon
Duncan (SC)	LoBiondo	Sanford
Duncan (TN)	Long	Scalise
Ellmers	Lucas	Schock
Farenthold	Luetkemeyer	Schweikert
Fincher	Lummis	Scott, Austin
Fitzpatrick	Marchant	Sensenbrenner
Fleischmann	Marino	Sessions
Fleming	Massie	Shimkus
Flores	McCarthy (CA)	Shuster
Forbes	McCaul	Simpson
Fortenberry	McClintock	Smith (NE)
Fox	McHenry	Smith (NJ)
Franks (AZ)	McKeon	Smith (TX)
Frelinghuysen	McKinley	Southerland
Gardner	McMorris	Stewart
Garrett	Rodgers	Stivers
Gerlach	Meadows	Stockman
Gibbs	Meehan	Stutzman
Gibson	Messer	Terry
Gingrey (GA)	Mica	Thompson (PA)
Gohmert	Miller (FL)	Thornberry
Goodlatte	Miller (MI)	Tiberi
Gosar	Miller, Gary	Tipton
Gowdy	Mullin	Turner
Graves (GA)	Mulvaney	Upton
Graves (MO)	Murphy (PA)	Valadao
Griffin (AR)	Neugebauer	Wagner
Griffith (VA)	Noem	Walberg
Grimm	Nugent	Walden
Guthrie	Nunes	Walorski
Hall	Nunnelee	Weber (TX)
Hanna	Olson	Webster (FL)
Harper	Palazzo	Wenstrup
Harris	Paulsen	Westmoreland
Hartzler	Pearce	Whitfield
Hastings (WA)	Perry	Williams
Heck (NV)	Petri	Wilson (SC)
Hensarling	Pittenger	Wittman
Herrera Beutler	Pitts	Womack
Holding	Poe (TX)	Woodall
Hudson	Pompeo	Yoder
Huelskamp	Price (GA)	Yoho
Huizenga (MI)	Radel	Young (AK)
Hultgren	Reed	Young (FL)
Hunter	Reichert	Young (IN)

NOT VOTING—8

Campbell	Jeffries	Watt
Granger	Markey	Wolf
Jackson Lee	McCarthy (NY)	

□ 1955

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 4, not voting 8, as follows:

[Roll No. 193]

YEAS—421

Aderholt	Andrews	Barletta
Alexander	Bachmann	Barr
Amash	Bachus	Barrow (GA)
Amodei	Barber	Barton

Beatty	Engel	Kline	Pitts	Sanford	Tierney
Becerra	Enyart	Kuster	Pocan	Sarbanes	Tipton
Benishek	Eshoo	Labrador	Poe (TX)	Scalise	Titus
Bentivolio	Esty	LaMalfa	Polis	Schakowsky	Tonko
Bera (CA)	Farenthold	Lamborn	Pompeo	Schiff	Tsongas
Bilirakis	Farr	Lance	Posey	Schneider	Turner
Bishop (GA)	Fattah	Langevin	Price (GA)	Schock	Upton
Bishop (NY)	Fincher	Lankford	Price (NC)	Schrader	Valadao
Bishop (UT)	Fitzpatrick	Larsen (WA)	Quigley	Schwartz	Van Hollen
Black	Fleischmann	Larson (CT)	Radel	Schweikert	Vargas
Blackburn	Fleming	Latham	Rahall	Scott (VA)	Veasey
Blumenauer	Flores	Latta	Rangel	Scott, Austin	Vela
Bonamici	Forbes	Lee (CA)	Reed	Scott, David	Velázquez
Bonner	Fortenberry	Levin	Reichert	Sensenbrenner	Visclosky
Boustany	Foster	Lewis	Renacci	Serrano	Wagner
Brady (PA)	Fox	Lipinski	Ribble	Sessions	Walberg
Brady (TX)	Frankel (FL)	LoBiondo	Rice (SC)	Sewell (AL)	Walgren
Braley (IA)	Franks (AZ)	Loeb	Richmond	Shea-Porter	Walden
Bridenstine	Frelinghuysen	Lofgren	Rigell	Sherman	Walorski
Brooks (AL)	Fudge	Long	Roby	Shimkus	Walz
Brooks (IN)	Gabbard	Lowenthal	Roe (TN)	Shuster	Wasserman
Broun (GA)	Gallego	Lowey	Rogers (AL)	Simpson	Schultz
Brown (FL)	Garamendi	Lucas	Rogers (KY)	Sinema	Waters
Brownley (CA)	Garcia	Luetkemeyer	Rogers (MI)	Sires	Waxman
Buchanan	Gardner	Lujan Grisham	Rohrabacher	Slaughter	Weber (TX)
Bucshon	Garrett	(NM)	Rokita	Smith (NE)	Weber (FL)
Burgess	Gerlach	Lujan, Ben Ray	Rooney	Smith (NJ)	Welch
Bustos	Gibbs	(NM)	Ros-Lehtinen	Smith (TX)	Wenstrup
Butterfield	Gibson	Lummis	Roskam	Smith (WA)	Westmoreland
Calvert	Gingrey (GA)	Lynch	Ross	Southerland	Whitfield
Camp	Gohmert	Maffei	Rothfus	Speier	Williams
Cantor	Goodlatte	Maloney,	Roybal-Allard	Stewart	Wilson (FL)
Capito	Gosar	Carolyn	Royce	Stivers	Wilson (SC)
Capps	Gowdy	Maloney, Sean	Ruiz	Stockman	Wittman
Capuano	Graves (GA)	Marchant	Runyan	Stutzman	Womack
Cárdenas	Graves (MO)	Marino	Ruppersberger	Swalwell (CA)	Woodall
Carney	Grayson	Massie	Rush	Takano	Yarmuth
Carson (IN)	Green, Al	Matheson	Ryan (OH)	Terry	Yoder
Carter	Green, Gene	Matsui	Ryan (WI)	Thompson (CA)	Yoho
Cartwright	Griffin (AR)	McCarthy (CA)	Salmon	Thompson (MS)	Young (AK)
Cassidy	Griffith (VA)	McCaul	Sánchez, Linda	Thompson (PA)	Young (FL)
Castor (FL)	Grijalva	McClintock	T.	Thornberry	Young (IN)
Castro (TX)	Grimm	McCollum	Sanchez, Loretta	Tiberi	
Chabot	Guthrie	McDermott			
Chaffetz	Gutierrez	McGovern			
Chu	Hahn	McHenry			
Ciçilline	Hall	McIntyre			
Clarke	Hanabusa	McKeon			
Clay	Hanna	McKinley			
Cleaver	Harper	McMorris			
Clyburn	Harris	Rodgers			
Coble	Hartzler	McNerney			
Coffman	Hastings (FL)	Meadows			
Cohen	Hastings (WA)	Meehan			
Cole	Heck (NV)	Meeks			
Collins (GA)	Heck (WA)	Meng			
Collins (NY)	Hensarling	Messer			
Conaway	Herrera Beutler	Mica			
Connolly	Higgins	Michaud			
Cook	Himes	Miller (FL)			
Cooper	Hinojosa	Miller (MI)			
Costa	Holding	Miller, Gary			
Cotton	Holt	Moore			
Courtney	Honda	Moran			
Cramer	Horsford	Mullin			
Crawford	Hoyer	Mulvaney			
Crenshaw	Hudson	Murphy (FL)			
Crowley	Huelskamp	Murphy (PA)			
Cuellar	Huffman	Nadler			
Culberson	Huizenga (MI)	Napolitano			
Cummings	Hultgren	Neal			
Daines	Hunter	Negrete McLeod			
Davis (CA)	Hurt	Neugebauer			
Davis, Danny	Israel	Noem			
Davis, Rodney	Issa	Nugent			
DeFazio	Jenkins	Nunes			
DeGette	Johnson (GA)	Nunnelee			
Delaney	Johnson (OH)	O'Rourke			
DeLauro	Johnson, E. B.	Olson			
DeBene	Johnson, Sam	Owens			
Denham	Jones	Palazzo			
Dent	Jordan	Pallone			
DeSantis	Joyce	Pascarell			
DesJarlais	Kaptur	Pastor (AZ)			
Deutch	Keating	Paulsen			
Diaz-Balart	Kelly (IL)	Payne			
Dingell	Kelly (PA)	Pearce			
Doggett	Kennedy	Pelosi			
Doyle	Kildee	Perlmutter			
Duckworth	Kilmer	Perry			
Duffy	Kind	Peters (CA)			
Duncan (SC)	King (IA)	Peters (MI)			
Duncan (TN)	King (NY)	Peterson			
Edwards	Kingston	Petri			
Ellison	Kinzinger (IL)	Pingree (ME)			
Ellmers	Kirkpatrick	Pittenger			

Amodei Amendment, which takes overtime funding from 41 VA regional offices and concentrates it in the 15 offices with the worst backlog.

3. On rollcall No. 190, I would have voted "aye."

Moran Amendment, which language prohibiting the use of funds to construct, renovate or expand any facility in the United States to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment.

4. On rollcall No. 191, I would have voted "no."

King (IA) Amendment, which prohibits the use of funds to implement, administer, or enforce the Davis-Bacon Act, which requires federal contractors to pay locally prevailing wages

5. On rollcall No. 192, I would have voted "aye."

Democratic Motion to Recommit H.R. 2216.

6. On rollcall No. 193, I would have voted "aye."

Final Passage of H.R. 2216, Military Construction and Veterans Affairs, and Related Agencies Appropriations Act for Fiscal Year 2014.

## EXTREME WEATHER

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, as hurricane season begins this week, there is no better time for Congress to refocus its efforts on better protecting our coastal communities and the more than 123 million people that live in them from extreme weather events.

In the wake of hurricanes like Katrina, Rita, Sandy, and Irene, which took lives and destroyed property in my district, extreme weather preparedness should be an issue that both Democrats and Republicans support now more than ever.

Since 2011, extreme weather episodes have cost \$188 billion in property destruction, business closures, and crop damages. Even worse, these storms have taken the lives of 1,107 Americans.

There is ample evidence to believe that this trend of increased extreme weather, which has grown exponentially since 2000, will only continue to get worse. Just today we heard about the widest tornado recorded in United States history at 2.6 miles wide and winds of 296 miles per hour.

We need to ask ourselves: Do we address the climate change problem now or do we continue to ignore future threats, making preventable disasters more and more costly with each passing year of inaction?

As the cochair of the Sustainable Energy and Environment Coalition in the House of Representatives, I suggest we act now.

NAYS—4

Bass  
Conyers

NOT VOTING—8

Campbell  
Granger  
Jackson Lee

□ 2004

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION,

Ms. JACKSON LEE. Mr. Speaker, on Tuesday afternoon, June 4, 2013, I was required to return to my congressional district in Houston, Texas, in order to attend a memorial service for four members of the Houston Fire Department who lost their lives in the line of duty on Friday, May 31, 2013. This tragedy was the deadliest incident in terms of the numbers of firefighters lost in the history of the Houston Fire Department. As the senior Member of the Houston congressional delegation and a senior Member of the Committee on Homeland Security, attending the memorial service was directly related to my representational, legislative, and committee responsibilities.

Because of this excused absence I was not present for rollcall votes 188 through 193.

Had I been present I would have voted as follows:

1. On rollcall No. 188, I would have voted "no."

Broun Amendment, which eliminates funding for an on-going NATO headquarters project (a cut of \$38,513,000) and applies the savings to the spending reduction account.

2. On rollcall No. 189, I would have voted "no."

## JOBS IN AMERICA

The SPEAKER pro tempore (Mr. WENSTRUP). Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, tonight we want to talk about jobs in America, we want to talk about how we can rebuild the great American manufacturing sector, and we also want to spend some time talking about a very special part of the American economy, and that is the infrastructure upon which that economy can grow and prosper. So there are many pieces to this puzzle about rebuilding the economic strength of this Nation.

□ 2010

Much of it comes down to what we call the Make It in America agenda. It's an agenda to rebuild the great manufacturing sector of this Nation. That's where the middle class found its strength. That's where the middle class grew following World War II. Unfortunately, in the last 15 years or so, we've seen a decline from some 20 million Americans in manufacturing down to perhaps 11 million.

In recent months, we've seen a resurgence in part due to some changes in law that we've put in place that end tax breaks that American corporations received when they sent jobs overseas—really foolish tax breaks. We ended many of those, and we have a few more to go. What we want to do is give manufacturers, American corporations and others, who want to on shore bring jobs back to America, we want to give them a tax break.

So the Make It in America agenda is about rebuilding that great American manufacturing base. There are many different parts to it. Part of it is the infrastructure system.

I was talking to one of my friends from the Connecticut area just a few moments ago, and he said, Listen, I can't be with you tonight, but what I want you to say is we had a terrible Amtrak train wreck in Connecticut just a week ago, and we think it may have been due to bad track.

That's the infrastructure, folks. We really need to build that train system here in America, the infrastructure for it.

I'm going to put up one more sign here before I call upon my friend from New York. Here it is. Now, that's a beautiful locomotive. That's an American-made locomotive. So this is manufacturing. This is an American-made locomotive by a German company, Siemens, one of the great industrial companies in this world. They bid on almost a half-a-billion-dollar project that was in the stimulus bill for 70 locomotives for Amtrak that had to be American made. This German company

said half a billion dollars, American made, we can do that. They set up a factory in Sacramento, California, and that's the first American-made locomotive in many, many decades, or generations, and it's a beauty. It's electric. I think it's about 7,500 horsepower, and it's going to be used here on the East Coast and on that Boston to Washington, D.C., track. Hopefully, it'll be rebuilt.

Joining me tonight in this discussion about infrastructure and jobs and Make It in America is my friend from New York, PAUL TONKO. We're redoing the East-West show.

Mr. TONKO. Representative GARAMENDI, thank you for leading us in this hour discussion focusing on jobs—from a manufacturing sector, jobs from an investment. They come about in an investment in research, R&D, and they come about through innovation.

We have talked about this many times on this floor, that we come from districts that have that keen sense of vision about how to do it smarter, which can be that difference in the competitive edge that our businesses require in an international marketplace.

What I like about the investment through this package, Make It in America, is an across-the-board holistic approach, incentives that provide everything from encouragement to the local industries to retrofit and rebuild their manufacturing processes; to investment in the workforce, making certain that those cutting-edge skills and trades are being developed within our workers, making certain that we have that human infrastructure up and ready to go so as to be robustly competitive; and also talking about the investment in this ideas economy, which speaks to the sophistication of our American society. The intellectual capacity that is harnessed to produce jobs is an awesome measure that allows us to maintain a great bit of hope that we can robustly respond to the needs of today's economy, an international economy, and be a winning agent out there. And it happens with this investment. That's how we grow jobs.

Mr. GARAMENDI. Mr. TONKO, you have come to a very important point here, and that is: Before you came to Congress, you headed up a consortium in New York that did precisely that, didn't you?

Mr. TONKO. Absolutely. I was at the New York State Energy Research and Development Authority, and we saw what public-private matches were about. We were able to deal with the ideas economy. We came up with new ways to harness energy, to create energy efficiency in the outcome, and by so doing, innovation and research equals jobs, good-paying jobs that allow us, again, to have that cutting edge of cleverness, of having a thought-

ful way to do things. The smart factor can win those contracts on an international scale. So I'm thrilled about what we can do through research.

Mr. GARAMENDI. Well, the Make It in America agenda has many, many parts to it. It has a research piece. It has an innovation piece. It has some tax issues to it. All of these have been packaged and pulled together by our leader, STENY HOYER, who I see has joined us on the floor.

Maryland is on the East Coast. California is on the West Coast, so now we've augmented our East Coast-West Coast show. Mr. HOYER, thank you so very much for your leadership on Make It in America.

Mr. HOYER. I thank the gentleman for taking the floor, and I thank the gentleman from New York for joining in. I think that we are on the cusp of a real expansion and reinvigoration of our manufacturing sector in this country for a lot of reasons that I point out around the country, and I know the two of you do as well.

First of all, salaries are going up overseas. That's good news for them and, frankly, for us.

Furthermore, as we all know, it's costing a lot more to ship goods back to the biggest market in the world than it used to.

Thirdly, I think both of you have talked about energy. We are about to become an energy-independent Nation with energy that has a cost less than most of our competitors around the world, so we have become, in a relatively short period of time, I think, in many respects, the venue of choice for someone who wants to either expand or establish manufacturing here in this country or, frankly, continue to grow things in this country.

As you know, our Make It in America agenda really has four component parts. One is having a plan. Nobody talks about this more than JOHN GARAMENDI of California, and God bless you for that. Thank you so much for your leadership on this issue. And PAUL TONKO from New York also has been very focused on this issue, and I thank him for that.

The second part of the agenda is to not only have a plan, but be focused on exports, be focused on building markets for small, medium, and large businesses. Large businesses have the resources to look for markets themselves. In many respects, small- and medium-sized businesses do not, but they are producing products that they can sell not only here but around the world.

President Obama was in Baltimore not too long ago at a relatively small company, Ellicott Dredges, in Baltimore. They have sold dredges to over 100 countries in the world, and they are making those dredges in America.

The third part is to encourage bringing jobs home, not sending them overseas. It makes no sense to have a tax

policy that gives benefits to people who are sending job overseas while we have millions of Americans who can't find jobs. So what we want to do is incentivize bringing jobs home by giving a tax break for not only bringing jobs home, but creating jobs here in America.

Lastly—you both referenced this—we need to make sure that we have a 21st century workforce. As a result, we need to invest, as the gentleman from New York just said—I am just repeating his words, but I use them all the time as well—we need to invest in education, innovation, and infrastructure. That's what helps you grow American manufacturing jobs. And Americans, when they're polled, over 85 percent of them say, if America is going to be the kind of country we want it to be, it will be because we make things here in the United States of America. And the "Made in America" label is seen all over the world. In fact, the "Made in America" label is a very popular label all over the world.

So I want to thank the gentleman from California (Mr. GARAMENDI) and the gentleman from New York for their leadership and their focus on what is critical: if the next generation of Americans is going to make it, that we provide the kinds of jobs and opportunity, as well as education and investment in innovation, that they need to continue to live in the most successful economic country on the face of the Earth. I thank the gentleman for his leadership.

Mr. GARAMENDI. Mr. HOYER, thank you so very much. As I've heard you say over and over again, America will make it when we Make It in America.

Mr. HOYER. Amen.

□ 2020

Mr. GARAMENDI. Thank you very much for joining us.

Mr. TONKO, education, innovation, infrastructure—those are keys. There are a couple of other keys, as Mr. HOYER was saying. Part of it is our tax policy, the policies that come out of this building. And we can really do the kinds of things, laws, that really make a difference.

I put up that picture of that new Amtrak locomotive. It was a law, the Stimulus Act, that allowed the men and women in Sacramento, some 200 of them, plus another 70 companies that are the supply chain that supply the various parts to this locomotive to have a job.

And what happened in the stimulus bill was, okay, we're going to spend half a billion dollars for 70 locomotives for Amtrak. But, another sentence, they must be American-made, using American taxpayer money to buy American-made equipment.

So we now have this manufacturing plant in Sacramento. We now have men and women employed, not only in Sac-

ramento, but around the Nation, making the various parts for this most advanced locomotive.

So it's public policy. I have a bill in that does that. It requires that if we're going to build the infrastructure and locomotives, buses, trains, roads, bridges, and use American taxpayer money, then we must be buying American-made products. Pretty simple stuff. It's the Buy America, and it creates jobs in America.

I know you have several pieces of legislation that you're sponsoring and supporting. You may want to bring those up. We'll talk about them for a few moments.

Mr. TONKO. Sure. The wordsmithing that you talk about is so critical. The addition of language that clarifies or specifically states "made in America" as an outcome, very critical to the legislation. And two things were happening. The wordsmithing didn't happen as tenderly as it should have for American workers, but there was also a disinvestment in manufacturing as a sector of our economy. And agriculture was ignored. Manufacturing was ignored.

Service sector was paid attention to; and then more narrowly, financial services got great attention. But we know that story: turn your back as government, say go function as you choose, and create derivatives to avoid government oversight and avoid the watchdog. And we saw trillions lost to American households because of that failure.

Here there's a conscious attempt to say, no, we're not going to pay to have you ship jobs offshore. Yes, we're going to pay to have you bring them back. Yes, we're going to invest in workers. Yes, we're going to invest in research to develop new processes.

I have a bill that deals with energy efficiency that allows for us to enhance the efficiency of turbines that are being produced in Schenectady, that are being made in Schenectady at GE, and then exported to the markets around the world.

Routinely, I am showcasing manufacturing in my district so that the media, as a partner, can showcase what's happening right in our very neighborhoods, and that the story fully, complete and told to everyone, is that we're also exporting from Tech Valley, New York. That is so important for people to know, and we need to enhance that.

We need to provide for the reinforcement, the underpinning of support through language in bills, resources that are attached to various appropriations bills, and pointing a focus on American manufacturing.

I saw what happened through an incubator program at RPI, Rensselaer Polytechnic Institute, in my district, where a local manufacturer was able to revisit his process, his manufacturing

process. They upgraded it, went to a community college in the district, Hudson Valley Community College, which trained the workers from this facility how to use this new automated piece; and now they've added workers who are specifically trained on this automated concept. They're winning contracts, and Kintz Plastics in Schoharie, New York, in the upstate New York region, a rural county setting, by the way, is strengthened by all that investment.

That's what it takes. It's a focus, laser-sharp focus on how to meet the various elements of the equation that will take us to a winning effort. And it's straightforward, it's thought out, it's not mindless.

Instead of issues of ignoring manufacturing, providing for sequestration that automatically cuts programs where there ought to be investment, let's move forward with a sound budget. Let's move forward with an agenda that produces jobs.

The President has introduced a package that calls for a budget that's real, that displaces sequestration. He knows of the damage that that would do to the economy and to the investment in manufacturing that is needed now in a very targeted way.

So this is a thoughtful, mindful, analytical, academically driven agenda that really speaks to the needs of all sorts of efficiency operations, turbines that will be built to better scale, that will allow for better outcomes and save us, in the process, save jobs in the process, grow jobs, and then provide for more productivity on the local scene.

So, I think it's incredibly successful when we just apply simple logic to the situation.

Mr. GARAMENDI. Mr. TONKO, I certainly agree about logic and the sometimes lack of logic, the sequestration, which is no sense, otherwise known as nonsense, but extraordinarily damaging.

But you're talking about Rensselaer and what came out of that. I'll give you an example in my own district, Davis, California, University of California-Davis. And here's where your discussion really meets the road.

The engineering school did computerized programming for machine tools and did some very advanced research on how to do that. One of the Japanese companies that manufactured machine tools, one of the most advanced machine tool manufacturers in the world, Mori Seiki, came over to University of California-Davis, talked to the engineers and the students and the professors that were putting together this computerized system for machine tools and said, we want to be part of that.

And so they began to use it and realized that what they needed to do was to be right next to the research so that they could constantly upgrade their machines. And they, therefore, came to



Davis, California, built a factory, hired, I think, about 120 people now; and they're making the most advanced machine tools, computerized-driven machine tools anywhere in the world right in Davis, California.

So we can see the connection between research, the adaptation of that research into the manufacturing process, and then the jobs. These are all middle class jobs and above that are now available in Davis, California. And there are others that spin off from that, providing certain parts of it. So these are the keys.

Now, here's where the nonsense comes in. If those are the keys to industrial growth and manufacturing and job growth, why is it that we have a budget that's going to be back on the floor tomorrow that actually cuts research, cuts the educational components, cuts the job training, the retraining that's necessary, and doesn't do anything to create jobs except reduce the Federal support that has been critical in this Nation's history?

Why would we do that?

I don't understand, but it's going to be back here. This is the Republican Ryan budget. They're going to play some games tomorrow, try to pretend that somehow it passed the Senate when, in fact, we really need a budget conference committee so that we can sort out our differences, so we can lay the platform for future economic growth.

But that's not what that budget does. It's exactly the opposite. It's an austerity budget, and it cuts those things that really do create economic growth.

Unfortunately, but we have a different agenda; and we want that agenda of growth.

We, perhaps, ought to shift our gears here a little bit and talk about the infrastructure component which is integral to this. You mentioned it earlier.

I know that in your area a year ago you had tremendous flooding; and so the infrastructure, the protection from that, you may want to pick that up, and I'll follow along.

Mr. TONKO. Sure. Even the data compilation there, the research that's done with the weather patterns, putting together data that's compiled that are very compelling bits of information allow us to grow back smarter. If we're just going to rebuild after the damages of these consequences of Mother Nature—

Mr. GARAMENDI. It's global warming.

Mr. TONKO. Yes. And we have to be real about this. We have to take into mind and heart the situations out there. And to just simply rebuild and ignore the facts, if there's increased precipitation over the last 20 years, markedly so, discernibly speaking to us, we need to move forward accordingly. And so there should be retrofits that are responding to the data.

□ 2030

You don't rebuild a bridge to the same span and same height if the water volume is growing exponentially. We have combined heat and power situations that were impacted or survived the consequences of the disaster of Superstorm Sandy. Should we revisit how we rebuild some of the electric infrastructure?

So there are calls here that challenge us, that require us to do it more wisely, to do it more effectively, and to do it with intelligent approaches that allow us to use the innovative approaches that are available.

I watch what is being designed here by so many of the startup industries that are taking into account climate change, taking into account the various elements that are impacting us, causing coastal areas on your coast, on my coast of this country, where people need to rebuild in a clever way and in a way that's sensitive to the demands of the system. And the threshold years out there by which we need to respond to climate change are quickly approaching us. Some suggest as early as 2017. Others will stretch it to 2020. Regardless, that is around the corner. And the call to order here is to be sophisticated in the approach. Go forward, do it with science, do it with intellect, do it academically, so that we can grow jobs that are going to respond to the pressures out there that are bearing down upon us and are undeniable. Let's get the stuff done.

Recently, I went to several college graduations in my district. And to see the technical strength walking across that stage. From doctorates to master's degrees to bachelor's degrees, there is great talent being released out there. Let's put it to work so this Nation can build upon that pioneer spirit that has always driven us. There's just such great opportunity here. And if you believe that all the products ever required by humankind have been conceived, prototyped, developed, manufactured, and sold, the story is over. But we know better than that. Products are being developed as we speak. And the challenge to a sophisticated society such as ours, it's okay. Maybe some of those manufactured goods that you did a century ago are now replaced by some new, precision-oriented, heavy-duty ideas reformulation that really allows us to be clever in the attempt.

Mr. GARAMENDI. The infrastructure system of this Nation is the foundation for the economy. And any economic growth that we have has to be built on a solid infrastructure. The American Society of Civil Engineers rates the American infrastructure at a D. That's not good. That's doggone bad, actually. You take a look at the other countries of the world, China and others, that are building first class infrastructure, and you come to the United States and see

that we're really not. We're way behind.

You talked about the safety issue. I have probably well over 1,100 miles of levees in my district that are flood protection. And they're decades old. They need to be upgraded. So just in terms of the communities being safe—for example, Natomas, in Sacramento, is an area that I share with Congresswoman MATSUI and is one of the riskiest places in America for flooding, right behind New Orleans. We need to upgrade those levees so that that community can, A, be safe and, B, grow. We know that other areas in my district have the same problem.

Yet at the same time, the sequestration, to go back to that nonsense, removes \$250 million of levee improvements from the Army Corps of Engineers' budget. So projects are going to be delayed. We're going to have another winter and, God willing, we won't have a flood. But it could happen. The money that is necessary to rebuild those levees is gone.

The President has been very, very upfront about this. The President was standing right behind us here at the State of the Union and said, We need to build our infrastructure. And he proposed three things. First of all, he wants to put in an additional \$50 billion to be spent in the near term—this year and the year after—to really give a major push for America's infrastructure. He also said we need an infrastructure bank. Europe has had one for nearly three decades, and it really helps to finance projects that have a cash flow: sanitation systems, water systems, toll roads, toll bridges, and the like.

The other thing that I think we ought to do is, when we spend that money, we ought to spend it on American-made equipment. And that's what my bill does. The other part of this is that we really need to address the infrastructure issue with a very robust program.

I'm going to take this for just a second. For every \$1 that we invest in infrastructure, there is a boost to the economy of \$1.57. So by investing in the infrastructure, we actually grow the economy more than a one-to-one basis. It's \$1.57 for every \$1 that we invest. And so you set this kind of economic growth going on and you've built the foundation for the future. That's what we ought to be doing.

So I ask my Republican colleagues here: pay attention. Forget about whether it's President Obama or President whomever. Infrastructure is really, really important. Take up what the President has suggested. Call it a Republican suggestion. Boost the infrastructure spending in this Nation. Put the men and women who build America's foundation back to work so that we have a foundation for economic growth and for safety.

Let's realize that we had a train wreck in Connecticut. Was it caused by a bad track situation? Possibly. We had a bridge collapse in Washington State. We know that that was an infrastructure maintenance problem. We have potholes. We know that the economy of this Nation has slowed down because of traffic jams and insufficient capacities on our highways. And we know that we have insufficient transit systems. In New York, you need to rebuild, as you just discussed, from Superstorm Sandy.

Mr. TONKO. Absolutely. When you talk about roads and bridges, my home county of Montgomery, New York, in my district, was host to a terrible bridge collapse. We commemorated in 2012 the 25th anniversary of the collapse of a thruway bridge that took several lives. That was a stark reminder 25, 26 years ago. We have only accumulated more concern for deficiencies.

So it's roads and bridges. It's rail, as you made mention. But it's also telecommunications and utilities. You look at a system that was engineered to be a monopoly, serving regions of energy needs for people, and then with deregulation came the wheeling of electrons from region to region, State to State, nation to nation. You had Canada wheeling in electrons to New York State. We need to upgrade the system. The interconnection devices need to be upgraded. There's new technology. You get more efficiency, less line loss. These are the things that are smart. And we're asking with this package that we've talked about here tonight, let's be smart. Let's respect the hard-earned tax dollars that are under our stewardship.

In August of 2003, I was serving in State government in New York when we had a major collapse of the system that was driven by transmission. An outage in Ohio triggered a collapse into New York. So Ohio put out the lights on Broadway in New York City. And this was long-term in its consequences. Great economic loss, great challenge to us. In the midst of homeland security, anti-terrorist sentiment, you had a glaring, gaping vulnerability for terrorist minds to see that weakness.

We need to invest in the infrastructure. So an infrastructure bank bill, you're absolutely right, is a tremendously strong, powerful way to leverage public-private sector matches to extend the opportunities, to grow the opportunities to make investments in all sorts of infrastructure.

I live in one of the oldest sections of the country. Our water-sewer systems are antiquated. Our utility sectors are very, very old.

□ 2040

The upgrades that are required, the technology that can be invested, the cutting-edge improvements that are part and parcel to that solution, these

are incredible opportunities for us to strengthen the outcome for businesses. We have business coming in to upstate New York that, in one case, Global Foundries, represents some of the greatest job growth in the world for chip manufacturing. Are they energy intensive? You better believe they are. Do we need state-of-the-art hookups? Do we need reliability and predictability in that capacity that's delivered? Absolutely. So we know what the needs of business happen to be. We know how best to respond to that. We do it through clever, public, progressive policy that enables us to see the worthiness of investment.

Belt tightening, we've talked about this before—waste, inefficiency, fraud, outmoded programs undone. We belt tighten. But that is cut where you can so that you invest where you must. And that mantra should guide us: cut where you can so you invest where you must.

And the infrastructure requires our response. You need to move freight. You need to move workers. You need to have safety addressed, public safety addressed. I saw the consequences. I saw the deaths that came from the tragic collapse of a thruway bridge in upstate New York 26 years ago. That should not be repeated. That sort of tragedy should be avoided with any clever cost being assumed. And here we're asking simply to put people to work.

This is not just spending money. It's investing in workers that will make for a stronger outcome, and it provides for state-of-art opportunities. And that's where the business partnership is with this country. If you're going to sit there and say we're just going to cut our way to prosperity, cut our way to deficit reduction, and cut our way to job growth, it's not going to happen that way.

Mr. GARAMENDI. No, it certainly won't. You've been talking about bridge collapses, the bridge that collapsed in the Twin Cities, Minnesota and Wisconsin, lives lost. We're continuing to see the infrastructure, bridges and others, unable to really carry the modern loads that are there, rusting and falling down. We need to really address that.

You did raise an essential point about the electric grid, that power infrastructure, the electric power infrastructure of this Nation, critically important. We need to make the investments there. And we're also making—Mr. HOYER talked about the energy independence that we're moving towards in the United States. One part of that is the natural gas that is now being more readily available and at a reasonable price, and we're seeing the repowering of many of the coal-fired power plants using natural gas, which also reduces the greenhouse gas emissions from coal. All of that is good.

I want to pick up another area of infrastructure that's really important.

I've now become the ranking member of the Coast Guard and Maritime. While I've always been interested in the ports, at least in the California ports, I'm now in a position here to spend even more time focusing on the ports and the maritime industry. International commerce, critically important to economic growth, Mr. HOYER talked about the export potential that this country has and will even grow more in the future, but that is also the ports and the airports.

Both of these, airports and the ports, are unable to meet the demands of modern and advanced transportation. Many of the ports in America need to be deepened so that the new container ships that are now coming into play and many of the new oil tankers and the rest can access the American ports. In doing so, we will be able to maintain the vitality of international trade, the export market, which we really must, once again, dominate, and the jobs that go with the ports.

And so it's ports and it's railroads that lead out of the ports and the trucking industry that goes out of it so that we need a comprehensive transportation plan. We're going to rewrite the Surface Transportation Act in this session of Congress, start on it this year, get it done in, well, hopefully this year or maybe next year—not maybe. We have to do it next year because we see the expiration of the current transportation plan.

So there's enormous responsibilities that we have to create the infrastructure upon which America grows. It's the roads. It's the ports. It's the airports. It's the electrical system and the communication systems. All of these are critical, and all of them, in one way or another, are dependent upon the actions taken by the 435 of us in the House of Representatives and the 100 Members of the Senate and, of course, the President.

Bear in mind that the President has presented to the Congress a very robust infrastructure plan that takes into account all of the elements that we've discussed here tonight. Very, very little of that has actually been taken up in any committee hearing, and what we have seen pass the House thus far is not the kind of robust investment that is needed for infrastructure but quite the opposite: a disinvestment through such things as the sequestration and the Ryan budget which will be back on the floor again in the next day or so. These are not the way you grow the economy. These are austerity programs that actually reduce the investments that we need for the foundation of America's economic growth: education, research, infrastructure investment, modern manufacturing. These are the keys, and we have to do it.

Mr. TONKO, we've gone through most of our time. If you'd like to take a wrap, and then I'll take a wrap and we'll call it a night.

Mr. TONKO. Well, you talk about the challenges that we have out there, and you've listed what I think is a very aggressive agenda but a doable agenda; and I think to reinforce the doability of it, the acceptability of it, perhaps we just need to recall some of our most golden moments in American history when we were challenged, when there was a need to respond with boldness, with vision, and with courage. We did it.

My district is the donor area in a large way to the Erie Canal system. You talk about ports. It grew a port out of a little town called New York. It was that port of entry that then allowed for the shipping of goods up the Hudson into the Mohawk, into the Erie Canal system, a system that was brought about under tough times. The proponents of the canal said, Look, we're going to do this; it's a tough time, but let's invest.

Did that prove successful? You'd better believe it. It sparked the westward movement and an industrial revolution, gave birth to a necklace of communities called mill towns. Mill towns became the powerful epicenters of invention and innovation.

When President Roosevelt, Franklin Roosevelt, led this Nation out of its worst economic crunch, it was about investing in America, putting people to work and developing projects that were essential to our hopeful tomorrow. It put a lot of people to work. It pulled us out of the doldrums of the Depression and allowed us to rise from the situation and provide, again, hope for this Nation.

President Eisenhower, understanding that in some tough times we needed to develop an interstate system for our highway network because, again, it was transporting and shipping of goods and we needed to modernize and advance what was best for America, that golden moment of our history should speak to us.

Certainly, President Kennedy picked up on that Sputnik moment when we dusted off our backside and said, Never again. He called us together as a nation, a rather youthful President, saying, We're going to win this global race on space. We're going to do it, because with passionate resolve, we're going to say "yes" to the investments required so as to stake that American flag as the first flag onto the surface of the Moon, winning that race, that global race on space. And we did it because we invested, we believed, and we resolved with passion and worked together as a nation.

So, let's take inspiration from those golden moments, an Erie Canal, an FDR comeback with the workers corps and the building of an infrastructure, highway infrastructure, and the winning of a global race on space. Let's let that speak to us as a nation. Let us move forward with the passion and the

resolve and say, Invest in the clean energy, science and tech, innovation economy. We know we can win this. But if we sit there complacently and don't allow for the investment in our workforce, deny the potential of this Nation, that is not leadership. That is not leadership. We will then be passed by by other nations.

We have the intellect that can be harnessed here to grow the sophisticated products, to deal with a position orientation of manufacturing today, to provide for advanced manufacturing, to come up with clever batteries as a linchpin to the energy revolution, and the list goes on and on and on. Leadership from this Chamber can make a difference, and a sound budget, an honest budget, one that invests in America is what we require right now.

Mr. GARAMENDI. Mr. TONKO, thank you so very much. Your passion on this has been displayed on this floor numerous times as we talked about making it in America, about jobs and infrastructure. As you were going through that recitation of American history, I want to go back even further than the canal period. Let's go back to our very first President, George Washington.

□ 2050

He refused to go through the Inaugural in a suit made by England. So he wanted an American-made suit. He found the cloth from Boston and a tailor, and wore an American-made suit.

He also, immediately on taking office, our very first President in the very first days in his office, turned to his Treasury secretary, Alexander Hamilton, and said: We need to develop the manufacturing in this country. I want you to develop a plan on manufacturers.

Hamilton went out—I don't know if he had a committee or not—but he came back with a report. It was probably 30 to 50 pages. Now it would be 30–50,000 pages. But nonetheless, he came back with a report—I think he had about 15 different thoughts in it—and they were precisely on this subject of "making it in America."

You will love this. One of the very first things in that document was: We need to build the infrastructure; canals, roads, and ports. The very first President said: The role of the Federal Government is to help build the infrastructure. And here we are centuries later still debating how we're going to do it. Well, just pay attention to the Founding Fathers. They told us how to do it.

They also said we ought to spend the American taxpayers' money on American-made goods. It's in that document dating back to the very first policies of this Nation. And so when I introduced this bill that says use the taxpayer money to buy American-made products, it's not new, folks. I'm simply copying what Alexander Hamilton sug-

gested to George Washington and the first Congress of the United States.

There are other elements in it that play into this in a similar way. And certainly we know that Thomas Jefferson was really big on education. And so the University of Virginia came up. These are the elements of economic growth.

Here we are—435 of us in the House of Representatives—and the question for us is are we going to put in place policies that provide the foundation for economic growth, or are we going to go the opposite direction and continue on the austerity route which actually disinvests on those key elements that create economic growth?

For me, I'm an investor, I want to invest in America's future with infrastructure, education, innovation, research, and manufacturing in America. Those are the policies that I believe we need to put in place, Mr. TONKO. You and I have been here many nights and we've talked about these issues many, many times. And we're not going to stop, are we?

Mr. TONKO. You know, we're not. And I think it's, again, that belief, that sense that we can accomplish; as you were talking about, those early, early days from our humble beginnings.

I was reminded of the event this weekend in my district in Saratoga where we were revisiting the area that hosted General Burgoyne's surrender to the American troops after the Battle of Saratoga. And this was the David and Goliath routine. We weren't supposed to win that battle. It's been dubbed the battle of the millennium. And that it was more than a national battle. It made a statement around the world that this mighty force came up against insurmountable odds and won. That's in our DNA.

We are replete in our history of all sorts of response that came in powerful measure, that said, "this is America at her best." That's the moment to seize right here. Not to walk away and sequester us, weaken us, disinvest in us, defund us.

I told a group of young students this weekend with the Hugh O'Brien Youth Leadership Conference, hundreds of students: Do not let us as a political generation undo your political generation. You are worthy of education dollars, you are in need of access affordability to a college path, you deserve your climate change to be addressed, your planet requires our stewardship. What is this walking away from the next generation? Is that our legacy? Is that what we want our legacy to be? Or is it us remembered as a generation that faced immense challenge after a difficult recession and we came to terms and said the academics applied here show us how to work our way through this critical test and how to invest in America so that her best days lie ahead?

That's responding with fairness, with respect, and justice to that next generation of workers who are only asking us to do what generations before us did: Believe in us, care for us, invest in us, so only our best will be available for us, our best opportunities.

Mr. GARAMENDI. Mr. TONKO, I don't think I could say it better. And so what I think I will say is, Mr. Speaker, I yield back the balance of my time.

#### ADJOURNMENT

Mr. GARAMENDI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 5, 2013, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1691. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's "Major" final rule — Core Principles and Other Requirements for Swap Execution Facilities (RIN Number: 3038-AD18) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1692. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Pears Grown in Oregon and Washington; Committee Membership Reapportionment for Processed Pears [Doc. No.: AMS-FV-12-0032; FV12-927-3 FR] received May 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1693. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Milk in the Northeast and Other Marketing Areas; Order Amending the Orders [Doc. No.: AMS-DA-07-0026; AO-14-A77, et al.; DA-07-02] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1694. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Lamb Promotion, Research, and Information Order; Amendment to the Order To Raise the Assessment Rate [No.: AMS-LS-11-0038] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1695. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Colorado; Reestablishment of Membership on the Colorado Potato Administrative Committee, Area No. 2 [Doc. No.: AMS-FV-12-0044; FV12-948-2 FR] received May 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1696. A letter from the Principal Deputy Under Secretary, Department of Defense, transmitting a report entitled, "Combating Terrorism Activities FY 2014 Budget Estimates"; to the Committee on Armed Services.

1697. A letter from the Secretary, Department of Health and Human Services, trans-

mitting the Department's FY 2012 annual performance report to Congress required by the Prescription Drug User Fee Act of 1992 (PDUFA), as amended, pursuant to 21 U.S.C. 379g note; to the Committee on Energy and Commerce.

1698. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Foreign Affairs.

1699. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-76, "Certified Business Enterprise Compliance Temporary Act of 2013"; to the Committee on Oversight and Government Reform.

1700. A letter from the Acting General Counsel, Office of Management and Budget, transmitting seven reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Kentucky: Committee on Appropriations. Report on the Suballocation of Budget Allocations for Fiscal Year 2014 (Rept. 113-96). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HASTINGS of Washington (for himself, Mr. LAMBORN, Mr. CRAMER, Mr. FLORES, Mr. DUNCAN of South Carolina, Mr. LAMALFA, and Mr. WITTMAN):

H.R. 2231. A bill to amend the Outer Continental Shelf Lands Act to increase energy exploration and production on the Outer Continental Shelf, provide for equitable revenue sharing for all coastal States, implement the reorganization of the functions of the former Minerals Management Service into distinct and separate agencies, and for other purposes; to the Committee on Natural Resources.

By Mr. GRAVES of Missouri (for himself, Mr. HANNA, Mr. PETERS of California, Mr. HUNTER, and Mr. COLLINS of New York):

H.R. 2232. A bill to amend the Small Business Act to permit prime contractors covered by a subcontracting plan pertaining to a single contract with a Federal agency to receive credit against such a plan for using small business subcontractors at any level of subcontracting, and for other purposes; to the Committee on Small Business.

By Mr. BILIRAKIS:

H.R. 2233. A bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for hurricane and tornado mitigation expenditures; to the Committee on Ways and Means.

By Mr. BISHOP of New York:

H.R. 2234. A bill to reduce and prevent the sale and use of fraudulent degrees in order to protect the integrity of valid higher education degrees that are used for Federal employment purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO (for himself, Mr. KEATING, Mr. KENNEDY, Mr. LYNCH, Mr. MARKEY, Mr. MCGOVERN, Mr. NEAL, Mr. TIERNEY, and Ms. TSONGAS):

H.R. 2235. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide death benefits for campus police officers; to the Committee on the Judiciary.

By Mr. CHABOT (for himself, Ms. LOFGREN, Ms. ESHOO, Ms. CHU, Mr. FARENTHOLD, Mr. CHAFFETZ, and Mr. COBLE):

H.R. 2236. A bill to amend title 35, United States Code, to modify the definition of micro entity; to the Committee on the Judiciary.

By Ms. CHU (for herself, Mr. GRIJALVA, Ms. WILSON of Florida, Mr. HONDA, Mr. ELLISON, Mr. LEWIS, Mr. POLIS, and Mr. LOEBACK):

H.R. 2237. A bill to strengthen student achievement and graduation rates and prepare young people for college, careers, and citizenship through innovative partnerships that meet the comprehensive needs of children and youth; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTA (for himself and Mr. POE of Texas):

H.R. 2238. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to exempt the Crime Victims Fund from sequestration; to the Committee on the Budget.

By Mr. COTTON:

H.R. 2239. A bill to reduce the number of Federal judgeships for the U.S. Court of Appeals for the District of Columbia Circuit; to the Committee on the Judiciary.

By Mr. BLUMENAUER (for himself, Mr. ROHRBACHER, Mr. POLIS, Mr. SMITH of Washington, Mr. FARR, Mr. COHEN, Mr. PERLMUTTER, and Ms. LEE of California):

H.R. 2240. A bill to amend the Internal Revenue Code of 1986 to allow deductions and credits relating to expenditures in connection with marijuana sales conducted in compliance with State law; to the Committee on Ways and Means.

By Mr. DIAZ-BALART (for himself and Mr. HARRIS):

H.R. 2241. A bill to amend the Internal Revenue Code of 1986 to provide a credit for owning certain disaster resilient property; to the Committee on Ways and Means.

By Mr. ENGEL:

H.R. 2242. A bill to enable State and local promotion of natural gas, flexible fuel, and high-efficiency motor vehicle fleets; to the Committee on Energy and Commerce.

By Mr. ENYART:

H.R. 2243. A bill to authorize the Secretary of the Air Force to make competitive grants

to support research and development, education, and training to produce a bio-based aviation fuel for use by the Air Force; to the Committee on Armed Services.

By Mr. GRIFFIN of Arkansas (for himself, Mr. CRAWFORD, Mr. COTTON, and Mr. WOMACK):

H.R. 2244. A bill to designate the attack that occurred at a recruiting station in Little Rock, Arkansas, on June 1, 2009, in which Private William Long of the United States Army was killed and Private Quinton Ezeagwula of the United States Army was wounded, as an international terrorist attack for which the two soldiers are to be awarded the Purple Heart; to the Committee on Armed Services.

By Mr. LANKFORD:

H.R. 2245. A bill to prohibit the Ambassador's Fund for Cultural Preservation from making grants, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BEN RAY LUJAN of New Mexico (for himself and Ms. MICHELLE LUJAN GRISHAM of New Mexico):

H.R. 2246. A bill to amend the Individuals with Disabilities Education Act in order to limit the penalties to a State that does not meet its maintenance of effort level of funding to a one-time penalty; to the Committee on Education and the Workforce.

By Mrs. LUMMIS:

H.R. 2247. A bill to amend the Arms Export Control Act to provide that certain firearms listed as curios or relics may be imported into the United States by a licensed importer without obtaining authorization from the Department of State or the Department of Defense, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself, Mr. BLUMENAUER, Mrs. CAPPS, Ms. DEGETTE, Ms. DELAUNO, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. GRIJALVA, Ms. LOFGREN, Mrs. LOWEY, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Mr. MORAN, Mr. NADLER, Ms. PINGREE of Maine, Ms. SCHA-KOWSKY, Ms. SLAUGHTER, Ms. SPEIER, and Ms. TSONGAS):

H.R. 2248. A bill to ban the use of bisphenol A in food containers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MORAN (for himself, Mr. FOSTER, Mr. RANGEL, Mr. CONNOLLY, Mr. RYAN of Ohio, and Mr. POLIS):

H.R. 2249. A bill to amend title 10, United States Code, to provide for the payment of monthly annuities under the Survivor Benefit Plan to a supplemental or special needs trust established for the sole benefit of a disabled dependent child of a participant in the Survivor Benefit Plan; to the Committee on Armed Services.

By Mr. OWENS (for himself, Mr. RENACCI, and Mrs. BUSTOS):

H.R. 2250. A bill to require the head of each executive agency to submit a report on the implementation of Government Accountability Office reports on reducing duplication, achieving savings, and enhancing revenue within the Federal Government; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERSON (for himself, Mr. WALZ, Mr. KLINE, Mr. PAULSEN, Ms.

MCCOLLUM, Mr. ELLISON, Mrs. BACHMANN, and Mr. NOLAN):

H.R. 2251. A bill to designate the United States courthouse located at 118 South Mill Street, in Fergus Falls, Minnesota, as the "Edward J. Devitt United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. POLIS (for himself, Mr. PETRI, Mr. HINOJOSA, Mr. PAULSEN, Mr. GUTHRIE, Mrs. DAVIS of California, Mr. DELANEY, and Mr. SCHOCK):

H.R. 2252. A bill to amend the charter school program under the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. SCHOCK:

H.R. 2253. A bill to amend the Internal Revenue Code of 1986 to consolidate the current education tax incentives into one credit against income tax for higher education expenses, and for other purposes; to the Committee on Ways and Means.

By Ms. SEWELL of Alabama:

H.R. 2254. A bill to establish the Alabama Black Belt National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. VAN HOLLEN (for himself, Mr. WOLF, and Mr. DELANEY):

H.R. 2255. A bill to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission; to the Committee on Natural Resources.

By Mr. WALZ (for himself, Mr. NOLAN, Ms. MCCOLLUM, Mr. ELLISON, and Mr. PETERSON):

H.R. 2256. A bill to amend the Energy Independence and Security Act of 2007 to improve the coordination of refinery outages, and for other purposes; to the Committee on Energy and Commerce.

By Ms. WILSON of Florida:

H.R. 2257. A bill to amend the Workforce Investment Act of 1998 to create a pilot program to award grants to units of general local government and community-based organizations to create jobs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BENTIVOLIO:

H. Res. 245. A resolution recognizing the 24th anniversary of the Tiananmen Square massacre, calling for the release of Dr. Wang Bingzhang, and for other reasons; to the Committee on Foreign Affairs.

By Ms. JACKSON LEE (for herself, Mr. BRADY of Texas, Mr. AL GREEN of Texas, Mr. MCCAUL, Mr. GENE GREEN of Texas, Mr. POE of Texas, Mr. CULBERSON, Mr. OLSON, Mr. STOCKMAN, Mr. CASTRO of Texas, and Mr. KING of New York):

H. Res. 246. A resolution expressing condolences to the families and loved ones of firefighters Matthew Renaud, Robert Bebee, Robert Garner, and Anne Sullivan and standing in solidarity with their families, members of the Houston Fire Department, and entire Houston community, as they mourn the loss of these 4 remarkable and selfless heroes who represented the best of the Houston community and exemplify the qualities of firefighters serving communities throughout the Nation; to the Committee on Oversight and Government Reform.

By Mr. GRIMM (for himself, Mr. JOHN-SON of Ohio, Mr. MCGOVERN, Mr. HOLT, Mr. LANCE, and Mr. DANNY K. DAVIS of Illinois):

H. Res. 247. A resolution expressing support for internal rebuilding, resettlement, and reconciliation within Sri Lanka that are

necessary to ensure a lasting peace; to the Committee on Foreign Affairs.

By Ms. LEE of California (for herself, Ms. BORDALLO, Ms. BROWN of Florida, Mrs. CHRISTENSEN, Mr. COHEN, Mr. CONYERS, Mr. DEUTCH, Mr. FALEOMAVAEGA, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. LEWIS, Ms. MOORE, Ms. WATERS, Mr. RANGEL, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, Mr. CLAY, Ms. FRANKEL of Florida, Mr. SABLON, Ms. CLARKE, and Mr. ENGEL):

H. Res. 248. A resolution recognizing the significance of National Caribbean American Heritage Month; to the Committee on Oversight and Government Reform.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HASTINGS of Washington:

H.R. 2231.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article IV, Section 3 of the Constitution.

By Mr. GRAVES of Missouri:

H.R. 2232.

Congress has the power to enact this legislation pursuant to the following:

Art. I, § 8, cls. 1, 3, and 18 and Art. IV, § 3, cl. 2 of the Constitution of the United States.

By Mr. BILIRAKIS:

H.R. 2233.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority to lay and collect Taxes, Duties, Imposts and Excises as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. BISHOP of New York:

H.R. 2234. Congress has the power to enact this legislation pursuant to the following:

Article 1, Sec. 8, Clause 1

Article 1, Sec. 8, Clause 3

Article 1, Sec. 8, Clause 18

By Mr. CAPUANO:

H.R. 2235.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8, Clause 1; and Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CHABOT:

H.R. 2236.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8: "To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Rights to their respective Writings and Discoveries."

By Ms. CHU:

H.R. 2237.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article 1, Section 8, Clause 3 and Article 1, Section 9, Clause 7 of the Constitution of the United States of America, the authority to enact this legislation rests with the Congress.

By Mr. COSTA:

H.R. 2238.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. COTTON:

H.R. 2239.

Congress has the power to enact this legislation pursuant to the following:

Clause 9 of section 8 of article I of the Constitution.

By Mr. BLUMENAUER:

H.R. 2240.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass tax legislation. Article I of the Constitution, in detailing Congressional authority, provides that "Congress shall have Power to lay and collect Taxes. . ." (Section 8, Clause 1). This legislation is introduced pursuant to that grant of authority.

By Mr. DIAZ-BALART:

H.R. 2241.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the United States Constitution.

By Mr. ENGEL:

H.R. 2242.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution.

By Mr. ENYART:

H.R. 2243.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. GRIFFIN of Arkansas:

H.R. 2244.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. LANKFORD:

H.R. 2245.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 and 3 and implied powers to not act in these areas.

By Mr. BEN RAY LUJAN of New Mexico:

H.R. 2246.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. LUMMIS:

H.R. 2247.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MARKEY:

H.R. 2248.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. MORAN:

H.R. 2249.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14

This Bill is enacted pursuant to Article I, Section 8 of the United States Constitution, which provides Congress with the power to make rules for the government and regulation of the land and naval forces.

By Mr. OWENS:

H.R. 2250.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. PETERSON:

H.R. 2251.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 17 of the Constitution.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. POLIS:

H.R. 2252.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. SCHOCK:

H.R. 2253.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Ms. SEWELL of Alabama:

H.R. 2254.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

"The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

"To borrow Money on the credit of the United States;

"To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

"To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

"To coin Money, regulate the Value thereof and of foreign Coin, and fix the Standard of Weights and Measures;

"To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

"To establish Post Offices and post Roads;

"To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

"To constitute Tribunals inferior to the Supreme Court;

"To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

"To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

"To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

"To provide and maintain a Navy;

"To make Rules for the Government and Regulation of the land and naval Forces;

"To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

"To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

"To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. VAN HOLLEN:

H.R. 2255.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. WALZ:

H.R. 2256.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the United States Constitution.

By Ms. WILSON of Florida:

H.R. 2257.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. PRICE of Georgia, Mr. HENSARLING, and Mr. LATHAM.

H.R. 56: Mr. HENSARLING.

H.R. 59: Mr. HENSARLING.

H.R. 141: Mr. GRIJALVA.

H.R. 142: Mr. GRIJALVA.

H.R. 208: Mr. CONYERS.

H.R. 311: Mr. HENSARLING.

H.R. 318: Mr. McDERMOTT, Mr. DELANEY, and Mr. BARLETTA.

H.R. 366: Mr. SOUTHERLAND, Mr. BEN RAY LUJAN of New Mexico, and Ms. GABBARD.

H.R. 367: Mr. AUSTIN SCOTT of Georgia.

H.R. 411: Ms. SINEMA.

H.R. 495: Mr. PASCRELL, Mr. SCHRADER, Mr. KILMER, Mr. GRIFFITH of Virginia, Mr. CARDENAS, Mr. CONAWAY, Mr. BROWN of Georgia, Mr. GOODLATTE, Mr. VALADAO, Mr. MCHENRY, Mr. POLIS, and Mr. SENSENBRENNER.

H.R. 508: Mr. PASCRELL and Mr. TIBERI.

H.R. 523: Mr. BERA of California and Mr. LIPINSKI.

H.R. 556: Mr. WALBERG.

- H.R. 580: Mr. GOSAR.  
H.R. 582: Mr. HENSARLING.  
H.R. 605: Ms. SINEMA.  
H.R. 630: Mr. GARCIA, Ms. GABBARD, Mr. CONYERS, and Mrs. CHRISTENSEN.  
H.R. 647: Mr. COTTON, Mr. ROGERS of Kentucky, Ms. SHEA-PORTER, Mr. RIBBLE, and Mrs. LOWEY.  
H.R. 675: Mr. HOLT.  
H.R. 683: Ms. SINEMA.  
H.R. 685: Mr. BROWN of Georgia.  
H.R. 689: Mr. WELCH and Ms. LOFGREN.  
H.R. 721: Mr. ROGERS of Kentucky and Mr. HUELSKAMP.  
H.R. 755: Mr. YOUNG of Alaska and Mr. PIERLUISI.  
H.R. 762: Mr. HENSARLING.  
H.R. 781: Mr. KLINE.  
H.R. 794: Mrs. NAPOLITANO and Mr. MCGOVERN.  
H.R. 800: Mrs. BEATTY.  
H.R. 805: Mr. LEWIS.  
H.R. 809: Mr. PETERSON.  
H.R. 846: Mr. TIERNEY, Mr. RUIZ, Mr. LYNCH, Mr. LARSON of Connecticut, Mr. LEWIS, Mrs. LOWEY, and Ms. DEGETTE.  
H.R. 853: Mr. VELA and Mr. DENHAM.  
H.R. 855: Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 858: Mr. LUCAS, Mr. SCHOCK, Mr. KILMER, and Mr. RIBBLE.  
H.R. 924: Mr. MCGOVERN, Ms. SHEA-PORTER, and Mr. GRIMM.  
H.R. 928: Ms. SHEA-PORTER.  
H.R. 940: Mrs. NOEM and Mr. KINZINGER of Illinois.  
H.R. 949: Ms. MCCOLLUM.  
H.R. 951: Ms. GABBARD.  
H.R. 961: Mr. WAXMAN.  
H.R. 963: Ms. BONAMICI.  
H.R. 979: Mr. LIPINSKI.  
H.R. 980: Mr. VELA.  
H.R. 988: Mr. KING of New York.  
H.R. 1000: Mr. LEWIS.  
H.R. 1001: Ms. WILSON of Florida and Mr. ENYART.  
H.R. 1024: Mr. WELCH, Mr. AUSTIN SCOTT of Georgia, Mr. MCHENRY, Mr. PETRI, Mr. LIPINSKI, and Mr. LEWIS.  
H.R. 1026: Mr. HENSARLING.  
H.R. 1037: Ms. SCHAKOWSKY.  
H.R. 1038: Mrs. HARTZLER.  
H.R. 1041: Mr. BERA of California.  
H.R. 1079: Mr. TIERNEY.  
H.R. 1097: Mr. HENSARLING.  
H.R. 1102: Mr. RUIZ, Mr. CARTWRIGHT, and Ms. BROWNLEY of California.  
H.R. 1129: Ms. WILSON of Florida and Mr. PETERSON.  
H.R. 1141: Mr. HUFFMAN.  
H.R. 1148: Mr. BISHOP of Utah and Mr. MURPHY of Pennsylvania.  
H.R. 1149: Mr. THOMPSON of Mississippi.  
H.R. 1151: Mr. COLLINS of Georgia.  
H.R. 1152: Mr. LOEBSACK and Mrs. BUSTOS.  
H.R. 1154: Ms. SHEA-PORTER.  
H.R. 1201: Ms. JACKSON LEE, Mrs. NOEM, Mr. LIPINSKI, and Mr. COHEN.  
H.R. 1221: Mr. STIVERS.  
H.R. 1243: Mr. LEWIS.  
H.R. 1248: Mr. PRELINGHUYSEN and Mr. COTTON.  
H.R. 1249: Mr. RADEL.  
H.R. 1263: Mr. LEVIN.  
H.R. 1274: Mrs. MCMORRIS RODGERS.  
H.R. 1293: Mr. BARLETTA.  
H.R. 1313: Mr. VELA.  
H.R. 1339: Ms. DEGETTE.  
H.R. 1351: Ms. ESHOO, Mr. DEFazio, and Mr. KEATING.  
H.R. 1373: Mr. HUFFMAN.  
H.R. 1385: Ms. LEE of California.  
H.R. 1390: Mr. QUIGLEY.  
H.R. 1403: Mr. CARSON of Indiana.  
H.R. 1404: Mr. HENSARLING.  
H.R. 1414: Mr. PETERS of Michigan.  
H.R. 1416: Mr. JOYCE.  
H.R. 1427: Mr. YOUNG of Florida.  
H.R. 1451: Mr. NADLER, Mr. BISHOP of New York, Mr. SERRANO, and Mrs. CAROLYN B. MALONEY of New York.  
H.R. 1452: Mr. RUSH and Mr. VELA.  
H.R. 1461: Mr. DUNCAN of South Carolina, Mr. HENSARLING, and Mr. YOHO.  
H.R. 1507: Mr. LYNCH, Ms. KUSTER, Ms. SLAUGHTER, and Mr. QUIGLEY.  
H.R. 1523: Mr. WELCH.  
H.R. 1528: Mr. HUFFMAN, Mr. COLE, and Mr. GRIJALVA.  
H.R. 1540: Mr. GARAMENDI.  
H.R. 1565: Mr. MURPHY of Florida.  
H.R. 1593: Ms. ESTY and Mr. KENNEDY.  
H.R. 1598: Mr. WHITFIELD.  
H.R. 1616: Ms. ESHOO.  
H.R. 1620: Mr. KINGSTON.  
H.R. 1624: Mr. LOEBSACK.  
H.R. 1661: Mr. PETERSON and Mr. GEORGE MILLER of California.  
H.R. 1663: Mr. PETERSON.  
H.R. 1666: Ms. MOORE, Ms. KAPTUR, and Mr. LOEBSACK.  
H.R. 1686: Mr. COHEN and Ms. LEE of California.  
H.R. 1717: Mr. MCGOVERN, Mr. BRIDENSTINE, Mr. DESANTIS, Mr. LUETKEMEYER, Mr. BARR, and Mrs. ROBY.  
H.R. 1726: Mr. MILLER of Florida, Mr. GRIJALVA, and Ms. MENG.  
H.R. 1731: Mr. SMITH of New Jersey.  
H.R. 1732: Mrs. CAPPS and Ms. FRANKEL of Florida.  
H.R. 1737: Mr. TONKO.  
H.R. 1739: Ms. LINDA T. SÁNCHEZ of California and Ms. CASTOR of Florida.  
H.R. 1749: Ms. FRANKEL of Florida.  
H.R. 1755: Ms. GABBARD and Mr. VISCLOSKEY.  
H.R. 1762: Mr. BUCHANAN.  
H.R. 1767: Mr. MICHAUD and Mr. WELCH.  
H.R. 1771: Mr. HIGGINS, Mr. SENSENBRENNER, Mr. SIREs, and Mr. KLINE.  
H.R. 1787: Mr. ENYART, Mr. FARR, Mr. LOEBSACK, Mr. THORNBERRY, Mr. KING of Iowa, Mr. PETRI, Mr. BRALEY of Iowa, Mr. GIBSON, Mr. DUFFY, Mr. LARSON of Connecticut, Mr. POCAN, and Mr. COLLINS of New York.  
H.R. 1797: Mr. HENSARLING and Mr. TURNER.  
H.R. 1798: Mr. PETERSON.  
H.R. 1801: Mr. LOEBSACK.  
H.R. 1812: Mr. CONNOLLY.  
H.R. 1814: Mr. HUELSKAMP, Mr. GUTHRIE, Mr. PRICE of Georgia, Mr. PETERSON, Ms. BROWNLEY of California, Mr. WILSON of South Carolina, and Mr. RUIZ.  
H.R. 1821: Ms. ROYBAL-ALLARD and Ms. SCHWARTZ.  
H.R. 1823: Ms. BONAMICI.  
H.R. 1825: Mr. TERRY, Mr. BURGESS, Mrs. BLACKBURN, and Mr. OWENS.  
H.R. 1845: Mr. CARSON of Indiana.  
H.R. 1857: Mr. LOEBSACK.  
H.R. 1861: Mr. LATHAM, Mr. MARCHANT, and Mrs. BLACKBURN.  
H.R. 1868: Mr. HENSARLING.  
H.R. 1869: Mr. COOK, Mr. GIBSON, Mr. LOWENTHAL, Mr. MAFFEI, Mr. HENSARLING, and Mr. WELCH.  
H.R. 1884: Mr. BERA of California.  
H.R. 1893: Mr. HIMES.  
H.R. 1908: Mr. HENSARLING.  
H.R. 1910: Ms. WASSERMAN SCHULTZ, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. LEE of California, Ms. BROWNLEY of California, Mr. DEFazio, and Ms. WILSON of Florida.  
H.R. 1918: Mr. MICHAUD.  
H.R. 1920: Mr. GRIMM, Mr. CARSON of Indiana, Ms. ROYBAL-ALLARD, Mr. MCDERMOTT, Mrs. DAVIS of California, Ms. CLARKE, and Mr. PAYNE.  
H.R. 1961: Mr. TURNER, Mr. STIVERS, Mr. JORDAN, Mr. LATTI, Mr. JOYCE, Mr. RYAN of Ohio, Mr. TIBERI, Mr. JOHNSON of Ohio, Ms. FUDGE, Mr. GIBBS, and Mr. RENACCI.  
H.R. 1962: Mr. JORDAN, Mr. NOLAN, Mr. HIMES, Mr. YARMUTH, and Mr. BUSTOS.  
H.R. 1971: Mr. STIVERS and Mr. LATTI.  
H.R. 1975: Ms. ESHOO, Mr. GARAMENDI, Mr. BERA of California, Mr. HIMES, and Mr. RUIZ.  
H.R. 1976: Mr. PETERSON.  
H.R. 1985: Mr. BARR.  
H.R. 2009: Mr. MULLIN and Mr. CARTER.  
H.R. 2014: Mr. HIMES.  
H.R. 2020: Mr. HONDA, Mr. VAN HOLLEN, Mr. CUMMINGS, Ms. ESHOO, Ms. SLAUGHTER, and Mr. LOEBSACK.  
H.R. 2043: Mr. VAN HOLLEN.  
H.R. 2053: Mr. WESTMORELAND, Ms. JENKINS, Mr. COTTON, Mr. DUFFY, Mr. WITTMAN, Mr. HUELSKAMP, Mr. ROGERS of Alabama, Mr. BURGESS, Mr. SENSENBRENNER, and Mr. LONG.  
H.R. 2058: Ms. NORTON and Mr. KING of New York.  
H.R. 2064: Mr. CICILLINE, Mr. COHEN, Mr. FITZPATRICK, Ms. FRANKEL of Florida, Mr. GARCIA, and Ms. WILSON of Florida.  
H.R. 2066: Mr. MORAN and Mr. POCAN.  
H.R. 2073: Mr. NUNES.  
H.R. 2086: Ms. CASTOR of Florida, Mrs. KIRKPATRICK, and Mr. GRIJALVA.  
H.R. 2088: Ms. CASTOR of Florida.  
H.R. 2092: Mr. ELLMERS, Mr. NOEM, and Mr. ROKITA.  
H.R. 2093: Mrs. BLACKBURN, Mr. PETRI, and Mr. YOUNG of Alaska.  
H.R. 2115: Mr. HARRIS.  
H.R. 2123: Mr. LOEBSACK.  
H.R. 2125: Mr. SENSENBRENNER and Mr. MARINO.  
H.R. 2132: Ms. LOFGREN.  
H.R. 2137: Mr. LEWIS.  
H.R. 2141: Mr. HINOJOSA, Mr. JEFFRIES, Ms. BROWN of Florida, Mr. VELA, Mr. PETERS of Michigan, Mr. WATT, Mr. NOLAN, and Mrs. KIRKPATRICK.  
H.R. 2143: Mr. PRICE of Georgia.  
H.R. 2144: Mr. VAN HOLLEN.  
H.R. 2146: Mr. FOSTER, Ms. SLAUGHTER, and Mrs. CAROLYN B. MALONEY of New York.  
H.R. 2157: Mr. RYAN of Ohio.  
H.R. 2159: Ms. SLAUGHTER, Mr. POLIS, and Mr. ENYART.  
H.R. 2169: Mr. GRIJALVA.  
H.R. 2194: Mr. CASSIDY.  
H.R. 2203: Mr. JOHNSON of Ohio, Mr. RENACCI, Mrs. ELLMERS, Ms. KAPTUR, and Mr. COBLE.  
H.R. 2218: Mr. BILIRAKIS.  
H. Con. Res. 24: Mr. FORBES.  
H. Con. Res. 27: Mr. COHEN and Mr. PETRI.  
H. Con. Res. 34: Ms. MENG, Mrs. LOWEY, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H. Con. Res. 36: Ms. BORDALLO, Mr. MARKEY, Mr. MCGOVERN, and Mr. DEFazio.  
H. Con. Res. 37: Mr. MILLER of Florida.  
H. Res. 35: Mr. POE of Texas, Mr. KINGSTON, Mr. CRAWFORD, Mr. THOMPSON of Pennsylvania, Mr. MCHENRY, Mr. GARRETT, Mr. MEADOWS, Mrs. NOEM, Mr. MESSER, Mr. MULLIN, Mr. FLEMING, Mr. DESANTIS, Mr. STEWART, and Mr. MASSIE.  
H. Res. 89: Mr. QUIGLEY, Mr. HOLT, Mr. RUNYAN, Mr. PRICE of North Carolina, and Mr. LOWENTHAL.  
H. Res. 101: Mr. HANNA.  
H. Res. 104: Mr. PEARCE, Mr. O'ROURKE, and Mr. SCHIFF.  
H. Res. 112: Ms. LINDA T. SÁNCHEZ of California, Mr. TAKANO, and Mr. DENHAM.  
H. Res. 114: Mr. HENSARLING.  
H. Res. 123: Ms. FRANKEL of Florida.  
H. Res. 147: Mr. UPTON, Mr. KLINE, Mr. BISHOP of Utah, Mr. LANCE, and Mr. DUNCAN of South Carolina.



H. Res. 203: Mr. BISHOP of Georgia, Mr. BRALEY of Iowa, Mr. O'ROURKE, Mr. PAYNE, Mr. ANDREWS, Ms. CHU, Ms. CLARKE, Mr. COOPER, Ms. NORTON, Ms. WASSERMAN SCHULTZ, Mr. TIBERI, and Ms. DEGETTE.

H. Res. 213: Mr. TIERNEY, Mr. CUMMINGS, and Ms. DELAURO.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2216

OFFERED BY: MR. GRAYSON

AMENDMENT No. 4: At the end of the bill (before the short title), add the following new section:

SEC. 419. None of the funds made available by this Act may be used to purchase any flag of the United States of America for use by the Federal Government that is not wholly produced in the United States from articles, materials, or supplies 100 percent of which are grown, produced, or manufactured in the United States.

H.R. 2216

OFFERED BY: MR. GRAYSON

AMENDMENT No. 5: At the end of the bill (before the short title), add the following new section:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:

(A) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(B) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in subsection (A); or

(C) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds \$3,000 for which the liability remains unsatisfied.

H.R. 2216

OFFERED BY: MR. GRAYSON

AMENDMENT No. 6: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be awarded in a contract to any contractor whose past performance record indicates that its performance during the construction of a VA facility resulted in a completion date more than 18 months after the original agreed-upon completion date.

H.R. 2216

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 7: Page 8, line 12, after the dollar amount, insert "(reduced to \$0)".

Page 63, line 6, after the dollar amount, insert "(increased by \$199,700,000)".

H.R. 2216

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 8: Page 4, line 14, after the dollar amount, insert "(reduced by \$38,513,000)".

Page 5, line 6, after the dollar amount, insert "(reduced by \$38,513,000)".

Page 63, line 6, after the dollar amount, insert "(increased by \$38,513,000)".

H.R. 2216

OFFERED BY: MR. CULBERSON

AMENDMENT No. 9: Page 35, line 11, strike "Act" and insert "heading".

Page 35, line 13, strike "unless" and all that follows through "Department:" on page 36, line 16, and insert the following: "except for a health record as set forth in the Joint Strategic Plan for Fiscal Years 2013-2015 of the Department of Veteran Affairs and Department of Defense, Joint Executive Council:".

H.R. 2216

OFFERED BY: MR. FRANKS OF ARIZONA

AMENDMENT No. 10: At the end of the bill (before the short title), insert the following:

SEC. 419. None of the funds made available by this Act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

H.R. 2216

OFFERED BY: MR. RUNYAN

AMENDMENT No. 11: At the end of the bill (before the short title), add the following new section:

SEC. 419. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

H.R. 2216

OFFERED BY: MR. TERRY

AMENDMENT No. 12: At the end of the bill (before the short title), add the following new section:

SEC. 419. None of the funds made available by this Act, including the funds made available for "Construction, Major Projects", may be used to increase the funding for any major medical facility project (as defined in subsection (a)(3)(A) of section 8104 of title 38, United States Code), which is under construction as of the date of the enactment of this Act, above the amount specified in the prospectus described in subsection (b) of such section 8104 and the detailed estimate of cost described in paragraph (1) of such subsection.

H.R. 2216

OFFERED BY: MR. ENGEL

AMENDMENT No. 13: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

H.R. 2217

OFFERED BY: MR. CASSIDY

AMENDMENT No. 1: At the end of the bill (before the short title), insert the following:

SEC. 5 \_\_\_\_\_. None of the funds made available in this 2 Act may be used to implement, carry out, administer, or 3 enforce section 1308(h) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(h)).

H.R. 2217

OFFERED BY: MR. COLLINS OF GEORGIA

AMENDMENT No. 2: At the end of the bill (before the short title), insert the following: SEC. \_\_\_\_\_. None of the funds made available by this Act may be used in contravention of section 236(c) of the Immigration and Nationality Act (8 U.S.C. 1226(c)).

H.R. 2217

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT No. 3: At the end of the bill (before the short title), insert the following: SEC. \_\_\_\_\_. None of the funds made available under this Act may be used in contravention of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

H.R. 2217

OFFERED BY: MR. THOMPSON OF MISSISSIPPI

AMENDMENT No. 4: At the end of the bill (before the short title), add the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used by the Transportation Security Administration for the Behavior Detection Officer program.

H.R. 2217

OFFERED BY: MR. MICA

AMENDMENT No. 5: Page 17, line 15, after "screeners:" insert the following: "Provided further, That the annual Federal personnel expenditures of the Transportation Security Administration at an airport participating in the Screening Partnership Program may not exceed the larger of—"

"(1) 1 percent of the total annual value of the Screening Partnership Program contract at that airport; or

"(2) \$100,000;".

H.R. 2217

OFFERED BY: MR. MICA

AMENDMENT No. 6: Page 15, line 25, after the dollar amount, insert "(reduced by \$23,334,000)".

Page 19, line 8, after the dollar amount, insert "(increased by \$23,334,000)".

H.R. 2217

OFFERED BY: MR. MICA

AMENDMENT No. 7: Page 15, line 20, after the dollar amount insert the following: "(reduced by \$17,383,000)".

Page 15, line 25, after the dollar amount insert the following: "(reduced by \$17,383,000)".

Page 19, line 8, after the dollar amount insert the following: "(increased by \$17,383,000)".

H.R. 2217

OFFERED BY: MR. MICA

AMENDMENT No. 8: Page 15, line 25, after the dollar amount, insert "(reduced by \$31,810,000)".

Page 16, line 6, after the dollar amount, insert "(increased by \$31,810,000)".

H.R. 2217

OFFERED BY: MR. MICA

AMENDMENT No. 9: Page 52, line 11, insert before the proviso the following: "Provided further, That the Director of the Federal Law Enforcement Training Center shall develop a plan to further integrate and utilize modeling and simulation in the training of law enforcement and security personnel:".

H.R. 2217

OFFERED BY: MR. MICA

AMENDMENT No. 10: Page 15, line 25, after the dollar amount insert "(reduced by \$12,500,000) (increased by \$12,500,000)".

H.R. 2217

OFFERED BY: MR. LYNCH

AMENDMENT No. 11: Page 19, line 1, after the dollar amount insert "(increased by \$15,676,000)".

Page 3, line 13, after the dollar amount insert “(reduced by \$15,676,000)”.

H.R. 2217

OFFERED BY: MR. PIERLUISI

AMENDMENT NO. 12. At the end of the bill (before the short title), insert the following:  
SEC. \_\_\_\_\_. None of the funds made avail-

able by this Act may be used to implement,

administer, or enforce section 1301(a) of title 31, United States Code, with respect to the use of amounts made available by this Act for the “Salaries and Expenses” and “Air and Marine Operations” accounts of U.S. Customs and Border Protection for the expenses authorized to be paid in section 9 of the Jones Act (48 U.S.C. 795) and for the col-

lection of duties and taxes authorized to be levied, collected, and paid in Puerto Rico, as authorized in section 4 of the Foraker Act (48 U.S.C. 740), in addition to the more specific amounts available for such purposes in the Puerto Rico Trust Fund pursuant to such provisions of law.

## EXTENSIONS OF REMARKS

ACKNOWLEDGING DR. VICKI BARBER'S SERVICE TO CALIFORNIA'S EDUCATION

### HON. TOM MCCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. MCCLINTOCK. Mr. Speaker, I rise today to recognize Dr. Vicki Barber who will be retiring from the El Dorado County Office of Education after an exceptional 30 years of service.

Dr. Barber began her career with the El Dorado County Office of Education in July 1983 and rose through the ranks, first becoming elected as County Superintendent of Schools in 1994. Dr. Barber's success is best exemplified through the numerous awards and recognitions she has received during her 19-year tenure as County Superintendent.

Twice she has been named Superintendent of the Year by the Small School Districts' Association and the Regional Association of California School Administrators. Most recently Dr. Barber was given the honor of Exemplary Leader in the region by the American Leadership Forum. Dr. Barber's true commitment to the field of education and her dedication to the job are shown through these awards.

Dr. Barber is also a board member of the Boys and Girls Club, Marshall Hospital, El Dorado County Chamber of Commerce and has held leadership positions in various local and statewide organizations. She plans to continue her role as an advocate and contributor to public education after her retirement on June 30, 2013. Her legacy will live on in the El Dorado County Office of Education, and she will remain a fine example of the culture of service that ought to be reflected in every public official.

It is my honor to rise today in appreciation and acknowledgement of her service to our community.

### RECOGNIZING THOMAS 'TE' CAULFIELD

### HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. HIGGINS. Mr. Speaker, today I rise to recognize my good friend Thomas 'Te' Caulfield as he receives the "Civil Pride Award." Te's admirable work contributes greatly to the strength and vitality of our neighborhood in South Buffalo, New York.

Te is a pillar in our tight-knit community. He embodies the Celtic values of hard work, loyalty, righteousness, and an inimitable sense of humor. Through his genuine love of Irish culture, Te builds a deep sense of community.

Born and raised in South Buffalo, Te is a graduate of St. Thomas Aquinas, and at-

tended high school at Nichols. Te earned his bachelor's degree from Buffalo State College, and went to Vermont College for his master's degree in Irish Studies. Te has held positions as an adjunct lecturer, speaking to students at the University at Buffalo, Hilbert College, Daemon College and Ameri-Corps.

A lifelong student, Te's extensive research includes the study of Irish language through Scoil Cultur na hEireann, Irish song and dance through Comhaltas Ceoltrori Eireann, Irish Gaelic identity, the Irish Famine in North Ulster, integrated education in Northern Ireland, and the study of Irish history through music.

A dual citizen of the United States and Ireland and a member of the Irish American Cultural Institute, Irish Cultural and Folk Art Association, and the American Conference of Irish Studies, Te applies his research practically to advance cultural exchange. His efforts with the City of Buffalo Street Sign Project can be seen in the dual English and Gaelic street signs on each street in the South Buffalo Irish Heritage District.

Te is involved in countless community organizations and annual events, often serving as the Master of Ceremonies or as one of the lead event coordinators. To name only a few, they include the South Buffalo Irish Feis, South Buffalo Education Center, the Greater Buffalo Feis, American Conference of Irish Studies, American Society of Public Administrators, Goin' South, Notre Dame Academy, Nichols Alumni Board, Buffalo Board of Education Ethics Committee, South Buffalo Reunion, Ride for Roswell, and multiple races, including the Buffalo Marathon and the race we celebrate today, the Mount Mercy Academy 5k.

Te's love of his culture is matched only by his love for his family. Te is partner and best friend to Nancy Krug, father of Liam and Lauren Caulfield, a graduate of the Mount Mercy Academy class of 1992, and grandfather to Mairead and Brian Caulfield, the children of Liam and his wife Mary Kay.

Mr. Speaker, thank you for allowing me to recognize the great works and spirit of Te Caulfield. I am grateful for the generosity and passion he so willingly shares with us, and I am honored to call him my friend.

### HONORING CHARLES MOORE

### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Charles Moore. Mr. Moore passed away March 14, 2006 and was married to the former Alfolonia Matthews, the father of 5 children, and grandfather of 3.

Mr. Moore was a native Greenville. His entire life has been lived in Greenville except

for a brief period when he served in the United States Marine Corps during World War II. After coming home and completing his high school requirements, he realized he had to make a decision. Either he would leave Greenville or stay and make it a better place for all to live. He chose the latter.

His goals and aspirations were achieved by the following: getting involved in voter registration in the 1950's; getting involved with the inception of Delta Ministry in Greenville, in 1966; helping organize the effort to bring Headstart to his community in 1966; helping organize the effort to integrate Greenville Public Schools in 1968; spearheading the organization of Herbert Lee Center where civil rights meetings were held, which still exists; coordinating several Washington County campaigns; recipient of the Harriet Tubman Award, from the Magnolia Bar Association in 1966; and, recipient of the Point of Pride Award March in 1966.

Mr. Moore was a member of the Church of Christ Holiness, past Commander and lifetime member of Veteran of Foreign Wars (VFW), past president of the Greenville Travel Club, retired member of the National Association of Letter Carrier Union (NALC) and the past President of Branch 516 of the NALC. He was also a member of the Secretary of State Dick Molpus Task Force. He filed a discrimination complaint that resulted in Blacks being promoted to managerial positions in the United States Post Office. He was a member of the NAACP since 1946 until his death. He was elected to the City Council, Ward 4 in July 1990 and re-elected for a 4 year term in October 1993. Also, he held the position of vice-mayor of the City of Greenville.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Charles Moore for his dedication to serving others and giving back to the African American community.

### TRIBUTE TO REENA JASANI

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Reena Jasani is a junior at Travis High School in Fort Bend County, Texas. Her essay

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

topic is: Select an important event that has occurred in the past 50 years and explain how that event has changed our country.

#### THE CONSEQUENCES OF COLUMBINE

For every student waking up that morning on April 20, 1999 it was just another regular day, full of the usual tests, lectures, lessons, and homework. However, for the students of Columbine High School that day became much more. The seemingly normal school day abruptly transformed into a day full of terror, pain, confusion, and shock, as two senior students tried to bomb the school and shoot anyone and everyone in the way, resulting in the deadliest mass murder America had ever seen in one of its high school campuses. This event led to changes in school policy, intensified concern over gun control, and fear among Americans.

After the shooting, schools nationwide have strengthened their security and made improvements to prevent such an event. Schools instituted new security measures like metal detectors and see-through backpacks. Additionally, they numbered doors and rooms for an easier public safety response if this were to ever happen again. Most schools renewed anti-bullying and adopted a zero tolerance system for students in possession of weapons or students threatening others. Analysis of the common factors in perpetrators by the United States Secret Service concluded that schools should pay more attention to the behaviors of students, noticing potential attackers and being especially aware of them. Most attackers tended to feel bullied, reverting to shooting as some sort of revenge. If teachers paid close attention to students being bullied, they could try and put an end to it. Without the bullying present, the student would most likely be happier and not try to avenge.

The shooting also affected the way in which the police force handled situations with an active shooter. Instead of surrounding buildings, setting up perimeters, and containing the damage, a new tactic designed for the presence of an active shooter interested in killing hostages rather than taking them has been utilized. Now, police officers are trained to move toward the sound of gunfire and stop the shooter. The goal is to prevent the shooter from killing or injuring more victims, meaning police officers have to walk past injured victims until they have stopped the shooter. This tactic has helped tremendously at the later shootings in school campuses.

The Columbine shooting also aroused fear among Americans, for now schools, places that nearly every child went to every week-day across the nation, seemed unsafe. Schools became potential targets, with the perpetrators walking along side by side other students. The idea of spending nearly seven hours a day, five times a week, for about ten months a year with someone who may pull out a gun one day and start shooting terrified both kids and their parents. However, time and improved security and safety helped allay these fears.

April 20, 1999 will forever remain a day marked by alarm, fright, trepidation, and hurt. The mass murder at Columbine High School has not only affected the security of schools and the tactic of the police, but also the hearts and minds of Americans, for before, it was hard to imagine that such a terrible thing would ever happen.

#### EXPRESSING CONCERN FOR THE HEALTH OF ATHLETES IN THE NATIONAL FOOTBALL LEAGUE

#### HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. GARCIA. Mr. Speaker, like most Americans, there are few things that I enjoy more than a Sunday tailgate with friends and family. Football and the NFL are an intricate part of our nation's cultural and social fabric.

Football is America's favorite sport because it is exciting to watch, but that excitement—the clashing of helmets and tackles—takes a terrible toll on the bodies of our nation's athletes and on their families.

A recent study from the American Academy of Neurology found that NFL players are four times more likely than the general U.S. population to die from Alzheimer's or ALS.<sup>1</sup> This is only the latest piece in a body of evidence showing that the risks of repetitive head impacts, if not properly treated, can be severe and irreversible.

The scientific research, which shows a link between concussions and long-term injury to NFL athletes—is incontrovertible. And so, I call upon the NFL to do everything in its power to protect its athletes and warn them of long-term dangers to their mental and neurological well-being.

Far too many of our nation's favorite athletes have paid a terrible price for the brain trauma they sustained while playing in the NFL.

After taking his own life last May, Junior Seau, a former Miami Dolphin and one of the top linebackers in NFL history, was diagnosed with chronic traumatic encephalopathy (CTE), a progressive and debilitating disease associated with repeated head trauma. When asked whether the game the whole family loved was worth it, Seau's oldest son Tyler tearfully replied: "I'm not sure. But it's not worth it for me to not have a dad. So to me, it's not worth it."

While the NFL has taken some positive steps regarding the safety of current players, we need it to take the necessary action to mitigate the risks of debilitating brain injury. Last season we saw high-profile players being sent back onto the field immediately after sustaining concussions. This is unsustainable and unfair to athletes and their families. It is also unfair to taxpayers. As a 2008 congressional research services report revealed, when our athletes cannot afford to address their injuries, the cost falls upon the taxpayers.

The NFL has the power not only to give these former players and their families the care and support they deserve, but also to ensure that the game is safer for future generations. As a Member of Congress, and most importantly, as a football fan, I ask that the NFL make use of that power.

#### HONORING JOHANNA ZURNDORFER

#### HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. ENGEL. Mr. Speaker, for the sick and homebound Johanna Zurndorfer is a direct contact with Conservative Synagogue Adath Israel of Riverdale where for the past 23 years she has spent countless hours visiting sick members and organizing volunteers who would call the homebound every Friday afternoon to wish them a Shabbat Shalom. She has also served as a member of the Board of Trustees.

Johanna was born in Rexingen, Germany, before Hitler came to power, at a time when a family could enjoy a rich Jewish life in a small rural town. She went to a local Jewish day school and then attended a high school in a neighboring town bicycling there 5 miles roundtrip. At 16 she apprenticed as a bookkeeper.

By 1936, her family knew it was time to leave Germany and Johanna went to live with her sister in New York City. She took the only job she could find as a housekeeper and later as a dental assistant, going to night school to learn English. Her mother followed her to the States in 1938 staying with her children until she passed away at 101.

Johanna's husband-to-be, Fred, made his own way to New York from Rexingen, by way of Chicago. Nine years her senior, it only took one date for him to propose to her. They married and moved to Inwood, where they raised two children, Eddie and Susan. Johanna and Fred were co-founders of Ohav Shalom, a shul with mostly German Jewish immigrants that served as the center of their Jewish life for many years.

Johanna and Fred moved to Riverdale in 1979 and soon joined CSAIR. It was after a difficult time in her life that she turned to CSAIR to fill a void in her life. The Sisterhood served as her first introduction to synagogue activism. From there she established new long lasting friendships and to this day, Johanna continues to contribute to the synagogue's life.

It is an honor to join Conservative Synagogue Adath Israel of Riverdale and three generations of her family in showing the pride all feel in what Johanna has done for the community and whose only motive was to help those who needed help.

#### HONORING MR. MORTON H. ABRAMOWITZ

#### HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. HIGGINS. Mr. Speaker, today I rise with great solemnity to honor the life and service of a great man, Mr. Morton H. Abramowitz.

Morton "Mort" was a tireless resident of Niagara Falls, NY who dedicated himself to the residents and to the betterment of his hometown.

Mort was a lifelong resident of Niagara Falls and proudly served his country in World War

II as a Non-Commissioned Officer. He earned a degree in business from the University of Michigan as well as his Juris Doctor of Law Degree from the University at Buffalo.

Mort was a distinguished attorney in Niagara Falls as well as former Niagara Falls City Manager, former Niagara County Attorney and was currently the legal advisor for the Niagara Falls City Council and Niagara Falls Library Board. Mort recognized the importance and inherent value in serving in a community, through his commitment to service in local government, and also through his devotion to his local congregation, the former Temple Beth Israel in Niagara Falls and Rotary International of the Niagara Falls, NY chapter, where he served as past-President. Mort also served as past President of the Jewish Federation and the Health Systems Agency.

Mort also served as a volunteer for the Salvation Army and the American Red Cross. Service was a very important part of his life. One of Mort's quotes was "service is the highest honor of any public servant."

Mr. Speaker, I thank you for allowing me a few moments to honor the life and service of Morton H. Abramowitz. I ask my colleagues to join me in offering our sincere condolences to the family he leaves behind.

#### IN RECOGNITION OF NATIONAL PREECLAMPSIA AWARENESS MONTH

#### HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mrs. CAPPS. Mr. Speaker, I rise today to recognize the end of the first Preeclampsia Awareness Month.

Preeclampsia is a life-threatening disorder that can occur during pregnancy or the postpartum period and is one of the leading causes of maternal mortality and morbidity. Each day hundreds of women and babies are affected by this condition, which is marked by a rapid rise in blood pressure that can lead to seizure, stroke, organ failure or death. Any pregnant woman is at risk, but symptoms are often dismissed as typical pregnancy complaints. Knowing the warning signs can help lead to more timely diagnoses and improve health outcomes for both the woman and her child.

Unfortunately, few people are adequately aware and informed of the risks. That is why I worked with my colleagues Representative ROYBAL-ALLARD and Representative MOORE to add Preeclampsia Awareness Month to the National Health Observances Calendar.

We must improve the full scope of maternal health and need continued research to advance the field and improve the standard of care. In the meantime, we must build awareness to ensure women understand preeclampsia and are prepared to appropriately respond to warning signs.

Together we can eliminate preventable maternal death and disability by aligning resources, tools, and knowledge to address our most troublesome challenges. And this is exactly what the California Maternal Quality Care

Collaborative is doing in my home state. Just this year the Preeclampsia Collaborative began to help hospitals manage preeclampsia, reduce complications, and improve care for patients. I hope that as preeclampsia awareness grows this will be one of many initiatives across the country focused on helping providers deliver comprehensive, high quality maternal healthcare.

Thank you to the Preeclampsia Foundation and the many groups who worked tirelessly on behalf of women across the country to secure a national recognition. I am proud to be able to help commemorate the end of the first ever Preeclampsia Awareness Month and excited to see what the future brings.

#### HONORING RABBI ZVI DERSHOWITZ

#### HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. SHERMAN. Mr. Speaker, I rise to pay tribute to Rabbi Zvi Dershowitz of Los Angeles, on the occasion of his 85th birthday. On this happy occasion, it is a privilege for me to honor Rabbi Dershowitz, who I came to know through his leadership in the Los Angeles Jewish community and whose life-long contributions have made their mark in so many areas—Jewish youth and adult education, the struggle to free Soviet Jewry, advocacy on behalf of Iranian Jewish immigrants fleeing Iran, and more. Through his years as teacher, camp director, rabbi, counselor, and human rights advocate, he has touched many thousands of lives.

Perhaps it was his own experience as a refugee that influenced so much of the work Rabbi Dershowitz would later engage in on behalf of those fleeing oppression. When Zvi, whose Czech name was Hugo, was 10 years old, Germany invaded Czechoslovakia. Young Zvi's grandfather Sholem gathered the family and said, "Hitler is different. You have to leave." The family left the country on the last day of 1938, thirty-three days before Hitler's forces marched into the industrial city of Brno, the city where he was born and enjoyed his childhood. On February 2nd, 1939, with his parents Aaron and Ruth and sister Lili, the family moved to Williamsburg, a neighborhood in the Brooklyn borough of New York City. There he grew up, learning English, studying, and playing kickball.

Zvi spent his spare time working to support the nascent State of Israel. In 1949, he spent a year of leadership training, working and studying in Jerusalem. Zvi helped refugees from Yemen and elsewhere settle into the newly independent State of Israel.

Inspired by his parents' love for Israel and Judaism, Zvi came back to Brooklyn and attended Mesivta Torah Vodaath and received his rabbinical ordination in 1953.

Rabbi Dershowitz is married to Tova. He met his bride of nearly 60 years recruiting for staff for Camp Soleil in Ithaca, New York. Guillelmo Tova Russekoff, originally from Scranton, Pennsylvania, was a student at Jewish Theological Seminary Teacher's Institute at

the time they met. They married and settled in Morristown, New Jersey.

Rabbi Dershowitz held several pulpits, at Congregation Beth Shalom in Kansas City and Temple of Aaron in St. Paul, Minnesota. During that period, Rabbi Dershowitz was recruited to become director of Herzl Camp in Wisconsin. One of his campers was Bobby Zimmerman, who later changed his name to Bob Dylan. Rabbi Dershowitz laughs when he recalls telling the teenage Bobby to "stop banging on the piano." Years later, Dylan would become a guest at Rabbi and Tova Dershowitz's family Passover seder.

At camp, Rabbi Dershowitz's philosophy was to focus on creating an atmosphere in which campers would feel the joy of Judaism. The number of campers at Herzl Camp doubled during his tenure. In 1961, he accepted an appointment from renowned educator Shlomo Bardin to direct the Brandeis-Bardin Institute in Simi Valley.

Once in California, Rabbi Dershowitz pursued his love of Jewish education particularly with young people, at Camp Ramah in Ojai, where he served as director from 1963 to 1973. During that period, he was invited to build the adult education program at Sinai Temple in Los Angeles, one of the most well known synagogues in the country. He eventually became Associate Rabbi at Sinai Temple, a post he held for some three decades and where he now serves as Rabbi Emeritus. Rabbi Dershowitz's tenure there witnessed much growth and vibrancy, but also leadership transitions. Throughout these challenging years for the synagogue, Rabbi Dershowitz was the glue that held the congregation together and he saw it through many achievements.

Rabbi Dershowitz has contributed to Jewish communal life in diverse ways, including serving often neglected populations. For several years he led services, singing and discussions with Alzheimer patients at an old age home, bringing joy and meaning to a special population. To this day, Rabbi Dershowitz conducts religious services at a home for the elderly while maintaining a hectic schedule, which includes teaching weekly classes at the University of Judaism, now American Jewish University.

Rabbi Dershowitz and Tova have traveled to many places around the world. At each place, they would meet with the Jewish community, become enriched by their experiences and seek to do whatever they could to be helpful. One visit to the former Soviet Union was different from their other travels, however. It was on this trip that they were able to take in a large load of books that would help Jews in Russia learn Hebrew, something that at the time was not permitted. Rabbi Dershowitz's advocacy in support of Soviet Jews continued for many years thereafter.

During his time at Sinai Temple, the synagogue witnessed an influx of Jews fleeing the Iranian Revolution. Many Jews had difficulty getting out of Iran but Rabbi Dershowitz worked with Congress and the Executive Branch and helped secure visas for countless Jews who today make up a significant and wonderful part of the synagogue. For the work he did to help them enter this country and for the work he continued to do to help integrate

them into the Los Angeles community, he has become well-known and well-loved among the Persian Jewish community.

Rabbi Dershowitz remains highly engaged with Sinai's membership, officiating at the lifecycle events of many of its members.

While his professional work is rich and rewarding, his wife, children, grandchildren and great grandchild remain the top priority for Rabbi Dershowitz—and he and Tova consider them to be their greatest achievements.

It is a privilege to pay tribute to Rabbi Dershowitz, who has been an inspiration to so many in his community and around the country.

#### HONORING COACH DOUG WILLIAMS, HEAD FOOTBALL COACH AT GRAMBLING STATE UNIVERSITY

##### HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. ALEXANDER. Mr. Speaker, I rise today to honor and commend Coach Doug Williams on his 25th anniversary as the first African American quarterback to start and also win a Super Bowl. During this historic game, Williams also received the recognition of the Most Valuable Player for his performance that led to the Washington Redskins victory over the Denver Broncos in Super Bowl XXII. Currently, Williams serves as the head football coach at Grambling State University.

A 1978 graduate of Grambling, Williams enjoyed a stellar college career for the G-Men. Highlights from his four seasons as the team's starting quarterback include leading the Tigers to three Southern Athletic Conference championships and a compiled record of 35 wins to only five losses.

The 1977 season was especially outstanding for Williams. Along with leading the country in touchdown passes and yards, he was named All-American quarterback by the Associated Press and finished fourth in the Heisman Trophy voting. Overall, he was twice named the Black College Player of the Year and his career totals in passing yards, total offense yards, and touchdown passes were NCAA records.

Williams was selected in the first round in the 1978 NFL draft by the Tampa Bay Buccaneers. In the next four years the Buccaneers made the playoffs three times, and in 1979 Williams led the franchise, who had never won a postseason game before his arrival, to the NFC Championship game.

Williams signed with the Washington Redskins in 1986, and in Super Bowl XXII made history. He led his team to a 42–10 defeat of the Denver Broncos, where Williams threw for four touchdowns and collected post-game MVP honors.

Williams returned to Grambling in 1997, but this time as the head football coach. He left for a brief time to rejoin the Tampa Bay Buccaneers as a personnel executive and director of professional scouting. His combined stints as head coach at Grambling have facilitated three Southwestern Athletic Conference championships—the most recent coming in 2011.

He and his wife, Raunda, are the proud parents of eight children: Ashley, Adrian, Doug Jr., Jasmine, Laura, Temessia, Carmelea, and Lee.

Williams' career has brought honor and pride to his family, friends, community, and the state of Louisiana. I ask my colleagues to join me in congratulating him on all of his successes.

#### IN HONOR OF SHADY BROOK FARM

##### HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. FITZPATRICK. Mr. Speaker, for 100 years, members of the Fleming family have farmed Bucks County's rich soil, turning land into bountiful acres of produce for local consumption and wholesale markets. Today, the descendants of T. Herman Fleming carry on the tradition at Shady Brook Farm in Lower Makefield Township, Bucks County. In 1945, the Fleming patriarch's eldest son, Ed, took over the first farm in Andalusia and, in 1960, purchased 90 acres in rural Lower Makefield. The growing tradition continued with Ed's sons, Ed Jr. and Dave, followed by Dave's children, Dave Jr., Paul and Amy, and Wendy, the daughter of Ed Jr., at the helm. Within the circle of highways, homes and office buildings, Shady Brook Farm is a snapshot of both the historic and future farm, a destination for visitors who enjoy the Garden Center, country fresh market and seasonal entertainment. And so we acknowledge the remarkable heritage of the Fleming family on the farm's 100th birthday, with best wishes for continued success.

#### HONORING SARAH H. JOHNSON

##### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mrs. Sarah H. Johnson.

Mrs. Johnson was born on March 10, 1938 in Charleston, South Carolina, to Louisa Hutchinson. She grew up in Anniston, Alabama, and attended the public schools of that city. Upon graduation from Cobb Avenue High School as valedictorian of her class, she attended Clark College in Atlanta, Georgia, for one year, at the end of which she married a ministerial student, Ned Howard Johnson. To this marriage were born four children: Geneva Louise Johnson, Ned Howard Johnson, Jr., Yvonne Elizabeth Johnson and Karen Yvette Johnson. The Johnson family moved to Greenville, Mississippi, in 1964. After she and Mr. Johnson divorced in 1967, Mrs. Johnson married Cornelius Carter on December 24, 1977, but continues to use Sarah H. Johnson as her professional name.

Mrs. Johnson is a black woman who has been active on behalf of her race and her community. She has achieved much and received numerous honors in her lifetime, fore-

most of which is the fact that after two successful political campaigns in 1973, she was elected the first black member of the Greenville, Mississippi, City Council.

Mrs. Johnson has held several administrative positions in local government and has been active in local and national politics. She was employed by Mississippi Action for Community Education and was area director for People's Educational Program, a county-wide Headstart program. She is a former member and vice-chairperson of a part of the Mississippi Advisory Committee to the United States Commission on Civil Rights and a former member of the Continuing Committee of the International Women's Year. She served as a 1972 Fellow of the Mississippi Institute of Politics and during the Carter Administration attended affairs by invitation at the White House several times. In 1979, she ran as a part of a slate for the Public Service Commission in the Central District of Mississippi.

Aside from her interest in politics and civic affairs, Mrs. Johnson has been active in several other spheres of life. In 1974, she earned a radio licensing diploma from Elkins Institute in Memphis, Tennessee. That same year she took three Federal Communications Commission examinations and received her first-class radio operator's license. She has also graduated from the Mississippi Realtor's Institute and is currently in the process of taking exams to acquire a real-estate broker's license from the Mississippi Real Estate Commission. She is a member of Revels Memorial United Methodist Church and a former member of the Board of Church and Society, a national board of the United Methodist Church.

Among her numerous citations and awards, Mrs. Johnson was presented the Woman of the Year Award by the Utility Club at the Waldorf-Astoria Hotel in New York City on June 8, 1975. Her biography appears in *Who's Who Among Black Americans*; and she is listed in the National Roster of Black Elected Officials, Mississippi's Black Women, and the History of Blacks in Greenville, Mississippi, from 1868 to 1975. She also has a street honoring her name, Sarah Johnson, in Greenville, Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Sarah H. Johnson for her dedication to serving others and giving back to the African American community.

#### A REFLECTION ON OUR NATION IN WAR

##### HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. McDERMOTT. Mr. Speaker, I submit an important op-ed concerning our nation in war. Sebastian Junger is an author and documentarian whose work includes the book *War* and the film *Restrepo*, which tells the story of a platoon of U.S. soldiers in the Korengal Valley in Afghanistan.

For the past year, I have been working with Mr. Junger and Karl Marlantes, a decorated Marine veteran and accomplished author, to start a national conversation about what it

means for our country to go to war. Mr. Junger's op-ed perfectly encapsulates the reason that Congressman WALTER JONES and I introduced the bipartisan bill, H.R. 1492, "To establish the Commission on America and its Veterans."

Forty-three years ago, I left the military with a heart and head full of other people's stories from the Vietnam War. As a psychiatrist, I felt the anguish and confusion that my patients experienced as they came home to a country that did not understand, or take responsibility for America's battles abroad. As Mr. Junger points out, "The country approved, financed and justified war—and sent the soldiers to fight it."

This is a nation in a perpetual state of war. Vaguely defined missions under banner of combating extremism have desensitized the American people. News comes as someone else's problem in someone else's country. Few understand how it can corrode our nation's fabric. Yet war is not something we can afford to forget.

Consider the 1991 Gulf War, a conflict that lasted for less than two months. Today, we continue to spend billions per year paying compensation, pension, and disability benefits to more than 200,000 veterans. 40,000 of those veterans struggle from long-term disabilities, some of which we are still only beginning to understand as part of "Gulf War syndrome."

Mr. Junger's reflections on war extend beyond the economic or political dimensions, though both are important for our national security. It's about our moral duty to own the wars our soldiers fight.

[From the Washington Post, May 24, 2013]

#### VETERANS NEED TO SHARE THE MORAL BURDEN OF WAR

(By Sebastian Junger)

Recently I was a guest on a national television show, and the host expressed some indignation when I said that soldiers in Afghanistan don't much discuss the war they're fighting. The soldiers are mostly in their teens, I pointed out. Why would we expect them to evaluate U.S. foreign policy?

The host had made the classic error of thinking that war belongs to the soldiers who fight it. That is a standard of accountability not applied to, say, oil-rig workers or police. The environment is collapsing and anti-crime measures can be deeply flawed, but we don't expect people in those fields to discuss national policy on their lunch breaks.

Soldiers, though, are a special case. Perhaps war is so obscene that even the people who supported it don't want to hear the details or acknowledge their role. Soldiers face myriad challenges when they return home, but one of the most destructive is the sense that their country doesn't quite realize that it—and not just the soldiers—went to war. The country approved, financed and justified war—and sent the soldiers to fight it. This is important because it returns the moral burden of war to its rightful place: with the entire nation. If a soldier inadvertently kills a civilian in Baghdad, we all helped kill that civilian. If a soldier loses his arm in Afghanistan, we all lost something.

The growing cultural gap between American society and our military is dangerous and unhealthy. The sense that war belongs exclusively to the soldiers and generals may be one of the most destructive expressions of this gap. Both sides are to blame. I know

many soldiers who don't want to be called heroes—a grotesquely misused word—or told that they did their duty; some don't want to be thanked. Soldiers know all too well how much killing—mostly of civilians—goes on in war. Congratulations make them feel that people back home have no idea what happens when a human body encounters the machinery of war.

I am no pacifist. I'm glad the police in my home town of New York carry guns, and every war I have ever covered as a journalist has been ended by armed Western intervention. I approved of all of it, including our entry into Afghanistan. (In 2001, U.S. forces effectively ended a civil war that had killed as many as 400,000 Afghans during the previous decade and forced the exodus of millions more. The situation there today is the lowest level of civilian suffering in Afghanistan in 30 years.) But the obscenity of war is not diminished when that conflict is righteous or necessary or noble. And when soldiers come home spiritually polluted by the killing that they committed, or even just witnessed, many hope that their country will share the moral responsibility of such a grave event.

Their country doesn't. Liberals often say that it's not their problem because they opposed the war. Conservatives tend to call soldiers "heroes" and pat them on the back. Neither response is honest or helpful. Neither addresses the epidemic of post-traumatic stress disorder afflicting our veterans. Rates of suicide, alcoholism, fatal car accidents and incarceration are far higher for veterans than for most of the civilian population. One study predicted that in the next decade 400,000 to 500,000 veterans will have criminal cases in the courts. Our collective avoidance of this problem is unjust and hypocritical. It is also going to be very costly.

Civilians tend to do things that make them, not the veterans, feel better. Yellow ribbons and parades do little to help with the emotional aftermath of combat. War has been part of human culture for tens of thousands of years, and most tribal societies were engaged in some form of warfare when encountered by Western explorers. It might be productive to study how some societies re-integrated their young fighters after the intimate carnage of Stone Age combat. It is striking, in fact, how rarely combat trauma is mentioned in ethnographic studies of cultures.

Typically, warriors were welcomed home by their entire community and underwent rituals to spiritually cleanse them of the effect of killing. Otherwise, they were considered too polluted to be around women and children. Often there was a celebration in which the fighters described the battle in great, bloody detail. Every man knew he was fighting for his community, and every person in the community knew that their lives depended on these young men. These gatherings must have been enormously cathartic for both the fighters and the people they were defending. A question like the one recently posed to me wouldn't begin to make sense in a culture such as the Yanomami of Brazil and Venezuela or the Comanche.

Our enormously complex society can't just start performing tribal rituals designed to diminish combat trauma, but there may be things we can do. The therapeutic power of storytelling, for example, could give combat veterans an emotional outlet and allow civilians to demonstrate their personal involvement. On Memorial Day or Veterans Day, in addition to traditional parades, communities could make their city or town hall available

for vets to tell their stories. Each could get, say, 10 minutes to tell his or her experience at war.

Attendance could not be mandatory, but on that day "I support the troops" would mean spending hours listening to our vets. We would hear a lot of anger and pain. We would also hear a lot of pride. Some of what would be said would make you uncomfortable, whether you are liberal or conservative, military or nonmilitary, young or old. But there is no point in having a conversation about war that is not completely honest.

Let them speak. They deserve it. In addition to getting our veterans back, we might get our nation back as well.

#### TRIBUTE TO SARAH CURTIS

#### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 4, 2013

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Sarah Curtis is a junior at George Ranch High School in Fort Bend County, Texas. Her essay topic is: Select an important event that has occurred in the past 50 years and explain how that event has changed our country.

Within the past 50 years, our nation has seen great divides socially created by monumental governmental decisions. In the year 1973, the law allowed legal abortions within the United States passed under the court ruling of Roe v. Wade. By creating this abominable law that now prohibits state and federal unrecognizing of the law, new corporations have begun to boom, those such as Planned Parenthood. Morally and ethically wrong, a law that allows the legality of the killing of our unborn is practically manslaughter and an unjust crime against humanity. This court ruling has created such a massive divide within our country that even politics are being decided through this law. Liberals have taken a more pro-choice (pro-abortion) stance while the conservatives of the U.S. take a more pro-life (against abortion) stand. Even those who see this law as a sacrilegious act against God have recognized the monstrosity situation this has become. Religious leaders, as of recently, have been forced, under Obama Care to offer abortions, even though it goes against everything they morally believe. Our country has been known in the past to be the "promised land" or "the land of the free", but forcing laws down everybody's throats and creating a divide between our own people not exactly unite us united against one cause, but rather against each other for different causes. Because of one court decision 40 years ago, the repercussions are still being dealt with today with the killing of the innocent and unborn being so normal and legal. Roe v. Wade may



have been a court case about one woman claiming to have been raped, and wanting to legally have an abortion, but she was not raped, and ended up having the child before the case ever appeared in court anyway. So what was the point of one woman's want to not have a child costing our nation nearly 800,000 unborn children per year.

IN RECOGNITION OF THE OUTSTANDING IMPACT THE BALDWIN CENTER HAS MADE ON THE COMMUNITY OF PONTIAC, MICHIGAN

**HON. GARY C. PETERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. PETERS of Michigan. Mr. Speaker, I rise today to recognize talented staff and dedicated volunteers of the Baldwin Center in Pontiac, Michigan, for the outstanding work they engage in every day to fulfill its mission to feed, clothe, educate and empower the disadvantaged residents in the Pontiac community.

Like so many great community organizations, the Baldwin Center traces its foundation to people of immense compassion and faith, who have been committed to making a difference in their community. Created as an outreach program of the Baldwin Avenue United Methodist Church in 1981 to respond to increasing need in the community, the Baldwin Center has grown into a multifaceted, comprehensive human service agency that serves thousands annually. The Center's first programs provided children with food and recreation, but quickly expanded to include a soup kitchen, tutoring services and emergency shelter. In 2006, the congregation of Baldwin Avenue moved and the Baldwin Center remained at its current location, becoming a 501(c)3 non-profit organization.

Over the decades it has served the Greater Pontiac Community, the Baldwin Center has significantly increased both the size and scope of the support it offers to area residents. Today the Center offers more than twenty-five different programs which fulfill its core mission, including programs that feed, clothe, provide educational enrichment for children and adults, and offer critical health care related services. Among its most widely used programs are its Clothing Closet which offered almost fifteen thousand low-income individuals and families, including victims of domestic abuse, access to clean clothing, sheets, blankets and other smaller household items. Furthermore, in 2012, the Baldwin Family Soup Kitchen provided over eighty-three thousand meals to residents that are food insecure; including more than nine thousand children. However, its programs are not limited to just basic necessities; the Baldwin Center also offers a GED program, ESL classes and nutrition education sessions, as well as flu shots and blood pressure screenings.

In the economic downturn, the Baldwin Center, like so many human service agencies across our nation, saw an increase in demand coupled with a decrease in funding. However, the fourteen staff under the leadership of Ex-

ecutive Director Lisa Machesky and the dedicated army of three thousand volunteers have not only risen to meet this challenge, but have continued to excel in providing vital services to Pontiac area residents who are in need. Just last year, the Center added a computer lab that offers adults access to the important resources they need to achieve success.

Mr. Speaker, organizations like the Baldwin Center occupy a vital position in our communities. During our times of prosperity, they ensure that no one is left behind, and in times of economic challenge, they are on the front lines of holding families, neighborhoods and communities together. The impact the Baldwin Center has made on the lives of thousands in the Greater Pontiac area has enriched many neighborhoods. Again, I commend Lisa Machesky and her staff, as well as the thousands of volunteers, for the daily work they do to empower the entire community. Pontiac is a brighter city because of the Baldwin Center and I look forward to continuing our joint endeavors to empower all segments of the community to achieve success.

PERSONAL EXPLANATION

**HON. JEFF DENHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. DENHAM. Mr. Speaker, on rollcall No. 130, I missed a vote on H.R. 291, the Black Hills Cemetery Act (Noem, R-SD) because I was unavoidably detained.

Had I been present, I would have voted "aye."

IN HONOR OF GLORIA HALL

**HON. MICHAEL G. FITZPATRICK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. FITZPATRICK. Mr. Speaker, Bucks County is in the forefront of Pennsylvania land preservation because of individual leaders such as Gloria Hall, who founded The Friends of the Farmstead in 1986 and helped launch the successful, countywide "Save the Farms" campaign. Since 1989, Bucks County's farmland preservation program has saved 157 farms and over 14,000 acres. Gloria Hall has inspired farm families—and the greater community—to safeguard the land for future generations. In so doing, she epitomizes environmental stewardship at its best and; therefore, is most deserving of the George M. Bush Farmland Preservation Award from the Bucks County Conservation District and acknowledged by the Bucks County Board of Commissioners on June 5, 2013. I thank Gloria Hall for her dedicated 25-year effort to save Bucks County's farms for future generations.

CONGRATULATING DENNY ZANE AND MOVE LA

**HON. JULIA BROWNLEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Ms. BROWNLEY of California. Mr. Speaker, today I congratulate Mr. Denny Zane and Move LA, as the 2013 recipients of the John Leighton Chase Legacy Award from the Westside Urban Forum. Move LA received this award for its advocacy for transportation development in the Los Angeles region. Mr. Zane, the Executive Director of Move LA, garnered this award for his positive contributions to the Los Angeles region over a period spanning more than three decades.

This award's namesake, John Leighton Chase, passed in 2010. He had been a renowned West Hollywood urban designer, writer and advocate of civic spaces and vernacular architecture (which is focused on local needs, reflects local traditions and is constructed with local materials). The Westside Urban Forum, that bestowed this deserved award on Mr. Zane and Move LA, has for over twenty years been a prominent organization dedicated to land-use issues impacting the west side of Los Angeles.

Mr. Zane has been a persistent advocate in the Los Angeles region for "smart growth" in local development and for bringing best practices to local communities, with a focus on soliciting broad input from varied constituencies, protecting local jobs, generating local revenue and limiting adverse traffic impacts. In 2007, seeking to support development of a robust Los Angeles regional transit system—a goal that had been announced already by Los Angeles Mayor Antonio Villaragosa—Mr. Zane, a former Mayor of Santa Monica, succeeded, with the help of the Annenberg Foundation, in bringing together a powerful coalition of major local stakeholders, including business, labor, environmental, and political leaders and in forming Move LA. In 2008, Mr. Zane and Move LA impressively led a successful effort to achieve the required two-thirds majority vote favoring a local tax measure that is expected to generate for regional transportation development in excess of \$40 billion over 30 years.

Mr. Zane served the public in many ways as Mayor, as a City Councilmember, as the director of the local Coalition for Clean Air, as a local teacher and now in his role with Move LA. His resolute commitment to public service has strengthened our community and for that we owe him our heartfelt gratitude.

I have personally known Mr. Zane for many years and am most pleased to join the Westside Urban Forum in honoring Move LA for its contributions to regional transportation and Mr. Zane for his legacy of successful community activism.

HONORING THE EMERGENCY RESPONSE PERSONNEL OF CENTRAL MAINE REGIONAL COMMUNICATIONS, SOMERSET REGIONAL COMMUNICATIONS CENTER AND LIFEFLIGHT OF MAINE COMMUNICATIONS

**HON. MICHAEL H. MICHAUD**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the courageous acts and professionalism of dispatchers from Central Maine Regional Communications (CMRCC), Somerset Regional Communications Center (SRCC), and LifeFlight of Maine Communications in the rescue of a grievously injured snowmobiler. These agencies were the recipients of the Critical Incident of the Year Award from the Maine chapter of the National Emergency Numbers Association.

On the morning of March 8, 2012, Bonnie Sancomb and several others embarked on a snowmobile ride in Somerset County, Maine. During the course of the adventure Ms. Sancomb missed a tight turn, which catapulted her 45 feet from the marked trail and pinned her underneath the 500-pound sled. All the while, the snowmobile track continued to turn, shredding Ms. Sancomb's clothes and eventually her skin, exposing her internal organs.

About 15 minutes later, the rest of Ms. Sancomb's party realized her absence and backtracked to the scene of the accident. A member of the party dialed 911 and was received by a dispatcher at CMRCC, who immediately notified SRCC, mobilizing Maine Warden Service units and LifeFlight of Maine. Complicating the response efforts was the fact that the accident occurred in a remote Unorganized Territory, 13 miles outside of Rockwood Township. All parties remained in constant contact during the rescue mission, which was critically important as the accident's location was determined solely from the GPS coordinates of the caller's cell phone.

After close to an hour of sustained communication, LifeFlight of Maine arrived first on the scene and began treating Ms. Sancomb, who only had a few minutes left to live. The truly incredible and coordinated communication efforts by the dispatchers and rescue workers from CMRCC, SRCC and LifeFlight are responsible for saving Ms. Sancomb's life.

Mr. Speaker, please join me in commending Jennifer Berube, Darren Curtis, Joanna Kenefick, Jessica Mihalik, Susan Poulin, Shane Hunt, Margaret Parady, Stephen Crowe, JR Roebuck, and all other dispatchers and first responders involved, for their courageous and truly professional display of emergency communications.

HONORING MRS. CELAINE GORDON COLEMAN

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mrs. Celaine Gordon Coleman, who is a remarkable public servant.

Mrs. Celaine Gordon Coleman who is 95 years old was born June 29, 1917 in the Lebanon Community of Holmes County, says it seems that "folks have forgotten about what we went through to make things better for these children today. The children need to know their history. Folks don't talk about it much anymore."

The daughter of the late Eddie and Celaine Gordon, Mrs. Coleman did whatever she could to help move the civil rights movement in Holmes County. "I used to cook for them," she said. She was also one of the early pioneers of the Head Start Program as it came to the hills of Holmes County. She served as a cook for years at the Mt. Olive Head Start Program.

Mrs. Coleman also served the Mt. Olive Missionary Baptist Church as Sunday School Secretary for 50-plus years. The church is one of the oldest black churches in Holmes County and it was once a very prominent church school for blacks. Although her health will not permit her to attend now, she once had perfect church attendance.

Mrs. Coleman would walk for miles sometimes just to attend church. On muddy days she would carry her good shoes in her hand and put them on once she got to the church, and she would be on time as well. Through her hard-working spirit, she was also instrumental in positively impacting the lives of many black children in Holmes County. She is the widow of the late Mr. Monroe Coleman and the mother of three adult children.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Celaine Gordon Coleman for her dedication to serving others and giving back to the African American community.

HONORING RIVERDALE TEMPLE

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. ENGEL. Mr. Speaker, a centerpiece of any community can usually be found in a neighborhood religious institution. In Riverdale one such institution is the Riverdale Temple which is celebrating its 65th year as a liberal Jewish congregation.

In February 1947 a small group met in the Riverdale Neighborhood House to discuss the establishment of a new temple. By September, the charter establishing it was signed and 67 families founded the Riverdale Temple, the first Jewish congregation in Riverdale. The Honorable Francis J. Bloustein was named first president and a dynamic rabbi infused with enthusiasm for the new project, Charles E. Shulman, was recruited from Chicago to

become the first rabbi of the "liberal congregation."

The new Riverdale Temple initially met at the Arrowhead Inn and a Religious School, Sisterhood, and Youth Group were formed. In 1952, the building was demolished and the Riverdale Temple was homeless. These difficult times drew the congregants closer and services were conducted first at Christ Church, then at Riverdale Presbyterian Church, and Religious School classes moved from the Riverdale Country School to the Fieldston School. Yom Kippur services were held in Horace Mann School. In June 1953, the cornerstone for the new Riverdale Temple was laid, in March 1954, the new building was opened and, in September 1954, the building was formally dedicated.

All are welcome at the Riverdale Temple no matter what their approach to Judaism or degree of Jewish literacy. The temple is founded on the principals of faith, mitzvot and tikkun olam and offers communal support. It has a beautiful sanctuary with a rich and evolving musical tradition.

I congratulate the Riverdale Temple on 65 years of giving unstintingly to the community and in its tradition of welcoming everyone. I have visited the Temple many times and have felt its inspiration and its warmth. It has truly brought the Riverdale and surrounding communities closer together.

MS. SYDNEY EVERETT

**HON. WM. LACY CLAY**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. CLAY. Mr. Speaker, I rise today to recognize Miss Sydney Everett, an outstanding high school graduate of Metro Academic & Classical High School in the great city of St. Louis, Missouri. Indeed, there are many recent high school graduates who deserve significant accolades for their commendable academic achievements. However, Sydney is a rare instance of intellectual rigor coupled with an enduring and heartfelt commitment to the well-being of her community. Given her extensive track record of high academic standings and numerous extracurricular activities, Sydney was offered over \$1.2 million in school based scholarships and academic grants from nine institutions of higher education.

Sydney Everett's story is that of a young American woman whose tenacity and resolve have allowed her to thrive in her academics and extracurricular activities. While attending Metro Academy, she immersed herself in the most rigorous curriculum available at her high school as a candidate for a full International Baccalaureate diploma. She has always challenged herself to broaden her understanding and extend the horizon of her knowledge. Yet, her drive extends far beyond the walls of the classroom.

Sydney is deeply involved in the functions of her school with an extensive and well-rounded resume of extracurricular activities including her involvement in her school's student council, concert band, policy debate team, and literary magazine. Moreover, she genuinely values the time she gives back to the St. Louis

community as a volunteer at a local church and elementary school.

Before her junior year, Sydney served as a Congressional Page and proudly represented my district in the United States House of Representatives. Additionally, she participated in my Congressional Youth Cabinet, which is an organization I founded to provide outstanding high school students across the St. Louis area with the opportunity to advise myself and my staff on key local and national issues. With her hard work ethic and strong social conscience, Sydney was a valuable advisor to my office.

Sydney has left an indelible impact on her school and her community, and she will be sorely missed when she advances to college. She will attend Barnard College at Columbia University in the fall and intends to earn a degree in international human rights law with hopes of attending law school and one day representing people and organizations throughout the world that are fighting for human rights.

Mr. Speaker, it is not every day that we come across such talented and caring students like Sydney Everett. Her unique accomplishments serve as an example for every student in St. Louis and across the United States. It is a great honor to recognize her relentless passion for knowledge, unwavering dedication to her community, and humble character in light of such great achievements.

#### TRIBUTE TO PHILLIP LOPEZ

#### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Phillip Lopez is a senior at Clear Lake High School in Harris County, Texas. His essay topic is: Select an important event that has occurred in the past 50 years and explain how that event has changed our country.

Over the past fifty years America has seen an explosion in technology, social changes, and monumental historic events. A man walked on the moon and remade the concept of the frontier. A wall fell that divided a nation, helping bring peace to a decimated land. A plane smashed the security of a great people and showed that terror can strike anywhere. And the demographics of this country have shifted establishing it as a true land of freedom for all who cross its borders. All have shaped this country, but one breakthrough has extended its impacts further than all others. In 1969 the first internet connection was made and revolutionized our society. Over the past forty five years the internet has created innovations that Ameri-

cans fifty years ago could only dream of. The internet has fostered a new era of social and economic reformation across the nation helping us establish ourselves as the global superpower that we are today.

The age of the internet has allowed Americans to interact with people, places, and events from around the world. For example, the internet has given rise to the popularity of social media sites that enable you to communicate with and learn about others from half the world away. In addition these sites have impacted politics by enabling average citizens to stay more informed with an elected official's policy or daily activities. This web of interactions has led to America becoming a more global power and its people staying connected with information that is occurring anywhere in the world. Furthermore, we can now send and acquire that information faster, quicker, and easier than ever before. With the click of a button anyone can become their own encyclopedia by having the ability to know anything about everything; from the current state of the economy to the price of eggs in China one can find it all. This plethora of available knowledge has led to younger generations developing proficiency in finding it. Furthermore, the news programs have embraced the importance and speed of the internet by enabling people to stay more informed and have more detailed information about current events. However, as a result of the speed at which one can acquire knowledge it is now expected to return information to people much faster, such as quickly responding to a text message or email. This speed of information is made even easier yet more required with the introduction of the web on mobile phones allowing Americans to know anything, anywhere, at any time; as long as you have service. For example, Google Maps has revolutionized the map industry and made paper maps obsolete. Why carry a large, bulky piece of paper when you can find where you are in minutes with a device the size of your hand. Anything that does not fit into the "faster, quicker, and easier" category that was created by the internet is now outdated and archaic. The new American society has more knowledge at its disposal than ever before which has propelled us as the leader of the modern world.

The internet has revolutionized the American economy and trade across the world. People can now purchase and sell items online in a process that is faster, easier, and more available to everyone. Online shopping has led to the creation of large companies such as Amazon and EBay. These online companies have opened new markets and made it easier to trade with remote places such as Alaska or small islands. The ability to trade with anyone in the world has helped establish America as a major leader in global trade. The internet has also caused our perception of a store to change. Instead of traveling to a store, one can buy the same good with the push of a button from the comfort of their home. Stores have become somewhat unnecessary and as a result many have gone out of business. Nevertheless the internet has created a nation built on quicker, easier, and cheaper trade across the world. Combined with social revolutions regarding education and available knowledge, the internet has quickly changed a nation.

Although it can be perceived as a positive or negative technology the internet has made America an economic superpower. Socially it has allowed this country to become more globally connected and opened the possibilities for endless knowledge. Economi-

cally it has revolutionized the way that we trade with other nations and altered our perceptions of traditional shopping methods. The internet has created a shiny future for our society in the world of trade and communications.

#### PERSONAL EXPLANATION

#### HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. BILIRAKIS. Mr. Speaker, on Monday, June 3rd, 2013, I missed rollcall vote Nos. 184 and 185 for unavoidable reasons.

Had I been present, I would have voted as follows: Rollcall No. 184: "yea" (On motion to suspend the rules and pass H.R. 1206, the Permanent Electronic Duck Stamp Act of 2013). Rollcall No. 185: "yea" (On motion to suspend the rules and pass S. 622, the Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013).

#### CONGRATULATIONS TO THE 2013 SERVICE ACADEMY APPOINTEES FROM THE 21ST CONGRESSIONAL DISTRICT OF TEXAS

#### HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. SMITH of Texas. Mr. Speaker, I rise today to congratulate the 2013 Service Academy appointees from the 21st Congressional District of Texas.

The following individuals have accepted academy appointments:

Liam Thomas Catoe, Greystone Preparatory School at Schreiner University, United States Naval Academy; Lucas Adrian Fumagalli, New Braunfels High School, United States Air Force Academy; Nathaniel Robert Guney, Greystone Preparatory School at Schreiner University, United States Naval Academy; Dillon Mitchell Launius, Vandegrift High School, United States Air Force Academy; Adam S. Lee, East Central High School, United States Air Force Academy; Kevin Michael McGinty, MacArthur High School, United States Naval Academy; Joshua Andrew McMillen, International School of the Americas, United States Air Force Academy; John Edward Monday, Jr., Boerne—Samuel V. Champion High School, United States Military Academy; Clara Elizabeth Navarro, Rice University, United States Naval Academy; James Lyn Pazdral, Greystone Preparatory School at Schreiner University, United States Military Academy; Albert Dixon Patillo III, Heritage School, United States Military Academy; Rafael David Ramos-Michael, Brackenridge High School, United States Naval Academy; and Kirsten S. Redmon, United States Military Preparatory School/Sam Houston High School, United States Military Academy.

Again, congratulations to these outstanding students. I know they will serve our country well and I trust success will follow them in all their endeavors.

HONORING MRS. BIRDIA BEATRICE  
CLARK KEGLAR

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable woman who was a champion against human oppression, discrimination, and injustice in Mississippi, Mrs. Birdia Beatrice Clark Keglär. Mrs. Keglär and her family lived in Charleston, MS located in Tallahatchie County, which is one of many counties in the state known by the name "Free State of . . ."

That caliber of courage and stance warrants recognition. Mrs. Keglär was a tiny woman in stature, standing about 4 feet 9 inches and her biggest fear wasn't her height or those she stood up against but rather the negative impact of injustice on African-Americans and society if nothing was done to change things. The constant threats on her life and acts of violence didn't stop her either.

Mrs. Keglär's fight for equality and empowerment has a place of longevity in Tallahatchie County, Mississippi. The Fox Funeral Home where Mrs. Keglär worked until her death became the location where many of her plans would evolve and manifest. Her journey included but is not limited to:

A march with Dr. Martin Luther King from Selma to Montgomery Alabama for the Voting Rights Act of 1965; and

The organizing of the first local chapter of the NAACP in Tallahatchie County; and

Leading the fight which helped her son, James, become one of the first Black bus drivers in the county; and

When citizens living in the community needed a place to host Sunday school classes, Mrs. Keglär allowed them to be held in her local store; and

The establishing of the first African-American Business and Professional Women's Club in the county; and

When the need came, she crossed county lines helping to lend a hand to secure housing for elderly citizens living in Grenada, Mississippi; and

On January 11, 1966 Mrs. Keglär and Ms. Adlena Hamlett were killed as they traveled back from Jackson, Mississippi after testifying before a Joint Committee chaired by Senator Robert Kennedy. Mrs. Keglär's testimony was about voting discrimination in the State of Mississippi against African-Americans.

It saddens me to report Mr. Speaker that the untimely death of Mrs. Birdia Beatrice Clark Keglär and Ms. Adlena Hamlett are among those unsolved murder cases from the 1960s civil rights era.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Birdia Beatrice Clark Keglär for her dedication to fighting oppression, discrimination, and injustice in Mississippi.

RECOGNIZING DAVID GOLDSTEIN

**HON. JOSÉ E. SERRANO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. SERRANO. Mr. Speaker, I rise today to honor Mr. David Goldstein for his many years of selfless and compassionate public service in the Bronx.

David has been an exemplary contributor to the Bronx community for more than 13 years, and during that time he has served as mentor and leader to countless professionals. His career in public affairs and community service has been a testament to the importance of unselfish devotion to the well being of others.

Since 2003, David has served as the Chairperson for my office's Military Academy Committee so I have firsthand knowledge of his outstanding professionalism. During his tenure as Chairperson, my office has sent 7 young people to the United States Naval Academy. He has brought a variety of skills to his role with the committee, including sharp intellect, a strong work ethic, and a deeply felt commitment to ensuring that the candidates selected serve our nation in the United States military with honor and distinction.

David's acute appreciation for the needs of the people he serves can be seen in all of his work. During his tenure at the United Parcel Service of America, Inc (UPS) as Government and Community Relations Director for New York City, he established bilateral relationships with not-for-profit organizations, small businesses, local Chambers of Commerce, and various business associations. Recently, as the former Vice President of Operations at the Food Bank for New York City, David developed operational strategies that led the Food Bank to increase their food donations by more than one million pounds. David also worked to redesign the existing community kitchen/food pantry program to become the Food Bank's flagship program for all of New York City. David's unique ability to understand the goals of each of these organizations, and expand them in ways specifically designed to advance these goals in extraordinary ways is what makes him such an exemplary leader.

David has recently taken a position with the Food Bank of Monmouth and Ocean County in New Jersey. As many of my colleagues from New Jersey can attest, Monmouth and Ocean Counties were severely impacted by Hurricane Sandy. I am confident that David will bring the same dedication and effort that accomplished so much for the Bronx and for New York City to this new endeavor. I know David will be successful in this new position, and that he will help the many families who are still recovering from this devastating storm.

David's dedication to helping others, and expanding opportunities for young men and women who wish to serve our country, are truly outstanding. Mr. Speaker, I ask that my colleagues join me in honoring David Goldstein for his remarkable dedication to the people of the Bronx, New York City, and the Tri-State area.

IN SPECIAL RECOGNITION OF  
ADAM KLEMAN ON HIS OFFER  
OF APPOINTMENT TO ATTEND  
THE UNITED STATES AIR FORCE  
ACADEMY

**HON. ROBERT E. LATTI**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. LATTI. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Adam Kleman of Fort Jennings, Ohio has accepted an offer of appointment to the United States Air Force Academy in Colorado Springs, Colorado.

Adam's offer of appointment poises him to attend the United States Air Force Academy this fall with the incoming Class of 2017. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Adam brings an enormous amount of leadership, service, and dedication to the incoming Class of 2017. While attending Fort Jennings High School in Fort Jennings, Ohio, Adam was a Member of the National Honor Society and ranked near the top of his class academically.

Throughout high school, Adam was a member of his school's soccer and track teams and earned varsity letters in both sports. In addition, Adam was a member of the marching and pep bands, as well as the annual high school musical, junior fair board, 4-H, junior leadership, and Boy Scouts of America. I am confident that Adam will carry the lessons of his student and athletic leadership to the Air Force Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Adam Kleman on the acceptance of his appointment to the United States Air Force Academy. Our service academies offer the finest military training and education available. I am positive that Adam will excel during his career at the Air Force Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

HONORING SUSAN SCHWARTZ

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. ENGEL. Mr. Speaker, Susan Schwartz has performed an almost endless array of services for Conservative Synagogue Adath Israel of Riverdale since she first visited the Synagogue in 1984 pregnant with twins.

Initially Susan enrolled in a learners' service that met on Shabbat. Later she was a liaison from the Parents Association to the Board of Trustees, which led to her serving four years as Chair of the Education Board. Afterwards she served on the Board of Trustees and on the Mission Statement Committee.

She has served as a member of the Search Committees for Rabbi, Cantor, Assistant Rabbi, Education Director, and, twice, for an Executive Director. She served as President of CSAIR for five years during which time \$1.2 million was raised in a capital campaign to redesign the Sanctuary, Social Hall and main synagogue entrance. Accessibility—both spiritual and physical—was an important aspect of the work that was accomplished during the renovation.

After stepping down as President, Susan spent two years with a wonderful, engaging group of women, studying together for their bat mitzvah, which they celebrated together in 2010. Susan has spent more than 10 years as a member of, or the chair of, the High Holiday honors committee and has had the honor of giving honors and of assisting on the bimah on Shabbat and on the high holidays. She is currently Chair of the Ritual and Religious Life Committee.

Susan is a learning disability specialist and a dedicated advocate for children with special needs. She has specific expertise in child development, reading and literacy, learning disorders, and the development of language skills and higher-level reasoning skills in children and adolescents. She is a significant public voice on learning accommodations and special education services in our schools.

Susan spent 13 years as the Clinical Director of the Institute for Learning and Academic Achievement at the NYU Child Study Center then for two years the Clinical Director of the Learning and Diagnostics Center at the Child Mind Institute. She is currently one of two learning specialists in the Lower School at Friends Seminary in Manhattan.

She hails from a large, close-knit multi-generational family spanning in age from newborn to age 93.

It is a joy and pleasure to join with Conservative Synagogue Adath Israel of Riverdale in honoring Susan Schwartz for her many and myriad accomplishments for the synagogue and, ultimately for her community. We are all better off for her being among us.

#### TRIBUTE TO RACHEL DANIEL

#### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Rachel Daniel is a sophomore at Dawson High School in Brazoria County, Texas. Her essay topic is: In your opinion, why is it important to be involved in the political process?

#### PROCESSING POLITICS

The purpose of creating this nation, The United States of America, was so that the people could have a say in their leaders and politics and people were willing to go against everything they believed and start a war just to earn the right to this liberty. After all the hardships that the Founding Fathers of our nation suffered through in order for us to have a representative democracy, we the people of the United States of America have not only an obligation towards nation but also towards ourselves. Our nation depends on each and every citizen to make an informed decision as well as pick the best people to represent us, and all citizens of America deserves to have leaders who they support and trust.

We were given the rights and freedoms that many nowadays take for granted, but they really should be treasured, valued, and taken advantage of. That is why it is paramount that every citizen of America takes part in the political process. It is the people's chance to express their views for all to hear and to support what has taken centuries to achieve.

The political process is what holds this nation together. It's when our nation unites in the form of many different parties to decide who is fit to run our nation. The people, who are chosen, are the ones who lead us as a nation with the help of many. If we don't participate in the political process of choosing these leaders and then helping to implement new laws and policies, there is no longer any point of having a representative democracy, and everything that has been fought for will have been fought for in vain. All those lives lost for our freedom and democracy will be lives lost in vain. All the blood, sweat, and tears will be in vain. The political process of our nation is what makes us great. Not our education. Not our manufacturing. But, instead, our political process and the unity of the United States of America.

#### HONORING MRS. GERTRUDE GRENADA

#### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a hometown Civil Rights era activist, Mrs. Gertrude Grenada. Mrs. Grenada has shown what can be done through hard work, setting goals, and aiming high.

Mrs. Gertrude Grenada was born March 16, 1933 in Hinds County, MS. Growing up in Bolton, Mississippi, Mrs. Grenada witnessed and experienced a multitude of injustices during an era of legal segregation and Jim Crow. Although at times frightened by intimidation tactics used against her family and others in her community, Mrs. Grenada maintained a resilient and determined spirit to make strides toward ending laws targeting the civil rights and liberties of African Americans.

She received her formal education at the Southern Christian Institute (SCI), located in Edwards, Mississippi. After graduating from SCI, she attended Jackson State University and received a Bachelor's degree in Elementary Education. For many years, she played an instrumental part in educating preschool

children through the Hinds County HeadStart Program.

In addition to her commitment to education, Mrs. Grenada was very active in local strategizing and planning meetings with Freedom Riders and the National Association for the Advancement of Colored People. Because of her determination to invoke positive change during the Civil Rights Movement, Mrs. Grenada also participated in a number of marches, most notably alongside other well-known Civil Rights pioneers, such as Dr. Martin Luther King, Jr. and Medgar Evers. In 1972, Mrs. Grenada volunteered her time to assist in the election of her hometown's first African American mayor. Her lifelong efforts toward establishing change in her community will be felt for generations to come.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Gertrude Grenada for her astounding resolve to actively contribute to the cause during the Civil Rights Era in her community.

#### INTRODUCTION OF THE DISABLED MILITARY CHILD PROTECTION ACT

#### HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. MORAN. Mr. Speaker, today I am introducing the Disabled Military Child Protection Act. This important bill would enable military retirees, investing in a Survivor Benefit Plan (SBP), to transfer their benefit to a Special Needs Trust (SNT) to provide long-term care for a disabled child.

Under the SBP, a military retiree can have a portion of his or her monthly retired pay withheld in order to provide, after his or her death, a monthly survivor benefit (55% of base amount of military retired pay at the time of the retiree's death) to a surviving spouse or other eligible recipient(s). However, by directing SBP annuity payments to an SNT, the retiree may ensure that a dependent, disabled child might continue to qualify for certain benefits, such as Social Security Disability Insurance (SSDI) and Medicaid, that are means tested. As you know Mr. Speaker, assets placed into an SNT are not generally counted as income or assets for the purposes of determining eligibility for these benefits. Current individual care costs for a disabled child could exceed \$100,000 a year if he/she has assets greater than the Medicaid threshold.

A SNT can be created by anyone, but there is no current mechanism for a military member to designate a Trust as the beneficiary of his/her SBP. This legislation would enable a SNT transfer similar to what is available to the general public today. This is an equity issue; currently, civilians can create a SNT for their permanently disabled children to ensure they receive care beyond their guardian's death, and are not subject to an income means-test. It is only fair to allow retired military personnel to prepare for the long-term care of their disabled children.

As of March 2011, CBO estimates that the bill would increase mandatory outlays by \$123 million over the 2012–2021 period. The mandatory cost is not directly attributed to DoD,

but rather reflects the increased costs to Social Security Disability Insurance (SSDI) and Medicaid, since affected dependent children who are currently ineligible for those benefits would become eligible. This legislation would impact approximately 1,065 military dependents who are currently incapacitated beneficiaries under SBP.

This bill would help many Americans who have nobly served our country, like one of my constituents who has a son named Thomas. Thomas was diagnosed with severe autism by the age of 2 and is non-verbal, communicating primarily through hand leading to express he is hungry, wants to take a shower, or go for a car ride. He is unable to independently perform routine activities of daily living such as dressing or tending to his personal hygiene, much less make himself something to eat, ask for help, or let someone know he is in pain. Thomas requires supervision and assistance, around the clock, to ensure his safety needs are met. Other than his severe autism diagnosis, Thomas is healthy and expected to live a normal lifespan. Our constituent, a single parent, is nearly 38 years older than Thomas, and has been diagnosed with prostate cancer. The passage of this bill would allow him the flexibility to plan for Thomas' future care and well-being.

In the name of decency and fairness, I urge my colleagues to support this legislation and allow our military personnel some well-deserved peace of mind, knowing that their disabled children can be adequately provided for long after they are gone.

HONORING THE BRICK STORE MUSEUM IN KENNEBUNKPORT, MAINE

**HON. CHELLIE PINGREE**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Ms. PINGREE of Maine. Mr. Speaker, it gives me great pleasure to congratulate the Brick Store Museum, located in historic Kennebunkport, Maine, for achieving accreditation from the American Alliance of Museums.

Since 1936, the Brick Store Museum has offered generations of locals and visitors the opportunity to explore the rich history of one of Maine's most prominent port cities.

The Brick Store Museum's focal point is a building constructed in 1825 as a dry goods store by William Lord. The exterior remains much the same as when it was built, giving today's visitors a glimpse of what life was like nearly 200 years ago.

I am proud of the museum's commitment to preserving, interpreting, and exhibiting Kennebunkport's important role in our history. Many students have passed through its rooms, gaining knowledge, understanding, and a stronger attachment to the area where they have grown up.

I share the Brick Store Museum's belief that the history of our oldest towns is crucial to understanding where we are now and where we are headed. As Maine continues to advance into the future, the Brick Store Museum offers an important tether to our past.

OUR UNCONSCIONABLE NATIONAL DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,738,788,832,145.30. We've added \$6,111,911,783,232.22 to our debt in 4 and a half years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING MR. WALTER BRUCE, JR.

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mr. Walter Bruce, Jr., who is a remarkable public servant.

Mr. Walter Bruce, Jr., an 84-year-old native of Durant, Miss., was born May 30, 1928. He is the son of the late Mr. Walter Bruce, Sr. and the late Mrs. Georgia Bruce. He had seven sisters and six brothers and a loving wife, Louise, who are all deceased.

Mr. Bruce, Jr. was educated in Holmes County and grew up in the country where his parents were small farmers. Historically, he is mostly known for his dedicated work to the civil rights movement in Holmes County. He started the county's Freedom Democratic Party (HFDO). The Mississippi Freedom Democratic Party was an American political party created in Mississippi in 1964, during the Civil Rights Movement. It was organized by black and white Mississippians with assistance from the student Nonviolent Coordinating Committee (SNCC) and Council of Federated Organizations (COFO) to challenge the legitimacy of the white-only U.S. Democratic Party.

Mr. Bruce participated in marches and boycotts in Holmes County and in Jackson, Miss.. He and others worked with nationally noted activist Fannie Lou Hamer of the Mississippi Delta. He was extremely instrumental in bringing about emergence of black elected officials in Holmes County as well as black police officers.

Prior to his work in the civil rights movement, Mr. Bruce organized an all-black Little League Baseball Team which he headed for 16 years. He is also founder of the legendary gospel singing group, Soul Travelers of Durant, Miss. After 54 years, he still heads the group today.

Mr. Bruce is the father of two adult daughters and four grandchildren.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Walter Bruce, Jr. for his dedication to serving others and giving back to the African American community.

NATIONAL AZERBAIJAN REPUBLIC DAY

**HON. ED WHITFIELD**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. WHITFIELD. Mr. Speaker, I rise to pay tribute to the Republic of Azerbaijan on the occasion of their 95th anniversary.

The Republic of Azerbaijan has been helpful to the United States, committing troops to our efforts in Afghanistan and Iraq and providing airspace and the use of its airports for Operation Enduring Freedom in Afghanistan. Azerbaijan has also joined all 12 international conventions on counter-terrorism and they support regional cooperation to fight terrorism through local agreements and participation in NATO, the Organization for Security in Europe, and others. Azerbaijan also provides a key alternative route for the oil and natural gas supplies of Central Asia to reach Europe.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Azerbaijan's 95th anniversary.

HONORING ERIC MESCH

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. ENGEL. Mr. Speaker, Eric Mesch has been involved in adult Jewish education programming at Conservative Synagogue Adath Israel of Riverdale where he teaches on topics of interest, and for several years, organized the all-night learning program on Shavuot. Last year, Eric organized an event in memory of Matt Fenster z"l, in which members of many different Jewish communities came together to mark the completion of the study of the Mishnah. Eric is also a member of the Board of Directors of Mechon Hadar.

For as long as he can remember, Eric's connection to Jewish study has been intense, complex and defining. He grew up on Staten Island in a Conservative Jewish home and synagogue, but attended the Orthodox Yeshiva of Flatbush in Brooklyn from third grade through high school. Later, as an undergraduate at Yale College, Eric majored in religious studies and also spent a semester at Yeshivat Hamivtar in Israel. After college, Eric attended Columbia Law School, graduating with his J.D. in 1995.

Eric met his wife Rachel while they were undergraduates at Yale but they didn't start dating until his senior and her junior year. Their relationship blossomed over good coffee, something that is still important to them. They married in 1995 and in their first year of married life they lived in Jerusalem where Eric was a law clerk to the Supreme Court of Israel and Rachel continued her graduate work at Hebrew University. They have three children, Abby, Eliza and Sam.

Eric is a partner with the law firm of Dickstein Shapiro LLP, focusing on bankruptcy-related and other complex commercial litigation while Rachel is a professor of French

literature and chair of the Department of Languages, Literatures and Cultures at Yeshiva University.

I congratulate Eric for all the good work he is doing at the Conservative Synagogue Adath Israel of Riverdale. He had made CSAIR and the Riverdale community a better place.

#### HONORING THE PLATTE COUNTY FAIR

#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, please join me in congratulating the Platte County Fair for celebrating 150 years of providing entertainment and excitement to its attendees.

The very first Platte County Fair was held in 1858. However, the fair did not become an annual event until 1863. The first fair in 1858 was planned on Oct. 6 and took place only a short time later from Oct. 21–23, with 400 people in attendance.

The fair was a great success and continued until 1860, when the Civil War prevented the fair from taking place during the years of 1861 and 1862. The fair was praised as “an honor to the soil and people” and “a glorious reunion of a prosperous and happy people.”

On December 16, 1861, Platte City was ravaged by a Civil War raid. However, not even the devastation of Platte City was enough to keep its resilient citizens down. Just 22 months later, proud Platte Countians filled the fairgrounds for the First Annual Platte County Fair, which was held October 21–23, 1863.

The fair has been held annually since 1863, establishing itself as the oldest continuously running county fair west of the Mississippi River. The entire event is privately held and sponsored by a not-for-profit organization run by volunteers. The fair now spans four days, featuring many great events such as the demolition derby, a truck and tractor pull, the Queen contest, and more. The Platte County Fair is also home to many great sources of entertainment including a floral hall, a carnival, a fiddle contest, and the Dirty Shame Saloon, to name a few.

Mr. Speaker, I ask that you join me in applauding the Platte County Fair for celebrating their 150th anniversary and providing a great source of pride and excitement to Platte County. I wish them 150 more years of greatness to come.

#### TRIBUTE TO SHANNON WU

#### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this

great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Shannon Wu is a senior at Dawson High School in Brazoria County, Texas. Her essay topic is: In your opinion, why is it important to be involved in the political process?

As the age of 18 creeps up on me slowly around the corner, the thought that I will be a legal adult and will be able to become a registered voter looms overhead. As a senior in high school, some of my peers are already 18, and were 18 at the time of the 2012 presidential election, and yet, I constantly hear them griping and complaining about who's president and which legislations are passed and which aren't. Yet, these are the same exact people who don't seize their rights and actually vote.

What ground does the government have to say that all their decisions are based off the voice of their constituents when less than 60% of the people are actually voting? As our country enters a more progressive era, both socially and economically, it's the most detrimental time for citizens to become involved in the political process. The new issues and concerns that have emerged within the past few decades are some of the most controversial topics to have ever been brought to the table. Thus, without political participation, how will the government act accordingly to the views of the citizens?

Because bills are created and passed in the three branches of the government, and our congressmen, senators, and president are the ones who vote to pass or veto a bill, people believe that voting on the matter won't make a difference. However, it is more important than it ever was to have input from the constituents in order to smooth out the bumps and bubbles in the laws governing our country. Furthermore, by getting involved in the political process, citizens will be able to select a candidate that encompasses the ideals and values of the greater majority of the people and create their own “check” upon the government by electing those they deem qualified and supportive of their opinions. This then protects democracy and reducing the possibilities of tyranny, oligarchy, and anarchy. Most importantly, the government will pass laws that will be enforced, and, if people become involved in the political system, these rules will reflect the desires of the majority of the constituents, rather than the thoughts of politicians.

#### HONORING DR. WILLIAM TRULY

#### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Dr. William Truly, who was the first elected mayor of Canton, Mississippi in May 2009.

Originally from New Smyrna Beach, Fla., Mayor Truly relocated to Canton, MS in 1978, after completing medical school at Meharry Medical College in Nashville, Tenn.

Dr. Truly became an active member of the community. In 1996 he founded the Truly Medical Center that was one of five medical centers in Canton, MS. He has long served as an advocate for justice and a voice for the people of Canton, including serving as an Alderman-At-Large.

During his inauguration, Dr. Truly pledged to take the “City of Lights” (Canton, MS) in a new direction by increasing economic development and seeking more industry.

Since taking office, Mayor Truly has also set out on an ambitious agenda to revitalize Canton by focusing on improvements to public safety, education and making government more accessible to citizens. He is an active participant in his community and currently serves on a number of different Boards.

In addition to being the city's leader, Mayor Truly continues to practice medicine at different hospitals as the Chief Medical Director. Dr. Truly is married to the former Wassie Booker and has five children.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. William Truly for his dedication to serving others in need.

#### RECOGNIZING TERRI LYNCH FOR HER EXTRAORDINARY WORK ON BEHALF OF OLDER VIRGINIANS

#### HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. MORAN. Mr. Speaker, I rise today to honor and recognize the outstanding contributions of Terri Lynch in making Arlington and the Commonwealth of Virginia a better place to live in your twilight years.

Terri Lynch, MPA, has been the director of the Arlington County Agency on Aging since 1982. She helped to establish a network of services and programs in the Arlington Aging & Disability Services Division, including many that became state and national models. She consistently provided assistance and expertise to the Arlington Commission on Aging and Commission on Long-Term Care Residences. In 2006, she provided primary staff support for the County-Board's Elder Readiness Task Force that assessed the status of Arlington's capacity to serve older adults.

Ms. Lynch was president of the Virginia Association of Area Agencies on Aging from 2000 to 2002. She was a cofounding director and vice chair of the Consumer Consortium on Assisted Living from 1996 to 2003. She has served on the Policy Board for the Northern Virginia Long-Term Care Ombudsman Program, the Advisory Committee for the State Long-Term Care Ombudsman Program, the Board for the Virginia Elder Rights Coalition, and the Virginia Legal Services Corporation Board. She is a founding member of Northern Virginia Womenade, a giving circle that aids nonprofit organizations.

Ms. Lynch has been a long-standing driving force in the Northern Virginia Aging Network, comprised of the region's agencies on aging and commissions on aging, as well as aging service and advocacy groups. NVAN has produced a state legislative platform since 1983,



which has resulted in advances in community-based aging services, accessibility, housing, mental health and long-term care.

Ms. Lynch has been a leader in the field of aging at the local, state and national levels. She has received more than 20 distinguished honors, letters of appreciation and superior performance awards. She received the prestigious Winston Award from the Arlington County Bar Foundation in 2007 which recognizes members of the local community for longstanding public service, promotion of democratic ideals and the advancement of the rule of law. She received the Culpepper Garden Elder Services Award in 2009.

Ms. Lynch has been recognized multiple times by elected officials, policy-makers, community advocates and colleagues. They acknowledge her creativity, strategic thinking, administrative and advocacy skills, energy, and sheer ability to make things happen for the benefit of older people. She is always innovative, ahead of the curve, and exercises leadership that counts for elders. Ms. Lynch is retiring on June 28, 2013, and I salute her long track record of success and the positive differences she has made. I look forward to her continuing work in the public interest.

#### INTRODUCTION OF LEGISLATION TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO PROVIDE A CREDIT AGAINST TAX FOR HURRICANE AND TORNADO MITIGATION EXPENDITURES

#### HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. BILIRAKIS. Mr. Speaker, today I introduced the Hurricane and Tornado Mitigation Investment Act of 2013. This legislation seeks to encourage individuals and businesses to take proactive preparedness measures to protect their property from potential storm damage. Recent tornado outbreaks across the country this spring, and the impending start of the Atlantic hurricane season, remind us that weather-related emergencies and disasters are ever-present. The bill would amend the Internal Revenue Code to allow individual and business taxpayers in certain states a tax credit for a portion of their qualified hurricane and tornado mitigation property expenditures for any taxable year. They would be eligible when they take steps to improve the strength of a roof deck attachment; create a secondary water barrier; improve the durability of a roof covering; brace gable-end walls; reinforce the connections between a roof and supporting wall; protect against windborne debris; or protect exterior doors and garages. In short, this legislation will help communities mitigate against future weather related hazards. Taking mitigation steps now can make a huge difference. In many cases, it may help to reduce loss of life and property damage, while saving money and reducing insurance rates in the long run. I look forward to working with my colleagues to move this legislation through Congress.

#### THE JACK OF HEARTS

#### HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. FORTENBERRY. Mr. Speaker, on April 6, 2013, something remarkable occurred at Memorial Stadium. During the University of Nebraska football team's spring game, seven-year-old Jack Hoffman sprinted 69 yards down the field to score a touchdown with over 60,000 fans watching him. But his amazing touchdown is nothing compared to the courage he displays in his two-year battle with brain cancer. I am proud to call young Jack a Husker and would like to submit this tribute poem written on his behalf by Albert Carey Caswell.

#### THE JACK OF HEARTS

(By Albert Carey Caswell)

The . . .  
The Jack of Hearts . . .  
Oh how you've so done your part!  
To so inspire us with but your little heart!  
For you are but a work of art!  
Jack be nimble!  
Jack be quick!  
Oh Jack how all of our hearts you've so hit!  
For you are a champion,  
that our Lord has so picked!  
Running down that football field,  
as your heart would not yield!  
As to our Nation,  
what your most courageous little big heart  
so revealed!  
Giving us all such a lift!  
For you are one fine Husker,  
as we are all so very sure of this!  
All at what your little heart can muster,  
is but to all of us such a great gift!  
As you have brought us all to,  
such tears of bliss!  
Yea, Jack be nimble!  
Yea, Jack be quick!  
Jack be Strong!  
As Jack you so battle on and on!  
As like your Husker's on those fields of  
green,  
Jack you so fight with all your being!  
For already Jack,  
your short life is like a song!  
A song of courage!  
A song of faith!  
Who against all odds,  
will not so wave!  
Teaching us all,  
so how to behave!  
And children,  
as Heroes should not have to be!  
But, sadly sometimes . . .  
through them our Lord so shows us all what  
we need!  
For you are a brave as a Navy Seal,  
or a Special Forces member of The United  
States Army,  
or a member of The United States Air Force  
we've seen,  
or a member of The United States Marines!  
And Jack,  
as you ran down that football field . . .  
Our Nation's hearts,  
we all so hope that you could feel!  
All in what your great heart has revealed!  
And as you scored that touchdown,  
and they held you way up high!  
I wonder if you could but hear all of our  
tears,  
as we so all began to cry!  
Saying Jack,

we are with you every step of the way!

And in Oklahoma on this day,  
even the Sooner's became Husker fans as did  
they!

As Congressman Fortenbury would say,  
we're Nebraska, and This Is How We Roll  
each day!

For in The Game of Life Jack,  
you've gone deep!

As why in our thoughts and prayers,

you we will so ever keep!

So win that battle!

So win that fight!

For your heart is the brightest of the bright!

And one day,

we will see you in college playing at Ne-  
braska under the lights!

And if your betting against Little Jack,  
well you better not!

Because,

a Jack of Heart's . . . beats any hand that  
you've so got!

So Jack, as you so lay your little head down  
to sleep!

We pray to our Lord to watch over you so to  
keep!

And remember Jack our Nation,  
now carries you all in our hearts so very  
deep!

The Jack of Hearts, who to our hearts and  
souls does so speak!

We Are The Huskers,  
and This Is How We Roll!

#### HONORING LILLIE PITTMAN

#### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a resourceful and ambitious woman, Mrs. Lille Brown Pittman. Lillie has shown what can be done through hard work, dedication and a desire to serve others.

Lille Pittman, a resident of Delta City, Mississippi was born on July 4, 1940 to Tobias and Charlotte Bell. She graduated from Henry Weathers High School in Rolling Fork, MS in 1959. At the age of 22, she moved to California where she met and married Benjamin Brown and to that union they had three children, Anthony, Antoinette, and Patrice.

While in California, she worked for Raytheon as a Quality Control Inspector and for Hewlett Packard for 5 years as a Quality Assurance Inspector. In 1974, Lille returned to Mississippi with her three children. She was later employed with Asemco and Head Start until she was hit by the entrepreneurial bug. Ms. Pittman applied and obtained a small business loan to purchase the Delta City Trading Post in 1981 which she successfully operated for 8 years. In the midst of operating The Delta City Trading Post, she also created Brown's Janitorial Services, where she had several contracts with the United States Corps of Engineers.

In 1987, Lillie Pittman became the first African American woman to be elected to the Sharkey County Board of Supervisors. During her term in office, she made many accomplishments that brought jobs to the community and was awarded a grant to help low-income homeowners repair their homes.

Although she only served one term, Lillie continued to work effortlessly for her District in

Sharkey County. She continues to fight for better jobs, schools, and living conditions for the people of the community.

Her ongoing contributions include petitioning for better water quality in Delta City, working with children in Anguilla, MS to create a community garden, and working with the current County Supervisor to clean up the over grown roadways with the Summer Youth Program. Mrs. Lillie Brown Pittman is currently doing what she calls her greatest work, being a grandmother of four, Salena, Sydney, Margaret Alexander, and Noah.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Lillie Brown Pittman for her dedication for change and serving her community.

#### HONORING SAMUEL MATZNER

#### HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. MORAN. Mr. Speaker, I rise today in honor of a talented young musician in the 8th Congressional District, Samuel Matzner of Arlington County, Virginia. Samuel was selected on March 4th to participate in the first ever National Youth Orchestra of the United States of America.

Sam plays the Viola at Wakefield High School, as well as for the Washington Metropolitan Youth Orchestra. Due to his extraordinary abilities, he will join a group of 120 of the finest young musicians in the country aged 16–19, representing a selection process that included all 50 states, who will act as musical ambassadors during their worldwide tour in July. Organized by the famed Carnegie Hall in New York City, the group will travel to New York for two weeks of rehearsals at Purchase College, State University of New York, and then embark on an international tour that includes Moscow, St. Petersburg, and London.

The National Youth Orchestra of the United States of America is a unique and unparalleled opportunity for young, high school-aged musicians in the United States to be recognized as the pinnacle of our musical training system. The success of Venezuela's El Sistema has generated increased international interest in the value of youth orchestras, and I am thrilled that Carnegie Hall has spearheaded this initiative to showcase our nation's talent and reinvigorate interest in youth musicianship at home and abroad.

Mr. Speaker, we are proud of these cultural ambassadors, and their commitment to musical excellence. I look forward to hearing the orchestra play, and wish them the best of luck on their tour.

#### TRIBUTE TO WALKER SHORES

#### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in

the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Walker Shores is a junior at Austin High School in Fort Bend County, Texas. His essay topic is: Select an important event that has occurred in the past 50 years and explain how that event has changed our country.

On the 4th of November, 1979, several hundred Iranian students inspired by anti-American statements and speeches from their "Supreme Leader", Ruhollah Khomeini, invaded the United States Embassy in Tehran. Due to the aftermath of the recent revolution, and inflamed by the support and endorsement of the regime the wayward students had come to love, what was supposed to last only a few hours became a 444 day nightmare for the fifty two American diplomats, aides, attaches, and Marine Embassy Guards held within Tehran.

The sitting president, Jimmy Carter, immediately attempted diplomatic means to persuade the Iranians to see reason. However, after almost a year with no progress in the negotiations, President Carter was convinced by his cabinet to organize a military strike in Iran to free the hostages, using the newly created Delta Force. Operation Eagle Claw was scheduled to take place on April 24, 1980.

Due to a lack of communication between all of the services involved, and an absence of a clear chain of command, the operation was a failure. Two helicopters were disabled by a sandstorm and another due to electronic failures, then a fourth helicopter collided with a C-130 tanker, destroying both of the vehicles and killing eight service members. The fiasco among the fledgling special forces community was the catalyst for the creation of SOCOM, or Special Operations Command. This organization would help Delta Force, the Navy SEALs, and the Green Berets become the immeasurably powerful foreign policy tool that they are today.

At Jimmy Carter's last State of the Union speech, our thirty ninth president did something rather out of character, changing the way America would treat the Persian Gulf region forever. For the first three years of Carter's administration, he advocated peace and diplomacy as the primary, if not only, response to challenges and crises around the world. He tried to cut down on the United States' consumption of oil, and symbolically shut off the lights on the White House Christmas Tree to save power. However, due to the overthrow of the once ardently pro-U.S. Iranian regime under his administration, this speech had a more somber tone. At the time, there were still hostages in Tehran, and there were severe fluctuations in the price of oil in the United States due to the dubiousness of the middle eastern oil supply. In the most groundbreaking speech of his career, Carter pledged to use American resources, and military unit if need be, to explicitly protect overseas sources of oil.

This was the first time that The United States had made a foreign policy statement to commit their military to defend natural resources. This decree dramatically shaped

how the United States treated the region, and how future presidents would be obliged to act. Both the new foreign policy doctrine and the creation of SOCOM were two of the direct results of the hostage taking at the American embassy in Tehran on November 4th, 1979.

#### OZARK BEACH DAM 100 YEAR ANNIVERSARY

#### HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. LONG. Mr. Speaker, I rise today to recognize the 100th Anniversary of Empire District Electric Company's Ozark Beach Dam.

In early 1911, two businessmen from St. Louis formed the Ozark Power and Water Company and obtained permission from Congress to erect a hydroelectric dam across the White River at Ozark Beach.

Unfortunately, the financial backing the men had secured was lost. At this point, the Ambursen Hydraulic Construction Co. of Boston became involved with the project. They took the plan for the dam to the Henry L. Doherty & Company of New York, a company that had been investing in electric and gas companies in Missouri and Kansas, primarily due to the lead and other mining operations that were springing up in the states. The Doherty Company, which later formed the basis of the Empire District Electric Company through the consolidation of several utilities, began work on the dam.

The dam was completed and the White River was officially closed off on March 20, 1913, creating Lake Taneycomo. Power began flowing on September 1, 1913.

Upon completion, the dam housed five, 25-cycle turbines that were rated at two megawatts each. Energy from the dam was carried north to the Nichol Street Substation in Springfield on steel towers and then west to Joplin. This line carried 66,000 volts of electricity which involved considerable pioneering since transmission facilities were limited in the "Ozark" country. The 150-mile line was also considered an engineering achievement, since transformers, insulators, switching, and the general design were just being developed for such a high voltage.

With the exception of some reinforcement work completed on the dam in the early 1920's, the dam remained unchanged until the early 1930's when the original 25-cycle equipment was replaced. The power house interior was redesigned to house new vertical water wheels and four, four-megawatt, 60-cycle generators were installed.

In 1995, the plant received further modernization. Following installation of some control equipment, the plant became remotely operated from the Company's Systems Operation Center in Joplin.

Starting in 2002, each one of the turbines was replaced with stainless steel turbines with additional horsepower improvements. The turbines were replaced one per year with the last one coming online in March 2005.

With the exception of several modernization upgrades, the dam stands much the same as

it was when finished in 1913. It provides the Empire District system with 16 megawatts of power and the Taney County area with a beautiful recreational area.

I would like to take this opportunity to commemorate the 100th Anniversary of Empire District Electric Company's Ozark Beach Dam.

REMEMBERING TIANANMEN  
SQUARE'S MARTYRS FOR FREE-  
DOM AND DEMOCRACY

**HON. KEITH J. ROTHFUS**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. ROTHFUS. Mr. Speaker, I rise today to mark the twenty-fourth anniversary of the massacre of unarmed civilian protesters in Beijing's Tiananmen Square.

1989 was a momentous year in human history. We saw a new birth of freedom in many nations that had suppressed their people for more than a generation.

That year, we also witnessed the People's Republic of China violently crush those who had the courage to stand up to their government. These protesters came from all walks of life. They were mothers, fathers, sons, and daughters. Many were students. They were united in their thirst for democracy and in their desire for the universal human freedoms of assembly and expression.

They were silenced because they dared to defy their government. However, no government can crush the universal aspiration of people to be free.

These protesters became martyrs in the cause for human rights and their thirst for freedom lives on in those who continue to struggle for human rights and dignity in China and around the world.

We will never forget the heroes of Tiananmen Square.

ANNIVERSARY OF THE 1989  
TIANANMEN SQUARE MASSACRE

**HON. TIM HUELSKAMP**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. HUELSKAMP. Mr. Speaker, today marks the tragic anniversary of the 1989 Tiananmen Square massacre in China. On this day, 24 years ago, the Chinese government harshly cracked down on pro-democracy, freedom-seeking student protesters and murdered hundreds, possibly thousands of peaceful demonstrators. Simply put, these men and women demanded and deserved liberty and died striving for this basic human urge. This is why it is crucial that we rededicate ourselves to defending and protecting the Constitution upon which our great nation was formed. As long as we fight to uphold this inspired document, we protect human liberty; we defend freedom; we give life to people's dreams; we empower hardworking families and individuals. This is a sacred duty we must not take lightly—especially as we remember the brave victims of Tiananmen Square.

HONORING RABBI JUDITH LEWIS &  
OTTO KUCERA

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. ENGEL. Mr. Speaker, Rabbi Judith S. Lewis became the rabbi of Riverdale Temple in the summer of 2006, after celebrating her 25th year in the rabbinate in 2005. She was part of the first generation of women rabbis, becoming ordained at a time when there were fewer than a dozen women in the Reform rabbinate. She was awarded an honorary Doctor of Divinity degree from the Hebrew Union College—Jewish Institute of Religion, where she was ordained in 1980. Her undergraduate degree was in Philosophy, from Oberlin College in Ohio.

Rabbi Lewis was born and raised in Rochester, New York where her extended family participated in every congregation of every denomination. A favorite recollection from childhood is the successive observance of Jewish holidays at each congregation. After services ended at her family's Reform synagogue, they would often go to join her grandparents in their Conservative congregation, and finally join aunts and uncles at the Orthodox synagogue to finish the celebration of the holiday.

Otto Kucera was born and raised in Astoria, Queens, above his family's funeral home. After graduating from American Academy McAllister Institute he joined the family business. Aside from several years in Boston, as a family owner of several independent funeral homes, he has been with Riverside Funeral Chapels and their associates for over 40 years.

The diversity and proximity of the Jewish population in Riverdale is both familiar and welcome to Rabbi Lewis who believes that a Reform congregation has a vital role to play in the ongoing creativity of modern Jewish life. As the oldest Jewish institution in Riverdale, this congregation has a rich and noteworthy heritage of involvement with the community which she looks forward to promoting and sustaining.

Otto and his wife, Isabell, had three children, Peter, Jennifer, and Veronica. Peter is a funeral director in Schenectady, New York. Jenny was a production manager for Penguin Publications after graduating from Rutgers University and married her husband Joel. They live in Massachusetts with their two children.

Rabbi Lewis introduced the Tot Shabbat, adult bnei mitzvah classes, and she and Otto conduct congregational trips to Israel. Her willingness to try new modes of worship and her spirit of experimentation are attracting new young families to the congregation.

Otto and Rabbi Lewis got to know each other outside of their respective professional roles 12 years ago, when introducing their son and daughter to each other. Instead, they married each other four years later.

I offer my congratulations to Rabbi Lewis and Otto for all they have accomplished for the Temple, both individually and together. They are an example of all that can be done when working together.

HONORING FRANK CRUMP, JR.

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a decorous and determined man Mr. Frank Crump, Jr., who has shown what can be done through tenacity, dedication and a desire to serve others.

Mr. Crump, a resident of Vicksburg, Mississippi was born on May 26, 1927 to Frank Crump, Sr. and Angeline Turner Crump.

In 1941 Mr. Crump enlisted in the United States Navy where he attended Ships Cook School and Airplane Mechanics. After being honorably discharged from the United States Navy, he graduated from Alcorn State University in 1951 with a Bachelors Degree and in 1978 he earned a Masters Degree from the University of Southern Mississippi.

During the summer of 1964, Mr. Crump was instrumental in coordinating the Vicksburg Citizens' Appeal, a newspaper aimed at publicizing news events involving blacks' worldwide and social events happening in the black community. He also played an intricate role in Freedom Summer, whose mission was to register black voters and initiate a slow sunset for Jim Crow laws.

Mr. Crump has held various positions in education. He was: the Building Grounds Clerk and Mathematics and Physical Science Instructor at Alcorn from 1950–1952; from 1952–1958, while in Chicago, Illinois he worked as postal clerk, aircraft assembler for Ford Motor Company, bus driver and instructor for the Chicago Transit Authority. After returning to Mississippi he worked as a Mathematics Instructor at Mixon Junior High, Utica, MS; Mathematics, Drafting and Physics Instructor at Temple High School, Vicksburg, MS; and Mathematics Instructor at Tallulah High School, Tallulah, LA. Also Mr. Crump served in several capacities at Hinds Community College, Utica Campus including Mathematics Instructor, Vocational-Technical Administrator and Dean of Vocational-Technical Education.

Mr. Frank Crump, Jr. is the recipient of several accolades including: Recognition for Military Services during the Period of the Cold War; Instructor of the Year and Christian Leadership Award through Music to name a few. Similarly, he is a member of several social and civic organizations.

Mr. Crump is married to Orelia Peterson Crump and to that union they had four children.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Frank Crump, Jr. for his unwavering dedication to education and social equality.

RECOGNIZING THE ORGANIZATION  
OF KOREAN AMERICAN WOMEN  
ON THE OCCASION OF ITS 50TH  
ANNIVERSARY

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. CONNOLLY. Mr. Speaker, I rise today to congratulate the Organization of Korean American Women (OKAW) on the occasion of its 50th anniversary.

Nearly 1 out of every 4 of the residents in the 11th Congressional District of Virginia is foreign born. Asian Americans comprise the largest ethnic group, including a large Korean American community. The transition to a new home country can be daunting; adapting to different customs and learning a new language are only two of the challenges that face every immigrant. OKAW has distinguished itself through its services to assist those adapting to their new home so they can become full participants in our American society.

OKAW also supports The House of Hope and the Artemis Shelter which serve the needs of the most vulnerable immigrants—women who are struggling with poverty or are victims of domestic violence, abuse, or persecution. These organizations provide women with financial support, shelter, and legal assistance so they can gain the skills necessary to overcome language and cultural barriers and become self-sufficient.

These efforts are truly commendable, but as activists and humanitarians, OKAW has again expanded its reach to address another need—support of our wounded warriors and their families. The upcoming anniversary gala will include a special tribute to veterans of the Korean War. In addition, OKAW will make a special contribution of \$20,000 to two organizations which provide assistance to our wounded warriors and their families.

Mr. Speaker, I ask my colleagues to join me in congratulating the Organization of Korean American Women on the occasion of its 50th anniversary and in commending OKAW for its decades of service to our community.

RECOGNIZING THE BOY SCOUTS OF  
AMERICA MEDAL OF MERIT  
AWARD TO CHRISTOPHER  
MAYHEW

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the heroic acts of Christopher Mayhew who was recently awarded the Medal of Merit by the Boy Scouts of America for providing first aid to the victim of a car accident. A Medal of Merit, is presented for an outstanding act of service of a rare or exceptional nature that reflects an uncommon degree of concern for the well being of others. Since it was instituted in 1946, just 6,229 have been awarded.

Christopher, who joined Troop 1131 in 2008, is currently a Life Scout and has been

a Patrol Leader and an Assistant Senior Patrol Leader. He was 15 at the time of the incident.

On July 27, 2012, Christopher and his family were returning from Virginia Beach. Suddenly, a car in front of them swerved and went off the road, flipping over as it went down an embankment. Christopher immediately directed his mother to stop the car to help.

He jumped out of the car, asked his mother to dial 911 and ran down the hill to the wrecked car, which was barely visible from the road. The car had landed on its wheels and the driver and passenger were able to get out of the car. The driver had numerous cuts from broken glass, some deep, on his arms, face and head. Christopher ran back to his own car and retrieved the only first aid supplies he could find—paper napkins and a bottle of water—and ran back down to help clean up the driver's cuts and apply pressure to one deep cut to slow the bleeding. He continued to provide first aid until the rescue squad arrived. For his actions Christopher received a letter of Commendation from the Chief of the James City County Volunteer Fire Department, whose EMT unit was the one on the scene.

The Boy Scouts' Medal of Merit awards nomination process is a long and involved one. To determine if an action is worthy of special recognition, witnesses to the event must first contact the Unit Leader. The Unit Leader gathers facts and documentation to make a determination if the event warrants further attention. If so, he submits the information to an Area Council.

If the Awards Committee at the Area Council decides the nomination is worthy of consideration, it conducts face-to-face interviews of the Scout and witnesses. The Awards Committee may then submit the nomination to the National Scout Headquarters in Irving, Texas. The nomination is then reviewed at the National Council of the Boy Scouts of America, and if approved, the National Court of Honor makes the award. In 2012, just 126 Scouts earned the Medal of Merit.

Christopher's heroic actions exemplify the Scout motto: Be Prepared! The founder of the Boy Scouts in England, Robert Baden-Powell explained that to Be Prepared "means you are always in a state of readiness in mind and body to do your duty." Christopher was prepared through his training to provide first aid, but technical skills alone could not have prepared him for the situation he confronted that day. More importantly, he was prepared mentally to react immediately and had the fortitude to risk his own safety in order to help others.

Mr. Speaker, I ask that my colleagues join me in recognizing Christopher Mayhew of Fairfax County, Virginia, for the remarkable bravery and skill he demonstrated in this harrowing situation and in congratulating him on this well-deserved honor. I also thank the Boy Scouts for continuing to teach young men to be prepared to serve others in need.

SMALL BUSINESS TAX EQUITY  
ACT OF 2013

**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. BLUMENAUER. Mr. Speaker, since California first passed a medical marijuana initiative in 1996, 19 states and the District of Columbia have approved medical marijuana programs. In addition, voters in Washington and Colorado recently voted to allow the sale and use of recreational marijuana. Yet any business associated with these expanding industries faces a legal gray area between federal and state law. While states have expanded legal economic opportunities, federal drug, tax, and banking laws continue to limit these emerging small businesses.

It's long been recognized that marijuana has therapeutic values. People use it to deal with chronic paralyzing pain, the nausea associated with chemotherapy, the symptoms of Multiple Sclerosis and more and more of our veterans now use it to help with PTSD. At least one million people now receive legal medical marijuana treatment.

What, however, remains illegal is for the thousands of legitimate businesses providing a legal product to treat their business expenses like every other business and deduct them from their operating income.

Decades ago, a drug dealer claimed the cost of his yacht and weapons as legitimate business expenses. Congress responded by making expenses associated with a Schedule I or Schedule II controlled substance ineligible for deduction. This change has since ensnared the thousands of legitimate marijuana businesses operating in compliance with state law, who are now paying a federal income tax double or triple the effective tax rate of most businesses. These businesses cannot claim the work opportunity tax credit if they hire a veteran. They cannot depreciate their American-made irrigation equipment. The deductions that any other business could take for the construction or operating costs of their facilities are unavailable to them.

This is why I am introducing the Small Business Tax Equity Act, bipartisan legislation to allow marijuana businesses operating in compliance with state law to deduct their legitimate expenses. It will only have effect in states which have legalized aspects of marijuana use.

Legal businesses in America are taxed on their income, not on their gross revenues, except for the otherwise legal operation of marijuana businesses. Our failure to update federal tax law forces these businesses to discontinue an important service, or to drive it underground, which encourages evasion. This bill conforms federal tax law to state law and ensures the fair treatment of a legal industry.

RECOGNIZING THE FIRST ANNUAL  
GREATER SPRINGFIELD CHAM-  
BER OF COMMERCE "ABOVE AND  
BEYOND" AWARDS

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize an outstanding group of first responders and public safety officers who have been honored with the First Annual Greater Springfield Chamber of Commerce "Above and Beyond" Award.

These awards honor Fairfax County Firefighters, EMTs, Police Officers and Sheriff's Deputies who give back to the Greater Springfield area by providing service to the community outside their normal duties.

In addition to the immeasurable contributions made every day in the line of duty, these men and women have distinguished themselves through their extraordinary efforts in the community, which largely go unseen. They willingly volunteer their personal time, energies, and support to activities for the betterment of our children, our neighborhoods, and our quality of life.

It is my honor to enter the names of the following individuals into the CONGRESSIONAL RECORD:

Captain II Fred Brandell, who is assigned to Company 5 at the Franconia Fire Station, has led his crew to become one the nation's top fundraising fire stations for the Muscular Dystrophy Association and also in serving at the Central Virginia Burn Camp, where young people who have suffered a traumatic burn can have fun like every other kid.

Detective Monica Meeks of the Fairfax County Police Department's Franconia Station is passionate about victims' rights and the prevention of domestic violence. She lectures at community events and organizes seminars at schools. She works closely with area abuse shelters whether she is on or off duty. During the holidays she arranges for truckloads of toys, supplies, and gift cards to be donated and transported to children's shelters throughout the county.

Private First Class Omecihuatl Mann serves in the Fairfax County Sheriff's Office's Records/Transportation Section. She also devotes hundreds of hours to the Fairfax County Public Library system as a weekly library volunteer and board member of the Friends of the Library. She has collected and distributed more than 10,000 books in the past four years. Beneficiaries include the Fairfax County Adult Detention Center and NOVACO, which provides transitional housing and services for mothers and children, who have fled situations of domestic abuse.

Private First Class James L. Thur is assigned to the Fairfax County Police Department's West Springfield District Station. Besides his own patrol officer responsibilities, he ensures his coworkers are well equipped and able to complete their duties. PFC Thur will drop what he is doing to assist with any cruiser issue, ranging from a burned out light bulb to a dropped transmission. In his spare time, he serves as a volunteer fire fighter.

Mr. Speaker, I ask my colleagues to join me in congratulating and thanking each of the brave men and women who go above and beyond the call of duty to serve our community. They are part of The Bravest and The Finest who collectively ensure that Fairfax County remains one of the nation's safest communities in which to live, work, and raise a family. Moreover, the volunteer service exhibited by these honorees is one of the hallmarks of what has made Fairfax the thriving community it is today, and because of their efforts, that tradition will carry on for future generations.

RECOGNIZING THE 40TH ANNIVER-  
SARY OF ST. MATTHEW'S LU-  
THERAN DAY SCHOOL

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. CONNOLLY. Mr. Speaker, I rise today to congratulate the St. Matthew's Lutheran Day School of Prince William County, Virginia, on the occasion of its 40th anniversary, and to recognize the school for its continued dedication to the education of our youngest citizens.

St. Matthew's Lutheran Day School was established after Senior Pastor David Bohannon went door-to-door in 1971 to gauge the interest of the surrounding community for early childhood education opportunities. The day school, open to any member of the surrounding community, began in 1973 with 88 children. Now there are 250 students enrolled at St. Matthew's. The school has served several thousand children from Prince William County since 1973. St. Matthew's students graduate well-prepared for elementary, secondary, and post secondary education.

I commend the administration at St. Matthew's for using a comprehensive curriculum that focuses not only on academic learning but also on imaginative play and hands-on learning. Activities at the Day School include group time, circle time, center time, snack time, playground time, and story time. These activities encourage a positive and interactive learning environment for the three- to five-year-olds served by the St. Matthew's Lutheran Day School.

St. Matthew's began its 40th anniversary celebration entitled "Early Years Are Learning Years," in April with an Open House, during which the school displayed student artwork. The school will continue to celebrate through the end of the year by hosting literacy concerts throughout the community.

Mr. Speaker, I ask my colleagues to join me in congratulating the St. Matthew's Lutheran Day School for serving families and children in our community for 40 years. I extend my personal appreciation to the staff of the Day School for their commitment to empowering our children by providing access to a high quality early childhood education.

CONGRATULATING BOLD CITY  
CHAPTER OF LINKS  
INCORPORATED'S 20 YEARS OF  
SERVICE

**HON. CORRINE BROWN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Ms. BROWN of Florida. Mr. Speaker, I rise today to honor the Bold City Chapter of Links Incorporated's 20 years of service to the Jacksonville community.

As the representative of Florida's 5th Congressional District, I have followed this chapter's community service efforts for many years and am most impressed with their commitment to the City.

On behalf of my Congressional office and my constituents of Florida's 5th congressional district, I thank the Bold City Chapter of Links for all they do to make Jacksonville a better place. Indeed, our city is extremely fortunate for the service and leadership the Bold City Chapter provided through the chapter's programs over the past 20 years.

This chapter is a symbol of hope to numerous citizens that have been served through the chapter's many accomplishments, most recently the Links Leadership Academy. I am certain that this Academy will serve to develop our next generation of leaders, the future leaders of our City.

COMMEMORATING THE DEDICA-  
TION OF SOUTH COUNTY MIDDLE  
SCHOOL AND TO RECOGNIZE  
PRINCIPAL MARSHA MANNING  
FOR BEING NAMED THE 2013  
NANCY F. SPRAGUE OUT-  
STANDING FIRST-YEAR PRIN-  
CIPAL

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. CONNOLLY. Mr. Speaker, I rise today to celebrate the dedication of the newest Fairfax County public middle school, South County Middle School in Lorton, Virginia, and to congratulate Principal Marsha Manning on being named the 2013 Nancy F. Sprague Outstanding First-Year Principal for Fairfax County Public Schools.

Responsible for the education of more than 180,000 students, the Fairfax County Public School System (FCPS) is the largest public school system in Commonwealth of Virginia and the 11th largest school system in the nation. With a budget that exceeds \$2.4 billion, the school system offers a full range of educational opportunities to each of the students who attend one of its 196 schools. Nearly 75% of local high school graduates go on to some form of post-secondary education, and in 2012, Newsweek magazine designated all eligible FCPS high schools as the most challenging public schools in the nation. In 2012, the average SAT score in Fairfax County was 1654; 140 points higher than the Virginia average and nearly 200 points higher than the national average.

These extraordinary accomplishments at the high school level would not be possible without an exceptional middle school system that thoroughly educates and prepares students in grades 7–8 for the challenges of high school. It is my honor to recognize our newest middle school, South County Middle School in Lorton, Virginia.

Following the transfer of the former Lorton prison property to Fairfax County in 2002, the explosive growth in the southern end of Fairfax County continued to accelerate. In 2005, the doors to a new secondary school opened to accommodate children in grades 7 through 12. The new school, South County Secondary School, had a maximum student capacity of 2,500 and immediately exceeded capacity, requiring a number of temporary trailer classrooms to be installed on site.

In 2008, as Chairman of the Fairfax County Board of Supervisors, I was honored to work with the community and my fellow Supervisors to set aside \$10 million from the county budget expressly for the purpose of constructing a new middle school that was desperately needed to alleviate overcrowding and provide an environment conducive to education and our children's well being. South County Middle School opened its doors in September 2012, and on June 5, 2013, we celebrate the formal dedication of this institution.

Principal Marsha Manning has led the school during this inaugural year with professionalism, dedication, and devotion to the children in her charge. Ms. Manning, a 23-year veteran of FCPS, began her career in 1990 teaching English at Washington Irving Middle School. She then went on to serve as an assistant principal at Mark Twain Middle School, and in 2005, helped to open South County Secondary School where she served as a subschool principal. It was a natural fit for her to take the reins as principal of the new South County Middle School, where she, the school, and the students have thrived. She has been described by her colleagues as a person who displays "hard work, integrity, and exceptional passion" and is credited with instilling pride and a sense of identity to the school and students—a task that usually takes years. I congratulate Principal Manning on being named the 2013 Nancy F. Sprague Outstanding First-Year Principal, a recognition very well deserved.

Mr. Speaker, I ask that my colleagues join me in commending the faculty, staff, administration, parents, and entire South County Community for their unwavering dedication to the students of South County Middle School. The commitment displayed to the education, safety, and well being of our children is instrumental to their health and future success, and it is one of the primary reasons that Fairfax County is often rated as one of the best counties in the country in which to live, work, and raise a family. I thank each of you for your tireless efforts, and wish years of success to the Mustangs of South County Middle School.

COMMENDING LOCAL 2013 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES AIR FORCE AND OUR COMMUNITY SALUTES OF NORTHERN VIRGINIA FOR HOSTING THE THIRD ANNUAL HIGH SCHOOL ENLISTEE RECOGNITION CEREMONY

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize 8 graduating seniors in my community for their record of academic and athletic accomplishment and for their admirable decision to enlist in the United States Air Force. I also express my appreciation to Our Community Salutes of Northern Virginia for providing this opportunity to be among the first to say to each of these young men and women: "Thank you."

I have had the privilege of working with Our Community Salutes of Northern Virginia since its inception in 2011. That year my office was contacted by one of the founding parents who upon learning that her son and other students at his school who had decided to enlist would not receive any recognition during graduation, joined with other parents to organize the first enlistee recognition ceremony of its kind in the region. The first ceremony recognized 9 students. In two short years that number has grown to 101.

With graduation season upon us, thousands of young people in my community, and millions across the nation, are preparing for the next chapter in their lives. Some will pursue higher education or vocational training, others will seek to enter the workforce immediately, and many will answer the call to serve their community and their country.

The United States of America has distinguished itself from other nations through the entrepreneurship and spirit of our people, the knowledge that we can achieve any goal if we set our minds to it, our inherent compassion and generosity, our fierce patriotism, and the extraordinary sacrifices and dedication to country exhibited by the members of our Armed Forces. The young men and women from our community who will be enlisting possess an abundance of each of these qualities. I join with their families and friends in congratulating and commending the following graduates on their enlistment in the United States Air Force:

Robert Avara; Lance Clark; Megan Cumpas; Megan Drechsler; Julie Jones; Luis Martinez Ramirez; Bradley Mauldin; Anthony Morgan; Kyle Pelar.

Mr. Speaker, I ask my colleagues to join me in applauding the courage and dedication of these graduates and in assuring them and their families that the full support and resources of the U.S. Congress and the American people will be behind them on every step of their journey in defense of our nation's freedom.

STATEMENT ON H.R. 1919, THE SAFEGUARDING AMERICA'S PHARMACEUTICALS ACT

### HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. OWENS. Mr. Speaker, I rise today to express concerns about a provision in H.R. 1919, the Safeguarding America's Pharmaceuticals Act of 2013, raised by a large employer in my district. The legislation passed by voice vote, and like many of my colleagues I support the overall goal and intent of this legislation: namely, to protect more Americans from counterfeit pharmaceuticals. However, I have reservations about certain sections of the bill due to concerns raised in my Congressional District that I hope might be addressed if further action is taken in the Senate.

Section 8 of H.R. 1919 includes language addressing the use of electronic labeling for pharmaceutical drugs, meaning that important consumer information related to usage, side effects and other issues may in some instances be available only over the internet unless a customer specifically asks for drug-related instructions in writing. I remain concerned about the possible effect these provisions will have on seniors and in communities that are underserved or un-served entirely by broadband internet. This legislation if passed in its current form may create a scenario where a customer who shops at a pharmacy that uses the electronic system will be left without critical drug information unless they think to ask for it themselves. For many, this will leave them in the dark about important, potentially life-saving information.

As a representative for a rural community where broadband internet is unavailable in many areas, this presents a real concern. I ask that my colleagues on both sides of the aisle and in both houses of Congress reconsider these provisions should the Senate take action on the bill.

COMMENDING LOCAL 2013 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES ARMY AND OUR COMMUNITY SALUTES OF NORTHERN VIRGINIA FOR HOSTING THE THIRD ANNUAL HIGH SCHOOL ENLISTEE RECOGNITION CEREMONY

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize 28 graduating seniors in my community for their record of academic and athletic accomplishment and for their admirable decision to enlist in the United States Army. I also express my appreciation to Our Community Salutes of Northern Virginia for providing this opportunity to be among the first to say to each of these young men and women: "Thank you."

I have had the privilege of working with Our Community Salutes of Northern Virginia since

its inception in 2011. That year my office was contacted by one of the founding parents who upon learning that her son and other students at his school who had decided to enlist would not receive any recognition during graduation, joined with other parents to organize the first enlistee recognition ceremony of its kind in the region. The first ceremony recognized 9 students. In two short years that number has grown to 101.

With graduation season upon us, thousands of young people in my community, and millions across the nation, are preparing for the next chapter in their lives. Some will pursue higher education or vocational training, others will seek to enter the workforce immediately, and many will answer the call to serve their community and their country.

The United States of America has distinguished itself from other nations through the entrepreneurship and spirit of our people, the knowledge that we can achieve any goal if we set our minds to it, our inherent compassion and generosity, our fierce patriotism, and the extraordinary sacrifices and dedication to country exhibited by the members of our Armed Forces. The young men and women from our community who will be enlisting possess an abundance of each of these qualities. I join with their families and friends in congratulating and commending the following graduates on their enlistment in the United States Army:

Eric Alvarez Carranza; Damaris Aparicio; Niel Barasona; James Blersch; Gabriel Brey; Mayerling Castillo; Tyler Cirillo; Andrew Coreas; Stacy Darpoh; Tyler Davis; Timothy Driscoll; Austin Dunn; Zachary Francis; Jocelyn Garcia Gonzalez; David Gillespie; Lewis Green; Icavetta Gregory; Emmanuel Hernandez; Nathaniel Holmes; Rezaul Khan; Joseline Lopez Martinez; Yenis Lopez-Arias; Oscar Luna Rivera; Francis Nguyen; Dino Ponce; Cody Smith; Mathias Sobarzo; Danny Ventura

Mr. Speaker, I ask my colleagues to join me in applauding the courage and dedication of these graduates and in assuring them and their families that the full support and resources of the U.S. Congress and the American people will be behind them on every step of their journey in defense of our nation's freedom.

COMMENDING LOCAL 2013 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES NAVY AND OUR COMMUNITY SALUTES OF NORTHERN VIRGINIA FOR HOSTING THE THIRD ANNUAL HIGH SCHOOL ENLISTEE RECOGNITION CEREMONY

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize 13 graduating seniors in my community for their record of academic and athletic accomplishment and for their admirable decision to enlist in the United States Navy. I also ex-

press my appreciation to Our Community Salutes of Northern Virginia for providing this opportunity to be among the first to say to each of these young men and women: "Thank you."

I have had the privilege of working with Our Community Salutes of Northern Virginia since its inception in 2011. That year my office was contacted by one of the founding parents who upon learning that her son and other students at his school who had decided to enlist would not receive any recognition during graduation, joined with other parents to organize the first enlistee recognition ceremony of its kind in the region. The first ceremony recognized 9 students. In two short years that number has grown to 101.

With graduation season upon us, thousands of young people in my community, and millions across the nation, are preparing for the next chapter in their lives. Some will pursue higher education or vocational training, others will seek to enter the workforce immediately, and many will answer the call to serve their community and their country.

The United States of America has distinguished itself from other nations through the entrepreneurship and spirit of our people, the knowledge that we can achieve any goal if we set our minds to it, our inherent compassion and generosity, our fierce patriotism, and the extraordinary sacrifices and dedication to country exhibited by the members of our Armed Forces. The young men and women from our community who will be enlisting possess an abundance of each of these qualities. I join with their families and friends in congratulating and commending the following graduates on their enlistment in the United States Navy:

Jessica Blas Salazar; Kafahni Crowell; Tyler Deleeuw; Bryan Ignacio; Jinsuk Lee; Jay Lee; Hasmeed Machuca; Ashley Sager; Timothy Skubal; Daniel Vanderplas; Evert Vasquez; Christina Vithaya; Lars Yates

Mr. Speaker, I ask my colleagues to join me in applauding the courage and dedication of these graduates and in assuring them and their families that the full support and resources of the U.S. Congress and the American people will be behind them on every step of their journey in defense of our nation's freedom.

IN TRIBUTE TO THE FALLEN  
HOUSTON FIREFIGHTERS

### HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. AL GREEN of Texas. Mr. Speaker, I would like to express my deepest sympathies for the Houston firefighters who perished or were injured due to the blaze at the Southwest Inn and Bhojan Restaurant, which took place on May 31, 2013. Upon visiting the site of the horrific tragedy, I was saddened to see the remains of a building consumed by a pernicious inferno. I was also able to appreciate the courage and spirit necessary to be a firefighter at the scene on that fateful day.

To date, while "in the line of duty," four firefighters have died and many others have been

hospitalized due to their injuries in what has become the most lethal day in the history of the Houston Fire Department (HFD). Among the deceased were: an eleven-year-veteran of the HFD, Captain Emergency Medical Technician (EMT) Matthew Renaud, and a recent graduate from the fire academy, Anne Sullivan, along with Firefighter EMT Robert Garner and Engineer Operator EMT Robert Bebee.

Our firefighters selflessly risked their lives and limbs to save as many civilians as possible. While tragedies such as these shock and emotionally devastate us, we should remember the extraordinary heroism displayed by our firefighters: They rushed to the scene battling flames on both the roof as well as within the motel and restaurant, thereby preventing a single civilian fatality.

Mr. Speaker, since the fire, I have visited with firefighters from the HFD at the Houston Professional Firefighters Association Union Hall. I was truly inspired by their dedication to each other and devotion to public safety. As a result, I now have a greater appreciation for what is for me a chilling expression "in the line of duty."

COMMENDING LOCAL 2013 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES MARINE CORPS AND OUR COMMUNITY SALUTES OF NORTHERN VIRGINIA FOR HOSTING THE THIRD ANNUAL HIGH SCHOOL ENLISTEE RECOGNITION CEREMONY

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 4, 2013*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize 51 graduating seniors in my community for their record of academic and athletic accomplishment and for their admirable decision to enlist in the United States Marine Corps. I also express my appreciation to Our Community Salutes of Northern Virginia for providing this opportunity to be among the first to say to each of these young men and women: "Thank you."

I have had the privilege of working with Our Community Salutes of Northern Virginia since its inception in 2011. That year my office was contacted by one of the founding parents who upon learning that her son and other students at his school who had decided to enlist would not receive any recognition during graduation, joined with other parents to organize the first enlistee recognition ceremony of its kind in the region. The first ceremony recognized 9 students. In two short years that number has grown to 101.

With graduation season upon us, thousands of young people in my community, and millions across the nation, are preparing for the next chapter in their lives. Some will pursue higher education or vocational training, others will seek to enter the workforce immediately, and many will answer the call to serve their community and their country.

The United States of America has distinguished itself from other nations through the



entrepreneurship and spirit of our people, the knowledge that we can achieve any goal if we set our minds to it, our inherent compassion and generosity, our fierce patriotism, and the extraordinary sacrifices and dedication to country exhibited by the members of our Armed Forces. The young men and women from our community who will be enlisting possess an abundance of each of these qualities. I join with their families and friends in congratulating and commending the following graduates on their enlistment in the United States Marine Corps:

Kamo Abdulrahman; Jonathan Aguilar; Kevin Amaya; Jackson Burgess; Benjamin

Burruss; Daniel Chhieu; Emily Collins; Latrice Coram; Larry Davis; James Degrafft; Kevin Diaz; Ludvigsen Diaz; Aaron Elassal; Jacob Facas; Mario Fajardo; Azad Fattahi; Ismael Ferman; Christopher Foerter; Spencer Gonsalvez; Veronica Gonzalez; Matthew Gregory; Jeffrey Hong; Nicholas Hunter; Mateusz Laguna; Gwendetta Mabry; Isaac Martinez; Tyreek Minter; Robert Mondloch; Yenifer Montalvo; Matthew Moser; Jason Pabontancara; Omar Paniagua; Tae Park; Erik Ploompuu; Herson Reyes; Jorge Ribera-Pedraza; Carlos Rodriguez; Leonel Santos; Romeo Sarmiento, III; Bradley Sherman;

Simranjit Singh; Joshua Skym; David Smith; Kyle Stears; Brittany Thompson; Christian Valencia; Leopoldo Valiente Marquez; Joseph Stephen Vanwijngaarden; Deyvis Vasquez Soto; William Vo; Jaime Zamora

Mr. Speaker, I ask my colleagues to join me in applauding the courage and dedication of these graduates and in assuring them and their families that the full support and resources of the U.S. Congress and the American people will be behind them on every step of their journey in defense our nation's freedom.

## SENATE—Wednesday, June 5, 2013

### AMENDMENTS SUBMITTED AND PROPOSED DURING THE ADJOURNMENT OF THE SENATE, PURSUANT TO THE ORDER OF THE SENATE OF JUNE 4, 2013

SA 1164. Ms. STABENOW (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table.

SA 1165. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1166. Mr. CHAMBLISS (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1167. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1168. Mr. UDALL, of Colorado submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1169. Mrs. FISCHER (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1170. Mr. THUNE (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1171. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1172. Mr. JOHNSON, of South Dakota submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1173. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

### TEXT OF AMENDMENTS

**SA 1164.** Ms. STABENOW (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 12, lines 14 and 15, strike “(except pulse crops)”.

On page 14, line 19, insert “including any adjustment or reduction pursuant to section 1101 or 1302 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711, 8752) and” after “this Act.”.

On page 20, strike lines 1 through 5 and insert the following:

#### (14) PAYMENT ACRES.—

(A) IN GENERAL.—Subject to the adjustment in subparagraph (B), the term “payment acres” means, in the case of adverse market payments, 85 percent of the base acres for a covered commodity on a farm on which adverse market payments are made.

#### (B) ADJUSTMENT.—

(i) IN GENERAL.—Except as provided in clause (ii), in a crop year in which more than 15 percent of the base acres for the covered commodity on the farm is planted to fruits, vegetables (other than mung beans and pulse crops), or wild rice, the payment acres shall be reduced by the amount equal to the acreage planted to those crops in excess of 15 percent of the base acres in a crop year.

(ii) COVER CROPS.—Cover crops or commodities described in clause (i) that are grown solely for conservation purposes and not harvested for use or sale, as determined by the Secretary, shall be permitted without reduction in payment acres.

(iii) DOUBLE-CROPPING.—In any region in which there is a history of double-cropping covered commodities with the commodities described in clause (i), as determined by the Secretary, the double-cropping shall be permitted without reduction in payment acres.

On page 24, strike lines 5 through 9 and insert the following:

(i) IN GENERAL.—For the purpose of making adverse market payments, the Secretary shall give a 1-time opportunity to adjust the peanut base acres on a farm to—

(I) producers on a farm with peanut base acres; and

(II) producers on farms that do not have peanut base acres but have an established planting history of peanuts during the 2009 through 2012 crop years.

On page 24, lines 13 and 14, strike “to producers on farms with peanut base acres”.

On page 25, strike lines 5 through 15, and insert the following:

(i) IN GENERAL.—If a producer on a farm makes the election described in subparagraph (A), the adjustment in peanut base acres shall be equal to the average acreage planted on the farm to peanuts for harvest or similar purposes for the 2009 through 2012 crop years (excluding any crop year in which peanuts were not planted on the farm), as determined by the Secretary.

Beginning on page 25, strike line 25 and all that follows through page 26, line 4, and insert the following:

control of the producer; and

(II) any adjustment, as appro-

On page 35, line 23, insert “or equal to” before “50”.

On page 40, line 3, strike “\$523.77” and insert “\$513”.

On page 51, line 8, insert “for individual coverage” after “section 1108”.

On page 160, line 18, insert “of title I” after “subtitle B”.

On page 168, line 3, insert “of title I” after “subsubtitle E”.

On page 168, strike line 9 and insert the following:

(b) EFFECTIVE DATE.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308-3a) is amended by striking subsection (f).

(c) APPLICATION.—The amendments made by this

On page 252, line 15, strike “subchapter C” and insert “subchapter B”.

On page 274, strike lines 5 through 7 and insert the following:

(1) by striking “SEC. 403.—The Secretary” and inserting the following:

#### “SEC. 403. EMERGENCY MEASURES.

On page 286, line 2, strike “and” and insert “, veteran farmers or ranchers (as defined in

section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))), and”.

Beginning on page 351, strike line 13 and all that follows through page 355, line 7, and insert the following:

#### SEC. 4001. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.

(a) TRADITIONAL AND LOCAL FOODS DEMONSTRATION PROJECT.—Section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)) is amended by striking paragraph (6) and inserting the following:

“(6) TRADITIONAL AND LOCAL FOODS DEMONSTRATION PROJECT.—

“(A) IN GENERAL.—The Secretary shall pilot a demonstration project by awarding a grant to 1 or more tribal organizations authorized to administer the Food Distribution Program on Indian Reservations for the purpose of purchasing nutritious and traditional foods, and when practicable, foods produced locally by Native American producers, for distribution to recipients of foods distributed under this program.

“(B) ADMINISTRATION.—The Secretary may award a grant on a noncompetitive basis to 1 or more tribal organizations that have the administrative and financial capability to conduct a demonstration project, as determined by the Secretary.

#### “(C) FUNDING.—

“(i) IN GENERAL.—On October 1, 2013, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this paragraph \$475,000, to remain available for use during fiscal years 2014 and 2015.

“(ii) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this paragraph, the funds transferred under clause (i), without further appropriation.

“(iii) RELATIONSHIP TO OTHER AUTHORITIES.—The funds and authorities provided under this subparagraph are in addition to any other funds or authorities the Secretary may have to carry out activities described in this paragraph.”.

(b) FEASIBILITY REPORT FOR INDIAN TRIBES.—Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended by adding at the end the following:

“(1) FEASIBILITY REPORT FOR INDIAN TRIBES.—

“(1) REPORT.—Not later than 18 months after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

“(A) contains a list of programs, services, functions, and activities within each agency with respect to which it would be feasible to be administered by a tribal organization; and

“(B) a description of whether that administration would necessitate a statutory or regulatory change.

“(2) CONSULTATION WITH INDIAN TRIBES.—In developing the report required by paragraph (1), the Secretary shall consult with tribal organizations.”.

On page 640, line 20, strike “farmers or” and insert “farmers, veteran farmers or ranchers (as defined in section 2501(e) of the

Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)), or”.

On page 889, line 24, strike “2013” and insert “2014”.

On page 919, strike lines 15 through 25 and insert the following:

(4) in subsection (e) (as so redesignated)—  
(A) in paragraph (1)—  
(i) in the heading, by striking “FOR FISCAL YEARS 2008 THROUGH 2012”;

(ii) in subparagraph (A), by striking “and” at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting “; and”; and  
(iv) by adding at the end the following:

“(C) \$16,000,000 for each of fiscal years 2014 through 2018.”; and

(B) in paragraph (3)—

(i) by striking “(3) FISCAL YEAR 2013.—” and inserting “(3) SUBSEQUENT DISCRETIONARY FUNDING.—”; and

(ii) by striking “fiscal year 2013” and inserting “each of fiscal years 2013 through 2018”.

On page 925, strike lines 17 through 19 and insert the following:

(3) in subsection (h)—

(A) in paragraph (3)—

(i) by striking “(3) FISCAL YEAR 2013.—” and inserting “(3) SUBSEQUENT DISCRETIONARY FUNDING.—”; and

(ii) by striking “fiscal year 2013” and inserting “each of fiscal years 2013 through 2018”;

(B) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(C) by inserting after paragraph (3) the following:

“(4) SUBSEQUENT MANDATORY FUNDING.—Of the funds of

On page 1087, lines 16 and 17, strike “of 1938”.

On page 1133, strike line 15 and insert the following:

“(2) EQUITABLE TREATMENT FOR NON-YIELD BASED CROPS.—The Secretary shall establish equitable treatment for non-yield based crops.

“(3) PREMIUM.—To be eligible to receive a pay-

On page 1133, line 20, insert “the lesser of” after “equal to”.

On page 1133, after line 24 insert the following:

(II) the producer’s share interest of the crop;

On page 1134, line 1, strike “(II)” and insert “(III)”.

On page 1134, line 3, strike “(III)” and insert “(IV)”.

On page 1134, line 5, strike “(IV)” and insert “(V)”.

On page 1134, line 8, strike “(3)” and insert “(4)”.

On page 1134, line 15, strike “(2)” and insert “(3)”.

On page 1134, line 16, strike “(4)” and insert “(5)”.

On page 1135, line 7, strike “(2)” and insert “(3)”.

On page 1135, line 9, strike “Effective October 1, 2018” and insert “Beginning with the 2019 program year”.

On page 1135, lines 14 and 15, strike “Effective October 1, 2018” and insert “Beginning with the 2019 program year”.

**SA 1165.** Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 893, after line 25, add the following:

**SEC. 7. RESEARCH PROJECTS, TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS.**

The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended by adding after section 1472 (7 U.S.C. 3318) the following:

**SEC. 1472A. RESEARCH PROJECTS, TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS.**

(a) DEFINITION OF ELIGIBLE PERSON.—In this section, the term “eligible person” means any—

(1) agency or instrumentality of the United States;

(2) State, territory, or possession (including any political subdivision of a State, territory, or possession); or

(3) person, firm, association, corporation, or educational institution.

(b) ADDITIONAL FORMS OF TRANSACTIONS AUTHORIZED.—Under the authority of this section, the Secretary may enter into transactions (other than contracts, cooperative agreements, and grants), on such terms and conditions as the Secretary may consider appropriate, subject to competition to the maximum extent practicable (as determined by the Secretary), with any eligible person to carry out basic, applied, and advanced research projects, including prototype development, field or laboratory testing, and evaluation of innovative products and services.

(c) RELATIONSHIP TO EXISTING AUTHORITY.—The authority under this section is—

(1) in addition to the authority provided in section 1472 to enter into contracts, grants, and cooperative agreements to further the research, extension, or teaching programs in the food and agricultural sciences of the Department of Agriculture; and

(2) notwithstanding the provisions of chapter 63 of title 31, United States Code.

(d) FUNDING.—Notwithstanding section 3324 of title 31, United States Code, transactions entered into under this section may be fully funded, cost shared, unfunded, or reimbursable arrangements.

**SA 1166.** Mr. CHAMBLISS (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

**SEC. 12. SENSE OF THE SENATE RELATING TO EMERGENCY FOOD ASSISTANCE.**

(a) FINDINGS.—The Senate finds that—

(1) food insecurity and hunger are a fact of life for millions of individuals in the United States and can produce physical, mental, and social impairments;

(2) recent data published by the Department of Agriculture show that approximately 50,000,000 individuals in the United States live in households experiencing hunger or food insecurity, and of that number, 16,700,000 are children;

(3) the Department of Agriculture data also show that households with children experience food insecurity nearly twice as frequently as households without children;

(4) 5.1 percent of all households in the United States (approximately 6,100,000 households) have accessed emergency food from a food pantry 1 or more times;

(5) the report entitled “Household Food Security in the United States, 2011”, published by the Economic Research Service of the Department of Agriculture, found that in 2011, the most recent year for which data exists—

(A) 14.9 percent of all households in the United States experienced food insecurity at some point during the year;

(B) 20.6 percent of all households with children in the United States experienced food insecurity at some point during the year; and

(C) 8.8 percent of seniors living alone were food insecure;

(6) as of the date of enactment of this Act, long-term unemployment is still at a record high, with over 37 percent of unemployed individuals nationally out of a job for 6 months or longer, an additional 7,900,000 people working part-time due to reduced hours, and rising gas prices and State budget cutbacks having left millions of hungry Americans struggling;

(7) the problem of hunger and food insecurity can be found in rural, suburban, and urban portions of the United States, touching nearly every community in the Nation;

(8) although substantial progress has been made in reducing the incidence of hunger and food insecurity in the United States, many Americans remain vulnerable to hunger and the negative effects of food insecurity;

(9) the people of the United States have a long tradition of providing food assistance to hungry individuals through acts of private generosity and public support programs;

(10) the Federal Government provides nutritional support to millions of individuals through numerous Federal food assistance programs, including the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.) (commonly referred to as “TEFAP”);

(11) more than 61,000 local, community-based organizations rely on the support and efforts of more than 200 food banks and thousands of volunteers nationwide to provide food assistance and services to millions of vulnerable people;

(12) emergency feeding organizations like food banks and food pantries rely on nutritious commodities provided through the emergency food assistance program to feed hungry Americans; and

(13) emergency feeding organizations have seen a significant decline in TEFAP food distributed in 2012 while demand has increased by 46 percent between 2006 and 2010 according to the Hunger In America 2010 study with no signs of abating.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Senate—

(1) recognizes the importance of the emergency food assistance program and the significant positive impact the program has on communities and families nationwide that are struggling with hunger; and

(2) commits to work together in a bipartisan manner to increase funding for emergency feeding programs, specifically food provided through the emergency food assistance program, under this Act.

**SA 1167.** Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 986, between lines 4 and 5, insert the following:

**SEC. 83. PAYMENTS MADE TO STATES AND COUNTIES IN WHICH FEDERAL LAND IS LOCATED.**

(a) SECURE RURAL SCHOOLS PAYMENTS.—Notwithstanding any other provision of law, the amount of the payments made under the

Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.) for fiscal year 2012 shall be reduced by not greater than 5 percent of the amount of the payments made for fiscal year 2011.

(b) **PAYMENTS IN LIEU OF TAXES.**—Notwithstanding any other provision of law, the amount of payments in lieu of taxes under chapter 69 of title 31, United States Code, for fiscal year 2013 shall be the full amount authorized to be made under that chapter for that fiscal year.

**SA 1168.** Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

**SEC. 12. FARM AND RANCH LAND LINK COORDINATORS.**

Section 226B(e)(2) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(e)(2)) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C) the following:

“(D) FARM AND RANCH LAND LINK COORDINATOR.—

“(i) **IN GENERAL.**—The Secretary shall designate 1 farm and ranch land link coordinator for each State from among the State office employees of any of the following agencies in that State:

“(I) The Farm Service Agency.

“(II) The Natural Resources Conservation Service.

“(III) The Risk Management Agency.

“(IV) The Rural Business-Cooperative Service.

“(V) The Rural Utilities Service.

“(ii) **TRAINING.**—The Small Farms and Beginning Farmers and Ranchers Group shall coordinate the development of a training plan so that each State coordinator receives sufficient training to have a general working knowledge of the programs and services available from each agency of the Department to assist small and beginning farmers and ranchers in the transition of land from retiring farmers and ranchers.

“(iii) **DUTIES.**—The coordinator shall—

“(I) coordinate technical assistance at the State level to assist small and beginning farmers and ranchers, and retiring farmers and ranchers, interested in, or in process of, the transition of land, with the goal of keeping land in agricultural production;

“(II) develop, in consultation with appropriate Federal, State, and local agencies and nongovernmental organizations, and submit a State plan for approval by the Small Farms and Beginning Farmers and Ranchers Group or as directed by the Secretary to provide coordination to ensure adequate services to small and beginning farmers and ranchers at all county and area offices throughout the State that support linking small and beginning farmers and ranchers with retiring farmers and ranchers, including, at a minimum, facilitating the transition of land;

“(III) oversee implementation of the approved State plan; and

“(IV) work with outreach coordinators in the State offices of the Farm Service Agency, the Natural Resources Conservation Service, the Risk Management Agency, the Rural Business-Cooperative Service, the Rural Utilities Service, the National Insti-

tute of Food and Agriculture, and appropriate nongovernmental organizations to ensure appropriate information about technical assistance is available at outreach events and activities.”.

**SA 1169.** Mrs. FISCHER (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1050, after line 23, add the following:

**SEC. 10013. IMPORTATION OF SEED.**

Section 17(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 1360(c)) is amended—

(1) by striking “The Secretary” and inserting the following:

“(1) **IN GENERAL.**—The Secretary”; and

(2) by adding at the end the following:

“(2) **IMPORTATION OF SEED.**—Notwithstanding any other provision of this subsection, the Secretary is not required to notify the Administrator of the arrival of a plant-incorporated protectant (as defined in section 174.3 of title 40, Code of Federal Regulations (or any successor regulation)) that is contained in a seed, if—

“(A) that plant-incorporated protectant is registered under section 3;

“(B) the Administrator has issued an experimental use permit for that plant-incorporated protectant under section 5; or

“(C) the seed is covered by a permit or notification (as defined in part 340 of title 7, Code of Federal Regulations (or any successor regulation)).

“(3) **COOPERATION.**—

“(A) **IN GENERAL.**—In response to a request from the Administrator, the Secretary of Agriculture shall provide to the Administrator a list of seed containing plant-incorporated protectants (as defined in section 174.3 of title 40, Code of Federal Regulations (or any successor regulation)) if that seed has been imported into the United States under a permit or notification referred to in paragraph (2).

“(B) **CONTENTS.**—The list under subparagraph (A) shall be provided in a form and at such intervals as may be agreed to by the Secretary and the Administrator.

“(4) **APPLICABILITY.**—Nothing in this subsection precludes or limits the authority of the Secretary of Agriculture with respect to the importation or movement of plants, plant products, or seeds under—

“(A) the Plant Protection Act (7 U.S.C. 7701 et seq.); and

“(B) the Federal Seed Act (7 U.S.C. 1551 et seq.).”.

**SA 1170.** Mr. THUNE (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 876, line 22, strike “shall” and insert “may”.

**SA 1171.** Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 986, between lines 4 and 5, insert the following:

**SEC. 8. TROPICAL FOREST RESEARCH AND CONSERVATION.**

(a) **DEFINITIONS.**—In this section:

(1) **STATE.**—The term “State” has the meaning given the term in section 6(f) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1645(f)).

(2) **TROPICAL FOREST.**—The term “tropical forest” means any area of forest land that is located between the Tropics of Cancer and Capricorn.

(b) **TROPICAL FOREST CONSERVATION.**—

(1) **IN GENERAL.**—For purposes of tropical forest conservation, rehabilitation, reforestation, and research, the Secretary may—

(A) acquire tropical forest land and interests in tropical forest land in any State by purchase, donation, exchange, transfer, or interchange; and

(B) designate the land and interests in land as national tropical research forests.

(2) **CONSERVATION OBJECTIVES.**—The Secretary shall manage each national tropical research forest designated under this section in a manner that protects and conserves indigenous flora and fauna, water quality, streams and aquifers, and the geological, ecological and other natural values.

(3) **RESEARCH AND MANAGEMENT PRACTICES.**—Research and land management practices conducted in a national tropical research forest may include—

(A) silviculture; and

(B) the control of ungulates and invasive species.

(4) **OTHER USES.**—Public recreation and other multiple uses may be allowed in a national tropical research forest if the uses are compatible, and do not interfere, with conservation objectives and research and management practices.

(5) **APPLICABLE LAWS.**—

(A) **IN GENERAL.**—A national tropical research forest shall be managed in accordance with the laws (including regulations) applicable to the National Forest System and this section.

(B) **HAWAII.**—The Secretary may designate a national tropical research forest acquired in Hawaii as a unit of the Hawaii national tropical research forest in furtherance of the purposes of the Hawaii Tropical Forest Recovery Act (Public Law 102-574; 106 Stat. 4593) and the amendments made by that Act.

(C) **SUPPLEMENTAL APPLICABILITY.**—This section shall be considered supplemental to, and not in derogation of—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) title XXIV of Public Law 101-624 (7 U.S.C. 6701 et seq.); and

(iii) the Hawaii Tropical Forest Recovery Act (Public Law 102-574; 106 Stat. 4593) and amendments made by that Act.

(c) **REALTY MANAGEMENT.**—

(1) **WILLING SELLERS.**—Land and interests in land acquired under this section shall be from willing sellers only.

(2) **LAND VALUATION.**—Land and interests in land acquired under this section shall be valued—

(A) in accordance with appraisals prepared in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions developed by the Interagency Land Acquisition Conference; or

(B) for areas of land for which elements of value (such as physical characteristics and other amenities) are readily apparent and substantially similar, in accordance with market surveys or mass appraisal techniques approved by the Chief Appraiser of the Forest Service.

(3) **COOPERATIVE MANAGEMENT.**—The Secretary may allow a unit of State or local government, an institution of higher education, or a nonprofit organization to cooperate in the management of a national tropical research forest in accordance with such terms and conditions as the Secretary may establish.

(4) **FUNDING.**—For the acquisition of land and interests in land under this section, the Secretary may use amounts—

(A) deposited for general use in the fund established under Public Law 90-171 (commonly known as the “Sisk Act”) (16 U.S.C. 484a);

(B) donated or appropriated for research purposes;

(C) appropriated from the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-5);

(D) appropriated to the Forest Service that are otherwise unobligated and available;

(E) derived and available from payments under any Federal permitting program for the mitigation or offset of environmental impacts; and

(F) derived and available from the sale or disposition of land pursuant to the Federal Land Transaction Facilitation Act (43 U.S.C. 2301 et seq.).

(5) **PUERTO RICO.**—

(A) **REVENUES FROM EL YUNQUE NATIONAL FOREST.**—

(i) **IN GENERAL.**—To fund land acquisition solely in Puerto Rico that is authorized by subsection (b)(1), in addition to the amounts otherwise made available under paragraph (4), the Secretary may use all amounts generated from El Yunque National Forest that are deposited in the National Forest Fund, other than those amounts required by law to be paid to Puerto Rico.

(ii) **AVAILABILITY OF AMOUNTS.**—Amounts made available to the Secretary under this subparagraph shall remain available until expended and without further appropriation.

(B) **EL YUNQUE NATIONAL FOREST BOUNDARY ADJUSTMENT.**—

(i) **IN GENERAL.**—To the extent that the Secretary acquires land that abuts the boundaries of El Yunque National Forest, the Secretary shall adjust the boundaries of

El Yunque National Forest to include the acquired land.

(ii) **RELATION TO OTHER LAW.**—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-9), the boundaries of El Yunque National Forest, as adjusted pursuant to this subparagraph, shall be considered to be boundaries of the National Forest as of January 1, 1965.

(d) **INSTITUTES OF TROPICAL FORESTRY.**—Section 2407 of title XXIV of Public Law 101-624 (7 U.S.C. 6701 et seq.) (7 U.S.C. 6706) is amended—

(1) in the first sentence, by striking “The Secretary” and inserting the following:

“(a) **IN GENERAL.**—The Secretary”; and

(2) in the second sentence, by striking “The Institutes” and inserting the following:

“(b) **ACQUISITION AND MANAGEMENT OF LAND.**—The Institutes may—

“(1) acquire and manage land and interests in land for tropical forest conservation purposes and research; and

“(2) provide public outreach and educational opportunities consistent with research and conservation objectives, including, to the maximum extent practicable, to international partners and allies.

“(c) **RESEARCH.**—The Institutes”.

**SA 1172.** Mr. JOHNSON of South Dakota submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 946, strike line 25 and all that follows through page 947, line 9, and insert the following:

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking “multistate” and all that follows through “technology implementation” and inserting “integrated, multistate research, extension, and education programs on technology development and technology implementation”;

(ii) by striking subparagraph (C); and

(iii) by redesignating subparagraph (D) as subparagraph (C); and

(B) in paragraph (2), by striking “A sun grant” and inserting “Effective beginning on the date on which the program under this

section is funded at the fully authorized level of the program, a sun grant”;

**SA 1173.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

**SEC. 122 ——. STAY AND STUDY ON PROPOSED ACTIONS RELATING TO SULFURYL FLUORIDE.**

(a) **IN GENERAL.**—The Administrator of the Environmental Protection Agency shall delay taking final action on the objections addressed in the proposed order entitled “Sulfuryl Fluoride; Proposed Order Granting Objections to Tolerances and Denying Request for a Stay” (76 Fed. Reg. 3422 (January 19, 2011)) as that proposed order relates to tolerances under chapter IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341 et seq.) until the date that is 2 years after the date of enactment of this Act.

(b) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, in coordination with the Secretary of Agriculture and the Secretary of Health and Human Services, shall submit to the Committees on Agriculture and Energy and Commerce of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry and Environment and Public Works of the Senate a report on—

(1) the potential public health, economic, and public right-to-know effects that may result from finalization of the proposed order described in subsection (a);

(2) any alternatives to the use of sulfuranyl fluoride in the agricultural sector, including alternatives available through the USDA National Organic Certification Program and alternatives used in other countries; and

(3) actions that Federal agencies can take to help address public health threats, including to the health of infants and children, by reducing fluoride exposures below levels that have been determined to be safe.

## HOUSE OF REPRESENTATIVES—Wednesday, June 5, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. STEWART).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
June 5, 2013.

I hereby appoint the Honorable CHRIS STEWART to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### BANGLADESH

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. GEORGE MILLER) for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, I recently returned from a trip to Bangladesh where more than 1,100 garment workers died and 2,000 were injured in the Rana Plaza building collapse on April 24. Many Americans may remember the horrible pictures of workers being buried under tons of concrete from the collapsed building.

I learned a great deal about what must be done to improve safety conditions in the garment industry there. Bangladesh is the second largest garment-producing nation, employing over 4 million skilled and industrious workers, mostly women, at a minimum wage of \$37 a month. I learned that many factories have continued to operate in unsafe residential or multistory commercial buildings even after the Rana Plaza collapse. I learned more about poor conditions created by a myriad of middlemen hired by retailers that pit one factory against the next, squeezing out the last few pennies per

garment. I learned that Bangladesh garment workers subsidize those low prices with their lives.

I visited the hospital where there were scores of women, many with amputated legs and arms or who were suffering from brain damage from the collapse of that building where they were working and where they were locked inside. I met with a woman near Rana Plaza who was looking for her son even though the unidentifiable or the unclaimed workers had been buried in a mass grave.

And Rana Plaza is not an isolated case.

I visited with seven courageous women injured in the Tazreen Fashions factory fire that killed 112 workers last November. There were seven women who had to jump from the third and fourth floors of their factory because the factory supervisors locked the exits after the fire had started and had told them to go back to work or they would be fired, and the doors were locked. That was the policy of that factory and of many other factories. Just this week, we saw poultry workers in China locked in a factory after the fire had started; and they, too, perished in the fire. These were seven women who had to make the decision to jump from the third and fourth floors of this factory to save their lives. Tazreen produced garments for Walmart and many other American brands.

Listen to what the women told me:

Rehana jumped from the fourth floor window and was knocked unconscious. She broke her leg, and the doctors told her she will need to be on crutches for the rest of her life.

Reba was the breadwinner in her home. She jumped from the third floor. She cannot work because of the pain. Her husband is sick. She has two sons, one of whom just qualified for the military college, but she doesn't know if she can afford to keep him there; and until I prodded Bangladesh Garment Manufacturers Export Association, Reba had not received the promised stipend for those who were injured—6 months later.

Rowshanara jumped from the third floor and still has severe pain in her back and legs. She was visibly in pain after sitting too long while talking to us. She is single and gets by on loans. She has two teenage sons in school and doesn't want to force them to go to work, but she worries how she will get by.

Deepa worked on the third floor. She saw the fire, and tried to escape to the

second floor. The factory manager padlocked the door and told everyone to keep working. Workers were crying and searching for a way out. A mechanic yelled to come to the east side of the building where he had created an exit. She jumped from the third floor and fell unconscious. She broke her left leg. She was 4 months pregnant, and she lost her baby.

Sumi decided to jump from the third floor rather than perish in the factory because she wanted her family to be able to identify her body, and that wouldn't happen if she were consumed in the fire. She broke her leg and arm and could not move. Her family borrowed money to pay for her medical bills before the association funds arrived. Two weeks before Rana Plaza, she came to the U.S. to urge retailers and brands to join the enforceable and binding Accord on Fire and Building Safety.

Nazma said she would have died if she had waited 10 more minutes to jump. She saw the manager locking the gate to the second set of stairs and grabbed him by the collar to stop him, but he ignored her. She cut her arms while trying to get through a window to reach the bamboo scaffolding. She broke her backbone. She can't carry anything or do housework. She has three children. Her stipend went to medical care and to her children's education. Her 14-year-old son has had to leave school to try to find work.

I am grateful that these women had the courage to tell me their stories.

There is widespread agreement that if the Tazreen fire and the Rana Plaza collapse workers had had the right to refuse unsafe work, they would be alive today. Nobody, not even the factory, denied that that's the case; but for too long, the Bangladesh Government has blocked new unions. Only now, in facing the potential loss of trade preferences, the government has opened the door a crack. Twenty-seven new unions have been registered recently, reversing the trend in which only one union per year was registered, and there are 5,000 factories.

I met the leaders of some of these newly formed unions—young and serious workers—but only time will tell if the government lives up to its promise of union rights. In addition, the Obama administration will soon conclude its review of Bangladesh's trade benefits under the Generalized System of Preferences. In my view, these preferences should be suspended.

The one message I have for the American holdouts who won't agree to these

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

safety accords is: listen to the women from Bangladesh.

#### IN TRIBUTE TO DALE BONE

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Mr. Speaker, across this country, there are great men and women who answer the call to serve their communities. These folks are blessed with remarkable talents and success and share their success with their communities to improve the places that we all call home.

In North Carolina's 13th Congressional District, that man was Dale Bone. Dale was a man who exemplified the character, commitment, and charity of our district and who left behind a legacy of improving all things that he touched.

Born and raised in rural Nash County, Dale was a proud graduate of NC State University with degrees in agronomy and agricultural economy. After several years farming in his home community, Dale founded Nash Produce in 1977 and, within a decade, had grown it into the largest cucumber producer in the country.

Mr. Speaker, Mr. Bone was a man of constant and restless energy. He served on countless State and national boards, committees and commissions, including his service as president of the National Council of Agricultural Employers. Dale also delved into his local community with characteristic resolve. He served as a trustee for Barton College, as a board member for the Salvation Army, and on the Arts Council of Wilson, North Carolina.

In addition to all of his honors and activism, Dale was also able to make a direct, personal impact in the lives of his employees and their children. Dale cared deeply for the well-being of all of his employees, many of whom were migrant workers, by providing them with the financial support necessary for them to learn English at the local community college.

Dale and his beloved wife, Genia, were also committed to improving the lives of local children. Dale and Genia endowed the Bone Scholars program at NC State University, which continues to offer significant scholarships to the children of migrant workers. In his later years, Dale was particularly proud of the involvement he and his wife had in creating and promoting Wilson Youth United, which offers direction and guidance to help local youths in the community.

Dale was a man of great ability and, as a result, of great means. He recognized the fact that our country is only as strong as its communities and that the best solutions to our problems usually come from the most local sources.

Across the Nation, members of the agricultural community sent thanks to

Dale for his decades of untiring work on their behalf. In equal measure, Dale educated and prepared those around him to face the challenges of their futures. Dale was in all things a humble man, but I do believe that he would take great pride in the legacy that he leaves behind.

Mr. Speaker, America was built by people like Dale Bone; and it's that spirit, not what we do here in Washington, that will rebuild our economy.

□ 1010

#### END HUNGER NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, this is my 13th End Hunger Now speech this year. Thirteen times I've stood on this floor and talked about hunger in America; 13 times I've come here and defended the anti-hunger safety net, the Federal programs that provide food to 50 million Americans; 13 times I've stood here and talked about hunger as a health issue; 13 times I've said we need to set a goal to end hunger now.

People ask me all the time: Is it even possible to end hunger in America? Mr. Speaker, the answer is a definitive "yes."

The truth is we've done this before. That's right, Mr. Speaker, we nearly eradicated hunger in the 1970s. It wasn't easy, but the concept was simple. The political leadership in Washington made a commitment to end hunger in this country.

In the 1970s, Congress and the President expanded the food stamp program, created the WIC program, and expanded the school meals programs. They found the political courage to do what's right because they believed that it was unacceptable that anyone in America went hungry.

Yet that effort was lost when these programs were slashed in the 1980s. Hunger came back with a vengeance. The number of hungry people skyrocketed. In fact, it's been rising steadily since the Reagan Presidency. These programs weren't just cut; they were demonized. Food assistance became a pejorative to some, and we see the results of those years of demonizing those programs today.

The truth is SNAP works. Food assistance works. People on food assistance are able to feed themselves and their families. They're able to use money they might have had to use for food for other purposes like rent, utilities, medical costs, school supplies for their kids, and transportation costs—just to name a few—in order to be able to buy nutritious food. They didn't have to make the choice between food or rent.

But that's not all. The money spent on food from these programs is spent

on food which is produced by our farmers. It is spent in grocery stores. In fact, a recent report showed that approximately \$70 billion was spent in grocery stores just from SNAP alone during our economic downturn. That's a lot of money going to our economy when our economy was damaged and needed the help.

These programs work, Mr. Speaker. But what's the response from the Republican-controlled House? Are they strengthening a program that is already among the least fraudulent and most efficient and effective in terms of our Federal Government? No.

In 2 weeks, this House will consider a farm bill that will cut \$20.5 billion from SNAP. It will take food away from 2 million Americans. It is a bill that will take 210,000 poor kids off free school meal programs. It is a bill that would reduce the monthly SNAP benefit by \$90 for another 850,000 people. And that's on top of the automatic across-the-board cuts to SNAP that will take place in November even if we cut nothing else. That's not only wrong. It is quite frankly, Mr. Speaker, beneath this great country of ours.

I will fight these cuts, and I urge all my colleagues—Democrats and Republicans alike—to stand with me in pushing back on these cuts.

We should be praising this program for keeping people from starving. We should be strengthening it and making it work better, not neutering it and taking food away from millions of poor families.

SNAP works, but don't take my word for it. Listen to the words of Trish Thomas Henley, someone who had to rely on SNAP to make ends meet. She says:

In 1993, I was a single parent with a 3-year-old and an 18-month-old. Even though I was working full time making \$8.50 an hour as an administrative assistant, I could not afford to pay for food, housing, and day care. I went on food stamps. I remember the shame I felt every time I stood at the register while other shoppers waited for me to count out my food stamps.

The only way out of the cycle of poverty and off aid was to go to college. I applied and, at the age of 25, began my undergraduate career. I had to give up my full-time job to go to school. Instead, I worked three part-time jobs.

I would never, ever have been able to get through school without food stamps, Pell Grants, and student loans. It took a village and government aid. I was not a victim. I did not feel entitled. I, then as now, felt immensely grateful that I lived at a moment when my government chose to invest in me. It has been a smart investment. I am grateful that because of this investment I am now able to contribute and live up to my full potential.

Today, Trish is a professor at the University of Cincinnati. You see, Mr. Speaker, a little investment goes a long way.

SNAP works. It worked in the 1970s as the food stamp program, it worked for Trish in the 1990s, and it's working



now. This is not the time to cut SNAP. We should be strengthening the ladders of opportunity that help people succeed. We should, with the help of the White House, develop a plan to end hunger now. We should not be supporting a farm bill that will make hunger worse. Now is the time to renew our efforts and pledge to end hunger now.

[From Cincinnati.com, May 31, 2013]

#### FOOD STAMPS DO WORK

My name is Trish Thomas Henley, and I'm an assistant professor of early modern literature and culture at the University of Cincinnati. I received my B.A. and M.A. from the University of Idaho and hold a PhD. from Florida State University. My first book was published in 2012. I'm also a volunteer with Big Brothers Big Sisters of Greater Cincinnati and a mother of four boys.

My current life—as a teacher, volunteer, published author, homeowner and middle-class taxpayer—would not have been possible without government aid. In 1993, I was a single parent with a 3-year-old and an 18-month-old. Even though I was working full-time, making \$8.50 an hour as an administrative assistant, I could not afford to pay for food, housing and day care. I went on food stamps. I remember the shame I felt every time I stood at the register while other shoppers waited for me to count out my food stamps.

The only way out of the cycle of poverty and off of aid was to go to college. I applied and, at the age of 25, began my undergraduate career. I had to give up my full-time job to go to school. Instead, I worked three part-time jobs.

I would never, ever have been able to get through school without food stamps, Pell Grants and student loans. It took a village and government aid. I was not a victim. I did not feel entitled. I, then as now, felt immensely grateful that I lived at a moment when my government chose to invest in me. It has been a smart investment. I am grateful that because of this investment I am now able to contribute and live up to my full potential.

Lately we're hearing a lot about food stamps, now called the Supplemental Nutrition Assistance Program, as Congress debates the farm bill. We could see anywhere from \$4 billion to \$20 billion in cuts to SNAP, based on the Senate and House bills, respectively. I am not able to stand by and watch silently while Congress votes to allow people to go hungry while simultaneously subsidizing agribusiness.

SNAP helps lift 50 million Americans out of poverty and puts food on families' tables—on our neighbors' tables.

I am telling my personal story because someone needs to talk back to food stamp stereotypes and myths. Somehow, the myths persist and are used to defend the drastic cuts that have been proposed in the farm bill. If we want to save SNAP and other anti-hunger programs, it's time for a reality check.

Myth: SNAP recipients are inner-city minorities.

Fact: Food insecurity is neither an urban issue nor an ethnic issue. Nearly one in six people faces food insecurity, and they live in every county in the nation. In addition, 76 percent of SNAP households include a child, an elderly person or a disabled person.

Myth: People on SNAP are lazy and sign up for the program so they don't have to work.

Fact: Eighty-five percent of households with a food-insecure child have at least one working adult. The SNAP benefit formula provides a strong work incentive—for every additional dollar a SNAP participant earns, their benefits decline by about 24 cents to 36 cents, not a full dollar. Participants have a strong incentive to find work, work longer hours or seek better-paying employment.

Myth: SNAP is rife with fraud and abuse.

Fact: Despite steady growth of the program over the past decade, fraud and abuse have been reduced significantly. A 2010 report from the USDA found the national rate of food stamp trafficking (the practice of trading food stamps for cash) declined from about 3.8 cents per dollar of benefits redeemed in 1993 to about 1 cent per dollar.

Myth: SNAP recipients use their benefits to buy alcohol, cigarettes or lottery tickets.

Fact: It is illegal to buy any of these things with SNAP benefits.

Myth: SNAP is an inefficient government giveaway.

Fact: SNAP benefits drive economic growth in every community. Every \$1 in new SNAP benefits generates up to \$1.80 of economic activity.

These benefits are investments to help struggling families realize brighter futures. My fellow SNAP alumni brothers and sisters are evidence that these investments can pay off over the long run.

I am living proof SNAP can provide the boost a struggling child or family needs to realize the American dream. This program works, and we should all speak up together to protect it.

Please write and call your representatives in Congress and urge them to vote against any cuts to SNAP. These are not just numbers. These are people—people who will go hungry. If we allow Congress to do this, we are responsible for that. You and me.

#### STOPPING UNAUTHORIZED APPROPRIATIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. McCLINTOCK) for 5 minutes.

Mr. McCLINTOCK. Mr. Speaker, I want to commend the House leadership for its continuing commitment to restore the open appropriations process of the House.

That process is absolutely essential if the House is to meet its constitutional responsibility to superintend the Nation's finances. It assures that the people's elected Representatives can provide the maximum scrutiny of every public expenditure.

In the recent past, this process has given way to continuing resolutions that simply rubber-stamp past Federal spending, thus abrogating Congress' most fundamental fiscal responsibility. For this reason, I, for one, will not support any continuing resolutions of this nature.

The regular order over the Nation's finances must be reasserted, and the open appropriations process that has begun in the House this week does so. That process, though, is the final step in the procedures established to ensure that our Nation's spending gets careful examination. The first step in that

process—and the most important step—is when programs are authorized or reauthorized. Legislation must first be adopted that establishes the programs for which money is subsequently appropriated.

That is an absolutely critical function that ensures Federal programs are constantly being scrutinized and that Congress is asking: Are these programs effective? Are they meeting their goals? Are they worthwhile? Are they worth the money we're paying? Most programs have time limits on them to ensure that these questions are periodically asked.

The legal authorization, then, is the green light to the Appropriations Committee to provide funding for that program. And for that reason, since 1835, the rules of the House have limited appropriations to only those purposes actually authorized by law. Unless and until the program is authorized, the House may not appropriate funds for it under this longstanding rule. Yet this rule is routinely ignored by the Appropriations Committee and by the House.

Last year, the appropriations bills reported out of the committee contained over \$350 billion for programs that had either never been authorized or whose authorizations had lapsed years, and sometimes decades, ago. Many of these are vital programs whose reauthorization should be routine, but many are not. For example, the Community Development Block Grant program that paid for a doggy day care center in Ohio and a day at the circus for Nyack, New York, lapsed 18 years ago; and yet every year we keep funding it lavishly.

Most of the outrageous wastes of taxpayer money that end up in various pork reports stem from these lapsed programs. They're established, then they're forgotten, and the spending keeps on year after year.

The excuse for this conduct is that the authorizing committees have simply failed to attend to their duties of keeping authorizations current, including for a number of critical functions, and so the Appropriations Committee takes it upon itself to fund them.

What's to prevent this? The House rules allow any Member the right to raise a point of order against any unauthorized expenditure, but this right is stripped from Members every time an appropriations bill is sent to the House floor, making this rule meaningless and unenforceable.

It has now reached the point that more than one-third of the discretionary spending approved by the House is for purposes not authorized by law. This fact makes a mockery of the leadership's effort to restore regular order to the appropriations process.

I urge the Speaker of the House to direct the authorizing committees to bring the authorizations current for every program within their respective jurisdictions and to give them a year

to do so. If, after a full year, the authorizing committees don't believe the programs are worth the time to review, then maybe that's just nature's way of warning us that they're also not worth the money that we continue to shovel at them.

Once the committees have had that year to review these unauthorized programs and to either renew them, reform them, or let them die, I urge the House to restore the right of every Member to challenge unauthorized appropriations on the floor as our rules clearly envision and provide.

□ 1020

Americans elected a House Republican majority with one clear mandate: stop wasting our money. To be worthy of that trust, we can't allow hundreds of billions of dollars to bypass the minimal congressional review that the authorizing process provides.

#### EFFECTS OF CLIMATE CHANGE IN CALIFORNIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCNERNEY) for 5 minutes.

Mr. MCNERNEY. Mr. Speaker, I rise today to bring attention to a recent University of California at Davis study on some effects that climate change will have in California. This report looks at habitat and temperature sensitivity for fish species within the State.

California has a diverse and robust ecosystem, as well as the largest estuary in the Western Hemisphere, namely the Sacramento-San Joaquin Delta. The delta and its tributaries are home to an amazing variety of native species that must be protected. The study found that, of 121 native fish species in California, more than 80 percent will be critically endangered as a result of climate change. At the same time, non-native or invasive species will survive at a much higher rate.

We must take action now to address climate change, which is starting to affect every aspect of our daily lives, including our water quality, flood risk, more severe weather—including hurricanes, tornadoes, and droughts—and the extinction of native species. The destruction posed by climate change to the natural resources we depend on for our daily sustenance is too great.

Global warming is here. It's dangerous, and we need to take action now. The longer we wait, the more difficult and costly the fixes will be, and the more our fellow human beings across the world will suffer.

#### STOP GOVERNMENT ABUSE OF TAXPAYER INFORMATION ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACK) for 5 minutes.

Mrs. BLACK. Mr. Speaker, in the wake of this recent IRS scandal, President Obama made this promise to the American people: I'll do everything in my power to make sure nothing like this happens again.

Everything? But what about ObamaCare? In spite of the culture of corruption and coverup at the IRS, the Obama administration is moving full steam ahead with ObamaCare, a law that gives unprecedented new access and powers to unelected government bureaucrats at the IRS and several other major government agencies.

Consider the potential for abuse with ObamaCare's mystery Federal data services hub, the largest personal information database the government has ever attempted, according to *The Wall Street Journal*. This data hub will function like a Web portal where your personal health insurance, tax and financial information, criminal background, and immigration status will be shared and transmitted between agencies, including the IRS, HHS, DOJ, DHS, and SSA.

While far too many questions still remain about who will have access to what information in the hub, we do know that a woman in charge of the IRS' eight newly created Obama enforcement offices is none other than Sarah Hall Ingram, the former commissioner of the office responsible for tax-exempt organizations during the targeted IRS scandal.

Will the Americans who do not purchase government-approved insurance soon find themselves targeted and harassed through IRS audits? Right now, only time will tell.

With so much personal information going in and out of the hub likely privy to both government employees and contractors, many of whom will have discretion over health care coverage and tax penalties, the potential for abuses is staggering. That's why I have introduced H.R. 2022, the Stopping Government Abuse of Taxpayer Information Act. My bill would require not only the IRS but all government agencies with access to ObamaCare's Federal data services hub to present to Congress—under the penalty of perjury—certification that the American people's personal information has not and will not be used for targeting any individual or group based on their beliefs.

With full implementation of ObamaCare only months away, the IRS scandal underscores why we must not only continue fighting to repeal the health care law, but we also have the responsibility to demand safeguards, accountability, and oversight measures to be put in place to shield Americans from further targeting and misuse of their personal information.

The question is: Will the President honor his promise to the American people to do everything in his power to en-

sure that nothing like the IRS scandal happens again?

Mr. President, join me in supporting my bill, H.R. 2022, to safeguard the American people's most personal information.

#### MAKING COLLEGE AFFORDABLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. KILDEE) for 5 minutes.

Mr. KILDEE. Mr. Speaker, ensuring students can afford college is vital to ensuring our Nation's competitiveness in a global economy. A majority of new jobs in the next decade will require a college degree, which makes higher education an economic necessity for most Americans. Ensuring all students have the opportunity to go to college will strengthen our economy, grow our middle class, and invest in our future.

Yet, education costs continue to rise year after year, pricing some people out of an education. College costs have dramatically increased. Over the last decade, the cost of attending a 4-year institution has increased 66 percent over the rate of inflation. For 2-year institutions, tuition and fees for students have increased 47 percent beyond the rate of inflation. According to the College Board, the annual cost of attending an in-State public college is now well over \$22,000 a year. These rapidly rising costs are pricing hardworking families and students out of an education.

Congress can—and must—act to ensure college remains affordable for hardworking families, and there are things that we can do to do just that.

First, Congress must act immediately to prevent student loan interest rates from doubling on July 1. I've supported the Student Loan Relief Act, which would extend the current student loan interest rate, 3.4 percent, until 2015. Unfortunately, the Republican plan passed last week, the Making College More Expensive Act, would put college out of reach for many of my constituents and students across this country. I opposed the Republican plan, which would create a variable loan interest rate system, letting student loan rates spike, forcing students to pay higher interest rates.

I continue to believe that students deserve the certainty of a fixed student loan interest rate. An ever-changing rate, as the Republican plan would provide, would create more anxiety and uncertainty for millions of families, and that's just the wrong approach. Hardworking students and parents have already been saddled with \$1 trillion of student loan debt. Congress should be working to ease that burden.

It's time that Congress return to regular order and prevent student loan interest rates from doubling at the end of the month. That means doing what we

were sent here to do: going to conference to work out the differences between the House-passed version and the expected Senate version of this bill. The clock is ticking, and rates for millions of students will double on July 1 if we don't act.

Congress shouldn't let rigid partisanship get in the way of preventing what equates to a massive tax hike on students and their families. Instead, let's do our job and legislate. Disagreement on parts of a bill is not an excuse for delay.

Second, we should enact legislation to allow families to save more for college. Recently, I introduced a bill with my Republican colleague, Congressman TIM WALBERG, giving greater flexibility to families to save money for tuition, books, and other educational expenses. This bill, the Helping Families Save for Education Act, would increase existing caps on Coverdell savings accounts and allow families to contribute more over longer periods of time.

□ 1030

These types of accounts offer families a tax-advantaged choice to save for a child's educational expenses.

Currently, families or beneficiaries can contribute a maximum of \$2,000 a year. Our legislation would increase the maximum contribution annually for most working families. Families and students, under our legislation, would also be able to save for college for an additional 4 years, until the student turns 22 years old.

Third, we must continue to provide and fully support Pell Grants, which provide needs-based grants to low-income students. No one who wants to go to college should be priced out of doing so. So I, along with my Democratic colleagues, stand ready and eager to ensure a college degree remains in reach for every student, no matter what their means.

Finally, we must keep the cost of attending college low by continuing direct State and Federal support to universities. In my home State of Michigan, we are blessed with great public institutions that provide a world-class education to our citizens.

Unfortunately though, in recent years we've seen direct financial support to these universities slashed. Such cuts are then passed on to students and families. If investing in education remains a priority for this Nation, we must invest in college for our students.

I ask a simple question: What's more important than the education of our children?

#### COMPETITIVE BIDDING FOR CMS SERVICES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to address a situation that is evolving within this Nation where older adults on Medicare who have the misfortune of experiencing disease or disability and require durable medical equipment, equipment that is designed to allow people to live with dignity and independence in their own homes, we're seeing, through the actions of CMS, through Medicare, of preventing their access.

Medicare is awarding contracts to companies who are not even licensed in States to do business. In the end, it's going to cause a terrible disconnect with people being able to access the equipment that they need.

And not just the equipment. I spent 30 years working rehabilitation services as a therapist, rehab manager, and as a licensed nursing home administrator. I saw what difference this equipment makes, but also what the service makes, the technical assistance means for people who are living at home on oxygen or using wheelchairs or other types of medical equipment.

In the evenings, I actually was a volunteer EMT and firefighter; and frequently I'd find myself in the middle of the night, pager would go off and I'd be out in the community, in neighbors' homes, and be able to witness firsthand how important that equipment is there.

This week the National Association for the Support of Long Term Care and its members are in Washington to represent ancillary providers of products and services in the post-acute care industry. Now, as part of this work, these individuals will be garnering signatures on a letter that calls on CMS, Medicare Administrator Tavenner, to delay implementation of the widely criticized Medicare Durable Medical Equipment, Prosthetics, Orthotics and Supplies Competitive Bidding Program.

Now, this competitive bidding program—and believe me, it was misnamed when it was passed; there's nothing competitive about it—was intended to reduce Medicare costs, ensure that beneficiaries have access to quality services. In practice, the system denies competition while worsening access to quality goods and services and harming seniors.

In many ways, their mission today in Washington reminds me of one of my favorite movies, and a piece of our history in this country, the Apollo 13 mission. The story of Apollo 13 is that what could have been the worst space disaster in history became one of NASA's most spectacular conquests.

Everything had gone wrong. An oxygen tank exploded in the service module, damaged a nearby oxygen tank, and rocked the command and lunar modules. Mission controllers struggled to isolate the problems, with no success. The mission and the astronauts' lives were in jeopardy.

To conserve power, the astronauts had shut all of the spacecraft systems down except the radio. The carbon dioxide rose to toxic levels, and crew members managed for 6 days with hardly any food, water, or sleep in freezing temperatures. There was clear danger the astronauts might not survive, but they did.

Apollo 13 Flight Director Gene Kranz famously rallied his team to do what is necessary to get the astronauts home safely, declaring "failure is not an option."

One of NASA's greatest achievements had become not the next feat in space exploration, but the brilliant rescue of crew members aboard Apollo 13.

Similarly, when it comes to competitive bidding, failure is not an option. CMS' competitive bidding is our damaged spacecraft. Individuals in need of durable medical equipment for prosthetics or orthotics are the flight crew. They are in danger. We need competent technical support professionals working together to achieve our mission and bring this crew home safely.

After years of bureaucratic delay and mismanagement, we're no closer to a system that works for both providers and beneficiaries—that would be the seniors of our Nation.

Now, it appears providers are being awarded contracts by CMS to provide services for round two competitive bidding that lack the required licensing or accreditation for specific States in which they're supposed to service those seniors.

I'm extremely concerned that mishandling of the bidding process is going to have a devastating impact on beneficiaries. This is a serious issue that warrants a full review of the process and a delay of round two until this fatally flawed program is fixed.

For this reason, I encourage my colleagues to sign on to this letter to Administrator Tavenner requesting a delay through the end of the year so that we can have more time to review how round one was implemented and fix the problems that exist with the administration of the program.

I'm proud to say that, as of today, we have 129 signatures from Members of the House of Representatives; and I encourage my colleagues who have not taken the opportunity to sign on to the letter to do so today.

We need to replace this fatally flawed program with one that's not just labeled competitive, but is competitive and maintains beneficiary access to durable medical products and quality services.

#### THE FARM BILL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, we have a major piece of legislation again

being considered by this Congress, the farm bill. It expired in the last Congress; and, due to significant political machinations and controversies, we couldn't get it across the finish line because it was too expensive, didn't have enough reform, shortchanged nutrition and, frankly, didn't deal with the conservation elements that Americans care about.

Well, we're at it again, and the big, contentious issues remain. The direct payments appear to be gone, subsidies that go to farmers regardless of whether or not they even farm the land; but the big, contentious issues remain.

The issues of subsidization have simply migrated. There's an effort to have a shallow-loss provision or additional crop insurance subsidies that may actually end up being far more expensive than the direct payments they're supposed to be replacing.

There is an ongoing controversy regarding nutrition. The Senate bill cuts \$4 billion at a time when too many Americans are, in fact, food insecure; and food stamps, the SNAP program, plays a vital interest in communities around the country.

The House bill is even worse: \$16 billion in additional cuts that families rely upon and, frankly, that provide \$1.70 of economic activity for each dollar that is given to beneficiaries.

Well, there is one area that shouldn't be unduly controversial: the conservation title of the farm bill. The farm bill is the most important piece of environmental legislation that will be considered by this Congress. The question is whether it will be a good environmental bill or a poor one.

The conservation title deals with programs that are very, very important but that the private market doesn't provide, a market-based incentive for people to invest in. I'm talking about things that, if you asked the public generally, of course they are concerned about clean air, clean water, soil protection, wetland and grassland preservation.

□ 1040

But these are things that we've seen for the last 60 years. Unless the Federal Government steps in with either subsidy or regulation, we pay a terrible price, dating back to the monstrous soil erosion that was part of the Dust Bowl tragedy.

Here, again, we're in a situation where the conservation title is in the crosshairs. It's the conservation programs that too often have been cut when we are in need of money. They are touted when people are encouraged to vote for the bill, and then those resources dissipate. Funding is diverted to large projects. Large, confined animal feedlot operations take huge amounts of this money to deal with something that should be part of their cost of doing business and large oper-

ations that could fund it themselves. It takes away resources from small and medium-size farmers, or drains valuable wetlands.

There's a reason why only one in four of the applications for conservation programs are approved. Because there isn't enough money and too much is diverted. I've introduced H.R. 1890, the Balancing Food, Farms, and Environment Act, which seeks to change those priorities to be able to have more money available, targeted toward small and medium-size farmers and ranchers, and be able to put a premium on longer-term conservation.

We have a bizarre situation now where, because of the amazingly bloated and inefficient farm crop insurance program, people are plowing up land that previously had been in conservation, land that's going to be eroded and that's probably going to fail because it's marginal cropland but they don't care because the Federal Government is going to pay them anyway. And the taxpayer loses twice. They pay through unnecessary crop insurance subsidies and they pay because they lose the water quality, the water quantity, the protection of wildlife habitat—and soil erosion.

By all means, let's have the political tug-of-war over unnecessary subsidization in terms of fighting nutrition, but let's come together on the conservation items, which really ought to be nonpartisan, focused, and economically productive.

#### U.S.-CHINA RELATIONSHIP

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nebraska (Mr. FORTENBERRY) for 5 minutes.

Mr. FORTENBERRY. Mr. Speaker, in a few days, China's new President, Xi Jinping, will conclude a tour of the Western Hemisphere by meeting with President Obama in an informal summit in California. The leaders of the Pacific Rim's two most powerful countries will discuss many issues of mutual concern. This important relationship continues to evolve dynamically in spite of the difficulties that we both have. These difficulties spring from some radically different philosophical outlooks on both life as well as governance. These differences deserve both our attention and candor.

Mr. Speaker, 24 years ago, this week, June 3, 1989, a massacre took place in China in a place called Tiananmen Square. Student protesters who were seeking some form of liberty for their interests gathered there. And I remember very vividly two very stark images from that time. One was the homemade replica of the Statue of Liberty that was erected in their midst. The other was a courageous Chinese man who decided to take it upon himself to stand as a silent witness, arms at his side

like a soldier at attention, for the cause of human rights. He stood in the street and blocked four tanks as they proceeded on toward the student protesters. The tanks tried to make their way around him. As they did, he would move and stand in front of them. Clearly, there was a dilemma going on in the minds of the young Chinese soldiers who were driving those tanks. Perhaps they didn't want to kill one of their countrymen. So they tried to avoid it. But the young man persisted. For a time, he blocked those tanks, courageously and alone, from carrying out part of what would become the Tiananmen Square massacre. Eventually, some of his friends or other Chinese citizens whisked him away from certain death. Those were two very stark images in my mind that have stayed with me ever since.

In the House Foreign Affairs Committee this week, another one of those student leaders actually spoke. Her name is Chai Ling. She's a courageous new American, one who knows well the tragedy of forced repression—both political repression and the painful, silent repression in China that is not spoken of enough, which is that country's forced abortion policies, its One Child policy, which has, by the way, disproportionately targeted unborn girls.

In her testimony, she spoke clearly about her passion and love for China and her hope that the United States and China can begin a new embrace in a spirit of cooperation rooted in the fundamental respect for human dignity, which transcends both language and culture. She argues that the fear that led to the devastating persecutions of the Cultural Revolution, Tiananmen Square, and more recently, this genocidal One Child policy, which has seriously distorted China's demographic balance, must be transformed by truth. She echoes the spirit of Chen Guangcheng, the blind Chinese activist who stood up so courageously against repression last year in China. When he visited here in Washington, he said this to a small group of us: The intrinsic kindness of persons cannot be defeated by violence and force.

Mr. Speaker, dysfunction in this important bilateral relationship between the United States and China serves neither of our countries, nor the broader world, as the influence of this relationship extends far beyond our respective national borders. China wants our markets, we want their stuff and, perversely, there are incentives for our businesses to seek out their low-cost manufacturing. We want their investment, they want our resources. We sell our enterprises, we also run up our debt, and they buy the debt. In turn, we run down our economy in an endless chase for near-term gain. This feeds a dysfunctional interdependence that is further aggravated by fundamental disagreements stemming from different

world views and perspectives on the individual and the state.

We need to look closely at our notions of self-interest in this relationship, which vividly illustrates some of the challenges associated with global interdependence. But there are also opportunities that we need to grasp, Mr. Speaker. The President recently changed the way in which we talk about the concept of national interest in his State of the Union address, and I agree with him. We should talk about our national conscience in concert with our national interest. The two are inseparable. In conscience, we cannot say that all is well with the U.S.-China relationship.

We can hope for a better day. Hopefully, this meeting between the President and the new President of China will bear lasting fruit which transcends discussions about defense and economics, and looks to that which is fundamentally just and good for all peoples of the world.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 48 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

Reverend Dr. Thomas Elliott, Jr., Cannon United Methodist Church, Snellville, Georgia, offered the following prayer:

Gracious God, You are the hope and end of all creation. Through Your love and mercy, You give us life and freedom. You bless us with an abundance of resources. You invite us to faith.

We thank You for Your presence and pray that You will guide us in the work You seek to accomplish.

Forgive us our indulgences and selfishness. Remove the prejudice, hatred, and contempt that divide us. Govern our thoughts with liberty and justice for all. Make us mindful of the needs of all peoples. Transform our economic woes. Influence our decisions. Free us from terrorism and war. Reveal Your will to us.

Today, we pray for our Nation, our President, and this Congress, the military and citizens, the less fortunate and peoples of the Earth.

Turn our hearts to You that we may serve this day with compassion, justice, courage, and peace.

In Jesus' name.  
Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Arizona (Mrs. KIRKPATRICK) come forward and lead the House in the Pledge of Allegiance.

Mrs. KIRKPATRICK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### WELCOMING REVEREND DR. THOMAS ELLIOTT, JR.

The SPEAKER. Without objection, the gentleman from Georgia (Mr. WOODALL) is recognized for 1 minute.

There was no objection.

Mr. WOODALL. Mr. Speaker, it's my great pleasure this morning to introduce my colleagues to Dr. Tom Elliott. Not only is he our guest chaplain today and the senior pastor at Cannon United Methodist Church in Snellville, in my district, he was also my youth minister growing up in Decatur, Georgia. For over 30 years, I've known Tom.

He's here today with his wife, Kelly. He is surrounded in love by his daughter, Lucy, and his son, Thomas. He has a love of the Lord, and that's a love that he shares in the pulpit on Sunday morning, and a love that you can find expressed in music at coffeehouses around the district in his Wild at Heart band nights during the week.

It's my great pleasure to have Tom with us today. I thank you for your service to our community, Tom, and I thank you for your service to the Lord.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RIBBLE). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

#### THE RECENT SUPREME COURT DECISION ON DNA COLLECTION

(Mr. MASSIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MASSIE. I rise today in strong opposition to the recent Supreme Court decision in *Maryland v. King*. As Justice Scalia warned in his brilliant

dissent, a consequence of this week's ruling is that your DNA can now "be taken and entered into a national DNA database if you are ever arrested, rightly or wrongly, or for whatever reason."

On the day I was sworn in, I pledged that I would be a staunch defender of individual liberties and of our Constitution, an unwavering advocate for freedom. This includes upholding the Fourth Amendment to our Constitution that protects us against unreasonable searches and seizures.

I strongly disagree with the five Justices in this case who held that DNA collection is just "another metric of identification," like "a name or a fingerprint." It is not. It's an intrusive invasion of privacy and property that should never be allowed before a person has even been tried, convicted, or served a warrant.

As my Senate colleague TED CRUZ warned, "unchecked government power and intrusive personal databases . . . pose real risks to our liberty."

#### PAYCHECK FAIRNESS ACT

(Mrs. KIRKPATRICK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KIRKPATRICK. Mr. Speaker, we are nearing the 50th anniversary of the Equal Pay Act, yet too many women continue to struggle. Too many women still don't receive equal pay for equal work.

Fifty years after President Kennedy signed the Equal Pay Act, women still earn only 77 cents for every dollar earned by men. That is not only wrong, it's bad for our economy.

Working families often rely on two incomes, and more and more households have women as the primary source of income. That means women's take-home pay must cover the rent, the groceries, the doctor's visits. And when women succeed, our families succeed; so does our economy.

I was proud to cast my first vote in Congress for the Lilly Ledbetter Fair Pay Act, which restored women's right to challenge unfair pay in court, but there's more work to do. Over the past 50 years, the Equal Pay Act has never been updated or strengthened. That's where the Paycheck Fairness Act comes in. It strengthens and closes loopholes in the law.

So let's get this done and send an important message that work is work, no matter who is doing it. Let's pass the Paycheck Fairness Act.

#### AMERICANS DESERVE BETTER

(Mr. STEWART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEWART. Mr. Speaker, I am honored to represent the great State of

Utah and Salt Lake City. Forbes Magazine recently rated Utah as the best State in the Nation for business and careers. Salt Lake City was recently ranked as the best city in the country for new graduates.

But while the State of Utah is doing very well, the rest of our Nation is not. As a small business owner, I know that government does not create jobs; the private sector creates jobs. And businessmen all over this Nation are asking—no, they're even begging—for one thing: Get government out of the way. Allow our economy to grow. Create new American jobs. Expand opportunity; don't expand government.

There are, right now, 4.4 million Americans that have been jobless for more than 6 months, and this is completely unacceptable.

We must simplify our Tax Code. We need to become energy independent. We need to move forward with projects such as the Keystone pipeline. We need to reform health care and entitlement programs, which account for the vast majority of our deficit and debt spending.

Americans deserve better. We can do better.

□ 1210

#### PASS THE JOBS ACT NOW

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, it's now been 885 days since I arrived in Congress, and the Republican leadership has still not allowed a single vote on serious legislation to address our unemployment crisis. This Congress is pretending our unemployment crisis is completely over. This Congress is acting as though surface scandals and a now rapidly shrinking budget deficit are the only issues that matter to this country. Try telling that to any of the 12 million unemployed Americans, who are today struggling to keep their homes and to pay for their food and health care. Try telling that to any of the 3 million Americans who have been unemployed for more than a year and are facing the indescribably painful possibility that they will never work again.

Mr. Speaker, unemployment is the Nation's true deficit. Let's pass the Jobs Now Act and the President's American Jobs Act to end it. The mantra of this Congress should be: jobs, jobs, jobs.

#### CONSCIENCE PROTECTIONS

(Mr. MESSER asked and was given permission to address the House for 1 minute.)

Mr. MESSER. The First Amendment is under attack in Madison, Indiana. One of my constituents, Bill Grote, is a

profile in courage as he litigates against the government's attempt to force him to violate his First Amendment rights and comply with ObamaCare's contraceptive mandate. Churches deserve protection from this mandate, but private businesses and business owners deserve protection, too.

Mr. Grote is not alone. Some businesses may choose to close their doors instead of complying. Others may be fined out of business. Ask yourself: If the Federal Government can make Mr. Grote purchase products in violation of his religious beliefs, what can it do to you?

I applaud Mr. Grote's courage and urge the House to pass the Health Care Conscience Rights Act to stop this attack on religious liberty.

#### WE NEED A COMPREHENSIVE EMPLOYEE NONDISCRIMINATION ACT

(Mr. POCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POCAN. This June, as we celebrate LGBT Pride Month, LGBT Americans have much to celebrate. Every day this country moves closer and closer towards embracing full equality for all of its citizens. And yet the path to equality and justice saw a setback last week when one of our Nation's largest companies chose to deny fundamental workplace protections for its employees.

For the 14th year in a row, ExxonMobil's shareholders voted to strike down a proposal that would specifically prohibit discrimination based on sexual orientation or gender identity. This is a company that has received more than \$1 billion in government contracts over the last decade. Simply put, the government should not be in business with companies that discriminate.

Exxon's decision makes it part of a shrinking minority: 88 percent of Fortune 500 companies specifically ban employee discrimination based on sexual orientation. BP doesn't discriminate, Chevron doesn't discriminate, Shell Oil doesn't discriminate. But ExxonMobil does. Their anti-equality policies should start to hurt their bottom line.

Unfortunately, it is still legal to fire someone in 29 States based on their sexual orientation or gender identity. ExxonMobil's backwards decision highlights why we need to pass a comprehensive employee nondiscrimination act.

#### PASS THE FAIR TAX

(Mr. LONG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LONG. Mr. Speaker, all Americans are aware how our current Tax Code is too complex and punishes people who save, invest, and achieve economic success. However, the recent news coming from the IRS illustrates another pressing reason for tax reform. Our current Tax Code puts too much power and potential for abuse into the hands of unaccountable, unelected bureaucrats.

The American people deserve a tax system that cannot be a political weapon to be used against them. That is why I'm a proud cosponsor of the Fair Tax. The Fair Tax would eliminate the IRS by replacing the current Tax Code with a simple consumption-based tax. The Fair Tax would be collected equally from all Americans, with no opportunity for the government to attack or discriminate against innocent citizens.

The Fair Tax is a reform measure that offers a rare chance to unleash economic growth, create good jobs, and at the same time protect the rights of American people. I urge this body to swiftly pass the Fair Tax.

#### PAYCHECK FAIRNESS ACT

(Ms. BONAMICI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BONAMICI. Mr. Speaker, 50 years ago, the Equal Pay Act passed in Congress with strong bipartisan support. That should be no surprise. It makes sense.

Back in 1963, 201 Democrats joined with 160 Republicans to support equal pay for equal work. Only 9 Members voted "no." Back then, women earned just 59 cents for every dollar men earned. And today, we're still 23 cents short on the promise of equal pay. Half a century later, women earn 77 cents for every dollar men make for the same work. The Paycheck Fairness Act would strengthen the Equal Pay Act, giving women the paychecks they deserve and have earned. It would eliminate the loopholes and carve-outs that have denied women basic fairness for decades.

As we celebrate the passage of the Equal Pay Act, let's hope for a return to bipartisanship and common sense. Let's make sure that women are paid what they deserve and pass the Paycheck Fairness Act. Equal pay was bipartisan 50 years ago. It should be bipartisan today.

#### JOBS AND THE ECONOMY

(Mr. HALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HALL. Mr. Speaker, our top priority in Congress should be to promote job creation and a healthy economy. Too many Americans are struggling.

The unemployment rate remains too high, the labor force participation rate continues to drop, and the national debt still is nearly \$17 trillion. This is due to the administration's failed economic and overreaching regulatory policies. Wasteful government spending and higher taxes are not the answers the American people are looking for. America needs real solutions for economic recovery.

In order for all Americans to thrive, we need jobs. Over 60 percent of new jobs are generated by small businesses, which have always been the backbone of our economy. Many small business owners are holding off hiring new workers because they're uncertain of higher taxes, more government red tape, more regulations.

We must remove unnecessary regulations. We need to promote real solutions that heal our economy and create new jobs. Americans share the same goal: a healthy economy and positive future. We need to keep the American Dream alive for future generations.

#### RETURN BUFFALO TO THE URBAN AREA SECURITY INITIATIVE PROGRAM

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, this week, the House will take up Homeland Security appropriations legislation for fiscal year 2014. Unfortunately, this legislation, once again, limits the number of cities in the Urban Area Security Initiative program to 25. This is unacceptable. It excludes many cities that have been determined to be a high risk of a terror threat.

The Buffalo-Niagara region, which I represent, includes four international border crossings and the busiest passenger crossing along the northern border with Canada; the largest electricity producer in New York State; and is within a 500-mile radius of 55 percent of the American population and 62 percent of the Canadian population. Recently, authorities thwarted a terror plot in which the target is thought to have been a bridge in Niagara Falls. It is unthinkable this bill should continue to exclude Buffalo from this important program it was once eligible for.

Mr. Speaker, protecting the homeland should be a Federal Government priority. We should be doing more, not less, to protect our most vulnerable cities, including returning cities to this program and ensuring we maintain the capabilities gained under the program.

#### FREE SPEECH

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, the First Amendment of our Constitution is first because nothing is more important to secure liberty and freedom of speech and freedom of the press than our First Amendment.

There are currently two scandals that put into question the President's commitment to this sacred freedom, with the Justice Department secretly obtaining phone records of reporters at the Associated Press and Fox News, and the IRS targeting certain groups because of their political beliefs.

Yesterday, the Ways and Means Committee held a hearing with the victims of the IRS abuse, and we learned that IRS officials not only asked many inappropriate questions to members of these groups, like what books they read or what was in their prayers, but also tried to tell free Americans who they could not protest against, and even illegally released private tax records to groups with opposing viewpoints.

Freedom of speech and freedom of the press should never be in question in this Nation, Mr. Speaker. Certainly, we can all agree that units of the Federal Government should never use their powers to punish Americans simply because of their ideas. This House will get to the bottom of this issue by following the facts. These free people, our great patriots, deserve no less.

□ 1220

#### PAYCHECK FAIRNESS ACT

(Mr. BARROW of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW of Georgia. Mr. Speaker, this is the 50th anniversary of the Equal Pay Act, and I rise to urge my colleagues to strengthen that law by passing the Paycheck Fairness Act.

I'm a proud cosponsor of the Paycheck Fairness Act because, even today, working women in my district in Georgia and across the country earn, on average, 77 cents for every dollar that men earn for the same work. That's because the penalties under the current law aren't strong enough to deter employers from breaking the law. And the current law doesn't protect employees from retaliation for sharing salary information with coworkers. The Paycheck Fairness Act will plug these loopholes in the law.

Mr. Speaker, I'm proud to stand here today with so many of my colleagues to call for the passage of these long-overdue improvements in this landmark law. Every day we ignore the shortcomings of the law is another day we deny women their rights under the law, and that should end right now.

#### OBAMACARE

(Mr. BUCSHON asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. BUCSHON. Mr. Speaker, I rise today to discuss ObamaCare's assault on jobs and full-time employment. The law is costing wages that are important to families in these tough economic times.

I received an email from a constituent in my district who is a teacher's assistant. Because of the 30 hours that is considered full-time employment in the Affordable Care Act, her hours have been cut to 28 hours a week, along with all of her colleagues. She stated:

I don't even need health insurance, I get it through my husband's employment. But because of this bill, I will be losing money that my family needs and depends on.

Indiana is also home to over 300 medical device companies, with an economic impact of over \$10 billion a year. Companies in Indiana, like Cook Medical, have already scrapped plans for expansion in the State, citing the 2.3 percent medical device tax.

Yesterday, I discussed with Secretary Sebelius the vote in the Senate, 79-20, and the vote in the last House Congress, 270-146—including 37 Democrats—to repeal the law, but the administration sticks by the fact that they do not want that part of the law repealed.

Mr. Speaker, this administration has been telling Americans for the last 5 years that they are trying to create jobs, but they're refusing to acknowledge the jobs that are being lost because of their health care bill.

#### STUDENT LOAN RATES

(Mr. CARTWRIGHT asked and was given permission to address the House for 1 minute.)

Mr. CARTWRIGHT. Mr. Speaker, by 2018, 63 percent of all American job openings are going to require some sort of post-high school education. Workers who hold bachelor's degrees make, on average, double the people who don't have bachelor's degrees.

Now, if we fail to take responsible action this month, student loan rates are going to double on 7.4 million American students. At a time when other interest rates are at historic lows, this body passed H.R. 1911, a bill that would make college more expensive.

I urge this body to pass H.R. 1433, to hold interest rates where they are in order to broaden opportunities and allow everybody a piece of the American Dream.

#### HONORING DR. JOSEPH COX

(Mr. MEEHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEEHAN. Mr. Speaker, I rise today to honor an educator, leader, author, and role model for young men in Pennsylvania.



This week, Dr. Joseph Cox will preside over his final commencement ceremony as headmaster of the Haverford School, a secondary school for boys in Haverford Township, Delaware County.

Dr. Cox took office as Haverford's headmaster in 1998; and since then, he has led the school and its faculty with his firm belief that teachers and boys must be "firm, fair, funny, focused, and friendly." These qualities were the backbone of Dr. Cox's philosophy of teaching.

Dr. Cox has set a long example for men outside the classroom as well. He's a 30-year Army veteran, serving his country in Vietnam, commanding a battalion of the famous 101st Airborne Division and retiring as a colonel.

A warrior, a poet, a cultivator of the minds of young men, and a sculptor of their character by his example, he leaves the institution not just better than he found it, but he leaves the lives he has touched so much richer for the experience of working with him and learning by his side.

Dr. Cox, you are in every measure what it means to be a teacher. Your community thanks you.

#### MOLOKAI MIDDLE SCHOOL ROBOTICS TEAM

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. I rise today to recognize a very talented group of students from the beautiful island of Molokai in my district.

Last week, I had a chance to meet with the Molokai Middle School's Golden Eyes robotics team. Beating out 52 other teams, the Golden Eyes took first place at the Hawaii FIRST LEGO League Championship in December 2012, and recently attended a national invitational.

The FIRST LEGO League is a robotics program created to get students excited about science and technology. The team members included Erik Svetin, Lily Jenkins, Noah Keanini, Katy Domingo, Caele Manley, and Kaitlin DeRouin, with great coaches David Gonzales and Jennifer Whitted.

Together, they researched and developed conceptual glasses, using face-recognition software, to help the elderly remember the people that they met. They researched age-related memory loss and put in 600 hours of research and practice to prepare for the competition, and they're now applying for a patent.

I am so proud of these young people, as they represent the great talent that exists in our State of Hawaii. They are who give me hope for our bright future.

#### COMMEMORATING THE LIFE OF VIOLA ERGEN

(Mr. FLEISCHMANN asked and was given permission to address the House for 1 minute.)

Mr. FLEISCHMANN. Mr. Speaker, I want to commemorate the life of an outstanding American, Viola Ergen, who passed away on May 21. She was an American whose life has touched and will touch many Americans for generations to come.

Mrs. Ergen was the daughter of Finnish and Swiss immigrants. She graduated high school at age 15 and was the first female to earn a BAA in accounting from the University of Minnesota. After graduation, she and her husband Bill moved to Oak Ridge, Tennessee, in 1947.

As a dedicated mother, grandmother, and great-grandmother, she was still volunteering well into her 97th year. Her commitment to excellence in everything she did is reflected in the lives of her five children and 15 grandchildren, who span this Nation as business leaders, doctors, and volunteers in a number of fields. It is impossible to measure the number of people whose lives will be touched by her time on Earth.

Her work over 40 years in helping Oak Ridge Children's Museum become one of the Nation's finest museums reflects her commitment to helping others.

Mrs. Ergen was an extraordinary person who excelled in an extraordinary generation. She was a great Tennessean, who gave her life tirelessly to her family, friends, and community.

#### PAYCHECK FAIRNESS ACT

(Ms. MATSUI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, I rise in strong support of equal pay for equal work for women.

June 10 marks the 50th anniversary of the Equal Pay Act. In 1963, when the Equal Pay Act was passed, women made 59 cents to the dollar that men made. Fifty years later, women are still paid significantly less than men for their same work. Today, women earn 77 cents for every dollar men make.

Equal pay should not only be viewed as an issue of fairness; it is also an economic issue. The yearly gap of \$8,200 the Sacramento women face could have been put to use paying off student loans, as part of a down payment for a new home, or invested for their retirement.

Paycheck fairness puts the money that women have rightfully earned into their pockets where it belongs. That's why I support the Paycheck Fairness Act and urge my colleagues to support this important legislation as well.

#### REPEAL OBAMACARE

(Mr. HUDSON asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. HUDSON. Mr. Speaker, yesterday, the Committee on Education and the Workforce heard testimony from Health and Human Services Secretary Kathleen Sebelius. Despite a mountain of facts to the contrary, she told the committee that the concerns employers have with the health care law are mere speculation. I don't know who the Secretary is talking to in Washington, but the reality for employers out in the real world is there is no speculation when it comes to the job-crushing effects of ObamaCare.

Where I live in North Carolina, ObamaCare is destroying jobs and forces full-time workers to accept part-time hours, and that's just the start. I recently hosted a field hearing in my district where I heard from a business owner who, prior to ObamaCare, was able to offer some of the best medical, dental, and vision care in the area at a cost of only 20 percent to his employees. Sadly, this same company is now subject to higher premiums, higher Medicare taxes, higher investment taxes, and greater administrative burdens. All of this will divert resources from new training, new equipment, and better wages.

Mr. Speaker, what I see are the facts and not speculation. That's why I'm adamant that we need to repeal this terrible law.

□ 1230

#### PAYCHECK FAIRNESS ACT

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise today in recognition of the 50th anniversary of the Equal Pay Act. This law was the very first step to closing the gender wage gap. It was also a statement about our values—that women and men deserve equal pay for equal work. But 50 years later, women continue to be devalued.

Equal pay is not only a women's issue, it's a family issue. Families rely on women's wages to make ends meet, and the extra \$11,000 a woman would make each year if she was fairly compensated has real value. It could pay for a year and a half of child care, or feed a family of four with money to spare. Every dollar matters for hard-working women and families.

What's better than the Equal Pay Act's 50th anniversary? A Paycheck Fairness Act birthday. It is time the Paycheck Fairness Act got a vote.

#### U.S. SUGAR REFORM

(Mr. LATTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LATTA. Mr. Speaker, I rise today to address the need for reforming our current sugar program. This uncompetitive, outdated policy is stunting job creation and is harmful to families, candy companies, and food manufacturers that are forced to pay a higher cost for any product made with sugar. Recent data suggests that without reform, the program puts 600,000 jobs in the sugar-using industries at risk. I became all-too-aware of this negative economic impact during a visit at a leading confectioner located in my district.

Headquartered in Bryan, Ohio, Spangler Candy Company is a family-owned business that has been providing consumers with Dum Dums, candy canes, and other confections since 1906. This company currently has over 400 employees, but if it could purchase sugar at world market prices, instead of at an inflated price, the number of employees would be closer to 600. That is a difference of 200 manufacturing jobs in a single midwestern town. Imagine the positive economic growth that would result from sugar reform nationwide. I am an original cosponsor of H.R. 693, the Sugar Reform Act. Reform to the sugar program will restore fairness in the sugar market, encourage investment, and spur job creation in our local communities.

#### TRIBUTE TO PATRICIA KNUDSON

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, I rise today to pay tribute to Patricia Knudson, the first Latina to be promoted to the rank of chief deputy in Riverside County. Instrumental in fostering relationships within our community, Patricia has served at the Riverside County Sheriff's Department for 24 years.

Patricia started her law enforcement career at the Robert Presley Detention Center. For the last two decades, she's continued to serve in a variety of roles within the Riverside County Sheriff's Department. She now moves from her current position as the commander of the Robert Presley Detention Center to become the chief deputy of the Riverside County Sheriff's Department.

Always actively engaged in the community, Chief Deputy Knudson founded "Life Path Vision," a group that works with Riverside Police Foundation to mentor youth. Never ceasing to help those in need, Patricia also volunteers and serves on boards and committees of a number of nonprofit organizations in the community.

As a role model and mentor herself, Chief Deputy Knudson firmly believes it's everyone's responsibility to mentor youth to be successful adults. With her unparalleled passion for service, Patricia Knudson is a role model for us all.

#### IMPACT OF THE AFFORDABLE CARE ACT ON SMALL BUSINESSES

(Mr. ROE of Tennessee asked and was given permission to address the House for 1 minute.)

Mr. ROE of Tennessee. Mr. Speaker, yesterday, during a hearing on the Education and Workforce Committee, Secretary Sebelius dismissed concerns regarding the impact that the Affordable Care Act will have on small businesses as "speculation."

But in my district—and all across this country—the negative impact of this law is a sad reality. I've held field hearings in Indiana, Pennsylvania, and most recently North Carolina to hear directly from job creators about how they will have to cut hours or hire fewer employees because of the Affordable Care Act.

Just this past Sunday, my hometown paper, the Johnson City Press, ran an advertisement from a Burger King franchisee owner announcing he was being forced to close one of his stores as a result of, among other things, "a law so unfriendly to business and workers it forces the business to limit hard-working Americans to less hours and lower pay at a time of high unemployment and less opportunity for people to prevail."

This entrepreneur wants to grow his business, not shrink it. But instead, we are limiting his opportunities and those of Tennesseans that he would employ. Speculation? I hardly think so. We can—and must—do better.

#### PAYCHECK FAIRNESS ACT

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, when women succeed, our economy grows, our communities prosper, and our Nation thrives. And yet, 50 years after President Kennedy signed the Equal Pay Act into law, some in Congress seem content to let the pay gap between men and women continue.

Back in 1963, women earned 59 cents on average for every dollar a man took home. President Kennedy called that "unconscionable." Meanwhile, about 1 in 10 mothers were their family's primary breadwinners. Five decades later, the number of female breadwinners has quadrupled. And yet women take home only 77 cents for every dollar a man earns for the same job. In 50 years, we've made 18 cents of progress.

Congress hasn't updated the Equal Pay Act since President Kennedy signed it into law. The Paycheck Fairness Act would strengthen that law, adapt it to a much different American workplace than what we had in the sixties, and put us back on a pathway to pay equity in the workforce.

Equal pay isn't just a women's issue—it's a family issue, it's an economic issue, it's a community issue,

and it's also an issue that Congress has ignored.

Mr. Speaker, I urge my colleagues to support the Paycheck Fairness Act and help guarantee equal pay for equal work.

#### SMARTER SOLUTIONS FOR STUDENTS ACT

(Mr. ROKITA asked and was given permission to address the House for 1 minute.)

Mr. ROKITA. Mr. Speaker, we have a jobs crisis in this country. Millions of Americans are out of work, and yet many jobs go unfulfilled. This is especially true among young people.

Part of the problem is that young Americans are faced with uncertainty when investing in college education due to government price-fixing of student loan interest rates. While some in this Chamber think that's a good thing, others do not. We passed a bill on that just 2 weeks ago.

That is why House Republicans have passed the Smarter Solutions for Students Act. It stops student loan rates from doubling in July, fixes the student loan process long-term, and takes politicians out of the business of setting interest rates by moving to a market-based system. As a member of the Budget Committee, I'll note that these are many of the same—actually, the very same—principles the President called for in his own budget plan.

We are offering the President a perfect opportunity for a true bipartisan victory. Not only is it a bipartisan victory, it is a real solution to a real problem.

#### PAYCHECK FAIRNESS ACT

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, on June 10, 1963, President John F. Kennedy signed the bipartisan Equal Pay Act, which requires equal pay for equal work. A great idea, but 50 years later women earn 77 cents for every dollar men make—a yearly gap of over \$11,000 between working men and women. Women of color earn even less.

Does anyone think that if this Congress were a majority of women, that this bill would still be stonewalled from even being debated in this House and by this Republican majority? We would debate the Paycheck Fairness Act right away.

Since most American families rely on women's wages, the pay gap means \$11,000 less every year for their groceries, rent, and doctors' visits. And the effects last a lifetime, resulting in lower pensions and Social Security benefits.

Fifty years—a half a century—is far too long for women to wait for paycheck fairness. Here is a little warning:

women may not be a majority here now, but we are a majority of voters.

Let's pass the Paycheck Fairness Act.

□ 1240

#### THE SAVE ACT

(Mr. JOYCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOYCE. Mr. Speaker, every day, we talk about the need to cut spending and government waste in order to promote economic stability and to grow our economy. That's why I've introduced a bill to do just that.

The SAVE Act would cut \$200 billion over 10 years by eliminating the duplicative and inefficient spending within the government. This bill has already received bipartisan support. In fact, these cuts were outlined in the President's own GAO report. They include: cutting \$137 million by eliminating duplicative catfish studies; saving taxpayers \$33 billion by reducing Medicare and Medicaid fraud and abuse; and forcing government agencies to act more like the private sector with contract bidding, saving taxpayers \$80 billion.

These are commonsense and practical cuts, and I urge my colleagues to join me in supporting the SAVE Act.

#### IN TRIBUTE TO DR. TRIFON LASKARIS

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. I rise today to pay tribute to a remarkable individual and prolific inventor whose pioneering research into medical imaging has helped to transform modern-day medicine.

Dr. Trifon Laskaris, a chief scientist at General Electric's Global Research Center, was recently awarded his 200th United States patent. It is a benchmark previously reached by only one other GE researcher—the inventor of the lightbulb and founder of the company's research center, Thomas Edison.

For the past four decades, Dr. Laskaris has worked at GE Global Research on technology to advance magnetic resonance imaging, or MRI. Without the work of Dr. Laskaris and his team, MRI would not be where it is today—a vital diagnostic tool used in hospitals around the world. There is no telling how many millions of people are leading healthier lives today because of the technology that Dr. Laskaris developed.

I congratulate Dr. Trifon Laskaris on this milestone achievement; and on behalf of this body and the citizens of the 20th Congressional District of New York, I thank him for his lifelong dedication to scientific research in the service of humanity.

#### OBAMACARE IS NOT ABOUT CARE

(Mr. RADEL asked and was given permission to address the House for 1 minute.)

Mr. RADEL. Certainty and stability are really all that our businessowners are asking for from us here in the government so that they can grow and create jobs. Instead, we handed them ObamaCare—a nightmare for people who own businesses or who are trying to start up their own businesses. Worse, it is a nightmare for you and your family. It's not fair for you, for your kids, for your grandkids. ObamaCare will and is cutting your wages, your hours—it may even cost you your job—and it is weakening our social safety net.

In the big picture, ask yourself: When it comes to your health care, who knows how to care for you and your family most—you or some stranger here in Washington?

ObamaCare is bad for business, putting 3 million American jobs in jeopardy—and that is not speculation, Secretary Sebelius. It's plain and simple. The Affordable Care Act is not affordable. It's not about your health; it's not about care—and it is not fair. It's not fair to our seniors, our kids, our grandkids, or to you.

#### PAYCHECK FAIRNESS ACT

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Over the last 50 years, women have broken barriers in business, science, education, and government. Today, they also account for half of the workers in the country, but still they earn less for equal work.

In Nevada, the average woman still makes only 85 cents for every dollar that men earn, amounting to a yearly gap of \$6,300 between full-time working men and women. Collectively, Nevada women are losing some \$2.3 billion each year due to this pay gap. The pay gap not only harms individual women, but it hurts their families and our communities. It is an economic drag, a social calamity, and a moral injustice.

In a country where we strive for equal opportunity, this is simply unacceptable. That's why it's so important that we pass the Paycheck Fairness Act. This critical piece of legislation would update and strengthen the Equal Pay Act and help women fight wage discrimination.

The issue is simple: women should receive equal pay for equal work, and the Paycheck Fairness Act would provide the tools to reach that goal.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2014

##### GENERAL LEAVE

Mr. CARTER. Mr. Speaker, I ask unanimous consent that all Members

have 5 legislative days in which to revise and extend their remarks and include extraneous material on the consideration of H.R. 2217 and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 243 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2217.

The Chair appoints the gentleman from Tennessee (Mr. ROE) to preside over the Committee of the Whole.

□ 1245

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes, with Mr. ROE of Tennessee in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. CARTER) and the gentleman from North Carolina (Mr. PRICE) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CARTER. Mr. Chairman, I yield myself such time as I may consume.

It was 69 years ago this Thursday that more than 9,000 Allied soldiers were killed or wounded during the D-day invasion in Normandy, France. That courageous operation, as well as the sacrifice of so many brave individuals, serves as a sobering reminder that freedom and security are, in fact, not free.

It is with this solemn commitment to both freedom and security that I respectfully present to the people's House the fiscal year 2014 appropriations bill for the Department of Homeland Security. Similar to our subcommittee's work over the past 3 fiscal years, this bill demonstrates how we can fund vital security programs and enforce the law while also reducing discretionary spending overall. So this bill is about our security and fiscal priorities and getting them right.

The President's fiscal year 2014 budget proposal for DHS presents a harmful budget for our frontline homeland security agencies, diminishing their operational workforces and undermining mission capabilities. The end result of the President's budget proposal would, undoubtedly, be a less capable DHS. That's why our subcommittee, on a bipartisan basis, strove to significantly improve the flawed budget request through this bill before the House today.

First, this bill targets the very programs and systems displayed during and after the recent horrific attack at the Boston Marathon. It does this by a nearly 20 percent increase above the request for FEMA's first responder grants; substantial increases above the request and last year's level for CBP's targeting, TSA's Secure Flight, and ICE's visa enforcement programs, including the phase-in of 1,600 additional CBP officers; doubling the Department's Bombing Prevention program, substantially increasing counter-IED training and applying the lessons learned from our wars in Iraq and Afghanistan; and a nearly 40 percent increase in the program If You See Something, Say Something.

In addition, the bill restores virtually all of the unjustified proposed cuts to DHS' operational programs, to include restoring the cuts to ICE's mandated 34,000 detention beds and vital investigative programs; restoring cuts to the Coast Guard's operational expenses, including aviation and flight hours, as well as restoring the President's truly harmful cuts to recapitalization and acquisitions of cutter and aviation assets; restoring the proposed cuts to CBP air and marine operating hours and procurement, as well as mission support functions; restoring the proposed long-term cuts to Secret Service staffing and financial crime investigations; and providing these restorations while also strongly supporting the Department's disaster relief, cybersecurity and research programs, including the full-year construction increment for the National Agro- and Bio-Defense facility in Kansas.

□ 1250

This bill also considers our Nation's fiscal crisis by invoking real fiscal discipline and efficiency, including a more than \$613 million—or more than 1.5 percent—reduction below fiscal year 2013 to the Department's annual budget; a 15 percent cut below the request to DHS headquarters staffing; a nearly 25 percent cut below the request to departmental administrative expenses and bureaucratic overhead; denial of the President's request to increase bureaucracy by creating three new headquarters offices; termination of funding for ineffectual offices and programs and substantial oversight requirements, ranging from withholding funds to statutory mandates to reporting requirements on everything from major acquisitions to ammunition inventories, purchases, and usage.

Mr. Chairman, this bill does not represent a false choice between fiscal responsibility and security. Both are urgent priorities, and both are vigorously addressed by this bill.

I must note that DHS did a shameful job in complying with statutory requirements enacted into law FY13. Those failures are certainly addressed in this bill. We are serious about compelling the Department to both enforce the law and comply with the law, and we will not tolerate further failures in this regard, a point I think we make clear in this bill through 50 percent withholdings to the Department's executive offices and 50 percent reductions to offices that are delaying the review and submittal of needed, factual information requested by Congress.

On a final and regrettably sober note, my staff and I have been regularly talking with our dear friend and my classmate, TOM COLE, and doing all that we can to help the good people of

his Oklahoma district get back on their feet from the devastating tornado that hit the town of Moore and surrounding communities.

So, in addition to the nearly \$11 billion that is currently in FEMA coffers, this bill fully supports the known requirements of \$6.2 billion for the disaster relief fund in FY14. These funds, combined with our continued oversight, will help ensure disaster assistance rapidly gets to those who've lost so much. Mr. Chairman, we send TOM and his constituents our sincere condolences and wish them a speedy recovery.

In closing, let me first thank Ranking Member PRICE for his statesmanship and partnership. I sincerely thank him and his dedicated professional staff for their input and notable contributions to this bill.

In addition, let me thank the thoughtful Members of this body. We received program submissions from 222 Members, and their input was critical to our oversight work over the past few months, as well as the production of this bill. I know that my staff and I made every effort to accommodate virtually every Member's submission we received, and that has only made this a stronger product.

Finally, I must thank the distinguished chairman and ranking member of the full committee, Chairman ROGERS and Mrs. LOWEY. Their input and support for the bill is genuinely appreciated.

I sincerely believe this bill reflects our best effort to address our Nation's urgent needs: security, enforcement, and fiscal restraint.

I urge my colleagues to support this measure, and I reserve the balance of my time.

Homeland Security Appropriations Act - FY 2014 (H.R. 2217)  
(Amounts in thousands)

	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
DEPARTMENT OF HOMELAND SECURITY					
TITLE I - DEPARTMENTAL MANAGEMENT AND OPERATIONS					
Departmental Operations					
Office of the Secretary and Executive Management:					
Immediate Office of the Secretary.....	4,282	4,128	3,492	-790	-636
Immediate Office of the Deputy Secretary.....	2,092	1,822	1,536	-556	-286
Office of the Chief of Staff.....	2,173	2,200	1,084	-1,089	-1,116
Executive Secretary.....	7,584	7,603	3,740	-3,844	-3,863
Office of Policy.....	43,706	27,815	29,998	-13,708	+2,183
Office of Public Affairs.....	5,470	8,661	9,326	+3,856	+665
Office of Legislative Affairs.....	5,794	5,498	4,625	-1,169	-873
Office of Intergovernmental Affairs.....	2,378	2,518	2,120	-258	-398
Office of General Counsel.....	21,137	21,000	17,691	-3,446	-3,309
Office for Civil Rights and Civil Liberties.....	21,618	21,678	18,272	-3,346	-3,406
Citizenship and Immigration Services Ombudsman....	5,644	5,344	4,501	-1,143	-843
Privacy Officer.....	7,992	8,143	6,861	-1,131	-1,282
Office of International Affairs.....	---	7,626	---	---	-7,626
Office of State and Local Law Enforcement.....	---	852	---	---	-852
Private Sector Office.....	---	1,666	---	---	-1,666
Subtotal.....	129,870	126,554	103,246	-26,624	-23,308
Office of the Under Secretary for Management:					
Immediate Office of the Under Secretary for Management.....	3,097	2,735	2,305	-792	-430
Office of the Chief Security Officer.....	68,931	66,025	55,799	-13,132	-10,226
Office of the Chief Procurement Officer.....	71,928	66,915	56,459	-15,469	-10,456
Subtotal.....	143,956	135,675	114,563	-29,393	-21,112
Office of the Chief Human Capital Officer:					
Salaries and Expenses.....	24,946	22,276	18,771	-6,175	-3,505
Human Resources Information Technology.....	9,670	9,213	7,815	-1,855	-1,398
Subtotal.....	34,616	31,489	26,586	-8,030	-4,903
Office of the Chief Administrative Officer:					
Salaries and Expenses.....	34,278	30,793	26,004	-8,274	-4,789
Nebraska Avenue Complex (NAC).....	5,443	4,729	4,020	-1,423	-709
Subtotal.....	39,721	35,522	30,024	-9,697	-5,498
Subtotal, Office of the Under Secretary for Management.....	218,293	202,686	171,173	-47,120	-31,513
DHS Consolidated Headquarters Project.....	---	105,500	---	---	-105,500
Office of the Chief Financial Officer.....	51,449	48,779	41,242	-10,207	-7,537
Office of the Chief Information Officer:					
Salaries and Expenses.....	117,882	117,347	99,397	-18,485	-17,950
Information Technology Services.....	27,572	32,712	25,612	-1,960	-7,100
Infrastructure and Security Activities.....	55,944	100,063	45,863	-10,081	-54,200
Homeland Secure Data Network.....	42,090	77,132	39,863	-2,227	-37,269
Subtotal.....	243,488	327,254	210,735	-32,753	-116,519
Analysis and Operations.....	321,958	309,228	291,623	-30,335	-17,605
Total, Departmental Operations.....	965,058	1,120,001	818,019	-147,039	-301,982

Homeland Security Appropriations Act - FY 2014 (H.R. 2217)  
(Amounts in thousands)

	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Inspector General:					
Operating Expenses.....	121,043	119,309	113,903	-7,140	-5,406
(by transfer from Disaster Relief).....	(23,976)	(24,000)	(24,000)	(+24)	---
Total, Office of Inspector General.....	145,019	143,309	137,903	-7,116	-5,406
=====					
Total, title I, Departmental Management and Operations.....	1,086,101	1,239,310	931,922	-154,179	-307,388
(by transfer).....	(23,976)	(24,000)	(24,000)	(+24)	---
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TITLE II - SECURITY, ENFORCEMENT, AND INVESTIGATIONS					
U.S. Customs and Border Protection					
Salaries and Expenses:					
Headquarters, Management, and Administration:					
Commissioner.....	17,398	---	25,288	+7,890	+25,288
Chief Counsel.....	43,035	---	45,022	+1,987	+45,022
Congressional Affairs.....	2,565	---	2,482	-83	+2,482
Internal Affairs.....	153,954	---	162,568	+8,614	+162,568
Public Affairs.....	12,550	---	12,920	+370	+12,920
Training and Development.....	77,643	---	76,512	-1,131	+76,512
Tech, Innovation, Acquisition.....	25,978	---	22,972	-3,006	+22,972
Intelligence/Investigative Liaison.....	68,088	---	61,105	-6,983	+61,105
Administration.....	414,259	---	293,091	-121,168	+293,091
Rent.....	564,306	407,898	407,898	-156,408	---
Management and Administration, Border Security Inspections and Trade Facilitation.....	---	620,656	---	---	-620,656
Management and Administration, Border Security and Control Between Ports of Entry.....	---	592,330	---	---	-592,330
Subtotal.....	1,379,776	1,620,884	1,109,858	-269,918	-511,026
Border Security Inspections and Trade Facilitation:					
Inspections, Trade, and Travel Facilitation at Ports of Entry.....	2,715,935	2,837,294	2,887,718	+171,783	+50,424
Harbor Maintenance Fee Collection (trust fund)..<	3,271	3,274	3,274	+3	---
International Cargo Screening.....	71,416	72,260	71,961	+545	-299
Other International Programs.....	24,774	24,740	24,596	-178	-144
Customs-Trade Partnership Against Terrorism (C-TPAT).....	43,026	40,183	41,960	-1,066	+1,777
Trusted Traveler Programs.....	10,800	6,311	6,311	-4,489	---
Inspection and Detection Technology Investments.	117,447	112,526	112,504	-4,943	-22
Automated Targeting Systems.....	113,712	109,944	132,932	+19,220	+22,988
National Targeting Center.....	68,059	65,474	65,106	-2,953	-368
Training.....	34,811	47,651	40,703	+5,892	-6,948
Subtotal.....	3,203,251	3,319,657	3,387,065	+183,814	+67,408
Border Security and Control Between Ports of Entry:					
Border Security and Control.....	3,628,164	3,700,317	3,723,502	+95,338	+23,185
Training.....	73,865	55,928	55,558	-18,307	-370
Subtotal.....	3,702,029	3,756,245	3,779,060	+77,031	+22,815
Air and Marine Operations.....	---	286,769	---	---	-286,769
US-VISIT.....	---	253,533	---	---	-253,533
Subtotal, Salaries and Expenses.....	8,285,056	9,237,088	8,275,983	-9,073	-961,105
Appropriations.....	(8,281,785)	(9,123,814)	(8,272,709)	(-9,076)	(-851,105)
Harbor Maintenance Trust Fund.....	(3,271)	(3,274)	(3,274)	(+3)	---
COBRA FTA spending authority (Sec. 541a3)...	---	(110,000)	---	---	(-110,000)

Homeland Security Appropriations Act - FY 2014 (H.R. 2217)  
(Amounts in thousands)

	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
Small Airport User Fee (permanent indefinite discretionary appropriation).....	---	5,000	5,000	+5,000	---
Automation Modernization:					
Information Technology.....	393,946	---	367,860	-26,086	+367,860
Automated Commercial Environment/International Trade Data System (ITDS).....	138,655	140,830	140,762	+2,107	-68
Current Operations Protection and Processing Support (COPPS).....	186,545	199,275	199,275	+12,730	---
Subtotal.....	719,146	340,105	707,897	-11,249	+367,792
Border Security Fencing, Infrastructure, and Technology (BSFIT):					
Development and Deployment.....	188,627	160,435	160,435	-28,192	---
Operations and Maintenance.....	135,148	191,019	191,019	+55,871	---
Subtotal.....	323,775	351,454	351,454	+27,679	---
Air and Marine Operations:					
Salaries and Expenses.....	283,286	---	292,791	+9,505	+292,791
Operations and Maintenance.....	397,002	353,751	392,000	-5,002	+38,249
Procurement.....	117,919	73,950	117,950	+31	+44,000
Subtotal.....	798,207	427,701	802,741	+4,534	+375,040
Construction and Facilities Management:					
Facilities Construction and Sustainment.....	176,038	385,398	385,398	+209,360	---
Program Oversight and Management.....	57,292	86,101	85,880	+28,588	-221
Subtotal.....	233,330	471,499	471,278	+237,948	-221
Total, U.S. Customs and Border Protection Direct Appropriations.....	10,359,514	10,832,847	10,614,353	+254,839	-218,494
Fee Accounts:					
Immigration Inspection User Fee.....	(568,790)	(764,267)	(764,267)	(+195,477)	---
Immigration Enforcement Fines.....	(1,093)	(773)	(773)	(-320)	---
Electronic System for Travel Authorization Fee....	(46,318)	(55,168)	(55,168)	(+8,850)	---
Land Border Inspection Fee.....	(35,935)	(42,941)	(42,941)	(+7,006)	---
COBRA Passenger Inspection Fee.....	(419,352)	(694,627)	(694,627)	(+275,275)	---
APHIS Inspection Fee.....	(329,000)	(355,216)	(355,216)	(+26,216)	---
Global Entry User Fee.....	(13,743)	(34,835)	(34,835)	(+21,092)	---
Puerto Rico Collections.....	(96,367)	(98,602)	(98,602)	(+2,235)	---
Small Airport User Fee.....	(8,318)	---	---	(-8,318)	---
Virgin Island Fee.....	---	(11,302)	(11,302)	(+11,302)	---
Customs Unclaimed Goods.....	---	(5,992)	(5,992)	(+5,992)	---
Subtotal, Fee Accounts.....	(1,518,916)	(2,063,723)	(2,063,723)	(+544,807)	---
Total, U.S. Customs and Border Protection.....	11,878,430	12,896,570	12,678,076	+799,846	-218,494
Appropriations.....	(10,359,514)	(10,832,847)	(10,614,353)	(+254,839)	(-218,494)
Fee Accounts.....	(1,518,916)	(2,063,723)	(2,063,723)	(+544,807)	---
U.S. Immigration and Customs Enforcement					
Salaries and Expenses:					
Headquarters Management and Administration:					
Personnel Compensation and Benefits, Services and Other Costs.....	219,824	192,236	209,755	-10,069	+17,519
Headquarters Managed IT Investment.....	160,304	141,294	151,132	-9,172	+9,838
Subtotal.....	380,128	333,530	360,887	-19,241	+27,357
Legal Proceedings.....	206,834	204,651	205,921	-913	+1,270
Investigations:					
Domestic Investigations.....	1,685,172	1,599,972	1,710,172	+25,000	+110,200



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	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
International Investigations:					
International Operations.....	115,007	100,544	100,187	-14,820	-357
Visa Security Program.....	34,526	31,630	31,541	-2,985	-89
Subtotal.....	149,533	132,174	131,728	-17,805	-446
Subtotal, Investigations.....	1,834,705	1,732,146	1,841,900	+7,195	+109,754
Intelligence.....	78,374	75,448	74,908	-3,466	-540
Detention and Removal Operations:					
Custody Operations.....	2,022,991	1,844,802	2,038,239	+15,248	+193,437
Fugitive Operations.....	145,180	125,771	134,802	-10,378	+9,031
Criminal Alien Program.....	216,293	291,721	289,155	+72,862	-2,566
Alternatives to Detention.....	96,460	72,435	96,460	---	+24,025
(transfer out to Department of Justice).....	---	---	---	---	---
Transportation and Removal Program.....	269,932	255,984	276,925	+6,993	+20,941
Subtotal.....	2,750,856	2,590,713	2,835,581	+84,725	+244,868
Secure Communities.....	138,111	20,334	25,264	-112,847	+4,930
Subtotal, Salaries and Expenses.....	5,389,008	4,956,822	5,344,461	-44,547	+387,639
Automation Modernization:					
IT Investment.....	---	---	8,400	+8,400	+8,400
TECS Modernization.....	22,977	34,900	23,000	+23	-11,900
Detention and Removals Modernization.....	6,993	---	---	-6,993	---
Electronic Health Records.....	3,497	---	3,500	+3	+3,500
Subtotal.....	33,467	34,900	34,900	+1,433	---
Construction.....	4,995	5,000	5,000	+5	---
Total, U.S. Immigration and Customs Enforcement Direct Appropriations.....	5,427,470	4,996,722	5,384,361	-43,109	+387,639
Fee Accounts:					
Immigration Inspection User Fee.....	(116,869)	(135,000)	(135,000)	(+18,131)	---
Breached Bond/Detention Fund.....	(75,000)	(65,000)	(65,000)	(-10,000)	---
Student Exchange and Visitor Fee.....	(120,000)	(145,000)	(145,000)	(+25,000)	---
Subtotal.....	311,869	345,000	345,000	+33,131	---
Total, U.S. Immigration and Customs Enforcement, Appropriations.....	5,739,339	5,341,722	5,729,361	-9,978	+387,639
Fee Accounts.....	(311,869)	(345,000)	(345,000)	(+33,131)	---
Transportation Security Administration					
Aviation Security:					
Screening Operations:					
Screener Workforce:					
Privatized Screening.....	147,542	153,190	163,190	+15,648	+10,000
Screener Personnel, Compensation, and Benefits	3,075,630	3,033,526	2,972,715	-102,915	-60,811
Subtotal.....	3,223,172	3,186,716	3,135,905	-87,267	-50,811
Screener Training and Other.....	224,759	226,936	203,057	-21,702	-23,879
Checkpoint Support.....	115,089	103,377	103,309	-11,780	-68
EDS/ETD Systems:					
EDS Procurement and Installation.....	99,830	83,987	83,845	-15,985	-142
Screening Technology Maintenance, Utilities...	308,691	298,509	298,509	-10,182	---
Subtotal.....	408,521	382,496	382,354	-26,167	-142
Subtotal, Screening Operations.....	3,971,541	3,899,525	3,824,625	-146,916	-74,900

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	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
Aviation Security Direction and Enforcement:					
Aviation Regulation and Other Enforcement.....	367,887	354,650	358,187	-9,700	+3,537
Airport Management and Support.....	561,787	590,871	555,242	-6,545	-35,629
Federal Flight Deck Officer and Flight Crew Training.....	24,705	---	12,353	-12,352	+12,353
Air Cargo.....	121,647	122,990	122,332	+685	-658
Subtotal.....	1,076,026	1,068,511	1,048,114	-27,912	-20,397
Aviation Security Capital Fund (mandatory).....	(250,000)	(250,000)	(250,000)	---	---
Total, Aviation Security (gross).....	5,047,567	4,968,036	4,872,739	-174,828	-95,297
Aviation Security Fees (offsetting collections).....	-2,070,000	-2,120,000	-2,120,000	-50,000	---
Additional Offsetting Collections (leg. proposal).....	---	-105,000	---	---	+105,000
Total, Aviation Security (net, discretionary)...	2,977,567	2,743,036	2,752,739	-224,828	+9,703
Surface Transportation Security:					
Staffing and Operations.....	36,317	35,433	35,262	-1,055	-171
Surface Transportation Security Inspectors and Canines.....	87,977	73,898	73,356	-14,621	-542
Subtotal.....	124,294	109,331	108,618	-15,676	-713
Transportation Threat Assessment and Credentialing:					
Secure Flight.....	106,828	106,198	108,198	+1,370	+2,000
Crew and Other Vetting Programs.....	85,404	74,419	74,419	-10,985	---
TWIC Fees.....	(47,300)	(36,700)	(36,700)	(-10,600)	---
Hazardous Materials Fees.....	(12,000)	(12,000)	(12,000)	---	---
Alien Flight School Fees (by transfer from DOJ)...	(5,000)	(5,000)	(5,000)	---	---
Air Cargo/Certified Cargo Screening Program.....	(7,200)	(5,400)	(5,400)	(-1,800)	---
Commercial Aviation and Airports/Secure Identification Display Area Checks.....	(8,000)	(6,500)	(6,500)	(-1,500)	---
Other Security Threat Assessments.....	(120)	(50)	(50)	(-70)	---
General Aviation at DCA.....	(100)	(350)	(350)	(+250)	---
Subtotal.....	271,952	246,617	248,617	-23,335	+2,000
Direct Appropriations.....	(192,232)	(180,617)	(182,617)	(-9,615)	(+2,000)
Fee Funded Programs.....	(79,720)	(66,000)	(66,000)	(-13,720)	---
Transportation Security Support:					
Headquarters Administration.....	275,846	284,942	265,712	-10,134	-19,230
Information Technology.....	416,779	455,484	389,750	-27,029	-65,734
Human Capital Services.....	215,613	212,554	201,643	-13,970	-10,911
Intelligence.....	45,085	44,809	44,561	-524	-248
Subtotal.....	953,323	997,789	901,666	-51,657	-96,123
Federal Air Marshals:					
Management and Administration.....	792,992	714,669	709,254	-83,738	-5,415
Travel and Training.....	113,857	111,853	111,853	-2,004	---
Subtotal.....	906,849	826,522	821,107	-85,742	-5,415
Total, Transportation Security Administration...	7,553,985	7,398,295	7,202,747	-351,238	-195,548
Offsetting Collections.....	(-2,070,000)	(-2,225,000)	(-2,120,000)	(-50,000)	(+105,000)
Aviation Security Capital Fund (mandatory).....	(250,000)	(250,000)	(250,000)	---	---
Fee Funded Programs.....	(79,720)	(66,000)	(66,000)	(-13,720)	---
Total, Transportation Security Administration (net).....	5,154,265	4,857,295	4,766,747	-387,518	-90,548

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	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
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Coast Guard					
Operating Expenses:					
Military Pay and Allowances.....	3,411,766	3,425,306	3,440,053	+28,287	+14,747
Civilian Pay and Benefits.....	785,793	784,097	779,011	-6,782	-5,086
Training and Recruiting.....	213,969	181,617	216,588	+2,619	+34,971
Operating Funds and Unit Level Maintenance.....	1,092,799	1,061,567	1,065,083	-27,716	+3,516
Centrally Managed Accounts.....	350,721	318,856	319,307	-31,414	+451
Intermediate and Depot Level Maintenance.....	958,913	983,940	1,019,374	+60,461	+35,434
Overseas Contingency Operations/Global War on Terrorism .....	254,000	---	---	-254,000	---
Subtotal.....	7,067,961	6,755,383	6,839,416	-228,545	+84,033
(Defense).....	(593,660)	(340,000)	(340,000)	(-253,660)	---
(Nondefense).....	(6,474,301)	(6,415,383)	(6,499,416)	(+25,115)	(+84,033)
Environmental Compliance and Restoration.....	13,138	13,187	13,164	+26	-23
Reserve Training.....	132,395	109,543	112,991	-19,404	+3,448
Acquisition, Construction, and Improvements:					
Vessels:					
Survey and Design-vessel and Boats.....	2,498	1,000	1,000	-1,498	---
Response Boat-medium.....	7,992	---	---	-7,992	---
In-service Vessel Sustainment.....	---	21,000	21,000	+21,000	---
National Security Cutter.....	678,621	616,000	603,553	-75,068	-12,447
Offshore Patrol Cutter.....	29,970	25,000	25,000	-4,970	---
Fast Response Cutter.....	334,665	75,000	205,000	-129,665	+130,000
Cutter Small Boats.....	3,996	3,000	3,000	-996	---
Medium Endurance Cutter Sustainment.....	15,984	---	---	-15,984	---
Polar Ice Breaking Vessel.....	7,992	2,000	2,000	-5,992	---
Subtotal.....	1,081,718	743,000	860,553	-221,165	+117,553
Aircraft:					
Airframe Replacement (CGNR 6017).....	13,986	---	30,000	+16,014	+30,000
Maritime Patrol Aircraft.....	54,945	---	---	-54,945	---
Long Range Surveillance Aircraft.....	89,910	16,000	107,710	+17,800	+91,710
HH-65 Conversion/Sustainment Projects.....	31,469	12,000	12,000	-19,469	---
Subtotal.....	190,310	28,000	149,710	-40,600	+121,710
Other Acquisition Programs:					
Program Oversight and Management.....	14,985	10,000	10,000	-4,985	---
Systems Engineering and Integration.....	---	204	204	+204	---
C4ISR.....	40,460	35,226	50,226	+9,766	+15,000
CG-Logistics Information Management System.....	2,498	1,500	1,500	-998	---
Nationwide Automatic Identification System.....	5,994	13,000	13,000	+7,006	---
Subtotal.....	63,937	59,930	74,930	+10,993	+15,000
Shore Facilities and Aids to Navigation:					
Major Construction; Housing; ATON; and Survey and Design.....	29,970	2,000	2,000	-27,970	---
Major Acquisition Systems Infrastructure.....	49,362	---	---	-49,362	---
Minor Shore.....	4,995	3,000	3,000	-1,995	---
Subtotal.....	84,327	5,000	5,000	-79,327	---
Military Housing.....	9,990	---	18,000	+8,010	+18,000
Personnel and Related Support:					
Direct Personnel Costs.....	112,969	114,747	114,080	+1,111	-667
Core Acquisition Costs.....	599	439	439	-160	---
Subtotal.....	113,568	115,186	114,519	+951	-667
Subtotal, Acquisition, Construction, and Improvements.....	1,543,850	951,116	1,222,712	-321,138	+271,596
Research, Development, Test, and Evaluation.....	19,671	19,856	9,928	-9,743	-9,928

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	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
Health Care Fund Contribution (permanent indefinite discretionary appropriation).....	202,797	201,000	201,000	-1,797	---
Retired Pay (mandatory).....	1,423,000	1,460,000	1,460,000	+37,000	---
Total, Coast Guard.....	10,402,812	9,510,085	9,859,211	-543,601	+349,126
Appropriations.....	(10,148,812)	(9,510,085)	(9,859,211)	(-289,601)	(+349,126)
Overseas Contingency Operations/Global War on Terrorism.....	(254,000)	---	---	(-254,000)	---
(mandatory).....	(1,423,000)	(1,460,000)	(1,460,000)	(+37,000)	---
(discretionary).....	(8,979,812)	(8,050,085)	(8,399,211)	(-580,601)	(+349,126)
United States Secret Service					
Salaries and Expenses:					
Protection:					
Protection of Persons and Facilities.....	854,381	841,078	848,263	-6,118	+7,185
Protective Intelligence Activities.....	68,057	67,782	67,165	-892	-617
National Special Security Event Fund.....	4,496	4,500	4,500	+4	---
Presidential Candidate Nominee Protection.....	57,902	---	---	-57,902	---
Subtotal.....	984,836	913,360	919,928	-64,908	+6,568
Investigations:					
Domestic Field Operations.....	299,390	316,433	330,391	+31,001	+13,958
International Field Office Administration, Operations and Training.....	30,940	30,958	30,811	-129	-147
Support for Missing and Exploited Children.....	8,358	---	8,358	---	+8,358
Subtotal.....	338,688	347,391	369,560	+30,872	+22,169
Headquarters, Management and Administration.....	174,160	177,282	188,964	+14,804	+11,682
Rowley Training Center.....	55,542	55,552	55,118	-424	-434
Information Integration and Technology Transformation.....	1,132	1,029	1,019	-113	-10
Subtotal, Salaries and Expenses.....	1,554,358	1,494,614	1,534,589	-19,769	+39,975
Acquisition, Construction, Improvements, and Related Expenses:					
Facilities.....	4,426	5,380	5,380	+954	---
Information Integration and Technology Transformation.....	52,268	46,395	46,395	-5,873	---
Subtotal.....	56,694	51,775	51,775	-4,919	---
Total, United States Secret Service.....	1,611,052	1,546,389	1,586,364	-24,688	+39,975
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Total, title II, Security, Enforcement, and Investigations.....	32,955,113	31,743,338	32,211,036	-744,077	+467,698
Appropriations.....	(32,701,113)	(31,743,338)	(32,211,036)	(-490,077)	(+467,698)
Overseas Contingency Operations/Global War on Terrorism.....	(254,000)	---	---	(-254,000)	---
(Fee Accounts).....	(1,910,505)	(2,474,723)	(2,474,723)	(+564,218)	---
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TITLE III - PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY					
National Protection and Programs Directorate					
Management and Administration:					
Administrative Activities.....	50,170	64,725	50,522	+352	-14,203

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	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Infrastructure Protection and Information Security:</b>					
<b>Infrastructure Protection:</b>					
Infrastructure Analysis and Planning.....	58,910	57,975	66,144	+7,234	+8,169
Sector Management and Governance.....	66,994	60,477	60,335	-6,659	-142
Regional Field Operations.....	56,362	56,708	56,550	+188	-158
Infrastructure Security Compliance.....	77,867	85,790	77,104	-763	-8,686
Subtotal, Infrastructure Protection.....	260,133	260,950	260,133	---	-817
<b>Cybersecurity and Communications:</b>					
<b>Cybersecurity:</b>					
Cybersecurity Coordination.....	3,982	4,338	4,320	+338	-18
US Computer Emergency Readiness Team (US-CERT) Operations.....	92,834	102,636	102,486	+9,652	-150
Federal Network Security.....	235,756	199,769	199,725	-36,031	-44
Network Security Deployment.....	328,680	406,441	382,367	+53,687	-24,074
Global Cybersecurity Management.....	25,929	19,057	19,037	-6,892	-20
Critical Infrastructure Cyber Protection and Awareness.....	62,685	73,043	73,013	+10,328	-30
Business Operations.....	6,205	5,125	5,089	-1,116	-36
Subtotal, Cybersecurity.....	756,071	810,409	786,037	+29,966	-24,372
<b>Communications:</b>					
Office of Emergency Communications.....	38,615	36,516	36,446	-2,169	-70
Priority Telecommunications Services.....	53,212	53,412	53,372	+160	-40
Next Generation Networks.....	24,475	21,160	21,158	-3,317	-2
Programs to Study and Enhance Telecommunications.....	12,917	10,102	10,074	-2,843	-28
Critical Infrastructure Protection Programs...	10,949	9,445	9,409	-1,540	-36
Subtotal, Communications.....	140,168	130,635	130,459	-9,709	-176
Subtotal, Cybersecurity and Communications....	896,239	941,044	916,496	+20,257	-24,548
Subtotal, Infrastructure Protection and Information Security.....	1,156,372	1,201,994	1,176,629	+20,257	-25,365
<b>Federal Protective Service:</b>					
Basic Security.....	271,540	271,540	271,540	---	---
Building-specific Security.....	509,056	509,056	509,056	---	---
Reimbursable Security Fees (Contract Guard Services).....	521,228	521,228	521,228	---	---
Subtotal, Federal Protective Service.....	1,301,824	1,301,824	1,301,824	---	---
Offsetting Collections.....	-1,301,824	-1,301,824	-1,301,824	---	---
Office of Biometric Identity Management.....	232,190	---	232,190	---	+232,190
Total, National Protection and Programs Directorate (gross).....	2,740,556	2,568,543	2,761,165	+20,609	+192,622
Offsetting Collections.....	(-1,301,824)	(-1,301,824)	(-1,301,824)	---	---
Total, National Protection and Programs Directorate (net).....	1,438,732	1,266,719	1,459,341	+20,609	+192,622
<b>Office of Health Affairs</b>					
BioWatch.....	85,305	90,609	79,534	-5,771	-11,075
National Biosurveillance Integration Center.....	12,987	8,000	13,000	+13	+5,000
Chemical Defense Program.....	1,998	824	824	-1,174	---
Planning and Coordination.....	5,402	4,995	4,995	-407	---
Salaries and Expenses.....	26,675	27,369	25,072	-1,603	-2,297
Total, Office of Health Affairs.....	132,367	131,797	123,425	-8,942	-8,372

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	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Federal Emergency Management Agency</b>					
<b>Salaries and Expenses:</b>					
Administrative and Regional Offices.....	257,152	240,735	229,213	-27,939	-11,522
Office of National Capital Region Coordination..	(4,289)	---	---	(-4,289)	---
Preparedness and Protection.....	178,868	293,684	174,766	-4,102	-118,918
Response.....	179,249	171,665	170,837	-8,412	-828
Urban Search and Rescue Response System.....	(35,145)	---	---	(-35,145)	---
Recovery.....	55,244	55,530	55,121	-123	-409
Mitigation.....	29,784	25,882	25,808	-3,976	-74
Mission Support.....	157,376	144,580	148,744	-8,632	+4,164
Centrally Managed Accounts.....	114,472	110,306	110,306	-4,166	---
Subtotal, Salaries and Expenses.....	972,145	1,042,382	914,795	-57,350	-127,587
(Defense).....	(57,942)	(77,000)	(67,000)	(+9,058)	(-10,000)
(Nondefense).....	(914,203)	(965,382)	(847,795)	(-66,408)	(-117,587)
<b>Grants and Training:</b>					
<b>State and Local Programs:</b>					
Discretionary State and Local Grants.....	188,743	---	1,264,826	+1,076,083	+1,264,826
State Homeland Security Grant Program.....	346,253	---	---	-346,253	---
Operation Stonegarden.....	(46,553)	---	---	(-46,553)	---
Urban Area Security Initiative.....	499,876	---	---	-499,876	---
Nonprofit Security Grants.....	(9,990)	---	---	(-9,990)	---
Public Transportation Security Assistance and Railroad Security Assistance.....	97,403	---	---	-97,403	---
Amtrak Security.....	(9,990)	---	---	(-9,990)	---
Port Security Grants.....	97,403	---	---	-97,403	---
Subtotal, Discretionary Grants.....	1,229,678	---	1,264,826	+35,148	+1,264,826
<b>Education, Training, and Exercises:</b>					
Emergency Management Institute.....	17,787	---	17,805	+18	+17,805
Center for Domestic Preparedness.....	64,926	---	64,991	+65	+64,991
National Domestic Preparedness Consortium.....	92,907	---	93,000	+93	+93,000
National Exercise Program.....	32,346	---	32,378	+32	+32,378
Continuing Training.....	26,973	---	27,000	+27	+27,000
Subtotal.....	234,939	---	235,174	+235	+235,174
National Preparedness Grant Program.....	---	1,043,200	---	---	-1,043,200
<b>First Responder Assistance Program:</b>					
Emergency Management Performance Grants.....	---	350,000	---	---	-350,000
Fire Grants.....	---	335,000	---	---	-335,000
Staffing for Adequate Fire and Emergency Response (SAFER) Act Grants.....	---	335,000	---	---	-335,000
Training Partnership Grants.....	---	60,000	---	---	-60,000
Subtotal, First Responder Assistance Program.....	---	1,080,000	---	---	-1,080,000
Subtotal, State and Local Programs.....	1,464,617	2,123,200	1,500,000	+35,383	-623,200
(Defense).....	(46,553)	---	---	(-46,553)	---
(Nondefense).....	(1,418,064)	(2,123,200)	(1,500,000)	(+81,936)	(-623,200)
Subtotal, State and Local Programs (net)....	1,464,617	2,123,200	1,500,000	+35,383	-623,200
<b>Firefighter Assistance Grants:</b>					
Fire Grants.....	337,163	---	337,500	+337	+337,500
Staffing for Adequate Fire and Emergency Response (SAFER) Act Grants.....	337,163	---	337,500	+337	+337,500
Subtotal.....	674,326	---	675,000	+674	+675,000

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	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
Emergency Management Performance Grants.....	349,650	---	350,000	+350	+350,000
Subtotal, Grants and Training.....	2,488,593	2,123,200	2,525,000	+36,407	+401,800
Radiological Emergency Preparedness Program.....	-1,443	-1,272	-1,272	+171	---
United States Fire Administration.....	43,956	41,306	42,162	-1,794	+856
Disaster Relief Fund:					
Base Disaster Relief.....	607,318	594,522	594,522	-12,796	---
Disaster Relief Category.....	6,400,000	5,626,386	5,626,386	-773,614	---
Subtotal, Disaster Relief Fund.....	7,007,318	6,220,908	6,220,908	-786,410	---
(transfer out to Inspector General).....	(-23,976)	(-24,000)	(-24,000)	(-24)	---
Subtotal, Disaster Relief Fund (net).....	6,983,342	6,196,908	6,196,908	-786,434	---
Flood Hazard Mapping and Risk Analysis Program.....	95,234	84,361	95,202	-32	+10,841
National Flood Insurance Fund:					
Salaries and Expenses.....	21,978	22,000	22,000	+22	---
Flood Plain Management and Mapping.....	148,851	154,300	154,300	+5,449	---
Subtotal.....	170,829	176,300	176,300	+5,471	---
Offsetting Fee Collections.....	-170,829	-176,300	-176,300	-5,471	---
National Predisastrer Mitigation Fund.....	24,975	---	22,500	-2,475	+22,500
Emergency Food and Shelter.....	119,880	100,000	120,000	+120	+20,000
Total, Federal Emergency Management Agency.....	10,750,658	9,610,885	9,939,295	-811,363	+328,410
(Appropriations).....	(4,350,658)	(3,984,499)	(4,312,909)	(-37,749)	(+328,410)
(Disaster Relief Category).....	(6,400,000)	(5,626,386)	(5,626,386)	(-773,614)	---
(Transfer out).....	(-23,976)	(-24,000)	(-24,000)	(-24)	---
=====	=====	=====	=====	=====	=====
Total, title III, Protection, Preparedness, Response and Recovery Directorate.....	12,321,757	11,009,401	11,522,061	-799,696	+512,660
Appropriations.....	(5,921,757)	(5,383,015)	(5,895,675)	(-26,082)	(+512,660)
Disaster Relief Category.....	(6,400,000)	(5,626,386)	(5,626,386)	(-773,614)	---
(Transfer out).....	(-23,976)	(-24,000)	(-24,000)	(-24)	---
=====	=====	=====	=====	=====	=====
TITLE IV - RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES					
United States Citizenship and Immigration Services					
Appropriations:					
E-Verify Program.....	111,812	114,213	114,213	+2,401	---
Immigrant Integration Programs.....	---	10,000	---	---	-10,000
Subtotal.....	111,812	124,213	114,213	+2,401	-10,000
Fee Accounts:					
Adjudication Services:					
District Operations.....	(1,313,702)	(1,510,836)	(1,536,880)	(+223,178)	(+26,044)
(Immigrant Integration Grants).....	(7,500)	---	---	(-7,500)	---
Service Center Operations.....	(524,788)	(550,653)	(578,393)	(+53,605)	(+27,740)
Asylum, Refugee and International Operations....	(196,584)	(236,494)	(236,710)	(+40,126)	(+216)
Records Operations.....	(86,774)	(94,039)	(94,039)	(+7,265)	---
Business Transformation.....	(269,216)	(183,464)	(183,464)	(-85,752)	---
(Digitization Program).....	(29,000)	---	---	(-29,000)	---
Subtotal.....	2,391,064	2,575,486	2,629,486	+238,422	+54,000
Information and Customer Services:					
Operating Expenses.....	(89,011)	(96,409)	(96,409)	(+7,398)	---
Administration:					
Operating Expenses.....	(382,334)	(339,421)	(339,421)	(-42,913)	---



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	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
Systematic Alien Verification for Entitlements (SAVE).....	(20,048)	(29,937)	(29,937)	(+9,889)	---
Subtotal, Fee Accounts.....	2,882,457	3,041,253	3,095,253	+212,796	+54,000
H1-B Visa Fee Account:					
Adjudication Services:					
Service Center Operations.....	---	(13,000)	---	---	(-13,000)
H1-B and L Fraud Prevention Fee Account:					
Adjudication Services:					
District Operations.....	---	(26,044)	---	---	(-26,044)
Asylum and Refugee Operating Expenses.....	---	(216)	---	---	(-216)
Service Center Operations.....	---	(14,740)	---	---	(-14,740)
Subtotal.....	---	41,000	---	---	-41,000
Total, Fee Accounts.....	2,882,457	3,095,253	3,095,253	+212,796	---
Total, United States Citizenship and Immigration Services.....	(2,994,269)	(3,219,466)	(3,209,466)	(+215,197)	(-10,000)
Appropriations.....	(111,812)	(124,213)	(114,213)	(+2,401)	(-10,000)
Fee Accounts.....	(2,882,457)	(3,095,253)	(3,095,253)	(+212,796)	---
(Immigration Examination Fee Account).....	(2,834,907)	(3,041,253)	(3,041,253)	(+206,346)	---
(H1-B Visa Fee Account).....	(12,550)	(13,000)	(13,000)	(+450)	---
(H1-B and L Fraud Prevention Fee Account).....	(35,000)	(41,000)	(41,000)	(+6,000)	---
Federal Law Enforcement Training Center					
Salaries and Expenses:					
Law Enforcement Training.....	197,806	210,818	198,317	+511	-12,501
Management and Administration.....	29,134	28,420	28,228	-906	-192
Accreditation.....	1,299	1,306	1,300	+1	-6
Subtotal.....	228,239	240,544	227,845	-394	-12,699
Acquisitions, Construction, Improvements, and Related Expenses.....	28,357	30,885	30,885	+2,528	---
Total, Federal Law Enforcement Training Center..	256,596	271,429	258,730	+2,134	-12,699
Science and Technology					
Management and Administration.....	131,868	129,608	129,000	-2,868	-608
Research, Development, Acquisition, and Operations:					
Research, Development, and Innovation.....	450,104	467,000	---	-450,104	-467,000
Apex R&D.....	---	---	15,013	+15,013	+15,013
Border Security.....	---	---	31,580	+31,580	+31,580
Chem/Bio/Radiological/Nuclear/Explosives Defense	---	---	194,294	+194,294	+194,294
Counterterrorist R&D.....	---	---	24,561	+24,561	+24,561
Cyber Security.....	---	---	70,829	+70,829	+70,829
Disaster Resilience.....	---	---	130,723	+130,723	+130,723
Subtotal, Research, Development and Innovation	450,104	467,000	467,000	+16,896	---
Laboratory Facilities.....	164,767	857,785	547,785	+383,018	-310,000
Acquisition and Operations Support.....	47,936	41,703	41,703	-6,233	---
University Programs.....	39,960	31,000	40,000	+40	+9,000
Subtotal.....	702,767	1,397,488	1,096,488	+393,721	-301,000
Total, Science and Technology.....	834,635	1,527,096	1,225,488	+390,853	-301,608
Domestic Nuclear Detection Office					
Management and Administration.....	39,610	37,510	37,353	-2,257	-157

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	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
Research, Development, and Operations:					
Systems Engineering and Architecture.....	29,970	21,222	21,222	-8,748	---
Systems Development.....	27,972	21,243	21,243	-6,729	---
Transformational Research and Development.....	74,691	75,291	75,291	+600	---
Assessments.....	32,967	39,918	39,918	+6,951	---
Operations Support.....	35,465	30,835	30,835	-4,630	---
National Technical Nuclear Forensics Center.....	25,538	22,701	22,701	-2,837	---
Subtotal.....	226,603	211,210	211,210	-15,393	---
Systems Acquisition:					
Radiation Portal Monitor Program.....	1,354	7,000	7,000	+5,646	---
Securing the Cities.....	21,978	22,000	22,000	+22	---
Human Portable Radiation Detection Systems.....	28,072	13,600	13,600	-14,472	---
Subtotal.....	51,404	42,600	42,600	-8,804	---
Total, Domestic Nuclear Detection Office.....	317,617	291,320	291,163	-26,454	-157
Total, title IV, Research and Development, Training, and Services.....	1,520,660	2,214,058	1,889,594	+368,934	-324,464
(Fee Accounts).....	(2,882,457)	(3,095,253)	(3,095,253)	(+212,796)	---
=====					
TITLE V - GENERAL PROVISIONS					
USCIS Immigrant Integration Grants.....	2,498	---	---	-2,498	---
NSSE Reimbursement Fund.....	4,995	---	---	-4,995	---
Data Center Migration.....	54,945	---	34,200	-20,745	+34,200
DHS Consolidated Headquarters Project.....	28,971	---	---	-28,971	---
Community Disaster Loans.....	12,987	---	---	-12,987	---
Rescission of NPPD IPIS Unobligated Balances.....	-1,683	---	---	+1,683	---
Working Capital Fund (rescission)(defense).....	---	---	-9,000	-9,000	-9,000
Working Capital Fund (rescission)(nondefense).....	---	---	-241,000	-241,000	-241,000
Visa Lottery Fee.....	---	-50,000	-50,000	-50,000	---
Analysis and Operations (rescission).....	-1,800	---	---	+1,800	---
CBP BSFIT (rescission).....	-73,232	---	---	+73,232	---
ICE Construction (rescission).....	-9,516	---	---	+9,516	---
TSA Surface Transportation (rescission).....	-21,667	---	---	+21,667	---
U.S. Coast Guard AC&I (rescission)(P.L. 111-83).....	---	-14,500	-14,500	-14,500	---
U.S. Coast Guard AC&I (rescission)(P.L. 112-10).....	---	-9,000	-21,612	-21,612	-12,612
U.S. Coast Guard AC&I (rescission)(P.L. 112-74).....	---	-18,500	-41,000	-41,000	-22,500
U.S. Coast Guard AC&I (rescission)(P.L. 113-6).....	---	---	-32,479	-32,479	-32,479
U.S. Coast Guard AC&I (rescission).....	-154,500	---	---	+154,500	---
Treasury Asset Forfeiture Fund (rescission).....	---	---	-100,000	-100,000	-100,000
Predisaster Mitigation Fund (rescission).....	-12,000	---	---	+12,000	---
Rescission of Legacy Funds.....	-7,680	---	---	+7,680	---
Rescission of Unobligated Balances.....	-24,922	---	---	+24,922	---
=====					
Total, title V, General Provisions.....	-202,604	-92,000	-475,391	-272,787	-383,391
Appropriations.....	(104,396)	(-50,000)	(-15,800)	(-120,196)	(+34,200)
Rescissions.....	(-307,000)	(-42,000)	(-459,591)	(-152,591)	(-417,591)
=====					
TITLE ____ - OTHER APPROPRIATIONS					
Disaster Relief Appropriations Act, 2013 (P.L. 113-2).					
Customs and Border Protection					
Salaries and Expenses (emergency).....	1,667	---	---	-1,667	---
Immigration and Customs Enforcement					
Salaries and Expenses (emergency).....	855	---	---	-855	---

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	FY 2013 Enacted	FY 2014 Request	Bill	Bill vs. Enacted	Bill vs. Request
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United States Coast Guard					
Acquisitions, Construction and Improvements (emerg.)..	274,233	---	---	-274,233	---
United States Secret Service					
Salaries and Expenses (emergency).....	300	---	---	-300	---
Federal Emergency Management Agency					
Disaster Relief Fund (disaster relief category).....	5,379,000	---	---	-5,379,000	---
Disaster Relief Fund (emergency).....	6,108,735	---	---	-6,108,735	---
Disaster Assistance Direct Loan Program Account:					
Direct Loan Subsidy (emergency).....	296,000	---	---	-296,000	---
Administrative Expenses (emergency).....	4,000	---	---	-4,000	---
Science and Technology					
Research, Development, Acquisition and Operations (emergency).....	3,249	---	---	-3,249	---
Domestic Nuclear Detention Office					
Systems Acquisition (emergency).....	3,869	---	---	-3,869	---
Total, title ___ - Other Appropriations.....	12,071,908	---	---	-12,071,908	---
<hr/>					
Grand Total.....	59,752,935	46,114,107	46,079,222	-13,673,713	-34,885
Appropriations.....	(41,334,027)	(40,529,721)	(40,912,427)	(-421,600)	(+382,706)
Rescissions.....	(-307,000)	(-42,000)	(-459,591)	(-152,591)	(-417,591)
Emergency appropriations.....	(6,692,908)	---	---	(-6,692,908)	---
Overseas Contingency Operations/Global War on Terrorism.....	(254,000)	---	---	(-254,000)	---
Disaster Relief Category.....	(11,779,000)	(5,626,386)	(5,626,386)	(-6,152,614)	---
(Fee Funded Programs).....	(4,792,962)	(5,569,976)	(5,569,976)	(+777,014)	---
(by transfer).....	(23,976)	(24,000)	(24,000)	(+24)	---
(transfer out).....	(-23,976)	(-24,000)	(-24,000)	(-24)	---

Mr. PRICE of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the fiscal year 2014 Department of Homeland Security appropriations bill and am pleased that we're bringing this bill to the House floor under an open rule. I want to commend Chairman CARTER for the open, collaborative, and bipartisan process he has led this spring. There's a long history of bipartisan cooperation on this subcommittee that's critical for allowing us to focus on the Nation's domestic security needs.

The funding allocation provided to the subcommittee hews closely to the overall spending figure requested by the President for the Department of Homeland Security, but I don't believe either number is fully adequate to provide DHS with the resources it needs to help keep the Nation safe. We have been able to fill a number of significant holes in the President's budget request, but that has necessitated creating some shortfalls in other areas.

I want to make clear, however, that my support of Chairman CARTER's efforts are in no way an endorsement of the overall discretionary spending caps adopted by the majority in the House budget resolution. Sequestration was intended to be a mechanism to force the parties to come together to address our long-term fiscal challenges. It was never meant, in itself, to be a tool for deficit reduction, and it certainly was never meant to be the basis for a discretionary spending cap on a budget resolution.

While not quite sufficient, our allocation is still better than most of the other domestic appropriations bills, which will struggle to appropriately fund critical priorities, such as medical and energy research, law enforcement and the justice system, and investments in education and infrastructure. Our Homeland Security bill is not the only bill that deals with our country's strength and security, and the allocations provided to these other subcommittees by the Ryan budget will put that strength and security at grave risk.

That being said, and given the low 302(b) allocation this subcommittee had to work with, I applaud the chairman and the staff for addressing a number of Democratic priorities, including first responder and antiterrorism grants, as well as providing increases above the request for frontline DHS employees so that they can continue to conduct critical operations along our borders, protect our Nation's airports, seaports, and land ports of entry, and respond to natural disasters across the country.

Right before last year's markup, we were reminded of the threats facing our Nation when the intelligence community thwarted an attempt to place a nonmetallic improvised explosive de-

vice on an aircraft bound for the United States.

This year, following the terrorist attacks in Boston, we're forced to confront the tragic reality that these threats remain constant, that terrorists remain determined to attack the homeland and they will devise more and more perverse ways to kill and harm innocent people. This requires DHS and the intelligence community and local first responders to remain vigilant and to strive continually to optimize their scarce resources. That's why I'm pleased this bill increases funding for critical grant programs, while once again rejecting the administration's insufficiently articulated proposal to reengineer the grant structure, a proposal that has not been authorized.

Specifically, the bill includes \$1.5 billion for FEMA State and local grants, an increase of \$35 million over the FY13 appropriated level, and it keeps both fire grants and emergency performance grants level with FY13. The bill also doubles the requested funding for the Office of Bombing Prevention to accelerate planning, training, and awareness programs to help detect and respond to IEDs and other explosive devices.

Equally important, the bill provides a \$16.9 million increase in funding for research and development efforts at the Science and Technology Directorate. When you combine this funding with what was included in the final FY13 bill, we've made significant progress since FY12, providing funding for high-priority research efforts and some new projects, as well.

The bill also provides substantial funding—\$404 million—for construction of the National Bio and Agro-Defense Facility, a laboratory that's essential to our ability to help prevent and respond to animal disease threats.

The bill also increases funding for critical Coast Guard and CBP air and marine acquisitions to recapitalize aging assets while also bringing the latest aviation and vessel technologies online to ensure our frontline personnel can operate more effectively, improving on the administration's request on each of those fronts.

□ 1300

I am also pleased that the bill provides funding for an additional 1,600 Customs and Border Protection officers requested by the administration and for substantially strengthened cybersecurity protective efforts. These efforts are absolutely necessary to monitor and detect intrusions to our Federal networks and protect them from foreign espionage and cyber attacks.

Finally, I commend Chairman CARTER for providing the requested amount, \$6.22 billion, for the Disaster Relief Fund, which will ensure that there are sufficient disaster relief resources moving into the coming fiscal

year. And I echo the chairman's pledge of support for Representative TOM COLE, for his constituents and the other people of Oklahoma to fully address their needs.

I also want to remind my colleagues, however, that should emergency disaster relief funding become necessary beyond what we have budgeted, Congress must respond immediately and effectively, without distracting fights over budget policy.

I do have some concerns with the bill, notably, some of the immigration provisions. The bill once again sets an arbitrary minimum of 34,000 ICE detention beds, denying ICE the flexibility it needs to manage its enforcement and removal resources in response to changing circumstances and to use cheaper, alternative forms of supervision when appropriate.

The bill also unnecessarily and wastefully continues the 287(g) program, which was designed to secure local law enforcement participation in immigration enforcement. In addition to being seriously flawed, this program has become obsolete with the full implementation of the Secure Communities program.

I also must note my concern with some of the withholdings in the bill. I understand the need to give incentives to the Department to respect reporting deadlines established by the committee, but I hope we can temper some of these withholdings as we move through the process, as they have the potential to seriously undermine the Department's management functions.

The bill also provides no funding for the new DHS headquarters, despite \$105 million in the request. We have been told repeatedly by the administration that deferring these investments will greatly increase the project's costs and eventually it's bound to affect frontline operations, and I believe they're correct on both counts.

I also want to note my strong objection to three general provisions related to abortion services for detainees that were added to the bill in full committee. While they have no impact on ICE policies, they unnecessarily interject a divisive issue into the bill, distracting us from what should be our focus and straying far outside the lines of the jurisdiction of the Appropriations Committee.

So while I support the bill as reported to the House by the Appropriations Committee and believe it represents an improvement over the budget request, it still falls short of the bill I believe we would want to craft were we operating under a more adequate allocation.

Let me also express the hope, going into this debate, that this year we can avoid loading the bill up here on the floor with controversial and unnecessary policy riders. There will be a time

and place to debate immigration reform, and the Homeland Security appropriations bill should not be caught up in that process.

In closing, I, too, want to express my appreciation for the hardworking and dedicated staff on both sides of the aisle. In the course of just 2 months, they have diligently wrapped up the fiscal 2013 bill, digested and analyzed the President's fiscal 2014 request, and crafted the bipartisan measure before us. Thanks to Ben Nicholson, Kris Mallard, Corenell Teague, Valerie Baldwin, Pam Williams, and Hilary May on the majority side, and of course, Darek Newby and Justin Wein on our side of the aisle.

With that, I urge approval of the bill, and I reserve the balance of my time.

Mr. CARTER. Mr. Chairman, at this time I yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS), the chairman of the Appropriations Committee, who is the former founding chairman of this subcommittee and a former great prosecutor from the State of Kentucky.

Mr. ROGERS of Kentucky. I thank the chairman for yielding me the time.

Mr. Chairman, I rise in support of this bill.

First, I'd like to thank our colleagues for their careful consideration yesterday of the Military Construction and Veterans Affairs appropriations bill, which, as you know, passed overwhelmingly in the House. There were only four Members who voted against that bill, and I'd like to ask all of the supporters of that bill to continue on this bill today. It's a very conscientious piece of legislation that I believe can and should pass this body on a bipartisan basis.

The bill before you, as the chairman and the ranking member have said, provides \$38.9 billion for the Department of Homeland Security. In such austere budget times, this bill rightly prioritizes spending on programs that save American lives. Frontline protection, terrorism prevention and response, disaster recovery, and a strong and secure border, all of these are paramount to the safety and security of our homeland.

Mr. Chairman, we are constantly reminded that we can't let our frontline security efforts lapse. The terrible attack at the Boston Marathon underscored the need to support key readiness programs, provide heroic first responders with the funding and equipment they deserve, and improve intelligence and threat-targeting activities so we can help avoid terrible attacks like Boston in the future.

With this bill, we are tightening security at our borders with funding increases for Customs and Border Protection and ICE that preserve the highest totals of Border Patrol agents and CBP officers and the highest detention bed capacity in history. We've targeted

funding to combat human trafficking, child exploitation, cyber crime, and drug smuggling. And we're protecting our shores and access points with adequate funding for the Coast Guard and TSA.

This bill also fully supports the known requirements from the FEMA Disaster Relief Fund, which provides assistance to localities overwhelmed by catastrophic natural disasters like the recent tornadoes in the Midwest. Our thoughts and prayers continue to be with the victims of those disasters that have ravaged our Nation, like Oklahoma.

To that end, this bill provides an additional \$6.2 billion for that Disaster Relief Fund. That's for fiscal 2014. Right now, though, as the chairman has said, combined with the approximately \$11 billion kitty that FEMA has on hand, there is sufficient funding for the immediate response needs in Oklahoma and other affected areas.

Our committee stands at the ready to reassess any further needs as a fuller picture of the damage becomes clear. It's our duty as Members of Congress to provide this critical assistance to communities that are suffering from such unexpected and devastating natural disasters.

Mr. Chairman, strong national security comes at a price. And as we all know, tax dollars for these programs are in limited supply these days, so we can't let any of the funding that we appropriate to the Department of Homeland Security go to unproven or wasteful programs. Across the Department, we've made careful reductions that bring total funding in this bill to \$617 million less than the fiscal year 2013 enacted level. We've enforced strict reporting requirements and other oversight tools to guarantee that DHS is spending its dollars wisely, and we've prevented funding from being used on risky or controversial efforts like transferring detainees from Guantanamo Bay or another Fast and Furious-type program.

Before I conclude, let me extend my appreciation to Chairman CARTER and Ranking Member PRICE, former chairman of the subcommittee, for their hard work in crafting this bill. As has been said by both sides, this is a non-partisan bill. It always has been that way.

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We've attempted to work from the very beginning of this subcommittee's existence to work across the aisle, to be sure that the homeland is adequately protected. That takes cooperation across the middle aisle, and it's happened over the years, and it's happened this year. And I want to thank these two gentlemen, especially, for working together, as they have.

This is JOHN CARTER's first bill as a cardinal. He's making his maiden voy-

age, and I think the ship is sailing through. He says he hopes so.

And we want to thank, of course, the staff of the subcommittee for their tireless hours dedicated towards crafting this bill of great importance to our national security.

So I'm proud to say, Mr. Chairman, that I stand before you in 100 percent support of this bill. It represents all that makes our country great and the security that will keep our country great. And I urge our colleagues to support this bill.

Mr. PRICE of North Carolina. Mr. Chairman, I'm pleased to yield 3 minutes to the gentlewoman from New York (Mrs. LOWEY), the distinguished ranking member of the full committee.

Mrs. LOWEY. Mr. Chairman, I want to share the very gracious remarks on the part of the chair of the full committee, the chair of the subcommittee, the outstanding ranking member, and all the staff for the important work you did on this bill.

Over the past year, we have experienced the devastation of Hurricane Sandy, heartbreak in Moore, Oklahoma, tragic acts of terror in Boston. Disasters, natural or manmade, pose risks to our communities, which must be matched with the resources of the Federal Government and, in particular, the Department of Homeland Security.

The bill before us, which is approximately \$35 million below the administration's request, does a good job of meeting these tasks, yet inadequately funds other programs such as operational accounts, which face cuts so severe that they cannot realistically be implemented.

I do thank the chairman and ranking member for including several priorities, providing \$1.5 billion for FEMA State and local grants which were underfunded in the request, prioritizing high-risk areas in our grant programs, continuing the Securing the Cities program to prevent radiological or nuclear attacks, making needed investments in cybersecurity, and including language to help stem sexual assault in the Coast Guard, which has become a significant and outrageous problem in the military.

However, the bill before us ignores the dangerous impact of sequestration, putting off difficult choices that must be made if we are to enact responsible spending bills for FY14.

With the majority's unworkable 302(a) allocation, which is \$92 billion below the President's request, and less than the amounts agreed to under the Budget Control Act, this is one of the few bills that will have sufficient funding to garner bipartisan support.

The budget resolution and appropriations process under way harm our ability to invest in education, medical research, transportation infrastructure, energy development, all of which we need to grow our economy and build a competitive workforce for the future.

I was very proud to serve on the Homeland Security Subcommittee and appreciate, again, the chairman and ranking member's efforts, as well as the professional staff, in writing this bill. This subcommittee has a history of working across the aisle; and if we avoid poison pill riders during this debate, we will likely pass a bipartisan bill to provide responsible funding levels for the agencies tasked with vital security functions.

Mr. CARTER. Mr. Chairman, at this time I yield 3 minutes to my colleague from the great State of Texas, (Mr. MCCAUL), the chairman of the full Committee on Homeland Security.

Mr. MCCAUL. Mr. Chairman, let me thank my dear friend and colleague from Texas, the great State, Judge CARTER, and commend him for a fine job on this legislation.

The recent Boston attacks serve as a stark reminder that the terrorist threat to America remains constant. Despite the President's dangerous narrative downplaying the radical jihadist threat to America, al Qaeda and its affiliates and those they inspire have not given up their quest to attack us.

In today's challenging fiscal climate, it is more important than ever that every dollar spent on national security be linked to results. Our safety depends on the strategic funding of programs and technologies that provide us with valuable defenses and measurable outcomes. This bill demands that those criteria be met.

As chairman of the Committee on Homeland Security, I'm pleased to see that this bill provides appropriate funding for our frontline efforts, reins in wasteful spending, and ensures that tax dollars are accounted for by enacting important reporting requirements for the Department.

I will soon introduce a cybersecurity bill defining the Department's role in ensuring the real-time flow of information to protect our Nation's critical infrastructure, data, intelligence, and financial systems. This bill provides the necessary funding needed for DHS to fulfill its important cybersecurity mission.

I recently introduced H.R. 1417, the Border Security Results Act, requiring DHS to implement a strategy to gain operational control of our borders. The appropriations bill presented here today supports a strong commitment to secure our borders by providing over \$350 million to the Border Technology account and supports the refinement and adaptation of proven technology needed to monitor the border and support our boots on the ground.

The bill provides for an additional 800 CBP officers, \$387 million for ICE operations, and funding for ICE's 34,000 detention beds, despite the administration's plan to reduce that number and release hundreds of dangerous criminals into our communities.

It also restores cuts to our Coast Guard, which will strengthen our interdiction efforts in the Western Hemisphere.

And, finally, the bill applies lessons learned from the recent Boston attacks. For example, the bill rejects the President's proposed 39 percent cut to Bombing Prevention programs, and increases funding for visa security and overstay enforcement programs by \$10 million.

This bill reflects the right priorities and insists on accountability from DHS. It will help to ensure that America is safe, secure, and protected; and I urge my colleagues to support this bill.

Mr. PRICE of North Carolina. Mr. Chairman, I'm now pleased to yield 3 minutes to the gentlewoman from California (Ms. ROYBAL-ALLARD), an outstanding member of our subcommittee.

Ms. ROYBAL-ALLARD. I thank Chairman CARTER and Ranking Member PRICE for their bipartisan efforts in the drafting of this bill.

Unfortunately, with the refusal of the House leadership to go to conference on the budget, this year's appropriations process will be at the expense of essential funding for critical programs such as education, research, transportation, and infrastructure.

Nonetheless, this bill will help make our Nation stronger and more secure. It robustly funds grants to provide our first responders with the resources they need to protect the public when disaster strikes.

The bill also funds the highly effective Alternatives to Detention program at \$24 million above the President's request. While I believe ATD should be significantly expanded, I was pleased to see the increased allocation for this proven program.

In addition, the bill provides a \$16.9 million increase in funding for the Science and Technology Directorate, which will enable DHS to develop new tools to detect and deter terrorists before they attack.

However, there are still aspects of the bill that are of concern. For example, the bill continues to mandate that every night ICE maintain 34,000 detention beds, even when they are not needed. This needless quota restricts ICE's flexibility in using the smartest, most cost-effective means of enforcing our immigration laws by limiting ICE's ability to base detention decisions on whether or not an individual poses a threat to our country.

□ 1320

The bill also increases funding for the ineffective and unnecessary 287(g) program, which encourages racial profiling and undermines confidence in law enforcement in our minority and immigrant communities. These scarce resources could be better spent addressing serious threats like cyber warfare and cyber crime. Instead, the bill

underfunds this critical national priority by more than \$24 million below the President's request.

In spite of these weaknesses and given the limited resources allocated to the subcommittee, I do believe Chairman CARTER and Ranking Member PRICE have done their best to enable DHS to protect the American people in an increasingly dangerous world. For that reason, I support the bill in its current form. However, I understand some Members will try to pass anti-immigrant amendments, which would make it impossible for me to support this bill. These efforts are contrary to the bipartisan spirit in which this bill was written and the bipartisan spirit in which this House has always approached issues of national security. If introduced, I urge my colleagues to reject these irresponsible amendments.

Again, I thank Chairman CARTER, Ranking Member PRICE, and the subcommittee's hardworking staff for putting together this bill.

Mr. CARTER. Mr. Chairman, at this time I yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT), a former chairman of this subcommittee and currently chairman of the Appropriations Committee's Subcommittee on Agriculture.

Mr. ADERHOLT. I rise today also in support of the FY 2014 appropriations bill for the Department of Homeland Security. I want to commend Chairman CARTER and also Ranking Member PRICE for their hard work in making sure that they set up the right priorities during a very difficult budget time here in this Nation.

The bill provides the resources that are needed to meet our most essential obligations, while at the same time maintaining fiscal responsibility and also greater oversight. It is \$617 million below last year's spending level. As has been mentioned, the bill rejects the administration's proposed reductions to CBP operations and the Coast Guard and increases funding for critical programs such as the TSA Secure Flight Program and the FEMA first responder grants.

The bill maintains the needed number of beds for ICE detention. It also includes a substantial amount of funding for NBAF. This important asset provides our Nation with critical capabilities to conduct research and develop vaccines and other countermeasures in a time when we would most need it.

Again, I want to congratulate Chairman CARTER and Ranking Member PRICE for their hard work on this bill. I would urge my colleagues that this is a good bill and a measure that should have their support.

Mr. PRICE of North Carolina. Mr. Chairman, I yield 3 minutes to another outstanding subcommittee member, Mr. CUELLAR of Texas.

Mr. CUELLAR. I rise in support of this appropriations bill, which includes

the hiring of 1,600 new CBP officers. Those are the men and women in blue that man our ports of entry. These 1,600 CBP officers will be a huge and historic step in addressing the congested ports of entries. And I thank Chairman CARTER and Ranking Member PRICE for their leadership and a bipartisan approach to this very important issue.

In FY 2012, CBP processed more than 350 million travelers and facilitated \$2.3 trillion worth of trade at ports of entry. America's ports of entry are vital hubs of economic activity. As high volumes of goods and persons move through our ports of entry, port security is an urgent priority. Therefore, this new increase of CBP officers will achieve the goal of facilitating trade and travel and boost economic development.

The southern border is one of the fastest-growing regions in North America. In fact, every day there's \$1.2 billion of trade between the U.S. and Mexico. My hometown of Laredo handles about 45 percent of all the trade between the U.S. and Mexico. In fact, every day about 12,000 commercial trucks cross the bridges in Laredo. These 1,000 men and women in blue will help facilitate trade and travel at our ports of entry and will help our economy. Again, I want to thank both the chairman and ranking member for this effort.

We also have to do some enhancements to infrastructure at our critical ports. That's also very necessary. If we limit the Federal funding at our ports of entry, we need to be innovative and think outside the box. In fact, it's essential that the Federal Government explore the use of public-private partnerships, which allows the Federal agencies to partner up with local governments and private stakeholders to help fund the land port, seaport, or airport infrastructure projects. These innovative financing mechanisms, with the proper safeguards that we will add, will adequately staff, supply, construct, and rehab our ports of entry and, in turn, will make our ports more secure and more efficient.

I've been working with my colleagues, both the Democrats and Republicans, to encourage the use of public-private partnerships. In fact, I reached out to our colleague in the Senate from the Homeland Security Subcommittee, the chairwoman, MARY LANDRIEU, and she supports this particular concept. I look forward to working with my good friend, the judge from Texas. Both he and I agree that these are not Federal handouts but they actually allow the local government to partner up with the Federal Government and allow us to make our ports more efficient, more effective. I look forward to working with you, Chairman CARTER, and with Ranking Member PRICE and the staff as we address this conference committee.

I ask you to support this bill.

Mr. CARTER. Mr. Chairman, I yield 1 minute to the distinguished member of our subcommittee, the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. I rise in support of the 2014 Department of Homeland Security appropriations bill being debated this afternoon. I certainly want to applaud the chairman of the full committee, Mr. ROGERS, and certainly the chair of the subcommittee, Mr. CARTER, as well as Ranking Member PRICE and the ranking member of the full committee, Mrs. LOWEY, for carefully piecing together a bill that appropriately addresses the evolving threats that face our Nation. This bill strikes a proper balance of fiscal responsibility while fulfilling the mission of vital security programs and providing the resources to enforce current law.

Regarding fiscal restraint, we're considering a bill today that provides for a reduction in the Department's annual budget by \$613 million, eliminating ineffectual programs. Yet the legislation was crafted in such a way that agencies and programs will receive the resources and flexibility they need to meet the security needs facing communities across the country day in and day out.

For example, in the wake of the Boston bombings this spring, the bill before us restores DHS' Bombing Prevention program and increases counter-IED training. The Disaster Relief Fund, or the DRF, is robustly funded and will meet the disaster needs of Oklahoma, as well as those who were affected by the hurricanes in the Northeast, such as Hurricane Sandy.

The Acting CHAIR (Mr. HULTGREN). The time of the gentleman has expired.

Mr. CARTER. I yield the gentleman an additional 30 seconds.

Mr. DENT. The FEMA first responder grants, including fire grants, will receive a 20 percent increase. Further, these SAFER grants will continue to provide additional flexibility to allow communities to use grants to retain or rehire firefighters facing layoffs. As an aside, I want to thank again Ranking Member PRICE as well as Chairman ROGERS for working with me on this critical issue once again.

The bottom line is this is a smart, responsible bill that practices fiscal restraint while addressing our most pressing needs in securing our homeland. I urge support of the underlying bill.

Mr. PRICE of North Carolina. Mr. Chairman, may I inquire as to the remaining time?

The Acting CHAIR. The gentleman from North Carolina has 12 minutes remaining. The gentleman from Texas has 10 minutes remaining.

Mr. PRICE of North Carolina. At this time I have no further requests for time, and I reserve the balance of my time.

Mr. CARTER. At this time I yield 2 minutes to a very distinguished mem-

ber of our subcommittee from the great State of Tennessee (Mr. FLEISCHMANN).

Mr. FLEISCHMANN. Mr. Chairman, I rise in support of the fiscal 2014 Homeland Security appropriations bill.

First, I would like to thank Chairman CARTER and the subcommittee staff for all the work that they have done in preparation for this legislation.

□ 1330

This bill is a perfect example of what happens when real time and thought is put into how taxpayer dollars will be spent.

As I have often said, budgeting is about prioritization, and this is exactly what this bill does. The legislation before us today exercises fiscal discipline. As a whole, we will reduce discretionary spending, while ensuring that programs vital to our national security are properly supported.

This bill also recalibrates the President's pernicious budget proposals for the Department of Homeland Security to ensure that we are getting the most out of every taxpayer dollar. We must ensure the protection of Americans by strengthening security at and within our borders.

By streamlining select programs within DHS and implementing stringent oversight, Chairman CARTER and committee staff, with help from Ranking Member PRICE, have produced a bill that adequately funds our highest security priorities and eliminates waste, fraud, and abuse.

Again, I thank the subcommittee for their diligence in crafting this legislation that pays equal heed to the protections of our taxpayer dollars and the security of our citizens.

Mr. PRICE of North Carolina. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CARTER. Mr. Chairman, at this time I'd like to yield 2 minutes to the gentleman from California (Mr. HUNTER), who is the chairman of the Coast Guard and Maritime Subcommittee of the full committee.

Mr. HUNTER. I thank the gentleman for yielding.

As the chairman of the Subcommittee on Coast Guard and Maritime Transportation, it is my pleasure to rise today in very strong support of H.R. 2217.

Earlier this year, the President released a fiscal year 2014 budget that would cut funding for the Coast Guard by nearly 10 percent below current levels. This is the second year in a row that this President has asked the Coast Guard to sacrifice mission readiness and success to pay for his questionable spending at other agencies.

The President's budget would slash the service's acquisitions budget by 42 percent below current levels and would severely undermine efforts to recapitalize the service's aging and failing



legacy assets, increase acquisition costs for taxpayers, and seriously degrade mission effectiveness. The President's proposed budget points to a future in which a downsized Coast Guard would fail to be able to accomplish even its most basic missions, and the cost could be measured in lives. Fortunately, the bill Chairman CARTER has put before us totally rejects the massive cuts proposed by the President and ensures the Coast Guard is provided with the resources needed to carry out its very critical missions.

I want to thank Chairman CARTER, Ranking Member PRICE, and staff for their tremendous efforts and for their commitment to the men and women of the Coast Guard and the safety of the maritime community.

Mr. PRICE of North Carolina. Mr. Chairman, at this time I'd like to yield 3 minutes to our distinguished colleague from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Thank you, Ranking Member PRICE.

First, let me commend both Chairman CARTER and Ranking Member PRICE on a strong, bipartisan bill. But let me especially recognize their leadership for adding language to this legislation to protect our most vulnerable constituents—our children.

This language that I refer to will effectively fence off \$20 million in funds for child exploitation investigations and forensics within Immigration and Customs Enforcement's Child Exploitation Investigations Unit at the Department of Homeland Security.

Mr. Chair, there is no question that our children need our support now more than ever. With the proliferation of the Internet and wireless technology, the spread of child pornography online must be addressed now. We don't have a moment or an opportunity to waste.

The Department of Justice estimates that at any moment there are more than 1 million pornographic images of children on the Internet—think about that, 1 million—with an additional 200 images being posted every day, and more than one-third of the world's pedophiles involved in organized pornography rings worldwide live in the United States.

The Internet allows these images to be disseminated indefinitely, victimizing that child again and again with each click of the mouse. Because let's not forget that these aren't just heinous images, they are crime scene photos. Every face in those photographs is the face of a child who needs our support in order to escape a living hell of constant abuse and exploitation.

Since the 1970s, before we even had a Federal child pornography statute, ICE—which was then called the U.S. Customs Service—was a leader in the fight to protect our children. That is still true today. Last year, there were

more than 1,600 criminal arrests relating to child exploitation, and 2,600 worldwide investigations were launched, setting new records for Homeland Security investigations. Already this year, there have been 1,382 criminal arrests relating to child exploitation. Their efforts are second to none, and I know they will continue to put these resources to good use.

But for every child rescued, hundreds more remain trapped in a current of abuse, the horrors of which none of us can truly imagine. We need the absolute best personnel going into the fight to rescue these children. That's why it's my hope that some of these funds will be used to employ our wounded warriors, in addition to the experienced agents already fighting these battles. And I thank the chairman and ranking member for adding report language in the bill to encourage the hiring of these valued veterans.

Our armed services have already protected us abroad, so naturally our veterans are a perfect choice to protect our most precious resources at home. In fact, retired Army Master Sergeant Rich Robertson is already fighting child exploitation at the ICE field office in Tennessee. In his words, "Who better to hunt child predators than someone who's already hunted men?"

I am enthusiastic about this initiative because I know of the immense skills and motivation of our returning servicemen and -women, and the skills that they possess could be the key to our most successful affront on child exploitation yet. Child predators won't stand a chance.

By harnessing the abilities of our wounded warriors, we not only ensure that their skills, dedication, and drive are put to good use back at home, we give them the most dignifying thank-you of all: a job that truly makes a difference.

Mr. Chair, let me be clear: with the inclusion of this language, we are putting predators on notice. Their reign of terror is coming to an end—you can bet on it.

I thank my colleagues on the committee for committing to fight until every American child can live free from terror and exploitation.

Mr. CARTER. Mr. Chairman, at this time I would like to yield 2 minutes to the distinguished gentleman from the State of Pennsylvania (Mr. BARLETTA). He is the chairman of the committee that authorizes FEMA.

Mr. BARLETTA. Mr. Chairman, I want to thank Chairman ROGERS and Chairman CARTER for putting together a bill that supports communities' ability to prepare for natural disasters in this very difficult fiscal environment.

As chairman of the subcommittee with jurisdiction over FEMA, I want to thank them for including all three of my committee recommendations in the bill:

Thank you for continuing the Pre-Disaster Mitigation program, which saves money in future disaster assistance;

Thank you for preserving the FEMA administrator's authority for directing Federal disaster response by limiting the role of the principal Federal official;

Finally, thank you for funding the Emergency Management Performance Grants, or EMPG. With a 50 percent match requirement, EMPG grants leverage twice as many preparedness dollars as any other Federal program. For 60 years, EMPG has been focused on building local and State emergency management capability. There are plenty of programs that buy equipment and other things, but they won't do much good in a major disaster without qualified local emergency managers.

We have all seen the photos of evacuation buses flooded and useless in New Orleans because they didn't have a good hurricane evacuation plan. Emergency managers develop the plans to get people out of harm's way and to bring help from outside to the disaster area. The EMPG program helps buy that capability, and FEMA needs to keep the EMPG grant guidance focused on building local government emergency management capacity.

Again, let me thank Chairman ROGERS and Chairman CARTER for a good bill, and I urge my colleagues to support it.

Mr. PRICE of North Carolina. Mr. Chairman, I yield back the balance of my time.

Mr. CARTER. I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chair, I rise in support of very important report language included in the Homeland Security Appropriations bill, which will sustain inland Border Patrol stations in states along our nation's southern border.

In 2012, the U.S. Border Patrol proposed to close nine interior Border Patrol stations as part of a cost-savings proposal. Six of the nine proposed closures are located in Texas, including one located in my district in the city of Amarillo. The U.S. Border Patrol made this announcement without first ensuring that local law enforcement agencies will have the necessary resources to deal with the serious illegal immigration problems in our area. The inland stations proposed for closure apprehend hundreds of illegal aliens every year. If these closures are allowed, several hundred illegal aliens would have to be let go due to the lack of federal presence.

Since the proposal was unveiled last year, I have repeatedly heard from numerous local law enforcement officials who have serious concerns about the detrimental effect this would have on our local communities. They also believe this impact could reverberate throughout the country.

You do not have to be on—or even near—the border to see and feel the effects of illegal immigration on our local communities, and that is something we want to make sure the folks

in Washington understand. Enforcement of our immigration laws does not stop at the border. Interior enforcement is essential as well. The Supreme Court has confirmed that it is the federal government's job to enforce these laws.

The Border Patrol cited "cost-saving measures" as a reason for this proposal, but it is simply penny-wise and pound-foolish. Although the agency anticipates closing these nine stations could save \$1.3 million, they admit it will cost \$2.47 million to transfer all the agents to other stations.

When I first brought these concerns to the U.S. Border Patrol, I was told time and time again that the agency was working with Immigration and Customs Enforcement (ICE) to develop a transition plan to ensure that someone from the federal government will be there to pick up the phone when local law enforcement needs their help. To date, I have seen no evidence of a viable plan. There appears to be no draft plan or even an outline of a plan. There are simply too many unanswered questions to allow these inland border patrol station closures to proceed.

Any country must be able to control who and what comes across its borders. A government that cannot or will not do so fails in one of its most basic responsibilities.

I would like to thank the Appropriations Committee and Subcommittee Chairman CARTER for including this important language. I look forward to continuing to work together to ensure that our country is not left with a gaping hole in the enforcement of our immigration laws.

Mr. GARCIA. Mr. Chair, I rise today to express my disappointment that the DHS Appropriations bill provides \$68 million in funding for 287(g)—a redundant, controversial immigration enforcement program.

I will be offering an amendment later today to cut \$10 million from this unnecessary program and use those funds to increase CBP staffing at our nation's airports.

I would like to express my frustration that the legislation we are considering today, the Department of Homeland Security Appropriations Act, provides \$68 million for the 287(g)—a superfluous and controversial program that allows local police to act like federal agents.

It does not make any sense to waste \$68 million on a program that will not help us fix our immigration system nor secure our country.

Because of this, today, I will be proposing an amendment that will cut \$10 million from this program and use that money to increase the number of customs agents in our airports.

This would reduce long lines and unacceptable delays, promoting commerce and tourism and furthering our economic recovery.

Mr. HOLT. Mr. Chair, I rise in support of this bill, though not in support of the process that brought it to the House floor.

I am pleased that the overall committee process that produced this bill was bipartisan. For the first time in several years, this bill actually provides slightly more money for the State and Local Grant program, which funds such critical community grant programs like SAFER, AFG, and the Nonprofit Security Grant Program. Specifically, the bill provides \$1.5 billion for State and Local Grants, which

is \$456.8 million above the request and \$35.4 million above the FY2013 enacted level. This is still far less than what our firefighters, EMS and other first responders need to replace aging equipment and hire needed additional personnel, but it is nonetheless movement in the right direction.

Unfortunately, that positive development is offset by the failure of this bill to reverse the effects of sequester. TSA is addressing its sequestration-related funding shortfalls in part with a reduction in overtime and a freeze on hiring of new transportation security officers, which will lead to longer checkpoint lines at airports during peak summer travel season. CBP reduced overtime for CBP Officers, leading to significant increases in wait times at air, land, and sea ports of entry for citizens and international commerce. Coast Guard drug and migrant interdiction efforts have been reduced substantially, increasing the flow of narcotics into the United States. Sequestration cut \$928 million from FEMA's Disaster Relief Fund (DRF), threatening to reduce funds available to help future victims of hurricanes, tornadoes, and other natural disasters recover and rebuild. This is no way to run a government, and I again urge the House majority to bring a bill to the floor that permanently overturns sequester. The American people want it, they need it, and we should do it today.

Ms. JACKSON LEE. Mr. Chair, before us is H.R. 2217, the Department of Homeland Security Appropriations Act for FY 2014. Although this legislation is far from perfect, I rise in reluctant support of the bill because ensuring that our first responders and those who work on the frontline protecting our borders have adequate resources to protect our homeland and keep our citizens safe.

I strongly disapprove of the method employed by the House Republican to discharge the House's fundamental responsibility to reach a budget agreement with the Senate establishing the framework governing the appropriations process. The Republican majority brought to the floor and passed a rule that "deems" adopted the draconian spending limits imposed by the Ryan Budget resolution rather than a resolution that realistic and responsible limits that is to be negotiated and agreed to by House and Senate budget conferees.

Indeed, the Republican House leadership has refused for months to appoint conferees empowered to reach a budget agreement that is fair, balanced and would end sequestration.

I agree with President Obama that prior to consideration of appropriations bills the House and Senate should first reach agreement on an appropriate framework for all appropriations bills and one does not harm our economy or require draconian cuts to middle-class priorities.

Without such an agreement, House Republican appropriation bills will result in: hundreds of thousands of low-income children losing access to Head Start programs, tens of thousands of children with disabilities losing federal funding for their special education teachers and aides, thousands of federal agents who will not be able to secure the border, enforce drug laws, combat violent crime or apprehend fugitives; and thousands of scientists without medical grants to conduct research to

find new treatments and cures for diseases like breast cancer and Alzheimer's.

The Ryan Budget that the House majority deemed adopted and incorporated in the rule governing consideration of this legislation assumes that the draconian funding levels established under sequestration will remain in place for the next several years.

Sequestration has been an unmitigated disaster for the American people, especially for Texas and the people I represent in Houston. Let me identify just a few of the ways my constituents are being adversely affected by sequestration:

Teachers and Schools: Texas will lose approximately \$67.8 million for primary and secondary education, putting around 930 teacher and aide jobs at risk. In addition about 172,000 fewer students would be served and approximately 280 fewer schools would receive funding.

Education for Children with Disabilities: Texas will lose approximately \$51 million for about 620 teachers, aides, and staff who help children with disabilities.

Head Start: Head Start and Early Head Start services would be eliminated for approximately 4,800 children in Texas, reducing access to critical early education.

Military Readiness: In Texas, approximately 52,000 civilian Department of Defense employees would be furloughed, reducing gross pay by around \$274.8 million in total.

Law Enforcement and Public Safety Funds: Texas will lose about \$1,103,000 in Justice Assistance Grants that support law enforcement, prosecution and courts, crime prevention and education, corrections and community corrections, drug treatment and enforcement, and crime victim and witness initiatives.

Job Search Assistance: Around 83,750 fewer Texans will get the help and skills they need to find employment as Texas will lose about \$2,263,000 for job search assistance, referral, and placement, meaning.

Child Care: Up to 2,300 disadvantaged and vulnerable children could lose access to child care, which is also essential for working parents to hold down a job.

Vaccines for Children: In Texas around 9,730 fewer children will receive vaccines for diseases such as measles, mumps, rubella, tetanus, whooping cough, influenza, and Hepatitis B due to reduced funding for vaccinations.

Violence Against Women Grants: Texas could lose up to \$543,000 to provide services to victims of domestic violence, resulting in up to 2,100 fewer victims being served.

Public Health: Texas will lose approximately \$2,402,000 to help upgrade its ability to respond to public health threats including infectious diseases, natural disasters, and biological, chemical, nuclear, and radiological events. In addition, Texas will lose about \$6,750,000 in grants to help prevent and treat substance abuse, resulting in around 2,800 fewer admissions to substance abuse programs. And the Texas State Department of Public Health will lose about \$1,146,000 resulting in around 28,600 fewer HIV tests.

Regarding the merits of the legislation before us, let me say that there is much in the bill that should command bipartisan support. For example, the bill includes \$1.5 billion for

FEMA State and Local Grants, which is \$35.4 million above the FY 2013 enacted level. These grants fund critical programs such as the Homeland Security Grant Program, which primarily fund first responders, and the Urban Area Security Initiative.

The bill also provides \$10.6 billion for Customs and Border Protection and includes funding for the additional 1,600 Customs and Border Protection Officers requested by the President.

The bill also makes needed investments in cybersecurity, providing \$786 million to help protect federal networks from foreign espionage and cyber attacks. The bill also provides a total of \$6.2 billion for disaster relief, as requested by the President.

A major improvement to the bill was the adoption by the House of the Jackson Lee-Markey-Grimm-Reed Amendment which prohibits the Transportation Security Agency from changing its Prohibited Items List (PIL) to permit knives on planes. Adoption of my amendment enhances the security of air travel and protects TSA workers, flight attendants, pilots, and federal air marshals.

I am also pleased that H.R. 2217 incorporates several program funding recommendations I made to the Committee, especially the funding provided for the Assistance to Firefighters Grant and the Staffing for Adequate Emergency Response Grant (SAFER) programs. The tragic loss of four firefighters last week in Houston reminds us again of the dangers faced daily by first responders and the necessity of providing them the resources and support required to keep them safe. Specifically, the bill funds in full or substantial part the following programmatic requests I submitted to the Appropriations Committee:

1. \$337,500,000, which is 100% of the amount requested, for the Assistance to Firefighters Grant Program. This program is critical to ensuring that our nation's first responders are adequately trained and equipped to safely and effectively respond to emergencies in their communities.

2. \$337,000,000 for the SAFER Program, which is 100% of the amount requested. The SAFER Grant Program provides much-needed funding for career and volunteer fire departments to hire new firefighters and recruit and retain volunteer firefighters. This program is critical to the thousands of fire stations across the country that are currently operating short of staff and to those seeking to retain current first responders in the face of the economic downturn and recovery.

3. \$11,002,000, 91 percent of my request, for the Citizenship and Integration Grant Program, which awards funding to organizations that help legal immigrants prepare for citizenship. Since the current immigration system does not always meet the comprehensive needs of immigrants, integration grants provide culturally sensitive and intentional services to uplift AAPI immigrants. Integration grants are critical as they prevent integration barriers, such as precluding applicants from registering to vote or to secure jobs that require U.S. citizenship.

4. \$111,590,000, 86.4 percent of my request, for Alternatives to Detention. These programs provide alternate detention options

for low-priority AAPIs where detention is neither mandated nor appropriate. While some immigrants need to be detained because they pose a public safety or flight risk, many immigrants do not need to be jailed and should be placed in less costly supervision programs. A recent report reveals that 40% of individuals held in detention in October 2011 had no criminal history.

It is critical that this legislation continue to undergo further improvement and refinement before it is presented to the President for signature. As Ranking Member of the Homeland Security Border and Maritime Security Subcommittee, I will continue working with my colleagues across the aisle and in the Senate to ensure that our firefighters and other first responders have the resources needed to keep the American people safe.

Mr. HONDA. Mr. Chair, I rise today to express my concern about the proposal in the President's budget request, which is included in this bill, to shift the responsibility for exit lane staffing from TSA to airport operators across this country.

Since November 2001, TSA has assumed responsibility for staffing exit lanes under the authority of Aviation and Transportation Security Act. Citing budget constraints, in the Fiscal Year 2014 Budget Request, TSA has sought to shift the responsibility and costs for exit lane staffing to airport operators.

This move raises a number of concerns ably described by the Committee in the report accompanying this bill. Particularly troubling is TSA's intention to continue to collect money for performing this function through the Aviation Security Infrastructure Fee while passing the buck along to airports.

Like many of my colleagues, I have heard from my local airport—Norman Y. Mineta San Jose International Airport—about the devastating impact this unfunded mandate would have on airport operators. Mineta airport is already paying \$200,000 per year to staff one exit lane because TSA decided it was not “co-located” with the checkpoint screening area, and it cannot absorb the additional costs for more exit lane staffing—over the last few years, the airport has already reduced staff by more than 50 percent due to budget constraints.

At the end my statement is the text of a letter I received from the City of San Jose, CA's director of aviation on behalf of Mineta San Jose Airport outlining these concerns in greater detail.

Chairman CARTER and Ranking Member PRICE, I know that you were faced with a challenging task, working within the allocation given and trying to fill holes left by the budget request. And I know from the language you included in the report that you regret being unable to fill this hole in the budget.

I thank you for including language in the report directing TSA to work with airport operators to assess the impact of this change and consider delaying or at least phasing in this shift of responsibility until TSA can certify effective technology solutions that would reduce the cost for airport operators.

I hope that as we move this bill to the Senate and into conference, we will have a more favorable allocation to work with that will allow us to reject this ill-conceived proposal and pro-

tect already strapped airports from an unfunded mandate to perform duties that they have never had the responsibility for and which TSA is receiving fees to carry out.

MAY 30, 2013.

Hon. MIKE HONDA,  
Longworth House Office Building,  
Washington, DC.

DEAR CONGRESSMAN HONDA: I am writing to express my strong concern over the Transportation Security Administration's (TSA) plan to shift responsibility—without funding—for monitoring passenger exit lanes onto airport operators. While all levels of government face tough budget decisions in the current economic environment, we need your help to prevent TSA from shifting this unfunded mandate onto our airport. TSA should also explain to the Congressional appropriators why shifting its security function to airports and airlines is not an abdication of its Federal responsibility under current law.

It is unconscionable that a Federal agency that is responsible for national security make a unilateral decision to shift a security responsibility and the associated costs to airport operators, particularly as there currently exists no regulation or other requirement which specifically assigns the responsibility for monitoring sterile area exit lanes to airport operators. Notably, this regulatory option does not “take into account benefits and costs, both quantitative and qualitative,” as stipulated by Presidential Executive Order 13563, Improving Regulation and Regulatory Review.

Congress, through the Aviation and Transportation Security Act (ATSA), delegated the responsibility for passenger and baggage screening to the TSA following the tragic events of September 11. It was decided by Congress that aviation security was a matter of national security and should be provided by the federal government.

Through the Aviation Security Infrastructure Fee (ASIF), based on the airlines' calendar year 2000 costs for passenger and property screening, TSA collects money from airlines to offset the cost of monitoring exit lanes. In fact, TSA provided to air carriers for use in determining their ASIF fee amount, “Calendar Year 2000 Costs for Passenger and Property Screening” (Appendix A to 49 Code of Federal Regulations Part 1511), which specifically includes, at line item “2”, the air carrier's costs for “Exit Lane Monitors”.

The TSA, with no Congressional review or legislation, has decided to impose the responsibility for exit lane monitoring on airports. Although the agency proposes to do this through an amendment to airports' Airport Security Programs, which the TSA unilaterally controls, industry will be afforded the opportunity to submit comments. However, TSA is neither required to consider those comments nor make any changes based on industry input.

It is time to take a close look at ATSA to see if its provisions are still appropriate or need some modifications or enhancements. This review should be done in a very thoughtful and deliberate way by the appropriate Congressional Committees, not by an agency that can make unilateral and arbitrary decisions. At minimum, TSA needs to issue a notice of proposed rulemaking and seek legislative changes to promulgate a requirement for airport operators to assume responsibility for monitoring exit lanes.

The cost implications of exit lane monitoring are significant for all airports, and in many cases, these costs will be passed on to

airlines. Based on reports from some airport operators, the cost would range from approximately \$160,000 per year for a smaller airport to as much as \$2.5 million for a larger airport to monitor exit lanes in accordance with the way the TSA performs the function today. At Mineta San Jose the cost to take on the exit lane responsibility is now estimated at \$180,000 to \$200,000 a year. The Airport cannot absorb these costs through further reductions in staff and services. (Through the Great Recession of the past 4–5 years, the Airport has gone from a staff of 400 in 2008 to just 187 staff members today.) Accordingly, this additional cost would have to be passed on to the airlines through the Airport's rates and charges structure and ultimately be paid by passengers, who are already paying a fee to the airlines as part of their ticket, for security-related costs.

We ask that your office take action to put a stop to this unfunded mandate and require TSA to explain why shifting a security function and the associated costs to airports and airlines is not an abdication of its Federal responsibility under current legislation.

Members of my staff will be in touch with your office shortly to arrange for an opportunity to discuss this issue with you or your staff in more detail. In the meantime, please do not hesitate to contact me if you have any questions.

Sincerely,

WILLIAM F. SHERRY, A.A.E.,  
Director of Aviation.

Mr. RYAN of Wisconsin. Mr. Chair, I want to commend the Chairman of the Appropriations Committee and the members of the Committee for producing bills that meet the current law limit on appropriations of \$967 billion. The one area of the budget where we are exercising real fiscal discipline is discretionary spending and Chairman ROGERS and the Committee are to be commended for bringing about that result. The Department of Homeland Security Appropriations Act for fiscal year 2014 (H.R. 2217) funds critical programs that promote the safety and security of the United States. In total, the bill provides \$44.6 billion of discretionary funding for the operations of the Department of Homeland Security. While the majority of this funding is provided in accordance with the budget resolution adopted by the House of Representatives, \$5.6 billion is provided in excess of the levels anticipated by the budget resolution using the disaster relief exception to the normal budget rules. We should be budgeting for these expenses and not adding funding through cap adjustments that provide funding in excess of the limits on discretionary spending. Congress should afford disaster relief the priority it deserves within the budget. Notwithstanding my objections to the use of this budget loophole, on balance, I believe this bill is worthy of support.

Mr. BLUMENAUER. Mr. Chair, I deeply appreciate the leadership and insight from my dear friend and colleague from North Carolina. Your efforts have helped keep this country safe in the midst of ongoing threats both known and unpredictable.

An essential component of these efforts is the UASI grant program, which provides financial assistance to address the unique planning, operations, equipment, training, and exercise needs of high-threat, high-density urban areas.

As you know so well, the UASI program is critical to helping our cities build and sustain

capabilities to prevent, protect against, respond to, and recover from threats or acts of terrorism.

In my district, the Portland Urban Area has been a recipient of UASI grant funds since FY 2003. This critical funding has enhanced regional collaboration and coordination within and between responder disciplines and across jurisdictions.

The Portland Urban Area is more secure as a result, but most certainly has further to go, and must continue its partnership with the UASI program.

Problematically, Portland is no longer a recipient of UASI funding, with little notice that would have allowed proper planning for alternative methods to meet their security needs, and with little transparency as to why this is the case.

The FY 2012 program funded the top 31 highest risk urban areas in the country. And while the FY 2013 appropriations bill funds the program at a nearly equal level than the year before, unfortunately it also contains language that limits use of the UASI funds to no more than the top 25 highest risk urban areas, a cap which seems arbitrary and not based in risk or threat data.

This cap is having a significant impact. Important regional areas like Portland, Orlando, Las Vegas and New Orleans have been eliminated from FY13 funding despite being national centers of tourism and commerce.

Under no circumstances are Portland and the other affected cities any less vulnerable to terrorism than they were 12 months ago.

And in the last 12 months, the Portland Urban Area has gone from a ranking of 23 11 months ago, 29 one month ago, and 27 weeks ago. How can a city plan with such drastic changes in ranking, with little notice? Clearly the metrics used by DHS are flawed, or at the very least, are not adapted to operate within a 25-city cap.

The federal government has a responsibility to be a partner with our local communities, protecting our citizens from terrorist threats, and moderating potential impacts from natural disasters. While diminished resources are a factor for all levels of government, there should be some certainty for our communities that the federal government will be a continuing partner and when.

In the long term, I would deeply appreciate an opportunity to engage with this Committee, my Senate colleagues, and all local cities impacted, to better understand this issue, and the future of the UASI program.

And in the short term, the FY 2013 appropriations for DHS included \$188 million in discretionary homeland security grant funds. The Secretary has latitude to apply these funds to previously eliminated grant programs including the UASI program.

I would urge the Secretary to use some of this funding to the jurisdictions on that have fallen below the FY13 cap. This bridge funding would greatly assist these communities to continue their anti-terrorism coordination at some level while working to achieve sustainable funding in the years to come.

There are also common-sense reforms that can strengthen the federal-local partnership for the UASI program by, for example, extending the timeline for cities to use these grant dol-

lars. The shifting timeline from 4, to 3, and now 2 years adds another layer of difficulty to planning and utilizing these dollars as effectively and comprehensively as possible.

I sincerely appreciate the courtesy of my colleagues for taking my concerns into consideration and I look forward to addressing this issue with you in a comprehensive and thoughtful way, something you both know how to do so very well.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment who has caused it to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2217

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes, namely:

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

DEPARTMENTAL OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, \$103,246,000: *Provided*, That not to exceed \$45,000 shall be for official reception and representation expenses: *Provided further*, That all official costs associated with the use of government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid from amounts made available for the Immediate Office of the Secretary and the Immediate Office of the Deputy Secretary: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives, with the President's budget proposal for fiscal year 2015 submitted pursuant to section 1105(a) of title 31, United States Code, expenditure plans for the Office of Policy, the Office for Intergovernmental Affairs, the Office for Civil Rights and Civil Liberties, the Citizenship and Immigration Services Ombudsman, and the Privacy Officer.

AMENDMENT OFFERED BY MS. MOORE

Ms. MOORE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 17, after the dollar amount, insert "(increased by \$3,346,000)".

Page 9, line 17, after the dollar amount, insert "(reduced by \$4,000,000)".

The Acting CHAIR. The gentlewoman from Wisconsin is recognized for 5 minutes.

□ 1340

Ms. MOORE. Mr. Chairman, I rise today to offer an amendment to the Department of Homeland Security appropriations bill for fiscal year 2014. My amendment is intended to restore the Office of Civil Rights and Civil Liberties to fiscal year '13 levels by transferring \$3,346,000 into the Office of the Secretary and Executive Management. The amendment is wholly offset. It is budget-neutral.

Mr. Chairman, as you know, the Office of Civil Rights and Civil Liberties is an integral part of ensuring that our rights and values are carried out through the Department of Homeland Security. Today, it is even more important than ever to ensure that this Office is adequately funded.

While this body continues to increase funding for immigration enforcement—and we expect even more funding and personnel to be added in any comprehensive immigration reform bill that we adopt—it is essential that we maintain adequate safeguards to protect our rights and liberties.

I offered a similar amendment last year that sought to provide the office funding that it requested to adequately review 287(g) and Secure Communities programs, and I thank the chairman and the ranking member for directing \$2.39 million to be used for review of these 287(g) programs.

As I mentioned last year, I remain gravely concerned about any 287(g) programs that have been found to facilitate racial profiling in our communities or enforcement programs that make it harder for immigrants, especially women victims, to get help from the police.

If my colleagues on the other side of the aisle continue to insist on fully funding 287(g) programs, as they do here in this bill—\$44 million above the President's budget request and cited as one of the reasons for a White House veto—at the very least, we should have rigorous safeguards and oversight. And I'll tell you, I must question whether or not we're on a path that recognizes that oversight is paramount as we continue to allow local police to act as Federal immigration officers. The bill increases these programs for review of 287(g)s, but I question whether or not we really get it.

I am here today because I disagree with the approach of the bill. Specifically, the bill would cut the Office of Civil Rights and Civil Liberties by 15.5 percent and then direct the office to pay for this increase of reviews for the 287(g) and Secure Communities programs by making further internal cuts to other essential areas of their mission.

In addition to oversight of 287(g) and Secure Community programs, the Office of Civil Rights and Civil Liberties provides Homeland Security officials with advice on the full range of civil rights and civil liberties issues.

The office engages with communities that are disproportionately impacted by Homeland Security policies and activities. In 2005, the Office had regular roundtables with Arab Americans, Sikhs, Muslims, and other ethnic minorities. Today, they work in 13 core centers around the country.

The office investigates detention facility violations through site visits to ICE detention facilities to investigate civil rights violations.

Complaints from the public, oversight of intelligence collection, and, as I mentioned, comprehensive immigration reform has a chance of becoming a reality. And we know there's going to be a vast increase of enforcement funding and personnel for this Department, but we can't continue to balance essential rights with the security of our country if we play these zero-sum games. It is essential that we adequately fund the Office of Civil Rights and Civil Liberties to implement changes to our immigration law in a way that respects our values that the country was founded upon.

Again, my amendment is budget-neutral, Mr. Chairman. It only transfers a very small amount, which is vital funding, to this \$21.6 million office.

I urge my colleagues to support this important amendment, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, this amendment is unnecessary since the bill already includes ample funding for necessary oversight of ICE's 287(g) program. In fact, on page 11 of the bill's accompanying report, it states:

Included within the amount recommended for the Office of Civil Rights and Civil Liberties is a total of \$2,394,000 for reviews of 287(g) agreements and ICE's Secure Communities. These funds are in addition to the ongoing work of ICE's Office of Professional Responsibility and the DHS Office of Inspector General, who reviews 287(g) agreements for compliance.

So, while I certainly support robust oversight and also demand ICE's compliance with all applicable laws and standards therein pertaining to civil liberties and civil rights, I cannot support additional bureaucracy.

Furthermore, the offset to this amendment will cut CBP's Automation Modernization account—a cut that will impede CBP's processing of trade and result in longer wait times at our ports of entry, which are detrimental impacts to our economy which none of us can afford to accept.

Finally, I think I need to remind Members that the President's budget request decimated operational staffing and enforcement programs. This bill reversed that flawed approach and is holding DHS headquarters' resources in check. Therefore, I cannot support an amendment that increases head-

quarters staffing beyond what is necessary or what can be afforded, and does so at the expense of our economy.

Mr. Chairman, I strongly urge my colleagues to support fiscal discipline, support economic growth, and vote "no" on this amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I want to express my support of this amendment by our colleague from Wisconsin to restore funding for the Office of Civil Rights and Civil Liberties.

The bill before us provides \$18.3 million for the Office of Civil Rights and Civil Liberties, which is \$3.4 million below the budget request and \$3.3 million below current year funding. The amendment would simply restore funding for the Office to the fiscal 2013 enacted level.

Now, I want to commend Chairman CARTER for fully funding the much-needed oversight activities related to the troubled 287(g) program and to the Secure Communities program. Oversight of these programs is probably the highest priority for this office. But with just a little more funding, as provided in this amendment, we can go further to ensure the protection of civil rights and civil liberties across the Department's many functions, programs, and activities.

The Office of Civil Rights and Civil Liberties is the key mechanism at the Department of Homeland Security for ensuring that the proper balance is maintained between measures to protect the country and the personal freedoms that we cherish. So I thank the gentlewoman for offering the amendment. It's a good amendment, a reasonable amendment, and I urge my colleagues to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. MOORE. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Wisconsin will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. REICHERT

Mr. REICHERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 17, after the dollar amount, insert “(reduced by \$2,838,000)”.

Page 42, line 8, after the dollar amount, insert “(increased by \$1,838,000)”.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

□ 1350

Mr. REICHERT. I rise to offer an amendment to H.R. 2217, and I thank the chairman and Mr. DELANEY.

As a former law enforcement officer, I know very well the needs of first responders. That is why I am proposing that we increase funding for the United States Fire Administration by \$1.8 million.

This would restore total funding for the administration to the fiscal year 2013 level of \$44 million. My amendment is offset by cutting \$2.8 million from the Secretary of Homeland Security's departmental operation and administrative account. According to the CBO, the amendment would reduce net budget authority by \$1 million and will have no impact on fiscal year 2014 outlays.

Continued funding for the brave men and women who protect American citizens by fighting fires is extremely critical, as we all know. The fire death rate in the United States is one of the highest in the industrialized world. We can prevent deaths by ensuring that the USFA has better resources. Data collection, public education, research, and training are all ways the USFA works to reduce the Nation's fire death rate.

Last year, my district experienced record devastation from forest fires, fires that quickly burned out of control and threatened both homes and entire communities. Tens of thousands of acres were destroyed, and it took over 1,000 firefighters and volunteers to get them under control. Hundreds of families lost their homes, and it was only due to the valiant efforts of our fire personnel that more were not lost.

One of the key roles of the USFA is to work to prepare and prevent those types of fires from happening. They do this by working directly with the local communities and stakeholders. They work to promote the adoption of local codes, protection plans, preventative measures, and much more. They are also a key component of the National Wildfire Coordinating Group, which coordinated wildland fire prevention, preparedness, mitigation, and response programs of various Federal agencies. They do all of this, not just to fight a common natural menace, but to protect lives.

I urge my colleagues to support this important amendment, which is endorsed by the International Association of Firefighters, the International Association of Fire Chiefs, and the Congressional Fire Services Institute. Together, we can ensure the safety of

our first responders and the American people they serve.

I yield back the balance of my time. Mr. DELANEY. I move to strike the last word.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. DELANEY. I rise in support of this amendment, and I thank Mr. REICHERT for his work on this amendment and for his care on this issue. This is a bipartisan and commonsense amendment. It ensures that we fully fund the USFA so that our firefighters receive world-class training.

Fires are not limited to Republican districts or to Democratic districts. Fires do not discriminate against rural or urban districts. Fires do not choose between districts on the coast or in our heartland—and, thankfully, neither do our firefighters. Firefighters serve us all. Across the Nation, when crisis strikes and when the flames begin, our brave firefighters rush in. They risk their lives to save ours. We should do everything we can to make sure that firefighters are trained well. That investment will directly result in more saved lives and fewer tragedies.

Mr. REICHERT has spoken very eloquently and with great care about the benefits of this amendment.

Mr. Chairman, I would like to add that one of the keystones of our firefighter education system is the National Fire Academy, located at the National Emergency Training Center in Emmitsburg, Maryland. This training center in Emmitsburg is a world-class facility and is one of the most important assets in our public safety infrastructure. This is the only Federal facility of its kind. This facility is a tremendous public safety asset for our country. Thousands are trained in Emmitsburg each year. In western Maryland, we are proud to train heroes—heroes who save lives from Maine to Washington State, from Minnesota to Texas.

This amendment restores funding for our critical training facilities to pre-sequester levels at no cost to the taxpayer. I truly thank my colleague for his work on this amendment.

I yield back the balance of my time. Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. I want to applaud Chairman CARTER for funding the Fire Administration at a level higher than the administration's request, but the bill before us still provides a slight decrease in funding when compared to the current year. I believe this increase is warranted. The Fire Administration, as we all know, plays a critical role in training our first responders, in enhancing the security of our infrastructure, and in better pre-

paring the response capabilities of our communities.

I do want to register a concern, Mr. Chairman, about the offset for this amendment in that the money is taken from the Office of the Under Secretary for Management, and this is at a time when departmental management funding is already in this bill—\$302 million below the request and \$147 million below the fiscal 2013 pre-sequestration level.

In dealing with this on the way to conference, we are going to have to pay attention to that offset. However, this is an important amendment, as the Fire Administration is important to all of us, and I urge the adoption of the amendment.

I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, at this time, I want to congratulate Mr. REICHERT for his amendment. I think it is necessary, and I approve of it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. REICHERT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 17, under “Departmental Management and Operations Departmental Operations Office of the Secretary and Executive Management”, after the first dollar amount insert “(increased by \$4,359,200)”.

Under “U.S. Immigration and Customs Enforcement Salaries and Expenses”—

(1) after the first dollar amount insert “(reduced by \$43,592,000)”; and

(2) after the sixth dollar amount, insert “(reduced by \$5,400,000)”.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. Mr. Chairman, the 287(g) program has become increasingly controversial and increasingly recognized as a costly failure.

By allowing local police officers to effectively act as Federal agents and immigration officials, it not only increases crime by taking local cops off the beat and not only costs taxpayers money at a time when we have an over \$600 billion deficit, but it also creates fear in Latino communities and in other immigrant communities. 287(g) exacerbates tensions and interferes with community policing and the efforts of law enforcement to gain the trust of people in the communities that they need in order to be able to do their jobs well. In effect, it has trained local law enforcement officials to use racial profiling, asking community members where they are born or if they are in this country legally.



Now, the 287(g) program has become infamous because of the implementation in Maricopa County under Sheriff Joe Arpaio and his racial profiling. The practices sanctioned under 287(g) have led to an unprecedented civil rights investigation by the Department of Justice and an independent civil suit. Even Sheriff Arpaio has acknowledged that the Department of Homeland Security directed him and his officers to use racial profiling as part of their policing practices in identifying individuals for deportation.

You know that, if Sheriff Arpaio is citing a Federal expenditure as the justification for his actions, there must be a problem with that Federal expenditure—and in fact there is.

In the fiscal year 2014 bill, the House Appropriations Committee has funded 287(g) at \$44 million above the White House request. The White House has even threatened to veto the Department of Homeland Security appropriations bill, listing as one of its concerns that, in fact, the 287(g) program has been largely replaced by other enforcement mechanisms, like Secure Communities. Now, we don't all agree on Secure Communities, but there is increasing consensus on all sides of the aisle that 287(g) has no place in our communities or in our budget. It doesn't help combat illegal immigration. In fact, it makes it worse, and it increases crime in our communities.

□ 1400

This amendment will allocate 10 percent of that funding to the Office for Civil Rights and Civil Liberties and 90 percent toward deficit reduction. By seeking to cut the funding for a program that relies on racial profiling and increases crime, we're sending a clear message that we won't tolerate any more Arpaios, we care about the budget deficit, and we want to cut wasteful government spending.

Programs like 287(g) have created mistrust between Latinos and other immigrant communities throughout this country and local law enforcement and interfered with community policing. Eliminating 287(g) once and for all will begin to repair the trust that's been lost over the last decade. It will help local law enforcement fight crime, instead of trying to implement failed Federal laws, and will be a step forward in the ultimate goal of this Congress of fixing our broken immigration system and restoring the rule of law so that we can grow our economy and decrease crime.

This amendment is very simple. It would save \$44 million from a wasteful government spending program, allocate just over \$4 million of that to address some of the cuts that have been made to the Office for Civil Rights and Civil Liberties and use the bulk of that for the deficit reduction account.

Let's come together, Democrats and Republicans, to go after wasteful gov-

ernment spending and counter-productive government spending, as it is in this case.

With that, I strongly encourage my colleagues on both sides of the aisle to support this bill, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Robust enforcement of our immigration laws is critical to our national security. Clearly, the 287(g) program supports that goal.

Under the 287(g) program, ICE enters into a partnership with State and local enforcement agencies and authorizes them to remove criminal aliens who are a threat to local communities. In effect, the program acts as a force multiplier and ensures more resources to enforce immigration laws and policy. In fact, since January of 2006, the 287(g) program is credited with identifying more than 279,311 potentially removable aliens, mostly at local jails.

ICE's cross-designation of more than 1,500 State and local patrol officers, detectives, investigators, and correctional officers allows them to pursue a wide range of investigations, such as human smuggling, gang/organized crime activity, and money laundering. In addition, participating entities are eligible for increased resources and support in more remote geographic locations.

Currently, ICE has 287(g) agreements with 75 law enforcement agencies in 24 States. Utilizing these funds as an offset takes resources from local sheriffs, police officers, and other first responders and puts it in the hands of a bureaucrat at DHS headquarters.

And while I appreciate the gentleman's suggestion that the deficit is too high, I reject his choice of balancing the budget by jeopardizing public safety and law enforcement.

To his point that the deficit must be reduced, let me point my colleagues to other provisions in the bill that instill fiscal discipline by cutting departmental administrative expenses and bureaucratic overhead by nearly 25 percent and by denying the President's request to create three new offices.

For these reasons, I oppose the amendment, urge Members to join me in opposition, and yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in support of the gentleman from Colorado's amendment.

The gentleman's amendment eliminates increased funding in the bill for the critically flawed 287(g) program, and it increases funding for the Office for Civil Rights and Civil Liberties. I

want to support the gentleman on both of these fronts.

As our colleague has noted, the 287(g) program designed to facilitate cooperation between Federal and local authorities and immigration enforcement, is, in fact, prone to serious abuse. It's fundamentally flawed in the way it blurs the line between Federal and local roles in immigration enforcement.

Moreover, it simply wastes money. It is very costly. The cost to the taxpayer per removal in the task force model of 287(g) is especially outrageous: \$32,789 per removal. Compare that to only \$1,500 per removal under the more workable and more appropriate Secure Communities program. So not only is 287(g) flawed and prone to abuse, it's also simply a waste of taxpayer dollars, and it's increasingly redundant as the Secure Communities program takes effect.

The gentleman is redirecting money, I think, in a useful way to the Office for Civil Rights and Civil Liberties. The most important activity of that office is to oversee this problematic 287(g) program, as well as secure communities. And the funding level in the bill is short of the request; it's short of the current year's funding. So with a little more funding, we can enable the Office for Civil Rights and Civil Liberties to do its job in a much better way.

Ideally, Mr. Chairman, this amendment would address other seriously shortchanged areas of the bill. For example, cybersecurity, Coast Guard acquisitions, human trafficking, Secret Service. We can think of a lot. I would like to see some of those things addressed, as well as the deficit reduction item. But I believe this amendment greatly improves this bill both in the money it saves and in the money it redirects.

With that, I urge its adoption and yield back the balance of my time.

Ms. CHU. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. CHU. Mr. Chairman, I rise today in support of the Polis-Chu-Cardenas amendment to strike Federal funding for the 287(g) program.

287(g) is a misguided program. While it claims to help enforce our immigration laws, it actually diverts critical law enforcement resources and makes our communities less safe. By encouraging the police to do the Federal Government's job, 287(g) breeds mistrust in local law enforcement. Immigrants worry that they will be punished or deported if they talk to the police. This means that victims will choose to suffer in silence. This means fewer witnesses will come forward to help solve crimes.

And this isn't just about undocumented immigrants being scared to



come forward. Citizens and legal residents are holding back too. That's because the 287(g) program is a tool that too often relies on racial profiling. Take the case of Sheriff Arpaio in Maricopa County, Arizona. Just a few weeks ago, a Federal judge ruled that he and his deputies violated the constitutional rights of Latinos by targeting them during raids and traffic stops. It's no wonder that 44 percent of Latinos surveyed across the country said they were less likely now to contact police if they were victims of a crime. That's why 10 percent of the funding for 287(g) in this bill will be transferred to the Office for Civil Rights and Civil Liberties that investigates allegations of racial profiling against immigrant communities.

Law enforcement officials from across the country oppose 287(g) because it's getting in the way of their real job: stopping crime and keeping people safe. The 287(g) program takes cops away from going after violent criminals to focus instead on civil violations. According to FBI and census data, 61 percent of 287(g) localities had violent and property crime indices lower than the national average. Former LA Police Chief Bill Bratton decided not to participate in the 287(g) program because his officers "can't prevent or solve crimes if victims or witnesses are unwilling to talk to us. Criminals are the biggest beneficiaries when immigrants fear the police."

As if that weren't bad enough, the Department of Homeland Security's own inspector general couldn't tell if the 287(g) money was being used for its intended purpose. In the same 2010 program, the IG cited insufficient oversight and supervision of the 287(g) program by ICE, an ineffective complaint system for abuse, and a lack of focus on their local partners' civil rights issues.

To keep our neighborhoods safe, we need the entire community to come together to solve crimes. Without it, the LAPD would never have solved the murder of Juan Garcia, a 53-year-old homeless man who was brutally killed in an alley just west of downtown Los Angeles in 2009.

□ 1410

At first, the police were stumped. There were no known witnesses and few clues. Then a 43-year-old undocumented immigrant who witnessed the crime came forward and told the homicide detectives what he saw. Because of his help, a suspect was identified and arrested a few days later while hiding on skid row. Because the witnesses were not afraid to contact the police, an accused murderer was taken off the streets, and we are all a little bit safer. We need to end this program today and ensure that no murder, no theft, no assault goes unsolved because of misguided policies like 287(g).

I urge you to vote in favor of the Polis-Chu-Cardenas amendment and end funding for 287(g). It's time to let police fight crime, not illegal immigration.

I yield back the balance of my time.

Ms. CLARKE. Mr. Chair, I rise today to support the Polis Amendment to defund the 287(g) program, a program that promotes racial profiling and injustice.

The 287(g) program allows local law enforcement to act as immigration officials, which has led to rampant abuses throughout the country, most notably in Arizona, where the practices under 287(g) led to an unprecedented civil rights investigation by the Department of Justice.

As the Representative of the 9th Congressional District of New York, I have worked diligently to decrease the amount of racial profiling in New York City. I have worked to reduce the number of stop and frisks for the past year and eliminate the racial and ethnic intolerance that has plagued New York City and other cities around the country.

By cutting the funding for a program that relies on racial profiling like 287(g), we are sending a clear message that we will not tolerate bigotry. Programs like 287(g) have created mistrust between Latino and other immigrant communities throughout the country and local law enforcement. Ending the 287(g) program will move our country in the right direction to repair the trust that has been lost and is a step forward in fixing our broken immigration system and restoring the rule of law.

We must continue to work to build a supportive environment for immigrant and minority communities in every part of our civil society.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF THE UNDER SECRETARY FOR  
MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), \$171,173,000, of which not to exceed \$2,250 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, \$4,020,000 shall remain available until September 30, 2015, solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations at the Nebraska Avenue Complex; and \$7,815,000 shall remain available until September 30, 2015, for the Human Resources Information Technology program: *Provided further*, That the Under Secretary for Management shall, pursuant to the requirements contained in House Report 112-331, submit to the Committees on Appropriations of the

Senate and the House of Representatives at the time the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a Comprehensive Acquisition Status Report, which shall include the information required under the heading "Office of the Under Secretary for Management" under title I of division D of the Consolidated Appropriations Act, 2012 (Public Law 112-74), and quarterly updates to such report not later than 45 days after the completion of each quarter.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 13, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 10, line 4, after the dollar amount, insert "(increased by \$10,000,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. POE of Texas. Mr. Chairman, I thank you, and I want to thank Judge CARTER as well.

This amendment is relatively simple. It started back in March of 2010. On March 27, 2010, a rancher by the name of Rob Krentz was on his own property about 20 miles north of the Arizona-Mexico border, and he was murdered. Even now 3 years later, the killer or killers have not been captured. When he was found by the people who lived there, his wife, Sue, was convinced one of the reasons he was murdered was he was in a certain area of his ranch that's a dead zone. Dead zones, Mr. Chairman, exist along the Arizona-Mexico border, the Texas-Mexico border, and are areas where there is no cell phone service. Ranchers rely many times on short-wave radios to communicate with each other and law enforcement. Basically, Rob Krentz could not call for help before he was murdered.

This legislation first started when Gabby Giffords was here in Congress. She proposed in 2010 that we fix that problem by taking about \$10 million from the Office of the Under Secretary of Management of DHS and move it to the Border Security, Fencing, Infrastructure and Technology account with the purpose of allowing the ranchers to have access to cell phone service so they can call for help when they're in trouble. The legislation has passed twice, but has not passed the Senate and become law.

So this legislation is being brought to the House again for the third time. I appreciate the support from my friend, HENRY CUELLAR from Laredo, Texas. It's commonsense legislation. There are portions of the border that are not secure, and those portions, those dead zones, let's help the ranchers so they can call for help when they are in trouble. That's what this legislation does.

I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I am happy to accept this amendment from my colleague and friend, Judge POE, which provides \$10 million for CBP to procure additional equipment for surveillance and detection at both the southern and northern borders.

Some of the technological solutions CBP procures for border security include integrated fixed towers, tactical communication, and tethered aerostat radar systems. All these systems increase situational awareness and assist law enforcement personnel as they identify and resolve illegal activity. In effect, they become a workforce multiplier, freeing agents to focus on other vital tasks like identifying, tracking, interdicting, and resolving events along the border.

For these reasons, I accept the gentleman's amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HECK OF NEVADA

Mr. HECK of Nevada. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 13, after the dollar amount insert "(reduced by \$5,000,000)".

Page 4, line 14, after the dollar amount insert "(reduced by \$10,000,000)".

Page 8, line 6, after the first dollar amount insert "(reduced by \$2,000,000)".

Page 35, line 25, after the dollar amount insert "(reduced by \$5,000,000)".

Page 37, line 7, after the dollar amount insert "(increased by \$22,000,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HECK of Nevada. Mr. Chairman, I have come to the floor today, along with my colleague, Mr. HORSFORD, to offer a very simple amendment because we must do everything we can to protect our cities, towns, and communities.

The Urban Area Security Initiative, according to the Department of Homeland Security, dedicates funds to:

Address the unique planning, organization, equipment, training and exercise needs of high-threat, high-density urban areas, and assists them in building an enhanced and sustainable capacity to prevent, protect against, mitigate, respond to, and recover from acts of terrorism.

However, due to a recent change in qualification criteria, a number of major metropolitan areas will be going without UASI funds despite being qualified for such funds last year. Those areas that will be without funds to prevent and respond to threats include Riverside, California; Portland, Oregon; Orlando, Florida; Indianapolis, Indiana; New Orleans, Louisiana; San Antonio, Texas; Kansas City, Missouri; and Las Vegas, Nevada. Now, if those

sound like high-threat, high-density locations to you, you'd be correct. They are. Yet despite recent events, they are not going to be receiving UASI funds this year.

Now, I cannot speak for all of these areas, Mr. Chairman, but I can tell you that Las Vegas, which holds more high-profile, highly attended events than any city in the country, is worthy of UASI funding.

In Las Vegas, law enforcement has to not only defend the Las Vegas metro area, which includes the fabulous Las Vegas Strip with more densely packed hotel rooms than any other city in our country, but also has high-threat areas outside the city, like the Las Vegas Motor Speedway, which holds 140,000 people, and the Hoover Dam, which is not only a popular tourist attraction, but a source of electrical power for more than 1 million people across the southwestern United States.

So today, I have a very simple amendment to the bill. The amendment decreases funding under four different accounts as outlined previously and redirects those amounts to the Urban Area Security Initiative for the purpose of funding the program to the top 35 eligible metropolitan areas.

Now I recognize that as our debt continues to increase, we must work to rein in wasteful spending, and I recognize that all of the funding in the world isn't going to prevent every attack. But in this case, don't we think the safety and well-being of our cities and communities, our families and our children, are a worthy expense? Don't we believe they deserve our support?

My amendment goes to the very heart of the core functions of our democratic government, Mr. Chairman. Our Constitution states that our Federal Government must "insure domestic tranquility" and "provide for the common defense." That is the issue at hand with my amendment.

As someone who has worked on the front lines of homeland security as a SWAT physician and emergency preparedness consultant, as well as someone who has worn the uniform in the U.S. Army Reserve, I believe that overlooking the risks faced by the top 35 cities would be a mistake, and we should provide them the funding they need. I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. HORSFORD. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Nevada is recognized for 5 minutes.

Mr. HORSFORD. Mr. Chairman, this bipartisan amendment that I am offering along with Congressman HECK would help address some of our concerns about the calculations in the Urban Area Security Initiative funding formula. UASI provides critical funding to cities that are at risk for a terrorist attack.

□ 1420

As a member of the authorizing committee for the Department of Homeland Security, I want to work with the appropriators on this concern.

I have become deeply concerned about how the formula currently being used by the Department of Homeland Security will determine eligibility for this funding. The formula sometimes counts multiple buildings as a single site, something that shortchanges the Las Vegas Strip. It also punishes cities for successfully implementing anti-terror programs. Well, we should not be the victims of our own success.

As it stands now, critical anti-terror programs for major tourist destinations around the country are being defunded, including for Las Vegas, New Orleans, and Orlando, to name a few. That's the Las Vegas Strip, the site of Mardi Gras, and Disney World.

This is not an issue of budget cuts. It's an issue of prioritization. It's an issue of a faulty policy that completely ignores some major international tourist destinations and the threat posed to them.

During a recent House Homeland Security Committee hearing, I asked Boston Police Commissioner Edward Davis about the value of the UASI program in responding to the tragic events of the Boston Marathon attack.

Commissioner Davis told the committee that if it were not for UASI "there would have been more people who would have died in these attacks. It is critical that we maintain that funding to urban areas."

He stressed that this is not a frivolous expenditure. It's something that works. It's something that our sheriff is asking for, it's something that our mayor of Las Vegas is asking for, and it's something the people on the ground, the first responders, desperately need.

I visited the Southern Nevada Counter-Terrorism Center recently. They do incredible work in keeping the 2 million residents and the 40 million tourists who come to southern Nevada safe.

In studies on terrorist targets, however, the RAND Corporation has stated that Las Vegas "stands out in having a high proportion of high-likelihood targets compared to the Nation as a whole."

The same study also reports that the unique composition of hotels, casinos, and skyscrapers "increases the overall attack probability in Las Vegas relative to other cities in the same likelihood tier."

Yet, in my home State of Nevada, Mr. Chairman, we face reduced UASI funding because of flaws in the Relative Risk Profile model that has inappropriately dropped Las Vegas' ranking as a likely terrorist target.

We need a serious reevaluation of the funding formula for UASI. It is wrong

that Las Vegas has dropped in ranking, and it is wrong that we will face reduced funds because of faulty calculations.

I urge adoption of this amendment, and I look forward to continuing to work with the appropriators on addressing this very important concern to the safety of our domestic home-front.

I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. The bill before us today was born out of a need for reform. It consolidates disparate grant programs, provides discretion to the Secretary while balancing fiscal discipline.

In total, this bill provides for \$2.5 billion for Homeland Security First Responder Grants. This is \$400 million above the President's request for fiscal year 2014 and \$35 million above fiscal year 2013.

This bill prioritizes our funding. The consolidation in this bill forces the Secretary to examine the intelligence and risk and put scarce dollars where they are needed most, whether it is port, rail, surveillance, or access and hardening projects, or whether it is to high-risk urban areas or to States, as opposed to reverse engineering projects to fill the amount designated for one of many programs.

This does not mean lower-risk cities will lose all funding. It means the funds will come from other programs, such as State homeland grants that are risk-and formula-based.

I strongly urge my colleagues to support fiscal discipline and vote "no" on this amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I want to join the chairman in opposing this well-intentioned amendment.

The amendment would cannibalize various administrative accounts throughout the bill, the Office of the Secretary for Executive Management, the Chief Financial Officer, the CBP Salaries and Expenses, FEMA Salaries and Expenses, somewhat obscure accounts, you might say; but, nonetheless, accounts that are vital to the Department's functioning. It would cannibalize these accounts and put \$22 million more in grants, presumably for urban grants, UASI.

Now, the grant programs can always use more money. I've championed those programs for years, especially the risk-based UASI program. But we need to think carefully what this amendment is really about.

This is a risky path for this body to go down. It really seems to be about adding cities to UASI, adding cities.

Now, UASI-eligible cities, and there are 25 of them, are picked on a risk basis. There's a formula involving threat and vulnerability and consequence. The estimates are updated every year. This is probably the most strictly risk-based assessment that DHS undertakes.

Do we really want to substitute that for picking these cities on the House floor?

I'm afraid that's what this amendment is all about, or at least it's the path that it could put us on. And so, therefore, I urge its rejection.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Nevada (Mr. HECK).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HECK of Nevada. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Nevada will be postponed.

#### AMENDMENT OFFERED BY MR. RUNYAN

Mr. RUNYAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 13, after the dollar amount, insert "(reduced by \$5,000,000)".

Page 40, line 23, after the dollar amount, insert "(increased by \$5,000,000)".

Page 40, line 24, after the dollar amount, insert "(increased by \$2,500,000)".

Page 41, line 1, after the dollar amount, insert "(increased by \$2,500,000)".

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. RUNYAN. Mr. Chair, my budget-neutral amendment, authored with my colleague from New Jersey (Mr. PASCRELL), who was going to be here on the floor today but is attending Senator Lautenberg's memorial service this afternoon, supports our Nation's firefighters in two critical ways.

The FIRE and SAFER grant programs are two need-based, Department of Homeland Security-administered programs that go directly to local fire departments throughout the country. This amendment supports volunteer and career firefighters by giving them resources to purchase highly specialized equipment necessary to carry out their mission.

Mr. Chair, we all recognize the budget pressures facing our Federal Government and the need to prioritize where our tax dollars are spent. FIRE and SAFER grants are a very important partnership with local fire departments and invest in our communities and increase the safety of our constituents.

For that reason, I strongly urge my colleagues to support this amendment, which helps to ensure firefighters have the resources they need.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise simply to express support of the amendment.

I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I accept the gentleman's amendment.

I yield back the balance of my time.

Mr. PASCRELL. Mr. Chair, I stand to urge my colleagues to support this amendment to provide \$5 million in additional funding for Firefighter Assistance Grants. This funding would be equally divided between the Assistance to Firefighters Grant (AFG) and Staffing for Adequate Fire and Emergency Response (SAFER) programs, which provide equipment and staffing assistance for local fire departments.

In my work to develop the AFG and SAFER programs, I envisioned them as ways to fill needs that local budgets sometimes can't. As we all know, in today's tough budget environment, many states and towns are strapped for cash and have asked their first responders to make sacrifices. These are the times when AFG and SAFER are most important.

These programs put more firefighters on our streets and provide better equipment to keep them safe. For example, in New Jersey's Ninth Congressional District, the towns of Garfield and North Arlington have recently received hundreds of thousands of dollars in AFG assistance for the purchase of electronic accountability systems and Self Contained Breathing Apparatuses. These firefighters are risking their lives to protect our lives and property, and we owe it to them to ensure that they are protected with the best possible equipment.

Earlier this year, my hometown of Paterson received a SAFER grant of almost \$7 million to prevent the layoff of 40 firefighters and allow the city to hire 9 new firefighters to replace retirees. This funding goes directly to job creation in our local communities while helping our departments to maintain adequate staffing levels for public safety.

I am relieved that President Obama signed into law reauthorizations for AFG and SAFER this January after the program authorizations had been allowed to lapse. Now we must continue to provide adequate funding. Working together in a bipartisan manner, we have been able to restore over \$800 million in proposed cuts to AFG and SAFER over the past 3 years. I am proud that the Fire Caucus gathered the signatures of over 140 on a bipartisan letter to the Appropriations Committee opposing any cuts to these critical programs in FY 2014.

I would like to thank Mr. RUNYAN for his work on this amendment and this issue, as

well as Chairman CARTER and Ranking Member PRICE for their work on this bill and for allowing this amendment. Our firefighters are on the front lines of our homeland security. I urge my colleagues to support their local firefighters by supporting this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN).

The amendment was agreed to.

□ 1430

AMENDMENT OFFERED BY MR. GRIMM

Mr. GRIMM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 13, after the dollar amount insert “(reduced by \$7,667,000)”.

Page 35, line 25, after the dollar amount insert “(increased by \$7,667,000)”.

Page 36, line 21, after the dollar amount insert “(increased by \$7,667,000)”.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GRIMM. I rise today in support of my amendment that would fund the National Urban Search and Rescue Response System at \$35.18 million, which is level funding compared to FY 2013 but still reflects a reduction of roughly \$6 million from fiscal year 2012.

The National Urban Search and Rescue Response System, or US&R, provides a significant national resource for search and rescue assistance in the wake of major disasters and structural collapse. A typical US&R task force will conduct physical search and rescue operations, provide emergency medical care to trapped victims, assess and control hazards such as ruptured gas and electric lines, and evaluate and stabilize damaged structures. Due to the critical lifesaving nature of their mission, US&R task forces must be prepared to deploy within 6 hours of notification and must be self-sufficient for the first 72 hours.

These teams have been deployed in responses to the Oklahoma tornadoes, Superstorm Sandy, the Japanese tsunami, the Haiti earthquake, Hurricane Katrina, 9/11 attacks, and many, many other disasters. Current Federal funding for the Nation's US&R teams only provides a fraction of the funds necessary to maintain each task force. It's important to note the recent devastation left in the wake of the Oklahoma tornadoes, as well as Superstorm Sandy, and the subsequent response underscore the importance of the national search and rescue capacity. Providing proper funding for the Urban Search and Rescue Response System will help ensure these highly skilled teams are available to respond to major emergencies without jeopardizing the budget priorities of our local first responders.

I'd also like to thank my colleague and friend from Virginia (Mr. CON-

NOLLY), who's the lead cosponsor of this amendment and a strong, strong advocate for the Urban Search and Rescue program.

Therefore, I urge you to vote “yes” on this amendment and properly fund this critical program, and I yield back the balance of my time.

Mr. CONNOLLY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. CONNOLLY. I am pleased to join my colleague once again in sponsoring this important amendment to restore funding to our Nation's elite Urban Search and Rescue teams.

Our modest, simple, straightforward amendment, which has the support of the International Association of Firefighters, would provide level funding, as my colleague just indicated, for the Department to continue supporting the 28 national teams currently spread across 19 States, including our respective home States of New York and Virginia.

When people are trapped in the unstable rubble of a collapsed building, the window of survivability can be measured in hours. Without highly trained responders, rescue attempts can actually imperil victims and rescuers alike. Thankfully, because of this training, we have made strategic investments in specialized research and search and rescue teams. These elite firefighters and emergency medical technicians are not just first responders, though they are that. For people awaiting rescue, they are often the last hope.

As my colleagues are aware, federally supported search and rescue responders were on the scene recently in Oklahoma after the tornadoes there and in New Jersey and New York after Superstorm Sandy last year.

Prior to coming to Congress, Mr. Chairman, I served for 14 years in local government in Fairfax County, Virginia. For 9 of those years, I shared an office with the fire department. I saw daily the selfless dedication of men and women who put their lives at risk in service to others. Fairfax County is home to one of the most elite US&R teams in the country—in fact, in the world. In partnership with the U.S. Department of Homeland Security, the U.S. Agency for International Development, FEMA, and Fairfax County government, the team serves American interests both here at home and abroad.

The team is comprised of highly skilled career and volunteer fire and rescue personnel whose daily duties are to serve the community by responding to local fire and medical emergencies. But when called into service, that team, designated as Virginia Task Force One, is mobilized for quick response to domestic disasters, natural or manmade, with special expertise in collapsed building rescue.

Our team was deployed in Oklahoma City in the wake of the terrorist bombing in 1995 and was among the first on the scene at the Pentagon on 9/11. It was also dispatched to Mississippi and Louisiana in response to Hurricane Katrina in 2005. It has answered the call for help in multiple States, including California, North Carolina, Texas, Florida, Kansas, Georgia, Massachusetts, New York, New Jersey, Puerto Rico, and the Virgin Islands, to name a few.

When disaster strikes, whether natural or manmade, domestically or internationally, the US&R teams have rushed to the scene, saving countless lives and preserving and protecting property. Their heroic efforts have shown this to be a wise investment that absolutely must be maintained.

I urge my colleagues to support the Grimm-Connolly amendment to ensure that this successful partnership with our local partners and first responders is sustained, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I accept this good amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I, too, rise in qualified support of this amendment. When disasters strike, these Urban Search and Rescue Teams stand ready for FEMA deployment, complete with unique tools and equipment and training.

I do want to register another concern about the cannibalizing of management accounts that this amendment, along with other amendments, is undertaking to do. We're already \$302 million below the request and \$147 million below our fiscal 2013, pre-sequestration, in this departmental management funding, so we've got to pay attention to this as we take this amendment to conference. We've got to have a better offset.

Having said that, I do think this is a meritorious amendment, well justified. I urge its adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GRIMM).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. LYNCH

Mr. LYNCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 19, line 1, after the dollar amount insert “(increased by \$15,676,000)”.

Page 3, line 13, after the dollar amount insert “(reduced by \$15,676,000)”.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. LYNCH. I yield myself such time as I may consume.

Mr. Chairman, my amendment increases surface transportation security funding by about \$15.6 million, bringing it to the enacted FY 2013 level of \$124.3 million. This would be offset by a reduction in a similar amount to the Office of the Under Secretary for Management.

Last April, the United States received a chilling reminder that it remains a target for attacks by terrorists and their sympathizers when two men detonated bombs in my home city at the finish line of the Boston Marathon. Just 1 week later, authorities foiled a plot to attack a passenger train running between Canada and the U.S.

After the September 11, 2001, attacks, we, as a Nation, undertook—and rightly so—a massive effort to strengthen aviation security. We invested significant resources into making our skies safer. I strongly supported those efforts but would also caution that we cannot forget that other forms of transportation remain vulnerable to attack.

Since fiscal year 2002, \$69.3 billion in funding has been dedicated to aviation security. However, during that same period, surface transportation security has been funded at about \$3.3 billion. Less than 5 percent of our transportation security funding has gone to our transit systems—our rails and buses.

Now it is sometimes said that our military planners are guilty of fighting the last war. I believe that in the war on terror, my fear is that it may be the case here.

□ 1440

Over the last number of years, we have seen buses and passenger rail systems targeted throughout Europe and Asia. I'll just mention a few.

As I mentioned, in April of 2013, there was an al Qaeda-linked plot to attack a passenger train running between New York and Toronto. In July 2006, seven bomb blasts over 11 minutes took place in a suburban railway in Mumbai; 209 were killed and over 700 injured.

In March 2004, coordinated bombings on the Madrid commuter rail system resulted in 191 killed and 1,800 injured. In February 2004, two suicide bombers attacked the Moscow metro stations; at least 40 were killed and over 100 injured. As well in Israel, France and Japan, they have suffered similar attacks on their bus and railway systems.

Many people don't realize that U.S. passenger rail systems carry about five times as many people as do airlines. For a potential terrorist looking to cause as much damage and panic as possible, we cannot ignore the fact that

our rails and buses are a target. This amendment is one step to better secure our surface transportation systems that move millions of Americans each and every day.

I urge my colleagues to support both this amendment and the main bill, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I am prepared to accept the amendment. I, too, have concerns about surface rail.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I want to commend the gentleman on his attention to the very real vulnerabilities of surface rail, his attention to this, and I urge acceptance of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), \$41,242,000, of which \$4,000,000 shall remain available until September 30, 2015, for financial systems modernization efforts: *Provided*, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, the Future Years Homeland Security Program and a comprehensive report compiled in conjunction with the Government Accountability Office that details updated missions, goals, strategies, priorities, along with performance metrics that are measurable, repeatable, and directly linked to requests for funding, as described in the accompanying report.

#### OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, \$210,735,000; of which \$99,397,000 shall be available for salaries and expenses; and of which \$111,338,000, to remain available until September 30, 2015, shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security: *Provided*, That the Department of Homeland Security Chief Information Officer shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United

States Code, a multi-year investment and management plan, to include each of fiscal years 2014 through 2017, for all information technology acquisition projects funded under this heading or funded by multiple components of the Department of Homeland Security through reimbursable agreements, that includes—

(1) the proposed appropriations included for each project and activity tied to mission requirements, program management capabilities, performance levels, and specific capabilities and services to be delivered;

(2) the total estimated cost and projected timeline of completion for all multi-year enhancements, modernizations, and new capabilities that are proposed in such budget or underway;

(3) a detailed accounting of operations and maintenance and contractor services costs; and

(4) a current acquisition program baseline for each project, that—

(A) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline;

(B) aligns the acquisition programs covered by the baseline to mission requirements by defining existing capabilities, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how each increment will address such known capability gaps; and

(C) defines life-cycle costs for such programs.

#### ANALYSIS AND OPERATIONS

For necessary expenses for intelligence analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), \$291,623,000; of which not to exceed \$3,825 shall be for official reception and representation expenses; and of which \$89,334,000 shall remain available until September 30, 2015.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$113,903,000, of which not to exceed \$300,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

#### TITLE II

#### SECURITY, ENFORCEMENT, AND INVESTIGATIONS

#### U.S. CUSTOMS AND BORDER PROTECTION SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, agricultural inspections and regulatory activities related to plant and animal imports, and transportation of unaccompanied minor aliens; purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; \$8,275,983,000; of which \$3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which not to exceed \$34,425 shall be for official reception and representation expenses; of which such sums as become available in the Customs User Fee Account, except sums subject to section

13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed \$150,000 shall be available for payment for rental space in connection with preclearance operations; and of which not to exceed \$1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided*, That for fiscal year 2014, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be \$35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to compensate any employee of U.S. Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies: *Provided further*, That the Border Patrol shall maintain an active duty presence of not less than 21,370 full-time equivalent agents protecting the borders of the United States in the fiscal year.

AMENDMENT OFFERED BY MR. GARCIA

Mr. GARCIA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, line 6, after the first dollar amount, insert “(increased by \$10,000,000)”.

Page 12, line 12, after the dollar amount, insert “(reduced by \$10,000,000)”.

Page 12, line 23, after the dollar amount, insert “(reduced by \$3,000,000)”.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. GARCIA. Mr. Chairman, my amendment seeks to increase by \$10 million the funding for Customs and Border Protection staffing and to decrease by \$10 million the funding for the controversial 287(g) immigration enforcement program.

At a time when our economy is just starting to pick up steam, this amendment is intended to promote trade, travel, tourism, and investment through our Nation's airports and ultimately support our economic recovery.

As the busiest airport in the United States for international flights and the Gateway to the Americas, Miami International Airport is a vital economic engine for south Florida and our country. Unfortunately, MIA has been among the worst hit with inadequate Customs and Border Patrol staffing levels. On the worst peak travel days, we have over 3½ hours of waiting time, and sometimes up to 800 missed connections.

If we want to continue being the top destination for foreign investors, for immigrants, for tourists, for visitors, and for business people, we need to ensure we have adequate CBP staffing to handle our growing number of visitors.

While these personnel shortages are especially acute at MIA, these delays are prevalent at international hubs

throughout the country, impeding the trade, travel, tourism, and investment that we need to fuel our economic recovery and create jobs.

This amendment seeks to reduce the funding of the section 287(g) program to enable the increase of funding for CBP staffing. This immigration enforcement program has been controversial and criticized for many years and has been made increasingly redundant by the development and expansion of other questionable programs, like Secure Communities.

While this appropriations bill provides \$68 million in funding for 287(g), that amount exceeds the request from the Department of Homeland Security by \$44 million, that is, a \$44 million increase over the request.

Both the Major Cities Chiefs Associations and the International Association of Chiefs of Police have expressed strong concerns about section 287(g)'s program, which undermines public safety and diverts limited law enforcement resources, and exacerbates fear and distrust in our communities. And if that wasn't enough, other immigration enforcement programs like Secure Communities have replaced the need for 287(g), and yet we are continuing to fund a practically defunct program. I believe these funds are better spent in promoting American commerce at our Nation's airports and invigorating our economy.

I urge my colleagues to support what I think is a very sensible and important amendment, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Not only do I oppose the increase of \$10 million for additional CBP officers; I oppose the offset suggested to pay for the increase.

As drafted, the bill provides for \$105 million for hiring 1,600 officers over a 2-year period. In fact, we provide funds sufficient to cover the costs of no less than 21,186 CBP officers, which sets a historical precedent.

The reason we took this incremental approach into hiring 1,600 new officers is because CBP's staffing and deployment plan was not linked to its goals for border security. To address these concerns, the report includes language directing CBP to provide a more complete 5-year staffing and deployment plan.

Furthermore, an internal audit revealed systemic failures within CBP's budget formulation for salaries and benefits of its operational workforce. And though I believe taking a go-slow approach to hiring just makes sense, I oppose the offset, which decreases funds for the 287(g) program.

Under the 287(g) program, ICE enters into partnerships with State and local law enforcement agencies and author-

izes them to remove criminal aliens who are a threat to local communities. In effect, the program acts as a force multiplier to ensure more resources to enforce immigration laws and policies. In fact, since 2006, the 287 program has been credited with identifying more than 279,311 potentially removable aliens, mostly from local jails.

So I oppose this amendment and yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in support of this amendment. I think it's a positive contribution to the bill. It improves the balance in the bill, both in what it proposes—positively—and also what it cuts. I think we can use the additional funds in CBP for additional officers. And as has been said many times on this floor today, the 287(g) is flawed and wasteful and can well afford this kind of cut.

So I commend the gentleman on both fronts—adding to the right things, cutting the right things—and I urge adoption of his amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GARCIA).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. GARCIA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

□ 1450

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### AUTOMATION MODERNIZATION

For necessary expenses for U.S. Customs and Border Protection for operation and improvement of automated systems, including salaries and expenses, \$707,897,000; of which \$325,526,000 shall remain available until September 30, 2016; and of which not less than \$140,762,000 shall be for the development of the Automated Commercial Environment.

AMENDMENT OFFERED BY MR. TIPTON

Mr. TIPTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 17, after the dollar amount, insert “(decreased by \$7,655,000)”.

Page 49, line 19, after the dollar amount, insert “(increased by \$7,655,000)”.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. TIPTON. Mr. Chairman, as I stand here, wildfires are burning in my district and in the State of Colorado.



The bark beetle epidemic, rampant drought, intense weather occurrences, and deteriorating forest health have increased the propensity for devastating wildfires throughout the Western United States.

According to the National Interagency Fire Center, last year, more than 9.3 million acres of land burned. That is an area that is approximately the size of Rhode Island, Delaware, the District of Columbia, and Massachusetts combined. These fires tragically claimed 13 lives, destroyed more than 2,000 homes, and led to hundreds of millions of dollars in damages. Nearly 400,000 acres burned in Colorado, alone, with the tragic loss of six lives.

The status quo of addressing a problem when it's too late is no longer good enough. The status quo has given us decades of declining forest health. The status quo has given us years of increasingly catastrophic wildfires. The status quo has put people, communities, and ecosystems at risk. We must do more.

Forests are vital for the Western United States. They provide limitless environmental and economic benefits when healthy. It's our responsibility to be able to preserve this incredible natural resource and do all that we can to be able to restore forest health. And we also need to be able to prevent future loss of life and property to catastrophic wildfire.

I urge this body to be able to join with me and my colleague, Congressman POLIS of Colorado, in taking a step to be able to prevent these tragedies. For far too long we've been working to stop fires once they start and mitigate damage once it has already occurred. As the old saying goes, "an ounce of prevention is worth a pound of cure." That is what this amendment is about: getting ahead of this problem by investing greater resources toward prevention so that we can take a more proactive approach to restoring our forests to a healthy, natural state.

Representative POLIS and I have introduced this amendment to direct \$7,655,000 to FEMA's National Pre-Disaster Mitigation Fund, a program uniquely suited to be able to assist in our effort to be able to reduce the occurrence of wildfire, as it would provide funds aimed at mitigating conditions that lead to these fires.

Despite the need for proactive programs such as this in the wake of increased occurrences of extreme weather events, including wildfire, the National Pre-Disaster Mitigation Fund is facing a reduction of nearly \$2.5 million this year. Considering the value of this program and the term saving it generates through prevention of destructive fires, I believe there are more appropriate areas within the Federal Government where it can realize budget savings.

Our amendment is offset by decreasing the same amount of funding in the

Automation Modernization account of the Department of Homeland Security, which received an increase of \$7,655,000 this year for its IT modernization, despite concerns with transparency of spending within the agency. I share the concerns expressed there.

Senator COBURN's Wastebook provided some troubling findings about wasteful spending within DHS, including the fact that this agency has spent over \$35 billion of taxpayers' money in the last 10 years. In fiscal year '10, DHS spent \$6.5 billion on IT spending alone. In 2013, DHS planned to spend \$4 billion on 68 major IT programs. A third of these programs cost about \$1 billion and were identified by the Government Accountability Office as containing waste and not meeting specified commitments.

Besides being replete with wasteful government spending, many programs at DHS have been found to be overlapping, unnecessary, or lacking in transparency. Until these concerns are addressed, I do not believe we should be providing additional resources for these programs at DHS. Instead, we could better use that \$7,655,000 to take steps towards proactively reducing the occurrence of devastating wildfires by redirecting those funds to the National Pre-Disaster Mitigation Fund.

I urge my colleagues to support this important amendment and safeguard our forests.

I yield back the balance of my time.

Mr. POLIS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. Mr. Chairman, I would like to join my colleague, Mr. TIPTON, in bringing forward this important amendment.

Here, in the first year of June, there are already two wildfires that have erupted in my district. Mr. TIPTON and I share northern and western Colorado. Just this last Monday, a wildfire ignited near Evergreen, Colorado. We had an evacuation of several thousand people. These are just the early season fires, and this year's wildfire season could very well be longer and more extreme than ever before. Already, the National Interagency Fire Center has predicted that this summer will bring an increased fire threat to communities in multiple States across the United States.

Unfortunately, last year was a devastating year for fires in my home State. We had two of our most destructive fires in history. In 2012, wildfires destroyed 650 structures, six Coloradans lost their life in wildfires, 384,000 acres of land were burnt and caused over half a billion dollars in property damage.

In addition to wildfires, our country and our State have experienced natural disasters, like droughts and tornadoes.

The impacts of these are reminders of how costly and destructive extreme weather can be and how important it is to be prepared and to reduce risks where we can. In total, 11 extreme weather events last year across the country, including hurricanes, tornadoes, and fires, cost taxpayers \$96 billion. Extreme weather events have a real impact, a human impact, and a cost.

We have an opportunity in this amendment to reduce and minimize the damage and costs of extreme weather events, like wildfires, by mitigating the threat prior to an event. That is why I join Representative TIPTON in directing \$7.6 million to the National Pre-Disaster Mitigation Fund. We can spend a penny now to save a dollar later. The National Pre-Disaster Mitigation Fund is one of the only FEMA programs that reduces fire danger before a fire starts. By increasing funding to mitigate extreme weather events, we can allocate more resources to preventing the impact of these devastating fires, saving lives and saving money.

Unfortunately, the Pre-Disaster Mitigation Fund, absent this amendment, is only funded at \$22.5 million, which is actually a reduction of \$2.475 million, even though events were occurring at higher rates last year and we have no reason to believe that this year will be different.

The Pre-Disaster Mitigation Fund, very simply, is a good investment, Mr. Chairman. The Pre-Disaster Mitigation Fund investments have already led to significant savings to taxpayers by reducing risks and damages caused by extreme weather.

The amendment is completely offset by reducing the same amount of funding in the Automation Modernization account. In fact, our amendment actually decreases costs in the first year by \$4 million. The Automation Modernization account has already been noted by the committee of lacking transparency regarding how the funds are managed. And of course, while I support the DHS modernizing its technology systems, I cannot support increasing that account in this time of fiscal constraint, especially when the result of these disasters could very well cost more than an ounce of prevention now.

So this bill increases the account by \$7.655 million that we're directing to the National Pre-Disaster Mitigation Fund to proactively reduce the threat of wildfires and save taxpayer money. Now, we can't stop wildfires, but we can take measures to reduce their impacts on our communities and to save taxpayer money.

That is why I am proud to join Representative TIPTON, and I've offered this commonsense amendment that would allocate \$7.655 million in additional resources to the Pre-Disaster Mitigation Fund.



I yield back the balance of my time.  
Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. I would like to accept this amendment and yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. I, too, urge adoption of this amendment.

I want to commend the chairman, though, while I have a moment, for putting in \$22.5 million for pre-disaster mitigation into this bill. He did that at my request. We had a proposal for the President, which was quite inadequate in this respect, and so the chairman has put this money in. This is an amendment that would add more to that, and it is money we can quite well use.

□ 1500

I don't believe the offset is ideal. The offset would slow down the IT initiatives at Customs and Border Protection, which are designed to modernize customs processes and risk-based targeting efforts. I don't necessarily think it's the best process for us on the House floor to be establishing carveouts in the Pre-Disaster Mitigation Program. We need an all-hazards approach. We don't necessarily want to rank the threat of fire higher than the threat of hurricanes and so forth.

Having said that, though, I think this bipartisan pair of cosponsors has made a very compelling case today for the threat that their areas face, and I urge my colleagues to support them.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. TIPTON).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

**BORDER SECURITY FENCING, INFRASTRUCTURE,  
AND TECHNOLOGY**

For expenses for border security fencing, infrastructure, and technology, \$351,454,000, to remain available until September 30, 2016.

**AIR AND MARINE OPERATIONS**

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aircraft systems, and other related equipment of the air and marine program, including salaries and expenses and operational training and mission-related travel, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and, at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; \$802,741,000; of

which \$292,791,000 shall be available for salaries and expenses; and of which \$509,950,000 shall remain available until September 30, 2016: *Provided*, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to U.S. Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2014 without prior notice to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That the Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, on any changes to the 5-year strategic plan for the air and marine program required under this heading in Public Law 112-74.

**CONSTRUCTION AND FACILITIES MANAGEMENT**

For necessary expenses to plan, acquire, construct, renovate, equip, furnish, operate, manage, and maintain buildings, facilities, and related infrastructure necessary for the administration and enforcement of the laws relating to customs, immigration, and border security, \$471,278,000, to remain available until September 30, 2018: *Provided*, That the Commissioner of U.S. Customs and Border Protection shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2015 pursuant to section 1105(a) of title 31, United States Code, an inventory of the real property of U.S. Customs and Border Protection and a plan for each activity and project proposed for funding under this heading that includes the full cost by fiscal year of each activity and project proposed and underway in fiscal year 2015.

**U.S. IMMIGRATION AND CUSTOMS  
ENFORCEMENT**

**SALARIES AND EXPENSES**

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations, including overseas vetted units operations; and purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; \$5,344,461,000; of which not to exceed \$10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed \$11,475 shall be for official reception and representation expenses; of which not to exceed \$2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than \$305,000 shall be for promotion of public awareness of the child pornography tipline and activities to counter child exploitation; of which not less than \$5,400,000 shall be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); and of which not to exceed \$11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: *Provided*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of \$35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that

amount as necessary for national security purposes and in cases of immigration emergencies: *Provided further*, That of the total amount provided, \$15,770,000 shall be for activities to enforce laws against forced child labor, of which not to exceed \$6,000,000 shall remain available until expended: *Provided further*, That of the total amount available, not less than \$1,600,000,000 shall be available to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable: *Provided further*, That the Secretary of Homeland Security shall prioritize the identification and removal of aliens convicted of a crime by the severity of that crime: *Provided further*, That funding made available under this heading shall maintain a level of not less than 34,000 detention beds through September 30, 2014: *Provided further*, That of the total amount provided, not less than \$2,835,581,000 is for detention and removal operations, including transportation of unaccompanied minor aliens: *Provided further*, That of the total amount provided, \$31,541,000 shall remain available until September 30, 2015, for the Visa Security Program: *Provided further*, That not less than \$10,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center: *Provided further*, That none of the funds provided under this heading may be used to continue a delegation of law enforcement authority authorized under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) if the Department of Homeland Security Inspector General determines that the terms of the agreement governing the delegation of authority have been violated: *Provided further*, That none of the funds provided under this heading may be used to continue any contract for the provision of detention services if the two most recent overall performance evaluations received by the contracted facility are less than "adequate" or the equivalent median score in any subsequent performance evaluation system: *Provided further*, That nothing under this heading shall prevent U.S. Immigration and Customs Enforcement from exercising those authorities provided under immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) during priority operations pertaining to aliens convicted of a crime.

**AMENDMENT OFFERED BY MR. DEUTCH**

Mr. DEUTCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 13, beginning on line 22, strike "*Provided further*, That funding made available under this heading shall maintain a level of not less than 34,000 detention beds through September 30, 2014:".

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DEUTCH. Mr. Chairman, this amendment would strike the provision in H.R. 2217, which states:

Funding made available under this heading shall maintain a level of not less than 34,000 detention beds through September 30, 2014.

Immigration and Customs Enforcement has interpreted this provision, which has been in past appropriations bills, to require the maintenance of a

daily detention population of 34,000 people. This detention bed mandate ties the hands of ICE and restricts its discretion to make detention decisions even when release could be appropriate. Indeed, this is an unprecedented mandate for law enforcement as no other law enforcement agencies have a quota for the number of people that they must keep in jail.

This detention bed mandate is a drain on ICE's limited resources. On March 19 of this year, I participated in a Judiciary Committee oversight hearing with ICE Director John Morton that addressed this issue. Director Morton explained that ICE had interpreted language in the previous continuing resolution as requiring the agency to keep "a yearly average daily population of approximately 34,000 individuals." Accordingly, ICE has been maintaining an average daily detention population well over 34,000 people with the numbers fluctuating between 35,000 and 37,000 people. Due to this fiscally unsustainable mandate, ICE released more than 2,000 individuals earlier this year to avoid burning through its detention funds.

Detention is extremely costly, and it strains ICE's limited budget in an era of fiscal restraint. Mandating ICE to keep 34,000 detainees in custody each day forces ICE to forgo alternatives to detention that would save taxpayer money. In fact, a single detention bed is approximately \$122 per day; and with additional administrative costs, it can rise to \$164 a day. Meanwhile, alternatives such as ankle bracelets, parole, telephonic, and in-person reporting, curfews, and home visits can run from 30 cents to \$14 per day.

By untying ICE's hands by striking this minimum detention population requirement, we can allow ICE to pursue effective alternatives and make budgetary savings. ICE agents could use these savings when focusing on their many additional responsibilities, such as cracking down on drug smuggling, human trafficking and child pornography—all priorities which are shared by Republicans and Democrats alike.

I would like to thank my friend, Congressman BILL FOSTER, for his dedication to this issue.

Detention takes an enormous toll on our communities, and mandating ICE detain 34,000 individuals a day does not secure our borders or make us safer. The Deutch-Foster amendment would strike this arbitrary provision from the bill, and I urge its adoption.

Mr. Chairman, I yield to my friend, the gentleman from Illinois (Mr. FOSTER).

Mr. FOSTER. I rise today in support of this amendment, and I would like to thank my colleague from Florida (Mr. DEUTCH) for joining me in the fight on this important issue.

Our amendment would end the costly and inhumane practice of imposing ar-

bitrary immigrant detention requirements by striking the language in this bill which mandates that the Immigration and Customs Enforcement, otherwise known as ICE, maintain 34,000 immigrants in detention every single day.

Mandatory detention comes at a high cost both for taxpayers and immigrant families who are needlessly torn apart. Immigration detention costs the United States \$2 billion a year. That's \$5.4 million a day or \$164 per day per detainee. Despite the availability of other proven cheaper methods, including ankle bracelets and supervised release that cost the Federal Government anywhere from 30 cents a day to \$14 a day, we continue to use detention as the primary method for immigrants facing deportation. Not only is this quota fiscally irresponsible, but it makes it impossible for DHS to make rational decisions about detention based on enforcement priorities and needs.

There is also a high human cost. Most immigrants in detention are held in county jails or facilities run by private prison corporations often hundreds of miles from anyone they know. Human rights abuses have been well documented in facilities across the country. Many immigrants in the system have strong ties to their communities and no criminal records; yet they must fight their cases from a distant jail all because of this arbitrary quota. No other law enforcement agencies in our government have such quotas. Rather than a per-day bed quota, ICE's use of bed space should be based on actual need, which is the approach used in every other law enforcement context.

In his letter from the Birmingham jail, Martin Luther King, Jr., said:

Injustice anywhere is a threat to justice everywhere.

Mandatory detention quotas distort our system of justice and are a threat to freedom and justice in our country. Mr. Chairman, I rise to end this costly and needless injustice, and I urge my colleagues to support our amendment.

Mr. DEUTCH. Mr. Chairman, I have a letter of support for this amendment that is signed by 66 local, national and State groups, which I submit for the RECORD.

JUNE 5, 2013.

Re H.R. 2217—Support Rep. Deutch's Amendment to Eliminate the Immigration Detention Bed Mandate

Hon. JOHN BOEHNER,  
*Speaker, House of Representatives,*  
*Washington, DC.*

Hon. NANCY PELOSI,  
*Minority Leader, House of Representatives,*  
*Washington, DC.*

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: As organizations that work to protect and advance the rights of individuals in immigration detention, we write to encourage bipartisan support of Rep. Deutch's amendment (co-sponsored by Rep. Foster) to the Department of Homeland Se-

curity (DHS) Appropriations Act, H.R. 2217, that would eliminate the immigration detention bed mandate.

Congress has mandated through appropriations that DHS maintain a daily immigration detention level of 34,000 individuals, a micro-managing approach that does not exist in any other law enforcement context. DHS already uses a Risk Assessment Tool to help determine whether an individual presents a risk of flight or a risk to public safety and whether that person should be detained. Yet the bed "mandate" precludes the agency from making decisions about detention based on its enforcement priorities, policies, and need. It also makes increased efficiencies, effective alternatives to detention, and other cost-savings efforts for taxpayers impossible—an irresponsible approach for the federal government to take when Washington seeks to reduce federal spending. Alternatives to detention have received bipartisan support for its cost-savings from groups such as the Council on Foreign Relations' Independent Task Force on U.S. Immigration Policy, the Heritage Foundation, the Pretrial Justice Institute, the Texas Public Policy Foundation (home to Right on Crime), the International Association of Chiefs of Police, and the National Conference of Chief Justices.

Today, taxpayers pay upward of \$2 billion a year to fund immigration detention, approximately \$5.5 million each day. Decades ago, criminal justice and correctional experts observed that holding all individuals subject to incarceration in jails or prisons was unsustainable, unnecessary, and a wasteful use of resources. It is common in the criminal justice system to use an array of less costly custody options, such as electronic monitoring and house arrest, to meet pre-trial and post-sentencing needs. The federal sentencing guidelines expressly allow substitution of a prison sentence with alternatives to incarceration. The immigration detention system should follow suit and conform to established best practices.

We urge you to support this important amendment, which will eliminate this arbitrary immigration detention quota and save critical taxpayer dollars. Please feel free to contact Royce Murray with any questions.

Sincerely,

NATIONAL ORGANIZATIONS

Adrian Dominican Sisters.  
All of Us or None.  
American Civil Liberties Union.  
American Friends Service Committee.  
American Immigration Lawyers Association.  
Americans for Immigrant Justice, formerly Florida Immigrant Advocacy Center.  
America's Voice.  
Arab American Institute.  
Congregation of St. Joseph.  
Detention Watch Network.  
Human Rights First.  
Immigration Equality Action Fund.  
Japanese American Citizens League.  
Justice for Immigrants.  
Justice Strategies.  
League of United Latin American Citizens.  
Lutheran Immigration Refugee Service.  
NAFSA: Association of International Educators.  
National Center for Transgender Equality.  
National Council of La Raza (NCLR).  
National Immigrant Justice Center.  
National Immigration Forum.  
National Immigration Law Center.  
Physicians for Human Rights.  
Service Employees International Union (SEIU).

Sisters of St. Francis, Sylvania, OH.  
 Sisters of St. Joseph, TOSF.  
 Sisters of the Most Precious Blood,  
 O'Fallon, MO.  
 Sisters, Home Visitors of Mary.  
 South Asian Americans Leading Together  
 (SAALT).  
 Southeast Asia Resource Action Center  
 (SEARAC).  
 Southern Poverty Law Center.  
 The Advocates for Human Rights.  
 The Center for APA Women.  
 UC Davis Immigration Law Clinic.  
 Women's Refugee Commission.

## STATE ORGANIZATIONS

Advocates for Survivors of Torture and  
 Trauma.  
 California Immigrant Policy Center.  
 Florence Immigrant & Refugee Rights  
 Project.  
 Illinois Coalition for Immigrant and Ref-  
 ugee Rights.  
 Legal Services for Prisoners with Children.  
 Maria Baldini-Pottermin & Associates, PC.  
 Massachusetts Immigrant and Refugee Ad-  
 vocacy Coalition.  
 New York Immigration Coalition.  
 Northwest Immigrant Rights Project.  
 OneAmerica.  
 Pax Christi Florida.  
 Political Asylum Immigration Representa-  
 tion Project.  
 Scott D. Pollock & Associates, P.C.  
 Sisters of Mercy West Midwest Justice  
 Team.  
 Vermont Immigration and Asylum Advo-  
 cates.  
 Voces de la Frontera.

## LOCAL ORGANIZATIONS

Capital Area Immigrants' Rights Coali-  
 tion.  
 Dominican Sisters of Houston.  
 Gesu Immigration Study Group.  
 Good Shepherd Immigration Study Group.  
 Gospel Justice Committee Sisters of the  
 Most Precious Blood of O'Fallon, MO.  
 Immigration Taskforce, SWPA Synod,  
 Evangelical Lutheran Church in America.  
 Justice and Peace Committee/Sisters of St  
 Joseph/West Hartford, CT.  
 Justice for Immigrants, District 4 & 5.  
 Milwaukee New Sanctuary Movement.  
 PCUN, Oregon's Farmworker Union.  
 Reformed Church of Highland Park, NJ.  
 Sisters of St. Joseph of Rochester.  
 University of Miami School of Law Immi-  
 gration Clinic.

I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I rise in  
 opposition to the gentleman's amend-  
 ment.

The Acting CHAIR. The gentleman  
 from Texas is recognized for 5 minutes.

Mr. CARTER. I rise in opposition to  
 this amendment, which strikes the  
 legal requirement for 34,000 detention  
 beds.

The simple fact is that sovereign  
 countries control their borders and  
 have an immigration system with in-  
 tegrity that adheres to the rule of law.

This last Friday, I visited the ICE fa-  
 cility in Houston, Texas. I find it inter-  
 esting the numbers that they explained  
 to me that were going on today in the  
 Houston-Corpus Christi region, which  
 takes in the entire gulf coast of Texas  
 along with what we call the lower Rio  
 Grande Valley of Texas. They informed  
 me that we are having a massive en-

croachment into our country from  
 across the border right now of approxi-  
 mately 100 OTMs a day in addition to  
 the Mexicans who are coming across  
 the border. It's interesting that we  
 talk as to the alternatives to incarcer-  
 ation. In the Houston office alone,  
 64,000-plus are on alternatives to incar-  
 ceration, which is almost double the  
 number of detention beds for the entire  
 United States in one office. So I think,  
 with this, we get a better picture of  
 what this invasion is all about.

The attacks of 9/11 taught us that im-  
 migration enforcement matters. It  
 matters to our security. The Boston  
 Marathon attacks underscored this so-  
 bering lesson. Each year, more than 1  
 million aliens attempt to illegally  
 enter the United States without proper  
 documentation, or they enter legally  
 but overstay and violate their visas.

Though reasonable people can dis-  
 agree, I believe detention beds are a  
 critical component in enforcing U.S.  
 immigration laws with the detention  
 and eventual removal of those aliens  
 who enter this country illegally.  
 Therefore, the bill recommends \$2.8 bil-  
 lion to fully fund ICE's obligation to  
 maintain no fewer than 34,000 beds.

□ 1510

In contrast, the President's request  
 provided funds sufficient to support  
 31,800 beds, justifying the request by  
 saying there's no need to support 34,000  
 detention beds, even though, as I speak  
 today, those in detention are at 38,000  
 beds. So it looks like we've got over-  
 age, not shortage.

The facts, however, refute this com-  
 pletely.

First, as of last Friday, more than  
 38,000 illegal immigrants are being held  
 in ICE custody, many of whom meet  
 the mandatory detention requirements.

Second, by the administration's own  
 estimate, there's at least 1.9 million re-  
 movable criminal aliens in the United  
 States.

There is general acknowledgement of  
 an illegal alien population of approxi-  
 mately 11 million. That estimate goes  
 up to as high as 20 million in some  
 quarters.

Clearly, detention beds are nec-  
 essary. This bed mandate is needed.

I urge my colleagues to oppose this  
 amendment, and I yield back the bal-  
 ance of my time.

Mr. PRICE of North Carolina. Mr.  
 Chairman, I move to strike the last  
 word.

The Acting CHAIR. The gentleman is  
 recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr.  
 Chairman, I rise in strong support of  
 the Deutch-Foster amendment, and I  
 commend my colleagues for addressing  
 one of the major problems in this bill.

Once again, this bill sets an arbitrary  
 minimum of 34,000 ICE detention beds,  
 whether or not ICE needs them, wheth-  
 er or not the population it is managing  
 on a given day warrants detention.

This detention bed mandate denies  
 ICE the flexibility it needs to manage  
 its enforcement and removal resources  
 in response to changing circumstances.  
 It prevents ICE from making full use of  
 cheaper alternative forms of super-  
 vision when it's appropriate.

The specific number of beds is not  
 the main issue here. The problem is at-  
 tempting to micromanage detention  
 operations from the floor of this House  
 and doing it, by the way, in a way that  
 wastes money and reduces flexibility.  
 I've never understood why we would  
 want to do that, and yet this keeps ap-  
 pearing in the bill produced by our ma-  
 jority colleagues.

Once again, we need to remove this  
 provision, and I commend Mr. DEUTCH  
 and Mr. FOSTER for focusing attention  
 on this so effectively.

I urge adoption of their amendment,  
 and I yield back the balance of my  
 time.

Ms. SCHAKOWSKY. Mr. Chair, I  
 move to strike the last word.

The Acting CHAIR. The gentlewoman  
 from Illinois is recognized for 5 min-  
 utes.

Ms. SCHAKOWSKY. Mr. Chairman, I  
 rise in strong support of Mr. DEUTCH  
 and Mr. FOSTER's amendment.

I think it is absolutely astonishing.  
 We can have a conversation about dif-  
 ferent people who are here undocu-  
 mented and whether or not they ought  
 to be in detention and whether or not  
 they have a criminal record and wheth-  
 er they're a danger to our country, but  
 to say that 34,000 beds have to be filled  
 no matter what is so un-American. It's  
 so un-American to say we're going to  
 build X number of prison cells and  
 then, no matter what the law says,  
 we're going to fill them. We start with  
 the need to fill the cell?

What the Deutch-Foster amendment  
 would do would be to strike that man-  
 date. It doesn't strike the idea that  
 some people are going to be detained.  
 It just strikes the idea that we have to  
 fill what Janet Napolitano, who is the  
 Homeland Security Secretary, just said  
 is arbitrary. These mandated levels ef-  
 fectively mean that ICE, our immigra-  
 tion system, can't make detention de-  
 cisions based on risk to our country, to  
 our people, the various agency prior-  
 ities. Its officers have to focus instead  
 on filling daily quotas. And as a result,  
 growing numbers of immigrants are  
 held in detention. In fiscal year 2011  
 alone, ICE detained 429,000 people.

Let's talk about those people. Some  
 of them are dangerous criminals, but  
 most are not. Over half of the immi-  
 grants detained in 2009 and 2010 had  
 zero criminal history. Of those who did,  
 about 20 percent had only traffic viola-  
 tions. Only 11 percent of the detainees  
 with felony convictions had committed  
 violent crimes.

Included among those detained are  
 victims of trafficking, families with  
 small children, elderly individuals, in-  
 dividuals with serious medical and

mental health conditions. Many of those detained have U.S. citizen children or spouses and deep ties to their American families and their communities. Many have potential claims for lawful status, but still are detained for months or even years. Some are even survivors of torture seeking asylum in the United States.

In my district, the Heartland Alliance Marjorie Kovler Center works with survivors of torture and emphasizes that placing these individuals in detention can be particularly traumatic, even replicating the feeling of vulnerability that they experienced during their torture.

And the irony is this: detaining large numbers of immigrants who have no criminal convictions, except immigration charges, does not make us safer. It's not necessary to enforce immigration law—we don't need it to enforce the immigration law—and it represents a major waste of taxpayer dollars. Each detainee costs the government around \$164 a day to hold. I understand why the prison industry, the private prisons in particular, would love to see \$164 and set this goal of detaining all these people every day.

So we should detain people because they pose a threat to our communities, not to meet congressionally mandated quotas. The criminal justice system does use a range of cheaper and effective custody options: electronic monitoring, house arrest. Alternatives to detention cost between 30 cents and \$14 per individual per day, far less than our current spending on detention.

We're making real progress toward immigration reform. The Senate is considering language that would allow undocumented immigrants to come out of the shadows and earn the chance to pursue their American Dream.

Let me tell you, as a first-generation American, I find this policy so offensive to me, and my district is one of the most diverse in the country. To say we have to fill prison beds with these people, whether or not they're criminals, whether or not they pose harm to our country, this is not who we are as Americans. These provisions don't make us safer and they don't solve the immigration challenges we face. They are a waste of taxpayer money.

I urge support of the Deutch-Foster amendment in promoting real immigration reform and yield back the balance of my time.

Mr. POLIS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR (Mr. GINGREY of Georgia). The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. Mr. Chair, I agree strongly with the impassioned plea by my colleague from Illinois (Ms. SCHAKOWSKY), and I'm very grateful for this amendment to be brought forward by Mr. DEUTCH and Mr. FOSTER.

This really is an outrage. It's an outrage to our values as Americans, and

frankly it's an outrage to taxpayers. The cost of holding an immigrant overnight is \$120. We have viable and proven alternatives to detention that we should be using for noncriminal aliens.

Again, what we're talking about here are different folks. When we're talking about criminal aliens, I don't think there's any dispute to the extent that we have criminal aliens. At any given time, this can be approximately 40 percent of the people in detention. When I visited the ICE facility in Aurora, they keep them separate, they wear different colored jumpsuits. They're criminal aliens, and they are—however many we have that have been apprehended for a crime—subject to deportation orders. It's perfectly fair to keep them in some form of detention.

But the majority, 60 percent, are noncriminal aliens. They were in the wrong place at the wrong time. It could have been a tail light out. They could have been going 10 miles over the speed limit. Yet, we as taxpayers are removing noncriminal aliens from their homes, from being the breadwinner for their family, from supporting their kids and being an asset to our country and instead turning them into a liability for taxpayers to the tune of \$120 a day. Again, I don't see how this makes fiscal sense at all. We're paying for free rooms, free board, food, medical services. All of these are being provided at taxpayer cost for folks.

□ 1520

How is this a good deal for Americans? It just doesn't make any sense to me when we have at one-tenth the cost alternatives to detention that include call-ins and ankle bracelets. There's a comprehensive program for noncriminal aliens that can do it at a much less expensive cost. And in detention, many of them remain for a period of months. I've even talked to folks, noncriminal aliens, who'd been in limbo for over a year, some approaching 2 years.

So yes, anybody who opposes this amendment is saying U.S. taxpayers should foot the bill for food and board and health care for someone who is here illegally for 2 years. Why do people want to subsidize our illegal population? It's absolutely absurd.

This is a commonsense measure. However many beds we need for criminal aliens, let's have. However many we need for noncriminal aliens in terms of alternatives to detention, let's do. Obviously, what we really need is comprehensive immigration reform to address this issue. There's no way I don't think people on either side of the aisle think that we should pay for 12 million people to be detained at the cost \$120 a day. I can't even add that up in my own mind, but I can tell you, it'd be a deficit buster right there.

So let's start here. Let's address our deficit. Let's make sure that we keep

families together. Don't take parents away from kids. Don't force taxpayers to buy medical care and lodging and food for people who aren't even here in this country legally. We can do that right here, right now by passing the Deutch amendment. I call upon my colleagues to join me in doing so.

I yield back the balance of my time.

Mr. QUIGLEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. QUIGLEY. Mr. Chairman, I rise in support of this important amendment, the Deutch-Foster amendment. First of all, this is the right thing to do, but to bring the conversation back to what my colleagues on the other side of the aisle pivot to in almost every policy discussion we have in this body—cutting spending.

In a budget age where many in this body celebrate the draconian and harmful cuts of the sequester, it seems we've come to accept as the norm indiscriminate, across-the-board cuts that in many cases fall on the backs of the most vulnerable among us. Cutting spending in this Congress no longer equates to targeted cuts to inefficient or duplicative government programs to root out waste. Cutting spending in this budget climate is simply about the bottom line. But it doesn't have to be that way.

This amendment is the perfect example of how we can cut spending in a smart and efficient way while defending those most vulnerable. By ending the arbitrary 34,000-bed mandate for immigration detention, we can cut spending and do the right thing.

How's this for a bottom line: alternatives to immigration detention save money. We're spending more than \$5 million a day to detain immigrants, 45 percent of which have no criminal record, according to Human Rights Watch. That equates to roughly \$164 per day per detainee for detention and roughly \$2 billion per year.

On the other hand, alternatives to detention only cost between 30 cents and \$14 per day per detainee, and they have proven to be safe and effective. According to Julie Myers Wood, who ran ICE under President Bush, 96 percent of individuals enrolled in alternatives to detention show up for their final hearing and 84 percent comply with removal orders.

So what's stopping us from putting in place these effective, cost-saving policies? Another harmful appropriations policy rider, mandating a daily detention level of 34,000 immigrants. In no other law enforcement context do we impose such a ridiculous quota. You wouldn't tell a county jail or a State prison that you have to keep "X" number of prisoners in that facility.

Mandating such a high level of detention makes absolutely no sense. By

doing so, ICE is effectively prohibited from making decisions about detention based on enforcement policies, efficiency, and need.

All-too-often in this body, we look for someone else to blame. But in this case, we have no one to blame for this wasteful policy but ourselves. We have the power to change a policy that does nothing but waste the taxpayers' money and cause undue hardship to immigrant families across the country. I urge my colleagues to vote for increased efficiency and compassion, and urge a "yes" vote on this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. I have listened to the arguments from my colleagues on the other side of the aisle, and I find it interesting. First, those who cross into our country without and contrary to the laws of this great Nation have committed an illegal act. Calling them not illegal doesn't make them not illegal.

I really would like to point out that we have a curious way to discuss this as a policy; that is, no one here stands responsible for the decision. You know, the alternatives to incarceration were created by judges, and the judicial system stands in a little different situation than the Members of Congress. When one of these people who's let out under alternatives to incarceration in fact commits another criminal act—and believe me, it happens—nothing more than just DWI, when you run over a little kid—the judge, who puts him on that particular forum, is held responsible. And he is now going to read his name in the newspaper that he put that person out that should have been in jail, out on an alternative to incarceration. Or if the person commits another criminal act even more severe—murder, rape, robbery—if it happens when the judge puts him out on alternatives, the judge has to take the heat.

But as we have this great policy debate in Congress, no one who is arguing to release all these people on alternatives is taking any heat at all on what the accomplishments in the criminal realm will be of those we release.

I approve of alternatives to incarceration. I just told you that 64,000 people alone in the city of Houston's jurisdiction, which is the valley all of the way up to Beaumont, were out on alternatives. But detention beds are also full and overflowing. When I visited the ICE unit there, the red uniforms were the majority, and the red uniforms are criminal aliens. They have committed crimes in this country.

And so I think we are being a little bit safe to make these arguments as we stand here in these hallowed Halls. Never is our name going to appear in

any newspaper when one of these people commits an act that causes damage to our fellow citizens. And yet we make this argument very passionately. I just want to remind everybody that we are responsible for those criminal aliens that we release, and criminal aliens are right now being released. And, in fact, Ms. Napolitano, after I asked her specifically, Are you releasing anyone from detention, she looked me right in the eye and said, No. And 2 days later, she released 2,300. And of those 2,300, the top two categories were both represented in that release—the most serious and the second-most serious categories of crimes we hold people for.

So this is a policy. This administration continues to have a policy of not enforcing the law, and, quite frankly, we need this availability of beds so we can enforce the law.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DEUTCH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DEUTCH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

The Clerk will read.

The Clerk read as follows:

#### AUTOMATION MODERNIZATION

For expenses of immigration and customs enforcement automated systems, \$34,900,000, to remain available until September 30, 2016.

#### CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, \$5,000,000, to remain available until September 30, 2017.

#### TRANSPORTATION SECURITY ADMINISTRATION

##### AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107-71; 115 Stat. 597; 49 U.S.C. 40101 note), \$4,872,739,000, to remain available until September 30, 2015, of which not to exceed \$7,650 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, not to exceed \$3,824,625,000 shall be for screening operations and not to exceed \$1,048,114,000 shall be for aviation security direction and enforcement: *Provided further*, That of the amount made available in the preceding proviso for screening operations, \$2,972,715,000, to remain available until September 30, 2014, shall be available for Screener Compensation and Benefits; \$163,190,000 shall be available for the Screening Partnership Program; \$382,354,000 shall be available for explosives detection systems, of which \$83,845,000 shall be available for the purchase and installation of these systems; and \$103,309,000 shall be for checkpoint support: *Provided further*, That any award to deploy explosives detec-

tion systems shall be based on risk, the airport's current reliance on other screening solutions, lobby congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness: *Provided further*, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: *Provided further*, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2014 so as to result in a final fiscal year appropriation from the general fund estimated at not more than \$2,752,739,000: *Provided further*, That any security service fees collected in excess of the amount made available under this heading shall become available during fiscal year 2015: *Provided further*, That notwithstanding section 44923 of title 49, United States Code, for fiscal year 2014, any funds in the Aviation Security Capital Fund established by section 44923(h) of title 49, United States Code, may be used for the procurement and installation of explosives detection systems or for the issuance of other transaction agreements for the purpose of funding projects described in section 44923(a) of such title: *Provided further*, That none of the funds made available in this Act may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed a staffing level of 46,000 full-time equivalent screeners: *Provided further*, That the preceding proviso shall not apply to personnel hired as part-time employees: *Provided further*, That not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a detailed report on—

(1) the Department of Homeland Security efforts and resources being devoted to develop more advanced integrated passenger screening technologies for the most effective security of passengers and baggage at the lowest possible operating and acquisition costs;

(2) how the Transportation Security Administration is deploying its existing passenger and baggage screener workforce in the most cost effective manner; and

(3) labor savings from the deployment of improved technologies for passenger and baggage screening and how those savings are being used to offset security costs or reinvested to address security vulnerabilities:

*Provided further*, That Members of the Senate and House of Representatives, including the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the Attorney General, Deputy Attorney General, Assistant Attorneys General, and the United States Attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget, shall not be exempt from Federal passenger and baggage screening.

□ 1530

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk, and I ask unanimous consent to dispense with the reading of the amendment.

The Acting CHAIR. Without objection, the Clerk will designate the amendment.

There was no objection.

The text of the amendment is as follows:

Page 15, line 20, after the dollar amount insert “(reduced by \$4,872,739,000)”.

Page 15, line 21, after the dollar amount insert “(reduced by \$7,650)”.

Page 15, line 24, after the dollar amount insert “(reduced by \$3,824,625,000)”.

Page 15, line 25, after the dollar amount insert “(reduced by \$1,048,114,000)”.

Page 16, line 4, after the dollar amount insert “(reduced by \$2,972,715,000)”.

Page 16, line 6, after the dollar amount insert “(reduced by \$163,190,000)”.

Page 16, line 7, after the dollar amount insert “(reduced by \$382,354,000)”.

Page 16, line 8, after the dollar amount insert “(reduced by \$83,845,000)”.

Page 16, line 10, after the dollar amount insert “(reduced by \$103,309,000)”.

Page 16, line 25, after the dollar amount insert “(reduced by \$2,752,739,000)”.

Page 93, line 9, after the dollar amount insert “(increased by \$4,872,739,000)”.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, my amendment would completely eliminate funding for the Transportation Security Administration, TSA, and transfer that money to the spending reduction account, saving taxpayers nearly \$5 billion.

Congress intended for TSA to be an efficient, cutting-edge, intelligence-based agency responsible for protecting our airports and keeping our passengers safe and secure, but today it has grown into one of the largest bureaucracies in the Federal Government. They've had a 400 percent increase in staff since they were created. A good portion of those are headquarters employees making six-figure incomes, on the average.

What's worse is that the American passengers aren't getting a good return on the more than \$60 billion investment that they've spent on TSA. Reports indicate that more than 25,000—repeat, 25,000—security breaches have occurred in U.S. airports since 2001.

Plus, we have evidence today that terrorists on the no-fly list still have been able to board U.S. aircraft—terrorists boarding U.S. aircraft, in spite of TSA.

Furthermore, we've seen report after report on TSA employees displaying a lack of professionalism, being inadequately trained, and even engaging in theft and other illegal activities.

Just about the only thing that the TSA is consistently good at is using its extensive power to violate American travelers' civil liberties. Veterans, the disabled, the elderly, and even small children have been the victims of overly invasive searches by TSA officers. This is all evidence that the TSA has veered dangerously off course.

I've repeatedly asked that we use our resources to focus on intelligence and

technologies that could be more effective when it comes to catching terrorists. I've called for the privatization of TSA, and so have many other of my colleagues. But we still have yet to see the necessary changes made to the TSA personnel or to its procedures that will ensure the safety and security of our airports and passengers.

Mr. Chairman, this amendment to zero out funding for the TSA forces Congress and the Department of Homeland Security to start from scratch on a leaner, more effective, and more focused and more productive system for protecting our U.S. citizens. I urge my colleagues to support my amendment.

I yield back the balance of my time.

Mr. CARTER. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, the simple fact is this amendment is unnecessary and harmful to national security, in my opinion.

Now, am I happy with TSA? No. I have criticism of TSA also. Most people who travel have some criticism of TSA. But zeroing out TSA and leaving our airports unsecured is not the solution to the problem.

If the gentleman's argument is that we're being fiscally responsible to do away with the TSA part of this budget, I would argue the contrary. This bill, quite frankly, has made cuts, and, in fact, for 4 years now we have reduced spending in this bill. That's not a good argument.

It's easy to get mad at somebody that interferes with your life every time you travel, especially when you travel every week, but the reality is, this would be a mistake to national security. This would be a mistake to our country.

And even though we have criticism of TSA, our job is to fix TSA, not abolish TSA. And I know there's plenty of folks that think that abolishing it is a good idea, but, quite honestly, it would be a real tragedy to leave our airports undefended. We need to make them better. And I think one of the things we're doing is the oversight that we've provided in this bill so that we can take a hard look at DHS across the board and come up with solutions where things need to be fixed; and, of course, if TSA's on the radar screen, they ought to be fixed.

But I think this is a mistake. I think it's bad policy. I think it's good grandstanding but bad policy, and I oppose the gentleman's amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I join the subcommittee chairman in strong opposition to this

amendment. The gentleman's amendment would eliminate entirely the TSA aviation security account from this bill, more than \$4.8 million.

Now, I oppose this dangerous amendment on numerous grounds, but I'm most appalled by the fact that it includes no language on who, if not TSA, would be securing our Nation's airports and under what authority, what guidelines.

If this amendment were to pass, not only would the public not worry about bringing knives on planes, but terrorists would be able to bring guns and explosives on planes. So surely the sponsor can't be suggesting that as an acceptable outcome of this amendment.

I just have to say, the job of this subcommittee and of this bill is to provide for the defense of our homeland. That's our bottom-line obligation, and this amendment is in direct contradiction to that obligation. So I urge the resounding defeat of this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was rejected.

AMENDMENT OFFERED BY MR. TIPTON

Mr. TIPTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 20, after the dollar amount, insert “(increased by \$3,000,000)”.

Page 15, line 24, after the dollar amount, insert “(increased by \$3,000,000)”.

Page 16, line 10, after the dollar amount, insert “(increased by \$3,000,000)”.

Page 19, line 15, after the dollar amount, insert “(reduced by \$4,000,000)”.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. TIPTON. Mr. Chairman, I rise today with an amendment that cuts \$4 million from the Transportation Security Administration and provides these resources for small and rural airports, airports that have had important passenger screening devices removed as a result of the Federal Aviation Administration Modernization Act.

Passengers in rural airports in my district, including Yampa Valley, Montrose, Gunnison, Durango, they've all been impacted by unnecessary delays and intrusions because of the removal of security screening devices that were sent to larger airports.

In the interest of protecting passenger privacy, the FAA Modernization Reform Act of 2012 required the use of Automated Target Recognition scanners, or “Gumby scanners,” at all airports by June 1 of 2012. While the intent of Congress was admirable and protecting the privacy of passengers should be a priority, TSA's interpretation and implementation of the law has caused numerous problems for passengers traveling from small and rural airports throughout the country.



One of TSA's manufacturers who provided equipment for passenger screening could not comply with the changes in the law and provide new equipment. As a result, TSA decided to remove 174 of these noncompliant machines throughout the country. Rather than waiting for funding for new machines or finding alternative ways to be able to fix this problem, TSA made the arbitrary decision of taking compliant scanners from small and rural airports throughout the country and giving them to larger airports that lost their noncompliant scanners.

□ 1540

One alternative could have been the cost-effective private-Federal alternative screening model that was put forth by then-House Transportation Chairman JOHN MICA that would have saved billions of dollars and not compromised security at small and rural airports.

TSA's implication that security checkpoints at small and rural airports are somehow less critical is inaccurate. Once passengers clear screening at small and rural airports, they typically do not receive additional screening for connecting flights at any other potentially larger airports.

The amendment will assist with reducing unnecessary delay for passengers at small and rural airports by providing funding to be able to speed up the replacement of security equipment removed by the TSA. It is important to note that the funds being redirected from TSA toward improving passenger screening at small airports come from its administrative budget and, as such, do not impact passenger security.

There are numerous concerns with transparency and waste in the TSA budget, including a recent agreement by the TSA to purchase \$50 million worth of new uniforms that are unnecessary, wasting approximately \$212 million each year on the inefficient SPOT program and billions on the Transportation Worker Identification Credential program. I believe that these resources could be better used to more efficiently screen passengers at small airports, strengthen security, prevent delays and unavoidable intrusions.

I encourage my colleagues to join me in support of this commonsense amendment, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I share some of these concerns with the gentleman from Colorado, and I believe that outstanding questions still remain over the timeline for replacing the AIT scanners. I expect TSA to sufficiently answer the question posed here today.

I urge TSA to move forward with the replacement of AIT scanners at the affected airports as soon as possible. I commit to the gentleman from Colorado that the committee will look into this issue further and do everything within its power to fix the problem to the extent that it does not cost the American taxpayers more money. It's my understanding that this amendment will not result in the need for additional TSA screeners.

Therefore, I accept the amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I, too, would suggest that for now we accept this amendment and continue to work on the problems that the amendment highlights. My understanding from TSA is that they have prior-year funding available to replace detection machines that were removed due to the FAA Modernization Act. The machines that were removed didn't meet certain privacy standards and were removed at the cost of the contractor. TSA is currently testing new machines that could be used to replace the roughly 250 that were removed from airports across the country. Clearly, of course, this needs to be done.

So I'll be happy to work with the gentleman to press TSA to move at an expeditious pace to replace these with more advanced machines, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. TIPTON).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. HUDSON

Mr. HUDSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 25, after the dollar amount insert "(reduced by \$12,500,000) (increased by \$12,500,000)".

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. HUDSON. Mr. Chairman, I rise today to encourage my colleagues to support our amendment which strengthens the Federal Flight Deck Officer program, or FFDO. Our amendment increases funding for the FFDO by \$12.5 million, bringing the total authorized for the program to \$25 million, with the Congressional Budget Office reporting no budgetary impact.

Since its creation in 2003, this program has provided training to pilots who are willing to step up and volunteer to protect their fellow citizens by defending the airliners that millions of

Americans fly on every year. As part of TSA's risk-based approach to aviation security, which I've strongly advocated for on the Homeland Security Committee, the FFDO program plays an integral role in providing an additional layer of security against a hijacking or terrorist attack.

Since its inception, the FFDOs have protected thousands of flights each day and over 100,000 flights a month, at a fraction of the cost to taxpayers compared to the Federal Air Marshal Service. As the first line of deterrence and the last line of defense, it only makes sense that we should continue to provide adequate funding to the FFDO program. While zeroed out in the President's budget, we believe the FFDO program provides a cost-effective solution in protecting passengers aboard our airliners.

I applaud Chairman ROGERS, Subcommittee Chairman CARTER, and the Appropriations Committee for finding ways to prioritize spending so this program did not meet its demise. With that said, \$12.5 million represents more than a 50 percent cut from last year's amount. At this level of funding, the FFDO program would be unable to recertify all the pilots currently in the program, maintain its current management structure, or train any additional officers.

We have offered a responsible and fully offset amendment that moves \$12.5 million to the FFDO program to ensure that we are using our resources wisely and in a manner that directly benefits America's safety. The House unanimously agreed to a similar amendment offered in the FY 2013 Homeland Security Appropriations bill, and I hope my colleagues will join me this year in providing the support that such a valuable program deserves.

I yield back the balance of my time. Mr. DEFAZIO. I move to strike the last word.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. It's been nearly a decade since, on a bipartisan basis, against bipartisan opposition, we fought and were successful in creating the Federal Flight Deck Officer program. Since that time, over hundreds of thousands of flights have been protected by armed pilots.

There was controversy at the beginning. Could we trust pilots with guns? Well, we trust them with our lives. We trust them with planes that were used as weapons of mass destruction by the terrorists in 2011. Of course, we can trust them with guns. But they need proper training because it's an unusual environment in which to possess and use a weapon—and use a weapon as the last line of defense—should a plane be taken over by terrorists.

We've done other things to provide security like Federal air marshals, armed flight decks. But still, we know



that this program is essential, it's inexpensive, and it is something that pilots want to do. There were openings last year for a few additional training spots. Over a thousand people volunteered for those slots. Many, obviously, were not chosen.

If this program were eliminated, as was proposed in the President's budget, or even if it's cut in half—and I appreciate the fact that the committee has labored to find money to restore half the funding—many officers will not be recertified, new officers will not be allowed to join, and we will lose this last critical line of defense and one that is wonderfully random. A terrorist could never, ever know if the pilots on that plane were armed. It's pretty hard to spot the air marshals, but it's even impossible to know what the pilot has behind that locked flight deck door.

So we're recommending an amendment to our colleagues that would take money out of other parts of the bureaucracy of the TSA at no increase in debt or deficit and fully fund this program so that thousands of pilots can continue to participate meaningfully as the last line of defense against a future terrorist attack.

I think this amendment has tremendous common good sense about it. It's very cost effective. And I would hope that my colleagues will join us on a bipartisan basis in supporting it.

I yield back the balance of my time.

Mr. MICA. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

□ 1550

Mr. MICA. Thank you, Mr. Chairman. I also want to thank particularly the committee leadership, Mr. CARTER, Mr. PRICE, and the staff. They've done an excellent job in trying to put into appropriations language, and amount of money expended, reforms that are long overdue in TSA.

I'm pleased to join the gentleman from North Carolina (Mr. HUDSON) and my colleague, the gentleman from Oregon (Mr. DEFAZIO), in this bipartisan amendment to restore the \$25 million for the Flight Deck Officer program.

I can't, for the life of me, understand why the Obama administration would propose to Congress that we zero out one of the most cost-effective mechanisms we have to ensure the safety and security of the flying public.

Now, this program costs \$25 million, and that's out of a \$5 billion expenditure for TSA—\$25 million. It is probably the most cost-effective layer of security that we have. Just a few dollars underwriting, again, the expense of training these pilots who have asked for the ability to protect their aircraft themselves and their passengers.

We put this in place—everyone was against it. You heard Mr. DEFAZIO tell

the story of this. The Senate was against it. The administration was against it. The airlines were against it. We brought it out here in a demo project, and the House overwhelmingly voted to support this program; and it's done it time and time again because it is cost effective and it's a good layer of security.

Now, let me tell you what these pilots do. These pilots go at their own expense. They're not paid per diem. They're not paid for the flight. I went out to visit the program, and I have to admit, whether it was a Republican administration or a Democratic administration, everybody tried to do the program. And so they put the training facility almost on the border of Mexico. I had to take three flights—one to Denver, one to Albuquerque, and another jumper flight—and then drive almost 2 hours to the border to get to this flight facility. That's what these pilots are doing on their own dollar for a weeklong training program that, again, this is the cost of that training program but the expense is borne by the pilot. I saw men, I saw women, I saw pilots for cargo, passenger all going to get this training.

Why would you want to end a program that is so cost effective and gives us this protection?

So, I don't want to belabor this. Mr. HUDSON and Mr. DEFAZIO have stated the case well. Thousands and thousands of flights are protected, and thousands of pilots participate on their own dime.

I urge the passage of this amendment and yield back the balance of my time.

Mr. SWALWELL of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SWALWELL of California. Mr. Chairman, moments ago, the TSA Administrator announced that he will reverse his earlier decision to allow knives back onto airplanes. Knives will now continue to be a part of the prohibited items list on our aircraft, making our passengers and our crew more safe. This is positive news.

However, the administration's desire to zero out this FFDO program—allowing our trained pilots to be armed on the aircraft—puts us in a position that will put us more at risk, will put passengers and flight crew more at risk. The TSA not allowing knives on planes, that's just one step for passenger and crew safety when we need a comprehensive approach to keep our passengers and crew safe, which would include not allowing knives on planes, which would include risk-based screening, which would include, as my friends from the other side have talked about, increasing funding for intelligence operations to make sure we know who is getting on these airplanes. But it would also mean keeping the Federal

Flight Deck Officer program fully funded.

This is a program I know about because of a personal friend in Livermore, California, who is a Southwest pilot. I have seen firsthand over the last 7 years how serious he has trained to be ready for this program. As my friend and colleague from the other side just mentioned, they fly down to Texas routinely to train down there, and they are very diligent. They do this many times on their own dime. And a lot of skill and effort is put into their training to make sure that if something dangerous were to happen on that aircraft, they would be prepared. It is a task they take seriously, and it's a task we want them to continue to be supported by in the Federal Government.

So, to have comprehensive airline passenger security, we want to restore the Federal dollars for this, put it back at \$25 million. And I appreciate that this amendment was offered.

I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. I accept the amendment and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. HUDSON).

The amendment was agreed to.

Mr. HUDSON. Mr. Chairman, I move to strike the last word for the purpose of a colloquy.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. HUDSON. Mr. Chairman, as chair of the House Transportation Security Subcommittee, I want to raise my concern about a delay in finalizing a rule to improve the security of FAA-approved domestic and foreign repair stations. This rulemaking, mandated by Congress in 2003 and again in 2007, has languished for almost 10 years.

By way of background, TSA signed off on the rule late last year, and DHS completed consideration early this year. The Office of Management and Budget is currently reviewing the rule. I hope that OMB will complete this rulemaking by June 14, 2013, which is the end of the 90-day clock for their consideration.

At this time, I yield to my colleague from Texas (Mr. CARTER).

Mr. CARTER. I thank the gentleman for yielding.

I share the gentleman from North Carolina's concern on that. The House Appropriations Committee included report language asking for final action on this rule. It is well past time to finalize this rule, whose delay has impeded manufacturers in growing critical markets for aviation exports.

Mr. HUDSON. I thank my colleague.

At this time I would like to yield to my colleague from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank my colleague for yielding, and I very much appreciate my fellow North Carolinian raising this issue.

I agree with his assessment that OMB needs to finalize this rule as soon as possible. It's critical to establish this risk-based security regime for these repair stations. So we do hope for a rapid conclusion of this protracted episode, and I appreciate his raising the matter.

Mr. HUDSON. I thank the gentleman.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT NO. 8 OFFERED BY MR. MICA

Mr. MICA. Mr. Chairman, I have an amendment at the desk. It's Mica amendment 8, designated and preprinted.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 25, after the dollar amount, insert "(reduced by \$31,810,000)".

Page 16, line 6, after the dollar amount, insert "(increased by \$31,810,000)".

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. MICA. Mr. Chairman and my colleagues, first I want to again thank Chairman CARTER and Ranking Member PRICE for their excellent work, and again his staff. They have gone through some of the expenditures for TSA not only in the dollar amounts, but also in the language that's contained supporting their appropriations measures, some excellent provisions.

Now, I do offer this amendment, which is no greater increase in spending, but does move some money around from TSA administration to support our private screening partnership program. As you heard earlier from one of the speakers, this program is very successful, it's cost effective, and many airports want to avail themselves of it.

TSA has thwarted all the efforts to increase the private screening under Federal supervision, and they came up with a whole host of excuses. Also, they have cooked the books as far as the cost of operating these private screening operations.

□ 1600

Now, you've got to remember that if you look at this bill, it puts a limit of 46,000 screeners, I believe, in the past. We've increased that from 40,000. Mr. ROGERS and I did that some time ago. Actually, if you go online, you'll find 51,000 screeners. We're not sure exactly what the figure is right now. It may be less than that.

There are a total of 66,000 TSA employees. So that leaves approximately 15,000—even at our most conservative

estimate—of the number of people in administration.

Right now, there is close to \$1.2 billion spent on nonscreener salaries. That's \$1.19 billion, to be exact, in this bill. So this moves a small amount of money—\$20-some million—over to, again, the private screening account. I think it's justified. I think we're going to need it.

I have several amendments that I'm going to offer in a minute that I would like to expand, again, on the size of the bureaucracy and what TSA is doing to thwart the privatization effort that could bring cost-effective screening to play and do a better job and save taxpayers money.

With that, I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I accept this amendment and yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, the gentleman's amendment would provide an additional \$32 million for the Screening Partnership Program. I have no objection to the concept of the Screening Partnership Program. If a local airport authority applies to participate in the program and a private company can provide screening in accordance with TSA standards and costs, then so be it.

In fact, this bill increases funding for the SPP by \$15.6 million over current-year levels and \$10 million above the request in anticipation of the program's vast expansion. But I am unaware of a surge in demand for participation in the SPP that would warrant a 30-percent increase in funding for this program. The offset for the amendment is aviation security direction and enforcement, which the bill already cuts by \$20 million below the request.

Now, Mr. Chairman, should additional demand warrant funding for the SPP above what is already provided in this bill, we could work with the TSA to transfer funding to meet that demand. But it simply makes no sense to provide such a significant increase for the SPP when it is almost certain that those additional funds are going to go unused.

I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MICA).

The amendment was agreed to.

Ms. TITUS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Nevada is recognized for 5 minutes.

Ms. TITUS. Mr. Chairman, I rise today to voice my objections to the limits placed on DHS regarding the UASI Grant program. My district is slated to lose \$2 million due to the limit of awards to only 25 UASI grantees. While I believe that counterterrorism funding should go to the places that need it the most, an arbitrary cap, along with a flawed formula, is not helping our Nation's efforts to prepare for, and respond to, natural disasters and potential terrorist attacks. I have voiced these concerns on a number of occasions over the past few months with DHS Secretary Janet Napolitano, and I appreciate her willingness to work with me on this issue.

I want to acknowledge other Members of our Nevada delegation for joining with me today to work on this issue through a proposed amendment, but I have a number of reservations about their approach. I am concerned about reductions in salary accounts for agencies that are charged with keeping our Nation safe and prepared for all types of emergencies. Furthermore, their amendment provides additional funding, but not additional instruction, so there is no guarantee that additional cities, like Las Vegas, will receive any of this increased funding in the amendment.

I am proud to represent Las Vegas, one of the premier vacation and business destinations in the world. Ensuring that my constituents and millions of visitors who we welcome every year stay safe is a top priority of our local government and law enforcement. Without UASI funding to sustain and enhance our regional capabilities, Las Vegas, as well as our portion of the large FEMA Region IX, will be at a significant disadvantage in preparedness, response, and recovery capabilities.

Hundreds of thousands of people gather in large venues in southern Nevada every day. Fifteen of the world's 25 largest hotels are in my district on the Las Vegas Strip with a total of over 62,000 rooms. In 2012, some 37.5 million visitors came to Las Vegas and over 21,000 conventions are held each year. On any given day, tens of thousands of tourists walk along the 4.2 mile Las Vegas Strip, just a few miles from critical Federal assets, including Nellis Air Force Base and Creech Air Force Base, as well as the National Nuclear Security Site and Boulder Dam.

Mr. Chairman, I believe that counterterrorism funding decisions should be made using forward-looking, risk-based metrics. It is critical that DHS update their decision-making matrix to reflect these principles. DHS does not accurately count expected visitors in their decision-making process. It is important to remember that visitors to our city would need the most assistance in the event of a natural disaster or terrorist attack because they are unfamiliar with the area, as well as with local evacuation and safety plans.

In Las Vegas, we welcomed over 40 million travelers to our city this year, an increase of 400,000 over last year. We are also expecting our local population to continue to grow. Yet despite these increases and increases in other components of our risk profile, Las Vegas actually slipped in DHS' risk rankings. This fall in ranking caused the city to fall out of contention for a grant, and it was announced that we will not receive the funding we need. This is not good planning and should be remedied immediately.

I pledge to work with my colleagues from districts with other tourist destinations and with the Secretary to be sure that the formulas are updated and improved and that the funding goes to where it is truly needed.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT NO. 6 OFFERED BY MR. MICA

Mr. MICA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 25, after the dollar amount, insert "(reduced by \$23,334,000)".

Page 19, line 8, after the dollar amount, insert "(increased by \$23,334,000)".

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. MICA. Mr. Chairman and Members of the House, I have this amendment and I have several others. I'm going to combine my remarks on this amendment and one of the other amendments to expedite this process.

I am very pleased that the previous amendment to take money out of ad-

ministration—TSA administration—which I believe is extremely bloated, and putting it into, again, the private Screening Partnership Program, that successfully passed. With that passing, I had a second amendment to take a similar amount to put those funds into the transportation security support and intelligence account.

Ladies and gentlemen, we have created this multi-billion dollar bureaucracy that has been unable to connect the dots. Here is almost every terrorist incident. We'll put this in the RECORD. TSA failed every single time. They have never connected the dots. We need to be putting the money not into this huge screening bureaucracy that hassles veterans and little old ladies and children—and you've seen it all.

□ 1610

We have created this unbelievable detriment to the American right to fly and to be a free citizen, and it's so difficult to get this darned thing under control, but I'm telling you that the money needs to be going into security.

When Mr. DEFAZIO and I helped create TSA, the purpose was to connect the dots, so I would move money out of administration. They have 4,000 to 5,000 people just within a mile or two of here who are doing nothing, with most of them making, on average, \$104,000. Someone told me who just left there that there were four secretaries in his office making over \$100,000 apiece. Do the math. We only have 457 airports in the country. That means you've got about 17 people in administration out there and about nine in Washington in administration overseeing this program. It's totally out of control.

So the Mica amendment that I'm going to ask to withdraw in just a second would take money out of administration and put it into connecting the dots in security. I know that's a dumb idea.

Then the other thing is that the staff has done a great job here. There is some good report language, but TSA is thwarting the intent of Congress to allow the honest competition of the private Screening Partnership Program. We never intended to keep this all bureaucratic. Only Bulgaria, Romania, and Poland have a similar screening model as the United States today.

What they've done is they've packed each of the private screening operations with huge bureaucracies left in place. In San Francisco, there are somewhere between 60 and 85 TSA administrators who, most of them, are making in the \$100,000 range and don't have a job. How would you like that position? In Kansas City, there are 51 that they left there of private screening. They don't need these positions. They leave them there to jack up the cost to try to make private screening look more costly.

So, while you have language again in this bill—and it's good language—we need to hold TSA accountable to stop cooking the books and to give us honest accounting, and then allow for the natural process of evolution to private screening under Federal supervision—you don't do away with TSA—then finally getting TSA and Homeland Security to concentrate on security and intelligence and on connecting the dots to stop the terrorists before they ever get to the airport or get to screening.

Date	Target	Description	Arrest location	Suspect(s)	Nationality	Status
22-Dec-01	American Airlines 63	A man was put into custody after attempting to detonate a shoe bomb. Conspirators include a British man, Saaid Badat from Gloucester, England and a Tunisian man Nizar Trabelsi, who is in jail in Belgium in a plot to blow up two airliners bound for the United States, using their shoe bombs.	Paris to Miami	Richard Colvin Reid	British Citizen	Serving a life sentence without parole
8-May-02	?	A man was arrested after returning from Pakistan for allegedly attempting to build a dirty bomb. Arrested by U.S. Customs agents at Chicago's O'Hare International Airport on May 8, 2002, and held as a material witness on a warrant issued in the state of New York stemming from the September 11, 2001 attacks.	Chicago, Illinois	JosepAE1 Padilla	U.S. National	Sentenced to 17 years in prison [4]
Sep-02	?	Reportedly are six naturalized American citizens who were friends from childhood in Yemen; were arrested for allegedly providing material support for al-Qaeda and running a terrorist cell in Buffalo, NY.	Buffalo, New York	Lackawanna Six: Mukhtar Al-Bakri, Sahim Awan, Fayal Galab, Shafai Mased, Yasmin Taher, and Yanfa Goba.	Yemen	Each sentenced to 10 years of prison or less[6]
13-Mar-03	Brooklyn Bridge	A man was arrested and accused of giving aid to al-Qaeda and attempting to destroy the Brooklyn Bridge.	Columbus, Ohio	Iyman Faris	Kashmir, entered US in 1994, became US citizen in 1999.	Sentenced to 20 years in Prison [8]
Jun-03	?	Eleven members of the Virginia Jihad Network were arrested and accused of training for holy war around the globe. A federal grand jury indicted 11 people on conspiracy, firearms and other charges, six members have pleaded guilty and received prison sentences. Two others were acquitted of all charges. Ali Al-Tamimi sentenced to life imprisonment, others less than 20 years or less.	Northern Virginia	Ali al-Tamimi, Ali Asad Chandra, Mohammed Attique, Hamad Addu-Rahem, Ibrahim Ahmed Al-Hamdi, Sharifullah Chapman, Khwaja Hasan, Masoud Khan, Tong Kwon, Randall Todd Royer and Donald Surratt.	US Nationals	—
Aug-04	New York Stock Exchange, World Bank,International Monetary Fund.	Security in the United States was put on high alert after a plot surfaced to destroy the New York Stock Exchange and other financial institutions in New Jersey and Washington. Dhiren Barot converted to Islam at age 20. Came to the U.S. on a student visa in August 2000. Returned to UK in 2001, arrested by UK authorities in 2004.	United Kingdom	Dhiren Barot	Indian	Sentenced to life in prison, reduced to 30 years in 2007.
28-Aug-04	Herald Square subway system	Two men were arrested after attempting to bomb the New York subway system on the day before the 2004 Republican National Convention. Over a period of several months in 2004 he was recorded by an FBI informer Osama Eldawood plotting to plant a bomb in the 34th Street Herald Square station of the New York City Subway.	New York, New York	Shahawar Matin Siraj and James Elshafay.	Pakistani and US National	Sentenced to 30 years in prison [14]
Aug-04	Pakistani diplomat	Two leaders of an Albany Mosque, Mohammed M. Hossain and Yassin M. Aref, conspired with a man who claimed to have ties to Islamic terrorists in laundering \$50,000 in payments for a Chinese missile that he showed them. In fact, the contact turned out to be an undercover informer for the Federal Bureau of Investigation, and the RPG-7 missile was a disabled weapon owned by the federal government.	Albany, New York	Yassin Aref and Mohammed Hossain	Banglideshi and Kurdish	Both sentenced to 15 years in prison
Jun-05	?	In June 2005 Hamid Hayat was arrested and charged with providing material support to terrorists, and of lying about it to FBI agents. The prosecution alleged that Hamid Hayat had spent the better part of two years at an al-Qaeda training camp in Pakistan, returning in 2005 with an intent to attack civilian targets in the United States. Umer Hayat was also arrested and charged with two counts of making false statements to the FBI regarding the investigation of his son and of certain members of the Muslim community of Lodi.	Lodi, California	Hamid and Umer Hayat	Pakistani	Hamid was sentenced to 24 years in prison
Aug-05	Los Angeles-area military bases, synagogues and other places.	Indicted on terrorism charges related to conspiracy to attack military facilities in the Los Angeles area and of attempting to fund their campaign by robbing gas stations in Southern California.	Los Angeles, California	Kevin James, Levar Washington, Gregory Patterson, Hamad Samana.	US Nationals and Pakistani	James sentenced to 16 years in prison
Dec-05	Williams Natural Gas (Wyoming), Transcontinental Pipeline, Standard Oil refinery.	A man was arrested on suspicion that he had plans to destroy several sites. Reynolds was formally charged with a firearms offense for possessing a hand grenade, though a sealed statement from the FBI also stated that he intended to blow up multiple pipelines in the United States in a bid to help further terrorist causes.	Pennsylvania	Michael Curtis Reynolds	US National	Sentenced to 30 years in prison
Feb-06	Troops in Iraq, Toledo, Ohio citizens	Three men were arrested for allegedly planning to build bombs for use by terrorists in Iraq and were arrested and charged with conspiracy to provide material support to terrorists in Iraq and engage in violent jihad in their home town, as well as making verbal threats against the President of the United States. The investigation was conducted by the FBI and the Toledo Joint Terrorism Task Force, with the cooperation of an informant called 'The Trainer' who has a U.S. military background in security.	Toledo, Ohio	Mohammad Zaki Amawi, Marwan Othman, El-Hindi, and Wassim Mazlum.	U.S. National, Jordanian	Amawi was sentenced to 20 years in prison, the others 13 and 8 years, respectively.
Apr-06	Washington D.C.-area buildings	Two men from the U.S. state of Georgia, were arrested after videotaping Washington-area buildings and sending the tapes to a London based jihadist website. Ahmed and Sadeque were indicted by a federal grand jury in December, 2008. Both men were again charged with conspiring to provide material support to terrorists, including trying to join Lashkar-e-Taiba in 2005. According to the new indictment, the videos were passed to another convicted British terrorist, Abid Hussain Khan, on whose computer they were found subsequent to his own arrest.	Toronto, Ontario	Syed, Haris Ahmed and Ehsanul Islam Sadeque.	Pakistani	Ahmed sentenced to 13 years in prison, on, Sadeque sentenced to 17 [26]
Jun-06	Sears Tower and FBI offices	The charges centered around the group's belief that they were being offered money by someone in Yemen to help their mission in Liberty City, provided they supported the al-Qaeda jihad. The FBI agents represented themselves as representatives of al-Qaeda (but who were actually undercover FBI agents), and persuaded Batiste to provide plans for a stated intention to destroy the Sears Tower in Chicago, the FBI field office in Miami, and other targets.	Miami, Florida, Atlanta, Georgia	Narsaal Batiste, Patrick Abraham, Stanley Grant Phamir, Rotschird Augustine, Burson Augustin, Nadimmar Herrera, Lyglenison Lemelin.	US National	Five of the men were convicted. Batiste was sentenced to 13 years in prison.
Jul-06	Port Authority Trans-Hudson train tunnels.	Living in Lebanon who was charged with plotting a mission to blow up the PATH train tunnels beneath the Hudson River between New Jersey and lower Manhattan, New York City, United States with a team of suicide bombers with backpack explosives. He was arrested by the Lebanese Armed Forces, a division of the Internal Security Forces (ISF), in the Mouselbeth area of west Beirut on April 27, 2006.	New York, New York	Assem Hammoud	Lebanon	—

7-May-07 .....	Fort Dix .....	Six men were arrested after attempting an attack on the Fort Dix military base. The men were arrested by the Federal Bureau of Investigation (FBI) on May 8, 2007, and were prosecuted in federal court in October 2008. On December 22, 2008, five were found guilty of conspiracy to commit murder in their intentions to kill U.S. military personnel; four received life sentences, while one received 33 years in prison. The remaining member was thought to have had a minor role in the plot and was sentenced to five years in prison for weapons offenses.	Fort Dix, New Jersey .....	Dritan Duka, Shaim Duka, Elvir Duka, Muhamad Ibrahim Shnower, Sendar Tatar and Agron Abdullahu.	Duka family ethnic Albanians from Debar, then in Yugoslavia, currently the Republic of Macedonia. The Duka family entered the United States illegally through Mexico in October 1984. Palestinian, Turkish, and Albanian.	Four of the men received life sentences; one man received five years in prison and the other received 33
3-Jun-07 .....	John F. Kennedy International Airport .....	Four men were arrested in New York after a plot is revealed to bomb the fuel line of JFK airport. Defreitas was arrested in Brooklyn, New York. Kadir and Ibrahim were arrested in Trinidad on June 3, 2007. Nur surrendered to police two days later in Trinidad.	New York, New York .....	Abdul Kadir, Russell Defreitas, Kareem Ibrahim, Abdel Nur.	Guyana, Trinidad .....	
20-May-09 .....	New York City Synagogues/U.S. Military Aircraft .....	Four men were arrested in April 2009. Cromitie and his three alleged accomplices chose their targets. They allegedly attempted to both bomb the Riverdale Temple and nearby Riverdale Jewish Center in the Bronx, and using Singer surface-to-air guided missiles, shoot down military planes flying out of a nearby air base. The men placed fake bombs wired to cell phones in three separate cars outside the Riverdale Temple and nearby Riverdale Jewish Center, both in the Riverdale community of Bronx. New York City Police Department Commissioner Raymond W. Kelly said one of the suspects placed explosives, while the other three suspects served as lookouts As the men were returning to the vehicle, the signal was given for the arrest. An 18-wheel New York City Police Department vehicle blocked the end of the street. The FBI informer also served as the driver of the suspects' vehicle. Another armored vehicle arrived, and officers from the department's Emergency Service Unit smashed the blackened windows of the SUV, removed the men from the vehicle, and handcuffed them on the ground. None offered resistance.	New York City, NY .....	Majibullah Zazi, Adis Medunjani, Zarein Ahmedzay, Mohammed Wali Zazi, Imam Ahmad Was Atzali and Naqib Jaji.	Afghanistan .....	
19-Sep-09 .....	New York Subway System .....	Zazi, a native of Afghanistan who lived in Colorado, was arrested and convicted of plotting to bomb the NYC Subway system. He was trained by al-Qaeda in Pakistan. 5 others were also indicted on related charges. On September 19, 2009, authorities arrested Zazi, and on September 21 they charged him in the United States District Court for the District of Colorado with making false statements in a matter involving international and domestic terrorism.	New York City, NY .....	Hosam Maher Hussein Smadi .....	Jordanian .....	On October 20, 2010, sentenced to 24 years imprisonment and will be deported after serving his sentence.
24-Sep-09 .....	Dallas skyscraper .....	A 19 year old was arrested on charges that he intended to bomb a downtown Dallas skyscraper. The device was a dud provided by FBI agents posing as al-Qaeda members. Smadi activated a timer connected to the decoy with a cell phone, then rode with an undercover agent and waited to watch the explosion. Instead, the phone rang an FBI number, and Smadi was arrested.	Dallas, Texas .....	Colleen LaRose, Jamie Paulin-Ramirez, Ali Charaf Damache, Abdul Salam al-Jahani.	Americans, Algerian and Libyan .....	
16-Oct-09 .....	Various overseas targets .....	Colleen LaRose, also known as Jihadine and Fatima LaRose, is an American citizen charged with terrorism-related crimes, including conspiracy to commit murder and providing material support to terrorists. Lars Vilks was a named target in response to drawings of the Prophet Muhammad. LaRose was arrested on Oct. 16, 2009, at Philadelphia International Airport as she returned from London. She allegedly confessed her role in the plot to kill Vilks to FBI agents shortly after her arrest, according to two people close to the investigation.	Philadelphia, PA .....	Abdul Farouk Abdulmutallab .....	Nigerian .....	
25-Dec-09 .....	Northwest Airlines Flight 253 .....	'Underwear Bomber': On Christmas Day 2009, Abdulmutallab traveled from Ghana to Amsterdam, where he boarded Northwest Airlines Flight 253 en route to Detroit. He had a Nigerian passport and a valid U.S. tourist visa, and purchased his ticket with cash in Ghana on December 16.	Detroit, Michigan .....	Faisal Shahzad .....	Pakistani .....	Convicted and sentenced by a federal judge in New York City to life imprisonment without parole
1-May-10 .....	Times Square .....	A Pakistani American who attempted the May 1, 2010, Times Square car bombing. He was arrested approximately 35 hours after the attempt.[9] at 11:45 p.m. EDT on May 3, 2010, by U.S. Customs and Border Protection officers after he had boarded Emirates Flight 202 to Dubai. On June 21, 2010, in Federal District Court in Manhattan he confessed to 10 counts arising from the bombing attempt.	New York City, NY .....	Farooque Ahmed .....	Pakistani .....	Sentenced to 23 years in prison after pleading guilty
27-Oct-10 .....	Arlington Cemetery (WMATA station) .....	A Pakistan-born Virginia man was arrested and accused of casing Washington-area subway stations in what he thought was an al-Qaeda plot to bomb and kill commuters.	Arlington, VA .....	Rezwan Ferdous .....	Bangladeshi .....	
28-Sep-11 .....	The Pentagon, United States Capitol Building .....	Rezwan Ferdous is a U.S. citizen, born and raised in Massachusetts, of Bangladeshi descent, who was arrested by the FBI on September 28, 2011, for allegedly plotting to attack The Pentagon and United States Capitol with remote-controlled model aircraft packed with explosives. He was also charged with supporting al-Qaeda and plotting attacks on U.S. soldiers abroad, by making IED detonators.	Washington, D.C. ....	Sami Osmakac .....	Albania .....	
7-Jan-12 .....	Tampa, FL, various targets .....	Sami Osmakac is a man who allegedly plotted an attack, to avenge what he felt were wrongs done to Muslims, in the area around Tampa, Florida. Osmakac, an Albanian from Kosovo and a naturalized US citizen, was arrested January 7, 2012, for the alleged attack plan, which involved bombing nightclubs, detonating a car bomb, using an assault rifle, wearing an explosive belt in a crowded area, and taking hostages.	Tampa, FL .....	Anine El Khalifi .....	Moroccan .....	
17-Feb-12 .....	United States Capitol .....	A Moroccan man who was arrested by the Federal Bureau of Investigation (FBI) for allegedly plotting to carry out a suicide bombing on the United States Capitol. El Khalifi thought he was working with al-Qaeda operatives, but was actually in contact with undercover FBI agents. He was sentenced to prison for 30 years in September 2012.	Washington, D.C. ....	Mark Anthony Grady .....		
10-Aug-12 .....	Wainwright Building .....	On the morning of August 10, 2012, several St. Louis television and radio outlets received an e-mail from a person who said they were going to bomb the Wainwright State Office Building in downtown St. Louis. The e-mailer was taken into custody by ATF and FBI and is currently charged with attempt to commit mass-murder and attempt to commit a terrorist act.	St. Louis, Missouri .....			

Date	Target	Description	Arrest location	Suspect(s)	Nationality	Status
17-Oct-12 .....	New York Federal Reserve .....	A Bangladeshi man was charged with trying to blow up the Federal Reserve building in New York. While Nafis believed he had the blessing of al-Qaeda and was acting on behalf of the terrorist group, he has no known ties, according to federal officials.	New York City, NY .....	Quazi Mohammad Rezwanul Ahsan Nafis.	Bangladeshi .....	

With that, I ask unanimous consent to withdraw my amendment. I will work with the committee, and we will finalize better language to get this done.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

Mrs. BLACKBURN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Tennessee is recognized for 5 minutes.

Mrs. BLACKBURN. Mr. Chairman, when Congress created the Transportation Security Administration in 2001, we defined "TSA security screeners" in law as "Federal security screeners." Their role, as defined by the Aviation and Transportation Security Act, is to screen passengers and luggage at airports across the country. However, beginning in 2005, TSA administratively reclassified "TSA security screeners" as "transportation security officers" and proceeded to upgrade their uniforms to reflect those of Federal law enforcement officers with metal officer badges.

My concern and those of many of my constituents is that, despite their appearance, TSA officers do not have any Federal law enforcement training to reflect their current title and appearance. This can be confusing to the traveling public as they interact with TSA officers at airports and now on the highways, at rail stations, ferry terminals, bus stations, and at other mass transit facilities across the country.

I strongly believe that Congress has an obligation to ensure that the title and appearance of Federal employees properly reflects their training and background. Until we are able to pass a legislative fix to correct TSA's administrative decision, we need to use the power of the purse to ensure that TSA screeners are not abusing the current perception that they are trained Federal law enforcement officers.

I would like to commend Chairman CARTER and committee staff for their due diligence and dedication in working with my office to address this issue. I am pleased that we were able to reduce screener uniforms by \$18 million, a 20 percent decrease, so that we can continue to monitor this issue.

I look forward to continuing to work with Chairman CARTER and his staff in moving forward on finding a permanent solution.

I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. I share the gentlewoman's concern of this implication that these are law enforcement officers. It is something that anyone who has ever dealt with law enforcement officers should be worried about, so I thank her for working with us and for explaining

to us her concerns. I don't want anyone to be out there fooling the public, having people think they're trained law enforcement officers when they're not. I think that's an important thing at every level of law enforcement.

Representative BLACKBURN brought this to my attention and to the attention of the committee last year. We appreciate her staying on top of these issues. In fact, I asked the staff to look into this matter earlier this year. As a result, as she has described, this bill cuts the screeners' uniforms by \$18 million, which is about a 20 percent decrease. In fact, this bill calls for a net decrease of \$387.5 million to TSA, or 8 percent below the FY13 enacted levels.

Finally, the committee has directed TSA to provide a report describing in detail how TSA is complying with the Buy American Act and to provide Congress with the total number of uniforms and screener consumables purchased in fiscal years '12 and '13.

Moving forward, we will continue to work with the gentlewoman from Tennessee to ensure TSA screeners are not abusing the perception that they are officers of the law. We credit her for shedding light on this issue, and I thank her for bringing it to the attention of the committee. I am willing to work with the gentlewoman in any way she chooses.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to surface transportation security activities, \$108,618,000, to remain available until September 30, 2015.

#### TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

For necessary expenses for the development and implementation of screening programs of the Office of Transportation Threat Assessment and Credentialing, \$182,617,000, to remain available until September 30, 2015.

#### TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to transportation security support and intelligence pursuant to the Aviation and Transportation Security Act (Public Law 107-0971; 115 Stat. 597; 49 U.S.C. 40101 note), \$901,666,000, to remain available until September 30, 2015: *Provided*, That of the funds provided under this heading, \$50,000,000 shall be withheld from obligation for headquarters administration until the Administrator of the Transportation Security Administration submits to the Committees on Appropriations of the Senate and the House of Representatives detailed expenditure plans for air cargo security, checkpoint support, and explosives detection systems refurbishment, procurement, and installations on an airport-by-airport basis for fiscal year 2014 and the completion of a security assessment measuring the effectiveness of using the Transportation Worker Identification Credential: *Provided further*, That the Administrator of the Transportation Security Administration shall submit to the Committees

of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, the expenditure plans and report detailed in the preceding proviso.

#### FEDERAL AIR MARSHALS

For necessary expenses of the Federal Air Marshal Service, \$821,107,000: *Provided*, That the Director of the Federal Air Marshal Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives not later than 45 days after the date of enactment of this Act a detailed, classified expenditure and staffing plan for ensuring optimal coverage of high-risk flights.

#### COAST GUARD

##### OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; purchase or lease of small boats for contingent and emergent requirements (at a unit cost of no more than \$700,000) and repairs and service-life replacements, not to exceed a total of \$31,000,000; purchase or lease of boats necessary for overseas deployments and activities; minor shore construction projects not exceeding \$1,000,000 in total cost on any location; payments pursuant to section 156 of Public Law 97-09377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; \$6,839,416,000; of which \$340,000,000 shall be for defense-related activities, of which \$24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed \$15,300 shall be for official reception and representation expenses: *Provided*, That none of the funds made available by this Act shall be for expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from owners of yachts and credited to this appropriation: *Provided further*, That of the funds provided under this heading, \$167,683,000 shall be withheld from obligation for Coast Guard Headquarters Directorates until a revised future-years capital investment plan for fiscal years 2015 through 2019, as specified under the heading "Coast Guard Acquisition, Construction, and Improvements" of this Act is submitted to the Committees on Appropriations of the Senate and the House of Representatives.

#### ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, \$13,164,000, to remain available until September 30, 2018.

#### RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the Coast Guard Reserve program; personnel and training costs; and equipment and services; \$112,991,000.

#### ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; \$1,222,712,000; of which \$20,000,000 shall be derived from the



Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which the following amounts, to remain available until September 30, 2018 (except as subsequently specified), shall be available as follows: \$18,000,000 shall be available for military family housing, of which not more than \$6,828,691 shall be derived from the Coast Guard Housing Fund established pursuant to 14 U.S.C. 687; \$860,553,000 shall be available to acquire, effect major repairs to, renovate, or improve vessels, small boats, and related equipment; \$149,710,000 shall be available to acquire, effect major repairs to, renovate, or improve aircraft or increase aviation capability; \$74,930,000 shall be available for other acquisition programs; \$5,000,000 shall be available for shore facilities and aids to navigation, including waterfront facilities at Navy installations used by the Coast Guard; and \$114,519,000, to remain available until September 30, 2014, shall be available for personnel compensation and benefits and related costs: *Provided*, That the funds provided by this Act shall be immediately available and allotted to contract for the production of the seventh National Security Cutter notwithstanding the availability of funds for post-production costs: *Provided further*, That the funds provided by this Act shall be immediately available and allotted to contract for long lead time materials, components, and designs for the eighth National Security Cutter notwithstanding the availability of funds for production costs or post-production costs: *Provided further*, That the Commandant of the Coast Guard shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a future-years capital investment plan for the Coast Guard that identifies for each requested capital asset—

(1) the proposed appropriations included in that budget;

(2) the total estimated cost of completion, including and clearly delineating the costs of associated major acquisition systems infrastructure and transition to operations;

(3) projected funding levels for each fiscal year for the next 5 fiscal years or until acquisition program baseline or project completion, whichever is earlier;

(4) an estimated completion date at the projected funding levels; and

(5) a current acquisition program baseline for each capital asset, as applicable, that—

(A) includes the total acquisition cost of each asset, subdivided by fiscal year and including a detailed description of the purpose of the proposed funding levels for each fiscal year, including for each fiscal year funds requested for design, pre-acquisition activities, production, structural modifications, missionization, post-delivery, and transition to operations costs;

(B) includes a detailed project schedule through completion, subdivided by fiscal year, that details—

(i) quantities planned for each fiscal year; and

(ii) major acquisition and project events, including development of operational requirements, contracting actions, design reviews, production, delivery, test and evaluation, and transition to operations, including necessary training, shore infrastructure, and logistics;

(C) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the origi-

nal acquisition program baseline and the most recent baseline approved by the Department of Homeland Security's Acquisition Review Board, if applicable;

(D) aligns the acquisition of each asset to mission requirements by defining existing capabilities of comparable legacy assets, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how the acquisition of each asset will address such known capability gaps;

(E) defines life-cycle costs for each asset and the date of the estimate on which such costs are based, including all associated costs of major acquisitions systems infrastructure and transition to operations, delineated by purpose and fiscal year for the projected service life of the asset;

(F) includes the earned value management system summary schedule performance index and cost performance index for each asset, if applicable; and

(G) includes a phase-out and decommissioning schedule delineated by fiscal year for each existing legacy asset that each asset is intended to replace or recapitalize:

*Provided further*, That the Commandant of the Coast Guard shall ensure that amounts specified in the future-years capital investment plan are consistent, to the maximum extent practicable, with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, for that fiscal year: *Provided further*, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified: *Provided further*, That subsections (a) and (b) of section 6402 of Public Law 110-0928 shall apply with respect to the amounts made available under this heading.

#### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; \$9,928,000, to remain available until September 30, 2015, of which \$500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

#### RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, \$1,460,000,000, to remain available until expended.

#### UNITED STATES SECRET SERVICE SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 652 vehicles for police-type use

for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director of the Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees in cases in which a protective assignment on the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of and participation in firearms matches; presentation of awards; travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act; research and development; grants to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; \$1,534,589,000; of which not to exceed \$19,125 shall be for official reception and representation expenses; of which not to exceed \$100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; of which \$2,358,000 shall be for forensic and related support of investigations of missing and exploited children; of which \$6,000,000 shall be for a grant for activities related to investigations of missing and exploited children and shall remain available until September 30, 2015; and of which not less than \$8,000,000 shall be for activities related to training in electronic crimes investigations and forensics: *Provided*, That \$18,000,000 for protective travel shall remain available until September 30, 2015: *Provided further*, That \$4,500,000 for National Special Security Events shall remain available until September 30, 2015: *Provided further*, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, for personnel receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year: *Provided further*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of \$35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: *Provided further*, That the Director of the Secret Service may enter into an agreement to provide such protection on a fully reimbursable basis: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be obligated for the purpose of opening a new permanent domestic or overseas office or location unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such obligation: *Provided further*, That for

purposes of section 503(b) of this Act, \$15,000,000 or 10 percent, whichever is less, may be transferred between "Protection of Persons and Facilities" and "Domestic Field Operations".

#### ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of physical and technological infrastructure, \$51,775,000; of which \$5,380,000, to remain available until September 30, 2018, shall be for acquisition, construction, improvement, and maintenance of facilities; and of which \$46,395,000, to remain available until September 30, 2016, shall be for information integration and technology transformation execution: *Provided*, That the Director of the Secret Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives at the time that the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a multi-year investment and management plan for its Information Integration and Technology Transformation program that describes funding for the current fiscal year and the following 3 fiscal years, with associated plans for systems acquisition and technology deployment.

#### TITLE III

#### PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

#### NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

#### MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary and the Offices of the Assistant Secretaries for the National Protection and Programs Directorate, support for operations, and information technology, \$50,522,000: *Provided*, That not to exceed \$3,825 shall be for official reception and representation expenses.

#### INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), \$1,176,629,000, of which \$200,000,000, shall remain available until September 30, 2015: *Provided*, That of the total amount provided for the "Infrastructure Security Compliance" program, project, and activity, \$20,000,000 shall be withheld from obligation until the Under Secretary for the National Protection and Programs Directorate submits to the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan for the Chemical Facility Anti-Terrorism Standards program that includes the number of facilities covered by the program, inspectors on-board, inspections pending, and inspections projected to be completed by September 30, 2014.

#### FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service.

#### OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

For necessary expenses for the Office of Biometric Identity Management, as authorized by section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), \$232,190,000: *Provided*, That of

the total amount made available under this heading, \$113,956,000 shall remain available until September 30, 2016: *Provided further*, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not later than 60 days after the date of enactment of this Act, an expenditure plan for the Office of Biometric Identity Management: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives at the time the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a multi-year investment and management plan for the Office of Biometric Identity Management program, to include each fiscal year starting with the current fiscal year and the 3 subsequent fiscal years, that provides—

(1) the proposed appropriation for each activity tied to mission requirements and outcomes, program management capabilities, performance levels, and specific capabilities and services to be delivered, noting any deviations in cost or performance from the prior fiscal years expenditure or investment and management plan for United States Visitor and Immigrant Status Indicator Technology;

(2) the total estimated cost, projected funding by fiscal year, and projected timeline of completion for all enhancements, modernizations, and new capabilities proposed in such budget and underway, including and clearly delineating associated efforts and funds requested by other agencies within the Department of Homeland Security and in the Federal Government and detailing any deviations in cost, performance, schedule, or estimated date of completion provided in the prior fiscal years expenditure or investment and management plan for United States Visitor and Immigrant Status Indicator Technology; and

(3) a detailed accounting of operations and maintenance, contractor services, and program costs associated with the management of identity services.

Mr. CARTER (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 35, line 10, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Are there any intervening amendments to that section? Hearing none, the Clerk will read.

The Clerk read as follows:

#### OFFICE OF HEALTH AFFAIRS

For necessary expenses of the Office of Health Affairs, \$123,425,000; of which \$25,072,000 is for salaries and expenses; and of which \$79,534,000 is for BioWatch operations: *Provided*, That of the amount made available under this heading, \$18,819,000 shall remain available until September 30, 2015, for bio-surveillance, chemical defense, medical and health planning and coordination, and workforce health protection: *Provided further*, That not to exceed \$2,250 shall be for official reception and representation expenses.

#### FEDERAL EMERGENCY MANAGEMENT AGENCY SALARIES AND EXPENSES

For necessary expenses of the Federal Emergency Management Agency, \$914,795,000, including activities authorized by the Na-

tional Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Cerro Grande Fire Assistance Act of 2000 (division C, title I, 114 Stat. 583), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109-295; 120 Stat. 1394), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 916): *Provided*, That not to exceed \$2,250 shall be for official reception and representation expenses: *Provided further*, That of the total amount made available under this heading, \$27,513,000 shall be for the Urban Search and Rescue Response System, of which none is available for Federal Emergency Management Agency administrative costs: *Provided further*, That of the total amount made available under this heading, \$22,000,000 shall remain available until September 30, 2015, for capital improvements and other expenses related to continuity of operations at the Mount Weather Emergency Operations Center.

#### STATE AND LOCAL PROGRAMS

For grants contracts, cooperative agreements, and other activities, \$1,500,000,000, which shall be allocated as follows:

(1) Notwithstanding section 503 of this Act, \$1,264,826,000 shall be distributed, according to threat, vulnerability, and consequence, at the discretion of the Secretary of Homeland Security based on the following authorities:

(A) The State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605): *Provided*, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2014, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(B) Operation Stonegarden.

(C) The Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604).

(D) Organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(E) Public Transportation Security Assistance and Railroad Security Assistance, under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135 and 1163), including Amtrak security: *Provided*, That such public transportation security assistance shall be provided directly to public transportation agencies.

(F) Port Security Grants in accordance with 46 U.S.C. 70107.

(G) Over-the-Road Bus Security Assistance under section 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53; 6 U.S.C. 1182).

(H) The Metropolitan Medical Response System under section 635 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 723).

(I) The Citizen Corps Program.

(J) The Driver's License Security Grants Program in accordance with section 204 of the REAL ID Act of 2005 (49 U.S.C. 30301 note).

(K) The Interoperable Emergency Communications Grant Program under section 1809 of the Homeland Security Act of 2002 (6 U.S.C. 579).

(L) Emergency Operations Centers under section 614 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196c).

(M) The Buffer Zone Protection Program Grants.

(N) Regional Catastrophic Preparedness Grants.

(2) \$235,174,000 shall be to sustain current operations for training, exercises, technical assistance, and other programs, of which \$157,991,000 shall be for training of State, local, and tribal emergency response providers:

*Provided*, That of the amounts provided in paragraph (1) under this heading, \$55,000,000 shall be for operation Stonegarden; *Provided further*, That for grants under paragraph (1), applications for grants shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 80 days after the grant announcement, and the Administrator of the Federal Emergency Management Agency shall act within 65 days after the receipt of an application: *Provided further*, That notwithstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(11)), or any other provision of law, a grantee may not use more than 5 percent of the amount of a grant made available under this heading for expenses directly related to administration of the grant: *Provided further*, That for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility: *Provided further*, That grantees shall provide reports on their use of funds, as determined necessary by the Secretary of Homeland Security.

AMENDMENT OFFERED BY MS. BROWNLEY OF CALIFORNIA

Ms. BROWNLEY of California. I have an amendment at the desk, Mr. Chair.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 37, lines 7 and 10, after each dollar amount, insert “(reduced by \$97,500,000)(increased by \$97,500,000)”.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. BROWNLEY of California. Mr. Chair, I rise today to offer an amendment to the fiscal year 2014 Homeland Security appropriations bill that will provide \$97.5 million for the Port Security Grant Program. I offer this amendment in conjunction with my colleague and friend, the gentlewoman also from California.

I represent Port Hueneme, a critical west coast commercial port and home of Naval Base Ventura County. The presence of the naval base makes the port a potential target of those who seek to do our Nation harm. I believe we must do more to protect Port Hueneme and other ports across this great Nation from potential threats.

□ 1620

The Port Security Grant program is a critical component of our strategy to protect our Nation's critical infrastructure against risks associated with potential terrorist attacks.

The vast majority of critical U.S. maritime infrastructure is owned and/or operated by State, local, and private sector maritime industry partners, which is why this State and local grant program is so critical.

The funds that the program makes available to non-Federal entities are intended to improve port-wide maritime security risk management, enhance awareness, support training and exercises, and support port recovery capabilities.

Grant recipients must use funds to address vulnerabilities in port security and support the prevention of, detection of, response to and recovery from attacks involving improvised explosive devices and other nonconventional weapons.

My amendment simply ensures that the Port Security Grant program will be funded at \$97.5 million, which is at the same level as the previous fiscal year.

This program is a critical Homeland Security initiative for Port Hueneme in Ventura County and ports across our great country.

I urge my colleagues to support the amendment, and I yield back the balance of my time.

Ms. HAHN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlelady from California is recognized for 5 minutes.

Ms. HAHN. Mr. Chairman, I rise to urge support for this amendment that I'm cosponsoring with my good friend from California, Congresswoman BROWNLEY.

This straightforward and simple amendment will keep the Port Security Grant program funded at last year's levels and ensure it's protected from further cuts.

U.S. ports remain one of our country's most important economic engines as they link our Nation to the rest of the world and the global economy. Each day, our ports move both imports and exports totaling some \$3.8 billion worth of goods through all 50 of our States. And according to the American Association of Port Authorities, the U.S. port industry supports 13.3 million jobs and accounts for more than \$649 billion in personal income.

That's why I cofounded the bipartisan congressional PORTS Caucus with my good friend TED POE from Texas in order to ensure that Congress recognizes the vital role ports play in our national economy and the importance of keeping them competitive and, most importantly, secure.

Despite their growing importance, ports have failed to garner the atten-

tion and the resources that they deserve.

During my very first Homeland Security hearing, I asked Lee Hamilton, vice chairman of the 9/11 Commission, “What should Congress be doing to improve security at our Nation's ports?” He responded by saying, “My judgment would be that we have not focused enough on our ports.”

For instance, despite a peak funding level of \$400 million as recently as 2009, Congress has decreased funding for the Port Security Grant program nearly every year since. This is despite the fact that ports remain extremely vulnerable to attacks.

According to the Congressional Research Service, a 10-kiloton to 20-kiloton weapon detonated in a major seaport would kill 50,000 to 1 million people and would result in direct property damage of \$50- to \$500 billion and indirect costs of \$300 billion to \$1.2 trillion due to trade disruption. And while an attack of this magnitude may seem unlikely to many Americans, experts agree that a major attack at one of our Nation's ports is more likely than ever before.

Just last week in a discussion regarding the likelihood of a nuclear attack at a major seaport, former DHS Under Secretary Jay Cohen stated that it's not a question of if it's going to happen, “but rather a question of where, when, and to what magnitude.”

As someone who can see the Port of Los Angeles from my backyard, this statement provides a sobering reminder that we must be doing anything and everything we can to guard against this threat.

The port complex of LA/Long Beach is responsible for approximately 44 percent of all the trade that comes into this country. If an attack were to ever occur there, it would be economically debilitating not only for my district, but for the entire country, as well.

This amendment will ensure the Port Security Grant program maintains last year's funding and will protect the program from any further budget cuts.

By appropriately funding this program, we'll allow our port operators to continue to increase our capability to prevent, detect, respond to, and recover from chemical, biological, nuclear, and other nonconventional attacks.

And while ideally I would like to see this program returned to its previous authorized level of \$400 million, ensuring this critical program is protected against further cuts is one of utmost importance at this time.

Therefore, I urge my colleagues to support this incredibly important amendment, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, while I have concerns with carving out funding

amounts for specific grants, I will accept the amendment.

I was born and raised in Houston, Texas. I had something happen to me many years ago as a young lawyer in a hearing at the Port of Houston. Back in 1968, I was told by the Coast Guard that every day two ships pass each other in the Port of Houston, and should those ships collide, just the mixing of those two cargos would explode and kill every man, woman, and child on the Texas gulf coast all the way to Corpus Christi. That's without a nuclear weapon.

We are the largest petrochemical port in the United States. I too am concerned about our ports. I'm very concerned that they could be a target of attack that could cause great damage both in structures and in human life.

So I join my colleagues from California to accept this amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. I too rise in support of the amendment, which would simply require a funding floor for the Port Security Grant program at the current level.

I very much appreciate the gentleman's intent with this amendment. Our seaports are critically important to our Nation's economy, and, therefore, have been a primary focus of our security and preparedness efforts.

Because our bill does not currently allocate State and local program funding among the major Homeland Security Grant programs, I do have concerns with carving out funding for one specific program. But the funding level which our colleague has proposed is equal to the amount allocated to ports in 2013 and that we anticipate would be available in 2014.

Therefore, I support the gentleman's amendment, urge its adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Ms. BROWNLEY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SWALWELL OF CALIFORNIA

Mr. SWALWELL of California. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 37, line 7, after the dollar amount insert "(reduced by \$97,500,000) (increased by \$97,500,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SWALWELL of California. Mr. Chairman, if we learned anything

about the Boston Marathon bombings, it is that real threats exist against our homeland from outside actors motivated by outside forces with great access now from readily accessible materials that they can get on the Internet, and they can become radicalized also on the Internet and can target us here at home with IED devices.

I rise in support of my amendment, Mr. Chairman, which would require that at least \$97.5 million of the \$1.5 billion provided to the Federal Emergency Management Agency for State and local government Homeland Security grants would be used for mass transit security programs.

These programs are listed on (1)(E) on page 38 of the bill. The main FEMA and Department of Homeland Security mass transit security effort is their Transit Security Grant Program.

I want to start by thanking Homeland Security Appropriations Subcommittee Chairman CARTER and Ranking Member PRICE for the increase in funding for the account that funds local grant programs for security and terrorism readiness.

□ 1630

I organized a letter, signed by 39 other Members of Congress, asking for funding that is sufficiently robust for TSGP, the Transit Security Grant Program, to be able to meet our needs for mass transit security. Chairman CARTER and Ranking Member PRICE listened to our request, and more money will be available for this critical security program.

While the FEMA State and local grant account funds a variety of homeland security initiatives, my amendment addresses the critical, if often overlooked, element of mass transit security. Mass transit, which mostly includes bus and rail, is used by millions of Americans every year. In fact, according to the American Public Transportation Association, there are over 10.5 billion passenger trips in 2012 alone. That amounts to over 28 million trips per day.

We're fortunate in the East Bay of California, which I am privileged to represent, to have an excellent bus system and the world-famous Bay Area Rapid Transit system, also known as BART. There were over 400,000 BART passenger trips on average each weekday just this past April.

Unfortunately, some of what makes mass transit so great, that it is easily accessible and carries so many people quickly through critical urban centers, makes it vulnerable to terrorist attacks. In June 2009, the Government Accountability Office, GAO, summarized the issues facing mass transit, writing the following:

According to the Transportation Security Administration transit officials and transit experts, certain characteristics of mass transit systems, such as multiple access points

and limited barriers to access, make them inherently vulnerable to terrorist attack and therefore difficult to secure. High ridership, expensive infrastructure, economic importance, and location in large metropolitan areas or tourist destinations also make them attractive targets for terrorists because of the potential for mass casualties and economic damage.

Just 2 months ago in April, a plot to target trains in Canada was thankfully disrupted before anybody was hurt. And, of course, everyone remembers the horrible London attacks from 2005, and the Madrid transit attacks in 2004.

No American, in any part of our country on any of our mass transit systems, should live in fear of a mass transit attack. And damaging mass transit in our key urban centers wouldn't only harm that particular area but could ripple through our Nation's economy. Transit security means economic security. Everyone has an interest in protecting our public transit systems, and that's where TSGP comes in.

Through TSGP, local mass transit systems receive grants to protect and minimize damage from terrorist events. Example of uses include surveillance training, public awareness campaigns, detection equipment, security cameras, and the hardening of infrastructure.

The continuing resolution for fiscal year 2013 provided a floor of \$97.5 million for mass transit security, before sequestration, of which \$10 million was reserved for Amtrak. My amendment would use that same number. And since the bill before us is based on sequestration levels already, that would amount to an increase in the floor for fiscal year 2014 over fiscal year 2013.

To provide such broad discretion for the Department of Homeland Security is important. However, I also understand the argument that the Homeland Security Secretary should be able to distribute money based on risk and potential harm. I know some Members may feel we shouldn't set minimum amounts to be spent out of this account.

To provide such discretion is important, but it ignores our constitutional responsibility to provide clear direction on how the money is spent. And, it risks certain priorities being ignored. Moreover, the Transit Security Grant Program is a competitive grant program, and so within that framework money would only be distributed based on risk and damage potential.

Last Congress, minimums were included for this account when a compromise was developed with the Senate, including for transit security. I hope the same thing will happen again. My amendment gives this House an opportunity to state now on the record that we value mass transit security.

I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. I'm willing to accept this amendment. Once again, I have the same concerns as my colleague, Mr. PRICE, about the carving out of funding amounts for specific grants, but I will accept this amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in support of this amendment, which would simply require a funding floor for public transportation security assistance and railroad security assistance at the current level. I appreciate the gentleman's intent with this amendment. Public transportation infrastructure is absolutely critical to the functioning of our economy, and, therefore, is and must be a primary focus of our security and preparedness efforts.

The same reservation applies to this amendment as to the previous amendment. We do not currently allocate State and local program funding among the major homeland security programs. So we have some concerns with carving out funding for specific programs, but the funding level proposed here is equal to the amount allocated to transit in 2013 and that we anticipate would be available in 2014. Therefore, I support the gentleman's amendment and urge its adoption.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SWALWELL).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### FIREFIGHTER ASSISTANCE GRANTS

For grants for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), \$675,000,000, to remain available until September 30, 2015, of which \$337,500,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and \$337,500,000 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a).

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Ms. MOORE of Wisconsin.

Amendment by Mr. POLIS of Colorado.

Amendment by Mr. HECK of Nevada.

Amendment by Mr. GARCIA of Florida.

Amendment by Mr. DEUTCH of Florida.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

#### AMENDMENT OFFERED BY MS. MOORE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 167, noes 257, not voting 9, as follows:

[Roll No. 194]

AYES—167

Bass  
Beatty  
Becerra  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clay  
Clyburn  
Cohen  
Connolly  
Conyers  
Courtney  
Crowley  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Gabbard  
Gallego  
Garamendi  
Grayson  
Green, Gene  
Grijalva

Aderholt  
Alexander  
Amash  
Amodei  
Bachmann  
Bachus  
Barber  
Barletta

Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Horsford  
Hoyer  
Huffman  
Israel  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kennedy  
Kildee  
Kilmer  
Kind  
Kuster  
Langevin  
Larsen (WA)  
Larsen (CT)  
Lee (CA)  
Levin  
Lewis  
Lipinski  
Loebbeck  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Lynch  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moore  
Moran  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
Nolan  
O'Rourke

NOES—257

Barr  
Barrow (GA)  
Barton  
Benishek  
Bentivoglio  
Bera (CA)  
Billirakis  
Bishop (UT)

Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Bustos  
Calvert  
Camp  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Clarke  
Cleaver  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cooper  
Costa  
Cotton  
Cramer  
Crawford  
Crenshaw  
Cuellar  
Culberson  
Dahne  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Enyart  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Fudge  
Garcia  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)

NOT VOTING—9

Andrews  
Campbell  
Green, Al  
Holt

□ 1703

Messrs. POE of Texas, SANFORD, CUELLAR, PAYNE, ROONEY, MAF-FEI and Ms. FUDGE changed their vote from "aye" to "no."

Messrs. RANGEL, HINOJOSA, CONNOLLY, and Ms. LINDA T. SÁNCHEZ

of California changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### AMENDMENT OFFERED BY MR. POLIS

The Acting CHAIR (Ms. ROS-LEHTINEN). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 245, not voting 8, as follows:

[Roll No. 195]

#### AYES—180

Andrews	Frankel (FL)	Miller, George
Bachmann	Fudge	Moore
Bass	Gabbard	Moran
Beatty	Gallego	Murphy (FL)
Becerra	Garamendi	Nadler
Bera (CA)	Garcia	Napolitano
Bishop (GA)	Grayson	Neal
Bishop (NY)	Grijalva	Negrete McLeod
Blumenauer	Gutierrez	Nolan
Bonamici	Hahn	O'Rourke
Brady (PA)	Hanabusa	Pallone
Braley (IA)	Hastings (FL)	Pascarell
Brown (FL)	Heck (WA)	Pastor (AZ)
Brownley (CA)	Higgins	Pelosi
Butterfield	Himes	Perlmutter
Capps	Hinojosa	Peters (CA)
Capuano	Honda	Peterson
Cardenas	Hoyer	Pingree (ME)
Carney	Huffman	Pocan
Carson (IN)	Israel	Polis
Cartwright	Jeffries	Price (NC)
Castor (FL)	Johnson (GA)	Quigley
Castro (TX)	Johnson, E. B.	Rangel
Chu	Kaptur	Richmond
Cicilline	Keating	Roybal-Allard
Clarke	Kelly (IL)	Ruiz
Clay	Kennedy	Ruppersberger
Cleaver	Kildee	Rush
Clyburn	Kilmer	Ryan (OH)
Cohen	Kind	Sanchez, Linda
Connolly	Kirkpatrick	T.
Conyers	Kuster	Sanchez, Loretta
Costa	Langevin	Sarbanes
Courtney	Larsen (WA)	Schakowsky
Crowley	Larson (CT)	Schiff
Cummings	Lee (CA)	Schneider
Davis (CA)	Levin	Schwartz
Davis, Danny	Lewis	Scott (VA)
DeFazio	Loeb sack	Scott, David
DeGette	Lofgren	Serrano
Delaney	Lowenthal	Sewell (AL)
DeLauro	Lowe y	Shea-Porter
DelBene	Lujan Grisham	Sherman
Deutch	(NM)	Sinema
Dingell	Lujan, Ben Ray	Sires
Doggett	(NM)	Slaughter
Doyle	Lynch	Speier
Duckworth	Maffei	Swalwell (CA)
Edwards	Maloney, Sean	Takano
Ellison	Matsui	Thompson (CA)
Engel	McCollum	Thompson (MS)
Enyart	McDermott	Tierney
Eshoo	McGovern	Titus
Esty	McNerney	Tonko
Farr	Meeks	Tsongas
Fattah	Meng	Van Hollen
Foster	Michaud	Vargas

Veasey  
Vela  
Velazquez  
Visclosky  
Walz

Wasserman  
Schultz  
Waters  
Watt  
Waxman

Welch  
Wilson (FL)  
Yarmuth

□ 1711

Messrs. ELLISON and SEAN MALONEY of New York changed their votes from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### AMENDMENT OFFERED BY MR. HECK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Nevada (Mr. HECK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 268, not voting 9, as follows:

[Roll No. 196]

#### AYES—156

Amodei	Frankel (FL)	Nolan
Andrews	Gallego	Nugent
Bachmann	Gosar	Nunes
Barr	Grijalva	Paulsen
Barrow (GA)	Guthrie	Payne
Bass	Gutierrez	Pelosi
Bishop (GA)	Hall	Peterson
Bishop (UT)	Hanabusa	Petri
Blackburn	Hartzler	Polis
Blumenauer	Heck (NV)	Pompeo
Bonamici	Higgins	Reichert
Braley (IA)	Himes	Rice (SC)
Brooks (IN)	Honda	Richmond
Brown (FL)	Horsford	Rigell
Bucshon	Hunter	Rogers (MI)
Butterfield	Jeffries	Ross
Calvert	Jenkins	Ruiz
Capps	Johnson (OH)	Ruppersberger
Capuano	Johnson, E. B.	Rush
Cardenas	Joyce	Ryan (WI)
Carson (IN)	Kaptur	Sanchez, Linda
Cartwright	Keating	T.
Castor (FL)	Kelly (IL)	Sanchez, Loretta
Castro (TX)	Kennedy	Sarbanes
Chaffetz	Kline	Schiff
Chu	Larson (CT)	Schrader
Clay	Lee (CA)	Schwartz
Cleaver	Lewis	Scott (VA)
Clyburn	Lipinski	Scott, David
Coffman	Loeb sack	Smith (TX)
Cohen	Lofgren	Southerland
Collins (NY)	Lynch	Swalwell (CA)
Conyers	Maffei	Takano
Cook	Marchant	Thompson (CA)
Cooper	Matheson	Thompson (MS)
Courtney	Matsui	Tierney
Cuellar	McCarthy (CA)	Titus
Davis, Danny	McCollum	Tsongas
DeFazio	McGovern	Veasey
DeGette	McHenry	Walden
DelBene	McIntyre	Walorski
Doggett	McMorris	Walz
Doyle	Rodgers	Waters
Duffy	Messer	Watt
Duncan (TN)	Miller, Gary	Webster (FL)
Edwards	Miller, George	Wenstrup
Ellison	Moore	Wilson (FL)
Ellmers	Moran	Wittman
Enyart	Murphy (PA)	Yoder
Eshoo	Nadler	Yoho
Esty	Napolitano	Young (AK)
Fincher	Neal	Young (IN)
Fitzpatrick	Negrete McLeod	

#### NOT VOTING—8

Campbell  
Green, Al  
Holt

Jackson Lee  
Maloney,  
Carolyn

Markey  
McCarthy (NY)  
Pittenger

## NOES—268

Aderholt  
Alexander  
Amash  
Bachus  
Barber  
Barletta  
Barton  
Beatty  
Becerra  
Benishek  
Bentivolio  
Bera (CA)  
Bilirakis  
Bishop (NY)  
Black  
Bonner  
Boustany  
Brady (PA)  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Broun (GA)  
Brownley (CA)  
Buchanan  
Burgess  
Bustos  
Camp  
Cantor  
Capito  
Carney  
Carter  
Cassidy  
Chabot  
Ciilline  
Clarke  
Coble  
Cole  
Collins (GA)  
Conaway  
Connolly  
Costa  
Cotton  
Cramer  
Crawford  
Crenshaw  
Crowley  
Culberson  
Cummings  
Daines  
Davis (CA)  
Delaney  
DeLauro  
Denham  
Dent  
DeSantis  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Duckworth  
Duncan (SC)  
Engel  
Farenthold  
Farr  
Fattah  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foster  
Fox  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gabbard  
Garamendi  
Garcia  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Grayson

Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grimm  
Hahn  
Hanna  
Harper  
Harris  
Hastings (FL)  
Hastings (WA)  
Heck (WA)  
Hensarling  
Herrera Beutler  
Hinojosa  
Holding  
Hoyer  
Hudson  
Huelskamp  
Huffman  
Huiizenga (MI)  
Hultgren  
Hurt  
Israel  
Issa  
Johnson (GA)  
Johnson, Sam  
Jones  
Jordan  
Kelly (PA)  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kirkpatrick  
Kuster  
Labrador  
LaMalfa  
Lamborn  
Lance  
Langevin  
Lankford  
Larsen (WA)  
Latham  
Latta  
Levin  
LoBiondo  
Long  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lummis  
Maloney, Sean  
Marino  
Massie  
McCaul  
McClintock  
McDermott  
McKeon  
McKinley  
McNerney  
Meadows  
Meehan  
Meeks  
Meng  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Mullin  
Mulvaney  
Murphy (FL)  
Neugebauer  
Noem  
Nunnelee  
O'Rourke  
Olson  
Owens  
Palazzo  
Pallone  
Pascrell  
Pastor (AZ)  
Pearce  
Perlmutter

Perry  
Peters (CA)  
Peters (MI)  
Pingree (ME)  
Pitts  
Pocan  
Poe (TX)  
Posey  
Price (GA)  
Price (NC)  
Quigley  
Radel  
Rahall  
Rangel  
Reed  
Renacci  
Ribble  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Rothfus  
Roybal-Allard  
Royce  
Runyan  
Ryan (OH)  
Salmon  
Sanford  
Scalise  
Schakowsky  
Schneider  
Schock  
Schweikert  
Scott, Austin  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (WA)  
Speier  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Tonko  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Wasserman  
Schultz  
Waxman  
Weber (TX)  
Welch  
Westmoreland  
Whitfield  
Connolly  
Conyers  
Wilson (SC)  
Wolf  
Womack  
Woodall  
Yarmuth  
Young (FL)

## NOT VOTING—9

Campbell  
Davis, Rodney  
Green, Al  
Holt

Jackson Lee  
Maloney,  
Carolyn  
Markey

McCarthy (NY)  
Pittenger

□ 1716

Messrs. CARNEY and CUMMINGS changed their vote from “aye” to “no.”

Mr. DANNY K. DAVIS of Illinois changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. RODNEY DAVIS of Illinois. Madam Chair, on rollcall No. 196 I was unavoidably detained during this five minute vote. Had I been present, I would have voted “no.”

## AMENDMENT OFFERED BY MR. GARCIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. GARCIA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 236, not voting 11, as follows:

[Roll No. 197]

## AYES—186

Andrews  
Barber  
Barton  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Courtney  
Crowley  
Cummings  
Davis (CA)  
Davis, Danny

DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
McKeon  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Grayson  
Griffith (VA)  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Horsford  
Hoyer  
Huffman  
Israel  
Jeffries

Johnson (GA)  
Johnson, E. B.  
Kaptur  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moore  
Moran  
Murphy (FL)  
Nadler  
Napolitano

Negrete McLeod  
Nolan  
O'Rourke  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (CA)  
Peterson  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley  
Radel  
Rangel  
Richmond  
Ros-Lehtinen  
Roybal-Allard  
Ruiz

Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Speier  
Swalwell (CA)

Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Green, Gene  
Griffin (AR)  
Grimm  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Herrera Beutler  
Holding  
Hudson  
Huelskamp  
Huiizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Keating  
Kelly (PA)  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Maffei  
Marchant  
Marino  
Massie  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows

Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paulsen  
Pearce  
Perry  
Peters (MI)  
Petri  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Rahall  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Roskam  
Rothfus  
Royce  
Runyan  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schock  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southernland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)

## NOES—236



Thornberry	Walden	Wittman
Tiberi	Walorski	Wolf
Tierney	Weber (TX)	Womack
Tipton	Webster (FL)	Woodall
Turner	Wenstrup	Yoder
Upton	Westmoreland	Yoho
Valadao	Whitfield	Young (AK)
Wagner	Williams	Young (FL)
Walberg	Wilson (SC)	Young (IN)

## NOT VOTING—11

Campbell	Honda	McCarthy (NY)
Coffman	Jackson Lee	Pittenger
Green, Al	Maloney,	
Grijalva	Carolyn	
Holt	Markey	

□ 1721

Mr. HOYER changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. FINCHER. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having assumed the chair, Ms. ROS-LEHTINEN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes, had come to no resolution thereon.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 5, 2013.

Hon. JOHN BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a scanned copy of a letter received from Ms. Julie A. Allen, Director of Elections and Information Technology, Missouri Secretary of State's Office, indicating that, according to the unofficial returns of the Special Election held June 4, 2013, the Honorable Jason Smith was elected Representative to Congress for the Eighth Congressional District, State of Missouri.

With best wishes, I am  
Sincerely,

KAREN L. HAAS,  
Clerk.

Enclosure.

JUNE 5, 2013.

Hon. KAREN L. HAAS,  
Clerk, House of Representatives,  
The Capitol, Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, June 4, 2013, for Representative in Congress from the Eighth Congressional District in Missouri, show that Jason Smith received 42,145 or 67.1 percent of the total number of votes cast for that office.

To the best of our knowledge, this election will not be subject to a recount as provided in §115.601, RSMo.

According to Missouri statutes, the counties have two weeks to return their certified

election returns to the Secretary of State's office. The deadline for the Secretary of State's certification is two weeks from the receipt of the last county's returns. In compliance with this schedule, we anticipate to certify the election on or before the first week of July.

Sincerely,

JULIE A. ALLEN,  
Director of Elections & Information  
Technology.

#### SWEARING IN OF THE HONORABLE JASON T. SMITH, OF MISSOURI, AS A MEMBER OF THE HOUSE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri, the Honorable JASON T. SMITH, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. Will Representative-elect SMITH and the members of the Missouri delegation please present themselves in the well of the House.

All Members will rise and Representative-elect SMITH will please raise his right hand.

Mr. JASON T. SMITH appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 113th Congress.

#### WELCOMING THE HONORABLE JASON T. SMITH TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Missouri (Mr. CLAY) is recognized for 1 minute.

There was no objection.

Mr. CLAY. Mr. Speaker, as the co-dean of Missouri's U.S. House delegation, I want to congratulate and extend a warm welcome to my newest colleague, Congressman JASON SMITH.

Mr. SMITH is an attorney, a fourth-generation farmer from southeast Missouri, and he has distinguished himself as one of the youngest speaker pro tems in the history of the Missouri House. He follows in the footsteps of my dear friend, former Congresswoman Jo Ann Emerson, who represented Missouri's Eighth Congressional District for 17 years, and I know Mr. SMITH will continue her legacy of public service.

Now I am pleased to yield to my good friend and colleague, the gentleman from Missouri (Mr. GRAVES).

Mr. GRAVES of Missouri. Mr. Speaker, I want to also welcome Mr. SMITH to the U.S. House of Representatives.

LACY said that he is a fourth-generation farmer, but he is actually a seventh-generation Missourian, and he has been living on the same farm that his great-grandfather once lived on. He graduated from my alma mater, the University of Missouri, and he has been involved in agriculture and practicing law. As a farmer, I don't think we can ever have enough farmers in this body.

Mr. Speaker, Missouri is known as the “Show-Me” State, and last night, JASON SMITH won a special election with over 67 percent of the vote, and I think that shows that he is truly the Representative of the Eighth District of the State of Missouri.

So it gives me a great deal of pleasure to yield to the gentleman from the Eighth District of Missouri, JASON SMITH.

Mr. SMITH of Missouri. Thank you very much.

First, I would like to thank Congressman CLAY and also Congressman GRAVES for their kind remarks and also the Missouri delegation. Thanks for being here, and it's great to have that support right behind you.

Less than 18 hours ago, I was standing before friends and family in my small town of Salem, Missouri, and had just gotten elected. We hit the ground running and wanted to make sure that we didn't waste any time to get up here.

All I can say is that I truly look forward to working with every Member of this body. There are 435 of us. My goal is to get to know each and every one of you and help move the country forward one step at a time. I know that we're not going to agree on everything, but do you know what? We need to find those places that we do agree on the issues and then come together and work for the better. I think that we can do that, and I look forward to working with the entire Chamber.

It is truly an honor and a pleasure to represent the fine folks from southeast and south central Missouri, following in the good footsteps of my friend Jo Ann Emerson and also the late Bill Emerson. Thank you all very much, and I look forward to working with you.

□ 1730

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from Missouri, the whole number of the House is now 435.

# DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2014

The SPEAKER. Pursuant to House Resolution 243 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2217.

Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) kindly assume the chair.

□ 1731

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes, with Ms. ROS-LEHTINEN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Florida (Mr. GARCIA) had been disposed of, and the bill had been read through page 41, line 2.

## AMENDMENT OFFERED BY MR. DEUTCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DEUTCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, this will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 232, not voting 12, as follows:

[Roll No. 198]

## AYES—190

Amash	Castor (FL)	Dingell
Andrews	Castro (TX)	Doggett
Bachus	Chu	Doyle
Bass	Cicilline	Duckworth
Beatty	Clarke	Edwards
Becerra	Clay	Ellison
Bera (CA)	Cleaver	Enyart
Bishop (GA)	Clyburn	Eshoo
Bishop (NY)	Cohen	Esty
Blumenauer	Conyers	Farr
Bonamici	Cooper	Fattah
Brady (PA)	Costa	Foster
Braley (IA)	Courtney	Frankel (FL)
Brown (FL)	Crowley	Fudge
Brownley (CA)	Cummings	Gabbard
Bustos	Davis (CA)	Gallego
Butterfield	Davis, Danny	Garcia
Capps	DeFazio	Gibson
Capuano	DeGette	Grayson
Cárdenas	Delaney	Green, Gene
Carney	DeLauro	Grijalva
Carson (IN)	DelBene	Gutierrez
Cartwright	Deutch	Hahn

Hanabusa	Matsui	Sanchez, Loretta	Owens	Ros-Lehtinen	Thompson (PA)
Hastings (FL)	McCollum	Sanford	Palazzo	Roskam	Thornberry
Heck (WA)	McDermott	Sarbanes	Paulsen	Ross	Tiberi
Higgins	McGovern	Schakowsky	Pearce	Rothfus	Tipton
Himes	McIntyre	Schiff	Perry	Royce	Turner
Hinojosa	McNerney	Schneider	Petri	Runyan	Upton
Honda	Meeks	Schrader	Pitts	Ryan (WI)	Wagner
Horsford	Meng	Schwartz	Poe (TX)	Salmon	Walberg
Hoyer	Michaud	Scott (VA)	Pompeo	Scalise	Walden
Huffman	Miller, George	Scott, David	Posey	Schock	Walorski
Israel	Moore	Serrano	Price (GA)	Schweikert	Weber (TX)
Jeffries	Moran	Sewell (AL)	Radel	Scott, Austin	Webster (FL)
Johnson (GA)	Murphy (FL)	Shea-Porter	Rahall	Sensenbrenner	Wenstrup
Johnson, E. B.	Nadler	Sherman	Reed	Sessions	Westmoreland
Kaptur	Napolitano	Sires	Reichert	Shimkus	Whitfield
Keating	Neal	Slaughter	Renacci	Shuster	Williams
Kelly (IL)	Negrete McLeod	Smith (WA)	Ribble	Simpson	Wilson (SC)
Kennedy	Nolan	Speier	Rice (SC)	Sinema	Wittman
Kildee	O'Rourke	Swalwell (CA)	Rigell	Smith (MO)	Wolf
Kilmer	Pallone	Takano	Roby	Smith (NE)	Womack
Kind	Pascrell	Thompson (CA)	Roe (TN)	Smith (NJ)	Woodall
Kuster	Pastor (AZ)	Thompson (MS)	Rogers (AL)	Smith (TX)	Yoder
Langevin	Payne	Tierney	Rogers (KY)	Southerland	Yoho
Larsen (WA)	Pelosi	Titus	Rogers (MI)	Stewart	Young (AK)
Larson (CT)	Perlmutter	Tonko	Rohrabacher	Stivers	Young (FL)
Lee (CA)	Peters (CA)	Tsongas	Rokita	Stockman	Young (IN)
Levin	Peters (MI)	Valadao	Rooney	Terry	
Lewis	Peterson	Van Hollen			
Loeb	Pingree (ME)	Vargas			
Lofgren	Pocan	Veasey			
Lowenthal	Polis	Vela			
Lowe	Price (NC)	Velázquez			
Lujan Grisham	Quigley	Visclosky			
(NM)	Rangel	Walz			
Luján, Ben Ray	Richmond	Wasserman			
(NM)	Roybal-Allard	Schultz			
Lummis	Ruiz	Waters			
Lynch	Ruppersberger	Waxman			
Maffei	Rush	Welch			
Maloney, Sean	Ryan (OH)	Wilson (FL)			
Marino	Sánchez, Linda	Yarmuth			
Massie	T.				

## NOES—232

Aderholt	DeSantis	Issa
Alexander	DesJarlais	Jenkins
Amodei	Diaz-Balart	Johnson (OH)
Bachmann	Duffy	Johnson, Sam
Barber	Duncan (SC)	Jones
Barletta	Duncan (TN)	Jordan
Barr	Ellmers	Joyce
Barrow (GA)	Farenthold	Kelly (PA)
Barton	Fincher	King (IA)
Benishek	Fitzpatrick	King (NY)
Bentivolio	Fleischmann	Kingston
Bilirakis	Fleming	Kinzing (IL)
Bishop (UT)	Flores	Kirkpatrick
Black	Forbes	Kline
Blackburn	Fortenberry	Labrador
Bonner	Fox	LaMalfa
Boustany	Franks (AZ)	Lamborn
Brady (TX)	Frelinghuysen	Lance
Bridenstine	Garamendi	Lankford
Brooks (AL)	Gardner	Latham
Brooks (IN)	Garrett	Latta
Brown (GA)	Gerlach	Lipinski
Buchanan	Gibbs	LoBiondo
Bucshon	Gingrey (GA)	Long
Burgess	Gohmert	Lucas
Calvert	Goodlatte	Luetkemeyer
Camp	Gosar	Marchant
Cantor	Gowdy	Matheson
Capito	Granger	McCarthy (CA)
Carter	Graves (GA)	McCauley
Cassidy	Graves (MO)	McClintock
Chabot	Griffin (AR)	McHenry
Chaffetz	Griffith (VA)	McKinley
Coble	Grimm	McMorris
Coffman	Guthrie	Rodgers
Cole	Hall	Meadows
Collins (GA)	Hanna	Meehan
Collins (NY)	Harper	Messer
Conaway	Harris	Mica
Connolly	Hartzler	Miller (FL)
Cook	Hastings (WA)	Miller (MI)
Cotton	Heck (NV)	Miller, Gary
Cramer	Hensarling	Mullin
Crawford	Herrera Beutler	Mulvaney
Crenshaw	Holding	Murphy (PA)
Cuellar	Hudson	Neugebauer
Culberson	Huelskamp	Noem
Daines	Huizenga (MI)	Nugent
Davis, Rodney	Hultgren	Nunes
Denham	Hunter	Nunnelee
Dent	Hurt	Olson

Thompson (PA)	Thornberry
Tiberi	Tipton
Turner	Upton
Wagner	Walberg
Walden	Walorski
Webster (FL)	Wenstrup
Westmoreland	Whitfield
Williams	Wilson (SC)
Wittman	Wolf
Womack	Woodall
Yoder	Yoho
Young (AK)	Young (FL)
Young (IN)	

## NOT VOTING—12

Campbell	Maloney	Pittenger
Engel	Carolyn	Stutzman
Green, Al	Markay	Watt
Holt	McCarthy (NY)	
Jackson Lee	McKeon	

□ 1736

So the amendment was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. HOLT. Madam Chair, I was attending the funeral of our late Senate colleague Frank Lautenberg earlier today in New York City. I missed several rollcall votes on amendments to this bill. Had I been present, I would have voted “yes” on the Moore amendment (rollcall No. 194), “yes” on the Polis amendment (rollcall No. 195), “yes” on the Heck amendment (rollcall No. 196), “yes” on the Garcia amendment (rollcall No. 197), and “yes” on the Deutch amendment (rollcall No. 198).

## PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Madam Chair, today I was unavoidably detained and missed the following votes. I ask for unanimous consent to have the following inserted into the RECORD:

1. Moore Amendment to H.R. 2217—Department of Homeland Security Appropriations Act. Had I been present, I would have voted “yes” on this bill.

2. Polis/Chu/Cárdenas Amendment to H.R. 2217—Department of Homeland Security Appropriations Act. Had I been present, I would have voted “yes” on this bill.

3. Heck/Horsford Amendment to H.R. 2217—Department of Homeland Security Appropriations Act. Had I been present, I would have voted “no” on this bill.

4. Garcia Amendment to H.R. 2217—Department of Homeland Security Appropriations Act. Had I been present, I would have voted “yes” on this bill.

5. Deutch/Foster Amendment to H.R. 2217—Department of Homeland Security Appropriations Act. Had I been present, I would have voted “yes” on this bill.

□ 1740

Ms. DUCKWORTH. Madam Chair, I move to strike the last word for the purpose of a colloquy.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. DUCKWORTH. A few days ago, a new report by the Department of Homeland Security Inspector General made recommendations that could save taxpayers \$126 million and improve border security.

The Department of Homeland Security uses 62 H-60 helicopters, operated by the Coast Guard and the Customs and Border Protection agencies, for mission support, primarily for law enforcement and search and rescue missions. These aircraft are being converted to add 15 years of additional operational life.

The report found that while the Coast Guard properly managed its conversion program, a similar conversion program at Customs and Border Protection led to significant cost overruns and delays that could ground as many as nine of the helicopters beginning in 2014. The IG made what I think is a very good recommendation—have the Coast Guard Aviation Logistics Center conduct the remaining Customs and Border Protection H-60 conversions. According to the IG, the Coast Guard could convert the remaining helicopters much faster and at a lower price tag than CBP. This could save the Department of Homeland Security about \$126 million and speed up the time that the aircraft would be operational and patrolling our borders by 7 years.

I was disappointed to hear that rather than implementing this common-sense taxpayer-dollar-saving recommendation in this time of scarce resources, the Department of Homeland Security is choosing instead to conduct a cost-benefit analysis. I think this delay is unnecessary. At a time when the Department of Homeland Security law enforcement personnel are facing furloughs, this is a missed opportunity to save precious funds and to meet the critical goal of improving our border security.

Mr. DENT. Will the gentlelady yield?

Ms. DUCKWORTH. I yield to the chairman.

Mr. DENT. I appreciate the gentlelady bringing the IG report to our attention. As Ranking Member PRICE can attest, the committee has a long, bipartisan history supporting robust funding for the H-60 conversions. In fact, the bill includes funds sufficient to completely recap two H-60 helicopters. Though I am aware CBP has some reservations about conclusions in the IG report, I am a proponent of not paying top dollar when it is not necessary. Consequently, I would like to have an opportunity to dig into these claims before drawing any particular conclusions.

Mr. PRICE of North Carolina. Will the gentlelady yield?

Ms. DUCKWORTH. I yield to the ranking member.

Mr. PRICE of North Carolina. I would like to express my agreement with what Mr. DENT just said. These aircraft are absolutely vital for mission success for Border Patrol agents and air and marine personnel. If there are better, faster, cheaper ways to make these conversions, we need to know about them.

Mr. DENT. Will the gentlelady yield?

Ms. DUCKWORTH. I yield to our chairman.

Mr. DENT. Again, I thank the gentlelady for raising this issue. Clearly she has some personal experience flying these aircraft, and I'm grateful for her service.

Ms. DUCKWORTH. I thank the chairman and the ranking member for your attention to this matter, and I hope that we can work together to ensure that management of this program is improved.

I yield back the balance of my time.

Mr. BUTTERFIELD. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. BUTTERFIELD. Madam Chair, let me first begin by thanking the chairman of the subcommittee and the ranking member for their leadership on this committee. I've watched you over the years, and the two of you work together so well, and I thank you so very much.

Over the years, I have led an effort here in the House to recognize a group of Americans who served our country during World War II. We refer to them as the merchant marines. They have not been properly recognized for their service, and I'm very sad about that. We are quickly running out of time to recognize the few remaining Americans that stood up for our country by serving as merchant marines when our country needed them the most during World War II.

Without weapons or formal training, many risked their lives; and, tragically, too many gave their lives in defense of our great Nation during the Second World War. For those who are still living, we must not let their efforts go unrecognized while we still have a chance.

The recent passing of Senator Lautenberg earlier this week, the last remaining World War II veteran in the Senate, is a strong reminder that our time is running out to recognize those who are lesser known but still contributed significantly to the World War II effort. Few have given more to this country than Senator Lautenberg, and I pray that his family has peace in the weeks and months to come. He will be missed.

Because I believe that it is only fair to recognize merchant marines who served during this war, I reintroduced H.R. 1288, the WW II Merchant Mariner Service Act. To date, I have been

joined by 81 of my colleagues from both sides of the aisle in support of this bill, and I encourage all of my colleagues to cosponsor this legislation that costs nearly nothing.

This bill would award veteran status and limited benefits to a segment of the World War II merchant marines that has gone unrecognized. These men and women operated tug boats and barges in the territorial seas of the United States transporting raw materials, weapons, and troops that sustained the war effort. Though most of these individuals operated domestically, their duties were not without risk.

A tugboat, the *Menominee*, was sunk by a German U-boat on March 31, 1942, about 9 miles off the coast of Virginia, causing the death of 16 of the 18 mariners that served aboard.

I acknowledge that a point of order would be raised if I were to offer this legislation as an amendment today. However, the legislation before us does address funding that is utilized in the support of our Coast Guard and merchant marines, and I could not forgo the opportunity to address the dire need to rightly recognize the efforts of these individuals before it's too late.

I thank you and my colleagues for allowing me time to speak on this very important issue. I strongly encourage my colleagues to join me in cosponsoring H.R. 1288 and in passing the legislation so these remaining Americans can gain the recognition they deserve.

I yield back the balance of my time.

Mr. HUDSON. I move to strike the last word.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. HUDSON. Madam Chair, I rise to bring attention to an issue of critical importance regarding our national security. Our cyber and information warfare doctrines do not pay enough attention to the likelihood that adversaries seeking to cripple United States critical infrastructure could quickly turn to an EMP, electromagnetic pulse, attack.

This Nation's electrical grid is incredibly vulnerable and could be crippled by such an attack. The resulting blackout and EMP damage would quickly move beyond the electric grid. Other systems could collapse, leading to a failure of other critical infrastructures, such as communications, transportation, banking and finance, as well as the transportation of food and water. As I have traveled around my district, I have heard from several constituents and experts that see this threat as ever-present.

While technology has made society more efficient, it has also made us more vulnerable by permeating nearly every aspect of our culture that sustains modern civilization and the lives of millions.

The assessment that the U.S. is vulnerable to an EMP attack is based on the work of the Congressional EMP Commission that analyzed this threat for nearly a decade from 2001 to 2008. The Congressional Strategic Posture Commission and several other U.S. Government studies arrived at similar conclusions and collectively represent a scientific and strategic consensus that nuclear EMP attacks upon the United States are a very real threat.

I applaud Chairman ROGERS and the Appropriations Committee for finding ways to prioritize spending so that the National Protection and Programs Directorate, along with similar programs, are able to continue their necessary work. I hope they will continue to engage with academic institutions and private organizations to find better, more cost-effective solutions to protecting this Nation's critical infrastructure and our way of life.

I yield back the balance of my time.

Mr. PASCRELL. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PASCRELL. Madam Chair, I rise to express my support for the Urban Area Security Initiative Nonprofit Security Grant Program. The Nonprofit Security Grant Program, administered by the Federal Emergency Management Agency, provides critical support to nonprofit organizations at high risk of terrorist attack.

This is not a theoretical threat. This is a real threat.

For example, a string of anti-Semitic hate crimes took place just 2 years ago targeting synagogues in Bergen County, New Jersey, which I represent. These heinous acts culminated in arson when a fire bomb was thrown through the window of an Orthodox Jewish temple, the residence of a rabbi, his wife, his five children, and his father. Thankfully, the rabbi and his family escaped serious injury in this attack, and local authorities have arrested the suspects and are in the process of bringing them to justice.

□ 1750

Other events across the country have shown the continuing need for these grants as well. Last year, a gunman killed six and wounded four in a mass shooting at a Sikh temple in Oak Creek, Wisconsin.

A security guard was tragically killed several years ago at the Holocaust Museum here in Washington by a Holocaust denier and White supremacist. Crimes are not being investigated by White supremacists in this country, just as an aside thought.

These are just a handful of the examples showing the vulnerability of nonprofit organizations to attack.

The Nonprofit Security Grant Program was designed precisely to allow

at-risk, nonprofit organizations such as houses of worship and community centers to protect themselves from these types of tragedies by acquiring and installing equipment to ensure against potential attacks. These capital improvements include upgrading security measures, such as installing alarms, barriers, cameras, or controlled entry systems.

In fiscal year 2011, the year during which these terrible events took place in Bergen County, the Nonprofit Security Grant Program was allocated \$19 million. For the past 2 years this amount has been reduced by nearly half, to \$10 million, despite the ongoing need for this assistance.

If we can't protect our houses of worship, what can we protect?

The program is funded out of the Department of Homeland Security's State and Local Programs account, and allows the Secretary discretion to allocate this funding as she sees fit, or he sees fit, who's ever there.

I call upon the Secretary to allocate at least \$15 million to the Nonprofit Security Grant Program as a step towards restoring adequate funding to this vital program. Although I hope that we can bring this funding back to the 2011 level and beyond, \$15 million should be the baseline level of funding these vital programs.

I also believe that the Nonprofit Security Grant Program should receive its own dedicated funding, rather than competing with other important initiatives for a small share of the Department's State and Local Programs' dollars.

I urge my colleagues to support the Nonprofit Security Grant Program in order to ensure that these nonprofit organizations, which serve as the heart of our communities, receive the protection they need.

Madam Chair, let me just add one other thing, and that is, it reduces a tremendous amount of anxiety at these houses of worship—and I mentioned a few religions here just now, but I can cite others—reduces the anxiety of being safe even where you sleep or even where you worship.

Now, we had the right idea. This was a bipartisan idea in 2010, 2011, and before that. Why can't we do the right thing?

It's not that much money. It will help a lot of institutions to protect themselves, especially when you put in a camera or the other things that I mentioned. It makes people feel a lot more relaxed and it reduces anxiety.

I hope that we can do this. I know, Madam Chair, and I'm sorry if I'm appealing to you directly, which I am. Madam Chair, you understand this program very, very well. I would solicit your support for this. And I think it's very important because it's going to stop terrorism in this form.

I mean, this gentleman was sleeping with his family, the rabbi, and the

bomb came in through the window. It was thrown up to the second floor and exploded. I mean, can you imagine the trauma for those children?

I apologize for directing my attention to you because you know about these things, and I'm asking you to be helpful to me.

I yield back the balance of my time. The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

#### EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), \$350,000,000.

#### RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2014, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2014, and remain available until September 30, 2016.

#### UNITED STATES FIRE ADMINISTRATION

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), \$42,162,000.

#### DISASTER RELIEF FUND

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$6,220,908,000, to remain available until expended, of which \$24,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: *Provided*, That the Administrator of the Federal Emergency Management Agency shall submit an expenditure plan to the Committees on Appropriations of the House of Representatives and the Senate detailing the use of the funds made available in this or any other Act for disaster readiness and support not later than 60 days after the date of enactment of this Act: *Provided further*, That the Administrator shall submit to such Committees a quarterly report detailing obligations against the expenditure plan and a justification for any changes from the initial plan: *Provided further*, That the Administrator shall submit to such Committees the following reports, including a specific description of the methodology and the source data used in developing such reports:

(1) An estimate of the following amounts shall be submitted for the budget year at the

time that the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code:

(A) The unobligated balance of funds to be carried over from the prior fiscal year to the budget year.

(B) The unobligated balance of funds to be carried over from the budget year to the budget year plus 1.

(C) The amount of obligations for non-catastrophic events for the budget year.

(D) The amount of obligations for the budget year for catastrophic events delineated by event and by State.

(E) The total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current year, the budget year, the budget year plus 1, the budget year plus 2, and the budget year plus 3 and beyond.

(F) The amount of previously obligated funds that will be recovered for the budget year.

(G) The amount that will be required for obligations for emergencies, as described in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)), major disasters, as described in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), fire management assistance grants, as described in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187), surge activities, and disaster readiness and support activities.

(H) The amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(2) An estimate or actual amounts, if available, of the following for the current fiscal year shall be submitted not later than the fifth day of each month, and shall be published by the Administrator on the Agency's website not later than the eleventh day of each month:

(A) A summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made.

(B) A table of disaster relief activity delineated by month, including—

(i) the beginning and ending balances;

(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

(iii) the obligations for catastrophic events delineated by event and by State; and

(iv) the amount of previously obligated funds that are recovered.

(C) A summary of allocations, obligations, and expenditures for catastrophic events delineated by event.

(D) In addition, for a disaster declaration related to Hurricane Sandy, the cost of the following categories of spending: public assistance, individual assistance, mitigation, administrative, operations, and any other relevant category (including emergency measures and disaster resources).

(E) The date on which funds appropriated will be exhausted.

*Provided further*, That the Administrator shall publish on the Agency's website not later than 24 hours after an award of a public assistance grant under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) the specifics of the grant award: *Provided further*, That for any mission assignment or mission

assignment task order to another Federal department or agency regarding a major disaster, not later than 24 hours after the issuance of the mission assignment or task order, the Administrator shall publish on the Agency's website the following: the name of the impacted State and the disaster declaration for such State, the assigned agency, the assistance requested, a description of the disaster, the total cost estimate, and the amount obligated: *Provided further*, That not later than 10 days after the last day of each month until the mission assignment or task order is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated: *Provided further*, That of the amount provided under this heading, \$5,626,386,000 is for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That the amount in the preceding proviso is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

For necessary expenses, including administrative costs, under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) and under sections 100215, 100216, 100226, 100230, and 100246 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 917), \$95,202,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)), to remain available until expended.

#### NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 916), \$176,300,000, which shall be derived from offsetting amounts collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which not to exceed \$22,000,000 shall be available for salaries and expenses associated with flood mitigation and flood insurance operations; and not less than \$154,300,000 shall be available for flood plain management and flood mapping, to remain available until September 30, 2015: *Provided*, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an offsetting collection to this account, to be available for flood plain management and flood mapping: *Provided further*, That in fiscal year 2014, no funds shall be available from the National Flood Insurance Fund under section 1310 of that Act (42 U.S.C. 4017) in excess of:

(1) \$132,000,000 for operating expenses;

(2) \$1,152,000,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) \$100,000,000, which shall remain available until expended, for flood mitigation actions under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c): *Provided further*, That the amounts collected under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1366(e) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other

amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding subsection (f)(8) of such section 102 (42 U.S.C. 4012a(f)(8)) and subsection 1366(e) and paragraphs (2) and (3) of section 1367(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e), 4104d(b)(2)–(3)): *Provided further*, That total administrative costs shall not exceed 4 percent of the total appropriation.

#### NATIONAL PREDISASTER MITIGATION FUND

For the predisaster mitigation grant program under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), \$22,500,000 to remain available until expended.

#### EMERGENCY FOOD AND SHELTER

To carry out the emergency food and shelter program pursuant to title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.), \$120,000,000, to remain available until expended: *Provided*, That total administrative costs shall not exceed 3.5 percent of the total amount made available under this heading.

#### TITLE IV

#### RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

##### UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, \$114,213,000 for the E-Verify Program, as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), to assist United States employers with maintaining a legal workforce: *Provided*, That notwithstanding any other provision of law, funds otherwise made available to United States Citizenship and Immigration Services may be used to acquire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: *Provided further*, That the Director of United States Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

##### FEDERAL LAW ENFORCEMENT TRAINING CENTER

##### SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; \$227,845,000; of which \$300,000 shall remain available until expended to be distributed to Federal law enforcement agencies for expenses incurred participating in training accreditation; and of which not to exceed \$9,180 shall be for official reception and representation expenses: *Provided*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal

year: *Provided further*, That section 1202(a) of Public Law 107-206 (42 U.S.C. 3771 note), as amended under this heading in division D of Public Law 113-6 is further amended by striking “December 31, 2015” and inserting “December 31, 2016”: *Provided further*, That the Director of the Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that such training facilities are operated at the highest capacity throughout the fiscal year: *Provided further*, That the Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

Mr. DENT (during the reading). Madam Chair, I ask unanimous consent that the remainder of the bill through page 52, line 19, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. Are there any amendments to that section?

The Clerk will read.

The Clerk read as follows:

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS,  
AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, \$30,885,000, to remain available until September 30, 2018: *Provided*, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

SCIENCE AND TECHNOLOGY  
MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), \$129,000,000: *Provided*, That not to exceed \$7,650 shall be for official reception and representation expenses: *Provided further*, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a report outlining reforms to research and development programs, as specified in the accompanying report.

RESEARCH, DEVELOPMENT, ACQUISITION, AND  
OPERATIONS

For necessary expenses for science and technology research, including advanced research projects, development, test and evaluation, acquisition, and operations as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), and the purchase or lease of not to exceed 5 vehicles,

\$1,096,488,000; of which \$548,703,000 shall remain available until September 30, 2016; and of which \$547,785,000 shall remain available until September 30, 2018, solely for operation and construction of laboratory facilities: *Provided*, That of the funds provided for the operation and construction of laboratory facilities under this heading, \$404,000,000 shall be for construction of the National Bio- and Agro-defense Facility.

AMENDMENT OFFERED BY MR. BISHOP OF NEW  
YORK

Mr. BISHOP of New York. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 54, line 3, after the dollar amount insert “(reduced by \$404,000,000)”.

Page 54, line 9, after the dollar amount insert “(reduced by \$404,000,000)”.

Page 93, line 9, after the dollar amount insert “(increased by \$404,000,000)”.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. BISHOP of New York. Madam Chair, my amendment is very simple. It strikes the \$404 million included for the National Bio- and Agro-Defense Facility, known as NBAF, planned for Manhattan, Kansas, and uses those funds to reduce the deficit.

I continue to voice two vitally important concerns with NBAF: safety and cost. As many have noted in the past, putting a laboratory that will study the most virulent and harmful animal diseases known in the heart of cattle country, and in an area that is the frequent victim of violent tornados, is a needless risk to an \$80 billion a year industry, especially when the safety of that lab is still in question.

While supporters of this project will testify to NBAF's safety, this claim is not supported by the two risk evaluations conducted by the National Academy of Science's research arm, the National Research Council. These risk evaluations studied site-specific assessments conducted by the Department of Homeland Security.

In its review of DHS' first study, the NRC found that the risk of foot-and-mouth disease released in the Nation's heartland was 70 percent, 70 percent over a 50-year period. Furthermore, the cost of a release of foot-and-mouth disease is estimated at between \$9 billion and \$50 billion.

In June 2012, the NRC found that the Department's second risk assessment relied on “questionable and inappropriate assumptions” in calculating risk to determine that NBAF posed near non-existent safety risks to surrounding areas. The same report could not verify DHS' results due to the “methods and data being unevenly or poorly presented.”

If the Department's own safety assessments throw into question the safety and security of this new facility, how can we be certain that a billion-

dollar project will not pose significant security threats to Americans living nearby? The NRC findings are not a resounding endorsement, by any stretch.

In addition to these significant safety concerns, NBAF's cost is alarming. Initially, \$451 million was budgeted for its construction. Today the pricetag is a staggering \$1 billion.

It can hardly be considered fiscally responsible to spend more than double the initial amount to build a massive research facility only to duplicate research activities currently performed by other existing facilities. More cost-effective solutions must be considered to meet the Nation's agro-defense research needs, including the expansion of existing facilities around the country.

Alternative options to NBAF do exist. A July 2012 NRC study looked at three separate futures for the Nation's biosecurity needs and clearly demonstrates that, even without NBAF as currently designed, those needs can be adequately filled by existing facilities.

Specifically, one option includes continuing the exemplary work already being conducted at the Plum Island Animal Disease Center, while leveraging out the BSL-4 functions to other existing facilities.

□ 1800

This option would represent a significant savings, while ensuring that current research needs are met. The NRC's studies reaffirmed my concerns, as well as the concerns of many in the agricultural community, that the unknowns are too many, the risks are too great, and the pricetag too high to justify going forward with construction at this time.

Let me close with this. This NBAF project is a boondoggle. We don't even have a shovel in the ground yet and already the cost has gone up by 250 percent. It is not needed. A very reputable organization, that is to say, the NRC, has asserted a perfectly reasonable and vastly less expensive alternative exists. We have scores and scores of infrastructure needs much, much more urgent that we are not addressing.

I urge my colleagues to vote “yes” on this amendment, support my amendment, and reduce our deficit by \$404 million.

I yield back the balance of my time.

Mr. DENT. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Madam Chairman, I do rise in opposition to this amendment. I'm certainly sympathetic with the predicament of the gentleman from New York—and he's doing his best to represent his district—but this amendment would cut funding for the National Bio- and Agro-Defense Facility, or the NBAF, in Manhattan, Kansas, an



essential research center for human and animal pathogens, by \$404 million and increase funding for research, development, and innovation by an equivalent amount.

The bill has already cut funding by \$310 million from the President's request of \$714 million. The amount provided in the bill—\$404 million—is the amount needed in order to obtain the Kansas cost share and begin construction. I believe Kansas is prepared to offer \$202 million in support of this project.

Again, while I understand the gentleman's local district concern—and he's a strong advocate for his district—this amendment is in fact shortsighted. This horse is already out of the barn, so to speak. We have an immediate need to build up our capacity for research into pathogens that afflict animals in our food chain and, by extension, human beings. The Under Secretary for DHS Science and Technology herself has testified the threat of biological attack through our large and vulnerable food chain is a top priority. She has confirmed that NBAF is required to meet this threat. She's also testified that Plum Island, which is in the gentleman's district, of course, cannot meet this need. Yet this amendment would freeze this effort. The amendment would stall a program needed to address a serious, known risk.

I urge opposition to the amendment. We need to get this facility up and running in Kansas.

I yield back the balance of my time. Mr. PRICE of North Carolina. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. I rise in opposition to the amendment offered by my friend from New York that would eliminate funding in the bill for constructing the National Bio- and Agro-Defense Facility, or NBAF. I supported a similar amendment offered by the gentleman last year, but the circumstances, I believe, have changed decisively.

Last year, the administration did not request funding for NBAF for fiscal 2013. We were still waiting on the results of a National Academy of Sciences review of options for meeting the Nation's animal disease research needs and on the result of a separate NAS review of the Department's updated risk assessments for NBAF.

Last June, NAS released a report on DHS' updated risk assessment concluding that the Department had made substantial improvements compared to its first risk assessment and that the so-called 65 percent design phase plans for the facility itself appear to be sound and conform with international standards.

Further, last July, a separate National Academy of Sciences report

made clear that the existing animal disease research facility on Plum Island is not an option for meeting the Nation's needs and that a new facility with a BSL-4 laboratory is required. This is precisely the capability that the new NBAF facility will provide.

The two studies also made clear that critical work must continue. Notably, the National Academy of Sciences' review determined that the Department had likely underestimated some types of risk while overestimating others. The Department disputes some of these assessments. But even acknowledging that DHS must continue to improve its risk methodology and response planning before the NBAF facility becomes fully operational, we should not wait any longer to begin constructing the new facility, which we know now is securely and safely designed. The longer we wait, the more costly its construction will be and the more costly it will be to continue to maintain the Plum Island facility. We also must consider the cost of further delaying the availability of a Biosafety Level 4 facility, which the NAS, DHS, and other stakeholders are fully convinced we need.

So I believe the funding provided in the appropriations bill is timely and needed, and I urge Members to oppose the amendment.

I yield back the balance of my time.

Ms. JENKINS. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Kansas is recognized for 5 minutes.

Ms. JENKINS. After an exhaustive review, the Department of Homeland Security chose Manhattan, Kansas, as the site for the new BSL-4 National Bio- and Agro-Defense Facility. This will be the only such facility capable of researching large animals in the United States. The construction of this cutting-edge facility must move forward quickly so we can safely conduct critical research to develop vaccines and countermeasures in order to protect the public and our livestock from the threats of devastating diseases.

Not only will the NBAF accelerate America's ability to protect ourselves, our food supply, and the agriculture economy from biological threats, it will also be the world's premier animal health research facility and further solidify our Nation's place as the international leader in animal health. The NBAF is needed to replace the obsolete and increasingly expensive Plum Island Animal Disease Center. This lab was built in the 1950s and has reached the end of its life. The facility does not contain the necessary biosafety level to meet the NBAF research requirements—and it never will. Any attempts to upgrade Plum Island would cost more than building the NBAF.

Currently, we don't have the ability to research the effects of disease on large animals, such as foot-and-mouth

disease, African swine fever, and Rift Valley fever, at any facility in the United States, nor can we rely on international partners for our own security needs. The NBAF project has a history of broad-based support. DHS, under both the Bush and Obama administrations, and the House Appropriations Committee, under both Democrat and Republican leadership, have made it clear time and time again that our country needs the NBAF. And the best place is in Manhattan, Kansas.

The President's budget includes \$714 million, which would complete construction. And while I prefer that this bill include that figure, Chairman CARTER has responsibly included sufficient funding for this fiscal year of \$404 million. Construction on this facility has already begun, and Congress has already appropriated \$127.5 million and the State of Kansas and the city of Manhattan have already committed more than \$200 million towards the project. These dollars show a strong commitment at both the Federal, State, and local levels.

Our Nation's food supply cannot sustain another delay. We need to protect our food and our families from danger. We need to stay on the cutting edge of this research field. Our security is at risk. Delaying this project any further is not an option. We need NBAF.

I urge my colleagues to vote against this destructive amendment, and I yield back the balance of my time.

Mr. HUELSKAMP. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. HUELSKAMP. I appreciate the opportunity to speak on the topic of NBAF. As has been mentioned by my colleague from Kansas, currently in the United States there is not a single research facility that is able to conduct research at Biosafety Level 4.

The NBAF facility being discussed here today and that would be funded in this particular bill will provide critical research in areas, again, that are not able to be researched currently in this country—things such as African swine fever, Rift Valley fever, the Nipah virus, and the Hendra virus.

□ 1810

I repeat. We currently, as a country, without this facility, are required to outsource this particular research to other countries.

As a Kansas farmer and rancher, I recognize the critical damage that would be done to our livestock industries if we do not proceed forth with construction of NBAF.

Indeed, shovels are being turned in Manhattan, Kansas, today. The central utility plant that is related to this, construction is proceeding underway. The State of Kansas has agreed to pay a substantial sum to assist for the cost of construction of this facility.



And, as was indicated earlier, the current facility that served for over 50 years is aging at Plum Island and needs to be replaced. The Manhattan, Kansas, site was selected by a panel of more than 25 scientists. DHS and USDA experts agree this is the best place to build NBAF and provide the critical research that is necessary not just to protect the outbreak of foreign animal diseases that might be accidental, but to protect America and our livestock industries from mass destruction from terrorism and numerous other attacks that could use these particular foreign animal diseases and other things.

One other connection I will note: these are diseases that in many cases not only impact the livestock industries, but are zoonotic and can impact humans. This research needs to be done. We need to continue with construction in order to protect our livestock and our human health in this country.

I yield back the balance of my time, Madam Chair.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. BISHOP).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BISHOP of New York. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

DOMESTIC NUCLEAR DETECTION OFFICE  
MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office, as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.), for management and administration of programs and activities, \$37,353,000: *Provided*, That not to exceed \$2,250 shall be for official reception and representation expenses: *Provided further*, That not later than 60 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a strategic plan of investments necessary to implement the Department of Homeland Security's responsibilities under the domestic component of the global nuclear detection architecture that shall:

(1) define the role and responsibilities of each Departmental component in support of the domestic detection architecture, including any existing or planned programs to pre-screen cargo or conveyances overseas;

(2) identify and describe the specific investments being made by each Departmental component in fiscal year 2014 and planned for fiscal year 2015 to support the domestic architecture and the security of sea, land, and air pathways into the United States;

(3) describe the investments necessary to close known vulnerabilities and gaps, including associated costs and timeframes, and estimates of feasibility and cost effectiveness; and

(4) explain how the Department's research and development funding is furthering the implementation of the domestic nuclear detection architecture, including specific investments planned for each of fiscal years 2014 and 2015.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, \$211,210,000, to remain available until September 30, 2015.

SYSTEMS ACQUISITION

For expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, \$42,600,000, to remain available until September 30, 2016.

TITLE V  
GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2014, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program, project, or activity;

(2) eliminates a program, project, office, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or

(5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2014 Budget Appendix for the Department of Homeland Security, as modified by the report accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2014, or provided from any accounts in the Treasury of the United States derived by the collection of fees or proceeds available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of \$5,000,000 or 10 percent, whichever is less, that:

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity;

(3) reduces by 10 percent the numbers of personnel approved by the Congress; or

(4) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: *Provided*, That any transfer under this section shall be treated as a reprogramming of funds under subsection (b) and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in this section shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts.

SEC. 504. (a) The Department of Homeland Security Working Capital Fund, established pursuant to section 403 of Public Law 103-356 (31 U.S.C. 501 note), shall continue operations as a permanent working capital fund for fiscal year 2014: *Provided*, That none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the Working Capital Fund, except for the activities and amounts allowed in the President's fiscal year 2014 budget: *Provided further*, That funds provided to the Working Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: *Provided further*, That all departmental components shall be charged only for direct usage of each Working Capital Fund service: *Provided further*, That funds provided to the Working Capital Fund shall be used only for purposes consistent with the contributing component: *Provided further*, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: *Provided further*, That the Working Capital Fund shall be subject to the requirements of section 503 of this Act.

(b) The amounts appropriated in this Act are hereby reduced by \$250,000,000 to reflect cash balance and rate stabilization adjustments in the Working Capital Fund.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2014 from appropriations for salaries and expenses for fiscal year 2014 in this Act shall remain available through September 30, 2015, in the account and for the purposes for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of

Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2014 until the enactment of an Act authorizing intelligence activities for fiscal year 2014.

SEC. 507. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used to—

(1) make or award a grant allocation, grant, contract, other transaction agreement, or task or delivery order on a Department of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of \$1,000,000;

(2) award a task or delivery order requiring an obligation of funds in an amount greater than \$10,000,000 from multi-year Department of Homeland Security funds or a task or delivery order that would cause cumulative obligations of multi-year funds in a single account to exceed 50 percent of the total amount appropriated;

(3) make a sole-source grant award; or

(4) announce publicly the intention to make or award items under paragraph (1), (2), or (3) including a contract covered by the Federal Acquisition Regulation.

(b) The Secretary of Homeland Security may waive the prohibition under subsection (a) if the Secretary notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making an award or issuing a letter as described in that subsection.

(c) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(d) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award; the fiscal year for which the funds for the award were appropriated; the type of contract; and the account and each program, project, and activity from which the funds are being drawn.

(e) The Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award under “State and Local Programs”.

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under

chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. (a) Sections 520, 522, and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110-161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

(b) The third proviso of section 537 of the Department of Homeland Security Appropriations Act, 2006 (6 U.S.C. 114), shall not apply with respect to funds made available in this Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act. For purposes of the preceding sentence, the term “Buy American Act” means chapter 83 of title 41, United States Code.

SEC. 512. None of the funds made available in this Act may be used by any person other than the Privacy Officer appointed under subsection (a) of section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142(a)) to alter, direct that changes be made to, delay, or prohibit the transmission to Congress of any report prepared under paragraph (6) of such subsection.

SEC. 513. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 514. Within 45 days after the end of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report for that month that includes total obligations, on-board versus funded full-time equivalent staffing levels, and the number of contract employees for each office of the Department.

SEC. 515. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration “Aviation Security”, “Administration”, and “Transportation Security Support” for fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for the procurement or installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification: *Provided*, That quarterly reports shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives on any funds that are recovered or deobligated.

SEC. 516. Any funds appropriated to Coast Guard “Acquisition, Construction, and Improvements” for fiscal years 2002, 2003, 2004, 2005, and 2006 for the 110-123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

SEC. 517. Section 532(a) of Public Law 109-295 (120 Stat. 1384) is amended by striking “2013” and inserting “2014”.

SEC. 518. The functions of the Federal Law Enforcement Training Center instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 519. (a) The Secretary of Homeland Security shall submit a report not later than

October 15, 2014, to the Office of Inspector General of the Department of Homeland Security listing all grants and contracts awarded by any means other than full and open competition during fiscal year 2014.

(b) The Inspector General shall review the report required by subsection (a) to assess Departmental compliance with applicable laws and regulations and report the results of that review to the Committees on Appropriations of the Senate and the House of Representatives not later than February 15, 2015.

SEC. 520. None of the funds provided by this or previous appropriations Acts shall be used to fund any position designated as a Principal Federal Official (or the successor thereto) for any Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) declared disasters or emergencies unless—

(1) the responsibilities of the Principal Federal Official do not include operational functions related to incident management, including coordination of operations, and are consistent with the requirements of section 509(c) and sections 503(c)(3) and 503(c)(4)(A) of the Homeland Security Act of 2002 (6 U.S.C. 319(c) and 313(c)(3) and 313(c)(4)(A)) and section 302 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5143);

(2) not later than 10 business days after the latter of the date on which the Secretary of Homeland Security appoints the Principal Federal Official and the date on which the President issues a declaration under section 401 or section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191, respectively), the Secretary of Homeland Security shall submit a notification of the appointment of the Principal Federal Official and a description of the responsibilities of such Official and how such responsibilities are consistent with paragraph (1) to the Committees on Appropriations of the Senate and the House of Representatives, the Transportation and Infrastructure Committee of the House of Representatives, and the Homeland Security and Governmental Affairs Committee of the Senate; and

(3) not later than 60 days after the date of enactment of this Act, the Secretary shall provide a report specifying timeframes and milestones regarding the update of operations, planning and policy documents, and training and exercise protocols, to ensure consistency with paragraph (1) of this section.

SEC. 521. None of the funds provided or otherwise made available in this Act shall be available to carry out section 872 of the Homeland Security Act of 2002 (6 U.S.C. 452).

SEC. 522. None of the funds made available in this Act may be used by United States Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by United States Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 523. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking “Until September 30, 2013,” and inserting “Until September 30, 2014,”;

(2) in subsection (c)(1), by striking “September 30, 2013,” and inserting “September 30, 2014.”

SEC. 524. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful

acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance).

SEC. 525. None of the funds made available to the Office of the Secretary and Executive Management under this Act may be expended for any new hires by the Department of Homeland Security that are not verified through the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 526. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: *Provided*, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: *Provided further*, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 527. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9703(g)(4)(B) of title 31, United States Code (as added by Section 638 of Public Law 102-393) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: *Provided*, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives approve the proposed transfers.

SEC. 528. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 529. If the Administrator of the Transportation Security Administration determines that an airport does not need to participate in the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), the Administrator shall certify to the Committees on Appropriations of the Senate and the House of Representatives that no security risks will result from such non-participation.

Mr. DENT (during the reading). Madam Chair, I ask unanimous consent that the bill through page 71, line 14, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. Are there any amendments to that section?

The Clerk will read.

The Clerk read as follows:

SEC. 530. (a) Notwithstanding any other provision of this Act, except as provided in subsection (b), and 30 days after the date on which the President determines whether to

declare a major disaster because of an event and any appeal is completed, the Administrator shall publish on the Web site of the Federal Emergency Management Agency a report regarding that decision that shall summarize damage assessment information used to determine whether to declare a major disaster.

(b) The Administrator may redact from a report under subsection (a) any data that the Administrator determines would compromise national security.

(c) In this section—

(1) the term “Administrator” means the Administrator of the Federal Emergency Management Agency; and

(2) the term “major disaster” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 531. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 532. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295; 6 U.S.C. 121 note), as amended by section 537 of the Department of Homeland Security Appropriations Act, 2013 (Public Law 113-6), is further amended by striking “on October 4, 2013” and inserting “on October 4, 2014”.

SEC. 533. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

AMENDMENT OFFERED BY MR. MORAN

Mr. MORAN. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

In section 533, amend paragraph (2) to read as follows:

(2) was transferred to the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense, after December 31, 2005.

Mr. DENT. Madam Chair, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. Madam Chairwoman, section 533 would prohibit any funds being used for the transport, release, or assistance in the transfer or release of any Guantanamo detainee housed in Cuba on or after June of 2009. My amendment would change that date to December 31, 2005.

Now, in 2006, people who were truly the worst of the worst, those detainees who were housed in CIA black sites were transferred to Guantanamo. Now, prior to 2006, Guantanamo was popu-

lated with detainees who were simply not as deserving of indefinite detention, as this latter group, in my view, is. Eighty-six percent of the people of the first group, prior to 2005, were arrested in exchange for a bounty. The vast majority never committed an act of violence against the United States or any of its allies. About 5 percent may have been affiliated with al Qaeda.

Now, Madam Chairwoman, it seems to me that it's time that we clarify the definition of who is at Guantanamo. I listened very closely to my good friends yesterday, including Mr. WOLF, who cited Khalid Sheikh Mohammed in defining who was at Guantanamo. Khalid Sheikh Mohammed is one of those worst of the worst. I don't care what you do with Khalid Sheikh Mohammed. As far as I'm concerned, from everything I know, he deserves whatever happens to him. But we're not talking about him if this amendment were to pass. We're talking about people who were brought there initially, more than half were already released, of the 779, by the Bush administration. Eighty-six more have been already cleared for release.

Now, Madam Chairwoman, the fact is we're spending \$150 million a year to house these folks. About 150 of them are people that were brought there before 2005. We've authorized up to half a billion dollars to be spent to further modernize the facilities so that we can keep them indefinitely. It's expensive. We're spending \$1 million per detainee now, and then we would be talking, if we spent that 500, many more for indefinite detention.

The problem with that, in addition to the money, is the national security issue, because Guantanamo is a recruiting tool and a rallying cry for the enemy. It's not the only thing they cite, but, invariably, it's one of the principal things they cite and why the United States is not the country that it truly is.

They suggest that we are not good to our word, that we don't believe in the very principles of our jurisprudence system, that people are innocent until they've been proven guilty, that they ought to be charged with crimes. We don't believe in indefinite detention. That's what other countries do. We don't do that. We give people a fair trial. But the reason we have Guantanamo is that this was set up to be above the law. It's extrajudicial. The rules don't apply. The rest of the world looks at this and it undermines our credibility and our security as a Nation. That, Madam Chairwoman, is exactly why we should distinguish.

The worst of the worst, keep them there, keep them in some kind of isolated structure, but you sure don't have to spend half a billion dollars for 12 to 15 people. Those other 150, of whom many of them are now on a hunger strike, a majority are on a hunger

strike because they believe there's no hope, there's nothing to live for, they're going to be there forever. In fact, more than 30 of them—37, to be exact—are being forcibly tube fed. If this was in another nation, we'd be on the floor—Mr. WOLF would be on the floor objecting to this.

That's why this amendment should pass, Madam Chairwoman.

I yield back the balance of my time.

Mr. DENT. Madam Chair, I withdraw my point of order and rise in opposition to the amendment.

The Acting CHAIR. The reservation is withdrawn, and the gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Madam Chair, I rise in opposition to the amendment simply because I don't know the impact on security of this amendment. Who would be released? Where would these prisoners be relocated? And who would they be released to? to Yemen? to the United States? I simply don't know by reading this amendment.

□ 1820

It's clear that if these individuals were released to Yemen, they would not likely remain in custody for very long and likely rejoin the fight.

At the outset of the President's first term, an executive order declared the intention to close Guantanamo Bay and bring the detainees to the United States. That proposal was rejected by this Congress, and prohibitions on transferring detainees to the U.S. were enacted by overwhelming bipartisan majorities.

As my colleague and friend Mr. WOLF just discussed yesterday during consideration of the MilCon bill, this amendment could result in very dangerous outcomes. 779 people were detained in the first few years, and at this time it is unknown how many could potentially be released as an effect of this amendment.

As you know, several men who have been released from Guantanamo have gone back into the battlefield and killed Americans. We also know that having these dangerous individuals detained and tried in the United States dramatically impacts the facilities and localities where they're located. You must remember the violent nature of some of these individuals and the social impact on having these people in our neighborhoods.

I simply cannot support this amendment. It has high monetary and social costs and could potentially endanger our communities. In fact, a few years ago, it was discussed about releasing some of these detainees—five up into New York City—and that was rejected very, very strongly by both Republicans and Democrats. Any proposal that results in these detainees being sent to the United States is simply the wrong policy.

I urge my colleagues to reject the gentleman's amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chairman, I rise in support of my colleague, Mr. MORAN's amendment. The fact is that section 533 of this bill, which his amendment amends, has no place in this Homeland Security bill in the first place. If it belongs in any bill, it would be the Commerce-Justice bill. But as a political gesture, for years now, we've had this amendment or something very much like it added to a number of appropriations bills.

What Mr. MORAN has done tonight, though, is interesting. He has not proposed that this section be removed. He has simply amended it, and in a sensible way. He would limit the prohibition of the transfer of detainees to those demonstrably dangerous people who were placed in Guantanamo after 2005. That should remove most of the objections people have made to the elimination of this prohibition entirely.

It seems that the colleagues who have pushed this amendment, year after year and bill after bill, don't apparently have very strong concerns about indefinite detention and the kind of stain that this represents on this country. They also seem to think that if and when detainees are going to be brought to trial, the way to try them is with military commissions at Guantanamo. They seem to think that's the only possible way to bring these detainees to justice.

The reality is that military commissions have a very spotty record at best, while our criminal courts have a long and successful record of prosecuting terrorists. Why would we want to eliminate that option? Why would we want to deny that option to the President?

The reasoning of the proponents of this provision both denigrates our judicial system and actually exalts these detainees to a status they don't deserve in the eyes of the world. If I had my way, this section would not be in the bill in the first place. But since it is, I think Mr. MORAN has made a very sensible proposal that we should consider very favorably, and I hope that my colleagues will do just that.

I yield back the balance of my time.

Mr. WOLF. Madam Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. Madam Chairman, I rise in opposition to the amendment. I want, again, to begin: I don't believe it's fair to say that had we closed down

Guantanamo Bay bin Laden would not have done what he had done. Bin Laden was active and al Qaeda was active in a 1993 bombing of the World Trade Center that was before the Guantanamo Bay. They were involved in the bombing of the American Embassy in Tanzania and Nairobi that was before. And I don't believe that al Qaeda and al-Shabaab and all these are waiting to see, Well, when President Obama closes down Guantanamo Bay, we're going to kind of get off the field and it's going to be over. I just don't think that has any impact.

Secondly, the transferees—according to a political article, FBI Director Robert Mueller stated:

To transfer detainees to local jails could affect or infect other prisoners or have the capability of affecting events outside the prison system.

I agree with Director Mueller. I think Director Mueller has done a great job.

On the Moussaoui case—if the gentleman remembers, Moussaoui was in Alexandria for 4 years, and it tied up Alexandria. And to bring some of these people and to try them here creates a lot of problems.

The other issue, though, is 15 percent, at least—and this is an old figure. It could be higher, it could be a little bit lower, but at least 15 percent of the terrorist recidivism rate of released detainees that were released back to Yemen and places like that, it is not unheard of to have, as you release some—and some were released under the Bush administration—went back on the field and killed our men and women.

And so to release these, certainly you would never do this in an appropriations bill. You would have extensive hearings in and out. You would call the FBI to ask them what are the ramifications. You would call the CIA to ask them what are the ramifications. You would call Homeland Security to ask them what are the ramifications.

So for all these issues—and I won't take up any more time because we covered it last night—I think this is a bad amendment, and I urge its defeat.

I yield back the balance of my time.

Mr. CONNOLLY. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. CONNOLLY. Madam Chairman, I think this is a very important debate.

I remind my colleague from Virginia that I was on the board of supervisors in Fairfax County during the Karzai trial, and most certainly it was a difficult time, but we handled, professionally, that trial. He was tried fairly, convicted, and executed in the Commonwealth of Virginia. It is not beyond our reach to be able to handle these difficult cases.

Madam Chairman, I believe that this is a very important debate. I believe

the author needs to be heard in the exposition of this argument, and I'm pleased now to yield to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Madam Chairman, I thank my very good friend from Virginia. I would like to address a few points that my other very good friend from Virginia made.

First of all, the case that my good friend from Virginia referred to is actually a case in point. As Mr. CONNOLLY pointed out, the American jurisprudence system worked. He was tried and he was convicted and he was executed. And, in fact, no convictions have been achieved with these military commissions. Two guilty verdicts, but they were overturned.

Mr. WOLF. Will the gentleman yield?

Mr. CONNOLLY. I yield to my friend from Virginia.

Mr. WOLF. Moussaoui was picked up here in the United States. He was not picked up in the battlefield in Afghanistan or someplace like that. So they were totally separate-type issues.

I thank the gentleman for yielding.

Mr. MORAN. I would say to the gentleman, if they were totally separate, then I don't know why he brought that issue into this debate. The fact is there is a lesson, and I want to explain what that lesson is, because our American jurisprudence system worked. He was convicted in a U.S. court.

□ 1830

In fact, before he was executed, there was a description of this person—I don't want to call him a "gentleman." He was crying uncontrollably, and apparently the reason was that all of the conceptions that he had had proved to be misconceptions. He had been screaming about how bad the United States was, how unfair the trial was, and then he realized he was wrong.

It's too late for him to realize that now, but the American jurisprudence system worked. In fact, we have tried more than 1,000 terrorists in the United States. We are currently holding 373 people convicted of terrorism in 98 facilities across the country. There are six Department of Defense facilities in which detainees could be held in the United States, and they are only at 48 percent capacity. There are 98 Justice Department facilities, as the gentleman well knows, and there is one in Alexandria where Guantanamo detainees could be held in the United States.

I just want to show the rest of the world that our justice system works. That is what defines us as a Nation and as a people. Guantanamo doesn't define us. It's just the opposite of what we believe in, what we profess to believe in. That's the problem. Nobody suggested that 9/11 happened because of Guantanamo. We know our history. We know when Guantanamo was established. The fact is that we could cite any number of situations in which our enemy

cites Guantanamo as a reason for these young, impressionable men joining the forces of al Qaeda—because they just want to suggest that we really are not who we say we are.

This amendment would let us be who we are. Let the President close this facility that never should have been established in the first place. The Bush administration recognized that when it released more than half of the detainees—779 of them turned in for bounties in Afghanistan and Pakistan. That's not the way we arrest people. They released them. The majority of the people at Guantanamo today have been cleared for release. They ought to be released, or they ought to be tried. As far as the worst of the worst, do what you want with them, but you don't have to spend \$500 million to upgrade the facilities at Guantanamo so that you house people indefinitely. That's not who we are. That's why this amendment should pass.

Mr. CONNOLLY. Madam Chair, I have collaborated with the Chairman and Ranking Member on this statement and I am pleased to submit it into the RECORD with their concurrence. I appreciate the Committee's efforts to ensure the Department has the necessary cybersecurity resources to safeguard our Nation's digital infrastructure. In recent years, prominent intelligence, defense, and homeland security officials have expressed alarm over the rapidly increasing cyber threat and our inadequate cyber defenses, and we ignore those warnings at our own peril. Former Secretary of Defense Leon Panetta recently noted the potential of escalating cyber threats to culminate in a new "cyber Pearl Harbor; an attack that would cause physical destruction and the loss of life" and "paralyze and shock the nation and create a new, profound sense of vulnerability."

America's critical infrastructure remains a prime target for cyber attacks that are rapidly escalating in terms of scale and sophistication. Failure to secure the sensitive networks that underpin our financial institutions, utilities, and government leaves our country vulnerable to attacks that could cripple our economy or endanger our national security. Enhancing our cybersecurity capabilities should be a top homeland security priority, and it is absolutely vital that we cultivate a robust cyber workforce to carry out that mission.

I share the Committee's "serious concerns" that our current cyber workforce training and recruitment efforts are inadequate to meet the scale of the threat. A recent SANS Institute report card found DHS is failing to utilize its full authorities to effectively recruit and retain cybersecurity personnel and neglecting to develop advanced in-house cyber skills. If our Nation is to have robust cybersecurity capabilities, we must cultivate a talented and well-trained cyber workforce capable of managing the protection of our government's networks and lead by example. That means we have to start educating people about the training and career opportunities in cybersecurity starting in our secondary schools and ramping up college recruitment.

When I consulted the Chairman on this matter, he said shared my view and that the Com-

mittee believes there has been too little strategic planning and too few resources focused on development of the current workforce and developing a future workforce pipeline. That is why the Committee directs DHS to leverage its existing network of 12 Centers of Excellence around the country to address workforce needs. The bill also directs the Secretary to work with her counterparts at the Departments of Veterans Affairs, Defense, and Labor to develop a veteran's cybersecurity workforce program targeting those veterans who are unemployed. Further it directs the undersecretary for the National Protection and Programs Directorate to look across other agencies to see where DHS could leverage existing cyber capabilities. The Chairman further acknowledged that this will continue to be a challenge and focus area across all Federal agencies and the Committee.

Even in my district, which is home to the one of the largest concentrations of technology firms in the country, rivaling that of Silicon Valley, we have a shortage of skilled cyber warriors. In a wired 21st Century, the Federal Government must have the necessary tools to recruit, retain, and develop a first-class cybersecurity workforce. I look forward to working with the Committee moving forward to achieve that mission.

Ms. LEE of California. Madam Chair, yesterday I inadvertently voted NO on the Moran amendment (roll call 200) to H.R. 2217. I support the Moran amendment that would strike section (2) and insert "was transferred to the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense, after December 31, 2005." I am a strong supporter of President Obama's commitment to close the prison camp at Guantanamo and halt all pending military commission trials. The infamous Guantanamo prison facility has made a mockery of America's commitment to the rule of law, due process, and the rejection of torture as an acceptable interrogation technique. I will continue to work with my colleagues to repeal unnecessary restrictions on detainees and remove congressionally mandated bans which have made the facility harder to close. Closing Guantanamo would send an important message around the world that the days of detaining persons indefinitely without charge or due process are over. I look forward to the day when we can finally shut the doors on this prison. I support the Moran amendment (roll call 200) and stand ready to support efforts to close Guantanamo.

Mr. CONNOLLY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. MORAN. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 534. None of the funds made available in this Act may be used for first-class travel

by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301.10–124 of title 41, Code of Federal Regulations.

SEC. 535. None of the funds made available in this or any other Act for fiscal year 2014 and thereafter may be used to propose or effect a disciplinary or adverse action, with respect to any Department of Homeland Security employee who engages regularly with the public in the performance of his or her official duties solely because that employee elects to utilize protective equipment or measures, including but not limited to surgical masks, N95 respirators, gloves, or hand-sanitizers, where use of such equipment or measures is in accord with Department of Homeland Security policy and Centers for Disease Control and Prevention and Office of Personnel Management guidance.

SEC. 536. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 537. (a) Any company that collects or retains personal information directly from any individual who participates in the Registered Traveler or successor program of the Transportation Security Administration shall safeguard and dispose of such information in accordance with the requirements in—

(1) the National Institute for Standards and Technology Special Publication 800–30, entitled “Risk Management Guide for Information Technology Systems”;

(2) the National Institute for Standards and Technology Special Publication 800–53, Revision 3, entitled “Recommended Security Controls for Federal Information Systems and Organizations”; and

(3) any supplemental standards established by the Administrator of the Transportation Security Administration (referred to in this section as the “Administrator”).

(b) The airport authority or air carrier operator that sponsors the company under the Registered Traveler program shall be known as the “Sponsoring Entity”.

(c) The Administrator shall require any company covered by subsection (a) to provide, not later than 30 days after the date of enactment of this Act, to the Sponsoring Entity written certification that the procedures used by the company to safeguard and dispose of information are in compliance with the requirements under subsection (a). Such certification shall include a description of the procedures used by the company to comply with such requirements.

SEC. 538. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 539. (a) Not later than 180 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives, a report that either—

(1) certifies that the requirement for screening all air cargo on passenger aircraft by the deadline under section 44901(g) of title 49, United States Code, has been met; or

(2) includes a strategy to comply with the requirements under title 44901(g) of title 49, United States Code, including—

(A) a plan to meet the requirement under section 44901(g) of title 49, United States

Code, to screen 100 percent of air cargo transported on passenger aircraft arriving in the United States in foreign air transportation (as that term is defined in section 40102 of that title); and

(B) specification of—

(i) the percentage of such air cargo that is being screened; and

(ii) the schedule for achieving screening of 100 percent of such air cargo.

(b) The Administrator shall continue to submit reports described in subsection (a)(2) every 180 days thereafter until the Administrator certifies that the Transportation Security Administration has achieved screening of 100 percent of such air cargo.

SEC. 540. In developing any process to screen aviation passengers and crews for transportation or national security purposes, the Secretary of Homeland Security shall ensure that all such processes take into consideration such passengers’ and crews’ privacy and civil liberties consistent with applicable laws, regulations, and guidance.

SEC. 541. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, \$10,000,000 may be allocated by United States Citizenship and Immigration Services in fiscal year 2014 for the purpose of providing an immigrant integration grants program.

(b) None of the funds made available to United States Citizenship and Immigration Services for grants for immigrant integration may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

SEC. 542. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with the requirements of subtitle I of title 41, United States Code or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

SEC. 543. (a) For an additional amount for data center migration, \$34,200,000.

(b) Funds made available in subsection (a) for data center migration may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 544. Notwithstanding any other provision of law, if the Secretary of Homeland Security determines that specific U.S. Immigration and Customs Enforcement Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities no longer meet the mission need, the Secretary is authorized to dispose of individual Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities by directing the Administrator of General Services to sell all real and related personal property which support Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities, subject to such terms and conditions as necessary to protect Government interests and meet program requirements: *Provided*, That the proceeds, net of the costs of sale incurred by the General Services Administration and U.S. Immigration and Customs Enforcement,

shall be deposited as offsetting collections into a separate account that shall be available, subject to appropriation, until expended for other real property capital asset needs of existing U.S. Immigration and Customs Enforcement assets, excluding daily operations and maintenance costs, as the Secretary deems appropriate: *Provided further*, That any sale or collocation of federally owned detention facilities shall not result in the maintenance of fewer than 34,000 detention beds: *Provided further*, That the Committees on Appropriations of the Senate and the House of Representatives shall be notified 15 days prior to the announcement of any proposed sale or collocation.

SEC. 545. None of the funds made available under this Act or any prior appropriations Act may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, or allied organizations.

SEC. 546. The Commissioner of U.S. Customs and Border Protection and the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement shall, with respect to fiscal years 2014, 2015, 2016, and 2017, submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President’s budget proposal for fiscal year 2015 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, the information required in the multi-year investment and management plans required, respectively, under the headings U.S. Customs and Border Protection, “Salaries and Expenses” under title II of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74), and U.S. Customs and Border Protection, “Border Security Fencing, Infrastructure, and Technology” under such title, and section 568 of such Act.

SEC. 547. The Secretary of Homeland Security shall ensure enforcement of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

SEC. 548. The Secretary of Homeland Security shall submit to the Committees on Appropriations of the House of Representatives and the Senate, at the time that the President’s budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a report detailing the fiscal policy that prescribes Coast Guard budgetary policies, procedures, and technical direction necessary to comply with subsection (a) of section 557 of division D of Public Law 113–6 (as required to be developed under subsection (b) of such section).

SEC. 549. (a) Of the amounts made available by this Act for National Protection and Programs Directorate, “Infrastructure Protection and Information Security”, \$199,725,000 for the “Federal Network Security” program, project, and activity shall be used to deploy on Federal systems technology to improve the information security of agency information systems covered by section 3543(a) of title 44, United States Code: *Provided*, That funds made available under this section shall be used to assist and support Government-wide and agency-specific efforts to provide adequate, risk-based, and cost-effective cybersecurity to address escalating and rapidly evolving threats to information security, including the acquisition and operation of a continuous monitoring and diagnostics program, in collaboration with departments and agencies, that includes equipment, software, and Department of Homeland Security supported services: *Provided further*, That not



later than April 1, 2014, and quarterly thereafter, the Under Secretary of Homeland Security of the National Protection and Programs Directorate shall submit to the Committees on Appropriations of the Senate and House of Representatives a report on the obligation and expenditure of funds made available under this section: *Provided further*, That continuous monitoring and diagnostics software procured by the funds made available by this section shall not transmit to the Department of Homeland Security any personally identifiable information or content of network communications of other agencies' users: *Provided further*, That such software shall be installed, maintained, and operated in accordance with all applicable privacy laws and agency-specific policies regarding network content.

(b) Funds made available under this section may not be used to supplant funds provided for any such system within an agency budget.

(c) Not later than July 1, 2014, the heads of all Federal agencies shall submit to the Committees on Appropriations of the Senate and House of Representatives expenditure plans for necessary cybersecurity improvements to address known vulnerabilities to information systems described in subsection (a).

(d) Not later than October 1, 2014, and quarterly thereafter, the head of each Federal agency shall submit to the Director of the Office of Management and Budget a report on the execution of the expenditure plan for that agency required by subsection (c): *Provided*, That the Director of the Office of Management and Budget shall summarize such execution reports and annually submit such summaries to Congress in conjunction with the annual progress report on implementation of the E-Government Act of 2002 (Public Law 107-347), as required by section 3606 of title 44, United States Code.

(e) This section shall not apply to the legislative and judicial branches of the Federal Government and shall apply to all Federal agencies within the executive branch except for the Department of Defense, the Central Intelligence Agency, and the Office of the Director of National Intelligence.

SEC. 550. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 551. None of the funds made available in this Act may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 552. Fifty percent of each of the appropriations provided in this Act for the "Office of the Secretary and Executive Management", the "Office of the Under Secretary for Management", and the "Office of the Chief Financial Officer" shall be withheld from obligation until the reports and plans required in this Act to be submitted on or before March 14, 2014, are received by the Committees on Appropriations of the Senate and the House of Representatives.

SEC. 553. None of the funds provided in this or any other Act may be obligated to imple-

ment the National Preparedness Grant Program or any other successor grant programs unless explicitly authorized by Congress.

SEC. 554. None of the funds made available in this Act may be used to provide funding for the position of Public Advocate, or a successor position, within U.S. Immigration and Customs Enforcement.

SEC. 555. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: *Provided*, That for purposes of this section the term "international conference" shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 556. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal or State law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 557. None of the funds made available in this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation for which any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 558. (a) The Secretary of Homeland Security shall submit quarterly reports to the Inspector General of the Department of Homeland Security regarding the costs and contracting procedures related to each conference or ceremony (including commissionings and changes of command) held by any departmental component or office in fiscal year 2014 for which the cost to the United States Government was more than \$20,000.

(b) Each report submitted shall include, for each conference or ceremony in subsection (a) held during the applicable quarter —

- (1) a description of its purpose;
- (2) the number of participants attending;
- (3) a detailed statement of the costs to the United States Government, including —
  - (A) the cost of any food or beverages;
  - (B) the cost of any audio-visual services;
  - (C) the cost of travel to and from the conference or ceremony;

(D) a discussion of the methodology used to determine which costs relate to the conference or ceremony; and

(4) a description of the contracting procedures used including —

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference or ceremony.

(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a conference or ceremony described in subsection (a) that is not directly and programatically related to the purpose for which the grant or contract was awarded, such as a conference or ceremony held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(d) None of the funds made available in the Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M-12-12 dated May 11, 2012.

SEC. 559. None of the funds made available in this Act may be used for pre-clearance operations in new locations unless the required conditions relative to these operations and contained in the accompanying report are met.

SEC. 560. In making grants under the heading "Firefighter Assistance Grants", the Secretary shall grant waivers from the requirements in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a).

Mr. DENT (during the reading). Madam Chair, I ask unanimous consent that the bill through page 88, line 16 be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. Are there any amendments to that section?

The Clerk will read.

The Clerk read as follows:

SEC. 561. None of the funds made available in this Act may be used to establish, collect, or otherwise impose a border crossing fee for pedestrians or passenger vehicles at land ports of entry along the Southern border or the Northern border, or to conduct any study relating to the imposition of such a fee.

SEC. 562. None of the funds made available by this Act may be used to eliminate or reduce funding for a program, project or activity as proposed in the President's budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this Act.

SEC. 563. None of the funds made available by this Act may be used to approve a classification petition filed for or by a citizen or national of Brazil in order to render such individual eligible to receive an immigrant visa.

#### POINT OF ORDER

Mr. GOODLATTE. Madam Chairman, I make a point of order against section 563 of this bill. The section violates clause 2 of rule XXI, which prohibits



legislative language in a general appropriations bill.

The Acting CHAIR. Does any Member wish to be heard on the gentleman's point of order?

The Chair is prepared to rule.

The gentleman from Virginia makes a point of order that section 563 proposes to change existing law in violation of clause 2(b) of rule XXI.

As recorded in Deschler's Precedents, volume 8, chapter 26, section 52, even though a limitation might refrain from explicitly assigning new duties to officers of the government, if it implicitly requires them to make judgments and determinations not otherwise required of them by law, then it assumes the character of legislation and is subject to a point of order under clause 2 of rule XXI.

The proponent of a provision assumes the burden of establishing that any duties imposed by the provision are already required by law.

The limitation proposed in section 563 declines to fund specified classification petitions filed by, or for, citizens or nationals of Brazil. In the opinion of the Chair, current law does not require the Department of Homeland Security to determine the citizenship or nationality of persons for whom classification petitions are filed.

Compliance with section 563 would require the relevant Federal officials receiving funds in this act to make determinations regarding nationality or citizenship of certain persons. The proponent of this provision has not carried the burden of proving that the relevant Federal officials are presently charged with making these determinations.

On these premises, the Chair concludes that the section proposes to change existing law.

Accordingly, the point of order is sustained. Section 563 is stricken from the bill.

Mr. BLUMENAUER. I move to strike the last word.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. Madam Chairman, we are debating legislation that is critical to the safety of all Americans. One threat that often gets underplayed but which has been catapulted into the news recently is natural disaster.

Seventy-five percent of Americans live in areas that are at risk for some type of disaster—whether flood, fire, hurricane, tornado, landslide, or earthquake. In the past 2 years, the United States experienced 25 severe, extreme weather events that caused over 1,100 fatalities, \$188 billion in damages—far more than all of the domestic acts of terror in the last decade.

This legislation spends \$6.2 billion on disaster relief, \$5.6 billion of which is emergency spending not subject to discretionary caps.

I strongly support the role of the Federal Government in disaster response, recovery, and prevention; but the costs of disaster relief are staggering, and they are growing—whether due to stronger and more frequent storms, climate change, increased development in harm's way, or an increase in disaster declarations.

To put these costs into perspective, Congress started in 2013 by passing the American Taxpayer Relief Act of 2012, which generated \$600 billion over 10 years in new revenue. Two weeks later, we passed the Superstorm Sandy supplemental, totaling \$60 billion—in total, all of that first year's revenue under that proposal.

In times of budget austerity, Congress should have a full understanding of how much money taxpayers are spending on disaster relief, recovery, and mitigation. Unfortunately, these expenditures are far from transparent. There are wildly varying estimates of what these costs may be. The OMB recently estimated that the Federal Government spent an average of \$11.5 billion per year from 2001 to 2011, but it included only funding specifically related to the Stafford Act and excluded the highest and lowest spending years, including \$37 billion for Hurricanes Katrina and Rita.

□ 1840

Another analysis found we spent \$136 billion from fiscal year 2011 to 2013 on disaster relief, about \$45 billion a year and nearly \$400 per household per year on average. A 2005 study referenced the cost of \$1 billion per week from emergency response, public and private property damages, and business disruption. This calculation was made before Hurricane Katrina.

An accurate and comprehensive accounting of Federal disaster spending, as well as an estimate of future needs, will enable this Congress and future Congresses to make better decisions about how much to budget for these events and how to prioritize scarce Federal dollars.

Accurate information would also inform the ongoing conversation about ways to reduce this spending in the first place. Spending more money up front on mitigation and community resilience can reduce the need for disaster relief expenditures. The Multi-hazard Mitigation Council, in a congressionally mandated study, documented that \$1 spent on mitigation saved society an average of \$4 in avoided disaster costs.

I appreciate language in this legislation requiring FEMA to submit an expenditure plan detailing the use of funds for disaster readiness and support. I think it's an important step forward. But, frankly, I think the reporting requirement may be too narrow.

I would request that the chairman and ranking member would work with

me as this legislation moves to conference to expand the scope of the reporting requirement. We need FEMA to look comprehensively at Federal spending on disaster recovery, preparedness, and, yes, possibly prevention, and look at spending on all Federal programs, agencies and departments responding to and preparing for storms, flooding, fires, earthquake, drought and other disasters. FEMA should examine the reasons behind the rising costs and provide recommendations that may mitigate them going forward.

The inherent unpredictability of natural disasters makes exact congressional budgeting in this area very difficult, and my heart goes out to the committee and your staff. But it's clear disaster relief will continue to strain Federal budgets, particularly if the recent bout of extreme weather continues.

The first step towards finding savings will be to have an accurate accounting of these expenditures. We should take that step now in this legislation, and I would look forward to working with the committee if you're so inclined.

With that, I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. I want to thank the gentleman for his comments, and I appreciate your concern and agree with you this is a topic of high concern to everyone. As you saw, our bill contains numerous oversight requirements to address these issues.

I look forward to working with the gentleman as the bill moves through the process to ensure that Congress has the most comprehensive information possible on the costs associated with natural disasters. And I agree that if there is a way to mitigate, we should look into that.

I look forward to working with you.

Mr. PRICE of North Carolina. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman.

Mr. PRICE of North Carolina. I thank the gentleman for yielding, and I want to add my thanks to my colleague from Oregon for what he has said here tonight.

This area of disaster relief funding is one that has challenged us for a long time, getting accurate predictions and estimates of the needs from Democratic and Republican administrations and dealing with this under budget pressures here in this body.

But the baseline for any of this has got to be honest budgeting, realistic assessments, and we need to work on this going forward. So I'm interested in what the gentleman from Oregon says about the ideas that he has that might help us strengthen this, both the accurate accounting of expenditures for

past disasters and also a better understanding of the mitigation potential.

I think both of those are important areas for exploration, and I certainly will work with the chairman and with him in exploring this going forward.

Mr. CARTER. Reclaiming my time, I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 564. None of the funds appropriated by this Act for U.S. Immigration and Customs Enforcement shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 565. None of the funds appropriated by this Act for U.S. Immigration and Customs Enforcement shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 566. Nothing in the preceding section shall remove the obligation of the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement to provide escort services necessary for a female detainee to receive such service outside the detention facility: *Provided*, That nothing in this section in any way diminishes the effect of section 565 intended to address the philosophical beliefs of individual employees of U.S. Immigration and Customs Enforcement.

SEC. 567. (a) The Secretary of Homeland Security shall submit to Congress, at the time that the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a comprehensive report on purchase and usage of ammunition by the Department of Homeland Security, that includes—

(1) mission requirements pertaining to ammunition, including certification, qualification, training, and inventory requirements for each relevant Department component or agency and a comparison of such requirements to the requirements of Federal law enforcement agencies of the Department of Justice and the military components of the Department of Defense; and

(2) details on all contracting practices applied by the Department of Homeland Security to procure ammunition, including comparative details regarding other contracting options with respect to cost and availability.

(b) Beginning on April 15, 2014, and quarterly thereafter, the Secretary of Homeland Security shall submit a report to Congress that includes—

(1) the quantity of ammunition in inventory in the Department of Homeland Security at the end of the preceding calendar quarter, subdivided by ammunition type, and how such quantity aligns to mission requirements of each relevant Department of Homeland Security component or agency;

(2) the quantity of ammunition used by the Department of Homeland Security during the preceding calendar quarter, subdivided by ammunition type, the purpose of such usage, the average number of rounds used per agent or officer subdivided by ammunition type, and how such usage aligns to mission requirements, including certification, qualification, and training requirements, for each relevant Department of Homeland Security component or agency; and

(3) the quantity of ammunition purchased by the Department of Homeland Security

during the preceding calendar quarter, subdivided by ammunition type, and the associated contract details of such purchase, for each relevant Department of Homeland Security component or agency.

#### (RESCISSIONS)

SEC. 568. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended:

- (1) \$14,500,000 from Public Law 111-83 under the heading Coast Guard "Acquisition, Construction, and Improvements";
- (2) \$21,612,000 from Public Law 112-10 under the heading Coast Guard "Acquisition, Construction, and Improvements";
- (3) \$41,000,000 from Public Law 112-74 under the heading Coast Guard "Acquisition, Construction, and Improvements";
- (4) \$32,479,000 from Public Law 113-6 under the heading Coast Guard "Acquisition, Construction, and Improvements".

#### (RESCISSION)

SEC. 569. From the unobligated balances made available in the Department of the Treasury Forfeiture Fund established by section 9703 of title 31, United States Code, (added by section 638 of Public Law 102-393) \$100,000,000 shall be permanently rescinded.

#### SPENDING REDUCTION ACCOUNT

SEC. 570. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Madam Chair, I'd like to thank Chairman CARTER and Ranking Member PRICE on behalf of the residents of our region: New York, New Jersey, Connecticut, and the east coast.

Mention was made of disasters, and I want to thank the chair and all the committee members, and certainly the big chair, Chairman ROGERS, but particularly the Homeland Security Appropriations Committee for their working with us on behalf of our residents who continue to suffer. I just want to take this opportunity to thank you and show our appreciation.

There were some tough decisions that had to be made, and we are especially grateful to the staff of both sides of the aisle that worked with us to make life a little more bearable for our residents. And since this is the first appropriations bill since Hurricane Sandy, I just want to express my appreciation.

Also, Madam Chairman, I come from a 9/11 State. This committee is very important to urban areas. In this bill are greater protections for the resi-

dents of major cities and metropolitan areas. I'd also like to express my appreciation to Chairman CARTER and Mr. PRICE for making sure that different grants are there for first responders. If there are manmade disasters or any type of disasters, the funds are there.

I appreciate this opportunity, and I yield back the balance of my time.

Mr. CONNOLLY. Madam Speaker, I move to strike the last word.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. CONNOLLY. I rise to invite the distinguished chairman of the committee and the ranking member to engage in a colloquy.

As a Member that represents a large technology community in northern Virginia, I share Chairman CARTER and Ranking Member PRICE's urgency for cultivating a robust cyber workforce, and I appreciate the committee's thoughtful report language identifying this as a Homeland Security priority, with specific actions for the Department to pursue so that they can lead by example. I look forward to working with them and their staffs on this vital initiative.

With that, I ask unanimous consent that the remainder of our colloquy be entered into the RECORD at this point.

I yield back the balance of my time.

The Acting CHAIR. The gentleman may not enter a colloquy into the RECORD.

Mr. CARTER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Madam Chairman, I thank the gentleman from Virginia and assure him that we will continue to work together on this issue.

With that, I yield back the balance of my time.

Mr. CONNOLLY. Madam Chairman, I ask unanimous consent to strike the last word.

The Acting CHAIR. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. CONNOLLY. Madam Speaker, I rise to invite Chairman CARTER to engage in a colloquy.

Chairman CARTER and Ranking Member PRICE have done a lot of good work to craft this bill in a bipartisan fashion that strengthens our ability to provide for the safety and security of our constituents' communities.

□ 1850

As you know, this is a shared responsibility with local and State governments. I'm pleased to see this year's bill makes a significant investment in supporting the public safety activities of those partners. I rise to call attention to the elimination of the Office of

National Capital Region Coordination and ask the committee's assistance in ensuring the department not only maintain, but demonstrably improve its collaboration with our local and State partners in the absence of this stand-alone office.

I share the committee's concerns with the performance of the Regional Coordination Office, which according to multiple GAO reports, has fallen considerably short of its goals. Two natural disasters of 2011—a record snowstorm and an earthquake—showed that gaps in regional communication and coordination unfortunately still exist in the National Capital Region.

During my tenure on the Fairfax County Board of Supervisors, I was a founding member of the Metropolitan Washington Council of Governments' Emergency Preparedness Council. The attack on the Pentagon on 9/11 revealed gaping holes in even basic communication between the Federal Government and regional partners. For example, following the attack, the Federal Government allowed early release of all of its workforce with zero coordination with local governments, thus creating some of the worst gridlock in the history of Washington, D.C. Thankfully, a proposal to also close Metro that day was rejected or the situation would have been even worse.

This is not just any region of the country. This is the Nation's capital, and the number of Federal assets throughout the region demands that the Federal Government play an active role in coordinating preparedness and response efforts with our local and State partners. In fact, section 882 of the National Security Act of 2002 specifies that the department help assess, advocate for, and assist our State and local partners.

I would ask the chairman of the committee if it is the committee's intent to hold the department responsible for fulfilling those functions without this standalone office?

Mr. CARTER. Will the gentleman yield?

Mr. CONNOLLY. I yield to the chairman.

Mr. CARTER. Madam Chair, I appreciate the gentleman's question. The committee has long expressed concerns with the operation of the National Capital Region Coordination Office, and numerous GAO audits have confirmed our concerns that the office has been underperforming its potential to improve regional preparedness coordination. I share the gentleman's desire to improve collaboration across the National Capital Region with the Federal Government, and I know Administrator Fugate is committed to doing just that. I am confident that the coordination responsibility outlined in section 882 can be fulfilled within this reorganization under the Office of the Administrator.

Ranking Member PRICE and I are committed to making sure FEMA acts on the recommendations of the GAO to better meet with the requirements, and we will work to include you and other members of the National Capital Region delegation in that effort.

Mr. CONNOLLY. I thank the distinguished chairman.

Mr. PRICE of North Carolina. Will the gentleman yield?

Mr. CONNOLLY. I yield to the ranking member.

Mr. PRICE of North Carolina. I just want to echo the chairman on this point. We will work together and with you and with Administrator Fugate to ensure that FEMA meets its coordination responsibilities with regard to the National Capital Region.

Mr. CONNOLLY. I thank the distinguished chairman and the distinguished ranking member and their staffs, and I yield back the balance of my time.

Mr. COLE. Mr. Chairman, I move to strike the last word in order to enter into a colloquy with Chairman CARTER.

The Acting CHAIR (Mr. HASTINGS of Washington). The gentleman from Oklahoma is recognized for 5 minutes.

Mr. COLE. As many people in this Chamber and around the country know, Oklahoma has had a particularly devastating period of time, and I want to begin by just thanking my colleagues on both sides of the aisle and, through them, their constituents for their prayers and their sympathy and their help because we certainly have received an extraordinary amount of help from the American people, from the administration, and from my colleagues here in this Chamber.

While most people have focused on the damage in my hometown of Moore, we actually had, Mr. Chairman, three tornadic events. On May 19, the towns of Shawnee and the small communities of Carney and Little Axe were hit. Two people died, hundreds of homes were destroyed, and there was extensive damage. The second one was the next day, the second episode, hitting the towns of Newcastle and Oklahoma City, in addition to my hometown of Moore, and that one cost the lives of 24 people, and I'll talk about that in just a second.

And then we had a third outbreak on May 31 that hit El Reno, Oklahoma, and parts of Oklahoma City that are in my district. This area actually spreads across several congressional districts. The first episode was largely in Mr. LANKFORD's district, the second largely in mine, and the third actually hit Mr. LUCAS's district, Mr. LANKFORD's district, and my district.

The single greatest loss of life, of course, was in my hometown of Moore. And so my colleagues understand the extent of the disaster, we not only had 24 dead, including 10 children, we had 33,000 people displaced in a town of

55,000; that is, they literally are not sleeping tonight where they were sleeping on the night of May 19. In addition, we lost two elementary schools, a school administration building, extensive damage to three other schools, the hospital, the U.S. Post Office, and hundreds and hundreds of businesses. So the employment base of the community was devastated as well.

The full extent of the physical damage in this area alone is not yet known. The initial estimates by the Oklahoma insurance commissioner are somewhere between \$2 billion and \$4 billion, but it will take awhile to actually get through this.

I have spent a lot of the last few days visiting with the people in the communities involved, particularly in Moore, but also in Little Axe and Newcastle and Oklahoma City, the other areas. Without the tireless efforts of the first responders from all of these communities and the surrounding area, we simply wouldn't have gotten through the horror of the experience.

The communities in question are extraordinarily close-knit and, sadly, are quite experienced in this kind of activity. My hometown of Moore has actually been hit by six tornadoes in 15 years, including two F5s, the highest category. One of the tornadoes in question, this latest incident, was actually the largest ever recorded, 2.5 miles across, with wind funnel speeds of up to 295 miles an hour. So it is extraordinary to behold.

As I understand it right now, as best we can estimate, there are no current needs for additional disaster funding; but the possibility, obviously, of other disasters and hurricanes, fires, earthquakes, what have you, the rest of the fiscal year always raises the possibility that the resources that are available will be strained, and I want to make it very apparent that if that were to happen, I will certainly be looking forward to working with my colleagues on both sides of the aisle to ensure that should similar misfortune befall other areas, that they, too, have the help that they need.

If I may, I yield at this time to my friend, the gentleman from Texas (Mr. CARTER), the chairman of the Homeland Security Subcommittee on Appropriations.

Mr. CARTER. I thank my good friend, Mr. COLE, for yielding.

The bill before us today builds on our actions of last year and includes robust funding for FEMA in the disaster relief category, funding that will most definitely assist those who lost so much in Oklahoma over the last few weeks.

As of this morning, the Disaster Relief Fund currently has a balance of approximately \$11 billion, which is sufficient to address the needs of Oklahoma and other recent disasters.

As Oklahoma begins the road to recovery, I will continue to work with

the gentleman to ensure we are doing everything that we can to help the devastated communities. Our hearts go out to those folks.

Mr. COLE. I want to thank my friend from Texas whom I had the opportunity to confer with during recent days for his kind support and assurances. I know my friend would appreciate this. We sort of think of ourselves as Scotland to your England. And in football season, I always remind people that the Red River was an international border for 42 years, and every October it is again. But the reality is, when you're in a tough situation, you don't have any better neighbors in the world than our friends from Texas. And not just on this floor, but the outpouring particularly from our neighboring State in terms of volunteers and contributions, and, honestly, from all across America, has been extraordinary.

I yield back the balance of my time.

Mr. SCHNEIDER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SCHNEIDER. I rise to lend my support to the underlying bill we are debating today. The Homeland Security appropriations measures make key investments in technology for our first responders, disaster relief funding for our communities, and critical grant funding for our local fire departments.

□ 1900

It is the centerpiece for how we invest, not only in our national security, but also in the security of our local communities.

Earlier this year, the district I represent was severely affected by regional flooding that damaged hundreds of homes and businesses. The impacts on families is a human one. Many lost their homes. Many lost their business and may not be able to reopen. This terrible situation highlights the tremendous need for disaster relief that is comprehensive and far-reaching.

FEMA helped many in my district to recover a small piece of their lives after the storms; and, consequently, I am happy to see that the committee included \$6.2 billion in disaster relief funding. This funding will be critical as we, in Illinois, continue the effort to rebuild our communities affected by the flooding, as well as for those in Oklahoma, New Jersey, and other areas as they rebuild after natural disasters.

I also applaud efforts by the committee to support \$1.5 billion allocated for FEMA State and local grant programs. Specifically, I would like to highlight a program that addresses the distinctive security needs of nonprofit groups, helping at the local level to safeguard human life and property against credible threats to the safety of our communities.

The Urban Area Security Initiative provides a funding source for targeted nonprofit groups to invest in their own security. These grants, typically utilized by churches, synagogues and community centers, are designed to acquire and install equipment that can help prevent and mitigate terrorist attacks in our communities.

Organizers use these grants to make capital improvements, such as installing security cameras, physical barriers, or controlled-entry systems, safeguards that can make a difference in deterring threats.

Recent incidents in Boston, New York, Wisconsin, and New Jersey highlight that credible threats to these pillars of our communities exist. The need for these grants is clear, and the impact in our communities can be profound.

I would like to thank the committee for its support of these critical programs that can be utilized by States and local groups to address emerging threats and security concerns specific to their circumstance. I appreciate the bipartisan work done on this important bill.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GARRETT

Mr. GARRETT. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used by the Transportation Security Administration or a Visible Intermodal Protection and Response (VIPR) team to conduct a security screening other than pursuant to section 44901 of title 49, United States Code.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. GARRETT. Mr. Chairman, the TSA is not just for airports anymore. For years the TSA has deployed Visible Intermodal Prevention and Response, or VIPR teams, to conduct literally thousands upon thousands of unannounced, random sweeps of mass transit locations, ferry terminals, and highways across the country.

And while VIPR teams can show up virtually anywhere at any time, these random searches are typically not in response to any specific threat whatsoever.

And if you look into some of their team actions, they demonstrate this is really not security; this is just security theater.

For example, back in 2011, VIPR teams searched passengers at an Amtrak station in Georgia after the people had gotten off the trains and, obviously, they served absolutely no purpose with regard to security whatsoever.

And if you think that you can escape the TSA and keep some of your integ-

rity intact by simply not going to the airport anymore, by taking a bus, a train, driving your car, well, you're sorely mistaken. VIPR teams now randomly are pulling cars and trucks off the road. They did it down on Tennessee highways where they did a search, costing the drivers there countless hours and fuel as well.

And VIPR teams conducted a similar operation to search vehicles leaving a port down in Brownsville, Texas.

You see, the reach of the Transportation Security Administration, the TSA, has now expanded to such other areas and has even moved beyond transportation and has moved into sports stadiums as well.

How do we know that?

There was an article in, if not place else, the Huffington Post, where they reported back in January that the TSA was patrolling the Metrodome in Minnesota following a Vikings/Packers game. And you have to ask yourself, to what end?

A Los Angeles Times article revealed, despite conducting thousands upon thousands of operations:

TSA officials say there is absolutely no proof that these roving VIPR teams have foiled any terrorist plots or thwarted any major threat to public safety.

You see, Mr. Chairman, we cannot afford to continue to fund a program that, by its very own admission, has absolutely no record whatsoever of preventing a threat to public safety. And that is why I'm offering this amendment, to prevent funds from being made available to the VIPR teams to conduct searches outside of an airport.

As we come to the floor, always as good stewards of American taxpayers, Congress should not fund the expansion of TSA responsibility, especially when we know these operations are more appropriately handled by local law enforcement agencies at the various levels of government.

This, I think, is truly a commonsense approach. This is a commonsense amendment, and it helps the TSA do its core function more efficiently and protect American air travelers.

I yield back the balance of my time.

Mr. CARTER. I rise in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I appreciate the opportunity to work with the gentleman on this issue, but I cannot accept this amendment.

Following the 2004 Madrid train bombing and the 2005 London bombings that targeted civilians using public transportation, Visible Intermodal Prevention and Response, or VIPR teams, were developed to allow TSA to utilize Federal, State, and local law enforcement to protect our Nation's transportation system, including securing our surface transportation systems from the threat of terrorism.

TSA's Surface Transportation Security is responsible for assessing the

risk of terrorist attacks for all non-aviation transportation modes. And the VIPR teams, which are specifically authorized in the 9/11 Act, play an important role in protecting our Nation's surface transportation systems.

Simply put, the presence of these teams is intended to promote confidence in our Nation's transport system by preventing terrorism to any mode of transportation, including surface transportation. Now is not the time to eliminate this important program which serves to secure our surface transportation systems from acts of terrorism.

Mr. GARRETT. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman from New Jersey.

Mr. GARRETT. So I agree with the gentleman that we should add confidence to our travelers; but I would ask the gentleman from Texas what confidence can we have in a program that, by its own admission, says they have not foiled a singular terrorist plot; by its own admission says that they are screening people after they got off the train instead of before they get on; by its own admission says that these programs are not mandatory, and that means that when you go to a rail station, and you see them there, if you were a true terrorist then you would say, I'm not going to get in that line, I'm going to go over in that line.

Mr. CARTER. Reclaiming my time, let me say that I listened to what you said before, and you don't need to be repetitive. I understand your concerns. And quite honestly, they're valid concerns; and I will, as chairman of this committee, with the assistance of Mr. PRICE, look into these arguments that you have made.

But at this time I cannot accept your amendment. And I don't need to hear the arguments a second time to accept your amendment. So I'm opposed to this amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I want to join the chairman in opposing this amendment. This amendment would prohibit any funding from being utilized by our mobile Visible Intermodal Protection and Response teams, the VIPR teams.

These teams provide the ability for TSA to randomly screen passengers on mass transit and in our airports. They also work in concert with State and local law enforcement agencies. They provide a surge capacity beyond the local capability in order to be able to respond to intelligence information and special situations.

It's also important that exercises be conducted on a regular basis in order

to test the concept of operations and develop the essential working relationship with local authorities.

As the chairman indicated, in our assessments after the attacks in Madrid and London, it became clear that we lacked the capability, lacked the ability to rapidly respond to threats quickly and to react with a show of force against potential threats. That's precisely the purpose of these VIPR teams.

The concept was authorized specifically by section 1303 of the 9/11 Act, a bill that passed this House with 371 votes.

We will address these problems, as the chairman has indicated, problems that the gentleman has identified, problems that deserve to be addressed. We will address the issues that you raise.

□ 1910

You, obviously, have legitimate concerns. But none of what the gentleman has said is an argument for eliminating the funding and for removing an important deterrent capability.

I yield to the gentleman from New Jersey.

Mr. GARRETT. I appreciate the fact that you would take a look at this. Would that this be the first time that I brought this bill to the floor and raised the egregious examples by the TSA in the past, I would hold some more weight to that, the fact that you would look at it. But this has been going on for years now.

To your point saying that we need them when there are specific threats, what TSA has told us is they're not doing this when there are specific threats. They're doing them random. They're going into sports stadiums for no particular reasons. They're going along highways for no particular reasons. They're stopping trucks for no particular reasons. Not because of a specific threat, but just because of random applications of it.

If this was a situation where we said we know there was a known attack coming or something of that sort and you want to apply it there, that would be one thing. But that's not what TSA does.

At this point in time, we are living in a country where, if you want to travel, you can go to the airport and they can say, you can't travel unless you go through TSA. But if I want to visit my mom in Florida, they can go to the train station and tell me I can't get on a train without going through TSA. And I can go to a bus station, and they can say I can't go on a bus without going through TSA. And I can get into my car and they can tell me that I cannot go in a car without going through TSA.

We have come to a point I cannot travel in this country without some Federal agency actually stopping me.

Mr. PRICE of North Carolina. Reclaiming my time, with all due respect, I believe the gentleman is exaggerating the kind of situation that ordinary travelers encounter. I also understand, and hope he does, that these VIPR teams, if there's going to be the search capacity, if they're going to be there to respond to specific intelligence information, then they're going to have to remain in operation. It's certainly warranted for random collection and checking situations that may be problematic. I'm not saying there would never be abuses, never be intrusive behavior. But we need to correct that, not to come in with a meat ax and eliminate the funding.

So I simply reiterate my opposition to the amendment and ask our colleagues to vote against it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. GARRETT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. PIERLUISI

Mr. PIERLUISI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement, administer, or enforce section 1301(a) of title 31, United States Code, with respect to the use of amounts made available by this Act for the "Salaries and Expenses" and "Air and Marine Operations" accounts of U.S. Customs and Border Protection for the expenses authorized to be paid in section 9 of the Jones Act (48 U.S.C. 795) and for the collection of duties and taxes authorized to be levied, collected, and paid in Puerto Rico, as authorized in section 4 of the Foraker Act (48 U.S.C. 740), in addition to the more specific amounts available for such purposes in the Puerto Rico Trust Fund pursuant to such provisions of law.

The Acting CHAIR. The gentleman from Puerto Rico is recognized for 5 minutes.

Mr. PIERLUISI. Mr. Chairman, I offered this amendment last year, and it was adopted by voice vote. However, it was not included in the final Consolidated Appropriations Act enacted in March.

The homicide rate in Puerto Rico is about three times higher than any State, and most of these murders are linked to the international drug trade.

Appropriately, the Federal Government is allocating substantial resources to combat drug trafficking organizations operating in the Central American corridor and along the Southwest border. However, those organizations are adapting, returning to smuggling routes through the Caribbean region that were heavily utilized in the 1980s and 1990s. As a result, the Coast Guard seized or disrupted over 17,000 pounds of drugs in the vicinity of Puerto Rico in 2012, a 600 percent increase over the previous year.

DEA seizures rose nearly 100 percent. CBP seizures were up nearly 40 percent. And in 2012, CBP seized more drugs in Puerto Rico than it did along the 180-mile border between Mexico and New Mexico. Meanwhile, the street price of drugs in Puerto Rico has decreased. This is a security problem of national scope, given that 80 percent of the drugs that enter Puerto Rico are subsequently transported to the U.S. mainland, where they destroy communities and lives.

Through various bills and accompanying reports, the House Appropriations Committee has expressed a view that DHS and DOJ should prioritize counterdrug efforts in the U.S. Caribbean to respond to the current crisis. As a case in point, the report for the 2013 DHS appropriations bill stated that the public safety and security issues of the U.S. territories in the Caribbean must be a priority, and that the committee expects the Secretary of Homeland Security to allocate resources, assets, and personnel to these jurisdictions accordingly.

U.S. Customs and Border Protection is on the front lines of the counterdrug fight. The agency has hundreds of personnel stationed in Puerto Rico. My amendment is designed to address a problem that arose in fiscal year 2011, one that continues to compromise the ability of CBP to carry out its vital counterdrug mission in Puerto Rico.

For over a century, Federal law has provided that the collection of certain duties and taxes in Puerto Rico by CBP or its predecessor agencies will be deposited in something called the Puerto Rico Trust Fund. Pursuant to the law and an implementing agreement between the Puerto Rico government and the Federal Government, a significant portion of that money is also used to fund certain Federal operations in Puerto Rico, including the maritime operations of CBP's Office of Air and Marine.

For many years, this arrangement worked well enough. However, because of a shortfall in the Puerto Rico Trust Fund of \$1.7 million due to reduced customs collections in fiscal year 2011, CBP closed a critical boat unit in San Juan that in 2010 seized over 7,000 pounds of illegal drugs. CBP took this drastic action because it has interpreted current Federal law to require

that it use either the Trust Fund or general congressional appropriations to fund its operations, but not both.

The amendment would simply give CBP the authority to supplement any funding from the Trust Fund with general appropriations made in this bill. This would make it easier for CBP to avoid any further reductions to its operations in Puerto Rico and, ideally, enable the agency to enhance those operations. The need for this amendment is underscored by the fact that the President's fiscal year 2014 budget predicts Trust Fund receipts of \$98 million, which is \$8.1 million less, or nearly 8 percent below Trust Fund receipts in fiscal year 2012.

I look forward to working with the chairman and the ranking member to ensure that this amendment, if adopted, remains in the final bill this year and to continuing to work with them to ensure the Department of Homeland Security, including CBP, has the resources it needs to adequately address the border protection challenges and drug-related violence in Puerto Rico.

I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I accept this amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. I, too, commend the gentleman for his amendment and urge its adoption.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Puerto Rico (Mr. PIERLUISI).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRIMM

Mr. GRIMM. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) add the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to implement any change in the list of sharp objects prohibited under section 1540.111 of title 49, Code of Federal Regulations, from being carried by passengers as accessible property or on their person through passenger screening checkpoints or into airport sterile areas and the cabins of a passenger aircraft, as published in the Federal Register on August 31, 2005 (70 Fed. Reg. 51679).

Mr. GRIMM (during the reading). Mr. Chairman, I ask unanimous consent the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from New York?

There was no objection.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GRIMM. I rise today in support of my amendment that would prohibit any funds made available by this act from being used by TSA to implement changes to the current list of prohibited carry-on items for air travel.

□ 1920

Specifically, this amendment would stop TSA from allowing knives back on planes for the first time since the terrorist attacks of September 11, 2001.

Today, following months of outrage from nearly every corner of the aviation community, and with our amendment looming tonight to block the policy, TSA abandoned its proposal to allow knives back on planes. I do commend TSA for reversing its irresponsible decision for one that is smart and prudent. However, we still need to pass this amendment tonight to make sure this is the law of the land and ensure that there will not be another reversal in the TSA's position regarding knives on planes.

We live in a post-9/11 world, and there is no excuse to take liberties when it comes to public safety. As a former Federal law enforcement agent, I know firsthand that even a two-inch knife can cause very serious harm when used by a trained individual. There's simply no place for a knife in an airplane cabin; and if one must travel with a knife, then they can check it in a bag.

Over the last 2 months, my colleagues and I have heard from flight attendants, air marshals, pilots, TSA screeners, and a whole host of airlines who are all 100 percent in agreement that allowing knives to be brought into the cabin of passenger planes is dangerous, it's unnecessary, and it's irresponsible.

Further, we've heard a chorus of objections to TSA's misguided proposal from groups such as the Coalition of Flight Attendants Union, Federal Law Enforcement Officers Association, Coalition of Airline Pilots Association, and American Federation of Government Employees, along with American Airlines, Delta Airlines, United Airlines, U.S. Airways and, most importantly, the American people. Their opposition makes it clear that permitting knives on planes creates unnecessary risk for airline passengers and those serving them at 30,000 feet.

In advocating for this change, TSA Administrator Pistole has stated: "There have been no attempts by terrorists to use a knife to commit a terrorist act aboard an aircraft since 9/11." Well, the way I see it, this should be a great indicator that the current policy is working and needs to be kept in place and not repealed. Simply stating that there haven't been any terrorist attacks with knives on planes since 9/11 does not mean that the terrorists won't carry them out in the future.



I want to thank my cosponsors of this amendment—Representatives MARKEY, COOK, SWALWELL, REED, ROSLEHTINEN and WASSERMAN SCHULTZ—who have stood in strong opposition to TSA's decision to jeopardize America's security.

I yield back the balance of my time.

Mr. SWALWELL of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SWALWELL of California. Mr. Chairman, as the gentleman from New York pointed out, over the last 11 years we have had zero attacks on our airlines where a knife was involved. Zero attacks. That number cannot get better. However, as we saw on September 11, that number—tragically—can get much worse.

So I rise in support of the Grimm-Markey-Cook-Swalwell-Reed-Jackson Lee amendment, which would prevent the Transportation Security Administration from changing its prohibitive item list—also known as the PIL—and allowing small knives on airplanes. I want to thank the amendment's cosponsors for their hard work on this issue.

I also want to thank TSA Administrator John Pistole. Administrator Pistole announced today that the TSA will not allow knives on airplanes. I think this is a strong step forward. And after listening to the stakeholders, his position is now that these knives should not be on airplanes.

Like many Americans in our country, I was deeply concerned and confounded when the administrator announced that they would consider allowing knives on airplanes. We saw after September 11 that, as my friend from New York mentioned, zero attacks occurred in our country.

We do now have new threats. The threat from liquids or IEDs could seriously jeopardize the safety of airlines and the passengers who ride on them. However, just because we have new threats that are posed against our airline safety does not mean that we should no longer consider old threats. The TSA must learn how to walk and chew gum at the same time.

So I was proud to work with my friend from New York to organize a letter, along with Congressman THOMPSON, as our ranking member on Homeland Security, and objected to that policy—in particular, the failure of the TSA to consult with the key stakeholders who would be most affected by this change, such as flight attendants, passenger safety groups, and transportation screening officers as well. The letter had a total of 133 Members signing on to it. Congressmen GRIMM and MARKEY also organized a subsequent letter with a similar number of Members who signed on to it.

Just like my friend from New York, I also worked in law enforcement prior

to coming to Congress. I worked as a local deputy district attorney in the district attorney's office in Alameda County. I also served under this Capitol dome as an intern when September 11 happened. I know what terrorists can do if they have a mission to hurt passengers. I also know, as a prosecutor, what a knife can do in a close, confined area. It's not difficult then to understand why so many Members chose to sign on to our letter.

TSA's mission, I want to remind the people of this body, is not only to protect the airline passengers from a terrorist attack; it's also to protect passenger safety in general.

TSA justified its decision by saying that it would allow the TSOs to move more quickly. However, when you put a limit now on what length of knife would be allowed, what the TSOs effectively become are NFL referees measuring first downs. You can imagine the scene. You have a knife coming through. The TSO can't determine how big it is, so he's got to take out the measuring tape, holding up a long line, preventing him from looking at liquids or other explosives and whether they could bring down an airline. And then he's got to declare if it's allowed or not, all the while bags are still moving through to be screened. This would actually make it harder to detect liquids than make it easier, as the TSA had announced.

Had the TSA meaningfully consulted with the stakeholders before announcing its proposal, these issues would have been addressed. But I do appreciate Administrator Pistole and his decision to put the policy on hold to give more time for input. And I appreciate his decision today stating that he no longer will allow knives on board.

Our amendment reaffirms the current ban of knives on planes. It would prohibit the TSA from making the change it had proposed and now has backed away from.

Our amendment is supported by a number of groups, including the Coalition of Flight Attendants Union, International Association of Machinists and Aerospace Workers, International Brotherhood of Teamsters, Coalition of Airline Pilots Association, and American Federation of Government Employees.

It's important that we pass this amendment today to show that the House stands with these groups and the flying public in rejecting knives on airplanes.

I again want to thank my colleagues who are cosponsors of this amendment—Mr. GRIMM from New York, Mr. MARKEY, Mr. COOK, Ms. JACKSON LEE and Mr. REED. I appreciate their efforts.

I encourage all Members to support our amendment, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE. To the managers of this important legislation, to Judge CARTER and to Mr. PRICE, thank you for working on what is an enormously important message and mission of our Nation, and that is to secure America.

I'm grateful to have the opportunity to work with the authorizers, Chairman MCCAUL and Ranking Member THOMPSON, and to work with the ranking member and chairperson of the Subcommittee on Transportation Security, Mr. HUDSON and Mr. RICHMOND.

Having just flown in from a memorial, and as Members often do, and as we interact with our constituents, we know a lot about flying. So it is very important that this amendment be taken as it has been offered.

I congratulate my cosponsors—Mr. GRIMM, Mr. MARKEY, Mr. REED, Mr. SWALWELL and Mr. COOK—all of whom we have worked together with.

For it is interesting that this has come to a point where today we can thank Administrator Pistole for his thoughtfulness in this process and the deliberations that took place, that the announcement comes that he too understands that allowing knives on planes is not the right decision.

But in addition to the important statement of knives, we now know that other accessories, such as baseball bats and billiard cues and ski poles and hockey sticks and lacrosse sticks, among others, and golf clubs, likewise have been included in his statement.

This amendment deals with knives. The reason why this is very important is because we should reaffirm the fact, as a member of the Homeland Security Committee—and for many of us who started on this committee after the heinous tragedy of 9/11, many of us who went to Ground Zero during the recovery period because of the horrific tragedy, smoke was still billowing from those terrible tragic issues—we too know what homeland security is. It is a promise to America to do everything we can to ensure the security of the homeland.

□ 1930

And so it is important to take note of Administrator Pistole's very thoughtful concern, and that concern, of course, was the idea of security. This amendment will give comfort to the issue of security.

We know there are issues of safety. We want to make sure that seatbelts are on, and we want to make sure that seats work and bathroom doors work on a plane in flight. We want to make sure that passengers remain in seats during difficult weather.

But security is an important question. And today, this amendment takes a stand for security. I am glad that after 9/11 we did have reinforced doors for the cockpit, we did have the ability



of pilots to be trained and to be able to have weapons on board behind that cockpit—all in the name of security. Well, let me tell you, that a knife that has been measured by the eye, that then is allowed to get on the plane, it can be a weapon against security.

And today, we are saying that we need to codify in law the idea that knives will never be allowed to be on planes. Human beings are in the cockpit, our very able pilots. And flight attendants and passengers, grandmas and family vacationers and college students and business persons and our warriors, both wounded and not, and many others travel on airplanes, going home to loved ones, traveling to funerals, and going to joyful occasions.

It is very clear that a knife can be a threat to security. It can be a threat to security because, in fact, even as our valiant flight attendants who have been given required flight attendant training, which we are continuing to work on, they will be the first to stand up against an individual attempting to take a plane or to be able to threaten all of the passengers, to create an insecure atmosphere. And who knows what pilots will be thinking of, will be required to do? Who knows what an unmanned, un-air marshaled plane, or even one with an air marshal, will do when there are a number of those who are on the flight with knives.

So I ask my colleagues to vote for security and vote for the Grimm-Markey-Jackson Lee-Reed-Swalwell-Cook amendment to keep knives off of planes.

I yield back the balance of my time.

Mr. Chair, I want to thank Congressman MARKEY, GRIMM, WASSERMAN SCHULTZ, ROSELEHTINEN, REED, SWALWELL, and COOK, my cosponsors on this important and bipartisan amendment.

This simple, commonsense amendment, which will keep knives off commercial airplanes, will save lives and increase air transportation security by making it the law of the land.

Mr. Chair, this amendment is needed because on March 5, 2013, the Transportation Security Administration publicly announced its intention to permit passengers, effective April 25, 2013, to bring previously banned items in their carry-on baggage when boarding flights.

Under the new policy proposed by TSA, prohibited items that would be permitted effective that date include items that are potentially dangerous, even lethal, to passengers, flight attendants, pilots, and Federal air marshals, including hockey sticks, lacrosse sticks, golf clubs, and, alarmingly, some knives.

Those of us who were in the Capitol that day remembered with shock and horror how the terrorists who attacked the United States of America on September 11, 2001, used box cutters, small knives, and razor blades to threaten and overpower crew members and pilots on commercial airplanes in order to gain access to the cockpits.

After learning of the action contemplated by TSA, me and more than 135 of my House col-

leagues wrote the TSA Administrator and urged him unsuccessfully to reconsider changing the PIL to permit knives on planes.

In light of this unhelpful response, I introduced H. Res. 156, a bipartisan resolution with my colleague, Congressman GRIMM of New York, which expresses the House's disapproval of the Transportation Security Administration's decision to modify the prohibited items list, set to take effect on April 25, 2013, that would allow passengers to bring small knives in their carry-on baggage.

More importantly, the resolution strongly expressed the sense of the House that TSA delay any changes to the Prohibited Items List indefinitely and should conduct a formal engagement process involving all of the affected stakeholders and has meaningful consultations with affected air travel industry stakeholders, including flight attendants.

After engaging in the process called for in my resolution, TSA today announced that it was abandoning its efforts to change the PIL to permit knives on planes.

Mr. Chair, allowing passengers to carry knives on planes could be fatal to flight attendants.

Beyond the terrorist threat posed by knives on planes, knives can become deadly threats in the hands of unruly passengers.

Changing TSA policy to allow knives on planes is not efficient.

Instead of the simple rule of "No Knives," TSA screeners will be required to check for all of the parameters set by the TSA as acceptable. This will increase waiting times, not shorten them.

Mr. Chair, on April 9, 2013, the nation was reminded of the terrible harm that small knives can inflict on victims when a mass stabbing occurred on the campus of Lone Star College in Houston, Texas, which is in my congressional district, during which the suspect used a razor utility knife and severely injured 14 people.

The American public, air travel industry stakeholders, and Federal air marshals strongly disapprove of allowing knives on planes because it puts their lives at risk.

This amendment enhances security and will save lives. That is why it is necessary and supported by:

Coalition of Flight Attendants Unions  
Association of Professional Flight Attendants  
Association of Flight Attendants-CWA  
IAMAW (Machinists and Aerospace Workers)

Transport Workers Union Local 556, International Brotherhood of Teamsters

Coalition of Airline Pilots Association  
American Federation of Government Employees.

I urge all Members to join us in supporting this amendment.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I rise today in support of the Grimm amendment to the FY 2014 Department of Homeland Security Appropriations Bill. I'm proud to be a cosponsor of this amendment which would prohibit the Transportation Security Administration from moving forward with a policy to allow knives to be carried on to airplanes.

While I urge my colleagues to support this amendment, I commend the TSA for their announcement today that they will no longer pur-

sue a policy to allow knives in carry-on luggage on planes. TSA is putting public safety first with this decision. They are listening to the serious concerns raised by flight attendants, pilots, TSA screeners, air marshals, airlines, and the American public.

It is our job to ensure that government takes commonsense measures to increase the safety of our commercial air transportation system. While we can never ensure complete safety, prohibiting passengers from bringing knives onto planes is a reasonable post-9/11 measure that should be kept in place.

Safety should always be our number one priority when evaluating changes to airline policy. I commend TSA for their commitment to keeping our skies and the American public as safe as possible.

I urge my colleagues to support the Grimm amendment.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I rise in support of the amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I am also not going to object to this amendment given TSA's decision of this afternoon, the decision that has, I believe, made the amendment largely irrelevant. I do want to express my appreciation for the concerns addressed here tonight by the sponsors of this amendment and the stakeholders that many of us have heard from.

I want to take just a second, though, to underscore that TSA did not propose these changes haphazardly. The proposal that is being attacked here tonight and that has been reversed here today by the agency, that proposal was the result of a risk-based approach to TSA's security requirements.

I also remind the House that the current TSA administrator, Mr. Pistole, is a 26-year veteran at the FBI. I've been impressed by his willingness to stand by the data, stand by what objective analysis dictates, whether that means reconsidering a regulation or insisting that it remain in place.

Since the International Civil Aviation Organization changed its standards to prevent passengers from carrying small pocketknives in 2010, more than 5 billion commercial airline passengers on a flight originating outside the United States have traveled without incident.

And I do think it's ironic, Mr. Chairman, that after all these years of Members complaining about long wait times and passengers having to take off their shoes and their coats and their belts, they have to take out those laptops, take out those liquids, that TSA now does something to speed up security

lines and suddenly Members want to reverse that decision on the floor of this House. I hope we are not going to get into the habit of overturning risk-based decisions, threat-based decisions on the floor of this House.

But as I say, the amendment before us is now largely irrelevant, so I have no objection to its adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GRIMM).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RYAN OF OHIO

MR. RYAN of Ohio. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Department of Homeland Security who approves any of the following petitions:

(1) A Department of Homeland Security, U.S. Citizenship and Immigration Services, Form I-130, Petition for Alien Relative, in a case in which Brazil is the beneficiary's place of birth (as provided on such form).

(2) A Department of Homeland Security, U.S. Citizenship and Immigration Services, Form I-129F, Petition for Alien Fiancé(e), in a case in which Brazil is the alien fiancé(e)'s country of citizenship (as provided on such form).

(3) A Department of Homeland Security, U.S. Citizenship and Immigration Services, Form I-140, Immigrant Petition for Alien Worker, in a case in which Brazil is the country of citizenship or country of nationality (as provided on such form) of the alien for whom the petition is being filed.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. RYAN of Ohio. Mr. Chairman, as has been read, this doesn't allow petitions for relatives, fiances, or workers coming from Brazil.

And I first want to say thank you to Judge CARTER—Chairman CARTER—and Mr. PRICE. We passed a very similar amendment out of the Appropriations Committee that was dinged here a little bit earlier. This is a narrowly tailored version of that.

I rise today not because I want to. Many of us come here because we want to offer amendments. I don't necessarily want to offer this amendment. But I'm offering this amendment on behalf of Major Karl Hoerig. And I would like to tell the House of Representatives a brief story about Karl, who flew 200 missions for our country in Iraq and Afghanistan.

On March 10 of 2007, Major Karl Hoerig's wife went out and bought a .357 Magnum and went to a shooting range. She purchased ammo and asked, "what ammo can I buy here that best kills." Two days later, Claudia Hoerig shot Major Karl Hoerig in my congressional district.

She fled to Brazil, where she was from. She could not be extradited, so

we were told, because we don't have a treaty with Brazil in order to extradite their citizens, which would make sense. But later throughout the investigation, we found out that in August of 1999 Claudia Hoerig renounced her Brazilian citizenship and said she was a citizen of the United States, which gives us every right to have her come back and extradited back to the United States.

□ 1940

Now, this woman shot a war hero. She renounced her Brazilian citizenship, and she now is drinking Rum Runners in Rio de Janeiro, walking around freely in Brazil while Carl Hoerig's family is sitting in Newton Falls, Ohio—his brother, his parents—wondering why we can't bring this woman back into the United States for justice.

Now, many people would say, Well, why are you offering an amendment? Why are you trying to defund visas? It's because I've been working on this since 2007. I've got a stack of letters here that go back to Alberto Gonzales—now, many Members of this Congress don't even know who he was—then Condoleezza Rice, then Secretary Clinton, on and on and on to try to get the attention of people, and it takes an amendment in the Appropriations Committee to say we're not going to be able to fund visas anymore.

I don't have any problem with Brazil—we've got a good relationship with them—but they have a woman who killed one of our airmen who flew 200 missions to Iraq and Afghanistan. If you want to talk about a safe haven: if the kids from the Boston massacre a few weeks back instead of going to the 7-Eleven had got on a flight and had gone to Brazil, they'd be sitting in Brazil right now, and we wouldn't be able to get them back here.

I recognize that these are extraordinary actions, but there is a long process ahead before this bill becomes law. We've gotten the Brazilians' attention, and now it's time for us not to take the pressure off, but to allow this process to continue until Claudia Hoerig is back in the United States and getting prosecuted in Trumbull County, Ohio.

It should be known, too, to this House that al Qaeda is setting up shop in Brazil—planning attacks, training people in Brazil right now—and we have no mechanism. If someone were to commit a terrorist act here in the United States and flee to Brazil, we would not be able to get him back.

I think this amendment sends a signal to the Brazilians, hopefully in the long term, to renegotiate treaties and to talk of extradition, but also in the short term to get Claudia Hoerig back into the United States. I would just like to end, Mr. Chairman, with a quote from Carl Hoerig's dad, Ed Hoerig.

He said:

Our government is supposed to be the most powerful country in the world, and they are turning their back on a 25-year veteran. It's wrong. When you say the Pledge of Allegiance, the last sentence is "... and justice for all." They are turning their back on my son's justice.

Let's right this wrong, Mr. Chairman, and pass this amendment.

I yield back the balance of my time.

[From the Weekly Standard, Apr. 7, 2011]

AL QAEDA IN BRAZIL?

(By Jaime Daremblum)

The Brazilian magazine *Veja* is reporting that al Qaeda members have established an active presence in South America's largest country, as have militants associated with Hezbollah, Hamas, and other terrorist groups. They are apparently engaged in fundraising, recruitment, and strategic planning. Earlier this week, Aldo Donzis, a leading figure in the Argentine Jewish community, spoke to the JTA news agency and voiced alarm about the revelations.

"We have high concern about fundamentalist movements in Latin America and about recruitment activities of fundamentalist movements," Donzis said. "We shared this information with Latin American parliamentarians last July and they agreed with our information. But the situation is getting worse. In Argentina, we have seen graffiti written in Arabic calling for jihad which coincided with the visit of Iranians here. Also, this graffiti was seen in Bolivia. We understand that Brazil needs to feel worried and act."

Terrorists have long found haven in South America's so-called Triple Frontier, which encompasses the intersection of Brazil, Argentina, and Paraguay. This area is known for being a Wild West of lawlessness, drug trafficking, and organized crime. Argentina is especially sensitive to increased terrorist activity in the region. During the 1990s, it suffered two deadly bombings orchestrated by Hezbollah and Iran. The first (in 1992) destroyed the Israeli embassy in Buenos Aires; the second (in 1994) demolished a Jewish community center in the same city.

Speaking of Iran, the head of U.S. Southern Command, General Douglas Fraser, testified before the Senate Armed Services Committee on Tuesday and declared that "Iran continues expanding regional ties to support its own diplomatic goal of reducing the impact of international sanctions connected with its nuclear program. While much of Iran's engagement in the region has been with Venezuela and Bolivia, it has nearly doubled the number of embassies in the region in the past decade and hosted three regional heads of state in 2010."

General Fraser expressed concern that "there are flights between Iran and Venezuela on a weekly basis, and visas are not required for entrance into Venezuela or Bolivia or Nicaragua." He also confirmed that "members of violent extremist organizations from the Middle East remain active in Latin America and the Caribbean and constitute a potential threat. Hezbollah supporters continue to raise funds within the region to finance their worldwide activities. Several entities affiliated with Islamic extremism are increasing efforts to recruit adherents in the region, and we continue to monitor this situation closely."

Yet another reason for the Obama administration to rethink its passive approach to Latin America.

[From the Telegraph, Apr. 3, 2011]

BRAZIL LATEST BASE FOR ISLAMIC

EXTREMISTS

(By Robin Yapp)

With preparations for the 2014 World Cup in Brazil and the 2016 Olympic Games in Rio de Janeiro well under way, security experts have expressed fears that terrorists are "taking advantage" of weaknesses in the country's laws.

Brazil has not passed any specific anti-terrorism legislation, does not recognize Hezbollah or Hamas as terrorist groups and disbanded the Federal Police's anti-terrorism service in 2009.

Now, *Veja*, a weekly news magazine, has had access to reports compiled by the service as well as documents about the terrorist threat sent to Brazil by the FBI, CIA, Interpol and the US Treasury.

It says the papers show 21 men linked to Islamic extremist groups including al-Qaeda, have been using Brazil for various purposes including controlling inflows of money and planning attacks.

They include Khaled Hussein Ali, who was born in Lebanon but now lives in Sao Paulo, Brazil's biggest city, from where he runs an internet cafe.

However, according to *Veja* he is also in control of an online communications arm of al-Qaeda called Jihad Media Battalion, which has a presence in 17 countries around the world and spreads communications from al-Qaeda leaders as well as publicising attacks.

Another of those named is Mohsen Rabbani, an Iranian wanted by Interpol as the suspected architect of bombings on Jewish targets in Buenos Aires in the 1990s that killed 114 people.

According to the documents, he frequently slips in and out of Brazil on a false passport and has recruited at least 24 youngsters in three Brazilian states to attend "religious formation" classes in Tehran. "Without anybody noticing, a generation of Islamic extremists is appearing in Brazil," said Alexandre Camanho de Assis, who coordinates Brazil's network of public prosecutors across 13 states.

The papers also show that the US Treasury described the poorly policed Tri-border area, where Brazil, Argentina and Paraguay meet, as a "financial artery" for Hizbollah. Daniel Lorenz, a former head of the Federal Police's intelligence department and now Security Secretary for the Federal District, that includes the capital Brasilia, warned that Brazil risks being caught out. "The terrorists are taking advantage of the fragility of Brazilian legislation," he said.

Mr. COLLINS of Georgia. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. COLLINS of Georgia. I must reluctantly oppose this amendment. I do not want to minimize in the least the unacceptable nature of the present state of affairs, and I do not want to minimize in the least the brute fact that a murderer is presently escaping justice. I also do not want to minimize the service that this man gave to our country. As a chaplain in the Air Force and as a pastor for over 11 years, it has been, unfortunately, my duty on many occasions to have to deliver news of one who has either been killed in ac-

tion or of one who has died tragically. With that, my heart bleeds and my heart hurts for this family. In this situation, I commend my friend from across the aisle for his dedication to bringing this person to justice; and right now there is the inescapable fact of a problem going on.

However, the remedy proposed by the author of this amendment raises issues of such magnitude that they need to be resolved through regular order, through the Judiciary Committee's hearing and markup process.

I, personally, pledge to work with Mr. RYAN to examine in the Judiciary Committee the issues of foreign nations' compliance with extradition requests. On behalf of Chairman GOODLATTE, I pledge to examine the possibility of withdrawing the right of nationals of non-cooperating countries to enter the U.S. Certainly, our Crime Subcommittee has the expertise on the extradition issue and the Immigration and Border Security Subcommittee has the expertise on immigration.

This is not the first time we have faced such troubling issues. For instance, it is very often the case that foreign nations refuse to accept the return of their citizens who have been ordered deported to the U.S. The DHS' Office of Inspector General reported:

As of June 2004, more than 133,662 illegal aliens with or pending final orders of removal had been apprehended and released into the United States . . . unlikely to ever be repatriated if ordered removed because of the unwillingness of their countries of origin to provide the documents necessary for repatriation.

Some of those aliens, from countries such as China, have gone on to kill Americans once released.

Last Congress, the Judiciary Committee considered legislation by Mr. POE that would have withheld temporary visas from nationals of countries that would not accept back their deported citizens. It is important to note that the legislation would not have just impacted a single foreign country, but would have penalized all bad actors on an equal basis.

I do need to mention that there are also humanitarian concerns with implementing this amendment. In 2012, over 11,000 Brazilians received green cards—immigrant visas. Among these Brazilians were 8,000 "immediate relatives" of U.S. citizens—the spouses, minor children and parents of U.S. citizens. So we just have to keep in mind that by enacting this amendment we would be preventing thousands of U.S. citizens from reuniting with their Brazilian spouses, children, and parents.

Again, it is with a hurt heart that I have to rise in opposition to this amendment, but the good intentions of the gentleman from across the aisle do not override the larger concerns when dealing with this proposition in the issue of your amendment. So with that and for these reasons I have set out, I

must oppose this amendment, but I do look forward to working to resolve this distressing situation with the author.

I yield back the balance of my time.

Mr. RICHMOND. I move to strike the last word.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. RICHMOND. I stand in support of my colleague from Ohio.

Part of being a legislator and part of having the responsibility of being elected to this body and representing people back home is you have the use of the tools that are in front of you to accomplish the goals that you need to accomplish. As we stress regular order and as we talk about the Judiciary Committee, right now, today—right here on the floor of this House—we have the ability as Congressmen to make a difference for a family whose hero was killed. We know who the perpetrator is, and nothing is being done about it.

So I share in my colleague's frustration, and I yield to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. I thank the gentleman, and I am going to be brief.

Again, I want to thank Chairman CARTER, and I want to thank Mr. PRICE and just say that I believe this is a homeland security issue. This is an appropriate venue for that. As the gentleman from Louisiana said, there is a level of frustration here because we have been working on this, pursuing regular order now since 2007, and we have gotten nowhere. As I said, this woman is walking around in Brazil as a free woman when Carl Hoerig, who flew almost 200 missions for our country, is dead.

This process has a long way to go. We're not anywhere close to this bill's becoming law. We've got a lot of time between today and that day. So let's work today to try to increase the pressure to try to get justice for Carl Hoerig and to try to make this situation right.

Again, I thank everyone. I don't want to be here offering this amendment, because of the situation; but I promised this family I would do everything in my power to get justice for their son and to get this woman. So help me God, I'm going to do everything I can to get this woman back here whether it's this bill or bills in the future. So I ask the Members of this House to please, please, please support this amendment on behalf of Carl Hoerig in his service to our country.

Mr. RICHMOND. I yield back the balance of my time.

Mr. SALMON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. SALMON. I would like to commend the gentleman from Ohio for

standing so strong for an American patriot. I believe his motives are extremely noble and good, but I don't believe this is the right way to handle it.

I am the chairman of the Western Hemisphere Subcommittee on Foreign Affairs. Brazil comes under my purview. While we have points of trouble with all of our bilateral relationships, we don't necessarily throw the baby out with the bath water.

□ 1950

This is an extreme measure. It would punish a lot of very innocent people who my colleague spoke of right before me, innocent people that are trying to immigrate or come work or study in the United States from Brazil.

I want to commit to the gentleman from Ohio that, as the chairman of the Subcommittee on the Western Hemisphere, I will do everything within my power to work with him, if it requires hearings, whatever it takes. I want to help you bring justice. I do not believe that this is the right way to do it. In fact, I think it would be very counterproductive in our relationship with Brazil.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. RYAN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. RYAN of Ohio. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT NO. 1 OFFERED BY MR. CASSIDY

Mr. CASSIDY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 5 \_\_\_\_ None of the funds made available in this Act may be used to implement, carry out, administer, or enforce section 1308(h) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(h)).

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. CASSIDY. Mr. Chairman, the Biggert-Waters Flood Insurance Reform Act was passed in order to make the flood insurance program both actuarially sound and functionally sound. And we hope that it is on track to make it actuarially sound, but it is not functionally sound, so this attempts to address this.

What this bill would do is that section 207—and only 207—would not allow it to be implemented for 1 year. After that, it would begin to be implemented.

Let me first say that the CBO has scored this as zero, and it has no impact upon the Federal Treasury.

The reason to do this, though, is that FEMA does not yet have the methodology by which to implement this program. Indeed, there was a GAO report from 2008 which shows that FEMA's rate-setting process warrants attention. As it turns out, they haven't updated it since 2008. So their over 20-year methodology still does not apply.

As it turns out, families are being terribly affected. There's one family in Louisiana which has never flooded and yet has a 6,000 percent increase in their premium. Clearly, this has grave implications for this family, but, as it turns out, it has turned their whole real estate market upside down. People can't build and people can't sell. There is an uncertainty there created by the implementation of this particular section.

Let me emphasize that this is only section 207. All other sections continue, and the CBO score is zero.

Knowing that others would like to comment upon this, I yield back the balance of my time.

Mr. RICHMOND. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. RICHMOND. Back home, I've talked to thousands of my constituents and had thousands of my constituents talk back to me, scream back to me, and cry in my arms because of the impact of this legislation. Right now what they're facing is a double whammy when it comes to flood insurance. They face the likelihood of higher rates and incorrect flood maps.

FEMA has drafted new maps that completely ignore the facts on the ground. The maps disregard non-structural features, like marshland and forest and our investment into restoring our coast. It also ignores the investment and sacrifices by locals to build their own levees. These communities are investing in their own safety, in their own security, and FEMA should recognize that.

In many of these communities, like the west side of St. Charles Parish, the levees are more than 100 years old, and many of these communities have not flooded in 100 years. If that's not 100-year flood protection, I don't know what is.

You see, for too long, the National Flood Insurance Program wasn't on stable footing. Since the last long-term authorization expired in 2008, we had to pass nine short-term extensions. During that time, the program lapsed five times. The last time, in June of 2010, approximately 47,000 home sales were delayed or canceled.

Due to the leadership of my colleague, Representative WATERS, last July we passed the Biggert-Waters Flood Insurance Reform Act. The bill

put the program on stable footing for 5 years, but the rate increases FEMA has quoted are astronomical and unintended. Homeowners who played by the rules and built their homes according to the guidelines in place are being told that their insurance is going to go up hundreds of percent. What is even more shocking is that many of these homes have never flooded.

For instance, a homeowner in St. Charles Parish, Louisiana, who was paying \$338 per year for flood insurance will now have to pay \$23,000 per year with new maps. Another homeowner in the same town will go from \$365 to \$28,000 per year.

If this stands, people will be forced to give up their homes, burdening the banks and killing the real estate markets. We cannot, in good conscience, stand here and let this law force people to give up their homes, to give up on the American Dream and destroy hardworking, taxpaying citizens. These taxpayers depended on and followed the rules and lost. We cannot turn our backs on them.

I have a bill that will fix much of this without a score, and I'm proud that Representative WATERS and the entire Louisiana delegation have signed on. The homebuilders and the Realtors support this amendment and my bill.

This amendment would give homeowners immediate relief. Therefore, I urge you to join me in supporting this amendment so that we can fix these issues while keeping the National Flood Insurance Program on sure footing and make sure that we don't leave hardworking families across the Nation on their own. Because, as we come here and do things in theory, a lot of times we miss what happens in reality and what's on the ground; and if the we don't change this law, reality is going to set in and people are going to lose their homes. They won't be able to sell them, and we will create another disaster of national proportion with unintended consequences that we never tried to do.

I ask that we support my colleague in this amendment, and I yield back the balance of my time.

Mr. WESTMORELAND. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. WESTMORELAND. Mr. Chairman, this kind of reminds me of a story about a World War I Navy veteran that went back home to Ware County where he loved to coon hunt. And this gentleman, after having being injured, got a wooden peg leg. One day, he took his boys out. They were all around the campfire. It was kind of cool that night. They were waiting for the dogs to tree one. So he got a little bit close to the fire, and it burned about 8 inches off of his wooden peg. So all of a sudden, the hounds start baying, and he

gets up and starts running. He ran about 20 yards and turned around and said, "Watch out, boys. There's a hole every other step."

There's some holes in what this amendment is trying to do. First of all, you've got to remember that this bill was just passed a year ago, and it was the Biggert-Waters Flood Insurance Reform bill, where we're trying to reform the flood insurance program. Let me remind people that 406 Members voted in favor of this, and every Member that I see down here that is talking to try to relieve this voted for the bill. Everybody in the Louisiana delegation, everybody in the Mississippi delegation, everybody in the New York delegation—with the exception of one—and everybody in the New Jersey delegation voted for it.

This bill was passed by a unanimous vote, bipartisan, because everybody realized, especially after the effects of Katrina and others, where, in 2005, before Katrina, they had a credit card limit of \$1.5 billion, after Katrina, we raised that credit card limit to \$20 billion. After Sandy, we raised the credit limit another \$10 billion. So right now we've got \$30 billion on our credit card. And you know what? In 2017, that has to go back to \$1 billion.

If you look at the amount of money that we've had to borrow to pay for this—and I voted for the \$9.7 billion because it's an obligation that I think that we had to the people that had flood insurance. That was an obligation that we have.

But the way most insurance works is that if you are at a higher risk, you pay a higher premium. If, for some reason, my car keeps running into things accidentally, my car insurance is probably going to go up. And anybody that has extenuating circumstances, whether you're in a fire zone or whatever it is, your insurance rates are based on that.

□ 2000

The difference is, unfortunately, that the government fashioned, the government-run flood insurance program does not require homeowners in flood-prone areas to pay for their fair share. In fact, premiums in flood-prone areas are so low that FEMA has needed a bailout, as I mentioned, three times in the last 8 years.

Due to FEMA's failures last year, Congress passed a bipartisan Biggert-Waters bill of insurance reform. It was supported, as I mentioned, by these delegations. This landmark 5-year authorization is something that even people here said, We need to do this. In fact, I will quote:

It is imperative that Congress act as quickly as possible to pass a 5-year extension of flood insurance so that policyholders can have some assurance moving forward.

This is by one of the authors of the amendment.

Section 207 does something that no other flood bill has done before. It says that homeowners in flood zones must pay an amount that accurately reflects their risk of flooding. Notably, Congress recognized this section may place a burden on some homeowners in flood-prone areas. So, to address this concern, section 207 specifically stated that the rate increase must be phased in over 5 years, not to exceed a 20 percent increase each year. The outcome is commonsense reforms that are supported by Republicans and Democrats, alike, that balance concerns of homeowners and taxpayers.

Now, I'm not a supporter of the government-mandated flood insurance, but these are bipartisan reforms that you don't often see passed in Washington. Let's don't back up. Let's keep going forward. The Biggert-Waters Flood Insurance Reform Act was designed to get FEMA out of this constant bailout, but to be fair to people who experienced frequent flooding. Importantly, these bipartisan reforms were enacted less than a year ago in the Financial Services Committee. We have not even held a hearing on the implementation. This does not need to be in an appropriations bill. It needs to go back to Financial Services and let us look at it.

I yield back the balance of my time.

Ms. WATERS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chairman, I rise in support of this amendment offered by the gentleman from Louisiana (Mr. CASSIDY). I am pleased to say that my colleagues, Mr. CASSIDY and Mr. RICHMOND, and I have worked to address this important issue in an ongoing, bipartisan way.

The National Flood Insurance Program was created in 1968 after record flooding led the private sector to abandon the flood insurance market and stop writing flood insurance policies. The program is a key component of the Federal Government's efforts to minimize the damage and financial impact of floods. It is the only source of insurance against flood damage for most residents and provides much-needed coverage for 5.5 million homeowners and their families.

This is why I worked across the aisle with my colleague, Representative Judy Biggert, to reauthorize this program. Before this reauthorization, the flood insurance program was plagued by repeated lapses in authority, placing many local communities at risk. During those lapses, FEMA was not able to write new policies, renew expiring policies, or increase coverage limits, causing great uncertainty for millions of homeowners who depend on the program's existence.

The Biggert-Waters bill was instrumental in stabilizing the flood insur-

ance program. It provided a 5-year reauthorization and made critical improvements to the program. The reforms in Biggert-Waters gave communities more input into flood maps and strengthened the financial position of the flood insurance program.

In drafting this bill with then-Chairwoman Judy Biggert, I sought to strike the right balance between protecting homeowners and strengthening the flood insurance program. This law was intended to reauthorize the flood insurance program in a sustainable way. The intent was not to impose punitive or unaffordable rate hikes that could make it difficult for some to remain in their homes. You heard the testimony from Mr. RICHMOND about the incredible increases in the premium costs. This is why I am extremely concerned about reports that homeowners in certain areas are facing high and unsustainable flood insurance rates.

I have committed to work with FEMA and with my colleagues here in Congress to address this unintended consequence of this otherwise helpful legislation, so I am supporting the gentleman's amendment today. This would prohibit FEMA from using funds made available in this act to implement one provision from Biggert-Waters that has raised an unintended consequence and requires further study before being implemented.

While the gentleman's amendment is a positive first step in addressing this issue, more needs to be done.

Last month, my friend from Louisiana, Mr. RICHMOND, and I introduced H.R. 2199, the Flood Insurance Implementation Reform Act of 2013, a bill on which Mr. CASSIDY is an original cosponsor, that would take additional steps to provide meaningful relief and address the issue of affordability. The bill would delay implementation of changes to grandfathered rates, the subject of Mr. CASSIDY's amendment, for 3 years instead of 1 year. It would also delay implementation of the rate changes that FEMA is currently rolling out.

I look forward to continuing to work with my friends on both sides of the aisle to ensure that the Biggert-Waters Act is implemented in a balanced way to ensure the flood insurance program's stability and affordability. FEMA's current implementation schedule would upset that delicate balance and unintentionally impact families and local communities.

For these reasons, I urge my colleagues on both sides of the aisle to support H.R. 2199 and to also vote "aye" on this amendment.

Let me just say to those who would represent that we all voted for it: so since we voted for it and we worked together, we worked across the aisle, Democrats and Republicans working together, that somehow we can't make amends or changes that are desperately

needed, working together. I think it is extremely important when you have Mr. CASSIDY over there and you have WATERS over here, one of the original authors of the bill, who are talking about something has happened, unintended consequences that have taken place that will cause homeowners to lose their homes.

Now, it's easy if this does not happen in your communities or in your districts. But, ladies and gentlemen, I want you to know that this is an interdependent business that we're in, and to the degree we recognize other people's problems and we're willing to stand up and give support, particularly when it talks about homeownership, when it talks about that which is so important to all of us, that we should work together, and I would urge an "aye" vote.

I yield back the balance of my time. Mr. MULVANEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. MULVANEY. I rise today to speak against the amendment. And I think there's one thing that has been overlooked in this debate so far, Mr. Chairman, which is not only was this provision in the bill originally in order to bring sustainability to the flood program, it was also designed to bring fairness to the flood program.

What do I mean by that?

Yes, the original bill was designed to raise flood rates on some people. It was also designed to lower them on other people. You heard the gentleman from Louisiana properly state that this amendment would have no score, have no impact. The CBO scored it at zero. No impact on the deficit; no impact on spending. Absolutely true.

The underlying language in the bill was scored the exact same way. When we passed this bill last year, that provision scored out at zero because the CBO assumed, on its own—it's not required by statute to do this, but it did this on its own. The CBO assumed that when rates went up on some people, they would go down on others. That seems to make a lot of sense; doesn't it? That we would have an insurance program that would actually charge folks more who are in riskier areas, but also seek to charge people less who are in less risky areas. I think that's important. I think it bears stating that if this amendment passes, yes, folks who live in high-risk areas will see lower premiums, but the folks who live in low-risk areas will see higher premiums.

We have a chance here to bring some sanity to something in a government program. We have a chance to bring reason and rational thought to this government program by saying people who are in riskier areas should pay more. Are there protections there? Yes.

Are they necessary? Absolutely. But at the end of the day, this program was designed to bring some sanity to this flood program, which is why so many people, myself included, voted for this originally.

I absolutely think this is well-intentioned. I disagree with the impression that these are unintended consequences. These are the exact intended consequences of the underlying bill, that we would simply charge folks who are in risky areas more.

□ 2010

If you live 7 feet below sea level in New Orleans, your rates probably should go up. If you live 600 feet above someplace else, your rates possibly should go down.

I think it's important to know that, yes, there are people in my State who will pay more because of this law. There are also people in my district who will pay less, and that will be turned on its ear if this amendment passes.

So I would encourage us to consider that what we did last year was accurate and correct and brought some much-needed sanity to this program.

With that, I yield the balance of my time, Mr. Chairman, to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I thank the gentleman for yielding.

And let me just say that, you know, FEMA—this does not go into effect this year. In fact, the Louisiana FEMA has been told not to give out these rates because they don't know, they've been trying to do a flood map for 30 years.

Now, if we think a 1-year extension is going to help them, we're misleading ourselves. And, in fact, from my legislative experience, when you extend it for 1 year, then you're asked to extend it again. Look at the student loans. We extended it for 1 year, now they want to extend it for 2 more. It's a constant extension.

My experience has been most court cases are settled on the courthouse steps when the pressure is put on both people to settle.

I think that this is bringing to a head the fact that FEMA needs to get their act together, along with the Corps, and get these flood maps done. By us giving them another year extension, it's not going to do anything but delay us getting these updated maps for another year. I promise you, that's the way government works.

So we need to understand that, on the one hand, we're saying, well, FEMA has given out all these new rates. It's going to go to 20,000 bucks or whatever it is.

But on the same hand we're saying hey, they don't have the capability of doing a flood map. You can't have it both ways. You know, either FEMA can do it or they can't do it.

But we need to do this through the Financial Services Committee, where

the ranking member, the gentlelady from California, was a big part of what we did in the Biggert-Waters bill. And so why don't we take it and go back through Financial Services, where this bill came from, rather than trying to do it through an appropriations bill?

That's the reason this process is so messed up here that we try to do things like this.

So, my concern is that this is the wrong place to try to amend this bill. We need to have hearings. We need to have oversight of FEMA and find out how the implementation of this bill is going, and put the pressure on FEMA and the Corps to finally get these maps straightened out.

But for somebody to have a home that's 7 feet below flood level and pay \$329 a year in a premium doesn't make sense.

I yield back the balance of my time. Mr. GRIMM. I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GRIMM. Mr. Chairman, I rise today in support of the amendment offered by my friend and colleague, Mr. CASSIDY. I'd also like to thank my colleagues across the aisle, Ms. WATERS and Mr. RICHMOND, for their support.

I do want to clarify one thing, because I think that the statement was made that it's not an unintended consequence for premiums to go up and go down, and that is true. But the unintended consequence that we're speaking about is the consequence that many of those that have lived in these areas for 40 or 50 years are suddenly going to lose their homes because of an extreme rise in premiums upwards of \$15,000 and more. So that's the unintended consequence. I just wanted to make sure that that was clear.

And I know this, not because I, myself, live on the coast in a flood area, but because Superstorm Sandy left a trail of utter destruction in New York City, particularly in Staten Island and parts of Brooklyn, a destruction that was absolutely unprecedented in the city's history.

Tens of thousands, tens of thousands of my constituents found themselves homeless. Their lives were turned upside down, and they're wondering how they're ever going to rebuild or ever move forward. Quite simply, many of my constituents lost everything to Superstorm Sandy, and it will be years before their lives return to any sense of what I would consider normal.

So to ask these victims of a natural disaster who find themselves in this horrible position, through no fault of their own, to pay upwards of \$15,000 a year in a flood insurance premium so soon after this disaster took everything from them amounts to nothing more than them being victimized yet again.



So if these premiums were to go into effect, the reality is simple. For many of my constituents, they're going to find themselves unable to pay both their mortgage and their flood premiums. And their property, in the best case scenario, will lose considerable value. But in the worst case it will become completely worthless. This, to me, is unacceptable.

And this is why I support delaying the implementation of section 207 of the Biggert-Waters Act, so that Congress will have the time to reexamine and look at these rate increases and consider ways to ensure the future viability of the flood insurance program while, at the same time, ensuring that flood insurance remains affordable to those that need it most.

So I ask my colleagues to consider all that these individuals have been through, all that they have lost, and bring some understanding to the unintended consequence of not only losing everything they've ever owned, but now, because of flood premiums, possibly losing the entire value of their home.

So I ask for their support on this amendment.

I yield back the balance of my time.

Mr. MURPHY of Florida. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MURPHY of Florida. I yield my time to Ranking Member MAXINE WATERS.

Ms. WATERS. Thank you very much.

I would like to thank Mr. GRIMM for his eloquent description of precisely what can happen and what is happening, and his plea to all of us to ensure that we don't place people in the position of losing their homes because they cannot afford these extraordinary increases in premiums.

I met with residents from Plaquemines Parish who came to the Congress of the United States. All the elected officials and community leaders came together, and they came here to make a plea to us to understand that, with this increase in premiums, they certainly can't afford it, and they can't afford to sell it because nobody is going to buy it.

So Mr. GRIMM talked about victimization and the fact that we would be victimizing people who are victims of natural disasters twice, and that's precisely what it's all about. And I think that we are more caring than that.

I think that we understand that there's still a lot of things to be worked out. The flood maps have not been completed. The pricing has not been really dealt with, and so I think we need time. We need time in order to answer these questions, to deal with the complexities of what we're trying to do.

I think we can stabilize flood insurance. I think that is possible. But I, as

one of the authors of this bill, I'm also making a plea to say that we did everything that we could to try and have a bill that's sustainable, that's viable, that makes good sense.

But as we review what is going on and the risk and the harm that people are now confronted with, we're saying, let's take a step backwards for a short period of time and let's give these victims, and other victims in other areas of this country, an opportunity to at least hold on to their homes and not have them literally taken away from them because we didn't realize these unintended consequences.

Mr. MURPHY of Florida. I yield back the balance of my time.

Mr. SCALISE. I move to strike the last word.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. SCALISE. Mr. Chairman, I rise in strong support of Congressman CASSIDY's amendment. I want to touch on a few things. First of all, when we talk about the need for reforms to the National Flood Insurance Program, there were many things that needed reform. In fact, the program had expired, lapsed, in some cases for a few hours, for a few days, multiple times over the last few years.

That's an inconsistency that I don't think any of us want to see in our economy when it literally meant home sales would have to be canceled. Realtors that were preparing to have a house sold, somebody that was buying a house, selling a house, couldn't even do that because banks require, in many cases, that flood insurance be attached to the mortgage.

□ 2020

And if there was no program for flood insurance, that means somebody couldn't even buy or sell a house. So it had an incredible disruption in our economy. But there's also the importance of making sure that the program is sustainable. When you look at what is flawed in the interpretation of FEMA, as we stand right now, a year after passage of the law, FEMA has admitted themselves they're not ready to implement the changes in the law.

I want to mention a few communities in particular because it highlights the problems that have maybe been misrepresented or maybe just not even understood by some people when they wonder about this program.

I'll use some examples of communities in my district in coastal Louisiana. Houma Terrebonne, for example. The Houma Terrebonne flood protection system was a system that was built by the people in those communities. It wasn't a Corps of Engineers project. That community did not flood in Hurricane Katrina, did not flood in Hurricane Rita. It didn't flood in Hurricane Isaac. And yet if you look at

what FEMA has done with a community like that, they don't even recognize that that flood protection exists. They decertified that levee; and so everybody in that community who never flooded, they never filed a claim.

There's this perception out there that these are people who flooded multiple times. These people in this community never flooded, even during Katrina, Rita, and Isaac; and yet FEMA has decertified their levee and said, basically, they don't have a levee. So somebody who's behind the levee protection system that worked for Katrina, FEMA has said that levee system doesn't exist. That person now is being faced with currently maybe a \$500 premium that FEMA is telling them is going to go up to \$15,000 a year.

Does anybody really think that a family making maybe \$40,000, who has a home that never flooded, they never filed a claim, and now FEMA is going to tell them you have to pay \$15,000 a year just for your flood insurance? I think one of the reasons CBO said there's no score on this is they recognize that person can't pay that \$15,000 premium. You've literally made that home worthless—a home that never flooded and that's behind the flood protection system.

The irony is let's look at the Corps of Engineers certified flood system. Go look at New Orleans. The New Orleans flood protection system that failed during Katrina, flooded thousands of households, caused tremendous devastation and loss of life, that's a certified levee. That system failed to certify. The Houma Terrebonne system that never failed, that never flooded, is decertified by FEMA. You're going to tell those people they have to pay \$15,000 or \$20,000 a year for flood insurance when they never flooded? And their system works.

The same thing with the Larose to Golden Meadow Hurricane Protection System. FEMA, under their interpretation of that law, is saying that levee doesn't even exist. Let me show you a picture. This is during a storm recently. You can see the floodwaters here; and yet behind that levee system the Larose to Golden Meadow Hurricane Protection System, these people didn't flood. All you see is green grass here. There's no water because they didn't flood. FEMA has said this flood protection system doesn't exist.

So these people who never flooded, who haven't filed a claim, they're not a burden to the system. They're paying premiums to the system right now. They're actually helping to try to get it back into the black. FEMA is saying this levee system doesn't even exist, so now these people have to pay maybe \$20,000 a year in flood insurance. Again, they can't pay \$20,000 a year in flood insurance. Nobody that's not a millionaire can do that. And so they'll walk away from that home. The bank will



have to absorb that mortgage. And so their homes are basically going to be deemed worthless, even though their flood protection system works today. They never flooded.

By the way, this one, the same like Houma Terrebonne, the Larose to Golden Meadow Hurricane Protection System didn't flood in Hurricane Katrina, Hurricane Rita, or Hurricane Isaac. They didn't file a claim, and yet their system is decertified.

This is a flawed and broken system. It's the reason CBO says there's no score to this. Because the way it's being implemented is unworkable. And even FEMA is admitting this isn't ready for prime time. So this amendment is needed to say let's go back and actually make a system that works. Fix the problems with the system. But you don't go and punish the people that played by all the rules and never even filed a claim.

So I support the amendment, urge my colleagues to do so as well, and I yield back the balance of my time.

Mr. PALAZZO. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Mississippi is recognized for 5 minutes.

Mr. PALAZZO. I rise today to ask my colleagues to support this bipartisan amendment to the Homeland Security Appropriations act. I want to thank Representative CASSIDY, Representative WATERS, Representative SCALISE, Representative RICHMOND, and the many others who support this amendment.

This amendment would provide relief for many homeowners across the Nation facing significant increases in their flood insurance premiums because of the Biggert-Waters Flood Insurance Reform Act of 2012. Many facing these steep increases are still recovering from devastating storms in recent years, such as Hurricanes Katrina, Isaac, and Sandy. And some can see increases as steep as 25 percent per year.

While I believe it is imperative that the NFIP program remain solvent so that flood insurance remains available to those who need it the most, changes can be implemented in a more compassionate and gradual way. The severe way in which these rates are increased under current law will place a heavy financial strain on families, small businesses, and new home buyers. The fact is we need more time to study how these rate changes will affect Americans.

This amendment to the Homeland Security Appropriations bill gives FEMA more time to complete an affordability study and to review the impact that these rate increases would have on homeowners. It keeps NFIP solvent while implementing changes in a compassionate manner that keeps flood insurance available.

I strongly urge my colleagues to support this amendment, and I yield to the gentleman from Louisiana (Mr. CASSIDY).

Mr. CASSIDY. I thank you for yielding the time, and I'll be very short.

Let me say to my colleagues who oppose this bill that this does not repeal the entire law. This just repeals that portion which is not actuarially sound. We did vote for an insurance program, but we voted for one that was functional and, again, actuarially sound.

I'll make it clear: this does not repeal section 205. Those that built below code or in flood zones, knowingly violating local code, will still pay the penalty. This is for 207 for folks who have never flooded, who've done it right, who've built behind flood protection, to code, and yet in some cases, because of actuarially flawed methodology, they will be paying up to \$20,000.

By the way, I did vote for this bill, but not to force an inaccurate, dysfunctional system which the GAO has criticized homeowners that are trying to live their life. There should be sanity and fairness. But that sanity and fairness should be addressed to having something which is actuarially sound.

One of my colleagues said, Wait a second, some will pay less and some will pay more. Actually, some may pay less, next year pay more, and then pay less again. Because they're being judged by systems which, again, are not sound.

We speak so often here of bringing certainty to business. Let's allow business to know what is going on. Why not have that same principle with homeowners? Let's get the actuarial process in which we judge their risk sound and then we can tell them their premium is high, their premium is low. Right now we're telling them it's going to fluctuate up and down because the method by which we judge them is so poorly designed.

So I do urge passage of this amendment, both for the sake of proving we can have functional government, as well as for the sake of these homeowners who are going to be terribly affected if we do not do so.

Mr. PALAZZO. I yield back the balance of my time.

Mr. COLLINS of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. COLLINS of Georgia. I yield to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I do appreciate the gentleman yielding.

FEMA has already stated that their staff in Louisiana were wrong to provide these estimates based on inaccurate and incomplete information. They have already said that. In reality, no one knows—not FEMA, not any of my colleagues—how much folks in those flood zones will pay for premiums

under section 207. It's still being evaluated. Flood maps change after every flood, and they're going to continue to do it because of development and more impervious surface and other things that cause flooding to create in different areas.

There is an appeal process that you can go through; but the best place to do this is where it originated, which is in the Financial Services Committee, not as an amendment on an appropriations bill.

How many hearings have been held on this amendment? None. We're always talking about regular order. That's our cry, Regular order. Why don't we go through the regular process, go through the same committee that this bill originated out of and see if there's not some oversight that we can offer to FEMA to make sure that these people are not hit with these high premiums and that everybody gets on the same page and we understand that if these improvements have been made by cities and counties or homeowners, that they need to be taken into consideration. But this is not the way to do it.

□ 2030

We talk about unintended consequences. I think this bill was 75 pages long. I can read section 207 if you want me to, but it's pretty plain in what it says. There are no unintended consequences to this. This is exactly what it said.

If you want to talk about revisiting unintended consequences, let's look at the 2,800-page Affordable Care Act. We can look at some unintended consequences then. But this is plain and simple. This isn't asking to create another agency or board or commission; this is trying to make FEMA and the Corps do their job on this mapping. This is the wrong place, it's the wrong time, it's the wrong bill to do this.

I would work in a joint effort with these people to try to bring some resolution to this problem. But you've got to remember that these fees do not come into effect this year, and nobody knows what they're going to be.

You know, the Congress is either at stop or knee-jerk reaction. This is something that needs to be carefully thought out. It needs to go through the subcommittee, the committee process.

The chairman has promised that he is going to review this and look at the implementation of it. If we believe in regular order, let's give the system time to work, and let's put it in the committee where the work was originally done.

With that, I just hope that it will be a "no" vote on this, that it can go back to the committee that Ms. WATERS and others have put in a bill. Let's go back, let's review it, let's look at it, let's bring FEMA in, and let's do some oversight—which is our responsibility in

the Financial Services Committee, not the Appropriations Committee.

Mr. COLLINS of Georgia. Mr. Chairman, I yield back the balance of my time.

Mr. GRAYSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. GRAYSON. Mr. Chairman, I speak in favor of the amendment. And I yield to my colleague, the gentleman from Louisiana (Mr. RICHMOND).

Mr. RICHMOND. Mr. Chairman, we've heard talk about if we believe in regular order. Some of us believe in regular order—most of us believe in regular order—but I think everybody in this body believes in homeownership, and the fact that it's your biggest, safest investment; you pass it down generation to generation. And those people who work, sacrifice, save money to buy a home—we ought not change the rules in the middle of the game with a system that's dysfunctional, it doesn't work. But at the same time, we say that we value the sanctity of homeownership and the American Dream.

So what we're asking here today is that we just back up a little bit. Because part of what leadership does is that sometimes you make a decision that has consequences that weren't foreseen or that are not ready to be implemented. But the true sign of leadership is that you back up and say, let's get it right, not let's do it just for the sake of doing it because we were already going down that road—when it's the wrong road.

The biggest question is: What message are we going to send to those people in New York, Louisiana, and all of those red dots on the map that Representative CASSIDY had, what message are we sending to them? Yes, you saved to buy a home. Yes, you pay your insurance. But now we're going to raise your insurance so high you can't afford that home anymore. What are they to do, walk away from the home? Now it's on the banks, now it's on the community. We have more blighted property. That's not what we should do as a body representing the people, representing our constituents.

I would just say that it's not wrong, it's not unusual, and it's a strong sign of leadership to say, hey, we may have gotten this one wrong. Let's review it. Let's make sure we're being fair. And let's make sure that we protect the American Dream as Congress people. So that's all I'm asking.

With that, Mr. Chairman, I would just re-urge my colleagues to support the amendment.

Mr. GRAYSON. I reclaim my time, and I yield to the gentlelady from California (Ms. WATERS).

Ms. WATERS. The gentleman from Georgia talked about there are no un-

intended consequences, and he attempted to speak for me, one of the authors of the bill. I just think that he does not understand that we put in a lot of work on this bill. We worked in a bipartisan way. And if one of the authors of the bill tells you there are unintended consequences, then I think the gentleman from Georgia cannot dispute that.

Let me just say that I talked with FEMA about mapping, and I talked with FEMA about these decertified levees. They admitted that they had decertified some and they're going to recertify them because they didn't quite know what they were doing.

They also told me that the maps certainly need a lot of work, that they are not complete. What I'm saying is this: all of those homeowners who can't sleep at night, who can't plan their futures, don't know whether or not they're going to be able to send their children to college, all of those homeowners who are in limbo, who don't understand whether or not they're going to be able—certainly they're not going to be able to pay increased premiums. They won't be able to sell the house. Why would we be a party to causing that kind of consternation to fellow human beings? I don't think we want to do that.

We have the power here today to support Mr. CASSIDY's bill and to buy some time and tell FEMA to get it right, to work on it, because these are unintended consequences.

So I just wanted the gentleman from Georgia to know that I certainly appreciate your concern. But you certainly don't understand the work that was put into it and how I know unintended consequences when I see them because of the way that I worked on the bill, and I know it was not intended to do what it is now doing.

If you had spent some time with the people who traveled to Washington, D.C.—elected officials and community leaders alike—who took up the whole room, making an appeal to us to not put them in a position where they would lose their homes, where communities would be destroyed because FEMA was not ready, not prepared—not equipped maybe—to do what they needed to do to carry out the bill even. And that some of those increases that were being talked about, that were being projected, were increases that were almost made up; they were not actuarially sound.

So I would ask you to please vote for this bill. Change your mind. Give some leadership and ask your colleagues to vote for the bill.

Mr. GRAYSON. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. CASSIDY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. WESTMORELAND. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

Mr. BARTON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. BARTON. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the esteemed chairman of the Homeland Security Appropriation Subcommittee to discuss a matter of importance to our Nation.

The United States Army is electing to reduce the number of Lakota light utility helicopters, which are made in my congressional district, that they had intended to purchase over the next 2 fiscal years. These helicopters are cheaper to acquire, maintain and operate than other rotary wing aircraft which the Army has recently contracted for.

I respect the Army's wishes to control costs and not purchase additional aircraft that they do not need. But I am hopeful that you, Mr. Chairman, and the chairman of the Homeland Security Committee, Texan MICHAEL MCCAUL, will work with me to have a study conducted to see if there is not some way to enhance our homeland security through a cost-effective manner by utilizing Lakota helicopters in operations that could protect the American people and secure our borders.

I yield to the chairman.

Mr. CARTER. I thank the gentleman for yielding. I want to say that I will be happy to work with you, Mr. BARTON, as we move forward in the appropriations process.

Mr. BARTON. I want to thank the chairman for his willingness to work with me.

Before I yield back, I just want to let the country know that when Texas is working, we get our job done a lot quicker than when Louisiana is arguing.

With that, I yield back the balance of my time.

AMENDMENT OFFERED BY MRS. BUSTOS

Mrs. BUSTOS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

Sec. \_\_\_\_\_. None of the funds made available by this Act may be used to enter into a contract with an offeror for the purchase of an American flag if, as required by the Federal Acquisition Regulation, the flag is certified as a foreign end product.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

□ 2040

Mrs. BUSTOS. Mr. Chairman, the purpose of this amendment is simple. It

would ensure that American flags purchased with funds from this bill are actually made in America. Pretty simple, straightforward, common sense.

Currently, here is what's happening: the Department of Defense, the Department of Veterans Affairs, the Department of Homeland Security, and even the U.S. Capitol are free to buy American flags that are only 50 percent made in the United States of America. I find this astonishing.

There are companies in America that manufacture American flags. Pretty logical. And there have been legislative efforts in the past to make sure that American flags purchased by the Federal Government are actually made in America.

Last Congress, Senator SHERROD BROWN of Ohio was able to secure passage of the All-American Flag Act through the U.S. Senate by unanimous consent. Unfortunately, the House was unable to consider the measure prior to adjourning the last session of Congress.

According to the most recent numbers from the U.S. Census Bureau, the value of American flags imported to the United States last year alone was \$3.8 million; \$3.6 million worth came from China alone. A "Made in China" tag should never be sewn into an American flag, let alone American flags purchased by our Federal Government.

My amendment today is an attempt to address the growing practice of importing American flags not actually made in America. The idea for this came about just last week when I was home listening to veterans all over our district. I was in Rockford, Peoria, the Quad Cities, and Galesburg, Illinois. I listened to veterans from the gulf war, from the Vietnam war, from World War II, and had gentlemen stand up so disheartened by the fact that they had flown flags, they had seen flags that had a "Made in China" tag sewn into them.

So it is my hope that this Congress will engage further on this issue; but until that time, I feel it necessary to offer this amendment. We must send a clear message as to what our expectations are.

With that in mind, and using existing law as a guide, this amendment would ban purchases of any flag declared as a foreign end product in Buy American Act certifications required by all Federal contracts. This amendment is just the first step in what I hope is a larger effort to require that all American flags purchased by the Federal Government are actually made in America.

I hope my colleagues here today will support me in this endeavor and work with me in moving forward on future, similar efforts.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, we will support the lady's amendment. And I will be happy to yield to my colleague, Mr. PRICE, so that he can also support this amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I thank the gentleman for yielding.

I'm happy to urge my colleagues to vote for the amendment.

Mr. CARTER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Mrs. BUSTOS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MEADOWS

Mr. MEADOWS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) add the following:

SEC. \_\_\_\_ . None of funds made available by this Act may be used for entering into a new contract for the purposes of purchasing ammunition before the date the report required by section 567(a) is submitted to Congress.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MEADOWS. Mr. Chairman, this is a simple amendment which will ensure the Department of Homeland Security is being accountable to Congress—and more importantly, the American people.

Earlier this year, it was reported that DHS solicited bids for some 1.1 billion rounds of ammunition. This was more than 10 times the amount that the Department purchased in fiscal year 2012.

Given this large purchase, the American people and Members of Congress rightfully had concerns and questions. The Appropriations Committee has recognized these concerns by including language in this bill to address the ammunitions purchased by requiring DHS to report the cost and the need to Congress. This initial report is required to be submitted at the time of the President's budget.

I commend the Appropriations Committee for their work in this area, and my amendment would complement their efforts and prohibit any new purchases of ammunition until the required report is submitted to Congress. It does not prevent existing contracts for procurement from being carried out. This is a responsible amendment which ensures that Congress and the American people are aware of the necessity and the cost of ammunition prior to entering into new contracts for procurement.

On April 15, 2013, DHS had an inventory of almost 250,000 rounds of ammunition. In fiscal year 2012, DHS purchased 103,178,200 rounds. This is less than half the inventory that they have on hand. As of February 22, 2013, there

were 62,618 employees at DHS trained and certified in firearms. Given our current inventory, each individual has nearly 4,000 rounds before our inventory would be exhausted.

With these facts in mind, it is important that we are responsible in entering into contracts for ammunition purchases. My amendment will ensure that this is the case.

I urge my colleagues to support my amendment and yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I would like to say to my colleague, I'm on the same wavelength as him, and I have had both my personal office and my staff here at the committee look into in detail the allegations that he has raised by his amendment. He is quite accurate that the amount of ammunition that presently seems to be in the hands of DHS and the amount of purchases that have taken place over the last 3 years from a gun owner standpoint, if you take a good hard look at it, it looks like they're shooting an awful lot of rounds as practice. I have the same concerns he has about that.

That's why I put into this bill at my request this review of the training exercises: How many rounds are issued for training? How many rounds are issued for firing in harm's way? A complete report to the Congress of the United States was issued because the American people are very concerned about this issue.

I will assure my colleague we're going to look at this report in detail. We're going to have hearings and discuss this with the members of DHS, and all the gun-toting DHS folks, to get an accurate assessment of how much shooting they do and how much they need to shoot.

By my own personal inquiry, by talking to ICE last Friday—in addition, I talked to the Border Patrol personally, and they shoot four times a year to qualify—quite honestly, they acknowledged that they don't need as many rounds as people think they do.

But we want to get this study done. And if we can, have patience to do the study and not try to restrict contracting until we know. And I honestly am not encouraged to allow DHS to have huge stockpiles of ammunition around the country. We want to have an efficient utilization of the purchasing power.

As to the contracting power that they have for that billion-plus rounds, that's a process that I learned through my questions that is used to keep the lowest possible price, and there's no intent to make that—

Mr. MEADOWS. Will the gentleman yield?

Mr. CARTER. I will in just a moment.

There's no intent to make that type of purchase by DHS in any form or fashion. It's just a way that contracting is done on ammunition to utilize the cheapest price.

I will also say—and then I will yield—we checked with every ammunition manufacturer in the country, and they assured me that the shortage of ammunition on the shelves for the American hunter and shooter is not because of purchases by DHS or the military or anybody else. Quite honestly, it's because the American people are buying rounds as fast as they come on the shelf, and they're competing with their fellow Americans.

I will be glad to yield to my friend.

□ 2050

Mr. MEADOWS. I appreciate the chairman for yielding and I appreciate his comments.

This amendment would not stop the current bids that are out there, the current process that we have in place. It would just stop additional processes. We are looking at some 6 months before this report would be due, and the inventory, Mr. Chairman, that we have in place currently is more than enough to handle the target requirements, the requirements that we have currently for those. We've had hearings already, and a number of committees have addressed that, and the background that we have and the inventory that we have is more than enough to handle this while we wait for this report.

Mr. CARTER. In reclaiming my time, I understand the gentleman's argument. I think it is in the best interest for us to go forward with this study. We are going to keep a close eye, which is why we've got this issue in this bill, but I am not prepared at this time to restrict contracting, so I have to oppose the amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I simply want to express my agreement with the chairman on this matter.

I appreciate the amendment being offered by my friend from North Carolina, but I believe it would introduce an element of rigidity and an arbitrary element into the purchasing process. The chairman has looked into this very carefully. We have provisions in the bill that should get to the bottom of any allegations that have been made about the matter, but in the meantime, it seems the amendment almost presupposes a negative or a suspicious outcome of the study. Maybe not. In any case, I see no reason for layering on a requirement forbidding the purchase of ammunition while we conduct this study.

So I urge the defeat of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MEADOWS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MEADOWS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

#### AMENDMENTS OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have three amendments at the desk. These are Grayson Nos. 1, 3, and 4. In view of the late hour, I ask unanimous consent that they be considered en bloc.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The Clerk will report the amendments.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:

(A) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification of destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(B) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in subsection (A); or

(C) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds \$3,000 for which the liability remains unsatisfied.

Mr. GRAYSON (during the reading). Mr. Chairman, I ask unanimous consent that we move on to the reading of the next amendment.

The Acting CHAIR. Without objection, the reading of the first amendment is suspended.

There was no objection.

The Acting CHAIR. The Clerk will report the second and third amendments.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used in contravention of the First, Second, or Fourth Amend-

ments to the Constitution of the United States.

At the end of the bill (before the short title), add the following new section:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used for the purchase, operation, or maintenance of armed unmanned aerial vehicles.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. GRAYSON. Mr. Chairman, with regard to the first amendment, this amendment is identical to language that was inserted into the Military Construction-VA bill yesterday by a voice vote. It expands the list of parties with whom the Department of Homeland Security and other relevant entities are prohibited from contracting. This includes contractors who have been convicted of fraud, theft, forgery, bribery, et cetera, according to the terms of the amendment and otherwise.

With regard to Grayson No. 3, the next amendment, this amendment is a simple one.

It reads:

None of the funds made available by this Act may be used in contravention of the First, Second or Fourth Amendments to the Constitution of the United States.

As you will notice, the same sentiment and relevant language appears in my colleague Mr. ELLISON's amendment addressing racial discrimination and other matters. I gladly support his efforts, which passed unanimously by voice vote last Congress, and hope the same will be possible of my amendment in this Congress.

With regard to the last Grayson amendment, I regret that my colleague Representative HOLT could not be here to offer this amendment himself. He is in New Jersey today, remembering Senator Lautenberg. The amendment that I call up is actually the Holt-Grayson amendment, the last amendment. It's an amendment that Mr. HOLT attached to the bill in the last Congress as an en bloc amendment offered by Representative ADERHOLT, which passed unanimously. The text of the amendment is the same word for word, and it reads as follows:

None of the funds made available by this Act may be used for the purchase, operation or maintenance of armed unmanned aerial vehicles.

This is an important amendment and one that I am proud to offer here today on behalf of Representative HOLT. In no instance should DHS have access to or use weaponized drones. The bill before us today is the appropriations bill for the Department of Homeland Security, not the Department of Defense. That appropriations bill will come to the floor later this month, we hope.

As our wars abroad come to a close and as excess militarized drones become available for purchase and use potentially by DHS, I feel that it's important to lay down this marker here

today that says, no, DHS may not have access to that military equipment. DHS will continue to have access to surveillance drones, and if the committee report is correct, DHS will increase its supply of drones and possibly even build a new airfield to support them.

In his previous amendment, Congressman HOLT shared his thoughts on the ways in which these drones should not be used, so I will close with this: Chairman CARTER and Ranking Member PRICE, let's be clear with DHS—no armed drones in the United States.

I ask for the support of this amendment, and I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CARTER. These three amendments en bloc that we've got here, I want to address them as they were raised.

I support the first amendment with the reservations that I don't understand some of the language in section B, but I'm not here today to act in the judicial interpretation of what is already in law. I have some questions about the "civilly charged," but I'm not going to go into that, so I will accept that amendment.

On the second amendment, which concerns the three sections of the Constitution, I certainly will accept that. In fact, I would not like for anything within this bill to be in contravention of any section of the United States Constitution, so I certainly have no problem with that.

Thirdly, the Department has no intention of having armed drones, and we will certainly accept the third amendment. I am willing to accept all three.

I yield to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the chairman for yielding.

I am happy to also offer my support. I hope my colleagues will support this en bloc amendment.

Mr. CARTER. I yield back the balance of my time.

Mr. GRAYSON. Mr. Chair, I rise to describe the intent of Congress with regard to H. AMDT. 124 to H.R. 2217, the "Department of Homeland Security Appropriations Act, 2014". My amendment reads as follows:

"None of the funds made available by this Act may be used in contravention of the First, Second, or Fourth Amendments to the Constitution of the United States."

The intent of Congress is to prohibit the U.S. Department of Homeland Security (DHS) from contravening First, Second, or Fourth Amendment constitutional rights. Congress intends to prohibit DHS from cooperating with any public or private entity, organization, or agency of any kind to violate those constitutional rights, including, but not limited to, those agencies that are within the DHS structure: U.S. Customs and Border Protection, U.S. Cit-

izen and Immigration Services, U.S. Immigration and Customs Enforcement, U.S. Coast Guard, Federal Emergency Management Agency, U.S. Secret Service, Transportation Security Administration, Federal Protective Service; in addition, those agencies that are signatory partners of the National Response Plan: Department of Agriculture, Department of Commerce, Department of Defense, Department of Education, Department of Energy, Department of Health and Human Services, Department of Homeland Security, Department of Housing and Urban Development, Department of the Interior, Department of Justice, Department of Labor, Department of State, Department of Transportation, Department of the Treasury, Department of Veterans Affairs, Central Intelligence Agency, Environmental Protection Agency, Federal Bureau of Investigation, Federal Communications Commission, General Services Administration, National Aeronautic and Space Administration, National Transportation Safety Board, Nuclear Regulatory Commission, Office of Personnel Management, Small Business Administration, Social Security Administration, Tennessee Valley Authority, U.S. Agency for International Development, U.S. Postal Service, American Red Cross, Corporation for National and Community Service, and National Voluntary Organizations Active in Disaster. In addition, Congress intends to include the Federal Bureau of Investigation and the National Security Agency in this non-exclusive list of prohibited agencies.

Congress intends there be a cognizable informational privacy interest, derived from, but not limited to, the Fourth and First Amendments and Due Process rights, held by individuals in data that records, observes, catalogs and/or monitors persons' lawful acts, transactions, associations, beliefs and/or communications.

Congress intends that racial, religious, gender, language, and national origin profiling be deemed unconstitutional.

Congress intends that the collection of multiple individual points of data about a person, as well as the aggregation and storage of such data, creates an intimate mosaic about a person's actions and psychology of such a significantly intrusive nature as to violate fundamental privacy interests. The intent of this legislation is to prevent the Department of Homeland Security from collecting, storing, procuring, or using any information generated by a citizen of the United States while located in the United States, including telephone records, internet records, and physical location information, without probable cause of a terrorism or other criminal offense related to action or conduct by that citizen, or without the consent of that citizen.

The intent of Congress is to protect the interest in informational privacy. This interest is especially significant where information and data collected by the government relates to First Amendment protected activities. The contravention of these rights and interests creates an injury of constitutional and other dimensions and also threatens the underpinnings of a constitutional democracy.

The intent of Congress with this legislation is to place an absolute prohibition on any DHS involvement of any type or to any degree with

any surveillance of Americans without specificity or without probable cause, such as the National Security Agency's recently revealed surveillance program. This prohibition includes any communication, cooperation, funding, assistance, or other association with another organization, agency, company, or other entity of any kind that has any involvement of any kind with such programs. The intent of Congress is for any private company engaged in surveillance or data collection on Americans, or serving in a role supportive of such efforts in any manner or to any degree, to be ineligible for any contracts or other payment from DHS. For example, due to its role in the NSA spying on Americans, Booz Allen Hamilton is ineligible.

Congress intends to prohibit the "Threat Management Division" of the DHS, or any other department, office, or any other entity within DHS, from including reports on "Peaceful Activist Demonstrations," or reports on any other constitutionally-protected speech activities. Congress recognizes that monitoring and documenting constitutionally protected speech activity by law enforcement and intelligence agencies including DHS result in a chilling effect on speech and a violation of fundamental privacy interests, and should be prohibited under all circumstances. The intent of Congress with this bill is to reinforce the nation's proud history of petition and protest, and Congress intends to encourage this essential form of democratic participation, by eliminating any surveillance or documentation of such legal activity by DHS or other law enforcement agencies.

This prohibition is urgently needed, as redacted documents released pursuant to a FOIA request by the Partnership for Civil Justice Fund (PCJF) show that the DHS "Threat Management Division" directed Regional Intelligence Analysts to provide a "Daily Intelligence Briefing" which includes a category of reporting on "Peaceful Activist Demonstrations," alongside their reports on "Domestic Terrorist Activity." The documents also showed involvement of the DHS National Operations Center (NOC) in monitoring peaceful, lawful protest activities. The NOC is, according to the DHS, "the primary national-level hub for domestic situational awareness, common operational pictures, information fusion, information sharing, communications, and coordination pertaining to the prevention of terrorist attacks and domestic incident management. The NOC is the primary conduit for the White House Situation Room and DHS Leadership for domestic situational awareness and facilitates information sharing and operational coordination with other federal, state, local, tribal, non-governmental operation centers and the private sector." DHS improperly and unconstitutionally conducted surveillance of peaceful, constitutionally-protected protests in cities that include, among others: Asheville, Atlanta, Boston, Buffalo, Chicago, Dallas, Detroit, Denver, El Paso, Fort Lauderdale, Houston, Jacksonville, Jersey City, Kansas City, Lansing, Lincoln, Los Angeles, Miami, Minneapolis, Niagara Falls, New York City, Oakland, Philadelphia, Phoenix, Portland, OR, and Salt Lake City, San Diego, Seattle, Tampa, Washington, D.C.

The intent of Congress with the DHS appropriations bill is to prohibit the Department of

Homeland Security from using the designation of an event as one of “national significance” or as a “National Special Security Event” (NSSE) to infringe on the constitutional right to protest peacefully and engage in nonviolent civil disobedience on the nearest publicly-owned, publicly-accessible, or private land (where the owner has not formally requested that protesters be removed) surrounding such an event.

The intent of Congress with this legislation is strictly to prohibit the Department of Homeland Security, or any other agency or entity with which the DHS is directly or indirectly co-operating, including the Secret Service, or that DHS is directly or indirectly funding, from using an NSSE designation as a basis to require protesters to be in a location that is not within view of those individuals or entities that are the target of the public expression and efforts at redress, or to place persons inside a penned-in area or “protest pit,” as such a location deprives the people of the United States of their ability and right to communicate a message to their intended audience, and also deprives persons of their associational rights to interact with demonstrations and join them without obstruction. Further, it could contribute to a larger divide between the political and economic establishment and the general public that is antithetical to the proper functioning of a democratic system. Even if an event is not designated as an NSSE, the intent of Congress is for the principles expressed above to be applicable to any constitutionally-protected protest or other expressive activity.

In the past, these events have included not only presidential inaugurations and meetings of foreign dignitaries, but also the Super Bowl, the funerals of Ronald Reagan and Gerald Ford, most State of the Union addresses and the 2008 Democratic and Republican National Conventions, among many other events not traditionally deemed to be requiring such a major precautionary designation.

The intent of Congress is to mandate that the DHS be authorized only to conduct searches, including searches of electronics on citizen or non-citizen travelers entering or exiting the United States, under a reasonable suspicion standard articulated by courts under the Fourth Amendment.

Congress also strongly intends to reject and condemn DHS assertions that “intuition and hunch” are a sufficient basis for its agents to conduct searches of electronics at U.S. borders or ports of entry. Congress specifically intends to reject a February 2013 DHS report concluding that “imposing a requirement that officers have reasonable suspicion in order to conduct a border search of an electronic device would be operationally harmful without concomitant civil rights/civil liberties benefits.” Congress intends to express its condemnation of any search that is the result of a mere “intuition” or “hunch,” of the 6,500 persons that DHS data indicate had their electronic devices searched along the U.S. border between 2008 and 2010. Furthermore, Congress finds that the use of “intuition and hunch” as a basis for searches is a violation of the Fourth Amendment, and therefore that appropriated funds under this bill are prohibited from being used in this manner.

With this bill, the intent of Congress is to demand the modernization of standards relating to Americans entering the U.S. with computers, thumb drives, smartphones, cameras and other electronic devices, as these devices hold vast amounts of information regarding owners about who they are and how they conduct business. Much of the law on searches along the border was established before these technological advances dramatically altered the amount of personal information one could be carrying on himself or herself as he or she enters the U.S., and Congress intends for this amendment to modernize these standards to reflect current realities and expectations of privacy. Until these standards are modernized, Congress intends for border enforcement to search these devices only upon a reasonable suspicion that the holder of such a device is directly and personally bearing evidence of terrorism or other criminal activity.

#### ORGANIZED LABOR

The intent of Congress with this bill is to place an absolute prohibition on any DHS involvement related to all legally-protected activities of organized labor. This includes any communication, cooperation, funding, assistance, or other association with another organization for the purpose of targeting legally-protected union activity, or acting as a provider of surveillance and intelligence information to corporate entities that may be the target of lawful labor grievance and labor protest activity.

Examples of what Congress has hereby prohibited can be seen in documents obtained under the Freedom of Information Act, which show that the DHS communicated with the Pentagon’s Northern Command regarding November 2, 2011 port protests involving ILWU workers. Another document obtained from the Federal Bureau of Investigation (FBI) by the PCJF shows that the Domestic Security Alliance Council (DSAC), described by the federal government as “a strategic partnership between the FBI, the Department of Homeland Security and the private sector,” discussed the protests at the West Coast ports to “raise awareness concerning this type of criminal [sic] activity.” The document contains a “handling notice” that the information is “meant for use primarily within the corporate security community. Such messages shall not be released in either written or oral form to the media, the general public or other personnel . . .”

#### INTENT OF CONGRESS REGARDING “FUSION CENTERS”

Mr. GRAYSON. Mr. Chair, according to the Constitution Project, there are at least 77 fusion centers active in the United States today. Fusion centers are essentially information-sharing hubs designed to pool the knowledge and expertise of state, local and federal law enforcement and intelligence agencies, and, in some instances, other government agencies, military officials and private sector entities. They operate primarily on state funding, though they generally receive federal funds and work closely with federal agencies such as the Department of Homeland Security (DHS) and the Department of Justice (DOJ). As a general matter, fusion centers are not established pursuant to specific state legislation or state executive orders, but rather derive their authority from general statutes creating

state police agencies or memoranda of understanding among partner agencies. Many fusion centers simply represent extensions of existing intelligence units in state law enforcement agencies.

Congress shares the serious constitutional concerns that have been raised after several fusion centers issued bulletins that characterize a wide variety of peaceful religious and political groups as threats to national security. In some instances, state law enforcement agencies that funnel information to fusion centers have improperly monitored and infiltrated anti-war and environmental organizations. Moreover, the manner in which fusion centers amass and distribute personal information raises the concern that they are keeping files—perhaps containing information that is sensitive or concerns constitutionally protected activities—on American citizens in the United States without proper justification. With the interconnected system employed by fusion centers, even those with the best civil liberties practices can inadvertently perpetuate or exacerbate the problematic activities of other fusion centers or law enforcement agencies. The breadth of the fusion center network also means that inaccurate or problematic information can be distributed widely across government databases, and perhaps even to private businesses, with potentially disastrous consequences for the constitutional rights of individuals. Finally, without proper safeguards, links between fusion centers in different states might allow “forum-shopping” law enforcement officials to evade the privacy and domestic surveillance restrictions of their own states by accessing information obtained by fusion centers in other jurisdictions. All of these risks are potentially compounded by the limited transparency and accountability of these institutions.

Recent reports from across the country bear testament to the potential for constitutionally problematic profiling at fusion centers, particularly regarding bulletins and intelligence reports circulated by fusion centers. These are a few examples:

The February 2009 “Prevention Awareness Bulletin,” circulated by a Texas fusion center, described apparently peaceful Muslim lobbying groups as “providing an environment for terrorist organizations to flourish” and warned that “the threats to Texas are significant.” The bulletin called on law enforcement officers to report activities such as Muslim “hip hop fashion boutiques, hip hop bands, use of online social networks, video sharing networks, chat forums and blogs.”

A Missouri-based fusion center issued a February 2009 report describing peaceful support for the presidential campaigns of Ron Paul or third party candidates, possession of the iconic “Don’t Tread on Me” flag, and anti-abortion activism as signs of membership in domestic terrorist groups.

The Tennessee Fusion Center listed a letter from the American Civil Liberties Union (ACLU) to public schools on its online map of “Terrorism Events and Other Suspicious Activity.” The letter had lawfully advised schools that holiday celebrations focused exclusively on Christmas were an unconstitutional government endorsement of religion.

The Virginia Fusion Center’s 2009 Terrorism Risk Assessment Report described peaceful



student groups at Virginia's historically black colleges as potential breeding grounds for terrorism and characterized the "diversity" surrounding a military base as a possible threat.

Additional allegations of monitoring of constitutionally-protected speech, including by DHS Megacenters, were revealed by FOIA requests made by the PCJF. Just a few of many examples are included below:

An October 5, 2011 document reflects that the DHS Philadelphia Megacenter was monitoring the OWS demonstration in New York, titled "Demonstration-Peaceful/Planned," and reporting on assembly and movements "peacefully protesting union solidarity issues."

An October 30, 2011 document shows DHS' Battle Creek Megacenter also reporting that a "peaceful/unplanned" "Occupy Wall Street demonstration [was] taking place in Illus W. Davis Park in Kansas City, MO."

The Boston Regional Intelligence Center (BRIC), a fusion center, focused resources on monitoring and reporting on peaceful protest activity in Boston during 2011.

The intent of Congress with this legislation is to place strict limitations on DHS involvement with and funding of "Fusion Centers," due to these serious reports that they may be violating the constitutional rights of citizens. To avoid the grave risk that this poses or could pose to the exercise of the free speech rights that are fundamental to our democracy, in addition to threats to constitutional protections against unreasonable invasions of privacy, Congress intends to prohibit any DHS cooperation with, or funding of, any "Fusion Centers" or similar entities (e.g. "Megacenters") that have not established and strictly adhered to the following best civil liberties practices, drawn from the proposals made by an esteemed bipartisan team of leading constitutional law experts (arranged by specific topic):

#### PROFILING AND DATA COLLECTION

1. Fusion centers shall establish guidelines that clearly prohibit their personnel from engaging in racial and religious profiling. In determining when to collect and share information, the guidelines shall focus on behaviors that raise a reasonable suspicion of criminal activity or evidence of wrongdoing. Race, national origin, ethnicity and religious belief may not be considered as factors that create suspicion, and may only be used as factors in alerts if they are included as part of a specific suspect's description. The guidelines shall also specify that political association and the peaceful exercise of constitutionally protected rights may not be relied upon as factors that create suspicion of wrongdoing.

2. Fusion centers shall ensure that their personnel are properly trained on the constitutional rights of free expression, assembly, religion and equal protection.

3. Fusion centers shall ensure that individuals who instruct their personnel on intelligence analysis and terrorist threats are competent and well-qualified, and have themselves been trained in the constitutional rights discussed above.

#### SUSPICIOUS ACTIVITY REPORTING

Fusion centers shall carefully analyze suspicious activity reports to determine whether there is a likely connection to criminal or terrorist activity, and may only retain and dis-

seminate suspicious activity reports if they demonstrate reasonable suspicion of such activity.

#### DATA MINIMIZATION

1. Fusion centers shall periodically review the information in their files to determine whether that information is accurate and of continuing relevance. The frequency of this review shall be made public by each fusion center or similar entity. Data retained by fusion centers shall be purged no later than five years after its collection unless its continued relevance can be demonstrated.

2. Fusion centers may collect and retain only the minimum amount of personally identifiable information necessary to serve their law enforcement purposes. Fusion centers may only use this personally identifiable information for the law enforcement purpose for which the information was collected.

#### AUDIT LOGS

1. Fusion centers shall ensure that immutable audit logs track all database activity.

2. Independent auditors shall review fusion center audit logs every two years and publish reports describing the use of fusion center databases and any abuses or unauthorized access.

#### DATA MINING

As set forth in The Constitution Project's report Principles for Government Data Mining, fusion centers shall act carefully to ensure that constitutional rights and values are respected if they engage in data mining or if the information in their databases is used for data mining by other government entities.

#### PRIVATE SECTOR PARTNERSHIPS

1. Fusion centers shall carefully limit the information that they disseminate to private sector entities. Personally identifiable information may be shared with private sector entities only to the extent necessary to carry out legitimate law enforcement or national security functions. Any data sharing with private entities beyond these prescribed limits must be specifically elaborated in a public statement or document, that is easily accessible by the general public, and specifies in detail the type of information being transferred and which private entities are involved.

2. Fusion centers may not collect information from private sector sources that they would otherwise be restricted by law from obtaining, nor can they obtain information produced American citizens without a warrant, probable cause that the conduct of that American is directly connected to terrorism or other criminal activity, or obtained written consent from that American to the Fusion Center.

#### MISSION STATEMENT

Fusion centers shall develop clear mission statements that express their purpose and the criteria upon which their performance can be evaluated. This should be completed within 3 months of the passage of this legislation.

#### TRANSPARENCY AND REDRESS

1. Fusion centers shall engage local communities by publicly explaining their mission, budget and staffing, and that information should be easily accessible to the general public.

2. Fusion centers shall publicize their privacy policies and the results of their compliance audits.

3. Fusion centers shall be equipped with effective redress processes by which individuals can, if necessary, review and correct or challenge information possessed by a fusion center.

4. Redress processes shall provide for the availability for review of complaints by an independent, security-cleared arbiter, with a right of appeal to a higher-level independent state or local authority.

5. Redress processes shall be well-publicized.

6. Redress processes shall ensure that corrections are disseminated across DHS databases.

#### DHS AND MEDICAL MARIJUANA

It is the intent of Congress that full Fourth Amendment protection extends to medical marijuana users, regardless of the status of marijuana under federal law. Specifically, DHS's legitimate efforts to prevent illegal immigration and drug smuggling do not justify relaxation of Fourth Amendment protections for medical marijuana users, even in border areas.

The Acting CHAIR. The question is on the amendments offered by the gentleman from Florida (Mr. GRAYSON).

The amendments were agreed to.  
Mr. MICA. I move to strike the last word.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. MICA. I rise briefly to engage the gentleman from Texas in a colloquy.

First of all, I would like to compliment Chairman CARTER and Ranking Member PRICE. Thank you for your work on this bill under some very difficult fiscal constraints. I believe the committee, under your leadership, has successfully found areas where taxpayers can really realize savings and implement reforms to strengthen our national security.

As I have discussed with the chairman before and other colleagues in the past, I am a strong believer in the effectiveness of modeling and simulation for training. In the past, the Department of Homeland Security has purchased large and costly quantities of live ammunition. Live fire testing and training is expensive, detrimental to the environment, and is really unnecessary for most training of almost all DHS personnel.

□ 2100

I believe that the Department of Homeland Security would be well served by increasing its efforts to better integrate and utilize modeling and simulation in the training of law enforcement and security personnel under their jurisdiction.

For years now, our military and our Armed Forces, who daily face intense combat, utilize effective and modern simulation technology in training and preparing our soldiers.

These simulation technologies provide powerful planning and training tools capable of exposing all of our personnel to the complexities and uncertainties before ever stepping into



harm's way. There's no reason DHS can't do the same thing. The use of simulation training has yielded better trained, more capable and more confident personnel, again, without live ammunition. Unfortunately, DHS just doesn't get it.

Simulation training is a cost-effective means by which law enforcement and security personnel can improve readiness, tactical decision-making skills, and ultimately save lives and save millions of dollars in taxpayer money.

Mr. CARTER. Will the gentleman yield?

Mr. MICA. I yield to the gentleman from Texas.

Mr. CARTER. I thank the gentleman for yielding.

Chairman MICA makes very good points. FLETC and DHS should review their training regimen and determine where simulation equipment makes sense. I appreciate the gentleman bringing this opportunity to my attention and look forward to working with him.

Mr. MICA. And I look forward to working with the chairman, and I yield back the balance of my time.

AMENDMENT NO. 2 OFFERED BY MR. MURPHY OF FLORIDA

Mr. MURPHY of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. REED). The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. 571. None of the funds made available by this Act may be used for the Agricultural Quarantine Inspection program.

Mr. MURPHY of Florida (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MURPHY of Florida. Mr. Chair, I rise today to offer an amendment to the Department of Homeland Security Appropriations Act that would cut over \$300 million from a program that is supposed to cost taxpayers nothing. If you, like me, are wondering how we got to this point of paying for a cost-free program, keep listening.

Customs and Border Patrol, along with the U.S. Department of Agriculture, conducts agricultural quarantine inspections on incoming vessels and passengers. This is an essential service that protects our Nation's agriculture and wildlife.

CBP and USDA have claimed that the cost of this program is covered by imposing fees on incoming vessels and travelers—a sensible approach. However, when the Government Accountability Office last examined the pro-

gram in 2011, the fees covered only 60 percent of the program's cost. As a result, the taxpayers had to cover a \$325 million shortfall.

I recently introduced the bipartisan SAVE Act with the gentleman from Ohio (Mr. JOYCE), which would implement recommendations by the GAO to push Customs and Border Patrol, along with the USDA, to adjust its fee structure and administration to fully cover the cost of this program.

My amendment would prevent Customs and Border Patrol from continuing to use taxpayer dollars to subsidize incoming vessels and travelers and make the program truly fee-supported.

My amendment would free up remaining CBP funds to do what they should be doing: securing the homeland and facilitating travel, tourism, and trade. More tourism and more trade mean more American jobs.

Mr. Chair, I think we can all agree that this is a commonsense amendment that saves taxpayers dollars and improves the environment for greater job growth. I urge my colleagues on both sides to support this cost-saving amendment.

I yield back the balance of my time.

Mr. CARTER. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. I oppose this amendment because it would make it impossible for CBP to carry out its mandated mission to inspect and clear agricultural products that enter the United States from a foreign country.

A mixture of fees and discretionary funds pay for CBP officers that inspect and clear foreign ag products. When fees run out, discretionary funds pay for the officers' work.

If we do not provide these funds, as the amendment proposes, agricultural imports to the United States would effectively halt and halt trade.

Mr. Chairman, I urge my colleagues to vote against this amendment.

Mr. PRICE of North Carolina. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman.

Mr. PRICE of North Carolina. Mr. Chairman, I appreciate the chairman yielding, and I also want to oppose this amendment.

I want to say to my colleague that I very clearly understand the purpose of this amendment. I think it's a worthy purpose. I think we should pay for these inspections through fee revenue, and the fees need to be adequate to the task.

So the gentleman, as I understand it, is trying to apply some pressure in that situation so that that gets done. That's a worthy purpose. But the risk is simply too great with a blanket prohibition of discretionary funds to be used for inspections. The risk is simply

too great that the vital inspections that really can't lapse would not go on.

So I have to reluctantly urge defeat of the amendment, although I agree with and understand its underlying purpose.

Mr. CARTER. Reclaiming my time, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MURPHY).

The amendment was rejected.

AMENDMENT NO. 2 OFFERED BY MR. COLLINS OF GEORGIA

Mr. COLLINS of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used in contravention of section 236(c) of the Immigration and Nationality Act (8 U.S.C. 1226(c)).

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. COLLINS of Georgia. I offer this amendment to ensure that none of the funds in this bill may be used in violation of section 236(c) of the Immigration and Nationality Act.

This amendment prohibits the United States Immigration and Customs Enforcement from using taxpayer dollars to process the release of or to administer alternate forms of detention to illegal immigrants who committed a crime that mandates their incarceration under section 236(c) of the Immigration and Nationality Act.

Section 236(c) requires the Federal Government to detain illegal aliens who committed any one of the serious crimes detailed in that section until that illegal alien is deported to their home country.

In my home State of Georgia, ICE has processed the release of criminal aliens under the guise of sequestration. Along with the fellow members of the Georgia delegation, I have written to DHS and ICE on two separate occasions requesting more information about the releases.

To date, DHS and ICE have failed to provide basic information regarding the criminal aliens released in Georgia. We don't know how many criminal aliens were released and to where. We don't know what crimes they committed prior to detention, and we don't know what forms of alternatives to detention ICE is using to ensure they don't commit additional crimes.

Mr. Chairman, this is unacceptable.

Our Nation was founded on the rule of law, and I do not believe taxpayer dollars should ever be used to circumvent the law.

I appreciate the men and women who work for ICE and have great respect for the work they do and the sacrifices they make.

This amendment ensures that political agendas won't interfere with the need to protect innocent citizens from criminal illegal aliens.

The Federal Government should enforce immigration law, particularly section 236(c), that mandates the detention of dangerous criminal illegal aliens.

I urge my colleagues to support this amendment to prohibit taxpayer funds from being used in violation of section 236(c), and I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Though in principle I believe there are times when alternatives to detention make sense, utilizing them to release convicted criminals is never appropriate. Therefore, I appreciate Congressman COLLINS calling attention to the importance of ICE maintaining a robust capability to detain and maintain custody of illegal aliens, especially those convicted of violent and serious crimes and felonies like drug trafficking, prostitution and conspiracy.

Included in this bill is no less than \$2.8 billion for enforcement and removal operations, which include \$148 million to fully support the statutory requirements to maintain at least 34,000 beds, which is critical if we're going to ensure that convicted criminals and repeat offenders do not endanger public safety. Therefore, I'm happy to accept the gentleman's amendment, and I reiterate my appreciation for Congressman COLLINS for offering it. And as to the fact that he didn't get information from ICE or from DHS, I've had the same experience and I was just as upset as you are.

I support the Congressman's amendment, and I yield back the balance of my time.

□ 2110

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. COLLINS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. THOMPSON  
OF MISSISSIPPI

Mr. THOMPSON of Mississippi. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used by the Transportation Security Administration for the Behavior Detection Officer program

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. THOMPSON of Mississippi. Mr. Chairman, my amendment does one simple thing: it stops TSA from con-

tinuing to waste taxpayer dollars on a program the agency has not scientifically validated or shown to be cost effective.

Since 2007, TSA has spent approximately \$1 billion on its behavioral detection program, the screening of passengers by observation techniques, commonly referred to as the SPOT program.

Under this program, on an annual basis, TSA spends about \$200 million to deploy 2,800 behavior detection officers, or BDOs, at airports around the country to observe passenger behaviors for signs that they present a terrorism risk to aviation. While the goal of this program—preventing terrorists from boarding flights—is laudable, the program is, by any measure, fatally flawed.

Chief among those flaws is that TSA has not scientifically validated that BDOs can identify terrorists by observing behaviors. Indeed, the Government Accountability Office has found that “known or suspected terrorists” have moved through screening on 23 different occasions in airports where BDOs were deployed. In fact, BDOs have never identified, apprehended, referred to law enforcement, or prevented a terrorist from boarding an aircraft. This is not surprising considering that there is no scientific basis for suggesting that they should or would be able to do so.

As if it were not bad enough that TSA has spent almost \$1 billion on a program without scientific validation, yesterday The New York Times reported that the DHS inspector general has found that TSA cannot ensure passengers at U.S. airports are screened objectively under the SPOT program, show that the program is cost effective, or reasonably justify the program's expansion.

Indeed, the IG found that the program does not have a strategic plan, a financial plan, or even a comprehensive and uniform training program. In light of the sequester and the resulting budget cuts, I, for one, see no justification for spending another dollar on a program that is wasteful and ineffective.

Mr. Chair, the time has come to stop TSA from squandering additional funds on this misguided effort. I was surprised in these austere times the Appropriations Committee provided funding for the program, especially when, in the report accompanying H.R. 2217, the committee questioned the fundamentals for the program when it said that there are outstanding questions remaining over the value of the program.

We have an opportunity today to ensure we fund programs that are meritorious and effective, not programs whose value and effectiveness have not been established. Further, we have the opportunity to ensure that \$200 million

saved by defunding this program is put to far better uses, such as expanding TSA's Pre Check program so more individuals can receive expedited screening, reducing wait times at screening checkpoints, and bolstering surface transportation security.

Earlier today, the chairman of the Appropriations Committee stated that we cannot afford to fund unproven and wasteful programs. I cannot agree more. That is why I am offering this amendment to cut off funding for TSA's unproven and wasteful SPOT program.

With that, Mr. Chairman, I urge my colleagues to support my amendment, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I share some of the concerns of the gentleman from Mississippi, and I believe that the outstanding question still remains over the actual value of the Behavior Detection Officer, BDO program, which has yet to be sufficiently validated by TSA. In addition, it is my understanding that a recent OIG report may validate the concerns Mr. THOMPSON has raised about the program. In the report accompanying this bill, this committee also articulated some of the same concerns of Mr. THOMPSON, including whether passengers are screened in an objective and cost-effective manner.

However, I cannot accept this amendment at this time to zero out the program. I remain hopeful that TSA will correct these issues. And my colleague, Chairman MCCAUL, has also said he is hopeful that we can correct these programs. I will be willing to work with Mr. THOMPSON and Mr. MCCAUL and anyone else who has concerns about this to make sure that this program is effectively administered and effectively worked. So at this time, I oppose the amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in reluctant opposition to the amendment as well. I do this because I have great respect for the gentleman from Mississippi and for the good work that he does on the authorizing committee. And I also know that the concerns he has expressed here tonight are legitimate ones. But I believe striking this funding in an appropriations bill is not the preferred way to deal with it.

The Behavior Detection Officers program utilizes specially trained individuals to identify potentially high-risk passengers. This program is specifically designed to detect individuals exhibiting behaviors that indicate they

may be a threat to our security. And these behaviors, by the way, are not just randomly chosen. These individuals are trained in psychologically grounded theories as to what kind of behaviors they're looking for and what those behaviors may indicate. It's one element of a layered approach to ensuring the security of our commercial airlines and airports.

Now, I'm aware that the inspector general will soon issue a report that faults TSA for not being able to accurately assess the effectiveness of the program and for not having a finalized strategic plan that identifies the mission, the goals, and the objectives needed to develop performance measures. My understanding, however, is that TSA has agreed with all of these recommendations made by the inspector general to improve the program and plans to address them right away. I also understand that TSA has already drafted a strategic plan for the program.

Ending a program at the Department of Homeland Security just because the inspector general has found that it needs to improve its strategy and its performance measures just doesn't make sense to me. The inspector general certainly has not recommended that the program be ended.

The use of behavior detection is not a new or novel idea. As I say, in fact, it has a validated foundation in psychology. It's been a cornerstone in the Israeli Government's aviation security for years. I commend Administrator Pistole for his understanding of the possibilities and limitations of behavior detection and his attempts to use it effectively. We don't need to end this program; we need to work with TSA and push it to quickly implement the IG's recommendations. So I urge defeat of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Mississippi (Mr. THOMPSON).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. THOMPSON of Mississippi. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Mississippi will be postponed.

□ 2120

AMENDMENT OFFERED BY MR. SALMON

Mr. SALMON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used in contravention of

section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. SALMON. Mr. Chairman, I might add that this amendment was one that was offered by my colleague DAVID SCHWEIKERT from Arizona last year, and it passed on a voice vote.

Department of Homeland Security, DHS, has long viewed State and local governments as valuable partners that can help serve a helpful role in assisting DHS in fulfilling its responsibility with respect to immigration enforcement, and it continues to welcome that participation.

In order to avoid complying with their obligation to share information with DHS, local governments have taken on a "don't ask, don't tell" policy known as "sanctuary policies." With the implementation of sanctuary policies, State and local law enforcement officers are barred from asking people about their immigration status or reporting them to Federal immigration authorities.

Sanctuary policies are bad public policy because States or cities that institute sanctuary policies become magnets for illegal immigration. Illegal immigration results in higher costs of living; reduced job availability; lower wages; higher crime rates; fiscal hardship on hospitals and substandard quality of care for residents; burdens on public services, increasing their costs and diminishing their availability; and a reduction of the overall quality of life.

Sanctuary policies are expensive and shift the cost of illegal immigration onto citizens and legal immigrants. Because of the difficulty States have in collecting taxes from persons who are not lawfully present, many are utilizing State and local benefits and resources without contributing their fair share.

Sanctuary policies serve as a perverse incentive for illegal alien families to move to those States or cities who institute such policies. Accommodating those who violate our immigration law encourages others to follow the same path and gives prospective immigrants little incentive to pursue the legal path of immigration when they can sidestep the process and gain the same benefits.

Sanctuary policies also insult those legal immigrants who patiently waited for months and years for the U.S. State Department and DHS to approve their application and paid thousands of dollars in travel, legal, and medical fees to abide by the entry, employment, health, and processing laws and regulations.

Sanctuary policies conflict with Federal law. Recognizing the adoption of sanctuary policies as a growing impedi-

ment to combating the wave of illegal aliens residing in the country, Congress adopted the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 that barred State and local governments from prohibiting employees from providing, receiving, and sharing information on those here illegally with Federal Government immigration officials.

Sanctuary policy denies U.S. Immigration and Customs Enforcement critical assistance to enable it to accomplish its statutorily mandated mission to identify and ultimately remove those here illegally who are currently in State or local custody.

Sanctuary policies undermine national security efforts and create an environment in which terrorists and individuals of national security concern go unnoticed and uninterrupted.

Sanctuary cities tell those who are here illegally that the laws of our country don't matter. Sanctuary city policies encourage illegal immigration and weaken our Nation's ability to secure our borders. They contribute to a flood of illegal immigrants in this country today.

During the immigration reform debate, sanctuary cities should not be overlooked. This policy is creating an even bigger illegal immigration problem.

With money so tight these days, cities which are purposely skirting Federal law should not benefit from Federal law enforcement funding. The funds should be used for those cities who are actively enforcing the law.

So, in a nutshell, what this amendment would do is disallow any funds from this particular legislation to go to sanctuary cities.

I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. We will accept this amendment.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE. I'm not sure of the full intent of the gentleman's amendment, but I will say that I'm concerned if we are going to deny funding to cities that have established rules that may be determined that they are sanctuary cities and, in fact, they are not.

Many cities have a process in their own jurisdiction where law enforcement wants to ensure that, in the enforcement of their local laws, that all communities be considered engaged in the law enforcement process.

I don't know whether the gentleman determines that that is a sanctuary city, where chiefs of police wish to hear from communities that are bilingual

and, therefore, do not want to have a structure that intimidates them and, therefore, inhibits the prosecution of laws or inhibits the elimination of crime.

So I would only make the argument that I know that the Association of Chiefs of Police have argued that it is important to ensure that immigrant communities feel free enough to communicate with their law enforcement officers.

I don't know if that is the interpretation of the gentleman's sanctuary cities. I know that he is going under the law. But I certainly hope those cities will not be biased or discriminated against with respect to Federal funding on homeland security.

I yield back the balance of my time.

Mr. SALMON. I was just going to say, my interpretation of the law is exactly as it's stated in the law that we passed in 1996 and nothing more, nothing less.

Mr. SCHWEIKERT. I move to strike the last word.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. SCHWEIKERT. Mr. Chairman, being someone who worked on this amendment last year—and I appreciate my next-door neighbor and my old friend, MATT SALMON, for bringing it up—for those of us from Arizona, we actually have some very intimate experience with sort of dealing with these mechanics.

For almost all of us in this body, we run for office telling everyone that immigration is a Federal issue. You know, we need to set Federal policy, and that's how we mechanically will come up with our commonality of enforcement.

But what happens when, all of a sudden, we have a municipality that's still taking those Federal dollars and yet is not playing under the same rules as their next-door neighbor municipalities?

The beauty of this amendment is very, very simple. It says, if you're going to take these resources, you need to play by the rule book that we in Congress set on an issue that we're supposed to be dominant on.

And the reality of it is, when you have a municipality that, through stated policy, flaunts what we're trying to do, particularly in immigration policy, it ends up creating this sort of balkanization in our communities, and it sets off those very fights that I believe our last speaker was touching on.

And having been the county treasurer of Maricopa County, I've seen the edges of this, when one municipality was looking very, very differently at our Federal laws compared to another one and, literally, the movements that would happen with populations and the fights that would start and also the chaos it would actually create when

you were trying to have a community of also equal law enforcement.

So, Mr. Chairman, that's one of the reasons I stand here and support the Salmon amendment.

I yield back the balance of my time. Ms. LORETTA SANCHEZ of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise today in the hopes of engaging in a colloquy with the chairman.

Mr. Chairman, thank you for the work that you have done on this bill, along with our ranking member.

I had intended to offer an amendment in the hopes that we could move forward with modernizing our pedestrian access at our land ports of entry, but I was held up in the NDAA markup, which is ongoing still.

My amendment would have been simple. It would have set aside \$5 million within the Construction and Facilities Management account in title 2 of this bill to begin construction on shovel-ready projects at our land ports of entry, the pedestrian access points.

Mr. Chairman, our land ports are out of date and in need of massive repair.

□ 2130

This is the first step in addressing the massive wait times for pedestrians across our country.

I was recently in Calexico, California, where I saw elderly people waiting in 102-degree heat just to come and shop in the United States. We hinder our economy when we hinder the lifeline of trade into our country. Mr. Chairman, this is happening every day at our border communities throughout this country. And as a Member of Congress from a border State, you understand that all too well.

So I want to ask the chairman for his support in working with me during the conference to ensure pedestrian access points at land points of entry have the funds that they need to be improved so that we can increase our trade at our land ports.

Mr. CARTER. Will the gentlewoman yield?

Ms. LORETTA SANCHEZ of California. I yield to the gentleman from Texas.

Mr. CARTER. I thank the gentlewoman from California for engaging me in this colloquy.

As she had just stated, wait times at our ports of entry, both vehicle and pedestrian, have increased in recent years. I would have supported the gentlewoman's amendment, but will vow to work with her in ensuring that the proper funds are given to the pedestrians to reduce wait times at land ports of entry. I'll be glad to work with you on this issue.

Ms. LORETTA SANCHEZ of California. Thank you, Mr. Chairman, for

that clarification and for your strong support in improving pedestrian access points at our land points of entry, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. SALMON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RUNYAN

Mr. RUNYAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to carry out the amendments made by section 100207 of the Biggert-Waters Flood Insurance Reform Act of 2012 (title II of division F of Public Law 112-141) with respect to any property located in the State of New Jersey or the State of New York.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. RUNYAN. My amendment is actually very similar to what Representative CASSIDY had on the floor about an hour ago. My amendment would delay the increase in National Flood Insurance Program premiums in New Jersey and New York until the end of FY 2014. It does so through prohibiting funding for the implementation of section 207 of the Biggert-Waters Flood Insurance Reform Act with regards to the States of New York and New Jersey.

New Jersey and New York suffered unprecedented damages during Hurricane Sandy. Many of these coastal residents in New Jersey and New York are still struggling to rebuild and now are staring down huge increases in flood insurance premiums due to the provisions of the Biggert-Waters Act. The people of New Jersey and New York have suffered enough and cannot afford to pay skyrocketing premiums in the middle of the rebuilding process. The least we can do is give them a reprieve, a little peace of mind, until the end of the 2014 fiscal year.

I would like to thank Mr. KING and Mr. LOBIONDO for working with me on this amendment, and I urge my colleagues to support the amendment.

I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. The authorizers have indicated that they oppose this amendment that's being proposed by my friend from New Jersey. I'm reluctant to oppose it. So I just wanted to make the statement that the authorizing committee is opposed to this. We've had a debate almost ad nauseam on the State of Louisiana, with exactly the same amendment. I think everything that's been said about this flood program has been said, so I'm not going to continue that debate. I just wanted to make a note that although I'm not

going to officially oppose it, I will state that the authorizers were supposed to be here to oppose.

I yield back the balance of my time.

Mr. O'ROURKE. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. O'ROURKE. Mr. Chairman, I want to thank the chair and the ranking member of this subcommittee for their work on this bill. It's certainly one that I'm very happy to support.

Given the importance of trade at both our northern and southern land ports of entry, I am particularly pleased that the bill includes 1,600 new CBP officers to expedite trade at our ports. I planned to offer an amendment that would have helped to target these new officers to the busiest ports of entry. It would have required the Department of Homeland Security to submit a report detailing the average crossing times at the busiest land ports and what the staffing needs are to ensure that we can reduce those wait times to 20 minutes or less. I understand my amendment would be subject to a point of order, but I look forward to working with the chair and ranking member to address this issue as the process moves forward.

Very quickly, wait times right now at our ports of entry are unpredictable and they are inconsistent. People can wait as few as 20 minutes or they can wait as long as 2 or 3 hours to enter the United States at a pedestrian bridge, as a commuter by vehicle. Or, most important, for our economy, trade can wait hours at a time to enter the United States.

The economy that I represent in El Paso, Texas, has 100,000 jobs at stake that depend on this cross-border trade. There is over \$90 billion in U.S.-Mexico trade that is crossing at those ports every single year. More than 6 million jobs in this country depend on that U.S.-Mexico trade that is crossing at our southern ports of entry alone. In the State of Texas, we have more than 400,000 jobs. In the State of North Carolina, we have over 100,000 jobs. That's why I think it's so important to understand the wait times and to be able to fix them and to move people and CBP officers where they are most needed. So, again, I look forward to working with the chairman and ranking member to address this issue going forward.

Mr. CARTER. Will the gentleman yield?

Mr. O'ROURKE. I yield to the gentleman from Texas.

Mr. CARTER. I would like to comment to my colleague from Brownsville that we in Texas are very proud of our ports of entry on the border. They do an exceptional job in a difficult environment. We do need to reduce the wait times. And I'm looking forward to working with you and looking forward to coming to Brownsville and visiting

down that way. I've been to Laredo a lot of times lately, but I haven't been to Brownsville. And I will get down that way.

I intend to work with you and our friends from California and Arizona to do the best we can to move these wait times down to something that's manageable. So I just want to comment I'd be glad to work with you.

Mr. O'ROURKE. I yield back the balance of my time.

Mr. WESTMORELAND. I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. WESTMORELAND. I'd like to address Mr. RUNYAN's amendment with the flood insurance. We've had great discussion on this tonight about the flood insurance and how appropriate it is to come through an appropriations bill rather than going through regular order and going through the committee of origination, which is the Financial Services Committee. So I don't want to take up any more time. We have been through this and through this and through this.

With all respect to the gentleman from New Jersey, I just don't know that it's proper to do something specific for just two States when there's 5.5 million people in other States that have flood insurance that are involved in this. We can give the committee of authority the ability to address the FEMA situation.

With that, I ask for a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RUNYAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used in contravention of section 44917 of title 49, United States Code.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

□ 2140

Ms. JACKSON LEE. Mr. Chairman, let me again thank the committee for its leadership and acknowledge to my friends that this amendment was adopted in the last appropriations for

Homeland Security. I believe it's an important amendment to continue to keep before this committee, but also to continue to provide codification of it.

I have served on the Homeland Security Committee for a very honorable period of time. When I say that, it is a time that I have enjoyed being able to address the questions of homeland security or domestic security under the Homeland Security Department. Through that time, I have had the privilege on one of my committees to have oversight over the U.S. air marshals.

I would offer to say to my colleagues that often U.S. Air Marshals don't get the thanks and appreciation that they deserve. It is not an easy task, even as they are on domestic flights. International flights are quite difficult in terms of the time, but also the intensity of the work because their astuteness and awareness of what's going on in a small compact area is very important to the safety of those passengers.

So my amendment, Mr. Chairman, is very simple. What it does is it asks that no funds be used to limit the discretion of the Secretary of Homeland Security to enhance the use of Federal air marshals on inbound international flights considered to be high risk by the Department of Homeland Security.

There's little that I need to say to my colleagues that we live in a different atmosphere and certainly a different neighborhood. We're all well aware of our eyes being focused on the Christmas Day bomber just a few years ago, or the fact of the shoe bomber that was headed to Boston, or the fact of the various training that is going on with individuals even from the United States in Yemen. We're also aware that one of the Boston Marathon bombers flew from the United States overseas and back. So we realize that individuals are using the international air skies, if you will, to travel back and forth to the United States.

My amendment ensures that the Federal air marshals are effectively using their funds to deploy personnel on inbound flights that are considered high risk by the Department of Homeland Security and that there is no limitation to that ability.

I believe the Federal air marshals are the last line of defense in many instances in defending the cockpit and aircraft cabin against terrorist attacks, those who have obviously been able to transcend other barriers and getting on planes in international ports.

As a former chair and a member of the Homeland Security Transportation Security Committee, I worked over the years and sponsored legislation to ensure that we have enough air marshals and that they receive all the requisite training to effectively secure the aircraft. Again, many times their work goes unnoticed, but it is vital work to

best protect our Nation from terrorist threat. It is of extreme importance that we use the necessary funds to support the use of Federal air marshals on inbound international flights.

Make no mistake, the threat to our aviation system from aircraft inbound to the United States from foreign airports continues to be a serious and dangerous threat. It is often recited by those who are engaged in intelligence matters that aviation assets still are the asset of choice for many of these franchise terrorists. To best protect our Nation from terrorist threat, it is important that we take note of our international flights.

Following the capture and killing of Osama bin Laden, intelligence was gathered that suggested al Qaeda still has an interest in attacking the United States, likely through transportation modes, whether it is to airplanes, trains, and other modes. This fact, coupled with the numerous suspicious activities even on domestic aircraft where passengers are attempting to open cabin doors in flight or otherwise disrupt, is of concern. Certainly, our air marshals play a very important role.

While my amendment deals with the threat of inbound aircraft to the United States, its ultimate impact would be to ensure that air marshals are assigned to the highest risk flights. It simply prohibits funds from being used to limit the discretion of the Secretary of Homeland Security to enhance air marshal coverage on inbound, high-risk flights. And it reinforces the importance of the job that air marshals do, but also the importance of assessing this high-risk threat in many instances, which is the aviation vehicle.

The terroristic threats are ever-changing. We must allow the Secretary of Homeland Security to make the necessary adjustments to protect the American people. This is not a funding issue or a people issue, rather, a security issue.

This amendment is budget neutral, and I would ask my colleagues to support this amendment that really speaks to the idea of security for the American people.

With that, I yield back the balance of my time.

Thank you for this opportunity to explain my amendment, which simply prohibits any funds in the Homeland Appropriations Act from being used to limit the discretion of the Secretary of Homeland Security to enhance the use of Federal air marshals on inbound international flights considered to be high risk by the Department of Homeland Security.

My amendment ensures that the Federal Air Marshals are effectively using their funds to deploy personnel on inbound flights that are considered high risk by the Department of Homeland Security and that there is no limitation on that ability.

Mr. Chairman, I believe that Federal Air Marshals are the last line of defense in de-

fending the cockpit and aircraft cabin against terrorist attack.

As the former Chair and a current member of Homeland Security Transportation Security Subcommittee, I have worked over the years and sponsored legislation to ensure that we have enough air marshals and that they receive all the requisite training to effectively secure aircraft.

To best protect our Nation from terroristic threat it is of extreme importance that we use the necessary funds to support the use of Federal Air Marshals on inbound international flights.

Make no mistake—the threat to our aviation system from aircraft inbound to the United States from foreign airports is serious and dangerous.

Following the capture and killing of Osama Bin Laden, intelligence was gathered that suggests that Al Qaeda still has an interest in attacking the U.S., likely through transportation modes. This fact, coupled with the numerous suspicious activities even on domestic aircraft where passengers were attempting to open cabin doors in flight or otherwise disrupt flights, is of concern.

While my amendment deals with the threat on inbound aircraft to the U.S., its ultimate impact will be to ensure that air marshals are assigned to the highest-risk flights.

It simply prohibits funds from being used to limit the discretion Secretary of Homeland Security to enhance air marshal coverage on inbound high-risk flights in accordance with the Department's risk model.

The terroristic threats are ever changing and we must allow the Secretary of Homeland Security to make the necessary adjustments to protect the American people.

This is not a funding issue or people issue, rather a security issue and this amendment is budget neutral.

Let me thank those under Homeland Security for their service, including my friends at the Transportation Security Administration. Let me thank the Federal Air Marshals as well for their service.

Mr. Chair, I ask my colleagues to support amendment 153 to the Homeland Security Appropriations bill for fiscal year 2014.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I do not oppose this gentlelady's amendment. It is my understanding that it's a restatement of current law.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GINGREY OF GEORGIA

Mr. GINGREY of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used in contravention of section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)).

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GINGREY of Georgia. Mr. Chairman, I rise today to offer a common-sense amendment to H.R. 2217.

The 287(g) program has been an integral component of immigration enforcement efforts, yet the Obama administration has been systematically weakening the integrity of the program by slashing funding and discontinuing numerous agreements. Our colleagues on the other side of the aisle have tried to do the same throughout this open amendment process.

Mr. Chairman, I want to commend my friend, Homeland Security Appropriation Subcommittee Chairman Judge JOHN CARTER, for recognizing the importance of the program and ensuring that the underlying bill provides \$43.5 million to restore it. My amendment simply adds an additional layer of protection for the program by stating that none of the funds made available under this act may be used in contravention of section 287(g) of the Immigration and Nationality Act.

The 287(g) program enables State and local law enforcement to enter into agreements with Immigration and Customs Enforcement, ICE, to act in place of or in tandem with ICE agents by processing illegal aliens who are incarcerated for crimes for removal.

287(g) agreements have a proven track record, Mr. Chairman. Since 2006, over 309,000 potentially removable illegal aliens have been identified under this enforcement program. I emphasize "potentially removable" because the final decision remains with ICE. Additionally, with less than 6,000 ICE agents, 287(g) agreements serve as a critical force multiplier by allowing State and local enforcement to assist in enforcing Federal immigration laws.

In my district, the 11th Congressional District of Georgia, the Cobb County Sheriff's Department has successfully participated in a 287(g) program since 2007. I know that the Cobb Sheriff's Department wants to continue its participation in this program, and I am sure countless other law enforcement agencies do as well.

However, the Obama administration continues to weaken our immigration laws by reducing options available to enforce those laws. The administration has gone so far as discontinuing existing agreements, suspending pending agreements, and seeking to slash the 287(g) program by 25 percent. We cannot let this continue.

Mr. Chairman, the administration and my colleagues on the other side of the aisle tout Secure Communities as an alternative to 287(g). While Secure Communities is an important part of immigration enforcement, it focuses



primarily on removing aliens that the administration deems a priority, namely, criminal aliens. While removal of these types of aliens is important, the administration must stop picking and choosing aspects of existing immigration law it chooses to enforce.

State and local enforcement officers go through extensive training to participate in 287(g) agreements. This training allows them to participate in enforcing immigration law while carrying out their other duties.

□ 2150

Rather than turning a blind eye to someone here illegally, officers are able to identify and take action when they encounter an illegal alien who has been incarcerated for committing a crime. They're not patrolling the streets. The Obama administration's continued attack on the 287(g) program ignores the program's success and the officers' training—assuming that they can't multitask—and instead forces those who are charged with upholding the law to just simply ignore it.

Mr. Chairman, it is time we start enforcing our immigration laws. It is time we uphold the rule of law. For these reasons, I urge all of my colleagues, please support my amendment to this bill, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I rise in support of the Gingrey amendment, and yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I am mainly baffled by this amendment. What on Earth could it mean to contravene 287(g)? Nobody wants to contravene any Federal statute. That's what this amendment says.

If the offering of his amendment is an occasion to gloss over the problems with 287(g) and tout its virtues, I will simply very briefly go back to the debate earlier today when I think this was pretty thoroughly discussed. We have in 287(g) an effort to bring local officials into the business of immigration enforcement.

In some communities that has worked reasonably well. And I must say, in my experience where it has worked reasonably well is where those local authorities focused on the jails and on the prison population and the people who, in fact, had committed serious crimes. And in that sense, it is a parallel effort with the Secure Communities effort.

I know of other instances, though—and I think the Department has verified that there are other in-

stances—where that line between Federal and local authority has gotten very seriously blurred, where there have been instances of profiling and other abuses. In fact, there have been so many abuses that I concluded some time ago that 287(g) was prone to abuse, that there were too many problems with the way that program was set up for it to really be our long-term effort to involve local officials in immigration matters.

I believe it's very important that 287(g) be phased into the Secure Communities effort. The Secure Communities effort is now taking off around the country, and I think can in time supersede this flawed 287(g) concept.

And then, finally, there's also the matter of expense. We discussed earlier today \$32,000 per removal for that task force model 287(g) program versus something like \$1,500 under secure communities. It's a waste of money.

Therefore, I thought the administration did the right thing in reducing the funding for 287(g) and continuing the phase-in of Secure Communities. I regret that the committee put that money back, but I certainly feel that this current amendment—I don't understand what it means—but I certainly don't want to let the occasion pass without saying to my colleagues, I think this 287(g) program is one that we need to oversee very, very carefully. I remain convinced that it can and should be superseded by a better program.

I yield back the balance of my time.

Mr. FLORES. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FLORES. Mr. Chairman, I yield the balance of my time to Mr. GINGREY from Georgia.

Mr. GINGREY of Georgia. Mr. Chairman, I appreciate the gentleman from Texas yielding me time. I would just say to my colleague from North Carolina that—as I pointed out in describing this amendment—the 287(g) program superseded some of these State laws that were enacted west of the Mississippi, not east of the Mississippi, and obviously there were some problems. But in this situation that I'm describing—and the reason the chairman of the subcommittee wants so strongly to fund this program—is communities like Cobb County, Georgia, in the heart of the 11th Congressional District, my district. Sheriff Neil Warren has been utilizing this program since 2007. Mr. Chairman, and as I pointed out, it is a force multiplier. The deputy sheriffs in Cobb County are not patrolling the streets profiling, looking for certain individuals to ask them for their papers or anything of that sort.

This program is just simply when someone is incarcerated for committing a crime in our community. And it doesn't matter their ethnicity. Any-

body in that jail with the training of these officers under the 287(g) Federal program, federally trained, they have the ability, the knowledge, the wherewithal, to find out, to check the databases, the Homeland Security information, Social Security, to find out whether or not these individuals are in this country legally.

Now, if they're not in the country legally, we make note of that—they make note of that—under the 287(g) program. They serve their time for the crime they committed in our community, whether that's running a red light or driving under the influence of drugs or alcohol or a minor fender-bender, whatever it is, they serve their time.

ICE is then simply given this information, and they can make a decision whatever they want to do in regard to whether they deport these illegal immigrants. The Secure Communities program, of course, gives them the ability to decide not to deport them. Well, the local community, the local sheriff's department, is out of it at that point. So nothing can be better than a program like 287(g). And it's well worth the dollars spent, and as I point out, a force multiplier.

I commend the chairman of the subcommittee, and I say to my colleagues on both sides of the aisle, let's get the job done and support this amendment.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE. Mr. Chairman, I was intending on offering an amendment dealing with Border Security Centers of Excellence. I will not offer that amendment, and I would like to just indicate that I look forward to working with the ranking member and the chairman.

As we move to a comprehensive immigration reform, Border Security Centers of Excellence are universities that look to the highest technology of how we can secure America. They undertake research and education initiatives designed to meet the needs of the Department of Homeland Security, border security, and immigration in a global context. They develop and use cutting-edge research methodologies focused on unique science and technology policy issues, and they develop educational programs in order to educate current and future practitioners, which is really crucial, and researchers in the relevant disciplines.

If we want to secure America, we need the technology and the expertise. As a ranking member on the Border and Maritime Security Subcommittee, I can assure you that as we look to the new metrics of border security in the northern and southern border, we need personnel. And my amendment was going to ensure that we allow Congress to gather the information needed by



Congress to establish more universities, or opportunities for more universities and colleges to participate as Border Security Centers of Excellence.

In my own community, Houston Community College, Texas Southern University, University of Houston, a number of campuses could be engaged as Border Security Centers of Excellence. Texas Southern University, for example, received from my initiative a Transportation Security Center of Excellence that was established under that particular legislation, the Transportation Security Administration legislation.

□ 2200

So I would like to make sure that we look forward to doing that.

I do want to indicate, as we pass the amendment dealing with no knives on planes, that I had introduced legislation with Mr. GRIMM that allowed Administrator Pistole an indefinite amount of time to consult with stakeholders. I, frankly, believe that legislation helped turn the corner for the thoughtful position that Mr. Pistole has now taken. I think the amendment that we passed today was by voice and was common sense and makes a good, important statement.

I also think the idea of emphasizing the importance of U.S. air marshals in my previous amendment that was accepted is important and to reemphasize the importance of the responsibility of the U.S. Department of Homeland Security for the traveling public in order to ensure that it assesses high-risk places of departure so that air marshals can be used effectively, efficiently, and with funding.

With all of that, I believe the amendments that have been put upon the floor today and that I have discussed and offered contribute positively to the ultimate direction of security in this country. As I conclude, I hope that we will be able to have more Border Security Centers of Excellence, and I look forward to working with this committee and the authorizing committee to ensure that in comprehensive immigration reform we have the technology, the personnel, the training, the research, and the education to make it work as it should.

With that, I yield back the balance of my time.

Madam Chair, thank you for this opportunity to explain my proposed amendment, which simply gives the Secretary of Homeland Security the flexibility to conduct the study on the feasibility of expanding the membership of university-based Homeland Security Centers of Excellence.

The mission of the Department of Homeland Security Centers of Excellence is to:

Undertake research and education initiatives designed to meet the needs of the Department of Homeland Security, border security and immigration in a global context.

Develop and use cutting-edge research methodologies focused on the unique science,

technology, and policy issues within this domain.

Develop educational programs in order to educate current and/or future practitioners and researchers in the relevant disciplines, and to help define emerging education areas.

Under current law composition of membership of Homeland Security Centers, the number of centers is limited by law and can only be enlarged by Congress.

This amendment allows the Secretary of Homeland Security to conduct a study to gather information needed by Congress in determining eligibility of more universities.

In my congressional district, 18th Congressional District of Houston, TX, there are a number of institutions that have the expertise in research and staffing that would be in addition to this consortium involved in the Border Security Center of Excellence, such as the University of Houston and Texas Southern University.

My amendment would just simply allow the United States to benefit from the expertise from new Homeland Security Centers of Excellence. I look forward to working toward adding more Border Security Centers of Excellence.

The Acting CHAIR (Ms. FOXX). The question is on the amendment offered by the gentleman from Georgia (Mr. GINGREY).

The amendment was agreed to.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. BISHOP of New York.

Amendment by Mr. MORAN of Virginia.

Amendment by Mr. GARRETT of New Jersey.

Amendment by Mr. RYAN of Ohio.

Amendment No. 1 by Mr. CASSIDY of Louisiana.

Amendment by Mr. MEADOWS of North Carolina.

Amendment No. 4 by Mr. THOMPSON of Mississippi.

Amendment by Mr. RUNYAN of New Jersey.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT OFFERED BY MR. BISHOP OF NEW YORK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. BISHOP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 80, noes 345, not voting 9, as follows:

[Roll No. 199]

#### AYES—80

Amash	Grimm	Perlmutter
Andrews	Gutierrez	Polis
Bass	Higgins	Rahall
Bentivolio	Himes	Rangel
Bishop (NY)	Holt	Rice (SC)
Bonamici	Huffman	Richmond
Braley (IA)	Israel	Sánchez, Linda T.
Brown (FL)	Jeffries	Schrader
Burgess	Kelly (IL)	Kildee
Capps	Kildee	Kilmer
Carney	Kind	Sensenbrenner
Cartwright	Larson (CT)	Serrano
Clyburn	Lee (CA)	Slaughter
Connolly	Maffei	Smith (WA)
Conyers	Maloney,	Speier
Courtney	Carolyn	Swalwell (CA)
Crowley	Massie	Thompson (CA)
DeFazio	Matheson	Tonko
Doyle	McGovern	Tsongas
Duncan (TN)	Meeks	Van Hollen
Edwards	Meng	Velázquez
Ellison	Michaud	Wasserman
Engel	Miller, George	Schultz
Esty	Murphy (PA)	Waters
Farr	Nadler	Watt
Garamendi	Napolitano	Welch
Gohmert	Pallone	Yoho
Green, Gene		

#### NOES—345

Aderholt	Cramer	Guthrie
Alexander	Crawford	Hahn
Amodei	Crenshaw	Hall
Bachmann	Cuellar	Hanabusa
Bachus	Culberson	Hanna
Barber	Cummings	Harper
Barletta	Daines	Harris
Barr	Davis (CA)	Hartzler
Barrow (GA)	Davis, Danny	Hastings (FL)
Barton	Davis, Rodney	Hastings (WA)
Beatty	DeGette	Heck (NV)
Becerra	Delaney	Heck (WA)
Benishek	DeLauro	Hensarling
Bera (CA)	DelBene	Herrera Beutler
Bilirakis	Denham	Hinojosa
Bishop (GA)	Dent	Holding
Bishop (UT)	DeSantis	Honda
Black	DesJarlais	Horsford
Blackburn	Deutch	Hoyer
Blumenauer	Diaz-Balart	Hudson
Bonner	Dingell	Huelskamp
Boustany	Doggett	Huizenga (MI)
Brady (PA)	Duckworth	Hultgren
Brady (TX)	Duffy	Hunter
Bridenstine	Duncan (SC)	Hurt
Brooks (AL)	Ellmers	Issa
Brooks (IN)	Enyart	Jackson Lee
Brown (GA)	Eshoo	Jenkins
Brownley (CA)	Farenthold	Johnson (GA)
Buchanan	Fattah	Johnson (OH)
Bucshon	Fincher	Johnson, E. B.
Bustos	Fitzpatrick	Johnson, Sam
Butterfield	Fleischmann	Jones
Calvert	Fleming	Jordan
Camp	Flores	Joyce
Cantor	Forbes	Kaptur
Capito	Fortenberry	Keating
Capuano	Foster	Kelly (PA)
Cárdenas	Fox	Kennedy
Carson (IN)	Frankel (FL)	King (IA)
Carter	Franks (AZ)	King (NY)
Cassidy	Frelinghuysen	Kingston
Castor (FL)	Fudge	Kinzinger (IL)
Castro (TX)	Gabbard	Kirkpatrick
Chabot	Gallego	Kline
Chaffetz	Garcia	Kuster
Chu	Gardner	Labrador
Cicilline	Garrett	LaMalfa
Clarke	Gerlach	Lamborn
Clay	Gibbs	Lance
Cleaver	Gibson	Lankford
Coble	Gingrey (GA)	Larsen (WA)
Coffman	Goodlatte	Latham
Cohen	Gosar	Latta
Cole	Gowdy	Levin
Collins (GA)	Granger	Lewis
Collins (NY)	Graves (GA)	Lipinski
Conaway	Graves (MO)	LoBiondo
Cook	Grayson	Loeb
Cooper	Green, Al	Lofgren
Costa	Griffin (AR)	Long
Cotton	Griffith (VA)	Lowenthal

Lowey	Perry	Sewell (AL)
Lucas	Peters (CA)	Shea-Porter
Luetkemeyer	Peters (MI)	Sherman
Lujan Grisham	Peterson	Shimkus
(NM)	Petri	Shuster
Luján, Ben Ray	Pingree (ME)	Simpson
(NM)	Pitts	Sinema
Lummis	Pocan	Smith (MO)
Lynch	Poe (TX)	Smith (NE)
Maloney, Sean	Pompeo	Smith (NJ)
Marchant	Posey	Smith (TX)
Marino	Price (GA)	Southerland
Matsui	Price (NC)	Stewart
McCarthy (CA)	Quigley	Stivers
McCaul	Radel	Stockman
McClintock	Reed	Stutzman
McCollum	Reichert	Takano
McDermott	Renacci	Terry
McIntyre	Ribble	Thompson (MS)
McKeon	Rigell	Thompson (PA)
McKinley	Roby	Thornberry
McMorris	Roe (TN)	Tiberi
Rodgers	Rogers (AL)	Tierney
McNerney	Rogers (KY)	Tipton
Meadows	Rogers (MI)	Titus
Meehan	Rohrabacher	Turner
Messer	Rokita	Upton
Mica	Rooney	Valadao
Miller (FL)	Ros-Lehtinen	Vargas
Miller (MI)	Roskam	Veasey
Miller, Gary	Ross	Vela
Moore	Rothfus	Visclosky
Moran	Roybal-Allard	Wagner
Mullin	Royce	Walberg
Mulvaney	Ruiz	Walden
Murphy (FL)	Runyan	Walorski
Neal	Ruppersberger	Walz
Negrete McLeod	Rush	Waxman
Neugebauer	Ryan (OH)	Weber (TX)
Noem	Ryan (WI)	Webster (FL)
Nolan	Salmon	Wenstrup
Nugent	Sanchez, Loretta	Westmoreland
Nunes	Sanford	Whitfield
Nunnelee	Sarbanes	Williams
O'Rourke	Scalise	Wilson (FL)
Olson	Schakowsky	Wilson (SC)
Owens	Schiff	Wittman
Palazzo	Schneider	Wolf
Pascrell	Schock	Womack
Pastor (AZ)	Schweikert	Woodall
Paulsen	Scott (VA)	Yarmuth
Payne	Scott, Austin	Yoder
Pearce	Scott, David	Young (AK)
Pelosi	Sessions	Young (IN)

## NOT VOTING—9

Campbell	Markey	Pittenger
Grijalva	McCarthy (NY)	Sires
Langevin	McHenry	Young (FL)

□ 2228

Messrs. HANNA, BEN RAY LUJÁN of New Mexico, HASTINGS of Florida, Ms. MATSUI, Messrs. CAPUANO, DAVID SCOTT of Georgia, DANNY K. DAVIS of Illinois, Mrs. BACHMANN, Messrs. FATTAH, CÁRDENAS, CHABOT, KELLY of Pennsylvania, CICILLINE, PASTOR of Arizona, BLUMENAUER, Ms. FUDGE, Ms. CLARKE, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. PAYNE, SCOTT of Virginia, RUSH, HONDA, and LEWIS changed their vote from “aye” to “no.”

Messrs. SENSENBRENNER, GOHMERT, YOHO, RAHALL, and THOMPSON of California changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. LANGEVIN. Madam Chair, on rollcall vote No. 199, I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. MORAN

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from Virginia (Mr. MORAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 165, noes 261, not voting 8, as follows:

[Roll No. 200]

## AYES—165

Amash	Gabbard	Neal
Andrews	Garamendi	Negrete McLeod
Bass	Grayson	Nolan
Beatty	Green, Al	O'Rourke
Becerra	Green, Gene	Pallone
Bishop (GA)	Gutierrez	Pascrell
Bishop (NY)	Hahn	Pastor (AZ)
Blumenauer	Hanabusa	Payne
Bonamici	Hastings (FL)	Pelosi
Brady (PA)	Heck (WA)	Peters (CA)
Braley (IA)	Higgins	Peterson
Brown (FL)	Himes	Pingree (ME)
Brownley (CA)	Hinojosa	Pocan
Bustos	Holt	Polis
Butterfield	Honda	Price (NC)
Capps	Horsford	Quigley
Capuano	Hoyer	Rangel
Cárdenas	Huffman	Richmond
Carney	Israel	Roybal-Allard
Carson (IN)	Jackson Lee	Ruppersberger
Cartwright	Jeffries	Ryan (OH)
Castor (FL)	Johnson (GA)	Sanchez, Linda
Castro (TX)	Johnson, E. B.	T.
Chu	Kaptur	Sarbanes
Cicilline	Keating	Schakowsky
Clarke	Kelly (IL)	Schneider
Clay	Kennedy	Schrader
Cleaver	Kildee	Schwartz
Clyburn	Kilmer	Scott (VA)
Cohen	Kind	Scott, David
Connolly	Kuster	Serrano
Conyers	Langevin	Sewell (AL)
Cooper	Larsen (WA)	Sherman
Costa	Larson (CT)	Smith (WA)
Courtney	Levin	Speier
Crowley	Lewis	Swalwell (CA)
Cummings	Loeb sack	Takano
Davis (CA)	Loftgren	Thompson (CA)
DeFazio	Lowenthal	Thompson (MS)
DeGette	Lowey	Tierney
Delaney	Lujan Grisham	Tonko
DeLauro	(NM)	Tsongas
DeBene	Luján, Ben Ray	Van Hollen
Deutch	(NM)	Vargas
Dingell	Maloney,	Veasey
Doggett	Carolyn	Velázquez
Doyle	McCollum	Visclosky
Duckworth	McDermott	Walz
Edwards	McGovern	Wasserman
Ellison	Meeks	Schultz
Engel	Meng	Waters
Enyart	Michaud	Watt
Esty	Miller, George	Waxman
Farr	Moore	Welch
Fattah	Moran	Wilson (FL)
Frankel (FL)	Nadler	Yarmuth
Fudge	Napolitano	

## NOES—261

Aderholt	Benishek	Bridenstine
Alexander	Bentivolio	Brooks (AL)
Amodei	Bera (CA)	Brooks (IN)
Bachmann	Billirakis	Broun (GA)
Bachus	Bishop (UT)	Buchanan
Barber	Black	Bucshon
Barletta	Blackburn	Burgess
Barr	Bonner	Calvert
Barrow (GA)	Boustany	Camp
Barton	Brady (TX)	Cantor

Capito	Issa	Reichert
Carter	Jenkins	Renacci
Cassidy	Johnson (OH)	Ribble
Chabot	Johnson, Sam	Rice (SC)
Chaffetz	Jones	Rigell
Coble	Jordan	Roby
Coffman	Joyce	Roe (TN)
Cole	Kelly (PA)	Rogers (AL)
Collins (GA)	King (IA)	Rogers (KY)
Collins (NY)	King (NY)	Rogers (MI)
Conaway	Kingston	Rohrabacher
Cook	Kinzinger (IL)	Rokita
Cotton	Kirkpatrick	Rooney
Cramer	Kline	Ros-Lehtinen
Crawford	Labrador	Roskam
Crenshaw	LaMalfa	Ross
Cuellar	Lamborn	Rothfus
Culberson	Lance	Royce
Daines	Lankford	Ruiz
Davis, Danny	Latham	Runyan
Davis, Rodney	Latta	Rush
Denham	Lee (CA)	Ryan (WI)
Dent	Lipinski	Salmon
DeSantis	LoBiondo	Sanchez, Loretta
DesJarlais	Long	Sanford
Diaz-Balart	Lucas	Scalise
Duffy	Luetkemeyer	Schiff
Duncan (SC)	Lummis	Schock
Duncan (TN)	Lynch	Schweikert
Ellmers	Maffei	Scott, Austin
Eshoo	Maloney, Sean	Sensenbrenner
Farenthold	Marchant	Sessions
Fincher	Marino	Shea-Porter
Fitzpatrick	Massie	Shimkus
Fleischmann	Matheson	Shuster
Fleming	Matsui	Simpson
Flores	McCarthy (CA)	Sinema
Forbes	McCaul	Slaughter
Fortenberry	McClintock	Smith (MO)
Foster	McIntyre	Smith (NE)
Fox	McKeon	Smith (NJ)
Franks (AZ)	McKinley	Smith (TX)
Frelinghuysen	McMorris	Southerland
Galleo	Rodgers	Stewart
Garcia	McNerney	Stivers
Gardner	Meadows	Stockman
Garrett	Meehan	Stutzman
Gerlach	Messer	Terry
Gibbs	Mica	Thompson (PA)
Gibson	Miller (FL)	Thornberry
Gingrey (GA)	Miller (MI)	Tiberi
Gohmert	Miller, Gary	Tipton
Goodlatte	Mullin	Titus
Gosar	Mulvaney	Turner
Gowdy	Murphy (FL)	Upton
Granger	Murphy (PA)	Valadao
Graves (GA)	Neugebauer	Vela
Graves (MO)	Noem	Wagner
Griffin (AR)	Nugent	Walberg
Griffith (VA)	Nunes	Walden
Grimm	Nunnelee	Walorski
Guthrie	Olson	Weber (TX)
Hall	Owens	Webster (FL)
Hanna	Palazzo	Wenstrup
Harper	Paulsen	Westmoreland
Harris	Pearce	Whitfield
Hartzler	Perlmutter	Williams
Hastings (WA)	Perry	Wilson (SC)
Heck (NV)	Peters (MI)	Wittman
Hensarling	Petri	Wolf
Herrera Beutler	Pitts	Womack
Holding	Poe (TX)	Woodall
Hudson	Pompeo	Yoder
Huelskamp	Posey	Yoho
Huizenga (MI)	Price (GA)	Young (AK)
Hultgren	Radel	Young (IN)
Hunter	Rahall	
Hurt	Reed	

## NOT VOTING—8

Campbell	McCarthy (NY)	Sires
Grijalva	McHenry	Young (FL)
Markey	Pittenger	

□ 2234

Ms. SHEA-PORTER and Mr. SCHIFF changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARRETT

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 247, not voting 7, as follows:

[Roll No. 201]

## AYES—180

Alexander	Griffith (VA)	Perry
Amash	Guthrie	Peterson
Bachmann	Harper	Petri
Bachus	Harris	Pitts
Barr	Hartzler	Poe (TX)
Barton	Hensarling	Polis
Benishek	Herrera Beutler	Pompeo
Bentivolio	Holding	Posey
Bilirakis	Holt	Price (GA)
Bishop (UT)	Hudson	Radel
Black	Huelskamp	Rahall
Blackburn	Huizenga (MI)	Reichert
Bonner	Hultgren	Ribble
Boustany	Hunter	Rice (SC)
Bridenstine	Hurt	Roe (TN)
Brooks (AL)	Issa	Rogers (AL)
Brooks (IN)	Jenkins	Rogers (MI)
Broun (GA)	Johnson (GA)	Rohrabacher
Buchanan	Johnson (OH)	Rokita
Bucshon	Jones	Rooney
Burgess	Jordan	Ros-Lehtinen
Butterfield	King (IA)	Ross
Camp	Kingston	Rothfus
Cantor	Kline	Royle
Cassidy	Labrador	Ryan (WI)
Chabot	LaMalfa	Salmon
Chaffetz	Lamborn	Sanchez, Loretta
Coffman	Lance	Sanford
Collins (GA)	Lankford	Scalise
Cotton	Latta	Schock
Cramer	Lofgren	Schrader
Crawford	Long	Schweikert
Crenshaw	Luetkemeyer	Scott, Austin
Daines	Lummis	Sensenbrenner
Davis, Danny	Maffei	Shuster
Davis, Rodney	Marchant	Smith (MO)
DeSantis	Massie	Smith (NE)
DesJarlais	McCarthy (CA)	Southerland
Duffy	McCaul	Stewart
Duncan (SC)	McClintock	Stockman
Duncan (TN)	McMorris	Stutzman
Ellmers	Rodgers	Tiberi
Farenthold	Meadows	Tierney
Fincher	Messer	Tipton
Fleischmann	Mica	Upton
Fleming	Miller (MI)	Wagner
Franks (AZ)	Miller, George	Walberg
Garamendi	Mullin	Walorski
Gardner	Mulvaney	Walz
Garrett	Nadler	Webster (FL)
Gibbs	Neugebauer	Wenstrup
Gibson	Noem	Westmoreland
Gingrey (GA)	Nolan	Whitfield
Gohmert	Nugent	Williams
Goodlatte	Nunes	Womack
Gosar	Nunnelee	Woodall
Gowdy	Olson	Yoder
Graves (GA)	Palazzo	Yoho
Graves (MO)	Paulsen	Young (AK)
Green, Gene	Pearce	
Griffin (AR)	Pelosi	

## NOES—247

Aderholt	Bass	Blumenauer
Amodei	Beatty	Bonamici
Andrews	Becerra	Brady (PA)
Barber	Bera (CA)	Brady (TX)
Barletta	Bishop (GA)	Braley (IA)
Barrow (GA)	Bishop (NY)	Brown (FL)

Brownley (CA)	Hanna	Pastor (AZ)
Bustos	Hastings (FL)	Payne
Calvert	Hastings (WA)	Perlmutter
Capito	Heck (NV)	Peters (CA)
Capps	Heck (WA)	Peters (MI)
Capuano	Higgins	Pingree (ME)
Cárdenas	Himes	Pocan
Carney	Hinojosa	Price (NC)
Carson (IN)	Honda	Quigley
Carter	Horsford	Rangel
Cartwright	Hoyer	Reed
Castor (FL)	Huffman	Renacci
Castro (TX)	Israel	Richmond
Chu	Jackson Lee	Rigell
Cicilline	Jeffries	Roby
Clarke	Johnson, E. B.	Rogers (KY)
Clay	Johnson, Sam	Roskam
Cleaver	Joyce	Roybal-Allard
Clyburn	Kaptur	Ruiz
Coble	Keating	Runyan
Cohen	Kelly (IL)	Ruppersberger
Cole	Kelly (PA)	Rush
Collins (NY)	Kennedy	Ryan (OH)
Conaway	Kildee	Sánchez, Linda
Connolly	Kilmer	T.
Conyers	Kind	Sarbanes
Cook	King (NY)	Schakowsky
Cooper	Kinzinger (IL)	Schiff
Costa	Kirkpatrick	Schneider
Courtney	Kuster	Schwartz
Crowley	Langevin	Scott (VA)
Cuellar	Larsen (WA)	Scott, David
Culberson	Larson (CT)	Serrano
Cummings	Latham	Sessions
Davis (CA)	Lee (CA)	Sewell (AL)
DeFazio	Levin	Shea-Porter
DeGette	Lewis	Sherman
Delaney	Lipinski	Shimkus
DeLauro	LoBiondo	Simpson
DelBene	Loebbeck	Sinema
Denham	Lowenthal	Slaughter
Dent	Lowe	Smith (NJ)
Deutch	Lucas	Smith (TX)
Diaz-Balart	Lujan Grisham	Smith (WA)
Dingell	(NM)	Speier
Doggett	Luján, Ben Ray	Stivers
Doyle	(NM)	Swalwell (CA)
Duckworth	Lynch	Takano
Edwards	Maloney,	Terry
Ellison	Carolyn	Thompson (CA)
Engel	Maloney, Sean	Thompson (MS)
Enyart	Marino	Thompson (PA)
Eshoo	Matheson	Thornberry
Esty	Matsui	Titus
Farr	McCollum	Tonko
Fattah	McDermott	Tsongas
Fitzpatrick	McGovern	Turner
Flores	McIntyre	Valadao
Forbes	McKeon	Van Hollen
Fortenberry	McKinley	Vargas
Foster	McNerney	Veasey
Fox	Meehan	Vela
Frankel (FL)	Meeks	Velázquez
Frelinghuysen	Meng	Visclosky
Fudge	Michaud	Walden
Gabbard	Miller (FL)	Wasserman
Galleo	Miller, Gary	Schultz
Garcia	Moore	Waters
Gerlach	Moran	Watt
Granger	Murphy (FL)	Waxman
Grayson	Murphy (PA)	Weber (TX)
Green, Al	Napolitano	Welch
Grijalva	Neal	Wilson (FL)
Grimm	Negrete McLeod	Wilson (SC)
Gutierrez	O'Rourke	Wittman
Hahn	Owens	Wolf
Hall	Pallone	Yarmuth
Hanabusa	Pascrell	Young (IN)

## NOT VOTING—7

Campbell	McHenry	Young (FL)
Markey	Pittenger	
McCarthy (NY)	Sires	

□ 2239

Mr. OLSON changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. RYAN OF OHIO

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from Ohio (Mr. RYAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 50, noes 373, answered “present” 1, not voting 10, as follows:

[Roll No. 202]

## AYES—50

Beatty	Green, Gene	Renacci
Buchanan	Griffith (VA)	Richmond
Burgess	Honda	Rogers (MI)
Capps	Hunter	Rooney
Cárdenas	Israel	Ryan (OH)
Chabot	Johnson (OH)	Schrader
Clarke	Jordan	Schweikert
Courtney	Joyce	Shuster
Crenshaw	Kaptur	Stivers
Crowley	Kingston	Stutzman
Culberson	Larson (CT)	Tiberi
Doyle	Latta	Visclosky
Franks (AZ)	Mulvaney	Welch
Fudge	Owens	Westmoreland
Gibbs	Pascrell	Wolf
Gohmert	Pingree (ME)	Yoder
Granger	Poe (TX)	

## NOES—373

Aderholt	Cassidy	Ellmers
Alexander	Castor (FL)	Engel
Amash	Castro (TX)	Enyart
Amodei	Chaffetz	Eshoo
Andrews	Chu	Esty
Bachmann	Cicilline	Farenthold
Bachus	Clay	Farr
Barber	Clyburn	Fattah
Barletta	Coble	Fincher
Barr	Coffman	Fitzpatrick
Barrow (GA)	Cohen	Fleischmann
Barton	Cole	Fleming
Bass	Collins (GA)	Flores
Becerra	Collins (NY)	Forbes
Benishek	Conaway	Fortenberry
Bentivolio	Connolly	Foster
Bera (CA)	Conyers	Fox
Bilirakis	Cook	Frankel (FL)
Bishop (GA)	Cooper	Frelinghuysen
Bishop (NY)	Costa	Gabbard
Bishop (UT)	Cotton	Galleo
Black	Cramer	Garamendi
Blackburn	Crawford	Garcia
Blumenauer	Cuellar	Gardner
Bonamici	Cummings	Gerlach
Bonner	Daines	Gibson
Boustany	Davis (CA)	Gingrey (GA)
Brady (PA)	Davis, Danny	Goodlatte
Brady (TX)	Davis, Rodney	Gosar
Braley (IA)	DeFazio	Gowdy
Bridenstine	DeGette	Graves (GA)
Brooks (AL)	Delaney	Graves (MO)
Brooks (IN)	DeLauro	Grayson
Broun (GA)	DelBene	Green, Al
Brown (FL)	Denham	Griffin (AR)
Brownley (CA)	Dent	Grijalva
Bucshon	DeSantis	Grimm
Bustos	DesJarlais	Guthrie
Butterfield	Deutch	Gutierrez
Calvert	Diaz-Balart	Hahn
Camp	Dingell	Hall
Cantor	Doggett	Hanabusa
Capito	Duckworth	Hanna
Capuano	Duffy	Harper
Carney	Duncan (SC)	Harris
Carson (IN)	Duncan (TN)	Hartzler
Carter	Edwards	Hastings (FL)
Cartwright	Ellison	Hastings (WA)

Heck (NV)  
 Heck (WA)  
 Hensarling  
 Herrera Beutler  
 Higgins  
 Himes  
 Hinojosa  
 Holding  
 Holt  
 Horsford  
 Hoyer  
 Hudson  
 Huelskamp  
 Huffman  
 Huizenga (MI)  
 Hultgren  
 Hurt  
 Issa  
 Jackson Lee  
 Jeffries  
 Jenkins  
 Johnson (GA)  
 Johnson, E. B.  
 Johnson, Sam  
 Jones  
 Keating  
 Kelly (IL)  
 Kelly (PA)  
 Kennedy  
 Kildee  
 Kilmer  
 Kind  
 King (IA)  
 King (NY)  
 Kinzinger (IL)  
 Kirkpatrick  
 Kline  
 Kuster  
 Labrador  
 LaMalfa  
 Lamborn  
 Lance  
 Langevin  
 Lankford  
 Larsen (WA)  
 Latham  
 Lee (CA)  
 Levin  
 Lewis  
 Lipinski  
 LoBiondo  
 Loeback  
 Lofgren  
 Long  
 Lowenthal  
 Lowey  
 Lucas  
 Luetkemeyer  
 Lujan Grisham  
 (NM)  
 Luján, Ben Ray  
 (NM)  
 Lummis  
 Lynch  
 Maffei  
 Maloney,  
 Carolyn  
 Maloney, Sean  
 Marchant  
 Marino  
 Massie  
 Matheson  
 Matsui  
 McCarthy (CA)  
 McCaul  
 McClintock  
 McDermott  
 McGovern  
 McIntyre

## ANSWERED "PRESENT"—1

McColum

## NOT VOTING—10

Campbell  
 Cleaver  
 Garrett  
 Markey

McCarthy (NY)  
 McHenry  
 Pittenger  
 Ruppertsberger

□ 2242

So the amendment was rejected.

The result of the vote was announced  
 as above recorded.

Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Sanford  
 Sarbanes  
 Scalise  
 Schakowsky  
 Schiff  
 Schneider  
 Schock  
 Schwartz  
 Scott (VA)  
 Scott, Austin  
 Scott, David  
 Sensenbrenner  
 Serrano  
 Sessions  
 Sewell (AL)  
 Shea-Porter  
 Sherman  
 Shimkus  
 Simpson  
 Sinema  
 Slaughter  
 Smith (MO)  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Southerland  
 Speier  
 Stewart  
 Stockman  
 Swalwell (CA)  
 Takano  
 Terry  
 Thompson (CA)  
 Thompson (MS)  
 Thompson (PA)  
 Thornberry  
 Tierney  
 Tipton  
 Titus  
 Tonko  
 Tsongas  
 Turner  
 Upton  
 Valadao  
 Van Hollen  
 Vargus  
 Veasey  
 Vela  
 Velázquez  
 Wagner  
 Walberg  
 Walden  
 Walorski  
 Walz  
 Wasserman  
 Schultz  
 Waters  
 Watt  
 Waxman  
 Weber (TX)  
 Webster (FL)  
 Wenstrup  
 Whitfield  
 Williams  
 Wilson (FL)  
 Wilson (SC)  
 Wittman  
 Womack  
 Woodall  
 Yarmuth  
 Yoho  
 Young (AK)  
 Young (IN)

## AMENDMENT NO. 1 OFFERED BY MR. CASSIDY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. CASSIDY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 281, noes 146, not voting 7, as follows:

[Roll No. 203]

## AYES—281

Aderholt  
 Alexander  
 Amodei  
 Andrews  
 Bachus  
 Barber  
 Barletta  
 Barrow (GA)  
 Barton  
 Bass  
 Beatty  
 Becerra  
 Bera (CA)  
 Bilirakis  
 Bishop (GA)  
 Bishop (NY)  
 Black  
 Blackburn  
 Bonamici  
 Bonner  
 Boustany  
 Brady (PA)  
 Braley (IA)  
 Brooks (IN)  
 Brown (FL)  
 Brownley (CA)  
 Buchanan  
 Bustos  
 Butterfield  
 Calvert  
 Capps  
 Capuano  
 Cárdenas  
 Carney  
 Carson (IN)  
 Cartwright  
 Cassidy  
 Castor (FL)  
 Castro (TX)  
 Chu  
 Cicilline  
 Clarke  
 Clay  
 Cleaver  
 Clyburn  
 Coble  
 Coffman  
 Collins (NY)  
 Conaway  
 Connolly  
 Conyers  
 Cook  
 Costa  
 Courtney  
 Cramer  
 Crawford  
 Crenshaw  
 Crowley  
 Cuellar  
 Cummings  
 Davis (CA)  
 Davis, Danny  
 Davis, Rodney  
 DeFazio  
 Delaney

DeLauro  
 DelBene  
 Denham  
 Dent  
 Deutch  
 Diaz-Balart  
 Dingell  
 Doggett  
 Doyle  
 Duckworth  
 Edwards  
 Ellison  
 Ellmers  
 Engel  
 Enyart  
 Eshoo  
 Esty  
 Farenthold  
 Farr  
 Fattah  
 Fitzpatrick  
 Fleming  
 Forbes  
 Foster  
 Frankel (FL)  
 Frelinghuysen  
 Fudge  
 Gabbard  
 Gallego  
 Garcia  
 Gerlach  
 Gibson  
 Grayson  
 Green, Al  
 Green, Gene  
 Griffin (AR)  
 Grijalva  
 Grimm  
 Gutierrez  
 Hahn  
 Hall  
 Hanabusa  
 Harper  
 Harris  
 Hastings (FL)  
 Heck (WA)  
 Herrera Beutler  
 Higgins  
 Himes  
 Hinojosa  
 Holt  
 Honda  
 Horsford  
 Hoyer  
 Israel  
 Issa  
 Jackson Lee  
 Jeffries  
 Johnson (GA)  
 Johnson (OH)  
 Johnson, E. B.  
 Jones  
 Kaptur  
 Keating  
 Kelly (IL)

Palazzo  
 Pallone  
 Pascarell  
 Pastor (AZ)  
 Payne  
 Pelosi  
 Perlmutter  
 Peters (MI)  
 Peterson  
 Pingree (ME)  
 Pitts  
 Pocan  
 Posey  
 Price (NC)  
 Quigley  
 Rahall  
 Rangel  
 Reed  
 Rice (SC)  
 Richmond  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rohrabacher  
 Rooney  
 Ros-Lehtinen  
 Roybal-Allard  
 Ruiz  
 Runyan

Amash  
 Bachmann  
 Barr  
 Benishek  
 Bentivolio  
 Bishop (UT)  
 Blumenauer  
 Brady (TX)  
 Bridenstine  
 Brooks (AL)  
 Broun (GA)  
 Bucshon  
 Burgess  
 Camp  
 Cantor  
 Capito  
 Carter  
 Chabot  
 Chaffetz  
 Cohen  
 Cole  
 Collins (GA)  
 Cooper  
 Cotton  
 Culberson  
 Daines  
 DeGette  
 DeSantis  
 DesJarlais  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Fincher  
 Fleischmann  
 Flores  
 Fortenberry  
 Foxx  
 Franks (AZ)  
 Garamendi  
 Gardner  
 Garrett  
 Gibbs  
 Gingrey (GA)  
 Gohmert  
 Goodlatte  
 Gosar  
 Gowdy  
 Granger  
 Graves (GA)  
 Graves (MO)

Ruppertsberger  
 Rush  
 Ryan (OH)  
 Ryan (WI)  
 Sanchez, Loretta  
 Sanford  
 Sarbanes  
 Scalise  
 Schakowsky  
 Schiff  
 Schneider  
 Schock  
 Schrader  
 Schwartz  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sewell (AL)  
 Shea-Porter  
 Sherman  
 Shimkus  
 Simpson  
 Sinema  
 Slaughter  
 Smith (NJ)  
 Smith (WA)  
 Southerland  
 Speier  
 Stockman  
 Swalwell (CA)

## NOES—146

Griffith (VA)  
 Guthrie  
 Hanna  
 Hartzler  
 Hastings (WA)  
 Heck (NV)  
 Hensarling  
 Holding  
 Hudson  
 Huelskamp  
 Huffman  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurt  
 Jenkins  
 Johnson, Sam  
 Jordan  
 Joyce  
 Kelly (PA)  
 Kingston  
 Kinzinger (IL)  
 Labrador  
 Lamborn  
 Lance  
 Lankford  
 Long  
 Lucas  
 Luetkemeyer  
 Marchant  
 Marino  
 Massie  
 McCaul  
 McClintock  
 McKinley  
 McMorris  
 Rodgers  
 Meadows  
 Messer  
 Miller (MI)  
 Miller, George  
 Mulvaney  
 Neugebauer  
 Noem  
 Nugent  
 Paulsen  
 Pearce  
 Peters (CA)  
 Petri

## NOT VOTING—7

Campbell  
 Markey  
 McCarthy (NY)

McHenry  
 Pittenger  
 Sires

□ 2247

Mrs. CAPITO and Mr. WITTMAN  
 changed their vote from "aye" to "no."  
 So the amendment was agreed to.

The result of the vote was announced  
 as above recorded.

## AMENDMENT OFFERED BY MEADOWS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. MEADOWS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 192, not voting 8, as follows:

[Roll No. 204]

## AYES—234

Aderholt	Gabbard	McClintock
Alexander	Garamendi	McIntyre
Amash	Gardner	McKeon
Amodei	Garrett	McKinley
Bachmann	Gibbs	McMorris
Bachus	Gibson	Rodgers
Barletta	Gingrey (GA)	Meadows
Barr	Gohmert	Meehan
Barton	Goodlatte	Messer
Benishek	Gosar	Mica
Bentivolio	Gowdy	Miller (FL)
Bilirakis	Granger	Miller (MI)
Bishop (UT)	Graves (GA)	Miller, Gary
Blackburn	Graves (MO)	Mullin
Bonner	Griffin (AR)	Mulvaney
Boustany	Griffith (VA)	Murphy (PA)
Brady (TX)	Grimm	Neugebauer
Bridenstine	Guthrie	Noem
Brooks (IN)	Hall	Nugent
Broun (GA)	Hanna	Nunes
Buchanan	Harper	Nunnelee
Bucshon	Harris	Olson
Burgess	Hartzler	Owens
Calvert	Hensarling	Palazzo
Camp	Herrera Beutler	Paulsen
Cantor	Higgins	Pearce
Capito	Holding	Perry
Cardenas	Hudson	Peterson
Cassidy	Huelskamp	Petri
Chabot	Huizenga (MI)	Pitts
Coble	Hultgren	Poe (TX)
Coffman	Hunter	Polis
Cole	Hurt	Pompeo
Collins (GA)	Issa	Posey
Collins (NY)	Jenkins	Price (GA)
Conaway	Johnson (OH)	Radel
Cook	Johnson, Sam	Rahall
Cotton	Jones	Rangel
Cramer	Jordan	Reed
Crawford	Joyce	Reichert
Crenshaw	Kelly (PA)	Renacci
Cuellar	Kilmer	Ribble
Culberson	King (IA)	Rice (SC)
Daines	Kingston	Rigell
Davis, Rodney	Kinzing (IL)	Roby
DeFazio	Kline	Roe (TN)
Denham	Labrador	Rogers (AL)
DeSantis	LaMalfa	Rogers (MI)
DesJarlais	Lamborn	Rohrabacher
Diaz-Balart	Lance	Rokita
Duffy	Lankford	Rooney
Duncan (SC)	Latham	Ros-Lehtinen
Duncan (TN)	Latta	Roskam
Ellmers	LoBiondo	Ross
Farenthold	Long	Rothfus
Fincher	Lucas	Royce
Fitzpatrick	Luetkemeyer	Ryan (WI)
Fleischmann	Lummis	Salmon
Fleming	Maffei	Sanford
Flores	Marchant	Scalise
Forbes	Marino	Schock
Fortenberry	Massie	Schrader
Foster	Matheson	Schweikert
Foxx	McCarthy (CA)	Scott, Austin
Franks (AZ)	McCaul	Sensenbrenner

Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry

Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Vargas  
Wagner  
Walberg  
Walden  
Walorski  
Weber (TX)  
Webster (FL)  
Wenstrup

Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IN)

AMENDMENT NO. 4 OFFERED BY MR. THOMPSON  
OF MISSISSIPPI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Mississippi (Mr. THOMPSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 146, noes 280, not voting 8, as follows:

[Roll No. 205]

## AYES—146

Alexander	Fudge	Neugebauer
Amash	Gabbard	Noem
Bass	Goodlatte	O'Rourke
Beatty	Gowdy	Owens
Benishek	Grayson	Pallone
Bentivolio	Green, Al	Pascrell
Bera (CA)	Green, Gene	Pastor (AZ)
Bishop (GA)	Griffith (VA)	Payne
Bishop (UT)	Grijalva	Pearce
Blackburn	Hastings (FL)	Pelosi
Blumenauer	Higgins	Peterson
Bonamici	Holt	Pingree (ME)
Boustany	Honda	Pocan
Brady (PA)	Horsford	Poe (TX)
Broun (GA)	Huelskamp	Polis
Brown (FL)	Huffman	Quigley
Brownley (CA)	Jeffries	Rahall
Capuano	Johnson (GA)	Rangel
Cardenas	Jones	Richmond
Carson (IN)	Jordan	Roybal-Allard
Cartwright	Kaptur	Rush
Castro (TX)	Kelly (IL)	Sanchez, Linda
Chu	Kingston	T.
Cicilline	Kirkpatrick	Sanchez, Loretta
Clarke	Kuster	Sanford
Clay	Lamborn	Schakowsky
Cleaver	Langevin	Schrader
Clyburn	Larson (CT)	Scott (VA)
Cohen	Lee (CA)	Scott, David
Cooper	Lewis	Serrano
Cummings	Lofgren	Sewell (AL)
Davis, Danny	Lowenthal	Shea-Porter
DeFazio	Lujan, Ben Ray	Sinema
DeGette	(NM)	Slaughter
DelBene	Lynch	Speier
Deutch	Maffei	Stutzman
Doyle	Massie	Swalwell (CA)
Duckworth	Matsui	Takano
Duncan (SC)	McCollum	Thompson (MS)
Duncan (TN)	McGovern	Tipton
Edwards	Meadows	Tonko
Ellison	Meeks	Vargas
Esty	Messer	Velázquez
Farenthold	Mica	Waters
Farr	Michaud	Watt
Fattah	Moore	Welch
Fleming	Mulvaney	Wilson (FL)
Foster	Neal	Yarmuth
Franks (AZ)	Negrete McLeod	

## NOES—280

Aderholt	Bishop (NY)	Calvert
Amodei	Black	Camp
Andrews	Bonner	Cantor
Bachmann	Brady (TX)	Capito
Bachus	Braley (IA)	Capps
Barber	Bridenstine	Carney
Barletta	Brooks (AL)	Carter
Barr	Brooks (IN)	Cassidy
Barrow (GA)	Buchanan	Castor (FL)
Barton	Bucshon	Chabot
Becerra	Burgess	Chaffetz
Bilirakis	Bustos	Coble

## NOES—192

Gerlach	Neal
Grayson	Negrete McLeod
Green, Al	Nolan
Green, Gene	O'Rourke
Grijalva	Pallone
Gutierrez	Pascrell
Hahn	Pastor (AZ)
Hanabusa	Payne
Hastings (FL)	Pelosi
Hastings (WA)	Perlmuter
Heck (NV)	Peters (CA)
Heck (WA)	Peters (MI)
Himes	Pingree (ME)
Hinojosa	Pocan
Holt	Price (NC)
Honda	Quigley
Horsford	Richmond
Hoyer	Rogers (KY)
Huffman	Roybal-Allard
Israel	Ruiz
Jackson Lee	Runyan
Jeffries	Ruppersberger
Johnson (GA)	Rush
Johnson, E. B.	Ryan (OH)
Kaptur	Sanchez, Linda
Keating	T.
Kelly (IL)	Sanchez, Loretta
Kennedy	Sarbanes
Kildee	Schakowsky
Kind	Schiff
King (NY)	Schneider
Kirkpatrick	Schwartz
Kuster	Scott (VA)
Langevin	Scott, David
Larsen (WA)	Serrano
Larson (CT)	Sewell (AL)
Lee (CA)	Shea-Porter
Levin	Sherman
Lewis	Sinema
Lipinski	Slaughter
Loebach	Smith (WA)
Lofgren	Speier
Lowenthal	Swalwell (CA)
Lowe	Takano
Lujan Grisham	Thompson (CA)
(NM)	Thompson (MS)
Lujan, Ben Ray	Tierney
(NM)	Titus
Lynch	Tonko
Maloney,	Tsongas
Carolyn	Valadao
Maloney, Sean	Van Hollen
Matsui	Veasey
McCollum	Vela
McDermott	Velázquez
McGovern	Visclosky
McNerney	Walz
Meeks	Wasserman
Meng	Schultz
Michaud	Waters
Miller, George	Watt
Moore	Waxman
Moran	Welch
Murphy (FL)	Wilson (FL)
Nadler	Yarmuth
Napolitano	

## NOT VOTING—8

Becerra	McCarthy (NY)	Sires
Campbell	McHenry	Young (FL)
Markey	Pittenger	

□ 2251

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Connolly  
Conyers  
Cook  
Costa  
Cotton  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Daines  
Davis (CA)  
Davis, Rodney  
Delaney  
DeLauro  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dingell  
Doggett  
Duffy  
Ellmers  
Engel  
Enyart  
Eshoo  
Fincher  
Fitzpatrick  
Fleischmann  
Flores  
Forbes  
Fortenberry  
Fox  
Frankel (FL)  
Frelinghuysen  
Gallego  
Garamendi  
Garcia  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Gosar  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Grimm  
Guthrie  
Hahn  
Hall  
Hanabusa  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Heck (WA)  
Hensarling  
Herrera Beutler  
Himes  
Hinojosa  
Holding  
Hoyer  
Hudson  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Israel  
Issa

Jackson Lee  
Jenkins  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Joyce  
Keating  
Kelly (PA)  
Kennedy  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kilne  
Labrador  
LaMalfa  
Lance  
Lankford  
Larsen (WA)  
Latham  
Latta  
Levin  
Lipinski  
LoBiondo  
Loeb sack  
Long  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Lummis  
Maloney,  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McDermott  
McIntyre  
McKeon  
McKinley  
McMorris  
McMorris  
McNerney  
Meehan  
Meng  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Miller, George  
Moran  
Mullin  
Murphy (FL)  
Murphy (PA)  
Nadler  
Napolitano  
Nolan  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paulsen  
Perlmutter  
Perry  
Peters (CA)  
Peters (MI)  
Petri  
Pompeo  
Posey  
Price (GA)  
Price (NC)  
Radel  
Reed  
Reichert  
Renacci  
Ribble

Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Ruiz  
Runyan  
Ruppersberger  
Ryan (OH)  
Ryan (WI)  
Salmon  
Sarbanes  
Scalise  
Schiff  
Schneider  
Schock  
Schwartz  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Sherman  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southernland  
Stewart  
Stivers  
Stockman  
Terry  
Thompson (CA)  
Thompson (PA)  
Thornberry  
Tiberi  
Tierney  
Titus  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Veasey  
Vela  
Visclosky  
Wagner  
Walberg  
Walden  
Walorski  
Walz  
Wasserman  
Schultz  
Waxman  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IN)

The result of the vote was announced as above recorded.

#### AMENDMENT OFFERED BY MR. RUNYAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 148, noes 278, not voting 8, as follows:

[Roll No. 206]

#### AYES—148

Andrews  
Barber  
Barletta  
Barrow (GA)  
Bass  
Bera (CA)  
Bishop (NY)  
Brady (PA)  
Brown (FL)  
Buchanan  
Butterfield  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Castro (TX)  
Chu  
Cicilline  
Clarke  
Clay  
Cleaver  
Collins (NY)  
Connolly  
Cramer  
Crowley  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
Delaney  
Denham  
Dent  
Dingell  
Ellmers  
Engel  
Eshoo  
Farr  
Fattah  
Fitzpatrick  
Frelinghuysen  
Fudge  
Gabbard  
Gallego  
Garcia  
Gerlach  
Gibson  
Green, Al  
Green, Gene  
Grimm  
Gutierrez  
Hahn  
Hanabusa

Heck (WA)  
Higgins  
Hinojosa  
Holt  
Horsford  
Hoyer  
Israel  
Jackson Lee  
Jeffries  
Johnson (OH)  
Johnson (OH)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kelly (IL)  
Kelly (PA)  
Kennedy  
Kilmer  
Kind  
King (NY)  
Kinzinger (IL)  
Kuster  
Lance  
Latham  
Lee (CA)  
Levin  
LoBiondo  
Lowey  
Lujan Grisham  
(NM)  
Lujan, Ben Ray  
(NM)  
Lynch  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Marino  
Matheson  
Matsui  
McCollum  
McDermott  
McGovern  
McKeon  
Meehan  
Meeks  
Meng  
Mica  
Moore  
Mullin

Brownley (CA)  
Bucshon  
Burgess  
Bustos  
Calvert  
Camp  
Cantor  
Capito  
Capps  
Carter  
Cartwright  
Cassidy  
Castor (FL)  
Chabot  
Chaffetz  
Clyburn  
Coble  
Coffman  
Cohen  
Jordan  
Cole  
Collins (GA)  
Conaway  
Conyers  
Cook  
Cooper  
Costa  
Cotton  
Courtney  
Crawford  
Crenshaw  
Cuellar  
Culberson  
Cummings  
Daines  
DeFazio  
DeGette  
DeLauro  
DelBene  
DeSantis  
DesJarlais  
Deutsch  
Diaz-Balart  
Doggett  
Doyle  
Duckworth  
Duffy  
Duncan (SC)  
Duncan (TN)  
Edwards  
Ellison  
Enyart  
Esty  
Farenthold  
Fincher  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foster  
Foxy  
Frankel (FL)  
Franks (AZ)  
Garamendi  
Gardner  
Garrett  
Gibbs  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Grayson  
Griffin (AR)  
Griffith (VA)  
Grijalva  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler

Hastings (FL)  
Hastings (WA)  
Heck (NV)  
Hensarling  
Herrera Beutler  
Himes  
Holding  
Honda  
Hudson  
Huelskamp  
Huffman  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson, Sam  
Jordan  
Joyce  
Kildee  
King (IA)  
Kingston  
Kirkpatrick  
Kline  
Labrador  
LaMalfa  
Lamborn  
Langevin  
Lankford  
Larsen (WA)  
Larson (CT)  
Latta  
Lewis  
Lipinski  
Loeb sack  
Lofgren  
Long  
Lowenthal  
Lucas  
Luetkemeyer  
Lummis  
Marchant  
Massie  
McCarthy (CA)  
McCaul  
McClintock  
McIntyre  
McKinley  
McMorris  
McMorris  
Rodgers  
McNerney  
Meadows  
Messer  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Miller, George  
Moran  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Napolitano  
Negrete McLeod  
Neugebauer  
Noem  
Nolan  
Nugent  
Nunnelee  
O'Rourke  
Olson  
Palazzo  
Paulsen  
Pearce  
Perlmutter  
Perry  
Peters (CA)  
Peterson  
Petri  
Pingree (ME)  
Pitts  
Pocan  
Poe (TX)  
Polis

#### NOT VOTING—8

Campbell  
Markey  
McCarthy (NY)  
McHenry  
Pittenger  
Sires  
Waters  
Young (FL)

#### □ 2300

Mr. SCHIFF changed his vote from “aye” to “no.”  
So the amendment was rejected.

#### NOT VOTING—8

Campbell  
Gutierrez  
Markey  
McCarthy (NY)  
McHenry  
Pittenger  
Sires  
Young (FL)

#### □ 2255

Mr. YOUNG of Indiana changed his vote from “aye” to “no.”  
So the amendment was rejected.

#### NOES—278

Aderholt  
Alexander  
Amash  
Amodei  
Bachmann  
Bachus  
Barr  
Barton  
Beatty  
Becerra  
Benishak  
Bentivoglio  
Bilirakis  
Brady (TX)  
Braley (IA)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLORES

Mr. FLORES. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FLORES. Madam Chairman, I rise to offer an amendment which addresses another restrictive and misguided Federal regulation.

Section 526 of the Energy Independence and Security Act prohibits Federal agencies from entering into contracts for the procurement of an alternative fuel unless its lifecycle greenhouse gas emissions are less than or equal to emissions from an equivalent conventional fuel produced from conventional petroleum sources. In summary, my amendment would stop the government from enforcing this ban on all Federal agencies funded by the Department of Homeland Security appropriations bill.

The initial purpose of section 526 was to stifle the Defense Department's plan to buy and develop coal-based or coal-to-liquids jet fuels. This restriction was based on the opinion of environmentalists that coal-based jet fuel produces more greenhouse gas emissions than traditional petroleum.

We must ensure that our military has adequate fuel resources and can efficiently rely on domestic and more stable sources of fuel. But section 526's ban on fuel choice now affects all Federal agencies, not just the Defense Department. This is why I'm offering this amendment today to the DHS appropriations bill.

Federal agencies should not be burdened with wasting their time studying fuel emissions when there is a simple fix, and that fix is to not restrict Federal Government fuel choices based on extreme environmental views, unsound policies, and misguided regulations like those in section 526.

With increasing competition for energy and fuel resources, and the continued volatility and instability in the Middle East, it is now more important than ever for our country to become more energy secure and to further develop and produce our domestic energy resources. Placing limits on Federal agencies' fuel choices is an unacceptable precedent to set in regard to America's energy policy and independence.

Madam Chair, section 526 makes our Nation more dependent on Middle East oil. Stopping the impact of section 526

will help us promote American energy, improve the American economy, and create American jobs.

Madam Chairman, it is also important to note that this amendment does not prevent and does not restrict the ability of the Federal Government to purchase any alternative fuels, including biodiesel, ethanol, or other fuels from renewable resources. It places no restrictions whatsoever on that.

Let's remember the following facts about section 526. It increases our reliance on Middle Eastern oil, it hurts our military readiness, our national security and our energy security, it prevents the increased use of safe, clean, and efficient North American oil and gas, it increases the cost of American food and energy, it hurts American jobs and the American economy, and last—but certainly not least—it costs our taxpayers more of their hard-earned dollars.

I offered this amendment to appropriation bills during the 112th Congress and they all passed on the floor of the House with strong bipartisan support. My friend, Mr. CONAWAY, also added similar language to the Defense authorization bill today to exempt the Defense Department from this burdensome regulation.

I urge my colleagues to support passage of this commonsense amendment, and I yield back the balance of my time.

Mr. CARTER. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Madam Chairman, we accept the gentleman's amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chairman, I rise in opposition to the gentleman's amendment. Section 526 of the Energy Independence and Security Act of 2007 is intended to ensure that the environmental costs from the use of alternative fuels are at least no worse than the fuels in use today. It requires the Federal Government do no more harm when it comes to harmful emissions and climate change than it does today through the use of unconventional fuels.

Section 526 precludes the use of fuels such as coal-to-liquids, as well as unconventional petroleum fuels such as tar sands and oil shale, unless advanced technologies such as carbon sequestration are used to mitigate their greenhouse gas emissions. This is a provision in law that I think affords important environmental protections, important conditions on the adoption of alternative fuels, so I think it would be a mistake for this body to prohibit

in any way the enforcement of section 526. Therefore, I oppose the amendment and ask my colleagues to do likewise.

I yield back the balance of my time.

Mr. GINGREY of Georgia. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GINGREY of Georgia. Madam Chairman, I rise in strong support of the Flores amendment to H.R. 2217 that will prevent funds in this legislation from being used to carry out section 526 of the Energy Independence and Security Act of 2007. Section 526 prohibits all Federal agencies from contracting for alternative fuels that emit higher levels of greenhouse gas emissions than conventional petroleum sources.

□ 2310

This means that, if a Federal agency, particularly the Department of Defense and Homeland Security, has the ability of utilizing an alternative fuel that even has one scintilla more of carbon emissions than conventional fuels, it cannot be used. Some of you may not know what a "scintilla" is, but the professor from Duke does. It's a very, very, very small amount. As a result, section 526 severely limits innovation from Homeland Security at Customs and Border Patrol to improve clean carbon capture technologies for alternative fuels, thereby increasing our dependence on foreign oil, and will only further increase fuel costs.

The amendment intends to remove the handcuffs placed on the agencies under this bill by section 526. This means that Homeland Security, the Department of Defense, particularly the Air Force, will still be able to purchase Canadian fuels with just traces—scintillas—of oil sands that may create more of a carbon footprint than completely conventional fuel.

Madam Chairman, I support a full repeal of section 526 because the cost of refined product for DOD has increased by over 500 percent in the last 10 years when volume has only increased by 30 percent. The Flores amendment takes a very important step in achieving this goal by prohibiting funding to carry out section 526 for the upcoming fiscal year at Homeland Security.

With that in mind, I appreciate the opportunity to work with my colleague from Texas (Mr. FLORES) on this important issue. I urge this body to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The amendment was agreed to.

Mr. BEN RAY LUJÁN of New Mexico. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BEN RAY LUJÁN of New Mexico. Madam Chairman, I rise to engage



Chairman CARTER in a colloquy on the Science and Technology Directorate within the Department of Homeland Security.

Mr. Chairman, as you know, the enabling act that created the Homeland Security Department provided the new Department with special access to the Department of Energy's national laboratories. The intent was for DHS to utilize the unique capabilities at the national laboratories so that DHS would not build up the duplicative capabilities within the Department.

Building duplicative capabilities at different agencies is a poor use of taxpayer dollars, and there is no need to do so given the Department's access to the existing national labs. At a time when our government has dramatically reduced its ability to conduct cutting-edge research into new technologies, we must ensure that the Department of Homeland Security is using its resources in the most cost-effective methods possible.

Instead of reinventing the wheel and developing new capabilities, the DHS should be utilizing our DOE national labs whenever practicable as they conduct research, development, testing or evaluate activities. The national labs have first-rate capabilities in many areas relevant to Homeland Security, ranging from explosive detection technologies to advanced cybersecurity techniques. Mr. Chairman, I urge us to work with the Department to ensure that their research and development funds are effectively spent and not used to create redundant capabilities.

I yield to the gentleman from Texas, Chairman CARTER.

Mr. CARTER. I thank the gentleman for yielding, and I appreciate the gentleman from New Mexico for raising this issue.

As he has pointed out, the Department has the ability to utilize the incredible scientific resources of our national laboratories. I look forward to working with him on this important issue.

As our Nation continues to face a tight fiscal situation, it is vital that DHS work to ensure that its Science and Technology Directorates make good use of our government's existing capabilities.

Mr. BEN RAY LUJÁN of New Mexico. I thank the chairman and the ranking member for their work on this.

With that, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. MEEHAN

Mr. MEEHAN. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used for U.S. Customs and Border Protection preclearance operations

at Abu Dhabi International Airport in the United Arab Emirates. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MEEHAN. Madam Chairman, I rise today in support of the Meehan-DeFazio-Miller amendment. This amendment deals with the Department of Homeland Security, which has entered into an agreement to establish a Customs and Border Protection pre-clearance facility at the Abu Dhabi International Airport in the United Arab Emirates. There are currently other pre-clearance facilities in some countries around the world, and the purpose behind these is really to facilitate the travel for many who go through this at a facility away from the United States. We have huge backlogs at some of our critical airports, particularly in places like New York.

However, the ranking member on the Homeland Security subcommittee, on which I serve, along with the other members and some 150 Members of Congress, have joined me in a letter because we are concerned about the intent of what is done with this. The effect of it is really going to be to dramatically disadvantage American airlines.

You see, what's happening in Abu Dhabi is there is no American airline that flies from Abu Dhabi to the United States. This is solely being done for the benefit of an airline which is solely supported by the United Arab Emirates, and it is going to have a disparate impact on the ability for our American airlines to be competitive for the very simple reason that what will happen is many people will say, Well, I'm going to get to New York, and I've got a 3- or 4-hour wait in order to get through that line. I'm going to go to Abu Dhabi, and I'm going to fly through there on the foreign carrier.

All the jobs associated with our American airlines begin to be influenced by supporting a foreign-based airline that will then increase its market share into the United States. It also starts to shift some of the favor of the placement of these facilities towards third parties' countries that will enter an agreement like is happening in Abu Dhabi where they are underwriting 80 percent of the cost. I don't want to see our Customs and Border Patrol to be for sale to the highest bidder, and that seems to be what one of the concerns is here.

The reality as well is that, the extent to which we think we are having an impact on terrorism, anybody is going to know: don't go through Abu Dhabi. Go through any of the other places that will still get you into the country without a pre-clearance that would be a check on a foreign area.

The last thing is that this is going to be partially funded with United States

taxpayer dollars. Twenty percent of the cost is going to be associated with us, so why would American taxpayers be paying money to support what will actually be to the benefit of a foreign-based airline?

So along with 150 of my other colleagues, I hope that our amendment will ensure that taxpayer dollars do not go to subsidize the pre-clearance facility and the foreign government-owned airlines, and I urge Members of both parties to support it.

I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Madam Chairman, I rise in support of this amendment. I think it's a good amendment, and I have the same concerns that are expressed by the author.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. The Customs and Border Protection pre-clearance program, Madam Chairman, serves a critical national security function by stationing CBP officers abroad at the cost of the host nation. This allows CBP officers to screen and make admissibility decisions on individuals, goods and baggage long before they ever leave a foreign port or could possibly become a threat to the homeland.

I myself have been screened as a part of pre-clearance operations in Canada and Ireland. Apparently, these operations offer not only a convenience for travelers but also an effective and efficient way of carrying out security operations.

□ 2320

In fiscal year 2012 alone, CBP officers and agriculture specialists pre-cleared more than 1.5 million travelers destined to the United States. To outright prohibit the expansion of this program to an area of the world where we know terrorists are actively traveling and training and seeking to carry out missions of harm against the homeland simply makes no sense whatsoever.

I understand many domestic airlines have expressed concern that this deal would somehow give UAE-based airlines an upper hand, but there are some facts that aren't disputed and we simply should consider.

For one, CBP has stated numerous times that access to Abu Dhabi for American carriers would be a precondition of implementing preclearance there.

Secondly, our bill provides statutory language that prohibits preclearance operations at new locations until three conditions are met: the foreign and national security rationales have been

provided to the Congress; a full cost analysis has been provided to the Congress; and an economic impact analysis of any new location on U.S. airline carriers has been conducted and provided to the Congress.

That's good language. That will be good oversight on our part, and I commend the chairman for including that language in our bill.

So given this language, given the known benefits for traveler convenience, for this country's security, the known benefits that this program provides, I simply can't support the gentleman's agreement and I urge its rejection.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MEEHAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BEN RAY LUJÁN  
OF NEW MEXICO

Mr. BEN RAY LUJÁN of New Mexico. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. For "Department of Homeland Security—Federal Emergency Management Agency—State and Local Programs" for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), as authorized by subsection (f)(2) of such section, there is hereby appropriated, and the amount otherwise provided by this Act for "Department of Homeland Security—Office of the Chief Financial Officer" is hereby reduced by, \$10,000,000.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BEN RAY LUJÁN of New Mexico. Madam Chair, in what has been one of the worst drought years in the recorded history of my home State of New Mexico, we're already feeling the effects of another severe fire season. Already, more than 18,000 acres of forest have burned as a result of two fires caused by downed power lines, and those numbers are growing as we speak. Hundreds of homes have been threatened and families have been evacuated. In 2011, during the Las Conchas fire, we lost 150,000 acres of forest to wildfire, again caused by a downed power line.

The importance of disaster preparedness is key to saving human lives and property. My amendment today would make available an additional \$10 million for State and local grant programs to ensure local towns and communities can be prepared for catastrophic wildfires before they hit. This amendment is cost neutral.

While there may be concerns by some of my colleagues and even opposition, I would ask, Madam Chair, that we work together to understand that when there are communities burning that we reach

out and we try to do what we can to help these innocent individuals.

My amendment would also allow local utilities to take preventive measures for the causes and impacts of wildfires. We must do all we can to ensure that communities have the resources they need to address the dangers and damages of wildfire before and after catastrophic events occur.

I urge my colleagues to support my amendment.

Madam Chair, before I yield back, I would like to take a moment to thank all of the firefighters for their brave service battling the Tres Lagunas and Thompson Ridge fires in northern New Mexico. Time and again, those on the frontline, as well as those on the command teams, have acted admirably while putting their lives at risk. To all of those who have volunteered, donated resources and lent a helping hand to the firefighters and our displaced friends and neighbors, God bless you and thank you for your hard work.

Again, Madam Chair, I urge my colleagues to consider supporting my amendment that will help our communities prepare for wildfires. And with that, Madam Chair, I thank the chairman and the ranking member for their work in this important area, and I yield back the balance of my time.

Mr. CARTER. Madam Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. In total, this bill provides \$2.5 billion for Homeland Security first responder grants. This is \$400 million above the President's request for fiscal year 2014 and \$35 million above fiscal year 2013.

This bill prioritizes funding. The consolidation in this bill forces the Secretary to examine the intelligence and risk and puts scarce dollars where they are needed most—whether it's a port, rail, surveillance or access in hardened projects, or whether it is to high-risk urban areas or to States, as opposed to reverse-engineering projects to fill the amount designated for one of many programs.

I strongly urge my colleagues to support fiscal discipline and vote "no" on this amendment. I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. I have no objection to this amendment. In fact, I want to commend the gentleman for offering it.

He's in a tight spot with limited possibilities for offsetting the addition he wants to apply to the situation in his area that he describes. The offset is not ideal, but I'm certainly willing to work with him going forward to get more money directed to these vital emergency needs.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. LUJÁN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CARTER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

Mr. GOSAR. Madam Chairwoman, I move to strike the last word.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GOSAR. Madam Chairwoman, I rise today to engage in a colloquy with the subcommittee chairman, Congressman CARTER, regarding Operation Stonegarden, which is a facet of our Homeland Security operations and which is provided for in the Department of Homeland Security Appropriations Act for fiscal year 2014.

By way of background, Operation Stonegarden is a Department of Homeland Security grant program that is intended to provide a great deal of cooperation and coordination among Federal, State, local, municipal and tribal law enforcement agencies in a joint mission to secure the United States borders, including travel corridors in States that border Canada and Mexico, as well as States and territories with international water borders. The grants are made available to local units of government. They're made based on risk analysis and feasibility of the proposed investments demonstrated by the applicants.

I speak on behalf of local law enforcement entities in Arizona when I say that this program actually works. It serves to bolster resources available to law enforcement and border States as they do their best to tackle overwhelming problems of illegal immigration, in addition to illegal trafficking of drugs, persons, weapons and money. I hear nothing but praise for the program, and I know that the people of Arizona and other border States reap the benefits of this program whether they know the program by name or not. When people are involved in the process, you see certain programs and initiatives take off because everyone's input is respected, considered and valued.

In fact, the program works so well and is needed so badly that in 2009, Secretary Napolitano decided to extend an additional \$30 million to be divided amongst the States which needed the resources most. Though I may not agree with Arizona's former Governor on many issues, this is a decision I applauded.

The problem of illegal immigration is one that I think will remain for some time, which is why we are debating immigration reform in Congress today.

□ 2330

As I have said before, trust is a series of promises kept. Current and previous administrations held by both parties have failed to keep that promise, and so we are here today. Border security and interior enforcement are of utmost concern when considering immigration and the protection of our homeland, and this program is a prime example of the teamwork that is needed to deliver on the promises made to the people of this great Republic.

This investment in our Nation's homeland security is one that pays off over and over again, and it is my hope that future legislation will continue to provide robust resources for this program.

It is our collective duty as a deliberative body to ensure that we both support the Federal programs and initiatives that actually work, while simultaneously reducing or sunseting those that do not. I am pleased that the House has begun such a process in the past two Congresses, and I am proud to be part of it.

The people of Arizona and I thank the chairman for increasing the resources available to Operation Stonegarden relative to previous appropriations.

And with that, I yield to the chairman of the Appropriations Committee.

Mr. CARTER. I thank my friend for highlighting this important program. As a fellow border State Member, I am especially aware of the issues we face with illegal immigration and criminal trafficking across our borders, particularly our southern border. Operation Stonegarden provides valuable resources to local and tribal governments for coordination with their Federal counterparts and to assist them in furthering our Nation's border security. I look forward to working with my friend from Arizona and others as we move forward to ensure continued support for this worthy and valuable program.

Mr. GOSAR. I thank the gentleman, and I yield back the balance of my time.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Department of Homeland Security to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ENGEL. Madam Chair, on May 24, 2011, President Obama issued a

memorandum on Federal fleet performance that requires all new light duty vehicles in the Federal fleet to be alternate fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by September 31, 2015.

My amendment echoes the Presidential memorandum by prohibiting funds in the Homeland Security Appropriations Act from being used to lease or purchase new light duty vehicles except in accord with the President's memorandum.

I have introduced a similar amendment to nine different appropriations bill in the past 2 years, and each time it was accepted and passed by voice vote.

Our transportation sector is by far the biggest reason we send \$600 billion per year to hostile nations to pay for oil at ever-increasing costs. But America does not need to be dependent on foreign sources of oil for transportation fuel. Alternative technologies exist today that will allow any alternative fuel to be used in America's automotive fleet.

The Federal Government operates the largest fleet of light duty vehicles in America. According to the GSA, there are over 660,000 vehicles in the Federal fleet, with almost 55,000 being used by the Department of Homeland Security.

By supporting a diverse array of vehicle technologies in our Federal fleet, we will encourage development of domestic energy resources—including biomass, natural gas, agricultural waste, hydrogen and renewable electricity. Expanding the role these energy sources play in our transportation economy will help break the leverage over Americans held by foreign government-controlled oil companies, will increase our Nation's domestic security, protect consumers from price spikes and shortages in the world oil markets.

I ask that my colleagues support the Engel amendment.

On a similar note, I will soon be introducing the Open Fuels Act, which is similar to this, with our colleague, the gentlewoman from Florida, ILEANA ROS-LEHTINEN. Our bill would require 30 percent of new automobiles in 2015 and 50 percent in 2016 and every subsequent year to be able to be operated on nonpetroleum fuels in addition to or instead of petroleum-based fuels. And it would cost \$100 or less per car manufactured in America to do this.

Possibilities include the full array of existing technologies—including flex fuel, natural gas, hydrogen, biodiesel, plug-in electric drive, fuel cell, ethanol and methanol, and a catchall for new technologies. I remember driving and going into a gasoline station in Brazil. I believe the chairwoman was with me at the time. And we noticed that there were all kinds of alternatives available to Brazilian consumers that were not available to American consumers, and

it just seems to me that we ought to not only catch up but pull ahead and have that same kind of technology available to Americans.

So I encourage my colleagues to support this amendment and the Open Fuels Act as we work towards breaking our dependence on foreign oil, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Madam Chair, we support this amendment, and I yield to my colleague, Mr. PRICE.

Mr. PRICE of North Carolina. I thank the chairman for yielding, and simply want to also express my support for the amendment, and hope my colleagues will support it.

Mr. CARTER. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. (a) None of the funds made available in this Act may be used to finalize, implement, administer, or enforce the documents described in subsection (b).

(b) For purposes of this section, the documents described in this subsection are the following:

(1) Policy Number 10072.1, published on March 2, 2011.

(2) Policy Number 10075.1, published on June 17, 2011.

(3) Policy Number 10076.1, published on June 17, 2011.

(4) The Memorandum of November 17, 2011, from the Principal Legal Advisor of United States Immigration and Customs Enforcement pertaining to "Case-by-Case Review of Incoming and Certain Pending Cases".

(5) The Memorandum of June 15, 2012, from the Secretary of Homeland Security pertaining to "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children".

(6) The Memorandum of December 21, 2012, from the Director of United States Immigration and Customs Enforcement pertaining to "Civil Immigration Enforcement: Guidance on the Use of Detainers in the Federal, State, Local, and Tribal Criminal Justice Systems".

Mr. KING of Iowa (during the reading). Madam Chair, I ask unanimous consent that the amendment be considered as read.

Mr. PRICE of North Carolina. Madam Chair, I object. I think we want to hear this entire amendment.

The Acting CHAIR. Objection is heard.

The Clerk will read.

The Clerk continued to read.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Madam Chair, this is an amendment that I offered last year that succeeded here on the floor by a vote of 238-175 in a bipartisan fashion. It's the amendment that simply says none of the funds made available in this act may be used to finalize, implement, administer, or enforce the documents described, which are known as the Morton memos.

The Morton memos are essentially executive edicts that have flowed from the White House, that have flowed also from the Secretary of Homeland Security, Janet Napolitano, down through John Morton, who is the Director of ICE; and they seek to implement an administrative amnesty policy. There are six of these memos, and the one we're most familiar with is the memo that grants what is known, generally speaking, as Dream Act Lite, which gives I'll say a legal status, if you accept the authority of the President to suspend immigration law, to those who fit four different classes of people.

Four classes of people granted administrative amnesty if they claim to have come to the United States under the age of 16; if they've been here over 5 years; if they have received a high school or a GED degree; or been honorably discharged from the military.

□ 2340

And in the memo, particularly the one who is the Dream Act Light memo, dated June 15 of 2012, seven times they mention that prosecutorial discretion on an individual basis.

Well, this sets up four classes of people. It has been the subject of litigation. The litigation that's gone to a Federal court in Texas is the case of *Crane v. Napolitano*. Chris Crane is the President of the ICE union. They made 10 points to the unconstitutionality of these memos which direct ICE sometimes to break the very immigration law that they've pledged to uphold.

And so I have in my hand the decision that came down from that district in Texas, and it's a northern district of Texas. And of the 10 points made in this case, the judge upheld 9 of them in the favor of the Constitution and the rule of law. The 10th one he sent back to them and said, the government hasn't given us a clear enough argument; rewrite that and I'll give you another decision on it. I expect that all 10 are likely to be found in the favor of the Constitution and the rule of law.

The point here is, Madam Chair, the President does not have the authority to waive immigration law, nor does he have the authority to create it out of thin air, and he's done both with these Morton memos in this respect.

They do have prosecutorial discretion, I concede that point. But the President nor do any of his agents through the executive branch of government have the authority to create classes of people and waive the enforce-

ment of immigration law for classes of people and then, on top of that, create a work permit out of thin air.

That's just a couple of these memos, of these six memos that are there all together. And we should remember that the memo dated November 17, 2011, includes 475,000 people who had already been adjudicated for deportation. And the President, through his agents in the executive branch, has ordered that the people that have been adjudicated for deportation on those lists should have the law waived and they should stay in the United States even though the law that requires that they've already been adjudicated for deportation—300,000 of the 475,000 have already been granted an administrative legal presence.

This Congress has the full authority to establish immigration law. The President takes an oath of office to take care that the laws be faithfully executed. And every single document that provides lawful presence in the United States of America, aside from a naturally born American citizen, is a product of this Congress, not a product of the pen of the President or the people whom he appoints.

And so this is an amendment that prohibits the resources from being used to enforce the Morton memos, and it conforms with the Founding Fathers' vision, and it conforms with the Constitution in that the President cannot defy his own oath of office. He can't defy the Constitution. The President can't take on Article I authority and legislate by executive order or edict or press conference. That's the job of this Congress. That's why we are Article I. He is Article II.

And whatever people think of the impending immigration policy here in the United States, we cannot allow the executive branch to usurp the legislative authority of the United States Congress. If we allow that to happen in immigration, it could happen to anything.

So I urge the adoption of my amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chairman, I rise with great disappointment, and I think "sadness" is the right word. This is an amendment that I very much hoped would not be offered tonight. I know that many in this Chamber hoped it would not be offered tonight.

It's a "poison pill" amendment. That's a term I've not used tonight, and it's a term I don't use lightly. I very much hoped this amendment would not be offered, and I hope now that it's been offered that it is not fated to pass.

We've worked for months cooperatively on this Homeland Security appropriations bill. As I said in announcing bipartisan support for this bill at the beginning of today's debate, I commended the chairman heartily and the staff and Members who have worked so hard on this in a bipartisan fashion, trying to come together. We gave a little, we took a little, but we did understand that it was important for this institution and for our Nation's security to come together on a Homeland Security bill that most Members of this Chamber could support. And for that reason, most divisive issues, most extraneous issues that have the capacity to divide us, and, in fact, to destroy that bipartisan support, most of those have been conscientiously avoided. And that has included, until this moment, the offering of amendments on this floor.

The gentleman describes this as an amendment he offered last year. Yes, it's an amendment that he offered last year, and it's an amendment that blew up bipartisan support for this bill last year.

And it's an amendment, by the way, with one very toxic addition from last year—twisting the knife, so to speak—adding the Dream Act children to the bill's provisions. Unbelievable that that would be added in this version of the bill.

Let me just say that what the King amendment would prohibit is what every law enforcement agency in this country must do and does with regularity: making the most effective use of limited resources.

No law enforcement agency in the land can go after every violation. Each law enforcement agency must prioritize the resources and go after the ones who would do us the most harm. Can we imagine that the Department of Homeland Security would not do that? In fact, we would rightly condemn them if they did not do that.

One of the documents that the King amendment would require Immigration and Customs Enforcement to ignore states, and I'm quoting:

Aliens who pose a danger to national security or a risk to public safety are priority one for removal.

That's what the gentleman wants the agency to ignore. In a world with limited resources, it's dangerous, it's irresponsible, it's totally unrealistic not to prioritize the detention and the deportation of people who pose a threat to public safety and national security. And to do it in a demagogic fashion, saying, if you prioritize criminals, if your priority is dangerous people, then, well, you must be giving amnesty to everyone else, it's absurd. It's absurd. It may have a certain appeal on the talk shows, but it is unworthy of this body.

Why would we want ICE to spend as much time and energy going after innocent kids in college who were

brought to this country by their parents as it spends going after known dangerous criminals?

Why would we want ICE to focus on the detention and the deportation of the spouses of U.S. citizens serving in our military rather than on people who pose a threat to national security?

Colleagues know there is no answer to these questions that doesn't point in the direction of a resounding rejection of this extreme and destructive amendment. And I beg my colleagues to vote "no."

I yield back the balance of my time. Ms. JACKSON LEE. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE. I have a number of good friends on the floor, Madam Chair. My good friend, Mr. KING, serves with me on the Judiciary Committee, good friend, Mr. PRICE, who is the ranking member, has just given an eloquent exposé of the contents of Mr. KING's amendment. And I've worked with Judge CARTER, Congressman CARTER, Chairman CARTER, as we look to ensuring the security of the border and protecting the homeland.

I think it is important, first of all, that we should thank ICE officers across America because most ICE officers, in spite of the judicial decision that Mr. KING offers, have followed the executive order or the directions of their Director, Mr. Morton, who is an established public servant and law enforcement officer.

□ 2350

His credentials are without question. The Judiciary Committee has heard from Mr. Morton on several occasions to articulate the premise of the provisions that are being attacked in this amendment. Each time he has been able to document the value of what this prosecutorial discretion series of orders represents. In fact, Mr. Morton went out on the road. He came to Houston, Texas, and met at our immigration services office to explain to an array of community service persons what this actually meant.

There was no offering of amnesty. There was no utilization of that language. There was no suggestion that this would be an open-door policy. This was a suggestion that thoughtful ICE agents, law enforcement officers, entrusted to uphold the law, would have the authority to use prosecutorial discretion so that, as my colleague from North Carolina said, we would go after the terrorists, go after those who are here to do us harm, but allow hardworking families to stay together.

In the remarks of my good friend from Iowa, he does not make mention of the fact that the Obama administration has deported more individuals than any administration preceding it. Many of us have advocated against

that. But what we did advocate for is a fair assessment of how you make that determination.

Now, maybe my good friend and the friends on the floor are not aware that we're under sequester, that we're operating under a budget line that is not even a trillion dollars. It's \$970-plus billion. That's way below what I'd like to see to fund this government that we have. If that is the question, then why would my good friend, Mr. KING, suggest that we are not doing our job?

So we want to split up hardworking families and fathers who are supporting their families because it may be an overstay or they came in undocumented? But most of all, the pains of the eons and eons of young people that have come into my office that are in the academic institutions of Houston, or Texas, who want to stay here and contribute to America's dream—the Dream children—and we're now telling them, after receiving a prosecutorial deferral, using prosecutorial discretion, a case-by-case determination that there's no credible criminal background, nothing they have done wrong, and by that decision, that simple, even-handed decision, that nothing has been done wrong by them and they're allowed to stay.

I just want to know if my friend will support me on comprehensive immigration reform. Then we'll be able to get it fixed. And maybe he will answer that. But I will ask my colleagues to please look at this as a law enforcement tool. This is not willy-nilly. This has been a thoughtful process that ICE has articulated for its agents throughout the country for them to thoughtfully look at those individuals that would pose a danger. Deport them. But to those families who need to be united that are surviving and working and supporting four and five children and going to work and going to houses of worship, or those children that are in the sophomore year or third year or graduating or graduate school, or the mother who came and fell on the ground in my office prostrate and crying when it was acknowledged that her graduate school daughter could stay here and finish her degree. It was through no fault of her own. She had come here to the United States not knowing that she did not have status.

So I'm hoping, like Mr. PRICE, that we will not have a divisive amendment. And I'm praying that my good friend will join me on comprehensive immigration reform, Madam Chair, and that he will withdraw this amendment.

I yield back the balance of my time. Mr. BARLETTA. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. BARLETTA. I yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from Pennsylvania for yielding.

I appreciate the opportunity to respond to some of the statements that were made here, Madam Chair. I'll just go through some of the things that I heard from the gentleman: that this amendment is a poison pill; that it's very toxic; that it's twisting the knife; that it's unbelievable; that it's a demagogic fashion; that it's talk show appeal.

I would point out to the body that none of that has any substance. And the real substance of this is that we all stood here on the floor of this House of Representatives and raised our hand and took an oath to uphold the Constitution of the United States of America. We saw that happen today with the new Member right down here.

I take that seriously. I bring my Bible in and I swear on that Bible. And I carry a Constitution in my jacket pocket every single day, and I read it many of those days. But I adhere to that, as we all take the oath to do so. And if we have Members of this Congress that don't know the difference between article I and article II, or Members of this Congress that conflate article I and article II, or Members of this Congress that can somehow excuse a President who has crossed a line that he has himself drawn not just with his oath of office that I referenced earlier, but with a statement to the high school not very far outside of where we are right now on March 28, 2011, when he said:

I know you want me to pass the DREAM Act by executive order, but I don't have the authority to do that. That's Congress' authority. I am the President. Congress writes the laws, the executive branch enforces the laws, and the Judiciary Branch rules on the language and the constitutionality of it.

The President was right. He's a former adjunct professor of constitutional law at the University of Chicago. And even though I disagree with him quite often, that time he was right. But about a year later, he issued this order that his DREAM Act Light, that is an executive act that defied his own definition of the limitations of article II, the executive branch, and he assumed the powers and the authority of article I, the legislative branch.

Now, how can we take an oath to uphold this Constitution and excuse that kind of behavior? Because whether or not we approve of the policy, let's have the debate on the policy here, where it belongs. Let's not hand this over to a President who has usurped constitutional authority.

Our Founding Fathers envisioned this tension, this conflict, but they never envisioned that a United States Congress, House or Senate, would allow the President to usurp our constitutional authority. They envisioned that each body would aggressively defend the authority that we have within the Constitution.

This amendment that I have simply says we're not going to use taxpayers'

dollars to defend this unconstitutional act on the part of the President of the United States. I've taken all the due diligence I can. I called a meeting. We initiated the litigation. We're moving it through the court system. But we can never catch up through the litigation process the things that the President has usurped that are the legislative authority that we have. That's the question that is here.

Whatever your position is on the DREAM Act Light and the Morton memos and all of the things that seem to be coming out of the Gangs of 8 in the House or Senate, we have an oath to uphold the Constitution. That's the vote here, Madam Chair.

Mr. BARLETTA. I yield back the balance of my time.

Mr. MARKEY. Madam Chair, I rise today in strong opposition to Representative KING's amendment offered last week to the Homeland Security Appropriations Act of 2014, H.R. 2217. This amendment would restrict the use of funds to finalize, implement, enforce or administer the Memo authorizing Deferred Action for Childhood Arrivals, or Dream Act-eligible youth.

This amendment punishes young individuals who are Americans in every way but on a piece of paper. Brought to this country through no fault of their own, these students are striving to educate themselves and contribute to the country that they know as home. Targeting them with limited immigration enforcement funding is unwise, thoughtless and just plain wrong.

Just two months after the Marathon bombings, we should have voted last week on a straightforward bill that funded the department of Homeland Security, a bill that assisted the agencies that performed so bravely on that tragic day. It is an important bill. It keeps us safe. The legislation also included my bipartisan amendment to prevent knives from being brought onto planes for the first time since September 11, 2001.

However, by passing this amendment targeted at the DREAMers of our country, Republicans attacked everything our country stands for as a beacon of hope for a better life. That is why I voted against this amendment. This language should be stripped from the final version of the bill.

We need to move forward on comprehensive immigration reform. That is why I will keep up that fight for a better life for immigrants and for all Americans.

Mr. GUTIERREZ. I move to strike the last word.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. GUTIERREZ. First of all, this has nothing to do with the Constitution of the United States. The fact is that the Congress of the United States has passed laws granting the President of the United States this executive authority. He has it by statute and by law. As a matter of fact, many of you might remember that in 1999, Congressman LAMAR SMITH and others wrote to then-President Clinton asking him to use his discretionary power more often.

In other words, I'm sorry to say to the gentleman, Mr. KING, but I think the gentleman from Texas is an authority on this issue, as he has chaired the Judiciary Committee, and the gentleman from Texas knows best. He signed that letter. And it was bipartisan. So this has nothing to do with the Constitution of the United States, not to kid ourselves.

Now, if we want to deal fundamentally with if this is good or bad, we can deal with that also. The fact is that this House passed the DREAM Act 216-208—that is a fact—in the fall of 2010, and 55 Senators stood up for the DREAM Act in the Senate.

□ 0000

The fact is that a majority of Senators have already voted in favor of it, and a majority of the Members of this House.

Now, what I don't find in the Constitution is where it says that a majority of Senators shouldn't prevail. We all know that. It should be just simply 51 out of 100, but that's not the way the Senate works. But that's not in the Constitution of the United States.

So what the President is really doing in his executive order is allowing. And I just want people to understand that we're also here for justice and for fairness. It is only fair and just that young men and women—who are no different than my daughters, than your daughters. They are just as American as they are. They speak this language. This is the country that they love. It is the only country that they know. And we're waiting for the paperwork to catch up to those Americans—that's what they are.

They came out by the hundreds of thousands. In Chicago, there were 12,000 in line. They came up with their moms and their dads and they were crying for joy because they had an opportunity to go to school, to become educated, and to contribute back to this Nation—children. We should not hold children responsible for the actions of adults and of their parents. We should give them an opportunity, and that is what this executive order has done.

They go to school with your children. They sit down in the same churches with you and pray on Sunday. They play on the same playground. They're an integral part of the communities in which we live. In America, when they hear them speak, they hear the voices of young Americans. And one day we will pass the DREAM Act, and we will not need an executive order.

Things are getting better, Mr. KING, here. November 6, everybody said stop picking winners and losers; let's fix this immigration issue. And Republicans and Democrats are working together to find a solution. Now is not the time to divide this House and the Senate when it is looking.

We can't talk decently about Benghazi or the IRS or anything—ObamaCare or the budget or guns. But there is one thing. I mean, when you have a Vice Presidential candidate, our colleague, PAUL RYAN, come to Chicago and speak, when you have Congressman CARTER come to San Antonio with me and speak, things are changing. Let's respect that. Let's respect the love and the intensity of caring about fixing our broken immigration system that has been expressed.

I was so delighted, I want to say to the gentleman from Iowa, when your majority leader, Mr. CANTOR, gave a speech and said I'm not only for the DREAM Act, I'm for a pathway to citizenship for the dreamer. I said great. I didn't question his motives. I said great. How can I help you?

Let's help him, the majority leader, and others—Democrats and Republicans alike—who have said, you know what, let's fix our broken immigration system. We're tired of it dividing families.

I want to say I've had them come into my office, American citizen soldiers—going and fighting on the front-line so that you have the right to speak here and protect it—and they have their wives being deported. We should have this discretion so their wives aren't deported. That's only fair and right.

Four million American citizen children—Mr. KING, 4 million American citizen children have undocumented parents. We should not separate them. We should have discretion to keep those families together.

Let's defeat this motion. It has no place in the House of Representatives.

I yield back the balance of my time.

Mr. BEN RAY LUJÁN of New Mexico. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BEN RAY LUJÁN of New Mexico. Madam Chair, I know everyone's tired. I just finished getting off the floor, offering an amendment, and a colloquy with my colleague, the dear chairman, Mr. CARTER, as well. I went back to my small place to make a sandwich, and I saw this amendment come on the floor. And I had to hurry back.

Everybody's tired because it's so late, Madam Chair. Here we are, it's midnight. Under the dark of night, here we have an amendment that I hope the talk shows are paying attention and watching tonight, and I hope that dreamers across America are watching their televisions. Because, if not, they're going to be reading about this in the morning.

At a time when, as Congressman GUTIERREZ described, we're coming together as a Congress and as a Nation to try to get comprehensive immigration reform adopted; at a time when we should be concentrating our efforts on

going after those criminals that are doing bad, bad things; when the Chamber of Commerce of the United States and faith-based organizations, churches across America on Sundays and Saturdays and even at Bible study on Wednesdays are talking about the importance of respecting our friends and our neighbors, especially those young people, these dreamers—these young men and women who serve in our military who are undocumented here in the United States, to look after them and to pray for them and encourage the Congress to come together, this amendment is a slap in their face, Madam Chair.

The King amendment would make communities less safe by discouraging crime victims from coming forward to police. The Morton memo on victims and witnesses encourages the agency not to initiate removal proceedings against an immediate victim or witness to a crime. This is needed to ensure that victims of domestic violence and other crimes come forward to seek protection. It is needed to help effective prosecutions of criminals.

The memo supports the U visa and the Violence Against Women Act's self-petition process that came under fire during the recent Violence Against Women debate, notwithstanding the strong law enforcement support for both these protections.

Let me see if I can make that simpler. An undocumented woman who is here in the United States who is a victim of rape, who comes forward to say who raped her, goes before the law enforcement without the memos in place and these protections, potentially, she is to be detained and deported because she was raped and she came forward with the courage to be able to try to get that individual who perpetrated that crime.

It's sad, Madam Chair, that here we are yet again at a time when Democrats and Republicans have come together to be able to advocate for the importance of taking care of our dreamers, when this passed this House and so many of our Senators came forward, when the leaders of our respective parties in this very House of Representatives that we're honored to be a part of have come together and advocated for this change. We're having this debate after midnight here in Washington, D.C., tonight. It's sad.

And the Morton memos are hardly new. Prosecutorial discretion memos in the immigration context have existed since 1976. Congressman GUTIERREZ eloquently described the letters that were sent by Congressman Hyde and Congressman LAMAR SMITH asking for the Executive to use its discretionary authority.

Madam Chair, it's a sad, sad day that we're here tonight—under the dark of night—where I hope dreamers across America are paying attention. Because

we need them tomorrow to light up those phones and make sure that they're talking to their friends, their families, to their deacons, to their priests, to their faith-based leaders and ask them to please stand up and encourage Members of Congress, when this comes up for a vote tomorrow morning, to call Members of Congress and tell them to reject this amendment.

With that, I yield back the balance of my time.

Mr. ELLISON. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. ELLISON. Madam Chair, I would just like to point out that I do specifically challenge the gentleman from Iowa's claim that the President's deferred action program is unconstitutional.

The Supreme Court did rule in *Arizona v. United States* that the Federal Government, under the supremacy clause, does have the authority to set immigration policy over and above that of any State. Inherent in the authority to enforce the immigration laws is the right to be able to prioritize how that policy will be prioritized and how that policy will be executed.

Now, the fact is that the executive branch has the authority, has the right to decide that they will take action on some cases and will take action on others in a prioritized fashion. That is the very heart and soul of what DACA represents.

So for the gentleman to argue that there is some constitutional infirmity with deferred action is wrong. He's wrong on the law. He's wrong on his constitutional argument.

The fact is that it's important for the people of the United States to hear that these specious, weak arguments about lack of constitutionality are incorrect.

I yield to the gentleman from Illinois.

□ 0010

Mr. GUTIERREZ. Madam Chair, I just want to make clear something about DACA. I filled out many applications, as I know my colleague from Minnesota has. They pay a fee. They go through an extensive background check. They have to give up their fingerprints and go through an extensive background check if they find they're denied DACA. So don't think it's just show up.

Now they're given a work permit for 2 years, and they get to work with that work permit. They don't have any right to health care or to any means-tested program, nothing but the right to work and not to be deported from the United States of America, and they're contributing to this country already.

So I just want to make that clear. Why would we want to spend the money of the Federal Government chasing down and hunting down and deporting people who came here as children who do not even know the country that they came from? Again, I want to reiterate: they are American in everything but a piece of paper. And the Congress of the United States should be working to try to see how it is we bring them in and integrate them more fully.

I want to express to the gentleman from Iowa something very, very clearly. I want to use every dollar and every resource to go after every gang-banger, every drug dealer, every person that is a criminal doing harm in the United States. But these are children who are doing no one harm. They came as children, they are innocent, and should be treated as such.

We want to prioritize our enforcement. We want to prioritize our enforcement so that we go after people who will do American citizens ill. They don't. They're children. They're wonderful, young people. And I would suggest to everybody here, meet one, talk to one. And what you're going to see is, the same values that you inculcate in your own children are the values that have been invested in these young men and women. We should give them a chance.

Many of them are being denied as they go through the process. But it is a process that says we should use prosecutorial discretion. It is law. Everybody in this body knows, and you don't have to be a student of the Constitution of the United States to know, that the President has plenary powers to pardon anybody at any time for any reason. Just ask Gerald Ford about Richard Nixon. That is a fact.

The President of the United States in this case is taking innocent young men and women who have been thoroughly checked in their background and said, Do you know what? I want to go after the mean, ugly people who want to do us harm, and I want to set aside these young men and women. We voted for it—216 to 208—and it was a proud day in the Congress of the United States.

And I just want to say one more time to the gentleman from Iowa, there are Members of your side of the aisle who I know—

Mr. KING of Iowa. Will the gentleman yield?

Mr. GUTIERREZ. No, I won't.

Who are going to continue to work with us in this Congress of the United States to get this finished. Please let us do that work.

I yield back the balance of my time.

Mr. PETERS of Michigan. Mr. Chair, I rise in opposition to H.R. 2217, the Department of Homeland Security Appropriations Act for Fiscal Year 2014. I remain firmly committed to the security of the United States and the Department's mission of ensuring our communities are safe and secure from terrorism and



other threats. However, I have serious concerns about a provision of this bill that cause me to be unable to support it.

I am disappointed that the House adopted the controversial King amendment. This amendment offered by Representative STEVE KING will prohibit the administration from implementing the Deferred Action for Childhood Arrivals program. Children who were brought to the United States at a young age should not be penalized for the actions of their parents. These individuals, commonly referred to as DREAMers, may only know the United States and speak English. Deporting them to a country they may know nothing of, where they may not speak the language or know any relatives, is counterproductive to the principles that define our nation. I believe we need comprehensive immigration reform which addresses the issue of DREAM Act eligible youth and develops a framework for ensuring they can maintain a legal status in the United States. That is why, as a member of Congress who voted for the DREAM Act, I cannot support the King Amendment.

While I agree with the necessity of providing adequate resources to the Department of Homeland Security, due to the inclusion of this unnecessary and controversial ban on the Deferred Action for Childhood Arrivals program, I am unable to support the bill.

Ms. CLARKE. Madam Chair, I rise today disappointed in last week's adoption of the Steve King Amendment to H.R. 2217, the Department of Homeland Security Appropriations Act, 2014. This amendment would bar implementation of Deferred Action for Childhood Arrivals, DACA, for DREAMers, prevent them from acquiring work permits, and eliminate the exercise of discretion to protect victims of trafficking and crime victims.

Prosecutorial discretion and deferred action are done on a case-by-case basis and do not provide relief or legal status en masse. Instead, these practices ensure fair and just outcomes, and prompt law enforcement officials to closely consider compelling circumstances such as disability, age, or military service.

This blatant attempt to undermine the Presidents' action to address certain aspects of our broken immigration system and to restrict certain benefits of deferred action shocks the conscience. There are thousands of young Americans without legal status who want to attend school, find jobs, and start families—to participate in the American Dream.

The promise of deferred action and work authorization was affirmed by millions of Americans in November 2012. If we break this promise, we will have failed in our duty to a nation of immigrants from every part of world.

As the only New York City Member of Congress on the House Homeland Security Committee, I understand the need to fund programs that keep us safe against the threat of both physical and cyber attacks. However, to hold DACA recipients hostage for politics is unconscionable. I represent one of the largest immigrant districts in the country, with many who are currently benefitting from DACA; I could not and did not support the King Amendment, nor did I vote for the underlying bill.

The Acting CHAIR. Members are reminded to direct their remarks to the Chair.

The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KING of Iowa. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

#### AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used in contravention of any of the following:

(1) The Fifth and Fourteenth Amendments to the Constitution of the United States.

(2) Title VI of the Civil Rights Act of 1964 (relating to nondiscrimination in federally assisted programs).

(3) Section 809(c)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (relating to prohibition of discrimination).

(4) Section 210401(a) of the Violent Crime and Law Enforcement Act of 1994 (relating to unlawful police pattern or practice).

Mr. ELLISON (during the reading). Madam Chairman, I ask unanimous consent to have the amendment considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. ELLISON. Madam Speaker, before the body is a simple amendment of leaders of four separate caucuses, Members of this body—the Congressional Progressive Caucus, the Congressional Black Caucus, the Congressional Spanish Caucus, and the Congressional Asian Pacific Islander Caucus—who join together to support a simple amendment to this important legislation.

Now, Madam Speaker, it is important to point out that the hardworking staff employees of DHS deserve respect and honor. They keep our country safe. We appreciate that. We appreciate all law enforcement, especially when they put their lives on the line for our safety. No one questions the public service and the professionalism demonstrated by security officials every day.

However, occasionally reports of racial and ethnic and religious profiling do occur. We see them in the news and we hear about them from civil liberties organizations. Too many Americans who are simply going about their business have been discriminated against solely because of race, color, ethnicity. This is wrong, and it is well-rooted in

our society that this is not an acceptable value or practice, and it's not what America is all about.

This amendment we are offering today would simply help to put an end to it. Our amendment—straightforward—simply cites the Constitution and existing antidiscrimination laws to affirm that no funds made available by this law can be used to engage in racial, ethnic, or religious profiling. This is not a controversial amendment, nor is it partisan. In fact, it was a former Bush administration official who said that religious, ethnic, and racial stereotyping is not good policing.

Now, we simply ask that this amendment receive the support of the body and that we, again, affirm our Nation believes in equality under the law, and that it is behavior that should inform law enforcement decisions, not simply identity.

I ask for a "yes" vote, and yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Madam Chairman, we accept this amendment, and I yield the balance of my time to my colleague, Mr. PRICE.

Mr. PRICE of North Carolina. Madam Chairman, I thank the gentleman for yielding, and I also urge acceptance of the amendment.

Mr. CARTER. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON). The amendment was agreed to.

#### AMENDMENT OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used for any activity by Transportation Security Administration Transportation Security Officers outside an airport as defined in section 47102 of title 49, United States Code.

The Acting CHAIR. The gentlewoman from Tennessee is recognized for 5 minutes.

Mrs. BLACKBURN. Madam Chairman, as I have stated earlier during the floor debate, TSA transportation security officers are not Federal law enforcement officers. They do not have any Federal law enforcement training, nor are they eligible to receive Federal law enforcement benefits.

When Congress created the TSA in 2001, we defined TSA screeners in law as Federal security screeners. Their role as defined by the Aviation and Transportation Security Act is to screen passengers and luggage at airports across the country.

However, beginning in 2005, TSA administratively reclassified TSA security screeners as transportation security officers and began to upgrade their uniforms to reflect those of Federal law enforcement officers with metal officer badges.

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Time magazine contributor Amanda Ripley succinctly summed up the transition by stating that TSA was “outfitting frontline employees with new gold badges and royal blue shirts as part of a broader effort to improve their image and make people, to put it bluntly, hate them less.”

The problem is that TSA officers do not have any Federal law enforcement training to reflect their officer title or appearance.

Law enforcement personnel for air transportation security are clearly defined in section 44903 of title 49, U.S. Code. U.S. Code states that “law enforcement” means individuals who are authorized to carry and use firearms, vested with the power of arrest, and are identifiable by distinctive marks of authority.

TSA officers do not meet these basic requirements of our law. Their training consists of 2 weeks in a classroom to learn how to screen passengers and bags, followed by 2 to 4 weeks of on-the-job training.

That is why it is troubling to me and many of my constituents that TSA is allowing their officers to take part in DHS VIPR team operations outside our airports. These operations are currently taking place on our Nation’s highways, in our rail stations, ferry terminals, bus stations, and other mass transit facilities across the country. Adopting this amendment would end this practice.

The American public should be outraged that our national security strategy to prevent a horrific attack at a mass transit facility includes randomly sending people with no Federal law enforcement authority to randomly select and search citizens without any actionable intelligence. I strongly believe that Congress has an obligation to ensure that the title and appearance of Federal employees properly reflect their training and background.

There are already enough well-documented concerns questioning whether these individuals can even carry out the basic functions of their jobs within our airports. Here is an example:

Last year, a TSA officer whistleblower in Nashville produced documents showing that TSA officers in charge of screening a passenger’s bags were receiving failing grades at being able to identify potential threats and were not receiving remedial training.

Another example is a GAO report, which I have with me right here, published in January, which shows that the TSA is failing to deploy passenger-

screening canine teams to airports and terminals with the highest risk as determined by the agency’s high-risk list. Furthermore, the report lays out concerns that the current protocols in place “are not appropriate for a suicide bombing attempt requiring an immediate law enforcement response.”

If that’s not concerning enough, there is a DHS Office of the Inspector General report released just last month on TSA’s Behavior Detection Officers—and Mr. THOMPSON of Mississippi referenced this earlier—which only consists of TSA’s Transportation Security Officers, and it raised concerns about their performance:

TSA senior airport officials at airports contacted raised concerns regarding the selection, allocation and performance of the BDOs.

TSA does not use an evaluation period to determine whether new BDOs can effectively perform behavior detection.

For these reasons, we should end this program and restrict them to the airports.

I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. I rise in opposition, reluctantly, to the gentlewoman’s amendment.

This is very similar to the amendment that was raised earlier this evening. I expressed my opinion then, and I don’t change my opinion. I have a great deal of concern about the issues that have been raised by my good friend from Tennessee—in fact, from Williamson County, Tennessee, and I’m from Williamson County, Texas.

I am going to recommend to my ranking member that we look into these allegations of misuse of law enforcement, or of the presumption of law enforcement. We are going to talk to Mr. Pistole to try to get to the bottom of this stuff, but I don’t think what the gentlelady is trying to accomplish with this amendment is appropriate at this time without our holding hearings and discussing some of these issues and trying to examine the statutes and make sure that they are operating within the statutes.

So for that reason, I think this is not the time, and I am going to have to oppose this amendment.

I yield to my colleague, the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the chairman for yielding.

I would echo his sentiments on this amendment. I understand that it’s well-intentioned and that there may very well be some specific issues that demand attention, but this is largely the same amendment that we debated earlier this evening, which was voted down by a considerable margin, and I believe we should do that again.

Mr. CARTER. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT OFFERED BY MR. BARLETTA

Mr. BARLETTA. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available under the heading “Departmental Management and Operations—Departmental Operations—Office of the Secretary and Executive Management” may be used for official reception and representational expenses until the Secretary of Homeland Security complies with section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b).

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. BARLETTA. My amendment is simple.

The amendment would say that none of the funds from the Office of the Secretary may be used for official reception expenses until the Secretary of Homeland Security fully implements the biometric entry and exit data system.

A biometric exit system is already required by law. In 2004, Congress mandated the establishment of this system to track foreigners leaving our country. The 9/11 Commission recommended creating a biometric exit system as well. The creation of an effective exit system would keep our country safe because we would have a more effective way of tracking people who may pose a risk to our national security.

Oftentimes, people speak of the illegal immigration issue as involving the northern, southern, and coastal borders; but as Boston showed us plainly, it involves much more than that. Nearly half of the illegal immigrants currently in the United States did not cross a traditional border. Rather, they arrived here on a legitimate visa, saw the visa expire, and never returned home. The truth is, if your State is home to an international airport, you effectively live in a border State. We know that 40 percent of illegal immigrants are visa overstays; but since we do not have an effective way of tracking who leaves our country, that number may be different. This amendment would withhold funds from the Secretary’s reception expenses until the

biometric exit system is fully implemented.

I yield back the balance of my time.  
Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. We will accept this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. BARLETTA).

The amendment was agreed to.

Mr. CARTER. Before I make a motion, Madam Chairman, I would like to thank all of the employees of the House for being willing to extend the time tonight so that we could get those Members who have been waiting for 4 or 5 hours finished. I want to apologize for the inconvenience, but we appreciate the efficiency that it allowed us.

Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BARLETTA) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes, had come to no resolution thereon.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The chair announces that the correct tally on rollcall vote number 205 was 146 ayes and 280 noes.

#### HOUR OF MEETING ON TODAY

Mr. CARTER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 622—An Act to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

#### ADJOURNMENT

Mr. CARTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 32 minutes

a.m.) under its previous order, the House adjourned until today, Thursday, June 6, 2013, at 9 a.m.

#### OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 113th Congress, pursuant to the provisions of 2 U.S.C. 25:

JASON T. SMITH,  
Eighth District of Missouri.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1701. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Relaxing Size and Grade Requirements on Valencia and Other Late Type Oranges [Doc. No.: AMS-FV-13-0009; FV13-905-2 IR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1702. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Sweet Cherries Grown in Designated Counties in Washington; Decreased Assessment Rate [Doc. No.: AMS-FV-12-0026; FV12-923-1 FIR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1703. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Tomatoes Grown in Florida; Decreased Assessment Rate [Doc. No.: AMS-FV-12-0051; FV12-966-1 FIR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1704. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Apricots Grown in Designated Counties in Washington; Decreases Assessment Rate [Doc. No.: AMS-FV-12-0027; FV12-922-1 FIR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1705. A letter from the Administrator, Department of Agriculture, transmitting the

Department's final rule — Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Increased Assessment Rate [Doc. No.: AMS-FV-12-0045; FV12-905-1 FR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1706. A letter from the Executive Analyst, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1707. A letter from the Associate Director of Financial Reporting and Accounting Policy, Federal Home Loan Bank of Des Moines, transmitting the 2012 management report and statements on system of internal controls of the Federal Home Loan Bank of Des Moines, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

1708. A letter from the Acting Chairman, National Endowment for the Arts, transmitting the Semiannual Report of the Inspector General and the Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period October 1, 2012 through March 31, 2013, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1709. A letter from the Chair, Securities and Exchange Commission, transmitting the Semiannual Report of the Inspector General and a separate management report for the period October 1, 2012 through March 31, 2013, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1710. A letter from the Clerk, Court of Appeals for the First Circuit, transmitting an opinion of the United States Court of Appeals for the First Circuit regarding *Truczinskas v. Director, Office of Workers' Compensation Programs, et al.*; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 1092. A bill to designate the air route traffic control center located in Nashua, New Hampshire, as the "Patricia Clark Boston Air Route Traffic Control Center" (Rept. 113-97). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. YOUNG of Indiana (for himself, Ms. MCCOLLUM, Mr. YODER, Mr. POCAN, and Mr. SMITH of Nebraska):

H.R. 2258. A bill to amend the indemnification responsibilities applicable to the Secretary of Defense when Department of Defense property at military installations closed pursuant to a base closure law is conveyed to expand such indemnification responsibilities to include all military installations closed since October 24, 1988; to the Committee on Armed Services.

By Mr. DAINES:

H.R. 2259. A bill to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws and to preserve existing uses; to the Committee on Natural Resources.

By Mr. THOMPSON of California (for himself and Mr. FORTENBERRY):

H.R. 2260. A bill to amend the Food Security Act of 1985 to ensure basic conservation measures are implemented by farmers who receive Federal crop insurance premium assistance; to the Committee on Agriculture.

By Mr. CRAWFORD (for himself, Mr. WESTMORELAND, and Mr. ROE of Tennessee):

H.R. 2261. A bill to ensure the continuation of successful fisheries mitigation programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA (for himself and Mr. PETERS of California):

H.R. 2262. A bill to designate the United States Federal Judicial Center located at 333 West Broadway Street in San Diego, California, as the "John Rhoades Federal Judicial Center" and to designate the United States courthouse located at 333 West Broadway Street in San Diego, California, as the "James M. Carter and Judith N. Keep United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. AMASH (for himself, Mr. MCCLINTOCK, and Mr. MASSIE):

H.R. 2263. A bill to abolish the Export-Import Bank of the United States, and for other purposes; to the Committee on Financial Services.

By Mrs. BLACKBURN:

H.R. 2264. A bill to provide for enhanced Federal, State, and local assistance in the enforcement of the immigration laws, to amend the Immigration and Nationality Act, to authorize appropriations to carry out the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Mr. BRADY of Texas (for himself, Mr. WITTMAN, and Mr. SHIMKUS):

H.R. 2265. A bill to direct the Secretary of the Interior to issue an oil and gas leasing program under section 18 of the Outer Continental Shelf Lands Act for the 5-year period 2016 through 2020, and for other purposes; to the Committee on Natural Resources.

By Mr. CAPUANO:

H.R. 2266. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to require certain systemically important entities to account for the financial benefit they receive as a result of the expectations on the part of shareholders, creditors, and counterparties of such entities that the Government will shield them from losses in the event of failure, and for other purposes; to the Committee on Financial Services.

By Mr. GENE GREEN of Texas (for himself, Mr. CULBERSON, and Mr. DOYLE):

H.R. 2267. A bill to make the United States exclusively liable for certain claims of liability to the extent such liability is a claim for damages resulting from, or aggravated by, the inclusion of ethanol in transportation fuel; to the Committee on the Judiciary.

By Mr. LOEBSACK (for himself and Mr. POLIS):

H.R. 2268. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize a national elementary and secondary service-learning program that promotes student academic achievement, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MICHAUD:

H.R. 2269. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to allow funds provided under the Matching Grant Program for School Security to be used to improve information sharing between law enforcement and schools, and for other purposes; to the Committee on the Judiciary.

By Mr. NUNES (for himself and Mr. VALADAO):

H.R. 2270. A bill to impose enhanced penalties for certain drug offense that take place on Federal property; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Mississippi:

H.R. 2271. A bill to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park; to the Committee on Natural Resources.

By Mr. GRIJALVA (for himself, Ms. MCCOLLUM, Mr. NOLAN, Ms. KUSTER, and Mr. ELLISON):

H. Res. 249. A resolution recognizing the legacy of the Civilian Conservation Corps (CCC) on its 80th anniversary; to the Committee on Education and the Workforce.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. YOUNG of Indiana:

H.R. 2258.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1  
In which Congress has the explicit authority to provide for the common Defense and general Welfare of the United States  
Article I, Section 8, Clause 14  
To make Rules for the Government and Regulation of land and naval forces.

By Mr. DAINES:

H.R. 2259.  
Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the Constitution of the United States

By Mr. THOMPSON of California:

H.R. 2260.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 8 of the U.S. Constitution, which states that Congress shall have the power to make all Laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CRAWFORD:

H.R. 2261.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the enumerated powers listed in Article I, Section 8 of the U.S. Constitution.

By Mr. ISSA:

H.R. 2262.  
Congress has the power to enact this legislation pursuant to the following:  
Art Sec 3

By Mr. AMASH:

H.R. 2263.  
Congress has the power to enact this legislation pursuant to the following:

The Export-Import Bank is purported to be authorized under the congressional power "To regulate Commerce with foreign Nations" in Article 1, Section 8, Clause 3 of The Constitution of the United States. Congress has the implied power to repeal laws that exceed its constitutional authority as well as laws within its constitutional authority.

By Mrs. BLACKBURN:

H.R. 2264.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1; Article I, Section 8, Clause 14; and Article IV, Section 3, Clause 2.

By Mr. BRADY of Texas:

H.R. 2265.  
Congress has the power to enact this legislation pursuant to the following:  
Article IV, Section 3 of the U.S. Constitution

By Mr. CAPUANO:

H.R. 2266.  
Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. GENE GREEN of Texas:

H.R. 2267.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution (the Commerce Clause).

By Mr. LOEBSACK:

H.R. 2268.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Mr. MICHAUD:

H.R. 2269.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. NUNES:

H.R. 2270.  
Congress has the power to enact this legislation pursuant to the following:

Clause 2 of section 3 of article IV of the Constitution of the United States.

By Mr. THOMPSON of Mississippi:

H.R. 2271.  
Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. SANFORD.  
H.R. 69: Ms. LEE of California.  
H.R. 129: Mr. GUTIERREZ.

H.R. 148: Ms. LINDA T. SÁNCHEZ of California.  
 H.R. 164: Ms. TITUS and Mr. GUTHRIE.  
 H.R. 182: Ms. CHU.  
 H.R. 198: Mr. LEWIS, Mrs. NEGRETE McLEOD, Mr. LOWENTHAL, and Mr. HASTINGS of Florida.  
 H.R. 288: Mr. TIERNEY.  
 H.R. 292: Ms. BASS, Mr. BISHOP of Georgia, Mr. CLEAVER, Mr. DANNY K. DAVIS of Illinois, Ms. FUDGE, Ms. KELLY of Illinois, Mr. CLYBURN, Mr. JEFFRIES, Mr. MEEKS, Mr. RICHMOND, Mr. THOMPSON of Mississippi, and Ms. WILSON of Florida.  
 H.R. 347: Mr. PRICE of North Carolina.  
 H.R. 367: Mr. TERRY.  
 H.R. 436: Mr. COBLE, Mr. LANKFORD, and Mrs. HARTZLER.  
 H.R. 445: Mr. KELLY of Pennsylvania.  
 H.R. 460: Mr. HARPER.  
 H.R. 485: Ms. KUSTER, Mr. PASCRELL, and Ms. BROWNLEY of California.  
 H.R. 509: Mr. HONDA.  
 H.R. 510: Mr. HONDA.  
 H.R. 511: Mr. HONDA.  
 H.R. 519: Ms. HAHN, Mr. MAFFEI, and Mr. CLYBURN.  
 H.R. 523: Mrs. BUSTOS.  
 H.R. 533: Mr. SIMPSON.  
 H.R. 632: Mr. TERRY and Mr. SCHOCK.  
 H.R. 647: Mr. GIBBS.  
 H.R. 649: Mr. SARBANES.  
 H.R. 685: Ms. BROWNLEY of California and Mr. CALVERT.  
 H.R. 690: Ms. KUSTER, Mr. KEATING, and Mr. TIERNEY.  
 H.R. 698: Mr. RUIZ.  
 H.R. 714: Mr. HUFFMAN.  
 H.R. 719: Mr. BACHUS.  
 H.R. 725: Ms. SCHWARTZ.  
 H.R. 732: Mr. KINZINGER of Illinois.  
 H.R. 760: Mr. CÁRDENAS.  
 H.R. 763: Mr. HENSARLING, Mr. FINCHER, Mr. SMITH of New Jersey, and Mr. HARRIS.  
 H.R. 764: Mr. COHEN.  
 H.R. 800: Mr. FARENTHOLD.  
 H.R. 805: Mr. GIBSON and Mrs. HARTZLER.  
 H.R. 813: Mr. WITTMAN.  
 H.R. 853: Mr. FRANKS of Arizona.  
 H.R. 888: Mr. JOYCE.  
 H.R. 903: Mr. YOUNG of Indiana.  
 H.R. 940: Mr. RIGELL, Mr. HECK of Nevada, and Mr. HURT.  
 H.R. 975: Mr. MILLER of Florida, Mr. TIERNEY, Mr. KENNEDY, and Mr. SCHNEIDER.  
 H.R. 983: Mr. RUSH.  
 H.R. 984: Mr. WHITFIELD.  
 H.R. 1005: Mr. HENSARLING.  
 H.R. 1020: Mr. MCHENRY, Mr. SHUSTER, Mr. GUTHRIE, and Mr. FARENTHOLD.  
 H.R. 1093: Mr. ELLISON.  
 H.R. 1094: Mr. PASCRELL and Mr. LARSON of Connecticut.  
 H.R. 1130: Ms. DELBENE.  
 H.R. 1148: Mr. DESJARLAIS.  
 H.R. 1149: Mr. DUNCAN of Tennessee.  
 H.R. 1154: Ms. KUSTER.  
 H.R. 1155: Mr. FLORES.  
 H.R. 1175: Ms. KUSTER.  
 H.R. 1179: Mr. CARNEY, Mrs. MCCARTHY of New York, Mr. DUFFY, Mr. JOHNSON of Georgia, Mr. MARINO, Mr. GARAMENDI, Mr. MCGOVERN, Mr. TIERNEY, Mr. DENT, and Mr. HANNA.  
 H.R. 1186: Mr. GOODLATTE, Mr. STEWART, and Mr. TIERNEY.  
 H.R. 1226: Mr. SCHWEIKERT.  
 H.R. 1239: Mr. WITTMAN.  
 H.R. 1250: Mr. DUFFY and Mr. COLLINS of New York.  
 H.R. 1252: Mr. SWALWELL of California, Mr. WALZ, Ms. SCHWARTZ, and Ms. PINGREE of Maine.  
 H.R. 1274: Ms. MCCOLLUM.

H.R. 1284: Mr. TIERNEY.  
 H.R. 1304: Mr. HUIZENGA of Michigan.  
 H.R. 1330: Mr. DEUTCH.  
 H.R. 1333: Mr. TIERNEY.  
 H.R. 1351: Mr. CONNOLLY.  
 H.R. 1362: Mr. HOLT.  
 H.R. 1413: Ms. BROWNLEY of California.  
 H.R. 1416: Mr. HASTINGS of Florida.  
 H.R. 1443: Mr. O'ROURKE.  
 H.R. 1485: Mr. HOLT and Mr. MICHAUD.  
 H.R. 1493: Mrs. CAPITO.  
 H.R. 1509: Ms. WILSON of Florida, Ms. NORTON, and Mr. PRICE of North Carolina.  
 H.R. 1518: Ms. CASTOR of Florida and Mr. LARSON of Connecticut.  
 H.R. 1553: Mr. KELLY of Pennsylvania, Mr. BRALEY of Iowa, Mr. VELA, Mr. LOEBSACK, Mr. DUNCAN of Tennessee, Mr. ALEXANDER, Mr. RICE of South Carolina, Mrs. BLACK, and Mr. GARDNER.  
 H.R. 1563: Mrs. DAVIS of California, Mr. FLORES, Mr. KINZINGER of Illinois, Mr. BENISHEK, Mrs. HARTZLER, and Mr. OWENS.  
 H.R. 1582: Mrs. CAPITO.  
 H.R. 1588: Ms. SHEA-PORTER.  
 H.R. 1620: Mr. TIERNEY.  
 H.R. 1630: Mr. CÁRDENAS and Mr. WELCH.  
 H.R. 1634: Mr. PRICE of Georgia.  
 H.R. 1706: Mrs. DAVIS of California.  
 H.R. 1714: Ms. BASS.  
 H.R. 1717: Mr. MULLIN, Mr. RIBBLE, Mr. PETERSON, Mr. SMITH of Texas, Mr. LUCAS, Mr. HURT, Mr. FARENTHOLD, and Mr. GIBSON.  
 H.R. 1731: Mr. COHEN, Mr. CONNOLLY, Mr. HASTINGS of Florida, Ms. DELAURO, and Ms. CLARKE.  
 H.R. 1732: Mrs. ELLMERS.  
 H.R. 1755: Mr. CLYBURN.  
 H.R. 1759: Mr. SWALWELL of California and Ms. SINEMA.  
 H.R. 1764: Mr. HUIZENGA of Michigan.  
 H.R. 1787: Mr. CONAWAY and Mrs. BUSTOS.  
 H.R. 1796: Mr. LEWIS, Mr. LIPINSKI, Mr. SEAN PATRICK MALONEY of New York, Ms. LEE of California, Mrs. BEATTY, Mr. PALAZZO, and Mr. RICHMOND.  
 H.R. 1797: Mr. POE of Texas, Mr. DENHAM, Ms. FOX, and Mr. HUDSON.  
 H.R. 1825: Mrs. HARTZLER and Mrs. LUMMIS.  
 H.R. 1827: Mr. LEWIS.  
 H.R. 1830: Mr. PETRI.  
 H.R. 1837: Ms. DELAURO, Mr. LANGEVIN, Ms. LEE of California, Mr. LARSEN of Washington, Mr. CLAY, Ms. SPEIER, Mr. OWENS, Ms. LOFGREN, and Mrs. CAPPS.  
 H.R. 1842: Mr. CICILLINE and Ms. FRANKEL of Florida.  
 H.R. 1848: Mr. OWENS.  
 H.R. 1851: Mr. RANGEL.  
 H.R. 1852: Mr. HIMES, Mr. FARENTHOLD, Mr. NUNNELEE, Mr. COTTON, Mr. DUNCAN of Tennessee, Ms. ESHOO, Mr. CLAY, Mr. BUCHANAN, Mr. YOUNG of Indiana, Mr. CONNOLLY, Mr. BENTIVOLIO, Mr. JOYCE, Mr. HOLT, and Mr. PAYNE.  
 H.R. 1856: Mr. SEAN PATRICK MALONEY of New York, Ms. GABBARD, and Mr. COSTA.  
 H.R. 1871: Mr. DUNCAN of South Carolina and Mr. MULVANEY.  
 H.R. 1874: Mrs. HARTZLER.  
 H.R. 1876: Mr. COURTNEY.  
 H.R. 1900: Mr. MARINO and Mr. COTTON.  
 H.R. 1910: Mr. MURPHY of Florida.  
 H.R. 1920: Mr. SIRES, Mr. QUIGLEY, and Mr. WITTMAN.  
 H.R. 1931: Mr. COOPER and Mr. DUNCAN of Tennessee.  
 H.R. 1944: Mr. CHABOT.  
 H.R. 1962: Ms. WASSERMAN SCHULTZ, Ms. GRANGER, Mr. CHABOT, and Mr. COSTA.  
 H.R. 1974: Mr. RADEL, Ms. WILSON of Florida, and Mr. COLE.  
 H.R. 1982: Mr. TIBERI.  
 H.R. 1983: Mr. RADEL and Mr. HUFFMAN.

H.R. 1985: Mr. LATTI.  
 H.R. 1988: Mr. ISRAEL.  
 H.R. 1993: Mr. WESTMORELAND.  
 H.R. 2000: Mr. CAPUANO, Mr. NADLER, Mr. SIRES, Mr. CUELLAR, Ms. ESHOO, Mr. RAHALL, Mr. WALZ, Mr. MORAN, and Mr. LANGEVIN.  
 H.R. 2002: Ms. DELBENE.  
 H.R. 2009: Mr. GRIFFITH of Virginia, Mr. FARENTHOLD, Mr. YOHO, and Mr. GINGREY of Georgia.  
 H.R. 2016: Ms. ROS-LEHTINEN and Mr. LATHAM.  
 H.R. 2019: Mr. DOYLE, Mrs. BLACKBURN, Mr. HANNA, Mr. HARRIS, Mr. DENT, Mr. SOUTHERLAND, Mr. REED, Mr. AUSTIN SCOTT of Georgia, Mr. ROSKAM, Mr. HUIZENGA of Michigan, Mr. DENHAM, and Mr. GERLACH.  
 H.R. 2023: Mr. LEWIS.  
 H.R. 2026: Mr. GIBSON, Mrs. ROBY, Mr. WITTMAN, and Mr. CRENSHAW.  
 H.R. 2041: Mr. KING of Iowa and Mr. LATTI.  
 H.R. 2051: Ms. WILSON of Florida.  
 H.R. 2053: Mr. PETRI, Mr. WHITFIELD, Mr. WALDEN, and Mrs. CAPITO.  
 H.R. 2055: Mr. LAMALFA, Mr. FLEMING, and Mr. COLE.  
 H.R. 2092: Mr. O'ROURKE and Mr. BRIDENSTINE.  
 H.R. 2098: Mr. DUNCAN of Tennessee.  
 H.R. 2116: Mr. RUSH.  
 H.R. 2119: Ms. BROWNLEY of California, Ms. NORTON, and Mrs. NAPOLITANO.  
 H.R. 2134: Ms. SLAUGHTER.  
 H.R. 2143: Mr. WITTMAN.  
 H.R. 2174: Mrs. LOWEY.  
 H.R. 2183: Mr. HOLT and Mr. GRIJALVA.  
 H.R. 2192: Mr. COFFMAN and Mr. MCCLINTOCK.  
 H.R. 2205: Mr. ELLISON.  
 H.R. 2220: Mr. WEBER of Texas, Mrs. BACHMANN, Mr. CULBERSON, Mr. SALMON, Mr. HARRIS, and Mr. DUNCAN of South Carolina.  
 H.J. Res. 24: Mr. SANFORD.  
 H.J. Res. 35: Mr. SANFORD.  
 H.J. Res. 41: Mr. RADEL.  
 H.J. Res. 47: Mr. HARRIS.  
 H. Con. Res. 4: Mr. BISHOP of Utah, Mr. MCCLINTOCK, and Mr. KEATING.  
 H. Res. 13: Mr. BROUN of Georgia.  
 H. Res. 35: Mr. BARR, Mr. COLE, Mr. COLLINS of Georgia, Mr. BOUSTANY, Mr. ALEXANDER, Mr. ROSS, Mr. TIPTON, Mr. STUTZMAN, and Mr. TERRY.  
 H. Res. 89: Mr. LOBIONDO, Mrs. BACHMANN, Ms. ESHOO, and Mr. ANDREWS.  
 H. Res. 109: Mr. FITZPATRICK, Mr. FORTENBERRY, and Ms. SLAUGHTER.  
 H. Res. 112: Ms. HANABUSA and Mr. CRENSHAW.  
 H. Res. 147: Mrs. CAPPS.  
 H. Res. 187: Ms. MENG.  
 H. Res. 203: Ms. CASTOR of Florida.  
 H. Res. 208: Mr. DEFazio, Mr. SMITH of Washington, Ms. ESHOO, Mr. KEATING, Mr. GRIJALVA, Mr. CICILLINE, Ms. NORTON, and Ms. LORETTA SANCHEZ of California.  
 H. Res. 236: Mr. MICHAUD, Ms. BROWNLEY of California, and Ms. LINDA T. SÁNCHEZ of California.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

### H.R. 2217

OFFERED BY: Mr. GINGREY OF GEORGIA

AMENDMENT No. 13: At the end of the bill (before the short title), insert the following:  
 SEC. \_\_\_\_ None of the funds made available by this Act may be used in contravention of section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)).

H.R. 2217

OFFERED BY: MR. GALLEGO

AMENDMENT NO. 14: Page 9, line 17, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 11, line 19, after the dollar amount, insert “(increased by \$1,000,000)”.

H.R. 2217

OFFERED BY: MR. TIPTON

AMENDMENT NO. 15: Page 9, line 17, after the dollar amount, insert “(decreased by \$7,655,000)”.

Page 49, line 19, after the dollar amount, insert “(increased by \$7,655,000)”.

H.R. 2217

OFFERED BY: MR. POLIS

AMENDMENT NO. 16: Under “Departmental Management and Operations—Departmental Operations—Office of the Secretary and Executive Management”, after the first dollar amount insert “(increased by \$4,359,200)”.

Under “U.S. Immigration and Customs Enforcement—Salaries and Expenses”—

(1) after the first dollar amount insert “(reduced by \$43,592,000)”; and

(2) after the sixth dollar amount, insert “(reduced by \$5,400,000)”.

H.R. 2217

OFFERED BY: MR. MEEHAN

AMENDMENT NO. 17: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available in this Act may be used for U.S. Customs and Border Protection preclearance operations at Abu Dhabi International Airport in the United Arab Emirates. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

H.R. 2217

OFFERED BY: MR. BISHOP OF NEW YORK

AMENDMENT NO. 18: Page 54, line 3, after the dollar amount insert “(reduced by \$404,000,000)”.

Page 54, line 9, after the dollar amount insert “(reduced by \$404,000,000)”.

Page 93, line 9, after the dollar amount insert “(increased by \$404,000,000)”.

H.R. 2217

OFFERED BY: MR. BEN RAY LUJÁN OF NEW MEXICO

AMENDMENT NO. 19: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . For “Department of Homeland Security—Federal Emergency Management Agency—State and Local Programs” for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), as authorized by subsection (f)(2) of such section, there is hereby appropriated, and the amount otherwise provided by this Act for “Department of Homeland Security—Office of the Chief Financial Officer” is hereby reduced by, \$10,000,000.

## EXTENSIONS OF REMARKS

175TH ANNIVERSARY OF THE  
TOWN OF RUSSELLVILLE, MO

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor the 175th Anniversary of the town of Russellville, MO. The town of Russellville, MO traces its roots back to May 3, 1838 when Richard Morris, Buckner W. Russell, and Benjamin P. Griffen had the land surveyed. The town was later named in honor of Buckner W. Russell.

The first settlers arrived in the area around 1830 and found a plentiful supply of large oak trees, wild game, and fertile farm land. The town grew steadily thanks to the hard work of its founding families. Businesses were added and additional settlers made it their home. It later became a stop on the Missouri Pacific Railroad.

The town has several churches that were established early in its history. The first were Catholic, Methodist, and Presbyterian. It now includes churches representing the Assembly of God, Baptist, and Lutheran denominations. The first Sunday School was organized in 1858 by James Banister.

As early as 1895, Russellville had the only weekly newspaper in Cole County, the Russellville Rustler, edited by Gutman Wilson. The community found music to be an important part of entertainment. A music club was organized in 1906 at the home of Mrs. L.L. Sullins. The club studied the history of music, prepared programs for their meetings, and gave several public performances.

Today Russellville continues to be a small, but strong rural community, home to new residents as well as descendants of some of the original settlers. The town is home to a great school system, local businesses, and an important agriculture industry.

HONORING DR. WILLIAM M.  
NOVICK

**HON. JOHN J. DUNCAN, JR.**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. DUNCAN of Tennessee. Mr. Speaker, I wish today to honor one of the most distinguished men in my home state of Tennessee.

Dr. William M. Novick has helped many, many thousands of children all over the world in more than 30 countries. He is someone for whom I have the greatest respect.

Dr. Novick currently serves as the Paul Nemir Endowed Chair of International Child Health, Department of Surgery at the University of Tennessee. I cannot think of a more ca-

pable or distinguished person to have in this role.

During the past 20 years, Dr. Novick has performed more than 6,000 pediatric heart surgeries on the world's poor. Last year alone, he performed more pediatric heart surgeries than the Mayo Clinic.

This year, he has devoted his time and talents toward the Caribbean, performing more than 100 surgeries on Dominican and Haitian children.

Dr. Novick is currently taking more than 400 cases per year in Iraq, Libya, Egypt, and the Middle East, and he has even operated on children of Chernobyl.

Mr. Speaker, Dr. William M. Novick is an example of American grace and generosity all over the world. It is fitting he has found a place at the University of Tennessee, home of the Volunteers.

I call his accomplishments as the Paul Nemir Endowed Chair of International Child Health, Department of Surgery at the University of Tennessee to the attention of my Colleagues and other readers of the RECORD. I hope to see Dr. Novick's work continue for many years to come.

J. WALTER CAMERON CENTER

**HON. TULSI GABBARD**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Ms. GABBARD. Mr. Speaker, on April 23, 1973, the J. Walter Cameron Center opened its doors in Wailuku, Hawai'i, with a mission to assist people with special needs by providing a home for Maui's social service agencies. Since then, more than 120,000 Mauians, and their families, have found hope, help, and healing.

The Cameron Center is the vision of two remarkable men, J. Walter Cameron and Douglas Sodemani, who saw that an innovative public-private partnership could serve Maui's people with one of the nation's first multi-tenant social service centers. A designated 501(c)(3) non-profit organization, the center is governed by a volunteer, community-based Board of Directors and operated by a dedicated and hard-working staff.

The Cameron Center is the home to sixteen Resident Social Service Agencies including: American Cancer Society; ARC of Maui County; Best Buddies International; Consumer Credit Counseling Service of Hawaii; Fun Day Foundation; Heritage Hall, Inc.; Hui No Ke Ola Pono, Inc.; Imua Family Services; Ka Lima O Maui; Maui Chamber of Commerce; Maui Community Mental Health; Maui County Office on Aging, Mediation Services of Maui; Mental Health Association of America; MEO K'hi Kamali'i; and the Pacific Cancer Foundation. Together, these agencies—through meetings,

workshops, training sessions and other community events—serve more than 40,000 people annually.

The Cameron Center has also kept pace with changing times with its "Going Green" Program. Through the installation of a photovoltaic electricity system and energy efficient mechanical systems, appliances and lighting, it has been able to save \$42,000 in energy costs each year while significantly reducing environmental impacts.

Congratulations to the J. Walter Cameron Center, its board, staff and volunteers for a job well done in serving those in need for two generations. The Center will be celebrating its 40th anniversary on Saturday, June 8, 2013, at the Yokouchi estate in Wailuku.

PERSONAL EXPLANATION

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. WOLF. Mr. Speaker, yesterday I was unavoidably detained due to a long-standing commitment and missed rollcall vote 192, on consideration of a motion to recommit with instructions for H.R. 2216, and rollcall vote 193, on passage of H.R. 2216, the Military Construction, Department of Veterans Affairs and Other Related Agencies Appropriations Bill for Fiscal Year 2014. Had I been present, I would have voted "no" on rollcall 192 and "aye" on rollcall 193.

RAISING THE ISSUE OF HUMAN  
RIGHTS IN CHINA

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. LUETKEMEYER. Mr. Speaker, I rise today regarding President Obama's upcoming meeting with President Xi Jinping of China.

Tuesday marked the 24th anniversary of the Tiananmen Square massacre in Beijing, an event that reminds us of the importance of human rights, democracy and freedom across China and the world. I encourage the president to remember the tragic events of June 4, 1989, and to bear in mind the important issue of human rights when meeting with President Xi.

I also believe it is important that, as he prepares for his weekend meeting with President Xi, President Obama continues to recognize the important relationship between the United States and Taiwan. We have built an important alliance, one that has positive implications for both our economy and national security and, most importantly, helps with the spread

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



of democracy and freedom throughout Asia and the world.

In closing, Mr. Speaker, I ask my colleagues to join with me in encouraging President Obama to be mindful of the many intricacies of our relationship with China and advocate for stronger human rights standards in China and for improved coordination and partnership with Taiwan.

HONORING THE LIFE AND SERVICE  
OF BARDSTOWN POLICE OFFICER  
JASON SCOTT ELLIS

**HON. BRETT GUTHRIE**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. GUTHRIE. Mr. Speaker, I rise today in honor of Bardstown Police Officer Jason Scott Ellis. Officer Ellis was shot and killed while on patrol in the early morning hours of Saturday, May 25. Believed to be an ambush, this senseless act has left Bardstown and its surrounding communities mourning the loss of a husband, father and police officer.

A seven-year veteran of the force, Officer Ellis also served as Bardstown's canine officer and training officer. He is the first police officer in the history of the Bardstown Police Department to be shot and killed in the line of duty.

Bardstown Police Chief Rick McCubbin was quoted as saying Officer Ellis "paid the ultimate sacrifice doing what he loved: being a police officer." Mayor Bill Sheckles said, "The city and community of Bardstown lost a class act officer of the law in Jason Ellis, and his shoes will be hard to fill." I could not agree more.

I join with the Bardstown community and all of Kentucky's Second District in sending my thoughts and prayers to the family of Officer Ellis, especially his wife Amy and their sons, Hunter and Parker.

HONORING CHRISTOPHER  
BRIZENDINE

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Christopher Brizendine. Christopher is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and earning the most prestigious award of Eagle Scout.

Christopher has been very active with his troop, participating in many scout activities. Over the many years Christopher has been involved with scouting, he has not only earned 34 merit badges, but also the respect of his family, peers, and community. Most notably, Christopher has contributed to his community through his Eagle Scout project. Christopher researched and reconstructed sheep feeders at Watkins Mill State Park in Lawson, Missouri, to be used during historical reenactments at the historic site.

Mr. Speaker, I proudly ask you to join me in commending Christopher Brizendine for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

VA BACKLOG

**HON. DAVID N. CICILLINE**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. CICILLINE. Mr. Speaker, America's veterans deserve better.

Right now there are more than 865,000 claims pending before the Veterans Administration, and, of these, more than 575,000 have remained unresolved for 125 days or more.

It is completely unacceptable that the brave men and women who have served our nation in uniform should have to wait months, or even years, before they receive the benefits they have earned.

That's why I'm proud to join my colleagues in supporting a package of ten bills that would help clear the existing backlog and fix the flaws in the current system.

The VA Claims, Operations and Records Efficiency Act, H.R. 1729, would help to reduce the amount of time spent waiting for the Department of Defense to provide information in a more timely manner.

The Claims Adjudication Centers of Excellence, H.R. 2088, would establish a pilot program to help expedite the adjudication of the most difficult medical conditions afflicting American veterans.

There are eight other bills that would help remedy a range of problems and enable policymakers to get more definitive information to solve this problem. I encourage my colleagues to join us in this important effort.

50TH ANNIVERSARY OF EQUAL  
PAY ACT

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Ms. DELAURO. Mr. Speaker, 119 years ago, in 1894, a study by the AAUW and the Massachusetts Bureau of Statistics of Labor found that men were making more than twice as much as women for jobs like bookkeeping.

Forty-eight years later, as millions of women like my mother entered the factories to help fight World War II, the War Labor Board issued General Order 16, declaring that men and women working the same job in the same factory should be paid the same wage.

In 1945, the first Equal Pay Bill was introduced in the House by Chase Going Woodhouse, the second woman and first Democratic woman to be elected to the House from Connecticut. It was reintroduced every year for 18 years. President Dwight Eisenhower called it "a matter of simple justice" in his State of the Union.

And 50 years ago this week—on June 10th, 1963—President John F. Kennedy signed the Equal Pay Act into law.

The Equal Pay Act was supposed to end, and I quote, "the unconscionable practice of paying female employees less wages than male employees for the same job." But fifty years later, women are still paid only 77 cents on the dollar compared to men.

It has been 50 years since the Equal Pay Act, and 120 years since we first studied pay inequity. Haven't America's women waited long enough? It is time to come together, give the Equal Pay Act real teeth. It is time to pass the Paycheck Fairness Act so that men and women in the same job—get the same pay. It is that simple.

RECOGNIZING MIRIAM HUGHEY-  
GUY FOR HER EXTRAORDINARY  
WORK AT BARCROFT ELEMENTARY

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. MORAN. Mr. Speaker, I rise today to congratulate Miriam Hughey-Guy on her retirement following 20 years of extraordinary service as the principal of Barcroft Elementary School in Arlington, Virginia.

For 20 years, Ms. Hughey-Guy has been the energizing force motivating Barcroft students to be active learners. The innovative educational programs she brought to Barcroft have produced one of the best, most flexible schools in the County, which has some of the best schools in the country.

Ms. Hughey-Guy was the first to introduce the modified school year to Arlington County, reorganizing Barcroft's school year to provide more continuous learning, dividing the long summer vacation into shorter, more frequent breaks. Ms. Hughey-Guy recognized the benefit children received from these shorter breaks, and ensured that the intersessions between terms kept the students engaged, supported, and challenged.

She was also the leader in bringing the Leonardo da Vinci Project to Barcroft, which brings creative and scientific thought to the learning experience, challenging students with focused thinking and problem-solving activities. Ms. Hughey-Guy promotes this type of learning every day, by engaging the children directly in conversations about experiential learning and consistently calling on them to make a difference with their new found knowledge.

Her dedication, and these innovations, are just part of the reason she is consistently recognized as a leader within her profession. In 2001–02 she was awarded the Woman of Vision Award. In 2002–03, she was Arlington Public Schools' Principal of the Year. In 2003, the Washington Post awarded her with a Distinguished Leadership Award. And, in 2003, Miriam Hughey-Guy was given the Ebony Image Leadership Award from the National Coalition of 100 Black Women's Northern Virginia Chapter. Further, she is recognized as a leader among the numerous organizations that call on her to speak, such as NPR, CNN, the Virginia State Reading Association, and within the Arlington County school system.

Miriam has shared her life with hundreds of children and families over the years, many who continue to call for her advice. She has supported her staff with their ideas, goals, and professional growth. Mrs. Hughey-Guy has truly led by example. She is a mentor, boss, leader, teacher and advocate for Barcroft's children, their families, and the teaching profession.

Mr. Speaker, I urge my colleagues to salute her for a job well done and wish her a happy and healthy retirement.

#### HONORING BEN LAUGHLIN

#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 5, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Ben Laughlin. Ben is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Ben has been very active with his troop, participating in many scout activities. Over the many years Ben has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Ben has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Ben Laughlin for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### THE KIDNAPPING OF FORMER MARINE ARMANDO TORRES IN MEXICO

#### HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 5, 2013

Mr. HINOJOSA. Mr. Speaker, I rise to express my deep concern for former Marine Corporal Armando Torres who was reportedly kidnapped by members of the Mexican Cartel during a visit to Las Barrancas, Tamaulipas, Mexico while visiting his father and uncle.

On May 14, 2013, Mr. Torres crossed on an international bridge into Mexico and had planned to return the next day. Family members in Mexico report that Mr. Torres along with his father and uncle were forcibly taken by members of the Mexican Cartel.

Corporal Torres is a combat veteran who served his country honorably in Iraq. I have asked the F.B.I. in McAllen, Texas and the U.S. Consulate General in Matamoros, Mexico to help bring this marine and his relatives back safely to their loved ones. Each agency has been working on this case every day. They report the Mexican Government is cooperating with them on their efforts to find the victims of this outrageous crime.

I commend the quick action taken by both the F.B.I. and the U.S. State Department. I

urge them to continue to do all they can to find and return our former Marine, Armando Torres, back safely to the U.S. and to bring his relatives back home.

#### GREAT FALLS MEMORIAL DAY SERVICE

#### HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 5, 2013

Mr. WOLF. Mr. Speaker, on Memorial Day I had the privilege of attending a ceremony in Great Falls, Virginia, honoring those who have fought for our great Nation.

I was joined at the service with dozens of Great Falls residents, along with other community leaders, to pay tribute to the 25 men and women of Great Falls who died in battle or from attacks on America.

The service began with a friendly welcome from Mr. Bruce Ellis Fein, a member of Friends of the Great Falls Freedom Memorial. In 2002, Friends of the Great Falls Freedom Memorial was created with the goal of building a memorial site in Great Falls dedicated to those residents who have made the ultimate sacrifice for our freedom.

The highlight of the service was the keynote speech by Lt. Gen. Norman H. Smith who served our country in the Marine Corps for over 35 years. In his address, Lt. Gen. Smith discussed his recent trip to the island of Iwo Jima, specifically, his visit to Mt. Suribachi with several surviving veterans of the Battle of Iwo Jima.

Lt. Gen. Smith has had an established military career and has been awarded numerous decorations for his service. He now serves as president of the Iwo Jima Association of America and currently resides in my congressional district in Winchester, Virginia.

I submit Lt. Gen. Smith's remarks from the Great Falls Memorial Day Service and a recent news article from the Great Falls Connection.

ADDRESS BY LIEUTENANT GENERAL NORMAN H. SMITH, USMC (RET) OF WINCHESTER, VIRGINIA AT THE MEMORIAL DAY 2013, THE GREAT FALLS FREEDOM MEMORIAL Good Morning.

I'm going to take a bit of keynote speaker's prerogative to point out one special guest for today's service, and he is Marine Tommy Cox, a veteran of the Iwo Jima campaign of World War 2.

I'm honored to speak to you this morning on this particular day, in this particular place, which is dedicated to those residents who have given their lives in the cause of freedom.

I'm a Marine, but it is my great privilege to be here today to represent all of our Armed forces. All of them contribute mightily to the security of our nation. It is an even greater honor, on this Memorial Day 2013, to speak about the tens of thousands of our fellow citizens who have given their lives in the defense of our country, its people, and its principles.

For me, Memorial Day came early this year, in mid-March on the island of Iwo Jima. I went there with a group that included military historians, writers, students from the Young Marines organization and,

first and foremost, 14 veterans of the battle of Iwo Jima and the Pacific campaign of World War 2.

These men who are now in their late 80's and early 90's were, most of them, teenagers in February of 1945, when the battle began. The ultimate goal of the Iwo Jima campaign was to gain ever closer access to the Japanese home islands in the event that an invasion of Japan would be necessary in order to end the long, bloody war.

Iwo Jima in 1945 was a barren volcanic island covered with ash and stone. There was nowhere to take cover, no trees, nowhere even to be able to dig a fighting hole, for the soil was ashy sand that acquired a name of its own: the black sands of Iwo Jima.

Beneath this forbidding surface lay noxious sulphur beds that stank, and many miles of tunnels, caves and reinforced fighting positions crammed with small arms, machine guns, mortars and artillery pieces. The Japanese defenders, well prepared for an assault on the island, intended to inflict massive casualties on their enemies. They did.

Sixty-eight years later, the 14 Iwo Jima vets I traveled with returned to the site of a savage battle that went on without pause and without quarter, on either side, for 36 days. They went back to remember their own experiences and to keep alive the sacrifices they witnessed. Six thousand eight hundred Marines died during the 36-day battle. 22,000 were wounded. More than 20,000 Japanese were killed. In February 1945 the Iwo Jima veterans of today were fighting for their lives and the lives of their brother Marines and sailors. They were fighting, too, for the lives of many Army Air Corps crewmen who would have died were it not for the emergency landing field built by Seabees while the battle still raged. It is estimated that more than 20,000 U.S. airmen were saved by landing their battle damaged B-29s and B-24s as they returned from bombing raids over Japan. All the American Armed Forces contributed to the victory on Iwo: the Army, Navy, Navy Air, the Army Air Corps, the Marine Corps, the Coast Guard and the often forgotten Merchant Marine.

The almost accidental photograph of the flag raising on Mt. Suribachi became an iconic image of American valor. Today, Mt. Suribachi is the site of a very different annual ceremony, a ceremony that none of the 14 returning veterans could have believed possible in 1945. This, the annual Reunion of Honor, is attended by American and Japanese alike, who meet every year to commemorate the historic battle and the post war U.S.-Japanese alliance.

The Reunion of Honor began in 1995, when the Iwo Jima Association of America joined with the Iwo Jima Association of Japan in order to honor warriors on both sides who died for their respective countries on that desolate island, 600 miles from Japan. This memorial service is not about lauding the victors nor humiliating the vanquished. Nor does it attempt to glorify war. Far from it. Iwo Jima was a killing ground and, like our own Civil War battlefields in the Shenandoah Valley and other places, it is also hallowed ground where the remains of the missing still lie. To the Japanese families of soldiers whose bodies were never recovered, it is an annual pilgrimage undertaken to honor their ancestors.

This year the hour-long service took place in perfect weather, on an island that looks far different from the hellish place it was 68 years ago. What was black sand and scarred rock is now green with scrub trees and shrubs. Dirt roads have been paved, memorial markers have been placed. The beaches,

however, are still black sand. Japanese and American military and governmental officials spoke during the service and wreaths were laid on the memorial stone markers. A military band played, a band composed of both American and Japanese musicians.

Following the ceremony the American group boarded mini-vans for the trip up the serpentine road to the top of Mt. Suribachi. During the battle, this mountain—about the height of the Washington Monument—was honeycombed with gun emplacements that rained deadly fire on the U.S. forces. On the third day of the invasion, elements of the 28th Marine Regiment made a tortuous and deadly ascent up the steep side of the mountain, to its peak. It was here that the now famous flag raising took place. The photo taken was used to create the magnificent bronze monument in Arlington Cemetery: the Marine Corps War Memorial.

Atop Suribachi the Iwo vets and others visited the unit memorials placed there. Photos were taken and more stories from the vets were forthcoming as they gazed down upon the landing beaches and the now peaceful landscape of Iwo Jima.

As we stood on Mt. Suribachi some of the vets talked about their recollections of the battle . . . and the rest of us listened.

Donald Graves is 87. He was 18 then. He remembered having steak for breakfast at 0700 on the day he went ashore in the 3d wave. Once on the black beach he lay with his face in the sand, very scared. He told me he was clinging to a ledge on Mt. Suribachi with his flamethrower, just a few feet from where the flag was raised.

Bill Montgomery is 89. In 1945 he was not long out of high school. On Iwo Jima he was the only survivor of his small unit. When he saw the flag raised on Suribachi, he thought it was all over . . . but the battle went on for more than a month. He told me that he had not wanted to revisit the scene of so much tragedy, but decided to come now to remember, and to honor his fallen brother Marines.

Lieutenant General Larry Snowden, 92, a native Virginian, was a young company commander on Iwo Jima. When he talks about the battle he never fails to remember the men he lost there. To this day he holds them close in loving memory of their courage and honor.

In today's world, 68 years is a very long time. To the younger generations, it may seem like an eternity. In the 68 years since the battle of Iwo Jima, much has happened that we might prefer to forget. The young men who survived the battle, which was after all, but one of countless such battles in the European and Pacific Theaters of World War 2, may have wanted nothing more than merciful forgetfulness . . . and who could blame them?

The men I stood with on Suribachi have not forgotten. They spoke with quiet dignity about those who died there. They grieve for them still. The stakes during the dark days of any war are so high . . . so high. Those who make the greatest sacrifice have no tomorrows. They have given them to us. For those who have given their lives, we must and will be strong, be faithful, be free. To them we owe all that we now possess. Our duty is clear; we will never forget our Nation's debt of gratitude to those who died in the defense of our liberties.

Thank you.

[From the Great Falls Connection, May 28, 2013]

GREAT FALLS MARKS MEMORIAL DAY  
(By Alex McVeigh)

Retired Lt. Gen. Norman H. Smith was commissioned into the United States Marine

Corps in December 1955, more than 10 years after the Battle of Iwo Jima. But 68 years later, he accompanied 14 surviving veterans to the Japanese island, and he was struck by the stories he heard.

"As we stood on Mount Suribachi, some of the vets talked about their recollections of the battle. Donald Graves, 87, was 18 then. He remembered having steak for breakfast on the day he went ashore third wave. Once on the black beach, he lay with his face on the sand, very scared. He told me he was clinging to a ledge on Mount Suribachi with his flamethrower, just a few feet from where the [American] flag was raised," Smith said. "Bill Montgomery, 89, was not long out of high school. On Iwo Jima he was the only survivor of his small unit. When he saw the flag raised on Suribachi, he thought the battle was over, but instead it raged on for more than a month. He told me he had not wanted to revisit the scene of so much tragedy, but decided to come to remember and honor his fellow Marine brothers."

Smith was the guest speaker at the Great Falls Freedom Memorial's Memorial Day ceremony Monday, May 27. One Iwo Jima veteran was present at the ceremony. Tommy Cox of McLean was a member of the 5th Marine Division, 28th Regiment, and witnessed the famous raising of the American flag on Mount Suribachi.

Dozens of residents gathered at the memorial to pay tribute to the 25 men and women of Great Falls who died in battle or from attacks on America, as well as the thousands of Americans who had what Abraham Lincoln called "laid so costly a sacrifice on the altar of freedom."

After the names were read, scouts from Boy Scout Troop 55 raised the flags at the memorial from half-mast.

"According to the Flag Code, flags should fly at half staff until midday, to mourn the sacrifices of the past," said Bruce Ellis Fein of the Friends of the Great Falls Freedom Memorial. "The flags should be raised at midday to full staff to celebrate the future that those sacrifices have made possible."

After the ceremony, Del. Barbara Comstock (R-34) presented the family of Tony Blankley, a Great Falls resident and member of the Friends of the Great Falls Freedom Memorial who passed away in January 2012.

Blankley was a press secretary for Newt Gingrich while he was Speaker of the House, the editorial page editor for The Washington Times and a regular panelist on The McLaughlin Group. He was also a prosecutor with the California attorney general's office and even briefly a child actor, appearing in Humphrey Bogart's last film, "The Harder They Fall."

"It's fitting that we honor Tony today, because he and [his wife] Linda were very committed to the military, and were so involved in setting up this memorial, and Linda continues that legacy today," Comstock said. "Tony was truly a Renaissance man. He led such a rich, interesting and well-led life, and he was well respected by all his friends and colleagues, which many of us here are proud to call ourselves."

Blankley's wife Linda Davis, her mother and their daughter Anna accepted the resolution awarded by Comstock. Davis is still active with many military causes, and spent last weekend volunteering with the Tragedy Assistance Program for Survivors.

"I'm so thankful for this tremendous honor, and I know Tony would be very humbled by it as well," she said.

Smith said in his concluding remarks that though many of the men and women of the

armed forces may wish to forget the tragedies, injuries and losses they have endured in service of country, "Those who have made the greatest sacrifice have no tomorrows," he said. "They have given them to us, and for those who have given their lives, we must be strong, we will be faithful and we will be free."

## HONORING WILL ORDING

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 5, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Will Ording. Will is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Will has been very active with his troop, participating in many scout activities. Over the many years Will has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Will has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Will Ording for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## HONORING LIEUTENANT COLONEL PETER FORD

### HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 5, 2013

Mr. SHIMKUS. Mr. Speaker, I rise to pay tribute to Lieutenant Colonel Peter Ford for his extraordinary service to the Nation while serving in the United States Army Reserves and National Guard for the past 32 years.

Lieutenant Colonel Ford started his military career in 1981 as an enlisted Soldier—an infantryman—in the Virginia National Guard. After graduating from Gustavus Adolphus College, where he was the only ROTC Cadet at Gustavus, Lieutenant Colonel Ford was commissioned as a second lieutenant in the Army Ordnance Corps. After the Officer Basic Course, Lieutenant Colonel Ford in his civilian capacity was sworn in as a Special Agent with the State Department Diplomatic Security Service.

While serving as the Regional Security Officer (RSO) at the embassy in Switzerland, Lieutenant Colonel Ford was assigned as a Military Intelligence Officer at the Military Intelligence Group at the 7th Army Reserve Command in Germany. In 1997, he was called up to support the war in Bosnia. Upon his return to the United States, he joined the Office, Chief of the Army Reserves, as a Reserve Congressional Liaison Officer and also served as a Reservist with the 157th Individual Mobilization Augmentee Detachment.

In 2003, Lieutenant Colonel Ford was assigned as a Congressional Detailee to the Homeland Security Committee and was named Executive Officer of the 157th that same year. After serving as RSO in Armenia, he was detailed to the House Foreign Affairs Committee.

In the fall of 2007, at the beginning of the "surge" in Iraq, Lieutenant Colonel Ford volunteered to serve as an Army Reservist in Iraq. He was attached to the American Embassy in Baghdad and, as the Director of the Office of Hostage Affairs, was responsible for resolving U.S. kidnapping cases in Iraq. Following the completion of his military tour, Peter continued his service in Iraq. For an additional year, he worked as a DSS Agent with the State Department in the same position.

Returning to the U.S., Peter obtained a Master's Degree from the National Defense Intelligence College and joined Prisoner of War/Missing in Action Affairs as a drilling Reservist. He was subsequently assigned to the Diplomatic Security's Overseas Security Advisory Council (OSAC). In October 2011, Lieutenant Colonel Ford took command of the 157th Individual Mobilization Augmentee Detachment. During his military and civilian careers, Lieutenant Ford has worked in over 110 countries.

Mr. Speaker, on behalf of the grateful Nation, I join my colleagues today in saying thank you to Lieutenant Colonel Peter Ford for his extraordinary dedication to duty and service to the country throughout his distinguished career in the United States Army.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF AVENEL FIRE COMPANY NO. 1

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Avenel Fire Company No. 1 on its 100th Anniversary. The volunteer fire company continues to provide exemplary service to the residents of Woodbridge Township's Fire District #5 and is truly deserving of this body's recognition.

Organized and chartered as Avenel Chemical Company No. 1, it legally changed its name to Avenel Fire Company No. 1 on July 12, 1913. There were 12 charter members, with Joseph Szabo serving as the first Fire Chief (a position he held through 1915) and Edward Moran serving as the first President. The first firefighting equipment purchased for the company was kept in a shed owned by member Joseph Prayer. Over the years, the company was housed at different locations, finally settling at its current property on Avenel Street in 1929. It was renovated in 1995 to update and expand the structure.

Avenel Fire Company No. 1 continues to ensure the safety of its residents by replacing outdated equipment and adding new tools and apparatus to its fleet, including a ladder truck and zodiac boat. In its 100 year history, it has seen the installation of emergency response apparatus throughout the district, including fire hydrants, fire alarm systems and fire alarm

boxes. Today, its 42 volunteer members answer approximately 600 alarms each year and service over 5000 addresses.

Mr. Speaker, once again, please join me in recognizing the 100th anniversary of Avenel Fire Company No. 1. Since its inception, Avenel Fire Company No. 1 upheld its duty to serve and protect the community and its dedication is to be celebrated.

THANKING RODRIC J. MYERS FOR HIS SERVICE TO THE U.S. HOUSE OF REPRESENTATIVES

**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. BRADY of Pennsylvania. Mr. Speaker, on behalf of the entire House of Representatives, today I pay tribute to Mr. Rodric J. Myers, Director of House Garages and Parking Security with the Sergeant at Arms. Rod has served this institution with distinction for over 40 years, as an officer with U.S. Capitol Police and with the Office of the Sergeant at Arms. On June 14, 2013, Mr. Myers will retire from the House of Representatives. His capable guidance, trusted mentorship, and steady leadership have been invaluable assets not only to his staff and colleagues, but to every Congressional office.

A native of Indianapolis, Indiana, Rod Myers joined the U.S. Capitol Police in June 1972. He began as a uniformed patrol officer eventually working his way to an Administrative Specialist for the Capitol Division. Rod was responsible for nearly 100 officers, the daily roster assignment of those officers, all while still working active policing assignments outside of his administrative duties. His 29 years of service were marked by a remarkable attention to detail, devotion to the institution, and professionalism of the highest order.

During Rod's tenure with the U.S. Capitol Police he had the distinct honor of working ten Presidential Inaugurations, 40 State of the Union addresses, and countless special events in between. Over the years, he met numerous dignitaries and heads of state, but as a loyal Dallas Cowboys fan, those meetings paled in comparison to greeting the Super Bowl Champions. As the U.S. Capitol Police administrative specialist, he knew this assignment needed his personal attention.

On July 9, 2001, Rod was appointed Director of House Garages and Parking Security with the Sergeant-at-Arms. Over the last 11 years, he has worked tirelessly to strengthen parking procedures to enhance the safety and security of Members and staff. Coordinating with the U.S. Capitol Police and the Office of the Attending Physician, Rod created comprehensive on-going training programs for all Garages and Parking Security staff, ensuring the House is prepared for any eventuality. His involvement in continuity and contingency planning with the Sergeant at Arms has been invaluable. He worked closely with the Committee on House Administration over the years, and will be sorely missed by our Members and Staff.

Rod Myers' deep and profound commitment to this institution is second to none. From the

tragedy of September 11, to the anthrax scare, to an unprecedented earthquake, his gentle nature projected a sense of calm and assurance to all who encountered him. His leadership by example and ability to motivate are benchmarks in a long and distinguished career.

Please join me in commending the outstanding service of Mr. Rodric J. Myers, to the Congress of the United States and congratulating him on his retirement. We wish you well in all your future endeavors.

COMMEMORATING THE BICENTENNIAL CELEBRATION OF THE TOWN OF GATES, NEW YORK

**HON. LOUISE MCINTOSH SLAUGHTER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Ms. SLAUGHTER. Mr. Speaker, I rise today to commemorate the bicentennial celebration for the Western New York town of Gates, New York, which is appropriately known as "a community for all people."

Incorporated on April 1, 1813, the Town of Gates, New York was named in honor of American Revolutionary General Horatio Gates. The Town was one of the very first in Monroe County, New York, when in the year 1821 the New York State Legislature approved creating a new county named after the 5th President of the United States.

Today the Town of Gates, New York is comprised of over 28,400 residents and remains the geographic center of Monroe County. It is also the proud home and nationwide headquarters of Wegmans' Food Markets. As well, the Town hosts the Greater Rochester International Airport, Rochester Tech Park and other essential businesses which positively impact the economic vitality of Monroe County, the Greater Rochester area and the State of New York.

A most notable former resident of the Town of Gates is the revered leader of the American Women's Suffragist movement, the incomparable Miss Susan B. Anthony. History records that in the year 1845, she and her family first resided in the Town of Gates upon their arrival in the Rochester area and that their Gates farmhouse actually became a meeting place for anti-slavery activists, including Frederick Douglass.

Among notable living Americans who were born, raised and educated in Gates, New York is famed rock vocalist and songwriter, Lou Gramm, who is recognized around the world for his monumental contributions to the American and global music industries.

Today it is my esteemed honor and great privilege to recognize in front of this august body, the Town of Gates, New York and its government and residents, as we joyfully commemorate the 200th anniversary of its establishment.

It is from small towns like Gates where the American Dream was defined. Whether it is a parade through the town square on Memorial Day, the crack of the bat at local ball fields, or the crackle and boom of fireworks on the Fourth of July, towns like Gates imbue our nation with the richness of American life that we hold dear.

So I rise today to commemorate all that Gates, New York has contributed to American life, to congratulate the people of Gates on achieving such a milestone, and to wish this special New York town the fortune and providence to celebrate 200 years more.

#### HONORING PARKER WRIGLEY

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Parker Wrigley. Parker is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1394, and earning the most prestigious award of Eagle Scout.

Parker has been very active with his troop, participating in many scout activities. Over the many years Parker has been involved with scouting, he has not only earned 34 merit badges, but also the respect of his family, peers, and community. Most notably, Parker has contributed to his community through his Eagle Scout project. Parker raised funds for the purchase and installation of a monument sign for Hobby Hill Park in Gladstone, Missouri, in addition to providing landscaping and painting improvements to the park.

Mr. Speaker, I proudly ask you to join me in commending Parker Wrigley for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### PERSONAL EXPLANATION

### HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. WESTMORELAND. Mr. Speaker, on rollcall No. 183. I had to return to Georgia due to the death of a longtime friend, and to attend the wake/funeral.

Had I been present, I would have voted "nay."

#### EQUAL PAY ACT

### HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mrs. BEATTY. Mr. Speaker, I rise today in support of the Equal Pay Act and to call for the passage of the Paycheck Fairness Act.

On June 10, our nation celebrates the 50th anniversary of the Equal Pay Act.

Yet, women still earn on average only 77 cents for every dollar earned by men. In Columbus, Ohio women are paid only 81 cents for every dollar paid to men.

Equal pay is not simply a women's issue—it's a family issue.

Families increasingly rely on women's wages to make ends meet, and with less take-

home pay women have less for the everyday needs of their families.

90,527 households in the Columbus metro area are headed by women. Eliminating the wage gap would provide much-needed income to women whose salaries are of critical importance to them and their families.

When women succeed, so does our economy.

#### RECOGNIZING DAVID J. STEINBERG

### HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. BISHOP of New York. Mr. Speaker, I rise to congratulate Dr. David J. Steinberg for a long and very distinguished career in higher education. It is my honor to recognize my former employer and one of Long Island's most respected leaders on the occasion of his retirement as president of Long Island University.

Over the course of his life and career, David has possessed all the attributes of a strong leader and set a shining example for all those he has taught and guided. He is a brilliant and gifted administrator who has achieved tremendous success and enjoys an impeccable reputation in the higher education community and across New York.

David began to make his mark when he started teaching in the history department of the University of Michigan, where he soon became a full professor. Before coming to LIU, he served as vice president and university secretary of Brandeis University.

An accomplished scholar, David has written several books and articles about Southeast Asia. He became an expert in the history of the Philippines and was a member of the international observer team that monitored the presidential elections in which Corazon Aquino defeated Ferdinand Marcos.

David spent a year at Columbia University on a Woodrow Wilson Fellowship, and he holds three degrees from Harvard University, where he earned his undergraduate degree, and completed his M.A. in East Asian studies and a Ph.D. in history.

In 1985, David was chosen to lead LIU. I was fortunate to be the provost and chief executive officer of the university's Southampton Campus while he was president. It was my privilege to work under him and learn to appreciate that at the core of David's vision was the goal of expanding access and affordability for students in the pursuit of a quality private education.

Since 2009, David has increased institutional student financial aid from \$65 million to more than \$100 million, and he expanded LIU into one of the largest and most comprehensive private universities in the United States, with six campuses and three overseas centers. In addition, LIU's endowment increased from \$4.8 million to nearly \$80 million, and enrollment expanded from 19,000 to 24,000 students.

David's vision has also enabled LIU to maintain its competitive edge as a leader in

the use of technology in education through LIU Online and LIU Global; the launch of programs in emerging fields like forensic science, genetic counseling, mobile GIS, homeland security management and environmental sustainability; and the realization of a groundbreaking cloud computing initiative, which included the largest iPad deployment in American higher education.

Perhaps most important is David's emphasis on the value of community service as an integral component of LIU's commitment to enhancing the quality of life for the university's neighbors on Long Island. Students attending LIU Post alone volunteer 27,500 hours devoted to the community each year through local initiatives involving health and wellness; providing resources for individuals and families dealing with autism, aphasia, and post-traumatic stress syndrome; and offering instruction in literacy and life skills. In fact, both of LIU's residential campuses were named to President Obama's Higher Education Community Service Honor Roll.

Additionally, David's leadership forged LIU's long tradition of complementing its educational mission with cultural and artistic endeavors by offering world-class performances and arts programs at the Tilles Center for the Performing Arts, which is located at LIU Post in Brookville. He has indeed nurtured a culture of access and excellence that has transformed the lives of countless students and in the process made an indelible impression on the educational and cultural landscape of New York for future generations.

Mr. Speaker, I have no doubt that David will embrace his retirement with his usual enthusiasm and energy. On behalf of New York's first congressional district, I wish him all the health and happiness throughout a long retirement with his wife, Joan, his two sons, Noah and Jonah, and his grandchildren.

#### HONORING SEAN BAKER

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Sean Baker. Sean is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Sean has been very active with his troop, participating in many scout activities. Over the many years Sean has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Sean has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Sean Baker for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

OUR UNCONSCIONABLE NATIONAL  
DEBT**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,738,778,336,691.59. We've added \$6,111,901,787,778.51 to our debt in 4 and a half years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

## PERSONAL EXPLANATION

**HON. LYNN A. WESTMORELAND**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. WESTMORELAND. Mr. Speaker, on rollcall No. 179, I had to return to Georgia due to the death of a longtime friend, and to attend the wake/funeral.

Had I been present, I would have voted "yea."

IN MEMORY OF SHARON O'KEEFE  
EVANS**HON. BILL POSEY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. POSEY. Mr. Speaker, I rise today to mourn the passing of Sharon O'Keefe Evans. Sharon was an inspirational woman who touched many lives throughout her 56 years. She passed after a brief, yet courageous battle with cancer.

Sharon grew up in the Chicago suburbs and relocated to central Florida to pursue career opportunities. Before moving to Florida, she attended the University of Illinois, Champaign. After graduating in 1974, she became an accomplished advertising executive serving in a variety of senior positions with leading national advertising agencies such as J. Walter Thompson and Foot, Cone & Belding. After relocating to Florida she held account management positions with some of our state's leading advertising firms, including Fry, Hammond, Barr and PP+K. She was an avid golfer, enjoying the many beautiful courses our state has to offer. During her illness, Sharon was treated at Moffitt Cancer Center in Tampa, a national leader in cancer research and treatment.

Sharon is survived by her parents, William O'Keefe and Gay Japinga of Evanston, Illinois, and her husband, Doug Evans, of Valrico, Florida. As a senior executive with Source Interlink Media, Doug is a leading voice in the motorsports and automotive industry, publishing magazines such as 'Hot Rod' and 'Motor Trend,' which I have read for many

years. As a fellow automotive enthusiast, I count him as a friend and offer my heartfelt condolences to him and his family for this great loss.

Sharon's final days were spent with Doug courageously by her side. It is with sadness that we pay tribute to Sharon's life. This is yet another reminder of the need to redouble our efforts to find a cure for cancer so that institutions like Moffitt Cancer Center can successfully treat those, like Sharon, so that their days are no longer cut short by this disease.

HONORING THE NATIONAL CHAM-  
PIONSHIP UNIVERSITY OF ALA-  
BAMA MEN'S GOLF TEAM**HON. JO BONNER**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. BONNER. Mr. Speaker, I rise to honor the 2013 University of Alabama Men's Golf Team for having captured its first National Championship. On June 2, the team emerged victorious from a field of 30 qualifying teams over six days to win the NCAA Golf Championship. The Tide golf team represents only the second University of Alabama men's sport other than football to take a national title in school history.

The Crimson Tide defeated Illinois 4-1 in the match play championship round at the par-70, 7,319 yard Capital City Club Crabapple Course in Milton, Georgia. Junior Bobby Wyatt of Mobile birdied five of his first seven holes and finished his match on the 13th green with a chip into the hole from more than 50 feet. Juniors Trey Mullinax and Cory Whitsett as well as senior Scott Strohmeier helped clinch the title by winning their matches.

Before entering into the 2013 NCAA Championship, Alabama was ranked No. 2 nationally behind the University of California. The Crimson Tide went on to win eight of their nine tournaments including the SEC Championship, the NCAA Baton Rouge Regional and the NCAA Championships. Three members of the team entered the championship tournament ranked in the top 10: Bobby Wyatt—No. 3, Cory Whitsett—No. 4, and sophomore Justin Thomas—No. 8.

The Crimson Tide National Champion team members and staff include: Lee Knox, Dru Love, Tom Lovelady, Trey Mullinax, Robby Prater, William Sellers, Scott Strohmeier, Justin Thomas, Cory Whitsett, Bobby Wyatt, Coach Jay Seawell, and Assistant Coach Rob Bradley.

On behalf of the people of Alabama and my colleagues in the Alabama Delegation, I wish to extend personal congratulations to Coach Jay Seawell, Assistant Coach Rob Bradley and the University of Alabama Men's Golf Team for their rising to the challenge and bringing home the NCAA Championship trophy to Tuscaloosa. Roll Tide!

## HONORING ALEX WESTHUES

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Alex Westhues. Alex is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Alex has been very active with his troop, participating in many scout activities. Over the many years Alex has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Alex has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Alex Westhues for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING DR. TRIFON  
LASKARIS ON RECEIPT OF HIS  
200TH U.S. PATENT**HON. PAUL TONKO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. TONKO. Mr. Speaker, I rise today to pay tribute to a remarkable individual and prolific inventor whose pioneering research into medical imaging has helped to transform modern day medicine. Dr. Trifon Laskaris, a Chief Scientist at General Electric's Global Research Center, was recently awarded his 200th U.S. patent—a benchmark previously reached by only one other GE researcher—the inventor of the light bulb and founder of the company's research center, Thomas Edison.

For the past four decades, Dr. Laskaris has worked at GE Global Research on technology to advance magnetic resonance imaging, or MRI. He has spent much of his career directing GE's research into superconducting magnets. It is these high-power magnets that make MRI possible. Suffice it to say that without the work of Dr. Laskaris and his team, MRI would not be where it is today—a vital diagnostic tool used in hospitals around the world. There is no telling how many millions of people are leading healthier lives today because of the technology that Dr. Laskaris developed.

New York's Capital Region has a rich history as a hub for cutting-edge science and technology. From the birth of General Electric more than 120 years ago, to the emergence of "Tech Valley" as a center for nanotechnology research and development, upstate New York continues to be at the forefront of invention and innovation that is making America and the world a better place. Dr. Laskaris is an inspiration to us all, and his achievement is a testament to the fruits that creativity and steadfast pursuit of technological advancement can bear.

I congratulate Dr. Trifon Laskaris on this milestone achievement and, on behalf of this body and the citizens of the 20th District of New York, I thank him for his lifelong dedication to scientific research in the service of humanity.

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50TH ANNIVERSARY OF THE  
EQUAL PAY ACT

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**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Ms. ESHOO. Mr. Speaker, fifty years ago when President Kennedy signed the Equal Pay Act of 1963, he stated that "when women enter the labor force they will find equality in their pay envelopes." Yet a half century later, women still do not have equality in their pay. In 1963, women made an average of 59 cents for every dollar earned by men. Today, women nationwide make on average 77 cents for every dollar earned by men. According to a new report from the American Association of University Women, women in my Congressional District still earn only 74 cents for every dollar earned by men—progress, but not nearly enough.

With the 50th anniversary of the Equal Pay Act upon us, and as American women continue to encounter lower pay in the workplace, I can think of no better action to take than to pass the Paycheck Fairness Act.

Here's why.

If the United States adopts a policy of paycheck fairness, it will put \$200 billion more into the economy every year. That comes out to about \$137 for every white woman per paycheck, and approximately \$300 for every woman of color who are doubly discriminated against.

And with a record number of women in the workforce, wage discrimination is hurting the majority of American families, both in terms of their economic security today and their retirement security tomorrow. This means fewer resources to pay the mortgage, send kids to college, or have a decent retirement.

Passing the Paycheck Fairness Act will close loopholes that allow pay discrimination to continue. The bill requires employers to demonstrate pay disparity is related to job performance—not gender. It prohibits employer retaliation for sharing salary information with coworkers, and it strengthens remedies for pay discrimination by increasing compensation women can seek.

Fifty years after President Kennedy signed the Equal Pay Act, the law has brought more equity to the workplace, but neither President Kennedy nor today's leaders can say our job is done.

Pass the Paycheck Fairness Act because pay equity means economic growth for America's women and their families.

IN HONOR OF DR. JOSEPH T. COX,  
THE 8TH HEADMASTER OF THE  
HAVERFORD SCHOOL

**HON. PATRICK MEEHAN**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. MEEHAN. Mr. Speaker, we honor Dr. Joseph T. Cox, the 8th Headmaster of The Haverford School, who is retiring after 15 truly transformative years at Haverford School, an all boys Pre-K through 12 independent school located in the suburbs of Philadelphia. Dr. Cox came to The Haverford School in the summer of 1998 as a decorated Vietnam War veteran who had risen to the rank of Colonel in the United States Army. Colonel Cox provided great service to our country as a Commander of the 101st Airborne Division Battalion. Not only was Dr. Cox a successful military officer, but he was also a gifted poet who graduated from Lafayette College and earned his Ph.D. from the University of North Carolina.

Despite this somewhat unique combination of talents and skills, Dr. Cox came to The Haverford School as a largely unknown person with no experience in the world of independent schools in 1998. However, fifteen glorious years later, Dr. Cox leaves The Haverford School with his personal imprint embedded throughout the entire community. Dr. Cox's strong servant leadership, his vision, his passion and his compassion had a lasting impact on the many boys and young men who attended Haverford during his fifteen year tenure.

During his tenure, Haverford graduated 1,240 young men. Dr. Cox opened the doors of Haverford to a much broader and more diverse group of boys and young men and he pushed to meaningfully increase the financial assistance for the boys by five-fold in order to assure that Haverford attracted a truly remarkable group of talented boys and young men of character.

Dr. Cox also implemented a nationally recognized and highly acclaimed faculty performance system coupled with a program of performance pay and he obtained a strong commitment from the Board of Trustees to pay Haverford's teachers at the top of the pay scale for local independent day schools. This program was critical to attracting and retaining a group of extraordinary teachers, coaches, and senior administrators to Haverford.

Dr. Cox led and carefully oversaw a facilities renaissance at Haverford with the building of a new Field House, a new Lower School and a new and expanded Upper School during his tenure. He also led a series of record-setting capital campaigns and he led fund raising efforts which resulted in contributions of more than \$100 million to Haverford during his tenure.

Most importantly, Dr. Cox installed and encouraged the development of a series of game changing programs designed to make Haverford a more holistic place. Included among his programmatic accomplishments was development of a novel and now much copied school-wide decision education program. He also put in place a student-run Honor Code, a school-wide servant leadership program, numerous

character education programs and an important community guidepost with his Principles of Community.

Dr. Cox encouraged excellence in academics, the arts and athletics. During his tenure, the arts programs flourished with new studios, new programs and the establishment of an annual Arts Week celebration. Athletics enjoyed a strong resurgence during Dr. Cox's tenure with Haverford teams winning 41 Inter-Ac championships.

In short, Dr. Cox, a man of passion, compassion, and vision led a remarkable renaissance at The Haverford School and his servant leadership made a genuine difference in the lives of the entire Haverford School community.

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HONORING THOMAS MILTON WILSON, JR. FOR LIFETIME SERVICE  
TO OUR NATION

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**HON. RODNEY ALEXANDER**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. ALEXANDER. Mr. Speaker, I rise today to honor Thomas Milton Wilson, Jr. for a lifetime of courageous service to our nation as a pilot in the United States Air Force.

Wilson was born on April 12, 1919, following the First World War. As a young man, he entered the U.S. Army Air Corps to begin training to become a pilot, as it was becoming apparent to the world we would soon be at war again. He proudly earned his wings and began flying the first of countless combat missions from North Africa and Italy and into enemy territory in fortress Europe during World War II.

Following his valiant wartime service in the Air Force, Wilson decided to continue the mission of preserving the freedoms we hold so dear. He remained in the USAF Reserves for an additional 20 years and retired as a Colonel.

Our country and many more around the globe are the beneficiaries of his selflessness and vigilance. It is with great pride that I ask my colleagues to join me in paying tribute to Thomas Milton Wilson, Jr. and extending thanks from a grateful nation.

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HONORING COLONEL MARK C.  
GARDNER'S RETIREMENT

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**HON. PHIL GINGREY**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to honor Colonel Mark C. Gardner and to recognize his lifetime of service to our country.

On June 28, Col. Gardner will retire from the United States Army after thirty years of sacrifice and service to this great nation.

While he currently serves as the Georgia National Guard's State Inspector General, he has worked in many different capacities. In 1983, Col. Gardner's first assignment was with U.S. Army Missile Command, and he has



since been assigned to infantry, maintenance, and forward support duties across the world. His career has taken him to Korea, Panama, Afghanistan, Iraq, and several military installations here in the United States.

For his distinguished leadership throughout his career, Col. Gardner has been awarded with decorations like the Legion of Merit with Oak Leaf Cluster, the Joint Service Commendation Medal, the Meritorious Service Medal with six Oak Leaf Clusters, the Army Achievement Medal, the National Defense Service Medal, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Korea Defense Service Medal, the Army Reserve Service Medal, the Parachutist Badge, and the Air Assault Badge.

Col. Gardner has played an invaluable role in the U.S. Armed Forces for decades and he will surely be missed.

Mr. Speaker, on behalf of the 11th District of Georgia, my deepest thanks to Col. Gardner for devoting his life to upholding the Constitution of the United States and to the protection of its citizens. I wish him a happy—and well-deserved—retirement.

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#### RECOGNIZING THE LIFE AND LEGACY OF EVANGELIST DELLA MAE KING SUTTON

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to pay homage to the life and legacy of Evangelist Della Mae King Sutton of Nesbit, Mississippi. Mr. Speaker, Evangelist Sutton was a mighty woman of God. She devoted countless hours to empower those around her in formal and Christian education. Born July 20, 1941 in Desoto County, MS, Ms. Della was the first daughter to the late Turner King, Sr. and the late Remell Bridgeforth King.

Ms. Sutton began her education at Shiloh M.B. Church in Desoto County, MS where her father was the instructor. She continued her education as an honor student at Hernando High School, which taught students up until eighth grade, and completed her studies as class Valedictorian. Upon leaving Hernando High, Ms. Della finished her secondary education at the age of sixteen at Eastern High School in Olive Branch, MS, where she was Salutatorian of her graduating class before enrolling in Mississippi Industrial College in Holly Springs, MS. It was there where she would meet her companion in life, her husband, Mr. Jesse Sutton, Jr. After completing studies at Mississippi Industrial College, Ms. Sutton earned her Master's of Science degree from Jackson State University.

Ms. Della Mae sincerely believed in children and the value of educating them. Ms. Sutton served as a devoted educator for more than thirty years throughout Mississippi. These schools included East Side High School in Olive Branch, Mississippi; Oakley Training School in Learned, Mississippi; Mendenhall Junior High School in Mendenhall, Mississippi; and Northside Elementary School in Pearl, Mississippi, from which she retired.

Throughout the years, Ms. Sutton has been recognized on several occasions. Most notably, she was recognized by former Governor and First Lady Ronnie Musgrove as one of the Most Outstanding Women for the Reach One-Each One Mother of the Year contest. She served as Chairperson of the Elementary Language Arts and was recognized for a host of other achievements. Ms. Sutton was the recipient of a number of awards, among them are the Who's Who Among Teachers, Teacher of the Year and most recently the Jackson District Association's Living Legacy Award.

Ms. Sutton was a socially engaged woman. She was a member of Southern Christian Leadership Conference, a member of the National Association for the Advancement of Colored People, member of "Keep Jackson Beautiful", instructor of the Jackson District Ministers' Wives/Widows group, and an avid supporter of the Mississippi Baptist Seminary. She was an active member of the General Missionary Baptist Convention and a devoted member of the New McRaven Hill M.B. Church, where she served as a Sunday School teacher, member of the Mother's Ministry, devotional leader of the Mission Society and Vacation Bible School teacher.

This spiritual steward for Christ lived a life of both passion and purpose. She was an advocate of education, a champion of civility and a true lover of the Lord.

Mr. Speaker, I ask my fellow colleagues to join me in celebrating the life and legacy of a true champion, Evangelist Della Mae King Sutton.

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#### RECOGNIZING THE 109TH BIRTHDAY OF MR. ROOSEVELT LEE, SR. OF KOSCIUSKO, MS

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to recognize Mr. Roosevelt Lee, Sr. of Kosciusko, MS as a father, husband and agricultural entrepreneur in recognition of his 109th birthday. Born October 23, 1902 to Mr. Tom Lee and Mrs. Mary Young Lee, Roosevelt is the eldest and last surviving of nine siblings, all of which he helped his father care for. Mr. Lee is the father of eighteen (18) children, grandfather to sixty (60) grandchildren, and great-grandfather to more than fifty (50) great-grandchildren.

During a period when educational resources for African Americans were scarce, Mr. Lee managed to receive a third-grade education which was offered out of a local church in Kosciusko, where he is a native. At a very young age Mr. Lee committed his time and talent to working to help support his family; he worked as a farmer, mechanic, and raiser of cattle and other livestock.

He is a devoted Christian and passionate steward of the Lord. He was a member of the Mount Ollie Missionary Baptist Church in Kosciusko, MS for 67 years where he actively served as Sunday school superintendent, treasurer, head deacon, and trustee. Currently, he is a member of the Bell Grove Mis-

sionary Baptist Church of Clarksdale and has been for the past eight years.

Mr. Lee is a member of the Sir Knight Masons of Clarksdale, MS. He has selflessly devoted his time to helping other local farmers maintain and repair their farming equipment and vehicles. Mr. Lee's work ethic and commitment to providing for his family has allowed his family to keep its farm for 81 years. He was a producer of cotton, corn, soybeans and a number of other crops.

In October of 2007, Mayor Henry Epsy of Clarksdale, Mississippi, declared October 27th as Roosevelt Lee, Sr. Day. At the seasoned age of 109, Mr. Lee does not suffer from commonly prominent illnesses such as high blood pressure, high cholesterol, heart issues or diabetes. He enjoys boxing, wrestling, and he has a passion for the game of checkers. He has frequented Chicago, St. Louis, California, Atlanta and a host of other U.S. cities and states.

Mr. Lee truly believes that his commitment to Christ has sustained him throughout his life. He believes that if you serve the Lord and do the right thing, regardless of what the next person does, God will bless you. He is a true example of the wondrous works of the Lord and what it means to be a provider for your family.

Mr. Speaker, I ask that my colleagues join me in celebrating a true champion of life, Mr. Roosevelt Lee, Sr., for his tenacity and zealous work as a farmer, father and fine American.

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#### PERSONAL EXPLANATION

**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. KEATING. Mr. Speaker, on June 3 and 4, 2013, I was unavoidably detained and missed the following rollcall votes: No. 184 for H.R. 1206 and No. 188 on agreeing to the first Broun of Georgia amendment to H.R. 2216. Had I been present, I would have voted "aye" on rollcall No. 184 and "nay" on rollcall No. 188.

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#### RECOGNIZING MR. WILLIAM RASPBERRY

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to pay tribute to the honorable Mr. William Raspberry. Mr. Raspberry was born on October 12, 1935 to proud parents Mr. James Lee and Mrs. Willie Mae Raspberry. A native of Okolona, Mississippi, Mr. Raspberry has become a celebrated writer as a result of his commentary on social and political issues.

Mr. Raspberry received his Bachelor's of Science Degree from Indiana Central College, now known as The University of Indianapolis, in 1958. After receiving his degree, he served as a public information officer with the United

States Army from 1960 until 1962, at which time he began working at the Washington Post as a teletypist. In 1966 he was named as a columnist for the Washington Post, and in that same year, Mr. Raspberry married Sondra Patricia Dodson and together they had three children Patricia D., Angela D., and Mark J.

As a result of his exemplary contributions in literature, Mr. Raspberry was nominated for the Pulitzer Prize in 1982, and received the Pulitzer Prize for Commentary in 1994.

Mr. Raspberry has dictated his strong opinions about the problems in American society through his work with the Washington Post. He has been noted for writing about education, criminal justice, family, and racial matters in America. Mr. Raspberry has often been quoted in many different publications and has also been asked to speak at various conferences and seminars.

In addition to providing a weekly column in the Washington Post, Mr. Raspberry has also served in other capacities throughout his lifetime. He served as a journalism instructor at Howard University from 1971–1973; Member of the Board of Advisers, Poynter Institute for Media Studies, 1984; Member of the Board of Visitors, University of Maryland School of Journalism, 1985; television commentator for WTTG, Washington, D.C., 1973–1975; Television Discussion Panelist, WRC-TV, Washington, D.C., 1974–1975, and a Member of the Pulitzer Prize Board, 1979–1986. As of 2008, Mr. Raspberry has also served as the President of “Baby Steps”, a parent training and empowerment program based in Okolona, Mississippi.

He is also the author of Looking Backward at Us, a collection of his columns from the 1980's. Mr. Raspberry has received honorary degrees from Georgetown University, University of Maryland, and the University of Indianapolis; he received an honorary Doctor of Laws degree from Colby College. He was also the Knight Professor of the Practice of Communications and Journalism at the Sanford Institute of Public Policy at Duke University. During his career Mr. Raspberry, has also served as a member of the National Association of Black Journalists, Capitol Press Club, and Kappa Alpha Psi Fraternity Incorporated.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. William Raspberry for his exceptional contributions to our community and to our society as whole.

#### HONORING HOLLIS WATKINS

#### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 5, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Hollis Watkins who was born on July 29, 1941, in Lincoln County, Mississippi near the town of Summit. He is the youngest and twelfth child of sharecroppers, John and Lena Watkins who were able to purchase a farm during 1949.

Mr. Watkins graduated from Lincoln County Training School in 1960. During his youth, he attended the National Association for the Advancement of Colored People (NAACP) youth

meetings led by Medgar Evers. He met Robert Parris Moses, commonly known as Bob Moses, who was organizing for the Student Nonviolent Coordinating Committee (SNCC) in 1961. Mr. Watkins joined SNCC and began canvassing potential voters around McComb, Mississippi. He participated in McComb's first sit-in at a Woolworth's lunch counter and was jailed for 34 days. During his time in jail, he was threatened on several occasions, including once being shown a noose and told that he would be hung that night. Later, his participation in a walk out at McComb's colored high school led to 39 more days in jail.

Mr. Watkins' activism had a personal price, as many of his extended family ostracized him and would not recognize him in public for fear of losing their jobs in white reprisals.

Veron Dahmer, president of the Forrest County, Mississippi NAACP asked SNCC for help with voter registration and Mr. Watkins moved to Hattiesburg, Mississippi to help with that project. He worked half days at Dahmer's sawmill to pay his way, and spent the rest of the time organizing voter registration projects.

Mr. Watkins was one of many people spied upon by the Mississippi State Sovereignty Commission, which investigated civil rights workers and created files on them for government use. His name appears in the files 63 times. Some of the reports refer to him as a communist, although he had little idea what that even meant at the time.

Mr. Watkins traveled to Atlantic City, New Jersey for the 1964 Democratic Party convention in support of the Mississippi Freedom Democratic Party (MFDP), which attempted to unseat the regular Mississippi Democratic Party as the true representatives of the state. He was present when Fannie Lou Hamer gave her testimony to the credentials committee, and later when Hamer and Dr. Martin Luther King, Jr. debated over whether the MFDP should accept the compromise of two seats at the convention offered by Lyndon Baines Johnson.

In 1988, Mr. Watkins returned to the Democratic Party National Convention as a delegate for Jesse Jackson, Sr.'s Presidential Campaign. Beginning in 1989 Mr. Watkins joined, and now serves as President of Southern Echo, a group dedicated to providing assistance to civil rights and education-reform groups throughout the south. He was honored by Jackson State University with a Fannie Lou Hamer Humanitarian Award in 2011.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Hollis Watkins for his dedication to serving others.

#### TRIBUTE TO DR. WILLIAM LEE AND THE YMCA OF GREATER NEW YORK

#### HON. GRACE MENG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 5, 2013

Ms. MENG. Mr. Speaker, I rise today to pay tribute to Dr. William Lee and the YMCA of Greater New York for their impeccable efforts to provide support and services to all New Americans.

Born in Seoul, South Korea, Dr. “Bill” Lee became a student leader at the Korean YMCA. As he immigrated with his young family to New York to complete his graduate medical education, Dr. Lee became aware of the unique challenges facing newly arrived immigrants and he has worked diligently over the past decades to combat these challenges.

Bill Lee has served as a board member of the YMCA of New York City from 1982–1996 and again since 2005. He also served on the YMCA of the USA Board of Directors from 1995–2004, and continues to have a lifelong relationship with the YMCA both in Korea and in the United States. With support from Dr. Lee and others, the YMCA of Greater New York established New American Welcome Centers throughout the City, including the Flushing YMCA in my Congressional District. These Centers help immigrants achieve literacy, cultural competence, and self-sufficiency.

Mr. Speaker, drawing on his own experience as a young immigrant who faced much adversity, Dr. Lee was able to turn his experiences into positive solutions for the newly arrived immigrants he saw in New York City. He successfully fundraised and organized the Korean Center of the Flushing YMCA, a branch of the YMCA of Greater New York that served new Korean immigrants with English-language classes and programs for newly arrived Korean families. As organizing chair of the International branch of the New York City YMCA, he championed the New Americans program, carefully outlining the needs of new immigrants, and the importance of working collaboratively with a strong referral network of service providers. He also closely monitored the initial years of the start-up and roll-out of six centers.

This week, Dr. Lee and Jack Lund, President of the YMCA of Greater New York, are visiting Washington, DC, to participate in a “Champions of Change” celebration hosted by the White House in honor of the Obama Administration's commitment to expanding programs and services to the immigrant population of the New York City.

A renowned cardiologist, Dr. Lee never fails to give back to his community. He has shaped one of the most successful programs in the YMCA through his belief that helping new arrivals succeed will be repaid many times over in society.

Mr. Speaker, I ask all my colleagues in the House of Representatives to join me now in paying tribute to Dr. William Lee and to the YMCA of Greater New York for their years of assistance to Korean Americans and to the entire City of New York.

#### HONORING MRS. SARAH KIMBROUGH HART

#### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 5, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mrs. Sarah Kimbrough Hart, a remarkable public servant.

Mrs. Sarah Kimbrough Hart, a 90 year old native of Lexington, Miss., who is the widow of

the late Harrison aka "HB" Hart, a well-known farmer and strong community leader. She was born May 9, 1922 to Daniel and Rebecca Kimbrough of the Shady Grove Community in the hills of Holmes County. She is the third of eight children (all females). Seven of whom are deceased.

Mrs. Hart and her husband marched and protested injustices during the civil rights movement in Holmes County. They were among the very early African Americans who registered to vote after meeting would-be opposition for the County Registrar.

Mrs. Hart often shares the story of how the Voting Registrar would ask them idiotic questions like "how many bubbles are in a bar of soap" or "how many strains of hairs are on a person's head" just to discourage them from registering, but they would not give up. They kept returning to the Holmes County Court House until they were allowed to register. She and her husband also housed civil rights workers (freedom riders) from up north in their home. They contributed money and resources to the movement. They were also integral parts of the efforts to bring the first black doctor to Holmes County. Mrs. Hart is the mother of eight adult children, one deceased, and a number of grands, greatgrands and great-great grandchildren.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Sarah Kimbrough Hart for her dedication to serving others and giving back to the African American community.

HONORING BRENDA LOVE FOR  
HER INVALUABLE CONTRIBUTIONS  
AS A MEMBER OF THE  
WARREN COUNTY, MISSISSIPPI  
BUSINESS COMMUNITY

### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a woman of great perseverance and determination, minority business owner Mrs. Brenda Love.

Originally of New Orleans, Louisiana, Mrs. Love and her family relocated to Vicksburg, Mississippi when she was fourteen years old. At an early age, Mrs. Love's mother instilled in her the importance of hard work and dedication. These values coupled with savvy business sense have earned Mrs. Love distinction as one of Warren County's most influential business owners.

For more than 15 years, Mrs. Love has served as a model figure in the business community. She has extended services to her community as a trusted income service provider through her business, Love Income Tax Services. She and her husband are also owners of two other local businesses, Unique Impressions Restaurant and Lounge and Unique Banquet Hall, which provides event space for residents looking to host events in the Vicksburg area.

Mrs. Love is a respected member of the general community as well. Outside of her other businesses, Mrs. Love thrives as a realtor associate with Coldwell Banker All Stars.

She is also a member of the Warren County Board of Realtors, and the board for the Vicksburg Convention Center and City Auditorium.

Mr. Speaker, I ask my colleagues to join me in honoring a minority business owner, Mrs. Brenda Love, for her leadership, entrepreneurial spirit, and invaluable contributions to Warren County as a valued member of the business community.

HONORING THE LIFE AND SERVICE  
OF SPECIALIST DWAYNE W. FLORES,  
GUAM ARMY NATIONAL  
GUARDSMAN

### HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Ms. BORDALLO. Mr. Speaker, I rise today to honor the bravery and service of Guam Army National Guardsman Specialist Dwayne Westfall Flores from the village of Sinajana, Guam. Specialist Flores was one of the 600 Guam Army National Guard soldiers assigned to the 1st Battalion—294th Infantry Regiment that were recently deployed to Afghanistan, in support of Operation Enduring Freedom. On May 16, 2013 Specialist Flores was killed during a suicide car bomb attack in Kabul, Afghanistan. He was 22 years old.

Specialist Flores was born on February 26, 1991 to Leonardo Arriola Flores and Eva Westfall Flores. Specialist Flores devoted every Sunday as an altar server at the 5:45 a.m. mass at the Dulce Nombre de Maria Cathedral Basilica in Haga. In his civilian employment, Specialist Flores worked as a body repairman for LamLam Tours, a tour bus operations company.

After graduating from George Washington High School, Specialist Flores enlisted in the Guam Army National Guard on May 19, 2008 and served as a Human Resources Specialist and was assigned to Echo Company, 1st Battalion, 294th Infantry Regiment. This was his first deployment.

For his service and performance, Specialist Flores received numerous awards and achievements, including the Bronze Star Medal, Purple Heart Medal, Army Good Conduct Medal, National Defense Service Medal, Afghanistan Campaign Medal with Bronze Service Star, Global War on Terrorism Service Medal, Armed Forces Reserve Medal with M Device, Army Service Ribbon, Overseas Service Ribbon, Army Reserve Component Overseas Training Ribbon, NATO Medal, Combat Action Badge, Guam Cross of Valor and Overseas Service Bar.

I join our community in mourning the loss of Specialist Flores, and I extend my deepest condolences to his parents, Leonardo and Eva; his siblings, Stephanie Westfall Flores Taitano and Steven Westfall Flores; and his extended family, close friends, and loved ones.

Specialist Flores served with honor and distinction, and like the many sons and daughter of Guam who served before him, he gave the ultimate sacrifice in defense of our country. Our nation will be eternally grateful for his service.

May God bless the family and friends of Specialist Dwayne Westfall Flores and may God bless the men and women of our United States Armed Forces and keep them safe.

HONORING REVEREND WILLIE E.  
BLUE

### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a civil rights activist and known legend from Mississippi, Rev. Willie Blue. He is from Charleston, Mississippi.

Civil rights and the movement was a necessary part of American culture. It helped to seal cracks in the American society by making great improvements in its foundation and Rev. Willie E. Blue was a part of that effort.

In 1963 he joined SNCC (Student Non-violent Coordinating Committee). SNCC was founded by Ella Baker at Shaw University as a direct response to segregated public facilities. SNCC's aim was to desegregate those public facilities by organizing "Sit-ins". From 1963–1966 he was the field secretary for SNCC and he has worked alongside people like Julian Bond, Stokely Carmichael, Kwame Ture, Bob Moses, and Hollis Watkins to name a few. He became a member of the Veterans of the Mississippi Civil Rights Movement in 2007.

Although the years have passed since the start of the Civil Rights Movement, Rev. Blue has continued his efforts by working with young people to make sure they are educated on the movement and its contribution to society. He is building the fire inside of them to continue the fight for a better America for all citizens. "It's their turn now" he says, "and the veterans have to show them the way."

Mr. Speaker, I ask my colleagues to join me in recognizing Reverend Willie E. Blue for his dedication to fighting oppression, discrimination, and injustice in Mississippi.

HONORING ELIZABETH MICHELLE  
WOODS FOR HER CONTINUED  
SERVICE TO HER COUNTRY AND  
COMMUNITY

### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 5, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable veteran from the Mississippi Delta, Sergeant Elizabeth Michelle Woods.

Ms. Woods's desire to serve her country began at an early age. As a senior in high school she joined the ranks of the United States Army Reserves and served eight years with the 479th Ordnance Company.

Following her tenure with the 479th Ordnance Company, Sergeant Woods served as assistant squad leader during a tour of duty in Operation Desert Storm. Not only did Sergeant Woods return home a decorated soldier

with distinctions such as the U.S. Army Achievement Medal and the U.S. Army Certificate of Achievement, but she also obtained an Associate of Arts Degree in Social Work.

As a result of her tireless work and leadership over her twelve years of service to her country, Sergeant Woods garnered the status of sergeant promotionable along with an Honorable Discharge. After her military service, she continued her educational pursuits and received a Bachelor of Science Degree in Social Work, a Masters Degree in Social Work, and an Executive Masters of Science Degree in Health Administration.

Sergeant Wood's knowledge of social work and love of serving her community inspired her to enter the field of victim advocacy and develop a Crime Victims Assistance Program within the Department of Veterans Affairs, and serve as Director of Social Work at the Delta Health Center and Aaron Henry Health Center.

Mr. Speaker, I ask my colleagues to join me in recognizing Sergeant Elizabeth Woods for her dedication to serving our country and her community.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 6, 2013 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### JUNE 11

9:30 a.m.

Committee on Armed Services  
Subcommittee on Airland

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

Committee on the Judiciary

To hold hearings to examine the nominations of Byron Todd Jones, of Minnesota, to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives, and Stuart F. Delery, of the District of Columbia, to be an Assistant Attorney General, both of the Department of Justice.

SD-226

10 a.m.

Committee on Appropriations  
Subcommittee on Department of Defense  
To hold hearings to examine department leadership.

SD-192

Committee on Energy and Natural Resources

To hold hearings to examine the November 6, 2012 referendum on the political status of Puerto Rico and the Administration's response.

SD-366

Committee on Finance

To hold hearings to examine sex trafficking and exploitation in America, focusing on child welfare's role in prevention and intervention.

SD-215

Committee on Health, Education, Labor, and Pensions

Business meeting to consider an original bill entitled, "Strengthening America's Schools Act", and any pending nominations.

SH-216

11 a.m.

Committee on Armed Services  
Subcommittee on Readiness and Management Support

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

2 p.m.

Committee on Armed Services  
Subcommittee on Personnel

Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SD-G50

2:30 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

To hold hearings to examine deep sea challenge, focusing on innovative partnerships in ocean observations.

SR-253

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

3:30 p.m.

Committee on Armed Services  
Subcommittee on Strategic Forces

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

6 p.m.

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-232A

##### JUNE 12

9:30 a.m.

Committee on Armed Services  
Subcommittee on SeaPower

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the pro-

posed National Defense Authorization Act for fiscal year 2014.

SR-222

10 a.m.

Committee on Veterans' Affairs

To hold hearings to examine pending benefits legislation.

SR-418

2 p.m.

Committee on Appropriations

To hold hearings to examine cybersecurity, focusing on preparing for and responding to the enduring threat; to be immediately followed by a closed briefing in SVC-217.

SD-G50

2:30 p.m.

Committee on Armed Services

Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

Committee on Indian Affairs

To hold hearings to examine the nomination of Yvette Roubideaux, of Maryland, to be Director of the Indian Health Service, Department of Health and Human Services.

SD-628

##### JUNE 13

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

10 a.m.

Committee on Appropriations

Subcommittee on Transportation and Housing and Urban Development, and Related Agencies

To hold hearings to examine crumbling infrastructure, focusing on outdated and overburdened highways and bridges.

SD-124

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine Syrian refugees in the Organization for Security and Cooperation in Europe (OSCE) region, focusing on the United States and international response to the humanitarian crisis that threatens to destabilize the entire region.

SD-562

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

##### JUNE 14

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

##### JUNE 20

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine water resource issues in the Klamath River Basin.

SD-366

## SENATE—Thursday, June 6, 2013

The Senate met at 9 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our fortress, our shelter in the time of storm, we look to You for peace in spite of turbulence and trust You to bring us to a desired destination. With Your mighty acts, You blessed and unshackled us, and we rejoice in the freedom You provide.

Strengthen our Senators today so that they may speak and act inspired by Your spirit. Lord, enable them to hear Your voice and follow Your lead. Make them good stewards of their influence as they strive to live exemplary lives. Guide them, O God, until they delight to do Your will.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The PRESIDING OFFICER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 6, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### ORDER FOR STAR PRINT—S. 744

Mr. REID. Mr. President, I ask unanimous consent that S. 744, as reported

by the Judiciary Committee, be star printed with the changes that are at the desk.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 80, S. 744.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 80, S. 744, a bill to provide for comprehensive immigration reform, and for other purposes.

### CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk, and I ask that it be reported.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 80, S. 744, a bill to provide for comprehensive immigration reform, and for other purposes.

Harry Reid, Patrick J. Leahy, Robert Menendez, Christopher A. Coons, Mazie Hirono, Dianne Feinstein, Bill Nelson, Benjamin L. Cardin, Sheldon Whitehouse, Al Franken, Richard Blumenthal, Ron Wyden, Jack Reed, Patty Murray, Michael F. Bennet, Tom Harkin, Charles E. Schumer, Richard J. Durbin.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum required under rule XXII be waived.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. REID. I now withdraw the motion to proceed.

The ACTING PRESIDENT pro tempore. The motion is withdrawn.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will resume consideration of the farm bill. The filing deadline for second-degree amendments is 9:45 a.m. today.

At 10 a.m., there will be three rollcall votes; first, a cloture vote on the farm bill, then a cloture vote on the motion to proceed to S. 1003, the Republican

student loan bill, and, finally, a cloture vote on the motion to proceed on S. 953, which is the Democratic student loan bill.

Senator Lautenberg will lie in repose in the Senate Chamber this afternoon. Senators will gather at 2:15 p.m. in the Ohio Clock corridor to go to the floor and pay their respects.

I wish to briefly say I truly appreciate, as we all do, the Sergeant at Arms Terry Gainer and his whole staff for making this so very pleasant—at least as pleasant as a funeral can be. It was truly a celebration.

Because of the Jewish tradition, this had to be jammed in with not a lot of time, so we were under tremendous pressure. I appreciate the work which allowed us to get this done.

I appreciate what Secretary Hagel, Ash Carter at the Pentagon, the Assistant Secretary of the Senate, Sheila Dwyer, and her entire staff in the Secretary's Office have done to make this whole situation as pleasant as it has been.

### ORDER OF PROCEDURE

I now ask unanimous consent that when the Senate resumes consideration of the farm bill this morning, the time until 10 a.m. be equally divided and controlled between the two leaders or their designees.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Following the vote on the motion to invoke cloture on S. 953, I ask unanimous consent that the time until 11:45 a.m. be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each; further, that I be recognized at 11:45 a.m. today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### REMEMBERING FRANK R. LAUTENBERG

Mr. REID. Mr. President, this afternoon the Senate will pay its final respects to a friend and a respected colleague—and that is an understatement—Frank Lautenberg. Frank will lie in repose in the Chamber where he spent three decades of his professional life.

Senator Lautenberg was one of the most effective and productive Senators to serve in the Senate and, as we learned yesterday, one of the most humorous. His leadership as well as his laughter and kindness will be missed.

## THE FARM BILL

Mr. REID. Mr. President, I talked a little bit about the farm bill, but in a few minutes we will consider whether to end debate on the agriculture jobs bill.

I commend Chairman STABENOW and Ranking Member COCHRAN on their excellent work. We were able to get some votes, but we ran into a problem, and we were unable to reach an agreement to consider a finite number of amendments, as they have been trying to do for several days. I am optimistic and hopeful we will advance the measure and be able to pass the bill with a strong bipartisan vote as we did last year.

Unfortunately, last year the House of Representative failed to even consider the Senate passed bipartisan farm bill. I hope this year the bipartisan legislation—which will create jobs, cut taxpayer subsidies, and reduce the debt by some \$23 billion—will be voted on in the House.

America's farms and ranches are the most productive in the world, but to keep America's farms and America's economy strong, Congress must pass a strong farm bill and do it quickly.

## STUDENT LOANS

Mr. REID. On one final subject, to ensure this Nation's continued economic recovery and long-term success, it is crucial that America invest in our educated workforce, and we need to continue to have an educated workforce. In this country a college education is the surest path to a better life. But higher education has never been more expensive or further out of reach for middle-class families. So it is crucial Congress act before July 1 to keep the interest rates low for 7 million college students who can't afford to pile on more debt.

Democrats have a commonsense plan to prevent loan rates from doubling for 2 years without adding a single penny to the deficit. We will consider that legislation, as I have just indicated, later this morning.

The Republican alternative proposal, by contrast, would be worse than doing nothing at all. It would be worse than letting the rates double, which would happen if we do nothing. The Republican proposal will saddle students with even more debt—about \$6,500 more debt—than they have today. That is a serious blow, considering that Americans have more than \$1 trillion in student loan debt.

Keeping college affordable is the best investment we can make in our country. Congress should remove the obstacles from keeping young people from getting an education and not put more barriers in their way. I hope our Republican colleagues will work to invest in America's future instead of, once again, sticking it to the students.

## RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

## STUDENT LOANS

Mr. MCCONNELL. Earlier this week, I came to the floor and asked Senate Democrats to work with us on permanent student loan reform. This is an issue ripe for bipartisan cooperation.

Both the President and Republicans want to prevent rates from going up in July, and the ideas Republicans have put forward on the issue are actually very similar to what the President has already proposed. This actually should be a slam dunk.

Instead, Senate Democrats have put forward a bill that fails the very benchmarks that the President himself set—a bill that is nothing more than a short-term political patch funded by permanent tax hikes. The bill would cost taxpayers more than \$8 billion, yet only save students about \$6 a month. Worse still, it is a bill Senate Democrats know will fail. In fact, they actually seem to be indicating they want it to fail.

Why would that be? Undoubtedly so they could keep this issue alive for the permanent campaign that never seems to end. Top Senate Democrats have stated themselves that they are “not looking for compromise” and that they are determined to show “the difference between the two parties on a key issue,” even when there isn't one.

Two of the most senior Democrats said those things. Those are direct quotes, so basically they are determined to force a partisan fight regardless of the costs to students. By the way they set up this morning's votes, it is pretty clear those votes are intentionally designed to fail.

So when the Senate Democrats get their wish and the bill fails this evening, I hope the President will step in to work with us on a serious permanent solution because, as I said, our ideas for reform are not all that different from his on this issue. Students should not be made to suffer just because some in this town seem to see them as rooks and pawns in a political chess match.

Look, this isn't a fight young Americans need, and they especially don't need this fight right now. Young men and women are already having a rough enough go in the Obama economy. Those who make it through college face a highly uncertain future once they get out in the real world, as their parents like to call it. They are having a real tough time finding a job.

Once ObamaCare comes online, experts predict their health care premiums are set to skyrocket. Young men in their mid-20s to mid-30s could see rate increases of 50 percent or

more, depending on which study we look at.

Here is the thing: Even if premiums end up going up by just a small fraction of that amount, it is still going to create an enormous headache for the next generation. While the administration's allies promised subsidies, studies indicate those payments from taxpayers may not make up for the higher costs.

Many young folks seem to be living largely from paycheck to paycheck these days, often because they literally have no other choice. These men and women are just getting by as it is. Do we expect these Americans to be able to afford to pay even more?

Apparently Washington Democrats do. Because if young folks don't cough up money for health insurance, they are going to get hit with a penalty tax. So one way or the other, many are going to start paying more. That is just one more reason why Senate Democrats need to get serious about the student loan issue.

This summer alone more than 9 million college students will take out nearly \$7,000 worth of loans and about \$25,000 in total by the time they earn their degrees. That is a smart investment, but it is also a lot of money. We owe them certainty and stability and permanent reform along the lines Republicans and President Obama have called for, and those two proposals, as I said, are not that far apart and actually accomplish that result. It is time for the Democrats in Washington to put the campaigning aside and work with us to enact that kind of reform.

## UPHOLDING A COMMITMENT

Mr. MCCONNELL. Mr. President, I have said repeatedly—and I will say again today—the Senate needs to know whether the majority leader intends to uphold a commitment he has now twice made, and this commitment was that he would not break the rules of the Senate to change the rules.

Specifically, both at the beginning of the last Congress and at the beginning of this Congress, he committed to the Senate and to the American people that he would not use what is referred to as the “nuclear option.” These were very clear commitments. They were not contingent commitments or commitments made with caveats. They were not contingent commitments or commitments made with caveats.

Here we have the exact words of the majority leader on this chart. At the beginning of the previous Congress, on January 27, 2011, the majority leader said:

I agree that the proper way to change Senate rules is through the procedures established in those rules, and I will oppose any effort in this Congress or the next—

and listen to this, I say to the Presiding Officer and my colleagues—

or the next—

or the next, meaning the Congress we are in now—

to change the Senate's rules other than through the regular order.

No contingencies, no caveats, no saying unless I decide I don't like certain behavior.

In this Congress there was an exchange between myself and the majority leader. Here is what I said on January 24 of 2013, this year:

Finally, I would confirm with the majority leader that the Senate would not consider other resolutions relating to any standing order or rules this Congress unless they went through the regular order process?

At the beginning of this session, we passed a couple of rules changes, a couple of standing orders. We made some changes and we made those changes in return for the majority leader's commitment, which follows. The majority leader said:

That is correct. Any other resolutions related to Senate procedure would be subject to a regular order process including consideration by the Rules Committee.

In other words, an unequivocal, non-contingent commitment, so that everyone knew the rules of the Senate for the entire Congress. There was no sort of hanging a sword of Damocles over our heads and saying, if Members don't behave as I wish, I will break my word. Now the suggestion apparently is, Members have to behave in a certain way to satisfy me or my word doesn't mean anything.

This is a serious matter. We are only one-half of 1 year through a 2-year Congress, and the Senate and the American people deserve to know whether the word of the majority leader will be kept.

#### SIXTY-NINTH ANNIVERSARY OF D-DAY AND THE HONOR FLIGHT PROGRAM

Mr. MCCONNELL. Mr. President, today is the 69th anniversary of the D-day invasion. On June 6, 1944, 160,000 allied troops landed along a 50-mile stretch of heavily fortified French coastline in a surprise attack against the forces of Nazi Germany. The cost was exceedingly high—more than 9,000 allied soldiers were killed or wounded that day—but the Normandy invasion was the beginning of a successful conclusion of the war.

I am also honored to recognize the distinguished group of World War II veterans from my home State of Kentucky who have made the trip to our Nation's Capital today—appropriately enough on D-day—to visit the National World War II Memorial on the Mall. This memorial celebrates their service, as well as the service of the brave warriors who landed on Normandy Beach, and every man and woman in uniform who fought to defend freedom in World War II.

This group includes 26 veterans who were able to make the trip to see their memorial thanks to the Honor Flight Program. The Bluegrass Chapter of Honor Flight has brought over 1,000 veterans, most of them from Kentucky, to Washington, DC for this purpose. This program provides transportation, lodging, and food for the veterans. Without Honor Flight many of these veterans would never be able to visit the Capitol or see the World War II Memorial.

As have many of my colleagues, I have been privileged to visit with groups of Honor Flight veterans on several occasions before, and I am pleased to report that I will be meeting with today's group at the Memorial as well. My father served in World War II. He got there after D-day and after the Battle of the Bulge. He was there from March of 1945 through the end of war when we were pushing the Germans back into their own country. I wish he had lived long enough to have had an opportunity to visit the World War II Memorial. I know it would have meant a lot to him, as it does to today's surviving veterans.

As World War II recedes further into the past, sadly, we are losing more of these living legends. We have just had to say goodbye to our friend Senator Frank Lautenberg, the last World War II veteran to serve in this body. The passage of time makes it all the more important to thank these heroes for their service before it is too late.

Today is a perfect occasion to do just that, and I look forward to meeting this group of courageous Kentucky veterans from towns such as Owensboro, Hartford, Louisville, Covington, Berksville, Lexington, Springfield, Mount Washington, and Taylorsville.

Mr. President, I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 954 which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 954) to reauthorize agriculture programs through 2018.

Pending:

Stabenow (for Leahy) amendment No. 998, to establish a pilot program for gigabit Internet projects in rural areas.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 10 a.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from Massachusetts.

#### STUDENT LOANS

Ms. WARREN. Mr. President, there are only 3 weeks left until interest rates on new subsidized student loans will double. If we fail to act, the cost of college will increase for millions of students. There are strong proposals on the table that would keep interest rates low while Congress has time to work out a permanent solution. Yet Congress fails to act. Why? Two issues: Money and values.

First, money. Some have argued we can't afford to keep interest rates low, but let's be clear. Right now, the Federal Government is making a profit from our students. Last month the Congressional Budget Office calculated the government will make \$51 billion this year off student loans. Think about that: \$51 billion—and that is \$16 billion higher than the earlier estimate. We have the money to cut interest rates if we are willing to reduce the profits we make from our students.

Unfortunately, Republicans see it differently. Two weeks ago House Republicans passed a plan that would produce higher profits off the backs of our college students. And here in the Senate, Senator COBURN has introduced a similar bill that makes student loans more profitable—all at the expense of our college students. This is wrong. We should reject Republican plans to make more profits off our students.

Senator COBURN talks about how his plan is similar to the low-interest rate banks offer through the Federal Reserve, but he has that wrong. The big banks borrow at less than 1 percent, but Senator COBURN would charge students an additional 3 percent on top of the 10-year Treasury rates. His plan would produce billions more in profits for the government—money that comes straight out of the pockets of our struggling students. We have the money to help our students. We don't need to squeeze them harder.

The second issue is values. Our college students already see that the system is rigged against them. They watched Wall Street bankers get bailed out while their parents lost jobs and struggled to hang on to their homes. They see special subsidies for companies that ship jobs overseas and exploit tax loopholes while the investment in their future—in jobs here at home—disappears.

Now Senator COBURN plans to squeeze more profits out of our students. He is fine with the government handing out loans to big banks at incredibly low rates, but he wants our students to pay more. That is not who we are. This does not reflect our values. We see students drowning in debt and we should be there to help.

Senator HARKIN and Senator REED have shown great leadership on this issue. They offer simple solutions to prevent interest rates from doubling. Their plan would maintain the current 3.4-percent interest rate for 2 more years.



I have also introduced a short-term plan that would cut interest rates even more by offering the exact same low rates the big banks get through the Federal Reserve discount window. I introduced this 1-year deal because we need immediate relief while we develop a long-term plan.

So I rise today in support of the Reed-Harkin proposal to freeze interest rates on subsidized loans for 2 more years. Their proposal prevents the rates from doubling on July 1 and it also gives us time to develop a plan that aligns with our values and supports our students.

This is about our values. Have we become a people who will support our big banks with nearly free loans while we crush our kids who are trying to get an education? The student loan program makes obscene profits on the backs of our students. This is morally wrong and we must put a stop to it.

Our students don't have high-paying lobbyists to look out for their interests, but they do have their voices. Petitions urging Congress to pass a short-term plan for interest rates to prevent them from doubling have already collected more than 1 million signatures. Our students and their families are asking for what is right. They are asking for something we can easily afford. Let's show them government can work for them.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Mr. President, let me first commend Senator WARREN for her very thoughtful discussion on this increasingly important topic of student debt and her efforts to assist us in extending the current interest rate of 3.4 percent while we work on a much longer and much more thoughtful approach to reform. She will be at the heart of those efforts.

July 1 is a little more than 3 weeks away. Unless Congress acts, the interest rate on subsidized student loans will double from 3.4 percent to 6.8 percent, making college more expensive for more than 7 million students across the Nation, including more than 42,000 students in my home State of Rhode Island.

This will hit low- and moderate-income families the hardest. Indeed, 60 percent of dependent subsidized loan borrowers come from families with incomes of less than \$60,000, while 80 percent of independent subsidized loan borrowers come from families with incomes below \$40,000.

There is no reason to allow this rate to double, and there is no reason to rush to a long-term solution that would actually make the problem worse.

There are several long-term proposals on the table, with substantial differences. The House passed a bill that, according to an analysis by the

nonpartisan Congressional Research Service, would leave students worse off than letting the rate double. The President has, in fact, said he would veto this legislation, but if the House bill went into effect it would be worse than doing nothing, which I think is a strong argument to do something other than the House bill.

My Republican colleagues in this body have proposed a long-term solution that would expose students to unchecked interest rates in the future, there would be no cap, and their proposal would have students pay \$15.6 billion more in interest payments for deficit reduction. I don't believe student loan borrowers should pay higher interest to reduce the deficit, nor do I think the Federal Government should be generating Federal revenue from student loan programs. We should not be profiting on the backs of these students, particularly as student debt explodes.

I have proposed setting interest rates based on the actual cost of providing the loans with a cap to protect students during periods of high interest rates.

Any long-term solution for student loans should leave students better off in the long run. The Republican proposals do not pass this test.

According to a recent analysis by the Institute for College Access and Success, the Senate Republican proposal would cost students entering college this fall and graduating in 2017 \$2,200 more in interest payments. For a freshman starting in the fall of 2018 and graduating 4 years later, the increased interest payment would balloon to \$6,700.

Make no mistake, the "savings" generated from the Senate Republican proposal means students pay more.

As I have come to the floor to discuss many times, with student loan debt eclipsing credit card debt and auto loan debt, we should take the time to thoughtfully and comprehensively address student debt and college costs.

How we set student loan interest rates is only one part of the solution. We need to address rising college costs as well. If we do not, even with grants and loans, families will be priced out of a college education and out of the middle class.

We need to ask more from States and from colleges and universities. I will be introducing legislation to revitalize the Federal-State partnership for higher education and to make sure colleges and universities have more skin in the game when it comes to student loans. These are big, complex issues, and we should work together to develop bipartisan solutions. But that work—that careful work, that thoughtful work, that thorough work—will take time—more than the 25 days we have between now and July 1.

Right now we can and we must take action to reassure students and fami-

lies who rely on need-based loans to pay for college that the rate will not double on July 1.

I have worked with Chairman HARKIN, Senator WARREN, Leader REID, and many of my colleagues to develop a fully offset 2-year extension of the current student loan interest rate. Instead of charging low- and moderate-income students more for their loans, the Student Loan Affordability Act will keep rates steady while closing loopholes in the Federal Tax Code.

Specifically, the bill would limit the use of tax-deferred retirement accounts as a complicated estate planning tool, close a corporate offshore tax loophole by restricting what is called earnings stripping by expatriated entities, and close an oil and gas industry tax loophole by treating oil from tar sands the same as other petroleum products. These are sensible measures in and of themselves, but when they will allow us to stabilize the student interest rate, they take on even more relevance and I think more importance. We should not be collecting additional revenue from students when we cannot or will not eliminate wasteful spending in the Tax Code, and we should not allow interest rates to double on July 1.

I hope all of my colleagues will support this commonsense 2-year extension that is fair to students and taxpayers, and I urge my colleagues to vote yes on the motion to proceed to S. 953, the Student Loan Affordability Act.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from North Carolina.

Mr. BURR. Mr. President, I am here to say to my colleagues that although we are going to go through a very expedited process of voting on two options on student loans, I want to urge my colleagues to take this seriously. This has a huge financial impact on families across this country, and I say "families" because we are focused on the students, and in many cases it is the parents taking out loans, and the truth is that under one option today parents are left out.

You see, the debate on this floor today is over two bills—one offered by my friends in the majority, which would extend the 3.4-percent interest rate on subsidized Stafford loans. That is 39 percent of all the student loans taken out. It does not speak to the 61 percent that is still under the 6.8 percent rate. It is parents, it is students who take out unsubsidized Stafford loans. They are still at 6.8 percent.

But more importantly, you need to look at the financial sustainability of the program. When this was originally enacted in 2006, the campaign rhetoric was, we are going to drastically cut student loans for everybody—until they realized how much it was going to cost. Then they limited it to subsidized

Stafford loans. When the authorization for that runs out, we have this debate about whether we are going to extend the 3.4-percent student loan rate. We just forget to tell everybody it is for a subsection of everybody who is taking out student loans.

So let me suggest that the other option today will be to put student loans on a financially firm footing, something we can certify for the future is financially sustainable not just for the students and for their parents but for the American taxpayer. They should have a voice in this.

So what Ranking Member ALEXANDER and Senator COBURN and I have introduced is a comprehensive piece of legislation that ties the rate of student loan borrowing to the rate of the 10-year bond in May of that year.

So this past month we would take the rate of the 10-year bond—which was about 1.79 percent—we would add 3 percent to it, and for the next year the rate for everybody taking out student loans would be 4.79 percent. Some Members of the Senate cannot add. And for the next 12 months anybody who took out a student loan would be at 4.79 percent—not some at 3.4 percent, not the rest at 6.8 percent. That 4.79 percent would be a fixed rate for the life of the loan. It would not go away in 12 months and have to be renegotiated based upon what the will of Congress was and the legislative mandate of what the interest rate was going to be. Every year that somebody went—whether it was a parent, whether it was for a nonsubsidized Stafford loan or a subsidized Stafford loan—whatever that May establishment of the 10-year bond rate was, you would add 3 percent to it. It would be very predictable. You would not be at the whim of, is Congress going to extend this?

Let me predict to you. I know what we are going to do. We are going to have two options up today, and neither one of them is going to get 60 votes. That means it is not going to pass. And the day before or 2 days before the expiration of the 3.4-percent rate, people are going to rush to the floor and say: We cannot let this happen.

We have an opportunity to fix it, to fix it on a permanent basis, to say to parents, to say to those with the non-subsidized Stafford loans and, yes, to those with the subsidized Stafford loans: We are putting this on financially sound ground, and we are going to do it in a transparent way that lets you know every May exactly what you can borrow money for for your college education.

Some might conclude, well, if you borrow every year for 4 years, you are going to have different rates. You are right. The reality is that in this bill you have an option, at any point you choose to do it, to consolidate those loans at a guaranteed 8.5 percent. So if

it is more attractive to have four different packages of loans with lower interest rates or the blend of them might be higher, you can consolidate them and take a guaranteed rate.

I heard my good friend quote the Congressional Research Service. They came out with an analysis of the two pieces of legislation last night, and they came to this conclusion: that for the subsidized Stafford loans, the Alexander-Burr-Coburn proposal was not very different from what my friends on the other side presented, but for everybody else—for the 61 percent—it saved them \$80 a month.

Let me say that again. For everybody else who is not in the subsidized Stafford loans, the Congressional Research Service said our bill saves parents and students—those who are in the nonsubsidized student loan program—\$80 a month. That is almost \$1,000 a year. This is real money. This is what Congress should pay attention to.

Let me suggest this. Congress should not be sitting in Washington deciding with a dartboard: Here is what the student loan rate is going to be this year. Should the price of money in the marketplace not have some impact on it? What we are simply saying is, tie it to a very predictable, transparent number—the 10-year cost of borrowing money, plus 3 percent.

You see, unlike throughout the 1990s and half of the 2000s, we do not have private sector competition against the government model. We decided that having financial institutions come in and offer more attractive interest rates or waiving origination fees or the administration fees of a student loan—no, no, no, we did not want that to happen even though in many cases it saved students money. We said we want to centralize this in the Federal Government. We want to take over the whole thing. And then the Congress decided: Do you know what, we want to set the rates.

Let me suggest to my colleagues that this is nothing more than a political tool right now. The last people we are trying to look at are the students or their families who actually need loans to send their kids to college.

Today's vote is a defining moment. If we take advantage of passing one that structures this to where the rates we set are out of congressional control and set by the marketplace in a predictable, transparent way, then this is sustainable. If it is not, this will be the subject of every 2 years and campaign rhetoric, where some win and some lose.

I did not come here to pick winners and losers. I came here to give equal opportunity and unlimited opportunity to the next generation and the generation after that. To suggest that only people who qualify for subsidized Stafford loans are the ones we should give

favorable treatment to is ludicrous. What we would like to do is to provide a predictable mechanism to set rates but one that does not pick winners and losers, one that treats everybody who is in the student loan need category the same.

I see the ranking member is here, and I am going to yield to him. But I do want to say to my colleagues that this is not just another 15-minute vote. You should not feel good if you vote for one and vote against another and nothing passes because we are going to be back here before July 1, and the likelihood is that it is going to be presented to us in a way where we are not going to have the option of doing the right thing. They are just going to say: Do you want to suffer the political consequences of letting the rates go from 3.4 percent to 6.8 percent on 39 percent of the American people? I would tell you that a parent borrowing money for their children today is just as vulnerable as a student who is qualified and borrows under a subsidized Stafford loan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I would like to congratulate the Senator from North Carolina for his proposal. The two votes we are having today are like the opening act at the circus, and hopefully the main event will attract some Senators who are willing to conduct this in a grownup way. We do not really have a disagreement here; we have a serious issue. We have students graduating all over the country from high school at about this time, and about 70 percent of them will go to college next year. The taxpayers want to encourage that. We spend about \$35 billion in Pell grants to help pay for that. Then three out of four of those students who go to college will go to public colleges and universities—like the Universities of Michigan or Mississippi or North Carolina or Tennessee—the taxpayer helps foot the bill for that. Then the taxpayer is going to loan \$133 billion this year in student loans to students of all kinds.

What the Senator from North Carolina and the Senator from Oklahoma have suggested—and I have joined them—is that we take advantage of today's low rates and that we lower rates on all the new loans to something below 5 percent, fix that rate for those students who get their loans this year, and allow them to participate in the income repayment program so when they take a job they will not have to spend too much of their money repaying back the loan. In some cases, it can ultimately be forgiven. There is also a cap on a consolidated loan, if they choose to do that, which many do.

If we had a real disagreement about that, it would be one thing, but we do not have a real disagreement. The

House of Representatives, which is Republican, has passed a bill based on the same idea. The President of the United States, President Obama, presented a budget to the Senate two months ago based on the same idea.

The idea is very simple. If we are going to loan \$133 billion this year, let's loan the money to students at exactly what it costs the government, which today is at about 1.75 percent, and let's add 3 percent to that—all of which goes back to the Department of Education for the cost of collections, defaults, administration, so there is no profit on the students.

Then, let's fix that loan rate. We say that if it is 4.75 today, it is 4.75 next year and 4.75 the next year for that loan. If the rates go up, the rates on new loans next year will reflect that increase. So it is fair to the students, and it is fair to the taxpayers. It is a permanent solution. It is the same idea the House has already passed. It is the same idea the President has recommended. Yet our friends on the other side are so intent on playing political games that they want to have two votes today. If I may say so, they should hire somebody to come up with a better idea than they came up with. This is one of their weakest attempts at a political game I have seen in 10 years.

We have a permanent solution supported by the President, supported by the House Republicans—all the same idea. Senate Democrats have come up with a short-term fix for 40 percent of the loans. They leave 60 percent hanging high and dry. They raise taxes to do it. It is unconstitutional for them to do it because it originates a revenue bill in the Senate instead of the House. That is their weak idea.

Why are they not following the example of the Senator from Michigan and the Senator from Mississippi and working in a bipartisan way to get a result? Why are they not following the same idea of the Senator from California and the Senator from Louisiana on the water resources bill and working in a bipartisan way to get a result? Why are they not following the same idea the four Republicans and four Democrats did on the immigration bill and working to get a result? Instead, they hold a political stunt at the White House. They now hold another political stunt on the Senate floor at a time when students are graduating from high school, looking forward to college, and would like to have a permanent solution on interest rates by July 1, which we can easily do.

I guess it is inevitable that the opening acts of the circus are sometimes going to be like this, but I regret it. I really did not come to the Senate to engage in this kind of thing. I would much rather sit down with my Democratic colleagues, which I believe we can do, and I would much rather sit

down with the White House officials, which I believe we can do, and with the House of Representatives and spend the next 3 weeks saying: Look, we all have the same idea. We have a serious issue. It affects millions of students.

So let's work together and show the country we can do this. It would be a nice prelude to the immigration debate to show that we can not only pass a water resources development bill and a farm bill but that we can also solve the student loan problem on a bipartisan basis. Then, we can take up this more difficult immigration question where we have some real differences of opinion and really need to have a debate.

I am here to congratulate the Senator from North Carolina and the Senator from Oklahoma for their suggestion and to fully support it. I will conclude by saying that there are two aspects to their bill that I believe are preferable to the version of this idea that passed the House and the version of this idea that was proposed by the President. Remember, it is the same idea in all three places—the President's budget, the House of Representatives bill, and the Burr and Coburn proposal.

The first thing that BURR and COBURN propose is to have a single interest rate for all student loans.

There are three types of student loans. It is very confusing even for those of us who have been around this issue for a long time. Let's assume there is a single student rate and you are graduating from Maryville High School. What is the cost of money? Right now, if you get a loan of any kind, it is going to be 4.75 percent. It is whatever it costs the government to borrow the money plus 3 percent to cover the Department of Education's costs. I like that proposal.

Then the second thing they propose that I would suggest is preferable to the House of Representatives bill is that if you get a loan at 4.75 percent in 2013, it is still set at 4.75 percent in 2014, 2015, 2016, and 2017. It does not change over the life of the loan. The House bill would have the interest rate on a loan going up each year. I do not like that idea. I do not think many students would.

But I wish all of our serious issues opened with proposals from the President and the House of Representatives and Senate Republicans that were as close together as we are on this issue. If we cannot come to an agreement on this issue before July 1, based on these three major centers of influence all making the same proposals, then we ought to go back to seventh grade civics class. I do not think we all need to do that. I think we know how to do our jobs.

This is the opening act of the circus. It will not take too long. It will be a little embarrassing that we have to go through it, but after we go through it, maybe we can sit down and a Senate

full of grownups will say: Let's take the President's idea and the House idea and the idea suggested by Senators BURR and COBURN, let's put it together, let's congratulate all of those students who are going to colleges, and let's encourage them and hope it is a ticket to the middle class. Let's show that our country supports those students as they seek to advance their higher education.

I ask unanimous consent to have printed in the RECORD an op-ed from the New York Times yesterday written by Senator COBURN and Senator BURR and me.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 4, 2013]

PLAYING POLITICS WITH STUDENT DEBT

(By Lamar Alexander, Tom Coburn and Richard Burr)

WASHINGTON.—This summer, more than nine million undergraduates will take out an average of \$6,700 each in federal loans to pay for college next year. They will borrow, on average, \$24,803 to earn their degrees. While this continues to be one of the smartest investments they will ever make, Congress should take one step toward making it an even smarter one.

We have introduced a proposal that would get rid of the confusing and arbitrary way interest rates are determined on federal student loans, and instead allow rates to be set by the market. We commend President Obama for introducing a similar proposal in his budget, and the House of Representatives for recently passing similar legislation, on a bipartisan basis, that offers a long-term, market-based solution.

But we are worried that Senate Democrats, who could vote on the issue as early as this week, will oppose a permanent solution for 100 percent of loans and instead will merely extend the existing, arbitrary rate for a minority of loans, and for just two years—a politically easy move that will only hurt students in the long run.

Over the past four years, the Federal Reserve has kept interest rates at record-low levels, allowing banks to borrow money from the federal government at nearly zero percent interest and, in turn, offer low rates to individuals borrowing money for the purchase of a home or a car or to start a business.

But if you're a college student who has taken out a federal loan during that time, you've seen no benefit at all from the dirt-cheap borrowing costs. Instead, your interest rate was set by Congress, which temporarily set some rates at 3.4 percent for low-income students but left most rates at either 6.8 percent or 7.9 percent.

In other words, you could borrow money to buy a used car to drive yourself to college and pay about 3 percent interest over five years, while at the same time you could be paying nearly 7 or 8 percent interest on the cost of your education.

That is, except on your federally subsidized Stafford loans. Last year Congress extended a temporary provision, first passed in 2007, to lower the 6.8 percent interest rate on newly issued Stafford loans for low-income undergraduate borrowers to 3.4 percent, for one year. The government pays the interest for these loans while the borrower is in school.

Congress extended the interest rates for a year not because it was good policy, or because 3.4 percent is some ideal rate for loans,

but largely because student debt had become a political issue in the presidential campaign. In the end, the one-year extension cost taxpayers nearly \$6 billion, but saved a mere \$9 a month in future repayments for the 40 percent of student borrowers who receive subsidized Stafford loans.

Congress is now approaching the end of that temporary “fix.” On July 1, those rates will return to 6.8 percent—which is why it is important for the Senate to make the right fix, right now.

Student debt shouldn’t be grist for the political mill. Congress must provide certainty and stability to student borrowers.

Our legislation would tie all federal student-loan interest rates to the 10-year Treasury rate (currently 1.75 percent), plus 3 percentage points to cover the costs of collections, defaults and other risk factors. That would benefit students and families by cutting rates on almost all federal student loans to a little under 5 percent for the coming school year.

Under our proposal, interest rates will remain the same over the lifetime of a loan, but the rate on a loan taken out in 2013 might differ from one taken out in 2014, because market rates vary.

One big advantage of our proposal is consistency: the confusion over differing rates on Stafford loans and unsubsidized federal PLUS loans would end, since one rate formula would be used for all federal education loans.

Our plan would also protect students by using the existing income-based repayment program, which allows borrowers to reduce their monthly payments based on a capped percentage of their discretionary income and ultimately have those loans forgiven after a period of time. This is a better solution than capping future increases in interest rates, and one that the president’s own budget proposal endorses.

Taxpayers would be protected, too. When the economy recovers and interest rates return to historical norms, taxpayers will no longer be subsidizing artificially low interest rates.

Our proposal has some differences from the president’s plan and the House-passed bill—for example, the president proposes three different interest rates for different types of loans, while ours has just one interest rate for all direct federal student loans, and the House bill applies a variable interest rate that resets each year, while our interest rate remains the same for the life of the loan.

But all of us embrace the same idea: we should stop playing politics with student loan debt and move to a simpler and fairer system, one that will immediately lower borrowing costs for all students while protecting taxpayers and providing certainty for the future. We hope Senate Democrats will agree.

Lamar Alexander, Tom Coburn and Richard Burr are Republican senators from Tennessee, Oklahoma and North Carolina, respectively.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I ask unanimous consent that there be 2 minutes equally divided between the votes scheduled for 10 a.m. and that all after the first vote be 10-minute votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, as we come to our vote now on cloture on the bill—what we have dubbed the farm

bill, the Agriculture Reform, Food and Jobs Act—I first wish to thank my ranking member, the distinguished Senator from Mississippi, for a wonderful working relationship as we have moved to this point. He and his staff have been working diligently, as has my staff. We are proud of all of our staffs, who I think are terrific and have done a wonderful job to get us to this point.

I wish to remind my colleagues that the vote we are about to take affects 16 million jobs. I have said that so many times, but it is important to say again. I do not think there will be a single bill on this floor that affects more jobs for Americans than the one on which we are about to vote—16 million jobs in America. That is how many people depend on agriculture and the food industry for their jobs. They are watching us today. They are hoping that once again this body on a bipartisan basis will do what is right and provide the leadership to move this bill forward.

This particular bill includes 38 amendments that were passed on the floor during our debate last year, as we considered 73 amendments just a few months ago, and another 14 amendments that we added to the bill this year. So I appreciate the input colleagues have had to make this a strong farm bill with major reforms and real deficit reduction. This is an opportunity to cut spending by more than \$24 billion. We in Agriculture have done more than any other part of the Federal budget to not only meet what are the across-the-board sequester numbers but provide deficit reduction that is four times more than that while streamlining and providing effective policy for agriculture, conservation, nutrition, and the other parts of this bill.

So we are not only standing with 16 million people whose jobs depend on agriculture, we are doing it in a responsible way that cuts the deficit. We are eliminating direct payments, moving toward a market-based risk management system for our farmers. We are strengthening conservation to protect our soil and water resources for generations to come, with a streamlined conservation title and a new historic agreement between conservation and farm groups. We are focusing on beginning farmers to get more people into farming. We all have a stake in making sure that happens.

We are helping our veterans coming home from Iraq and Afghanistan to get started in agriculture as well. I am very proud of this portion of the bill which will reach out to those coming home, most from small communities around our country, to help them be able to get started in farming and keep us with the most affordable, most abundant, and safest food supply in the world.

Agriculture is truly one of the brightest spots of our economy. It is

one of the few areas in which we actually have a trade surplus. The policies in this legislation are a big part of that. That is why more than 100 groups representing agriculture, conservation, nutrition, and every part of the economy represented by this bill have called on the Senate this morning to vote yes on cloture.

I would ask unanimous consent that the full text of the letter we received be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 5, 2013.

Hon. HARRY REID,  
Majority Leader, U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SEN. REID: The undersigned organizations are writing to strongly urge you to vote for cloture tomorrow on the consideration of S. 954, the Agriculture Reform, Food, and Jobs Act of 2013.

This bill was crafted in a bipartisan fashion and reported out of the Senate Committee on Agriculture, Nutrition and Forestry by a vote of 15–5. It contains major reforms as well as spending cuts to be used to reduce the Federal budget deficit.

This bill affects 16 million Americans whose livelihoods depend on agriculture. We must pass a farm bill this year to provide certainty to those individuals. We must cut unnecessary spending. We must ensure that consumers will continue to have a safe, healthy and affordable food supply. We must provide an effective farm and natural resource safety net. We must invest in initiatives that boost exports, and spur innovations in new industries.

It is vitally important that the Senate support the cloture motion and finish the farm bill in the next few days.

Sincerely,  
Advocates for Better Children’s Diets; AGP; AgFirst; AgriBank; AgStar Financial Services; American Association of Crop Insurers; American Beekeeping Federation; American Farm Bureau Federation; American Farmland Trust; American Feed Industry Association; American Malting Barley Association; American Pulse Association; American Society of Agronomy; American Society of Farm Manager and Rural Appraisers; American Soybean Association; American Sugar Alliance; American Veterinary Medical Association; Apple Processors Association; Associated Milk Producers Inc.; Association of Equipment Manufacturers; Association of Fish and Wildlife Agencies; American Sheep Industry Association; American Soybean Association; Audubon; Blue Diamond Growers; California Association of Winegrape Growers; California Avocado Commission; California Canning Peach Association; California Date Commission; California Dried Plum Board; California Fig Advisory Board; California Strawberry Commission; California Walnut Commission.

Ceres Solutions LLP; CHS; CoBank; Continental Dairy Products; Cooperative Network; Crop Insurance Professionals Association; Crop Science Society of America; CropLife America; Dairy Farmers of America, Inc.; Dairy Farmers Working Together; Dairy Producers of New Mexico; DairyLea Cooperative Inc.; Ducks Unlimited; Farm Credit Bank of Texas; Farm Credit Council; Farm Credit East; Farm Credit West; FarmFirst Dairy Cooperative; Farmer Mac; Florida Fruit and Vegetable Association; Growth Energy; GROWMARK; Holstein Association

USA, Inc.; Idaho Dairyman's Association; Irrigation Association; Iowa State Dairy Association; Izaak Walton League of America; Kansas Cooperative Council; Land O'Lakes, Inc.; Land Improvement Contractors of America; Land Trust Alliance; Maryland and Virginia Milk Producers Cooperative Association, Inc.; Michigan Milk Producers Association; Midwest Dairy Coalition Milk Producers Council; Missouri Dairy Association; Montana Stockgrowers Association; National Association of Conservation Districts; National Association of RC&D Councils; National Association of Wheat Growers; National Barley Growers Association; National Cattlemen's Beef Association; National Conservation District Employees Association; National Corn Growers Association; National Cotton Council; National Council of Farmer Cooperatives; National Farmers Union.

National Grape Cooperative Association Inc.; National Milk Producers Federation; National Pork Producers Council; National Sorghum Producers; National Sunflower Association; National Turkey Federation; National Wildlife Federation; Nebraska Cooperative Council; North American Blueberry Council; Northwest Dairy Association/Darigold; Oregon Cherry Growers, Inc.; Oregon Dairy Farmers Association; Pheasants Forever; Plains Cotton Cooperative Association; Public Lands Council; Quails Forever; Select Milk Producers, Inc.; Soil and Water Conservation Society; Soil Science Society of America; South Dakota Wheat Growers; South East Dairy Farmers Association; Southern Peanut Farmers Federation; Southern States; Southwest Council of Agribusiness; Sunkist Growers; Sunsweet Growers Inc.; The Nature Conservancy; The Trust for Public Land; Theodore Roosevelt Conservation Partnership; US Cattlemen's Association; US Canola Association; US Dry Bean Council; USA Dry Pea & Lentil Council; USA Rice Federation; US Rice Producers Association; United Dairyman of Arizona; Valley Fig Growers Virginia State Dairyman's Association; Welch Foods Inc., A Cooperative; Western Growers; Western Peanut Growers Association; Yankee Farm Credit.

Ms. STABENOW. I would ask colleagues once again to come together and vote yes on the 16 million jobs that agriculture and the food industry support. I would ask colleagues to vote yes on major reforms. We have eliminated over 100 authorizations and programs that were duplicative, did not work anymore, and were not the right thing to do from a taxpayer standpoint. We have consolidated in a way that has not been done, I would argue, for decades in this area of policy. We have reduced the deficit by more than the last bill—\$24 billion.

I would ask colleagues to come together to keep this bill moving and to keep agriculture growing our economy and creating jobs.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am pleased to join the distinguished Senator from Michigan in urging the Senate to move forward with this compromise bill that has been developed by the Committee on Agriculture and is now before the Senate for a cloture vote. We need to pass this bill. It provides a framework to help farmers and

ranchers in all regions of the country manage their risks more effectively. It consolidates 23 conservation programs into 13. It contains improvements to nutrition programs. It addresses fraud and abuse. It also reduces the cost of covered programs by \$24 billion.

This bill reflects a real sense of fiscal responsibility but still provides a strong safety net for producers. I thank and congratulate the distinguished Senator from Michigan, the chair of our committee, for her hard work and her strong leadership. She has managed the legislation with skill and a commitment to meet the needs of agriculture producers as well as American consumers.

I urge the Senate to approve the motion to invoke cloture.

Mr. ALEXANDER. Mr. President, how much time remains prior to the vote?

The PRESIDING OFFICER. There are 2 minutes remaining.

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 1101 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 954, a bill to reauthorize agricultural programs through 2018.

Harry Reid, Debbie Stabenow, Amy Klobuchar, Christopher A. Coons, Sherrod Brown, Tom Harkin, Benjamin L. Cardin, Heidi Heitkamp, Patrick J. Leahy, Michael F. Bennet, Joe Donnelly, Al Franken, Max Baucus, Patty Murray, Tim Johnson, Mark Udall, Jon Tester.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on S. 954, a bill to reauthorize agricultural programs through 2018, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Indiana (Mr. COATS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 75, nays 22, as follows:

[Rollcall Vote No. 141 Leg.]

#### YEAS—75

Alexander	Fischer	Moran
Baldwin	Franken	Murkowski
Barrasso	Gillibrand	Murphy
Baucus	Graham	Murray
Begich	Grassley	Nelson
Bennet	Hagan	Portman
Blumenthal	Harkin	Pryor
Blunt	Heinrich	Reed
Boozman	Heitkamp	Reid
Boxer	Hirono	Rockefeller
Brown	Hoeben	Sanders
Cantwell	Isakson	Schatz
Cardin	Johanns	Schumer
Carper	Johnson (SD)	Scott
Casey	Kaine	Shaheen
Chambliss	King	Stabenow
Cochran	Kirk	Tester
Collins	Klobuchar	Udall (CO)
Coons	Landrieu	Udall (NM)
Corker	Leahy	Vitter
Cowan	Levin	Warner
Donnelly	Manchin	Warren
Durbin	Menendez	Whitehouse
Enzi	Merkley	Wicker
Feinstein	Mikulski	Wyden

#### NAYS—22

Ayotte	Heller	Roberts
Burr	Inhofe	Rubio
Coburn	Johnson (WI)	Sessions
Cornyn	Lee	Shelby
Crapo	McCain	Thune
Cruz	McConnell	Toomey
Flake	Paul	
Hatch	Risch	

#### NOT VOTING—2

Coats	McCaskill
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The PRESIDING OFFICER. On this vote, the yeas are 75, the nays are 22. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Ms. STABENOW. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### MOTION TO PROCEED—S. 1003

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided.

Who yields time?

Mr. HARKIN. Parliamentary inquiry: What bill are we on right now?

The PRESIDING OFFICER. The Senate is under debate time prior to a vote on the motion to invoke cloture on S. 1003.

Mr. HARKIN. As I understand, there is 1 minute on each side?

The PRESIDING OFFICER. Two minutes equally divided.

Mr. HARKIN. Mr. President, I will claim our first minute, obviously.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, the bill before us now, like the House GOP bill, fails the first policy test of do no harm. It is worse for students over the long term than if we even let the rate double. These are CBO projections. If we, again, adopt the next bill which leaves the interest rates at 3.4 percent—that is this sign here—that is what students would pay in interest. If we let it double—this is the white line. If we adopt

the Republican bill, as you can see, in 2 years students will be paying more over the next 10 years in interest rates than if we even let it double.

Here is the bottom line on it: If we keep the rates at 3.4 percent, a student who starts college next year, goes for 4 years, borrows the maximum of \$19,000, will pay \$3,510 in interest over 10 years. That is the life of a Stafford loan. If we adopt the Republicans' bill, that same student borrowing that same amount of money will pay \$6,590 in interest over 10 years. This is the worst possible approach. You shouldn't reduce the deficit on the backs of students who can't even discharge this in bankruptcy.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I urge a "yes" vote because this is a permanent solution for 100 percent of the student loans. It reduces rates for every single student's new loan. It has no profit on the student. It fixes the rate for the time of the loan, and it is the same idea as already passed by the House. It is the same idea as supported by the President's budget. There are only minor differences between the President, the House, and this proposal. If we can't agree on this, we can't agree on anything.

This is a manufactured crisis. Their proposal is a short-term political fix for 40 percent of the loans. This proposal is a permanent solution for 100 percent of the loans that would lower rates to below 5 percent; the same idea as in the President's budget, the same idea as passed by the House. I urge a "yes" vote.

#### CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will report the motion to invoke cloture.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to S. 1003, a bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

Mitch McConnell, John Cornyn, Lamar Alexander, Kelly Ayotte, David Vitter, Thad Cochran, Orrin G. Hatch, John Thune, Rob Portman, Lisa Murkowski, Michael B. Enzi, John Barrasso, John McCain, Roger F. Wicker, Roy Blunt, Johnny Isakson, Daniel Coats.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the debate on the motion to proceed to S. 1003, a bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Indiana (Mr. COATS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 40, nays 57, as follows:

[Rollcall Vote No. 142 Leg.]

#### YEAS—40

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Portman
Boozman	Grassley	Roberts
Burr	Hatch	Rubio
Carper	Heller	Scott
Chambliss	Hoeven	Sessions
Coburn	Inhofe	Shelby
Cochran	Isakson	Thune
Collins	Johanns	Vitter
Corker	Johnson (WI)	Wicker
Cornyn	Kirk	
Cruz	McCain	

#### NAYS—57

Baldwin	Harkin	Paul
Baucus	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Risch
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Casey	Leahy	Shaheen
Coons	Lee	Stabenow
Cowan	Levin	Tester
Crapo	Manchin	Toomey
Donnelly	Menendez	Udall (CO)
Durbin	Merkley	Udall (NM)
Feinstein	Mikulski	Warner
Franken	Murphy	Warren
Gillibrand	Murray	Whitehouse
Hagan	Nelson	Wyden

#### NOT VOTING—2

Coats McCaskill

The PRESIDING OFFICER. On this vote, the yeas are 40, the nays are 57. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

#### MOTION TO PROCEED—S. 953

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided.

Who yields time? The Senator from North Carolina.

Mr. BURR. Mr. President, in 1992 the Congress created the Direct Loan Program. When this program was originated, the loans to students were at variable rates. Let me say to my colleagues this morning, Congress now sets the rates. We changed that in 2006.

The bill you will talk about now—let me just pose this to you: If you believe it is appropriate for Congress to pick winners and losers, then support this bill. If you believe it is appropriate for Congress to subsidize 40 percent of the student loan population and overcharge the other 60 percent of the student loan population, then vote for this

bill. If you believe that is not the congressional role and that we need a long-term, permanent, transparent, predictable solution, then vote against this bill and let's sit down between now and July 1 and write a bipartisan approach that solves this problem once and for all.

Mr. HATCH. Mr. President, today the Senate will have a cloture vote on the motion to proceed to S. 953, the Student Loan Affordability Act, continuing a disturbing pattern when it comes to the consideration and processing of legislation under the jurisdiction of the Senate Finance Committee, of which I am the ranking member.

This legislation contains revenue-raising measures that should be considered in the Finance Committee before coming to the floor. Yet, once again, the Senate Democratic leadership has opted to bypass the committee by way of Senate rule XIV.

If the majority leader succeeds in proceeding to S. 953, I plan to offer a motion to commit the bill to the Finance Committee.

There is bipartisan support for reforming tax incentives for education. If the opportunity arises, my motion could be crafted in such a way to focus the Finance Committee's efforts on reforming these incentives in short order. Millions of American families and students would be well-served by such reforms.

In any event, any legislation addressing these incentives should be considered through regular order, which means full and fair consideration in the Senate Finance Committee. I intend to work to make sure that takes place.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, On July 1, the interest rates will double for the most vulnerable students in our society. Access to college, which is fundamental to our growth, our prosperity, and individual advancement will be compromised for 7 million low-and moderate income students in this country.

Republicans have a long-term proposal, but they do not have a long-term solution because it is not just about interest rates, it is about college costs. It is about refinancing the huge amount of debt that families have today—not just families but students—debt they may never be able to pay off. First, we need the time to work on a long-term solution; but, second, we need to reassure vulnerable individuals and families that their rates will not double. Student debt today is the second largest debt for American households. We cannot let it go any further. Their proposal not only will not solve the problem because it doesn't deal with all aspects, but it will increase student debt for borrowers with financial need on July 1.



Instead, I urge passage of our proposal, the Student Loan Affordability Act.

## CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 74, S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pensions plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

Harry Reid, Jack Reed, Tom Harkin, Richard J. Durbin, Patty Murray, Benjamin L. Cardin, Al Franken, Amy Klobuchar, Jeff Merkley, Jon Tester, Sherrod Brown, Barbara A. Mikulski, Robert P. Casey, Jr., Elizabeth Warren, Charles E. Schumer, Sheldon Whitehouse, Barbara Boxer.

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal direct Stafford loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. McCASKILL) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Indiana (Mr. COATS).

The PRESIDING OFFICER (Ms. HIRONO). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 46, as follows:

[Rollcall Vote No. 143 Leg.]

## YEAS—51

Baldwin	Cowan	Kaine
Baucus	Donnelly	Klobuchar
Begich	Durbin	Landrieu
Bennet	Feinstein	Leahy
Blumenthal	Franken	Levin
Boxer	Gillibrand	Menendez
Brown	Hagan	Merkley
Cantwell	Harkin	Mikulski
Cardin	Heinrich	Murphy
Carper	Heitkamp	Murray
Casey	Hirono	Nelson
Coons	Johnson (SD)	Pryor

Reid  
Reid  
Rockefeller  
Sanders  
Schatz

Schumer  
Shaheen  
Stabenow  
Tester  
Udall (CO)  
Udall (NM)  
Warner  
Warren  
Whitehouse  
Wyden

## NAYS—46

Alexander	Flake	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Boozman	Heller	Risch
Burr	Hoeven	Roberts
Chambliss	Inhofe	Rubio
Coburn	Isakson	Scott
Cochran	Johanns	Sessions
Collins	Johnson (WI)	Shelby
Corker	King	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	Manchin	Wicker
Enzi	McCain	
Fischer	McConnell	

## NOT VOTING—2

Coats McCaskill

The PRESIDING OFFICER. On this vote the yeas are 51, the nays are 46. Three-fifths of the Senators duly chosen and sworn having not voted in the affirmative, the motion is rejected.

## MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to a period of morning business until 12:30 today, with all provisions of the previous order remaining in effect, and that I be recognized at 12:30. We have some housekeeping stuff we have to do regarding Senator Lautenberg.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANCHIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## CELEBRATING THE 75TH ANNIVERSARY OF JIM'S STEAK AND SPAGHETTI HOUSE

Mr. MANCHIN. Madam President, I rise to speak about an amazing West Virginia family who is celebrating the 75th anniversary of their small business this week on June 8. Jim Tweel founded Jim's Steak and Spaghetti House in 1938 when he purchased the Kennedy Dairy Store and renamed it Jim's Dairy Bar.

The restaurant specialized in burgers and milkshakes until 1944, when Roberto Elmoro, an Italian native, approached Jim about starting a spaghetti house using Elmoro's own personal recipes. Jim agreed and expanded the restaurant to the room next-door. Hence, the Spaghetti House opened in July of 1944.

Since that time the restaurant has been renamed and remodeled, but the

values of the restaurant have remained the same: to give customers excellent service and outstanding food. Located in the heart of Huntington on 5th Avenue, Jim's Steak and Spaghetti House offers great food, from homemade spaghetti, soup and sandwiches, to fresh coleslaw, pickled beets, and tasty pies. Over the years I think I have tasted and enjoyed all of them.

But this family-owned-and-operated business offers so much more to its loyal clientele and visitors alike, because this is not just a restaurant, this is a landmark and an institution. As you step in the doors, you travel through time and are greeted by a smile from everybody. With its 1950-style decor, Jim's walls are adorned with photos of the restaurant's creator posing with some of the most renowned public figures and celebrities who have stopped by for a meal, people such as President John F. Kennedy, President Bill Clinton, President George Bush, Dustin Hoffman, Bill Cosby, and Muhammad Ali.

In fact, many West Virginians also travel from miles away to get to Jim's because the restaurant is one of the most famous spots in our State. Folks from the Tweel family are not only successful business leaders but also community advocates who are committed to making a positive difference in Huntington and the Tri-State region.

Jim Tweel established his recipe of success 75 years ago based on five principles: good service, good food, courtesy, cleanness, and ambience. Even though Jim Tweel is no longer with us, those same principles still guide the family-owned and community institution that is now run by Jim's daughter Jimmie.

Small businesses are the heart and soul of West Virginia's economy. It has always been one of my top priorities to make sure small businesses have the support they need to be successful and create good-paying jobs in West Virginia.

I wish to congratulate and recognize the Tweel family for their successes, especially 95-year-old Sally Rahall Tweel, Jim's wife and one of the current owners, as well as Jim's children: Jimmie Tweel Carter, the restaurant manager; Larry Tweel, the company president; and Ron Tweel, an officer of the corporation.

Their strong work ethic, their passion for the business, and their love of their community, all of which have been passed down from generation to generation, represent the very best our State, the great State of West Virginia, has to offer. Congratulations on 75 wonderful years.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.



Mr. TOOMEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### ORGAN TRANSPLANT POLICY

SARAH MURNAGHAN

Mr. TOOMEY. Madam President, I rise to speak briefly about a heart-rending situation in Pennsylvania to which I wish to call my colleagues' attention. As I speak this morning, there is a brave little 10-year-old girl who is fighting for her life in Children's Hospital of Philadelphia.

Sarah Murnaghan suffers from cystic fibrosis. She has been in the hospital for 3 months now. Recently, she has been put on a machine that helps her breathe, with great difficulty. But she is at a point now where she needs a lung transplant. There is no question about that. The doctors, in fact, have said she may only have a few weeks to live without a new lung.

At this moment, her government is failing her. Here is the reason I say that. We have law and we have policy that requires that the Health and Human Services branch of the Federal Government, through a third party, develop rules governing how organs are transplanted. This organization which has the direct authority is the Organ Procurement and Transportation Network.

So they set the rules by which we deal with this excruciating situation where there is always more demand for transplanted organs than the supply of organs. Prior to a decision yesterday afternoon, which I will comment on, despite a very high need for a transplant and despite the fact that her doctors believe she is a very good candidate for a transplant, Sarah's name was not on the list of people to receive a transplant simply by virtue of one fact; that is, she has not yet reached the age of 12.

See, the current policy has one very sensible feature. The current policy is meant to establish as the highest priority for recipients people who have the most urgent need. That makes sense. You could have other criteria, such as how long you have been waiting or how much you are willing to pay, but I do not think those would be better. Those would be worse.

The right criteria is who has the most urgent need. So that is right. The problem is it applies only to people who are 12 and over. But there are children under the age of 12 who are very good candidates for adult lung transplants. The medical science is very clear. You take a portion of the lung if the child is too small for a full lung transplant. This is well established. This works. This girl is a good candidate for this, but she is not on the list.

Yesterday, something very important happened. Sarah's parents filed a suit against Health and Human Services challenging the rule that excludes their daughter from this list. The judge considering this, a judge in the Eastern District of Pennsylvania, a Federal judge, Judge Baylson, granted a temporary restraining order enjoining the Secretary and the Organ Procurement and Transportation Network from applying the rule that excludes Sarah.

So this is terrific. This is a big breakthrough for 10 days now. This is the thing. It is a temporary order for 10 days now Sarah cannot be excluded from this list. So what that means is she can go on the list and she will go wherever on the list the urgency of her circumstances puts her. That is as it should be.

The problem is this is only for 10 days, and then the judge is going to have a hearing. We don't know how that is all going to turn out.

I am asking Secretary Sebelius, the Secretary of Health and Human Services, to exercise the authority that is given to her in legislation to recognize that there is a flaw in this policy.

I am not asking Secretary Sebelius to make an exception for one individual. I would be the first to suggest that would be a dangerous place to go. We don't want individual Cabinet members, politicians, or anyone else making decisions about who is going to get an organ and who is not. We want a system that works. The current system doesn't work for kids who are good transplant candidates and have the acute need but aren't yet 12 years old.

I am urging Secretary Sebelius, as strongly as I can, to exercise the discretion that the law gives to her to change the policy. Don't change it for one person, change it for a category. I think any child who is a viable candidate for the adult transplant and who has sufficient urgency ought to be able to go on the adult list. That is not to say that they automatically go to the top of the list. Their ranking on the list ought to be determined by the urgency of their circumstances, as it should be for everyone else.

I would argue we are not suggesting that we make an exception for Sarah. What I am suggesting in a way is the opposite: Stop making exceptions that exclude Sarah. She is a good candidate. The doctors believe this.

Children's Hospital of Philadelphia is one of the best children's hospitals in the world. Nobody disputes that. Her doctors are some of the best doctors in the world. This is vitally important. The life of a small child depends on this. I don't know how many other children might be in similar circumstances.

I appreciate the opportunity to rise and make this case. Again, I just want to stress that we are not asking for an exception for one individual to be cho-

sen over others. We are asking for a change in a policy that is flawed; that is currently excluding somebody from being on the list to be an organ donor recipient who ought to be on that list.

I am grateful to Judge Baylson for the decision he made, but that is a temporary restraining order that will only last 10 days. If a transplant does not occur within that 10 days, then Sarah and any other children in her circumstances, their future becomes uncertain after that.

I urge the Secretary to take the action that is necessary.

I note the absence of a quorum.

The PRESIDING OFFICER (Ms. BALDWIN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### THE FARM BILL

Mr. THUNE. Madam President, I had hoped to be able to come down today and call up an amendment to the pending legislation, the farm bill. I understand we are not currently on the bill but, rather, in morning business. I hope to have the opportunity to try to get an amendment pending.

We have been trying now for several days to have amendments considered to the farm bill. This is a germane amendment. It is very relevant to the bill. It is one that I think the Senate, the full Senate, ought to have an opportunity to debate and ultimately to vote on. It is very unfortunate, in my view, that we are where we are on a piece of legislation that has this much consequence for our economy, for farm country, and for consumers across this country.

This is a bill that is a major piece of legislation. Unfortunately, we have not had the opportunity in the course of the days that we have been on the bill to get up amendments pending, debated, and voted on.

I can't tell you how disappointing that is to those of us who come from farm country and wish to try to shape the best farm bill we possibly can in the Senate, so that when we go to conference, which I hope we will, with the House of Representatives, we would be in the best position possible to have a bill that addresses the important needs of farmers and ranchers across this country with regard to certainty from a multiyear farm bill. This would also be a bill that we can defend to the American taxpayers, a bill that is reform oriented. It moves us into the future of agriculture, not the past.

The amendment I had hoped to offer today, amendment No. 1092, amends the commodity title of the farm bill that we have been debating. Last year

the Senate passed its farm bill by a vote of 64 to 35. Sixty-four Senators voted for a farm bill that most of us believe offered a level of reform that we could support and defend to the American taxpayer.

As several of my colleagues and I pointed out during the debate on the farm bill in the Agriculture, Nutrition and Forestry Committee, we have deep concerns over what we believe is a step backwards in the commodity title with the creation of the adverse market payments, or what we refer to as the AMP Program. This program takes a step backwards from last year's farm bill by recreating a program with countercyclical payments and fixed target prices.

In fact, I would argue this is a policy that goes back. This policy predates cell phones. This policy predates the Internet. This is going back to 1980s-type farm policies. Last year's Senate farm bill completely eliminated this program, which meant we could honestly say we had passed a reform-minded farm bill, a farm bill that is more interested in policies that are about the future rather than the past, that are about the market, that are about making sure we have a necessary safety net in place for our farmers but doing it in a way that is defensible to the American taxpayer and moves us on the path to reform.

Our concerns are not crop specific. There has been a lot of discussion about this being something between the Midwest or the South or regional. This is not a crop-specific concern; this is a policy-specific concern. An outdated target price program is not—is not—what most producers in this country asked us for in a new farm bill—just the opposite.

Almost every member of the Agriculture, Nutrition, and Forestry Committee was told by our producers that a sound crop insurance program is a much higher priority. Amendment No. 1092 is simply a response to the wishes of most farmers in the United States. This amendment strikes the newly created AMP Program and places peanuts and rice back into the ARC Program or, to put it simply, this amendment replaces the commodity title in the bill that we have before us and replaces it with a reform-minded, market-oriented commodity title that was included in the farm bill that we passed last year.

I do not believe Congress is capable of setting accurate fixed prices for the next 5 years because that is precisely what the commodity title is in this bill. The House bill commodity title is even much worse in that respect. It has Congress setting, by statute—we, as Members of Congress are basically setting fixed prices for the next 5 years. The market, not Congress and not the USDA, should be setting prices for title I commodities.

If fixed target prices are set too high and commodity prices drop, history has

proven farmers will once again begin planting for a government program rather than in response to market signals. This not only creates a potential unnecessary liability for taxpayers, but it also increases the risk of overproduction and negative impacts on global markets, making certain crops subject to possible WTO disputes.

This amendment not only moves us to the reforms we included in last year's farm bill, it also saves taxpayers more than \$3 billion. That increases the total savings in this bill by more than 12 percent. That is \$3 billion that most of our farmers have told us we don't need to spend. This is something the American farmer, the producers out there have made very, very clear and of which I would argue the American taxpayer would be very supportive.

I urge my colleagues, if we get the opportunity to debate this, to ultimately support this amendment because it would recapture the level of reform we had in last year's farm bill and save \$3 billion at the same time.

There are many amendments that were filed to this bill that are not getting debated, that are not getting voted on. This is one in particular to the commodity title of the bill that saves over \$3 billion from the bill before us today—over \$3 billion in savings—by moving toward a market-oriented policy as opposed to a high fixed target price policy where the Congress sets in statute the target prices rather than having the market determine what those prices ought to be. That is one amendment I have offered to the commodity title of the bill.

I have another amendment to the SNAP or food title or nutrition title of the bill which would save \$2 billion out of overhead administrative costs. It doesn't affect beneficiaries or income or asset eligibility standards; it simply finds savings in the food stamp program that are related to overhead administrative costs and saves \$2 billion. We ought to be voting on that.

We ought to have an opportunity to debate these things and vote on these amendments. I know colleagues of mine as well have offered amendments that save dollars and make this a more responsible farm policy—a policy that is oriented toward reform and that achieves a significant amount of savings for the American taxpayer.

So I want to say again what I said at the beginning of my remarks; that is, it is unfortunate that we are where we are—debating a bill that over a decade will cost nearly \$1 trillion. Of course, about 80 percent of that is in the nutrition title of the bill. But we have an opportunity to actually improve this as it moves across the floor of the Senate and proceeds into a conference with the House of Representatives, where they will have passed a bill out of the Agriculture Committee which will

head to the floor and has high fixed target prices—higher fixed target prices than are included in the Senate bill—and high fixed target prices for all commodities, as opposed to the Senate bill, which has them simply for rice and for peanuts.

We are looking at heading down a path that takes us not to the future but to the past—to a time when farmers were farming for the government program rather than farming for the market; to a time when there were lots of potential disputes because these are trade-distorting, market-distorting policies that are driven by government as opposed to being driven by the market. We can do so much better, and we should do so much better for our producers across this country and for the taxpayers who ultimately foot the bill.

The amendment I have would do that. It would save over \$3 billion in the commodity title of the bill, it is market-oriented reform, and it is something we ought to be considering and debating in the Senate. It is incredibly unfortunate that we are not having that opportunity.

Madam President, I yield the floor.

Ms. COLLINS. Mr. President, I rise today to speak to an amendment to the farm bill on a subject important not only to the farmers of Maine but also to the participants in the WIC program. I am pleased that Senator MARK UDALL has joined as the lead cosponsor of the amendment, which would require that all fresh fruits and vegetables, including fresh white potatoes, be included in the final USDA rule. Specifically, the amendment would only allow fresh, whole, or cut vegetables to be included—vegetables with added sugars, fats, or oils would be prohibited.

The proposed final USDA rule for the Special Supplemental Nutrition Program for Women, Infants, and Children, WIC, food package, which went into effect in December 2009, includes a ban on the purchase of fresh white potatoes by WIC participants. Fresh potatoes are the only fruit or vegetable to be excluded, which sends a message to WIC participants that USDA believes that potatoes are not healthy.

The USDA has said that the proposed ban on fresh white potatoes is based on a 2005 National Academies' Institute of Medicine, IOM, report, which considered recommendations of the 2005 Dietary Guidelines for Americans, DGA, and includes consumption data nearly 20 years old. The subsequently published 2010 DGA, however, recommends 5 to 6 cups of starchy vegetables per week for women with a daily caloric intake of 1,800 to 2,400 calories—an increase of 2 to 3 cups per week from the 2005 DGA. USDA has yet to update the rule to reflect the most recent DGA.

The 2010 DGA lists four "nutrients of concern"—potassium, dietary fiber, calcium, and Vitamin D. The guidelines state that dietary intake of these

four nutrients “are low enough to be of public health concern for both adults and children.” Since USDA is concerned about a lack of these nutrients in the American diet, it would make sense for the Department to promote good sources of these critical nutrients. Yet the Department’s proposed WIC rule eliminates a vegetable such as the potato that is an excellent source of these nutrients. USDA should not limit the availability of the potato but instead should encourage its healthy preparation and consumption. In a rather puzzling example of inconsistency, while the newest WIC regulations will no longer allow WIC mothers, infants, and children to buy white potatoes, if those same participants get benefits from the WIC Farmers’ Market Nutrition Program, some States may allow them to purchase white potatoes at a farmers’ market.

Consider the following nutritional facts about potatoes that are often overlooked: potatoes have more potassium than bananas, a food commonly associated with this nutrient; potatoes are cholesterol free, fat free, and sodium free, and can be served in countless healthy ways; a medium-baked potato contains 15 percent of the daily recommended value of dietary fiber, 27 percent of the daily recommended value for Vitamin B6, and 28 percent of the daily recommended value of Vitamin C.

It only makes common sense to include a healthy, locally grown, and nutritious vegetable such as the fresh white potato in the WIC package and I believe the sound recommendations in the 2010 DGA support this. The Collins-Udall of Colorado amendment would achieve this by requiring that all fresh fruits and vegetables, including fresh white potatoes, be included in the final USDA rule.

#### HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS CODY J. TOWSE

Mr. LEE. Madam President, it is with a heavy heart that I address the Senate today, as I rise to honor a recently fallen soldier. PFC Cody J. Towse, one of Utah’s finest, was killed last month when his patrol was hit by an improvised explosive device in Kandahar Province, Afghanistan.

PFC Towse loved to help others. He served as a combat medic in the Army, and was a certified EMT and a volunteer firefighter prior to enlistment. He put his special skills to use in serving the United States by saving other soldiers. He recently received a Combat Medic award for performing his medical duties while being actively engaged by the enemy.

Before enlisting in the Army, Cody started a blog to chronicle his time in the military, which he hoped would help other prospective recruits. His blog is filled with comical posts, as

well as insightful truths and prophetic statements. In his first post, he wrote, “I’ve never been quite so excited for anything in my life. I’ve grown tired of living a mediocre life and can’t wait to start a journey full of responsibility, honor, and dedication.” PFC Towse lived up to that ideal, and left a shining example for the world to follow.

A Utah newspaper wrote that PFC Towse “was known as the ‘Candy Doctor’—a name he earned by showering the children with countless handfuls of fruity or chocolate treats.” His father, Jim Towse said that Cody “was my boy. He was me. I love old cars, he loves old cars. Seems like everything I love, he loved.” Their special relationship was the kind that only a father and his son could have. Jim also said, “It comforts me to know [Cody] went for a noble cause. He told me, ‘You know, Dad, if I go out in a blaze of glory, don’t worry. If I can save somebody doing it, all the better.’”

In another blog post, written just before leaving for Afghanistan, PFC Towse poignantly wrote of the deeper thoughts and conflicting feelings our soldiers often face:

I feel like we all walk a fine edge, emotionally at least. A man can’t sit around and contemplate the impending possibility of his death all day or he’ll go crazy. It can be just as bad for a man to sit around and joke like nothing could ever happen to him and breed a lackadaisical outlook on his mission and get himself or his buddies killed.

Now I’m just rambling. I guess in short I just wanted to say that sometimes the biggest obstacle a man faces is himself and his mind. Yeah, that sounded educated, I’ll go with that.

Indeed, each of us would do well to remember and apply the truth of which PFC Towse wrote. In order to overcome challenges in our lives, we must first overcome our own fears and perceived inadequacies. I believe that Cody Towse lived his life according to this truth.

His commander in Afghanistan reported that when the patrol was attacked, PFC Towse began assisting the wounded. As PFC Towse was performing his duties, a second IED was detonated and the resulting injuries took his life. When I heard of Cody’s story, I was reminded of Christ’s teaching: “Greater love hath no man than this, that a man lay down his life for his friends.” PFC Towse’s dutiful actions were unquestionably an ultimate display of love for his brothers in arms.

I imagine that Cody, like many of our service men and women, would deny the claim that he is a hero. To Cody, and all of our soldiers, I would say that you are among the few heroes left in our modern world. As Americans, we all feel a profound sense of pride and honor when we see a uniformed soldier, and we would be wise to remember our heroes in all that we do, especially in this body.

I thank PFC Cody J. Towse for his honorable service in defense of the

Constitution and our freedom, and I thank all of our men and women who have also given the ultimate sacrifice. I would like to convey my condolences and profound gratitude to Cody’s parents, Jim and Jamie, his brothers Will and Christian, and his sister Callan. Our thoughts and prayers are with you. It is my solemn hope that we, as Senators, will always remember the tremendous sacrifice, laid upon the altar of freedom, of our brave soldiers and their families.

#### OFFICE OF RURAL EDUCATION POLICY ACT

Mr. ROCKEFELLER. Madam President, I was proud to join Senator BAUCUS from Montana in introducing legislation on Tuesday to establish an Office of Rural Education Policy at the Department of Education. Senator BAUCUS has been a tireless advocate for many issues affecting rural States like Montana and West Virginia, and I have been proud to work with him on several rural issues over the years. Notably, Senator BAUCUS and I are fortunate to have terrific partners in our work to improve rural education, including a diverse array of organizations that support this bill.

Nearly one quarter of the students in America attend rural schools and the share of students in rural schools is increasing and more than half of the schools in West Virginia are in rural areas. This legislation will support these schools because it creates an Office in the Department of Education to make sure that Federal programs related to education are working for students in schools in rural areas.

Schools in rural communities face special challenges but, they also have unique capabilities. Many of them continue to face shrinking local tax bases, difficulties recruiting and retaining teachers and principals, limited access to advanced courses, and proportionally higher transportation costs. At the same time, while smaller schools lack economies of scale, they may benefit from this small size and closeness to their communities. Parental involvement and support is typically high, and the potential for innovation is great.

I am very proud of the communities in West Virginia and how they come together, often on their own time and with their own resources, to improve and support their local schools. Schools in West Virginia are also leaders in the use of distance learning given the geographical obstacles of our mountainous State. But, we need to make sure rural schools, including many in West Virginia, have the tools to succeed and access to the same opportunities that many schools in urban areas have, including health care, technology, and education.

The Office of Rural Education Policy is modeled after the successful Office of

Rural Health Policy at the Department of Health and Human Services, which Congress established in 1987. The Office will be led by a director charged with coordinating the activities of the Department of Education concerning rural education. It will establish and maintain a clearinghouse for issues faced by rural schools, such as teacher and principal recruitment and retention; partnerships with community-based organizations; and financing of rural schools.

The office will identify innovative research and demonstration projects on rural schools, and recommend research to bridge any gaps. It will issue an annual report on the condition of rural education, and an analysis of the impact on rural education from proposed regulations and other activities will be made public.

Rural schools have been a part of our national fabric since its very beginning. These students deserve the attention from the Department of Education this legislation will provide. It has been said that education in rural America is "too large to be ignored but too small and diverse to be highly visible." We need to establish this Office so that education in these communities can thrive and so that its successes are more visible. I urge my colleagues to support this bill.

#### FORTY-EIGHTH ANNIVERSARY OF GRISWOLD v. CONNECTICUT

Mr. BLUMENTHAL. Madam President, I rise today to recognize the 48th anniversary of the landmark *Griswold v. Connecticut* Supreme Court decision. Nearly 50 years ago, the Court greatly expanded women's access to health care by legalizing the use of contraception by married couples, basing this decision on a fundamental right to privacy in family planning decisions made between a man and a wife.

We have come a long way since 1965. Today, options for birth control are safer, more effective, and available to far more people than just married couples. The simple facts are that 99 percent of women will use contraceptives over the course of their lifetime, and the vast majority of Americans find the use of contraceptives morally acceptable. This progress shows just how important contraceptive products and services have become to our country.

Preserving this access should be a noncontroversial, bipartisan issue. And yet access to contraceptives and to Federal programs such as title X that support reproductive health care services are under attack not only by the loud voices of a small minority but also by some Members of Congress and in the courts. We have an alarming situation on our hands. Now more than ever, it is important that we continue to fight back against these outrageous attacks and talk about these issues in terms of the proven scientific facts.

As a U.S. Senator, I have remained dedicated to helping protect a woman's right to direct her reproductive health care, a battle that I also fought for years as attorney general in Connecticut. I challenged both the Bush administration and the Obama administration on their policies related to a Federal rule that interfered with State laws protecting access to birth control and reproductive health services.

Having served on both the State and Federal levels, I see how critically important the right to contraception is to our economy, our families, and our society as a whole. Whether the threat comes from a Federal law overstepping States' jurisdiction or from a State law violating constitutional rights—as was the case in *Griswold v. Connecticut*—we must continue to protect the right to safe, comprehensive birth control.

#### REMEMBERING LIEUTENANT PAUL MICHEL DEMAIL

Mrs. SHAHEEN. Madam President, I rise to honor the life and service of 1LT Paul Michel DeMeo, who died on May 14 while stationed at Fort Bragg in North Carolina. Lieutenant DeMeo was a rifle platoon leader assigned to Company B, 2nd Battalion, 505th Parachute Infantry Regiment, 3rd Brigade Combat Team of the 82nd Airborne Division.

Born at the U.S. Army Kwajalein Atoll in the Marshall Islands on October 1, 1989, the son of an American physicist at the base, Paul grew up around service members and knew that he wanted to join the military from a very young age. After his family moved to Derry, NH, when he was 13 years old, Paul attended high school at Pinkerton Academy, where he eventually became the school's first Air Force Junior Reserve Officer Training Corps participant to attend a military academy.

Paul completed his undergraduate education at West Point in 2011 and went on to graduate from the infantry officer leadership basic course, the U.S. Army Ranger School, and the U.S. Army Airborne School. As a rifle platoon leader, Paul was responsible for training, material support, and readiness of 38 paratroopers. He was awarded a number of honors for his service, including the Army Commendation Medal, the National Defense Service Medal, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Air Assault Badge, the Parachutist Badge, and the Ranger Tab.

Paul was an avid swimmer who joined the swim team in Kwajalein at the age of 4. He also showed tremendous promise on the tennis court at a very early age. In fact, when he was only 8 years old, the Government of the Republic of the Marshall Islands invited him to represent the country in tennis at the 2000 Olympic games. However, Paul wisely declined the offer,

considering himself just a bit too young for the competition.

Paul will be remembered for his exceptional leadership ability, his confident smile, and his strong loyalty to his fellow soldiers, especially paratroopers under his command. Paul dedicated his life to the service and protection of our country. He worked to make himself the best he could be and to answer the call of duty to defend our way of life. For this, we are forever grateful.

Paul is survived by his parents, Paul and Lucienne DeMeo; his brothers, Nathan A. and Pascal J. DeMeo; his sister, Danya Aleesa DeMeo; and his maternal grandmother, Amonia Valbrun. He also leaves behind his girlfriend, Hannah Farmer of Charlotte, NC and his paternal grandfather, Paul J. DeMeo. I ask my colleagues and all Americans to join me in honoring the life and service of Lieutenant Paul Michel DeMeo.

#### ADDITIONAL STATEMENTS

##### ALASKA'S CLASSICS

• Mr. BEGICH. Madam President, I would like to honor all the Alaskans, clubs, and other organizations that collect, restore, show off, and otherwise love their classic and antique automobiles.

All over the State, there are clubs dedicated to antique autos, classic cars, muscle cars, street rods, and all kinds of specialty vehicles. I really get a kick out of some of the expressive club names: the Juneau Dipsticks, the Antique Auto Mushers of Alaska, and the Valley Cruzers, to name a few.

But it is what they do that is great. Restoring cars and trucks and keeping them in good running order contributes to preserving the history of automotive technology and our culture. And their efforts mean we get to view a wide variety of vintage vehicles at all sorts of venues.

Maybe it is the iconic 1957 Chevy you saw at a local meet that caught your fancy. Perhaps you feasted your eyes on a Ford Model T at a Father's Day car show. Or you glimpsed an old Jeep amongst a caravan of restored military vehicles. Who hasn't marveled at antique cars in parades? As an elected official, I have ridden in many an old car or truck on the Fourth of July. The beauty of classic car collections is that there is something for everyone.

In Fairbanks, the Fountainhead Antique Auto Museum has a world-class collection including Alaska's first automobile, one-of-a-kind and sole-surviving autos, the first American V16-powered car—and much more.

Also in Fairbanks, students in an automotive technology class at Hutchison High School are restoring a 1963 Chevy truck, and they are doing it

for more than just the learning experience. They are honoring a former student who passed away in 2011. He bought two dilapidated pickups to work on but was unable to continue the project.

In Delta Junction, the Buffalo Center Gas Station sponsors an Annual Classic Car Night in support of the Juvenile Diabetes Research Foundation.

Car collecting is so popular in America that the Senate has annually proclaimed a day in July as "Collector Car Appreciation Day" to raise awareness of the role automotive restoration and collection plays in American society.

Whether it is the Vernon Nash Antique Automobile Club, the Midnight Sun Street Rod Association, or the Anchorage Corvette Club, it is typical of members to trade parts, knowledge, and stories. That makes for lifetime friendships.

I encourage Alaskans to join car clubs and take the time to thank collectors and restorers.●

#### RECOGNIZING OARNET

● Mr. BROWN. Madam President, Ohio has a robust history of pioneering innovation—as the home of Thomas Edison, the Wright Brothers, aerospace leaders including former Senator John Glenn, Neil Armstrong and more. Today, Ohio is transforming from the Rust Belt into the Innovation Belt.

This week, OARnet, a member of Ohio Technology Consortium or OH-TECH, is being honored here in the Nation's Capital for its new ultra-fast broadband network as an honored 2013 laureate by IDG's Computerworld, an international source of technology news and information for informational technology influencers.

This Emerging Technology Award is based on Ohio's innovative efforts to meet the growing economic and research opportunities offered by "Big Data." In 2012, Ohio invested more than \$13 million to increase tenfold the speed and network capacity of OARnet, a statewide broadband network, to 100 gigabits per second, Gbps. Although several research institutions in other States are experimenting with this new gold standard of broadband speeds, Ohio is the first in the Nation to harness this capacity on a statewide scale. Ohio touts connections to 10 major cities, 90 of Ohio's higher education institutions, commercial applications, and Internet2's international network.

These broadband speeds are expected to create many opportunities for Ohio. At 100 Gbps, each of Ohio's 1.8 million enrolled K-12 students could download an e-book simultaneously in just over 2 minutes; data equivalent to 80 million file cabinets filled with text can be transferred daily; 300,000 X-rays can be transmitted in just 1 minute; 8.5 million electronic medical records can be transmitted in 1 minute; and data can

be sent at 50,000 times faster than current average smartphone speeds.

OH-TECH's international recognition is further testament to Ohio's evolution into a high-tech environment that supports next-generation business applications to attract new employers, connects the State's higher education institutions, our cutting edge medical corridor, and serves as a platform for developing large-scale scientific research.

Ohio is also celebrating the 25th anniversary of the Ohio Supercomputer Center with the launch of a new cluster supercomputer. This new supercomputer, which can perform 88 trillion calculations per second, allows researchers statewide to innovate and compete for grants and national supercomputing resources in the areas of the biosciences, advanced materials, energy, and the environment. I am proud to have worked closely with the White House to secure a \$5 million grant to the Ohio Supercomputer Center and several partner organizations to support the advanced manufacturing efforts of Midwestern small- and medium-sized manufacturers, SMEs. I have also helped secure Federal funding to help small polymer companies address the technical barriers, costs, and training needed to use advanced manufacturing technologies. Through partnerships with the government and collaborations with technology leaders like Procter & Gamble, we can work together to help strengthen Ohio's manufacturing sector and provide the tools needed to compete in the global marketplace.

My home State is one of the largest investors and active partners in the National Digital Engineering and Manufacturing Consortium, NDEMC, a broad public-private partnership supporting the use of modeling and simulation by small- and medium-sized manufacturers. This project gives manufacturers the ability to conduct complex simulations to test virtual prototypes and maximize production methods, all through cost-effective means. These platforms reduce manufacturers' time and labor costs and help them bring products to market faster, making them more competitive with our overseas counterparts.

A Cleveland Plain Dealer editorial proclaimed, "Ohio is wired for business. Goodbye Rust Belt, Hello Nerdvana." The Columbus Dispatch similarly noted, "For those inventing the future, Ohio is the hot spot."

They are correct. Ken Murray, Transformatix founder and CEO, explained:

One reason we located our new company, BioLinQ, in Ohio, rather than California, is because Ohio demonstrated the most forward-thinking approach to technology and high-speed innovation.

Ray Leto, president of Total Sim, echoed those sentiments:

Our business focuses on modeling and simulation for the automotive industry, and we chose Ohio over the North Carolina Research Triangle because of the advanced technology infrastructure available here.

The knowledge economy is the pathway to restoring our national prosperity, and I am proud to represent Ohio—a pioneering State that is providing the tools and leading the way.●

#### RECOGNIZING THE REHOBOTH ART LEAGUE

● Mr. CARPER. Madam President, on behalf of Senator COONS, Congressman CARNEY, and myself, I wish to recognize the Rehoboth Art League, its staff and artist members who on June 21, 2013, will celebrate its founding in 1938 and the 75 subsequent years of cultivating the arts in Sussex County and the State of Delaware.

The Rehoboth Art League was Sussex County's first organized cultural arts center and has been recognized by the State of Delaware Division of Historical and Cultural Affairs for its significance and influence that extends far beyond Rehoboth and even the borders of our State. The Rehoboth Art League grew out of the tradition of the Federal Arts Project, which was a subset of the Works Progress Administration during the Great Depression. This tradition of art appreciation, support for working artists, and the concept of enriched community living, inspired the late Mrs. Louise Corkran to organize the Rehoboth Art League, with the help of her husband, COL Wilbur Corkran. Her involvement with the founding of the Delaware Art Museum, as well as her collaboration through the years with such renowned national artists as Howard Pyle, Frank Schoonover, N.C. Wyeth and others from the Brandywine and Hudson Valley Schools, were a significant factor in the Rehoboth Art League's development. Over the years, it has become a place that attracts and nurtures artists from all over the country, and inspires art appreciation through its many educational offerings.

The Rehoboth Art League sits in the small village of Henlopen Acres, DE, on an historic campus overlooking the Lewes-Rehoboth Canal and the Valley of the Swans, and maintains two colonial period buildings, The Paynter Studio, 1791, the Peter Marsh Homestead and Stables, 1743, as well as Louise Corkran's garden, which is one of the only public gardens in Sussex County. The Rehoboth Art League owns and cares for a significant collection of Delaware art and archives, with pieces by Howard Pyle, Jack Lewis, Howard Schroeder, Ethel P. B. Leach, and others. Its collection includes the renowned "Doors of Fame," providing tangible evidence of the legacy and history of the Rehoboth Art League. The tradition of signing doors was prevalent in art colonies around the country

in the first half of the twentieth century. The Rehoboth Art League has, since its dedication in 1938, provided three doors for signatures by artists, dignitaries, and national and international visitors. These doors record the persons who have contributed to its success over the years. Today there are nearly 300 signatures, often accompanied by a personal artistic flourish or drawing. These signatures include six Delaware Governors, along with many artists from the State and national pantheon, educators, scientists, musicians, and other notables.

Today, the Rehoboth Art League continues to attract artists and visitors from all over the country. Its members hail from 19 different States. It partners with 13 other organizations from the arts, education, and health and human services across the region to provide a variety of programming, both on the campus and around the county. Works from its collection have been on display at the Biggs Museum, Buena Vista Conference Center, the Governor's mansion, and the Federal offices of Senator CHRIS COONS. The Rehoboth Art League also collaborates with First State Community Action Agency to take arts education to 600 at-risk students in Sussex County and to many senior citizens in the region as well.

Today we are delighted to recognize the Rehoboth Art League, which for more than 75 years has been a community of artists who share their art, inspire and support one another and enrich the lives of us all.●

#### TRIBUTE TO LIEUTENANT COLONEL PETER FORD

● Mr. GRAHAM. Madam President, I ask my colleagues to join in recognizing LTC Peter Ford of South Carolina for his extraordinary service to the Nation while serving in the United States Army Reserves and National Guard for the past 32 years.

Lieutenant Colonel Ford started his military career in 1981 as an enlisted soldier—an infantryman—in the Virginia National Guard. After graduating from Gustavus Adolphus College, where he was the only ROTC cadet, Lieutenant Colonel Ford was commissioned as a second lieutenant in the Army Ordinance Corps. After attending the Officer Basic Course, Lieutenant Colonel Ford, in his civilian capacity, was sworn in as a special agent with the State Department Diplomatic Security Service.

While serving as the Regional Security Officer, RSO, at the embassy in Switzerland, Lieutenant Colonel Ford was assigned as a military intelligence officer at the Military Intelligence Group at the 7th Army Reserve Command in Germany. In 1997, he mobilized to support the war in Bosnia. Following his return to the United States,

he joined the Office, Chief of the Army Reserves, as a reserve congressional liaison officer and also served as a reservist with the 157th Individual Mobilization Augmentee Detachment.

In 2003, Lieutenant Colonel Ford was assigned as a congressional detailee to the Committee on Homeland Security and was named executive officer of the 157th. After serving as RSO in Armenia, he was detailed to the House Committee on Foreign Affairs.

In the fall of 2007, at the beginning of the surge during Operation Iraqi Freedom, Lieutenant Colonel Ford volunteered to serve as an Army reservist in Iraq. He was attached to the American Embassy in Baghdad and, as the director of the Office of Hostage Affairs, was responsible for U.S. kidnapping cases throughout the country. Following the completion of his military tour, Lieutenant Colonel Ford continued his service in Iraq. For an additional year, he worked as a DSS agent with the State Department in the same position.

Returning to the United States, Lieutenant Colonel Ford obtained a masters degree from the National Defense Intelligence College and joined Prisoner of War/Missing in Action Affairs as a drilling Reservist. He was subsequently assigned to the Diplomatic Security's Overseas Security Advisory Council, OSAC. In October 2011, Lieutenant Colonel Ford took command of the 157th Individual Mobilization Augmentee Detachment. During his military and civilian careers, Lieutenant Ford has worked in over 110 countries.

On behalf of a grateful nation, I join my colleagues today in saying thank you to LTC Peter Ford for his extraordinary dedication to duty and service to the country throughout his distinguished career in the United States Army.●

#### TRIBUTE TO KATHERINE BOMKAMP

● Mr. MANCHIN. Madam President, today I wish to recognize Katherine Bomkamp, a West Virginia University student who has, out of profound compassion for wounded veterans and incredible talent in STEM sciences, created a prosthetic device to address phantom pain felt by millions of the world's amputees.

At a young age, Katherine spent a significant amount of time at the Walter Reed Army Medical Center with her father, a U.S. Air Force veteran. There, she discovered her passion and eagerness to help suffering soldiers as she listened to the difficult challenges many of them were facing upon returning home.

The conversations between Katherine and the many veterans she encountered are what inspired her to create the Pain Free Socket, an invention that in-

corporates thermal biofeedback to eliminate phantom pain. This device began as a tenth grade science project and has made her a hero to veterans in distress.

Since patenting the invention, Katherine has started her own company and will soon begin clinical trials.

Not surprisingly, Katherine has received a lot of media attention as a result of her innovation and achievement, including global coverage by CNN, the New York Times, BBC, and many others.

The West Virginia University junior was even featured in Glamour Magazine as one of the Top 10 College Women in the country and won \$2,500 from the L'Oreal Paris Beauty of Giving Award.

Katherine, who came to West Virginia from Waldorf, MD, is an extraordinary example of success in the STEM fields of science, technology, engineering and mathematics, not just in my home State, but across the Nation and the world.

A Newman Civic Fellow, she is one of the youngest ever to present to the Royal Society of Medicine's Medical Innovations Summit in London, England.

I am so proud of Katherine and her dedication to helping those who have fought courageously and honorably for this country. She has found a way to serve those who have served this great Nation—and who have risked it all in doing so.

On behalf of the State of West Virginia, I congratulate Katherine on all her achievements and wish her the best of luck in her very bright future. And I ask my Senate colleagues to join me in thanking Katherine for her compassion to work for the brave men and women of our Armed Forces.●

#### UNIVERSITY OF CENTRAL FLORIDA

● Mr. RUBIO. Madam President, I would like to take this opportunity to recognize the 50th anniversary of the University of Central Florida, UCF. As a shining success story in America's higher education system, UCF has recently become the Nation's second-largest university. Not only has UCF grown in size, but also diversity, quality of education, and reputation. Today, UCF serves nearly 60,000 students, including a 39 percent minority population.

I was pleased to learn the first class of medical students graduated from UCF earlier this year, those graduates were a part of a historical undertaking. The impact of UCF's medical school in the region is historic as well. UCF's College of Medicine plays a vital role in Orlando's "Medical City" at Lake Nona, a cluster of research institutions that will help to position Central Florida as a leader in medical care. UCF



hopes for the medical school to not only increase opportunities for medical education in Florida, but to create a climate of excellence among regional research, education and medical care that will make it one of the premier institutions in the world.

I would also like to mention the Institute for Simulation and Training at UCF, who has recently celebrated 30 years of Modeling and Simulation Training and is an internationally recognized research institute who has partnered with both military contractors and the Department of Defense.

Congratulations to the University of Central Florida on reaching this milestone and on its many distinguished achievements in research, teaching, and public service as it celebrates its Golden Anniversary. I look forward to 50 more years of accomplishments.●

#### TRIBUTE TO KATHRYN A. CONDON

● Mr. SANDERS. Madam President, as chairman of the Senate Committee on Veterans' Affairs, I would like to take a moment to recognize Ms. Kathryn A. Condon, who has retired after over 30 years of public service. Specifically, I would like to thank Ms. Condon for her steadfast leadership as the Executive Director of Arlington National Cemetery.

Arlington National Cemetery embodies one of our commitments to those who defend our Nation—to provide them with a final resting place that honors their service. With approximately 27 to 30 funeral services a day, Arlington is one of many active cemeteries for our fallen heroes. It is also considered a national treasure for its rich history, dating back to the Civil War, and historic memorials, such as: the Tomb of the Unknowns; the Women in Military Service Memorial, which honors the brave women who have honorably worn our Nation's uniform; and Chaplains Hill, the eternal resting place of Chaplains from four different wars.

Although Arlington is now a shining example of how we honor those who have made the ultimate sacrifice, it has not always been so. In 2010, the Army's inspector general discovered grievous errors, dysfunction, and mismanagement at Arlington. These highly publicized problems were linked to antiquated procedures and failure by the cemetery's senior leadership.

Ms. Condon's steadfast commitment and dedication as Arlington's top executive has reinstated Arlington as a national shrine for those who have made the ultimate sacrifice. Her leadership has led to the correction of all of the issues highlighted by the Army inspector general's 2010 report and the creation of processes that will ensure the longevity of this national shrine and make certain that previous mistakes are not repeated.

Particularly, I would like to highlight Arlington's new burial record system, ANC Explorer. In 2010, Arlington relied on a paper-based record system that caused confusion and led to the misplacement of burials. Thanks to Ms. Condon, Arlington now operates a new geospatial tracking system, which permits the families of our fallen heroes and cemetery staff to, among other things: receive turn-by-turn direction to any burial site or monument; view events, in real-time, occurring through the cemetery; and easily track and maintain burial space.

On behalf of our Nation's veterans and their families, I would like to thank Ms. Condon for her devotion to reaffirming Arlington National Cemetery's status as a national treasure and commend her on an illustrious career in public service.●

#### TRIBUTE TO CAROL MACK

● Mrs. SHAHEEN. Madam President, today I wish to recognize Carol Mack, principal of Matthew Thornton Elementary School in Londonderry, NH. Carol's dedication to the school's faculty, the Town of Londonderry and the students and families who comprise the school community has shone throughout her 25 years of service to Matthew Thornton. While I know that her leadership will be missed by the school community, I join Carol's family and friends in recognizing her impact and achievements and celebrating her retirement.

Carol's connection to Matthew Thornton began in 1983, when her son Jack was a first grade student at the school and she served as a volunteer. Carol then accepted a position as a teaching assistant at the school, and eventually decided to return to graduate school to attain a Master's Degree in education. Upon completion of her professional degree, Carol rose quickly at Matthew Thornton, serving first as a substitute teacher, then a first grade teacher, and eventually becoming the school's assistant principal. Carol's dedication and hard work was recognized statewide when she was named Assistant Principal of the Year by the New Hampshire Association of School Principals in 2002.

In 2004, Carol moved into a new role as principal of Matthew Thornton Elementary School. Her leadership, vision and commitment to the school's betterment was recognized again in 2012 when the New Hampshire Parent Teacher Association named Carol its Administrator of the Year. But as a former public school teacher, Carol's rewards have come from the students with whom she works on a daily basis. Her vision and leadership undoubtedly inspired generations of students to make the world a better place.

I would like to thank Carol Mack for her hard work on behalf of countless

residents of New Hampshire. I am sure that she will be truly missed by the families, staff, and most importantly, the students, of Matthew Thornton Elementary School. I know that her family, including her husband Andy and her children Karen, Cindy and Jack, and their spouses Andrew, Chris and Missy, and her friends, colleagues and community join me in congratulating and celebrating her notable work and the positive impact that she has had on thousands of young lives.●

#### MESSAGE FROM THE HOUSE

At 9:02 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 18. Concurrent resolution providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the United States Senate Chamber for the Honorable Frank R. Lautenberg, late Senator from the State of New Jersey.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 671. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit to Congress an annual report on claims for disabilities incurred or aggravated by military sexual trauma, and for other purposes.

H.R. 2216. An act making appropriations for military construction, the Department of Veterans Affairs, related agencies for the fiscal year ending and September 30, 2014, and for other purposes.

#### ENROLLED BILL SIGNED

The message further announce that the Speaker has signed the following enrolled bill:

S. 622. An act to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 671. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit to Congress an annual report on claims for disabilities incurred or aggravated by military sexual trauma, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2216. An act making appropriations for military construction, the Department of Veterans Affairs, and 30, 2014, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; to the Committee on Appropriations.



EXECUTIVE REPORTS OF  
COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Maj. Gen. Douglas J. Robb, to be Lieutenant General.

Air Force nomination of Lt. Gen. Stephen L. Hoog, to be Lieutenant General.

Air Force nomination of Lt. Gen. Brooks L. Bash, to be Lieutenant General.

Army nomination of Maj. Gen. Joseph Anderson, to be Lieutenant General.

Army nomination of Maj. Gen. Thomas W. Spoeher, to be Lieutenant General.

Army nomination of Lt. Gen. John D. Johnson, to be Lieutenant General.

Army nomination of Col. Ivan E. Denton, to be Brigadier General.

Navy nomination of Capt. Brian S. Pecha, to be Rear Admiral (lower half).

Navy nomination of Capt. Victor W. Hall, to be Rear Admiral (lower half).

Navy nomination of Capt. Priscilla B. Coe, to be Rear Admiral (lower half).

Navy nomination of Capt. Christina M. Alvarado, to be Rear Admiral (lower half).

Navy nomination of Capt. James R. McNeal, to be Rear Admiral (lower half).

Navy nomination of Capt. Daniel L. Gard, to be Rear Admiral (lower half).

Navy nomination of Capt. Mark J. Fung, to be Rear Admiral (lower half).

Navy nomination of Capt. Alma M.O.L. Grocki, to be Rear Admiral (lower half).

Navy nomination of Capt. William K. Davis, to be Rear Admiral (lower half).

Navy nomination of Capt. Daniel J. MacDonnell, to be Rear Admiral (lower half).

Navy nominations beginning with Capt. William J. Galinis and ending with Capt. Jon A. Hill, which nominations were received by the Senate and appeared in the Congressional Record on March 22, 2013.

Navy nominations beginning with Capt. Christian D. Becker and ending with Capt. Gordon D. Peters, which nominations were received by the Senate and appeared in the Congressional Record on March 22, 2013.

Navy nominations beginning with Capt. John P. Polowczyk and ending with Capt. Paul J. Verrastro, which nominations were received by the Senate and appeared in the Congressional Record on March 22, 2013.

Navy nomination of Rear Adm. (lh) Paula C. Brown, to be Rear Admiral.

Navy nomination of Rear Adm. (lh) Thomas E. Beeman, to be Rear Admiral.

Navy nominations beginning with Rear Adm. (lh) Kelvin N. Dixon and ending with Rear Adm. (lh) John C. Sadler, which nominations were received by the Senate and appeared in the Congressional Record on April 9, 2013.

Navy nomination of Rear Adm. William A. Brown, to be Vice Admiral.

Navy nomination of Rear Adm. Robert L. Thomas, Jr., to be Vice Admiral.

Navy nomination of Rear Adm. Nora W. Tyson, to be Vice Admiral.

Marine Corps nominations beginning with Col. David G. Bellon and ending with Col. Raymond R. Descheneaux, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2013.

Marine Corps nominations beginning with Colonel James W. Bierman, Jr. and ending with Colonel Terry V. Williams, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2013.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the CONGRESSIONAL RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Eric W. Adams and ending with Cortney Lynn Zuercher, which nominations were received by the Senate and appeared in the Congressional Record on April 9, 2013.

Army nominations beginning with Brian K. Abney and ending with Eric J. Oh, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Marine Corps nomination of Devin R. Blowes, to be Major.

Navy nomination of Eric Washington, to be Captain.

Navy nomination of Jeanne E. Pricer, to be Captain.

Navy nominations beginning with Timothy E. Johnson and ending with Robert L. Mark II, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Matthew R. Butkis and ending with Hans Hartwig, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Michael S. Dorris and ending with Joyce F. Richardson, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Patrick W. McNally and ending with Ron A. Steiner, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Ronald R. Shaw, Jr. and ending with Keith E. Williams, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with John A. Daughety and ending with Richard O. Tolley, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Paula D. Dunn and ending with Jerald A. Rostad, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Mary A. Gworek and ending with Laura M. Scotty, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Glenn E. Murray and ending with Victor A. White, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Bryant E. Hepstall and ending with John F. Zrembski, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Douglas J. Brown and ending with Jeffrey S. McPherson, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Michael L. Douglas and ending with Douglas R. Schelb, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Edward R. Carroll and ending with Andrew Murray, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with John S. Cranston and ending with William C. Whitsitt, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Kim C. Brichacek and ending with Carol M. Kushmier, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Alfred D. Anderson and ending with John B. Vliet, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Thomas A. Hagood, Jr. and ending with Nicholas H. Taylor, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Thomas C. Cecil and ending with Kyle T. Turco, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Don E. Cheramie and ending with Ralph R. Smith III, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Herman L. Archibald and ending with Matthew H. Welsh, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Steven A. Beals and ending with Marvin L. Slusser, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Benito E. Baylosis and ending with Gustavo J. Vergara, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Jenks D. Britt and ending with Richard B. Thomas, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Daniel H. Adams and ending with William M. Zachman, Jr., which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Kevin T. Aanstad and ending with Paul D. Young, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Navy nominations beginning with Masoud Eghtedari and ending with Christopher A. Stewart, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Navy nominations beginning with Richard A. Bonnette and ending with Glen Wood, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Navy nominations beginning with Joseph J. Eldred and ending with Trevor A. Rush, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Navy nominations beginning with Tim J. Dewitt and ending with William L. Whitmire, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Navy nominations beginning with Janine D. Allen and ending with Todd M. Stein, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Navy nominations beginning with Barry D. Adams and ending with Kimberly A. Zuzelski, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Navy nominations beginning with Eric J. Bach and ending with John H. Windom, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Navy nominations beginning with Daniel J. Ackerson and ending with Scot A. Youngblood, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Navy nomination of Jason T. Stepp, to be Commander.

Navy nominations beginning with Mark R. Alexander and ending with Joseph E. Sisson, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Lane C. Askew and ending with Jeffrey S. Williams, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Bernard Billingsley and ending with Robert J. Teague, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Daryl G. Adamson and ending with David L. Walker, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nomination of Robert S. Almy, to be Lieutenant Commander.

Navy nominations beginning with Jeffrey J. Abbadini and ending with David M. Zielinski, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Aldrith L. Baker and ending with John E. Williams, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Mark A. Angelo and ending with Thomas J. M. Weaver, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Robert L. Burgess and ending with Jacinto Toribio, Jr., which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Lasumar R. Aragon and ending with Sarah E. Zarro, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Denver L. Applehans and ending with Christopher S. Servello, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Enid S. Brackett and ending with Edward A. Sylvestre, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Christina N. Griffin and ending with Rick D. Smith, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Monique J. Bocock and ending with Jordan A. Thomas, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with John G. Clay and ending with Susan L. Walker, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Daniel C. Almer and ending with Brian D. Weiss, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Steven G. Fuselier and ending with Eileen B. Werve, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Sean P. Obrien and ending with Charles S. Thompson III, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Timothy M. Cole and ending with Anthony B. Spinler, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with John B. Baccus III and ending with Craig E. Ross, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Thomas A. J. Olivero and ending with Robert A. Studebaker, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

Navy nominations beginning with Erin E. O. Acosta and ending with Dwight E. Smith, Jr., which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2013.

By Mrs. MURRAY for the Committee on the Budget.

\*Brian C. Deese, of Massachusetts, to be Deputy Director of the Office of Management and Budget.

By Mr. LEAHY for the Committee on the Judiciary.

Patricia E. Campbell-Smith, of the District of Columbia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Elaine D. Kaplan, of the District of Columbia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HELLER:

S. 1097. A bill to prohibit a Federal agency from establishing or implementing a policy

that discourages or prohibits the selection of a resort or vacation destination as the location for a conference or event, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER (for himself and Mr. COCHRAN):

S. 1098. A bill to reform the Biggert-Waters Flood Insurance Reform Act of 2012 to responsibly protect homeownership; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COBURN (for himself, Mr. MANCHIN, Mr. FLAKE, and Mr. KING):

S. 1099. A bill to ensure that individuals do not simultaneously receive unemployment compensation and disability insurance benefits; to the Committee on Finance.

By Mr. BARRASSO (for himself, Mr. MANCHIN, Mr. COATS, Ms. HEITKAMP, Mr. ENZI, Mr. INHOFE, and Mr. HOEVEN):

S. 1100. A bill to amend the Energy Independence and Security Act of 2007 to repeal a provision prohibiting Federal agencies from procuring alternative fuels; to the Committee on Energy and Natural Resources.

By Mr. ALEXANDER (for himself, Mr. BURR, Mr. ISAKSON, Mr. HATCH, Mr. ROBERTS, Mr. KIRK, and Mr. ENZI):

S. 1101. A bill to amend the Elementary and Secondary Education Act of 1965 to ensure that every child is ready for college or a career; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE:

S. 1102. A bill to abolish the Export-Import Bank of the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BENNET (for himself and Mr. BURR):

S. 1103. A bill to amend the Internal Revenue Code of 1986 to provide for the equalization of the excise tax on liquefied natural gas and per energy equivalent of diesel; to the Committee on Finance.

By Mr. NELSON (for himself, Ms. LANDRIEU, and Mr. CARDIN):

S. 1104. A bill to measure the progress of recovery and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes; to the Committee on Foreign Relations.

By Mr. HARKIN (for himself, Mr. MCCAIN, Mr. COBURN, Mr. ENZI, and Mr. UDALL of Colorado):

S. 1105. A bill to improve the circulation of \$1 coins, to remove barrier to the circulation of such coins, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BENNET (for himself and Mr. ISAKSON):

S. 1106. A bill to improve the accuracy of mortgage underwriting used by Federal mortgage agencies by ensuring that energy costs are included in the underwriting process, to reduce the amount of energy consumed by homes, to facilitate the creation of energy efficiency retrofit and construction jobs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HIRONO (for herself, Mr. SCHATZ, Ms. MURKOWSKI, and Mr. BEGICH):

S. 1107. A bill to amend the Elementary and Secondary Education Act of 1965 regarding Native Hawaiian education; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself and Mr. THUNE):

S. 1108. A bill to reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI:

S. 1109. A bill to amend the school dropout prevention program in the Elementary and Secondary Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI:

S. 1110. A bill to amend part A of title I of the Elementary and Secondary Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON of Wisconsin:

S. 1111. A bill to combat cyber espionage of intellectual property of United States persons, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. LEE, Mr. BARRASSO, Mr. ENZI, Mr. INHOFE, Mr. JOHNSON of Wisconsin, Mr. RISC, and Mr. THUNE):

S.J. Res. 16. A joint resolution proposing an amendment to the Constitution of the United States to limit the power of Congress to impose a tax on a failure to purchase goods or services; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 203

At the request of Mr. PORTMAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 203, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame.

S. 240

At the request of Mr. TESTER, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 240, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

S. 289

At the request of Ms. LANDRIEU, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 289, a bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration.

S. 294

At the request of Mr. TESTER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 314

At the request of Mr. JOHNSON of South Dakota, his name was added as a

cosponsor of S. 314, a bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

S. 607

At the request of Mr. LEAHY, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 607, a bill to improve the provisions relating to the privacy of electronic communications.

S. 641

At the request of Mr. WYDEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 641, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 653

At the request of Mr. BLUNT, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 653, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 682

At the request of Mr. COBURN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 682, a bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

S. 723

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 723, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 802

At the request of Mrs. FISCHER, her name was added as a cosponsor of S. 802, a bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

S. 820

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 820, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 892

At the request of Mr. KIRK, the names of the Senator from Ohio (Mr.

PORTMAN), the Senator from Utah (Mr. HATCH), the Senator from Oregon (Mr. MERKLEY) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 892, a bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes.

S. 908

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 908, a bill to amend the Public Health Service Act to improve the diagnosis and treatment of hereditary hemorrhagic telangiectasia, and for other purposes.

S. 950

At the request of Mrs. FISCHER, her name was added as a cosponsor of S. 950, a bill to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location.

S. 953

At the request of Mr. REED, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

S. 967

At the request of Mrs. GILLIBRAND, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 973

At the request of Mr. UDALL of New Mexico, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 973, a bill to improve the integrity and safety of interstate horseracing, and for other purposes.

S. 980

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 980, a bill to provide for enhanced embassy security, and for other purposes.

S. 988

At the request of Mr. LEE, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 988, a bill to provide for an accounting of total United States contributions to the United Nations.

S. 999

At the request of Mr. CARDIN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 999, a bill to amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

S. 1001

At the request of Mr. CORNYN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1001, a bill to impose sanctions with respect to the Government of Iran.

S. 1003

At the request of Mr. COBURN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1003, a bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

S. 1082

At the request of Mr. FRANKEN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1082, a bill to promote Advanced Placement and International Baccalaureate programs.

S. 1092

At the request of Ms. KLOBUCHAR, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1092, a bill to amend title 10, United States Code, to require an Inspector General investigation of allegations of retaliatory personnel actions taken in response to making protected communications regarding sexual assault.

S. 1096

At the request of Mr. BAUCUS, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1096, a bill to establish an Office of Rural Education Policy in the Department of Education.

S.J. RES. 10

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S.J. Res. 10, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S.J. RES. 15

At the request of Mr. CARDIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S.J. Res. 15, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 75

At the request of Mr. KIRK, the name of the Senator from Massachusetts

(Ms. WARREN) was added as a cosponsor of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 157

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. Res. 157, a resolution expressing the sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas.

AMENDMENT NO. 978

At the request of Mr. MERKLEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 978 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 998

At the request of Mr. LEAHY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 998 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1042

At the request of Mr. KING, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of amendment No. 1042 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1082

At the request of Mr. FLAKE, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of amendment No. 1082 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1144

At the request of Mrs. FISCHER, her name was added as a cosponsor of amendment No. 1144 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1151

At the request of Ms. COLLINS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 1151 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1153

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of amendment No. 1153 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1167

At the request of Mr. WYDEN, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Idaho (Mr. CRAPO) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 1167 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ALEXANDER (for himself, Mr. BURR, Mr. ISAKSON, Mr. HATCH, Mr. ROBERTS, Mr. KIRK, and Mr. ENZI):

S. 1101. A bill to amend the Elementary and Secondary Education Act of 1965 to ensure that every child is ready for college or a career; to the Committee on Health, Education, Labor, and Pensions.

Mr. ALEXANDER. Mr. President, I would like to say on behalf of several Republican Senators, including Senators BURR, ISAKSON, KIRK, ROBERTS, HATCH, and ENZI that I am introducing today the Every Child Ready for College or Career Act. This bill would let States decide whether schools and teachers are succeeding or failing. It would end the accumulation of Federal mandates that have piled up on States and local school districts and has created, in effect, a national school board. It would help 50 million children in 100,000 public schools learn what they need to know and be able to do by restoring responsibility to States and communities and giving teachers and parents more freedom, flexibility, and choices.

I will have more to say about this on Monday in a floor speech, but I wanted to call it to the attention of our colleagues.

While it is being offered by Republican Senators, we do not see it as a Republican bill. We see it as a piece of legislation that will attract the support of classroom teachers, principals, Governors, legislators, and others who have been working for 30 years to set high standards, create better tests, create accountability systems, and pioneering in developing teacher evaluation systems.

We believe it is the proper role of the Federal Government to create an environment for better schools, but not to issue orders from Washington. The combination of No Child Left Behind mandates, Race to the Top mandates, and mandates as a result of the Secretary of Education's waivers have created such congestion in the U.S. Department of Education that it has become, in effect, a national school board.

We want to head in the other direction. We want to give back to States and local governments the responsibility for deciding whether schools and

teachers are succeeding or failing. I hope all of our colleagues will read the Every Child Ready for College or Career Act.

Senator HARKIN and I look forward to the markup next Tuesday in the Health, Education, Labor, and Pensions Committee. We will offer competing versions. His is more than 1,100 pages, and ours is 220 pages. This is a symbol of the differences in our approaches. We will begin a debate which I hope goes through the committee, moves to the Senate floor, combines with the House in conference, and produces a result that reauthorizes the Elementary and Secondary Education Act this year.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1174. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 956 submitted by Mr. MCCAIN (for himself, Mrs. SHAHEEN, Ms. AYOTTE, Ms. CANTWELL, Mr. COBURN, Mrs. MURRAY, Mr. CRAPO, Mr. WARNER, Mr. RISCH, Mr. KIRK, Mr. INHOFE, and Mr. Lautenberg) and intended to be proposed to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table.

SA 1175. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1176. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1177. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1178. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1171 submitted by Mr. SCHATZ and intended to be proposed to the bill S. 954, supra; which was ordered to lie on the table.

SA 1179. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1051 submitted by Mr. SESSIONS and intended to be proposed to the bill S. 954, supra; which was ordered to lie on the table.

SA 1180. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 1122 submitted by Mr. DONNELLY (for himself, Mr. BOOZMAN, and Mr. COATS) and intended to be proposed to the bill S. 954, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 1174. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 956 submitted by Mr. MCCAIN (for himself, Mrs. SHAHEEN, Ms. AYOTTE, Ms. CANTWELL, Mr. COBURN, Mrs. MURRAY, Mr. CRAPO, Mr. WARNER, Mr. RISCH, Mr. KIRK, Mr. INHOFE, and Mr. Lautenberg) and intended to be proposed to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

#### SEC. 12. FOOD SAFETY INSPECTION.

##### (a) REGULATIONS.—

(1) DEADLINE.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue final regulations to carry out the amendments made by paragraph (1) of section 11016(b) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2130).

(2) REQUIREMENT.—In promulgating the regulations described in paragraph (1), the Secretary, in consultation with the Commissioner of Food and Drugs, shall ensure that there is no duplication in inspection activities for meat food products derived from catfish, including the cessation of any existing inspection function for meat food products derived from catfish carried out by the Food and Drug Administration or any related agency.

(b) IMPLEMENTATION STATUS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Agriculture and Appropriations of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry and Appropriations of the Senate a report on the status of the implementation of the program established by the amendments made by section 11016(b) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2130).

SA 1175. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

This Act shall become effective 1 day after enactment.

SA 1176. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

This Act shall become effective 2 days after enactment.

SA 1177. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

This Act shall become effective 3 days after enactment.

SA 1178. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1171 submitted by Mr. SCHATZ and intended to be proposed to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1, line 3, strike “RESEARCH AND”.

On page 2, line 20, strike “silviculture” and insert “silvicultural practices for restoration purposes”.

SA 1179. Mr. SESSIONS submitted an amendment intended to be proposed to

amendment SA 1051 submitted by Mr. SESSIONS and intended to be proposed to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On Page 1, Strike line 1 through and including Page 5, Line 2, and insert the following:

“On Page 390, after Line 17, add the following:

#### SEC. 4019. NO FUNDS FOR MARKETING SNAP BENEFITS.

No funds authorized under this title shall be used to implement any program designed to promote enrollment and use of SNAP benefits by foreign nationals residing in the United States.”

SA 1180. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 1122 submitted by Mr. DONNELLY (for himself, Mr. BOOZMAN, and Mr. COATS) and intended to be proposed to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be added, add the following:

#### SEC. 122. STAY AND STUDY ON PROPOSED ACTIONS RELATING TO SULFURYL FLUORIDE.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency shall delay taking final action on the objections addressed in the proposed order entitled “Sulfuryl Fluoride; Proposed Order Granting Objections to Tolerances and Denying Request for a Stay” (76 Fed. Reg. 3422 (January 19, 2011)) as that proposed order relates to tolerances under chapter IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341 et seq.) until the date that is 2 years after the date of enactment of this Act.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, in coordination with the Secretary of Agriculture and the Secretary of Health and Human Services, shall, after providing notice and opportunity to comment to all stakeholders, submit to the Committees on Agriculture and Energy and Commerce of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry and Environment and Public Works of the Senate a report on—

(1) the potential public health, economic, environmental, food supply, and public right-to-know effects that may result from finalization of the proposed order described in subsection (a);

(2) any alternatives to the use of sulfuranyl fluoride in the agricultural sector, including alternatives available through the National Organic Certification Program of the Department of Agriculture and alternatives used in other countries; and

(3) actions that Federal agencies can take to help address public health threats, including to the health of infants and children, by reducing fluoride exposures below levels that have been determined to be safe.

#### NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I wish to announce for the information of the

Senate and the public that a business meeting has been scheduled before the Senate Committee on Energy and Natural Resources. The business meeting will be held on Tuesday, June 18, 2013, at 10 a.m. in room 366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider pending calendar business.

For further information, please contact Sam Fowler at (202) 224-7571 or Abigail Campbell at (202) 224-4905.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 6, 2013, at 11 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 6, 2013, at 10:30 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "Gulf Restoration: A Progress Report 3 years After the Deepwater Horizon Disaster."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 6, 2013, at 9:15 a.m. in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FINANCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 6, 2013, at 11 a.m., in room 215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 6, 2013, at 10 a.m., to hold a hearing entitled, "Labor Issues in Bangladesh."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Ms. STABENOW. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary be authorized to meet during the session of the Senate on June 6, 2013, at 10 a.m., in S-216 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SELECT COMMITTEE ON INTELLIGENCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 6, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON ECONOMIC POLICY

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Economic Policy be authorized to meet during the session of the Senate on June 6, 2013, at 9:30 a.m. to conduct a hearing entitled "State of the American Dream: Economic Policy and the Future of the Middle Class?"

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR FRIDAY, JUNE 7, THROUGH TUESDAY, JUNE 11, 2013

Mr. REID. Madam President, I ask unanimous consent that following any leader remarks on Friday, June 7, tomorrow, the Senate resume consideration of the motion to proceed to Calendar No. 80, S. 744; that the time until 1:30 p.m. be divided as follows: Senator SESSIONS or designee controlling 3 hours, and the majority leader or designee controlling the remaining time; further, following any leader remarks on Monday, June 10, the Senate resume consideration of the motion to proceed to S. 744; that the time until 5 p.m. be divided as follows: Senator SESSIONS or designee controlling 2 hours, and Senator LEAHY or designee controlling the remaining time; further, that at 5 p.m., the Senate resume consideration of S. 954, the farm bill, with the time until 5:30 p.m. equally divided between the two leaders or their designees; that at 5:30 p.m., all postcloture time be considered expired and the Senate proceed to vote in relation to the Leahy amendment, with no amendments in order to the amendment prior to the vote; and upon disposition of the Leahy amendment, the Senate proceed to vote on passage of S. 954, as amended; that upon disposition of S. 954, the Senate resume consideration of the motion to proceed to S. 744, with Senator SESSIONS or designee controlling 1 hour of debate on Monday evening; that following any leader remarks on Tuesday, June 11, the Senate resume consideration of the motion to proceed to S. 744, with the time until 12:30 p.m. equally divided between the proponents and opponents; further, Senator SES-

SIONS or designee controlling up to 1 hour of that time; that at 2:15 p.m., on Tuesday, June 11, the Senate proceed to vote on the motion to invoke cloture on the motion to proceed to S. 744; finally, if cloture is invoked on the motion to proceed, the time until 4 p.m. be equally divided between the proponents and opponents; and at 4 p.m., the Senate proceed to vote on the adoption of the motion to proceed to S. 744.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 141, 142, and 143; that the nominations be confirmed, en bloc; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, today the Senate will confirm Judge Charles Breyer, Rachel Barkow, and Judge William Pryor to the U.S. Sentencing Commission. While it is good that the Senate is acting to confirm Judge Pryor and Rachel Barkow following their unanimous approval by the Judiciary Committee 2 weeks ago, it is wrong that Senate Republicans forced Judge Breyer to wait so long for confirmation. Judge Breyer was first reported unanimously last July, nearly 11 months ago. Despite that unanimous support, Senate Republicans, as they have done so many times, refused to act on his nomination on the floor and forced the President to renominate him this year for no good reason.

Judge Breyer has an outstanding record in public service, and has served as a U.S. District Judge for the Northern District of California since 1998, assuming senior status last year. He has also worked in private practice and as a prosecutor—both in the San Francisco District Attorney's office and on the Watergate Special Prosecution Force. After graduating from law school he served as a law clerk to Chief Judge Oliver J. Carter of the U.S. District Court for the Northern District of California. Additionally, from 1969 to 1973, Judge Breyer was a Captain in the U.S. Army's Judge Advocate General's Corps. Judge Breyer will be an outstanding addition to the Sentencing Commission.

Rachel Barkow has been a law professor at the New York University

School of Law for the past 11 years. She previously worked as an associate in private practice at Kellogg Huber Hansen Todd & Evans, P.L.L.C. in Washington, D.C. In 2001, she took leave from private practice to serve as the John M. Olin Fellow in Law at Georgetown University Law Center. Following law school, Professor Barkow served as a law clerk for D.C. Circuit Court of Appeals Judge Laurence H. Silberman and Supreme Court Justice Antonin Scalia.

William Pryor is currently a judge on the U.S. Court of Appeals for the Eleventh Circuit, a position to which he was confirmed in 2005. Prior to becoming a judge, he served as the Attorney General of Alabama from 1997 to 2004, where he led the effort to create Alabama's sentencing commission.

I thank the Chair.

The nominations considered and confirmed are as follows:

#### UNITED STATES SENTENCING COMMISSION

Rachel Elise Barkow, of New York, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2017.

Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2015.

William H. Pryor, Jr., of Alabama, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2017.

#### EXECUTIVE NOMINATIONS

Mr. REID. Madam President, I ask unanimous consent that the Senate consider the following nominations: Calendar Nos. 147, and each number in order, through 174, and all nominations on the Secretary's desk in the Air Force, Marine Corps, Army, and Navy; that the nominations be confirmed, en bloc; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the Record; that President Obama be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be lieutenant general*

Maj. Gen. Douglas J. Robb

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be lieutenant general*

Lt. Gen. Stephen L. Hoog

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be lieutenant general*

Lt. Gen. Brooks L. Bash

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be lieutenant general*

Maj. Gen. Joseph Anderson

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be lieutenant general*

Maj. Gen. Thomas W. Spoehr

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be lieutenant general*

Lt. Gen. John D. Johnson

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

##### *To be brigadier general*

Col. Ivan E. Denton

#### IN THE NAVY

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

##### *To be rear admiral (lower half)*

Capt. Brian S. Pecha

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

##### *To be rear admiral (lower half)*

Capt. Victor W. Hall

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

##### *To be rear admiral (lower half)*

Capt. Priscilla B. Coe

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

##### *To be rear admiral (lower half)*

Capt. Christina M. Alvarado

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

##### *To be rear admiral (lower half)*

Capt. James R. McNeal

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

##### *To be rear admiral (lower half)*

Capt. Daniel L. Gard

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

##### *To be rear admiral (lower half)*

Capt. Mark J. Fung

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

##### *To be rear admiral (lower half)*

Capt. Alma M.O.L. Grocki

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

##### *To be rear admiral (lower half)*

Capt. William K. Davis

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

##### *To be rear admiral (lower half)*

Capt. Daniel J. MacDonnell

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

##### *To be rear admiral (lower half)*

Capt. William J. Galinis

Capt. Jon A. Hill

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

##### *To be rear admiral (lower half)*

Capt. Christian D. Becker

Capt. Gordon D. Peters

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

##### *To be rear admiral (lower half)*

Capt. John P. Polowczyk

Capt. Paul J. Verrastro

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

##### *To be rear admiral*

Rear Adm. (1h) Paula C. Brown

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

##### *To be rear admiral*

Rear Adm. (1h) Thomas E. Beeman

The following named officers for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

##### *To be rear admiral*

Rear Adm. (1h) Kelvin N. Dixon

Rear Adm. (1h) Brian L. LaRoche

Rear Adm. (1h) John C. Sadler

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be vice admiral*

Rear Adm. William A. Brown

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be vice admiral*

Rear Adm. Robert L. Thomas, Jr.

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:



*To be vice admiral*

Rear Adm. Nora W. Tyson

## IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

*To be brigadier general*

Col. David G. Bellon

Col. Raymond R. Descheneaux

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

*To be brigadier general*

Colonel James W. Bierman, Jr.

Colonel Robert F. Castellvi

Colonel David J. Furness

Colonel Michael S. Groen

Colonel Kevin M. Hams

Colonel John M. Jansen

Colonel Kevin J. Killea

Colonel David A. Ottignon

Colonel Thomas D. Weidley

Colonel Terry V. Williams

NOMINATIONS PLACED ON THE SECRETARY'S  
DESK

## IN THE AIR FORCE

PN277 AIR FORCE nominations (76) beginning ERIC W. ADAMS, and ending CORTNEY LYNN ZUERCHER, which nominations were received by the Senate and appeared in the Congressional Record of April 9, 2013.

## IN THE ARMY

PN472 ARMY nominations (4) beginning BRIAN K. ABNEY, and ending ERIC J. OH, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

## IN THE MARINE CORPS

PN314 MARINE CORPS nomination of Devin R. Blowes, which was received by the Senate and appeared in the Congressional Record of April 11, 2013.

## IN THE NAVY

PN352 NAVY nomination of Eric Washington, which was received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN353 NAVY nomination of Jeanne E. Pricer, which was received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN354 NAVY nominations (2) beginning TIMOTHY E. JOHNSON, and ending ROBERT L. MARK, II, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN355 NAVY nominations (2) beginning MATTHEW R. BUTKIS, and ending HANS HARTWIG, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN356 NAVY nominations (2) beginning MICHAEL S. DORRIS, and ending JOYCE F. RICHARDSON, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN357 NAVY nominations (3) beginning PATRICK W. MCNALLY, and ending RON A. STEINER, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN358 NAVY nominations (3) beginning RONALD R. SHAW, JR., and ending KEITH E. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN359 NAVY nominations (3) beginning JOHN A. DAUGHETY, and ending RICHARD

O. TOLLEY, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN360 NAVY nominations (3) beginning PAULA D. DUNN, and ending JERALD A. ROSTAD, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN361 NAVY nominations (4) beginning MARY A. GWOREK, and ending LAURA M. SCOTTY, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN362 NAVY nominations (4) beginning GLENN E. MURRAY, and ending VICTOR A. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN363 NAVY nominations (5) beginning BRYANT E. HEPSTALL, and ending JOHN F. ZREMBSKI, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN364 NAVY nominations (5) beginning DOUGLAS J. BROWN, and ending JEFFREY S. MCPHERSON, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN365 NAVY nominations (6) beginning MICHAEL L. DOUGLAS, and ending DOUGLAS R. SCHELLE, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN366 NAVY nominations (7) beginning EDWARD R. CARROLL, and ending ANDREW MURRAY, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN367 NAVY nominations (7) beginning JOHN S. CRANSTON, and ending WILLIAM C. WHITSITT, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN368 NAVY nominations (8) beginning KIM C. BRICHACEK, and ending CAROL M. KUSHMIER, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN369 NAVY nominations (8) beginning ALFRED D. ANDERSON, and ending JOHN B. VLIET, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN370 NAVY nominations (8) beginning THOMAS A. HAGOOD, JR., and ending NICHOLAS H. TAYLOR, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN371 NAVY nominations (9) beginning THOMAS C. CECIL, and ending KYLE T. TURCO, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN372 NAVY nominations (11) beginning DON E. CHERAMIE, and ending RALPH R. SMITH, III, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN373 NAVY nominations (12) beginning HERMAN L. ARCHIBALD, and ending MATTHEW H. WELSH, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN374 NAVY nominations (14) beginning STEVEN A. BEALS, and ending MARVIN L. SLUSSER, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN375 NAVY nominations (17) beginning BENITO E. BAYLOSIS, and ending GUSTAVO J. VERGARA, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN376 NAVY nominations (21) beginning JENKS D. BRITT, and ending RICHARD B.

THOMAS, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN377 NAVY nominations (72) beginning DANIEL H. ADAMS, and ending WILLIAM M. ZACHMAN, JR., which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN378 NAVY nominations (210) beginning KEVIN T. AANESTAD, and ending PAUL D. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN445 NAVY nominations (7) beginning MASOUD EGHTEADARI, and ending CHRISTOPHER A. STEWART, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN446 NAVY nominations (10) beginning RICHARD A. BONNEITE, and ending GLEN WOOD, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN447 NAVY nominations (11) beginning JOSEPH J. ELDRED, and ending TREVOR A. RUSH, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN448 NAVY nominations (14) beginning TIM J. DEWITT, and ending WILLIAM L. WHITMIRE, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN449 NAVY nominations (16) beginning JANINE D. ALLEN, and ending TODD M. STEIN, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN451 NAVY nominations (22) beginning BARRY D. ADAMS, and ending KIMBERLY A. ZUZELSKI, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN452 NAVY nominations (28) beginning ERIC J. BACH, and ending JOHN H. WINDOM, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN453 NAVY nominations (49) beginning DANIEL J. ACKERSON, and ending SCOT A. YOUNGBLOOD, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN473 NAVY nomination of Jason T. Stepp, which was received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN475 NAVY nominations (19) beginning MARK R. ALEXANDER, and ending JOSEPH E. SISSON, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN476 NAVY nominations (15) beginning LANE C. ASKEW, and ending JEFFREY S. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN477 NAVY nominations (26) beginning BERNARD BILLINGSLEY, and ending ROBERT J. TEAGUE, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN478 NAVY nominations (61) beginning DARYL G. ADAMSON, and ending DAVID L. WALKER, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN479 NAVY nomination of Robert S. Almy, which was received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN480 NAVY nominations (487) beginning JEFFREY J. ABBADINI, and ending DAVID M. ZIELINSKI, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN481 NAVY nominations (16) beginning ALDRITH L. BAKER, and ending JOHN E. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN482 NAVY nominations (14) beginning MARK A. ANGELO, and ending THOMAS J. M. WEAVER, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN483 NAVY nominations (14) beginning ROBERT L. BURGESS, and ending JACINTO TORIBIO, JR., which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN484 NAVY nominations (37) beginning LASUMAR R. ARAGON, and ending SARAH E. ZARRO, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN485 NAVY nominations (10) beginning DENVER L. APPLEHANS, and ending CHRISTOPHER S. SERVELLO, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN486 NAVY nominations (12) beginning ENID S. BRACKETT, and ending EDWARD A. SYLVESTER, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN487 NAVY nominations (5) beginning CHRISTINA N. GRIFFIN, and ending RICK D. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN488 NAVY nominations (8) beginning MONIQUE J. BOCK, and ending JORDAN A. THOMAS, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN489 NAVY nominations (14) beginning JOHN G. CLAY, and ending SUSAN L. WALKER, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN490 NAVY nominations (9) beginning DANIEL C. ALMER, and ending BRIAN D. WEISS, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN491 NAVY nominations (2) beginning Steven G. Fuselier, and ending Eileen B. Werve, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN492 NAVY nominations (2) beginning SEAN P. OBRIEN, and ending CHARLES S. THOMPSON, III, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN493 NAVY nominations (3) beginning TIMOTHY M. COLE, and ending ANTHONY B. SPINLER, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN494 NAVY nominations (2) beginning John B. Baccus, III, and ending Craig E. Ross, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN495 NAVY nominations (2) beginning Thomas A. J. Olivero, and ending Robert A. Studebaker, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

PN496 NAVY nominations (8) beginning ERIN E. O. ACOSTA, and ending DWIGHT E. SMITH, JR., which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2013.

#### ORDER OF PROCEDURE

Mr. REID. Madam President, I ask unanimous consent that at a time to be

determined by me in consultation with the Republican leader, the Senate proceed to executive session to consider nominations Nos. 47 and 49; that there be 30 minutes for debate equally divided in the usual form; that following the use or yielding back of that time, the Senate proceed to vote with no intervening action or debate on the nominations in the order listed, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

##### APPOINTMENT

THE PRESIDING OFFICER. The Chair, on behalf of the Republican leader, pursuant to Public Law 112-240, appoints the following individual as a member of the Commission on Long-Term Care:

Christopher S. Jacobs of Washington, DC, vice Bruce D. Greenstein.

##### THANKING SENATE PAGES

Mr. REID. Madam President, tomorrow there will be another class of pages who will graduate after serving the Senate so well. We expect a lot of our pages, who often work as hard as Senators and staff. Their contributions to make the Senate run smoothly day in and day out are greatly appreciated. I commend them for their hard work, thank them for their efforts, and wish them the best of luck in their next endeavor.

Speaking from a personal perspective, my two oldest grandchildren served as pages. It really changed their lives. Even though their grandfather was heavily involved in politics—and that was all my adult life—they really were not in tune with what was going on or I guess they really didn't care that much. But after having served here as pages, they became avid readers of the press, listened to the news, and became interested in what goes on here.

These jobs as pages are really life-changing. There are lots of examples of that. Senator Chris Dodd, who recently retired, was a longtime Member of Congress and Senator from Connecticut. His serving as a page really paved the way for him to be a Peace Corps volunteer, a Member of Congress, and a Member of the Senate. Each of these young men and women has a golden opportunity.

I appreciate very much how hard they have worked. These young men

and women have gone to school, and it has been hard. It is not easy to complete the semester of school that they do here—it is very hard. People who run that school cut them no slack. Whether it is English or math, they work them very hard. They go through a drill, living in the dorm. It is not easy. They are strictly supervised.

I am proud of every one of them. I wish I had more time to spend with them individually because it is really important for this institution that the page program continue.

#### ORDERS FOR FRIDAY, JUNE 7, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow morning, June 7, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume the motion to proceed to S. 744, the comprehensive immigration reform bill, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. REID. Mr. President, the next rollcall vote will be Monday at 5:30 p.m.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the body, I ask unanimous consent that the Senate adjourn under the previous order.

There being no objection, the Senate, at 12:42 p.m., adjourned until Friday, June 7, 2013, at 9:30 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate June 6, 2013:

##### UNITED STATES SENTENCING COMMISSION

RACHEL ELISE BARKOW, OF NEW YORK, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2017.

CHARLES R. BREYER, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2015.

WILLIAM H. PRYOR, JR., OF ALABAMA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2017.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

MAJ. GEN. DOUGLAS J. ROBB

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

LT. GEN. STEPHEN L. HOOGE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. BROOKS L. BASH

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. JOSEPH ANDERSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. THOMAS W. SPOEHR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. JOHN D. JOHNSON

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COL. IVAN E. DENTON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. BRIAN S. PECHA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. VICTOR W. HALL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. PRISCILLA B. COE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. CHRISTINA M. ALVARADO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. JAMES R. MCNEAL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. DANIEL L. GARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. MARK J. FUNG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. ALMA M.O.L. GROCKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. WILLIAM K. DAVIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. DANIEL J. MACDONNELL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. WILLIAM J. GALINIS

CAPT. JON A. HILL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. CHRISTIAN D. BECKER

CAPT. GORDON D. PETERS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. JOHN P. POLOWCZYK

CAPT. PAUL J. VERRASTRO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral*

REAR ADM. (LH) PAULA C. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral*

REAR ADM. (LH) THOMAS E. BEEMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral*

REAR ADM. (LH) KELVIN N. DIXON

REAR ADM. (LH) BRIAN L. LAROCHE

REAR ADM. (LH) JOHN C. SADLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. WILLIAM A. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. ROBERT L. THOMAS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. NORA W. TYSON

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. DAVID G. BELLON

COL. RAYMOND R. DESCHENEAU

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COLONEL JAMES W. BIERMAN, JR.

COLONEL ROBERT F. CASTELLVI

COLONEL DAVID J. FURNESS

COLONEL MICHAEL S. GROEN

COLONEL KEVIN M. IIAMS

COLONEL JOHN M. JANSEN

COLONEL KEVIN J. KILLEA

COLONEL DAVID A. OTTIGNON

COLONEL THOMAS D. WEIDLEY

COLONEL TERRY V. WILLIAMS

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH ERIC W. ADAMS AND ENDING WITH COURTNEY LYNN ZUERCHER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 9, 2013.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH BRIAN K. ABNEY AND ENDING WITH ERIC J. OH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF DEVIN R. BLOWES, TO BE MAJOR.

IN THE NAVY

NAVY NOMINATION OF ERIC WASHINGTON, TO BE CAPTAIN.

NAVY NOMINATION OF JEANNE E. PRICER, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH TIMOTHY E. JOHNSON AND ENDING WITH ROBERT L. MARK II, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH MATTHEW R. BUTKIS AND ENDING WITH HANS HARTWIG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH MICHAEL S. DORRIS AND ENDING WITH JOYCE F. RICHARDSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH PATRICK W. MCNALLY AND ENDING WITH RON A. STEINER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH RONALD R. SHAW, JR. AND ENDING WITH KEITH E. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH JOHN A. DAUGHETY AND ENDING WITH RICHARD O. TOLLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH PAULA D. DUNN AND ENDING WITH JERALD A. ROSTAD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH MARY A. GWOREK AND ENDING WITH LAURA M. SCOTTY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH GLENN E. MURRAY AND ENDING WITH VICTOR A. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH BRYANT E. HEPSTALL AND ENDING WITH JOHN F. ZREMBSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH DOUGLAS J. BROWN AND ENDING WITH JEFFREY S. MCPHERSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH MICHAEL L. DOUGLAS AND ENDING WITH DOUGLAS R. SCHELBE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH EDWARD R. CARROLL AND ENDING WITH ANDREW MURRAY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH JOHN S. CRANSTON AND ENDING WITH WILLIAM C. WHITSITT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH KIM C. BRICHACEK AND ENDING WITH CAROL M. KUSHMIER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH ALFRED D. ANDERSON AND ENDING WITH JOHN B. VLIET, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH THOMAS A. HAGOOD, JR. AND ENDING WITH NICHOLAS H. TAYLOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH THOMAS C. CECIL AND ENDING WITH KYLE T. TURCO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH DON E. CHERAMIE AND ENDING WITH RALPH R. SMITH III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH HERMAN L. ARCHIBALD AND ENDING WITH MATTHEW H. WELSH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH STEVEN A. BEALS AND ENDING WITH MARVIN L. SLUSSER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH BENITO E. BAYLOSIS AND ENDING WITH GUSTAVO J. VERGARA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH JENKS D. BRITT AND ENDING WITH RICHARD B. THOMAS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH DANIEL H. ADAMS AND ENDING WITH WILLIAM M. ZACHMAN, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH KEVIN T. AANESTAD AND ENDING WITH PAUL D. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

NAVY NOMINATIONS BEGINNING WITH MASOUD EGHTEHARI AND ENDING WITH CHRISTOPHER A. STEWART, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

NAVY NOMINATIONS BEGINNING WITH RICHARD A. BONNETTE AND ENDING WITH GLEN WOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

NAVY NOMINATIONS BEGINNING WITH JOSEPH J. ELDERED AND ENDING WITH TREVOR A. RUSH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

NAVY NOMINATIONS BEGINNING WITH TIM J. DEWITT AND ENDING WITH WILLIAM L. WHITMIRE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

NAVY NOMINATIONS BEGINNING WITH JANINE D. ALLEN AND ENDING WITH TODD M. STEIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

NAVY NOMINATIONS BEGINNING WITH BARRY D. ADAMS AND ENDING WITH KIMBERLY A. ZUZELSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

NAVY NOMINATIONS BEGINNING WITH ERIC J. BACH AND ENDING WITH JOHN H. WINDOM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

NAVY NOMINATIONS BEGINNING WITH DANIEL J. ACKERSON AND ENDING WITH SCOT A. YOUNGBLOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

NAVY NOMINATION OF JASON T. STEPP, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH MARK R. ALEXANDER AND ENDING WITH JOSEPH E. SISSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH LANE C. ASKEW AND ENDING WITH JEFFREY S. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH BERNARD BILLINGSLEY AND ENDING WITH ROBERT J. TEAGUE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH DARYL G. ADAMSON AND ENDING WITH DAVID L. WALKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATION OF ROBERT S. ALMY, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH JEFFREY J. ABBADINI AND ENDING WITH DAVID M. ZIELINSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH ALDRITH L. BAKER AND ENDING WITH JOHN E. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH MARK A. ANGELO AND ENDING WITH THOMAS J. M. WEAVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH ROBERT L. BURGESS AND ENDING WITH JACINTO TORIBIO, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH LASUMAR R. ARGON AND ENDING WITH SARAH E. ZARRO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH DENVER L. APPLEHANS AND ENDING WITH CHRISTOPHER S. SERVELLO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH ENID S. BRACKETT AND ENDING WITH EDWARD A. SYLVESTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH CHRISTINA N. GRIFFIN AND ENDING WITH RICK D. SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH MONIQUE J. BOCK AND ENDING WITH JORDAN A. THOMAS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH JOHN G. CLAY AND ENDING WITH SUSAN L. WALKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH DANIEL C. ALMER AND ENDING WITH BRIAN D. WEISS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH STEVEN G. FUSELIER AND ENDING WITH EILEEN B. WERVE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH SEAN P. OBRIEN AND ENDING WITH CHARLES S. THOMPSON III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH TIMOTHY M. COLE AND ENDING WITH ANTHONY B. SPINLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH JOHN B. BACCUS III AND ENDING WITH CRAIG E. ROSS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH THOMAS A. J. OLIVERO AND ENDING WITH ROBERT A. STUDEBAKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH ERIN E. O. ACOSTA AND ENDING WITH DWIGHT E. SMITH, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

## HOUSE OF REPRESENTATIVES—Thursday, June 6, 2013

The House met at 9 a.m. and was called to order by the Speaker.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of grace and goodness, thank You for giving us another day.

As we come on the heels of a long day considering Homeland Security appropriations, we ask Your blessing of strength and perseverance that each Member may best serve their constituents and our entire Nation.

May it be their purpose to see to the hopes of so many Americans that they authenticate the grandeur and glory of the ideals and principles of our democracy with the work they do.

Grant that the men and women of the people's House find the courage and wisdom to work together to forge solutions to the many needs of our Nation and ease the anxieties of so many.

May all that is done this day be for Your greater honor and glory.

Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Indiana (Mrs. WALORSKI) come forward and lead the House in the Pledge of Allegiance.

Mrs. WALORSKI led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

### MILITARY SEXUAL ASSAULT BILL

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, last night the House Armed Services Com-

mittee approved its version of the National Defense Authorization Act for fiscal year 2014.

Included was a provision I sponsored, along with Congresswoman LORETTA SANCHEZ, to extend whistleblower protections to victims of military sexual abuse. This bipartisan proposal will strengthen whistleblower protection laws and ensure that victims are protected from punishment for reporting sexual assault in the military.

The Pentagon recently reported that an estimated 26,000 servicemembers were sexually assaulted last year with just over 3,000 cases reported. This one statistic alone is chilling, and it's only the tip of the iceberg.

Our military represents the bravest men and women in the Nation, and growing reports of sexual assault and underreporting are sadly tarnishing the reputation of our Armed Forces. This bill gets to the root of the problem by creating a safe reporting environment and demanding accountability from our military leaders.

Passage of this bill will be a step in the right direction to help victims and restore trust in our military.

I am pleased this bipartisan provision is one step closer to becoming law.

### ENERGY SAVINGS PERFORMANCE CONTRACTS

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. Mr. Speaker, the Federal Government spends more than \$6.5 billion on energy costs every year to heat, cool, and power roughly 500,000 buildings and facilities.

Currently, the administration is auditing Federal agencies for cost savings and has found billions of dollars that are available in savings.

Here's how they work:

Energy savings performance contracts allow a public-private partnership where the Federal agency contracts with an energy service company to conduct energy audits and design and implement energy-saving improvements. There is no cost to the taxpayer. The payment to the contractor comes from savings that are reaped down the line.

It's a win-win-win for the taxpayer, the economy, and the environment. ESPCs lead to local, nonexportable jobs. In fact, every million dollars of ESPC contracting results in the creation of 10 local jobs. ESPCs have al-

ready proven themselves to drastically reduce carbon emissions and water usage at Federal facilities.

This is something we can and should do together: save money, create jobs, and improve the environment.

### MILITARY SEXUAL ASSAULTS

(Mr. COFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, the United States military is the most capable and most professional fighting force in history. But while our military is adept at meeting external threats, it has had a more difficult time combatting the epidemic of sexual assault and sexual misconduct in its ranks.

Earlier today, the Armed Services Committee passed this year's defense bill. I am proud to have supported provisions that will help us tackle the problem of sexual assault in the military by holding perpetrators accountable, protecting victims, and maintaining good order and discipline. I'm particularly pleased that Representative SPEIER and I were able to add whistleblower protection enhancements.

Our men and women in uniform must be able to depend on one another and trust their command will protect them from sexual predators. These crimes inflict lasting damage on individuals and compromise the effectiveness of our military. I am committed to solving this terrible problem once and for all.

### SILAS EDENFIELD

(Mr. BARROW of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW of Georgia. Mr. Speaker, I rise today to honor the life of Silas Edenfield, a 4-year-old boy from my district in Georgia who passed away on May 25 of cancer, just shy of his fifth birthday on June 4.

During his illness, more than 50,000 people from as far away as Australia paid tribute to Silas on social media, joining in his efforts to raise awareness of his deadly disease.

Silas loved Jesus and sea turtles and never let his illness get him down. At his young age, he inspired everyone he met with his bright smile and positive attitude. As one person said, "He brought our community together."

I extend my heartfelt condolences to Silas' family and the community that

supported him. His memory will live on with the people whose lives he touched, including this proud Congressman.

#### JOBS, A PART OF THE AMERICAN DREAM

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, nearly 4.5 million Americans have been without a job for 27 weeks or longer. This number is equal to the entire population of the greater Houston area. This should not happen in America. A job is fundamental. It gives individuals the chance to contribute both to their family and to the economy.

America has always been a land of opportunity, growth, and prosperity. Sadly, Washington's policies over the last 4 years are preventing job creators from growing their businesses and creating job opportunities for these 4.5 million Americans out of work.

The endless regulations, tax increases, and the burdens of complying with ObamaCare have made the Federal Government too big and out of control.

Instead of continuing with its flawed policies that are crippling America's future, I hope the President and his administration will work with the House Republicans as we continue with our plan for economic growth and jobs, that cuts spending, balances the budget, lowers health care costs, eliminates red tape, takes important steps towards energy independence, and encourages responsible oversight of out-of-control government agencies like the IRS.

Mr. Speaker, America is about the American Dream, not the American scheme.

#### UNREST AND BRUTALITY IN TURKEY

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to condemn the excessive force used by Turkish police on demonstrators in Istanbul.

The past few days, these individuals used their rights to assemble and express their displeasure with their government's policies. They called attention to what they view as increasing government curtailment of their rights, but they were met with aggressive violence.

Perhaps just as shocking, most Turkish news outlets did not even cover these events as they unfolded because they feared that they would anger the government and they would go to jail, and because the government controls large parts of the media in Turkey.

This is not the response of a free and democratic society. We expect more

from our allies, and I call on Prime Minister Erdogan to condemn this brutal police action and urge the Turkish authorities to exercise restraint.

I also urge both parties to resolve their differences swiftly and peacefully in a manner that respects the rights of all Turkish citizens.

#### UNFAIR PRACTICES AT THE IRS

(Mr. FORTENBERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FORTENBERRY. Mr. Speaker, it has become increasingly clear in the last few weeks that certain IRS employees engaged in unfair practices targeting Americans because of their religious or political beliefs. The scrutiny was improperly frequent and systemic. The questions asked of certain groups were intrusive and inappropriate.

A well-functioning government must ensure that those in positions of influence are committed to serving with impartiality and fairness. Revelations that the IRS targeted groups based on their religious or political affiliation undermine the public trust. I think we can all agree that regardless of one's political views, equal treatment under the law is a fundamental right that cannot and should not be broken.

We were sent to Congress to ensure that these fundamental rights are upheld. We must continue to work aggressively to root out the causes of this serious breach of trust by the IRS.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2014

##### GENERAL LEAVE

Mr. CARTER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material for further consideration on H.R. 2217.

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 243 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2217.

Will the gentleman from Illinois (Mr. HULTGREN) kindly resume the chair.

□ 0920

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Pennsylvania (Mr. BARLETTA) had been disposed of, and the bill had been read through page 93, line 9.

The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Department of Homeland Security Appropriations Act, 2014".

Mr. CARTER. I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CARTER) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes, had come to no resolution thereon.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 10 a.m. today.

Accordingly (at 9 o'clock and 22 minutes a.m.), the House stood in recess.

□ 1004

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 10 o'clock and 4 minutes a.m.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 6, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, U.S. Capitol,  
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 6, 2013 at 9:32 a.m.:

That the Senate agreed to S. Res. 161.

With best wishes, I am

Sincerely,

KAREN L. HAAS,  
Clerk.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2014

The SPEAKER pro tempore. Pursuant to House Resolution 243 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2217.

Will the gentleman from Illinois (Mr. HULTGREN) kindly resume the chair.

□ 1005

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the bill had been read through page 93, line 11.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. BEN RAY LUJÁN of New Mexico.

Amendment by Mr. KING of Iowa.

Amendment by Mrs. BLACKBURN of Tennessee.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

#### AMENDMENT OFFERED BY MR. BEN RAY LUJÁN OF NEW MEXICO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Mexico (Mr. BEN RAY LUJÁN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 287, noes 136, not voting 11, as follows:

[Roll No. 207]

AYES—287

Andrews	Buchanan	Cleaver
Barber	Bucshon	Clyburn
Barletta	Bustos	Coble
Barr	Butterfield	Coffman
Barrow (GA)	Calvert	Cohen
Bass	Camp	Collins (NY)
Beatty	Capito	Connolly
Benishkek	Capps	Conyers
Bera (CA)	Capuano	Cook
Bishop (GA)	Cárdenas	Cooper
Bishop (NY)	Carney	Costa
Bishop (UT)	Carson (IN)	Courtney
Blumenauer	Cartwright	Cramer
Bonamici	Castor (FL)	Crowley
Brady (PA)	Castro (TX)	Cuellar
Brady (TX)	Chaffetz	Cummings
Braley (IA)	Chu	Daines
Brooks (AL)	Cicilline	Davis (CA)
Brown (FL)	Clarke	Davis, Danny
Brownley (CA)	Clay	DeFazio

DeGette	Kirkpatrick	Pingree (ME)
Delaney	Kuster	Pocan
DeLauro	Poe (TX)	Poe (TX)
DelBene	Polis	Polis
Denham	Price (NC)	Price (NC)
Deutch	Quigley	Quigley
Dingell	Rahall	Rahall
Doggett	Rangel	Rangel
Doyle	Reichert	Reichert
Duckworth	Renacci	Renacci
Duncan (SC)	Richmond	Richmond
Edwards	Roe (TN)	Roe (TN)
Ellison	Rogers (MI)	Rogers (MI)
Engel	Rooney	Rooney
Enyart	Ros-Lehtinen	Ros-Lehtinen
Eshoo	Roybal-Allard	Roybal-Allard
Eshoo	Joyce	Joyce
Farenthold	Royce	Royce
Farr	Ruiz	Ruiz
Fattah	Runyan	Runyan
Fitzpatrick	Ruppersberger	Ruppersberger
Flores	Rush	Rush
Foster	Ryan (OH)	Ryan (OH)
Frankel (FL)	Salmon	Salmon
Frelinghuysen	Sánchez, Linda T.	Sánchez, Loretta
Fudge	Maloney, Carolyn	Sarbanes
Gabbard	Maloney, Sean	Scalise
Gallego	Marino	Schakowsky
Garamendi	Markey	Schiff
Garcia	Massie	Schneider
Gardner	Matheson	Schock
Gerlach	Matsui	Schrader
Gibbs	McCarthy (CA)	Schwartz
Gibson	McCauley	Schweikert
Gohmert	McClintock	Scott (VA)
Goodlatte	McCollum	Scott, David
Gosar	McDermott	Sensenbrenner
Graves (GA)	McGovern	Serrano
Grayson	McIntyre	Sewell (AL)
Green, Gene	McKeon	Shea-Porter
Griffin (AR)	McKinley	Sherman
Griffith (VA)	McMorris	Sinema
Grijalva	Rodgers	Sires
Gutierrez	McNerney	Slaughter
Hahn	Meadows	Smith (NJ)
Hanabusa	Meehan	Smith (WA)
Hanna	Meeke	Southerland
Hastings (FL)	Meng	Speier
Heck (NV)	Mica	Stewart
Heck (WA)	Michaud	Swalwell (CA)
Herrera Beutler	Miller (MI)	Takano
Higgins	Miller, Gary	Thompson (MS)
Himes	Miller, George	Tierney
Hinojosa	Moore	Tipton
Holt	Moran	Titus
Honda	Mullin	Tonko
Horsford	Mulvaney	Tsongas
Hoyer	Murphy (FL)	Upton
Huffman	Nadler	Van Hollen
Hultgren	Napolitano	Vargas
Hunter	Neal	Veasey
Hurt	Negrete McLeod	Vela
Israel	Noem	Velázquez
Issa	Nolan	Visclosky
Jackson Lee	Nugent	Walz
Jeffries	O'Rourke	Wasserman
Johnson (OH)	Owens	Schultz
Johnson, E. B.	Pallone	Waters
Jones	Pascrell	Watt
Jordan	Pastor (AZ)	Waxman
Kaptur	Payne	Welch
Keating	Pearce	Westmoreland
Kelly (IL)	Pelosi	Wilson (FL)
Kennedy	Perlmutter	Woodall
Kildee	Peters (CA)	Yarmuth
Kilmer	Peters (MI)	Young (FL)
Kind	Peterson	
King (NY)	Petri	

NOES—136

Aderholt	Broun (GA)	DeSantis
Alexander	Burgess	DesJarlais
Amash	Cantor	Duffy
Amodei	Carter	Duncan (TN)
Bachmann	Cassidy	Ellmers
Bachus	Chabot	Fincher
Barton	Cole	Fleischmann
Bentivoglio	Collins (GA)	Fleming
Bilirakis	Conaway	Forbes
Black	Cotton	Fortenberry
Blackburn	Crawford	Fox
Bonner	Crenshaw	Franks (AZ)
Boustany	Culberson	Garrett
Bridenstine	Davis, Rodney	Gingrey (GA)
Brooks (IN)	Dent	Gowdy

Granger	Messer	Shuster
Graves (MO)	Miller (FL)	Simpson
Grimm	Murphy (PA)	Smith (MO)
Guthrie	Neugebauer	Smith (NE)
Hall	Nunes	Smith (TX)
Harper	Nunnelee	Stivers
Harris	Olson	Stockman
Hartzler	Palazzo	Stutzman
Hastings (WA)	Paulsen	Terry
Hensarling	Perry	Thompson (PA)
Holding	Pitts	Thornberry
Hudson	Pompeo	Tiberi
Huelskamp	Posey	Turner
Huizenga (MI)	Price (GA)	Valadao
Jenkins	Radel	Wagner
Johnson, Sam	Reed	Walberg
Joyce	Ribble	Walden
Kelly (PA)	Rice (SC)	Walorski
King (IA)	Rigell	Weber (TX)
Kingston	Roby	Webster (FL)
Kinzinger (IL)	Rogers (KY)	Wenstrup
Kline	Rohrabacher	Williams
Labrador	Rokita	Wilson (SC)
Lankford	Roskam	Wittman
Latham	Ross	Wolf
Latta	Rothfus	Womack
Long	Ryan (WI)	Yoder
Lucas	Sanford	Yoho
Luetkemeyer	Scott, Austin	Young (IN)
Marchant	Sessions	
McHenry	Shimkus	

NOT VOTING—11

Becerra	Johnson (GA)	Thompson (CA)
Campbell	McCarthy (NY)	Whitfield
Diaz-Balart	Pittenger	Young (AK)
Green, Al	Rogers (AL)	

□ 1033

Messrs. MCKEON, RANGEL, FARENTHOLD, GRIFFIN of Arkansas, NUGENT, Ms. HERRERA BEUTLER, Messrs. GARDNER, RICHMOND, BUCSHON, GIBBS, MCKINLEY, BARLETTA, COFFMAN, LOBIONDO, ROONEY, HULTGREN, RUSH, SOUTHERLAND, BISHOP of Utah, DUNCAN of South Carolina, SCHOCK, STEWART, MCCARTHY of California, DENHAM, KING of New York, and GRAVES of Georgia changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. AL GREEN of Texas. Mr. Speaker, today I was unavoidably detained and missed the following votes.

1. Lujan Amendment to H.R. 2217—Department of Homeland Security Appropriations Act. Had I been present, I would have voted “yes” on this bill.

AMENDMENT OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 224, noes 201, not voting 9, as follows:



[Roll No. 208]

## AYES—224

Aderholt  
Alexander  
Amash  
Amodei  
Bachmann  
Barletta  
Barr  
Barrow (GA)  
Barton  
Benishek  
Bentivolio  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Calvert  
Camp  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cotton  
Cramer  
Crawford  
Crenshaw  
Culberson  
Daines  
Davis, Rodney  
Dent  
DeSantis  
DesJarlais  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy

Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Herrera Beutler  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kelly (PA)  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Marchant  
Marino  
Massie  
McCarthy (CA)  
McCaul  
McClintock  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Noem  
Nugent  
Nunnelee  
Olson  
Palazzo

Paulsen  
Pearce  
Perry  
Petri  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Rahall  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Roskam  
Ross  
Rothfus  
Royce  
Runyan  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schock  
Schweikert  
Scott, Austin  
Sensenbrenner  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Wagner  
Walberg  
Walden  
Walorski  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westmoreland  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (FL)  
Young (IN)

## NOES—201

Andrews  
Bachus  
Barber  
Bass  
Beatty  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)  
Bustos

Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clarke  
DeGette  
Cleaver  
Clyburn

Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro

DelBene  
Denham  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Grimm  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Holt  
Honda  
Horsford  
Hoyer  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster

Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Markey  
Matheson  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moore  
Moran  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
Nolan  
Nunes  
O'Rourke  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (CA)  
Peters (MI)  
Peterson  
Pingree (ME)  
Pocan  
Polis

Price (NC)  
Quigley  
Rangel  
Richmond  
Ros-Lehtinen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schradler  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takano  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Tsongas  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—9

Becerra  
Campbell  
Diaz-Balart

McCarthy (NY)  
Pittenger  
Sessions

Thompson (CA)  
Whitfield  
Young (AK)

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1041

Mr. LIPINSKI changed his vote from  
“aye” to “no.”

Mr. WEBER of Texas changed his  
vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced  
as above recorded.

## AMENDMENT OFFERED BY MRS. BLACKBURN

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentlewoman from Tennessee (Mrs.  
BLACKBURN) on which further pro-  
ceedings were postponed and on which  
the noes prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 196, noes 225,  
not voting 13, as follows:

[Roll No. 209]

## AYES—196

Aderholt  
Alexander  
Amash  
Amodei  
Bachmann  
Bachus  
Barr  
Barton  
Benishek  
Bentivolio  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Boustany  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Camp  
Cantor  
Capito  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman  
Collins (GA)  
Collins (NY)  
Conaway  
Cotton  
Cramer  
Crawford  
Crenshaw  
Culberson  
Daines  
Davis, Rodney  
DeSantis  
DesJarlais  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Franks (AZ)  
Frelinghuysen  
Gardner  
Garrett  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger

Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Guthrie  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Herrera Beutler  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
King (IA)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latta  
Lofgren  
Long  
Lucas  
Luetkemeyer  
Lummis  
Massie  
McCarthy (CA)  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
Meadows  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Mullin  
Mulvaney  
Murphy (PA)  
Negrete McLeod  
Neugebauer  
Noem  
Nolan  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paulsen

Pearce  
Perry  
Petri  
Pitts  
Poe (TX)  
Polis  
Pompeo  
Posey  
Price (GA)  
Radel  
Rahall  
Reichert  
Ribble  
Rice (SC)  
Rigell  
Robby  
Roe (TN)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ross  
Rothfus  
Royce  
Ryan (WI)  
Salmon  
Sanford  
Schock  
Schradler  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Smith (MO)  
Smith (NE)  
Southernland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Tiberi  
Tipton  
Upton  
Wagner  
Walberg  
Walden  
Walorski  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westmoreland  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (IN)

## NOES—225

Andrews  
Barber  
Barletta  
Barrow (GA)  
Bass  
Beatty  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Brown (FL)  
Bustos  
Butterfield  
Calvert

Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Carter  
Cartwright  
Castor (FL)  
Castro (TX)  
Chabot  
Chaffetz  
Chu  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen

Cole  
Connolly  
Conyers  
Cook  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Denham

Dent	Larsen (WA)	Renacci
Deutch	Larson (CT)	Richmond
Dingell	Latham	Rogers (KY)
Doggett	Lee (CA)	Roskam
Doyle	Levin	Roybal-Allard
Duckworth	Lewis	Ruiz
Edwards	Lipinski	Runyan
Ellison	LoBiondo	Ruppersberger
Engel	Loeback	Rush
Enyart	Lowenthal	Ryan (OH)
Eshoo	Lowe	Sánchez, Linda T.
Farr	Lujan Grisham	Sanchez, Loretta
Fattah	(NM)	Sarbanes
Foster	Luján, Ben Ray	Schakowsky
Fox	(NM)	Schiff
Frankel (FL)	Lynch	Schneider
Fudge	Maffei	Schwartz
Gabbard	Maloney	Scott (VA)
Gallagher	Carolyn	Scott, David
Garamendi	Maloney, Sean	Serrano
Garca	Marino	Sewell (AL)
Gerlach	Markey	Shea-Porter
Grayson	Matheson	Sherman
Green, Al	Matsui	Simpson
Green, Gene	McCollum	Sinema
Grijalva	McDermott	Sires
Grimm	McGovern	Slaughter
Hahn	McIntyre	Smith (NJ)
Hall	McKeon	Smith (WA)
Hanabusa	McNerney	Speier
Hanna	Meehan	Swalwell (CA)
Hastings (FL)	Meeks	Takano
Heck (WA)	Meng	Thompson (MS)
Higgins	Michaud	Thompson (PA)
Himes	Miller, Gary	Thornberry
Hinojosa	Miller, George	Tierney
Holt	Moore	Titus
Honda	Moran	Tonko
Horsford	Murphy (FL)	Tsongas
Hoyer	Nadler	Turner
Huffman	Napolitano	Valadao
Israel	Neal	Van Hollen
Jackson Lee	O'Rourke	Vargas
Jeffries	Owens	Veasey
Johnson (GA)	Pallone	Vela
Johnson, E. B.	Pascrell	Velázquez
Joyce	Pastor (AZ)	Visclosky
Kaptur	Payne	Walz
Keating	Pelosi	Wasserman
Kelly (IL)	Perlmutter	Schultz
Kelly (PA)	Peters (CA)	Waters
Kennedy	Peters (MI)	Watt
Kildee	Peterson	Waxman
Kilmer	Pingree (ME)	Welch
Kind	Pocan	Wilson (FL)
King (NY)	Price (NC)	Yarmuth
Kirkpatrick	Quigley	Young (FL)
Kuster	Rangel	
Langevin	Reed	

## NOT VOTING—13

Becerra	Marchant	Thompson (CA)
Brownley (CA)	McCarthy (NY)	Whitfield
Campbell	Pittenger	Young (AK)
Diaz-Balart	Rogers (AL)	
Gutierrez	Smith (TX)	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1045

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. CARTER Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GARDNER) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consider-

ation the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes, directed him to report the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 243, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1050

## MOTION TO RECOMMIT

Mr. MURPHY of Florida. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MURPHY of Florida. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Murphy of Florida moves to recommit the bill H.R. 2217 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendments:

Page 2, line 17, after the dollar amount, insert "(reduced by \$3,000,000)".

Page 3, line 13, after the dollar amount, insert "(reduced by \$7,000,000)".

Page 37, line 7, after the dollar amount, insert "(increased by \$7,500,000)".

Page 39, line 19, after the dollar amount, insert "(increased by \$7,500,000)".

Page 39, line 21, after the dollar amount, insert "(increased by \$7,500,000)".

Page 49, line 19, after the dollar amount, insert "(increased by \$2,500,000)".

Mr. MURPHY of Florida (during the reading). Mr. Speaker, I ask unanimous consent to suspend the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. MURPHY of Florida. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will be amended and immediately proceed to final passage.

Mr. Speaker, I want to thank Chairman CARTER and Ranking Member PRICE for working together in a truly bipartisan manner on the underlying legislation. With this bill, we have shown that we can put partisanship aside and do what's right for the Amer-

ican people—providing the necessary funding to the Department of Homeland Security to keep our Nation safe from attacks as well as responding to national disasters. But just as we have the responsibility to support the important work that Homeland Security does, we also have the responsibility to make sure we are spending smartly by allocating funds where they are most needed.

After witnessing the tragedies caused by the recent tornado in Moore, Oklahoma, wildfires in California and New Mexico, and the Northeast still recovering from Superstorm Sandy, we are reminded that disasters can strike in any community. Having lived in Florida my entire life, I have experienced firsthand the impact these disasters can have, especially when local and State governments are not on the same page as the Federal Government in adequately preparing for and responding to extreme weather.

As we debate today, Florida and the eastern coast is preparing to deal with the potentially devastating effects of Tropical Storm Andrea. With the start of what is predicted to be an active tornado and hurricane season, it is especially important for Congress to act. That is why this week I announced the formation of a bipartisan Disaster Relief Caucus to work toward improving the effectiveness of disaster preparedness and response efforts. It is vital that we work to make disaster preparedness efforts more efficient across all levels of government.

My amendment would take \$2.5 million from the Department's administrative operating expenses to put towards the Pre-Disaster Mitigation program. This important program will assist State and local governments in better preparing for natural disasters, saving American lives and communities. Furthermore, better preparedness efforts reduce the costs of disaster response and cleanup efforts, ultimately saving American taxpayer dollars.

Additionally, with less than 2 months having passed since the tragedy of the bombings at the Boston Marathon, we must also recommit ourselves to funding antiterrorism efforts. My amendment would provide a 5 percent increase in funding to train emergency responders on the Federal, State, and local level so they can be better prepared to prevent and respond to domestic attacks. Again, this funding is actually fully offset from the Department's administrative operating expenses.

My amendment should have the full support of the House, and I once again want to point out that it will not kill the underlying legislation. It would simply shift spending from administrative operations to invest in natural disaster preparedness and antiterrorism efforts. As we continue to tighten our belts in Washington, I think we can all

agree that these programs are a more vital use of resources than administrative expenses.

Natural disasters impact all Americans, as do acts of terrorism. These are two areas that should never get caught up in partisan bickering. We must stand united to prevent future tragedies caused by both natural disasters and acts of terrorism, which know no party affiliation. Anyone who supports the underlying legislation has no reason not to also support this amendment to spend smarter to better protect our Nation.

Mr. Speaker, my amendment is an opportunity to show the American people that Congress is willing to work together to put the safety and well-being of the American people first. I hope to see the same bipartisan support for my amendment as we have seen for the underlying legislation. I urge my colleagues on both sides of the aisle to vote in support of this amendment.

I yield back the balance of my time. Mr. CARTER. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Speaker, this is a good bill. It's a strong bill. This bill focuses on securing the homeland, protecting our citizens against terrorist acts like the one that we experienced in Boston, and we've talked about it for the last 3 days.

Mr. Speaker, this motion is unnecessary. This bill specifically addresses the events in Boston by the following:

Adding an additional 1,600 CBP officers, increasing the funding for watch-listing for the 3rd year in a row, increasing visa enforcement; increasing first responder grants by \$400 million for a total of \$2.5 billion—more than adequate funding to help equip and train first responders, and doubling the amount for bomb prevention. And the bill already has more than \$30 million in pre-disaster mitigation grants.

This bill was constructed in a bipartisan fashion, garnering unanimous support at the subcommittee and full committee levels, and has earned praise from both sides of the aisle and here on the House floor.

This bill is not contentious. It fulfills one of the most basic duties of the Members of Congress: keeping our Nation safe.

Let's not focus on politics today. Let's focus on constitutional responsibility to provide for the safety for all who live in our wonderful country.

Mr. Speaker, it's time to apply the lessons learned from recent terrorist attacks, reject this flawed motion, and vote on this important bill. Vote "yes" on the important bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. MURPHY of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill.

The vote was taken by electronic device, and there were—ayes 196, noes 226, not voting 12, as follows:

[Roll No. 210]

#### AYES—196

Andrews	Green, Gene	Nolan
Barber	Grijalva	O'Rourke
Barrow (GA)	Gutierrez	Owens
Bass	Hahn	Pallone
Beatty	Hanabusa	Pascarell
Bera (CA)	Hastings (FL)	Pastor (AZ)
Bishop (GA)	Heck (WA)	Payne
Bishop (NY)	Higgins	Pelosi
Blumenauer	Himes	Perlmutter
Bonamici	Hinojosa	Peters (CA)
Brady (PA)	Holt	Peters (MI)
Brown (FL)	Honda	Peterson
Brownley (CA)	Horsford	Pingree (ME)
Bustos	Hoyer	Pocan
Butterfield	Huffman	Polis
Capps	Israel	Price (NC)
Capuano	Jackson Lee	Quigley
Cárdenas	Jeffries	Rahall
Carney	Johnson (GA)	Rangel
Carson (IN)	Johnson, E. B.	Richmond
Cartwright	Jones	Roybal-Allard
Castor (FL)	Kaptur	Ruiz
Castro (TX)	Keating	Ruppersberger
Chu	Kelly (IL)	Rush
Cicilline	Kennedy	Ryan (OH)
Clarke	Kildee	Sánchez, Linda
Clay	Kilmer	T.
Cleaver	Kind	Sanchez, Loretta
Clyburn	Kirkpatrick	Sarbanes
Cohen	Kuster	Schakowsky
Connolly	Langevin	Schiff
Conyers	Larson (CT)	Schneider
Cooper	Lee (CA)	Schrader
Costa	Levin	Schwartz
Courtney	Lewis	Scott (VA)
Crowley	Lipinski	Scott, David
Cuellar	Loebback	Serrano
Cummings	Lofgren	Sewell (AL)
Davis (CA)	Lowenthal	Shea-Porter
Davis, Danny	Lowe	Sherman
DeFazio	Lujan Grisham	Sinema
DeGette	(NM)	Sires
Delaney	Luján, Ben Ray	Slaughter
DeLauro	(NM)	Smith (WA)
DelBene	Lynch	Speier
Deutch	Maffei	Swalwell (CA)
Dingell	Maloney	Takano
Doggett	Carolyn	Thompson (MS)
Doyle	Maloney, Sean	Tierney
Duckworth	Matheson	Titus
Edwards	Matsui	Tonko
Ellison	McCollum	Tsongas
Engel	McDermott	Van Hollen
Enyart	McGovern	Vargas
Eshoo	McIntyre	Veasey
Esty	McNerney	Vela
Farr	Meeks	Velázquez
Fattah	Meng	Viscosky
Foster	Michaud	Walz
Frankel (FL)	Miller, George	Wasserman
Fudge	Moore	Schultz
Gabbard	Moran	Waters
Gallego	Murphy (FL)	Watt
Garamendi	Nadler	Waxman
Garcia	Napolitano	Welch
Grayson	Neal	Wilson (FL)
Green, Al	Negrete McLeod	Yarmuth

#### NOES—226

Aderholt	Granger	Pearce
Alexander	Graves (GA)	Perry
Amash	Graves (MO)	Petri
Amodei	Griffin (AR)	Pitts
Bachmann	Griffith (VA)	Poe (TX)
Bachus	Grimm	Pompeo
Barletta	Guthrie	Posey
Barr	Hall	Price (GA)
Barton	Hanna	Radel
Benishek	Harper	Reed
Bentivolio	Harris	Reichert
Bilirakis	Hartzler	Renacci
Bishop (UT)	Hastings (WA)	Ribble
Black	Heck (NV)	Rice (SC)
Blackburn	Hensarling	Rigell
Bonner	Herrera Beutler	Roby
Boustany	Holding	Roe (TN)
Brady (TX)	Hudson	Rogers (AL)
Bridenstine	Huelskamp	Rogers (KY)
Brooks (AL)	Huizenga (MI)	Rogers (MI)
Brooks (IN)	Hultgren	Rohrabacher
Broun (GA)	Hunter	Rokita
Buchanan	Hurt	Rooney
Bucshon	Issa	Ros-Lehtinen
Burgess	Jenkins	Roskam
Calvert	Johnson (OH)	Ross
Camp	Johnson, Sam	Rothfus
Capito	Jordan	Royce
Carter	Joyce	Runyan
Cassidy	Kelly (PA)	Ryan (WI)
Chabot	King (IA)	Salmon
Chaffetz	King (NY)	Sanford
Coble	Kingston	Scalise
Coffman	Kinzinger (IL)	Schock
Cole	Kline	Schweikert
Collins (GA)	Labrador	Scott, Austin
Collins (NY)	LaMalfa	Sensenbrenner
Conaway	Lamborn	Sessions
Cook	Lance	Shimkus
Cotton	Lankford	Shuster
Cramer	Latham	Simpson
Crawford	Latta	Smith (MO)
Crenshaw	LoBiondo	Smith (NE)
Culberson	Long	Smith (NJ)
Daines	Lucas	Southerland
Davis, Rodney	Luetkemeyer	Stewart
Denham	Lummis	Stockman
Dent	Marchant	Stutzman
DeSantis	Marino	Terry
DesJarlais	Massie	Thompson (PA)
Diaz-Balart	McCarthy (CA)	Thornberry
Duffy	McCaul	Tiberi
Duncan (SC)	McClintock	Tipton
Duncan (TN)	McHenry	Turner
Ellmers	McKeon	Upton
Farenthold	McKinley	Valadao
Fincher	McMorris	Wagner
Fitzpatrick	Rodgers	Walberg
Fleischmann	Meadows	Walden
Fleming	Meehan	Walorski
Flores	Messer	Weber (TX)
Forbes	Mica	Webster (FL)
Fortenberry	Miller (FL)	Wenstrup
Fox	Miller (MI)	Westmoreland
Franks (AZ)	Miller, Gary	Williams
Frelinghuysen	Mullin	Wilson (SC)
Gardner	Mulvaney	Wittman
Garrett	Murphy (PA)	Wolf
Gerlach	Neugebauer	Womack
Gibbs	Noem	Woodall
Gibson	Nugent	Yoder
Gingrey (GA)	Nunes	Yoho
Gohmert	Nunnelee	Young (AK)
Goodlatte	Olson	Young (FL)
Gosar	Palazzo	Young (IN)
Gowdy	Paulsen	

#### NOT VOTING—12

Becerra	Larsen (WA)	Smith (TX)
Braley (IA)	Markey	Stivers
Campbell	McCarthy (NY)	Thompson (CA)
Cantor	Pittenger	Whitfield

□ 1102

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BRALEY of Iowa. Mr. Speaker, on roll-call No. 210, had I been present, I would have voted "yes."

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 245, nays 182, not voting 7, as follows:

[Roll No. 211]

YEAS—245

Aderholt	Granger	Palazzo
Alexander	Graves (GA)	Paulsen
Amodel	Graves (MO)	Pearce
Bachmann	Griffin (AR)	Perry
Bachus	Griffith (VA)	Peters (CA)
Barber	Grimm	Pitts
Barletta	Guthrie	Poe (TX)
Barr	Hall	Pompeo
Barrow (GA)	Hanna	Posey
Barton	Harper	Price (GA)
Benishek	Harris	Quigley
Bera (CA)	Hartzler	Radel
Billirakis	Hastings (WA)	Rahall
Bishop (UT)	Heck (NV)	Reed
Black	Hensarling	Reichert
Blackburn	Herrera Beutler	Renacci
Bonner	Holding	Ribble
Boustany	Hudson	Rice (SC)
Brady (TX)	Huelskamp	Richmond
Braley (IA)	Huizenga (MI)	Rigell
Bridenstine	Hultgren	Roby
Brooks (AL)	Hunter	Roe (TN)
Brooks (IN)	Hurt	Rogers (AL)
Broun (GA)	Issa	Rogers (KY)
Buchanan	Jenkins	Rogers (MI)
Buchson	Johnson (OH)	Rohrabacher
Burgess	Johnson, Sam	Rokita
Bustos	Jordan	Rooney
Calvert	Joyce	Ros-Lehtinen
Camp	Kelly (PA)	Roskam
Cantor	King (IA)	Ross
Capito	King (NY)	Rothfus
Carter	Kingston	Royce
Cassidy	Kinzinger (IL)	Ruiz
Chabot	Kirkpatrick	Runyan
Chaffetz	Kline	Ryan (WI)
Coble	Kuster	Salmon
Coffman	Labrador	Scalise
Cole	LaMalfa	Schneider
Collins (GA)	Lamborn	Schock
Collins (NY)	Lance	Schweikert
Conaway	Lankford	Scott, Austin
Cook	Latham	Sessions
Cotton	Latta	Shimkus
Cramer	Lipinski	Shuster
Crawford	LoBiondo	Simpson
Crenshaw	Loeback	Sinema
Culberson	Long	Smith (MO)
Daines	Lucas	Smith (NE)
Davis, Rodney	Luetkemeyer	Smith (NJ)
Denham	Maloney, Sean	Smith (TX)
Dent	Marchant	Southerland
DeSantis	Marino	Stewart
DesJarlais	Markey	Stivers
Diaz-Balart	Matheson	Stutzman
Duckworth	McCarthy (CA)	Terry
Duffy	McCauley	Thompson (PA)
Duncan (SC)	McClintock	Thornberry
Ellmers	McHenry	Tiberi
Farenthold	McIntyre	Tipton
Fincher	McKeon	Turner
Fitzpatrick	McKinley	Upton
Fleischmann	McMorris	Valadao
Fleming	Rodgers	Wagner
Flores	Meadows	Walberg
Forbes	Meehan	Walden
Fortenberry	Messer	Walorski
Fox	Mica	Weber (TX)
Franks (AZ)	Miller (FL)	Webster (FL)
Frelinghuysen	Miller (MI)	Wenstrup
Galleo	Miller, Gary	Westmoreland
Garcia	Mullin	Williams
Gardner	Mulvaney	Wilson (SC)
Garrett	Murphy (FL)	Wittman
Gerlach	Murphy (PA)	Wolf
Gibbs	Neugebauer	Womack
Gibson	Noem	Woodall
Gingrey (GA)	Nugent	Yoder
Gohmert	Nunes	Yoho
Goodlatte	Nunnelee	Young (AK)
Gosar	Olson	Young (FL)
Gowdy	Owens	Young (IN)

NAYS—182

Amash	Grijalva	Pallone
Andrews	Gutierrez	Pascarell
Bass	Hahn	Pastor (AZ)
Beatty	Hanabusa	Payne
Bentivolio	Hastings (FL)	Pelosi
Bishop (GA)	Heck (WA)	Perlmutter
Bishop (NY)	Higgins	Peters (MI)
Blumenauer	Himes	Peterson
Bonamici	Hinojosa	Petri
Brady (PA)	Holt	Pingree (ME)
Brown (FL)	Honda	Pocan
Brownley (CA)	Horsford	Polis
Butterfield	Hoyer	Price (NC)
Capps	Huffman	Rangel
Capuano	Israel	Roybal-Allard
Cardenas	Jackson Lee	Ruppersberger
Carney	Jeffries	Rush
Carson (IN)	Johnson (GA)	Ryan (OH)
Cartwright	Johnson, E. B.	Sánchez, Linda
Castor (FL)	Jones	T.
Castro (TX)	Kaptur	Sanchez, Loretta
Chu	Keating	Sanford
Cicilline	Kelly (IL)	Sarbanes
Clarke	Kennedy	Schakowsky
Clay	Kildee	Schiff
Cleaver	Kilmer	Schrader
Clyburn	Kind	Schwartz
Cohen	Langevin	Scott (VA)
Connolly	Larsen (WA)	Scott, David
Cooper	Larson (CT)	Sensenbrenner
Costa	Lee (CA)	Serrano
Courtney	Levin	Sewell (AL)
Crowley	Lewis	Shea-Porter
Cuellar	Lofgren	Sherman
Cummings	Lowenthal	Sires
Davis (CA)	Lowe	Slaughter
Davis, Danny	Lujan Grisham	Smith (WA)
DeFazio	(NM)	Speier
DeGette	Lujan, Ben Ray	Stockman
Delaney	(NM)	Swalwell (CA)
DeLauro	Lummis	Takano
DelBene	Lynch	Thompson (MS)
Deutch	Maffei	Tierney
Dingell	Maloney,	Titus
Doggett	Carolyn	Tonko
Doyle	Massie	Tsongas
Duncan (TN)	Matsui	Van Hollen
Edwards	McCollum	Vargas
Ellison	McDermott	Veasey
Engel	McGovern	Vela
Enyart	McNerney	Velázquez
Eshoo	Meeks	Visclosky
Esty	Meng	Walz
Farr	Michaud	Wasserman
Fattah	Miller, George	Schultz
Foster	Moore	Waters
Frankel (FL)	Moran	Watt
Fudge	Nader	Waxman
Gabbard	Napolitano	Welch
Garamendi	Neal	Wilson (FL)
Grayson	Negrete McLeod	Yarmuth
Green, Al	Nolan	
Green, Gene	O'Rourke	

NOT VOTING—7

Becerra	McCarthy (NY)	Whitfield
Campbell	Pittenger	
Conyers	Thompson (CA)	

□ 1112

Ms. BROWNLEY of California and Ms. SHEA-PORTER changed their vote from “yea” to “nay.”

Mr. NEUGEBAUER changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. CONYERS. Mr. Speaker, I was absent for rollcall vote 211, as I had stepped away from the House Floor momentarily. If I had been present for this vote, on final passage of H.R. 2217, Department of Homeland Security Appropriations Act of 2014, I would have voted “nay.”

Mr. QUIGLEY. Mr. Speaker, on rollcall No. 211, I inadvertently voted “aye” when I intended to vote “no” on final passage of H.R. 2217, the Department of Homeland Security Appropriations Act.

The addition of the Amendment to H.R. 2217 offered by Mr. KING altered the true intent of the bill. Mr. KING's Amendment would prohibit the use of prosecutorial discretion by Immigration and Customs Enforcement, preventing Immigration and Customs Enforcement from focusing its limited enforcement resources on those who pose a real threat to public safety and national security.

Mr. BECERRA. Mr. Speaker, I was unavoidably detained and missed rollcall votes 207, 208, 209, 210 and 211. If present, I would have voted “yea” on rollcall 207, “no” on rollcall 208, “no” on rollcall 209, “yea” on rollcall 210, and “no” on rollcall 211.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1249

Mrs. McMORRIS RODGERS. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon (Mr. BLUMENAUER) be removed as a cosponsor from H.R. 1249.

The SPEAKER pro tempore (Mr. RADEL). Is there objection to the request of the gentlewoman from Washington?

There was no objection.

#### LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, before yielding to my friend for next week's schedule, I would like to join, I know, with all of our colleagues in wishing him a happy birthday. It is the majority leader's birthday today, and because I don't want him to retaliate, I'm not going to mention which birthday it is, but I want to congratulate him and wish him the very best. We'll have a birthday colloquy today.

I thank him for his leadership, and I yield to him to explain our schedule for the week to come.

Mr. CANTOR. Mr. Speaker, I thank the gentleman, my friend from Maryland, for those kind birthday wishes.

Yes, it is my 50th birthday. I've been saying all day that my wife, Diana, and I are empty nesters now, so it's about time I'm 50. But I do thank the gentleman. Mr. Speaker, I would tell the gentleman that I'll be glad to take him up on a kinder and gentler colloquy for the birthday.

Mr. Speaker, on Monday, the House will meet in pro forma session at 3 p.m., and no votes are expected. On Tuesday, the House will meet at noon for morning hour and at 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for morning hour and at noon for legislative business. On Friday, the

House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

□ 1120

Mr. Speaker, the House will consider a few bills under suspension of the rules, a complete list of which will be announced by the close of business tomorrow. In addition, the House will consider H.R. 1910, the National Defense Authorization Act. Chairman BUCK MCKEON and his committee once again will bring a bipartisan bill to the floor to ensure that our men and women in the armed services have the tools and resources necessary to protect the freedoms that all of us enjoy here at home.

Again, Mr. Speaker, I thank the gentleman.

Mr. HOYER. I thank the gentleman for his comments.

We have started the appropriations process. We did two bills this week. They were relatively bipartisan in nature.

I regret, of course, the adoption of the King amendment, which we thought was a very bad policy. It precluded us from voting for a bill that we otherwise would have voted for and that we failed to reach bipartisan agreement. I think there were some on your side who did not want the King amendment offered which precludes any discretion for prosecutors, which I think is bad as general policy and certainly bad as it relates to the DREAMers.

I would hope that as we move forward on the appropriation bills, that we would be able to do those as we did the Military Construction, Veteran Affairs, and Related Agencies bill on which we passed on an almost overwhelming vote on both sides of the aisle.

One of the problems, Mr. Leader, is going to be the amount of dollars that have been made available to the nine remaining bills—perhaps Agriculture—so the eight remaining bills after we do MilCon and Homeland Security, which essentially were done at the agreed-upon levels of the Budget Control Act, similar to what the Senate is marking their bills to. I'm not sure what the defense number is going to be, but our fear and concern is that these bills will be marked so that substantial dollars that would otherwise have been available to other subcommittees will not be available because, in effect, we front-loaded spending on the first three bills.

The Ryan budget, as the gentleman knows, is almost \$100 billion less than the agreement of August 2011 on how much dollars would be available for priorities on the discretionary side of our budget.

Can the gentleman give me any information with reference to whether or not we may still be going to a budget

conference where we perhaps could reach elimination of the sequester and a new number that could be agreed upon between the Senate and the House, as we always have to do? Whether there's a budget or not, we have to agree on the numbers. We are about \$100 billion apart, and that has to be overcome if we're going to pass bills.

Can the gentleman give me any thoughts on whether or not we're going to go to conference? There is nothing on the schedule for a motion to go to conference or appointment of conferees.

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman. I understand his concerns.

I think all of us have concerns about the way spending reductions are implemented under sequester. As the gentleman knows, we in the majority have continued to try and advocate. We've put proposals forward to accomplish the spending reductions and reforms in a smarter way. I think both of us, Mr. Speaker, would agree there are much smarter ways for that to happen.

Unfortunately, it is the law. In fact, again, the House has posited its formula for better reductions in spending. The White House and Senate refused to go along. So sequester is the law. As the gentleman knows, 302(b)s are set according to the post-sequester numbers, and that is our intention, Mr. Speaker, to abide by the law with the sequester in place.

I would respond to the gentleman's inquiry about budget conference, and the gentleman knows, as I've said before, Chairman RYAN stands ready to work with Senator MURRAY on drawing an outline and structure for the way a conference would proceed. Unfortunately, there can be even no discussion on that point because there is an insistence on the part of the Senate and the White House that any budget conference discussion include a discussion of tax increases. We have said repeatedly that we can't be raising taxes every other month, every 6 months in this town. There was a significant increase in taxes, an impact on working Americans this year because of the fiscal cliff. We remain committed to addressing the problems of the budget, but will not do so while there is an insistence that a prerequisite is raising taxes.

Mr. HOYER. In other words, I think the gentleman is saying there is not going to be a conference because there is disagreement on what the result of that conference will be? Is that what I'm hearing you say?

I yield to the gentleman.

Mr. CANTOR. Mr. Speaker, I will respond to the gentleman that we would like to have agreement that we can begin discussions of a fiscally sane path to balancing our budget.

As the gentleman knows, Mr. Speaker, our conference has made its stand saying we want to balance the budget, we want to promote spending reductions and reforms that get us there in 10 years. In that vein, we would like to see that it's not punishing the American taxpayer the way that we get there, as far as the budgeteers are concerned here in Washington, that it's from growing our economy and from reforming the kinds of things that are necessary to take care of those unfunded liabilities at the Federal level.

Mr. HOYER. I would say that we have indicated on a number of occasions that we would love to see some growing-the-economy legislation on the floor, jobs bills on the floor, bills that the administration and Republicans and economists on both sides say would grow the economy. We haven't seen those, and we're concerned about that.

First of all, let me make the observation that we don't believe the first three bills that you're bringing out—you've brought out two defense bills—are being brought out at the Ryan-budget levels. In fact, they're being brought out substantially above the Ryan-budget levels, if, in fact, you perceived equal distribution under 302(b) of the allocations of discretionary money.

We don't share your view that the two bills we voted on—the two bills we voted on, frankly, have been at the Senate level, essentially, which is why they were relatively bipartisan. Not only was it at the Senate level, but it was at the level we agreed to in 2011, and August of 2011 would, in fact, be the discretionary number for fiscal year 2014.

There's not anything on the schedule with reference to the debt limit. As the gentleman knows, the debt limit was extended until May 19. That is now 3 weeks past, and we have not dealt with the debt limit.

Can the gentleman tell me whether there is any plan to deal with the debt limit extension, which the gentleman and I agree must be done if we're not going to destabilize the economy and grow the economy?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman.

To his first point about jobs bills, Mr. Speaker, we have remained committed in the House, as the majority, to doing all we can to help every American in terms of a brighter future, and that is a path to a better job, better career.

We brought forward the SKILLS Act, something that is a bipartisan commitment and should have been a lot more so on this floor in trying to streamline workforce training programs to help those who are unemployed.

We want to help the unemployed get into a job. The Federal workforce training program is a mess. There are

50 programs. It is very difficult for unemployed people to get the training and skills they need to get a job. Unfortunately, that wasn't met with a lot of bipartisan reception.

Secondly, we just voted on the Keystone XL pipeline bill, a known proposal to create tens of thousands of jobs, much less contribute to America's energy security and independence, as well as competitiveness, which means more jobs and more capital flowing into America.

We also passed, without any bipartisan support, the Working Families Flexibility Act, looking to those struggling moms and dads who are working, the fact that 50 percent of our workforce comes from dual-income households, many of them with kids.

□ 1130

The Working Families Flexibility Act, it addressed the very struggles that working families have in trying to make their life work. We couldn't get bipartisan support on that. And then I would say to the gentleman, we remain committed to making the future brighter through offering more opportunity to all people.

Our solutions, that come from conservatives in the House majority, we believe our solutions can work for everyone. The gentleman knows—he and I have met on his Make It In America agenda—there are things that we have in common, but, unfortunately, we can't see a way to having bipartisan votes. So I remain committed to working with the gentleman on his agenda, and I know the spirit in which he approaches his obligations to his constituents and his caucus, and know that we hopefully can get back on track towards that end.

Now, towards the question, secondly, about budget levels and writing the bills, I would say to the gentleman that we have drafted the appropriations bills, marked them up, along with his caucus, and I would say that they reflect our priorities. Obviously, our priorities are going to differ from the Members on his side. The trick is to try and see where we can work towards a commonality.

And lastly, to the debt limit, yes, we remain very concerned about that. Hopefully, we can all work together and come up with a way that we can adopt a plan that will manage down the debt and deficit and allow us to reach a balance in the Federal level within 10 years, enacting the necessary reforms to the programs that we know are disproportionately causing the deficit without disproportionately continuing to hit the discretionary side, when we know the mandatory side provides most of the impetus for growth.

Mr. HOYER. I thank the gentleman for his comments.

I would say that he mentioned two bills with reference to jobs—the

SKILLS Act. Unfortunately, the SKILLS Act suffered from the same thing that the Homeland Security Act just today suffered from, as the gentleman knows. Contrary to what we could have done on a bipartisan basis in the SKILLS Act, diversity, a small number was inserted into that bill, reducing diversity visas to this country, which was highly offensive to many, many Americans who saw that as a direct attack on their ability to get family members to come to this country, particularly from Africa and the Caribbean. It was well known on your side that if that was put in, it was going to undermine our ability to have a bipartisan agreement.

The same thing occurred with Homeland Security. The gentleman knew full well that the inclusion of the King amendment, which we felt was a very negative amendment and put Dreamers in particular at risk, but whether or not that was the case, it undermines very, very substantially—excuse me, I was incorrect. Staff corrects me, it was the STEM bill that I was talking about. You did not mention that bill. But the point is the same: in moving ahead on a bipartisan fashion, the committee did come out with a bipartisan bill on Homeland Security, you're absolutely correct. And Mr. PRICE, the ranking member, was prepared to vote for that. He was going to urge the caucus to vote for it, and we were going to vote for it until, with very few exceptions, your caucus, your side of the aisle, voted overwhelmingly to put in a piece, an amendment, which you knew would undermine the bipartisanship that had been arrived at by the committee. That's unfortunate.

The gentleman, ironically from our perspective, I tell my friend with great respect, we think that the Family Flexibility Act was the Family Income Reduction Act. We think what it said to an awful lot of working people: you're not going to get paid overtime. If your colleague will work for free and get comp time at some point in time that the employer decides, we're not going to pay overtime. So you're right, we respectfully disagree. As I said, we think that was the Family Income Reduction Act. Families are already struggling. Middle-income families' income has been stuck in the mud, and we think that exacerbated it further. And, very frankly, as the gentleman knows, that was a bill that was offered some years ago with very substantial opposition and didn't become law, as this one is not going to become law.

But in any event, let me close with this question. There are three bills which are being marked up. Maybe Ag was marked up or is going to be marked up soon. Does the gentleman expect that all 12 appropriations bills will be brought to the floor? He talks about priorities. Our priorities are different, although ironically, the gen-

tleman has expressed in his memos and in his agenda that he has announced a desire to focus research on biomedical research to keep Americans healthier, children and others. Ironically, the 302(b) that he talked about earlier suggests, to be exact, a 26.5 percent cut in the bill that funds NIH. That's going to result in a very substantial reduction in basic biomedical research at NIH, and the leaders at NIH have made that very clear that not only that bill but the present sequester is undermining their ability to conduct biomedical research. I know the gentleman feels strongly about that, as I do. Let me ask him: Do you think that bill will be brought to the floor? It was not brought even to the full committee last year, much less to the floor. Therefore, no one had the opportunity to have a vote on those priorities. Can the gentleman tell me whether he thinks those nine remaining bills will be brought to the floor?

I yield to my friend.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, first of all, it is our intent to continue to work through the appropriations process and bring all the bills to the floor, that's correct.

I would say furthermore to the gentleman, as far as the impact of the sequester and 302(b)s on a specific bill versus a piece of that bill, meaning the NIH research piece, as the gentleman knows, legislating, especially in times of fiscal stress, is about prioritizing.

The gentleman correctly states that I'm very much in favor of making a priority out of Federal research and development. I'm convinced that basic research is needed to allow us to continue to advance the breakthroughs in science that not only help heal people and cure disease, but ultimately can help us bring down health care costs, which is the number one issue that's aggravating our deficit.

So I'm glad to hear the gentleman shares that priority. I know he does. But it doesn't mean necessarily that because we are going to commit ourselves to balancing this budget that we cannot share that priority. I hope the gentleman can share with us the import of that priority and support what it is that we're trying to do in the area of research, making sure that we can reduce other lesser priorities in spending.

Mr. HOYER. I thank the gentleman. I look forward to seeing the Labor-Health bill on the floor and seeing how he comes to those priorities because I think it is very important.

Before I close—and I think he has left the floor—but I do want to mention that today is the day on which JOHN DINGELL of Michigan becomes the longest-serving Member of Congress in the history of the Congress, since 1789. He is one of the great legislators with whom many of us have served, and I know that next week we will be having

an opportunity on the floor to have all Members, or many Members, participate in recognizing his service.

My staff tells me maybe we're going to do it tomorrow and not next week, but most Members will be here next week, and I expect that they'll be saying something at that time as well.

□ 1140

I know the majority leader joins me in congratulating our colleague and our friend, JOHN DINGELL, on his extraordinary service to not only the Congress of the United States, but to the American people.

Mr. CANTOR. Will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Virginia.

Mr. CANTOR. I would just join the gentleman, Mr. Speaker, in congratulating Mr. DINGELL for an incredible, first of all, milestone, and know he will continue in that service to the people of the great State of Michigan.

Mr. HOYER. Mr. Speaker, I yield back the balance of my time.

#### ADJOURNMENT TO MONDAY, JUNE 10, 2013

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 3 p.m. on Monday, June 10, 2013.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.J. RES. 43

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.J. Res. 43. My name was incorrectly added to the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

#### THE FARM BILL

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to speak about a bill that's going to be on the House floor here in a couple of weeks. It should be certainly of interest to every man, woman, and child in this country because we all shake hands with a farmer at least three times a day—breakfast, lunch, and dinner.

And also it's relevant to my home State, the Keystone State of Pennsylvania, as agriculture is the number one industry in Pennsylvania. Some folks would be surprised to hear that.

But the fact is we'll have the farm bill before us. I'm proud to be a mem-

ber of the Agriculture Committee. We have worked long and hard on this farm bill. We've made some great improvements.

We've eliminated many of the subsidies that have kind of clouded the farm bill, in my opinion, for decades; and we've moved towards a more free-market, risk-management approach, protecting our farmers, providing them some access to crop insurance and a dairy margin insurance to protect against the weather.

Agriculture is probably one of the most vulnerable parts, vulnerable industries, when it comes to all extremes of weather.

The farm bill also, I'm proud to say, ensures that every man, woman, and child in this country will have access to nutrition, every income-eligible man, woman, and child, because it also, the House version, ensures some reforms to stop the fraud and abuse that has run rampant with the farm bill.

So I encourage my colleagues to support the farm bill when it comes to the floor in the weeks ahead.

#### EQUAL PAY ACT ANNIVERSARY

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, I want to join many of my colleagues who came to the floor yesterday to recognize that this coming Monday, June 10, is the 50th anniversary of the Equal Pay Act being signed into law.

With that said, even after 50 years, we're still waging the same battle for women. The historic anniversary is a reminder that there's much work to be done to close the wage gap.

Equal pay for equal work is about fairness for women and families and dollars and common sense. For working mothers who have to put food on the table, and the retired women whose income is tied to their former salary, the wage gap means real dollars.

In south Florida, if the wage gap were eliminated, a working woman would have enough money for 51 more weeks of food, 3 months of mortgage and utility payments, or 5 months of rent, or more than 1,600 additional gallons of gas.

Mr. Speaker, whether you serve customers in a local retail store, or argue cases before the highest court, you have a right to be treated with fairness and dignity.

#### THEY WERE SOLDIERS ONCE— JUNE 6, 1944

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the seas were high and seasickness was

rampant. The sky was gloomy and dark, and the rain was blindingly hard. The sun was hidden from the beaches below as 63,000 GIs, with thousands of our allies, stormed landing sites called Utah, Omaha, Gold, and Juno.

The average age of the American soldier was 20; 2,500 of them died on the first day. It was June 6, 1944. It was D-day in World War II. It was a noble cause: free Europe from the Nazis.

But today, the bootprints, the red crimson beaches of blood of the U.S. soldier are gone. The sea is calm, peaceful, as if it never happened.

But at the top of the cliffs of Normandy, France, 9,387 white glistening crosses and Stars of David of the American fallen shine as an eternal memory that here on this spot the Americans fought and gave all.

They came. They died. They liberated. We remember they were soldiers once, for the worst casualty of war is to be forgotten.

And that's just the way it is.

#### SUPPORTING YOUNG DREAMERS

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, I rise in support of young DREAMers: young people brought as children without proper documentation to this country; young people willing to work hard to share in the American Dream; young people who have so much to offer America.

Today, 220 House Republicans said "no" to their dream by voting to terminate the program that allows them to stay legally. These Republicans, by their votes, said "no" to an essential element of comprehensive immigration reform at the very time the Senate is about to take up that measure.

To those Republicans who say, "No, we can't," we need more and more Americans who insist, "Yes, we can." When we harness the energy of these youth, when we reform our immigration laws in a comprehensive way, we will create an America as good as their dream.

#### NATIONAL CANCER SURVIVOR DAY

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, on Sunday, many families across Minnesota and across the country took the time to recognize National Cancer Survivor Day.

Last year, more than 28,000 Minnesotans were diagnosed with cancer. And while there's hardly anyone who doesn't know a loved one or friend who has suffered from cancer, the good news is that 13.7 million Americans have won their battle against this terrible disease.



One great Twin Cities organization working to ensure that those struggling with cancer do not face it alone is the new Gilda's Club that opened up in Minnetonka, Minnesota, recently.

The American Cancer Society is now setting aggressive goals for the reduction of cancer. Prevention and early detection are key to reaching these goals.

Thanks to advances in medical innovation, it's estimated that over the next 10 years, millions more Americans will have a chance at life after cancer.

Mr. Speaker, let's celebrate with those who have won their fight, as they offer hope that all cancer patients may someday be able to proudly say that they too are cancer survivors.

□ 1150

#### 2013 GRADUATES

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Some years ago, many of us heard of a tsunami. As we approach this weekend of congratulating our wonderful graduates, we should in fact tell them this is the best and the greatest time of their lives. But it is important for Members of Congress to recognize that we have a task of graduating to do. We must graduate past sequestration and eliminate it, for it is a tsunami against our young people.

We have to in fact graduate past this horrific, pending devastation of an increase in the student loan interest rates that will go from 3.4 percent to 6.8 percent. That's a tsunami against our young people—our brightest. And we must turn back the clock on an amendment against those who came here as youngsters, through no fault of their own, who are now graduating from places around America, in high schools and colleges. Yes, immigrant children who are undocumented, who want to give back to this Nation, pay their taxes, get a work certificate and give back to those who no longer can work, a tsunami has just come against them.

We have to end this and stand for our children. Congratulations to the 2013 graduates. As I go home to their graduations, I want to give them a gift that America really stands for them.

#### WHITE HOUSE STANDING IN THE WAY OF GROWING ECONOMY AND ADDING JOBS

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, the scandals embroiling the White House are the result of a culture of contempt for the law that we have seen since the

beginning of the Obama administration.

Over the past 4 years, President Obama has demonstrated that dedication to ideology and politics to the exclusion of the rule of law and effectively working to get this economy booming again. Because of this administration's agenda-driven Big Government policies, it is now more difficult for companies in western Pennsylvania to grow and hire additional staff. ObamaCare is raising costs, has discouraged hiring, and threatens access to quality health care. Regulations strangling the financial sector are limiting opportunities for small businesses to add jobs. And just last week, we learned that 134 hardworking employees of a coal company in western Pennsylvania were laid off. They can thank President Obama and his war on coal for altering the market for one of America's most valuable and abundant resources.

President Obama and his administration need to stop their failed Big Government policies, and instead, we need to do all we can to get jobs back to the American people around the Nation.

#### FLOUR BLUFF NJROTC WINS NATIONAL CHAMPIONSHIP

(Mr. FARENTHOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARENTHOLD. I recently met up with some future leaders of the district I represent who are members of the Flour Bluff High School Navy Junior ROTC. They won first place this year at the Texas State NJROTC competition and then went on to win the All Service Grand National Championship in Daytona, Florida.

Before they won nationals, I went to their school to congratulate them on their regional win. I wished them good luck on their upcoming national competition. Their skill panned out, and they won. They said the other teams were really strong; but, once again, they won a national championship.

This outstanding group of young men and women, led by Commander Armando Solis, who started the NJROTC unit at Flour Bluff High School in 1993, is a group of winners. At nationals, aside from the Grand National Championship, they won first place in armed dual demilitarized, armed commander, demilitarized inspection, and second place in unarmed guard.

Congratulations to the young men and women of the NJROTC at Flour Bluff High School.

#### HONORING SECOND LIEUTENANT JUSTIN SISSON AND ARMY SPECIALIST ROBERT ALLAN PIERCE

(Mr. YODER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, today, I rise to recognize two of America's finest heroes.

I was saddened to learn of the death of 23-year-old Second Lieutenant Justin Sisson. Second Lieutenant Sisson graduated from Blue Valley West High School in Overland Park, Kansas, a suburb of the Third District, which I represent. Sisson was assigned to the 1st Battalion, 506th Infantry Regiment, 4th Brigade Combat Team, 101st Airborne Division as an assistant operations officer out of Fort Campbell, Kentucky.

Deployed to Afghanistan with less than a year of Active Duty, Sisson, along with Army Specialist Robert Allan Pierce of Panama, Oklahoma, was killed on Monday by a suicide vehicle-borne improvised explosive device.

With the deaths of Second Lieutenant Justin Sisson and Specialist Robert Pierce, we are once again reminded that freedom is not free. As Americans, we owe a debt of gratitude to these brave men that we simply cannot repay.

Second Lieutenant Sisson and Specialist Pierce will forever be known as patriots and heroes whose sacrifice will never be forgotten.

#### PRO-LIFE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from New Jersey (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

Mr. SMITH of New Jersey. Mr. Speaker, there are Kermit Gosnells all over American today inflicting not only violence, cruelty, and death on very young children but excruciating pain as well.

Many Americans, including some who self-identify as pro-choice, were shocked and dismayed by the Gosnell expose and trial. Perhaps the decades-long culture of denial and deceptive marketing has made it difficult to see and understand a disturbing reality. Even after 40 years of abortion-on-demand and over 55 million dead babies and millions of wounded mothers, many—until Gosnell—somehow construed abortion as victimless. That has changed. There are two victims, Mr. Speaker, in every abortion: the mother and her unborn child—three, if twins are involved.

The brutality of severing the spines of defenseless babies, euphemistically called “snipping” by Dr. Gosnell, has finally peeled away the benign facade of the billion-dollar abortion industry. Like Gosnell, abortionists all over America decapitate, dismember, and chemically poison babies to death each and every year. That's what they do.

Americans are connecting the dots and asking whether what Gosnell did is really any different than what all the other abortionists do. And the answer is, no, it's not different. A D&E abortion, which is described here as a common method after 14 months, is a gruesome, pain-filled act of violence that literally rips and tears to pieces the body parts of a child. And that's what they call "choice." That is what they call safe and legal abortion.

Mr. Speaker, the Pain-Capable Unborn Child Protection Act, authored by Congressman TRENT FRANKS and co-sponsored by several Congresswomen and -men, including me, is a modest but absolutely necessary attempt to at least protect some babies, that is to say, those who are 20 weeks old and pain-capable, from having to suffer and die a painful death from abortion.

On May 23, Chairman TRENT FRANKS convened a hearing in the Judiciary Committee's Constitution and Civil Justice Subcommittee on his legislation. The bill, H.R. 1797, entitled the Pain-Capable Unborn Child Protection Act, was approved by the subcommittee on June 4 and now moves to the full committee and, hopefully, soon to the full House.

The testimony of several witnesses, Mr. Speaker, I would respectfully submit is a must-read for anyone who cares about human rights, for anyone who cares about women and children. One witness, Dr. Anthony Levatino, a former abortionist, testified that he performed approximately 1,200 abortions. Over 100 of them were second trimester abortions like this D&E procedure that is described here in this graph.

He said:

Imagine, if you can, you are a pro-choice obstetrician/gynecologist like I once was. Your patient today is 24 weeks pregnant. If you could see her baby, which is quite easy on an ultrasound, she would be as long as your hand plus half from the top of her head to the bottom of her rump, not counting the legs. Your patient has been feeling her baby kick for at least a month or more. But now she is asleep on an operating table.

He continued:

With suction of the amniotic fluid, after that is completed, you look for what he called a Sopher clamp. This instrument is about 13 inches long and made of stainless steel. At the business end are located jaws about 2½ inches long and about three-quarters of an initial inch.

This is what he is talking about right here.

□ 1200

This instrument is for grasping and crushing tissue. When it gets hold of something, it does not let go.

A second trimester D&E abortion is a blind procedure. The baby can be in any orientation, he goes on, or position inside the uterus. Picture yourself reaching in with the Sopher clamp and grasping anything that you can.

At 24 weeks' gestation, the uterus is thin and soft, so be careful not to perforate or

puncture the walls. Once you've grasped something inside—this doctor, former abortionist, goes on to say—squeeze on the clamp to set the jaws and pull hard. Pull really hard. You feel something let go and out pops a fully formed leg about six inches long. Reach in again and grasp whatever you can, set the jaw, and pull really hard once again and out pops an arm about the same length. Reach in again and again with that clamp and tear out the spine, the intestines, the heart, and the lungs.

The doctor goes on to say that, the toughest part of a D&E abortion is extracting the baby's head. The head of a baby that age is about the size of a large plum and is now free floating inside of the uterine cavity. You can be pretty sure you have hold of it if the Sopher clamp is spread as far as your fingers will allow. You will know you have it right when you crush down on the clamp and you see a white gelatinous material coming through the cervix. That is the baby's brains, this abortionist goes on to say. You can then extract the skull in pieces.

Many times, he went on in his testimony before Trent Franks' subcommittee, many times a little face will come out and stare back at you. Congratulations; you have just successfully performed a second trimester D&E abortion. You just affirmed the right to choose. If you refuse to believe that this procedure inflicts severe pain on that unborn child, please think again. It does.

Another witness, Mr. Speaker, Ms. Jill Stanek, a registered nurse, spoke of appalling stories of abortion survivors and the pain—the pain—the excruciating pain that they suffer when they are being aborted.

She pointed out that when she testified before the committee back in 2001:

it was to tell of her experience as a registered nurse in the labor and delivery department at Christ Hospital in Oak Lawn, Illinois, where she discovered babies were being aborted alive and shelved, put on a shelf to die in the department's soiled utility closet.

Indeed, this nurse went on to say at the hearing:

I was traumatized and changed forever by my experience of holding a little abortion survivor for 45 minutes until he died—a 21- to 22-week-old baby who had been aborted because he had Down syndrome.

Since then, other appalling stories of abortion survivors either being abandoned or killed have trickled out.

In 2005, a mother delivered a 23-week-old baby in a toilet at an EPOC clinic in Orlando, Florida, and was shocked to see this little guy move. Abortion staff not only refused to help, but turned away paramedics, who her friend had notified by calling 911. Angele, the woman, could do no more than helplessly sit on the floor rocking and singing to her baby for 11 minutes until that infant died.

In 2006, Sycoria Williams delivered her 23-week-old baby born on a recliner at a GYN diagnostic center in Hialeah, Florida. When he began breathing and moving, abortion clinic owner Belkis Gonzalez cut the umbilical cord and zipped him into a biohazard bag, still alive.

The Kermit Gosnell case provides further evidence that the lines between

infanticide and legal feticide, both via abortion, have become blurred. This abortionist was convicted only last week—that's when she was talking, when she testified—of three counts of first degree murder.

And also last week, as she went on to say, in yet another revelation and photos from three former employees who alleged that abortionist Douglas Karpen in Houston, Texas, routinely kills babies after they are born by puncturing the soft spot at the top of the head, or impaling the stomach with a sharp instrument, twisting off the head, or puncturing the throat with his finger.

Mr. Speaker, if that's not child abuse in its most extreme form, I don't know what is.

It is easy to be horrified, she went on in her testimony to say, this nurse, by heart-wrenching stories such as these and to imagine the torture abortion survivors endure as they are being killed. But it is somehow not so easy for some to envision preborn babies the same age being tortured as they are killed by similar methods.

Today, premature babies are routinely given pain relief who are born at the same age as babies who are torn limb from limb or injected in the heart during abortions.

Even the World Health Organization goes so far as to recommend analgesia for premies getting simple heel pricks for a couple of drops of blood. Likewise, prenatal surgery is commonplace, and along with it, anesthesia for babies being operated on even in the middle of pregnancy. Meanwhile, babies of identical age are being torn apart by D&E abortions with no pain relief whatsoever. Again, they suffer, and they suffer horribly.

It must be that some people inexplicably think that the uterus provides a firewall against fetal pain, or that babies marked for abortion are somehow numb while their wanted counterparts aren't. They're not numb. They feel every single bit of killing, whether it's the Sopher clamp or any other instrument is being used to dismember or to decapitate.

She concludes by saying:

This thinking is better suited for the Middle Ages than for modern medicine.

Mr. Speaker, today there is ample documentation that unborn children experience serious pain from at least the 20th week—and most likely even before that. When it comes to pain, all of us go through great lengths to mitigate its severity and its duration. None of us ever want to die a painful death. Unborn children deserve no less.

I yield to the prime sponsor of this very important legislation, the gentleman from Arizona (Mr. FRANKS), the chairman of the committee and, like I said, the author of the bill.

Mr. FRANKS of Arizona. Well, I thank the gentleman.

Mr. Speaker, I don't often do this, but I'm going to step away from my prepared remarks just a moment and express a sincere gratitude to Congressman CHRIS SMITH.

Mr. Speaker, years ago, when I came to Washington the very first time, it was on a weekend. I couldn't come here and visit the Congress, but I came to the congressional halls of where their offices were. There were two offices that I visited. One was the late Henry Hyde—one of the greatest human beings to ever sit in this place—and the other was CHRIS SMITH. I just have to say to you—I know it embarrasses him terribly, but this is my heart—I believe this man to be truly one of the greatest heroes in this Congress. All the 30-plus years that he has been here, he has given everything he had to protect little children who couldn't vote for him.

I am just convinced, in the councils of eternity, that someone is going to look him in the eyes one day when he crosses over that threshold and say, "Well done." And I am just grateful that we have men like that here.

Mr. Speaker, Daniel Webster once said:

Hold on, my friends, to the Constitution and to the Republic for which it stands. For miracles do not cluster—and America is a miracle, Mr. Speaker. For miracles do not cluster, and what has happened once in 6,000 years may never happen again. So hold on to the Constitution. For if the American Constitution should fall, there will be anarchy throughout the world.

Our Founding Fathers wrote the words of our Constitution down for us because they didn't want us to forget their true meaning or to otherwise fall prey to those who would deliberately undermine or destroy it. This has always been the preeminent reason why we write down documents or agreements or declarations or constitutions in the first place, to preserve their original meaning and intent.

□ 1210

Mr. Speaker, it really causes us to ask ourselves the question: Why was all of this effort made? Why are we really here in this Chamber?

And I would suggest to you that if we simply avail ourselves of the most cursory glance of the Founding Fathers, we are all here to protect the lives of Americans and their constitutional rights. And protecting the lives of Americans and their constitutional rights is the reason Congress exists in the first place.

The phrases in the Fifth and the 14th Amendments capsule our entire Constitution when they proclaim that "no person shall be deprived of life, liberty, or property without due process of law." It's that simple. Those words are a crystal clear reflection of our Constitution and the proclamation that the Declaration of Independence put forward to all of us when it declared that "all men"—and I would suggest to

you, Mr. Speaker, that's all little babies too—"are created equal and endowed by our Creator with certain unalienable rights, those being life, liberty, and the pursuit of happiness." Those words are the essence of America, and our commitment to them for more than two centuries has set America apart as the flagship of human freedom in the world. It has made us the "unipolar superpower" of this planet, and yet unspeakable suffering and tragedy have occurred whenever we have strayed from those foundational words.

Our own United States Supreme Court did exactly that, Mr. Speaker, when they ruled that millions of men, women, and children were not persons under the Constitution because their skin was the wrong color. It took a horrible Civil War and the deaths of over 600,000 Americans to reverse that unspeakable tragedy. And we saw that same arrogance in 1973 when the Supreme Court said "the unborn child was not a person under the Constitution." And we have since witnessed the silent deaths of now over 55 million innocent little boys and baby girls who died without the protection of the Constitution, the protection that the Constitution gave them, and without the protection this Congress should have had the courage to defend.

Mr. Speaker, the recent trial of Kermit Gosnell has played an instrumental role in exposing late-term abortions for what they really are—relocated infanticide. Kermit Gosnell is this now famous late-term abortionist convicted of murder, in part, for using scissors to cut the spinal cords of numerous little babies who had survived abortion attempts. One of his employees said that in one case that there was this little baby that had been so damaged by the process that it no longer had eyes or a mouth, but she could hear him screeching and making this sound like a little alien.

I know sometimes, Mr. Speaker, we deliberately try to hide those things from our minds. I know I do. But once in awhile it's important just to think on the life of this one little child that was only in this world outside the womb for a few minutes and found nothing but horror and suffering, not knowing why, not knowing what the purpose or the reason was, and no one was there. I just have to say to you, Mr. Speaker, if that isn't wrong, then we can absolve ourselves forever because nothing is wrong. Had Kermit Gosnell done the same thing mere moments before when that little baby was still inside the womb, in many States in this union, in the land of the free and the home of the brave, it would have been entirely legal.

We've seen similarly other late-term abortionists across this country exposed for such incomprehensibly barbaric practices. LeRoy Carhart in

Maryland compared a "baby in the womb before an abortion" to "meat in a crock pot."

Abortion clinic employees in Arizona explained to a woman seeking an abortion at 24 weeks that "sometimes they are sometimes alive, yeah, but it doesn't necessarily mean that it"—the baby—"will come out whole."

Douglas Karpen in Texas has been accused by four separate employees of killing three to four born-alive babies per day by either cutting their spinal cords, forcing instruments in their soft spots on their heads, or twisting their heads off, completely off of their necks with his bare hands.

Very simply, Mr. Speaker, the public is beginning to learn that there are scores of other Kermit Gosnells out there. He was not an aberration. One of the saddest things that we must not miss here, is that as evil as this man was, and the horrible things that he did, unfortunately, Mr. Speaker, they are not uncommon in America. And because of this, Americans are beginning to realize that somehow we are bigger than abortion on demand, and that 55 million dead children are enough.

We are beginning to ask the real question: Does abortion take the life of a child? Mr. Speaker, that is the question that I would put before all of my colleagues and anyone in the sound of my voice, to ask themselves in their heart—put aside the rationalization just for a moment and ask yourself: Does abortion take the life of a child? If it does not, I'm willing to walk out of here and never mention the subject again. But if abortion really does kill a little baby, if it really does, then those of us sitting here in the seat of freedom, in the greatest, the most powerful Nation in the history of humanity, also find ourselves standing in the midst of the greatest human genocide in the history of the world.

Throughout America's history, the hearts of the American people have always been moved with compassion when they discover a theretofore hidden class of victims. Once the humanity of the victim and the inhumanity of what is being done to them finally becomes clear in their minds, America changes their heart.

I would submit to you, Mr. Speaker, America is on the cusp of another such realization. And I fear if we fail to respond this time—because after this, after Kermit Gosnell, no excuse remains, we have seen the worst—if we do not respond, then we will slide into that Sumerian darkness where the light of human compassion has gone out and where the survival of the fittest has prevailed over humanity, and it must not happen on our watch in this generation.

Medical science regarding the development of unborn babies and their capacities at various stages of growth has advanced dramatically, and it incontrovertibly demonstrates that unborn

children clearly do experience pain. The single greatest hurdle to legislation like H.R. 3803 has always been that opponents deny unborn babies feel pain at all, as if somehow the ability to feel pain magically develops instantaneously as a child passes through the birth canal.

Mr. Speaker, this level of deliberate ignorance might have found excuse in earlier eras of human history, but the evidence available to us today is extensive and irrefutable: unborn children have the capacity to experience pain, at least by 20 weeks and, as Congressman SMITH said, very likely substantially earlier.

This information, Mr. Speaker, is at [www.doctorsonfetalpain.org](http://www.doctorsonfetalpain.org). I would sincerely recommend to anyone in this Chamber that is interested to really know the truth to go there and find out for themselves, rather than to have their understanding cemented in some earlier time when scientists still believed in spontaneous generation, and that the Earth was flat. That is the invincible ignorance sometimes that we find ourselves trying to break through on this seminal civil rights issue of our time.

Most Americans think that late-term abortions are rare, but in fact there are approximately 120,000 late-term abortions in America every year, or more than 325 late-term abortions every day in America. Mr. Speaker, I believe we're better than that. We're better than 325 late-term abortions every day in this country. I believe that we're better than dismembering babies who can feel pain at every agonizing moment. And I sincerely hope that we can at the very least come together to agree that we can draw a line in the sand at that point. That we can agree that knowingly subjecting our innocent unborn children to dismemberment in the womb, particularly when they have developed to the point when they can feel excruciating pain every terrible moment leading up to their undeserved deaths, belies everything America was called to be. This is not who we are.

□ 1220

Mr. Speaker, what we are doing to babies is real. It is barbaric in the purest sense of the word. It is the greatest human rights violation occurring on U.S. soil, and it has already victimized millions of pain-capable babies since the Supreme Court gave us all abortion-on-demand that tragic day in 1973.

Thomas Jefferson said that the care of human life and its happiness and not its destruction is the chief and only object of good government. And ladies and gentlemen, using taxpayer dollars to fund the killing of innocent unborn children does not liberate their mothers. It leaves their mothers oftentimes with the brokenness and the emotional

consequences without anyone there to really recognize what they have dealt with. It is not the cause for which those lying out under the white stones in Arlington National Cemetery died, and it is not good government.

Abraham Lincoln called upon all of us to remember America's Founding Fathers and their enlightened belief that nothing stamped with the Divine image and likeness was sent into this world to be trodden on or degraded and imbrued by its fellows.

He reminded those he called posterity—those, us—that when in the distant future some man, some faction, some interest should set up a doctrine that some were not entitled to life, liberty and the pursuit of happiness that their posterity—that is us, ladies and gentlemen—might look up again to the Declaration of Independence and take courage to renew the battle which their fathers began.

Mr. Speaker, may that be the commitment to all of us today.

Mr. STUTZMAN. I thank the gentleman from Arizona, and I thank the gentleman from New Jersey for their passion and also for their sharing with us today such an important issue that faces us as a country. It is a privilege and an honor to stand here with Mr. SMITH and Mr. FRANKS. I thank you for your work, for all you have done for so long on an issue that is close to my heart and close to many people's hearts across the country as well. To see the picture here that Mr. SMITH showed, if that doesn't touch a part of you, I don't know what will. So thank you for the information and for the heart that you show for these little ones that are blessed with life until it is ended in such a brutal way.

Mr. Speaker, the horrific case of Kermit Gosnell stripped away the abortion industry's euphemisms and showed that abortion isn't safe and that it isn't rare. Gosnell murdered newborn babies; he preyed on vulnerable women; and he stuffed bodies into freezers, trash bags and cat food tins. While a jury has handed down its verdict for Kermit Gosnell, we as the American people must render our verdict on abortion.

Americans must take a hard look at abortion's grim reality. Gosnell's clinic, the court case and the verdict for Kermit Gosnell brought us as Americans face-to-face with the brutality of abortion. We cannot turn our backs on it now. It is time for an open and honest discussion about abortion in this country. Kermit Gosnell's crimes shocked civilized people everywhere.

The inescapable truth is that there is no moral distinction between ending a child's life 5 seconds after birth or 5 weeks before. Sadly, across this country, abortion providers like Planned Parenthood routinely perform brutal late-term abortions on unborn children who are able to feel pain. The end re-

sult at a Planned Parenthood clinic is the same result that occurred at Kermit Gosnell's clinic—and that is death.

So I am proud to stand here today to cosponsor Mr. FRANKS' legislation to prohibit the gruesome abortions of unborn children, who can feel pain. I thank the gentleman from Arizona for his consistent and strong support of the measure and, to a larger extent, for his support for the unborn children as we've seen today as he spoke so eloquently from the floor.

Today, I am proud to join my colleagues Mr. SMITH, Mr. HARRIS and others who have stood up for those who cannot speak for themselves. I am confident that we will expose big abortion's lies and restore a lasting respect for innocent life.

Mr. SMITH of New Jersey. Thank you, Mr. STUTZMAN, for your eloquent remarks as well as those of Chairman FRANKS', who is compassionate and courageous like you and like our next speaker, who is also eloquent in the defense of the most defenseless.

I would like to yield to Dr. ANDY HARRIS, who is a board-certified anesthesiologist at Johns Hopkins Hospital Medical Center.

Mr. HARRIS. Thank you very much.

Mr. Speaker, I want to thank the gentleman from New Jersey for organizing this because we come to Washington to make tough decisions. That's what the country expects of us.

Mr. Speaker, I will offer the fact that one of the most difficult decisions we have to come to grips with is when do we begin to protect human life. The gentleman from Arizona was absolutely right. We have to answer the question: Does abortion take the life of a human child? If we all agree that it does, then we have to ask ourselves and come to an agreement on at what point do we begin to protect that life; at what point are we as a Nation going to say that human life is worthy of protection.

Now, as a physician, Mr. Speaker, I will tell you I am always puzzled by the question because, scientifically, everyone who has taken a genetics course knows that, from the moment of conception, it is a unique human life. The one-cell embryo is a unique human life, different from every other one in the world—ever. Every cell in each and every one of our bodies has the exact DNA that we had when we were one cell big. The only difference is the number of cells we had. One would argue, certainly, as the illustration here shows, that this is not a one-celled fetus, or baby—it's a human being that given time will grow, that will grow to be your size or my size. I'm 6-foot-4. I'm a little bigger than normal. Some people are shorter than average, but we're all human beings, so size doesn't make the difference.

Again, from a scientific point of view, to me, it's clear: it is a human

life from conception and should be protected. Yet, Mr. Speaker, I understand the country doesn't agree. Some people don't agree it should be protected. So the question is: At what point do you protect it?

A lot of people would say at this point it probably is worth protecting that human life. Certainly, the jury in Pennsylvania said that you couldn't kill that baby right after it was born. Strangely enough, Federal law, as interpreted by the Supreme Court, says that it can be legal to kill that child 5 minutes before that birth. I think most Americans find that repulsive—that with a baby at almost 9-months' gestation, in many States, it is legal to kill that child 5 minutes before birth, but in Pennsylvania it resulted in three murder sentences because it was 5 minutes after birth.

So what this bill says is let's come together, and let's agree on a time when human life is going to be protected. It's not going to be a perfect agreement. It's going to be arbitrary because, again, that human life started when it was one cell large. At conception, that human life started. We all agree that, Mr. Speaker, you and I are human life and worthy of protection, so the only question is: Where do we draw the line?

Again, the gentleman from Arizona suggested correctly that we need to draw that line. This bill attempts to draw the line. The Supreme Court attempted to draw a very clumsy drawing of the line in the *Roe v. Wade* decision because it said it is viability, but the problem is that viability, over the 30-plus years I've practiced medicine, has changed. It's a moving target.

□ 1230

Viability then was 25 weeks. Now it's 23¼. It's a moving line. And what does viability mean? Viability means it can survive without the support of that mother.

That's a little arbitrary, Mr. Speaker. If that mother had an elderly mother or grandmother at home, perhaps disabled with Alzheimer's disease, totally dependent on that mother—now, it's not their mother, but it's the mother of a child, a fetus. That grown-up could be totally dependent on that other human being, that other human adult; and yet that human adult doesn't have the option of saying, Well, since that individual is dependent upon me, I can make a life-and-death decision for that individual. No, that would be wrong. We'd all say that's wrong. So we're going to have to draw the line somewhere.

This bill says, Let's do it when we believe that baby begins to feel pain, that, in fact, a D&E procedure will be exceedingly painful. Mr. Speaker, this is exactly what happens in a D&E procedure. The fetus, the baby is literally torn apart. Literally. This is what happens with it.

So we're all going to have to agree that, first of all, this is certainly not pleasant to look at. The medical illustrations when I was studying, of course, which was around the time of *Roe v. Wade*, didn't have this kind of illustration; but abortion policy in this country in the past 30 years forces us to actually illustrate what it looks like. This is it.

So this bill says—again, in the context of the Gosnell trial showing all America that—and I think almost all America agrees that what happened in Pennsylvania, knowingly killing by snipping the spinal cord of an alive, awake baby right after an abortion procedure that resulted in a live birth is, in fact, murder. It's the taking of a human life subject to punishment.

But most people would say, How are we going to protect this child? I offer that this is a compromise that maybe we all can work around and say that if that child during that procedure feels pain, then it probably should be protected under our law.

The question again is not clear cut. There will be some disagreement among people when that pain can be felt. There's a lot of indication scientifically and chemically and with neurodevelopment that that child feels pain at 20 weeks. It's certainly a little more subject to discussion whether it's earlier.

I will tell you later shouldn't be subject to discussion because, Mr. Speaker, you know that if you do a procedure on a premature infant born and brought to the neonatal intensive care unit, you actually administer pain relievers when you do the procedure. So the medical community has already decided that by 23 weeks it already feels pain; and believe me, Mr. Speaker, it didn't magically occur with birth, the ability to feel pain.

Again, we can know by the development of the nervous system, by things we can see and measure. We believe that at 20 weeks that fetus, that baby, can feel pain and therefore deserves protection.

Mr. Speaker, I would suggest that's a compromise we all ought to be able to work with. Again, it is a compromise because, Mr. Speaker, I will tell you that human life does begin at conception. The discussion here is not going to be when human life begins. It's when should this body, this Congress, this government protect the most innocent of human life.

I'm going to agree that I think it's very reasonable to say when this fetus, this baby, can feel the pain of that procedure, it ought to be protected in some ways. Is it the perfect way? Maybe not. But we ought to begin that discussion because right now, Mr. Speaker, the Supreme Court's interpretation of the law allows a State to allow an abortion that kills a baby right up to the moment of birth, and

that's just not right. We need to set some line in law.

Again, I'll agree with the gentleman from Arizona that it may not be a perfect line, but we all have to agree we need to draw it to begin thinking about it; and I would suggest this is a reasonable one. When are we no longer going to subject that baby to the pain of a procedure and begin to protect that baby's life?

I want to thank the gentleman from New Jersey again. He's brought the issue before this body. If we believe that this is just some abstract thought about when we protect human life, as I've spoken about on the floor and the gentleman from New Jersey has—Mr. Speaker, I suggest if you want some very interesting reading tonight, go home and Google the *Journal of Medical Ethics* and look for the article published last November where academics from Australia and Italy wrote an article suggesting that it should be all right to kill a human baby up to some certain amount of time after birth if that human baby is inconvenient to the mother and the family to which it belongs.

I would offer, Mr. Speaker, I hope that never happens in this country, that that suggestion never takes root here. I think we would find that horrendous. But it does bring up the question that if we find it so horrendous 1 minute after birth, shouldn't it be horrendous 1 minute before birth? And if it's 1 minute before birth, how about 1 week? How about 1 month? How about 2 months? We can go all the way back. Should it be when the heartbeat appears at 7 weeks? At 7 weeks' gestation, the heartbeat appears. Even earlier. Should it be when the baby moves, when quickening is felt? That's the medical term: quickening.

This bill sets a reasonable point of discussion. Let's do it when we think a baby would feel the pain of that abortion.

#### CHINESE HUMAN RIGHTS

Mr. SMITH of New Jersey. I want to thank my good friend and very distinguished colleague, Dr. ANDY HARRIS, for his very eloquent and very incisive remarks and for his leadership on behalf of human rights in general, including here in the United States.

We've been discussing human rights abuse here in the United States in trying to defend at least pain-capable unborn children from the violence of abortion. I would like to focus for a few moments on human rights abuse that is occurring halfway around the world in China.

Tomorrow, President Obama will meet with Chinese President Xi Jinping in California to discuss security and economic issues. A robust discussion of human rights abuses in China, however, must be on the agenda and not in a superfluous or superficial way.

It is time to get serious about China's flagrant abuse of human rights. It's time for this President, this administration to end its manifest indifference towards human rights abuse in the People's Republic of China. It's time for President Obama to cease his numbing indifference towards the victims of Beijing's abuse.

Mr. Speaker, can a dictatorship that crushes the rights and freedoms of its own people be trusted on trade and security?

China today is the torture capital of the world, and victims include religious believers, ethnic minorities, human rights defenders like Chen Guancheng and Gao Zhisheng and hundreds and thousands of political dissidents.

If you are a political or religious dissident or believer of the Underground Christian Church, Falun Gong, a part of the Uyghur Muslim minority or Tibetan Buddhist, if you are arrested, you will be tortured, and in some cases you will be tortured to death.

Additionally, Mr. Speaker, hundreds of millions of women have been forced to abort their precious babies pursuant to China's draconian one-child policy which has led to genocide, the violent extermination of unborn baby girls simply because they are girls. The slaughter of the girl child in China is not only a massive gender crime, but a security issue, as well.

□ 1240

A witness at one of my hearings that I chaired—I chair the Subcommittee on Africa, Global Human Rights, and International Organizations. Over the years, I have chaired over 46 congressional hearings focused exclusively on China's human rights issues. One of the witnesses at one of my earlier hearings, Valerie Hudson, author of a book called "Bare Branches," testified that gender imbalance will lead to instability and chaos and even to war because of the domestic chaos and instability that will occur. And that the one child has not enhanced China's security, but it has demonstrably weakened it.

Nick Eberstadt, the world-renowned AEI demographer, has famously phrased it and asked the question: What are the consequences for a society that has chosen to become simultaneously more gray and more male—the missing daughters, by the tens of millions in China—as a direct result of sex-selection abortion?

In 2000, Mr. Speaker, I authored a law known as the Trafficking Victims Protection Act of 2000. It is our landmark law in combating the hideous crime of modern-day slavery, sex, and labor trafficking. China has now become the magnet for the traffickers, buying and selling women as commodities, selling them in China against their will, of course, through coercion, because of

the missing girls, the missing daughters, and the missing young women.

Mr. Speaker, earlier this week, the world remembered the dream that was and is the Tiananmen Square protest of 1989 and deeply honored the sacrifice endured by an extraordinarily brave group of pro-democracy Chinese women and men who dared to demand fundamental human rights for all Chinese. Twenty-four years ago this week, the world watched in awe and wonder, as it has since mid-April of 1989, as hundreds of thousands of mostly young people peacefully petitioned the Chinese Government to reform and to democratize. China seemed to be the next impending triumph for freedom and democracy, especially after the collapse of the dictatorships of the Soviet Union and the Warsaw Pact nations. But when the People's Liberation Army poured in and around the square on June 3, the wonder of Tiananmen turned to shock, tears, fear, and helplessness. On June 3 and 4, and for days, weeks, and years, right up until today, the Chinese dictatorship delivered a barbaric response—mass murder, torture, incarceration, the systematic suppression of fundamental human rights, and coverup.

The Chinese Government not only continues to inflict unspeakable pain and suffering on its own people, but the coverup of the Tiananmen Square massacre is without precedent in modern history. Even though journalists and live television and radio documented the massacre, the Chinese Communist Party lies and continues to deny it, that it even occurred, to obfuscate, and to threaten anyone who dares speak out in China about the massacre and all of the terrible barbarity that followed.

In December of 1996, Mr. Speaker, General Chi Haotian, the operational commander who ordered the murder of the Tiananmen protesters, visited Washington, D.C., as the Chinese Defense Minister. You see, he was promoted after he killed all of those innocent people. Minister Chi was welcomed by President Clinton at the White House with full military honors, including a 19-gun salute—a bizarre spectacle that I and many others on both sides of the aisle protested. But why do I bring this up now? General Chi addressed the Army War College on that trip and in answer to a question said:

Not a single person lost his life in Tiananmen Square.

He claimed that the People's Liberation Army did nothing more violent than the "pushing of people" during the 1989 protest. Not a single person lost his or her life? Are you kidding?

That big lie and countless others like it, however, is, and it was then, the Communist Party's line about Tiananmen.

As chair of the Foreign Affairs Human Rights Committee then, I put

together a congressional hearing within 2 days—December 8, 1996—and witnesses who were there on Tiananmen Square in 1989, including Dr. Yang Jianli, a leader and survivor of the massacre, and Time magazine Bureau Chief David Aikman, who were actually witnesses at my hearing this past Monday. We also invited Minister Chi, or anyone the Chinese Embassy might want to send to the hearing to give an accounting of that blatant lie. I guess Minister Chi thought he was back in Beijing when he was at the Army War College where the big lie is king and no one ever dares to do a fact check.

Last week, Mr. Speaker, the U.S. Department of State asked the Chinese Government to "end harassment of those who participated in the protest of 1989 and fully account for those killed, detained, or missing." What was the response from the Chinese Government? The Chinese Foreign Ministry acrimoniously said that the United States should "stop interfering in China's internal affairs so as not to sabotage China-U.S. relations."

We have heard that line from the Soviet Union. We heard it from those who supported apartheid in South Africa: Don't interfere.

Human rights are universal, and we need to speak out boldly and without fear when they are violated, wherever and whenever they occur.

"Sabotage" Sino-American relations because our side requests an end to harassment and an accounting? It sounds to me like they have much to hide.

Therefore, Mr. President, tomorrow when you meet with the unelected President of China, and Saturday when you meet with him as well, please be informed, be bold, be tenacious, and seriously raise human rights with Chinese President Xi. No superficial intervention. No checking off on the box. Yes, I raised human rights. Raise real names. Ask for their release. Raise real issues, like the horrific one child per couple policy or the endemic use of torture by the Chinese dictatorship. Raise the 16 cases that are being raised and given to you to raise of individuals, people who in China are like the modern-day Natan Sharansky or others who have suffered so much for freedom for all these years—like Gao Zhisheng and others.

Mr. Speaker, we will not forget what took place in Tiananmen Square 24 years ago this past Monday and Tuesday. The struggle for freedom in China continues. Some day the people of China will enjoy all of their God-given fundamental human rights; and as a nation of free Chinese women and men, they will some day honor and applaud all those who suffered so much in the Laogai, the Chinese gulags, and sacrificed so much for so long.

Mr. President, the ball is in your court. President Obama, raise these



issues and do it in a robust, sincere, yes, diplomatic, but very powerful way.

I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

#### POISON PILL AMENDMENT IN HOMELAND SECURITY APPROPRIATIONS

(Mr. VEASEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VEASEY. Mr. Speaker, I stand here today greatly saddened and disappointed in this House of Representatives. I was prepared to vote in support of the Homeland Security appropriations bill for the upcoming fiscal year, a bill that is supposed to ensure our local law enforcement, emergency responders, antiterrorism experts, and border security professionals have the resources they need to keep our country safe. Instead, we see a bipartisan and widely agreed upon bill that would fund Homeland Security efforts across the Nation be overtaken by a violently controversial amendment from the gentleman from Iowa that was included in the final passage of the bill.

The last-minute amendment goes beyond the pale of discrimination by prohibiting funding to implement President Obama's deferred action plan from last year that would protect DREAMERS from deportation. This poison pill amendment endangers over 800,000 young undocumented immigrants who have no home other than the United States and only want a fair shot at an education and opportunity to pursue their passions out of the shadows.

I voted against final passage of the Homeland Security appropriations bill because this amendment was allowed to be passed by the Republican majority, and I am deeply saddened that over 220 of my colleagues in this Chamber want to shatter those dreams.

□ 1250

#### UPHOLDING THE TRUST OF THE AMERICAN PEOPLE

The SPEAKER pro tempore (Mr. BRIDENSTINE). Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 60 minutes as the designee of the minority leader.

Ms. JACKSON LEE. Mr. Speaker, it certainly is a privilege to be able to come to the floor and begin a dialogue, because there's one thing that I think is vital. We could hold up the Constitution, which I often do. We can speak with great eloquence on the floor of the House, even go to our districts and speak to our constituents.

But I do think it is important that the trust of the American people, even

though sometimes tattered, sometimes challenged, that what we can at least adhere to are the values of this Nation, the constitutional underpinnings that we all are created equal under the Declaration of Independence and those vital 10 amendments that make up the Bill of Rights, among others, that really go to the trust that the American people have in their government and in their documents that are the infrastructure of government.

And when I say that, I am not in any way diminishing some very emotional debate that we've had over the years. We've engaged in debates on war and peace. We've engaged in debates on impeachment. Tragically, we've seen assassinations of our Presidents. We've seen assassination attempts on our Presidents, and so I know that the issue of trust or the issue of stability sometimes wobbles because it is human nature.

We've seen the tragedy of 9/11. But yet, Americans, by and large, with polls going up and down, will probably be more trustworthy than any other population of people. Why?

Because they have a sense that, even in the midst of vigorous disagreement between the partisans, between Republicans and Democrats and Independents, that there's something that holds America together.

And so I am rising today to try to be able to weave in and out why we must get back to that trust, and why it serves us no purpose to go on an unsubstantiated witch hunt on what is one of the finest public servants that this country has seen, and that is the Attorney General of the United States, Eric H. Holder, Jr.

Now, I will be discussing a number of items because, in the course of this discussion, I realize that some will agree and some will not. But minimally, what I would like to ensure is that we have a forthright and truthful discussion. That's really what is key.

I base that upon being a battle-worn member of the House Judiciary Committee for any number of years. I have ascended to the position where you are called a senior member of the Judiciary Committee. And in the course of my work there, I have seen investigations that are far and wide.

I lived through the horrific heinousness of 9/11, and having to craft something called the Patriot Act, which still needs to be challenged, and we need to err on the side of the rights of the American people.

I have seen the investigation of the tragedy of Waco. Many people might not even remember that, the terrible loss of life.

I've seen the throngs pulling a child, a Cuban child, between families—Elian Gonzales.

I've seen the ups and downs of immigration and the debate about where we should go on immigration reform.

I have seen the issues of impeachment and attempts on impeachment, trying to uphold civil rights, trying to write a Patriot Act—which came out of the Judiciary Committee right after 9/11, in our most vulnerable time—in a bipartisan way that balanced the rights of Americans alongside of the responsibilities that we had to secure America.

I have seen the fight for individual rights, and I'd like to think that when it comes to that challenge, that when you look at the record that I have offered, you have seen a record that prizes individual rights.

So I do not believe that it is of any value, no matter what party you're in, to be in a coverup. Coverups usually wind up with the covers being taken off, and so there's not really much advantage to a coverup.

But I want to discuss, away from the aura of cameras and hysteria, the work of a public servant that I've known for a number of years. Having come to this Congress a few years ago, I remember that Attorney General Holder not only worked for Democratic Presidents, but also worked for Republican Presidents.

In fact, George Bush II held Mr. Holder as his Acting Attorney General, or Deputy Attorney General, which is the highest ranking under the Attorney General. The view of him as an unbiased figure allowed him to be, in essence, that bridge between administrations.

He has served as a judge. He has been a prosecutor. He has likewise, prosecuted those who would do Americans harm. He is a son, if you will, of those who struggled to overcome.

And he had the honor of being appointed, named as President Clinton's Deputy Attorney General, the first African American to be so named.

He pulled himself up by his bootstraps, having graduated from Columbia College, as he's so proud of, in New York, attended the public schools, even schools that I'm familiar with—some of my friends graduated from Stuyvesant High School—where he earned something that was very much sought after in those times, a Regents Scholarship. That allowed him to attend Columbia College, where he majored in American history, and he graduated from Columbia law school.

He is not one to accept your challenge of the affection he has for his college and his law school.

He had a sense of desire to do good. And in those times, one of the premiere civil rights law firms was the NAACP Legal Defense and Educational Fund. No, it is not the NAACP. This is a lawyers' group that would defend you, no matter who you were.

In fact, I remember Constance Baker Motley, out of the NAACP Legal Defense and Educational Fund, defending the Klan in Alabama, because it is the motto and mission of the NAACP Legal



Defense and Educational Fund that if your rights are abridged, no matter who you are, we will stand up for those rights.

And so he started there, with a very refined sense of right and wrong and who should be defended, and wound up at the Department of Justice as what you call a line lawyer, Criminal Division.

And then he joined, previously, I guess, he joined the U.S. Department of Justice Attorney General's Honors Program. He was assigned to the public integrity section, was tasked to investigate and prosecute official corruption, local, State and Federal levels.

Some might say, when you saw Eric coming, you wanted to get out of the way. That was his sense of justice, balanced and fair, attacking those who were doing wrong to our system of justice and fairness, and yes, going after corruption in local, State and Federal government.

Those were many years since 1976, and if I would take a guess, if he were going to falter in the practice of law, or in the upholding of justice, he would have faltered a long time ago.

□ 1300

Sorry, Mr. Attorney General, but you have been around for a long time; 1976 is a long time. In fact, if I recall correctly, 1976 was in the midst of when President Carter was coming in and after President Ford had served. So he has seen both Republican and Democratic administrations, and he has passed muster by his superiors. He's climbed up the ladder. He served in private business and private practice. He's not a new kid on the block.

I had the chance to be with his wife, Dr. Sharon Malone, one of the premier physicians in this community, who has her own legacy, as well as the legacy of her sister, who was one of those who integrated the universities in Alabama during the segregated South. But the interesting thing about Eric is that he does not come with a sense of entitlement, which I don't like even using that word, because if you fix something that is broken, if you try to integrate because it is segregated, that is not entitlement. If you try to ensure someone has an opportunity, it is not negative when you say affirmatively you want to make sure that there is diversity. But Eric takes life as he sees it. And so it baffled me when we were proceeding through this process.

Somebody said bad things come in threes. I don't want to start that because I'm hoping we don't have any threes coming along. I've got to get on an airplane in a couple of minutes.

But I would say to you that I would like the answer to some of the questions. Obviously, Benghazi falls in the State Department. But we've certainly had the misfortunes of the IRS. I want to clarify that the IRS falls independ-

ently. The Commissioners are appointed on a 6-year term so that they do not have the political influence of a Presidential appointment. But their ultimate oversight is through the Secretary of the Treasury under the U.S. Department of the Treasury. Certainly, that investigation is going forward at this time. But it seems like all of that was piling on someone who was not directly involved: Benghazi and the IRS.

But let's get to the one that has drawn the most ire, rightly so. Let me temper that because I know that the IRS is drawing a great deal of ire. I've come to the floor and indicated that there are a lot of good, hardworking employees. Maybe you know some of them. Our colleagues see these people in our districts. They're working every day to ensure that the American people, who pay them, who own all of this in the United States Government, are treated fairly. I know there are people like that. But certainly, we are absolutely outraged about any prosecuting in a biased way for political beliefs. That is an absolute, unpardonable sin, if you will, under the First Amendment. We've all agreed to that. We want a full investigation. And I can assure you if any parts of the Department of Justice are involved in a criminal investigation, if it is discovered—and we have an Inspector General under the IRS—you can be assured that the Department of Justice will be involved in determining whether any criminal activities have gone on as relates to the IRS.

But what has drawn the most ire—and it should—is the precious press and the right to be told what is going on. Again, with a little bit of humor, I will tell you that those of us in the public eye really like that press story that says that we're cutting a ribbon for something that has been given from the Federal Government or making the grand speech that someone will quote that was most erudite and astute.

But the press should be unfettered because it is the right of the American people to know what is going on in their government, no matter what level it is, from the school board to the county clerk to the statehouse to the city government and to your Federal Government. Maybe, to the chagrin of many who are found out in the press, we understand.

So when it is suggested that the Department of Justice would violate that sacred trust of blocking information to the American public, then obviously there is an enormous amount of concern. And I understand that. And I think it is enormously important to lay out this whole question of the Fox reporter, the gentleman who has been working on a number of projects, and the whole idea of the release of the emails of the Associated Press, or the targeting of them, and the targeting of one particular individual, Mr. Rosen of

Fox News, and the May 15 hearing in the House Judiciary Committee, at which I was present.

I wanted to speak of what I know. One of the questions I raised, just a yes-or-no answer, was whether Mr. Holder had been a supporter of what we call the Shield Act in his professional career, a bill that had been supported by many of us in the last session, or before, and that is to block or protect reporters and their proprietary information under the First Amendment. And for some reason, my good friends on the other side of the aisle, Republicans, did not see fit for that legislation to pass.

So here we are in a set of circumstances that speaks ill of anyone that would target a reporter or this enormous leak of emails. All of this is being reviewed. But I want to focus on Attorney General Holder and the very excellent Attorney General that he had in charge. He did not participate in the ultimate investigation and the determination for the ultimate subpoenas regarding the AP. It was done after some 15,000 pages of documents were issued, and they still could not determine how the leak, where the leak, or who would be the culprit of the leak. This is pertaining to issues that would have a detrimental impact on the security of the American people.

So let me be very clear: it was not the reporters. It was to find out who was, for lack of a better term, the leaker. And, yes, those are sources. That's the angst of the people; the lawyers entrusted with your protection in the Department of Justice. There is no doubt Congress has a right to restrain it, for you elect us in the people's House to make sure that you are protected from that kind of intrusion. But let it be very clear that the intrusion was not to entrap reporters. It was to ensure us that we were protecting the American people.

So all of a sudden the Attorney General is in the hot seat. He recused himself from further investigation. A number of questions were posed in that May 15 hearing. And one of the questions posed was seeking a clarification about different laws but also asking the question about allowing for reporters to be prosecuted. I have a paraphrasing but a fair handle on the answer of the Attorney General. In fact, if you can pay attention to newspaper accounts to precisely see if this is correct:

With regard to the potential prosecution of the press for the disclosure material, that is not something I have ever been involved in—heard of—or think would be a wise policy.

The active word is “potential” prosecution—prosecution.

□ 1310

Yes, there was an FBI affidavit used to obtain the warrant for Rosen's

emails, and there was probable cause—and this was in 2010—to determine whether any law had been broken. Yes, that was done. The affidavit did describe this reporter, by way of reports, as an aider and abettor and/or coconspirator. But the Justice Department did not prosecute Mr. Rosen, did not even file charges against him while he was listed as a coconspirator. No charges were ever raised against him. No charges were pulled back. No acquittal. No prosecution.

So the answer of the Attorney General was accurate. To the extent that anyone would suggest that he perjured himself is absolutely without context, without substance, without basis, without intent, without proof, and it serves no purpose. It serves no purpose.

From all of that, and of course some time back the tragedy of Fast and Furious—and whenever I come to the floor I offer my deepest sympathy for the lost and for the family who suffered an enormous loss of their great and wonderful son. There is nothing that one can say to bring back their son.

I have no quarrel with getting to the facts. But again, in Fast and Furious, none of it pointed back, by independent arbiters. This had to do with the misdirected—probably with good intentions—but misdirected and cruel results of putting guns in the hands of thieves and crooks to be able to track guns and gun trafficking between the United States and Mexico. I will not defend it. I am not here to defend that. I was appalled. But I think we must have a reasonable discussion of truth. And the reasonable discussion of truth is: Did Mr. Holder have anything to do with the mishaps of Fast and Furious? I can assure you that they have yet to point to him on that basis.

Eric Holder came to the Department and he took up the challenge, in these words, of his mission, that his challenge would be protecting the security, rights, and interests of the American people. More than 4 years later, together with the extraordinary men and women who serve at the Department of Justice, that promise has been fulfilled for many of the accomplishments that this Department has achieved.

Now, my good friend was on the floor, my good friend—and he is, Mr. SMITH of New Jersey. He has a passion for preventing, among other things, human trafficking. We work together on these issues.

Eric Holder has been a crusader to fight against the viciousness of human trafficking. He has, in fact, set up a task force in my own city of Houston, which, to our dismay, has been known as the epicenter of human trafficking of young people, prostitution, individuals coming up to the southern border. One of the most debasing parts of an existence is to be taken hostage—bondage—by someone else to be abused and mistreated. So he has been enormously

committed, passionately committed to the idea of preventing human trafficking, and we look forward to working with him.

He wanted to save you money. And they've had a very successful reach on financial fraud, setting up a Consumer Protection Working Group consisting of Federal law enforcement regulatory agencies, making sure that those who attack the vulnerable with payday loans and the elderly know that the Justice Department is standing on their side. And the very ones that go after Active Duty military—how sad, young people coming home from far-away places and all of a sudden they are victimized, the resources that they have that are limited.

The lawsuit that was filed against mortgage fraud that took this country down, took homes away from those who deserved them, the billion dollar lawsuit against Countrywide led by this Department of Justice.

Banking houses, various inappropriate behavior by some on Wall Street, General Holder was not afraid, on behalf of the American people. And countless banking officers who took money, such as some of those whose names include Carollo and Goldberg and Grimm, all former executives of General Electric, were sentenced related to bidding for contracts for the investment of municipal bond proceeds and other municipal finance contracts, which would undermine not only the public trust—remember, that's how it started—but it would also diminish the assets.

It was this Justice Department that continued the prosecution of the Madoff brothers, Peter Madoff, on June 29, 2012, one of the most—oh, my God, I would use the word “sad,” but that is certainly not a strong enough word, but I did use the word “tsunami”—one of the most catastrophic attacks on people who innocently invested with someone who they thought would maximize their savings for the good old days of their sunset years.

He continued to secure justice for victims of mortgage fraud. He worked on a number of issues regarding servicemembers. And, what I think was particularly important, what you wanted him to do, is he went after international cartels, domestic collusion conspiracies, price fixing, bid rigging, market and customer allocation. He was, along with his team, committed to serving the American people.

I see my colleague is here, and I just want to mention a few others before I yield to her. Because, as I mentioned, his passion for people's lives is so moving that I need to get this on the record.

The Department has charged a record number of human trafficking cases. I gave you the story, but I didn't give you the facts. Over the past 4 years, the Department has increased the num-

ber of human trafficking prosecutions by more than 30 percent in forced labor and adult sex trafficking cases, while also getting a number of convictions in the Innocence Lost National Initiative dealing with our children. So the Department has dismantled trafficking with Ukrainian victims held in Philadelphia in false labor; Central American women, convicting the traffickers who threatened and violently abused them to compel them into forced labor and forced prostitution in restaurants and bars on Long Island. Or, we restored the rights and freedom of the undocumented—I like to say “we” because this is close to my heart—of Eastern European victims, convicting the trafficker of brutally exploiting them in massage parlors in Chicago; a Florida man, his wife and a codefendant for actions involving sex trafficking of seven minor victims in a house in Fort Lauderdale; and secured a life sentence against a gang member in the Eastern District of Virginia for sex trafficking of victims as young as 12 years old.

Eric Holder has not been sitting around trying to construct when he would come to Congress and perjure himself. That has not been his task and his challenge.

Let me just say this, as there is a lot that I want to engage in. I'll just throw this out before I yield. Our violent crime rates have yielded, maybe because we see someone like the old movies about the FBI G-Men, maybe we see the “H-Man” coming in Eric Holder, for he has prosecuted thousands of criminals with illegal gun possessions. That does you harm. That does your children harm.

□ 1320

I want to just say this to my distinguished colleague—as I yield to Congresswoman ELEANOR HOLMES NORTON—when the American people need to have an unfettered voting system, yes, many disagreed. But Eric Holder and his team in the Civil Rights Division have not been overturned. They were following the law.

We do expect a Supreme Court decision in a matter of days on section 5. I cannot predict what that decision will be. But there were a number of decisions that had to do with ensuring that there was one person, one vote.

Remember I started by saying, whether we agree or disagree, there should be something called trust. Many people would say to me, one person's trust is another person's poison. But it's all about the law. This Justice Department has been following the law. It is crucial that when we use a litmus test to be able to determine whether someone should resign—and by the way, General Holder, do not resign, America needs a top law enforcement officer of integrity—then the standard should be the law, the standard should

be the Constitution, the standard should be the facts, the standard should be case law on the Voting Rights Act and redistricting cases and election law. The majority of the cases—the infrastructure of the cases that have been upheld—have been led by Eric Holder, the Attorney General of the United States of America.

I would be privileged to yield some time to the distinguished scholar—and she happens to be a Congressperson of the great District of Columbia—ELEANOR HOLMES NORTON. Thank you for your leadership and scholarship on constitutional issues.

Ms. NORTON. Mr. Speaker, I thank the gentlelady, first, for yielding and for her kind words. But I thank her even more for what she's done this afternoon. She has come to the floor—my good friend from Texas—and has rendered one of the most informative highlights of the career of this Attorney General since he has held the office.

I would like only a few minutes to say a few words about the Attorney General because he began when in the Clinton administration I got the courtesy that's normally given to Senators—we have no Senators—so I got the courtesy of recommending to the President the U.S. attorney for the District of Columbia and District Court judges. Although the District of Columbia has long had a large African American population, for most of its 200 years there have been no African American United States attorneys. Even though the United States attorney in the District of Columbia handles not only what he does for, for example, my good friend in Texas, that is Federal matters, but because there are some limits on our home rule, also handles all of the local criminal matters. Using a 17-member distinguished committee of citizens who vetted a great number of candidates and gave to me the top three, I chose the man who is now Attorney General as the first African American U.S. attorney for the District of Columbia. He acquitted himself so well that he became an assistant Attorney General and finally Attorney General of the United States.

We are accustomed to seeing Attorneys General get in trouble. The last two Attorneys General were virtually chased out of office because of the mistakes they had made. I think that's because the Attorney General is close to the most controversial business of the President of the United States. I'm not surprised that the Attorney General would be a target. I am surprised that he would be accused so recklessly of, for example, perjury. I believe he will be vindicated shortly because it's so clear, on the face of this matter, that there has been not even a scintilla of an attempt to mislead the Congress or anybody else.

I think of Ambassador Susan Rice, who was yesterday appointed to be the

National Security Advisor, the closest advisor to the President on foreign affairs, and of what she went through. She now has been thoroughly vindicated and yet she lost the possibility of being Secretary of State on the allegation that she had somehow misled the Congress in reporting on Benghazi.

Now, of course, the truth is out. All the emails are out. She wasn't part of any of the emails. She was the one who read the statement from the CIA. We now know that the statement was written by the CIA and that the State Department participated in writing it. The State Department was concerned that the State Department would be blamed for what was really a cover. The attack against the temporary U.S. compound in Benghazi was essentially a cover for a CIA operation. And so the CIA got into it. The State Department got into it. All of the intelligence officials got into it.

Together they issued a statement which now has been found not to have misled the Congress. If the joint statement didn't mislead the Congress, imagine the vindication now of Susan Rice, who only read a statement that she had no part in developing and had no reason to believe—since it came from intelligence sources—that it was anything but the facts as they knew it. And indeed, it turns out they were the facts as they knew it.

I mention Ambassador Rice because of her recent appointment and because she stood accused in the same way that the Attorney General does.

Now, the gentlelady from Texas, my good friend Representative LEE, and I sit on two committees who have spent a lot of their time investigating the Attorney General. Please note that this is a Congress that has no agenda. Had it not been for these so-called scandals I'm not sure there would be anything to do in this House. They tend to go home early, to come late. There is nothing of much consequence on the floor. And indeed, I'm grateful for the appropriations period because at least there is something of substance to come to the floor.

If you don't come here to legislate, if you come here to malign, if you come here to keep the President from getting legislation, then you run out of ideas. We're now at the lowest deficit in 50 years, so they can't continue to talk about that the way you did before. They won't come to the table, as the American people have said they want, for a balanced deal. So we've got a floor where nothing happens and where people went home today—I think the last vote was around noon. There's nothing happening here.

Well, the vacuum has been filled by the committees, who have, each of them—there were five committees—looking into these various matters. Today, there was a Committee on Oversight and Government Reform on

which I serve looking into the misuse of money by the IRS, except it turns out that was before this President's Executive order. The worst of the IRS misuse of funds during a travel session began in the last administration, much worse in that administration, and, by the way, in prior administrations. But it's now all over, long ended. But for House Committees, it's another way to go after the IRS.

All of us have been very critical of the IRS. We still don't know what really happened there. But without knowing it, there are some on my committee who are tracing it back to the President of the United States without a scintilla of evidence. That, 50 years ago, would have been called what it is—McCarthyism.

□ 1330

So, when the gentlelady comes to defend the Attorney General who has been attacked, I come simply to join her and to thank her.

In our committee, for example, we spent, perhaps, most of last year on the so-called “gunwalking,” where there was the tragedy of a border security agent who was killed. Our committee over and over again asked for the full slate of witnesses. If we'd had those, then we would also have had the last Attorney General from the Bush administration as well as his lieutenants because that's who started the gunwalking, and this Attorney General, of course, stopped it. Over and over again, they raked Attorney General Holder and his top lieutenants over with charges of perjury. Unable to prove them, they went so far as to try to subpoena documents that the President believed should not, in fact, become a part of the public record, so he invoked executive privilege. Why did he do that? Once he invoked executive privilege, then he, too, was accused of being part of a coverup.

Yet it is, in fact, the case—and here I'm going to quote—that the Supreme Court has said:

Human experience teaches that those who expect public dissemination of their remarks may well temper candor with concern for appearances. Thus, Presidents have repeatedly asserted executive privilege to protect confidential executive branch deliberative materials for congressional subpoenas.

Otherwise the President cannot expect to get the truth from his Attorney General or from others who report to him.

Then they said the President had asserted executive privilege too late, when they ran out of other excuses, except the reason that he asserted it when he did was he was hoping they would negotiate the matter. You don't come up with executive privilege when you think reasonable men and women will come to a reasonable conclusion.

The failure to look at the root causes of the gun walking tragedy involving two administrations, to call no official

from the administration that was responsible for thinking of the idea of gunrunning in the first place and for carrying it on for some time does demonstrate a Congress engaged in fairness. If this Congress is not known for its fairness as a general matter, I'm not sure why, perhaps, we should expect that the high-profile Attorney General, who has become, as some of the press has reported, something of a proxy for the President of the United States, himself, would then get fairness.

The gentlelady mentioned the coconspirator matter. She and I are both attorneys. We are accustomed to indictments in which the prosecutor names a "coconspirator," never attempting to prosecute that person, but because the information has to allege precisely what happens, he will name a person. No person in the press has ever been, and there was never an attempt to prosecute anyone in the press. However, those involved are at a disadvantage: we cannot be told what they were going after because it is an intelligence and a secured matter. That leaves everyone here who is out for the Attorney General free to allege whatever he wants to, unless he has some sense of responsibility.

Ms. JACKSON LEE. I am so glad that you raised that point, because we do not want to suggest that a layman's ears are different from a lawyer's ears, but that is a very important point which you have made.

The frustration is that, on your committee, there are many lawyers. You have lawyers who are investigators, particularly on the majority side. They understand what that concept is, which is that, when you have an indictment, you list names, and those names may be listed as coconspirators. To take that and then translate it into a layman's interpretation—oh, this person is going to be prosecuted—and to then suggest that the Attorney General perjured himself in front of the Judiciary Committee, where he said outright, I have no thought of prosecuting a reporter, and that wouldn't even come to mind, and to take the FBI affidavit which listed—in 2010, by the way, and I think this is 2013—the gentleman, Mr. Rosen, as a coconspirator and that nothing has happened since then, it is almost, I believe, an unfair treatment, an unfair misrepresentation, an unfair mischaracterization for the American people. The Attorney General made it clear in his testimony before our committee, I have no interest, no desire, no knowledge of prosecuting a reporter.

I just want to add, in addition, that we've just introduced a House bill that is similar to the Senate bill that has judicial intervention now, a sort of ramped-up SHIELD Act, which indicates that you would have to go to the courts in certain circumstances to secure some of the information of the

press; but there is this distortion as he was questioned on May 15, 2013, and in 3 years, Mr. Rosen has never been indicted, and he has never been prosecuted.

Ms. NORTON. I must say I thank the gentlelady from Texas for that clarification. Not only that, the Justice Department has issued a statement to the effect it has no intent and never has had any intent of prosecuting the coconspirator as is the case and as has been the case for 100 years of the listing of coconspirators.

Just a moment more on this important matter. You mentioned that my committee has a lot of lawyers, like you and me. Your committee is the Judiciary Committee. I surely would have expected more of it than the way they've gone at the Attorney General.

On this matter of the AP reporters, of the AP-Rosen matter, the Attorney General recused himself. I'm not sure why he recused himself, but I imagine it is because, if you're looking for a leak and if you're doing a thorough investigation, you look from the top to the bottom. So, once he'd been questioned just as a President could be questioned, then, of course, he did the right thing, if that's the reason, by recusing himself. But when it came to the Rosen matter, which is simply signing off on the prosecutorial information—a routine ceremonial matter—there was nothing contradictory about that and his statement that he had no knowledge of the prosecution. He had recused himself. Having recused himself, he'd better not have any knowledge of it.

These are fine points we are making, and I'm afraid, for many in the public, they are fine points because, as the gentlelady says, most people are not trained as lawyers, and if they are, they don't want to hear lawyer talk; but these are really important questions if you want to accuse somebody of something.

Ms. JACKSON LEE. Of perjury.

Ms. NORTON. Of something as serious as perjury—and a lawyer at that.

I thank the gentlelady for coming to the floor so that these accusations—these wild and reckless accusations—against the Attorney General have not gone unanswered.

Ms. JACKSON LEE. I am so grateful for your leadership.

I am going to conclude, and have some further comments; but before you yield, I just want to pose a question to you, Congresswoman, because, if nothing else, we can both agree together so it won't look like one person is saying it.

For an officer of the court, for the highest ranking law officer of the United States, the American people need to understand that the charge of perjury is one of the most devastating charges. Forget about your career, because all of us who are barred, who are

members of the bar, are officers of the court—of all courts. Some are able to practice in the Supreme Court, in various Federal courts and otherwise, and as an officer of the court, even in the representation of your client, perjury is the ultimate charge.

□ 1340

That is why I'm so baffled and felt compelled to come to the floor to raise the question of why lawyers on the Oversight Committee and lawyers on the Judiciary Committee would even offer a charge of perjury under the circumstances of what I have just defined.

Let me just say this. In a letter to the Judiciary Committee, the Attorney General said:

The Attorney General takes the disclosure of classified information by those who have committed to protecting it very seriously, especially as such disclosures can cause grave damage to our national security.

The Attorney General also has the utmost respect for the vital role the media plays in an open society.

Then it goes on to talk about his commitment to protecting these vital sources. Then it goes on to again restate this whole question of investigation versus prosecution. It says:

At the outset, it is important to note the difference between an investigation and a prosecution.

And it goes on to lay out probable cause again. That's lawyer talk.

But it is very clear that the General wants to lay out for the Members of Congress in an open way—by the way, I don't know if we could both stand up here and count how many side meetings and staff meetings that they had with the Attorney General on the gun walkings, what we call Fast and Furious, and now the meetings and letters that are going back, the ongoing contempt charge issue that is going on. This Attorney General has made himself available.

The real question I just want to pose to you, as I yield for your answer, is what it means to be charged with perjury as an officer of the court. What General, what lawyer would take it lightly—though some generals have gone to jail for perjury—that has been proven in a court of law?

Ms. NORTON. And charged on the basis of some evidence.

Ms. JACKSON LEE. And some evidence.

In this instance, we have one line that was stated that, No, I will not prosecute, versus the fact of the signing of an affidavit that did not result in a prosecution.

Congresswoman?

Ms. NORTON. Your point about an officer of the court is something that most Americans may be unaware of.

Every piece of paper that a lawyer files before a court of any kind—it may seem perfunctory—is subject to perjury precisely because when you're admitted to the bar, you become an officer of

the court. So you risk your professional life because you could be disbarred not only for committing perjury, but even for misstatements in an offering before a court. That's the high standard to which we, who are members of the bar, are held. And for that reason, it would be unseemly for any lawyer, much less the highest lawyer in the land, to risk perjury.

And I submit that not only has perjury not been committed; the word "perjury" should never have entered into this conversation without the slightest bit of evidence. That's what "reckless" means, and I thank the gentlelady for the question.

Ms. JACKSON LEE. I thank the gentlelady for her knowledge, and I thank the gentlelady for laying out something that, as you said, non-lawyers would say, We're going too much. But I think they understand when you have a role as given to you by the bar license and a role that you would not play with lightly—but I think the other point is, as I told you, I didn't want to highlight Mr. Holder's tenure. But he's been around since 1976. Let me just say that he's had many times to disabuse this officer role, and he has not done so because of his integrity.

I'm glad you mentioned now National Security Adviser Rice and use that as an example. Let me congratulate her and use that as an example of a very fine public servant and outstanding diplomat. In this instance, there is not a morsel of evidence that she would manipulate the Benghazi talking points. What an enormous tragedy. Who would want to see our fallen diplomats lose their lives and their families? Let me just say this: We want the truth, but we also juxtapose that as something to suggest that let us hold our words until we know what the facts are.

I just want to say very quickly that all of what you've heard us discuss is what has been absorbing the time of a place that should be talking about making right on the Affordable Care Act.

Now, I know that thousands in California are just getting rebates back because of the Affordable Care Act. I know that small businesses are getting dollars back because of the Affordable Care Act. I know that seniors are now getting preventive care because of the Affordable Care Act, children are getting preventive care, women are getting preventive care; but you're only hearing the bad news. Why? Because we're too busy making charges about perjury. I would rather you have the testimony. Let's have hearings to get people to come forward to tell America how the Affordable Care Act is making it better for them.

Let me tell you what else we're not taking any time to do because we're suggesting that the Attorney General—with no evidence whatsoever—is per-

juring himself. In a couple of days, the parents of America, the children of America will be facing a 6.8 percent increase in the interest rates that our children will have to pay who are now coming out as 2013 graduates. But we're talking about General Holder, about whom I've given you a list. He has been a fighter against consumer fraud, human trafficking and crime, and there's been no evidence of perjury.

Instead of us meeting to have a compromise, to prevent the clock from ticking on July 1 and kicking up the interest rates—this is a nightmare. If you want to see a nightmare, go from \$4,174 to \$10,109. That was the bill that was passed by our Republican friends, and then the automatic increase is \$8,000. This is what our young people are going to be feeling the brunt of as they're trying to pay for college loans. Could we get together and work on that? I think we could.

Then, of course, we have heard dead silence about what we're going to do about reasonable gun legislation. I hope the lights of the Chamber don't turn off or the sound go out because it looks as if we're trying to take away guns. No. Every one of us holds up the banner of the Second Amendment. What we're saying is can we at least know who has them.

There are some who are putting forth mental health laws. I am a strong supporter of it. Let us help individuals who are suffering; but at the same time with regards to automatic weapons of any kind, there needs to be, minimally, closing the gun show loophole. And then those who are far more sophisticated than what these pictures may show, from my perspective, the kind that was used in Sandy Hook, we can do better as the American people.

Maybe we can also do something that we can all come together on. What about a simple gun storage law, you know? We don't have it. And there is a series of children that have killed their siblings or their grandparents or their parents by having a gun lying around not locked, because there's no law, no requirement. Some States have it. We've done it and done a good job in bringing down that loss of life in Texas.

I'll be introducing legislation. I've been working with the General and the Department of Justice to ensure that we find a good balance. But there's a lot of work.

Sequestration is literally closing down teachers and child care units and cutting off civilians at military bases and stopping ICE enforcement officers and Customs and Border Protection and numbers of others are put on furlough because of sequestration.

Couldn't we get rid of H.R. 19? It says eliminate sequestration, go back to the budget or at least go to conference and treat the American people with respect so the services that you need are not shut down because of sequestration.

Why are we talking about perjury from the top legal officer where there has been no proven evidence that anything that he said in the Judiciary Committee was contradictory to what happened to Mr. Rosen? There's no proof. He recused himself. He's not involved. There's no indictment, no intention of indictment on the premise of what this particular issue was about, the leakage of national security matters.

□ 1350

And so my plea today is that we can do better. We can do better by our youngsters. In essence, we can stop the bleeding. We can do better by our children for health care. We can do better by better gun laws. We can do better by getting a better budget. We can do better by serving the American people. We can do better by building you new roads and bridges and infrastructure, fixing the dams, stopping the flooding.

All I want to say, Mr. Speaker, as I close, and I thank you, is to thank you, Mr. Holder, for your service. Do not resign. And to my colleagues, let's get to work to help the American people. I believe that will in fact be our finest hour.

I yield back the balance of my time.

U.S. DEPARTMENT OF JUSTICE,  
OFFICE OF LEGISLATIVE AFFAIRS,  
Washington, DC.

Hon. BOB GOODLATTE,  
Chairman, Committee on the Judiciary,  
House of Representatives, Washington, DC.  
Hon. F. JAMES SENSENBRENNER, JR.,  
Chairman, Subcommittee on Crime, Terrorism,  
Homeland Security, and Investigations,  
Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN GOODLATTE AND CHAIRMAN SENSENBRENNER: This responds to your letter to the Attorney General, dated May 29, 2013, requesting information about the Department's policies with respect to investigations involving members of the media and the Attorney General's knowledge of an investigation into the unauthorized disclosure of classified information that was then published in a news article in June 2009.

The Attorney General takes the unauthorized disclosure of classified information by those who have committed to protecting it very seriously, especially as such disclosures can cause grave damage to our national security. The Attorney General also has the utmost respect for the vital role the media plays in an open society. To ensure the proper balance of these important interests, the President has directed the Attorney General to conduct a review of Department policies regarding investigations involving the media, and as part of that process, the Attorney General has initiated a dialogue with news media representatives and other interested parties. Furthermore, as the Attorney General explained in the hearing before you on May 15, 2013, he supports the media shield legislation currently under consideration by the Senate, which provides robust judicial protection for journalists' confidential sources while also enabling the Department to continue to protect national security and enforce criminal laws. We look forward to working with Congress on this measure.

The Department's current policies provide separate processes for subpoenas and search

warrants in the course of investigations involving members of the news media. As you know, 28 C.F.R. §50.10 governs the issuance of subpoenas to members of the news media, including subpoenas seeking their telephone toll records. This regulation requires the Department in every case to consider the balance between the public's interest in the flow of information and the public's interest in effective law enforcement and the fair administration of justice. Thus, the regulation requires the government to take all reasonable alternative investigative steps before considering issuing a subpoena to a member of the news media or for the telephone toll records of a member of the news media. The regulation also requires the authorization of the Attorney General before issuing a subpoena to a member of the news media or for telephone toll records of a member of the news media. This regulation has not been substantively amended in more than 30 years, and is a subject of the review process currently being undertaken by the Attorney General at the President's direction. Search warrants for materials in the possession of a journalist whose purpose is to disseminate information to the public are governed by the Privacy Protection Act of 1980, 42 U.S.C. §2000aa, et seq. That law outlines the limited circumstances under which the Department may seek Court approval for a search warrant. Specifically, under the Privacy Protection Act, the government may seek work product materials or documents in the possession of a journalist only where there is probable cause to believe that the journalist has committed or is committing a criminal offense to which the materials relate, including the crime of unlawfully disclosing national defense or classified information.

Your letter also asks for additional information about the investigation of the unauthorized disclosure of classified information to a reporter in 2009. At the outset, it is important to note the difference between an investigation and a prosecution. When the Department has initiated a criminal investigation in the unauthorized disclosure of classified information, the Department must, as it does in all criminal investigations, conduct a thorough investigation and follow the facts where they lead. Seeking a search warrant is part of an investigation of potential criminal activity, which typically comes before any final decision about prosecution. Probable cause sufficient to justify a search warrant for evidence of a crime is far different from a decision to bring charges for that crime; probable cause is a significantly lower burden of proof than beyond a reasonable doubt, which is required to obtain a conviction on criminal charges. Prior to seeking charges in a matter, prosecutors evaluate the facts and the law and make decisions about who should be prosecuted. The regulation governing the issuance of subpoenas to the news media described above, which provides for consideration of the public's various interests, also requires that the Attorney General must approve any charges against a member of the news media. We are unaware of an instance when the Department has prosecuted a journalist for the mere publication of classified information.

The unauthorized disclosure of classified information that appeared in a June 2009 news article was a serious breach that compromised national security. The Federal Bureau of Investigation conducted a comprehensive inquiry into that unauthorized disclosure, and after exhausting all other reasonable options, the government applied for a search warrant for information in the

reporter's email account believed to be related to the source of the unauthorized disclosure. The affidavit in support of the search warrant satisfied the requirements of the Privacy Protection Act, based on the facts alleged, and a federal judge granted that warrant. The Attorney General was consulted and approved the application for the search warrant during the course of the investigation. Ultimately, as you know, although a Grand Jury has charged a government employee with the unauthorized disclosure of classified information, prosecutors have not pursued charges against the reporter. At no time during the pendency of this matter—before or after seeking the search warrant—have prosecutors sought approval to bring criminal charges against the reporter. The Attorney General's testimony before the Committee on May 15, 2013, with respect to the Department's prosecutions of the unauthorized disclosure of classified information was accurate and consistent with these facts. As the Attorney General explained, these prosecutions focus on those who "break their oath and put the American people at risk, not reporters who gather this information."

We hope that this information is helpful. Please do not hesitate to contact this office if we may be of additional assistance in this or any other matter.

Sincerely,

PETER J. KADZIK,

*Principal Deputy Assistant Attorney General.*

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

#### EVENTS OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

Today is a very important day, the day of the anniversary of the invasion on D-day during World War II. There is also another important aspect about today, because we learned about the administration's collecting of massive information, private information, about every Verizon customer's phone numbers, all the calls they made, outside the country and within the country. Staggering. It makes one think, well, gee, if this administration was gathering information and got a court order, a secret court order, to get all this information from Verizon, then most likely they did from the other carriers as well. And as a Verizon representative has pointed out, look, when we get a court order demanding that we turn over information, then we have to turn it over. And that is what we do in a country where we believe in the rule of law, we are supposed to follow the law.

But what is staggering for those of us who have debated over the FISA courts, where you have a real, legitimate, nominated and confirmed Federal judge, presides over information that is considered so secret that the disclosure of even the request for infor-

mation would create dangers to national security. We've debated that in the Judiciary Committee. That included my friend, Ms. JACKSON LEE. We've had these debates over these issues.

I was talking with my friend with whom I often disagree in Judiciary, a Congressman from New York, JERRY NADLER, and actually I recall him indicating during debates that if we didn't rein in the power of the Federal Government, these were the types of things that could happen. And I have to admit today that for any predictions or concern on the part of JERRY NADLER that if we gave the power under article 215 or section 215—basically, the PATRIOT Act, the FISA courts—that it could and would be abused, Mr. NADLER was right. We are now seeing affirmation of that.

But I do think it is important that we understand what we're talking about with regard to these phone records, and as a preface I think it's important to look at the order from the United States Foreign Intelligence Surveillance Court, Washington, D.C. It's entitled, Mr. Speaker, In Re Application of the Federal Bureau of Investigation for an Order Requiring the Production of Tangible Things from Verizon Business Network Services, Inc. on behalf of MCI Communication Services, Inc. d/b/a Verizon Business Services. It cites for its authority in this the law at volume 50 of the United States Code, section 1861.

In this order that is granting the request of this Justice Department under this Attorney General, who is under fire for other issues, it says, "The court having found that the application of the Federal Bureau of Investigation"—which is under the auspices of the Attorney General, the Justice Department—"for an order requiring the production of tangible things from Verizon Business," et cetera, the court finds that it satisfies the requirements of 50 U.S.C., section 1861.

It goes on to say that accordingly, these things are ordered, and it orders, and I'm quoting now:

An electronic copy of the following tangible things: all call detail records or "telephony metadata" created by Verizon for communications (i) between the United States and abroad; or (ii) wholly within the United States, including local telephone calls.

Further down, it says:

Telephony metadata includes comprehensive communications routing information, including but not limited to session identifying information (e.g., originating and terminating telephone number, International Mobile Subscriber Identity (IMSI) number, International Mobile station Equipment Identity (IMEI) number), trunk identifier, telephone calling card numbers, and time and duration of call. Telephony metadata does not include the substantive content of any communication, as defined by 18 U.S.C., section 2510(8), or the name, address, or financial information of a subscriber or customer.



Now, this comes on the heels of information about just how invasive this administration had gotten when they went after the records of the Associated Press, the phone information of many, many phone numbers, and some of them coming from right up here in the area where the reporters use. This is in the United States Capitol. Many times these phones up here are used by reporters to call Members of Congress, who have another constitutional privilege under the Constitution that provides privilege for the information that is provided for or to a Member of Congress. It's not unlimited. But that's on top of the freedom of the press that's also granted in the Second Amendment.

It is amazing when our Attorney General said, gee, in essence, this was like the most egregious or one of the most egregious national security leaks I had ever heard about. It was so serious, we had to go after this material, and then we find out there were only a handful of people in the entire administration who knew the information that got leaked. And instead of just going without a warrant—they don't need a warrant to get their own administration phone call data. They didn't even need a court for that. It's their data. They could have gone to the handful of individuals that knew the information that got leaked and checked their phone logs to see who they called. But instead of doing that, they decide to go on a fishing expedition for all of this telephone information about the Associated Press.

□ 1400

They apparently wanted to know who the AP talks to, what they do, what they know, who they know. Let's get all of this information.

They didn't need that for their pursuit of the leaker. They didn't need it at all. They could have gone straight to their own sources and got what they needed from there; and then once they have a subject within the AP, if anyone, then they could go for that information.

And as a former judge, if somebody came and said we have found the source of the leak, here's one of the five-or-so people that knew the information, he called this reporter at this number, and so we have probable cause to believe that the leak was made to this reporter, and put other information in there that raises it to the level of probable cause to allow the judge to let them take a look at that one reporter's single phone logs.

But, no, they didn't do that. They went on an incredibly vast and very chilling fishing expedition.

And then we have the Attorney General testify before our Judiciary Committee, and I know my friends mentioned this before I got up, my friends on the other side of the aisle. They

were talking about how he is such a great Attorney General, in essence, and certainly never perjured himself.

But I heard what he said. I've heard it replayed over and over; and when he says he wasn't aware of, he had not heard of, he never participated in—he didn't think it was a good idea was the basics of what he said—of ever prosecuting a reporter.

And then within a week or so we find out, actually, he approved of an affidavit that went before a judge with the request for a warrant from the court against James Rosen with Fox News.

Now, I've had people wake me up at all hours of the day and night. I've had people call when I was awakened at 2 or 3 in the morning and say, Judge, we need to come by your house. This is really serious. And they'd come by; and if they had enough data in their affidavits that established probable cause, then I would grant a limited warrant.

But there were times I would get upset with a law officer that bothered me with an affidavit and a request that clearly didn't have probable cause. We aren't going to grant that. If you're not sure if you have probable cause, talk to the DA's office, run it by them before you bring something in that clearly does not establish probable cause.

Fortunately, the law officers were so good that we normally dealt with that normally that was not a problem, but sometimes it was. And any responsible judge takes that very seriously.

And sometimes you would get a request for a warrant for information; and you go, okay, you've established probable cause in your affidavit, but your request is so global and broad, or so ambiguous, I can't sign the order you've prepared. Sometimes I would interlineate in the order and make it more specific. Sometimes they would know that I was going to be restrictive, and they would leave blanks for that.

But then to find out that the court granted this administration's demand, with an affidavit supporting it, under oath, that they needed all the records that Verizon had on phone calls inside the United States and to places outside the United States, and the judge just grants it.

And now, following on the heels of learning that the IRS targeted political enemies, political opponents, people in Tea Parties, people that were very pro-Israel, other groups, a group that was very pro-marriage between a man and a woman, like has been the tradition in this country for the entire history of the country, until now, when it's come into question, and some think that nature totally failed when it created, biologically, a mating between a man and a woman, that it screwed up, it should have been a man and a man.

Well, that's a difference of opinion. But under this administration, they felt like it was worth going after and

preventing a group like National Organization for Marriage from stepping up and standing on the traditional marriage and being able to deliver that message.

Now, it didn't prevent them from quickly granting legal status to groups that felt otherwise, or if somebody was related to somebody in the administration. We've seen those examples.

But, gee, they also knew within the IRS that if they granted or denied a request, well, a denial could be immediately appealed. And so in order to prevent justice from being done, prevent people from having the opportunity to politically express themselves as a group, they just sat on them, 1, 2, 3 years, to prevent them from being able to go public as a group.

I was shocked that a reporter asked the question, well, you groups, you were coming begging to the IRS. You're the ones that asked for legal status. And I'm sure this is a very fine reporter, but it just showed the ignorance—and there's nothing wrong. We're all ignorant of different areas—but showed the ignorance of where we have gotten to in this country where the Internal Revenue Code is so oppressive, if you, as an individual go out and say look, I don't have much money, I'm a working man, I'm just barely getting by. You're a working woman, you're just barely getting by, but if we pool our money, we might be able to express ourselves politically, maybe buy a commercial, or maybe send out flyers, or maybe buy a billboard, but something. If we pool together, maybe we can have an impact in politics on an issue like marriage.

And if you pool your money like that, and you don't have permission from the IRS, then they're going to come after you because you've got to have a legal status to do things like that now in America.

And it is further indication as to why this infernal Internal Revenue Code and the incredibly huge number of regulations that were never passed by any elected representative, they're just generated day after day after day by some bureaucrat somewhere, I used to say in a cubicle, but apparently we find out they've got some pretty luxurious offices and they spend millions on their conferences they go to.

Apparently they haven't spent enough on learning to line dance because I wasn't very impressed with their line dancing, but that's not part of their job, so maybe they need to get into a different area or a different profession.

But they have to obtain legal status if they're going to do anything politically, or the IRS can come after them for not doing so. So we have forced groups into getting government approval before they can ever express themselves politically. It's astounding.

And when you find out this administration has used so many aspects of its



power to chill or prevent political opposition to their positions, to their reelection, then it really gets scary when you find out they're just out there wanting everybody's information on everybody they called in the country and out of the country.

And we had some pretty significant debates in Judiciary under FISA and under the PATRIOT Act; and we were assured, no, the law makes very clear you can only get information from an American citizen if they're in a foreign country and the foreign law allows that and they call a known or suspected terrorist.

But under these laws, we can't just go get information about an American citizen's personal records. We can't do that without probable cause they've committed a crime.

□ 1410

But under these incredible powers of the PATRIOT Act and the ability to go to the FISA court, as they did here, and get a secret order, we were told and we debated and some felt like even if an American citizen is in a foreign country, we don't think you ought to be able to get that American citizen's phone data, even if you just pull it out of the air. We don't think you should be able to get that.

So there was debate about those things. Well, what if they're calling a known terrorist, and we've got American intelligence agencies gathering in a foreign country and we can get that without a warrant? It's out there floating around in the air. We can get that. And this was debated—Yeah, but they're an American citizen. You ought to leave them alone. And some of us felt if they're an American citizen in a foreign country and our intelligence agencies can get intelligence data without violating the foreign law, then you need to know as an American citizen when you go into a foreign country, you may have our own intelligence agencies getting information about your telephone calls as long as they're not violating the law of the country they're in. And that's the way I felt.

But we were always assured that unless there was probable cause to believe an American citizen was calling a known or suspected terrorist or a hostile foreign government, that kind of thing, then no, we don't go after American citizens' information. And especially not if there's a call from an American citizen to another American citizen. That's none of our business, unless there's probable cause to believe a crime is being committed. Then we find out they have actually found a judge that signed off on this thing, and they got all this information.

Now I know there's some—even Republicans—who would say, Gee, I don't care if the government has my phone number. They've gotten it so they can go after terrorists. Well, unless you're

a terrorist, the American government has no business monitoring what all you're doing and who you're calling, especially this administration, with all the abuses we've already seen. It's wrong. It should not be occurring. But they've done so.

There was a tweet today by Ace of Spades. The tweet was: We've all got an Obama phone now. Well, apparently we do. Because this administration is following every call being made by every phone in America—at least the ones on Verizon. So that leads you to believe they've probably gotten it from other information, too.

And I do appreciate my colleagues' on the other side concern that enough good things about ObamaCare are not coming out because some of us are concerned about the Attorney General's perjury. And I would submit, humbly, that a major reason not enough good things are coming out about ObamaCare is because there are not a bunch of good things coming out. People are losing their insurance. They're getting in trouble. And that is a big problem.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Texas has approximately 7 minutes remaining.

Mr. GOHMERT. Thank you.

This is the anniversary of D-Day. So many Americans died on the beaches at Normandy. So many free countries gave the last full measure of devotion there on those beaches. It wasn't Normandy but rather another beach where one of my constituents, who has since passed away, said that when they were landing at Anzio, they were doing it so early in the morning, there was no sunlight. But the Axis powers had such powerful lights that you could read a book in their landing craft. And they'd been taught that when the landing ramp went down when they got to shore, they were to all run out at the same time. And as they got closer, they heard the machine gun bullets going back and forth across the front of the ramp. He said, We were all so scared. We know when that ramp went down, we were all going to die.

And one of the guys—Paul Stanley recalled his name, I do not—but he exemplified the spirit of America. He finally looked around and said, Guys, we all know if we run out of this landing craft the way we've been trained, we're all dead. So here's what we're going to do. I'm going to go first. Everybody is going to put your weapon in your right hand and grab the belt of the man in front of you and we're going to run out single file. Some of us won't make it. But that way some of you have a chance.

Paul Stanley said he was third. The two in front of him were killed and everybody else made it. That's the spirit of America that landed on the beaches

of Normandy to take on the Axis powers who sought to take freedom from free people.

It was on this day in 1944 that Franklin Roosevelt said this prayer on national radio. Today, he would probably be excoriated because of some of the terminology.

He said:

My fellow Americans, last night, when I spoke with you about the fall of Rome, I knew at that moment that troops of the United States and our allies were crossing the Channel in another and greater operation. It has come to pass with success thus far. And so, in this poignant hour, I ask you to join with me in prayer.

Almighty God, our sons, pride of our Nation, this day have set upon a mighty endeavor, a struggle to preserve our Republic, our religion, and our civilization, and to set free a suffering humanity. Lead them straight and true; give strength to their arms, stoutness to their hearts, steadfastness in their faith.

They will need Thy blessings. Their road will be long and hard. For the enemy is strong. He may hurl back our forces. Success may not come with rushing speed, but we shall return again and again, and we know that by Thy grace, and by the righteousness of our cause, our sons will triumph. They will be sore tried, by night and day, without rest until the victory is won. The darkness will be rent by noise and flame. Men's souls will be shaken even with the violences of war.

For these men are lately drawn from the ways of peace. They fight not just for the lust of conquest. They fight to end conquest. They fight to liberate. They fight to let justice arise, and tolerance and good will among all Thy people. They yearn but for the end of battle, for their return to the haven of home. Some will never return. Embrace these, Father, and receive them, Thy heroic servants, into Thy kingdom.

And for us at home—fathers, mothers, children, wives, sisters, and brothers of brave men overseas—whose thoughts and prayers are ever with them, help us, almighty God, to rededicate ourselves in renewed faith in Thee in this great hour of great sacrifice.

Many people have urged that I call the Nation into a single day of special prayer. But because the road is long and the desire is great, I ask that our people devote themselves in a continuance of prayer. As we rise to each new day, and again when each day is spent, let words of prayer be on our lips, invoking Thy help in our efforts. Give us strength, too—strength in our daily tasks, to redouble the contributions we make in the physical and the material support of our Armed Forces. And let our hearts be stout, to wait out the long travail; to bear sorrows that may come, to impart our courage unto our sons wheresoever they may be.

And, O Lord, give us faith. Give us faith in Thee, faith in our sons, faith in each other, faith in our united crusade. Let not the keenness of our spirit ever be dulled. Let not the impacts of temporary events, of temporal matters of but fleeting moment, let not these deter us in our unconquerable purpose.

With Thy blessing, we shall prevail over the unholy forces of our enemy. Help us to conquer the apostles of greed and racial arrogances. Lead us to the saving of our country, and with our sister nations into a world unity that will spell a sure peace, a peace invulnerable to schemings of unworthy men.

And a peace that will let all men live in freedom, reaping the just rewards of their honest toil.

Thy will be done, Almighty God. Amen.

Franklin Roosevelt, on this day in 1944.

Mr. Speaker, I yield back the balance of my time.

□ 1420

#### FRAGER'S FIRE/APPROPRIATIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 30 minutes.

Ms. NORTON. Mr. Speaker, I'd like to speak a few minutes this afternoon on two subjects. The first involves both a wonderful evening for any Member of Congress and a tragedy in our Capitol Hill neighborhood nearby. The second involves the upcoming appropriations period.

Mr. Speaker, last night was a terrific evening if you happened to be there. Members of Congress—it looked like equal numbers of Democrats and Republicans; we are part of the so-called No Labels Caucus; these are Members of Congress who are trying to get beyond the needless polarization in this House—decided to go to the baseball game together, the Nationals Stadium, our new, terrific stadium here in the District of Columbia. It was a Nats-Mets game. I'm sorry to report the Nats lost badly. They also played the night before and won, if I may also report that.

I was coming back from this really wonderful bipartisan experience—we ate hot dogs together, we ate & drank together—me, wine, a lot of my colleagues beer—and we talked about anything but the House. We talked about what people have said Members need to do more. We talked about the game and what was happening in our lives.

I sat next to a Member I had never met before even though he's on the Transportation and Infrastructure Committee with me. His name is RODNEY DAVIS. It was so funny to hear him talk about how I didn't know him, he said he was the lowest man on the totem pole. He apparently was, at least in seniority on our committee the last member and I'm near the top in seniority. We laughed about that. He laughed about how narrow was his margin in getting to the House. I mean, all of this was fun. And, yes, the game—the game, of course, was the baseball game.

He told me about his 12-year-old twin boys. That was really so touching—how he missed a suspension vote because he was coaching the baseball team where his boys played. So that was the setting of the evening. You can't help but feel good when you come home from an evening like that.

Because I have for many years lived on Capitol Hill—I represent the Dis-

trict, I am a native Washingtonian and I now live on Capitol Hill—I didn't have to go far from Nationals Stadium to come home. But I returned to find a pungent smell in the air because the storied neighborhood hardware store, Frager's, was in the process of being burned to the ground. I could get only so far along Pennsylvania Avenue, then everyone had to take a detour. Even this morning, parts of Pennsylvania Avenue, Southeast were closed off because of, even then, hot spots from the fire. It was like losing a friend—a human friend, that is.

My first thought went to the employees; there are about 65 of them. I'm grateful to have learned that it appears no one was injured or hurt. This pungent odor—remember, this is a hardware store, so there's all kinds of things to go up in flames and all kinds of smells. And even though I'm a number of blocks—about six to ten blocks—I could smell the odor very deeply from the fire. In fact, the city announced that everyone should go in and turn on their air conditioning and not come out for a while.

The employees were still in the building—some of them—but got out of the way of the fire, and no one was injured or killed. I understand that there may have been a couple of firefighters who were injured. We certainly wish them the very best and thank them for fighting what was a horrendous, hot, and unusual fire in the middle of a wonderful residential neighborhood.

When a store that's been in the same location for 100 years goes up in flames, you begin to realize that it was more than a neighborhood hardware store, after all, and that after almost 100 years in the same location it had embedded itself into our Capitol Hill community as an institution all its own. It stirred in me something like the emotion that I felt when the Eastern Market—our historic, old market that was even older than Frager's—went up in flames a few years ago. Those are parts of your neighborhood we cannot imagine being without.

We have since rebuilt Eastern Market so that it looks very much like it always did—because it's a historic building and great pains were taken to see to it. Now, I'm not yet sure they will be able to do that at Frager's. After all, the Eastern Market is a publically owned market. That's not the case with this private business, which has thrived in our neighborhood through the era of mega-hardware stores. Frager's had survived when the era of the corner grocery and the corner store of every variety seem to have gone by the way.

It says everything about Frager's that it could survive in that kind of competition, where these multipurpose mega-hardware stores are accessible if you want to get in your car. I guess that may be the key to why the best of

these corner institutions have survived for so long.

Frager's was not a state-of-the-art building. That's part of the reason it could burn down. You go in and they have squeezed goods into Frager's that you will not find at our wonderful mega-hardware stores. There are things that may have gone out of style, but they're just what you need and they're just what goes best with your own home.

Capitol Hill is a historic district. I live in a historic house. You can't do anything to the outside of the house; you can change it on the inside. So you can imagine, we're always trying to match up the historic eccentricity of our homes with what's available in the stores. Well, Frager's is always there to help you. So the loss is, for us, monumental.

I think Frager's has survived all these years not only because it happens to often have what we can't find anywhere else, but particularly because of the service ethic that is a part of this neighborhood institution. You go to Frager's, they know you if you've been in there once before. They go out of their way to help you even as you try to find your way through the cramped aisles. They have the amenities you need. You may still go to the big megastore, but very often you'll try Frager's first—or have to go to Frager's when you didn't find it where you might have thought it should have been.

Above all, such stores in our neighborhoods are tailored to our needs. They've learned what people ask for, and they try to stock it when no one else would.

It made me recall Frager's 90th anniversary—about 3 years ago. I was so impressed that the neighborhood had a store that is where it was 90 years ago—and now we are at 93 or so—that could still celebrate that it's there and has been there all that time. So I came to the floor on that occasion and have since put those congratulatory remarks in the CONGRESSIONAL RECORD.

So I was really very much looking for another opportunity today to salute Frager's and to say to Frager's that yes, we know you are different from the Eastern Market. Yes, you have insurance, and you don't have taxpayer dollars to help you build. But I think you will find a very grateful neighborhood doing all it can to help Frager's survive, even as the Eastern Market historic market has survived, because there are certain institutions that are endemic to the neighborhood; and if they go, it simply will not be the same neighborhood.

□ 1430

The morning after you still couldn't get close to Frager's. I'm going to go by this evening and I'm going to try to find John Weintraub, who is the owner. This store is located at 11th and Pennsylvania Avenues, Southeast. The

cause of the fire is still not known, or at least was not as of this morning.

John Weintraub bought this store, bought Frager's, from the Frager family in 1975. So that tells you that a very good part of its existence one family owned Fragers. John Weintraub has moved it seamlessly from the original family to Mr. Weintraub. He's hoping that his insurance takes care not only of the building, but somehow helps him with the salaries of his 65 employees. I'm very pleased that by the time I awakened this morning, the Matchbox, another store in our neighborhood, had announced that it would offer temporary work to Frager's employees until they are able to find employment.

I was also very pleased to read that the nursery, which was my favorite spot at Frager's, was somehow intact. Beside the hardware store, which is a remnant of its former self now, was a large nursery, an outdoor nursery, with just the kind of flowers you need to start up your window box in the spring with all the plants. You could go and shop for all plants in the outdoors section of Frager's there. Somehow, that section had survived most of the fire. And I hope that we're going to be able to go very soon, notwithstanding the destruction of the building, to the nursery, to remind everybody that Frager's is alive, well, and thriving despite the fire.

I want also to salute those who stood with Mayor Vincent Gray and me just about 10 days ago to announce that as the District of Columbia appropriation comes to the floor, we will be looking at the appropriators to make sure that they respect the District of Columbia's 600,000-plus American citizens and the District of Columbia as the independent jurisdiction it is and will refrain from directing our city on how to spend our own local funds.

Standing with us at a press conference were representatives from a number of organizations: DC Vote, the extraordinary organization that leads the fight for district voting rights for our ability to spend our own money, and for our right to be treated as other Americans are treated. Also there were the groups who are targeted the way that we have been targeted. There were the gun safety groups. There were the pro-choice groups. There were the health groups.

The groups include Planned Parenthood Federation of America, Coalition to Stop Gun Violence, AIDS United, DC Vote, Brady Campaign to Prevent Gun Violence, NARAL Pro-Choice America, the Center for Reproductive Rights, the National Abortion Federation, the Reproductive Health Technologies Project, the Black Women's Health Imperative, the Religious Coalition for Reproductive Choice, and the Center for American Progress.

They said they would alert their members should the District's appropriation be targeted for what we call riders, which are undemocratic attach-

ments to the D.C. appropriation to keep it from spending its own local funds in a democratic manner, as directed by its citizens. This, of course, would never be the case for any other jurisdiction. But because the Congress has retained some jurisdiction over the District, there are Members of this body who would take advantage of its jurisdiction to intrude into the local affairs of a local jurisdiction.

Yet, in 1972, the Congress itself recognized that this was wrong. On the heels of the civil rights movement, interestingly, it delegated the authority for governance to the District of Columbia itself. It was about time. It had been done so once before in the 19th century when the Republicans, after the Civil War, allowed the District to have representation in Congress and a home rule government.

However, the Democrats came back to power and abolished local government and the right to be represented in the Congress. We still do not have the vote on the House floor; although we pay taxes at very high rates like every other Member's constituents. But at least there was some representation.

Finally, in the mid '70s, the Congress saw how wrong it was to claim itself to be the leader of freedom around the world and yet have its own capital city with no local governance and no representation in the Congress of the United States. However, when it delegated its authority to the District for local governance, it did leave four or five exceptions.

The exceptions were, for example, that the Districts can't tax the Federal property located in the District of Columbia. And the other exceptions were of that kind. Congress didn't add; and Members may at any time they have a preference keep the District from spending its own local funds the way their own constituents can spend their own local funds.

We will never give up our full rights as American citizens to spend our own funds. We raise \$6 billion more than some States every year. When our folks tell us how to spend that money, we're going to always fight to spend it, just as every Member would fight to spend it as democratically directed by constituents.

We had thought when the Republicans—particularly the Tea Party Republicans as they call themselves—came they would be the first to side with us on this matter because they are supposed to, according to their recited principles, resent the intrusion of Federal power, sometimes even where Federal power always has been. So we thought they would be the first to understand that you don't use the big foot of the Federal Government against any local jurisdiction and then somehow claim the Constitution because the District does not have statehood yet. Not a matter of principle.

I appreciate how the appropriators have handled our appropriation for the last several years. When the Democrats were in charge of this body, we were able to get all of the riders off of our appropriation, and only one has come back, an abortion rider, and we intend to get that one off again. But the others have not come back. And I want to express my appreciation to this House for at least keeping those attachments off.

One of them was an attachment that cost lives and has left us with people who are ill. That attachment kept us from spending our own local money on needle exchange programs, which are widely used around the world and throughout the United States. States can't spend Federal funds for needle exchange programs, but they can spend local funds. Every large city; and many counties spend their own local funds this way because it is one of the few proven ways to keep HIV/AIDS from spreading.

The District was kept from spending its own local funds on needle exchange programs for 10 years. The result was that the District had the highest AIDS rate in the United States for that reason. Right down the road, Baltimore, a much poorer city than the District of Columbia—and the District of Columbia is not a poor city. It is a city of—yes, it is a modicum of poor people, but it is a very prosperous city.

□ 1440

Down the road in Baltimore, you have had for years a better AIDS rate than you have had in the District of Columbia because nobody could keep Baltimore from using needle exchange programs. These are programs that, for example, when an addict is on the street, allow the one city to wean him from addiction or at least keep him from passing a dirty needle on that will spread the virus, but it is often to wean him from drugs because he expects and wants the clean needles to come every day. It is a highly effective way. Whatever it is, we have the right to save the lives of our own people the way we define if that way is legal and constitutional.

You can imagine the anguish we felt when we could not even save the lives of our own people. To its credit and the credit of this House, that rider has not come back on our appropriation. I had a meeting with Chairman ANDER CRENSHAW just yesterday. I don't have any idea what will happen, but he seems a fair and open man. I was pleased also to bring the Mayor to have a meeting with him so that he could meet the chief executive of the city. There also are other riders that were on the appropriation that are not now on it.

We've learned to take the offensive, though, because we are left here by ourselves—a delegation of one—so it's real easy to gang up on us because I'm

all the District has. It has no Senators, and therefore we try to stop such intrusions before they occur. Yes, partly, perhaps, because of that—because of the action of our allies in writing the appropriators, having their constituents contact appropriators—this may have had an effect; but I think what has also had an effect is there are Members who, I think, listened to the effect of these riders, and who have seen them as inconsistent with the principle of local control and have acted accordingly.

So I say to those Members: you have our thanks and our appreciation.

I say to my own Capitol Hill neighborhood as I close: that we have lived through the tragedy of the loss of a major public institution, the Eastern Market. We saw it come back. As Capitol Hill residents, it seems to me all of us have an obligation to help Frager's come back, too. Frager's has been there when we needed Frager's. Frager's cannot depend upon public money. Frager's needs support—and we'll have to learn what kind of support it is—from all of us if we value such unique neighborhood institutions.

At a time when our country is growing larger, when it is becoming so easy to become anonymous—when the personal and the ability to touch and feel that you are heard often seem so distant, when even those of us who Tweet and Facebook recognize that, at the same time, we are keeping our distance—at a time like this when Frager's brought us close, when Frager's made us walk to the store instead of getting into our cars, and when we found there, what we could not find elsewhere, let us celebrate this institution, with which, I think, every Member of the House from whatever community, large or small, could identify.

I celebrate Frager's. I look forward to its return in a fashion that will remind us of a near century's service to those who have lived in the Capitol Hill community, one of the oldest communities in the Nation's Capital.

I yield back the balance of my time.

#### RUMPELSTILTSKIN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Thank you, Mr. Speaker.

Again, I appreciate the privilege to address you here on the floor of the United States House of Representatives. I come to this floor to voice my concerns about the direction some in the executive and legislative bodies seem to be going.

I will start it out this way, Mr. Speaker, in that, yesterday, it finally occurred to me how to describe the po-

litical whiplash that has taken place that goes against the logic and history and experience of myself and, I think, of a majority of the American people. I said to them yesterday in an immigration meeting inside the Republican Study Committee, which had a panel there of House and Senate to talk about immigration—some of them experts—that I feel like Rumpelstiltskin.

The story of "Rumpelstiltskin" is that he went to sleep under a tree, and he was clean shaven, and when he woke up, he had this long, long beard that had apparently grown over a century or so. The culture shock that he got after having taken a little nap was what the narrative of the story of "Rumpelstiltskin" was about.

I went to bed the night of November 6 in having finished the election celebration, in having succeeded in another election, but I watched as Mitt Romney had to concede that he had not won the Presidency from Barack Obama. I understood what that election was about as much as most anybody in this country.

It starts in Iowa. We spent nearly 4 years sorting out and helping to contribute to the knowledge base of the American people as to what the planks in the platform would be, what the platform would look like, how we would select a nominee for the President of the United States. It starts in Iowa with the first-in-the-Nation's caucuses, and of the candidates who come there, many of them will go to all 99 counties. Rick Santorum, for example, had over 380 meetings in Iowa, and he went to all 99 counties. MICHELE BACHMANN went to all 99 counties.

That's an endorsement from the Iowa caucuses that can be earned. You don't have to have millions of dollars to shape a media image and buy a nomination, but it is important to be there and talk. So we do this. We're all politics all the time. I'm engaged in the Republican Presidential nominating process from early on, so I watch this and I contribute to it. I weigh in on the things that I believe in, and I've listened as every Presidential candidate has endorsed—let me just say this—my immigration ideas.

Yet, as I listened to the debate and as Mitt Romney won the nomination and as he and Barack Obama had their multiple debates—three debates, if I remember, and there was much debate that went on throughout the media—I don't think anyone went to the polls on November 6 thinking this election is about immigration. I went to bed the night of November 6 in having realized that Barack Obama would be President for another 4 years. It was a disappointment to me and a crushing disappointment to many of us who had so many big plans on what we were going to do to put this Nation back on the right track with a new Republican majority anticipated in the United States

Senate and a President Mitt Romney. It didn't work out that way, but I never believed on that night that the election was decided on immigration, Mr. Speaker. It was not. The debate was almost exclusively about jobs and the economy, jobs and the economy, jobs and the economy. It was drilled so relentlessly and so often that it put the American people to sleep. I said before the election multiple times that this needs to be more than a race about jobs and the economy. Nevertheless, that seemed to be what the polsters on the Republican side were advising Mitt Romney that needed to be continually coming out.

So the American people went to the polls doing what they do: they make decisions based upon what they hear people talking about. You can track polling, and I have looked at it for years. The polling that is going to have the highest priority of the people's concerns is going to be the one the people are talking about, the one the media is talking about. National conversations are many times driven through the media. These conversations of a Presidential election were about jobs and the economy.

I went to bed disappointed that night on November 6, perhaps even crushed, at the loss of opportunity that this Nation would have. I woke up the next morning—not with a beard that was 100 years long, but just a normal one from a night's sleep—not thinking that there was anything except jobs and the economy and the promise of the President to expand the dependency class and telling people, You're going to have less personal responsibility under Barack Obama, and you'll have more risk under Mitt Romney.

□ 1450

That was part of the argument: jobs in the economy, grow the dependency class. That was the argument.

But when I woke up on the morning of November 7, I began to see some of these things come through the news, this analysis that Mitt Romney would be President-elect on November 7 if he just hadn't said "self-deport," or Mitt Romney would be President-elect on November 7 if he hadn't lost such a large percentage of the Hispanic vote. Then the numbers began to trickle in a little bit, and you get those numbers that show—and I don't dispute them—that Mitt Romney got about 27 percent of the Hispanic vote and Barack Obama got about 71 percent of the Hispanic vote.

So the people who had promised that Mitt Romney was going to win the Presidency, including pundits who hung in until the polls were closed until the last minute, still insisting that there were precincts coming in in Ohio that were going to turn the election needed a scapegoat. They needed a scapegoat to blame the election loss on

because they had predicted that victory and contributed to the engineering of the campaign and had pushed the jobs and the economy argument to the detriment of some of the other topics that would have been useful to get a better turnout among conservatives.

So in looking for a scapegoat, they began to say on November 7, Mitt Romney would be President if he hadn't said these two words: self-deport. He would be President if he had a larger percentage of the Hispanic vote. He lost too much of it. This is the mantra that we saw that came out of George W. Bush's campaign when he began to advocate for comprehensive immigration reform.

I remember a document that was produced by the Republican National Committee chairman. It was referred to as an autopsy or postmortem report. It said again that Mitt Romney would be President if he had gotten a larger percentage of the Hispanic vote and that George W. Bush got 44 percent of the Hispanic vote in 2004.

That number has floated out there since the day after that election in 2004; but it's not true, Mr. Speaker. George W. Bush never got 44 percent of the Hispanic vote. That number is someplace between 38 percent and 40 percent. It was a stronger percentage than Mitt Romney got, but Mitt Romney was competitive with JOHN MCCAIN's vote on the Hispanic side, and it was clear that JOHN MCCAIN has been an open-borders Senator all of his life. The only time he ever really was for border security and border control was when he had to save himself from a primary, and that's when he said build the "blank" fence.

So what we have here is an irrational conclusion drawn on the morning of November 7 of last year that turns out to be a handy little scapegoat, excuse, change the subject matter for people who made predictions that didn't match what the professional opinion was. Another thing that takes place is if you repeat something often enough in the news media, you can convince people that that is the topic, that was the subject.

So I will just tell you in this conference, people are now starting to understand the election wasn't about immigration, and there is no mandate for Barack Obama to sign an amnesty bill. There is a strong desire on the part of people that are for open borders to pass one. I understand why Democrats are for open borders and amnesty. They're the political beneficiaries of open borders and amnesty.

Republicans are paying the price for this wedge that's being driven between the Republican Party, Mr. Speaker. And in political tactics, as well as warfare and military tactics, if you can split the line of your enemy, your opposition, your competition, if you can divide them, especially if you can pit

them against each other, you have a much greater chance of success.

This is a classical example of Republicans accepting an argument and, in fact, creating the argument, some of them joining with Democrats who gleefully drive the wedge in between the Republican Party to separate the rule of law, border security, pillar of American exceptionalism, constitutional conservative Republicans away from the establishment wing of the party that sees this world a little bit different.

Conventional wisdom here is Romney would be President if Republicans had done a better job reaching out to the Hispanic community. I'm saying, Mr. Speaker, that's not true. There's no data that supports that theory. Even still, they insist on adhering to this. And when I ask them what is in this Gang of Eight's bill in the United States Senate that has passed out of committee now to be considered on the floor of the United States Senate, what's in that bill for Americans, the answer is: nothing. There is nothing in that bill for Americans.

What's in that bill, then, for, let's say, Republicans? Well, political disaster is in it. There's nothing on the upside of it for Republicans.

What's in it for Democrats? Millions of new voters, more political power, a continued expanding of the dependency class, an erosion of the individual responsibility and the God-given liberty and freedom that this country has; and that's the benefit to the Democratic side of this thing, Mr. Speaker.

Then what is the effect? The effect is pretty clear. You have a study done by the stellar Robert Rector of The Heritage Foundation who does multiple studies. He is the most accomplished analyst that I know on this Hill, and his work has been subject to public scrutiny for more than two decades and his work has been unassailable.

When it was announced that he was doing an analysis of the economic impact of a Senate version of the bill, the amnesty bill, immediately his political opposition began to attack him personally and to attack a study they had never read. I know they never read it, Mr. Speaker, because it wasn't out and it wasn't released. And I got a verbal preview of that when Robert Rector came to speak before the Conservative Opportunity Society, which I've chaired for some years. And I knew they hadn't read the report because it wasn't released. I would get access to one of the first copies.

I have read every page of the Rector report. I believe it's 102 pages. There's a 5-page executive summary. This report boils down this, Mr. Speaker: if you pass the Senate Gang of Eight's comprehensive immigration reform/amnesty act, the net cost of the people who would be legalized in America, even if you use the 11.3 million, which

I think is a very low estimate, the net cost to the taxpayer when you calculate the drawdown from the welfare systems and the health care and the education and the infrastructure—he's got it all broken down in detail—the net cost—and then you subtract from that the net tax contributions made by this group of people, you end up with a \$6.3 trillion price tag to the Senate's amnesty bill.

And still, Republican members of the Gangs of Eight, House and Senate, posture themselves as conservatives. They posture themselves as conservatives, and they advocate for a \$6.3 trillion net cost, and their best argument against the Rector report is that it's not dynamically scored.

I heard that yesterday from the gentleman from Idaho: the Rector report is not dynamically scored. If you dynamically score it, then presumably you could get around to a purist libertarian view that anytime—and that's this: anytime anybody does an hour's worth of work and contributes a dollar to the gross domestic product, they contribute to the economy. That's their theory. That's a very narrow view of what goes on in any country.

If you're going to call it economic growth because the GDP goes up by a dollar, but it costs you \$2 or \$3 on the other end out of tax recipients to fund the stimulation to get that extra dollar, that's not economic growth. But they argue that it is. If you dynamically score the Rector report, it gets more costly, not less costly. The number of \$6.3 trillion in cost goes up, not down.

I would suggest that these people who are attacking Robert Rector or the Heritage Foundation or the people that are making allegations that the Rector report is not dynamically scored go in there and dynamically score the Rector report then. Tell me, what is your number? It's not good enough just to criticize somebody else's data without actually addressing the data. What's your number, Gang of Eight? How much do you think the Gang of Eight bills are going to cost the taxpayers for the people who would be legalized instantly? How much?

Then they say, I want more legal immigration, more legal immigration. You could ask them, How many are coming in here legally now? Most of them who make such a statement would be stumped, Mr. Speaker. They don't know.

If you don't know how many people are coming in here legally, say, over the last decade, how can you assert whether there should be more or less? And if they do know the number, then I would say to them: you think there should be more legal immigration? How many is enough? How many is too many? There are two more stumping questions I've just asked.

□ 1500

They don't know how many is enough. They don't know how many is too many. They're making a political calculation, not a policy analysis. It's not good enough to change the destiny of the United States of America simply by wetting your finger and putting it into the air, or checking your political barometer and making a decision whether it's a plus or a minus for you politically. Can you get reelected if you're for amnesty or not? That's some of the questioning that's going on around this body. I suggest we have a higher charge and a higher challenge and a bigger responsibility.

This is a constitutional Republic, and one of the essential pillars of American exceptionalism is the rule of law. This shining city on the hill sits on these pillars of American exceptionalism. And among them, many of them are in the Bill of Rights—freedom of speech, religion, the press, peaceably assemble, and petition the government for redress of grievance. Second Amendment rights—the right to be secure in our persons, the property rights that used to exist before the *Kelo* decision. That is a little editorial, Mr. Speaker. I'll take that up in another Special Order sometime—the rights that devolve to the States or the people respectively under the 9th and 10th Amendments; no double jeopardy. All of those things.

If you take any piece that I've mentioned out of the history of this country, you don't get the United States of America. You can't be the United States of America without the law, without the rule of law.

Millions of people come to this country to escape lawlessness, and we owe it to them as well as the heritage of all Americans to ensure that we do not have lawlessness institutionalized in this country.

Amnesty is. To grant amnesty is to pardon immigration law breakers and reward them with the objective of their crime. That's what's advocated by the Gangs of Eight, no matter how they want to spin it. If they do that, they will have provided an amnesty plan that can never be reversed, and they will have destroyed the rule of law at least with regard to immigration so that it can never be restored, destroyed so it could never be restored. There is no going back to this, going back to what was if this legislation passes.

And, I'll take us back to 1986. Ronald Reagan signed—he was honest with us, he signed the Amnesty Act, Mr. Speaker. He was pressured, no doubt. I'll just say I know that. He was pressured by a lot of people who have good judgment almost all of the time, good advisers, but the pressure that came was this: there are a million people in America. It started out at about 750,000; but by the time the decision was made by Ronald Reagan, they said there are a million people in America who are here

illegally, and we can't deal with all of them so we want to get a fresh start. We can make this deal with the Democrats in Congress that if you just sign, Mr. President Reagan, the Amnesty Act, we will ensure also in that bill that there will be border security. Shut off the bleeding at the border, and the trade-off will be that we'll give amnesty to a million people.

And Ronald Reagan, with his compassionate heart and his good principles and good judgment, didn't see what was coming. What was coming was the intentional undermining of the enforcement. Democrats never intended to enforce immigration law in 1986. Ronald Reagan accepted their word. His word was good. He didn't have a reason to believe theirs was not. It was not. It was intentionally not good. But President Reagan signed the Amnesty Act for the purposes of the one sole and only Amnesty Act that was ever going to take place in the history of the United States. That was the promise.

And in exchange, we all had to fill out the I-9 forms with precision and fear that the Federal Government would come in and catch us in a technicality and lock us up in jail or fine us a great deal. I still have I-9 forms that are in the dusty files from back then. I was sure the INS was going to show up and take enforcement against me. It didn't happen in my company, or in thousands of companies across the country. They didn't enforce it the way it was promised to be enforced. We got the amnesty all right, but we didn't get the border security.

Now we have people that seem to have the wisdom as if they have been born since then and denied access to the history books, and they seem to think that they can write laws that are immigration laws today that will put this thing away and finish adapting to immigration law for all time. They're saying, just listen to us, pass our Gang of Eight amnesty bill, and we will fix the immigration problem for all time.

It's clear to me that the lesson from 1986 didn't soak into them. They don't have a lot of gray hair. You don't have to pull out a history book and read it. In fact, just down the street just about any respectful Member of Congress could, I believe, get a meeting with Attorney General Ed Meese, who was Ronald Reagan's Attorney General in 1986, whom I believe advised Ronald Reagan to sign the Amnesty Act. But Attorney General Meese, whom I greatly respect for his intellect, for his character, for his judgment, for his work ethic, he's still in the game, wrote an op-ed in 2006 to deal with George W. Bush's amnesty proposal, and that op-ed says Reagan would not make this mistake again. And then now some 2 weeks ago or so, he released another statement that mirrors the 2006 statement.

So they could have the benefit of Attorney General Ed Meese and listen to what happened in 1986, if these Members were sincere about making an objective decision. They are not. They are salivating over putting their imprimatur on history and changing the character and the culture and the direction of the civilization of America.

Now, America has always been about assimilation. And we are, yes, a Nation of immigrants. So is every other nation on the planet, by the way, so we should not overemphasize that. We're a Nation of people that come together, that have assimilated different cultures and civilizations, and we have something I call American vigor.

American vigor comes from, these pillars of American exceptionalism that I listed, most of them in the Bill of Rights. You add to that free enterprise capitalism, you add to that the faith of Judeo-Christianity and Western Civilization all wrapped up together on this continent with essentially unlimited natural resources, the rule of law, manifest destiny. All of that was a magnet that attracted the vigor of every civilization here.

We didn't just get a cross-section of people that came from Asia or Europe or South America that came to America. We got the dreamers, the doers, the vigorous people from every donor civilization on the planet. The people that came to work and contributed that had ideas. They wanted to be unfettered by the ropes and chains and the restraints that their own home country had and came to America to embrace the American Dream. That's why we are America. That's why we have a can-do spirit. We got the best of the spirits of every single country on the planet. We must preserve these pillars of American exceptionalism, including the rule of law, or this Nation will never reach its God-given and intended destiny.

That's why I stand so strongly on preserving respect and adherence to the rule of law. That's why I reject the President's lawless activities to suspend immigration law that he doesn't like and advance his political foundation in doing so.

The President has suspended immigration law by executive amnesty, is what he has done. That's what the debate was about last night with the King amendment. That's what the vote was about this morning with the King amendment that passed with strong support in a bipartisan way. Some people I think took a walk. But in any case, my amendment said they'll not use any of the funds appropriated in the bill to enforce the Morton memos, which are the memos commonly referred to that come from the President's wish to grant amnesty by executive edict.

And in one of those memos, the most famous of which, which established



Dream Act Light, the President of the United States went out and did a press conference within 2 hours of the issuing of the memo that came from Janet Napolitano's office. And it says in that memo seven different times that we'll apply this on an individual basis only, on an individual basis only. I can repeat that five more times. That gives you a sense of what they put in the memo.

They know that when you litigate something like this, the individual basis only is the reference to prosecutorial discretion. The executive branch has the prosecutorial discretion. It's well established. I agree with it. They can't enforce every single law, but the law also requires that when ICE encounters an individual that they believe to be unlawfully in the United States, they are obligated to place them into deportation proceedings. That's the law.

The President suspended this specific law. He created four classes of people under the Morton memos and then has suspended the law as being applied against these four classes of people.

□ 1510

He's not doing it on an individual basis, only it's lip service on an individual basis only.

And of 450,000 people that had already been adjudicated for deportation, they have now waived that on 300,000 and they're grinding through the rest. It looks like they're on their way to nearly half a million people that get administrative amnesty, and this is before the "Dream Act Lite" memo came out. That's another chunk of this.

So the President has, time after time, through the actions of his executives, defied his oath of office, which is to take care that the laws be faithfully executed. That's the President's obligation. It's his oath to the Constitution. He had his hand on the Bible when he gave that oath. And he gave an oath to our Constitution.

He gave a lecture to some students out here at a high school on March 28, year before last I believe it was. And they asked him, why don't you just pass an executive order, sign an executive order to grant lawful status to the Dream Act kids?

And the President said, as a former adjunct constitutional law professor at the University of Chicago, accurately, he said, I don't have the authority to do that. The legislature passes the laws. My job is to carry them out. And the judicial branch is to pass judgment on the meaning of the technicality of the law. Pretty good response for a constitutional law adjunct professor.

And about a year later, the President decided he wasn't bound by his oath of the Constitution. Neither was he bound by the analysis or the opinion that he gave the high school kids; defied his oath, and he defied his own judgment,

publicly stated, and granted administrative amnesty through a whole series of six different memos known as the Morton memos.

We cannot be a civilized country if we're going to have a President who legislates by executive edict, or by press conference, by the way.

Mr. Speaker, you'll remember that ObamaCare was not supposed to fund abortion, nor was it supposed to fund contraceptives or sterilizations. There was an accommodation that was made in an amendment here and some negotiations with the President.

But they do it anyway. They impose this on our faith communities as well. And our churches filed multiple lawsuits, more than I can actually quote into this RECORD today, to object on the grounds of religious liberty.

This country shall not impose a violation of religious liberty on our faith people, and it shall not draw a distinction between an individual's faith, a private sector business' faith, or a church itself. It's all the same. No one is exempt from the protection of our First Amendment rights.

Yet, this administration goes after them. And when he heard the heat that came back from the churches and, particularly, the Roman Catholic Church, the President did a press conference at noon on a Friday, and he said, I'm going to make an accommodation to the religious institution, an accommodation. Now I'm going to require the insurance companies to provide these things for free, abortifacients, contraceptives, sterilizations, and he repeated himself, "for free."

The President can't do that. Even if the rule further defines the ObamaCare law that passed, that rule's got to be published. It's got to go through the administrative procedures course of action.

The President cannot just simply, with impunity and utter arrogance, step up to a podium with the Great Seal of the President of the United States on it and say, now I'm changing things. Hugo Chavez does that. Barack Obama did that. He legislated by press conference.

And now we have more lawlessness coming to undermine the rule of law: grant an amnesty to 11 million people that, if history shows us right, will be 33 million people. If you score that dynamically, you take \$6.3 trillion times 3 and you get better into the zone on what this could cost.

This House is going to stand and oppose amnesty. It's going to defend the rule of law. It's going to protect the dignity of every human person, God's gift to this planet. But this country is also God's gift to this planet.

And I urge, Mr. Speaker, all of those that are listening to this discussion that we're having, and my colleagues on both sides of the aisle, let's stick with our oath of office. Let's stick with

our oath to uphold the Constitution. Let's defend the rule of law.

Let's have a smart, legal immigration policy that rewards people that follow the law and can come here and contribute to this country. We cannot be the lifeboat for all of the poverty in the world. But we can be the inspiration for all of God's creatures on this planet.

I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. THOMPSON of California (at the request of Ms. PELOSI) for today.

#### ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 15 minutes p.m.), under its previous order, the House adjourned until Monday, June 10, 2013, at 3 p.m.

#### OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Robert B. Aderholt, Rodney Alexander, Justin Amash, Mark E. Amodei, Robert E. Andrews, Michele Bachmann, Spencer Bachus, Ron Barber, Lou Barletta, Garland "Andy" Barr, John Barrow, Joe Barton, Karen Bass, Joyce Beatty, Xavier Becerra, Dan Benishek, Kerry L. Bentivolio, Ami Bera, Gus M. Bilirakis, Rob Bishop, Sanford D. Bishop, Jr., Timothy H. Bishop, Diane Black, Marsha Blackburn, Earl Blumenauer, John A. Boehner, Suzanne Bonamici, Jo Bonner, Madeleine Z. Bordallo, Charles W. Boustany, Jr., Kevin Brady, Robert A. Brady, Bruce L. Braley, Jim Bridenstine, Mo Brooks, Susan W. Brooks, Paul C. Broun, Corrine Brown, Julia Brownley, Vern Buchanan, Larry Bucshon, Michael C. Burgess, Cheri Bustos, G. K. Butterfield, Ken Calvert, Dave Camp, John Campbell, Eric Cantor, Shelley Moore Capito, Lois Capps, Michael E. Capuano, Tony Cardenas, John C. Carney, Jr., André Carson, John R. Carter, Matt Cartwright, Bill Cassidy, Kathy Castor, Joaquin Castro, Steve Chabot, Jason Chaffetz, Donna M. Christensen, Judy Chu, David N. Cicilline, Yvette D. Clarke, Wm. Lacy Clay, Emanuel Cleaver, James E. Clyburn, Howard Coble, Mike Coffman, Steve Cohen, Tom Cole, Chris Collins, Doug Collins, K. Michael Conaway, Gerald E. Conolly, John Conyers, Jr., Paul Cook, Jim Cooper, Jim Costa, Tom Cotton, Joe Courtney, Kevin Cramer, Eric A. "Rick" Crawford, Ander Crenshaw, Joseph Crowley, Henry Cuellar, John Abney Culberson, Elijah E. Cummings, Steve Daines, Danny K. Davis, Rodney Davis, Susan A. Davis, Peter A. DeFazio, Diana DeGette, John K. Delaney, Rosa L. DeLauro, Suzan K. DelBene, Jeff Denham, Charles W. Dent, Ron DeSantis, Scott DesJarlais, Theodore E. Deutch, Mario Diaz-Balart, John D. Dingell, Lloyd Doggett, Michael F. Doyle, Tammy Duckworth, Sean P. Duffy, Jeff Duncan, John J. Duncan, Jr.,



Donna F. Edwards, Keith Ellison, Renee L. Ellmers, Jo Ann Emerson\*, Elliot L. Engel, William L. Enyart, Anna G. Eshoo, Elizabeth H. Esty, Eni F. H. Faleomavaega, Blake Farenthold, Sam Farr, Chaka Fattah, Stephen Lee Fincher, Michael G. Fitzpatrick, Charles J. "Chuck" Fleischmann, John Fleming, Bill Flores, J. Randy Forbes, Jeff Fortenberry, Bill Foster, Virginia Foxx, Lois Frankel, Trent Franks, Rodney P. Frelinghuysen, Marcia L. Fudge, Tulsi Gabbard, Pete P. Gallego, John Garamendi, Joe Garcia, Cory Gardner, Scott Garrett, Jim Gerlach, Bob Gibbs, Christopher P. Gibson, Phil Gingrey, Louie Gohmert, Bob Goodlatte, Paul A. Gosar, Trey Gowdy, Kay Granger, Sam Graves, Tom Graves, Alan Grayson, Al Green, Gene Green, Tim Griffin, H. Morgan Griffith, Raúl M. Grijalva, Michael G. Grimm, Brett Guthrie, Luis V. Gutierrez, Janice Hahn, Ralph M. Hall, Colleen W. Hanabusa, Richard L. Hanna, Gregg Harper, Andy Harris, Vicky Hartzler, Alcee L. Hastings, Doc Hastings, Denny Heck, Joseph J. Heck, Jeb Hensarling, Jaime Herrera Beutler, Brian Higgins, James A. Himes, Rubén Hinojosa, George Holding, Rush Holt, Michael M. Honda, Steven A. Horsford, Steny H. Hoyer, Richard Hudson, Tim Huelskamp, Jared Huffman, Bill Huizenga, Randy Hultgren, Duncan Hunter, Robert Hurt, Steve Israel, Darrell E. Issa, Sheila Jackson Lee, Hakeem S. Jeffries, Lynn Jenkins, Bill Johnson, Eddie Bernice Johnson, Henry C. "Hank" Johnson, Jr., Sam Johnson, Walter B. Jones, Jim Jordan, David P. Joyce, Marcy Kaptur, William R. Keating, Mike Kelly, Robin L. Kelly, Joseph P. Kennedy III, Daniel T. Kildee, Derek Kilmer, Ron Kind, Peter T. King, Steve King, Jack Kingston, Adam Kinzinger, Ann Kirkpatrick, John Kline, Ann M. Kuster, Raúl R. Labrador, Doug LaMalfa, Doug Lamborn, Leonard Lance, James R. Langevin, James Lankford, Rick Larsen, John B. Larson, Tom Latham, Robert E. Latta, Barbara Lee, Sander M. Levin, John Lewis, Daniel Lipinski, Frank A. LoBiondo, David Loebsack, Zoe Lofgren, Billy Long, Alan S. Lowenthal, Nita M. Lowey, Frank D. Lucas, Blaine Luetkemeyer, Ben Ray Lujan, Michelle Lujan Grisham, Cynthia M. Lummis, Stephen F. Lynch, Daniel B. Maffei, Carolyn B. Maloney, Sean Patrick Maloney, Kenny Marchant, Tom Marino, Edward J. Markey, Thomas Massie, Jim Matheson, Doris O. Matsui, Carolyn McCarthy, Kevin McCarthy, Michael T. McCaul, Tom McClintock, Betty McCollum, James P. McGovern, Patrick T. McHenry, Mike McIntyre, Howard P. "Buck" McKeon, David B. McKinley, Cathy McMorris Rodgers, Jerry McNerney, Mark Meadows, Patrick Meehan, Gregory W. Meeks, Grace Meng, Luke Messer, John L. Mica, Michael H. Michaud, Candice S. Miller, Gary G. Miller, George Miller, Jeff Miller, Gwen Moore, James P. Moran, Markwayne Mullin, Mick Mulvaney, Patrick Murphy, Tim Murphy, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, Gloria Negrete McLeod, Randy Neugebauer, Kristi L. Noem, Richard M. Nolan, Eleanor Holmes Norton, Richard B. Nugent, Devin Nunes, Alan Nunnelee, Pete Olson, Beto O'Rourke, William L. Owens, Steven M. Palazzo, Frank Pallone, Jr., Bill Pascrell, Jr., Ed Pastor, Erik Paulsen, Donald M. Payne, Jr., Stevan Pearce, Nancy Pelosi, Ed Perlmutter, Scott Perry, Gary C. Peters, Scott H. Peters, Collin C. Peterson, Thomas E. Petri, Pedro R. Pierluisi, Chellie Pingree, Robert Pittenger, Joseph R. Pitts, Mark Pocan, Ted Poe, Jared Polis, Mike Pompeo, Bill Posey, David E. Price, Tom Price, Mike Quigley, Trey Radel,

Nick J. Rahall II, Charles B. Rangel, Tom Reed, David G. Reichert, James B. Renacci, Reid J. Ribble, Tom Rice, Cedric L. Richmond, E. Scott Rigell, Martha Roby, David P. Roe, Harold Rogers, Mike Rogers, Mike Rogers, Dana Rohrabacher, Todd Rokita, Thomas J. Rooney, Peter J. Roskam, Ileana Ros-Lehtinen, Dennis A. Ross, Keith J. Rothfus, Lucille Roybal-Allard, Edward R. Royce, Raul Ruiz, Jon Runyan, C. A. Dutch Ruppersberger, Bobby L. Rush, Paul Ryan, Tim Ryan, Gregorio Kilili Camacho Sablan, Matt Salmon, Linda T. Sánchez, Loretta Sanchez, Mark Sanford, John P. Sarbanes, Steve Scalise, Janice D. Schakowsky, Adam B. Schiff, Bradley S. Schneider, Aaron Schock, Kurt Schrader, Allyson Y. Schwartz, David Schweikert, Austin Scott, David Scott, Robert C. "Bobby" Scott, F. James Sensenbrenner, Jr., José E. Serrano, Pete Sessions, Terri A. Sewell, Carol Shea-Porter, Brad Sherman, John Shimkus, Bill Shuster, Michael K. Simpson, Kyrsten Sinema, Albio Sires, Louise McIntosh Slaughter, Adam Smith, Adrian Smith, Christopher H. Smith, Jason T. Smith, Lamar Smith, Steve Southerland II, Jackie Speier, Chris Stewart, Steve Stivers, Steve Stockman, Marlin A. Stutzman, Eric Swalwell, Mark Takano, Lee Terry, Bennie G. Thompson, Glenn Thompson, Mike Thompson, Mac Thornberry, Patrick J. Tiberi, John F. Tierney, Scott R. Tipton, Dina Titus, Paul Tonko, Niki Tsongas, Michael R. Turner, Fred Upton, David G. Valadao, Chris Van Hollen, Juan Vargas, Marc A. Veasey, Filemon Vela, Nydia M. Velázquez, Peter J. Visclosky, Ann Wagner, Tim Walberg, Greg Walden, Jackie Walorski, Timothy J. Walz, Debbie Wasserman Schultz, Maxine Waters, Melvin L. Watt, Henry A. Waxman, Randy K. Weber, Sr., Daniel Webster, Peter Welch, Brad R. Wenstrup, Lynn A. Westmoreland, Ed Whitfield, Roger Williams, Frederica S. Wilson, Joe Wilson, Robert J. Wittman, Frank R. Wolf, Steve Womack, Rob Woodall, John A. Yarmuth, Kevin Yoder, Ted S. Yoho, C. W. Bill Young, Don Young, Todd C. Young

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1711. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Vidalia Onions Grown in Georgia; Change in Reporting and Assessment Requirements [Doc. No.: AMS-FV-12-0071; FV13-955-1 IR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1712. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Pork Promotion, Research, and Consumer Information Program; Section 610 Review [Doc. No.: AMS-LS-07-0143] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1713. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) and Class 3 (Native) Spearmint Oil for the 2012-2013 Marketing Year [Doc. Nos.: AMS-FV-11-0088; FV12-958-1A FIR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1714. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Apricots Grown in Designated Counties in Washington; Temporary Suspension of Handling Regulations [Docket No.: AMS-FV-12-0028; FV12-922-2 FIR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1715. A letter from the Administrator, Department of Agriculture, transmitting the Department's "Major" final rule — Mandatory Country of Origin Labeling of Beef, Pork, Lamb, Chicken, Goat Meat, Wild and Farm-Raised Fish and Shellfish, Perishable Agricultural Commodities, Peanuts, Pecans, Ginseng, and Macadamia Nuts [Document No.: AMS-LS-13-0004] (RIN: 0581-AD29) received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1716. A letter from the Chairman & President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Norwegian Air Shuttle ASA (Norwegian Air Shuttle) of Fornebu, Norway pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1717. A letter from the Chief Executive Officer, Corporation for National and Community Service, transmitting the Corporation's semiannual report from the office of the Inspector General for the period October 1, 2012 through March 31, 2013; to the Committee on Oversight and Government Reform.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 253. A bill to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes (Rept. 113-98). Referred to the Committee on the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1157. A bill to ensure public access to the summit of Rattlesnake Mountain in the Hanford Reach National Monument for educational, recreational, historical, scientific, cultural, and other purposes (Rept. 113-99). Referred to the Committee on the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1384. A bill to provide for the issuance of a Wildlife Refuge System Conservation Semipostal Stamp (Rept. 113-100, Pt. 1). Ordered to be printed.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1613. A bill to amend the Outer Continental Shelf Lands Act to provide for the proper Federal management and oversight of transboundary hydrocarbon reservoirs, and for other purposes; with an amendment (Rept. 113-101, Pt. 1). Referred to the Committee on the Whole House on the state of the Union.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Foreign Affairs and Financial Services discharged from further consideration. H.R. 1613 referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KLINE (for himself, Mr. ROKITA, Mr. PETRI, Ms. FOXX, Mr. ROE of Tennessee, Mr. THOMPSON of Pennsylvania, Mr. GUTHRIE, Mr. BUCSHON, Mrs. ROBY, Mr. HECK of Nevada, Mrs. BROOKS of Indiana, and Mr. MESSER):

H.R. 5. A bill to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself and Mr. OWENS):

H.R. 2272. A bill to direct the Secretary of Defense to establish an electronic means by which members of the Ready Reserves of the Armed Forces may track their active-duty service; to the Committee on Armed Services.

By Mrs. MILLER of Michigan (for herself, Mr. HUIZENGA of Michigan, Ms. SLAUGHTER, Mr. HIGGINS, Mr. BENISHEK, and Mr. ROGERS of Michigan):

H.R. 2273. A bill to implement a program establishing the Great Lakes Navigation System, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HUIZENGA of Michigan (for himself, Mr. HIGGINS, and Mr. POSEY):

H.R. 2274. A bill to amend the Securities Exchange Act of 1934 to provide for a notice-filing registration procedure for brokers performing services in connection with the transfer of ownership of smaller privately held companies and to provide for regulation appropriate to the limited scope of the activities of such brokers; to the Committee on Financial Services.

By Ms. SLAUGHTER:

H.R. 2275. A bill to treat payments by charitable organizations with respect to certain firefighters as exempt payments; to the Committee on Ways and Means.

By Mr. HORSFORD (for himself and Ms. TITUS):

H.R. 2276. A bill to promote economic development and to preserve the Lake Mead Area in Clark County, Nevada, in order to conserve, protect, and enhance the cultural, archaeological, natural, wilderness, scientific, geological, historical, biological, wildlife, educational, and scenic resources of the area, to designate wilderness areas, and for other purposes; to the Committee on Natural Resources.

By Mr. COLLINS of Georgia (for himself, Mr. MASSIE, Mr. BROUN of Georgia, Mr. JOHNSON of Ohio, Mr. STOCKMAN, and Mr. GOSAR):

H.R. 2277. A bill to eliminate the sporting purposes distinction in the gun laws; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOWDY (for himself, Mr. GOODLATTE, Mr. SMITH of Texas, Mr.

FORBES, Mrs. BLACKBURN, Mr. BISHOP of Utah, Mr. COBLE, Mr. POE of Texas, Mr. WESTMORELAND, Mr. CHAFFETZ, Mr. SENSENBRENNER, Mrs. BACHMANN, Mr. COLLINS of Georgia, Mr. WOODALL, Mr. MULVANEY, Mr. FRANKS of Arizona, Mr. PEARCE, Mr. DESANTIS, Mr. CHABOT, and Mr. LABRADOR):

H.R. 2278. A bill to amend the Immigration and Nationality Act to improve immigration law enforcement within the interior of the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, Agriculture, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARDNER:

H.R. 2279. A bill to amend the Solid Waste Disposal Act relating to review of regulations under such Act and to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 relating to financial responsibility for classes of facilities; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALVERT:

H.R. 2280. A bill to require the Secretary of the Treasury to establish a program to provide loans and loan guarantees to enable eligible public entities to acquire interests in real property that are in compliance with habitat conservation plans approved by the Secretary of the Interior under the Endangered Species Act of 1973, and for other purposes; to the Committee on Natural Resources.

By Mr. ROGERS of Michigan (for himself and Mr. RYAN of Ohio):

H.R. 2281. A bill to combat cyber espionage of intellectual property of United States persons, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York:

H.R. 2282. A bill to regulate Internet gambling, to provide consumer protections, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 2283. A bill to prioritize the fight against human trafficking within the Department of State according to congressional intent in the Trafficking Victims Protection Act of 2000 without increasing the size of the Federal Government, and for other purposes; to the Committee on Foreign Affairs.

By Mr. TERRY:

H.R. 2284. A bill to amend title 4, United States Code, to authorize members of the Armed Forces not in uniform and veterans to render a military salute during the recitation of the pledge of allegiance; to the Committee on the Judiciary.

By Mr. MATHESON:

H.R. 2285. A bill to amend the Public Health Service Act to enhance efforts to ad-

dress antimicrobial resistance, and for other purposes; to the Committee on Energy and Commerce.

By Ms. ROYBAL-ALLARD (for herself, Mrs. CAPPS, Mrs. CHRISTENSEN, Ms. LEE of California, Ms. MCCOLLUM, Ms. PINGREE of Maine, and Mr. RANGEL):

H.R. 2286. A bill to promote optimal maternity outcomes by making evidence-based maternity care a national priority, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GABBARD (for herself, Ms. HANABUSA, and Mr. YOUNG of Alaska):

H.R. 2287. A bill to amend the Elementary and Secondary Education Act of 1965 regarding Native Hawaiian education; to the Committee on Education and the Workforce.

By Mr. GRIMM (for himself, Mr. BLUMENAUER, Mr. KING of New York, and Mr. MCGOVERN):

H.R. 2288. A bill to amend the Internal Revenue Code of 1986 to modify the exclusion for transportation benefits; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself, Mr. BRADY of Texas, Mr. MARCHANT, Ms. GRANGER, Mr. OLSON, Mr. CULBERSON, Mr. MCCAUL, and Mr. FLORES):

H.R. 2289. A bill to rename section 219(c) of the Internal Revenue Code of 1986 as the Kay Bailey Hutchison Spousal IRA; to the Committee on Ways and Means.

By Ms. KAPTUR (for herself, Mr. BRALEY of Iowa, Ms. GABBARD, Ms. WILSON of Florida, Mr. HOLT, Mr. LOEBACK, Ms. KUSTER, Mrs. CHRISTENSEN, Mr. ENYART, Mr. BUTTERFIELD, and Mr. MICHAUD):

H.R. 2290. A bill to amend the Farm Security and Rural Investment Act of 2002 to improve energy programs; to the Committee on Agriculture, and in addition to the Committees on Oversight and Government Reform, Science, Space, and Technology, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Ms. WILSON of Florida):

H.R. 2291. A bill to designate the facility of the United States Postal Service located at 450 Lexington Avenue in New York, New York, as the "Vincent R. Sombrotto Post Office"; to the Committee on Oversight and Government Reform.

By Mr. MARKEY:

H.R. 2292. A bill to provide for greater regulation of high frequency trading of commodities futures and options and greater protection for derivatives traders and trading facilities, and for other purposes; to the Committee on Agriculture.

By Ms. MATSUI (for herself and Mr. LAMALFA):

H.R. 2293. A bill to amend the Flood Control Act of 1970 with respect to credit for in-kind contributions, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCINTYRE:

H.R. 2294. A bill to remove from the John H. Chafee Coastal Barrier Resources System certain properties in North Carolina; to the Committee on Natural Resources.

By Mr. MURPHY of Florida:

H.R. 2295. A bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to smaller financial institutions; to the Committee on Financial Services.

By Mrs. NOEM (for herself and Mr. LARSEN of Washington):

H.R. 2296. A bill to reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 2297. A bill to amend title 40, United States Code, to authorize the National Capital Planning Commission to designate and modify the boundaries of the National Mall area in the District of Columbia reserved for the location of commemorative works of pre-eminent historical and lasting significance to the United States and other activities, to require the Secretary of the Interior and the Administrator of General Services to make recommendations for the termination of the authority of a person to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Natural Resources.

By Mr. PETERS of Michigan (for himself, Mr. CONYERS, Mr. LEVIN, Mr. DINGELL, and Mr. KILDEE):

H.R. 2298. A bill to require the Secretary of Health and Human Services, in consultation with the Administrator of the Environmental Protection Agency, to conduct a study on the public health and environmental impacts of the production, transportation, storage, and use of petroleum coke, and for other purposes; to the Committee on Energy and Commerce.

By Mr. POSEY (for himself, Mr. HINOJOSA, Mr. MARCHANT, and Mr. GARCIA):

H.R. 2299. A bill to prevent the Secretary of the Treasury from expanding United States bank reporting requirements with respect to interest on deposits paid to nonresident aliens; to the Committee on Ways and Means.

By Mr. PRICE of Georgia:

H.R. 2300. A bill to provide for incentives to encourage health insurance coverage, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Ways and Means, the Judiciary, Natural Resources, House Administration, Rules, Appropriations, the Budget, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED (for himself, Ms. SLAUGHTER, and Mr. COLLINS of New York):

H.R. 2301. A bill to amend the Public Health Service Act to enhance the clinical trial registry data bank reporting requirements and enforcement measures; to the Committee on Energy and Commerce.

By Mr. REED (for himself, Mr. THOMPSON of California, Mr. PAULSEN, Mr. BLUMENAUER, Mr. MICHAUD, Mr. CONNOLLY, Mr. YOUNG of Florida, Mr. KING of Iowa, and Mr. GRIJALVA):

H.R. 2302. A bill to amend title XVIII of the Social Security Act to strengthen and protect Medicare hospice programs; to the Committee on Ways and Means, and in addition

to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SHEA-PORTER:

H.R. 2303. A bill to define the term "covered waste" for purposes of the Department of Defense prohibition on the disposal of certain waste in open-air burn pits; to the Committee on Armed Services.

By Mr. WALBERG (for himself, Mr. JONES, Mr. BUCHANAN, Mr. HUELSKAMP, Mr. BROUN of Georgia, Mr. RAHALL, Mr. GINGREY of Georgia, Mr. HUIZENG of Michigan, Mr. NEUGEBAUER, Mr. THOMPSON of Pennsylvania, Mr. LAMBORN, Mr. RIBBLE, Mr. GARRETT, Mr. WENSTRUP, Mr. LATTI, Mr. FLEMING, Mr. POSEY, Mr. PITTS, Mr. WOLF, Mr. BISHOP of Utah, Mr. FORBES, Mr. WILSON of South Carolina, Mr. HARPER, Mr. MILLER of Florida, Mrs. HARTZLER, Mrs. WALORSKI, Mr. WEBER of Texas, Mr. CARTER, Mr. SAM JOHNSON of Texas, Mr. HULTGREN, Mr. FRANKS of Arizona, Mr. COBLE, Mr. KING of Iowa, Mr. SOUTHERLAND, Mr. GRAVES of Georgia, Mr. WEBSTER of Florida, Mr. HARRIS, Mr. ROSKAM, Mr. JOHNSON of Ohio, Mr. WESTMORELAND, Mrs. BLACKBURN, Mr. NUNNELEE, Mr. ROE of Tennessee, and Mr. SCALISE):

H. Res. 250. A resolution expressing support for prayer at school board meetings; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself and Mr. DENT):

H. Res. 251. A resolution to honor Larry Holmes for his career and community service on the 35th anniversary of his winning the WBC World Heavyweight Title; to the Committee on Oversight and Government Reform.

By Mr. FRANKS of Arizona (for himself, Mr. SHERMAN, Mr. LATTI, Mr. PETERS of California, Mr. BISHOP of Utah, Mr. ROSKAM, Mr. WOLF, Mr. NUNNELEE, Mr. COTTON, Mr. CULBERSON, Mr. PITTENGER, Mr. RODNEY DAVIS of Illinois, Mr. STEWART, Mr. GOMMERT, Mr. WESTMORELAND, Mr. MICHAUD, and Mr. BRADY of Texas):

H. Res. 252. A resolution calling for free and fair elections in Iran, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ENYART:

H. Res. 253. A resolution expressing support for the designation of the night of June 6, 2013, as "National Drive-in Movie Night" to recognize the 80th anniversary of the drive-in movie theatre; to the Committee on Oversight and Government Reform.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

43. The SPEAKER presented a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 130 urging the Congress to support the construction of a memorial commemorating the War in the Pacific at the Pearl Harbor Visitor Center; to the Committee on Natural Resources.

44. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 183 urging the Congress and the President to support and pass the Filipino Veterans Family Reunification Act of 2013 to exempt children of certain Filipino World War II veterans from numerical limitations on immigrant visas; to the Committee on the Judiciary.

45. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 3 encouraging the Congress and the President to re-state that the congressional intent of the federal Uniform Controlled Substances Act is not to prohibit the production of industrial hemp; jointly to the Committees on the Judiciary and Energy and Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. RYAN of Ohio introduced a bill (H.R. 2304) for the relief of Amer Numan Adi; which was referred to the Committee on the Judiciary.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KLINE:

H.R. 5.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. ISSA:

H.R. 2262.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 17

By Mr. MCKINLEY:

H.R. 2272.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: the bill is authorized by Congress' power to "provide for the common Defense and general Welfare of the United States" pursuant to Article I, section 8 of the United States Constitution.

By Mrs. MILLER of Michigan:

H.R. 2273.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. HUIZENG of Michigan:

H.R. 2274.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 ("The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States"), 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"), and 18 ("To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by

this Constitution in the Government of the United States, or in any Department or Officer thereof).

By Ms. SLAUGHTER:

H.R. 2275.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. HORSFORD:

H.R. 2276.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (relating to the power to dispose of and legislate for all territories and properties belonging to the United States).

By Mr. COLLINS of Georgia:

H.R. 2277.

Congress has the power to enact this legislation pursuant to the following:

The Second Amendment to the U.S. Constitution, which recognizes and protects the right to keep and bear arms.

By Mr. GOWDY:

H.R. 2278.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 4 of the Constitution provides that Congress shall have power to "establish a uniform Rule of Naturalization." The Supreme Court has long found that this provision of the Constitution grants Congress plenary power over immigration policy. As the Court found in *Galvan v. Press*, 347 U.S. 522, 531 (1954) "that the formulation of policies [pertaining to the entry of aliens and the right to remain here] is entrusted to Congress has become about as firmly imbedded in the legislative and judicial tissues of our body politic as any aspect of our government."

By Mr. GARDNER:

H.R. 2279.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. CALVERT:

H.R. 2280.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 and clause 18.

By Mr. ROGERS of Michigan:

H.R. 2281.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the Constitution

By Mr. KING of New York:

H.R. 2282.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SMITH of New Jersey:

H.R. 2283.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 3 and 18, as this bill better equips the Executive Branch

to properly carry out the powers vested in it by the Constitution, as well as ensures that Congress is accurately informed of a foreign nations' trafficking record and tier ranking when Congress considers regulation of commerce with foreign nations.

By Mr. TERRY:

H.R. 2284.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Cl. 16

By Mr. MATHESON:

H.R. 2285.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution.

By Ms. ROYBAL-ALLARD:

H.R. 2286.

Congress has the power to enact this legislation pursuant to the following:

Article X, Section Y, Clause Z

By Ms. GABBARD:

H.R. 2287.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution: The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GRIMM:

H.R. 2288.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. SAM JOHNSON of Texas:

H.R. 2289.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. KAPTUR:

H.R. 2290.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of Article 1

Clause 1 of section 8 of Article I

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2291.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. MARKEY:

H.R. 2292.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the United States Constitution

By Ms. MATSUI:

H.R. 2293.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. MCINTYRE:

H.R. 2294.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Amendment XVI, of the United States Constitution.

By Mr. MURPHY of Florida:

H.R. 2295.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8, Clause 3 of the United States Constitution, which grants Congress the power to regulate commerce among the several States.

By Mrs. NOEM:

H.R. 2296.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Ms. NORTON:

H.R. 2297.

Congress has the power to enact this legislation pursuant to the following:

clauses 14 and 18 of section 8 of article I of the Constitution.

By Mr. PETERS of Michigan:

H.R. 2298.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution of the United States of America

By Mr. POSEY:

H.R. 2299.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Article I, Section 8, Clause 18 of the Constitution of the United States:

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

Amendment XVI of the Constitution of the United States:

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. PRICE of Georgia:

H.R. 2300.

Congress has the power to enact this legislation pursuant to the following:

Consistent with the original understanding of the commerce clause, the authority to enact this legislation is found in Clause 3 of Section 8, Article 1 of the Constitution.

The bill repeals the Patient Protection and Affordable Care Act, which exceeds the authority vested in Congress by the Constitution.

Finally, the bill removed government intrusion into the doctor-patient relationship, which is protected by the Ninth and Tenth Amendments to the Constitution.

By Mr. REED:

H.R. 2301.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: to provide for the common defense and general welfare.

By Mr. REED:

H.R. 2302.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: to provide for the common defense and general welfare.

By Ms. SHEA-PORTER:

H.R. 2303.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

Mr. RYAN of Ohio:

H.R. 2304.

Congress has the power to enact this legislation pursuant to the following:

The above mentioned legislation is based upon the following Section 8 statement:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mr. PETERS of California.

H.R. 131: Mr. CAPUANO.

H.R. 164: Mr. KING of New York and Mr. TONKO.

H.R. 182: Mr. CONNOLLY.

H.R. 198: Mr. CLAY, Ms. HAHN, Ms. BASS, and Ms. WATERS.

H.R. 272: Mr. PIERLUISI, Mrs. NAPOLITANO, Mr. BISHOP of Georgia, Ms. HAHN, Mrs. DAVIS of California, Ms. MATSUI, Ms. MCCOLLUM, Mr. COOPER, Mr. SMITH of Washington, Mr. PETERS of California, Mr. SHERMAN, Mr. BERA of California, Mr. GARAMENDI, Mr. TONKO, Mr. HONDA, Mr. TAKANO, Mr. COSTA, Ms. LOFGREN, Mr. GEORGE MILLER of California, Mr. DENHAM, Mr. ISSA, Mr. ROHRABACHER, Mr. McKEON, Mr. COOK, Mr. CALVERT, Mr. VALADEO, Mr. GARY G. MILLER of California, Mrs. CAPPS, Mr. MCNERNEY, Mr. SCHIFF, Ms. WATERS, Mr. LOWENTHAL, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. BASS, and Ms. LEE of California.

H.R. 274: Mr. DELANEY.

H.R. 352: Mr. CULBERSON.

H.R. 362: Mr. CLYBURN and Ms. BROWN of Florida.

H.R. 363: Mr. CLYBURN and Ms. BROWN of Florida.

H.R. 367: Ms. HERRERA BEUTLER and Mr. DUFFY.

H.R. 460: Mr. ENYART and Mr. KING of New York.

H.R. 494: Mr. TIERNEY, Mr. SCHRADER, Mr. MCGOVERN, and Ms. NORTON.

H.R. 508: Ms. MENG, Mr. ROGERS of Alabama, and Mr. SCHOCK.

H.R. 523: Mr. KILMER.

H.R. 525: Ms. GABBARD.

H.R. 543: Ms. BORDALLO, Mr. DEFAZIO, Mr. MORAN, Mr. VELA, and Mr. ROONEY.

H.R. 597: Ms. SHEA-PORTER and Mr. RANGEL.

H.R. 601: Mr. KILDEE.

H.R. 647: Ms. MCCOLLUM.

H.R. 654: Mr. CHAFFETZ.

H.R. 698: Mr. CICILLINE.

H.R. 702: Mr. TONKO and Ms. BROWNLEY of California.

H.R. 713: Mr. FARR, Mr. WALZ, Ms. PINGREE of Maine, Ms. DEGETTE, Mr. RYAN of Ohio, Mr. BOUSTANY, Ms. KUSTER, and Mr. QUIGLEY.

H.R. 719: Mr. BENTIVOLIO.

H.R. 721: Mr. DUFFY, Mr. BARR, and Mr. POSEY.

H.R. 728: Ms. SCHAKOWSKY.

H.R. 755: Mr. HECK of Nevada.

H.R. 763: Mr. ROHRABACHER.

H.R. 797: Mr. FOSTER and Mr. PETERSON.

H.R. 805: Mr. MULLIN.

H.R. 842: Mr. MCGOVERN.

H.R. 847: Ms. SPEIER, Ms. GABBARD, Mr. DEFAZIO, Mr. PASCRELL, and Mr. ROSKAM.

H.R. 850: Mrs. BLACKBURN and Mr. WITTMAN.

H.R. 863: Mr. TAKANO.

H.R. 901: Mr. SCHOCK, Mr. CONNOLLY, Ms. WILSON of Florida, Ms. DELAURO, and Mr. CÁRDENAS.

H.R. 940: Mr. HENSARLING.

H.R. 942: Mr. NEAL, Mr. LEWIS, Mr. PETERS of Michigan, and Mr. WITTMAN.

H.R. 948: Mr. SOUTHERLAND.

H.R. 958: Mr. TIERNEY.

H.R. 961: Mr. MEEKS and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1009: Mr. WALZ.

H.R. 1015: Ms. LOFGREN.

H.R. 1020: Mr. DESJARLAIS.

H.R. 1024: Mr. CICILLINE and Mr. GRIFFITH of Virginia.

H.R. 1037: Ms. MCCOLLUM.

H.R. 1077: Mr. MURPHY of Pennsylvania, Mr. WALBERG, and Mr. POE of Texas.

H.R. 1098: Ms. MCCOLLUM.

H.R. 1150: Mr. LARSON of Connecticut.

H.R. 1155: Mr. DESANTIS.

H.R. 1180: Ms. SLAUGHTER, Ms. JACKSON LEE, Mr. COHEN, Mr. GENE GREEN of Texas, Mr. ELLISON, and Mr. BRALEY of Iowa.

H.R. 1186: Mr. BURGESS.

H.R. 1199: Mr. TIERNEY, Mrs. CHRISTENSEN, Mr. RUPPERSBERGER, Mrs. CAROLYN B. MALONEY of New York, Ms. KUSTER, Mr. GEORGE MILLER of California, and Mr. MAFFEI.

H.R. 1201: Mr. GENE GREEN of Texas and Mr. HARPER.

H.R. 1250: Mr. PAYNE, Mr. FARENTHOLD, and Mr. ROE of Tennessee.

H.R. 1255: Mr. HECK of Nevada.

H.R. 1303: Mr. BENISHEK and Ms. PINGREE of Maine.

H.R. 1337: Mr. COTTON.

H.R. 1339: Ms. SCHAKOWSKY.

H.R. 1354: Mr. BERA of California and Mr. KINZINGER of Illinois.

H.R. 1389: Mr. SCHIFF and Mr. TAKANO.

H.R. 1414: Mr. KIND.

H.R. 1438: Mr. TIERNEY.

H.R. 1449: Mr. LATTA and Mr. HUDSON.

H.R. 1451: Mr. JEFFRIES and Mr. REED.

H.R. 1480: Ms. KUSTER and Mr. POCAN.

H.R. 1484: Mr. BENISHEK.

H.R. 1494: Mr. TIERNEY.

H.R. 1527: Mr. CARTWRIGHT, Mr. VEASEY, Ms. LEE of California, and Mr. PAYNE.

H.R. 1551: Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. RUSH.

H.R. 1552: Mr. MARCHANT.

H.R. 1565: Ms. TITUS.

H.R. 1613: Mr. STOCKMAN.

H.R. 1688: Ms. KUSTER.

H.R. 1727: Mr. KIND.

H.R. 1733: Mr. STIVERS.

H.R. 1751: Ms. HAHN.

H.R. 1756: Mrs. CHRISTENSEN.

H.R. 1771: Mr. BISHOP of Utah and Mr. COLINS of Georgia.

H.R. 1790: Mr. LATHAM.

H.R. 1795: Mr. YARMUTH, Mr. SARBANES, Mr. CÁRDENAS, Mr. KING of New York, Mr. HASTINGS of Florida, Mr. YOUNG of Alaska, Mr. GARY G. MILLER of California and Mr. CICILLINE.

H.R. 1797: Mrs. BROOKS of Indiana, Mr. KING of New York, and Mr. BENTIVOLIO.

H.R. 1809: Ms. TITUS.

H.R. 1814: Mr. QUIGLEY, Mr. LUCAS, and Mr. POE of Texas.

H.R. 1823: Mr. WAXMAN and Mr. HECK of Washington.

H.R. 1825: Mr. HUIZENGA of Michigan.

H.R. 1830: Ms. LOFGREN.

H.R. 1838: Mr. GRIMM, Ms. SHEA-PORTER, and Ms. TITUS.

H.R. 1844: Mr. GENE GREEN of Texas, Ms. EDWARDS, Mrs. CAROLYN B. MALONEY of New York, Ms. WILSON of Florida, Mr. MCGOVERN, Ms. MCCOLLUM, Mr. DOGGETT, Mr. VAN HOLLEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ANDREWS, Mr. MICHAUD, Ms. SHEA-PORTER, and Mr. CONNOLLY.

H.R. 1861: Mr. PETERSON, Mr. DEFAZIO, and Mr. WALZ.

H.R. 1864: Mr. COOK, Mr. AUSTIN SCOTT of Georgia, Mr. ROKITA, Mrs. BLACK, Ms. TITUS, Ms. DUCKWORTH, Mr. VARGAS, Mr. BUCHSON, Mr. ROE of Tennessee, Mr. NOLAN, Mr. RUIZ, Mr. SOUTHERLAND, Mrs. HARTZLER, Mr. HUNTER, Mr. HECK of Nevada, Mrs. KIRKPATRICK, Mr. CRAMER, Ms. ROYBAL-ALLARD, Ms. ESTY, Mr. ENYART, Ms. DELBENE, Ms. PINGREE of Maine, Mrs. LUMMIS, Mr. JEFFRIES, Mr. LOWENTHAL, Mr. BERA of California, Mr. CASTRO of Texas, Ms. GRANGER, Mr. JOYCE, Mr. BRIDENSTINE, and Mr. LAMBORN.

H.R. 1869: Mr. GARRETT, Ms. SINEMA, Mr. KIND, Mr. RADEL, and Mr. NEUGEBAUER.

H.R. 1870: Mr. CICILLINE and Mr. HUFFMAN.

H.R. 1874: Mr. HURT.

H.R. 1878: Mr. OWENS and Mr. YOUNG of Indiana.

H.R. 1891: Mr. MCNERNEY and Mr. HONDA.

H.R. 1897: Mr. SHERMAN.

H.R. 1904: Mr. POE of Texas.

H.R. 1920: Mr. MCGOVERN and Ms. LINDA T. SÁNCHEZ of California.

H.R. 1936: Mr. COSTA.

H.R. 1965: Mr. CRAMER.

H.R. 1971: Mr. LATHAM.

H.R. 1998: Mr. PETERS of Michigan, Ms. CASTOR of Florida, Mr. CONNOLLY, Mr. MARKEY, Ms. LEE of California, Mr. BLUMENAUER, and Mr. DOYLE.

H.R. 1999: Mr. BARR.

H.R. 2000: Mr. SCHRADER.

H.R. 2002: Ms. SINEMA.

H.R. 2009: Mr. NUNNELEE and Mr. STIVERS.

H.R. 2011: Mr. BARBER.

H.R. 2016: Mr. O'ROURKE and Mr. STIVERS.

H.R. 2019: Mr. HASTINGS of Washington, Mr. PALAZZO, Mr. GINGREY of Georgia, Mr. ROE of Tennessee, Mr. POSEY, Mr. FRANKS of Arizona, Mr. CRENSHAW, Mr. KELLY of Pennsylvania, Mr. TERRY, Mr. BUCHSON, Mr. TIBERI, Mr. KING of New York, Mr. FLEISCHMANN, Mr. STIVERS, and Mr. CONAWAY.

H.R. 2022: Mrs. ELLMERS and Mr. SCHOCK.

H.R. 2026: Mr. HANNA, Mr. HURT, Mr. DUFFY, and Mr. CRAWFORD.

H.R. 2028: Ms. LEE of California, Mr. MCGOVERN, Mr. WAXMAN, Mr. VAN HOLLEN, Mr. LARSEN of Washington, and Mr. HIGGINS.

H.R. 2030: Ms. LEE of California, Mr. MCGOVERN, Mrs. DAVIS of California, and Ms. KUSTER.

H.R. 2068: Mr. GOSAR, Mr. CHAFFETZ, and Mr. SIMPSON.

H.R. 2072: Mr. YOHO.

H.R. 2084: Mr. BARBER and Mr. RIGELL.

H.R. 2093: Mr. HULTGREN and Mr. STOCKMAN.

H.R. 2119: Mr. O'ROURKE.

H.R. 2138: Mr. WESTMORELAND, Mr. MEEHAN, Mr. CAMPBELL, and Mr. CALVERT.

H.R. 2141: Ms. CASTOR of Florida.

H.R. 2166: Mr. MORAN.

H.R. 2170: Mr. GRIJALVA.

H.R. 2173: Ms. BORDALLO.

H.R. 2175: Mr. CHABOT, Mr. YODER, and Mr. FLORES.

H.R. 2182: Ms. MCCOLLUM and Mr. COHEN.

H.R. 2202: Mr. LANCE.

H.R. 2231: Mr. DAINES, Mr. STEWARD, and Mr. BENISHEK.

H.R. 2250: Mr. KILMER.

H.J. Res. 28: Mr. CULBERSON, Mr. ROE of Tennessee, Mr. DESJARLAIS, Mr. MCCLINTOCK, Mr. PEARCE, Mr. COLE, Mr. STEWART,

Mr. GOHMERT, Mr. BARR, Mr. STUTZMAN, Mr. KINGSTON, Mr. FLORES, Mr. SALMON, Mr. HARRIS, Mr. DENHAM, and Mr. YOHIO.

H. Con. Res. 23: Mr. DUFFY.

H. Res. 35: Mr. KING of Iowa, Mr. WOODALL, Mrs. BLACKBURN, Mr. LAMBORN, Mr. BARTON, Mr. RODNEY DAVIS of Illinois, Mr. YOUNG of Alaska, and Mr. LATTA.

H. Res. 135: Mr. DOGGETT and Mr. ISRAEL.

H. Res. 136: Mr. ISRAEL.

H. Res. 160: Mr. NUNNELEE.

H. Res. 236: Mr. VARGAS.

DELETIONS OF SPONSORS FROM  
PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1249: Mr. BLUMENAUER.

H.J. Res. 43: Mr. BUCHANAN.

## EXTENSIONS OF REMARKS

### REMEMBERING COUNCILWOMAN CHARLYE HEGGINS

#### HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. BURGESS. Mr. Speaker, I rise today to honor the life of my friend Councilwoman Charlye Heggins. After a long battle with cancer, Mrs. Heggins passed away last week at the age of 80. She served in the Denton City Council for six years, representing District 1.

As a child, Mrs. Heggins played piano for church services, learning to play in any key and accompanying people after they sang just a few bars. She volunteered to play in other churches and also filled in sometimes for funeral services. Mrs. Heggins graduated in 1952 from Phillips Business College in Dallas, and the next year attended Prairie View A&M College. In 1972, after marrying the late Rev. Edell Heggins, who became the pastor of Mount Calvary Baptist Church, Mrs. Heggins moved to Denton. She served alongside her husband singing and playing piano for many years in Denton and Oklahoma churches.

As a member of city council, from 2005 to 2011, Mrs. Heggins served on many committees including the Audit Committee, Ethics Committee, Property Maintenance Code Committee, and Council Appointee Performance Review Committee. Additionally, she served on the Community Justice Council and the Denton Convention and Visitors Bureau. Although Mrs. Heggins usually voted with the rest of the council, she was not afraid to stand up for issues that were important to her. She cast the only vote against a plan to build a city water tank in a wooded area south of Denia Park, as well as one against the controversial natural gas well site at Rayzor Ranch. Mrs. Heggins was a key voice in establishing Black History Month in Denton and Kwanzaa celebrations. She served as Denton County chapter's secretary for the National Association for the Advancement of Colored People as well as the chairwoman of the Juneteenth Committee Gospel Extravaganza. Mrs. Heggins was on the Fred Moore High School advisory board and on the Greater Denton Arts Council. She supported Keep Denton Beautiful and was a member of the League of United Latin American Citizens, the BIONIC ministry of Morse Street Baptist Church, and the Sickle Cell Advisory group.

Mrs. Heggins was actively involved in service to the Denton community, volunteering for the Rocking Reader program at The Gonzalez School for Young Children. She participated in pageants in Denton as well, winning Ms. Mature Denton, Ms. Texas Senior, and Ms. Congeniality.

In her last term, Mrs. Heggins helped name various Denton landmarks, such as the Southeast Denton park being named for another

former District 1 council member, the late Carl Gene Young Sr., and the Civic Center Park being renamed Quakertown, the black community forced to leave the land to create the park. She also advocated tirelessly for the naming of the new Loop 288 pedestrian bridge for Martin Luther King Jr., which will be formally dedicated on June 14, beginning the city's Juneteenth annual celebration.

A breast cancer survivor, Mrs. Heggins was diagnosed in 2009 with renal cell carcinoma, a type of kidney cancer. She formed a cancer patient support group that still meets at the Martin Luther King Jr. Recreation Center on the first Thursday of each month.

I am proud to honor the life of Councilwoman Charlye Heggins for her years of service to the Denton community and her friendship. I would like to extend my sincerest condolences to Mrs. Heggins' family and friends.

### CONGRATULATING O'FALLON CASTING

#### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to recognize O'Fallon Casting in O'Fallon, Missouri for receiving the 2013 Casting of the Year award from the American Foundry Society. This award recognizes the incredible detail capabilities of O'Fallon Casting.

The metal foundry won with its electronics housing specifically produced for the defense industry. It was able to create a product that allowed customers to avoid hours spent on fabrication and assembly by combining multiple parts into a single unyielding piece. These metal casters worked alongside local engineers to pack their product with functional features and elements while at the same time trying to keep the weight low. The piece while rigid was lighter and more precise than all comparable fabrications, weighing only 2.2 pounds.

With this honor, O'Fallon Casting's work has been recognized amongst many, excellent metal casting companies throughout the nation. In fact, my home district in Missouri includes a number of excellent casting companies.

O'Fallon Casting is an outstanding example of creativity and ingenuity. The determination of the foundry's hardworking labor force and their ability to collaborate with local engineers is a fine example of how a community's selfless collaboration can result in an award winning final product. This foundry's creation is a step in the right direction for a brighter future in the metal casting industry.

In closing, I ask all my colleagues to join me in honoring O'Fallon Casting for earning the

"Casting of the Year" award and working to promote small business success in Missouri.

### LETTER WRITTEN BY TOM HARDEMAN

#### HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. MARCHANT. Mr. Speaker, I rise today to share a letter I received from a concerned constituent. Mr. Tom Hardeman owns and operates a McDonald's restaurant in my district, and in his letter he writes:

"I used to think of Burger King, Wendy's and Sonic as my competition and the greatest risk to my business. But now I believe it is the federal government.

"It is regulation, taxation, mandated programs and interference from government that has the potential to destroy small businesses like mine across this great land.

"I'm asking you to protect small businesses like mine so that I can protect the jobs of the people I employ," he wrote.

Sadly, Mr. Hardeman's concerns are shared by small business owners across the country. This is why House Republicans continue to push policies that make life easier for hard-working taxpayers—without expanding government.

### RECOGNIZING THE LIFE AND LEGACY OF EVANGELIST DELLA MAE KING SUTTON

#### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to pay homage to the life and legacy of Evangelist Della Mae King Sutton of Nesbit, Mississippi. Mr. Speaker, Evangelist Sutton was a mighty woman of God. She devoted countless hours to empower those around her in formal and Christian education. Born July 20, 1941 in Desoto County, MS, Ms. Della was the first daughter to the late Turner King, Sr. and the late Remell Bridgeforth King.

Ms. Sutton began her education at Shiloh M.B. Church in Desoto County, MS where her father was the instructor. She continued her education as an honor student at Hernando High School, which taught students up until eighth grade, and completed her studies as class Valedictorian. Upon leaving Hernando High, Ms. Della finished her secondary education at the age of sixteen at Eastern High School in Olive Branch, MS, where she was Salutatorian of her graduating class before enrolling in Mississippi Industrial College in Holly

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Springs, MS. It was there where she would meet her companion in life, her husband, Mr. Jesse Sutton, Jr. After completing studies at Mississippi Industrial College, Ms. Sutton earned her Master's of Science degree from Jackson Statue University.

Ms. Della Mae sincerely believed in children and the value of educating them. Ms. Sutton served as a devoted educator for more than thirty years throughout Mississippi. These schools included East Side High School in Olive Branch, Mississippi; Oakley Training School in Learned, Mississippi; Mendenhall Junior High School in Mendenhall, Mississippi; and Northside Elementary School in Pearl, Mississippi, from which she retired.

Throughout the years, Ms. Sutton has been recognized on several occasions, most notably was when she was recognized by former Governor and First Lady Ronnie Musgrove as one of the Most Outstanding Women for the Reach One-Each One Mother of the Year contest. She served as Chairperson of the Elementary Language Arts and was recognized for a host of other achievements. Ms. Sutton was the recipient of a number of awards, among them is the Who's Who Among Teachers, Teacher of the Year and most recently the Jackson District Association's Living Legacy Award.

Ms. Sutton was a socially engaged woman. She was a member of Southern Christian Leadership Conference, a member of the National Association for the Advancement of Colored People, member of "Keep Jackson Beautiful", instructor of the Jackson District Ministers' Wives/Widows group, and an avid supporter of the Mississippi Baptist Seminary. She was an active member of the General Missionary Baptist Convention and a devoted member of the New McRaven Hill M.B. Church, where she served as a Sunday School teacher, member of the Mother's Ministry, devotional leader of the Mission Society and Vacation Bible School teacher.

This spiritual steward for Christ lived a life of both passion and purpose. She was an advocate of education, a champion of civility and a true lover of the Lord.

Mr. Speaker, I ask my fellow colleagues to join me in celebrating the life and legacy of a true champion, Evangelist Della Mae King Sutton.

#### RECOGNIZING ISABEL E. VILLAR

#### HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Mrs. LOWEY. Mr. Speaker, I rise today to recognize Ms. Isabel E. Villar for her dedication to her community, most notably to the Hispanic Community in Westchester County, New York.

A Cuban native and immigrant, Ms. Villar experienced first-hand the problems presented by language barriers and cultural differences for newcomers to this country. In response, she has dedicated herself to improving the lives of Hispanic immigrants throughout Westchester.

As an advocate for education, Ms. Villar founded the Brien McMahon Hispanic Alumni

Association. The Association provides role models and mentors to Hispanic students at Brien McMahon High School and scholarships to graduating seniors.

Ms. Villar founded El Centro Hispano in White Plains, New York, which is a comprehensive resource for Hispanic residents in Westchester. It offers numerous community programs, including parenting classes, tutorial programs at local schools, and housing and employment information.

Since its founding in 1974, El Centro Hispano has continued to expand, now including the Mi Hermana Mayor Mentoring Program. This program offers college scholarships for Hispanic high school graduates, a social service internship program, and housing and employment information services. It also has a Technology Center, which offers computer classes for children, adults, and seniors.

Ms. Villar has been honored with numerous awards for her commitment to the Hispanic community and education in Westchester and beyond. One of the first inductees into the White Plains Hall of Fame, she was also inducted into the Westchester Senior Citizens Hall of Fame and was featured in Who is Who in America. She received the Westchester Community Foundation Leadership Award and will be honored with the dedication of Isabel Elsa Villar Boulevard in White Plains, New York, on June 16 of this year.

Mr. Speaker, I am proud to recognize my friend Isabel E. Villar for her remarkable service and lifelong commitment to enriching the lives of others. I urge my colleagues to join me in honoring her tremendous accomplishments.

#### MARVIN NACHLIS

#### HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Mr. LOWENTHAL. Mr. Speaker, I submit the following.

Whereas, Marvin Nachlis, beloved husband, father, brother and friend, passed away peacefully in his home from Amyotrophic lateral sclerosis (ALS), surrounded by family and friends; and

Whereas, Marvin Nachlis was born in Wilkes-Barre, PA to Dorothy and Arnold Nachlis; and

Whereas, Marvin Nachlis graduated from Wyoming Valley West High School, served in the United States Navy, and earned a combination Bachelor's degree and Law Degree from Western State University; and

Whereas, Marvin Nachlis, after 25 years of practicing law, challenged himself to start a new career as a teacher; and

Whereas, Marvin Nachlis taught math and coached girls' basketball for 12 years at David Starr Jordan High School in Long Beach, with patience and encouragement, always taking an interest in the students' well being and potential; and

Whereas, Marvin Nachlis was devoted to his wife of 35 years, Gayle, and took great pride in their two children, Alex and Sara; and

Whereas, Marvin Nachlis was an avid golfer, devotee of all sports, adventurous and curious, always seeking knowledge; and

Whereas, Marvin Nachlis loved sharing his life with friends and family members and was well known for his ever present smile; and

Therefore, be it remembered that Marvin Nachlis touched the lives of many people and will be greatly missed.

#### COMMEMORATING THE 41ST ANNIVERSARY OF TITLE IX

#### HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Ms. JACKSON LEE. Mr. Speaker, later this month, on June 23, 1972, we will mark the 41st anniversary of the enactment of Title IX amendment. This landmark legislation changed America for the better by mandating equality for women in educational programs and activities. As we continue to move forward in terms of women's equality, I believe that it is important to recognize how far we have already come.

Title IX has resulted in significant advances for women in athletics. Since its enactment, Title IX has promoted equal opportunity for women in athletics and contributed to the athletic and educational achievement of hundreds of thousands of young American women. In 1972, before there was a Title IX, less than 300,000 high school girls participated in intramural sports nationwide. Today, that number has grown ten-fold to more than three million. In similar fashion, the amount of young women participating in college sports has increased by more than 600 percent, from fewer than 30,000 in 1972 to more than 190,000 in 2012.

While recognizing the advances in sports that Title IX has provided, it is important also to acknowledge the progress made outside of athletics. Title IX itself makes no explicit mention of sports or athletics; its reach extends to all areas of education. Title IX has helped make it possible for women to pursue careers in all fields, including the increasingly important fields of science, technology, engineering, and mathematics (STEM).

Title IX has also helped to ensure that as women and girls take advantage of these educational opportunities, they are able to do so in an environment free of gender discrimination, sexual harassment, and violence.

In my state of Texas, for example, young women are making their mark in academics, in athletics, and in standing up for what is right. Just last year, a young high school female in Texas was assaulted at school by a classmate. The school's response to the incident was to send the young woman, and her attacker, to an alternative school for 45 days—where she had to suffer the indignity of seeing him daily. The young woman, assisted by the ACLU of Texas, filed a complaint with the U.S. Department of Education's Office for Civil Rights.

Title IX granted this young woman the right to an educational experience free from gender discrimination or retaliation. As a result, the OCR determined that the school had violated her rights when they failed to adequately address her complaint. This decision resulted in

clearing the young woman's disciplinary record and required the school district to reevaluate the way it handles sexual assault. A new set of Title IX procedures was developed and staff members were trained to respond accordingly to future incidents.

Through Title IX's legacy, educational environments have changed substantially. Women of all ages have had the opportunity to take advantage of the rights allotted to them through the amendment, and we can only move forward from here in terms of gender equality. Title IX guarantees the civil right to learn free from discrimination, retaliation, and sexual violence. This victory is something that every student, parent, and educator can celebrate today, tomorrow, and for many years to come.

CONGRATULATING ALIANA  
SONKSEN

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to recognize Aliana Nicole Sonksen, a rising senior at Camdenton High School in Camdenton, Missouri, who won third place in the National Institute of Health's Addiction Science Competition. This prestigious award was given at the 2013 Intel International Science and Engineering Fair.

The Intel International Science and Engineering Fair is the world's largest international science competition for high school students, and this year it provided a forum for approximately 1,500 students from 70 countries, regions, and territories to showcase their independent research. Since 2008, the National Institute on Drug Abuse has selected three projects to receive awards for exemplary work in addiction science, and I am extremely proud that a winning project came from the hard work and dedication of one of my constituents.

Ms. Sonksen's project, "Determining the Behavioral and Physiological Effects of Pentedrone-Based Bath Salts on *Drosophila Melanogaster*," studied the effects of two versions of the drugs called "bath salts" on the common fruit fly. She looked at three possible effects: mortality, feeding patterns, and activity levels. Many of the flies died from exposure to bath salts, and many others decreased their feeding activity. Her research showed that the substances, while commonly considered stimulants, acted more like hallucinogens, with the flies appearing to be in a daze.

I am proud that Ms. Sonksen not only took the time and energy to submit an award winning project but also focused her efforts on such an important issue. Bath salts are emerging synthetic stimulants that often contain amphetamine-like chemicals. Addiction and abuse of these drugs has dramatically increased over the past few years and has resulted in a number of hospitalizations and even deaths. I appreciate the awareness Ms. Sonksen has raised to the issues surrounding bath salts through her research and submission of her project.

In closing, I ask all my colleagues to join me in honoring Aliana Sonksen's Addiction Science Award and her hopeful future of contributing to addiction science for many years to come.

TRIBUTE TO THIRD DISTRICT CONGRESSIONAL YOUTH ADVISORY COUNCIL

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor 51 of the best and brightest students in North Texas who have participated in the Congressional Youth Advisory Council (CYAC), a program I started nearly 9 years ago. CYAC has two primary goals. One, to hear the voices of our future generation and gain insight on issues our youth values, and two, to educate our students on how government policies directly impact their lives and our nation.

Each year, the students in CYAC exceed my expectations ten-fold. They bring innovative, inspiring, and impacting ideas on how to build a better America now and in the future. Their impressive credentials speak for themselves. Participating in student government, community service, honor societies, school athletics, fine arts, and language clubs exemplifies their educational excellence and steadfast commitment to our community as they discover their individual potential. Each time we meet, I am privileged to hear from these dedicated leaders who embody the best of their generation. They are the future of our country and will continue to define what it means to be an American.

Over the past year, each student heard from prominent civic leaders, engaged in discussion about current events and the role of government, and developed their own community service project. I am proud to see our Third District students dedicate their time and talents to serving the people around them. Without a doubt, every student will continue to play an important role in our community for decades to come. America and North Texas will continue to benefit from their dedication, smarts, and service.

To the members of the 2012–2013 Congressional Youth Advisory Council, thank you for volunteering your time and efforts to this council. You have been the voices of your generation to Congress this past year, and have done an extraordinary job. I wish you continued success in your upcoming endeavors and know I am very proud of you.

The names of students serving on the 2012–2013 CYAC follow:

Arthur Anderson, Natasha Blaskovich, Rhian Burnham, Bryce Clark, Andrew Cook, Mark Douglas, Megan Eakin, Noah Eldridge, William Elliot, Rakshana Govindarajan, Shivan Gupta, Grace Han, Lauren Hebig, Hogan Heritage, Sara Nabila Hossain, Aileen Huang, Samuel Huang, Mackenzie Jenkins, Lane Johnson, James Kay, Sarah Killian, Shane Kok, Justin Kong, Jonathon Lara, Candice Lee, Jessica Lightfoot, Connor Madden, Malika

Maheshwary, Soumya Mandava, Jessica Martinez, Emily Means, Sarah Michaels, Sydney Patterson, McKay Paxman, Jacob Przada, Jason Randoing, Daniel Rosenfield, Kinnarj Ruikar, Daniel Saiyid, Sam Schell, Brian Simpson, Travis Smith, Ryan Snitzer, Sarah Stanley, Hunter Stevens, Simic Tuan, Jessica Todd, Matt Waller, Hannah Wood, Carlie Woodard, Lisa Michales

God Bless You and I salute you!

CONTINUING REPRESSION BY THE  
VIETNAMESE GOVERNMENT

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. SMITH of New Jersey. Mr. Speaker, I would like to begin by recognizing the many distinguished leaders who are joining us in conjunction with the Vietnamese-American Meetup. Many thanks to all of you for taking the time to come to Washington to meet with your representatives here in Congress, and for joining us for the hearing my subcommittee held which looked at some of the many human rights abuses being committed by the Vietnamese Government.

The hearing was the second held by my subcommittee this year on human rights in Vietnam. We had a greater, in-depth, examination of some of the fundamental human rights violations that we discussed at our first hearing in April, particularly land confiscations in the context of religious and ethnic persecution.

Although the relationship between the United States and Vietnam improved substantially in 1995 when relations were normalized, the human rights situation in Vietnam did not improve. As the U.S. has upgraded Vietnam's trade status, the Vietnamese Government has continued to violate a wide range of fundamental human rights.

To cite just one example, despite the State Department's decision in 2006 to remove Vietnam from the list of Countries of Particular Concern as designated pursuant to the International Religious Freedom Act, Vietnam continues to be among the worst violators of religious freedom in the world. According to the United States Commission for International Religious Freedom's 2012 Annual Report, "[t]he government of Vietnam continues to control all religious communities, restrict and penalize independent religious practice severely, and repress individuals and groups viewed as challenging its authority." USCIRF concludes that Vietnam should be designated a CPC country.

It appears the State Department decided to allow political considerations to trump the facts and the brutality of Vietnam's record of religious persecution. In the Department's latest International Religious Freedom Report that was released on May 20th, Vietnam once again was a glaring omission in the list of Countries of Particular Concern. Compared to the disturbing clarity of the USCIRF report, the State Department's description of the state of religious freedom in Vietnam is a whitewash, and an extreme disservice to the truth about

the religious persecution that is prevalent in that country. I repeat my past appeals to the Administration to follow the letter as well as the spirit of the International Religious Freedom Act, and hold Vietnam to account as a Country of Particular Concern.

I met courageous religious leaders during my last trip to Vietnam who were struggling for fundamental human rights in their country. Unfortunately, many of them, including Father Ly and the Most Venerable Thich Quang Do, remain wrongly detained today. There are disturbing reports that Father Ly is suffering poor health. Leaders of religious organizations are not the only ones victimized by the Vietnamese government on account of their faith; individuals and small communities are also targeted by the regime.

Witnesses and experts at our past hearings have recounted the brutality suffered in 2010 by Con Dau parishioners at the hands of police in the course of a funeral procession. This persecution continues to this day in response to the villagers' opposition to the illegal and unjust confiscation of their land.

Tuesday's hearing closely examined ethnic and religious persecution in Vietnam, particularly through the government's practice of confiscating land. The government has unlawfully taken property belonging to families that include many Vietnamese-Americans. Not only is land forcibly taken, but any compensation provided by the government is far below the fair market value. If the rightful owners do not accept what is offered or show resistance, security forces are dispatched to overwhelm any opposition and brutally suppress them. This arbitrary taking of real property not only violates the Universal Declaration of Human Rights, but even Vietnam's own domestic laws.

To address this and the numerous other violations of human rights by the Vietnamese regime, I have re-introduced the Vietnam Human Rights Act, H.R. 1897. This legislation, co-sponsored by the Foreign Affairs Committee Chairman, Mr. ROYCE, and members of the bipartisan Congressional Vietnam Caucus, has been reported out of this subcommittee and is awaiting consideration, hopefully soon, by the Foreign Affairs Committee.

This legislation seeks to promote freedom and democracy in Vietnam by stipulating that the United States can increase its nonhumanitarian assistance to Vietnam above FY2012 levels only when the President certifies that the Government of Vietnam has made substantial progress in establishing democracy and promoting human rights, including: respecting freedom of religion and releasing all religious prisoners; respecting rights to freedom of expression, assembly and association, and releasing all political prisoners, independent journalists, and labor activists; repealing and revising laws that criminalize peaceful dissent, independent media, unsanctioned religious activity, and nonviolent demonstrations, in accordance with international human rights standards; respecting the human rights of members of all ethnic groups; and taking all appropriate steps, including prosecution of government officials, to end any government complicity in human trafficking.

It also calls on the Administration to re-designate Vietnam as a country of particular con-

cern for religious freedom, to take measures to overcome the Vietnamese Government's jamming of Radio Free Asia, and to oppose Vietnam's membership on the U.N. Human Rights Council, which will be voted on this fall.

We were fortunate to have heard from a distinguished panel of witnesses to discuss these critical issues.

#### HONORING SHAWANDA ALLEN

#### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Ms. Shawanda LaShell Allen. Shawanda LaShell Allen was born in Hazlehurst, Mississippi to proud parents Glenda Johnson and Anthony Allen.

Shawanda has always remained dedicated to her academics and extra-curricular activities. She received the highest academic average for the 2011–2012 school year in advanced placement English Literature and Composition, Calculus, United States Government, and Accounting. In addition, Shawanda was inducted into the Crystal Springs High School Hall of Fame, received the Student Council Leadership Award, and the U.S. Marine Corps Distinguished Athlete Award. Ms. Allen was also awarded scholarships from Boardwalk Pipeline Partners, LP, the United States Achievement Academy, Workforce Investment Area Transition, and University of Southern Mississippi Leadership Scholarships.

Shawanda participated in the Student Council, Beta Club, SADD Club, Mu Alpha Theta Club, Theater Club—Tigers Actin' Up, and played on the soccer, softball, and track/field teams. She is a faithful member of Clear Creek Missionary Baptist Church where she is a part of the Feeding Ministry and Nursing Home Ministry.

In 2012, Shawanda graduated from Crystal Springs High School with honors. In the fall, she plans to attend the University of Southern Mississippi where she will pursue a degree in Accounting. Mr. Speaker, I ask our colleagues to join me in recognizing Ms. Shawanda LaShell Allen for her hard work, dedication and a strong desire to achieve.

#### INTRODUCTION OF THE PROTECTION FROM ROGUE OIL TRADERS ENGAGING IN COMPUTERIZED TRADING, OR PROTECT, ACT

#### HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Mr. MARKEY. Mr. Speaker, today, I am introducing the Protection from Rogue Oil Traders Engaging in Computerized Trading, or PROTECT, Act. I am introducing this bill because we need some common-sense rules and regulations on this growing element of trading. High speed traders are pursuing increasingly creative and potentially risky strategies, and if we've learned anything from the

last decade, it's that Wall Street shouldn't be left to experiment without some regulatory supervision.

High speed trading, better known as high frequency trading, is trading driven by computer algorithms that place buy and sell orders automatically. Once set in place, these algorithms run until they are taken offline, and they can be programmed to trigger trades by just about any event: by a commodity's price ticking up several trades in a row, by small differences in the price of a commodity between different exchanges, even by the appearance of certain key words in social media. These algorithms operate at terrifically fast speeds—they can trigger trades in milliseconds or even microseconds. As Futures Magazine reported back in 2011, "the main activity of HFT is speed. While some such algorithms exist, the majority of high-frequency traders are making a bet like everyone else and attempting to gain an edge through speed."

High frequency trading is becoming the dominant form of trading in our commodity futures markets. Prior to 2006, the New York Mercantile Exchange did not even allow electronic trading to occur while the markets were open. Yet, high frequency trading has exploded over the last seven years. According to one estimate by Sandler O'Neill and Partners L.P., high frequency trading was responsible for 47 percent of trade volume in futures markets in 2008 and now generates 61 percent of futures market volume. That's a torrid increase in only a few years, and it occurred despite commodity prices crashing during the 2008 financial crisis.

High frequency trading is changing the composition of our markets, and it's imperative that regulators have the ability to keep up with that change. Twenty-three years ago, I authored and helped enact the Market Reform Act of 1990, which gave the Securities and Exchange Committee the power to regulate practices that caused excessive volatility in our equities markets. As I informed former SEC Chairman Elisse B. Walter in January via letter, I believe the Market Reform Act empowers the SEC to take steps to regulate high frequency trading in equities. In response to my letter, the SEC confirmed that the Market Reform Act provides a "valuable source of authority" regarding excessive volatility and that the Commission is contemplating using it and other authorities to regulate high frequency trading in the equities markets.

Unfortunately, the rising role of high frequency trading in futures has not been fully appreciated until recently, and the Commodity Futures Trading Commission does not currently have explicit authorization to regulate high frequency trading in futures. As a result, the only protection we have at present is Wall Street's willingness to self-regulate. And as we all viscerally experienced during the last six years of a financial crisis and devastating recession prompted by risky Wall Street investments, when Wall Street's experiments blow up, Main Street catches on fire.

The PROTECT Act will ensure that CFTC has the power to step in when necessary to protect Main Street companies and consumers from trading explosions caused by high frequency trading. This bill requires all futures traders making use of high frequency trading

to register with the CFTC. It mandates that futures traders using high frequency trading technology establish reasonable safeguards on their systems. It prohibits simultaneous purchase and sell orders for the same commodity contract in significant quantities using high frequency trade technology. These so-called "wash trades" can be used to manipulate markets and generate an artificial appearance high levels of trading activity are occurring. It empowers the CFTC to establish rules and regulations on high frequency trading to address fraud, manipulation, or disruptive practices or that are otherwise "in the public interest." And it raises penalties for market manipulation from \$140,000 for companies to \$10,000,000 or triple the total amount of proximate losses. Given that our futures markets involve trillions of dollars in trades, it's critical that the scale of the penalties match the size of the market.

High frequency traders are racing to develop ever more sophisticated technology because a technological advantage in this field can be worth millions of dollars. Yet, the commodity markets do not exist just for a few firms dabbling in high frequency trading—they are important tools for hedging and price discovery, and we should not allow the market's proverbial tail to wag the dog. Moreover, the actions of a few Wall Street HFT firms do not just affect Wall Street. High frequency traders can exact a hidden tax on other market participants by inserting themselves between buyers and sellers, and portions of that tax are then passed along to consumers. And when our markets crash, retirement accounts can be depleted, businesses can go bankrupt, and people can lose their jobs.

As the CFTC says on its website, "The CFTC's mission is to protect market users and the public from fraud, manipulation, abusive practices and systemic risk related to derivatives that are subject to the Commodity Exchange Act, and to foster open, competitive, and financially sound markets." It is critical that the CFTC have the power to regulate high frequency trading so that rogue traders do not get in over their heads and damage the rest of the economy. The PROTECT Act will ensure that some common-sense rules can be set over high frequency trading in our futures markets, and I urge all of my colleagues to co-sponsor this critical legislation.

IN TRIBUTE TO CAPTAIN JOHN JONES

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. COURTNEY. Mr. Speaker, I rise today to honor Fire Police Captain John Jones for his 50 years of dedicated service to the Colchester Hayward Volunteer Fire Company.

As a charter member of the Fire Company since 1963, Captain Jones has demonstrated an extraordinary commitment to keeping his community safe and secure. This commitment has led to tremendous growth of John's role and leadership within the company. Captain Jones was the organization's first Emergency

Medical Technician during his early days, and moved up the ranks to become Fire Police Captain, a role in which he has served for 30 years.

In addition to countless hours spent training his fellow volunteers so that future generations will maintain the legacy of the Colchester Hayward Volunteer Fire Company, Captain Jones has been recognized as an elite member of his community's volunteer protection service. Awards include several merit awards, Fire-fighter of the Year in 1986, Fire Police Officer of the Year in 2004, and the Stephen Smith Memorial Award in 2012. In recognition of his service, the Town of Colchester has designated June 15, 2013, as Captain John Jones Appreciation Day.

With roots dating back to 1854, the Colchester Hayward Volunteer Fire Company has provided fire, rescue, and emergency medical services to residents of the Colchester area of eastern Connecticut.

I ask my colleagues to join me in recognizing Captain John Jones for his selfless service to his community and to hold him up as an example of our core community values for all Americans. We thank him for his decades of hard work and dedication to the Colchester community.

PRESIDENT OBAMA: SERIOUSLY  
PUSH HUMAN RIGHTS ON FRIDAY  
WITH XI JINPING

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. SMITH of New Jersey. Mr. Speaker, this week, the world remembers the dream that was and is the "Tiananmen Square Protests of 1989" and deeply honors the sacrifice endured by an extraordinarily brave group of pro-democracy Chinese women and men who dared to demand fundamental human rights for all Chinese.

Twenty-four years ago this week, the world watched in awe and wonder as it had since mid-April of '89 as hundreds of thousands of mostly young people peacefully petitioned the Chinese government to reform and democratize. China seemed to be the next impending triumph for freedom and democracy, especially after the collapse of the dictatorships in the Soviet Union and the Warsaw Pact. But when the People's Liberation Army poured into and around the Square on June 3rd, the wonder of Tiananmen turned to shock, tears, fear and helplessness.

On June 3rd and 4th and for days, weeks and years after, right up until today, the Chinese dictatorship delivered a barbaric response—mass murder, torture, incarceration, cover-up and the systematic suppression of fundamental human rights.

The Chinese government not only continues to inflict unspeakable pain and suffering on its own people, but the cover-up of the Tiananmen massacre is without precedent in modern history. Even though journalists and live television and radio documented the massacre, the Chinese Communist Party line continues to deny, obfuscate and threaten.

In December of 1996 General Chi Haotian, the operational commander who ordered the murder of the Tiananmen protestors, visited Washington, DC as the Chinese Defense Minister. Minister Chi was welcomed by President Clinton at the White House with full honors including a 19-gun salute—a bizarre spectacle I and others strongly protested. Why do I bring this up? Minister Chi addressed the Army War College on that trip and in answer to a question said "not a single person lost his life in Tiananmen Square" and claimed that the People's Liberation Army did nothing more violent than the "pushing of people" during 1989 protests. Not a single person lost his life? Are you kidding? That big lie and countless others like it was—and is—the Chinese Communist Party's line.

As chair of Foreign Affairs' human rights subcommittee, I put together a congressional hearing within a couple of days—December 18th, 1996—with witnesses who were there on the Square in 1989 including Yang Jianli—a leader and survivor of the massacre—and Time magazine bureau chief David Aikman, two of the witnesses who testified at a hearing I held earlier this week. I also invited Minister Chi or anyone the Chinese Embassy might want to send to the hearing. He—they—refused.

I guess Minister Chi thought he was back in Beijing where the big lie is king and no one ever dares to do a fact check.

A few days ago, the U.S. State Department asked the Chinese government to "end harassment of those who participated in the protests and fully account for those killed, detained or missing." The response? The Chinese Foreign Ministry acrimoniously said that the U.S. should "stop interfering in China's internal affairs so as not to sabotage China-U.S. relations."

"Sabotage" Sino-American relations because our side requests an end to harassment and an accounting? Sounds like they have much to hide.

President Obama is scheduled to meet with China's President Xi Jinping on Friday to discuss security and economic issues. A robust discussion of human rights abuses in China must be on the agenda and not in a superficial or superfluous way. It's time to get serious about China's flagrant abuse.

Can a government that crushes the rights and freedoms of its own people be trusted on trade and security?

China today is the torture capital of the world and victims include religious believers, ethnic minorities, human rights defenders like Chen Guangcheng and Gao Zhisheng and political dissidents.

Hundreds of millions of women have been forced to abort their precious babies pursuant to the draconian one-child policy which has led to gendercide, the violent extermination of unborn baby girls simply because they are girls. The slaughter of the girl-child in China is not only a massive gender crime but a "security" issue as well. A witness at one of my earlier hearings, Valerie Hudson, author of *Bare Branches*, testified that the gender imbalance will lead to instability and chaos—even war, "that the One-Child policy has not enhanced China's security, but demonstrably weakened it." As Nick Eberstadt famously phrased it,

what are the consequences for a society that has chosen to become, simultaneously, both more gray and more male . . . The other face of the coin from the missing daughters of China, are the excess sons of China . . . the abnormal sex ratios of China do not bode well for its future."

I hope policymakers pay close attention to the witnesses who testified earlier this week because Tiananmen was a tipping point and the lessons learned and employed ever since by the Chinese government required much better understanding and due diligence and a more effective response from us.

One of our witnesses, Dr. Yang Jianli, testified that soon after Tiananmen the Communist Party embraced a ubiquitous code of corruption to enrich the elite at the expense of the general public, believing that "economic growth means everything" to the survival and sustainability of the dictatorship. "All this was made possible thanks to the Tiananmen massacre and the political terror that was imposed on the entire country in the years following. . . ."

Earlier this week, we heard from activists who were in Beijing in June of 1989, another democracy advocate who was serving an 18-year sentence in prison at that time and a former Time Magazine Beijing reporter who was an eyewitness to these events.

Dr. Yang Jianli is a former political prisoner and survivor of the massacre. His insights into the repercussions on China from Tiananmen, the ongoing corruption and the unfinished business are elucidating.

Chai Ling was one of the most effective—and most wanted—leaders of the protest movement in Tiananmen Square. Her courage and fight for democracy and remarkable escape is the stuff of legend. As a strong woman of faith, her testimony is a message of remembering the lessons of the past but also giving hope for the future.

Wei Jingsheng has been advocating for democracy in China for decades and has paid a heavy price in serving over 18 years in prison for his activities in fighting for freedom of the Chinese people. His perceptive and frequent analyses of the Chinese Communist system and the changing views of the population offer a profound view today of the events surrounding Tiananmen.

And we are also grateful to have heard from Dr. Sophie Richardson of Human Rights Watch who for many years has been an expert and advocate of political reform and democratization and human rights in China.

Dr. David Aikman, former Beijing Bureau Chief for Time Magazine, was also present during the Tiananmen massacre and covered the student protests prior to the conflict. He has also studied extensively on the status of religious freedom in China and the situation of Christianity in China today and the historical influences on its development. And we appreciated his insights and testimony.

We will not forget what took place in Tiananmen Square 24 years ago. The struggle for freedom in China continues. Someday the people of China will enjoy all of their God-given rights. And a nation of free Chinese women and men will someday honor and applaud and thank the heroes of Tiananmen and all those who sacrificed so much for so long for freedom.

## RETIREMENT OF ROBERT E. RIVERS

### HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Mr. GINGREY of Georgia. Mr. Speaker, I proudly rise today to honor Robert E. Rivers for his long-standing service in the Georgia House of Representatives. On August 1, he will celebrate his retirement from his role as Clerk after 21 years of dutiful service to lawmakers and citizens.

In this position, Rivers is the official custodian of all bills, resolutions, records, and documents filed in the general assembly. He and his staff were tasked with providing government transparency by keeping an accurate record of daily proceedings for Georgia's citizens, and serving as the Georgia Speaker's chief parliamentary procedure advisor.

During my tenure as a State Senator, I came to personally know Rivers as a true gentleman who treats his role with the utmost regard for his duty and respect for the history of the Capitol grounds. Throughout his career, he has served as a gracious host to the Capitol for thousands of Georgia citizens and will be a dearly missed personality in the general assembly.

Mr. Speaker, on behalf of lawmakers everywhere, I would like to extend my deepest thanks to Robert Rivers for devoting himself to the integrity and prestige of the Georgia House of Representatives. I wish him a happy—and well-deserved—retirement.

## TRIBUTE TO WAVERLY DISTRICT IN COLUMBIA, SOUTH CAROLINA

### HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a Sixth Congressional District community that celebrating its centennial anniversary. The Waverly District in Columbia, South Carolina, is an historic African American neighborhood that has built a very proud history over its 100 years in existence, and it is my honor to represent it in the U.S. House of Representatives.

The Waverly District was named a National Register of Historic Places District in 1989, and is the only African American residential neighborhood to hold that distinction in Columbia. There is good reason it qualified for this designation. By the early twentieth century, Waverly was a thriving community of African American artisans, professionals and social reformers, many of whom made significant contributions to the social and political advancement of African Americans in South Carolina and in the nation.

Among the Waverly District historic properties and sites are: the Heidt-Russell House, home of Edwin Roberts Russell, one of the few African American scientists who worked on the Manhattan Project in during World War II; the Matthew J. Perry site, location of a

former home of South Carolina's first African American Federal Judge and 1963 Edwards v. South Carolina lead attorney. The landmark breach of the peace case and its impact on civil rights was featured in May 2013 on C-SPAN's LCV Cities Tour; the Modjeska Simkins childhood home, former home of the "Matriarch of the South Carolina Civil Rights Movement" Modjeska Monteith Simkins, who hosted former Justice Thurgood Marshall during strategy meetings for Briggs v. Elliot, which became part of the historic Brown v. Board of Education desegregation case; and the Visanska Starks House, one of the few historic sites in America with residential histories of an antebellum white Southern woman, a Jewish immigrant from Poland, and an African American scholar who became president of three historically black colleges. The House and its carriage house were featured on a segment of HGTV's "If Walls Could Talk" and the site is a member of the International Sites of Conscience.

Mr. Speaker, I ask you and my colleagues to join me in recognizing the 100th anniversary of the Waverly District and congratulate the Historic Waverly Improvement and Protection Association President, Doris Hildebrand, and Association Historian, Catherine Fleming Bruce, for their efforts to commemorate this great occasion. The current residents and members of the extended community have dedicated themselves to preserving the Waverly District and its history, and they deserve commendation for their extraordinary work. This is a model preservation effort that is dear to my heart and serves as an example of the significant impact such efforts can make for future generations.

## HONORING DE'UNA WILSON

### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Ms. De'Una Wilson, the 2012 Valedictorian at Canton High School, in Canton, Mississippi. De'Una is the daughter of Mr. Derreco, Sr. and Ms. Regenia Wilson. She was born and raised in Canton and attends Canton United Methodist Church.

De'Una's accomplishments can be attributed to her desire to fulfill her grandmother's dying wish, which was for her to graduate at the top of her class. To achieve this, De'Una dedicated herself to her academics and completed her senior year with an "A" average, earning her the merit of Class Valedictorian. In addition to her academics, De'Una has remained active in her community by volunteering at the Open Door Community Outreach Center at Zion Missionary Baptist Church in Canton, and working a part-time job.

De'Una has been accepted into the Engineering Program at Jackson State University where all of her hard work was rewarded with a full scholarship.

Mr. Speaker, I ask our colleagues to join me in recognizing Ms. De'Una Wilson in being Valedictorian of Canton High School's 2012 graduating class.

## PERSONAL EXPLANATION

**HON. PATRICK J. TIBERI**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. TIBERI. Mr. Speaker, on rollcall vote number 203, amendment number H. AMDT. 121, I mistakenly voted "aye." I intended to vote "no." Later in the same vote series, I voted "no" on a similar amendment, H. AMDT. 129, rollcall vote number 206.

## CONGRATULATING LOVETT BASEBALL ON AA STATE CHAMPIONSHIP

**HON. PHIL GINGREY**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. GINGREY of Georgia. Mr. Speaker, today I rise to recognize the Lovett High School baseball team. On May 27, the Lions bested the Westminster Wildcats in a best of three championship series to win the AA division state championship.

Although the Wildcats won the first game of the series, the Lions mounted a comeback to win the second game in overtime and carried their momentum into the deciding third game to clench the school's first title since 2009.

This season, Coach Lance Oubs, his staff, and these young men have worked tirelessly to earn their place in Georgia baseball history. The team's seniors will enter the next chapter of their lives knowing that they have upheld their school's legacy of excellence and have set a high bar for future Lions teams.

I encourage the entire team to savor their victory and remember the season's important life lessons of responsibility, persistence, and self-discipline. These traits will serve them well throughout their lives.

Mr. Speaker, it is with great pride that I congratulate the Lovett Lions on their well-deserved 2013 2A State Championship title and wish them luck as they defend their title next year. This team has brought great pride to their school, the city of Atlanta, and Georgia's 11th District. Go Lions.

## TRIBUTE TO KAREN PRICE

**HON. SHELLEY MOORE CAPITO**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mrs. CAPITO. Mr. Speaker, I rise today to recognize Karen Price, a dear friend and President of the West Virginia Manufacturer's Association; she is retiring this year after 22 years of service. I have known and worked with Karen in the West Virginia Legislature and in Congress, and I have watched her tireless efforts for the manufacturers' of West Virginia with great admiration.

Karen is a very accomplished woman who has diligently and successfully pursued her career in a very male dominated arena, namely

economic development and manufacturing. Such success can be attributed to her hard working nature, as well as her tenacious character. She worked her way through college, the first child of her family to do so, and she has not looked back since.

Karen's start in economic development was as a member of the West Virginia Economic Development Office, serving as its Legislative Director. Karen was responsible for recruiting new businesses to the state, including Bruce Hardwood, now known as Armstrong Products in Beverly, WV. She also worked to ensure that these businesses were able to hire capable women and men. Karen has always been committed to recruitment through a trained workforce, and she continues to emphasize the importance of an educated, skilled workforce today.

Karen's talents have been recognized by many through the leadership positions that she has held including, Member, Board of Trustees' Charleston Area Medical Center and the David Lee Cancer Center; Charleston YWCA; and Bridgemont Community and Technical College. Karen has served as Past President of the following organizations: American Society of Association Executives; Charleston Vandalia Rotary Club; and West Virginia Business and Industry Council. Karen and I share the distinction of being recognized as a "Woman of Achievement," by the YWCA of Charleston. The list is exhaustive, with each role further lending proof to the fact that Karen has lived an exemplary life.

I am grateful for the work that Karen has performed representing West Virginia's manufacturer's, the backbone of West Virginia's economy. Throughout her career she has worked with numerous governors, the West Virginia Legislature and regulatory agencies to address barriers to economic development. Those accomplishments include reform of the West Virginia Workers Compensation Program, and addressing taxation and environmental protection regulations to name a few.

Mr. Speaker, this high level of commitment to the State of West Virginia is one deserving of great honor and respect. Through this Extension of Remarks, I would like to thank Karen for her service and for the tremendous, positive impact she has made on West Virginia and its economy. Karen exemplifies the qualities of Mountaineer integrity that we cherish at home, and I am honored to call her my friend. I wish her the best moving forward toward her much deserved retirement.

## IN HONOR OF CONGRESSMAN JOHN DINGELL—THE LONGEST SERVING MEMBER OF CONGRESS

**HON. GARY C. PETERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. PETERS of Michigan. Mr. Speaker, I rise today and ask my colleagues to join me in recognizing the many accomplishments of a great friend to me and an outstanding mentor to many—JOHN DAVID DINGELL.

In 1955, JOHN DINGELL assumed office after winning a special election after the passing of

his father. During the years of his service he established a legacy as a courageous and principled leader. This was best exemplified by a vote early in his career to pass the Civil Rights Act of 1964. There were many who thought this vote would end his career. But JOHN DINGELL, despite the fact that the measure was then controversial and contentious, exemplified true leadership by voting to ensure equality for African-Americans.

Mr. Speaker, it is this integrity and strong commitment to fair leadership that has led to a career full of accomplishment for the Dean of the House, and it is why his constituents have made him the longest-serving member in the history of the United States House of Representatives.

Congressman DINGELL has worked passionately to protect our environment. Throughout his career, he has passed landmark legislation such as the Clean Air Act and the Clean Water Act, and he did so by building broad bipartisan consensus.

As Chairman of the House Energy and Commerce Committee, Congressman JOHN DINGELL dramatically changed the way we view our environment by fighting for legislation preventing animal extinction, limiting air and water pollution and increasing wildlife conservation. In Michigan, I can confidently say we have all seen the benefits of Representative DINGELL's work. He has been a consistent champion for our automotive industry—protecting thousands of jobs and ensuring that one of America's premier industries continues to grow. Our State cannot thank him enough for his tireless efforts.

Every day he has served in Congress JOHN DINGELL has fought hard to strengthen our health care system and make it accessible for everyone. From his very first day in Congress, JOHN DINGELL has fought to pass the National Health Insurance Act that was championed by his father. In 1965, JOHN DINGELL presided over the House as it passed legislation expanding health care to millions of Americans and in 2010; he achieved his goal of affordable, accessible health care for all Americans with passage of the Patient Protection and Affordable Care Act.

Mr. Speaker, forever known as Mr. Chairman, I am honored to stand here today and call JOHN DINGELL my colleague. I look forward to more achievements from him in the years to come, and to our continued work creating a better future for our State of Michigan and our Nation.

## TRIBUTE TO PUEBLO VETERANS RITUAL TEAM

**HON. SCOTT R. TIPTON**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. TIPTON. Mr. Speaker, I rise today to recognize the Pueblo Veterans Ritual Team of Pueblo, Colorado. Pueblo Veterans Ritual Team, founded in 1984, is a Veteran Service Organization dedicated to providing military honors to veterans.

As one of the oldest Veterans Ritual Teams in the country, the Pueblo Veterans Ritual

Team assists over two hundred of our nation's service families every year. The group is comprised of former service men and women who continue to serve the community by providing military funeral services for many of the area's fallen heroes. Pueblo Veterans Ritual Team supports disabled veterans, widows, and orphans of deceased veterans by comforting the families after the loss, entertaining service members while in the hospital, and providing any other assistance needed. Through their continual service in the community they have an immense impact as public ambassadors for veterans and the Armed Forces.

The community of Pueblo, as the Home of Heroes, is in debt to the Pueblo Veterans Ritual Team for their service in supporting the veteran community. Mr. Speaker, it is an honor to recognize Pueblo Veterans Ritual Team for their devotion to honoring America's heroes as well as their service to our nation.

**RECOGNIZING REVEREND EDWARD ARTHUR STERLING'S COMMITMENT AND SERVICE TO THE GREATER TACOMA AREA OF WASHINGTON STATE**

**HON. DEREK KILMER**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. KILMER. Mr. Speaker, I rise today in honor of Reverend Edward Arthur Sterling for his faithful and tireless service as a member of the United States Army and to his community. His work has touched many lives throughout the South Puget Sound Region of Washington State.

Fr. Sterling joined the United States Army after he graduated from college in 1942. After 12 years of continuous active duty service, he began his studies at the Episcopal Seminary of the Southwest. Upon completion, Fr. Sterling was ordained June 16, 1958 and served a local Texas Congregation for a number of years.

Fr. Sterling returned to the Army and continued his service to God and fellow soldiers. He dedicated an additional 16 years of service to the Army as a chaplain—serving throughout the world, including Germany, Vietnam and Korea. Fr. Sterling provided comfort, spiritual guidance and solace to soldiers in the most trying conditions. After a 28 years of active duty military service, Lieutenant Colonel Sterling retired.

Mr. Speaker, Fr. Sterling continued his life of service by dedicating himself to civilian pursuits and civic contributions in Tacoma, Washington.

Since his retirement, Fr. Sterling has served in several congregations throughout South Puget Sound. Since 1986, he has been an Associate Priest at St. Andrew's Episcopal Church in Tacoma; where he is a spiritual counselor, teacher, and friend to many.

In 2008, he celebrated the 50th anniversary of his ordination. Surrounded by family, friends, and community members, letters of appreciation from several local and national elected officials were read aloud. The grand occasion included a service led by two Bishops from the Dioceses of Olympia.

As I close, I can say with absolute confidence that our community is a better place thank to the selfless service of people like Reverend Edward Arthur Sterling. He has dedicated his life to serve God and country. I am pleased to recognize that extraordinary service today in the United States Congress.

**PERSONAL EXPLANATION**

**HON. MICHELE BACHMANN**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mrs. BACHMANN. Mr. Speaker, during roll-call No. 195 on the Polis Amendment to H.R. 2217—Department of Homeland Security Appropriations Act, 2014, the vote was incorrectly recorded as "yes." I intended to vote "no."

**RECOGNIZING CONNELL INSURANCE**

**HON. BILLY LONG**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. LONG. Mr. Speaker, I rise today to recognize Connell Insurance, the 2013 recipient of the Springfield Area Chamber of Commerce's W. Curtis Strube Small Business Award.

Connell Insurance is a full service, independent insurance agency that was founded by Pat Connell in 1971. The launch of Connell Insurance came after Pat saw his father, Bob, lose his successful houseboat manufacturing business to a fire in the late sixties. This disaster took an even worse turn with the insurance difficulties that occurred after the fire. With this tragedy in mind and being an entrepreneur by nature, as well as family tradition, Pat launched Connell Insurance Inc. to serve his community.

Throughout the years, Connell Insurance garnered a reputation for excellence in serving the rapid growth of the hospitality industry in Branson. The growth of Branson was equally matched by the agency itself. It was this growth that spurred Pat's brother, Tim, to join the agency in 1987. In 1995, Connell Insurance became even more of a family affair when Pat's son, Chad, joined the family business.

Connell Insurance is recognized within Southwest Missouri for its focus on community, its unique service offerings, and its philosophy of being a trusted partner and advisor to its clients. The agency's forward-thinking enabled it to be among one of the first agencies to go "paperless," completing the transition nearly a decade ago. In fact, the agency is currently the only Ozarks Greenscore certified insurance agency in Southwest Missouri.

Connell Insurance is the 2013 recipient of the Springfield Chamber of Commerce W. Curtis Strube Small Business Award. The W. Curtis Strube Small Business Award celebrates the importance of small business in the Springfield community and highlights the

unique entrepreneurial spirit that flourishes here.

I am honored to recognize Connell Insurance and their 31 employees, and want to take this opportunity to acknowledge their hard work, innovation, business philosophy, and contributions to our community.

On a personal note I would like to mention that not only is Pat a great businessman, he and his wife Patty were even better next door neighbors to my Mom and Dad for several years.

**COMMEMORATING THE GRAND OPENING OF THE MILAN '54 HOOSIERS MUSEUM**

**HON. LUKE MESSER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. MESSER. Mr. Speaker, I rise today to commemorate the grand opening of the new Milan '54 Hoosiers Museum in Milan, Indiana. On a cold March night in 1954, the Milan High School boy's basketball team captured the state boy's basketball title, defeating an opponent from a school roughly ten times its size. In doing so, this tiny school secured its place in Hoosier sports history. The movie Hoosiers shared their story with the world thirty-four years later and captured the imagination of a nation.

The museum in Milan will be an asset for the community and honor the memories of its coaches and players. The Milan Indians proved that heart matters more than size and that hard work, determination, and perseverance can overcome seemingly insurmountable odds. They achieved greatness that should serve as an example for us all. I am proud to represent Milan in Congress and share the inspirational story that brings pride to all Hoosiers.

**TRIBUTE TO WILLIAM "BILL" HAMILTON**

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a loyal South Carolina State University bulldog, who dedicated his entire career to his alma mater. Mr. William "Bill" Hamilton is retiring after forty years of service as the SC State Sports Information Director, and his presence and leadership will be sorely missed.

Bill Hamilton was born in Baltimore, Maryland, but grew up in Chesterfield, South Carolina. There he attended public schools and graduated from the former Gary High School.

As an African American growing up in the deep South just as integration was beginning to take hold, Bill chose to attend South Carolina's only publicly supported historically black college. He graduated from South Carolina



State College (SCSU) in 1973 with a bachelor's degree in English Language and Literature. He went on to earn a Master of Education degree from SC State in 1979, and did further study at New York University.

Just two months after his 1973 graduation, Bill joined SC State as its first full-time sports information director. He holds the distinction of being the only person to hold that position in the history of the college.

Bill has earned numerous professional and civic awards during a long and distinguished career. Most recently he received the 2013 College Sports Information Directors of America (CoSIDA) Lifetime Achievement Award. He has also been the recipient of CoSIDA's Bob Kenworthy Community Service Award (1998), the CoSIDA 25-Year Service Award (1998), the CoSIDA Trailblazer Award (2005) and the CoSIDA Arch Ward Award (2009).

Other awards include the All-American Football Foundation Scoop Hudgins Outstanding SID Award (2005), the BCSIDA Cal Jacox-Champ Clark Outstanding SID Award (1989), and the Herm Helms Media Excellence Award (2012).

Hamilton was inducted into the CoSIDA Hall of Fame in 2009. He is also enshrined in the MEAC Hall of Fame (2009), the SCSU Physical Education Hall of Fame (2011) and the SCSU Athletic Hall of Fame (2002).

In addition, he was named Staff Employee of the Year at SC State in 1999 and also inducted into the Quarter Century Club. He was selected as a NAFEO (National Association for Equal Opportunity in Higher Education) Distinguished Alumnus (2006), and appeared as a Stellar Alumnus on the SC State National Alumni Association's 2010 calendar. He is a Life Member of the Greater Orangeburg Alumni Chapter of SCSU.

A member of a number of professional and civic organizations, Hamilton is actively involved in the sports industry and his community. He is a longtime pollster for the Sheridan Broadcasting Network (SBN) and The Sports Network, and served on the NCAA Final Four Media Coordination Committee nine years (1999–2007). He is the former chairman of the Orangeburg Attention Homes, Inc., a former board member and local chapter president of the Alston Wilkes Society, and currently a board member of the SC State Employees Association and president of the Orangeburg Chapter of SCSEA.

In addition, he is a life member of Kappa Alpha Psi Fraternity, Inc. and was named the fraternity's "Kappa Man of the Year" in 2000.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Bill Hamilton for his 40 years of distinguished service as South Carolina State University's Sports Information Director. His commitment to his alma mater and his profession are exemplary, and his contributions are incalculable. His retirement is well-deserved and I wish him all the best in this new phase of his life.

# RECOGNIZING THE 109TH BIRTHDAY OF MR. ROOSEVELT LEE, SR. OF KOSCIUSKO, MS

## HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to recognize Mr. Roosevelt Lee, Sr. of Kosciusko, MS as a father, husband and agricultural entrepreneur in recognition of his 109th birthday. Born October 23, 1902 to Mr. Tom Lee and Mrs. Mary Young Lee, Roosevelt is the eldest and last surviving of nine siblings, all of which he helped his father care for. Mr. Lee is the father of eighteen (18) children, grandfather to sixty (60) grandchildren, and great-grandfather to more than fifty (50) great-grandchildren.

During a period when educational resources for African Americans were scarce, Mr. Lee managed to receive a third grade education which was offered out of a local church in Kosciusko, where he is a native. At a very young age Mr. Lee committed his time and talent to working to help support his family; he worked as a farmer, mechanic, and raiser of cattle and other livestock.

He is a devoted Christian and passionate steward of the Lord. He was a member of the Mount Ollie Missionary Baptist Church in Kosciusko, MS for 67 years where he actively served as Sunday school superintendent, treasurer, head deacon, treasurer, and trustee. Currently, he is a member of the Bell Grove Missionary Baptist Church of Clarksdale and has been for the past eight years.

Mr. Lee is a member of the Sir Knight Masons of Clarksdale, MS. He has selflessly devoted his time to helping other local farmers maintain and repair their farming equipment and vehicles. Mr. Lee's work ethic and commitment to providing for his family has allowed his family to keep its farm for 81 years. He was a producer of cotton, corn, soybeans and a number of other crops.

In October of 2007, Mayor Henry Epsy of Clarksdale, Mississippi, declared October 27th as Roosevelt Lee, Sr. Day. At the seasoned age of 109, Mr. Lee does not suffer from commonly prominent illnesses such as high blood pressure, cholesterol, heart issues or diabetes. He enjoys boxing, wrestling, and he has a passion for the game of checkers. He has frequented many U.S. cities such as Chicago, St. Louis, California, Atlanta and a host of other U.S. cities and states.

Mr. Lee truly believes that his commitment to Christ has sustained him throughout his life. He believes that if you serve the Lord and do the right thing, regardless of what the next person does, God will bless you. He is a true example of the wondrous works of the Lord and what it means to be a provider for your family.

Mr. Speaker, I ask that my colleagues join me in celebrating a true champion of life, Mr. Roosevelt Lee, Sr., for his tenacity and zealous work as a farmer, father and fine American.

# PERSONAL EXPLANATION

## HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Mr. DIAZ-BALART. Mr. Speaker, due to a death in the family, I was unable to cast the following votes. If I had been present, I would have voted as follows:

Rollcall vote 161, I would have voted "yea"; rollcall vote 162, I would have voted "yea"; rollcall vote 163, I would have voted "yea"; rollcall vote 164, I would have voted "yea"; rollcall vote 165, I would have voted "yea"; rollcall vote 166, I would have voted "yea"; rollcall vote 167, I would have voted "yea"; rollcall vote 168, I would have voted "yea"; rollcall vote 169, I would have voted "yea"; rollcall vote 170, I would have voted "no"; rollcall vote 171, I would have voted "no"; rollcall vote 172, I would have voted "no"; rollcall vote 173, I would have voted "no"; rollcall vote 174, I would have voted "no"; rollcall vote 175, I would have voted "no"; rollcall vote 176, I would have voted "no"; rollcall vote 177, I would have voted "no"; rollcall vote 178, I would have voted "no"; rollcall vote 179, I would have voted "yea."

# RECOGNIZING JACK DIMMER'S OUTSTANDING ACHIEVEMENT AND SERVICE TO THE PIERCE COUNTY REGION OF WASHINGTON STATE

## HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Mr. KILMER. Mr. Speaker, I rise today to recognize Jack Dimmer, a senior at Charles Wright Academy and recipient of the Honorable Fixed NGO award from Harvard National Model United Nations.

Founded in 1955, a decade after the United Nations was created; Harvard National Model United Nations is the largest, oldest, and most respected conference of its kind. Every year, it brings over 3,000 students and faculty together from around the world to simulate the United Nations. The program offers a unique opportunity to experience and work through the challenges of international negotiation and diplomacy.

Mr. Dimmer attended the Harvard National Model United Nations as a part of Charles Wright Academy's Model United Nations Club. The club requires students to comprehensively research, debate, and diplomatically negotiate a range of foreign policy issues. Mr. Dimmer received the Honorable Fixed NGO Award for his work representing a Seattle non-profit committed to addressing clean water issues around the world. Of the thousands of students in attendance, only one student is annually selected for the award.

Mr. Speaker, this is a significant honor for Mr. Dimmer. His dedication and acumen have garnered an invitation to represent the United States this summer in the All-American Model United Nations held in Beijing. There is no

doubt that Mr. Dimmer will make our region proud with his proven dedication and skill.

Mr. Speaker, Mr. Dimmer's commitment to service, and to his country, extends beyond his involvement with United Nations. The Honorable Norm Dicks nominated Mr. Dimmer to attend the United States Military Academy at West Point and he will begin his studies this fall. I am sure that Mr. Dimmer will continue to excel, achieve, and serve his country with honor and distinction.

As I close, I can say with confidence that Mr. Dimmer exemplifies the aspects of our national character for which we should be most proud. His hard work, commitment to service, and diplomatic negotiation and mediation serve as an inspiration to us all. I am pleased to recognize Mr. Dimmer today in the United States Congress.

CONGRATULATING THE MORAVIA  
HIGH SCHOOL VARSITY BOYS'  
BASKETBALL TEAM ON REACH-  
ING THE NYSPHAA CLASS C  
STATE SEMI-FINALS

**HON. DANIEL B. MAFFEI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. MAFFEI. Mr. Speaker, today I rise to congratulate the Moravia High School Varsity Boys' Basketball team for their tremendous season in reaching the NYSPHAA Class C State Semi-Final. While they fell just short in overtime to Lake George in that game, I would like to commend each player for their hard work and team spirit all season.

Congratulations to Cole Johnson, Chase Walker, Chandler Benson, Cody Flick, Dylan Powers, Tyler Raner, Greg Horner, Brett Denman, Jared Lyon, Sam Allen, John Earl, Stephen Nemec, Dylan Haskell, John Patten, and Griffen Amos.

In addition, I would like to extend my congratulations to the head coach, Todd Mulvaney, to the assistant coaches, Brian Jackson, Pat Mott, Cory Langtry, and Chad Raner, and to the team managers, Carter Flick and Josh Cespedes. Finally, I wish to extend a special thanks to the parents, teachers and classmates who provided support and guidance to all the players. The Blue Devils finished their season with an impressive record of 23-3. Their success was driven by incredible work ethic and devotion to team.

Again, congratulations to the Moravia High School Varsity Boys' Basketball team. Go Blue Devils!

IN HONOR OF PRIVATE FIRST  
CLASS ROYDEN L. "ROY" DIAZ

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. FARR. Mr. Speaker, I rise today to remember Private First Class Royden L. "Roy" Diaz, who passed away on May 24th, 2013. Roy was the Salinas area's last Bataan Death

March survivor and one of two remaining survivors from the 194th Tank Battalion. Of the 105-strong C Company, 194th Tank Battalion, only 47 men made it home alive. He and the other members of his unit are heroes and their great deeds should never be forgotten.

Roy was born to Ben and Ida Diaz on October 23, 1916, in Monterey County, California. A graduate of Salinas High School, he spent a significant portion of his time working on his family's ranch in the Salinas Valley.

Interested in earning a little extra money, Roy enlisted in 1936 in the California National Guard's 40th Divisional Tank Company, headquartered in Salinas. On February 2, 1941, Roy's tank company was activated for federal service and re-designated C Company, 194th Tank Battalion. After preparation and mobilization training, his unit was sent to the Philippine Islands on September 8, 1941.

Two months later, the Japanese forces launched overwhelming attacks against the defenses of the Philippine Islands. After fierce fighting and bloody battles, tens of thousands of American and Filipino soldiers were surrendered to the Japanese on April 9, 1942.

Roy and the other prisoners were forced to march for days in the scorching heat through the Philippine jungles. The Japanese guards chased off, bayoneted or shot any Filipino civilian who tried to give water or bits of food to the passing lines of prisoners. Those prisoners who fell-out were bayoneted, shot, or beaten to death. Thousands of soldiers died along the way. Others were wounded or killed when unmarked enemy ships transporting prisoners of war to Japan were sunk by U.S. air and naval forces. Those who survived faced brutal hardships of the Japanese POW camps and, at one point, four hundred soldiers a day were dying.

By the time Japan surrendered and the U.S. Army liberated the Bataan Prisoners of War, two-thirds of the American prisoners had died in Japanese custody. Miraculously, Roy survived. He survived hardships that few have ever seen and even fewer can even imagine. After the Japanese surrendered and the prisoners were recovered, Roy returned to Salinas, California, for a short while working as a salesman for Glazer Brothers and then at Spreckels Sugar Company, but eventually went back to his family's livelihood—farming at his Corral de Tierra ranch where his parents raised him.

Roy loved life. He appreciated it more than most probably ever do. He loved hunting and fishing in the local area and in the Sierra Nevada area. He loved working in his garden and competed at the Monterey County Fair for his vegetable garden and sunflowers where he won many ribbons. He also loved dancing with his wife of 57 years, Lorraine and enjoyed their many trips to Reno, Nevada. He loved the California Rodeo where he met his wife at the Colmo Rodeo Parade.

Mr. Speaker, I know my colleagues in the House of Representatives all join me in remembering one of the last Bataan Death March survivors, Roy Diaz, whose service to our country ensures that our American democracy and our freedoms remain as strong today as they were 70 years ago when Roy was a young Army soldier.

IN RECOGNITION OF THE  
MILLEDGEVILLE MISSILES SOFT-  
BALL TEAM

**HON. CHERI BUSTOS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mrs. BUSTOS. Mr. Speaker, I rise today to recognize the outstanding results achieved by the Milledgeville Missiles against the Toledo Cumberland Pirates in the 1A Illinois state softball championship game on June 1st, 2013.

The game was a back and forth battle between two worthy opponents, which ultimately ended in a 5-4 rain-shortened victory this past Saturday. The Missiles struck first with a three-run homerun in the bottom of the first inning, staking Milledgeville to a 3-0 lead. Toledo Cumberland battled back for a 4-3 advantage, but the Missiles were resilient and were able to retake the lead 5-4 for the final time.

I congratulate the Missiles for winning the Illinois 1A state championship. This hard fought victory by Milledgeville gives the school its first state title in school history. The school and the entire community should be extremely proud of the effort put forth by Milledgeville, which concluded the season with a record of 28-3.

Mr. Speaker, I am extremely proud of the accomplishments of the Milledgeville softball team, both on and off the field, and I am honored to salute them today.

HONORING THE CAREER OF  
PRINCIPAL WILLIE SANDOVAL

**HON. KEVIN MCCARTHY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. MCCARTHY of California. Mr. Speaker, I rise today to honor the career of Principal Willie Sandoval, who is retiring after dedicating 45 years of his life to the Kern High School District in California.

In 1968, Willie began as a teacher and—how I remember him best—a coach at Bakersfield High School, my alma mater. In the mid-1980s during my time at BHS, Coach Sandoval taught me the importance of perseverance and a constant desire to learn, both on and off the field.

By 1997, Willie was eligible for retirement. Instead, his passion for educating our young people led him to take on new challenges and continue to serve Bakersfield students. He is the only principal in Kern High School District's history to open two new schools—Golden Valley High School and Independence High School. And as principal of Independence, he was constantly innovating new opportunities and educational experiences for his students. For example, Willie partnered with the California Department of Energy and PG&E to found the New Energy Academy, which infuses career technical education into our students' traditional academic endeavors at Independence. Coach Sandoval is a living example of the mantra "never give up."

Though his tenure in the education system comes to an end, his legacy will forever be found in the halls of our schools. President John F. Kennedy once said, "After the dust of centuries has passed over our cities, we will be remembered not for victories or defeats in battle or in politics, but for our contribution to the human spirit." Mr. Speaker, Principal Willie Sandoval's contribution to the human spirit through the education of our young Americans is truly admirable. Throughout his illustrious career, he has remained steadfast to his vision, passion, and advocacy for education.

I wish Willie well in retirement. And, as he enters this new chapter in his life, I know he is looking forward to spending more time with his wife Nettie, their daughter Carrie, son William, and his four grandchildren. On behalf of thousands of parents and students, I salute and honor a truly exceptional teacher, coach, principal, and leader in our community, Willie Sandoval, who leaves a legacy of hope, education, and inspiration through Kern County and the State of California.

HONORING DOROTHY ROGERS  
PORTER

HON. TERRI A. SEWELL  
OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES  
*Thursday, June 6, 2013*

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize and pay tribute to the life and legacy of Mrs. Dorothy Rogers Porter, a beloved musical icon and mentor from the Great state of Alabama who passed away on June 1, 2013 at the age of 77. This phenomenal woman was an extraordinary source of wisdom and guidance to me and so many others. While I am deeply saddened by her passing I am confident her legacy will live through the countless lives she touched during her lifetime.

For 38 years, this American jewel was first lady of the historic Sixth Avenue Baptist Church in Birmingham, Alabama. Alongside her husband, civil rights icon Rev. John T. Porter, Mrs. Porter became a fixture in the local community. But many will remember her for her extraordinary musicianship and her dynamic voice. As head of the children's choir, Mrs. Porter inspired a sincere love for music in the young lives that were under her direction.

The classically trained mezzo-soprano also taught music at Lawson State Community College and performed for audiences across the country. She graduated from Alabama State University with a bachelor's degree in music and went on to obtain a masters degree in music education from Wayne State University in Detroit.

Mrs. Porter was a committed servant leader active in so many community and civic endeavors. She lead Sixth Avenue's scholarship committee and was instrumental in preparing graduating seniors for the next phase in their lives. Mrs. Porter was a member of The Links Incorporated and Alpha Kappa Alpha Sorority, Inc. She also served on the Birmingham Library Board.

On a personal note, Mrs. Porter was a mentor of mine and countless others. I will miss

her loving smile, wise counsel and warm embrace. I was proud to call her a sorority sister, fellow Link and most importantly, my mentor. We will all miss her dearly.

We are indeed grateful for the life of this awesome woman. On behalf of the 7th Congressional District, the State of Alabama, and this nation, I ask my colleagues to join me in celebrating the life of Mrs. Dorothy Rogers Porter.

HONORING DR. SHIRLEY RAINES

HON. STEPHEN LEE FINCHER  
OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES  
*Thursday, June 6, 2013*

Mr. FINCHER. Mr. Speaker, I rise today to congratulate Dr. Shirley Raines on all of her achievements. A longtime resident of West Tennessee and originally from my home county of Crockett, I am especially proud to celebrate with her today.

A driving force bringing notoriety to Memphis for not only her work in education, but also her achievements in research, work-force and economic development. She is to be commended for her vision of bringing an urban institute that reaches all parts of West Tennessee that provides an educational opportunity for all.

Dr. Raines has served as the President of the University of Memphis for the past 11 years. Originally from Bells, TN, Dr. Raines holds a doctorate in education from the University of Tennessee at Knoxville and a Master of Science from the University of Tennessee at Martin. Before joining the University of Memphis, Dr. Raines was the Vice Chancellor for Academic Services and the Dean of the College of Education at the University of Kentucky. Dr. Raines is also an accomplished author, with fourteen books and several articles published.

Dr. Raines's accomplishments as the President of the University of Memphis are numerous and far-reaching. She has increased total enrollment to 22,000 and extended the campus by acquiring the Lambuth campus in Jackson, TN. Dr. Raines has also been crucial in the relocation of the Cecil C. Humphreys Law School and the construction of the Kemmons Wilson School of Hospitality and Resort Management, the FedEx Institute of Technology and several other campus developments. Dr. Raines has spearheaded the Empowering the Dream capital campaign, which aims to raise \$250 million by June 30th.

Dr. Shirley Raines's contributions to education and West Tennessee are undeniable and inspiring. I congratulate Dr. Raines on her many accomplishments and wish her well.

PERSONAL EXPLANATION

HON. XAVIER BECERRA  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
*Thursday, June 6, 2013*

Mr. BECERRA. Mr. Speaker, I was unavoidably detained and missed rollcall votes 188

and 189. If present, I would have voted "no" on rollcall votes 188 and 189.

HONORING PISTA SA NAYON

HON. MIKE THOMPSON  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
*Thursday, June 6, 2013*

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize the 27th Annual Vallejo Pista Sa Nasyon Festival.

On Saturday, June 1, 2013, the Pista Sa Nasyon festival marks their 27th anniversary of the founding of the Philippine Cultural Committee of the Filipino Community of Solano County. This celebration is also the 115th anniversary of the Philippine independence from Spain.

Pista Sa Nasyon is a yearly landmark festivity for the City of Vallejo, California and showcases the culture of Filipinos through a parade of colorful costumes, the sharing of traditional cuisine, and the appreciation of the cultural arts and music. Pista Sa Nasyon has grown to be one of the largest free festivals in the State of California and will be celebrated by over 40,000 people.

Mr. Speaker, on this occasion it is my distinct pleasure to recognize the Pista Sa Nasyon Festival in Vallejo, California on the 27th anniversary of their momentous event. I join our colleagues in celebrating the Filipino Community of Solano County's rich history and wishing them a successful 27th year with many more to come.

HONORING THE BRICK STORE  
MUSEUM IN KENNEBUNK, MAINE

HON. CHELLIE PINGREE

OF MAINE  
IN THE HOUSE OF REPRESENTATIVES  
*Thursday, June 6, 2013*

Ms. PINGREE of Maine. Mr. Speaker, I make this submission to correct a previous RECORD statement printed on June 4, 2013, which erroneously named the location of the Brick Store Museum as Kennebunkport, Maine.

Mr. Speaker, it gives me great pleasure to congratulate the Brick Store Museum, located in historic Kennebunk, Maine, for achieving accreditation from the American Alliance of Museums.

Since 1936, the Brick Store Museum has offered generations of locals and visitors the opportunity to explore the rich history of one of Maine's most iconic communities.

The Brick Store Museum's focal point is a building constructed in 1825 as a dry goods store by William Lord. The exterior remains much the same as when it was built, giving today's visitors a glimpse of what life was like nearly 200 years ago.

I am proud of the museum's commitment to preserving, interpreting, and exhibiting Kennebunk's important role in our history. Many students have passed through its rooms, gaining knowledge, understanding, and a stronger attachment to the area where they have grown up.

I share the Brick Store Museum's belief that the history of our oldest towns is crucial to understanding where we are now and where we are headed. As Maine continues to advance into the future, the Brick Store Museum offers an important tether to our past.

#### PERSONAL EXPLANATION

### HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on Monday, April 4, 2013, I was attending to family medical issues and unfortunately had to miss votes.

Had I been present in Washington, DC on Monday, June 4, 2013, my votes would have been as follows:

For rollcall No. 184, on suspending the rules and passing H.R. 1206, the Permanent Electronic Duck Stamp Act of 2013, which allows for the purchase of duck stamps electronically, I would have voted "yes."

For rollcall No. 185, on suspending the rules and passing S. 622, the Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013, which reauthorizes two programs that collect and spend fees by the FDA to expedite the review and approval of drugs for use in animals, I would have voted "yes."

It is an honor to serve the people of the 13th Congressional District of Illinois.

#### A TRIBUTE TO THE LATE DR. FLOYD RANDALL STAUFFER

### HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to recognize the late Dr. Floyd Randall Stauffer. I am submitting his prepared biography for the RECORD, detailing his extensive accomplishments and contributions to our community:

Born in Oklahoma City, Oklahoma to Maurice and Dorothy Stauffer, Dr. Stauffer graduated from Hyde Park High School in Chicago. He earned a B.S. Degree from the University of Chicago where he won the Big Ten medal for combined excellence in athletics and scholarship. He was first string guard on the Big Ten water polo championship squad, Phi Beta Kappa and received his B.S. degree in physiology in 1937 before earning his Master's of Science from Ohio State University in 1940. From 1940-1943, he attended medical school at Ohio State, receiving his MD in 1943. The day after he graduated from medical school, he married Mary Ruth Schuh who he described as "a brilliant doctor and first in her class."

Dr. Stauffer was commissioned in 1943 as a Lieutenant in the Medical Corps for the United States Navy and interned at the U.S. Naval Hospital in Bremerton, Washington. He served as a "Beach Party Doctor" (triage) in the Pacific theater on the USS Audubon. In 1947, he was dedicated Navy Flight surgeon, School of Aviation Medicine in Pensacola, Florida. Here he directed the human

centrifuge program and instructed Navy pilots in acceleration forces and radial G-forces. He also conducted research on the G-suit, as well as experiments on human tolerance and "supine G-forces."

In 1948, he received his PhD from the University of Southern California's School of Medicine, Department of Physiology. The Stauffer family moved to Downey, California in 1954 where both he and his wife, Mary, continued to practice medicine. He also served as the Warren High School team doctor for twelve years and sponsored some of the athletic awards.

"Dal," as he was called by friends and family, began his swimming career in Lake Michigan and his diving career at church summer camp at the age of ten. YMCA and high school diving followed where he became Chicago's junior and senior diving champion. He performed exhibition diving at the 1934 World's Fair. He continued competing throughout college in club and Amateur Athletic Union (AAU) regional competitions, winning many championships and was the All Navy Diving Champion in 1947. He went to the 1948 Olympic Trials, but finished seventh so he just missed making the team.

In 1962, he started swimming and diving with the Senior Olympics. In 1974, Dal went to Texas for the first Master's diving meet. Throughout his Master's career, Dr. Stauffer competed in 20 FINA Master's World Championships and 49 USA Master's National Diving Championships throughout the eight age groups beginning with 50-55. Active in the Master's program, Dal traveled throughout the country and around the world. He hosted Ukrainian and Lithuanian masters in his home, as well as diving officials from Denmark. In 2006, Dal was inducted into the International Master's Swimming Hall of Fame and in 2007, he was inducted into the Athletics Hall of Fame for the University of Chicago for swimming, diving and water polo. At 89, Dr. Stauffer decided to "dive for history," being the first to set a Master's diving record for a 90-year-old man.

In 1978, he discovered scuba diving and traveled to the best diving spots to pursue his newfound hobby. The highlight of this activity was a trip to New Guinea with one of his sons and a group headed by Jean Michele Cousteau, son of the famous undersea explorer, Jacques Cousteau.

In 1984, when Los Angeles hosted the summer Olympic games, Dal carried the torch for one kilometer at Salem, Oregon on July 8, 1984. He paid the \$3,000 for the privilege, most of which was donated to the Downey YMCA at his request, via the Torch Relay Foundation.

A lover of nature and animals, he took his family to visit many of the National Parks and to Africa. He also enjoyed spectator sports in addition to chess, bridge, the Japanese game of Go, reading, music and the theater. Annually, he created an original "transogram puzzle" for the family to complete on Christmas Eve. He maintained his digital dexterity for surgery by weaving baskets and crocheting placemats and tablecloths for family members. He was truly a "Renaissance Man" in every sense of the word.

I extend my most heartfelt condolences to Dr. Floyd Stauffer's wife, Dr. Mary Stauffer and her family—sons, Jim and John; and daughters, Dorothy Knight, Judi Saunders, and Janet Suzuki; grandchildren, Dawn Martens, Diane Saunders, Katherine Reich, Mary Owens, Alison Riley, Jessica Stauffer and Jordan Stauffer; and great-grandson, Phoenix Reich.

Mr. Speaker, I ask my colleagues to please join me in recognizing Dr. Stauffer's lifetime of achievements and long record of service to our country and our community. His significant contributions enriched the lives of many people.

#### PERSONAL EXPLANATION

### HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. BECERRA. Mr. Speaker, I was unavoidably detained and missed rollcall vote 204. If present, I would have voted "no" on rollcall vote 204.

#### PERSONAL EXPLANATION

### HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. DIAZ-BALART. Mr. Speaker, on rollcall vote No. 188 I mistakenly voted "aye" when I meant to vote "nay".

HOUSE BILL TO DESIGNATE THE FACILITY OF THE UNITED STATES POSTAL SERVICE LOCATED AT 450 LEXINGTON AVENUE IN NEW YORK, NEW YORK, AS THE "VINCENT R. SOMBROTTO POST OFFICE" INTRODUCTION

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I am introducing a resolution to designate the facility of the United States Postal Service located at 450 Lexington Avenue in New York, New York, as the "Vincent R. Sombrotto Post Office," to honor this historic letter carrier leader and all the work he did as the president of National Association of Letter Carriers (NALC).

Mr. Sombrotto was one of the most significant labor leaders of his generation. As president of NALC from 1978 to 2002, Mr. Sombrotto worked to increase letter carrier wages, moving them from poverty level to middle class. To this day letter carriers benefit from Mr. Sombrotto's commitment to the wage increases.

In 1992, he began the NALC food drive which has developed into the country's biggest one-day food drive. Held on the second Saturday every May, it has to date, provided more than 1.2 billion pounds of food for banks in communities throughout the United States, with letter carriers collecting non-perishable food individuals and families leave in their mailboxes.

As a firm believer in civic responsibility, Mr. Sombrotto and the NALC worked with the

United States Postal Service and emergency services organizations to establish Carrier Alert. This nationwide program allows carriers to perform heroic and humanitarian deeds on their routes including saving lives, finding missing children, looking over the elderly, and stopping crimes.

Mr. Sombrotto deserves our respect for the work he has done to help the lives of letter carriers, and their families, across the country. That is why I would like to rename the United States Postal Service located at 450 Lexington Avenue in New York, New York, as the "Vincent R. Sombrotto Post Office."

#### THE INTRODUCTION OF THE NATIONAL MALL REVITALIZATION AND DESIGNATION ACT

#### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Ms. NORTON. Mr. Speaker, last week while Congress was out of session, we had the kickoff for the second season of "Lunchtime Music on the Mall," which brings local and regional musicians to the National Mall to perform during the lunchtime hour, giving visitors and particularly our federal and other office workers downtown a break from the pace of business in Washington and an opportunity to enjoy their National Mall. The performances, featuring amateur city and regional residents, are sponsored by the Washington Metropolitan Area Transit Authority (WMATA), the D.C. Commission on the Arts and Humanities, and the National Park Service (NPS), in conjunction with my office. To preserve and enhance the National Mall, a priceless space, I am reintroducing the National Mall Revitalization and Designation Act. Until the Trust for the National Mall was established in 2007, the National Mall was Washington's most neglected and underutilized federal property, despite being well-known and treasured. The Trust for the National Mall is already making a noteworthy and important difference, and its plan will give the Mall the majesty it deserves. In the meantime, there is much that can be done, from defining the Mall's official identity for the first time to adding low-cost basic amenities. My bill authorizes the National Capital Planning Commission (NCPC) to expand the boundaries of the Mall where commemorative works may be located, requires NCPC to study the commemorative works process, and requires the Secretary of the Interior to submit a plan within 180 days of passage to Congress to enhance visitor enjoyment, amenities and cultural experiences on the Mall.

I worked closely with NCPC and other agencies in drafting the bill. The bill would give NCPC the responsibility and necessary flexibility to designate Mall areas for commemorative works and, for the first time, to expand the official Mall area when appropriate to accommodate future commemorative works and cultural institutions.

In addition, tourists and workers downtown should be able to walk to the Mall and hear music and other entertainment, from string quartets to solo singers during lunch at attrac-

tive tables where good—not fast—food is available. Residents of the city and region should be able to find space for fun and games on the Mall, beyond the space between Third Street and the Lincoln Memorial.

Bordered by world-class cultural institutions, the Mall need not continue to be reduced to a mere lawn with a few—too few—old, ordinary benches and a couple of fast food stands until the expansive work the Trust for the National Mall is completed. The plan by the Secretary of the Interior required by the bill would ensure chairs and tables for people who bring lunch to the Mall and the presence of cultural amenities. The NPS has my thanks for implementing and indeed sponsoring the part of the bill that calls for cultural amenities with Lunchtime Music on the Mall, which began last week.

Lunchtime Music on the Mall is a good start to bringing the Mall alive during the workday. With the necessary imagination, making the Mall an inviting place with cultural and other amenities is achievable now.

The NCPC is well on its way to meeting the bill's requirement for an expansive, 21st-century definition of the Mall, particularly now that the Trust for the National Mall is doing such important work. Frustrated by continually fighting off proposals for new monuments, museums, and memorials on the already-crowded Mall space, I asked the NCPC to devise a Mall presentation plan. In 2003, Congress amended the Commemorative Works Act to create a reserve area—a no-build zone where new memorials may not be built. This action was helpful in quelling some but by no means all of the demand from groups for placement of commemorative works on what they view as the Mall.

However, recognizing the need for more commemorative work sites, NCPC and the Commission on Fine Arts (CFA) released a National Capital Framework Plan in 2009, which identifies sites near the Mall that are suitable for new commemorative works, including East Potomac Park, the Kennedy Center Plaza, and the new South Capitol gateway. Five new prestigious memorials are scheduled for such sites, including the Eisenhower Memorial and the U.S. Air Force Memorial. I appreciate that NCPC and the CFA work closely with the District of Columbia in designating off-Mall sites for new commemorative works. The District welcomes the expanded Mall into our local neighborhoods to increase the number of tourists who visit them, enhancing the work of the District of Columbia government and local organizations such as Cultural Tourism that offer tours of historic District neighborhoods. The off-Mall sites for commemorative works also complement development of entirely new neighborhoods near the Mall, particularly with the passage of my bills that are redeveloping both the Southwest and Southeast Waterfront.

I urge my colleagues to support this important legislation.

HONORING THE SERVICE OF HIS EXCELLENCY ILHOM NEMATOV, AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE REPUBLIC OF UZBEKISTAN TO THE UNITED STATES

#### HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to honor the service of my friend, His Excellency Ilhom Nematov, Ambassador Extraordinary and Plenipotentiary of the Republic of Uzbekistan to the United States.

Since 2010, His Excellency Nematov has served his country as Uzbekistan's Ambassador to the United States. Prior to his assignment to the United States, His Excellency Nematov served as Ambassador of Uzbekistan to the Russian Federation. From 1997–1999, he served as Uzbekistan's Ambassador to India.

Other posts held by His Excellency Nematov include Deputy Minister of Foreign Affairs, National Coordinator at the Shanghai Cooperation Organization, First Deputy Minister of Foreign Affairs, Adviser to the Minister of Foreign Affairs, and Senior Consultant to the Office of the President.

During his tenure in Washington, D.C., it has been my privilege to work closely with Ambassador Nematov in advancing U.S.-Uzbekistan relations. Uzbekistan is a key partner in supporting international efforts in Afghanistan but our relationship with Uzbekistan extends beyond security. Uzbekistan and the United States also cooperate on economic relations and civil and political issues.

We recognize Uzbekistan's sovereignty, and I am proud of the progress Uzbekistan had made on its march to democracy since gaining independence in 1992. I commend His Excellency Islam Karimov, President of the Republic of Uzbekistan, for his leadership, and I thank Ambassador Nematov for strengthening relations between our two countries by serving with remarkable distinction.

His Excellency Nematov graduated from Fergana Polytechnic Institute in 1973 and holds a Ph.D. degree in Economics. He is married with four children, and speaks English and German.

I extend to Ambassador Nematov my highest regards and wish him the very best as he returns home to serve his country for and on behalf of President Karimov and the people of Uzbekistan.

#### CONGRATULATING BLUE DIAMOND GROWERS

#### HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. DENHAM. Mr. Speaker, I rise today to recognize and congratulate Blue Diamond Growers on the opening of its Turlock Plant. This dedicated business is assisting in bringing economic vitality back to the region.

Blue Diamond Growers is a pioneer in almond processing and manufacturing. The company produces snack almonds in various flavors, nut-based crackers, almond milk, and packaged almonds for cooking and baking. Since its founding in 1910, Blue Diamond has grown to become the world's largest almond processing company. It currently consists of more than 3,000 California almond growers that produce more than 80 percent of the world's almond supply.

Blue Diamond Growers has led the development of California's almond industry from a minor domestic specialty crop to the world leader in almond production and marketing. The almond is currently California's largest food export and America's number one specialty crop. In 2013, the almond crop is expected to exceed two billion pounds valued at six billion dollars. To continue to meet the demand for this California crop, Blue Diamond Growers has expanded its production facilities beyond its Sacramento and Salida plants.

As of June 18, 2013, it will open the first phase of a three-phased project to develop a high quality, food-safe processing facility in Turlock, California. This new facility will bring much-needed jobs and economic growth to the region. Phase one, alone, is expected to create over 300 new jobs in the area. Blue Diamond Growers has continuously shown its commitment to maintain the highest standards of responsible growing and production in the California region.

Mr. Speaker, please join me in praising Blue Diamond Growers for their diligent work in the almond industry and applauding them in the opening of their Turlock plant.

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COMMEMORATING THE 41ST  
ANNIVERSARY OF TITLE IX

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Ms. JACKSON LEE. Mr. Speaker, later this month, on June 23, 2013, we will mark the 41st anniversary of the enactment of Title IX amendment. This landmark legislation changed America for the better by mandating equality for women in educational programs and activities. As we continue to move forward in terms of women's equality, I believe that it is important to recognize how far we have already come.

Title IX has resulted in significant advances for women in athletics. Since its enactment, Title IX has promoted equal opportunity for women in athletics and contributed to the athletic and educational achievement of hundreds of thousands of young American women. In 1972, before there was a Title IX, less than 300,000 high school girls participated in intramural sports nationwide. Today, that number has grown ten-fold to more than three million. In similar fashion, the amount of young women participating in college sports has increased by more than 600 percent, from fewer than 30,000 in 1972 to more than 190,000 in 2012.

While recognizing the advances in sports that Title IX has provided, it is important also

to acknowledge the progress made outside of athletics. Title IX itself makes no explicit mention of sports or athletics; its reach extends to all areas of education. Title IX has helped make it possible for women to pursue careers in all fields, including the increasingly important fields of science, technology, engineering, and mathematics (STEM).

Title IX has also helped to ensure that as women and girls take advantage of these educational opportunities, they are able to do so in an environment free of gender discrimination, sexual harassment, and violence.

In my state of Texas, for example, young women are making their mark in academics, in athletics, and in standing up for what is right. Just last year, a young high school female in Texas was assaulted at school by a classmate. The school's response to the incident was to send the young woman, and her attacker, to an alternative school for 45 days—where she had to suffer the indignity of seeing him daily. The young woman, assisted by the ACLU of Texas, filed a complaint with the U.S. Department of Education's Office for Civil Rights.

Title IX granted this young woman the right to an educational experience free from gender discrimination or retaliation. As a result, the OCR determined that the school had violated her rights when they failed to adequately address her complaint. This decision resulted in clearing the young woman's disciplinary record and required the school district to reevaluate the way it handles sexual assault. A new set of Title IX procedures was developed and staff members were trained to respond accordingly to future incidents.

Through Title IX's legacy, educational environments have changed substantially. Women of all ages have had the opportunity to take advantage of the rights allotted to them through the amendment, and we can only move forward from here in terms of gender equality. Title IX guarantees the civil right to learn free from discrimination, retaliation, and sexual violence. This victory is something that every student, parent, and educator can celebrate today, tomorrow, and for many years to come.

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RECOGNIZING CONGRESSMAN  
JOHN DINGELL AS THE LONG-  
EST-SERVING MEMBER IN THE  
HISTORY OF THE UNITED  
STATES CONGRESS

**HON. NICK J. RAHALL II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. RAHALL. Mr. Speaker, for this West Virginian, the next stroke of midnight will be a bittersweet minute. The torch of longest Congressional service will be passed between two giants of the Congress, Robert C. Byrd and JOHN DINGELL. It will be a bittersweet moment for me because the breaking of even one of the many legislative records Senator Byrd set by serving West Virginians pulls at our State's heartstrings.

And I hesitate in even mentioning that, come tomorrow morning, Senator Byrd's

record of the longest Senate tenure in history will still be intact, not because I fear my dearest friend would switch legislative bodies and pursue with gusto that momentous record. No, Mr. Speaker, I am hesitant because this body cannot afford to lose JOHN DINGELL to such an effort.

On the sweeter side of the moment, Mr. Speaker, I believe the history of our future will reveal there are few other than JOHN DINGELL, who could so ably and humbly bear such a significant mantle as the longest serving member in Congressional history.

Since I come from a State that understands tenure is no vice; let me clear up any misunderstandings about this milestone.

The real record we are celebrating today, the real measure of the man, is not about any length of service. Today is a celebration of JOHN DINGELL's depth of service. Here in the People's House, in the glare of the most strict term limits I have ever heard anyone propose, Members either deliver for their people every two years or the people deliver Members back to their homes.

That JOHN DINGELL will have served longer than any other Member is a true testament to his service to the people of Michigan, a badge of respect he has earned in this House, and a lesson for all who will listen today.

Looking at the two of us, the gentleman from Michigan and me, at first blush the casual observer might think Big JOHN and I cannot see eye to eye on much at all. JOHN DINGELL always looks deeper, into the smallest of details. The fact is the two of us have enjoyed over three and a half decades of working together on a number of fronts.

As the youngest member of the 95th Congress, I was outranked by JOHN DINGELL in more ways than one when I came to Congress. But not once in all our years of serving in this body, has he shown me any less courtesy, less attention, or less respect than he would to those with far more seniority than I.

Call it statesmanship, shrewd politics, or simply sheer human decency; it is darn effective, when someone of JOHN DINGELL's stature listens to you.

Members of Congress cannot serve, produce, and deliver for their Districts and States without listening. That includes back home as well as here in the halls and cubby holes of the Congress. Listening is the first chapter in the book of Congressional comity.

In an institution designed to reach consensus through the art of compromise, the entire Congress can take a page from Representative JOHN DINGELL's playbook. The Congress and the entire country would most certainly be well-served.

Godspeed to JOHN DINGELL and his dear wife, Debbie.

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IN MEMORY OF RUSSELL JOSEPH  
MARTINEAU

**HON. KEVIN BRADY**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 6, 2013*

Mr. BRADY of Texas. Mr. Speaker, I rise today to remember a friend and a man beloved by his family, friends and community.

Russell "Russ" Martineau would be described by anyone as a humble and a genuinely decent man who took no acclaim for himself but who worked tirelessly in support of others. Russ dedicated his career as a licensed clinical social worker to serving aging veterans at the Michael E. DeBakey VA Medical Center in Houston, Texas. During his career, he earned many accolades including recognition for Outstanding Social Work Team from the William Hearst Foundation for his work with colleagues in forming the AGIF Consortium promoting and developing Gerontology studies for graduate students. His dedication to our veterans followed his own service to our nation. Russ enlisted in the United States Air Force serving during the Vietnam War with the Pacific Air Forces.

Those that knew Russ would tell you that his most cherished role was that of family man. He met Julie, his wife of 33 years, and someone I am glad to count as a dear friend, while a student at California State University Long Beach. Julie has done so much in her own right for our region through her leadership of the Friendship Center and the Montgomery County United Way. Yet, none of her efforts would have been possible without Russ as her strongest supporter and confidant. Russ proudly played his part as the father of two wonderful daughters and two delightful grandchildren. To see his warm smile or the gleam in his eye when surrounded by those he loved was proof enough of the great pride he had for his family.

I will forever remember the quiet courageousness with which Russ valiantly faced his battle with Multiple Myeloma for the last six years. Russ Martineau was a devout man who gained peace from the grace of his Lord and fortitude from those he dearly loved. Today, the friends and loved ones who stood in faith and encouragement will celebrate his life at Saint Anthony of Padua Catholic Church in The Woodlands, Texas.

To Julie, his daughters Adria and Brittany, grandchildren Brice and Delaney, his step-mother Elizabeth Hypes Martineau, sister Barbara Moore and his brothers Don, Bill and Jeff Martineau, I offer the words of Thomas Campbell, "To live in the hearts we leave behind is not to die."

REMEMBERING THE USS  
"SCORPION"

**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Mr. GOODLATTE. Mr. Speaker, The USS *Scorpion* went down May 22, 1968, killing 99

men and was consequently buried 11,220 feet underwater in the middle of the Atlantic Ocean. There are more questions than answers for those familiar with the *Scorpion* but today let the record show, we will never forget.

The crisis exploded without warning across the sprawling U.S. Navy community in Norfolk, Virginia. A nuclear submarine and its crew had vanished in the Atlantic. The *Scorpion* and its 99-man crew had left Norfolk on February 15 for a three-month Mediterranean deployment. The crew participated in several naval exercises with the U.S. Sixth Fleet and NATO, and conducted ongoing reconnaissance of Soviet naval units, with stops in Italy and Sicily before reentering the Atlantic for the homeward voyage on May 17. *Scorpion's* skipper, Commander Francis A. Slaterry, had radioed Atlantic Submarine Force headquarters early on May 22 that the sub would arrive in Norfolk at 1 p.m. the following Monday, Memorial Day. The 1 p.m. arrival time came and went with no sign of *Scorpion*.

Later a Navy admiral involved in the *Scorpion* incident would describe it as "one of the greatest unsolved sea mysteries of our era." The 251-foot-long submarine and its crew had inexplicably disappeared somewhere in the trackless Atlantic Ocean.

On June 5, 1968 the *Scorpion* was declared "presumed lost." Yesterday, we marked the 45th Anniversary of the sub being presumed lost; and we honor the sacrifice of the USS *Scorpion* and its entire crew. The reason for this tragedy remains a mystery, but the honor and valor of the 99 men lost that day is no mystery. Our Nation owes them an unfaltering debt of gratitude for their service and commitment to freedom.

Not only are we forever indebted to the crew of the USS *Scorpion*, but we are forever indebted to their families who have lived these 45 years with uncertainty and without closure.

I applaud the mission, the memory, and the memorial of the USS *Scorpion* and its crew of 99.

CONGRATULATIONS TO THE 2013  
SERVICE ACADEMY APPOINTEES  
FROM THE 21ST CONGRESSIONAL  
DISTRICT OF TEXAS

**HON. LAMAR SMITH**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Mr. SMITH of Texas. Mr. Speaker, I rise today to congratulate the 2013 Service Academy appointees from the 21st Congressional District of Texas.

The following individuals have accepted academy appointments: Liam Thomas Catoe, Greystone Preparatory School at Schreiner University, United States Naval Academy; Lucas Adrian Fumagalli, New Braunfels High School, United States Air Force Academy; Nathaniel Robert Guney, Greystone Preparatory School at Schreiner University, United States Naval Academy; Dillon Mitchell Launius, Vandegrift High School, United States Air Force Academy; Adam S. Lee, East Central High School, United States Air Force Academy; Kevin Michael McGinty, MacArthur High School, United States Naval Academy; Joshua Andrew McMillen, International School of the Americas, United States Air Force Academy; John Edward Monday, Jr., Boerne—Samuel V. Champion High School, United States Military Academy; Clara Elizabeth Navarro, Rice University, United States Naval Academy; James Lyn Pazdral, Greystone Preparatory School at Schreiner University, United States Military Academy; Albert Dixon Patillo III, Heritage School, United States Military Academy; Rafael David Ramos-Michael, Brackenridge High School, United States Military Academy; and Kirsten S. Redmon, United States Military Preparatory School/Sam Houston High School, United States Military Academy.

Again, congratulations to these outstanding students. I know they will serve our country well and I trust success will follow them in all their endeavors.

OUR UNCONSCIONABLE NATIONAL  
DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 6, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,738,767,256,596.67. We've added \$6,111,890,207,683.59 to our debt in 4 and a half years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.



## SENATE—*Friday, June 7, 2013*

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The Chaplain, Retired Admiral Barry Black, offered the following prayer.

Let us pray.

Eternal God, who sets boundaries for the sea to make it obey Your mercies, thank You for Your faithfulness. You save us from distress, rescue us from danger because of Your great love. Lord, uphold our lawmakers and renew their strength. Empower them to bravely face the challenges of our time. When they are bewildered, lead them with Your grace. Give them the wisdom to prepare now for the difficult seasons before them. May they obey Your teaching, striving to be guided by Your words.

And, Lord, bless our Senate pages on this their graduation day.

We pray in Your holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following my remarks—and perhaps Senator MCCONNELL's, if he wishes to speak—the Senate will resume the motion to proceed to S. 744, the comprehensive immigration legislation, on which the Chair has done a masterful job of getting us to where we are on this matter as chairman of the Judiciary Committee.

The time until 1:30 p.m. will be for debate on the motion to proceed.

Mr. President, I have been told we need a little extra time, so what we will do is extend that time until 2 p.m.

### ORDER OF PROCEDURE

I ask unanimous consent that the prior order, which is in effect, be extended until 2 p.m., and that the extra half-hour be equally divided between the majority and minority, each taking 15 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that I be recognized at 2 p.m.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. There will be no rollcall votes today. The next rollcall vote will be on Monday at 5:30 p.m. on passage of the farm bill.

### IMMIGRATION REFORM

Mr. REID. Mr. President, today Senators will have an opportunity to debate the bipartisan immigration bill reported by the Chair's committee last month. As I have already done once today, I again commend the chairman of that committee Senator LEAHY for leading a thorough and transparent process in the committee.

I thank Senator SESSIONS for working with us yesterday to move forward on this measure as quickly as possible. As I have said before, Senator SESSIONS and I—once in a while—disagree on substance, but we have always had a friendly relationship, which I appreciate.

I applaud the efforts of the Gang of 8—four Democrats and four Republicans—to set aside partisanship to address a critical issue facing our Nation. The system is broken and needs to be fixed.

It is gratifying to see the momentum behind this package of commonsense reforms, which will make our country safer and help 11 million undocumented immigrants get right with the law.

I had a number of meetings over the last few days with pollsters who have taken a look at this legislation, and they all acknowledge that the vast majority of American people want us to move forward. Democrats, Independents, and Republicans recognize the system is broken and needs to be fixed. They all agree on a pathway to citizenship.

I have been committed to a process that is as open as possible for amendments. I don't want to say totally because sometimes with the procedures we have here—as with the farm bill—people throw a monkey wrench into things, and we are not able to do things as we would wish to do them.

We will wrap up work on this legislation before the July 4 recess. I hope Senators will take advantage of today's time for debate. I look forward to a thorough and thoughtful discussion of the deliberation in the days ahead.

### RESERVATION OF LEADER TIME

Mr. REID. Will the Chair announce the business of the day?

The PRESIDING OFFICER (Mr. Kaine). Under the previous order, leadership time is reserved.

### BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to S. 744.

The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 80, S. 744, a bill to provide for comprehensive immigration reform, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 2 p.m. will be equally divided, with the Senator from Alabama Mr. SESSIONS or his designee controlling 3 hours 15 minutes, and the majority or his designee controlling the remaining time.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the majority leader for his kind comments. I also note that throughout the markup and debate on the immigration bill, his advice and his counsel was always there. We discussed it many times, and I appreciate the fact he made it very clear the bill would come up at the time he said. We would not have it here without his strong support, so I appreciate Senator REID's very nice comments this morning.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, this is important legislation, the immigration bill. I was able to have a discussion with Senator REID yesterday. He was moving forward on the motion to proceed to the bill which requires considerable debate. I asked for and insisted on the opportunity to have some time today to talk about it, and he agreed to that. I think that was a good step, and I thank him for that agreement.

We have a lot to talk about. The matters are complex and important, and I urge my colleagues to pay real attention to the legislation. This is the bill, as printed, front and back of each page. It was reportedly going to be 1,000 pages, and our colleagues were proud to say it was 800 pages. Since then, more has been added to it, and now it is over 1,000 pages again.

It is very complex and there are certain key points with multiple references to other code sections that are in existing law; therefore, it is very difficult to read.

It takes a considerable amount of time, and I don't even suspect the Gang

of 8 has had the time to read, digest, and understand fully what is in the legislation.

We are a nation of immigrants. The people whom I know who are concerned about this legislation in Congress are not against immigration. I certainly am not. We admit about 1 million people a year legally into our country, and that is a substantial number by any standard. Indeed, it is the highest of any country in the world. It is important we execute that policy in an effective way as it impacts our whole Nation.

Immigration has enriched our culture. It has boosted our economy, and we have had tremendously wonderful people who have come here—people who have contributed to our arts, our business and economy, science and sports. We have had a good run with immigration in a lot of ways, but we need to ask ourselves at this point in time: Is it working within limits? Are the American people happy with what we are doing? Are we moving in the right direction?

We know our generous policies have resulted in a substantial flow of people into the country, and our challenge today is to create a lawful system of immigration that serves the national interests and admits those people into our country who are most likely to be successful, to prosper, and to flourish, therefore, most likely to be beneficial to America. Surely we can agree that is a good policy, and it has not been our policy prior to this.

We have both the enormous illegal flow of people into the country as well as a legal flow that is not evaluated in a way that other advanced nations do when they execute their policies of immigration, for example, Canada. We should establish smart rules for admittance, rules that benefit America, rules that must be enforced, and must be lawful. We cannot reject a dutiful, good person to America and then turn around and allow someone else who came in illegally to benefit from breaking our laws to the disadvantage of the good person who, when told no, had to accept that answer. It is just the way we are.

So we must establish smart rules for admittance, rules that benefit America, and these rules have to be enforced—and that is not happening today.

The current policies we have are not serving our country well; therefore, a reformed immigration system should spend some time in depth in public analysis of how and what we should consider as we decide who should be admitted, because we cannot admit everybody. When that is done, we need to create a system we can expect to actually work to enforce the standards we have. I believe we can make tremendous progress, and we can fix this system. It needs to be fixed.

The legislation that has been offered by the Gang of 8 says they fixed it. Don't worry; we have taken care of all that is needed; we have a plan that will be compassionate to people who have been here and we have a plan which will work in the future and end illegality. Well, it won't do that, and that is the problem.

It will definitely give amnesty today. It will definitely give immediate legal status to some 11 million people today, but the promises of enforcement in the future, the promises that the legislation will focus on a way that enhances the success rate of people who come to America is not fulfilled in the legislation.

Read the bill and see what is in it. I wish it were different. We will talk about in the days and weeks to come what is in the bill and why it fails. I can share with everyone how it is we came to have such a flawed bill before us. We need to understand that as we go forward.

I am amazed the Gang of 8 has sent such legislation forward, and how aggressively they defended it in the Judiciary Committee. We did have a markup in the Judiciary Committee. We were allowed to offer amendments and had some debate there, but it was an odd thing. Repeatedly members who were not even in the Gang of 8 said: I like this amendment, but I cannot vote for it because I understand it upsets the deal. We need to ask ourselves: Who made the deal? Whose deal is this? How is it that the deal is such that Members of the Senate who agreed to an amendment say they must vote against the amendment because it upsets some deal? Who was in this room? Who was in the deal-making process? So I think that was a revealing time in the committee. They had agreed and stated openly there would be no substantial changes in the agreements the Gang of 8 made, and they would stick together and vote against any changes except for minor changes. There were a number of amendments accepted, a number of Republican amendments accepted. Many of those were second degree or altered by the majority in the committee, but none of those fundamentally altered the framework and the substance of this legislation. I don't think that is disputable, and we will talk about that. So this is the problem we are working with.

So how did the legislation become as ineffective as it is? I contend—I think it is quite plain—it is because it was not written by independent Members of the Senate in a more open process but was written by special interests. I wish to share some thoughts on that subject right now because I think it goes to the heart of the difficulties we have.

There were continual meetings over a period of quite a number of months that got this bill off on the wrong track in the beginning. Powerful

groups met, excluding the interests of the American people, excluding the law enforcement community. Throughout the bill we can see the influence these groups had on the drafting of it. Some of the groups actually did the drafting. A lot of the language clearly came from the special interest groups engaged in these secret negotiations.

What is a special interest group? A special interest group is a group of people who have a commitment, an interest they want to advance, but they don't pretend to share the national interest. So maybe it is a legitimate special interest, maybe it is not a legitimate special interest, but they have a special interest, a particular interest they want to advance.

So this is what happened: Big labor and big business were active in drafting this legislation, with the entire deal obviously hanging on, it was reported, their negotiations. For example, the Wall Street Journal, March 10:

Competing interests abound. The Chamber of Commerce and businesses it represents are locked into negotiations with the AFL-CIO about workers in industries like hospitality and landscaping. Meanwhile, farm-worker unions have been quietly negotiating with growers associations about how to revamp short-term visas for agricultural workers. And senators on both sides of the aisle are weighing in to ensure their state industries are protected.

The Washington Post, March 10: "Hush-hush Meetings for Gang of 8 senators as they work on sweeping immigration bill." The article reads:

They are struggling on the question of legal immigration and future workers, and are trading proposals with leaders of the AFL-CIO and the Chamber of Commerce to try to get a deal.

"Try to get a deal," they are working on a deal.

How about this: Roll Call, March 21:

Talks led by the U.S. Chamber of Commerce and AFL-CIO over a new guest-worker program for lower-skilled immigrants are stalled, prompting members of the bipartisan group of eight senators to get personally involved to try to nudge the negotiations on to resolution.

So the Senators were not in those discussions. The Senators, when it got to be tough and things weren't moving along, they came in to try to egg it on, to get the agreement. Who is the agreement between? It is between the unions and big business, which are representing the American worker, effectively.

New York Times, March 30:

The nation's top businesses and labor groups have reached an agreement on a guest worker program for low-skilled immigrants, a person with knowledge of the negotiations said . . . Senator SCHUMER convened a conference call on Friday night with Thomas J. Donohue, the president of the U.S. Chamber of Commerce, and Richard L. Trumka, the president of the AFL-CIO, the nation's main federation of labor unions, in which they agreed in principle on a guest worker program for low-skilled, year-round, temporary workers.

We know there is one group not included in these talks, and that is the group given the duty to enforce the immigration laws. The national ICE union, the customs and enforcement organization, pleaded with the Gang of 8 to consult them. They urged the Gang of 8, they wrote letters to the Gang of 8, and I sent information to the Gang of 8 asking them to consult with the officers who have the duty to enforce this law, but to no avail. They were shut out of every meeting and never have been consulted.

It is interesting to note, however, that others weren't shut out of the meeting. They weren't left out of the room.

The Washington Post, April 13:

While Obama has allowed Senate negotiators to work on a compromise that can win approval, a White House staff member attends each staff-level meeting to monitor progress and assist with the technical aspects of writing the bill.

So there has been an attempt to suggest that this is truly a congressional action, that the White House is just sort of hands off. But we know the White House is deeply involved in this and approving every aspect or disapproving aspects they don't like. The question is, Who is influencing this? Who is influencing the White House, President Obama?

The Daily Caller, on February 6, notes this:

On February 5th, Obama held a White House meeting with a series of industry leaders, progressive advocates and ethnic lobbies, including La Raza, to boost support for his plan that would provide a conditional amnesty to 11 million illegal aliens, allow new immigrants to get residency for their relatives and elderly parents, and also establish rules for a "Future Flow" of skilled and unskilled workers. The invitees included the CEO of Goldman-Sachs, Motorola, Marriott, and DeLoitte.

So they are in the meeting, apparently.

Also, we know participating in a lot of these discussions was the American Immigration Lawyers Association. This group obviously was involved in writing the bill, and I have to tell my colleagues that they will be the biggest winners of this legislation.

Time and again, rules that were fairly clear—and probably should have been made clearer—are muddled, provisions were placed in that will create litigation and encourage lawsuits, delays, and will increase costs. For example, "hardship" is the new standard for many waivers and exemptions in this bill, in many cases the exemptions are for family problems and other things of that nature. Well, when ICE says a person should be deported, then the deportee has the ability to say: Well, I have a hardship. My mother is here, I have a brother who is sick, or I need this or that.

What does "hardship" mean? It means a trial. That is what it means.

So the Immigration Lawyers Association was substantially involved in the meetings.

Politico, on March 9, said:

In a bid to capitalize on the shared interest in immigration reform, a budget deal and new trade pacts, the White House has launched a charm offensive toward corporate America since the November election, hosting more than a dozen conference calls with top industry officials—which have not previously been disclosed—along with a flurry of meetings at the White House.

Continuing the quote:

Participants on the recent calls include the heads of Goldman Sachs, the Business Roundtable, Evercore, Silver Lake, Centerbridge Partners, the U.S. Chamber of Commerce as well as the heads of Washington trade groups representing the banking industry, such as the Financial Services Roundtable.

So they have been involved in these discussions. Even foreign countries have had a say in drafting our law.

The Hill, on February 7, reported:

Mexico's new Ambassador to the U.S., Eduardo Medina-Mora, has had a "number of meetings with the administration" where the issue of immigration has come up since he took office last month, said a Mexican official familiar with the process. He is expected to meet with lawmakers shortly as legislation begins to take form. "Probably like no other country, we are a player in this particular issue," the source said.

Well, the law officers weren't in the room, we know that. People who question economically the size and scope and nature of our immigration system weren't in the room.

So in case anyone doubts the role of special interests in drafting the legislation, pay attention to this quote by Frank Sharry, executive director of the liberal pro-amnesty group, America's Voice, in the Wall Street Journal, April 17:

The triggers are based on developing plans and spending money, not on reaching that effectiveness, which is really quite clever.

In other words, the sponsors of the bill were telling everyone they had triggers in the bill that would guarantee enforcement of laws in the future about immigration flow into America, and that if enforcement didn't occur, the triggers would stop people from being legalized and end the process. That is not so. We have studied the language and we know the triggers are ineffectual and are not significant and won't work. That will be explained in the days to come.

Mr. Sharry acknowledges it. He said it was clever to have these faux triggers—these triggers that will not work—because we can tell everybody: Don't worry, the legality will not occur if the enforcement doesn't occur. But in clever ways they drafted a bill that will not work. They will say it works, but it will not work.

Again, with all of the slush funds in this bill, there are a number of them that go to private activist groups, community action groups. It is easy to see

that special interests had a seat at the negotiation table.

The National Review, on May 29, reported:

A number of immigration-activist groups, such as the National Council of La Raza, would be eligible to receive millions in taxpayer funding to "advise" illegal immigrants applying for legal status under the bill.

So money will go to these activist groups, such as La Raza. La Raza is responsible for advocating, not enforcing, our laws. So La Raza is in the meetings. La Raza is an open advocate for not enforcing laws involving illegal immigration. They are active participants in advocating for amnesty. They are going to get money out of the deal with some of the grant programs, while the law officers who have the ability to tell the committee, the Gang of 8, how to make the system work are shut out of the process.

Were prosecutors involved in the process? No, they have not been.

The National Immigration Forum, a pro-immigrant group, has been involved in some of these discussions.

So some people have said the bill had to be drafted in secret, but that the markup process in the Judiciary Committee would be open and transparent. But that is only partially so. We did have a markup. We were allowed, those who had objections to the bill, to offer amendments, as did those who support the bill. We had the opportunity to talk and offer amendments. But at every turn in the committee the members of the Gang of 8 expressed support on occasions for certain amendments, only to vote against the amendment. Due, they said, to the agreement, they had to vote together and against significant amendments, regardless of their personal feelings.

The gang influenced other members on the committee to do the same. The Huffington Post, April 16, headline: "Senate Immigration Group Turns to Keeping Fragile Agreement Intact."

It goes on to quote Senator McCain as saying:

We will pledge to oppose, all eight of us, provisions that would destroy the fragile agreement we have.

So they have an agreement. They have an agreement with the unions and big business and the agribusinesses and the food processors and La Raza and the immigration lawyers. They have an agreement with them, and they are going to defend it, even though they acknowledge amendments that were offered would improve the bill. This is no way to serve the national interest, in my view.

In discussing an amendment that would require workers to make a good-faith effort to hire American workers first, Senator WHITEHOUSE said this—this is what happened in the committee—

I'm in a position which I'm being informed that this would be a deal breaker to the deal.

I, frankly, don't see how that could be the case, but I'm not privy to that understanding, and so I'm going to vote in support of the agreement that has been reached.

In other words, Senator WHITEHOUSE says: Well, I do not understand this. I would like to vote the other way, but I am told you have a deal and this would damage the deal and so I cannot vote for it. He was not even in the Gang of 8 but went along with that.

Related to that same amendment, Senator FRANKEN echoed the remarks, saying:

I really just want to associate myself with Senator Whitehouse's remarks.

He goes on to say:

I don't want to be a deal breaker.

In discussing an amendment that would increase family-based immigration, Senator FEINSTEIN noted:

I think it's been a unique process because those people who are members of a group that put this together have stood together and have voted against amendments that they felt would be a violation of the bipartisan agreement that brought both sides together.

I am not sure that is always good. I am not sure that is the right thing to do to set public policy in America: to have some secret agreement, reached with a group of people we hardly know who they are, trump the ability to do the right thing for the American people.

I want to say that is what has happened here. And the point to make is, and what I think our colleagues need to understand and the American people need to understand: In reality, the special interests—La Raza, the unions, the corporate world, the big agriculture businesses, the food processors—they are the ones that made the agreement in this process, and the Senators merely ratified it, and they cannot agree to a change because they promised these special interest groups things. So if La Raza would accept point A that somebody wanted accepted, and the unions would accept point B, then they would both agree: I will do A if you will do B.

Then the bill gets to the floor and somebody says: A is wrong and we should not put that in the bill. Let's change that. Oh, no, we cannot change that. We have an agreement. The agreement with who? La Raza, the agribusinesses, the Chamber of Commerce, Microsoft, Zuckerberg. That is what happened here. I am just telling you. And the people who drafted this bill, the people who have advocated these special interests—we should not be surprised at their influence. Businesses, groups, organizations have special interests. There is nothing inherently wrong with that. What is wrong is that Members of Congress—Members of the Senate—need to be representing the national interests, the people's interests, the workers' interests in America. That is what we need to be doing—not representing the special interests.

I have to tell you, the openness of this is sort of breathtaking to me. Who is protecting the national interests? Did they have any of the top-ranked economists in this country being asked what would be the right number of low-skilled workers to bring into America? Did they have any of the top experts say how many advanced science degrees can we have? How many of our college graduates are unemployed? What is the right number? None of this was apparently discussed by our colleagues who allowed this process to go forward.

I would say, finally, with regard to the special interests, they have no interest—virtually none of them that were involved in this process—of guaranteeing in the future that we do not have more illegally immigration. That is the failure here. They do not have any interest in that and, therefore, there was no intensity of interest in that aspect of the legislation.

Oh, there was a lot of interest in how many computer programmers could be admitted or how many agriculture workers or how many low-skilled factory workers or construction workers or other workers. They all worried about that. They fought over that. That is what these negotiations were about. There were internal discussions and disagreements.

But nobody was investing any time or interest in the second phase of this. If you have an amnesty, if you have a legality of millions of people who came here illegally, what are we going to do to ensure it does not happen in the future?

I was a Federal prosecutor. I personally tried an immigration case myself. I bet nobody else here can say that. So I am aware you have to have certain legal processes and certain investments in investigative and enforcement mechanisms to make the system work in the future.

As we go forward with this debate, we are going to show—and it is going to be clear—that this has not been fixed and, in fact, the standards of current law with regard to what ought to be done—requirements in current Federal law—are being weakened, some of them eviscerated by this bill.

This bill is far weaker than the 2007 legislation. I do not think there is any doubt about that. It will be clear when we get through it. It was rejected by the American people—the 2007 agreement—and it actually weakens current law in quite a number of significant areas—weakens current law—while we are being told: Do not worry, this is the toughest bill ever.

If I am mistaken, I am sure we will hear about that as we discuss it. This is a great democracy we are part of and I am expressing my view. But I have spent some time on these issues. I was involved with it in 2006 and 2007. I was a Federal prosecutor. I have done this

over the years. I know how our ICE agents work, our Border Patrol agents work, our customs and immigration service people work. I have worked with them. I have tried cases for them. I know them personally. They have been left out of this process.

The ICE union has voted no confidence in John Morton, their supervisor. What a dramatic event. I am not aware of that ever happening in my 14 years-plus as a Federal prosecutor—the actual employment union declaring that they have no confidence in their supervisor. And what did they say? They said he spends all his time advocating for amnesty and not enforcing the laws. He is directing us to not follow legal requirements we took an oath to follow.

And get this: The ICE officers have filed a lawsuit in Federal court attacking Secretary Napolitano, or at least the conduct of her office. They have asserted she is not above the law, she is not authorized to direct them not to follow plain requirements of Federal law. The Federal judge initially seemed to accept the validity of the lawsuit.

I have never heard of that before. This is an incredible event. Nobody is even talking about it. It has been the position of this administration, everybody has to know, to see that the law is not being effectively enforced, particularly in the interior of America.

That has basically been—some even acknowledge—a de facto amnesty because you are directing your law officers not to do their duty. You basically eliminated the law. The administration should not be doing that. Congress has refused to change these laws time and again. If anything, they have sometimes increased them, strengthened them. And now we have our agents blocked from enforcing them.

The U.S. customs and immigration service that deals with the visas, deals with the applications for citizenship—CIS, the Citizenship and Immigration Service, they deal with the citizenship processes and the paperwork and all of that. They have written in opposition to this legislation.

So first, the ICE officers—Chris Crane, the head of that group, has written a powerful letter in detail condemning this legislation, saying it will not work, it will make matters worse, and it will endanger national security.

The Citizenship and Immigration Service group that deals with the paperwork and the citizenship processing and the visa work—and a lot of that—has likewise written saying this bill will not work and they oppose it.

Well, I have to say, somebody needs to be thinking about what is going on here. Right. Amnesty—done. The promise of enforcement, the toughest bill ever in the future—no, sir, not there, not close. That is why we have a problem. I cannot understand why people would not want the legal system to be

complete, to be effective, and would be followed so we as Americans could be proud of it.

There is a lot of power behind this legislation. I can feel it. When I raise questions, push-back comes. You are not politically correct; you are unkind; you do not like immigrants. That is offensive to me. I believe in immigration. We have a million people who come in here every year legally. I do not oppose that. I do not oppose doing something responsible and compassionate for the people who have been here a long time illegally. But we have to be careful about it.

But the American people are so right on their basic instinct about this matter. I have to say how I believe the American people's hearts and souls are good about immigration. A lot of people think: Well, we have to meet in secret and we have to run this bill through as fast as possible because we do not want the American people to find out about it because they do not like immigrants. Not so. A recent poll revealed something very important, and our Members of this body and the House need to know it. It said: If you are angry about the way things are going with regard to immigration, are you angry at the people who came into the country illegally or are you angry at the government officials for allowing it to happen? Mr. President, 12 percent said they were angry at the people who entered illegally. Mr. President, 88 percent said they were angry at public officials for not creating a legal system that will work.

Doesn't that speak well of the American people? You could be angry about somebody who came into our country in violation of the law. But I think the American people understand that people want to come here, and it is our duty to stop it. They have been pleading with Congress for over 30 years to do something about it, to create a lawful system, to end the lawlessness, to do the right thing, to create immigration processes that we can be proud of, such as Canada has and other countries around the world have.

We believe in immigration. We want to do the right thing, but it needs to be lawful. We have more applicants for admission into America than we can possibly accept. I was in, I believe, Peru with Senator Specter a number of years ago, and a poll was called to our attention from Nicaragua that said 60 percent of the people in Nicaragua said they would come to America if they could—60 percent. Then the Ambassador in Peru told us they had a poll around there that said 70 percent.

Well, everybody cannot come to America.

We are not able to assimilate or absorb that. We all know that. We all agree with that. So therefore you set rules and processes that we can be proud of, that are fair and objective,

and that people who want to come meet those standards and they wait their turn and they come lawfully.

We have had from this administration and prior administrations—President Bush also—too little interest in seeing that the law is enforced. We have loopholes in our laws and processes that need to be fixed. We can do that with a good immigration bill, but this one does not get it done.

I noticed that my friend did an op-ed yesterday—Karl Rove, who was President Bush's political adviser, a man of great talent back in the day that we were in college together. He quotes a lot of polls that say the American people are willing to accept legal processes and status for people in this country. I acknowledge that. They are. But he does not quote the polls that say overwhelmingly that they want the illegality ended. They want border security first because they are smart enough to know that if we do not get border security now, we may never get it. In fact, they want to get it. History tells us so.

He did not quote a recent Rasmussen poll. This is what was in the Rasmussen polling report. The so-called Gang of 8 proposal in the Senate legalizes the status of immigrants first and promises to secure the border later. By a 4-to-1 margin, people want that process reversed. My good friend Karl Rove did not quote that.

Additionally, while voters think highly of immigrants, which speaks well of us as American people, they do not trust the government. That skepticism is growing. In January 45 percent thought it was at least somewhat likely that the Federal Government would work to secure the border and prevent future illegal immigration. Today only 30 percent has that confidence. Why? Because they are beginning to learn that this bill does not do what they were told it was going to do.

The growing awareness of the border control issue has led to other shifts in public opinion as well. Early in the year Democrats were trusted more than Republicans on the issue of immigration. Now that has switched. Well, we are not interested in politics, we are interested in doing the right thing. When we do the right thing, the people will affirm it.

So Mr. Rove goes on to say: Now, do not say amnesty.

My friend Karl: Do not say amnesty. That is a bad thing for you to say.

Well, let me just say that under the legislation that is before us now, we would have a circumstance immediately where people will be given legal status. They will be able to get any job and they are here safe and sound. Unless they get arrested for a felony or something very serious like that, they are put on a path that guarantees them the ability to go all the way to citizenship.

Mr. Rove says they have to pay a \$1,000 fine over 6 years. What is that—\$170 dollars a year, \$15, \$12 a month? So this is the punishment? You pay \$12 a month worth of fines, which allows you not to have to go home even though you entered the country illegally, did not wait your turn, and you are guaranteed a path to citizenship. Then at the end you have to pay another \$1,000 some 10, 13 years later. So this is the punishment in the legislation. But the people who came illegally get exactly what they wanted immediately, which is to stay here, have the ability to work here. They will get a Social Security card. They will get the ability to go to any job in the country. They will have an ID that would allow them to do that. So they will be able to compete for any job in America. They will be able to compete for jobs that our husbands and sons and daughters and grandchildren might be competing for out there. There will be 11 million in that position.

So I do not think my friend Karl is making a very strong point there that this is some sort of punishment. He says: They must pay taxes. Well, hallelujah. Should you not pay taxes? They are "barred from receiving any Federal benefits, including welfare and ObamaCare." That is a flat statement, and it is flat wrong. The first group, the DREAM Act group, which will be some 2, 2½ million, maybe 3 million, they will be citizens in 5 years and will be able to get any of the Federal welfare programs in 5 years. Many of the ag workers will be in that position in 10 years. Any workers who qualify for the earned-income tax credit can get that immediately—now.

Other provisions are put off for 10, 13 years, and that makes the cost score look better. But over the long term, once the group is given legal status and citizenship, they will then qualify for every program. Since overwhelmingly the number of the workers here today are lower skilled who are illegal—they are lower skilled, and you can expect their incomes to be low—they will qualify for the earned-income tax credit, for Medicaid and program after program, food stamps and others.

The score goes up tremendously in the outyears. The Heritage Foundation is the only group who has done an in-depth analysis. They say that over the lifetime of the program, the people who are here illegally—if they are legalized under this bill, it would add \$6.3 trillion to the debt and deficit of the United States. That is a lot of money. That is almost as much as the unfunded liability of Social Security, which is about \$7 trillion. So this will be \$6 trillion. Some say that number is too high, but I have not seen anybody say that number is not in the ballpark. Nobody else has done a study to refute it. It is going to be trillions of dollars in the outyears.

It is not true that there will be no government benefits going to people who are in the country who get legalized under this. It is just not so. Well, this is another point. To me, this is sort of a fundamental point. It sounds so good when you have a political guru like my friend Karl. He says: To renew their temporary status after 6 years, those waiting to become citizens must prove they have been steadily employed, paid all taxes, and are not on welfare.

So let's take what has happened. So we have an individual who has been in the country 3 years. They get the provisional legal status immediately when the bill passes. In 6 years they have to, we are told, show they are steadily employed, paying taxes, and are not on welfare. Well, who is going to investigate that, first? No one.

So they have already been here 3 years. As long as they came before December 31, 2011, they are given legal status. Whether they have a job or not, they are given this legal status. Without a family, without roots in America other than having been here, they claim, before December 31, 2011. But we are not willing to deport them. So now 6 years later, they work intermittently, they are unemployed, and we have a recession, and we do not have enough jobs for people, and we are going to send out the feds and uproot them—their children are now in junior high and high school—and send them back home? Give me a break. That is one of the most bogus claims ever. That will not be enforced. There are waiver authorities in the bill, so waivers will be issued. Nobody is going out to enforce this. I am just tired of them saying this. They should not even say it to try to get the American people to believe that we are going to actually go out and deport what could be millions of people who are out of work in the 5- or 6-year period when they have to reestablish themselves. That just bothers me.

These individuals, Karl Rove said, “must stand at the back of the line behind everyone who is waiting patiently and legally to immigrate here.” That is not so. Give me a break. Those people are here illegally now. They do not want to be deported, which is understandable. They are going to be given permanent status, a Social Security number, and a right to work anywhere in America. They are not ahead of somebody from Honduras waiting in line to come here, or not ahead of somebody in China or Italy or Spain? Of course they are ahead of them. They are not waiting. I am without words to express my concern about that. We need to be accurate about what the legislation says.

What about this amnesty? Well, people say: You should not call it amnesty.

Well, I think that is a legitimate word. The legislation before us would

immediately give legal status, allow people to move to legal permanent residency and citizenship later. You have to pay a few thousand dollars in fines. Well, I think that is amnesty.

Someone said: Well, they pay a \$1,000 fine. They paid a penalty; therefore, you can't call it amnesty.

No, I do not agree. This legislation basically says that everybody here is given legal status and put on a guaranteed path to citizenship; just do not get convicted of a felony. So I really do not think that is a good argument. So that will continue for a bit. But I think the sponsors kind of gave up objecting back in 2007 when the legislation was before us at that time. But I would note that in 2007 the initial fine that people paid had to be paid up front—\$3,000. Under this bill you pay a \$1,000 fine over 6 years. Then to get a green card, the legal permanent residency, you had to pay an additional \$4,000, and an interim review period called for a fine or payment of \$1,500. In total, \$8,500. So in 2007 the payment required for somebody to move forward to citizenship was up to \$8,500. This bill is \$2,000—really \$1,000 to be able to stay here and work here, and that is a payment which is stretched out over time. The bill allows the fine to be paid in installments. So I would have to say it is difficult for me to accept that these people are earning their citizenship and that they are paying a price for it.

Then Mr. Rove mentions they have to pay their taxes. But one of our watchful publications, *Politico*, did an article about that on June 3. They said with regard to tax payments:

After all, it was one of the Gang of Eight's main talking points when it unveiled the immigration blueprint in January. Sponsors vowed that their proposal would include a back tax requirement to ward off critics' claims that their bill would be amnesty. Citizenship would come at a price, they said.

But the gang has all but dropped that talking point. The immigration legislation currently moving through the Senate includes a scaled-back provision that relies almost entirely on immigrants coming forward to the Internal Revenue Service voluntarily. Critics call it “toothless.”

It is toothless. There is no back tax. My friend, Karl Rove, is still out here spinning, claiming you have some great advantage. We are going to collect all these back taxes.

Nobody is going to investigate these cases, even if the law is clear. We don't have the money and the ability to do so, and it is not going to happen. That is just a fact.

Let's talk about in general some of the other issues that will come before us. I know my colleague, Senator LEE, will be joining us on the floor in a little bit, and I will yield to him if and when he comes, but I wanted to talk about these promises we were given by the people who wrote the bill, a promise that the path to citizenship would be “contingent upon securing our bor-

der and tracking whether legal immigrants have left the country when required.”

Now, that is fundamentally correct. That was the promise. That is one of the Gang of 8 principles they published. Our bill, they say, does that. I wish that were so. A path to citizenship would be “contingent upon securing our borders and tracking whether legal immigrants have left the country when required.” But in truth, the bill is amnesty first and a promise of enforcement later.

With regard to tracking immigrants who leave the country when they are required to, it devastates and weakens current law, so that can never happen, effectively. It is unbelievable to me they would directly pass a bill that directly contradicts current law.

On “Meet the Press” not too long ago, Senator SCHUMER—and one of the Gang of 8—said it flatout. He acknowledged that promise of enforcement first is not going to happen. He said, “First, people will be legalized. . . . Then we will make sure the border is secure.”

Instead of enforcement first, it is legalization first. That is as plain as day. It is not even disputed in any law. The illegal immigrants would be legalized immediately, and not a single border or interior enforcement measure has to be in place then or ever.

All Secretary Napolitano needs to do is submit two reports to Congress. Illegal immigrants will then begin receiving legal status, work permits, Social Security accounts, driver's licenses, travel documents, and other State benefits, financial benefits, that come from the States. Nothing requires that any border security be in place, any fence be built, before this amnesty is ever accomplished.

We were told we were going to have a trigger. Until the fences were built, until other enforcement mechanisms were undertaken, until that happened, you weren't going to have amnesty. But it is not so. All the Secretary needs to do is submit a report. She has already said we have better enforcement than ever before in history and indicated she does not believe we need more fencing. The contention from the Gang of 8 that we are going to have major fencing at the border has not been proven.

The Secretary of Homeland Security is merely supposed to develop a plan. Frank Sharpy, the head of the pro-amnesty group, as I noted, said the following:

The triggers are based on developing plans and spending money, not on reaching that effectiveness, which is really quite clever.

Mr. Sharpy let the cat out of the bag. He said it is a faux trigger, an apparent trigger that is not real. He said it was “quite clever”—and indeed it is—but it is now becoming clear that what has been promised is not happening. You



could say to the American people: Don't be taken in on this. We can see it now, make your voices heard, follow this debate. If the promises for this bill are not followed, then let your voice be heard in Congress. Tell your Congressmen you are not happy. Tell your Senator you have to do better.

The whole crux of it is that if we have an amnesty, if we have a very generous, compassionate treatment of people who violated our laws and come here, shouldn't we have a policy that ends the illegality in the future?

That is what the American people have demanded for 30 years. They are good and decent people. That is an absolutely proper thing for them to demand of Congress, and we are not doing it. It is heartbreaking to me that we are here going through this process with a bill as flawed as this one. As times goes by we will talk more about it.

I see my friend, the Senator from Utah, Mr. LEE, who is a fabulous new addition to the Senate Judiciary Committee, where this legislation moved. He contributed in many able ways to the discussion, offering excellent amendments. He is a skilled lawyer and a man who is deeply committed to the principles of law that made our country great.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, today I rise in favor of immigration reform. The current immigration system is a travesty. It is inefficient, it is uncompassionate, and it is dangerous. It doesn't serve America's economic or social interests, and it undermines respect for the rule of law while simultaneously undermining respect for our democratic institutions. Comprehensive reform is both badly needed and long overdue.

The comprehensive immigration reform I envision includes real border security, visa modernization, employment verification, robust programs for both high- and low-skilled workers, and a compassionate approach to addressing the needs of those currently in the country illegally. But I believe each of these vital components must be addressed incrementally and sequentially in order to ensure meaningful results. I understand our reluctance to admit it, but Congress is simply very bad at overhauling and creating massive bureaucratic systems all at once.

Every new law, no matter how big, carries with it some unintended consequences. The bigger the law, the more accidental problems we tend to create. History teaches us that trying to fix lots of problems all at once is the surest way to avoid fixing any of them very well. ObamaCare is and will continue to make our health care system worse, not better. It promised to lower health insurance premiums. Yet they

are exploding all across the country. The Dodd-Frank financial reform measure was supposed to end too-big-to-fail and prevent another financial meltdown. Yet Fannie Mae and Freddie Mac are still on the taxpayers' books, and today the very biggest banks on Wall Street are bigger than ever.

Do the American people have any idea that the PATRIOT Act would empower the National Security Agency to spy on all Americans through their cell phones and their computers? What makes any of us, least of all any conservative, believe this immigration bill is going to work out any better?

The lesson we should be taking from our recent mistakes is not that we need to pass better, huge, sweeping new laws, but that we should, instead, undertake major necessary reforms incrementally, one step at a time, and in the proper sequence. We need to face the fact that 1,000-page bureaucratic overhauls simply do not achieve their desired goals, and they create far more problems than they tend to solve. We can achieve comprehensive immigration reform without having to pass another 1,000-page bill full of loopholes, carveouts, and unintended consequences.

Therefore, from my perspective there is no one amendment that can fix this bill. Indeed, there is no series of tinkering changes that will turn this mess of a bill into the reform the country needs and that Americans deserve.

The only way to guarantee successful reform of the entire system is through a series of incremental reforms that ensure the foundational pieces, like the border security pieces and an effective entry and exit system, are done first and done directly. Such a common-sense process will allow Congress—and, more importantly, will allow the American people—to monitor policy changes as they are implemented with each step. That way we can isolate and fix unintended consequences before they grow out of control and before we move on to the next phase.

A step-by-step approach would also allow Congress to move quickly on those measures on which Republicans and Democrats both tend to agree. We ought not hold commonsense and essential measures hostage to unavoidably contentious ones, and that is what this bill does. Both sides largely agree on many essential elements. These measures are relatively uncontroversial and could pass incrementally with broad bipartisan support in Congress.

Indeed, the only reason immigration reform is controversial is that Congress refuses to adopt the incremental approach. That is why true immigration reform must be pursued step by step, with individual reform measures implemented and verified in the proper sequence.

Happily for immigration reformers like me, this appears to be the ap-

proach being pursued by the House of Representatives. It is the only one that makes sense.

First of all, let's secure the border. Let's set up a workable entry-exit system and create a reliable employment verification system that protects immigrants, protects citizens, and protects businesses from bureaucratic mistakes. Then let's fix our legal immigration system to make sure we are letting in the immigrants our economy needs in numbers that make sense for our country. There is no good reason why we must, or even why we should, try to do it all at once, all in one bill, all in the same legislative package.

Once these and other tasks, which are plenty big in and of themselves, are completed to the American people's satisfaction, then we can address the needs of current undocumented workers with justice, compassion, and sensitivity. Since the beginning of this year, more than 40 immigration-related bills have been introduced in the House and the Senate. By a rough count, I could support more than half of them. Eight of them have Republican and Democratic cosponsors.

We should not risk progress on these and other bipartisan reforms simply because we are unable to iron out each and every one of the more contentious issues. This is not the bill to fix our immigration system.

I want to pass immigration reform. I want to debate immigration reform. That is exactly why we should not proceed to the Gang of 8 bill. We are being presented with a choice between the Gang of 8 bill or nothing. Common sense, recent history, and the ongoing legislative process of the House of Representatives confirmed that is a false choice. There is another way. It is a more sensible and a more successful way.

We can do better than another 1,000-page mistake. Haven't we learned our lesson in this regard? Isn't it time that we try?

Rather than fix our current immigration problems, the Gang of 8 bill will make many of them worse. It is not immigration reform, it is big government dysfunction. All advocates of true immigration reform on the left and on the right should oppose it.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I ask unanimous consent that I be allowed to engage in a colloquy with Senator LEE.

The PRESIDING OFFICER. Without objection, it is so ordered.



Mr. SESSIONS. Mr. President, I thank the Senator for his comments and insight and contribution to the debate, as well as his clear mind and thinking that causes us to analyze how to handle things.

The problem we have today, at the most fundamental level, is that in 1987, as Senator GRASSLEY has been so passionate and so clear about, we voted for the 1987 amnesty, and amnesty occurred immediately with the promise of enforcement in the future. So in the view of Senator GRASSLEY, and the view of the American people by a 4-to-1 margin in a recent poll, we should have the enforcement first and then we will talk about amnesty. All right?

Senator LEE offered an amendment that dealt with this process. Under the legislation we have here, the question of enforcement is almost entirely given to the Secretary of Homeland Security, who has basically said enforcement is good now and we don't need any more enforcement and that she would basically certify or establish whether we have an effective border and enforcement system, and if not she would issue a report and would turn it over to a commission that had no power and they could review it. But that absolves Congress of their responsibility.

With that as background, the Senator offered a very interesting amendment that I think places the responsibility for enforcement where it should be. Would the Senator explain his thinking on that?

Mr. LEE. I certainly would. I would be happy to.

In the Judiciary Committee, on which the Senator from Alabama and I both sit, during the markup session on this bill we were able to propose a number of amendments. One of the amendments I proposed—Lee amendment No. 4—addressed this very problem, the problem inherent in the fact that much of what this bill accomplishes is to outsource and delegate many of the delicate tasks. Many of the delicate decisions that have to be made along the way in the implementation of this bill are outsourced to the Secretary of Homeland Security—the task of coming up with a border security plan and a border fencing plan. Once those plans are in place, and once the Secretary makes the necessary findings under the bill, which she has basically complete discretion to do, then the RPI status begins—the pathway to citizenship commences. And citizenship from that moment forward, for those who meet the basic eligibility standards, becomes more or less a virtual certainty or becomes, at the very least, very likely.

So my concern was Congress would have no subsequent input in this decision. Each of us has been elected to this body, and each of our colleagues in the House of Representatives has been elected to that body, to make deci-

sions, to make law, and not simply to make outside lawmakers who will make incremental pieces of law on the outside. Each of us will stand accountable at regular 6-year intervals in this body and 2-year incremental periods in the other body to the voters who placed us here. Each of us should have the opportunity to decide whether and to what extent the border has adequately been secured and whether and to what extent we have enough fencing along the border in order for us to begin this legalization process and the pathway to citizenship.

So Lee amendment No. 4 to this bill would have said simply the RPI status, this pathway, would not have commenced until such time as Congress had the chance to vote on whether we had made sufficient progress toward securing the border and fencing the border before the period of legalization started.

It is a very simple question, and it is the question that lies at the heart of the concerns surrounding this very bill. It is the question that lies at the heart of the lingering concerns regarding what we did back in 1986. I was only 14 years old at the time that debate commenced, so it was not at the forefront of my mind, although perhaps it should have been. But the lingering concerns surrounding what happened in 1986 relate to the fact that Congress said, in effect, we are going to go ahead and legalize the several million people who are here illegally right now, and then, once and for all, we are going to secure the border. We are going to stop the flow of illegal immigration once and for all. Well, that didn't happen because they sort of put it off and said at some unknown point in the future the border will in fact be secured. That would have solved that problem. At the very least it would have kept Members of Congress on the hook for finding the border was adequately secured by a subsequent vote before a pathway to legalization commenced.

To my surprise, to my dismay, and to my frustration my amendment was rejected, and it was rejected along the lines of a particularly odd argument. The argument went something like this, from those who professed their undying loyalty to the Gang of 8 bill as it was originally drafted. The argument said, in essence: We cannot adopt Lee amendment No. 4 because we can't trust Congress to do the right thing. We can't trust Congress to do what we want Congress to do. In particular, the argument was made that we can't be certain the House of Representatives, currently under the control of the Republican Party, will in fact vote to commence the legalization process.

Well, if that is the case, aren't we saying we can't trust the democratic process? If that is the case, aren't we saying the American people aren't yet comfortable with that?

So I would ask my colleague from Alabama, why should we not trust the elected representatives of the American people to make critical decisions such as these? And why should we, instead, outsource them to someone having been appointed by the President and confirmed by the President, who doesn't respond, at least not directly, to the people at regular intervals in elections?

Mr. SESSIONS. I would say this is a very important amendment and I think it reveals a lot, as the Senator indicated. When we vote on an amnesty bill, and if that were to pass, the Senators voting for it are basically promising the American people, giving assurances to the American people they will end the illegality in the future. Because as I noted, the polls are 4 to 1 that we should have the enforcement before we give amnesty. And the reason is due to a lack of confidence.

So I think if the Senator's amendment had been passed, it would have placed some burden on us, a moral obligation to stand before the world at a point in time in the future and declare whether we have accomplished what we promised the American people we would do. Is that part of the Senator's thinking?

Mr. LEE. Yes, that is exactly why I introduced Lee amendment No. 4 in the committee and why I think it should have been passed. Because the whole reason we entrust the legislative power only to people who are elected at regular intervals and stand accountable to their electors at regular intervals is because of the fact it is perhaps the most dangerous power of government. We can do a lot of damage when we make law. And as a result of that potential for damage, that potential for harm we can inflict on the people, we have to stand accountable in incremental time periods of either 6 or 2 years to make sure we don't abuse that power. That is why it is so harmful when we take that very dangerous, potentially destructive power and we outsource it.

To some extent, in different ways, this has been going on for many decades. It started more or less during the New Deal era, when Congress discovered as the Federal Government was dramatically expanding Congress physically couldn't come up with the immense and steadily building task of legislating—of doing all the lawmaking and all the rulemaking it needed to do. So it started passing broader pieces of legislation, setting out very broad objectives, and then outsourcing to some outside body—sometimes a Cabinet-level official, other times a so-called independent commission to do the real lawmaking.

During this time period, Congress discovered an interesting and important tool. During this time period it discovered sometimes we, as Members of Congress, are not going to like the

way the outside body or the outside official within the executive branch might exercise this delegated lawmaking authority. So they reserved to themselves, they reserved for Congress an out—a legislative veto, as it became known. In some instances, this legislative veto allowed Congress, either the House or the Senate, to undo a rule-making or an important decision made by an executive branch official or entity. In other cases it required both Houses to act in unison. But these legislative veto provisions did not require subsequent presentment to the President who could then sign or veto that legislative veto.

This went on for several decades. It went on until the mid-1980s when the Supreme Court intervened in a case called *INS v. Chada*, occurring, interestingly enough, in the immigration context; occurring, interestingly enough, in the specific context of a decision by the Attorney General to exercise delegated authority from Congress to issue a discretionary waiver of deportability to an otherwise removable alien.

The Supreme Court said this legislative veto was itself unconstitutional because it amounted, in essence, to a subsequent enactment by Congress that was not subject to the presentment requirement of article I, section 7 of the Constitution. Thus, the Supreme Court concluded in *INS v. Chada* the legislative veto provision, as it had been used for many decades, was itself unconstitutional, it was invalid, and was stricken.

Some might have predicted that, as of the moment of the issuance of this decision in *INS v. Chada*, Congress would say: That is it, we are not going to delegate this much authority anymore because we can't trust these outside officials, these outside entities within the executive branch of government to do the lawmaking. That is our job.

But that is not what happened. Shockingly, in the eyes of some, Congress continued to delegate its lawmaking authority left and right. If anything, it has accelerated its delegation of lawmaking authority. In part because Members of Congress, first and foremost, like to wash their hands of things, in the grand tradition of Pontius Pilate we are sometimes inclined to wash our hands of things and push important decisions off to someone else to make them, someone else who can take accountability for those decisions. It makes it easier for us. And in some ways that is what is happening here. In some ways that is what we are doing here by pushing off to the Secretary of Homeland Security the decision to make a decision we ourselves ought to be making. That decision ought to rest here so we ourselves can be held accountable. We are not sovereigns unto ourselves. We certainly

ought not be making sovereigns out of others who do not stand accountable to the people.

MR. SESSIONS. I thank the Senator. I think that is very wise insight.

On the question of immigration, Congress has been irresponsible. The American people have pleaded with us to end the illegality and create a lawful system that serves the national interest—a system we can be proud of. And for 30 years Congress has failed.

The Senator's amendment requiring that vote by Congress to assure we do what we have promised to do reminds me of what happened in 2007—another bill that was a comprehensive immigration bill on the floor. I opposed that bill. It was stronger than this bill, considerably, in a lot of different ways, but it failed because we didn't have confidence about the future.

In the course of that debate, I think maybe shortly after the bill failed, we had an amendment to build a certain amount of fencing on the border. I offered that amendment, and it passed overwhelmingly.

Republicans and Democrats, virtually everybody, voted to build more fencing at the border—700 miles out of about a 1,700-mile border. Everybody was for that. But that was just the first vote, as our colleagues know. The second vote was whether anybody would appropriate any money to build the fence. So not long afterwards up comes an appropriations bill for homeland security and it had no money for the fence in it. Our colleagues, going back home: I voted to build a fence. But here we have a bill on the floor that doesn't have any money to build a fence. The fence wasn't going to get built.

I raised Cain about it and fussed and fussed and sort of mocked the Congress for one moment, saying: You are going to do something and not step up to the plate a little later. And they put money in for the fence. But you know what happened. Of the double-layered fencing that was required, 700 miles of it, only 36 were built. They came up with this idea of a virtual fence—airplanes and computers and radar, I guess. It was a total failure. We spent \$1 billion. It was abandoned. There are only 36 miles of double-fencing and 100 or so miles of automobile barriers. It was never built.

If we had to vote again to affirm what we did in the year, I think that would make it more likely—from my experience here about how this body works—that what we promised would get done. Does the Senator agree?

MR. LEE. I certainly do. I think that would make a big difference. If we had to vote on it, it would have a couple of effects. First of all, the fact that we would have to vote on it would have an impact on the executive branch of government whose job it is to implement laws that we pass. The executive branch of government would normally

have a duty—a duty that we would be following up on not just in some amorphous oversight committee hearing context, but we would be exercising oversight in a very real way in the sense that we would have to vote on whether they had done something adequately within a specified period of time. There would be consequences, real consequences, if we were to refuse to exercise that vote.

This vote would go through the normal process. It would be debated, discussed, and acted upon in both Houses of Congress and then submitted to the President for signature or veto and would therefore be wholly consistent with the presentment clause of the Constitution.

Some have suggested this might be a bad idea because it would perhaps get held up through some procedural mechanism or another, but the way the amendment was written, that would not, in fact, be the effect. This would be a privileged motion through which it could come on the floor. It would go through the Senate on a 51-vote threshold and would therefore be able to move through quite quickly. That is why it is important for this kind of mechanism to be in a bill such as this.

MR. SESSIONS. I thank my colleague because the dangerous problem is so very real. As Senator GRASSLEY has so eloquently discussed, it is one thing to grant amnesty today, it is another to see in the future that we follow through on a system that will end illegality in America.

Senator LEE, you are a good lawyer. You have been involved in a number of these issues. It is very clear that the American Immigration Lawyers Association was involved in the drafting of this legislation. I do not say it was all done just for their personal gain, but did the Senator notice quite a number of alterations in current law that gave more flexibility, and resulted in more uncertainty; where the law says thus and so, but it can be waived for hardship or family problems or other matters?

As a lawyer, consider what at first glance would be an open-and-shut case where your client is in the country illegally and due to be deported, but now under the bill, the client can demand a trial and perhaps overload the system. Everybody claims hardship; everybody claims some other exception to the rule. Is there a danger that our whole enforcement system would be bogged down in litigation we never had before?

MR. LEE. Yes, it certainly could be and it certainly would be if at the end of the day you have literally hundreds of instances of Secretarial discretion built into the bill. If every one of these important decisions that have to be made along the way, or through the process, on legal immigration—if any of the critical decisions that have to be made along the way are subject to certain rules but those rules can be

waived by the Secretary at the Secretary's unfettered discretion, it is not much of a law. It becomes something else. It becomes a set of guidelines with ultimate discretionary decisionmaking vested in the Secretary. That is something very different than a law.

I do not doubt that there were lots of people who had input on this bill, nor do I necessarily blame any one group for being involved. They have every right to give their input into a law. But at the end of the day we have to ask the question: Whose job is it to legislate? It is not their decision to legislate. The accountability to legislate or the accountability for flaws in this bill therefore must not rest with any outside group, any group of lawyers or activists of any stripe or at either end of the political spectrum. The accountability for the legislation that moves through this body must rest ultimately with us, and that includes legislation that gives someone else the effective power to legislate, as this one does, in literally hundreds of instances.

If at the end of the day this bill—assuming it is passed out of this body and passed by the House of Representatives and signed into law by the President—if this bill at the end of the day says, for instance, that the Secretary may at her discretion waive certain exclusions, waive exclusions that would otherwise prevent somebody from entering onto the pathway to citizenship on grounds that they had reentered the country after previously being deported, that is a pretty big issue. At that moment somebody who has reentered the country after previously being deported has committed a felony.

The point has been made many times that it is not necessarily a crime to enter this country illegally. It is considered by most to be a civil violation. But that changes when you have been previously deported. A previously deported illegal alien who reenters following deportation has committed a felony offense. So if the legislation we are considering now becomes law and if at the end of the day it is enacted, it allows for those people to enter onto a pathway to citizenship, and I think that is cause for concern. It is one of many areas in which we need to be very cautious in granting this much discretion to the Secretary of Homeland Security.

I got a letter from a woman in my home State of Utah, a woman who is a schoolteacher in American Fork, UT. She is an immigrant to this country. She is here on a nonimmigrant visa. She sent me a letter saying: I spent years of my life and thousands of dollars immigrating to this country legally, the right way. I have a job. It is a good job, a job that I love, a job teaching school. But I am here on a visa, and that visa expires in a few years. I know when that visa expires unless somehow I am able to get that

visa extended or able to get another visa, I will be sent home. I will have to leave this country. And it breaks my heart, she wrote, that at the same time that I am going to have to leave this country, there will be lots of people—in fact, 11 million or more—who are currently here illegally, who have broken the law coming here, many of whom have been working here illegally, who will not only be allowed to stay, not only allowed to stay in their current job, but put on a pathway to citizenship.

She said: This seems like a profound unfairness, that we are rewarding those who have broken the law while we are punishing people who, like me, a schoolteacher, came here on a non-immigrant visa and have spent years of their lives and thousands of dollars trying to do it the right way.

Does the Senator think that is cause for concern that relates to this excessive granting of discretion?

Mr. SESSIONS. I couldn't agree more. When you, as I had the honor to do, prosecute violations of Federal law for over 14 years, you feel a deep, abiding sense that fairness has to occur. You are putting somebody in jail for a period of time. You are saying "you don't get this money" if they submit a claim you cannot give them, even though they might benefit but they do not qualify. When you do these things day after day, you have to believe that the system works.

With regard to immigration, it is so deeply important that people who wait in line and who do things the right way, believe others are not getting away with it and are not beating the system. Otherwise, they feel like chumps. They feel as though they have been had by the system.

It is such a deep moral responsibility, not just for the Federal prosecutors. The ones I know feel deeply about this. They really feel that sense because you cannot do your job every day and go to bed and sleep if you do not believe that everybody is equal and the system works.

You do a tough job one day: You don't qualify for disability; you don't qualify for money; you have to go to jail. The guidelines say you go. And then the next guy comes along and the guidelines don't apply to him. The next guy files a claim and he gets some money and you didn't. It is so critical for the magnificent legal heritage of our country that the law be followed equally. Anybody who suggests that this amnesty that will occur has no moral consequences does not understand the depth of the question involved.

If we do it and if we do something very compassionate for people who are here illegally, the American people are correct to say: Do not let it happen again. Do not let this happen again. The way the law should work in Amer-

ica: You come legally—OK. You don't come legally, you get deported. That is what the law is. That is what it should be. Anything less than that cannot be defended morally. It cannot be defended constitutionally. It cannot be defended legally. It cannot be defended as a matter of policy.

People blithely suggest we can just reward an American who came into this country illegally, 18 months ago, and never had a job, but because they were not caught and deported in the interim, they get to stay here legally forever and be on a guaranteed path to citizenship. Whereas your friend who came here legally and followed the rules, the lady who wrote you, has to go back home? We cannot treat this lightly.

If we do this—and I am prepared to work on it and try to do it in a good way—we absolutely have to do it in a way that does not damage, too much, the rule of law. It will damage the rule of law because it is a violation of the rule of law to reward somebody who came illegally by giving them the benefit of their act. If people rob a bank and you catch them, they have to give the money back. They don't get to keep the money. They don't get to keep the benefits of their activity, normally.

We are willing to reconsider that. We are willing, as a nation, to compassionately reconsider that. I think the American people are willing to do this. But I ask my colleague Senator LEE whether he believes people feel uneasy about this. They don't like it that this is a thing they believe they must do, but they know it is not a good thing and should be avoided in the future?

Mr. LEE. The American people are a compassionate people. They are a people who welcome immigrants because we are a nation of immigrants and we always have been. I think most of us hope we always will be. We want people to continue to come to this country. It is this sense of compassion that causes many of us to have some sense of concern about this particular legislation. This legislation goes far beyond simply showing compassion. This legislation in some ways is the opposite of compassion when you consider it from the perspective of those who, like this woman who wrote this letter to me, have come here legally. And those who, unlike her, have waited—in some cases for years outside the United States. There are many people who have spent a lot of money and time hoping and praying that one day they too will get to immigrate to this country legally. We do them a great disservice when we say the effort, time, blood, sweat, and tears they devoted to this process is all for naught, because all they had to do was come here illegally, and not only were they put on a pathway to legalization but on a pathway to citizenship.

One of the more enlightening moments in the Senate Judiciary Committee during the markup of this bill was when our friend and colleague, the junior Senator from Texas, introduced an amendment which would have done one simple thing to adjust that process. All hell broke loose.

Senator CRUZ introduced an amendment which would have left everything else about the bill intact and kept everything else in the bill identical to what it says now with only one change. It would have said those people who entered into RPI status—entered into the pathway of legalization—would not ultimately become citizens. They could ultimately become lawful, permanent residents or the functional equivalent thereof, but they would not become citizens under the bill. Everything else would be left intact. They still would be allowed to come out of the shadows, stay here, work here, and we could have a separate debate and discussion over whether that would be the right approach in and of itself.

This particular amendment focused simply on the citizenship aspect of it, and yet one would have thought by the reaction that it was offering up something horrible and Draconian. The proponents of this bill could not even handle the change that would have said: Let's have there be some consequence, at least, for the fact that this group of people entered here illegally. At least at this point let's not put them on a pathway to citizenship so they can vote and all the other rights which accompany citizenship to this great country.

Yes, I do think this is strange. I do think the American people—not in spite of the fact they are compassionate, but because of the fact they are compassionate—deserve more than to have the rule of law turned on its head and deserve more than to have those who have taken the time and expended the energy and financial resources to immigrate here legally, to have their sacrifice denigrated to the point that it means nothing or less than nothing.

Mr. SESSIONS. That is a very interesting insight the Senator made. I believe Senator SCHUMER was particularly hostile to that amendment and said: Without citizenship, there is no reform. In other words, we will not agree to anything; that is absolutely nonnegotiable.

I thought about that bill a lot since 2007 and have been thinking about it ever since. I believe after 1986 we gave amnesty and citizenship with the promise of enforcement, and that didn't happen. We promised it wouldn't happen again and that we wouldn't do another amnesty.

This was supposed to be a one-time amnesty which wouldn't happen again. It was supposed to be the clear policy of the United States that if someone

entered the country illegally, that person would not get every single thing America could provide, and we would not provide such benefits as would be provided to people who entered lawfully. I don't believe we should—and certainly are not required—to provide citizenship to somebody who entered the country unlawfully. It is just not required.

I thought attacking Senator CRUZ's amendment was odd and revealing as the junior Senator from Utah did. It was a surprise to me as far as the intensity of their pushback on that. I don't believe it should happen. I don't think it is the right thing.

So the person would be able to get permanent, legal, resident status; participate in America; and, of course, their children would be citizens; but they can't get everything if they come illegally.

I read a brilliant piece recently by a Yale graduate lawyer, a marine, and he talked about the military. We act as though, if somebody comes into this country illegally, it would be unthinkable that they would be required to move themselves back to where they came from. We tell our military guys all the time to move their families. They get orders to go to west Texas, Alabama, Germany, Japan, and Korea. They spend 18 months in Iraq with their lives on the line. They have to leave their families, and they do it all the time.

So they come to this country under the lawful condition that they can come for so many months—and they volunteer, they sign up. I come in, I get to stay so many years, and I am supposed to go home.

Is this somehow unkind? Is it immoral to expect those people—when their time is up—to go home?

Some of the thinking, which came up in the committee, seemed to be totally oblivious to this fundamental concept. There are certain requirements. They are not allowed to pay a guide to come across the border illegally and 18 months later demand a pathway to citizenship in the United States. It is just not law. I don't know what that is, but it is not law. It is not the way principled policies should be executed.

We are willing to consider and work through a process. For some time I have said we want to be compassionate to those people who have been here a long time and have done well. We can work through it. But when they come through this system, they need to have no doubt that in the future, if they overstay their visa or come into the country illegally, and they are apprehended, they will be deported. If we don't make that commitment intellectually, morally, and legally, then we have guaranteed we will have another amnesty, or fight, and the integrity of our immigration law will be further degraded.

Mr. LEE. As surely as past is prologue, this will happen again if we do it in the wrong sequence. Sequencing matters.

When I was 6 or 7 years old, my mother pointed out to me that you don't try to butter the toast before you toast it. You toast it first and then put the butter on top.

There are all kinds of examples where we need to follow the right sequence. If they don't follow the right sequence, they don't get the results they want. This is another area where sequence matters.

I am convinced we can treat those 11 million people who are currently here illegally with the dignity, respect, and compassion we want to treat them with as Americans. I am convinced we can find a way to do that. I am convinced we can find a broad-based bipartisan solution to do that. I am less convinced that it makes any sense to do that now before we fix the underlying problem.

Again, it is a matter of simple sequencing. We have to first stop the flow of illegal immigration. After that, we will be in a better position to ascertain the needs of those who are currently here illegally. It is only in that circumstance that we will know best how to address that.

Along those lines, I would like to address an issue which sometimes comes up. Sometimes arguments are made by the proponents of this bill that if we don't support this bill—not just if we don't support immigration reform generally, but if we don't support this particular bill—we are somehow anti-immigrant or uncategorically uncompassionate people. If we don't support the bill, our hearts are made of stone, our ribs are made of concrete, and we have no heart. I think that is a reckless argument and an argument beneath the dignity of this august body.

During the markup, one of my colleagues—I think the junior Senator from Texas—introduced another amendment. It was an amendment which would have in some way limited the ability of those currently illegally in the country to participate in certain entitlement benefits, certain anti-poverty benefits that would otherwise be available to them. Perhaps it was the earned-income tax credit. I don't remember the exact information, but it would have had some broad application to make sure that those who are currently here illegally would not—during this RPI period—be able to benefit from federally funded entitlements.

To my great dismay, one of our colleagues on that committee—who was a devout supporter of this bill—personally attacked the junior Senator from Texas simply for having introduced that amendment. It wasn't enough for him to say: I disagree with this amendment or that this amendment is bad policy. He attacked with something

like this: You don't care about these people. You don't care about their children. You are willing to let their children remain hungry and uneducated. You don't care about them. You are not compassionate.

With respect, I think that kind of comment has no place here. It is not helpful. It is not productive, and it is something that completely clouds the issue. It is because we are compassionate that we do need to ask these questions.

Look, we are in a difficult spot as a country. We are trying to do everything we can to make those programs solvent which are designed specifically to alleviate some of the needs of the most vulnerable in our society. Unless we make sure we are in a position economically to be able to sustain those programs, we are going to run out of money. And when we run out of money, it will be the poor and the vulnerable who suffer most as a result of our inability to pay for those programs.

So with respect, I advise all of my colleagues—particularly those who have made comments like that one—to resist the temptation that some of them have succumbed to in recent weeks to say that anyone who opposes this bill is somehow uncompassionate. It is because we are compassionate that we have to ask these difficult questions. It is because we are compassionate that we have to propose amendments we think are necessary in order to make the programs upon which our society's most vulnerable have come to depend on more sustainable.

Mr. SESSIONS. I am glad Senator LEE mentioned that because we have to have an honest debate. We have to have an honest discussion about what is in the national interest of the United States and how immigration fits into that. First and foremost, do we want to have a lawful system or not? Do we want to allow lawlessness to continue in the future? It is not unkind to talk about that.

Prime Minister Cameron, of the UK in London, recently made this remark—they are wrestling with immigration and how to do it the right way in the United Kingdom. He says:

There are those who say you can't have a sensible debate because it is somehow wrong to express concerns about immigration. Now I think that is nonsense.

I think we can have a sensible discussion about it when we ask about how many people will come, what skills they should possess, and what America would benefit from most with the immigrants we have coming to our country; what immigrants would be most likely to be successful, flourish, and do well.

We have had statistics established that people who come with about 2 years of college and speak English almost always do very well, but people who come without high school diplo-

mas don't do as well. If we cannot accept everybody, we ought to think about and try to develop a system which allows people who can be the most successful to take advantage of America. That would be helpful.

Prime Minister Cameron goes on to say:

While I've always believed in the benefits of migration and immigration, I've also always believed that immigration has to be properly controlled. Without proper controls, community confidence is sapped, resources are stretched and the benefits that immigration can bring are lost or forgotten.

I think that is somewhat in line with the points the Senator from Utah was making.

I see the chairman of the Judiciary Committee, Senator LEAHY, who has wrestled with these issues longer than I have. He conducted a markup which allowed a large number of amendments. Unfortunately, some of the members, even though they liked their amendments, wouldn't agree to vote for them. We have a process that allowed some airing of the details of the bill, and a lot of amendments were offered.

I thank Senator LEE for participating in this discussion and coming to the Senate with fresh ideas, enthusiasm, and passion for America, the rule of law, the proper functioning of our branches of government, and the classical constitutional heritage of this Nation. I am honored to serve with my distinguished colleague.

I yield the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Vermont.

Mr. LEAHY. Madam President, it is good to see the Presiding Officer here as a member of the Senate Judiciary Committee.

As the Presiding Officer knows, the Senate Judiciary Committee held lengthy and extensive public markup sessions on the Border Security, Economic Opportunity and Immigration Modernization Act, S. 744. We worked late into the evenings—we also started pretty early in the morning—debating the bill. We considered hundreds of amendments.

The public saw our consideration firsthand. We streamed everything we did on the Internet and it was broadcast on television. We took all the proposed amendments, Republican and Democratic alike, and put them on our Web site. We updated the Committee's Web site to include adopted amendments in real time. I heard from people all over the country that they felt they actually had involvement in what we were doing, which is what I want.

I appreciate the fact that members from both sides of the aisle, Republicans and Democrats, praised the transparent process and also praised the significant improvements to the bill made by the Judiciary Committee. In fact, the markup process followed

three additional hearings on the bill—on top of all the others we had—with 26 witnesses, and the bill, as amended, was supported by a bipartisan two-thirds majority of the committee.

I have sent that bill, S. 744, to the Senate on behalf of the Judiciary Committee and am filing an extensive committee report as well. I hope the report is going to be a valuable resource for Senators. It explains not only the underlying provisions in the legislation and its history, but it also summarizes all the amendments that were adopted and also those that were rejected.

In order for all Senators to be able to file amendments and work on this bill, of course the Senate first needs to proceed to the bill. I had hoped that what has become all too typical obstruction would not infect the proceedings. Senators from both sides of the aisle worked together to develop this legislation. Senators from both sides of the aisle had amendments adopted by the Judiciary Committee. Almost none of the more than 135 amendments adopted by the Judiciary Committee were adopted along party-line votes, unlike this week's vote in the House in which nearly every member of the Republican conference stood together to prevent DREAMers from being able to stay in our country. The one thing that ought to unite all of us is the DREAM Act.

These young people are here through no fault of their own. They have enriched our Nation. They have enriched this debate. I am proud that we in the Senate are considering inclusive legislation that supports them, and I hope a fair process in the Senate finally prompts action in the other Chamber.

I don't know how anybody who professes to care about family values, who professes to care about other people, can sit down with these young people—the DREAMers—and not be moved and not want them to have the same advantages our children and our grandchildren have.

The dysfunction in our current immigration system affects all of us. It is long past time for reform. As members of the Senate Judiciary Committee from both parties said at the conclusion of our proceedings, this is a matter of great significance to the American people, and the Senate should debate it. But the Senate is being delayed from doing so by a small minority of opponents. This is not the time to have a tiny handful stop a debate.

There are only 99 Senators now, with the loss of our dear friend Frank Lautenberg. But take a Senate of 100 people, we represent over 300 million Americans, and they are counting on us not to use stalling tactics, but to stand—vote for or vote against, but stand up and vote.

When one stalls and refuses to let votes come in, it is an easy way to say: I am voting maybe. Then you can go back home and you can be on

everybody's side, for the people for it or people against it. "I am on your side," because nobody can point that you voted one way or the other. That is not what we were elected for. We were elected to stand and take a position, yes or no, not maybe.

The legislation we seek to bring before the Senate was the result of Senators from both sides of the aisle who came together and made an agreement. What was initially a proposal from the so-called Gang of 8 became, through the committee process, the product of a group of 18. Now let's have a product of a group of 100 representing all States in this country.

Amendments offered by 17 of those 18 members were adopted into the bill. Seventeen of the eighteen members of the Senate Judiciary Committee had amendments adopted into the bill. A bipartisan majority of more than two-thirds of the Senate Judiciary Committee voted for the bill the Senate is being called upon to consider.

I am honored to serve as both the chairman of the Senate Judiciary Committee and the President pro tempore of the Senate, an office established in article 1, section 3 of the Constitution of the United States. I have been privileged to serve the people of Vermont for more than 45 years, the last 38 as their Senator. But one thing I learned many years ago, taught to me by the distinguished majority leader at that time when I came to the Senate, Senator Mike Mansfield, is how important it is for Senators to keep their commitments, keep their word, to stay true to their agreements. If Senators who have come together to help develop this bill do those things, I have no doubt we will be able to end this filibuster, stop voting maybe, and actually vote up or down and pass this fair but tough legislation on comprehensive immigration reform.

Our history, our values, and our decency can inspire us finally to take action without the prolonged partisanship that often paralyzes this Chamber. We need an immigration system that lives up to American values. This is a time when we are called upon to come together. Few topics are more fundamental to who we are as a nation than immigration.

The Statue of Liberty has long proclaimed America's welcome:

Give me your tired, your poor, your huddled masses yearning to breathe free. . . . Send these, the homeless, tempest-tost to me.

That is what America stood for. That is what we should continue to represent. That is the America that attracted my maternal grandparents from Italy to Vermont and my paternal great-grandparents from Ireland to Vermont. Immigration through our history has been an ongoing source of renewal of our spirit, our creativity, and our economic strength.

Our bipartisan legislation establishes a path to earned citizenship for the 11 million undocumented immigrants in this country. It addresses the lengthy backlogs in our current immigration system—backlogs that have kept families apart sometimes for decades. It grants a faster track to the DREAMers brought to this country as children through no fault of their own, and to agricultural workers who provide our Nation's critical food supply. It makes important changes to the visas used by dairy farmers and the tourists and by immigrant investors who are creating jobs in our communities.

It addresses the needs of law enforcement, which requires the help of immigrants who witness crime or are victims of domestic violence and human trafficking. It improves the treatment of refugees and asylum seekers so the United States will remain the beacon of hope in the world. This is going to make us all safer.

This is a measure the Senate should come together, consider, and pass. We should do what is right, what is fair, and what is just. Immigration reform is an important economic issue, a civil rights issue, and a fairness issue. If a majority of us stand together and we stay true to our values and our agreements, I believe we can pass legislation to write the next great chapter in the American history of immigration.

Those of us serving in the Senate who are immigrants understand that. Those of us who are children or grandchildren of immigrants understand that. Just as my wife's family came to this country and created a better State of Vermont, they understood it, similar to so many who come.

The distinguished Presiding Officer knows better than anybody in here what it is to come and become part of this great country. One can come as an immigrant and then become a Senator of the United States. As President pro tempore, I am delighted to see the Presiding Officer in the chair.

I suggest the absence of a quorum, and I ask unanimous consent that the time be divided equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Madam President, I wish to address the issue being debated in front of the Senate. I thank the chairman of the Judiciary Committee for the leadership he has offered. The chairman has a strong and firm but fair hand. He has allowed the bill to be here and has been assisted by very able

lieutenants on the Judiciary Committee, not the least of whom is Senator SCHUMER of New York who, as the subcommittee chairman, has been absolutely key.

I also wish to compliment our colleague from Florida Senator RUBIO. People in this highly charged partisan atmosphere say, How can a Democrat or a Republican, or vice versa, say good things about each other; and, of course, I am not only willing to do so but do so at the drop of a hat, to give credit where credit is due. It is too bad so much of the discussion is based on ideological philosophies and is so partisan-charged and tinged. We seem to be looking for that slight little advantage in the next election so that we get to the point where we can't come together.

I think what we are going to see on display in the Senate over the course of the next several weeks is that the Senate can function and it can function in a bipartisan way. I give no small amount of credit to the bipartisan group in the Gang of 8. They have arrived on the scene at the right place at the right time.

A number of us have been trying in this Chamber, and previously when I was a Member of the House of Representatives, going back to when I was a young Congressman, to get comprehensive immigration reform. I voted on it in the 1980s. We actually passed a bill. It is instructive to know at that time, in the 1980s, there were less than 3 million illegal aliens or undocumented individuals, however we wish to refer to them, in the country. That attempt at immigration reform failed because there were no safeguards to make sure the law was followed—especially among employers—to make sure the people they were hiring were legal. As a result, over the ensuing decades, the law wasn't followed. So what happened? The amount of undocumented individuals in the country rose from less than 3 million in the 1980s all the way to where it is now, which is about 11.5 million.

So the time and the place has arisen to do something about it. It is too bad it hasn't been done, but what is done is done. Now we have a chance to change that.

If one happens to come from a State such as my beloved State of Florida that has such a rich mixture in the fabric of our society of so many different peoples from so many different parts of the world, then, of course, a person ought to be a little more sensitive to the broken system we have. Thus, it was not unusual that when it came time that suddenly a case exploded in the newspapers of a child, a DREAMer who had come here as a child with parents who were undocumented, the child never even knew he or she was not American and it gets down to the end of their graduation in high school and

they want to go off to college or they want to go into the military and, lo and behold, they are now under the order of deportation.

Of course, this Senator, similar to many other Senators, has had to try to intervene in these very egregious cases. I wish to mention one, and it illustrates the ridiculousness of the present system that is so broken.

A child brought at age 6 months from the Bahamas now grows up in America thinking he is American. He is a Floridian. He goes into the Army. How he missed the checks there that he was undocumented I do not know. But he goes into the Army. He serves two tours in Iraq. He has a top secret rating.

When he comes back, after the two tours, going into the private sector, he enlists in the Naval Reserves, and because of his top secret clearance, this particular now Navy reservist on Active Duty is sent to the very sensitive position—because of his top secret clearance—of being a photographer at the Guantanamo detention facility for the detainees, and he serves in that position admirably.

Somehow in the process after this, back in civilian life, this particular former Army, now Navy, reservist, in applying for an application for a passport, answers something incorrectly on the passport application—because he does not know he is not an American—and he gets arrested and he is thrown in jail and is in jail for 3 going on 4 months, until this Senator finds out about this case—because I am reading it in the newspaper—and, of course, once we blew this up to the attention of the public at large, even the Federal judge asked the prosecutor: Why in the world are you prosecuting this case? That shows the ridiculousness of existing law because it is so broken.

That, of course, had a good outcome. It did not have a good outcome while somebody who had a top secret clearance is sitting in jail for over 3 months, but it is illustrative, again, that we have to do something about the existing system.

Thus, we have in front of us a compromise. Remember, the art of legislating is respecting the other fellow's point of view, reaching out, trying to bridge the differences, with the goal that we want to achieve a result.

There are some here who do not want to achieve that result, and they are going to try to torpedo it. They are going to try to put poison pills that are so seductive as amendments that will kill the bill. They are going to make a lot of the Senators on both sides of the aisle take tough votes on things they would ordinarily support, but they are going to have to reject them to keep the integrity of the compromise in order, at the end of the day, to pass an immigration reform bill and then hope we get a big enough vote so that there

is such a momentum—and with all the different advocacy groups, including businesses, farmers, the immigration community, pro-immigration reform community, all of them—to start to lean heavily on the House of Representatives, and maybe at that point we can get the bill passed.

As we consider this bill to fix this broken immigration system, many of us are going to disagree about details, but we have to remember what is the goal at the end of the day. This bill includes important things to secure the borders. You think the borders are secure now? By the way, they are a lot more secure now than they were just a few years ago. They are catching some 60 percent of all the people who are coming across the border now, but that is not good enough. Forty percent is still coming across. This bill is going to try to take it up to 90 percent.

They are going to reform the visa program. They are going to make it easier, at the end of the day, because of the technology we have, where you can swipe the passport. Some countries desperately have wanted to get into a visa waiver instead of having families come hundreds of miles to the consulate. Because of the information that is going to be contained on that passport—biometric information—we are going to be able to streamline that process.

Certainly, at the end of the day, we are going to be able to supply the workforce needs of the country if the employers will follow the law. So now this reform bill is going to make it mandatory upon those employers to follow the law so they can have a legal workforce instead of what is the case now: Do not look. I have to have them for my business or my farm, my agriculture—whatever the business is, I have to have them—but do not look because I know they are illegal. That is going to be changed.

Then there is another component. What about those people who came here on a legal visa, but now they have overstayed the visa. We are going to be able to check because now, with that biometric information, they are going to swipe as they leave the country that information so it matches with the information we got when they came into the country on a legal visa. Now we are going to know who is staying behind.

By the way, those countries that want to be in the visa waiver program, such as Chile or Brazil, they have to keep those defaults under 3 percent of the total visas. Lo and behold, now those countries that want to keep the visa waiver to make it easier on their citizens to travel to the United States—how about all those Brazilians who want to come to Disney World—now they have an incentive to help their own people by keeping those defaults under 3 percent of the total visas for that country. This reform of the visa program is very important.

What about the people who are here? Does anybody think the solution to the problem is to deport 11 million people? We cannot do that. But if we could, what would happen to this national economy? It would collapse. So we are going to make a very lengthy path to getting a green card, of which they are going to have to pay fines, they are going to have to pay the taxes, they are going to have to learn English, and they are going to have to go to the end of the line, but they are going to be here legally so they can be employed, and they have to stay employed. If they do not stay employed, they are out.

Anybody who does not abide by all of that presently—we do not have a requirement that they have to learn English. Now they are going to have to learn English. So anybody who does not make all of those requirements is going to have to leave.

I have just scratched the surface of the bill. But I think we can see it is a good-faith attempt to bring together all of the interests, using a little common sense to try to reform what is a broken system. I hope we will get a huge vote out of the Senate. I hope this vote exceeds three-quarters of the Senate. That will send a real message to the House.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, as we begin to discuss this legislation, the immigration bill that is before us, a lot of people have not realized it is coming up. A lot of people do not realize the breadth of it and a lot of people are concerned about it. We have gotten a lot of phone calls in my office. People are wondering who is speaking up about the bill and they want to know what is in the bill. So I think that is a big part of what we should be doing in the days to come—going over the bill in a careful way concerning any progress the bill makes and any deficiencies the legislation has.

As I noted previously, the fundamental challenge we must recognize—based on the way Congress works and the difficulty it has had with these issues over the last number of years—is that we have to be sure that once the amnesty is granted that there is enforcement in the future.

In 1986, that bill, as Senator GRASSLEY has so passionately delineated—he voted for it. Amnesty was given to 3 million people, but the enforcement never occurred, and now we have 11 million people here illegally. This cannot happen again. If we allow this to



happen again, we will have eviscerated any ability we have to ask people to comply with the law because people who do not comply with the law are not held to account.

There is nothing wrong with saying a person can come to America under certain conditions for certain periods of time and then they must leave. If they do not leave, and they are apprehended, they should be deported. We are in a condition today where nobody is being deported.

Ask your law officers in whatever city and county you are in—and this has been going on since before President Obama took office—if they catch somebody who was speeding in their town in Alabama or Indiana or Colorado and they discover they are here illegally what happens. Isn't this a fundamental question?

What happens is they turn them loose—you ask them, your law officers—because nobody will come and get them. The Federal Government has reached a point now where virtually no one is being deported except those convicted of serious crimes.

It has led to the ICE union—the Immigration and Customs Enforcement officers who deal with deportations and arrests—these officers voting no confidence in the head of the ICE Department, John Morton—the head man, John Morton, no confidence.

I never heard of it. Then, in addition, they have opposed the bill. They said it makes things worse. It will diminish America's national security. And it will not make the law better. So we have the association, the union for customs—Citizenship and Immigration Services, which deals with the citizenship processing—they have opposed the bill. They say it will make the situation worse than present law, which is not being enforced today.

That is what we are wrestling with here overall. I know the American people need to get alerted to this.

We have been told by the supporters of the legislation: Do not worry—we are going to have the toughest enforcement legislation in history. Senator SCHUMER said: "Tough as nails." "The toughest ever." Well, this is not in the bill.

So what happened in 1987 was that once the amnesty was given, everybody forgot in the future to worry about enforcement. Enforcement just did not happen. It is going to happen again. That is exactly what is going to happen again.

The people who are concerned about the legislation and are objecting to this legislation are not against immigration. We allow 1 million people to come into the country legally every year—more than any other country in the world. We are not trying to stop that. What we are trying to say is that you need a good future now for immigration, and you need to be sure it is enforceable.

More people want to come to this great land than can come here. I do not blame them for wanting to come here. If somebody convinces them that the American people or the American Government does not care if they come illegally and stay here and eventually they will be given citizenship, why should they not come illegally?

So we have to have a national consensus that as we treat compassionately people who have been here a long time and have been good people and we try be generous there, that we do not create a further flow of illegal immigration. We have been warned of what will happen by governmental experts. We have to have a national consensus that we tighten up the enforcement mechanisms that are so clearly broken today. So that is the fundamental principle of what we are about. I am going to mention some of that now. We will talk about more of those problems in the future.

The whole fundamental principle is that we need to create a lawful system of immigration that works in the future as well as today. Our sponsors, the Gang of 8, have said that is what they have. They have told us their bill does that. They say: Our bill will end the illegality at the border. They say they are going to have strong enforcement on visa violations, which is really not true. They say they have guaranteed enforcement at the workplace. That one has some benefits, but the way they have done it, it delays it longer than it should be. It creates some changes there. But good workforce enforcement would be a step forward. Then they claim they have mechanisms that lead to removal of dangerous people from the country—all of which I have to say is fundamentally not accurate. So they acknowledge what needs to be done.

So the Members of the Senate and the Members of Congress and the American people need to be asking: Does this bill do what has been promised? If it does, we may be on the track to doing something good. But if it does not, it needs to be rejected.

We cannot go down the path of amnesty now and another massive illegality in the future. We cannot do that. We have to do the right thing. Isn't that the right thing? Our sponsors of the bill say it. They promised this is going to be "as tough as nails," "the toughest bill ever."

Well, I can tell you with absolute confidence that it is not as strong as the bill in 2007 that was voted down and rejected. It is weaker than that was. It is weaker than current law in so many important areas.

You say: Well, you can say that, JEFF. It is not true.

It is true. Fundamentally, we will show that the legislation is not where it needs to be. Even Senator RUBIO is saying he will not vote for the bill

itself. He is one of the Gang of 8 who wrote it, but he says there are enough loopholes that he would not vote for it now. It has to be reformed. It absolutely has to be reformed, there is no doubt about that. But the problem is, except for Senator RUBIO, I guess the Gang of 8 agreed to stick together and had no real amendments passed. They did that in the committee. We had a committee process. We had a lot of amendments offered. They stuck together and voted down all of the amendments that were significant. A lot of smaller amendments were passed. But, you know, Senator SCHUMER apparently said: Well, the Republicans have a pass on this vote. That means, did the Republicans on the Gang of 8, those Members—were they allowed to vote their conscience or were they still expected to be voting like the Gang of 8, who signed in blood to vote? They gave them a pass on a few votes. So this is not a way to do the public's business. It is just not.

One thing I think I do believe is important for us to understand—and I have been wrestling with this for a long time. I have been a Federal prosecutor. I will tell you that we can make the system work. A lot of people think it is just hopeless, that we cannot make the system work. Not so. We have made some progress at the border. If we had really strong leadership, were really effective in identifying where the gaps are, in moving resources and stepping up our fencing and our equipment, we could see real progress at the border—real progress.

A lot of it is math, I would say from my law enforcement experience. If you add more police officers and crime rates are going down, then you have more police officers per criminal, per crime. You have more ability to drive down crime in a virtual cycle. So we added, after 2007, a number of Border Patrol officers. President Obama claims credit for it, but he did not have credit. It happened before he took office. They were hiring into his term, I am sure, but it was passed before he took office. So we have more people there. We have fewer illegal immigrants for a whole lot of reasons. And then if you have more officers per illegal immigrant, you can do better at the border.

Secondly, biometrics. Entry-exit visas have been required by six different pieces of congressional legislation. It was recommended by the 9/11 Commission.

When people come into the country, they have a fingerprint taken and they are admitted into the country. What we are not doing is verifying that they ever leave the country. We know that most of the 9/11 attackers came on a visa. People do not know if they are legal or overstaying or have ever left.

It is easy. They said it is going to cost billions of dollars—\$25 billion to

do this. One of our Gang of 8 said that in the committee. It is not going to cost \$25 billion. We discovered, I believe, a 2009 report issued by the Department of Homeland Security. That report discovered that you could easily identify people when they depart the country. One of the complaints is that we have to build all of these new buildings and structures and so forth. But when you leave, all you have to do is put your finger on a fingerprint-recording machine and it leaves your fingerprint. It identifies you. What they found was that in Atlanta when they were doing this, like 20,000 or 25,000, I believe, were exiting, and over 100 were hits from the watch list. Some of them had felony warrants out. Some of them were on the terrorist list. That is a large number. It did not cost much money and was not hard to do. So that could be done.

We can absolutely make the workplace secure by using an E-Verify system at all employment places. That is the key.

So there are things we do. Fundamentally, we can make the system work. Unfortunately, the promises made in this legislation do not do it. What would happen under this bill is that Secretary Napolitano, after the enforcement officially stopped, must give two reports to Congress within 6 months—two reports. Not do anything—two reports. Then all the people here illegally will be given provisional status, be legal, get a Social Security card, and have the ability to work. So there are no real actions that have to occur at the border or anyplace else. That is the fundamental flaw we have to deal with. But the American people are saying it: First deal with the illegality and then let's talk about how to be compassionate for people who have been here for a long time. But the more troubling issue that has not been fully discussed, the other half of the immigration equation, is interior enforcement. The bill further weakens an already decimated interior enforcement system.

Immigration reform will never work. This bill will never work unless the U.S. immigration and customs officers are given the resources and the authority they need to do their job. It will not work. Their morale has plummeted because their leadership has blocked them from enforcing plain law. They have virtually the lowest morale rating of any agency in government. Over a year ago, I asked Secretary Napolitano was she not concerned about it and would she meet with the ICE agents and determine what the problem was? So she came back. I asked her had she met with them. No. They voted no confidence in their supervisor, John Morton. They have written us a long letter detailing the failures in this bill, saying it will make it worse than current law and will leave this country more insecure than we are.

It is really remarkable. But they have to be allowed to be a part of the game. It cannot be the policy of the United States of America that if someone gets into the country illegally, they are home free; if they get past the Border Patrol at the border, nobody will ever deport them. That is what we are doing now unless they are convicted of a serious felony. Nobody is being deported.

So you say: Well, people have been here a long time. We do not want to start deporting people. We are about to give them amnesty. But the bill, if passed, assumes everybody has been given amnesty. The bill assumes that everybody has been given permanent legal status or legal status, which is basically a guaranteed permanent status in the country. They will be given a Social Security card, identification, and the right to work anywhere.

So what about people who come illegally after that? Are we never going to enforce the law again if other people come illegally, overstay visas, come through the border, stow away on ships? We have to know that it is going to be fixed.

It cannot be that if somebody gets past the border, nobody will ever apprehend them and make them be deported because they shouldn't be here. You are not entitled to come to America illegally and then protest when you are apprehended: Oh, no, I have a right to be here. I have been here for 18 months. You cannot deport me.

Once this amnesty occurs, we have to know that we have the mechanism in place to do the job that immigration enforcement at a minimum requires. I think that is so important.

Chris Crane, the president of the ICE officers union, an ICE officer himself, and a former marine, explained the situation in his testimony before the House of Representatives recently.

Agents report that if they encounter suspected illegal aliens in public—

I am talking about Federal agents, ICE agents, immigration agents—they cannot arrest them.

They cannot arrest them.

The day-to-day duties of ICE agents and officers often seem in conflict with the law as ICE officers are prohibited from enforcing many laws enacted by Congress; laws they took an oath to enforce. . . . ICE is now guided in large part by influences of powerful special interest groups that advocate on behalf of illegal aliens.

Does that not cause any concern? We have to deal with this. We have to get our ICE people off the mat and into the game.

He also testified:

Morale is at an all-time low as criminal aliens are released to the streets.

Criminal aliens. He is not talking about people who violate the immigration law; he is talking about aliens who committed crimes such as drug offenses and assault.

Continuing:

Criminal aliens are released to the streets and ICE instead takes disciplinary—

He is talking about his supervisors—actions against its own officers for making lawful arrests. . . . It appears clear that Federal law enforcement officers are the enemy and not those who break our Nation's laws.

He is saying that the supervisors are punishing the ICE officers who actually go out and arrest people because they have set a policy not to enforce the law of the United States. People may not think that is true, but it is absolutely a fact that we have basically made it impossible to enforce the law, and that has come from Secretary Napolitano right on down. That is why she doesn't want to meet with them—because she doesn't have an answer. She is telling them and her deputy is telling them not to enforce the law.

Mr. Crane further testified:

If an alien is arrested by local police and placed in jail, again, ICE agents may not arrest them for illegal entry or VISA overstay. . . . New policies require that illegal aliens have a felony arrest or conviction or be convicted of three or more misdemeanors. . . . So, many illegal aliens with criminal convictions are also now untouchable.

That is the reality of law enforcement in this country. It is very, very serious. This is a sad state of affairs, no doubt about it.

Were these officers consulted when the Gang of 8 wrote the bill? They tell us they have a bill that is going to work to end the lawlessness in America in the future, but did they ever consult with the people who are out there trying to enforce the law now to get their ideas about how to make the system work better in the future? Do they have new provisions in the bill that give our ICE agents, Border Patrol agents, and citizen immigration officers more authority to do their job? No.

The bill actually gives more discretion to the Secretary to eviscerate enforcement by not having to enforce plain law. There are a number of provisions in the Code that say that if somebody is arrested and they are due to be deported, they shall be deported. That is the law. Well, they are not doing that.

I don't think this is, frankly, just loophole or failure of attention. I don't think the Gang of 8 was really on top of all of the details of the legislation. I think they spent most of their time consulting with Mr. Trumka at the AFL-CIO, Mr. Donohue at the chamber of commerce, La Raza, the immigration lawyers association, the meat packers, and the grocery folks or the big agribusinesses. That is whom they have been talking with, the computer gurus demanding more and more. They didn't focus on this.

The people who are actually in there writing it—the immigration lawyers, the chamber of commerce, the union

lawyers, and all who have been working on this bill—they knew what they were doing. These scribes, these drafters of the legislation I believe fully understood what it meant. Under this bill, amnesty will occur at once, just as it did in 1987, and like then, we get a mere promise of enforcement in the future—a mere promise. Far from making our laws tougher, as the Gang of 8 has promised and as we need to do, the enforcement of laws is greatly weakened in a whole number of significant areas.

Ladies and gentlemen, the drafters of the bill will have received what they want. They will have received amnesty for the 11 million. They will get a dramatic increase in the flow of workers and low-skilled workers into America. That is what they want. They are not interested in future enforcement. In fact, many of them felt as though the big increases in immigration in the future aren't enough, so they have no objection to illegal immigration, it seems, or they would have put a lot more intention in drafting a legislation that would have improved the illegal system.

This bill fails. We will go into more detail about it as time goes by. This bill still fails as a matter of law enforcement. That is going to be clear.

I am looking at a new piece of legislation introduced by TREY GOWDY, who is the chairman of the House subcommittee. He is a former prosecutor, a Federal prosecutor, 6 years as assistant U.S. attorney. He is a real prosecutor who understands how the system works. Mr. GOWDY has put together a good bill. He says this: "robust internal immigration enforcement." That is what the ICE agents do in Denver, in Memphis, and in Indianapolis.

Robust internal immigration enforcement, paired with border security, is our safeguard against repeating the mistakes of 1986. The SAFE Act is a critical step in our efforts to fix our broken immigration system and ensures we will not be having this conversation again in 10, 20, or 30 years.

It ensures we won't be back here with another amnesty demand because we have enforced the law.

He has put together some good principles that are not in this bill. First, it grants states and localities the authority to enforce immigration laws. The Supreme Court says: You can't do that, it is unconstitutional. Not so. The Supreme Court says the U.S. Congress, by the way it passed this legislation, preempted local enforcement in a lot of areas. They couldn't participate because when Attorney General Holder tells the Federal agents not to enforce the laws, State people can't enforce them either, basically. Attorney General Holder says we are not enforcing these laws. Secretary Napolitano: We are not enforcing these laws. Then the State can't do it because it is totally

preempted, essentially, by the Federal Government, except for peripheral areas, like a business can't get a business license if it knowingly hires illegal workers. That is probably a State issue.

Well, it is just a matter of Congress's actions. Mr. GOWDY would explicitly allow help from State and local officers.

Now, let's get this straight. If a police officer in Alabama arrests somebody who is in the country illegally, they cannot prosecute them. They can only hold them for a short period of time. All they can do is turn them over to Federal officials. That is clear. Mr. GOWDY doesn't change that, really. The fundamental thing is that they could do that. That is the way the system works.

What we need to be thinking about is, don't we have to have local law enforcement to be participants in any system that guarantees legality? There are 600,000 State and local law enforcement officers. There are 5,000 interior Federal immigration officers, 5,000 ICE officers, and many of them have other duties. It is our local police and sheriffs who are out on the highways and State troopers who are out there every day coming in touch with thousands of people, and they are the ones who identify people here illegally.

When the Attorney General and the Secretary of Homeland Security rejected agreements for State and Federal officers to have their assistance in identifying people here, they knew what they were doing. They were effectively eliminating the identification of many of the people here illegally. That was a deliberate, calculated act. People need to know it, and it was wrong.

For a good system of immigration for America in the future—remember now, we are talking about after people have been given the amnesty under the bill—the bill should welcome the assistance of State and Federal officers and make up policies that will help with that.

The Gowdy bill would protect American communities from dangerous criminals by facilitating and expediting the removal of criminal aliens. This has been delayed. It is not working effectively. It is costing us a lot of money. If someone is here illegally and has been convicted a felony, they ought to be removed and there ought not to be a big deal about it. How much trouble is that? His bill would speed that up and make the system work better.

It improves visa security.

It helps the ICE agents do a better job. It assists the ICE officers in carrying out their jobs by enforcing Federal immigration laws, by allowing them to make arrests. They basically are being prohibited from making arrests today—can you believe it—for Federal felonies, for Federal criminal offenses, for bringing in and harboring

unlawful aliens. The officers need to be able to enforce those laws.

It strengthens border security in a number of ways.

It reviews the prosecutorial authority that basically is a directive not to follow the law, not to enforce the law that is out there.

It strengthens national security in quite a number of ways.

This is a good piece of legislation. He knew what he was doing. He drafted something that will make a difference. It will make the law stronger. I would ask my colleagues, why wouldn't you put something like that in the legislation? You say want to have a tough bill. You say your bill is tough.

This will be called to the attention of the bill's sponsors. We will ask for legislation like this to be passed as an amendment to the bill, and we will see if it passes. If it doesn't pass, then we can draw a conclusion that the sponsors of the bill and the people who are promoting the bill don't really want to see the law enforced better in the future than it is today. That would be a sad admission, it seems to me.

To wrap up, this is a great institution, the Senate. I am glad Senator REID acquiesced to my insistence to at least have the opportunity to begin our discussion today. It is just the beginning. We will begin to talk about the legislation, talk about how to make our system work better, talk about the American people's desire—good and decent people that they are—to be compassionate to the people who have been here for a long time but their insistence that in the process we create a system of lawful immigration in the future so we are not back here.

Again, as I indicated earlier, a poll shows 88 percent of the people said they are angry with their elected officials about failure to enforce the law, whereas only 12 percent said they were angry at people who entered the country illegally. The American people are willing to create a legal status for people who come here illegally. But we need to do it in a way that works. They are demanding we create a system of lawfulness that will work, and we can do it. It is absolutely possible, and that will be demonstrated as we go forward.

We are going to have to change this bill, however, and put some teeth in it and give some real power to our dedicated law officers whose lives are at risk every day out there on the streets. We must give them the backing and the mechanisms in law that allow them to be effective. If we do it right, the whole world will say: Uh-oh, the United States has gotten their act together. The United States is serious about their immigration system being lawful. If you try to enter, they are liable to catch you. If you try to enter, you won't be able to get a job legally. And if you enter and get past the border and hide out in Minneapolis and you

get caught, you are going to be deported. So don't try to go there illegally. Apply to go there legally.

We could see a rather dramatic drop in the attempts to enter illegally if we do that. That is what a system of integrity requires. First, people need to know they shouldn't do it, that the United States will enforce this law. They need to know if they come into the country illegally, they will be deported.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Madam President, I take the floor today in strong support of comprehensive immigration reform. The action that was taken yesterday by the House of Representatives underscores how critical the work we will do in the next few weeks is to the future of our Nation.

What did the House Republicans do yesterday? They voted to deport hundreds of thousands of young people whom we refer to as DREAMers. These young people were brought to this country through no fault of their own, and they are contributing greatly to our society and our economy. Some of these young people were brought here at 2 years old, 4 years old. They had no idea they were doing anything wrong.

Senator DURBIN has been working for years to pass the DREAM Act. President Obama implemented the DREAM Act to put a stop to deporting these people if they met certain requirements, and those requirements are pretty clear. They have to be truly good people, they have to be people who are getting their education, serving in the military, and being responsible. But yesterday, the House Republicans said: No. They said: Deport these DREAMers.

That is not what the American people want. In poll after poll the American people say: If someone is brought here through no fault of their own at a young age, this is their country. Yet the House Republicans would say we should deport them.

Now, I never say I speak for the American people. I am just talking about polls. And the polls I have seen—and, Madam President, the polls you have seen—show the people know we need immigration reform, comprehensive reform, that will take people out of the shadows, that will make sure they are not afraid to be part of society. If we do that, they will buy homes and start businesses. They will create jobs, they will lift our economy, they will lift their families out of poverty,

and they will strengthen our country. The American people get this.

Like so many Americans, I am proud of my immigrant roots. My mother came here from Austria as an infant. She never finished high school because she had to work to support her family. My dad was from an immigrant family too, the only one of nine children to be born in America and the only one to graduate from college. Then, when I was a little girl, he graduated from law school.

When my mother passed away, I remember going through her memorabilia and I discovered a certificate that was wrapped in plastic. She stored it with other valuables in her jewelry box. It was the only document she protected in that fashion because it meant so much to my mother. It was her certificate of citizenship. That is what the dream of citizenship means to the millions of Californians and to the millions of Americans who are now forced to live in the shadows.

For immigration reform to be truly comprehensive it must include a path to citizenship for all 11 million undocumented immigrants in our country today, and it must include the DREAM Act. We can't have two classes of citizens in America: one with full citizenship and one with half citizenship. That is not the promise of our Nation. The bill we will debate next week addresses this problem, and it provides a tough but fair path to citizenship.

It is also crucial we pass reforms that protect workers and their families from exploitation and abuse. Too many immigrants, especially women, face sexual harassment in the workplace, violence and discrimination. The Judiciary Committee bill includes critical protections for women, including U visas, to keep women safe from domestic violence.

A strong reform bill must also include a fair and effective guest worker program which provides workers with livable wages and strong labor protections, and this bill meets many of these tests. Would I have made it even stronger? Yes. Would my friend in the Chair have made it even stronger in many ways? Absolutely. But the bill is a real step forward.

When we pass comprehensive immigration reform, we don't just help immigrant families, we help all Americans. I would like to see family reunification be made stronger in this bill.

I commend those who worked on this bill. I know they had to hammer out these compromises. Having brought a successful highway bill to passage, a successful WRDA bill to passage on the Senate floor, I know I didn't get everything I wanted, so I am sympathetic to the fact this is not a perfect bill. But I know the Presiding Officer and I will support making this bill better, making this bill stronger, and maybe we will persuade colleagues to go along

with us. We have to remember this bill isn't the be-all and end-all. We can make it stronger over the coming months and years.

According to a 2010 USC study—University of Southern California—when we create a path to citizenship, it will result in 25,000 new jobs and \$3 billion in direct and indirect spending in California alone every single year. Nationwide, our immigration bill will increase our GDP, our gross domestic product, by \$1.5 trillion over 10 years. It will increase wages for workers.

That is what happens when workers come out of the shadows. It will lead to between 750,000 and 900,000 new jobs, according to the Center for American Progress. When workers come out of the shadows their wages rise, they open bank accounts, they buy homes, they spend money in their communities, and they are known to find new businesses.

Businesses will benefit by having access to talented workers in fields ranging from manufacturing to health care to agriculture to high tech. And taxpayers are going to benefit. We will hear horror stories about how expensive this is, but the fact is studies show—that is, studies that don't have a bias—that taxpayers will benefit from an estimated \$5 billion in new revenues in the first 3 years alone, including \$310 million a year in State income taxes, which will help support education and other important services just in my home State of California.

So will we see workers benefiting? Yes, from higher wages, but also better working conditions. And they will get respect and they will get dignity. What that means is they will be proud members of our communities. Families and children will benefit when we lift the fear of being deported and separated from their loved ones. I know the DREAM Act that Senator DURBIN has worked on for so many years does impact the families of the DREAMers, and it will help them, because we don't want to separate families.

I am going to be working on many amendments and offering some to improve this bill—amendments to provide a fair and reasonable path to citizenship, amendments to ensure we treat immigrants with dignity and respect, amendments that are friendly to family reunification, amendments that are friendly to workers. Workers are the backbone of this country.

I want to close with a quote from President John F. Kennedy. Back in 1958, he wrote a book entitled, "A Nation of Immigrants." In that book he eloquently described how immigrants have strengthened our Nation. I already talked about my own immigrant roots. This is what John Kennedy wrote:

This was the secret of America: a Nation of people with the fresh memory of old traditions who dared to explore new frontiers, people eager to build lives for themselves in

a spacious society that did not restrict their freedom of choice and their action.

He added:

Every ethnic minority, in seeking its own freedom, helped to strengthen the fabric of liberty in American life.

Those words were true back in 1958 and they are just as true today. Americans are ready and they are waiting for comprehensive immigration reform.

I thank our colleagues who worked so hard on this bill, including my own colleague, Senator FEINSTEIN, who worked so hard on the ag jobs title. We have to protect that title. There are those who would weaken it, and we can't weaken it. It is put together in such a way that we have the growers and workers supporting it. That is pretty good when we can get those two sides together.

The President has said the time is now. I agree. The time is past now. We need to get this done. I think Senator LEAHY has handled this bill beautifully. I believe 150 amendments were adopted in the committee, and also many others were offered. The system has been fair. Senator REID has given us plenty of time to offer amendments, to debate these issues.

I am excited about it. My State is waiting with bated breath for this. It is so overdue. Let's get to work. Let's make comprehensive immigration reform a reality. I am pleased to say to the President, I leave this floor with great hopes that we can get it done.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mrs. BOXER. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO BOB CONLON

Mr. LEAHY. Madam President, I would like to take a moment to recognize Bob Conlon, a co-owner of Leunig's Bistro, a fixture on Burlington's historic Church Street for decades. Bob was recently honored by the Burlington Business Association, BBA, for his contributions not only to the local economy through the success of Leunig's but also because of his commitment to community service.

Originally from Waterbury, CT, Bob has been a resident of Chittenden County for over 45 years, first arriving

in the area to attend my own alma mater, St. Michael's College. Bob first came to Leunig's as a bartender, rose to the post of manager, and today is a co-owner of one of Church Street's most successful restaurants. Marcelle and I enjoy seeing and talking with Bob when we are in Burlington.

Bob's contributions to the greater Burlington community are not limited to providing great cuisine at Leunig's; he has been engaged in the community for decades, hosting regular fundraisers that support a wide range of services, from monthly dinners with proceeds that benefit various local support programs to hosting an annual fashion show to benefit the Breast Care Center at Fletcher Allen Hospital. Bob has been an exemplary model of what good business really is: economically successfully, and community-minded.

Bob's dedication to the Burlington community is well documented, and the honor bestowed upon him by the BBA is wholly merited. In recognition of his work, I ask that an article published in the Burlington Free Press on April 4, 2013, "Leunig's co-owner honored," be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Burlington Free Press, Apr. 4, 2013]

#### LEUNIG'S CO-OWNER HONORED

Bob Conlon has spent half his life at Leunig's Bistro—from substitute bartender to co-owner. A certain sensibility, and a couple of tasks, follow him through every position.

"We're all in the service industry," Conlon, 63, said. "We feed people, we cheer them up. Plunge the toilets and mop the floors."

Conlon will be honored tonight by the Burlington Business Association. The BBA's 35th dinner and annual meeting will be held at the Hilton Burlington.

The honoree, a fixture on Church Street for more than 30 years, will be attending his first BBA dinner, Conlon said Monday morning over coffee in the bistro's dining room.

"I always thought of that dinner as for the important people," he said. "My social life is working."

Conlon's work at Leunig's includes a variety of community service efforts, including an annual fashion show/fundraiser for the Breast Care Center at Fletcher Allen Health Care, and monthly dinners with a portion of proceeds to benefit local social service groups.

"They have long tradition of doing good for a broad range of community groups," said Rita Markley, executive director of COTS.

Tim Halvorson is a past recipient of the award Conlon will receive; indeed, the award is named for Halvorson. He is a board member of the Burlington Business Association who will introduce Conlon at the dinner. Conlon follows in a line of honorees who are committed to helping and enriching the greater community, Halvorson said.

"We thought that Bob represents, through the way they handle things at Leunig's, a great example of a small business that gives

back," Halvorson said. "Between breast cancer and City Arts and COTS, they give tens of thousands of dollars back to the community. It's a business that uses its popularity and location as a vehicle for good."

Conlon arrived in Chittenden County 45 years ago from Waterbury, Conn., the son of a restaurant waiter who worked as a busboy as a kid. He was a theater major at St. Michael's College. These days, his acting takes place at the Leunig's bar—his costume is well-dressed restaurateur—and on the Church Street Marketplace.

Last summer, Conlon's costume came to include hard hats, worn by him and his staff (and sometimes customers) as a nod to marketplace construction.

"You have a role to play," Conlon said, a part in which his social life plays out at work. "You have brief conversations with people—cheerful and fun."

He tries always to be in a good mood, Conlon said. If he's feeling bad he steers away from the question, What do I want? and asks instead, What does my wife want? What does my daughter want? What do my staff and customers want? Conlon said.

"If you can make other people happy, you end up being happy," he said.

Conlon started working at Leunig's when he was 32, after a short stint as co-owner of a failed restaurant. The business, Carbur's Rib-it Room, was in the space now occupied by Marilyn's, a clothing store.

"If everything were perfect, it would've taken us 20 years to get up to zero," Conlon said of the failed business.

He got out after two years and joined Leunig's as a substitute bartender. "I always liked waiting on customers," he said. "I got to hang out with a lot of good people—artists, business people, college professors, students, cops."

He tended bar until about 10 years ago, when he became manager. The move to manager from bartender came about, in part, because managers came and went with frequency, Conlon said.

"Every time you get a new boss it's very insecure," Conlon said. "Your employment is dependent on the sanity of your supervisor. So be the supervisor."

He started as well to purchase ownership shares in the business from Leunig's owner, Robert Fuller, intending with his business partner, chef Donnell Collins, to become a 50-50 owner of the restaurant. Conlon expects the deal will be finalized May 1, he said.

"Isn't that America?" Conlon said. "Isn't that what everybody should do? Get a job, do your best at it, and don't pass up opportunities. It's an honorable profession. If you're good at it, you can live a good life."

#### RICHMOND ROUND CHURCH 200TH ANNIVERSARY

Mr. LEAHY. Madam President, Vermont boasts a number of historical treasures, and among them is the Round Church in Richmond, which this year celebrates its 200th anniversary.

The Old Round Church earned a national historic landmark distinction from the National Park Service in 1996. Because of the church's history and its long-held status as meeting place and community center, it has come to be recognized as a symbol of the rich history woven through so many Vermont towns.

This year the Richmond Round Church, known to many as the Old

Round Church, will celebrate its bicentennial with a series of concerts and community events. The sense of community boasted by the Old Round Church is rooted partially in the history of the church's establishment. Initially conceived by settlers seeking a local meeting place, their plan to erect the Round Church faltered with reluctance from the town of Richmond to supply the land need to construct the building. Two local men, however, volunteered the land, and in 1813 construction of the church was completed. It has since grown to become a renowned symbol for its historical significance but also for its representation of the community values that are so cherished across Vermont.

Over the past two centuries, it has served as a meeting place, a venue for local activities, and even a popular location for weddings. Generations of Vermonters have visited the Old Round Church, and as a young boy growing up in Montpelier, I remember visiting the church with my parents, and brother and sister. Today, volunteers routinely help preserve the church's history by volunteering to help clean, maintain, and repair its structure. It remains as central to the community as it ever has in its 200 year history.

In honor of the 200th anniversary of the Richmond Round Church, I ask that an article published in the Burlington Free Press on May 26, 2013, "Richmond Round Church Turns 200, Celebrations Abound," be printed into the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Burlington Free Press, May 26, 2013]

#### RICHMOND ROUND CHURCH TURNS 200, CELEBRATIONS ABOUND

RICHMOND.—It started with an argument.

In 1796 settlers of this small town in the foothills of the Green Mountains wanted to build a local meeting house, or at least some of them did. Then as now, democracy did not always come easily. The committees tasked with finding a location found it difficult to agree and fickle townspeople voted down the whole idea in 1811.

Absent the good will of two local men who offered to donate land to the cause, free and clear, the foundation for Richmond's iconic Round Church might never have been laid.

But donate they did, and this year the white clapboard building that sits serenely in the heart of Richmond turns 200. The birthday is being celebrated all summer with concerts and special events culminating the weekend of Aug. 9, 10 and 11.

Fans of the church say it symbolizes the spirit of the town.

"Well, I think this represents what's best about Richmond," said Fran Thomas, president of the Richmond Historical Society. "It was built as a community church and meeting house. To me it's what's best about Richmond, that community aspect."

The shape of the 16-sided church and meeting house is believed to be unique in the United States. It has survived floods, blizzards and other onslaughts—attacks by pow-

der post beetles, dry rot and restless youths who carved their initials into the wooden box pews as early as 1912.

#### BUILT TO LAST

According to "The Richmond Round Church, 1813-2013," a history written by Harriet W. Riggs and Martha Turner and published by the Richmond Historical Society, the box pews were designed to help retain heat. Families brought heated soap stones or small metal boxes of burning coals to help stay warm inside. A stone and box are on display at the back of the church, along with other artifacts.

Miraculously, the church never burned down despite considerable threat from wood stoves that were added to the building at some point and according to local lore stuffed full starting several days before gatherings and then left unattended as the structure heated up. Pipes from the stoves snaked precariously aloft the pews, posing another hazard.

The stoves are idle now and the piping was pulled down decades ago. These days the Richmond Historical Society manages and maintains the town-owned structure under a 40-year agreement that expires in 2016.

Town meeting ceased to be held at the church in 1974 on the advice of the fire marshal and structural engineers who advised the roof could cave under a heavy snow storm. (Town meeting now takes place at Camels Hump Middle School.) The five Protestant denominations that sold pew space to fund the construction 200 years ago no longer hold Sunday services at the church.

But the structure and its surrounding green continue to serve as a visual centerpiece and active venue for weddings, tours, concerts and other events.

#### MAINTAINING HISTORY

Volunteers do everything from washing the 12-over-12 mullioned windows to writing grants to booking weddings to monitoring the steady stream of repairs needed to keep the church upright. Major structural work took place in the late 1970s and early 1980s, with the historical society leading the charge. More recently, workers have restored the foundation and replaced rotting beams and clapboard at the back of the church. Some day friends of the church would like to build in a bathroom, but for now a lilac-landscaped port-o-let out back serves the purpose.

Repairing broken panes of glass is a regular task and in this as in other work, effort is made to stay historically accurate. Glass from old windows donated to the church is used whenever possible.

"We have a stockpile of wavy glass to repair the broken windows," Thomas explained.

All the effort to maintain the church is well worth it, said Thomas as she showed a reporter around the space recently.

The building today is unheated and there are no plans to add a modern heat source. That means use of the Round Church is seasonal, with events taking place from April to October, with a few exceptions such as an annual December carol sing.

Occasionally a wedding is scheduled in November or December. "But we have to make sure the bride and groom realize how cold it's going to be," said Thomas.

One couple literally got cold feet and moved their wedding on a few days notice after visiting the church and realizing how chilly their vows would be.

The shape of the church has long been a subject of speculation. Some say the circular

shape was chosen to ward off the devil because he could not hide in the corners of the church.

Thomas doubts the devil drove the architectural plans. The more likely story is that head carpenter William Rhodes appreciated the circular design of an addition to the meeting house in his hometown of Claremont, N.H. and wanted to copy the idea.

"To me, that makes the most sense," Thomas said. "It's not the most interesting, but it makes the most sense."

Snatches of the surrounding scenery can be viewed from inside the church—green mountainside, sloping lawn, flood plain field and the red metal truss bridge spanning the Winooski River. The church sits slightly uphill, which saved it from the great flood of 1927 and Tropical Storm Irene, although the latter turned the lower green into a lake.

Taking care of the building is much more involved than some people might guess, said Thomas. But Richmond would not be Richmond without it, she said.

"It's our claim to fame, I guess."

#### TRIBUTE TO RANDALL H. WALKER

Mr. REID. Madam President, I rise today to recognize Randy Walker for his leadership as Director of Aviation for Clark County. Randy is the consummate public servant, having served the people of Nevada in various positions since 1979, culminating in his appointment as Director of Aviation for Clark County in May 1997. For the past 16 years, Randy has transformed McCarran International Airport into one of the premier airports in the world, and he has greatly expanded the airport's reach to all corners of the globe.

Randy became Director of Aviation at an exciting time in southern Nevada. Clark County was the fastest growing county in the Nation, with tens of thousands of new people moving to Las Vegas each year. Tourist numbers hit record levels and new resorts were changing the face of the world famous Strip. Las Vegas was becoming a global destination with new markets in Europe, South America, and Asia fueling southern Nevada's economy. Randy recognized this potential for growth and he played a key role in expanding the airport.

During Randy's first year on the job, McCarran International Airport added 26 new gates; more were added in 2005 and again in 2008, which increased the D Concourse's size to 45 gates today. Randy oversaw the construction of a new rental car terminal, which improved the visitor experience for tourists. He also kept airport operations running smoothly at the airport during the construction of a tunnel for Interstate 215 under the runways.

Randy has also made McCarran International Airport one of the most technically advanced airports in the Nation. It is the only major airport in the U.S. to use Common Use Terminal Equipment, allowing for seamless integration of airlines' computer systems. In addition, he installed SpeedCheck



kiosks, allowing customers to get their boarding passes without having to go to a specific airline counter. The airport also implemented a baggage-tracking system that uses radio-frequency identification so that baggage can be accurately tracked.

In 2010, McCarran opened a USO Lounge to serve servicemembers from Nevada and those flying through Nevada. The rest and relaxation lounge serves tens of thousands of our military personnel each year as they travel to Nevada and through Nevada. I worked with Randy, Wayne Newton, and the USO since 2007 to create this lounge.

Randy has changed the face of aviation in southern Nevada, but the most important project during Randy's tenure was the opening of Terminal 3, or T3. Building a new \$2.4 billion terminal was the largest expansion project in McCarran's history, and one of the largest public works projects in Nevada history. McCarran began this ambitious expansion project before the recession hit my State. When the economy worsened, I worked with Randy to keep T3 on track by having Congress provide tax relief to local governments and their bondholders in the American Recovery and Reinvestment Act. Randy's steady leadership during the challenging economy was critical to the completion of the project.

Last year, McCarran International Airport was ranked 24th in the world for passenger traffic, hosting nearly 41.7 million passengers. Under Randy's tenure, the airport saw a 33 percent increase in Las Vegas visitor volume that resulted in a 50 percent increase in revenues for Clark County. This has been extremely beneficial to the economy of southern Nevada.

After playing an important role in shaping the future of Las Vegas and southern Nevada for decades, Randy recently stepped down as the Director of Aviation to enter a well-deserved retirement. I am pleased to recognize Randy's extraordinary service to the people of Clark County before the Senate today and I wish him all the best in his retirement or, knowing Randy, in his next phase of remarkable achievement.

#### TRIBUTE TO DR. AL BOWMAN

Mr. DURBIN. Madam President, I would like to take a few moments to thank Dr. Al Bowman for all he has done to keep the doors of educational opportunity open for young people in my State of Illinois.

After nearly 10 years as President of Illinois State University, and a total of 35 years of service to ISU, Dr. Bowman is retiring. But the mark he leaves will continue to benefit ISU and the people of Illinois for years to come.

The ISU Dr. Bowman is leaving is more financially stable and more at-

tractive to top talent. Its student body is more diverse.

Under Dr. Bowman's leadership, Illinois State University has ranked as one of America's top 100 public universities for 7 straight years.

A hallmark of Dr. Bowman's presidency at ISU has been his determination to make sure that students graduate with the best possible education and the lowest possible debt.

Illinois State University has done much more than any school I know of to make sure its students are able to make informed choices about student loans. The university asks each student to meet with financial counselors. Those counselors push students to borrow the minimum they need—not the most they can get. As a result, ISU's students graduate with an average student debt of \$22,720—a sizable debt, to be sure, but well below the national average for 4-year, public institutions.

And the quality of education is unquestioned. ISU's graduates are finding work in their field and paying down their loans. The university's student loan default rate is only 3 percent—again, well below the national average.

Dr. Bowman's first career was working as a speech pathologist at the Veterans Administration Hospital in Danville, IL.

He joined the ISU faculty in 1978 as a professor in the Department of Speech Pathology and Audiology. He was appointed department chairperson in 1994 and served in that position for 8 years. Even as department chair, Dr. Bowman continued to teach and to serve as director of ISU's Down Syndrome Speech-Language Clinic.

During Dr. Bowman's tenure as director, the department flourished. He doubled the faculty and the scholarly production of the staff. The department won accreditation by the Council on Academic Accreditation of the American Speech-Language Hearing Association and its master's program was ranked for the first time as the top speech and audiology master's program in Illinois.

In 2002, Dr. Bowman was promoted to Illinois State's interim provost where he served until he was named president in 2004.

As president, Dr. Bowman was a driving force behind Illinois State University's first comprehensive campaign, which raised more than \$96 million. He also helped secure \$49 million for a new student fitness and recreation center and \$17.5 million for the renovation of Schroeder Hall, the university's home to the Criminal Justice Sciences, History, Politics and Government, Social Work and Sociology-Anthropology departments.

I congratulate Dr. Al Bowman on his many accomplishments throughout his long and distinguished career.

I thank him for his service and wish him all the best.

#### REMEMBERING FRANK R. LAUTENBERG

Mr. NELSON. Madam President, I was greatly saddened to learn about the passing of Senator Lautenberg on Monday. I was fortunate to serve with Senator Lautenberg on the Commerce Committee. His life was about public service, plain and simple.

Frank was a great example of the American Dream. Over the past few days we have all heard Frank's story of being born into a Russian and Polish immigrant family, and working his way from humble beginnings to a prosperous career as a chief executive in the private sector. But Frank's true calling was public service and giving back to his community, his State, and our Nation throughout his life. As a young man, he served our country in the U.S. Army in WWII and went to Columbia University on the GI bill.

In Congress, Frank fought to create economic opportunity for all Americans by supporting our public infrastructure. He was a staunch advocate for passenger rail and Amtrak. Frank's achievements on transportation issues were not only concerned with promoting commerce, but also public safety. His work to ban smoking on domestic flights and combat drunk driving has saved countless lives.

Frank also fought side-by-side with me on the Aviation Operations, Safety, and Security Subcommittee of the Senate Commerce Committee to make sure that critical NASA safety research was being shared with the commercial aviation industry to help protect members of the flying public.

Florida and New Jersey are very different States, but they share a coastline. After the Deepwater Horizon spill devastated the Gulf, I worked with him to stop offshore drilling until more was known about what caused that tragedy. Frank was also a trusted ally in securing essential funding to keep our beaches clean and water safe for people to enjoy.

Frank was a crucial supporter of many other important environmental causes. He fought to keep our oceans clean by pushing for a "double-hull" standard for oil tankers, banning ocean dumping, and taking other steps to promote better water quality. He also sponsored legislation to crackdown on companies that release dangerous toxins into the air and water, and make polluters pay for their toxic mess. Frank was a great champion for the environment.

As the last WW II veteran in the Senate, we lost a true hero on Monday and one of this body's last members of the Greatest Generation.

#### CONFIRMATION OF WILLIAM H. PRYOR, JR.

Mr. SESSIONS. Madam President, I would like to take a brief moment to



commend the Senate on the confirmation of Judge William H. Pryor, Jr., to the United States Sentencing Commission. Judge Pryor is superbly qualified and has the requisite background and experience to serve and contribute greatly to the U.S. Sentencing Commission. I am grateful to the President for acknowledging Judge Pryor's qualifications and nominating him to this important position.

Judge Pryor succeeded me as Attorney General of Alabama. I was proud of him then and I was also proud when he was confirmed to serve on the Eleventh Circuit Court of Appeals. Judge Pryor is a man of character and his actions both on and off the bench reflect that. He is committed to equal justice, without prejudice. As Bill Baxley, a mutual friend, a Democrat, and another former attorney general of Alabama said, "In every difficult decision he has made, Judge Pryor's actions were supported by his interpretation of the law, without race, gender, age, political power, wealth, community standing, or any other competing interest affecting his judgment."

That was certainly the case when he carried the banner for sentencing reform in Alabama. Judge Pryor insisted that the legislature address critical problems in Alabama's system of sentencing. He has always been in favor of "truth in sentencing." Advocates of sentencing reform have applauded Judge Pryor's efforts in Alabama, as before we had a sentencing commission and sentencing guidelines, criminal defendants often received different sentences for the same crime based on their race, their sex, or where they lived. Judge Pryor was instrumental in changing that.

Advocates of stricter law enforcement also supported Judge Pryor in his efforts to effect reform in Alabama, because "truth in sentencing" also meant that a convicted criminal would be more likely to serve the sentence imposed by the judge rather than just a fraction of the sentence based on the discretion of a parole officer. He has stated that when a court enters a sentence of imprisonment, there should be a reliable expectation that the offender will serve a substantial majority of that term of imprisonment. Judge Pryor is reasonable and rational, acknowledging the Nation's overburdened and overcrowded correctional facilities and the need for more community-based programs for first-time or non-violent offenders.

Although the Federal guidelines themselves have been completed for many years now, the members of the commission are tasked with ensuring that the guidelines do not result in the same disparity or injustice that they were designed to prevent. The guidelines perform an invaluable function, one which I think Judge Pryor's background and experience have made him uniquely well-suited to oversee.

Judge Pryor is a life-long public servant who will certainly be an asset to the U.S. Sentencing Commission as he represents the highest quality of leadership. I appreciate the support of my colleagues in Judge Pryor's confirmation.

#### EQUAL PAY ACT ANNIVERSARY

Ms. MIKULSKI. Madam President, I come to the floor today to recognize an important anniversary. Fifty years ago Congress passed the Equal Pay Act, a law that was to ensure pay equity for women in the workplace. This landmark legislation was signed into law by President Kennedy on June 10, 1963, and prohibited discrimination on the basis of sex in the payment of wages by employers. The goals of the legislation were groundbreaking. It was the first time Congress acted on this issue, addressing a real and growing problem as more women entered the workforce. Congress stepped up to the plate and took the first attempt at fixing outright discrimination that was bound to have an impact on working families across America.

Today we find ourselves in a similar place, in need of a solution because the Equal Pay Act is in need of fixing. It recently made big headlines when a Pew research study was released saying that women are the primary earner in 4 of 10 households today, many of these women being the sole earners. But what was missed in this discussion is the impact that the pay gap is continuing to have on these households who are dependent on the salaries of women.

The pay gap results in \$4,000 less per year for working families and \$434,000 less over a lifetime. Think of what these families could accomplish if they got simply what they were owed. With rising costs for childcare, medical care, and filling up the family car, these families are held down by unfair and unjust pay policies.

While these are the day to day impacts, there are also real consequences to the pay gap over a lifetime. The pay gap affects your income, affects your pension, and affects your Social Security. Women's Social Security benefits are 71 percent of men's benefits. The average income from private pension based on women's earnings was only 48 percent of men's earnings. The consequences of our inaction on pay equity are following women out of the workplace, further impacting their lives down the line. For years I have fought a solution to this.

Under the Paycheck Fairness Act, no longer will employers be able to retaliate against workers for sharing information about wages. Right now, if you ask someone what they get paid you can get fired. For years, Lilly Ledbetter was humiliated and harassed because she tried to find out what she was making.

No longer will women be able to seek only back pay when they are discriminated against. Under this pay they can seek punitive damages. No longer will employers be able to use almost any reason to justify paying a woman less than a man. Excuses such as "oh, they do harder jobs," "oh, they do dangerous jobs," or "oh, they have a better education than you" will no longer be tolerated. Women do hard and dangerous jobs. Ask anyone who runs a daycare center or is a firefighter. No longer will women be on their own in fighting for equal pay for equal work or education and training.

In this country, they say work hard, play by the rules, and you will get ahead. We work hard every day, but we find the rules are different for women and men. In 1963 women made 59 cents for every dollar made by men. Almost 49 years later we have made an 18-cent gain. Women now make 77 cents for every dollar earned by men. Forty-nine years and 18 cents. That is not rewarding hard work, and it is certainly not playing by the rules.

In March, during the Budget debate, the Senate agreed with us and unanimously voted that it was time to do something about the pay gap. Well, now it is time to step up to the plate on this 50th anniversary. Let's end pay inequity and end the policies that keep women uneducated and unequipped to fight for their fair share. It is not just for our pocketbooks. It is about the family checkbooks and getting it right in the law books. And it is also about the generations of women to come. Let's not make it another 50 years without giving the Equal Pay Act the tools it needs to finally fulfill its promise.

#### HONORING OUR ARMED FORCES

MEDIC SPECIALIST CODY TOWSE

Mr. HATCH. Madam President, today I wish to pay tribute to one of Utah's great soldiers, Army Medic Cody Towse who was killed by an improvised explosive device in Afghanistan on May 14, 2013. He was coming to the aid of a fellow soldier when he was hit by one of four blasts that day.

Specialist Towse was assigned to the 3rd Battalion, 41st Infantry Regiment, 1st Brigade Combat Team, 1st Armored Division from Fort Bliss, TX. He was deployed to the Kandahar region of Afghanistan in December 2012 and has served courageously there. While in Afghanistan, Towse was instrumental in training Afghan medics in emergency procedures; and became known as the candy doctor because he loved to give candy to the Afghan children. In fact, I think it speaks volumes about the character and love of this young man when, for his 21st birthday, he asked his parents to send him candy that he could give the children.

Specialist Towse's love for service began at an early age as he trained and

worked as a volunteer firefighter and EMT for Elk Ridge City. He took great pride in his work and in helping others.

Sadly Specialist Towse's body returned home to Elk Ridge, UT last week encased in a silver, flag-draped coffin met by family and hundreds of admirers and friends wanting to pay tribute to this fallen soldier. Neighbors and friends lined the streets and quietly waved flags of respect, giving a special tribute to one of Utah's own.

Our Founding Fathers declared the United States a freedom-loving people—a declaration on which they risked everything—their lives, their fortunes and their sacred honor. Throughout our Nation's history, our liberty and our freedoms have been protected and cherished by our military. And so as we lay to rest this courageous hero, I pay tribute to Specialist Towse who has helped pave the road to freedom.

I love the following passage that so poignantly describes the peace and comfort I take from the examples and lives of our nation's soldiers. It states:

They died for liberty—they died for us. They are at rest. They sleep in the land they made free, under the flag they rendered stainless, under the solemn pines, the sad hemlocks, the tearful willows, the embracing vines. They sleep beneath the shadow of the clouds, careless alike of sunshine or storm, each in the windowless palace of rest . . . they are at peace.

I am humbled by this young man's life and sacrifice. May God bless his family and all those he left behind with peace and comfort from their memories of this wonderful man and soldier.

#### REMEMBERING BEVERLEY TAYLOR SORENSON

Mr. HATCH. Madam President, today I wish to pay tribute to a wonderful woman, generous philanthropist, and tireless advocate for arts and education—Beverley Taylor Sorenson. Sadly, Utah and our Nation lost a truly delightful and influential woman this past week as she quietly passed away at the age of 89 surrounded by her loved ones.

I have known and worked closely with Beverley and her late husband James "Jim" Sorenson for many years and have always admired her work ethic, her commitment to serving others, and of course her love for and appreciation of the arts and the influence it can have in the lives of many.

Her love of the arts began at an early age as she fondly remembers music always playing in her childhood home. She grew into an accomplished dancer and pianist; in fact she would later earn money accompanying dance classes in Salt Lake City to help put herself through college.

Perhaps it was her own childhood experiences of personal arts education that later led to her passion for providing generations of children with the

opportunity to learn and grow through the study of art and the many disciplines it entails. She witnessed firsthand the positive effects of arts education in many young lives and schools throughout the valley and set about trying to bring it to every corner of our State.

She was the driving impetus in the creation of Art Works for Kids, a program integrating arts based concepts into traditional core education subjects with wonderful results. She believed in this program greatly and felt that children would learn and retain more knowledge when coupled with art activities.

Because of her tireless efforts, the Beverley Taylor Sorenson Arts Learning Program, BTS Program, will serve tens of thousands of students during the upcoming school year at approximately 130 Utah elementary schools.

Beverley and Jim also created the Sorenson Legacy Foundation to support programs and projects that would benefit the lives of people throughout the world, giving generously and supporting vigorously. Together they built a lasting legacy of humanitarian service and philanthropy that has benefitted thousands and will continue to help generations to come.

Not only did Beverley dedicate herself to community efforts, she was a wonderful wife and mother, raising 2 sons, 6 daughters, and loving and mentoring 49 grandchildren and 65 great-grandchildren. She truly leaves behind a wonderful posterity who can build upon their mother and grandmother's example of a life well lived.

The impact and contributions Beverley Taylor Sorenson made to her family, our State, and our Nation will be felt for years to come. She was truly a magnificent lady who deeply cared about others and set about to do good throughout her life. Elaine and I send our deepest sympathies to her family and hope that they will find peace and comfort in the memories they share of this remarkable person.

#### TRIBUTE TO TERRY SCHOW

Mr. HATCH. Madam President, today I wish to pay tribute to an extraordinary man, dedicated public servant and tireless advocate for our Nation's veterans—Mr. Terry Schow. Terry will be retiring after more than 25 years of service to Utah's veterans.

Terry has been a long-time advocate, tireless worker, and public face for veterans causes in our State for almost three decades, and has served in top-level positions under three Utah Governors. I have had the pleasure of working with Terry for many years as Utah's Senator and I can attest to this man's dedication and love for our Nation's veterans and their needs. No one has worked harder, or cared more about the issues affecting veteran's

lives and futures than Terry. He has approached so many important issues with dogged determination and never, ever let up until problems have been solved.

Through Terry's tireless leadership three veterans homes were opened, and medical services in our State for veterans have greatly expanded and improved. He has written articles in newspapers throughout our State to bring attention to the issues he has worked on daily for veterans, and has attended literally hundreds if not thousands of events in support of veterans and their sacrifices.

Terry has first hand knowledge of the service and sacrifices veterans make for our country. He is a U.S. Army veteran who volunteered to serve in 1967, and served in the 5th and 10th Special Forces Groups and the 25th Infantry Division in Southeast Asia. He has walked the path of soldiers and has been able to personally relate to the many men and women he has served.

His accomplishments in Utah have not gone unnoticed. He was tapped to serve as the president of the National Association of State Directors of Veterans Affairs for a time and was able to share his wealth of knowledge in this prestigious position with people throughout America all working to help our Nation's veterans. In addition he has served on dozens of boards and organizations committed to veterans issues.

Terry was born and raised in Ogden, UT and is the proud father of two children, and grandfather to three.

Utah's veterans have been well served by this man. He has truly been an extraordinary leader of veterans affairs and I know that many will greatly miss his advocacy and leadership on issues of great importance to this population. However, I am certain that retirement will not stop Terry's work and advocacy on behalf of veterans. He truly respects, and loves the men and women in uniform who have sacrificed so greatly for the freedoms we enjoy. I want to sincerely thank Terry for his dedication, his commitment and his tireless service to veterans. He has accomplished great things and paved the way for continued success and assistance for Utah's beloved veterans.

#### VOTE EXPLANATION

• Mrs. MCCASKILL. Madam President, on Thursday morning, the Senate took cloture votes in relation to motions to proceed to S. 953 and S. 1003, which represent a Democratic and Republican proposal, respectively, to address the interest rate offered on subsidized Federal Stafford loans, a form of Federal student loan available to many who are pursuing a postsecondary education. I was unable to be present for these votes, due to a prescheduled commitment; before the timing of these votes

was envisioned, my attendance was confirmed at a women's conference. Because my presence would not have changed the outcome of either vote, I honored my previous commitment. Had I been present I would have voted in support of S. 953 and opposed S. 1003.

In my State, over 150,000 students will borrow subsidized Stafford loans next school year. These are need-based loans given to kids who have studied hard and families who have made financial sacrifices and plan to borrow what they need to cover the rising costs of higher education. Rather than reward their efforts, the government plans to add to their burden unless action is taken. On July 1, the interest rate on new subsidized Stafford student loans is scheduled to double from 3.4 to 6.8 percent.

We are facing a crisis. Already, officials at the Federal Reserve, the Department of the Treasury, and the Consumer Financial Protection Bureau have all warned that student borrowing threatens to dampen consumption, depress the economy, limit credit creation, and pose a threat to our Nation's financial stability. Students and graduates in my State are already heavily in student loan debt. Two out of every three Missouri students will leave college with student loan debt. If we fail to take action, students with subsidized Stafford loans will have to pay over \$1,000 more than they would under current interest rates on their loans. At a time when a higher education is vital to expanded opportunity for so many young people and with a 21st century economy that increasingly demands workers with the skills learned as part of a college education, we cannot be making it even more difficult for young people to financially achieve a college education. We need to act.

There are several proposals to address this impending crisis. I am a proud cosponsor of two bills that would provide needed relief and give Congress the opportunity to address a long-term solution to exploding student loan debt when it reauthorizes the Higher Education Act.

The first, S. 953, the Student Loan Affordability Act, introduced by Senator REED of Rhode Island, would lock in the current 3.4% rate for subsidized Stafford loans for 2 years while Congress works on a long-term solution to slow the rapid accumulation of student loan debt. This bill would be fully paid for by closing tax loopholes enjoyed by companies that move American jobs offshore, big oil companies, and the wealthiest Americans.

I am also a cosponsor of Senator WARREN's Bank on Students Loan Fairness Act which would give students the same deal we give to the big banks by allowing those who are eligible for subsidized Stafford loans to borrow at the same rate offered to banks through the Federal Reserve discount window. This is commonsense, and it is fair.

Unfortunately, my colleagues on the other side of the aisle believe the solution to this current uncertainty is even more uncertainty. Their solution, S. 1003, would produce variable, uncapped interest rates that would hit low-income students the hardest.

Today's votes leave us in the same situation we were in: we need to act to prevent student loan interest rate increases that would additionally burden our students. I will continue to work with my colleagues on both sides of the aisle to achieve meaningful legislation that preserves the availability of student loans and the economic opportunities they afford as an option for future generations of Americans.●

#### EXECUTIVE CALENDAR OBJECTION

● Mrs. McCASKILL. Madam President, I rise to express my intent to sustain my objection to the nomination of Lt. Gen. Susan Helms to be deputy commander of U.S. Space Command, Calendar No. 70. I have met with Lieutenant General Helms and discussed my objection with leaders in the Air Force and my colleagues here in the Senate.

Lieutenant General Helms has a record of more than 30 years of distinguished military service, in which she became the first American military woman in space, among other significant achievements. Her career is to be celebrated. However, I continue to have deep concerns with Lieutenant General Helms' decision, while a commander and courts-martial convening authority, to overturn the jury verdict of a military court-martial in which the jury found an Air Force officer guilty of sexual assault. She made this decision against the advice of her staff judge advocate.

With her action, Lieutenant General Helms sent a damaging message to survivors of sexual assault who are seeking justice in the military justice system: They can take the difficult and painful step of reporting the crime, they can endure the agony involved in being subjected to intense questioning often aimed at putting the blame on them, and they can experience a momentary sense of justice in knowing that they were believed when their attacker is convicted and sentenced, only to have that justice ripped away with the stroke of a pen by an individual who was never in the courtroom for the trial and who never heard the testimony. In overturning the conviction in this case, Lieutenant General Helms supplanted her opinion for that of a jury, the appropriate adjudicators of fact who observe an entire court-martial proceeding. And she did not take the advice of her staff judge advocate, who recommended she affirm the conviction in this case. At a time when the military is facing a crisis of sexual assault, making a decision that sends a message which dissuades reporting of

sexual assaults, supplants the finding of a jury, contradicts the advice of counsel, and further victimizes a survivor of sexual assault is unacceptable.

Given these circumstances, I will continue to object to any unanimous consent request to approve Lieutenant General Helms' nomination. I will continue to give great scrutiny to any future nomination of any member of the armed services who has, while serving in his or her capacity as a convening authority of a military court-martial, overturned a jury conviction against the advice of legal counsel.●

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO ALAN CAMERON

● Mr. CRAPO. Madam President, I rise today to recognize the outstanding work of Alan Cameron, who is retiring from serving as president and chief executive officer of the Idaho Credit Union League.

Alan has skillfully led the Idaho Credit Union League since 2000. Prior to serving as president and CEO for the Idaho Credit Union League and its wholly owned subsidiary League Services, Inc., he devoted more than 20 years to serving as the league's retained legal counsel and lobbyist. Before joining the Idaho Credit Union League, he graduated from the University of Idaho's College of Law, served as deputy prosecuting attorney with the Ada County Prosecuting Attorney's Office, and had a private practice.

Alan has given considerable time as an indispensable part of the community and represented the interests of Idahoans at the State and national levels. This includes his service on committees and task forces for the Credit Union National Association and his service as a member of the Federal Reserve Board's Consumer Advisory Council. He also served as treasurer of the Hispanic Financial Education Coalition, treasurer of the Consumer Information Council, and as a board member for the Consumer Credit Counseling Service of Idaho. We are fortunate to count Alan as a fellow Idahoan.

Throughout his career, Alan has been a widely respected and thoughtful leader. I have greatly valued his input and advocacy on behalf of Idaho's credit unions as we have worked together over the years. I especially appreciated the considerable amount of input and hard work that Alan invested into helping me craft and move my regulatory relief legislation. The Idaho Credit Union's release about his retirement included a fitting recognition of Alan's exemplary work:

The League's Board and staff have thrived under Cameron's leadership. His passion for credit unions and their members have been a beacon during a time of increasing regulatory burden and financial upheaval. He is a

trusted friend and voice of reason to state government, business owners, regulators and credit union leaders.

Thank you, Alan, for your remarkable service to Idaho and our Nation. I hope that your retirement will provide you with well-earned time to travel with your wife Janet and many good times with your family and friends. Congratulations on your retirement. I thank you for your hard work and wish you a very happy retirement.●

#### UNIVERSITY OF CENTRAL FLORIDA

● Mr. NELSON. Madam President, today I wish to congratulate the University of Central Florida as the school celebrates its 50th anniversary this year.

It has been impressive to watch UCF over the years grow into what is now the Nation's second largest university. The school—one of 12 public universities in Florida—is second in size only to Arizona State.

It is educating nearly 60,000 undergraduate and graduate students this year from all around the world at what is now a sprawling campus located in Orlando, FL. Throughout the years, UCF has increasingly become an integral part of the Sunshine State—and a nationally recognized hub for research.

Located adjacent to the university is Central Florida's Research Park—a 1,000-acre, high-tech complex that fosters innovation through its collaboration of UCF students, private-sector researchers and government agencies all working together in the same location. Together these researchers and students are working on projects in the sciences, engineering, photonics and optics, as well as a variety of health-related fields.

The facilities they use also are home to some of the most state-of-the-art modeling and simulation equipment in the country.

Just 2 months ago, NASA awarded UCF a \$55 million grant to build a satellite that will enhance our ability to study the Earth's atmosphere.

Not only is this award the largest grant in UCF's history, it also makes it the first university in Florida to lead a NASA mission—which is a fitting honor for a university located in the shadow of Kennedy Space Center.

It was President Kennedy's historic call for a manned mission to the moon that prompted the Florida Legislature to authorize the creation of Florida Technological University—the original name of UCF—in 1963. Five years later, NASA awarded UCF its first research grant. And, as evidenced by this most recent one, the partnership continues to this day.

So, I want to congratulate the University of Central Florida for the tremendous progress it has made in its first five decades.

I have no doubt the university will continue to build on its many successes for many decades to come.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 9:50 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2217. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2217. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes; to the Committee on Appropriations.

#### MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 126. An act to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge.

S. 1121. A bill to stop the National Security Agency from spying on citizens of the United States and for other purposes.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on June 6, 2013, she had presented to the President of the United States the following enrolled bill:

S. 622. An act to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 744, A bill to provide for comprehensive immigration reform and for other purposes (Rept. No. 113-40).

#### EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. JOHNSON of South Dakota, for the Committee on Banking, Housing, and Urban Affairs.

\*Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States for a term expiring January 20, 2017.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. LANDRIEU:

S. 1112. A bill to amend the Elementary and Secondary Education Act of 1965 to require the establishment of teacher evaluation programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of Colorado (for himself, Mr. BEGICH, and Mr. BENNET):

S. 1113. A bill to provide professional development for elementary school principals in early childhood education and development; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Mr. SESSIONS, Mr. SCHUMER, Mr. GRAHAM, Ms. STABENOW, Mr. BURR, Ms. COLLINS, and Mr. CASEY):

S. 1114. A bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER:

S. 1115. A bill to treat payments by charitable organizations with respect to certain firefighters as exempt payments; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mr. CARDIN, Mr. CARPER, Mr. MENENDEZ, Mr. COONS, and Mrs. GILLIBRAND):

S. 1116. A bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes; to the Committee on Finance.

By Ms. STABENOW:

S. 1117. A bill to prepare disconnected youth for a competitive future; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself, Mr. PORTMAN, Mr. BLUMENTHAL, Mr. BROWN, Ms. CANTWELL, Mr. KIRK, and Mr. BENNET):

S. 1118. A bill to amend part E of title IV of the Social Security Act to better enable State child welfare agencies to prevent sex

trafficking of children and serve the needs of children who are victims of sex trafficking, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself and Ms. MIKULSKI):

S. 1119. A bill to amend the Public Health Service Act to provide for integration of mental health services and mental health treatment outreach teams, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself and Mr. UDALL of Colorado):

S. 1120. A bill to provide authorities for the appropriate conversion of temporary seasonal wildland firefighters and other temporary seasonal employees in Federal land management agencies who perform regularly recurring seasonal work to permanent seasonal positions; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PAUL:

S. 1121. A bill to stop the National Security Agency from spying on citizens of the United States and for other purposes; read the first time.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself and Mr. RUBIO):

S. Res. 163. A resolution calling for more additional foreign assistance for Cambodia; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 113

At the request of Mr. DURBIN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 113, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 114

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 114, a bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 403

At the request of Mr. CASEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 462

At the request of Mrs. BOXER, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 521

At the request of Mr. DURBIN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 521, a bill to require the Secretary of Defense to award grants to fund research on orthotics and prosthetics.

S. 522

At the request of Mr. DURBIN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 522, a bill to require the Secretary of Veterans Affairs to award grants to establish, or expand upon, master's degree or doctoral degree programs in orthotics and prosthetics, and for other purposes.

S. 526

At the request of Mr. BAUCUS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 526, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 623

At the request of Mr. CARDIN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 623, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 701

At the request of Ms. COLLINS, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 701, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the individual mandate in the Patient Protection and Affordable Care Act.

S. 709

At the request of Ms. STABENOW, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 734

At the request of Mr. NELSON, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor

of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 789

At the request of Mr. BAUCUS, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 815

At the request of Mr. MERKLEY, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 992

At the request of Mrs. SHAHEEN, the name of the Senator from Nebraska (Mr. JOHANNES) was added as a cosponsor of S. 992, a bill to provide for offices on sexual assault prevention and response under the Chiefs of Staff of the Armed Forces, to require reports on additional offices and selection of sexual assault prevention and response personnel, and for other purposes.

S. 1028

At the request of Mr. SANDERS, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1028, a bill to reauthorize and improve the Older Americans Act of 1965, and for other purposes.

S. 1046

At the request of Mr. SCHATZ, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1046, a bill to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994.

S. 1097

At the request of Mr. HELLER, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1097, a bill to prohibit a Federal agency from establishing or implementing a policy that discourages or prohibits the selection of a resort or vacation destination as the location for a conference or event, and for other purposes.

S. RES. 26

At the request of Mr. MORAN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

S. RES. 154

At the request of Mr. HOEVEN, the name of the Senator from Nebraska

(Mr. JOHANNIS) was added as a cosponsor of S. Res. 154, a resolution supporting political reform in Iran and for other purposes.

#### AMENDMENT NO. 956

At the request of Mr. MCCAIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Rhode Island (Mr. REED), the Senator from Nevada (Mr. HELLER) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of amendment No. 956 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

#### AMENDMENT NO. 1105

At the request of Mr. CHAMBLISS, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 1105 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

#### AMENDMENT NO. 1166

At the request of Mr. CHAMBLISS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 1166 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. PORTMAN, Mr. BLUMENTHAL, Mr. BROWN, Ms. CANTWELL, Mr. KIRK, and Mr. BENNETT):

S. 1118. A bill to amend part E of title IV of the Social Security Act to better enable State child welfare agencies to prevent sex trafficking of children and serve the needs of children who are victims of sex trafficking, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. WYDEN. Mr. President, today I am pleased to join Senators PORTMAN, BLUMENTHAL, CANTWELL, BROWN, and KIRK to introduce the Child Sex Trafficking Data and Response Act of 2013. This bipartisan legislation will help us to better understand and combat the unforgivable and fast-growing criminal enterprise of trafficking children for sex right here in the U.S.

We cannot bury our heads in the sand and ignore this terrible problem. Child victims of sex trafficking need and deserve the full range of coordinated assistance and care required to help them recover from this trauma.

Unfortunately, some people still refuse to acknowledge that American children are being bought and sold for sex and they criticize the few estimates surrounding trafficking rates that do exist. As a policymaker, it is hard to advance an issue when there are critics who deny its very existence. For those of us who have spoken to law enforcement officers, child welfare workers

and judges who work with these victims every day, we know that denying that the problem exists will not make it go away.

I became engaged in efforts to address child trafficking a few years ago when I had the opportunity to accompany police officers along 82nd Avenue in my hometown of Portland. I will never forget a 15-year-old girl working out there with the tools of the trade—a cell phone to stay in constant contact with her pimp and report how much money she had made; a 15-inch butcher knife to try to protect herself; and, a purse full of condoms.

This problem does exist, but we still do not know its full scope—we do not know how many children in the U.S. are victimized by pimps, Johns and traffickers every year. Quantifying the problem, as simple a step as that may seem, is truly the first step in bringing these children out of the shadows to help them progress from victims to survivors.

The Child Sex Trafficking Data and Response Act of 2013 provides a framework for systematically identifying and tracking the number of child trafficking victims who are in our Nation's foster care system. It would further require child welfare agencies to promptly report information on missing and abducted children to law enforcement and would require law enforcement authorities to notify the National Center for Missing and Exploited Children, NCMEC, when a child is missing from State care.

The bill would also take steps to ensure children who are sex trafficked or exploited are treated as victims, not criminals. The protections, services and protocols established for abused and neglected children within the child welfare system are rarely extended to trafficked children and youth, and in most States, such children aren't even categorized as victims. Instead, they are often sent to the juvenile justice system and criminalized for being raped and trafficked.

The Child Sex Trafficking Data and Response Act would amend Federal law to say all child victims of sex trafficking are victims of abuse and neglect. It would require state plans, under the Child Abuse Prevention and Treatment Act, designed to improve child protection services contain: provisions and procedures requiring identification and assessment of all reports involving children known or suspected to be victims of sex trafficking; provisions and procedures for training child protective services workers to identify and provide comprehensive services for children who are victims of sex trafficking; a description of efforts to coordinate with State law enforcement, juvenile justice, and social service agencies such as runaway and homeless youth shelters to serve these victims; and an annual State data report on the

number of children identified as known or suspected to be victims of trafficking.

These steps alone will not solve the problem before us. These are still some very daunting problems that need to be overcome, and the current fiscal climate alone presents a significant barrier to providing resources needed by victims, child welfare workers, law enforcement and service providers. Still, this is an important step toward making sure that vulnerable foster children are protected from pimps, Johns and traffickers.

By Ms. COLLINS (for herself and Ms. MIKULSKI):

S. 1119. A bill to amend the Public Health Services Act to provide for integration of mental health services and mental health treatment outreach teams, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I am pleased to be joined by my colleague from Maryland, Senator MIKULSKI, in introducing the Positive Aging Act of 2013, which will help to increase older Americans' access to quality mental health screening and treatment services in community-based settings.

The legislation we are introducing today is particularly important for States like Maine that have a disproportionate number of older persons. Sixteen percent of Maine's population is 65 or older, and, with the highest median age, Maine is the "oldest" State in the Nation. Moreover, our percentage of older adults is increasing; by 2030, more than one in five Mainers will be over the age of 65.

One of the most daunting public health challenges facing our Nation today is how to increase access to quality mental health services for the more than 46 million American adults living with severe, disabling mental disorders that can devastate their lives and the lives of the people around them.

What is often overlooked is the prevalence of mental illness among our Nation's elderly. Nearly one in five older adults in America have one or more mental health conditions. Moreover, older white males age 85 and older have the highest rate of suicide of any group in the country. Particularly disturbing is the fact that the mental health needs of older Americans are often overlooked or not recognized because of the mistaken belief that they are a normal part of aging and therefore cannot be treated.

While effective treatments exist for mental health disorders, it is estimated that nearly two-thirds of older adults with a mental health problem do not receive the services they need. Older adults with evidence of a mental disorder are generally less likely than younger and middle-aged adults to receive mental health services and, when



they do, they are less likely to receive care from a mental health specialist. Failure to treat mental disorders leads to poorer health outcomes for other medical conditions, higher rates of institutionalization, and increased health care costs.

Fortunately, important research is being done that is developing innovative approaches to improve the delivery of mental health care for older adults by integrating it into primary care settings. This research demonstrates that older adults are more likely to receive appropriate mental health care if there is a mental health professional on the primary care team, rather than simply referring them to a mental health specialist outside the primary care setting. Multiple appointments with multiple providers in multiple settings simply don't work for older patients who must also cope with concurrent chronic illnesses, mobility problems, and limited transportation options. The research also shows that there is less stigma associated with psychiatric services when they are integrated into general medical care.

The Positive Aging Act builds upon this research and authorizes funding for projects that integrate mental health screening and treatment services into community sites and primary care settings. Specifically, the Positive Aging Act of 2013 would authorize the Substance Abuse and Mental Health Services Administration to fund demonstration projects to support integration of mental health services in primary care settings. It would also support grants for community-based mental health treatment outreach teams to fund demonstration projects to support integration of mental health services in primary care settings. To ensure that these geriatric mental health programs have proper attention and oversight, it would mandate the designation of a Deputy Director for Older Adult Mental Health Services in the Center for Mental Health Services, and it would also include representatives of older Americans or their families and geriatric mental health professionals on the Advisory Council for the Center for Mental Health Services. Finally, it would require State plans under Community Mental Health Services Block Grants to include descriptions of the States' outreach to and services for older individuals.

We are fortunate today to have a variety of effective treatments to address the mental health needs of American seniors. The Positive Aging Act will help to ensure that older Americans have access to these important services. I therefore urge my colleagues to sign on as cosponsors of the legislation, which has been endorsed by numerous mental health, aging, and health care organizations, including the American Psychological Association, the American Association for Geriatric Psychi-

atry, the American Geriatrics Society, and the National Association of Social Workers.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 163—CALLING FOR MORE ACCOUNTABLE FOREIGN ASSISTANCE FOR CAMBODIA

Mr. GRAHAM (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 163

Whereas, according to the United States Agency for International Development, from 1993 to 2011 the United States provided Cambodia with over \$1,247,000,000 in economic and military assistance;

Whereas Cambodia is ranked 138 (out of 187) in the United Nations Development Program's Human Development Report 2013, a rank shared by the Lao People's Democratic Republic;

Whereas Cambodia is ranked 157 (out of 174) in Transparency International's Corruption Perceptions Index 2012, a rank below Yemen and one shared with Angola and Tajikistan;

Whereas Cambodia is ranked "Not Free" in Freedom House's Freedom in the World 2013 report, which further states, "Cambodia is not an electoral democracy. Elections are conducted under often repressive conditions, and the opposition is hampered by serious legal and physical harassment.";

Whereas the Department of State's Country Reports on Human Rights Practices for 2011 notes that "a leading human rights problem" in Cambodia is "a weak judiciary. . .subject to corruption and political influence";

Whereas Human Rights Watch noted in a May 31, 2012, New York Times op-ed that Prime Minister Hun Sen has remained in power in Cambodia for 10,000 days "through politically motivated violence, control of the security forces, massive corruption, and the tacit support of foreign powers";

Whereas the July 16, 2012, Report of the United Nations Special Rapporteur on the situation of human rights in Cambodia (A/HRC/21/63) notes that "there are major flaws in the administration of elections in Cambodia and urgent and long-term reforms are needed to give Cambodians confidence in the electoral process and in the workings of the National Election Committee";

Whereas the July 16, 2012, report includes 18 specific recommendations for improving the election framework and environment in Cambodia to ensure greater transparency, accountability, and political association and expression, including the full participation of opposition leader Sam Rainsy in upcoming parliamentary elections; and

Whereas Sam Rainsy and other opposition members and activists continue to be the target of official harassment through politically motivated accusations and charges, denied due process of law, and excluded from participating in upcoming national elections in Cambodia: Now, therefore, be it

*Resolved, That—*

(1) in order to be considered credible and competitive, the July 2013 parliamentary elections in Cambodia must implement the recommendations contained in the July 16, 2012, Report of the United Nations Special

Rapporteur on the situation of human rights in Cambodia (A/HRC/21/63), and must include the full and unfettered participation of all political parties leaders, specifically Sam Rainsy;

(2) the United States Department of State and the United States Agency for International Development should refrain from supporting national or local elections in Cambodia, or deploying election monitors to the July 2013 parliamentary elections, if such United Nations recommendations are ignored, and if political parties and opposition leaders are excluded or otherwise hampered from fully and freely participating in electoral processes, including during the campaign period and on election day;

(3) any election in Cambodia that the Secretary of State determines is not credible and competitive should be deemed as an illegitimate expression of the Cambodian peoples' will, and an impediment to the democratic development of Cambodia; and

(4) a Cambodian government formed as a result of such illegitimate elections should not be eligible for direct United States Government assistance, including for the military and police, and the Department of State and United States Agency for International Development should jointly reassess and reduce assistance for Cambodia in subsequent fiscal years, and urge international financial institutions to do the same.

Mr. GRAHAM. Mr. President, the resolution I submit today with my colleague from Florida is straight forward. Credible and competitive parliamentary elections in Cambodia next month will be the measure or U.S. foreign assistance provided to the central government of that country in the future.

According to the United States Agency for International Development, from 1993 to 2011 the United States provided Cambodia with over \$1.2 billion in economic and military assistance. The President's fiscal year 2014 budget request to Congress includes a total of \$73.5 million in aid for Cambodia. America's investment in that Southeast Asian country has been anything but insignificant.

Unfortunately, we are not getting a return on this investment when it comes to the advancement of the rule of law, democracy, and human rights. A chorus of concern with the upcoming elections has been expressed by the United Nations, Cambodian civil society, and opposition political party leaders, including Sam Rainsy who is prohibited from participating in the polls by the actions of courts controlled by the ruling Cambodian People's Party, CPP. Given recent comments by CPP Prime Minister Hun Sen that he intends to remain in power until 2026, one wonders whether the CPP has already decided the outcome of the elections.

Less than credible and competitive polls subverts the will of the Cambodian people and perpetuates a level of corruption that ranks that country below Yemen in Transparency International's Corruption Perception Index, 2012. Equally troubling, Hun



Sen's close ties with Beijing may further draw Cambodia into the People's Republic of China's sphere of influence—to the determinant of security and stability in the region.

I encourage the State Department to pay close attention to events in Cambodia and embrace the actions called for by this resolution should illegitimate elections be held next month. For many Asia-watchers, the response of the administration to these elections will help define the proposed United States pivot toward Asia.

#### NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Tuesday, June 11, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to mark-up S. \_\_\_\_\_ Strengthening America's Schools Act and any nominations cleared for action.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

#### PRIVILEGES OF THE FLOOR

Mrs. BOXER. Mr. President, I ask unanimous consent that Michael London, a law clerk with the Finance Committee, and Kate Glazebrook and Johnathan Diem, interns with the Finance Committee, be granted the privilege of the floor for the remainder of the 2013 calendar year.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MEASURES READ THE FIRST TIME—S. 1121 AND H.R. 126

Mrs. BOXER. Madam President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The bills will be read for the first time by title.

The bill clerk read as follows:

A bill (S. 1121) to stop the National Security Agency from spying on citizens of the United States and for other purposes.

A bill (H.R. 126) to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge.

Mrs. BOXER. I now ask for a second reading en bloc and object to my own request en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for a second time on the next legislative day.

#### ORDERS FOR MONDAY, JUNE 10, 2013

Mrs. BOXER. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, June 10, 2013; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to proceed to S. 744, the comprehensive immigration reform bill, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mrs. BOXER. Madam President, we expect to swear in Senator-designate Cheisa during Monday's session. At 5:30 p.m. on Monday there will be a rolcall vote on passage of the farm bill.

#### ADJOURNMENT UNTIL MONDAY, JUNE 10, 2013, AT 2 P.M.

Mrs. BOXER. Madam President, if there is no further business to come be-

fore the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 1:06 p.m., adjourned until Monday, June 10, 2013, at 2 p.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### THE JUDICIARY

TIMOTHY L. BROOKS, OF ARKANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF ARKANSAS, VICE JIMM LARRY HENDREN, RETIRED.  
JEFFREY ALKER MEYER, OF CONNECTICUT, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF CONNECTICUT, VICE MARK R. KRAVITZ, DECEASED.

##### AMTRAK BOARD OF DIRECTORS

THOMAS C. CARPER, OF ILLINOIS, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS. (REAPPOINTMENT)

##### CORPORATION FOR PUBLIC BROADCASTING

HOWARD ABEL HUSOCK, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2018, VICE CHRIS BOSKIN, TERM EXPIRED.

##### ENVIRONMENTAL PROTECTION AGENCY

AVI GARBOW, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE COLIN SCOTT COLE FULTON, RESIGNED.

##### ELECTION ASSISTANCE COMMISSION

THOMAS HICKS, OF VIRGINIA, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2013, VICE GRACIA M. HILLMAN, TERM EXPIRED.

THOMAS HICKS, OF VIRGINIA, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2017. (REAPPOINTMENT)

MYRNA PEREZ, OF TEXAS, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2015, VICE ROSEMARY E. RODRIQUEZ, TERM EXPIRED.

##### LEGAL SERVICES CORPORATION

LAURIE I. MIKVA, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2013. (REAPPOINTMENT)

LAURIE I. MIKVA, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2016. (REAPPOINTMENT)

##### IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COL. JOHN W. LATHROP

## HOUSE OF REPRESENTATIVES—Monday, June 10, 2013

The House met at 3 p.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
June 10, 2013.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving and gracious God, we give You thanks for giving us another day.

Help us this day to draw closer to You, so that with Your spirit and aware of Your presence among us we may all face the tasks of this day with grace and confidence.

Bless the Members of the people's House as they return from a long weekend back in their home districts.

May these decisive days through which we are living make them genuine enough to maintain their integrity, great enough to be humble, and good enough to keep their faith, always regarding public office as a sacred trust. Give them the wisdom and the courage to fail not their fellow citizens, nor You.

May all that is done this day be for Your greater honor and glory.  
Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Hon. JOHN A. BOEHNER,  
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 7, 2013 at 10:15 a.m.:

Appointments:  
Commission on Long-Term Care.  
With best wishes, I am  
Sincerely,

KAREN L. HAAS.

### BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 28, 2013, she presented to the President of the United States, for his approval, the following bill:

H.R. 258. To amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

### ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon tomorrow for morning-hour debate.

There was no objection.

Thereupon (at 3 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 11, 2013, at noon for morning-hour debate.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1718. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Olives Grown in California; Decreased Assessment Rate [Doc. No.: AMS-FV-12-0076; FV13-932-1 IR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1719. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Executive Compensation (RIN: 2590-AA12) received May

31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1720. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Information Required in Prior Notice of Imported Food [Docket No.: FDA-2011-N-0179] (RIN: 0910-AG65) received May 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1721. A letter from the Director Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Physical Protection of Irradiated Reactor Fuel in Transit [NRC-2009-0163] (RIN: 3150-AI64) received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1722. A letter from the Deputy Director of Regulation Policy & Management, Office of General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — VA Dental Insurance Program (RIN: 2900-AN99) received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1723. A letter from the Board of Trustees, Federal Old-Age And Survivors Insurance And Federal Disability Insurance Trust Funds, transmitting the 2013 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 113—33); to the Committee on Ways and Means and ordered to be printed.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[The following action occurred on June 7, 2013]

Mr. McKEON: Committee on Armed Services. H.R. 1960. A bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; with amendments (Rept. 113-102). Referred to the Committee of the Whole House on the state of the Union.

[Filed on June 10, 2013]

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1947. A bill to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes; with amendments (Rept. 113-92, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1256. A bill to direct the Securities and Exchange Commission and the Commodity Futures Trading Commission to jointly adopt rules setting forth the application to cross-border swaps transactions of certain provisions relating to swaps that were enacted as part of the Dodd-Frank Wall

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Street Reform and Consumer Protection Act; with amendments (Rept. 113-103, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 1256. A bill to direct the Securities and Exchange Commission and the Commodity Futures Trading Commission to jointly adopt rules setting forth the application to cross-border swaps transactions of certain provisions relating to swaps that were enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Rept. 113-103, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Foreign Affairs discharged from further consideration. H.R. 1947 referred to the Committee of the Whole House on the state of the Union.

#### TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

*[The following action occurred on June 7, 2013]*

H.R. 1947. Referral to the Committees on Foreign Affairs and the Judiciary extended for a period ending not later than June 10, 2013.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROSKAM (for himself, Mr. CARNEY, Mr. HULTGREN, Mr. BARBER, Mr. SCHRADER, and Mr. REED):

H.R. 2305. A bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MENG:

H.R. 2306. A bill to amend the Federal Food, Drug, and Cosmetic Act to treat infant formula as adulterated if its use-by-date has passed; to the Committee on Energy and Commerce.

By Mr. VELA (for himself and Mr. CONAWAY):

H.R. 2307. A bill to require the Secretary of State to submit to Congress reports on water sharing with Mexico; to the Committee on Foreign Affairs.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROSKAM:

H.R. 2305.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 states The Congress shall have Power To provide . . . for the . . . general Welfare of the United States.

By Ms. MENG:

H.R. 2306.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. VELA:

H.R. 2307.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, which provides Congress the power to "regulate commerce with foreign Nations and among the several States."

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. CALVERT and Mr. KINGSTON.

H.R. 25: Mrs. WAGNER.

H.R. 32: Mr. WALDEN.

H.R. 337: Mr. HIMES.

H.R. 491: Mr. STOCKMAN.

H.R. 515: Mrs. LOWEY and Mr. MORAN.

H.R. 647: Mr. PALLONE and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 685: Mr. POSEY, Mr. BURGESS, and Mr. PETERS of California.

H.R. 698: Ms. SCHAKOWSKY and Mrs. CAROLYN B. MALONEY of New York.

H.R. 781: Mr. WALBERG.

H.R. 800: Mr. STIVERS and Mr. MEEHAN.

H.R. 920: Mr. LANGEVIN.

H.R. 938: Mr. KENNEDY, Mr. HUDSON, Ms. KELLY of Illinois, and Ms. CASTOR of Florida.

H.R. 961: Mr. RUIZ and Mr. CROWLEY.

H.R. 1038: Mr. HUDSON.

H.R. 1146: Mr. MESSER.

H.R. 1249: Mrs. WALORSKI.

H.R. 1321: Mr. ENYART, Mr. CARTWRIGHT, Mr. KILMER, and Mrs. NAPOLITANO.

H.R. 1416: Mr. POE of Texas, Mr. MEEHAN, and Mr. BRALEY of Iowa.

H.R. 1518: Mr. MCNERNEY and Mr. LYNCH.

H.R. 1640: Mr. BENTIVOLIO.

H.R. 1677: Ms. LOFGREN, Mr. GRIJALVA, and Mr. MCNERNEY.

H.R. 1771: Ms. BASS, Mr. SCHOCK, and Mr. SAM JOHNSON of Texas.

H.R. 1797: Mr. BROOKS of Alabama, Mr. RENACCI, Mr. MESSER, Mr. BILIRAKIS, Mr. MCCLINTOCK, Mrs. WALORSKI, Mr. MICA, Mrs. MILLER of Michigan, Mr. GIBBS, and Mr. LAMALFA.

H.R. 1869: Mrs. WALORSKI.

H.R. 1882: Mr. POE of Texas.

H.R. 1897: Mr. STOCKMAN.

H.R. 1898: Mr. FORBES.

H.R. 1916: Ms. SHEA-PORTER.

H.R. 1961: Mr. RICHMOND.

H.R. 1971: Mr. CARTER and Mr. MASSIE.

H.R. 1983: Mr. RANGEL.

H.R. 1998: Mr. MICHAUD, Mr. TONKO, Mr. CICILLINE, Mr. GRIJALVA, Ms. TITUS, and Mr. PETERS of California.

H.R. 2022: Mr. CRAWFORD.

H.R. 2088: Mrs. KIRKPATRICK.

H.R. 2094: Mr. MCCAUL.

H.R. 2177: Ms. SCHAKOWSKY.

H.R. 2202: Mr. TERRY.

H.R. 2228: Mr. SCHRADER.

H.R. 2238: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 2290: Ms. PINGREE of Maine and Mrs. BUSTOS.

H. Con. Res. 23: Mr. HENSARLING.

H. Res. 30: Mr. POMPEO and Mr. LUETKEMEYER.

H. Res. 109: Mr. HIMES and Mr. DUNCAN of South Carolina.

**SENATE—Monday, June 10, 2013**

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, Your law is a lamp, and Your teachings illuminate our path. Help us to honor Your name.

Lord, You know every heart and provide a shield for those who have reverence for You. Today may our Senators find treasures in Your wisdom that will enable them to be responsible stewards of their noble calling. As they remember their accountability to You, empower them to live for Your glory. O God, our ruler, let Your glory be seen in our Nation and world.

Lord, we ask Your blessings upon Senator JEFFREY CHIESA as he takes his oath today.

We pray in Your merciful Name. Amen.

**PLEDGE OF ALLEGIANCE**

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**RECOGNITION OF THE MAJORITY LEADER**

The PRESIDENT pro tempore. The majority leader is recognized.

**SCHEDULE**

Mr. REID. Mr. President, following leader remarks the Senate will resume the motion to proceed to S. 744, the immigration bill. That will take place until 5 p.m. today. Senator SESSIONS will control 2 hours, and Senator LEAHY will control the remaining time today. Senator-designate CHIESA will be sworn in today as a U.S. Senator at 4:30 p.m. At 5 p.m. the Senate will resume consideration of the farm bill. At 5:30 p.m. there will be a vote on passage of that bill. Following that vote, we will resume the motion to proceed to the immigration bill. There will be a cloture vote on the motion to proceed at 2:15 tomorrow afternoon.

**MEASURES PLACED ON THE CALENDAR—S. 1121 AND H.R. 126**

Mr. REID. There are two bills at the desk due for a second reading.

The PRESIDENT pro tempore. The clerk will report the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 1121) to stop the National Security Agency from spying on citizens of the United States and for other purposes.

A bill (H.R. 126) to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge.

Mr. REID. I object to any further proceedings with respect to these two bills.

The PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar under the provisions of rule XIV.

**IMMIGRATION REFORM**

Mr. REID. Mr. President, for most of her life Anna Ledesma has been afraid. She was a model student at Centennial High School in Las Vegas, an artist and a member of the Key Club. As one of the top academics of a large high school, she received the Millennium Scholarship to study nursing at the College of Southern Nevada. Now she is studying hard for her nursing exams. But 23-year-old Anna has lived for a long time with the constant fear that she will be deported. She is an undocumented immigrant. She was born in the Philippines and brought here by her parents when she was 7 years old. She was in the second grade.

This is what Anna told the Las Vegas Sun newspaper:

I would tell myself that they're not going to deport me because I'm a nursing student and I'm working really hard and I want to make a difference in my community . . . [But] all the time, constantly in the back of my head, I think about being deported and having to start over.

Thanks to a directive issued last year by President Obama, Anna and 800,000 other young people like her—young people who are American in all but paperwork—won't be deported. President Obama's directive suspended deportation of DREAMers—students brought to America illegally when they were children. These young people share our language, they share our culture, and they share our love for America, which in most cases is the only country they have ever known. Like Anna, the DREAMers are talented, patriotic young men and women who want to defend our Nation in the military, get a college education, and work hard to help their communities and our country.

Still, the Republican majority in the House of Representatives sent a

chilling message last week to Anna and others when it voted to roll back President Obama's directive. Republicans voted to resume deportation of upstanding young people—I repeat, just like Anna—who were brought to this country illegally through no fault of their own. That is why it is vital that Congress act at long last to fix this Nation's broken immigration system.

President Obama's directive is temporary—and squarely in the crosshairs of the tea party-driven Republican rightwing. The directive is also no remedy for more than 10 million others—many of whom are the parents or siblings of DREAMers—who are living here without the proper paperwork.

But a permanent commonsense solution to our dysfunctional system is in sight. The bipartisan legislation on which the Senate is now working is the solution our economy needs, it is the solution immigrant families need, and it is the solution Anna needs.

This bill isn't perfect. That is the nature of legislating. Compromise is necessary and inevitable. But this measure takes important steps to reform our broken legal immigration system, strengthen border security, and hold unscrupulous employers accountable.

Over the next 3 weeks Senators will propose a number of ideas to make the legislation better. Some will offer ideas to make it worse. But those suggestions must preserve the heart of the bill—a pathway to earned citizenship that begins by going to the back of the line, paying taxes and fines, learning English, and getting right with the law. Whether we are Democrats or Republicans, whether we are from red States or blue States, we can all agree that the current system is broken. We can all agree on the need for action. This bipartisan legislation is our best chance in many, many years to bend the system toward it working right. We need to mend this broken system.

The Senate is about to engage in this important debate about the kind of country we are and must continue to be. This Nation was founded on the promise that success should not be an accident of birth but, rather, a just reward for hard work and determination. It is no wonder so many people from so many nations wish to share that promise, but they can't all get the promise of coming to America, and that is what this legislation is all about.

The United States has always welcomed immigrants, and that is never going to change. For those like Anna, the words of the Jewish proverb are appropriate: Dreams do not die. Therefore, it is up to us to help fulfill those

dreams and fix our broken immigration system.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. KAINE). Under the previous order, the leadership time is reserved.

#### BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 744, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to calendar No. 80, S. 744, a bill to provide comprehensive immigration reform, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 5 p.m. will be divided, with the Senator from Alabama or his designee controlling 2 hours and the Senator from Vermont or his designee controlling the remaining time.

The Senator from Vermont.

Mr. LEAHY. Mr. President, when the Senate Judiciary Committee held lengthy and extensive markup sessions to consider the Border Security, Economic Opportunity, and Immigration Modernization Act, or S. 744—the bill before us—we worked late into the evenings debating the bill. We considered hundreds of amendments. But what was interesting and what we heard the most about was the fact that the public was able to witness our consideration firsthand. They saw all our proceedings streamed live on the committee's Web site and broadcast on C-SPAN. We made available on our Web site proposed amendments, and reported developments in real time throughout the committee process. I know this made a difference because I was receiving e-mails and calls from all over the country from people watching it. Whether they agreed or disagreed on a particular matter, they said how much it meant to them to actually know what the Senate was doing. And Members from both sides of the aisle praised the transparent process and the significant improvements in the bill made by the Judiciary Committee.

The bill, as we amended it, was passed out of committee by a bipartisan two-thirds majority. Again, everybody worked together, set politics aside, and allowed the American people to see what we were doing. In many ways this is how we did it when I first came to the Senate, except we didn't have a way of streaming things live and we didn't have C-SPAN, so it is even more transparent now.

I appreciate what President Obama said this weekend about immigration reform. I agree with him that we have

to move in a timely way. Of course, the time is now for the Senate to act, so I hope we can take some of the same steps in the Chamber that we took in the Judiciary Committee during our debate of this legislation to have an efficient and transparent process. After all, look at the markup of the Senate Judiciary Committee: both parties—and it goes across the political spectrum as well as geographically, from the west coast to the east coast, from southern borders to our northern borders.

During our committee consideration last month, an editorial in the Barre Montpelier Times termed our proceedings a "lesson in democracy." Our committee proceedings demonstrated to the American people and the world how the Senate can and should fulfill its responsibilities despite our differences.

The ranking Republican on the committee, the senior Senator from Iowa, and I were on different sides of the legislation, but we were able to work well together. I hope we can continue to work here on the Senate floor in a bipartisan way. Although he voted against the bill, the senior Senator from Iowa said had his vote been necessary to report the bill to the Senate, he would have voted to do so. I appreciate that sentiment, and I look forward to his cooperation.

I have proposed to Senator GRASSLEY, who as the ranking Republican on the Judiciary Committee will be managing the bill for the minority, that we try to replicate here in the Senate the fair and transparent process we were able to achieve in the committee. To that end, once the Senate is able to proceed to the bill, I suggest we establish a filing deadline for amendments, as we did at the outset of our committee consideration. Ideally, then we will be able to take these amendments and group them and thereby work together by issue and by titles, as we did in the committee. It makes it a lot easier for the public as well as for the Senate to know what we are doing on the bill. It will help us with the Senate's timely consideration of this important legislation.

Of course, in order for Senators to be able to file amendments and work on the bill, the Senate has to proceed to the bill. Republicans and Democrats worked together to develop this legislation. Senators from both sides of the aisle, including the Senator from Alabama, who has already spoken on the Senate floor at length about this legislation, had amendments adopted in committee. Almost none of the more than 135 amendments adopted by the Judiciary Committee were adopted on party-line votes. So we should be able to work together to ensure consideration of amendments and then proceed to a vote on final passage without filibusters.

The American people want us to vote yes or no, up or down. They do not want us to add delaying tactics that allow us to say, well, maybe we would have been for it or maybe we would have been against it. They expect more of their Senators. Vote yes or no.

I had hoped the Senate would turn immediately to the consideration of amendments to this important bill. I regret that tomorrow afternoon, instead, we will vote on cloture on a procedural motion to allow us to begin debate on the bill. The legislation before us is the result of a bipartisan group of Senators who came together and made an agreement. It was initially a proposal from the so-called Gang of 8. It came through the committee process a product of a group of 18, supported by a bipartisan majority of the Judiciary Committee.

If Senators who have come together to help develop this bill keep their commitments, I have no doubt we will be able to end this unnecessary filibuster and pass this fair but tough legislation on comprehensive immigration reform.

There is broad agreement that our Nation's immigration system is broken and is in need of a comprehensive solution. There is also broad agreement in this Nation that people are tired of unnecessary delays in the Senate. They would like to see us do the work we are paid to do, the work we were elected to do, and vote yes or no, not continue voting maybe by delaying. This bipartisan legislation will achieve this. Given the impact the broken system has on our economy and our families, we cannot afford delay. This is a measure on which the Senate should come together to consider and pass. We should do what is right, what is fair, and what is just.

Comprehensive immigration reform was last on the Senate floor 6 years ago. When it was blocked by the minority party—the Republican Party—the former chairman of our immigration subcommittee, Ted Kennedy, said:

A minority in the Senate rejected a stronger economy that is fairer to our taxpayers and our workers. A minority of the Senate rejected America's own extraordinary immigrant history and ignored our Nation's most urgent needs. But we are in this struggle for the long haul. . . . As we continue the battle, we will have ample inspiration in the lives of the immigrants all around us. He was right. We are back—in strength.

I had the privilege of serving in the Senate with Senator Kennedy from the time I arrived until the time he died. I know how passionately he felt about this issue. I also know, both from then and now, that a small minority of the Senate that continues to reject this measure should not prevail this time and close the door on so many people in our country—both those who are citizens and those who aspire to become citizens.

I have taken inspiration from many sources, from our shared history as immigrants, from the experiences of my own grandparents, from my wife's parents, from our courageous witnesses Jose Antonio Vargas and Gaby Pacheco and, as Senator Kennedy noted, from the millions of American families that will be more secure when we enact comprehensive immigration reform.

During his testimony before the Judiciary Committee, Mr. Vargas asked the committee:

What do you want to do with us? What do you want to do with me?

Poignant questions. But this legislation answers Mr. Vargas, and it sends a message to the millions of others who are looking to Senators to be true to our "extraordinary" history and tradition as a nation of immigrants.

I am encouraged that some on the other side of the aisle are signaling their support for this legislation. I welcome the support of those who supported immigration reform in the past, who support this effort again.

I trust that those Republican Senators who helped draft this legislation—and helped us greatly—will be with us for the long haul, be firm in their commitments, and will defend the legislation they asked the other 14 members of the Judiciary Committee to consider and approve.

I will hope and expect that they will not look for excuses to abandon what has been and what needs to be a bipartisan effort because everybody had to give some on this bill. The bill now before the Senate is not the bill I would have drafted. I voted for amendments in the Judiciary Committee that were rejected, and I voted against some amendments that were accepted. I withheld an amendment on what, to me, is an issue of fundamental fairness in ending discrimination, after Republican Senators pledged to abandon their support for this bill had that amendment been offered. I cannot begin to tell this Senate how much it hurt to withdraw that amendment. But despite many shortcomings as a result of compromise, the bill before the Senate is worthy of this Chamber's immediate attention and support.

It is time for us to stop voting "maybe" and instead proceed to this bill and get to the business of legislating. After all, that is what the American people, Republicans and Democrats alike, expect us to do. The Congress was unable to achieve this goal during the last decade. Now, in the second decade of the 21st century, we again have the opportunity to make the reforms we so desperately need to carry us forward and strengthen our Nation. As I said on the Senate floor late last week, if a majority of us stand together, if we stay true to our values and our agreements, I believe we can pass legislation to write the next great chapter in America's history of immi-

gration—a chapter for which succeeding generations will thank us.

Mr. President, before I conclude on this issue, I ask unanimous consent that a copy of the editorial I referred to be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Times Argus, May 11, 2013]

#### LESSON IN DEMOCRACY

In a remarkable demonstration of the way democracy ordinarily works, Sen. Patrick Leahy held a mark-up session Thursday allowing the Senate Judiciary Committee to shape a new immigration bill.

A mark-up session occurs when a committee discusses and debates a bill, marking it up with amendments, giving both sides a say and putting on display for the world to see the differences and compromises. In watching a mark-up session, we are able to observe senators in the actual process of lawmaking.

That an important issue should be subject to an open and public mark-up session would not be so remarkable were it not for the remarkable distortion of the legislative process that has occurred in recent years by the manipulation of legislative rules.

Lately, we have become accustomed to seeing major pieces of legislation used as chips in an unsavory game of poker, with all the cards in the hands of a few players. Action on budget and debt ceiling votes has been held up until the last minute when leaders are forced by a looming deadline to reach a deal. The members themselves, instead of being engaged in the process of lawmaking, are left to twiddle their thumbs until they get the call from their leaders that a deal has been struck.

Everyone complains that making laws is like making sausage: You don't want to see what goes into it. But when the deal-making happens behind closed doors, cynicism can be the only response. The decision by Leahy, chairman of the Judiciary Committee, to hold several lengthy open mark-up sessions on the immigration issue is a sign that both Republicans and Democrats see a way through the thicket. If the Republicans were interested merely in blocking the bill, they could use their usual tactics. But given the importance of the Hispanic vote and the party's record of hostility toward minorities, some Republicans have recognized they must deal with the issue.

Protracted debate about bills in committee ought to be the norm. It is what committees are for. But the process has perils that legislators sometimes seek to avoid by using the rules to foist a measure on the body where a majority can hurry it through. It is unlikely that the Democrats could hurry anything through the Senate these days, so Leahy has decided to take the risks inherent in the amendment process to craft a bill that will win at least some Republican support.

The immigration bill is the product of the so-called Gang of Eight, a group of four Democrats and four Republicans who have sought to forge a bipartisan compromise on immigration. They are looking for a way to achieve both border security and a pathway to citizenship for the 11 million immigrants who are here illegally. Hard-line anti-immigration members will never be placated; the Senate will be working toward a formula allowing the skeptics who worry about border security enough assurance that they can lighten up a little on the punitive measures.

Senate bills follow a perilous path, particularly these days, when Republican use of

the filibuster has created what amounts to a political oligarchy: the rule of the minority over the majority. This was the bitter lesson that Leahy learned on gun control legislation, which also began in his committee. The bill calling for universal background checks had majority support on the Senate floor, but the minority was able to quash it by use of the filibuster.

And yet this is why Leahy retained his position as chairman of the Judiciary Committee rather than moving to the Appropriations Committee. The appropriations process has become subject to the poker game, which robs the committee of its authority in creating and marking up a bill. As chairman of Judiciary, Leahy is giving the nation a lesson in democracy. It's a lesson that needs to be retaught.

Mr. LEAHY. Mr. President, seeing nobody seeking recognition, I ask permission to speak as in morning business on an issue we will vote on later today.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RURAL GIGABIT PILOT PROGRAM

Mr. LEAHY. Mr. President, let me speak on an important issue the Senate will be voting on later today, my amendment to the farm bill. The Internet has made a fundamental difference in our lives. From how we shop to how we stay connected to one another, there are few aspects of life the Internet does not touch. In the 21st century, access to high-quality, high-speed Internet is not a luxury but a necessity.

Unfortunately far too many Americans, particularly those living in rural areas, like so many in my own State of Vermont, can only dream about having access to this kind of critical infrastructure. We must take action to correct this.

I am pleased the Senate will vote today on an amendment I have offered that sets our sights high for real, ultra-high-speed Internet. In some areas, these next-generation networks are already being built. These networks offer gigabit speed—speed that is 100 times faster than what we are accustomed to today.

These networks bring with them innovation and jobs. Over the next 5 years these networks are going to become more widely adopted in urban areas, but rural America is at risk of falling further behind. If that happens, rural Americans will be left behind. They will lose potential economic growth. They will cede engines of innovation to urban areas that are equipped with ultra-high-speed Internet capability.

My amendment will establish a pilot program within the Rural Utilities Service Program that is part of the farm bill to fund up to five projects to deploy ultra-high-speed Internet service in rural areas over the next 5 years. The pilot is narrow in scope. It is carefully crafted to ensure that the main focus of the RUS Program is deploying service to unserved rural areas, while

at the same time giving RUS the flexibility to find the best rural areas to test gigabit service investment. This will help pave the way for the Internet infrastructure that rural communities across the Nation will need as our economy turns the corner into this next generation of Internet service. Next-generation gigabit networks have the potential to transform rural areas. They can dramatically improve education and health care. They have the potential to bring the innovations of Silicon Valley to the Upper Valley of Vermont and to rural areas across the country.

Rural America has so much to offer in our way of life, but without the great equalizer of high-speed Internet, it cannot live up to its full potential. So now is the time to invest in these networks. One need only look at the number of applications Google received for its Google Fiber project to know that cities and towns throughout the country understand the innovation and economic growth that comes from gigabit networks. If we are going to invest money in rural networks, it makes sense that we invest some of it in networks that are going to be future-resilient.

The broadband revolution of the last decade brought a bright new future for many areas of the country, but I know firsthand that many rural areas are still playing catch-up. As the next generation of broadband investment begins this decade, let's learn from those past mistakes and test our investment in gigabit networks in rural America.

I thank Chairwoman STABENOW for working with me since the committee first started on this amendment and for her commitment to improve the quality of life for rural America, and I thank those Senators—both Republicans and Democrats—who have supported me. Most importantly, rural America supports it.

Mr. President, I yield the floor and suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, as we look forward to a difficult and yet overdue debate about immigration, I wanted to share my thoughts on the legislation. I want to speak about the committee process as well as the substance of the bill before us. I also want to share my personal experience from the 1980s and how we can learn from history. Finally, I want to express my hope for what I think the bill should look like before it leaves the Senate.

I do not know of any Senator who says the status quo is the way it ought to be. In other words, this issue being on the floor of the Senate is very appropriate. But while we are here, we need to concentrate on getting immigration right for the long term. In 1986, the last time we had major legislation going to the President, I was there. I lived it. I voted for it.

I acknowledge that what we did in 1986, we got it wrong. We cannot afford to make the same mistakes of yesterday. From our national security to our economic security, too much is at stake. So do not repeat 1986. See that the borders are absolutely secure. No excuses from that point. No exceptions on that point.

Now, we are a nation of immigrants, but we are also a nation of laws. It is my solemn responsibility to respect the law and ensure that law is upheld. Do it the right way, not the easy way. Take what time is necessary to get it right. We know what works in Congress and what does not work. I think if we look back at health care reform as an example, we know that we did it in too hurried a way and, consequently, questions about carrying out that legislation now are legitimate points of discussion.

Earlier in the year when a bipartisan group of eight Senators released their framework for reform, I was optimistic that the authors were going to produce legislation that lived up to the promises. In their framework they stated:

We will ensure that this is a successful permanent reform to our immigration system that will not need to be revisited.

Without a doubt this is a goal we should all strive for. We must find a long-term solution to fixing our broken system. So I was encouraged. The authors, in the framework released to the public before bill language was available, said the bill would "provide a tough, fair, practical road map to address the status of unauthorized immigrants in the United States contingent upon our success in securing our borders and addressing visa overstays."

Who can argue with that point? That is exactly what we all believe a piece of legislation should do. At the time this bill was put forward and the framework was put forward, I reserved judgment until I saw the details of their proposal. I thought the framework held hope, but I realized the assurances that the Group of 8 made did not really translate when the bill language emerged. It seems as though the rhetoric was spot on, but the details were dubious.

This is what was professed by the authors: that the borders would be secured and that the people would earn their legal status. That was not what the bill actually did. The bill, as drafted, is legalization first, border secured later, and tracking visa overstays later, if at all.

In 1981, when I was a freshman Senator, I joined the Judiciary Committee and was active in the subcommittee process. We sat down and wrote legislation. We had 150 hours of hearings, 300 witnesses before we marked up a bill in May 1982. Hundreds of more hours and dozens more hearings would take place before the 1986 passage.

This year we had 6 days of hearings. We spent 18 hours and 10 minutes listening to outside witnesses. We had a hearing on the "needs of women and children," another hearing focused on "building an immigration system worthy of American values."

The Judiciary Committee received the bipartisan bill at 2:24 a.m. on April 17. We held hearings on April 19, 22, and 23. We heard from 26 witnesses in 3 days. We heard from the head of the Immigration and Customs Enforcement agency union. We heard from economists and employers, law enforcement and lawyers, to professors and advocacy groups. We even heard from people who are undocumented, proving that only in America would we allow someone not right with the law to be heard by the American people.

One of the witnesses was Homeland Security Secretary Napolitano. We attempted to learn about how the bill would affect the functions of the executive branch and whether she saw the same flaws many of us were finding. Unfortunately, we have not received responses from Secretary Napolitano to the questions that we raised at her hearing on April 23. We should have the benefit of hearing from the Secretary as to certain questions that were raised about this legislation, particularly when it comes from somebody in the executive branch who has to enforce what is laid before her.

After those hearings the committee was poised to consider the bill through a markup process. Our side of the aisle made it clear that we needed to have an open and transparent process, so we started work on May 9. We held five all-day sessions where Members were able to raise questions, voice concerns, and offer amendments. Hundreds of amendments were filed. I alone filed 77 amendments. Of those, I offered 37. Of those 37, 12 were accepted, 25 were rejected.

Those on the other side of the aisle will boast that many Republican amendments were adopted in committee. They are somewhat right. However, only 13 of 78 Republican amendments offered were agreed to; 7 of those were from members of the Group of 8. But get this: Of the 62 Democratic amendments proposed, only 1 of those 62 amendments was rejected, and even that one was just narrowly rejected.

Commonsense amendments offering real solutions were repeatedly rejected. Those that were accepted made some necessary improvements. But get this: The core provisions of the bill remain



the same coming out of committee as they were introduced into the committee.

I respect the process we had in committee. Chairman LEAHY deserves thanks from all of us on the committee because he promised an open, fair, and transparent process. Quite frankly, it was. It is a good format for what needs to take place on the floor of the Senate if the legislation that is finally voted upon is going to have credibility.

In that committee we had a good discussion and debate on how to improve the bill. It was a productive conversation focused on getting immigration reform right in the long term. Yet I was disappointed that alliances were made to ensure that nothing passed that would make substantial changes or improvements in the bill. Many of those people gave high praise to the amendments being offered but continued to vote against them.

I have often spoke about the 1986 legislation and how that law failed the American people. Now 99 other Senators are probably going to get sick of me reminding them of my presence there in 1986 and saying that we screwed up, because at that time promises were made and those promises were not kept. We said it was a one-time fix, just like the Group of 8 said they have a one-time fix. But that one-time fix did nothing to solve the problem.

In fact, it only made matters worse and encouraged illegality. People came forward for legal status, but many more illegally entered or overstayed their welcome to get the same benefits and chance at citizenship. The 1986 bill was supposed to be a three-legged stool: control undocumented immigration, a legalization program, and reform of legal immigration.

We authorized \$422 million to carry out the requirements of the bill and even created a special fund for States to get reimbursed their costs. The 1986 bill included a legalization program for two categories of people: one for individuals who have been present in the United States since 1982, and the second for farm workers who have worked in agriculture for at least 90 days prior to enactment. A total of 2.7 million people were legalized. We also had enforcement in that 1986 legislation.

For the first time ever we made it illegal to knowingly hire or employ someone who was here undocumented. We set penalties to deter the hiring of people here undocumented. We wrote in the bill that "one essential element of immigration control is an increase in the Border Patrol and other inspection enforcement activities of the Immigration and Nationalization Service in order to prevent and to deter the illegal entry of aliens into the United States and in violation of the terms of their entry."

Unfortunately, the same principles from 1986 are being discussed today: le-

galize now, enforce later. But it is clear that philosophy does not work. Proof of that is it did not work in 1986. So proponents of legalization today argue we did not get it right in 1986. How true they are. I agree the enforcement mechanisms in 1986 could have been stronger. There was no commitment to enforcing the law or making sure we protected every mile of our border.

Knowing what I know now, an immigration bill must ensure that we secure the border first. Legalization should only happen when the American people have faith in the system. There needs to be a commitment to enforce the laws on the books, and, as important, there needs to be a legal avenue that allows people to enter and stay legally in the country.

Now, if you want to know how important securing the border is, just come to my townhall meetings in Iowa. So far I have been in 73 of our 99 counties. When immigration comes up and I talk about legislation, there are outbursts that we do not need more laws; why do we not just enforce the laws that are on the books—things such as "bring the troops home." "Put them down on the border." "Then we won't have a problem." Unfortunately, the bill before us repeats our past mistakes and does very little to deliver more than the same promises we made in 1986, which promises turned out to be empty. Instead of looking to the past for guidance on what to do in the future, the bill before us incorporates the mistakes of the past and, in some cases, even weakens the laws we currently have.

Those of us who are complaining, as I have just complained, have a responsibility to put a proposal before this body that will correct those things we think are a repeat of the mistakes of 1986, and we will do this.

To further explain this bill, the bill ensures that the executive branch, not the Congress or the American people through their Congress, has the sole power to control the situation. First, the bill provides hundreds of waivers and broad delegation of authority. Two, the Secretary may define terms as she sees fit. In many cases, the discretion is unreviewable, both by the American people and by other branches of government. Can you believe that? Unreviewable.

The bill undermines Congress's responsibility to legislate, and it weakens our ability to conduct oversight. We should learn a lot of lessons from past legislation. We should be doing more legislating and less delegating. Think of the recent things that have come out that the IRS has too much power.

In health care reform, there are 1,963 delegations of authority to the Secretary to write regulations. You might think you understand a 2,700-page piece of legislation that the President signed

4 years ago, but you aren't going to know what that legislation actually does until those 1,963 regulations are written. I think we are waking up to the fact that we delegated too much and legislated too little. We shouldn't be making that same mistake with this piece of legislation and, as it is written, we are making that mistake.

I wouldn't have such strong resentment about this issue if I knew I could have faith in this administration or any future administration. By the time this thing gets down the road, that is going to be a future administration to actually enforce the law.

Show me the evidence. The President and the administration have curtailed enforcement programs. It claims record deportations, but then what does the President say? He turns around and he says the statistics are—and this is his word—"deceptive."

The Secretary says the border is more secure than ever before, but she denounced any notion of securing the border before people here who were undocumented were given legal status. The administration implemented the DREAM Act by executive fiat, saying Congress refused to pass a bill so it decided to do something on its accord. It did that 1 year after the President told a group of people he didn't have the authority to do it. They provided no legal justification for the actions and very few answers about how they were implementing the directive.

The refusal of any executive branch of government, whether it is Republican or Democratic, to refuse accountability raises a lot of questions. They refuse to be transparent and forthcoming with Congress on almost every matter.

When this bill was introduced, I had to question whether the promise for border security 10 years down the road would ever be fulfilled. No one disputes that this bill is what I have said already, a bill that legalizes first and enforces later. That is the core problem. That is a core problem from the standpoint of everybody who is going to tell us on this floor and during these weeks of debate that immigration reform is overwhelmingly popular. I am not going to dispute that.

Understand that there are very many things that are caveats in a poll. No. 1 is that we ought to have border security. The core problem is that enforcement comes after legalization, a core problem, and the main reason I could not support it out of the Judiciary Committee. It is the main reason. It is unacceptable to me, and it is unacceptable to the American people.

The sponsors of this bill disagree. If they would read their own legislation, they would realize this fact. Later in the week I will discuss an amendment I plan to offer to change this central flaw, but allow me to tell my colleagues who are not on the committee about this major objection I have.

We have millions of undocumented people in this country. Under this bill, Congress would give the Secretary of Homeland Security 6 months to produce two reports, one on border security strategy and the other on border fencing strategy. As soon as those two documents are sent to the Hill, just as soon as they come up here, the Secretary then has full authority to issue legal status, including work permits and travel documents, to millions of people who apply.

The result is the undocumented population receives what the bill calls registered provisional status after two plans are submitted. Registered provisional immigrant is RPI. RPI status is more than probation. RPI status is outright legalization.

After the Secretary notifies Congress that she believes her plan has been accomplished, newly legalized immigrants are given a path to obtain green cards and a special path to citizenship.

Without ensuring adequate border security or holding employers accountable, the cycle is destined to repeat itself. I used the committee process to attempt to strengthen border security. My amendment to fix the trigger so the Secretary would need to report to Congress on a fast-track system and show that the border was secured to get congressional approval before legalization would proceed was defeated. We used the committee process to try to track who was coming and going from our country. Amendments to require a biometric exit system at all ports of entry, which is current law, were defeated.

We tried to hold employers accountable and stop the magnet for illegal immigration. My amendment to speed up implementation of an employer verification system was defeated.

At the end of the day, the majority argued against securing the border for another decade. The triggers in the bill that kicked off legalization are ineffective and inefficient.

If we pass the bill as is, there will be no pressure on this administration, future administrations, or those in Congress to secure the border. There will be no push by the legalization advocates to get the job done.

This is what is so important about when does legalization take place, before the border is secure or after the border is secure. Once the plans are presented, there will never be any pressure from advocates for legalization, or anybody else who is interested in solving this problem, to push to get the job done.

Moreover, the bill gives Congress the sole discretion over border security, fencing strategy, and implementation of these strategies without any input from Congress.

We have a lot of questions. Will the Secretary, who believes the border is stronger than ever before, be willing to

make it even stronger? Will a Secretary who does not believe a biometric exit system is feasible ensure that a mandated system is put in place? Will a Secretary who does not believe anything should stand in the way of legalization ensure the triggers are achieved?

Proponents of the legislation claim it includes the single largest increase in immigration enforcement in American history. Proponents say mandatory electronic employment verification is a solution to future illegal immigration. It is concerning that the bill delays for years the implementation of a mandatory electronic employment verification through which 99.7 percent of all work-eligible employees are confirmed immediately today.

I will speak later in the days ahead about how this bill weakens current law, particularly laws on the books to deter criminal behavior. It concerns me greatly that the bill we are about to consider rolls back many criminal statutes, but also that there is nothing in the bill that enhances the cooperation between the Federal Government and State and local jurisdictions. In fact, it preempts State laws that are trying to enforce Federal laws currently in place.

We have a lot of work cut out for us. I know there are some who don't want to see a single change in this legislation.

For me, this bill falls short of what I want to see in strong immigration reform. The fact is we need real reform, not gimmicks that fail to fix the real problem and secure our border. We need to be fair to millions of people who came here the legal way, not bias the system in favor of those who sneaked in through the back door. We need a bill that truly balances our national security with our economic security.

This is what we can do to improve the bill: I remain optimistic that on the floor we can vote on commonsense amendments that better the bill. Serious consideration will be given to amendments that strengthen our ability to remove criminal gang members, hold perpetrators of fraud and abuse accountable, and prevent the weakening of criminal law. We must seriously consider how the bill works to the detriment of the American workers and find consensus around measures that require employers to regroup and hire from homegrown talent before looking abroad, but also improving the mechanism by which people can come here when they are needed. We must be willing to close loopholes in our asylum system, prevent criminals and evildoers from gaining immigration benefits, and ensure that we are improving our ability to protect the homeland.

I assure my colleagues I have an open mind on this legislation. I want immi-

gration reform. I want to get it right this time, not make the same mistakes I did in 1986. I want a bill I can support. To do that, I need to see a stronger commitment to border security. I need to know future lawbreakers won't be rewarded, and that there will be a deterrent for people who wish to enter or remain illegally in the country.

Basically and simply, I want the words of this bill to match the rhetoric of those proposing the plan. The bill sponsors want a product that can garner around 70 votes in the Senate. Doing so, they seem to think, would send a message to the House that they should rubberstamp a bill that passed the Senate and send that bill to the President. I don't think that is going to happen. The House is prepared to move on its own legislation.

There will be a conference, which is a rare occurrence around here, by the way. A conference of the two Houses will ensure that the bill benefits from various checks and balances that we worship through our Constitution.

I am not trying to jump ahead to the next step of the process, I am simply telling my colleagues this bill has a long way to go through the legislative process. It needs to change before it is accepted by the American people or sent to the President. If they are serious about getting this done, more compromises will be made.

Allow me to end by echoing the words of President Reagan:

Our objective is only to establish a reasonable, fair, orderly, and secure system of immigration into this country and not to discriminate in any way against particular nations or people. Future generations of Americans will be thankful for our efforts to humanely regain control of our borders and thereby preserve the value of one of the most sacred possessions of our people: American citizenship.

That was President Reagan.

The path we take in the days ahead will shape our country for years to come. It is my hope we can find a solution while learning from our mistakes and ensuring that future generations don't have to revisit this problem down the road.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, our current immigration system is a travesty. It is inefficient, uncompassionate, and dangerous. It doesn't serve America's economic or social interests, and it undermines respect for the rule of law and for our Democratic institutions.

Fundamental reform is both badly needed and long overdue. That is why I support immigration reform, and it is also why I initially joined a bipartisan group of Senators to try to find common ground on this issue. But it is also why I left that group and why today I must oppose the so-called Gang of 8 immigration bill.

At the outset of this debate, the gang promised a grand immigration bargain:

strict border security in exchange for a pathway to citizenship for approximately 11 million illegal immigrants already here. Even before the bill was introduced, gang members distributed talking points that lauded the bill's beefed-up security provisions, new visa reforms, and measures that would make the pathway to citizenship long and tough.

But once the gang produced actual legislation, and Senators, the media, and members of the public began to read the bill, it was clear the talking points did not reflect the reality of the legislation itself. After pointing out glaring discrepancies between claims about the bill and the actual text, Senators were told they would have an opportunity to make changes during the markup in the Judiciary Committee.

But the four gang members on the committee banded together as a block with Democrats to defeat virtually all substantive amendments proposed to the bill. Congressional approval of the border security plan? No. Improve interior enforcement and strengthen workplace verification? Rejected. Manage the flow of new legal immigrants? Failed. Limit access to some of America's most generous welfare programs? Blocked.

As a result, the bill that will come to the Senate floor this week is essentially the same huge, complex, unpredictable, expensive, and special interest-driven, big government boondoggle it was when it first came to the committee.

The bill does not secure the border, it doesn't build a fence, and it doesn't create a workable biometric entry-exit system for immigrants to this country. What standards and benchmarks it does set, the bill simultaneously grants the Secretary of Homeland Security broad discretion to waive. It will, however, immediately legalize millions of currently illegal immigrants, make them eligible for government services, and put them on a pathway to citizenship.

Many critics compare the gang bill to the failed 1986 immigration law, which, similar to this one, also promised border security in exchange for amnesty but did not deliver on its promises. But the gang bill actually reminds me of a more recent piece of legislation: ObamaCare. Similar to the President's health care law, the gang bill was negotiated in secret by insiders and special interests who then essentially offered it to Congress as a single take-it-or-leave-it proposition.

The bill grants broad new powers to the same executive branch that is mired in scandal for incompetence and abuse of power. Total cost estimates are in the trillions, according to some. Rather than fix our current immigration problems, the bill makes many of them worse. However well-intentioned, the Gang of 8 bill is just an immigration version of ObamaCare.

That is why true immigration reform must be pursued on a step-by-step basis, with individual reform measures implemented and verified in the proper sequence. Happily for immigration reformers such as I, this appears to be the approach being pursued in the House of Representatives. It is the only one that makes sense.

First, let's secure the border. Let us set up a workable entry-exit system and create a reliable employment verification system, one that protects immigrants, citizens and businesses alike from bureaucratic mistakes. Then let's fix our legal immigration system to make sure we are letting in the immigrants our economy needs in the numbers that make sense for our country.

Once these and other tasks—which are plenty big in and of themselves—are completed to the satisfaction of the American people, then we can address the needs of current undocumented workers with justice, compassion, and sensitivity.

Since the beginning of this year, more than 40 immigration-related bills have been introduced in Congress between the House and the Senate. By a rough count, I could support more than half of them, eight of which have Republican and Democratic cosponsors. We should not risk forward progress on these other bipartisan reforms just because we are unable to iron out each of the more contentious issues.

The Gang of 8 bill is not immigration reform. It is big government dysfunction. It is an immigration version of ObamaCare. All advocates of true immigration reform, advocates on both the left and the right side of the aisle, should therefore oppose it.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, this week we begin a historic debate. For the first time in 25 years we will actively debate the comprehensive reform of America's immigration laws.

I will be the first to admit that I come to this debate with a prejudice, with a bias. Similar to many Americans, I am the child of an immigrant.

In 1911, 102 years ago, my grandmother came to this country with three little children. One of those children was my mother. She was 2 years old when she arrived in America, in Baltimore. My grandmother didn't speak a word of English, but somehow she managed to get my mom and my aunt and uncle on the Baltimore and Ohio Railroad train to St. Louis, MO. They were on their way to East St. Louis, IL, to meet my grandfather.

Just one floor and a few steps away is my desk for the majority whip office. Behind my desk is a naturalization certificate from my mother. I keep it as a reminder of who I am and where I came from and the fact that the Durbin family—and in her case the Kutkaite family—were immigrants to this country. I am sure my grandmother never imagined that one of her grandchildren would be standing here today representing the State of Illinois in the Senate of the United States. That is my story, that is my family's story, and it is America's story.

Perhaps it is partly because of this family history, but I believe immigration is the defining positive force in America.

How can you tell when a country is in decline, when immigrants stop wanting to come to it. Many other developed countries have had this experience. They have watched their economies decline and fail. That has never been the experience in America. Look at our history. Every generation, immigrants coming to our shores from around the world have made us stronger. Immigrants do not take away. They add to society. They are hard-working men and women with the courage to leave everything behind and to come and try to build a new and better life for themselves and their children. Every succeeding wave of immigrants, every generation of immigrants brings new life to America.

But today our immigration system is broken and doesn't reflect our heritage as a nation of immigrants. There are millions of undocumented immigrants in our country who want to be full-fledged Americans. They have strong family values. They contribute to our economy and take some of the hardest jobs in our Nation. But under current law there is no way for many of them to even get in line to be legalized. We can't turn our backs on the people who are already in this Nation, already yearning to be officially part of the American family.

They sit next to us in church. Their kids go to school with our kids and grandkids. They are the ones who serve our food at the restaurants and clean up the tables afterward. They clean our homes. They care for our kids and grandkids and they care for our elderly parents and grandparents.

When I first came to the Senate in 1997, I got a surprise phone call from Ted Kennedy. I was still pinching myself, thinking I am going to serve in the same place as Ted Kennedy. He said: I have a request for you, DICK. I would like you to be a member of my Immigration Subcommittee on Senate Judiciary. He was the chairman. I accepted his invitation.

I had sat in that gallery and watched Senator Ted Kennedy and Senator Bobby Kennedy on the floor of the Senate. I was just a student at the time. I

thought, I am going to have a chance now to sit in the same committee room with this man and speak to the issue of immigration. I didn't think 16 years later I would be standing on the floor of the Senate, with Senator Kennedy gone, and we would still be struggling to fix America's broken immigration system. We have been through a lot in that period of time.

Twelve years ago I wrote a bill called the DREAM Act. That bill would allow immigrant students who came to the United States as children to earn their citizenship by attending college or serving in the military. I have been fighting to make that the law of the land. I have called it for a vote on the Senate floor. We have received majority votes, but I could never ever break the filibuster. I could never get the 60 votes I needed.

In the last decade, with the leadership of Senator Ted Kennedy and Senator JOHN MCCAIN, we have made serious efforts to pass comprehensive immigration reform legislation, but we have always fallen short.

Prior to this particular debate, I can recall sitting in a room right off the Senate floor with another young Senator named Barack Obama working on immigration reform. It has been our challenge. Now the Senate is going to take up this issue again this week. This is the best chance we have had in 25 years to finally get this job done.

Six months ago I sat down for the first time with seven other Senators, four Republicans and three other Democrats. On my side of the table: CHUCK SCHUMER of New York, chairman of the Immigration Subcommittee; Senator BOB MENENDEZ, a leader with the Congressional Hispanic Caucus; and Senator MICHAEL BENNET of Colorado, who knows this issue firsthand from his State; on the other side of the table, JOHN MCCAIN; Senator MARCO RUBIO of Florida; Senator LINDSEY GRAHAM of South Carolina; and JEFF FLAKE of Arizona. They started calling us the Gang of 8. I have been in so many gangs around here, I think I need to get some tattoos, but I am not likely to do that. But these gangs are constructive efforts to solve problems.

This is a diverse group. Think about sitting across the table from MCCAIN, RUBIO, GRAHAM, and FLAKE. There sits SCHUMER, DURBIN, MENENDEZ, and BENNET—a lot of differences. But what brought us together was the realization that if we couldn't reach an agreement, neither would the Senate. If we couldn't bridge the differences between Democrats and Republicans, conservatives and others in our negotiations, the Senate never would.

We set out to get the job done. Several times I wasn't sure if we were going to be successful.

The Republicans had a bottom line. They wanted strong measures to secure our border with Mexico and to prevent

future illegal immigration. We had a bottom line on our side of the table, too: a tough but fair path to citizenship offered to 11 million undocumented immigrants. We met for 4 months. We met 24 times, long and difficult sessions. A couple of those sessions I thought were the last ones, we would not be back another day, but we returned. We made concessions. Everybody gave a little. At the end of the day we reached an agreement.

We announced in January our set of principles and then we started the hardest part, drafting the actual legislation. By the middle of April we finally had a bill almost 850 pages, if I am not mistaken. It is here now. I probably ought to take a look and make sure I got the page numbers correct. This version is a lot longer because it is the committee substitute, but it is more than 850 pages.

We heard testimony in the Senate Judiciary Committee from dozens of witnesses, supporters, and opponents. Then in May we sat down for a markup, which is where we actually amend the bill. I have been a member of the Judiciary Committee for 15 years and I have never been through a markup like that. Senator PAT LEAHY of Vermont, President pro tempore of the Senate, chairman of the Senate Judiciary Committee, pledged he would make this markup open and fair to both sides—and he did. It took us 3 weeks. We met 5 times for a total of 37 hours on this bill. More than 300 amendments were offered. We debated and voted on 212 of them, including 112 by Republicans and 100 by Democrats. Mr. President, 136 amendments, or changes, were adopted and all but 3 of those 136 passed with a bipartisan vote. The spirit of bipartisanship was in the Senate Judiciary Committee as it was in our meetings leading up to it.

Finally came the vote for reporting the bill out of committee. It was one of those historic moments which no Senator present will ever forget. When Chairman LEAHY announced the 13-to-5 vote in favor of this measure, the room erupted in applause and cheers. People stood up at their seats and came up and embraced one another, realizing we had just made history.

Let me go through the basics of the bill. First, our bill will secure the border and stop future illegal immigration. The border of the United States today is safer and stronger than it has ever been in 40 years. We have invested billions of dollars. We have doubled the number of Federal personnel working on the border, monitoring the coming and going of people across that border every single day. We have reached a level of competence and security we never dreamed of. Now we are going to do more. We have promised the Republicans at the table we will secure that border with even more technology and more investment.

Each year we spend about \$18 billion policing the border between the United States and Mexico—\$18 billion. That is more than the combined expenditures for all of the Federal law enforcement agencies—FBI, Secret Service, Drug Enforcement Administration, Alcohol, Tobacco, Firearms, and U.S. Marshals Office. We spend more than that each year on the border and now we will invest even more.

For those who argue we are not serious about border protection, believe me, we are. The investments will be made with the very best technology, with the advice and cooperation of the States affected by these decisions, to make that border as safe as humanly possible. We have made amazing progress.

We can do more. The Border Patrol agents, over 20,000 of them at work today, are better staffed than at any time in the 88-year history of that agency. The Department of Homeland Security has completed 651 miles of border fencing out of the 652 miles mandated by Congress. I was a skeptic when they said they would put fences on the border. I really was. My belief was if you build a 10-foot fence it was an invitation for a 12-foot ladder, and my belief was they could easily overcome it. They put fences in places where they could work and they put other devices in places where fences won't work. Significant results have been shown. Cities on the southern border are among the safest in the country. Violent crimes in the border States have dropped an average of over 40 percent over the past 20 years and the top 4 big cities in America with the lowest rates of violent crime are all in border States: San Diego, Phoenix, El Paso, Austin.

Our bill will do more. We set a clear, tough target for border security. The bill requires the Border Patrol to have 100-percent persistent surveillance of the southwest border. In other words, the Border Patrol will have to be able to see in real time every single person who crosses that southwest border illegally. We also required a 90-percent effectiveness rate for southwest border sectors. In other words, the Border Patrol will have to stop 90 percent of all people who attempt to enter the country illegally in each border sector. It requires the Department of Homeland Security to create a southern border security plan and a southern border fencing strategy within 6 months after the bill is passed. The border security plan will spell out the personnel, infrastructure, and technology necessary to achieve this 90-percent effectiveness rate.

The bill approves \$3 billion for this border plan, \$1.5 billion more for a fencing strategy. If the Department of Homeland Security does not reach 90 percent effectiveness within 5 years, the Border Commission, made up of

southwestern State officials and bipartisan Presidential and congressional appointees, is empowered to employ additional steps to secure the border. Our bill appropriates up to \$2 billion in additional spending, if necessary, for those measures. Anyone who takes a look at this—and you will hear many of the critics in the next few weeks say “they are just not serious about the border”—believe me, we are. We have been. We continue to be. We put the resources on the table, with the cooperation of the States bordering Mexico, to make sure we have done absolutely everything within our human capability to keep that border safe and strong and secure.

Of course, improving border security overlooks one very obvious weakness: Forty percent of the undocumented immigrants in the United States did not cross the border illegally. They came into the United States legally on visas: students, visitors. Similar visas were given to them and they overstayed. They were supposed to come to go to college and they stayed after college. They were supposed to come for a vacation or family event and they overstayed their visas, so 40 percent of the undocumented people overstayed their visas. We address that.

This bill requires the electronic tracking of people who enter and exit America. We require, in this bill, that all visas, passports, and other travel documents for immigrants who are entering or exiting the United States be in the form of a machine-readable document which can be scanned as they enter and leave the country so we will know who is coming and going. The bill mandates this machine-readable system be interoperable with the databases that are used by Federal immigration and law enforcement agencies and the intelligence community. We are trying to integrate all of this information about people coming and going and living in this country, to make us safer and make the system work.

This gives the authorities real-time access to information to connect the dots across law enforcement data bases, including the FBI fingerprint check, name check, and the NCIC list. The new machine-readable entry-exit system will access this information when determining whether to issue a visa or deny entry.

I say to those observing this debate, when you hear just the two things I have mentioned, you have to say this bill, S. 744, is going to make America safer. The border is going to be stronger. We are going to know who is coming and going in America.

And there is more. We also need to address the job magnet that brings illegal, undocumented people into the United States. We need to make it more difficult to hire undocumented people. Our bill does it. We require all employers to use a mandatory elec-

tronic employment verification system to verify the employees are legal. Job applicants would have to show identifying documents such as a U.S. passport, drivers license, or biometric work authorization card that includes photo identification. The employer in any business, in any town across America, with access to a computer goes to the E-Verify system, enters the vital information about the person sitting across the table, pushes the button and waits to see if the photo that comes across the computer screen is the same photo as the one that has been presented. There is the verification. The employment can continue to go forward.

Our bill will reform our legal immigration system to strengthen our economy, our families, and our workers. We need to ensure that families who have been separated for many years can be finally reunited. Employers should be given a chance to hire an immigrant worker when truly needed, but first—and I insisted on this throughout—we require that you have to offer the job to an American before you bring in a foreign worker.

Our first obligation, whatever State we represent, is to the people we represent, particularly those who are out of work. This bill requires when there is a job opening, before you can offer it to a foreign worker you must offer it to an American. Maybe they cannot fill the job. Maybe they do not have the qualifications. Maybe you need some specialty. Then you can go forward under specific conditions here, with limitations, in hiring that foreign worker.

We have been told by the business community, especially high tech, that there is a need for more high-skilled workers in our country. Last week I went to the Illinois Institute of Technology in Chicago. There was an incubator there. In small suites of offices, amazing things are underway. Some of them I cannot even explain to you. I am a liberal arts lawyer, OK? The closest I ever got to real science was political science and that doesn't count. I tried to listen and absorb as much as I could about what they were doing at this fabulous institution. Some of the things they are doing there are dramatically reducing the cost of producing biological vaccines and medicines—medicines that are used, for example, in cancer therapy—to cut the cost in half. They have been experimenting on new ways to do that.

I met a young man named Bo Sung, from China. The man who was introducing us was from India himself and he was the head of the project. He said: “This young man came to the Illinois Institute of Technology, and to Chicago, to get an advanced degree. He is possibly,” he said, “the smartest student I have ever had in any class—straight As in China, learned English and came here to learn more.” He is

working on this project. I got to meet him. He was kind of shy, friendly, in a way, standing off to the side. They brought him over.

I said to him: Let me ask you, Mr. Sung, would you be interested in staying in the United States and developing this project?

He said: If I could, I would.

Here was a man, brought for education in the United States, who will soon be given a choice to go back to China or to stay in the United States. His preference was to stay here. We require in this bill that if you have an advanced degree in STEM subjects—science, technology, engineering, and math—an advanced degree, and you have a job offer, that you be offered a green card. A green card is a path to legalization and citizenship. I think that is a smart thing to do.

I can recall attending the graduation at the same school a few years back where it seemed every advanced degree was going to someone from India or South Asia. I thought to myself: What a sad situation. We are handing them advanced degrees, which they earned in the United States at the best schools, and we are handing them a map on how to find their way back to O'Hare and leave.

This is a better approach. If there is a job offer, we need to keep this talent in America. It will not just employ that person, it will employ many others who can work for the companies they are going to help. Employers, under our bill, will be given a chance to hire temporary foreign workers when they truly need them, after they have tried to recruit Americans for the same jobs. We also require that any employer who hires a foreign worker must pay a fee to be set aside for a fund to help train Americans.

Let's put the cards on the table here. If you go to the graduation ceremonies at these schools, the best engineering schools in America, you will find a majority of foreign students. That is the reality today. So let's change the reality. Let's take the fees we will collect when these foreign workers, trained in the United States, are brought here to work—take the fees and create, as we do in this bill, scholarships and college funds for American engineering students. Let's grow our own in this country. Let's make sure we have young people coming out of our high schools and colleges who are prepared to get advanced degrees who are from America. There is nothing wrong with that. That is our first obligation, and this bill will do that.

In Illinois, more than 40 percent of the students who earned master's or doctoral degrees in a STEM field are temporary nonimmigrants.

In 2011, almost 2,700 specialists in advanced fields such as computer science, programming, and biomedicine who earned degrees in Illinois could not obtain visas upon their graduation. Yet

in Illinois alone we will need 320,000 STEM graduates in the next 5 years.

It makes no sense. They are trained at the best schools in Illinois, we need them in Illinois, and then we tell them to leave?

It makes no sense.

Our bill allows employers to sponsor for a green card any student who graduates from a U.S. school with an advanced degree in STEM fields if they will be working in a STEM job. We also have a significant increase in H-1B visas for skilled workers. We now have a limit of about 65,000 H-1B visas a year. It can go up to 115,000, depending on the supply and demand, and even as high as 180,000.

For the first time employers will be required to post the job on the Department of Labor Web site for 30 days before they hire a foreign worker, which goes back to the point I made earlier—first, the job is offered to an American.

Under current law, employers are permitted to pay H-1B visa holders substandard wages. We changed it. We raised the wages to be paid to the H-1B workers. We don't want to create the incentive to bring in low-wage foreign workers. We want a good wage to be offered to an American first.

We also take important steps to crack down on the biggest abuse of H-1B visas—outsourcing of American jobs. When most people think of H-1B visas, which are visas to bring in professionals, most people think of high-tech companies such as Microsoft and Google hiring engineers they need and paying them top dollar. The reality today is dramatically different.

In fiscal year 2012 all of the top 10 H-1B visa applicants were outsourcing foreign firms. These 10 companies used 40 percent of all the H-1B visas. Under current law employers can legally use the H-1B visa program for outsourcing. We changed it. We phased out the abuse of the H-1B system so that those using the H-1B program will be actually hiring the employees they need.

One of the items in this bill near and dear to all of us—certainly on our side of the table—is a path to citizenship.

During the last Presidential campaign one of the candidates on the other side advocated what he called self-deportation—that is the phrase he used—of undocumented immigrants who are currently living in our country, to leave. He was basically forcing undocumented people to leave.

It wouldn't work, it is impractical, and I think it is fundamentally wrong. Instead, we need a fair and firm solution strengthening our national security and our economy that is true to our heritage as a nation of immigrants. Our legislation creates a tough but fair path to citizenship.

What it boils down to is we need to say to the 11 million undocumented people in America: If you can prove you were here continuously before De-

cember 31, 2011, you have a chance to step forward, register with the government, and submit yourself to a background check. If there is a serious problem with your criminal background, you are finished. Leave. You cannot become a citizen. But if there is not, you can pay your taxes, pay a fine, live legally in America, work legally in America, travel, and come back into this country, and work towards citizenship over time.

It is a long process. They will be monitored. They will be forced to learn English to make sure they and their children can be part of America and its future. We would do this over a 13-year period of time. What we have today is de facto amnesty. We have 11 million undocumented people, and we don't have a law to apply—at least not one that is enforced on a regular basis. Our new law, if passed, will create a level playing field.

According to the Center for American Progress, if our bill becomes law, undocumented immigrants will increase their earnings by 15 percent over 5 years, leading to \$832 billion in economic growth and \$109 billion in tax revenue over the next 10 years. It also will create an estimated 121,000 jobs.

I have sat down with workers, particularly union workers, in my State. They say: Senator, what are you doing to us? You are bringing in all of these people who will now be competing with us in the workplace.

I asked them to stop for a moment and reflect on the following: These undocumented workers are competing with them today. We can find a brick layer, a plumber, somebody who can put on a roof in virtually any major city in America, and many of those folks are undocumented. In many cases they are getting paid many times less than a minimum wage, and they are competing with other workers legally here in America. We change all of that. They come forward, identify themselves, and they are bound by the laws of this country. It is going to help them ultimately, but it helps workers in general so they are not facing this unfair competitive advantage.

I see Senator CORNYN is here, and I want to give him a chance to say a few words. But first I want to close by speaking about two things before I do.

At the beginning I mentioned that 12 years ago I introduced the DREAM Act. The DREAM Act was a response to a call to my office in Chicago. There was a young girl in the city of Chicago who came to that city from Korea through Brazil. Her mother and father brought her into Chicago with her brother and sister, and they were very poor.

Her father wanted to be a minister and have a church. He never realized that dream, and he stayed at home and prayed for that dream every day. Her mother finally said: Somebody has to

earn some money. So she went to work at a local dry cleaners.

Well, the kids were raised in a one-room efficiency with hammocks so they could sleep, get by with what little they had, and it was a pretty desperate circumstance. This young woman, whose name is Tereza Lee, had to basically go to school and look through the wastebasket after lunch to find food that other kids had thrown away so she could eat. That is how desperate she was.

Somewhere along the way she was invited to become part of the Merit Music Program. What a wonderful program. About 10 years ago a woman in Chicago said: As my legacy, I want to create the Merit Music Program which offers free musical instruments and musical instruction to the poorest students in our public schools. It has worked miracles. One hundred percent of the kids in the Merit Music Program go to college. Well, Tereza Lee was one of them.

It turned out Tereza Lee was an accomplished music student who learned the piano. They finally gave her a key to the Merit Music Program building because it was warm, and she liked to stay there late at night and play the piano. She got so good they said: You have to apply to the Juilliard School of Music and the Manhattan School of Music in New York.

She got the papers—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. Mr. President, I ask for 4 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. She had the application to fill out, and it asked for her citizenship and nationality. At that point, she turned to her mom and said: What should I put there?

Her mom said: I don't know. When we brought you here, you were on a visitor's visa, but we never filed any more papers.

Tereza said: What are we going to do?

Her mom said: Let's call Senator DURBIN.

They called my office, and we checked the law. The law was not very kind to a young person in that circumstance. It said she had to leave America immediately and stay away for 10 years and apply to come back.

She was 17 years old. It didn't make any sense. She didn't do anything wrong. She was brought here as a baby.

I introduced the DREAM Act. The DREAM Act said young people who came to the United States under the same circumstance as Tereza and were brought here before the age of 16, finished high school, had no serious criminal issues, and could finish at least 2 years of college or enlist in the military would have a chance for citizenship. I have been trying to pass that ever since.

These DREAMers, which they now call themselves, have started stepping forward and telling their stories. They are in some peril when they do this, but they want America to know who they are. Some of them have amazing stories to tell.

I will tell two stories very quickly. This is Alejandro Morales. He was brought to the United States from Mexico at the age of 7 months and raised in Chicago. His dream was to become a U.S. marine. He enrolled in the Marine Math and Science Academy in Chicago and excelled in school in the Young Marines Program. He eventually rose to become the City Corps staff commander, the highest ranking cadet of 11,000 junior ROTC students in Chicago.

In a letter he wrote to me he said:

I want to serve and fight to protect my country. I am an American; I know nothing but the United States.

Last week, in a sad, tragic, mean-spirited vote, the House of Representatives passed an amendment to deport DREAMers such as Alejandro. It is a shameless display of lack of understanding of this fine young man and thousands more just like him who want to be a part of America's future. Losing him will not make us any stronger.

Let me introduce another DREAMer. This is Issac Carbajal and his mother Victoria. Issac was brought to the United States from Mexico when he was 5 years old. They settled in the suburb of Portland, OR, and he went to high school there. A military recruiter told Issac he could have a promising career in the Armed Forces.

He sought the advice of a family friend, Dr. John Braddock. John and his wife Kim came to think of Issac as another son. Issac met the Braddock family shortly after arriving in this country.

In a letter to me John wrote that Issac "loved this country, his country." They both believed the recruiter who told Issac he could enlist in the military and apply for citizenship in 2 years.

In January 2011 when Issac went to San Diego to enlist in the military, he was immediately arrested, turned over to ICE, and deported to Tijuana the next day. He was dropped off alone in a country he had not seen in almost 15 years with no identification and nothing but \$18 in his pocket.

Now he is barred from returning to the United States for 10 years. He originally went to enlist in the military. Although it has been almost 2½ years since he has been deported, he still wants to come back and serve in the Armed Forces of the United States.

There are so many stories just like this of these DREAMers who want to make this a better Nation. The strongest DREAM Act provisions that have ever been crafted are included in this bill and agreed to on a bipartisan basis.

Let's pass this bill. Let's end this debate after a fulsome exchange of ideas and amendments. Let's end this debate with a strong bipartisan vote that says both Republicans and Democrats understand that this Nation of immigrants must renew its commitment to every generation to our heritage. We need to renew our commitment to those people in our families who had the courage to get up and come to this great Nation, face great sacrifice, and succeed and build what we call home: the United States of America.

Now it is our turn. Let's not only prove we can do the right thing for them and the heritage of this Nation, let's prove that every once in a while this great institution of the Senate can actually get some important work done.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Mr. President, we have been working on immigration reform ever since I came to the Senate about 10 years ago. I have sponsored legislation—most notably with the former Senator Jon Kyl in 2005—called the Comprehensive Border Security and Immigration Reform Act.

The legislation I have worked on since I have been in the Senate has dealt with virtually every aspect of the issues that immigration touches on—from high-skilled visas and guest worker programs to border security to enhancement of our ports of entry. The staffing at those ports of entry is important. It makes it possible for legitimate commerce and trade to go back and forth, most notably, with Mexico which shares 1,200 miles of common border with my State of Texas.

As a result of that bilateral exchange, 6 million jobs are created in the United States alone. I believe I have been involved in some of the toughest parts of the immigration debate, and as I have joked to my staff and family, I have the scars to prove it.

The truth is this is a new topic in many ways to so many Members of the Senate because 43 Senators have come to this Chamber since the last time we debated this topic in 2007. While the Senate Judiciary Committee has had the opportunity to vote on this important legislation, the rest of the body has not had a chance to weigh in and offer their contributions, hopefully, with an eye toward improving the bill and making it something of which we can be proud.

When I first read the bill produced by the so-called Gang of 8, I saw many improvements in our current broken immigration system. For example, the bill, as written by the Gang of 8 and now passed out of the Judiciary Committee, allowed more STEM graduates; that is, graduates from our colleges and universities with math, science, and engineering degrees, to gain admis-

sion to our country as legal permanent residents and eventually citizens. Further, I think the bill makes some improvements in terms of family unification. It brings families together who are split because of archaic and unworkable provisions in our immigration law. I think the bill also helps take an important step toward regaining the public's confidence.

The Federal Government is actually up to writing laws that can be enforced and will actually work as advertised. That is where the E-Verify provisions are so important. It makes sure employers only hire people who are legally eligible to work in this country. In that same vein, this bill as originally written would provide some enhanced penalties to employers who would game the system by evading legal workers and hiring people who cannot legally work in the United States.

All of these provisions enjoy broad bipartisan support. Yet, coming from a border State, as I said—one that shares 1,200 miles of common border with Mexico, through which the overwhelming majority of illegal immigration across our borders occurs—I believe there are dramatic improvements needed in this bill when it comes to securing America's borders and promoting public safety, and those cannot be disentangled from one another.

We know that the same border that allows somebody who wants to come into this country to work and have a better life—certainly something we can all understand and empathize with—also permits drug cartels and human traffickers to penetrate our borders and apply their dangerous trade.

We have also learned over time that our 2,000-mile southern border is very diverse. In other words, if a person is from California and their view is that the border of the San Diego area where they have double-fencing and mounted patrols, in essence, by the Border Patrol—that may well work to control the border in San Diego, but it may not work in Arizona or in Texas. As a matter of fact, we have seen dramatic improvements in Arizona. Two of the Members of the Gang of 8, Senator McCain and Senator Flake, have been very diligent in working on those issues in their State.

However, I must tell my colleagues that, coming from the State of Texas, where we have the longest extension of uncontrolled border in the country, there is a lot of work that needs to be done because of this diversity, and that is the spirit in which I intend to offer amendments to help improve border security and public safety.

Now, the bill grants permanent legal status to millions of undocumented immigrants as currently written without any guarantee of securing the border. How would that possibly be a good idea? In other words, there are many



Americans who, in their humanity and out of simple human compassion, understand that the 12 million or 11 million people who are currently undocumented or who are in illegal status in this country—they understand we are not going to do a massive deportation of those 12 million people. It is just not going to happen. What they would be willing to do is to accept a legal status for those individuals if they can be assured the immigration bill that is actually passed will work as advertised.

Those eligible for immediate legalization under the current bill would include those already deported immigrants as well as people who have been convicted of serious crimes such as domestic violence, child abuse, and drunk driving. How could that possibly be a good idea? We need to fix those provisions and fix the bill in the process.

Meanwhile, unfortunately, this bill also weakens current law with regard to people entering the country legally but failing to leave when their visa expires. This is the so-called biometric entry-exit system which has been the law of the land since 1996. When we wonder why people are skeptical about the Federal Government's commitment to actually enforce the law as written, exhibit A is this 1996 requirement for a biometric entry-exit system that has never been implemented. Visa overstays account for 40 percent of illegal immigration. Don't we want to fix that provision of the bill? Yes, we should, and, yes, we will if my amendment is adopted.

This bill also hides from law enforcement officials certain critical information necessary to detect fraud. One of the big problems with the 1986 amnesty that Ronald Reagan signed based on the premise that there would be enforcement and no need to ever provide another amnesty again, that this would actually be enforced, was that there was so much fraud associated with it because of the confidentiality requirements of the law. Those same mistakes have been repeated in the underlying bill, and that needs to be fixed.

My amendment—something we call the RESULTS amendment because we need not just new promises, we need actual results—fixes these problems.

First, it requires the Department of Homeland Security to gain complete situational awareness and full operational control of the Southwestern border, with "operational control" defined as at least a 90-percent apprehension rate of illegal border crossers. Ultimately, the goal needs to be not just focused on how many we apprehend but on deterrence. Law enforcement generally operates when people are deterred from violating the law because they fear being captured and the punishment that goes along with it. So that ultimately needs to be our goal, but it will never happen unless we cap-

ture at least 90 percent of the people who come across, thus sending the message that the American border is now secure.

My amendment would also require the use of a biometric exit system at all airports and seaports where Customs and Border Protection is currently deployed, and it requires national implementation of E-Verify. Again, that system will allow employers not to be the police but to have a simple and easy way to verify that the individuals who present themselves for employment at their place of business are legally qualified to work in the United States.

The biggest difference between my amendment and the underlying bill is that my amendment guarantees results, while the Gang of 8 proposal merely promises results.

I have to tell my colleagues that perhaps with all of the confluence of scandals occurring in Washington, DC, including the IRS debacle and the Health and Human Services Secretary shaking down and raising money from the very people she regulates, there is a lot of what I would call a confidence deficit in Washington, DC—particularly given Washington's abysmal record in enforcing our immigration laws. But it is important to distinguish between promises and results.

Remember, the Federal Government has promised to secure our border for the last quarter century, and the trail of broken promises, as I said, goes back to 1986 when Congress passed an amnesty program while assuring voters they would see results on border security and enforcement. As everyone knows, we got the amnesty but not the enforcement in 1986, and the underlying bill suffers the same problems. At the very least, we should try to learn from history and not repeat it. Unfortunately, the underlying bill fails to acknowledge those lessons we should have learned about steps we need to take in order to guarantee results rather than make repetitive promises we ultimately don't keep.

I understand why the American people don't trust Washington. I understand why they dismiss some border security promises as rhetoric. That is why my RESULTS amendment is so important and essential to accomplishing the goal of bipartisan immigration reform.

As I said, right now Congress and Washington have a major credibility problem. No one believes we are actually serious about actually securing the borders and stopping the hemorrhaging of humanity across our southern border into the United States, including not just people who want to work but people who are up to no good—the human traffickers and the drug dealers. I am afraid the Gang of 8 bill in its current form would make this problem worse. So I believe the

true poison pill would be the failure to take sensible measures by adopting amendments such as mine which are designed to actually solve the problem and guarantee results rather than ignore this important credibility gap Washington has.

As I said, we do not need promises, we need results, and that is what my amendment would provide. Instead of enacting so-called triggers that are just really talking points disguised as policy, it is time for us to adopt real triggers that condition the pathway to citizenship on Washington and the bureaucracy and Congress hand-in-hand working to make sure the law is enforced as written.

The majority leader reportedly, according to Politico, has somehow called my amendment a poison pill. We have heard that kind of language before. This is an effort designed to discourage those who would actually create a workable, results-driven immigration reform system from even offering their ideas. The irony is the majority leader hasn't even read my amendment because it hasn't been reduced to legislative language yet. He has prematurely called it a poison pill. In fact, the true poison pill would be failure to adopt such a sensible approach that would guarantee results so that when it goes to the House, we can see we are actually serious about delivering an immigration reform bill that functions as advertised and not just another series of hollow promises.

Strengthening border security and enhancing interior enforcement are not alternatives to fixing our broken immigration system; they are complements to the kinds of sensible reforms Members of both parties have endorsed. Indeed, the provisions of my amendment actually build on the framework created by the bipartisan Gang of 8 proposal. The difference is, again, that we don't just make the promises, we don't just require the issuance of a plan, we actually require metrics to measure success, and we hold the feet of Congress and the bureaucracy to the fire to make sure those metrics and those goals are actually achieved.

Even as we debate the most controversial issues, we should be doing everything possible to promote the type of legal immigration that benefits our society and our economy as well. It is with that spirit in mind that I will be introducing at a later time my RESULTS amendment, and I encourage my colleagues to take a look at it and join me in strengthening this underlying bill, making it more likely, not less likely, that we will actually pass a bill that will be taken up by the House of Representatives and eventually be presented to the President for his signature.

Madam President, I yield the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Alabama.

Mr. SESSIONS. Madam President, I wish to express my appreciation to the Senator from Texas. He is a superb member of the Judiciary Committee. He offered an amendment to this effect in the committee. I thought it should have passed. It would have helped with a flawed bill. But it was voted down. I know that he is working even harder now, and I know that whatever he proposes will be the kind of legislation that will strengthen this bill.

I share with the American people a deep frustration with the current failed operation of our immigration system and share some fundamental principles of immigration reform that have been expressed by the Gang of 8.

The Gang of 8 has said the current system is broken. I agree. But more accurately, we should say the current law and procedures are not being properly carried out and are resulting in monumental illegality in our country—something that is not worthy of a great nation.

The Gang of 8 says that we must toughen our approach to border security and that we can do better. They implicitly, even openly acknowledge that our government officials have a long history of failed border enforcement and that they cannot be reasonably trusted to enforce the law. So even when the American people plead with our government to do something about the illegality, for decades this government has failed to do so.

I agree that the gang has touched on something important. But the gang acknowledges, in effect, the governing class and the activists and special interests want amnesty, and these groups lack interest in or a will to sustain a policy of fair enforcement in the future. They say we have to guard against that, but that is what happened before. They acknowledge that. And I agree.

To ensure that amnesty does not take effect immediately, with only promised enforcement in the future—which never occurs, it seems, as happened in the 1986 amnesty bill—they have promised that they have triggers that ensure amnesty will not result unless enforcement occurs. That is the promise: We have triggers and we have mechanisms so that you cannot get amnesty unless enforcement occurs. We have a guarantee of that, and we will ensure that happens.

So I agree with the sentiment and this concern because we know what has been happening. I have been engaged in this debate since I have been in the Senate, but I do not agree their legislation comes close to fulfilling this promise. It just does not. That is the rub. The comprehensive immigration bill does not fix our failing system. The provisions, the faux triggers, the expression of interest in fencing, commissions, will work no better than current law. It will not end the illegality in the future.

So I will discuss some of the flaws in their plan today, but I want to make one thing clear. I think most Americans believe in immigration. I know they do. Most Americans are concerned about people who have been here a very long time and have had no real problems in their lives other than the immigration illegality, and they are prepared to reach out and do some compassionate things for them to give them a legal status that allows them to raise their families and their children who have become citizens. They are willing to do that, but they are concerned about the future.

Will we end up again, like in 1986, where a bill is passed that promises enforcement, but the amnesty occurs immediately, and then the promises in the future do not ever occur? What was Wimpy's line? "I will be glad to pay you tomorrow for a hamburger today." I am glad to say we will have amnesty tomorrow, but I want the enforcement today in concrete.

A recent Rasmussen poll explains how the people view this issue—actually it was within the last few days. By a 4-to-1 margin, people say the enforcement should come first. Yes, they are willing to be compassionate, willing to wrestle through a fair and decent way to treat people, but they do believe that enforcement should come first because we have not had it before.

On this point the instincts of our citizens are correct. Their compassion is real. Their respect for the rule of law is real. They know amnesty has an erosive, corrosive impact on the rule of law, and we have to be very diligent to ensure in the future that we are not creating the kind of events that erode our law even more. People are not biased. They approve of our system of 1 million people immigrating here every year, but they do want the system followed fairly.

The Gang of 8, in their public statements, seem to say that is what good policy should be. That is what they have been talking about. That is what they expect the American people to hear about their legislation. That is what they have promised them they are working on, and that has been produced and laid out here.

They say they, too, are upset about what is happening. They say their plan will end illegality in the future, and it is the toughest immigration law in history. One Senator of the gang in the committee said it was "tough as nails." Thus, without equivocation, they say we must have enforcement. But it is in the future, and we have a plan where you can sleep well at night and know it is going to happen.

So that is the fundamental test of where we are in this legislation. There are a lot of problems with the bill—a lot of very serious problems—and we will talk about them. But I think fundamentally the question is just: Have

our sponsors laid forth a strategy that will work?

Let's examine the key components of any system that is laid out, see how it deals with them. There are two ways to become an illegal resident of America. One is to come by visa, overstay that visa, and just not return home. Forty percent of the people here illegally came legally by visa, but they just refused to go back home at the time their visa expired. The other way is simply to cross the border illegally, and we have had that by the millions in recent years.

This legislation does not fix the enforcement defects of either one of those entry methods. I have studied this issue. It can be done. We can fix both of them. It is within our grasp. It is something we can accomplish, and I would like to see us do so.

Unfortunately, analysis of this bill shows we have a problem. First, the Gang of 8's written principles that they announced at the beginning of their discussions said the path to citizenship in their bill would be "contingent upon securing the borders and tracking whether legal immigrants have left the country when required."

So that is both areas: the failure to leave upon expiration of a visa and the illegal crossing of the border.

Senator RUBIO went so far as to say:

The process of legalization . . . none of that happens—None of that happens—until we have been able to certify that indeed the workplace security thing is in place, the visa tracking is in place, and there is some level of operational control of the border.

That was in January of this year.

Well, that is right. We should not be doing this until we can certify and we know we have this system under control.

But around the same time it was reported that Frank Sharry, the head of the pro-amnesty group, America's Voice, said Democratic Senators privately reassured amnesty advocates that the border commission—one of the so-called triggers—would not be constructed in a way that would hold up the amnesty process for too long. He said the Democrats cannot "allow the commission to have a real veto" over setting in motion the path to citizenship. He also noted that the Democrats see the commission as "something that gives the Republicans a talking point"—a talking point—to claim they are prioritizing tough enforcement, giving themselves cover to back a process that "won't stop people from getting citizenship."

In other words, the gang apparently seemed to be quite happy to allow people to go out and make these promises. But to the people who are actively engaged for amnesty, they said: Do not worry about it. It is not going to keep anybody from getting their full legality and eventually citizenship.

This should be a concern because the American people are unhappy with

their government. The American people have asked for a lawful system of immigration for 30 years, and the Congress has refused to do so. They have passed laws that they have said will work and never have had them effectively carried out, never effectively ending the illegality, and the American people are unhappy about it.

I have suggested Mr. Sharry's statement is a good indication that the people who are behind this bill—particularly the staff and special interests and lawyers who have come together from all kinds of groups to help write the bill—do not care about enforcement in the future. All they care about is what they want today. That is letting the cat out of the bag, and the American people need to be very nervous about it. They have every right to be because I will talk about the history of some of the things that have been happening, and it should make every American concerned.

Shortly before the bill was introduced, the lead sponsor, Senator SCHUMER, frankly and openly—this is after the initial comments—openly on “Meet the Press” said this:

First, people will be legalized. . . . Then we'll make sure the border is secure.

It is undisputed that the bill will provide amnesty first without a single border security or enforcement measure ever having to be put in place.

On Sunday, in an interview with Univision, Senator RUBIO said:

First comes legalization, then comes this border security measure and then comes the permanent residency process. What we are talking about here is the permanent residency system. Regarding legalization, a vast majority of my colleagues have already accepted that: that it must take place and that it must start at the same time we start with what has to do with security. That is not conditional. Legalization is not conditional.

What he is saying is that there is no condition in this bill—no requirement of any security to be achieved before the legalization occurs. The legalization occurs without condition, and then it is just a mere promise in the future to effectuate a legal system that we have not done for the last 30 years. Even the Wall Street Journal agrees with that analysis.

Indeed, nothing at all needs to happen for those eligible for the DREAM Act and for agricultural workers amnesty to receive it. Their process, which covers roughly 4 million people is not connected in any way to any trigger or enforcement measure whatsoever.

The American people reject such a policy. That is not what they have asked for. That is what the June 7 Rasmussen poll said. The Rasmussen report says this: The bill “legalizes the status of immigrants first and promises to secure the border later. By a 4 to 1 margin, voters want that order reversed.”

That is the polling data, and I think that is a good response from the Amer-

ican people. They know the system has been manipulated before.

Madam President, I see our majority leader. I know he is a very busy man.

I say to Senator REID, I have some time left before 5 o'clock, but if you have something that needs to be done—

Mr. REID. At 4:30. The Senator can talk until 4:30. Go ahead and talk until 4:30.

Mr. SESSIONS. In a 2009 Department of Homeland Security report, prepared by the research arm for U.S. Citizenship and Immigration Services, it says this:

Virtually all immigration experts agree that it would be counterproductive to offer an explicit or implied path to permanent residence status (or citizenship) during any legalization program. That would simply encourage fraud and [encourage] illegal border crossings that other features of the program seek to discourage. In fact, for that reason and from that perspective, it would be best if the legislation did not even address future permanent resident status or citizenship.

This a government agency making a plainly commonsensical statement that is virtually undeniable. A grant of amnesty is going to be counterproductive, and it is the kind of thing that would incentivize actions that our policies are designed to discourage—illegal entry into the United States.

Indeed, increased illegal entries into our country are happening right now. The numbers are going up. Just on hearing that there is an amnesty plan afoot, immigration illegality is increasing.

According to the Border Patrol, so far in this year 90,000 people illegally crossing the border have been taken into custody. That is 50 percent more than the same time last year. And 55,000 of them—I would note for those who are interested in this and recognize the international nature of it—55,000 of the 90,000 are not Mexican nationals.

During markup, Senator GRASSLEY offered an amendment to require the Secretary to certify to Congress that she had maintained effective control over the entire border for 6 months before amnesty begins, but it was rejected by a 12-to-6 vote.

We were told the bill would have the toughest enforcement measures in the history of the United States, potentially in the world, and would fix the illegal immigration problem once and for all. Would that not be great? That is one of the Gang of 8 members on national TV, “Meet the Press,” recently. Would that not be good? I think that is something we should strive for. But does the legislation do this?

I see the majority leader. He approved my time this afternoon. I have only so much of it left. I am due to have the floor until 5. I see there is important business to be done.

I yield the floor.

#### WELCOMING SENATOR CHIESA

Mr. REID. Madam President, I welcome Senator CHIESA to the Senate. I congratulate him on his appointment to fill the seat of the late Frank Lautenberg. Senator CHIESA—I am sure we will struggle with that name for a little while until we get used to it, but I think I have done it just about right—has served as attorney general for the State of New Jersey.

As attorney general, he has done some very remarkable work. He has worked with law enforcement and the State legislature to combat human trafficking, to protect children from predators, to crack down on gang violence. He implemented a successful gun buyback program that took 10,000 weapons off the streets, including 1,200 illegal guns.

I commend him for his efforts to keep New Jersey's streets safe, protecting Americans from gun violence. As we all know, that was something that was very close to Senator Lautenberg's heart.

Prior to becoming attorney general, he served for 2 years as chief counsel to New Jersey Governor Christie, after leading the Governor's transition team. He spent 7 years in the U.S. Attorney's Office for the District of New Jersey and more than 10 years in private practice. He graduated from the University of Notre Dame, got his law degree from Catholic University in the District of Columbia and certainly because of that is familiar with the District of Columbia.

I am confident he will serve the people of New Jersey with honor. I welcome him to the Senate.

The VICE PRESIDENT. The Republican leader.

Mr. MCCONNELL. Mr. President, I would just add, I had an opportunity to meet with JEFF CHIESA and his wife earlier today. I think the Governor of New Jersey has made a wise appointment. We look forward to working with him in the coming months.

#### CERTIFICATE OF APPOINTMENT

The VICE PRESIDENT. The Chair lays before the Senate a Certificate of Appointment to fill the vacancy created by the death of the late Senator Frank Lautenberg of New Jersey. The certificate, the Chair is advised, is in the form suggested by the Senate. If there is no objection, the reading of the certificate will be waived and it will be printed in full in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### STATE OF NEW JERSEY

#### CERTIFICATE OF APPOINTMENT

To: The President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of

the United States and the laws of the State of New Jersey, I, Chris Christie, the governor of said State, do hereby appoint Jeffrey S. Chiesa, a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the passing of the Honorable Frank R. Lautenberg is filled by election as provided by law.

Witness: His excellency our governor, Chris Christie, and our seal hereto affixed at Trenton this 6th day of June, in the year of our Lord 2013.

By the governor:

CHRIS CHRISTIE,  
Governor.

KIMBERLY M. GUADAGNO,  
Secretary of State.

[State Seal Affixed]

#### ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-designee will now present himself at the desk, the Chair will administer the oath of office.

The Senator-designee, escorted by Mr. MENENDEZ, advanced to the desk of the Vice President, the oath prescribed by law was administered to him by the Vice President, and he subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senator. Welcome to the Senate. (Applause, Senators rising.)

The VICE PRESIDENT. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I wish to join the distinguished majority leader and the Republican leader in welcoming my new colleague from the great State of New Jersey, JEFF CHIESA, and his family to the Senate. I look forward to working with him closely on the issues of importance to New Jersey and to the Nation.

We have heard some of his exemplary milestones in his career. He is a career attorney and someone who has served in public service. He certainly has the Governor's confidence, as is evidenced by the time he spent with him at the U.S. Attorney's Office, then in the Governor's transition, which he led, as well as being his chief counsel and the attorney general of the State of New Jersey, for which he has had some extraordinary opportunities to both protect and promote the general welfare of the people of the State of New Jersey.

JEFF's father was a chemical plant worker who died when JEFF was 8 years old. So he and his two sisters were raised by his mother who was a teacher. I am sure his family is very proud of him today as the father of two children. They are extremely proud of him for all he has done throughout his career and particularly today as he becomes the newest Member of the Senate.

He was asked at the press conference with the Governor, when the Governor announced him as his designee, what did he intend to accomplish in the Senate. For those of us who have served in

the Senate for a while, we know it takes a little while, and that is a tough question to ask someone, what they are going to be able to accomplish in 5 months.

But I think Senator CHIESA comes at a time in which we are having some momentous debates in this Nation. Certainly, as it is ongoing on immigration reform, he will have an opportunity to cast some critical votes in that regard. I look forward to talking with him about some of those issues as well as other critical issues that will come before the country over the next 5 months.

I look forward to working with him on behalf of the people of the State of New Jersey and our Nation. I am sure, even though it is only 5 months, he is going to make a significant mark in the Senate.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HIRONO). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—MOTION TO PROCEED—Continued

Mr. SESSIONS. Madam President, I am delighted to see the administering of the oath to our new Senator. As a former Federal prosecutor, I know he understands much of the Federal law we deal with around here. Having been one of those myself, I welcome him and believe there will be many gifts and experiences he has had from that role that will help him serve in the Senate, writing laws that will actually be the laws enforced by his former fellow prosecutors around the country.

A closer examination of the legislation before us, this is it here, over 1,000 pages now. But you have to study it because it makes all sorts of references to "except as provided by" in this section and that section and subsection E(2)(I)(1)(3) and things like that. It is hard to read. But a close examination reveals that the promised enforcement of immigration law in the future that is so critical, and the American people deserve, the American people have asked for, for decades, is not there.

The triggers are not triggers at all. In fact, it would actually weaken even current law, granting the Secretary of Homeland Security, now Secretary Napolitano in particular, unprecedented power to determine how and when the border is secured, if ever. Remember, at this moment, the Secretary of Homeland Security is being sued by Federal law officers, ICE offi-

cers, Immigration and Customs Enforcement officers, of her own department because they say she is issuing directives to them to keep them from complying with plain Federal law.

In other words, she is directing them not to comply with Federal law. The Federal judge has taken the case and allowed it to go forward and is taking testimony on it. But the bill that illegal immigrants can receive amnesty, not when the border is secured but when Secretary Napolitano tells Congress she is starting to try to secure the border. Within 6 months of enactment of the legislation, Secretary Napolitano need only submit to Congress her views on a comprehensive southern border strategy and a southern border fencing strategy and give notice that she has begun implementing whatever plans she decides to implement. At that point, she may begin processing applications and granting amnesty. Indeed, she will be doing that without any border security or enforcement measures ever being required to be in place.

The reality is, once amnesty has been granted, it is never going to be revoked. Under this scheme, enforcement is unlikely ever to occur. That is just like 1986, which Senator GRASSLEY earlier today, ranking member on the Judiciary Committee from Iowa, who was here in 1986, says was a great failure at that time. He voted for the bill. He says it was a mistake. It was a mistake because we did not put in mechanisms to ensure that in the future the enforcement would actually occur.

That is why he opposes this bill. Frank Sharry, the head of America's Voice, a pro-amnesty advocate, recently said about these triggers, "The triggers are based on developing plans and spending money, not on reaching that effectiveness"—

In other words, not reaching an effective system of security in the future—it is not tied to that. Then he goes on to say, "which is really quite clever." Really clever, is it not, to see if they can fool the American people. They have written something that looks like a real trigger, that has teeth in it, that says you do not get your amnesty and legal status until enforcement occurs. But when we read the bill it is not there. Mr. Sharry actually lays it out.

In fact, in 2007, Senator ISAKSON first came up with an idea of a trigger mechanism. That gained popularity. I think he was the one who wrote the language that was in that bill. It is much stronger than this one. It was much stronger than what is in the bill today. Actually, it had the potential to work.

Remember, this was what was said when the bill was rolled out. Basically, they said the American people, we got a good bill. You can trust us. The enforcement will occur because we have triggers in the bill to guarantee it is

enforced. That is not so, is it? Colleagues, does that not make you uneasy? Should it not make the American people uneasy, when they have seen Congress time and time again avoid going forward with real law enforcement?

The bill states that the southern border strategy should detail a plan for achieving and maintaining “effective control” of the southern border. Effective control is defined as “persistent surveillance,” which itself is not defined, plus “an effectiveness rate of 90 percent or higher.” What effectiveness rate? This is calculated by dividing the number of apprehensions and turnbacks in a sector during a fiscal year by the total number of illegal entries in the sector during that fiscal year.

But this does not account for those who escape detection by the Border Patrol. During her testimony before the Senate Judiciary Committee, Secretary Napolitano all but acknowledged the effectiveness rate is meaningless because, by definition, the Department of Homeland Security has no idea how many people avoid detection.

How can you have that formula? The measure is subject to almost limitless manipulation.

One thing we all should remember, having been involved in this for a number of years now, the border should already be secure. It should already be secure. The Secure Fence Act of 2006, passed by both Houses of Congress, already requires, right now, the Department of Homeland Security to maintain 100-percent operational control of all land and maritime borders and required the Homeland Security to do so within 18 months of the bill having been passed in 2006. That mandate has been ignored, not complied with, and the border is certainly far from 100-percent operational control.

We are going to pass a new bill that is even weaker than this and expect it is going to result in some major improvement in law enforcement?

By contrast, the rejected 2007 immigration bill set a stronger target of 100-percent operational control of the entire border, which had to be met before illegal immigrants could be given the probationary legal status.

The current bill is essentially the same as the failed 1986 bill. It is legal immediately and a promise of enforcement in the future.

It is important to know that nothing in the bill prevents Secretary Napolitano from submitting a strategy—that is all she has to submit, is a strategy—that simply reiterates her publicly stated views about the border. She says first that the border is “more secure than it has ever been.”

While the bill states that Homeland Security shall start “the implementation” of the plan “immediately after” submission and give notice to Congress

of its commencement and provide reports on its progress, nothing in the bill actually requires the Secretary to implement anything. It just doesn’t. It is not there. All she has to do is start the amnesty process, what she intends to do, and then to submit reports in the future.

We have heard there will be more fencing. You have heard that talk. The bill is going to make sure we have more fencing. But no language in the bill requires the Secretary to construct any fencing at all. Rather, the bill states the Secretary shall submit to Congress, within 6 months of enactment, her views on a fencing “plan” to identify where fencing, if any, including double-layer fencing, infrastructure technology, including ports of entry, should be deployed along the border.

The problem is Secretary Napolitano, who will be responsible for implementing these provisions, has said multiple times that no further fencing is necessary. She recently testified before the Judiciary Committee that Homeland Security would prefer to rely on drones and high-tech surveillance:

We would prefer money . . . if we have our druthers, we would not so designate a fence fund.

Does it make more sense to use technology to observe people entering the country illegally, or does it make more sense to stop them from entering?

After the Secure Fence Act was passed in 2006 requiring 700 miles of double-layer fencing, they said, well, we are not going to build double-layer 700 miles of fencing. We have a better idea. We are going to have a virtual fence. We are going to use technology, balloons, and things of that nature. We have this sophisticated plan. They spent \$1 billion on that plan—totally abandoned; an utter failure.

That is what is upsetting the American people in this country. Promises are made. We are going to build a fence. We all vote for a fence. Then, oh, no, we are not going to vote for a fence, we have a better idea. Then we spend \$1 billion and get zero for it.

This is not necessary. We can make great improvements at the border if we have the will to do so. The will and the determination is what is lacking.

Proponents of this bill have repeatedly said “this legislation contains the toughest border immigration enforcement measures in U.S. history.” If that is the case, then why is the bill weaker than current law? Why is it weaker than in 2007, the bill that was offered and rejected? Congress overwhelmingly passed the mandate to build a fence in 2006—and I was engaged in that debate—by 80 to 19 votes, with the support of then-Senators Biden and Obama. Vice President BIDEN and President Obama voted for it. It hasn’t come close to having been built.

I think we have 36 miles of fencing having been completed, when the bill

called for 700. If we had done that, we would be in a lot better place to ask the American people today, let’s be compassionate and see if we can’t do something kind to people who have entered our country illegally.

According to a Rasmussen’s poll in April of this year, a substantial majority of Americans want the fence built, but Congress has failed to do so. The bill would authorize \$8.3 billion in additional funding to carry out all of its provisions.

You notice, it has some fencing language in it, \$1.5 billion, but what is the \$1.5 billion for? Is it to build a fence? You can build a lot of fence with that much money. No. It is for the developing of a fencing strategy, and the other things that money would be spent for too.

In fact, a fence does save money. Since the fence is a force multiplier, fewer Border Patrol agents will be needed. They can cover more miles, and it reduces costs. It makes a clear statement to the world that the United States is serious: Our borders are no longer open. Don’t come here illegally. If you do, we are going to apprehend you, and you will be disciplined in some fashion and deported. If we do that, we will see a dramatic reduction in the number of people coming to our country illegally.

During our Judiciary Committee markup on this legislation, an amendment sponsored by Senator LEAHY was adopted that says nothing in this provision “shall require the Secretary to install fencing” if the Secretary in her discretion determines that fencing is not necessary. Of course, she says she doesn’t favor more fencing.

In addition, the amendment requires that the Secretary consult with the Secretaries of Interior, Agriculture, States, local governments, Indian tribes, and property owners, before she could ever build a fence, and to minimize the impact on the environment, culture, commerce, and quality of life for residents.

Well, you always try to do those things. All of this is an indication that with regard to the question of barriers and fencing to enhance the lawfulness at our border, this bill doesn’t do it. Actually, this bill is hostile to it. Can you see that language in there? This was discussed at Judiciary. It passed in the committee.

Only 36.3 miles of fencing out of the 700 has ever been completed. Had the rest of it been completed, we would be in a lot better shape today.

We were told:

If, in 5 years, the [Secretary’s border security] plan has not reached 100 percent awareness and 90 percent apprehension, the Department of Homeland Security will lose control of the issue and it will be turned over to the board of governors to finish the job.

That was Senator RUBIO on the “Mark Levin Show.” This commission

they talk about at the border, the mere existence is left to the sole discretion of the Secretary of Homeland Security only if she determined that Homeland Security, her own department, "has not achieved effective control" of the border 5 years after enactment.

Wait 5 years, and if she hasn't done the job—she has certified she hasn't done the job, and after the legalization has already been granted—it is then entirely up to the Secretary to determine whether her plans are "substantially completed" and "substantially implemented"—then and only then would the Southern Border Security Commission be formed.

The bill's proponents claim the commission would be "a powerful and important policy-making body," and that the Secretary of Homeland Security will be compelled to implement the commission's recommendations. That was one of the Gang of 8's news releases.

Not so. The commission is empowered only to make recommendations to the President, the Secretary, and Congress, which are then to be reviewed by the Comptroller General. Nothing in the bill requires any other commission's recommendations to be implemented. They don't have any power. Once it makes its recommendations, the commission dissolves in 30 days, kaput.

As Byron York noted in the Washington Examiner in his column today:

There is nothing in the bill requiring the commission to finish the job of border security, and indeed it would have no authority to do so.

Indeed, it would have no authority to do anything, really, except issue a report.

The second issue that deals with illegality in our country is the visa question. We were told the path to citizenship in the bill would be "contingent upon . . . tracking whether legal immigrants have left the country when required." That has a plain meaning, have they left when required.

Under current law, we have a mechanism where people are fingerprinted and they are identified when they come into the country. There is no clocking out when they leave the country.

What does the bill do? Does it fix that problem? Let's look at the history of it. The bill rolls back the requirements in current law, laws that were passed on six different occasions by Congress since 1996 for a biometric exit system. We have a biometric entry system at some points, but not an exit system. Yet instead of forcing the administration's hand, making this happen, this bill gives in to the executive branch's obstinacy over at least two administrations and provides for only an "electronic," not biometric, exit system, and only at air and seaports, not land ports.

It is estimated that nearly 40 percent of the illegal population here today are

visa overstays. GAO, our Government Accountability Office, has repeatedly said a system such as the one called for in this bill will not reliably identify visa overstays, and that without a biometric exit system:

DHS cannot ensure the integrity of the immigration system by identifying and removing those people who have overstayed the original period of admission.

That is the Government Accountability Office's objective, nonpartisan analysis of the legislation.

Beyond violating our laws, visa overstays pose a substantial threat to national security. Visa overstayers come from all over the world. The 9/11 Commission, after the 9/11 attacks, recommended that:

The Department of Homeland Security, properly supported by Congress, should complete, as quickly as possible, a biometric entry-exit system.

In a report entitled "Tenth Anniversary Report Card: The Status of the 9/11 Commission Recommendations," they came back together to see how well their recommendations had been carried out. They praised the fact that we have an entry system, a biometric entry system known as US-VISIT. It has been proven to be valuable, they say, in national security too.

Despite this successful deployment of the entry component of US-VISIT, the Commission notes there is still no comprehensive exit system in place. As important as it is to note when foreign nationals arrive, it is also important to note when they leave. Full deployment of the biometric exit component of US-VISIT should be a high priority. Such a capability would have assisted law enforcement and intelligence officials in August and September of 2001 in conducting a search for two of the 9/11 hijackers who were in the United States on expired visas.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. I thank the Chair. I believe 5 o'clock has arrived. I thank the managers of the Agriculture bill. I know they worked hard on their legislation.

I yield the floor.

#### AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 954, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 954) to reauthorize agriculture programs through 2018.

Pending:

Stabenow (for Leahy) amendment No. 998, to establish a pilot program for gigabit Internet projects in rural areas.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from Michigan.

Ms. STABENOW. I see the distinguished Senator from North Dakota on the floor. This is Senator HEITKAMP's first farm bill we are about ready to vote on. She has been an extraordinary voice and really hit the ground running. It is my pleasure to yield 5 minutes to her.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Madam President, I would first like to thank the Senator from the great State of Michigan for her incredible leadership. I met her over a year ago and knew she was a force to be reckoned with, not only because she has red hair but because she is someone who understands that to move something forward, we need to have compromise and we need to understand that a farm bill represents the interests of the entire country, not just the interests of maybe the Great Plains States or the Southern States or even our urban areas that care desperately about nutrition. She understands that we need to forge a bill that can pass both Chambers and keep our country moving.

The fact is that agriculture is a shining star in the American economy today. When we look at States such as North Dakota and Nebraska and Kansas and South Dakota, all agriculture-based States, we see they did not have the deep trough of this recession because agriculture did pretty well. And why did agriculture do pretty well? Because the last farm bill that was crafted provided an appropriate balance of concern for our long-term fiscal obligations along with providing our producers with a legitimate and appropriate safety net.

We have a farm bill today that is even better that we are going to be voting on. Why is it better? Because it not only provides that certainty and that safety net for American producers—the backbone, historically, of our economy—but it reduces the deficit \$24 billion by eliminating a process of direct payments, by cutting some unnecessary expenditures, by streamlining conservation, and by taking a look at a rational and reasonable approach to some of the issues regarding nutrition.

So I am very proud today to stand before this body about to cast one of my first votes—not the first vote but one of my first votes—doing what is absolutely essential for the North Dakota economy; that is, passing a farm bill.

I want to give an idea of what North Dakota is all about because we like to brag but also because people forget about North Dakota being an agricultural State with so much attention having been focused in recent months and recent years on our dramatic energy development. So let me give a rundown on what we do in North Dakota as far as our production. We are No. 1 in barley; No. 1 in beans, dry and



edible; No. 1 in navy beans and pinto beans; No. 1 in canola, flaxseed, and honey; No. 1 in lentils and dry edible peas; No. 1 in all forms of sunflower; No. 1 in durum wheat and spring wheat; and we are No. 2 in sugar beets and No. 2 in all wheat. So 90 percent of North Dakota's land base—90 percent—is engaged in agriculture. It is the backbone of what we do.

As we talk about the importance of public policy not only to protect our producers but to give them opportunities for certainty, I would like to talk about two unique things of which I am exceptionally proud.

The first is that this Crop Insurance Program will provide the safety net so many of our young farmers in our States need to get engaged in the business of farming. Why is that important? Well, 10 years ago when I was still in elected office, I would go to farm meetings and look around the table, and everybody was in their fifties and sixties and a 50-year-old farmer would be a young farmer. Now we go to those same meetings, and sitting around that table are 20- and 30- and 40-year-old farm families saying: We want to engage in the business of agriculture. And that is good for the world because we not only need to produce our products for America, we need to produce our products for the entire world.

So this is a farm bill that strikes the right balance. It is a farm bill that addresses the priorities not only of my State but hopefully the priorities of this country. There are 16 million jobs—16 million American jobs—depending on this bill.

The second point I wish to make about this bill—and people remind me occasionally that it is a year late because we have already gone to one extension since I have been here—is that it is a bill which will send a message to the American people that we need to provide certainty once and for all. We need to do things in a timely fashion, and I think moving this farm bill right now is moving it in a timely fashion.

This is an excellent piece of legislation, and I urge all of my colleagues to vote for it.

I thank the chairwoman from Michigan for her excellent and exceptional leadership, along with her ranking member Senator COCHRAN, who has been so instrumental in forging the compromises that make today possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, at this point I want to take a moment before we vote today to recognize folks who have worked so hard to get us to this point.

First of all, I thank my colleagues in advance for coming together one more time and leading for rural America—for farmers, for ranchers, for the 16

million people who have jobs because of agriculture in this country. It has been a long road for the Agriculture Reform, Food, and Jobs Act, and I have been blessed and pleased to have a wonderful partner and ranking member, the distinguished Senator from Mississippi. He has been a partner every step of the way, and I thank him and look forward—as the House hopefully this time will complete their work—to having the opportunity to go to conference and crafting an agreement we can then present back to the Senate. I can't thank Senator COCHRAN and his staff enough for their wonderful partnership.

We started this last year. We had 3 weeks that the farm bill was on the floor of the Senate. We had 73 votes, adopted 42 amendments, and we took that as the basis for the bill this year. Once the House did not take up the bill—and, in my judgment, walked away from rural America last year—we had to come back and do it again, so we used the work product the Senate did last year as the basis of our work, and we had 2 weeks of debate on the floor of the Senate. We have added 14 more amendments to the bill that is in front of us.

So I thank the majority leader for his hard work and leadership and patience. As always, he knows how important agriculture is to our economy, how important it is to support rural communities and families and consumers around our country. I appreciate that he has not just once but twice given us precious time on the Senate floor so that we could do our job in standing up for rural America and for consumers across this country.

I am proud we once again voted—or are about to vote today—in a bipartisan way to move this bill forward. This bill has been bipartisan from start to finish, and I believe that is the reason for our success. I am grateful to colleagues who have worked in such a diligent way on both sides of the aisle. There are many leaders on both sides of the aisle on this bill. We wouldn't be here today without leadership on both sides of the aisle, and I am very grateful for that. This is how the Senate is designed to work, where people who care very deeply on both sides of an issue can sit down—in our case, around a table in the Senate agriculture room—look each other in the eye, talk to each other, listen, and make the compromises necessary to come together with a balanced bill. That is what we did.

Last year we passed the farm bill, as I said before, in a bipartisan way as well. The House Agriculture Committee passed a bipartisan farm bill last year, but for whatever reason the full House didn't consider the bill. It was allowed to expire. The good news is that this year it looks as though it is going to be different. That is good news

for rural America and the men and women who work hard every day to give us the safest, most affordable, most abundant food supply in the world—in the world.

I thank my incredible staff, who have done this now not once but twice. Actually, because we engaged and had a work product when the supercommittee deficit commission was operating, we have actually done this three times. I think they could do farm bills in their sleep. Hopefully they have not been sleeping when they have been writing this one, but I am very grateful for their leadership.

I thank Chris Adamo, my terrific staff director for the Agriculture Committee, who is living and breathing these issues every minute and only takes occasional breaks to go fly fishing in Michigan. We have a historic agreement on conservation and crop insurance in this bill thanks to his leadership and that of our team.

Jonathan Coppess, our chief counsel, and Joe Shultz, our economist extraordinaire, who understand the ins and outs of agriculture like nobody else, have done so much as we have transitioned in this bill toward market-based risk management tools for our farmers.

Jonathan Cordone, our general counsel, crossed every “t” and dotted every “i” in this bill, and frankly, there are a lot of them. He has been keeping track of all the amendments and making sure this process runs smoothly.

Karla Theiman, who leads our livestock and dairy issues, has helped make the energy title something we could really be proud of. I am very grateful for all her leadership and hard work.

Tina May, who wrote our original conservation title and then decided to go have a baby, is amazing. She knows more about conservation than anyone I know, and we are very proud that not only the conservation title in the Senate but one that is very similar in the House bears the mark of her hard work and leadership.

I do want to note that Jonathan Coppess had a son during the last farm bill and Tina had a son during this farm bill. So I am not sure what it is about farm bills, but we will see what comes next.

One thing about Tina's maternity leave is that it allowed us to get the T2 team back together. Kevin Norton came back from the USDA to work with Catie Lee, as they picked up very excellently the heavy load and made it look easy. Thanks to them, our country will have healthy wildlife habitats and clean, fishable waters for generations to come.

Jacquelyn Schneider, who is another of our farm bill veterans, ably led our nutrition team and has done such a wonderful job. She has done so much for the diversity of American agriculture



through organics, fruits and vegetables, and all the things we call specialty crops, as well as Jess Taylor. Jess has done terrific work in partnership as well.

Brandon McBride led our efforts to reorganize the rural development title and worked so hard this year to make sure the energy title continued to grow the economy in rural America.

Russ Behnam is our expert on technology issues—biotechnology issues—on crop protection and has lent very important expertise to our efforts. I am grateful.

Cory Claussen led our efforts on dairy last year, and his hard work led to the major advances we have made in this bill for beginning farmers and ranchers as well as for our veterans who want to get into agriculture.

I am very proud that in our bill we have a new agriculture liaison for our veterans. So many of our men and women coming home are from small communities around America, and they want to have the opportunity to go into farming, and we want to help them do that.

Cory is also leading our CFTC efforts, so Cory's work is just getting started. Hanna Abou-El-Seoud, who kept the trains running on time, made sure we were all prepared and prepped—no easy job as well. Alexis Stanczuk and Kyle Varner, who is the newest member of our team, have once again done a great job doing whatever needed to be done in order to help us be successful. Jessie Williams, Nicole Hertenstein, Jacob Chaney, and our entire great team on the committee have helped us to get to this point.

I also wish to say thank you to my chief of staff Dan Farough, who manages our personal office; Matt VanKuiken, my terrific legislative director who followed the floor procedure and made sure everything was happening as it should; Bill Sweeney, my great deputy chief of staff; Cullen Schwarz, my communications director; and Ben Becker, our press secretary who made sure we were telling the story of rural America and this farm bill and the reforms in it every day. We couldn't have done it without them and our entire team, Matt Williams, Will Eberle, and Alex Barriger.

I wish to thank my State team and all of the outreach efforts led by the outstanding Teresa Plachetka, Kali Fox, Mary Judnich, Brandon Fewins, and Korey Hall, making sure that Michigan is truly represented on every page.

This was a bipartisan effort, and I wish to thank everyone on Senator COCHRAN's team, especially T.A. Hawks and James Gleueck, for their leadership. Once again, Doug Elmendorf's CBO farm team came through thanks to Jim Langley and everyone on their team.

I wish to thank Kasey Gillette from Senator REID's office, who is part of

our extended family. It is great working with her again. This is like a second annual family reunion, always having Kasey with us.

Nothing could get done around here without our excellent floor staff who have been led by Gary Myrick and Tim Mitchell, and thank you to everybody on our team for their very long hours as usual.

Of course, we wouldn't have had anything to pass without the amazing expertise of our legislative counsel team, Michelle Johnson-Wieder and Gary Endicott, and their invaluable assistance; last, but not least, the great team at the USDA and who I believe is an absolutely terrific Secretary of Agriculture, Tom Vilsack, and his General Counsel's Office.

There are so many people to thank. I will stop. There are other colleagues who wish to speak. I just want everyone to know that when you take basically 12 different chapters or titles—any one of which could be its own piece of legislation—and put it together in something called a 5-year farm bill, it happens because of a tremendous amount of talent and experience and hard work and it happens because, in our case, we have what I believe is the most seasoned Agriculture Committee former chairs, former Secretary of Agriculture. We have people who know agriculture and care about it deeply. With so much talent and experience, it has been a real privilege—and continues to be—to chair this committee.

This farm bill is the product of 2 years of hard work by a long list of talented people. As we vote today, we support 16 million people who depend on agriculture for their jobs. We are providing \$24 billion in deficit reduction on a bipartisan basis. We are providing policies that will conserve our land and our water resources for generations to come; that help families who have fallen on hard times keep food on the table for their children; a bill that helps our veterans get started in agriculture; that supports our small towns all across America; and recognizes the diversity of American agriculture and strengthens efforts to give families the opportunity to buy fresh local food in their supermarkets and have it available in their schools. This farm bill creates jobs.

I am very proud of the work we have done, and I ask all of our colleagues to support us in voting yes today on this bill.

I yield 5 minutes to Senator KLOBUCHAR.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I rise in support of this very important bill.

First, I wish to thank Senator STABENOW for her leadership, as well as the Senator from Mississippi. It was a true bipartisan effort. As I heard her list all

the names of these wonderful staff people who worked on this bill, I also wish to mention my staff director Adam Durand.

The other thing I wish to mention is this wouldn't have happened without Senator STABENOW, with her ever optimistic view, never giving up on this bill.

It has been 354 days since the Senate passed its last farm bill—I have been counting it down—and this is long overdue. This got done in record speed because we had gone through all of these issues, 70-something amendments, last time, and this time we were able to get the farm bill through the Agriculture Committee in record time—in 3 hours. Now it is on the floor, and I predict we will have strong bipartisan support.

You ask why. First of all, last year our country experienced the worst drought since 1956, costing the country tens of billions of dollars. In Minnesota 74 counties were eligible for disaster relief due to drought.

This year the late spring and wet conditions have prevented many farmers in my State from even getting their crop into the ground. Dairy farmers have been especially hurt because of the alfalfa shortage because of the rot because of the water.

We can't do anything about the weather, but we can make sure our country has a steady food supply and that we are not dependent on foreign food. How do we do that? By having a smart, fiscally sound farm bill.

I can tell you what we have is a bill that literally saves the taxpayers \$24 billion in 10 years over the last farm bill. That is why it makes no sense for me to play a game of green light-red light and at the end of the year we are going to extend the last farm bill that is even more expensive, when we have a very smart farm bill here.

It matters in my State. My State is No. 1 in turkeys, sweet corn, green peas, and oats, No. 2 in spring wheat, No. 3 in hogs and soybeans, and No. 4 four in corn. But it is more than the crops and the sugar beets and the wheat. We don't just raise livestock. We don't just produce crops. We also produce the foods—milk at Land O'Lakes, the turkey at Jennie-O, the animal feed at Cargill, the Spam at Hormel.

When we look at this farm bill, we have to understand it involves not just our farmers—in fact, that is the smaller percentage of the farm bill than, say, the nutrition program—but it also involves our entire economy and how that all goes together from energy on down. What I like about this farm bill is it does connect these dots and makes sure we have a strong economy across the board, starting with our farmers, also including strong conservation efforts.

I see the Senator from North Dakota Ms. HEITKAMP. She and I, along with

Senator HOEVEN, worked very hard to make sure there were strong provisions in this bill for the conservation efforts, which include our retention of water with floodings in the Fargo-Moorhead area, also making sure we had strong efforts for agriculture research, something everyone in our country cares about as we move forward.

We streamlined the conservation program from 23 to 13 programs. The bill funds the energy title programs, which this last extension did not do, and it also does a lot with ag research. I also had some of my amendments included which help beginning farmers and ranchers; that includes reducing the cost of crop insurance for beginning farmers by 10 percent. The second amendment helps beginning farmers access land for grazing.

These are just a few of the things in this bill. We are excited about this bill.

I would just end by saying, as Senator STABENOW did, that this is a call for action. The Senate has gotten its act together. We were able to work out a bipartisan compromise in the committee. We are able to get a strong vote on the floor. Now it is time for Speaker BOEHNER to call up the House bill so then we can work out the differences—as we should—in regular order, in conference committee.

Our farmers deserve nothing less, the kids who depend on these school nutrition programs deserve nothing less, and the conservation efforts in our country, those who hunt, those who fish, those who enjoy the outdoors, deserve nothing less.

It is time to get this bill done. We will vote on it tonight and then it goes over to the House. I would like to get this bill out of the House by the time we are ready to head into August, where we talk to a lot of our farmers and they have a few words to say every time we speak to them. I think the House would like to hear good things for a change.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Madam President, I am pleased to join the distinguished Senator from Michigan in urging approval of this bill by the Senate. It has been a pleasure working with her and other members of the Agriculture Committee to produce a farm bill that meets the needs of those involved in agriculture production and the consumers of the crops produced by American farmers and ranchers.

This farm bill will also encourage and reward protection of water, soil and forestry resources.

The bill also authorizes and improves Federal nutrition programs administered by the Department of Agriculture. It contains reforms to the nutrition title to eliminate waste, fraud and abuse.

This bill deserves the support of the Senate.

The Senate debate on the farm bill has included votes on a number of amendments over the last 2 weeks. American agricultural producers deserve the certainty that comes with a strong 5 year farm bill. I am pleased that we have come up with a bill that will meet that need.

This legislation will provide farmers in all regions of the country with a robust and workable safety net, while also reducing by \$24 billion the cost of the programs authorized by current law.

Ms. STABENOW. Madam President, I yield time now to the Senator from Florida for a colloquy with myself.

The PRESIDING OFFICER. The Senator from Florida.

#### GREENING

Mr. NELSON. Madam President, I am grateful to the chairman of the committee to engage in a colloquy with me about a devastating disease of bacteria called greening, which is devastating the citrus industry. We know of no cure. The bacteria kills the citrus tree in 5 years, and we are not going to have a citrus crop or industry unless we can find a cure for this bacteria.

The bacteria is transported by an insect called a psyllid, and once the psyllid bores its snout into the bark of the tree and the bacteria is injected into the foam or sap of the tree, it will kill the tree. They found various methods of spraying to try to prolong the life of the tree, but in essence the tree will die in about 5 years. It is in every grove in Florida. It is now in the citrus industry in California and Arizona and they have found the psyllid likewise in other gulf coast States—Alabama, Louisiana—and greening is also in the State of Georgia.

So what we are trying to do is set up a trust fund, which is authorized in the bill, and to get it funded in order to find a cure for this disease so an industry that has become so important to the entire country can be saved.

I have talked at length with the chairman of the Finance Committee Senator BAUCUS, who has been very supportive. As a matter of fact, we passed a similar bill out of the Finance Committee in the last Congress. I plan to work with Senator BAUCUS and Senator STABENOW to make sure this trust fund becomes a reality as we move forward with this farm bill.

Ms. STABENOW. I would just indicate to my colleague who has been such a strong advocate for his State, for his growers, his people—I am very grateful for that.

He has made his case very strongly. I understand that once a tree is exposed to the disease, there is no cure. The tree will die within 5 years. It must be entirely replaced. In fact, as the Senator indicated, this is something that affects many States—not only Florida but Texas, California, Louisiana, Alabama, Arizona, Georgia as well. So I

know this is a serious issue for our citrus growers, and I am committed to working with Senator BAUCUS to make sure the trust funds for citrus, as well as cotton and wool, are included in the final conference committee.

I know these are concerns shared by a number of our colleagues, and I look forward to working with the Senator from Florida as well as other colleagues. This is a very important issue.

Mr. NELSON. I thank Senator STABENOW for her commitment to helping fund a cure for citrus greening, and it is just that; it is an emergency situation.

Because of the devastating nature of this citrus greening disease, the citrus research trust fund must have guaranteed funding in the farm bill. We simply can't wait any longer. Graciously, Senators STABENOW and BAUCUS have both been so encouraging and have agreed with me personally to restore the funding mechanisms of the trust fund when the Senate and the House go to conference on the farm bill. When this farm bill makes its way to the President's desk, the citrus trust fund needs to be a fully functional and a funded component.

Ms. STABENOW. Madam President, let me just say in conclusion that I look forward to working with my colleagues to ensure there is a guaranteed source of funding for the citrus trust fund. I understand the devastation to an entire industry that he is speaking about and look forward to working with him.

Mr. NELSON. I would just conclude by saying that I not only speak of this for my State of Florida, of which citrus is one of its primary industries and now the product of which is a staple on every American breakfast table, but I speak also of our sister States, Arizona, California—and, by the way, to the Presiding Officer I can say that the psyllid and the bacteria are in the State of Hawaii as well—Georgia, Louisiana, and Alabama. I am very grateful for this commitment.

#### USDA BIOBASED MARKETS PROGRAM

Mr. KING. Madam President, I appreciate the opportunity to talk with the Chairman today to get clarity about the products that will be included in the USDA Biobased Markets Program. The Senator's hard work and vision on the issue of innovation in natural resources industries has provided the essential leadership to support growth in this critical economic sector.

I greatly appreciate the work that she and Senator COCHRAN did to expand the program's application in this farm bill, including the explicit definition of forest products and the expanded definition of innovation as it applies to the program.

The Senator and I both represent States that have strong forest products industries in fact in Maine there are over 16,700 people who are employed by

the forestry, logging, wood products, and pulp and paper industries. This industry also helps ensure that Maine's 233,000 family woodland owners have income to conserve and sustain their working forests. Both of our States' forest-based economies have been hit hard by the downturn in the housing market as well as increased pressure overseas so it is important that we do not further hinder them in any way.

I have learned recently of the USDA Biobased Markets Program and the fact that in some cases, this program favors foreign products and other biobased products over forest products, which are some of the most biobased products in existence.

Ms. STABENOW. I thank the Senator for raising this important issue. In Michigan the same industries employ over 24,600 people and I agree that these jobs are vital to the economy. I was pleased to be able to lay out a clearer path forward in this farm bill for the inclusion of forest products in USDA's Biobased Markets Program.

Mr. KING. I would like to clarify that it is not the Committee's or the Senator's intent to exclude forest products from this program. And I would also like to clarify the meaning of the new provisions around innovation in the program.

Ms. STABENOW. Yes, it is our intent to include forest products that apply an innovative approach to growing, harvesting, sourcing, procuring, processing, manufacturing, or application of biobased products. Products should be included regardless of the date of entry of the product into the marketplace.

Mr. KING. Let me give the Senator an example of a forest products manufacturer in my home state that I believe is incredibly innovative in how they grow and source their materials for their products.

Verso Paper Company has 1600 employees at their two mills in Bucksport and Jay. They make coated commercial printing papers that utilize manufacturing technologies that deliver increasingly improved print quality through new coating formulations that incorporate newly developed chemicals and materials. These products are some of the most biobased products in the marketplace and should be eligible for the program.

In addition to these changes in their product, Verso has also in the last few years, significantly increased innovation in the sourcing of their products, by increasing the amount of certified, sustainable fiber that feeds their mills.

An improvement in this year's bill is the addition of language that allows for innovation in the sourcing and application of biobased products. In regards to innovation in sourcing of biobased products does the Senator agree that innovations like forest certification systems would qualify products for the program?

Ms. STABENOW. I appreciate the Senator mentioning Verso, since they also have a mill in Quinnesec, MI and recently made a significant investment in upgrading its energy system. It is our intention that products that are sourced with innovative sourcing strategies like forest certification systems and products that have improved their manufacturing are included in the program.

Mr. KING. I thank the Senator. And what about companies like Robbins Lumber in Maine that produces solid wood products, like 2x4s or flooring? While the product may be the same product that has been on the market for decades, the company producing it now generates all the heating for the mill and offices as well as the energy for drying lumber from their own biomass waste, as compared with using energy from the grid. Further, they have worked with several organizations to permanently conserve thousands of acres of land for wildlife habitat and recreation.

Ms. STABENOW. That truly is what we are trying to inspire with this innovation provision we are trying to help companies think outside the box in how they can improve their processes. Their efforts in both energy generation from waste and land conservation are both excellent examples that they are doing so.

Mr. KING. I thank the Senator. Again I truly appreciate the attention to this issue and look forward to working with you and USDA in the implementation of this legislation to support the important forest products industry which has been an integral part of the economy of this country for centuries.

• Mr. MCCAIN. Madam President, I would like to make a few remarks about the farm bill that's before the Senate this week.

As my colleagues know, this is our second attempt in 2 years to pass a new 5-year farm bill. The Senate passed its version last Congress, which is essentially the same bill we are debating today. Last year, the House refused to consider the Senate bill with good reason. This bill is loaded with costly farm subsidies and hidden pet-projects. I believe most Americans would be angered to know how we are wasting their hard-earned tax dollars.

Congress already plunged our Nation into \$16 trillion worth of debt partially through farm bills like this. On average, Congress spends about \$1 trillion more annually than the Federal budget allows. According to the Congressional Budget office, the budget deficit for fiscal year 2014 will be about \$624 billion. This bill alone—all one-thousand pages—will cost nearly \$1 trillion. That's almost \$1 billion per page. We must reduce the size of the Federal Government and the farm bill is certainly ripe for cuts.

I will concede that my colleagues on the Senate Agriculture Committee did make some effort to eliminate our more outdated farm subsidy programs like the Direct Payments Program, which spends about \$5 billion a year to pay farmers of staple crops like corn whether or not they grow anything. Direct payments have held on for decades until now. Perhaps that gives the American public a sense of the shelf-life of the new farm subsidies we are debating today.

Unfortunately, the savings generated by eliminating direct payments are plugged back into the farm bill to finance new, more expensive subsidies like those that are part of the Federal Crop Insurance Program. While I agree that our farmers need some form of safety net, farm bill crop insurance isn't "insurance" as most people know it. Crop insurance is just a roundabout way to influence the free market, subsidize overproduction and ultimately fleece consumers. Taxpayers spend \$14 billion a year subsidizing about 60 percent of insurance premiums for everything from oysters to almonds. Even non-food products like tobacco get \$33 million a year in crop insurance hand-outs. Worse yet, crop insurance isn't about protecting farmers against crop losses due to weather or infestation; it protects farmers against revenue loss. I am hard pressed to think of any other industry in America that can take out an insurance policy at the taxpayer's expense to ensure their profits. This is clearly egregious when one realizes that commodity prices are at record-highs.

This is all part of farm bill politics. In order to pass a farm bill, Congress must find a way to appease every special interest and every commodity association. Here are some other examples of hand-outs that special interests win in this year's farm bill: \$150 million to establish a "Citrus Research Trust Fund" as well as a "Wool Apparel Manufacture Trust Fund"; \$25 million to study the health benefits of lima beans and peas; \$1.4 million to study commercial mushroom growing; \$1.3 million to study the DNA sequencing of Christmas trees; \$25 million to teach school children how to grow food in backyard gardens; \$10 million for eliminating "feral swine"; \$200 million for the Market Access Program, which subsidizes overseas advertising campaigns for large corporations, like handing out samples of Tennessee whiskey in India or subsidizing a sampling tour of mint candies in the U.K.

This is how we pass behemoth farm bills the Capitol Hill-rule of "dispersed costs and concentrated benefits."

Take for example the protectionist provision concerning catfish inspections that was added in conference to the 2008 Farm Bill. It forces USDA to create a special catfish inspection office that will cost taxpayers \$15 million

a year. GAO has said it is duplicative and wasteful of FDA seafood inspection services. But it helps prop up domestic catfish farmers in southern States from having to compete with Asian catfish imports. I had an amendment to repeal this office but was denied the courtesy of a vote despite it having 15 cosponsors and overwhelming support in the Senate. My statement on this matter is in the RECORD of last week when I attempted to call up my amendment and make it pending.

I also sought a vote on another amendment that I introduced with Senator TOOMEY concerning the repeal of something known as "permanent farm law." Because of permanent farm law, it's not an option for my colleagues or I who want to put our feet down and say enough is enough to reckless farm bills. Permanent farm law is essentially old farm bills from 1938 and 1949 that are still on the books that automatically kick-in if we fail to renew the farm bill or pass a temporary extension.

Reverting to permanent farm law requires USDA to implement economic Soviet-style "command and control" policies that require farmers to achieve "parity prices" rooted in 1914 which bear no resemblance to today's market. Nobody wants permanent farm law because it would severely disrupt planting decisions for farmers and, according to USDA, will cost taxpayers up to \$50 billion in subsidies and increase food prices by \$20 billion. Yet these Depression-era farm bills work as a "deadman's switch" to pressure Congress into passing modern farm bills. This almost happened last year when the Senate passed a farm bill and the House did not. Americans may remember we faced a "dairy cliff" in December when milk would double to \$7 per gallon of milk. Within one week of the pressure from national media coverage over the "dairy cliff," Congress rushed through a business-as-usual extension of the 2008 farm bill that was absent of any reform.

There's no reason to keep a 1938 farm law on the books except to force Congress into passing farm bills by holding consumers hostage. My amendment would have repealed this permanent farm law to prevent this budgetary gamesmanship from repeating. But again, the Senate's farm bill managers refused to allow us a vote on this amendment as well.

At the end of the day, this farm bill will be hailed by its supporters as reform-minded. But let me assure the American public, it is anything but. It was managed under a closed-amendment process and will prove to be just as wasteful and costly as any farm bill we have seen to date.

For these reasons, I urge my colleagues to join me in opposing this bill.●

Mrs. FISCHER. Madam President, I rise today to speak on amendment No.

1169, a bipartisan amendment that Senator CARPER and I offered to the farm bill to fix bureaucratic hurdles that impact farmers' access to seeds. Like so many of the amendments that were offered to this farm bill, our amendment unfortunately was not considered despite broad, bipartisan support and a strong need for the legislation.

Legislation is needed to ensure that American farmers continue to have sufficient quantities of seeds each planting season. Every year, seed is produced in South America in the winter and is delivered just-in-time for spring planting in the United States. Due to the historic drought in 2012, it is estimated that 20 percent of U.S. corn seed will be brought in from South America for planting in 2013.

All seeds are regulated by the Department of Agriculture, USDA. All imported seed must be accompanied by the appropriate forms required by Customs and Border Protection, CBP and USDA, allowing the U.S. Government to electronically track the shipments. In addition to providing information on the seed and the U.S. destination, if seed is still in a research and development phase, it is imported under a strict permitting program administered by USDA's Animal and Plant Health Inspection Service, APHIS. As part of its oversight role, USDA also frequently samples and tests incoming seed shipments.

The Environmental Protection Agency, EPA requires a Notice of Arrival, NOA for all pesticides that enter the United States. Recently and without warning, EPA began requiring the same NOA form used for imported chemical pesticides on seed import shipments. These duplicative and unnecessary paperwork requirements imposed by EPA threaten to disrupt vital seed shipments.

The NOA is designed for imports of commercial pesticides not seeds, and EPA procedures are antiquated. The form cannot be processed electronically. It must be physically presented to and signed by EPA and then returned to the importer who then gives it to CBP so the shipment can enter. Some 2,000 to 3,000 shipments of counter-seasonally-produced commercial seed arrive 24 hours a day, 7 days a week during the critical period from January to April, but EPA only operates during regular business hours. This volume can quickly overwhelm the NOA process. A delay of even a day can result in delayed deliveries, delayed plantings, and reduced yield for farmers.

EPA has never issued any rule or guidance suggesting that seeds containing a pesticide require an NOA to enter the country. However, EPA officials have been enforcing this requirement for commercial seeds containing a pesticide. No seeds should be subjected to these additional paperwork requirements.

Our amendment to the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA would clarify the roles of EPA and USDA and ensure that unnecessary paperwork does not disrupt an adequate supply of seeds. This language would clarify that the NOA required for the importation of conventional pesticides is not required for imports of treated seed. All seeds would continue to be regulated by USDA under existing statutes and would remain subject to all applicable USDA and CBP entry requirements. EPA's authority to regulate the pesticides themselves would not be affected.

This bipartisan legislation was adopted by voice vote as an amendment to the House Agriculture Committee farm bill and is supported by the American Farm Bureau Federation, American Seed Trade Association, National Farmers Union, Agricultural Retailers Association, National Corn Growers Association, and National Council of Farmer Cooperatives.

Senator CARPER and I worked with Senator BOXER to make changes to our amendment to address concerns about the scope of the amendment. We are hopeful that when the farm bill is considered in conference, our amendment is adopted.

Ms. COLLINS. Madam President, I rise today in support of the Senate farm bill, S. 954, which would make significant reforms to federal agriculture programs and important investments in nutrition, conservation, and rural development. In addition to providing a safe and healthful food supply, America's farmers sustain our rural communities, protect the environment, and preserve the open space that is a vital part of our heritage.

This 5-year reauthorization bill demonstrates much-needed fiscal responsibility by eliminating wasteful direct payments, which over the years have provided financial benefits to hundreds of wealthy individuals not involved in farming. Overall, the bill would cut spending by \$24 billion, which is a step in the right direction.

The farm bill contains some significant help for family farms in Maine and throughout the country. It contains a provision I authored with Senator GILLIBRAND that would reform the way the USDA sets dairy prices, reforms that are supported by Maine's dairy farmers. The provision would require the USDA to begin the hearing process to restructure the milk pricing system and would direct the Secretary of Agriculture to release the Department's recommendations to Congress.

S. 954 would maintain fruit and vegetable research programs, which are critical for Maine's potato and wild blueberry growers. In addition, the bill includes several local and organic food initiatives that would benefit Maine's agriculture community.

The bill would also continue vital programs to address hunger and nutrition promotion while strengthening the integrity and accountability of federal nutrition programs. I was pleased to see the adoption of commonsense reforms and the rejection of an amendment that would have made harmful changes to the Supplemental Nutrition Assistance Program safety net.

Given the significant budget pressures, the bill would appropriately improve the effectiveness of conservation and rural energy initiatives. S. 954 demonstrates a continuing commitment to voluntary working lands programs that help improve stewardship practices with technical assistance and cost-share programs for working agricultural and private forest lands, including in Maine.

There are, however, some disappointments. In an arbitrary decision by the USDA, the fresh white potato is the only fresh vegetable or fruit to be specifically excluded from the Special Supplemental Nutrition Program for Women, Infants and Children, or WIC. I filed an amendment that would allow for the purchase of nutritious and affordable fresh white potatoes in WIC, which is cosponsored by a group of bipartisan colleagues, including Senators MARK UDALL, RISCH, KING, CRAPO, BENNET, JOHANNIS, SCHUMER, CANTWELL, and BALDWIN. The modification I proposed is strongly endorsed by Maine's potato industry and supported by sound nutritional science, and I am disappointed I was denied a vote on it. I will continue to press for this reform as the Senate and House negotiate a final farm bill.

An amendment I cosponsored with Senator LEAHY that would eliminate a payment limit for organic farmers under the Environmental Quality Incentives Program, also did not receive a vote. It is also regrettable that the amendment to reform the sugar program by Senator SHAHEEN, which I cosponsored and which was endorsed by a broad coalition of consumer, business, and environmental groups, failed to pass. According to CBO, these reforms would save \$82 million over the next 10 years.

The leadership of the Senate Agriculture Committee deserves credit for putting together a bipartisan farm bill during this time of partisanship. This bill is a welcome change from the previous reauthorization, which was loaded with wasteful spending and subsidies. I continue, however, to have concerns that the cost of this farm bill remains too high and that more should be done to reform agribusiness programs to help address our skyrocketing deficit. This is an area I hope Congress will continue to work on moving forward.

Mr. WHITEHOUSE. Madam President, despite its name, farm bill policies touch the lives of all Americans,

not just those who work in the agricultural sector. In addition to reauthorizing farm programs, this legislation deals with domestic and international food aid, conservation and the environment, trade, rural development, renewable energy, forestry, and financial markets, among other issues. This year's reauthorization presented an opportunity to enact significant reforms in these critical areas. While some progress was made, I believe the bill falls short of its potential and, ultimately, I cannot support it.

The farm bill took an important step toward reform by ending the longstanding practice of giving direct payments to farmers of certain commodity crops, regardless of whether a farmer experienced losses or even planted a crop. It also places caps on the amount of farm payments an individual can receive, expands crop insurance opportunities for specialty and organic crops, establishes conservation compliance as a requirement for receiving premium insurance subsidies, and invests in rural broadband.

In spite of these successes, however, the farm bill does not do enough for Rhode Island families.

Of greatest concern to me, it includes a \$4.5 billion cut over 10 years to the Supplemental Nutrition Assistance Program or SNAP also known as food stamps. These cuts could lead to a reduction in food stamp benefits for an estimated 500,000 households across the country, including possibly 20,000 households in Rhode Island. SNAP is our Nation's most important anti-hunger program. In this challenging economic climate, which has affected low-income individuals more harshly than anyone, and from which Rhode Island is recovering very slowly, it is wrong to cut critical food-assistance funding.

I am also discouraged that this legislation provides no funds for fisheries disasters, including those declared in 2012. Like our farmers, fishermen feed this nation. Americans enjoyed an average of 15 pounds of fish and shellfish per person in 2011, making us second in total seafood consumption in the world. Accordingly, fishing is also a major economic cornerstone of our coastal communities. In 2011, fisheries supported over 1.2 million jobs in the United States.

Despite adhering to strict catch limits, many fishermen and historic fishing communities are suffering dramatic declines in stocks. In 2012, Commerce Secretary Bryson and Acting Secretary Blank issued fisheries disaster declarations ranging from Alaska to Samoa, and from Mississippi up to my home State of Rhode Island. Despite being included in the Senate version, emergency funding for many of these fisheries was left out of final version of the Sandy disaster relief bill ultimately signed into law.

Farm bill programs provide billions of dollars in subsidies and technical as-

sistance to farmers every year. In comparison, fishermen have little access to similar kinds of federal subsidies. Several amendments have been filed that attempt to correct this inequity, including the creation of a pilot program for Farm Service Agency operating loans and crop insurance for shellfish growers. We are a long way, however, from adequately supporting and protecting the role of fisheries in our food supply chain. Fishermen remain second-class citizens when it comes to federal support.

Finally, American agriculture springs from the richness of our land and natural resources, and the farm bill has long supported programs to conserve and protect those resources. As the harmful effects of climate change become more prevalent, our agricultural policy should reflect the threat posed to farming and food production by these changes. In this farm bill, "climate change" and "extreme weather" are hardly even mentioned. Congress can start by opening the Regional Conservation Partnership Program to climate change adaptation and mitigation projects.

The farm bill is important and wide-ranging legislation. Unfortunately, the bill before the Senate leaves out essential protections for low-income Americans, hard-hit fisheries, and precious natural resources.

Mrs. FEINSTEIN. Madam President, I rise today in opposition to amendment No. 991, filed by my colleague, the junior Senator from South Dakota.

This amendment would eliminate \$2 billion from SNAP by limiting the funds available for cost-effective nutrition education programs.

While I appreciate and share my colleague's deep commitment to deficit reduction, this amendment would do so at the expense of those who can least afford it.

It is a shortsighted amendment penny wise and pound foolish.

A \$2 billion cut to this program would chip away at vital programs that combat obesity, a growing epidemic that weighs on our health care system and our economy. Estimates of the medical cost of adult obesity in the United States range from \$147 billion to nearly \$210 billion per year, according to the Trust for America's Health.

Cutting this program may save money in the short term, but it would cripple ongoing efforts to deliver innovative and effective nutrition education to the most vulnerable populations in our country.

And these education programs are working, Madam President.

According to a study published in the Journal of Nutrition Education and Behavior, USDA's SNAP nutrition education programs contributed to a 17 percent increase in the number of California adults who ate at least five servings of fruits and vegetables each day.

The study showed that the greatest improvements in daily fruit and vegetable consumption were seen in populations with the greatest need.

There was a 91 percent increase among the poorest segment of the population, those with less than \$15,000 in annual income, who consumed five or more serving of fruits and vegetables per day; a 77 percent improvement in the African American population, and a 43 percent improvement in the Latino population.

The staggering cost of obesity will continue to increase until we take significant action to improve our health and diet.

That's not to say that there's no room for reform; there certainly is.

That is why Congress passed the Healthy Hunger-Free Kids Act 3 years ago, a bill that made significant reforms to SNAP nutrition education programs.

Most notably, the law changed how the program is funded to make it more equitable. The formula now reflects the actual number of SNAP beneficiaries in each State.

Some would have us believe that the amendment, which mandates an across-the-board \$5 cap per recipient, is fiscally responsible. I don't think that is the case. I believe this is simply an attempt to redistribute SNAP funding to States that have shown no interest in reducing obesity among SNAP beneficiaries.

Under the Healthy Hunger Free Kids Act of 2010, funding for the SNAP Education Program is allotted based on two factors: a State's historical contributions to healthy eating and lifestyle programs, and the number of SNAP participants in the State.

The amendment offered by my colleague from South Dakota undoes that formula, instead allocating funds solely on a per-recipient basis.

The Healthy Hunger Free Kids Act formula was the product of a compromise.

The old formula, which allowed the Federal Government to match all State contributions to programs that encourage healthy eating and lifestyles for SNAP recipients, was not affordable.

By eliminating the unlimited match provision and replacing it with a block grant, the Healthy Hunger Free Kids Act was able to save taxpayers more than \$1 billion over 10 years.

In exchange for this reduction, a new formula was created. Under the new provision, States that committed hundreds of millions of their own dollars to reduce obesity, like California and Michigan, received marginally higher obesity education funding from USDA.

And States that had not dedicated their own resources to combating obesity received a relatively smaller share of the funding.

Allowing the changes from 2010, which are just now being implemented,

to take effect is the best way to effectively reform this program.

This amendment would devastate a program that helps SNAP-eligible children and families learn to stretch their food budgets, reduce hunger, make improvements to their diets and reduce obesity.

I urge my colleagues to let USDA implement the thoughtful comprehensive reforms from 2010.

Mr. LEVIN. Madam President, the Agriculture Reform, Food, and Jobs Act of 2013 contains many important provisions for my State of Michigan and for our Nation's farmers and that is why I am voting in support. The Senate passed a farm bill in 2012, but the House took no action. This was unfortunate, as that farm bill as well as the one before us now contain important reforms to agricultural programs. Reforms that will better help farmers manage their risk and better protect the environment.

CBO estimates that the Senate introduced bill would reduce direct spending by \$18 billion over a 10-year period. The bulk of these savings come from the elimination of direct payments to growers and restructuring of conservation programs. While achieving this budgetary savings, the bill provides important funding for agricultural producers. I am pleased that this farm bill provides funding for specialty crops. My home State is second only to California in the number of crops grown and is second to none in production of 18 different commodities including tart cherries, cucumbers, blueberries, dry black and red beans and cranberries. The bill before us provides mandatory funding for the Specialty Crop Research Initiative, continues funding for specialty crop block grants and consolidates efforts to fight invasive pests.

The bill also includes important conservation provisions to reduce erosion, improve wildlife habitat, and protect water quality, including that of the Great Lakes. Compliance with conservation measures is required for lands receiving Federal assistance. Every year, about 600 million tons of topsoil erode from agricultural lands in the Great Lakes region. This soil erosion also includes fertilizer and other chemicals, polluting waterways and contributing to harmful algal blooms, a growing problem in the Great Lakes. The conservation requirements in the bill would help prevent this from occurring, as well as protecting the soil quality and productivity of the farmland.

I am also pleased the bill includes the Regional Conservation Partnership Program, which would support locally-led conservation projects in priority watersheds such as the Great Lakes. The program would allow a broad range of issues to be addressed including sediment reduction, water quality improvements, and habitat conservation.

Because the Great Lakes region already has a regional plan in place, our region should be able to effectively compete for the \$110 million in annual funding that would be provided for this program. We have made some solid progress in cleaning up our Great Lakes and other waters in Michigan, but there is still much to be done. The conservation funding provided in the farm bill would help to protect and restore the Great Lakes as well as Michigan's inland waterways.

Mr. HARKIN. Madam President, sometimes Congress passes legislation that directly creates jobs. More often, we approach job creation indirectly, with legislation that lays the groundwork for a more productive and dynamic private sector. An excellent example of this is this new farm bill.

The chairwoman, Senator STABENOW, and the ranking member, Senator COCHRAN, deserve congratulations and our sincere gratitude for all of their efforts and their success in bringing this bill through the Agriculture Committee and to the Senate floor. And because this bill reflects so much of the work done in the last Congress, I also want to recognize the many contributions of Senator ROBERTS.

As a senior member and former chairman of the Committee on Agriculture, Nutrition, and Forestry, this is the eighth farm bill I have worked on since coming to Congress in 1975. I chaired the committee during passage of the 2002 and 2008 bills. From that experience, I can tell my colleagues the new farm bill—the Agriculture Reform, Food and Jobs Act of 2013—is good for Iowa and our entire Nation.

It is a difficult enough process to craft a farm bill without the extra hardship of having to take spending reductions out of the budget baseline. These budget cuts are very difficult because there are compelling needs respecting food, agriculture, and rural America. This measure embodies genuine sacrifices and serious deficit reduction. It exceeds the farm bill deficit reduction in the budget resolution we passed here in the Senate.

This bill reflects a bipartisan balance among numerous competing demands. It was broadly supported in the committee and I hope it will be broadly supported by the full Senate. Again, I commend the leadership of our committee for striking that balance and building support for this legislation.

Overall net farm income has been strong in our Nation in recent years, and that has given a boost to rural economies. But this strong income has not been enjoyed by all producers of all commodities, or in all regions of the country. For example, many farmers and ranchers are still struggling to survive the devastating impact of drought and other natural disasters.

This bill wisely continues programs that offer some income protection and



stability in the face of the inevitable natural disasters and swings in farm production levels and commodity prices. At the same time, this bill continues and builds upon important reforms in recent farm bills, for example, by strengthening and tightening payment limitations.

A landmark reform in this bill is eliminating what are called the direct commodity payments. From their inception, I did not believe the direct payments were sound or responsible policy. They were inadequate when farm prices and incomes fell. Yet when prices and incomes rose, the payments continued anyway, which was unjustified, and even embarrassing.

And so I support replacing the direct payments with the revenue protection program in this bill focused on protecting farmers against losses of revenue, taking into account both prices and yields. The new revenue program is an evolution of the Average Crop Revenue Election—ACRE—program that I was pleased we included in the 2008 farm bill. This bill also continues a strong crop insurance program, and in fact it makes it even more beneficial to farmers. That is certainly of substantial economic value to Iowa farmers.

In the conservation title, I commend Senator STABENOW, Senator COCHRAN, and Senator ROBERTS for important improvements in the programs, and for continuing the Conservation Stewardship Program and other critical initiatives with substantial funding levels. I do very much regret that conservation funding is cut from the budget baseline levels, but I commend and thank the leaders of our committee for limiting those conservation budget cuts.

I especially want to express my strong congratulations for the momentous agreement that was reached between the farm community and the conservation community to reinstate minimum conservation requirements in order for a farmer to receive Federal crop insurance subsidies. This is a very important policy reform. I very strongly urge my colleagues to support this agreement on making basic conservation an integral part of crop insurance.

I am pleased this bill continues to provide fresh fruits and vegetables to school children across the country. That is an initiative I started and expanded as chairman. I regret, however, that this legislation reduces funding for nutrition assistance to low-income Americans. I commend the chairwoman and ranking member for limiting these reductions. I intend to try to mitigate cuts to antihunger programs as the legislative process moves forward.

In the several farm and rural energy programs in the bill, I am very pleased with the substantial level of mandatory funding dedicated to continue these effective and beneficial initiatives.

So, again, I thank the chairwoman and the ranking member for their good

work and pledge my support to them in moving this bill through the Senate and to conference with the House—once the House passes its bill, we hope—and then to the President.

This new farm bill is vitally important to our Nation and especially to productivity, vitality and jobs in our Nation's food and agriculture sector. It is far too important to be delayed any longer.

Mr. DURBIN. Madam President, today I will vote to pass a bipartisan measure to reauthorize the many important programs and reforms included in this year's farm bill. Chairman STABENOW and Senator COCHRAN are to be commended for the good work they and other Agriculture Committee members put into developing this legislation.

This bill is the most sweeping reform of agriculture programs in recent memory. Gone are outdated direct payments that are made regardless of profitability of the farm. Instead, we strengthen the crop insurance program, a vital safety net for our producers, while making commonsense reforms. The amendment I offered with Senator COBURN reducing premium support for the wealthiest farmers is a part of these reforms. So is the move to require conservation compliance from farmers who benefit from subsidized crop insurance. I hope these will be retained in a final conference version of the bill.

The energy title includes mandatory funding for programs to expand bio-based manufacturing, advanced biofuels, and renewable energy. These programs help companies in Illinois like Archer Daniels Midland and Patriot Renewable Fuels process and manufacture products in rural America. There are many examples in Illinois of new markets being developed and new jobs being created in rural areas because of the growth in bio-based industries.

The bill also includes mandatory spending, reauthorizes, and expands several programs in the research title. A new Foundation for Food and Agriculture Research will leverage public dollars to generate private investment in ag research. These investments are important to Illinois producers and major research institutions like the University of Illinois, Southern Illinois University, the Peoria Agriculture Lab, and several other universities and labs across Illinois.

Finally, the bill ensures that programs are in place to help our rural communities grow and thrive and it reauthorizes food assistance programs for those most in need, at home and abroad. And it does all this while saving roughly \$24 billion compared to pre-sequestration budget levels.

As the Senate and House work through conference, I urge my colleagues to protect access to SNAP for the over 23 million households that de-

pend on the program. It is my great hope that when a final version of the 2013 farm bill is considered in the Senate, I will be able to fully support a bill that protects this important nutrition program.

Mr. LEAHY. Madam President, across Vermont's food system, businesses are starting, expanding, and creating good jobs. Ever more local food is available in stores, restaurants, and institutions throughout the State and in greater supply, for more months of the year. Important programs are reaching more food insecure Vermonters with fresh, healthy food. Thanks to the Senate farm bill we will continue to see these improvements in Vermont and across the country.

Nationwide agriculture supports 16 million jobs. In Vermont our farms and private forestlands play a large role in our economy and our State's cultural and historical identity. Iconic images of Vermont's farms and forests bring millions of visitors to the State each year, supporting our local communities.

The 2013 farm bill that the Senate passed today will continue to support our farmers and rural communities, while also reforming agricultural programs to save taxpayers billions of dollars. I am encouraged that the Senate Agriculture Committee Chairwoman DEBBIE STABENOW and our ranking member THAD COCHRAN have been able to bring the Senate together to pass a bipartisan farm bill. A farm bill that saves more than \$23 billion. A bill that includes many compromises. This bill provides an important framework to help farmers and ranchers in all regions of the country manage their risks more effectively, especially our country's dairy farmers, who strongly support the dairy provisions in the Senate-passed farm bill.

I must also thank the chairwoman for her assistance with my gigabit broadband pilot amendment. This small pilot effort is an important addition to the bill and the broadband program and will help to ensure that the taxpayer dollars we are investing in networks will not become obsolete within the next few years. Gigabit Internet is spreading to cities across the country, and this pilot will allow USDA to test out investment in gigabit networks in rural areas on a pilot basis. The next generation gigabit networks will transform everything from the reliability of the electrical grid, to education and healthcare in rural America. We cannot leave rural America behind in the dust while the rest of the country moves into this next stage of the digital era.

I urge the U.S. House of Representatives to follow suit by bringing a farm bill up for debate as soon as possible. Time already is running short for us to bring Senate and House bills to a conference committee to work out the



vast differences and arrive at a compromise farm bill that can be signed into law prior to the Sept. 30 expiration of the current bill. Farmers face enough uncertainty in their work and do not need Congress to compound the variables with which they must contend by once again delaying final action on a farm bill. Our farmers and the American people deserve a new farm bill and a balanced bill like the one we have passed in the Senate today, a bill which supports our nutrition, conservation, rural development, and farm programs. Our farmers cannot afford to be kept in limbo any longer by congressional gridlock.

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired. The question occurs on amendment No. 998, offered by the Senator from Vermont, Mr. LEAHY.

Mr. LEAHY. Madam President, this amendment is very simple. It sets up a pilot program for real ultra-high-speed Internet in rural areas. We are going to have this in urban areas. All we are saying is let rural areas—and every single Senator represents a rural area somewhere in their State—allow rural areas to compete with urban areas for jobs, for education, for medical care.

The ultra-high-speed Internet service pilot is narrow in scope, carefully drafted. I know it is supported by the distinguished chair and distinguished ranking member. It has the potential of bringing, as I said earlier, the innovation of Silicon Valley to the Upper Valley in Vermont and rural areas across the country.

It is almost what we had to argue about rural electricity back before I was born—whether rural areas would be the same as urban areas. This makes it possible.

I urge its passage.

Ms. STABENOW. I urge a “yes” vote on the Leahy amendment.

The PRESIDING OFFICER. The question is on agreeing to the Leahy amendment.

Mr. COCHRAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Alaska (Mr. BEGICH), the Senator from Ohio (Mr. BROWN), the Senator from West Virginia (Mr. MANCHIN), the Senator from Vermont (Mr. SANDERS), the Senator from Colorado (Mr. UDALL), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from South Carolina (Mr. GRA-

HAM), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), the Senator from South Carolina (Mr. SCOTT), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from South Carolina (Mr. SCOTT) would have voted “nay.”

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 38, as follows:

[Rollcall Vote No. 144 Leg.]

YEAS—48

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Bennet	Heinrich	Nelson
Boxer	Heitkamp	Pryor
Cantwell	Hirono	Reed
Cardin	Johanns	Reid
Carper	Johnson (SD)	Rockefeller
Casey	Kaine	Schatz
Collins	King	Schumer
Coons	Klobuchar	Shaheen
Cowan	Landrieu	Stabenow
Donnelly	Leahy	Tester
Durbin	Levin	Udall (NM)
Feinstein	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Mikulski	Wyden

NAYS—38

Alexander	Cruz	McCaskill
Ayotte	Enzi	McConnell
Barrasso	Fischer	Moran
Blunt	Flake	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chiesa	Heller	Rubio
Coats	Hoeven	Sessions
Coburn	Inhofe	Shelby
Cochran	Isakson	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Wicker
Crapo	Lee	

NOT VOTING—14

Begich	Manchin	Scott
Blumenthal	McCain	Udall (CO)
Brown	Murkowski	Vitter
Chambliss	Paul	Warner
Graham	Sanders	

The amendment (No. 998) was agreed to.

Mr. LEAHY. Madam President, I move to reconsider the vote.

Mr. WHITEHOUSE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. We have one more vote tonight on final passage.

The PRESIDING OFFICER. The clerk will read the bill for the third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, under the previous order the question is, Shall it pass?

Mr. COATS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from West Virginia (Mr. MANCHIN), the Senator from Colorado (Mr. UDALL), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Kentucky (Mr. PAUL).

Further, if present and voting, the Senator from Alaska (Ms. MURKOWSKI) would have voted “nay.”

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 27, as follows:

[Rollcall Vote No. 145 Leg.]

YEAS—66

Alexander	Durbin	McCaskill
Baldwin	Feinstein	Menendez
Baucus	Fischer	Merkley
Bennet	Franken	Mikulski
Blumenthal	Gillibrand	Moran
Blunt	Graham	Murphy
Boozman	Grassley	Murray
Boxer	Hagan	Nelson
Brown	Harkin	Pryor
Burr	Heinrich	Reid
Cantwell	Heitkamp	Rockefeller
Cardin	Hirono	Sanders
Carper	Hoeven	Schatz
Casey	Isakson	Schumer
Chambliss	Johanns	Shaheen
Chiesa	Johnson (SD)	Stabenow
Coats	Kaine	Tester
Cochran	King	Udall (NM)
Collins	Klobuchar	Vitter
Coons	Landrieu	Warren
Cowan	Leahy	Wicker
Donnelly	Levin	Wyden

NAYS—27

Ayotte	Hatch	Risch
Barrasso	Heller	Roberts
Coburn	Inhofe	Rubio
Corker	Johnson (WI)	Scott
Cornyn	Kirk	Sessions
Crapo	Lee	Shelby
Cruz	McConnell	Thune
Enzi	Portman	Toomey
Flake	Reed	Whitehouse

NOT VOTING—7

Begich	Murkowski	Warner
Manchin	Paul	
McCain	Udall (CO)	

The bill (S. 954), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

VOTE EXPLANATIONS

● Mr. WARNER. Mr. President, I was not able to vote on final passage of the farm bill today due to an urgent personal matter, but I want the record to reflect my strong support for the Agriculture Reform, Food and Jobs Act. Last year I voted in favor of the farm bill and would have once again supported this bipartisan legislation. S. 954 gives Virginia's farmers the certainty they need, supports the economies of our rural communities and also improves current farm programs. I am proud that the bill contains two of my priorities: ensuring farmers in the Chesapeake Bay watershed get a fair share of conservation funding and reforming broadband financing programs

to provide greater accountability and transparency. I would like to thank the chairwoman and ranking member for their tireless efforts, and wish I could have been there to cast my vote for this important, bipartisan legislation. ●

● Mr. UDALL of Colorado. Mr. President, I was unable to return to Washington, DC, prior to the votes this evening due to unavoidable travels delays that were beyond my control and was therefore unable to cast a vote for rollcall votes No. 144 and 145, Leahy amendment No. 998 and final passage of the farm bill, S. 954. Had I been present, I would have voted "yea" on each. ●

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to speak for up to 5 minutes. Following my remarks, Senator SESSIONS will have the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE FARM BILL

Mr. BROWN. Under the leadership of Chairman STABENOW and Ranking Member COCHRAN, the Senate has again passed a bipartisan deficit-reducing bill that will help our farms, our families, our economy, and our environment.

The Agriculture Reform, Food, and Jobs Act of 2013 is a good start to cultivating a new era of prosperity in our country and reinvesting in rural America. That is because this bill benefits all Americans, especially in my home State of Ohio.

One in seven jobs in Ohio, in places such as Custar and Defiance, is related to food and agriculture. To keep our economy growing, the farm bill must remain a priority here in Congress. We have shown the Senate can do its part.

To people who are uncertain about our ability to work across the aisle, I say look at this farm bill. To people who are concerned about spending in Washington, I say look at this farm bill. To people who are disheartened about our ability to help low-income families make ends meet, I say look at this farm bill.

This bill saves more than \$24 billion, and it maintains important investments in conservation, nutrition, renewable energy, and rural development. Farmers across Ohio and across the country tell us they want a leaner, more efficient, and market-oriented farm safety net. Taxpayers deserve that too.

By eliminating direct payments, linking crop insurance to conservation compliance, and by further reforming our risk management programs, the Senate has taken that first step.

Every farmer knows the importance of building on last season's work. Last

year, Senators THUNE, DURBIN, Lugar—the predecessor—the Presiding Officer, and I proposed the Aggregate Risk and Revenue Management Program, streamlining the farmer safety net, making it more market-oriented. The Agricultural Risk Coverage Program included in this bill gives farmers the tools they need to mitigate risks, ensuring that payments happen only when farmers need them most. The program relies on current data and, as a result, is more responsive to farmers' needs and more responsive to taxpayers.

It also includes a provision to help Ohio farmers and producers sell their products directly to consumers. It will make a world of difference to families and schools that want to eat locally grown food. I appreciate the efforts, interest, and support of Senator COCHRAN in those efforts.

However, this bill does not include my food and agriculture market development amendment, cosponsored by 14 of my colleagues, to provide needed funding to several important programs that support the development of a stronger, more sustainable food system. We will work on that in the House.

By aligning our agricultural, health, and economic policies in ways that ensure farmers get a fair price for their product, all Americans can have access to affordable, healthy food, while contributing to strong communities and thriving local economies.

The farm bill affects every American every day. It is a deficit reduction bill. It is a jobs bill, conservation bill, rural development bill, and it is bipartisan.

I commend again Senator STABENOW and Senator COCHRAN for their work in crafting this bill, and their joint effort to work across party lines is to be commended.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I want to thank the Senate for passing this very important farm bill, the Agriculture Reform, Food, and Jobs Act of 2013.

I especially thank my colleagues DEBBIE STABENOW and PAT ROBERTS and their staff members for the hard work they devoted to this effort. Their bill, when it was begun, passed the Senate last year. Their legislation became the starting point for our work this year on the bill.

The chairwoman of the Agriculture Committee, Senator STABENOW, and her staff director, Chris Adamo, have been outstanding leaders in this effort. I would at this opportunity thank them and all of the members of their staff for their hard work in developing a strategy and developing language of a bill that could enjoy such broad support.

Members of our committee staff and my personal office staff have worked

very hard too in this effort. I would like to thank them for their contributions. I appreciate their hard work. They include my staff director, T. A. Hawks, Nona McCoy, Kevin Batteh, Darrell Dixon, Adam Telle, Daniel Ulmer, Ben Mosely, Taylor Nicholas, Julian Baer, Andrew Vlasaty, Chris Gallegos, Steven Wall, Keith Coble, Anne Hazlett, James Glueck, and Sarah Margaret Hewes. The staff members have done an outstanding job, and I am very pleased they have been members of our team. For all of them and especially for the Senators and the support we have received today, we appreciate the support very much.

Mr. President, I yield the floor.

#### FORTY-EIGHTH ANNIVERSARY OF GRISWOLD V. CONNECTICUT

Mr. DURBIN. Mr. President, 48 years ago on June 5, the U.S. Supreme Court made a landmark ruling in *Griswold v. Connecticut*, which legalized birth control for married couples in all 50 States and paved the way for women and men to have legal access to contraception.

The Justices' decision not only recognized birth control as a right protected under our Constitution, but empowered women and families to make decisions in the best interest of their health and well-being.

In fact, access to birth control has had such a dramatic impact on women and families in this country that the Centers for Disease Control and Prevention named it one of the top 10 public health achievements of the past century, along with vaccinations and adding fluoride to water.

Family planning and contraceptive services give women and couples the ability to determine timing of births and family size.

Research shows that having smaller families and spacing out births improve the health of children and women.

Access to contraception also improves the economic and social well-being of women.

Contraception allows young women to postpone pregnancy until they finish school, secure a good job, and are as ready as any parent can be to start a family.

The benefits of contraception help not only women, but their children.

When parents have prepared themselves financially and mentally to love and support a child, the child reaps all the benefits.

While the Supreme Court's 1965 ruling on *Griswold v. Connecticut* paved the way for legalizing contraception, the Federal Government has played a key role in expanding access to family planning services.

In 1970, under President Nixon, title X was created and remains the only dedicated source of Federal funding for family planning services in the U.S.

Title X provides critical family planning and preventive health care to 5.2 million low-income and uninsured women and men across the country.

Title X services prevent nearly 1 million unintended pregnancies each year, almost half of which would otherwise end in abortion.

In 1972, 2 years after the creation of title X, Medicaid funding for family planning was authorized.

Last year, a key provision of the health care reform law took effect that builds on the legacy of *Griswold v. Connecticut*.

New health insurance plans will now cover a range of preventive health services, including contraception services, at no cost.

The annual cost of birth control pills can range from \$160 to \$600. For many women, that expense has been a barrier to accessing basic health care.

Over the last 48 years, we have made tremendous progress ensuring women have access to quality health care and are free to make decisions about their own health.

As we remember *Griswold v. Connecticut*, we must remember those who fought to ensure access to contraception. We must protect personal freedoms and defend our Nation from efforts to undermine access to basic health care.

#### AWARD OF ABILENE TROPHY TO ST. LOUIS REGION

Mr. DURBIN. Mr. President, I rise today to commend the communities of St. Louis and Southwestern Illinois region for winning the Air Mobility Command Community Support—Award also known as the Abilene Trophy—for their support of Scott Air Force Base in 2012.

The Abilene Trophy is presented annually to a civilian community recognized for providing outstanding support to a nearby US Air Force Air Mobility Command base. The award has been presented every year since 1998 and highlights the role our communities play in support of our service men and women and their families.

Scott Air Force Base in St. Clair County, IL, is home to the 375th Air Mobility Wing, the Air Force Reserve Command's 932nd Airlift Wing, and the Illinois Air National Guard's 126th Air Refueling Wing. Scott Air Force Base also headquarters major military organizations such as USTRANSCOM, the Air Force Global Logistics Support Center, and the Air Mobility Command. Winning the prestigious Abilene Trophy is particularly meaningful, given the multiple missions supported there.

The nomination package for the Abilene Trophy cited over 270 examples of how the surrounding communities have supported military personnel at the base, including in-kind donations such

as \$500,000 worth of documented material aid through the H.E.R.O.E.S. Care program. Partnerships were built that could help servicemembers and their families find appropriate resources. Servicemembers and their families were recognized by major league sports teams such as the Cardinals and the Rams and by community schools and businesses. Countless other examples of generosity, support and gratitude from the community have provided financial, physical, and emotional support throughout the year.

We owe a great debt of gratitude to the men and women who have sacrificed their lives or go to work every day to protect our country. I am proud to support those who have done so much for our Nation and am just as proud of those communities that do the same.

Congratulations to the Southwestern Illinois and St. Louis regions on winning the Abilene Trophy. Tomorrow's awards ceremony reminds us of your commitment to our servicemembers at Scott Air Force Base and to our military families.

#### SRI LANKA

Mr. INHOFE. Mr. President, I rise to encourage our Department of State to review its current policies regarding the country of Sri Lanka, and seek further engagement with its leadership so as to assist them as they continue their progress toward complete reconciliation and reconstruction after 30 years of the civil war against the Tamil Tiger terrorists.

As you know, four years ago Sri Lanka defeated the Tamil rebels, and is currently recovering from the economic, political, and social upheaval caused by this destructive civil war. Peace has brought historic post-conflict recovery, and I find that Sri Lanka has brought the dividends of peace in an inclusive manner, in particular to those in the north and the east of the country from where suicide bombers and other terrorist attacks were once launched.

It is my understanding that, since the war ended, those two areas have seen an economic growth of 22%, compared to an average of 7.5% in the rest of the country. It is also my understanding that Sri Lanka has removed half a million anti-personnel mines, resettled 300,000 internally displaced people and re-established vital social services in the areas of health and education. It is making progress in other areas of reconciliation in accordance with its legislative and budgetary procedures, and is expected to conduct elections in the north in September—an important step towards political reconciliation. Such processes take time, as we have learned from our own Civil War.

It seems to me that Sri Lanka is developing into a key economy, both in

its own right and as a gateway to India. It is my understanding that U.S. private investment there totals billions in long term Sri Lankan bonds. Such investments there, however, are not as visible as the airports and harbors financed by China and other governments. Regardless, it is my understanding that at this time, Sri Lanka continues to present a unique window of investment opportunities for U.S. companies.

In addition, Sri Lanka's geo-strategic location and deep-water ports could be vital to the long term financial and national security interests of the U.S. Some 50% of all container traffic and 70% of the world's energy supplies pass within sight of the Sri Lankan coast.

Understandably, U.S. policies towards Sri Lanka have focused on accountability for what happened during the last phases of the civil war as well as on steps toward reconciliation efforts that seek inclusion of former terrorist enemies into the democratic process. While these aspects are very important and deserving of support, I believe there is the opportunity to engage in a wider approach at the same time that takes into account economic and geostrategic considerations. Maybe a wider approach would have a positive influence overall.

I have expressed these points recently in correspondence to Secretary Kerry, urging him to undertake at the Department of State a review of our current policies towards Sri Lanka to ensure that we not only encourage continued reconciliation that includes political transparency especially in the upcoming election in the north but also recognize Sri Lanka's potential to be a strong financial and national security ally in the future.

Secretary Kerry has replied agreeing with me that promising economic growth is occurring in Sri Lanka after years of terrorist insurgency, and that this country can play a significant geopolitical role in U.S. strategic security interests in South Asia and the Indian Ocean. The State Department, however, points out that Sri Lanka still needs to achieve "meaningful reconciliation between the Sinhala majority and Tamil and Muslim minorities."

I take the State Department at its word, and believe the upcoming September 7 Provincial Council elections in the north can be a meaningful act of reconciliation between the Sinhala majority and Tamil Muslim minorities. And if they are deemed to be conducted in a free and fair manner, I will renew my request to Secretary Kerry to re-access our current policies towards Sri Lanka.

#### TRIBUTE TO ROBERT MARTIN, TUSKEGEE AIRMAN

Mr. HARKIN. Mr. President, I would like to take a moment to recognize the

remarkable service of Robert Martin, who has spent his life overcoming racial barriers and giving back to his country through extraordinary military and public service.

Born and raised in Dubuque, IA, Mr. Martin, in his youth and throughout his life, demonstrated an exceptional commitment to academics, athletics, and community service. He participated in Boy Scouts despite threats and backlash from fellow scouts' parents. He was also ultimately inducted into the Dubuque Senior High School Athletic Hall of Fame. He graduated from Iowa State University earning a degree in electrical engineering and obtained a pilot's license.

Mr. Martin, while still in college, applied to join the U.S. Army Air Corps and was accepted after he was drafted into service. He began his military career in Fort Dodge, but was transferred to Tuskegee, AL, to train in the Army's Black pilot program, where he received the rank of commissioned second lieutenant and specialized in operating the AT-6 Texan and the P-40 War Hawk. He then, in 1944, became an active fighter pilot in Italy, conducting over 60 long-range combat missions as part of the 100th Fighter Squadron. His squadron defended B-17 Flying Fortresses from German assaults. On March 3, 1945, he was shot down by ground fire in Yugoslavia. He parachuted from his burning plane and successfully avoided German capture with the help of Yugoslavian partisans. Upon his recovery, he returned to the U.S. and was honorably discharged.

After being discharged, Mr. Martin continued to serve in the Army Air Corps Reserves, rising to the rank of captain. Following his military career, he maintained a commitment to public service, serving as an engineer for Cook County, IL. He was also a leader in Tuskegee Airmen, Inc., an organization whose members travel the country as educators and historians.

Mr. Martin was awarded a number of accolades for his service, including the Distinguished Flying Cross, a Purple Heart, an Air Medal with six Oak Leaf Clusters, and, in 2007, the Congressional Gold Medal. Moreover, he was inducted into the Iowa Aviation Hall of Fame and presented the George Washington Carver Medal from Simpson College, which recognizes individuals who have served as an inspiration to others; demonstrated leadership and conviction; advanced the fields of science, education, the arts, or religion; and dedicated themselves to addressing humanitarian issues. Mr. Martin's record exemplifies the extraordinary military service African Americans performed and the dedication that they displayed for their country in spite of the prejudice they experienced.

Robert Martin is a remarkable citizen, truly deserving of his many decorations and my gratitude. I wish him

and his family all the best and thank him and all the Tuskegee Airmen for their steadfast service.

#### CONSULTATION REQUEST

Mr. COBURN. Mr. President, I ask unanimous consent that my letter dated June 10, 2013, to the minority leader be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, June 10, 2013.

Hon. MITCH MCCONNELL,  
Senate Minority Leader, U.S. Senate,  
Washington, DC.

DEAR SENATOR MCCONNELL: I am requesting that I be consulted before the Senate enters into any unanimous consent agreements or time limitations regarding H.R. 180, National Blue Alert Act of 2013.

I support the goals of this legislation and believe suspects who seriously injure or kill federal, state or local law enforcement officers in the line of duty should be apprehended as quickly as possible. However, I believe the responsibility to address this issue, as it relates to state and local law enforcement officers, lies with the states and local communities that these brave law enforcement officers serve. Furthermore, while I do not believe this issue is the responsibility of the federal government; if Congress does act, we can and must do so in a fiscally responsible manner. My concerns are included in, but not limited to, those outlined in this letter.

While this bill is well-intentioned, it will likely cost the American people several million dollars over 5 years without corresponding offsets. I recognize this bill no longer contains the authorization included in prior versions of this legislation; however, establishing a new program which requires the Department of Justice (DOJ) to carry out additional responsibilities, even if implemented by existing staff, is not free of future costs. In examining last year's National Blue Alert Act of 2012 (H.R. 365), the Congressional Budget Office (CBO) estimated the DOJ would incur an additional \$5 million over 5 years solely in administrative costs to operate the Blue Alert system. As this legislation made no changes from the 2012 bill, it is safe to assume those costs will recur.

It is irresponsible for Congress to jeopardize the future standard of living of our children by borrowing from future generations. The U.S. national debt is now over \$16.7 trillion. That means over \$53,000 in debt for each man, woman and child in the United States. A year ago, the national debt was \$15.7 trillion. Despite pledges to control spending, Washington adds billions to the national debt every single day. In just one year, our national debt has grown by \$1 trillion or 6.4%.

In addition to these fiscal concerns, there are several problems specific to this legislation. First, there is no need to establish a national Blue Alert system because many states have already developed their own Blue Alert programs for the same purposes outlined in this bill, including alerts issued for the injury or death of federal, as well as state and local law enforcement officers. In 2008, Florida and Texas were the first states to establish these programs. Fourteen additional states soon followed—Oklahoma, Maryland, Georgia, Delaware, California, Virginia, Mississippi, Tennessee, Utah, Colo-

rado, South Carolina, Washington, Kentucky, and Ohio. This year, in July and October, respectively, Indiana and Connecticut will begin their Blue Alert systems. Several state legislatures currently have legislation pending that would establish a Blue Alert system, including Minnesota, Illinois and Alabama.

Furthermore, there is no data to support the success of any of the existing state Blue Alert programs. Oklahoma established its Blue Alert system in 2009, but it is not yet fully functional. The last five states to establish an alert system did so just last year. As a result, not only have states already established their own programs, but from the limited use of the existing systems, there is no clear evidence of a substantial need for a Blue Alert system, or of the consistent, successful apprehension of suspects as a direct result of a Blue Alert. If anything, we should wait for these programs to produce results that can be examined and determine whether this type of system is useful before instituting a federal one-size-fits-all program.

Second, while the bill's supporters likely envision pursuing suspects who have injured or killed a law enforcement officer in a routine traffic stop or while fleeing a crime scene, for example, the bill's definition of "law enforcement officer" is much broader. The bill incorporates the definition in Section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968, which includes "an individual involved in crime and juvenile delinquency control or reduction, or enforcement of the criminal laws (including juvenile delinquency), including, but not limited to, police, corrections, probation, parole, and judicial officers." As a result, a Blue Alert could be issued for a state court bailiff, a state parole officer, or an officer within a state's juvenile corrections facility, if injured in the line of duty.

Finally, I do not believe the federal government has the authority under the Constitution to provide federal funds to coordinate the tracking of state and local fugitives or to establish national protocols to apprehend suspects accused of injuring or killing state and local law enforcement officers. Article I, Section 8 of the Constitution enumerates the limited powers of Congress, and nowhere are we tasked with funding or becoming involved with state and local criminal issues.

There is no question those suspected of injuring or killing a state or local law enforcement officer in the line of duty should be aggressively pursued and prosecuted. However, I believe this issue is the responsibility of the states and not the federal government. Despite these Constitutional limitations, if Congress does act in this area, like most American individuals and companies must do with their own resources, we should evaluate current programs, determine any needs that may exist, and prioritize those needs for funding by cutting from the federal budget programs fraught with waste, fraud, abuse, and duplication.

Sincerely,

TOM A. COBURN, M.D.,  
United States Senator.

#### TRIBUTE TO COMMANDER GEORGE KOVATCH

Ms. LANDRIEU. Mr. President, the Homeland Security Appropriations Subcommittee will soon bid farewell to our congressional fellow, Coast Guard CDR. George Kovatch, who has served

the Committee on Appropriations over the past 3 years. Unfortunately, Commander Kovatch is retiring, so not only is his departure a loss for the Committee on Appropriations, but it is also a loss for the Coast Guard.

Commander Kovatch has been detailed to the committee from the U.S. Coast Guard since 2010 and is a key member of our professional staff. Commander Kovatch performed admirably in his role on the Homeland Security Appropriations Subcommittee. He did everything we asked of him, with pinpoint accuracy, and always beat the deadlines given to him. I would also add that he served the committee during interesting times, perhaps more interesting than he imagined when he accepted the job. He was here for the Deepwater Horizon oil spill, the Times Square bombing attempt, the air cargo printer scare, Hurricanes Isaac and Sandy, and the Boston marathon bombing.

The Homeland Security Appropriations Subcommittee has greatly benefited from the experience Commander Kovatch gained as a Coast Guard officer, in particular his insights into the operations of a complex military organization that is combined with a large domestic agency. He has superb analytical skills that have been critical in our review of a \$39 billion budget request and in developing complex spreadsheets that synthesize funding issues into easily understood documents we have used in hearings, closed briefings, in full committee, and on the floor. He made critical recommendations that were adopted to improve key components within the Department of Homeland Security, most notably carefully overseeing integrity efforts following the rapid hiring of agents and officers at Customs and Border Protection as well as Immigration and Customs Enforcement to ensure that all agents, but especially new hires, receive comprehensive training in ethics and public integrity. His unqualified professionalism, perception, superb analytic focus and technical skills, combined with a keen sense of humor, a cool head, and a modesty rarely seen on Capitol Hill, have helped keep the momentum for these bills moving forward. His high standards of professionalism and thoroughness are beyond reproach, and his contributions have been highly valued.

Through all of this, George maintained the decorum and professionalism that we have all come to expect from our military officer corps, and he has represented the Coast Guard with the highest integrity and competence. Commander Kovatch has served me, this subcommittee, and the Senate well. We are sorry to see him leave and will miss him as our colleague but are glad to count him as a friend. Each of us on the Homeland Security Appropriations Subcommittee

wish George all the best as he moves forward in the next phase of his career, where we anticipate seeing great things of him in the coming years.

#### ADDITIONAL STATEMENTS

##### HAM RADIO IN ALASKA

• Mr. BEGICH. Mr. President, the American Radio Relay League is the national association for amateur radio, connecting ham radio operators around the world. Each year, the league sponsors a 24-hour Field Day in June. The weekend of June 22 to 23 was chosen for 2013.

Ham radio has a variety of uses from private recreation, to roundtable discussions, self-training to emergency correspondence. Throughout its history, amateur radio has been a tool for inventors and hobbyists to share experiences and spread ideas. Notable enthusiasts include the late Walter Cronkite, "CBS Evening News" anchor, and Nobel Prize-winning physicist Dr. Joseph H. Taylor. In the past, just by signing on one could converse with a foreign dignitary or even bounce radio waves off the Moon or aurora borealis to speak with cosmonauts aboard the International Space Station.

In Alaska, there are 16 ham radio clubs. These clubs provide a vital communication link that may otherwise not be available. This link includes checkpoint updates for the Yukon Quest and Iditarod sled dog races, support for local organizations such as the Boy Scouts, and critical forecast information to and from the National Weather Service.

In 2011, a superstorm in the Bering Sea crippled communities along the west coast of Alaska. Ham radio operators took up the task of providing real time data to local, State, and Federal weather services, as well as to emergency responders, on the condition of residents. As ham radio can operate independent of AC power or internet connection, it is well-suited to communities in rural Alaska.

Indeed, ham radio operators have been there throughout our Nation's times of need: the 1964 Good Friday earthquake in Alaska and more recently Hurricane Katrina in the lower 48. These operators are deeply committed to public service, and they work tirelessly unpaid hours to maintain the flow of information.

As Alaska's Field Day approaches, let us remember the vital role ham radio operators have played in education, science, survival, entertainment, and relationship-building in the United States. •

##### TRIBUTE TO MICHAEL F. ADAMS

• Mr. ISAKSON. Mr. President, today I wish to pay tribute to Dr. Michael F.

Adams, president of my alma mater, the University of Georgia, which is the first State-chartered university in America. Dr. Adams is stepping down as president on June 30, 2013, after 16 very successful years leading Georgia's flagship university.

Dr. Adams was named president of UGA on June 11, 1997, and immediately focused on making the university one of America's best. Under his leadership, student quality has risen dramatically, research production has increased significantly, and UGA is serving the people of Georgia and our Nation in new and innovative ways. As a result, U.S. News & World Report has ranked it as one of America's top 20 public research universities in 8 of the past 10 years.

The UGA campus has been transformed during Dr. Adams' presidency, with more than \$1.2 billion in new construction, renovation, and infrastructure undertaken. He created the UGA Real Estate Foundation as a funding mechanism for much needed campus projects. His dedication to making UGA's campus one of the most breathtaking in the country is apparent. When approaching Sanford Stadium from the west end, two of the capital projects that Dr. Adams has undertaken are visible. Not only are the Richard B. Russell Special Collections Libraries and the expansion of the Tate Center a testament to the growth of the university's physical campus, but they also show the president's commitment to ensuring that UGA's students have access to state-of-the-art facilities. It is "a place of the quality to which we aspire should look the part," as he has said.

Dr. Adams has also overseen the construction of the Paul D. Coverdell Center for Biomedical and Health Sciences, a new Lamar Dodd School of Art, an expansion of the Georgia Museum of Art, and the first new residence halls on campus in more than 30 years, the East Campus Village.

There has been an expansion of the infrastructure and physical footprint under Dr. Adams, and he has also directed an increase in growth and diversity of the academic program. Five new colleges or schools have been established during his tenure: the School of Public and International Affairs, the College of Environment and Design, the College of Public Health, the Eugene P. Odum School of Ecology, and the College of Engineering. Additionally, the UGA Health Sciences campus on the former campus of the U.S. Navy Supply Corps School houses the College of Public Health, as well as the Georgia Regents University-University of Georgia Medical Partnership, granting medical degrees in Athens for the first time.

Understanding, appreciating, and sharing the passion with which Georgians cheer for the "Dawgs," Dr. Adams has also made sure that UGA

athletics continue the tradition of fielding the most gifted and dominant teams and athletes in the country. UGA athletes have won 27 national championships, 58 Southeastern Conference titles, and 125 national individual titles while Dr. Adams has been president. He also understands that the balance between academics and athletics is not a zero-sum game but that each plays a unique role in defining the identity of the university.

Dr. Adams has been an outstanding leader of this institution. During his tenure, he has personally or on behalf of the university received more than 50 awards in higher education, including the Knight Foundation Award for Presidential Leadership and the James T. Rodgers Award, the highest honor bestowed by the Southern Association of Colleges and Schools.

I would like to thank and recognize University of Georgia president Michael F. Adams for his extraordinary service to the University of Georgia and our great State.●

#### REMEMBERING HENRY T. "HANK" WILFONG, JR.

● Ms. LANDRIEU. Mr. President, as chair of the Senate Committee on Small Business and Entrepreneurship, I join the small business community throughout our country in mourning the death of Mr. Henry T. "Hank" Wilfong, Jr., president of the National Association of Small Disadvantaged Businesses, NASDB. Mr. Wilfong was a valued partner in promoting, improving, and increasing opportunities for firms owned by socially and economically disadvantaged individuals. He not only was a CPA, with an MBA from UCLA, he also served in a number of capacities for Presidents, Governors, and local municipalities. Most notably, Mr. Wilfong was the first Black Pasadena City Councilman. He was also a three-time Presidential appointee, which included the Small Business Administration's Associate Administrator of the 8(a) Program. Later, he founded NASDB, a trade organization representing over 300 minority, women-owned, service-disabled, veteran-owned, and HUBZone small businesses.

Whether it was his advocacy for parity among the set-aside programs or his passion for strengthening the women-owned small business and 8(a) Programs, we have all been touched by his legacy, which promotes equal opportunity for all small businesses to succeed and live the American dream of entrepreneurship. With his passing, we also lose a U.S. Army Korean War veteran. He was a fighter his entire life, and we are all grateful for his service to our country, both in the military and as an advocate. Our deepest condolences go out to his family and all those whose lives he touched. We will greatly miss Hank Wilfong, Jr., who

served as the voice for so many small businesses that deserved to be heard.●

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1121. A bill to stop the National Security Agency from spying on citizens of the United States and for other purposes.

H.R. 126. An act to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1783. A communication from the Program Manager, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Information Required in Prior Notice of Imported Food" (RIN0910-AG65) received in the Office of the President of the Senate on June 3, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1784. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Process for a Designated Contract Market or Swap Execution Facility to Make a Swap Available to Trade under Section 2(h) (8) of the Commodity Exchange Act; Swap Transaction Compliance and Implementation Schedule; Trade Execution Requirement under Section 2(h) of the CEA" (RIN3038-AD18) received in the Office of the President of the Senate on June 3, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1785. A communication from the Director of Program Development and Regulatory Analysis, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Community Connect Broadband Grant Program" (RIN0572-AC30) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1786. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Unincorporated Business Entities" (RIN3052-AC65) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1787. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sedaxane; Pesticide Tolerances" (FRL No. 9386-9) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1788. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Imidacloprid; Pesticide Tolerances" (FRL No. 9387-9) received in the Office of the

President of the Senate on June 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1789. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Diisopropyl adipate; Exemption from the Requirement of a Tolerance" (FRL No. 9387-8) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1790. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Propamocarb; Pesticide Tolerances" (FRL No. 9388-1) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1791. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "1,3-Propanediol; Exemptions from the Requirement of a Tolerance" (FRL No. 9386-8) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1792. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Kendall L. Card, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1793. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Gerald R. Beaman, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1794. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Francis J. Wiercinski, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1795. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Richard P. Formica, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1796. A communication from the Director, Facilities Services Directorate, Department of Defense, transmitting, pursuant to law, the Facilities Services Directorate/Pentagon Renovation and Construction Program Office (PENREN) annual report; to the Committee on Armed Services.

EC-1797. A communication from the Principal Deputy Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a report relative to modernization priority assessments provided by the Chiefs of the Reserve and National Guard components; to the Committee on Armed Services.

EC-1798. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Department of Defense 2013 Major Automated Information System (MAIS) Annual Reports (MARs); to the Committee on Armed Services.

EC-1799. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, the



Department's Cooperative Threat Reduction (CTR) Annual Report to Congress for fiscal year 2014; to the Committee on Armed Services.

EC-1800. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, (2) two reports relative to vacancies in the Department of the Treasury received in the Office of the President of the Senate on June 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1801. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a six-month periodic report relative to the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was originally declared in Executive Order 12938 of November 14, 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC-1802. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Understandings Reached at the 2012 Australia Group (AG) Plenary Meeting and the 2012 AG Intersessional Decisions; Changes to Select Agent Controls" (RIN0694-AF76) received in the Office of the President of the Senate on June 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1803. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition, Removals, and Revisions to the List of Validated End-Users in the People's Republic of China" (RIN0694-AF92) received in the Office of the President of the Senate on June 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1804. A communication from the General Counsel and Agency Ethics Official, Office of General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Supplemental Standards of Ethical Conduct for Employees of the National Credit Union Administration" (RIN3133-AE10) received in the Office of the President of the Senate on June 5, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1805. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Loan Originator Compensation Requirements Under the Truth in Lending Act (Regulation Z); Prohibition on Financing Credit Insurance Premiums; Delay of Effective Date" (RIN3170-AA37) (Docket No. CFPB-2013-0013) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-1806. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Filing, Indexing and Service Requirements for Oil Pipelines" (Docket No. RM12-15-000) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Energy and Natural Resources.

EC-1807. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Reliability

Standards for Geomagnetic Disturbances" (Docket No. RM12-22-000) received in the Office of the President of the Senate on June 3, 2013; to the Committee on Energy and Natural Resources.

EC-1808. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Freeport Harbor Channel Improvement Project, Brazoria County, Texas; to the Committee on Environment and Public Works.

EC-1809. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Models for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF-426, Revision 5, 'Revise or Add Actions to Preclude Entry into LCO 3.0.3—RITSTF Initiatives 6B and 6C,' Using the Consolidated Line Item Improvement Process" (NUREG-1432) received in the Office of the President of the Senate on June 5, 2013; to the Committee on Environment and Public Works.

EC-1810. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Updated Aging Management Criteria for Reactor Vessel Internal Components for Pressurized Water Reactors" (LR-ISG-2011-04) received in the Office of the President of the Senate on June 5, 2013; to the Committee on Environment and Public Works.

EC-1811. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Allegheny County Reasonably Available Control Technology Under the 8-Hour Ozone National Ambient Air Quality Standard" (FRL No. 9820-3) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Environment and Public Works.

EC-1812. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Kentucky: Kentucky Portion of Cincinnati-Hamilton, Revision to the Motor Vehicle Emissions Budgets" (FRL No. 9820-1) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Environment and Public Works.

EC-1813. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia; Removal of Obsolete Regulations and Updates to Citations to State Regulations Due to Recodification" (FRL No. 9819-6) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Environment and Public Works.

EC-1814. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; 1997 8-Hour Ozone Maintenance Plan Revision; Motor Vehicle Emissions Budgets for the Ohio Portion of the Wheeling Area" (FRL No. 9821-3) received in the Office of the President of the Senate on June 6, 2013; to the

Committee on Environment and Public Works.

EC-1815. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Lima 1997 8-Hour Ozone Maintenance Plan Revision to Approved Motor Vehicle Emissions Budgets" (FRL No. 9821-5) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Environment and Public Works.

EC-1816. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Maryland; Revisions to the State Implementation Plan Approved by EPA through Letter Notice Actions" (FRL No. 9822-5) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Environment and Public Works.

EC-1817. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revision to the Classification and Implementation of the 2008 Ozone National Ambient Air Quality Standards for the Northern Virginia Nonattainment Area" (FRL No. 9822-3) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Environment and Public Works.

EC-1818. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Low Emission Vehicle Program" (FRL No. 9822-6) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Environment and Public Works.

EC-1819. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Indiana: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9817-9) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Environment and Public Works.

EC-1820. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Implementation of Regulatory Guide 1.221 on Design-Basis Hurricane and Hurricane Missiles" (DC/COL-ISG-24) received in the Office of the President of the Senate on June 4, 2013; to the Committee on Environment and Public Works.

EC-1821. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Direct Final Approval of Sewage Sludge Incinerators State Plan for Designated Facilities and Pollutants; Indiana" (FRL No. 9821-1) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Environment and Public Works.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:



By Mr. ROCKEFELLER for the Committee on Commerce, Science, and Transportation.

\*Anthony Renard Foxx, of North Carolina, to be Secretary of Transportation.

\*Penny Pritzker, of Illinois, to be Secretary of Commerce.

\*Coast Guard nomination of Rear Adm. Steven E. Day, USCGR, to be Rear Admiral.

Mr. ROCKEFELLER. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

\*Coast Guard nomination of Loring A. Small, to be Lieutenant Commander.

\*Coast Guard nomination of Adam R. Williamson, to be Lieutenant Commander.

\*Coast Guard nomination of Kevin J. Lopes, to be Commander.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PORTMAN:

S. 1122. A bill to authorize States to use assistance provided under the Hardest Hit Fund program of the Department of the Treasury to demolish blighted structures, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARPER (for himself, Mr. COBURN, Mr. BENNET, Mr. COONS, Ms. KLOBUCHAR, Ms. LANDRIEU, Mrs. MCCASKILL, Mr. WARNER, Ms. AYOTTE, Mr. ENZI, Mr. ISAKSON, and Mr. CORKER):

S. 1123. A bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Mr. KING, and Mr. BLUMENTHAL):

S. 1124. A bill to establish requirements with respect to bisphenol A; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 1125. A bill to require the Secretary of State to submit to Congress reports on water sharing with Mexico; to the Committee on Foreign Relations.

By Mr. REED (for himself, Mr. GRASSLEY, Ms. STABENOW, Mr. COWAN, and Mr. BLUMENTHAL):

S. 1126. A bill to aid and support pediatric involvement in reading and education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. COCHRAN, Mrs. MURRAY, and Mr. WHITEHOUSE):

S. 1127. A bill to amend the Elementary and Secondary Education Act of 1965 regarding school libraries, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. UDALL of Colorado (for himself, Mr. ALEXANDER, Mr. BROWN, Ms. CANTWELL, Mrs. GILLIBRAND, Mr. MCCONNELL, and Mr. UDALL of New Mexico):

S. Res. 164. A resolution designating October 30, 2013, as a national day of remembrance for nuclear weapons program workers; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. RUBIO, Mrs. BOXER, Mr. BARRASSO, and Mr. MURPHY):

S. Res. 165. A resolution calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko in light of the recent European Court of Human Rights ruling; to the Committee on Foreign Relations.

By Mr. COONS (for himself and Mr. FLAKE):

S. Res. 166. A resolution commemorating the 50th anniversary of the founding of the Organization of African Unity (OAU) and commending its successor, the African Union; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Mr. RUBIO, and Mr. CARDIN):

S. Res. 167. A resolution reaffirming the strong support of the United States for the peaceful resolution of territorial, sovereignty, and jurisdictional disputes in the Asia-Pacific maritime domains; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 294

At the request of Mr. TESTER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 348

At the request of Mr. ROCKEFELLER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 348, a bill to provide for increased Federal oversight of prescription opioid treatment and assistance to States in reducing opioid abuse, diversion, and deaths.

S. 351

At the request of Mr. CORNYN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 351, a bill to repeal the provisions of the Patient Protection and Affordable Care Act of providing for the Independent Payment Advisory Board.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Min-

nesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 501

At the request of Mr. SCHUMER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 501, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 548

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 548, a bill to amend title 10, United States Code, to improve and enhance the capabilities of the Armed Forces to prevent and respond to sexual assault and sexual harassment in the Armed Forces, and for other purposes.

S. 654

At the request of Ms. LANDRIEU, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 654, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 700

At the request of Mr. KAINE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

S. 749

At the request of Mr. CASEY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 749, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 964

At the request of Mrs. MCCASKILL, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 964, a bill to require a comprehensive review of the adequacy of the training, qualifications, and experience of the Department of Defense personnel responsible for sexual assault prevention and response for the Armed Forces, and for other purposes.

S. 967

At the request of Mrs. GILLIBRAND, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 971

At the request of Mr. WYDEN, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from South Dakota (Mr. THUNE) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 971, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 976

At the request of Mr. UDALL of Colorado, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 976, a bill to provide for education of potential military recruits on healthy body weight and to facilitate and encourage exercise in potential military recruits, and for other purposes.

S. 987

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 987, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 999

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 999, a bill to amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

S. 1028

At the request of Mr. SANDERS, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1028, a bill to reauthorize and improve the Older Americans Act of 1965, and for other purposes.

S. 1053

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1053, a bill to amend title XVIII of the Social Security Act to strengthen and protect Medicare hospice programs.

S. 1091

At the request of Ms. MIKULSKI, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1091, a bill to provide for the

issuance of an Alzheimer's Disease Research Semipostal Stamp.

S. 1096

At the request of Mr. BAUCUS, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1096, a bill to establish an Office of Rural Education Policy in the Department of Education.

S.J. RES. 15

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S.J. Res. 15, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 154

At the request of Mr. HOEVEN, the names of the Senator from Illinois (Mr. KIRK), the Senator from Idaho (Mr. RISC), the Senator from South Carolina (Mr. SCOTT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Iowa (Mr. GRASSLEY), the Senator from Ohio (Mr. PORTMAN), the Senator from Mississippi (Mr. WICKER), the Senator from Texas (Mr. CORNYN), the Senator from Missouri (Mr. BLUNT), the Senator from South Dakota (Mr. THUNE), the Senator from Arizona (Mr. MCCAIN), the Senator from Nebraska (Mrs. FISCHER), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Wyoming (Mr. BARRASSO), the Senator from Indiana (Mr. COATS), the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. COBURN), the Senator from Oregon (Mr. WYDEN) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. Res. 154, a resolution supporting political reform in Iran and for other purposes.

AMENDMENT NO. 1025

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 1025 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1118

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 1118 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1163

At the request of Mr. HOEVEN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of amendment No. 1163 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1166

At the request of Mr. CHAMBLISS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 1166 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. KING, and Mr. BLUMENTHAL):

S. 1124. A bill to establish requirements with respect to bisphenol A; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, scientific studies continue to show cause for concern about the chemical Bisphenol-A, BPA, especially the effects on babies and young children. Endocrine disrupting chemicals alter the function of the body's hormonal system. BPA is a synthetic estrogen, which means that it mimics this hormone when in the body. While studies continue to examine the exact effects this endocrine disrupting chemical has on humans, consumers deserve more information. They have the right to know if it is in the food products they purchase for their families.

The BPA in Food Packaging Right to Know Act requires that food packaging that uses BPA include a clear label informing consumers. The label would read, "This food packaging contains BPA, an endocrine-disrupting chemical." This basic message would allow individuals to make informed decisions about the products they purchase.

BPA is most commonly found in food products, such as the lining of cans. Parents are busy enough caring for their children and juggling what feels like a hundred things at the same time. Having factual information about whether the food they are buying at the grocery store contains BPA, a potentially harmful chemical, shouldn't be one more thing they have to go to great lengths to figure out.

This legislation also directs the Department of Health and Human Services, HHS, to do a safety assessment of food containers containing BPA to determine if there is reasonable certainty that no harm will come from long-term low dose exposure to BPA as well as high dose exposure.

This safety standard would also be used to evaluate proposed uses of alternatives to BPA. There is no use in replacing BPA in products if what we are replacing it with is just as bad or worse for human health.

The President's Cancer Panel focused on reducing the environmental cancer risk in its 2008-2009 Annual Report. BPA is just one of many chemicals that pose a potential environmental cancer risk, with links to various cancers and also potentially affecting how

well cancer treatments work. This panel, appointed by former President George W. Bush, decided that even though studies are ongoing, they had enough information to state that “the true burden of environmentally induced cancer has been grossly underestimated.”

I agree with this finding and strongly believe that as scientific studies continue to seek definitive answers to the role of chemical exposure in adversely affecting human health, the very least that consumers deserve is the right to know what chemicals, such as BPA, are in the products they are purchasing. The panel specifically mentions concern that even though studies continue to link BPA with a variety of diseases, it still remains in products.

I am particularly concerned about the negative health effects to children who are exposed to chemicals both while they are developing in the womb and in the first few years of their lives. Children are particularly susceptible to toxins while their bodies are developing at such a rapid pace. A recent study by researchers at the University of California, Berkeley, stated that fetuses and pregnant women may be particularly susceptible to BPA exposure. The study found that exposure to BPA may have an effect on thyroid function, and suggests continued studies to confirm these findings.

An article published in *Health Affairs* in 2011 estimated that the annual cost of diseases that can be attributed to negative environmental exposures was more than \$76 billion per year in 2008. The incidence of endocrine system-related diseases continues to rise, and animal studies have shown adverse health effects in connection with exposure to BPA.

A recent study by researchers at the Columbia Center for Children's Environmental Health examined a link between BPA exposure and an increased risk for asthma in young children. They found that there was an elevated risk associated with BPA exposure and more research is needed to determine specific links.

BPA is one of the most pervasive chemicals in modern life. This chemical is used in thousands of consumer products and the most common exposure is through the lining of food packaging—like cans of green beans and ready-made soups. As with so many other chemicals in consumer products, BPA has been added to our products without knowing if it is safe or not.

I urge my colleagues to join me in supporting the BPA in Food Packaging Right to Know Act to stand up for the right of consumers to make informed choices about the food products they buy for their families. I look forward to working with my colleagues on this important issue.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 1125. A bill to require the Secretary of State to submit to Congress reports on water sharing with Mexico; to the Committee on Foreign Relations.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1125

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Working to Address Treaty Enforcement Rapidly for Texas Act”.

#### SEC. 2. REPORTS ON WATER SHARING WITH MEXICO.

(a) IN GENERAL.—The Secretary of State shall submit to Congress a report—

(1) not later than 45 days after the date of enactment of this Act, and quarterly thereafter, describing efforts by Mexico to meet the treaty obligations of Mexico to deliver water to the Rio Grande, in accordance with the treaty between the United States and Mexico entitled “Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande” (done at Washington, February 3, 1944); and

(2) not later than 1 year after the date of enactment of this Act, and annually thereafter, describing the benefits to the United States of the document entitled “Interim International Cooperative Measures in the Colorado River Basin through 2017 and Extension of Minute 318 Cooperative Measures to Address the Continued Effects of the April 2010 Earthquake in the Mexicali Valley, Baja California” (done at Coronado, California, November 20, 2012 (commonly referred to as “Minute Number 319”)).

(b) ACTION BY SECRETARY OF STATE.—Notwithstanding any other provision of law, the Secretary of State shall not extend Minute Number 319 if the Secretary fails to comply with the requirements of this Act.

By Mr. REED (for himself, Mr. GRASSLEY, Ms. STABENOW, Mr. COWAN, and Mr. BLUMENTHAL):

S. 1126. A bill to aid and support pediatric involvement in reading and education; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce with my colleague, Senator GRASSLEY, the Prescribe-a-Book Act. I thank Senators STABENOW, COWAN, and BLUMENTHAL for joining us as original cosponsors of this bipartisan bill.

Literacy skills are the foundation for success in school and in life. Developing and building these skills begins at home, with parents as the first teachers.

Our legislation would create a federal pediatric early literacy grant initiative based on the long-standing, successful Reach Out and Read program. The program would award grants on a competitive basis to high-quality non-profit entities to train doctors and nurses to discuss with parents the importance of reading aloud to their children and to give books to children at pediatric

check-ups from six months to five years of age, with a priority for children from low-income families. It builds on the relationship between parents and medical providers and helps families and communities encourage early literacy skills so children enter school prepared for success in reading.

The pediatric literacy model implemented by Reach Out and Read has consistently demonstrated effectiveness in increasing family engagement and boosting children's reading proficiency. Research published in peer-reviewed, scientific journals has found that parents who have participated in the program are significantly more likely to read to their children and include more children's books in their home, and that children served by the program show an increase of 4–8 points on vocabulary tests. I have seen up-close the positive impact of this program on children and their families when visiting a number of Rhode Island's Reach Out and Read sites.

The Prescribe a Book Act would leverage federal dollars to expand pediatric literacy initiatives so that more young children reap the developmental benefits of having books at home and being read to by their parents. Federal grant funding for Reach Out and Read through the Department of Education helped build a successful public-private partnership that has been matched by tens of millions of dollars from the private sector and state governments. The Prescribe a Book Act would establish a formal authorization for activities modeled on this type of successful partnership.

I urge our colleagues to join us in co-sponsoring the Prescribe a Book Act, and to work to include its provisions in the upcoming reauthorization of the Elementary and Secondary Education Act.

By Mr. REED (for himself, Mr. COCHRAN, Mrs. MURRAY, and Mr. WHITEHOUSE):

S. 1127. A bill to amend the Elementary and Secondary Education Act of 1965 regarding school libraries, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce with my colleagues Senators COCHRAN, MURRAY, and WHITEHOUSE, the Strengthening Kids' Interest in Learning and Libraries Act.

Since 1965, more than 60 education and library studies have produced clear evidence that school libraries staffed by qualified librarians have a positive impact on student academic achievement. Knowing how to find and use information are essential skills for college and careers. A good school library, staffed by a trained school librarian, is where students develop and hone these skills.

Our bipartisan legislation would reauthorize and strengthen the Improving Literacy through School Libraries

program of the Elementary and Secondary Education Act, the only federal initiative explicitly dedicated to supporting and enhancing our nation's school libraries. The key improvements to the program include ensuring that elementary, middle, and high school students are served; expanding professional development to include digital literacy instruction and reading and writing instruction across all grade levels; focusing on coordination and shared planning time between teachers and librarians; awarding grants for a period of three years; and ensuring that books and materials are appropriate for and gain the interest of students with special learning needs, including English learners.

The SKILLS Act would also strengthen Title I by asking state and school district plans to address the development of effective school library programs to help students gain digital literacy skills, master the knowledge and skills in the challenging academic content standards adopted by the state, and graduate from high school ready for college and careers. Additionally, the legislation would broaden the focus of training, professional development, and recruitment activities under Title II to include school librarians.

Absent a clear federal investment, the libraries in many of our high poverty schools will languish with outdated materials and technology, and in turn, students would be cut off from a vital information hub that connects them to the tools they need to develop critical thinking and research skills necessary for success. This is a true equity issue, which is why I will continue to fight to sustain our federal investment in this area and why renewing and strengthening the school library program is of critical importance.

I urge our colleagues to join us in cosponsoring the bipartisan Strengthening Kids' Interest in Learning and Libraries Act, and to work together to ensure that it becomes a part of the upcoming reauthorization of the Elementary and Secondary Education Act.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 164—DESIGNATING OCTOBER 30, 2013, AS A NATIONAL DAY OF REMEMBRANCE FOR NUCLEAR WEAPONS PROGRAM WORKERS

Mr. UDALL of Colorado (for himself, Mr. ALEXANDER, Mr. BROWN, Ms. CANTWELL, Mrs. GILLIBRAND, Mr. MCCONNELL, and Mr. UDALL of New Mexico) submitted the following resolution; which was referred to the Committee on the Judiciary.

S. RES. 164

Whereas, since World War II, hundreds of thousands of men and women, including uranium miners, millers, and haulers, have

served the United States by building nuclear weapons for the defense of the United States;

Whereas those dedicated workers paid a high price for their service to develop a nuclear weapons program for the benefit of the United States, including by developing disabling or fatal illnesses;

Whereas the Senate recognized the contribution, service, and sacrifice those patriotic men and women made for the defense of the United States in Senate Resolution 151, 111th Congress, agreed to May 20, 2009, Senate Resolution 653, 111th Congress, agreed to September 28, 2010, Senate Resolution 275, 112th Congress, agreed to September 26, 2011, and Senate Resolution 519, 112th Congress, agreed to August 1, 2012;

Whereas a national day of remembrance time capsule has been crossing the United States, collecting artifacts and the stories of nuclear weapons program workers relating to the nuclear defense era of the United States, and a remembrance quilt has been constructed to memorialize the contribution of those workers;

Whereas the stories and artifacts reflected in the time capsule and the remembrance quilt reinforce the importance of recognizing nuclear weapons program workers; and

Whereas those patriotic men and women deserve to be recognized for the contribution, service, and sacrifice they have made for the defense of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates October 30, 2013, as a national day of remembrance for the nuclear weapons program workers, including uranium miners, millers, and haulers, of the United States; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate October 30, 2013, as a national day of remembrance for past and present workers in the nuclear weapons program of the United States.

##### SENATE RESOLUTION 165—CALLING FOR THE RELEASE FROM PRISON OF FORMER PRIME MINISTER OF UKRAINE YULIA TYMOSHENKO IN LIGHT OF THE RECENT EUROPEAN COURT OF HUMAN RIGHTS RULING

Mr. DURBIN (for himself, Mr. RUBIO, Mrs. BOXER, Mr. BARRASSO, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Foreign Relations.

S. RES. 165

Whereas, in August 1991, the Ukrainian Parliament declared independence from the Soviet Union and approved decrees to mint its own currency and take command of all Soviet military units on its soil;

Whereas, in December 1991, 90 percent of Ukrainians voted in a referendum to support independence from the Soviet Union;

Whereas Ukraine has experienced increased economic and political cooperation with Europe and the United States since its independence from the Soviet Union;

Whereas, in 1996, Ukraine adopted its first democratic constitution that included basic freedoms of speech, assembly, religion, and press;

Whereas in 2004, Ukrainians organized a series of historic protests, strikes, and sit-ins known as the "Orange Revolution" to protest electoral fraud in the 2004 presidential election;

Whereas Yulia Tymoshenko was a leader of the Orange Revolution and was first elected as Prime Minister in 2005;

Whereas, in the 2010 presidential election, incumbent President Viktor Yushchenko won only 5.5 percent in the first round of voting, which left former Prime Minister Viktor Yanukovich and then Prime Minister Yulia Tymoshenko to face one another in a run-off election;

Whereas Mr. Yanukovich defeated Ms. Tymoshenko by a margin of 49 percent to 44 percent;

Whereas, on October 11, 2011, Ms. Tymoshenko was found guilty and sentenced to seven years in prison on charges that she abused her position as Prime Minister in connection with a Russian natural gas contract;

Whereas, on January 26, 2012, the Parliamentary Assembly Council of Europe (PACE) passed a resolution (1862) that declared that the articles under which Ms. Tymoshenko was convicted were "overly broad in application and effectively allow for ex post facto criminalization of normal political decision making";

Whereas, on May 30, 2012, the European Parliament passed a resolution (C153/21) deploing the sentencing of Ms. Tymoshenko;

Whereas, on September 22, 2012, the United States Senate passed a resolution (S. Res 466, 112th Congress) that condemned the selective and politically motivated prosecution and imprisonment of Yulia Tymoshenko, called for her release, and called on the Department of State to institute a visa ban against those responsible for the imprisonment of Ms. Tymoshenko and the other political leaders associated with the 2004 Orange Revolution;

Whereas, on April 7, 2013, President of Ukraine Viktor Yanukovich pardoned former interior minister Yuri Lutsenko and several other opposition figures allied with Ms. Tymoshenko;

Whereas, on April 30, 2013, the European Court of Human Rights, which settles cases of rights abuses after plaintiffs have exhausted appeals in their home country courts, ruled that Ms. Tymoshenko's pretrial detention had been arbitrary; that the lawfulness of her detention had not been properly reviewed; that her right to liberty had been restricted; and, that she had no possibility to seek compensation for her unlawful deprivation of liberty;

Whereas, on April 30, 2013, Department of State Spokesman Patrick Ventrell reiterated the United States call that Ms. Tymoshenko "be released and that the practice of selective prosecution end immediately" in light of the European Court of Human Rights decision;

Whereas Ukraine hopes to sign an association agreement with the European Union during the Eastern Partnership Summit in November 2013; and

Whereas, after the European Court of Human Rights ruling, European Parliament Committee on Foreign Affairs chairman Elmar Brok stated that "Ukraine is still miles away from fulfilling European standards" and must "end its selective justice" before signing the association agreement: Now, therefore, be it

*Resolved*, That the Senate—

(1) calls on the Government of Ukraine to release former Prime Minister Yulia Tymoshenko from imprisonment in light of the April 2013 European Court of Human Rights verdict;

(2) calls on the European Union members to include the release of Ms. Tymoshenko from imprisonment as an important criterion for signing an association agreement

with Ukraine at the upcoming Eastern Partnership Summit in Lithuania;

(3) expresses its belief and hope that Ukraine's future rests with stronger ties to Europe, the United States, and others in the community of democracies; and

(4) expresses its concern and disappointment that the continued selective and politically motivated imprisonment of former Prime Minister Yulia Tymoshenko unnecessarily detracts from Ukraine's otherwise strong relationship with Europe, the United States, and the community of democracies.

**SENATE RESOLUTION 166—COMMEMORATING THE 50TH ANNIVERSARY OF THE FOUNDING OF THE ORGANIZATION OF AFRICAN UNITY (OAU) AND COMMENDING ITS SUCCESSOR, THE AFRICAN UNION**

Mr. COONS (for himself and Mr. FLAKE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 166

Whereas, on May 25, 1963, 32 newly independent African countries signed the Charter of the Organization of African Unity (OAU) to promote unity, solidarity, and political and economic cooperation among themselves, and to defend member states' sovereignty, territorial integrity, and independence;

Whereas upon its inception, the OAU embraced the principles of the Universal Declaration of Human Rights, including freedom of association, free expression, and political participation;

Whereas such efforts to encourage African unity, advance human rights, and promote economic development on the continent were undermined by regional conflicts, military coups, and civil wars, as well as large foreign debts, increasing trade imbalances, food insecurity, and weak institutions;

Whereas a decision declaring the establishment of the African Union (AU) as a successor organization to the OAU to promote democratic principles and institutions, encourage economic growth, and develop new tools for the collective promotion of regional stability was adopted in Sirte, Libya, on March 1, 2001, and March 2, 2002;

Whereas the vision of the African Union is that of "an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena";

Whereas the African Union expresses commitment to the essential values of transparency and accountability and promotes democratic processes across the continent of Africa;

Whereas the African Union departed from the OAU's abiding doctrine of nonintervention in the internal affairs of member states in favor of a new policy establishing the right of the AU to intervene in a member state under grave circumstances, including with respect to war crimes, genocide, and crimes against humanity;

Whereas the African Union continues to build more robust African regional institutions in order to address the myriad challenges facing the continent, and has established an African peace and security architecture, the New Partnership for Africa's Development, a strategic framework for regional socioeconomic development, the Comprehensive Africa Agriculture Development

Program, and the African Peer Review Mechanism, which seeks to help advance good governance, among other institutions;

Whereas the African Union has contributed to regional peace and security by mobilizing peacekeeping or intervention forces to protect civilians or support political mediation missions and peace-building processes in Burundi, Comoros, Sudan, Somalia, and Mali;

Whereas efforts to end conflicts on the continent of Africa, which continue to destabilize states, undermine democracy, stifle economic growth and investment, and rob young Africans of the opportunity for an education and a better life, are a key United States objective;

Whereas it is critical to the interests of the United States that the African Union be capable of effectively addressing current conflicts and preventing future ones, advancing economic growth and broad-based and sustainable economic development, and consolidating democracy and good governance;

Whereas the United States Government demonstrated its strong commitment to working closely with the AU by establishing a Mission to the African Union in 2006;

Whereas, on August 3, 2010, the United States and the African Union signed a \$5,800,000 multi-year assistance agreement to achieve common policy objectives;

Whereas, on June 14, 2012, President Barack Obama announced a United States Strategy Toward Sub-Saharan Africa, which calls on the United States to deepen its partnership with African countries and regional organizations by supporting efforts to advance accountable, democratic governance and adherence to human rights norms and the rule of law, particularly by supporting the African Union African Charter on Democracy, Elections, and Governance and other multilateral standards;

Whereas key goals also supported by the African Union include fostering peace and security, spurring economic growth, trade, and investment, and promoting opportunity and development;

Whereas, on February 1, 2013, a Memorandum of Understanding was signed between the United States and the African Union to cement cooperation on peace and security, democracy and governance, economic growth, trade, and investment, and promotion of opportunity and development;

Whereas the African Union serves as a pre-eminent dialogue and policy-making forum for leaders in Africa seeking to advance a wide range of regional political, security, social, and economic objectives, including sub-regional integration, and is a key interlocutor for and representative of the people of Africa in international political and policy forums, including the United Nations; and

Whereas close relations between the United States and the African Union mutually benefit the people of the United States and Africa and the political, security, economic, and cultural relations that link them: Now, therefore, be it

*Resolved*, That the Senate—

(1) extends warm congratulations to the former member states of the Organization of African Unity on the 50th year anniversary of its founding, in particular its original 32 member states;

(2) commends member states of the African Union for their strong and determined joint efforts to promote democratic societies, sustainable development, and sound economic practices, and peace, security, and stability on the continent;

(3) urges the President to continue to strongly support efforts to advance and

strengthen United States-African Union cooperation, including through United States programs to help build the capacities of the African Union;

(4) encourages the President to expedite and expand United States efforts to achieve the goals and objectives of his United States Strategy Toward Sub-Saharan Africa; and

(5) emphasizes the rule of law, good governance, respect for human rights, open markets, and broad-based and sustainable economic growth and development as key pillars for long-term stability and security in Africa and United States engagement with the continent.

**SENATE RESOLUTION 167—REAFFIRMING THE STRONG SUPPORT OF THE UNITED STATES FOR THE PEACEFUL RESOLUTION OF TERRITORIAL, SOVEREIGNTY, AND JURISDICTIONAL DISPUTES IN THE ASIA-PACIFIC MARITIME DOMAINS**

Mr. MENENDEZ (for himself, Mr. RUBIO, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 167

Whereas the maritime domain of the Asia-Pacific region includes critical sea lines of communication and commerce between the Pacific and Indian oceans;

Whereas the United States has a national interest in freedom of navigation and overflight in the Asia-Pacific maritime domains, as provided for by universally recognized principles of international law;

Whereas the United States has a national interest in the maintenance of peace and stability, open access by all to maritime domains, respect for universally recognized principles of international law, prosperity and economic growth, and unimpeded lawful commerce;

Whereas the United States has a clear interest in encouraging and supporting the nations of the region to work collaboratively and diplomatically to resolve disputes without coercion, without intimidation, without threats, and without the use of force;

Whereas the South China Sea contains great natural resources, and their stewardship and responsible use offers immense potential benefit for generations to come;

Whereas, in recent years, there have been numerous dangerous and destabilizing incidents in this region, including Chinese vessels cutting the seismic survey cables of a Vietnamese oil exploration ship in May 2011; Chinese vessels barricading the entrance to the Scarborough Reef lagoon in April 2012; China issuing an official map that newly defines the contested "nine-dash line" as China's national border; and, since May 8, 2013, Chinese naval and marine surveillance ships maintaining a regular presence in waters around the Second Thomas Shoal, located approximately 105 nautical miles northwest of the Philippine island of Palawan;

Whereas the Association of Southeast Asian Nations (ASEAN) has promoted multilateral talks on disputed areas without settling the issue of sovereignty, and in 2002 joined with China in signing a Declaration on the Conduct of Parties in the South China Sea that committed all parties to those territorial disputes to "reaffirm their respect for and commitment to the freedom of navigation in and over flight above the South

China Sea as provided for by the universally recognized principles of international law" and to "resolve their territorial and jurisdictional disputes by peaceful means, without resorting to the threat or use of force";

Whereas Japan and Taiwan reached an agreement on April 10, 2013, to jointly share and administer the fishing resources in their overlapping claimed exclusive economic zones in the East China Sea, an important breakthrough after 17 years of negotiations and a model for other such agreements;

Whereas other incidences of the joint administrations of resources in disputed waters in the South China Sea have de-escalated tensions and promoted economic development, such as Malaysia and Brunei's 2009 agreement to partner on exploring offshore Brunei waters, with drilling in offshore oil and gas fields off Brunei beginning in 2011; and Thailand and Vietnam's agreement to jointly develop areas of the Gulf of Thailand for gas exports, despite ongoing territorial disputes;

Whereas the Government of the Republic of the Philippines states that it "has exhausted almost all political and diplomatic avenues for a peaceful negotiated settlement of its maritime dispute with China" and in his statement of January 23, 2013, Republic of Philippines Secretary of Foreign Affairs Del Rosario stated that therefore "the Philippines has taken the step of bringing China before the Arbitral Tribunal under Article 287 and Annex VII of the 1982 Convention on the Law of the Sea in order to achieve a peaceful and durable solution to the dispute";

Whereas, in January 2013, a Chinese naval ship allegedly fixed its weapons-targeting radar on Japanese vessels in the vicinity of the Senkaku Islands, and, on April 23, 2013, eight Chinese marine surveillance ships entered the 12-nautical-mile territorial zone off the Senkaku Islands, further escalating regional tensions;

Whereas, on May 8, 2013, the Chinese Communist Party's main newspaper, *The People's Daily*, published an article by several Chinese scholars questioning Japan's sovereignty over Okinawa, where key United States military installations are located which contribute to preserving security and stability in the Asia-Pacific region;

Whereas the Government of the People's Republic of China has recently taken other unilateral steps, including declaring the Senkaku Islands a "core interest", "improperly drawing" baselines around the Senkaku Islands in September 2102, which the 2013 Annual Report to Congress on Military and Security Developments Involving the People's Republic of China found to be "inconsistent with international law", and maintaining a continuous military and paramilitary presence around the Senkaku Islands;

Whereas, although the United States does not take a position on the ultimate sovereignty of the Senkaku Islands, the United States Government acknowledges that they are under the administration of Japan and opposes any unilateral actions that would seek to undermine such administration, affirms that the unilateral actions of a third party will not affect the United States' acknowledgment of the administration of Japan over the Senkaku Islands, remains committed under the Treaty of Mutual Cooperation and Security to respond to any armed attack in the territories under the administration of Japan, and has urged all parties to take steps to prevent incidents and manage disagreements through peaceful means;

Whereas, on August 3, 2012, a Department of State spokesperson expressed concern over "China's upgrading of the administrative level of Sansha City and the establishment of a new military garrison there," encouraged ASEAN and China "to make meaningful progress toward finalizing a comprehensive Code of Conduct," and called upon claimants to "explore every diplomatic or other peaceful avenue for resolution, including the use of arbitration or other international legal mechanisms as needed";

Whereas the United States recognizes the importance of strong, cohesive, and integrated regional institutions, including the East Asia Summit (EAS), ASEAN, and the Asia-Pacific Economic Cooperation (APEC) forum, as foundation for effective regional frameworks to promote peace and security and economic growth, including in the maritime domain, and to ensure that the Asia-Pacific community develops rules-based regional norms which discourage coercion and the use of force;

Whereas the United States welcomes the development of a peaceful and prosperous China, the government of which respects international norms, international laws, international institutions, and international rules; enhances security and peace; and seeks to advance a "new model" of relations between the United States and China; and

Whereas ASEAN plays an important role, in partnership with others in the regional and international community, in addressing maritime security issues in the Asia-Pacific region and into the Indian Ocean, including open access to the maritime domain of Asia: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns the use of coercion, threats, or force by naval, maritime security, or fishing vessels and military or civilian aircraft in the South China Sea and the East China Sea to assert disputed maritime or territorial claims or alter the status quo;

(2) strongly urges that all parties to maritime and territorial disputes in the region exercise self-restraint in the conduct of activities that would undermine stability or complicate or escalate disputes, including refraining from inhabiting presently uninhabited islands, reefs, shoals, and other features and handle their differences in a constructive manner;

(3) reaffirms the strong support of the United States for the member states of ASEAN and the Government of the People's Republic of China as they seek to develop a code of conduct of parties in the South China Sea, and urges all countries to substantively support ASEAN in its efforts in this regard;

(4) supports collaborative diplomatic processes by all claimants in the South China Sea for resolving outstanding maritime or territorial disputes, in a manner that maintains peace and security, adheres to international law, and protects unimpeded lawful commerce as well as freedom of navigation and overflight, and including through international arbitration, allowing parties to peacefully settle claims and disputes using universally recognized principles of international law;

(5) encourages the deepening of efforts by the United States Government to develop partnerships with other countries in the region for maritime domain awareness and capacity building; and

(6) supports the continuation of operations by the United States Armed Forces in the Western Pacific, including in partnership with the armed forces of other countries in the region, in support of freedom of naviga-

tion, the maintenance of peace and stability, and respect for universally recognized principles of international law, including the peaceful resolution of issues of sovereignty and unimpeded lawful commerce.

## NOTICES OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources has been postponed. This hearing was scheduled to be held on Tuesday, June 11, 2013, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of the hearing was to receive testimony on the November 6, 2012, referendum on the political status of Puerto Rico and the administration's response.

For further information, please contact Allen Stayman at (202) 224-7865 or Danielle Deraney at (202) 224-1219.

### COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, June 12, 2013, in SR-301, Russell Senate Office Building, at 10 a.m., to conduct a hearing on the nomination of Davita Vance-Cooks, of Virginia, to be the Public Printer.

For further information regarding this hearing, please contact Lynden Armstrong at the Rules and Administration Committee, (202) 224-6352.

### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU. Mr. President, I wish to announce that the Committee on Small Business and Entrepreneurship will meet on June 13, 2013, at 10 a.m. in room 428A, Russell Senate Office Building to hold a markup of pending legislation.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Monday, June 10, 2013, at 5:30 p.m. in room S-216.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Mr. DURBIN. Mr. President, I ask unanimous consent that Emily Sharp, Michael Branson, Mike Oleyar, Teresa Bloom, fellows from the Senate Budget Committee, be granted floor privileges during consideration of S. 744.

The PRESIDING OFFICER. Without objection, it is so ordered.



Mr. DURBIN. Mr. President, I ask unanimous consent that fellows in Senator BLUMENTHAL's office, Afton Cissell and Sean Arenson, be granted floor privileges for the duration of debate on S. 744.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Chair grant privileges of the floor to Joseph McCormack of the Budget Committee for the remainder of the first session of the 113th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR PRINTING OF TRIBUTES

Mr. BROWN. Mr. President, I ask unanimous consent that tributes to Frank Lautenberg, the late Senator from New Jersey, be printed as a Senate document and that Members have until 12 noon on Thursday, June 20, to submit said tributes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, the appointment of the following Senator as a member of the Senate National Security Working Group for the 113th Congress: ROBERT MENENDEZ of New Jersey (Majority Co-Chairman), vice Frank R. Lautenberg of New Jersey (Majority Co-Chairman).

#### ORDERS FOR TUESDAY, JUNE 11, 2013

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, June 11, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to proceed to S. 744, the comprehensive immigration reform bill, under the previous order; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. BROWN. Tomorrow at 2:15 p.m., there will be a cloture vote on the motion to proceed to the immigration bill. If cloture is invoked, there will be a second vote at 4 p.m. to adopt the

motion to proceed and begin consideration of the bill.

#### ORDER FOR ADJOURNMENT

Mr. BROWN. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn following the remarks of Senator SESSIONS, as provided for under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, we are looking at now and considering an immigration bill. S. 744 is before us. This is a two-volume set consisting of over 1,000 pages, and unfortunately it doesn't do what its sponsors say it does. It doesn't provide the security and other important items we want in an immigration reform bill, and therefore it cannot be passed in its present form and should not be passed in that form. It is just that simple.

This is a big, important issue. When we pass immigration reform, we do not need to be back in the situation that occurred in 1986 when they passed immigration reform and promised to do enforcement in the future. We gave the amnesty immediately, and the promises of enforcement never occurred. This is not a little matter. It has resulted in 11 million people now being in our country illegally. This is a result directly of the failure of the 1986 bill to carry out its enforcement promises, a direct result of Presidents and Congress not insisting that happen.

So there is a general consensus even among the Gang of 8 that Congress and the President can't be trusted, and we need to have legislation that somehow mandates that to happen because we have to have—in their minds—the amnesty first. That is just the way it has to be, and once that is given, well, we will promise to take care of it in the future.

I have been discussing the two aspects of immigration that cause us to have the illegal immigrants. The first part is obvious—it is people who cross the border illegally. At any number of our borders and ports, they come in illegally, and that is a big part of our problem—actually, though, only 60 percent. Forty percent of the problem is the people coming into our country legally on a visa. The others just come illegally. They have no right to enter the country; they just enter. These

have a right to enter the country. They come in on a visa and they just don't go home. They just stay. And history tells them nothing ever happens. Nobody knows they didn't return home. Nobody clocks them out when they go home. Nobody knows they are here, and they just stay.

The President of the United States, through the Secretary of Homeland Security, has directed its ICE agents—Immigration and Customs Enforcement officers who are all over and around our country, although small in number, about 5,000—to basically not execute any deportation proceedings against anybody—almost none. They have to be convicted of a big felony, a serious crime, and only then do they initiate deportation.

We also have cities that are failing to support the Federal Government in any way. When they catch somebody for a crime in their city and discover they are illegally in the country, they won't notify the Federal Government they are there so they can come and pick them up and carry out the deportation that is required. This is the kind of sad state we are in, and it certainly is a sad state indeed.

So the American people, by a 4-to-1 margin in a poll of just a few days ago, said: We are prepared to be generous to people who entered the country illegally and haven't gotten into trouble. We will be compassionate to them. But we want to see the enforcement occur. By a 4-to-1 margin, that poll showed that the American people said the enforcement should come first before we grant the legality—before we give the amnesty. Now, isn't that good common sense?

As I go through the second part of my concern about this process, you will see the ineffectiveness and unwillingness of the Federal Government to fulfill its role of ensuring that our sovereignty is defended through the elimination of illegal immigration. And we can do that. We can do it, but we are not doing it.

So the first part, dealing with the border, as I mentioned today, they softened the current law.

Current law is you have to have 100 percent operational control at the border. Under the standards they utilize there, this bill says 90 percent of border patrol encounters and otherwise reduces the enforceability and the enforcement standards of making sure our border is lawful.

I would just say, first and foremost, each one of these matters are exceedingly complex and must be done properly. As we talked about earlier, the crafting of legislation necessary to ensure that our border is lawful requires a lot of work and a lot of different strategies and capabilities for our men and women who are out there at risk enforcing that law. That is the fundamental reason we should have legislation that goes step by step. We should



have a piece of legislation that has been worked on very hard involving Immigration and Border Patrol officers. That legislation should be brought forth and we would pass it to fix the border.

Then, the second part, as I am talking about today, the entry-exit visa situation where people enter the country lawfully according to a visa but don't return to their home country, that has its own unique and complex systems that need to be dealt with, and that needs to be done independently and separately. We need a separate and independent analysis of how to deal with the workplace to ensure that people who come into the country illegally don't get jobs in the future. We have to end this.

So I am taking the bill at its word. They want to give legal status to everybody who is here. So what do we do to try to ensure this doesn't happen again in the future? We are not saying go out and try to find everybody who is in the country illegally and capture and deport them. That is not a practical solution at this point in our history. We do need to figure out how to compassionately deal with those individuals, but we don't need to be where we can't enforce the law in the future so we have another amnesty upon us, another situation with millions of people here illegally because we failed to do our duty.

The way we do the entry-exit visa has been determined by Congress for a number of years. It is to use a biometric entry-exit visa system. So we take fingerprints of everybody who comes to the country. They are clocked in when they enter the United States, and that fingerprint identifies them as the person who has the visa. Then, when they leave, they are supposed to clock out and use their fingerprint—which is the best biometric proven system. You put maybe just two fingers on the reader as you go onto the airplane to fly out of the country and it reads it and sees if you are a terrorist or you are a criminal fleeing prosecution for a crime you may have committed in the United States. It is as simple and easy as can be, but for one reason or another this has been blocked.

The history of the biometric exit system is so instructive for us because it tells us how the Presidential and congressional authorities of America have failed to carry out what ought to be a universally accepted bipartisan plan to make our entry-exit visa system work right and reduce that 40 percent of illegal immigrants in our country who come by visa.

In 1996, Congress first adopted a requirement for an entry-exit system to track those who were entering and leaving the United States in the Illegal Immigration Reform and Immigrant Responsibility Act. The first time we passed it was in 1996. In 2000, Congress

passed another law requiring the entry-exit system be electronic and to be implemented at all air, sea, and land ports of entry. That was 2000, 13 years ago.

Again in 2000, when amending the visa waiver program, Congress required a “fully automated entry and exit control system” to record entry and departure information for all aliens participating in the program. Congress also required that passports be machine readable.

After 9/11, a time of national introspection and study, Congress once again demanded the implementation of an entry-exit system through the passage of the PATRIOT Act. The intent of Congress was made clear at that time:

In light of the terrorist attacks perpetrated against the United States on September 11, 2001, it is the sense of Congress that the Attorney General, in consultation with the Secretary of State, should fully implement the integrated entry and exit data system for airports, seaports, and land border ports of entry with all deliberate speed as expeditiously as practical.

Congress demanded that the entry-exit system be biometric and based on tamper-resistant machine readable documents. A biometric system requires that an immigration document match the individual presenting the document. In other words, there is a biometric capability to make sure the person who presents a document is the person named in the document. There are a variety of ways to make a document biometric, but the most common is to use digital fingerprints which can easily be run through computer data bases to match records on file. This is done every day.

According to the Department of Homeland Security's own Web site:

Unlike names and dates of birth which can be changed, biometrics are unique and virtually impossible to forge. Collecting biometrics helps the U.S. government prevent people from using fraudulent documents to enter the country illegally. Collecting biometrics also helps protect your identity in the event your travel documents are lost or stolen.

That is on the Web site today of Homeland Security, and it is absolutely correct.

In 2002, Congress reiterated the demand for a biometric entry-exit system at all ports of entry, requiring Homeland Security issue aliens “only machine readable tamper-resistant visas and other travel and entry documents that use biometric identifiers.”

That was what we passed in 2002. It also required that the government install biometric readers and scanners “at all ports of entry in the United States.”

Also, in 2002, the Department of Homeland Security initiated the US-VISIT system, which has great potential, and it has done some good things, but it hasn't been completed. That sys-

tem was to develop this entire process. Two years later, US-VISIT was collecting biometric data on all aliens entering the United States. In 2004, Congress again demanded a biometric entry-exit system through the passage of the Intelligence Reform and Terrorism Prevention Act of 2004. In that act, Congress said:

Congress finds that completing a biometric entry and exit data system as expeditiously as possible is an essential investment in the effort to protect the United States by preventing the entry of terrorists.

It goes on:

The Secretary of Homeland Security shall develop a plan to accelerate the full implementation of an automated biometric entry and exit data system.

In 2007, now the 9/11 Commission comes back together again. They had issued a report with a whole lot of recommendations. They met to see how many of their recommendations had been adopted. They reiterated the need for an exit visa system and demanded that the exits apply to all foreign nationals entering under the visa waiver program and added a biometric component. That was in 2007 when that was passed.

Congress is crystal clear and consistent that this is what we expect to be done. Has it been done? No. It has not yet been done. What about this new immigration bill that has 1,000 pages in it and we are told is the toughest in history? We are told—Senator SCHUMER said “tough as nails.” Does it require it? Will it ensure that it finally gets done? No. Not only that, it alters the law. It says it doesn't have to be done. It eliminates biometrics, and it eliminates land entry and exit systems. So you do not have an exit visa system at anything but the airports under their plan, and it is not biometric. It actually weakens dramatically repeated law enactments of the Congress, so it is not stronger on the visa program, where 40 percent of the overstay come from. Forty percent of the people entering the country illegally come from visa overstay. It doesn't fix that. It weakens that law. I don't see how my colleagues can come here and brag about this when, plain as day, that is what their bill does. I do not think the bill should be considered in this form.

The struggle continues. Get this. Last week the House, still frustrated about this matter—Representative BARLETTA of Pennsylvania got an amendment passed to prohibit funding for Department of Homeland Security parties and receptions until the biometric entry-exit system was fully implemented as the 2004 law required.

What do we draw from this? We draw several things. One of them is that the American people already get it. They don't trust Congress to do anything they say. We pass laws and we go home and we say we fixed the biometric bill, and it never happens. We passed six different laws requiring it, and it doesn't

happen. Then they say they are passing the toughest bill that has ever been written about entry-exit visas and we are going to fix this problem and we recognize that 40 percent of the people come through that way, and is it fixed? No. It undermines current law. Current law is not being enforced, I acknowledge. They just surrender—give in.

This can be done. First of all, we need to go back. I think the frustration of the American people with what is happening in this Congress is well-earned. They have a right to be unhappy. A recent poll, a poll not too long ago, showed this. It asked people: Are you more frustrated or angry with people who enter the country illegally or the government officials who have allowed it to happen? And 88 percent said they were mad at Congress and the government. The American people are not mad at people who want to come to the country illegally. They are frustrated and angry that their elected representatives, who year after year, decade after decade, promised to fix this system, blithely go about their business and never do it. They say one thing and they do another. It is not right.

They say: You know, it just cannot be done. It is too hard. It is too expensive. It slows down entry-exits. People just don't want to do this, and that is why we just never got around to it.

We just discovered a report that never got any publicity, but I didn't realize what was in it, that was published in 2011. It went to the Appropriations Committee. They are not the immigration committee. It sat around; nobody paid much attention to it.

In 2009 the Department of Homeland Security conducted a pilot program at the Detroit and Atlanta airports to deal with what would happen if we had an entry-exit biometric visa system at those two airports. They found that a biometric exit system—we have the entry, remember—was not only feasible but fast, accurate, and did not slow passengers as they boarded the departing flights.

During 1 month of heavy international travel time, June and July, the biometric exit system in Detroit processed 9,448 aliens and identified 44 from the watch list and 60 suspected overstays—out of less than 10,000 people. This is a terrorist watch list and a criminal watch list. Some of these were arrested for violation of Federal law and had warrants out for their arrest on nonterrorist charges. Some of them showed up on watch lists, and 60 of them were suspected overstays. What about Atlanta? They processed 20,296 aliens subject to US-VISIT and identified 131 on the watch list and 90 overstays.

Since 9/11, at least 36 individuals who have overstayed their visas have been convicted of terrorism-related charges. Thirty-six since the 9/11 attacks have

been arrested for terrorism charges. They were visa overstays, including Amine el-Khalifi, who attempted to bomb the Capitol last year; the Christmas Day bomb plot; and a near getaway by the would-be Times Square bomber, Faisal Shahzad, who had already boarded a flight leaving the United States when he was arrested just before he could take off.

We are once again reminded that border security is an essential element of national security, and exit control is part of that rubric. Tamerlan Tsarnaev, the Boston bomber—alleged—remained invisible to the immigration system, having exited the country for a 6-month stay in Russia because today's biographic exit data was insufficient to identify him as leaving the country—in this case, a misspelling or he used a different spelling and he was not picked up on the list, whereas if we had used his fingerprints, he would have been identified biometrically instantly.

While S. 744 requires the use of software to correct misspellings, it may not work for the millions of other names the software does not pick up. It will not pick up the fact that there is an arrest warrant for murder out for him—let's say in Indianapolis—when he is getting on a plane in Boston, but it should get picked up if they use the entry-exit visa. The individual would then successfully have fled the United States and may be able to get away completely with a serious crime. The only way to verify a person is who they claim to be really is through a biometric identifier.

During the committee markup, I offered an amendment to require the implementation of the biometric exit system as required by current law as part of the trigger to allow the Secretary to grant green cards to those given amnesty. In other words, if she did not have that fixed and in place as current law required it, the amnesty in 10 years, the green card, would not be issued.

A biometric air-sea exit solution is available right now, as it was in 2009. It requires no infrastructure changes to airports and can be deployed immediately. Neither the TSA nor airlines need to be directly involved in this.

Also, in 2005, the biometric exit for vehicles and pedestrians at land ports was tested and found to be workable. To implement that solution today would require less than was required during the 2005 testing. We simply use the biometric data already in the system as well as the tamper-resistant card and expansion of the current Trusted Traveler Program in entry lanes to the exit lanes. If we do the entry, we need to do the exit lanes.

Nevertheless, my amendment failed 12 to 6. So I guess Senator SCHUMER and the leaders of the Gang of 8 didn't give a path to the Republican members

who might have voted for my bill. They had to stick together. Senator SCHUMER claimed such a system would cost \$25 billion to implement. Well, somebody had used that figure, and I had only then discovered this 2011 report of the exit system in Atlanta and Detroit—this report right here. We just found out there was actually documented evidence that it doesn't cost anything like that much.

However, when we aggregate the 2008 U.S. visa impact analysis data and industry data, the greatest total cost for the first year of technology implementation at air and seaports would be approximately \$172 million to \$855 million, depending on collection and the units chosen. The most expensive units do not require an attendant to even be there. Instead, there would be a monitoring attendant who can supervise a number of mobile kiosks all at once.

In addition, in 2008, an air, sea, and biometric exit project regulatory impact analysis also noted that the air, sea, and biometric system was less costly than a biographic exit system for several reasons: improved detection of aliens overstaying visa, 300 ICE agents have to do overstays now, and cost avoidance resulting from improved Immigration and Customs Enforcement efficiency; in 2007 cost removal per visa violator was \$18,375 per individual; improved efficiency and processing of entry-exit data; and improved national security environment. Today the cost is significantly lower because the latest technology requires less manpower to operate and support the process. So in an exit system, when a traveler comes through the airport, before they board the plane, they go to a spot and for a few seconds—according to this report there is negligible slowing down—they put their finger on it, it reads their fingerprint, and says, yes, indeed, this person who entered the country has permission to leave. It then runs a check of terrorist and crime data to see if there is a warrant for the person's arrest, and then moves right on to the plane. The report found it took less than 2 seconds for a fingerprint capture. That is amazing.

Of course, a lot of people don't know, but many police departments provide police officers in their automobiles fingerprint reading data. So they arrest somebody for DUI, they have them put their finger on the machine, and bingo, it comes up they are wanted for rape. That is how fugitives are apprehended today. We do far less hunting them down by name. We wait for them to get picked up with some sort of check or other arrest. Mobile units do that.

These systems are now deployed internationally in nine countries and 20 international airports, including Australia, and process over 700 million passengers per month. This can be done, and I am amazed and frustrated it has not happened.

When Secretary Ridge was Homeland Security Secretary, we talked about this. My experience in law enforcement was that the fingerprint had to be the data because it is the fingerprint the police officers and the FBI use when they arrest somebody for a crime, and many people flee. Many of the people who flee like to leave the country.

The last thing he said when he left office: I have one bit of advice for my successors, and that is use the fingerprint. After much effort and much debate and much conflict, he had distilled that down to that simple decision. Frankly, we are almost there, and we should complete.

So in the committee markup, an amendment sponsored by Senator HATCH was adopted that requires yet another pilot program limited to the 10 busiest airports within 2 years, and the FAA designated 30 core airports over 6 years. The amendment, which does not serve as a trigger to amnesty or anything else, fails to require biometric exit at the land ports, which makes the system unenforceable and almost unusable because a person can fly in and they can exit from a land port. We need to record that or we won't know whether they ever left the country.

As Senator GRASSLEY said at the time in the committee: In 1996, we passed an entry-exit system, and it is not law. So what I see before us is a fig leaf that leaves us to believe we are doing more than the bill requires, but because the bill does a lot less than what we decided in 1996 we needed to do, I think this amendment should be defeated. But it wasn't; it passed.

Finally, we were told that all of the triggers would have to be fully implemented. If they are not fully implemented, there will be no green cards issued. This is one of the Gang of 8 selling and talking about the bill. It had to be fully implemented—all the triggers—or there would be no green card.

So let's take a look at what the bill actually says about that. The bill says after 10 years, the Secretary may adjust the status of those illegal immigrants who receive amnesty to lawful, permanent resident or green card status. So the Secretary can adjust the people who came here illegally from their temporary legal status to permanent resident of the United States, or green card, and then be on a guaranteed pathway in 3 years to full citizenship. But that is supposed to only be done when? The Secretary certifies to Congress that her border security strategy is substantially deployed, substantially operational, and that her

fencing plans are implemented and substantially completed. These terms are undefined, leaving these determinations to the sole discretion of the Secretary, and she said we don't need anymore fencing. She gets to decide about fencing.

What is she required to do? Her fencing plan has to be initiated and approved, or her plan has to be implemented. But the plan doesn't have to call for a single foot of fencing.

Also, the green card status can be given when she has implemented the new—this is important—employment verification system required under the bill, which is for new employees, not current employees. They do an E-Verify system to check on something like that, and it is not mandatory for all employers until 5 years after the regulations are published. So the employment effort is not effective for at least 5 years after the amnesty has been provided, and it could take even longer for it to become fully effective.

The real deadline for implementation of the employment, the E-Verify successor system they would like to develop, may be as long as 10 years. That is less than what the 2007 bill called for, the bill that failed. In 2007 E-Verify was required for all new hires 18 months after the enactment of the bill and for all current employees 3 years after the enactment of the bill. So their plan for the E-Verify system is far weaker than the plan in 2007, and it suggests that by putting it off and not having current employees have to have it used for them that they are not very serious about it.

Also, she is using an electronic but not biometric system exit system at air and sea but not land ports of entry. So another requirement for a trigger is that there must be an end use and an electronic, not biometric, exit system for air and seaports but not land. Experts have told us if we don't do land, we never know when anybody has left the country.

Unfortunately, as are most seemingly tough provisions in this bill, it is followed by an exception that swallows the rule. The bill allows the Secretary to grant green cards to those given amnesty without satisfying these triggers if litigation or an act of God has prevented one of the so-called triggers from being implemented, or implementation has been held unconstitutional by the Supreme Court, or the Court has simply granted certiorari in a case challenging its constitutionality; and ten years have elapsed since the date of enactment. There are so many loop-

holes in it, and so she can certify she has a plan. She can certify that with expanding the system electronically but not biometrically, in airports and seaports but not land ports, we end up with what would appear to be a big improvement over current law, but it is not. Current law requires biometric in land, sea, and air. So this reduces that.

The bill undermines the ability to deport people who are in the country illegally. There are a whole lot of examples I could give at this point, and I won't—not tonight, to the Chair's relief.

So, as in 1986, amnesty comes first. It will occur. The deportations will stop, and it happens now. But the enforcement that is promised will not happen in any effective way. That is clear. If we read the bill, we see there is not a real sense that anybody who knows anything about enforcement was there in the room drafting the bill, driving the legislation, to close loopholes and make this system enforceable in the future and end its brokenness today, end the illegality today, and put us on a path we can be proud of for our future. The bill does not fix illegality that dominates so much of our current system. It surrenders to illegality and does not stand up and fix it. This is not what the good people of this country want for their future; another long period of illegal immigration and another inevitable amnesty.

We can fix the border. We can do that. We can fix our visa system. It is not that hard. We know how to do it now. We can fix and dramatically increase the ability of employers to ensure they hire only legal workers and not hire illegal workers, leaving Americans unemployed at record rates. We can establish a strong interior enforcement system, one that has integrity and fairness. This bill is not close to that goal. Even though we could do it, it fails to move us where we need to go to put this system on a sound path. It should not become law.

I thank the Chair and yield the floor.

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ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow morning.

Thereupon, the Senate, at 7:44 p.m., adjourned until Tuesday, June 11, 2013, at 10 a.m.

## EXTENSIONS OF REMARKS

HONORING AMMA SRI  
KARUNAMAYI

**HON. BILL FOSTER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 10, 2013*

Mr. FOSTER. Mr. Speaker, it is with great pride that I rise today to honor Amma Sri Karunamayi, a Hindu spiritual leader who has devoted her life to serving humanity.

Amma has devoted her life to the service of others, through her charitable works in India feeding the poor; building free schools, housing, an orphanage and a hospital; and through her efforts to teach meditation and peaceful living. Since 1995, Amma has been making trips to the United States to lead public meditation programs and share discourses on peace, tolerance and religious harmony.

This weekend she will travel to the Balaji Temple in Aurora, Illinois, to share her message of peace, tolerance and harmony.

Mr. Speaker, I ask my colleagues to join me in honoring Amma Sri Karunamayi, whose commitment to helping others has served as inspiration around the world.

HONORING MR. PHIL LEWIS

**HON. MARIO DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 10, 2013*

Mr. DIAZ-BALART. Mr. Speaker, I rise today to honor Mr. Phil Lewis, and to congratulate him on his retirement. Mr. Lewis is an outstanding individual who has served as executive editor of the Naples Daily News since 1997.

Mr. Lewis began his journalism career in Washington Court House, Ohio, as a sports editor and city editor of the Record-Herald. His career with the Naples Daily News however began in 1978, when he joined the paper as a reporter. His stellar work as a reporter earned him a quick promotion to city editor. From there he became managing editor of the newspaper in 1989, a position he held for eight years. Finally, in 1997 he was promoted to editor.

Under his leadership the Naples Daily News, and its employees, have been recognized locally, at the state level, and nationally. The paper has received numerous awards during Mr. Lewis' time as editor, and has developed a national reputation for excellence. For example, in 2003 the paper was given the Scripps Howard National Journalism Award for environmental reporting with "Gulf in Peril", a 15-part series documenting the declining health of the Gulf of Mexico. In 2006 the newspaper's website received Editor & Publisher's EPpy Award when it was named Best

Internet News Service under 1 million unique monthly visitors.

Having known Mr. Lewis for a little over a decade, I know that he has consistently demonstrated the highest degree of integrity. He has been dedicated to his profession and has worked tirelessly to ensure thorough, fair, and insightful news reporting. The employees and subscribers to the Naples Daily News have truly been lucky to have such an exceptional editor heading their newspaper.

Mr. Speaker, I am honored to pay tribute to Mr. Phil Lewis for his tremendous service to Naples, and the Naples Daily News and I ask my colleagues to join me in recognizing this remarkable individual.

TRIBUTE TO COMMAND SERGEANT  
MAJOR LAWRENCE VANCE

**HON. SHELLEY MOORE CAPITO**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 10, 2013*

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the distinguished military career of West Virginia National Guard Command Sergeant Major Lawrence Ray Vance. CSM Vance's service is one of honor and devotion; to which the people of West Virginia and the United States of America owe a tremendous debt of gratitude.

Lawrence Vance began serving his country in 1971 when he enlisted in the United States Army. Following a short stint as a civilian, Vance joined the WVNG in 1975 and embarked on a journey that would take him around the globe. He began as an Armor Crewman at Fort Hood, Texas, and gained extensive experience as a Tank Commander at Camp Casey, Korea; Fort Benning, Georgia; Ferris Barracks, Germany; and Fort Polk, Louisiana. He returned to WV in 1981 as a Motor Sergeant with the WVNG, later earning the rank of Command Sergeant Major after completing the United States Army Sergeants Major Academy Course in June of 2005. In the same year, he was promoted to the fourth highest position of leadership in the WVNG, State Enlisted Leader.

CSM Vance has received a host of awards and decorations throughout his service to our country, including the Bronze Star, Meritorious Service Medal, Army Commendation Medals, Achievement Medals, Good Conduct Medals, and Reserve Components Achievement Medals, among many others. In addition to the federal awards, CSM Vance received state recognition in the form of multiple WV Achievement Ribbons, Emergency Service Ribbons, State Service Ribbons, and Minute Man Ribbons, as well as a North Carolina Achievement Ribbon for his service to the state.

CSM Vance lives in Charleston, West Virginia, with his wife, Ute. Together they have

five children and sixteen grandchildren, many of whom followed their father's footsteps through work in the military or ministry.

On May 31, 2013 CSM Vance will retire from the WVNG after 38 years, 5 months, and 18 days of commendable service. Mr. Speaker, on behalf of the State of West Virginia and the United States of America, I would like to thank CSM Lawrence Vance for his years of selfless service to our state and country.

HONORING MRS. MAJORIE SNYDER  
STALLWORTH

**HON. FREDERICA S. WILSON**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 10, 2013*

Mrs. WILSON of Florida. Mr. Speaker, I rise today to honor Mrs. Marjorie Snyder Stallworth, a distinguished woman from the 24th Congressional District of the great State of Florida. In celebration of Women's History Month, I recognize her many years of leadership and service.

Mrs. Snyder Stallworth is the Co-Pastor of the Living Word of God World Wide Evangelistic Faith Ministry. She has served our community through civic and political engagement for many years—fighting against injustices and unfair treatment of the less fortunate.

In 1996, Mrs. Snyder Stallworth founded Christian Woman to Woman, a non-profit organization dedicated to improving the lives of Christian women. As a mother of eight children and a lifelong community activist, Mrs. Snyder Stallworth lobbied Congress to stop the involuntary sterilization of mothers who receive government assistance. She was appointed by then Governor Leroy Collins to serve on his Hawaii Advisory Statehood Commission, which ultimately helped to influence Congress' 1959 decision to grant Hawaii statehood. As a native Bahamian, Mrs. Snyder Stallworth was among the original organizers of the first Miami-Coconut Goombay Festival, a celebration of the heritage, traditions, and contributions of Bahamian immigrants to Miami's early history. Mrs. Snyder Stallworth is the author of a book entitled "Hey Girl, Where Have You Been," written to encourage women and mothers in our community.

During Women's History Month, we celebrate the enormous progress women have made and the female giants of our past who struggled, suffered, and prevailed on behalf of the advancement of women.

Please join me in honoring Mrs. Marjorie Snyder Stallworth who serves as a guiding light for the next generation of young women.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

COMMEMORATING THE GOLDEN  
JUBILEE OF THE EQUAL PAY ACT

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 2013

Ms. JACKSON LEE. Mr. Speaker, today, June 10th, 2013, marks the 50th anniversary of the Equal Pay Act. By mandating equal pay for equal work, this landmark legislation improved the standard of living for women across America. In 1963, when President Kennedy signed the Equal Pay Act, women who worked full-time earned 59 cents on average for every dollar earned by men. In a country where equality, progress, and hard-work are valued, legislation such as the Equal Pay Act continues to stand for those values and promote progress and equality for all Americans.

Indeed the Equal Pay Act has allowed for much progress in the work place. Today, women who work full-time make 77 cents on average for every dollar earned by men. Compared to the rate of 59 cents on the dollar in 1963, this is progress, but not nearly enough. Women are still left wanting in terms of equality in the workplace.

When compared to their Caucasian counterparts, the pay gap for African American and Latina Women is even greater. African American women on average earn only 64 cents and Latina women on average earn only 55 cents for every dollar earned by white, non-Hispanic men.

According to nationwide data, the yearly pay gap is \$11,084 between full-time working men and women. The National Partnership for Women and Families has calculated that \$11,084 could purchase 89 more weeks of food, could cover more than a year's worth of rent, or pay for more than 3,000 additional gallons of gas. These are vital and necessary expenses for American families.

Although women are directly affected by the Equal Pay Act, it is important to recognize that this is not only a woman's issue. When women are paid less, sons, husbands, daughters, foster children, dependent parents—in short families—suffer. It is, therefore, our responsibility, the representatives of these families, to continue to support and push for equality. This is one reason why Democrats strongly advocate passage of the Paycheck Fairness Act, which would update and strengthen the Equal Pay Act for the first time in 50 years. The Paycheck Fairness Act strengthens the Equal Pay Act, by closing loopholes, including:

Prohibiting employers from retaliating when workers discuss their salaries; making gender-based wage discrimination subject to the same remedies as race-based wage discrimination; recognizing employers for excellence in pay practices and providing assistance to employers that need help implementing equal pay practices; and enhancing the federal government's ability to investigate and enforce pay discrimination laws.

A Democratic-led House passed the Paycheck Fairness Act in the 110th and 111th congresses but both times Republicans blocked the bill in the Senate. Fifty years ago we had the opportunity to celebrate progress. Today, we have the opportunity to fight for

continued progress in our country. I stand today in support of women, in support of families, in support of the Equal Pay Act, and in support of, the Paycheck Fairness Act. It is time to move forward. I urge all my colleagues to join me in support of equality, so that 50 years from now, we may all be able to celebrate the progress we are fighting for today.

**SENATE COMMITTEE MEETINGS**

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 11, 2013 may be found in the Daily Digest of today's RECORD.

**MEETINGS SCHEDULED**

**JUNE 12**

9:30 a.m.

Committee on Armed Services  
Subcommittee on SeaPower

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

10 a.m.

Committee on Appropriations  
Subcommittee on Department of Defense  
To hold hearings to examine voluntary military education programs.

SD-192

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Howard A. Shelanski, of Pennsylvania, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

SD-342

Committee on Rules and Administration  
To hold hearings to examine the nomination of Davita Vance-Cooks, of Virginia, to be Public Printer, Government Printing Office.

SR-301

Committee on Veterans' Affairs  
To hold hearings to examine pending benefits legislation.

SR-418

10:30 a.m.

Committee on the Budget  
To hold hearings to examine the President's proposed budget request for fiscal year 2014 for Defense.

SD-608

2 p.m.

Committee on Appropriations

To hold hearings to examine cybersecurity, focusing on preparing for and responding to the enduring threat; to be immediately followed by a closed briefing in SVC-217.

SD-G50

Committee on Armed Services

Business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.

SD-106

2:30 p.m.

Committee on Indian Affairs

To hold hearings to examine the nomination of Yvette Roubideaux, of Maryland, to be Director of the Indian Health Service, Department of Health and Human Services.

SD-628

4 p.m.

Committee on Armed Services

Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

**JUNE 13**

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

10 a.m.

Committee on Appropriations

Subcommittee on Transportation and Housing and Urban Development, and Related Agencies

To hold hearings to examine crumbling infrastructure, focusing on outdated and overburdened highways and bridges.

SD-124

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine lessons learned from the financial crisis regarding community banks.

SD-538

Committee on Foreign Relations

Subcommittee on International Operations and Organizations, Human Rights, Democracy, and Global Women's Issues

To hold a joint hearing to examine Russia's human rights situation.

SD-419

Committee on the Judiciary

Business meeting to consider S. 394, to prohibit and deter the theft of metal, S. 162, to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004, and the nominations of Derek Anthony West, of California, to be Associate Attorney General, Department of Justice, and Valerie E. Caproni, of the District of Columbia, and Vernon S. Broderick, of New York, both to be a United States District Judge for the Southern District of New York.

SD-226

Committee on Small Business and Entrepreneurship

Business meeting to consider S. 511, to amend the Small Business Investment Act of 1958 to enhance the Small Business Investment Company Program, S. 289, to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration, S.

537, to require the Small Business Administration to make information relating to lenders making covered loans publicly available, and S. 415, to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns.

SR-428A

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine Syrian refugees in the Organization for Security and Cooperation in Europe (OSCE) region, focusing on the United States and international response to the humanitarian crisis that threatens to destabilize the entire region.

SD-562

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SVC-217

JUNE 14

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 18

10 a.m.

Committee on Energy and Natural Resources

Business meeting to consider pending calendar business.

SD-366

10:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Daniel M. Tangherlini, of the District of Columbia, to be Administrator of General Services.

SD-342

JUNE 19

2 p.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Geoffrey R. Pyatt, of Cali-

fornia, to be Ambassador to Ukraine, and Tulinabo Salama Mushingi, of Virginia, to be Ambassador to Burkina Faso, both of the Department of State.

SD-419

Special Committee on Aging

To hold hearings to examine paperless Social Security payments, focusing on protecting seniors from fraud and confusion.

SD-366

JUNE 20

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine water resource issues in the Klamath River Basin.

SD-366

2:15 p.m.

Committee on Foreign Relations

To hold hearings to examine the nomination of Daniel R. Russel, of New York, to be Assistant Secretary of State for East Asian and Pacific Affairs.

SD-419

## HOUSE OF REPRESENTATIVES—Tuesday, June 11, 2013

The House met at noon and was called to order by the Speaker pro tempore (Mr. HOLDING).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

June 11, 2013.

I hereby appoint the Honorable GEORGE HOLDING to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

### FAILED POLICY IN AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, thank you very much.

Last week I was home, and on Saturday I had the pleasure to speak to about 50 citizens in the Third District of North Carolina which I represent. I carry this poster with me, Mr. Speaker, and I also have a one-page flier. The purpose of this is to continue to wake up the American people that we are in Afghanistan; and unless you have a loved one there, you probably don't think about it. That's human nature. It's not a criticism. But I take this and then I give the flier, and it's got the cartoon.

Mr. Speaker, the cartoon has Karzai with a little debit card, and he's standing at an ATM machine. At the top it says, "CIA ATM." Karzai says, "I'm just making a quick withdrawal." He's got bags of cash at his feet. Sadly, there's a soldier in the background that says, "I'd like to make a quick withdrawal from here."

Last week we had two American soldiers killed and one civilian, and the

war keeps going on and on. We in Congress act like it's not happening. I don't understand it. The President has signed a bilateral strategic agreement with the Afghans that will keep us there from 2014 to 2024. We're spending \$8 billion a month in Afghanistan. The CIA admitted in a New York Times article that they have been giving tens of millions of dollars for 10 years to Karzai. He's got to be one of the richest men in the world. We keep borrowing the money from the Chinese to give him money. I do not understand it, and I would like to read just a couple of points from The New York Times CIA article:

The CIA money, Mr. Karzai told reporters, was an easy source of petty cash, and some of it was used to pay off the political elite, a group dominated by warlords. Mr. Karzai said that when he met with the CIA station chief, "I told him because of all these rumors in the media, please do not cut all this money, because we really need it."

Well, Mr. Karzai, so do the American people. Here we are in Congress cutting programs for children and senior citizens, and the Congress has a deaf ear to Afghanistan. The bill coming up this week from the Armed Services Committee, which I serve on, will have \$85 billion additional money going to Afghanistan.

Mr. Speaker, it is time for the American people to show outrage to those of us in Congress and say it's time to bring our troops home. It's time to stop wasting lives and limbs and getting money from foreign countries, like China, that we have to borrow to pay Karzai.

I do not understand it, Mr. Speaker, and I'm pleased to say that the people of the Third District of North Carolina, the home of Camp Lejeune Marine Base—the Wright brothers took the first flight from my district—they're tired of this war. They are fed up with it, and they see no end to it.

We in Congress are not meeting our constitutional responsibility for oversight. When you see the kind of money that I just made reference to going to this crook in Afghanistan named Karzai, there should have been hearings held on that money going to Afghanistan. I understand Benghazi and I understand the IRS hearings and these other hearings that we're having, but there are no hearings on the waste, fraud, and abuse in Afghanistan.

Mr. Speaker, before I yield back, I want to first ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. The fami-

lies who've given a child dying for freedom, God hold them in your arms. And God, I ask you to please bless the House and Senate that we will do what is right in the eyes of God for God's people. I will ask God to bless the President of the United States that he will do what is right in the eyes of God for God's people. And three times I will say from the bottom of my heart, God please, God please, God please continue to bless America.

### I-5 BRIDGE COLLAPSE

The SPEAKER pro tempore. The Chair recognizes gentleman from Washington (Mr. LARSEN) for 5 minutes.

Mr. LARSEN of Washington. Mr. Speaker, 5 weeks ago Dan and Sally Sligh packed up their camper and headed out on Interstate 5 on the way to their favorite campsite in northwest Washington State. While crossing a bridge over the Skagit River that they'd safely crossed many times before, a large truck ahead of them clipped the bridge's frame above. Without warning, and without time to react, the pavement under Dan's pickup fell out from underneath them. Next, Dan said, "It was just a white flash and cold water."

Like thousands of my constituents, I myself have driven over that bridge many times. But now, today, no cars are crossing it. Recovery workers have been hard at work pulling pieces of that bridge, along with Dan's pickup, from the flowing waters of the Skagit River and quickly building a replacement span.

The fact that no one died in this collapse is a blessing, but not all have been so lucky. My colleagues will remember in 2007 when a bridge spanning the Mississippi River in Minneapolis crashed during rush hour, killing 13 people and injuring another 145.

Today I want to ask my colleagues a simple question: Shouldn't Americans be able to drive across a highway bridge with the reasonable expectation that it will not crumble away from underneath them?

On Thursday, the Senate Appropriations Transportation Subcommittee will hold a hearing on the Skagit River bridge collapse. I spoke this morning to the Chairman of the National Transportation Safety Board about its investigation. I'm eager to read their report on the incident. But we already know that our aging infrastructure should be enough to make this Congress act.



Sixty-seven thousand bridges in our country are rated structurally deficient—67,000 bridges. When those bridges fall, it isn't just the unlucky few on those bridges who suffer. Whole economies that rely on safe and efficient transportation suffer.

The I-5 bridge over the Skagit River doesn't just connect Burlington and Mount Vernon; it connects the entire west coast and carries millions of dollars worth of trade between Canada and the U.S. Today, that trade is in stop-and-go traffic on local roads.

But here's the good news: we know how to build safe bridges. There are thousands of civil engineers devoting their lives to building good structures that don't fall down. But we need to pay for them. We need to maintain our bridges until they are old, and then we need to replace them. We can't keep waiting until they crumble into the water below.

President Obama wants to fix it first by spending \$40 billion on highways, bridges, transit systems, and airports that are most in need of repair. That's a good start, and Congress should approve that funding. But if we're really going to do something about our long-term transportation needs, this body, this Congress, needs to get to work on a long-term transportation bill that doesn't just patch our aging roads, but invests in an infrastructure that meets the needs of America's 21st century economy. We can't have a big league economy with little league infrastructure.

Over Memorial Day, more than 31 million Americans hit the roads. I ask my colleagues: Were you among them? How many bridges did you drive over? How many were structurally deficient? If you think your constituents should be able to drive over a bridge without wondering whether it will crumble beneath them, then this Congress must act on a long-term transportation bill. It's time to put our money where our safety is.

□ 1210

#### THE SILENCE OF MUSLIM LEADERS IS DEAFENING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. POMPEO) for 5 minutes.

Mr. POMPEO. Mr. Speaker, it's been just under 2 months since the attacks in Boston, and in those intervening weeks, the silence of Muslim leaders has been deafening. And that is sad, but perhaps most importantly, it's dangerous.

There have now been at least a dozen attacks by Muslim terrorists on U.S. soil since Ramzi Yousef's parked rental van exploded in the basement of the World Trade Center on February 26 of 1993. Some have caused death and injury, such as the 9/11 attacks in 2001

and Nidal Hasan's mass shooting at Fort Hood, Texas.

Other attacks, such as Faisal Shahzad's fizzled Times Square bombing, or the unsuccessful underwear bombing of a flight, were thwarted or aborted.

But yet, fatal or not, all of these attacks were successful in scaring Americans, successful in reducing our freedom in the most freedom-loving Nation on Earth, successful in slowing our economy, and successful in demonstrating that an open society can potentially be vulnerable.

They were, in former Attorney General Mike Mukasey's words, "crimes that are nonetheless meant to send a terrorist message."

When the most devastating terrorist attacks on America in the last 20 years come overwhelmingly from people of a single faith, and are performed in the name of that faith, a special obligation falls on those that are the leaders of that faith. Instead of responding, silence has made these Islamic leaders across America potentially complicit in these acts and, more importantly still, in those that may well follow.

If a religion claims to be one of peace, Mr. Speaker, its leaders must reject violence that is perpetrated in its name. Some clerics today suggest that modern jihad is nonviolent, and is only about making oneself a better Muslim. Perhaps that's true for moderate Muslims. But extremists seek to revive the era when most Islamic clerics understood jihad to be holy war.

Mr. Speaker, decades of Middle Eastern oil money have propounded this more extreme, violent interpretation in mosques around the world. Less than 2 months after the 9/11 atrocities, an Egyptian Muslim Brotherhood preacher, who is probably the most influential Sunni cleric today, declared suicide bombing to be legitimate. He said, "these are heroic commando and martyrdom attacks and should not be called suicide."

So what is it that these Islamic leaders must say?

First, that there is never any justification for terrorism. No political goal legitimizes terrorism. Terrorism is never excusable as resistance. Imams must state unequivocally that terrorists' actions, killing and maiming, sully Islam.

They must also publicly and repeatedly denounce radical clerics who seek to justify terrorism. There is a battle of interpretation within Islam. It's not enough to deny responsibility by saying one's own interpretation doesn't support terrorism. Moderate imams must strive to ensure that no Muslim finds solace for terrorism in the Koran. They must cite the Koran as evidence that the murder of innocents is not permitted by good, believing Muslims, and must immediately refute all claims to the contrary.

Finally, Muslim leaders must say that there is no room for militant Islamism in the religion of peace. These statements must be made publicly, frequently and in the mosques, yes, in the mosques and in the madrassas, where many learn their Islamic religion.

You know, we have to call evil by its name in order to stamp it out. Downplaying atrocities and rampages ensures more of them. Every Muslim leader must unequivocally proclaim that terror committed in the name of Islam violates the core tenets of the Prophet Mohammed, and they must do so repeatedly, period.

My own faith has occasionally been hijacked in the name of violence and cruelty, including in Kansas, my home State, by Fred Phelps and his Westboro Baptist Church. In response, hundreds of Protestant ministers preach that Mr. Phelps' actions violate the most fundamental Christian traditions, and they have denounced him and his church's evil acts.

Pope John Paul II similarly apologized, in 2000, for the Catholic Church's failure to do more to speak out against the evils of Nazism, and to protect Jews from the Holocaust.

Just as these religious leaders have called up those who have killed and acted brutally in the name of their faith, so too must Muslim religious leaders refute terrorist theology.

We're now 2 decades into Islamic radicals attacking Americans on U.S. soil. I know that not every Muslim supports these actions. Dr. Zuhdi Jasser of the American Islamic Forum for Democracy has spoken out in a clear and consistent way. So has Zainab al-Suwaij of the American Islamic Congress.

But the silence in the face of extremism coming from the best-funded Islamic advocacy organizations and many mosques across America is absolutely deafening. It casts doubt upon the commitment to peace by adherents of the Muslim faith. This is utterly unacceptable, it is dangerous, it must end.

#### CHANGE THE NAME OF THE NATIONAL FOOTBALL LEAGUE'S WASHINGTON FOOTBALL FRANCHISE

The SPEAKER pro tempore. The Chair recognizes the gentleman from American Samoa (Mr. FALEOMAVAEGA) for 5 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to decry the disparaging name of the National Football League's Washington, D.C., franchise, the Redskins, which I will refer to as the "R-word." For decades, Native American leaders and organizations have advocated for an end to the use of

the “R-word” as the Washington franchise’s “brand” because it is derogatory, it is demeaning, and patently offensive.

Recently, 10 of our colleagues explained the violent history and disparaging nature of the “R-word” in a letter to Mr. Roger Goodell, commissioner of the NFL. In what can only be deemed as an insensitive and ignorant response, Mr. Goodell justifies the Washington franchise’s name by claiming that neither the intent nor the use of the name was ever meant to denigrate American Indians. Then, in a dismissive manner, Mr. Goodell further declares that the “R-word” has a positive meaning and represents many positive attributes.

Mr. Speaker, I join my colleague, the gentlewoman from Minnesota, a co-chair of the Congressional Native American Caucus, Congresswoman BETTY MCCOLLUM, who states that Mr. Goodell’s letter “is another attempt to justify a racial slur on behalf of Mr. Dan Snyder,” owner of the Washington franchise, “and other NFL owners who appear to be only concerned with earning ever-larger profits, even if it means exploiting a racist stereotype of Native Americans. For the head of a multibillion-dollar sports league to embrace the twisted logic that ‘Redskin’ actually stands for strength, courage, pride and respect is a statement of absurdity,” and a total lack of appreciation of the culture of the Native American community.

I also join, Mr. Speaker, my colleague, the gentleman from Oklahoma, the cochair of the Congressional Native American Caucus, my dear friend and colleague, a member of the Chickasaw Nation of Oklahoma, Congressman TOM COLE, when he says:

This is the 21st century. This is the capital of political correctness on the planet. It is very, very, very offensive. This isn’t like warriors or chiefs. It’s not a term of respect, and it’s needlessly offensive to a large part of our population. They just don’t happen to live around Washington, D.C.

I also join, Mr. Speaker, my colleague, the gentlewoman from the District of Columbia, Representative ELLEANOR HOLMES NORTON, who states that Mr. Snyder “is a man who has shown sensibilities based on his own ethnic identity, yet who refuses to recognize the sensibilities of American Indians.”

And I could not agree more, Mr. Speaker, with the gentlelady from the District of Columbia that Mr. Snyder, more than any of the owners of these NFL clubs, needs to show greater sensitivity towards our Native American community. In fact, I commend Mr. Snyder for building the third most expensive football franchise within the NFL, at well over \$1.6 billion, as part of our free and open market system in the field of sports.

But, Mr. Speaker, why are we allowing this to be done on the sweat, the

tears, and the suffering of Native American Indians?

Recently, in an interview in the USA Today newspaper, Mr. Snyder defiantly stated, “We’ll never change the name. It’s that simple. Never. You can use caps.”

Such arrogance is wholly inconsistent with the National Football League’s fundamental diversity policy, which states:

Diversity is critically important to the NFL. It is a cultural and organizational imperative about dignity, respect, inclusion and opportunity.

Mr. Speaker, it is critically important that the NFL promotes its commitment to diversity and uphold its moral responsibility to disavow the uses of racial slurs. The use of the “R-word” is especially harmful to Native American youth, tending to lower their sense of dignity and self-esteem. It also diminishes feelings of community worth among Native American tribes and dampens the aspirations of their people.

□ 1220

Whether good intentioned or not, the “R-word” is a racial slur akin to the “N-word” among African Americans or the “W-word” among Latin Americans. America would not stand for a team called the “Blackskins” or the “Yellowskins.” Such offensive terms or words would no doubt draw widespread disapproval among the National Football League’s fan base. And yet coverage by our national media and sponsors of Washington’s football franchise profit from a term that is equally disparaging to Native Americans.

Mr. Speaker, so that the public may better understand and be more informed, I want to share with my colleagues the history and the real origin of how the word “redskin” came about.

Mr. Speaker, origin of the “R-word” as commonly attributed to the historical practice of trading Native American Indian skins and body parts as bounties and trophies. For example, in 1749, the British bounty on the Mi’kmaq Nation of what is now Maine and Nova Scotia, was a straightforward “ten Guineas for every Indian Micmac taken or killed, to be paid upon producing such Savage taken or his scalp.”

Just as devastating was the Phips Proclamation, issued in 1755 by Spencer Phips, Lieutenant Governor and Commander in Chief of the Massachusetts Bay Province, who called for the wholesale extermination of the Penobscot Indian Nation. The Phips Proclamation declared the Penobscot to be “Enemies, Rebels, and Traitors to his Majesty King George the Second,” and required those residing in the province to “Embrace all opportunities of pursuing, captivating, killing, and Destroying all and every of the aforesaid Indians.”

By vote of the General Court of the Province, white settlers were paid out of the public treasury for killing and scalping the Penobscot people. The bounty for a male Penobscot Indian above the age of 12 was 50 pounds, and

his scalp was worth 40 pounds. The bounty for a female Penobscot Indian of any age and for males under the age of 12 was 25 pounds, while their scalps were worth 20 pounds. Historical accounts show that these scalps were called “redskins.”

The current Chairman and Chief of the Penobscot Nation, Chief Kirk Francis, recently declared in a joint statement that the “R-word” is “not just a racial slur or a derogatory term,” but a painful “reminder of one of the most gruesome acts of . . . ethnic cleansing ever committed against the Penobscot people.” The hunting and killing of Penobscot Indians, as stated by Chief Francis, was “a most despicable and disgraceful act of genocide.”

Mr. Speaker, in an attempt to correct the long-standing usage of the “R-word,” I and several Members of this House introduced the bill H.R. 1278, the Non-Disparagement of Native American Persons or Peoples in Trademark Registration Act of 2013. This bill would cancel the federal registrations of trademarks using the word “redskin” in reference to Native Americans. The Trademark Act of 1946—more commonly known as the Lanham Act—requires that the U.S. Patent and Trademark Office (PTO) not register any trademark that “[c]onsists of or comprises . . . matter which may disparage . . . persons, living or dead . . . or bring them into contempt, or disrepute.” 15 U.S.C. § 1502(a).

Native American tribes have a treaty, trust and special relationship with the United States. Because of the duty of care owed to the Native American people by the Federal Government, it is incumbent upon us to ensure that the Lanham Act is strictly enforced in order to safeguard Indian tribes and citizens from racially disparaging federal trademarks.

Accordingly, the Patent and Trademark Office has rejected applications submitted by the Washington franchise for trademarks which proposed to use the “R-word”—three times in 1996 and once in 2002. The PTO denied the applications on grounds that the “R-word” is a racial slur that disparages Native Americans.

In 1992, seven prominent Native American leaders petitioned the Trademark Trial and Appeal Board (TTAB) to cancel the federal registrations for six trademarks using the “R-word.” The TTAB in 1999 ruled that the “R-word” may, in fact, disparage American Indians, and cancelled the registrations. On appeal, a federal court reversed the TTAB’s decision, holding that the petitioners waited too long after coming of age to file their petition. A new group of young Native Americans petitioned the TTAB to cancel the registrations of the offending trademarks in 2006. The TTAB held a hearing on March 7, 2013. A final decision is pending.

I deeply regret that there are those who out of ignorance argue that the “R-word” is not disparaging towards Native Americans. However, over the course of my tenure as a Congressman, as a member of the Subcommittee on Indian and Alaska Native Affairs, and as a member of the Congressional Native American Caucus, I have received an increasing number of calls and letters from both Native American and non-native individuals, tribes, and organizations who abhor this denigrating term. Mr. Speaker, today I stand before you to respond to the call of our Native American brothers

and sisters who plead for justice and for Congress to act by passing this proposed bill.

H.R. 1278 is supported by a number of major Native American organizations, including the National Congress of American Indians, the National Indian Education Association, the Native American Indian Housing Council, the Native American Rights Fund, and the Native American Finance Officers Association, to name a few. In a recent letter to the cosponsors of this bill, the National Congress of American Indians—the oldest, largest and most representative American Indian and Alaska Native organization serving tribal governments and communities—stated that H.R. 1278 “will accomplish what Native American people, nations, and organizations have tried to do in the courts for almost twenty years—end the racist epithet that has served as the [name] of Washington’s pro football franchise for far too long.”

Mr. Speaker, despite the Native American community’s best efforts before administrative agencies and the courts, the “R-word” remains a federally registered trademark. It has been well over twenty years and this matter is still before the courts. This injustice is the result of negligence and a cavalier attitude demonstrated by an administrative agency charged with the responsibility of not allowing racist or derogatory terms to be registered as trademarks. Since the Federal Government made the mistake in registering the disparaging trademark, it is now up to Congress to correct it.

[News Statement For Immediate Release—  
March 17, 2013]

#### NARF APPLAUDS SPONSORS OF PROPOSED LEGISLATION TO CURTAIL OFFENSIVE “RED- SKIN” TRADEMARK

(Native American Rights Fund)

BOULDER, CO.—The Native American Rights Fund (NARF) fully supports introduction of a new landmark bill in the U.S. House of Representatives that would amend the Trademark Act of 1946 regarding the disparagement of Native Americans through marks that use the term “redskin.”

NARF commends Rep. Faleomavaega and all the original sponsors of this important bill, which sends a clear signal that some members of Congress do not take anti-Native stereotyping and discrimination lightly. These Representatives now join Native American nations, organizations and people who have lost patience with the intransigence of the Washington pro football franchise in holding on to the indefensible—a racial epithet masquerading as a team name.

NARF also commends all those individuals in the on-going Harjo and Blackhorse proceedings in federal agencies and courts for their tireless advocacy attempting in righting this wrong. While these cases have yet to succeed, they have provided the springboard for legislative efforts like the new bill.

For over 20 years NARF has been involved in the cases, attempting to accomplish what this bill, if enacted, would do. NARF represented the National Congress of American Indians (NCAI), the National Indian Education Association (NIEA), the National Indian Youth Council (NIYC), and the Tulsa Indian Coalition Against Racism (TICAR) as amici curiae in *Harjo et al v. Pro Football, Inc.* NARF also organized amici briefs in support of the Native petition for Supreme Court review, including one by a broad range of Native nations and organizations, and oth-

ers by law professors, psychology professors and social justice advocacy groups.

NARF NCAI, NIEA NIYC, TICAR and other major Native American organizations all have raised concerns regarding race-based stereotyping and behaviors in sports, particularly the racially derogatory name and logo of the “Washington Redskins” professional football organization. Such concerns have been expressed through numerous communications, public statements, and meetings, including a 1972 meeting with then Washington Redskins president Edward Bennett Williams, after which no team owner ever met with Native people opposing the name.

The U.S. Patent and Trademark Office registered six trademarks between 1967 and 1990 that consist of racially derogatory and disparaging material, which opens Native Americans to contempt and public ridicule in violation of Section 2(a) of the Lanham Act, 15 U.S.C. §1052(a). While there is enormous uplifting good in the human spirit, racism is the dark side of humanity that has caused much suffering among our diverse human family. Section 1052(a) wisely recognizes that one basic manifestation of prejudice, discrimination, or racism is the use of racially derogatory names, caricatures, or stereotypes that disparage peoples and persons and hold them up to contempt and ridicule; and this statute safeguards citizens through the registration of such trademarks.

In ruling unanimously in the Harjo case to cancel the “Redskins” trademarks, the PTO Trademark Trial and Appeal Board (TTAB) admitted that the six existing trademark licenses should not have been approved. That ruling was overturned on a technicality, laches, which was interpreted to mean that the plaintiffs waited too long after turning 18 to file suit. The current Blackhorse case is identical, except that the plaintiffs filed when they were 18 to 24. In a recent hearing before the PTO TTAB, the Washington franchise argued that even these young plaintiffs waited too long and should have filed on the day they turned 18. In addition to this ongoing trademark cancellation case, Native people have filed Letters of Protest with the PTO to stop new requests for trademark licenses for the same disparaging name.

Should this legislation be enacted, it would provide justice to the plaintiffs and protestors in these cases, would free the PTO to automatically deny federal protection for this disparagement, and would spare present and future Native American peoples and persons from suffering public humiliation and discrimination from the name of the team in the nation’s capitol.

Native nations and citizens have a treaty, trust and special relationship with the United States, and rely on the federal government more than any other segment of society to make certain that its actions do no harm. Because of the duty of care owed to Indian tribes and people by the Department of Commerce, it is incumbent upon them to strictly enforce the provisions of 15 U.S.C. §1052(a), in order to safeguard Indian tribes and citizens from racially or culturally disparaging federal trademarks. They are required by law to assess the issues in light of its federal Indian trust relationship and associated fiduciary duties to protect Indians and Indian culture from degrading federal trade ark registrations. That trust relationship encompasses an affirmative duty on behalf of the Department of Commerce and the PTO TTAB to protect tribal culture and safeguard Native Americans from racism in sports conducted under color of federal law.

Founded in 1970, the Native American Rights Fund (NARF) is the oldest and largest nonprofit law firm dedicated to asserting and defending the rights of Indian tribes, organizations and individuals nationwide. NARF’s practice is concentrated in five key areas: the preservation of tribal existence; the protection of tribal natural resources; the promotion of Native American human rights; the accountability of governments to Native Americans; and the development of Indian law and educating the public about Indian rights, laws, and issues.

NCAI is the oldest and largest national intertribal organization of American Indian and Alaskan tribal governments and individuals. NCAI represents more than two hundred fifty (250) tribes, nations, pueblos and Alaska Native villages with a combined enrollment of over 1.2 million Native people. Indian tribal governments are the duly elected or appointed political entities of Indian tribes that are legally responsible for protecting the well-being of their citizens. Established in 1944, NCAI provides an organizational umbrella for America’s Indian tribes to develop and advocate tribal positions on issues of fundamental importance to Indian tribes, communities and peoples across the country.

NIEA is the oldest and largest national Indian education organization founded in 1969 as an educational service organization to provide national advocacy and assistance for its membership on issues affecting the education of Native American youth. NIEA’s membership consists of over 2,800 Native American students, educators, parents and representatives of tribal governments and school boards. NIEA also provides a national forum each year at its annual convention for its membership as the largest convocation on Indian education in the United States to focus on important issues in Indian education. On behalf of its membership, NIEA is deeply concerned about racism in sports and the issues raised in this case. Racially derogatory terms, stereotypes and caricatures promoted to millions of Americans each year through professional sports can have negative impacts upon Native American school children and hold them up to public contempt or ridicule. In particular, NIEA is deeply concerned about the impacts that negative images portrayed by Registrant’s “redskins” trademarks have upon Native American school children.

NIYC is the oldest and largest national organization addressing the issues of concern to American Indian and Alaska Native youth. Founded in 1961, the NIYC has been in the forefront of issues involving discrimination against Native Americans at the voting place, in housing, in representation on school boards, in political and educational districting and in employment, and has championed and litigated in each of these areas. The NIYC has long been concerned about discrimination against Native Americans conducted under color of federal and state law. NIYC has long been concerned about racism and derogatory stereotypes in sports. For example, the NIYC Chapter at the University of Oklahoma was responsible for the 1970 removal of the racially offensive football mascot, “Little Red.” NIYC is deeply concerned about the issues in this case as racism in sports adversely affects all Native Americans, including youth.

TICAR is a broad-based coalition founded by American Indians from the 39 Indian Nations in Oklahoma. TICAR works closely with Indian Nations and Native and non-Native social justice, religious, civil rights, and

educational organizations. TICAR was organized around the issue of eliminating the “Redskins” name and images from the public schools in Tulsa, Oklahoma, and supports similar efforts statewide and nationwide, as well as efforts to end the use of racial stereotypes in sports generally.

NATIONAL CONGRESS OF  
AMERICAN INDIANS,  
*Washington, DC, March 21, 2013.*

Hon. ENI FALEOMAVAEGA,  
*House of Representatives,  
Washington DC.*

DEAR REPRESENTATIVE FALEOMAVAEGA: On behalf of the National Congress of American Indians (NCAI), the nation’s oldest and largest tribal government advocacy organization in the country, we applaud you for sponsoring the “Non-Disparagement of Native American Persons or People in Trademark Registration Act of 2013”. This legislation will accomplish what Native American people, nations, and organizations have tried to do in the courts for almost twenty years—end the racist epithet that has served as the mascot of Washington’s pro football franchise for far too long.

The NCAI membership has been an active part of ending these types of derogatory stereotypes for several decades. The NCAI was one of many native and non-native organizations in support of the original court cases on this matter, *Harjo et al v. Pro Football, Inc.*, and we support the current case, *Blackhorse et al v. Pro Football, Inc.* to cancel existing trademarks.

We are proud of all our people who struggle for dignity and fight against stereotypes, including Native and non-Native students, families, teachers, and others who have worked together to retire over 2,000 “Indian” names, logos, mascots, and behaviors in schools across the land. The use of Native Peoples as mascots is offensive and unjustifiable. We will continue to call for an end to this practice until the remaining stereotypes are gone from the American landscape.

Thank you and your co-sponsors for your leadership and courage in introducing this important legislation. If you have any questions regarding this matter, please contact me or the NCAI Deputy Director, Robert Holden, at the National Congress of American Indians.

Respectfully,

JEFFERSON KEEL,  
*President.*

#### SUMMER OF SURVEILLANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker:

The administration puts forward a false choice between the liberties we cherish and the security we provide. No more illegal wiretapping of citizens. No more ignoring the law when it is convenient. That is not who we are. That is not what is necessary to defeat the terrorists. We will again set an example for the world that the law is not subject to the whims of stubborn rulers and that justice is not arbitrary. This administration acts like violating civil liberties is the way to enhance our security. It’s not.

Mr. Speaker, that was candidate Obama in the year 2007 when he was attacking another administration, but that was then and this is now. How times have changed. Flash forward to

the summer of 2013, the Summer of Surveillance. The Department of Justice seized information from 20 different Associated Press phone lines. The Department of Justice seized phone records of FOXNews reporter James Rosen, his parents, and several FOXNews phone lines.

The NSA, which I call the National Surveillance Agency, seized from Verizon Business Network Services millions of telephone records, including the location, numbers, and time of domestic calls. Thursday, we learned about another secret government program called PRISM that allows the NSA to search photos, emails, and documents from computers at Apple, Google, and Microsoft, among many other Internet sources.

Mr. Speaker, the American people have lost trust in this government. Do you think? The government spooks are drunk on power, and it’s time for Congress to intervene to prevent the invasion of privacy by government against the citizens.

The administration says its snooping activities are lawful. Well, not so fast. Let’s start with the PATRIOT Act, which needs to be reviewed, but let’s look at it as it now stands. The PATRIOT Act requires “a statement of facts showing that there are reasonable grounds to believe that the tangible things sought are relevant to foreign intelligence, international terrorism or espionage investigation.”

I see no way that the National Surveillance Agency could be lawfully conducting such a widespread and intrusive fishing expedition based on the PATRIOT Act or FISA. They’re supposed to be justifying each individual search based on lawful grounds, not snooping, prying, and spying through tons of data hoping to find a hit on some bad guy. In other words, the government should only be able to collect phone records with a court order for someone they have reasonable suspicion to be connected with a terrorist. Government cannot use a Soviet-style dragnet approach hoping to catch a big fish while also catching the endangered species of freedom.

What the PATRIOT Act does not allow is widespread, warrantless invasions of privacy where government blindly snoops around looking for some mischief. But the government claims it got some bad guys—two or three terrorists, it says. Well, if so, show us the cases. Those cases should be public if charges were filed. But that still doesn’t justify the invasion of privacy.

Let me continue. The administration could also be seizing emails of citizens over 6 months old without a warrant in its snooping frenzy. Unfortunately, the law allows this to occur. This needs to be changed.

Representative ZOE LOFGREN and I are trying to fix that with legislation to reform the outdated Electronic

Communications Privacy Act by requiring a warrant for government to search and seize emails. Such a basic constitutional requirement should be made the law when government wants to arbitrarily take people’s emails.

The bullying and badgering of the Fourth Amendment must cease. The Federal Government tries to scare the citizens and arbitrarily redlines the Fourth Amendment.

Mr. Speaker, technology may have changed over the years, but the Constitution just does not. We can have security, but not at the cost of losing individual freedom because to quote the constitutional law professor, there should be no “choice between the liberties we cherish and the security we provide.”

But the Summer of Surveillance continues.

And that’s just the way it is.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o’clock and 25 minutes p.m.), the House stood in recess.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 2 p.m.

#### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

As the days grow warmer throughout our land, major legislative issues loom with the potential of warmer debate and disagreement.

Bless the Members of the people’s House with the graces they need to engage one another as colleagues of the 113th Congress, entrusted by America’s citizens to forge solutions to the major issues facing our time, be they in agriculture, immigration, or areas of national security.

Grant to each an extra measure of wisdom and magnanimity, that all might work together for a better future for our great Nation.

May all that is done this day be for Your greater honor and glory.

Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## IGNORING BROKEN POLICIES IS NOT AN OPTION

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, broken Washington policies are making it harder for families in this country to find good work and plan for the future. Outdated laws and regulations, the Federal overhaul of personal health care through ObamaCare, and energy policies that tie the hands of small businesses stand directly opposed to job creation, affordable living, and economic growth.

We hear of these sad effects every day, and we've been warned, by the unlikeliest sources, of a coming Washington train wreck. Thus, we have a responsibility to remove these Washington barriers.

The House of Representatives has acted to expand energy production through the Keystone pipeline and generate new American jobs. We have acted to keep student loan interest rates from doubling. We have voted to stop ObamaCare from increasing family health insurance premium costs.

But our actions on behalf of jobs and family savings have been met by Senate inaction. Ignoring broken policies is not an option, not when jobs are at stake.

200TH ANNIVERSARY OF  
MILLBURY, MASSACHUSETTS

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I rise to congratulate the town of Millbury, Massachusetts, on their 200th anniversary.

Millbury has grown tremendously since its inception in 1813 as a small New England mill town. To celebrate their bicentennial, the people of Millbury have come together to facilitate a series of community events to honor this historic day.

Millbury's rich history can be traced back to the 18th century when John Singletary built the oldest continuously running mill in the United States. The historic Blackstone River powered the mill and helped propel the town into the Industrial Revolution as a leading textile producer.

Millbury's significance is further demonstrated as the historic childhood summer home of President William Howard Taft. President Taft even celebrated alongside of residents as they rang in their first 100 years.

Continuing with tradition, Millbury celebrated this occasion with a period ball and is looking forward to the parade this weekend.

Mr. Speaker, I congratulate the town of Millbury on their 200th anniversary. May this great American town continue to celebrate its rich history for years and years and years to come.

## GLOBAL WARMING

(Mr. BRIDENSTINE asked and was given permission to address the House for 1 minute.)

Mr. BRIDENSTINE. Mr. Speaker, global temperatures stopped rising 10 years ago. Global temperature changes, when they exist, correlate with Sun output and ocean cycles.

During the Medieval Warm Period from 800 to 1300 A.D.—long before cars, power plants, or the Industrial Revolution—temperatures were warmer than today. During the Little Ice Age from 1300 to 1900 A.D., temperatures were cooler. Neither of these periods were caused by any human activity.

Even climate change alarmists admit that the number of hurricanes hitting the U.S. and the number of tornado touchdowns have been on a slow decline for over 100 years.

But here's what we absolutely know. We know that Oklahoma will have tornadoes when the cold jet stream meets the warm gulf air. And we also know that this President spends 30 times as much money on global warming research as he does on weather forecasting and warning.

For this gross misallocation, the people of Oklahoma are ready to accept the President's apology, and I intend to submit legislation to fix this.

## STUDENT LOAN RELIEF ACT

(Mr. COURTNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COURTNEY. Mr. Speaker, in 19 days, unless Congress acts, the subsidized Stafford student loan program interest rate is going to double from 3.4 percent to 6.8 percent. Six years ago, we cut that rate from 6.8 percent to 3.4 percent.

So far, the House Republican majority has issued a bill which the Congressional Budget Office yesterday determined would actually be worse than if we did nothing and allowed the rate to double to 6.8 percent. It would add \$4 billion in added higher interest rate costs to students. The Senate Republican bill would add \$16 billion in interest costs, from the Congressional Budget Office.

It is obvious what we must do. We must pass H.R. 1595, my bill, which has 150 cosponsors, and extend the lower rate of 3.4 percent. It obtained 51 votes in the Senate. Last time I checked, that's a majority.

It's time to stand up for college students and families all across America, protect the lower interest rates, and get off this kick that a variable rate somehow is a solution to the problem. CBO told us yesterday it's not. It's worse than doing nothing.

SECRETARY SEBELIUS CONTINUES  
TO VIOLATE CONGRESS

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, last month, it was learned that the Secretary of Health and Human Services, Kathleen Sebelius, has been calling executives from private groups asking them to fund the Affordable Care Act by donating money to a private organization called Enroll America. Her actions then were questionable and have left us to wonder what the Secretary is promising executives in exchange for their support.

Last Tuesday, Secretary Sebelius disclosed that she solicited three additional companies, all of which provide services regulated by her agency: a drug maker, Johnson & Johnson; a health care system, Ascension Health; and a health insurance provider, Kaiser Permanente.

And so it begs the question: How far will this administration go to promote their flawed takeover of the country's health care?

Agencies that have already been engrossed in scandal, like the IRS, will be directly administering major provisions of the Affordable Care Act. Along with them, the Department of Homeland Security, the Department of Labor, and the Treasury, these agencies will be involved in sharing and tracking consumer information to implement the President's law.

Do you really want to entrust this administration with the responsibility of controlling your health care and controlling your health care information?

STOPPING GOVERNMENT ABUSE  
OF TAXPAYER INFORMATION ACT

(Mr. HOLDING asked and was given permission to address the House for 1 minute.)

Mr. HOLDING. Mr. Speaker, we are all familiar with the recent IRS scandal involving the agency targeting conservative groups. As if this institutional arrogance wasn't troubling enough, the IRS will soon become the primary enforcer of ObamaCare.

Mr. Speaker, today I rise to support legislation introduced by my friend

from Tennessee, Congresswoman DIANE BLACK. H.R. 2022, the Stopping Government Abuse of Taxpayer Information Act, would stop the implementation and enforcement of ObamaCare and force government agencies associated with Federal Data Services to certify that the American people's private information is not being exploited for targeting based on political beliefs.

Oversight, Mr. Speaker, is an important function of Congress, and we should ensure that the American people's right to privacy and political freedom are protected.

I thank the gentlewoman from Tennessee for introducing this important bill. It's time we demand accountability from the IRS and prevent them from further intruding on the rights of American taxpayers.

□ 1410

#### MEDICARE AUDIOLOGY SERVICES ENHANCEMENT ACT

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute.)

Mr. BILIRAKIS. Mr. Speaker, I rise today to offer solutions for seniors who are hard of hearing.

Under current Medicare rules, seniors are unable to visit the audiologists of their choice due to a payment structure that classifies these specialists differently based on their locations. Even though they offer the same care, an in-practice audiologist for an ENT can bill services directly to Medicare under the ENT's provider number. However, if the patient is referred to an independent audiologist, he cannot bill these services directly.

The Medicare Audiology Services Enhancement Act, which I will introduce this week, will end this inequity and allow independent audiologists to directly bill Medicare—expanding access to care for our seniors.

The American Speech-Language-Hearing Association and ENT physicians across the country have already expressed support. I urge my colleagues to sign on to this good piece of legislation.

#### IN TRIBUTE TO FORMER U.S. REPRESENTATIVE BARBARA VUCANOVICH

(Mr. AMODEI asked and was given permission to address the House for 1 minute.)

Mr. AMODEI. Mr. Speaker, I rise today to recognize a true ambassador of the Silver State, Congresswoman Barbara Vucanovich, who was the first person to hold the Second Congressional District seat from Nevada and who died yesterday, peacefully, after a brief illness. She was 91 years old.

She was elected to the House of Representatives in the same year that

HARRY REID—a name that may be familiar to some in this part of the building—was also elected to the House of Representatives from Nevada. She served 14 years, which is the second-longest tenure of any Member of Congress from the State of Nevada.

A champion of rural constituents, concerned with mining, grazing, and water issues, it might also interest you to know that she was a national leader on the issues of the early detection and treatment of breast cancer and of the repeal of the 55-mile-an-hour speed limit. She was also the lady who led the fight in the House to create the only national park created in the lower 48 States during the Reagan administration—the Great Basin National Park in Nevada.

She was most notably, though, not only the dean of the Second Congressional District, but she was also somebody who set the standard by which we can all learn, Mr. Speaker, and that is this: it was never about Barbara Vucanovich when she served in these Halls; it was about the people who gave her the job. She embodied public service and humility.

For that, Godspeed, Barbara. We wish you well, and thank you for a life well lived and for serving the people of the Silver State.

#### AMERICANS DESERVE BETTER

(Mr. FARENTHOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARENTHOLD. Mr. Speaker, I rise today because Americans deserve better.

We deserve the American Dream that our parents and grandparents lived. We deserve a government that wants to help us succeed with a fair chance and a level playing field for everyone.

We deserve a government that doesn't stifle innovation and success with crushing regulations. We need a government that doesn't decide who lives and who dies with a massive Federal health care bureaucracy. We deserve a government that is fair and honest and doesn't spy on us. We deserve a government of the people, for the people, and by the people, not one that targets people based on their political beliefs and snoops through our phone records and emails and is too big and powerful to be held accountable.

Americans want a strong economy so they can have better lives for themselves and better lives for their families.

My Republican colleagues and I will continue to push for solutions that strengthen economic growth, protect the freedoms and liberties that our forefathers fought for and those unalienable rights with which we are endowed by our Creator—life, liberty and the pursuit of happiness.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Hon. JOHN A. BOEHNER,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to 44 U.S.C. 2702, I hereby reappoint as a member of the Advisory Committee on the Records of Congress the following person: Dr. Sharon Leon, Fairfax, Virginia.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1705

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RIBBLE) at 5 o'clock and 5 minutes p.m.

#### PERMISSION TO FILE SUPPLEMENTAL REPORT ON H.R. 1960, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

Mr. WILSON of South Carolina. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be authorized to file a supplemental report on the bill, H.R. 1960.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 11, 2013.

Hon. JOHN A. BOEHNER,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 11, 2013 at 3:44 p.m.

That the Senate passed S. 954.

Appointment:  
Senate National Security Working Group.  
With best wishes, I am

Sincerely,

KAREN L. HAAS.



# ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

## SOUTH UTAH VALLEY ELECTRIC CONVEYANCE ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 251) to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 251

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "South Utah Valley Electric Conveyance Act".

### SEC. 2. DEFINITIONS.

In this Act:

(1) **DISTRICT.**—The term "District" means the South Utah Valley Electric Service District, organized under the laws of the State of Utah.

(2) **ELECTRIC DISTRIBUTION SYSTEM.**—The term "Electric Distribution System" means fixtures, irrigation, or power facilities lands, distribution fixture lands, and shared power poles.

(3) **FIXTURES.**—The term "fixtures" means all power poles, cross-members, wires, insulators and associated fixtures, including substations, that—

(A) comprise those portions of the Strawberry Valley Project power distribution system that are rated at a voltage of 12.5 kilovolts and were constructed with Strawberry Valley Project revenues; and

(B) any such fixtures that are located on Federal lands and interests in lands.

(4) **IRRIGATION OR POWER FACILITIES LANDS.**—The term "irrigation or power facilities lands" means all Federal lands and interests in lands where the fixtures are located on the date of the enactment of this Act and which are encumbered by other Strawberry Valley Project irrigation or power features, including lands underlying the Strawberry Substation.

(5) **DISTRIBUTION FIXTURE LANDS.**—The term "distribution fixture lands" means all Federal lands and interests in lands where the fixtures are located on the date of the enactment of this Act and which are unencumbered by other Strawberry Valley Project features, to a maximum corridor width of 30 feet on each side of the centerline of the fixtures' power lines as those lines exist on the date of the enactment of this Act.

(6) **SHARED POWER POLES.**—The term "shared power poles" means poles that comprise those portions of the Strawberry Valley Project Power Transmission System, that are rated at a voltage of 46.0 kilovolts,

are owned by the United States, and support fixtures of the Electric Distribution System.

(7) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

### SEC. 3. CONVEYANCE OF ELECTRIC DISTRIBUTION SYSTEM.

(a) **IN GENERAL.**—Inasmuch as the Strawberry Water Users Association conveyed its interest, if any, in the Electric Distribution System to the District by a contract dated April 7, 1986, and in consideration of the District assuming from the United States all liability for administration, operation, maintenance, and replacement of the Electric Distribution System, the Secretary shall, as soon as practicable after the date of the enactment of this Act and in accordance with all applicable law convey and assign to the District without charge or further consideration—

(1) all of the United States right, title, and interest in and to—

(A) all fixtures owned by the United States as part of the Electric Distribution System; and

(B) the distribution fixture land;

(2) license for use in perpetuity of the shared power poles to continue to own, operate, maintain, and replace Electric Distribution Fixtures attached to the shared power poles; and

(3) licenses for use and for access in perpetuity for purposes of operation, maintenance, and replacement across, over, and along—

(A) all project lands and interests in irrigation and power facilities lands where the Electric Distribution System is located on the date of the enactment of this Act that are necessary for other Strawberry Valley Project facilities (the ownership of such underlying lands or interests in lands shall remain with the United States), including lands underlying the Strawberry Substation; and

(B) such corridors where Federal lands and interests in lands—

(i) are abutting public streets and roads; and

(ii) can provide access that will facilitate operation, maintenance, and replacement of facilities.

(b) **COMPLIANCE WITH ENVIRONMENTAL LAWS.**—

(1) **IN GENERAL.**—Before conveying lands, interest in lands, and fixtures under subsection (a), the Secretary shall comply with all applicable requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) any other law applicable to the land and facilities.

(2) **EFFECT.**—Nothing in this Act modifies or alters any obligations under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(c) **POWER GENERATION AND 46KV TRANSMISSION FACILITIES EXCLUDED.**—Except for the uses as granted by license in Shared Power Poles under section 3(a)(2), nothing in this Act shall be construed to grant or convey to the District or any other party, any interest in any facilities shared or otherwise that comprise a portion of the Strawberry Valley Project power generation system or the federally owned portions of the 46 kilovolt transmission system which ownership shall remain in the United States.

### SEC. 4. EFFECT OF CONVEYANCE.

On conveyance of any land or facility under section 3(a)(1)—

(1) the conveyed and assigned land and facilities shall no longer be part of a Federal reclamation project;

(2) the District shall not be entitled to receive any future Bureau or Reclamation benefits with respect to the conveyed and assigned land and facilities, except for benefits that would be available to other non-Bureau of Reclamation facilities; and

(3) the United States shall not be liable for damages arising out of any act, omission, or occurrence relating to the land and facilities, including the transaction of April 7, 1986, between the Strawberry Water Users Association and Strawberry Electric Service District.

### SEC. 5. REPORT.

If a conveyance required under section 3 is not completed by the date that is 1 year after the date of the enactment of this Act, not later than 30 days after that date, the Secretary shall submit to Congress a report that—

(1) describes the status of the conveyance;

(2) describes any obstacles to completing the conveyance; and

(3) specifies an anticipated date for completion of the conveyance.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

### GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Speaker, H.R. 251, sponsored by our colleague from Utah (Mr. CHAFFETZ) transfers the Federal title of an electricity distribution system to a local entity that already operates and maintains the system. This transfer resolves ownership uncertainty due to a Federal paperwork error, gives the local electricity provider equity to leverage capital investment, and reduces Federal liability and cost.

Congress has passed over two dozen similar transfers, including one in my district, the Yakima-Tieton transfer, under both Republican and Democrat majorities. The House passed this identical transfer bill by a voice vote in the last Congress due to its noncontroversial and commonsense nature. So I urge my colleagues to support its adoption once again.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, H.R. 251, as indicated by the chairman, seeks to transfer title on



portions of the South Utah Valley electric distribution system from the Bureau of Reclamation to the South Utah Valley Electric Service District.

Current reclamation law requires that title to reclamation projects, land, and facilities remain with the United States until specifically authorized by Congress. Similar legislation passed the House on suspension last Congress, and we have no objection to H.R. 251.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I'm very pleased to yield 3 minutes to the gentleman from Utah (Mr. CHAFFETZ), the sponsor of this legislation.

Mr. CHAFFETZ. Mr. Speaker, I want to thank the chairman and the ranking member here for their consideration. This is a good, commonsense bill. It passed out of the Congress last time, and I appreciate the bipartisan nature, particularly the gentleman from Arizona (Mr. GRIJALVA), for his positive words in the passage of this piece of legislation.

H.R. 251, the South Utah Valley Electric Conveyance Act, transfers title on certain portions of the electric distribution system operated by the South Utah Valley Electric Service District, SESD, from the Bureau of Reclamation to SESD. Local users repaid all applicable construction costs to the Federal Government decades ago.

□ 1710

This bill, H.R. 251, is needed because in order to become more efficient and more effective, ownership needs to be transferred. The system is part of the larger Strawberry Valley Project, which began in 1906.

This title transfer benefits the Federal taxpayers and the local communities that use the system. The transfer of title will divest the Bureau of Reclamation of Federal liability while providing SESD greater autonomy and flexibility to manage facilities in a manner that best meets its needs.

H.R. 251 is consistent with existing Federal policy, and since 1996, as the chairman mentioned, there have been roughly 27 Bureau of Reclamation projects to local entities that have gone through this transfer type of process. An identical bill, H.R. 461, passed in the House in the 112th Congress by voice vote, passed this September 23 of 2011.

I urge my colleagues to vote "yes." I appreciate, again, the good work on both sides of the aisle to help pass this, and I urge a "yes" vote.

Mr. HASTINGS of Washington. Mr. Speaker, I have no further requests. If the gentleman from Arizona is prepared to yield back, I'm prepared to yield back.

Mr. GRIJALVA. Thank you, Mr. Chairman. I yield back the balance of my time.

Mr. HASTINGS of Washington. I yield back the balance of my time and urge adoption of the legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 251.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### FRUIT HEIGHTS LAND CONVEYANCE ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 993) to provide for the conveyance of certain parcels of National Forest System land to the city of Fruit Heights, Utah.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 993

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Fruit Heights Land Conveyance Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) CITY.—The term "City" means the city of Fruit Heights, Utah.

(2) MAP.—The term "map" means the map entitled "Proposed Fruit Heights City Conveyance" and dated September 13, 2012.

(3) NATIONAL FOREST SYSTEM LAND.—The term "National Forest System land" means the approximately 100 acres of National Forest System land, as depicted on the map.

(4) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

#### SEC. 3. CONVEYANCE OF CERTAIN LAND TO THE CITY OF FRUIT HEIGHTS, UTAH.

(a) IN GENERAL.—The Secretary shall convey to the City, without consideration, all right, title, and interest of the United States in and to the National Forest System land.

(b) SURVEY.—

(1) IN GENERAL.—If determined by the Secretary to be necessary, the exact acreage and legal description of the National Forest System land shall be determined by a survey approved by the Secretary.

(2) COSTS.—The City shall pay the reasonable survey and other administrative costs associated with a survey conducted under paragraph (1).

(c) EASEMENT.—As a condition of the conveyance under subsection (a), the Secretary shall reserve an easement to the National Forest System land for the Bonneville Shoreline Trail.

(d) USE OF NATIONAL FOREST SYSTEM LAND.—As a condition of the conveyance under subsection (a), the City shall use the National Forest System land only for public purposes.

(e) REVERSIONARY INTEREST.—In the quitclaim deed to the City for the National For-

est System land, the Secretary shall provide that the National Forest System land shall revert to the Secretary, at the election of the Secretary, if the National Forest System land is used for other than a public purpose.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

#### GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 993, introduced by our distinguished subcommittee chairman, Mr. BISHOP of Utah, would authorize the Secretary of Agriculture to convey approximately 100 acres of National Forest System land to the city of Fruit Heights in Utah. Fruit Heights is completely surrounded by Federal land and is in desperate need of a place to develop a cemetery. This legislation would convey a small parcel of Federal land for that important public service. I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, H.R. 993 would transfer 100 acres of Forest Service land to Fruit Heights, Utah, at no cost to the city, for use as a cemetery. The parcel of land in question was purchased by the Federal Government in 2002 for over \$3 million from the Land and Water Conservation Fund.

It is obviously not ideal for Federal taxpayers to give away land that was purchased with Federal money just 11 years ago. However, the bill makes clear that should the land ever be used for anything other than a public purpose, the parcel will come back to Federal ownership.

We do not object to H.R. 993, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I'm very pleased to yield 4 minutes to the author of this legislation, the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Fruit Heights, Utah, is a city of around 5,000 people. In the center of Davis County to the east are the mountains which are owned by the Forest Service. Surrounding it to the south is the city of Farmington, which has a landlocked

cemetery and only allows Farmington residents to be buried there. On the west and the north is Kaysville and Layton, which has a cemetery which faces the same situation and is restricting who can be buried there, as well.

Fruit Heights really has a significant problem. The only way they can go is east, up the mountain, on land that is currently owned by the Forest Service but is within the boundaries of Fruit Heights itself. So on this map, the brown, barren area without trees is what's owned by the Forest Service. Totally surrounding the Forest Service land are houses, and only residential roads can get up to this particular area. Running through the middle, blasted in there, is a canal which will be preserved for canal use and be dedicated to that. Above it, the area that is above that, still within the city of Fruit Heights, is too steep for any development.

So, by city ordinance, they have already said, when they receive this land, that will be permanent open space. The area below the canal here is the land in question that would be transferred to the city for the purpose of a cemetery, which they drastically need. They have been through every area they have as potential in Fruit Heights City. This is truly the only area.

It is true that a nature conservancy group purchased this land from a citizen in Fruit Heights and then sold it at a profit to the Federal Government to be used as habitat for mule deer. The Mule Deer Association is neutral on this bill, neither opposing it nor in favor of it, and they basically privately say that if it's a cemetery, they'll probably have more forage potential for the mule deer than they have right now.

This is what is necessary. I appreciate the minority's working with me on this particular issue to find the realization that there is a need for a cemetery. I thank them for their support. I thank the chairman for putting this crucial issue forward, which to us may be not crucial, but to those dying to get into this place, it is indeed crucial.

Mr. HASTINGS of Washington. Mr. Speaker, I advise my friend from Arizona I have no further speakers, and I'm prepared to yield back if he is.

Mr. GRIJALVA. I yield back the balance of my time.

Mr. HASTINGS of Washington. I yield back the balance of my time and urge adoption of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 993.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## RATTLESNAKE MOUNTAIN PUBLIC ACCESS ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1157) to ensure public access to the summit of Rattlesnake Mountain in the Hanford Reach National Monument for educational, recreational, historical, scientific, cultural, and other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1157

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Rattlesnake Mountain Public Access Act".

### SEC. 2. FINDINGS.

Congress finds the following:

(1) The Hanford Reach National Monument is public land that belongs to the American people.

(2) The United States Fish and Wildlife Service's Comprehensive Conservation Plan (CCP) for the Monument restricts public access to large portions of the Monument, including the summit of Rattlesnake Mountain.

(3) Public access to Rattlesnake Mountain is important for educational, recreational, historical, scientific, and cultural purposes.

(4) Rattlesnake Mountain reaches an elevation of 3,660 feet above sea level—the highest elevation of the Monument, and provides unparalleled scenic views over the Monument, the Hanford Site, and the Columbia River.

(5) Public access to Rattlesnake Mountain will increase tourism interest in the Monument and will provide economic benefits to local governments.

### SEC. 3. ENSURING PUBLIC ACCESS TO THE SUMMIT OF RATTLESNAKE MOUNTAIN IN THE HANFORD REACH NATIONAL MONUMENT.

(a) IN GENERAL.—The Secretary of the Interior shall provide public access to the summit of Rattlesnake Mountain in the Hanford Reach National Monument for educational, recreational, historical, scientific, cultural, and other purposes, including—

(1) motor vehicle access; and  
(2) pedestrian and other nonmotorized access.

(b) COOPERATIVE AGREEMENTS.—The Secretary of the Interior may enter into cooperative agreements to facilitate access to the summit of Rattlesnake Mountain—

(1) with the Secretary of Energy, the State of Washington, or any local government agency or other interested persons, for guided tours, including guided motorized tours to the summit of Rattlesnake Mountain; and

(2) with the Secretary of Energy, and with the State of Washington or any local government agency or other interested persons, to maintain the access road to the summit of Rattlesnake Mountain.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. I ask unanimous consent that all Members

may have 5 legislative days to revise and extend their remarks and include extraneous material to the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Speaker, H.R. 1157 directs the Department of the Interior to provide the public with motorized, nonmotorized, and pedestrian access to the summit of Rattlesnake Mountain, located in my district on the Hanford Reach National Monument. This 195,000-acre monument, designated by President Clinton in 2000, is near the Hanford Nuclear Site and is the only one in the continental United States managed by the U.S. Fish and Wildlife Service.

At 3,600 feet, Rattlesnake Mountain is the highest point in the region, and it provides unparalleled views for miles around the monument, the Hanford Site, the Snake River, the Columbia River, and, of course, the Yakima River.

Unfortunately, it took the Fish and Wildlife Service 8 years to write a management plan that effectively closed Rattlesnake Mountain to public access, despite the public comments favoring just the opposite.

After I first introduced this bill in 2010, the Fish and Wildlife Service offered two public tours for selected individuals and then suddenly reneged on the offer just days before the tours were to occur.

During a 2011 committee hearing on the bill, the Interior Department's testimony suggested that the Fish and Wildlife Service supports tours of Rattlesnake, but very carefully didn't go the extra step of ensuring the Service would allow public access to the summit.

Finally, last month, the Fish and Wildlife Service granted a few dozen people the opportunity to tour Rattlesnake Mountain summit over two tours. These were the first two public tours offered since the monument was designated.

Mr. Speaker, this bill is necessary to ensure reasonable and regular public access can be guaranteed by law to the citizens of that area. The legislation is sponsored by the Tri-Cities Development Council, TRIDEC; the Board of County Commissioners; Benton County Commissioners, in which Rattlesnake Mountain is located; the Tri-City Regional Chamber of Commerce; the Tri-Cities Visitor and Convention Bureau; and the Back Country Horsemen of Washington.

The American people deserve to have access to public lands, including Rattlesnake Mountain in my district. I ask that the House pass this reasonable legislation today to make that possible.

With that, Mr. Speaker, I reserve the balance of my time.

□ 1720

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1157, which would require the Fish and Wildlife Service to provide both motorized and non-motorized access to the summit of Rattlesnake Mountain.

The bill would allow the Fish and Wildlife Service to enter into cooperative agreements with the Department of Energy, the State of Washington, local governments, and other interested persons to provide guided tours to the summit of the mountain and to maintain the access road to the mountain.

In 2008, the Fish and Wildlife Service completed its management plan for this area and determined that service-sponsored or -led tours and a hiking trail are appropriate and compatible uses of the area.

In October of 2011, at the hearing on H.R. 2719, the Fish and Wildlife Service supported the bill's intent to provide appropriate public access on Rattlesnake Mountain that gives due consideration to all stakeholders, including the Yakima Tribe.

I commend Chairman HASTINGS for introducing the bill, and I support it.

Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me explain a little bit about Rattlesnake Mountain and where it's located. I mentioned it is on the Hanford Nuclear Site. The Hanford Nuclear Site was part of the Manhattan Project, in which we built and assembled weapons that won the Second World War. And then for 40 years after the Second World War, this was in a defense production where we were producing fuel for our atomic weapons.

Now, Rattlesnake Mountain, as I mentioned in my opening remarks, is 3,600 feet. For obvious reasons, it was closed off to access because you had a secret site there producing weapons of war and you didn't want people to have access to look down at Hanford Site. That's totally understandable, and for that reason nobody really objected to having the top of Rattlesnake open. However, now that Hanford is no longer in defense production—and it hasn't been for nearly 25 years; it's now in a cleanup mode—things have really changed.

When I typically have townhall meetings or meetings with people in the Tri-Cities area, I ask how many people have been on top of Rattlesnake, and it's surprising how few have been up there. But when you're on top of Rattlesnake—it's 3,600 feet, like I mentioned—there are no trees, so you can see 360 degrees around you. On a clear

day, which we generally have in central Washington, you really can see the Columbia River coming in from the north. You can see where the Snake River—and, by the way, that's where Lewis and Clark encamped before they made their trip down to the ocean—you can see where the Snake River comes into the Columbia River. And you can see where the Yakima River comes also into the Columbia River. So it is a really wonderful site, and I think it deserves to have access to the people.

More and more people have had the opportunity in the past to go up there. This simply ensures that the Department of Energy will come up with a plan in which that area will really be accessed.

So I urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 1157.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### NORTH CASCADES NATIONAL PARK SERVICE COMPLEX FISH STOCKING ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1158) to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1158

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "North Cascades National Park Service Complex Fish Stocking Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) NORTH CASCADES NATIONAL PARK SERVICE COMPLEX.—The term "North Cascades National Park Service Complex" means collectively the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

(2) PLAN.—The term "plan" means the document entitled "North Cascades National Park Service Complex Mountain Lakes Fishery Management Plan and Environmental Impact Statement" and dated June 2008.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

#### SEC. 3. STOCKING OF CERTAIN LAKES IN THE NORTH CASCADES NATIONAL PARK SERVICE COMPLEX.

(a) IN GENERAL.—Subject to subsection (b), the Secretary shall authorize the stocking of fish in lakes in the North Cascades National Park Service Complex.

(b) CONDITIONS.—

(1) IN GENERAL.—The Secretary is authorized to allow stocking of fish in not more than 42 of the 91 lakes in the North Cascades National Park Service Complex that have historically been stocked with fish.

(2) NATIVE NONREPRODUCING FISH.—The Secretary shall only stock fish that are—

(A) native to the slope of the Cascade Range on which the lake to be stocked is located; and

(B) nonreproducing, as identified in management alternative B of the plan.

(3) CONSIDERATIONS.—In making fish stocking decisions under this Act, the Secretary shall consider relevant scientific information, including the plan and information gathered under subsection (c).

(4) REQUIRED COORDINATION.—The Secretary shall coordinate the stocking of fish under this Act with the State of Washington.

(c) RESEARCH AND MONITORING.—The Secretary shall—

(1) continue a program of research and monitoring of the impacts of fish stocking on the resources of the applicable unit of the North Cascades National Park Service Complex; and

(2) beginning on the date that is 5 years after the date of enactment of this Act and every 5 years thereafter, submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes the results of the research and monitoring under paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Speaker, H.R. 1158, the North Cascades National Park Service Complex Fish Stocking Act, has enjoyed broad bipartisan support, passing the last Congress by a voice vote. It was also reported out of the Senate Energy and Natural Resources Committee during a previous Congress on a voice vote, with a recommendation that it pass.

H.R. 1158 is necessary to ensure that the National Park Service, in coordination with the State of Washington, has the authority to continue stocking fish in certain alpine lakes in the North Cascades National Park Complex, including the North Cascades National

Park, Ross Lake National Recreational Area, and the Lake Chelan National Recreational Area.

In 2008, the National Park Service prepared an environmental impact statement regarding the management of the fisheries in these mountain lakes. That document identified the preferred alternatives as the one to allow continued fish stocking in 42 lakes in that area where the Agency concluded there would be no adverse impact on the native ecosystems. The Park Service also requested explicit authority to allow fish stocking to continue within the park complex. That, of course, is exactly what H.R. 1158 does.

Many tourists visit the park complex for its scenic beauty as well as for its fishing opportunities, making fish stocking an important component of the central Washington economy.

Now, Mr. Speaker, let me deviate a bit here. While we are discussing public lands legislation, I would also like to inform the House that the Committee on Natural Resources will soon begin consideration of several proposals to designate new wilderness areas.

As Public Lands and Environmental Regulations Subcommittee Chairman BISHOP of Utah stated last week, in July the subcommittee plans to hold a legislative hearing on wilderness proposals. Congressman DAN BENISHEK's Sleeping Bear Dunes legislation and Congressman DAVID REICHERT's Alpine Lakes legislation will be considered at this hearing. These and other proposals will be judged on a case-by-case basis.

Mr. Speaker, Congress has the sole authority to decide which of our lands should be included in the wilderness system. Establishing wilderness is the most restrictive land-use designation that Congress can apply to our Nation's lands. It greatly limits the American public's access. The committee will, therefore, carefully and thoughtfully examine wilderness proposals to determine if the designation is appropriate and listen to local citizens and community leaders whose livelihoods and recreational opportunities could be affected.

The committee will also consider proposals to ensure multiple uses of our public lands so that they provide a full range of recreational, economic, conservation, and resource benefits.

Any land-use decisions by Congress should be made carefully. It should reflect our country's current economic situation, it should keep our lands healthy, and it should exemplify the importance of ensuring public access to public lands. That's why we are going to have a very thoughtful process on wilderness designation now, back to H.R. 1158, since this borders a wilderness area.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a general matter, the introduction of non-native species into wilderness designated areas within a national park should be prohibited. In this instance, however, the National Park Service has found that fish stocking can continue within the Mather Wilderness without harm to other national park resources. Importantly, the legislation contains significant protections for those resources.

We worked closely with Chairman HASTINGS for the past two Congresses to secure House passage of this legislation and are pleased to do so again today.

□ 1730

The chairman is to be commended for his efforts on behalf of the North Cascades National Park Complex. We support the legislation and reserve the balance of our time.

Mr. HASTINGS of Washington. Mr. Speaker, I have no requests for time, and I am prepared to yield back if the gentleman from Arizona will yield back.

Mr. GRIJALVA. Thank you, Mr. Chairman. Just for the edification of Chairman HASTINGS, I have 11 wilderness legislation points that I have submitted. Hopefully, on a case-by-case basis, you'll get a look at some of them.

With that, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

I will just respond to my friend, I know he has 11. He knows my general feeling on that.

But I do believe that wilderness designation should be taken on a case-by-case basis, and we'll go through that process. With any luck you may be on that list.

With that, I yield back my time and urge adoption of H.R. 1158.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 1158.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### WOOD-PAWCATUCK WATERSHED PROTECTION ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 723) to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes, as amended.

The Clerk read the title of the bill.  
The text of the bill is as follows:

H.R. 723

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Wood-Pawcatuck Watershed Protection Act".*

#### SEC. 2. BEAVER, CHIPUXET, QUEEN, WOOD, AND PAWCATUCK RIVERS STUDY.

(a) DESIGNATION FOR STUDY.—Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding at the end the following:

"( ) BEAVER, CHIPUXET, QUEEN, WOOD, AND PAWCATUCK RIVERS, RHODE ISLAND AND CONNECTICUT.—The approximately 10-mile segment of the Beaver River from its headwaters in Exeter, Rhode Island, to its confluence with the Pawcatuck River; the approximately 5-mile segment of the Chipuxet River from Hundred Acre Pond to its outlet into Worden Pond; the approximately 10-mile segment of the upper Queen River from its headwaters to the Usquepaugh Dam in South Kingstown, Rhode Island, and including all its tributaries; the approximately 5-mile segment of the lower Queen (Usquepaugh) River from the Usquepaugh Dam to its confluence with the Pawcatuck River; the approximately 11-mile segment of the upper Wood River from its headwaters to Skunk Hill Road in Richmond and Hopkinton, Rhode Island, and including all its tributaries; the approximately 10-mile segment of the lower Wood River from Skunk Hill Road to its confluence with the Pawcatuck River; the approximately 28-mile segment of the Pawcatuck River from Worden Pond to Nooseneck Hill Road (RI Rte 3) in Hopkinton and Westerly, Rhode Island; and the approximately 7-mile segment of the lower Pawcatuck River from Nooseneck Hill Road to Pawcatuck Rock, Stonington, Connecticut, and Westerly, Rhode Island."

(b) STUDY AND REPORT.—Section 5(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(b)) is amended by adding at the end the following:

"( ) BEAVER, CHIPUXET, QUEEN, WOOD, AND PAWCATUCK RIVERS, RHODE ISLAND AND CONNECTICUT.—Not later than 3 years after the date on which funds are made available to carry out this paragraph, the Secretary of the Interior shall—

"(A) complete the study of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers, Rhode Island and Connecticut, described in subsection (a)( );

"(B) submit a report describing the results of that study to the appropriate committees of Congress;

"(C) include in the report under subparagraph (B) the effect of the designation under this Act on—

"(i) existing commercial and recreational activities, such as hunting, fishing, trapping, recreational shooting, motor boat use, or bridge construction;

"(ii) the authorization, construction, operation, maintenance, or improvement of energy production and transmission infrastructure; and

"(iii) the authority of State and local governments to manage those activities encompassed in clauses (i) and (ii); and

"(D) identify—

"(i) all authorities that will authorize or require the Secretary to influence local land use decisions (such as zoning) or place restrictions on non-Federal land if the area studied is designated under this paragraph;

"(ii) all authorities that the Secretary may use to condemn property if the area studied is designated under this paragraph; and

"(iii) all private property located in the area studied under this provision."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

#### GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

H.R. 723 would authorize the study of 86 miles of rivers in the States of Connecticut and Rhode Island for potential addition to the National Wild and Scenic Rivers System.

The Natural Resources Committee amended the legislation to specifically require that the study consider any potential limitations on existing uses and any impacts to private property that could occur in an eventual designation. These are important protections and are necessary for this study bill to move forward.

With that, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

We support the legislation, and I would like to yield as much time as he may consume to the author and sponsor of the legislation, the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Speaker, let me thank Congressman GRIJALVA, the ranking member of the subcommittee, for yielding and for his outstanding work in support of this legislation. Let me also thank Chairman HASTINGS, as well as the chairman of the subcommittee, Mr. BISHOP, and your hard-working staff for working to bring this bill through the committee and to the floor today.

I would also like to thank my good friend from Connecticut, Congressman COURTNEY, who has been an outstanding partner in this effort as well. And, of course, our State partners, including the Wood-Pawcatuck Watershed Association, Save the Bay, the Nature Conservancy, the Rhode Island Department of Environmental Management, and the Connecticut Department of Energy and Environmental Protection. Their collaboration really has been instrumental in bringing this legislation to fruition.

As a Nation, we are, of course, privileged to have access to a diverse system of wilderness areas—from remote expanses of our country to backyard wildernesses closer to home. The Wood-Pawcatuck Watershed is such a place.

Its rivers are within a 45-minute drive of every Rhode Islander, easily accessible for family outings and school field trips. Passage of the Wood-Pawcatuck Watershed Protection Act will allow for a study of segments of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in Rhode Island and Connecticut for potential addition to the National Wild and Scenic Rivers System.

Rhode Island and Connecticut have long been outstanding stewards of these rivers, and I hope passage and completion of this study will affirm what we Rhode Islanders already know—that the Pawcatuck and its tributaries possess outstanding recreational, natural, and historical qualities that make them worthy of the designation of Wild and Scenic Rivers. The people of Rhode Island and Connecticut have long enjoyed the recreational and scenic wealth of the Wood-Pawcatuck, and we are eager to share this natural treasure with the rest of New England and the Nation.

The Wood-Pawcatuck watershed offers exceptional trout fishing, canoeing, photography, and bird watching, with adjacent hiking and camping for our sportsmen. These rivers are not only an important part of our national heritage, they are also a critical part of our tourism industry and the economy. Accordingly, the study will fully engage with local government, landowners, and businesses to recognize the existing commercial and recreational activities on or adjacent to the watershed.

The Wild and Scenic Rivers Act offers the best guarantee that the Wood-Pawcatuck will be here for future generations to enjoy, and passage of this study is an important first step along that path. The rivers of the Wood-Pawcatuck watershed contain outstanding recreational, scenic, and natural heritage qualities that would be an excellent addition to the National Wild and Scenic Rivers System, and I urge my colleagues to support the passage of this bill.

Again, I want to thank all those involved in helping to bring this bill to the floor.

Mr. GRIJALVA. Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I urge adoption of the bill, and yield back the balance of my time.

Mr. COURTNEY. Mr. Speaker, I rise today in support of the Wood-Pawcatuck Watershed Protection Act.

The measure would amend the Wild and Scenic Rivers Act to authorize a study for potential addition to the national wild and scenic rivers system. The catalog of lands and rivers that carry this designation would surely benefit from the inclusion of this watershed, an area identified as containing the last large forested track south of Boston. While a 300 square mile area of land may not sound like a large area to some of my colleagues, open space in

New England has come under increased pressure from development. Conducting a study with the potential of inducting into or including this watershed in the wild and scenic river system would significantly ease these development pressures.

In fact, the National Park Service has already conducted studies on this watershed. These past studies have identified the Wood and Pawcatuck Rivers as “unique and irreplaceable resources.” But even today the level of flora, fauna, reptiles, fish, and mammals found within the Wood-Pawcatuck boundaries is staggering for this region of the country. It includes the New England Cottontail an animal listed under the Endangered Species Act. The range of the cottontail historically included most of New England and parts of New York, yet today the watershed is one of only five locations this species can be found.

The watershed is one of the few remaining relatively pristine natural areas along the northeast corridor between New York and Boston. In fact, forest and wetlands comprise 60 percent of this land, which helps maintain its high water quality. This landscape provides vast recreational opportunities: 57 miles of rivers, mostly flat-water paddling on the rivers; numerous streams in pristine forest for fishing native brook trout and stocked brown and rainbow trout; and five state management areas for hiking, biking, hunting, birding and nature studies.

My district is already home to another watershed that carries the wild and scenic designation, the Eightmile River. I have seen firsthand the importance associated with this status. A partnership between the Eightmile River Wild & Scenic Coordinating Committee and the National Park Service has developed and carried out strategies for ensuring the watershed ecosystem is protected and enhanced for generations to come. The involvement at the federal, state, and local levels has been invaluable to this resource. Expanding these same opportunities to Wood-Pawcatuck is critical.

I would like to thank my friend and colleague, Congressman JIM LANGEVIN of Rhode Island, for his leadership in introducing this bill and ushering it successfully through this chamber again this year. Lastly, I would like to recognize the Wood-Pawcatuck Watershed Association who has promoted and protected the integrity of the lands and waters of the watershed since 1983. Their dedication to this invaluable natural treasure must be applauded.

I urge passage of this legislation and thank my colleagues for their support.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 723, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until 6:30 p.m. today.

Accordingly (at 5 o'clock and 37 minutes p.m.), the House stood in recess.

□ 1830

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CHAFFETZ) at 6 o'clock and 30 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order: H.R. 251, by the yeas and nays; H.R. 1157, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### SOUTH UTAH VALLEY ELECTRIC CONVEYANCE ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 251) to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 404, nays 0, not voting 30, as follows:

[Roll No. 212]

YEAS—404

Aderholt	Brady (PA)	Chabot
Amash	Braley (IA)	Chaffetz
Amodei	Bridenstine	Cicilline
Andrews	Brooks (AL)	Clay
Bachmann	Brooks (IN)	Cleaver
Bachus	Brown (GA)	Clyburn
Barber	Brown (FL)	Coble
Barletta	Brownley (CA)	Coffman
Barr	Buchanan	Cohen
Barrow (GA)	Bucshon	Cole
Barton	Burgess	Collins (GA)
Bass	Bustos	Collins (NY)
Beatty	Butterfield	Conaway
Becerra	Calvert	Connolly
Benishkek	Camp	Conyers
Bentivolio	Cantor	Cook
Bera (CA)	Capito	Cooper
Bilirakis	Capps	Costa
Bishop (GA)	Capuano	Cotton
Bishop (UT)	Cardenas	Courtney
Black	Carney	Cramer
Blackburn	Carson (IN)	Crawford
Blumenauer	Carter	Crenshaw
Bonamici	Cartwright	Crowley
Bonner	Castor (FL)	Cuellar
Boustany	Castro (TX)	Culberson

Cummings	Issa	Nunnelee
Daines	Jackson Lee	O'Rourke
Davis, Danny	Jeffries	Olson
Davis, Rodney	Jenkins	Owens
DeFazio	Johnson (GA)	Palazzo
DeGette	Johnson (OH)	Pascarell
DeLaney	Johnson, E. B.	Pastor (AZ)
DeLauro	Johnson, Sam	Paulsen
DelBene	Jones	Pearce
Denham	Jordan	Pelosi
Dent	Joyce	Perlmutter
DeSantis	Kaptur	Perry
DesJarlais	Keating	Peters (CA)
Deutch	Kelly (IL)	Peters (MI)
Diaz-Balart	Kelly (PA)	Peterson
Dingell	Kildee	Petri
Doggett	Kilmer	Pingree (ME)
Doyle	Kind	Pittenger
Duckworth	King (IA)	Pitts
Duffy	King (NY)	Pocan
Duncan (SC)	Kingston	Poe (TX)
Duncan (TN)	Kinzinger (IL)	Polis
Edwards	Kirkpatrick	Pompeo
Ellison	Kline	Posey
Elmers	Kuster	Price (GA)
Engel	Labrador	Price (NC)
Enyart	LaMalfa	Quigley
Eshoo	Lance	Radel
Esty	Langevin	Rahall
Farenthold	Lankford	Rangel
Farr	Larsen (WA)	Reichert
Fattah	Larson (CT)	Renacci
Fincher	Latham	Ribble
Fitzpatrick	Latta	Rice (SC)
Fleischmann	Lee (CA)	Richmond
Fleming	Levin	Rigell
Flores	Lewis	Roby
Forbes	Lipinski	Roe (TN)
Fortenberry	LoBlundo	Rogers (AL)
Foster	Loebbeck	Rogers (KY)
Fox	Lofgren	Rogers (MI)
Frankel (FL)	Long	Rokita
Franks (AZ)	Lowenthal	Ros-Lehtinen
Frelinghuysen	Lowe	Roskam
Fudge	Lucas	Ross
Gabbard	Luetkemeyer	Rothfus
Galleo	Lujan Grisham	Roybal-Allard
Garamendi	(NM)	Royce
Garcia	Lujan, Ben Ray	Ruiz
Gardner	(NM)	Runyan
Garrett	Lummi	Ruppersberger
Gerlach	Lynch	Rush
Gibbs	Maffei	Ryan (OH)
Gibson	Maloney,	Ryan (WI)
Gingrey (GA)	Carolyn	Salmon
Gohmert	Maloney, Sean	Sánchez, Linda
Goodlatte	Marchant	T.
Gosar	Marino	Sanchez, Loretta
Gowdy	Massie	Sanford
Granger	Matheson	Sarbanes
Graves (GA)	Matsui	Schakowsky
Graves (MO)	McCarthy (CA)	Schiff
Grayson	McCaul	Schneider
Green, Al	McClintock	Schock
Green, Gene	McCollum	Schrader
Griffin (AR)	McDermott	Schwartz
Griffith (VA)	McGovern	Schweikert
Grimm	McHenry	Scott (VA)
Guthrie	McIntyre	Scott, Austin
Hahn	McKeon	Scott, David
Hall	McKinley	Sensenbrenner
Hanabusa	McMorris	Serrano
Harper	Rodgers	Sessions
Harris	McNerney	Sewell (AL)
Hartzler	Meadows	Shea-Porter
Hastings (FL)	Meehan	Sherman
Hastings (WA)	Messer	Shimkus
Heck (NV)	Mica	Shuster
Heck (WA)	Michaud	Simpson
Hensarling	Miller (FL)	Sinema
Herrera Beutler	Miller (MI)	Slaughter
Higgins	Miller, Gary	Smith (MO)
Himes	Miller, George	Smith (NE)
Hinojosa	Moore	Smith (NJ)
Holding	Moran	Smith (TX)
Honda	Mullin	Smith (WA)
Horsford	Mulvaney	Southerland
Hoyer	Murphy (FL)	Stewart
Hudson	Murphy (PA)	Stivers
Huelskamp	Nadler	Stockman
Huffman	Napolitano	Stutzman
Huizenga (MI)	Negrete McLeod	Swalwell (CA)
Hultgren	Neugebauer	Takano
Hunter	Noem	Terry
Hurt	Nugent	Thompson (CA)
Israel	Nunes	Thompson (MS)

Thompson (PA)	Visclosky	Westmoreland
Thornberry	Wagner	Whitfield
Tiberi	Walberg	Williams
Tipton	Walden	Wilson (FL)
Titus	Walorski	Wilson (SC)
Tonko	Walz	Wolf
Tsongas	Wasserman	Womack
Turner	Schultz	Woodall
Upton	Waters	Yarmuth
Valadao	Watt	Yoder
Van Hollen	Waxman	Yoho
Vargas	Weber (TX)	Young (AK)
Veasey	Webster (FL)	Young (FL)
Vela	Welch	Young (IN)
Velázquez	Wenstrup	

#### NOT VOTING—30

Alexander	Hanna	Pallone
Bishop (NY)	Holt	Payne
Brady (TX)	Kennedy	Reed
Campbell	Lamborn	Rohrabacher
Cassidy	Markey	Rooney
Chu	McCarthy (NY)	Scalise
Clarke	Meeks	Sires
Davis (CA)	Meng	Speier
Grijalva	Neal	Tierney
Gutierrez	Nolan	Wittman

□ 1852

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CASSIDY. Mr. Speaker, on rollcall No. 212 I was unavoidably detained. Had I been present, I would have voted "yes."

#### RATTLESNAKE MOUNTAIN PUBLIC ACCESS ACT

The SPEAKER pro tempore (Mr. MEADOWS). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1157) to ensure public access to the summit of Rattlesnake Mountain in the Hanford Reach National Monument for educational, recreational, historical, scientific, cultural, and other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 25, as follows:

[Roll No. 213]

YEAS—409

Aderholt	Bentivolio	Brown (GA)
Alexander	Bera (CA)	Brown (FL)
Amash	Bilirakis	Brownley (CA)
Amodei	Bishop (GA)	Buchanan
Andrews	Bishop (UT)	Bucshon
Bachmann	Black	Burgess
Bachus	Blackburn	Bustos
Barber	Blumenauer	Butterfield
Barletta	Bonamici	Calvert
Barr	Bonner	Camp
Barrow (GA)	Boustany	Cantor
Barton	Brady (PA)	Capito
Bass	Braley (IA)	Capps
Beatty	Bridenstine	Capuano
Becerra	Brooks (AL)	Cardenas
Benishkek	Brooks (IN)	Carney



Carson (IN) Green, Al  
Carter Green, Gene  
Cartwright Griffin (AR)  
Cassidy Griffith (VA)  
Castor (FL) Grimm  
Castro (TX) Guthrie  
Chabot Hahn  
Chaffetz Hall  
Cicilline Hanabusa  
Clarke Harper  
Clay Harris  
Cleaver Hartzler  
Clyburn Hastings (FL)  
Coble Hastings (WA)  
Coffman Heck (NV)  
Cohen Heck (WA)  
Cole Hensarling  
Collins (GA) Herrera Beutler  
Collins (NY) Higgins  
Conaway Himes  
Connolly Hinojosa  
Conyers Holding  
Cook Honda  
Cooper Horsford  
Costa Hoyer  
Cotton Hudson  
Courtney Huelskamp  
Cramer Huffman  
Crawford Huizenga (MI)  
Crenshaw Hultgren  
Crowley Hunter  
Cuellar Hurt  
Culberson Israel  
Cummings Issa  
Daines Jackson Lee  
Davis, Danny Jeffries  
Davis, Rodney Jenkins  
DeFazio Johnson (GA)  
DeGette Johnson (OH)  
Delaney Johnson, E. B.  
DeLauro Johnson, Sam  
DelBene Jones  
Denham Jordan  
Dent Joyce  
DeSantis Kaptur  
DesJarlais Keating  
Deutch Kelly (IL)  
Diaz-Balart Kelly (PA)  
Dingell Kildee  
Doggett Kilmer  
Doyle Kind  
Duckworth King (IA)  
Duffy King (NY)  
Duncan (SC) Kingston  
Duncan (TN) Kinzinger (IL)  
Edwards Kirkpatrick  
Ellison Kline  
Ellmers Kuster  
Engel Labrador  
Enyart LaMalfa  
Eshoo Lance  
Esty Langevin  
Farenthold Lankford  
Farr Larsen (WA)  
Fattah Larson (CT)  
Fincher Latham  
Fitzpatrick Latta  
Fleischmann Lee (CA)  
Fleming Levin  
Flores Lewis  
Forbes Lipinski  
Fortenberry LoBiondo  
Foster Loebsock  
Foxy Lofgren  
Frankel (FL) Long  
Franks (AZ) Lowenthal  
Frelinghuysen Lowey  
Fudge Lucas  
Gabbard Luetkemeyer  
Gallego Lujan Grisham  
Garamendi (NM)  
Garcia Luján, Ben Ray  
Gardner (NM)  
Garrett Lummis  
Gerlach Lynch  
Gibbs Maffei  
Gibson Maloney,  
Gingrey (GA) Carolyn  
Gohmert Maloney, Sean  
Goodlatte Marchant  
Gosar Marino  
Gowdy Massie  
Granger Matheson  
Graves (GA) Matsui  
Graves (MO) McCarthy (CA)  
Grayson McCaul

McClintock  
McCollum  
McDermott  
McGovern  
Grimm  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meehan  
Messer  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Miller, George  
Moore  
Moran  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Nadler  
Napolitano  
Negrete McLeod  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
O'Rourke  
Olson  
Owens  
Palazzo  
Pascarell  
Pastor (AZ)  
Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters (CA)  
Peters (MI)  
Peterson  
Petri  
Pingree (ME)  
Pittenger  
Pitts  
Pocan  
Poe (TX)  
Polis  
Pompeo  
Posey  
Price (GA)  
Price (NC)  
Quigley  
Radel  
Rahall  
Rangel  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Richmond  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rokita  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Roybal-Allard  
Royce  
Ruiz  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salmon  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanford  
Sarbanes  
Scalise  
Schakowsky

Schiff  
Schneider  
Schock  
Schrader  
Schwartz  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southernland  
Stewart

Stivers  
Stockman  
Stutzman  
Swalwell (CA)  
Takano  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tierney  
Tipton  
Titus  
Tonko  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden

Walorski  
Walz  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (FL)  
Wilson (SC)  
Wolf  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (FL)  
Young (IN)

## NOT VOTING—25

Bishop (NY)  
Brady (TX)  
Campbell  
Chu  
Davis (CA)  
Grijalva  
Gutierrez  
Hanna  
Holt

Kennedy  
Lamborn  
Markkey  
McCarthy (NY)  
Meeks  
Meng  
Neal  
Nolan  
Fallone

Reed  
Rohrabacher  
Rooney  
Sires  
Speier  
Tiberi  
Wittman

## □ 1901

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REQUESTING THE SENATE TO RETURN TO THE HOUSE OF REPRESENTATIVES THE BILL H.R. 2217

Mr. SESSIONS. Mr. Speaker, I send to the desk a privileged resolution and ask for its immediate consideration in the House.

The Clerk read the resolution, as follows:

## H. RES. 255

*Resolved*, That the Clerk of the House of Representatives request the Senate to return to the House the bill (H.R. 2217) entitled "An Act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes."

The resolution was agreed to.

A motion to reconsider was laid on the table.

## WORKING FOR THE GREATER GOOD OF THE AMERICAN PEOPLE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, Friday's job report clearly reminds us that the number one issue remains jobs and the economy.

Every day the House majority fights for solutions to grow the economy by

advancing an all-of-the-above energy plan, promoting a fair and simpler Tax Code, and making it easier for families and students to afford college.

On May 23, the House passed H.R. 1911, the Smarter Solutions for Students Act, a bill based on the President's 2014 budget request that would provide a market-based interest rate for student loans and prevent the scheduled rate hike on July 1.

Rather than encouraging the Senate to join the House in this good-faith effort, the President chose politics over students and threatened a veto—for a solution that is based on his own proposal.

From student loans to reliable jobs, Americans want a strong economy and a more secure future. We can deliver on this, Madam Speaker, but only if the President starts leading and the Senate stops campaigning, and both start working for the greater good of the American people.

## SUPPORT H.R. 1864

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Madam Speaker, sexual assault in our military is nothing short of a crisis. We owe it to our men and women in uniform and to our veterans too to do all that we can in the United States Congress to prevent military sexual violence, improve medical services for survivors and hold attackers accountable.

We must safeguard those who report these crimes and ensure that they are not retaliated against for doing the right thing. That is why I am a proud sponsor of a bipartisan bill, H.R. 1864, which is included in the House National Defense Authorization Act we are voting on this very week.

Introduced by my good friends and colleagues on both sides of the aisle, Congresswoman JACKIE WALORSKI and LORETTA SANCHEZ, this important legislation would strengthen protections for whistle blowers who report sexual violence in the military.

This reform has bipartisan support in both Chambers, 102 cosponsors in the House and the strong backing of many of the new representatives who are focused on working across the aisle to actually get things done.

I urge my colleagues to support H.R. 1864 and to continue working together to end sexual violence in our military.

## JERRY NAUSS, A TRUE AMERICAN HERO

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Madam Speaker, I just want to recognize a true American



hero, World War II veteran Jerry Nauss.

After enlisting in the U.S. Army shortly after Pearl Harbor, Jerry served for the duration of the war in the 1st Infantry Division, nicknamed the Big Red One. He served as a wire troubleshooter and risked his life time and time again to ensure that communication lines remained intact.

Jerry was a native Minnesotan, led a distinguished military career and exhibited immense bravery landing on the beaches of Normandy on D-day and fighting through Europe, including in the Battle of the Bulge.

Because of his heroic actions, Jerry has now been named a Knight of the Legion of Honor by French President Hollande. The Legion of Honor is the highest decoration in France and commemorates remarkable military service.

It is important that we always remember our Nation's veterans and keep those who still serve in our thoughts and prayers.

I would like to thank Jerry Nauss for his service and congratulate him on a much deserved honor. You make Minnesota proud.

□ 1910

#### CONGRATULATIONS, PALACE MALICE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, when Dogwood Stable's Palace Malice of Aiken, South Carolina, won the 145th running of the Belmont Stakes Saturday, he fulfilled all the promise that Dogwood's president, Cot Campbell, foresaw in the colt. As Palace Malice crossed the finish line with a defining first place victory, the people of Aiken County, identified by The New York Times as one of the world's greatest equestrian centers of excellence, were overjoyed by the horse's accomplishment.

Congratulations to W. Cothran "Cot" Campbell, president of the Dogwood Stable, and his wife, Anne; his partners, Paul Orefice, Mike Schneider, Margaret Smith, Carl Myers, and Charlie Pigg; Todd Pletcher, who trained the award-winning horse for the race after he departed Aiken; jockey Mike Smith, who rode Palace Malice to victory; and Brad Stauffer, the individual responsible for training the horse over the Aiken Training Track.

Palace Malice continues a winning tradition to be trained over the Aiken Training Track and win the third jewel of Thoroughbred Racing's Triple Crown as Danzig Connection won the Belmont Stakes in 1986. The Aiken Standard today correctly identified this as "a win for every single Aiken resident."

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1960, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014; AND PROVIDING FOR CONSIDERATION OF H.R. 1256, SWAP JURISDICTION CERTAINTY ACT

Mr. NUGENT, from the Committee on Rules, submitted a privileged report (Rept. No. 113-104) on the resolution (H. Res. 256) providing for consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; and providing for consideration of the bill (H.R. 1256) to direct the Securities and Exchange Commission and the Commodity Futures Trading Commission to jointly adopt rules setting forth the application to cross-border swaps transactions of certain provisions relating to swaps that were enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act, which was referred to the House Calendar and ordered to be printed.

#### MOURNING THE PASSING OF SENATOR FRANK LAUTENBERG

The SPEAKER pro tempore (Mrs. BROOKS of Indiana). Under the Speaker's announced policy of January 3, 2013, the gentleman from New Jersey (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

Mr. SMITH of New Jersey. Madam Speaker, last week New Jersey lost its senior Senator, and the Senate lost its last remaining World War II veteran when Senator Frank Lautenberg passed away at the age of 89. He died from complications from viral pneumonia in New York Presbyterian Hospital.

Since then, on this floor on multiple occasions, in the United States Senate, throughout the State of New Jersey, and, frankly, across the Nation, all of us have paused to express our deepest respect for Senator Lautenberg and sorrow on his passing. To Senator Lautenberg's family—his wife, Bonnie, his six children, and his 13 grandchildren—please accept our deepest condolences and our prayers.

Senator Lautenberg served five terms in the U.S. Senate on behalf of the people of the State of New Jersey. He was first elected to the Senate in 1982, re-elected in 1988 and 1994. After a brief retirement, Senator Lautenberg made an unexpected comeback and won a fourth term in 2002 and was again re-elected in 2008.

In December 2011, he cast his 9,000th vote and now holds the record for the most votes ever cast by a New Jersey Senator.

While serving in the Senate, Frank Lautenberg became a leader of public health and safety issues. He led the effort to ban smoking on airplanes with the enactment of Public Law 101-164, and will forever be remembered for his efforts to protect individuals and children from secondhand smoke.

Frank Lautenberg also fought for transportation improvements and chemical plant safety. As the author of the Lautenberg amendment, he worked to assist members from historically persecuted groups with a credible fear of persecution to qualify for refugee status, including religiously persecuted Soviet Jews. He also fought for relief for the victims of terrorist attacks, including the first responders who experienced health complications after the 9/11 attacks, and for the families and communities across our State recently devastated by Superstorm Sandy.

Senator Lautenberg was the last veteran of World War II—part of the Greatest Generation—to serve in the U.S. Senate. The son of poor immigrants, he enlisted in the Army to serve his country in uniform, went to school on the GI Bill, began a successful business, and then ran for the Senate to, in his words, "pursue a career in public service and to give back to the country that helped give him so much."

Senator Lautenberg has been a mainstay of New Jersey politics for decades, and with his passing, the Senate and our State has lost a dedicated public servant.

I now yield to the former mayor of Paterson, a good friend and colleague, Congressman BILL PASCRELL.

Mr. PASCRELL. Thank you, Congressman SMITH, for your great service to your State and your country.

Madam Speaker, we've lost a great man. When Senator Lautenberg passed away Monday morning, last Monday, I lost a good friend. The Silk City has produced many great individuals and characters alike, but few, if any, have a life story like that of Frank Lautenberg.

Like me, Frank grew up on the streets of Paterson—literally. Both of us came from families of immigrants who came to Paterson, like pilgrims, like Plymouth Rock. It was Paterson/Plymouth Rock. That's what it was, when you come down to it.

We had the same dreams. Many thousands in our city had the same dream. Through hard work and determination, we learned that you could provide your children with a better life and a successful future. Despite all their dreams for their young son, I don't think that Sam and Molly Lautenberg, Frank's dutiful parents, deceased, ever could have imagined all that Frank would eventually achieve. Only in America.

But then again, Frank never forgot the sacrifices family made for him. He learned what real hard work was from his father, who labored into the silk mills of Paterson to provide for his family. He learned how to persevere from his mother, who raised him in the face of poverty. They lived in four or five different places in Paterson as they moved around.

His dad passed away when his dad was 43 years of age. In the face of poverty, at the age of 19, Frank Lautenberg had to summon all those lessons and more when his father passed away leaving him to support the entire family. He never forgot those hard lessons. They served him well throughout all the journeys of his life.

He spoke about those journeys every time he came before a classroom in Paterson, New Jersey. He visited, revisited, and revisited and brought computers. He brought computers. And, of course, ADP was one of the great corporations in America, formed in a garage in the back of a house in Paterson, New Jersey.

□ 1920

And I say, Madam Speaker, how many people must be kicking themselves for not having invested way back when they thought it was a wild idea, taking care of people's payroll.

It's not easy to grow up on the streets of Paterson, New Jersey. Take it from me personally, Congressman SMITH. You have to fight for every inch in order to get ahead.

Frank truly embodied what it means to be a fighter. That's what made him such a successful representative from New Jersey. You've heard the Congressman, Congressman SMITH, specify all of the issues that he was involved in; and when he was involved, he was totally immersed in the subject therein to help Americans.

It didn't matter what nationality, what ethnicity, what color. It didn't matter what religion. It mattered that you were a human being in the greatest country in the world. He talked about it often.

When he came back from the service, he talked about it. He served his country in the Second World War.

Regardless of how you feel on issues, you don't take on the gun lobby to ban firearms for domestic violence offenders, you don't take on Big Tobacco to ban smoking on airplanes without getting a few scars in the process.

The thing Frank's opponents didn't realize was that he got his scars long ago, growing up on the streets of Paterson, New Jersey. His roots are exactly what made Frank so successful, first in the Army, then in the private sector, and, finally, in the hallowed Halls of the U.S. Senate.

But despite all that he achieved, he never forgot where he came from. That's the secret. When you forget

where you come from, when you forget your roots, when you forget the street you lived on, the guys and the gals that you talked to, your mom and dad, how they sweated it out every day, I mean, when you worked in those silk mills it was no day at the beach, not by any stretch of the imagination.

We, many times, forget our roots, Congressman SMITH, and you know that. We forget where we came from. We think we're better. If you're a Congressman, oh, God. He never forgot where he came from. Despite all that, what he achieved, he knew his roots.

One of the proudest moments of my career was standing shoulder-to-shoulder with him when we were able to successfully pass legislation to finally establish the Great Falls National Historic Park in Paterson, New Jersey. It's our Yellowstone. It's our Grand Canyon. It doesn't take up nearly the amount of space, but it meant so much to not only Patersonians, but people in that area, Paterson, the third largest city, first industrial city.

Alexander Hamilton knew what he was doing. Frank Lautenberg knew what he was doing.

We'd been pushing many, many years for Federal recognition. In fact, I still have a picture hanging in my office of Senator Lautenberg and me touring the Great Falls when I was the mayor of that city. In the true Paterson spirit, despite opposition from the Park Service—we weren't getting off to a good start—and opponents in Congress who never wanted to see an urban national park, we never stopped fighting.

And just a few years ago, we finally reached our dream to get the Great Falls the Federal designation it deserves. Members of both sides of the aisle came together. And on that day, when Secretary Salazar was there, Democrats and Republicans joined together where industry started in this great Nation.

The park is now in the first stages of its development, and I believe one day it will be a crown jewel in the National Park System, thanks in no small part to our great Senator. It's a fitting legacy for him to leave to the city he loved so much.

These last few months, with his health getting weaker, necessitating long absences from the Senate, Frank never lost his passion for the issues he had spent his entire life defending. Despite his health, he came to Washington to cast a critical vote on a bill to expand background checks. No one was going to stop Frank Lautenberg from fighting to make this world a better place. Even the limitations of his own body couldn't hold him back.

I join my friends and neighbors in Paterson, where he used to cut his hair, Pasadena Pete's, where he used to stop at the markets, and he'd stop in to a coffee shop downtown. We mourn this tremendous loss of one of our favorite sons, one of our patriots.

He was a person first. He was a legislator second. He was the same man on the street that he was on the Senate floor. You always got the genuine article.

Frank Lautenberg was not a spectator to life. Frank Lautenberg was a leader, a loving husband, a loving father, a trusted friend, and a true Patersonian.

Mr. SMITH of New Jersey. Mr. PASCRELL, I want to thank you for your eloquent, very eloquent remembrances of Senator Frank Lautenberg and for your wonderful insights, especially as the former mayor and someone who has known him so intimately and so well for so many years. Thank you very much for that.

I'd like to now yield to my friend and colleague, Mr. PAYNE.

Mr. PAYNE. Thank you. I want to thank my colleague, Congressman SMITH, for hosting this Special Order today.

Madam Speaker, I come before you today saddened by the passing of a fellow New Jerseyan. He was a dear friend and colleague, the honorable and venerated Senator from New Jersey, Senator Frank Lautenberg.

If anyone could embody the actual definition of the American Dream, it would be Frank Lautenberg. Born the son of Russian and Polish immigrants in Paterson, New Jersey, he grew up during the Great Depression.

When war hit our shores, he bravely served the country he loved in World War II, and he was the last of our Senators to do so.

When he returned home from war, Senator Lautenberg earned his degree on the GI Bill, which he later staunchly advocated for the extension of for our current men and women in uniform.

And never taking for granted the opportunities that lay before him, after his graduation, he and three of his friends, with just an idea and an entrepreneurial spirit, began an extremely successful company, ADP. If you get a payroll check these days, it is likely ADP printed your check. I guess you could say Senator Lautenberg was the proof that anything is possible if you firmly believe in what you're doing and what you put your mind to.

Later, he seamlessly transitioned from CEO of ADP to public servant, often demonstrating determination, grit, and leadership throughout his time in office that came to define Frank Lautenberg.

Throughout his five terms in office, Senator Lautenberg never forgot his roots. He was a committed advocate for the working middle class that he was the product of. As Senator Lautenberg knew best, We've got to open doors and not slam them shut. And he always practiced this outlook, no matter what he set out to achieve.

He tirelessly worked to make health care and higher education more affordable for working and middle class families. Even into his later years, Senator Lautenberg was one of the leading progressives on social issues. Thanks to Senator Lautenberg and his tremendous environmental work, we have cleaner water to drink and cleaner air to breathe.

He also recognized early on the proliferation of gun violence in our communities and the damage it was doing to our children and families. As a champion of gun-safety legislation, he made our neighborhoods a safer place to work and live.

□ 1930

And nothing was going to keep Senator Lautenberg from casting a critical vote on background checks on gun purchases this past spring. Though the late Senator did not get to witness the successful passage of this legislation, the fight in Washington will continue as we carry out the work of Senator Lautenberg's vision to keep our families and our children safer.

In closing, I want to extend my deepest sympathies to Bonnie, his daughter who I was able to meet last week, and his grandchildren. I had the honor of attending Senator Lautenberg's final tribute last week, and it was clear from that beautiful ceremony the incredible impact Senator Lautenberg has had on so many lives.

Senator Frank Lautenberg had a love of life and a commitment to the people in New Jersey that will be deeply missed in the Halls of Congress and in New Jersey. He was a great mentor to me, especially as the newest member of the New Jersey delegation. I will forever be grateful for his guidance and for all his tremendous work he did for New Jersey and our great Nation. We owe him an immense debt of gratitude for making New Jersey a better place to live. There is no doubt Senator Lautenberg will certainly be missed.

MR. SMITH of New Jersey. MR. PAYNE, thank you very much for your moving words and sentiments expressed today.

GENERAL LEAVE

MR. SMITH of New Jersey. I would ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Special Order.

THE SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

MR. SMITH of New Jersey. I yield back the balance of my time.

MR. FRELINGHUYSEN. Madam Speaker, I am honored to join my colleagues from New Jersey in paying tribute to our late senior Senator, Frank R. Lautenberg.

For the past several days, America has been reintroduced to Senator Lautenberg, and it is a story worth repeating here.

He came from a family of working-class immigrants from Eastern Europe—Russia and Poland.

When he was 18, during the middle of World War II, Frank Lautenberg enlisted in the U.S. Army where he served with distinction in the Signal Corps.

He was very proud of his military service. In fact, when he passed last week, he was the last World War II veteran serving in the United States Senate.

When he came home from the European Theater, he attended Columbia on the GI Bill—just as so many other Americans did.

What distinguished him from many other returning soldiers is that through hard-work and perseverance he founded his own company. And under his leadership, that firm, grew into the largest computing company of its kind in the world.

So working his way from humble beginnings to a prosperous career as a chief executive in New Jersey's private sector, he lived the American Dream.

But Frank Lautenberg's true calling was public service and giving back to his community, our State, and our Nation throughout his life.

In this regard, New Jersey lost a tireless advocate on June 3.

For many years, we worked together as New Jersey's Appropriations team—looking out for our state's needs on Capitol Hill. I was proud to work with him on issues so important to the citizens of our state—transportation, homeland security and open space. In fact, in his final months, we worked in a bipartisan way to ensure that New Jersey has the resources to recover from an historic storm.

Yes, we owe much to this dedicated public servant. We have lost a great fighter who lived a life from which we all could learn.

May the tributes and prayers of so many of his colleagues here today be a source of strength to his family.

MR. ANDREWS. Madam Speaker, I rise today to honor the late Senator Frank Lautenberg, who spent his life serving this nation and the people of New Jersey as a member of the military and a five-term Senator. With Senator Lautenberg's passing, the Senate has lost its last veteran of World War II.

Senator Lautenberg served his country proudly during World War II, earning distinction in the United States Army Signal Corps. After being deployed overseas, he came back home and founded Automatic Data Processing, a company that grew to become a giant in the payroll industry.

First elected in 1982, Senator Lautenberg was a champion of the middle class and left the state of New Jersey stronger for his years of service. Policies he championed, including public smoking bans, raising the drinking age, and lowering the DUI limit saved countless lives. Senator Lautenberg was also a longtime advocate of Amtrak and transportation infrastructure in New Jersey, helping to grow the state economy.

Madam Speaker, I stand with the rest of the New Jersey Congressional delegation in remembering Senator Lautenberg for his dedication and tireless work. His death has left a void in the Congress, the state of New Jersey, and the nation. For Senator Lautenberg, serv-

ice was not just a buzzword—it was an ethos and a purpose. All of us gathered in these hallowed chambers should remember not just the man, but his legacy, and his example. We join the people of New Jersey and the United States in remembrance of Senator Frank Lautenberg, an extraordinary public servant.

MR. PALLONE. Madam Speaker, I rise to honor the life and accomplishments of Senator Frank Lautenberg. I have known Senator Lautenberg for decades and I have been honored to call him a colleague and friend. My heart and thoughts go out to his wife Bonnie, his children and grandchildren.

Senator Lautenberg always believed that the Congress should be there for people in need and that there were a lot of problems out there, but Congress needed to work together on a bipartisan basis to solve those problems. In this era of partisanship, it was always refreshing to have Senator Lautenberg there to bridge gaps and get things done.

Over the years I had the pleasure of working with him on a number of critical issues that helped people in New Jersey and across the country. For example, when I first came to Congress in 1988, Senator Lautenberg and I worked together to close ocean dumping sites off the Jersey coast so the water millions of people swim in would be cleaner.

We also worked together on Superfund and Brownfields issues. The Senator always fought to ensure that polluters, and not taxpayers, would foot the bill when it came to cleaning up toxic waste sites in New Jersey. Through his advocacy, numerous toxic sites in New Jersey have been cleaned up and redeveloped, creating jobs and cleaning the environment.

I always admired Senator Lautenberg's commitment to helping 'the little guy' and the way he fought to make sure all Americans were on an equal ground to work toward the kind of success he achieved in his life. I particularly respected his tireless efforts to improve the safety and security of all Americans by working to end gun violence. I was proud to stand with him in that effort and supported his initiative to keep our communities safe.

I enjoyed working with him to provide health care for 9/11 first responders. We both worked hard to pass the James Zadroga 9/11 Health and Compensation Act of 2010, which pays for the monitoring and treatment of health conditions that resulted from the 9/11 World Trade Center attacks for first responders and community residents.

And most recently, he worked tirelessly to advocate for rebuilding our state after the devastation of Superstorm Sandy. He fought hard to make sure New Jersey got the disaster relief funding it deserved so that we could rebuild and recover. He was able to accomplish all of these things because of the hard work that he put into everything he did.

Like all New Jerseyans, I am grateful for Senator Lautenberg's service to our state and our nation. I will miss him dearly and will do my best to continue working on the issues that were so important to both of us.

MR. HOLT. Madam Speaker, I thank my friends and colleagues in the New Jersey delegation for organizing this tribute to the late Senator Frank Lautenberg.

This is a personal loss as well as a loss for New Jersey and for this Nation. I don't think

there has been, nor do I think there will ever be, anybody quite like Frank Lautenberg in the United States Senate.

What stands out to so many about Frank is that he never forgot his humble beginnings. He was the son of immigrants who was born and raised among the silk mills of Paterson. His father died while he was serving in the Second World War—and “serve” is the right word. He saw service as his duty, as his life—serving other people, never forgetting the common person and the common good. The GI Bill sent him to Columbia University, and he always felt grateful for that and felt a need to pay back.

Much has been said in recent days about Frank’s successful business career. And it certainly was a success. The qualities that drove Frank to be a successful businessman also made him an exemplary legislator. Frank was dogged; he was persistent. His colleagues in the Senate would sometimes laugh or smile about that—“Here comes Frank again to try to twist our arms.” Frank did his homework; he knew what he was talking about, and he just kept fighting for equality of opportunity, for fairness, for safety, for ever-expanding access to the American Dream.

Frank’s legislative legacy will remain relevant for generations to come. He fought tirelessly to keep trains and buses safe, to promote public health, to safeguard chemical plants, to keep cigarettes out of airplanes, and so much more. But what stands out in my mind is what Frank did to prevent drunk driving. As part of his transportation work, Frank established limits on blood alcohol levels and raised the drinking age. Today, you could fill several football stadiums with people who are alive only because of Frank Lautenberg—and not one of them knows who they are.

Throughout his time in the Senate, Frank was always thinking about the ordinary person. He never forgot that they were the people who had sent him to serve, he never stopped fighting, and the people of New Jersey knew that. They knew they had somebody in the Senate who was looking out for them.

Frank and I worked on a number of important issues together. From strengthening and securing our rail system to combating bullying with the Tyler Clementi bill. I always relished the opportunity to work with such a premier legislator as Frank was. I feel this loss very personally.

I again send my most heartfelt condolences to Bonnie and to Frank’s children and grandchildren. I hope they find comfort in knowing that his ideas and his legacy will live on through the many lives he saved and touched.

#### THE AMERICAN DREAM

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2013, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Madam Speaker, thank you for the opportunity to spend a few moments this evening talking about things that are on my mind, and I suspect on the mind of the American public. There’s certainly a lot of news

recently about collecting data on American citizens. Having attended a conference this afternoon, I can tell you that I think the great majority of the 435 Members of this House share the deep concern of the American public about our civil liberties perhaps being taken away from us in the process of data collection. I would expect that this House of Representatives and a couple of our committees, the Judiciary and the Intelligence Committees, will be spending time over the next few weeks going into this in great detail trying to assess whether we all made a mistake when we voted for the various laws that have allowed the National Security Agency and the other agencies to collect data on all of our phone calls and more. I would hope that’s the case.

We need to know exactly what’s happening, how it has happened and what impact it may have on our civil liberties. One of the most precious things given to us in the Bill of Rights is that freedom, freedom from an oppressive government. So we’ll see what happens here. For my own part, I want those hearings to take place right away. I have great concerns about all of this, and we’ll see how it all plays out.

As to people stealing secrets, yes, that’s against the law and there ought to be a punishment, and I suspect they will very quickly find that punishment available for those who have stolen these pieces of information.

Now, moving on, I wanted to talk this evening about the American Dream. I think it was probably best put forth by President Clinton, although down through the ages and for generations and generations, the dream has been pretty much the same. But since he has the most recent quote that I could find on this, I think I’ll just use it. He said:

If you work hard and play by the rules, you’ll have the freedom and opportunity to pursue your own dreams and leave your kids a country where they can chase theirs.

I like that. In fact, I like President Clinton and the way in which he was able to articulate some of our most fundamental values. In this case, he so very well laid out the essence of the American Dream: if you work hard and you play by the rules, then you ought to be able to have a good life in America. You ought to be able to see progress for yourself and for your families.

This issue was brought to my attention at a recent town hall that I had in my district. A gentleman in the town hall, not a Tea Party, not a liberal or whatever, he just said:

I’ve got a question for you, Congressman. I’ve got two kids. My wife and I both work, and we’ve worked all our lives. I’m in my mid- to late forties now, and I have to tell you, we’re not getting ahead. We still have those student debts from our children. We still have our home, but it’s a modest home, we don’t own a big boat, or any boat for that

matter. We just can’t seem to get ahead. What’s happened? What’s happened to the American Dream?

I went on to cite a few things that I thought were the essential elements of that. I want to cover some of those tonight. This is not going to be an exhaustive description of the issue. I want to save that or come to that in subsequent Special Order hours that my colleagues and I will take up in the coming weeks. But just a couple of things that came across over the last weekend that I think really exemplify some of this. The ideal: education is open to everyone. In America, everyone can get a great public education. The reality is different. In 2007, one-half of the children from the wealthiest households completed their college education. Only 9 percent of the children from low-income families completed their college education. That’s a gap that has never been wider since 1989. So with regard to that ladder of success, education, if you happen to be poor or in the lower income, chances of your completing your college education is one out of ten.

How about being able to have freedom from want, one of the four freedoms that Franklin Delano Roosevelt so beautifully articulated during the Great Depression? But as a result of the Great Recession in 2010, a total of 46.2 million Americans were below the poverty line. That was the highest number in 52 years. And as best I could find more recently—the last 2 years—that number has not really changed very much. So we’re looking at 46 million Americans that are living below the poverty line. So freedom from want may not be readily available to a very, very large percentage of Americans.

How about the land of opportunity? We all believe America is the land of opportunity. Well, not really. On average, it takes five to six generations, five to six generations, that’s 125 to 150 years, for a child from a poor background to rise to the middle class—not to the upper class; to the middle class. I looked at that, and I said, clearly, that has to be an inaccurate analysis. But it’s not. So for a child from a poor background—that’s those 46 million Americans in poverty—they could wait five to six generations on average—that’s not everybody, obviously some will do it faster, and others won’t do it at all—to get to the middle class.

That is interesting, sad and challenging for us.

Income inequality, this is what some people like to call—well, I won’t use that right now. But income inequality, you work hard and you do okay. I think that’s what President Clinton said, if you work hard and play by the rules. Hmm. Really? The United States ranks 93rd in the world on income equality, behind Great Britain, Australia—and here’s one that caught my attention, Nigeria, Argentina, and Japan.

□ 1940

What income inequality means is the distribution of wealth within the economy. When you have income inequality, the share of the pie that is available to the wealthy is significantly greater than the share of the pie to the great mass of the population. That's income inequality.

Fascinating statistics. Statistics are kind of the basis for many of our arguments. There are many more statistics along this line that we ought to be paying attention to. Over the next couple of weeks, we are going to be speaking to these as we pursue the reality of the American Dream and what we can do to rebuild the American Dream.

A couple of notions that I have right at the outset that I'd like to share as we go through this shortened 1 hour: first of all, the American Dream very much depends upon a job. If you don't have a job—and we've got maybe some 12 million Americans that don't. They would like to work, but in some cases they've given up and in other cases they simply haven't been able to find a job. So you've got to have a job.

There are ways that we can create jobs in this Nation. Certainly, we depend upon the private sector; but down through the decades of this democracy, beginning with our very first President, there has been a common bond, if you will, a partnership between the government and the private sector in creating jobs.

In his very first days in office, George Washington asked Alexander Hamilton, his Treasury Secretary, to develop a program, policy on manufacturers, which is another word for manufacturing. Alexander Hamilton came back, I guess, a couple of months later with a report on manufacturers—very, very interesting and instructive to us today in that our very first President and very first Treasury Secretary said that the Federal Government has a significant role in developing the economy, manufacturing. We did then, and we do today.

Alexander Hamilton said: George Washington, here's what we need to do. We need to use the purchasing power of the government, that is, the tax money that's spent by the government, to buy American-made goods and services. Now, there's a good idea. We've had the Buy in America policy in the United States for many, many years all often ignored by the various agencies that are supposed to oversee the purchasing. Right now we have a problem with the military that is supposed to go green to develop alternative power sources that they can depend upon if the grid goes down.

However, they're routinely ignoring the Buy America requirements that the law has because they're purchasing these massive solar arrays as though they are available in Home Depot. I don't think so. But, nonetheless, it's an

example of how the various arms of the U.S. Government in one way or another ignore the purchasing requirement of Buy America—literally using our tax money to buy American-made goods and services to employ Americans.

It turns out that this is part of what I like to call the Make It in America agenda, a series of proposals that my Democratic colleagues and I are putting forth to build the American manufacturing sector. For example, the Department of Defense obeying the law and buying American-made solar panels for those large arrays that they are putting up on various military bases or the private sector is putting up for the military. Buy America, Make It in America, use our tax money to buy American-made equipment. By the way, I've got a bill that I have introduced on this for the last 2 years now that simply increases that purchasing content to 85 percent.

I didn't have time to bring up another photo, but I'll tell you about it. In the American Recovery Act—otherwise known as the stimulus bill—there was a provision for Amtrak to have \$480 billion to purchase new, advanced, efficient locomotives for the Northeast Corridor. These would be electric-power locomotives—I think 7,000 horsepower machines. Somebody—and I'm not sure who it was—wrote into that requirement that these had to be 100 percent American-made. Now, nobody in America was making 100 percent American locomotives; in fact, very few locomotives were made in America anyway.

But, nonetheless, contractors, manufacturers of locomotives said, half a billion dollars, hmm, have to be made in America. So a German company—one of the largest manufacturing companies in the world—said, oh, we could do that. So in Sacramento, California, just outside the edge of my district, Siemens—who already had a factory manufacturing light rail cars and streetcars—said, hmm, let's expand this factory, and we're going to build one hundred percent American-made locomotives.

Three weeks ago, the first of those 70 locomotives rolled onto America's rail tracks—now being tested in Colorado, shake-down crews. We can look forward to thousands of jobs in America as a result of that—200 specifically at that new manufacturing plant in Sacramento; and then the supply chain, all the people that are supplying those American-made parts to that locomotive are going to have jobs. Now, that's a good thing. That's part of our Make It in America agenda. And here's back to the first point: those jobs are middle class jobs.

One of the fellows I met at that ceremony when this locomotive was rolled onto the tracks was telling me about himself. He was about, I don't know,

maybe 35, 37 years old. I asked him, How long have you been here? He said, I've been here 5, 6 years. I said, Really? What are you doing? He said, Well, that's my train; I built that train, along with my coworkers. I was responsible for building that train. I said, Wow, you must have a lot of experience. He said, No, 5 or 6 years. I said, 5 or 6 years and you know how to build that? He said, Yeah, I was trained by the Germans, who came over here and helped us understand how to build it, but now I'm responsible.

I said, What did you do before this? He said, Well, I finished high school and messed around for a while and wasn't going anywhere, so I hired on here at the lowest-paying job.

He is now firmly in the middle class, taking pride in his work, taking pride in building it in America. That's a lesson for us here in Congress. We really ought to take that lesson and put it into law, into a law that says we're going to use our taxpayers' money to purchase American-made goods and equipment.

Think about the infrastructure in America, and let me give you an example. It's kind of interesting when you have a long airport flight like I did today from Sacramento to Washington to read the newspaper. Occasionally, you can find some interesting things in the newspapers. Oh, here it is, yes. California could use \$44.5 billion to fix an aging water system over the next two decades, according to a Federal survey by the Environmental Protection Agency. Oh, that's California. We have the greatest need, \$44.5 billion. And Texas, who likes to think it's going to be bigger than California—maybe in size, but certainly not better, with apologies to my Texas colleagues—\$34 billion; New York, \$22 billion. And that doesn't include repairing from Sandy.

It turns out that these are repairs to investments that were made by our fathers and mothers and grandfathers and their fathers and mothers. So these are water systems that have been built over the last—in California, over the last maybe 120, 130 years; in New York, it probably goes back a couple hundred years. These are water systems that were investments by previous generations that we have been living on, literally consuming these investments, and not repairing and replacing and upgrading. Shame on us. It's as though you go to the supermarket once a year and you fill your pantry and freezer and refrigerator with all the food and you simply sit there and you consume and you consume. Eventually, the refrigerator is empty, the pantry is empty, and you go really hungry. That's what we've been doing here in America. We have been consuming the investments of previous generations. Here we are with this new report that's out for my State, California, \$44.5 billion; for Texas, \$34 billion; and for New

York, \$22 billion, just for the water systems.

□ 1950

That doesn't include sanitation systems. That doesn't include the road systems, bridges, highways.

We're living off the investments that were made by previous generations, and we can see the result of that. We've had bridge collapses recently. Hello? I-5, Washington State, we had bridge collapses. Anybody been on the interstates and notice the disrepair? I have, and I suspect most Americans have.

So we're going to have to once again invest in our basic infrastructure. And when we do, do you know what happens? Americans go back to work in middle class jobs. So that perhaps that average American that will never in five generations get out of the bottom poverty level can jump up into the middle class by getting one of those solid construction jobs, which across America are middle class jobs.

We have enormous needs. And, by the way, we're going to have to pay for it. I remember when I was in college buying gasoline at about 19 cents a gallon, 20 cents a gallon. That was a long time ago in the 1960s. And one day I was out buying gas—I don't know, I had some time because my car was empty and it was slow to fill—and I looked at the sticker on the pump and it said, 12 cents of that 18 cents was tax, an excise tax, State and Federal. So two-thirds of the total cost of that gasoline at that time, and that was in 1964, was for taxes. Oh, my goodness. Oh, my goodness.

Is the American public aware that it's been since 1990 since the excise tax on gasoline has been raised? It's about 18½ cents on gasoline, a little higher for diesel. What is the cost of gasoline in the United States today? \$3.50, average? Do you want to do that mathematics? It's not two-thirds, not at all. So you wonder, where's the money for investments?

We have decided to consume the investments that were made in the '60s when the general public—at least in California—was willing to pay two-thirds of the cost of a gallon of gasoline in taxes. So today we consume, and we pay the price: we pay the price in congestion; we pay the price in safety; and we pay the price in jobs.

This is something we're going to have to consider here in Congress. We're going to have to look at ourselves and we're going to have to take up our courage and say: What are we doing here? Are we going to be consumers or are we going to be investors? Are we going to consume the investment of our fathers and mothers or are we going to invest in that infrastructure so that our children can have the kind of modern, necessary infrastructure that they need upon which their economy will grow?

We're going to have to deal with this because the Surface Transportation Act has to be renewed this session of Congress. Not likely to occur this year, but before we end our work in January of 2015, we must deal with this issue. And so the American Dream, if you work hard and you play by the rules, you will have the freedom and opportunity to pursue your own dreams and leave your kids—and leave your kids—a country where they can chase theirs.

Let's just say this is the opening of what I hope will be many sessions in the evening—or following our session in the afternoon or evening—in which we engage in a discussion on the American Dream, a discussion about really the future of America, a discussion that—I see one of my colleagues has decided to join us this evening.

Welcome. Share with us your thoughts. We're pursuing infrastructure and the American Dream, jobs, how we can deal with creating opportunities in America.

Mr. RYAN of Ohio. I want to thank the gentleman from California for being consistent in coming down to the House floor and always making sure that the issues of the day are brought to the American people, but also trying to persuade the House of Representatives to move in a direction that, quite frankly, the case continues to be made for these investments that you talk about with regard to infrastructure.

Now, this to me seems like a very simple proposition. There was a great article today—I think it was today or yesterday—by Ezra Klein talking about we've got to get away from the deficit hock issue into the infrastructure hock issue. And I want to join the infrastructure hock caucus, if there is one here. But this simply articulates a position that I've held from before the American Recovery Act—and still hold here today—that we have projects in the United States that need to get done, that need to get built. Bridges, roads, airports, ports, all across the country, rail, all across the country, investments that need to be made, combined sewer systems, all over the United States of America, that need to get done at some point.

And what I like about what Mr. Klein said is that we're talking about what we're leaving to the next generation. Now, at some point, they're going to be left some deficit. We have an obligation here in Congress to make policies that are going to make investments to reduce that deficit. In some instances, that means balancing the budget. Over the long term, we're all in agreement that that is a moral issue for us not to leave that huge deficit for our children and our grandchildren.

But there are also deficits in other ways that we could leave our children, and that's if we have infrastructure all over the United States that needs fixed and we don't fix it, that is a deficit

that we are leaving to our children and our grandchildren. That road needs fixed, that bridge needs fixed, that sewer system needs upgraded, the rail system needs upgraded. So if we don't make the investment now, someone is going to have to make it down the line. And the argument we're making is that maybe some money will have to be borrowed today in order to do that project or do all of these projects.

The value of doing it today is twofold: One, the money we're borrowing today is almost 1 percent in interest, if not less. So we're borrowing money with a very, very, very, very small interest payment to get the job done for a project that's going to have to get done anyway. Now, 5 years from now, 10 years from now, the project is probably going to need more work, health care costs are going to be higher, energy costs are going to be higher, labor costs are going to be higher, so the project is going to cost more money because we're going to have to do it at some point.

The other factor is that we have high unemployment now, double-digit unemployment, with the men and women in the building trades, the men and women in the construction area, construction field. So by doing the project today, we not only get the project done, but we're also putting people back to work that need to go back to work that will then have money in their pocket to go out and spend and pay taxes and to help get the economy going again.

This is a very, very simple economic principle that we are trying and fighting to implement here, and we keep running into roadblocks—no pun intended—roadblocks that are preventing us from getting the economy moving. Now, we have an obligation in this country to make sure we give the next generation a country that is moving in the right direction. And I think when you couple a strong emphasis on investments and roads and bridges and rail and combined sewer overflow and waterlines and dams all across the country, we're going to put people back to work, not to mention high-speed Internet, which could help light up the next generation of American workers.

□ 2000

So I wanted to come and join my friend here, who is carrying the flag week in and week out here on the floor, to say that we have a lot of work to do here; and to the American people, to say there are Members in this Chamber who are saying: make these investments.

The President had a plan. It wasn't quite as big as I wanted it to be or as big, I'm sure, as my friend from California wanted, but he did what he thought could, maybe, at least get through in a jobs plan. It got shot down and hasn't gotten anywhere in this



Chamber, so we've got a lot of work to do.

Mr. GARAMENDI. The President wanted to do two things in this area: one, the normal programs—the surface transportation program, the water resources bill, which we're going to be working on—but he also wanted to add on top of that \$50 billion of infrastructure investment and create an infrastructure bank, which you so well described in your discussion here. None of that has been done, which is to the detriment of the American worker.

For example, of the water programs that I was talking about early on—the \$44 billion that's needed in California—for every \$1 billion that you spend on a water project, you put 28,000 people to work with good middle class jobs, and I think the numbers would probably be similar for highways and bridges and the like. This is the great tragedy—that we're not moving in a direction of creating the fundamental investments. Rather, we are disinvesting—we are consuming—and that doesn't last very long, as you so well said.

So what are we going to do about it?

Hopefully, this House will undertake the same process, find the same wisdom of the House of Representatives and the Senate when Dwight D. Eisenhower, President Eisenhower, brought to the Congress a proposal for a national defense highway system, which we now call the interstate system.

I'm sure you've got some examples that you'd like to share with us. Let's go back and forth, and we'll kind of toss the ball here.

Mr. RYAN of Ohio. Yes. I mean, one of the things I'd mentioned a couple times toward the end is the combined sewer systems in all major cities in the United States. So if you take a city like Akron or Youngstown—mid-sized cities in the industrial Midwest—you're talking about between \$500 million and \$1 billion in investments that are needed.

Mr. GARAMENDI. A combined sewer system. That's the stormwater that flows into the sewer, and it's not disconnected from the sanitation—toilets and the like; is that correct?

Mr. RYAN of Ohio. You want to make sure that a lot of this stuff is not getting mixed together, and you want to make sure that it's separated, and you want to make sure that it's up to date. So these investments that a city or a municipality would traditionally have to make go well above and beyond a city like Akron or a city like Youngstown or Cleveland or Detroit or Toledo or Milwaukee—all across the United States.

Let's make this investment. You're talking about cities that have very high unemployment rates. Let's get people trained up. We've got many good, solid union training programs out there that would put these people to work, that would get this economy

moving, that have state-of-the-art transportation and infrastructure systems in the United States, and that would inject some money into the economy on the demand side. We've been playing the supply side game since 1980: cut taxes for the wealthiest, deregulate Wall Street and every other sector you can deregulate and hope the economy takes off; but that ultimately led to the boom, bust and to the ultimate collapse in 2008.

What you're talking about and what I'm talking about is consumer investment, the demand side: get people back to work; get some money in their pockets. They go out and spend it, and the economy hums right along because there are consumers out there. That construction worker pays local taxes for the local school district, for the mental health levy, for the libraries, and you throw some money in the basket at church on Sunday. It just keeps going around and around and around.

Mr. GARAMENDI. That's how we deal with the deficit. You put Americans back to work, and automatically the tax revenues increase; and we then have a very solid, good way to deal with the deficit. On the other hand, as you suggested, cuts alone don't do it. What cuts do is to create unemployment, and we've seen that.

We've talked about this extraordinary investment that we need to make in rebuilding our existing systems. Yet in looking at the budget that passed this House, which was the Ryan Republican budget, they have an unallocated \$886 billion cut in these kinds of programs over the next 10 years. More than \$80 billion a year would be taken out of these kinds of investment programs that we're talking about here so that what we do instead of investing for our own generation and the next generation is we actually increase the consumption of yesterday's investment, leading us nowhere but to more bridges falling, more sewers backing up, more levees breaking, and more highway congestion.

Mr. RYAN of Ohio. As you have talked about—and I know on other occasions—what are the investments we need to make today, not just in physical infrastructure, but in other things that will lead to the next generation of employment?

The United States' comparative advantage in the world has always been that we make these investments into the next generation of research whether it's through the National Institutes of Health, the National Science Foundation, the Department of Defense, the Department of Energy. Do you know what? Sometimes it doesn't always work out, but sometimes it does. When it does, we create new areas of the economy that can expand and grow just like the human genome that has led to billions and billions and billions of dollars in private investment.

Here, I think, is the important point for a lot of Americans who probably already know we collectively as a society make investments in the research that no one company can make on its own, this basic research that costs tens of millions, if not billions, of dollars over many, many, many years that no company could come in and reap the profits of immediately. We collectively say that we're going to make that together and then let the companies come in, pull out what they want, and take it to the private market, get investors, and off we go.

That has been a pretty good recipe for the United States for a long time, and we're saying physical infrastructure but also these investments in research that have led to an explosive economy, a dynamic economy here in the United States. Now in these budgets that we're talking about we're paring back our investments in the National Science Foundation and in the National Institutes of Health. Not only does it affect Alzheimer's research and autism and these kinds of things; it's also taking away from the next generation of "what could be" in the United States.

Mr. GARAMENDI. I am so pleased that you have brought that subject up, because it is critical. It is absolutely critical for the future economy of this Nation and, really, for solving problems of the world. Those investments are critical.

You did leave out agriculture. I happen to represent the University of California at Davis, which is, by my argument, the largest, best agricultural research program in the world. We know the population of the world is going to grow, so we're going to have to continue the agricultural research. Yet in the budget proposals that have passed this House and in sequestration—let me just put it this way: in sequestration alone, there is a reduction of \$45 million of research in agriculture at the University of California at Davis.

Now, with health research, I was talking to the former dean of the medical school at the University of California at Davis last week, and she was talking about the significant reduction in health research, which is affecting projects that are already under way. As for research programs that were going along, suddenly the money is gone, and that's sequestration, which is also part of this.

We can solve America's problems by getting government out of it, by reducing the role of government. As I said at the outset, George Washington didn't believe that. He believed in inserting government into the economy as a partner in growing it, in growing the economy.

□ 2010

We talk about Thomas Jefferson and education and how he believed that



education—education and research—go together. These are fundamental investments along with infrastructure. Yet, in this House, there's an unwillingness by the majority party to address this fundamental axiom of economic growth: education, research, infrastructure, manufacturing the things that come from that, building the middle class, building the economy.

Mr. RYAN of Ohio. I know you and I are not going to defend wasteful government programs. They should go.

We are now in a new economy that is information-based and very dynamic in so many ways, faster than anything that we've ever experienced in the country. And I think there are some programs that we historically have had that probably we don't need to have any more, and there are also programs that need to be tweaked and changed, as far as how we are training our workforce and how we are investing, and our new understandings of our brain, for example.

All of this research should begin to change the way we approach some of these investments that we've made before we had that knowledge. So we probably do need to shift resources into areas, but clearly we aren't making enough investments. We clearly still have 25 percent or 30 percent, in many high schools, of kids not graduating. We need to figure out how to make, for example, school a lot more exciting. We have programs in robotics. We have programs in Legos. We have kids that need to do a lot more hands-on stuff to get them excited about learning. That's going to take some investment to make.

Mr. GARAMENDI. Let me give you an example.

Today, in the Daily Republic newspaper in Fairfield, they ran a story that's exactly on your point. I'm just going to take a second and read some of this.

This is a program that EDF Renewable Energy, which operates wind turbines between Rio Vista and Fairfield and Suisun City in my district—we have a big wind farm there—they are funding a program at Rio Vista High School for this year as a way to promote job training in green industries.

Jim Bard is the instructor in the renewable energy class, which emphasizes wind energy. So it's exactly what you said. This private company that has these numerous wind turbines—I think several hundred wind turbines on this big wind farm—needs workers. So they've gone to the local high school, and they're creating what I suppose at one time was called a vocational education class. It's getting the kids educated and prepared to take jobs in their own neighborhood.

So here you see the green technology—wind energy—coupling up with education to provide middle class jobs. It's a great example. My congratula-

tions to EDF and their renewable energy program, to Jim Bard and to the folks in Rio Vista at the Rio Vista High School, which I proudly represent.

Mr. RYAN of Ohio. You make a good point.

I remember having a conversation with a friend of mine who is a lot more conservative than me. We were talking about the government's role in these different things. He said, Well, what about the phone company and the original government investments into telephones? As the conversation proceeded he said they weren't doing it well enough and the private sector could do it a lot better.

My point was, Yeah, we all have fights with our cell phone companies now on our cell phone bills, but no company was going to be able to do at that point what the government came in and said they were going to do. I'm not defending every government program. What I'm saying is there is a role that has been successful in the history of our country.

Whether it was the phone company back then or green technology today, how do we begin to incentivize these investments that are good for the environment, that could create a whole new sector of manufacturing? How many tons of steel go into a windmill? How many thousands of component parts go into a windmill that may be made one day by three-dimensional printers and additive manufacturing? This is all starting to tie together. But while the Chinese and the Indians and other countries are making these investments, we're sitting on our hands saying, Ah, the private sector will do it.

Mr. GARAMENDI. Thank you so much for bringing that out.

Back to George Washington. I like to talk about the Founding Fathers because it's often used on the floor to disparage one or another programs. But I'd like to talk in a positive way.

He also said the Federal Government has a fundamental role in infrastructure development, and he cited three different things: ports, roads and canals.

The very first President of this Nation was doing what we continue to do to this day, although at a much lower level than our Nation needs today. So this is a long tradition of America, and it's one that really works.

Education, research, infrastructure and manufacturing, you tie those together and then you build the foundation for economic growth and a just and equitable society so people have a chance to climb the economic ladder, to go as high as they want to. You're giving them the tools that they need to succeed.

Mr. RYAN of Ohio. I want to thank the gentleman for making that a point.

If you look at the United States as we compete against other Nordic coun-

tries, Australia and some other countries in Europe, we do not have the upward mobility. Meaning if you're born poor—and we talk a lot about the American Dream and moving up the ladder. If you are born poor in America, we rank about ninth or tenth in our citizens' ability to climb up through that ladder and get themselves into the middle class. That, to me, is a benchmark of how we've moved away from that philosophy that we had for many years, up until the 1980s, where we were going to make key investments that were going to help people climb up that economic ladder.

That citizen has to bring initiative, has to bring ingenuity, has to bring determination. I am not one of these people who thinks every kid needs to get a trophy in Little League. I don't adhere to that philosophy. Kids are going to fail, but we need to help pick them up. At the same time, you can have policies that allow and cultivate the ability for people to go up the economic ladder, to not have such a disadvantage in life and an economic system that doesn't facilitate that to ultimately where we're getting bypassed by some of these other countries who have a different philosophy than we do.

Mr. GARAMENDI. Thank you for raising that, my colleague from the great manufacturing sector of, I guess, the eastern part of the middle west. Is that fair enough?

Mr. RYAN of Ohio. Fair enough.

Mr. GARAMENDI. This is an interesting chart that I came across a while ago. It talks about income growth, the issue you were just talking about: How does an individual rise and climb the economic ladder and what kind of success do they have?

This is the income growth from 1996 to 2011. I kind of displayed this on a football field. Years ago I played football with some modest success.

Mr. RYAN of Ohio. Leather helmets?

Mr. GARAMENDI. I did wear a helmet, and I don't recall any concussions.

The bottom 90 percent of our population has seen an income growth—this is adjusted for inflation—of \$59 over this period, 1966 to 2011. That's some 55 years.

Basically, 90 percent of the population has stalled out and is not able to climb the ladder. That's about 1 inch. I guess that's even a referee's error if they pull the chains out.

The top 10 percent of the population has gone half the football field, and they've seen their income growth expand by \$116,071 over this same period of time. So 90 percent of the population has seen \$59 in growth, and the top 10 percent have seen a little over \$110,000.

The 1 percent of the population, the very tip-top—these are not the 3 percenters. This is the 1 percent. They have gone 2½ football fields in comparison, and they've seen their income

grow at over a half-million dollars a year, \$628,817.

□ 2020

Now, even a smaller group, one-tenth of 1 percent of the American population, have seen their income grow by 72 football fields compared to the bottom 90 percent. They have seen their annual income grow by \$18 million a year.

So what's happening here in the United States—and I talked about it earlier before you arrived—and maybe this is a reasonable place to leave it because we are going to run out of time. This is not class warfare. This is economic reality. This is where the middle class and the lower income poverty class have been static. And the very tippy top, the top 10 percent and above, have seen significant income growth over that period of time.

Mr. RYAN of Ohio. I would just like to say, we all say let the free market work and all of this. But when there's a savings and loan issue or there's a Wall Street collapse and a lot of very wealthy people in the country are going to lose a lot of money, here comes Secretary Paulson with his hair on fire walking around Capitol Hill saying we need \$700 billion of the taxpayers' money. You know, over and over and over again, we've seen this in the last 30 years with this system of heavy deregulation and heavy cuts for the top 1 percent.

So it looks like they're making a lot of money, and that's high risk and high reward in a deregulated market; but when things collapse, here comes the government to save the day. It's a pretty good deal. I've got 1,700 families going bankrupt in my district just on health care alone. Nobody's rushing in to say: Oop, that shouldn't matter. It's a health care issue, so you're not going to go bankrupt. That is, in essence, what happened to a lot of these folks. Someone came to the rescue, and that someone was the taxpayer.

Mr. GARAMENDI. Wall Street was taken care of, but not Main Street. That's what happened.

This is not just the result of just a free market system operating. This is a result of specific government policy over the last 50 years that has resulted in a skewing of the wealth of America, a skewing of that wealth from the great majority of Americans, as many as 90 percent, to the very tippy top of the income class.

And so over the next, I don't know, 3, 4 weeks, maybe 2 months, I want to take this issue up of: What happened to the American Dream? What happened to it?

When you see these kinds of statistics that children live in poverty and it takes four or five, five to six generations before a child that is in poverty today, their successor generations will be able to rise to the top of the middle

class, almost 150 years, five, six generations before a person in poverty can climb the economic ladder, that's incredible, and that speaks to something terribly wrong here in America.

When education, when half of the children from the wealthier families graduate from college and only 9 percent of the children from the low-income classes are able to graduate from college, these are problems that exist.

If you want to take one more shot at a closing statement, then I'm going to end by quoting Bill Clinton.

Mr. RYAN of Ohio. I have one point to make. Why are we talking about inequality and poor folks and upward mobility? The reason is we only have 313 million people in the United States. We're competing against 1.3 or 1.4 billion in China, and 1.3 or 1.4 billion in India. We have to have everybody on that football field playing for us economically, wearing the jersey that says "U.S.A." on it, so we can compete economically. So we need to get innovative and we need to make these kinds of investments if we're going to get everybody on the field, graduated from high school, on a track to go into manufacturing or some of these other trades so we can really have a renaissance in the United States economy.

I thank the gentleman.

Mr. GARAMENDI. I thank you, Mr. RYAN, for that analogy. I really like that one.

I'm going to end with this by President Bill Clinton:

If you work hard and you play by the rules, you'll have the freedom and opportunity to pursue your own dreams and leave your kids a country where they can chase theirs.

That's our goal. We're going to talk about these things, about the American Dream, what happened to it and what we need to restore it, and how we can make things in America and how we can rebuild the American economy.

I yield back the balance of my time.

#### TRIBUTE TO FALLEN FIRST RESPONDERS OF WEST, TEXAS

The SPEAKER pro tempore (Mr. COLLINS of New York). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. FLORES) for 30 minutes.

Mr. FLORES. Mr. Speaker, the city of West, Texas, is a small, tight-knit community located a few miles north of Waco, Texas, with a population of just under 3,000. West is commonly known for its Czech bakeries, Czech gift shops and antique stores, and it has been recognized as the "Czech Heritage Capital of Texas."

On April 17, the city of West was subject to a catastrophic explosion that was felt hundreds of miles away. The tragic explosion injured hundreds, caused tens of millions of dollars in damage, and took 15 lives.

On the evening of the explosion, first responders from West and surrounding communities responded to a fire at the West Fertilizer Company. These brave men worked to try and tame the flames and evacuate a nearby apartment complex and nursing home when the explosion erupted and rocked this small community.

When the smoke cleared and the rescue mission was complete, we learned we had lost 12 first responders. These brave men died while doing the job that they were trained and prepared to do in order to keep our community safe. Today, we honor and remember these fallen first responders who put themselves in harm's way for the good of their family, their friends, their neighbors, and their community.

Mr. Speaker, today we remember Morris Wayne Bridges, Jr., of West, Texas. He was born February 28, 1972, in Dallas, Texas, to Morris and Sharon Bridges. He attended schools in Dallas and later became a pipefitter for Action Fire Pro in Waxahachie, Texas. He had been a volunteer for the West Fire Department for the past 3 years.

Morris loved to ride motorcycles. He also loved to go fishing and enjoyed camping and the outdoors.

He was preceded in death by his parents. He leaves to cherish his memory his wife, Carmen Bridges; three children, Brent Bridges, Brittany Bridges, and Jaemeson Bridges, all of West; and two sisters, Lula Mill of Bristol and Melinda Hager of Olean, Missouri; and many friends and extended family.

Mr. Speaker, today we remember Perry Wayne Calvin of Frost, Texas. He was born January 18, 1976, in Dallas, Texas, to Phil and Cindy Calvin. He graduated from Frost High School and attended the Fire Academy and Emergency Medical Technician school at Hill College. Perry was a self-employed farmer and loved the outdoors. He was a member of the Navarro Mills Volunteer Fire Department and the Mertens Volunteer Fire Department.

Perry enjoyed horseback riding, rodeos, fishing, and especially spending time with his family.

He was preceded in death by his parents. He leaves to cherish his memory his wife, Rebecca Ann Calvin; two sons, Paul Wyatt Calvin and Preston Calvin, all of Frost; a brother, Wes Calvin and his wife, Emily, of Frost; two sisters, Penny Dixon of Bryan-College Station and Page Calvin, who is currently serving in the United States Air Force; his grandmother, Edna Calvin of Hutchins; and several nieces, nephews, and other relatives and friends.

Mr. Speaker, today we remember Jerry Dane Chapman of Hillsboro. He was born April 7, 1987, in Pampa, Texas, to Martin Dane and Rhonda Chapman. He grew up in Pampa and moved to Hillsboro in 2003. Jerry had various jobs early in his career and ultimately discovered his passion, which began

when he became a member of the Abbott Volunteer Firefighters. He then proceeded to work towards becoming an emergency medical technician.

He loved all things Batman, Star Wars, Tolkien, and was an avid video gamer. As an avid electronics enthusiast, he always wanted to be on the cutting edge of technology. He was a generous person; he would give what he had to anyone in need.

□ 2030

Jerry was known for his passion for helping others, both those he knew and those he did not. His willingness and giving spirit were fit for the career he chose to pursue as a firefighter and an EMT.

He was preceded in death by an uncle, Rodney McCulloch, who was also a volunteer firefighter. He leaves to cherish his memory, his parents, Dane and Rhonda Chapman of Hillsboro; maternal grandfather, Bryan McCulloch, and his wife, Joy, of Plainview; maternal grandmother, Charlotte McCulloch, of Lubbock; paternal grandparents, Gerald and Janet Chapman of Amarillo; great grandmother, Gladys Ragle, of Lubbock; one sister, Shay Pohlmann, and her husband, Justin, of Nacogdoches; niece, Chloe Rose Pohlmann, of Nacogdoches; and many friends and extended family.

Mr. Speaker, tonight we remember Cody Frank Dragoo of West. He was born October 15, 1962, in Billings, Montana, to Christopher Clyde and Mildred Dragoo. Cody graduated from Montana State University with a degree in agriculture.

He had been employed with the West Chemical and Fertilizer plant for many years. As a member of the West Volunteer Fire Department, Cody was very involved with the annual volunteer fire department barbecue cook-off fundraiser and organized tractor pulls in West.

Cody enjoyed hunting, fishing, cooking, watching NASCAR, and being with family and friends. He was a member of St. Mary's Catholic Church of the Assumption in West and the Knights of Columbus Council 2305. He served as the president of the Cottonwood Water Supply.

He was preceded in death by his parents and a brother, Tom Dragoo. He leaves to cherish his memory his beloved wife, Patty Dragoo, of West; sisters, Shirley McDonald, and husband, Matt, of Billings, Montana, and Loretta Fisher and husband, Richard of Fort Worth; brother-in-law, Gary Berger, of West; sisters-in-law and brothers-in-law Carolyn and Ron Sumner of Houston, David and Janet Mynar, of Midlothian, Michael and Natalie Mynar of Weatherford, Susan and James Miller, of West, and Cindy and Tony Kubacak, of West; and numerous nieces, nephews, and other extended family and friends.

Mr. Speaker, today we remember Captain Kenneth "Luckey" Harris, Jr., of West. He was born November 21, 1960, in Killeen, Texas, to Kenneth Luckey Harris, Sr. and Scottie Harris. He graduated from Crawford High School and went on to attend McLennan Community College until he was accepted into the Dallas Fire Academy.

He graduated from the Dallas Fire Academy in 1982 and served as a firefighter with the Dallas Fire Department for over 31 years, attaining the rank of captain. He also owned Harris Home Inspections and Construction with his family.

Luckey loved offshore fishing with his sons and spending time on his boat, the Boots Up he called it. He also enjoyed hunting, traveling, and spending time with friends. He was a member of the High Point Church in Waco and the Dallas Firefighters Associated Local 58.

He leaves to cherish his memory his beloved wife of 28 years, Holly Harris, of West; three sons, Jud Harris, of Grapevine, Jarrod Harris and Heath Harris, both of Midland; mother, Scottie Isham, and husband, Emory, of West; father, Ken Harris, and wife, Annita, of Crawford; sisters, Anne Harris, of Quinlan, Carmen Burkhart and husband, Brian, of Hutto; three nieces, Abby Hunt and husband, Jeff, Bethany Grubb and fiancé, Jay Baker, and Andrea Burkhart; nephew, Perry Burkhart; great-nephew, Hayden Hunt; and many friends and extended family.

Mr. Speaker, today we remember Jimmy Ray Matus of West. He was born November 9, 1960, in Waco to Raymond Rudolf and Lillian Francis Matus. He attended St. Mary's School, was a graduate of West High School, and also attended McLennan Community College.

Jimmy started working at his family business, Westex Welding & Fire Apparatus, at a very young age. He continued to work there for the next 40 years and spent the last 20 years managing all aspects of the business.

Jimmy was a member of St. Mary's Catholic Church of the Assumption, the SPJST Lodge 54, Sokol West, where he served as past president, the State Fireman's Association, and was an honorary member of the Masonic Lodge in West. Jimmy also served on the West ISD School Board and played the role of Santa Claus for many organizations, including Sokol in the City of West.

He was preceded in death by his beloved wife, Gail Matus. He leaves to cherish his memory his parents, Raymond and Lillian Matus, of West; son, Dustin Matus and fiancé, Becca Wright, of West; daughter, Jennifer Kalina and fiancé, Brian Walker, of Lorena; two stepdaughters, Heather Roberson and Derek Barnes, both of Bosqueville, and Karry Dornak and husband, Jeff, of Spring; two sisters,

Kathy Matus and Cindy Matus, both of West; brother, Thomas Matus, and wife, Ruth Ann, of Chalk Bluff; five great grandchildren; and numerous extended family and friends.

Mr. Speaker, today we remember Joseph F. Pustejovsky, Jr. of West. He was born August 3, 1983, in Waco to Joseph Frank "Joe" Pustejovsky, Sr. and Carolyn Pustejovsky. He attended St. Mary's School, graduated from West High School, and also attended McLennan Community College.

Since 2009, he had served as the city secretary for West. He had also worked for the Sears and Roebuck Company, and as a personal property appraiser for McLennan County Appraisal District.

Joey liked to hunt, play golf and work in his yard and was an avid Texas A&M fan. He loved spending time with his children and his family. He also enjoyed being actively involved with his community, his church, and the fire department family.

He was a member of St. Mary's Catholic Church of the Assumption in West, where he started the youth ministry and was a director of the Catholic Brothers and Sisters United Youth Ministry for 2 years. He also served as a gift bearer and CCE teacher.

He was also a member of the Knights of Columbus Council Number 2305, and the Monsignor George 4th Degree Assembly 2391, also the West ACTS Men's Community, West ACTS Core, where he served as treasurer, the County Line Aggie Club, the West Fire Department, where he served as treasurer, and the National Rifle Association.

He was preceded in death by his brother, Jeremy Pustejovsky, and grandparents, Frankie Kapavik, Sr., and Anton and Helen Pustejovsky. He leaves to cherish his memory his beloved wife of a year, Kelly Pustejovsky, of West; children, Parker, Beau, Kayla and Ashley, all of West; parents, Joe and Carolyn Pustejovsky, of West; grandmother, Teresa Compton and husband, Marcus, of Crawford; brother, Bradley Pustejovsky and wife, Dolores, of West; in-laws, Joe and Brenda Sebesta, of Waco, brother-in-law, David Sebesta, of Fort Worth; and numerous aunts, uncles, other relatives and friends.

Mr. Speaker, today we remember Captain Cyrus Adam Reed of Houston. He was born February 11, 1984, in Houston to Mark Andrew and Lucy Reed. He was a member of the Abbott Volunteer Fire Department, the Bynum Volunteer Fire Department, the West Ambulance Department, a former member of the Elm Mott Volunteer Fire Department. He was affiliated with the Community Volunteer Fire Department in Alief, and he was also an Eagle Scout in Troop 1110.

Cyrus lived his life with an infectious smile, a giant heart, and a dedication to honor which he would not compromise.

He was preceded in death by his grandparents, Charles P. Reed and E. Miles II and Shirley Ann Brown; uncle, Edwin Miles Brown II; and uncle, Robert Zulko. He leaves to cherish his memory his grandmother, Martha J. Reed of Lewisburg, Pennsylvania; parents, Mark and Lucy Reed of Houston; sister, Sarah Reed and fiancée, David Hobbs, of Houston; niece, Edith Cheyenne of Houston; brother, Bryce Reed and wife, Brittany; and their daughter, Finley, of West; three aunts, three uncles, 11 cousins, and many friends.

Mr. Speaker, today we remember Kevin William Sanders. He was born October 13, 1979, outside of Chicago to Duane and Sandra Sanders. He grew up in Palos Hills, Illinois, and graduated from Marist High School. He graduated from the University of Illinois at Urbana-Champaign with a bachelor's degree in animal science and from Parkland College with a veterinary technician certification.

Kevin truly believed in the strength and goodness of people. His passion in life was helping and caring for others. He held several registered veterinary technician positions in Champaign, Illinois; Fort Wayne, Indiana; Plainfield, Illinois; Waco, Texas; and Hewitt, Texas.

Kevin always did as he thought was right and strove to be the best that he could be.

□ 2040

He taught at Fox College in Tinley Park, Illinois, and McLennan Community College in Waco, Texas, inspiring greatness in his students at each location. Kevin lived for the service of others through his participation in the Plainfield Emergency Management Agency in Illinois and the Bruceville-Eddy Volunteer Fire Department in Texas.

Kevin loved caring for animals, working on cars, restoring his 1970 Dodge Charger, listening to music and attending concerts, watching the Chicago Bears and the Fighting Illini, playing paintball and spending time with his family.

He was preceded in death by his father, Duane Sanders. He leaves to cherish his memory his wife, Sarah Sanders; son, Reeve Sanders; mother, Sandra Sanders; maternal grandmother, Eleanore Frey; sister, Jeannette, and her husband, Tim White; brother, Scott, and his wife, Allison Sanders; and many friends and extended family.

Mr. Speaker, today we remember Captain Douglas "Doug" James Snokhous of West. He was born January 1, 1963 in Hillsboro to Jimmy Rudolph and Louise Marie Snokhous. He attended St. Mary's School, was part of the West Boy Scouts and spent most of his childhood with his dad and uncles at the West Volunteer Fire Department. He played baseball and football for the West Trojans and graduated

from West High School. After high school, he began his career at Central Texas Iron Works.

Doug loved spending time with family, especially his 7-month old grandson, Hogan James. He enjoyed hunting, golfing, fishing, talking with friends and cooking barbecue. Doug's passion was volunteering with the West Volunteer Fire Department, alongside his brother, Robert.

He was preceded in death by his parents, and his brother, Bob, died in the same accident that took Doug's life. He leaves to cherish his memory his wife of 13 years, Donna Snokhous of West; two daughters, Lauren and Laken Snokhous, both of West; grandson, Hogan James; stepsons, Steven Beseda and his wife, Maggie, of Eva Beach, Hawaii; and Paul Beseda and his wife, Amy, of West; stepdaughter DeAnna Reaves and her husband, Brandon, of Azle; three step-grandchildren; sister, Karen Hoelscher and her husband, Keith, of West; brother, Barry Snokhous and his wife, Sayoko, of Okinawa, Japan; sister-in-law, Alison Snokhous of West; along with nieces and nephews; a great-niece and great-nephew; numerous other relatives, and many friends.

Mr. Speaker, today we remember Captain Robert "Bob" Louis Snokhous of West. He was born June 4, 1964, in Hillsboro to Jimmy Rudolph and Louise Marie Snokhous. He graduated from West High School and received an Associate Degree from Texas State Technical College in Waco. He was a project manager for Central Texas Iron Works in Waco and was on their emergency response team.

Bob was a volunteer for the West Fire Department, where he held a passion for putting out fires. He was a member of St. Mary's Catholic Church of the Assumption and the Knights of Columbus West Council No. 2305. He loved hunting and outdoor barbecues.

He was preceded in death by his parents, and his brother, Doug, died in the same accident that took Bob's life. He leaves to cherish his memory his beloved wife of 13 years, Alison Snokhous; son Robert "Bubba" Snokhous, Jr., of Cape Coral, Florida; daughters Margee Snokhous of Cape Coral, Florida, and McKenzie Ryan of West; brother Barry Snokhous and wife, Sayoko, of Okinawa, Japan; sister, Karen Hoelscher and her husband, Keith, of Ross, Texas; two grandchildren, Kandence and Kameron Snokhous of Cape Coral; several nieces and nephews; a great-niece and great-nephew; and numerous other relatives and many friends.

Mr. Speaker, today we remember William Ray "Buck" Uptmor, Jr., of Abbott. He was born April 11, 1968, in Waco, to Billy Ray Uptmor, Sr. and Beverly Ann Uptmor. He graduated from West High School, and went on to study air conditioning for 2 years at

Hill Junior College. He also attended Texas State Technical Institute, where he studied auto body work. For over 25 years, he owned and operated Uptmor Welding and Construction. He built fences, barns and arenas, including designing and constructing the Hubbard Arena and Auction facility.

Buck grew up loving the outdoors. He loved to camp, hunt, fish, ride horses and work cattle. He was an animal lover, and he was always picking up strays. He also loved watching his children's sporting events, coaching Little League, and supporting his daughter in barrel racing. He trained and jockeyed racehorses and was the drummer for the Billy Uptmor and the Makers band. Buck loved rodeo and rode saddle broncs, bareback broncs, and bulls. He also liked to grill, and he thought he was a great chef. He was also a member of St. Martin Catholic Church in Tours, the West Longhorn Club, where he served as director, Catholic Life, and SPJST Lodge 6 in Cottonwood.

He leaves to cherish his memory his beloved wife of 13 years, Arcy Uptmor of Abbott; sons, Hunter and Trevor Uptmor, both of Abbott; daughter, Dusty Uptmor of Abbott; parents, Billy and Beverly Uptmor of Tours; grandmother, Agnes Middleton of Tours; brother, Brian Uptmor and his wife, Kris, of Tours; sister, Bethany Raines and her husband, Matt, of Tours; mother-in-law, Julia Silva of Pharr; and several nieces, nephews, other relatives and friends.

Mr. Speaker, these 12 men paid the ultimate sacrifice while providing for the safety and security of the community of West. They all died doing what they loved to do, which was serving and protecting others. They will forever be remembered as heroes. Their selfless service is a model for the rest of us to follow.

These men each exemplified the words of Jesus in John 15:13:

Greater Love has no man than this: that he lay down his life for his friends.

I am in awe of the outpouring of support for the West community from surrounding communities and indeed from people across this Nation and around the world. We are hopeful this great town will quickly and fully recover from this tragic event. All of the help that has been given and continues to come will certainly speed the recovery process. Tragedies such as this explosion remind us of how fragile life really is.

I ask that everyone please remember to pray often for our country during these difficult times. Please pray for our military men and women who protect our country from threats abroad and for our first responders who protect us from threats here at home.

Mr. Speaker, before I close this evening, I would like to recognize the West Veterans Honor Guard.

Throughout the decade of the 1990s, due in part to the reduction of the

country's Active Duty military forces and coupled with the increasing number of World War II-era veterans reaching the ends of their lives, the Department of Defense was typically unable to provide graveside military honors to deceased veterans. In 1990, West VFW Post 4819 and its commander, Frank Podsednik, answered the call and selected fellow member Harry Lee Hykel to form and lead the West Veterans Honor Guard, whose mission has become "Honoring Those Who Served."

The original group consisted of Squad Leader Captain Harry Lee Hykel, bugler Bob Fuller, Jim Garrett, Chaplain C.J. Hlavaty, Ernest Holecek, Claude King, Robert Kreid, Boyd Mangrum, Riflemen Frank Podsednik, Robert Podsednik, Alwood Scheler, and Color Bearers Gene Schutza and Ernest Zahirniak.

The VFW Honor Guard was later joined by American Legion members to become the West Veterans Honor Guard. Additions and transitions to the squad include Color Bearer Ross "BO" Bohannon, Rob Buchanan, Chaplain Marvin Cepak, Michael Driscoll, Jerry Kadlubar, John Kostecka, Joe Laubert, William Karlik, Ronnie Matus, William Pavelka, Dan Pokluda, Riflemen Buddy Shields, Steve Soukup, Robert Sanislav, Chris Waters, Russell Willsey and Robert Zahirniak.

In addition to rendering military honors at veterans' funerals, the honor guard participates in numerous civic functions and ceremonies throughout Central Texas, including leading and marching in Westfest Labor Day parade, providing a color honor guard, providing display of service flags and displaying the POW/MIA flag.

Since its inception in 1990, the West Veterans Honor Guard has provided the longstanding military tradition of funeral honors, ceremonial elements of flag folding and presentation, playing "Taps," providing rifle details, and providing color guards at over 430 funerals.

Mr. Speaker, tonight I honor the West Veterans Honor Guard for all that they have done for our great community.

Mr. Speaker, on June 8, America lost Army Lieutenant Colonel Todd Clark in the war on terror.

Lieutenant Colonel Todd Clark was a native of New York, and his father, Jack, was an Army Colonel. Todd was in the Junior ROTC while in high school, and upon graduation, attended Texas A&M University where he would join Company B-2 in the Corps of Cadets.

□ 2050

At the time of his tragic death, he was a brigade level advisor to the 10th Mountain Division. He would serve on five separate deployments in support of Operation Enduring Freedom.

During his 17 years of service to our country, Lieutenant Colonel Clark

earned many awards and decorations. He earned three Bronze Star Medals, the Purple Heart, two Meritorious Service Medals, the Army Commendation with Combat Distinguishing Device "V," four Army Commendation Medals, three Army Achievement Medals, the Army Reserve Components Achievement Medal, the National Defense Service Medal with Bronze Service Star, the Armed Forces Expeditionary Medal, the Kosovo Campaign Medal with Bronze Service Star, two Afghanistan Campaign Medals with Bronze Service Star, four Iraq Campaign Medals with Bronze Service Star, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Korean Defense Service Medal, the Army Service Ribbon, three Overseas Service Ribbons, the NATO Medal Kosovo and the NATO Medal Combat Action Badge, and the Basic Parachutists Badge.

At the conclusion of his current tour in Afghanistan, Lieutenant Colonel Clark's next assignment was going to bring him back to Texas as he was poised to become the executive officer, the second-in-command of the Reserve Officers Training Core at his alma mater, Texas A&M University.

In the coming days, Lieutenant Colonel Todd Clark will be laid to rest at Fort Sam Houston National Cemetery in Texas. Our thoughts and prayers are with the family of Lieutenant Colonel Todd Clark. He will be forever remembered as an outstanding soldier, husband, and father. We thank him and his family for their service and sacrifice for our country. His sacrifice also reflects the words of Jesus in John 15:13: "Greater love hath no man than this, that a man lay down his life for his friends."

God bless our military men and women, and God bless America.

#### DEFENDING LIBERTY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Virginia (Mr. GRIFFITH) for 30 minutes.

Mr. GRIFFITH of Virginia. I stand here today on the floor of the United States House of Representatives, and I come to talk about matters of import to this country and what should be important to each and every one of us.

I often look, as I'm sitting on the floor getting ready to cast votes, down here at the front. You see "tolerance" and "justice." And you see the word "liberty"—you may not be able to see it at home, but there they are carved into the wood here.

Liberty is extremely important to this country, and liberty is a fragile creature which can easily be extinguished if we, as citizens of the United States—and particularly those of us who are Members of Congress—do not

take the opportunity to defend liberty, even when it sometimes may seem to be unpopular.

Now we have, of recent, heard in the press reports that certain agencies of the United States Government have been accessing all kinds of information—phone records, et cetera. I think this is wrong. I think that the approach that has been taken is an overreach under the PATRIOT Act—although I believe that, when written, there were gray areas of the PATRIOT Act which could have been anticipated that there would be an overreach by the government. But some have interpreted that it's okay that you gather information even if it's just in the megadata on millions and millions of American citizens. I do not take that position. I believe that it is wrong. And I believe it cuts to the core of liberty in this country.

Let me explain.

To understand why we do things that we do, we have to look at the history of this country and, many times, of other countries, particularly Great Britain. When we look at our right not to have the government intrude into our homes, into our thoughts, into our very beings, it goes back to before the American Revolution. I would point to the 1760s as being instrumental.

As a student of history at Emory and Henry College, I learned under Professor Raiser there that there was a fellow named John Wilkes. Now, John Wilkes was a rake of a man, and many times his actions I would not have approved of. But whether by design or just by circumstance, John Wilkes weighs heavy in both America's history and in the history of Great Britain.

John Wilkes was from London. He stood for Parliament, was a member of Parliament. He began a secret printing on things that he didn't think that George III was doing correctly in the 1760s. One of those he printed in what was called the paper, the North Britain.

In North Britain 35, John Wilkes actually inferred that George III may have acted dishonestly in reaching a treaty with the French. Needless to say, George III was incensed that this happened, and he issued, through his ministers, what was known as a general warrant—that meaning that they could go, even though they didn't have a specific person, they didn't have a specific place, they could go into parts of London and search house to house, seizing papers, property, whatever they thought might lead to the conclusion of who was printing the North Britain and responsible in particular for North Britain No. 45.

Needless to say, after rounding up roughly 50 people and going into a number of houses, they did arrest Mr. John Wilkes, along with a number of other people, and it was ultimately determined that Mr. Wilkes was in fact

responsible for the writing that the King found so inappropriate.

It's also interesting to note that, as a part of this, in his legal defense, John Wilkes raised the issue of whether or not general warrants were in fact legal. The courts would later rule that they were not. The courts would later rule that they were not.

Now, it's interesting—and I'll pull out a wonderful treatise on British history, just hits the highlights, the History of the English-Speaking Peoples by Winston Churchill. Winston Churchill, in talking about—and he acknowledges the faults of Mr. Wilkes, but he also points out the court's reasoning on this matter.

The question of general warrants became a big issue. The radical-minded Londoners welcomed the rebuff of the government. It goes on to talk about what Wilkes did, but it also goes on to tell us what the courts ruled.

Let me see if I can find it here, if you will bear with me for just a minute. I appreciate your patience as I look for the exact quote. Here is Churchill talking about what the justices said:

The officials pleaded—that would be the government officials of George, III—that they were immune from a suit by Wilkes because they were acting under government orders. Churchill says this large and sinister defense—the defense would be that they could use the general warrants—this large and sinister defense was rejected by the chief justice in words which remain a classic statement on the rule of law, quoting now the Chief Justice Lord Camden:

With respect to the argument of state necessity or a distinction which has been aimed at between state offenses and others, the common law does not understand that kind of reasoning, nor do our books take notice of any such distinction.

Wilkes was heralded as a hero of liberty. And there's a great controversy in history as to whether he was a true patriot, a true lover of liberty, or one who merely happened to fall into the circumstances at the time. I prefer to think he was a hero of liberty.

Notwithstanding the fact that he ultimately prevailed in England, he was also seen across the pond in what would later be the United States, in the Colony—particularly in Massachusetts, but in other Colonies—as a hero of liberty. He was in communication with Sam Adams and the Sons of Liberty.

At the same time, almost identical to this, there was a thing called Writs of Assistance. Now, those were writs that were used in naval terms dealing with trade. They said that whatever the King's people needed to do for assistance, they could have, very much like a general warrant, and some would argue that they were the same.

□ 2100

In Massachusetts, about this same time, there was a James Otis, Jr.—this was pointed out, I must let you know, earlier today to me by Congressman NADLER. Mr. Otis argued the same things that were being argued in the Wilkes case in Great Britain. Sam Adams was present for those arguments, so he was communicating with John Wilkes and he was listening to the arguments against general warrants or writs of assistance made by Mr. Otis.

What this ultimately led to was the fact that in our country we have long held it dear that we do not issue general warrants. And to read the Patriot Act, to say that you can obtain the phone records of millions of Americans—if, in fact, that be true, and it appears to be the case—that you can use that act to sort of back door a general warrant on information on most, if not all, American citizens, is to forget that we have a right against search and seizure because of the reasoning of our Founding Fathers and the work of Mr. Otis and the work of Mr. Wilkes. They cannot be seen just in a vacuum on that.

Churchill later goes on to acknowledge that the work of Wilkes—because Wilkes was pushing the issue of “freedom of press”—that the entire Wilkesite movement not only led to an expansion in Great Britain of the freedom of the press but also underscored for the Founding Fathers of this Nation that “everyone should have the right to speak their mind, and that they should be able to do so without having to worry about a government that finds their actions just for speaking their opinion to be intolerable.”

So, ladies and gentlemen, I have come here this evening—because I think it's important that we understand—that notwithstanding this interpretation or that interpretation of the Patriot Act, if we allow the government to have the right to collect even the megadata—as they call it—on each and every one of us, that is a violation of the spirit of our Constitution, and I would submit to you a violation of the Constitution itself.

I, for one, cherish our liberties. And in that balancing act that every government must face between security and liberty, I say we side on liberty, because we can never make society completely safe. The only way a government can guarantee you complete safety, ladies and gentlemen, is if they assign each and every one of us a padded room to live in: We're only allowed out in the Sun a certain amount of time so that we don't end up getting skin cancer. They determine what we eat, they determine what we breathe, they determine what we do. That is not a society that I choose to live in, nor

one which I will stand idly by and allow it slowly to creep in on us. And while I don't think anybody in the administration would want to go that far, anyone who argues that we must have all of this information in order to be secure forgets that having security may not be worthwhile if we don't have liberty.

So, ladies and gentlemen, I ask that you study the issues, you study the history, you study this carefully. Do we really want a government that knows all about us? Do we really want a government that can take away our freedom to converse with other people who may not agree with the government? I'm not talking about people who are plotting schemes against the government, but I'm talking about the right to talk to people who may have different ideas. In fact, many would argue we should do more talking here on the floor of the House.

So, ladies and gentlemen, I ask you to study these issues. I ask you to go look at the arguments of Mr. Otis, look at the arguments of Mr. John Wilkes, look at the arguments that were made at a time when people understood that liberty was precious and it could easily be extinguished. I hope that you will join me in doing a little illumination on our country by talking about these issues everywhere you go, and making it clear to people that liberty is worth fighting for, and being willing to say—when I say fight, I mean stand up and say your peace—and that it's worth us taking a little bit of risk in order to preserve those liberties that have been fought for and won throughout the ages, beginning in the 1760s, culminating in the Constitution, and forward to this day.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LAMBORN (at the request of Mr. CANTOR) for today on account of personal reasons.

Mr. BISHOP of New York (at the request of Ms. PELOSI) for today.

#### ADJOURNMENT

Mr. GRIFFITH of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 12, 2013, at 10 a.m. for morning-hour debate.

## EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first and second quarters of 2013 pursuant to Public Law 95–384 are as follows:

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE UNITED KINGDOM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 18 AND APR. 23, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Nancy Pelosi .....	4/18	4/23	United Kingdom .....		2,025.80		1,180.40				3,206.20
Andrew Hammill .....	4/18	4/23	United Kingdom .....		2,180.10		1,180.40				3,360.50
Wyndee Parker .....	4/18	4/23	United Kingdom .....		2,175.80		1,180.40				3,356.20
Kate Wolters .....	4/18	4/23	United Kingdom .....		2,171.57		1,180.40				3,351.97
Committee total .....					8,553.27		4,721.60				13,274.87

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NANCY PELOSI, May 23, 2013.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO EGYPT, JORDAN, AND ISRAEL, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 27 AND MAY 3, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Robert Story Karem .....	4/27	4/29	Egypt .....		547.23						547.23
	4/29	5/1	Jordan .....		774.10						774.10
	5/1	5/3	Israel .....		1,470.00						1,470.00
	4/27	5/3					<sup>3</sup> 8,967.36				8,967.36
Mariah Sixkiller .....	4/27	4/29	Egypt .....		547.23						547.23
	4/29	5/1	Jordan .....		774.10						774.10
	5/1	5/3	Israel .....		1,470.00						1,470.00
	4/27	5/3					<sup>3</sup> 9,526.66				9,526.66
Committee total .....					5,582.66		18,494.02				24,076.66

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Total transport.

MR. ROBERT KAREM, June 3, 2013.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>

## HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MICHAEL T. MCCAUL, Chairman, May 21, 2013.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Vern Buchanan .....	1/7	1/7	Guam .....				( <sup>3</sup> )				
	1/7	1/8	Republic of Korea .....		197.87						197.87
	1/8	1/9	Taiwan .....		170.76						170.76
	1/9	1/9	Myanmar .....				( <sup>3</sup> )				
	1/9	1/10	Thailand .....		137.36						137.36
	1/10	1/12	Ethiopia .....		618.28						618.28
	1/12	1/12	South Sudan .....				( <sup>3</sup> )				
	1/12	1/13	Rwanda .....		203.00						203.00
	1/13	1/14	Burkina Faso .....		396.00						396.00
	1/14	1/14	Cape Verde .....				( <sup>3</sup> )				
	1/7	1/7	Guam .....				( <sup>3</sup> )				
	1/7	1/8	Republic of Korea .....		317.87						317.87
	1/8	1/9	Taiwan .....		276.76						276.76
	1/9	1/9	Myanmar .....				( <sup>3</sup> )				
Hon. Eric Paulsen .....	1/9	1/10	Thailand .....		240.36						240.36
	1/10	1/12	Ethiopia .....		788.28						788.28
	1/12	1/12	South Sudan .....				( <sup>3</sup> )				
	1/12	1/13	Rwanda .....		272.00						272.00
	1/13	1/14	Burkina Faso .....		488.00						488.00
	1/14	1/14	Cape Verde .....				( <sup>3</sup> )				
	1/26	1/26	Japan .....		203.00						203.00
	1/27	1/29	Taiwan .....		364.00						364.00
	1/29	1/30	Philippines .....		340.00						340.00
	1/30	2/1	China .....		320.00						320.00
Hon. Vern Buchanan .....	2/1	2/2	Republic of Korea .....		230.00						230.00
							( <sup>3</sup> )				
Committee total .....					5,563.54						5,563.54

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Military air transportation.

HON. DAVE CAMP, Chairman, May 24, 2013.



EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1724. A letter from the Secretary, Department of Defense, transmitting a report on the approved Air-Sea Battle Concept; to the Committee on Armed Services.

1725. A letter from the Secretary, Department of Defense, transmitting annual report on the current and future military strategy of Iran; to the Committee on Armed Services.

1726. A letter from the Under Secretary, Department of Defense, transmitting Selected Acquisition Reports (SARs) for the September 2012 reporting period pursuant to section 2432, Title 10 United States Code; to the Committee on Armed Services.

1727. A letter from the Under Secretary, Department of Defense, transmitting a report on Department of Defense counter-terrorism activities; to the Committee on Armed Services.

1728. A letter from the Under Secretary, Department of Defense, transmitting Selected Acquisition Reports (SARs) for the December 2012 reporting period pursuant to section 2432, Title 10 United States Code; to the Committee on Armed Services.

1729. A letter from the Under Secretary, Department of Defense, transmitting a business case analysis for the Ship to Shore Connector; to the Committee on Armed Services.

1730. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-08, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1731. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-12, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act as amended; to the Committee on Foreign Affairs.

1732. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-40, Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1733. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-60, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1734. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-49, Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1735. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-64, Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1736. A letter from the Director, Defense Security Cooperation Agency, transmitting a report submitted in accordance with Section 36(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1737. A letter from the Director, Defense Security Cooperation Agency, transmitting a report submitted in accordance with Section 36(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1738. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-59, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1739. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-65, Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1740. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-55, Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1741. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-58, Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1742. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-61, Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1743. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-66, Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1744. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-07, Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1745. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-63, Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1746. A letter from the Director, Defense Security Cooperation Agency, transmitting an FY 2012 report in accordance with the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

1747. A letter from the Director, Defense Security Cooperation Agency, transmitting A report submitted in accordance with Section 36(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1748. A letter from the Director, Defense Security Cooperation Agency, transmitting A report submitted in accordance with Section 36(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1749. A letter from the Director, Defense Security Cooperation Agency, transmitting reports submitted in accordance with Section 36(a) and 26(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1750. A letter from the Assistant Secretary, Department of Defense, transmitting Expenditure of Cooperative Threat Reduction Funds; to the Committee on Foreign Affairs.

1751. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting Addendum Transmittal No. DDTC 13-059, pursuant to the reporting

requirements of Section 36(d) of the Arms Export Control Act, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1752. A letter from the Acting Assistant Secretary, Department of State, transmitting Addendum Transmittal No. DDTC 13-090, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1753. A letter from the Acting Assistant Secretary, Department of State, transmitting Addendum Transmittal No. DDTC 13-053, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1754. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting Addendum Transmittal No. DDTC 12-113, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1755. A letter from the Acting Assistant Secretary, Department of State, transmitting Addendum Transmittal No. DDTC 13-096, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1756. A letter from the Acting Assistant Secretary, Department of State, transmitting Addendum Transmittal No. DDTC 13-065, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1757. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting Addendum Transmittal No. DDTC 13-035, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1758. A letter from the Acting Assistant Secretary, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-057; to the Committee on Foreign Affairs.

1759. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting Addendum Transmittal No. DDTC 13-030, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1760. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-011; to the Committee on Foreign Affairs.

1761. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting Addendum Transmittal No. DDTC 13-017, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1762. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-004; to the Committee on Foreign Affairs.

1763. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-005; to the Committee on Foreign Affairs.

1764. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number:

DDTC 13-016; to the Committee on Foreign Affairs.

1765. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting Addendum Transmittal No. DDTC 13-015, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1766. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-002; to the Committee on Foreign Affairs.

1767. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-153; to the Committee on Foreign Affairs.

1768. A letter from the Acting Assistant Secretary, Department of State, transmitting Addendum Transmittal No. DDTC 13-056, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1769. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-135; to the Committee on Foreign Affairs.

1770. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-126; to the Committee on Foreign Affairs.

1771. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-095; to the Committee on Foreign Affairs.

1772. A letter from the Acting Assistant Secretary, Department of State, transmitting Addendum Transmittal No. DDTC 13-033, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1773. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-121; to the Committee on Foreign Affairs.

1774. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting Addendum Transmittal No. DDTC 13-058, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1775. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-142; to the Committee on Foreign Affairs.

1776. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-120; to the Committee on Foreign Affairs.

1777. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting A Determination and Certification Under Section 40A of the Arms Export Control Act; to the Committee on Foreign Affairs.

1778. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an adden-

dum to a certification, transmittal number: DDTC 12-139; to the Committee on Foreign Affairs.

1779. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-155; to the Committee on Foreign Affairs.

1780. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-167; to the Committee on Foreign Affairs.

1781. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-143; to the Committee on Foreign Affairs.

1782. A letter from the Assistant Secretary of State for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-157; to the Committee on Foreign Affairs.

1783. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter regarding actions under the Iran Sanctions Act; to the Committee on Foreign Affairs.

1784. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to section 655 of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1785. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Report on Compliance with the Treaty on Conventional Armed Forces in Europe; to the Committee on Foreign Affairs.

1786. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a determination under section 102(a)(2) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1787. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of a possible unauthorized transfer of defense articles pursuant to Section 3 of the Arms Export Control Act (AECA); to the Committee on Foreign Affairs.

1788. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a designation pursuant to Section 219 of the Immigration and Nationality Act; to the Committee on Foreign Affairs.

1789. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting justification for determination made by the Secretary of Defense under 22 U.S.C. 5963 as amended; to the Committee on Foreign Affairs.

1790. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to paragraph (5)(D) of the Senate's May 1997 Resolution of the Conventional Armed Forces in Europe; to the Committee on Foreign Affairs.

1791. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a waiver under section 7046(C)(1)(B) of the Department of State, Foreign Operations, and Related Programs Appropriations Act; to the Committee on Foreign Affairs.

1792. A letter from the Acting Assistant Secretary, Legislative Affairs, Department

of State, transmitting waiver of requirement to certify conditions under Section 203 of the Enhanced Partnership with Pakistan Act of 2009; to the Committee on Foreign Affairs.

1793. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of a possible unauthorized transfer of U.S.-origin defense articles pursuant to Section 3 of the Arms Export Control Act (AECA); to the Committee on Foreign Affairs.

1794. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Condition (10)(C) Annual Report on Compliance with the Chemical Weapons Convention; to the Committee on Foreign Affairs.

1795. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting report on the Secretary of State's decision to designate an entity and its aliases as a "foreign terrorist organization", pursuant to Section 219 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1189); to the Committee on the Judiciary.

1796. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting report on the Secretary of State's decision to designate an entity and its aliases as a "foreign terrorist organization", pursuant to Section 219 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1189); to the Committee on the Judiciary.

1797. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting report on the Secretary of State's decision to designate an entity and its aliases as a "foreign terrorist organization", pursuant to Section 219 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1189); to the Committee on the Judiciary.

1798. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting report on the Secretary of State's decision to designate an entity and its aliases as a "foreign terrorist organization", pursuant to Section 219 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1189); to the Committee on the Judiciary.

1799. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting report on the Secretary of State's decision to designate an entity and its aliases as a "foreign terrorist organization", pursuant to Section 219 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1189); to the Committee on the Judiciary.

1800. A letter from the Director of Congressional Affairs, Central Intelligence Agency, transmitting a congressional notification; to the Committee on Intelligence (Permanent Select).

1801. A letter from the Director of National Intelligence, transmitting on the impact of sequestration on the National Intelligence Program; to the Committee on Intelligence (Permanent Select).

1802. A letter from the Boards of Trustees, Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting the 2013 Annual Report Of The Boards Of Trustees Of The Federal Hospital Insurance And Federal Supplementary Medical Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 113-34); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McKEON: Committee on Armed Services. Supplemental report on H.R. 1960, A bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strength for such fiscal year, and for other purposes (Rept. 113-102, Pt. 2).

Mr. NUGENT: Committee on Rules. House Resolution 256. Resolution providing for consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; and providing for consideration of the bill (H.R. 1256) to direct the Securities and Exchange Commission and the Commodity Futures Trading Commission to jointly adopt rules setting forth the application to cross-border swaps transactions of certain provisions relating to swaps that were enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Rept. 113-104). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. CAPPS:

H.R. 2308. A bill to direct the Secretary of Education to establish a program to provide grants for cardiopulmonary resuscitation and automated external defibrillator training in public elementary and secondary schools; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN (for herself, Mr.

FRANKS of Arizona, Mr. ALEXANDER, Mr. AMODEI, Mrs. BACHMANN, Mr. BARLETTA, Mr. BARTON, Ms. BASS, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mrs. BLACKBURN, Mr. BOUTSANY, Mr. BRADY of Pennsylvania, Mr. BRADY of Texas, Mr. BROUN of Georgia, Ms. BROWN of Florida, Mr. BUCSHON, Mr. BUTTERFIELD, Mr. CALVERT, Mrs. CAPPS, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTER, Mr. CHABOT, Mr. CHAFFETZ, Mrs. CHRISTENSEN, Mr. COBLE, Mr. COFFMAN, Mr. COHEN, Mr. COLLINS of Georgia, Mr. CONAWAY, Mr. COSTA, Mr. COTTON, Mr. CRAWFORD, Mr. CRENSHAW, Mr. CULBERSON, Mr. CUELLAR, Mr. DENT, Mr. DOYLE, Ms. ESHOO, Mr. ENYART, Mr. FARENTHOLD, Mr. FLEMING, Mr. FLORES, Mr. FORBES, Mr. GARDNER, Mr. GARRETT, Mr. GERLACH, Mr. GINGREY of Georgia, Mr. GOSAR, Mr. GRAYSON, Mr. GENE GREEN of Texas, Mr. GRIFFIN of Arkansas, Mr. GRIJALVA, Mr. GRIMM, Mr. GUTIERREZ, Mr. HALL, Mr. HANNA, Mr. HARPER, Mr. HASTINGS of Florida, Mr. HASTINGS of Washington, Mr. HECK of Nevada, Mr. HOLDING,

Mr. HOLT, Mr. HONDA, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Mr. ISRAEL, Mr. ISSA, Ms. JACKSON LEE, Ms. JENKINS, Mr. JOHNSON of Ohio, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JONES, Mr. JORDAN, Mr. KELLY of Pennsylvania, Mr. KING of New York, Mr. KINZINGER of Illinois, Mr. KLINE, Mr. LABRADOR, Mr. CLAY, Mr. LANCE, Mr. LATTI, Mr. LONG, Mrs. CAROLYN B. MALONEY of New York, Mr. MARINO, Mr. MATHESON, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mrs. McMORRIS RODGERS, Mr. MCNERNEY, Mr. MEEHAN, Mr. MEEKS, Mr. NUGENT, Mr. OLSON, Mr. OWENS, Mr. PALLONE, Mr. PEARCE, Mr. PITTS, Mr. POE of Texas, Mr. POLIS, Mr. RADEL, Mr. REED, Mr. REICHERT, Mr. ROGERS of Michigan, Mr. ROKITA, Ms. ROS-LEHTINEN, Mr. ROSS, Ms. ROYBAL-ALLARD, Mr. ROYCE, Mr. RUIZ, Mr. RUNYAN, Mr. RYAN of Ohio, Mr. SALMON, Ms. LORETTA SANCHEZ of California, Mr. SCALISE, Mr. SCHRADER, Mr. SENSENBRENNER, Mr. SESSIONS, Ms. SEWELL of Alabama, Mr. SHIMKUS, Mr. SIMPSON, Ms. SINEMA, Mr. SMITH of Nebraska, Mr. SMITH of Texas, Mr. STIVERS, Mr. STOCKMAN, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. THORNBERRY, Mr. TIBERI, Mr. TONKO, Mr. VARGAS, Mr. VEASEY, Mr. WALBERG, Mr. WEBER of Texas, Mr. WEBSTER of Florida, Mr. WESTMORELAND, Mr. WITTMAN, Mr. WHITFIELD, Ms. WILSON of Florida, Mr. WILSON of South Carolina, Mr. YODER, Mr. MASSIE, Mr. GRAVES of Missouri, Ms. CLARKE, Mr. DESANTIS, and Mr. COLE):

H.R. 2309. A bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 2310. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to make available for purchase Department of Veterans Affairs memorial headstones and markers for members of reserve components who performed certain training; to the Committee on Veterans' Affairs.

By Mr. GRAYSON:

H.R. 2311. A bill to protect employees from retaliation in the workplace based on actions taken to protest or try to improve working conditions; to the Committee on Education and the Workforce.

By Mr. BARR (for himself, Mr. GUTHRIE, Mr. ROGERS of Kentucky, Mr. WHITFIELD, Mr. YARMUTH, and Mr. MASSIE):

H.R. 2312. A bill to exempt the natural aging process in the determination of the production period for distilled spirits under section 263A of the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. BOUSTANY (for himself, Mr. BECERRA, Ms. NORTON, and Mr. BISHOP of New York):

H.R. 2313. A bill to amend the Internal Revenue Code of 1986 to issue regulations covering the practice of enrolled agents before the Internal Revenue Service; to the Committee on Ways and Means.

By Mr. FORTENBERRY:

H.R. 2314. A bill to direct the Secretary of Defense to establish a strategy to prevent the proliferation of weapons of mass destruction and related materials in the Middle East

and North Africa region, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GERLACH (for himself and Mr. NEAL):

H.R. 2315. A bill to clarify the orphan drug exception to the annual fee on branded prescription pharmaceutical manufacturers and importers; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. RANGEL, Mr. PRICE of North Carolina, Mr. CICILLINE, Mr. PAYNE, Ms. MCCOLLUM, Mr. LANGEVIN, Mr. CONNOLLY, Mr. POLIS, and Mr. DANNY K. DAVIS of Illinois):

H.R. 2316. A bill to provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in secondary school and postsecondary endeavors, to improve State and district policies and programs relating to the academic achievement of students in the middle grades, to develop and implement effective middle grades models for struggling students, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LANGEVIN (for himself, Ms. BONAMICI, Ms. BROWN of Florida, Mr. CICILLINE, Mr. RANGEL, Mr. TAKANO, and Mr. SIRES):

H.R. 2317. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants to States to establish a comprehensive school counseling program; to the Committee on Education and the Workforce.

By Mr. LATTI:

H.R. 2318. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to the applicability of the Act to Federal facilities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MULLIN (for himself, Mr. RUIZ, Ms. SINEMA, Mr. GOSAR, Mr. FALEOMAVAEGA, Mr. CÁRDENAS, Mr. HUFFMAN, Mr. BEN RAY LUJÁN of New Mexico, Ms. MCCOLLUM, Mr. COLE, and Mr. PEARCE):

H.R. 2319. A bill to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994; to the Committee on Natural Resources.

By Mr. NADLER:

H.R. 2320. A bill to amend the Internal Revenue Code of 1986 to provide an increasingly larger earned income credit for families with more than 3 children; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 2321. A bill to extend to the Mayor of the District of Columbia the same authority over the National Guard of the District of Columbia as the Governors of the several States exercise over the National Guard of those States with respect to administration of the National Guard and its use to respond to natural disasters and other civil disturbances, while ensuring that the President retains control of the National Guard of the District of Columbia to respond to homeland defense emergencies; to the Committee on

Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERS of California (for himself, Mr. KING of New York, Mr. MURPHY of Florida, Mrs. CAPPS, Mr. POCAN, Mr. HUFFMAN, Ms. SINEMA, and Ms. HAHN):

H.R. 2322. A bill to minimize the economic and social costs resulting from losses of life, property, well-being, business activity, and economic growth associated with extreme weather events by ensuring that the United States is more resilient to the impacts of extreme weather events in the short- and long-term, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PITTENGER:

H.R. 2323. A bill to amend the Equal Credit Opportunity Act to repeal a small business loan data collection requirement; to the Committee on Financial Services.

By Mr. SCHIFF:

H.R. 2324. A bill to repeal the Authorization for Use of Military Force; to the Committee on Foreign Affairs.

By Mr. SMITH of Washington (for himself and Mr. GIBSON):

H.R. 2325. A bill to provide for the disposition of certain persons detained in the United States pursuant to the Authorization for Use of Military Force; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Mississippi:

H.R. 2326. A bill to authorize the Secretary of the Interior to conduct a special resource study of the Medgar Evers House, located in Jackson, Mississippi, and for other purposes; to the Committee on Natural Resources.

By Ms. WASSERMAN SCHULTZ (for herself and Mr. DIAZ-BALART):

H. Res. 254. A resolution recognizing the importance of United States leadership in addressing the challenge of global maternal and child malnutrition; to the Committee on Foreign Affairs.

By Mr. SESSIONS:

H. Res. 255. A resolution requesting the Senate to return to the House of Representatives the bill H.R. 2217; considered and agreed to.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. CAPPS:

H.R. 2308.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce, as enumerated by Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. LOFGREN:

H.R. 2309.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. HANNA

H.R. 2310.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is enumerated in Section 8 of Article I of the United States Constitution.

By Mr. GRAYSON:

H.R. 2311.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States:

"The Congress shall have Power . . . to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. BARR:

H.R. 2312.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8 of the U.S. Constitution: Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Mr. BOUSTANY:

H.R. 2313.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. FORTENBERRY:

H.R. 2314.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority for this bill is pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. GERLACH:

H.R. 2315.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GRIJALVA:

H.R. 2316.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §1 and 8.

By Mr. LANGEVIN:

H.R. 2317.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. LATTA:

H.R. 2318.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, cl. 3

The Congress shall have the power . . . to regulate commerce with foreign nations, and among the states, and with Indian Tribes;

By Mr. MULLIN:

H.R. 2319.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. NADLER:

H.R. 2320.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 Section 8 and Clause 18 Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Ms. NORTON:

H.R. 2321.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of section 8 of article I of the Constitution.

By Mr. PETERS of California:

H.R. 2322.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. PITTENGER:

H.R. 2323.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

Additionally, Article 1, Section 7, Clause 2 of the Constitution allows for every bill passed by the House of Representatives and the Senate and signed by the President to be codified into law; and therefore implicitly allows Congress to repeal any bill that has been passed by both chambers and signed into law by the President.

By Mr. SCHIFF:

H.R. 2324.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8 of the United States Constitution.

By Mr. SMITH of Washington:

H.R. 2325.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Section 8 of Article I of the Constitution, and Amendments IV and V to the Constitution.

By Mr. THOMPSON of Mississippi:

H.R. 2326.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the Constitution: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Mr. SENSENBRENNER.

H.R. 24: Mr. DAINES.

H.R. 25: Mr. SALMON.

H.R. 55: Mr. BARBER.

H.R. 182: Mr. MARKEY.

H.R. 183: Mr. NUGENT.

H.R. 272: Mr. SWALWELL of California, Mr. CÁRDENAS, Mr. NUNNELEE, and Mr. JONES.

H.R. 282: Mr. HENSARLING.

H.R. 350: Mr. HENSARLING.

H.R. 352: Mr. WEBSTER of Florida.

H.R. 363: Ms. FUDGE.

H.R. 452: Mr. BISHOP of New York.

H.R. 497: Ms. SINEMA.

H.R. 503: Mr. RAHALL.

- H.R. 505: Mrs. CHRISTENSEN.  
H.R. 508: Mr. BILIRAKIS, Mr. GUTHRIE, and Mr. POCAN.  
H.R. 519: Mr. PALLONE and Mr. FATTAH.  
H.R. 530: Mr. HIMES.  
H.R. 565: Mr. BARR.  
H.R. 567: Mr. WALBERG, Mr. PITTINGER, and Mr. BENTIVOLIO.  
H.R. 577: Mr. BENTIVOLIO.  
H.R. 627: Mrs. LUMMIS.  
H.R. 630: Mr. YARMUTH.  
H.R. 685: Mr. HANNA, Mr. RUPPERSBERGER, Mr. MEADOWS, Mr. MCINTYRE, and Mr. BUCSHON.  
H.R. 688: Mr. RYAN of Ohio and Mrs. NEGRETE MCLEOD.  
H.R. 693: Ms. SCHWARTZ, Mr. MEADOWS, and Mr. GUTIERREZ.  
H.R. 694: Mr. GRIJALVA.  
H.R. 698: Mr. RUSH and Mrs. MILLER of Michigan.  
H.R. 718: Mrs. BACHMANN.  
H.R. 720: Mr. TONKO.  
H.R. 724: Mr. NOLAN, Mr. BARROW of Georgia, Ms. KAPTUR, and Mr. YOUNG of Indiana.  
H.R. 742: Mr. HINOJOSA.  
H.R. 755: Mr. SARBANES, Mr. KING of New York, and Mr. BARROW of Georgia.  
H.R. 763: Mr. LOBIONDO, Ms. SINEMA, Mr. DAINES, and Mr. COOK.  
H.R. 792: Mr. POMPEO, Mr. GARCIA, Mr. COLLINS of Georgia, and Mr. DESJARLAIS.  
H.R. 811: Mr. JEFFRIES.  
H.R. 814: Ms. BASS.  
H.R. 846: Mr. HUELSKAMP, Mr. PERLMUTTER, Mr. NEAL, Ms. LINDA T. SÁNCHEZ of California, Mr. SOUTHERLAND, Mr. COLLINS of New York, and Mr. HOLDING.  
H.R. 851: Ms. BONAMICI.  
H.R. 855: Mr. LANGEVIN.  
H.R. 874: Mr. LANCE, Mr. LOBIONDO, and Mr. PAYNE.  
H.R. 906: Ms. FRANKEL of Florida and Mr. FITZPATRICK.  
H.R. 921: Mr. HASTINGS of Florida.  
H.R. 924: Mrs. CAROLYN B. MALONEY of New York and Mr. MCDERMOTT.  
H.R. 961: Ms. SHEA-PORTER.  
H.R. 963: Mr. PERLMUTTER.  
H.R. 964: Mr. BLUMENAUER.  
H.R. 990: Ms. EDWARDS.  
H.R. 1001: Mr. WILSON of South Carolina.  
H.R. 1020: Mr. KINGSTON, Mr. KILMER, and Mr. POMPEO.  
H.R. 1024: Mr. MCKINLEY.  
H.R. 1030: Mr. RAHALL.  
H.R. 1077: Mr. TERRY and Mr. ROHRBACHER.  
H.R. 1155: Mr. FINCHER and Mr. CROWLEY.  
H.R. 1176: Mr. CONAWAY and Mr. RENACCI.  
H.R. 1179: Mr. WALZ, Mr. HASTINGS of Florida, Mr. BARLETTA, Mr. FOSTER, Mr. SWALWELL of California, and Mr. PAYNE.  
H.R. 1249: Mr. MILLER of Florida.  
H.R. 1250: Mr. RUSH, Mr. MCCAUL, and Mr. ENYART.  
H.R. 1255: Mr. TIBERI, Mr. HARRIS, Mr. YARMUTH, and Mr. MARCHANT.  
H.R. 1257: Mr. BRALEY of Iowa.  
H.R. 1263: Mr. MARKEY.  
H.R. 1281: Mr. DELANEY, Mr. COLLINS of New York, Mr. POCAN, Mr. HECK of Washington, and Mr. FARR.  
H.R. 1288: Mr. CÁRDENAS and Mr. BISHOP of New York.  
H.R. 1304: Mrs. HARTZLER.  
H.R. 1318: Ms. MATSUI.  
H.R. 1339: Ms. SLAUGHTER and Mr. ENYART.  
H.R. 1362: Ms. SCHWARTZ.  
H.R. 1416: Mr. RUNYAN and Mr. COHEN.  
H.R. 1428: Mr. COSTA, Mr. MICHAUD, Ms. SHEA-PORTER, and Mr. BISHOP of Georgia.  
H.R. 1429: Mr. HANNA and Mr. GIBSON.  
H.R. 1431: Mrs. CHRISTENSEN and Mr. HUFFMAN.  
H.R. 1441: Mr. CASSIDY.  
H.R. 1453: Ms. SINEMA.  
H.R. 1489: Mr. MICHAUD.  
H.R. 1496: Mr. KINGSTON.  
H.R. 1502: Mr. KINGSTON.  
H.R. 1507: Mr. MATHESON, Ms. ESHOO, Ms. FRANKEL of Florida, Mr. HANNA, Mr. RANGEL, and Mr. KINZINGER of Illinois.  
H.R. 1521: Ms. LOFGREN.  
H.R. 1528: Ms. DELBENE and Ms. DUCKWORTH.  
H.R. 1577: Mr. HENSARLING.  
H.R. 1595: Mr. CARNEY, Mrs. NAPOLITANO, Mr. GARCIA, Mr. BRADY of Pennsylvania, Ms. BROWNLEY of California, Mr. BUTTERFIELD, Mr. ANDREWS, Mr. WATT, and Mr. MEEKS.  
H.R. 1624: Mr. REICHERT.  
H.R. 1652: Mr. BARBER.  
H.R. 1666: Ms. SLAUGHTER, Mr. ENYART, and Mr. HIGGINS.  
H.R. 1678: Mr. RANGEL.  
H.R. 1692: Mr. HOYER.  
H.R. 1696: Ms. BROWNLEY of California and Ms. SCHAKOWSKY.  
H.R. 1705: Mr. MILLER of Florida.  
H.R. 1706: Ms. EDWARDS and Mr. LEWIS.  
H.R. 1717: Mrs. MILLER of Michigan and Mr. YOHIO.  
H.R. 1731: Mr. TONKO, Ms. KUSTER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SCHAKOWSKY, Mr. GARY G. MILLER of California, Mr. MICHAUD, Mr. RANGEL, Mr. BERA of California, Ms. SHEA-PORTER, and Mr. CÁRDENAS.  
H.R. 1740: Mr. HENSARLING and Mr. LATTA.  
H.R. 1755: Mr. BARBER.  
H.R. 1756: Mr. KILMER and Mr. BUCSHON.  
H.R. 1761: Ms. BONAMICI and Mr. MORAN.  
H.R. 1767: Ms. VELÁZQUEZ, Mr. HINOJOSA, and Ms. KAPTUR.  
H.R. 1771: Mr. BERA of California.  
H.R. 1775: Ms. JACKSON LEE, Mr. GEORGE MILLER of California, Mr. ISRAEL, and Mr. YOUNG of Alaska.  
H.R. 1797: Mr. YOHIO, Mr. PERRY, Mr. AUSTIN SCOTT of Georgia, Mr. NUNES, Mr. MCCAUL, Mr. RADEL, Mr. ROSKAM, Mr. REED, Mr. GINGREY of Georgia, Mr. CRENSHAW, Mr. COLLINS of New York, Mr. BUCSHON, Mr. GRIFFITH of Virginia, Mr. JOYCE, and Mr. DIAZ-BALART.  
H.R. 1801: Mr. BRALEY of Iowa, Mr. TONKO, Mr. ENYART, Ms. LEE of California, and Mr. FRELINGHUYSEN.  
H.R. 1821: Ms. BONAMICI, Ms. ZOE LOFGREN, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MOORE, and Mr. LANGEVIN.  
H.R. 1825: Mr. HENSARLING, Mr. DUNCAN of South Carolina, and Mr. POMPEO.  
H.R. 1827: Ms. CASTOR of Florida.  
H.R. 1828: Mr. GERLACH.  
H.R. 1830: Mr. DEUTCH, Mr. POCAN, Mr. DIAZ-BALART, Mr. WELCH, and Mr. PAULSEN.  
H.R. 1842: Mr. POCAN.  
H.R. 1849: Mr. LAMBORN.  
H.R. 1867: Ms. ESHOO, Mr. TIERNEY, Mr. LATHAM, Ms. SCHWARTZ, Mr. BENTIVOLIO, and Mr. HIGGINS.  
H.R. 1869: Mr. CICILLINE, Mr. REED, Mr. CAMPBELL, Mr. HURT, Mr. ROE of Tennessee, Mr. WALBERG, Mr. HALL, Mr. PETRI, and Mr. HIMES.  
H.R. 1883: Mr. YOUNG of Alaska.  
H.R. 1909: Mrs. BLACKBURN, Mr. KING of Iowa, and Mr. MICHAUD.  
H.R. 1918: Mr. SHIMKUS and Mr. WELCH.  
H.R. 1921: Mr. VAN HOLLEN.  
H.R. 1931: Mr. DESJARLAIS.  
H.R. 1943: Mr. BLUMENAUER.  
H.R. 1950: Mr. ROTHFUS.  
H.R. 1962: Mr. WELCH and Mrs. CAROLYN B. MALONEY of New York.  
H.R. 1976: Ms. MCCOLLUM.  
H.R. 1985: Mr. STIVERS.  
H.R. 2000: Ms. SCHWARTZ, Mr. LOWENTHAL, Mr. COLE, and Mr. THOMPSON of California.  
H.R. 2002: Ms. BROWNLEY of California and Mr. KINGSTON.  
H.R. 2009: Mr. CALVERT and Mr. BOUSTANY.  
H.R. 2016: Mr. LOWENTHAL.  
H.R. 2021: Mr. DUNCAN of Tennessee, Mr. MULVANEY, Mr. MCCLINTOCK, and Mr. BENTIVOLIO.  
H.R. 2022: Mr. CHABOT, Mr. POE of Texas, and Mr. RENACCI.  
H.R. 2023: Mr. HUFFMAN.  
H.R. 2027: Mr. SALMON.  
H.R. 2051: Ms. CLARKE.  
H.R. 2053: Mr. SMITH of Nebraska.  
H.R. 2064: Mr. HASTINGS of Florida, Mr. BRADY of Pennsylvania, Mr. MEEHAN, Mr. TIBERI, Ms. SCHWARTZ, and Mr. COOPER.  
H.R. 2066: Mr. CRAWFORD and Mr. RAHALL.  
H.R. 2089: Mrs. MILLER of Michigan.  
H.R. 2092: Mr. BARR.  
H.R. 2094: Mr. THOMPSON of Pennsylvania, Mrs. BLACKBURN, Mr. LATHAM, Ms. MATSUI, Mr. KING of New York, and Mr. BURGESS.  
H.R. 2106: Mr. POCAN.  
H.R. 2112: Mr. SERRANO.  
H.R. 2137: Mrs. LOWEY.  
H.R. 2143: Mr. ROE of Tennessee.  
H.R. 2149: Mr. CRAMER, Mr. GRIJALVA, Ms. BASS, Mr. HASTINGS of Florida, Mr. MCGOVERN, Ms. CLARKE, and Ms. LEE of California.  
H.R. 2169: Mrs. CHRISTENSEN.  
H.R. 2175: Mr. NUNNELEE, Mr. HOLDING, and Mr. NUGENT.  
H.R. 2192: Mr. LABRADOR.  
H.R. 2199: Mr. FLEMING.  
H.R. 2207: Mr. BUCHANAN, Mr. TIERNEY, Mr. LATHAM, Mr. MEEHAN, Mr. BISHOP of New York, Mr. LOEBSACK, Mrs. LOWEY, Mr. CLEAVER, Ms. SLAUGHTER, Mr. RUSH, and Mr. LOBIONDO.  
H.R. 2231: Mr. MCCLINTOCK.  
H.R. 2239: Mr. DUNCAN of South Carolina, Mr. MULVANEY, Mr. GARRETT, Mr. SMITH of Texas, Mr. GOWDY, Mr. LABRADOR, Mr. HALL, Mr. YOHIO, Mr. DESANTIS, and Mr. CULBERSON.  
H.R. 2246: Mr. PEARCE.  
H.R. 2252: Mr. CRENSHAW.  
H.R. 2273: Mr. JOYCE and Mr. RIBBLE.  
H.R. 2278: Mr. ISSA.  
H.R. 2288: Mr. NADLER, Mr. CONNOLLY, Mr. SIRES, and Mr. PRICE of North Carolina.  
H.R. 2296: Mrs. KIRKPATRICK and Mr. RUNYAN.  
H.R. 2300: Mr. BUCSHON, Mr. LAMBORN, and Mr. WESTMORELAND.  
H.R. 2305: Mr. BUCHANAN.  
H.J. Res. 1: Mr. BENTIVOLIO and Mr. SANFORD.  
H.J. Res. 2: Mr. TURNER and Mr. YOUNG of Alaska.

H.J. Res. 43: Mr. HUFFMAN, Ms. ESHOO, Mr. FARR, Mrs. NAPOLITANO, Mr. WAXMAN, Ms. DELAURO, Mr. GRAYSON, Mr. DEUTCH, Mr. JOHNSON of Georgia, Mr. BRALEY of Iowa, Mr. DELANEY, Mr. KENNEDY, Mr. PETERS of Michigan, Mr. PALLONE, Mr. HIGGINS, Mr. DEFazio, Mr. VEASEY, Mrs. CHRISTENSEN, and Mr. McDERMOTT.

H. Con. Res. 4: Mr. McINTYRE.

H. Con. Res. 24: Mr. SCHOCK.

H. Con. Res. 28: Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Mr. RUPPERSBERGER, Mr. RUSH, Ms. LINDA T. SÁNCHEZ of California, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mr. NADLER, Mr. ANDREWS, Mrs. BUSTOS, Mr. GEORGE MILLER of California, Mr. MICHAUD, Mrs. KIRKPATRICK, Mr. SARBANES, Mr. YARMUTH, and Mr. VARGAS.

H. Res. 24: Mr. LATTA.

H. Res. 35: Mr. WILLIAMS, Mrs. BACHMANN, and Mr. GRIFFIN of Arkansas.

H. Res. 36: Mr. AMODEI.

H. Res. 63: Mr. HIMES and Mr. BENTIVOLIO.

H. Res. 75: Mr. LATHAM.

H. Res. 123: Mrs. DAVIS of California and Ms. SCHAKOWSKY.

H. Res. 189: Mr. CÁRDENAS, Mr. LARSEN of Washington, and Mr. ISRAEL.

H. Res. 211: Mr. SMITH of Washington.

H. Res. 220: Mr. POCAN and Ms. SLAUGHTER.

H. Res. 249: Mr. POLIS.

## SENATE—Tuesday, June 11, 2013

The Senate met at 10 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

### PRAYER

The PRESIDING OFFICER. Today we welcome back Rabbi Moshe Feller, director at Upper Midwest Merkos-Lubavitch House in St. Paul, MN, who will lead the Senate in prayer.

The guest Rabbi offered the following prayer:

By the grace of God, Almighty God, I invoke Your blessing today on this august body, the U.S. Senate. In their divinely inspired wisdom, the Founding Fathers of our blessed country, the United States of America, established a policy of separation of church and state. However, it was never their intention to separate our country from You, sovereign ruler of all mankind. Hence, both legislative bodies of our blessed country begin their sessions invoking Your divine presence and guidance in their legislation. Hence, in our Pledge of Allegiance we declare "one Nation under God," on our currency is printed "In God We Trust," and on the walls of this very Senate hall in which we invoke Your blessing is engraved in bold letters "In God We Trust."

Grant, Almighty God, that the Senators realize that in legislating just laws they are fulfilling one of the seven commandments which You issued to Noah and his family after the great flood as related in the book of Genesis and its sacred commentaries—the command that every society govern by just laws.

Almighty God, I beseech You today to bless the Senate in the merit of one of the spiritual giants of our time and our Nation, the Lubavitcher Rebbe, Rabbi Menachem Mendel Schneerson of saintly blessed memory, who passed away 19 years ago today. The Rebbe labored with great love, dedication, and self-sacrifice to make all mankind aware of Your sacred presence.

May his memory be for a blessing and his merit be for a shield for our government and our Nation, which he always referred to as "a nation of kindness." Amen.

### PLEDGE OF ALLEGIANCE

The PRESIDING OFFICER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 11, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,  
*President pro tempore.*

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks—and today we will hear from Senator MCCONNELL first—the Senate will resume the motion to proceed to the comprehensive immigration legislation. The time until 12:30 will be equally divided and controlled between the proponents and opponents of this legislation.

The Senate will recess from 12:30 until 2:15 to allow for the weekly caucus meetings. At 2:15 there will be a cloture vote to proceed to the immigration legislation. If cloture is invoked, the time until 4 p.m. will be equally divided, and at 4 p.m. there will be a vote on the adoption of the motion to proceed so we can begin debate on that legislation.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

### IMMIGRATION REFORM

Mr. MCCONNELL. Mr. President, at any given time in our Nation's history, lawmakers have been faced with many pressing challenges. Some, by their very nature, demand immediate action. Others simply build over time, so forcing action on them usually involves some combination of both foresight and persuasion.

The great challenge of our own day, in my view, is figuring out how to reform government programs that are growing so big so fast that, unless we act, they will eventually consume the entire Federal budget. This is an issue I have devoted a lot of time and energy to over the last few years and that I had hoped the two parties could resolve in a way that would win the support of the public and the markets. As it turned out, the President wasn't as interested in that kind of an agreement as I was, so last year I reluctantly concluded we wouldn't be able to do anything significant about entitlements anytime soon. Without Presidential leadership, something such as that is just simply impossible. Hopefully, the President will have a change of heart at some point on the most important issue of our time.

None of this means we can't try to do something about any of the other big issues we face, and that includes immigration. There may be some who think our current immigration system is working, but I haven't met them. I haven't met anybody who thinks the current immigration system is working. And as an elected leader in my party, it is my view that at least we need to try to improve the situation that, as far as I can tell, very few people believe is working well either for our own citizens or for those around the world who aspire to become Americans.

Everyone knows the current system is broken. Our borders are not secure. Those who come legally often stay illegally, and we don't know who or where they are. Our immigration laws last changed almost three decades ago, and they failed to take into account the needs of our rapidly changing economy. So what we are doing today is initiating a debate.

We are all grateful for the hard work of the so-called Gang of 8, but today's vote isn't a final judgment on their product as much as it is a recognition of the problem—a national problem—one that needs debate.

The Gang of 8 has done its work. Now it is time for the Gang of 100 to do its work—for the entire Senate to have its say on the issue and see if we can improve the status quo.

At the risk of stating the obvious, the bill has serious flaws. I will vote to debate it and for the opportunity to amend it, but in the days ahead there will need to be major changes to this bill if it is going to become law. These include, but are not limited to, the areas of border security, government benefits, and taxes.



I am going to need more than an assurance from Secretary Napolitano, for instance, that the border is secure to feel comfortable about the situation down on the border. Too often, recently, we have been reminded that as government grows, it becomes less responsible to the American people and fails to perform basic functions either through incompetence—incompetence—or willful disregard of the wishes of Congress. Our continued failure to secure major portions of the border not only makes true immigration reform far more difficult, it presents an urgent threat to our national security.

Some have criticized this bill for its cost to taxpayers, and that is a fair critique. Those who are here illegally shouldn't have their unlawful status rewarded—rewarded—with benefits and tax credits. So the bill has some serious flaws, and we need to be serious about trying to fix them. The goal should be to make the status quo better, not worse, and that is what the next few weeks are about. They are about giving the entire Senate, indeed the entire country, an opportunity to weigh in on this important debate to make their voices heard and to try to improve our immigration policy. What that means, of course, obviously, is an open amendment process.

Let me be clear. Doing nothing about the problem we all acknowledge isn't a solution. Doing nothing about the problem is not a solution, it is an avoidance strategy. The longer we wait to have this debate, as difficult as it is, the harder it will be to solve the problem.

We tried to do something 6 years ago and didn't succeed. We may not succeed this time either, but attempting to solve tough problems in a serious and deliberate manner is precisely what the Senate at its best should be doing, and that is what we are going to try to do in this debate.

#### UPHOLDING COMMITMENTS

Mr. MCCONNELL. Mr. President, it has now been 138 days since the Senate reached an agreement on the issue of whether we would violate the rules to change the rules—138 days since we reached an agreement. In that agreement, the Senate adopted two rules changes and two standing orders, and the majority leader made an unequivocal commitment, not contingent on his judgment of what was good behavior, but the matter was settled for this Congress. In fact, 2 years before that, he said it was settled for the next two Congresses.

So let's take a look at exactly what the majority leader's pledge was. This was back in 2011 when the majority leader said:

I agree that the proper way to change Senate rules is through the procedures established in those rules—

In those rules—

and I will oppose any effort in this Congress or the next—

The Congress we are in now—

to change the Senate's rules other than through the regular order.

So the commitment on January 27, 2011, was not just for that Congress but for the next one as well.

Then 2 years later, on January 24 of this year, I said in a colloquy with the majority leader:

I would confirm with the majority leader that the Senate would not consider other resolutions—

We had passed a couple of resolutions, a couple of rules changes, and a couple of standing orders—

relating to any standing order or rules this Congress—

That is the Congress we are in right now—

unless they went through the regular order process?

The majority leader said:

That is correct. Any other resolutions related to Senate procedure would be subject to a regular order process, including consideration by the Rules Committee.

Now, the regular order for changing rules is that the Parliamentarian would rule that it would take 67 votes to do that. But after these commitments were made both in January of 2011 and in January of this year, the majority leader has consistently repeated: In spite of what I said in January of each of the last 2 years, if Members are not on their best behavior, presumably, I will do this anyway.

So I mentioned to the majority leader publicly—privately for a long time and then publicly over the last few weeks—that I intend to ask him the question every day: Does he intend to keep his word?

That is critical around here. It is important for all Senators to keep their word, but it is particularly important for the majority leader, who has the opportunity to be, shall I say, more important than the rest of us because he gets to set the agenda and he gets to determine what the Senate will debate. He has the right of first recognition and, as he repeatedly reminds me in these colloquies, he will always have the last word. So I think the currency of the realm in the Senate is one's word.

So those are my observations today and will be my observations tomorrow until we get this established because I think the atmosphere in which the Senate operates, with this threat of a nuclear option holding over it, is not conducive to the kind of collegial environment we need in processing nominations and in processing legislation. We expect the majority leader to keep his word.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

#### IMMIGRATION REFORM

Mr. REID. Mr. President, it is important that everyone keeps their word.

I am pleased the Republican leader acknowledged that the immigration system is broken and needs fixing, and we will have a full and open debate on this over the next 3 weeks. That is very good. I am very glad to hear the Republican leader will vote to help us move forward on this legislation.

For 15 years, James Courtney fought for this country as a Member of the U.S. Army. He did that for a decade and a half.

For most of those 15 years, James' wife Sharon was at home in Las Vegas fighting being deported. She has lived in America since she was a young teenager. She speaks fluent English. She has three sons with her husband James, and he has been her husband for 13 years.

She has supported James through three tours of duty in Iraq where he was wounded significantly, suffered brain injury, and because of his wounds had to retire medically from the military. But because she is in the United States without the proper paperwork, she has lived with the fear that she, on any given day, would be deported back to Mexico and her family would be torn apart.

Servicemembers and veterans of the U.S. military—and their family members who support them—deserve a better life than worry and fear.

In March, just a few weeks ago, James and Sharon came to Washington. They came with hundreds of other immigrants who are concerned about being deported. They are concerned about immigration reform. They know the system is broken and needs to be fixed. This is what James said:

I did what my country asked me to do. Now I'm asking my country to keep us together for the sake of humanity and freedom.

James spoke about keeping his three American children together with the mother of those three children, his wife.

When I heard James and Sharon's story, I was recommitted to doing something to help them. And I did. Not only is Sharon a wonderful mother and wife, she is also caretaker to her disabled husband. Her family needs her.

Last month, James and Sharon learned that immigration officials have deferred her status, her deportation. She is no longer in immediate danger of being separated from her family.

See, Mr. President, she was a DREAMer, and that is who President Obama stepped forward to help. In effect, what this did is it allowed her to stay and care for her husband and three children. Her children are 16, 11, and 8 years of age.

While I was happy to help James and Sharon, it is unfortunate that they

needed any help in the first place. When our servicemembers are fighting overseas, they should be focused on the difficult and dangerous job they face—not worried about their family members back home.

Think about that. If she had been deported while he was overseas, what would the three boys do? Dad is overseas. They are Americans. They were born here.

No veteran of the U.S. military should have to fight to keep his wife, the caretaker of his children, by his side. Her story is compelling. Their story is compelling. But there are millions of stories just like it—stories of mothers and fathers terrified of being torn away from their U.S. citizen children; stories of young men and women fearful of being deported from the only country they know, they have ever called home; stories of families forced to live in the shadows despite coming to America in search of a brighter future.

There are 11 million reasons to pass commonsense immigration reform that mends our broken system—11 million stories of fear of being deported, fear of heartbreak, fear of suffering, and actual suffering they have facing them every day worrying about if they can go to the store, do they have to stay home. They certainly cannot travel. But for this fine young woman, that has been taken away because of President Obama.

These stories should motivate Congress to act. The bipartisan proposal before this body takes important steps to strengthen border security. It is remarkable what we already have there. We have drones, 700 miles of fencing. We have sensors. We have fixed-wing aircraft flying around with helicopters. We have 21,000 Border Patrol agents. But if there are ways people believe we could do better on security that is important, that is not just some reason to try to kill this legislation, let's take a look at it.

I spoke this morning with the chairman of the Homeland Security and Governmental Affairs Committee, Senator CARPER. He has some ideas. He is preparing amendments. I like Senator CARPER always. He is very thoughtful, and I am sure he will do something that he believes would improve the situation on the border. He has gone, as a member of that committee and chairman of that committee, all over the southern part of this country looking at what is happening on the border.

So the bipartisan proposal before the Senate takes important steps to strengthen border security. It also makes crucial improvements to our broken immigration system so families like James and Sharon's are never subject to this kind of anguish again.

While this legislation is not an instant fix for families, it does provide a pathway to earned citizenship. It does

not put them at the front of the line. It puts them at the back of the line. They have to stay out of trouble. They have to work, pay taxes, and focus on learning English. That is what it is about.

Passing meaningful immigration reform will be good for our national security, it will be good for the economy, it will be good for James and Sharon Courtney and millions of families just like them.

James is a veteran who sacrificed his time and his health to keep this Nation safe from harm. He is now disabled. We can at least thank him by keeping his family safe—and together.

#### RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 744, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 80, S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

Mr. REID. Mr. President, I would ask the Chair at this time to recognize the Senator from Hawaii, Mr. SCHATZ, who replaced Senator Inouye. I understand he is going to give his maiden speech in the Senate today. I would ask that the Chair recognize him.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

#### NATIVE HAWAIIAN GOVERNMENT REORGANIZATION

Mr. SCHATZ. Mr. President, today, June 11, marks a public holiday in the State of Hawaii, King Kamehameha Day, celebrated since 1872. We hold a statewide festival and mark the day with lei draping ceremonies, parades, hula competitions, and other festivities. It is a day to honor Kamehameha the Great, who unified the Kingdom of Hawaii, and to celebrate the rich culture and traditions of the Hawaiian people.

I chose this day to come to the Senate floor to talk about an issue of great importance to me and to the great State of Hawaii: Native Hawaiian government reorganization. It was a top priority of my immediate predecessors in this body, Senators Inouye and Akaka. For more than three decades, they worked together in the Congress to advance priorities important to Hawaii and to the Nation.

They made history at almost every step of their careers—securing dozens

of firsts in the House and in the Senate. But for the indigenous people of the United States, Senators Inouye and Akaka will be forever remembered for their work as members and then chairs of the Senate Committee on Indian Affairs, and for their advocacy on behalf of American Indians, Alaska Natives, and Native Hawaiians.

I want to acknowledge their legacy and to thank Senator Akaka for the role he continues to play in our great State and in the Native Hawaiian community in particular. Here is the reason I have chosen to carry forward this fight on behalf of Native Hawaiians: Simply stated, it is right to seek justice.

Native Hawaiians are the only federally recognized native people without a government-to-government relationship with the United States, and they deserve access to the prevailing Federal policy of self-determination. Opponents have argued that Native Hawaiians are not "Indians," as if the word applies to native people of a certain racial or ethnic heritage or is limited to indigenous people from one part of the United States but not another. This is misguided.

Our Constitution makes it clear. Our Founding Fathers understood that it was the tribal nations' sovereign authority that distinguished them from others. It was the fact that tribes were native groups with distinct governments that predated our own that justified special treatment in the Constitution and under Federal law.

In what is now the United States, European contact with native groups began in the 15th and 16th centuries on the east coast, and the 16th and 17th centuries on the west coast; while in Alaska and Hawaii, European contact was delayed until the 18th century. Throughout the centuries, a myriad of factors influenced how various native groups were treated.

The historical timeframe when policies and programs were applied to native groups may have been different, but what was consistent throughout were the Federal policies and actions intended to strip Native Americans of their languages, weaken traditional leadership and family structures, divide land bases, prohibit religious and cultural practices, and break communal bonds. These policies were as harmful and unjust to Native Hawaiians as they were to Alaska Natives and American Indians.

There was a thriving society that greeted Capt. James Cook when he landed on the shores of Hawaii in 1778. Prior to their first contact with Europeans, Native Hawaiians had a population of at least 300,000. They were a highly organized, self-sufficient society, and they had their own rules, laws, language, and culture.

In his journals Captain Cook referred to the indigenous people of Hawaii as

“Indians” because it was the established English term in the 18th century to describe native groups—regardless of their race, ethnicity, or their governmental structure. But just like many Native Americans and Alaska Natives on the continent, the name “Native Hawaiians,” chosen in their own language, was “*Kanaka Maoli*,” “The People.”

From 1826 until 1893, the United States recognized the independence of the Hawaiian Government as a distinct political entity. We extended full and complete diplomatic recognition and entered into five treaties and conventions with the Hawaiian Monarchs to govern commerce and navigation. These treaties are clear evidence that Native Hawaiians were considered a separate and distinct nation more than a century after contact.

But on January 17, 1893, the legitimate government of the Native Hawaiian people was removed forcibly by agents and Armed Forces of the United States. The illegality of this action has been acknowledged in contemporary as well as modern times by both the executive and legislative branches of our Federal Government.

An investigation called for by President Cleveland produced a report by former Congressman James Blount. The report's findings were unambiguous: U.S. diplomatic and military representatives had abused their authority and were responsible for the change in the government. As a result of these findings, the U.S. Minister to Hawaii was recalled from his diplomatic post, and the military commander of the U.S. Armed Forces stationed in Hawaii was disciplined and forced to resign his commission.

In a message to Congress in December 1893, President Cleveland described the events that brought down the Hawaiian Government as an “act of war, committed with the participation of a diplomatic representative of the United States and without authority of Congress.” He acknowledged that “by such acts, the government of a peaceful and friendly people was overthrown.” President Cleveland concluded that “a substantial wrong has thus been done which a due regard for our national character—as well as the rights of the injured people—requires we should endeavor to repair,” and he called for the restoration of the Hawaiian Monarchy.

The provisional government refused to relinquish power and in July of 1894 declared itself to be the Republic of Hawaii. The provisional government advocated annexation of Hawaii to the United States and began to lobby the Congress to pass a treaty of annexation.

Hawaii's Monarch at the time, Queen Liliuokalani, presented a petition to the chairman of the Senate Foreign Relations Committee and a formal statement of protest to the Secretary

of State. The petition, signed by more than 21,000 Hawaiian men and women, represented more than half of the Hawaiian census population and was compiled in just 3 weeks. It also included the signatures of approximately 20,000 non-Hawaiians who supported the return of the islands to self-governed rule. The “Petition Against Annexation” was a powerful tool in the defeat of the annexation treaty.

In the next year, proponents of annexation introduced the Newlands Joint Resolution, a measure requiring only a simple majority. The annexation of Hawaii passed with the much reduced threshold of votes and was signed into law by President McKinley in July of 1898.

For almost two centuries after the founding of our Nation, Federal policies of removal, relocation assimilation, and termination decimated Native communities and worsened the economic conditions for American Indians, Alaska Natives and Native Hawaiians. The policy of banning native language used in the schools was adopted by the Territory of Hawaii. Native children were punished for speaking Hawaiian, just as American Indians and Alaska Natives were punished for using their own languages in school.

The policy of allotting parcels of land to individual Indians began in 1887 as a way to break up the reservations and communal lifestyles. In 1906, it was expanded to Alaska Natives and in 1921 applied to Native Hawaiians. In an attempt to reverse the damage done by these policies since the 1920s, Congress has established special Native Hawaiian programs in education, employment, health care, and housing. Congress has extended to Native Hawaiians many of the same rights and privileges accorded to American Indians and Alaska Natives.

The Congress has consistently recognized Native Hawaiians as Native peoples of the United States on whose behalf it may exercise its power under the Constitution. In 1993, the Congress passed and President Clinton signed legislation known as the apology resolution, a formal apology by the Congress. This legislation recognizes that the overthrow of the Hawaiian government resulted in the suppression of the inherent sovereignty of the Native Hawaiian people and the deprivation of the rights of Native Hawaiians to self-determination.

It has been 20 years since the passage of the apology resolution. But the Federal Government has not yet acted to provide a process for reorganizing a Native Hawaiian governing entity. This inaction puts Native Hawaiians at a unique disadvantage. Of the three major groups of Native Americans in the United States: American Indians, Alaska Natives and Native Hawaiians, only Native Hawaiians currently lack

the benefits of democratic self-government.

An extensive congressional legislative and oversight record created over the last two decades and dozens of congressional findings delineated in Federal statutes establish these facts: Indigenous Hawaiians, such as tribes on the continental United States, formed a Native community with their own government and this political entity existed before the founding of the United States and Native Hawaiians share historical and current bonds with their community. Similar to tribes in the continental United States, Native Hawaiians have certain land set aside for their benefit pursuant to acts of Congress, including 200,000 acres of Hawaiian Homes Commission Act land and share an interest in the income generated by 1.2 million acres of public trust lands under the Hawaii Admission Act.

Although the Congress has passed more than 150 statutes to try to address some of the negative effects of earlier Federal actions, data reveal persistent health, education, and income disparities. Native Hawaiians experience disproportionately high rates of unemployment and incarceration, and Native Hawaiian children are over-represented in the juvenile justice system. Hawaiian families rank last in the Nation in average annual pay and face high rates of homelessness.

Separate is not equal. That is why I urge the Federal Government to treat Native Hawaiians fairly. It is long past time for the Native Hawaiian people to regain their right to self-governance. Two years ago, the State of Hawaii passed a historic measure to explicitly acknowledge that Native Hawaiians are the only indigenous, aboriginal, *maoli* population of Hawaii, and to establish a Native Hawaiian Enrollment Commission. My good friend and the former Governor of Hawaii John Waihee was appointed as chairman and is leading the effort to register Native Hawaiians. This landmark effort is widely supported by the State of Hawaii, our congressional delegation, and our citizens.

I wish to acknowledge the commission, commend its vital work, and urge Native Hawaiians to take advantage of this opportunity to help reorganize a representational government. The actions and commitments of the State of Hawaii and the Enrollment Commission are crucial. But in order to reach our goal, we must all work together. That is why today, on King Kamehameha Day, I call upon all of us to join in the fight for justice for Native Hawaiians.

I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the

time until 12:30 p.m. will be equally divided and controlled between the proponents and opponents, with the Senator from Alabama Mr. SESSIONS controlling up to 1 hour.

The Senator from Alabama.

Mr. SESSIONS. I yield to Senator CORNYN such time as he would consume.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, this afternoon we will have an important vote, some might say even historic vote, on the motion to proceed to the immigration reform bill. I was here in 2007, the last time that subject was on the floor of the Senate. It proved to be a divisive and tough issue that we could not get through.

But I think if there is one thing that I sense, in terms of my constituents in Texas and sort of the impression I get generally speaking, it is that the American people believe that the status quo on immigration is unacceptable. Some of our colleagues have actually called the status quo de facto amnesty because essentially there is lawlessness in our broken immigration system. What we need to do is restore law and order and predictability and make sure our immigration system works in the best interests of the United States. That is true in a number of ways that are included in the underlying bill as it was voted out of the Judiciary Committee.

So I will vote yes on the motion to proceed because I think it is important we take up this debate. The majority leader has indicated we are going to be debating this and offering amendments over the next 3 weeks. I think that is a good period of time for the American people to understand what is in the bill and to listen to pro and con debates and to make up their mind how they want their elected representatives to proceed.

Yesterday I talked a little bit about an amendment I will offer to the underlying bill which would ensure that the Federal Government finally makes good on its promise—its perennial promise, but it is an unkept promise—to secure America's borders. This will not be any surprise to the Presiding Officer or my colleagues that coming from a State such as Texas, with a 1,200-mile common border with Mexico, this is a subject near and dear to my heart and that of my constituents. It is something we need to get right.

The Democratic majority leader, in an interview with the press, called my amendment a poison pill. But I thought that was unusual and even curious because we had not shared the language of the amendment with him or anyone else at the time he gave it that characterization. But I believe the opposite is, in fact, true. If we do not guarantee results on border security, if we do not guarantee to the American people that

we actually are going to get serious about stopping the flow of people illegally crossing our southwestern border or the northern border, for that matter, I think we guarantee the failure of bipartisan immigration reform.

That is the real poison pill, failing to solve the problem and guarantee the results that the American people deserve and I think demand when it comes to dealing with our broken immigration system. If, in fact, by defeating sensible border security measures which guarantee implementation of border security, if by denying that, bipartisan immigration fails. Then the opponents of these sensible border security measures will have no one to blame but themselves, and that will prove to be the true poison pill.

For more than 25 years the American people have been told by Washington that it is actually serious about securing our borders. Of course, this became more urgent after 9/11 when we finally realized that although we were removed from places such as the Middle East, Europe, and Asia, we were not insulated by virtue of our proximity or a lack of proximity to these places. So we learned we are not safe in America just by ourselves; that we are vulnerable to attacks.

So this has given greater urgency to the importance of securing our borders and making sure we have a lawful immigration system that actually will work in the interests of the American people. We have also heard since 1986, when Ronald Reagan signed the first amnesty for 3 million people, it was premised on a promise of enforcement, and this would never ever happen again. The American people justifiably feel that the rug was pulled out from under them on that one when Congress and others undermined the enforcement measures that would make sure any future amnesties would no longer be required.

It is understandable and I believe justified for the American people to be skeptical about Congress when it makes promises without any means to implement guaranteed results. Back in 1996, Congress and President Clinton authorized a nationwide biometric entry-exit system to reduce visa overstays. Why is this important? Forty percent of illegal immigration occurs when people enter the country legally as tourists, students or otherwise, and they simply overstay their visa because we have not yet, in the 17 years since President Clinton and Congress authorized, indeed demanded an entry-exit system—it still has not been implemented.

In other words, the Federal Government has always said the right things when it comes to reassuring the American people, but it has never been able to translate those promises into results that are actually implemented. No wonder the American people are pro-

foundly skeptical. Do not take my word for it. As of 2011, the Department of Homeland Security had achieved operational control of less than 45 percent of the United States-Mexico border. That is according to a GAO report; 45 percent of the southwestern border with Mexico is operationally secure, in the opinion of the GAO. More recently, radar surveillance by a new technology called VADAR was reported in the Los Angeles Times to have been successful in showing situational awareness along the border where it was tested but that, in fact, the Border Patrol detained less than half of the people crossing the border.

That seems to be consistent with this idea of 45 percent operational control, where less than half of the people crossing were actually detained. A recent Council on Foreign Relations report showed similar security results—or failures I should say. Members of the Gang of 8, who I think have done the country a public service by bringing this matter to us, believe our goal should be 100 percent situational awareness of the southern border and a 90-percent apprehension rate of illegal border crossers.

This may surprise my colleagues, but I actually agree with those metrics and those standards: 100 percent situational awareness, 90 percent apprehension rate. Members of the Gang of 8 who brought us this legislation also believe we should implement a national E-Verify system so employers do not have to play police, and they can get a card they can swipe through a reader which will verify that a person who applies to work at their workplace is legally qualified to work in the United States.

I think absolutely that is good requirement. I agree with the Gang of 8's proposal. So I wonder why it is, why can they not take yes for an answer? If we agree on the standards they set, why can we not agree on sensible measures that will guarantee the implementation and the success of accomplishing the very goals they themselves have set?

The difference is simply that my amendment would require national E-Verify and a 90-percent apprehension rate and full situational awareness along the border, a biometric entry-exit system before immigrants transition from the registered provisional immigrant status—we will hear a lot about RPI—to legal permanent residency. This is the leverage Congress and the American people have that will demand implementation of these security measures at the border and elsewhere.

Meanwhile, while my results amendment would guarantee implementation of these provisions that have been long promised but never delivered by Congress, the Gang of 8 bill would authorize permanent legalization regardless

of whether our borders are ultimately secured, according to their own standards. In fact, their bill requires only substantial completion of a plan whose contents we haven't even seen yet. This is something that is supposed to be proposed by the Secretary of Homeland Security, but we don't know what that plan is going to be. There is no lever. There is no means of forcing the Department to actually implement it and to achieve the goal the Gang of 8 themselves have set.

My amendment contains a real border security trigger, while the Gang of 8 bill promises success but has absolutely no means to compel it. My amendment demands results, while the Gang of 8 bill is satisfied with just more promises, promises that historically have never been kept.

I want to reiterate: We agree on a number of things. We agree on the objectives for border security. We agree on the importance of worksite verification of the legal status of people who apply to work. That is an important part of immigration reform.

We agree on 100-percent situational awareness for our southwestern border, and we agree that the Department of Homeland Security should apprehend at least 90 percent of the people attempting to illegally cross the border. We agree on all of these realistic goals. The difference, once again, is that my amendment guarantees results, while the Gang of 8 proposal does not.

I will ask my colleagues who have done, as I said earlier, good work bringing this proposal to the floor why is it if we agree on the goals that you would disagree on the means to enforce those goals? It makes no sense to me. We don't disagree about as much as I think some people might suggest.

Another reason why I think this is not a poison pill is this is doable. The Gang of 8 said it is doable. I agree it is doable, but we need the leverage to compel the bureaucracy, Congress and everybody else, to actually make sure the American people aren't fooled again and the results that are part of the basic bargain contained in this bill are actually delivered.

Let me note a couple of other issues that I think need to be fixed in the underlying bill. Where the Gang of 8 would actually make it harder to prevent visa overstays by changing existing law, laws that have been on the books since 1986, my amendment has a border security trigger that will require a fully operational biometric entry-exit program at all seaports and airports.

Where the Gang of 8 bill would allow some criminals with violent histories to attain immediate legal status, my amendment would prohibit such criminals from gaining the benefits of RPI status or earn citizenship. Why should we reward people who demonstrated their inability or unwillingness to com-

ply with our criminal laws? Why should we reward them with a pathway or a possibility of earning American citizenship? These people ought to be disqualified. The hard-working otherwise honest people who want to come here and seek a better life should be granted the benefits of this bill while excluding violent criminals.

Where the Gang of 8 bill would prevent law enforcement from sharing information, my amendment would give law enforcement access to critical intelligence about threats to national security and public safety.

One of the great failures of the 1986 immigration bill was that law enforcement was banned from gaining access to information in the applications of people who applied for amnesty that was clearly fraudulent, that would have reflected organized criminal activity and that would have rooted it out. Unfortunately, this current bill, underlying bill, contains the same prohibitions against information sharing that were contained in the 1986 bill, which unfortunately resulted in massive fraud and criminality. We need to stop that and learn from the mistakes of the 1986 bill and not repeat that again. Adopting my amendment would address that.

Finally, where the Gang of 8 would do absolutely nothing to bolster infrastructure and personnel at land ports of entry along the southern border, my amendment would make sure resources are available to significantly reduce wait times, improve the infrastructure, and increase the personnel at our land ports of entry.

This is important because this personnel and this infrastructure serve the dual purpose. No. 1, it makes sure legitimate trade in commerce crosses our borders. Why is that important? Six million jobs in America depend on lawful cross-border trade. These people are dual use. What I mean by that is they are also available to make sure illegal crossing doesn't occur and that drug dealers can't move bulk drugs and other contraband across, and that human traffickers are stopped trying to exploit our land ports of entry.

One of the underlying premises of this approach is we need to separate the legal and the beneficial from the illegal and the harmful. When we do that, we can let our law enforcement personnel focus on the illegal and the harmful, while allowing those who are complying with our laws and are engaging in beneficial commerce with America. This creates jobs here in America and greater prosperity, and law enforcement won't have to spend or waste its time focusing on them so much.

I don't know how any objective observer could look at my amendment and call it a poison pill. I think it is a mistake, again, because at the time the majority leader called it that, we

hadn't even released the legislative language. I hope he and others will look at it carefully and work with us, because I think there is actually a path forward to bipartisan immigration reform that will secure our borders, eliminate the criminality in our system, and provide a legal means for America to be true to its values. It will look to its own economic self-interest in providing a pathway for legal immigration from the best and brightest, whom we ought to welcome with open arms.

I don't know how any objective observer could look at my amendment and call it a poison pill, especially because it embraces so many of the metrics included in the underlying Gang of 8 bill. All my amendment does is to guarantee results, rather than be satisfied with more promises that will never be kept.

This is the bottom line. Americans are tired of hearing endless border security promises without seeing any realistic mechanism for guaranteeing results. My amendment would guarantee such a mechanism, and it would guarantee the results Washington has long promised but never delivered.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Delaware.

Mr. COONS. Mr. President, I rise today to speak to the bill that will soon be before us, a bill to allow us a once-in-a-generation opportunity to tackle the complex challenges facing us in comprehensive immigration reform.

Immigrants have always played a central role in America's history, in our economy, in our culture, in our success as a Nation. Their importance cannot be overstated, but the system that makes it possible for immigrants to come here and contribute to that role is clearly in need of fundamental repair. America's immigration system today is badly out of sync with our values, and I believe it is up to us in the current Congress to fix it.

The earnest work of the group of eight Senators, the so-called Gang of 8, has given us, in my view, a once-in-a-generation opportunity that we must embrace. We cannot squander this moment and allow partisan politics, fearmongering, and mischaracterization of the underlying bill to get in the way of what we must accomplish in order to mend the rich fabric of our country and create a predictable pathway for legal immigration going forward.

I rise today to reflect on this historic opportunity to pass a comprehensive immigration reform bill that will make our country stronger, safer, and more vibrant for generations to come.

The legislation soon to be before this Chamber has earned such strong support in large part because it started as a bipartisan effort with Senators from

both sides of the aisle and different regions of the country drawing upon their own years of experience to produce a first draft. It confronted a wide array of problems with our badly broken current immigration system. It wasn't perfect, but it was a strong start, and I am extraordinarily grateful to the group of these eight Senators who put so much time and effort into laying that groundwork.

In the Judiciary Committee, Chairman LEAHY and Ranking Member GRASSLEY then led a markup, probably the first in my nearly 3 years here as a Senator, a full, robust, and historically open markup that achieved its goal of making the bill that comes before us stronger. They led an open and transparent process. They posted every proposed amendment online before the markup began so that each one could be thoughtfully considered by Senators, their staffs, and outside groups concerned about the bill.

The markup lasted 5 full days across 3 weeks, during which each Senator was permitted an unlimited opportunity to speak and offer amendments. This is the regular order of which so many more seasoned Senators speak with fondness, something more characteristic of the Senate's past than its present.

It led ultimately in the Judiciary Committee to 37 hours of markup debate. A great many of the amendments offered were accepted, Democratic amendments and Republican amendments. More than 300 amendments were filed. More than 200 amendments, if you consider first and second degree, were taken up, considered, and disposed of. More than 100 were offered by Democrats and Republicans. Ultimately, 136 of these amendments were adopted, all but 3 on a bipartisan basis. The bill was, as you know, ultimately reported out of committee with a healthy bipartisan vote of 13 to 5.

I am a member of the Senate Judiciary Committee. I too like all of my colleagues proposed amendments, studied my colleagues' amendments, debated those amendments, and ultimately I voted for this bill. I am proud of what the committee has accomplished.

I am proud that the bill is coming before us today, and it is stronger than the original bill, exactly because of the hard work done by the Judiciary Committee and the great leadership of our chairman, Senator PATRICK LEAHY of Vermont. It is stronger on border security. It is stronger when it comes to efficiency and using taxpayer dollars well, and it is stronger when it comes to fundamental fairness.

First, on border security, even the first draft of this bill offered by the bipartisan Gang of 8 contained historic levels of investment in improving border security. The bill's provisions to require control over the southern border and to mandate employment verifica-

tion nationwide were already groundbreaking before the markup in the Judiciary Committee began.

Still, amendments were adopted in committee that strengthened these measures even further. Despite the protestations of some that this was a partisan or a lopsided markup, let me briefly detail some that were adopted that I think strengthened this provision of the bill.

Senator GRASSLEY, Republican of Iowa, the ranking member, offered an amendment that expands the bill's border security goals and metrics to cover the entire southern border, so that all border communities will benefit from the enhanced security investments made by the bill, not just those that are considered high risk.

Senator HATCH, Republican from Utah, offered an amendment that will mandate biometric exit processing at airports, beginning at the 10 largest international airports in the United States and soon thereafter 20 additional airports.

The committee also adopted amendments to strengthen background requirements in the bill.

An amendment by Senator FLAKE of Arizona required those in RPI status to undergo additional security screenings when they apply to renew their status.

An amendment offered by Senator GRAHAM requires additional national security screening for applicants from countries or regions that pose a national security threat to the United States or that harbor groups deemed to pose a national security threat.

Some in this Chamber have claimed this bill does not do enough to strengthen the security of our borders. That is simply and clearly not the case. This bill will make our country safer, and I believe it will make our country stronger.

In terms of efficiency, something we talk about a great deal in the budget climate today, the amendments considered during markup also resulted in substantive changes to the efficiency of our immigration system and to the implementation of the changes demanded by this bill. Already the bill as drafted makes important steps to clear the long backlogs of immigrants waiting for green cards who already have been approved by the Department of Homeland Security. Removing the senseless, current, per-country caps is one part of the solution I am proud to see in this bill.

One of my adopted amendments will streamline, for example, discovery procedures in immigration court to cut down on the needless cost of responding to each and every discovery request currently done through the less efficient Freedom of Information Act rather than a discovery process more typical in court proceedings.

Senator GRASSLEY offered amendments that required audits of the com-

prehensive immigration reform trust fund established by the bill and of all entities that receive grants under this bill. These amendments will ensure the significant cost of enhanced border security is spent efficiently and appropriately.

Senators LEAHY and CORNYN offered an amendment that gives the Department of Homeland Security flexibility with respect to the fence strategy fund to leverage the best technology at our disposal to achieve that task. The amendment also requires consultation with relevant stakeholders and respect for State and local laws in the implementation of fencing projects.

Democrats and Republicans, coming together, working together, made this bill stronger. We did it in the Judiciary Committee, and we can do it here on the floor of the Senate.

Last, America's immigration system should reflect America's fundamental values, and right now, in my view, it clearly does not.

This bill does make our immigration detention and court systems fairer and more humane, but it does not fix all of the unfairness in our current system. Indeed, there are some painful sacrifices we have had to make in this bill, especially when it comes to families being united, families with their siblings, or the recognition of mixed-status LGBT families in our country who receive no Federal protection under this bill. But the Judiciary Committee did make progress in making the bill fairer on some fronts.

An amendment from Senator BLUMENTHAL will allow DREAMers serving in the U.S. military to apply for citizenship on the same terms as those under current law.

The committee also adopted an amendment that I cosponsored with Senator LEE to ensure individuals are notified when their name receives a nonconfirmation determination or further action notice in the E-Verify system—a protection for vital privacy concerns.

Two of Senator FRANKEN's amendments will make the E-Verify system fairer for small businesses by ensuring they won't be penalized excessively for innocent noncompliance. They will also provide incentives to keep the error rate as low as possible.

What we have now before us is a bill that has been thoroughly vetted, substantially amended, and supported by the broadest coalition ever before seen in comprehensive immigration reform efforts.

This bill strengthens border security.

This bill creates a path to legal status and strikes the right balance to encourage those here who are undocumented to come out of the shadows, comply with law, pay a fine, pay taxes, and become full participants in our national society and restore the primacy of the rule of law.

This bill makes advancements in worker protection. Through enhanced employment verification, we strike at one of the most pervasive problems for American labor: the widespread hiring of undocumented labor at substandard wages and working conditions.

This bill will have immediate and significant benefits for our economy. We should always remember that immigration has been and will continue to be a real boom, a lifeblood to our Nation's economy along all points of the labor spectrum. In addition to bringing millions out of the shadows and welcoming them as full participants in our society and economy, this bill will go a long way toward fixing our current backward-looking policies toward high-skilled immigrants who want to remain in the United States after receiving their advanced education.

In conclusion, I am proud of what this bill means for our country and what it has shown about our ability in the Senate to work together to advance meaningful changes to improve our Nation. There are no perfect laws, but considering just how broken our immigration system is now, it is unquestionably a giant leap forward. I am confident that if we can continue to work together on the floor here as we did in the Judiciary Committee, we will be able to find more common ground and continue to strengthen this bill in the upcoming weeks. We can make the most of this historic opportunity and finally build a modern immigration system that reflects America's values and makes our country strong.

Mr. President, I ask unanimous consent that time during the quorum call be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we have before us a 1,000-page bill that is extremely difficult to read and to understand. We are being asked to vote on it, and Majority Leader REID indicated that he wants a list of amendments, and presumably no more would be agreed to, and he is going to pick and choose which ones he would approve by the end of this week. I believe that is very premature. I do not believe that is the way we should be proceeding. We have to have the time to sufficiently analyze all the complexities that are here.

I have to say to my gang members who produced this bill, this tome, that you spent months working on it with

special interest groups and lawyers and the Obama administration's staff, and you produced a bill, and now we have to rush it through the Senate, and I don't think that is the right thing to do.

Let me read from one of the sections in the bill. And I hope my colleagues know that if they begin to read the bill, they will know how hard it is. This is not an easy bill to read. You have to study it, and you have to have lawyers reading it, and you have to find out what the exceptions are and what the limitations are and what the additions are. The lawyers who wrote it know. The Gang of 8 doesn't know, I assure you. They don't know all the details that are in this legislation. It is not possible for them to do so. The people who are writing it—the special interest groups, union groups, business groups, ag business groups, meat packers group, LaRaza, immigration lawyers association—all of them were working on it. They know what the impacts are.

But how about this section right here from the guest worker section. This is subparagraph (B), Numerical Limitation. This apparently has to do with the number of people who would be admitted: Subject to subparagraph (D), the number of registered positions that may be approved by the Secretary for a year after the fourth year referred to in paragraph (1)(A)(iv) shall be the equal of—get this—subparagraph (i), the number of such registered positions available under this paragraph for the preceding year, and, subparagraph (ii), the product of subparagraph (I), the number of such registered positions available under this paragraph for the preceding year, multiplied by subparagraph (II), the index for the current year calculated under subparagraph (C).

Do you think that is easy to understand? But it has meaning, and what it basically means is that this bill is going to allow more workers to come into this country than we have ever allowed before at a time when unemployment is extraordinarily high, our ability to reduce unemployment is down, wages are down, and our workers are falling below the inflation rate in their wages for years.

How about the second paragraph? Now, I am just reading this. So we are going to rush this through? Really?

Subparagraph (C), Index: The index calculated under this subparagraph for a current year equals the sum of subparagraph (i), one-fifth of a fraction, subparagraph (I), the numerator of which is the number of registered positions that registered employers apply to have approved under subsection (e)(1) for the preceding year minus the number of registered positions approved under subsection (e) for the preceding year and, subparagraph (II), the denominator of which is the number of

registered positions approved under subsection (e) for the preceding year.

I am sure we all got that. I am sure we know exactly what that means.

And it goes on: Subparagraph (iii), three-tenths of a fraction, subparagraph (I), the numerator of which is the number of unemployed U.S. workers for the preceding year minus the number of unemployed U.S. workers for the current year and, subparagraph (II), the denominator of which is the number of unemployed U.S. workers for the preceding year.

And then it goes on: Subparagraph (iv), three-tenths of a fraction.

It goes on.

Somebody knows what that means because you had special interests in charge of writing this big monstrosity. They were there. They wanted their deal.

I would say to my colleagues and to those in the Gang of 8—and I know they want to do the right thing and have worked hard, but they got off on the wrong track.

The papers reported for weeks: Well, the unions are here and the chamber of commerce is here and the ag workers and ag industry people are here, and they want more workers for this, and this one is demanding more workers for that. And our Senators are over here somehow letting them all hammer it out, and that is how this writing comes up. It came from them. The Senators didn't write this.

They knew exactly what they were doing. They were putting in numbers to get certain workers that businesses wanted so they can have more employees and they can keep wages down. That is what the scheme was—more workers, less competition for labor, loose labor market, fewer pay raises, less overtime, fewer benefits because the employer has options.

Remember, these are guest workers. These are not people on a citizenship path. They are not here to form corporations and hire millions of people and cure cancer. These are workers who come in and work for existing corporations. I would emphasize that some thought needs to be given to that. We haven't talked about that yet. We are going to talk about it.

This large of an increase in immigration into our country has real impact, and a lot of the numbers and a lot of the data that is out there has not been challenged, and the data indicates that we are already at a point where the flow of immigrant labor into America is depressing wages, and it is a big factor in the cause of workers' wages today being 8 percent, in real terms, below what they were in 1999. Wages haven't been going up. Democrats used to talk about it. They used to hammer President Bush on it all the time. Now that Barack Obama has been in office for 5 years, you don't hear them talking about it anymore. Well, Senator



SANDERS talked about it on the floor last week. I give him credit for that. Of course, he is an Independent. But I haven't heard my Democratic colleagues continue to repeat the fact that steadily we are seeing a decline in wage rates in America, making it harder for middle-class Americans to get by—and what about even finding a job?

So it is not a small matter. We are going to have to talk about this. We don't need to rush this through. It seems quite clear—crystal clear—to me that the Gang of 8 never discussed this. They certainly didn't call Professor Borjas at Harvard. Dr. Borjas is the leading expert on immigration and labor and the impact of it in America. He has written books on it. I believe his study says that a 40-percent fall in wages for American citizens is attributable to the current flow of immigrant labor into America. It pulls down wages. It is free market. If you bring more cotton into America, the price of cotton falls. If you bring in more labor, the price of labor falls. That is the way the market forces work. He said this is a factor right now. But we need to understand that if 15 million people are legalized virtually immediately and the guest worker program appears to double the number of people who will come in and the immigrant flow, permanent immigrant flow of people who want to become citizens will increase 50 percent, then we will have one of the largest increases in flow of labor to America we have ever seen, and we cannot get jobs with decent pay for American workers right now.

That is real out there. People are worried about their families. They are worried about their children's ability to get a job. They are worried about their grandchildren's ability to get a job. They are about to graduate from high school. They don't have a college degree. Maybe they don't plan to go to college. They are willing to work. Jobs are not that plentiful. Did you see the article, in Philadelphia, I believe it was, that they said they had job openings to try to help people who have had a criminal conviction in their background. They expected 1,000 people and 3,000 showed up. They had to cancel it and reset the whole deal because they interviewed people who said you cannot find a job in Philadelphia.

In New York, one of the boroughs of New York, there was a very interesting article just 2 weeks ago about job openings for elevator mechanics. People waited 5 days—they took tents out—to stay in line to try to get those jobs. The number of people waiting in line was 20 times the number of jobs that were out there or more. So we are going to reward people who entered the country illegally? We have to understand in this bill right here, if the bill is passed, the people who have come here—many are in the shadows and that is correct and that is a sad thing

and it is a difficult thing—but those individuals also will be able to go apply for the elevator mechanic job. They will also be able to compete for employment in Philadelphia, where right now they might not be so able to contribute. It raises real questions.

I wish to mention this. This is from this Saturday from the Washington Post. You heard that there are good job numbers, right? The job numbers were not so great it appears to me: 175,000 jobs were created last month, according to the Washington Post, based on new government data that was released Friday. The Labor Department said unemployment went up from 7.5 to 7.6, so the unemployment rate went up, even though the number of jobs was 175,000 created. What I wish to point out is this fact that is in the report:

The bulk of the gains in May were in the service industry, which added 57,000 jobs. Still, about half of those were temporary positions—

Those were temporary, not real jobs. I continue—

suggesting that businesses remained uncertain of consumer demand.

Missing from the picture were production jobs in industries such as construction and manufacturing.

Those were not the kind of jobs being created.

Meanwhile, manufacturing shed 8,000 workers.

American manufacturers reduced employment last month and those are the better jobs with the retirement pay and with health benefits that come with a good manufacturing company. We are creating more and more competition for lower wage jobs. The article goes on to say this in addition:

Some economists have raised concerns about the types of jobs being created. Sectors such as retail, restaurants, bars have been adding plenty of jobs, but those positions tend to pay low wages. Friday's report showed workers' average hourly earnings rose only a penny in May, to \$23.89. For the entire year, wages have risen 2 percent.

Again, that is below the inflation rate. Again, we continue to have this situation in which wages trail inflation, which means the average American is having a hard time getting by and many of these jobs are part-time, not permanent. They are the kind of jobs a lot of people would look to advance from, whether working in a restaurant or something such as that. They will be looking to move forward. The kind of manufacturing jobs we would like to see more of are not there.

I mentioned the work visas in this process. Despite a huge increase in the numbers of those who are going to be legalized and put on a path to permanent residence and citizenship, we have a large number of people in this total number. For example, under the bill, it is widely conceded that we would legalize 11 million people. They would be put on a path to legal permanent resi-

dence and into citizenship, 11 million, all of whom entered the country illegally and are here in violation of the law.

What is not mentioned is that there is another 4.5 million who are in—they call it a backlogged status. They are basically chain migration members, family members who want to come, but under our current law we have a cap, a limit on how many family members are allowed to enter each year. As a result, the backlog, they call it, has moved up to 4.5 million. So now we have people say this. They have been saying we should not give the 11 million here illegally advantage over people waiting in line. That was a problem for the Gang of 8. I can see them sitting around, dealing with that. How can we give somebody here, waiting in line patiently and lawfully, status behind that of someone who has been here working in the country with false documents, illegally? That wouldn't be right.

How did they solve that? As Washington does, they legalize them too. You say 4.5 million are waiting? They just let them come in too. We will be initially processing 15 million people. Then what about the annual future flow? Now it is the most generous flow in the world. We admit a little over 1 million people a year under our legal flow into the country. What about that? In light of all this accelerated admissions and legal status, should we reduce the number of people who are coming here each year lawfully now for a while? Oh, no, that is increased—50 percent, according to the Los Angeles Times. It could be more. I will accept that number. So instead of 1 million a year, that is 1.5 million. Over 10 years, that is 15 million. That results in 30 million people in 10 years being given lawful permanent status in America.

Already that is 10 percent of the entire population of America, and overwhelmingly this group is low skilled. Over half of the people here illegally do not have a high school diploma from their own home country and they are not able to take the better jobs. They will be competing for the lower wage jobs in America. If they are legalized, legal immigrants who entered the country a few years ago, they are going to find—maybe they were legalized in 1986, maybe they have come legally since, but that immigrant population is going to find their wages pulled down by this large amount of flow of labor into the country. I do not think there is any doubt about that. We will go more into detail about that as we go forward, but we are talking about 30 million being given legal status on a path to permanent legal residence and citizenship over the next 10 years.

They will be given that status. We have not discussed that.

I asked Senator SCHUMER at the committee twice: How many will be admitted under your bill? He refused to answer. I am not sure they know because these numbers are not all the numbers. There is an additional group of people who will come under the chain migration theory, the family-based connection and other special provisions in here that have no caps, no limits on how many would come. He refused to answer. The sponsors who are producing legislation for us today will not say how many people they expect to enter into our country if their bill passes. Why not? You don't know or you will not say? Either one is an indictment of this monstrosity and that is why it cannot pass.

Even Senator RUBIO is now saying he can't vote for the bill unless it is improved. He was in the Gang of 8. This is legislation that is flawed legislation, fatally flawed, and it should not become law—it just should not. They said a lot of good things about what they expect the bill to do. If it did those things, we would be more interested in it. We would have a framework for a bill that could actually do some good. I would say that for sure.

As we go forward, we need to ascertain with absolute clarity what the best economic data shows about how many people this country can absorb in a reasonable way and be able to provide a decent place for them to work without pulling down the wages of an already-stressed American workforce. We need to talk about that. So far as I can tell, that was never discussed in the groups. What was discussed pretty much in the groups, it seemed to me, was businesses demanding more workers, La Raza demanding more people and basically open borders and they were the ones writing the legislation, in large part. There were some union objections to some of this. It needs to be listened to.

Republicans say that is a union objection. If they make a good objection, so be it. I think they made some points but went along with this in a way that is not effective.

We have to talk about the economic impact of it and we will. We need to ascertain the second aspect: The 30 million people I just mentioned, those 30 million are people who come permanently. They are on a path never to return to their country. They have a legal status that allows them to get legal permanent residence and then get citizenship.

Normally, as I say, we do 1 million a year, which would be 10 million over 10 years. This will increase it to 15 million over 10 years, and that does not count the 11 million, plus the 4.5 million who will be given legal status. It is pretty clear to me it is indisputable that we will have 30 million people put on the path to citizenship in the United States of America, and I ask my col-

league, if they have a different number, they should share it with us. Maybe in these bills, subparagraphs, numerators and denominators and fractions and all, they have a different number. I would like to hear it. We think we figured it out. The Los Angeles Times agrees. The only analysis I have seen agrees with it, as best we can do in the time since the bill was introduced.

Then we have the worker programs. That is what I was reading about earlier. Let me mention those programs. These are programs that have generally been referred to as the guest worker programs. We believe, and I think data shows, that the bill doubles the number of guest workers who would be allowed into the country. Every year we bring in a certain number of people. Some work in agriculture, some work in landscaping, some work in others things. In a time of high unemployment, with Americans doing landscaping, Americans are working in meatpacking plants and doing farm work. But temporary, seasonal jobs are often hard to fill and guest workers can do that. I am not opposed to a guest worker program. But at this point in history, should it be double the number on top of the 30 million I just mentioned? This is an annual flow on top of that.

For example, it adds four times more guest workers than the 2007 bill that the American people and Congress rejected. There are four times the number of guest workers in that bill at a time when 20 million more Americans are on food stamps than in 2007. Teenage unemployment is 54 percent higher and median household income is 8 percent lower than in 2007?

Are we so desperate now we have to bring in twice as many guest workers? Where are they going to find work? Are we going to disappoint them? What if they cannot find work? Will they be able to say: Well, I will work for minimum wage?

What happens to the young American who is 20 and would like to do some work? Perhaps he has a child and is trying to learn a skill and get started as a carpenter, bricklayer, or equipment operator. Will that make his ability to find a job harder?

What if a young guy had a drug offense? I used to be a Federal prosecutor. Just because somebody was arrested and prosecuted for drugs, we don't want to make it so they can never get work again. Who is going to take care of them?

We know this: We know if people don't have a job, the government has transfer payments, such as food stamps, Medicaid, housing allowances, and other benefits. So now does the taxpayer have to pay for even more people who are subsidized by the government because they honestly cannot find a job?

My colleagues need to focus on this, and there has been almost no serious

discussion about it other than what we hear from certain squeaky wheels and special interests.

How many of our colleagues know the difference between the H-1B visa, the H-1B-B1 visa, the H-2A visa, the H-2B visa, and the H-4 visa? How many will come in under each one of them? What standards will they use? Do we actually have to make sure we have advertised and offered the job to an American first before using this visa?

Those are just the H visas. What about the W-1 visa, the W-2 visa, and the W-3 visa? There is also the E-3 visa, the E-4 visa, and the E-5 visa. Let's not forget the X visa and the Y visa. It goes on and on. That is how we have a doubling of the number of people coming in under the guest worker program.

Our sponsors have spent 4 months bringing this up. Clearly, they should have spent much more time because the bill is fatally flawed. The only thing that clearly works in the bill—the only thing that is guaranteed to work—is the amnesty. Once this bill has passed, it is guaranteed that people who are here illegally will be given legal status. They will then be placed on a path to legal permanent residence and then citizenship. That is what is guaranteed. All we have, as in 1986, is a promise that we will have enforcement in the future.

A lot of us have been around here for several years, and we know that is not going to work. This promise is just that, a promise. We don't have the backing to make it sure. Senator CORNYN has an idea that he thinks will strengthen that, and I know it will strengthen it.

Well, I appreciate the opportunity to share these thoughts. Senator CRUZ is now in the Judiciary Committee dealing with some other important issues of which I am glad that able lawyer is there. He will be speaking about this later.

Mr. President, how much time remains on this side?

The PRESIDING OFFICER. There is 17 minutes.

Mr. SESSIONS. Senator CORNYN indicated that the bill fails with regard to enforcement and enforcement at the border. I could not agree more. In 2007, Senator CORNYN spent a lot of time working on this bill. He proposed an amendment then that would have improved the border enforcement, and he is an expert at that. He is a Senator from Texas. He has wrestled with this over the years, and we should absolutely listen to him.

We also know this: The people who are out there enforcing the law every day are telling us the system is not working. They tell us changes and improvements need to be effected, and they are concerned this bill doesn't do it.

On June 10, the Rockingham County Sheriff's Office in North Carolina

issued a press release stating that more than 75 North Carolina sheriffs warned Congress that the Senate immigration bill would endanger public safety.

Well, that is a pretty serious matter. They say this:

In a short time, over seventy-five Sheriffs from across North Carolina, serving counties both big and small across this great state, have signed the attached letter opposing the current Senate immigration plan.

Our first responsibility and highest duty as Sheriffs is to provide for the safety of the citizens residing in the communities we serve. Unfortunately, this flawed bill which was produced by the "Gang of Eight" puts the public safety of citizens across the U.S. at risk and hampers the ability of law enforcement officers to do their job.

They go on to say:

This Senate Bill should be opposed by lawmakers and instead, Congress should work with law enforcement on reforms that we already have, and were willing to propose, that will enhance public safety.

Kenneth Palinkas, American Federation of Government Employees Union president and affiliated with the AFL-CIO, wrote this letter:

There has been much public concern over the fact that the legalization occurs prior to any border enforcement. Indeed, from what I understand, every amendment offered in committee which made legalization contingent on first achieving border security was defeated. History tells us that future promises will not be kept and that our border agents will be left high and dry by the executive branch as they have so many times before, regardless of who writes the plan.

This is the head of a Federal employees union who represents law enforcement officers—I think the biggest one. He goes on to say:

But even if you completely rewrote your proposals to resolve the many border security concerns and changed the ordering to delay legalization, the legislation would still fail and would still endanger the public because of the fatally flawed interior enforcement components.

He goes on to say:

If passed, S. 744 would lead to the rubber stamping of millions of applications for both amnesty and future admissions.

He goes on to say:

Why should the Senate pass a bill that makes it even more difficult for the USCIS officers—

They are the citizenship and immigration officers—

to identify, remove, and keep out public safety threats.

Maybe those people are criminals in their own countries. What does a person do if they are about to go to jail in another country in the world? Well, if they can flee the country and get to the United States, that is not a bad thing. Over the last decade, we are seeing more criminals who are a part of the mix of the very fine and decent people who come to the country because they are perhaps, in effect, fleeing prosecution in their own country.

What about the ICE officers, the Immigration and Customs Enforcement

Council? They wrote a letter with Pennsylvania and North Carolina sheriffs, as well as sheriffs nationwide, on May 29, and they say this:

Congress can and must take decisive steps to limit the discretion of political appointees and empower ICE and CBP to perform their respective missions and enforce laws enacted by Congress.

This is a bold statement. These people work for the President of the United States—or at least as part of the administration. Two years ago ICE officers voted no confidence in their supervisor, John Morton, because they said he spends more time dealing with pro-amnesty groups and directing them not to enforce the law than doing his duty. They have actually sued Secretary Napolitano and Mr. Morton for blocking them from executing plain congressional mandates. They believe they have no other obligation than to enforce this. They have to do it, but they have been told not to do it.

They say:

Rather than limiting the power of those political appointees within the DHS, S. 744 provides them with nearly unlimited discretion, which will serve only to further cripple the law enforcement missions of these agencies.

I have talked to these officers. They asked to be a participant with the Gang of 8 in writing this legislation, and they were refused. They asked repeatedly. They warned that this was not going to work. They never wanted to hear from the people who enforced the law every day. They wanted to hear from the amnesty crowd, and that is who they met with. They wanted to hear from the big business guys who want more cheap labor, and that is who wrote the bill. They didn't listen to the people who deal with this and put their lives on the line.

This letter continues:

While business groups, activists, and other special interests were closely involved in drafting S. 744, law enforcement personnel were excluded from those meetings. Immigration officers, state, and local law enforcement working directly with the nation's broken immigration system were prohibited from providing input. As a result, the legislation before us may have many satisfactory components for powerful lobbying groups and other special interests, but on the subjects of public safety, border security, and interior enforcement, this legislation fails. It is a dramatic step in the wrong direction.

That is a pretty resounding condemnation, and I think that is fundamentally correct because I met with them. I asked that group of people to meet with them, and they would not do it.

Participants on the recent calls that discussed this bill and how to promote it include the heads at Goldman Sachs, the Business Roundtable, Evercore, Silver Lake, Centerbridge Partners, the U.S. Chamber of Congress, as well as the head of Washington trade groups representing banking industries, such as, the Financial Services Roundtable.

They all had input into it and were involved. I guess they made contributions to it.

On June 10, Thomas Hodgson, sheriff of Bristol County—from Massachusetts—said:

I have grave concerns about illegal criminals being eligible for citizenship and gang members being permitted to qualify for RPI status, registered provision immigrant, legal status once they renounce their affiliation. Most troubling, however, is the fact that we do not have adequate systems in place such as biometrics to verify identification for people entering or leaving the United States. Announcing that biometrics will be available at our 30 busiest airports serves only to limit illegal entry at those locations, diverting illegal entry to those locations without the superior technology.

The sheriff said:

I ask you to make it known to your senators and representative that they vote no on passage of S. 744 until a comprehensive security plan is in place.

Peter Nunez, former U.S. attorney in San Diego, a great U.S. attorney whom I had the honor to serve with, said this:

But of greatest concern is the so-called "trigger" that we are told will delay the path to citizenship until the border is secure.

That is what they are saying. We have this thing in place, and until we guarantee the border is secure, the legalization doesn't happen. We have demonstrated already that is absolutely ineffective.

Mr. Nunez goes on to say:

This is an illusion meant to fool the public into believing that amnesty will only take place after the border is secure. Nothing could be further from the truth. Because on Day One, every one of the 11 million illegal aliens will be eligible for a temporary document allowing them to stay and work in the U.S., their two most important goals.

He was a U.S. attorney on the California border and he worked with these issues and understands them. He had the responsibility of prosecuting cases by the thousands—probably hundreds of thousands, frankly. Former U.S. Attorney Nunez is a very wise and experienced person.

Pinal County Sheriff's Office, Florence, AZ, Sheriff Babeu said to secure the border first or we will repeat history. Quote:

Pinal County Sheriff Babeu has announced his opposition to the proposed immigration reform offered by the so-called "Gang of Eight." Officially titled the "Border Security, Economic Opportunity, and Immigration Modernization Act of 2013."

Sheriff Babeu said:

We must secure the border first, prior to any discussion of green cards and a path to citizenship offered to nearly 20 million illegals and their families. This plan gives everything to President Obama up front, while border security is promised once again on the back end. We are about to repeat history, when in 1986 President Reagan gave amnesty to 2 million illegals. Now, the stakes are far higher, yet it seems we haven't learned our lesson. The failure to secure the border after the Reagan amnesty got us to where we are today with 11 million

to 20 million illegals in our Country. . . . This plan will repeat history.

I think he is exactly right about that.

Chris Crane, the head of the ICE union, is outspoken about this. He has testified before the House. He has had press conferences here in which I participated with him. He has warned this will make America less secure, not more secure. He warns it makes the ability of the ICE agents to enforce the law, already handicapped, even more problematic. He says the bill gives to the Secretary essentially more discretion to violate the law than the Secretary has today. In fact, the orders and directives and policies they are giving to the ICE officers about how to do their job are currently in direct violation of the law. This bill ratifies that by explicitly giving statutory authority to the Secretary to make all kinds of waivers for other matters. That is not the way to give confidence to America.

Mr. President, I don't know what our time is. I see no one else on the floor. I don't want to take anybody else's time, but if I yielded the floor, I guess their time would run against them anyway.

The PRESIDING OFFICER. There is 2 minutes remaining.

Mr. SESSIONS. I thank the Chair.

Our law enforcement officers are frustrated. We have three major law enforcement groups, including Border Patrol, which was given considerable funding after the failure of the 2006 and 2007 comprehensive immigration bill, and they have enhanced their efforts as a result of that, but we still are not where we need to be at the border. Indeed, since the announcement of this possible amnesty, illegal entries have increased significantly on our borders. The number of people arrested is considerably higher this year than last year, and 55,000 of the 90,000 people—90,000 who have been arrested this year since January—were not from Mexico; this was primarily on the Mexican border—but from other countries. Some of the countries have a history of terrorism. Senator CORNYN has talked about that previously. We have a surge of it happening, and they are concerned about it, about protecting their officers.

Customs and the citizenship and immigration officers are the people who will process the amnesty claims and the requests to be treated as lawful residents that will occur after this bill passes. They are the people who deal with those who make application to come to the United States, and they are the people who process the pathway to citizenship for everybody. They have explicitly voted in opposition to this legislation. They say it does not work. I just read a quote from the head of their union. The ICE officers who deal with all of the interior enforcement—

they apprehend people who have been convicted of crimes and are in State and local jails who are noncitizens or who are illegally here and they are supposed to deport them—have been consistently out front pointing out how they have been restricted in their ability to do their job, and that if this bill passes and the vast majority of those here illegally are legalized, they are not in the future going to be placed in a position where they can do their job. They are not going to be placed in a position where they can effectively manage the interior enforcement in America. They say the bill will make us less secure, not more secure. How wrong a direction could that be?

So those are the things we have to get a grip on here. That is why the legislation cannot become law, and I don't think—it won't become law as it is written today. That is the truth. One way or the other, it will not become law, because it is fatally flawed.

I thank the Chair for the opportunity to share these remarks as we begin the discussion on one of the great issues of our time: immigration. It has to be done right. The American people are rightly, as are these law officers, concerned that we are about to do another 1986, that we are going to give immediate lawful status to millions of people who came here illegally on the promise we will enforce the law in the future. But when we read the bill we can see that won't happen, and we will be sending another message worldwide that the United States is such that if one can get into our country illegally and hold on for long enough, that person too will be a beneficiary of the third major amnesty that occurs.

So that is where we are.

I thank the Chair and yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Mr. President, I am happy to be on the floor today as we get ready to proceed to the immigration bill and start to debate it. I wish to lay out a couple of points as we move forward on this debate which I fully anticipate we will do. We need to do so as a country, actually for many of the reasons my colleague from Alabama raised, because of these problems we face with regard to our immigration system.

Let's take a step back and analyze the issue a little while for the people who are tuning in for the first time or maybe people are visiting Washington and are perhaps listening to us talk

about it, to provide a fundamental understanding of what we are addressing. Let's begin by saying the obvious, which is that all Americans understand immigration because it is their story, whether it is you, your parents, grandparents, great-grandparents, or great-great-grandparents. One of the defining characteristics of the United States of America is that it is literally a collection of people from all over the world or descendants of people from all over the world who have come here in search of a better life.

I think it is important to understand why that distinguishes us from the rest of the world and the attitudes of the rest of the world throughout history. If we look at the countries that have been organized throughout human history, the nation states, all of these countries have largely been organized because these people had a common ethnicity or a common race or they came from the same tribe or the same family clan or what-have-you. The United States is very different. The United States was actually founded on the notion that we are going to create a country that believes fundamentally in the God-given right of every single human being to go as far as their talent and work will take them. People such as myself who have been born and raised here our entire lives, sometimes we take that for granted, but we need to understand that throughout history it is a rarity. In fact, throughout history, what people have been told by their leaders is: You can only go so far in life because that is what your parents did, that is where your parents come from, so that is all you are allowed to do. But we were different, and thank God we were.

What we said is, We don't care how poor you were the day you were born; it doesn't matter to us that your parents weren't well connected and well heeled; we don't even care that you are from another country. If a person wants to work hard and build a better life for him or herself, we want that person. That has been the history of the United States: a collection of go-getters from all over the world who have come here and built this extraordinary country and, as a result, the influence this country has had not just on human history but even to modern day is unbelievable culturally and economically, in terms of ensuring peace, especially in the aftermath of World War II. All of it is the result of this particular reality about who we are as a people and as a Nation. We have always had immigration, and we will always need immigration, to keep the nature and the essence of who we are as a people.

But times change and the immigration system has to change with those times. In essence, the immigration system we had 100 years ago, 150 years ago—people forget this: What was the

immigration system of the United States? Not so long ago, this was the immigration system in the United States: If you got here, you were allowed to stay. If you made that dangerous voyage across the Atlantic, if you found your way to this country, if you were processed through Ellis Island or somewhere else, you were allowed to stay. We can't do that anymore. We have to have a controlled immigration system, especially in the 21st century, to measure who is coming here, who they are, and why they are here. That is the way it has to work now in the 21st century. We understand that.

Adding to that, by the way, is the reality that the 21st century is so different from the 20th. We are actively engaged in global competition. It wasn't so long ago, such as when my parents came in 1956, the United States was still a national economy. The people we traded with and sold with and competed against lived in this country, probably in one's own State or in one's own community. No more. Today we are actively involved in global competition for business, for clients, and for talent, so we have to understand our immigration system has to reflect these changes. The way people immigrate and who immigrates here now has to reflect the 21st century reality, which is reason No. 1 why this country needs immigration reform.

All the attention is being paid to illegal immigration, and, look, that is a serious problem. I am going to talk about that in a moment. But issue No. 1, the fundamental reason we have to do immigration reform, is because we do not have a 21st-century immigration system. Our immigration system today is largely built on the idea that if you have a relative living here, it is easier for you to come than if you have a special skill or talent that you are offering to the country to contribute.

We do not have a merit-based system, we have a family-based system. I say that as someone whose family came on a family-based system. My parents came here because my mom's sister claimed her in 1956. But the country is so different, the world is so different—so different from 2006, not to mention 1956—and our immigration system has to reflect that.

The problem is we have a broken legal immigration system. It does not reflect the realities of the 21st century. The result is that even if we did not have a single illegal immigrant in the United States, we should be on the floor of the Senate debating immigration reform because we must modernize our legal immigration system. That, as much as anything else, is the reason my colleagues should be excited about the opportunity to have this debate, because we have to modernize our legal immigration system so it is a benefit to our country.

I give this anecdote because I think it is appropriate: We are in the NBA finals—which, by the way, the Miami Heat won game 2 in a resounding fashion, and we are very happy about that. We will see what happens tonight. But imagine for a second if there was now the hottest basketball player in the country, who played at some college in the United States—6 feet 10 inches, never misses a shot, just an unbelievable player. Do you think in your wildest dreams we would ever let that person go play in Italy or Spain or some other country? There is no way in the world we are going to allow the best basketball player in the world—no matter where they were born, no matter where they came from, no matter their immigration status—there is no way in the world we are going to let a future NBA star leave the United States and go play basketball in some other country, in a European league or the Greek league or whatever. They are going to stay here.

So my question to you is, If that is how we approach sports—which is important, I guess, but it is a game—shouldn't that be the way we approach our economy? Should we be deporting the best graduates at some of our universities—world-class physicists and scientists and people in technology and engineering and math? Yet that is the way functionally our immigration system works right now. I am not making this up. We have heard the testimony. We have heard the people who come into our offices. There is not a Member in this body who has not had a meeting in their office, or their staff has not, with someone from the tech community who will come to you and say: We are going to college campuses, we are making job offers to the best and brightest, and we cannot keep them here—not because they do not want to stay here, not because they are not qualified, not because we do not have a job opening, but because we cannot get them a green card or a legal status. So they are learning at our universities, at the expense of the American taxpayer, and then they are leaving the United States to compete against us.

That makes no sense, nor does, by the way, the system of getting workers for agriculture, which I would argue in many respects is skilled labor. If you do not believe me, go watch some of these people in the fields as they work, doing the work they do.

But American agriculture, you talk about energy security. If you want to cripple a country, cripple their food security, cripple their agricultural security. Agriculture is an important industry in most of the States of the country and certainly for the United States of America. That industry depends on a workforce, and there is a demand for labor in that workforce. The fact is, and has been for over 100 years, that the only way to fully fill all the

jobs available in agriculture is through seasonal and temporary labor from abroad. There is a real demand for that labor, and there is a real supply of people who want to do that labor. Supply and demand will always meet. But because we do not have a functional legal immigration system that allows the supply of foreign workers to meet the demand of domestic jobs in agriculture, supply and demand are meeting, but they are meeting in a chaotic and broken way. That needs to be reformed, as well as a bunch of other aspects.

The immigration system is very bureaucratic and complicated. In fact, our broken legal immigration system is one of the leading contributors to illegal immigration. Over 40 percent of the people in this country illegally today came legally. They did not jump a fence. They did not sneak in. They came on some sort of temporary visa and they overstayed it. One of the leading reasons they overstay is they think it is too costly, too time-consuming, and too bureaucratic to come back again legally in the future.

So I guess my point is, even if we did not have a single illegal immigrant in the United States, we need to do immigration reform because we must modernize our legal immigration system, and it must reflect the 21st century.

The second point I will make to you is our immigration laws are only as good as our ability to enforce them. We do not have enforcement mechanisms that work. All the attention is paid to the border, and it should be, because the border is not just an immigration issue, it is a national security issue. That means the same routes that are used to smuggle in immigrants can be used to smuggle in weapons and terrorists and other things—and drugs.

So we must secure the border. That is not easy to do because there is no such thing as one border. The border is broken up into about nine different sectors. Some are doing much better than they ever have; others are not doing very well at all. We must secure the border of the United States for national security reasons as well as immigration reasons. I know it is hard to do it, and I know there have been efforts in the past that have failed, but I am telling you that I refuse to accept the idea that the most powerful country on Earth, the Nation that put a man on the Moon, is incapable of securing its own borders.

Our sovereignty is at stake in terms of border security. Border security is not an anti-immigration or anti-immigrant measure, it is an important national security measure. But it is also an important defense of our sovereignty. We must protect our borders.

Likewise, we have to understand that even if we protect our borders, the magnet that is bringing people to the United States is employment. So we

have to create a system, which we are capable of doing in the 21st century, we must create a system that allows employers to verify that the person they are hiring is legally here; hence, all this talk of E-Verify. Last but not least, because 40 percent of the people who are here illegally entered legally, we have to have a system that tracks when visitors enter and when they leave.

My colleagues will tell you that is already required by law, and it is. The problem is that the way it is required right now will never work. That is why this bill deals with that. We have to have a system so when you are visiting the United States on a temporary visa—as a tourist, on business, whatever it may be—we track you. You log in when you come in and you log in when you leave.

Every hotel in America knows when their guests come in and when they leave. Every hotel in America knows that. Multiple businesses track people when they come in and when they leave. We do this every single day as a matter of routine in our lives. The Federal Government should be able to do that, and it must do that. This bill requires that they do that, and it creates a real incentive to do that, and I will talk about that in a moment. But, basically, the incentive is that the green card process, for those who are here illegally in this country—that does not start until that system is fully in place. By the way, it also does not start until E-Verify is fully in place. These are significant security measures we must undertake.

When you hear people say: Well, the bill weakens the status quo and the law, the problem is that the status quo is not working. There is a reason we have 11 million people here illegally, and it is because the status quo—the current law—there is a flaw in it. There is a flaw in E-Verify. The flaw in E-Verify is that you basically show up at your employer and you show them a Social Security card. It may not be your Social Security card, but that is all you have to show them. It is happening all the time. People are either falsifying the document or borrowing someone else's, and they are using someone else's legal documentation to find a job.

We have to create a new E-Verify, one that allows us to verify that the person holding that card is actually that person; otherwise, arguing in favor of the status quo is arguing in favor of continuing the fraud. We have to stop that from happening. So we have to have security elements as part of this bill—border security, E-Verify, and entry-exit tracking.

The last issue—and it is the one that gets all the attention—is what to do with the people who are here illegally now. Let me begin by saying to you that I do not know anyone who is

happy about the fact that we have approximately 10.5 million to 11 million human beings living in the United States illegally. I would also remind you that every one of their stories is different. I would caution people not to lump them all into one basket because they are all very different. Some came legally and overstayed, others entered illegally and have been here ever since. Some came in as very young children and did not even know they were illegal until they tried to go to college. The point is there is real diversity in that group of people.

So we have three options. Option No. 1 is we can ignore it, leave it the way it is, pretend it is not there. I think if this bill fails, or efforts like it fail, that is exactly what will happen. For those who oppose amnesty, I would tell you that is *de facto* amnesty. *De facto* amnesty is having 11 million people living among you illegally. The only consequence to it is they do not have documentation. Obviously, they are working somewhere because they are providing for their families. They do not qualify for any Federal benefits. They are all around us, everywhere you look, whether you know it or not. They are here. Most have been here for longer than a decade. We can ignore it, but if we do, if we leave it in place, if we do nothing—if we do nothing—if this bill fails and we do nothing, that is *de facto* amnesty.

The second option is we can make life miserable for them. We can basically put E-Verify in place, continue to secure the borders, and make life so tough on people that they will just leave on their own.

I do not think that is a practical approach. I do not think it works. I do not think most Americans would tolerate what we would have to do in order for that to happen. I do not think most Americans would tolerate the humanitarian costs of approaching it that way. At the end of the day, I still think many will not leave anyway. They will figure out a way to survive and endure. I do not think that is a practical approach. If someone else thinks it is a practical approach, I would encourage them to come to the floor and convince me otherwise, come here and explain to us why we should try to do that. I have not heard anyone make that argument. I am not saying anyone is, which proves my point.

What is the third option? The third option is to deal with it, to deal with it in a way that is reasonable and compassionate, but also in a way that is responsible and good for the country. That is what we have endeavored to do as part of this bill.

So let's be clear what this bill does. First and foremost, this bill says to people who are here illegally: Come forward. We have a process for you that you are going to have to undergo if you want to be in this country legally. Here

is the process: No. 1, you are going to have to undergo a background check. They are going to have to fingerprint you. You are going to have to undergo a background check for national security and for crimes. If you have committed serious crimes, you are not going to qualify for this legalization.

You are going to have to pay an application fee. You are going to have to pay a fine because that is a consequence of having violated our immigration laws.

When I hear the word “amnesty” used, it reminds me that amnesty means the forgiveness of something. We have seen amnesties all the time. I was recently in the great State of Hawaii. We had a great visit there, a personal visit. They have a box called an amnesty box. It allows you, when you get off the airplane, if you have any banned agriculture—plants, fruits, or whatever—to put it in the bucket, no questions asked. That is amnesty. Amnesty is turn it in and nothing will happen to you, no price to pay. That is not what this bill does.

This bill says: Come forward, and you are going to have to undergo a background check for national security, a background check for crimes. You are going to have to pay a fine. You are going to have to pay an application fee. You are going to have to get gainfully employed and start paying taxes. You are not going to qualify for any Federal benefits—no ObamaCare, no food stamps, no welfare, nothing. That is all you are going to be able to have for 10 years, which leads me to my second point about the legalization.

There is this notion out there that this is permanent legalization, that once you get this you are legal forever. Not true. This is like all other non-immigrant visas. This is renewable. Under the program we envision in this bill, every 6 years you are going to have to come forward and reapply. Every 6 years you are going to have to come forward and undergo all the same things again—another fine, another application fee, another background check. In fact, when you go renew it the first time, you are going to have to prove you have been gainfully employed and paying taxes for the previous 6 years.

The legalization that people are going to be able to get, the so-called RPI—registered provisional immigrant—the key word there is “provisional.” It is not permanent. There are people who are going to qualify for RPI at the beginning who, when it comes time to renew, are not going to qualify because they were not gainfully employed and paying taxes, because they committed a crime, or because they cannot pay the fine. That is going to happen. We do not think it will be prevalent, but it will happen. It is not permanent; it is provisional.

The third aspect of it is that once you have been in RPI for 10 full years—



after you have been in RPI for 10 full years, which means the first 6 years, and then you reapplied and qualified, and you have been in it another 4 years—then here is the only thing that happens: The only thing that happens is that you are now qualified to, you are eligible to, apply for a green card. It does not mean on the 10-year anniversary of getting RPI you show up at some office and say: I am here. Give me my green card. That is not true. You have to apply for it. You have to undergo the same green card process, with all the same checks and balances.

I have filed an amendment to improve it even further. I am saying when you apply for that green card, after the 10-year period and more has expired, you are going to have to prove that you are proficient in English because I think assimilation is important. I think assimilating into American society is important. I think learning English is not just important for assimilation, it is important for economic success. You cannot flourish in our economy, you cannot flourish in our country if you are not proficient in English. We are going to require that at the green card stage.

Now, what is the debate here going to be about over the next few weeks? Well, a couple things are going to have to happen.

First, like any other bill, there are some technical changes that are going to have to be made, and those will be made. I think there will be improvements to the bill on other issues, such as what I have just talked about, this amendment I have making English proficiency required at the green card stage.

Then I think we are going to move on and have a debate about the cost of this bill and ensuring that we truly tighten this. But look, the American people are very generous and open, especially to a process such as this, but they want to make sure it is not costing the American taxpayer. So we are going to have to make sure people are not qualifying for these Federal benefits. We have to make sure people who have violated our immigration law, one of the consequences of that is that they are not a burden on the American taxpayer.

If we talk to many of these immigrant groups and the immigrations themselves, they will tell us that is not a problem. That is not what we are here for. Good. Because you are not going to qualify for those things. We are going to make that even clearer in some of the amendments Senator HATCH and others are working on.

Then I think we have to get to the final point; that is, the security element of this bill. I personally believe that more than half of my colleagues on the Republican side, maybe a little more, maybe a little less, want to vote for an immigration bill. They want to

modernize our legal immigration system, they want to improve our enforcement mechanisms, and they want to deal with the 11 million people who are here illegally.

But they are only willing to do that if they can go back to their folks at home and say: We took steps in this bill to make sure this will never happen again; we did not repeat the mistakes of the past; this is not going to happen again. That is going to be the key to this bill passing. I think we can do that. That is in our principles, by the way. The guiding principles before this bill was unveiled talked about border security. One of the ways I think we can improve that is by not leaving the border and fence plan to chance.

Let's not leave it to the Department of Homeland Security. One of the objections we have heard from opponents of the bill is we do not trust Homeland Security to come up with a plan that works. Fine. Then let's put it in the bill. Let's put the specific plan in the bill, the number of fences, the amount of technology. Let's mandate it in the bill so we are not leaving it to guesswork, so when we vote for this bill, we are voting for a specific security plan.

I have heard people say we think the E-Verify portion should be improved. Let's fix it now. Let's put it in the bill. We think the entry-exit tracking system can be improved. Let's put it in the bill, so that when we vote for this bill, we are also voting for a plan. That is important. That is not unreasonable. I want Members to think about this for a second. The immigrant who is illegally here comes forward. They get legalized through this pretty difficult process. They are now here legally. They have qualified because they have met these conditions. They are now here legally. They are working. They are paying taxes. They are not in the shadows anymore.

But before we can move to a green card, which is permanent residency, all we are asking for is that we ensure that this never happens again. That is not an unreasonable request. Not only do I not think that is an unreasonable request, I think that is a very responsible request, because none of us wants to be here 5 years from now or 10 years from now saying: Boy, they truly messed up in 2013; we have to do this all over again. None of us wants to be here 5 years from now facing 5 million illegal immigrants more, another wave of illegal immigration. We can get that right. We can get it right in this bill.

If that happens, I believe this legislation will pass in a historic way out of this Chamber. It strengthens the chances it can pass in the House and be signed by the President. That is the opportunity we have to get something such as this right.

I could go on and talk to you about the economic benefits of legal immigration reform and what that will

mean for our economy. We will have plenty of time to have that conversation. Trust me when I tell you, I think we will work on it to convince you, it will be a net positive for America to have a legal immigration system that works.

That is why this debate is so important. I think we can do something that is good for the country and responsible and once and for all solve this problem so we do not have to continue to deal with it, so it does not continue to hold us back, so we, a nation of immigrants, built on a heritage of legal immigration, can have a legal immigration system that works, that we can be proud of, that helps our country, that takes this issue off the table, that gets rid of *de facto* amnesty, that protects our sovereignty and our borders and the security of our people. That is what we have a chance to do.

To the opponents of the legislation, I would say, look, I respect your views very much. I do. I think you raise very valid concerns, which we have attempted to address in this bill and which we will continue to address in this bill. I am not one of those take-it-or-leave-it-people with regard to legislation. I always think that no matter what idea I have, the more people who are exposed to it, the more input I get, the more suggestions I get, the better we can make it.

Ultimately, that is what I am interested in being a part of. I am not interested in being part of passing a bill as a talking point or a messaging point, nor am I interested in the political calculations of this issue. What I am personally interested in is solving a problem that is hurting America. That is how I will close. That is why I am passionate. The reason I am passionate about this issue is because this thing is hurting America. The fact that we have 11 million people leaving here, we do not know who they are, we do not know where they are, they are not paying taxes, they are not incorporated into our economy, that is hurting America. It is bad for them, but it is very bad for our country. The fact that we cannot enforce our immigration laws because the systems we have in place do not work, that is bad for America. The fact that we have a legal immigration system that hurts our economy and hurts our future, that is bad for America.

What we have today on immigration in America is bad. It does not work for anyone, unless you are a human trafficker or someone who is benefiting at the expense of cheap illegal labor. Who else is being helped by the status quo? Who else likes what we have right now? The answer is nobody. Leaving this in place is not an alternative. It is not an option. This is a problem that is hurting our country. The only way I know how to solve a problem is to get involved in trying to solve it. That is



why I came here. I did not come to the Senate to sign on to a bunch of letters and give a speech once a week on the floor. I came here because I believe, I know, I know with all my heart, that what we have is a unique, exceptional, and special place. But to keep it that way requires us to take seriously, not just our constitutional charge but take seriously the opportunity we have to solve historic problems in a historic way. I think this bill done right gives us the opportunity to do that. I look forward to the opportunity to be part of it. I hope my colleagues who are openminded about it will remain openminded as we work to improve this product and give the American people something that helps our country, solves our problem, and makes us all proud.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP.) The Senator from Virginia.

Mr. KAINE. Madam President, I ask unanimous consent that I be permitted to deliver a floor speech on immigration reform in Spanish and that the Spanish and English versions be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAINE. Mr. President, the Senate has begun a historic debate on comprehensive immigration reform. We have had and will continue to have hours of debate on this issue. I think it is appropriate that I spend a few minutes explaining the bill in Spanish, a language that has been spoken in this country since Spanish missionaries founded St. Augustine, FL in 1565. Spanish is also spoken by almost 40 million Americans who have a lot at stake in the outcome of this debate.

First, I want to applaud my colleagues in the "Gang of 8," who have worked tirelessly to come up with a bipartisan comprehensive bill. This issue deserves an open and fair debate on the floor. It has been over 25 years since we passed a comprehensive immigration reform bill. The next few days and weeks will not be easy; they will be a test for the Senate, and whether this body can debate, offer amendments, compromise, and ultimately come together on an issue that will move our country forward.

This debate is about Isabel Castillo.

This young woman from Harrisonburg, VA was brought to the United States by her parents at the very young age of 6. Her parents performed hard labor in order to support their family by picking apples and working in a poultry plant. All they wanted, like all parents do, was a better life for their children. Isabel did everything right—she graduated from high school and went on to attend college, where she graduated magna cum laude. She did not qualify for financial aid, due to her immigration status, and worked for a year to save money for college. After

she graduated from college she was unable to legally find a job. Instead of giving up, this young woman organized the Harrisonburg Dream Act chapter to raise awareness about her situation in order to help other students.

This is one example of many as to why we need to pass an immigration bill. For students and families, such as Isabel's, this is about their future.

The last time Congress passed a comprehensive immigration bill was in 1986. Many of the concerns I hear from Virginians involve issues that the last immigration reform bill did not address—lack of sufficient border security measures and a way to address the large number of undocumented immigrants in our country. The last immigration reform bill also did not include spouses and children of legalized immigrants—which created a strong incentive for many to enter or remain in the country illegally.

This time around, things are different. I have been very impressed by the open process we have had in the Judiciary Committee:

212 amendments were considered in the Committee;

30 Republican amendments were accepted; and

12 full committee hearings on immigration and border security were held before markup.

I understand that some doubt remains as to whether or not this bill will fix our broken immigration system. While not perfect—I can confidently stand here today and say this bill will do more for border security, more to improve our current backlog, more to strengthen our employment verification system, and more to put measures in place to deal with the future flow of immigrants—compared to any other immigration bill in history.

This bill will first and foremost create a path to earned citizenship, not amnesty. Undocumented individuals will have to meet several stringent requirements such as, paying fees and fines, passing national security and criminal background checks, paying their taxes and learning English.

And before anyone can come out of the shadows, this bill requires a border security strategy and border fencing strategy within 6 months of enactment.

I am proud that this bill includes strong provisions to protect students who only know this country as their home, DREAMERS, as well as agricultural workers, who perform some of the most difficult labor—these individuals will have an accelerated path if they meet certain conditions.

In order for the U.S. to be the most talented country in the world, we must fix the current flaws in our immigration system. Our immigration system does not meet the demands of businesses that wish to attract and retain highly qualified immigrants.

It is not about just addressing the short-term needs of the STEM workforce but about investing in the future of our children. In order to ensure we remain globally competitive, we must increase our investments in education. This bill does just that by establishing a STEM education initiative—funded through fees collected from employers of foreign STEM workers.

According to the Council on Foreign Relations "60 percent of U.S. employers are having difficulties finding qualified workers to fill vacancies at their companies."

This bill also creates a fair path for individuals who want to come into this country and start businesses, create jobs, and invest in the economy.

In Virginia, Asian-owned businesses had sales and receipts of more than \$13 billion and employed more than 92,000 people.

Virginia's foreign students contribute more than \$405 million to the State's economy in tuition, fees, and living expenses every year.

Immigrants' contributions in the high-tech sector are striking, with one study finding that immigrants started 25 percent of all engineering and technology companies founded in the United States between 1995 and 2005.

Through this bill individuals who earn a master's or other postgraduate degree in STEM fields from American universities can apply for legal permanent resident status. This bill also changes our current visa system from one based on arbitrary numbers to one that is market based and understands the needs of U.S. employers.

The Federal Government currently spends nearly \$18 billion on immigration enforcement every year, more than the combined budgets of all other Federal law enforcement agencies:

U.S. Border Patrol apprehension of foreign nationals between ports of entry fell to a 40-year low of 327,577 in FY2011; and

Removals grew from 30,000 in 1990 to more than 391,000 in FY2011.

This bill goes even further by allocating up to \$6.5 billion additional for border security. It requires a biometric exit system to be in place at the 10 largest international airports in the United States within 2 years, and 20 additional airports within 6 years.

It is not just about spending more money at the border, but about being strategic in how and where we spend our resources.

One of the key issues that we must address is to hold employers accountable and ensure that we have an effective employment verification system in place.

As of May more than 400,000 employers registered for e-verify. This bill will mandate that all employers use a verification system that ensures all employees are legally authorized to work in the United States, and fine companies that employ undocumented immigrants.

The State Department is currently processing visas for Filipino siblings of

U.S. citizens who submitted their visa applications 24 years ago. I ask my colleagues to imagine if you had to wait over 24 years to see your family members.

This bill provides sufficient visas to erase the current backlog of family and employment-based visa applicants in the next 7 years, starting in 2015.

Lastly, and probably one of the most essential pieces of this bill, is how we deal with future flow of immigrants wanting to come to this country. This bill creates a future immigration framework that is premised on a merit-based points system. The bill establishes a new non-immigrant agricultural worker visa, and sets forth provisions relating to the integration of new immigrants; and includes provisions to deal with the present and future workforce needs of the American agriculture industry, while protecting workers from being displaced or otherwise adversely affected by foreign workers.

In closing, I welcome this debate. English settlers who landed at Jamestown, VA in 1607 helped begin our Nation's great history as an immigrant Nation. And Virginian Thomas Jefferson, as he wrote the Declaration of Independence, expressed his clear understanding that immigration was a positive force for our Nation.

Today, Virginia has the ninth-largest immigrant population in the country, with over 903,000 foreign-born residents. Immigrants contribute greatly to the richness of our Commonwealth.

I hope that we will start a new chapter and send a strong message to the world that we are a country of laws but also of fairness and equality.

Let's not repeat the mistakes of the past but let's also remember that the perfect should not be the enemy of the good. Finding a perfect solution should not stand in the way of progress.

Let's show this country and the world that this is not a Republican bill and it is not a Democratic bill but it is a strong bipartisan bill. It is time that we pass comprehensive immigration reform. Thank you.

Mr. Kaine. El senado ha comenzado un debate histórico sobre una reforma migratoria comprensiva. Hemos tenido y continuaremos a tener horas para debatir este asunto. Creo que es apropiado que tome unos pocos minutos para explicar la legislación en español, un lenguaje que ha sido hablado en este país desde que misioneros españoles fundaron a San Agustín, FL en mil-quinientos-sesenta-y-cinco. El español también es hablado por casi cuarenta millones de Americanos con mucho invertido en el resultado de este debate.

Primeramente, quiero felicitar a mis colegas en el "Grupo de los Ocho," quienes han trabajado incansablemente para ofrecer legislación bipartidista. Este asunto merece un debate abierto y

razonable en el senado. Han pasado más de veinte-y-cinco años desde la última vez que pasamos una reforma migratoria comprensiva. Los próximos días y semanas no serán fáciles; serán una prueba para el senado, en como ésta cámara puede debatir, ofrecer enmiendas, negociar, y al final unirse en un asunto que moverá nuestro país adelante.

Este debate es sobre Isabel Castillo.

Esta joven de Harrisonburg, VA fue traída a los estados unidos por sus padres a la edad de seis. Sus padres trabajaban a mano de obra muy difícil cosechando manzanas y trabajando en una factoría avícola para poder mantener a la familia. Lo único que querían, como todos los padres quieren, era una vida mejor para sus hijos. Isabel hizo todo lo correcto—se graduó de la escuela secundaria y siguió adelante asistiendo la universidad, donde se graduó magna cum laude. Ella no calificó para la asistencia universitaria federal por razón de su estatus migratorio y trabajo por un año, para ahorrar dinero para la universidad. Después de que se graduó del colegio, no pudo conseguir un trabajo legal. Envés de rendirse, esta mujer joven organizó el capítulo de Harrisonburg Soñadores para crecer el conocimiento de su situación en orden de poder ayudar a otros estudiantes.

Este es uno de muchos ejemplos por cual tenemos que pasar una reforma migratoria. Para estudiantes y familias, tal como la de Isabel, esto se trata de sus futuros.

La última vez que el congreso pasó una reforma migratoria comprensiva fue en mil-novecientos-ochenta-y-seis. Muchas de las preocupaciones que escucho de Virginianos incluyen asuntos que la última reforma migratoria no resolvió—la falta de suficiente medidas de seguridad para la frontera y una manera de resolver el gran número de inmigrantes indocumentados en nuestro país. La última reforma migratoria tampoco incluyó esposos y esposas e hijos e hijas de inmigrantes legalizados—cual creo un incentivo fuerte para muchos en entrar o pertenecer en el país ilegalmente.

Esta vez, las cosas son diferentes. Estoy muy impresionado por el proceso abierto que hemos tenido en el comité judicial del senado:

Doscientos-doce enmiendas fueron consideradas en el comité  
Treinta enmiendas republicanas fueron aceptadas; y

Doce audiencias públicas sobre inmigración y seguridad fronteriza fueron realizadas antes de que el comité judicial votara sobre la legislación

Entiendo que permanecen algunas dudas si esta legislación arreglará nuestro sistema de inmigración. Aunque no es perfecto—puedo pararme aquí hoy y decirles que esta legislación hará más para la seguridad fronteriza, más para mejorar nuestra lista de visas

pendientes, más para fortalecer nuestro sistema de verificación de empleo, y más para establecer medidas para afrontar los inmigrantes que vendrán en el futuro—comparado a cualquier otra legislación migratoria en nuestra historia.

Esta legislación primeramente crea un camino a la ciudadanía merecida, no amnestia. Individuos indocumentados tendrán que satisfacer varios requisitos rigurosos tal como, pagando multas, pasando verificación de antecedentes, pagando impuestos y aprendiendo inglés.

Y antes de que cualquier persona pueda aplicar, esta legislación requiere una estrategia de seguridad fronteriza y estrategia de prevención en la frontera dentro de 6 meses de ser promulgada.

Estoy orgulloso de que esta legislación incluye provisiones fuertes para proteger estudiantes que solamente conocen este país como su hogar. Soñadores, y también trabajadores en agricultura, quienes trabajan en unas de las manos de obra más difíciles—esta gente tendrá un camino acelerado si satisfacen ciertos requisitos.

Para que los estados unidos sea el país más talentoso en el mundo, tenemos que arreglar las fallas que existen hoy en día en nuestro sistema de inmigración. Nuestro sistema no satisface las demandas de negocios que desean atraer y retener inmigrantes sumamente calificados.

No se trata de simplemente afrontando las necesidades de corto plazo requeridas por los trabajadores en las áreas de ciencia, tecnología, ingeniería, y matemáticas, sino sobre invirtiendo en el futuro de nuestros hijos. Para asegurar de que sigamos competitivos globalmente, tenemos que aumentar nuestras inversiones en la educación. Esta legislación hace tal meta estableciendo una iniciativa—fundado por pagos colectados de empleadores que emplean trabajadores extranjeros en estas áreas.

Según el Consejo de Relaciones Exteriores, "sesenta por ciento de empleadores tienen dificultades encontrando trabajadores calificados para llenar vacancias en sus empresas."

Esta legislación también crea un camino justo para individuos que quieren venir a este país y empezar negocios, crear trabajos, e invertir en la economía.

En Virginia, los negocios aduñados por gente asiática tuvieron ventas y recibos de más de trece-mil-millones de dólares y emplearon a más de noventa-y-dos-mil personas.

Estudiantes extranjeros contribuyeron más de cuatro-cientos-cinco millones de dólares cada año a la economía de Virginia a través de sus matrículas, pagos, y gastos de mantenimiento durante el año académico.

Las contribuciones de los inmigrantes en el sector de alta

tecnología son grandes, con un estudio encontrando que inmigrantes comenzaron veinte-y-cinco por ciento de todas las empresas de ingeniería y tecnología fundadas en los estados unidos entre mil-novecientos-noventa-y-cinco y dos-mil-cinco.

A través de esta legislación, individuos que logran una maestría u otra matriculada avanzada en las áreas de ciencia, tecnología, ingeniería, y matemáticas de universidades estadounidenses pueden aplicar para residencia permanente. Esta legislación también cambia nuestro sistema de visas que existe hoy en día de uno basado en números arbitrarios a uno basado en el mercado y las necesidades de empleadores estadounidenses.

El Gobierno Federal ahora gasta casi diez-y-ocho-mil-millones de dólares en esfuerzo de inmigración cada año, más que los presupuestos combinados de todas las otras agencias de ejecución legal.

Aprensiones de la Patrulla Fronteriza Estadounidense de extranjeros dentro los puertos de entrada redujo por más de trescientos-veinte-y-siete-mil en al año fiscal dos-mil-once, un nivel no visto en cuarenta años.

Remociones crecieron de treinta-mil en mil-novecientos-noventa a más de trescientos-noventa mil en el año fiscal dos-mil-once.

Esta legislación va más lejos asignando hasta seis-y-medio mil-millones de dólares adicionales para seguridad fronteriza. Y requiere la creación de un sistema biométrico en diez de los aeropuertos internacionales más grandes en los estados unidos dentro de 2 años, y veinte aeropuertos adicionales dentro de 6 años.

No se trata de simplemente gastar más dinero en la frontera, se trata de ser estratégico en cómo y dónde gastamos nuestros recursos.

Unos de los asuntos centrales que tenemos que resolver es que empleadores sean responsables y asegurar que tengamos un sistema de verificación de empleo efectivo.

Desde Mayo, más de cuatro-cientos-mil empleadores se han registrado para e-verify. Esta legislación requiere que todos los empleadores usen un sistema de verificación que asegure que todos los empleados sean legalmente autorizados para trabajar en los estados unidos, y multara empresas que emplean a los inmigrantes indocumentados.

El Departamento de Estado ahora en día está procesando unas visas para hermanos Filipinos de ciudadanos estadounidenses quienes sometieron sus aplicaciones de visa hace veinte y cuatro años. Les pido a mis colegas que se imaginen si usted tuviera que esperar más de veinte-y-cuatro años para ver a miembros de su familia.

Esta legislación proporciona suficiente visas para borrar el atraso de visas de familia y empleo en los

próximos siete años, empezando en el dos-mil-quince.

Ultimamente, y probablemente unas de las partes más esenciales de esta legislación, es como afrontamos los inmigrantes que quieren venir a este país en el futuro. Esta legislación crea una estructura para los inmigrantes del futuro que es basada en un sistema de puntos de mérito. La legislación establece una nueva visa temporal para los trabajadores agricultores, y crea provisiones correspondientes a la integración de nuevos inmigrantes; y incluye provisiones para resolver las necesidades del presente y el futuro correspondiente a la industria de agricultura estadounidense, mientras protegiendo trabajadores de ser desplazados o afectados negativamente por trabajadores extranjeros.

En conclusión, doy la bienvenida a este debate. Colonos ingleses quienes aterrizaron en Jamestown, VA en mil-seis-cientos-siete ayudaron empezar la gran historia de nuestra nación como una nación de inmigrantes. Y el Virginiano Thomas Jefferson, mientras que escribía la Declaración de Independencia, expreso su entendimiento claro que inmigración era una fuerza positiva para nuestra nación.

Hoy, Virginia tiene la novena población de inmigrantes más grande en el país, con más de novecientos-tres-mil residentes que nacieron afuera de los estados unidos. Inmigrantes contribuyen una gran riqueza a nuestro estado.

Espero que podamos empezar un nuevo capítulo y que mandemos un mensaje fuerte al mundo y la nación que somos un país de leyes pero también de justicia e igualdad.

No hay que repetir los errores del pasado pero debemos también recordar que la perfección no debe ser el enemigo de lo bueno. Encontrando una solución perfecta no debería de bloquear el progreso.

Vamos a demostrar a este país y al mundo que esta legislación no es Republicana y no es Demócrata, es fuertemente bipartidista. Es tiempo que aprobemos una reforma migratoria comprensiva. Gracias.

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

There upon, the Senate, at 12:36 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

#### BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—MOTION TO PROCEED

##### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

##### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 80, S. 744, a bill to provide for comprehensive immigration reform, and for other purposes.

Harry Reid, Patrick J. Leahy, Robert Menendez, Christopher A. Coons, Mazie Hirono, Dianne Feinstein, Bill Nelson, Benjamin L. Cardin, Sheldon Whitehouse, Al Franken, Richard Blumenthal, Ron Wyden, Jack Reed, Patty Murray, Michael F. Bennet, Tom Harkin, Charles E. Schumer, Richard J. Durbin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 744, a bill to provide for comprehensive immigration reform, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Arizona (Mr. MCCAIN), and the Senator from Alaska (Ms. MURKOWSKI).

Further, if present and voting, the Senator from Alaska (Ms. MURKOWSKI) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 82, nays 15, as follows:

[Rollcall Vote No. 146 Leg.]

##### YEAS—82

Alexander	Flake	Moran
Ayotte	Franken	Murphy
Baldwin	Gillibrand	Murray
Baucus	Graham	Nelson
Begich	Hagan	Paul
Bennet	Harkin	Portman
Blumenthal	Hatch	Pryor
Blunt	Heinrich	Reed
Boxer	Heitkamp	Reid
Brown	Heller	Rockefeller
Burr	Hirono	Rubio
Cantwell	Hoeben	Sanders
Cardin	Isakson	Schatz
Carper	Johanns	Schumer
Casey	Johnson (SD)	Shaheen
Chambliss	Johnson (WI)	Stabenow
Chiesa	Kaine	Tester
Coats	King	Thune
Cochran	Klobuchar	Toomey
Collins	Landrieu	Udall (CO)
Coons	Leahy	Udall (NM)
Corker	Levin	Warner
Cornyn	Manchin	Warren
Cowan	McCaskill	Whitehouse
Donnelly	McConnell	Wicker
Durbin	Menendez	Wyden
Feinstein	Merkley	
Fischer	Mikulski	

##### NAYS—15

Barrasso	Grassley	Roberts
Boozman	Inhofe	Scott
Crapo	Kirk	Sessions
Cruz	Lee	Shelby
Enzi	Risch	Vitter

NOT VOTING—3

Coburn

McCain

Murkowski

The PRESIDING OFFICER. On this vote, the yeas are 82, the nays are 15. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The PRESIDING OFFICER (Mr. MANCHIN). Under the previous order, the time until 4 p.m. will be equally divided and controlled between the proponents and opponents.

The Senate will be in order.

The Senator from New York.

Mr. SCHUMER. Mr. President, I rise today to speak about the comprehensive immigration reform bill we will begin debating later today and for the rest of the month.

I thank my colleagues for voting yes on the motion to proceed, which will let us debate this very important bill which is critical to the future of our security, our economy, and our society. This overwhelming vote—a majority of both parties—starts this bill off on the right foot.

First, I will begin by saying that this has been the most open and transparent process we have seen in the past few years. Unlike most bills where only 1 or 2 Senators draft them, this bill was drafted by 10 of us here in the Senate.

I thank each of the four Republicans and four Democrats in the Gang of 8—my seven colleagues in the gang—for their great work. The agricultural program in the bill was drafted by Senators FEINSTEIN and DATCH. We then held a number of hearings where we debated, considered, voted on, and adopted scores of amendments during the Judiciary Committee markup under the able leadership of Chairman LEAHY. Many of those amendments were bipartisan or were amendments offered solely by my colleagues on the other side of the aisle. These amendments dramatically improve the bill. Our bill is better and stronger today than it was when we introduced it.

Before the bill was marked up, this bill had been vetted by the eight of us. Eighteen of us here in the Senate have already had the chance to make our mark on this bill and consider all of the ways in which it should be changed. Now we are here on the floor, where all of my colleagues will have the chance to further improve the bill and discuss the changes they feel need to be made. We readily admit this bill is not perfect and can always be improved. It is undergirded by one thought about the present situation and one about the future that we hope to change. In the present situation, our country—amazingly and counterproductively—turns away hundreds of thousands of people who will create jobs and improve our economy, and at the same time we let millions cross the border and take jobs away from American workers. The system is backward and the status quo is unacceptable.

Our bill is based on one simple principle: that the American people will accept and embrace commonsense solutions to future legal immigration and to the 11 million now living here in the shadows if—and only if—they are convinced there will not be future waves of illegal immigration.

Our bill does three basic things. First, it ensures that we will never again have a wave of future illegal immigration. Second, it fixes our completely dysfunctional legal immigration system to make us the most competitive Nation in the world for both this century and the next. Third, it contains a tough but realistic path for making sure that the people currently here illegally are held accountable for what they did, but it also allows them to join American society on our terms in a fair and honorable way rather than by the current amnesty-by-inaction we see today.

I wish to make it extremely clear that, first and foremost, we are committed to ending the waves of illegal immigration we have seen in the last 30 years. We will accomplish this goal by building a very sturdy three-legged stool of border security, employment verification, and entry-exit. I will now explain what our bill does in each of these areas to prevent future waves of illegal immigration.

Make no mistake, our borders will be secured as a result of this bill. We appropriate \$6.5 billion up front in this bill to bolster our security efforts, and that is in addition to the annual appropriations made for each year of border security.

Before any legalization can even begin, the Secretary of Homeland Security is required to come up with a plan on how to deploy \$4.5 billion of those resources to acquire new infrastructure, technology, and personnel that will enable the border patrol to catch 9 out of 10 illegal immigrants who attempt to cross our border. Only after this plan is presented to Congress and deployment of the resources has commenced may the legalization program begin to adjust undocumented individuals to registered provisional immigrant status—what we call RPI status. All of the resources in the plan must then be deployed on the ground and working before anyone in RPI status can ever be granted a green card and gain citizenship.

After 5 years, if the Border Patrol is not catching 9 out of every 10 illegal immigrants who attempt to cross the border, a commission with border State Governors and elected officials will be empowered to make recommendations on how best to spend an additional \$2 billion that this bill has already preappropriated in order to achieve this 90-percent effectiveness rate.

With minimal resources and with many fewer resources, we are more effective at the border. The effectiveness

rate has gone up from 68 percent to 82 percent. Imagine what will happen with the resources we provide in this bill, all of which is paid for by provisions in the bill, both fees for those who wish legal workers to come to work for them and fines for those who have crossed the border illegally. DHS will implement the recommendations of the commission after they have been presented to the Secretary.

Think of this: Crossing the border without permission from the government is a crime. When we catch someone crossing the border and prosecute and deport them, we are solving the crime and punishing the criminal. Our bill will deploy the resources needed to catch, prosecute, and deport 90 percent of the people who cross the border illegally. Ninety percent of all border-crossing cases will be successfully closed. How does that closure rate compare to other violations of our laws? According to FBI statistics, each year we successfully catch, prosecute, and detain wrongdoers in less than 50 percent of the cases where a violent crime has been committed and in less than 20 percent of the cases where a property crime has been committed. Think about the much higher standard our bill is creating for border security—90 percent. Everyone knows 90 percent is an A grade, and our bill will achieve an A-rated border.

For days and weeks now I have heard Senators who would oppose any immigration bill. They say our bill does not secure the border, as if the \$6.5 billion does not count. If anyone has a better idea, tell us. But to say this will not improve border security—some may disagree on whether it is the best way to do it or some may disagree on whether it does enough, but don't say it won't do anything to secure the border. History shows that of course it will. The eight of us believe it will do it well and do it strongly. It will do it far better than anything that has ever been envisioned.

Now let's take a look at what we can purchase for this money.

We are going to be building \$1 billion worth of border fence. Our bill requires that it be built before anyone can get a green card. Our bill originally had \$500 million more allocated for fencing, and the fencing money was actually decreased by the senior Senator from Texas, who thought we were building too much border fence in our bill.

Second, we will be purchasing sensors, fixed towers, radar, and drones that will cover the entire southern border. When this technology is deployed, we will finally be able to see every single person crossing our border, and we will know where to send our 21,000 Border Patrol agents to go catch people.

I visited the border with Senators MCCAIN, FLAKE, and BENNET. It is huge. We cannot station enough people on the border. There are no roads on large

parts of it. But with the drones, we can see every single person who crosses the border day or night, and we can follow their path, so they can be apprehended when they are 10, 20, 25 miles inland. It is a huge improvement. Simple math tells us we have more than one Border Patrol agent for every city block of the southern border. Imagine how low crime would be if we had a police officer on every block. Imagine, once we deploy this technology, how effective it will be.

For those who say the American people do not trust the government to get the job done, I say let's look at the facts. Providing additional resources to DHS for border security has an incredibly proven track record of success. In 2010 Congress passed an emergency supplemental appropriations bill for border security. I worked on that with my colleague from Arizona, Senator McCAIN. It was \$600 million. In 2009, according to the GAO, the national effective rate for the entire southern border was 72 percent. In 2011, a year after this was deployed, it went up to 82 percent.

Again, saying this will not improve border security at all or saying there is no security at the border is not fair, and it is not right. I urge my colleagues not to say it. Again, some may disagree with how or disagree with how much, but there is a heck of a lot of border security in this bill.

Most of the resources in the supplemental budget went to the Tucson border sector. In 2009 the effectiveness rate at the Tucson border sector was 71 percent. In 2011 it went up to 87 percent. Given that a mere \$600 million supplemental appropriation was able to increase border security effectiveness from 72 percent to 82 percent, it is reasonable to assert that spending over 10 times that money on border security in the form of a \$6.5 billion supplemental appropriation for personnel, infrastructure and technology will allow us to apprehend 9 out of every 10 people who try to cross the southern border illegally.

Second, visa overstays will be identified and apprehended when this bill passes. An estimated 40 percent of the 11 million people in unauthorized status are individuals who entered the United States legally but overstayed their visas. When a foreign national enters the country, he or she is fingerprinted and his or her passport or visa is electronically scanned against our data security databases. Amazingly, when this individual exits the country, no such scan occurs, leading to uncertain information as to who overstayed their visas. Forty percent of those who cross illegally do not cross the border; rather, they overstay their visas.

For individuals who enter the United States by air or sea, we will require those individuals to swipe their machine-readable passport visa on an

electric scanner at the gate immediately before exiting the United States. To prevent identity theft when the person swipes their visa or passport, their picture comes up on a screen at the gate. The gate agent who is given the passport has to match the picture on the screen with the person giving their passport. The exit information will be given to all of the Department of Homeland Security components to generate an accurate overstay list of people who entered the United States by air or sea. Persons on this list will be apprehended, detained, and deported by ICE.

Persons entering the United States from the northern border will also be identified as exiting the country via the northern border when they are granted entry into Canada, and that is because the United States and Canada are willing to share entry information such that each country will be providing the other country with de facto exit information.

There is criticism leveled by opponents of immigration reform that the exit system must be biometric in order to prevent visa overstays and that using passport or visa pictures instead of fingerprints will not work. Although this criticism is not justified because we will be using picture-matching to prevent identity theft, our bill phases in biometric exit capabilities at our largest airports. During the first 2 years of enactment the bill will require the taking of biometrics for people leaving the United States through the 10 largest international airports. It will go to 20 more in 6 years. If it works better than the photo-match system, we will phase in the print system nationwide. We believe the photo system is just as effective and much, much cheaper. Why do we need to spend billions more to achieve the same result?

In any case, the key to our bill is that we will ensure, soon after passage—even as this biometric exit system is being deployed—we will be able to detect, detain, and deport individuals who enter the United States illegally from Canada by airport or seaport and then overstay their visas.

We also make the completion of this entry-exit system a trigger for the path to citizenship. The path to citizenship cannot happen unless this entry-exit system is deployed.

Third, even if a small number of people are able to cross the border illegally or overstay their visa—neither system will be perfect—they will still not be able to find work legally in the United States due to our bill's mandatory employment verification system. Even if someone is able to get here illegally or overstays their visa, their main goal for being here—working—will be impossible after the bill is passed.

That is why we have illegal immigration. The people who cross our borders

are very poor people. Most of them are living in poverty and they want a job. They want some money. If they can send \$10 a week home to their wife, father or children, they will cross the border to do it. But if they can't get jobs, they are not going to come.

We have 11 million people here today, and we do not have a problem whereby these folks are besieging us with terrorist acts. They are simply here working and feeding their families.

If we eliminate the jobs magnet, we will eliminate illegal immigration. Under this bill, every employer seeking to hire a worker must determine, using our employment verification system, whether that prospective employee is here legally and can work. If the prospective employee is either a noncitizen with work authorization, a U.S. citizen with a passport or a resident of a State that agrees to share a driver's license with DHS—and all 50 States now have driver's licenses—then the prospective employee will have to produce that form of identification to their employer that matches the photo pulled up on the E-Verify database in order to work legally. This will eliminate the identity theft problem that plagues the current E-Verify system.

If the prospective employee is a U.S. citizen who does not have a passport or is not from a State that shares driver's licenses with DHS, then that individual—it is a very small number—will have to answer questions about their identity, generated randomly from their Social Security number, in order to prevent identity theft. Credit card companies have used this system to huge and positive effect.

Employers who do not use E-Verify or who hire illegal workers will be given severe penalties and be jailed for repeated violations. I know many on the other side have wanted to make E-Verify mandatory and permanent. We have heard that for years. Now, all of a sudden when we do it, it is not good enough.

Fourth, this bill also fundamentally alters the cost-benefit analysis for coming to the United States illegally by creating a new W visa worker program to encourage people to come here legally. Because of the bill's significantly enhanced border security, entry-exit, and employment verification, any person intending to come to the United States illegally will have to take great safety risks, at great personal and financial costs to come here. Once they are here, they will find there are no jobs available to support themselves.

Alternatively, they can choose to come legally and work as part of our W visa work program that is created for individuals to work in jobs where employers cannot find American workers but only if they can't find them. Up to 200,000 visas a year will be made available for this purpose. We start with a

program that can grow as our economy grows and creates more jobs and is flexibly related to the rate of unemployment.

In addition, a new agricultural program will be set up to replace the previously illegal flow of agricultural workers. Given that the Census Bureau and the Pew Hispanic Center have estimated the illegal flow in past years to be around 400,000 people per year, there should be enough visas to meet any demand for additional workers that might exist.

If more legal workers are needed, the newly formed Bureau of Immigration and Labor Market Research can provide additional visas to permit more workers to enter in occupations they find have shortages of workers.

Given these new programs, it would no longer make any sense for intending illegal immigrants to spend tens of thousands of dollars and risk their lives to come here illegally. Illegal immigration will be a thing of the past.

Fifth, the bill will protect American workers in four ways: Because of the new employment verification system Americans will no longer have to compete for jobs with unauthorized workers who can easily be exploited. I say to so many of my colleagues who are worried about this, I ride my bicycle around Brooklyn early in the morning. I see on various street corners congregating young men, mainly, and some guy on a truck comes over and says: I will give you \$15 to work on roofing on a few houses I am building. I guarantee he doesn't say he will pay them \$2 above minimum wage and give them an hour off for lunch. Those illegal immigrants are driving down the wage base, particularly in lower skilled places. That will end.

Second, in the bill's legal worker programs, Americans must be recruited first before any foreign worker will be hired.

In addition, all foreign workers will be required to be paid the same wage as an American would be paid for that job, meaning that a foreign worker will never be hired to undercut an American worker's wage.

All foreign workers will be given portability to change employers if they don't like their current employment situation. This means employers will no longer choose foreign workers over American workers because they have more control over those workers.

Finally, this is also a very fair bill—and we have, of course—I don't go into it here for lack of time—an H-1B system and a system that says if you are a foreigner who studies in an American college and gets an M.A. or Ph.D. in STEM—science, technology, engineering, and math—you will get a green card. These are the very people who in the past have created new companies and created tens of thousands, hundreds of thousands of new jobs in

America. Now, if they want to come to America after they study here or stay in America, we send them away and they go to Canada and Australia. That would not happen anymore under this bill.

Finally, it is a very fair bill for legal immigration and resolving the status of the people who are here. We create a system, as I mentioned, that allows America to attract and retain the best and brightest minds from around the world in science, math, finance, technology, the arts, and more, fundamental to maintaining America's preeminence in an increasingly competitive global marketplace. We also provided a JOLT—J-O-L-T—to our travel industry by making it easier for foreign nationals to come to the United States and spend their lucrative vacation dollars here instead of somewhere else.

Of great importance, and perhaps the dividing line between some in this Chamber and the rest of us, we give the 11 million people here a chance to come out of the shadows and earn a path to citizenship after spending 10 years on probation, working, keeping their nose clean, learning English and civics, and paying their taxes. It is a tough path to citizenship, but it is a fair path, and it is a path we make sure will happen, providing the specific metrics in our border security provisions are met.

Our bill requires all of these important enforcement resources I have described to be put in place before we give the individuals a path to citizenship. We in the Group of 8 agree that is fair to ask. The Federal Government should have to put the resources in place that we promised, as necessary, to get the job done. That is entirely within our control and we will live up to our work. But by the same token, we will not leave these 11 million people in immigration limbo forever. It makes no sense to have people living here permanently who have not invested in America. This is the huge mistake Europe has made. We see the ill effects every day on the news of what happens in European countries that have not integrated their immigrant populations. Those populations become affected by a sense of alienation, a lack of opportunity, a lack of upward mobility. That is not America. Here we give people the chance to be all they can be through their hard work. We want people here to be serving on juries, serving in the military, and saying to people that they are just as American as anybody else.

In my city—the city in which I was raised and in which I live—there is that beautiful lady in the harbor with that bright torch. That has been America, and that lady has said through the centuries: If you come here and work hard, stay clear of the law, no matter who you are and what your economic level is, we welcome you. We want you to become an American.

We are not going to take that away. That would be just as dramatic a change in this country we love so much as tearing up the Bill of Rights. It has been part and parcel, warp and woof, of America.

To those who suggest having some secondary status, to those who say let's put into the bill an excuse so someone 3 years from now can say no one can become a citizen, we say: No. We have some basic principles we will not compromise and that is at the top of the list.

In conclusion, I wish to send this message loudly and clearly to all who might be listening today. We are interested in compromises that will make this bill even stronger and more secure. Our group does not claim to have a monopoly on wisdom. We will hear out any of our colleagues from either side of the aisle who have good-faith suggestions on how to improve this bill.

I have heard some say we should not consider any further changes to the bill and dare the other side to vote against it. I reject that approach. We are not interested in scoring a political victory to help one party; we are interested in passing a law that changes the awful status quo, solves the problem, and makes America an even greater and better place. Just because the process has been, to date, so encouraging does not mean we can take anything for granted. So we welcome constructive input from our colleagues and we want to work with them. But the one thing none of us will do is condition the path to citizenship on factors that may not ever happen in order to appear tough.

We are committed to border security. We are committed to ending illegal immigration. But we are equally committed to allowing people the right to earn their way to become an American citizen if they work hard, play by the rules, learn English, and avoid criminality.

Just as I believe to my core that border security should not be a bargaining chip, I also believe to my core that leaving people in immigration limbo, uninvested in America and its successes, is also something we should not do just to pass a bill. I commit in good faith to every one of my colleagues in this Chamber who wants to work with me to improve the bill that I am open to any ideas. But for those of my colleagues who will not support this legislation, I simply ask the question: How would you solve this problem? The answers are not simple. That is why it has taken us months to get to where we are today.

This bill represents our best chance for a broad bipartisan compromise on a complex issue that we have had for decades.

I hope all of us take this opportunity very seriously. I hope we all do what we can to show the American people that their lawmakers do still have the

ability to solve difficult problems that affect every one of our daily lives.

With that, I ask that my colleagues will agree to work with us in good faith to improve this bill and to give a resounding vote—from both sides of the aisle—of support for this bill when it comes to final passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I very much want commonsense immigration reform to pass. This bill is going to pass the Senate. But, as written, this bill will not pass the House. As written, this bill will not pass into law. And if this bill did become law, it would not solve the problem—indeed, it would make the problem of illegal immigration that we have today worse rather than better.

If you likewise want to see commonsense immigration reform pass, then you have reason to be both optimistic and pessimistic. You have reason for optimism because there is widespread bipartisan agreement on many aspects of immigration.

Outside of Washington, DC, there is widespread bipartisan agreement that, No. 1, our current immigration system is broken, it is not working; No. 2, that we have to get serious about securing the borders, about doing everything we can to stop illegal immigration—that in a post-9/11 world it does not make any sense that we do not know who is coming into this country; we do not know their history; we do not know their background—and, No. 3, that we need to improve and streamline legal immigration, that we need to remain a Nation that does not just welcome but that celebrates legal immigration.

On those basic principles there is widespread bipartisan agreement. If this body were to focus on those areas of bipartisan agreement, that is how we would get an immigration bill passed into law—not just by one Chamber of Congress but actually passed into law.

The reason, however, for pessimism is that to date the conduct of the White House and the Senate Democrats, who have been driving this process, suggests they are more interested in finding a partisan issue to campaign on in 2014 and 2016 than in actually passing a bill to fix our broken immigration system.

Of all of the issues swirling about this bill, the path to citizenship for those who are here illegally is the single most divisive issue; and that is the issue on which the Obama White House and the Senate Democrats insist. By insisting on that division, I believe they, by design, destined this bill to be voted down. I think if we do not end up fixing our immigration system, that would be a very unfortunate outcome.

I would note in the Judiciary Committee we spent considerable time con-

sidering amendments to this bill. At the outset of the markup, I observed that I hoped it would be a real markup, that the majority had the votes, if they wanted, to reject every substantive amendment, but I very much hoped they would not, that they would be willing to work with the members of the committee to improve the bill to make it fix the problem.

Sadly, at the end of the markup, I was forced to observe it had played out exactly as I feared it might at the beginning; namely, that the majority of Democrats on the committee voted down just about every single major substantive amendment that was presented, one after the other after the other. What they repeatedly said was there had been a deal that was cut—a deal that was cut with the union bosses, with the interest groups—and that deal could not be changed. Well, if that is the case, that deal is not going to get passed into law.

In my view, this legislation has two major problems. The first is it does not fix the problem. In 1986, Congress passed major immigration reform—the last time we addressed and successfully passed immigration reform—and that bill had two major components: No. 1, it granted amnesty, explicit, full-out amnesty for some 3 million people who were then here illegally. The American people were told: This amnesty will be in exchange for securing the borders. In 1986 Congress told the American people: We are granting amnesty, but in exchange we will fix the problem so illegal immigration will go away as a problem. Once these 3 million get amnesty, there will be no more.

Now, sadly, we are here some 30 years later and instead of 3 million there are roughly 11 million people here illegally. Because what happened in 1986 is the amnesty happened and the borders never got secured. If this bill were to pass into law, in 10, 20, 30 years we would be back here talking about another 10, 20, 30 million people here illegally. Because, like the 1986 bill, this bill will not fix the problem, and, indeed, it will exacerbate it.

This bill is enormously complicated. Indeed, this bill, as currently written, is 1,076 pages—1,076 pages. It is longer than the Dodd-Frank bill, which was 848 pages. It is roughly half the size of ObamaCare, which was over 2,000 pages. In these 1,076 pages, there are, right now, over 1,000 waivers given to the Secretary of Homeland Security and other members of the executive branch to waive law enforcement provisions, to waive border security, to give to the executive more standardless, unreviewable discretion. That, unfortunately, would only serve to exacerbate the problem.

Illegal immigration is an enormous problem. It is an enormous problem in my home State of Texas, where I have spent real time down on the border vis-

iting with ranchers, with farmers, with people living on the border, who every week have people coming illegally across their property, who no longer lock their doors at home because they have discovered if they lock their doors, they just get broken into. So it is simpler not to lock the doors rather than deal with the damage of the locks being broken or the doors kicked in.

If you look at the numbers, in fiscal year 2012, the Border Patrol reported 463 deaths, 549 assaults, and 1,312 rescues.

Let me point out, this current system is the opposite of humane. This current system ends up having vulnerable people coming here seeking freedom, entrusting themselves to coyotes, to drug cartels, to traffickers, and being left—sometimes women and children—to die in the desert, being left sometimes subject to sexual assault, to exploitation, to trafficking.

The U.S. Department of State estimates that 14,000 to 17,000 people are trafficked into the United States every single year. And when it comes to the drug cartels and their role in facilitating illegal immigration, the volume is staggering. Between 2006 and 2013, there were 9.28 million pounds of marijuana, cocaine, methamphetamine, and heroin seized in Texas alone. To put that in perspective, the space shuttle weighs about 4.5 million pounds, which means there was twice as much—two space shuttles' worth—of illegal-drugs-seized traffic across the border.

But the second major failing of this bill: It is not likely to pass. There are not 218 votes in the House of Representatives to pass a pathway to citizenship. My friends on the Democratic side of the aisle know that, but I think they have made a political judgment that they want to campaign on this issue rather than rolling up their sleeves and saying: How do we actually get a bill that can pass into law? That is what I hope this body does.

In the course of the markup, I worked very hard to try to improve this bill because I want to see a bill that fixes the problem passed into law. Specifically, I offered five amendments to fix the bill, to fix the problem. Those amendments were all voted down, with every Democrat on the committee voting against them.

On the floor of the Senate, I hope to offer the same amendments. If they are voted down again, and this body passes that bill, I very much hope the House of Representatives will look to these amendments as providing a pathway to fixing this bill, to actually addressing the problem.

The first amendment I offered was an amendment to actually secure the borders. The amendment I offered, unlike the current bill, which requires the Secretary of Homeland Security to prepare a plan—and the trigger is, when the Secretary prepares a plan, that



triggers the legalization provisions of this bill. Well, a plan to plan is, by design, toothless. Instead, the amendment I offered would have tripled the size of the U.S. Border Patrol to put manpower on the ground, boots on the ground, to solve the problem. It would have increased fourfold the helicopters and fixed-wing assets and technology on the ground to solve the problem. It would have put in place a biometric entry-exit system because 40 percent of the illegal immigration we have comes from visa overstays.

Unfortunately, every single Democrat on the committee voted against that amendment.

I offered two amendments to improve and substantially increase legal immigration. On this point, let me pause for a second to note there is no more enthusiastic advocate of legal immigration in the Senate than I am. I am the son of an immigrant. I am the son of one who had been imprisoned and tortured in Cuba, who came to this country with nothing, seeking freedom, and we need to welcome and celebrate legal immigrants. So I offered two amendments focusing on improving legal immigration so we can continue to welcome those from all around the world coming here seeking freedom.

First, I offered an amendment concerning temporary high-skilled worker H-1B visas. H-1B high-skilled worker visas are overwhelmingly pro-growth. The economic data indicates that for every 100 H-1B high-skilled workers who come into this country, 183 jobs are created for U.S. citizens. The amendment I offered would take the current cap of H-1B visas, which is at 65,000, and increase it fivefold to 325,000. The current bill, the Gang of 8 bill, goes up to 110,000. That is a step in the right direction, but it does not go nearly far enough. There is far more demand than that.

Right now, every year, we educate tens of thousands of foreign students at our universities. They get graduate degrees in mathematics, in engineering, in computer science. They get Ph.D.s, and then we send them back to their countries, where they start businesses there, they create businesses there, they create jobs there, and they compete against us. It makes absolutely no sense. I think we need to expand dramatically high-skilled workers, and my amendment would increase it fivefold.

Every single Democrat on the committee voted against it.

I would note that the proponents of the bill often find themselves in Silicon Valley telling our friends in the high-tech industry how they are champions for helping get more programmers, engineers, computer scientists into this country. Yet I note again every single Democrat on the Judiciary Committee voted against increasing H-1B high-skilled workers. We need to increase that cap.

The second amendment I offered that would increase legal immigration would double the overall cap on legal immigration from 675,000—the current statutory cap—to 1.35 million per year so we can have a legal system that has employment-based immigration. When people have jobs, they can meet areas of need, whether in agriculture or elsewhere. And they can also come for family unification.

I am sorry to say many of my friends on the left side of the aisle—who often describe themselves as advocates of the Hispanic community, advocates of immigrants—every Democrat on the Judiciary Committee voted in party line against increasing legal immigration and against doubling the caps of legal immigration.

Finally, I introduced two other amendments that were both directed at respecting and maintaining the rule of law. One amendment simply eliminated the pathway to citizenship. What it provided is those people who are here illegally shall not be eligible for citizenship.

It is important to note that under the existing bill, if my amendment had been adopted, those who are here illegally would be eligible for what is called RPI status, a legal status, and, indeed, in time would be eligible for legal permanent residency.

So the underlying bill gives legal status to the 11 million people who are here illegally. The amendment I introduced simply said there needs to be a consequence for having violated the law. It is unfair, in my opinion, to the millions of legal immigrants who followed the rules—who stayed in line, who stayed in their home country years or decades—to reward those who broke the law with a path to citizenship. I believe it is also critical to passing this bill to remove the path to citizenship, and yet every single Democrat on the committee voted party line against this amendment.

The final amendment I introduced was an amendment that provided that those who are here illegally shall not be eligible for State, local, or Federal means-tested welfare payments. This is an interesting issue because the advocates of the Gang of 8 bill frequently go on television and tell the American people: None of those granted amnesty in their bill will be given welfare. I have seen that. That is a central talking point.

If that talking point were true, this should have been a very easy amendment to adopt. Yet every single Democrat on the committee voted against this amendment. One of the reasons is, although the Gang of 8 bill for a period exempts those here illegally from Federal welfare, roughly \$300 billion a year is spent in State welfare, and those given amnesty under this bill would be eligible for a great portion of that State welfare immediately, means-tested welfare.

In my view we should welcome people from across the world, but the people we should be welcoming are those who are coming here to seek the American dream, to work hard. I believe that is the vast majority of immigrants who are coming here for a better life. We should not be putting into place systems where the hard-working American taxpayers are being taxed to provide welfare for those who are here illegally. I think that respects the rule of law to say we will welcome you here if you are working to provide for your family.

Each of those amendments was rejected. Often my friends on the Democratic side of the aisle would say something like: I may agree with this particular amendment, but there was a deal cut. I may agree, but the union bosses, the special interests, the people in the closed-door rooms who negotiated this deal, we agreed on a level and we cannot increase it. It may be good to increase high-skilled workers to 325,000, but we cut a deal with the union bosses and we cannot change it.

That is not how legislation should be drafted. We should be fixing the problem. We should be making our economy stronger. Right now, in my opinion, this bill is headed for failure. There should be no drama. There should be no confusion.

Let's be clear. This bill, I am convinced, is going to pass the Senate. In fact, I think it is going to pass the Senate with a substantial margin. In all likelihood, near the end of this process there will be an amendment or two directed at border security that the American people will be told: OK, this finally puts teeth into the border security provisions.

I hope those representations prove true.

Regardless of what happens on that, I believe the votes are already pre-cooked that this bill is going to pass the Senate. Absent major revisions, absent revisions along the lines of the amendments I introduced in committee and intend to introduce on the floor again, this bill will crash and burn in the House. It is designed to do so. So how do we save it? If we actually want to fix the problem, not have a political game but fix the problem, the answer is the American people. The American people have to speak. If you want to see the border secured, pick up the phone and let your elected Representative know. Let Senators know, let Members of the House know. Speak out online, speak out publicly. When the American people speak out and speak out loudly, their voices are heard.

If you want legal immigration improved so that we welcome high-skilled workers, we welcome those seeking the American dream, speak out. If you want to respect the rule of law and not grant amnesty without securing the borders, speak out and speak out loud.

Let me say, what needs to happen to change this dynamic is the key stakeholders need to decide that failure is not an option. The high-tech community, the business community, farmers and agricultural leaders need to decide that they are not willing to have this entire bill held hostage to a provision providing a pathway to citizenship that is certain to fail and designed to fail.

I want to speak finally to the Hispanic advocacy groups, to the many who passionately pour their hearts into trying to improve the conditions of those in this country, including the 11 million who are here illegally. I believe the current path this bill is on is a path that is, by design, going to yield it to being voted down. I think that is why the Obama White House is insisting on a pathway to citizenship.

I would note in 2007 then-Senator Obama stood on the floor of this Senate and played a key role in killing immigration reform then for the same reasons, for partisan reasons. Indeed, I would suggest a moment of clarity came in the Judiciary Committee markup when a senior Democrat, who is one of the sponsors of this bill, said: If there is no path to citizenship, there can be no reform.

I think that sentence summed it up. I certainly thank that senior Democrat for his candor because he made clear there was one overwhelming partisan objective, which is a path to citizenship. In his judgment, if that partisan objective could not be accomplished 100 percent, he was willing to do nothing, zero, to improve the border. He was willing to do nothing, zero, to improve legal immigration—nothing, zero, to expand high-tech immigration; nothing, zero, to improve farmers and agricultural workers; and most telling, nothing, zero, to improve the condition of the 11 million people currently here illegally because, based on the Obama White House position that with no path to citizenship we will take our marbles and go home, we will crater this entire bill. That outcome means those 11 million remain in the shadows, have no legal status. Whereas, if the proponents of this bill actually demonstrate a commitment not to politics, not to campaigning all the time, but to actually fixing this problem, to finding a middle ground, that would fix the problem and also allow for those 11 million people who are here illegally a legal status with citizenship off the table.

I believe that is the compromise that can pass. But, at least right now, the partisan advocates of this bill are not willing to accept that. The only thing that can change that is if the American people speak out. The only thing that can change that is if the stakeholders make clear to the Obama White House, to the Senate Democrats, failure is not an option; that if this fails, because as a political matter you insisted on a path to citizenship and threw every-

thing else overboard, that failure would be unacceptable.

I very much hope we work together in a bipartisan manner to fix this problem in a way that secures the border, in a way that respects the rule of law, and in a way that improves legal immigration so we remain a nation that welcomes and celebrates legal immigrants.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I have a more robust statement that I intend to make later. But since I understand the time is truncated, I will wait for that because I am not going to equivocate on something that I feel passionately about and something that I have worked on a long time as part of the Gang of 8 to achieve. So, hopefully, I will get to that later today.

I did want to take advantage of the time that is available to just create a certain context having just heard from my colleague from Texas. I am glad he acknowledges this bill will pass the Senate. I believe the bill will pass the Senate because the American people are tired of a broken immigration system that neither meets our values, preserves our security, or promotes our economy. That is what is driving the American people in poll after poll and saying it is time to fix our broken system.

Now, I have heard the comments about this bill will pass the Senate, but it will not pass the House. Well, having served in the House, I am not quite sure anybody can make that determination. Part of it will be what leadership wants to achieve in the House and what it does not seek to achieve.

I would not negotiate against myself, against a process in the House which I am unaware of at this moment of exactly how they are going to pursue it. So why would I seek to diminish the Senate's prerogative to send what they think is the appropriate reform on immigration to the House for their consideration. I would not want to do that. That is what conferences are all about.

So if the House has a different view as to how we reform our broken immigration system, has a different view as to how we ensure the national security of the United States, has a different view as to how we promote the economic interests that immigration reform does promote, has a different view as to how we ensure that workers' wages are not suppressed by having an underclass of millions of people who are exploited and therefore bringing down the wages of all other American workers, fine. Let them express their view and then we can come together in a conference and negotiate what hopefully can be a final version to be sent to the President.

I find it ironic that my colleague from Texas consistently refers to Senate Democrats insisting on a pathway

to citizenship. I assume he takes the mantle of the Republican Party and says all Republicans believe there should be no pathway to citizenship. That, obviously, is rejected by the four colleagues who worked with me for months: Senator MCCAIN, Senator GRAHAM, Senator FLAKE, and Senator RUBIO, who believe a pathway to citizenship is an important ingredient toward achieving the comprehensive reform we all want, as well as others who have expressed support for that concept.

I know it may be popular with some of my colleagues to invoke President Obama's name as some type of red herring in this process. The bottom line is the bill we are debating, or I hope we will be debating after the motion to proceed shortly, is about finding the fixes to our broken immigration system that was devised by four Democrats and four Republicans and has since been supported by more. So it is not about President Obama. It is about getting the Senate to function and to solve one of the critical issues facing this country.

I heard the suggestion that only Senate Democrats got amendments they wanted and they opposed amendments of Republicans in the Judiciary Committee. My understanding is that there were 136 amendments adopted in the Judiciary Committee, of which all but three were bipartisan amendments or Republican-sponsored amendments. So I respect that the Senator had amendments and maybe his view did not prevail, but it is not true that there was not a bipartisan process that led to 136 amendments to the original proposition of the Gang of 8 put forward in order to be able to move forward. As a matter of fact, I think some of those who have opposed and still oppose comprehensive immigration reform—I know there are some that if 10 angels came swearing from above that this would be the right policy for America, they would say, no, you are wrong to the 10 angels.

I get it. I understand where they are, but the process held in the Judiciary Committee was about as open, transparent, and fair as you could have. That is why there are 136 changes to our proposal by virtue of the Judiciary Committee.

Finally, this reference to union bosses. I don't know any union bosses who were in any room. As a matter of fact, part of the compromise is that labor didn't get everything it wanted, neither did the U.S. Chamber of Commerce. But they both agreed, and they were standing behind us when we announced this legislation, in saying this is good for America.

Big business, the AFL-CIO, United Farm Workers with the big agro growers in this country, the most progressive pro-immigrant groups with Grover Norquist and the Americans for Tax

Reform, all say this legislation is what is important and necessary for America.

Everybody is entitled to their opinion, but you are not entitled to your own facts. I expect, during the course of this debate, to make sure that at least when we are debating, we are debating the same facts.

This legislation is good for our country. It will reform our broken immigration system. It will let me know who is here to pursue the American dream versus who might be here to do it harm. It will create economic opportunity for all Americans. It will add more taxpayers to the rolls of this country so there can be true, shared burden at the end of the day. It will create greater enterprise, as is exhibited by the high-tech companies, of which so many have been created by immigrants in this country.

I look forward to a fuller opportunity to present all of the reasons why this legislation, including tough border security provisions, more than ever before, more money spent than ever before—that this, in fact, will be spent in an intelligent way and in a way that ultimately, cumulatively, creates for border security more money than we are spending in domestic law enforcement as a whole.

I look forward to that opportunity.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I rise to talk about four claims this bill makes, these four claims that are on the chart, to disprove those claims under certain circumstances.

Before I do that, everybody who has spoken so far has said we have to pass a bill. I don't disagree with that but not just any bill. A bill that secures the border is very necessary. The status quo is not justifiable. We have to realize the reality of the fact that we can't gather 11 or 12 million people to deport, and if we did that, we would hurt the economy. That is the reality.

To get around that, we have to get a bill that gets through the Senate, the House of Representatives, and that the President approves.

My main goal throughout these next 2 or 3 weeks is to develop a bill that accomplishes that but to stress that a lot of things that have been said by the authors of this legislation are not accurate. I will take a few minutes to discuss how the authors have tried to sell the immigration bill and what I see as false advertising.

Legislators are in the business of selling ideas. With this bill, the American people are being sold a product. They are being asked to accept legalization and, in exchange, they would be assured through this legislation that the laws are going to be enforced.

Normally consumers are able to read the labels of things they are about to

purchase. They would have to read about 1,175 pages of this bill to know what it truly says. Even a quick read of the bill would leave many shaking their heads in confusion.

You have heard the phrase, "The devil is in the details." At first the proposal that the bipartisan group put forward sounded very reasonable, but we need to examine the fine print and take a closer look at what the bill does.

As I noted yesterday, I thought the framework, that is, when they started working on it, held hope. I realized the assurances the Gang of 8 made didn't translate when the bill language emerged.

They professed that the border would be secured and that people would earn their legal status. However, the bill, as drafted, is legalization first, enforcement later, if at all.

I would like to dive into the details and give a little reality check to those who expect this bill to do exactly as the authors promise. What do the proponents of this bill say the legislation will do?

The first thing on my chart is, "People will have to pay a penalty" to obtain legal status.

The bill lays out the application procedure. On page 972, a penalty is imposed on those who apply for registered provisional immigration status. It says that those who apply must pay \$1,000 to the Department of Homeland Security. It waives the penalty for anyone under 21 years. Yet on the next page it allows the applicant to pay the penalty in installments. The bill says:

The Secretary shall establish a process for collecting payments . . . that permit the penalty to be paid in periodic installments that shall be completed before the alien may be granted an extension of status.

In effect, this says the applicant has 6 years to pay the \$1,000. That is how long it takes to get RPI status. In addition to the penalty, applicants would pay a processing fee, a level set by the Secretary.

The bill says the Secretary has the discretion to waive the processing fee for any classes of individuals that she chooses and may limit the maximum fee paid by a family.

The fact is, the bill doesn't actually require everyone to pay a penalty. In view of the waiver, it doesn't require anyone to pay it when they apply for legal status. In fact, they may never have to pay a penalty.

Let's go to No. 2 on the chart. "People will have to pay back taxes" to receive legal status. In reality, members of the Gang of 8 stated over and over that their bill would require undocumented individuals to pay back taxes prior to being granted legal status. However, the bill before us fails to make good on the promise. Proponents of the bill point to a provision in the bill that prohibits people from filing for legal status "unless the applicant

has satisfied any applicable Federal tax liability."

It sounds good, right? As always, the devil is in the details. There are two important weaknesses with how the bill defines "applicable Federal tax liability."

First, the bill limits the definition to exclude employer taxes, Social Security taxes, Medicare taxes. Think of that exclusion.

Second, the bill does not require the payment of all back taxes legally owed. What it requires is a payment of taxes assessed by the Internal Revenue Service. Think of the IRS assessing. In order to assess a tax, the IRS first must have information on which to base this assessment. Our tax system is largely a voluntary system on self-reporting. It also relies on certain third-party reporting, such as wages reported by the employer; that is, the W-2 form.

If someone has been working unlawfully in the country and working off the books, it is likely that neither an individual return or third-party return will exist. Thus, no assessment will exist and no taxes will be paid.

Similarly, it is very unlikely that an assessment will exist for those who have worked under false Social Security numbers and never paid a tax. A legal obligation exists to pay taxes on all income from whatever sources derived. Nothing in this bill provides a requirement or a mechanism to accomplish this prior to granting legal status.

One of the gang members in January said this:

Shouldn't citizens pay back taxes? We can trace their employment back. It doesn't take a genius.

While it may seem common sense, the other side of the aisle is going to argue that establishing the requirement to pay back taxes owed, rather than assessed, is unworkable and costly. They will also claim that imposing additional tax barriers on this population could prevent undocumented workers and their families from coming forward.

The sales pitch has been clear. To get legal status, one has to pay back taxes. Let me provide a reality check. The bill doesn't make good on the promises made.

Third, they say people will have to learn English. In reality, the bill as drafted is supposed to ensure that new Americans speak a common language. Learning English is a way new residents assimilate. This is an issue that is very important. Immigrants before us made a concerted effort to learn English. The proponents are claiming the bill fulfills this wish.

However, the bill does not require people here unlawfully to learn English before receiving legal status or even a green card. Under section 2101, a person with RPI status who applies for a green card only has to pursue a course of

study to achieve an understanding of English and knowledge and understanding of civics.

If the people who gain legal access ever apply for citizenship—and some doubt this will happen to a majority of the undocumented population—they would have to pass an English proficiency exam as required under current law. Yes, after 13 years one would have to pass an exam, but the bill does very little to ensure that those who come out of the shadows will cherish or use an English language. The reality is that English isn't as much of a priority for the proponents of the bill as much as they claim it is.

Fourth and last, they say, "People won't get public benefits" when they choose to apply for legal status. The reality is Americans are very compassionate and generous. Many people can understand providing some legal status to people here illegally. One major sticking point, for those who question a legalization program, is the fact that lawbreakers could become eligible for public benefits and taxpayer subsidies.

The authors of the bill understood this, thank God. In an attempt to show that those who receive RPI status would not receive taxpayers' benefits, they included a provision that prohibited the population from receiving certain benefits. There are two major problems with the bill on this point.

First, those who receive RPI status will be immediately eligible for State and local welfare benefits. For instance, many States offer cash, medical, and food assistance through State-only programs to lawfully present citizens.

Second, the bill contains a welfare waiver loophole that could allow those with RPI status to receive Federal welfare dollars. The Obama administration has pushed the envelope by waiving welfare laws. If this loophole isn't closed, they could waive existing laws and allow funds provided under the welfare block grant, known as Temporary Assistance to Needy Families, to be provided to noncitizens.

Senator HATCH had an amendment during committee markup that would prohibit U.S. Department of HHS from waiving certain requirements of the TANF Program. His amendment would also prohibit any Federal agency from waiving restriction on eligibility of immigrants for public benefits.

The reality check for the American people is that there are loopholes and the potential for public benefits to go to those who are legalized under the bill.

Again, the devil is in the details. I hope this reality check will encourage proponents of the bill to fix these problems before the bill is passed in the Senate.

The American people deserve truth in advertising. We can't maintain the status quo on immigration. A bill should

pass, but the bill that passes should actually do what the authors say it will do. I have tried to point out some of the promises that may not be kept.

Authorized waivers in this bill—and I have used that word a few times—delegate to the Secretary to actually take action contrary to what is claimed by the authors and, hence, can undercut the intentions of the authors. We should legislate then and not delegate. I yield the floor.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to proceed to S. 744.

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. McCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 84, nays 15, as follows:

[Rollcall Vote No. 147 Leg.]

YEAS—84

Alexander	Flake	Mikulski
Ayotte	Franken	Moran
Baldwin	Gillibrand	Murkowski
Baucus	Graham	Murphy
Begich	Grassley	Murray
Bennet	Hagan	Nelson
Blumenthal	Harkin	Paul
Blunt	Hatch	Portman
Boxer	Heinrich	Pryor
Brown	Heitkamp	Reed
Burr	Heller	Reid
Cantwell	Hirono	Rockefeller
Cardin	Hoeven	Rubio
Carper	Isakson	Sanders
Casey	Johanns	Schatz
Chambliss	Johnson (SD)	Schumer
Chiesa	Johnson (WI)	Shaheen
Coats	Kaine	Stabenow
Coburn	King	Tester
Collins	Klobuchar	Thune
Cooms	Landrieu	Toomey
Corker	Leahy	Udall (CO)
Cornyn	Levin	Udall (NM)
Cowan	Manchin	Warner
Donnelly	McCaskill	Warren
Durbin	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Fischer	Merkley	Wyden

NAYS—15

Barrasso	Enzi	Roberts
Boozman	Inhofe	Scott
Cochran	Kirk	Sessions
Crapo	Lee	Shelby
Cruz	Risch	Vitter

NOT VOTING—1

McCain

The motion was agreed to.

## BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The PRESIDING OFFICER. The clerk will report the bill.

The legislative clerk read as follows:

A bill (S. 744) to provide for comprehensive immigration reform and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Border Security, Economic Opportunity, and Immigration Modernization Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Statement of congressional findings.

Sec. 3. Effective date triggers.

Sec. 4. Southern Border Security Commission.

Sec. 5. Comprehensive Southern Border Security Strategy and Southern Border Fencing Strategy.

Sec. 6. Comprehensive Immigration Reform Funds.

Sec. 7. Reference to the Immigration and Nationality Act.

Sec. 8. Definitions.

Sec. 9. Grant accountability.

### TITLE I—BORDER SECURITY

Sec. 1101. Definitions.

Sec. 1102. Additional U.S. Customs and Border Protection officers.

Sec. 1103. National Guard support to secure the Southern border.

Sec. 1104. Enhancement of existing border security operations.

Sec. 1105. Border security on certain Federal land.

Sec. 1106. Equipment and technology.

Sec. 1107. Access to emergency personnel.

Sec. 1108. Southwest Border Region Prosecution Initiative.

Sec. 1109. Interagency collaboration.

Sec. 1110. State Criminal Alien Assistance Program.

Sec. 1111. Use of force.

Sec. 1112. Training for border security and immigration enforcement officers.

Sec. 1113. Department of Homeland Security Border Oversight Task Force.

Sec. 1114. Ombudsman for Immigration Related Concerns of the Department of Homeland Security.

Sec. 1115. Protection of family values in apprehension programs.

Sec. 1116. Reports.

Sec. 1117. Severability and delegation.

Sec. 1118. Prohibition on land border crossing fees.

Sec. 1119. Human Trafficking Reporting.

Sec. 1120. Rule of construction.

Sec. 1121. Limitations on dangerous deportation practices.

### TITLE II—IMMIGRANT VISAS

#### Subtitle A—Registration and Adjustment of Registered Provisional Immigrants

Sec. 2101. Registered provisional immigrant status.

Sec. 2102. Adjustment of status of registered provisional immigrants.

Sec. 2103. The DREAM Act.

Sec. 2104. Additional requirements.

Sec. 2105. Criminal penalty.

Sec. 2106. Grant program to assist eligible applicants.

Sec. 2107. Conforming amendments to the Social Security Act.

Sec. 2108. Government contracting and acquisition of real property interest.

Sec. 2109. Long-term legal residents of the Commonwealth of the Northern Mariana Islands.

Sec. 2110. Rulemaking.

Sec. 2111. Statutory construction.

*Subtitle B—Agricultural Worker Program*

Sec. 2201. Short title.

Sec. 2202. Definitions.

CHAPTER 1—PROGRAM FOR EARNED STATUS  
ADJUSTMENT OF AGRICULTURAL WORKERS

SUBCHAPTER A—BLUE CARD STATUS

Sec. 2211. Requirements for blue card status.

Sec. 2212. Adjustment to permanent resident status.

Sec. 2213. Use of information.

Sec. 2214. Reports on blue cards.

Sec. 2215. Authorization of appropriations.

SUBCHAPTER B—CORRECTION OF SOCIAL SECURITY  
RECORDS

Sec. 2221. Correction of social security records.

CHAPTER 2—NONIMMIGRANT AGRICULTURAL VISA  
PROGRAM

Sec. 2231. Nonimmigrant classification for non-

immigrant agricultural workers.

Sec. 2232. Establishment of nonimmigrant agricultural worker program.

Sec. 2233. Transition of H-2A Worker Program.

Sec. 2234. Reports to Congress on nonimmigrant agricultural workers.

CHAPTER 3—OTHER PROVISIONS

Sec. 2241. Rulemaking.

Sec. 2242. Reports to Congress.

Sec. 2243. Benefits integrity programs.

Sec. 2244. Effective date.

*Subtitle C—Future Immigration*

Sec. 2301. Merit-based points track one.

Sec. 2302. Merit-based track two.

Sec. 2303. Repeal of the diversity visa program.

Sec. 2304. Worldwide levels and recapture of unused immigrant visas.

Sec. 2305. Reclassification of spouses and minor children of lawful permanent residents as immediate relatives.

Sec. 2306. Numerical limitations on individual foreign states.

Sec. 2307. Allocation of immigrant visas.

Sec. 2308. Inclusion of communities adversely affected by a recommendation of the Defense Base Closure and Realignment Commission as targeted employment areas.

Sec. 2309. V nonimmigrant visas.

Sec. 2310. Fiancée and fiancé child status protection.

Sec. 2311. Equal treatment for all stepchildren.

Sec. 2312. Modification of adoption age requirements.

Sec. 2313. Relief for orphans, widows, and widowers.

Sec. 2314. Discretionary authority with respect to removal, deportation, or inadmissibility of citizen and resident immediate family members.

Sec. 2315. Waivers of inadmissibility.

Sec. 2316. Continuous presence.

Sec. 2317. Global health care cooperation.

Sec. 2318. Extension and improvement of the Iraqi special immigrant visa program.

Sec. 2319. Extension and improvement of the Afghan special immigrant visa program.

Sec. 2320. Special Immigrant Nonminister Religious Worker Program.

Sec. 2321. Special immigrant status for certain surviving spouses and children.

Sec. 2322. Reunification of certain families of Filipino veterans of World War II.

*Subtitle D—Conrad State 30 and Physician  
Access*

Sec. 2401. Conrad State 30 Program.

Sec. 2402. Retaining physicians who have practiced in medically underserved communities.

Sec. 2403. Employment protections for physicians.

Sec. 2404. Allotment of Conrad 30 waivers.

Sec. 2405. Amendments to the procedures, definitions, and other provisions related to physician immigration.

*Subtitle E—Integration*

Sec. 2501. Definitions.

CHAPTER 1—CITIZENSHIP AND NEW AMERICANS  
SUBCHAPTER A—OFFICE OF CITIZENSHIP AND NEW  
AMERICANS

Sec. 2511. Office of Citizenship and New Americans.

SUBCHAPTER B—TASK FORCE ON NEW AMERICANS

Sec. 2521. Establishment.

Sec. 2522. Purpose.

Sec. 2523. Membership.

Sec. 2524. Functions.

CHAPTER 2—PUBLIC-PRIVATE PARTNERSHIP

Sec. 2531. Establishment of United States Citizenship Foundation.

Sec. 2532. Funding.

Sec. 2533. Purposes.

Sec. 2534. Authorized activities.

Sec. 2535. Council of directors.

Sec. 2536. Powers.

Sec. 2537. Initial Entry, Adjustment, and Citizenship Assistance Grant Program.

Sec. 2538. Pilot program to promote immigrant integration at State and local levels.

Sec. 2539. Naturalization ceremonies.

CHAPTER 3—FUNDING

Sec. 2541. Authorization of appropriations.

CHAPTER 4—REDUCE BARRIERS TO  
NATURALIZATION

Sec. 2551. Waiver of English requirement for senior new Americans.

Sec. 2552. Filing of applications not requiring regular internet access.

Sec. 2553. Permissible use of assisted housing by battered immigrants.

TITLE III—INTERIOR ENFORCEMENT

*Subtitle A—Employment Verification System*

Sec. 3101. Unlawful employment of unauthorized aliens.

Sec. 3102. Increasing security and integrity of social security cards.

Sec. 3103. Increasing security and integrity of immigration documents.

Sec. 3104. Responsibilities of the Social Security Administration.

Sec. 3105. Improved prohibition on discrimination based on national origin or citizenship status.

Sec. 3106. Rulemaking.

Sec. 3107. Office of the Small Business and Employee Advocate.

*Subtitle B—Protecting United States Workers*

Sec. 3201. Protections for victims of serious violations of labor and employment law or crime.

Sec. 3202. Employment Verification System Education Funding.

Sec. 3203. Directive to the United States Sentencing Commission.

*Subtitle C—Other Provisions*

Sec. 3301. Funding.

Sec. 3302. Effective date.

Sec. 3303. Mandatory exit system.

Sec. 3304. Identity-theft resistant manifest information for passengers, crew, and non-crew onboard departing aircraft and vessels.

Sec. 3305. Profiling.

Sec. 3306. Enhanced penalties for certain drug offenses on Federal lands.

*Subtitle D—Asylum and Refugee Provisions*

Sec. 3401. Time limits and efficient adjudication of genuine asylum claims.

Sec. 3402. Refugee family protections.

Sec. 3403. Clarification on designation of certain refugees.

Sec. 3404. Asylum determination efficiency.

Sec. 3405. Stateless persons in the United States.

Sec. 3406. U visa accessibility.

Sec. 3407. Work authorization while applications for U and T visas are pending.

Sec. 3408. Representation at overseas refugee interviews.

Sec. 3409. Law enforcement and national security checks.

Sec. 3410. Tibetan refugee assistance.

Sec. 3411. Termination of asylum or refugee status.

Sec. 3412. Asylum clock.

*Subtitle E—Shortage of Immigration Court  
Resources for Removal Proceedings*

Sec. 3501. Shortage of immigration court personnel for removal proceedings.

Sec. 3502. Improving immigration court efficiency and reducing costs by increasing access to legal information.

Sec. 3503. Office of Legal Access Programs.

Sec. 3504. Codifying Board of Immigration Appeals.

Sec. 3505. Improved training for immigration judges and Board Members.

Sec. 3506. Improved resources and technology for immigration courts and Board of Immigration Appeals.

Sec. 3507. Transfer of responsibility for trafficking protections.

*Subtitle F—Prevention of Trafficking in Persons  
and Abuses Involving Workers Recruited Abroad*

Sec. 3601. Definitions.

Sec. 3602. Disclosure.

Sec. 3603. Prohibition on discrimination.

Sec. 3604. Recruitment fees.

Sec. 3605. Registration.

Sec. 3606. Bonding requirement.

Sec. 3607. Maintenance of lists.

Sec. 3608. Amendment to the Immigration and Nationality Act.

Sec. 3609. Responsibilities of Secretary of State.

Sec. 3610. Enforcement provisions.

Sec. 3611. Detecting and preventing child trafficking.

Sec. 3612. Protecting child trafficking victims.

Sec. 3613. Rule of construction.

Sec. 3614. Regulations.

*Subtitle G—Interior Enforcement*

Sec. 3701. Criminal street gangs.

Sec. 3702. Banning habitual drunk drivers from the United States.

Sec. 3703. Sexual abuse of a minor.

Sec. 3704. Illegal entry.

Sec. 3705. Reentry of removed alien.

Sec. 3706. Penalties relating to vessels and aircraft.

Sec. 3707. Reform of passport, visa, and immigration fraud offenses.

Sec. 3708. Combating schemes to defraud aliens.

Sec. 3709. Inadmissibility and removal for passport and immigration fraud offenses.

Sec. 3710. Directives related to passport and document fraud.

Sec. 3711. Inadmissible aliens.

Sec. 3712. Organized and abusive human smuggling activities.

Sec. 3713. Preventing criminals from renouncing citizenship during wartime.

Sec. 3714. Diplomatic security service.

Sec. 3715. Secure alternatives programs.

Sec. 3716. Oversight of detention facilities.

Sec. 3717. Procedures for bond hearings and filing of notices to appear.

Sec. 3718. Sanctions for countries that delay or prevent repatriation of their nationals.

Sec. 3719. Gross violations of human rights.  
 Sec. 3720. Reporting and record-keeping requirements relating to the detention of aliens.  
 Sec. 3721. Powers of immigration officers and employees at sensitive locations.

*Subtitle H—Protection of Children Affected by Immigration Enforcement*

Sec. 3801. Short title.  
 Sec. 3802. Definitions.  
 Sec. 3803. Apprehension procedures for immigration enforcement-related activities.  
 Sec. 3804. Access to children, State and local courts, child welfare agencies, and consular officials.  
 Sec. 3805. Mandatory training.  
 Sec. 3806. Rulemaking.  
 Sec. 3807. Severability.

**TITLE IV—REFORMS TO NONIMMIGRANT VISA PROGRAMS**

*Subtitle A—Employment-based Nonimmigrant Visas*

Sec. 4101. Market-based H-1B Visa limits.  
 Sec. 4102. Employment authorization for dependents of employment-based nonimmigrants.  
 Sec. 4103. Eliminating impediments to worker mobility.  
 Sec. 4104. STEM education and training.  
 Sec. 4105. H-1B and L Visa fees.

*Subtitle B—H-1B Visa Fraud and Abuse Protections*

**CHAPTER 1—H-1B EMPLOYER APPLICATION REQUIREMENTS**

Sec. 4211. Modification of application requirements.  
 Sec. 4212. Requirements for admission of nonimmigrant nurses in health professional shortage areas.  
 Sec. 4213. New application requirements.  
 Sec. 4214. Application review requirements.

**CHAPTER 2—INVESTIGATION AND DISPOSITION OF COMPLAINTS AGAINST H-1B EMPLOYERS**

Sec. 4221. General modification of procedures for investigation and disposition.  
 Sec. 4222. Investigation, working conditions, and penalties.  
 Sec. 4223. Initiation of investigations.  
 Sec. 4224. Information sharing.  
 Sec. 4225. Transparency of high-skilled immigration programs.

**CHAPTER 3—OTHER PROTECTIONS**

Sec. 4231. Posting available positions through the Department of Labor.  
 Sec. 4232. Requirements for information for H-1B and L nonimmigrants.  
 Sec. 4233. Filing fee for H-1B-dependent employers.  
 Sec. 4234. Providing premium processing of employment-based visa petitions.  
 Sec. 4235. Technical correction.  
 Sec. 4236. Application.  
 Sec. 4237. Portability for beneficiaries of immigrant petitions.

*Subtitle C—L Visa Fraud and Abuse Protections*

Sec. 4301. Prohibition on outplacement of L nonimmigrants.  
 Sec. 4302. L employer petition requirements for employment at new offices.  
 Sec. 4303. Cooperation with Secretary of State.  
 Sec. 4304. Limitation on employment of L nonimmigrants.  
 Sec. 4305. Filing fee for L nonimmigrants.  
 Sec. 4306. Investigation and disposition of complaints against L nonimmigrant employers.  
 Sec. 4307. Penalties.  
 Sec. 4308. Prohibition on retaliation against L nonimmigrants.  
 Sec. 4309. Reports on L nonimmigrants.

Sec. 4310. Application.  
 Sec. 4311. Report on L blanket petition process.  
*Subtitle D—Other Nonimmigrant Visas*  
 Sec. 4401. Nonimmigrant visas for students.  
 Sec. 4402. Classification for specialty occupation workers from free trade countries.  
 Sec. 4403. E-visa reform.  
 Sec. 4404. Other changes to nonimmigrant visas.  
 Sec. 4405. Treatment of nonimmigrants during adjudication of application.  
 Sec. 4406. Nonimmigrant elementary and secondary school students.  
 Sec. 4407. J-1 Summer Work Travel Visa Exchange Visitor Program fee.  
 Sec. 4408. J visa eligibility for speakers of certain foreign languages.

Sec. 4409. F-1 Visa fee.  
 Sec. 4410. Pilot program for remote B nonimmigrant visa interviews.  
 Sec. 4411. Providing consular officers with access to all terrorist databases and requiring heightened scrutiny of applications for admission from persons listed on terrorist databases.  
 Sec. 4412. Visa revocation information.  
 Sec. 4413. Status for certain battered spouses and children.  
 Sec. 4414. Nonimmigrant crewmen landing temporarily in Hawaii.  
 Sec. 4415. Treatment of compact of free association migrants.

*Subtitle E—JOLT Act*

Sec. 4501. Short titles.  
 Sec. 4502. Premium processing.  
 Sec. 4503. Encouraging Canadian tourism to the United States.  
 Sec. 4504. Retiree visa.  
 Sec. 4505. Incentives for foreign visitors visiting the United States during low peak seasons.  
 Sec. 4506. Visa waiver program enhanced security and reform.  
 Sec. 4507. Expediting entry for priority visitors.  
 Sec. 4508. Visa processing.  
 Sec. 4509. B Visa fee.

*Subtitle F—Reforms to the H-2B Visa Program*

Sec. 4601. Extension of returning worker exemption to H-2B numerical limitation.  
 Sec. 4602. Other requirements for H-2B employers.  
 Sec. 4603. Executives and managers.  
 Sec. 4604. Honoraria.  
 Sec. 4605. Nonimmigrants participating in relief operations.  
 Sec. 4606. Nonimmigrants performing maintenance on common carriers.

*Subtitle G—W Nonimmigrant Visas*

Sec. 4701. Bureau of Immigration and Labor Market Research.  
 Sec. 4702. Nonimmigrant classification for W nonimmigrants.  
 Sec. 4703. Admission of W nonimmigrant workers.

*Subtitle H—Investing in New Venture, Entrepreneurial Startups, and Technologies*

Sec. 4801. Nonimmigrant INVEST visas.  
 Sec. 4802. INVEST immigrant visa.  
 Sec. 4803. Administration and oversight.  
 Sec. 4804. Permanent authorization of EB-5 Regional Center Program.  
 Sec. 4805. Conditional permanent resident status for employment-based immigrants, spouses, and children.  
 Sec. 4806. EB-5 Visa reforms.  
 Sec. 4807. Authorization of appropriations.

*Subtitle I—Student and Exchange Visitor Programs*

Sec. 4901. Short title.

Sec. 4902. SEVIS and SEVP defined.  
 Sec. 4903. Increased criminal penalties.  
 Sec. 4904. Accreditation requirement.  
 Sec. 4905. Other academic institutions.  
 Sec. 4906. Penalties for failure to comply with SEVIS reporting requirements.  
 Sec. 4907. Visa fraud.  
 Sec. 4908. Background checks.  
 Sec. 4909. Revocation of authority to issue Form I-20 of flight schools not certified by the Federal Aviation Administration.  
 Sec. 4910. Revocation of accreditation.  
 Sec. 4911. Report on risk assessment.  
 Sec. 4912. Implementation of GAO recommendations.  
 Sec. 4913. Implementation of SEVIS II.

**SEC. 2. STATEMENT OF CONGRESSIONAL FINDINGS.**

Congress makes the following findings:

(1) The passage of this Act recognizes that the primary tenets of its success depend on securing the sovereignty of the United States of America and establishing a coherent and just system for integrating those who seek to join American society.

(2) We have a right, and duty, to maintain and secure our borders, and to keep our country safe and prosperous. As a Nation founded, built and sustained by immigrants we also have a responsibility to harness the power of that tradition in a balanced way that secures a more prosperous future for America.

(3) We have always welcomed newcomers to the United States and will continue to do so. But in order to qualify for the honor and privilege of eventual citizenship, our laws must be followed. The world depends on America to be strong—economically, militarily and ethically. The establishment of a stable, just, and efficient immigration system only supports those goals. As a Nation, we have the right and responsibility to make our borders safe, to establish clear and just rules for seeking citizenship, to control the flow of legal immigration, and to eliminate illegal immigration, which in some cases has become a threat to our national security.

(4) All parts of this Act are premised on the right and need of the United States to achieve these goals, and to protect its borders and maintain its sovereignty.

**SEC. 3. EFFECTIVE DATE TRIGGERS.**

(a) **DEFINITIONS.**—In this section:

(1) **COMMISSION.**—The term “Commission” means the Southern Border Security Commission established pursuant to section 4.

(2) **COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.**—The term “Comprehensive Southern Border Security Strategy” means the strategy established by the Secretary pursuant to section 5(a) to achieve and maintain an effectiveness rate of 90 percent or higher in all border sectors.

(3) **EFFECTIVE CONTROL.**—The term “effective control” means the ability to achieve and maintain, in a Border Patrol sector—

(A) persistent surveillance; and

(B) an effectiveness rate of 90 percent or higher.

(4) **EFFECTIVENESS RATE.**—The “effectiveness rate”, in the case of a border sector, is the percentage calculated by dividing the number of apprehensions and turn backs in the sector during a fiscal year by the total number of illegal entries in the sector during such fiscal year.

(5) **SOUTHERN BORDER.**—The term “Southern border” means the international border between the United States and Mexico.

(6) **SOUTHERN BORDER FENCING STRATEGY.**—The term “Southern Border Fencing Strategy” means the strategy established by the Secretary pursuant to section 5(b) that identifies where fencing (including double-layer fencing), infrastructure, and technology, including at ports of

entry, should be deployed along the Southern border.

(b) **BORDER SECURITY GOAL.**—The Department's border security goal is to achieve and maintain effective control in all border sectors along the Southern border.

(c) **TRIGGERS.**—

(1) **PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.**—Not earlier than the date upon which the Secretary has submitted to Congress the Notice of Commencement of implementation of the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy under section 5 of this Act, the Secretary may commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act.

(2) **ADJUSTMENT OF STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the Secretary may not adjust the status of aliens who have been granted registered provisional immigrant status, except for aliens granted blue card status under section 2201 of this Act or described in section 245D(b) of the Immigration and Nationality Act, until the Secretary, after consultation with the Comptroller General of the United States, submits to the President and Congress a written certification that—

(i) the Comprehensive Southern Border Security Strategy has been submitted to Congress and is substantially deployed and substantially operational;

(ii) the Southern Border Fencing Strategy has been submitted to Congress, implemented, and is substantially completed;

(iii) the Secretary has implemented the mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101, for use by all employers to prevent unauthorized workers from obtaining employment in the United States; and

(iv) the Secretary is using an electronic exit system at air and sea ports of entry that operates by collecting machine-readable visa or passport information from air and vessel carriers.

(B) **EXCEPTION.**—The Secretary shall permit registered provisional immigrants to apply for an adjustment to lawful permanent resident status if—

(i)(I) litigation or a force majeure has prevented 1 or more of the conditions described in clauses (i) through (iv) of subparagraph (A) from being implemented; or

(II) the implementation of subparagraph (A) has been held unconstitutional by the Supreme Court of the United States or the Supreme Court has granted certiorari to the litigation on the constitutionality of implementation of subparagraph (A); and

(ii) 10 years have elapsed since the date of the enactment of this Act.

(d) **WAIVER OF LEGAL REQUIREMENTS NECESSARY FOR IMPROVEMENT AT BORDERS.**—Notwithstanding any other provision of law, the Secretary is authorized to waive all legal requirements that the Secretary determines to be necessary to ensure expeditious construction of the barriers, roads, or other physical tactical infrastructure needed to fulfill the requirements under this section. Any determination by the Secretary under this section shall be effective upon publication in the Federal Register of a notice that specifies each law that is being waived and the Secretary's explanation for the determination to waive that law. The waiver shall expire on the later of the date on which the Secretary submits the written certification that the Southern Border Fencing Strategy is substantially completed as specified in sub-

section (c)(2)(A)(ii) or the date that the Secretary submits the written certification that the Comprehensive Southern Border Security Strategy is substantially deployed and substantially operational as specified in subsection (c)(2)(A)(i).

(e) **FEDERAL COURT REVIEW.**—

(1) **IN GENERAL.**—The district courts of the United States shall have exclusive jurisdiction to hear all causes or claims arising from any action undertaken, or any decision made, by the Secretary under subsection (d). A cause of action or claim may only be brought alleging a violation of the Constitution of the United States. The court does not have jurisdiction to hear any claim not specified in this paragraph.

(2) **TIME FOR FILING COMPLAINT.**—If a cause or claim under paragraph (1) is not filed within 60 days after the date of the contested action or decision by the Secretary, the claim shall be barred.

(3) **APPELLATE REVIEW.**—An interlocutory or final judgment, decree, or order of the district court may be reviewed only upon petition for a writ of certiorari to the Supreme Court of the United States.

#### **SEC. 4. SOUTHERN BORDER SECURITY COMMISSION.**

(a) **ESTABLISHMENT.**—If the Secretary certifies that the Department has not achieved effective control in all border sectors during any fiscal year beginning before the date that is 5 years after the date of the enactment of this Act, not later than 60 days after such certification, there shall be established a commission to be known as the "Southern Border Security Commission" (referred to in this section as the "Commission").

(b) **COMPOSITION.**—

(1) **IN GENERAL.**—The Commission shall be composed of—

(A) 2 members who shall be appointed by the President;

(B) 2 members who shall be appointed by the President pro tempore of the Senate, of which—  
(i) 1 shall be appointed upon the recommendation of the leader in the Senate of the political party that is not the political party of the President; and

(ii) 1 shall be appointed upon the recommendation of the leader in the Senate of the other political party;

(C) 2 members who shall be appointed by the Speaker of the House of Representatives, of which—

(i) 1 shall be appointed upon the recommendation of the leader in the House of Representatives of the political party that is not the political party of the President; and

(ii) 1 shall be appointed upon the recommendation of the leader in the House of Representatives of the other political party; and

(D) 4 members, consisting of 1 member from each of the States along the Southern border, who shall be—

(i) the Governor of such State; or

(ii) appointed by the Governor of each such State.

(2) **QUALIFICATION FOR APPOINTMENT.**—Appointed members of the Commission shall be distinguished individuals noted for their knowledge and experience in the field of border security at the Federal, State, or local level.

(3) **TIME OF APPOINTMENT.**—The appointments required by paragraph (1) shall be made not later than 60 days after the Secretary makes a certification described in subsection (a).

(4) **CHAIR.**—At the first meeting of the Commission, a majority of the members of the Commission present and voting shall elect the Chair of the Commission.

(5) **VACANCIES.**—Any vacancy of the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(6) **RULES.**—The Commission shall establish the rules and procedures of the Commission which shall require the approval of at least 6 members of the Commission.

(c) **DUTIES.**—The Commission's primary responsibility shall be to make recommendations to the President, the Secretary, and Congress on policies to achieve and maintain the border security goal specified in section 3(b) by achieving and maintaining—

(1) the capability to engage in, and engaging in, persistent surveillance in border sectors along the Southern border; and

(2) an effectiveness rate of 90 percent or higher in all border sectors along the Southern border.

(d) **REPORT.**—Not later than 180 days after the end of the 5-year period described in subsection (a), the Commission shall submit to the President, the Secretary, and Congress a report setting forth specific recommendations for policies for achieving and maintaining the border security goals specified in subsection (c). The report shall include, at a minimum, recommendations for the personnel, infrastructure, technology, and other resources required to achieve and maintain an effectiveness rate of 90 percent or higher in all border sectors.

(e) **TRAVEL EXPENSES.**—Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(f) **ADMINISTRATIVE SUPPORT.**—The Secretary shall provide the Commission such staff and administrative services as may be necessary and appropriate for the Commission to perform its functions. Any employee of the executive branch of Government may be detailed to the Commission without reimbursement to the agency of that employee and such detail shall be without interruption or loss of civil service or status or privilege.

(g) **COMPTROLLER GENERAL REVIEW.**—The Comptroller General of the United States shall review the recommendations in the report submitted under subsection (d) in order to determine—

(1) whether any of the recommendations are likely to achieve effective control in all border sectors;

(2) which recommendations are most likely to achieve effective control; and

(3) whether such recommendations are feasible within existing budget constraints.

(h) **TERMINATION.**—The Commission shall terminate 30 days after the date on which the report is submitted under subsection (d).

#### **SEC. 5. COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY AND SOUTHERN BORDER FENCING STRATEGY.**

(a) **COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a strategy, to be known as the "Comprehensive Southern Border Security Strategy", for achieving and maintaining effective control between the ports of entry in all border sectors along the Southern border, to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on the Judiciary of the Senate;

(F) the Committee on the Judiciary of the House of Representatives; and



(G) the Comptroller General of the United States.

(2) **ELEMENTS.**—The Comprehensive Southern Border Security Strategy shall specify—

(A) the priorities that must be met for the strategy to be successfully executed;

(B) the capabilities that must be obtained to meet each of the priorities referred to in subparagraph (A), including—

(i) surveillance and detection capabilities developed or used by the Department of Defense to increase situational awareness; and

(ii) the requirement for stationing sufficient Border Patrol agents and Customs and Border Protection officers between and at ports of entry along the Southern border; and

(C) the resources, including personnel, infrastructure, and technology that must be procured and successfully deployed to obtain the capabilities referred to in subparagraph (B), including—

(i) fixed, mobile, and agent portable surveillance systems; and

(ii) unarmed, unmanned aerial systems and unarmed, fixed-wing aircraft and necessary and qualified staff and equipment to fully utilize such systems.

(3) **ADDITIONAL ELEMENTS REGARDING EXECUTION.**—The Comprehensive Southern Border Security Strategy shall describe—

(A) how the resources referred to in paragraph (2)(C) will be properly aligned with the priorities referred to in paragraph (2)(A) to ensure that the strategy will be successfully executed;

(B) the interim goals that must be accomplished to successfully implement the strategy; and

(C) the schedule and supporting milestones under which the Department will accomplish the interim goals referred to in subparagraph (B).

(4) **IMPLEMENTATION.**—

(A) **IN GENERAL.**—The Secretary shall commence the implementation of the Comprehensive Southern Border Security Strategy immediately after submitting the strategy under paragraph (1).

(B) **NOTICE OF COMMENCEMENT.**—Upon commencing the implementation of the strategy, the Secretary shall submit a notice of commencement of such implementation to—

(i) Congress; and

(ii) the Comptroller General of the United States.

(5) **SEMIANNUAL REPORTS.**—

(A) **IN GENERAL.**—Not later than 180 days after the Comprehensive Southern Border Security Strategy is submitted under paragraph (1), and every 180 days thereafter, the Secretary shall submit a report on the status of the Department's implementation of the strategy to—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

(ii) the Committee on Homeland Security of the House of Representatives;

(iii) the Committee on Appropriations of the Senate;

(iv) the Committee on Appropriations of the House of Representatives;

(v) the Committee on the Judiciary of the Senate;

(vi) the Committee on the Judiciary of the House of Representatives; and

(vii) the Comptroller General of the United States.

(B) **ELEMENTS.**—Each report submitted under subparagraph (A) shall include—

(i) a detailed description of the steps the Department has taken, or plans to take, to execute the strategy submitted under paragraph (1), including the progress made toward achieving the interim goals and milestone schedule established pursuant to subparagraphs (B) and (C) of paragraph (3);

(ii) a detailed description of—

(I) any impediments identified in the Department's efforts to execute the strategy;

(II) the actions the Department has taken, or plans to take, to address such impediments; and

(III) any additional measures developed by the Department to measure the state of security along the Southern border; and

(iii) for each Border Patrol sector along the Southern border—

(I) the effectiveness rate for each individual Border Patrol sector and the aggregated effectiveness rate;

(II) the number of recidivist apprehensions, sorted by Border Patrol sector; and

(III) the recidivism rate for all unique subjects that received a criminal consequence through the Consequence Delivery System process.

(C) **ANNUAL REVIEW.**—The Comptroller General of the United States shall conduct an annual review of the information contained in the semiannual reports submitted by the Secretary under this paragraph and submit an assessment of the status and progress of the Southern Border Security Strategy to the committees set forth in subparagraph (A).

(b) **SOUTHERN BORDER FENCING STRATEGY.**—

(1) **ESTABLISHMENT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a strategy, to be known as the "Southern Border Fencing Strategy", to identify where fencing (including double-layer fencing), infrastructure, and technology, including at ports of entry, should be deployed along the Southern border.

(2) **SUBMISSION.**—The Secretary shall submit the Southern Border Fencing Strategy to Congress and the Comptroller General of the United States for review.

(3) **NOTICE OF COMMENCEMENT.**—Upon commencing the implementation of the Southern Border Fencing Strategy, the Secretary shall submit a notice of commencement of the implementation of the Strategy to Congress and the Comptroller General of the United States.

(4) **CONSULTATION.**—

(A) **IN GENERAL.**—In implementing the Southern Border Fencing Strategy required by this subsection, the Secretary shall consult with the Secretary of the Interior, the Secretary of Agriculture, States, local governments, Indian tribes, and property owners in the United States to minimize the impact on the environment, culture, commerce, and quality of life for the communities and residents located near the sites at which such fencing is to be constructed.

(B) **SAVINGS PROVISION.**—Nothing in this paragraph may be construed to—

(i) create or negate any right of action for a State or local government or other person or entity affected by this subsection; or

(ii) affect the eminent domain laws of the United States or of any State.

(5) **LIMITATION ON REQUIREMENTS.**—Notwithstanding paragraph (1), nothing in this subsection shall require the Secretary to install fencing, or infrastructure that directly results from the installation of such fencing, in a particular location along the Southern border, if the Secretary determines that the use or placement of such resources is not the most appropriate means to achieve and maintain effective control over the Southern border at such location.

## SEC. 6. COMPREHENSIVE IMMIGRATION REFORM FUNDS.

(a) **COMPREHENSIVE IMMIGRATION REFORM TRUST FUND.**—

(1) **ESTABLISHMENT.**—There is established in the Treasury a separate account, to be known as the Comprehensive Immigration Reform Trust Fund (referred to in this section as the "Trust Fund"), consisting of—

(A) amounts transferred from the general fund of the Treasury under paragraph (2)(A); and

(B) proceeds from the fees described in paragraph (2)(B).

(2) **DEPOSITS.**—

(A) **INITIAL FUNDING.**—On the later of the date of the enactment of this Act or October 1, 2013, \$8,300,000,000 shall be transferred from the general fund of the Treasury to the Trust Fund.

(B) **ONGOING FUNDING.**—Notwithstanding section 3302 of title 31, United States Code, in addition to the funding described in subparagraph (A), and subject to paragraphs (3)(B) and (4), the following amounts shall be deposited in the Trust Fund:

(i) **ELECTRONIC TRAVEL AUTHORIZATION SYSTEM FEES.**—Fees collected under section 217(h)(3)(B)(i)(II) of the Immigration and Nationality Act, as added by section 1102(c).

(ii) **REGISTERED PROVISIONAL IMMIGRANT PENALTIES.**—Penalties collected under section 245B(c)(10)(C) of the Immigration and Nationality Act, as added by section 2101.

(iii) **BLUE CARD PENALTY.**—Penalties collected under section 221(b)(9)(C).

(iv) **FINE FOR ADJUSTMENT FROM BLUE CARD STATUS.**—Fines collected under section 245F(a)(5) of the Immigration and Nationality Act, as added by section 2212(a).

(v) **PENALTIES FOR FALSE STATEMENTS IN APPLICATIONS.**—Fines collected under section 245F(f) of the Immigration and Nationality Act, as added by section 2212(a).

(vi) **MERIT SYSTEM GREEN CARD FEES.**—Fees collected under section 203(c)(6) of the Immigration and Nationality Act, as amended by section 2301(a)(2).

(vii) **H-1B AND L VISA FEES.**—Fees collected under section 281(d) of the Immigration and Nationality Act, as added by section 4105.

(viii) **H-1B OUTPLACEMENT FEE.**—Fees collected under section 212(n)(1)(F)(ii) of the Immigration and Nationality Act, as amended by section 4211(d).

(ix) **H-1B NONIMMIGRANT DEPENDENT EMPLOYER FEES.**—Fees collected under section 4233(a)(2).

(x) **L NONIMMIGRANT DEPENDENT EMPLOYER FEES.**—Fees collected under section 4305(a)(2).

(xi) **J-1 VISA MITIGATION FEES.**—Fees collected under section 281(e) of the Immigration and Nationality Act, as added by section 4407.

(xii) **F-1 VISA FEES.**—Fees collected under section 281(f) of the Immigration and Nationality Act, as added by section 4408.

(xiii) **RETIREE VISA FEES.**—Fees collected under section 214(w)(1)(B) of the Immigration and Nationality Act, as added by section 4504(b).

(xiv) **VISITOR VISA FEES.**—Fees collected under section 281(g) of the Immigration and Nationality Act, as added by section 4509.

(xv) **H-2B VISA FEES.**—Fees collected under section 214(x)(5)(A) of the Immigration and Nationality Act, as added by section 4602(a).

(xvi) **NONIMMIGRANTS PERFORMING MAINTENANCE ON COMMON CARRIERS.**—Fees collected under section 214(z) of the Immigration and Nationality Act, as added by section 4604.

(xvii) **X-1 VISA FEES.**—Fees collected under section 214(s)(6) of the Immigration and Nationality Act, as added by section 4801.

(xviii) **PENALTY FOR ADJUSTMENT FROM REGISTERED PROVISIONAL IMMIGRANT STATUS.**—Penalties collected under section 245C(c)(5)(B) of the Immigration and Nationality Act, as added by section 2102.

(C) **AUTHORITY TO ADJUST FEES.**—As necessary to carry out the purposes of this Act, the Secretary may adjust the amounts of the fees and penalties set out under subparagraph (B), except for the fines and penalties referred to in clauses (ii), (iii), (iv), or (xviii) of such subparagraph.

(3) **USE OF FUNDS.**—

(A) **INITIAL FUNDING.**—Of the amounts transferred to the Trust Fund pursuant to paragraph (2)(A)—

(i) \$3,000,000,000 shall remain available for the 5-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary to carry out the Comprehensive Southern Border Security Strategy;

(ii) \$2,000,000,000 shall remain available for the 10-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary to carry out programs, projects, and activities recommended by the Commission pursuant to section 4(d) to achieve and maintain the border security goal specified in section 3(b);

(iii) \$1,500,000,000 shall be made available to the Secretary, during the 5-year period beginning on the date of the enactment of this Act, to procure and deploy fencing, infrastructure, and technology in accordance with the Southern Border Fencing Strategy established pursuant to section 5(b), not less than \$1,000,000,000 of which shall be used to deploy, repair, or replace fencing;

(iv) \$750,000,000 shall remain available for the 6-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary to expand and implement the mandatory employment verification system, which shall be used as required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101;

(v) \$900,000,000 shall remain available for the 8-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary of State to pay for one-time and startup costs necessary to implement this Act; and

(vi) \$150,000,000 shall remain available for the 2-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary for transfer to the Secretary of Labor, the Secretary of Agriculture, or the Attorney General, for initial costs of implementing this Act.

(B) REPAYMENT OF TRUST FUND EXPENSES.—The first \$8,300,000,000 collected pursuant to the fees, penalties, and fines referred to in clauses (ii), (iii), (iv), (vi), (xii), (xvii), and (xviii) of paragraph (2)(B) shall be collected, deposited in the general fund of the Treasury, and used for Federal budget deficit reduction. Collections in excess of \$8,300,000,000 shall be deposited into the Trust Fund, as specified in paragraph (2)(B).

(C) PROGRAM IMPLEMENTATION.—Amounts deposited into the Trust Fund pursuant to paragraph (2)(B) shall be available during each of fiscal years 2014 through 2018 as follows:

(i) \$50,000,000 to carry out the activities referenced in section 1104(a)(1).

(ii) \$50,000,000 to carry out the activities referenced in section 1104(b).

(D) ONGOING FUNDING.—Subject to the availability of appropriations, amounts deposited in the Trust Fund pursuant to paragraph (2)(B) are authorized to be appropriated as follows:

(i) Such sums as may be necessary to carry out the authorizations included in this Act.

(ii) Such sums as may be necessary to carry out the operations and maintenance of border security and immigration enforcement investments referenced in subparagraph (A).

(E) EXPENDITURE PLAN.—The Secretary, in consultation with the Attorney General and the Secretary of Defense, shall submit to the Committee on Appropriations of the Senate, the Committee on the Judiciary of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on the Judiciary of the House of Representatives, in conjunction with the Comprehensive Southern Border Strategy and the Southern Border Fencing Strategy, a plan for expenditure that describes—

(i) the types and planned deployment of fixed, mobile, video, and agent and officer portable surveillance and detection equipment, including those recommended or provided by the Department of Defense;

(ii) the number of Border Patrol agents and Customs and Border Protection officers to be hired, including a detailed description of which Border Patrol sectors and which land border ports of entry they will be stationed;

(iii) the numbers and type of unarmed, unmanned aerial systems and unarmed, fixed-wing and rotary aircraft, including pilots, air interdiction agents, and support staff to fly or otherwise operate and maintain the equipment;

(iv) the numbers, types, and planned deployment of marine and riverine vessels, if any, including marine interdiction agents and support staff to operate and maintain the vessels;

(v) the locations, amount, and planned deployment of fencing, including double layer fencing, tactical and other infrastructure, and technology, including but not limited to fixed towers, sensors, cameras, and other detection technology;

(vi) the numbers, types, and planned deployment of ground-based mobile surveillance systems;

(vii) the numbers, types, and planned deployment of tactical and other interoperable law enforcement communications systems and equipment;

(viii) required construction, including repairs, expansion, and maintenance, and location of additional checkpoints, Border Patrol stations, and forward operating bases;

(ix) the number of additional attorneys and support staff for the Office of the United States Attorney for Tucson;

(x) the number of additional support staff and interpreters in the Office of the Clerk of the Court for Tucson;

(xi) the number of additional personnel, including Marshals and Deputy Marshals for the United States Marshals Office for Tucson;

(xii) the number of additional magistrate judges for the southern border United States District Courts;

(xiii) activities to be funded by the Homeland Security Border Oversight Task Force;

(xiv) amounts and types of grants to States and other entities;

(xv) amounts and activities necessary to hire additional personnel and for start-up costs related to upgrading software and information technology necessary to transition from a voluntary E-Verify system to mandatory employment verification system under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) within 5 years;

(xvi) the number of additional personnel and other costs associated with implementing the immigration courts and removal proceedings mandated in subtitle E of title III;

(xvii) the steps the Commissioner of Social Security plans to take to create a fraud-resistant, tamper-resistant, wear-resistant, and identity-theft resistant Social Security card, including—

(I) the types of equipment needed to create the card;

(II) the total estimated costs for completion that clearly delineates costs associated with the acquisition of equipment and transition to operation, subdivided by fiscal year and including a description of the purpose by fiscal year for design, pre-acquisition activities, production, and transition to operation;

(III) the number and type of personnel, including contract personnel, required to research, design, test, and produce the card; and

(IV) a detailed schedule for production of the card, including an estimated completion date at the projected funding level provided in this Act; and

(xviii) the operations and maintenance costs associated with the implementation of clauses (i) through (xvii).

(F) ANNUAL REVISION.—The expenditure plan required in (E) shall be revised and submitted

with the President's budget proposals for fiscal year 2016, 2017, 2018, and 2019 pursuant to the requirements of section 1105(a) of title 31, United States Code.

(G) COMMISSION EXPENDITURE PLAN.—

(i) REQUIREMENT FOR PLAN.—If the Southern Border Security Commission referenced in section 4 is established, the Secretary shall submit to the appropriate committees of Congress, not later than 60 days after the submission of the review required by section 4(g), a plan for expenditure that achieves the recommendations in the report required by section 4(d) and the review required by section 4(g).

(ii) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In clause (i), the term “appropriate committees of Congress” means—

(I) the Committee on Appropriations, the Committee on the Judiciary, and the Committee on Finance of the Senate; and

(II) the Committee on Appropriations, the Committee on the Judiciary, and the Committee on Ways and Means of the House of Representatives.

(4) LIMITATION ON COLLECTION.—

(A) IN GENERAL.—No fee deposited in the Trust Fund may be collected except to the extent that the expenditure of the fee is provided for in advance in an appropriations Act only to pay the costs of activities and services for which appropriations are authorized to be funded from the Trust Fund.

(B) RECEIPTS COLLECTED AS OFFSETTING RECEIPTS.—Until the date of the enactment of an Act making appropriations for the activities authorized under this Act through September 30, 2014, the fees authorized by paragraph (2)(B) that are not deposited into the general fund pursuant to paragraph (3)(B) may be collected and shall be credited as to the Trust Fund to remain available until expended only to pay the costs of activities and services for which appropriations are authorized to be funded from the Trust Fund.

(b) COMPREHENSIVE IMMIGRATION REFORM STARTUP ACCOUNT.—

(1) ESTABLISHMENT.—There is established in the Treasury a separate account, to be known as the “Comprehensive Immigration Reform Startup Account,” (referred to in this section as the “Startup Account”), consisting of amounts transferred from the general fund of the Treasury under paragraph (2).

(2) DEPOSITS.—There is appropriated to the Startup Account, out of any funds in the Treasury not otherwise appropriated, \$3,000,000,000, to remain available until expended on the later of the date that is—

(A) the date of the enactment of this Act; or

(B) October 1, 2013.

(3) REPAYMENT OF STARTUP COSTS.—

(A) IN GENERAL.—Notwithstanding section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), 50 percent of fees collected under section 245B(c)(10)(A) of the Immigration and Nationality Act, as added by section 2101 of this Act, shall be deposited monthly in the general fund of the Treasury and used for Federal budget deficit reduction until the funding provided by paragraph (2) has been repaid.

(B) DEPOSIT IN THE IMMIGRATION EXAMINATIONS FEE ACCOUNT.—Fees collected in excess of the amount referenced in subparagraph (A) shall be deposited in the Immigration Examinations Fee Account, pursuant to section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), and shall remain available until expended pursuant to section 286(n) of the Immigration and Nationality Act (8 U.S.C. 1356(n)).

(4) USE OF FUNDS.—The Secretary shall use the amounts transferred to the Startup Account to pay for one-time and startup costs necessary to implement this Act, including—

(A) equipment, information technology systems, infrastructure, and human resources;

(B) outreach to the public, including development and promulgation of any regulations, rules, or other public notice;

(C) grants to community and faith-based organizations; and

(D) anti-fraud programs and actions related to implementation of this Act.

(5) **EXPENDITURE PLAN.**—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Attorney General and the Secretary of Defense, shall submit to the Committee on Appropriations and the Committee on the Judiciary of the Senate and the Committee on Appropriations and the Committee on the Judiciary of the House of Representatives, a plan for expenditure of the one-time and startup funds in the Startup Account that provides details on—

(A) the types of equipment, information technology systems, infrastructure, and human resources;

(B) the plans for outreach to the public, including development and promulgation of any regulations, rules, or other public notice;

(C) the types and amounts of grants to community and faith-based organizations; and

(D) the anti-fraud programs and actions related to implementation of this Act.

(c) **ANNUAL AUDITS.**—

(1) **AUDITS REQUIRED.**—Not later than October 1 each year beginning on or after the date of the enactment of this Act, the Chief Financial Officer of the Department of Homeland Security shall, in conjunction with the Inspector General of the Department of Homeland Security, conduct an audit of the Trust Fund.

(2) **REPORTS.**—Upon completion of each audit of the Trust Fund under paragraph (1), the Chief Financial Officer shall, in conjunction with the Inspector General, submit to Congress, and make available to the public on an Internet website of the Department available to the public, a jointly audited financial statement concerning the Trust Fund.

(3) **ELEMENTS.**—Each audited financial statement under paragraph (2) shall include the following:

(A) The report of an independent certified public accountant.

(B) A balance sheet reporting admitted assets, liabilities, capital and surplus.

(C) A statement of cash flow.

(D) Such other information on the Trust Fund as the Chief Financial Officer, the Inspector General, or the independent certified public accountant considers appropriate to facilitate a comprehensive understanding of the Trust Fund during the year covered by the financial statement.

(d) **DETERMINATION OF BUDGETARY EFFECTS.**—

(1) **EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.**—In the Senate, amounts appropriated by or deposited in the general fund of the Treasury pursuant to this section are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(2) **EMERGENCY DESIGNATION FOR STATUTORY PAYGO.**—Amounts appropriated by or deposited in the general fund of the Treasury pursuant to this section are designated as an emergency requirement under section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

## **SEC. 7. REFERENCE TO THE IMMIGRATION AND NATIONALITY ACT.**

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

## **SEC. 8. DEFINITIONS.**

In this Act:

(1) **DEPARTMENT.**—Except as otherwise provided, the term “Department” means the Department of Homeland Security.

(2) **SECRETARY.**—Except as otherwise provided, the term “Secretary” means the Secretary of Homeland Security.

## **SEC. 9. GRANT ACCOUNTABILITY.**

(a) **DEFINITIONS.**—In this section:

(1) **AWARDING ENTITIES.**—The term “awarding entities” means the Secretary of Homeland Security, the Director of the Federal Emergency Management Agency (FEMA), the Chief of the Office of Citizenship and New Americans, as designated by this Act, and the Director of the National Science Foundation.

(2) **NONPROFIT ORGANIZATION.**—The term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(3) **UNRESOLVED AUDIT FINDING.**—The term “unresolved audit finding” means a finding in a final audit report conducted by the Inspector General of the Department of Homeland Security, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 1 year from the date when the final audit report is issued.

(b) **ACCOUNTABILITY.**—All grants awarded by awarding entities pursuant to this Act shall be subject to the following accountability provisions:

(1) **AUDIT REQUIREMENT.**—

(A) **AUDITS.**—Beginning in the first fiscal year beginning after the date of the enactment of this section, and in each fiscal year thereafter, the Inspector General of the Department of Homeland Security, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector Generals shall determine the appropriate number of grantees to be audited each year.

(B) **MANDATORY EXCLUSION.**—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the first 2 fiscal years beginning after the end of the 1-year period described in subsection (a)(3).

(C) **PRIORITY.**—In awarding grants under this Act, the awarding entities shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this Act.

(D) **REIMBURSEMENT.**—If an entity is awarded grant funds under this Act during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (B), the awarding entity shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(2) **NONPROFIT ORGANIZATION REQUIREMENTS.**—

(A) **PROHIBITION.**—An awarding entity may not award a grant under this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(B) **DISCLOSURE.**—Each nonprofit organization that is awarded a grant under this Act and

uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the awarding entity, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the awarding entity shall make the information disclosed under this subparagraph available for public inspection.

(3) **CONFERENCE EXPENDITURES.**—

(A) **LIMITATION.**—No amounts authorized to be appropriated to the Department of Homeland Security or the National Science Foundation for grant programs under this Act may be used by an awarding entity or by any individual or entity awarded discretionary funds through a cooperative agreement under this Act to host or support any expenditure for conferences that uses more than \$20,000 in funds made available by the Department of Homeland Security or the National Science Foundation unless the Deputy Secretary for Homeland Security, or the Deputy Director of the National Science Foundation, or their designee, provides prior written authorization that the funds may be expended to host the conference.

(B) **WRITTEN APPROVAL.**—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) **REPORT.**—The Deputy Secretary of Homeland Security and the Deputy Director of the National Science Foundation shall submit an annual report to Congress on all conference expenditures approved under this paragraph.

(4) **ANNUAL CERTIFICATION.**—Beginning in the first fiscal year beginning after the date of the enactment of this subsection, each awarding entity shall submit to Congress a report—

(A) indicating whether—

(i) all audits issued by the Offices of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate individuals;

(ii) all mandatory exclusions required under paragraph (1)(B) have been issued; and

(iii) all reimbursements required under paragraph (1)(D) have been made; and

(B) including a list of any grant recipients excluded under paragraph (1) from the previous year.

## **TITLE I—BORDER SECURITY**

### **SEC. 1101. DEFINITIONS.**

In this title:

(1) **NORTHERN BORDER.**—The term “Northern border” means the international border between the United States and Canada.

(2) **RURAL, HIGH-TRAFFICKED AREAS.**—The term “rural, high-trafficked areas” means rural areas through which drugs and undocumented aliens are routinely smuggled, as designated by the Commissioner of U.S. Customs and Border Protection.

(3) **SOUTHERN BORDER.**—The term “Southern border” means the international border between the United States and Mexico.

(4) **SOUTHWEST BORDER REGION.**—The term “Southwest border region” means the area in the United States that is within 100 miles of the Southern border.

### **SEC. 1102. ADDITIONAL U.S. CUSTOMS AND BORDER PROTECTION OFFICERS.**

(a) **IN GENERAL.**—Not later than September 30, 2017, the Secretary shall increase the number of trained U.S. Customs and Border Protection officers by 3,500, compared to the number of such officers as of the date of the enactment of this

Act. The Secretary shall make progress in increasing such number of officers during each of the fiscal years 2014 through 2017.

(b) **CONSTRUCTION.**—Nothing in subsection (a) may be construed to preclude the Secretary from reassigning or stationing U.S. Customs and Border Protection Officers and U.S. Border Patrol Agents from the Northern border to the Southern border.

(c) **FUNDING.**—Section 217(h)(3)(B) (8 U.S.C. 1187(h)(3)(B)) is amended—

(1) in clause (i)—

(A) by striking “No later than 6 months after the date of enactment of the Travel Promotion Act of 2009, the” and inserting “The”;

(B) in subclause (I), by striking “and” at the end;

(C) by redesignating subclause (II) as subclause (III); and

(D) by inserting after subclause (I) the following:

“(II) \$16 for border processing; and”;

(2) in clause (ii), by striking “Amounts collected under clause (i)(II)” and inserting “Amounts collected under clause (i)(II) shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act. Amounts collected under clause (i)(III)”;

(3) by striking clause (iii).

(d) **CORPORATION FOR TRAVEL PROMOTION.**—Section 9(d)(2)(B) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(d)(2)(B)) is amended by striking “For each of fiscal years 2012 through 2015,” and inserting “For each fiscal year after 2012,”.

**SEC. 1103. NATIONAL GUARD SUPPORT TO SECURE THE SOUTHERN BORDER.**

(a) **IN GENERAL.**—With the approval of the Secretary of Defense, the Governor of a State may order any unit or personnel of the National Guard of such State to perform operations and missions under section 502(f) of title 32, United States Code, in the Southwest Border region for the purposes of assisting U.S. Customs and Border Protection in securing the Southern border.

(b) **ASSIGNMENT OF OPERATIONS AND MISSIONS.**—

(1) **IN GENERAL.**—National Guard units and personnel deployed under subsection (a) may be assigned such operations and missions specified in subsection (c) as may be necessary to secure the Southern border.

(2) **NATURE OF DUTY.**—The duty of National Guard personnel performing operations and missions described in paragraph (1) shall be full-time duty under title 32, United States Code.

(c) **RANGE OF OPERATIONS AND MISSIONS.**—The operations and missions assigned under subsection (b) shall include the temporary authority—

(1) to construct fencing, including double-layer and triple-layer fencing;

(2) to increase ground-based mobile surveillance systems;

(3) to deploy additional unmanned aerial systems and manned aircraft sufficient to maintain continuous surveillance of the Southern border;

(4) to deploy and provide capability for radio communications interoperability between U.S. Customs and Border Protection and State, local, and tribal law enforcement agencies;

(5) to construct checkpoints along the Southern border to bridge the gap to long-term permanent checkpoints; and

(6) to provide assistance to U.S. Customs and Border Protection, particularly in rural, high-trafficked areas, as designated by the Commissioner of U.S. Customs and Border Protection.

(d) **MATERIEL AND LOGISTICAL SUPPORT.**—The Secretary of Defense shall deploy such materiel and equipment and logistical support as may be necessary to ensure success of the operations

and missions conducted by the National Guard under this section.

(e) **EXCLUSION FROM NATIONAL GUARD PERSONNEL STRENGTH LIMITATIONS.**—National Guard personnel deployed under subsection (a) shall not be included in—

(1) the calculation to determine compliance with limits on end strength for National Guard personnel; or

(2) limits on the number of National Guard personnel that may be placed on active duty for operational support under section 115 of title 10, United States Code.

**SEC. 1104. ENHANCEMENT OF EXISTING BORDER SECURITY OPERATIONS.**

(a) **BORDER CROSSING PROSECUTIONS.**—

(1) **IN GENERAL.**—From the amounts made available pursuant to the appropriations in paragraph (3), funds shall be made available—

(A) to increase the number of border crossing prosecutions in the Tucson Sector of the Southwest border region to up to 210 prosecutions per day through increasing funding available for—

(i) attorneys and administrative support staff in the Office of the United States Attorney for Tucson;

(ii) support staff and interpreters in the Office of the Clerk of the Court for Tucson;

(iii) pre-trial services;

(iv) activities of the Federal Public Defender Office for Tucson; and

(v) additional personnel, including Deputy United States Marshals in the United States Marshals Office for Tucson to perform intake, coordination, transportation, and court security; and

(B) reimburse Federal, State, local, and tribal law enforcement agencies for any detention costs related to the border crossing prosecutions carried out pursuant to subparagraph (A).

(2) **ADDITIONAL MAGISTRATE JUDGES TO ASSIST WITH INCREASED CASELOAD.**—The chief judge of the United States District Court for the District of Arizona is authorized to appoint additional full-time magistrate judges, who, consistent with the Constitution and laws of the United States, shall have the authority to hear cases and controversies in the judicial district in which the respective judges are appointed.

(3) **FUNDING.**—There are authorized to be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this subsection.

(b) **OPERATION STONEGARDEN.**—

(1) **IN GENERAL.**—The Federal Emergency Management Agency shall enhance law enforcement preparedness and operational readiness along the borders of the United States through Operation Stonegarden. The amounts available under this paragraph are in addition to any other amounts otherwise made available for Operation Stonegarden. Not less than 90 percent of the amounts made available under section 6(a)(3)(C)(ii) shall be allocated for grants and reimbursements to law enforcement agencies in the States in the Southwest border region for personnel, overtime, travel, and other costs related to combating illegal immigration and drug smuggling in the Southwest border region. Allocations for grants and reimbursements to law enforcement agencies under this paragraph shall be made by the Federal Emergency Management Agency through a competitive process.

(2) **FUNDING.**—There are authorized to be appropriated, from the amounts made available under section 6(a)(3)(A)(i), such sums as may be necessary to carry out this subsection.

(c) **INFRASTRUCTURE IMPROVEMENTS.**—

(1) **BORDER PATROL STATIONS.**—The Secretary shall—

(A) construct additional Border Patrol stations in the Southwest border region that U.S. Border Patrol determines are needed to provide

full operational support in rural, high-trafficked areas; and

(B) analyze the feasibility of creating additional Border Patrol sectors along the Southern border to interrupt drug trafficking operations.

(2) **FORWARD OPERATING BASES.**—The Secretary shall enhance the security of the Southwest border region by—

(A) establishing additional permanent forward operating bases for the U.S. Border Patrol, as needed;

(B) upgrading the existing forward operating bases to include modular buildings, electricity, and potable water; and

(C) ensuring that forward operating bases surveil and interdict individuals entering the United States unlawfully immediately after such individuals cross the Southern border.

(3) **SAFE AND SECURE BORDER INFRASTRUCTURE.**—The Secretary and the Secretary of Transportation, in consultation with the governors of the States in the Southwest border region and the Northern border region, shall establish a grant program, which shall be administered by the Secretary of Transportation and the General Services Administration, to construct transportation and supporting infrastructure improvements at existing and new international border crossings necessary to facilitate safe, secure, and efficient cross border movement of people, motor vehicles, and cargo.

(4) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for each of fiscal years 2014 through 2018 such sums as may be necessary to carry out this subsection.

(d) **ADDITIONAL PERMANENT DISTRICT COURT JUDGESHIPS IN SOUTHWEST BORDER STATES.**—

(1) **IN GENERAL.**—The President shall appoint, by and with the advice and consent of the Senate—

(A) 2 additional district judges for the district of Arizona;

(B) 3 additional district judges for the eastern district of California;

(C) 2 additional district judges for the western district of Texas; and

(D) 1 additional district judge for the southern district of Texas.

(2) **CONVERSIONS OF TEMPORARY DISTRICT COURT JUDGESHIPS.**—The existing judgeships for the district of Arizona and the central district of California authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (28 U.S.C. 133 note; Public Law 107-273; 116 Stat. 1788), as of the effective date of this Act, shall be authorized under section 133 of title 28, United States Code, and the incumbents in those offices shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(3) **TECHNICAL AND CONFORMING AMENDMENTS.**—The table contained in section 133(a) of title 28, United States Code, is amended—

(A) by striking the item relating to the district of Arizona and inserting the following:

“Arizona ..... 15”;

(B) by striking the item relating to California and inserting the following:

“California:D	
Northern .....	14
Eastern .....	9
Central .....	28
Southern .....	13”;

(C) by striking the item relating to Texas and inserting the following:

“Texas:	
Northern .....	12
Southern .....	20
Eastern .....	7
Western .....	15”.

(4) **INCREASE IN FILING FEES.**—

(A) **IN GENERAL.**—Section 1914(a) of title 28, United States Code, is amended by striking “\$350” and inserting “\$360”.

(B) **EXPENDITURE LIMITATION.**—Incremental amounts collected by reason of the enactment of this paragraph shall be deposited as offsetting receipts in the “Judiciary Filing Fee” special fund of the Treasury established under section 1931 of title 28, United States Code. Such amounts shall be available solely for the purpose of facilitating the processing of civil cases, but only to the extent specifically appropriated by an Act of Congress enacted after the date of the enactment of this Act.

(5) **WHISTLEBLOWER PROTECTION.**—

(A) **IN GENERAL.**—No officer, employee, agent, contractor, or subcontractor of the judicial branch may discharge, demote, threaten, suspend, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of any lawful act done by the employee to provide information, cause information to be provided, or otherwise assist in an investigation regarding any possible violation of Federal law or regulation, or misconduct, by a judge, justice, or any other employee in the judicial branch, which may assist in the investigation of the possible violation or misconduct.

(B) **CIVIL ACTION.**—An employee injured by a violation of subparagraph (A) may, in a civil action, obtain appropriate relief.

**SEC. 1105. BORDER SECURITY ON CERTAIN FEDERAL LAND.**

(a) **DEFINITIONS.**—In this section:

(1) **FEDERAL LANDS.**—The term “Federal lands” includes all land under the control of the Secretary concerned that is located within the Southwest border region in the State of Arizona along the international border between the United States and Mexico.

(2) **SECRETARY CONCERNED.**—The term “Secretary concerned” means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(b) **SUPPORT FOR BORDER SECURITY NEEDS.**—To achieve effective control of Federal lands—

(1) the Secretary concerned, notwithstanding any other provision of law, shall authorize and provide U.S. Customs and Border Protection personnel with immediate access to Federal lands for security activities, including—

(A) routine motorized patrols; and

(B) the deployment of communications, surveillance, and detection equipment;

(2) the security activities described in paragraph (1) shall be conducted, to the maximum extent practicable, in a manner that the Secretary determines will best protect the natural and cultural resources on Federal lands; and

(3) the Secretary concerned may provide education and training to U.S. Customs and Border Protection personnel on the natural and cultural resources present on individual Federal land units.

(c) **PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.**—

(1) **IN GENERAL.**—After implementing subsection (b), the Secretary, in consultation with the Secretaries concerned, shall prepare and publish in the Federal Register a notice of intent to prepare a programmatic environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to analyze the impacts of the activities described in subsection (b).

(2) **EFFECT ON PROCESSING APPLICATION AND SPECIAL USE PERMITS.**—The pending completion of a programmatic environmental impact statement under this section shall not result in any delay in the processing or approving of applications or special use permits by the Secretaries concerned for the activities described in subsection (b).

(3) **AMENDMENT OF LAND USE PLANS.**—The Secretaries concerned shall amend any land use plans, as appropriate, upon completion of the programmatic environmental impact statement described in subsection (b).

(4) **SCOPE OF PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.**—The programmatic environmental impact statement described in paragraph (1)—

(A) may be used to advise the Secretary on the impact on natural and cultural resources on Federal lands; and

(B) shall not control, delay, or restrict actions by the Secretary to achieve effective control on Federal lands.

(d) **INTERMINGLED STATE AND PRIVATE LAND.**—This section shall not apply to any private or State-owned land within the boundaries of Federal lands.

**SEC. 1106. EQUIPMENT AND TECHNOLOGY.**

(a) **ENHANCEMENTS.**—The Commissioner of U.S. Customs and Border Protection, working through U.S. Border Patrol, shall—

(1) deploy additional mobile, video, and agent-portable surveillance systems, and unarmed, unmanned aerial vehicles in the Southwest border region as necessary to provide 24-hour operation and surveillance;

(2) operate unarmed unmanned aerial vehicles along the Southern border for 24 hours per day and for 7 days per week;

(3) deploy unarmed additional fixed-wing aircraft and helicopters along the Southern border;

(4) acquire new rotorcraft and make upgrades to the existing helicopter fleet;

(5) increase horse patrols in the Southwest border region; and

(6) acquire and deploy watercraft and other equipment to provide support for border-related maritime anti-crime activities.

(b) **LIMITATION.**—

(1) **IN GENERAL.**—Notwithstanding paragraphs (1) and (2) of subsection (a), and except as provided in paragraph (2), U.S. Border Patrol may not operate unarmed, unmanned aerial vehicles in the San Diego and El Centro Sectors, except within 3 miles of the Southern border.

(2) **EXCEPTION.**—The limitation under this subsection shall not restrict the maritime operations of U.S. Customs and Border Protection.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts otherwise authorized to be appropriated, there is authorized to be appropriated to U.S. Customs and Border Protection such sums as may be necessary to carry out subsection (a) during fiscal years 2014 through 2018.

**SEC. 1107. ACCESS TO EMERGENCY PERSONNEL.**

(a) **SOUTHWEST BORDER REGION EMERGENCY COMMUNICATIONS GRANTS.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the governors of the States in the Southwest border region, shall establish a 2-year grant program, to be administered by the Secretary, to improve emergency communications in the Southwest border region.

(2) **ELIGIBILITY FOR GRANTS.**—An individual is eligible to receive a grant under this subsection if the individual demonstrates that he or she—

(A) regularly resides or works in the Southwest border region;

(B) is at greater risk of border violence due to the lack of cellular service at his or her residence or business and his or her proximity to the Southern border.

(3) **USE OF GRANTS.**—Grants awarded under this subsection may be used to purchase satellite telephone communications systems and service that—

(A) can provide access to 9-1-1 service; and

(B) are equipped with global positioning systems.

(4) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated such sums as may be necessary to carry out the grant program established under this subsection.

(b) **INTEROPERABLE COMMUNICATIONS FOR LAW ENFORCEMENT.**—

(1) **FEDERAL LAW ENFORCEMENT.**—There are authorized to be appropriated, to the Department, the Department of Justice, and the Department of the Interior, during the 5-year period beginning on the date of the enactment of this Act, such sums as may be necessary—

(A) to purchase, through a competitive procurement process, P25-compliant radios, which may include a multi-band option, for Federal law enforcement agents working in the Southwest border region in support of the activities of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, including law enforcement agents of the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Department of the Interior, and the Forest Service; and

(B) to upgrade, through a competitive procurement process, the communications network of the Department of Justice to ensure coverage and capacity, particularly when immediate access is needed in times of crisis, in the Southwest Border region for appropriate law enforcement personnel of the Department of Justice (including the Drug Enforcement Administration and the Bureau of Alcohol, Tobacco, Firearms and Explosives), the Department (including U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection), the United States Marshals Service, other Federal agencies, the State of Arizona, tribes, and local governments.

(2) **STATE AND LOCAL LAW ENFORCEMENT.**—

(A) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Department of Justice, during the 5-year period beginning on the date of the enactment of this Act, such sums as may be necessary to purchase, through a competitive procurement process, P25-compliant radios, which may include a multi-band option, for State and local law enforcement agents working in the Southwest border region.

(B) **ACCESS TO FEDERAL SPECTRUM.**—If a State, tribal, or local law enforcement agency in the Southwest border region experiences an emergency situation that necessitates immediate communication with the Department of Justice, the Department, the Department of the Interior, or any of their respective subagencies, such law enforcement agency shall have access to the spectrum assigned to such Federal agency for the duration of such emergency situation.

**SEC. 1108. SOUTHWEST BORDER REGION PROSECUTION INITIATIVE.**

(a) **REIMBURSEMENT TO STATE AND LOCAL PROSECUTORS FOR FEDERALLY INITIATED CRIMINAL CASES.**—The Attorney General shall reimburse State, county, tribal, and municipal governments for costs associated with the prosecution, pretrial services and detention, clerical support, and public defenders’ services associated with the prosecution of federally initiated immigration-related criminal cases declined by local offices of the United States Attorneys.

(b) **EXCEPTION.**—Reimbursement under subsection (a) shall not be available, at the discretion of the Attorney General, if the Attorney General determines that there is reason to believe that the jurisdiction seeking reimbursement has engaged in unlawful conduct in connection with immigration-related apprehensions.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated such sums as may be necessary to carry out subsection (a) during fiscal years 2014 through 2018.

**SEC. 1109. INTERAGENCY COLLABORATION.**

The Assistant Secretary of Defense for Research and Engineering shall collaborate with the Under Secretary of Homeland Security for Science and Technology to identify equipment

and technology used by the Department of Defense that could be used by U.S. Customs and Border Protection to improve the security of the Southern border by—

- (1) detecting border tunnels;
- (2) detecting the use of ultralight aircraft;
- (3) enhancing wide aerial surveillance; and
- (4) otherwise improving the enforcement of such border.

**SEC. 1110. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.**

(a) SCAAP REAUTHORIZATION.—Section 241(i)(5)(C) (8 U.S.C. 1231(i)(5)) is amended by striking “2011.” and inserting “2015.”.

(b) SCAAP ASSISTANCE FOR STATES.—

(1) ASSISTANCE FOR STATES INCARCERATING UNDOCUMENTED ALIENS CHARGED WITH CERTAIN CRIMES.—Section 241(i)(3)(A) (8 U.S.C. 1231(i)(3)(A)) is amended by inserting “charged with or” before “convicted”.

(2) ASSISTANCE FOR STATES INCARCERATING UNVERIFIED ALIENS.—Section 241(i) (8 U.S.C. 1231(i)) as amended by subsection (a), is further amended—

(A) by redesignating paragraphs (4), (5), and (6), as paragraphs (5), (6), and (7), respectively;

(B) in paragraph (7), as so redesignated, by striking “(5)” and inserting “(6)”;

(C) by adding after paragraph (3) the following:

“(4) In the case of an alien whose immigration status is unable to be verified by the Secretary of Homeland Security, and who would otherwise be an undocumented criminal alien if the alien is unlawfully present in the United States, the Attorney General shall compensate the State or political subdivision of the State for incarceration of the alien, consistent with subsection (i)(2).”.

**SEC. 1111. USE OF FORCE.**

Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Assistant Attorney General for the Civil Rights Division of the Department of Justice, shall issue policies governing the use of force by all Department personnel that—

(1) require all Department personnel to report each use of force; and

(2) establish procedures for—

(A) accepting and investigating complaints regarding the use of force by Department personnel;

(B) disciplining Department personnel who violate any law or Department policy relating to the use of force; and

(C) reviewing all uses of force by Department personnel to determine whether the use of force—

- (i) complied with Department policy; or
- (ii) demonstrates the need for changes in policy, training, or equipment.

**SEC. 1112. TRAINING FOR BORDER SECURITY AND IMMIGRATION ENFORCEMENT OFFICERS.**

(a) IN GENERAL.—The Secretary shall ensure that U.S. Customs and Border Protection officers, U.S. Border Patrol agents, U.S. Immigration and Customs Enforcement officers and agents, United States Air and Marine Division agents, and agriculture specialists stationed within 100 miles of any land or marine border of the United States or at any United States port of entry receive appropriate training, which shall be prepared in collaboration with the Assistant Attorney General for the Civil Rights Division of the Department of Justice, in—

- (1) identifying and detecting fraudulent travel documents;
- (2) civil, constitutional, human, and privacy rights of individuals;
- (3) the scope of enforcement authorities, including interrogations, stops, searches, seizures, arrests, and detentions;
- (4) the use of force policies issued by the Secretary pursuant to section 1111;

(5) immigration laws, including screening, identifying, and addressing vulnerable populations, such as children, victims of crime and human trafficking, and individuals fleeing persecution or torture;

(6) social and cultural sensitivity toward border communities;

(7) the impact of border operations on communities; and

(8) any particular environmental concerns in a particular area.

(b) TRAINING FOR BORDER COMMUNITY LIAISON OFFICERS.—The Secretary shall ensure that border communities liaison officers in Border Patrol sectors along the international borders between the United States and Mexico and between the United States and Canada receive training to better—

(1) act as a liaison between border communities and the Office for Civil Rights and Civil Liberties of the Department and the Civil Rights Division of the Department of Justice;

(2) foster and institutionalize consultation with border communities;

(3) consult with border communities on Department programs, policies, strategies, and directives; and

(4) receive Department performance assessments from border communities.

(c) HUMANE CONDITIONS OF CONFINEMENT FOR CHILDREN IN U.S. CUSTOMS AND BORDER PROTECTION CUSTODY.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish standards to ensure that children in the custody of U.S. Customs and Border Protection—

(1) are afforded adequate medical and mental health care, including emergency medical and mental health care, when necessary;

(2) receive adequate nutrition;

(3) are provided with climate-appropriate clothing, footwear, and bedding;

(4) have basic personal hygiene and sanitary products; and

(5) are permitted to make supervised phone calls to family members.

**SEC. 1113. DEPARTMENT OF HOMELAND SECURITY BORDER OVERSIGHT TASK FORCE.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an independent task force, which shall be known as the Department of Homeland Security Border Oversight Task Force (referred to in this section as the “DHS Task Force”).

(2) DUTIES.—The DHS Task Force shall—

(A) review and make recommendations regarding immigration and border enforcement policies, strategies, and programs that take into consideration their impact on border communities;

(B) recommend ways in which the Border Communities Liaison Offices can strengthen relations and collaboration between communities in the border regions and the Department, the Department of Justice, and other Federal agencies that carry out such policies, strategies, and programs;

(C) evaluate how the policies, strategies, and programs of Federal agencies operating along the international borders between the United States and Mexico and between the United States and Canada protect the due process, civil, and human rights of border residents, visitors, and migrants at and near such borders; and

(D) evaluate and make recommendations regarding the training of border enforcement personnel described in section 1112.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The DHS Task Force shall be composed of 29 members, appointed by the President, who have expertise in migration, local crime indices, civil and human rights, com-

munity relations, cross-border trade and commerce, quality of life indicators, or other pertinent experience, of whom—

(i) 12 members shall be from the Northern border region and shall include—

(I) 2 local government elected officials;

(II) 2 local law enforcement officials;

(III) 2 civil rights advocates;

(IV) 1 business representative;

(V) 1 higher education representative;

(VI) 1 private land owner representative;

(VII) 1 representative of a faith community; and

(VIII) 2 representatives of U.S. Border Patrol; and

(ii) 17 members shall be from the Southern border region and include—

(I) 3 local government elected officials;

(II) 3 local law enforcement officials;

(III) 3 civil rights advocates;

(IV) 2 business representatives;

(V) 1 higher education representative;

(VI) 2 private land owner representatives;

(VII) 1 representative of a faith community; and

(VIII) 2 representatives of U.S. Border Patrol.

(B) TERM OF SERVICE.—Members of the Task Force shall be appointed for the shorter of—

(i) 3 years; or

(ii) the life of the DHS Task Force.

(C) CHAIR, VICE CHAIR.—The members of the DHS Task Force shall elect a Chair and a Vice Chair from among its members, who shall serve in such capacities for the life of the DHS Task Force or until removed by the majority vote of at least 14 members.

(b) OPERATIONS.—

(1) HEARINGS.—The DHS Task Force may, for the purpose of carrying out its duties, hold hearings, sit and act, take testimony, receive evidence, and administer oaths.

(2) RECOMMENDATIONS.—The DHS Task Force may make findings or recommendations to the Secretary related to the duties described in subsection (a)(2).

(3) RESPONSE.—Not later than 180 days after receiving the findings and recommendations from the DHS Task Force under paragraph (2), the Secretary shall issue a response that describes how the Department has addressed, or will address, such findings and recommendations. If the Secretary disagrees with any finding of the DHS Task Force, the Secretary shall provide an explanation for the disagreement.

(4) INFORMATION FROM FEDERAL AGENCIES.—The Chair, or 16 members of the DHS Task Force, may request statistics relating to the duties described in subsection (a)(2) directly from any Federal agency, which shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the DHS Task Force.

(5) COMPENSATION.—Members of the DHS Task Force shall serve without pay, but shall be reimbursed for reasonable travel and subsistence expenses incurred in the performance of their duties.

(c) REPORT.—Not later than 2 years after its first meeting, the DHS Task Force shall submit a final report to the President, Congress, and the Secretary that contains—

(1) findings with respect to the duties of the DHS Task Force; and

(2) recommendations regarding border and immigration enforcement policies, strategies, and programs, including—

(A) a recommendation as to whether the DHS Task Force should continue to operate; and

(B) a description of any duties for which the DHS Task Force should be responsible after the termination date described in subsection (e).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for each of the fiscal years 2014 through 2017.



(e) **SUNSET.**—The DHS Task Force shall terminate operations 60 days after the date on which the DHS Task Force submits the report described in subsection (c).

**SEC. 1114. OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS OF THE DEPARTMENT OF HOMELAND SECURITY.**

(a) **ESTABLISHMENT.**—Title I of the Homeland Security Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding at the end the following new section:

**“SEC. 104. OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS.**

“(a) **IN GENERAL.**—There shall be within the Department an Ombudsman for Immigration Related Concerns (in this section referred to as the ‘Ombudsman’). The individual appointed as Ombudsman shall have a background in immigration law as well as civil and human rights law. The Ombudsman shall report directly to the Deputy Secretary.

“(b) **FUNCTIONS.**—The functions of the Ombudsman shall be as follows:

“(1) To receive and resolve complaints from individuals and employers and assist in resolving problems with the immigration components of the Department.

“(2) To conduct inspections of the facilities or contract facilities of the immigration components of the Department.

“(3) To assist individuals and families who have been the victims of crimes committed by aliens or violence near the United States border.

“(4) To identify areas in which individuals and employers have problems in dealing with the immigration components of the Department.

“(5) To the extent practicable, to propose changes in the administrative practices of the immigration components of the Department to mitigate problems identified under paragraph (4).

“(6) To review, examine, and make recommendations regarding the immigration and enforcement policies, strategies, and programs of U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and U.S. Citizenship and Immigration Services.

“(c) **OTHER RESPONSIBILITIES.**—In addition to the functions specified in subsection (b), the Ombudsman shall—

“(1) monitor the coverage and geographic allocation of local offices of the Ombudsman, including appointing a local ombudsman for immigration related concerns; and

“(2) evaluate and take personnel actions (including dismissal) with respect to any employee of the Ombudsman.

“(d) **REQUEST FOR INVESTIGATIONS.**—The Ombudsman shall have the authority to request the Inspector General of the Department of Homeland Security to conduct inspections, investigations, and audits.

“(e) **COORDINATION WITH DEPARTMENT COMPONENTS.**—The Director of U.S. Citizenship and Immigration Services, the Assistant Secretary of Immigration and Customs Enforcement, and the Commissioner of Customs and Border Protection shall each establish procedures to provide formal responses to recommendations submitted to such official by the Ombudsman.

“(f) **ANNUAL REPORTS.**—Not later than June 30 of each year, the Ombudsman shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the objectives of the Ombudsman for the fiscal year beginning in such calendar year. Each report shall contain full and substantive analysis, in addition to statistical information, and shall set forth any recommendations the Ombudsman has made on improving the services and responsiveness of U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection and any re-

sponses received from the Department regarding such recommendations.”.

(b) **REPEAL OF SUPERSEDED AUTHORITY.**—Section 452 of the Homeland Security Act of 2002 (6 U.S.C. 272) is repealed.

(c) **CLERICAL AMENDMENTS.**—The table of contents for the Homeland Security Act of 2002 is amended—

(1) by inserting after the item relating to section 103 the following new item:

“Sec. 104. Ombudsman for Immigration Related Concerns.”; and

(2) by striking the item relating to section 452.

**SEC. 1115. PROTECTION OF FAMILY VALUES IN APPREHENSION PROGRAMS.**

(a) **DEFINITIONS.**—In this section:

(1) **APPREHENDED INDIVIDUAL.**—The term “apprehended individual” means an individual apprehended by personnel of the Department of Homeland Security or of a cooperating entity pursuant to a migration deterrence program carried out at a border.

(2) **BORDER.**—The term “border” means an international border of the United States.

(3) **CHILD.**—Except as otherwise specifically provided, the term “child” has the meaning given to the term in section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)).

(4) **COOPERATING ENTITY.**—The term “cooperating entity” means a State or local entity acting pursuant to an agreement with the Secretary.

(5) **MIGRATION DETERRENCE PROGRAM.**—The term “migration deterrence program” means an action related to the repatriation or referral for prosecution of 1 or more apprehended individuals for a suspected or confirmed violation of the Immigration and Nationality Act (8 U.S.C. 1001 et seq.) by the Secretary or a cooperating entity.

(b) **PROCEDURES FOR MIGRATION DETERRENCE PROGRAMS AT THE BORDER.**—

(1) **PROCEDURES.**—In any migration deterrence program carried out at a border, the Secretary and cooperating entities shall for each apprehended individual—

(A) as soon as practicable after such individual is apprehended—

(i) inquire as to whether the apprehended individual is—

(I) a parent, legal guardian, or primary caregiver of a child; or

(II) traveling with a spouse or child; and

(ii) ascertain whether repatriation of the apprehended individual presents any humanitarian concern or concern related to such individual’s physical safety; and

(B) ensure that, with respect to a decision related to the repatriation or referral for prosecution of the apprehended individual, due consideration is given—

(i) to the best interests of such individual’s child, if any;

(ii) to family unity whenever possible; and

(iii) to other public interest factors, including humanitarian concerns and concerns related to the apprehended individual’s physical safety.

(c) **MANDATORY TRAINING.**—The Secretary, in consultation with the Secretary of Health and Human Services, the Attorney General, the Secretary of State, and independent immigration, child welfare, family law, and human rights law experts, shall—

(1) develop and provide specialized training for all personnel of U.S. Customs and Border Protection and cooperating entities who come into contact with apprehended individuals in all legal authorities, policies, and procedures relevant to the preservation of a child’s best interest, family unity, and other public interest factors, including those described in this Act; and

(2) require border enforcement personnel to undertake periodic and continuing training on

best practices and changes in relevant legal authorities, policies, and procedures pertaining to the preservation of a child’s best interest, family unity, and other public interest factors, including those described in this Act.

(d) **ANNUAL REPORT ON THE IMPACT OF MIGRATION DETERRENCE PROGRAMS AT THE BORDER.**—

(1) **REQUIREMENT FOR ANNUAL REPORT.**—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report that describes the impact of migration deterrence programs on parents, legal guardians, primary caregivers of a child, individuals traveling with a spouse or child, and individuals who present humanitarian considerations or concerns related to the individual’s physical safety.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include for the previous 1-year period an assessment of—

(A) the number of apprehended individuals removed, repatriated, or referred for prosecution who are the parent, legal guardian, or primary caregiver of a child who is a citizen of the United States;

(B) the number of occasions in which both parents, or the primary caretaker of such a child was removed, repatriated, or referred for prosecution as part of a migration deterrence program;

(C) the number of apprehended individuals traveling with close family members who are removed, repatriated, or referred for prosecution.

(D) the impact of migration deterrence programs on public interest factors, including humanitarian concerns and physical safety.

(e) **REGULATIONS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall promulgate regulations to implement this section.

**SEC. 1116. REPORTS.**

(a) **REPORT ON CERTAIN BORDER MATTERS.**—The Secretary shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives that sets forth—

(1) the effectiveness rate (as defined in section 2(a)(4)) for each Border Patrol sector along the Northern border and the Southern border;

(2) the number of miles along the Southern border that are under persistent surveillance;

(3) the monthly wait times per passenger, including data on averages and peaks, for crossing the Northern border and the Southern border, and the staffing of such border crossings; and

(4) the allocations at each port of entry along the Northern border and the Southern border.

(b) **REPORT ON INTERAGENCY COLLABORATION.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics and the Under Secretary of Homeland Security for Science and Technology shall jointly submit a report on the results of the interagency collaboration under section 1109 to—

(1) the Committee on Armed Services of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on the Judiciary of the Senate;

(4) the Committee on Armed Services of the House of Representatives;

(5) the Committee on Homeland Security of the House of Representatives; and

(6) the Committee on the Judiciary of the House of Representatives.

**SEC. 1117. SEVERABILITY AND DELEGATION.**

(a) **SEVERABILITY.**—If any provision of this Act or any amendment made by this Act, or any



application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of the provisions of this Act and the amendments made by this Act and the application of the provision or amendment to any other person or circumstance shall not be affected.

(b) **DELEGATION.**—The Secretary may delegate any authority provided to the Secretary under this Act or an amendment made by this Act to the Secretary of Agriculture, the Attorney General, the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of State, or the Commissioner of Social Security.

**SEC. 1118. PROHIBITION ON LAND BORDER CROSSING FEES.**

The Secretary shall not establish, collect, or otherwise impose a border crossing fee for pedestrians or passenger vehicles at land ports of entry along the Southern border or the Northern border, nor conduct any study relating to the imposition of such a fee.

**SEC. 1119. HUMAN TRAFFICKING REPORTING.**

(a) **SHORT TITLE.**—This section may be cited as the “Human Trafficking Reporting Act of 2013”.

(b) **FINDINGS.**—Congress finds the following:

(1) Human trafficking is a form of modern-day slavery.

(2) According to the Trafficking Victims Protection Act of 2000 “severe forms of trafficking in persons” means—

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(3) There is an acute need for better data collection of incidents of human trafficking across the United States in order to effectively combat severe forms of trafficking in persons.

(4) The State Department’s 2012 Trafficking in Persons report found that—

(A) the United States is a “source, transit and destination country for men, women, and children, subjected to forced labor, debt bondage, domestic servitude and sex trafficking,”; and

(B) the United States needs to “improve data collection on human trafficking cases at the federal, state and local levels”.

(5) The International Organization for Migration has reported that in order to effectively combat human trafficking there must be reliable and standardized data, however, the following barriers for data collection exist:

(A) The illicit and underground nature of human trafficking.

(B) The reluctance of victims to share information with authorities.

(C) Insufficient human trafficking data collection and research efforts by governments worldwide.

(6) A 2009 report to the Department of Health and Human Services entitled *Human Trafficking Into and Within the United States: A Review of the Literature* found that “the data and methodologies for estimating the prevalence of human trafficking globally and nationally are not well developed, and therefore estimates have varied widely and changed significantly over time”.

(7) The Federal Bureau of Investigation compiles national crime statistics through the Uniform Crime Reporting Program.

(8) Under current law, State and local governments receiving Edward Byrne Memorial Justice Assistance grants are required to share data on part 1 violent crimes with the Federal Bureau of Investigation for inclusion in the Uniform Crime Reporting Program.

(9) The addition of severe forms of trafficking in persons to the definition of part 1 violent crimes will ensure that statistics on this heinous crime will be compiled and available through the Federal Bureau of Investigation’s Uniform Crime Report.

(c) **HUMAN TRAFFICKING TO BE INCLUDED IN PART 1 VIOLENT CRIMES FOR PURPOSES OF BYRNE GRANTS.**—Section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) is amended by adding at the end the following new subsection:

“(i) **PART 1 VIOLENT CRIMES TO INCLUDE HUMAN TRAFFICKING.**—For purposes of this section, the term ‘part 1 violent crimes’ shall include severe forms of trafficking in persons, as defined in section 103(8) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(8)).”.

**SEC. 1120. RULE OF CONSTRUCTION.**

Nothing in this Act may be construed to authorize the deployment, procurement, or construction of fencing along the Northern border.

**SEC. 1121. LIMITATIONS ON DANGEROUS DEPORTATION PRACTICES.**

(a) **CERTIFICATION REQUIRED.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, and every 180 days thereafter, the Secretary, except as provided in paragraph (2), shall submit written certification to Congress that the Department has only deported or otherwise removed a migrant from the United States through an entry or exit point on the Southern border during daylight hours.

(2) **EXCEPTION.**—The certification required under paragraph (1) shall not apply to the deportation or removal of a migrant otherwise described in that paragraph if—

(A) the manner of the deportation or removal is justified by a compelling governmental interest;

(B) the manner of the deportation or removal is in accordance with an applicable Local Arrangement for the Repatriation of Mexican Nationals entered into by the appropriate Mexican Consulate; or

(C) the migrant is not an unaccompanied minor and the migrant—

(i) is deported or removed through an entry or exit point in the same sector as the place where the migrant was apprehended; or

(ii) agrees to be deported or removed in such manner after being notified of the intended manner of deportation or removal.

(b) **ADDITIONAL INFORMATION REQUIRED.**—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to Congress a study of the Alien Transfer Exit Program, which shall include—

(1) the specific locations on the Southern border where lateral repatriations have occurred during the 1-year period preceding the submission of the study;

(2) the performance measures developed by U.S. Customs and Border Protection to determine if the Alien Transfer Exit Program is deterring migrants from repeatedly crossing the border or otherwise reducing recidivism; and

(3) the consideration given, if any, to the rates of violent crime and the availability of infrastructure and social services in Mexico near such locations.

(c) **PROHIBITION ON CONFISCATION OF PROPERTY.**—Notwithstanding any other provision of law, lawful, nonperishable belongings of a migrant that are confiscated by personnel operating under Federal authority shall be returned to the migrant before repatriation, to the extent practicable.

**TITLE II—IMMIGRANT VISAS**

**Subtitle A—Registration and Adjustment of Registered Provisional Immigrants**

**SEC. 2101. REGISTERED PROVISIONAL IMMIGRANT STATUS.**

(a) **AUTHORIZATION.**—Chapter 5 of title II (8 U.S.C. 1255 et seq.) is amended by inserting after section 245A the following:

**“SEC. 245B. ADJUSTMENT OF STATUS OF ELIGIBLE ENTRANTS BEFORE DECEMBER 31, 2011, TO THAT OF REGISTERED PROVISIONAL IMMIGRANT.**

“(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary of Homeland Security (referred to in this section and in sections 245C through 245F as the ‘Secretary’), after conducting the national security and law enforcement clearances required under subsection (c)(8), may grant registered provisional immigrant status to an alien who—

“(1) meets the eligibility requirements set forth in subsection (b);

“(2) submits a completed application before the end of the period set forth in subsection (c)(3); and

“(3) has paid the fee required under subsection (c)(10)(A) and the penalty required under subsection (c)(10)(C), if applicable.

“(b) **ELIGIBILITY REQUIREMENTS.**—

“(1) **IN GENERAL.**—An alien is not eligible for registered provisional immigrant status unless the alien establishes, by a preponderance of the evidence, that the alien meets the requirements set forth in this subsection.

“(2) **PHYSICAL PRESENCE.**—

“(A) **IN GENERAL.**—The alien—

“(i) shall be physically present in the United States on the date on which the alien submits an application for registered provisional immigrant status;

“(ii) shall have been physically present in the United States on or before December 31, 2011; and

“(iii) shall have maintained continuous physical presence in the United States from December 31, 2011, until the date on which the alien is granted status as a registered provisional immigrant under this section.

“(B) **BREAK IN PHYSICAL PRESENCE.**—

“(i) **IN GENERAL.**—Except as provided in clause (ii), an alien who is absent from the United States without authorization after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act does not meet the continuous physical presence requirement set forth in subparagraph (A)(iii).

“(ii) **EXCEPTION.**—An alien who departed from the United States after December 31, 2011, will not be considered to have failed to maintain continuous presence in the United States if the alien’s absences from the United States are brief, casual, and innocent whether or not such absences were authorized by the Secretary.

“(3) **GROUND FOR INELIGIBILITY.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), an alien is ineligible for registered provisional immigrant status if the Secretary determines that the alien—

“(i) has a conviction for—

“(I) an offense classified as a felony in the convicting jurisdiction (other than a State or local offense for which an essential element was the alien’s immigration status or a violation of this Act);

“(II) an aggravated felony (as defined in section 101(a)(43) at the time of the conviction);

“(III) 3 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien’s immigration status or violations of this Act) if the alien was convicted on different dates for each of the 3 offenses;

“(IV) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States,

would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii) or removable under section 237(a), except as provided in paragraph (3) of section 237(a);

“(V) unlawful voting (as defined in section 237(a)(6));

“(ii) is inadmissible under section 212(a), except that in determining an alien’s inadmissibility—

“(I) paragraphs (4), (5), (7), and (9)(B) of section 212(a) shall not apply;

“(II) subparagraphs (A), (C), (D), (F), and (G) of section 212(a)(6) and paragraphs (9)(C) and (10)(B) of section 212(a) shall not apply unless based on the act of unlawfully entering the United States after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

“(III) paragraphs (6)(B) and (9)(A) of section 212(a) shall not apply unless the relevant conduct began on or after the date on which the alien files an application for registered provisional immigrant status under this section;

“(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

“(iv) was, on April 16, 2013—

“(I) an alien lawfully admitted for permanent residence;

“(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

“(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

“(B) WAIVER.—

“(i) IN GENERAL.—The Secretary may waive the application of subparagraph (A)(i)(III) or any provision of section 212(a) that is not listed in clause (ii) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such a waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

“(ii) EXCEPTIONS.—The discretionary authority under clause (i) may not be used to waive—

“(I) subparagraph (B), (C), (D)(ii), (E), (G), (H), or (I) of section 212(a)(2);

“(II) section 212(a)(3);

“(III) subparagraph (A), (C), (D), or (E) of section 212(a)(10); or

“(IV) with respect to misrepresentations relating to the application for registered provisional immigrant status, section 212(a)(6)(C)(i).

“(C) CONVICTION EXPLAINED.—For purposes of this paragraph, the term ‘conviction’ does not include a judgment that has been expunged, set aside, or the equivalent.

“(D) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.

“(4) APPLICABILITY OF OTHER PROVISIONS.—Sections 208(d)(6) and 240B(d) shall not apply to any alien filing an application for registered provisional immigrant status under this section.

“(5) DEPENDENT SPOUSE AND CHILDREN.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may classify the spouse or child of a registered provisional immigrant as a registered provisional immigrant dependent if the spouse or child—

“(i) was physically present in the United States on or before December 31, 2012, and has maintained continuous presence in the United States from that date until the date on which the registered provisional immigrant is granted such status, with the exception of absences from the United States that are brief, casual, and innocent, whether or not such absences were authorized by the Secretary; and

“(ii) meets all of the eligibility requirements set forth in this subsection, other than the requirements of clause (ii) or (iii) of paragraph (2)(A).

“(B) EFFECT OF TERMINATION OF LEGAL RELATIONSHIP OR DOMESTIC VIOLENCE.—If the spousal or parental relationship between an alien who is granted registered provisional immigrant status under this section and the alien’s spouse or child is terminated due to death or divorce or the spouse or child has been battered or subjected to extreme cruelty by the alien (regardless of whether the legal relationship terminates), the spouse or child may apply for classification as a registered provisional immigrant.

“(C) EFFECT OF DISQUALIFICATION OF PARENT.—Notwithstanding subsection (c)(3), if the application of a spouse or parent for registered provisional immigrant status is terminated or revoked, the husband, wife, or child of that spouse or parent shall be eligible to apply for registered provisional immigrant status independent of the parent or spouse.

“(c) APPLICATION PROCEDURES.—

“(1) IN GENERAL.—An alien, or the dependent spouse or child of such alien, who meets the eligibility requirements set forth in subsection (b) may apply for status as a registered provisional immigrant or a registered provisional immigrant dependent, as applicable, by submitting a completed application form to the Secretary during the application period set forth in paragraph (3), in accordance with the final rule promulgated by the Secretary under the Border Security, Economic Opportunity, and Immigration Modernization Act. An applicant for registered provisional immigrant status shall be treated as an applicant for admission.

“(2) PAYMENT OF TAXES.—

“(A) IN GENERAL.—An alien may not file an application for registered provisional immigrant status under paragraph (1) unless the applicant has satisfied any applicable Federal tax liability.

“(B) DEFINITION OF APPLICABLE FEDERAL TAX LIABILITY.—In this paragraph, the term ‘applicable Federal tax liability’ means all Federal income taxes assessed in accordance with section 6203 of the Internal Revenue Code of 1986.

“(C) DEMONSTRATION OF COMPLIANCE.—An applicant may demonstrate compliance with this paragraph by submitting appropriate documentation, in accordance with regulations promulgated by the Secretary, in consultation with the Secretary of the Treasury.

“(3) APPLICATION PERIOD.—

“(A) INITIAL PERIOD.—Except as provided in subparagraph (B), the Secretary may only accept applications for registered provisional immigrant status from aliens in the United States during the 1-year period beginning on the date on which the final rule is published in the Federal Register pursuant to paragraph (1).

“(B) EXTENSION.—If the Secretary determines, during the initial period described in subparagraph (A), that additional time is required to process applications for registered provisional immigrant status or for other good cause, the Secretary may extend the period for accepting applications for such status for an additional 18 months.

“(4) APPLICATION FORM.—

“(A) REQUIRED INFORMATION.—

“(i) IN GENERAL.—The application form referred to in paragraph (1) shall collect such in-

formation as the Secretary determines to be necessary and appropriate, including, for the purpose of understanding immigration trends—

“(I) an explanation of how, when, and where the alien entered the United States;

“(II) the country in which the alien resided before entering the United States; and

“(III) other demographic information specified by the Secretary.

“(ii) PRIVACY PROTECTIONS.—Information described in subclauses (I) through (III) of clause (i), which shall be provided anonymously by the applicant on the application form referred to in paragraph (1), shall be subject to the same confidentiality provisions as those set forth in section 9 of title 13, United States Code.

“(iii) REPORT.—The Secretary shall submit a report to Congress that contains a summary of the statistical data about immigration trends collected pursuant to clause (i).

“(B) FAMILY APPLICATION.—The Secretary shall establish a process through which an alien may submit a single application under this section on behalf of the alien, his or her spouse, and his or her children who are residing in the United States.

“(C) INTERVIEW.—The Secretary may interview applicants for registered provisional immigrant status under this section to determine whether they meet the eligibility requirements set forth in subsection (b).

“(5) ALIENS APPREHENDED BEFORE OR DURING THE APPLICATION PERIOD.—If an alien who is apprehended during the period beginning on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act and the end of the application period described in paragraph (3) appears prima facie eligible for registered provisional immigrant status, to the satisfaction of the Secretary, the Secretary—

“(A) shall provide the alien with a reasonable opportunity to file an application under this section during such application period; and

“(B) may not remove the individual until a final administrative determination is made on the application.

“(6) ELIGIBILITY AFTER DEPARTURE.—

“(A) IN GENERAL.—An alien who departed from the United States while subject to an order of exclusion, deportation, or removal, or pursuant to an order of voluntary departure and who is outside of the United States, or who has reentered the United States illegally after December 31, 2011 without receiving the Secretary’s consent to reapply for admission under section 212(a)(9), shall not be eligible to file an application for registered provisional immigrant status.

“(B) WAIVER.—The Secretary, in the Secretary’s sole and unreviewable discretion, subject to subparagraph (D), may waive the application of subparagraph (A) on behalf of an alien if the alien—

“(i) is the spouse or child of a United States citizen or lawful permanent resident;

“(ii) is the parent of a child who is a United States citizen or lawful permanent resident;

“(iii) meets the requirements set forth in clauses (ii) and (iii) of section 245D(b)(1)(A); or

“(iv) meets the requirements set forth in section 245D(b)(1)(A)(ii), is 16 years or older on the date on which the alien applies for registered provisional immigrant status, and was physically present in the United States for an aggregate period of not less than 3 years during the 6-year period immediately preceding the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(C) ELIGIBILITY.—Subject to subparagraph (D) and notwithstanding subsection (b)(2), section 241(a)(5), or a prior order of exclusion, deportation, or removal, an alien described in subparagraph (B) who is otherwise eligible for registered provisional immigrant status may file an application for such status.

“(D) CRIME VICTIMS’ RIGHTS TO NOTICE AND CONSULTATION.—Prior to applying, or exercising, any authority under this paragraph, or ruling upon an application allowed under subparagraph (C) the Secretary shall—

“(i) determine whether or not an alien described under subparagraph (B) or (C) has a conviction for any criminal offense;

“(ii) in consultation with the agency that prosecuted the criminal offense under clause (i), if the agency, in the sole discretion of the agency, is willing to cooperate with the Secretary, make all reasonable efforts to identify each victim of a crime for which an alien determined to be a criminal under clause (i) has a conviction;

“(iii) in consultation with the agency that prosecuted the criminal offense under clause (i), if the agency, in the sole discretion of the agency, is willing to cooperate with the Secretary, make all reasonable efforts to provide each victim identified under clause (ii) with written notice that the alien is being considered for a waiver under this paragraph, specifying in such notice that the victim may—

“(I) take no further action;

“(II) request written notification by the Secretary of any subsequent application for waiver filed by the criminal alien under this paragraph and of the final determination of the Secretary regarding such application; or

“(III) not later than 60 days after the date on which the victim receives written notice under this clause, request a consultation with the Secretary relating to whether the application of the offender should be granted and if the victim cannot be located or if no response is received from the victim within the designated time period, the Secretary shall proceed with adjudication of the application; and

“(iv) at the request of a victim under clause (iii), consult with the victim to determine whether or not the Secretary should, in the case of an alien who is determined under clause (i) to have a conviction for any criminal offense, exercise waiver authority for an alien described under subparagraph (B), or grant the application of an alien described under subparagraph (C).

“(E) CRIME VICTIMS’ RIGHT TO INTERVENTION.—In addition to the victim notification and consultation provided for in subparagraph (D), the Secretary shall allow the victim of a criminal alien described under subparagraph (B) or (C) to request consultation regarding, or notice of, any application for waiver filed by the criminal alien under this paragraph, including the final determination of the Secretary regarding such application.

“(F) CONFIDENTIALITY PROTECTIONS FOR CRIME VICTIMS.—The Secretary and the Attorney General may not make an adverse determination of admissibility or deportability of any alien who is a victim and not lawfully present in the United States based solely on information supplied or derived in the process of identification, notification, or consultation under this paragraph.

“(G) REPORTS REQUIRED.—Not later than September 30 of each fiscal year in which the Secretary exercises authority under this paragraph to rule upon the application of a criminal offender allowed under subparagraph (C), the Secretary shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report detailing the execution of the victim identification and notification process required under subparagraph (D), which shall include—

“(i) the total number of criminal offenders who have filed an application under subparagraph (C) and the crimes committed by such offenders;

“(ii) the total number of criminal offenders whose application under subparagraph (C) has been granted and the crimes committed by such offenders; and

“(iii) the total number of victims of criminal offenders under clause (ii) who were not provided with written notice of the offender’s application and the crimes committed against the victims.

“(H) DEFINITION.—In this paragraph, the term ‘victim’ has the meaning given the term in section 503(e) of the Victims’ Rights and Restitution Act of 1990 (42 U.S.C. 10607(e)).

“(7) SUSPENSION OF REMOVAL DURING APPLICATION PERIOD.—

“(A) PROTECTION FROM DETENTION OR REMOVAL.—A registered provisional immigrant may not be detained by the Secretary or removed from the United States, unless—

“(i) the Secretary determines that—

“(I) such alien is, or has become, ineligible for registered provisional immigrant status under subsection (b)(3); or

“(II) the alien’s registered provisional immigrant status has been revoked under subsection (d)(2).

“(B) ALIENS IN REMOVAL PROCEEDINGS.—Notwithstanding any other provision of this Act—

“(i) if the Secretary determines that an alien, during the period beginning on the date of the enactment of this section and ending on the last day of the application period described in paragraph (3), is in removal, deportation, or exclusion proceedings before the Executive Office for Immigration Review and is prima facie eligible for registered provisional immigrant status under this section—

“(I) the Secretary shall provide the alien with the opportunity to file an application for such status; and

“(II) upon motion by the Secretary and with the consent of the alien or upon motion by the alien, the Executive Office for Immigration Review shall—

“(aa) terminate such proceedings without prejudice to future proceedings on any basis; and

“(bb) provide the alien a reasonable opportunity to apply for such status; and

“(ii) if the Executive Office for Immigration Review determines that an alien, during the period beginning on the date of the enactment of this section and ending on the last day of the application period described in paragraph (3), is in removal, deportation, or exclusion proceedings before the Executive Office for Immigration Review and is prima facie eligible for registered provisional immigrant status under this section—

“(I) the Executive Office of Immigration Review shall notify the Secretary of such determination; and

“(II) if the Secretary does not dispute the determination of prima facie eligibility within 7 days after such notification, the Executive Office for Immigration Review, upon consent of the alien, shall—

“(aa) terminate such proceedings without prejudice to future proceedings on any basis; and

“(bb) permit the alien a reasonable opportunity to apply for such status.

“(C) TREATMENT OF CERTAIN ALIENS.—

“(i) IN GENERAL.—If an alien who meets the eligibility requirements set forth in subsection (b) is present in the United States and has been ordered excluded, deported, or removed, or ordered to depart voluntarily from the United States under any provision of this Act—

“(I) notwithstanding such order or section 241(a)(5), the alien may apply for registered provisional immigrant status under this section; and

“(II) if the alien is granted such status, the alien shall file a motion to reopen the exclusion, deportation, removal, or voluntary departure order, which motion shall be granted unless 1 or more of the grounds of ineligibility is established by clear and convincing evidence.

“(ii) LIMITATIONS ON MOTIONS TO REOPEN.—The limitations on motions to reopen set forth in section 240(c)(7) shall not apply to motions filed under clause (i)(II).

“(D) PERIOD PENDING ADJUDICATION OF APPLICATION.—

“(i) IN GENERAL.—During the period beginning on the date on which an alien applies for registered provisional immigrant status under paragraph (1) and the date on which the Secretary makes a final decision regarding such application, the alien—

“(I) may receive advance parole to reenter the United States if urgent humanitarian circumstances compel such travel;

“(II) may not be detained by the Secretary or removed from the United States unless the Secretary makes a prima facie determination that such alien is, or has become, ineligible for registered provisional immigrant status under subsection (b)(3);

“(III) shall not be considered unlawfully present for purposes of section 212(a)(9)(B); and

“(IV) shall not be considered an unauthorized alien (as defined in section 274A(h)(3)).

“(ii) EVIDENCE OF APPLICATION FILING.—As soon as practicable after receiving each application for registered provisional immigrant status, the Secretary shall provide the applicant with a document acknowledging the receipt of such application.

“(iii) CONTINUING EMPLOYMENT.—An employer who knows that an alien employee is an applicant for registered provisional immigrant status or will apply for such status once the application period commences is not in violation of section 274A(a)(2) if the employer continues to employ the alien pending the adjudication of the alien employee’s application.

“(iv) EFFECT OF DEPARTURE.—Section 101(g) shall not apply to an alien granted—

“(I) advance parole under clause (i)(I) to reenter the United States; or

“(II) registered provisional immigrant status.

“(8) SECURITY AND LAW ENFORCEMENT CLEARANCES.—

“(A) BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not grant registered provisional immigrant status to an alien or an alien dependent spouse or child under this section unless such alien submits biometric and biographic data in accordance with procedures established by the Secretary.

“(B) ALTERNATIVE PROCEDURES.—The Secretary shall provide an alternative procedure for applicants who cannot provide the biometric data required under subparagraph (A) because of a physical impairment.

“(C) CLEARANCES.—

“(i) DATA COLLECTION.—The Secretary shall collect, from each alien applying for status under this section, biometric, biographic, and other data that the Secretary determines to be appropriate—

“(I) to conduct national security and law enforcement clearances; and

“(II) to determine whether there are any national security or law enforcement factors that would render an alien ineligible for such status.

“(ii) ADDITIONAL SECURITY SCREENING.—The Secretary, in consultation with the Secretary of State and other interagency partners, shall conduct an additional security screening upon determining, in the Secretary’s opinion based upon information related to national security, that an alien or alien dependent spouse or child is or was a citizen or long-term resident of a region or country known to pose a threat, or that contains groups or organizations that pose a threat, to the national security of the United States.

“(iii) PREREQUISITE.—The required clearances and screenings described in clauses (i)(I) and (ii) shall be completed before the alien may be granted registered provisional immigrant status.

“(9) DURATION OF STATUS AND EXTENSION.—

“(A) IN GENERAL.—The initial period of authorized admission for a registered provisional immigrant—

“(i) shall remain valid for 6 years unless revoked pursuant to subsection (d)(2); and

“(ii) may be extended for additional 6-year terms if—

“(I) the alien remains eligible for registered provisional immigrant status;

“(II) the alien meets the employment requirements set forth in subparagraph (B);

“(III) the alien has successfully passed background checks that are equivalent to the background checks described in section 245D(b)(1)(E); and

“(IV) such status was not revoked by the Secretary for any reason.

“(B) EMPLOYMENT OR EDUCATION REQUIREMENT.—Except as provided in subparagraphs (D) and (E) of section 245C(b)(3), an alien may not be granted an extension of registered provisional immigrant status under this paragraph unless the alien establishes that, during the alien's period of status as a registered provisional immigrant, the alien—

“(i) was regularly employed throughout the period of admission as a registered provisional immigrant, allowing for brief periods lasting not more than 60 days; and

“(II) is not likely to become a public charge (as determined under section 212(a)(4)); or

“(ii) is able to demonstrate average income or resources that are not less than 100 percent of the Federal poverty level throughout the period of admission as a registered provisional immigrant.

“(C) PAYMENT OF TAXES.—An applicant may not be granted an extension of registered provisional immigrant status under subparagraph (A)(ii) unless the applicant has satisfied any applicable Federal tax liability in accordance with paragraph (2).

“(10) FEES AND PENALTIES.—

“(A) STANDARD PROCESSING FEE.—

“(i) IN GENERAL.—Aliens who are 16 years of age or older and are applying for registered provisional immigrant status under paragraph (1), or for an extension of such status under paragraph (9)(A)(ii), shall pay a processing fee to the Department of Homeland Security in an amount determined by the Secretary.

“(ii) RECOVERY OF COSTS.—The processing fee authorized under clause (i) shall be set at a level that is sufficient to recover the full costs of processing the application, including any costs incurred—

“(I) to adjudicate the application;

“(II) to take and process biometrics;

“(III) to perform national security and criminal checks, including adjudication;

“(IV) to prevent and investigate fraud; and

“(V) to administer the collection of such fee.

“(iii) AUTHORITY TO LIMIT FEES.—The Secretary, by regulation, may—

“(I) limit the maximum processing fee payable under this subparagraph by a family, including spouses and unmarried children younger than 21 years of age; and

“(II) exempt defined classes of individuals, including individuals described in section 245B(c)(13), from the payment of the fee authorized under clause (i).

“(B) DEPOSIT AND USE OF PROCESSING FEES.—Fees collected under subparagraph (A)(i)—

“(i) shall be deposited into the Immigration Examinations Fee Account pursuant to section 286(m); and

“(ii) shall remain available until expended pursuant to section 286(n).

“(C) PENALTY.—

“(i) PAYMENT.—In addition to the processing fee required under subparagraph (A), aliens not described in section 245D(b)(A)(ii) who are 21

years of age or older and are filing an application under this subsection shall pay a \$1,000 penalty to the Department of Homeland Security.

“(ii) INSTALLMENTS.—The Secretary shall establish a process for collecting payments required under clause (i) that permits the penalty under that clause to be paid in periodic installments that shall be completed before the alien may be granted an extension of status under paragraph (9)(A)(ii).

“(iii) DEPOSIT.—Penalties collected pursuant to this subparagraph shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(11) ADJUDICATION.—

“(A) FAILURE TO SUBMIT SUFFICIENT EVIDENCE.—The Secretary shall deny an application submitted by an alien who fails to submit—

“(i) requested initial evidence, including requested biometric data; or

“(ii) any requested additional evidence by the date required by the Secretary.

“(B) AMENDED APPLICATION.—An alien whose application for registered provisional immigrant status is denied under subparagraph (A) may file an amended application for such status to the Secretary if the amended application—

“(i) is filed within the application period described in paragraph (3); and

“(ii) contains all the required information and fees that were missing from the initial application.

“(12) EVIDENCE OF REGISTERED PROVISIONAL IMMIGRANT STATUS.—

“(A) IN GENERAL.—The Secretary shall issue documentary evidence of registered provisional immigrant status to each alien whose application for such status has been approved.

“(B) DOCUMENTATION FEATURES.—Documentary evidence provided under subparagraph (A)—

“(i) shall be machine-readable and tamper-resistant, and shall contain a digitized photograph;

“(ii) shall, during the alien's authorized period of admission, and any extension of such authorized admission, serve as a valid travel and entry document for the purpose of applying for admission to the United States;

“(iii) may be accepted during the period of its validity by an employer as evidence of employment authorization and identity under section 274A(b)(1)(B);

“(iv) shall indicate that the alien is authorized to work in the United States for up to 3 years; and

“(v) shall include such other features and information as may be prescribed by the Secretary.

“(13) DACA RECIPIENTS.—Unless the Secretary determines that an alien who was granted Deferred Action for Childhood Arrivals (referred to in this paragraph as ‘DACA’) pursuant to the Secretary's memorandum of June 15, 2012, has engaged in conduct since the alien was granted DACA that would make the alien ineligible for registered provisional immigrant status, the Secretary may grant such status to the alien if renewed national security and law enforcement clearances have been completed on behalf of the alien.

“(d) TERMS AND CONDITIONS OF REGISTERED PROVISIONAL IMMIGRANT STATUS.—

“(1) CONDITIONS OF REGISTERED PROVISIONAL IMMIGRANT STATUS.—

“(A) EMPLOYMENT.—Notwithstanding any other provision of law, including section 241(a)(7), a registered provisional immigrant shall be authorized to be employed in the United States while in such status.

“(B) TRAVEL OUTSIDE THE UNITED STATES.—A registered provisional immigrant may travel out-

side of the United States and may be admitted, if otherwise admissible, upon returning to the United States without having to obtain a visa if—

“(i) the alien is in possession of—

“(I) valid, unexpired documentary evidence of registered provisional immigrant status that complies with subsection (c)(12); or

“(II) a travel document, duly approved by the Secretary, that was issued to the alien after the alien's original documentary evidence was lost, stolen, or destroyed;

“(ii) the alien's absence from the United States did not exceed 180 days, unless the alien's failure to timely return was due to extenuating circumstances beyond the alien's control;

“(iii) the alien meets the requirements for an extension as described in subclauses (I) and (III) of paragraph (9)(A); and

“(iv) the alien establishes that the alien is not inadmissible under subparagraph (A)(i), (A)(iii), (B), or (C) of section 212(a)(3).

“(C) ADMISSION.—An alien granted registered provisional immigrant status under this section shall be considered to have been admitted and lawfully present in the United States in such status as of the date on which the alien's application was filed.

“(D) CLARIFICATION OF STATUS.—An alien granted registered provisional immigrant status—

“(i) is lawfully admitted to the United States; and

“(ii) may not be classified as a nonimmigrant or as an alien who has been lawfully admitted for permanent residence.

“(2) REVOCATION.—

“(A) IN GENERAL.—The Secretary may revoke the status of a registered provisional immigrant at any time after providing appropriate notice to the alien, and after the exhaustion or waiver of all applicable administrative review procedures under section 245E(c), if the alien—

“(i) no longer meets the eligibility requirements set forth in subsection (b);

“(ii) knowingly used documentation issued under this section for an unlawful or fraudulent purpose;

“(iii) is convicted of fraudulently claiming or receiving a Federal means-tested benefit (as defined and implemented in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613)) after being granted registered provisional immigrant status; or

“(iv) was absent from the United States—

“(I) for any single period longer than 180 days in violation of the requirements set forth in paragraph (1)(B)(ii); or

“(II) for more than 180 days in the aggregate during any calendar year, unless the alien's failure to timely return was due to extenuating circumstances beyond the alien's control.

“(B) ADDITIONAL EVIDENCE.—In determining whether to revoke an alien's status under subparagraph (A), the Secretary may require the alien—

“(i) to submit additional evidence; or

“(ii) to appear for an interview.

“(C) INVALIDATION OF DOCUMENTATION.—If an alien's registered provisional immigrant status is revoked under subparagraph (A), any documentation issued by the Secretary to such alien under subsection (c)(12) shall automatically be rendered invalid for any purpose except for departure from the United States.

“(3) INELIGIBILITY FOR PUBLIC BENEFITS.—

“(A) IN GENERAL.—An alien who has been granted registered provisional immigrant status under this section is not eligible for any Federal means-tested public benefit (as defined and implemented in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613)).

“(B) AUDITS.—The Secretary of Health and Human Services shall conduct regular audits to ensure that registered provisional immigrants are not fraudulently receiving any of the benefits described in subparagraph (A).

“(4) TREATMENT OF REGISTERED PROVISIONAL IMMIGRANTS.—A noncitizen granted registered provisional immigrant status under this section shall be considered lawfully present in the United States for all purposes while such noncitizen remains in such status, except that the noncitizen—

“(A) is not entitled to the premium assistance tax credit authorized under section 36B of the Internal Revenue Code of 1986 for his or her coverage;

“(B) shall be subject to the rules applicable to individuals not lawfully present that are set forth in subsection (e) of such section;

“(C) shall be subject to the rules applicable to individuals not lawfully present that are set forth in section 1402(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18071); and

“(D) shall be subject to the rules applicable to individuals not lawfully present set forth in section 5000A(d)(3) of the Internal Revenue Code of 1986.

“(5) ASSIGNMENT OF SOCIAL SECURITY NUMBER.—

“(A) IN GENERAL.—The Commissioner of Social Security, in coordination with the Secretary, shall implement a system to allow for the assignment of a Social Security number and the issuance of a Social Security card to each alien who has been granted registered provisional immigrant status under this section.

“(B) USE OF INFORMATION.—The Secretary shall provide the Commissioner of Social Security with information from the applications filed by aliens granted registered provisional immigrant status under this section and such other information as the Commissioner determines to be necessary to assign a Social Security account number to such aliens. The Commissioner may use information received from the Secretary under this subparagraph to assign Social Security account numbers to such aliens and to administer the programs of the Social Security Administration. The Commissioner may maintain, use, and disclose such information only as permitted under section 552a of title 5, United States Code (commonly known as the Privacy Act of 1974) and other applicable Federal laws.

“(e) DISSEMINATION OF INFORMATION ON REGISTERED PROVISIONAL IMMIGRANT PROGRAM.—As soon as practicable after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary, in cooperation with entities approved by the Secretary, and in accordance with a plan adopted by the Secretary, shall broadly disseminate, in the most common languages spoken by aliens who would qualify for registered provisional immigrant status under this section, to television, radio, print, and social media to which such aliens would likely have access—

“(1) the procedures for applying for such status;

“(2) the terms and conditions of such status; and

“(3) the eligibility requirements for such status.”

(b) ENLISTMENT IN THE ARMED FORCES.—Section 504(b)(1) of title 10, United States Code, is amended by adding at the end the following:

“(D) An alien who has been granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act.”

#### SEC. 2102. ADJUSTMENT OF STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.

(a) IN GENERAL.—Chapter 5 of title II (8 U.S.C. 1255 et seq.) is amended by inserting after

section 245B, as added by section 2101 of this title, the following:

#### “SEC. 245C. ADJUSTMENT OF STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.

“(a) IN GENERAL.—Subject to section 245E(d) and section 2302(c)(3) of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary may adjust the status of a registered provisional immigrant to that of an alien lawfully admitted for permanent residence if the registered provisional immigrant satisfies the eligibility requirements set forth in subsection (b).

“(b) ELIGIBILITY REQUIREMENTS.—

“(1) REGISTERED PROVISIONAL IMMIGRANT STATUS.—

“(A) IN GENERAL.—The alien was granted registered provisional immigrant status under section 245B and remains eligible for such status.

“(B) CONTINUOUS PHYSICAL PRESENCE.—The alien establishes, to the satisfaction of the Secretary, that the alien was not continuously absent from the United States for more than 180 days in any calendar year during the period of admission as a registered provisional immigrant, unless the alien's absence was due to extenuating circumstances beyond the alien's control.

“(C) MAINTENANCE OF WAIVERS OF INADMISSIBILITY.—The grounds of inadmissibility set forth in section 212(a) that were previously waived for the alien or made inapplicable under section 245B(b) shall not apply for purposes of the alien's adjustment of status under this section.

“(D) PENDING REVOCATION PROCEEDINGS.—If the Secretary has notified the applicant that the Secretary intends to revoke the applicant's registered provisional immigrant status under section 245B(d)(2)(A), the Secretary may not approve an application for adjustment of status under this section unless the Secretary makes a final determination not to revoke the applicant's status.

“(2) PAYMENT OF TAXES.—

“(A) IN GENERAL.—An applicant may not file an application for adjustment of status under this section unless the applicant has satisfied any applicable Federal tax liability.

“(B) DEFINITION OF APPLICABLE FEDERAL TAX LIABILITY.—In subparagraph (A), the term ‘applicable Federal tax liability’ means all Federal income taxes assessed in accordance with section 6203 of the Internal Revenue Code of 1986 since the date on which the applicant was authorized to work in the United States as a registered provisional immigrant under section 245B(a).

“(C) COMPLIANCE.—The applicant may demonstrate compliance with subparagraph (A) by submitting such documentation as the Secretary, in consultation with the Secretary of the Treasury, may require by regulation.

“(3) EMPLOYMENT REQUIREMENT.—

“(A) IN GENERAL.—Except as provided in subparagraphs (D) and (E), an alien applying for adjustment of status under this section shall establish that, during his or her period of status as a registered provisional immigrant, he or she—

“(i) (I) was regularly employed throughout the period of admission as a registered provisional immigrant, allowing for brief periods lasting not more than 60 days; and

“(II) is not likely to become a public charge (as determined under section 212(a)(4)); or

“(ii) can demonstrate average income or resources that are not less than 125 percent of the Federal poverty level throughout the period of admission as a registered provisional immigrant.

“(B) EVIDENCE OF EMPLOYMENT.—

“(i) DOCUMENTS.—An alien may satisfy the employment requirement under subparagraph (A)(i) by submitting, to the Secretary, records that—

“(I) establish, by the preponderance of the evidence, compliance with such employment requirement; and

“(II) have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency.

“(ii) OTHER DOCUMENTS.—An alien who is unable to submit the records described in clause (i) may satisfy the employment or education requirement under subparagraph (A) by submitting to the Secretary at least 2 types of reliable documents not described in clause (i) that provide evidence of employment or education, including—

“(I) bank records;

“(II) business records;

“(III) employer records;

“(IV) records of a labor union, day labor center, or organization that assists workers in employment;

“(V) sworn affidavits from nonrelatives who have direct knowledge of the alien's work or education, that contain—

“(aa) the name, address, and telephone number of the affiant;

“(bb) the nature and duration of the relationship between the affiant and the alien; and

“(cc) other verification or information;

“(VI) remittance records; and

“(VII) school records from institutions described in subparagraph (D).

“(iii) ADDITIONAL DOCUMENTS AND RESTRICTIONS.—The Secretary may—

“(I) designate additional documents that may be used to establish compliance with the requirement under subparagraph (A); and

“(II) set such terms and conditions on the use of affidavits as may be necessary to verify and confirm the identity of any affiant or to otherwise prevent fraudulent submissions.

“(C) SATISFACTION OF EMPLOYMENT REQUIREMENT.—An alien may not be required to satisfy the employment requirements under this section with a single employer.

“(D) EDUCATION PERMITTED.—An alien may satisfy the requirement under subparagraph (A), in whole or in part, by providing evidence of full-time attendance at—

“(i) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)));

“(ii) a secondary school, including a public secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

“(iii) an education, literacy, or career and technical training program (including vocational training) that is designed to lead to placement in postsecondary education, job training, or employment through which the alien is working toward such placement; or

“(iv) an education program assisting students either in obtaining a high school equivalency diploma, certificate, or its recognized equivalent under State law (including a certificate of completion, certificate of attendance, or alternate award), or in passing a General Educational Development exam or other equivalent State-authorized exam or completed other applicable State requirements for high school equivalency.

“(E) AUTHORIZATION OF EXCEPTIONS AND WAIVERS.—

“(i) EXCEPTIONS BASED ON AGE OR DISABILITY.—The employment and education requirements under this paragraph shall not apply to any alien who—

“(I) is younger than 21 years of age on the date on which the alien files an application for the first extension of the initial period of authorized admission as a registered provisional immigrant;

“(II) is at least 60 years of age on the date on which the alien files an application for an extension of registered provisional immigrant status or at least 65 years of age on the date on

which the alien's application for adjustment of status is filed under this section; or

"(III) has a physical or mental disability (as defined in section 3(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(2))) or as a result of pregnancy if such condition is evidenced by the submission of documentation prescribed by the Secretary.

"(ii) FAMILY EXCEPTIONS.—The employment and education requirements under this paragraph shall not apply to any alien who is a dependent registered provisional immigrant under subsection (b)(5).

"(iii) TEMPORARY EXCEPTIONS.—The employment and education requirements under this paragraph shall not apply during any period during which the alien—

"(I) was on medical leave, maternity leave, or other employment leave authorized by Federal law, State law, or the policy of the employer;

"(II) is or was the primary caretaker of a child or another person who requires supervision or is unable to care for himself or herself; or

"(III) was unable to work due to circumstances outside the control of the alien.

"(iv) WAIVER.—The Secretary may waive the employment or education requirements under this paragraph with respect to any individual alien who demonstrates extreme hardship to himself or herself or to a spouse, parent, or child who is a United States citizen or lawful permanent resident.

"(4) ENGLISH SKILLS.—

"(A) IN GENERAL.—Except as provided under subparagraph (C), a registered provisional immigrant who is 16 years of age or older shall establish that he or she—

"(i) meets the requirements set forth in section 312; or

"(ii) is satisfactorily pursuing a course of study, pursuant to standards established by the Secretary of Education, in consultation with the Secretary, to achieve an understanding of English and knowledge and understanding of the history and Government of the United States, as described in section 312(a).

"(B) RELATION TO NATURALIZATION EXAMINATION.—A registered provisional immigrant who demonstrates that he or she meets the requirements set forth in section 312 may be considered to have satisfied such requirements for purposes of becoming naturalized as a citizen of the United States.

"(C) EXCEPTIONS.—

"(i) MANDATORY.—Subparagraph (A) shall not apply to any person who is unable to comply with the requirements under that subparagraph because of a physical or developmental disability or mental impairment.

"(ii) DISCRETIONARY.—The Secretary may waive all or part of subparagraph (A) for a registered provisional immigrant who is 70 years of age or older on the date on which an application is filed for adjustment of status under this section.

"(5) MILITARY SELECTIVE SERVICE.—The alien shall provide proof of registration under the Military Selective Service Act (50 U.S.C. App. 451 et seq.), if the alien is subject to such registration on or after the date on which the alien's application for registered provisional immigrant status is granted.

"(c) APPLICATION PROCEDURES.—

"(1) IN GENERAL.—Beginning on the date described in paragraph (2), a registered provisional immigrant, or a registered provisional immigrant dependent, who meets the eligibility requirements set forth in subsection (b) may apply for adjustment of status to that of an alien lawfully admitted for permanent residence by submitting an application to the Secretary that includes the evidence required, by regulation, to demonstrate the applicant's eligibility for such adjustment.

"(2) BACK OF THE LINE.—The status of a registered provisional immigrant may not be adjusted to that of an alien lawfully admitted for permanent residence under this section until after the Secretary of State certifies that immigrant visas have become available for all approved petitions for immigrant visas that were filed under sections 201 and 203 before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

"(3) INTERVIEW.—The Secretary may interview applicants for adjustment of status under this section to determine whether they meet the eligibility requirements set forth in subsection (b).

"(4) SECURITY AND LAW ENFORCEMENT CLEARANCES.—The Secretary may not adjust the status of a registered provisional immigrant under this section until renewed national security and law enforcement clearances have been completed with respect to the registered provisional immigrant, to the satisfaction of the Secretary.

"(5) FEES AND PENALTIES.—

"(A) PROCESSING FEES.—

"(i) IN GENERAL.—The Secretary shall impose a processing fee on applicants for adjustment of status under this section at a level sufficient to recover the full cost of processing such applications, including costs associated with—

"(I) adjudicating the applications;

"(II) taking and processing biometrics;

"(III) performing national security and criminal checks, including adjudication;

"(IV) preventing and investigating fraud; and

"(V) the administration of the fees collected.

"(ii) AUTHORITY TO LIMIT FEES.—The Secretary, by regulation, may—

"(I) limit the maximum processing fee payable under this subparagraph by a family, including spouses and children; and

"(II) exempt other defined classes of individuals from the payment of the fee authorized under clause (i).

"(iii) DEPOSIT AND USE OF FEES.—Fees collected under this subparagraph—

"(I) shall be deposited into the Immigration Examinations Fee Account pursuant to section 286(m); and

"(II) shall remain available until expended pursuant to section 286(n).

"(B) PENALTIES.—

"(i) IN GENERAL.—In addition to the processing fee required under subparagraph (A) and the penalty required under section 245B(c)(6)(D), an alien who was 21 years of age or older on the date on which the Border Security, Economic Opportunity, and Immigration Modernization Act was originally introduced in the Senate and is filing an application for adjustment of status under this section shall pay a \$1,000 penalty to the Secretary unless the alien meets the requirements under section 245D(b).

"(ii) INSTALLMENTS.—The Secretary shall establish a process for collecting payments required under clause (i) through periodic installments.

"(iii) DEPOSIT, ALLOCATION, AND SPENDING OF PENALTIES.—Penalties collected under this subparagraph—

"(I) shall be deposited into the Comprehensive Immigration Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

"(II) may be used for the purposes set forth in section 6(a)(3)(B) of such Act."

(b) LIMITATION ON REGISTERED PROVISIONAL IMMIGRANTS.—An alien admitted as a registered provisional immigrant under section 245B of the Immigration and Nationality Act, as added by subsection (a), may only adjust status to an alien lawfully admitted for permanent resident

status under section 245C or 245D of such Act or section 2302.

(c) NATURALIZATION.—Section 319 (8 U.S.C. 1430) is amended—

(1) in the section heading, by striking "**and employees of certain nonprofit organizations**" and inserting "**employees of certain nonprofit organizations, and other long-term lawful residents**"; and

(2) by adding at the end the following:

"(f) Any lawful permanent resident who was lawfully present in the United States and eligible for work authorization for not less than 10 years before becoming a lawful permanent resident may be naturalized upon compliance with all the requirements under this title except the provisions of section 316(a)(1) if such person, immediately preceding the date on which the person filed an application for naturalization—

"(1) has resided continuously within the United States, after being lawfully admitted for permanent residence, for at least 3 years;

"(2) during the 3-year period immediately preceding such filing date, has been physically present in the United States for periods totaling at least 50 percent of such period; and

"(3) has resided within the State or in the jurisdiction of the U.S. Citizenship and Immigration Services field office in the United States in which the applicant filed such application for at least 3 months."

#### SEC. 2103. THE DREAM ACT.

(a) SHORT TITLE.—This section may be cited as the "Development, Relief, and Education for Alien Minors Act of 2013" or the "DREAM Act 2013".

(b) ADJUSTMENT OF STATUS FOR CERTAIN ALIENS WHO ENTERED THE UNITED STATES AS CHILDREN.—Chapter 5 of title II (8 U.S.C. 1255 et seq.) is amended by inserting after section 245C, as added by section 2102 of this title, the following:

#### "SEC. 245D. ADJUSTMENT OF STATUS FOR CERTAIN ALIENS WHO ENTERED THE UNITED STATES AS CHILDREN.

"(a) DEFINITIONS.—In this section:

"(1) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), except that the term does not include institutions described in subsection (a)(1)(C) of such section.

"(2) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

"(3) UNIFORMED SERVICES.—The term 'Uniformed Services' has the meaning given the term 'uniformed services' in section 101(a)(5) of title 10, United States Code.

"(b) ADJUSTMENT OF STATUS FOR CERTAIN ALIENS WHO ENTERED THE UNITED STATES AS CHILDREN.—

"(1) REQUIREMENTS.—

"(A) IN GENERAL.—The Secretary may adjust the status of a registered provisional immigrant to the status of a lawful permanent resident if the immigrant demonstrates that he or she—

"(i) has been a registered provisional immigrant for at least 5 years;

"(ii) was younger than 16 years of age on the date on which the alien initially entered the United States;

"(iii) has earned a high school diploma, a commensurate alternative award from a public or private high school or secondary school, or has obtained a general education development certificate recognized under State law, or a high school equivalency diploma in the United States;

"(iv)(I) has acquired a degree from an institution of higher education or has completed at least 2 years, in good standing, in a program for a bachelor's degree or higher degree in the United States; or



“(II) has served in the Uniformed Services for at least 4 years and, if discharged, received an honorable discharge; and

“(v) has provided a list of each secondary school (as that term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) that the alien attended in the United States.

“(B) HARDSHIP EXCEPTION.—

“(i) IN GENERAL.—The Secretary may adjust the status of a registered provisional immigrant to the status of a lawful permanent resident if the alien—

“(I) satisfies the requirements under clauses (i), (ii), (iii), and (v) of subparagraph (A); and

“(II) demonstrates compelling circumstances for the inability to satisfy the requirement under subparagraph (A)(iv).

“(C) CITIZENSHIP REQUIREMENT.—

“(i) IN GENERAL.—Except as provided in clause (ii), the Secretary may not adjust the status of an alien to lawful permanent resident status under this section unless the alien demonstrates that the alien satisfies the requirements under section 312(a).

“(ii) EXCEPTION.—Clause (i) shall not apply to an alien whose physical or developmental disability or mental impairment prevents the alien from meeting the requirements such section.

“(D) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not adjust the status of an alien to lawful permanent resident status unless the alien—

“(i) submits biometric and biographic data, in accordance with procedures established by the Secretary; or

“(ii) complies with an alternative procedure prescribed by the Secretary, if the alien is unable to provide such biometric data because of a physical impairment.

“(E) BACKGROUND CHECKS.—

“(i) REQUIREMENT FOR BACKGROUND CHECKS.—The Secretary shall utilize biometric, biographic, and other data that the Secretary determines appropriate—

“(I) to conduct national security and law enforcement background checks of an alien applying for lawful permanent resident status under this section; and

“(II) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for such status.

“(ii) COMPLETION OF BACKGROUND CHECKS.—The Secretary may not adjust an alien's status to the status of a lawful permanent resident under this subsection until the national security and law enforcement background checks required under clause (i) have been completed with respect to the alien, to the satisfaction of the Secretary.

“(2) APPLICATION FOR LAWFUL PERMANENT RESIDENT STATUS.—

“(A) IN GENERAL.—A registered provisional immigrant seeking lawful permanent resident status shall file an application for such status in such manner as the Secretary may require.

“(B) ADJUDICATION.—

“(i) IN GENERAL.—The Secretary shall evaluate each application filed by a registered provisional immigrant under this paragraph to determine whether the alien meets the requirements under paragraph (1).

“(ii) ADJUSTMENT OF STATUS IF FAVORABLE DETERMINATION.—If the Secretary determines that the alien meets the requirements under paragraph (1), the Secretary shall notify the alien of such determination and adjust the status of the alien to lawful permanent resident status, effective as of the date of such determination.

“(iii) ADVERSE DETERMINATION.—If the Secretary determines that the alien does not meet the requirements under paragraph (1), the Secretary shall notify the alien of such determination.

“(C) DACA RECIPIENTS.—The Secretary may adopt streamlined procedures for applicants for adjustment to lawful permanent resident status under this section who were granted Deferred Action for Childhood Arrivals pursuant to the Secretary's memorandum of June 15, 2012.

“(3) TREATMENT FOR PURPOSES OF NATURALIZATION.—

“(A) IN GENERAL.—An alien granted lawful permanent resident status under this section shall be considered, for purposes of title III—

“(i) to have been lawfully admitted for permanent residence; and

“(ii) to have been in the United States as an alien lawfully admitted to the United States for permanent residence during the period the alien was a registered provisional immigrant.

“(B) LIMITATION ON APPLICATION FOR NATURALIZATION.—An alien may not apply for naturalization while the alien is in registered provisional immigrant status, except for an alien described in paragraph (1)(A)(ii) pursuant to section 328 or 329.”

(c) EXEMPTION FROM NUMERICAL LIMITATIONS.—Section 201(b)(1) (8 U.S.C. 1151(b)(1)) is amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following:

“(E) Aliens whose status is adjusted to permanent resident status under section 245C or 245D.”

(d) RESTORATION OF STATE OPTION TO DETERMINE RESIDENCY FOR PURPOSES OF HIGHER EDUCATION.—

(1) REPEAL.—Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is repealed.

(2) EFFECTIVE DATE.—The repeal under paragraph (1) shall take effect as if included in the original enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208).

(e) NATURALIZATION.—Section 328(a) (8 U.S.C. 1439(a)) is amended by inserting “, without having been lawfully admitted to the United States for permanent resident, and” after “naturalized”.

(f) LIMITATION ON FEDERAL STUDENT ASSISTANCE.—Notwithstanding any other provision of law, aliens granted registered provisional immigrant status and who initially entered the United States before reaching 16 years of age and aliens granted blue card status shall be eligible only for the following assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.):

(1) Student loans under parts D and E of such title IV (20 U.S.C. 1087a et seq. and 1087aa et seq.), subject to the requirements of such parts.

(2) Federal work-study programs under part C of such title IV (42 U.S.C. 2751 et seq.), subject to the requirements of such part.

(3) Services under such title IV (20 U.S.C. 1070 et seq.), subject to the requirements for such services.

#### SEC. 2104. ADDITIONAL REQUIREMENTS.

(a) IN GENERAL.—Chapter 5 of title II (8 U.S.C. 1255 et seq.) is amended by inserting after section 245C, as added by section 2102 of this title, the following:

#### “SEC. 245E. ADDITIONAL REQUIREMENTS RELATING TO REGISTERED PROVISIONAL IMMIGRANTS AND OTHERS.

“(a) DISCLOSURES.—

“(1) PROHIBITED DISCLOSURES.—Except as otherwise provided in this subsection, no officer or employee of any Federal agency may—

“(A) use the information furnished in an application for lawful status under section 245B, 245C, or 245D for any purpose other than to make a determination on any application by the alien for any immigration benefit or protection;

“(B) make any publication through which information furnished by any particular applicant can be identified; or

“(C) permit anyone other than the sworn officers, employees, and contractors of such agency or of another entity approved by the Secretary to examine any individual application for lawful status under section 245B, 245C, or 245D.

“(2) REQUIRED DISCLOSURES.—The Secretary shall provide the information furnished in an application filed under section 245B, 245C, or 245D and any other information derived from such furnished information to—

“(A) a law enforcement agency, intelligence agency, national security agency, a component of the Department of Homeland Security, court, or grand jury, consistent with law, in connection with—

“(i) a criminal investigation or prosecution of any felony not related to the applicant's immigration status; or

“(ii) a national security investigation or prosecution; and

“(B) an official coroner for purposes of affirmatively identifying a deceased individual, whether or not the death of such individual resulted from a crime.

“(3) AUDITING AND EVALUATION OF INFORMATION.—The Secretary may—

“(A) audit and evaluate information furnished as part of any application filed under section 245B, 245C, or 245D for purposes of identifying immigration fraud or fraud schemes; and

“(B) use any evidence detected by means of audits and evaluations for purposes of investigating, prosecuting, referring for prosecution, or denying or terminating immigration benefits.

“(b) EMPLOYER PROTECTIONS.—

“(1) USE OF EMPLOYMENT RECORDS.—Copies of employment records or other evidence of employment provided by an alien or by an alien's employer in support of an alien's application for registered provisional immigrant status under section 245B may not be used in a civil or criminal prosecution or investigation of that employer under section 274A or the Internal Revenue Code of 1986 for the prior unlawful employment of that alien regardless of the adjudication of such application or reconsideration by the Secretary of such alien's prima facie eligibility determination. Employers that provide unauthorized aliens with copies of employment records or other evidence of employment pursuant to an application for registered provisional immigrant status shall not be subject to civil and criminal liability pursuant to section 274A for employing such unauthorized aliens.

“(2) LIMIT ON APPLICABILITY.—The protections for employers and aliens under paragraph (1) shall not apply if the aliens or employers submit employment records that are deemed to be fraudulent.

“(c) ADMINISTRATIVE REVIEW.—

“(1) EXCLUSIVE ADMINISTRATIVE REVIEW.—Administrative review of a determination respecting an application for status under section 245B, 245C, 245D, or 245F or section 2211 of the Agricultural Worker Program Act of 2013 shall be conducted solely in accordance with this subsection.

“(2) ADMINISTRATIVE APPELLATE REVIEW.—

“(A) ESTABLISHMENT OF ADMINISTRATIVE APPELLATE AUTHORITY.—The Secretary shall establish or designate an appellate authority to provide for a single level of administrative appellate review of a determination with respect to applications for, or revocation of, status under sections 245B, 245C, and 245D.

“(B) SINGLE APPEAL FOR EACH ADMINISTRATIVE DECISION.—

“(i) IN GENERAL.—An alien in the United States whose application for status under section 245B, 245C, or 245D has been denied or revoked may file with the Secretary not more than



1 appeal of each decision to deny or revoke such status.

“(ii) NOTICE OF APPEAL.—A notice of appeal filed under this subparagraph shall be filed not later than 90 days after the date of service of the decision of denial or revocation, unless the delay was reasonably justifiable.

“(C) REVIEW BY SECRETARY.—Nothing in this paragraph may be construed to limit the authority of the Secretary to certify appeals for review and final administrative decision.

“(D) DENIAL OF PETITIONS FOR DEPENDENTS.—Appeals of a decision to deny or revoke a petition filed by a registered provisional immigrant pursuant to regulations promulgated under section 245B to classify a spouse or child of such alien as a registered provisional immigrant shall be subject to the administrative appellate authority described in subparagraph (A).

“(E) STAY OF REMOVAL.—Aliens seeking administrative review shall not be removed from the United States until a final decision is rendered establishing ineligibility for status under section 245B, 245C, or 245D.

“(3) RECORD FOR REVIEW.—Administrative appellate review under paragraph (2) shall be de novo and based solely upon—

“(A) the administrative record established at the time of the determination on the application; and

“(B) any additional newly discovered or previously unavailable evidence.

“(4) UNLAWFUL PRESENCE.—During the period in which an alien may request administrative review under this subsection, and during the period that any such review is pending, the alien shall not be considered ‘unlawfully present in the United States’ for purposes of section 212(a)(9)(B).

“(d) PRIVACY AND CIVIL LIBERTIES.—

“(1) IN GENERAL.—The Secretary, in accordance with subsection (a)(1), shall require appropriate administrative and physical safeguards to protect the security, confidentiality, and integrity of personally identifiable information collected, maintained, and disseminated pursuant to sections 245B, 245C, and 245D.

“(2) ASSESSMENTS.—Notwithstanding the privacy requirements set forth in section 222 of the Homeland Security Act (6 U.S.C. 142) and the E-Government Act of 2002 (Public Law 107-347), the Secretary shall conduct a privacy impact assessment and a civil liberties impact assessment of the legalization program established under sections 245B, 245C, and 245D during the pendency of the interim final regulations required to be issued under section 2110 of the Border Security, Economic Opportunity, and Immigration Modernization Act.”.

(b) JUDICIAL REVIEW.—Section 242 (8 U.S.C. 1252) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (B), by inserting “the exercise of discretion arising under” after “no court shall have jurisdiction to review”;

(B) in subparagraph (D), by striking “raised upon a petition for review filed with an appropriate court of appeals in accordance with this section”;

(2) in subsection (b)(2), by inserting “or, in the case of a decision rendered under section 245E(c), in the judicial circuit in which the petitioner resides” after “proceedings”; and

(3) by adding at the end the following:

“(h) JUDICIAL REVIEW OF ELIGIBILITY DETERMINATIONS RELATING TO STATUS UNDER CHAPTER 5.—

“(1) DIRECT REVIEW.—If an alien’s application under section 245B, 245C, 245D, or 245F or section 2211 of the Agricultural Worker Program Act of 2013 is denied, or is revoked after the exhaustion of administrative appellate review under section 245E(c), the alien may seek review of such decision, in accordance with chapter 7

of title 5, United States Code, before the United States district court for the district in which the person resides.

“(2) STATUS DURING REVIEW.—While a review described in paragraph (1) is pending—

“(A) the alien shall not be deemed to accrue unlawful presence for purposes of section 212(a)(9);

“(B) any unexpired grant of voluntary departure under section 240B shall be tolled; and

“(C) the court shall have the discretion to stay the execution of any order of exclusion, deportation, or removal.

“(3) REVIEW AFTER REMOVAL PROCEEDINGS.—An alien may seek judicial review of a denial or revocation of approval of the alien’s application under section 245B, 245C, or 245D in the appropriate United States court of appeal in conjunction with the judicial review of an order of removal, deportation, or exclusion if the validity of the denial has not been upheld in a prior judicial proceeding under paragraph (1).

“(4) STANDARD FOR JUDICIAL REVIEW.—

“(A) BASIS.—Judicial review of a denial, or revocation of an approval, of an application under section 245B, 245C, or 245D shall be based upon the administrative record established at the time of the review.

“(B) AUTHORITY TO REMAND.—The reviewing court may remand a case under this subsection to the Secretary for consideration of additional evidence if the court finds that—

“(i) the additional evidence is material; and

“(ii) there were reasonable grounds for failure to adduce the additional evidence before the Secretary.

“(C) SCOPE OF REVIEW.—Notwithstanding any other provision of law, judicial review of all questions arising from a denial, or revocation of an approval, of an application under section 245B, 245C, or 245D shall be governed by the standard of review set forth in section 706 of title 5, United States Code.

“(5) REMEDIAL POWERS.—

“(A) JURISDICTION.—Notwithstanding any other provision of law, the United States district courts shall have jurisdiction over any cause or claim arising from a pattern or practice of the Secretary in the operation or implementation of the Border Security, Economic Opportunity, and Immigration Modernization Act, or the amendments made by such Act, that is arbitrary, capricious, or otherwise contrary to law.

“(B) SCOPE OF RELIEF.—The United States district courts may order any appropriate relief in a clause or claim described in subparagraph (A) without regard to exhaustion, ripeness, or other standing requirements (other than constitutionally-mandated requirements), if the court determines that—

“(i) the resolution of such cause or claim will serve judicial and administrative efficiency; or

“(ii) a remedy would otherwise not be reasonably available or practicable.

“(6) CHALLENGES TO THE VALIDITY OF THE SYSTEM.—

“(A) IN GENERAL.—Except as provided in paragraph (5), any claim that section 245B, 245C, 245D, or 245E or any regulation, written policy, or written directive, issued or unwritten policy or practice initiated by or under the authority of the Secretary to implement such sections, violates the Constitution of the United States or is otherwise in violation of law is available exclusively in an action instituted in United States District Court in accordance with the procedures prescribed in this paragraph.

“(B) SAVINGS PROVISION.—Except as provided in subparagraph (C), nothing in subparagraph (A) may be construed to preclude an applicant under 245B, 245C, or 245D from asserting that an action taken or a decision made by the Secretary with respect to the applicant’s status was contrary to law.

“(C) CLASS ACTIONS.—Any claim described in subparagraph (A) that is brought as a class action shall be brought in conformity with—

“(i) the Class Action Fairness Act of 2005 (Public Law 109-2); and

“(ii) the Federal Rules of Civil Procedure.

“(D) PRECLUSIVE EFFECT.—The final disposition of any claim brought under subparagraph (A) shall be preclusive of any such claim asserted by the same individual in a subsequent proceeding under this subsection.

“(E) EXHAUSTION AND STAY OF PROCEEDINGS.—

“(i) IN GENERAL.—No claim brought under this paragraph shall require the plaintiff to exhaust administrative remedies under section 245E(c).

“(ii) STAY AUTHORIZED.—Nothing in this paragraph may be construed to prevent the court from staying proceedings under this paragraph to permit the Secretary to evaluate an allegation of an unwritten policy or practice or to take corrective action. In determining whether to issue such a stay, the court shall take into account any harm the stay may cause to the claimant.”.

(c) RULE OF CONSTRUCTION.—Section 244(h) of the Immigration and Nationality Act (8 U.S.C. 1254a(h)) shall not limit the authority of the Secretary to adjust the status of an alien under section 245C or 245D of the Immigration and Nationality Act, as added by this subtitle.

(d) EFFECT OF FAILURE TO REGISTER ON ELIGIBILITY FOR IMMIGRATION BENEFITS.—Failure to comply with section 264.1(f) of title 8, Code of Federal Regulations or with removal orders or voluntary departure agreements based on such section for acts committed before the date of the enactment of this Act shall not affect the eligibility of an alien to apply for a benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(e) CLERICAL AMENDMENT.—The table of contents is amended by inserting after the item relating to section 245A the following:

“Sec. 245B. Adjustment of status of eligible entrants before December 31, 2011, to that of registered provisional immigrant.

“Sec. 245C. Adjustment of status of registered provisional immigrants.

“Sec. 245D. Adjustment of status for certain aliens who entered the United States as children.

“Sec. 245E. Additional requirements relating to registered provisional immigrants and others.”.

#### SEC. 2105. CRIMINAL PENALTY.

(a) IN GENERAL.—Chapter 69 of title 18, United States Code, is amended by adding at the end the following:

“§ 1430. Improper use of information relating to registered provisional immigrant applications

“Any person who knowingly uses, publishes, or permits information described in section 245E(a) of the Immigration and Nationality Act to be examined in violation of such section shall be fined not more than \$10,000.”.

(b) DEPOSIT OF FINES.—All criminal penalties collected under section 1430 of title 18, United States Code, as added by subsection (a), shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

(c) CLERICAL AMENDMENT.—The table of sections in chapter 69 of title 18, United States Code, is amended by adding at the end the following:

“1430. Improper use of information relating to registered provisional immigrant applications.”.

**SEC. 2106. GRANT PROGRAM TO ASSIST ELIGIBLE APPLICANTS.**

(a) **ESTABLISHMENT.**—The Secretary may establish, within U.S. Citizenship and Immigration Services, a program to award grants, on a competitive basis, to eligible nonprofit organizations that will use the funding to assist eligible applicants under section 245B, 245C, 245D, or 245F of the Immigration and Nationality Act or section 2211 of this Act by providing them with the services described in subsection (c).

(b) **ELIGIBLE NONPROFIT ORGANIZATION.**—The term “eligible nonprofit organization” means a nonprofit, tax-exempt organization, including a community, faith-based or other immigrant-serving organization, whose staff has demonstrated qualifications, experience, and expertise in providing quality services to immigrants, refugees, persons granted asylum, or persons applying for such statuses.

(c) **USE OF FUNDS.**—Grant funds awarded under this section may be used for the design and implementation of programs that provide—

(1) information to the public regarding the eligibility and benefits of registered provisional immigrant status authorized under section 245B of the Immigration and Nationality Act and blue card status authorized under section 2211, particularly to individuals potentially eligible for such status;

(2) assistance, within the scope of authorized practice of immigration law, to individuals submitting applications for registered provisional immigrant status or blue card status, including—

(A) screening prospective applicants to assess their eligibility for such status;

(B) completing applications and petitions, including providing assistance in obtaining the requisite documents and supporting evidence;

(C) applying for any waivers for which applicants and qualifying family members may be eligible; and

(D) providing any other assistance that the Secretary or grantees consider useful or necessary to apply for registered provisional immigrant status or blue card status;

(3) assistance, within the scope of authorized practice of immigration law, to individuals seeking to adjust their status to that of an alien admitted for permanent residence under section 245C or 245F of the Immigration and Nationality Act; and

(4) assistance, within the scope of authorized practice of immigration law, and instruction, to individuals—

(A) on the rights and responsibilities of United States citizenship;

(B) in civics and civics-based English as a second language; and

(C) in applying for United States citizenship.

(d) **SOURCE OF GRANT FUNDS.**—

(1) **APPLICATION FEES.**—The Secretary may use up to \$50,000,000 from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) to carry out this section.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—

(A) **AMOUNTS AUTHORIZED.**—In addition to the amounts made available under paragraph (1), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2014 through 2018 to carry out this section.

(B) **AVAILABILITY.**—Any amounts appropriated pursuant to subparagraph (A) shall remain available until expended.

**SEC. 2107. CONFORMING AMENDMENTS TO THE SOCIAL SECURITY ACT.**

(a) **CORRECTION OF SOCIAL SECURITY RECORDS.**—

(1) **IN GENERAL.**—Section 208(e)(1) of the Social Security Act (42 U.S.C. 408(e)(1)) is amended—

(A) in subparagraph (B)(ii), by striking “or” at the end;

(B) in subparagraph (C), by striking the comma at the end and inserting a semicolon;

(C) by inserting after subparagraph (C) the following:

“(D) who is granted status as a registered provisional immigrant under section 245B or 245D of the Immigration and Nationality Act; or

“(E) whose status is adjusted to that of lawful permanent resident under section 245C of the Immigration and Nationality Act.”; and

(D) in the undesignated matter at the end, by inserting “, or in the case of an alien described in subparagraph (D) or (E), if such conduct is alleged to have occurred before the date on which the alien submitted an application under section 245B of such Act for classification as a registered provisional immigrant” before the period at the end.

(2) **EFFECTIVE DATE.**—The amendments made by paragraph (1) shall take effect on the first day of the tenth month that begins after the date of the enactment of this Act.

(b) **STATE DISCRETION REGARDING TERMINATION OF PARENTAL RIGHTS.**—

(1) **IN GENERAL.**—A compelling reason for a State not to file (or to join in the filing of) a petition to terminate parental rights under section 475(5)(E) of the Social Security Act (42 U.S.C. 675(5)(E)) shall include—

(A) the removal of the parent from the United States, unless the parent is unfit or unwilling to be a parent of the child; or

(B) the involvement of the parent in (including detention pursuant to) an immigration proceeding, unless the parent is unfit or unwilling to be a parent of the child.

(2) **CONDITIONS.**—Before a State may file to terminate the parental rights under such section 475(5)(E), the State (or the county or other political subdivision of the State, as applicable) shall make reasonable efforts—

(A) to identify, locate, and contact (including, if appropriate, through the diplomatic or consular offices of the country to which the parent was removed or in which a parent or relative resides)—

(i) any parent of the child who is in immigration detention;

(ii) any parent of the child who has been removed from the United States; and

(iii) if possible, any potential adult relative of the child (as described in section 471(a)(29));

(B) to notify such parent or relative of the intent of the State (or the county or other political subdivision of the State, as applicable) to file (or to join in the filing of) a petition referred to in paragraph (1); or

(C) to reunify the child with any such parent or relative; and

(D) to provide and document appropriate services to the parent or relative.

(3) **CONFORMING AMENDMENT.**—Section 475(5)(E)(ii) of the Social Security Act (42 U.S.C. 675(5)(E)) is amended by inserting “, including the reason set forth in section 2107(b)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act” after “child”.

(c) **CHILDREN SEPARATED FROM PARENTS AND CAREGIVERS.**—

(1) **STATE PLAN FOR FOSTER CARE AND ADOPTION ASSISTANCE.**—Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(A) by amending paragraph (19) to read as follows:

“(19) provides that the State shall give preference to an adult relative over a nonrelated caregiver when determining a placement for a child if—

“(A) the relative caregiver meets all relevant State child protection standards; and

“(B) the standards referred to in subparagraph (A) ensure that the immigration status alone of a parent, legal guardian, or relative shall not disqualify the parent, legal guardian,

or relative from being a placement for a child.”; and

(B) in paragraph (32), by striking “and” at the end;

(C) in paragraph (33), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(34) provides that the State shall—

“(A) ensure that the case manager for a separated child is capable of communicating in the native language of such child and of the family of such child, or an interpreter who is so capable is provided to communicate with such child and the family of such child at no cost to the child or to the family of such child;

“(B) coordinate with the Department of Homeland Security to ensure that parents who wish for their child to accompany them to their country of origin are given adequate time and assistance to obtain a passport and visa, and to collect all relevant vital documents, such as birth certificate, health, and educational records and other information;

“(C) coordinate with State agencies regarding alternate documentation requirements for a criminal records check or a fingerprint-based check for a caregiver that does not have Federal or State-issued identification;

“(D) preserve, to the greatest extent practicable, the privacy and confidentiality of all information gathered in the course of administering the care, custody, and placement of, and follow up services provided to, a separated child, consistent with the best interest of such child, by not disclosing such information to other government agencies or persons (other than a parent, legal guardian, or relative caregiver or such child), except that the head of the State agency (or the county or other political subdivision of the State, as applicable) may disclose such information, after placing a written record of the disclosure in the file of the child—

“(i) to a consular official for the purpose of reunification of a child with a parent, legal guardian, or relative caregiver who has been removed or is involved in an immigration proceeding, unless the child has refused contact with, or the sharing of personal or identifying information with, the government of his or her country of origin;

“(ii) when authorized to do so by the child (if the child has attained 18 years of age) if the disclosure is consistent with the best interest of the child; or

“(iii) to a law enforcement agency if the disclosure would prevent imminent and serious harm to another individual; and

“(E) not less frequently than annually, compile, update, and publish a list of entities in the State that are qualified to provide legal representation services for a separated child, in a language such that a child can read and understand.”.

(2) **ADDITIONAL INFORMATION TO BE INCLUDED IN CASE PLAN.**—Section 475 of such Act (42 U.S.C. 675) is amended—

(A) in paragraph (1), by adding at the end the following:

“(H) In the case of a separated child with respect to whom the State plan requires the State to provide services under section 471(a)(34)—

“(i) the location of the parent or legal guardian described in paragraph (9)(A) from whom the child has been separated; and

“(ii) a written record of each disclosure to a government agency or person (other than such a parent, legal guardian, or relative) of information gathered in the course of tracking the care, custody, and placement of, and follow-up services provided to, the child.”; and

(B) by adding at the end the following:

“(9) The term ‘separated child’ means an individual who—

“(A) has a parent or legal guardian who has been—

“(i) detained by a Federal, State, or local law enforcement agency in the enforcement of an immigration law; or

“(ii) removed from the United States as a result of a violation of such a law; and

“(B) is in foster care under the responsibility of a State.”.

(3) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect on the 1st day of the 1st calendar quarter that begins after the 1-year period that begins on the date of the enactment of this Act.

#### **SEC. 2108. GOVERNMENT CONTRACTING AND ACQUISITION OF REAL PROPERTY INTEREST.**

(a) **EXEMPTION FROM GOVERNMENT CONTRACTING AND HIRING RULES.**—

(1) **IN GENERAL.**—A determination by a Federal agency to use a procurement competition exemption under section 253(c) of title 41, United States Code, or to use the authority granted in paragraph (2), for the purpose of implementing this title and the amendments made by this title is not subject to challenge by protest to the Government Accountability Office under sections 3551 and 3556 of title 31, United States Code, or to the Court of Federal Claims, under section 1491 of title 28, United States Code. An agency shall immediately advise the Congress of the exercise of the authority granted under this paragraph.

(2) **GOVERNMENT CONTRACTING EXEMPTION.**—The competition requirement under section 253(a) of title 41, United States Code, may be waived or modified by a Federal agency for any procurement conducted to implement this title or the amendments made by this title if the senior procurement executive for the agency conducting the procurement—

(A) determines that the waiver or modification is necessary; and

(B) submits an explanation for such determination to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(3) **HIRING RULES EXEMPTION.**—Notwithstanding any other provision of law, the Secretary is authorized to make term, temporary limited, and part-time appointments of employees who will implement this title and the amendments made by this title without regard to the number of such employees, their ratio to permanent full-time employees, and the duration of their employment. Nothing in chapter 71 of title 5, United States Code, shall affect the authority of any Department management official to hire term, temporary limited or part-time employees under this paragraph.

(b) **AUTHORITY TO WAIVE ANNUITY LIMITATIONS.**—Section 824(g)(2)(B) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)(2)(B)) is amended by striking “2009” and inserting “2017”.

(c) **AUTHORITY TO ACQUIRE LEASEHOLDS.**—Notwithstanding any other provision of law, the Secretary may acquire a leasehold interest in real property, and may provide in a lease entered into under this subsection for the construction or modification of any facility on the leased property, if the Secretary determines that the acquisition of such interest, and such construction or modification, are necessary in order to facilitate the implementation of this title and the amendments made by this title.

#### **SEC. 2109. LONG-TERM LEGAL RESIDENTS OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.**

Section (6)(e) of the Joint Resolution entitled “A Joint Resolution to approve the ‘Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America’, and for other purposes”, approved March 24, 1976 (48 U.S.C.

1806(e)), as added by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229; 122 Stat. 854), is amended by adding at the end the following:

“(6) **SPECIAL PROVISION REGARDING LONG-TERM RESIDENTS OF THE COMMONWEALTH.**—

“(A) **CNMI-ONLY RESIDENT STATUS.**—Notwithstanding paragraph (1), an alien described in subparagraph (B) may, upon the application of the alien, be admitted as an immigrant to the Commonwealth subject to the following rules:

“(i) The alien shall be treated as an immigrant lawfully admitted for permanent residence in the Commonwealth only, including permitting entry to and exit from the Commonwealth, until the earlier of the date on which—

“(I) the alien ceases to permanently reside in the Commonwealth; or

“(II) the alien’s status is adjusted under this paragraph or section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) to that of an alien lawfully admitted for permanent residence in accordance with all applicable eligibility requirements.

“(ii) The Secretary of Homeland Security shall establish a process for such aliens to apply for CNMI-only permanent resident status during the 90-day period beginning on the first day of the sixth month after the date of the enactment of this paragraph.

“(iii) Nothing in this subparagraph may be construed to provide any alien granted status under this subparagraph with public assistance to which the alien is not otherwise entitled.

“(B) **ALIENS DESCRIBED.**—An alien is described in this subparagraph if the alien—

“(i) is lawfully present in the Commonwealth under the immigration laws of the United States;

“(ii) is otherwise admissible to the United States under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.);

“(iii) resided continuously and lawfully in the Commonwealth from November 28, 2009, through the date of the enactment of this paragraph;

“(iv) is not a citizen of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau; and

“(v) (I) was born in the Northern Mariana Islands between January 1, 1974 and January 9, 1978;

“(II) was, on May 8, 2008, and continues to be as of the date of the enactment of this paragraph, a permanent resident (as defined in section 4303 of title 3 of the Northern Mariana Islands Commonwealth Code, in effect on May 8, 2008);

“(III) is the spouse or child (as defined in section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1))), of an alien described in subclauses (I) or (II);

“(IV) was, on May 8, 2008, an immediate relative (as defined in section 4303 of title 3 of the Northern Mariana Islands Commonwealth Code, in effect on May 8, 2008, of a United States citizen, notwithstanding the age of the United States citizen, and continues to be such an immediate relative on the date of the application described in subparagraph (A);

“(V) resided in the Northern Mariana Islands as a guest worker under Commonwealth immigration law for at least 5 years before May 8, 2008 and is presently resident under CW–1 status; or

“(VI) is the spouse or child (as defined in section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1))), of the alien guest worker described in subclause (V) and is presently resident under CW–2 status.

“(C) **ADJUSTMENT FOR LONG TERM AND PERMANENT RESIDENTS.**—Beginning on the date that is 5 years after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, an alien de-

scribed in subparagraph (B) may apply to receive an immigrant visa or to adjust his or her status to that of an alien lawfully admitted for permanent residence.”.

#### **SEC. 2110. RULEMAKING.**

(a) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Secretary, the Attorney General, and the Secretary of State separately shall issue interim final regulations to implement this subtitle and the amendments made by this subtitle, which shall take effect immediately upon publication in the Federal Register.

(b) **APPLICATION PROCEDURES; PROCESSING FEES; DOCUMENTATION.**—The interim final regulations issued under subsection (a) shall include—

(1) the procedures by which an alien, and the dependent spouse and children of such alien may apply for status under section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, as a registered provisional immigrant or a registered provisional immigrant dependent, as applicable, including the evidence required to demonstrate eligibility for such status or to be included in each application for such status;

(2) the criteria to be used by the Secretary to determine—

(A) the maximum processing fee payable under sections 245B(c)(10)(B) and 245C(c)(5)(A) of such Act by a family, including spouses and unmarried children younger than 21 years of age; and

(B) which individuals will be exempt from such fees;

(3) the documentation required to be submitted by the applicant to demonstrate compliance with section 245C(b)(3) of such Act; and

(4) the procedures for a registered provisional immigrant to apply for adjustment of status under section 245C or 245D of such Act, including the evidence required to be submitted with such application to demonstrate the applicant’s eligibility for such adjustment.

(c) **EXEMPTION FROM NATIONAL ENVIRONMENTAL POLICY ACT.**—Any decision by the Secretary concerning any rulemaking action, plan, or program described in this section shall not be considered to be a major Federal action subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

#### **SEC. 2111. STATUTORY CONSTRUCTION.**

Except as specifically provided, nothing in this subtitle, or any amendment made by this subtitle, may be construed to create any substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

#### **Subtitle B—Agricultural Worker Program**

#### **SEC. 2201. SHORT TITLE.**

This subtitle may be cited as the “Agricultural Worker Program Act of 2013”.

#### **SEC. 2202. DEFINITIONS.**

In this subtitle:

(1) **BLUE CARD STATUS.**—The term “blue card status” means the status of an alien who has been lawfully admitted into the United States for temporary residence under section 2211.

(2) **AGRICULTURAL EMPLOYMENT.**—The term “agricultural employment” has the meaning given such term in section 3 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1802), without regard to whether the specific service or activity is temporary or seasonal.

(3) **CHILD.**—The term “child” has the meaning given the term in section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)).

(4) **EMPLOYER.**—The term “employer” means any person or entity, including any farm labor contractor and any agricultural association,

that employs workers in agricultural employment.

(5) **QUALIFIED DESIGNATED ENTITY.**—The term “qualified designated entity” means—

(A) a qualified farm labor organization or an association of employers designated by the Secretary; or

(B) any other entity that the Secretary designates as having substantial experience, demonstrated competence, and a history of long-term involvement in the preparation and submission of application for adjustment of status under title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.).

(6) **WORK DAY.**—The term “work day” means any day in which the individual is employed 5.75 or more hours in agricultural employment.

## CHAPTER 1—PROGRAM FOR EARNED STATUS ADJUSTMENT OF AGRICULTURAL WORKERS

### Subchapter A—Blue Card Status

#### SEC. 2211. REQUIREMENTS FOR BLUE CARD STATUS.

(a) **REQUIREMENTS FOR BLUE CARD STATUS.**—Notwithstanding any other provision of law, the Secretary, after conducting the national security and law enforcement clearances required under section 245B(c)(4), may grant blue card status to an alien who—

(1)(A) performed agricultural employment in the United States for not fewer than 575 hours or 100 work days during the 2-year period ending on December 31, 2012; or

(B) is the spouse or child of an alien described in subparagraph (A) and was physically present in the United States on or before December 31, 2012, and has maintained continuous presence in the United States from that date until the date on which the alien is granted blue card status, with the exception of absences from the United States that are brief, casual, and innocent, whether or not such absences were authorized by the Secretary;

(2) submits a completed application before the end of the period set forth in subsection (b)(2); and

(3) is not ineligible under paragraph (3) or (4) of section 245B(b) of the Immigration and Nationality Act (other than a nonimmigrant alien admitted to the United States for agricultural employment described in section 101(a)(15)(H)(ii)(a) of such Act.

(b) **APPLICATION.**—

(i) **IN GENERAL.**—An alien who meets the eligibility requirements set forth in subsection (a)(1), may apply for blue card status and that alien's spouse or child may apply for blue card status as a dependent, by submitting a completed application form to the Secretary during the application period set forth in paragraph (2) in accordance with the final rule promulgated by the Secretary pursuant to subsection (e).

(2) **SUBMISSION.**—The Secretary shall provide that the alien shall be able to submit an application under paragraph (1)—

(A) if the applicant is represented by an attorney or a nonprofit religious, charitable, social service, or similar organization recognized by the Board of Immigration Appeals under section 292.2 of title 8, Code of Federal Regulations; or

(B) to a qualified entity if the applicant consents to the forwarding of the application to the Secretary.

(3) **APPLICATION PERIOD.**—

(A) **INITIAL PERIOD.**—Except as provided in subparagraph (B), the Secretary may only accept applications for blue card status for a 1-year period from aliens in the United States beginning on the date on which the final rule is published in the Federal Register pursuant to subsection (f), except that qualified nonimmigrants who have participated in the H-2A Program may apply from outside of the United States.

(B) **EXTENSION.**—If the Secretary determines, during the initial period described in subparagraph (A), that additional time is required to process applications for blue card status or for other good cause, the Secretary may extend the period for accepting applications for an additional 18 months.

(4) **APPLICATION FORM.**—

(A) **REQUIRED INFORMATION.**—The application form referred to in paragraph (1) shall collect such information as the Secretary determines necessary and appropriate.

(B) **FAMILY APPLICATION.**—The Secretary shall establish a process through which an alien may submit a single application under this section on behalf of the alien, his or her spouse, and his or her children, who are residing in the United States.

(C) **INTERVIEW.**—The Secretary may interview applicants for blue card status to determine whether they meet the eligibility requirements set forth in subsection (a)(1).

(5) **ALIENS APPREHENDED BEFORE OR DURING THE APPLICATION PERIOD.**—If an alien, who is apprehended during the period beginning on the date of the enactment of this Act and ending on the application period described in paragraph (3), appears prima facie eligible for blue card status, the Secretary—

(A) shall provide the alien with a reasonable opportunity to file an application under this section during such application period; and

(B) may not remove the individual until a final administrative determination is made on the application.

(6) **SUSPENSION OF REMOVAL DURING APPLICATION PERIOD.**—

(A) **PROTECTION FROM DETENTION OR REMOVAL.**—An alien granted blue card status may not be detained by the Secretary or removed from the United States unless—

(i) such alien is, or has become, ineligible for blue card status; or

(ii) the alien's blue card status has been revoked.

(B) **ALIENS IN REMOVAL PROCEEDINGS.**—Notwithstanding any other provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.)—

(i) if the Secretary determines that an alien, during the period beginning on the date of the enactment of this section and ending on the last day of the application period described in paragraph (2), is in removal, deportation, or exclusion proceedings before the Executive Office for Immigration Review and is prima facie eligible for blue card status under this section—

(I) the Secretary shall provide the alien with the opportunity to file an application for such status; and

(II) upon motion by the Secretary and with the consent of the alien or upon motion by the alien, the Executive Office for Immigration Review shall—

(aa) terminate such proceedings without prejudice to future proceedings on any basis; and

(bb) provide the alien a reasonable opportunity to apply for such status; and

(ii) if the Executive Office for Immigration Review determines that an alien, during the application period described in paragraph (2), is in removal, deportation, or exclusion proceedings before the Executive Office for Immigration Review and is prima facie eligible for blue card status under this section—

(I) the Executive Office of Immigration Review shall notify the Secretary of such determination; and

(II) if the Secretary does not dispute the determination of prima facie eligibility within 7 days after such notification, the Executive Office for Immigration Review, upon consent of the alien, shall—

(aa) terminate such proceedings without prejudice to future proceedings on any basis; and

(bb) permit the alien a reasonable opportunity to apply for such status.

(C) **TREATMENT OF CERTAIN ALIENS.**—

(i) **IN GENERAL.**—If an alien who meets the eligibility requirements set forth in subsection (a) is present in the United States and has been ordered excluded, deported, or removed, or ordered to depart voluntarily from the United States under any provision of this Act—

(I) notwithstanding such order or section 241(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(5)), the alien may apply for blue card status under this section; and

(II) if the alien is granted such status, the alien shall file a motion to reopen the exclusion, deportation, removal, or voluntary departure order, which motion shall be granted unless 1 or more of the grounds of ineligibility is established by clear and convincing evidence.

(ii) **LIMITATIONS ON MOTIONS TO REOPEN.**—The limitations on motions to reopen set forth in section 240(c)(7) of the Immigration and Nationality Act (8 U.S.C. 1229a(c)(7)) shall not apply to motions filed under clause (i)(II).

(D) **PERIOD PENDING ADJUDICATION OF APPLICATION.**—

(i) **IN GENERAL.**—During the period beginning on the date on which an alien applies for blue card status under this subsection and the date on which the Secretary makes a final decision regarding such application, the alien—

(I) may receive advance parole to reenter the United States if urgent humanitarian circumstances compel such travel;

(II) may not be detained by the Secretary or removed from the United States unless the Secretary makes a prima facie determination that such alien is, or has become, ineligible for blue card status;

(III) shall not be considered unlawfully present for purposes of section 212(a)(9)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)); and

(IV) shall not be considered an unauthorized alien (as defined in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3))).

(ii) **EVIDENCE OF APPLICATION FILING.**—As soon as practicable after receiving each application for blue card status, the Secretary shall provide the applicant with a document acknowledging the receipt of such application.

(iii) **CONTINUING EMPLOYMENT.**—An employer who knows an alien employee is an applicant for blue card status or will apply for such status once the application period commences is not in violation of section 274A(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1324a(a)(2)) if the employer continues to employ the alien pending the adjudication of the alien employee's application.

(iv) **EFFECT OF DEPARTURE.**—Section 101(g) of the Immigration and Nationality Act (8 U.S.C. 1101(g)) shall not apply to an alien granted—

(I) advance parole under clause (i)(I) to reenter the United States; or

(II) blue card status.

(7) **SECURITY AND LAW ENFORCEMENT CLEARANCES.**—

(A) **BIOMETRIC AND BIOGRAPHIC DATA.**—The Secretary may not grant blue card status to an alien or an alien dependent spouse or child under this section unless such alien submits biometric and biographic data in accordance with procedures established by the Secretary.

(B) **ALTERNATIVE PROCEDURES.**—The Secretary shall provide an alternative procedure for applicants who cannot provide the standard biometric data required under subparagraph (A) because of a physical impairment.

(C) **CLEARANCES.**—

(i) **DATA COLLECTION.**—The Secretary shall collect, from each alien applying for status under this section, biometric, biographic, and

other data that the Secretary determines to be appropriate—

(I) to conduct national security and law enforcement clearances; and

(II) to determine whether there are any national security or law enforcement factors that would render an alien ineligible for such status.

(ii) **PREREQUISITE.**—The required clearances described in clause (i)(I) shall be completed before the alien may be granted blue card status.

(8) **DURATION OF STATUS.**—After the date that is 8 years after the date regulations are published under this section, no alien may remain in blue card status.

(9) **FEES AND PENALTIES.**—

(A) **STANDARD PROCESSING FEE.**—

(i) **IN GENERAL.**—Aliens who are 16 years of age or older and are applying for blue card status under paragraph (2), or for an extension of such status, shall pay a processing fee to the Department in an amount determined by the Secretary.

(ii) **RECOVERY OF COSTS.**—The processing fee authorized under clause (i) shall be set at a level that is sufficient to recover the full costs of processing the application, including any costs incurred—

(I) to adjudicate the application;

(II) to take and process biometrics;

(III) to perform national security and criminal checks, including adjudication;

(IV) to prevent and investigate fraud; and

(V) to administer the collection of such fee.

(iii) **AUTHORITY TO LIMIT FEES.**—The Secretary, by regulation, may—

(I) limit the maximum processing fee payable under this subparagraph by a family, including spouses and unmarried children younger than 21 years of age; and

(II) exempt defined classes of individuals from the payment of the fee authorized under clause (i).

(B) **DEPOSIT AND USE OF PROCESSING FEES.**—Fees collected pursuant to subparagraph (A)(i)—

(i) shall be deposited into the Immigration Examinations Fee Account pursuant to section 286(m); and

(ii) shall remain available until expended pursuant to section 286(n).

(C) **PENALTY.**—

(i) **PAYMENT.**—In addition to the processing fee required under subparagraph (A), aliens who are 21 years of age or older and are applying for blue card status under paragraph (2) shall pay a \$100 penalty to the Department.

(ii) **DEPOSIT.**—Penalties collected pursuant to clause (i) shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

(10) **ADJUDICATION.**—

(A) **FAILURE TO SUBMIT SUFFICIENT EVIDENCE.**—The Secretary shall deny an application submitted by an alien who fails to submit—

(i) requested initial evidence, including requested biometric data; or

(ii) any requested additional evidence by the date required by the Secretary.

(B) **AMENDED APPLICATION.**—An alien whose application for blue card status is denied under subparagraph (A) may file an amended application for such status to the Secretary if the amended application—

(i) is filed within the application period described in paragraph (3); and

(ii) contains all the required information and fees that were missing from the initial application.

(11) **EVIDENCE OF BLUE CARD STATUS.**—

(A) **IN GENERAL.**—The Secretary shall issue documentary evidence of blue card status to each alien whose application for such status has been approved.

(B) **DOCUMENTATION FEATURES.**—Documentary evidence provided under subparagraph (A)—

(i) shall be machine-readable and tamper-resistant, and shall contain a digitized photograph;

(ii) shall, during the alien's authorized period of admission, and any extension of such authorized admission, serve as a valid travel and entry document for the purpose of applying for admission to the United States;

(iii) may be accepted during the period of its validity by an employer as evidence of employment authorization and identity under section 274A(b)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1324a(b)(1)(B)); and

(iv) shall include such other features and information as the Secretary may prescribe.

(C) **TERMS AND CONDITIONS OF BLUE CARD STATUS.**—

(1) **CONDITIONS OF BLUE CARD STATUS.**—

(A) **EMPLOYMENT.**—Notwithstanding any other provision of law, including section 241(a)(7) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(7)), an alien with blue card status shall be authorized to be employed in the United States while in such status.

(B) **TRAVEL OUTSIDE THE UNITED STATES.**—An alien with blue card status may travel outside of the United States and may be admitted, if otherwise admissible, upon returning to the United States without having to obtain a visa if—

(i) the alien is in possession of—

(I) valid, unexpired documentary evidence of blue card status that complies with subsection (b)(11); or

(II) a travel document that has been approved by the Secretary and was issued to the alien after the alien's original documentary evidence was lost, stolen, or destroyed;

(ii) the alien's absence from the United States did not exceed 180 days, unless the alien's failure to timely return was due to extenuating circumstances beyond the alien's control; and

(iii) the alien establishes that the alien is not inadmissible under subparagraph (A)(i), (A)(iii), (B), or (C) of section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)).

(C) **ADMISSION.**—An alien granted blue card status shall be considered to have been admitted in such status as of the date on which the alien's application was filed.

(D) **CLARIFICATION OF STATUS.**—An alien granted blue card status—

(i) is lawfully admitted to the United States; and

(ii) may not be classified as a nonimmigrant or as an alien who has been lawfully admitted for permanent residence.

(2) **REVOCATION.**—

(A) **IN GENERAL.**—The Secretary may revoke blue card status at any time after providing appropriate notice to the alien, and after the exhaustion or waiver of all applicable administrative review procedures under section 245E(c) of the Immigration and Nationality Act, as added by section 2104(a) of this Act, if the alien—

(i) no longer meets the eligibility requirements for blue card status;

(ii) knowingly used documentation issued under this section for an unlawful or fraudulent purpose; or

(iii) was absent from the United States for—

(I) any single period longer than 180 days in violation of the requirement under paragraph (1)(B)(ii); or

(II) for more than 180 days in the aggregate during any calendar year, unless the alien's failure to timely return was due to extenuating circumstances beyond the alien's control.

(B) **ADDITIONAL EVIDENCE.**—

(i) **IN GENERAL.**—In determining whether to revoke an alien's status under subparagraph (A), the Secretary may require the alien—

(I) to submit additional evidence; or

(II) to appear for an interview.

(ii) **EFFECT OF NONCOMPLIANCE.**—The status of an alien who fails to comply with any re-

quirement imposed by the Secretary under clause (i) shall be revoked unless the alien demonstrates to the Secretary's satisfaction that such failure was reasonably excusable.

(C) **INVALIDATION OF DOCUMENTATION.**—If an alien's blue card status is revoked under subparagraph (A), any documentation issued by the Secretary to such alien under subsection (b)(11) shall automatically be rendered invalid for any purpose except for departure from the United States.

(3) **INELIGIBILITY FOR PUBLIC BENEFITS.**—An alien who has been granted blue card status is not eligible for any Federal means-tested public benefit (as such term is defined and implemented in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613)).

(4) **TREATMENT OF BLUE CARD STATUS.**—A noncitizen granted blue card status shall be considered lawfully present in the United States for all purposes while such noncitizen remains in such status, except that the noncitizen—

(A) is not entitled to the premium assistance tax credit authorized under section 36B of the Internal Revenue Code of 1986 for his or her coverage;

(B) shall be subject to the rules applicable to individuals who are not lawfully present set forth in subsection (e) of such section;

(C) shall be subject to the rules applicable to individuals who are not lawfully present set forth in section 1402(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18071(e)); and

(D) shall be subject to the rules applicable to individuals not lawfully present set forth in section 5000A(d)(3) of the Internal Revenue Code of 1986.

(5) **ADJUSTMENT TO REGISTERED PROVISIONAL IMMIGRANT STATUS.**—The Secretary may adjust the status of an alien who has been granted blue card status to the status of a registered provisional immigrant under section 245B of the Immigration and Nationality Act if the Secretary determines that the alien is unable to fulfill the agricultural service requirement set forth in section 245F(a)(1) of such Act.

(d) **RECORD OF EMPLOYMENT.**—

(1) **IN GENERAL.**—Each employer of an alien granted blue card status shall annually provide—

(A) a written record of employment to the alien; and

(B) a copy of such record to the Secretary of Agriculture.

(2) **CIVIL PENALTIES.**—

(A) **IN GENERAL.**—If the Secretary finds, after notice and an opportunity for a hearing, that an employer of an alien granted blue card status has knowingly failed to provide the record of employment required under paragraph (1) or has provided a false statement of material fact in such a record, the employer shall be subject to a civil penalty in an amount not to exceed \$500 per violation.

(B) **LIMITATION.**—The penalty under subparagraph (A) for failure to provide employment records shall not apply unless the alien has provided the employer with evidence of employment authorization provided under subsection (c).

(C) **DEPOSIT OF CIVIL PENALTIES.**—Civil penalties collected under this paragraph shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

(3) **TERMINATION OF OBLIGATION.**—The obligation under paragraph (1) shall terminate on the date that is 8 years after the date of the enactment of this Act.

(4) **EMPLOYER PROTECTIONS.**—

(A) **USE OF EMPLOYMENT RECORDS.**—Copies of employment records or other evidence of employment provided by an alien or by an alien's employer in support of an alien's application for

blue card status may not be used in a civil or criminal prosecution or investigation of that employer under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) or the Internal Revenue Code of 1986 for the prior unlawful employment of that alien regardless of the adjudication of such application or reconsideration by the Secretary of such alien's prima facie eligibility determination. Employers that provide unauthorized aliens with copies of employment records or other evidence of employment pursuant to an application for blue card status shall not be subject to civil and criminal liability pursuant to such section 274A for employing such unauthorized aliens.

(B) **LIMIT ON APPLICABILITY.**—The protections for employers and aliens under subparagraph (A) shall not apply if the aliens or employers submit employment records that are deemed to be fraudulent.

(e) **RULEMAKING.**—Not later than 1 year after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall issue final regulations to implement this chapter.

**SEC. 2212. ADJUSTMENT TO PERMANENT RESIDENT STATUS.**

(a) **IN GENERAL.**—Chapter 5 of title II (8 U.S.C. 1255 et seq.) is amended by inserting after section 245E, as added by section 2104 of this Act, the following:

**“SEC. 245F. ADJUSTMENT TO PERMANENT RESIDENT STATUS FOR AGRICULTURAL WORKERS.**

“(a) **IN GENERAL.**—Except as provided in subsection (b), and not earlier than 5 years after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary shall adjust the status of an alien granted blue card status to that of an alien lawfully admitted for permanent residence if the Secretary determines that the following requirements are satisfied:

“(1) **QUALIFYING EMPLOYMENT.**—Except as provided in paragraph (3), the alien—

“(A) during the 8-year period beginning on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, performed not less than 100 work days of agricultural employment during each of 5 years; or

“(B) during the 5-year period beginning on such date of enactment, performed not less than 150 work days of agricultural employment during each of 3 years.

“(2) **EVIDENCE.**—An alien may demonstrate compliance with the requirement under paragraph (1) by submitting—

“(A) the record of employment described in section 2211(d) of the Border Security, Economic Opportunity, and Immigration Modernization Act;

“(B) documentation that may be submitted under subsection (e)(4); or

“(C) any other documentation designated by the Secretary for such purpose.

“(3) **EXTRAORDINARY CIRCUMSTANCES.**—

“(A) **IN GENERAL.**—In determining whether an alien has met the requirement under paragraph (1), the Secretary may credit the alien with not more than 12 additional months of agricultural employment in the United States to meet such requirement if the alien was unable to work in agricultural employment due to—

“(i) pregnancy, disabling injury, or disease that the alien can establish through medical records;

“(ii) illness, disease, or other special needs of a child that the alien can establish through medical records;

“(iii) severe weather conditions that prevented the alien from engaging in agricultural employment for a significant period of time; or

“(iv) termination from agricultural employment, if the Secretary determines that—

“(I) the termination was without just cause; and

“(II) the alien was unable to find alternative agricultural employment after a reasonable job search.

“(B) **EFFECT OF DETERMINATION.**—A determination under subparagraph (A)(iv), with respect to an alien, shall not be conclusive, binding, or admissible in a separate or subsequent judicial or administrative action or proceeding between the alien and a current or prior employer of the alien or any other party.

“(4) **APPLICATION PERIOD.**—The alien applies for adjustment of status before the alien's blue card status expires.

“(5) **FINE.**—The alien pays a fine of \$400 to the Secretary, which shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(b) **GROUND FOR DENIAL OF ADJUSTMENT OF STATUS.**—

“(1) **IN GENERAL.**—The Secretary may not adjust the status of an alien granted blue card status if the alien—

“(A) is no longer eligible for blue card status; or

“(B) failed to perform the qualifying employment requirement under subsection (a)(1), considering any amount credited by the Secretary under subsection (a)(3).

“(2) **MAINTENANCE OF WAIVERS OF INADMISSIBILITY.**—The grounds of inadmissibility set forth in section 212(a) that were previously waived for the alien or made inapplicable shall not apply for purposes of the alien's adjustment of status under this section.

“(3) **PENDING REVOCATION PROCEEDINGS.**—If the Secretary has notified the applicant that the Secretary intends to revoke the applicant's blue card status, the Secretary may not approve an application for adjustment of status under this section unless the Secretary makes a final determination not to revoke the applicant's status.

“(4) **PAYMENT OF TAXES.**—

“(A) **IN GENERAL.**—An applicant may not file an application for adjustment of status under this section unless the applicant has satisfied any applicable Federal tax liability.

“(B) **DEFINITION OF APPLICABLE FEDERAL TAX LIABILITY.**—In this paragraph, the term ‘applicable federal tax liability’ means all Federal income taxes assessed in accordance with section 6203 of the Internal Revenue Code of 1986 since the date on which the applicant was authorized to work in the United States in blue card status.

“(C) **COMPLIANCE.**—The applicant may demonstrate compliance with subparagraph (A) by submitting such documentation as the Secretary, in consultation with the Secretary of the Treasury, may require by regulation.

“(c) **SPOUSES AND CHILDREN.**—Notwithstanding any other provision of law, the Secretary shall grant permanent resident status to the spouse or child of an alien whose status was adjusted under subsection (a) if—

“(1) the spouse or child (including any individual who was a child on the date such alien was granted blue card status) applies for such status;

“(2) the principal alien includes the spouse and children in an application for adjustment of status to that of a lawful permanent resident; and

“(3) the spouse or child is not ineligible for such status under section 245B.

“(d) **NUMERICAL LIMITATIONS DO NOT APPLY.**—The numerical limitations under sections 201 and 202 shall not apply to the adjustment of aliens to lawful permanent resident status under this section.

“(e) **SUBMISSION OF APPLICATIONS.**—

“(1) **INTERVIEW.**—The Secretary may interview applicants for adjustment of status under

this section to determine whether they meet the eligibility requirements set forth in this section.

“(2) **FEES.**—

“(A) **IN GENERAL.**—Applicants for adjustment of status under this section shall pay a processing fee to the Secretary in an amount that will ensure the recovery of the full costs of adjudicating such applications, including—

“(i) the cost of taking and processing biometrics;

“(ii) expenses relating to prevention and investigation of fraud; and

“(iii) costs relating to the administration of the fees collected.

“(B) **AUTHORITY TO LIMIT FEES.**—The Secretary, by regulation—

“(i) may limit the maximum processing fee payable under this paragraph by a family, including spouses and unmarried children younger than 21 years of age; and

“(ii) may exempt individuals described in section 245B(c)(10) and other defined classes of individuals from the payment of the fee under subparagraph (A).

“(3) **DISPOSITION OF FEES.**—All fees collected under paragraph (2)(A)—

“(A) shall be deposited into the Immigration Examinations Fee Account pursuant to section 286(m); and

“(B) shall remain available until expended pursuant to section 286(n).

“(4) **DOCUMENTATION OF WORK HISTORY.**—

“(A) **BURDEN OF PROOF.**—An alien applying for blue card status under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act or for adjustment of status under subsection (a) shall provide evidence that the alien has worked the requisite number of hours or days required under subsection (a)(1) of such section 2211 or subsection (a)(3) of this section, as applicable.

“(B) **TIMELY PRODUCTION OF RECORDS.**—If an employer or farm labor contractor employing such an alien has kept proper and adequate records respecting such employment, the alien's burden of proof under subparagraph (A) may be met by securing timely production of those records under regulations to be promulgated by the Secretary.

“(C) **SUFFICIENT EVIDENCE.**—An alien may meet the burden of proof under subparagraph (A) to establish that the alien has performed the days or hours of work referred to in subparagraph (A) by producing sufficient evidence to show the extent of that employment as a matter of just and reasonable inference.

“(f) **PENALTIES FOR FALSE STATEMENTS IN APPLICATIONS.**—

“(1) **CRIMINAL PENALTY.**—Any person who—

“(A) files an application for blue card status under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act or an adjustment of status under this section and knowingly and willfully falsifies, conceals, or covers up a material fact or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry; or

“(B) creates or supplies a false writing or document for use in making such an application, shall be fined in accordance with title 18, United States Code, imprisoned not more than 5 years, or both.

“(2) **INADMISSIBILITY.**—An alien who is convicted of a crime under paragraph (1) shall be deemed inadmissible to the United States on the ground described in section 212(a)(6)(C)(i).

“(3) **DEPOSIT.**—Fines collected under paragraph (1) shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.



“(g) **ELIGIBILITY FOR LEGAL SERVICES.**—Section 504(a)(11) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321–55) may not be construed to prevent a recipient of funds under the Legal Services Corporation Act (42 U.S.C. 2996 et seq.) from providing legal assistance directly related to an application for blue card status under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act, to an individual who has been granted blue card status, or for an application for an adjustment of status under this section.

“(h) **ADMINISTRATIVE AND JUDICIAL REVIEW.**—Aliens applying for blue card status under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act or adjustment to permanent resident status under this section shall be entitled to the rights and subject to the conditions applicable to other classes of aliens under sections 242(h) and 245E.

“(i) **APPLICABILITY OF OTHER PROVISIONS.**—The provisions set forth in section 245E which are applicable to aliens described in section 245B, 245C, and 245D shall apply to aliens applying for blue card status under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act or adjustment to permanent resident status under this section.

“(j) **LIMITATION ON BLUE CARD STATUS.**—An alien granted blue card status under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act may only adjust status to an alien lawfully admitted for permanent residence under this section, section 245C of this Act, or section 2302 of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(k) **DEFINITIONS.**—In this section:

“(1) **BLUE CARD STATUS.**—The term ‘blue card status’ means the status of an alien who has been lawfully admitted into the United States for temporary residence under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(2) **AGRICULTURAL EMPLOYMENT.**—The term ‘agricultural employment’ has the meaning given such term in section 3 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1802), without regard to whether the specific service or activity is temporary or seasonal.

“(3) **EMPLOYER.**—The term ‘employer’ means any person or entity, including any farm labor contractor and any agricultural association, that employs workers in agricultural employment.

“(4) **WORK DAY.**—The term ‘work day’ means any day in which the individual is employed 5.75 or more hours in agricultural employment.”

(b) **CONFORMING AMENDMENT.**—Section 201(b)(1) (8 U.S.C. 1151(b)(1)), as amended by section 2103(c), is further amended by adding at the end the following:

“(G) Aliens granted lawful permanent resident status under section 245F.”

(c) **CLERICAL AMENDMENT.**—The table of contents, as amended by section 2104(e), is further amended by inserting after the item relating to section 245E the following:

“Sec. 245F. Adjustment to permanent resident status for agricultural workers.”

#### **SEC. 2213. USE OF INFORMATION.**

Beginning not later than the first day of the application period described in section 2211(b)(3), the Secretary, in cooperation with qualified designated entities, shall broadly disseminate information respecting the benefits that aliens may receive under this subchapter and the requirements that an alien is required to meet to receive such benefits.

#### **SEC. 2214. REPORTS ON BLUE CARDS.**

Not later than September 30, 2013, and annually thereafter for the next 8 years, the Secretary shall submit a report to Congress that identifies, for the previous fiscal year—

(1) the number of aliens who applied for blue card status;

(2) the number of aliens who were granted blue card status;

(3) the number of aliens who applied for an adjustment of status pursuant to section 245F(a) of the Immigration and Nationality Act, as added by section 2212; and

(4) the number of aliens who received an adjustment of status pursuant such section 245F(a).

#### **SEC. 2215. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Secretary such sums as may be necessary to implement this subchapter, including any sums needed for costs associated with the initiation of such implementation, for fiscal years 2013 and 2014.

#### **Subchapter B—Correction of Social Security Records**

#### **SEC. 2221. CORRECTION OF SOCIAL SECURITY RECORDS.**

(a) **IN GENERAL.**—Section 208(e)(1) of the Social Security Act (42 U.S.C. 408(e)(1)) is amended—

(1) in subparagraph (B)(ii), by striking “or” at the end;

(2) in subparagraph (C), by inserting “or” at the end;

(3) by inserting after subparagraph (C) the following:

“(D) who is granted blue card status under the Agricultural Worker Program Act of 2013.”; and

(4) by striking “1990.” and inserting “1990, or in the case of an alien described in subparagraph (D), if such conduct is alleged to have occurred before the date on which the alien was granted blue card status under section 2211(a) of the Agricultural Worker Program Act of 2013.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the first day of the seventh month that begins after the date of the enactment of this Act.

#### **CHAPTER 2—NONIMMIGRANT AGRICULTURAL VISA PROGRAM**

#### **SEC. 2231. NONIMMIGRANT CLASSIFICATION FOR NONIMMIGRANT AGRICULTURAL WORKERS.**

Section 101(a)(15) (8 U.S.C. 1101(a)(15)) is amended by adding at the end the following:

“(W) an alien having a residence in a foreign country who is coming to the United States for a temporary period—

“(iii)(I) to perform services or labor in agricultural employment and who has a written contract that specifies the wages, benefits, and working conditions of such full-time employment in an agricultural occupation with a designated agricultural employer for a specified period of time; and

“(II) who meets the requirements under section 218A for a nonimmigrant visa described in this clause; or

“(iv)(I) to perform services or labor in agricultural employment and who has an offer of full-time employment in an agricultural occupation from a designated agricultural employer for such employment and is not described in clause (i); and

“(II) who meets the requirements under section 218A for a nonimmigrant visa described in this clause.”.

#### **SEC. 2232. ESTABLISHMENT OF NONIMMIGRANT AGRICULTURAL WORKER PROGRAM.**

(a) **IN GENERAL.**—Chapter 2 of title II (8 U.S.C. 1181 et seq.) is amended by inserting after section 218 the following:

#### **“SEC. 218A. NONIMMIGRANT AGRICULTURAL WORKER PROGRAM.**

“(a) **DEFINITIONS.**—In this section and in clauses (iii) and (iv) of section 101(a)(15)(W):

“(1) **AGRICULTURAL EMPLOYMENT.**—The term ‘agricultural employment’ has the meaning given such term in section 3 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1802), without regard to whether the specific service or activity is temporary or seasonal.

“(2) **AT-WILL AGRICULTURAL WORKER.**—The term ‘at-will agricultural worker’ means an alien present in the United States pursuant to section 101(a)(15)(W)(iv).

“(3) **BLUE CARD.**—The term ‘blue card’ means an employment authorization and travel document issued to an alien granted blue card status under section 2211(a) of the Agricultural Worker Program Act of 2013.

“(4) **CONTRACT AGRICULTURAL WORKER.**—The term ‘contract agricultural worker’ means an alien present in the United States pursuant to section 101(a)(15)(W)(iii).

“(5) **DESIGNATED AGRICULTURAL EMPLOYER.**—The term ‘designated agricultural employer’ means an employer who is registered with the Secretary of Agriculture pursuant to subsection (e)(1).

“(6) **ELECTRONIC JOB REGISTRY.**—The term ‘Electronic Job Registry’ means the Electronic Job Registry of a State workforce agency (or similar successor registry).

“(7) **EMPLOYER.**—Except as otherwise provided, the term ‘employer’ means any person or entity, including any farm labor contractor and any agricultural association, that employs workers in agricultural employment.

“(8) **NONIMMIGRANT AGRICULTURAL WORKER.**—The term ‘nonimmigrant agricultural worker’ means a nonimmigrant described in clause (iii) or (iv) of section 101(a)(15)(W).

“(9) **PROGRAM.**—The term ‘Program’ means the Nonimmigrant Agricultural Worker Program established under subsection (b).

“(10) **SECRETARY.**—Except as otherwise specifically provided, the term ‘Secretary’ means the Secretary of Agriculture.

“(11) **UNITED STATES WORKER.**—The term ‘United States worker’ means an individual who—

“(A) is a national of the United States; or

“(B) is an alien who—

“(i) is lawfully admitted for permanent residence;

“(ii) is admitted as a refugee under section 207;

“(iii) is granted asylum under section 208;

“(iv) holds a blue card; or

“(v) is an immigrant otherwise authorized by this Act or by the Secretary of Homeland Security to be employed in the United States.

“(b) **REQUIREMENTS.**—

“(1) **EMPLOYER.**—An employer may not employ an alien for agricultural employment under the Program unless such employer is a designated agricultural employer and complies with the terms of this section.

“(2) **WORKER.**—An alien may not be employed for agricultural employment under the Program unless such alien is a nonimmigrant agricultural worker and complies with the terms of this section.

“(c) **NUMERICAL LIMITATION.**—

“(1) **FIRST 5 YEARS OF PROGRAM.**—

“(A) **IN GENERAL.**—Subject to paragraph (2), the worldwide level of visas for nonimmigrant agricultural workers for the fiscal year during which the first visa is issued to a nonimmigrant agricultural worker and for each of the following 4 fiscal years shall be equal to—

“(i) 112,333; and

“(ii) the numerical adjustment made by the Secretary for such fiscal year in accordance with paragraph (2).

“(B) **QUARTERLY ALLOCATION.**—The annual allocation of visas described in subparagraph



(A) shall be evenly allocated between the 4 quarters of the fiscal year unless the Secretary determines that an alternative allocation would better accommodate the seasonal demand for visas. Any unused visas in a quarter shall be added to the allocation for the subsequent quarter of the same fiscal year.

“(C) EFFECT OF 2ND OR SUBSEQUENT DESIGNATED AGRICULTURAL EMPLOYER.—A nonimmigrant agricultural worker who has a valid visa issued under this section that counted against the allocation described in subparagraph (A) shall not be recounted against the allocation if the worker is petitioned for by a subsequent designated agricultural employer.

“(2) ANNUAL ADJUSTMENTS FOR FIRST 5 YEARS OF PROGRAM.—

“(A) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor, and after reviewing relevant evidence submitted by agricultural producers and organizations representing agricultural workers, may increase or decrease, as appropriate, the worldwide level of visas under paragraph (1) for each of the 5 fiscal years referred to in paragraph (1) after considering appropriate factors, including—

“(i) a demonstrated shortage of agricultural workers;

“(ii) the level of unemployment and underemployment of agricultural workers during the preceding fiscal year;

“(iii) the number of applications for blue card status;

“(iv) the number of blue card visa applications approved;

“(v) the number of nonimmigrant agricultural workers sought by employers during the preceding fiscal year;

“(vi) the estimated number of United States workers, including blue card workers, who worked in agriculture during the preceding fiscal year;

“(vii) the number of nonimmigrant agricultural workers issued a visa in the most recent fiscal year who remain in the United States in compliance with the terms of such visa;

“(viii) the number of United States workers who accepted jobs offered by employers using the Electronic Job Registry during the preceding fiscal year;

“(ix) any growth or contraction of the United States agricultural industry that has increased or decreased the demand for agricultural workers; and

“(x) any changes in the real wages paid to agricultural workers in the United States as an indication of a shortage or surplus of agricultural labor.

“(B) NOTIFICATION; IMPLEMENTATION.—The Secretary shall notify the Secretary of Homeland Security of any change to the worldwide level of visas for nonimmigrant agricultural workers. The Secretary of Homeland Security shall implement such changes.

“(C) EMERGENCY PROCEDURES.—The Secretary shall establish, by regulation, procedures for immediately adjusting an annual allocation under paragraph (1) for labor shortages, as determined by the Secretary. The Secretary shall make a decision on a petition for an adjustment of status not later than 30 days after receiving such petition.

“(3) SIXTH AND SUBSEQUENT YEARS OF PROGRAM.—The Secretary, in consultation with the Secretary of Labor, shall establish the worldwide level of visas for nonimmigrant agricultural workers for each fiscal year following the fiscal years referred to in paragraph (1) after considering appropriate factors, including—

“(A) a demonstrated shortage of agricultural workers;

“(B) the level of unemployment and underemployment of agricultural workers during the preceding fiscal year;

“(C) the number of applications for blue card status;

“(D) the number of blue card visa applications approved;

“(E) the number of nonimmigrant agricultural workers sought by employers during the preceding fiscal year;

“(F) the estimated number of United States workers, including blue card workers, who worked in agriculture during the preceding fiscal year;

“(G) the number of nonimmigrant agricultural workers issued a visa in the most recent fiscal year who remain in the United States in compliance with the terms of such visa;

“(H) the number of United States workers who accepted jobs offered by employers using the Electronic Job Registry during the preceding fiscal year;

“(I) any growth or contraction of the United States agricultural industry that has increased or decreased the demand for agricultural workers; and

“(J) any changes in the real wages paid to agricultural workers in the United States as an indication of a shortage or surplus of agricultural labor.

“(4) EMERGENCY PROCEDURES.—The Secretary shall establish, by regulation, procedures for immediately adjusting an annual allocation under paragraph (3) for labor shortages, as determined by the Secretary. The Secretary shall make a decision on a petition for an adjustment of status not later than 30 days after receiving such petition.

“(d) REQUIREMENTS FOR NONIMMIGRANT AGRICULTURAL WORKERS.—

“(1) ELIGIBILITY FOR NONIMMIGRANT AGRICULTURAL WORKER STATUS.—

“(A) IN GENERAL.—An alien is not eligible to be admitted to the United States as a nonimmigrant agricultural worker if the alien—

“(i) violated a material term or condition of a previous admission as a nonimmigrant agricultural worker during the most recent 3-year period (other than a contract agricultural worker who voluntarily abandons his or her employment before the end of the contract period or whose employment is terminated by the employer for cause);

“(ii) has not obtained successful clearance of any security and criminal background checks required by the Secretary of Homeland Security or any other examination required under this Act; or

“(iii) (I) departed from the United States while subject to an order of exclusion, deportation, or removal, or pursuant to an order of voluntary departure; and

“(II) (aa) is outside of the United States; or

“(bb) has reentered the United States illegally after December 31, 2012, without receiving consent to the alien's reaplication for admission under section 212(a)(9).

“(B) WAIVER.—The Secretary of Homeland Security may waive the application of subparagraph (A)(iii) on behalf of an alien if the alien—

“(i) is the spouse or child of a United States citizen or lawful permanent resident;

“(ii) is the parent of a child who is a United States citizen or lawful permanent resident;

“(iii) meets the requirements set forth in clause (ii) or (iii) of section 245D(b)(1)(A); or

“(iv) (I) meets the requirements set forth in section 245D(b)(1)(A)(ii);

“(II) is 16 years or older on the date on which the alien applies for nonimmigrant agricultural status; and

“(III) was physically present in the United States for an aggregate period of not less than 3 years during the 6-year period immediately preceding the date of the enactment of this section.

“(2) TERM OF STAY FOR NONIMMIGRANT AGRICULTURAL WORKERS.—

“(A) IN GENERAL.—

“(i) INITIAL ADMISSION.—A nonimmigrant agricultural worker may be admitted into the United States in such status for an initial period of 3 years.

“(ii) RENEWAL.—A nonimmigrant agricultural worker may renew such worker's period of admission in the United States for 1 additional 3-year period.

“(B) BREAK IN PRESENCE.—A nonimmigrant agricultural worker who has been admitted to the United States for 2 consecutive periods under subparagraph (A) is ineligible to renew the alien's nonimmigrant agricultural worker status until such alien—

“(i) returns to a residence outside the United States for a period of not less than 3 months; and

“(ii) seeks to reenter the United States under the terms of the Program as a nonimmigrant agricultural worker.

“(3) LOSS OF STATUS.—

“(A) IN GENERAL.—An alien admitted as a nonimmigrant agricultural worker shall be ineligible for such status and shall be required to depart the United States if such alien—

“(i) after the completion of his or her contract with a designated agricultural employer, is not employed in agricultural employment by a designated agricultural employer; or

“(ii) is an at-will agricultural worker and is not continuously employed by a designated agricultural employer in agricultural employment as an at-will agricultural worker.

“(B) EXCEPTION.—Subject to subparagraph (C), a nonimmigrant agricultural worker has not violated subparagraph (A) if the nonimmigrant agricultural worker is not employed in agricultural employment for a period not to exceed 60 days.

“(C) WAIVER.—Notwithstanding subparagraph (B), the Secretary of Homeland Security may waive the application of clause (i) or (ii) of subparagraph (A) for a nonimmigrant agricultural worker who was not employed in agricultural employment for a period of more than 60 days if such period of unemployment was due to—

“(i) the injury of such worker; or

“(ii) a natural disaster declared by the Secretary.

“(D) TOLLING OF EMPLOYMENT REQUIREMENT.—A nonimmigrant agricultural worker may leave the United States for up to 60 days in any fiscal year while in such status. During the period in which the worker is outside of the United States, the 60-day limit specified in subparagraph (B) shall be tolled.

“(4) PORTABILITY OF STATUS.—

“(A) CONTRACT AGRICULTURAL WORKERS.—

“(i) IN GENERAL.—Except as provided in clause (ii), an alien who entered the United States as a contract agricultural worker may—

“(I) seek employment as a nonimmigrant agricultural worker with a designated agricultural employer other than the designated agricultural employer with whom the employee had a contract described in section 101(a)(15)(W)(iii)(I); and

“(II) accept employment with such new employer after the date the contract agricultural worker completes such contract.

“(ii) VOLUNTARY ABANDONMENT; TERMINATION FOR CAUSE.—A contract agricultural worker who voluntarily abandons his or her employment before the end of the contract period or whose employment is terminated for cause by the employer—

“(I) may not accept subsequent employment with another designated agricultural employer without first departing the United States and reentering pursuant to a new offer of employment; and

“(II) is not entitled to the 75 percent payment guarantee described in subsection (e)(4)(B).

“(iii) **TERMINATION BY MUTUAL AGREEMENT.**—The termination of an employment contract by mutual agreement of the designated agricultural employer and the contract agricultural worker shall not be considered voluntary abandonment for purposes of clause (ii).

“(B) **AT-WILL AGRICULTURAL WORKERS.**—An alien who entered the United States as an at-will agricultural worker may seek employment as an at-will agricultural worker with any other designated agricultural employer referred to in section 101(a)(15)(W)(iv)(I).

“(5) **PROHIBITION ON GEOGRAPHIC LIMITATION.**—A nonimmigrant visa issued to a nonimmigrant agricultural worker—

“(A) shall not limit the geographical area within which such worker may be employed;

“(B) shall not limit the type of agricultural employment such worker may perform; and

“(C) shall restrict such worker to employment with designated agricultural employers.

“(6) **TREATMENT OF SPOUSES AND CHILDREN.**—A spouse or child of a nonimmigrant agricultural worker—

“(A) shall not be entitled to a visa or any immigration status by virtue of the relationship of such spouse or child to such worker; and

“(B) may be provided status as a nonimmigrant agricultural worker if the spouse or child is independently qualified for such status.

“(e) **EMPLOYER REQUIREMENTS.**—

“(1) **DESIGNATED AGRICULTURAL EMPLOYER STATUS.**—

“(A) **REGISTRATION REQUIREMENT.**—Each employer seeking to employ nonimmigrant agricultural workers shall register for designated agricultural employer status by submitting to the Secretary, through the Farm Service Agency in the geographic area of the employer or electronically to the Secretary, a registration that includes—

“(i) the employer's employer identification number; and

“(ii) a registration fee, in an amount determined by the Secretary, which shall be used for the costs of administering the program.

“(B) **CRITERIA.**—The Secretary shall grant designated agricultural employer status to an employer who submits a registration for such status that includes—

“(i) documentation that the employer is engaged in agriculture;

“(ii) the estimated number of nonimmigrant agricultural workers the employer will need each year;

“(iii) the anticipated periods during which the employer will need such workers; and

“(iv) documentation establishing need for a specified agricultural occupation or occupations.

“(C) **DESIGNATION.**—

“(i) **REGISTRATION NUMBER.**—The Secretary shall assign each employer that meets the criteria established pursuant to subparagraph (B) with a designated agricultural employer registration number.

“(ii) **TERM OF DESIGNATION.**—Each employer granted designated agricultural employer status under this paragraph shall retain such status for a term of 3 years. At the end of such 3-year term, the employer may renew the registration for another 3-year term if the employer meets the requirements set forth in subparagraphs (A) and (B).

“(D) **ASSISTANCE.**—In carrying out the functions described in this subsection, the Secretary may work through the Farm Service Agency, or any other agency in the Department of Agriculture—

“(i) to assist agricultural employers with the registration process under this paragraph by providing such employers with—

“(I) technical assistance and expertise;

“(II) internet access for submitting such applications; and

“(III) a nonelectronic means for submitting such registrations; and

“(ii) to provide resources about the Program, including best practices and compliance related assistance and resources or training to assist in retention of such workers to agricultural employers.

“(E) **DEPOSIT OF REGISTRATION FEE.**—Fees collected pursuant to subparagraph (A)(ii)—

“(i) shall be deposited into the Immigration Examinations Fee Account pursuant to section 286(m); and

“(ii) shall remain available until expended pursuant to section 286(n).

“(2) **NONIMMIGRANT AGRICULTURAL WORKER PETITION PROCESS.**—

“(A) **IN GENERAL.**—Not later than 45 days before the date on which nonimmigrant agricultural workers are needed, a designated agricultural employer seeking to employ such workers shall submit a petition to the Secretary of Homeland Security that includes the employer's designated agricultural employer registration number.

“(B) **ATTESTATION.**—An petition submitted under subparagraph (A) shall include an attestation of the following:

“(i) The number of named or unnamed nonimmigrant agricultural workers the designated agricultural employer is seeking to employ during the applicable period of employment.

“(ii) The total number of contract agricultural workers and of at-will agricultural workers the employer will require for each occupational category.

“(iii) The anticipated period, including expected beginning and ending dates, during which such employees will be needed.

“(iv) Evidence of contracts or written disclosures of employment terms and conditions in accordance with the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.), which have been disclosed or provided to the nonimmigrant agricultural workers, or a sample of such contract or disclosure for unnamed workers.

“(v) The information submitted to the State workforce agency pursuant to paragraph (3)(A)(i).

“(vi) The record of United States workers described in paragraph (3)(A)(iii) on the date of the request.

“(vii) Evidence of offers of employment made to United States workers as required under paragraph (3)(B).

“(viii) The employer will comply with the additional program requirements for designated agricultural employers described in paragraph (4).

“(C) **EMPLOYMENT AUTHORIZATION WHEN CHANGING EMPLOYERS.**—Nonimmigrant agricultural workers in the United States who are identified in a petition submitted pursuant to subparagraph (A) and are in lawful status may commence employment with their designated agricultural employer after such employer has submitted such petition to the Secretary of Homeland Security.

“(D) **REVIEW.**—The Secretary of Homeland Security shall review each petition submitted by designated agricultural employers under this paragraph for completeness or obvious inaccuracies. Unless the Secretary of Homeland Security determines that the petition is incomplete or obviously inaccurate, the Secretary shall accept the petition. The Secretary shall establish a procedure for the processing of petitions filed under this subsection. Not later than 7 working days after the date of the filing, the Secretary, by electronic or other means assuring expedited delivery, shall submit a copy of notice of approval or denial of the petition to the petitioner and, in the case of approved petitions, to the appropriate immigration officer at the port of entry or

United States consulate, as appropriate, if the petitioner has indicated that the alien beneficiary or beneficiaries will apply for a visa or admission to the United States.

“(3) **EMPLOYMENT OF UNITED STATES WORKERS.**—

“(A) **RECRUITMENT.**—

“(i) **FILING A JOB OPPORTUNITY WITH LOCAL OFFICE OF STATE WORKFORCE AGENCY.**—Not later than 60 days before the date on which the employer desires to employ a nonimmigrant agricultural worker, the employer shall submit the job opportunity for such worker to the local office of the State workforce agency where the job site is located and authorize the posting of the job opportunity on the appropriate Department of Labor Electronic Job Registry for a period of 45 days.

“(ii) **CONSTRUCTION.**—Nothing in clause (i) may be construed to cause a posting referred to in clause (i) to be treated as an interstate job order under section 653.500 of title 20, Code of Federal Regulations (or similar successor regulation).

“(iii) **RECORD OF UNITED STATES WORKERS.**—An employer shall keep a record of all eligible, able, willing, and qualified United States workers who apply for agricultural employment with the employer for the agricultural employment for which the nonimmigrant agricultural nonimmigrant workers are sought.

“(B) **REQUIREMENT TO HIRE.**—

“(i) **UNITED STATES WORKERS.**—An employer may not seek a nonimmigrant agricultural worker for agricultural employment unless the employer offers such employment to any equally or better qualified United States worker who will be available at the time and place of need and who applies for such employment during the 45-day recruitment period referred to in subparagraph (A)(i).

“(ii) **EXCEPTION.**—Notwithstanding clause (i), the employer may offer the job to a nonimmigrant agricultural worker instead of an alien in blue card status if—

“(I) such worker was previously employed by the employer as an H-2A worker;

“(II) such worker worked for the employer for 3 years during the most recent 4-year period; and

“(III) the employer pays such worker the adverse effect wage rate calculated under subsection (f)(5)(B).

“(4) **ADDITIONAL PROGRAM REQUIREMENTS FOR DESIGNATED AGRICULTURAL EMPLOYERS.**—Each designated agricultural employer shall comply with the following requirements:

“(A) **NO DISPLACEMENT OF UNITED STATES WORKERS.**—

“(i) **IN GENERAL.**—The employer shall not displace a United States worker employed by the employer, other than for good cause, during the period of employment of the nonimmigrant agricultural worker and for a period of 30 days preceding such period in the occupation and at the location of employment for which the employer seeks to employ nonimmigrant agricultural workers.

“(ii) **LABOR DISPUTE.**—The employer shall not employ a nonimmigrant agricultural worker for a specific job for which the employer is requesting a nonimmigrant agricultural worker because the former occupant of the job is on strike or being locked out in the course of a labor dispute.

“(B) **GUARANTEE OF EMPLOYMENT FOR CONTRACT AGRICULTURAL WORKERS.**—

“(i) **OFFER TO CONTRACT WORKER.**—The employer shall guarantee to offer contract agricultural workers employment for the hourly equivalent of at least 75 percent of the work days of the total period of employment, beginning with the first work day after the arrival of the worker at the place of employment and ending on the

expiration date specified in the job offer. In this clause, the term 'hourly equivalent' means the number of hours in the work days as stated in the job offer and shall exclude the worker's Sabbath and Federal holidays. If the employer affords the contract agricultural worker less employment than the number of hours required under this subparagraph, the employer shall pay such worker the amount the worker would have earned had the worker worked the guaranteed number of hours.

"(ii) FAILURE TO WORK.—Any hours which the worker fails to work, up to a maximum of the number of hours specified in the job offer for a work day, when the worker has been offered an opportunity to do so, and all hours of work actually performed (including voluntary work in excess of the number of hours specified in the job offer in a work day, on the worker's Sabbath, or on Federal holidays) may be counted by the employer in calculating whether the period of guaranteed employment has been met.

"(iii) CONTRACT IMPOSSIBILITY.—If, before the expiration of the period of employment specified in the job offer, the services of a contract agricultural worker are no longer required for reasons beyond the control of the employer due to any form of natural disaster, including a flood, hurricane, freeze, earthquake, fire, drought, plant or animal disease or pest infestation, or regulatory drought, before the guarantee in clause (i) is fulfilled, the employer—

"(I) may terminate the worker's employment;

"(II) shall fulfill the employment guarantee described in clause (i) for the work days that have elapsed from the first work day after the arrival of the worker to the termination of employment;

"(III) shall make efforts to transfer the worker to other comparable employment acceptable to the worker; and

"(IV) if such a transfer does not take place, shall provide the return transportation required under subparagraph (J).

"(C) WORKERS' COMPENSATION.—

"(i) REQUIREMENT TO PROVIDE.—If a job referred to in paragraph (3) is not covered by the State workers' compensation law, the employer shall provide, at no cost to the nonimmigrant agricultural worker, insurance covering injury and disease arising out of, and in the course of, such job.

"(ii) BENEFITS.—The insurance required to be provided under clause (i) shall provide benefits at least equal to those provided under and pursuant to the State workers' compensation law for comparable employment.

"(D) PROHIBITION FOR USE FOR NON-AGRICULTURAL SERVICES.—The employer may not employ a nonimmigrant agricultural worker for employment other than agricultural employment.

"(E) WAGES.—The employer shall pay not less than the wage required under subsection (f).

"(F) DEDUCTION OF WAGES.—The employer shall make only deductions from a nonimmigrant agricultural worker's wages that are authorized by law and are reasonable and customary in the occupation and area of employment of such worker.

"(G) REQUIREMENT TO PROVIDE HOUSING OR A HOUSING ALLOWANCE.—

"(i) IN GENERAL.—Except as provided in clauses (iv) and (v), a designated agricultural employer shall offer to provide a nonimmigrant agricultural worker with housing at no cost in accordance with clause (ii) or (iii).

"(ii) HOUSING.—An employer may provide housing to a nonimmigrant agricultural worker that meets—

"(I) applicable Federal standards for temporary labor camps; or

"(II) applicable local standards (or, in the absence of applicable local standards, State stand-

ards) for rental or public accommodation housing or other substantially similar class of habitation.

"(iii) HOUSING PAYMENTS.—

"(I) PUBLIC HOUSING.—If the employer arranges public housing for nonimmigrant agricultural workers through a State, county, or local government program and such public housing units normally require payments from tenants, such payments shall be made by the employer directly to the landlord.

"(II) DEPOSITS.—Deposits for bedding or other similar incidentals related to housing shall not be collected from workers by employers who provide housing for such workers.

"(III) DAMAGES.—The employer may require any worker who is responsible for damage to housing that did not result from normal wear and tear related to habitation to reimburse the employer for the reasonable cost of repairing such damage.

"(iv) HOUSING ALLOWANCE ALTERNATIVE.—

"(I) IN GENERAL.—The employer may provide a reasonable housing allowance instead of providing housing under clause (i). Upon the request of a worker seeking assistance in locating housing, the employer shall make a good faith effort to assist the worker in identifying and locating housing in the area of intended employment. An employer who offers a housing allowance to a worker or assists a worker in locating housing, which the worker occupies, shall not be deemed a housing provider under section 203 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1823) solely by virtue of providing such housing allowance. No housing allowance may be used for housing that is owned or controlled by the employer.

"(II) CERTIFICATION REQUIREMENT.—Contract agricultural workers may only be provided a housing allowance if the Governor of the State in which the place of employment is located certifies to the Secretary that there is adequate housing available in the area of intended employment for migrant farm workers and contract agricultural workers who are seeking temporary housing while employed in agricultural work. Such certification shall expire after 3 years unless renewed by the Governor of the State.

"(III) AMOUNT OF ALLOWANCE.—

"(aa) NONMETROPOLITAN COUNTIES.—If the place of employment of the workers provided an allowance under this clause is a nonmetropolitan county, the amount of the housing allowance under this clause shall be equal to the average fair market rental for existing housing in nonmetropolitan counties in the State in which the place of employment is located, as established by the Secretary of Housing and Urban Development pursuant to section 8(c) of the United States Housing Act of 1937 (42 U.S.C. 1437f(c)), based on a 2-bedroom dwelling unit and an assumption of 2 persons per bedroom.

"(bb) METROPOLITAN COUNTIES.—If the place of employment of the workers provided an allowance under this clause is a metropolitan county, the amount of the housing allowance under this clause shall be equal to the average fair market rental for existing housing in metropolitan counties in the State in which the place of employment is located, as established by the Secretary of Housing and Urban Development pursuant to section 8(c) of the United States Housing Act of 1937 (42 U.S.C. 1437f(c)), based on a 2-bedroom dwelling unit and an assumption of 2 persons per bedroom.

"(v) EXCEPTION FOR COMMUTING WORKERS.—Nothing in this subparagraph may be construed to require an employer to provide housing or a housing allowance to workers who reside outside of the United States if their place of residence is within normal commuting distance and the job site is within 50 miles of an international land border of the United States.

"(H) WORKSITE TRANSPORTATION FOR CONTRACT WORKERS.—During the period a designated agricultural employer employs a contract agricultural worker, such employer shall, at the employer's option, provide or reimburse the contract agricultural worker for the cost of daily transportation from the contract worker's living quarters to the contract agricultural worker's place of employment.

"(I) REIMBURSEMENT OF TRANSPORTATION TO THE PLACE OF EMPLOYMENT.—

"(i) IN GENERAL.—A nonimmigrant agricultural worker shall be reimbursed by the first employer for the cost of the worker's transportation and subsistence from the place from which the worker came from to the place of first employment.

"(ii) LIMITATION.—The amount of reimbursement provided under clause (i) to a worker shall not exceed the lesser of—

"(I) the actual cost to the worker of the transportation and subsistence involved; or

"(II) the most economical and reasonable common carrier transportation charges and subsistence costs for the distance involved.

"(J) REIMBURSEMENT OF TRANSPORTATION FROM PLACE OF EMPLOYMENT.—

"(i) IN GENERAL.—A contract agricultural worker who completes at least 27 months under his or her contract with the same designated agricultural employer shall be reimbursed by that employer for the cost of the worker's transportation and subsistence from the place of employment to the place from which the worker came from abroad to work for the employer.

"(ii) LIMITATION.—The amount of reimbursement required under clause (i) shall not exceed the lesser of—

"(I) the actual cost to the worker of the transportation and subsistence involved; or

"(II) the most economical and reasonable common carrier transportation charges and subsistence costs for the distance involved.

"(f) WAGES.—

"(I) WAGE RATE REQUIREMENT.—

"(A) IN GENERAL.—A nonimmigrant agricultural worker employed by a designated agricultural employer shall be paid not less than the wage rate for such employment set forth in paragraph (3).

"(B) WORKERS PAID ON A PIECE RATE OR OTHER INCENTIVE BASIS.—If an employer pays by the piece rate or other incentive method and requires 1 or more minimum productivity standards as a condition of job retention, such standards shall be specified in the job offer and be no more than those which have been normally required (at the time of the employee's first application for designated employer status) by other employers for the activity in the geographic area of the job, unless the Secretary approves a higher standard.

"(2) JOB CATEGORIES.—

"(A) IN GENERAL.—For purposes of paragraph (I), each nonimmigrant agricultural worker employed by such employer shall be assigned to 1 of the following standard occupational classifications, as defined by the Bureau of Labor Statistics:

"(i) First-Line Supervisors of Farming, Fishing, and Forestry Workers (45-1011).

"(ii) Animal Breeders (45-2021).

"(iii) Graders and Sorters, Agricultural Products (45-2041).

"(iv) Agricultural equipment operator (45-2091).

"(v) Farmworkers and Laborers, Crop, Nursery, and Greenhouse (45-2092).

"(vi) Farmworkers, Farm, Ranch and Aquacultural Animals (45-2093).

"(B) DETERMINATION OF CLASSIFICATION.—A nonimmigrant agricultural worker is employed in a standard occupational classification described in clause (i), (ii), (iii), (iv), (v), or (vi) of

subparagraph (A) if the worker performs activities associated with that occupational classification, as specified on the employer's petition, for at least 75 percent of the time in a semiannual employment period.

“(3) DETERMINATION OF WAGE RATE.—

“(A) CALENDAR YEARS 2014 THROUGH 2016.—The wage rate under this subparagraph for calendar years 2014 through 2016 shall be the higher of—

“(i) the applicable Federal, State, or local minimum wage; or

“(ii)(I) for the category described in paragraph (2)(A)(iii)—

“(aa) \$9.37 for calendar year 2014;

“(bb) \$9.60 for calendar year 2015; and

“(cc) \$9.84 for calendar year 2016;

“(II) for the category described in paragraph (2)(A)(iv)—

“(aa) \$11.30 for calendar year 2014;

“(bb) \$11.58 for calendar year 2015; and

“(cc) \$11.87 for calendar year 2016;

“(III) for the category described in paragraph (2)(A)(v)—

“(aa) \$9.17 for calendar year 2014;

“(bb) \$9.40 for calendar year 2015; and

“(cc) \$9.64 for calendar year 2016; and

“(IV) for the category described in paragraph (2)(A)(vi)—

“(aa) \$10.82 for calendar year 2014;

“(bb) \$11.09 for calendar year 2015; and

“(cc) \$11.37 for calendar year 2016.

“(B) SUBSEQUENT YEARS.—The Secretary shall increase the hourly wage rates set forth in clauses (i) through (iv) of subparagraph (A), for each calendar year after the calendar years described in subparagraph (A) by an amount equal to—

“(i) 1.5 percent, if the percentage increase in the Employment Cost Index for wages and salaries during the previous calendar year, as calculated by the Bureau of Labor Statistics, is less than 1.5 percent;

“(ii) the percentage increase in such Employment Cost Index, if such percentage increase is between 1.5 percent and 2.5 percent, inclusive; or

“(iii) 2.5 percent, if such percentage increase is greater than 2.5 percent.

“(C) AGRICULTURAL SUPERVISORS AND ANIMAL BREEDERS.—Not later than September 1, 2015, and annually thereafter, the Secretary, in consultation with the Secretary of Labor, shall establish the required wage for the next calendar year for each of the job categories set out in clauses (i) and (ii) of paragraph (2)(A).

“(D) SURVEY BY BUREAU OF LABOR STATISTICS.—Not later than April 15, 2015, the Bureau of Labor Statistics shall consult with the Secretary to expand the Occupational Employment Statistics Survey to survey agricultural producers and contractors and produce improved wage data by State and the job categories set out in clauses (i) through (vi) of subparagraph (A).

“(4) CONSIDERATION.—In determining the wage rate under paragraph (3)(C), the Secretary may consider appropriate factors, including—

“(A) whether the employment of additional alien workers at the required wage will adversely affect the wages and working conditions of workers in the United States similarly employed;

“(B) whether the employment in the United States of an alien admitted under section 101(a)(15)(H)(ii)(a) or unauthorized aliens in the agricultural workforce has depressed wages of United States workers engaged in agricultural employment below the levels that would otherwise have prevailed if such aliens had not been employed in the United States;

“(C) whether wages of agricultural workers are sufficient to support such workers and their families at a level above the poverty thresholds determined by the Bureau of Census;

“(D) the wages paid workers in the United States who are not employed in agricultural employment but who are employed in comparable employment;

“(E) the continued exclusion of employers of nonimmigrant alien workers in agriculture from the payment of taxes under chapter 21 of the Internal Revenue Code of 1986 (26 U.S.C. 3101 et seq.) and chapter 23 of such Code (26 U.S.C. 3301 et seq.);

“(F) the impact of farm labor costs in the United States on the movement of agricultural production to foreign countries;

“(G) a comparison of the expenses and cost structure of foreign agricultural producers to the expenses incurred by agricultural producers based in the United States; and

“(H) the accuracy and reliability of the Occupational Employment Statistics Survey.

“(5) ADVERSE EFFECT WAGE RATE.—

“(A) PROHIBITION OF MODIFICATION.—The adverse effect wage rates in effect on April 15, 2013, for nonimmigrants admitted under 101(a)(15)(H)(ii)(a)—

“(i) shall remain in effect until the date described in section 2233 of the Agricultural Worker Program Act of 2013; and

“(ii) may not be modified except as provided in subparagraph (B).

“(B) EXCEPTION.—Until the Secretary establishes the wage rates required under paragraph (3)(C), the adverse effect wage rates in effect on the date of the enactment of the Agricultural Worker Program Act of 2013 shall be—

“(i) deemed to be such wage rates; and

“(ii) after September 1, 2015, adjusted annually in accordance with paragraph (3)(B).

“(C) NONPAYMENT OF FICA AND FUTA TAXES.—An employer employing nonimmigrant agricultural workers shall not be required to pay and withhold from such workers—

“(i) the tax required under section 3101 of the Internal Revenue Code of 1986; or

“(ii) the tax required under section 3301 of the Internal Revenue Code of 1986.

“(6) PREFERENTIAL TREATMENT OF ALIENS PROHIBITED.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), employers seeking to hire United States workers shall offer the United States workers not less than the same benefits, wages, and working conditions that the employer is offering, intends to offer, or will provide to nonimmigrant agricultural workers. No job offer may impose on United States workers any restrictions or obligations that will not be imposed on the employer's nonimmigrant agricultural workers.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), a designated agricultural employer is not required to provide housing or a housing allowance to United States workers.

“(g) WORKER PROTECTIONS AND DISPUTE RESOLUTION.—

“(1) EQUALITY OF TREATMENT.—Nonimmigrant agricultural workers shall not be denied any right or remedy under any Federal, State, or local labor or employment law applicable to United States workers engaged in agricultural employment.

“(2) APPLICABILITY OF THE MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT.—

“(A) MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT.—Nonimmigrant agricultural workers shall be considered migrant agricultural workers for purposes of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.).

“(B) ELIGIBILITY OF NONIMMIGRANT AGRICULTURAL WORKERS FOR CERTAIN LEGAL ASSISTANCE.—A nonimmigrant agricultural worker shall be considered to be lawfully admitted for permanent residence for purposes of establishing

eligibility for legal services under the Legal Services Corporation Act (42 U.S.C. 2996 et seq.) on matters relating to wages, housing, transportation, and other employment rights.

“(C) MEDIATION.—

“(i) FREE MEDIATION SERVICES.—The Federal Mediation and Conciliation Service shall be available to assist in resolving disputes arising under this section between nonimmigrant agricultural workers and designated agricultural employers without charge to the parties.

“(ii) COMPLAINT.—If a nonimmigrant agricultural worker files a complaint under section 504 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1854), not later than 60 days after the filing of proof of service of the complaint, a party to the action may file a request with the Federal Mediation and Conciliation Service to assist the parties in reaching a satisfactory resolution of all issues involving all parties to the dispute.

“(iii) NOTICE.—Upon filing a request under clause (ii) and giving of notice to the parties, the parties shall attempt mediation within the period specified in clause (iv).

“(iv) 90-DAY LIMIT.—The Federal Mediation and Conciliation Service may conduct mediation or other nonbinding dispute resolution activities for a period not to exceed 90 days beginning on the date on which the Federal Mediation and Conciliation Service receives a request for assistance under clause (ii) unless the parties agree to an extension of such period.

“(v) AUTHORIZATION OF APPROPRIATIONS.—

“(I) IN GENERAL.—Subject to clause (II), there are authorized to be appropriated to the Federal Mediation and Conciliation Service \$500,000 for each fiscal year to carry out this subparagraph.

“(II) MEDIATION.—Notwithstanding any other provision of law, the Director of the Federal Mediation and Conciliation Service is authorized—

“(aa) to conduct the mediation or other dispute resolution activities from any other account containing amounts available to the Director; and

“(bb) to reimburse such account with amounts appropriated pursuant to subclause (I).

“(vi) PRIVATE MEDIATION.—If all parties agree, a private mediator may be employed as an alternative to the Federal Mediation and Conciliation Service.

“(3) OTHER RIGHTS.—Nonimmigrant agricultural workers shall be entitled to the rights granted to other classes of aliens under sections 242(h) and 245E.

“(4) WAIVER OF RIGHTS.—Agreements by nonimmigrant agricultural workers to waive or modify any rights or protections under this section shall be considered void or contrary to public policy except as provided in a collective bargaining agreement with a bona fide labor organization.

“(h) ENFORCEMENT AUTHORITY.—

“(1) INVESTIGATION OF COMPLAINTS.—

“(A) AGGRIEVED PERSON OR THIRD-PARTY COMPLAINTS.—

“(i) PROCESS.—The Secretary of Labor shall establish a process for the receipt, investigation, and disposition of complaints respecting a designated agricultural employer's failure to meet a condition specified in subsection (e), or an employer's misrepresentation of material facts in a petition under subsection (e)(2).

“(ii) FILING.—Any aggrieved person or organization, including bargaining representatives, may file a complaint referred to in clause (i) not later than 1 year after the date of the failure or misrepresentation, respectively.

“(iii) INVESTIGATION OR HEARING.—The Secretary of Labor shall conduct an investigation if there is reasonable cause to believe that such failure or misrepresentation has occurred.

“(B) DETERMINATION ON COMPLAINT.—Under such process, the Secretary of Labor shall provide, not later than 30 days after the date on

which such a complaint is filed, for a determination as to whether or not a reasonable basis exists to make a finding described in subparagraph (C), (D), (E), or (F). If the Secretary of Labor determines that such a reasonable basis exists, the Secretary of Labor shall provide for notice of such determination to the interested parties and an opportunity for a hearing on the complaint, in accordance with section 556 of title 5, United States Code, within 60 days after the date of the determination. If such a hearing is requested, the Secretary of Labor shall make a finding concerning the matter not later than 60 days after the date of the hearing. In the case of similar complaints respecting the same applicant, the Secretary of Labor may consolidate the hearings under this subparagraph on such complaints.

“(C) FAILURE TO MEET CONDITIONS.—If the Secretary of Labor finds, after notice and opportunity for a hearing, a failure to meet a condition under subsection (e) or (f), or a material misrepresentation of fact in a petition under subsection (e)(2)—

“(i) the Secretary of Labor shall notify the Secretary of such finding and may, in addition, impose such other administrative remedies (including civil money penalties in an amount not to exceed \$1,000 per violation) as the Secretary of Labor determines to be appropriate; and

“(ii) the Secretary may disqualify the designated agricultural employer from the employment of nonimmigrant agricultural workers for a period of 1 year.

“(D) WILLFUL FAILURES AND WILLFUL MISREPRESENTATIONS.—If the Secretary of Labor finds, after notice and opportunity for hearing, a willful failure to meet a condition under subsection (e) or (f) or a willful misrepresentation of a material fact in an registration or petition under paragraph (1) or (2) of subsection (e)—

“(i) the Secretary of Labor shall notify the Secretary of such finding and may, in addition, impose such other administrative remedies (including civil money penalties in an amount not to exceed \$5,000 per violation) as the Secretary of Labor determines to be appropriate;

“(ii) the Secretary of Labor may seek appropriate legal or equitable relief; and

“(iii) the Secretary may disqualify the designated agricultural employer from the employment of nonimmigrant agricultural workers for a period of 2 years.

“(E) DISPLACEMENT OF UNITED STATES WORKERS.—If the Secretary of Labor finds, after notice and opportunity for hearing, a willful failure to meet a condition under subsection (e) or (f) or a willful misrepresentation of a material fact in an registration or petition under paragraph (1) or (2) of subsection (e), in the course of which failure or misrepresentation the employer displaced a United States worker employed by the employer during the period of employment on the employer's petition under subsection (e)(2) or during the period of 30 days preceding such period of employment—

“(i) the Secretary of Labor shall notify the Secretary of such finding and may, in addition, impose such other administrative remedies (including civil money penalties in an amount not to exceed \$15,000 per violation) as the Secretary of Labor determines to be appropriate; and

“(ii) the Secretary may disqualify the employer from the employment of nonimmigrant agricultural workers for a period of 3 years.

“(F) FAILURES TO PAY WAGES OR REQUIRED BENEFITS.—If the Secretary of Labor finds, after notice and opportunity for a hearing, that the employer has failed to pay the wages, or provide the housing allowance, transportation, subsistence reimbursement, or guarantee of employment required under subsections (e)(4) and (f), the Secretary of Labor shall assess payment of back wages, or other required benefits, due any

United States worker or nonimmigrant agricultural worker employed by the employer in the specific employment in question. The back wages or other required benefits required under subsections (e) and (f) shall be equal to the difference between the amount that should have been paid and the amount that actually was paid to such worker.

“(G) DISPOSITION OF PENALTIES.—Civil penalties collected under this paragraph shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(2) LIMITATIONS ON CIVIL MONEY PENALTIES.—The Secretary of Labor shall not impose total civil money penalties with respect to a petition under subsection (e)(2) in excess of \$90,000.

“(3) ELECTION.—A nonimmigrant agricultural worker who has filed an administrative complaint with the Secretary of Labor may not maintain a civil action unless a complaint based on the same violation filed with the Secretary of Labor under paragraph (1) is withdrawn before the filing of such action, in which case the rights and remedies available under this subsection shall be exclusive.

“(4) PRECLUSIVE EFFECT.—Any settlement by a nonimmigrant agricultural worker, a designated agricultural employer, or any person reached through the mediation process required under subsection (g)(2)(C) shall preclude any right of action arising out of the same facts between the parties in any Federal or State court or administrative proceeding, unless specifically provided otherwise in the settlement agreement.

“(5) SETTLEMENTS.—Any settlement by the Secretary of Labor with a designated agricultural worker on behalf of a nonimmigrant agricultural worker of a complaint filed with the Secretary of Labor under this section or any finding by the Secretary of Labor under this subsection shall preclude any right of action arising out of the same facts between the parties under any Federal or State court or administrative proceeding, unless specifically provided otherwise in the settlement agreement.

“(6) STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed as limiting the authority of the Secretary of Labor to conduct any compliance investigation under any other labor law, including any law affecting migrant and seasonal agricultural workers, or, in the absence of a complaint under this section.

“(7) DISCRIMINATION PROHIBITED.—It is a violation of this subsection for any person who has filed a petition under subsection (e) or (f) to intimidate, threaten, restrain, coerce, blacklist, discharge, or in any other manner discriminate against an employee, including a former employee or an applicant for employment, because the employee—

“(A) has disclosed information to the employer, or to any other person, that the employee reasonably believes evidences a violation of subsection (e) or (f), or any rule or regulation relating to subsection (e) or (f); or

“(B) cooperates or seeks to cooperate in an investigation or other proceeding concerning the employer's compliance with the requirements under subsection (e) or (f) or any rule or regulation pertaining to subsection (e) or (f).

“(8) ROLE OF ASSOCIATIONS.—

“(A) VIOLATION BY A MEMBER OF AN ASSOCIATION.—

“(i) IN GENERAL.—If an association acting as the agent of an employer files an application on behalf of such employer, the employer is fully responsible for such application, and for complying with the terms and conditions of subsection (e). If such an employer is determined to have violated any requirement described in this subsection, the penalty for such violation shall

apply only to that employer except as provided in clause (ii).

“(ii) COLLECTIVE RESPONSIBILITY.—If the Secretary of Labor determines that the association or other members of the association participated in, had knowledge of, or reason to know of a violation described in clause (i), the penalty shall also be invoked against the association and complicit association members.

“(B) VIOLATIONS BY AN ASSOCIATION ACTING AS AN EMPLOYER.—

“(i) IN GENERAL.—If an association filing an application as a sole or joint employer is determined to have violated any requirement described in this section, the penalty for such violation shall apply only to the association except as provided in clause (ii).

“(ii) MEMBER RESPONSIBILITY.—If the Secretary of Labor determines that 1 or more association members participated in, had knowledge of, or reason to know of the violation described in clause (i), the penalty shall be invoked against all complicit association members.

“(i) SPECIAL NONIMMIGRANT VISA PROCESSING AND WAGE DETERMINATION PROCEDURES FOR CERTAIN AGRICULTURAL OCCUPATIONS.—

“(1) FINDING.—Certain industries possess unique occupational characteristics that necessitate the Secretary of Agriculture to adopt special procedures relating to housing, pay, and visa program application requirements for those industries.

“(2) SPECIAL PROCEDURES INDUSTRY DEFINED.—In this subsection, the term ‘Special Procedures Industry’ means—

“(A) sheepherding and goat herding;

“(B) itinerant commercial beekeeping and pollination;

“(C) open range production of livestock;

“(D) itinerant animal shearing; and

“(E) custom combining industries.

“(3) WORK LOCATIONS.—The Secretary shall allow designated agricultural employers in a Special Procedures Industry that do not operate in a single fixed-site location to provide, as part of its registration or petition under the Program, a list of anticipated work locations, which—

“(A) may include an anticipated itinerary; and

“(B) may be subsequently amended by the employer, after notice to the Secretary.

“(4) WAGE RATES.—The Secretary may establish monthly, weekly, or biweekly wage rates for occupations in a Special Procedures Industry for a State or other geographic area. For an employer in those Special Procedures Industries that typically pay a monthly wage, the Secretary shall require that workers will be paid not less frequently than monthly and at a rate no less than the legally required monthly cash wage for such employer as of the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act and in an amount as re-determined annually by the Secretary of Agriculture through rulemaking.

“(5) HOUSING.—The Secretary shall allow for the provision of housing or a housing allowance by employers in Special Procedures Industries and allow housing suitable for workers employed in remote locations.

“(6) ALLERGY LIMITATION.—An employer engaged in the commercial beekeeping or pollination services industry may require that an applicant be free from bee pollen, venom, or other bee-related allergies.

“(7) APPLICATION.—An individual employer in a Special Procedures Industry may file a program petition on its own behalf or in conjunction with an association of employers. The employer's petition may be part of several related petitions submitted simultaneously that constitute a master petition.

“(8) RULEMAKING.—The Secretary or, as appropriate, the Secretary of Homeland Security

or the Secretary of Labor, after consultation with employers and employee representatives, shall publish for notice and comment proposed regulations relating to housing, pay, and application procedures for Special Procedures Industries.

“(j) MISCELLANEOUS PROVISIONS.—

“(1) DISQUALIFICATION OF NONIMMIGRANT AGRICULTURAL WORKERS FROM FINANCIAL ASSISTANCE.—An alien admitted as a nonimmigrant agricultural worker is not eligible for any program of financial assistance under Federal law (whether through grant, loan, guarantee, or otherwise) on the basis of financial need, as such programs are identified by the Secretary in consultation with other agencies of the United States.

“(2) MONITORING REQUIREMENT.—

“(A) IN GENERAL.—The Secretary shall monitor the movement of nonimmigrant agricultural workers through—

“(i) the Employment Verification System described in section 274A(b); and

“(ii) the electronic monitoring system established pursuant to subparagraph (B).

“(B) ELECTRONIC MONITORING SYSTEM.—Not later than 2 years after the effective date of this section, the Secretary of Homeland Security, through the Director of U.S. Citizenship and Immigration Services, shall establish an electronic monitoring system, which shall—

“(i) be modeled on the Student and Exchange Visitor Information System (SEVIS) and the SEVIS II tracking system administered by U.S. Immigration and Customs Enforcement;

“(ii) monitor the presence and employment of nonimmigrant agricultural workers; and

“(iii) assist in ensuring the compliance of designated agricultural employers and nonimmigrant agricultural workers with the requirements of the Program.”

(b) RULEMAKING.—The Secretary of Agriculture shall issue regulations to carry out section 218A of the Immigration and Nationality Act, as added by subsection (a), not later than 1 year after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of contents is amended by inserting after the item relating to section 218 the following:

“Sec. 218A. Nonimmigrant agricultural worker program.”

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014.

**SEC. 2233. TRANSITION OF H-2A WORKER PROGRAM.**

(a) SUNSET OF PROGRAM.—

(1) IN GENERAL.—Except as provided in paragraph (2), an employer may not petition to employ an alien pursuant to section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) after the date that is 1 year after the date on which the regulations issued pursuant to section 2241(b) become effective.

(2) EXCEPTION.—An employer may employ an alien described in paragraph (1) for the shorter of—

(A) 10 months; or

(B) the time specified in the position.

(b) CONFORMING AMENDMENTS.—

(1) REPEAL OF H-2A NONIMMIGRANT CATEGORY.—Section 101(a)(15)(H)(ii) (8 U.S.C. 1101(a)(15)(H)(ii)) is amended by striking subclause (a).

(2) REPEAL OF ADMISSION REQUIREMENTS FOR H-2A WORKER.—Section 218 (8 U.S.C. 1188) is repealed.

(3) CONFORMING AMENDMENTS.—

(A) AMENDMENT OF PETITION REQUIREMENTS.—Section 214(c)(1) (8 U.S.C. 1184(c)(1)) is amended by striking “For purposes of this subsection” and all that follows.

(B) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 218.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date that is 1 year after the effective date of the regulations issued pursuant to section 2241(b).

**SEC. 2234. REPORTS TO CONGRESS ON NON-IMMIGRANT AGRICULTURAL WORKERS.**

(a) ANNUAL REPORT BY SECRETARY OF AGRICULTURE.—Not later than September 30 of each year, the Secretary of Agriculture shall submit a report to Congress that identifies, for the previous year, the number, disaggregated by State and by occupation, of—

(1) job opportunities approved for employment of aliens admitted pursuant to clause (iii) or clause (iv) of section 101(a)(15)(W) of the Immigration and Nationality Act, as added by section 2231; and

(2) aliens actually admitted pursuant to each such clause.

(b) ANNUAL REPORT BY SECRETARY OF HOMELAND SECURITY.—Not later than September 30 of each year, the Secretary shall submit a report to Congress that identifies, for the previous year, the number of aliens described in subsection (a)(2) who—

(1) violated the terms of the nonimmigrant agricultural worker program established under section 218A(b) of the Immigration and Nationality Act, as added by section 2232; and

(2) have not departed from the United States.

**CHAPTER 3—OTHER PROVISIONS**

**SEC. 2241. RULEMAKING.**

(a) CONSULTATION REQUIREMENT.—In the course of promulgating any regulation necessary to implement this subtitle, or the amendments made by this subtitle, the Secretary, the Secretary of Agriculture, the Secretary of Labor, and the Secretary of State shall regularly consult with each other.

(b) DEADLINE FOR ISSUANCE OF REGULATIONS.—Except as provided in section 2232(b), all regulations to implement this subtitle and the amendments made by this subtitle shall be issued not later than 6 months after the date of the enactment of this Act.

**SEC. 2242. REPORTS TO CONGRESS.**

Not later than 180 days after the date of the enactment of this Act, the Secretary and the Secretary of Agriculture shall jointly submit a report to Congress that describes the measures being taken and the progress made in implementing this subtitle and the amendments made by this subtitle.

**SEC. 2243. BENEFITS INTEGRITY PROGRAMS.**

(a) IN GENERAL.—Without regard to whether personal interviews are conducted in the adjudication of benefits provided for by section 210A, 218A, 245B, 245C, 245D, 245E, or 245F of the Immigration and Nationality Act, or in seeking a benefit under section 101(a)(15)(U) of the Immigration and Nationality Act, section 1242 of the Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note), section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note), or section 2211 of this Act, the Secretary shall uphold and maintain the integrity of those benefits by carrying out for each of them, within the Fraud Detection and National Security Directorate of U.S. Citizenship and Immigration Services, programs as follows:

(1) A benefit fraud assessment program to quantify fraud rates, detect ongoing fraud trends, and develop appropriate countermeasures, including through a random sample of both pending and completed cases.

(2) A compliance review program, including site visits, to identify frauds and deter fraudulent and illegal activities.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, U.S. Citizenship and Immigration Services shall annually submit to Congress a report on the programs carried out pursuant to subsection (a).

(2) ELEMENTS IN FIRST REPORT.—The initial report submitted under paragraph (1) shall include the methodologies to be used by the Fraud Detection and National Security Directorate for each of the programs specified in paragraphs (1) and (2) of subsection (a).

(3) ELEMENTS IN SUBSEQUENT REPORTS.—Each subsequent report under paragraph (1) shall include, for the calendar year covered by such report, a descriptions of examples of fraud detected, fraud rates for programs and types of applicants, and a description of the disposition of the cases in which fraud was detected or suspected.

(c) USE OF FINDINGS OF FRAUD.—Any instance of fraud or abuse detected pursuant to a program carried out pursuant to subsection (a) may be used to deny or revoke benefits, and may also be referred to U.S. Immigration and Customs Enforcement for investigation of criminal violations of section 266 of the Immigration and Nationality Act (8 U.S.C. 1306).

(d) FUNDING.—There are authorized to be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section.

**SEC. 2244. EFFECTIVE DATE.**

This subtitle and the amendments made by this subtitle, except for sections 2231, 2232, and 2233, shall take effect on the date on which the regulations required under section 2241 are issued, regardless of whether such regulations are issued on an interim basis or on any other basis.

**Subtitle C—Future Immigration**

**SEC. 2301. MERIT-BASED POINTS TRACK ONE.**

(a) IN GENERAL.—

(1) WORLDWIDE LEVEL OF MERIT-BASED IMMIGRANTS.—Section 201(e) (8 U.S.C. 1151(e)) is amended to read as follows:

“(e) WORLDWIDE LEVEL OF MERIT-BASED IMMIGRANTS.—

“(1) IN GENERAL.—

“(A) NUMERICAL LIMITATION.—Subject to paragraphs (2), (3), and (4), the worldwide level of merit-based immigrants is equal to 120,000 for each fiscal year.

“(B) STATUS.—An alien admitted on the basis of a merit-based immigrant visa under this section shall have the status of an alien lawfully admitted for permanent residence.

“(2) ANNUAL INCREASE.—

“(A) IN GENERAL.—Subject to subparagraph (B) and paragraph (3), if in any fiscal year the worldwide level of visas available for merit-based immigrants under this section—

“(i) is less than 75 percent of the number of applicants for such fiscal year, the worldwide level shall increase by 5 percent for the next fiscal year; and

“(ii) is equal to or more than 75 percent of such number, the worldwide level for the next fiscal year shall be the same as the worldwide level for such fiscal year, minus any amount added to the worldwide level for such fiscal year under paragraph (4).

“(B) LIMITATION ON INCREASE.—The worldwide level of visas available for merit-based immigrants shall not exceed 250,000.

“(3) EMPLOYMENT CONSIDERATION.—The worldwide level of visas available for merit-based immigrants may not be increased for a fiscal year under paragraph (2) if the annual average unemployment rate for the civilian labor force 18 years or over in the United States, as determined by the Bureau of Labor Statistics, for such previous fiscal year is more than 8½ percent.



“(4) **RECAPTURE OF UNUSED VISAS.**—The worldwide level of merit-based immigrants described in paragraph (1) for a fiscal year shall be increased by the difference (if any) between the worldwide level established under paragraph (1) for the previous fiscal year and the number of visas actually issued under this subsection during that fiscal year. Such visas shall be allocated for the following year pursuant to section 203(c)(3).”

(2) **MERIT-BASED IMMIGRANTS.**—Section 203 (8 U.S.C. 1153) is amended by inserting after subsection (b) the following:

“(c) **MERIT-BASED IMMIGRANTS.**—

“(1) **FISCAL YEARS 1 THROUGH 4.**—For the first 4 fiscal years beginning after the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the worldwide level of merit-based immigrant visas made available under section 201(e)(1) shall be available for aliens described in section 203(b)(3) and in addition to any visas available for such aliens under such section.

“(2) **SUBSEQUENT FISCAL YEARS.**—Beginning with the fifth fiscal year beginning after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, aliens subject to the worldwide level specified in section 201(e) for merit-based immigrants shall be allocated as follows:

“(A) 50 percent shall be available to applicants with the highest number of points allocated under tier 1 in paragraph (4).

“(B) 50 percent shall be available to applicants with the highest number of points allocated under tier 2 in paragraph (5).

“(3) **UNUSED VISAS.**—If the total number of visas allocated to tier 1 or tier 2 for a fiscal year are not granted during that fiscal year, such number may be added to the number of visas available under section 201(e)(1) for the following fiscal year and allocated as follows:

“(A) If the unused visas were allocated for tier 1 in a fiscal year,  $\frac{2}{3}$  of such visas shall be available for aliens allocated visas under tier 1 in the following fiscal year and  $\frac{1}{3}$  of such visas shall be available for aliens allocated visas under either tier 1 or tier 2 in the following fiscal year.

“(B) If the unused visas were allocated for tier 2 in a fiscal year,  $\frac{2}{3}$  of such visas shall be available for aliens allocated visas under tier 2 in the following fiscal year and  $\frac{1}{3}$  of such visas shall be available for aliens allocated visas under either tier 1 or tier 2 in the following fiscal year.

“(4) **TIER 1.**—The Secretary shall allocate points to each alien seeking to be a tier 1 merit-based immigrant as follows:

“(A) **EDUCATION.**—

“(i) **IN GENERAL.**—An alien may receive points under only 1 of the following categories:

“(I) An alien who has received a doctorate degree from an institution of higher education in the United States or the foreign equivalent shall be allocated 15 points.

“(II) An alien who has received a master's degree from an institution of higher education in the United States or the foreign equivalent shall be allocated 10 points.

“(ii) An alien who has received a bachelor's degree from an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) shall be allocated 5 points.

“(B) **EMPLOYMENT EXPERIENCE.**—An alien shall be allocated not more than 20 points as follows:

“(i) 3 points for each year the alien has been lawfully employed in a zone 5 occupation in the United States.

“(ii) 2 points for each year the alien has been lawfully employed in a zone 4 occupation in the United States.

“(C) **EMPLOYMENT RELATED TO EDUCATION.**—An alien who is in the United States and is employed full-time or has an offer of full-time employment in a field related to the alien's education—

“(i) in a zone 5 occupation shall be allocated 10 points; or

“(ii) in a zone 4 occupation shall be allocated 8 points.

“(D) **ENTREPRENEURSHIP.**—An alien who is an entrepreneur in business that employs at least 2 employees in a zone 4 occupation or a zone 5 occupation shall be allocated 10 points.

“(E) **HIGH DEMAND OCCUPATION.**—An alien who is employed full-time in the United States or has an offer of full-time employment in a high demand tier 1 occupation shall be allocated 10 points.

“(F) **CIVIC INVOLVEMENT.**—An alien who has attested that he or she has engaged in a significant amount of community service, as determined by the Secretary, shall be allocated 2 points.

“(G) **ENGLISH LANGUAGE.**—An alien who received a score of 80 or more on the Test of English as a Foreign Language, or an equivalent score on a similar test, as determined by the Secretary, shall be allocated 10 points.

“(H) **SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.**—An alien who is the sibling of a citizen of the United States or who is over 31 years of age and is the married son or married daughter of a citizen of the United States shall be allocated 10 points.

“(I) **AGE.**—An alien who is—

“(i) between 18 and 24 years of age shall be allocated 8 points;

“(ii) between 25 and 32 years of age shall be allocated 6 points; or

“(iii) between 33 and 37 years of age shall be allocated 4 points.

“(J) **COUNTRY OF ORIGIN.**—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted to permanent residence in the United States in the previous 5 years shall be allocated 5 points.

“(5) **TIER 2.**—The Secretary shall allocate points to each alien seeking to be a tier 2 merit-based immigrant as follows:

“(A) **EMPLOYMENT EXPERIENCE.**—An alien shall be allocated 2 points for each year the alien has been lawfully employed in the United States, for a total of not more than 20 points.

“(B) **SPECIAL EMPLOYMENT CRITERIA.**—An alien who is employed full-time in the United States, or has an offer of full-time employment—

“(i) in a high demand tier 2 occupation shall be allocated 10 points; or

“(ii) in a zone 1, zone 2, or zone 3 occupation shall be allocated 10 points.

“(C) **CAREGIVER.**—An alien who is or has been a primary caregiver shall be allocated 10 points.

“(D) **EXCEPTIONAL EMPLOYMENT RECORD.**—An alien who has a record of exceptional employment, as determined by the Secretary, shall be allocated 10 points. In determining a record of exceptional employment, the Secretary shall consider factors including promotions, longevity, changes in occupations from a lower job zone to a higher job zone, participated in safety training, and increases in pay.

“(E) **CIVIC INVOLVEMENT.**—An alien who has demonstrated significant civic involvement shall be allocated 2 points.

“(F) **ENGLISH LANGUAGE.**—

“(i) **ENGLISH PROFICIENCY.**—An alien who has demonstrated English proficiency, as determined by a standardized test designated by the Secretary of Education, shall be allocated 10 points.

“(ii) **ENGLISH KNOWLEDGE.**—An alien who has demonstrated English knowledge, as determined by a standardized test designated by the Secretary of Education, shall be allocated 5 points.

“(G) **SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.**—An alien who is the sibling

of a citizen of the United States or is over the age of 31 and is the married son or married daughter of a citizen of the United States shall be allocated 10 points.

“(H) **AGE.**—An alien who is—

“(i) between 18 and 24 years of age shall be allocated 8 points;

“(ii) between 25 and 32 years of age shall be allocated 6 points; or

“(iii) between 33 and 37 years of age shall be allocated 4 points.

“(I) **COUNTRY OF ORIGIN.**—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted to permanent residence in the United States in the previous 5 years shall be allocated 5 points.

“(6) **FEE.**—An alien who is allocated a visa under this subsection shall pay a fee of \$1,500 in addition to any fee assessed to cover the costs to process an application under this subsection. Fees collected under this paragraph shall be deposited by the Secretary into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(7) **ELIGIBILITY OF ALIENS IN REGISTERED PROVISIONAL IMMIGRANT STATUS.**—An alien who was granted registered provisional immigrant status under section 245B is not eligible to receive a merit-based immigrant visa under section 201(e).

“(8) **INELIGIBILITY OF ALIENS WITH PENDING OR APPROVED PETITIONS.**—An alien who has a petition pending or approved in another immigrant category under this section or section 201 may not apply for a merit-based immigrant visa.

“(9) **DEFINITIONS.**—In this subsection:

“(A) **HIGH DEMAND TIER 1 OCCUPATION.**—The term ‘high demand tier 1 occupation’ means 1 of the 5 occupations for which the highest number of nonimmigrants described in section 101(a)(15)(H)(i) were sought to be admitted by employers during the previous fiscal year.

“(B) **HIGH DEMAND TIER 2 OCCUPATION.**—The term ‘high demand tier 2 occupation’ means 1 of the 5 occupations for which the highest number of positions were sought to become registered positions by employers under section 220(e) during the previous fiscal year.

“(C) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Homeland Security.

“(D) **ZONE 1 OCCUPATION.**—The term ‘zone 1 occupation’ means an occupation that requires little or no preparation and is classified as a zone 1 occupation on—

“(i) the Occupational Information Network Database (O\*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

“(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

“(E) **ZONE 2 OCCUPATION.**—The term ‘zone 2 occupation’ means an occupation that requires some preparation and is classified as a zone 2 occupation on—

“(i) the Occupational Information Network Database (O\*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

“(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

“(F) **ZONE 3 OCCUPATION.**—The term ‘zone 3 occupation’ means an occupation that requires medium preparation and is classified as a zone 3 occupation on—

“(i) the Occupational Information Network Database (O\*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

“(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.



“(G) ZONE 4 OCCUPATION.—The term ‘zone 4 occupation’ means an occupation that requires considerable preparation and is classified as a zone 4 occupation on—

“(i) the Occupational Information Network Database (O\*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

“(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.”

“(H) ZONE 5 OCCUPATION.—The term ‘zone 5 occupation’ means an occupation that requires extensive preparation and is classified as a zone 5 occupation on—

“(i) the Occupational Information Network Database (O\*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

“(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.”

(3) GAO STUDY AND REPORT.—

(A) STUDY.—The Comptroller General of the United States shall conduct a study of the merit-based immigration system established under section 203(c) of the Immigration and Nationality Act, as amended by paragraph (2), to determine, during the first 7 years of such system—

(i) how the points described in paragraphs (4)(H), (4)(J), (5)(G), and (5)(I) of section 203(c) of such Act were utilized;

(ii) how many of the points allocated to people lawfully admitted for permanent residence were allocated under such paragraphs;

(iii) how many people who were allocated points under such paragraphs were not lawfully admitted to permanent residence;

(iv) the countries of origin of the people who applied for a merit-based visa under section 203(c) of such Act;

(v) the number of such visas issued under tier 1 and tier 2 to males and females, respectively;

(vi) the age of individuals who were issued such visas; and

(vii) the educational attainment and occupation of people who were issued such visas.

(B) REPORT.—Not later than 7 years after the date of the enactment of this Act, the Comptroller General shall submit a report to Congress that describes the results of the study conducted pursuant to subparagraph (A).

(b) MODIFICATION OF POINTS.—The Secretary may submit to Congress a proposal to modify the number of points allocated under subsection (c) of section 203 of the Immigration and Nationality Act (8 U.S.C. 1153), as amended by subsection (a).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act.

#### SEC. 2302. MERIT-BASED TRACK TWO.

(a) IN GENERAL.—In addition to any immigrant visa made available under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), as amended by this Act, the Secretary of State shall allocate merit-based immigrant visas as described in this section.

(b) STATUS.—An alien admitted on the basis of a merit-based immigrant visa under this section shall have the status of an alien lawfully admitted for permanent residence (as that term is defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))).

(c) ELIGIBILITY.—Beginning on October 1, 2014, the following aliens shall be eligible for merit-based immigrant visas under this section:

(1) EMPLOYMENT-BASED IMMIGRANTS.—An alien who is the beneficiary of a petition filed before the date of the enactment of this Act to accord status under section 203(b) of the Immigration and Nationality Act, if the visa has not

been issued within 5 years after the date on which such petition was filed.

(2) FAMILY-SPONSORED IMMIGRANTS.—Subject to subsection (d), an alien who is the beneficiary of a petition filed to accord status under section 203(a) of the Immigration and Nationality Act—

(A) prior to the date of the enactment of this Act, if the visa was not issued within 5 years after the date on which such petition was filed; or

(B) after such date of enactment, to accord status under paragraph (3) or (4) of section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)), as in effect the minute before the effective date specified in section 2307(a)(3) of this Act, and the visa was not issued within 5 years after the date on which petition was filed.

(3) LONG-TERM ALIEN WORKERS AND OTHER MERIT-BASED IMMIGRANTS.—An alien who—

(A) is not admitted pursuant to subparagraph (W) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)); and

(B) has been lawfully present in the United States in a status that allows for employment authorization for a continuous period, not counting brief, casual, and innocent absences, of not less than 10 years.

(d) ALLOCATION OF EMPLOYMENT-SPONSORED MERIT-BASED IMMIGRANT VISAS.—In each of the fiscal years 2015 through and including 2021, the Secretary of State shall allocate to aliens described in subsection (c)(1) a number of merit-based immigrant visas equal to  $\frac{1}{2}$  of the number of aliens described in subsection (c)(1) whose visas had not been issued as of the date of the enactment of this Act.

(e) ALLOCATION OF FAMILY-SPONSORED MERIT-BASED IMMIGRANT VISAS.—The visas authorized by subsection (c)(2) shall be allocated as follows:

(1) SPOUSES AND CHILDREN OF PERMANENT RESIDENTS.—Petitions to accord status under section 203(a)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1153(a)(2)(A)), as in effect the minute before the effective date specified in section 2307(a)(3) of this Act, are automatically converted to petitions to accord status to the same beneficiaries as immediate relatives under section 201(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)).

(2) OTHER FAMILY MEMBERS.—In each of the fiscal years 2015 through and including 2021, the Secretary of State shall allocate to the aliens described in subsection (c)(2)(A), other than those aliens described in paragraph (1), a number of transitional merit-based immigrant visas equal to  $\frac{1}{2}$  of the difference between—

(A) the number of aliens described in subsection (c)(2)(A) whose visas had not been issued as of the date of the enactment of this Act; and

(B) the number of aliens described in paragraph (1).

(3) ORDER OF ISSUANCE FOR PREVIOUSLY FILED APPLICATIONS.—Subject to paragraphs (1) and (2), the visas authorized by subsection (c)(2)(A) shall be issued without regard to a per country limitation in the order described in section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)), as amended by section 2305(b), in the order in which the petitions to accord status under such section 203(a) were filed prior to the date of the enactment of this Act.

(4) SUBSEQUENTLY FILED APPLICATIONS.—In fiscal year 2022, the Secretary of State shall allocate to the aliens described in subsection (c)(2)(B), the number of merit-based immigrant visas equal to  $\frac{1}{2}$  of the number of aliens described in subsection (c)(2)(B) whose visas had not been issued by October 1, 2021. In fiscal year 2023, the Secretary of State shall allocate to the aliens described in subsection (c)(2)(B), the number of merit-based immigrant visas equal to

the number of aliens described in subsection (c)(2)(B) whose visas had not been issued by October 1, 2022.

(5) ORDER OF ISSUANCE FOR SUBSEQUENTLY FILED APPLICATIONS.—Subject to paragraph (4), the visas authorized by subsection (c)(2)(B) shall be issued in the order in which the petitions to accord status under section 203(a) of the Immigration and Nationality Act were filed, as in effect the minute before the effective date specified in section 2307(a)(3) of this Act.

(f) ELIGIBILITY IN YEARS AFTER 2028.—Beginning in fiscal year 2029, aliens eligible for adjustment of status under subsection (c)(3) must be lawfully present in an employment authorized status for 20 years prior to filing an application for adjustment of status.

#### SEC. 2303. REPEAL OF THE DIVERSITY VISA PROGRAM.

(a) IN GENERAL.—Title II (8 U.S.C. 1151 et seq.) is amended—

(1) in section 201(a) (8 U.S.C. 1151(a))—

(A) in paragraph (1), by adding “and” at the end;

(B) in paragraph (2), by striking “; and” at the end and inserting a period; and

(C) by striking paragraph (3);

(2) in section 203 (8 U.S.C. 1153)—

(A) by striking subsection (c);

(B) in subsection (e)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraph (3) as paragraph (2);

(C) in subsection (f), by striking “(a), (b), or (c) of this section” and inserting “(a) or (b)”; and

(D) in subsection (g), by striking “(a), (b), and (c)” and inserting “(a) and (b)”; and

(3) in section 204 (8 U.S.C. 1154)—

(A) in subsection (a), as amended by section 2305(d)(6)(A)(i), by striking paragraph (8); and

(B) in subsection (e), by striking “(a), (b), or (c)” and inserting “(a) or (b)”.

(b) EFFECTIVE DATE AND APPLICATION.—

(1) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014.

(2) APPLICATION.—An alien who receives a notification from the Secretary that the alien was selected to receive a diversity immigrant visa under section 203(c) of the Immigration and Nationality Act (8 U.S.C. 1153(c)) for fiscal year 2013 or fiscal year 2014 shall remain eligible to receive such visa under the rules of such section, as in effect on September 30, 2014. No alien may be allocated such a diversity immigrant visa for a fiscal year after fiscal year 2015.

#### SEC. 2304. WORLDWIDE LEVELS AND RECAPTURE OF UNUSED IMMIGRANT VISAS.

(a) EMPLOYMENT-BASED IMMIGRANTS.—Section 201(d) (8 U.S.C. 1151(d)) is amended to read as follows:

“(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED IMMIGRANTS.—

“(1) IN GENERAL.—

“(A) WORLDWIDE LEVEL.—For a fiscal year after fiscal year 2015, the worldwide level of employment-based immigrants under this subsection is equal to the sum of—

“(i) 140,000; and

“(ii) the number computed under paragraph (2).

“(B) FISCAL YEAR 2015.—For fiscal year 2015, the worldwide level of employment-based immigrants under this subsection is equal to the sum of—

“(i) 140,000;

“(ii) the number computed under paragraph (2); and

“(iii) the number computed under paragraph (3).

“(2) PREVIOUS FISCAL YEAR.—The number computed under this paragraph for a fiscal year is the difference, if any, between the maximum

number of visas which may be issued under section 203(a) (relating to family-sponsored immigrants) during the previous fiscal year and the number of visas issued under that section during that year.

“(3) **UNUSED VISAS.**—The number computed under this paragraph is the difference, if any, between—

“(A) the sum of the worldwide levels established under paragraph (1), as in effect on the day before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, for fiscal years 1992 through and including 2013; and

“(B) the number of visas actually issued under section 203(b) during such fiscal years.”.

(b) **FAMILY-SPONSORED IMMIGRANTS.**—Section 201(c) (8 U.S.C. 1151(c)) is amended to read as follows:

“(c) **WORLDWIDE LEVEL OF FAMILY-SPONSORED IMMIGRANTS.**—

“(1) **IN GENERAL.**—

“(A) **WORLDWIDE LEVEL.**—Subject to subparagraph (C), for each fiscal year after fiscal year 2015, the worldwide level of family-sponsored immigrants under this subsection for a fiscal year is equal to the sum of—

“(i) 480,000 minus the number computed under paragraph (2); and

“(ii) the number computed under paragraph (3).

“(B) **FISCAL YEAR 2015.**—Subject to subparagraph (C), for fiscal year 2015, the worldwide level of family-sponsored immigrants under this subsection is equal to the sum of—

“(i) 480,000 minus the number computed under paragraph (2);

“(ii) the number computed under paragraph (3); and

“(iii) the number computed under paragraph (4).

“(C) **LIMITATION.**—The number computed under subparagraph (A)(i) or (B)(i) may not be less than 226,000, except that beginning on the date that is 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the number computed under subparagraph (A)(i) or (B)(i) may not be less than 161,000.

“(2) **IMMEDIATE RELATIVES.**—The number computed under this paragraph for a fiscal year is the number of aliens described in subparagraph (A) or (B) of subsection (b)(2) who were issued immigrant visas, or who otherwise acquired the status of an alien lawfully admitted to the United States for permanent residence, in the previous fiscal year.

“(3) **PREVIOUS FISCAL YEAR.**—The number computed under this paragraph for a fiscal year is the difference, if any, between the maximum number of visas which may be issued under section 203(b) (relating to employment-based immigrants) during the previous fiscal year and the number of visas issued under that section during that year.

“(4) **UNUSED VISAS.**—The number computed under this paragraph is the difference, if any, between—

“(A) the sum of the worldwide levels established under paragraph (1) for fiscal years 1992 through and including 2013; and

“(B) the number of visas actually issued under section 203(a) during such fiscal years.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act.

**SEC. 2305. RECLASSIFICATION OF SPOUSES AND MINOR CHILDREN OF LAWFUL PERMANENT RESIDENTS AS IMMEDIATE RELATIVES.**

(a) **IMMEDIATE RELATIVES.**—Section 201(b)(2) (8 U.S.C. 1151(b)(2)) is amended to read as follows:

“(2)(A) Aliens who are immediate relatives.

“(B) In this paragraph, the term ‘immediate relative’ means—

“(i) a child, spouse, or parent of a citizen of the United States, except that in the case of such a parent such citizen shall be at least 21 years of age;

“(ii) a child or spouse of an alien lawfully admitted for permanent residence;

“(iii) a child or spouse of an alien described in clause (i), who is accompanying or following to join the alien;

“(iv) a child or spouse of an alien described in clause (ii), who is accompanying or following to join the alien;

“(v) an alien admitted under section 211(a) on the basis of a prior issuance of a visa to the alien’s accompanying parent who is an immediate relative; and

“(vi) an alien born to an alien lawfully admitted for permanent residence during a temporary visit abroad.

“(C) If an alien who was the spouse or child of a citizen of the United States or of an alien lawfully admitted for permanent residence and was not legally separated from the citizen or lawful permanent resident at the time of the citizen’s or lawful permanent resident’s death files a petition under section 204(a)(1)(B), the alien spouse (and each child of the alien) shall remain, for purposes of this paragraph, an immediate relative during the period beginning on the date of the citizen’s or permanent resident’s death and ending on the date on which the alien spouse remarries.

“(D) An alien who has filed a petition under clause (iii) or (iv) of section 204(a)(1)(A) shall remain, for purposes of this paragraph, an immediate relative if the United States citizen or lawful permanent resident spouse or parent loses United States citizenship on account of the abuse.”.

(b) **ALLOCATION OF IMMIGRANT VISAS.**—Section 203(a) (8 U.S.C. 1153(a)) is amended—

(1) in paragraph (1), by striking “23,400,” and inserting “20 percent of the worldwide level of family-sponsored immigrants under section 201(c)”;

(2) by striking paragraph (2) and inserting the following:

“(2) **UNMARRIED SONS AND UNMARRIED DAUGHTERS OF PERMANENT RESIDENT ALIENS.**—Qualified immigrants who are the unmarried sons or unmarried daughters (but are not the children) of an alien lawfully admitted for permanent residence shall be allocated visas in a number not to exceed 20 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the class specified in paragraph (1).”;

(3) in paragraph (3)—

(A) by striking “23,400,” and inserting “20 percent of the worldwide level of family-sponsored immigrants under section 201(c)”;

(B) by striking “classes specified in paragraphs (1) and (2).” and inserting “class specified in paragraph (2).”;

(4) in paragraph (4)—

(A) by striking “65,000,” and inserting “40 percent of the worldwide level of family-sponsored immigrants under section 201(c)”;

(B) by striking “classes specified in paragraphs (1) through (3).” and inserting “class specified in paragraph (3).”.

(c) **TERMINATION OF REGISTRATION.**—Section 203(g) (8 U.S.C. 1153(g)) is amended to read as follows:

“(g) **LISTS.**—

“(1) **IN GENERAL.**—For purposes of carrying out the orderly administration of this title, the Secretary of State may make reasonable estimates of the anticipated numbers of immigrant visas to be issued during any quarter of any fiscal year within each of the categories under subsections (a), (b), and (c) and may rely upon

such estimates in authorizing the issuance of visas.

“(2) **TERMINATION OF REGISTRATION.**—

“(A) **INFORMATION DISSEMINATION.**—Not later than 180 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of Homeland Security and the Secretary of State shall adopt a plan to broadly disseminate information to the public regarding termination of registration procedures described in subparagraphs (B) and (C), including procedures for notifying the Department of Homeland Security and the Department of State of any change of address on the part of a petitioner or a beneficiary of an immigrant visa petition.

“(B) **TERMINATION FOR FAILURE TO ADJUST.**—The Secretary of Homeland Security shall terminate the registration of any alien who has evidenced an intention to acquire lawful permanent residence under section 245 and who fails to apply to adjust status within 1 year following notification to the alien of the availability of an immigrant visa.

“(C) **TERMINATION FOR FAILURE TO APPLY.**—The Secretary of State shall terminate the registration of any alien not described in subparagraph (B) who fails to apply for an immigrant visa within 1 year following notification to the alien of the availability of such visa.

“(3) **REINSTATEMENT.**—The registration of any alien that was terminated under paragraph (2) shall be reinstated if, within 2 years following the date of notification of the availability of such visa, the alien demonstrates that such failure to apply was due to good cause.”.

(d) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) **DEFINITIONS.**—Section 101(a)(15)(K)(ii) (8 U.S.C. 1101(a)(15)(K)(ii)) is amended by striking “section 201(b)(2)(A)(i)” and inserting “section 201(b)(2) (other than clause (v) or (vi) of subparagraph (B))”.

(2) **PER COUNTRY LEVEL.**—Section 202(a)(1)(A) (8 U.S.C. 1152(a)(1)(A)) is amended by striking “section 201(b)(2)(A)(i)” and inserting “section 201(b)(2) (other than clause (v) or (vi) of subparagraph (B))”.

(3) **RULES FOR DETERMINING WHETHER CERTAIN ALIENS ARE IMMEDIATE RELATIVES.**—Section 201(f) (8 U.S.C. 1151(f)) is amended—

(A) in paragraph (1), by striking “paragraphs (2) and (3),” and inserting “paragraph (2).”;

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(D) in paragraph (3), as redesignated by subparagraph (C), by striking “through (3)” and inserting “and (2)”.

(4) **NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE.**—Section 202(a)(4) (8 U.S.C. 1152(a)(4)) is amended—

(A) by striking subparagraphs (A) and (B);

(B) by redesignating subparagraphs (C) and (D) as subparagraphs (A) and (B), respectively; and

(C) in subparagraph (A), as redesignated by clause (ii), by striking “section 203(a)(2)(B)” and inserting “section 203(a)(2)”.

(5) **ALLOCATION OF IMMIGRANT VISAS.**—Section 203(h) (8 U.S.C. 1153(h)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “subsections (a)(2)(A) and (d)” and inserting “subsection (d)”;

(ii) in subparagraph (A), by striking “becomes available for such alien (or, in the case of subsection (d), the date on which an immigrant visa number became available for the alien’s parent),” and inserting “became available for the alien’s parent,”; and

(iii) in subparagraph (B), by striking “applicable”;

(B) by amending paragraph (2) to read as follows:

“(2) PETITIONS DESCRIBED.—The petition described in this paragraph is a petition filed under section 204 for classification of the alien’s parent under subsection (a), (b), or (c).”; and

(C) by amending paragraph (3) to read as follows:

“(3) RETENTION OF PRIORITY DATE.—

“(A) PETITIONS FILED FOR CHILDREN.—For a petition originally filed to classify a child under subsection (d), if the age of the alien is determined under paragraph (1) to be 21 years of age or older on the date that a visa number becomes available to the alien’s parent who was the principal beneficiary of the petition, then, upon the parent’s admission to lawful permanent residence in the United States, the petition shall automatically be converted to a petition filed by the parent for classification of the alien under subsection (a)(2) and the petition shall retain the priority date established by the original petition.

“(B) FAMILY AND EMPLOYMENT-BASED PETITIONS.—The priority date for any family- or employment-based petition shall be the date of filing of the petition with the Secretary of Homeland Security (or the Secretary of State, if applicable), unless the filing of the petition was preceded by the filing of a labor certification with the Secretary of Labor, in which case that date shall constitute the priority date. The beneficiary of any petition shall retain his or her earliest priority date based on any petition filed on his or her behalf that was approvable when filed, regardless of the category of subsequent petitions.”.

(6) PROCEDURE FOR GRANTING IMMIGRANT STATUS.—

(A) PETITIONING PROCEDURE.—Section 204 (8 U.S.C. 1154) is amended—

(i) by striking subsection (a) and inserting the following:

“(a) PETITIONING PROCEDURE.—

“(1) IN GENERAL.—(A) Except as provided in subparagraph (H), any citizen of the United States or alien lawfully admitted for permanent residence claiming that an alien is entitled to classification by reason of a relationship described in subparagraph (A) or (B) of section 203(a)(1) or to an immediate relative status under section 201(b)(2)(A) may file a petition with the Secretary of Homeland Security for such classification.

“(B) An alien spouse or alien child described in section 201(b)(2)(C) may file a petition with the Secretary under this paragraph for classification of the alien (and the alien’s children) under such section.

“(C)(i) An alien who is described in clause (ii) may file a petition with the Secretary under this subparagraph for classification of the alien (and any child of the alien) if the alien demonstrates to the Secretary that—

“(I) the marriage or the intent to marry the citizen of the United States or lawful permanent resident was entered into in good faith by the alien; and

“(II) during the marriage or relationship intended by the alien to be legally a marriage, the alien or a child of the alien has been battered or has been the subject of extreme cruelty perpetrated by the alien’s spouse or intended spouse.

“(ii) For purposes of clause (i), an alien described in this clause is an alien—

“(I)(aa) who is the spouse of a citizen of the United States or lawful permanent resident;

“(bb) who believed that he or she had married a citizen of the United States or lawful permanent resident and with whom a marriage ceremony was actually performed and who otherwise meets any applicable requirements under this Act to establish the existence of and bona fides of a marriage, but whose marriage is not legitimate solely because of the bigamy of such

citizen of the United States or lawful permanent resident; or

“(cc) who was a bona fide spouse of a citizen of the United States or a lawful permanent resident within the past 2 years and—

“(AA) whose spouse died within the past 2 years;

“(BB) whose spouse renounced citizenship status or renounced or lost status as a lawful permanent resident within the past 2 years related to an incident of domestic violence; or

“(CC) who demonstrates a connection between the legal termination of the marriage within the past 2 years and battering or extreme cruelty by a spouse who is a citizen of the United States or a lawful permanent resident spouse;

“(II) who is a person of good moral character;

“(III) who is eligible to be classified as an immediate relative under section 201(b)(2)(A) or who would have been so classified but for the bigamy of the citizen of the United States that the alien intended to marry; and

“(IV) who has resided with the alien’s spouse or intended spouse.

“(D) An alien who is the child of a citizen or lawful permanent resident of the United States, or who was a child of a United States citizen or lawful permanent resident parent who within the past 2 years lost or renounced citizenship status related to an incident of domestic violence, and who is a person of good moral character, who is eligible to be classified as an immediate relative under section 201(b)(2)(A), and who resides, or has resided in the past, with the citizen or lawful permanent resident parent may file a petition with the Secretary of Homeland Security under this paragraph for classification of the alien (and any child of the alien) under such section if the alien demonstrates to the Secretary that the alien has been battered by or has been the subject of extreme cruelty perpetrated by the alien’s citizen or lawful permanent resident parent. For purposes of this subparagraph, residence includes any period of visitation.

“(E) An alien who—

“(i) is the spouse, intended spouse, or child living abroad of a citizen or lawful permanent resident who—

“(I) is an employee of the United States Government;

“(II) is a member of the uniformed services (as defined in section 101(a) of title 10, United States Code); or

“(III) has subjected the alien or the alien’s child to battery or extreme cruelty in the United States; and

“(ii) is eligible to file a petition under subparagraph (C) or (D),

shall file such petition with the Secretary of Homeland Security under the procedures that apply to self-petitioners under subparagraph (C) or (D), as applicable.

“(F) For the purposes of any petition filed under subparagraph (C) or (D), the denaturalization, loss or renunciation of citizenship or lawful permanent resident status, death of the abuser, divorce, or changes to the abuser’s citizenship or lawful permanent resident status after filing of the petition shall not adversely affect the approval of the petition, and for approved petitions shall not preclude the classification of the eligible self-petitioning spouse or child as an immediate relative or affect the alien’s ability to adjust status under subsections (a) and (c) of section 245 or obtain status as a lawful permanent resident based on the approved self-petition under such clauses.

“(G) An alien may file a petition with the Secretary of Homeland Security under this paragraph for classification of the alien under section 201(b)(2)(A) if the alien—

“(i) is the parent of a citizen of the United States or was a parent of a citizen of the United

States who, within the past 2 years, lost or renounced citizenship status related to an incident of domestic violence or died;

“(ii) is a person of good moral character;

“(iii) is eligible to be classified as an immediate relative under section 201(b)(2)(A);

“(iv) resides, or has resided, with the citizen daughter or son; and

“(v) demonstrates that the alien has been battered or subject to extreme cruelty by the citizen daughter or son.

“(H)(i) Subparagraph (A) shall not apply to a citizen of the United States who has been convicted of a specified offense against a minor, unless the Secretary of Homeland Security, in the Secretary’s sole and unreviewable discretion, determines that the citizen poses no risk to the alien with respect to whom a petition described in subparagraph (A) is filed.

“(ii) For purposes of clause (i), the term ‘specified offense against a minor’ has the meaning given such term in section 111 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16911).

“(2) DETERMINATION OF GOOD MORAL CHARACTER.—Notwithstanding section 101(f), an act or conviction that is waivable with respect to the petitioner for purposes of a determination of the petitioner’s admissibility under section 212(a) or deportability under section 237(a) shall not bar the Secretary of Homeland Security from finding the petitioner to be of good moral character under subparagraph (C) or (D) of paragraph (1), if the Secretary finds that the act or conviction was connected to the alien’s having been battered or subjected to extreme cruelty.

“(3) PREFERENCE STATUS.—(A)(i) Any child who attains 21 years of age who has filed a petition under paragraph (1)(D) that was filed or approved before the date on which the child attained 21 years of age shall be considered (if the child has not been admitted or approved for lawful permanent residence by the date the child attained 21 years of age) a petitioner for preference status under paragraph (1), (2), or (3) of section 203(a), whichever paragraph is applicable, with the same priority date assigned to the self-petition filed under paragraph (1)(D). No new petition shall be required to be filed.

“(ii) Any individual described in clause (i) is eligible for deferred action and work authorization.

“(iii) Any derivative child who attains 21 years of age who is included in a petition described in subparagraph (B) that was filed or approved before the date on which the child attained 21 years of age shall be considered (if the child has not been admitted or approved for lawful permanent residence by the date the child attained 21 years of age) a VAWA self-petitioner with the same priority date as that assigned to the petitioner in any petition described in subparagraph (B). No new petition shall be required to be filed.

“(iv) Any individual described in clause (iii) and any derivative child of a petitioner described in subparagraph (B) is eligible for deferred action and work authorization.

“(B) The petition referred to in subparagraph (A)(iii) is a petition filed by an alien under subparagraph (C) or (D) of paragraph (1) in which the child is included as a derivative beneficiary.

“(C) Nothing in the amendments made by the Child Status Protection Act (Public Law 107–208; 116 Stat. 927) shall be construed to limit or deny any right or benefit provided under this paragraph.

“(D) Any alien who benefits from this paragraph may adjust status in accordance with subsections (a) and (c) of section 245 as an alien having an approved petition for classification under subparagraph (C) or (D) of paragraph (1).

“(E) For purposes of this paragraph, an individual who is not less than 21 years of age, who

qualified to file a petition under paragraph (1)(D) as of the minute before the date on which the individual attained 21 years of age, and who did not file such a petition before such day, shall be treated as having filed a petition under such paragraph as of such day if a petition is filed for the status described in such paragraph before the individual attains 25 years of age and the individual shows that the abuse was at least 1 central reason for the filing delay. Subparagraphs (A) through (D) shall apply to an individual described in this subparagraph in the same manner as an individual filing a petition under paragraph (1)(D).

“(4) CLASSIFICATION AS ALIEN WITH EXTRAORDINARY ABILITY.—Any alien desiring to be classified under subparagraph (I), (J), (K), (L), or (M) of section 201(b)(1) or section 203(b)(1)(A), or any person on behalf of such an alien, may file a petition with the Secretary of Homeland Security for such classification.

“(5) CLASSIFICATION AS EMPLOYMENT-BASED IMMIGRANT.—Any employer desiring and intending to employ within the United States an alien entitled to classification under paragraph (1)(B), (1)(C), (2), or (3) of section 203(b) may file a petition with the Secretary of Homeland Security for such classification.

“(6) CLASSIFICATION AS SPECIAL IMMIGRANT.—(A) Any alien (other than a special immigrant under section 101(a)(27)(D)) desiring to be classified under section 203(b)(4), or any person on behalf of such an alien, may file a petition with the Secretary of Homeland Security for such classification.

“(B) Aliens claiming status as a special immigrant under section 101(a)(27)(D) may file a petition only with the Secretary of State and only after notification by the Secretary that such status has been recommended and approved pursuant to such section.

“(7) CLASSIFICATION AS IMMIGRANT INVESTOR.—Any alien desiring to be classified under paragraph (5) or (6) of section 203(b) may file a petition with the Secretary of Homeland Security for such classification.

“(8) DIVERSITY VISA.—(A) Any alien desiring to be provided an immigrant visa under section 203(c) may file a petition at the place and time determined by the Secretary of State by regulation. Only 1 such petition may be filed by an alien with respect to any petitioning period established. If more than 1 petition is submitted all such petitions submitted for such period by the alien shall be voided.

“(B)(i) The Secretary of State shall designate a period for the filing of petitions with respect to visas which may be issued under section 203(c) for the fiscal year beginning after the end of the period.

“(ii) Aliens who qualify, through random selection, for a visa under section 203(c) shall remain eligible to receive such visa only through the end of the specific fiscal year for which they were selected.

“(iii) The Secretary of State shall prescribe such regulations as may be necessary to carry out this subparagraph.

“(C) A petition under this paragraph shall be in such form as the Secretary of State may by regulation prescribe and shall contain such information and be supported by such documentary evidence as the Secretary of State may require.

“(D) Each petition to compete for consideration for a visa under section 203(c) shall be accompanied by a fee equal to \$30. All amounts collected under this subparagraph shall be deposited into the Treasury as miscellaneous receipts.

“(9) CONSIDERATION OF CREDIBLE EVIDENCE.—In acting on petitions filed under subparagraph (C) or (D) of paragraph (1), or in making determinations under paragraphs (2) and (3), the

Secretary of Homeland Security shall consider any credible evidence relevant to the petition. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Secretary.

“(10) WORK AUTHORIZATION.—(A) Upon the approval of a petition as a VAWA self-petitioner, the alien—

“(i) is eligible for work authorization; and

“(ii) may be provided an ‘employment authorized’ endorsement or appropriate work permit incidental to such approval.

“(B) Notwithstanding any provision of this Act restricting eligibility for employment in the United States, the Secretary of Homeland Security shall grant employment authorization to an alien who has filed an application for status as a VAWA self-petitioner on the date that is the earlier of—

“(i) the date on which the alien’s application for such status is approved; or

“(ii) a date determined by the Secretary that is not later than 180 days after the date on which the alien filed the application.

“(11) LIMITATION.—Notwithstanding paragraphs (1) through (10), an individual who was a VAWA petitioner or who had the status of a nonimmigrant under subparagraph (T) or (U) of section 101(a)(15) may not file a petition for classification under this section or section 214 to classify any person who committed the battery or extreme cruelty or trafficking against the individual (or the individual’s child), which established the individual’s (or individual’s child’s) eligibility as a VAWA petitioner or for such nonimmigrant status.”;

(ii) in subsection (c)(1), by striking “or preference status”; and

(iii) in subsection (h), by striking “or a petition filed under subsection (a)(1)(B)(ii)”.

(B) CONFORMING AMENDMENTS.—The Act (8 U.S.C. 1101 et seq.) is amended—

(i) in section 101(a)—

(I) in paragraph (15)(K), by striking “204(a)(1)(A)(viii)(I)” each place such term appears and inserting “204(a)(1)(H)(i)”;

(II) in paragraph (50), by striking “204(a)(1)(A)(iii)(II)(aa)(BB), 204(a)(1)(B)(ii)(II)(aa)(BB),” and inserting “204(a)(1)(C)(ii)(I)(bb) or”; and

(III) in paragraph (51)—

(aa) in subparagraph (A), by striking “204(a)(1)(A)” and inserting “204(a)(1)”;

(bb) by striking subparagraph (B); and

(cc) by redesignating subparagraphs (C), (D), (E), (F), and (G) as subparagraphs (B), (C), (D), (E), and (F), respectively;

(ii) in section 212(a)(4)(C)(i)—

(I) in subclause (I), by striking “clause (ii), (iii), or (iv) of section 204(a)(1)(A), or” and inserting “subparagraph (B), (C), or (D) of section 204(a)(1);”;

(II) by striking subclause (II); and

(III) by redesignating subclause (III) as subclause (II);

(iii) in section 216(c)(4)(D), by striking “204(a)(1)(A)(iii)(II)(aa)(BB)” and inserting “204(a)(1)(C)(ii)(I)(bb)”;

(iv) in section 240(c)(7)(C)(iv)(I), by striking “clause (iii) or (iv) of section 204(a)(1)(A), clause (ii) or (iii) of section 204(a)(1)(B),” and inserting “subparagraph (C) or (D) of section 204(a)(1).”;

(7) EXCLUDABLE ALIENS.—Section 212(d)(12)(B) (8 U.S.C. 1182(d)(12)(B)) is amended by striking “section 201(b)(2)(A)” and inserting “section 201(b)(2) (other than subparagraph (B)(vi))”.

(8) ADMISSION OF NONIMMIGRANTS.—Section 214(r)(3)(A) (8 U.S.C. 1184(r)(3)(A)) is amended by striking “section 201(b)(2)(A)(i).” and inserting “section 201(b)(2) (other than clause (v) or (vi) of subparagraph (B)).”.

(9) REFUGEE CRISIS IN IRAQ ACT OF 2007.—Section 1243(a)(4) of the Refugee Crisis in Iraq Act

of 2007 (8 U.S.C. 1157 note) is amended by striking “section 201(b)(2)(A)(i)” and inserting “section 201(b)(2) (other than clause (v) or (vi) of subparagraph (B))”.

(10) PROCESSING OF VISA APPLICATIONS.—Section 233 of the Department of State Authorization Act, Fiscal Year 2003 (8 U.S.C. 1201 note) is amended by striking “section 201(b)(2)(A)(i)” and inserting “section 201(b)(2) (other than clause (v) or (vi) of subparagraph (B))”.

(11) ADJUSTMENT OF STATUS.—Section 245(a) (8 U.S.C. 1255(a)) is amended to read as follows:

“(a)(1) The status of an alien who was inspected and admitted or paroled into the United States or the status of any other alien having an approved petition for classification as a VAWA self-petitioner may be adjusted by the Attorney General or the Secretary of Homeland Security, in the Attorney General’s or the Secretary’s discretion and under such regulations as the Attorney General or Secretary may prescribe, to that of an alien lawfully admitted for permanent residence (regardless of whether the alien has already been admitted for permanent residence) if—

“(A) the alien makes an application for such adjustment;

“(B) the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence; and

“(C) subject to paragraph (2), an immigrant visa is immediately available to the alien at the time the alien’s application is filed.

“(2)(A) An application that is based on a petition approved or approvable under subparagraph (A) or (B) of section 204(a)(1) may be filed without regard to the limitation set forth in paragraph (1)(C).

“(B) An application for adjustment filed for an alien under this paragraph may not be approved until such time as an immigrant visa becomes available for the alien.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

#### SEC. 2306. NUMERICAL LIMITATIONS ON INDIVIDUAL FOREIGN STATES.

(a) NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE.—Section 202(a)(2) (8 U.S.C. 1152(a)(2)) is amended—

(1) in the paragraph heading, by striking “AND EMPLOYMENT-BASED”;

(2) by striking “(3), (4), and (5),” and inserting “(3) and (4).”;

(3) by striking “subsections (a) and (b) of section 203” and inserting “section 203(a);”;

(4) by striking “7” and inserting “15”; and

(5) by striking “such subsections” and inserting “such section”.

(b) CONFORMING AMENDMENTS.—Section 202 (8 U.S.C. 1152) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking “both subsections (a) and (b) of section 203” and inserting “section 203(a);” and

(B) by striking paragraph (5); and

(2) by amending subsection (e) to read as follows:

“(e) SPECIAL RULES FOR COUNTRIES AT CEILING.—If it is determined that the total number of immigrant visas made available under section 203(a) to natives of any single foreign state or dependent area will exceed the numerical limitation specified in subsection (a)(2) in any fiscal year, in determining the allotment of immigrant visa numbers to natives under section 203(a), visa numbers with respect to natives of that state or area shall be allocated (to the extent practicable and otherwise consistent with this section and section 203) in a manner so that, except as provided in subsection (a)(4), the proportion of the visa numbers made available under each of paragraphs (1) through (4) of section 203(a) is equal to the ratio of the total number

of visas made available under the respective paragraph to the total number of visas made available under section 203(a)."

(c) COUNTRY-SPECIFIC OFFSET.—Section 2 of the Chinese Student Protection Act of 1992 (8 U.S.C. 1255 note) is amended—

(1) in subsection (a), by striking "subsection (e))" and inserting "subsection (d))"; and

(2) by striking subsection (d) and redesignating subsection (e) as subsection (d).

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act.

#### SEC. 2307. ALLOCATION OF IMMIGRANT VISAS.

(a) PREFERENCE ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—

(1) IN GENERAL.—Section 203(a) (8 U.S.C. 1153(a)), as amended by section 2305(b), is further amended to read as follows:

"(a) PREFERENCE ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—Aliens subject to the worldwide level specified in section 201(c) for family-sponsored immigrants shall be allotted visas as follows:

"(1) SONS AND DAUGHTERS OF CITIZENS.—Qualified immigrants who are—

"(A) the unmarried sons or unmarried daughters but not the children of citizens of the United States shall be allocated visas in a number not to exceed 35 percent of the worldwide level authorized in section 201(c), plus the sum of—

"(i) the number of visas not required for the class specified in paragraph (2) for the current fiscal year; and

"(ii) the number of visas not required for the class specified in subparagraph (B); or

"(B) the married sons or married daughters of citizens of the United States who are 31 years of age or younger at the time of filing a petition under section 204 shall be allocated visas in a number not to exceed 25 percent of the worldwide level authorized in section 201(c), plus the number of any visas not required for the class specified in subparagraph (A) current fiscal year.

"(2) SONS AND DAUGHTERS OF PERMANENT RESIDENTS.—Qualified immigrants who are the unmarried sons or unmarried daughters of aliens admitted for permanent residence shall be allocated visas in a number not to exceed 40 percent of the worldwide level authorized in section 201(c), plus any visas not required for the class specified in paragraph (1)(A)."

(2) CONFORMING AMENDMENTS.—

(A) PROCEDURE FOR GRANTING IMMIGRANT STATUS.—Section 204(f)(1) (8 U.S.C. 1154(f)(1)) is amended by striking "section 201(b), 203(a)(1), or 203(a)(3)," and inserting "section 201(b) or subparagraph (A) or (B) of section 203(a)(1)".

(B) AUTOMATIC CONVERSION.—For the purposes of any petition pending or approved based on a relationship described—

(i) in subparagraph (A) of section 203(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1153(a)(1)), as amended by paragraph (1), and notwithstanding the age of the alien, such a petition shall be deemed reclassified as a petition based on a relationship described in subparagraph (B) of such section 203(a)(1) upon the marriage of such alien; or

(ii) in subparagraph (B) of such section 203(a)(1), such a petition shall be deemed reclassified as a petition based on a relationship described in subparagraph (A) of such section 203(a)(1) upon the legal termination of marriage or death of such alien's spouse.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the first day of the first fiscal year that begins at least 18 months following the date of the enactment of this Act.

(b) PREFERENCE ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS.—

(1) IN GENERAL.—Section 201(b)(1) (8 U.S.C. 1151(b)(1)), as amended by sections 2103(c) and 2212(d), is further amended by adding at the end the following:

"(H) Derivative beneficiaries as described in section 203(d) of employment-based immigrants under section 203(b).

"(I) Aliens with extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim, if, with respect to any such alien—

"(i) the achievements of such alien have been recognized in the field through extensive documentation;

"(ii) such alien seeks to enter the United States to continue work in the area of extraordinary ability; and

"(iii) the entry of such alien into the United States will substantially benefit prospectively the United States.

"(J) Aliens who are outstanding professors and researchers if, with respect to any such alien—

"(i) the alien is recognized internationally as outstanding in a specific academic area;

"(ii) the alien has at least 3 years of experience in teaching or research in the academic area; and

"(iii) the alien seeks to enter the United States—

"(I) to be employed in a tenured position (or tenure-track position) within a not for profit university or institution of higher education to teach in the academic area;

"(II) for employment in a comparable position with a not for profit university or institution of higher education, or a governmental research organization, to conduct research in the area; or

"(III) for employment in a comparable position to conduct research in the area with a department, division, or institute of a private employer, if the department, division, or institute employs at least 3 persons full-time in research activities and has achieved documented accomplishments in an academic field.

"(K) Aliens who are multinational executives and managers if, with respect to any such alien—

"(i) in the 3 years preceding the time of the alien's application for classification and admission into the United States under this subparagraph, the alien has been employed for at least 1 year by a firm or corporation or other legal entity or an affiliate or subsidiary thereof; and

"(ii) the alien seeks to enter the United States in order to continue to render services to the same employer or to a subsidiary or affiliate thereof in a capacity that is managerial or executive.

"(L) Aliens who have earned a doctorate degree from an institution of higher education in the United States or the foreign equivalent.

"(M) Alien physicians who have completed the foreign residency requirements under section 212(e) or obtained a waiver of these requirements or an exemption requested by an interested State agency or by an interested Federal agency under section 214(l), including those alien physicians who completed such service before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

"(N) ADVANCED DEGREES IN A STEM FIELD.—

"(i) IN GENERAL.—An immigrant who—

"(I) has earned a master's or higher degree in a field of science, technology, engineering, or mathematics included in the Department of Education's Classification of Instructional Programs taxonomy within the summary groups of computer and information sciences and support services, engineering, mathematics and statistics, biological and biomedical sciences, and physical sciences, from a United States institution of higher education;

"(II) has an offer of employment from a United States employer in a field related to such degree; and

"(III) earned the qualifying graduate degree during the 5-year period immediately before the initial filing date of the petition under which the nonimmigrant is a beneficiary.

"(ii) DEFINITION.—In this subparagraph, the term 'United States institution of higher education' means an institution that—

"(I) is described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) or is a proprietary institution of higher education (as defined in section 102(b) of such Act (20 U.S.C. 1002(b)));

"(II) was classified by the Carnegie Foundation for the Advancement of Teaching on January 1, 2012, as a doctorate-granting university with a very high or high level of research activity or classified by the National Science Foundation after the date of enactment of this subparagraph, pursuant to an application by the institution, as having equivalent research activity to those institutions that had been classified by the Carnegie Foundation as being doctorate-granting universities with a very high or high level of research activity; and

"(III) is accredited by an accrediting body that is itself accredited either by the Department of Education or by the Council for Higher Education Accreditation."

(2) EXCEPTION FROM LABOR CERTIFICATION REQUIREMENT FOR STEM IMMIGRANTS.—Section 212(a)(5)(D) (8 U.S.C. 1182(a)(5)(D)) is amended to read as follows:

"(D) APPLICATION OF GROUNDS.—

"(i) IN GENERAL.—Except as provided in clause (ii), the grounds for inadmissibility of aliens under subparagraphs (A) and (B) shall apply to immigrants seeking admission or adjustment of status under paragraph (2) or (3) of section 203(b).

"(ii) SPECIAL RULE FOR STEM IMMIGRANTS.—The grounds for inadmissibility of aliens under subparagraph (A) shall not apply to an immigrant seeking admission or adjustment of status under section 203(b)(2)(B)."

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TREATMENT OF DERIVATIVE FAMILY MEMBERS.—Section 203(d) (8 U.S.C. 1153(d)) is amended to read as follows:

"(d) TREATMENT OF FAMILY MEMBERS.—If accompanying or following to join a spouse or parent issued a visa under subsection (a), (b), or (c), subparagraph (I), (J), (K), (L), or (M) of section 201(b)(1), or section 201(b)(2), a spouse or child (as defined in subparagraph (A), (B), (C), (D), or (E) of section 101(b)(1)) shall be entitled to the same immigrant status and the same order of consideration provided in the respective provision."

(2) ALIENS WHO ARE PRIORITY WORKERS OR MEMBERS OF THE PROFESSIONS HOLDING ADVANCED DEGREES.—Section 203(b) (8 U.S.C. 1153(b)) is amended—

(A) in the matter preceding paragraph (1), by striking "Aliens" and inserting "Other than aliens described in paragraph (1) or (2)(B), aliens";

(B) in paragraph (1), by striking the matter preceding subparagraph (A) and inserting "Aliens described in any of the following subparagraphs may be admitted to the United States without respect to the worldwide level specified in section 201(d)"; and

(C) by amending paragraph (2) to read as follows:

"(2) ALIENS WHO ARE MEMBERS OF PROFESSIONS HOLDING ADVANCED DEGREES OR PROSPECTIVE EMPLOYEES OF NATIONAL SECURITY FACILITIES.—

"(A) IN GENERAL.—Visas shall be made available, in a number not to exceed 40 percent of the

worldwide level authorized in section 201(d), plus any visas not required for the classes specified in paragraph (5) to qualified immigrants who are either of the following:

“(i) Members of the professions holding advanced degrees or their equivalent whose services in the sciences, arts, professions, or business are sought by an employer in the United States, including alien physicians holding foreign medical degrees that have been deemed sufficient for acceptance by an accredited United States medical residency or fellowship program.

“(ii) Prospective employees, in a research capacity, of Federal national security, science, and technology laboratories, centers, and agencies, if such immigrants have been lawfully present in the United States for two years prior to employment (unless the Secretary of Homeland Security determines, including upon request of the prospective laboratory, center, or agency, that exceptional circumstances exist justifying waiver of the presence requirement).

“(B) WAIVER OF JOB OFFER.—

“(i) NATIONAL INTEREST WAIVER.—Subject to clause (ii), the Secretary of Homeland Security may, if the Secretary deems it to be in the national interest, waive the requirements of subparagraph (A) that an alien’s services in the sciences, arts, professions, or business be sought by an employer in the United States.

“(ii) PHYSICIANS WORKING IN SHORTAGE AREAS OR VETERANS FACILITIES.—

“(I) IN GENERAL.—The Secretary shall grant a national interest waiver pursuant to clause (i) on behalf of any alien physician with respect to whom a petition for preference classification has been filed under subparagraph (A) if—

“(aa) the alien physician agrees to work on a full-time basis practicing primary care, specialty medicine, or a combination thereof, in an area or areas designated by the Secretary of Health and Human Services as having a shortage of health care professionals or at a health care facility under the jurisdiction of the Secretary of Veterans Affairs; or

“(bb) the alien physician is pursuing such waiver based upon service at a facility or facilities that serve patients who reside in a geographic area or areas designated by the Secretary of Health and Human Services as having a shortage of health care professionals (without regard to whether such facility or facilities are located within such an area) and a Federal agency or a local, county, regional, or State department of public health determines that the alien physician’s work at such facility was or will be in the public interest.

“(II) PROHIBITION.—

“(aa) No permanent resident visa may be issued to an alien physician described in subclause (I) by the Secretary of State under section 204(b), and the Secretary of Homeland Security may not adjust the status of such an alien physician from that of a nonimmigrant alien to that of a permanent resident alien under section 245, until such time as the alien has worked full time as a physician for an aggregate of 5 years (not including the time served in the status of an alien described in section 101(a)(15)(J)), in an area or areas designated by the Secretary of Health and Human Services as having a shortage of health care professionals or at a health care facility under the jurisdiction of the Secretary of Veterans Affairs, or at a facility or facilities meeting the requirements of subclause (I)(bb).

“(bb) The 5-year service requirement of item (aa) shall be counted from the date the alien physician begins work in the shortage area in any legal status and not the date an immigrant visa petition is filed or approved. Such service shall be aggregated without regard to when such service began and without regard to whether such service began during or in con-

junction with a course of graduate medical education.

“(cc) An alien physician shall not be required to submit an employment contract with a term exceeding the balance of the 5-year commitment yet to be served, nor an employment contract dated within a minimum time period prior to filing of a visa petition pursuant to this subsection.

“(dd) An alien physician shall not be required to file additional immigrant visa petitions upon a change of work location from the location approved in the original national interest immigrant petition.

“(III) STATUTORY CONSTRUCTION.—Nothing in this subparagraph may be construed to prevent the filing of a petition with the Secretary of Homeland Security for classification under section 204(a), by an alien physician described in subclause (I) prior to the date by which such alien physician has completed the service described in subclause (II) or in section 214(I).

“(C) GUIDANCE AND RULES.—The Secretary may prescribe such policy guidance and rules as the Secretary considers appropriate for purposes of subparagraph (A) to ensure national security and promote the interests and competitiveness of the United States. Such rules shall include a definition of the term ‘Federal national security, science, and technology laboratories, centers, and agencies’ for purposes of clause (ii) of subparagraph (A), which shall include the following:

“(i) The national security, science, and technology laboratories, centers, and agencies of the Department of Defense, the Department of Energy, the Department of Homeland Security, the elements of the intelligence community (as that term is defined in section 4(3) of the National Security Act of 1947), and any other department or agency of the Federal Government that conducts or funds research and development in the essential national interest.

“(ii) Federally funded research and development centers (FFRDCs) that are primarily supported by a department or agency of the Federal Government specified in clause (i).”

(3) SKILLED WORKERS, PROFESSIONALS, AND OTHER WORKERS.—

(A) IN GENERAL.—Section 203(b)(3)(A) (8 U.S.C. 1153(b)(3)(A)) is amended by striking “in a number not to exceed 28.6 percent of such worldwide level, plus any visas not required for the classes specified in paragraphs (1) and (2),” and inserting “in a number not to exceed 40 percent of the worldwide level authorized in section 201(d), plus any visas not required for the class specified in paragraph (2),”.

(B) MEDICAL LICENSE REQUIREMENTS.—Section 214(i)(2)(A) (8 U.S.C. 1184(i)(2)(A)) is amended by adding at the end “including in the case of a medical doctor, the licensure required to practice medicine in the United States,”.

(C) REPEAL OF LIMITATION ON OTHER WORKERS.—Section 203(b)(3) (8 U.S.C. 1153(b)(3)) is amended—

(i) by striking subparagraph (B); and

(ii) redesignated subparagraph (C) as subparagraph (B).

(4) CERTAIN SPECIAL IMMIGRANTS.—Section 203(b)(4) (8 U.S.C. 1153(b)(4)) is amended by striking “in a number not to exceed 7.1 percent of such worldwide level,” and inserting “in a number not to exceed 10 percent of the worldwide level authorized in section 201(d), plus any visas not required for the class specified in paragraph (3),”.

(5) EMPLOYMENT CREATION.—Section 203(b)(5)(A) (8 U.S.C. 1153(b)(5)(A)) is amended by striking “in a number not to exceed 7.1 percent of such worldwide level,” and inserting “in a number not to exceed 10 percent of the worldwide level authorized in section 201(d), plus any visas not required for the class specified in paragraph (4),”.

(d) NATURALIZATION OF EMPLOYEES OF CERTAIN NATIONAL SECURITY FACILITIES WITHOUT REGARD TO RESIDENCY REQUIREMENTS.—Section 316 (8 U.S.C. 1427) is amended by adding at the end the following:

“(g)(1) Any person who, while an alien or a noncitizen national of the United States, has been employed in a research capacity at a Federal national security, science, and technology laboratory, center, or agency (as defined pursuant to section 203(b)(2)(C)) for a period or periods aggregating one year or more may, in the discretion of the Secretary, be naturalized without regard to the residence requirements of this section if the person—

“(A) has complied with all requirements as determined by the Secretary of Homeland Security, the Secretary of Defense, the Secretary of Energy, or the head of a petitioning department or agency of the Federal Government, including contractual requirements to maintain employment in a research capacity with a Federal national security, science, and technology laboratory, center, or agency for a period not to exceed five years; and

“(B) has favorably completed and adjudicated a background investigation at the appropriate level, from the employing department or agency of the Federal Government within the last five years.

“(2) The number of aliens or noncitizen nationals naturalized in any fiscal year under this subsection shall not exceed a number as defined by the Secretary of Homeland Security, in consultation with the head of the petitioning department or agency of the Federal Government.”.

**SEC. 2308. INCLUSION OF COMMUNITIES ADVERSELY AFFECTED BY A RECOMMENDATION OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION AS TARGETED EMPLOYMENT AREAS.**

(a) IN GENERAL.—Section 203(b)(5)(B)(ii) (8 U.S.C. 1153(b)(5)(B)(ii)) is amended by inserting “, any community adversely affected by a recommendation by the Defense Base Closure and Realignment Commission,” after “rural area”.

(b) REGULATIONS.—The Secretary, in consultation with the Secretary of Defense, shall implement the amendment made by subsection (a) through appropriate regulations.

**SEC. 2309. V NONIMMIGRANT VISAS.**

(a) NONIMMIGRANT ELIGIBILITY.—Subparagraph (V) of section 101(a)(15) (8 U.S.C. 1101(a)(15)) is amended to read as follows:

“(V)(i) subject to section 214(q)(1) and section 212(a)(4), an alien who is the beneficiary of an approved petition under section 203(a) as—

“(I) the unmarried son or unmarried daughter of a citizen of the United States;

“(II) the unmarried son or unmarried daughter of an alien lawfully admitted for permanent residence; or

“(III) the married son or married daughter of a citizen of the United States and who is 31 years of age or younger; or

“(ii) subject to section 214(q)(2), an alien who is—

“(I) the sibling of a citizen of the United States; or

“(II) the married son or married daughter of a citizen of the United States and who is older than 31 years of age;”.

(b) EMPLOYMENT AND PERIOD OF ADMISSION OF NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—Section 214(q) (8 U.S.C. 1184(q)) is amended to read as follows:

“(q) NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—

“(I) CERTAIN SONS AND DAUGHTERS.—

“(A) EMPLOYMENT AUTHORIZATION.—The Secretary shall—

“(i) authorize a nonimmigrant admitted pursuant to section 101(a)(15)(V)(i) to engage in employment in the United States during the period



of such nonimmigrant's authorized admission; and

"(ii) provide such a nonimmigrant with an 'employment authorized' endorsement or other appropriate document signifying authorization of employment.

"(B) **TERMINATION OF ADMISSION.**—The period of authorized admission for such a nonimmigrant shall terminate 30 days after the date on which—

"(i) such nonimmigrant's application for an immigrant visa pursuant to the approval of a petition under subsection (a) or (c) of section 203 is denied; or

"(ii) such nonimmigrant's application for adjustment of status under section 245 pursuant to the approval of such a petition is denied.

"(2) **SIBLINGS AND SONS AND DAUGHTERS OF CITIZENS.**—

"(A) **EMPLOYMENT AUTHORIZATION.**—The Secretary may not authorize a nonimmigrant admitted pursuant to section 101(a)(15)(V)(ii) to engage in employment in the United States.

"(B) **PERIOD OF ADMISSION.**—The period of authorized admission as such a nonimmigrant may not exceed 60 days per fiscal year.

"(C) **TREATMENT OF PERIOD OF ADMISSION.**—An alien admitted under section 101(a)(15)(V) may not receive an allocation of points pursuant to section 203(c) for residence in the United States while admitted as such a nonimmigrant."

(c) **PUBLIC BENEFITS.**—A noncitizen who is lawfully present in the United States pursuant to section 101(a)(15)(V) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(V)) is not eligible for any means-tested public benefits (as such term is defined and implemented in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613)). A noncitizen admitted under this section—

(1) is not entitled to the premium assistance tax credit authorized under section 36B of the Internal Revenue Code of 1986 for his or her coverage;

(2) shall be subject to the rules applicable to individuals not lawfully present that are set forth in subsection (e) of such section;

(3) shall be subject to the rules applicable to individuals not lawfully present that are set forth in section 1402(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18071(e)); and

(4) shall be subject to the rules applicable to individuals not lawfully present set forth in section 5000A(d)(3) of the Internal Revenue Code of 1986.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act.

#### **SEC. 2310. FIANCÉE AND FIANCÉ CHILD STATUS PROTECTION.**

(a) **DEFINITION.**—Section 101(a)(15)(K) (8 U.S.C. 1101(a)(15)(K)), as amended by section 2305(d)(6)(B)(i)(I), is further amended—

(1) in clause (i), by inserting "or of an alien lawfully admitted for permanent residence" after "204(a)(1)(H)(i)";

(2) in clause (ii), by inserting "or of an alien lawfully admitted for permanent residence" after "204(a)(1)(H)(i)"; and

(3) in clause (iii), by striking the semicolon and inserting " provided that a determination of the age of such child is made using the age of the alien on the date on which the fiancé, fiancée, or immigrant visa petition is filed with the Secretary of Homeland Security to classify the alien's parent as the fiancée or fiancé of a United States citizen or of an alien lawfully admitted for permanent residence (in the case of an alien parent described in clause (i)) or as the spouse of a citizen of the United States or of an

alien lawfully admitted to permanent residence under section 201(b)(2)(A) (in the case of an alien parent described in clause (ii))";

(b) **ADJUSTMENT OF STATUS AUTHORIZED.**—Section 214(d) (8 U.S.C. 1184(d)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) in paragraph (1), by striking "In the event" and all that follows through the end; and

(3) by inserting after paragraph (1) the following:

"(2)(A) If an alien does not marry the petitioner under paragraph (1) within 3 months after the alien and the alien's children are admitted into the United States, the visa previously issued under the provisions of section 1101(a)(15)(K)(i) shall automatically expire and such alien and children shall be required to depart from the United States. If such aliens fail to depart from the United States, they shall be placed in proceedings in accordance with sections 240 and 241.

"(B) Subject to subparagraphs (C) and (D), if an alien marries the petitioner described in section 101(a)(15)(K)(i) within 90 days after the alien is admitted into the United States, the Secretary or the Attorney General, subject to the provisions of section 245(d), may adjust the status of the alien, and any children accompanying or following to join the alien, to that of an alien lawfully admitted for permanent residence on a conditional basis under section 216 if the alien and any such children apply for such adjustment and are not determined to be inadmissible to the United States. If the alien does not apply for such adjustment within 6 months after the marriage, the visa issued under the provisions of section 1101(a)(15)(K) shall automatically expire.

"(C) Paragraphs (5) and (7)(A) of section 212(a) shall not apply to an alien who is eligible to apply for adjustment of the alien's status to an alien lawfully admitted for permanent residence under this section.

"(D) An alien eligible for a waiver of inadmissibility as otherwise authorized under this Act or the Border Security, Economic Opportunity, and Immigration Modernization Act shall be permitted to apply for adjustment of the alien's status to that of an alien lawfully admitted for permanent residence under this section."

(c) **AGE DETERMINATION.**—Section 245(d) (8 U.S.C. 1255(d)) is amended—

(1) by striking "The Attorney General" and inserting "(1) The Secretary of Homeland Security";

(2) in paragraph (1), as redesignated, by striking "Attorney General" and inserting "Secretary"; and

(3) by adding at the end the following:

"(2) A determination of the age of an alien admitted to the United States under section 101(a)(15)(K)(iii) shall be made, for purposes of adjustment to the status of an alien lawfully admitted for permanent residence on a conditional basis under section 216, using the age of the alien on the date on which the fiancé, fiancée, or immigrant visa petition was filed with the Secretary of Homeland Security to classify the alien's parent as the fiancée or fiancé of a United States citizen or of an alien lawfully admitted to permanent residence (in the case of an alien parent admitted to the United States under section 101(a)(15)(K)(i)) or as the spouse of a United States citizen or of an alien lawfully admitted to permanent residence under section 201(b)(2)(A) (in the case of an alien parent admitted to the United States under section 101(a)(15)(K)(ii))."

(d) **APPLICABILITY.**—The amendments made by this section shall apply to all petitions or applications described in such amendments that are pending as of the date of the enactment of the

Border Security, Economic Opportunity, and Immigration Modernization Act.

(e) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) **DEFINITIONS.**—Section 101(a)(15)(K) (8 U.S.C. 1101(a)(15)(K)), as amended by subsection (a), is further amended—

(A) in clause (ii), by striking "section 201(b)(2)(A)(i)" and inserting "section 201(b)(2)"; and

(B) in clause (iii), by striking "section 201(b)(2)(A)(i)" and inserting "section 201(b)(2)".

(2) **AGE DETERMINATION.**—Paragraph (2) of section 245(d) (8 U.S.C. 1255(d)), as added by subsection (c), is amended by striking section "201(b)(2)(A)(i)" and inserting "201(b)(2)".

(3) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect on the first day of the first fiscal year beginning no earlier than 1 year after the date of the enactment of this Act.

#### **SEC. 2311. EQUAL TREATMENT FOR ALL STEP-CHILDREN.**

Section 101(b)(1)(B) (8 U.S.C. 1101(b)(1)(B)) is amended by striking "eighteen years" and inserting "21 years".

#### **SEC. 2312. MODIFICATION OF ADOPTION AGE REQUIREMENTS.**

Section 101(b)(1) (8 U.S.C. 1101(b)(1)) is amended—

(1) in subparagraph (E)—

(A) by striking "(E)(i)" and inserting "(E)";

(B) by striking "under the age of sixteen years" and inserting "younger than 18 years of age, or a child adopted when 18 years of age or older if the adopting parent or parents initiated the legal adoption process before the child reached 18 years of age";

(C) by striking " or " and inserting a semicolon; and

(D) by striking clause (ii);

(2) in subparagraph (F)—

(A) by striking "(F)(i)" and inserting "(F)";

(B) by striking "sixteen" and inserting "18";

(C) by striking "Attorney General" and inserting "Secretary of Homeland Security"; and

(D) by striking clause (ii); and

(3) in subparagraph (G), by striking "16" and inserting "18".

#### **SEC. 2313. RELIEF FOR ORPHANS, WIDOWS, AND WIDOWERS.**

(a) **IN GENERAL.**—

(1) **SPECIAL RULE FOR ORPHANS AND SPOUSES.**—In applying clauses (iii) and (iv) of section 201(b)(2)(B) of the Immigration and Nationality Act, as added by section 2305(a) of this Act, to an alien whose citizen or lawful permanent resident relative died before the date of the enactment of this Act, the alien relative may file the classification petition under section 204(a)(1)(A)(ii) of the Immigration and Nationality Act not later than 2 years after the date of the enactment of this Act.

(2) **ELIGIBILITY FOR PAROLE.**—If an alien was excluded, deported, removed, or departed voluntarily before the date of the enactment of this Act based solely upon the alien's lack of classification as an immediate relative (as defined in section 201(b)(2)(B)(iv) of the Immigration and Nationality Act, as amended by section 2305(a) of this Act) due to the death of such citizen or resident—

(A) such alien shall be eligible for parole into the United States pursuant to the Secretary's discretionary authority under section 212(d)(5) of such Act (8 U.S.C. 1182(d)(5)); and

(B) such alien's application for adjustment of status shall be considered by the Secretary notwithstanding section 212(a)(9) of such Act (8 U.S.C. 1182(a)(9)).

(3) **ELIGIBILITY FOR PAROLE.**—If an alien described in section 204(l) of the Immigration and Nationality Act (8 U.S.C. 1154(l)) was excluded,



deported, removed, or departed voluntarily before the date of the enactment of this Act—

(A) such alien shall be eligible for parole into the United States pursuant to the Secretary's discretionary authority under section 212(d)(5) of such Act (8 U.S.C. 1182(d)(5)); and

(B) such alien's application for adjustment of status shall be considered by the Secretary notwithstanding section 212(a)(9) of such Act (8 U.S.C. 1182(a)(9)).

(b) PROCESSING OF IMMIGRANT VISAS AND DERIVATIVE PETITIONS.—

(1) IN GENERAL.—Section 204(b) (8 U.S.C. 1154(b)) is amended—

(A) by striking “After an investigation” and inserting “(1) After an investigation”; and

(B) by adding at the end the following:

“(2)(A) Any alien described in subparagraph (B) whose qualifying relative died before the completion of immigrant visa processing may have an immigrant visa application adjudicated as if such death had not occurred. An immigrant visa issued before the death of the qualifying relative shall remain valid after such death.

“(B) An alien described in this subparagraph is an alien who—

“(i) is an immediate relative (as described in section 201(b)(2)(B));

“(ii) is a family-sponsored immigrant (as described in subsection (a) or (d) of section 203);

“(iii) is a derivative beneficiary of an employment-based immigrant under section 203(b) (as described in section 203(d)); or

“(iv) is the spouse or child of a refugee (as described in section 207(c)(2)) or an asylee (as described in section 208(b)(3)).”.

(2) TRANSITION PERIOD.—

(A) IN GENERAL.—Notwithstanding a denial or revocation of an application for an immigrant visa for an alien due to the death of the qualifying relative before the date of the enactment of this Act, such application may be renewed by the alien through a motion to reopen, without fee.

(B) INAPPLICABILITY OF BARS TO ENTRY.—Notwithstanding section 212(a)(9) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)), an alien's application for an immigrant visa shall be considered if the alien was excluded, deported, removed, or departed voluntarily before the date of the enactment of this Act.

(c) NATURALIZATION.—Section 319(a) (8 U.S.C. 1430(a)) is amended by striking “States,” and inserting “States (or if the spouse is deceased, the spouse was a citizen of the United States).”.

(d) WAIVERS OF INADMISSIBILITY.—Section 212 (8 U.S.C. 1182) is amended by adding at the end the following:

“(v) CONTINUED WAIVER ELIGIBILITY FOR WIDOWS, WIDOWERS, AND ORPHANS.—In the case of an alien who would have been statutorily eligible for any waiver of inadmissibility under this Act but for the death of a qualifying relative, the eligibility of such alien shall be preserved as if the death had not occurred and the death of the qualifying relative shall be the functional equivalent of hardship for purposes of any waiver of inadmissibility which requires a showing of hardship.”.

(e) SURVIVING RELATIVE CONSIDERATION FOR CERTAIN PETITIONS AND APPLICATIONS.—Section 204(l)(1) (8 U.S.C. 1154(l)(1)) is amended—

(1) by striking “who resided in the United States at the time of the death of the qualifying relative and who continues to reside in the United States”; and

(2) by striking “related applications,” and inserting “related applications (including affidavits of support).”.

(f) FAMILY-SPONSORED IMMIGRANTS.—Section 212(a)(4)(C)(i) (8 U.S.C. 1182(a)(4)(C)(i)), as amended by section 2305(d)(6)(B)(iii), is further amended by adding at the end the following:

“(III) the status as a surviving relative under 204(l); or”.

**SEC. 2314. DISCRETIONARY AUTHORITY WITH RESPECT TO REMOVAL, DEPORTATION, OR INADMISSIBILITY OF CITIZEN AND RESIDENT IMMEDIATE FAMILY MEMBERS.**

(a) APPLICATIONS FOR RELIEF FROM REMOVAL.—Section 240(c)(4) (8 U.S.C. 1229a(c)(4)) is amended by adding at the end the following:

“(D) JUDICIAL DISCRETION.—In the case of an alien subject to removal, deportation, or inadmissibility, the immigration judge may exercise discretion to decline to order the alien removable, deportable, or inadmissible from the United States and terminate proceedings if the judge determines that such removal, deportation, or inadmissibility is against the public interest or would result in hardship to the alien's United States citizen or lawful permanent resident parent, spouse, or child, or the judge determines the alien is prima facie eligible for naturalization except that this subparagraph shall not apply to an alien whom the judge determines—

“(i) is inadmissible or deportable under—

“(I) subparagraph (B), (C), (D)(ii), (E), (H), (I), or (J) of section 212(a)(2);

“(II) section 212(a)(3);

“(III) subparagraph (A), (C), or (D) of section 212(a)(10); or

“(IV) paragraph (2)(A)(ii), (2)(A)(v), (2)(F), (4), or (6) of section 237(a); or

“(ii) has—

“(I) engaged in conduct described in paragraph (8) or (9) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102); or

“(II) a felony conviction described in section 101(a)(43) that would have been classified as an aggravated felony at the time of conviction.”.

(b) SECRETARY'S DISCRETION.—Section 212 (8 U.S.C. 1182), as amended by section 2313(d), is further amended by adding at the end the following:

“(w) SECRETARY'S DISCRETION.—In the case of an alien who is inadmissible under this section or deportable under section 237, the Secretary of Homeland Security may exercise discretion to waive a ground of inadmissibility or deportability if the Secretary determines that such removal or refusal of admission is against the public interest or would result in hardship to the alien's United States citizen or permanent resident parent, spouse, or child. This subsection shall not apply to an alien whom the Secretary determines—

“(1) is inadmissible or deportable under—

“(A) subparagraph (B), (C), (D)(ii), (E), (H), (I), or (J) of subsection (a)(2);

“(B) subsection (a)(3);

“(C) subparagraph (A), (C), or (D) of subsection (a)(10);

“(D) paragraphs (2)(A)(ii), (2)(A)(v), (2)(F), or (6) of section 237(a); or

“(E) section 240(c)(4)(D)(ii)(II); or

“(2) has—

“(A) engaged in conduct described in paragraph (8) or (9) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102); or

“(B) a felony conviction described in section 101(a)(43) that would have been classified as an aggravated felony at the time of conviction.”.

(c) REINSTATEMENT OF REMOVAL ORDERS.—Section 241(a)(5) (8 U.S.C. 1231(a)(5)) is amended by striking the period at the end and inserting “, unless the alien reentered prior to attaining the age of 18 years, or reinstatement of the prior order of removal would not be in the public interest or would result in hardship to the alien's United States citizen or permanent resident parent, spouse, or child.”.

**SEC. 2315. WAIVERS OF INADMISSIBILITY.**

(a) ALIENS WHO ENTERED AS CHILDREN.—Section 212(a)(9)(B)(iii) (8 U.S.C. 1182(a)(9)(B)(iii)) is amended by adding at the end the following:

“(VI) ALIENS WHO ENTERED AS CHILDREN.—Clause (i) shall not apply to an alien who is the beneficiary of an approved petition under 101(a)(15)(H) and who has earned a baccalaureate or higher degree from a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), and had not yet reached the age of 16 years at the time of initial entry to the United States.”.

(b) ALIENS UNLAWFULLY PRESENT.—Section 212(a)(9)(B)(v) (8 U.S.C. 1181(a)(9)(B)(v)) is amended—

(1) by striking “spouse or son or daughter” and inserting “spouse, son, daughter, or parent”; and

(2) by striking “extreme”; and

(3) by inserting “, child,” after “lawfully resident spouse”.

(c) PREVIOUS IMMIGRATION VIOLATIONS.—Section 212(a)(9)(C)(i) (8 U.S.C. 1182(a)(9)(C)(i)) is amended by adding “, other than an alien described in clause (iii) or (iv) of subparagraph (B),” after “Any alien”.

(d) FALSE CLAIMS.—

(1) INADMISSIBILITY.—

(A) IN GENERAL.—Section 212(a)(6)(C) (8 U.S.C. 1182(a)(6)(C)) is amended to read as follows:

“(C) MISREPRESENTATION.—

“(i) IN GENERAL.—Any alien who, by fraud or willfully misrepresenting a material fact, seeks to procure (or within the last 3 years has sought to procure or has procured) a visa, other documentation, or admission into the United States or other benefit provided under this Act is inadmissible.

“(ii) FALSELY CLAIMING CITIZENSHIP.—

“(I) INADMISSIBILITY.—Subject to subclause (II), any alien who knowingly misrepresents himself or herself to be a citizen of the United States for any purpose or benefit under this chapter (including section 274A) or any other Federal or State law is inadmissible.

“(II) SPECIAL RULE FOR CHILDREN.—An alien shall not be inadmissible under this clause if the misrepresentation described in subclause (I) was made by the alien when the alien—

“(aa) was under 18 years of age; or

“(bb) otherwise lacked the mental competence to knowingly misrepresent a claim of United States citizenship.

“(iii) WAIVER.—The Attorney General or the Secretary of Homeland Security may, in the discretion of the Attorney General or the Secretary, waive the application of clause (i) or (ii)(I) for an alien, regardless whether the alien is within or outside the United States, if the Attorney General or the Secretary finds that a determination of inadmissibility to the United States for such alien would—

“(I) result in extreme hardship to the alien or to the alien's parent, spouse, son, or daughter who is a citizen of the United States or an alien lawfully admitted for permanent residence; or

“(II) in the case of a VAWA self-petitioner, result in significant hardship to the alien or a parent or child of the alien who is a citizen of the United States, an alien lawfully admitted for permanent residence, or a qualified alien (as defined in section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(b))).

“(iv) LIMITATION ON REVIEW.—No court shall have jurisdiction to review a decision or action of the Attorney General or the Secretary regarding a waiver under clause (iii).”.

(B) CONFORMING AMENDMENT.—Section 212 (8 U.S.C. 1182) is amended by striking subsection (i).

(2) DEPORTABILITY.—Section 237(a)(3)(D) (8 U.S.C. 1227(a)(3)(D)) is amended to read as follows:

“(D) FALSELY CLAIMING CITIZENSHIP.—Any alien described in section 212(a)(6)(C)(ii) is deportable.”.

**SEC. 2316. CONTINUOUS PRESENCE.**

Section 240A(d)(1) (8 U.S.C. 1229b(d)(1)) is amended to read as follows:

“(1) **TERMINATION OF CONTINUOUS PERIOD.**—For purposes of this section, any period of continuous residence or continuous physical presence in the United States shall be deemed to end, except in the case of an alien who applies for cancellation of removal under subsection (b)(2), on the date that a notice to appear is filed with the Executive Office for Immigration Review pursuant to section 240.”

**SEC. 2317. GLOBAL HEALTH CARE COOPERATION.**

(a) **TEMPORARY ABSENCE OF ALIENS PROVIDING HEALTH CARE IN DEVELOPING COUNTRIES.**—

(1) **IN GENERAL.**—Title III (8 U.S.C. 1401 et seq.) is amended by inserting after section 317 the following:

**“SEC. 317A. TEMPORARY ABSENCE OF ALIENS PROVIDING HEALTH CARE IN DEVELOPING COUNTRIES.**

“(a) **IN GENERAL.**—Notwithstanding any other provision of this Act, the Secretary of Homeland Security shall allow an eligible alien and the spouse or child of such alien to reside in a candidate country during the period that the eligible alien is working as a physician or other health care worker in a candidate country. During such period the eligible alien and such spouse or child shall be considered—

“(1) to be physically present and residing in the United States for purposes of naturalization under section 316(a); and

“(2) to meet the continuous residency requirements under section 316(b).

“(b) **DEFINITIONS.**—In this section:

“(1) **CANDIDATE COUNTRY.**—The term ‘candidate country’ means a country that the Secretary of State determines to be—

“(A) eligible for assistance from the International Development Association, in which the per capita income of the country is equal to or less than the historical ceiling of the International Development Association for the applicable fiscal year, as defined by the International Bank for Reconstruction and Development;

“(B) classified as a lower middle income country in the then most recent edition of the World Development Report for Reconstruction and Development published by the International Bank for Reconstruction and Development and having an income greater than the historical ceiling for International Development Association eligibility for the applicable fiscal year; or

“(C) qualified to be a candidate country due to special circumstances, including natural disasters or public health emergencies.

“(2) **ELIGIBLE ALIEN.**—The term ‘eligible alien’ means an alien who—

“(A) has been lawfully admitted to the United States for permanent residence; and

“(B) is a physician or other healthcare worker.

“(c) **CONSULTATION.**—The Secretary of Homeland Security shall consult with the Secretary of State in carrying out this section.

“(d) **PUBLICATION.**—The Secretary of State shall publish—

“(1) not later than 180 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, a list of candidate countries;

“(2) an updated version of the list required by paragraph (1) not less often than once each year; and

“(3) an amendment to the list required by paragraph (1) at the time any country qualifies as a candidate country due to special circumstances under subsection (b)(1)(C).”

(2) **RULEMAKING.**—

(A) **REQUIREMENT.**—Not later than 180 days after the date of the enactment of this Act, the

Secretary shall promulgate regulations to carry out the amendments made by this subsection.

(B) **CONTENT.**—The regulations promulgated pursuant to subparagraph (A) shall—

(i) permit an eligible alien (as defined in section 317A of the Immigration and Nationality Act, as added by subsection (a)) and the spouse or child of the eligible alien to reside in a foreign country to work as a physician or other healthcare worker as described in subsection (a) of such section 317A for not less than a 12-month period and not more than a 24-month period, and shall permit the Secretary to extend such period for an additional period not to exceed 12 months, if the Secretary determines that such country has a continuing need for such a physician or other healthcare worker;

(ii) provide for the issuance of documents by the Secretary to such eligible alien, and such spouse or child, if appropriate, to demonstrate that such eligible alien, and such spouse or child, if appropriate, is authorized to reside in such country under such section 317A; and

(iii) provide for an expedited process through which the Secretary shall review applications for such an eligible alien to reside in a foreign country pursuant to subsection (a) of such section 317A if the Secretary of State determines a country is a candidate country pursuant to subsection (b)(1)(C) of such section 317A.

(3) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(A) **DEFINITION.**—Section 101(a)(13)(C)(ii) (8 U.S.C. 1101(a)(13)(C)(ii)) is amended by adding “except in the case of an eligible alien, or the spouse or child of such alien, who is authorized to be absent from the United States under section 317A,” at the end.

(B) **DOCUMENTARY REQUIREMENTS.**—Section 211(b) (8 U.S.C. 1181(b)) is amended by inserting “, including an eligible alien authorized to reside in a foreign country under section 317A and the spouse or child of such eligible alien, if appropriate,” after “101(a)(27)(A).”

(C) **INELIGIBLE ALIENS.**—Section 212(a)(7)(A)(i)(I) (8 U.S.C. 1182(a)(7)(A)(i)(I)) is amended by inserting “other than an eligible alien authorized to reside in a foreign country under section 317A and the spouse or child of such eligible alien, if appropriate,” after “Act.”

(4) **CLERICAL AMENDMENT.**—The table of contents of such Act is amended by inserting after the item relating to section 317 the following:

“Sec. 317A. Temporary absence of aliens providing health care in developing countries.”

(b) **ATTESTATION BY HEALTH CARE WORKERS.**—

(1) **ATTESTATION REQUIREMENT.**—Section 212(a)(5) (8 U.S.C. 1182(a)(5)) is amended by adding at the end the following:

“(E) **HEALTH CARE WORKERS WITH OTHER OBLIGATIONS.**—

“(i) **IN GENERAL.**—An alien who seeks to enter the United States for the purpose of performing labor as a physician or other health care worker is inadmissible unless the alien submits to the Secretary of Homeland Security or the Secretary of State, as appropriate, an attestation that the alien is not seeking to enter the United States for such purpose during any period in which the alien has an outstanding obligation to the government of the alien’s country of origin or the alien’s country of residence.

“(ii) **OBLIGATION DEFINED.**—In this subparagraph, the term ‘obligation’ means an obligation incurred as part of a valid, voluntary individual agreement in which the alien received financial assistance to defray the costs of education or training to qualify as a physician or other health care worker in consideration for a commitment to work as a physician or other health care worker in the alien’s country of origin or the alien’s country of residence.

“(iii) **WAIVER.**—The Secretary of Homeland Security may waive a finding of inadmissibility under clause (i) if the Secretary determines that—

“(I) the obligation was incurred by coercion or other improper means;

“(II) the alien and the government of the country to which the alien has an outstanding obligation have reached a valid, voluntary agreement, pursuant to which the alien’s obligation has been deemed satisfied, or the alien has shown to the satisfaction of the Secretary that the alien has been unable to reach such an agreement because of coercion or other improper means; or

“(III) the obligation should not be enforced due to other extraordinary circumstances, including undue hardship that would be suffered by the alien in the absence of a waiver.”

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall take effect on the date that is 180 days after the date of the enactment of this Act.

(3) **APPLICATION.**—Not later than the effective date described in paragraph (2), the Secretary shall begin to carry out subparagraph (E) of section 212(a)(5) of the Immigration and Nationality Act, as added by paragraph (1), including the requirement for the attestation and the granting of a waiver described in clause (iii) of such subparagraph (E), regardless of whether regulations to implement such subparagraph have been promulgated.

**SEC. 2318. EXTENSION AND IMPROVEMENT OF THE IRAQI SPECIAL IMMIGRANT VISA PROGRAM.**

The Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note) is amended—

(1) in section 1242, by amending subsection (c) to read as follows:

“(c) **IMPROVED APPLICATION PROCESS.**—Not later than 120 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall improve the efficiency by which applications for special immigrant visas under section 1244(a) are processed so that all steps incidental to the issuance of such visas, including required screenings and background checks, are completed not later than 9 months after the date on which an eligible alien applies for such visa.”

(2) in section 1244—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) by amending subparagraph (B) to read as follows:

“(B) was or is employed in Iraq on or after March 20, 2003, for not less than 1 year, by, or on behalf of—

“(i) the United States Government;

“(ii) a media or nongovernmental organization headquartered in the United States; or

“(iii) an organization or entity closely associated with the United States mission in Iraq that has received United States Government funding through an official and documented contract, award, grant, or cooperative agreement.”

(II) in subparagraph (C), by striking “the United States Government” and inserting “an entity or organization described in subparagraph (B)”

(III) in subparagraph (D), by striking by striking “the United States Government.” and inserting “such entity or organization.”

(ii) in paragraph (4)—

(I) by striking “A recommendation” and inserting the following:

“(A) **IN GENERAL.**—Except as provided under subparagraph (B), a recommendation”

(II) by striking “the United States Government prior” and inserting “an entity or organization described in paragraph (1)(B) prior”

(III) by adding at the end the following:

“(B) REVIEW PROCESS FOR DENIAL BY CHIEF OF MISSION.—

“(i) IN GENERAL.—An applicant who has been denied Chief of Mission approval required by subparagraph (A) shall—

“(I) receive a written decision; and

“(II) be provided 120 days from the date of the decision to request reopening of the decision to provide additional information, clarify existing information, or explain any unfavorable information.

“(ii) SENIOR COORDINATOR.—The Secretary of State shall designate, in the Embassy of the United States in Baghdad, Iraq, a senior coordinator responsible for overseeing the efficiency and integrity of the processing of special immigrant visas under this section, who shall be given—

“(I) sufficiently high security clearance to review Chief of Mission denials in cases that appear to have relied upon insufficient or incorrect information; and

“(II) responsibility for ensuring that an applicant described in clause (i) receives the information described in clause (i)(I).”; and

(B) in subsection (c)(3), by adding at the end the following:

“(C) SUBSEQUENT FISCAL YEARS.—Notwithstanding subparagraphs (A) and (B), and consistent with subsection (b), any unused balance of the total number of principal aliens who may be provided special immigrant status under this section in fiscal years 2008 through 2012 may be carried forward and provided through the end of fiscal year 2018.”; and

(3) in section 1248, by adding at the end the following:

“(f) REPORT ON IMPROVEMENTS.—

“(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit a report, with a classified annex, if necessary, to—

“(A) the Committee on the Judiciary of the Senate;

“(B) the Committee on Foreign Relations of the Senate;

“(C) the Committee on the Judiciary of the House of Representatives; and

“(D) the Committee on Foreign Affairs of the House of Representatives.

“(2) CONTENTS.—The report submitted under paragraph (1) shall describe the implementation of improvements to the processing of applications for special immigrant visas under section 1244(a), including information relating to—

“(A) enhancing existing systems for conducting background and security checks of persons applying for special immigrant status, which shall—

“(i) support immigration security; and

“(ii) provide for the orderly processing of such applications without delay;

“(B) the financial, security, and personnel considerations and resources necessary to carry out this subtitle;

“(C) the number of aliens who have applied for special immigrant visas under section 1244 during each month of the preceding fiscal year;

“(D) the reasons for the failure to expeditiously process any applications that have been pending for longer than 9 months;

“(E) the total number of applications that are pending due to the failure—

“(i) to receive approval from the Chief of Mission;

“(ii) for U.S. Citizenship and Immigration Services to complete the adjudication of the Form I-360;

“(iii) to conduct a visa interview; or

“(iv) to issue the visa to an eligible alien;

“(F) the average wait times for an applicant at each of the stages described in subparagraph (E);

“(G) the number of denials or rejections at each of the stages described in subparagraph (E); and

“(H) a breakdown of reasons for denials at by the Chief of Mission based on the categories already made available to denied special immigrant visa applicants in the denial letter sent to them by the Chief of Mission.

“(g) PUBLIC QUARTERLY REPORTS.—Not later than 120 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and every 3 months thereafter, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall publish a report on the website of the Department of State that describes the efficiency improvements made in the process by which applications for special immigrant visas under section 1244(a) are processed, including information described in subparagraphs (C) through (H) of subsection (f)(2).”.

#### SEC. 2319. EXTENSION AND IMPROVEMENT OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.

Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) by amending clause (ii) to read as follows:

“(ii) was or is employed in Afghanistan on or after October 7, 2001, for not less than 1 year, by, or on behalf of—

“(I) the United States Government;

“(II) a media or nongovernmental organization headquartered in the United States; or

“(III) an organization or entity closely associated with the United States mission in Afghanistan that has received United States Government funding through an official and documented contract, award, grant, or cooperative agreement.”;

(ii) in clause (iii), by striking “the United States Government” and inserting “an entity or organization described in clause (ii)”;

(iii) in clause (iv), by striking by striking “the United States Government.” and inserting “such entity or organization.”;

(B) by amending subparagraph (B) to read as follows:

“(B) FAMILY MEMBERS.—An alien is described in this subparagraph if the alien is—

“(i) the spouse or minor child of a principal alien described in subparagraph (A) who is accompanying or following to join the principal alien in the United States; or

“(ii)(I) the spouse, child, parent, or sibling of a principal alien described in subparagraph (A), whether or not accompanying or following to join; and

“(II) has experienced or is experiencing an ongoing serious threat as a consequence of the qualifying employment of a principal alien described in subparagraph (A).”; and

(C) in subparagraph (D)—

(i) by striking “A recommendation” and inserting the following:

“(i) IN GENERAL.—Except as provided under clause (ii), a recommendation”;

(ii) by striking “the United States Government prior” and inserting “an entity or organization described in paragraph (2)(A)(ii) prior”; and

(iii) by adding at the end the following:

“(ii) REVIEW PROCESS FOR DENIAL BY CHIEF OF MISSION.—

“(I) IN GENERAL.—An applicant who has been denied Chief of Mission approval shall—

“(aa) receive a written decision; and

“(bb) be provided 120 days from the date of receipt of such opinion to request reconsideration

of the decision to provide additional information, clarify existing information, or explain any unfavorable information.

“(II) SENIOR COORDINATOR.—The Secretary of State shall designate, in the Embassy of the United States in Kabul, Afghanistan, a senior coordinator responsible for overseeing the efficiency and integrity of the processing of special immigrant visas under this section, who shall be given—

“(aa) sufficiently high security clearance to review Chief of Mission denials in cases that appear to have relied upon insufficient or incorrect information; and

“(bb) responsibility for ensuring that an applicant described in subclause (I) receives the information described in subclause (I)(aa).”; and

(2) in paragraph (3)(C), by amending clause (iii) to read as follows:

“(iii) FISCAL YEARS 2014 THROUGH 2018.—For each of the fiscal years 2014 through 2018, the total number of principal aliens who may be provided special immigrant status under this section may not exceed the sum of—

“(I) 5,000;

“(II) the difference between the number of special immigrant visas allocated under this section for fiscal years 2009 through 2013 and the number of such allocated visas that were issued; and

“(III) any unused balance of the total number of principal aliens who may be provided special immigrant status in fiscal years 2014 through 2018 that have been carried forward.”;

(3) in paragraph (4)—

(A) in the heading, by striking “PROHIBITION ON FEES.—” and inserting “APPLICATION PROCESS.—”;

(B) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—Not later than 120 days after the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall improve the efficiency by which applications for special immigrant visas under paragraph (1) are processed so that all steps incidental to the issuance of such visas, including required screenings and background checks, are completed not later than 6 months after the date on which an eligible alien applies for such visa.

“(B) PROHIBITION ON FEES.—The Secretary”; and

(4) by adding at the end the following:

“(12) REPORT ON IMPROVEMENTS.—Not later than 120 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a report, with a classified annex, if necessary, that describes the implementation of improvements to the processing of applications for special immigrant visas under this subsection, including information relating to—

“(A) enhancing existing systems for conducting background and security checks of persons applying for special immigrant status, which shall—

“(i) support immigration security; and

“(ii) provide for the orderly processing of such applications without delay;

“(B) the financial, security, and personnel considerations and resources necessary to carry out this section;

“(C) the number of aliens who have applied for special immigrant visas under this subsection during each month of the preceding fiscal year;

“(D) the reasons for the failure to expeditiously process any applications that have been pending for longer than 9 months;

“(E) the total number of applications that are pending due to the failure—

“(i) to receive approval from the Chief of Mission;

“(ii) for U.S. Citizenship and Immigration Services to complete the adjudication of the Form I-360;

“(iii) to conduct a visa interview; or

“(iv) to issue the visa to an eligible alien;

“(F) the average wait times for an applicant at each of the stages described in subparagraph (E);

“(G) the number of denials or rejections at each of the stages described in subparagraph (E); and

“(H) a breakdown of reasons for denials by the Chief of Mission based on the categories already made available to denied special immigrant visa applicants in the denial letter sent to them by the Chief of Mission.

“(13) **PUBLIC QUARTERLY REPORTS.**—Not later than 120 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and every 3 months thereafter, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall publish a report on the website of the Department of State that describes the efficiency improvements made in the process by which applications for special immigrant visas under this subsection are processed, including information described in subparagraph (C) through (H) of paragraph (12).”.

#### **SEC. 2320. SPECIAL IMMIGRANT NONMINISTER RELIGIOUS WORKER PROGRAM.**

Section 101(a)(27)(C)(ii) (8 U.S.C. 1101(a)(27)(C)(ii)) is amended in subclauses (II) and (III) by striking “before September 30, 2015,” both places such term appears.

#### **SEC. 2321. SPECIAL IMMIGRANT STATUS FOR CERTAIN SURVIVING SPOUSES AND CHILDREN.**

(a) **IN GENERAL.**—Section 101(a)(27) (8 U.S.C. 1101(a)(27)) is amended in subparagraph (D)—

(1) by inserting “(i)” before “an immigrant who is an employee”;

(2) by inserting “or” after “grant such status;”; and

(3) by inserting after clause (i), as designated by paragraph (1), the following:

“(ii) an immigrant who is the surviving spouse or child of an employee of the United States Government abroad killed in the line of duty, provided that the employee had performed faithful service for a total of 15 years, or more, and that the principal officer of a Foreign Service establishment (or, in the case of the American Institute of Taiwan, the Director thereof) in his or her discretion, recommends the granting of special immigrant status to the spouse or child and the Secretary of State approves such recommendation and finds that it is in the national interest to grant such status;”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) take effect beginning on January 31, 2013, and shall have retroactive effect.

#### **SEC. 2322. REUNIFICATION OF CERTAIN FAMILIES OF FILIPINO VETERANS OF WORLD WAR II.**

(a) **SHORT TITLE.**—This section may be cited as the “Filipino Veterans Family Reunification Act”.

(b) **EXEMPTION FROM IMMIGRANT VISA LIMIT.**—Section 201(b)(1) (8 U.S.C. 1151(b)(1)), as amended by sections 2103(c), 2212(d), and 2307(b), is further amended by adding at the end the following:

“(O) Aliens who—

“(i) are the sons or daughters of a citizen of the United States; and

“(ii) have a parent (regardless of whether the parent is living or dead) who was naturalized pursuant to—

“(I) section 405 of the Immigration Act of 1990 (Public Law 101-649; 8 U.S.C. 1440 note); or

“(II) title III of the Act of October 14, 1940 (54 Stat. 1137, chapter 876), as added by section 1001 of the Second War Powers Act, 1942 (56 Stat. 182, chapter 199).”.

#### **Subtitle D—Conrad State 30 and Physician Access**

##### **SEC. 2401. CONRAD STATE 30 PROGRAM.**

Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (Public Law 103-416; 8 U.S.C. 1182 note) is amended by striking “and before September 30, 2015”.

##### **SEC. 2402. RETAINING PHYSICIANS WHO HAVE PRACTICED IN MEDICALLY UNDERSERVED COMMUNITIES.**

Section 201(b)(1) (8 U.S.C. 1151(b)(1)), as amended by sections 2103(c), 2212(d)(2), 2307(b), and 2323(b) is further amended by adding at the end the following:

“(P)(i) Alien physicians who have completed service requirements of a waiver requested under section 203(b)(2)(B)(ii), including alien physicians who completed such service before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act and any spouses or children of such alien physicians.

“(ii) Nothing in this subparagraph may be construed—

“(I) to prevent the filing of a petition with the Secretary of Homeland Security for classification under section 204(a) or the filing of an application for adjustment of status under section 245 by an alien physician described in this subparagraph prior to the date by which such alien physician has completed the service described in section 214(l) or worked full-time as a physician for an aggregate of 5 years at the location identified in the section 214(l) waiver or in an area or areas designated by the Secretary of Health and Human Services as having a shortage of health care professionals; or

“(II) to permit the Secretary of Homeland Security to grant such a petition or application until the alien has satisfied all the requirements of the waiver received under section 214(l).”.

##### **SEC. 2403. EMPLOYMENT PROTECTIONS FOR PHYSICIANS.**

(a) **IN GENERAL.**—Section 214(l)(1)(C) (8 U.S.C. 1184(l)(1)(C)) is amended by striking clauses (i) and (ii) and inserting the following:

“(i) the alien demonstrates a bona fide offer of full-time employment, at a health care organization, which employment has been determined by the Secretary of Homeland Security to be in the public interest; and

“(ii) the alien agrees to begin employment with the health facility or health care organization in a geographic area or areas which are designated by the Secretary of Health and Human Services as having a shortage of health care professionals by the later of the date that is 90 days after receiving such waiver, 90 days after completing graduate medical education or training under a program approved pursuant to section 212(j)(1), or 90 days after receiving non-immigrant status or employment authorization, provided that the alien or the alien's employer petitions for such nonimmigrant status or employment authorization within 90 days of completing graduate medical education or training and agrees to continue to work for a total of not less than 3 years in any status authorized for such employment under this subsection, unless—

“(I) the Secretary determines that extenuating circumstances exist that justify a lesser period of employment at such facility or organization, in which case the alien shall demonstrate another bona fide offer of employment at a health facility or health care organization, for the remainder of such 3-year period;

“(II) the interested agency that requested the waiver attests that extenuating circumstances

exist that justify a lesser period of employment at such facility or organization in which case the alien shall demonstrate another bona fide offer of employment at a health facility or health care organization so designated by the Secretary of Health and Human Services, for the remainder of such 3-year period; or

“(III) if the alien elects not to pursue a determination of extenuating circumstances pursuant to subclause (I) or (II), the alien terminates the alien's employment relationship with such facility or organization, in which case the alien shall be employed for the remainder of such 3-year period, and 1 additional year for each termination, at another health facility or health care organization in a geographic area or areas which are designated by the Secretary of Health and Human Services as having a shortage of health care professionals; and”.

(b) **PHYSICIAN EMPLOYMENT IN UNDERSERVED AREAS.**—Section 214(l)(1) (8 U.S.C. 1184(l)(1)), as amended by subsection (a), is further amended by adding at the end the following:

“(E) If a physician pursuing graduate medical education or training pursuant to section 101(a)(15)(J) applies for a Conrad J-1 waiver with an interested State department of health and the application is denied because the State has requested the maximum number of waivers permitted for that fiscal year, the physician's nonimmigrant status shall be automatically extended for 6 months if the physician agrees to seek a waiver under this subsection (except for subparagraph (D)(ii)) to work for an employer in a State that has not yet requested the maximum number of waivers. The physician shall be authorized to work only for such employer from the date on which a new waiver application is filed with the State until the date on which the Secretary of Homeland Security denies such waiver or issues work authorization for such employment pursuant to the approval of such waiver.”.

(c) **GRADUATE MEDICAL EDUCATION OR TRAINING.**—Section 214(h)(1), as amended by section 4401(b) of this Act, is further amended by inserting “(J) (if entering the United States for graduate medical education or training),” after “(H)(i)(c).”.

(d) **CONTRACT REQUIREMENTS.**—Section 214(l) (8 U.S.C. 1184(l)) is amended by adding at the end the following:

“(4) An alien granted a waiver under paragraph (1)(C) shall enter into an employment agreement with the contracting health facility or health care organization that—

“(A) specifies the maximum number of on-call hours per week (which may be a monthly average) that the alien will be expected to be available and the compensation the alien will receive for on-call time;

“(B) specifies whether the contracting facility or organization will pay for the alien's malpractice insurance premiums, including whether the employer will provide malpractice insurance and, if so, the amount of such insurance that will be provided;

“(C) describes all of the work locations that the alien will work and a statement that the contracting facility or organization will not add additional work locations without the approval of the Federal agency or State agency that requested the waiver; and

“(D) does not include a non-compete provision.

“(5) An alien granted a waiver under paragraph (1)(C) whose employment relationship with a health facility or health care organization terminates during the 3-year service period required by such paragraph—

“(A) shall have a period of 120 days beginning on the date of such termination of employment to submit to the Secretary of Homeland Security applications or petitions to commence employment with another contracting health facility or

health care organization in a geographic area or areas which are designated by the Secretary of Health and Human Services as having a shortage of health care professionals;

“(B) shall be considered to be maintaining lawful status in an authorized stay during the 120-day period referred to in subsection (A); and

“(C) shall not be considered to be fulfilling the 3-year term of service during the 120-day period referred to in subparagraph (A).”.

**SEC. 2404. ALLOTMENT OF CONRAD 30 WAIVERS.**

(a) IN GENERAL.—Section 214(l) (8 U.S.C. 1184(l)), as amended by section 2403, is further amended by adding at the end the following:

“(6)(A)(i) All States shall be allotted a total of 35 waivers under paragraph (1)(B) for a fiscal year if 90 percent of the waivers available to the States receiving at least 5 waivers were used in the previous fiscal year.

“(ii) When an allocation has occurred under clause (i), all States shall be allotted an additional 5 waivers under paragraph (1)(B) for each subsequent fiscal year if 90 percent of the waivers available to the States receiving at least 5 waivers were used in the previous fiscal year. If the States are allotted 45 or more waivers for a fiscal year, the States will only receive an additional increase of 5 waivers the following fiscal year if 95 percent of the waivers available to the States receiving at least 1 waiver were used in the previous fiscal year.

“(B) Any increase in allotments under subparagraph (A) shall be maintained indefinitely, unless in a fiscal year, the total number of such waivers granted is 5 percent lower than in the last year in which there was an increase in the number of waivers allotted pursuant to this paragraph, in which case—

“(i) the number of waivers allotted shall be decreased by 5 for all States beginning in the next fiscal year; and

“(ii) each additional 5 percent decrease in such waivers granted from the last year in which there was an increase in the allotment, shall result in an additional decrease of 5 waivers allotted for all States, provided that the number of waivers allotted for all States shall not drop below 30.”.

(b) ACADEMIC MEDICAL CENTERS.—Section 214(l)(1)(D) (8 U.S.C. 1184(l)(1)(D)) is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(iv) in the case of a request by an interested State agency—

“(I) the head of such agency determines that the alien is to practice medicine in, or be on the faculty of a residency program at, an academic medical center (as that term is defined in section 411.355(e)(2) of title 42, Code of Federal Regulations, or similar successor regulation), without regard to whether such facility is located within an area designated by the Secretary of Health and Human Services as having a shortage of health care professionals; and

“(II) the head of such agency determines that—

“(aa) the alien physician’s work is in the public interest; and

“(bb) the grant of such waiver would not cause the number of the waivers granted on behalf of aliens for such State for a fiscal year (within the limitation in subparagraph (B) and subject to paragraph (6)) in accordance with the conditions of this clause to exceed 3.”.

**SEC. 2405. AMENDMENTS TO THE PROCEDURES, DEFINITIONS, AND OTHER PROVISIONS RELATED TO PHYSICIAN IMMIGRATION.**

(a) ALLOWABLE VISA STATUS FOR PHYSICIANS FULFILLING WAIVER REQUIREMENTS IN MEDICALLY UNDERSERVED AREAS.—Section 214(l)(2)(A) (8 U.S.C. 1184(l)(2)(A)) is amended

by striking “an alien described in section 101(a)(15)(H)(i)(b).” and inserting “any status authorized for employment under this Act.”.

(b) SHORT TERM WORK AUTHORIZATION FOR PHYSICIANS COMPLETING THEIR RESIDENCIES.—A physician completing graduate medical education or training as described in section 212(j) of the Immigration and Nationality Act (8 U.S.C. 1182(j)) as a nonimmigrant described in section 101(a)(15)(H)(i) of such Act (8 U.S.C. 1101(a)(15)(H)(i)) shall have such nonimmigrant status automatically extended until October 1 of the fiscal year for which a petition for a continuation of such nonimmigrant status has been submitted in a timely manner and where the employment start date for the beneficiary of such petition is October 1 of that fiscal year. Such physician shall be authorized to be employed incident to status during the period between the filing of such petition and October 1 of such fiscal year. However, the physician’s status and employment authorization shall terminate 30 days from the date such petition is rejected, denied, or revoked. A physician’s status and employment authorization will automatically extend to October 1 of the next fiscal year if all visas as described in such section 101(a)(15)(H)(i) authorized to be issued for the fiscal year have been issued.

(c) APPLICABILITY OF SECTION 212(e) TO SPOUSES AND CHILDREN OF J-1 EXCHANGE VISITORS.—A spouse or child of an exchange visitor described in section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)) shall not be subject to the requirements of section 212(e) of the Immigration and Nationality Act (8 U.S.C. 1182(e)).

**Subtitle E—Integration**

**SEC. 2501. DEFINITIONS.**

In this subtitle:

(1) CHIEF.—The term “Chief” means the Chief of the Office.

(2) FOUNDATION.—The term “Foundation” means the United States Citizenship Foundation established pursuant to section 2531.

(3) IEACA GRANTS.—The term “IEACA grants” means Initial Entry, Adjustment, and Citizenship Assistance grants authorized under section 2537.

(4) IMMIGRANT INTEGRATION.—The term “immigrant integration” means the process by which immigrants—

(A) join the mainstream of civic life by engaging and sharing ownership in their local community, the United States, and the principles of the Constitution;

(B) attain financial self-sufficiency and upward economic mobility for themselves and their family members; and

(C) acquire English language skills and related cultural knowledge necessary to effectively participate in their community.

(5) LINGUISTIC INTEGRATION.—The term “linguistic integration” means the acquisition, by limited English proficient individuals, of English language skills and related cultural knowledge necessary to meaningfully and effectively fulfill their roles as community members, family members, and workers.

(6) OFFICE.—The term “Office” means the Office of Citizenship and New Americans established in U.S. Citizenship and Immigration Services under section 2511.

(7) RECEIVING COMMUNITIES.—The term “receiving communities” means the long-term residents of the communities in which immigrants settle.

(8) TASK FORCE.—The term “Task Force” means the Task Force on New Americans established pursuant to section 2521.

(9) USCF COUNCIL.—The term “USCF Council” means the Council of Directors of the Foundation.

**CHAPTER 1—CITIZENSHIP AND NEW AMERICANS**

**Subchapter A—Office of Citizenship and New Americans**

**SEC. 2511. OFFICE OF CITIZENSHIP AND NEW AMERICANS.**

(a) RENAMING OFFICE OF CITIZENSHIP.—

(1) IN GENERAL.—Beginning on the date of the enactment of this Act, the Office of Citizenship in U.S. Citizenship and Immigration Services shall be referred to as the “Office of Citizenship and New Americans”.

(2) REFERENCES.—Any reference in a law, regulation, document, paper, or other record of the United States to the Office of Citizenship in U.S. Citizenship and Immigration Services shall be deemed to be a reference to the Office of Citizenship and New Americans.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271) is amended—

(A) in the section heading, by striking “BUREAU OF” and inserting “U.S.”;

(B) in subsection (a)(1), by striking “the Bureau of” and inserting “U.S.”;

(C) by striking “the Bureau of” each place such terms appears and inserting “U.S.”; and

(D) in subsection (f)—

(i) by amending the subsection heading to read as follows: “OFFICE OF CITIZENSHIP AND NEW AMERICANS”; and

(ii) by striking paragraph (1) and inserting the following:

“(1) CHIEF.—The Office of Citizenship and New Americans shall be within U.S. Citizenship and Immigration Services and shall be headed by the Chief of the Office of Citizenship and New Americans.”.

(b) FUNCTIONS.—Section 451(f) of such Act (6 U.S.C. 271(f)), as amended by subsection (a)(3)(D), is further amended by striking paragraph (2) and inserting the following:

“(2) FUNCTIONS.—The Chief of the Office of Citizenship and New Americans shall—

“(A) promote institutions and provide training on citizenship responsibilities for aliens interested in becoming naturalized citizens of the United States, including the development of educational materials for such aliens;

“(B) provide general leadership, consultation, and coordination of the immigrant integration programs across the Federal Government and with State and local entities;

“(C) in coordination with the Task Force on New Americans established under section 2521 of the Border Security, Economic Opportunity, and Immigration Modernization Act—

“(i) advise the Director of U.S. Citizenship and Immigration Services, the Secretary of Homeland Security, and the Domestic Policy Council, on—

“(I) the challenges and opportunities relating to the linguistic, economic, and civic integration of immigrants and their young children and progress in meeting integration goals and indicators; and

“(II) immigrant integration considerations relating to Federal budgets;

“(ii) establish national goals for introducing new immigrants into the United States and measure the degree to which such goals are met;

“(iii) evaluate the scale, quality, and effectiveness of Federal Government efforts in immigrant integration and provide advice on appropriate actions; and

“(iv) identify the integration implications of new or proposed immigration policies and provide recommendations for addressing such implications;

“(D) serve as a liaison and intermediary with State and local governments and other entities to assist in establishing local goals, task forces, and councils to assist in—

“(i) introducing immigrants into the United States; and

“(ii) promoting citizenship education and awareness among aliens interested in becoming naturalized citizens of the United States;

“(E) coordinate with other Federal agencies to provide information to State and local governments on the demand for existing Federal and State English education programs and best practices for immigrants who recently arrived in the United States;

“(F) assist States in coordinating the activities of the grant programs authorized under sections 2537 and 2538 of the Border Security, Economic Opportunity, and Immigration Modernization Act;

“(G) submit a biennial report to the appropriate congressional committees that describes the activities of the Office of Citizenship and New Americans; and

“(H) carry out such other functions and activities as Secretary may assign.”

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall take effect on the date that is 1 year after the date of the enactment of this Act.

#### **Subchapter B—Task Force on New Americans**

##### **SEC. 2521. ESTABLISHMENT.**

(a) **IN GENERAL.**—The Secretary shall establish a Task Force on New Americans.

(b) **FULLY FUNCTIONAL.**—The Task Force shall be fully functional not later than 18 months after the date of the enactment of this Act.

##### **SEC. 2522. PURPOSE.**

The purposes of the Task Force are—

(1) to establish a coordinated Federal program and policy response to immigrant integration issues; and

(2) to advise and assist the Federal Government in identifying and fostering policies to carry out the policies and goals established under this chapter.

##### **SEC. 2523. MEMBERSHIP.**

(a) **IN GENERAL.**—The Task Force shall be comprised of—

(1) the Secretary, who shall serve as Chair of the Task Force;

(2) the Secretary of the Treasury;

(3) the Attorney General;

(4) the Secretary of Commerce;

(5) the Secretary of Labor;

(6) the Secretary of Health and Human Services;

(7) the Secretary of Housing and Urban Development;

(8) the Secretary of Transportation;

(9) the Secretary of Education;

(10) the Director of the Office of Management and Budget;

(11) the Administrator of the Small Business Administration;

(12) the Director of the Domestic Policy Council;

(13) the Director of the National Economic Council; and

(14) the National Security Advisor.

(b) **DELEGATION.**—A member of the Task Force may delegate a senior official, at the Assistant Secretary, Deputy Administrator, Deputy Director, or Assistant Attorney General level, to perform the functions of a Task Force member described in section 2524.

##### **SEC. 2524. FUNCTIONS.**

(a) **MEETINGS; FUNCTIONS.**—The Task Force shall—

(1) meet at the call of the Chair; and

(2) perform such functions as the Secretary may prescribe.

(b) **COORDINATED RESPONSE.**—The Task Force shall work with executive branch agencies—

(1) to provide a coordinated Federal response to issues that impact the lives of new immigrants and receiving communities, including—

(A) access to youth and adult education programming;

(B) workforce training;

(C) health care policy;

(D) access to naturalization; and

(E) community development challenges; and

(2) to ensure that Federal programs and policies adequately address such impacts.

(c) **LIAISONS.**—Members of the Task Force shall serve as liaisons to their respective agencies to ensure the quality and timeliness of their agency's participation in activities of the Task Force, including—

(1) creating integration goals and indicators;

(2) implementing the biannual consultation process with the agency's State and local counterparts; and

(3) reporting on agency data collection, policy, and program efforts relating to achieving the goals and indicators referred to in paragraph (1).

(d) **RECOMMENDATIONS.**—Not later than 18 months after the end of the period specified in section 2521(b), the Task Force shall—

(1) provide recommendations to the Domestic Policy Council and the Secretary on the effects of pending legislation and executive branch policy proposals;

(2) suggest changes to Federal programs or policies to address issues of special importance to new immigrants and receiving communities;

(3) review and recommend changes to policies that have a distinct impact on new immigrants and receiving communities; and

(4) assist in the development of legislative and policy proposals of special importance to new immigrants and receiving communities.

#### **CHAPTER 2—PUBLIC-PRIVATE PARTNERSHIP**

##### **SEC. 2531. ESTABLISHMENT OF UNITED STATES CITIZENSHIP FOUNDATION.**

The Secretary, acting through the Director of U.S. Citizenship and Immigration Services, is authorized to establish a nonprofit corporation or a not-for-profit, public benefit, or similar entity, which shall be known as the “United States Citizenship Foundation”.

##### **SEC. 2532. FUNDING.**

(a) **GIFTS TO FOUNDATION.**—In order to carry out the purposes set forth in section 2533, the Foundation may—

(1) solicit, accept, and make gifts of money and other property in accordance with section 501(c)(3) of the Internal Revenue Code of 1986;

(2) engage in coordinated work with the Department, including the Office and U.S. Citizenship and Immigration Services; and

(3) accept, hold, administer, invest, and spend any gift, devise, or bequest of real or personal property made to the Foundation.

(b) **GIFTS TO OFFICE OF CITIZENSHIP AND NEW AMERICANS.**—The Office may accept gifts from the Foundation to support the functions of the Office.

##### **SEC. 2533. PURPOSES.**

The purposes of the Foundation are—

(1) to expand citizenship preparation programs for lawful permanent residents;

(2) to provide direct assistance for aliens seeking provisional immigrant status, legal permanent resident status, or naturalization as a United States citizen; and

(3) to coordinate immigrant integration with State and local entities.

##### **SEC. 2534. AUTHORIZED ACTIVITIES.**

The Foundation shall carry out its purpose by—

(1) making United States citizenship instruction and naturalization application services accessible to low-income and other underserved lawful permanent resident populations;

(2) developing, identifying, and sharing best practices in United States citizenship preparation;

(3) supporting innovative and creative solutions to barriers faced by those seeking naturalization;

(4) increasing the use of, and access to, technology in United States citizenship preparation programs;

(5) engaging receiving communities in the United States citizenship and civic integration process;

(6) administering the New Citizens Award Program to recognize, in each calendar year, not more than 10 United States citizens who—

(A) have made outstanding contributions to the United States; and

(B) have been naturalized during the 10-year period ending on the date of such recognition;

(7) fostering public education and awareness;

(8) coordinating its immigrant integration efforts with the Office;

(9) awarding grants to eligible public or private nonprofit organizations under section 2537; and

(10) awarding grants to State and local governments under section 2538.

##### **SEC. 2535. COUNCIL OF DIRECTORS.**

(a) **MEMBERS.**—To the extent consistent with section 501(c)(3) of the Internal Revenue Code of 1986, the Foundation shall have a Council of Directors, which shall be comprised of—

(1) the Director of U.S. Citizenship and Immigration Services;

(2) the Chief of the Office of Citizenship and New Americans; and

(3) 10 directors, appointed by the ex-officio directors designated in paragraphs (1) and (2), from national community-based organizations that promote and assist permanent residents with naturalization.

(b) **APPOINTMENT OF EXECUTIVE DIRECTOR.**—The USCF Council shall appoint an Executive Director, who shall oversee the day-to-day operations of the Foundation.

##### **SEC. 2536. POWERS.**

The Executive Director is authorized to carry out the purposes set forth in section 2533 on behalf of the Foundation by—

(1) accepting, holding, administering, investing, and spending any gift, devise, or bequest of real or personal property made to the Foundation;

(2) entering into contracts and other financial assistance agreements with individuals, public or private organizations, professional societies, and government agencies to carry out the functions of the Foundation;

(3) entering into such other contracts, leases, cooperative agreements, and other transactions as the Executive Director considers appropriate to carry out the activities of the Foundation; and

(4) charging such fees for professional services furnished by the Foundation as the Executive Director determines reasonable and appropriate.

##### **SEC. 2537. INITIAL ENTRY, ADJUSTMENT, AND CITIZENSHIP ASSISTANCE GRANT PROGRAM.**

(a) **AUTHORIZATION.**—The Secretary, acting through the Director of U.S. Citizenship and Immigration Services, may award Initial Entry, Adjustment, and Citizenship Assistance grants to eligible public or private, nonprofit organizations.

(b) **USE OF GRANT FUNDS.**—IEACA grants shall be used for the design and implementation of programs that provide direct assistance, within the scope of the authorized practice of immigration law—

(1) to aliens who are preparing an initial application for registered provisional immigrant status under section 245B of the Immigration and Nationality Act and to aliens who are preparing an initial application for blue card status under section 2211, including assisting applicants in—

(A) screening to assess prospective applicants' potential eligibility or lack of eligibility;

(B) completing applications;



(C) gathering proof of identification, employment, residence, and tax payment;

(D) gathering proof of relationships of eligible family members;

(E) applying for any waivers for which applicants and qualifying family members may be eligible; and

(F) any other assistance that the Secretary or grantee considers useful to aliens who are interested in applying for registered provisional immigrant status;

(2) to aliens seeking to adjust their status under section 245, 245B, 245C, or 245F of the Immigration and Nationality Act;

(3) to legal permanent residents seeking to become naturalized United States citizens; and

(4) to applicants on—

(A) the rights and responsibilities of United States citizenship;

(B) civics-based English as a second language;

(C) civics, with a special emphasis on common values and traditions of Americans, including an understanding of the history of the United States and the principles of the Constitution; and

(D) applying for United States citizenship.

**SEC. 2538. PILOT PROGRAM TO PROMOTE IMMIGRANT INTEGRATION AT STATE AND LOCAL LEVELS.**

(a) **GRANTS AUTHORIZED.**—The Chief shall establish a pilot program through which the Chief may award grants, on a competitive basis, to States and local governments or other qualifying entities, in collaboration with State and local governments—

(1) to establish New Immigrant Councils to carry out programs to integrate new immigrants; or

(2) to carry out programs to integrate new immigrants.

(b) **APPLICATION.**—A State or local government desiring a grant under this section shall submit an application to the Chief at such time, in such manner, and containing such information as the Chief may reasonably require, including—

(1) a proposal to meet an objective or combination of objectives set forth in subsection (d)(3);

(2) the number of new immigrants in the applicant's jurisdiction; and

(3) a description of the challenges in introducing and integrating new immigrants into the State or local community.

(c) **PRIORITY.**—In awarding grants under this section, the Chief shall give priority to States and local governments or other qualifying entities that—

(1) use matching funds from non-Federal sources, which may include in-kind contributions;

(2) demonstrate collaboration with public and private entities to achieve the goals of the comprehensive plan developed pursuant to subsection (d)(3);

(3) are 1 of the 10 States with the highest rate of foreign-born residents; or

(4) have experienced a large increase in the population of immigrants during the most recent 10-year period relative to past migration patterns, based on data compiled by the Office of Immigration Statistics or the United States Census Bureau.

(d) **AUTHORIZED ACTIVITIES.**—A grant awarded under this subsection may be used—

(1) to form a New Immigrant Council, which shall—

(A) consist of between 15 and 19 individuals, inclusive, from the State, local government, or qualifying organization;

(B) include, to the extent practicable, representatives from—

- (i) business;
- (ii) faith-based organizations;
- (iii) civic organizations;

(iv) philanthropic organizations;

(v) nonprofit organizations, including those with legal and advocacy experience working with immigrant communities;

(vi) key education stakeholders, such as State educational agencies, local educational agencies, community colleges, and teachers;

(vii) State adult education offices;

(viii) State or local public libraries; and

(ix) State or local governments; and

(C) meet not less frequently than once each quarter;

(2) to provide subgrants to local communities, city governments, municipalities, nonprofit organizations (including veterans' and patriotic organizations), or other qualifying entities;

(3) to develop, implement, expand, or enhance a comprehensive plan to introduce and integrate new immigrants into the State by—

(A) improving English language skills;

(B) engaging caretakers with limited English proficiency in their child's education through interactive parent and child literacy activities;

(C) improving and expanding access to workforce training programs;

(D) teaching United States history, civics education, citizenship rights, and responsibilities;

(E) promoting an understanding of the form of government and history of the United States and the principles of the Constitution;

(F) improving financial literacy; and

(G) focusing on other key areas of importance to integration in our society; and

(4) to engage receiving communities in the citizenship and civic integration process by—

(A) increasing local service capacity;

(B) building meaningful connections between newer immigrants and long-time residents;

(C) communicating the contributions of receiving communities and new immigrants; and

(D) engaging leaders from all sectors of the community.

(e) **REPORTING AND EVALUATION.**—

(1) **ANNUAL REPORT.**—Each grant recipient shall submit an annual report to the Office that describes—

(A) the activities undertaken by the grant recipient, including how such activities meet the goals of the Office, the Foundation, and the comprehensive plan described in subsection (d)(3);

(B) the geographic areas being served;

(C) the number of immigrants in such areas; and

(D) the primary languages spoken in such areas.

(2) **ANNUAL EVALUATION.**—The Chief shall conduct an annual evaluation of the grant program established under this section—

(A) to assess and improve the effectiveness of such grant program;

(B) to assess the future needs of immigrants and of State and local governments related to immigrants; and

(C) to ensure that grantees recipients and subgrantees are acting within the scope and purpose of this subchapter.

**SEC. 2539. NATURALIZATION CEREMONIES.**

(a) **IN GENERAL.**—The Chief, in consultation with the Director of the National Park Service, the Archivist of the United States, and other appropriate Federal officials, shall develop and implement a strategy to enhance the public awareness of naturalization ceremonies.

(b) **VENUES.**—In developing the strategy under subsection (a), the Secretary shall consider the use of outstanding and historic locations as venues for select naturalization ceremonies.

(c) **REPORTING REQUIREMENT.**—The Secretary shall annually submit a report to Congress that contains—

(1) the content of the strategy developed under subsection (a); and

(2) the progress made towards the implementation of such strategy.

**CHAPTER 3—FUNDING**

**SEC. 2541. AUTHORIZATION OF APPROPRIATIONS.**

(a) **OFFICE OF CITIZENSHIP AND NEW AMERICANS.**—In addition to any amounts otherwise made available to the Office, there are authorized to be appropriated to carry out the functions described in section 451(f)(2) of the Homeland Security Act of 2002 (6 U.S.C. 271(f)(2)), as amended by section 2511(b)—

(1) \$10,000,000 for the 5-year period ending on September 30, 2018; and

(2) such sums as may be necessary for fiscal year 2019 and subsequent fiscal years.

(b) **GRANT PROGRAMS.**—There are authorized to be appropriated to implement the grant programs authorized under sections 2537 and 2538, and to implement the strategy under section 2539—

(1) \$100,000,000 for the 5-year period ending on September 30, 2018; and

(2) such sums as may be necessary for fiscal year 2019 and subsequent fiscal years.

**CHAPTER 4—REDUCE BARRIERS TO NATURALIZATION**

**SEC. 2551. WAIVER OF ENGLISH REQUIREMENT FOR SENIOR NEW AMERICANS.**

Section 312 (8 U.S.C. 1423) is amended by striking subsection (b) and inserting the following:

“(b) The requirements under subsection (a) shall not apply to any person who—

“(1) is unable to comply with such requirements because of physical or mental disability, including developmental or intellectual disability; or

“(2) on the date on which the person's application for naturalization is filed under section 334—

“(A) is older than 65 years of age; and

“(B) has been living in the United States for periods totaling at least 5 years after being lawfully admitted for permanent residence.

“(c) The requirement under subsection (a)(1) shall not apply to any person who, on the date on which the person's application for naturalization is filed under section 334—

“(1) is older than 50 years of age and has been living in the United States for periods totaling at least 20 years after being lawfully admitted for permanent residence; or

“(2) is older than 55 years of age and has been living in the United States for periods totaling at least 15 years after being lawfully admitted for permanent residence; or

“(3) is older than 60 years of age and has been living in the United States for periods totaling at least 10 years after being lawfully admitted for permanent residence.

“(d) The Secretary of Homeland Security may waive, on a case-by-case basis, the requirement under subsection (a)(2) on behalf of any person who, on the date on which the person's application for naturalization is filed under section 334—

“(1) is older than 60 years of age; and

“(2) has been living in the United States for periods totaling at least 10 years after being lawfully admitted for permanent residence.”.

**SEC. 2552. FILING OF APPLICATIONS NOT REQUIRING REGULAR INTERNET ACCESS.**

(a) **ELECTRONIC FILING NOT REQUIRED.**—

(1) **IN GENERAL.**—The Secretary may not require that an applicant or petitioner for permanent residence or citizenship of the United States use an electronic method to file any application, or access to a customer account.

(2) **SUNSET DATE.**—This subsection shall cease to be effective on October 1, 2020.

(b) **NOTIFICATION REQUIREMENT.**—Beginning on October 1, 2020, the Secretary may not require that an applicant or petitioner for permanent residence or citizenship of the United States use an electronic method to file any application or access to a customer account unless



the Secretary notifies the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives of such requirement not later than 30 days before the effective date of such requirement.

**SEC. 2553. PERMISSIBLE USE OF ASSISTED HOUSING BY BATTERED IMMIGRANTS.**

Section 214 of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a) is amended—

(1) in subsection (a)—

(A) in paragraph (6), by striking “; or” and inserting a semicolon;

(B) by redesignating paragraph (7) as paragraph (8); and

(C) by inserting after paragraph (6) the following new paragraph:

“(7) a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)); or”;

(2) in subsection (c)—

(A) in paragraph (1)(A), by striking “paragraphs (1) through (6)” and inserting “paragraphs (1) through (7)”;

(B) in paragraph (2)(A), by inserting “(other than a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)))” after “any alien”.

**TITLE III—INTERIOR ENFORCEMENT**

**Subtitle A—Employment Verification System**

**SEC. 3101. UNLAWFUL EMPLOYMENT OF UNAUTHORIZED ALIENS.**

(a) IN GENERAL.—Section 274A (8 U.S.C. 1324a) is amended to read as follows:

**“SEC. 274A. UNLAWFUL EMPLOYMENT OF ALIENS.**

“(a) MAKING EMPLOYMENT OF UNAUTHORIZED ALIENS UNLAWFUL.—

“(1) IN GENERAL.—It is unlawful for an employer—

“(A) to hire, recruit, or refer for a fee an alien for employment in the United States knowing that the alien is an unauthorized alien with respect to such employment; or

“(B) to hire, recruit, or refer for a fee for employment in the United States an individual without complying with the requirements under subsections (c) and (d).

“(2) CONTINUING EMPLOYMENT.—

“(A) PROHIBITION ON CONTINUED EMPLOYMENT OF UNAUTHORIZED ALIENS.—It is unlawful for an employer, after hiring an alien for employment, to continue to employ the alien in the United States knowing that the alien is (or has become) an unauthorized alien with respect to such employment.

“(B) PROHIBITION ON CONSIDERATION OF PREVIOUS UNAUTHORIZED STATUS.—Nothing in this section may be construed to prohibit the employment of an individual who is authorized for employment in the United States if such individual was previously an unauthorized alien.

“(3) USE OF LABOR THROUGH CONTRACT.—For purposes of this section, any employer that uses a contract, subcontract, or exchange to obtain the labor of an alien in the United States while knowing that the alien is an unauthorized alien with respect to performing such labor shall be considered to have hired the alien for employment in the United States in violation of paragraph (1)(A).

“(4) USE OF STATE EMPLOYMENT AGENCY DOCUMENTATION.—For purposes of paragraphs (1)(B), (5), and (6), an employer shall be deemed to have complied with the requirements under subsection (c) with respect to the hiring of an individual who was referred for such employment by a State employment agency (as defined by the Secretary) if the employer has and retains (for the period and in the manner described in subsection (c)(3)) appropriate documentation of such referral by such agency, cer-

tifying that such agency has complied with the procedures described in subsection (c) with respect to the individual's referral. An employer that relies on a State agency's certification of compliance with subsection (c) under this paragraph may utilize and retain the State agency's certification of compliance with the procedures described in subsection (d), if any, in the manner provided under this paragraph.

“(5) GOOD FAITH DEFENSE.—

“(A) DEFENSE.—An employer, person, or entity that hires, employs, recruits, or refers individuals for employment in the United States, or is otherwise obligated to comply with the requirements under this section and establishes good faith compliance with the requirements under paragraphs (1) through (4) of subsection (c) and subsection (d)—

“(i) has established an affirmative defense that the employer, person, or entity has not violated paragraph (1)(A) with respect to hiring and employing; and

“(ii) has established compliance with its obligations under subparagraph (A) and (B) of paragraph (1) and subsection (c) unless the Secretary demonstrates that the employer had knowledge that an individual hired, employed, recruited, or referred by the employer, person, or entity is an unauthorized alien.

“(B) EXCEPTION FOR CERTAIN EMPLOYERS.—An employer who is not required to participate in the System or who is participating in the System on a voluntary basis pursuant to subsection (d)(2)(J) has established an affirmative defense under subparagraph (A) and need not demonstrate compliance with the requirements under subsection (d).

“(6) GOOD FAITH COMPLIANCE.—

“(A) IN GENERAL.—Except as otherwise provided in this subsection, an employer, person, or entity is considered to have complied with a requirement under this subsection notwithstanding a technical or procedural failure to meet such requirement if there was a good faith attempt to comply with the requirement.

“(B) EXCEPTION IF FAILURE TO CORRECT AFTER NOTICE.—Subparagraph (A) shall not apply if—

“(i) the failure is not de minimis;

“(ii) the Secretary of Homeland Security has explained to the employer, person, or entity the basis for the failure and why it is not de minimis;

“(iii) the employer, person, or entity has been providing a period of not less than 30 days (beginning after the date of the explanation) to correct the failure; and

“(iv) the employer, person, or entity has not corrected the failure voluntarily within such period.

“(C) EXCEPTION FOR PATTERN OR PRACTICE VIOLATORS.—Subparagraph (A) shall not apply to an employer, person, or entity that has engaged or is engaging in a pattern or practice of violations of paragraph (1)(A) or (2).

“(7) PRESUMPTION.—After the date on which an employer is required to participate in the System under subsection (d), the employer is presumed to have acted with knowledge for purposes of paragraph (1)(A) if the employer hires, employs, recruits, or refers an employee for a fee and fails to make an inquiry to verify the employment authorization status of the employee through the System.

“(8) CONTINUED APPLICATION OF WORKFORCE AND LABOR PROTECTION REMEDIES DESPITE UNAUTHORIZED EMPLOYMENT.—

“(A) IN GENERAL.—Subject only to subparagraph (B), all rights and remedies provided under any Federal, State, or local law relating to workplace rights, including but not limited to back pay, are available to an employee despite—

“(i) the employee's status as an unauthorized alien during or after the period of employment; or

“(ii) the employer's or employee's failure to comply with the requirements of this section.

“(B) REINSTATEMENT.—Reinstatement shall be available to individuals who—

“(i) are authorized to work in the United States at the time such relief is ordered or effected; or

“(ii) lost employment-authorized status due to the unlawful acts of the employer under this section.

“(b) DEFINITIONS.—In this section:

“(1) COMMISSIONER.—The term ‘Commissioner’ means the Commissioner of Social Security.

“(2) DEPARTMENT.—Except as otherwise provided, the term ‘Department’ means the Department of Homeland Security.

“(3) EMPLOYER.—The term ‘employer’ means any person or entity, including an agency or department of a Federal, State, or local government, an agent, or a System service provider acting on behalf of an employer, that hires, employs, recruits, or refers for a fee an individual for employment in the United States that is not casual, sporadic, irregular, or intermittent (as defined by the Secretary).

“(4) EMPLOYMENT AUTHORIZED STATUS.—The term ‘employment authorized status’ means, with respect to an individual, that the individual is authorized to be employed in the United States under the immigration laws of the United States.

“(5) SECRETARY.—Except as otherwise specifically provided, the term ‘Secretary’ means the Secretary of Homeland Security.

“(6) SYSTEM.—The term ‘System’ means the Employment Verification System established under subsection (d).

“(7) UNAUTHORIZED ALIEN.—The term ‘unauthorized alien’ means an alien who, with respect to employment in the United States at a particular time—

“(A) is not lawfully admitted for permanent residence; or

“(B) is not authorized to be employed under this Act or by the Secretary.

“(8) WORKPLACE RIGHTS.—The term ‘workplace rights’ means rights guaranteed under Federal, State, or local labor or employment laws, including laws concerning wages and hours, benefits and employment standards, labor relations, workplace health and safety, work-related injuries, nondiscrimination, and retaliation for exercising rights under such laws.

“(c) DOCUMENT VERIFICATION REQUIREMENTS.—Any employer hiring an individual for employment in the United States shall comply with the following requirements and the requirements under subsection (d) to verify that the individual has employment authorized status.

“(1) ATTESTATION AFTER EXAMINATION OF DOCUMENTATION.—

“(A) IN GENERAL.—

“(i) EXAMINATION BY EMPLOYER.—An employer shall attest, under penalty of perjury on a form prescribed by the Secretary, that the employer has verified the identity and employment authorization status of the individual—

“(I) by examining—

“(aa) a document specified in subparagraph (C); or

“(bb) a document specified in subparagraph (D) and a document specified in subparagraph (E); and

“(II) by utilizing an identity authentication mechanism described in clause (iii) or (iv) of subparagraph (F).

“(ii) PUBLICATION OF DOCUMENTS.—The Secretary shall publish a picture of each document specified in subparagraphs (C) and (E) on the U.S. Citizenship and Immigration Services website.

“(B) REQUIREMENTS.—

“(i) FORM.—The form referred to in subparagraph (A)(i)—

“(I) shall be prescribed by the Secretary not later than 6 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act;

“(II) shall be available as—

“(aa) a paper form;

“(bb) a form that may be completed by an employer via telephone or video conference;

“(cc) an electronic form; or

“(dd) a form that is integrated electronically with the requirements under subsection (d).

“(ii) ATTESTATION.—Each such form shall require the employer to sign an attestation with a handwritten, electronic, or digital pin code signature, according to standards prescribed by the Secretary.

“(iii) COMPLIANCE.—An employer has complied with the requirements under this paragraph with respect to examination of the documents included in subclauses (I) and (II) of subparagraph (A)(i) if—

“(I) the employer has, in good faith, followed applicable regulations and any written procedures or instructions provided by the Secretary; and

“(II) a reasonable person would conclude that the documentation is genuine and relates to the individual presenting such documentation.

“(C) DOCUMENTS ESTABLISHING IDENTITY AND EMPLOYMENT AUTHORIZED STATUS.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

“(i) A United States passport or passport card issued to an individual pursuant to the Secretary of State's authority under the Act entitled ‘An Act to regulate the issue and validity of passports, and for other purposes’, approved July 3, 1926 (22 U.S.C. 211a).

“(ii) A document issued to an alien evidencing that the alien is lawfully admitted for permanent residence or another document issued to an individual evidencing the individual's employment authorized status, as designated by the Secretary, if the document—

“(I) contains a photograph of the individual, or such other personal identifying information relating to the individual as the Secretary determines, by regulation, to be sufficient for the purposes of this subparagraph;

“(II) is evidence of employment authorized status; and

“(III) contains security features to make the document resistant to tampering, counterfeiting, and fraudulent use.

“(iii) An enhanced driver's license or identification card issued to a national of the United States by a State, an outlying possession of the United States, or a federally recognized Indian tribe that—

“(I) meets the requirements under section 202 of the REAL ID Act of 2005 (division B of Public Law 109-13; 49 U.S.C. 30301 note); and

“(II) the Secretary has certified by notice published in the Federal Register and through appropriate notice directly to employers registered in the System 3 months prior to publication that such enhanced license or card is suitable for use under this subparagraph based upon the accuracy and security of the issuance process, security features on the document, and such other factors as the Secretary may prescribe.

“(iv) A passport issued by the appropriate authority of a foreign country accompanied by a Form I-94 or Form I-94A (or similar successor record), or other documentation as designated by the Secretary that specifies the individual's status in the United States and the duration of such status if the proposed employment is not in conflict with any restriction or limitation specified on such form or documentation.

“(v) A passport issued by the Federated States of Micronesia or the Republic of the Marshall

Islands with evidence of nonimmigrant admission to the United States under the Compact of Free Association between the United States and the Federated States of Micronesia or the Republic of the Marshall Islands.

“(D) DOCUMENTS ESTABLISHING IDENTITY OF INDIVIDUAL.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

“(i) A driver's license or identity card that is not described in subparagraph (C)(iii) and is issued to an individual by a State or an outlying possession of the United States, a federally recognized Indian tribe, or an agency (including military) of the Federal Government if the driver's license or identity card includes, at a minimum—

“(I) the individual's photograph, name, date of birth, gender, and driver's license or identification card number; and

“(II) security features to make the license or card resistant to tampering, counterfeiting, and fraudulent use.

“(ii) A voter registration card.

“(iii) A document that complies with the requirements under section 7209(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 8 U.S.C. 1185 note).

“(iv) For individuals under 18 years of age who are unable to present a document listed in clause (i) or (ii), documentation of personal identity of such other type as the Secretary determines will provide a reliable means of identification, which may include an attestation as to the individual's identity by a parent or legal guardian under penalty of perjury.

“(E) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

“(i) A social security account number card issued by the Commissioner, other than a card which specifies on its face that the card is not valid to evidence employment authorized status or has other similar words of limitation.

“(ii) Any other documentation evidencing employment authorized status that the Secretary determines and publishes in the Federal Register and through appropriate notice directly to employers registered within the System to be acceptable for purposes of this subparagraph if such documentation, including any electronic security measures linked to such documentation, contains security features to make such documentation resistant to tampering, counterfeiting, and fraudulent use.

“(F) IDENTITY AUTHENTICATION MECHANISM.—

“(i) DEFINITIONS.—In this subparagraph:

“(I) COVERED IDENTITY DOCUMENT.—The term ‘covered identity document’ means a valid—

“(aa) United States passport, passport card, or a document evidencing lawful permanent residence status or employment authorized status issued to an alien;

“(bb) enhanced driver's license or identity card issued by a participating State or an outlying possession of the United States; or

“(cc) photograph and appropriate identifying information provided by the Secretary of State pursuant to the granting of a visa.

“(II) PARTICIPATING STATE.—The term ‘participating State’ means a State that has an agreement with the Secretary to provide the Secretary, for purposes of identity verification in the System, with photographs and appropriate identifying information maintained by the State.

“(ii) REQUIREMENT FOR IDENTITY AUTHENTICATION.—In addition to verifying the documents specified in subparagraph (C), (D), or (E) and utilizing the System under subsection (d), each employer shall use an identity authentication

mechanism described in clause (iii) or provided in clause (iv) after it becomes available to verify the identity of each individual the employer seeks to hire.

“(iii) PHOTO TOOL.—

“(I) USE REQUIREMENT.—An employer hiring an individual who has a covered identity document shall verify the identity of such individual using the photo tool described in subclause (II).

“(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop and maintain a photo tool that enables employers to match the photo on a covered identity document provided to the employer to a photo maintained by a U.S. Citizenship and Immigration Services database.

“(iv) ADDITIONAL SECURITY MEASURES.—

“(I) USE REQUIREMENT.—An employer seeking to hire an individual whose identity may not be verified using the photo tool described in clause (iii) shall verify the identity of such individual using the additional security measures described in subclause (II).

“(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop, after publication in the Federal Register and an opportunity for public comment, specific and effective additional security measures to adequately verify the identity of an individual whose identity may not be verified using the photo tool described in clause (iii). Such additional security measures—

“(aa) shall be kept up-to-date with technological advances; and

“(bb) shall provide a means of identity authentication in a manner that provides a high level of certainty as to the identity of such individual, using immigration and identifying information that may include review of identity documents or background screening verification techniques using publicly available information.

“(G) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents specified in subparagraph (B), (C), or (D) does not reliably establish identity or that employment authorized status is being used fraudulently to an unacceptable degree, the Secretary—

“(i) may prohibit or restrict the use of such document or class of documents for purposes of this subsection; and

“(ii) shall directly notify all employers registered within the System of the prohibition through appropriate means.

“(H) AUTHORITY TO ALLOW USE OF CERTAIN DOCUMENTS.—If the Secretary has determined that another document or class of documents, such as a document issued by a federally recognized Indian tribe, may be used to reliably establish identity or employment authorized status, the Secretary—

“(i) may allow the use of that document or class of documents for purposes of this subsection after publication in the Federal Register and an opportunity for public comment;

“(ii) shall publish a description of any such document or class of documents on the U.S. Citizenship and Immigration Services website; and

“(iii) shall directly notify all employers registered within the System of the addition through appropriate means.

“(2) INDIVIDUAL ATTESTATION OF EMPLOYMENT AUTHORIZATION.—An individual, upon commencing employment with an employer, shall—

“(A) attest, under penalty of perjury, on the form prescribed by the Secretary, that the individual is—

“(i) a citizen of the United States;

“(ii) an alien lawfully admitted for permanent residence;

“(iii) an alien who has employment authorized status; or

“(iv) otherwise authorized by the Secretary to be hired for such employment;

“(B) provide such attestation by a handwritten, electronic, or digital pin code signature; and

“(C) provide the individual’s social security account number to the Secretary, unless the individual has not yet been issued such a number, on such form as the Secretary may require.

“(3) RETENTION OF VERIFICATION RECORD.—

“(A) IN GENERAL.—After completing a form for an individual in accordance with paragraphs (1) and (2), the employer shall retain a version of such completed form and make such form available for inspection by the Secretary or the Office of Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice during the period beginning on the hiring date of the individual and ending on the later of—

“(i) the date that is 3 years after such hiring date; or

“(ii) the date that is 1 year after the date on which the individual’s employment with the employer is terminated.

“(B) REQUIREMENT FOR ELECTRONIC RETENTION.—The Secretary—

“(i) shall permit an employer to retain the form described in subparagraph (A) in electronic form; and

“(ii) shall permit an employer to retain such form in paper, microfiche, microfilm, portable document format, or other media.

“(4) COPYING OF DOCUMENTATION AND RECORDKEEPING.—The Secretary may promulgate regulations regarding—

“(A) copying documents and related information pertaining to employment verification presented by an individual under this subsection; and

“(B) retaining such information during a period not to exceed the required retention period set forth in paragraph (3).

“(5) PENALTIES.—An employer that fails to comply with any requirement under this subsection may be penalized under subsection (e)(4)(B).

“(6) PROTECTION OF CIVIL RIGHTS.—

“(A) IN GENERAL.—Nothing in this section may be construed to diminish any rights otherwise protected by Federal law.

“(B) PROHIBITION ON DISCRIMINATION.—An employer shall use the procedures for document verification set forth in this paragraph for all employees without regard to race, color, religion, sex, national origin, or, unless specifically permitted in this section, to citizenship status.

“(7) RECEIPTS.—The Secretary may authorize the use of receipts for replacement documents, and temporary evidence of employment authorization by an individual to meet a documentation requirement under this subsection on a temporary basis not to exceed 1 year, after which time the individual shall provide documentation sufficient to satisfy the documentation requirements under this subsection.

“(8) NO AUTHORIZATION OF NATIONAL IDENTIFICATION CARDS.—Nothing in this section may be construed to directly or indirectly authorize the issuance, use, or establishment of a national identification card.

“(d) EMPLOYMENT VERIFICATION SYSTEM.—

“(1) IN GENERAL.—

“(A) ESTABLISHMENT.—The Secretary, in consultation with the Commissioner, shall establish the Employment Verification System.

“(B) MONITORING.—The Secretary shall create the necessary processes to monitor—

“(i) the functioning of the System, including the volume of the workflow, the speed of processing of queries, the speed and accuracy of responses;

“(ii) the misuse of the System, including the prevention of fraud or identity theft;

“(iii) whether the use of the System results in wrongful adverse actions or discrimination

based upon a prohibited factor against citizens or nationals of the United States or individuals who have employment authorized status; and

“(iv) the security, integrity, and privacy of the System.

“(C) PROCEDURES.—The Secretary—

“(i) shall create processes to provide an individual with direct access to the individual’s case history in the System, including—

“(I) the identities of all persons or entities that have queried the individual through the System;

“(II) the date of each such query; and

“(III) the System response for each such query; and

“(ii) in consultation with the Commissioner, shall develop—

“(I) protocols to notify an individual, in a timely manner through the use of electronic correspondence or mail, that a query for the individual has been processed through the System; or

“(II) a process for the individual to submit additional queries to the System or notify the Secretary of potential identity fraud.

“(2) PARTICIPATION REQUIREMENTS.—

“(A) FEDERAL GOVERNMENT.—Except as provided in subparagraph (B), all agencies and departments in the executive, legislative, or judicial branches of the Federal Government shall participate in the System beginning on the earlier of—

“(i) the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, to the extent required under section 402(e)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a) and as already implemented by each agency or department; or

“(ii) the date that is 90 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(B) FEDERAL CONTRACTORS.—Federal contractors shall participate in the System as provided in the final rule relating to employment eligibility verification published in the Federal Register on November 14, 2008 (73 Fed. Reg. 67,651), or any similar subsequent regulation, for which purpose references to E-Verify in the final rule shall be construed to apply to the System.

“(C) CRITICAL INFRASTRUCTURE.—

“(i) IN GENERAL.—Beginning on the date that is 1 year after the date on which regulations are published implementing this subsection, the Secretary may authorize or direct any employer, person, or entity responsible for granting access to, protecting, securing, operating, administering, or regulating part of the critical infrastructure (as defined in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e))) to participate in the System to the extent the Secretary determines that such participation will assist in the protection of the critical infrastructure.

“(ii) NOTIFICATION TO EMPLOYERS.—The Secretary shall notify an employer required to participate in the System under this subparagraph not later than 90 days before the date on which the employer is required to participate.

“(D) EMPLOYERS WITH MORE THAN 5,000 EMPLOYEES.—Not later than 2 years after regulations are published implementing this subsection, all employers with more than 5,000 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

“(E) EMPLOYERS WITH MORE THAN 500 EMPLOYEES.—Not later than 3 years after regulations are published implementing this subsection, all employers with more than 500 employees shall

participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

“(F) AGRICULTURAL EMPLOYMENT.—Not later than 4 years after regulations are published implementing this subsection, employers of employees performing agricultural employment (as defined in section 218A of this Act and section 2202 of the Border Security, Economic Opportunity, and Immigration Modernization Act) shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents. An agricultural employee shall not be counted for purposes of subparagraph (D) or (E).

“(G) ALL EMPLOYERS.—Except as provided in subparagraph (H), not later than 4 years after regulations are published implementing this subsection, all employers shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

“(H) TRIBAL GOVERNMENT EMPLOYERS.—

“(i) RULEMAKING.—In developing regulations to implement this subsection, the Secretary shall—

“(I) consider the effects of this section on federally recognized Indian tribes and tribal members; and

“(II) consult with the governments of federally recognized Indian tribes.

“(ii) REQUIRED PARTICIPATION.—Not later than 5 years after regulations are published implementing this subsection, all employers owned by, or entities of, the government of a federally recognized Indian tribe shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

“(I) IMMIGRATION LAW VIOLATORS.—

“(i) ORDERS FINDING VIOLATIONS.—An order finding any employer to have violated this section or section 274C may, in the Secretary’s discretion, require the employer to participate in the System with respect to newly hired employees and employees with expiring temporary employment authorization documents, if such employer is not otherwise required to participate in the System under this section. The Secretary shall monitor such employer’s compliance with System procedures.

“(ii) PATTERN OR PRACTICE OF VIOLATIONS.—The Secretary may require an employer that is required to participate in the System with respect to newly hired employees to participate in the System with respect to the employer’s current employees if the employer is determined by the Secretary or other appropriate authority to have engaged in a pattern or practice of violations of the immigration laws of the United States.

“(J) VOLUNTARY PARTICIPATION.—The Secretary may permit any employer that is not required to participate in the System under this section to do so on a voluntary basis.

“(3) CONSEQUENCE OF FAILURE TO PARTICIPATE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the failure, other than a de minimis or inadvertent failure, of an employer that is required to participate in the System to comply with the requirements of the System with respect to an individual—

“(i) shall be treated as a violation of subsection (a)(1)(B) with respect to that individual; and

“(ii) creates a rebuttable presumption that the employer has violated paragraph (1)(A) or (2) of subsection (a).

“(B) EXCEPTION.—

“(i) IN GENERAL.—Subparagraph (A) shall not apply in a criminal prosecution.

“(ii) *USE AS EVIDENCE.*—Nothing in this paragraph may be construed to limit the use in the prosecution of a Federal crime, in a manner otherwise consistent with Federal criminal law and procedure, of evidence relating to the employer’s failure to comply with requirements of the System.

“(4) *PROCEDURES FOR PARTICIPANTS IN THE SYSTEM.*—

“(A) *IN GENERAL.*—An employer participating in the System shall register such participation with the Secretary and, when hiring any individual for employment in the United States, shall comply with the following:

“(i) *REGISTRATION OF EMPLOYERS.*—The Secretary, through notice in the Federal Register, shall prescribe procedures that employers shall be required to follow to register with the System.

“(ii) *UPDATING INFORMATION.*—The employer is responsible for providing notice of any change to the information required under subclauses (I), (II), and (III) of clause (v) before conducting any further inquiries within the System, or on such other schedule as the Secretary may prescribe.

“(iii) *TRAINING.*—The Secretary shall require employers to undergo such training as the Secretary determines to be necessary to ensure proper use, protection of civil rights and civil liberties, privacy, integrity, and security of the System. To the extent practicable, such training shall be made available electronically on the U.S. Citizenship and Immigration Services website.

“(iv) *NOTIFICATION TO EMPLOYEES.*—The employer shall inform individuals hired for employment that the System—

“(I) will be used by the employer;

“(II) may be used for immigration enforcement purposes; and

“(III) may not be used to discriminate or to take adverse action against a national of the United States or an alien who has employment authorized status.

“(v) *PROVISION OF ADDITIONAL INFORMATION.*—The employer shall obtain from the individual (and the individual shall provide) and shall record in such manner as the Secretary may specify—

“(I) the individual’s social security account number;

“(II) if the individual does not attest to United States citizenship or status as a national of the United States under subsection (c)(2), such identification or authorization number established by the Department as the Secretary shall specify; and

“(III) such other information as the Secretary may require to determine the identity and employment authorization of an individual.

“(vi) *PRESENTATION OF DOCUMENTATION.*—The employer, and the individual whose identity and employment authorized status are being confirmed, shall fulfill the requirements under subsection (c).

“(B) *SEEKING CONFIRMATION.*—

“(i) *IN GENERAL.*—An employer shall use the System to confirm the identity and employment authorized status of any individual during—

“(I) the period beginning on the date on which the individual accepts an offer of employment and ending 3 business days after the date on which employment begins; or

“(II) such other reasonable period as the Secretary may prescribe.

“(ii) *LIMITATION.*—An employer may not make the starting date of an individual’s employment or training or any other term and condition of employment dependent on the receipt of a confirmation of identity and employment authorized status by the System.

“(iii) *REVERIFICATION.*—If an individual has a limited period of employment authorized status, the individual’s employer shall reverify such

status through the System not later than 3 business days after the last day of such period.

“(iv) *OTHER EMPLOYMENT.*—For employers directed by the Secretary to participate in the System under paragraph (2)(C)(i) to protect critical infrastructure or otherwise specified circumstances in this section to verify their entire workforce, the System may be used for initial verification of an individual who was hired before the employer became subject to the System, and the employer shall initiate all required procedures on or before such date as the Secretary shall specify.

“(v) *NOTIFICATION.*—

“(I) *IN GENERAL.*—The Secretary shall provide, and the employer shall utilize, as part of the System, a method of notifying employers of a confirmation or nonconfirmation of an individual’s identity and employment authorized status, or a notice that further action is required to verify such identity or employment eligibility (referred to in this subsection as a ‘further action notice’).

“(II) *PROCEDURES.*—The Secretary shall—

“(aa) directly notify the individual and the employer, by means of electronic correspondence, mail, text message, telephone, or other direct communication, of a nonconfirmation or further action notice;

“(bb) provide information about filing an administrative appeal under paragraph (6) and a filing for review before an administrative law judge under paragraph (7); and

“(cc) establish procedures to directly notify the individual and the employer of a confirmation.

“(III) *IMPLEMENTATION.*—The Secretary may provide for a phased-in implementation of the notification requirements under this clause, as appropriate. The notification system shall cover all inquiries not later than 1 year from the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(C) *CONFIRMATION OR NONCONFIRMATION.*—

“(i) *INITIAL RESPONSE.*—

“(I) *IN GENERAL.*—Except as provided in subclause (II), the System shall provide—

“(aa) a confirmation of an individual’s identity and employment authorized status or a further action notice at the time of the inquiry; and

“(bb) an appropriate code indicating such confirmation or such further action notice.

“(II) *ALTERNATIVE DEADLINE.*—If the System is unable to provide immediate confirmation or further action notice for technological reasons or due to unforeseen circumstances, the System shall provide a confirmation or further action notice not later than 3 business days after the initial inquiry.

“(ii) *CONFIRMATION UPON INITIAL INQUIRY.*—If the employer receives an appropriate confirmation of an individual’s identity and employment authorized status under the System, the employer shall record the confirmation in such manner as the Secretary may specify.

“(iii) *FURTHER ACTION NOTICE AND LATER CONFIRMATION OR NONCONFIRMATION.*—

“(I) *NOTIFICATION AND ACKNOWLEDGMENT THAT FURTHER ACTION IS REQUIRED.*—Not later than 3 business days after an employer receives a further action notice of an individual’s identity or employment eligibility under the System, or during such other reasonable time as the Secretary may prescribe, the employer shall notify the individual for whom the confirmation is sought of the further action notice and any procedures specified by the Secretary for addressing such notice. The further action notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the employee with the further action notice. The individual shall affirmatively acknowledge in writing, or in

such other manner as the Secretary may specify, the receipt of the further action notice from the employer. If the individual refuses to acknowledge the receipt of the further action notice, or acknowledges in writing that the individual will not contest the further action notice under subclause (II), the employer shall notify the Secretary in such manner as the Secretary may specify.

“(II) *CONTEST.*—Not later than 10 business days after receiving notification of a further action notice under subclause (I), the individual shall contact the appropriate Federal agency and, if the Secretary so requires, appear in person for purposes of verifying the individual’s identity and employment eligibility. The Secretary, in consultation with the Commissioner and other appropriate Federal agencies, shall specify an available secondary verification procedure to confirm the validity of information provided and to provide a confirmation or nonconfirmation. Any procedures for reexamination shall not limit in any way an employee’s right to appeal a nonconfirmation.

“(III) *NO CONTEST.*—If the individual refuses to acknowledge receipt of the further action notice, acknowledges that the individual will not contest the further action notice as provided in subclause (I), or does not contact the appropriate Federal agency within the period specified in subclause (II), following expiration of the period specified in subclause (II), a nonconfirmation shall be issued. The employer shall record the nonconfirmation in such manner as the Secretary may specify and terminate the individual’s employment. An individual’s failure to contest a further action notice shall not be considered an admission of guilt with respect to any violation of this section or any provision of law.

“(IV) *CONFIRMATION OR NONCONFIRMATION.*—Unless the period is extended in accordance with this subclause, the System shall provide a confirmation or nonconfirmation not later than 10 business days after the date on which the individual contests the further action notice under subclause (II). If the Secretary determines that good cause exists, after taking into account adverse impacts to the employer, and including time to permit the individual to obtain and provide needed evidence of identity or employment eligibility, the Secretary shall extend the period for providing confirmation or nonconfirmation for stated periods beyond 10 business days. When confirmation or nonconfirmation is provided, the confirmation system shall provide an appropriate code indicating such confirmation or nonconfirmation.

“(V) *REEXAMINATION.*—Nothing in this section shall prevent the Secretary from establishing procedures to reexamine a case where a confirmation or nonconfirmation has been provided if subsequently received information indicates that the confirmation or nonconfirmation may not have been correct. Any procedures for reexamination shall not limit in any way an employee’s right to appeal a nonconfirmation.

“(VI) *EMPLOYEE PROTECTIONS.*—An employer may not terminate employment or take any other adverse action against an individual solely because of a failure of the individual to have identity and employment eligibility confirmed under this subsection until—

“(aa) a nonconfirmation has been issued;

“(bb) if the further action notice was contested, the period to timely file an administrative appeal has expired without an appeal or the contestation to the further action notice is withdrawn; or

“(cc) if an appeal before an administrative law judge under paragraph (7) has been filed, the nonconfirmation has been upheld or the appeal has been withdrawn or dismissed.

“(iv) *NOTICE OF NONCONFIRMATION.*—Not later than 3 business days after an employer receives

a nonconfirmation, or during such other reasonable time as the Secretary may provide, the employer shall notify the individual who is the subject of the nonconfirmation, and provide information about filing an administrative appeal pursuant to paragraph (6) and a request for a hearing before an administrative law judge pursuant to paragraph (7). The nonconfirmation notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the notice (or adequately attempted to provide notice, but was unable to do so despite reasonable efforts). The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may prescribe, the receipt of the nonconfirmation notice from the employer. If the individual refuses or fails to acknowledge the receipt of the nonconfirmation notice, the employer shall notify the Secretary in such manner as the Secretary may prescribe.

“(D) CONSEQUENCES OF NONCONFIRMATION.—

“(i) TERMINATION OF CONTINUED EMPLOYMENT.—Except as provided in clause (iii), an employer that has received a nonconfirmation regarding an individual and has made reasonable efforts to notify the individual in accordance with subparagraph (C)(iv) shall terminate the employment of the individual upon the expiration of the time period specified in paragraph (7).

“(ii) CONTINUED EMPLOYMENT AFTER NONCONFIRMATION.—If the employer continues to employ an individual after receiving nonconfirmation and exhaustion of all appeals or expiration of all rights to appeal if not appealed, in violation of clause (i), a rebuttable presumption is created that the employer has violated paragraphs (1)(A) and (2) of subsection (a). Such presumption shall not apply in any prosecution under subsection (k)(1).

“(iii) EFFECT OF ADMINISTRATIVE APPEAL OR REVIEW BY ADMINISTRATIVE LAW JUDGE.—If an individual files an administrative appeal of the nonconfirmation within the time period specified in paragraph (6)(A), or files for review with an administrative law judge specified in paragraph (7)(A), the employer shall not terminate the individual's employment under this subparagraph prior to the resolution of the administrative appeal unless the Secretary or Commissioner terminates the stay under paragraph (6)(B) or (7)(B).

“(iv) WEEKLY REPORT.—The Director of U.S. Citizenship and Immigration Services shall submit a weekly report to the Assistant Secretary for Immigration and Customs Enforcement that includes, for each individual who receives final nonconfirmation through the System—

“(I) the name of such individual;

“(II) his or her social security number or alien file number;

“(III) the name and contact information for his or her current employer; and

“(IV) any other critical information that the Assistant Secretary determines to be appropriate.

“(E) OBLIGATION TO RESPOND TO QUERIES AND ADDITIONAL INFORMATION.—

“(i) IN GENERAL.—Employers shall comply with requests for information from the Secretary and the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice, including queries concerning current and former employees, within the time frame during which records are required to be maintained under this section regarding such former employees, if such information relates to the functioning of the System, the accuracy of the responses provided by the System, or any suspected misuse, discrimination, fraud, or identity theft in the use of the System. Failure to comply with a request under this clause constitutes a violation of subsection (a)(1)(B).

“(ii) ACTION BY INDIVIDUALS.—

“(I) IN GENERAL.—Individuals being verified through the System may be required to take further action to address questions identified by the Secretary or the Commissioner regarding the documents relied upon for purposes of subsection (c).

“(II) NOTIFICATION.—Not later than 3 business days after the receipt of such questions regarding an individual, or during such other reasonable time as the Secretary may prescribe, the employer shall—

“(aa) notify the individual of any such requirement for further actions; and

“(bb) record the date and manner of such notification.

“(III) ACKNOWLEDGMENT.—The individual shall acknowledge the notification received from the employer under subclause (II) in writing, or in such other manner as the Secretary may prescribe.

“(iii) RULEMAKING.—

“(I) IN GENERAL.—The Secretary, in consultation with the Commissioner and the Attorney General, is authorized to issue regulations implementing, clarifying, and supplementing the requirements under this subparagraph—

“(aa) to facilitate the functioning, accuracy, and fairness of the System;

“(bb) to prevent misuse, discrimination, fraud, or identity theft in the use of the System; or

“(cc) to protect and maintain the confidentiality of information that could be used to locate or otherwise place at risk of harm victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking, and of the applicant or beneficiary of any petition described in section 384(a)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a)(2)).

“(II) NOTICE.—The regulations issued under subclause (I) shall be—

“(aa) published in the Federal Register; and

“(bb) provided directly to all employers registered in the System.

“(F) DESIGNATED AGENTS.—The Secretary shall establish a process—

“(i) for certifying, on an annual basis or at such times as the Secretary may prescribe, designated agents and other System service providers seeking access to the System to perform verification queries on behalf of employers, based upon training, usage, privacy, and security standards prescribed by the Secretary;

“(ii) for ensuring that designated agents and other System service providers are subject to monitoring to the same extent as direct access users; and

“(iii) for establishing standards for certification of electronic I-9 programs.

“(G) REQUIREMENT TO PROVIDE INFORMATION.—

“(i) IN GENERAL.—No later than 3 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary, in consultation with the Secretary of Labor, the Secretary of Agriculture, the Commissioner, the Attorney General, the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration, shall commence a campaign to disseminate information respecting the procedures, rights, and remedies prescribed under this section.

“(ii) CAMPAIGN REQUIREMENTS.—The campaign authorized under clause (i)—

“(I) shall be aimed at increasing the knowledge of employers, employees, and the general public concerning employer and employee rights, responsibilities, and remedies under this section; and

“(II) shall be coordinated with the public education campaign conducted by U.S. Citizenship and Immigration Services.

“(iii) ASSESSMENT.—The Secretary shall assess the success of the campaign in achieving the goals of the campaign.

“(iv) AUTHORITY TO CONTRACT.—In order to carry out and assess the campaign under this subparagraph, the Secretary may, to the extent deemed appropriate and subject to the availability of appropriations, contract with public and private organizations for outreach and assessment activities under the campaign.

“(v) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this paragraph \$40,000,000 for each of the fiscal years 2014 through 2016.

“(H) AUTHORITY TO MODIFY INFORMATION REQUIREMENTS.—Based on a regular review of the System and the document verification procedures to identify misuse or fraudulent use and to assess the security of the documents and processes used to establish identity or employment authorized status, the Secretary, in consultation with the Commissioner, after publication of notice in the Federal Register and an opportunity for public comment, may modify, if the Secretary determines that the modification is necessary to ensure that the System accurately and reliably determines the identity and employment authorized status of employees and maintain existing protections against misuse, discrimination, fraud, and identity theft—

“(i) the information that shall be presented to the employer by an individual;

“(ii) the information that shall be provided to the System by the employer; and

“(iii) the procedures that shall be followed by employers with respect to the process of verifying an individual through the System.

“(I) SELF-VERIFICATION.—Subject to appropriate safeguards to prevent misuse of the system, the Secretary, in consultation with the Commissioner, shall establish a secure self-verification procedure to permit an individual who seeks to verify the individual's own employment eligibility to contact the appropriate agency and, in a timely manner, correct or update the information contained in the System.

“(5) PROTECTION FROM LIABILITY FOR ACTIONS TAKEN ON THE BASIS OF INFORMATION PROVIDED BY THE SYSTEM.—An employer shall not be liable to a job applicant, an employee, the Federal Government, or a State or local government, under Federal, State, or local criminal or civil law for any employment-related action taken with respect to a job applicant or employee in good faith reliance on information provided by the System.

“(6) ADMINISTRATIVE APPEAL.—

“(A) IN GENERAL.—An individual who is notified of a nonconfirmation may, not later than 10 business days after the date that such notice is received, file an administrative appeal of such nonconfirmation with the Commissioner if the notice is based on records maintained by the Commissioner, or in any other case, with the Secretary. An individual who did not timely contest a further action notice timely received by that individual for which the individual acknowledged receipt may not be granted a review under this paragraph.

“(B) ADMINISTRATIVE STAY OF NONCONFIRMATION.—The nonconfirmation shall be automatically stayed upon the timely filing of an administrative appeal, unless the nonconfirmation resulted after the individual acknowledged receipt of the further action notice but failed to contact the appropriate agency within the time provided. The stay shall remain in effect until the resolution of the appeal, unless the Secretary or the Commissioner terminates the stay based on a determination that the administrative appeal is frivolous or filed for purposes of delay.

“(C) REVIEW FOR ERROR.—The Secretary and the Commissioner shall develop procedures for resolving administrative appeals regarding nonconfirmations based upon the information that

the individual has provided, including any additional evidence or argument that was not previously considered. Any such additional evidence or argument shall be filed within 10 business days of the date the appeal was originally filed. Appeals shall be resolved within 20 business days after the individual has submitted all evidence and arguments the individual wishes to submit, or has stated in writing that there is no additional evidence that the individual wishes to submit. The Secretary and the Commissioner may, on a case by case basis for good cause, extend the filing and submission period in order to ensure accurate resolution of an appeal before the Secretary or the Commissioner.

“(D) PREPONDERANCE OF EVIDENCE.—Administrative appeal under this paragraph shall be limited to whether a nonconfirmation notice is supported by a preponderance of the evidence.

“(E) DAMAGES, FEES, AND COSTS.—No money damages, fees or costs may be awarded in the administrative appeal process under this paragraph.

“(7) REVIEW BY ADMINISTRATIVE LAW JUDGE.—

“(A) IN GENERAL.—Not later than 30 days after the date an individual receives a final determination on an administrative appeal under paragraph (6), the individual may obtain review of such determination by filing a complaint with a Department of Justice administrative law judge in accordance with this paragraph.

“(B) STAY OF NONCONFIRMATION.—The nonconfirmation related to such final determination shall be automatically stayed upon the timely filing of a complaint under this paragraph, and the stay shall remain in effect until the resolution of the complaint, unless the administrative law judge determines that the action is frivolous or filed for purposes of delay.

“(C) SERVICE.—The respondent to complaint filed under this paragraph is either the Secretary or the Commissioner, but not both, depending upon who issued the administrative order under paragraph (6). In addition to serving the respondent, the plaintiff shall serve the Attorney General.

“(D) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—

“(i) RULES OF PRACTICE.—The Secretary shall promulgate regulations regarding the rules of practice in appeals brought pursuant to this subsection.

“(ii) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—The administrative law judge shall have power to—

“(I) terminate a stay of a nonconfirmation under subparagraph (B) if the administrative law judge determines that the action is frivolous or filed for purposes of delay;

“(II) adduce evidence at a hearing;

“(III) compel by subpoena the attendance of witnesses and the production of evidence at any designated place or hearing;

“(IV) resolve claims of identity theft; and

“(V) enter, upon the pleadings and any evidence adduced at a hearing, a decision affirming or reversing the result of the agency, with or without remanding the cause for a rehearing.

“(iii) SUBPOENA.—In case of contumacy or refusal to obey a subpoena lawfully issued under this section and upon application of the administrative law judge, an appropriate district court of the United States may issue an order requiring compliance with such subpoena and any failure to obey such order may be punished by such court as a contempt of such court.

“(iv) TRAINING.—An administrative law judge hearing cases shall have special training respecting employment authorized status verification.

“(E) ORDER BY ADMINISTRATIVE LAW JUDGE.—

“(i) IN GENERAL.—The administrative law judge shall issue and cause to be served to the parties in the proceeding an order which may be appealed as provided in subparagraph (G).

“(ii) CONTENTS OF ORDER.—Such an order shall uphold or reverse the final determination on the request for reconsideration and order lost wages and other appropriate remedies as provided in subparagraph (F).

“(F) COMPENSATION FOR ERROR.—

“(i) IN GENERAL.—In cases in which the administrative law judge reverses the final determination of the Secretary or the Commissioner made under paragraph (6), and the administrative law judge finds that—

“(I) the nonconfirmation was due to gross negligence or intentional misconduct of the employer, the administrative law judge may order the employer to pay the individual lost wages, and reasonable costs and attorneys’ fees incurred during administrative and judicial review; or

“(II) such final determination was erroneous by reason of the negligence of the Secretary or the Commissioner, the administrative law judge may order the Secretary or the Commissioner to pay the individual lost wages, and reasonable costs and attorneys’ fees incurred during the administrative appeal and the administrative law judge review.

“(ii) CALCULATION OF LOST WAGES.—Lost wages shall be calculated based on the wage rate and work schedule that prevailed prior to termination. The individual shall be compensated for wages lost beginning on the first scheduled work day after employment was terminated and ending 120 days after completion of the administrative law judge’s review described in this paragraph or the day after the individual is reinstated or obtains employment elsewhere, whichever occurs first. If the individual obtains employment elsewhere at a lower wage rate, the individual shall be compensated for the difference in wages for the period ending 120 days after completion of the administrative law judge review process. No lost wages shall be awarded for any period of time during which the individual was not in employment authorized status.

“(iii) PAYMENT OF COMPENSATION.—Notwithstanding any other law, payment of compensation for lost wages, costs, and attorneys’ fees under this paragraph, or compromise settlements of the same, shall be made as provided by section 1304 of title 31, United States Code. Appropriations made available to the Secretary or the Commissioner, accounts provided for under section 286, and funds from the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund shall not be available to pay such compensation.

“(G) APPEAL.—No later than 45 days after the entry of such final order, any person adversely affected by such final order may seek review of such order in the United States Court of Appeals for the circuit in which the violation is alleged to have occurred or in which the employer resides or transacts business.

“(8) MANAGEMENT OF THE SYSTEM.—

“(A) IN GENERAL.—The Secretary is authorized to establish, manage, and modify the System, which shall—

“(i) respond to inquiries made by participating employers at any time through the internet, or such other means as the Secretary may designate, concerning an individual’s identity and whether the individual is in employment authorized status;

“(ii) maintain records of the inquiries that were made, of confirmations provided (or not provided), and of the codes provided to employers as evidence of their compliance with their obligations under the System; and

“(iii) provide information to, and require action by, employers and individuals using the System.

“(B) DESIGN AND OPERATION OF SYSTEM.—The System shall be designed and operated—

“(i) to maximize its reliability and ease of use by employers consistent with protecting the privacy and security of the underlying information, and ensuring full notice of such use to employees;

“(ii) to maximize its ease of use by employees, including direct notification of its use, of results, and ability to challenge results;

“(iii) to respond accurately to all inquiries made by employers on whether individuals are authorized to be employed and to register any times when the system is unable to receive inquiries;

“(iv) to maintain appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information, misuse by employers and employees, and discrimination;

“(v) to require regularly scheduled refresher training of all users of the System to ensure compliance with all procedures;

“(vi) to allow for auditing of the use of the System to detect misuse, discrimination, fraud, and identity theft, to protect privacy and assess System accuracy, and to preserve the integrity and security of the information in all of the System, including—

“(I) to develop and use tools and processes to detect or prevent fraud and identity theft, such as multiple uses of the same identifying information or documents to fraudulently gain employment;

“(II) to develop and use tools and processes to detect and prevent misuse of the system by employers and employees;

“(III) to develop tools and processes to detect anomalies in the use of the system that may indicate potential fraud or misuse of the system;

“(IV) to audit documents and information submitted by employees to employers, including authority to conduct interviews with employers and employees, and obtain information concerning employment from the employer;

“(vii) to confirm identity and employment authorization through verification and comparison of records as determined necessary by the Secretary;

“(viii) to confirm electronically the issuance of the employment authorization or identity document and—

“(I) if such photograph is available, to display the digital photograph that the issuer placed on the document so that the employer can compare the photograph displayed to the photograph on the document presented by the employee; or

“(II) if a photograph is not available from the issuer, to confirm the authenticity of the document using such alternative procedures as the Secretary may specify; and

“(ix) to provide appropriate notification directly to employers registered with the System of all changes made by the Secretary or the Commissioner related to allowed and prohibited documents, and use of the System.

“(C) SAFEGUARDS TO THE SYSTEM.—

“(i) REQUIREMENT TO DEVELOP.—The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop policies and procedures to ensure protection of the privacy and security of personally identifiable information and identifiers contained in the records accessed or maintained by the System. The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop and deploy appropriate privacy and security training for the Federal and State employees accessing the records under the System.

“(ii) PRIVACY AUDITS.—The Secretary, acting through the Chief Privacy Officer of the Department, shall conduct regular privacy audits of the policies and procedures established under



clause (i), including any collection, use, dissemination, and maintenance of personally identifiable information and any associated information technology systems, as well as scope of requests for this information. The Chief Privacy Officer shall review the results of the audits and recommend to the Secretary any changes necessary to improve the privacy protections of the program.

“(iii) ACCURACY AUDITS.—

“(I) IN GENERAL.—Not later than November 30 of each year, the Inspector General of the Department of Homeland Security shall submit a report to the Secretary, with a copy to the President of the Senate and the Speaker of the House of Representatives, that sets forth the error rate of the System for the previous fiscal year and the assessments required to be submitted by the Secretary under subparagraphs (A) and (B) of paragraph (10). The report shall describe in detail the methodology employed for purposes of the report, and shall make recommendations for how error rates may be reduced.

“(II) ERROR RATE DEFINED.—In this clause, the term ‘error rate’ means the percentage determined by dividing—

“(aa) the number of employment authorized individuals who received further action notices, contested such notices, and were subsequently found to be employment authorized; by

“(bb) the number of System inquiries submitted for employment authorized individuals.

“(III) REDUCTION OF PENALTIES FOR RECORD-KEEPING OR VERIFICATION PRACTICES FOLLOWING PERSISTENT SYSTEM INACCURACIES.—Notwithstanding subsection (e)(4)(C)(i), in any calendar year following a report by the Inspector General under subclause (I) that the System had an error rate higher than 0.3 percent for the previous fiscal year, the civil penalty assessable by the Secretary or an administrative law judge under that subsection for each first-time violation by an employer who has not previously been penalized under this section may not exceed \$1,000.

“(iv) RECORDS SECURITY PROGRAM.—Any person, including a private third party vendor, who retains document verification or System data pursuant to this section shall implement an effective records security program that—

“(I) ensures that only authorized personnel have access to document verification or System data; and

“(II) ensures that whenever such data is created, completed, updated, modified, altered, or corrected in electronic format, a secure and permanent record is created that establishes the date of access, the identity of the individual who accessed the electronic record, and the particular action taken.

“(v) RECORDS SECURITY PROGRAM.—In addition to the security measures described in clause (iv), a private third party vendor who retains document verification or System data pursuant to this section shall implement an effective records security program that—

“(I) provides for backup and recovery of any records maintained in electronic format to protect against information loss, such as power interruptions; and

“(II) ensures that employees are trained to minimize the risk of unauthorized or accidental alteration or erasure of such data in electronic format.

“(vi) AUTHORIZED PERSONNEL DEFINED.—In this subparagraph, the term ‘authorized personnel’ means anyone registered as a System user, or anyone with partial or full responsibility for completion of employment authorization verification or retention of data in connection with employment authorization verification on behalf of an employer.

“(D) AVAILABLE FACILITIES AND ALTERNATIVE ACCOMMODATIONS.—The Secretary shall make

appropriate arrangements and develop standards to allow employers or employees, including remote hires, who are otherwise unable to access the System to use electronic and telephonic formats (including video conferencing, scanning technology, and other available technologies), Federal Government facilities, public facilities, or other available locations in order to utilize the System.

“(E) RESPONSIBILITIES OF THE SECRETARY.—

“(i) IN GENERAL.—As part of the System, the Secretary shall maintain a reliable, secure method, which, operating through the System and within the time periods specified, compares the name, alien identification or authorization number, or other information as determined relevant by the Secretary, provided in an inquiry against such information maintained or accessed by the Secretary in order to confirm (or not confirm) the validity of the information provided, the correspondence of the name and number, whether the alien has employment authorized status (or, to the extent that the Secretary determines to be feasible and appropriate, whether the records available to the Secretary verify the identity or status of a national of the United States), and such other information as the Secretary may prescribe.

“(ii) PHOTOGRAPH DISPLAY.—As part of the System, the Secretary shall establish a reliable, secure method, which, operating through the System, displays the digital photograph described in subparagraph (B)(viii)(I).

“(iii) TIMING OF NOTICES.—The Secretary shall have authority to prescribe when a confirmation, nonconfirmation, or further action notice shall be issued.

“(iv) USE OF INFORMATION.—The Secretary shall perform regular audits under the System, as described in subparagraph (B)(vi) and shall utilize the information obtained from such audits, as well as any information obtained from the Commissioner pursuant to part E of title XI of the Social Security Act (42 U.S.C. 1301 et seq.), for the purposes of this section and to administer and enforce the immigration laws.

“(v) IDENTITY FRAUD PROTECTION.—To prevent identity fraud, not later than 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary shall—

“(I) in consultation with the Commissioner, establish a program to provide a reliable, secure method for an individual to temporarily suspend or limit the use of the individual’s social security account number or other identifying information for verification by the System; and

“(II) for each individual being verified through the System—

“(aa) notify the individual that the individual has the option to limit the use of the individual’s social security account number or other identifying information for verification by the System; and

“(bb) provide instructions to the individuals for exercising the option referred to in item (aa).

“(vi) ALLOWING PARENTS TO PREVENT THEFT OF THEIR CHILD’S IDENTITY.—The Secretary, in consultation with the Commissioner, shall establish a program that provides a reliable, secure method by which parents or legal guardians may suspend or limit the use of the social security account number or other identifying information of a minor under their care for the purposes of the System. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

“(vii) PROTECTION FROM MULTIPLE USE.—The Secretary and the Commissioner shall establish a procedure for identifying and handling a situation in which a social security account number has been identified to be subject to unusual multiple use in the System or is otherwise suspected

or determined to have been compromised by identity fraud.

“(viii) MONITORING AND COMPLIANCE UNIT.—The Secretary shall establish or designate a monitoring and compliance unit to detect and reduce identity fraud and other misuse of the System.

“(ix) CIVIL RIGHTS AND CIVIL LIBERTIES ASSESSMENTS.—

“(I) REQUIREMENT TO CONDUCT.—The Secretary shall conduct regular civil rights and civil liberties assessments of the System, including participation by employers, other private entities, and Federal, State, and local government entities.

“(II) REQUIREMENT TO RESPOND.—Employers, other private entities, and Federal, State, and local entities shall timely respond to any request in connection with such an assessment.

“(III) ASSESSMENT AND RECOMMENDATIONS.—The Officer for Civil Rights and Civil Liberties of the Department shall review the results of each such assessment and recommend to the Secretary any changes necessary to improve the civil rights and civil liberties protections of the System.

“(F) GRANTS TO STATES.—

“(i) IN GENERAL.—The Secretary shall create and administer a grant program to help provide funding for States that grant—

“(I) the Secretary access to driver’s license information as needed to confirm that a driver’s license presented under subsection (c)(1)(D)(i) confirms the identity of the subject of the System check, and that a driver’s license matches the State’s records; and

“(II) such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

“(ii) CONSTRUCTION WITH THE DRIVER’S PRIVACY PROTECTION ACT OF 1994.—The provision of a photograph to the Secretary as described in clause (i) may not be construed as a violation of section 2721 of title 18, United States Code, and is a permissible use under subsection (b)(1) of that section.

“(iii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$250,000,000 to carry out this subparagraph.

“(G) RESPONSIBILITIES OF THE SECRETARY OF STATE.—As part of the System, the Secretary of State shall provide to the Secretary access to passport and visa information as needed to confirm that a passport, passport card, or visa presented under subsection (c)(1)(C) confirms the identity of the subject of the System check, and that a passport, passport card, or visa photograph matches the Secretary of State’s records, and shall provide such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

“(H) UPDATING INFORMATION.—The Commissioner, the Secretary, and the Secretary of State shall update their information in a manner that promotes maximum accuracy and shall provide a process for the prompt correction of erroneous information.

“(9) LIMITATION ON USE OF THE SYSTEM.—Notwithstanding any other provision of law, nothing in this subsection may be construed to permit or allow any department, bureau, or other agency of the United States Government or any other entity to utilize any information, database, or other records assembled under this subsection for any purpose other than for employment verification or to ensure secure, appropriate and nondiscriminatory use of the System.

“(10) ANNUAL REPORT AND CERTIFICATION.—Not later than 18 months after the promulgation of regulations to implement this subsection, and annually thereafter, the Secretary shall submit to Congress a report that includes the following:



“(A) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided by employers to individuals who are authorized to be employed in the United States.

“(B) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided directly (by the System) in a timely fashion to individuals who are not authorized to be employed in the United States.

“(C) An assessment of any challenges faced by small employers in utilizing the System.

“(D) An assessment of the rate of employer noncompliance (in addition to failure to provide required notices in a timely fashion) in each of the following categories:

“(i) Taking adverse action based on a further action notice.

“(ii) Use of the System for nonemployees or other individuals before they are offered employment.

“(iii) Use of the System to reverify employment authorized status of current employees except if authorized to do so.

“(iv) Use of the System selectively, except in cases in which such use is authorized.

“(v) Use of the System to deny employment or post-employment benefits or otherwise interfere with labor rights.

“(vi) Requiring employees or applicants to use any self-verification feature or to provide self-verification results.

“(vii) Discouraging individuals who receive a further action notice from challenging the further action notice or appealing a determination made by the System.

“(E) An assessment of the rate of employee noncompliance in each of the following categories:

“(i) Obtaining employment when unauthorized with an employer complying with the System in good faith.

“(ii) Failure to provide required documents in a timely manner.

“(iii) Attempting to use fraudulent documents or documents not related to the individual.

“(iv) Misuse of the administrative appeal and judicial review process.

“(F) An assessment of the amount of time taken for—

“(i) the System to provide the confirmation or further action notice;

“(ii) individuals to contest further action notices;

“(iii) the System to provide a confirmation or nonconfirmation of a contested further action notice;

“(iv) individuals to file an administrative appeal of a nonconfirmation; and

“(v) resolving administrative appeals regarding nonconfirmations.

“(11) ANNUAL GAO STUDY AND REPORT.—

“(A) REQUIREMENT.—The Comptroller General shall, for each year, undertake a study to evaluate the accuracy, efficiency, integrity, and impact of the System.

“(B) REPORT.—Not later than 18 months after the promulgation of regulations to implement this subsection, and yearly thereafter, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under this paragraph. Each such report shall include, at a minimum, the following:

“(i) An assessment of System performance with respect to the rate at which individuals who are eligible for employment in the United States are correctly approved within the required periods, including a separate assessment of such rate for naturalized United States citizens, nationals of the United States, and aliens.

“(ii) An assessment of the privacy and confidentiality of the System and of the overall security of the System with respect to cyber theft and theft or misuse of private data.

“(iii) An assessment of whether the System is being implemented in a manner that is not discriminatory or used for retaliation against employees.

“(iv) An assessment of the most common causes for the erroneous issuance of nonconfirmations by the System and recommendations to correct such causes.

“(v) The recommendations of the Comptroller General regarding System improvements.

“(vi) An assessment of the frequency and magnitude of changes made to the System and the impact on the ability for employers to comply in good faith.

“(vii) An assessment of the direct and indirect costs incurred by employers in complying with the System, including costs associated with retaining potential employees through the administrative appeals process and receiving a nonconfirmation.

“(viii) An assessment of any backlogs or delays in the System providing the confirmation or further action notice and impacts to hiring by employers.

“(e) COMPLIANCE.—

“(1) COMPLAINTS AND INVESTIGATIONS.—The Secretary shall establish procedures—

“(A) for individuals and entities to file complaints respecting potential violations of subsections (a) or (f)(1);

“(B) for the investigation of those complaints which the Secretary deems appropriate to investigate; and

“(C) for providing notification to the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice of potential violations of section 274B.

“(2) AUTHORITY IN INVESTIGATIONS.—In conducting investigations and proceedings under this subsection—

“(A) immigration officers shall have reasonable access to examine evidence of the employer being investigated;

“(B) immigration officers designated by the Secretary, and administrative law judges and other persons authorized to conduct proceedings under this section, may compel by subpoena the attendance of relevant witnesses and the production of relevant evidence at any designated place in an investigation or case under this subsection. In case of refusal to fully comply with a subpoena lawfully issued under this paragraph, the Secretary may request that the Attorney General apply in an appropriate district court of the United States for an order requiring compliance with the subpoena, and any failure to obey such order may be punished by the court as contempt. Failure to cooperate with the subpoena shall be subject to further penalties, including further fines and the voiding of any mitigation of penalties or termination of proceedings under paragraph (4)(E); and

“(C) the Secretary, in cooperation with the Commissioner and Attorney General, and in consultation with other relevant agencies, shall establish a Joint Employment Fraud Task Force consisting of, at a minimum—

“(i) the System's compliance personnel;

“(ii) immigration law enforcement officers;

“(iii) personnel of the Office of Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice;

“(iv) personnel of the Office for Civil Rights and Civil Liberties of the Department; and

“(v) personnel of Office of Inspector General of the Social Security Administration.

“(3) COMPLIANCE PROCEDURES.—

“(A) PRE-PENALTY NOTICE.—If the Secretary has reasonable cause to believe that there has been a civil violation of this section in the pre-

vious 3 years, the Secretary shall issue to the employer concerned a written notice of the Department's intention to issue a claim for a monetary or other penalty. Such pre-penalty notice shall—

“(i) describe the violation;

“(ii) specify the laws and regulations allegedly violated;

“(iii) disclose the material facts which establish the alleged violation;

“(iv) describe the penalty sought to be imposed; and

“(v) inform such employer that such employer shall have a reasonable opportunity to make representations as to why a monetary or other penalty should not be imposed.

“(B) EMPLOYER'S RESPONSE.—Whenever any employer receives written pre-penalty notice of a fine or other penalty in accordance with subparagraph (A), the employer may, within 60 days from receipt of such notice, file with the Secretary its written response to the notice. The response may include any relevant evidence or proffer of evidence that the employer wishes to present with respect to whether the employer violated this section and whether, if so, the penalty should be mitigated, and shall be filed and considered in accordance with procedures to be established by the Secretary.

“(C) RIGHT TO A HEARING.—Before issuance of an order imposing a penalty on any employer, person, or entity, the employer, person, or entity shall be entitled to a hearing before an administrative law judge, if requested within 60 days of the notice of penalty. The hearing shall be held at the nearest location practicable to the place where the employer, person, or entity resides or of the place where the alleged violation occurred.

“(D) ISSUANCE OF ORDERS.—If no hearing is so requested, the Secretary's imposition of the order shall constitute a final and unappealable order. If a hearing is requested and the administrative law judge determines, upon clear and convincing evidence received, that there was a violation, the administrative law judge shall issue the final determination with a written penalty claim. The penalty claim shall specify all charges in the information provided under clauses (i) through (iii) of subparagraph (A) and any mitigation of the penalty that the administrative law judge deems appropriate under paragraph (4)(E).

“(4) CIVIL PENALTIES.—

“(A) HIRING OR CONTINUING TO EMPLOY UNAUTHORIZED ALIENS.—Any employer that violates any provision of subsection (a)(1)(A) or (a)(2) shall—

“(i) pay a civil penalty of not less than \$3,500 and not more than \$7,500 for each unauthorized alien with respect to which each violation of either subsection (a)(1)(A) or (a)(2) occurred;

“(ii) if the employer has previously been fined as a result of a previous enforcement action or previous violation under this paragraph, pay a civil penalty of not less than \$5,000 and not more than \$15,000 for each unauthorized alien with respect to which a violation of either subsection (a)(1)(A) or (a)(2) occurred; and

“(iii) if the employer has previously been fined more than once under this paragraph, pay a civil penalty of not less than \$10,000 and not more than \$25,000 for each unauthorized alien with respect to which a violation of either subsection (a)(1)(A) or (a)(2) occurred.

“(B) ENHANCED PENALTIES.—After the Secretary certifies to Congress that the System has been established, implemented, and made mandatory for use by all employers in the United States, the Secretary may establish an enhanced civil penalty for an employer who—

“(i) fails to query the System to verify the identity and work authorized status of an individual; and

“(ii) violates a Federal, State, or local law related to—

“(I) the payment of wages;

“(II) hours worked by employees; or

“(III) workplace health and safety.

“(C) RECORDKEEPING OR VERIFICATION PRACTICES.—Any employer that violates or fails to comply with any requirement under subsection (a)(1)(B), other than a minor or inadvertent failure, as determined by the Secretary, shall pay a civil penalty of—

“(i) not less than \$500 and not more than \$2,000 for each violation;

“(ii) if an employer has previously been fined under this paragraph, not less than \$1,000 and not more than \$4,000 for each violation; and

“(iii) if an employer has previously been fined more than once under this paragraph, not less than \$2,000 and not more than \$8,000 for each violation.

“(D) OTHER PENALTIES.—The Secretary may impose additional penalties for violations, including cease and desist orders, specially designed compliance plans to prevent further violations, suspended fines to take effect in the event of a further violation, and in appropriate cases, the remedy provided by paragraph (f)(2).

“(E) MITIGATION.—The Secretary or, if an employer requests a hearing, the administrative law judge, is authorized, upon such terms and conditions as the Secretary or administrative law judge deems reasonable and just and in accordance with such procedures as the Secretary may establish or any procedures established governing the administrative law judge's assessment of penalties, to reduce or mitigate penalties imposed upon employers, based upon factors including, the employer's hiring volume, compliance history, good-faith implementation of a compliance program, the size and level of sophistication of the employer, and voluntary disclosure of violations of this subsection to the Secretary. The Secretary or administrative law judge shall not mitigate a penalty below the minimum penalty provided by this section, except that the Secretary may, in the case of an employer subject to penalty for recordkeeping or verification violations only who has not previously been penalized under this section, in the Secretary's or administrative law judge's discretion, mitigate the penalty below the statutory minimum or remit it entirely. In any case where a civil money penalty has been imposed on an employer under section 274B for an action or omission that is also a violation of this section, the Secretary or administrative law judge shall mitigate any civil money penalty under this section by the amount of the penalty imposed under section 274B.

“(F) EFFECTIVE DATE.—The civil money penalty amounts and the enhanced penalties provided by subparagraphs (A), (B), and (C) of this paragraph and by subsection (f)(2) shall apply to violations of this section committed on or after the date that is 1 year after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act. For violations committed prior to such date of enactment, the civil money penalty amounts provided by regulations implementing this section as in effect the minute before such date of enactment with respect to knowing hiring or continuing employment, verification, or indemnity bond violations, as appropriate, shall apply.

“(5) ORDER OF INTERNAL REVIEW AND CERTIFICATION OF COMPLIANCE.—

“(A) EMPLOYER COMPLIANCE.—If the Secretary has reasonable cause to believe that an employer has failed to comply with this section, the Secretary is authorized, at any time, to require that the employer certify that it is in compliance with this section, or has instituted a program to come into compliance.

“(B) EMPLOYER CERTIFICATION.—

“(i) REQUIREMENT.—Except as provided in subparagraph (C), not later than 60 days after receiving a notice from the Secretary requiring a certification under subparagraph (A), an official with responsibility for, and authority to bind the company on, all hiring and immigration compliance notices shall certify under penalty of perjury that the employer is in conformance with the requirements of paragraphs (1) through (4) of subsection (c), pertaining to document verification requirements, and with subsection (d), pertaining to the System (once the System is implemented with respect to that employer according to the requirements under subsection (d)(2)), and with any additional requirements that the Secretary may promulgate by regulation pursuant to subsection (c) or (d) or that the employer has instituted a program to come into compliance with these requirements.

“(ii) APPLICATION.—Clause (i) shall not apply until the date that the Secretary certifies to Congress that the System has been established, implemented, and made mandatory for use by all employers in the United States.

“(C) EXTENSION OF DEADLINE.—At the request of the employer, the Secretary may extend the 60-day deadline for good cause.

“(D) STANDARDS OR METHODS.—The Secretary is authorized to publish in the Federal Register standards or methods for such certification, require specific recordkeeping practices with respect to such certifications, and audit the records thereof at any time. This authority shall not be construed to diminish or qualify any other penalty provided by this section.

“(6) REQUIREMENTS FOR REVIEW OF A FINAL DETERMINATION.—With respect to judicial review of a final determination or penalty order issued under paragraph (3)(D), the following requirements apply:

“(A) DEADLINE.—The petition for review must be filed no later than 30 days after the date of the final determination or penalty order issued under paragraph (3)(D).

“(B) VENUE AND FORMS.—The petition for review shall be filed with the court of appeals for the judicial circuit where the employer's principal place of business was located when the final determination or penalty order was made. The record and briefs do not have to be printed. The court shall review the proceeding on a type-written or electronically filed record and briefs.

“(C) SERVICE.—The respondent is the Secretary. In addition to serving the respondent, the petitioner shall serve the Attorney General.

“(D) PETITIONER'S BRIEF.—The petitioner shall serve and file a brief in connection with a petition for judicial review not later than 40 days after the date on which the administrative record is available, and may serve and file a reply brief not later than 14 days after service of the brief of the respondent, and the court may not extend these deadlines, except for good cause shown. If a petitioner fails to file a brief within the time provided in this paragraph, the court shall dismiss the appeal unless a manifest injustice would result.

“(E) SCOPE AND STANDARD FOR REVIEW.—The court of appeals shall conduct a de novo review of the administrative record on which the final determination was based and any additional evidence that the Court finds was previously unavailable at the time of the administrative hearing.

“(F) EXHAUSTION OF ADMINISTRATIVE REMEDIES.—A court may review a final determination under paragraph (3)(C) only if—

“(i) the petitioner has exhausted all administrative remedies available to the petitioner as of right, including any administrative remedies established by regulation, and

“(ii) another court has not decided the validity of the order, unless the reviewing court finds

that the petition presents grounds that could not have been presented in the prior judicial proceeding or that the remedy provided by the prior proceeding was inadequate or ineffective to test the validity of the order.

“(G) ENFORCEMENT OF ORDERS.—If the final determination issued against the employer under this subsection is not subjected to review as provided in this paragraph, the Attorney General, upon request by the Secretary, may bring a civil action to enforce compliance with the final determination in any appropriate district court of the United States. The court, on a proper showing, shall issue a temporary restraining order or a preliminary or permanent injunction requiring that the employer comply with the final determination issued against that employer under this subsection. In any such civil action, the validity and appropriateness of the final determination shall not be subject to review.

“(7) CREATION OF LIEN.—If any employer liable for a fee or penalty under this section neglects or refuses to pay such liability after demand and fails to file a petition for review (if applicable) as provided in paragraph (6), the amount of the fee or penalty shall be a lien in favor of the United States on all property and rights to property, whether real or personal, belonging to such employer. If a petition for review is filed as provided in paragraph (6), the lien shall arise upon the entry of a final judgment by the court. The lien continues for 20 years or until the liability is satisfied, remitted, set aside, or terminated.

“(8) FILING NOTICE OF LIEN.—

“(A) PLACE FOR FILING.—The notice of a lien referred to in paragraph (7) shall be filed as described in 1 of the following:

“(i) UNDER STATE LAWS.—

“(I) REAL PROPERTY.—In the case of real property, in 1 office within the State (or the county, or other governmental subdivision), as designated by the laws of such State, in which the property subject to the lien is situated.

“(II) PERSONAL PROPERTY.—In the case of personal property, whether tangible or intangible, in 1 office within the State (or the county, or other governmental subdivision), as designated by the laws of such State, in which the property subject to the lien is situated, except that State law merely conforming to or reenacting Federal law establishing a national filing system does not constitute a second office for filing as designated by the laws of such State.

“(ii) WITH CLERK OF DISTRICT COURT.—In the office of the clerk of the United States district court for the judicial district in which the property subject to the lien is situated, whenever the State has not by law designated 1 office which meets the requirements of clause (i).

“(iii) WITH RECORDER OF DEEDS OF THE DISTRICT OF COLUMBIA.—In the office of the Recorder of Deeds of the District of Columbia, if the property subject to the lien is situated in the District of Columbia.

“(B) SITUS OF PROPERTY SUBJECT TO LIEN.—For purposes of subparagraph (B)(ii), the residence of a corporation or partnership shall be deemed to be the place at which the principal executive office of the business is located, and the residence of a taxpayer whose residence is outside the United States shall be deemed to be in the District of Columbia.

“(i) REAL PROPERTY.—In the case of real property, at its physical location.

“(ii) PERSONAL PROPERTY.—In the case of personal property, whether tangible or intangible, at the residence of the taxpayer at the time the notice of lien is filed.

“(C) DETERMINATION OF RESIDENCE.—For purposes of subparagraph (B)(ii), the residence of a corporation or partnership shall be deemed to be the place at which the principal executive office of the business is located, and the residence of a taxpayer whose residence is outside the United States shall be deemed to be in the District of Columbia.

“(D) EFFECT OF FILING NOTICE OF LIEN.—

“(i) IN GENERAL.—Upon filing of a notice of lien in the manner described in this paragraph, the lien shall be valid against any purchaser, holder of a security interest, mechanic’s lien, or judgment lien creditor, except with respect to properties or transactions specified in subsection (b), (c), or (d) of section 6323 of the Internal Revenue Code of 1986 for which a notice of tax lien properly filed on the same date would not be valid.

“(ii) NOTICE OF LIEN.—The notice of lien shall be considered a notice of lien for taxes payable to the United States for the purpose of any State or local law providing for the filing of a notice of a tax lien. A notice of lien that is registered, recorded, docketed, or indexed in accordance with the rules and requirements relating to judgments of the courts of the State where the notice of lien is registered, recorded, docketed, or indexed shall be considered for all purposes as the filing prescribed by this section.

“(iii) OTHER PROVISIONS.—The provisions of section 3201(e) of title 28, United States Code, shall apply to liens filed as prescribed by this paragraph.

“(E) ENFORCEMENT OF A LIEN.—A lien obtained through this paragraph shall be considered a debt as defined by section 3002 of title 28, United States Code and enforceable pursuant to chapter 176 of such title.

“(9) ATTORNEY GENERAL ADJUDICATION.—The Attorney General shall have jurisdiction to adjudicate administrative proceedings under this subsection. Such proceedings shall be conducted in accordance with requirements of section 554 of title 5, United States Code.

“(F) CRIMINAL AND CIVIL PENALTIES AND INJUNCTIONS.—

“(1) PROHIBITION OF INDEMNITY BONDS.—It is unlawful for an employer, in the hiring of any individual, to require the individual to post a bond or security, to pay or agree to pay an amount, or otherwise to provide a financial guarantee or indemnity, against any potential liability arising under this section relating to such hiring of the individual.

“(2) CIVIL PENALTY.—Any employer who is determined, after notice and opportunity for mitigation of the monetary penalty under subsection (e), to have violated paragraph (1) shall be subject to a civil penalty of \$10,000 for each violation and to an administrative order requiring the return of any amounts received in violation of such paragraph to the employee or, if the employee cannot be located, to the general fund of the Treasury.

“(g) GOVERNMENT CONTRACTS.—

“(1) CONTRACTORS AND RECIPIENTS.—Whenever an employer who is a Federal contractor (meaning an employer who holds a Federal contract, grant, or cooperative agreement, or reasonably may be expected to submit an offer for or be awarded a government contract) is determined by the Secretary to have violated this section on more than 3 occasions or is convicted of a crime under this section, the employer shall be considered for debarment from the receipt of Federal contracts, grants, or cooperative agreements in accordance with the procedures and standards and for the periods prescribed by the Federal Acquisition Regulation. However, any administrative determination of liability for civil penalty by the Secretary or the Attorney General shall not be reviewable in any debarment proceeding.

“(2) INADVERTENT VIOLATIONS.—Inadvertent violations of recordkeeping or verification requirements, in the absence of any other violations of this section, shall not be a basis for determining that an employer is a repeat violator for purposes of this subsection.

“(3) OTHER REMEDIES AVAILABLE.—Nothing in this subsection shall be construed to modify or

limit any remedy available to any agency or official of the Federal Government for violation of any contractual requirement to participate in the System, as provided in the final rule relating to employment eligibility verification published in the Federal Register on November 14, 2008 (73 Fed. Reg. 67,651), or any similar subsequent regulation.

“(h) PREEMPTION.—The provisions of this section preempt any State or local law, ordinance, policy, or rule, including any criminal or civil fine or penalty structure, relating to the hiring, continued employment, or status verification for employment eligibility purposes, of unauthorized aliens. A State, locality, municipality, or political subdivision may exercise its authority over business licensing and similar laws as a penalty for failure to use the System.

“(i) DEPOSIT OF AMOUNTS RECEIVED.—Except as otherwise specified, civil penalties collected under this section shall be deposited by the Secretary into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(j) CHALLENGES TO VALIDITY OF THE SYSTEM.—

“(1) IN GENERAL.—Any right, benefit, or claim not otherwise waived or limited pursuant to this section is available in an action instituted in the United States District Court for the District of Columbia, but shall be limited to determinations of—

“(A) whether this section, or any regulation issued to implement this section, violates the Constitution of the United States; or

“(B) whether such a regulation issued by or under the authority of the Secretary to implement this section, is contrary to applicable provisions of this section or was issued in violation of chapter 5 of title 5, United States Code.

“(2) DEADLINES FOR BRINGING ACTIONS.—Any action instituted under this subsection must be filed no later than 180 days after the date the challenged section or regulation described in subparagraph (A) or (B) of paragraph (1) becomes effective. No court shall have jurisdiction to review any challenge described in subparagraph (B) after the time period specified in this subsection expires.

“(k) CRIMINAL PENALTIES AND INJUNCTIONS FOR PATTERN OR PRACTICE VIOLATIONS.—

“(1) PATTERN AND PRACTICE.—Any employer who engages in a pattern or practice of knowing violations of subsection (a)(1)(A) or (a)(2) shall be fined under title 18, United States Code, no more than \$10,000 for each unauthorized alien with respect to whom such violation occurs, imprisoned for not more than 2 years for the entire pattern or practice, or both.

“(2) TERM OF IMPRISONMENT.—The maximum term of imprisonment of a person convicted of any criminal offense under the United States Code shall be increased by 5 years if the offense is committed as part of a pattern or practice of violations of subsection (a)(1)(A) or (a)(2).

“(3) ENJOINING OF PATTERN OR PRACTICE VIOLATIONS.—Whenever the Secretary or the Attorney General has reasonable cause to believe that an employer is engaged in a pattern or practice of employment in violation of subsection (a)(1)(A) or (a)(2), the Attorney General may bring a civil action in the appropriate district court of the United States requesting such relief, including a permanent or temporary injunction, restraining order, or other order against the employer, as the Secretary or Attorney General deems necessary.

“(l) CRIMINAL PENALTIES FOR UNLAWFUL AND ABUSIVE EMPLOYMENT.—

“(1) IN GENERAL.—Any person who, during any 12-month period, knowingly employs or hires, employs, recruits, or refers for a fee for employment 10 or more individuals within the

United States who are under the control and supervision of such person—

“(A) knowing that the individuals are unauthorized aliens; and

“(B) under conditions that violate section 5(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 654(a) (relating to occupational safety and health), section 6 or 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 and 207) (relating to minimum wages and maximum hours of employment), section 3142 of title 40, United States Code, (relating to required wages on construction contracts), or sections 6703 or 6704 of title 41, United States Code, (relating to required wages on service contracts), shall be fined under title 18, United States Code, or imprisoned for not more than 10 years, or both.

“(2) ATTEMPT AND CONSPIRACY.—Any person who attempts or conspires to commit any offense under this section shall be punished in the same manner as a person who completes the offense.”

(b) REPORT ON USE OF THE SYSTEM IN THE AGRICULTURAL INDUSTRY.—Not later than 18 months after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall submit a report to Congress that assesses implementation of the Employment Verification System established under section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), in the agricultural industry, including the use of such System technology in agriculture industry hiring processes, user, contractor, and third-party employer agent employment practices, timing and logistics regarding employment verification and reverification processes to meet agriculture industry practices, and identification of potential challenges and modifications to meet the unique needs of the agriculture industry. Such report shall review—

(1) the modality of access, training and outreach, customer support, processes for further action notices and secondary verifications for short-term workers, monitoring, and compliance procedures for such System;

(2) the interaction of such System with the process to admit nonimmigrant workers pursuant to section 218 or 218A of the Immigration and Nationality Act (8 U.S.C. 1188 et seq.) and with enforcement of the immigration laws; and

(3) the collaborative use of processes of other Federal and State agencies that intersect with the agriculture industry.

(c) REPORT ON IMPACT OF THE SYSTEM ON EMPLOYERS.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report that assesses—

(1) the implementation of the Employment Verification System established under section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), by employers;

(2) any adverse impact on the revenues, business processes, or profitability of employers required to use such System; and

(3) the economic impact of such System on small businesses.

(d) GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF THE EFFECTS OF DOCUMENT REQUIREMENTS ON EMPLOYMENT AUTHORIZED PERSONS AND EMPLOYERS.—

(1) STUDY.—The Comptroller General of the United States shall carry out a study of—

(A) the effects of the documentary requirements of section 274A of the Immigration and Nationality Act, as amended by subsection (a), on employers, naturalized United States citizens, nationals of the United States, and individuals with employment authorized status; and

(B) the challenges such employers, citizens, nationals, or individuals may face in obtaining the documentation required under that section.

(2) REPORT.—Not later than 4 years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report

containing the findings of the study carried out under paragraph (1). Such report shall include, at a minimum, the following:

(A) An assessment of available information regarding the number of working age nationals of the United States and individuals who have employment authorized status who lack documents required for employment by such section 274A.

(B) A description of the additional steps required for individuals who have employment authorized status and do not possess the documents required by such section 274A to obtain such documents.

(C) A general assessment of the average financial costs for individuals who have employment authorized status who do not possess the documents required by such section 274A to obtain such documents.

(D) A general assessment of the average financial costs and challenges for employers who have been required to participate in the Employment Verification System established by subsection (d) of such section 274A.

(E) A description of the barriers to individuals who have employment authorized status in obtaining the documents required by such section 274A, including barriers imposed by the executive branch of the Government.

(F) Any particular challenges facing individuals who have employment authorized status who are members of a federally recognized Indian tribe in complying with the provisions of such section 274A.

(e) **REPEAL OF PILOT PROGRAMS AND E-VERIFY AND TRANSITION PROCEDURES.**—

(1) **REPEAL.**—Sections 401, 402, 403, 404, and 405 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note) are repealed.

(2) **TRANSITION PROCEDURES.**—

(A) **CONTINUATION OF E-VERIFY PROGRAM.**—Notwithstanding the repeals made by paragraph (1), the Secretary shall continue to operate the E-Verify Program as described in section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note), as in effect the minute before the date of the enactment of this Act, until the transition to the System described in section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), is determined by the Secretary to be complete.

(B) **TRANSITION TO THE SYSTEM.**—Any employer who was participating in the E-Verify Program described in section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note), as in effect the minute before the date of the enactment of this Act, shall participate in the System described in section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), to the same extent and in the same manner that the employer participated in such E-Verify Program.

(3) **CONSTRUCTION.**—The repeal made by paragraph (1) may not be construed to limit the authority of the Secretary to allow or continue to allow the participation in such System of employers who have participated in such E-Verify Program, as in effect on the minute before the date of the enactment of this Act.

(f) **CONFORMING AMENDMENT.**—Section 274(a) (8 U.S.C. 1324(a)) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

#### **SEC. 3102. INCREASING SECURITY AND INTEGRITY OF SOCIAL SECURITY CARDS.**

(a) **FRAUD-RESISTANT, TAMPER-RESISTANT, WEAR-RESISTANT, AND IDENTITY THEFT-RESISTANT SOCIAL SECURITY CARDS.**—

(1) **ISSUANCE.**—

(A) **PRELIMINARY WORK.**—Not later than 180 days after the date of the enactment of this Act, the Commissioner of Social Security shall begin work to administer and issue fraud-resistant, tamper-resistant, wear-resistant, and identity theft-resistant social security cards.

(B) **COMPLETION.**—Not later than 5 years after the date of the enactment of this Act, the Commissioner of Social Security shall issue only social security cards determined to be fraud-resistant, tamper-resistant, wear-resistant, and identity theft-resistant.

(2) **AMENDMENT.**—

(A) **IN GENERAL.**—Section 205(c)(2)(G) of the Social Security Act (42 U.S.C. 405(c)(2)(G)) is amended by striking the second sentence and inserting the following: “The social security card shall be fraud-resistant, tamper-resistant, wear-resistant, and identity theft-resistant.”

(B) **EFFECTIVE DATE.**—The amendment made by subparagraph (A) shall take effect on the date that is 5 years after the date of the enactment of this Act.

(3) **AUTHORIZATION OF APPROPRIATION.**—There are authorized to be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section and the amendments made by this section.

(4) **EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.**—In the Senate, amounts made available under this subsection are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(5) **EMERGENCY DESIGNATION FOR STATUTORY PAYGO.**—Amounts made available under this subsection are designated as an emergency requirement under section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139; 2 U.S.C. 933(g)).

(b) **MULTIPLE CARDS.**—Section 205(c)(2)(G) of the Social Security Act (42 U.S.C. 405(c)(2)(G)), as amended by subsection (a)(2), is amended—

(1) by inserting “(i)” after “(G)”; and

(2) by adding at the end the following:

“(i) The Commissioner of Social Security shall restrict the issuance of multiple replacement social security cards to any individual to 3 per year and 10 for the life of the individual, except that the Commissioner may allow for reasonable exceptions from the limits under this clause on a case-by-case basis in compelling circumstances.”

(c) **CRIMINAL PENALTIES.**—

(1) **SOCIAL SECURITY FRAUD.**—

(A) **IN GENERAL.**—Chapter 47 of title 18, United States Code, is amended by inserting at the end the following:

#### **“§ 1041. Social security fraud**

“(Any person who—

“(1) knowingly possesses or uses a social security account number or social security card knowing that the number or card was obtained from the Commissioner of Social Security by means of fraud or false statement;

“(2) knowingly and falsely represents a number to be the social security account number assigned by the Commissioner of Social Security to him or her or to another person, when such number is known not to be the social security account number assigned by the Commissioner of Social Security to him or her or to such other person;

“(3) knowingly, and without lawful authority, buys, sells, or possesses with intent to buy or sell a social security account number or a social security card that is or purports to be a number or card issued by the Commissioner of Social Security;

“(4) knowingly alters, counterfeits, forges, or falsely makes a social security account number or a social security card;

“(5) knowingly uses, distributes, or transfers a social security account number or a social security card knowing the number or card to be intentionally altered, counterfeited, forged, falsely made, or stolen; or

“(6) without lawful authority, knowingly produces or acquires for any person a social security account number, a social security card, or a number or card that purports to be a social security account number or social security card, shall be fined under this title, imprisoned not more than 5 years, or both.”

(B) **TABLE OF SECTIONS AMENDMENT.**—The table of sections for chapter 47 of title 18, United States Code, is amended by adding after the item relating to section 1040 the following:

“Sec. 1041. Social security fraud.”

(2) **INFORMATION DISCLOSURE.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of law and subject to subparagraph (B), the Commissioner of Social Security shall disclose for the purpose of investigating a violation of section 1041 of title 18, United States Code, or section 274A, 274B, or 274C of the Immigration and Nationality Act (8 U.S.C. 1324a, 1324b, and 1324c), after receiving a written request from an officer in a supervisory position or higher official of any Federal law enforcement agency, the following records of the Social Security Administration:

(i) Records concerning the identity, address, location, or financial institution accounts of the holder of a social security account number or social security card.

(ii) Records concerning the application for and issuance of a social security account number or social security card.

(iii) Records concerning the existence or non-existence of a social security account number or social security card.

(B) **LIMITATION.**—The Commissioner of Social Security shall not disclose any tax return or tax return information pursuant to subparagraph (A) except as authorized by section 6103 of the Internal Revenue Code of 1986.

#### **SEC. 3103. INCREASING SECURITY AND INTEGRITY OF IMMIGRATION DOCUMENTS.**

Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to Congress on the feasibility, advantages, and disadvantages of including, in addition to a photograph, other biometric information on each employment authorization document issued by the Department.

#### **SEC. 3104. RESPONSIBILITIES OF THE SOCIAL SECURITY ADMINISTRATION.**

Title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by adding at the end the following new part:

“PART E—EMPLOYMENT VERIFICATION

“RESPONSIBILITIES OF THE COMMISSIONER OF SOCIAL SECURITY

“SEC. 1186. (a) **CONFIRMATION OF EMPLOYMENT VERIFICATION DATA.**—As part of the employment verification system established by the Secretary of Homeland Security under the provisions of section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) (in this section referred to as the ‘System’), the Commissioner of Social Security shall, subject to the provisions of section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), establish a reliable, secure method that, operating through the System and within the time periods specified in section 274A(d) of such Act—

“(1) compares the name, date of birth, social security account number, and available citizenship information provided in an inquiry against such information maintained by the Commissioner in order to confirm (or not confirm) the validity of the information provided regarding an individual whose identity and employment eligibility must be confirmed;

“(2) determines the correspondence of the name, date of birth, and number;

“(3) determines whether the name and number belong to an individual who is deceased according to the records maintained by the Commissioner;

“(4) determines whether an individual is a national of the United States, as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)); and

“(5) determines whether the individual has presented a social security account number that is not valid for employment.

“(b) PROHIBITION.—The System shall not disclose or release social security information to employers through the confirmation system (other than such confirmation or nonconfirmation, information provided by the employer to the System, or the reason for the issuance of a further action notice).”

**SEC. 3105. IMPROVED PROHIBITION ON DISCRIMINATION BASED ON NATIONAL ORIGIN OR CITIZENSHIP STATUS.**

(a) IN GENERAL.—Section 274B(a) (8 U.S.C. 1324b(a)) is amended to read as follows:

“(a) PROHIBITION ON DISCRIMINATION BASED ON NATIONAL ORIGIN OR CITIZENSHIP STATUS.—

“(1) PROHIBITION ON DISCRIMINATION GENERALLY.—It is an unfair immigration-related employment practice for a person, other entity, or employment agency, to discriminate against any individual (other than an unauthorized alien defined in section 274A(b)) because of such individual's national origin or citizenship status, with respect to the following:

“(A) The hiring of the individual for employment.

“(B) The verification of the individual's eligibility to work in the United States.

“(C) The discharging of the individual from employment.

“(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following:

“(A) A person, other entity, or employer that employs 3 or fewer employees, except for an employment agency.

“(B) A person's or entity's discrimination because of an individual's national origin if the discrimination with respect to that employer, person, or entity and that individual is covered under section 703 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-2), unless the discrimination is related to an individual's verification of employment authorization.

“(C) Discrimination because of citizenship status which—

“(i) is otherwise required in order to comply with a provision of Federal, State, or local law related to law enforcement;

“(ii) is required by Federal Government contract; or

“(iii) the Secretary or Attorney General determines to be essential for an employer to do business with an agency or department of the Federal Government or a State, local, or tribal government.

“(3) ADDITIONAL EXCEPTION PROVIDING RIGHT TO PREFER EQUALLY QUALIFIED CITIZENS.—Notwithstanding any other provision of this section, it is not an unfair immigration-related employment practice for an employer (as defined in section 274A(b)) to prefer to hire, recruit, or refer for a fee an individual who is a citizen or national of the United States over another individual who is an alien if the 2 individuals are equally qualified.

“(4) UNFAIR IMMIGRATION-RELATED EMPLOYMENT PRACTICES RELATING TO THE SYSTEM.—It is also an unfair immigration-related employment practice for a person, other entity, or employment agency—

“(A) to discharge or constructively discharge an individual solely due to a further action notice issued by the Employment Verification Sys-

tem created by section 274A until the administrative appeal described in section 274A(d)(6) is completed;

“(B) to use the System with regard to any person for any purpose except as authorized by section 274A(d);

“(C) to use the System to reverify the employment authorization of a current employee, including an employee continuing in employment, other than reverification upon expiration of employment authorization, or as otherwise authorized under section 274A(d) or by regulation;

“(D) to use the System selectively for employees, except where authorized by law;

“(E) to fail to provide to an individual any notice required in section 274A(d) within the relevant time period;

“(F) to use the System to deny workers' employment or post-employment benefits;

“(G) to misuse the System to discriminate based on national origin or citizenship status;

“(H) to require an employee or prospective employee to use any self-verification feature of the System or provide, as a condition of application or employment, any self-verification results;

“(I) to use an immigration status verification system, service, or method other than those described in section 274A for purposes of verifying employment eligibility; or

“(J) to grant access to document verification or System data, to any individual or entity other than personnel authorized to have such access, or to fail to take reasonable safeguards to protect against unauthorized loss, use, alteration, or destruction of System data.

“(5) PROHIBITION OF INTIMIDATION OR RETALIATION.—It is also an unfair immigration-related employment practice for a person, other entity, or employment agency to intimidate, threaten, coerce, or retaliate against any individual—

“(A) for the purpose of interfering with any right or privilege secured under this section; or

“(B) because the individual intends to file or has filed a charge or a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this section.

“(6) TREATMENT OF CERTAIN DOCUMENTARY PRACTICES AS EMPLOYMENT PRACTICES.—A person's, other entity's, or employment agency's request, for purposes of verifying employment eligibility, for more or different documents than are required under section 274A, or for specific documents, or refusing to honor documents tendered that reasonably appear to be genuine shall be treated as an unfair immigration-related employment practice.

“(7) PROHIBITION OF WITHHOLDING EMPLOYMENT RECORDS.—It is an unfair immigration-related employment practice for an employer that is required under Federal, State, or local law to maintain records documenting employment, including dates or hours of work and wages received, to fail to provide such records to any employee upon request.

“(8) PROFESSIONAL, COMMERCIAL, AND BUSINESS LICENSES.—An individual who is authorized to be employed in the United States may not be denied a professional, commercial, or business license on the basis of his or her immigration status.

“(9) EMPLOYMENT AGENCY DEFINED.—In this section, the term ‘employment agency’ means any employer, person, or entity regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent of such employer, person, or entity.”

(b) REFERRAL BY EEOC.—Section 274B(b) (8 U.S.C. 1324b(b)) is amended by adding at the end the following:

“(3) REFERRAL BY EEOC.—The Equal Employment Opportunity Commission shall refer all

matters alleging immigration-related unfair employment practices filed with the Commission, including those alleging violations of paragraphs (1), (4), (5), and (6) of subsection (a) to the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice.”

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 274B(l)(3) (8 U.S.C. 1324b(l)(3)) is amended by striking the period at the end and inserting “and an additional \$40,000,000 for each of fiscal years 2014 through 2016.”

(d) FINES.—

(1) IN GENERAL.—Section 274B(g)(2)(B) (8 U.S.C. 1324b(g)(2)(B)) is amended by striking clause (iv) and inserting the following:

“(iv) to pay any applicable civil penalties prescribed below, the amounts of which may be adjusted periodically to account for inflation as provided by law—

“(I) except as provided in subclauses (II) through (IV), to pay a civil penalty of not less than \$2,000 and not more than \$5,000 for each individual subjected to an unfair immigration-related employment practice;

“(II) except as provided in subclauses (III) and (IV), in the case of an employer, person, or entity previously subject to a single order under this paragraph, to pay a civil penalty of not less than \$4,000 and not more than \$10,000 for each individual subjected to an unfair immigration-related employment practice;

“(III) except as provided in subclause (IV), in the case of an employer, person, or entity previously subject to more than 1 order under this paragraph, to pay a civil penalty of not less than \$8,000 and not more than \$25,000 for each individual subjected to an unfair immigration-related employment practice; and

“(IV) in the case of an unfair immigration-related employment practice described in paragraphs (4) through (7) of subsection (a), to pay a civil penalty of not less than \$500 and not more than \$2,000 for each individual subjected to an unfair immigration-related employment practice.”

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date that is 1 year after the date of the enactment of this Act and apply to violations occurring on or after such date of enactment.

**SEC. 3106. RULEMAKING.**

(a) INTERIM FINAL REGULATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act—

(A) the Secretary, shall issue regulations implementing sections 3101 and 3104 and the amendments made by such sections (except for section 274A(d)(7) of the Immigration and Nationality Act); and

(B) the Attorney General shall issue regulations implementing section 274A(d)(7) of the Immigration and Nationality Act, as added by section 3101, section 3105, and the amendments made by such sections.

(2) EFFECTIVE DATE.—Regulations issued pursuant to paragraph (1) shall be effective immediately on an interim basis, but are subject to change and revision after public notice and opportunity for a period for public comment.

(b) FINAL REGULATIONS.—Within a reasonable time after publication of the interim regulations under subsection (a), the Secretary, in consultation with the Commissioner of Social Security and the Attorney General, shall publish final regulations implementing this subtitle.

**SEC. 3107. OFFICE OF THE SMALL BUSINESS AND EMPLOYEE ADVOCATE.**

(a) ESTABLISHMENT OF SMALL BUSINESS AND EMPLOYEE ADVOCATE.—The Secretary shall establish and maintain within U.S. Citizenship and Immigration Services the Office of the Small Business and Employee Advocate (in this section referred to as the “Office”). The purpose of

the Office shall be to assist small businesses and individuals in complying with the requirements of section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by this Act, including the resolution of conflicts arising in the course of attempted compliance with such requirements.

(b) **FUNCTIONS.**—The functions of the Office shall include, but not be limited to, the following:

(1) Informing small businesses and individuals about the verification practices required by section 274A of the Immigration and Nationality Act, including, but not limited to, the document verification requirements and the employment verification system requirements under subsections (c) and (d) of that section.

(2) Assisting small businesses and individuals in addressing allegedly erroneous further action notices and nonconfirmations issued under subsection (d) of section 274A of the Immigration and Nationality Act.

(3) Informing small businesses and individuals of the financial liabilities and criminal penalties that apply to violations and failures to comply with the requirements of section 274A of the Immigration and Nationality Act, including, but not limited to, by issuing best practices for compliance with that section.

(4) To the extent practicable, proposing changes to the Secretary in the administrative practices of the employment verification system required under subsection (d) of section 274A of the Immigration and Nationality Act to mitigate the problems identified under paragraph (2).

(5) Making recommendations through the Secretary to Congress for legislative action to mitigate such problems.

(c) **AUTHORITY TO ISSUE ASSISTANCE ORDER.**—

(1) **IN GENERAL.**—Upon application filed by a small business or individual with the Office (in such form, manner, and at such time as the Secretary shall by regulations prescribe), the Office may issue an assistance order if—

(A) the Office determines the small business or individual is suffering or about to suffer a significant hardship as a result of the manner in which the employment verification laws under subsections (c) and (d) of section 274A of the Immigration and Nationality Act are being administered by the Secretary; or

(B) the small business or individual meets such other requirements as are set forth in regulations prescribed by the Secretary.

(2) **DETERMINATION OF HARDSHIP.**—For purposes of paragraph (1), a significant hardship shall include—

(A) an immediate threat of adverse action;

(B) a delay of more than 60 days in resolving employment verification system problems;

(C) the incurring by the small business or individual of significant costs if relief is not granted; or

(D) irreparable injury to, or a long-term adverse impact on, the small business or individual if relief is not granted.

(3) **STANDARDS WHEN ADMINISTRATIVE GUIDANCE NOT FOLLOWED.**—In cases where a U.S. Citizenship and Immigration Services employee is not following applicable published administrative guidance, the Office shall construe the factors taken into account in determining whether to issue an assistance order under this subsection in the manner most favorable to the small business or individual.

(4) **TERMS OF ASSISTANCE ORDER.**—The terms of an assistance order under this subsection may require the Secretary within a specified time period—

(A) to determine whether any employee is or is not authorized to work in the United States; or

(B) to abate any penalty under section 274A of the Immigration and Nationality Act that the Office determines is arbitrary, capricious, or disproportionate to the underlying offense.

(5) **AUTHORITY TO MODIFY OR RESCIND.**—Any assistance order issued by the Office under this subsection may be modified or rescinded—

(A) only by the Office, the Director or Deputy Director of U.S. Citizenship and Immigration Services, or the Secretary or the Secretary's designee; and

(B) if rescinded by the Director or Deputy Director of U.S. Citizenship and Immigration Services, only if a written explanation of the reasons of such official for the modification or rescission is provided to the Office.

(6) **SUSPENSION OF RUNNING OF PERIOD OF LIMITATION.**—The running of any period of limitation with respect to an action described in paragraph (4)(A) shall be suspended for—

(A) the period beginning on the date of the small business or individual's application under paragraph (1) and ending on the date of the Office's decision with respect to such application; and

(B) any period specified by the Office in an assistance order issued under this subsection pursuant to such application.

(7) **INDEPENDENT ACTION OF OFFICE.**—Nothing in this subsection shall prevent the Office from taking any action in the absence of an application under paragraph (1).

(d) **ACCESSIBILITY TO THE PUBLIC.**—

(1) **IN PERSON, ONLINE, AND TELEPHONE ASSISTANCE.**—The Office shall provide information and assistance specified in subsection (b) in person at locations designated by the Secretary, online through an Internet website of the Department available to the public, and by telephone.

(2) **AVAILABILITY TO ALL EMPLOYERS.**—In making information and assistance available, the Office shall prioritize the needs of small businesses and individuals. However, the information and assistance available through the Office shall be available to any employer.

(e) **AVOIDING DUPLICATION THROUGH COORDINATION.**—In the discharge of the functions of the Office, the Secretary shall consult with the Secretary of Labor, the Secretary of Agriculture, the Commissioner, the Attorney General, the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration in order to avoid duplication of efforts across the Federal Government.

(f) **DEFINITIONS.**—In this section:

(1) The term "employer" has the meaning given that term in section 274A(b) of the Immigration and Nationality Act.

(2) The term "small business" means an employer with 49 or fewer employees.

(g) **FUNDING.**—There shall be appropriated, from the Comprehensive Immigration Reform Trust Fund established by section 6(a)(1) of this Act, such sums as may be necessary to carry out the functions of the Office.

**Subtitle B—Protecting United States Workers**  
**SEC. 3201. PROTECTIONS FOR VICTIMS OF SERIOUS VIOLATIONS OF LABOR AND EMPLOYMENT LAW OR CRIME.**

(a) **IN GENERAL.**—Section 101(a)(15)(U) (8 U.S.C. 1101(a)(15)(U)) is amended—

(1) in clause (i)—

(A) by amending subclause (I) to read as follows:

"(I) the alien—

"(aa) has suffered substantial physical or mental abuse or substantial harm as a result of having been a victim of criminal activity described in clause (iii) or of a covered violation described in clause (iv); or

"(bb) is a victim of criminal activity described in clause (iii) or of a covered violation described in clause (iv) and would suffer extreme hardship upon removal;"

(B) in subclause (II), by inserting "or a covered violation resulting in a claim described in clause (iv) that is not the subject of a frivolous lawsuit by the alien" before the semicolon at the end; and

(C) by amending subclauses (III) and (IV) to read as follows:

"(III) the alien (or in the case of an alien child who is younger than 16 years of age, the parent, legal guardian, or next friend of the alien) has been helpful, is being helpful, or is likely to be helpful to—

"(aa) a Federal, State, or local law enforcement official, a Federal, State, or local prosecutor, a Federal, State, or local judge, the Department of Homeland Security, the Equal Employment Opportunity Commission, the Department of Labor, or other Federal, State, or local authorities investigating or prosecuting criminal activity described in clause (iii); or

"(bb) any Federal, State, or local governmental agency or judge investigating, prosecuting, or seeking civil remedies for any cause of action, whether criminal, civil, or administrative, arising from a covered violation described in clause (iv) and presents a certification from such Federal, State, or local governmental agency or judge attesting that the alien has been helpful, is being helpful, or is likely to be helpful to such agency in the investigation, prosecution, or adjudication arising from a covered violation described in clause (iv); and

"(IV) the criminal activity described in clause (iii) or the covered violation described in clause (iv)—

"(aa) violated the laws of the United States; or

"(bb) occurred in the United States (including Indian country and military installations) or the territories and possessions of the United States;"

(2) in clause (ii)(II), by striking "and" at the end;

(3) by moving clause (iii) 2 ems to the left;

(4) in clause (iii), by inserting "child abuse; elder abuse;" after "stalking;"

(5) by adding at the end the following:

"(iv) a covered violation referred to in this clause is—

"(I) a serious violation involving 1 or more of the following or any similar activity in violation of any Federal, State, or local law: serious workplace abuse, exploitation, retaliation, or violation of whistleblower protections;

"(II) a violation giving rise to a civil cause of action under section 1595 of title 18, United States Code; or

"(III) a violation resulting in the deprivation of due process or constitutional rights."

(b) **SAVINGS PROVISION.**—Nothing in section 101(a)(15)(U)(iv)(I) of the Immigration and Nationality Act, as added by subsection (a), may be construed as altering the definition of retaliation or discrimination under any other provision of law.

(c) **TEMPORARY STAY OF REMOVAL.**—Section 274A (8 U.S.C. 1324a), as amended by section 3101, is further amended—

(1) in subsection (e) by adding at the end the following:

"(10) **CONDUCT IN ENFORCEMENT ACTIONS.**—If the Secretary undertakes an enforcement action at a facility about which a bona fide workplace claim has been filed or is contemporaneously filed, or as a result of information provided to the Secretary in retaliation against employees for exercising their rights related to a bona fide workplace claim, the Secretary shall ensure that—

"(A) any aliens arrested or detained who are necessary for the investigation or prosecution of a bona fide workplace claim or criminal activity (as described in subparagraph (T) or (U) of section 101(a)(15)) are not removed from the United States until after the Secretary—

"(i) notifies the appropriate law enforcement agency with jurisdiction over such violations or criminal activity; and

"(ii) provides such agency with the opportunity to interview such aliens;



“(B) no aliens entitled to a stay of removal or abeyance of removal proceedings under this section are removed; and

“(C) the Secretary shall stay the removal of an alien who—

“(i) has filed a claim regarding a covered violation described in clause (iv) of section 101(a)(15)(U) and is the victim of the same violations under an existing investigation;

“(ii) is a material witness in any pending or anticipated proceeding involving a bona fide workplace claim or civil rights claim; or

“(iii) has filed for relief under such section if the alien is working with law enforcement as described in clause (i)(III) of such section.”; and (2) by adding at the end the following:

“(m) VICTIMS OF CRIMINAL ACTIVITY OR LABOR AND EMPLOYMENT VIOLATIONS.—The Secretary of Homeland Security may permit an alien to remain temporarily in the United States and authorize the alien to engage in employment in the United States if the Secretary determines that the alien—

“(1) has filed for relief under section 101(a)(15)(U); or

“(2)(A) has filed, or is a material witness to, a bona fide claim or proceedings resulting from a covered violation (as defined in section 101(a)(15)(U)(iv)); and

“(B) has been helpful, is being helpful, or is likely to be helpful, in the investigation, prosecution of, or pursuit of civil remedies related to the claim arising from a covered violation, to—

“(i) a Federal, State, or local law enforcement official;

“(ii) a Federal, State, or local prosecutor;

“(iii) a Federal, State, or local judge;

“(iv) the Department of Homeland Security;

“(v) the Equal Employment Opportunity Commission; or

“(vi) the Department of Labor.”.

(d) CONFORMING AMENDMENTS.—Section 214(p) (8 U.S.C. 1184(p)) is amended—

(1) in paragraph (1), by striking “in section 101(a)(15)(U)(iii).” both places it appears and inserting “in clause (iii) of section 101(a)(15)(U) or investigating, prosecuting, or seeking civil remedies for claims resulting from a covered violation described in clause (iv) of such section.”; and

(2) in the first sentence of paragraph (6)—

(A) by striking “in section 101(a)(15)(U)(iii)” and inserting “in clause (iii) of section 101(a)(15)(U) or claims resulting from a covered violation described in clause (iv) of such section”; and

(B) by inserting “or claim arising from a covered violation” after “prosecution of such criminal activity”.

(e) MODIFICATION OF LIMITATION ON AUTHORITY TO ADJUST STATUS FOR VICTIMS OF CRIMES.—Section 245(m)(1) (8 U.S.C. 1255(m)(1)) is amended, in the matter before subparagraph (A), by inserting “or an investigation or prosecution regarding a workplace or civil rights claim” after “prosecution”.

(f) EXPANSION OF LIMITATION ON SOURCES OF INFORMATION THAT MAY BE USED TO MAKE ADVERSE DETERMINATIONS.—

(1) IN GENERAL.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a)(1)) is amended—

(A) in each of subparagraphs (A) through (D), by striking the comma at the end and inserting a semicolon;

(B) subparagraph (E), by striking “the criminal activity,” and inserting “abuse and the criminal activity or bona fide workplace claim (as defined in subsection (e));”; and

(C) in subparagraph (F), by striking “, the trafficker or perpetrator,” and inserting “, the trafficker or perpetrator; or”; and

(D) by inserting after subparagraph (F) the following:

“(G) the alien’s employer; or”.

(2) WORKPLACE CLAIM DEFINED.—Section 384 of such Act (8 U.S.C. 1367) is amended by adding at the end the following:

“(e) WORKPLACE CLAIMS.—

“(1) WORKPLACE CLAIMS DEFINED.—

“(A) IN GENERAL.—In subsection (a)(1), the term ‘workplace claim’ means any claim, petition, charge, complaint, or grievance filed with, or submitted to, a Federal, State, or local agency or court, relating to the violation of applicable Federal, State, or local labor or employment laws.

“(B) CONSTRUCTION.—Subparagraph (A) may not be construed to alter what constitutes retaliation or discrimination under any other provision of law.

“(2) PENALTY FOR FALSE CLAIMS.—Any person who knowingly presents a false or fraudulent claim to a law enforcement official in relation to a covered violation described in section 101(a)(15)(U)(iv) of the Immigration and Nationality Act for the purpose of obtaining a benefit under this section shall be subject to a civil penalty of not more than \$1,000.

“(3) LIMITATION ON STAY OF ADVERSE DETERMINATIONS.—In the case of an alien applying for status under section 101(a)(15)(U) of the Immigration and Nationality Act and seeking relief under that section, the prohibition on adverse determinations under subsection (a) shall expire on the date that the alien’s application for status under such section is denied and all opportunities for appeal of the denial have been exhausted.”.

(g) REMOVAL PROCEEDINGS.—Section 239(e) (8 U.S.C. 1229(e)) is amended—

(1) in paragraph (1)—

(A) by striking “In cases where” and inserting “If”; and

(B) by striking “paragraph (2),” and inserting “paragraph (2) or as a result of information provided to the Secretary of Homeland Security in retaliation against individuals for exercising or attempting to exercise their employment rights or other legal rights,”; and

(2) in paragraph (2), by adding at the end the following:

“(C) At a facility about which a bona fide workplace claim has been filed or is contemporaneously filed.”.

#### SEC. 3202. EMPLOYMENT VERIFICATION SYSTEM EDUCATION FUNDING.

(a) DISPOSITION OF CIVIL PENALTIES.—Penalties collected under subsections (e)(4) and (f)(3) of section 274A of the Immigration and Nationality Act, amended by section 3101, shall be deposited, as offsetting receipts, into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

(b) EXPENDITURES.—Amounts deposited into the Trust Fund under subsection (a) shall be made available to the Secretary and the Attorney General to provide education to employers and employees regarding the requirements, obligations, and rights under the Employment Verification System.

(c) DETERMINATION OF BUDGETARY EFFECTS.—

(1) EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.—In the Senate, amounts made available under this section are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(2) EMERGENCY DESIGNATION FOR STATUTORY PAYGO.—Amounts made available under this section are designated as an emergency requirement under section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

#### SEC. 3203. DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code,

and in accordance with subsection (b), the United States Sentencing Commission shall promulgate sentencing guidelines or amend existing sentencing guidelines to modify, if appropriate, the penalties imposed on persons convicted of offenses under—

(1) section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101;

(2) section 16 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216); and

(3) any other Federal law covering similar conduct.

(b) REQUIREMENTS.—In carrying out subsection (a), the Sentencing Commission shall provide sentencing enhancements for any person convicted of an offense described in subsection (a) if such offense involves—

(1) the intentional confiscation of identification documents;

(2) corruption, bribery, extortion, or robbery;

(3) sexual abuse;

(4) serious bodily injury;

(5) an intent to defraud; or

(6) a pattern of conduct involving multiple violations of law that—

(A) creates, through knowing and intentional conduct, a risk to the health or safety of any victim; or

(B) denies payments due to victims for work completed.

#### Subtitle C—Other Provisions

##### SEC. 3301. FUNDING.

(a) ESTABLISHMENT OF THE INTERIOR ENFORCEMENT ACCOUNT.—There is hereby established in the Treasury of the United States an account which shall be known as the Interior Enforcement Account.

(b) APPROPRIATIONS.—There are authorized to be appropriated to the Interior Enforcement Account \$1,000,000,000 to carry out this title and the amendments made by this title, including the following appropriations:

(1) In each of the 5 years beginning on the date of the enactment of this Act, the appropriations necessary to increase to a level not less than 5,000, by the end of such 5-year period, the total number of personnel of the Department assigned exclusively or principally to an office or offices in U.S. Citizenship and Immigration Services and U.S. Immigration and Customs Enforcement (and consistent with the missions of such agencies), dedicated to administering the System, and monitoring and enforcing compliance with sections 274A, 274B, and 274C of the Immigration and Nationality Act (8 U.S.C. 1324a, 1324b, and 1324c), including compliance with the requirements of the Electronic Verification System established under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section 3101. Such personnel shall perform compliance and monitoring functions, including the following:

(A) Verify compliance of employers participating in such System with the requirements for participation that are prescribed by the Secretary.

(B) Monitor such System for multiple uses of social security account numbers and immigration identification numbers that could indicate identity theft or fraud.

(C) Monitor such System to identify discriminatory or unfair practices.

(D) Monitor such System to identify employers who are not using such System properly, including employers who fail to make available appropriate records with respect to their queries and any notices of confirmation, nonconfirmation, or further action.

(E) Identify instances in which an employee alleges that an employer violated the employee’s privacy or civil rights, or misused such System, and create procedures for an employee to report such an allegation.



(F) Analyze and audit the use of such System and the data obtained through such System to identify fraud trends, including fraud trends across industries, geographical areas, or employer size.

(G) Analyze and audit the use of such System and the data obtained through such System to develop compliance tools as necessary to respond to changing patterns of fraud.

(H) Provide employers with additional training and other information on the proper use of such System, including training related to privacy and employee rights.

(I) Perform threshold evaluation of cases for referral to the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice or the Equal Employment Opportunity Commission, and other officials or agencies with responsibility for enforcing anti-discrimination, civil rights, privacy, or worker protection laws, as may be appropriate.

(J) Any other compliance and monitoring activities that the Secretary determines are necessary to ensure the functioning of such System.

(K) Investigate identity theft and fraud detected through such System and undertake the necessary enforcement or referral actions.

(L) Investigate use of or access to fraudulent documents and undertake the necessary enforcement actions.

(M) Perform any other investigations that the Secretary determines are necessary to ensure the lawful functioning of such System, and undertake any enforcement actions necessary as a result of such investigations.

(2) The appropriations necessary to acquire, install, and maintain technological equipment necessary to support the functioning of such System and the connectivity between U.S. Citizenship and Immigration Services and U.S. Immigration and Customs Enforcement, the Department of Justice, and other agencies or officials with respect to the sharing of information to support such System and related immigration enforcement actions.

(3) The appropriations necessary to establish a robust redress process for employees who wish to appeal contested nonconfirmations to ensure the accuracy and fairness of such System.

(4) The appropriations necessary to provide a means by which individuals may access their own employment authorization data to ensure the accuracy of such data, independent of an individual's employer.

(5) The appropriations necessary to carry out the identity authentication mechanisms described in section 274A(c)(1)(F) of the Immigration and Nationality Act, as amended by section 3101(a).

(6) The appropriations necessary for the Office for Civil Rights and Civil Liberties and the Office of Privacy of the Department to perform the responsibilities of such Offices related to such System.

(7) The appropriations necessary to make grants to States to support the States in assisting the Federal Government in carrying out the provisions of this title and the amendments made by this title.

(c) **ESTABLISHMENT OF REIMBURSABLE AGREEMENT BETWEEN THE DEPARTMENT OF HOMELAND SECURITY AND THE SOCIAL SECURITY ADMINISTRATION.**—Effective for fiscal years beginning on or after the date of enactment of this Act, the Secretary and the Commissioner of Social Security shall enter into and maintain an agreement that—

(1) provides funds to the Commissioner for the full costs of the responsibilities of the Commissioner under this section, including—

(A) acquiring, installing, and maintaining technological equipment and systems necessary for the fulfillment of the responsibilities of the Commissioner under this section; and

(B) responding to individuals who contest a further action notice provided by the employment verification system established under section 274A of the Immigration and Nationality Act, as amended by section 3101;

(2) provides such funds quarterly in advance of the applicable quarter based on estimating methodology agreed to by the Commissioner and the Secretary; and

(3) requires an annual accounting and reconciliation of the actual costs incurred and the funds provided under the agreement which shall be reviewed by the Office of the Inspector General of the Social Security Administration and the Department.

(d) **AUTHORIZATION OF APPROPRIATIONS TO THE ATTORNEY GENERAL.**—There are authorized to be appropriated to the Attorney General such sums as may be necessary to carry out the provisions of this title and the amendments made by this title, including enforcing compliance with section 274B of the Immigration and Nationality Act, as amended by section 3105.

(e) **AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF STATE.**—There are authorized to be appropriated to the Secretary of State such sums as may be necessary to carry out the provisions of this title and the amendments made by this title.

#### **SEC. 3302. EFFECTIVE DATE.**

Except as otherwise specifically provided, this title and the amendments made by this title shall take effect on the date of the enactment of this Act.

#### **SEC. 3303. MANDATORY EXIT SYSTEM.**

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—Not later than December 31, 2015, the Secretary shall establish a mandatory exit data system that shall include a requirement for the collection of data from machine-readable visas, passports, and other travel and entry documents for all categories of aliens who are exiting from air and sea ports of entry.

(2) **BIOMETRIC EXIT DATA SYSTEM.**—Not later than 2 years after the date of the enactment of this Act, the Secretary shall establish a mandatory biometric exit data system at the 10 United States airports that support the highest volume of international air travel, as determined by Department of Transportation international flight departure data.

(3) **REPORT.**—Not later than 3 years after the date of the enactment of this Act, the Secretary shall submit a report to Congress that analyzes the effectiveness of biometric exit data collection at the 10 airports referred to in paragraph (2).

(4) **MANDATORY BIOMETRIC EXIT DATA SYSTEM.**—Absent intervening action by Congress, the Secretary, not later than 6 years after the date of the enactment of this Act, shall establish a mandatory biometric exit data system at all the Core 30 international airports in the United States, as so designated by the Federal Aviation Administration.

(5) **EXPANSION OF BIOMETRIC EXIT DATA SYSTEM TO MAJOR SEA AND LAND PORTS.**—Not later than 6 years after the date of the enactment of this Act, the Secretary shall submit a plan to Congress for the expansion of the biometric exit system to major sea and land entry and exit points within the United States based upon—

(A) the performance of the program established pursuant to paragraph (2);

(B) the findings of the study conducted pursuant to paragraph (3); and

(C) the projected costs to develop and deploy an effective biometric exit data system.

(6) **DATA COLLECTION.**—There are authorized to be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section.

(b) **INTEGRATION AND INTEROPERABILITY.**—

(1) **INTEGRATION OF DATA SYSTEM.**—The Secretary shall fully integrate all data from data-

bases and data systems that process or contain information on aliens, which are maintained by—

(A) the Department, at—

(i) the U.S. Immigration and Customs Enforcement;

(ii) the U.S. Customs and Border Protection; and

(iii) the U.S. Citizenship and Immigration Services;

(B) the Department of Justice, at the Executive Office for Immigration Review; and

(C) the Department of State, at the Bureau of Consular Affairs.

(2) **INTEROPERABLE COMPONENT.**—The fully integrated data system under paragraph (1) shall be an interoperable component of the exit data system.

(3) **INTEROPERABLE DATA SYSTEM.**—The Secretary shall fully implement an interoperable electronic data system to provide current and immediate access to information in the databases of Federal law enforcement agencies and the intelligence community that is relevant to determine—

(A) whether to issue a visa; or

(B) the admissibility or deportability of an alien.

(4) **TRAINING.**—The Secretary shall establish ongoing training modules on immigration law to improve adjudications at United States ports of entry, consulates, and embassies.

(c) **INFORMATION SHARING.**—The Secretary shall report to the appropriate Federal law enforcement agency, intelligence agency, national security agency, or component of the Department of Homeland Security any alien who was lawfully admitted into the United States and whose individual data in the integrated exit data system shows that he or she has not departed the country when he or she was legally required to do so, and shall ensure that—

(1) if the alien has departed the United States when he or she was legally required to do so, the information contained in the integrated exit data system is updated to reflect the alien's departure; or

(2) if the alien has not departed the United States when he or she was legally required to do so, reasonably available enforcement resources are employed to locate the alien and to commence removal proceedings against the alien.

#### **SEC. 3304. IDENTITY-THEFT RESISTANT MANIFEST INFORMATION FOR PASSENGERS, CREW, AND NON-CREW ON-BOARD DEPARTING AIRCRAFT AND VESSELS.**

(a) **DEFINITIONS.**—Except as otherwise specifically provided, in this section:

(1) **IDENTITY-THEFT RESISTANT COLLECTION LOCATION.**—The term “identity-theft resistant collection location” means a location within an airport or seaport—

(A) within the path of the departing alien, such that the alien would not need to significantly deviate from that path to comply with exit requirements at which air or vessel carrier employees, as applicable, either presently or routinely are available if an alien needs processing assistance; and

(B) which is equipped with technology that can securely collect and transmit identity-theft resistant departure information to the Department.

(2) **US-VISIT.**—The term “US-VISIT” means the United States-Visitor and Immigrant Status Indicator Technology system.

(b) **IDENTITY THEFT RESISTANT MANIFEST INFORMATION.**—

(1) **PASSPORT OR VISA COLLECTION REQUIREMENT.**—Except as provided in subsection (c), an appropriate official of each commercial aircraft or vessel departing from the United States to any port or place outside the United States shall ensure transmission to U.S. Customs and Border

Protection of identity-theft resistant departure manifest information covering alien passengers, crew, and non-crew. Such identity-theft resistant departure manifest information—

(A) shall be transmitted to U.S. Customs and Border Protection at the place and time specified in paragraph (3) by means approved by the Secretary; and

(B) shall set forth the information specified in paragraph (4) or other information as required by the Secretary.

(2) **MANNER OF COLLECTION.**—Carriers boarding alien passengers, crew, and noncrew subject to the requirement to provide information upon departure for US-VISIT processing shall collect identity-theft resistant departure manifest information from each alien at an identity-theft resistant collection location at the airport or seaport before boarding that alien on transportation for departure from the United States, at a time as close to the originally scheduled departure of that passenger's aircraft or sea vessel as practicable.

(3) **TIME AND MANNER OF SUBMISSION.**—

(A) **IN GENERAL.**—The appropriate official specified in paragraph (1) shall ensure transmission of the identity-theft resistant departure manifest information required and collected under paragraphs (1) and (2) to the Data Center or Headquarters of U.S. Customs and Border Protection, or such other data center as may be designated.

(B) **TRANSMISSION.**—The biometric departure information may be transmitted to the Department over any means of communication authorized by the Secretary for the transmission of other electronic manifest information containing personally identifiable information and under transmission standards currently applicable to other electronic manifest information.

(C) **SUBMISSION ALONG WITH OTHER INFORMATION.**—Files containing the identity-theft resistant departure manifest information—

(i) may be sent with other electronic manifest data prior to departure or may be sent separately from any topically related electronic manifest data; and

(ii) may be sent in batch mode.

(4) **INFORMATION REQUIRED.**—The identity-theft resistant departure information required under paragraphs (1) through (3) for each covered passenger or crew member shall contain alien data from machine-readable visas, passports, and other travel and entry documents issued to the alien.

(c) **EXCEPTION.**—The identity-theft resistant departure information specified in this section is not required for any alien active duty military personnel traveling as passengers on board a departing Department of Defense commercial chartered aircraft.

(d) **CARRIER MAINTENANCE AND USE OF IDENTITY-THEFT RESISTANT DEPARTURE MANIFEST INFORMATION.**—Carrier use of identity-theft resistant departure manifest information for purposes other than as described in standards set by the Secretary is prohibited. Carriers shall immediately notify the Chief Privacy Officer of the Department in writing in the event of unauthorized use or access, or breach, of identity-theft resistant departure manifest information.

(e) **COLLECTION AT SPECIFIED LOCATION.**—If the Secretary determines that an air or vessel carrier has not adequately complied with the provisions of this section, the Secretary may, in the Secretary's discretion, require the air or vessel carrier to collect identity-theft resistant departure manifest information at a specific location prior to the issuance of a boarding pass or other document on the international departure, or the boarding of crew, in any port through which the carrier boards aliens for international departure under the supervision of the Secretary for such period as the Secretary considers ap-

propriate to ensure the adequate collection and transmission of biometric departure manifest information.

(f) **FUNDING.**—There shall be appropriated to the Interior Enforcement Account \$500,000,000 to reimburse carriers for their reasonable actual expenses in carrying out their duties as described in this section.

(g) **DETERMINATION OF BUDGETARY EFFECTS.**—

(1) **EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.**—In the Senate, amounts made available under this section are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(2) **EMERGENCY DESIGNATION FOR STATUTORY PAYGO.**—Amounts made available under this section are designated as an emergency requirement under section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

**SEC. 3305. PROFILING.**

(a) **PROHIBITION.**—In making routine or spontaneous law enforcement decisions, such as ordinary traffic stops, Federal law enforcement officers may not use race or ethnicity to any degree, except that officers may rely on race and ethnicity if a specific suspect description exists.

(b) **EXCEPTIONS.**—

(1) **SPECIFIC INVESTIGATION.**—In conducting activities in connection with a specific investigation, Federal law enforcement officers may consider race and ethnicity only to the extent that there is trustworthy information, relevant to the locality or time frame, that links persons of a particular race or ethnicity to an identified criminal incident, scheme, or organization. This standard applies even where the use of race or ethnicity might otherwise be lawful.

(2) **NATIONAL SECURITY.**—In investigating or preventing threats to national security or other catastrophic events (including the performance of duties related to air transportation security), or in enforcing laws protecting the integrity of the Nation's borders, Federal law enforcement officers may not consider race or ethnicity except to the extent permitted by the Constitution and laws of the United States.

(3) **DEFINED TERM.**—In this section, the term "Federal law enforcement officer" means any officer, agent, or employee of the United States authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of Federal law.

(c) **STUDY AND REGULATIONS.**—

(1) **DATA COLLECTION.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall begin collecting data regarding the individualized immigration enforcement activities of covered Department officers.

(2) **STUDY.**—Not later than 180 days after data collection under paragraph (1) commences, the Secretary shall complete a study analyzing the data.

(3) **REGULATIONS.**—Not later than 90 days after the date the study required by paragraph (2) is completed, the Secretary, in consultation with the Attorney General, shall issue regulations regarding the use of race, ethnicity, and any other suspect classifications the Secretary deems appropriate by covered Department officers.

(4) **REPORTS.**—Not later than 30 days after completion of the study required by paragraph (2), the Secretary shall submit the study to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on the Judiciary of the Senate; and

(F) the Committee on the Judiciary of the House of Representatives.

(5) **DEFINED TERM.**—In this subsection, the term "covered Department officer" means any officer, agent, or employee of United States Customs and Border Protection, United States Immigration and Customs Enforcement, or the Transportation Security Administration.

**SEC. 3306. ENHANCED PENALTIES FOR CERTAIN DRUG OFFENSES ON FEDERAL LANDS.**

(a) **CULTIVATING OR MANUFACTURING CONTROLLED SUBSTANCES ON FEDERAL PROPERTY.**—Section 401(b)(5) of the Controlled Substances Act (21 U.S.C. 841(b)(5)) is amended by striking "as provided in this subsection" and inserting "for not more than 10 years, in addition to any other term of imprisonment imposed under this subsection,".

(b) **USE OF HAZARDOUS SUBSTANCES.**—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall amend the Federal Sentencing Guidelines and policy statements to ensure that the guidelines provide an additional penalty increase of 2 offense levels above the sentence otherwise applicable for a violation of section 401(a) of the Controlled Substances Act (21 U.S.C. 841(a)) if the offense—

(1) includes the use of a poison, chemical, or other hazardous substance to cultivate or manufacture controlled substances on Federal property;

(2) creates a hazard to humans, wildlife, or domestic animals;

(3) degrades or harms the environment or natural resources; or

(4) pollutes an aquifer, spring, stream, river, or body of water.

(c) **STREAM DIVERSION OR CLEAR CUTTING ON FEDERAL PROPERTY.**—

(1) **PROHIBITION ON STREAM DIVERSION OR CLEAR CUTTING ON FEDERAL PROPERTY.**—Section 401(b) of the Controlled Substances Act is amended by adding at the end the following:

"(8) **DESTRUCTION OF BODIES OF WATER.**—Any person who violates subsection (a) in a manner that diverts, redirects, obstructs, or drains an aquifer, spring, stream, river, or body of water or clear cuts timber while cultivating or manufacturing a controlled substance on Federal property shall be fined in accordance with title 18, United States Code."

(2) **FEDERAL SENTENCING GUIDELINES ENHANCEMENT.**—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall amend the Federal Sentencing Guidelines and policy statements to ensure that the guidelines provide an additional penalty increase of 2 offense levels for above the sentence otherwise applicable for a violation of section 401(a) of the Controlled Substances Act (21 U.S.C. 841(a)) if the offense involves the diversion, redirection, obstruction, or draining of an aquifer, spring, stream, river, or body of water or the clear cut of timber while cultivating or manufacturing a controlled substance on Federal property.

(d) **BOOBY TRAPS ON FEDERAL LAND.**—Section 401(d)(1) of the Controlled Substances Act (21 U.S.C. 841(d)(1)) is amended by inserting "cultivated," after "is being".

(e) **USE OR POSSESSION OF FIREARMS IN CONNECTION WITH DRUG OFFENSES ON FEDERAL LANDS.**—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall amend the Federal Sentencing Guidelines and policy statements to ensure that the guidelines provide an additional penalty increase of 2 offense levels

above the sentence otherwise applicable for a violation of section 401(a) of the Controlled Substances Act (21 U.S.C. 841(a)) if the offense involves the possession of a firearm while cultivating or manufacturing controlled substances on Federal lands.

#### Subtitle D—Asylum and Refugee Provisions

##### SEC. 3401. TIME LIMITS AND EFFICIENT ADJUDICATION OF GENUINE ASYLUM CLAIMS.

Section 208(a)(2) (8 U.S.C. 1158(a)(2)) is amended—

(1) in subparagraph (A), by inserting “or the Secretary of Homeland Security” after “Attorney General” both places such term appears;

(2) by striking subparagraphs (B) and (D);

(3) by redesignating subparagraph (C) as subparagraph (B);

(4) in subparagraph (B), as redesignated, by striking “subparagraph (D)” and inserting “subparagraphs (C) and (D)”; and

(5) by inserting after subparagraph (B), as redesignated, the following:

“(C) CHANGED CIRCUMSTANCES.—Notwithstanding subparagraph (B), an application for asylum of an alien may be considered if the alien demonstrates, to the satisfaction of the Attorney General or the Secretary of Homeland Security, the existence of changed circumstances that materially affect the applicant's eligibility for asylum.

“(D) MOTION TO REOPEN CERTAIN MERITORIOUS CLAIMS.—Notwithstanding subparagraph (B) or section 240(c)(7), an alien may file a motion to reopen an asylum claim during the 2-year period beginning on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act if the alien—

“(i) was denied asylum based solely upon a failure to meet the 1-year application filing deadline in effect on the date on which the application was filed;

“(ii) was granted withholding of removal pursuant to section 241(b)(3) and has not obtained lawful permanent residence in the United States pursuant to any other provision of law;

“(iii) is not subject to the safe third country exception under subparagraph (A) or a bar to asylum under subsection (b)(2) and should not be denied asylum as a matter of discretion; and

“(iv) is physically present in the United States when the motion is filed.”.

##### SEC. 3402. REFUGEE FAMILY PROTECTIONS.

(a) CHILDREN OF REFUGEE OR ASYLEE SPOUSES AND CHILDREN.—A child of an alien who qualifies for admission as a spouse or child under section 207(c)(2)(A) or 208(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(2)(A) and 1158(b)(3)) shall be entitled to the same status as such alien if the child—

(1) is accompanying or following to join such alien; and

(2) is otherwise eligible under section 207(c)(2)(A) or 208(b)(3) of the Immigration and Nationality Act.

##### SEC. 3403. CLARIFICATION ON DESIGNATION OF CERTAIN REFUGEES.

(a) TERMINATION OF CERTAIN PREFERENTIAL TREATMENT IN IMMIGRATION OF AMERASIANS.—Section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988 (8 U.S.C. 1101 note) is amended by adding at the end the following:

“(f) No visa may be issued under this section if the petition or application for such visa is submitted on or after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.”.

(b) REFUGEE DESIGNATION.—Section 207(c)(1) (8 U.S.C. 1157(c)(1)) is amended—

(1) by inserting “(A)” before “Subject to the numerical limitations”; and

(2) by adding at the end the following:

“(B)(i) The President, upon a recommendation of the Secretary of State made in consultation with the Secretary of Homeland Security, and after appropriate consultation, may designate specifically defined groups of aliens—

“(I) whose resettlement in the United States is justified by humanitarian concerns or is otherwise in the national interest; and

“(II) who—

“(aa) share common characteristics that identify them as targets of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion; or

“(bb) having been identified as targets as described in item (aa), share a common need for resettlement due to a specific vulnerability.

“(ii) An alien who establishes membership in a group designated under clause (i) to the satisfaction of the Secretary of Homeland Security shall be considered a refugee for purposes of admission as a refugee under this section unless the Secretary determines that such alien ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

“(iii) A designation under clause (i) is for purposes of adjudicatory efficiency and may be revoked by the President at any time after notification to Congress.

“(iv) Categories of aliens established under section 599D of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167; 8 U.S.C. 1157 note)—

“(I) shall be designated under clause (i) until the end of the first fiscal year commencing after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

“(II) shall be eligible for designation thereafter at the discretion of the President, considering, among other factors, whether a country under consideration has been designated by the Secretary of State as a ‘Country of Particular Concern’ for engaging in or tolerating systematic, ongoing, and egregious violations of religious freedom.

“(v) A designation under clause (i) shall not influence decisions to grant, to any alien, asylum under section 208, protection under section 241(b)(3), or protection under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984.

“(vi) A decision to deny admission under this section to an alien who establishes to the satisfaction of the Secretary that the alien is a member of a group designated under clause (i) shall—

“(I) be in writing; and

“(II) state, to the maximum extent feasible, the reason for the denial.

“(vii) Refugees admitted pursuant to a designation under clause (i) shall be subject to the number of admissions and be admissible under this section.”.

##### SEC. 3404. ASYLUM DETERMINATION EFFICIENCY.

Section 235(b)(1)(B)(ii) (8 U.S.C. 1225(b)(1)(B)(ii)) is amended by striking “asylum.” and inserting “asylum by an asylum officer. The asylum officer, after conducting a non-adversarial asylum interview and seeking supervisory review, may grant asylum to the alien under section 208 or refer the case to a designee of the Attorney General, for a de novo asylum determination, for relief under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, or for protection under section 241(b)(3).”.

##### SEC. 3405. STATELESS PERSONS IN THE UNITED STATES.

(a) IN GENERAL.—Chapter 1 of title II (8 U.S.C. 1151 et seq.) is amended by adding at the end the following:

##### “SEC. 210A. PROTECTION OF CERTAIN STATELESS PERSONS IN THE UNITED STATES.

“(a) STATELESS PERSONS.—

“(1) IN GENERAL.—In this section, the term ‘stateless person’ means an individual who is not considered a national under the operation of the laws of any country.

“(2) DESIGNATION OF SPECIFIC STATELESS GROUPS.—The Secretary of Homeland Security, in consultation with the Secretary of State, may, in the discretion of the Secretary, designate specific groups of individuals who are considered stateless persons, for purposes of this section.

“(b) STATUS OF STATELESS PERSONS.—

“(1) RELIEF FOR CERTAIN INDIVIDUALS DETERMINED TO BE STATELESS PERSONS.—The Secretary of Homeland Security or the Attorney General may, in his or her discretion, provide conditional lawful status to an alien who is otherwise inadmissible or deportable from the United States if the alien—

“(A) is a stateless person present in the United States;

“(B) applies for such relief;

“(C) has not lost his or her nationality as a result of his or her voluntary action or knowing inaction after arrival in the United States;

“(D) except as provided in paragraphs (2) and (3), is not inadmissible under section 212(a); and

“(E) is not described in section 241(b)(3)(B)(i).

“(2) INAPPLICABILITY OF CERTAIN PROVISIONS.—The provisions under paragraphs (4), (5), (7), and (9)(B) of section 212(a) shall not apply to any alien seeking relief under paragraph (1).

“(3) WAIVER.—The Secretary or the Attorney General may waive any other provisions of such section, other than subparagraphs (B), (C), (D)(ii), (E), (G), (H), or (I) of paragraph (2), paragraph (3), paragraph (6)(C)(i) (with respect to misrepresentations relating to the application for relief under paragraph (1)), or subparagraphs (A), (C), (D), or (E) of paragraph (10) of section 212(a), with respect to such an alien for humanitarian purposes, to assure family unity, or if it is otherwise in the public interest.

“(4) SUBMISSION OF PASSPORT OR TRAVEL DOCUMENT.—Any alien who seeks relief under this section shall submit to the Secretary of Homeland Security or the Attorney General—

“(A) any available passport or travel document issued at any time to the alien (whether or not the passport or document has expired or been cancelled, rescinded, or revoked); or

“(B) an affidavit, sworn under penalty of perjury—

“(i) stating that the alien has never been issued a passport or travel document; or

“(ii) identifying with particularity any such passport or travel document and explaining why the alien cannot submit it.

“(5) WORK AUTHORIZATION.—The Secretary of Homeland Security may authorize an alien who has applied for and is found *prima facie* eligible for or been granted relief under paragraph (1) to engage in employment in the United States.

“(6) TRAVEL DOCUMENTS.—The Secretary may issue appropriate travel documents to an alien who has been granted relief under paragraph (1) that would allow him or her to travel abroad and be admitted to the United States upon return, if otherwise admissible.

“(7) TREATMENT OF SPOUSE AND CHILDREN.—The spouse or child of an alien who has been granted conditional lawful status under paragraph (1) shall, if not otherwise eligible for admission under paragraph (1), be granted conditional lawful status under this section if accompanying, or following to join, such alien if—

“(A) the spouse or child is admissible (except as otherwise provided in paragraphs (2) and (3)) and is not described in section 241(b)(3)(B)(i); and

“(B) the qualifying relationship to the principal beneficiary existed on the date on which

such alien was granted conditional lawful status.

“(C) ADJUSTMENT OF STATUS.—

“(1) INSPECTION AND EXAMINATION.—At the end of the 1-year period beginning on the date on which an alien has been granted conditional lawful status under subsection (b), the alien may apply for lawful permanent residence in the United States if—

“(A) the alien has been physically present in the United States for at least 1 year;

“(B) the alien’s conditional lawful status has not been terminated by the Secretary of Homeland Security or the Attorney General, pursuant to such regulations as the Secretary or the Attorney General may prescribe; and

“(C) the alien has not otherwise acquired permanent resident status.

“(2) REQUIREMENTS FOR ADJUSTMENT OF STATUS.—The Secretary of Homeland Security or the Attorney General, under such regulations as the Secretary or the Attorney General may prescribe, may adjust the status of an alien granted conditional lawful status under subsection (b) to that of an alien lawfully admitted for permanent residence if such alien—

“(A) is a stateless person;

“(B) properly applies for such adjustment of status;

“(C) has been physically present in the United States for at least 1 year after being granted conditional lawful status under subsection (b);

“(D) is not firmly resettled in any foreign country; and

“(E) is admissible (except as otherwise provided under paragraph (2) or (3) of subsection (b)) as an immigrant under this chapter at the time of examination of such alien for adjustment of status.

“(3) RECORD.—Upon approval of an application under this subsection, the Secretary of Homeland Security shall establish a record of the alien’s admission for lawful permanent residence as of the date that is 1 year before the date of such approval.

“(4) NUMERICAL LIMITATION.—The number of aliens who may receive an adjustment of status under this section for a fiscal year shall be subject to the numerical limitation of section 203(b)(4).

“(d) PROVING THE CLAIM.—In determining an alien’s eligibility for lawful conditional status or adjustment of status under this subsection, the Secretary of Homeland Security or the Attorney General shall consider any credible evidence relevant to the application. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Secretary or the Attorney General.

“(e) REVIEW.—

“(1) ADMINISTRATIVE REVIEW.—No appeal shall lie from the denial of an application by the Secretary, but such denial will be without prejudice to the alien’s right to renew the application in proceedings under section 240.

“(2) MOTIONS TO REOPEN.—Notwithstanding any limitation imposed by law on motions to reopen removal, deportation, or exclusion proceedings, any individual who is eligible for relief under this section may file a motion to reopen proceedings in order to apply for relief under this section. Any such motion shall be filed within 2 years of the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(f) LIMITATION.—

“(1) APPLICABILITY.—The provisions of this section shall only apply to aliens present in the United States.

“(2) SAVINGS PROVISION.—Nothing in this section may be construed to authorize or require—

“(A) the admission of any alien to the United States;

“(B) the parole of any alien into the United States; or

“(C) the grant of any motion to reopen or reconsider filed by an alien after departure or removal from the United States.”.

(b) JUDICIAL REVIEW.—Section 242(a)(2)(B)(ii) (8 U.S.C. 1252(a)(2)(B)(ii)) is amended by striking “208(a).” and inserting “208(a) or 210A.”.

(c) CONFORMING AMENDMENT.—Section 203(b)(4) (8 U.S.C. 1153(b)(4)) is amended by inserting “to aliens granted an adjustment of status under section 210A(c) or” after “level.”.

(d) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act is amended by inserting after the item relating to section 210 the following:

“Sec. 210A. Protection of stateless persons in the United States.”.

#### SEC. 3406. U VISA ACCESSIBILITY.

Section 214(p)(2)(A) (8 U.S.C. 1184(p)(2)(A)) is amended by striking “10,000.” and inserting “18,000, of which not more than 3,000 visas may be issued for aliens who are victims of a covered violation described in section 101(a)(15)(U).”.

#### SEC. 3407. WORK AUTHORIZATION WHILE APPLICATIONS FOR U AND T VISAS ARE PENDING.

(a) U VISAS.—Section 214(p) (8 U.S.C. 1184(p)), as amended by section 3406 of this Act, is further amended—

(1) in paragraph (6), by striking the last sentence; and

(2) by adding at the end the following:

“(7) WORK AUTHORIZATION.—Notwithstanding any provision of this Act granting eligibility for employment in the United States, the Secretary of Homeland Security shall grant employment authorization to an alien who has filed an application for nonimmigrant status under section 101(a)(15)(U) on the date that is the earlier of—

“(A) the date on which the alien’s application for such status is approved; or

“(B) a date determined by the Secretary that is not later than 180 days after the date on which the alien filed the application.”.

(b) T VISAS.—Section 214(o) (8 U.S.C. 1184(o)) is amended by adding at the end the following:

“(8) Notwithstanding any provision of this Act granting eligibility for employment in the United States, the Secretary of Homeland Security shall grant employment authorization to an alien who has filed an application for nonimmigrant status under section 101(a)(15)(T) on the date that is the earlier of—

“(A) the date on which the alien’s application for such status is approved; or

“(B) a date determined by the Secretary that is not later than 180 days after the date on which the alien filed the application.”.

#### SEC. 3408. REPRESENTATION AT OVERSEAS REFUGEE INTERVIEWS.

Section 207(c) (8 U.S.C. 1157(c)) is amended by adding at the end the following:

“(5) The adjudicator of an application for refugee status under this section shall consider all relevant evidence and maintain a record of the evidence considered.

“(6) An applicant for refugee status may be represented, including at a refugee interview, at no expense to the Government, by an attorney or accredited representative who—

“(A) was chosen by the applicant; and

“(B) is authorized by the Secretary of Homeland Security to be recognized as the representative of such applicant in an adjudication under this section.

“(7)(A) A decision to deny an application for refugee status under this section—

“(i) shall be in writing; and

“(ii) shall provide, to the maximum extent feasible, information on the reason for the denial, including—

“(I) the facts underlying the determination; and

“(II) whether there is a waiver of inadmissibility available to the applicant.

“(B) The basis of any negative credibility finding shall be part of the written decision.

“(8)(A) An applicant who is denied refugee status under this section may file a request with the Secretary for a review of his or her application not later than 120 days after such denial.

“(B) A request filed under subparagraph (A) shall be adjudicated by refugee officers who have received training on considering requests for review of refugee applications that have been denied.

“(C) The Secretary shall publish the standard applied to a request for review.

“(D) A request for review may result in the decision being granted, denied, or reopened for a further interview.

“(E) A decision on a request for review under this paragraph—

“(i) shall be in writing; and

“(ii) shall provide, to the maximum extent feasible, information on the reason for the denial.”.

#### SEC. 3409. LAW ENFORCEMENT AND NATIONAL SECURITY CHECKS.

(a) REFUGEES.—Section 207(c)(1) (8 U.S.C. 1157(c)(1)) is amended by adding at the end the following: “No alien shall be admitted as a refugee until the identity of the applicant, including biographic and biometric data, has been checked against all appropriate records or databases maintained by the Secretary of Homeland Security, the Attorney General, the Secretary of State, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, law enforcement, or other grounds on which the alien may be inadmissible to the United States or ineligible to apply for or be granted refugee status.”.

(b) ASYLEES.—Section 208(d)(5)(A)(i) (8 U.S.C. 1158(d)(5)(A)(i)) is amended to read as follows:

“(i) asylum shall not be granted until the identity of the applicant, using biographic and biometric data, has been checked against all appropriate records or databases maintained by the Secretary of Homeland Security, the Attorney General, the Secretary of State, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, law enforcement, or other grounds on which the alien may be inadmissible to the United States or ineligible to apply for or be granted asylum.”.

#### SEC. 3410. TIBETAN REFUGEE ASSISTANCE.

(a) SHORT TITLE.—This section may be cited as the “Tibetan Refugee Assistance Act of 2013.”.

(b) TRANSITION FOR DISPLACED TIBETANS.—Notwithstanding the numerical limitations specified in sections 201 and 202 of the Immigration and Nationality Act (8 U.S.C. 1151 and 1152), 5,000 immigrant visas shall be made available to qualified displaced Tibetans described in subsection (c) during the 3-year period beginning on October 1, 2013.

(c) QUALIFIED DISPLACED TIBETAN DESCRIBED.—

(1) IN GENERAL.—An individual is a qualified displaced Tibetan if such individual—

(A) is a native of Tibet; and

(B) has been continuously residing in India or Nepal since before the date of the enactment of this Act.

(2) NATIVE OF TIBET DESCRIBED.—For purposes of paragraph (1)(A), an individual shall be considered a native of Tibet if such individual—

(A) was born in Tibet; or

(B) is the son, daughter, grandson, or granddaughter of an individual who was born in Tibet.

(d) DERIVATIVE STATUS FOR SPOUSES AND CHILDREN.—A spouse or child (as defined in

subparagraphs (A), (B), (C), (D), or (E) of section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)) shall, if not otherwise entitled to an immigrant status and the immediate issuance of a visa under this section, be entitled to the same status, and the same order of consideration, provided under this section, if accompanying, or following to join, the spouse or parent of such spouse or child.

(e) **DISTRIBUTION OF VISA NUMBERS.**—The Secretary of State shall ensure that immigrant visas provided under subsection (b) are made available to qualified displaced Tibetans described in subsection (c) or (d) in an equitable manner, giving preference to those qualified displaced Tibetans who—

(1) are not resettled in India or Nepal; or  
(2) are most likely to be resettled successfully in the United States.

**SEC. 3411. TERMINATION OF ASYLUM OR REFUGEE STATUS.**

(a) **TERMINATION OF STATUS.**—Except as provided in subsections (b) and (c), any alien who is granted asylum or refugee status under this Act or the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), who, without good cause as determined by the Secretary or the Attorney General, subsequently returns to the country of such alien's nationality or, in the case of an alien having no nationality, returns to any country in which such alien last habitually resided, and who applied for such status because of persecution or a well-founded fear of persecution in that country on account of race, religion, nationality, membership in a particular social group, or political opinion, shall have his or her refugee or asylum status terminated.

(b) **WAIVER.**—The Secretary has discretion to waive subsection (a) if it is established to the satisfaction of the Secretary or the Attorney General that the alien had good cause for the return. The waiver may be sought prior to departure from the United States or upon return.

(c) **EXCEPTION FOR CERTAIN ALIENS FROM CUBA.**—Subsection (a) shall not apply to an alien who is eligible for adjustment to that of an alien lawfully admitted for permanent residence pursuant to the Cuban Adjustment Act of 1966 (Public Law 89-732).

**SEC. 3412. ASYLUM CLOCK.**

Section 208(d)(2) (8 U.S.C. 1158(d)(2)) is amended by striking “is not entitled to employment authorization” and all that follows through “prior to 180 days after” and inserting “shall be provided employment authorization 180 days after”.

**Subtitle E—Shortage of Immigration Court Resources for Removal Proceedings**

**SEC. 3501. SHORTAGE OF IMMIGRATION COURT PERSONNEL FOR REMOVAL PROCEEDINGS.**

(a) **IMMIGRATION COURT JUDGES.**—The Attorney General shall increase the total number of immigration judges to adjudicate current pending cases and efficiently process future cases by at least—

(1) 75 in fiscal year 2014;  
(2) 75 in fiscal year 2015; and  
(3) 75 in fiscal year 2016.

(b) **NECESSARY SUPPORT STAFF FOR IMMIGRATION COURT JUDGES.**—The Attorney General shall address the shortage of support staff for immigration judges by ensuring that each immigration judge has the assistance of the necessary support staff, including the equivalent of 1 staff attorney or law clerk and 1 legal assistant.

(c) **ANNUAL INCREASES IN BOARD OF IMMIGRATION APPEALS PERSONNEL.**—The Attorney General shall increase the number of Board of Immigration Appeals staff attorneys (including the necessary additional support staff) to efficiently process cases by at least—

(1) 30 in fiscal year 2014;

(2) 30 in fiscal year 2015; and

(3) 30 in fiscal year 2016.

(d) **FUNDING.**—There shall be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section.

**SEC. 3502. IMPROVING IMMIGRATION COURT EFFICIENCY AND REDUCING COSTS BY INCREASING ACCESS TO LEGAL INFORMATION.**

(a) **CLARIFICATION REGARDING THE AUTHORITY OF THE ATTORNEY GENERAL TO APPOINT COUNSEL TO ALIENS IN IMMIGRATION PROCEEDINGS.**—Section 292 (8 U.S.C. 1362) is amended—

(1) by inserting “(a)” before “In any”;  
(2) by striking “(at no expense to the Government)”;

(3) by striking “he shall” and inserting “the person shall”; and

(4) by adding at the end the following:

“(b) The Government is not required to provide counsel to aliens under subsection (a). However, the Attorney General may, in the Attorney General's sole and unreviewable discretion, appoint or provide counsel to aliens in immigration proceedings conducted under section 240 of this Act.”.

(b) **APPOINTMENT OF COUNSEL IN CERTAIN CASES; RIGHT TO REVIEW CERTAIN DOCUMENTS IN REMOVAL PROCEEDINGS.**—Section 240(b) (8 U.S.C. 1229a(b)) is amended—

(1) in paragraph (4)—

(A) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(B) in subparagraph (A), by striking “, at no expense to the Government,”;

(C) by inserting after subparagraph (A) the following new subparagraph:

“(B) the alien shall, at the beginning of the proceedings or at a reasonable time thereafter, automatically receive a complete copy of all relevant documents in the possession of the Department of Homeland Security, including all documents (other than documents protected from disclosure by privilege, including national security information referenced in subparagraph (C), law enforcement sensitive information, and information prohibited from disclosure pursuant to any other provision of law) contained in the file maintained by the Government that includes information with respect to all transactions involving the alien during the immigration process (commonly referred to as an ‘A-file’), and all documents pertaining to the alien that the Department of Homeland Security has obtained or received from other government agencies, unless the alien waives the right to receive such documents by executing a knowing and voluntary waiver in a language that he or she understands fluently,”; and

(D) by adding at the end the following:

“The Government is not required to provide counsel to aliens under this paragraph. However, the Attorney General may, in the Attorney General's sole and unreviewable discretion, appoint or provide counsel at government expense to aliens in immigration proceedings.”; and

(2) by adding at the end the following new paragraph:

“(8) **FAILURE TO PROVIDE ALIEN REQUIRED DOCUMENTS.**—In the absence of a waiver under subparagraph (B) of paragraph (4), a removal proceeding may not proceed until the alien has received the documents as required under such subparagraph.”.

(c) **APPOINTMENT OF COUNSEL FOR UNACCOMPANIED ALIEN CHILDREN AND ALIENS WITH A SERIOUS MENTAL DISABILITY.**—Section 292 (8 U.S.C. 1362), as amended by subsection (a), is further amended by adding at the end the following:

“(c) Notwithstanding subsection (b), the Attorney General shall appoint counsel, at the ex-

pense of the Government if necessary, to represent an alien in a removal proceeding who has been determined by the Secretary to be an unaccompanied alien child, is incompetent to represent himself or herself due to a serious mental disability that would be included in section 3(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(1)), or is considered particularly vulnerable when compared to other aliens in removal proceedings, such that the appointment of counsel is necessary to help ensure fair resolution and efficient adjudication of the proceedings.”.

(d) **FUNDING.**—There shall be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section and the amendments made by this section.

**SEC. 3503. OFFICE OF LEGAL ACCESS PROGRAMS.**

(a) **ESTABLISHMENT OF OFFICE OF LEGAL ACCESS PROGRAMS.**—The Attorney General shall maintain, within the Executive Office for Immigration Review, an Office of Legal Access Programs to develop and administer a system of legal orientation programs to make immigration proceedings more efficient and cost effective by educating aliens regarding administrative procedures and legal rights under United States immigration law and to establish other programs to assist in providing aliens access to legal information.

(b) **LEGAL ORIENTATION PROGRAMS.**—The legal orientation programs—

(1) shall provide programs to assist detained aliens in making informed and timely decisions regarding their removal and eligibility for relief from removal in order to increase efficiency and reduce costs in immigration proceedings and Federal custody processes and to improve access to counsel and other legal services;

(2) may provide services to detained aliens in immigration proceedings under sections 235, 238, 240, and 241(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1225, 1228, 1229a, and 1231(a)(5)) and to other aliens in immigration and asylum proceedings under sections 235, 238, and 240 of the Immigration and Nationality Act (8 U.S.C. 1225, 1228, and 1229a); and

(3) shall identify unaccompanied alien children, aliens with a serious mental disability, and other particularly vulnerable aliens for consideration by the Attorney General pursuant to section 292(c) of the Immigration and Nationality Act, as added by section 3502(c).

(c) **PROCEDURES.**—The Secretary, in consultation with the Attorney General, shall establish procedures that ensure that legal orientation programs are available for all detained aliens within 5 days of arrival into custody and to inform such aliens of the basic procedures of immigration hearings, their rights relating to those hearings under the immigration laws, information that may deter such aliens from filing frivolous legal claims, and any other information deemed appropriate by the Attorney General, such as a contact list of potential legal resources and providers.

(d) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to create any substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

(e) **FUNDING.**—There shall be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section.

**SEC. 3504. CODIFYING BOARD OF IMMIGRATION APPEALS.**

(a) **DEFINITION OF BOARD MEMBER.**—Section 101(a) (8 U.S.C. 1101(a)) is amended by adding at the end the following:

“(53) The term ‘Board Member’ means an attorney whom the Attorney General appoints to serve on the Board of Immigration Appeals within the Executive Office of Immigration Review, and is qualified to review decisions of immigration judges and other matters within the jurisdiction of the Board of Immigration Appeals.”

(b) BOARD OF IMMIGRATION APPEALS.—Section 240(a)(1) (8 U.S.C. 1229a(a)(1)) is amended by adding at the end the following: “The Board of Immigration Appeals and its Board Members shall review decisions of immigration judges under this section.”

(c) APPEALS.—Section 240(b)(4) (8 U.S.C. 1229a(b)(4)), as amended by section 3502(b), is further amended—

(1) in subparagraph (B), by striking “, and” and inserting a semicolon;

(2) in subparagraph (C), by striking the period and inserting “; and”; and

(3) by inserting after subparagraph (C) the following:

“(D) the alien or the Department of Homeland Security may appeal the immigration judge’s decision to a 3-judge panel of the Board of Immigration Appeals.”

(d) DECISION AND BURDEN OF PROOF.—Section 240(c)(1)(A) (8 U.S.C. 1229a(c)(1)(A)) is amended to read as follows:

“(A) IN GENERAL.—At the conclusion of the proceeding, the immigration judge shall decide whether an alien is removable from the United States. The determination of the immigration judge shall be based only on the evidence produced at the hearing. On appeal, the Board of Immigration Appeals shall issue a written opinion. The opinion shall address all dispositive arguments raised by the parties. The panel may incorporate by reference the opinion of the immigration judge whose decision is being reviewed, provided that the panel also addresses any arguments made by the nonprevailing party regarding purported errors of law, fact, or discretion.”

#### SEC. 3505. IMPROVED TRAINING FOR IMMIGRATION JUDGES AND BOARD MEMBERS.

(a) IN GENERAL.—Section 240 (8 U.S.C. 1229a) is amended by adding at the end the following:

“(f) IMPROVED TRAINING.—

“(1) IMPROVED TRAINING FOR IMMIGRATION JUDGES AND BOARD MEMBERS.—

“(A) IN GENERAL.—In consultation with the Attorney General and the Director of the Federal Judicial Center, the Director of the Executive Office for Immigration Review shall review and modify, as appropriate, training programs for immigration judges and Board Members.

“(B) ELEMENTS OF REVIEW.—Each such review shall study—

“(i) the expansion of the training program for new immigration judges and Board Members;

“(ii) continuing education regarding current developments in the field of immigration law; and

“(iii) methods to ensure that immigration judges are trained on properly crafting and dictating decisions.

“(2) IMPROVED TRAINING AND GUIDANCE FOR STAFF.—The Director of the Executive Office for Immigration Review shall—

“(A) modify guidance and training regarding screening standards and standards of review; and

“(B) ensure that Board Members provide staff attorneys with appropriate guidance in drafting decisions in individual cases, consistent with the policies and directives of the Director of the Executive Office for Immigration Review and the Chairman of the Board of Immigration Appeals.”

(b) FUNDING.—There shall be appropriated, from the Comprehensive Immigration Reform

Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section and the amendment made by this section.

#### SEC. 3506. IMPROVED RESOURCES AND TECHNOLOGY FOR IMMIGRATION COURTS AND BOARD OF IMMIGRATION APPEALS.

(a) IMPROVED ON-BENCH REFERENCE MATERIALS AND DECISION TEMPLATES.—The Director of the Executive Office for Immigration Review shall ensure that immigration judges are provided with updated reference materials and standard decision templates that conform to the law of the circuits in which they sit.

(b) PRACTICE MANUAL.—The Director of the Executive Office for Immigration Review shall produce a practice manual describing best practices for the immigration courts and shall make such manual available electronically to counsel and litigants who appear before the immigration courts.

(c) RECORDING SYSTEM AND OTHER TECHNOLOGIES.—

(1) PLAN REQUIRED.—The Director of the Executive Office for Immigration Review shall provide the Attorney General with a plan and a schedule to replace the immigration courts’ tape recording system with a digital recording system that is compatible with the information management systems of the Executive Office for Immigration Review.

(2) AUDIO RECORDING SYSTEM.—Consistent with the plan described in paragraph (1), the Director shall pilot a digital audio recording system not later than 1 year after the enactment of this Act, and shall begin nationwide implementation of that system as soon as practicable.

(d) IMPROVED TRANSCRIPTION SERVICES.—Not later than 1 year after the enactment of this Act, the Director of the Executive Office for Immigration Review shall report to the Attorney General on the current transcription services utilized by the Office and recommend improvements to this system regarding quality and timeliness of transcription.

(e) IMPROVED INTERPRETER SELECTION.—Not later than 1 year after the enactment of this Act, the Director of the Executive Office for Immigration Review shall report to the Attorney General on the current interpreter selection process utilized by the Office and recommend improvements to this process regarding screening, hiring, certification, and evaluation of staff and contract interpreters.

(f) FUNDING.—There shall be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section.

#### SEC. 3507. TRANSFER OF RESPONSIBILITY FOR TRAFFICKING PROTECTIONS.

(a) TRANSFER OF RESPONSIBILITY.—

(1) IN GENERAL.—All unexpended balances appropriated or otherwise available to the Department of Health and Human Services and its Office of Refugee Resettlement in connection with the functions provided for in paragraphs (5) and (6) of section 235(c) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)), shall, subject to section 202 of the Budget and Accounting Procedures Act of 1950, be transferred to the Department of Justice. Funds transferred pursuant to this paragraph shall remain available until expended and shall be used only for the purposes for which the funds were originally authorized and appropriated.

(2) CONTRACT AUTHORITY.—The Attorney General may award grants to, and enter into contracts to carry out the functions set forth in paragraphs (5) and (6) of Section 235(c) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008.

(b) CONFORMING AMENDMENTS.—Section 235(c) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)) is amended—

(1) in paragraph (5)—

(A) by striking “Secretary of Health and Human Services” each place it appears and inserting “Attorney General”; and

(B) by striking the last sentence; and

(2) in paragraph (6)—

(A) by striking “Secretary of Health and Human Services” each place it appears and inserting “Attorney General”; and

(B) in subparagraphs (B)(ii), (D), and (F), by striking “Secretary” each place it appears and inserting “Attorney General”; and

(C) in subparagraph (F), by striking “and Human Services”.

#### Subtitle F—Prevention of Trafficking in Persons and Abuses Involving Workers Recruited Abroad

##### SEC. 3601. DEFINITIONS.

(a) IN GENERAL.—Except as otherwise provided by this subtitle, the terms used in this subtitle shall have the same meanings, respectively, as are given those terms in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(b) OTHER DEFINITIONS.—

(1) FOREIGN LABOR CONTRACTOR.—The term “foreign labor contractor” means any person who performs foreign labor contracting activity, including any person who performs foreign labor contracting activity wholly outside of the United States, except that the term does not include any entity of the United States Government.

(2) FOREIGN LABOR CONTRACTING ACTIVITY.—The term “foreign labor contracting activity” means recruiting, soliciting, or related activities with respect to an individual who resides outside of the United States in furtherance of employment in the United States, including when such activity occurs wholly outside of the United States.

(3) PERSON.—The term “person” means any natural person or any corporation, company, firm, partnership, joint stock company or association or other organization or entity (whether organized under law or not), including municipal corporations.

(4) WORKER.—The term “worker” means an individual or exchange visitor who is the subject of foreign labor contracting activity.

##### SEC. 3602. DISCLOSURE.

(a) REQUIREMENT FOR DISCLOSURE.—Any person who engages in foreign labor contracting activity shall ascertain and disclose in writing in English and in the primary language of the worker at the time of the worker’s recruitment, the following information:

(1) The identity and address of the employer and the identity and address of the person conducting the recruiting on behalf of the employer, including any subcontractor or agent involved in such recruiting.

(2) All assurances and terms and conditions of employment, from the prospective employer for whom the worker is being recruited, including the work hours, level of compensation to be paid, the place and period of employment, a description of the type and nature of employment activities, any withholdings or deductions from compensation and any penalties for terminating employment.

(3) A signed copy of the work contract between the worker and the employer.

(4) The type of visa under which the foreign worker is to be employed, the length of time for which the visa will be valid, the terms and conditions under which the visa may be renewed, and a clear statement of any expenses associated with securing or renewing the visa.

(5) An itemized list of any costs or expenses to be charged to the worker and any deductions to



be taken from wages, including any costs for housing or accommodation, transportation to and from the worksite, meals, health insurance, workers' compensation, costs of benefits provided, medical examinations, healthcare, tools, or safety equipment costs.

(6) The existence of any labor organizing effort, strike, lockout, or other labor dispute at the place of employment.

(7) Whether and the extent to which workers will be compensated through workers' compensation, private insurance, or otherwise for injuries or death, including work-related injuries and death, during the period of employment and, if so, the name of the State workers' compensation insurance carrier or the name of the policyholder of the private insurance, the name and the telephone number of each person who must be notified of an injury or death, and the time period within which such notice must be given.

(8) A statement, in a form specified by the Secretary—

(A) stating that—

(i) no foreign labor contractor, agent, or employee of a foreign labor contractor, may lawfully assess any fee (including visa fees, processing fees, transportation fees, legal expenses, placement fees, and other costs) to a worker for any foreign labor contracting activity; and

(ii) the employer may bear such costs or fees for the foreign labor contractor, but that these fees cannot be passed along to the worker;

(B) explaining that—

(i) no additional significant requirements or changes may be made to the original contract signed by the worker without at least 24 hours to consider such changes and the specific consent of the worker, obtained voluntarily and without threat of penalty; and

(ii) any significant changes made to the original contract that do not comply with clause (i) shall be a violation of this subtitle and be subject to the provisions of section 3610 of this Act; and

(C) describing the protections afforded the worker by this section and by section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b) and any applicable visa program, including—

(i) relevant information about the procedure for filing a complaint provided for in section 3610; and

(ii) the telephone number for the national human trafficking resource center hotline number.

(9) Any education or training to be provided or required, including—

(A) the nature, timing, and cost of such training;

(B) the person who will pay such costs;

(C) whether the training is a condition of employment, continued employment, or future employment; and

(D) whether the worker will be paid or remunerated during the training period, including the rate of pay.

(b) **RELATIONSHIP TO LABOR AND EMPLOYMENT LAWS.**—Nothing in the disclosure required by subsection (a) shall constitute a legal conclusion as to the worker's status or rights under the labor and employment laws.

(c) **PROHIBITION ON FALSE AND MISLEADING INFORMATION.**—No foreign labor contractor or employer who engages in any foreign labor contracting activity shall knowingly provide materially false or misleading information to any worker concerning any matter required to be disclosed under subsection (a). The disclosure required by this section is a document concerning the proper administration of a matter within the jurisdiction of a department or agency of the United States for the purposes of section 1519 of title 18, United States Code.

#### **SEC. 3603. PROHIBITION ON DISCRIMINATION.**

(a) **IN GENERAL.**—It shall be unlawful for an employer or a foreign labor contractor to fail or refuse to hire, discharge, intimidate, threaten, restrain, coerce, or blacklist any individual or otherwise discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color, creed, sex, national origin, religion, age, or disability.

(b) **DETERMINATIONS OF DISCRIMINATION.**—For the purposes of determining the existence of unlawful discrimination under subsection (a)—

(1) in the case of a claim of discrimination based on race, color, creed, sex, national origin, or religion, the same legal standards shall apply as are applicable under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.);

(2) in the case of a claim of discrimination based on unlawful discrimination based on age, the same legal standards shall apply as are applicable under the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.); and

(3) in the case of a claim of discrimination based on disability, the same legal standards shall apply as are applicable under title I of the Americans With Disabilities Act of 1990 (42 U.S.C. 12111 et seq.).

#### **SEC. 3604. RECRUITMENT FEES.**

No employer, foreign labor contractor, or agent or employee of a foreign labor contractor, shall assess any fee (including visa fees, processing fees, transportation fees, legal expenses, placement fees, and other costs) to a worker for any foreign labor contracting activity.

#### **SEC. 3605. REGISTRATION.**

(a) **REQUIREMENT TO REGISTER.**—

(1) **IN GENERAL.**—Subject to paragraph (2), prior to engaging in any foreign labor contracting activity, any person who is a foreign labor contractor or who, for any money or other valuable consideration paid or promised to be paid, performs a foreign labor contracting activity on behalf of a foreign labor contractor, shall obtain a certificate of registration from the Secretary of Labor pursuant to regulations promulgated by the Secretary under subsection (c).

(2) **EXCEPTION FOR CERTAIN EMPLOYERS.**—An employer, or employee of an employer, who engages in foreign labor contracting activity solely to find employees for that employer's own use, and without the participation of any other foreign labor contractor, shall not be required to register under this section.

(b) **NOTIFICATION.**—

(1) **ANNUAL EMPLOYER NOTIFICATION.**—Each employer shall notify the Secretary, not less frequently than once every year, of the identity of any foreign labor contractor involved in any foreign labor contracting activity for, or on behalf of, the employer, including at a minimum, the name and address of the foreign labor contractor, a description of the services for which the foreign labor contractor is being used, whether the foreign labor contractor is to receive any economic compensation for the services, and, if so, the identity of the person or entity who is paying for the services.

(2) **ANNUAL FOREIGN LABOR CONTRACTOR NOTIFICATION.**—Each foreign labor contractor shall notify the Secretary, not less frequently than once every year, of the identity of any subcontractee, agent, or foreign labor contractor employee involved in any foreign labor contracting activity for, or on behalf of, the foreign labor contractor.

(3) **NONCOMPLIANCE NOTIFICATION.**—An employer shall notify the Secretary of the identity of a foreign labor contractor whose activities do not comply with this subtitle.

(4) **AGREEMENT.**—Not later than 7 days after receiving a request from the Secretary, an employer shall provide the Secretary with the identity of any foreign labor contractor with which the employer has a contract or other agreement.

(c) **REGULATIONS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall promulgate regulations to establish an efficient electronic process for the timely investigation and approval of an application for a certificate of registration of foreign labor contractors, including—

(1) a declaration, subscribed and sworn to by the applicant, stating the applicant's permanent place of residence, the foreign labor contracting activities for which the certificate is requested, and such other relevant information as the Secretary may require;

(2) a set of fingerprints of the applicant;

(3) an expeditious means to update registrations and renew certificates;

(4) providing for the consent of any foreign labor recruiter to the designation by a court of the Secretary as an agent available to accept service of summons in any action against the applicant, if the applicant has left the jurisdiction in which the action is commenced, otherwise has become unavailable to accept service, or is subject to personal jurisdiction in no State;

(5) providing for the consent of any foreign labor recruiter to jurisdiction in the Department or any Federal or State court in the United States for any action brought by any aggrieved individual or worker;

(6) providing for cooperation in any investigation by the Secretary or other appropriate authorities;

(7) providing for consent to the forfeiture of the bond for failure to cooperate with these provisions;

(8) providing for consent to be liable for violations of this subtitle by any agents or subcontractees of any level in relation to the foreign labor contracting activity of the agent or subcontractee to the same extent as if the foreign labor contractor had committed the violation; and

(9) providing for consultation with other appropriate Federal agencies to determine whether any reason exists to deny registration to a foreign labor contractor.

(d) **TERM OF REGISTRATION.**—Unless suspended or revoked, a certificate under this section shall be valid for 2 years.

(e) **APPLICATION FEE.**—

(1) **REQUIREMENT FOR FEE.**—In addition to any other fees authorized by law, the Secretary shall impose a fee, to be deposited in the general fund of the Treasury, on a foreign labor contractor that submits an application for a certificate of registration under this section.

(2) **AMOUNT OF FEE.**—The amount of the fee required by paragraph (1) shall be set at a level that the Secretary determines sufficient to cover the full costs of carrying out foreign labor contract registration activities under this subtitle, including worker education and any additional costs associated with the administration of the fees collected.

(f) **REFUSAL TO ISSUE; REVOCATION.**—In accordance with regulations promulgated by the Secretary, the Secretary shall refuse to issue or renew, or shall revoke or debar from eligibility to obtain a certificate of registration for a period of not greater than 5 years, after notice and an opportunity for a hearing, a certificate of registration under this section if—

(1) the applicant for, or holder of, the certification has knowingly made a material misrepresentation in the application for such certificate;

(2) the applicant for, or holder of, the certification is not the real party in interest in the application or certificate of registration and the real party in interest—

(A) is a person who has been refused issuance or renewal of a certificate;

(B) has had a certificate revoked; or

(C) does not qualify for a certificate under this section;



(3) the applicant for, or holder of, the certification has been convicted within the preceding 5 years of—

(A) any felony under State or Federal law or crime involving robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, prostitution, peonage, or smuggling or harboring individuals who have entered the United States illegally; or

(B) any crime relating to gambling, or to the sale, distribution or possession of alcoholic beverages, in connection with or incident to any labor contracting activities; or

(4) the applicant for, or holder of, the certification has materially failed to comply with this section.

(g) **RE-REGISTRATION OF VIOLATORS.**—The Secretary shall establish a procedure by which a foreign labor contractor that has had its registration revoked under subsection (f) may seek to re-register under this subsection by demonstrating to the Secretary's satisfaction that the foreign labor contractor has not violated this subtitle in the previous 5 years and that the foreign labor contractor has taken sufficient steps to prevent future violations of this subtitle.

#### **SEC. 3606. BONDING REQUIREMENT.**

(a) **IN GENERAL.**—The Secretary shall require a foreign labor contractor to post a bond in an amount sufficient to ensure the ability of the foreign labor contractor to discharge its responsibilities and to ensure protection of workers, including wages.

(b) **REGULATIONS.**—The Secretary, by regulation, shall establish the conditions under which the bond amount is determined, paid, and forfeited.

(c) **RELATIONSHIP TO OTHER REMEDIES.**—The bond requirements and forfeiture of the bond under this section shall be in addition to other remedies under 3610 or any other law.

#### **SEC. 3607. MAINTENANCE OF LISTS.**

(a) **IN GENERAL.**—The Secretary shall maintain—

(1) a list of all foreign labor contractors registered under this subsection, including—

(A) the countries from which the contractors recruit;

(B) the employers for whom the contractors recruit;

(C) the visa categories and occupations for which the contractors recruit; and

(D) the States where recruited workers are employed; and

(2) a list of all foreign labor contractors whose certificate of registration the Secretary has revoked.

(b) **UPDATES; AVAILABILITY.**—The Secretary shall—

(1) update the lists required by subsection (a) on an ongoing basis, not less frequently than every 6 months; and

(2) make such lists publicly available, including through continuous publication on Internet websites and in written form at and on the websites of United States embassies in the official language of that country.

(c) **INTER-AGENCY AVAILABILITY.**—The Secretary shall share the information described in subsection (a) with the Secretary of State.

#### **SEC. 3608. AMENDMENT TO THE IMMIGRATION AND NATIONALITY ACT.**

Section 214 (8 U.S.C. 1184) is amended by adding at the end the following:

“(s) A visa shall not be issued under the subparagraph (A)(iii), (B)(i) (but only for domestic servants described in clause (i) or (ii) of section 274a.12(c)(17) of title 8, Code of Federal Regulations (as in effect on December 4, 2007)), (G)(v), (H), (J), (L), (Q), (R), or (W) of section 101(a)(15) until the consular officer—

“(1) has provided to and reviewed with the applicant, in the applicant's language (or a language the applicant understands), a copy of the information and resources pamphlet required by section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b); and

“(2) has reviewed and made a part of the visa file the foreign labor recruiter disclosures required by section 3602 of the Border Security, Economic Opportunity, and Immigration Modernization Act, including whether the foreign labor recruiter is registered pursuant to that section.”.

#### **SEC. 3609. RESPONSIBILITIES OF SECRETARY OF STATE.**

(a) **IN GENERAL.**—The Secretary of State shall ensure that each United States diplomatic mission has a person who shall be responsible for receiving information from any worker who has been subject to violations of this subtitle.

(b) **PROVISION OF INFORMATION.**—The responsible person referred to in subsection (a) shall ensure that the information received is provided to the Department of Justice, the Department of Labor, or any other relevant Federal agency.

(c) **MECHANISMS.**—The Attorney General and the Secretary shall ensure that there is a mechanism for any actions that need to be taken in response to information received under subsection (a).

(d) **ASSISTANCE FROM FOREIGN GOVERNMENT.**—The person designated for receiving information pursuant to subsection (a) is strongly encouraged to coordinate with governments and civil society organizations in the countries of origin to ensure the worker receives additional support.

(e) **MAINTENANCE AND AVAILABILITY OF INFORMATION.**—The Secretary of State shall ensure that consulates maintain information regarding the identities of foreign labor contractors and the employers to whom the foreign labor contractors supply workers. The Secretary of State shall make such information publicly available in written form and online, including on the websites of United States embassies in the official language of that country.

(f) **ANNUAL PUBLIC DISCLOSE.**—The Secretary of State shall make publicly available online, on an annual basis, data disclosing the gender, country of origin and state, if available, date of birth, wage, level of training, and occupation category, disaggregated by job and by visa category and subcategory.

#### **SEC. 3610. ENFORCEMENT PROVISIONS.**

(a) **COMPLAINTS AND INVESTIGATIONS.**—The Secretary—

(1) shall establish a process for the receipt, investigation, and disposition of complaints filed by any person, including complaints respecting a foreign labor contractor's compliance with this subtitle; and

(2) either pursuant to the process required by paragraph (1) or otherwise, may investigate employers or foreign labor contractors, including actions occurring in a foreign country, as necessary to determine compliance with this subtitle.

(b) **ENFORCEMENT.**—

(1) **IN GENERAL.**—A worker who believes that he or she has suffered a violation of this subtitle may seek relief from an employer by—

(A) filing a complaint with the Secretary within 3 years after the date on which the violation occurred or date on which the employee became aware of the violation; or

(B) if the Secretary has not issued a final decision within 120 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such

an action without regard to the amount in controversy.

(2) **PROCEDURE.**—

(A) **IN GENERAL.**—Unless otherwise provided herein, a complaint under paragraph (1)(A) shall be governed under the rules and procedures set forth in paragraphs (1) and (2)(A) of section 42121(b) of title 49, United States Code.

(B) **EXCEPTION.**—Notification of a complaint under paragraph (1)(A) shall be made to each person or entity named in the complaint as a defendant and to the employer.

(C) **STATUTE OF LIMITATIONS.**—An action filed in a district court of the United States under paragraph (1)(B) shall be commenced not later than 180 days after the last day of the 120-day period referred to in that paragraph.

(D) **JURY TRIAL.**—A party to an action brought under paragraph (1)(B) shall be entitled to trial by jury.

(c) **ADMINISTRATIVE ENFORCEMENT.**—

(1) **IN GENERAL.**—If the Secretary finds, after notice and an opportunity for a hearing, any foreign labor contractor or employer failed to comply with any of the requirements of this subtitle, the Secretary may impose the following against such contractor or employer—

(A) a fine in an amount not more than \$10,000 per violation; and

(B) upon the occasion of a third violation or a failure to comply with representations, a fine of not more than \$25,000 per violation.

(d) **AUTHORITY TO ENSURE COMPLIANCE.**—The Secretary is authorized to take other such actions, including issuing subpoenas and seeking appropriate injunctive relief and recovery of damages, as may be necessary to assure compliance with the terms and conditions of this subtitle.

(e) **BONDING.**—Pursuant to the bonding requirement in section 3606, bond liquidation and forfeitures shall be in addition to other remedies under this section or any other law.

(f) **CIVIL ACTION.**—

(1) **IN GENERAL.**—The Secretary or any person aggrieved by a violation of this subtitle may bring a civil action against any foreign labor contractor that does not meet the requirements under subsection (g)(2) in any court of competent jurisdiction—

(A) to seek remedial action, including injunctive relief;

(B) to recover damages on behalf of any worker harmed by a violation of this subsection; and

(C) to ensure compliance with requirements of this section.

(2) **ACTIONS BY THE SECRETARY OF HOMELAND SECURITY.**—

(A) **SUMS RECOVERED.**—Any sums recovered by the Secretary on behalf of a worker under paragraph (1) or through liquidation of the bond held pursuant to section 3606 shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to each worker affected. Any such sums not paid to a worker because of inability to do so within a period of 5 years shall be credited as an offsetting collection to the appropriations account of the Secretary for expenses for the administration of this section and shall remain available to the Secretary until expended or may be used for enforcement of the laws within the jurisdiction of the wage and hour division or may be transferred to the Secretary of Health and Human Services for the purpose of providing support to programs that provide assistance to victims of trafficking in persons or other exploited persons. The Secretary shall work with any attorney or organization representing workers to locate workers owed sums under this section.

(B) **REPRESENTATION.**—Except as provided in section 518(a) of title 28, United States Code, the Attorney General may appear for and represent the Secretary in any civil litigation brought

under this paragraph. All such litigation shall be subject to the direction and control of the Attorney General.

(3) ACTIONS BY INDIVIDUALS.—

(A) AWARD.—If the court finds in a civil action filed by an individual under this section that the defendant has violated any provision of this subtitle (or any regulation issued pursuant to this subtitle), the court may award—

(i) damages, up to and including an amount equal to the amount of actual damages, and statutory damages of up to \$1,000 per plaintiff per violation, or other equitable relief, except that with respect to statutory damages—

(I) multiple infractions of a single provision of this subtitle (or of a regulation under this subtitle) shall constitute only 1 violation for purposes of section 3602(a) to determine the amount of statutory damages due a plaintiff; and

(II) if such complaint is certified as a class action the court may award—

(aa) damages up to an amount equal to the amount of actual damages; and

(bb) statutory damages of not more than the lesser of up to \$1,000 per class member per violation, or up to \$500,000; and other equitable relief;

(ii) reasonable attorneys' fees and costs; and

(iii) such other and further relief, including declaratory and injunctive relief, as necessary to effectuate the purposes of this subtitle.

(B) CRITERIA.—In determining the amount of statutory damages to be awarded under subparagraph (A), the court is authorized to consider whether an attempt was made to resolve the issues in dispute before the resort to litigation.

(C) BOND.—To satisfy the damages, fees, and costs found owing under this clause, the Secretary shall release as much of the bond held pursuant to section 3606 as necessary.

(D) APPEAL.—Any civil action brought under this section shall be subject to appeal as provided in chapter 83 of title 28, United States Code (28 U.S.C. 1291 et seq.).

(E) ACCESS TO LEGAL SERVICES CORPORATION.—Notwithstanding any other provision of law, the Legal Services Corporation and recipients of its funding may provide legal assistance on behalf of any alien with respect to any provision of this subtitle.

(g) AGENCY LIABILITY.—

(1) IN GENERAL.—Beginning 180 days after the Secretary has promulgated regulations pursuant to section 3605(c), an employer who retains the services of a foreign labor contractor shall only use those foreign labor contractors who are registered under section 3605.

(2) SAFE HARBOR.—An employer shall not have any liability under this section if the employer hires workers referred by a foreign labor contractor that has a valid registration with the Department pursuant to section 3604.

(3) LIABILITY FOR AGENTS.—Foreign labor contractors shall be subject to the provisions of this section for violations committed by the foreign labor contractor's agents or subcontractees of any level in relation to their foreign labor contracting activity to the same extent as if the foreign labor contractor had committed the violation.

(h) RETALIATION.—

(1) IN GENERAL.—No person shall intimidate, threaten, restrain, coerce, discharge, or in any other manner discriminate or retaliate against any worker or their family members (including a former employee or an applicant for employment) because such worker disclosed information to any person that the worker reasonably believes evidences a violation of this section (or any rule or regulation pertaining to this section), including seeking legal assistance or counsel or cooperating with an investigation or other proceeding concerning compliance with

this section (or any rule or regulation pertaining to this section).

(2) ENFORCEMENT.—An individual who is subject to any conduct described in paragraph (1) may, in a civil action, recover appropriate relief, including reasonable attorneys' fees and costs, with respect to that violation. Any civil action under this subparagraph shall be stayed during the pendency of any criminal action arising out of the violation.

(i) WAIVER OF RIGHTS.—Agreements by employees purporting to waive or to modify their rights under this subtitle shall be void as contrary to public policy.

(j) PRESENCE DURING PENDENCY OF ACTIONS.—

(1) IN GENERAL.—If other immigration relief is not available, the Attorney General and the Secretary shall grant advance parole to permit a nonimmigrant to remain legally in the United States for time sufficient to fully and effectively participate in all legal proceedings related to any action taken pursuant to this section.

(2) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall promulgate regulations to carry out paragraph (1).

**SEC. 3611. DETECTING AND PREVENTING CHILD TRAFFICKING.**

The Secretary shall mandate the live training of all U.S. Customs and Border Protection personnel who are likely to come into contact with unaccompanied alien children. Such training shall incorporate the services of child welfare professionals with expertise in culturally competent, trauma-centered, and developmentally appropriate interviewing skills to assist U.S. Customs and Border Protection in the screening of children attempting to enter the United States.

**SEC. 3612. PROTECTING CHILD TRAFFICKING VICTIMS.**

(a) SHORT TITLE.—This section may be cited as the "Child Trafficking Victims Protection Act".

(b) DEFINED TERM.—In this section, the term "unaccompanied alien children" has the meaning given such term in section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279).

(c) CARE AND TRANSPORTATION.—Notwithstanding any other provision of law, the Secretary shall ensure that all unaccompanied alien children who will undergo any immigration proceedings before the Department or the Executive Office for Immigration Review are duly transported and placed in the care and legal and physical custody of the Office of Refugee Resettlement not later than 72 hours after their apprehension absent exceptional circumstances, including a natural disaster or comparable emergency beyond the control of the Secretary or the Office of Refugee Resettlement. The Secretary, to the extent practicable, shall ensure that female officers are continuously present during the transfer and transport of female detainees who are in the custody of the Department.

(d) QUALIFIED RESOURCES.—

(1) IN GENERAL.—The Secretary shall provide adequately trained and qualified staff and resources, including the accommodation of child welfare officials, in accordance with subsection (e), at U.S. Customs and Border Protection ports of entry and stations.

(2) CHILD WELFARE PROFESSIONALS.—The Secretary of Health and Human Services, in consultation with the Secretary, shall hire, on a full- or part-time basis, child welfare professionals who will provide assistance, either in person or by other appropriate methods of communication, in not fewer than 7 of the U.S. Customs and Border Protection offices or stations with the largest number of unaccompanied alien child apprehensions in the previous fiscal year.

(e) CHILD WELFARE PROFESSIONALS.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Health and Human Services, shall ensure that qualified child welfare professionals with expertise in culturally competent, trauma-centered, and developmentally appropriate interviewing skills are available at each major port of entry described in subsection (d).

(2) DUTIES.—Child welfare professionals described in paragraph (1) shall—

(A) develop guidelines for treatment of unaccompanied alien children in the custody of the Department;

(B) conduct screening of all unaccompanied alien children in accordance with section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(4));

(C) notify the Department and the Office of Refugee Resettlement of children that potentially meet the notification and transfer requirements set forth in subsections (a) and (b) of section 235 of such Act (8 U.S.C. 1232);

(D) interview adult relatives accompanying unaccompanied alien children;

(E) provide an initial family relationship and trafficking assessment and recommendations regarding unaccompanied alien children's initial placements to the Office of Refugee Resettlement, which shall be conducted in accordance with the time frame set forth in subsections (a)(4) and (b)(3) of section 235 of such Act (8 U.S.C. 1232); and

(F) ensure that each unaccompanied alien child in the custody of U.S. Customs and Border Protection—

(i) receives emergency medical care when necessary;

(ii) receives emergency medical and mental health care that complies with the standards adopted pursuant to section 8(c) of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607(c)) whenever necessary, including in cases in which a child is at risk to harm himself, herself, or others;

(iii) is provided with climate appropriate clothing, shoes, basic personal hygiene and sanitary products, a pillow, linens, and sufficient blankets to rest at a comfortable temperature;

(iv) receives adequate nutrition;

(v) enjoys a safe and sanitary living environment;

(vi) has access to daily recreational programs and activities if held for a period longer than 24 hours;

(vii) has access to legal services and consular officials; and

(viii) is permitted to make supervised phone calls to family members.

(3) FINAL DETERMINATIONS.—The Office of Refugee Resettlement in accordance with applicable policies and procedures for sponsors, shall submit final determinations on family relationships to the Secretary, who shall consider such adult relatives for community-based support alternatives to detention.

(4) REPORT.—Not later than 18 months after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit a report to Congress that—

(A) describes the screening procedures used by the child welfare professionals to screen unaccompanied alien children;

(B) assesses the effectiveness of such screenings; and

(C) includes data on all unaccompanied alien children who were screened by child welfare professionals;

(f) IMMEDIATE NOTIFICATION.—The Secretary shall notify the Office of Refugee Resettlement of an unaccompanied alien child in the custody of the Department as soon as practicable, but generally not later than 48 hours after the Department encounters the child, to effectively

and efficiently coordinate the child's transfer to and placement with the Office of Refugee Resettlement.

(g) NOTICE OF RIGHTS AND RIGHT TO ACCESS TO COUNSEL.—

(1) IN GENERAL.—The Secretary shall ensure that all unaccompanied alien children, upon apprehension, are provided—

(A) an interview and screening with a child welfare professional described in subsection (e)(1); and

(B) an orientation and oral and written notice of their rights under the Immigration and Nationality Act, including—

(i) their right to relief from removal;

(ii) their right to confer with counsel (as guaranteed under section 292 of such Act (8 U.S.C. 1362)), family, or friends while in the temporary custody of the Department; and

(iii) relevant complaint mechanisms to report any abuse or misconduct they may have experienced.

(2) LANGUAGES.—The Secretary shall ensure that—

(A) the video orientation and written notice of rights described in paragraph (1) is available in English and in the 5 most common native languages spoken by the unaccompanied children held in custody at that location during the preceding fiscal year; and

(B) the oral notice of rights is available in English and in the most common native language spoken by the unaccompanied children held in custody at that location during the preceding fiscal year.

(h) CONFIDENTIALITY.—The Secretary of Health and Human Services shall maintain the privacy and confidentiality of all information gathered in the course of providing care, custody, placement, and follow-up services to unaccompanied alien children, consistent with the best interest of the unaccompanied alien child, by not disclosing such information to other government agencies or nonparental third parties unless such disclosure is—

(1) recorded in writing and placed in the child's file;

(2) in the child's best interest; and

(3)(A) authorized by the child or by an approved sponsor in accordance with section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) and the Health Insurance Portability and Accountability Act (Public Law 104-191); or

(B) provided to a duly recognized law enforcement entity to prevent imminent and serious harm to another individual.

(i) OTHER POLICIES AND PROCEDURES.—The Secretary shall adopt fundamental child protection policies and procedures—

(1) for reliable age determinations of children, developed in consultation with medical and child welfare experts, which exclude the use of fallible forensic testing of children's bone and teeth;

(2) to utilize all legal authorities to defer the child's removal if the child faces a risk of life-threatening harm upon return including due to the child's mental health or medical condition; and

(3) to ensure, in accordance with the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), that unaccompanied alien children, while in detention, are—

(A) physically separated from any adult who is not an immediate family member; and

(B) separated from—

(i) immigration detainees and inmates with criminal convictions;

(ii) pretrial inmates facing criminal prosecution; and

(iii) inmates exhibiting violent behavior.

(j) REPATRIATION AND REINTEGRATION PROGRAM.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development, in conjunction with the Secretary, the Secretary of Health and Human Services, the Attorney General, international organizations, and nongovernmental organizations in the United States with expertise in repatriation and reintegration, shall create a multi-year program to develop and implement best practices and sustainable programs in the United States and within the country of return to ensure the safe and sustainable repatriation and reintegration of unaccompanied alien children into their country of nationality or of last habitual residence, including placement with their families, legal guardians, or other sponsoring agencies.

(2) REPORT ON REPATRIATION AND REINTEGRATION OF UNACCOMPANIED ALIEN CHILDREN.—Not later than 18 months after the date of the enactment of this Act, and annually thereafter, the Administrator of the Agency for International Development shall submit a substantive report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on efforts to improve repatriation and reintegration programs for unaccompanied alien children.

(k) TRANSFER OF FUNDS.—

(1) AUTHORIZATION.—The Secretary, in accordance with a written agreement between the Secretary and the Secretary of Health and Human Services, shall transfer such amounts as may be necessary to carry out the duties described in subsection (f)(2) from amounts appropriated for U.S. Customs and Border Protection to the Department of Health and Human Services.

(2) REPORT.—Not later than 15 days before any proposed transfer under paragraph (1), the Secretary of Health and Human Services, in consultation with the Secretary, shall submit a detailed expenditure plan that describes the actions proposed to be taken with amounts transferred under such paragraph to—

(A) the Committee on Appropriations of the Senate; and

(B) the Committee on Appropriations of the House of Representatives.

#### SEC. 3613. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to preempt or alter any other rights or remedies, including any causes of action, available under any other Federal or State law.

#### SEC. 3614. REGULATIONS.

The Secretary shall, in consultation with the Secretary of Labor, prescribe regulations to implement this subtitle and to develop policies and procedures to enforce the provisions of this subtitle.

#### Subtitle G—Interior Enforcement

#### SEC. 3701. CRIMINAL STREET GANGS.

(a) INADMISSIBILITY.—Section 212(a)(2) (8 U.S.C. 1182(a)(2)) is amended by inserting after subparagraph (I) the following:

“(J) ALIENS IN CRIMINAL STREET GANGS.—

“(i) IN GENERAL.—Any alien is inadmissible—

“(I) who has been convicted of an offense for which an element was active participation in a criminal street gang (as defined in section 521(a) of title 18, United States Code) and the alien—

“(aa) had knowledge that the gang's members engaged in or have engaged in a continuing series of offenses described in section 521(c) of title 18, United States Code; and

“(bb) acted with the intention to promote or further the felonious activities of the criminal street gang or maintain or increase his or her position in the gang; or

“(II) subject to clause (ii), who is 18 years of age or older, who is physically present outside the United States, whom the Secretary determines by clear and convincing evidence, based upon law enforcement information deemed cred-

ible by the Secretary, has, since the age of 18, knowingly and willingly participated in a criminal street gang with knowledge that such participation promoted or furthered the illegal activity of the gang.

“(ii) WAIVER.—The Secretary may waive clause (i)(II) if the alien has renounced all association with the criminal street gang, is otherwise admissible, and is not a threat to the security of the United States.”.

(b) GROUNDS FOR DEPORTATION.—Section 237(a)(2) (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

“(G) ALIENS ASSOCIATED WITH CRIMINAL STREET GANGS.—Any alien is removable who has been convicted of an offense for which an element was active participation in a criminal street gang (as defined in section 521(a) of title 18, United States Code), and the alien—

“(i) had knowledge that the gang's members engaged in or have engaged in a continuing series of offenses described in section 521(c) of title 18, United States Code; and

“(ii) acted with the intention to promote or further the felonious activities of the criminal street gang or increase his or her position in such gang.”.

(c) GROUND OF INELIGIBILITY FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—

(1) IN GENERAL.—An alien who is 18 years of age or older is ineligible for registered provisional immigrant status if the Secretary determines that the alien—

(A) has been convicted of an offense for which an element was active participation in a criminal street gang (as defined in section 521(a) of title 18, United States Code), and the alien—

(i) had knowledge that the gang's members engaged in or have engaged in a continuing series of offenses described in section 521(c) of title 18, United States Code; and

(ii) acted with the intention to promote or further the felonious activities of the criminal street gang or maintain or increase his or her position in such gang; or

(B) subject to paragraph (2), any alien who is 18 years of age or older whom the Secretary determines by clear and convincing evidence, based upon law enforcement information deemed credible by the Secretary, has, since the age of 18, knowingly and willingly participated in a such gang with knowledge that such participation promoted or furthered the illegal activity of such gang.

(2) WAIVER.—The Secretary may waive the application of paragraph (1)(B) if the alien has renounced all association with the criminal street gang, is otherwise admissible, and is not a threat to the security of the United States.

#### SEC. 3702. BANNING HABITUAL DRUNK DRIVERS FROM THE UNITED STATES.

(a) GROUNDS FOR INADMISSIBILITY.—Section 212(a)(2) (8 U.S.C. 1182(a)(2)), as amended by section 3701(a), is further amended—

(1) by redesignating subparagraph (F) as subparagraph (L); and

(2) by inserting after subparagraph (E) the following:

“(F) HABITUAL DRUNK DRIVERS.—An alien convicted of 3 or more offenses for driving under the influence or driving while intoxicated on separate dates is inadmissible.”.

(b) GROUNDS FOR DEPORTATION.—Section 237(a)(2) (8 U.S.C. 1227(a)(2)), as amended by section 3701(b), is further amended by adding at the end the following:

“(H) HABITUAL DRUNK DRIVERS.—An alien convicted of 3 or more offenses for driving under the influence or driving while intoxicated, at least 1 of which occurred after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, is deportable.”.

(c) IN GENERAL.—

(1) **AGGRAVATED FELONY.**—Section 101(a)(43)(F) (8 U.S.C. 1101(a)(43)(F)) is amended by striking “for which the term of imprisonment” and inserting “, including a third drunk driving conviction, for which the term of imprisonment is”.

(2) **EFFECTIVE DATE AND APPLICATION.**—

(A) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act.

(B) **APPLICATION.**—

(i) **IN GENERAL.**—Except as provided in subparagraph (ii), the amendment made by paragraph (1) shall apply to a conviction for drunk driving that occurred before, on, or after such date of enactment.

(ii) **TWO OR MORE PRIOR CONVICTIONS.**—An alien who received 2 or more convictions for drunk driving before the date of the enactment of this Act may not be subject to removal for the commission of an aggravated felony pursuant to section 237(a)(2)(A)(iii) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)(A)(iii)) on the basis of such convictions until the date on which the alien is convicted of a drunk driving offense after such date of enactment.

#### **SEC. 3703. SEXUAL ABUSE OF A MINOR.**

Section 101(a)(43)(A) (8 U.S.C. 1101(a)(43)(A)) is amended by striking “murder, rape, or sexual abuse of a minor;” and inserting “murder, rape, or sexual abuse of a minor, whether or not the minority of the victim is established by evidence contained in the record of conviction or by credible evidence extrinsic to the record of conviction;”.

#### **SEC. 3704. ILLEGAL ENTRY.**

(a) **IN GENERAL.**—Section 275 (8 U.S.C. 1325) is amended to read as follows:

##### **“SEC. 275. ILLEGAL ENTRY.**

“(a) **IN GENERAL.**—

“(1) **CRIMINAL OFFENSES.**—An alien shall be subject to the penalties set forth in paragraph (2) if the alien—

“(A) enters or crosses the border into the United States at any time or place other than as designated by the Secretary of Homeland Security;

“(B) eludes examination or inspection by an immigration officer, or a customs or agriculture inspection at a port of entry; or

“(C) enters or crosses the border to the United States by means of a knowingly false or misleading representation or the concealment of a material fact.

“(2) **CRIMINAL PENALTIES.**—Any alien who violates any provision under paragraph (1)—

“(A) shall, for the first violation, be fined under title 18, United States Code, imprisoned not more than 12 months, or both;

“(B) shall, for a second or subsequent violation, or following an order of voluntary departure, be fined under such title, imprisoned not more than 3 years, or both;

“(C) if the violation occurred after the alien had been convicted of 3 or more misdemeanors with the convictions occurring on different dates or of a felony for which the alien served a term of imprisonment of 15 days or more, shall be fined under such title, imprisoned not more than 10 years, or both; and

“(D) if the violation occurred after the alien had been convicted of a felony for which the alien was sentenced to a term of imprisonment of not less than 30 months, shall be fined under such title, imprisoned not more than 15 years, or both.

“(3) **PRIOR CONVICTIONS.**—The prior convictions described in subparagraphs (C) and (D) of paragraph (2) are elements of the offenses described in that paragraph and the penalties in such subparagraphs shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

“(A) alleged in the indictment or information; and

“(B) proven beyond a reasonable doubt at trial or admitted by the defendant under oath as part of a plea agreement.

“(b) **IMPROPER TIME OR PLACE; CIVIL PENALTIES.**—Any alien older than 18 years of age who is apprehended while knowingly entering, attempting to enter, or crossing or attempting to cross the border to the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty, in addition to any criminal or other civil penalties that may be imposed under any other provision of law, in an amount equal to—

“(1) not less than \$250 or more than \$5,000 for each such entry, crossing, attempted entry, or attempted crossing; or

“(2) twice the amount specified in paragraph (1) if the alien had previously been subject to a civil penalty under this subsection.

“(c) **FRAUDULENT MARRIAGE.**—An individual who knowingly enters into a marriage for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined not more than \$250,000, or both.

“(d) **COMMERCIAL ENTERPRISES.**—Any individual who knowingly establishes a commercial enterprise for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined in accordance with title 18, United States Code, or both.”.

(b) **CLERICAL AMENDMENT.**—The table of contents is amended by striking the item relating to section 275 and inserting the following:

“Sec. 275. Illegal entry.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act.

#### **SEC. 3705. REENTRY OF REMOVED ALIEN.**

Section 276 (8 U.S.C. 1326) is amended to read as follows:

##### **“SEC. 276. REENTRY OF REMOVED ALIEN.**

“(a) **REENTRY AFTER REMOVAL.**—Any alien who has been denied admission, excluded, deported, or removed, or who has departed the United States while an order of exclusion, deportation, or removal is outstanding, and subsequently enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, and imprisoned not more than 2 years.

“(b) **REENTRY OF CRIMINAL OFFENDERS.**—Notwithstanding the penalty provided in subsection (a), if an alien described in that subsection—

“(1) was convicted for 3 or more misdemeanors, with the convictions occurring on different dates, before such removal or departure, the alien shall be fined under title 18, United States Code, and imprisoned not more than 10 years, or both;

“(2) was convicted for a felony before such removal or departure for which the alien was sentenced to a term of imprisonment of not less than 30 months, the alien shall be fined under such title, and imprisoned not more than 15 years, or both;

“(3) was convicted for a felony before such removal or departure for which the alien was sentenced to a term of imprisonment of not less than 60 months, the alien shall be fined under such title, and imprisoned not more than 20 years, or both;

“(4) was convicted for 3 felonies, with the convictions occurring on different dates before such removal or departure, the alien shall be fined under such title, and imprisoned not more than 20 years, or both; or

“(5) was convicted, before such removal or departure, for murder, rape, kidnapping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, the alien shall be fined

under such title, and imprisoned not more than 20 years, or both.

“(c) **REENTRY AFTER REPEATED REMOVAL.**—Any alien who has been denied admission, excluded, deported, or removed 3 or more times and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, and imprisoned not more than 10 years, or both.

“(d) **PROOF OF PRIOR CONVICTIONS.**—The prior convictions described in subsection (b) are elements of the offenses described in that subsection, and the penalties in such subsection shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

“(1) alleged in the indictment or information; and

“(2) proven beyond a reasonable doubt at trial or admitted by the defendant under oath as part of a plea agreement.

“(e) **AFFIRMATIVE DEFENSES.**—It shall be an affirmative defense to a violation of this section that—

“(1) prior to the alleged violation, the alien had sought and received the express consent of the Secretary of Homeland Security to reapply for admission into the United States; or

“(2) at the time of the prior exclusion, deportation, removal, or denial of admission alleged in the violation, the alien had not yet reached 18 years of age and had not been convicted of a crime or adjudicated a delinquent minor by a court of the United States, or a court of a state or territory, for conduct that would constitute a felony if committed by an adult.

“(f) **LIMITATION ON COLLATERAL ATTACK ON UNDERLYING DEPORTATION ORDER.**—In a criminal proceeding under this section, an alien may not challenge the validity of the deportation order described in subsection (a) or subsection (c) unless the alien demonstrates that—

“(1) the alien exhausted any administrative remedies that may have been available to seek relief against the order;

“(2) the deportation proceedings at which the order was issued improperly deprived the alien of the opportunity for judicial review; and

“(3) the entry of the order was fundamentally unfair.

“(g) **REENTRY OF ALIEN REMOVED PRIOR TO COMPLETION OF TERM OF IMPRISONMENT.**—Any alien removed pursuant to section 241(a)(4) who enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States shall be incarcerated for the remainder of the sentence of imprisonment which was pending at the time of deportation without any reduction for parole or supervised release unless the alien affirmatively demonstrates that the Secretary of Homeland Security has expressly consented to the alien's reentry or the alien is prima facie eligible for protection from removal. Such alien shall be subject to such other penalties relating to the reentry of removed aliens as may be available under this section or any other provision of law.

“(h) **LIMITATION.**—It is not aiding and abetting a violation of this section for an individual to provide an alien with emergency humanitarian assistance, including emergency medical care and food, or to transport the alien to a location where such assistance can be rendered without compensation or the expectation of compensation.

“(i) **DEFINITIONS.**—In this section:

“(1) **FELONY.**—The term ‘felony’ means any criminal offense punishable by a term of imprisonment of more than 1 year under the laws of the United States, any State, or a foreign government.

“(2) **MISDEMEANOR.**—The term ‘misdemeanor’ means any criminal offense punishable by a

term of imprisonment of not more than 1 year under the applicable laws of the United States, any State, or a foreign government.

“(3) REMOVAL.—The term ‘removal’ includes any denial of admission, exclusion, deportation, or removal, or any agreement by which an alien stipulates or agrees to exclusion, deportation, or removal.

“(4) STATE.—The term ‘State’ means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.”.

#### SEC. 3706. PENALTIES RELATING TO VESSELS AND AIRCRAFT.

Section 243(c) (8 U.S.C. 1253(c)) is amended—

(1) by striking “Attorney General” each place such term appears and inserting “Secretary of Homeland Security”;

(2) by striking “Commissioner” each place such term appears and inserting “Secretary of Homeland Security”;

(3) in paragraph (1)—

(A) in subparagraph (A), by striking “\$2,000” and inserting “\$5,000”;

(B) in subparagraph (B), by striking “\$5,000” and inserting “\$10,000”;

(C) by amending subparagraph (C) to read as follows:

“(C) COMPROMISE.—The Secretary of Homeland Security, in the Secretary’s unreviewable discretion and upon the receipt of a written request, may mitigate the monetary penalties required under this subsection for each alien stowaway to an amount equal to not less than \$2,000, upon such terms that the Secretary determines to be appropriate.”; and

(D) by inserting at the end the following:

“(D) EXCEPTION.—A person, acting without compensation or the expectation of compensation, is not subject to penalties under this paragraph if the person is—

“(i) providing, or attempting to provide, an alien with humanitarian assistance, including emergency medical care or food or water; or

“(ii) transporting the alien to a location where such humanitarian assistance can be rendered without compensation or the expectation of compensation.”.

#### SEC. 3707. REFORM OF PASSPORT, VISA, AND IMMIGRATION FRAUD OFFENSES.

(a) TRAFFICKING IN PASSPORTS.—Section 1541 of title 18, United States Code, is amended to read as follows:

##### “§ 1541. Trafficking in passports

“(a) MULTIPLE PASSPORTS.—Subject to subsection (b), any person who, during any period of 3 years or less, knowingly—

“(1) and without lawful authority produces, issues, or transfers 3 or more passports;

“(2) forges, counterfeits, alters, or falsely makes 3 or more passports;

“(3) secures, possesses, uses, receives, buys, sells, or distributes 3 or more passports, knowing the passports to be forged, counterfeited, altered, falsely made, stolen, procured by fraud, or produced or issued without lawful authority; or

“(4) completes, mails, prepares, presents, signs, or submits 3 or more applications for a United States passport, knowing the applications to contain any materially false statement or representation, shall be fined under this title, imprisoned not more than 20 years, or both.

“(b) USE IN A TERRORISM OFFENSE.—Any person who commits an offense described in subsection (a) to facilitate an act of international terrorism (as defined in section 2331) shall be fined under this title, imprisoned not more than 25 years, or both.

“(c) PASSPORT MATERIALS.—Any person who knowingly and without lawful authority produces, buys, sells, possesses, or uses any official material (or counterfeit of any official material)

used to make 10 or more passports, including any distinctive paper, seal, hologram, image, text, symbol, stamp, engraving, or plate, shall be fined under this title, imprisoned not more than 20 years, or both.”.

(b) FALSE STATEMENT IN AN APPLICATION FOR A PASSPORTS.—Section 1542 of title 18, United States Code, is amended to read as follows:

##### “§ 1542. False statement in an application for a passport

“(a) IN GENERAL.—Any person who knowingly makes any material false statement or representation in an application for a United States passport, or mails, prepares, presents, or signs an application for a United States passport knowing the application to contain any material false statement or representation, shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), 15 years (in the case of any other offense), or both.

“(b) VENUE.—

“(1) IN GENERAL.—An offense under subsection (a) may be prosecuted in any district—

“(A) in which the false statement or representation was made or the application for a United States passport was prepared or signed; or

“(B) in which or to which the application was mailed or presented.

“(2) OFFENSES OUTSIDE THE UNITED STATES.—An offense under subsection (a) involving an application prepared and adjudicated outside the United States may be prosecuted in the district in which the resultant passport was or would have been produced.

“(c) SAVINGS CLAUSE.—Nothing in this section may be construed to limit the venue otherwise available under sections 3237 and 3238 of this title.”.

(c) MISUSE OF A PASSPORT.—Section 1544 of title 18, United States Code, is amended to read as follows:

##### “§ 1544. Misuse of a passport

“Any person who knowingly—

“(1) misuses or attempts to misuse for their own purposes any passport issued or designed for the use of another;

“(2) uses or attempts to use any passport in violation of the laws, regulations, or rules governing the issuance and use of the passport;

“(3) secures, possesses, uses, receives, buys, sells, or distributes or attempts to secure, possess, use, receive, buy, sell, or distribute any passport knowing the passport to be forged, counterfeited, altered, falsely made, procured by fraud, or produced or issued without lawful authority; or

“(4) substantially violates the terms and conditions of any safe conduct duly obtained and issued under the authority of the United States, shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), 15 years (in the case of any other offense), or both.”.

(d) SCHEMES TO PROVIDE FRAUDULENT IMMIGRATION SERVICES.—Section 1545 of title 18, United States Code, is amended to read as follows:

##### “§ 1545. Schemes to provide fraudulent immigration services

“(a) IN GENERAL.—Any person who knowingly executes a scheme or artifice, in connection with any matter that is authorized by or arises under any Federal immigration law or any matter the offender claims or represents is

authorized by or arises under any Federal immigration law, to—

“(1) defraud any person; or

“(2) obtain or receive money or anything else of value from any person by means of false or fraudulent pretenses, representations, or promises,

shall be fined under this title, imprisoned not more than 10 years, or both.

“(b) MISREPRESENTATION.—Any person who knowingly and falsely represents that such person is an attorney or an accredited representative (as that term is defined in section 1292.1 of title 8, Code of Federal Regulations (or any successor regulation)) in any matter arising under any Federal immigration law shall be fined under this title, imprisoned not more than 15 years, or both.”.

(e) IMMIGRATION AND VISA FRAUD.—Section 1546 of title 18, United States Code, is amended—

(1) by amending the section heading to read as follows:

##### “§ 1546. Immigration and visa fraud”;

(2) by redesignating subsection (b) as subsection (d); and

(3) by inserting after subsection (a) the following new subsections:

“(b) TRAFFICKING.—Any person who, during any period of 3 years or less, knowingly—

“(1) and without lawful authority produces, issues, or transfers 3 or more immigration documents;

“(2) forges, counterfeits, alters, or falsely makes 3 or more immigration documents;

“(3) secures, possesses, uses, buys, sells, or distributes 3 or more immigration documents, knowing the immigration documents to be forged, counterfeited, altered, stolen, falsely made, procured by fraud, or produced or issued without lawful authority; or

“(4) completes, mails, prepares, presents, signs, or submits 3 or more immigration documents knowing the documents to contain any materially false statement or representation,

shall be fined under this title, imprisoned not more than 20 years, or both.

“(c) IMMIGRATION DOCUMENT MATERIALS.—Any person who knowingly and without lawful authority produces, buys, sells, possesses, or uses any official material (or counterfeit of any official material) used to make 10 or more immigration documents, including any distinctive paper, seal, hologram, image, text, symbol, stamp, engraving, or plate, shall be fined under this title, imprisoned not more than 20 years, or both.”.

(f) ALTERNATIVE IMPRISONMENT MAXIMUM FOR CERTAIN OFFENSES.—Section 1547 of title 18, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking “(other than an offense under section 1545)”;

(2) in paragraph (1), by striking “15” and inserting “20”; and

(3) in paragraph (2), by striking “20” and inserting “25”.

(g) AUTHORIZED LAW ENFORCEMENT ACTIVITIES.—Chapter 75 of title 18, United States Code, is amended by adding after section 1547 the following:

##### “§ 1548. Authorized law enforcement activities

“Nothing in this chapter may be construed to prohibit—

“(1) any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or an intelligence agency of the United States; or

“(2) any activity authorized under title V of the Organized Crime Control Act of 1970 (Public Law 91-452; 84 Stat. 933).”.

(h) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 75 of title 18, United States Code, is amended to read as follows:

"Sec.

"1541. Trafficking in passports.

"1542. False statement in an application for a passport.

"1543. Forgery or false use of a passport.

"1544. Misuse of a passport.

"1545. Schemes to provide fraudulent immigration services.

"1546. Immigration and visa fraud.

"1547. Alternative imprisonment maximum for certain offenses.

"1548. Authorized law enforcement activities."

#### SEC. 3708. COMBATING SCHEMES TO DEFRAUD ALIENS.

(a) REGULATIONS, FORMS, AND PROCEDURES.—The Secretary and the Attorney General, for matters within their respective jurisdictions arising under the immigration laws, shall promulgate appropriate regulations, forms, and procedures defining the circumstances in which—

(1) persons submitting applications, petitions, motions, or other written materials relating to immigration benefits or relief from removal under the immigration laws will be required to identify who (other than immediate family members) assisted them in preparing or translating the immigration submissions; and

(2) any person or persons who received compensation (other than a nominal fee for copying, mailing, or similar services) in connection with the preparation, completion, or submission of such materials will be required to sign the form as a preparer and provide identifying information.

(b) CIVIL INJUNCTIONS AGAINST IMMIGRATION SERVICE PROVIDER.—The Attorney General may commence a civil action in the name of the United States to enjoin any immigration service provider from further engaging in any fraudulent conduct that substantially interferes with the proper administration of the immigration laws or who willfully misrepresents such provider's legal authority to provide representation before the Department of Justice or the Department.

(c) DEFINITIONS.—In this section:

(1) IMMIGRATION LAWS.—The term "immigration laws" has the meaning given that term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(2) IMMIGRATION SERVICE PROVIDER.—The term "immigration service provider" means any individual or entity (other than an attorney or individual otherwise authorized to provide representation in immigration proceedings as provided in Federal regulation) who, for a fee or other compensation, provides any assistance or representation to aliens in relation to any filing or proceeding relating to the alien which arises, or which the provider claims to arise, under the immigration laws, executive order, or presidential proclamation.

#### SEC. 3709. INADMISSIBILITY AND REMOVAL FOR PASSPORT AND IMMIGRATION FRAUD OFFENSES.

(a) INADMISSIBILITY.—Section 212(a)(2)(A)(i) (8 U.S.C. 1182(a)(2)(A)(i)) is amended—

(1) in subclause (I), by striking " , or " at the end and inserting a semicolon;

(2) in subclause (II), by striking the comma at the end and inserting " ; or "; and

(3) by inserting after subclause (II) the following:

"(III) a violation of section 1541, 1545, and subsection (b) of section 1546 of title 18, United States Code,".

(b) REMOVAL.—Section 237(a)(3)(B)(iii) (8 U.S.C. 1227(a)(3)(B)(iii)) is amended to read as follows:

"(iii) of a violation of section 1541, 1545, and subsection (b) of section 1546 of title 18, United States Code,".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to pro-

ceedings pending on or after the date of the enactment of this Act, with respect to conduct occurring on or after that date.

#### SEC. 3710. DIRECTIVES RELATED TO PASSPORT AND DOCUMENT FRAUD.

(a) DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.—

(1) IN GENERAL.—Pursuant to the authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall promulgate or amend the sentencing guidelines, policy statements, and official commentaries, if appropriate, related to passport fraud offenses, including the offenses described in chapter 75 of title 18, United States Code, as amended by section 3707, to reflect the serious nature of such offenses.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the United States Sentencing Commission shall submit a report on the implementation of this subsection to—

(A) the Committee on the Judiciary of the Senate; and

(B) the Committee on the Judiciary of the House of Representatives.

(b) PROTECTION FOR LEGITIMATE REFUGEES AND ASYLUM SEEKERS.—

(1) IN GENERAL.—

(A) REQUIREMENT FOR GUIDELINES.—The Attorney General, in consultation with the Secretary, shall develop binding prosecution guidelines for Federal prosecutors to ensure that each prosecution of an alien seeking entry into the United States by fraud is consistent with the United States treaty obligations under Article 31(1) of the Convention Relating to the Status of Refugees, done at Geneva July 28, 1951 (as made applicable by the Protocol Relating to the Status of Refugees, done at New York January 31, 1967 (19 UST 6223)).

(B) NO PRIVATE RIGHT OF ACTION.—The guidelines developed pursuant to subparagraph (A), and any internal office procedures related to such guidelines—

(i) are intended solely for the guidance of attorneys of the United States; and

(ii) are not intended to, do not, and may not be relied upon to, create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.

(2) PROTECTION OF VULNERABLE PERSONS.—A person described in paragraph (3) may not be prosecuted under chapter 75 of title 18, United States Code, or under section 275 or 276 of the Immigration and Nationality Act (8 U.S.C. 1325 and 1326), in connection with the person's entry or attempted entry into the United States until after the date on which the person's application for such protection, classification, or status has been adjudicated and denied in accordance with the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(3) PERSONS SEEKING PROTECTION, CLASSIFICATION, OR STATUS.—A person described in this paragraph is a person who—

(A) is seeking protection, classification, or status; and

(B)(i) has filed an application for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158), withholding of removal under section 241(b)(3) of such Act (8 U.S.C. 1231(b)(3)), or relief under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York, December 10, 1994, pursuant to title 8, Code of Federal Regulations;

(ii) indicates immediately after apprehension, that he or she intends to apply for such asylum, withholding of removal, or relief and promptly files the appropriate application;

(iii) has been referred for a credible fear interview, a reasonable fear interview, or an asylum-

only hearing under section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) or part 208 of title 8, Code of Federal Regulations; or

(iv) has filed an application for classification or status under—

(I) subparagraph (T) or (U) of paragraph (15), paragraph (27)(J), or paragraph (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)); or

(II) section 216(c)(4)(C) or 240A(b)(2) of such Act (8 U.S.C. 1186a(c)(4)(C) and 1229b(b)(2)).

#### SEC. 3711. INADMISSIBLE ALIENS.

(a) DETERRING ALIENS ORDERED REMOVED FROM REMAINING IN THE UNITED STATES UNLAWFULLY.—Section 212(a)(9)(A) (8 U.S.C. 1182(a)(9)(A)) is amended—

(1) in clause (i), by striking "seeks admission within 5 years of the date of such removal (or within 20 years)" and inserting "seeks admission not later than 5 years after the date of the alien's removal (or not later than 20 years after the alien's removal"; and

(2) in clause (ii), by striking "seeks admission within 10 years of the date of such alien's departure or removal (or within 20 years of" and inserting "seeks admission not later than 10 years after the date of the alien's departure or removal (or not later than 20 years after"

(b) BIOMETRIC SCREENING.—Section 212 (8 U.S.C. 1182) is amended—

(1) in subsection (a)(7), by adding at the end the following:

"(C) WITHHOLDING INFORMATION.—Except as provided in subsection (d)(2), any alien who willfully, through his or her own fault, refuses to comply with a lawful request for biometric information is inadmissible."; and

(2) in subsection (d), by inserting after paragraph (1) the following:

"(2) The Secretary may waive the application of subsection (a)(7)(C) for an individual alien or a class of aliens."

(c) PRECLUDING ADMISSIBILITY OF ALIENS CONVICTED OF SERIOUS CRIMINAL OFFENSES AND DOMESTIC VIOLENCE, STALKING, CHILD ABUSE, AND VIOLATION OF PROTECTION ORDERS.—

(1) INADMISSIBILITY ON CRIMINAL AND RELATED GROUNDS; WAIVERS.—Section 212 (8 U.S.C. 1182), as amended by this Act, is further amended—

(A) in subsection (a)(2), as amended by sections 3401 and 3402, is further amended by inserting after subparagraph (J) the following:

"(K) CRIMES OF DOMESTIC VIOLENCE, STALKING, OR VIOLATION OF PROTECTIVE ORDERS; CRIMES AGAINST CHILDREN.—

"(i) DOMESTIC VIOLENCE, STALKING, AND CHILD ABUSE.—

"(I) IN GENERAL.—Any alien who has been convicted of a crime of domestic violence, a crime of stalking, or a crime of child abuse, child neglect, or child abandonment, provided the alien served at least 1 year imprisonment for the crime, or provided the alien was convicted of offenses constituting more than 1 such crime, not arising out of a single scheme of criminal misconduct, is inadmissible.

"(II) CRIME OF DOMESTIC VIOLENCE DEFINED.—In this clause, the term 'crime of domestic violence' means any crime of violence (as defined in section 16 of title 18, United States Code) against a person committed by a current or former spouse of the person, by an individual with whom the person shares a child in common, by an individual who is cohabiting with or has cohabited with the person as a spouse, by an individual similarly situated to a spouse of the person under the domestic or family violence laws of the jurisdiction where the offense occurs, or by any other individual against a person who is protected from that individual's acts under the domestic or family violence laws of the United States or any State, Indian tribal government, or unit of local or foreign government.



“(ii) VIOLATORS OF PROTECTION ORDERS.—

“(I) IN GENERAL.—Any alien who at any time is enjoined under a protection order issued by a court and whom the court determines has engaged in conduct that constitutes criminal contempt of the portion of a protection order that involves protection against credible threats of violence, repeated harassment, or bodily injury to the person or persons for whom the protection order was issued, is inadmissible.

“(II) PROTECTION ORDER DEFINED.—In this clause, the term ‘protection order’ means any injunction issued for the purpose of preventing violent or threatening acts of domestic violence, including temporary or final orders issued by civil or criminal courts (other than support or child custody orders or provisions) whether obtained by filing an independent action or as an independent order in another proceeding.

“(iii) APPLICABILITY.—This subparagraph shall not apply to an alien who has been battered or subjected to extreme cruelty and who is not and was not the primary perpetrator of violence in the relationship, upon a determination by the Attorney General or the Secretary of Homeland Security that—

“(I) the alien was acting in self-defense;

“(II) the alien was found to have violated a protection order intended to protect the alien; or

“(III) the alien committed, was arrested for, was convicted of, or pled guilty to committing a crime that did not result in serious bodily injury.”; and

(B) in subsection (h)—

(i) by striking “The Attorney General may, in his discretion, waive the application of subparagraphs (A)(i)(I), (B), (D), and (E) of subsection (a)(2)” and inserting “The Attorney General or the Secretary of Homeland Security may waive the application of subparagraphs (A)(i)(I), (B), (D), and (E) of subsection (a)(2)”;

(ii) by inserting “or the Secretary of Homeland Security” after “the Attorney General” each place that term appears.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to any acts that occurred on or after the date of the enactment of this Act.

#### SEC. 3712. ORGANIZED AND ABUSIVE HUMAN SMUGGLING ACTIVITIES.

(a) ENHANCED PENALTIES.—

(1) IN GENERAL.—Title II (8 U.S.C. 1151 et seq.) is amended by adding at the end the following:

##### “SEC. 295. ORGANIZED HUMAN SMUGGLING.

“(a) PROHIBITED ACTIVITIES.—Whoever, while acting for profit or other financial gain, knowingly directs or participates in an effort or scheme to assist or cause 5 or more persons (other than a parent, spouse, or child of the offender)—

“(1) to enter, attempt to enter, or prepare to enter the United States—

“(A) by fraud, falsehood, or other corrupt means;

“(B) at any place other than a port or place of entry designated by the Secretary; or

“(C) in a manner not prescribed by the immigration laws and regulations of the United States; or

“(2) to travel by air, land, or sea toward the United States (whether directly or indirectly)—

“(A) knowing that the persons seek to enter or attempt to enter the United States without lawful authority; and

“(B) with the intent to aid or further such entry or attempted entry; or

“(3) to be transported or moved outside of the United States—

“(A) knowing that such persons are aliens in unlawful transit from 1 country to another or on the high seas; and

“(B) under circumstances in which the persons are in fact seeking to enter the United States without official permission or legal authority;

shall be punished as provided in subsection (c) or (d).

“(b) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (a) of this section shall be punished in the same manner as a person who completes a violation of such subsection.

“(c) BASE PENALTY.—Except as provided in subsection (d), any person who violates subsection (a) or (b) shall be fined under title 18, imprisoned for not more than 20 years, or both.

“(d) ENHANCED PENALTIES.—Any person who violates subsection (a) or (b) shall—

“(1) in the case of a violation during and in relation to which a serious bodily injury (as defined in section 1365 of title 18) occurs to any person, be fined under title 18, imprisoned for not more than 30 years, or both;

“(2) in the case of a violation during and in relation to which the life of any person is placed in jeopardy, be fined under title 18, imprisoned for not more than 30 years, or both;

“(3) in the case of a violation involving 10 or more persons, be fined under title 18, imprisoned for not more than 30 years, or both;

“(4) in the case of a violation involving the bribery or corruption of a U.S. or foreign government official, be fined under title 18, imprisoned for not more than 30 years, or both;

“(5) in the case of a violation involving robbery or extortion (as those terms are defined in paragraph (1) or (2), respectively, of section 1951(b)) be fined under title 18, imprisoned for not more than 30 years, or both;

“(6) in the case of a violation during and in relation to which any person is subjected to an involuntary sexual act (as defined in section 2246(2) of title 18), be fined under title 18, imprisoned for not more than 30 years, or both; or

“(7) in the case of a violation resulting in the death of any person, be fined under title 18, imprisoned for any term of years or for life, or both.

“(e) LAWFUL AUTHORITY DEFINED.—

“(1) IN GENERAL.—In this section, the term ‘lawful authority’—

“(A) means permission, authorization, or license that is expressly provided for in the immigration laws of the United States or accompanying regulations; and

“(B) does not include any such authority secured by fraud or otherwise obtained in violation of law, nor does it include authority sought, but not approved.

“(2) APPLICATION TO TRAVEL OR ENTRY.—No alien shall be deemed to have lawful authority to travel to or enter the United States if such travel or entry was, is, or would be in violation of law.

“(f) EFFORT OR SCHEME.—For purposes of this section, ‘effort or scheme to assist or cause 5 or more persons’ does not require that the 5 or more persons enter, attempt to enter, prepare to enter, or travel at the same time so long as the acts are completed within 1 year.

#### “SEC. 296. UNLAWFULLY HINDERING IMMIGRATION, BORDER, AND CUSTOMS CONTROLS.

“(a) ILLICIT SPOTTING.—Whoever knowingly transmits to another person the location, movement, or activities of any Federal, State, or tribal law enforcement agency with the intent to further a Federal crime relating to United States immigration, customs, controlled substances, agriculture, monetary instruments, or other border controls shall be fined under title 18, imprisoned not more than 10 years, or both.

“(b) DESTRUCTION OF UNITED STATES BORDER CONTROLS.—Whoever knowingly and without lawful authorization destroys, alters, or damages any fence, barrier, sensor, camera, or other physical or electronic device deployed by the Federal Government to control the border or a port of entry or otherwise seeks to construct, ex-

cavate, or make any structure intended to defeat, circumvent or evade any such fence, barrier, sensor camera, or other physical or electronic device deployed by the Federal government to control the border or a port of entry shall be fined under title 18, imprisoned not more than 10 years, or both, and if, at the time of the offense, the person uses or carries a firearm or who, in furtherance of any such crime, possesses a firearm, that person shall be fined under title 18, imprisoned not more than 20 years, or both.

“(c) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (a) or (b) of this section shall be punished in the same manner as a person who completes a violation of such subsection.”.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents is amended by adding after the item relating to section 294 the following:

“Sec. 295. Organized human smuggling.

“Sec. 296. Unlawfully hindering immigration, border, and customs controls.”.

(b) PROHIBITING CARRYING OR USE OF A FIREARM DURING AND IN RELATION TO AN ALIEN SMUGGLING CRIME.—Section 924(c) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by inserting “, alien smuggling crime,” after “crime of violence” each place that term appears; and

(B) in subparagraph (D)(ii), by inserting “, alien smuggling crime,” after “crime of violence”; and

(2) by adding at the end the following:

“(6) For purposes of this subsection, the term ‘alien smuggling crime’ means any felony punishable under section 274(a), 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324(a), 1327, and 1328).”.

(c) STATUTE OF LIMITATIONS.—Section 3298 of title 18, United States Code, is amended by inserting “, 295, 296, or 297” after “274(a)”.

#### SEC. 3713. PREVENTING CRIMINALS FROM RENOUNCING CITIZENSHIP DURING WARTIME.

Section 349(a) (8 U.S.C. 1481(a)) is amended—

(1) by striking paragraph (6); and

(2) redesignating paragraph (7) as paragraph (6).

#### SEC. 3714. DIPLOMATIC SECURITY SERVICE.

Paragraph (1) of section 37(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)) is amended to read as follows:

“(1) conduct investigations concerning—

“(A) illegal passport or visa issuance or use;

“(B) identity theft or document fraud affecting or relating to the programs, functions, and authorities of the Secretary of State;

“(C) violations of chapter 77 of title 18, United States Code; and

“(D) Federal offenses committed within the special maritime and territorial jurisdiction of the United States (as defined in section 7(9) of title 18, United States Code).”.

#### SEC. 3715. SECURE ALTERNATIVES PROGRAMS.

(a) IN GENERAL.—The Secretary shall establish secure alternatives programs that incorporate case management services in each field office of the Department to ensure appearances at immigration proceedings and public safety.

(b) CONTRACT AUTHORITY.—The Secretary shall contract with nongovernmental community-based organizations to conduct screening of detainees, provide appearance assistance services, and operate community-based supervision programs. Secure alternatives shall offer a continuum of supervision mechanisms and options, including community support, depending on an assessment of each individual’s circumstances. The Secretary may contract with nongovernmental organizations to implement secure alternatives that maintain custody over the alien.



(c) **INDIVIDUALIZED DETERMINATIONS.**—In determining whether to use secure alternatives, the Secretary shall make an individualized determination, and for each individual placed on secure alternatives, shall review the level of supervision on a monthly basis. Secure alternatives shall not be used when release on bond or recognizance is determined to be a sufficient measure to ensure appearances at immigration proceedings and public safety.

(d) **CUSTODY.**—The Secretary may use secure alternatives programs to maintain custody over any alien detained under the Immigration and Nationality Act, except for aliens detained under section 236A of such Act (8 U.S.C. 1226a). If an individual is not eligible for release from custody or detention, the Secretary shall consider the alien for placement in secure alternatives that maintain custody over the alien, including the use of electronic ankle devices.

**SEC. 3716. OVERSIGHT OF DETENTION FACILITIES.**

(a) **DEFINITIONS.**—In this section:

(1) **APPLICABLE STANDARDS.**—The term “applicable standards” means the most recent version of detention standards and detention-related policies issued by the Secretary or the Director of U.S. Immigration and Customs Enforcement.

(2) **DETENTION FACILITY.**—The term “detention facility” means a Federal, State, or local government facility, or a privately owned and operated facility, that is used, in whole or in part, to hold individuals under the authority of the Director of U.S. Immigration and Customs Enforcement, including facilities that hold such individuals under a contract or agreement with the Director.

(b) **DETENTION REQUIREMENTS.**—The Secretary shall ensure that all persons detained pursuant to the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) are treated humanely and benefit from the protections set forth in this section.

(c) **OVERSIGHT REQUIREMENTS.**—

(1) **ANNUAL INSPECTION.**—All detention facilities shall be inspected by the Secretary on a regular basis, but not less than annually, for compliance with applicable detention standards issued by the Secretary and other applicable regulations.

(2) **ROUTINE OVERSIGHT.**—In addition to annual inspections, the Secretary shall conduct routine oversight of detention facilities, including unannounced inspections.

(3) **AVAILABILITY OF RECORDS.**—All detention facility contracts, memoranda of agreement, and evaluations and reviews shall be considered records for purposes of section 552(f)(2) of title 5, United States Code.

(4) **CONSULTATION.**—The Secretary shall seek input from nongovernmental organizations regarding their independent opinion of specific facilities.

(d) **COMPLIANCE MECHANISMS.**—

(1) **AGREEMENTS.**—

(A) **NEW AGREEMENTS.**—Compliance with applicable standards of the Secretary and all applicable regulations, and meaningful financial penalties for failure to comply, shall be a material term in any new contract, memorandum of agreement, or any renegotiation, modification, or renewal of an existing contract or agreement, including fee negotiations, executed with detention facilities.

(B) **EXISTING AGREEMENTS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall secure a modification incorporating these terms for any existing contracts or agreements that will not be renegotiated, renewed, or otherwise modified.

(C) **CANCELLATION OF AGREEMENTS.**—Unless the Secretary provides a reasonable extension to a specific detention facility that is negotiating in good faith, contracts or agreements with de-

tention facilities that are not modified within 1 year of the date of the enactment of this Act will be cancelled.

(D) **PROVISION OF INFORMATION.**—In making modifications under this paragraph, the Secretary shall require that detention facilities provide to the Secretary all contracts, memoranda of agreement, evaluations, and reviews regarding the facility on a regular basis. The Secretary shall make these materials publicly available.

(2) **FINANCIAL PENALTIES.**—

(A) **REQUIREMENT TO IMPOSE.**—Subject to subparagraph (C), the Secretary shall impose meaningful financial penalties upon facilities that fail to comply with applicable detention standards issued by the Secretary and other applicable regulations.

(B) **TIMING OF IMPOSITION.**—Financial penalties imposed under subparagraph (A) shall be imposed immediately after a facility fails to achieve an adequate or the equivalent median score in any performance evaluation.

(C) **WAIVER.**—The requirements of subparagraph (A) may be waived if the facility corrects the noted deficiencies and receives an adequate score in not more than 90 days.

(D) **MULTIPLE OFFENDERS.**—In cases of persistent and substantial noncompliance, including scoring less than adequate or the equivalent median score in 2 consecutive inspections, the Secretary shall terminate contracts or agreements with such facilities within 60 days, or in the case of facilities operated by the Secretary, such facilities shall be closed within 90 days.

(e) **REPORTING REQUIREMENTS.**—

(1) **OBJECTIVES.**—Not later than June 30 of each year, the Secretary shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on inspection and oversight activities of detention facilities.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include—

(A) a description of each detention facility found to be in noncompliance with applicable detention standards issued by the Department and other applicable regulations;

(B) a description of the actions taken by the Department to remedy any findings of noncompliance or other identified problems, including financial penalties, contract or agreement termination, or facility closure; and

(C) information regarding whether the actions described in subparagraph (B) resulted in compliance with applicable detention standards and regulations.

**SEC. 3717. PROCEDURES FOR BOND HEARINGS AND FILING OF NOTICES TO APPEAR.**

(a) **ALIENS IN CUSTODY.**—Section 236 (8 U.S.C. 1226) is amended by adding at the end the following:

“(f) **PROCEDURES FOR CUSTODY HEARINGS.**—For any alien taken into custody under any provision of this Act, with the exception of minors being transferred to or in the custody of the Office of Refugee Resettlement, the following shall apply:

“(1) The Secretary of Homeland Security shall, without unnecessary delay and not later than 72 hours after the alien is taken into custody, file the Notice to Appear or other relevant charging document with the immigration court having jurisdiction over the location where the alien was apprehended, and serve such notice on the alien.

“(2) The Secretary shall immediately determine whether the alien shall remain in custody or be released and, without unnecessary delay and not later than 72 hours after the alien was taken into custody, serve upon the alien the custody decision specifying the reasons for continued custody and the amount of bond if any.

“(3) The Attorney General shall ensure the alien has the opportunity to appear before an

immigration judge for a custody determination hearing promptly after service of the Secretary’s custody decision. The immigration judge may, on the Secretary’s motion and upon a showing of good cause, postpone a custody redetermination hearing for no more than 72 hours after service of the custody decision, except that in no case shall the hearing occur more than 6 days (including weekends and holidays) after the alien was taken into custody.

“(4) The immigration judge shall advise the alien of the right to postpone the custody determination hearing and shall, on the oral or written request of the individual, postpone the custody determination hearing for a period of not more than 14 days.

“(5) Except for aliens that the immigration judge has determined are deportable under section 236(c) or certified under section 236A, the immigration judge shall review the custody determination de novo and may continue to detain the alien only if the Secretary demonstrates that no conditions, including the use of alternatives to detention that maintain custody over the alien, will reasonably assure the appearance of the alien as required and the safety of any other person and the community. For aliens whom the immigration judge has determined are deportable under section 236(c), the immigration judge may review the custody determination if the Secretary agrees the alien is not a danger to the community, and alternatives to detention exist that ensure the appearance of the alien, as required, and the safety of any other person and the community.

“(6) In the case of any alien remaining in custody after a custody determination, the Attorney General shall provide de novo custody determination hearings before an immigration judge every 90 days so long as the alien remains in custody. An alien may also obtain a de novo custody redetermination hearing at any time upon a showing of good cause.

“(7) The Secretary shall inform the alien of his or her rights under this paragraph at the time the alien is first taken into custody.”

(b) **LIMITATIONS ON SOLITARY CONFINEMENT.**—

(1) **IN GENERAL.**—Section 236(d) (8 U.S.C. 1226(d)) is amended by adding at the end the following:

“(3) **NATURE OF DETENTION.**—

“(A) **DEFINITIONS.**—In this paragraph:

“(i) **ADMINISTRATIVE SEGREGATION.**—The term ‘administrative segregation’ means a nonpunitive form of solitary confinement for administrative reasons.

“(ii) **DISCIPLINARY SEGREGATION.**—The term ‘disciplinary segregation’ means a punitive form of solitary confinement for disciplinary reasons.

“(iii) **SERIOUS MENTAL ILLNESS.**—The term ‘serious mental illness’ means a substantial disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life.

“(iv) **SOLITARY CONFINEMENT.**—The term ‘solitary confinement’ means cell confinement of 22 hours or more per day.

“(B) **LIMITATIONS ON SOLITARY CONFINEMENT.**—

“(i) **IN GENERAL.**—The use of solitary confinement of an alien in custody pursuant to this section, section 235, or section 241 shall be limited to situations in which such confinement—

“(I) is necessary—

“(aa) to control a threat to detainees, staff, or the security of the facility;

“(bb) to discipline the alien for a serious disciplinary infraction if alternative sanctions would not adequately regulate the alien’s behavior; or

“(cc) for good order during the last 24 hours before an alien is released, removed, or transferred from the facility;

“(II) is limited to the briefest term and under the least restrictive conditions practicable and consistent with the rationale for placement and with the progress achieved by the alien; and

“(III) complies with the requirements set forth in this subparagraph.

“(ii) CHILDREN.—Children who are younger than 18 years of age may not be placed in solitary confinement.

“(iii) SERIOUS MENTAL ILLNESS.—

“(I) IN GENERAL.—An alien with a serious mental illness may not be placed in involuntary solitary confinement due to mental illness unless—

“(aa) such confinement is necessary for the alien’s own protection; or

“(bb) if the alien requires emergency stabilization or poses a significant threat to staff or others in general population.

“(II) MAXIMUM PERIOD.—An alien diagnosed with serious mental illness may not be placed in solitary confinement for more than 15 days unless the Secretary of Homeland Security determines that—

“(aa) any less restrictive alternative is more likely than not to cause greater harm to the alien than the solitary confinement period imposed; or

“(bb) the likely harm to the alien is not substantial and the period of solitary confinement is the least restrictive alternative necessary to protect the alien, other detainees, or others.

“(iv) OWN PROTECTION.—

“(I) IN GENERAL.—Involuntary solitary confinement for an alien’s own protection may be used only for the least amount of time practicable and if no readily available and less restrictive alternative will maintain the alien’s safety.

“(II) MAXIMUM PERIOD.—An alien may not be placed in involuntary solitary confinement for the alien’s own protection for longer than 15 days unless the Secretary of Homeland Security determines that any less restrictive alternative is more likely than not to cause greater harm to the alien than the solitary confinement period imposed.

“(III) PROHIBITED FACTORS.—The Secretary of Homeland Security may not rely solely on an alien’s age, physical disability, sexual orientation, gender identity, race, or religion. The Secretary shall make an individualized assessment in each case.

“(v) MEDICAL CARE.—An alien placed in solitary confinement—

“(I) shall be visited by a medical professional at least 3 times each week;

“(II) shall receive at least weekly mental health monitoring by a licensed mental health clinician; and

“(III) shall be removed from solitary confinement if—

“(aa) a mental health clinician determines that such detention is having a significant negative impact on the alien’s mental health; and

“(bb) an appropriate alternative is available.

“(vi) NOTIFICATION; ACCESS TO COUNSEL.—If an alien is placed in solitary confinement, the alien—

“(I) shall be informed verbally, and in writing, of the reason for such confinement and the intended duration of such confinement, if specified at the time of initial placement; and

“(II) shall be offered access to counsel on the same basis as detainees in the general population.

“(vii) LONGER SOLITARY CONFINEMENT PERIODS.—If an alien has been subject to involuntary solitary confinement for more than 14 consecutive days, the Secretary of Homeland Security shall conduct a timely review to determine whether continued placement is justified by an extreme disciplinary infraction or is the least restrictive means of protecting the alien or others.

Any alien held in solitary confinement for more than 7 days shall be given a reasonable opportunity to challenge such placement with the detention facility administrator, which will promptly respond to such challenge in writing.

“(viii) OVERSIGHT.—The Secretary of Homeland Security shall ensure that—

“(I) he or she is regularly informed about the use of solitary confinement in all facilities at which aliens are detained; and

“(II) the Department fully complies with the provisions under this paragraph.

“(C) DISCIPLINARY SEGREGATION.—Disciplinary segregation is authorized only pursuant to the order of a facility disciplinary panel following a hearing in which the detainee is determined to have violated a facility rule.

“(D) ADMINISTRATIVE SEGREGATION.—Administrative segregation is authorized only as necessary to ensure the safety of the detainee or others, the protection of property, or the security or good order of the facility. Detainees in administrative segregation shall be offered programming opportunities and privileges consistent with those available in the general population, except where precluded by safety or security concerns.”

(2) ANNUAL REPORT.—The Secretary shall—

(A) collect and compile information regarding the prevalence, reasons for, and duration of solitary confinement in all facilities described in paragraph (3);

(B) submit an annual report containing the information described in subparagraph (A) to Congress not later than 30 days after the end of the reporting period; and

(C) make the data contained in the report submitted under subparagraph (B) publicly available.

(3) RULEMAKING.—The Secretary shall adopt regulations or policies to carry out section 236(d)(3) of the Immigration and Nationality Act, as amended by paragraph (1), at all facilities at which aliens are detained pursuant to section 235, 236, or 241 of such Act.

(c) STIPULATED REMOVAL.—Section 240(d) (8 U.S.C. 1229a) is amended to read as follows:

“(d) STIPULATED REMOVAL.—The Attorney General shall provide by regulation for the entry by an immigration judge of an order of removal stipulated to by the alien (or the alien’s representative) and the Service. An immigration judge may enter a stipulated removal order only upon a finding at an in-person hearing that the stipulation is voluntary, knowing, and intelligent. A stipulated order shall constitute a conclusive determination of the alien’s removability from the United States.”

#### SEC. 3718. SANCTIONS FOR COUNTRIES THAT DELAY OR PREVENT REPATRIATION OF THEIR NATIONALS.

Section 243(d) (8 U.S.C. 1253(d)) is amended to read as follows:

“(d) DISCONTINUING GRANTING VISAS TO NATIONALS OF COUNTRIES THAT DENY OR DELAY ACCEPTING ALIENS.—Notwithstanding section 221(c), if the Secretary of Homeland Security determines, in consultation with the Secretary of State, that the government of a foreign country denies or unreasonably delays accepting aliens who are citizens, subjects, nationals, or residents of that country after the Secretary asks whether the government will accept an alien under this section, or after a determination that the alien is inadmissible under paragraph (6) or (7) of section 212(a), the Secretary of State shall order consular officers in that foreign country to discontinue granting visas, or classes of visas, until the Secretary of Homeland Security notifies the Secretary of State that the country has accepted the aliens.”

#### SEC. 3719. GROSS VIOLATIONS OF HUMAN RIGHTS.

(a) INADMISSIBILITY OF CERTAIN ALIENS.—Section 212(a)(3)(E) (8 U.S.C. 1182(a)(3)(E)) is

amended by striking clause (iii) and inserting the following:

“(iii) COMMISSION OF ACTS OF TORTURE, EXTRAJUDICIAL KILLINGS, WAR CRIMES, OR WIDESPREAD OR SYSTEMATIC ATTACKS ON CIVILIANS.—Any alien who planned, ordered, assisted, aided and abetted, committed, or otherwise participated, including through command responsibility, in the commission of—

“(I) any act of torture (as defined in section 2340 of title 18, United States Code);

“(II) any extrajudicial killing (as defined in section 3(a) of the Torture Victim Protection Act of 1991 (28 U.S.C. 1350 note)) under color of law of any foreign nation;

“(III) a war crime (as defined in section 2441 of title 18, United States Code); or

“(IV) any of the following acts as a part of a widespread or systematic attack directed against a civilian population, with knowledge of the attack: murder, extermination, enslavement, forcible transfer of population, arbitrary detention, rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; persecution on political racial, national, ethnic, cultural, religious, or gender grounds; enforced disappearance of persons; or other inhumane acts of a similar character intentionally causing great suffering or serious bodily or mental injury,

is inadmissible.

“(iv) LIMITATION.—Clause (iii) shall not apply to an alien if the Secretary of Homeland Security or the Attorney General determine that the actions giving rise to the alien’s inadmissibility under such clause were committed under duress. In determining whether the alien was subject to duress, the Secretary may consider, among relevant factors, the age of the alien at the time such actions were committed.”

(b) DENYING SAFE HAVEN TO FOREIGN HUMAN RIGHTS VIOLATORS.—Section 2(a)(2) of the Torture Victim Protection Act of 1991 (28 U.S.C. 1350 note) is amended—

(1) by inserting after “killing” the following: “, a war crime (as defined in subsections (c) and (d) of section 2441 of title 18, United States Code), a widespread or systematic attack on civilians (as defined in section 212(a)(3)(E)(iii)(IV) of the Immigration and Nationality Act), or genocide (as defined in section 1091(a) of such title 18)”; and

(2) by striking “to the individual’s legal representative” and inserting “to that individual or to that individual’s legal representative”.

(c) NONAPPLICABILITY OF CONFIDENTIALITY REQUIREMENT WITH RESPECT TO VISA RECORDS.—The President may make public, without regard to the requirements under section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)), with respect to confidentiality of records pertaining to the issuance or refusal of visas or permits to enter the United States, the names of aliens deemed inadmissible on the basis of section 212(a)(3)(E)(iii) of such Act, as amended by subsection (a).

#### SEC. 3720. REPORTING AND RECORD KEEPING REQUIREMENTS RELATING TO THE DETENTION OF ALIENS.

(a) IN GENERAL.—In order for Congress and the public to assess the full costs of apprehending, detaining, processing, supervising, and removing aliens, and how the money Congress appropriates for detention is allocated by Federal agencies, the Assistant Secretary for Immigration and Customs and Enforcement (referred to in this section as the “Assistant Secretary”), the Director of the Executive Office of Immigration Review, and the Commissioner responsible for U.S. Customs and Border Protection (referred to in this section as the “Commissioner”) shall—

(1) maintain the information required under subsections (b), (c), and (d); and

(2) submit reports on that information to Congress and make that information available to the public in accordance with subsection (e).

(b) **MAINTENANCE OF INFORMATION BY U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT.**—The Assistant Secretary shall record and maintain, in the database of U.S. Immigration and Customs Enforcement relating to detained aliens, the following information with respect to each alien detained pursuant to the Immigration and Nationality Act (8 U.S.C. 1101 et seq.):

(1) The provision of law that provides specific authority for the alien's detention and the beginning and end dates of the alien's detention pursuant to that authority. If the alien's detention is authorized by different provisions of law during different periods of time, the Assistant Secretary shall record and maintain the provision of law that provides authority for the alien's detention during each such period.

(2) The place where the alien was apprehended or where U.S. Immigration and Customs Enforcement assumed custody of the alien.

(3) Each location where U.S. Immigration and Customs Enforcement detains the alien until the alien is released from custody or removed from the United States, including any period of re-detention.

(4) The gender and age of each detained alien in the custody of U.S. Immigration and Customs Enforcement.

(5) The number of days the alien is detained, including the number of days spent in any given detention facility and the total amount of time spent in detention.

(6) The immigration charges that are the basis for the alien's removal proceedings.

(7) The status of the alien's removal proceedings and each date on which those proceedings progress from 1 stage of proceeding to another.

(8) The length of time the alien was detained following a final administrative order of removal and the reasons for the continued detention.

(9) The initial custody determination or review made by U.S. Immigration and Customs Enforcement, including whether the alien received notice of a custody determination or review and when the custody determination or review took place.

(10) The risk assessment results for the alien, including if the alien is subject to mandatory custody or detention.

(11) The reason for the alien's release from detention and the conditions of release imposed on the alien, if applicable.

(c) **MAINTENANCE OF INFORMATION BY EXECUTIVE OFFICE OF IMMIGRATION REVIEW.**—The Director of the Executive Office of Immigration Review shall record and maintain, in the database of the Executive Office of Immigration Review relating to detained aliens in removal proceedings, the following information with respect to each such alien:

(1) The immigration charges that are the basis for the alien's removal proceedings, including any revision of the immigration charges and the date of each such revision.

(2) The gender and age of the alien.

(3) The status of the alien's removal proceedings and each date on which those proceedings progress from one stage of proceeding to another.

(4) The statutory basis for any bond hearing conducted and the outcomes of the bond hearing.

(5) Whether each court hearing is conducted in person, by audio link, or by video conferencing.

(6) The date of each attorney entry of appearance before an immigration judge using Form EOIR-28 and the scope of the appearance to which the form related.

(d) **MAINTENANCE OF INFORMATION BY U.S. CUSTOMS AND BORDER PROTECTION.**—The Com-

missioner shall record and maintain in the database of U.S. Customs and Border Protection relating to detained aliens the following information with respect to each alien detained pursuant to the Immigration and Nationality Act (8 U.S.C. 1101 et seq.):

(1) The provision of law that provides specific authority for the alien's detention and the beginning and end dates of the alien's detention.

(2) The place where the alien was apprehended.

(3) The gender and age of the alien.

(4) Each location where U.S. Customs and Border Protection detains the alien until the alien is released from custody or removed from the United States, including any period of re-detention.

(5) The number of days that the alien is detained in the custody of U.S. Customs and Border Protection.

(6) The immigration charges that are the basis for the alien's removal proceedings while the alien is in the custody of U.S. Customs and Border Protection.

(7) The initial custody determination by U.S. Customs and Border Protection, including whether the alien received notice of a custody determination or review, when the custody determination or review took place, and whether U.S. Customs and Border Protection offered the option of stipulated removal to a detained alien.

(8) The reason for the alien's release from detention and the conditions of release to detention imposed on the alien, if applicable.

(e) **REPORTING REQUIREMENTS.**—

(1) **PERIODIC REPORTS.**—The Assistant Secretary, the Director of the Executive Office of Immigration Review, and the Commissioner shall periodically, but not less frequently than annually, submit to Congress a report containing a summary of the information required to be maintained by this section. Each such report shall include summaries of national-level data as well as summaries of the information required by this section by State and county.

(2) **OTHER REPORTS.**—The Assistant Secretary shall report to Congress not less frequently than annually on—

(A) the number of aliens detained for more than 3 months, 6 months, 1 year, and 2 years; and

(B) the average period of detention before receipt of a final administrative order of removal and after receipt of such an order.

(3) **AVAILABILITY TO PUBLIC.**—The reports required under this subsection and the information for each alien on which the reports are based shall be made available to the public without the need to submit a request under section 552 of title 5, United States Code (commonly referred to as the "Freedom of Information Act").

(4) **PRIVACY PROTECTIONS.**—No alien's identity may be disclosed when information described in paragraph (3) is made publicly available.

(f) **DEFINITIONS.**—In this section:

(1) **CASE OUTCOME.**—The term "case outcome" includes a grant of relief from deportation under section 240A of the Immigration and Nationality Act (8 U.S.C. 1229b), voluntary departure pursuant to section 240B of that Act (8 U.S.C. 1229c), removal pursuant to section 238 of that Act (8 U.S.C. 1228), judicial termination of proceedings, termination of proceedings by U.S. Immigration and Customs Enforcement, cancellation of the notice to appear, or permission to withdraw application for admission without any removal order being issued.

(2) **PLACE WHERE THE ALIEN WAS APPREHENDED.**—The term "place where the alien was apprehended" refers to the city, county, and State where an alien is apprehended.

(3) **REASON FOR THE ALIEN'S RELEASE FROM DETENTION.**—The term "reason for the alien's

release from detention" refers to release on bond, on an alien's own recognizance, on humanitarian grounds, after grant of relief, or due to termination of proceedings or removal.

(4) **REMOVAL PROCEEDINGS.**—The term "removal proceedings" refers to a removal case of any kind, including expedited removal, administrative removal, stipulated removal, reinstatement, and voluntary removal and removals in which an applicant is permitted to withdraw his or her application for admission.

(5) **STAGE.**—The term "stage", with respect to a proceeding, refers to whether the alien is in proceedings before an immigration judge, the Board of Immigration Appeals, a United States court of appeals, or on remand from a United States court of appeals.

#### **SEC. 3721. POWERS OF IMMIGRATION OFFICERS AND EMPLOYEES AT SENSITIVE LOCATIONS.**

Section 287 (8 U.S.C. 1357) is amended by adding at the end the following:

"(i)(1) In order to ensure individuals' access to sensitive locations, this subsection applies to enforcement actions by officers and agents of U.S. Immigration and Customs Enforcement and officers and agents of U.S. Customs and Border Protection.

"(2)(A) An enforcement action may not take place at, or be focused on, a sensitive location, except as follows:

"(i) Under exigent circumstances.

"(ii) If prior approval is obtained.

"(B) If an enforcement action is taking place pursuant to subparagraph (A) and the condition permitting the enforcement action ceases, the enforcement action shall cease.

"(3)(A) When proceeding with an enforcement action at or near a sensitive location, officers and agents referred to in paragraph (1) shall conduct themselves as discreetly as possible, consistent with officer and public safety, and make every effort to limit the time at or focused on the sensitive location.

"(B) If, in the course of an enforcement action that is not initiated at or focused on a sensitive location, officers or agents are led to or near a sensitive location, and no exigent circumstance exists, such officers or agents shall conduct themselves in a discreet manner, maintain surveillance, and immediately consult their supervisor before taking any further enforcement action, in order to determine whether such action should be discontinued.

"(C) This section not apply to the transportation of an individual apprehended at or near a land or sea border to a hospital or healthcare provider for the purpose of providing such individual medical care.

"(4)(A) Each official specified in subparagraph (B) shall ensure that the employees under the supervision of such official receive annual training on compliance with the requirements of this subsection in enforcement actions at or focused on sensitive locations and enforcement actions that lead officers or agents to or near a sensitive location.

"(B) The officials specified in this subparagraph are the following:

"(i) The Chief Counsel of U.S. Immigration and Customs Enforcement.

"(ii) The Field Office Directors of U.S. Immigration and Customs Enforcement.

"(iii) Each Special Agent in Charge of U.S. Immigration and Customs Enforcement.

"(iv) Each Chief Patrol Agent of U.S. Customs and Border Protection.

"(v) The Director of Field Operations of U.S. Customs and Border Protection.

"(vi) The Director of Air and Marine Operations of U.S. Customs and Border Protection.

"(vii) The Internal Affairs Special Agent in Charge of U.S. Customs and Border Protection.

"(5)(A) The Director of U.S. Immigration and Customs Enforcement and the Commissioner of

U.S. Customs and Border Protection shall each submit to the appropriate committees of Congress each year a report on the enforcement actions undertaken by U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection, respectively, during the preceding year that were covered by this subsection.

“(B) Each report on an agency for a year under this paragraph shall set forth the following:

“(i) The number of enforcement actions at or focused on a sensitive location.

“(ii) The number of enforcement actions where officers or agents were subsequently led to or near a sensitive location.

“(iii) The date, site, and State, city, and county in which each enforcement action covered by clause (i) or (ii) occurred.

“(iv) The component of the agency responsible for each such enforcement action.

“(v) A description of the intended target of each such enforcement action.

“(vi) The number of individuals, if any, arrested or taken into custody through each such enforcement action.

“(vii) The number of collateral arrests, if any, from each such enforcement action and the reasons for each such arrest.

“(viii) A certification of whether the location administrator was contacted prior to, during, or after each such enforcement action.

“(C) Each report under this paragraph shall be made available to the public without the need to submit a request under section 552 of title 5, United States Code (commonly referred to as the ‘Freedom of Information Act’).

“(6) In this subsection:

“(A) The term ‘appropriate committees of Congress’ means—

“(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(ii) the Committee on the Judiciary of the Senate;

“(iii) the Committee on Homeland Security of the House of Representatives; and

“(iv) the Committee on the Judiciary of the House of Representatives.

“(B) The term ‘enforcement action’ means an arrest, interview, search, or surveillance for the purposes of immigration enforcement, and includes an enforcement action at, or focused on, a sensitive location that is part of a joint case led by another law enforcement agency.

“(C) The term ‘exigent circumstances’ means a situation involving the following:

“(i) The imminent risk of death, violence, or physical harm to any person, including a situation implicating terrorism or the national security of the United States in some other manner.

“(ii) The immediate arrest or pursuit of a dangerous felon, terrorist suspect, or other individual presenting an imminent danger or public safety risk.

“(iii) The imminent risk of destruction of evidence that is material to an ongoing criminal case.

“(D) The term ‘prior approval’ means the following:

“(i) In the case of officers and agents of U.S. Immigration and Customs Enforcement, prior written approval for a specific, targeted operation from one of the following officials:

“(I) The Assistant Director of Operations, Homeland Security Investigations.

“(II) The Executive Associate Director of Homeland Security Investigations.

“(III) The Assistant Director for Field Operations, Enforcement, and Removal Operations.

“(IV) The Executive Associate Director for Field Operations, Enforcement, and Removal Operations.

“(ii) In the case of officers and agents of U.S. Customs and Border Protection, prior written approval for a specific, targeted operation from one of the following officials:

“(I) A Chief Patrol Agent.

“(II) The Director of Field Operations.

“(III) The Director of Air and Marine Operations

“(IV) The Internal Affairs Special Agent in Charge.

“(E) The term ‘sensitive location’ includes the following:

“(i) Hospitals and health clinics.

“(ii) Public and private schools (including pre-schools, primary schools, secondary schools, postsecondary schools (including colleges and universities), and other institutions of learning such as vocational or trade schools).

“(iii) Organizations assisting children, pregnant women, victims of crime or abuse, or individuals with mental or physical disabilities.

“(iv) Churches, synagogues, mosques, and other places of worship, such as buildings rented for the purpose of religious services.

“(v) Such other locations as the Secretary of Homeland Security shall specify for purposes of this subsection.”.

#### **Subtitle H—Protection of Children Affected by Immigration Enforcement**

##### **SEC. 3801. SHORT TITLE.**

This subtitle may be cited as the “Humane Enforcement and Legal Protections for Separated Children Act” or the “HELP Separated Children Act”.

##### **SEC. 3802. DEFINITIONS.**

In this subtitle:

(1) **APPREHENSION.**—The term “apprehension” means the detention or arrest by officials of the Department or cooperating entities.

(2) **CHILD.**—The term “child” means an individual who has not attained 18 years of age.

(3) **CHILD WELFARE AGENCY.**—The term “child welfare agency” means a State or local agency responsible for child welfare services under subtitles B and E of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(4) **COOPERATING ENTITY.**—The term “cooperating entity” means a State or local entity acting under agreement with the Secretary.

(5) **DETENTION FACILITY.**—The term “detention facility” means a Federal, State, or local government facility, or a privately owned and operated facility, that is used, in whole or in part, to hold individuals under the authority of the Director of U.S. Immigration and Customs Enforcement, including facilities that hold such individuals under a contract or agreement with the Director.

(6) **IMMIGRATION ENFORCEMENT ACTION.**—The term “immigration enforcement action” means the apprehension of 1 or more individuals whom the Department has reason to believe are removable from the United States by the Secretary or a cooperating entity.

(7) **PARENT.**—The term “parent” means a biological or adoptive parent of a child, whose parental rights have not been relinquished or terminated under State law or the law of a foreign country, or a legal guardian under State law or the law of a foreign country.

##### **SEC. 3803. APPREHENSION PROCEDURES FOR IMMIGRATION ENFORCEMENT-RELATED ACTIVITIES.**

(a) **APPREHENSION PROCEDURES.**—In any immigration enforcement action, the Secretary and cooperating entities shall—

(1) as soon as possible, but generally not later than 2 hours after an immigration enforcement action, inquire whether an individual is a parent or primary caregiver of a child in the United States and provide any such individuals with—

(A) the opportunity to make a minimum of 2 telephone calls to arrange for the care of such child in the individual’s absence; and

(B) contact information for—

(i) child welfare agencies and family courts in the same jurisdiction as the child; and

(ii) consulates, attorneys, and legal service providers capable of providing free legal advice

or representation regarding child welfare, child custody determinations, and immigration matters;

(2) notify the child welfare agency with jurisdiction over the child if the child’s parent or primary caregiver is unable to make care arrangements for the child or if the child is in imminent risk of serious harm;

(3) ensure that personnel of the Department and cooperating entities do not, absent medical necessity or extraordinary circumstances, compel or request children to interpret or translate for interviews of their parents or of other individuals who are encountered as part of an immigration enforcement action; and

(4) ensure that any parent or primary caregiver of a child in the United States—

(A) absent medical necessity or extraordinary circumstances, is not transferred from his or her area of apprehension until the individual—

(i) has made arrangements for the care of such child; or

(ii) if such arrangements are unavailable or the individual is unable to make such arrangements, is informed of the care arrangements made for the child and of a means to maintain communication with the child;

(B) absent medical necessity or extraordinary circumstances, and to the extent practicable, is placed in a detention facility either—

(i) proximate to the location of apprehension; or

(ii) proximate to the individual’s habitual place of residence; and

(C) receives due consideration of the best interests of such child in any decision or action relating to his or her detention, release, or transfer between detention facilities.

(b) **REQUESTS TO STATE AND LOCAL ENTITIES.**—If the Secretary requests a State or local entity to hold in custody an individual whom the Department has reason to believe is removable pending transfer of that individual to the custody of the Secretary or to a detention facility, the Secretary shall also request that the State or local entity provide the individual the protections specified in paragraphs (1) and (2) of subsection (a), if that individual is found to be the parent or primary caregiver of a child in the United States.

(c) **PROTECTIONS AGAINST TRAFFICKING PRE-SERVED.**—The provisions of this section shall not be construed to impede, delay, or in any way limit the obligations of the Secretary, the Attorney General, or the Secretary of Health and Human Services under section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) or section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279).

##### **SEC. 3804. ACCESS TO CHILDREN, STATE AND LOCAL COURTS, CHILD WELFARE AGENCIES, AND CONSULAR OFFICIALS.**

At all detention facilities, the Secretary shall—

(1) prominently post in a manner accessible to detainees and visitors and include in detainee handbooks information on the protections of this subtitle as well as information on potential eligibility for parole or release;

(2) absent extraordinary circumstances, ensure that individuals who are detained by the Department and are parents of children in the United States are—

(A) permitted regular phone calls and contact visits with their children;

(B) provided with contact information for child welfare agencies and family courts in the relevant jurisdictions;

(C) able to participate fully and, to the extent possible, in person in all family court proceedings and any other proceedings that may impact their right to custody of their children;

(D) granted free and confidential telephone calls to relevant child welfare agencies and family courts as often as is necessary to ensure that the best interest of their children, including a preference for family unity whenever appropriate, can be considered in child welfare agency or family court proceedings;

(E) able to fully comply with all family court or child welfare agency orders impacting custody of their children;

(F) provided access to United States passport applications or other relevant travel document applications for the purpose of obtaining travel documents for their children;

(G) afforded timely access to a notary public for the purpose of applying for a passport for their children or executing guardianship or other agreements to ensure the safety of their children; and

(H) granted adequate time before removal to obtain passports, apostilled birth certificates, travel documents, and other necessary records on behalf of their children if such children will accompany them on their return to their country of origin or join them in their country of origin; and

(3) where doing so would not impact public safety or national security, facilitate the ability of detained alien parents and primary caregivers to share information regarding travel arrangements with their consulate, children, child welfare agencies, or other caregivers in advance of the detained alien individual's departure from the United States.

#### SEC. 3805. MANDATORY TRAINING.

The Secretary, in consultation with the Secretary of Health and Human Services, the Secretary of State, the Attorney General, and independent child welfare and family law experts, shall develop and provide training on the protections required under sections 3803 and 3804 to all personnel of the Department, cooperating entities, and detention facilities operated by or under agreement with the Department who regularly engage in immigration enforcement actions and in the course of such actions come into contact with individuals who are parents or primary caregivers of children in the United States.

#### SEC. 3806. RULEMAKING.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall promulgate regulations to implement sections 3803 and 3804 of this Act.

#### SEC. 3807. SEVERABILITY.

If any provision of this subtitle or amendment made by this subtitle, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this subtitle and amendments made by this subtitle, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

### TITLE IV—REFORMS TO NONIMMIGRANT VISA PROGRAMS

#### Subtitle A—Employment-based Nonimmigrant Visas

##### SEC. 4101. MARKET-BASED H-1B VISA LIMITS.

(a) IN GENERAL.—Section 214(g) (8 U.S.C. 1184(g)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “(beginning with fiscal year 1992)”; and

(B) by amending subparagraph (A) to read as follows:

“(A) under section 101(a)(15)(H)(i)(b) may not exceed the sum of—

“(i) the base allocation calculated under paragraph (9)(A); and

“(ii) the allocation adjustment calculated under paragraph (9)(B); and”;

(2) by redesignating paragraph (10) as subparagraph (D) of paragraph (9);

(3) by redesignating paragraph (9) as paragraph (10); and

(4) by inserting after paragraph (8) the following:

“(9)(A) Except as provided in subparagraph (C), the base allocation of nonimmigrant visas under section 101(a)(15)(H)(i)(b) for each fiscal year shall be equal to—

“(i) the sum of—

“(I) the base allocation for the most recently completed fiscal year; and

“(II) the allocation adjustment under subparagraph (B) for the most recently completed fiscal year;

“(ii) if the number calculated under clause (i) is less than 115,000, 115,000; or

“(iii) if the number calculated under clause (i) is more than 180,000, 180,000.

“(B)(i) If the number of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) during the first 45 days petitions may be filed for a fiscal year is equal to the base allocation for such fiscal year, an additional 20,000 such visas shall be made available beginning on the 46th day on which petitions may be filed for such fiscal year.

“(ii) If the base allocation of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is reached during the 15-day period ending on the 60th day on which petitions may be filed for such fiscal year, an additional 15,000 such visas shall be made available beginning on the 61st day on which petitions may be filed for such fiscal year.

“(iii) If the base allocation of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is reached during the 30-day period ending on the 90th day on which petitions may be filed for such fiscal year, an additional 10,000 such visas shall be made available beginning on the 91st day on which petitions may be filed for such fiscal year.

“(iv) If the base allocation of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is reached during the 185-day period ending on the 275th day on which petitions may be filed for such fiscal year, an additional 5,000 such visas shall be made available beginning on the date on which such allocation is reached.

“(v) If the number of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 5,000 fewer than the base allocation, but is not more than 9,999 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -5,000.

“(vi) If the number of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 10,000 fewer than the base allocation, but not more than 14,999 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -10,000.

“(vii) If the number of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 15,000 fewer than the base allocation, but not more than 19,999 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -15,000.

“(viii) If the number of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 20,000 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -20,000.

“(C) No allocation adjustment may take place under any of clauses (i) through (iv) of subparagraph (B) to make additional visas available for any fiscal year in which the national occupational unemployment rate for ‘Management,

Professional, and Related Occupations’, as published by the Bureau of Labor Statistics each month, averages 4.5 percent or greater over the 12-month period preceding the date of the Secretary's determination of whether the cap should be increased or decreased.”.

(b) INCREASE IN ALLOCATION FOR STEM NON-IMMIGRANTS.—Section 214(g)(5)(C) (8 U.S.C. 1184(g)(5)(C)) is amended to read as follows:

“(C) has earned a master's or higher degree, in a field of science, technology, engineering, or math included in the Department of Education's Classification of Instructional Programs taxonomy within the summary groups of computer and information sciences and support services, engineering, mathematics and statistics, biological and biomedical sciences, and physical sciences, from a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) until the number of aliens who are exempted from such numerical limitation during such year exceed 25,000.”.

(c) PUBLICATION.—

(1) DATA SUMMARIZING PETITIONS.—The Secretary shall timely upload to a public website data that summarizes the adjudication of nonimmigrant petitions under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) during each fiscal year.

(2) ANNUAL NUMERICAL LIMITATION.—As soon as practicable and no later than March 2 of each fiscal year, the Secretary shall publish in the Federal Register the numerical limitation determined under section 214(g)(1)(A) for such fiscal year.

(d) EFFECTIVE DATE AND APPLICATION.—The amendments made by subsection (a) shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act and apply to applications for nonimmigrant visas under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) for such fiscal year.

#### SEC. 4102. EMPLOYMENT AUTHORIZATION FOR DEPENDENTS OF EMPLOYMENT-BASED NONIMMIGRANTS.

Section 214(c) (8 U.S.C. 1184(c)) is amended—

(1) by striking “Attorney General” each place such term appears and inserting “Secretary of Homeland Security”; and

(2) in paragraph (2), by amending subparagraph (E) to read as follows:

“(E)(i) In the case of an alien spouse admitted under section 101(a)(15)(L), who is accompanying or following to join a principal alien admitted under such section, the Secretary of Homeland Security shall—

“(I) authorize the alien spouse to engage in employment in the United States; and

“(II) provide the spouse with an ‘employment authorized’ endorsement or other appropriate work permit.

“(ii) In the case of an alien spouse admitted under section 101(a)(15)(H)(i)(b), who is accompanying or following to join a principal alien admitted under such section, the Secretary of Homeland Security shall—

“(I) authorize the alien spouse to engage in employment in the United States; and

“(II) provide such a spouse with an ‘employment authorized’ endorsement or other appropriate work permit, if appropriate.

“(iii)(I) Upon the request of the Secretary of State, the Secretary of Homeland Security may suspend employment authorizations under clause (ii) to nationals of a foreign country that does not permit reciprocal employment to nationals of the United States who are accompanying or following to join the employment-based nonimmigrant husband or wife of such spouse to be employed in such foreign country based on that status.

“(II) In subclause (I), the term ‘employment-based nonimmigrant’ means an individual who is admitted to a foreign country to perform employment similar to the employment described in section 101(a)(15)(H)(i)(b).”

**SEC. 4103. ELIMINATING IMPEDIMENTS TO WORKER MOBILITY.**

(a) REFERENCE TO PRIOR APPROVALS.—Section 214(c) (8 U.S.C. 1184(c)), as amended by section 4102, is further amended by adding at the end the following:

“(15) Subject to paragraph (2)(D) and subsection (g) and section 104(c) and subsections (a) and (b) of section 106 of the American Competitiveness in the Twenty-first Century Act of 2000 (Public Law 106-313; 8 U.S.C. 1184 note), the Secretary of Homeland Security shall give deference to a prior approval of a petition in reviewing a petition to extend the status of a nonimmigrant admitted under subparagraph (H)(i)(b) or (L) of section 101(a)(15) if the petition involves the same alien and petitioner unless the Secretary determines that—

“(A) there was a material error with regard to the previous petition approval;

“(B) a substantial change in circumstances has taken place;

“(C) new material information has been discovered that adversely impacts the eligibility of the employer or the nonimmigrant; or

“(D) in the Secretary’s discretion, such extension should not be approved.”

(b) EFFECT OF EMPLOYMENT TERMINATION.—Section 214(n) (8 U.S.C. 1184(n)) is amended by adding at the end the following:

“(3) A nonimmigrant admitted under section 101(a)(15)(H)(i)(b) whose employment relationship terminates before the expiration of the nonimmigrant’s period of authorized admission shall be deemed to have retained such legal status throughout the entire 60-day period beginning on the date such employment is terminated. A nonimmigrant who files a petition to extend, change, or adjust their status at any point during such period shall be deemed to have lawful status under section 101(a)(15)(H)(i)(b) while that petition is pending.”

(c) VISA REVALIDATION.—Section 222(c) (8 U.S.C. 1202(c)) is amended—

(1) by inserting “(1)” before “Every alien”; and

(2) by adding at the end the following:

“(2) The Secretary of State may, at the Secretary’s discretion, renew in the United States the visa of an alien admitted under subparagraph (A), (E), (G), (H), (I), (L), (N), (O), (P), (R), or (W) of section 101(a)(15) if the alien has remained eligible for such status and qualifies for a waiver of interview as provided for in subsection (h)(1)(D).”

(d) INTERVIEW WAIVERS FOR LOW RISK VISA APPLICANTS.—Section 222(h)(1) (8 U.S.C. 1202(h)(1)) is amended—

(1) in subparagraph (B)(iv), by striking “or” at the end;

(2) in subparagraph (C)(ii), by striking “and” at the end and inserting “or”; and

(3) by adding at the end the following:

“(D) by the Secretary of State, in consultation with the Secretary of Homeland Security, for such aliens or classes of aliens—

“(i) that the Secretary determines generally represent a low security risk;

“(ii) for which an in-person interview would not add material benefit to the adjudication process;

“(iii) unless the Secretary of State, after a review of all standard database and biometric checks, the visa application, and other supporting documents, determines that an interview is unlikely to reveal derogatory information; and

“(iv) except that in every case, the Secretary of State retains the right to require an applicant to appear for an interview; and”

**SEC. 4104. STEM EDUCATION AND TRAINING.**

(a) FEE.—Section 212(a)(5)(A) (8 U.S.C. 1182(a)(5)(A)) is amended by adding at the end the following:

“(v) FEE.—An employer shall submit, along with an application for a certification under this subparagraph, a fee of \$1,000, which shall be deposited in the STEM Education and Training Account established under section 286(w).”

(b) H-1B NONIMMIGRANT PETITIONER ACCOUNT.—Section 286(s) (8 U.S.C. 1356(s)) is amended by striking paragraphs (3) and (4) and inserting the following:

“(3) LOW-INCOME STEM SCHOLARSHIP PROGRAM.—

“(A) IN GENERAL.—Thirty percent of the amounts deposited into the H-1B Nonimmigrant Petitioner Account shall remain available to the Director of the National Science Foundation until expended for scholarships described in section 414(d) of the American Competitiveness and Workforce Improvement Act of 1998 (42 U.S.C. 1869c) for low-income students enrolled in a program of study leading to a degree in science, technology, engineering, or mathematics.

“(B) STEM EDUCATION FOR UNDERREPRESENTED.—The Director shall work in consultation with, or direct scholarship funds through, national nonprofit organizations that primarily focus on science, technology, engineering, or mathematics education for underrepresented groups, such as women and minorities.

“(C) LOAN FORGIVENESS.—The Director may expend funds from the Account for purposes of loan forgiveness or repayment of student loans which led to a low-income student obtaining a degree in science, technology, engineering, mathematics, or other high demand fields.

“(4) NATIONAL SCIENCE FOUNDATION GRANT PROGRAM FOR K-12 SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS EDUCATION.—

“(A) IN GENERAL.—Ten percent of the amounts deposited into the H-1B Nonimmigrant Petitioner Account shall remain available to the Director of the National Science Foundation until expended to carry out a direct or matching grant program to support improvement in K-12 education, including through private-public partnerships. Grants awarded pursuant to this paragraph shall include formula based grants that target lower income populations with a focus on reaching women and minorities.

“(B) TYPES OF PROGRAMS COVERED.—The Director shall award grants to programs that—

“(i) support the development and implementation of standards-based instructional materials models and related student assessments that enable K-12 students to acquire an understanding of science, technology, engineering, and mathematics, and to develop critical thinking skills;

“(ii) provide systemic improvement in training K-12 teachers and education for students in science, technology, engineering, and mathematics, including by supporting efforts to promote gender-equality among students receiving such instruction;

“(iii) support the professional development of K-12 science, technology, engineering, and mathematics teachers in the use of technology in the classroom;

“(iv) stimulate systemwide K-12 reform of science, technology, engineering, and mathematics in urban, rural, and economically disadvantaged regions of the United States;

“(v) provide externships and other opportunities for students to increase their appreciation and understanding of science, technology, engineering, and mathematics (including summer institutes sponsored by an institution of higher education for students in grades 7 through 12 that provide instruction in such fields);

“(vi) involve partnerships of industry, educational institutions, and national or regional community based organizations with dem-

onstrated experience addressing the educational needs of disadvantaged communities;

“(vii) provide college preparatory support to expose and prepare students for careers in science, technology, engineering, and mathematics; or

“(viii) provide for carrying out systemic reform activities under section 3(a)(1) of the National Science Foundation Act of 1950 (42 U.S.C. 1862(a)(1)).”

(c) USE OF FEE.—Section 286 (8 U.S.C. 1356) is amended by adding at the end the following:

“(w) STEM EDUCATION AND TRAINING ACCOUNT.—

“(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the ‘STEM Education and Training Account’. Notwithstanding any other section of this title, there shall be deposited as offsetting receipts into the Account all of the fees collected under section 212(a)(5)(A)(v).

“(2) PURPOSES.—

“(A) IN GENERAL.—The purposes of the STEM Education and Training Account are to enhance the economic competitiveness of the United States by—

“(i) strengthening STEM education, including in computer science, at all levels;

“(ii) ensuring that schools have access to well-trained and effective STEM teachers;

“(iii) supporting efforts to strengthen the elementary and secondary curriculum, including efforts to make courses in computer science more broadly available; and

“(iv) helping colleges and universities produce more graduates in fields needed by American employers.

“(B) DEFINED TERM.—In this paragraph, the term ‘STEM education’ means instruction in a field of science, technology, engineering or math included in the Department of Education’s Classification of Instructional Programs taxonomy within the summary groups of computer and information sciences and support services, engineering, mathematics and statistics, biological and biomedical sciences, and physical sciences.

“(3) ALLOCATIONS TO STATES AND TERRITORIES.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of Education shall proportionately allocate 70 percent of the amounts deposited into the STEM Education and Training Account each fiscal year to the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, American Samoa, and the Northern Mariana Islands in an amount that bears the same relationship as the proportion the State, district, or territory received under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) for the preceding fiscal year bears to the amount all States and territories received under that subpart for the preceding fiscal year.

“(B) MINIMUM ALLOCATIONS.—No State or territory shall receive less than an amount equal to 0.5 percent of the total amount made available to all States from the STEM Education and Training Account. If a State or territory does not request an allocation from the Account for a fiscal year, the Secretary shall reallocate the State’s allocation to the remaining States and territories in accordance with this paragraph.

“(C) USE OF FUNDS.—Amounts allocated pursuant to this paragraph may be used for the activities described in section 4104(c) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(4) STEM CAPACITY BUILDING AT MINORITY-SERVING INSTITUTIONS.—

“(A) IN GENERAL.—The Secretary of Education shall allocate 20 percent of the amounts deposited into the STEM Education and Training Account to establish or expand programs to



award grants to institutions described in subparagraph (C)—

“(i) to enhance the quality of undergraduate science, technology, engineering, and mathematics education at such institutions; and

“(ii) to increase the retention and graduation rates of students pursuing degrees in such fields at such institutions.

“(B) TYPES OF PROGRAMS COVERED.—Grants awarded under this paragraph shall be awarded to—

“(i) minority-serving institutions of higher education for—

“(I) activities to improve courses and curriculum in science, technology, engineering, and mathematics;

“(II) efforts to promote gender equality among students enrolled in such courses;

“(III) faculty development;

“(IV) stipends for undergraduate students participating in research; and

“(V) other activities consistent with subparagraph (A), as determined by the Secretary of Education; and

“(ii) to other institutions of higher education to partner with the institutions described in clause (i) for—

“(I) faculty and student development and exchange;

“(II) research infrastructure development;

“(III) joint research projects; and

“(IV) identification and development of minority and low-income candidates for graduate studies in science, technology, engineering, and mathematics degree programs.

“(C) INSTITUTIONS INCLUDED.—In this paragraph, the term ‘institutions’ shall include—

“(i) colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321–326a and 328), including Tuskegee University;

“(ii) 1994 Institutions, as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note);

“(iii) part B institutions (as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061)); and

“(iv) Hispanic-serving institutions, as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5)).

“(D) GRANTING OF BONDING AUTHORITY.—A recipient of a grant awarded under this paragraph is authorized to utilize such funds for the issuance of bonds to fund research infrastructure development.

“(E) LOAN FORGIVENESS.—The Director may expend funds from the allocation under this paragraph for purposes of loan forgiveness or repayment of student loans which led to a low-income student obtaining a degree in science, technology, engineering, mathematics, or other high demand fields.

“(5) WORKFORCE INVESTMENT.—The Secretary of Education shall allocate 5 percent of the amounts deposited into the STEM Education and Training Account to the Secretary of Labor until expended for statewide workforce investment activities that may also benefit veterans and their spouses, including youth activities and statewide employment and training and activities for adults and dislocated workers described in section 128(a) of the Workforce Investment Act of 1998 (29 U.S.C. 2853(a)), and the development of licensing and credentialing programs.

“(6) AMERICAN DREAM ACCOUNTS.—The Secretary of Education shall allocate 3 percent of the amounts deposited into the STEM Education and Training Account to award grants, on a competitive basis, to eligible entities to enable such eligible entities to establish and administer American Dream Accounts under section 4104(e) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

“(7) ADMINISTRATION EXPENSES.—The Secretary of Education may expend up to 2 percent

of the amounts deposited into the STEM Education and Training Account for administrative expenses, including conducting an annual evaluation of the implementation and impact of the activities funded by the STEM Education and Training Account as required under section 4104(c)(3) of the Border Security, Economic Opportunity, and Immigration Modernization Act.”.

(d) STEM EDUCATION GRANTS.—

(1) APPLICATION PROCESS.—

(A) IN GENERAL.—Each Governor and Chief State School Officer desiring an allocation from the STEM Education and Training Account under section 286(w)(3) of the Immigration and Nationality Act, as added by subsection (b), shall jointly submit a plan, including a proposed budget, signed by the Governor and Chief State School Officer, to the Secretary of Education at such time, in such form, and including such information as the Secretary of Education may prescribe pursuant to subparagraph (B). The plan shall describe how the State plans to improve STEM education to meet the needs of students and employers in the State.

(B) RULEMAKING.—The Secretary of Education shall issue a rule, through a rulemaking procedure that complies with section 553 of title 5, United States Code, prescribing the information that should be included in the State plans submitted under subparagraph (A).

(2) ALLOWABLE ACTIVITIES.—A State, district, or territory that receives funding from the STEM Education and Training Account may use such funding to develop and implement science, technology, engineering, and mathematics (STEM) activities to serve students, including students of underrepresented groups such as minorities, economically disadvantaged, and females by—

(A) strengthening the State’s STEM academic achievement standards;

(B) implementing strategies for the recruitment, training, placement, and retention of teachers in STEM fields, including computer science;

(C) carrying out initiatives designed to assist students in succeeding and graduating from postsecondary STEM programs;

(D) improving the availability and access to STEM-related worker training programs, including community college courses and programs;

(E) forming partnerships with higher education, economic development, workforce, industry, and local educational agencies; or

(F) engaging in other activities, as determined by the State, in consultation with businesses and State agencies, to improve STEM education.

(3) NATIONAL EVALUATION.—

(A) IN GENERAL.—Using amounts allocated under section 286(w)(7) of the Immigration and Nationality Act, as added by subsection (b), the Secretary of Education shall conduct, directly or through a grant or contract, an annual evaluation of the implementation and impact of the activities funded by the STEM Education and Training Account.

(B) ANNUAL REPORT.—The Secretary shall submit a report describing the results of each evaluation conducted under subparagraph (A) to—

(i) the President;

(ii) the Committee on the Judiciary of the Senate;

(iii) the Committee on the Judiciary of the House of Representatives;

(iv) the Committee on Health, Education, Labor, and Pensions of the Senate; and

(v) the Committee on Education and the Workforce of the House of Representatives.

(C) DISSEMINATION.—The Secretary shall make the findings of the evaluation widely available to educators, the business community, and the public.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to permit the Secretary of Education or any other Federal official to approve the content or academic achievement standards of a State.

(e) AMERICAN DREAM ACCOUNTS.—

(1) DEFINITIONS.—In this subsection:

(A) AMERICAN DREAM ACCOUNT.—The term “American Dream Account” means a personal online account for low-income students that monitors higher education readiness and includes a college savings account.

(B) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(i) the Committee on Health, Education, Labor, and Pensions of the Senate;

(ii) the Committee on Appropriations of the Senate;

(iii) the Committee on Finance of the Senate;

(iv) the Committee on Education and the Workforce of the House of Representatives;

(v) the Committee on Appropriations of the House of Representatives;

(vi) the Committee on Ways and Means of the House of Representatives; and

(vii) any other committee of the Senate or House of Representatives that the Secretary determines appropriate.

(C) COLLEGE SAVINGS ACCOUNT.—The term “college savings account” means a savings account that—

(i) provides some tax-preferred accumulation;

(ii) is widely available (such as Qualified Tuition Programs under section 529 of the Internal Revenue Code of 1986 or Coverdell Education Savings Accounts under section 530 of the Internal Revenue Code of 1986); and

(iii) contains funds that may be used only for the costs associated with attending an institution of higher education, including—

(I) tuition and fees;

(II) room and board;

(III) textbooks;

(IV) supplies and equipment; and

(V) internet access.

(D) DUAL ENROLLMENT PROGRAM.—The term “dual enrollment program” means an academic program through which a secondary school student is able simultaneously to earn credit toward a secondary school diploma and a postsecondary degree or credential.

(E) ELIGIBLE ENTITY.—The term “eligible entity” means—

(i) a State educational agency;

(ii) a local educational agency;

(iii) a charter school or charter management organization;

(iv) an institution of higher education;

(v) a nonprofit organization;

(vi) an entity with demonstrated experience in educational savings or in assisting low-income students to prepare for, and attend, an institution of higher education; or

(vii) a consortium of 2 or more of the entities described in clause (i) through (vi).

(F) ESEA DEFINITIONS.—The terms “local educational agency”, “parent”, and “State educational agency” have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) and the term “charter school” has the meaning given the term in section 5210 of such Act.

(G) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(H) LOW-INCOME STUDENT.—The term “low-income student” means a student who is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(2) GRANT PROGRAM.—



(A) **PROGRAM AUTHORIZED.**—The Secretary of Education is authorized to award grants, on a competitive basis, to eligible entities to enable such eligible entities to establish and administer American Dream Accounts for a group of low-income students.

(B) **RESERVATION.**—From the amount made available each fiscal year to carry out this section under section 286(w)(6) of the Immigration and Nationality Act, the Secretary of Education shall reserve not more than 5 percent of such amount to carry out the evaluation activities described in paragraph (5)(A).

(C) **DURATION.**—A grant awarded under this subsection shall be for a period of not more than 3 years. The Secretary of Education may extend such grant for an additional 2-year period if the Secretary of Education determines that the eligible entity has demonstrated significant progress, based on the factors described in paragraph (3)(B)(xi).

(3) **APPLICATIONS; PRIORITY.**—

(A) **IN GENERAL.**—Each eligible entity desiring a grant under this subsection shall submit an application to the Secretary of Education at such time, in such manner, and containing such information as the Secretary of Education may require.

(B) **CONTENTS.**—The application described in subparagraph (A) shall include—

(i) a description of the characteristics of a group of not less than 30 low-income public school students who—

(I) are, at the time of the application, attending a grade not higher than grade 9; and

(II) will, under the grant, receive an American Dream Account;

(ii) a description of how the eligible entity will engage, and provide support (such as tutoring and mentoring for students, and training for teachers and other stakeholders) either online or in person, to—

(I) the students in the group described in clause (i);

(II) the family members and teachers of such students; and

(III) other stakeholders such as school administrators and school counselors;

(iii) an identification of partners who will assist the eligible entity in establishing and sustaining American Dream Accounts;

(iv) a description of what experience the eligible entity or the eligible entity's partners have in managing college savings accounts, preparing low-income students for postsecondary education, managing online systems, and teaching financial literacy;

(v) a description of how the eligible entity will help increase the value of the college savings account portion of each American Dream Account, such as by providing matching funds or incentives for academic achievement;

(vi) a description of how the eligible entity will notify each participating student in the group described in subparagraph (A), on a semi-annual basis, of the current balance and status of the student's college savings account portion of the student's American Dream Account;

(vii) a plan that describes how the eligible entity will monitor participating students in the group described in clause (i) to ensure that each student's American Dream Account will be maintained if a student in such group changes schools before graduating from secondary school;

(viii) a plan that describes how the American Dream Accounts will be managed for not less than 1 year after a majority of the students in the group described in clause (i) graduate from secondary school;

(ix) a description of how the eligible entity will encourage students in the group described in clause (i) who fail to graduate from secondary school to continue their education;

(x) a description of how the eligible entity will evaluate the grant program, including by collecting, as applicable, data about the students in the group described in clause (i) during the grant period, and, if sufficient grant funds are available, after the grant period, including

(I) attendance rates;

(II) progress reports;

(III) grades and course selections;

(IV) the student graduation rate (as defined in section 1111 (b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)));;

(V) rates of student completion of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090);

(VI) rates of enrollment in an institution of higher education; and

(VII) rates of completion at an institution of higher education;

(xi) a description of what will happen to the funds in the college savings account portion of the American Dream Accounts that are dedicated to participating students described in clause (i) who have not matriculated at an institution of higher education at the time of the conclusion of the period of American Dream Account management described in clause (viii);

(xii) a description of how the eligible entity will ensure that funds in the college savings account portion of the American Dream Accounts will not make families ineligible for public assistance; and

(xiii) a description of how the eligible entity will ensure that participating students described in clause (i) will have access to the Internet;

(C) **PRIORITY.**—In awarding grants under this subsection, the Secretary of Education shall give priority to applications from eligible entities that—

(i) are described in paragraph (1)(E)(vii);

(ii) serve the largest number of low-income students;

(iii) emphasize preparing students to pursue careers in science, technology, engineering, or mathematics; or

(iv) in the case of an eligible entity described in clause (i) or (ii) of paragraph (1)(E), provide opportunities for participating students described in clause (i) to participate in a dual enrollment program at no cost to the student.

(4) **AUTHORIZED ACTIVITIES.**—

(A) **IN GENERAL.**—An eligible entity that receives a grant under this subsection shall use such grant funds to establish an American Dream Account for each participating student described in paragraph (3)(B)(i), which will be used to—

(i) open a college savings account for such student;

(ii) monitor the progress of such student online, which—

(I) shall include monitoring student data relating to—

(aa) grades and course selections;

(bb) progress reports; and

(cc) attendance and disciplinary records; and

(II) may also include monitoring student data relating to a broad range of information, provided by teachers and family members, related to postsecondary education readiness, access, and completion;

(iii) provide opportunities for such students, either online or in person, to learn about financial literacy, including by—

(I) assisting such students in financial planning for enrollment in an institution of higher education; and

(II) assisting such students in identifying and applying for financial aid (such as loans, grants, and scholarships) for an institution of higher education;

(iv) provide opportunities for such students, either online or in person, to learn about pre-

paring for enrollment in an institution of higher education, including by providing instruction to students about—

(I) choosing the appropriate courses to prepare for postsecondary education;

(II) applying to an institution of higher education;

(III) building a student portfolio, which may be used when applying to an institution of higher education;

(IV) selecting an institution of higher education;

(V) choosing a major for the student's postsecondary program of education or a career path, including specific instruction on pursuing science, technology, engineering, and mathematics majors; and

(VI) adapting to life at an institution of higher education; and

(v) provide opportunities for such students, either online or in person, to identify skills or interests, including career interests.

(B) **ACCESS TO AMERICAN DREAM ACCOUNT.**—

(i) **IN GENERAL.**—Subject to clause (iii) and (iv), and in accordance with applicable Federal laws and regulations relating to privacy of information and the privacy of children, an eligible entity that receives a grant under this subsection shall allow vested stakeholders described in clause (ii), to have secure access, through the Internet, to an American Dream Account.

(ii) **VESTED STAKEHOLDERS.**—The vested stakeholders that an eligible entity shall permit to access an American Dream Account are individuals (such as the student's teachers, school counselors, counselors at an institution of higher education, school administrators, or other individuals) that are designated, in accordance with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g), by the parent of a participating student in whose name such American Dream Account is held, as having permission to access the account. A student's parent may withdraw such designation from an individual at any time.

(iii) **EXCEPTION FOR COLLEGE SAVINGS ACCOUNT.**—An eligible entity that receives a grant under this subsection shall not be required to give vested stakeholders described in clause (ii), access to the college savings account portion of a student's American Dream Account.

(iv) **ADULT STUDENTS.**—Notwithstanding clause (i) through (iii), if a participating student is age 18 or older, an eligible entity that receives a grant under this subsection shall not provide access to such participating student's American Dream Account without the student's consent, in accordance with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g).

(v) **INPUT OF STUDENT INFORMATION.**—Student data collected pursuant to subparagraph (A)(ii)(I) may only be entered into an American Dream Account by a school administrator or such administrator's designee.

(C) **PROHIBITION ON USE OF STUDENT INFORMATION.**—An eligible entity that receives a grant under this subsection may not use any student-level information or data for the purpose of soliciting, advertising, or marketing any financial or nonfinancial consumer product or service that is offered by such eligible entity, or on behalf of any other person.

(D) **LIMITATION ON THE USE OF GRANT FUNDS.**—An eligible entity shall not use more than 25 percent of the grant funds provided under this subsection to provide the initial deposit into a college savings account portion of a student's American Dream Account.

(5) **REPORTS AND EVALUATIONS.**—

(A) **IN GENERAL.**—Not later than 1 year after the Secretary of Education has disbursed grants under this subsection, and annually thereafter, the Secretary of Education shall prepare and

submit a report to the appropriate committees of Congress that includes an evaluation of the effectiveness of the grant program established under this subsection.

(B) CONTENTS.—The report described in subparagraph (A) shall—

(i) list the grants that have been awarded under paragraph (2)(A);

(ii) include the number of students who have an American Dream Account established through a grant awarded under paragraph (2)(A);

(iii) provide data (including the interest accrued on college savings accounts that are part of an American Dream Account) in the aggregate, regarding students who have an American Dream Account established through a grant awarded under paragraph (2)(A), as compared to similarly situated students who do not have an American Dream Account;

(iv) identify best practices developed by the eligible entities receiving grants under this subsection;

(v) identify any issues related to student privacy and stakeholder accessibility to American Dream Accounts;

(vi) provide feedback from participating students and the parents of such students about the grant program, including—

(I) the impact of the program;

(II) aspects of the program that are successful;

(III) aspects of the program that are not successful; and

(IV) any other data required by the Secretary of Education; and

(vii) provide recommendations for expanding the American Dream Accounts program.

(6) ELIGIBILITY TO RECEIVE FEDERAL STUDENT FINANCIAL AID.—Notwithstanding any other provision of law, any funds that are in the college savings account portion of a student's American Dream Account shall not affect such student's eligibility to receive Federal student financial aid, including any Federal student financial aid under the Higher Education Act of 1965 (20 U.S.C. 1001), and shall not be considered in determining the amount of any such Federal student aid.

(f) CONFORMING AMENDMENT.—Section 480(j) of the Higher Education Act of 1965 (20 U.S.C. 1087vv(j)) is amended by adding at the end the following:

“(5) Notwithstanding paragraph (1), amounts made available under the college savings account portion of an American Dream Account under section 4105(e)(4) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 shall not be treated as estimated financial assistance for purposes of section 471(3).”.

#### SEC. 4105. H-1B AND L VISA FEES.

Section 281 (8 U.S.C. 1351) is amended—

(1) by striking “The fees” and inserting the following:

“(a) IN GENERAL.—The fees”;

(2) by striking “: Provided, That non-immigrant visas” and inserting the following: “.

“(b) UNITED NATIONS VISITORS.—Non-immigrant visas”;

(3) by striking “Subject to” and inserting the following:

“(c) FEE WAIVERS OR REDUCTIONS.—Subject to”;

(4) by adding at the end the following:

“(d) H-1B AND L VISA FEES.—In addition to the fees authorized under subsection (a), the Secretary of Homeland Security shall collect, from each employer (except for nonprofit research institutions and nonprofit educational institutions) filing a petition to hire non-immigrants described in subparagraph (H)(i)(B) or (L) of section 101(a)(15), a fee in an amount equal to—

“(1) \$1,250 for each such petition filed by any employer with not more than 25 full-time equivalent employees in the United States; and

“(2) \$2,500 for each such petition filed by any employer with more than 25 such employees.”.

#### Subtitle B—H-1B Visa Fraud and Abuse Protections

##### CHAPTER 1—H-1B EMPLOYER APPLICATION REQUIREMENTS

#### SEC. 4211. MODIFICATION OF APPLICATION REQUIREMENTS.

(a) GENERAL APPLICATION REQUIREMENTS.—

(1) WAGE RATES.—Section 212(n)(1)(A) (8 U.S.C. 1182(n)(1)(A)) is amended—

(A) in clause (i)—

(i) in the matter preceding subclause (I), by inserting “if the employer is not an H-1B-dependent employer,” before “is offering”;

(ii) in subclause (I), by striking “question, or” and inserting “question; or”;

(iii) in subclause (II), by striking “employment,” and inserting “employment;” and

(iv) in the undesignated material following subclause (II), by striking “application, and” and inserting “application;”;

(B) by striking clause (ii) and inserting the following:

“(ii) if the employer is an H-1B-dependent employer, is offering and will offer to H-1B non-immigrants, during the period of authorized employment for each H-1B nonimmigrant, wages that are not less than the level 2 wages set out in subsection (p); and

“(iii) will provide working conditions for H-1B nonimmigrants that will not adversely affect the working conditions of other workers similarly employed.”.

(2) STRENGTHENING THE PREVAILING WAGE SYSTEM.—Section 212(p) (8 U.S.C. 1182(p)) is amended to read as follows:

“(p) COMPUTATION OF PREVAILING WAGE LEVEL.—

“(1) IN GENERAL.—

“(A) SURVEYS.—For employers of non-immigrants admitted pursuant to section 101(a)(15)(H)(i)(b), the Secretary of Labor shall make available to employers a governmental survey to determine the prevailing wage for each occupational classification by metropolitan statistical area in the United States. Such survey, or other survey approved by the Secretary of Labor, shall provide 3 levels of wages commensurate with experience, education, and level of supervision. Such wage levels shall be determined as follows:

“(i) The first level shall be the mean of the lowest two-thirds of wages surveyed, but in no case less than 80 percent of the mean of the wages surveyed.

“(ii) The second level shall be the mean of wages surveyed.

“(iii) The third level shall be the mean of the highest two-thirds of wages surveyed.

“(B) EDUCATIONAL, NONPROFIT, RESEARCH, AND GOVERNMENTAL ENTITIES.—In computing the prevailing wage level for an occupational classification in an area of employment for purposes of section 203(b)(1)(D) and subsections (a)(5)(A), (n)(1)(A)(i)(II), and (t)(1)(A)(i)(II) of this section in the case of an employee of—

“(i) an institution of higher education, or a related or affiliated nonprofit entity; or

“(ii) a nonprofit research organization or a governmental research organization;

the prevailing wage level shall only take into account employees at such institutions and organizations in the area of employment.

“(2) PAYMENT OF PREVAILING WAGE.—The prevailing wage level required to be paid pursuant to section 203(b)(1)(D) and subsections (a)(5)(A), (n)(1)(A)(i)(II), and (t)(1)(A)(i)(II) of this section shall be 100 percent of the wage level determined pursuant to those sections.

“(3) PROFESSIONAL ATHLETE.—With respect to a professional athlete (as defined in subsection (a)(5)(A)(iii)(II)) when the job opportunity is

covered by professional sports league rules or regulations, the wage set forth in those rules or regulations shall be considered as not adversely affecting the wages of United States workers similarly employed and shall be considered the prevailing wage.

“(4) WAGES FOR H-2B EMPLOYEES.—

“(A) IN GENERAL.—The wages paid to H-2B nonimmigrants employed by the employer will be the greater of—

“(i) the actual wage level paid by the employer to other employees with similar experience and qualifications for such position; or

“(ii) the prevailing wage level for the occupational classification of the position in the geographic area of the employment, based on the best information available as of the time of filing the application.

“(B) BEST INFORMATION AVAILABLE.—In subparagraph (A), the term “best information available”, with respect to determining the prevailing wage for a position, means—

“(i) a controlling collective bargaining agreement or Federal contract wage, if applicable;

“(ii) if there is no applicable wage under clause (i), the wage level commensurate with the experience, training, and supervision required for the job based on Bureau of Labor Statistics data; or

“(iii) if the data referred to in clause (ii) is not available, a legitimate and recent private survey of the wages paid for such positions in the metropolitan statistical area.”.

(3) WAGES FOR EDUCATIONAL, NONPROFIT, RESEARCH, AND GOVERNMENTAL ENTITIES.—Section 212 (8 U.S.C. 1182), as amended by sections 2312 and 2313, is further amended by adding at the end the following:

“(x) DETERMINATION OF PREVAILING WAGE.—

In the case of a nonprofit institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))), a related or affiliated nonprofit entity, a nonprofit research organization, or a governmental research organization, the Secretary of Labor shall determine such wage levels as follows:

“(1) If the Secretary of Labor uses, or makes available to employers, a governmental survey to determine the prevailing wage, such survey shall provide at least 4 levels of wages commensurate with experience, education, and the level of supervision.

“(2) If an existing government survey has only 2 levels, 2 intermediate levels may be created by dividing by 3, the difference between the 2 levels offered, adding the quotient thus obtained to the first level and subtracting that quotient from the second level.

“(3) For institutions of higher education, only teaching positions and research positions may be paid using this special educational wage level.

“(4) In computing the prevailing wage level for an occupational classification in an area of employment for purposes of subsections (a)(5)(A), (n)(1)(A)(i)(II), and (t)(1)(A)(i)(II) and section 203(b)(1)(D) for an employee of an institution of higher education, or a related or affiliated nonprofit entity or a nonprofit research organization or a governmental research organization, the prevailing wage level shall only take into account employees at such institutions and organizations in the area of employment.”.

(b) INTERNET POSTING REQUIREMENT.—Section 212(n)(1)(C) (8 U.S.C. 1182(n)(1)(C)) is amended—

(1) by redesignating clause (ii) as subclause (II);

(2) by striking “(i) has provided” and inserting the following:

“(ii)(I) has provided”;

(3) by striking “sought, or” and inserting “sought; or”; and

(4) by inserting before clause (ii), as redesignated by paragraph (2), the following:

“(i) has advertised on the Internet website maintained by the Secretary of Labor for the purpose of such advertising, for at least 30 calendar days, a detailed description of each position for which a nonimmigrant is sought that includes a description of—

“(I) the wage ranges and other terms and conditions of employment;

“(II) the minimum education, training, experience, and other requirements for the position;

“(III) the process for applying for the position;

“(IV) the title and description of the position, including the location where the work will be performed; and

“(V) the name, city, and zip code of the employer; and”.

(c) APPLICATION OF REQUIREMENTS ALL EMPLOYERS.—

(1) NONDISPLACEMENT.—Section 212(n)(1)(E) (8 U.S.C. 1182(n)(1)(E)) is amended to read as follows:

“(E)(i)(I) In the case of an application filed by an employer that is an H-1B skilled worker dependent employer, and is not an H-1B dependent employer, the employer did not displace and will not displace a United States worker employed by the employer during the period beginning 90 days before the date on which a visa petition supported by the application is filed and ending 90 days after such filing.

“(II) An employer that is not an H-1B skilled worker dependent employer shall not be subject to subclause (I) unless—

“(aa) the employer is filing the H-1B petition with the intent or purpose of displacing a specific United States worker from the position to be occupied by the beneficiary of the petition; or

“(bb) workers are displaced who—

“(AA) provide services, in whole or in part, at 1 or more worksites owned, operated, or controlled by a Federal, State, or local government entity that directs and controls the work of the H-1B worker; or

“(BB) are employed as public school kindergarten, elementary, middle school, or secondary school teachers.

“(ii)(I) In the case of an application filed by an H-1B-dependent employer, the employer did not displace and will not displace a United States worker employed by the employer within the period beginning 180 days before the date on which a visa petition supported by the application is filed and ending 180 days after such filing.

“(II) An application described in this clause is an application filed on or after the date final regulations are first promulgated to carry out this subparagraph, and before by an H-1B-dependent employer (as defined in paragraph (3)) or by an employer that has been found, on or after the date of the enactment of the American Competitiveness and Workforce Improvement Act of 1998, under paragraph (2)(C) or (5) to have committed a willful failure or misrepresentation during the 5-year period preceding the filing of the application.

“(iii) In this subparagraph, the term ‘job zone’ means a zone assigned to an occupation by—

“(I) the Occupational Information Network Database (O\*NET) on the date of the enactment of this Act; or

“(II) such database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of Border Security, Economic Opportunity, and Immigration Modernization Act.”.

(2) RECRUITMENT.—Section 212(n)(1)(G) (8 U.S.C. 1182(n)(1)(G)) is amended to read as follows:

“(G) An employer, prior to filing the applica-

“(i) has taken good faith steps to recruit United States workers for the occupational classification for which the nonimmigrant or nonimmigrants is or are sought, using procedures that meet industry-wide standards and offering compensation that is at least as great as that required to be offered to H-1B nonimmigrants under subparagraph (A);

“(ii) has advertised the job on an Internet website maintained by the Secretary of Labor for the purpose of such advertising; and

“(iii) if the employer is an H-1B skilled worker dependent employer, has offered the job to any United States worker who applies and is equally or better qualified for the job for which the nonimmigrant or nonimmigrants is or are sought.”.

(d) OUTPLACEMENT.—Section 212(n)(1)(F) (8 U.S.C. 1182(n)(1)(F)) is amended to read as follows:

“(F)(i) An H-1B-dependent employer may not place, outsource, lease, or otherwise contract for the services or placement of an H-1B nonimmigrant employee.

“(ii) An employer that is not an H-1B-dependent employer and not described in paragraph (3)(A)(i) may not place, outsource, lease, or otherwise contract for the services or placement of an H-1B nonimmigrant employee unless the employer pays a fee of \$500 per outplaced worker.

“(iii) A fee collected under clause (ii) shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6 of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(iv) An H-1B dependent employer shall be exempt from the prohibition on outplacement under clause (i) if the employer is a nonprofit institution of higher education, a nonprofit research organization, or primarily a health care business and is petitioning for a physician, a nurse, or a physical therapist or a substantially equivalent health care occupation. Such employer shall be subject to the fee set forth in clause (ii).”.

(e) H-1B-DEPENDENT EMPLOYER DEFINED.—Section 212(n)(3) (8 U.S.C. 1182(n)(3)) is amended to read as follows:

“(3)(A) The term ‘H-1B-dependent employer’ means an employer that—

“(i) in the case of an employer that has 25 or fewer full-time equivalent employees who are employed in the United States, employs more than 7 H-1B nonimmigrants;

“(ii) in the case of an employer that has at least 26 but not more than 50 full-time equivalent employees who are employed in the United States, employs more than 12 H-1B nonimmigrants; or

“(iii) in the case of an employer that has at least 51 full-time equivalent employees who are employed in the United States, employs H-1B nonimmigrants in a number that is equal to at least 15 percent of the number of such full-time equivalent employees.

“(B) In determining the number of employees who are H-1B nonimmigrants under subparagraph (A)(ii), an intending immigrant employee shall not count toward such number.”.

(f) H-1B SKILLED WORKER DEPENDENT DEFINED.—Section 212(n)(3) (8 U.S.C. 1182(n)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D); and

(2) by inserting after subparagraph (A) the following:

“(B)(i) For purposes of this subsection, an ‘H-1B skilled worker dependent employer’ means an employer who employs H-1B nonimmigrants in the United States in a number that in total is equal to at least 15 percent of the number of its full-time equivalent employees in the United States employed in occupations contained within Occupational Information Network Database (O\*NET) Job Zone 4 and Job Zone 5.

“(ii) An H-1B nonimmigrant who is an intending immigrant shall be counted as a United States worker in making a determination under clause (i).”.

(g) INTENDING IMMIGRANTS DEFINED.—Section 101(a) (8 U.S.C. 1101(a)), as amended by section 3504(a), is further amended by adding at the end the following:

“(54)(A) The term ‘intending immigrant’ means, with respect to the number of aliens employed by an employer, an alien who intends to work and reside permanently in the United States, as evidenced by—

“(i) a pending or approved application for a labor certification filed for such alien by a covered employer; or

“(ii) a pending or approved immigrant status petition filed for such alien by a covered employer.

“(B) In this paragraph:

“(i) The term ‘covered employer’ means an employer that has filed immigrant status petitions for not less than 90 percent of current employees who were the beneficiaries of applications for labor certification that were approved during the 1-year period ending 6 months before the filing of an application or petition for which the number of intending immigrants is relevant.

“(ii) The term ‘immigrant status petition’ means a petition filed under paragraph (1), (2), or (3) of section 203(b).

“(iii) The term ‘labor certification’ means an employment certification under section 212(a)(5)(A).

“(C) Notwithstanding any other provision of law—

“(i) for all calculations under this Act, of the number of aliens admitted pursuant to subparagraph (H)(i)(b) or (L) of paragraph (15), an intending immigrant shall be counted as an alien lawfully admitted for permanent residence and shall not be counted as an employee admitted pursuant to such a subparagraph; and

“(ii) for all determinations of the number of employees or United States workers employed by an employer, all of the employees in any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986 shall be counted.”.

#### SEC. 4212. REQUIREMENTS FOR ADMISSION OF NONIMMIGRANT NURSES IN HEALTH PROFESSIONAL SHORTAGE AREAS.

(a) EXTENSION OF PERIOD OF AUTHORIZED ADMISSION.—Section 212(m)(3) (8 U.S.C. 1182(m)(3)) is amended to read as follows:

“(3) The initial period of authorized admission as a nonimmigrant under section 101(a)(15)(H)(i)(c) shall be 3 years, and may be extended once for an additional 3-year period.”.

(b) NUMBER OF VISAS.—Section 212(m)(4) (8 U.S.C. 1182(m)(4)) is amended by striking “500.” and inserting “300.”.

(c) PORTABILITY.—Section 214(n) (8 U.S.C. 1184(n)), as amended by section 4103(b), is further amended by adding at the end the following:

“(4)(A) A nonimmigrant alien described in subparagraph (B) who was previously issued a visa or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(c) is authorized to accept new employment performing services as a registered nurse for a facility described in section 212(m)(6) upon the filing by the prospective employer of a new petition on behalf of such nonimmigrant as provided under subsection (c). Employment authorization shall continue for such alien until the new petition is adjudicated. If the new petition is denied, such authorization shall cease.

“(B) A nonimmigrant alien described in this paragraph is a nonimmigrant alien—

“(i) who has been lawfully admitted into the United States;

“(ii) on whose behalf an employer has filed a nonfrivolous petition for new employment before

the date of expiration of the period of stay authorized by the Secretary of Homeland Security, except that, if a nonimmigrant described in section 101(a)(15)(H)(i)(c) is terminated or laid off by the nonimmigrant's employer, or otherwise ceases employment with the employer, such petition for new employment shall be filed during the 60-day period beginning on the date of such termination, lay off, or cessation; and

“(iii) who, subsequent to such lawful admission, has not been employed without authorization in the United States before the filing of such petition.”.

(d) **APPLICABILITY.**—

(1) **IN GENERAL.**—Beginning on the commencement date described in paragraph (2), the amendments made by section 2 of the Nursing Relief for Disadvantaged Areas Act of 1999 (Public Law 106-95; 113 Stat. 1313), and the amendments made by this section, shall apply to classification petitions filed for nonimmigrant status. This period shall be in addition to the period described in section 2(e) of the Nursing Relief for Disadvantaged Areas Act of 1999 (8 U.S.C. 1182 note).

(2) **COMMENCEMENT DATE.**—Not later than 60 days after the date of the enactment of this Act, the Secretary shall determine whether regulations are necessary to implement the amendments made by this section. If the Secretary determines that no such regulations are necessary, the commencement date described in this paragraph shall be the date of such determination. If the Secretary determines that regulations are necessary to implement any amendment made by this section, the commencement date described in this paragraph shall be the date on which such regulations (in final form) take effect.

**SEC. 4213. NEW APPLICATION REQUIREMENTS.**

Section 212(n)(1) (8 U.S.C. 1182(n)(1)) is amended by inserting after clause (iii) of subparagraph (G), as amended by section 4211(c)(2), the following:

“(H)(i) The employer has not advertised any available position specified in the application in an advertisement that states or indicates that—

“(I) such position is only available to an individual who is or will be an H-1B nonimmigrant or an alien participating in optional practical training pursuant to section 101(a)(15)(F)(i); or

“(II) an individual who is or will be an H-1B nonimmigrant or participant in such optional practical training shall receive priority or a preference in the hiring process for such position.

“(ii) The employer has not solely recruited individuals who are or who will be H-1B nonimmigrants or participants in optional practical training pursuant to section 101(a)(15)(F)(i) to fill such position.

“(I)(i) If the employer (other than an educational or research employer) employs 50 or more employees in the United States, the sum of the number of such employees who are H-1B nonimmigrants plus the number of such employees who are nonimmigrants described in section 101(a)(15)(L) may not exceed—

“(I) 75 percent of the total number of employees, for fiscal year 2015;

“(II) 65 percent of the total number of employees, for fiscal year 2016; and

“(III) 50 percent of the total number of employees, for each fiscal year after fiscal year 2016.

“(ii) In this subparagraph:

“(I) The term ‘educational or research employer’ means an employer that is a nonprofit institution of higher education or a nonprofit research organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code.

“(II) The term ‘H-1B nonimmigrant’ means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(H)(i)(b).

“(III) The term ‘L nonimmigrant’ means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(L) to provide services to his or her employer involving specialized knowledge.

“(iii) In determining the percentage of employees of an employer that are H-1B nonimmigrants or L nonimmigrants under clause (i), an intending immigrant employee shall not count toward such percentage.

“(J) The employer shall submit to the Secretary of Homeland Security an annual report that includes the Internal Revenue Service Form W-2 Wage and Tax Statement filed by the employer for each H-1B nonimmigrant employed by the employer during the previous year.”.

**SEC. 4214. APPLICATION REVIEW REQUIREMENTS.**

(a) **TECHNICAL AMENDMENT.**—Section 212(n)(1) (8 U.S.C. 1182(n)(1)), as amended by section 4213, is further amended in the undesignated paragraph at the end, by striking “The employer” and inserting the following:

“(K) The employer”.

(b) **APPLICATION REVIEW REQUIREMENTS.**—Subparagraph (K) of such section 212(n)(1), as designated by subsection (a), is amended—

(1) by inserting “and through the Department of Labor’s website, without charge.” after “D.C.”;

(2) by striking “only for completeness” and inserting “for completeness and evidence of fraud or misrepresentation of material fact.”;

(3) by striking “or obviously inaccurate” and inserting “, presents evidence of fraud or misrepresentation of material fact, or is obviously inaccurate”;

(4) by striking “within 7 days of the” and inserting “not later than 14 days after”;

(5) by adding at the end the following: “If the Secretary’s review of an application identifies evidence of fraud or misrepresentation of material fact, the Secretary may conduct an investigation and hearing in accordance with paragraph (2).”.

(c) **FILING OF PETITION FOR NONIMMIGRANT WORKER.**—Section 212(n)(1) (8 U.S.C. 1182(n)(1)), as amended by section 4213, is further amended by adding at the end the following:

“(L) An I-129 Petition for Nonimmigrant Worker (or similar successor form)—

“(i) may be filed by an employer with the Secretary of Homeland Security prior to the date the employer receives an approved certification described in section 101(a)(15)(H)(i)(b) from the Secretary of Labor; and

“(ii) may not be approved by the Secretary of Homeland Security until the date such certification is approved.”.

**CHAPTER 2— INVESTIGATION AND DISPOSITION OF COMPLAINTS AGAINST H-1B EMPLOYERS**

**SEC. 4221. GENERAL MODIFICATION OF PROCEDURES FOR INVESTIGATION AND DISPOSITION.**

Section 212(n) (8 U.S.C. 1182(n)) is amended—

(1) in paragraph (2)(A)—

(A) by striking “(A) Subject” and inserting “(A)(i) Subject”;

(B) by inserting after the first sentence the following: “Such process shall include publicizing a dedicated toll-free number and publicly available Internet website for the submission of such complaints.”;

(C) by striking “12 months” and inserting “24 months”;

(D) by striking the last sentence and inserting the following: “The Secretary shall issue regulations requiring that employers that employ H-1B nonimmigrants, other than nonprofit institutions of higher education and nonprofit research organizations, through posting of notices or other appropriate means, inform their employees of such toll-free number and Internet website and of their right to file complaints pursuant to this paragraph.”; and

(E) by adding at the end the following:

“(ii)(I) Upon the receipt of such a complaint, the Secretary may initiate an investigation to determine if such a failure or misrepresentation has occurred.

“(II) The Secretary may conduct voluntary surveys of the degree to which employers comply with the requirements of this subsection.

“(III) The Secretary shall—

“(aa) conduct annual compliance audits of each employer with more than 100 employees who work in the United States if more than 15 percent of such employees are H-1B nonimmigrants; and

“(bb) make available to the public an executive summary or report describing the general findings of the audits carried out pursuant to this subclause.”; and

(2) by adding at the end the following new paragraph:

“(6) **REPORT REQUIRED.**—Not later than 1 year after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and every 5 years thereafter, the Inspector General of the Department of Labor shall submit a report regarding the Secretary’s enforcement of the requirements of this section to the Committee on the Judiciary and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on the Judiciary and the Committee on Education and the Workforce of the House of Representatives.”.

**SEC. 4222. INVESTIGATION, WORKING CONDITIONS, AND PENALTIES.**

Subparagraph (C) of section 212(n)(2) (8 U.S.C. 1182(n)(2)) is amended—

(1) in clause (i)—

(A) in the matter preceding subclause (I)—

(i) by striking “a condition of paragraph (1)(B), (1)(E), or (1)(F)” and inserting “a condition under subparagraph (A), (B), (C)(i), (E), (F), (G), (H), (I), or (J) of paragraph (1)”;

(ii) by striking “(1)(C)” and inserting “(1)(C)(ii)”;

(B) in subclause (I)—

(i) by striking “\$1,000” and inserting “\$2,000”;

and

(ii) by striking “and” at the end;

(C) in subclause (II), by striking the period at the end and inserting a semicolon and “and”;

and

(D) by adding at the end the following:

“(III) an employer that violates such subparagraph (A) shall be liable to any employee harmed by such violations for lost wages and benefits.”; and

(2) in clause (ii)—

(A) in subclause (I)—

(i) by striking “may” and inserting “shall”;

and

(ii) by striking “\$5,000” and inserting “\$10,000”;

(B) in subclause (II), by striking the period at the end and inserting a semicolon and “and”;

and

(C) by adding at the end the following:

“(III) an employer that violates such subparagraph (A) shall be liable to any employee harmed by such violations for lost wages and benefits.”;

(3) in clause (iii)—

(A) in the matter preceding subclause (I), by striking “90 days” both places it appears and inserting “180 days”;

(B) in subclause (I)—

(i) by striking “may” and inserting “shall”;

and

(ii) by striking “and” at the end;

(C) in subclause (II), by striking the period at the end and inserting a semicolon and “and”;

and

(D) by adding at the end the following:

“(III) an employer that violates subparagraph (A) of such paragraph shall be liable to any employee harmed by such violations for lost wages and benefits.”;

(4) in clause (iv)—  
 (A) by inserting “to take, or threaten to take, a personnel action, or” before “to intimidate”;  
 (B) by inserting “(I)” after “(iv)”; and  
 (C) by adding at the end the following:

“(II) An employer that violates this clause shall be liable to any employee harmed by such violation for lost wages and benefits.”; and

(5) in clause (vi)—  
 (A) by amending subclause (I) to read as follows:

“(I) It is a violation of this clause for an employer who has filed an application under this subsection—

“(aa) to require an H-1B nonimmigrant to pay a penalty for ceasing employment with the employer prior to a date agreed to by the nonimmigrant and the employer (the Secretary shall determine whether a required payment is a penalty, and not liquidated damages, pursuant to relevant State law); and

“(bb) to fail to offer to an H-1B nonimmigrant, during the nonimmigrant’s period of authorized employment, on the same basis, and in accordance with the same criteria, as the employer offers to similarly situated United States workers, benefits and eligibility for benefits, including—

“(AA) the opportunity to participate in health, life, disability, and other insurance plans;

“(BB) the opportunity to participate in retirement and savings plans; and

“(CC) cash bonuses and noncash compensation, such as stock options (whether or not based on performance).”; and

(B) in subclause (III), by striking “\$1,000” and inserting “\$2,000”.

#### SEC. 4223. INITIATION OF INVESTIGATIONS.

Subparagraph (G) of section 212(n)(2) (8 U.S.C. 1182(n)(2)) is amended—

(1) in clause (i), by striking “if the Secretary” and all that follows and inserting “with regard to the employer’s compliance with the requirements of this subsection.”;

(2) in clause (ii), by striking “and whose identity” and all that follows through “failure or failures.” and inserting “the Secretary of Labor may conduct an investigation into the employer’s compliance with the requirements of this subsection.”;

(3) in clause (iii), by striking the last sentence;

(4) by striking clauses (iv) and (v);

(5) by redesignating clauses (vi), (vii), and (viii) as clauses (iv), (v), and (vi), respectively;

(6) in clause (iv), as so redesignated, by striking “meet a condition described in clause (ii), unless the Secretary of Labor receives the information not later than 12 months” and inserting “comply with the requirements under this subsection, unless the Secretary of Labor receives the information not later than 24 months”;

(7) by amending clause (v), as so redesignated, to read as follows:

“(v) The Secretary of Labor shall provide notice to an employer of the intent to conduct an investigation. The notice shall be provided in such a manner, and shall contain sufficient detail, to permit the employer to respond to the allegations before an investigation is commenced. The Secretary is not required to comply with this clause if the Secretary determines that such compliance would interfere with an effort by the Secretary to investigate or secure compliance by the employer with the requirements of this subsection. A determination by the Secretary under this clause shall not be subject to judicial review.”;

(8) in clause (vi), as so redesignated, by striking “An investigation” and all that follows through “the determination.” and inserting “If the Secretary of Labor, after an investigation under clause (i) or (ii), determines that a reasonable basis exists to make a finding that the

employer has failed to comply with the requirements under this subsection, the Secretary shall provide interested parties with notice of such determination and an opportunity for a hearing in accordance with section 556 of title 5, United States Code, not later than 120 days after the date of such determination.”; and

(9) by adding at the end the following:

“(vii) If the Secretary of Labor, after a hearing, finds a reasonable basis to believe that the employer has violated the requirements under this subsection, the Secretary shall impose a penalty under subparagraph (C).”.

#### SEC. 4224. INFORMATION SHARING.

Section 212(n)(2) (8 U.S.C. 1182(n)(2)), as amended by sections 4222 and 4223, is further amended by adding at the end the following:

“(J) The Director of U.S. Citizenship and Immigration Services shall provide the Secretary of Labor with any information contained in the materials submitted by employers of H-1B nonimmigrants as part of the adjudication process that indicates that the employer is not complying with visa program requirements for H-1B nonimmigrants. The Secretary of Labor may initiate and conduct an investigation related to H-1B nonimmigrants and a hearing under this paragraph after receiving information of non-compliance under this subparagraph. This subparagraph may not be construed to prevent the Secretary of Labor from taking action related to wage and hour and workplace safety laws.

“(K) The Secretary of Labor shall facilitate the posting of the descriptions described in paragraph (1)(C)(i) on the Internet website of the State labor or workforce agency for the State in which the position will be primarily located during the same period as the posting under paragraph (1)(C)(i).”.

#### SEC. 4225. TRANSPARENCY OF HIGH-SKILLED IMMIGRATION PROGRAMS.

Section 416(c) of the American Competitive-ness and Workforce Improvement Act of 1998 (8 U.S.C. 1184 note) is amended—

(1) by amending paragraph (2) to read as follows:

“(2) ANNUAL H-1B NONIMMIGRANT CHARACTERISTICS REPORT.—The Bureau of Immigration and Labor Market Research shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains—

“(A) information on the countries of origin of, occupations of, educational levels attained by, and compensation paid to, aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) during the previous fiscal year;

“(B) a list of all employers who petition for H-1B visas, the number of such petitions filed and approved for each such employer, the occupational classifications for the approved positions, and the number of H-1B nonimmigrants for whom each such employer files for adjustment to permanent resident status;

“(C) the number of immigrant status petitions filed during the prior year on behalf of H-1B nonimmigrants;

“(D) a list of all employers who are H-1B-dependent employers;

“(E) a list of all employers who are H-1B skilled worker dependent employers;

“(F) a list of all employers for whom more than 30 percent of their United States workforce is H-1B or L-1 nonimmigrants;

“(G) a list of all employers for whom more than 50 percent of their United States workforce is H-1B or L-1 nonimmigrants;

“(H) a gender breakdown by occupation and by country of H-1B nonimmigrants;

“(I) a list of all employers who have been approved to conduct outplacement of H-1B nonimmigrants; and

“(J) the number of H-1B nonimmigrants categorized by their highest level of education and whether such education was obtained in the United States or in a foreign country.”;

(2) by redesignating paragraph (3) as paragraph (5);

(3) by inserting after paragraph (2) the following:

“(3) ANNUAL L-1 NONIMMIGRANT CHARACTERISTICS REPORT.—The Bureau of Immigration and Labor Market Research shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains—

“(A) information on the countries of origin of, occupations of, educational levels attained by, and compensation paid to, aliens who were issued visas or otherwise provided —nonimmigrant status under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)) during the previous fiscal year;

“(B) a list of all employers who petition for L-1 visas, the number of such petitions filed and approved for each such employer, the occupational classifications for the approved positions, and the number of L-1 nonimmigrants for whom each such employer files for adjustment to permanent resident status;

“(C) the number of immigrant status petitions filed during the prior year on behalf of L-1 nonimmigrants;

“(D) a list of all employers who are L-1 dependent employers;

“(E) a gender breakdown by occupation and by country of L-1 nonimmigrants;

“(F) a list of all employers who have been approved to conduct outplacement of L-1 nonimmigrants; and

“(G) the number of L-1 nonimmigrants categorized by their highest level of education and whether such education was obtained in the United States or in a foreign country.

“(4) ANNUAL EMPLOYER SURVEY.—The Bureau of Immigration and Labor Market Research shall—

“(A) conduct an annual survey of employers hiring foreign nationals under the L-1 visa program; and

“(B) shall issue an annual report that—

“(i) describes the methods employers are using to meet the requirement of taking good faith steps to recruit United States workers for the occupational classification for which the nonimmigrants are sought, using procedures that meet industry-wide standards;

“(ii) describes the best practices for recruiting among employers; and

“(iii) contains recommendations on which recruiting steps employers can take to maximize the likelihood of hiring American workers.”; and

(4) in paragraph (5), as redesignated, by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”.

#### CHAPTER 3—OTHER PROTECTIONS

#### SEC. 4231. POSTING AVAILABLE POSITIONS THROUGH THE DEPARTMENT OF LABOR.

(a) DEPARTMENT OF LABOR WEBSITE.—Section 212(n) (8 U.S.C. 1182(n)), as amended by section 4221(2), is further amended by adding at the end the following:

“(7)(A) Not later than 90 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of Labor shall establish a searchable Internet website for posting positions as required by paragraph (1)(C). Such website shall be available to the public without charge.

“(B) The Secretary may work with private companies or nonprofit organizations to develop and operate the Internet website described in subparagraph (A).

“(C) The Secretary may promulgate rules, after notice and a period for comment, to carry out the requirements of this paragraph.”.

(b) **REQUIREMENT FOR PUBLICATION.**—The Secretary of Labor shall submit to Congress and publish in the Federal Register and other appropriate media a notice of the date that the Internet website required by paragraph (6) of section 212(n) of the Immigration and Nationality Act, as amended by subsection (a), will be operational.

(c) **APPLICATION.**—The amendments made by subsection (a) shall apply to an application filed on or after the date that is 30 days after the date described in subsection (b).

**SEC. 4232. REQUIREMENTS FOR INFORMATION FOR H-1B AND L NONIMMIGRANTS.**

(a) **IN GENERAL.**—Section 214 (8 U.S.C. 1184), as amended by section 3608, is further amended by adding at the end the following:

“(t) **REQUIREMENTS FOR INFORMATION FOR H-1B AND L NONIMMIGRANTS.**—

“(1) **IN GENERAL.**—Upon issuing a visa to an applicant for nonimmigrant status pursuant to subparagraph (H)(i)(b) or (L) of section 101(a)(15) who is outside the United States, the issuing office shall provide the applicant with—

“(A) a brochure outlining the obligations of the applicant’s employer and the rights of the applicant with regard to employment under Federal law, including labor and wage protections; and

“(B) the contact information for appropriate Federal agencies or departments that offer additional information or assistance in clarifying such obligations and rights.

“(2) **PROVISION OF MATERIAL.**—Upon the approval of an application of an applicant referred to in paragraph (1), the applicant shall be provided with the material described in subparagraphs (A) and (B) of paragraph (1)—

“(A) by the issuing officer of the Department of Homeland Security, if the applicant is inside the United States; or

“(B) by the appropriate official of the Department of State, if the applicant is outside the United States.

“(3) **EMPLOYER TO PROVIDE IMMIGRATION PAPERWORK EXCHANGED WITH FEDERAL AGENCIES.**—

“(A) **IN GENERAL.**—Not later than 30 days after a labor condition application is filed under section 212(n)(1), an employer shall provide an employee or beneficiary of such application who is or seeking nonimmigrant status under subparagraph (H)(i)(b) or (L) of section 101(a)(15) with a copy the original of all applications and petitions filed by the employer with the Department of Labor or the Department of Homeland Security for such employee or beneficiary.

“(B) **WITHHOLDING OF FINANCIAL OR PROPRIETARY INFORMATION.**—If a document required to be provided to an employee or beneficiary under subparagraph (A) includes any financial or proprietary information of the employer, the employer may redact such information from the copies provided to such employee or beneficiary.”.

(b) **REPORT ON JOB CLASSIFICATION AND WAGE DETERMINATIONS.**—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall prepare a report analyzing the accuracy and effectiveness of the Secretary of Labor’s current job classification and wage determination system. The report shall—

(1) specifically address whether the systems in place accurately reflect the complexity of current job types as well as geographic wage differences; and

(2) make recommendations concerning necessary updates and modifications.

**SEC. 4233. FILING FEE FOR H-1B-DEPENDENT EMPLOYERS.**

(a) **IN GENERAL.**—Notwithstanding any other provision of law, there shall be a fee required to

be submitted by an employer with an application for admission of an H-1B nonimmigrant as follows:

(1) For each fiscal year beginning in fiscal year 2015, \$5,000 for applicants that employ 50 or more employees in the United States if more than 30 percent and less than 50 percent of the applicant’s employees are H-1B nonimmigrants or L nonimmigrants.

(2) For each of the fiscal years 2015 through 2017, \$10,000 for applicants that employ 50 or more employees in the United States if more than 50 percent and less than 75 percent of the applicant’s employees are H-1B nonimmigrants or L nonimmigrants. Fees collected under this paragraph shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

(b) **DEFINITIONS.**—In this section:

(1) **EMPLOYER.**—The term “employer”—

(A) means any entity or entities treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986; and

(B) does not include a nonprofit institution of higher education or a nonprofit research organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code that is—

(i) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

(ii) a research organization.

(2) **H-1B NONIMMIGRANT.**—The term “H-1B nonimmigrant” means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)).

(3) **INTENDING IMMIGRANT.**—The term “intending immigrant” has the meaning given that term in paragraph (54)(A) of section 101(a)(54)(A) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(4) **L NONIMMIGRANT.**—The term “L nonimmigrant” means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)) to provide services to the alien’s employer involving specialized knowledge.

(c) **EXCEPTION FOR INTENDING IMMIGRANTS.**—In determining the percentage of employees of an employer that are H-1B nonimmigrants or L nonimmigrants under subsection (a), an intending immigrant employee shall not count toward such percentage.

(d) **CONFORMING AMENDMENT.**—Section 402 of the Act entitled “An Act making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes”, approved August 13, 2010 (Public Law 111-230; 8 U.S.C. 1101 note) is amended by striking subsection (b).

**SEC. 4234. PROVIDING PREMIUM PROCESSING OF EMPLOYMENT-BASED VISA PETITIONS.**

Pursuant to section 286(u) of the Immigration and Nationality Act (8 U.S.C. 1356(u)), the Secretary shall establish and collect—

(1) a fee for premium processing of employment-based immigrant petitions; and

(2) a fee for premium processing of an administrative appeal of any decision on a permanent employment-based immigrant petition.

**SEC. 4235. TECHNICAL CORRECTION.**

Section 212 (8 U.S.C. 1182) is amended by redesignating the second subsection (t), as added by section 1(b)(2)(B) of the Act entitled “An Act to amend and extend the Irish Peace Process Cultural and Training Program Act of 1998” (Public Law 108-449 (118 Stat. 3470)), as subsection (u).

**SEC. 4236. APPLICATION.**

(a) **IN GENERAL.**—Except as otherwise specifically provided, the amendments made by this

subtitle shall apply to applications filed on or after the date of the enactment of this Act.

(b) **SPECIAL REQUIREMENTS.**—Notwithstanding any other provision of law, the amendments made by section 4211(c) shall not apply to any application or petition filed by an employer on behalf of an existing employee.

**SEC. 4237. PORTABILITY FOR BENEFICIARIES OF IMMIGRANT PETITIONS.**

(a) **INCREASED PORTABILITY.**—Section 204(j) (8 U.S.C. 1154(j)) is amended—

(1) by amending the subsection heading to read as follows:

“(j) **INCREASED PORTABILITY.**—”;

(2) by striking “A petition” and inserting the following:

“(1) **LONG DELAYED APPLICANTS FOR ADJUSTMENT OF STATUS.**—A petition”; and

(3) by adding at the end the following:

“(2) **PORTABILITY FOR BENEFICIARIES OF IMMIGRANT PETITIONS.**—Regardless of whether an employer withdraws a petition approved under paragraph (1), (2), or (3) of section 203(b)—

“(A) the petition shall remain valid with respect to a new job if—

“(i) the beneficiary changes jobs or employers after the petition is approved; and

“(ii) the new job is in the same or a similar occupational classification as the job for which the petition was approved; and

“(B) the employer’s legal obligations with respect to the petition shall terminate at the time the beneficiary changes jobs or employers.

“(3) **DOCUMENTATION.**—The Secretary of Labor shall develop a mechanism to provide the beneficiary or prospective employer with sufficient information to determine whether a new position or job is in the same or similar occupation as the job for which the petition was approved. The Secretary of Labor shall provide confirmation of application approval if required for eligibility under this subsection. The Secretary of Homeland Security shall provide confirmation of petition approval if required for eligibility under this subsection.”.

(b) **ADJUSTMENT OF STATUS FOR EMPLOYMENT-BASED IMMIGRANTS.**—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended by adding at the end the following:

“(n) **ADJUSTMENT OF STATUS FOR EMPLOYMENT-BASED IMMIGRANTS.**—

“(1) **PETITION.**—An alien, and any eligible dependents of such alien, who has filed a petition for immigrant status, may concurrently, or at any time thereafter, file an application with the Secretary of Homeland Security for adjustment of status if such petition is pending or has been approved, regardless of whether an immigrant visa is immediately available at the time the application is filed.

“(2) **SUPPLEMENTAL FEE.**—If a visa is not immediately available at the time an application is filed under paragraph (1), the beneficiary of such application shall pay a supplemental fee of \$500, which shall be deposited in the STEM Education and Training Account established under section 286(w). This fee shall not be collected from any dependent accompanying or following to join such beneficiary.

“(3) **AVAILABILITY.**—An application filed pursuant to paragraph (2) may not be approved until the date on which an immigrant visa becomes available.”.

**Subtitle C—L Visa Fraud and Abuse Protections**

**SEC. 4301. PROHIBITION ON OUTPLACEMENT OF L NONIMMIGRANTS.**

Section 214(c)(2)(F) (8 U.S.C. 1184(c)(2)(F)) is amended to read as follows:

“(F)(i) An employer who employs L-1 nonimmigrants in a number that is equal to at least 15 percent of the total number of full-time equivalent employees employed by the employer shall not place, outsource, lease, or otherwise contract for the services or placement of such alien



with another employer. In determining the number of employees who are L-1 nonimmigrants, an intending immigrant shall count as a United States worker.

“(ii) The employer of an alien described in section 101(a)(15)(L) shall not place, outsource, lease, or otherwise contract for the services or placement of such alien with another employer unless—

“(I) such alien will not be controlled or supervised principally by the employer with whom such alien would be placed;

“(II) the placement of such alien at the worksite of the other employer is not essentially an arrangement to provide labor for hire for the other employer; and

“(III) the employer of such alien pays a fee of \$500, which shall be deposited in the STEM Education and Training Account established under section 286(w).”.

**SEC. 4302. L EMPLOYER PETITION REQUIREMENTS FOR EMPLOYMENT AT NEW OFFICES.**

Section 214(c)(2) (8 U.S.C. 1184(c)(2)) is amended by adding at the end the following:

“(G)(i) If the beneficiary of a petition under this paragraph is coming to the United States to open, or be employed in, a new office, the petition may be approved for up to 12 months only if—

“(I) the alien has not been the beneficiary of 2 or more petitions under this subparagraph during the immediately preceding 2 years; and

“(II) the employer operating the new office has—

“(aa) an adequate business plan;

“(bb) sufficient physical premises to carry out the proposed business activities; and

“(cc) the financial ability to commence doing business immediately upon the approval of the petition.

“(ii) An extension of the approval period under clause (i) may not be granted until the importing employer submits an application to the Secretary of Homeland Security that contains—

“(I) evidence that the importing employer meets the requirements of this subsection;

“(II) evidence that the beneficiary of the petition is eligible for nonimmigrant status under section 101(a)(15)(L);

“(III) a statement summarizing the original petition;

“(IV) evidence that the importing employer has complied with the business plan submitted under clause (i)(I);

“(V) evidence of the truthfulness of any representations made in connection with the filing of the original petition;

“(VI) evidence that the importing employer has been doing business at the new office through regular, systematic, and continuous provision of goods and services;

“(VII) a statement of the duties the beneficiary has performed at the new office during the approval period under clause (i) and the duties the beneficiary will perform at the new office during the extension period granted under this clause;

“(VIII) a statement describing the staffing at the new office, including the number of employees and the types of positions held by such employees;

“(IX) evidence of wages paid to employees;

“(X) evidence of the financial status of the new office; and

“(XI) any other evidence or data prescribed by the Secretary.

“(iii) A new office employing the beneficiary of an L-1 petition approved under this paragraph shall do business only through regular, systematic, and continuous provision of goods and services.

“(iv) Notwithstanding clause (ii), and subject to the maximum period of authorized admission

set forth in subparagraph (D), the Secretary of Homeland Security, in the Secretary's discretion, may approve a subsequently filed petition on behalf of the beneficiary to continue employment at the office described in this subparagraph for a period beyond the initially granted 12-month period if the importing employer has been doing business at the new office through regular, systematic, and continuous provision of goods and services for the 6 months immediately preceding the date of extension of petition filing and demonstrates that the failure to satisfy any of the requirements described in those subclauses was directly caused by extraordinary circumstances, as determined by the Secretary in the Secretary's discretion.”.

**SEC. 4303. COOPERATION WITH SECRETARY OF STATE.**

Section 214(c)(2) (8 U.S.C. 1184(c)(2)), as amended by section 4302, is further amended by adding at the end the following:

“(H) For purposes of approving petitions under this paragraph, the Secretary of Homeland Security shall work cooperatively with the Secretary of State to verify the existence or continued existence of a company or office in the United States or in a foreign country.”.

**SEC. 4304. LIMITATION ON EMPLOYMENT OF L NONIMMIGRANTS.**

Section 214(c)(2) (8 U.S.C. 1184(c)(2)), as amended by sections 4302 and 4303, is further amended by adding at the end the following:

“(I)(i) If the employer employs 50 or more employees in the United States, the sum of the number of such employees who are H-1B nonimmigrants plus the number of such employees who are L nonimmigrants may not exceed—

“(I) 75 percent of the total number of employees, for fiscal year 2015;

“(II) 65 percent of the total number of employees, for fiscal year 2016; and

“(III) 50 percent of the total number of employees, for each fiscal year after fiscal year 2016.

“(ii) In this subparagraph:

“(I) The term ‘employer’ does not include a nonprofit institution of higher education or a nonprofit research organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code that is—

“(aa) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

“(bb) a research organization.

“(II) The term ‘H-1B nonimmigrant’ means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(H)(i)(b).

“(III) The term ‘L nonimmigrant’ means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(L) to provide services to the alien's employer involving specialized knowledge.

“(iii) In determining the percentage of employees of an employer that are H-1B nonimmigrants or L nonimmigrants under clause (i), an intending immigrant employee shall not count toward such percentage.”.

**SEC. 4305. FILING FEE FOR L NONIMMIGRANTS.**

(a) IN GENERAL.—Notwithstanding any other provision of law, the filing fee for an application for admission of an L nonimmigrant shall be as follows:

(1) For each of the fiscal years beginning in fiscal year 2014, \$5,000 for applicants that employ 50 or more employees in the United States if more than 30 percent and less than 50 percent of the applicant's employees are H-1B nonimmigrants or L nonimmigrants.

(2) For each of the fiscal years 2014 through 2017, \$10,000 for applicants that employ 50 or more employees in the United States if more than 50 percent and less than 75 percent of the applicant's employees are H-1B nonimmigrants

or L nonimmigrants. Fees collected under this paragraph shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

(b) DEFINITIONS.—In this section:

(1) EMPLOYER.—The term “employer” does not include a nonprofit institution of higher education or a nonprofit research organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code that is—

(A) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

(B) a research organization.

(2) H-1B NONIMMIGRANT.—The term “H-1B nonimmigrant” means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)).

(3) L NONIMMIGRANT.—The term “L nonimmigrant” means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)) to provide services to the alien's employer involving specialized knowledge.

(c) EXCEPTION FOR INTENDING IMMIGRANTS.—In determining the percentage of employees of an employer that are H-1B nonimmigrants or L nonimmigrants under subsection (a), an intending immigrant employee (as defined in section 101(a)(54)(A) of the Immigration and Nationality Act shall not count toward such percentage.

(d) CONFORMING AMENDMENT.—Section 402 of the Act entitled “An Act making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes”, approved August 13, 2010 (Public Law 111-230; 8 U.S.C. 1101 note), as amended by section 4233(d), is further amended by striking subsections (a) and (c).

**SEC. 4306. INVESTIGATION AND DISPOSITION OF COMPLAINTS AGAINST L NON-IMMIGRANT EMPLOYERS.**

Section 214(c)(2) (8 U.S.C. 1184(c)(2)), as amended by sections 4302, 4303, and 4304 is further amended by adding at the end the following:

“(J)(i) The Secretary of Homeland Security may initiate an investigation of any employer that employs nonimmigrants described in section 101(a)(15)(L) with regard to the employer's compliance with the requirements of this subsection.

“(ii)(I) If the Secretary receives specific credible information from a source who is likely to have knowledge of an employer's practices, employment conditions, or compliance with the requirements under this subsection, the Secretary may conduct an investigation into the employer's compliance with the requirements of this subsection.

“(II) The Secretary may withhold the identity of a source referred to in subclause (I) from an employer and the identity of such source shall not be subject to disclosure under section 552 of title 5, United States Code.

“(iii) The Secretary shall establish a procedure for any person desiring to provide to the Secretary information described in clause (ii)(I) that may be used, in whole or in part, as the basis for the commencement of an investigation described in such clause, to provide the information in writing on a form developed and provided by the Secretary and completed by or on behalf of the person.

“(iv) No investigation described in clause (ii)(I) (or hearing described in clause (vi) based on such investigation) may be conducted with respect to information about a failure to comply with the requirements under this subsection, unless the Secretary receives the information not later than 24 months after the date of the alleged failure.



“(v)(I) Subject to subclause (III), before commencing an investigation of an employer under clause (i) or (ii), the Secretary shall provide notice to the employer of the intent to conduct such investigation.

“(II) The notice required by subclause (I) shall be provided in such a manner, and shall contain sufficient detail, to permit the employer to respond to the allegations before an investigation is commenced.

“(III) The Secretary is not required to comply with this clause if the Secretary determines that to do so would interfere with an effort by the Secretary to investigate or secure compliance by the employer with the requirements of this subsection.

“(IV) There shall be no judicial review of a determination by the Secretary under this clause.

“(vi) If the Secretary, after an investigation under clause (i) or (ii), determines that a reasonable basis exists to make a finding that the employer has failed to comply with the requirements under this subsection, the Secretary shall provide the interested parties with notice of such determination and an opportunity for a hearing in accordance with section 556 of title 5, United States Code, not later than 120 days after the date of such determination. If such a hearing is requested, the Secretary shall make a finding concerning the matter by not later than 120 days after the date of the hearing.

“(vii) If the Secretary, after a hearing, finds a reasonable basis to believe that the employer has violated the requirements under this subsection, the Secretary shall impose a penalty under subparagraph (K).

“(viii)(I) The Secretary may conduct voluntary surveys of the degree to which employers comply with the requirements under this section.

“(II) The Secretary shall—

“(aa) conduct annual compliance audits of each employer with more than 100 employees who work in the United States if more than 15 percent of such employees are nonimmigrants described in 101(a)(15)(L); and

“(bb) make available to the public an executive summary or report describing the general findings of the audits carried out pursuant to this subclause.”.

#### SEC. 4307. PENALTIES.

Section 214(c)(2) (8 U.S.C. 1184(c)(2)), as amended by sections 4302, 4303, 4304, and 4306, is further amended by adding at the end the following:

“(K)(i) If the Secretary of Homeland Security finds, after notice and an opportunity for a hearing, a failure by an employer to meet a condition under subparagraph (F), (G), or (L) or a misrepresentation of material fact in a petition to employ 1 or more aliens as nonimmigrants described in section 101(a)(15)(L)—

“(I) the Secretary shall impose such administrative remedies (including civil monetary penalties in an amount not to exceed \$2,000 per violation) as the Secretary determines to be appropriate;

“(II) the Secretary may not, during a period of at least 1 year, approve a petition for that employer to employ 1 or more aliens as such nonimmigrants; and

“(III) in the case of a violation of subparagraph (J), the employer shall be liable to the employees harmed by such violation for lost wages and benefits.

“(ii) If the Secretary finds, after notice and an opportunity for a hearing, a willful failure by an employer to meet a condition under subparagraph (F), (G), or (L) or a willful misrepresentation of material fact in a petition to employ 1 or more aliens as nonimmigrants described in section 101(a)(15)(L)—

“(I) the Secretary shall impose such administrative remedies (including civil monetary pen-

alties in an amount not to exceed \$10,000 per violation) as the Secretary determines to be appropriate;

“(II) the Secretary may not, during a period of at least 2 years, approve a petition filed for that employer to employ 1 or more aliens as such nonimmigrants; and

“(III) in the case of a violation of subparagraph (J), the employer shall be liable to the employees harmed by such violation for lost wages and benefits.”.

#### SEC. 4308. PROHIBITION ON RETALIATION AGAINST L NONIMMIGRANTS.

Section 214(c)(2) (8 U.S.C. 1184(c)(2)), as amended by sections 4302, 4303, 4303, 4306, and 4307, is further amended by adding at the end the following:

“(L)(i) It is a violation of this subparagraph for an employer who has filed a petition to import 1 or more aliens as nonimmigrants described in section 101(a)(15)(L) to take, fail to take, or threaten to take or fail to take, a personnel action, or to intimidate, threaten, restrain, coerce, blacklist, discharge, or discriminate in any other manner against an employee because the employee—

“(I) has disclosed information that the employee reasonably believes evidences a violation of this subsection, or any rule or regulation pertaining to this subsection; or

“(II) cooperates or seeks to cooperate with the requirements of this subsection, or any rule or regulation pertaining to this subsection.

“(ii) In this subparagraph, the term ‘employee’ includes—

“(I) a current employee;

“(II) a former employee; and

“(III) an applicant for employment.”.

#### SEC. 4309. REPORTS ON L NONIMMIGRANTS.

Section 214(c)(8) (8 U.S.C. 1184(c)(8)) is amended by inserting “(L),” after “(H),”.

#### SEC. 4310. APPLICATION.

The amendments made by this subtitle shall apply to applications filed on or after the date of the enactment of this Act.

#### SEC. 4311. REPORT ON L BLANKET PETITION PROCESS.

Not later than 6 months after the date of the enactment of this Act, the Inspector General of the Department shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the use of blanket petitions under section 214(c)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)(A)). Such report shall assess the efficiency and reliability of the process for reviewing such blanket petitions, including whether the process includes adequate safeguards against fraud and abuse.

#### Subtitle D—Other Nonimmigrant Visas

#### SEC. 4401. NONIMMIGRANT VISAS FOR STUDENTS.

(a) AUTHORIZATION OF DUAL INTENT FOR F NONIMMIGRANTS SEEKING BACHELOR’S OR GRADUATE DEGREES.—Section 101(a)(15)(F) (8 U.S.C. 1101(a)(15)(F)) is amended to read as follows:

“(F)(i) an alien having a residence in a foreign country who is a bona fide student qualified to pursue a full course of study and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study consistent with section 214(m) at an accredited college, university, or language training program, or at an established seminary, conservatory, academic high school, elementary school, or other academic institution in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security after consultation with the Secretary of Education, which institution or place of study shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and

if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn, except that such an alien who is not seeking to pursue a degree that is a bachelor’s degree or a graduate degree shall have a residence in a foreign country that the alien has no intention of abandoning;

“(ii) the alien spouse and minor children of any alien described in clause (i) if accompanying or following to join such an alien; and

“(iii) an alien who is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in clause (i) except that the alien’s qualifications for and actual course of study may be full or part-time, and who commutes to the United States institution or place of study from Canada or Mexico.”.

(b) DUAL INTENT.—Section 214(h) (8 U.S.C. 1184(h)) is amended to read as follows:

“(h) DUAL INTENT.—The fact that an alien is, or intends to be, the beneficiary of an application for a preference status filed under section 204, seeks a change or adjustment of status after completing a legitimate period of nonimmigrant stay, or has otherwise sought permanent residence in the United States shall not constitute evidence of intent to abandon a foreign residence that would preclude the alien from obtaining or maintaining—

“(1) a visa or admission as a nonimmigrant described in subparagraph (E), (F)(i), (F)(ii), (H)(i)(b), (H)(i)(c), (L), (O), (P), (V), or (W) of section 101(a)(15); or

“(2) the status of a nonimmigrant described in any such subparagraph.”.

(c) REQUIREMENT OF STUDENT VISA DATA TRANSFER AND CERTIFICATION.—

(1) IN GENERAL.—The Secretary shall implement real-time transmission of data from the Student and Exchange Visitor Information System to databases used by U.S. Customs and Border Protection.

(2) CERTIFICATION.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall certify to Congress that the transmission of data referred to in paragraph (1) has been implemented.

(B) TEMPORARY SUSPENSION OF VISA ISSUANCE.—If the Secretary has not made the certification referred to in subparagraph (A) during the 120-day period, the Secretary shall suspend issuance of visas under subparagraphs (F) and (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) until the certification is made.

#### SEC. 4402. CLASSIFICATION FOR SPECIALTY OCCUPATION WORKERS FROM FREE TRADE COUNTRIES.

(a) NONIMMIGRANT STATUS.—Section 101(a)(15)(E)(8 U.S.C. 1101(a)(15)(E)) is amended—

(1) in the matter preceding clause (i), by inserting “, bilateral investment treaty, or free trade agreement” after “treaty of commerce and navigation”;

(2) in clause (ii), by striking “or” at the end; and

(3) by adding at the end the following:

“(iv) solely to perform services in a specialty occupation in the United States if the alien is a national of a country, other than Chile, Singapore, or Australia, with which the United States has entered into a free trade agreement (regardless of whether such an agreement is a treaty of commerce and navigation) and with respect to whom the Secretary of Labor determines and certifies to the Secretary of Homeland Security and the Secretary of State that the intending employer has filed with the Secretary of Labor an attestation under section 212(t);

“(v) solely to perform services in a specialty occupation in the United States if the alien is a

national of the Republic of Korea and with respect to whom the Secretary of Labor determines and certifies to the Secretary of Homeland Security and the Secretary of State that the intending employer has filed with the Secretary of Labor an attestation under section 212(t); or

“(vi) solely to perform services as an employee and who has at least a high school education or its equivalent, or has, during the most recent 5-year period, at least 2 years of work experience in an occupation which requires at least 2 years of training or experience if the alien is a national of a country—

“(I) designated as an eligible sub-Saharan African country under section 104 of the African Growth and Opportunity Act (19 U.S.C. 3703); or

“(II) designated as a beneficiary country for purposes of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.).”

(b) **NUMERICAL LIMITATION.**—Section 214(g)(11) (8 U.S.C. 1184(g)(11)) is amended—

(I) in subparagraph (A), by striking “section 101(a)(15)(E)(iii)” and inserting “clauses (iii) and (vi) of section 101(a)(15)(E)”; and

(2) in subparagraph (B), by striking the period at the end and inserting “for each of the nationalities identified under clause (iii) of section 101(a)(15)(E) and for all visas issued pursuant to clause (vi) of such section.”

(c) **FREE TRADE AGREEMENTS.**—Section 214(g) (8 U.S.C. 1184(g)) is amended by adding at the end the following:

“(12)(A) The free trade agreements referred to in section 101(a)(15)(E)(iv) are defined as any free trade agreement designated by the Secretary of Homeland Security with the concurrence of the United States Trade Representative and the Secretary of State.

“(B) The Secretary of State may not approve a number of initial applications submitted for aliens described in clause (iv) or (v) of section 101(a)(15)(E) that is more than 5,000 per fiscal year for each country with which the United States has entered into a Free Trade Agreement.

“(C) The applicable numerical limitation referred to in subparagraph (A) shall apply only to principal aliens and not to the spouses or children of such aliens.”

(d) **NONIMMIGRANT PROFESSIONALS.**—Section 212(t) (8 U.S.C. 1182(t)) is amended by striking “section 101(a)(15)(E)(iii)” each place that term appears and inserting “clause (iv) or (v) of section 101(a)(15)(E)”.

#### SEC. 4403. E-VISA REFORM.

(a) **NONIMMIGRANT CATEGORY.**—Section 101(a)(15)(E)(iii) (8 U.S.C. 1101(a)(15)(E)(iii)) is amended by inserting “, or solely to perform services as an employee and who has at least a high school education or its equivalent, or has, within 5 years, at least 2 years of work experience in an occupation which requires at least 2 years of training or experience if the alien is a national of the Republic of Ireland,” after “Australia”.

(b) **TEMPORARY ADMISSION.**—Section 212(d)(3)(A) (8 U.S.C. 1182(d)(3)(A)) is amended to read as follows:

“(A) Except as otherwise provided in this subsection—

“(i) an alien who is applying for a non-immigrant visa and who the consular officer knows or believes to be ineligible for such visa under subsection (a) (other than subparagraphs (A)(i)(I), (A)(ii), (A)(iii), (C), (E)(i), and (E)(ii) of paragraph (3) of such subsection)—

“(I) after approval by the Secretary of Homeland Security of a recommendation by the Secretary of State or by the consular officer that the alien be admitted temporarily despite the alien's inadmissibility, may be granted such a visa and may be admitted into the United States temporarily as a nonimmigrant, in the discretion of the Secretary of Homeland Security; or

“(II) absent such recommendation and approval, be granted a nonimmigrant visa pursuant to section 101(a)(15)(E) if such ineligibility is based solely on conduct in violation of paragraph (6), (7), or (9) of section 212(a) that occurred before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

“(ii) an alien who is inadmissible under subsection (a) (other than subparagraphs (A)(i)(I), (A)(ii), (A)(iii), (C), (E)(i), and (E)(ii) of paragraph (3) of such subsection), is in possession of appropriate documents or was granted a waiver from such document requirement, and is seeking admission, may be admitted into the United States temporarily as a nonimmigrant, in the discretion of the Secretary of Homeland Security, who shall prescribe conditions, including exaction of such bonds as may be necessary, to control and regulate the admission and return of inadmissible aliens applying for temporary admission under this paragraph.”

(c) **NUMERICAL LIMITATION.**—Section 214(g)(11)(B) (8 U.S.C. 1184(g)(11)(B)) is amended by striking the period at the end and inserting “for each of the nationalities identified under section 101(a)(15)(E)(iii).”

#### SEC. 4404. OTHER CHANGES TO NONIMMIGRANT VISAS.

(a) **PORTABILITY.**—Paragraphs (1) and (2) of section 214(n) (8 U.S.C. 1184(n)) are amended to read as follows:

“(1) A nonimmigrant alien described in paragraph (2) who was previously issued a visa or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) or 101(a)(15)(O)(i) is authorized to accept new employment pursuant to such section upon the filing by the prospective employer of a new petition on behalf of such nonimmigrant as provided under subsection (a). Employment authorization shall continue for such alien until the new petition is adjudicated. If the new petition is denied, such authorization shall cease.

“(2) A nonimmigrant alien described in this paragraph is a nonimmigrant alien—

“(A) who has been lawfully admitted into the United States;

“(B) on whose behalf an employer has filed a nonfrivolous petition for new employment before the date of expiration of the period of stay authorized by the Secretary of Homeland Security; and

“(C) who, subsequent to such lawful admission, has not been employed without authorization in the United States before the filing of such petition.”

(b) **WAIVER.**—The undesignated material at the end of section 214(c)(3) (8 U.S.C. 1184(c)(3)) is amended to read as follows:

“The Secretary of Homeland Security shall provide by regulation for the waiver of the consultation requirement under subparagraph (A) in the case of aliens who have been admitted as nonimmigrants under section 101(a)(15)(O)(i) because of extraordinary ability in the arts or extraordinary achievement in motion picture or television production and who seek readmission to perform similar services within 3 years after the date of a consultation under such subparagraph provided that, in the case of aliens admitted because of extraordinary achievement in motion picture or television production, such waiver shall apply only if the prior consultations by the appropriate union and management organization were favorable or raised no objection to the approval of the petition. Not later than 5 days after such a waiver is provided, the Secretary shall forward a copy of the petition and all supporting documentation to the national office of an appropriate labor organization. In the case of an alien seeking entry for a motion picture or television production (i) any opinion under the previous sentence shall only be advisory;

(ii) any such opinion that recommends denial must be in writing; (iii) in making the decision the Attorney General shall consider the exigencies and scheduling of the production; (iv) the Attorney General shall append to the decision any such opinion; and (v) upon making the decision, the Attorney General shall immediately provide a copy of the decision to the consulting labor and management organizations.”

#### SEC. 4405. TREATMENT OF NONIMMIGRANTS DURING ADJUDICATION OF APPLICATION.

Section 214 (8 U.S.C. 1184), as amended by sections 3609 and 4233, is further amended by adding at the end the following:

“(u) **TREATMENT OF NONIMMIGRANTS DURING ADJUDICATION OF APPLICATION.**—A nonimmigrant alien granted employment authorization pursuant to sections 101(a)(15)(A), 101(a)(15)(E), 101(a)(15)(G), 101(a)(15)(H), 101(a)(15)(I), 101(a)(15)(J), 101(a)(15)(L), 101(a)(15)(O), 101(a)(15)(P), 101(a)(15)(Q), 101(a)(15)(R), 214(e), and such other sections as the Secretary of Homeland Security may by regulations prescribe whose status has expired but who has, or whose sponsoring employer or authorized agent has, filed a timely application or petition for an extension of such employment authorization and nonimmigrant status as provided under subsection (a) is authorized to continue employment with the same employer until the application or petition is adjudicated. Such authorization shall be subject to the same conditions and limitations as the initial grant of employment authorization.”

#### SEC. 4406. NONIMMIGRANT ELEMENTARY AND SECONDARY SCHOOL STUDENTS.

Section 214(m)(1)(B) (8 U.S.C. 1184(m)(1)(B)) is amended striking “unless—” and all that follows through “(ii)” and inserting “unless”.

#### SEC. 4407. J-1 SUMMER WORK TRAVEL VISA EXCHANGE VISITOR PROGRAM FEE.

Section 281 (8 U.S.C. 1351), as amended by section 4105, is further amended by adding at the end the following:

“(e) **J-1 VISA EXCHANGE VISITOR PROGRAM FEE.**—

“(1) **IN GENERAL.**—In addition to the fees authorized under subsection (a), the Secretary of State shall collect from designated program sponsors, a \$500 fee for each nonimmigrant entering under the Summer Work Travel program conducted by the Secretary of State pursuant to the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-761). Fees collected under this subsection shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(2) **REGULATIONS AND LIMITATIONS.**—The Secretary of Homeland Security, in conjunction with the Secretary of State, shall promulgate regulations ensuring that a fee required by paragraph (1) is paid on behalf of all summer work travel nonimmigrants under section 101(a)(15)(J) seeking entry into the United States. A fee related to the hiring of such a summer work travel nonimmigrant shall be paid by the designated program sponsor and may not be charged to such summer work travel nonimmigrant. There shall not be more than 1 fee collected per such summer work travel nonimmigrant.”

#### SEC. 4408. J VISA ELIGIBILITY FOR SPEAKERS OF CERTAIN FOREIGN LANGUAGES.

(a) **IN GENERAL.**—Section 101(a)(15)(J) (8 U.S.C. 1101(a)(15)(J)) is amended to read as follows:

“(J) an alien having a residence in a foreign country which he has no intention of abandoning who—

“(i) is a bona fide student, scholar, trainee, teacher, professor, research assistant, specialist, or leader in a field of specialized knowledge or skill, or other person of similar description, who is coming temporarily to the United States as a participant in a program designated by the Director of the United States Information Agency, for the purpose of teaching, instructing or lecturing, studying, observing, conducting research, consulting, demonstrating special skills, or receiving training and who, if such alien is coming to the United States to participate in a program under which such alien will receive graduate medical education or training, also meets the requirements of section 212(j), and the alien spouse and minor children of any such alien if accompanying such alien or following to join such alien; or

“(ii) is coming to the United States to perform work involving specialized knowledge or skill, including teaching on a full-time or part-time basis, that requires proficiency of languages spoken as a native language in countries of which fewer than 5,000 nationals were lawfully admitted for permanent residence in the United States in the previous year.”.

(b) **REQUIREMENT FOR ANNUAL LIST OF COUNTRIES.**—The Secretary of State shall publish an annual list of the countries described in clause (ii) of section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), as added by subsection (a).

#### SEC. 4409. F-1 VISA FEE.

Section 281 (8 U.S.C. 1351), as amended by sections 4105 and 4407, is further amended by adding at the end the following:

“(f) F-1 VISA FEE.—

“(1) **IN GENERAL.**—In addition to the fees authorized under subsection (a), the Secretary of Homeland Security shall collect a \$100 fee from each nonimmigrant admitted under section 101(a)(15)(F)(i). Fees collected under this subsection shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(2) **RULEMAKING.**—The Secretary of Homeland Security, in conjunction with the Secretary of State, shall promulgate regulations to ensure that—

“(A) the fee authorized under paragraph (1) is paid on behalf of all J-1 nonimmigrants seeking entry into the United States;

“(B) a fee related to the hiring of a J-1 nonimmigrant is not deducted from the wages or other compensation paid to the J-1 nonimmigrant; and

“(C) not more than 1 fee is collected per J-1 nonimmigrant.”.

#### SEC. 4410. PILOT PROGRAM FOR REMOTE B NON-IMMIGRANT VISA INTERVIEWS.

Section 222 (8 U.S.C. 1202) is amended by adding at the end the following:

“(i)(1) Except as provided in paragraph (3), the Secretary of State—

“(A) shall develop and conduct a pilot program for processing visas under section 101(a)(15)(B) using secure remote videoconferencing technology as a method for conducting any required in person interview of applicants; and

“(B) in consultation with the heads of other Federal agencies that use such secure communications, shall help ensure the security of the videoconferencing transmission and encryption conducted under subparagraph (A).

“(2) Not later than 90 days after the termination of the pilot program authorized under paragraph (1), the Secretary of State shall submit to the appropriate committees of Congress a report that contains—

“(A) a detailed description of the results of such program, including an assessment of the

efficacy, efficiency, and security of the remote videoconferencing technology as a method for conducting visa interviews of applicants; and

“(B) recommendations for whether such program should be continued, broadened, or modified.

“(3) The pilot program authorized under paragraph (1) may not be conducted if the Secretary of State determines that such program—

“(A) poses an undue security risk; and

“(B) cannot be conducted in a manner consistent with maintaining security controls.

“(4) If the Secretary of State makes a determination under paragraph (3), the Secretary shall submit a report to the appropriate committees of Congress that describes the reasons for such determination.

“(5) In this subsection:

“(A) The term ‘appropriate committees of Congress’ means—

“(i) the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

“(ii) the Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

“(B) The term ‘in person interview’ includes interviews conducted using remote video technology.”.

#### SEC. 4411. PROVIDING CONSULAR OFFICERS WITH ACCESS TO ALL TERRORIST DATABASES AND REQUIRING HEIGHTENED SCRUTINY OF APPLICATIONS FOR ADMISSION FROM PERSONS LISTED ON TERRORIST DATABASES.

Section 222 (8 U.S.C. 1202), as amended by section 4410, is further amended by adding at the end the following:

“(j) **PROVIDING CONSULAR OFFICERS WITH ACCESS TO ALL TERRORIST DATABASES AND REQUIRING HEIGHTENED SCRUTINY OF APPLICATIONS FOR ADMISSION FROM PERSONS LISTED ON TERRORIST DATABASES.**—

“(1) **ACCESS TO THE SECRETARY OF STATE.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the Secretary of State shall have access to all terrorism records and databases maintained by any agency or department of the United States for the purposes of determining whether an applicant for admission poses a security threat to the United States.

“(B) **EXCEPTION.**—The head of such an agency or department may only withhold access to terrorism records and databases from the Secretary of State if such head is able to articulate that withholding is necessary to prevent the unauthorized disclosure of information that clearly identifies, or would reasonably permit ready identification of, intelligence or sensitive law enforcement sources, methods, or activities.

“(2) **BIOGRAPHIC AND BIOMETRIC SCREENING.**—

“(A) **REQUIREMENT FOR BIOGRAPHIC AND BIOMETRIC SCREENING.**—Notwithstanding any other provision of this Act, the Secretary of State shall require every alien applying for admission to the United States to submit to biographic and biometric screening to determine whether the alien’s name or biometric information is listed in any terrorist watch list or database maintained by any agency or department of the United States.

“(B) **EXCLUSIONS.**—No alien applying for a visa to the United States shall be granted such visa by a consular officer if the alien’s name or biometric information is listed in any terrorist watch list or database referred to in subparagraph (A) unless—

“(i) screening of the alien’s visa application against interagency counterterrorism screening systems which compare the applicant’s information against data in all counterterrorism watch lists and databases reveals no potentially pertinent links to terrorism;

“(ii) the consular officer submits the application for further review to the Secretary of State

and the heads of other relevant agencies, including the Secretary of Homeland Security and the Director of National Intelligence; and

“(iii) the Secretary of State, after consultation with the Secretary of Homeland Security, the Director of National Intelligence, and the heads of other relevant agencies, certifies that the alien is admissible to the United States.”.

#### SEC. 4412. VISA REVOCATION INFORMATION.

Section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by adding at the end the following:

“(j) **VISA REVOCATION INFORMATION.**—If the Secretary of State or the Secretary of Homeland Security revoke a visa—

“(1) the fact of the revocation shall be immediately provided to the relevant consular officers, law enforcement, and terrorist screening databases; and

“(2) a notice of such revocation shall be posted to all Department of Homeland Security port inspectors and to all consular officers.”.

#### SEC. 4413. STATUS FOR CERTAIN BATTERED SPOUSES AND CHILDREN.

(a) **NONIMMIGRANT STATUS FOR CERTAIN BATTERED SPOUSES AND CHILDREN.**—Section 101(a)(51) (8 U.S.C. 1101(a)(51)), as amended by section 2305(d)(6)(B)(i)(III), is further amended—

(1) in subparagraph (E), by striking “or” at the end;

(2) in subparagraph (F), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(G) section 106 as an abused derivative alien.”.

(b) **RELIEF FOR ABUSED DERIVATIVE ALIENS.**—

(1) **IN GENERAL.**—Section 106 (8 U.S.C. 1105a) is amended to read as follows:

#### “SEC. 106. RELIEF FOR ABUSED DERIVATIVE ALIENS.

“(a) **ABUSED DERIVATIVE ALIEN DEFINED.**—In this section, the term ‘abused derivative alien’ means an alien who—

“(1) is the spouse or child admitted under section 101(a)(15) or pursuant to a blue card status granted under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act;

“(2) is accompanying or following to join a principal alien admitted under such a section; and

“(3) has been subjected to battery or extreme cruelty by such principal alien.

“(b) **RELIEF FOR ABUSED DERIVATIVE ALIENS.**—The Secretary of Homeland Security—

“(1) shall grant or extend the status of admission of an abused derivative alien under section 101(a)(15) or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act under which the principal alien was admitted for the longer of—

“(A) the same period for which the principal was initially admitted; or

“(B) a period of 3 years;

“(2) may renew a grant or extension of status made under paragraph (1);

“(3) shall grant employment authorization to an abused derivative alien; and

“(4) may adjust the status of the abused derivative alien to that of an alien lawfully admitted for permanent residence if—

“(A) the alien is admissible under section 212(a) or the Secretary of Homeland Security finds the alien’s continued presence in the United States is justified on humanitarian grounds, to ensure family unity, or is otherwise in the public interest; and

“(B) the status under which the principal alien was admitted to the United States would have potentially allowed for eventual adjustment of status.

“(c) **EFFECT OF TERMINATION OF RELATIONSHIP.**—Termination of the relationship with

principal alien shall not affect the status of an abused derivative alien under this section if battery or extreme cruelty by the principal alien was 1 central reason for termination of the relationship.

“(d) PROCEDURES.—Requests for relief under this section shall be handled under the procedures that apply to aliens seeking relief under section 204(a)(1)(C).”.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section is amended by striking the item relating to section 106 and inserting the following:

“Sec. 106. Relief for abused derivative aliens.”.

**SEC. 4414. NONIMMIGRANT CREWMEN LANDING TEMPORARILY IN HAWAII.**

(a) IN GENERAL.—Section 101(a)(15)(D)(ii) (8 U.S.C. 1101(a)(15)(D)(ii)) is amended—

(1) by striking “Guam” both places that term appears and inserting “Hawaii, Guam,”; and

(2) by striking the semicolon at the end and inserting “or some other vessel or aircraft;”.

(b) TREATMENT OF DEPARTURES.—In the administration of section 101(a)(15)(D)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(D)(ii)), an alien crewman shall be considered to have departed from Hawaii, Guam, or the Commonwealth of the Northern Mariana Islands after leaving the territorial waters of Hawaii, Guam, or the Commonwealth of the Northern Mariana Islands, respectively, without regard to whether the alien arrives in a foreign state before returning to Hawaii, Guam, or the Commonwealth of the Northern Mariana Islands.

(c) CONFORMING AMENDMENT.—The Act entitled “An Act to amend the Immigration and Nationality Act to permit nonimmigrant alien crewmen on fishing vessels to stop temporarily at ports in Guam”, approved October 21, 1986 (Public Law 99-505; 8 U.S.C. 1101 note) is amended by striking section 2.

**SEC. 4415. TREATMENT OF COMPACT OF FREE ASSOCIATION MIGRANTS.**

(a) IN GENERAL.—Title II (8 U.S.C. 1151 et seq.) is amended by inserting after section 214 the following:

**“SEC. 214A. TREATMENT OF COMPACT OF FREE ASSOCIATION MIGRANTS.**

“Notwithstanding any other provision of law, with respect to eligibility for benefits for the Federal program defined in 402(b)(3)(C) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(3)(C)) (relating to the Medicaid program), sections 401(a), 402(b)(1), and 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(a), 1612(b)(1), 1613(a)) shall not apply to any individual who lawfully resides in the United States in accordance with the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. Any individual to which the preceding sentence applies shall be considered to be a qualified alien for purposes of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1601 et seq.), but only with respect to the designated Federal program defined in section 402(b)(3)(C) of such Act (relating to the Medicaid program) (8 U.S.C. 1612(b)(3)(C)).”.

(b) CONFORMING AMENDMENTS.—Section 1108 of the Social Security Act (42 U.S.C. 1308) is amended—

(1) in subsection (f), in the matter preceding paragraph (1), by striking “subsection (g)” and inserting “subsections (g) and (h)”; and

(2) by adding at the end the following:

“(h) The limitations of subsections (f) and (g) shall not apply with respect to medical assistance provided to an individual described in sec-

tion 214A of the Immigration and Nationality Act.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to benefits for items and services furnished on or after the date of the enactment of this Act.

**Subtitle E—JOLT Act**

**SEC. 4501. SHORT TITLES.**

This subtitle may be cited as the “Jobs Originated through Launching Travel Act of 2013” or the “JOLT Act of 2013”.

**SEC. 4502. PREMIUM PROCESSING.**

Section 221 (8 U.S.C. 1201) is amended by inserting at the end the following:

“(j) PREMIUM PROCESSING.—

“(1) PILOT PROCESSING SERVICE.—Recognizing that the best solution for expedited processing is low interview wait times for all applicants, the Secretary of State shall nevertheless establish, on a limited, pilot basis only, a fee-based premium processing service to expedite interview appointments. In establishing a pilot processing service, the Secretary may—

“(A) determine the consular posts at which the pilot service will be available;

“(B) establish the duration of the pilot service;

“(C) define the terms and conditions of the pilot service, with the goal of expediting visa appointments and the interview process for those electing to pay said fee for the service; and

“(D) resources permitting, during the pilot service, consider the addition of consulates in locations advantageous to foreign policy objectives or in highly populated locales.

“(2) FEES.—

“(A) AUTHORITY TO COLLECT.—The Secretary of State is authorized to collect, and set the amount of, a fee imposed for the premium processing service. The Secretary of State shall set the fee based on all relevant considerations including, the cost of expedited service.

“(B) USE OF FEES.—Fees collected under the authority of subparagraph (A) shall be deposited as an offsetting collection to any Department of State appropriation, to recover the costs of providing consular services. Such fees shall remain available for obligation until expended.

“(C) RELATIONSHIP TO OTHER FEES.—Such fee is in addition to any existing fee currently being collected by the Department of State.

“(D) NONREFUNDABLE.—Such fee will be non-refundable to the applicant.

“(3) DESCRIPTION OF PREMIUM PROCESSING.—Premium processing pertains solely to the expedited scheduling of a visa interview. Utilizing the premium processing service for an expedited interview appointment does not establish the applicant's eligibility for a visa. The Secretary of State shall, if possible, inform applicants utilizing the premium processing of potential delays in visa issuance due to additional screening requirements, including necessary security-related checks and clearances.

“(4) REPORT TO CONGRESS.—

“(A) REQUIREMENT FOR REPORT.—Not later than 18 months after the date of the enactment of the JOLT Act of 2013, the Secretary of State shall submit to the appropriate committees of Congress a report on the results of the pilot service carried out under this section.

“(B) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this paragraph, the term ‘appropriate committees of Congress’ means—

“(i) the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

“(ii) the Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.”.

**SEC. 4503. ENCOURAGING CANADIAN TOURISM TO THE UNITED STATES.**

Section 214 (8 U.S.C. 1184), as amended by sections 3609, 4233, and 4405, is further amended by adding at the end the following:

“(v) CANADIAN RETIREES.—

“(1) IN GENERAL.—The Secretary of Homeland Security may admit as a visitor for pleasure as described in section 101(a)(15)(B) any alien for a period not to exceed 240 days, if the alien demonstrates, to the satisfaction of the Secretary, that the alien—

“(A) is a citizen of Canada;

“(B) is at least 55 years of age;

“(C) maintains a residence in Canada;

“(D) owns a residence in the United States or has signed a rental agreement for accommodations in the United States for the duration of the alien's stay in the United States;

“(E) is not inadmissible under section 212;

“(F) is not described in any ground of deportability under section 237;

“(G) will not engage in employment or labor for hire in the United States; and

“(H) will not seek any form of assistance or benefit described in section 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(a)).

“(2) SPOUSE.—The spouse of an alien described in paragraph (1) may be admitted under the same terms as the principal alien if the spouse satisfies the requirements of paragraph (1), other than subparagraphs (B) and (D).

“(3) IMMIGRANT INTENT.—In determining eligibility for admission under this subsection, maintenance of a residence in the United States shall not be considered evidence of intent by the alien to abandon the alien's residence in Canada.

“(4) PERIOD OF ADMISSION.—During any single 365-day period, an alien may be admitted as described in section 101(a)(15)(B) pursuant to this subsection for a period not to exceed 240 days, beginning on the date of admission. Unless an extension is approved by the Secretary, periods of time spent outside the United States during such 240-day period shall not toll the expiration of such 240-day period.”.

**SEC. 4504. RETIREE VISA.**

(a) NONIMMIGRANT STATUS.—Section 101(a)(15), as amended, is further amended by inserting after subparagraph (X) the following:

“(Y) subject to section 214(w), an alien who, after the date of the enactment of the JOLT Act of 2013—

“(i)(I) uses at least \$500,000 in cash to purchase 1 or more residences in the United States, which each sold for more than 100 percent of the most recent appraised value of such residence, as determined by the property assessor in the city or county in which the residence is located;

“(II) maintains ownership of residential property in the United States worth at least \$500,000 during the entire period the alien remains in the United States as a nonimmigrant described in this subparagraph; and

“(III) resides for more than 180 days per year in a residence in the United States that is worth at least \$250,000; and

“(ii) the alien spouse and children of the alien described in clause (i) if accompanying or following to join the alien.”.

(b) VISA APPLICATION PROCEDURES.—Section 214 (8 U.S.C. 1184), as amended by sections 3609, 4233, 4405, and 4503, is further amended by adding at the end the following:

“(w) VISAS OF NONIMMIGRANTS DESCRIBED IN SECTION 101(a)(15)(Y).—

“(1) The Secretary of Homeland Security shall authorize the issuance of a nonimmigrant visa to any alien described in section 101(a)(15)(Y) who submits a petition to the Secretary that—

“(A) demonstrates, to the satisfaction of the Secretary, that the alien—

“(i) has purchased a residence in the United States that meets the criteria set forth in section 101(a)(15)(Y)(i);

“(ii) is at least 55 years of age;

“(iii) possesses health insurance coverage;

“(iv) is not inadmissible under section 212; and

“(v) will comply with the terms set forth in paragraph (2); and

“(B) includes payment of a fee in an amount equal to \$1,000.

“(2) An alien who is issued a visa under this subsection—

“(A) shall reside in the United States at a residence that meets the criteria set forth in section 101(a)(15)(Y)(i) for more than 180 days per year;

“(B) is not authorized to engage in employment in the United States, except for employment that is directly related to the management of the residential property described in section 101(Y)(i)(II);

“(C) is not eligible for any form of assistance or benefit described in section 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(a)); and

“(D) may renew such visa every 3 years under the same terms and conditions.”.

(c) **USE OF FEE.**—Fees collected under section 214(w)(1)(B) of the Immigration and Nationality Act, as added by subsection (b), shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

**SEC. 4505. INCENTIVES FOR FOREIGN VISITORS VISITING THE UNITED STATES DURING LOW PEAK SEASONS.**

The Secretary of State shall make publicly available, on a monthly basis, historical data, for the previous 2 years, regarding the availability of visa appointments for each visa processing post, to allow applicants to identify periods of low demand, when wait times tend to be lower.

**SEC. 4506. VISA WAIVER PROGRAM ENHANCED SECURITY AND REFORM.**

(a) **DEFINITIONS.**—Section 217(c)(1) (8 U.S.C. 1187(c)(1)) is amended to read as follows:

“(1) **AUTHORITY TO DESIGNATE; DEFINITIONS.**—

“(A) **AUTHORITY TO DESIGNATE.**—The Secretary of Homeland Security, in consultation with the Secretary of State, may designate any country as a program country if that country meets the requirements under paragraph (2).

“(B) **DEFINITIONS.**—In this subsection:

“(i) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term ‘appropriate congressional committees’ means—

“(I) the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate; and

“(II) the Committee on Foreign Affairs, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives.

“(ii) **OVERSTAY RATE.**—

“(I) **INITIAL DESIGNATION.**—The term ‘overstay rate’ means, with respect to a country being considered for designation in the program, the ratio of—

“(aa) the number of nationals of that country who were admitted to the United States on the basis of a nonimmigrant visa under section 101(a)(15)(B) whose periods of authorized stay ended during a fiscal year but who remained unlawfully in the United States beyond such periods; to

“(bb) the number of nationals of that country who were admitted to the United States on the basis of a nonimmigrant visa under section 101(a)(15)(B) whose periods of authorized stay ended during that fiscal year.

“(II) **CONTINUING DESIGNATION.**—The term ‘overstay rate’ means, for each fiscal year after initial designation under this section with respect to a country, the ratio of—

“(aa) the number of nationals of that country who were admitted to the United States under this section or on the basis of a nonimmigrant visa under section 101(a)(15)(B) whose periods of authorized stay ended during a fiscal year but

who remained unlawfully in the United States beyond such periods; to

“(bb) the number of nationals of that country who were admitted to the United States under this section or on the basis of a nonimmigrant visa under section 101(a)(15)(B) whose periods of authorized stay ended during that fiscal year.

“(III) **COMPUTATION OF OVERSTAY RATE.**—In determining the overstay rate for a country, the Secretary of Homeland Security may utilize information from any available databases to ensure the accuracy of such rate.

“(iii) **PROGRAM COUNTRY.**—The term ‘program country’ means a country designated as a program country under subparagraph (A).”.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—Section 217 (8 U.S.C. 1187) is amended—

(1) by striking “Attorney General” each place the term appears (except in subsection (c)(1)(B)) and inserting “Secretary of Homeland Security”; and

(2) in subsection (c)—

(A) in paragraph (2)(C)(iii), by striking “Committee on the Judiciary and the Committee on International Relations of the House of Representatives and the Committee on the Judiciary and the Committee on Foreign Relations of the Senate” and inserting “appropriate congressional committees”; and

(B) in paragraph (5)(A)(i)(III), by striking “Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Homeland Security, of the House of Representatives and the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs of the Senate” and inserting “appropriate congressional committees”; and

(C) in paragraph (7), by striking subparagraph (E).

(c) **DESIGNATION OF PROGRAM COUNTRIES BASED ON OVERSTAY RATES.**—

(1) **IN GENERAL.**—Section 217(c)(2)(A) (8 U.S.C. 1187(c)(2)(A)) is amended to read as follows:

“(A) **GENERAL NUMERICAL LIMITATIONS.**—

“(i) **LOW NONIMMIGRANT VISA REFUSAL RATE.**—The percentage of nationals of that country refused nonimmigrant visas under section 101(a)(15)(B) during the previous full fiscal year was not more than 3 percent of the total number of nationals of that country who were granted or refused nonimmigrant visas under such section during such year.

“(ii) **LOW NONIMMIGRANT OVERSTAY RATE.**—The overstay rate for that country was not more than 3 percent during the previous fiscal year.”.

(2) **QUALIFICATION CRITERIA.**—Section 217(c)(3) (8 U.S.C. 1187(c)(3)) is amended to read as follows:

“(3) **QUALIFICATION CRITERIA.**—After designation as a program country under section 217(c)(2), a country may not continue to be designated as a program country unless the Secretary of Homeland Security, in consultation with the Secretary of State, determines, pursuant to the requirements under paragraph (5), that the designation will be continued.”.

(3) **INITIAL PERIOD.**—Section 217(c) (8 U.S.C. 1187(c)) is amended by striking paragraph (4).

(4) **CONTINUING DESIGNATION.**—Section 217(c)(5)(A)(i)(II) (8 U.S.C. 1187(c)(5)(A)(i)(II)) is amended to read as follows:

“(II) shall determine, based upon the evaluation in subclause (I), whether any such designation under subsection (d) or (f), or probation under subsection (f), ought to be continued or terminated.”.

(5) **COMPUTATION OF VISA REFUSAL RATES; JUDICIAL REVIEW.**—Section 217(c)(6) (8 U.S.C. 1187(c)(6)) is amended to read as follows:

“(6) **COMPUTATION OF VISA REFUSAL RATES AND JUDICIAL REVIEW.**—

“(A) **COMPUTATION OF VISA REFUSAL RATES.**—For purposes of determining the eligibility of a

country to be designated as a program country, the calculation of visa refusal rates shall not include any visa refusals which incorporate any procedures based on, or are otherwise based on, race, sex, or disability, unless otherwise specifically authorized by law or regulation.

“(B) **JUDICIAL REVIEW.**—No court shall have jurisdiction under this section to review any visa refusal, the Secretary of State’s computation of a visa refusal rate, the Secretary of Homeland Security’s computation of an overstay rate, or the designation or nondesignation of a country as a program country.”.

(6) **VISA WAIVER INFORMATION.**—Section 217(c)(7) (8 U.S.C. 1187(c)(7)), as amended by subsection (b)(2)(C), is further amended—

(A) by striking subparagraphs (B) through (D); and

(B) by striking “WAIVER INFORMATION.—” and all that follows through “In refusing” and inserting “WAIVER INFORMATION.—In refusing”.

(7) **WAIVER AUTHORITY.**—Section 217(c)(8) (8 U.S.C. 1187(c)(8)) is amended to read as follows:

“(8) **WAIVER AUTHORITY.**—The Secretary of Homeland Security, in consultation with the Secretary of State, may waive the application of paragraph (2)(A)(i) for a country if—

“(A) the country meets all other requirements of paragraph (2);

“(B) the Secretary of Homeland Security determines that the totality of the country’s security risk mitigation measures provide assurance that the country’s participation in the program would not compromise the law enforcement, security interests, or enforcement of the immigration laws of the United States;

“(C) there has been a general downward trend in the percentage of nationals of the country refused nonimmigrant visas under section 101(a)(15)(B);

“(D) the country consistently cooperated with the Government of the United States on counterterrorism initiatives, information sharing, preventing terrorist travel, and extradition to the United States of individuals (including the country’s own nationals) who commit crimes that violate United States law before the date of its designation as a program country, and the Secretary of Homeland Security and the Secretary of State assess that such cooperation is likely to continue; and

“(E) the percentage of nationals of the country refused a nonimmigrant visa under section 101(a)(15)(B) during the previous full fiscal year was not more than 10 percent of the total number of nationals of that country who were granted or refused such nonimmigrant visas.”.

(d) **TERMINATION OF DESIGNATION; PROBATION.**—Section 217(f) (8 U.S.C. 1187(f)) is amended to read as follows:

“(f) **TERMINATION OF DESIGNATION; PROBATION.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **PROBATIONARY PERIOD.**—The term ‘probationary period’ means the fiscal year in which a probationary country is placed in probationary status under this subsection.

“(B) **PROGRAM COUNTRY.**—The term ‘program country’ has the meaning given that term in subsection (c)(1)(B).

“(2) **DETERMINATION, NOTICE, AND INITIAL PROBATIONARY PERIOD.**—

“(A) **DETERMINATION OF PROBATIONARY STATUS AND NOTICE OF NONCOMPLIANCE.**—As part of each program country’s periodic evaluation required by subsection (c)(5)(A), the Secretary of Homeland Security shall determine whether a program country is in compliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2).

“(B) **INITIAL PROBATIONARY PERIOD.**—If the Secretary of Homeland Security determines that a program country is not in compliance with the program requirements under subparagraphs

(A)(ii) through (F) of subsection (c)(2), the Secretary of Homeland Security shall place the program country in probationary status for the fiscal year following the fiscal year in which the periodic evaluation is completed.

“(3) ACTIONS AT THE END OF THE INITIAL PROBATIONARY PERIOD.—At the end of the initial probationary period of a country under paragraph (2)(B), the Secretary of Homeland Security shall take 1 of the following actions:

“(A) COMPLIANCE DURING INITIAL PROBATIONARY PERIOD.—If the Secretary determines that all instances of noncompliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2) that were identified in the latest periodic evaluation have been remedied by the end of the initial probationary period, the Secretary shall end the country's probationary period.

“(B) NONCOMPLIANCE DURING INITIAL PROBATIONARY PERIOD.—If the Secretary determines that any instance of noncompliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2) that were identified in the latest periodic evaluation has not been remedied by the end of the initial probationary period—

“(i) the Secretary may terminate the country's participation in the program; or

“(ii) on an annual basis, the Secretary may continue the country's probationary status if the Secretary, in consultation with the Secretary of State, determines that the country's continued participation in the program is in the national interest of the United States.

“(4) ACTIONS AT THE END OF ADDITIONAL PROBATIONARY PERIODS.—At the end of all probationary periods granted to a country pursuant to paragraph (3)(B)(ii), the Secretary shall take 1 of the following actions:

“(A) COMPLIANCE DURING ADDITIONAL PERIOD.—The Secretary shall end the country's probationary status if the Secretary determines during the latest periodic evaluation required by subsection (c)(5)(A) that the country is in compliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2).

“(B) NONCOMPLIANCE DURING ADDITIONAL PERIODS.—The Secretary shall terminate the country's participation in the program if the Secretary determines during the latest periodic evaluation required by subsection (c)(5)(A) that the program country continues to be in noncompliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2).

“(5) EFFECTIVE DATE.—The termination of a country's participation in the program under paragraph (3)(B) or (4)(B) shall take effect on the first day of the first fiscal year following the fiscal year in which the Secretary determines that such participation shall be terminated. Until such date, nationals of the country shall remain eligible for a waiver under subsection (a).

“(6) TREATMENT OF NATIONALS AFTER TERMINATION.—For purposes of this subsection and subsection (d)—

“(A) nationals of a country whose designation is terminated under paragraph (3) or (4) shall remain eligible for a waiver under subsection (a) until the effective date of such termination; and

“(B) a waiver under this section that is provided to such a national for a period described in subsection (a)(1) shall not, by such termination, be deemed to have been rescinded or otherwise rendered invalid, if the waiver is granted prior to such termination.

“(7) CONSULTATIVE ROLE OF THE SECRETARY OF STATE.—In this subsection, references to subparagraphs (A)(ii) through (F) of subsection (c)(2) and subsection (c)(5)(A) carry with them the consultative role of the Secretary of State as provided in those provisions.”

(e) REVIEW OF OVERSTAY TRACKING METHODOLOGY.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of the methods used by the Secretary—

(1) to track aliens entering and exiting the United States; and

(2) to detect any such alien who stays longer than such alien's period of authorized admission.

(f) EVALUATION OF ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress—

(1) an evaluation of the security risks of aliens who enter the United States without an approved Electronic System for Travel Authorization verification; and

(2) a description of any improvements needed to minimize the number of aliens who enter the United States without the verification described in paragraph (1).

(g) SENSE OF CONGRESS ON PRIORITY FOR REVIEW OF PROGRAM COUNTRIES.—It is the sense of Congress that the Secretary, in the process of conducting evaluations of countries participating in the visa waiver program under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), should prioritize the reviews of countries in which circumstances indicate that such a review is necessary or desirable.

(h) ELIGIBILITY OF HONG KONG SPECIAL ADMINISTRATIVE REGION FOR DESIGNATION FOR PARTICIPATION IN VISA WAIVER PROGRAM FOR CERTAIN VISITORS TO THE UNITED STATES.—Section 217(c) (8 U.S.C. 1187(c)) is amended by adding at the end the following new paragraph:

“(12) ELIGIBILITY OF CERTAIN REGION FOR DESIGNATION AS PROGRAM COUNTRY.—The Hong Kong Special Administrative Region of the People's Republic of China—

“(A) shall be eligible for designation as a program country for purposes of this subsection; and

“(B) may be designated as a program country for purposes of this subsection if such region meets requirements applicable for such designation in this subsection.”

#### SEC. 4507. EXPEDITING ENTRY FOR PRIORITY VISITORS.

Section 7208(k)(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b(k)(4)) is amended to read as follows:

“(4) EXPEDITING ENTRY FOR PRIORITY VISITORS.—

“(A) IN GENERAL.—The Secretary of Homeland Security may expand the enrollment across registered traveler programs to include eligible individuals employed by international organizations, selected by the Secretary, which maintain strong working relationships with the United States.

“(B) REQUIREMENTS.—An individual may not be enrolled in a registered traveler program unless—

“(i) the individual is sponsored by an international organization selected by the Secretary under subparagraph (A); and

“(ii) the government that issued the passport that the individual is using has entered into a Trusted Traveler Arrangement with the Department of Homeland Security to participate in a registered traveler program.

“(C) SECURITY REQUIREMENTS.—An individual may not be enrolled in a registered traveler program unless the individual has successfully completed all applicable security requirements established by the Secretary, including cooperation from the applicable foreign government, to ensure that the individual does not pose a risk to the United States.

“(D) DISCRETION.—Except as provided in subparagraph (E), the Secretary shall retain unreviewable discretion to offer or revoke enroll-

ment in a registered traveler program to any individual.

“(E) INELIGIBLE TRAVELERS.—An individual who is a citizen of a state sponsor of terrorism (as defined in section 301(13) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8541(13))) may not be enrolled in a registered traveler program.”

#### SEC. 4508. VISA PROCESSING.

(a) IN GENERAL.—Notwithstanding any other provision of law and not later than 90 days after the date of the enactment of this Act, the Secretary of State shall—

(1) require United States diplomatic and consular missions—

(A) to conduct visa interviews for nonimmigrant visa applications determined to require a consular interview in an expeditious manner, consistent with national security requirements, and in recognition of resource allocation considerations, such as the need to ensure provision of consular services to citizens of the United States;

(B) to set a goal of interviewing 80 percent of all nonimmigrant visa applicants, worldwide, within 3 weeks of receipt of application, subject to the conditions outlined in subparagraph (A); and

(C) to explore expanding visa processing capacity in China and Brazil, with the goal of maintaining interview wait times under 15 work days on a consistent, year-round basis, recognizing that demand can spike suddenly and unpredictably and that the first priority of United States missions abroad is the protection of citizens of the United States; and

(2) submit to the appropriate committees of Congress a detailed strategic plan that describes the resources needed to carry out paragraph (1)(A).

(b) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(c) SEMI-ANNUAL REPORT.—Not later than 30 days after the end of the first 6 months after the implementation of subsection (a), and not later than 30 days after the end of each subsequent quarter, the Secretary of State shall submit to the appropriate committees of Congress a report that provides—

(1) data substantiating the efforts of the Secretary of State to meet the requirements and goals described in subsection (a);

(2) any factors that have negatively impacted the efforts of the Secretary to meet such requirements and goals; and

(3) any measures that the Secretary plans to implement to meet such requirements and goals.

(d) SAVINGS PROVISION.—

(1) IN GENERAL.—Nothing in subsection (a) may be construed to affect a consular officer's authority—

(A) to deny a visa application under section 221(g) of the Immigration and Nationality Act (8 U.S.C. 1201(g)); or

(B) to initiate any necessary or appropriate security-related check or clearance.

(2) SECURITY CHECKS.—The completion of a security-related check or clearance shall not be subject to the time limits set out in subsection (a).

#### SEC. 4509. B VISA FEE.

Section 281 (8 U.S.C. 1351), as amended by sections 4105, 4407, and 4408, is further amended by adding at the end the following:

“(g) B VISA FEE.—In addition to the fees authorized under subsection (a), the Secretary of Homeland Security shall collect a \$5 fee from



each nonimmigrant admitted under section 101(a)(15)(B). Fees collected under this subsection shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.”

**Subtitle F—Reforms to the H-2B Visa Program**

**SEC. 4601. EXTENSION OF RETURNING WORKER EXEMPTION TO H-2B NUMERICAL LIMITATION.**

(a) IN GENERAL.—

(1) IN GENERAL.—Subparagraph (A) of paragraph (10) of section 214(g) (8 U.S.C. 1184(g)), as redesignated by section 4101(a)(3), is amended by striking “fiscal year 2004, 2005, or 2006 shall not again be counted toward such limitation during fiscal year 2007.” and inserting “fiscal year 2013 shall not again be counted toward such limitation during fiscal years 2014 through 2018.”

(2) EFFECTIVE PERIOD.—The amendment made by paragraph (1) shall be effective during the period beginning on the effective date described in subsection (c) and ending on September 30, 2018.

(b) TECHNICAL AND CLARIFYING AMENDMENTS.—

(1) NONIMMIGRANT STATUS.—Section 101(a)(15)(P) (8 U.S.C. 1101(a)(15)(P)) is amended—

(A) in clause (iii), by striking “or” at the end;  
(B) in clause (iv), by striking “clause (i), (ii), or (iii),” and inserting “clause (i), (ii), (iii), or (iv);”

(C) by redesignating clause (iv) as clause (v); and

(D) by inserting after clause (iii) the following:

“(iv) is a ski instructor, who has been certified as a level I, II, or III ski and snowboard instructor by the Professional Ski Instructors of America or the American Association of Snowboard Instructors, or received an equivalent certification in the alien’s country of origin, and is seeking to enter the United States temporarily to perform instructing services; or”.

(2) AUTHORIZED PERIOD OF STAY; NUMERICAL LIMITATION.—Section 214(a)(2)(B) (8 U.S.C. 1184(a)(2)(B)) is amended in the second sentence—

(A) by inserting “or ski instructors” after “athletes”; and

(B) by inserting “or ski instructor” after “athlete”.

(3) CONSTRUCTION.—Nothing in the amendments made by this subsection may be construed as preventing an alien who is a ski instructor from obtaining nonimmigrant status under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) if such alien is otherwise qualified for such status.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if enacted on January 1, 2013.

**SEC. 4602. OTHER REQUIREMENTS FOR H-2B EMPLOYERS.**

Section 214 (8 U.S.C. 1184), as amended by sections 3609, 4233, 4405, 4503, and 4504, is further amended by adding at the end the following:

“(x) REQUIREMENTS FOR H-2B EMPLOYERS.—

“(1) H-2B NONIMMIGRANT DEFINED.—In this subsection the term ‘H-2B nonimmigrant’ means an alien admitted to the United States pursuant to section 101(a)(15)(H)(ii)(B).

“(2) NON-DISPLACEMENT OF UNITED STATES WORKERS.—An employer who seeks to employ an H-2B nonimmigrant admitted in an occupational classification shall certify and attest that the employer did not displace and will not displace a United States worker employed by the employer in the same metropolitan statistical area where such nonimmigrant will be hired

within the period beginning 90 days before the start date and ending on the end date for which the employer is seeking the services of such nonimmigrant as specified on an application for labor certification under this Act.

“(3) TRANSPORTATION COSTS.—The employer shall pay the transportation costs, including reasonable subsistence costs during the period of travel, for an H-2B nonimmigrant hired by the employer—

“(A) from the place of recruitment to the place of such nonimmigrant’s employment; and

“(B) from the place of employment to such nonimmigrant’s place of permanent residence or a subsequent worksite.

“(4) PAYMENT OF FEES.—A fee related to the hiring of an H-2B nonimmigrant required to be paid by an employer under this Act shall be paid by the employer and may not be deducted from the wages or other compensation paid to an H-2B nonimmigrant.

“(5) H-2B NONIMMIGRANT LABOR CERTIFICATION APPLICATION FEE.—

“(A) IN GENERAL.—To recover costs of carrying out labor certification activities under the H-2B program, the Secretary of Labor shall impose a \$500 fee on an employer that submits an application for an employment certification for aliens granted H-2B nonimmigrant status to the Secretary of Labor under this subparagraph on or after the date that is 30 days after the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.”

“(B) USE OF FEES.—The fees collected under subparagraph (A) shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.”

**SEC. 4603. EXECUTIVES AND MANAGERS.**

Section 214(a)(1) (8 U.S.C. 1184(a)(1)) is amended by adding at the end the following: “Aliens admitted under section 101(a)(15) should include—

“(A) executives and managers employed by a firm or corporation or other legal entity or an affiliate or subsidiary thereof who are principally stationed abroad and who seek to enter the United States for periods of 90 days or less to oversee and observe the United States operations of their related companies, and establish strategic objectives when needed; or

“(B) employees of multinational corporations who enter the United States to observe the operations of a related United States company and participate in select leadership and development training activities, whether or not the activity is part of a formal or classroom training program for a period not to exceed 180 days.

Nonimmigrant aliens admitted pursuant to section 101(a)(15) and engaged in the activities described in the subparagraph (A) or (B) may not receive a salary from a United States source, except for incidental expenses for meals, travel, lodging and other basic services.”

**SEC. 4604. HONORARIA.**

Section 212(q) (8 U.S.C. 1182(q)) is amended to read as follows:

“(q)(1) Any alien admitted under section 101(a)(15)(B) may accept an honorarium payment and associated incidental expenses, for a usual academic activity or activities (lasting not longer than 9 days at any single institution), as defined by the Attorney General in consultation with the Secretary of Education, or for a performance, appearance and participation in United States based programming, including scripted or unscripted programming (with services not rendered for more than 60 days in a 6 month period) if the alien has received a letter of invitation from the institution, organization, or media outlet, such payment is offered by an institution, organization, or media outlet de-

scribed in paragraph (2) and is made for services conducted for the benefit of that institution, entity or media outlet and if the alien has not accepted such payment or expenses from more than 5 institutions, organizations, or media outlets in the previous 6-month period. Any alien who is admitted under section 101(a)(15)(B) or any other valid visa may perform services under this section without reentering the United States and without a letter of invitation, if the alien does not receive any remuneration including an honorarium payment or incidental expenses, but may receive prize money.

“(2) An institution, organization, or media outlet described in this paragraph—

“(A) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) or a related or affiliated nonprofit entity;

“(B) a nonprofit research organization or a governmental research organization; and

“(C) a broadcast network, cable entity, production company, new media, internet and mobile based companies, who create or distribute programming content.”

**SEC. 4605. NONIMMIGRANTS PARTICIPATING IN RELIEF OPERATIONS.**

Section 214 (8 U.S.C. 1184), as amended by sections 3609, 4233, 4405, 4503, 4504, and 4602, is further amended by adding at the end the following:

“(y) NONIMMIGRANTS PARTICIPATING IN RELIEF OPERATIONS.—

“(1) IN GENERAL.—An alien coming individually, or aliens coming as a group, to participate in relief operations, including critical infrastructure repairs or improvements, needed in response to a Federal or State declared emergency or disaster, may be admitted to the United States pursuant to section 101(a)(15)(B) for a period of not more than 90 days if each such alien has been employed in a foreign country by 1 employer for not less than 1 year prior to the date the alien is so admitted.

“(2) PROHIBITION ON INCOME FROM A UNITED STATES SOURCE.—During a period of admission pursuant to paragraph (1), an alien may not receive income from a United States source, except for incidental expenses for meals, travel, lodging, and other basic services.”

**SEC. 4606. NONIMMIGRANTS PERFORMING MAINTENANCE ON COMMON CARRIERS.**

Section 214 (8 U.S.C. 1184), as amended by sections 3609, 4233, 4405, 4503, 4504, 4602, and 4603, is further amended by adding at the end the following:

“(z) NONIMMIGRANTS PERFORMING MAINTENANCE ON COMMON CARRIER.—

“(1) IN GENERAL.—An alien coming individually, or aliens coming as a group, who possess specialized knowledge to perform maintenance or repairs for common carriers, including to airlines, cruise lines, and railways, if such maintenance or repairs are occurring to equipment or machinery manufactured outside of the United States and are needed for purposes relating to life, health, and safety, may be admitted to the United States pursuant to section 101(a)(15)(B) for a period of not more than 90 days if each such alien has been employed in a foreign country by 1 employer for not less than 1 year prior to the date the alien is so admitted.

“(2) PROHIBITION ON INCOME FROM A UNITED STATES SOURCE.—During a period of admission pursuant to paragraph (1), an alien may not receive income from a United States source, except for incidental expenses for meals, travel, lodging, and other basic services.

“(3) FEE.—

“(A) IN GENERAL.—An alien admitted pursuant to paragraph (1) shall pay a fee of \$500 in addition to any fee assessed to cover the costs to process an application under this subsection.



“(B) *USE OF FEE.*—The fees collected under subparagraph (A) shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.”

#### Subtitle G—W Nonimmigrant Visas

### SEC. 4701. BUREAU OF IMMIGRATION AND LABOR MARKET RESEARCH.

(a) *DEFINITIONS.*—In this section:

(1) *BUREAU.*—Except as otherwise specifically provided, the term “Bureau” means the Bureau of Immigration and Labor Market Research established under subsection (b).

(2) *COMMISSIONER.*—The term “Commissioner” means the Commissioner of the Bureau.

(3) *CONSTRUCTION OCCUPATION.*—The term “construction occupation” means an occupation classified by the Bureau of Labor Statistics as being within the construction industry for the purposes of publishing the Bureau’s workforce statistics.

(4) *METROPOLITAN STATISTICAL AREA.*—The term “metropolitan statistical area” means a geographic area designated as a metropolitan statistical area by the Director of the Office of Management and Budget.

(5) *SHORTAGE OCCUPATION.*—The term “shortage occupation” means an occupation that the Commissioner determines is experiencing a shortage of labor—

(A) throughout the United States; or

(B) in a specific metropolitan statistical area.

(6) *W VISA PROGRAM.*—The term “W Visa Program” means the program for the admission of nonimmigrant aliens described in subparagraph (W)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)), as added by section 4702.

(7) *ZONE 1 OCCUPATION.*—The term “zone 1 occupation” means an occupation that requires little or no preparation and is classified as a zone 1 occupation on—

(A) the Occupational Information Network Database (O\*NET) on the date of the enactment of this Act; or

(B) such Database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of this Act.

(8) *ZONE 2 OCCUPATION.*—The term “zone 2 occupation” means an occupation that requires some preparation and is classified as a zone 2 occupation on—

(A) the Occupational Information Network Database (O\*NET) on the date of the enactment of this Act; or

(B) such Database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of this Act.

(9) *ZONE 3 OCCUPATION.*—The term “zone 3 occupation” means an occupation that requires medium preparation and is classified as a zone 3 occupation on—

(A) the Occupational Information Network Database (O\*NET) on the date of the enactment of this Act; or

(B) such Database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of this Act.

(b) *ESTABLISHMENT.*—There is established a Bureau of Immigration and Labor Market Research as an independent statistical agency within U.S. Citizenship and Immigration Services.

(c) *COMMISSIONER.*—The head of the Bureau of Immigration and Labor Market Research is the Commissioner, who shall be appointed by the President, by and with the advice and consent of the Senate.

(d) *DUTIES.*—The duties of the Commissioner are limited to the following:

(1) To devise a methodology subject to publication in the Federal Register and an opportunity for public comment regarding the cal-

culation for the index referred to in section 220(g)(2)(C) of the Immigration and Nationality Act, as added by section 4703.

(2) To determine and to publish in the Federal Register the annual change to the numerical limitation for nonimmigrant aliens described in subparagraph (W)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)), as added by section 4702.

(3) With respect to the W Visa Program, to supplement the recruitment methods employers may use to attract United States workers and current nonimmigrant aliens described in paragraph (2).

(4) With respect to the W Visa Program, to devise a methodology subject to publication in the Federal Register and an opportunity for public comment to designate shortage occupations in zone 1 occupations, zone 2 occupations, and zone 3 occupations.

(5) With respect to the W Visa Program, to designate shortage occupations in any zone 1 occupation, zone 2 occupation, or zone 3 occupation and publish such occupations in the Federal Register.

(6) With respect to the W Visa Program, to conduct a survey once every 3 months of the unemployment rate of zone 1 occupations, zone 2 occupations, or zone 3 occupations that are construction occupations in each metropolitan statistical area.

(7) To study and report to Congress on employment-based immigrant and nonimmigrant visa programs in the United States and to make annual recommendations to improve such programs.

(8) To carry out any functions required to perform the duties described in paragraphs (1) through (7).

(e) *DETERMINATION OF CHANGES TO NUMERICAL LIMITATIONS.*—The methodology required under subsection (d)(1) shall be published in the Federal Register not later than 18 months after the date of the enactment of this Act.

(f) *DESIGNATION OF SHORTAGE OCCUPATIONS.*—

(1) *METHODS TO DETERMINE.*—The Commissioner shall—

(A) establish the methodology to designate shortage occupations under subsection (d)(4); and

(B) publish such methodology in the Federal Register not later than 18 months after the date of the enactment of this Act.

(2) *PETITION BY EMPLOYER.*—The methodology established under paragraph (1) shall permit an employer to petition the Commissioner for a determination that a particular occupation in a particular metropolitan statistical area is a shortage occupation.

(3) *REQUIREMENT FOR NOTICE AND COMMENT.*—The methodology established under paragraph (1) shall be effective only after publication in the Federal Register and an opportunity for public comment.

(g) *EMPLOYEE EXPERTISE.*—The employees of the Bureau shall have the expertise necessary to identify labor shortages in the United States and make recommendations to the Commissioner on the impact of immigrant and nonimmigrant aliens on labor markets in the United States, including expertise in economics, labor markets, demographics and methods of recruitment of United States workers.

(h) *INTERAGENCY COOPERATION.*—At the request of the Commissioner, the Secretary of Commerce, the Director of the Bureau of the Census, the Secretary of Labor, and the Commissioner of the Bureau of Labor Statistics shall—

(1) provide data to the Commissioner;

(2) conduct appropriate surveys; and

(3) assist the Commissioner in preparing the recommendations referred to subsection (d)(5).

(i) *BUDGET.*—

(1) *REPORT.*—Not later than 1 year after the date of the enactment of this Act, the Director of U.S. Citizenship and Immigration Services shall submit to Congress a report of the estimated budget that the Bureau will need to carry out the duties described in subsection (d).

(2) *AUDIT.*—The Comptroller General of the United States shall submit to Congress a report that is an audit of the budget prepared by the Director under paragraph (1).

(j) *FUNDING.*—

(1) *APPROPRIATION OF FUNDS.*—There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, \$20,000,000 to establish the Bureau.

(2) *USE OF W NONIMMIGRANT FEES.*—The amounts collected for fees under section 220(e)(6)(B) of the Immigration and Nationality Act, as added by section 4703, shall be used to establish and fund the Bureau.

(3) *OTHER FEES.*—The Secretary may establish other fees for the sole purpose of funding the W Visa Program, including the Bureau, that are related to the hiring of alien workers.

### SEC. 4702. NONIMMIGRANT CLASSIFICATION FOR W NONIMMIGRANTS.

Section 101(a)(15)(W), as added by section 2211, is amended by inserting before clause (iii) the following:

“(i) to perform services or labor for a registered nonagricultural employer in a registered position (as those terms are defined in section 220(a)) in accordance with the requirements under section 220;

“(ii) to accompany or follow to join such an alien described in clause (i) as the spouse or child of such alien.”

### SEC. 4703. ADMISSION OF W NONIMMIGRANT WORKERS.

(a) *IN GENERAL.*—Chapter 2 of title II (8 U.S.C. 1181 et seq.) is amended by adding at the end the following:

#### “SEC. 220. ADMISSION OF W NONIMMIGRANT WORKERS.

“(a) *DEFINITIONS.*—In this section:

“(1) *BUREAU.*—The term ‘Bureau’ means the Bureau of Immigration and Labor Market Research established by section 4701 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

“(2) *CERTIFIED ALIEN.*—The term ‘certified alien’ means an alien that the Secretary of State has certified is eligible to be a W nonimmigrant if the alien is hired by a registered employer for a registered position.

“(3) *COMMISSIONER.*—The term ‘Commissioner’ means the Commissioner of the Bureau.

“(4) *CONSTRUCTION OCCUPATION.*—The term ‘construction occupation’ means an occupation defined by the Bureau of Labor Statistics as being within the construction industry for the purposes of publishing the Bureau’s workforce statistics.

“(5) *DEPARTMENT.*—Except as otherwise provided, the term ‘Department’ means the Department of Homeland Security.

“(6) *ELIGIBLE OCCUPATION.*—The term ‘eligible occupation’ means an eligible occupation described in subsection (e)(3).

“(7) *EMPLOYER.*—

“(A) *IN GENERAL.*—The term ‘employer’ means any person or entity hiring an individual for employment in the United States.

“(B) *TREATMENT OF SINGLE EMPLOYER.*—For purposes of determining the number of employees or United States workers employed by an employer, a single entity shall be treated as 1 employer.

“(8) *EXCLUDED GEOGRAPHIC LOCATION.*—The term ‘excluded geographic location’ means an excluded geographic location described in subsection (f).

“(9) *INITIAL W NONIMMIGRANT.*—The term ‘initial W nonimmigrant’ means a certified alien

issued a W nonimmigrant visa by the Secretary of State pursuant to section 101(a)(15)(W)(i) in order to seek initial admission to the United States to commence employment for a registered employer in a registered position subject to the numerical limit at section 220(g).

“(10) METROPOLITAN STATISTICAL AREA.—The term ‘metropolitan statistical area’ means a geographic area designated as a metropolitan statistical area by the Director of the Office of Management and Budget.

“(11) REGISTERED EMPLOYER.—The term ‘registered employer’ means a nonagricultural employer that the Secretary has designated as a registered employer under subsection (d).

“(12) SECRETARY.—Except as otherwise specifically provided, the term ‘Secretary’ means the Secretary of Homeland Security.

“(13) SINGLE ENTITY.—The term ‘single entity’ means any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986.

“(14) SHORTAGE OCCUPATION.—The term ‘shortage occupation’ means a shortage occupation designated by the Commissioner pursuant to section 4701(d)(4) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

“(15) SMALL BUSINESS.—The term ‘small business’ means an employer that employs 25 or fewer full-time equivalent employees.

“(16) UNITED STATES WORKER.—The term ‘United States worker’ means an individual who is—

“(A) employed or seeking employment in the United States; and

“(B)(i) a national of the United States;

“(ii) an alien lawfully admitted for permanent residence;

“(iii) an alien in Registered Provisional Immigrant Status; or

“(iv) any other alien authorized to work in the United States with no limitation as to the alien’s employer.

“(17) W NONIMMIGRANT.—The term ‘W nonimmigrant’ means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(W)(i).

“(18) W NONIMMIGRANT VISA.—The term ‘W nonimmigrant visa’ means a visa issued to a certified alien by the Secretary of State pursuant to section 101(a)(15)(W)(i).

“(19) W VISA PROGRAM.—The term ‘W Visa Program’ means the program for the admission of nonimmigrant aliens described in section 101(a)(15)(W)(i).

“(20) ZONE 1 OCCUPATION.—The term ‘zone 1 occupation’ means an occupation that requires little or no preparation and is classified as a zone 1 occupation on—

“(A) the Occupational Information Network Database (O\*NET) on the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; or

“(B) such Database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

“(21) ZONE 2 OCCUPATION.—The term ‘zone 2 occupation’ means an occupation that requires some preparation and is classified as a zone 2 occupation on—

“(A) the Occupational Information Network Database (O\*NET) on the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; or

“(B) such Database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

“(22) ZONE 3 OCCUPATION.—The term ‘zone 3 occupation’ means an occupation that requires medium preparation and is classified as a zone 3 occupation on—

“(A) the Occupational Information Network Database (O\*NET) on the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; or

“(B) such Database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

“(b) ADMISSION INTO THE UNITED STATES.—

“(1) W NONIMMIGRANTS.—Subject to this section, a certified alien is eligible to be admitted to the United States as a W nonimmigrant if the alien is hired by a registered employer for employment in a registered position in a location that is not an excluded geographic location.

“(2) SPOUSE AND MINOR CHILDREN.—The—

“(A) alien spouse and minor children of a W nonimmigrant may be admitted to the United States pursuant to clause (ii) of section 101(a)(15)(W) during the period of the principal W nonimmigrant’s admission; and

“(B) such alien spouse shall be—

“(i) authorized to engage in employment in the United States during such period of admission; and

“(ii) provided with an employment authorization document, stamp, or other appropriate work permit.

“(c) W NONIMMIGRANTS.—

“(1) CERTIFIED ALIEN.—

“(A) APPLICATION.—An alien seeking to be a W nonimmigrant shall apply to the Secretary of State at a United States embassy or consulate in a foreign country to be a certified alien.

“(B) CRITERIA.—An alien is eligible to be a certified alien if the alien—

“(i) is not inadmissible under this Act;

“(ii) passes a criminal background check;

“(iii) agrees to accept only registered positions in the United States; and

“(iv) meets other criteria as established by the Secretary.

“(2) W NONIMMIGRANT STATUS.—Only an alien that is a certified alien may be admitted to the United States as a W nonimmigrant.

“(3) INITIAL EMPLOYMENT.—A W nonimmigrant shall report to such nonimmigrant’s initial employment in a registered position not later than 14 days after such nonimmigrant is admitted to the United States.

“(4) TERM OF ADMISSION.—

“(A) INITIAL TERM.—A certified alien may be granted W nonimmigrant status for an initial period of 3 years.

“(B) RENEWAL.—A W nonimmigrant may renew his or her status as a W nonimmigrant for additional 3-year periods. Such a renewal may be made while the W nonimmigrant is in the United States and shall not require the alien to depart the United States.

“(5) PERIODS OF UNEMPLOYMENT.—A W nonimmigrant—

“(A) may be unemployed for a period of not more than 60 consecutive days; and

“(B) shall depart the United States if such W nonimmigrant is unable to obtain employment during such period.

“(6) TRAVEL.—A W nonimmigrant may travel outside the United States and be readmitted to the United States. Such travel may not extend the period of authorized admission of such W nonimmigrant.

“(d) REGISTERED EMPLOYER.—

“(1) APPLICATION.—An employer seeking to be a registered employer shall submit an application to the Secretary. Each such application shall include the following:

“(A) Documentation to establish that the employer is a bona-fide employer.

“(B) The employer’s Federal tax identification number or employer identification number issued by the Internal Revenue Service.

“(C) The number of W nonimmigrants the employer estimates it will seek to employ annually.

“(2) REFERRAL FOR FRAUD INVESTIGATION.—The Secretary may refer an application submitted under paragraph (1) or subsection (e)(1)(A) to the Fraud Detection and National Security Directorate of U.S. Citizenship and Immigration Services if there is evidence of fraud for potential investigation.

“(3) INELIGIBLE EMPLOYERS.—

“(A) IN GENERAL.—Notwithstanding any other applicable penalties under law, the Secretary may deny an employer’s application to be a registered employer if the Secretary determines, after notice and an opportunity for a hearing, that the employer submitting such application—

“(i) has, with respect to the application required under paragraph (1), including any attestations required by law—

“(I) knowingly misrepresented a material fact;

“(II) knowingly made a fraudulent statement;

or

“(III) knowingly failed to comply with the terms of such attestations; or

“(ii) failed to cooperate in the audit process in accordance with regulations promulgated by the Secretary;

“(iii) has been convicted of an offense set out in chapter 77 of title 18, United States Code, or any conspiracy to commit such offenses, or any human trafficking offense under State or territorial law;

“(iv) has, within 2 years prior to the date of application—

“(I) received a final adjudication of having committed any hazardous occupation orders violation resulting in injury or death under the child labor provisions contained in section 12 of the Fair Labor Standards Act of 1938 (29 U.S.C. 211) and any pertinent regulation;

“(II) received a final adjudication assessing a civil money penalty for any repeated or willful violation of the minimum wage provisions of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206); or

“(III) received a final adjudication assessing a civil money penalty for any willful violation of the overtime provisions of section 7 of the Fair Labor Standards Act of 1938 or any regulations thereunder; or

“(v) has, within 2 years prior to the date of application, received a final adjudication for a willful violation or repeated serious violations involving injury or death—

“(I) of section 5 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 654);

“(II) of any standard, rule, or order promulgated pursuant to section 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655); or

“(III) of a plan approved under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667).

“(B) LENGTH OF INELIGIBILITY.—

“(i) TEMPORARY INELIGIBILITY.—An employer described in subparagraph (A) may be ineligible to be a registered employer for a period that is not less than the time period determined by the Secretary and not more than 3 years.

“(ii) PERMANENT INELIGIBILITY.—An employer who has been convicted of any offense set out in chapter 77 of title 18, United States Code, or any conspiracy to commit such offenses, or any human trafficking offense under State or territorial law shall be permanently ineligible to be a registered employer.

“(4) TERM OF REGISTRATION.—The Secretary shall approve applications meeting the criteria of this subsection for a term of 3 years.

“(5) RENEWAL.—An employer may submit an application to renew the employer’s status as a registered employer for additional 3-year periods.

“(6) FEE.—At the time an employer’s application to be a registered employer or to renew such status is approved, such employer shall pay a fee in an amount determined by the Secretary to

be sufficient to cover the costs of the registry of such employers.

“(7) **CONTINUED ELIGIBILITY.**—Each registered employer shall submit to the Secretary an annual report that demonstrates that the registered employer has provided the wages and working conditions the registered employer agreed to provide to its employees.

“(e) **REGISTERED POSITIONS.**—

“(1) **IN GENERAL.**—

“(A) **APPLICATION.**—Each registered employer shall submit to the Secretary an application to designate a position for which the employer is seeking a W nonimmigrant as a registered position. The Secretary is authorized to determine if the wage to be paid by the employer complies with subparagraph (B)(iv). Each such application shall include a description of each such position.

“(B) **ATTESTATION.**—An application submitted under subparagraph (A) shall include an attestation of the following:

“(i) The number of full-time equivalent employees of the employer.

“(ii) The occupational category, as classified by the Secretary of Labor, for which the registered position is sought.

“(iii) Whether the occupation for which the registered position is sought is a shortage occupation.

“(iv) Except as provided in subsection (g)(4)(C)(i), the wages to be paid to W nonimmigrants employed by the employer in the registered position, including a position in a shortage occupation, will be the greater of—

“(I) the actual wage level paid by the employer to other employees with similar experience and qualifications for such position; or

“(II) the prevailing wage level for the occupational classification of the position in the metropolitan statistical area of the employment, as determined by the Secretary, based on the best information available as of the time of filing the application.

“(v) The working conditions for W nonimmigrants will not adversely affect the working conditions of other workers employed in similar positions.

“(vi) The employer has carried out the recruiting activities required by paragraph (2)(B).

“(vii) There is no qualified United States worker who has applied for the position and who is ready, willing, and able to fill such position pursuant to the requirements in subparagraphs (B) and (C) of paragraph (2).

“(viii) There is not a strike, lockout, or work stoppage in the course of a labor dispute in the occupation at the place of employment at which the W nonimmigrant will be employed. If such strike, lockout, or work stoppage occurs following submission of the application, the employer will provide notification in accordance with all applicable regulations.

“(ix)(I) The employer has not laid off and will not layoff a United States worker during the period beginning 90 days prior to and ending 90 days after the date the employer files an application for designation of a position for which the W nonimmigrant is sought or hires such W nonimmigrant, unless the employer has notified such United States worker of the position and documented the legitimate reasons that such United States worker is not qualified or available for the position.

“(II) A United States worker is not laid off for purposes of this subparagraph if, at the time such worker's employment is terminated, such worker is not employed in the same occupation and in the same metropolitan statistical area where the registered position referred to in subsection (I) is located.

“(C) **BEST INFORMATION AVAILABLE.**—In subparagraph (B)(iv)(II), the term ‘best information available’, with respect to determining the prevailing wage for a position, means—

“(i) a controlling collective bargaining agreement or Federal contract wage, if applicable;

“(ii) if there is no applicable wage under clause (i), the wage level commensurate with the experience, training, and supervision required for the job based on Bureau of Labor Statistics data; or

“(iii) if the data referred to in clause (ii) is not available, a legitimate and recent private survey of the wages paid for such positions in the metropolitan statistical area.

“(D) **PERMIT.**—The Secretary shall provide each registered employer whose application submitted under subparagraph (A) is approved with a permit that includes the number and description of such employer's approved registered positions.

“(E) **TERM OF REGISTRATION.**—The approval of a registered position under subparagraph (A) is for a term that begins on the date of such approval and ends on the earlier of—

“(i) the date the employer's status as a registered employer is terminated;

“(ii) 3 years after the date of such approval; or

“(iii) upon proper termination of the registered position by the employer.

“(F) **REGISTRY OF REGISTERED POSITIONS.**—

“(i) **MAINTENANCE OF REGISTRY.**—The Secretary shall develop and maintain a registry of approved registered positions for which the Secretary has issued a permit under subparagraph (D).

“(ii) **AVAILABILITY ON WEBSITE.**—The registry required by clause (i) shall be accessible on a website maintained by the Secretary.

“(iii) **AVAILABILITY ON STATE WORKFORCE AGENCY WEBSITES.**—Each State workforce agency shall be linked to such registry and provide access to such registry through the website maintained by such agency.

“(iv) **CONDITIONS OF AVAILABILITY ON WEBSITE.**—

“(I) **IN GENERAL.**—Each approved registered position for which the Secretary has issued a permit shall be included in the registry of registered positions maintained by the Secretary and shall remain available for viewing on such registry throughout the term of registration referred to in subparagraph (E) or paragraph (5).

“(II) **INDICATION OF VACANCY.**—The Secretary shall ensure that such registry indicates whether each approved registered position in the registry is filled or unfilled.

“(III) **REQUIREMENT FOR 10-DAY POSTING.**—If a W nonimmigrant's employment in a registered position ends, either voluntarily or involuntarily, the Secretary shall ensure that such registry indicates that the registered position is unfilled for a period of 10 calendar days, unless such registered position is filled by a United States worker.

“(2) **REQUIREMENTS.**—

“(A) **ELIGIBLE OCCUPATION.**—Each registered position shall be for a position in an eligible occupation as described in paragraph (3).

“(B) **RECRUITMENT OF UNITED STATES WORKERS.**—

“(i) **REQUIREMENTS.**—A position may not be a registered position unless the registered employer—

“(I) advertises the position for a period of 30 days, including the wage range, location, and proposed start date—

“(aa) on the Internet website maintained by the Secretary of Labor for the purpose of such advertising; and

“(bb) with the workforce agency of the State where the position will be located; and

“(II) except as provided for in subsection (g)(4)(B)(i), carries out not less than 3 of the recruiting activities described in subparagraph (C).

“(ii) **DURATION OF ADVERTISING.**—The 30 day periods required by item (aa) of (bb) of clause (i)(I) may occur at the same time.

“(C) **RECRUITING ACTIVITIES.**—The recruiting activities described in this subparagraph, with respect to a position for which the employer is seeking a W nonimmigrant, shall consist of any combination of the following as defined by the Secretary of Homeland Security:

“(i) Advertising such position at job fairs.

“(ii) Advertising such position on the employer's external website.

“(iii) Advertising such position on job search Internet websites.

“(iv) Advertising such position using presentations or postings at vocational, career technical schools, community colleges, high schools, or other educational or training sites.

“(v) Posting such position with trade associations.

“(vi) Utilizing a search firm to seek applicants for such position.

“(vii) Advertising such position through recruitment programs with placement offices at vocational schools, career technical schools, community colleges, high schools, or other educational or training sites.

“(viii) Advertising such position through advertising or postings with local libraries, journals, or newspapers.

“(ix) Seeking a candidate for such position through an employee referral program with incentives.

“(x) Advertising such position on radio or television.

“(xi) Advertising such position through advertising, postings, or presentations with newspapers, Internet websites, job fairs, or community events targeted to constituencies designed to increase employee diversity.

“(xii) Advertising such position through career day presentations at local high schools or community organizations.

“(xiii) Providing in-house training.

“(xiv) Providing third-party training.

“(xv) Advertising such position through recruitment, educational, or other cooperative programs offered by the employer and a local economic development authority.

“(xvi) Advertising such position twice in the Sunday ads in the primary daily circulation newspaper in the area.

“(xvii) Any other recruitment activities determined to be appropriate to be added by the Commissioner.

“(3) **ELIGIBLE OCCUPATION.**—

“(A) **IN GENERAL.**—An occupation is an eligible occupation if the occupation—

“(i) is a zone 1 occupation, a zone 2 occupation, or zone 3 occupation; and

“(ii) is not an excluded occupation under subparagraph (B).

“(B) **EXCLUDED OCCUPATIONS.**—

“(i) **OCCUPATIONS REQUIRING COLLEGE DEGREES.**—An occupation that is listed in the Occupational Outlook Handbook published by the Bureau of Labor Statistics (or similar successor publication) that is classified as requiring an individual with a bachelor's degree or higher level of education may not be an eligible occupation.

“(ii) **COMPUTER OCCUPATIONS.**—An occupation in the field of computer operation, computer programming, or computer repair may not be an eligible occupation.

“(C) **PUBLICATION.**—The Secretary of Labor shall publish the eligible occupations, designated as zone 1 occupations, zone 2 occupations, or zone 3 occupations, on an on-going basis on a publicly available website.

“(4) **FILLING OF VACANCIES.**—If a W nonimmigrant's employment in a registered position ends, such employer may fill that vacancy—

“(A) by hiring a United States worker; or

“(B) after the 10 calendar day posting period in subsection (e)(1)(F)(iv)(III) by hiring—

“(i) a W nonimmigrant; or

“(ii) if available under subsection (g)(4), a certified alien.

“(5) PERIOD OF APPROVAL.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a registered position shall be approved by the Secretary for a period of 3 years.

“(B) RETURNING W NONIMMIGRANTS.—

“(i) EXTENSION OF PERIOD.—A registered position shall continue to be a registered position at the end of the 3-year period referred to in subparagraph (A) if the W nonimmigrant hired for such position is the beneficiary of a petition for immigrant status filed by the registered employer pursuant to this Act or is returning to the same registered employer.

“(ii) TERMINATION OF PERIOD.—The term of a registration position extended under clause (i) shall terminate on the date that is the earlier of—

“(I) the date an application or petition by or for a W nonimmigrant to obtain immigrant status is approved or denied by the Secretary; or

“(II) the date of the termination of such W nonimmigrant's employment with the registered employer.

“(6) FEES.—

“(A) REGISTRATION FEE.—

“(i) IN GENERAL.—At the time a W nonimmigrant commences employment in the registered position for a registered employer, such employer shall pay a registration fee in an amount determined by the Secretary.

“(ii) USE OF FEE.—A fee collected under clause (i) shall be used to fund any aspect of the operation of the W Visa Program.

“(B) ADDITIONAL FEE.—

“(i) IN GENERAL.—In addition to the fee required by subparagraph (A), a registered employer, at the time a W nonimmigrant commences employment in the registered position for the registered employer, shall pay an additional fee for each such approved registered position as follows:

“(I) A fee of \$1,750 for the registered position if the registered employer, at the time of filing the application for the registered position, is a small business and more than 50 percent and less than 75 percent of the employees of the registered employer are not United States workers.

“(II) A fee of \$3,500 for the registered position if the registered employer, at the time of filing the application for the registered position, is a small business and more than 75 percent of the employees of the registered employer are not United States workers.

“(III) A fee of \$3,500 for the registered position if the registered employer, at the time of filing the application for the registered position, is not a small business and more than 15 percent and less than 30 percent of the employees of the registered employer are not United States workers.

“(ii) USE OF FEE.—A fee collected under clause (i) shall be used to fund the operations of the Bureau.

“(C) PROHIBITION ON OTHER FEES.—A registered employer may not be required to pay an additional fee other than any fees specified in this Act if the registered employer is a small business.

“(7) PROHIBITION ON REGISTERED POSITIONS FOR CERTAIN EMPLOYERS.—The Secretary may not approve an application for a registered position for an employer if the employer is not a small business and 30 percent or more of the employees of the employer are not United States workers.

“(f) EXCLUDED GEOGRAPHIC LOCATION.—No application for a registered position filed by a registered employer for an eligible occupation may be approved if the registered position is located in a metropolitan statistical area that has an unemployment rate that is more than 8½ percent as reported in the most recent month preceding the date that the application is submitted to the Secretary unless—

“(1) the Commissioner has identified the eligible occupation as a shortage occupation; or

“(2) the Secretary approves the registered position under subsection (g)(4).

“(g) NUMERICAL LIMITATION.—

“(1) REGISTERED POSITIONS.—

“(A) IN GENERAL.—Subject to paragraphs (3) and (4), the maximum number of registered positions that may be approved by the Secretary for a year is as follows:

“(i) For the first year aliens are admitted as W nonimmigrants, 20,000.

“(ii) For the second such year, 35,000.

“(iii) For the third such year, 55,000.

“(iv) For the fourth such year, 75,000.

“(v) For each year after the fourth such year, the level calculated for that year under paragraph (2).

“(B) DATES.—The first year referred to in subparagraph (A)(i) shall begin on April 1, 2015, and end on March 31, 2016, unless the Secretary determines that such first year shall begin on October 1, 2015, and end on September 30, 2016.

“(2) YEARS AFTER YEAR 4.—

“(A) CURRENT YEAR AND PRECEDING YEAR.—In this paragraph—

“(i) the term ‘current year’ shall refer to the 12-month period for which the calculation of the numerical limits under this paragraph is being performed; and

“(ii) the term ‘preceding year’ shall refer to the 12-month period immediately preceding the current year.

“(B) NUMERICAL LIMITATION.—Subject to subparagraph (D), the number of registered positions that may be approved by the Secretary for a year after the fourth year referred to in paragraph (1)(A)(iv) shall be equal to the sum of—

“(i) the number of such registered positions available under this paragraph for the preceding year; and

“(ii) the product of—

“(I) the number of such registered positions available under this paragraph for the preceding year; multiplied by

“(II) the index for the current year calculated under subparagraph (C).

“(C) INDEX.—The index calculated under this subparagraph for a current year equals the sum of—

“(i) one-fifth of a fraction—

“(I) the numerator of which is the number of registered positions that registered employers applied to have approved under subsection (e)(1) for the preceding year minus the number of registered positions approved under subsection (e) for the preceding year; and

“(II) the denominator of which is the number of registered positions approved under subsection (e) for the preceding year;

“(ii) one-fifth of a fraction—

“(I) the numerator of which is the number of registered positions the Commissioner recommends be available under this subparagraph for the current year minus the number of registered positions available under this subsection for the preceding year; and

“(II) the denominator of which is the number of registered positions available under this subsection for the preceding year;

“(iii) three-tenths of a fraction—

“(I) the numerator of which is the number of unemployed United States workers for the preceding year minus the number of unemployed United States workers for the current year; and

“(II) the denominator of which is the number of unemployed United States workers for the preceding year; and

“(iv) three-tenths of a fraction—

“(I) the numerator of which is the number of job openings as set out in the Job Openings and Labor Turnover Survey of the Bureau of Labor Statistics for the current year minus such number of job openings for the preceding year; and

“(II) the denominator of which is the number of such job openings for the preceding year;

“(D) MINIMUM AND MAXIMUM LEVELS.—The number of registered positions calculated under subparagraph (B) for a 12-month period may not be less than 20,000 nor more than 200,000.

“(3) ADDITIONAL REGISTERED POSITIONS FOR SHORTAGE OCCUPATIONS.—In addition to the number of registered positions made available for a year under paragraph (1), the Secretary shall make available for a year an additional number of registered positions for shortage occupations in a particular metropolitan statistical area.

“(4) SPECIAL ALLOCATIONS OF REGISTERED POSITIONS.—

“(A) AUTHORITY TO MAKE AVAILABLE.—In addition to the number of registered positions made available for a year under paragraph (1) or (3), the Secretary shall make additional registered positions available for the year for a specific registered employer as described in this paragraph, if—

“(i) the maximum number of registered positions available under paragraph (1) have been approved for the year and none remain available for allocation; or

“(ii) such registered employer is located in a metropolitan statistical area that has an unemployment rate that is more than 8½ percent as reported in the most recent month preceding the date that the application is submitted to the Secretary.

“(B) RECRUITMENT.—

“(i) IN GENERAL.—Except as provided in clause (ii), an initial W nonimmigrant may only enter the United States for initial employment pursuant to a special allocation under this paragraph if the registered employer has carried out at least 7 of the recruiting activities described in subsection (e)(2)(C).

“(ii) REQUIREMENT TO RECRUIT W NONIMMIGRANTS IN THE UNITED STATES.—A registered employer may register a position pursuant to a special allocation under this paragraph by conducting at least 3 of the recruiting activities described in subsection (e)(2)(C), however a position registered pursuant to this clause may not be filled by an initial W nonimmigrant entering the United States for initial employment.

“(iii) 30 DAY POSTING.—

“(I) REQUIREMENT.—Any registered employer registering any position under the special allocation authority shall post the position, including the wage range, location, and initial date of employment, for not less than 30 days—

“(aa) on the Internet website maintained by the Secretary of Labor for the purpose of such advertising; and

“(bb) with the workforce agency of the State where the position will be located.

“(II) CONTEMPORANEOUS POSTING.—The 30 day periods required by items (aa) and (bb) of subclause (I) may occur at the same time.

“(C) WAGES.—

“(i) INITIAL W NONIMMIGRANTS.—An initial W nonimmigrant entering the United States for initial employment pursuant to a registered position made available under this paragraph may not be paid less than the greater of—

“(I) the level 4 wage set out in the Foreign Labor Certification Data Center Online Wage Library (or similar successor website) maintained by the Secretary of Labor for such occupation in that metropolitan statistical area; or

“(II) the mean of the highest two-thirds of wages surveyed for such occupation in that metropolitan statistical area.

“(ii) OTHER W NONIMMIGRANTS.—A W nonimmigrant employed in a registered position referred to in subsection (g)(4)(B)(ii) may not be paid less than the wages required under subsection (e)(1)(B)(iv).

“(D) REDUCTION OF FUTURE REGISTERED POSITIONS.—Each registered position made available

for a year subject to the wage conditions of subparagraph (C)(i) shall reduce by 1 the number of registered positions made available under paragraph (g)(1) for the following year or the earliest possible year for which a registered position is available. The limitation contained in subsection (h)(4) shall not be reduced by any registered position made available under this paragraph.

“(h) ALLOCATION OF REGISTERED POSITIONS.—

“(1) IN GENERAL.—

“(A) FIRST 6-MONTH PERIOD.—The number of registered positions available for the 6-month period beginning on the first day of a year is 50 percent of the maximum number of registered positions available for such year under paragraph (1) or (2) of subsection (g). Such registered positions shall be allocated as described in this subsection.

“(B) SECOND 6-MONTH PERIOD.—The number of registered positions available for the 6-month period ending on the last day of a year is the maximum number of registered positions available for such year under paragraph (1) or (2) of subsection (g) minus the number of registered positions approved during the 6-month period referred to in subsection (A). Such registered positions shall be allocated as described in this subsection.

“(2) SHORTAGE OCCUPATIONS.—

“(A) IN GENERAL.—For the first month of each 6-month period referred to in subparagraph (A) or (B) of paragraph (1) a registered position may not be created in an occupation that is not a shortage occupation.

“(B) INITIAL DESIGNATIONS.—Subparagraph (A) shall not apply in any period for which the Commissioner has not designated any shortage occupations.

“(3) SMALL BUSINESSES.—During the second, third, and fourth months of each 6-month period referred to in subparagraph (A) or (B) of paragraph (1), one-third of the number of registered positions allocated for such period shall be approved only for a registered employer that is a small business. Any such registered positions not approved for such small businesses during such months shall be available for any registered employer during the last 2 months of each such 6-month period.

“(4) ANIMAL PRODUCTION SUBSECTORS.—In addition to the number of registered positions made available for a year under paragraph (1) or (3) of such section (g), the Secretary shall make additional registered positions available for the year for occupations designated by the Secretary of Labor as Animal Production Subsectors. The numerical limitation for such additional registered positions shall be no more than 10 percent of the annual numerical limitation provided for in such paragraph (1).

“(5) LIMITATION FOR CONSTRUCTION OCCUPATIONS.—

“(A) IN GENERAL.—Subject to subparagraph (B), not more than 33 percent of the registered positions made available under paragraph (1) or (2) of subsection (g) for a year may be granted to perform work in a construction occupation.

“(B) MAXIMUM LEVEL.—Notwithstanding subparagraph (A), the number of registered positions granted to perform work in a construction occupation under subsection (g)(1) may not exceed 15,000 for a year and 7,500 for any 6-month period.

“(C) PROHIBITION FOR OCCUPATIONS WITH HIGH UNEMPLOYMENT.—

“(i) IN GENERAL.—A registered employer may not hire a certified alien for a registered position to perform work in a construction occupation if the unemployment rate for construction occupations in the corresponding occupational job zone in that metropolitan statistical area was more than 8½ percent.

“(ii) DETERMINATION OF UNEMPLOYMENT RATE.—The unemployment rate used in clause (i) shall be determined—

“(1) using the most recent survey taken by the Bureau; or

“(II) if a survey referred to in subclause (I) is not available, using a recent and legitimate private survey.

“(i) PORTABILITY.—A W nonimmigrant who is admitted to the United States for employment by a registered employer may—

“(1) terminate such employment for any reason; and

“(2) seek and accept employment with another registered employer in any other registered position within the terms and conditions of the W nonimmigrant's visa.

“(j) PROMOTION.—A registered employer may promote a W nonimmigrant if the W nonimmigrant has been employed with that employer for a period of not less than 12 months. Such a promotion shall not increase the total number of registered positions available to that employer.

“(k) PROHIBITION ON OUTPLACEMENT.—A registered employer may not place, outsource, lease, or otherwise contract for the services or placement of a W nonimmigrant employee with another employer if more than 15 percent of the employees of the registered employer are W nonimmigrants.

“(l) W NONIMMIGRANT PROTECTIONS.—

“(1) APPLICABILITY OF LAWS.—A W nonimmigrant shall not be denied any right or any remedy under Federal, State, or local labor or employment law that would be applicable to a United States worker employed in a similar position with the employer because of the alien's status as a nonimmigrant worker.

“(2) WAIVER OF RIGHTS PROHIBITED.—

“(A) IN GENERAL.—A W nonimmigrant may not be required to waive any substantive rights or protections under this Act.

“(B) CONSTRUCTION.—Nothing under this paragraph may be construed to affect the interpretation of any other law.

“(3) PROHIBITION ON TREATMENT AS INDEPENDENT CONTRACTORS.—

“(A) IN GENERAL.—Notwithstanding any other provision of law—

“(i) a W nonimmigrant is prohibited from being treated as an independent contractor under any Federal or State law; and

“(ii) no person, including an employer or labor contractor and any persons who are affiliated with or contract with an employer or labor contractor, may treat a W nonimmigrant as an independent contractor.

“(B) CONSTRUCTION.—Subparagraph (A) may not be construed to prevent registered employers who operate as independent contractors from employing W nonimmigrants.

“(4) PAYMENT OF FEES.—

“(A) IN GENERAL.—A fee related to the hiring of a W nonimmigrant required to be paid by an employer under this Act shall be paid by the employer and may not be deducted from the wages or other compensation paid to a W nonimmigrant.

“(B) EXCLUDED COSTS.—The cost of round trip transportation from a certified alien's home to the location of a registered position and the cost of obtaining a foreign passport are not fees required to be paid by the employer.

“(5) TAX RESPONSIBILITIES.—An employer shall comply with all applicable Federal, State, and local tax laws with respect to each W nonimmigrant employed by the employer.

“(6) PROHIBITED ACTIVITIES.—It shall be unlawful for an employer of a W nonimmigrant to intimidate, threaten, restrain, coerce, retaliate, discharge, or in any other manner, discriminate against an employee or former employee because the employee or former employee—

“(A) discloses information to the employer or any other person that the employee or former employee reasonably believes demonstrates a violation of this section; or

“(B) cooperates or seeks to cooperate in an investigation or other proceeding concerning compliance with the requirements of this section.

“(m) COMPLAINT PROCESS.—The Secretary shall establish a process for the receipt, investigation, and disposition of complaints by an aggrieved applicant, employee, or nonimmigrant (or a person acting on behalf of such applicant, employee, or nonimmigrant) with respect to—

“(1) the failure of a registered employer to meet a condition of this section; or

“(2) the lay off or nonhiring of a United States worker as prohibited under this section.

“(n) ENFORCEMENT.—

“(1) IN GENERAL.—The Secretary shall promulgate regulations for the receipt, investigation, and disposition of complaints by an aggrieved W nonimmigrant respecting a violation of this section.

“(2) FILING DEADLINE.—No investigation or hearing shall be conducted on a complaint concerning a violation under this section unless the complaint was filed not later than 6 months after the date of such violation.

“(3) REASONABLE BASIS.—The Secretary shall conduct an investigation under this subsection if there is reasonable basis to believe that a violation of this section has occurred. The process established under this subsection shall provide that, not later than 30 days after a complaint is filed, the Secretary shall determine if there is reasonable cause to find such a violation.

“(4) NOTICE AND HEARING.—

“(A) IN GENERAL.—Not later than 60 days after the Secretary makes a determination of reasonable basis under paragraph (3), the Secretary shall issue a notice to the interested parties and offer an opportunity for a hearing on the complaint, in accordance with section 556 of title 5, United States Code.

“(B) HEARING DEADLINE.—Not later than 60 days after the date of a hearing under this paragraph, the Secretary shall make a finding on the matter.

“(5) ATTORNEY'S FEES.—

“(A) AWARD.—A complainant who prevails in an action under this subsection with respect to a claim related to wages or compensation for employment, or a claim for a violation of subsection (1) or (m), shall be entitled to an award of reasonable attorney's fees and costs.

“(B) FRIVOLOUS COMPLAINTS.—A complainant who files a frivolous complaint for an improper purpose under this subsection shall be liable for the reasonable attorney's fees and costs of the person named in the complaint.

“(6) POWER OF THE SECRETARY.—The Secretary may bring an action in any court of competent jurisdiction—

“(A) to seek remedial action, including injunctive relief;

“(B) to recover the damages described in this subsection and subsection (o); or

“(C) to ensure compliance with terms and conditions described in subsection (1)(6).

“(7) OTHER RIGHTS OF EMPLOYEES.—The rights and remedies provided to W nonimmigrants under this section are in addition to any other contractual or statutory rights and remedies of the workers, and are not intended to alter or affect such rights and remedies.

“(o) PENALTIES.—

“(1) IN GENERAL.—If, after notice and an opportunity for a hearing, the Secretary finds a violation of this section, the Secretary may impose administrative remedies and penalties, including—

“(A) back wages;

“(B) benefits; and

“(C) civil monetary penalties.

“(2) CIVIL PENALTIES.—The Secretary may impose, as a civil penalty—

“(A) for a violation of this subsection—

“(i) a fine in an amount not more than \$2,000 per violation per affected worker and \$4,000 per

violation per affected worker for each subsequent violation;

“(ii) if the violation was willful, a fine in an amount not more than \$5,000 per violation per affected worker; and

“(iii) if the violation was willful and if in the course of such violation a United States worker was harmed, a fine in an amount not more than \$25,000 per violation per affected worker; or

“(B) for knowingly failing to materially comply with the terms of representations made in petitions, applications, certifications, or attestations under this section—

“(i) a fine in an amount not more than \$4,000 per aggrieved worker; and

“(ii) upon the occasion of a third offense of failure to comply with representations, a fine in an amount not to exceed \$5,000 per affected worker and designation as an ineligible employer, recruiter, or broker for purposes of any immigrant or nonimmigrant program.

“(3) CRIMINAL PENALTY.—Any person who knowingly misrepresents the number of full-time equivalent employees of an employer or the number of employees of a person who are United States workers for the purpose of reducing a fee under subsection (e)(6) or avoiding the limitation in subsection (e)(7), shall be fined in accordance with title 18, United States Code, in an amount up to \$25,000 or imprisoned not more than 1 year, or both.

“(p) MONITORING.—

“(1) REQUIREMENT TO MONITOR.—The Secretary shall monitor the movement of W nonimmigrants in registered positions through—

“(A) the Employment Verification System described in section 274A(d); and

“(B) the electronic monitoring system described in paragraph (2).

“(2) ELECTRONIC MONITORING SYSTEM.—

“(A) REQUIREMENT FOR SYSTEM.—The Secretary, through U.S. Citizenship and Immigration Services, shall implement an electronic monitoring system to monitor presence and employment of W nonimmigrants, including a requirement that registered employers update the system when W nonimmigrants start and end employment in registered positions.

“(B) SYSTEM DESCRIPTION.—Such system shall be modeled on the Student and Exchange Visitor Information System (SEVIS) and SEVIS II tracking system of U.S. Immigration and Customs Enforcement.

“(C) INTERACTION WITH REGISTRY.—Such system shall interact with the registry referred to in subsection (e)(1)(F) to ensure that the Secretary designates and updates approved registered positions as being filled or unfilled.”.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section (8 U.S.C. 1101 et seq.) is amended by adding after the item relating to section 219 the following:

“Sec. 220. Admission of W nonimmigrant workers.”.

**Subtitle H—Investing in New Venture, Entrepreneurial Startups, and Technologies**  
**SEC. 4801. NONIMMIGRANT INVEST VISAS.**

(a) INVEST NONIMMIGRANT CATEGORY.—Section 101(a)(15) (8 U.S.C. 1101(a)(15)), as amended by sections 2231, 2308, 2309, 3201, 4402, 4504, 4601, and 4702, is further amended by inserting after subparagraph (W) the following:

“(X) in accordance with the definitions in section 203(b)(6)(A), a qualified entrepreneur who has demonstrated that, during the 3-year period ending on the date on which the alien filed an initial petition for nonimmigrant status described in this clause—

“(i) a qualified venture capitalist, a qualified super angel investor, a qualified government entity, a qualified community development financial institution, qualified startup accelerator, or such other type of entity or investors, as determined by the Secretary, or any combination of

such entities or investors, has made a qualified investment or combination of qualified investments of not less than \$100,000 in total in the alien’s United States business entity; or

“(ii) the alien’s United States business entity has created no fewer than 3 qualified jobs and during the 2-year period ending on such date has generated not less than \$250,000 in annual revenue arising from business conducted in the United States; or”.

(b) ADMISSION OF INVEST NONIMMIGRANTS.—Section 214 (8 U.S.C. 1184), as amended by sections 3608, 4232, 4405, 4503, 4504, 4602, 4605, and 4606, is further amended by adding at the end the following:

“(aa) INVEST NONIMMIGRANT VISAS.—

“(1) DEFINITIONS.—The definitions in section 203(b)(6)(A) apply to this subsection.

“(2) INITIAL PERIOD OF AUTHORIZED ADMISSION.—The initial period of authorized status as a nonimmigrant described in section 101(a)(15)(X) shall be for an initial 3-year period.

“(3) RENEWAL OF ADMISSION.—Subject to paragraph (4), the initial period of authorized nonimmigrant status described in paragraph (2) may be renewed for additional 3-year periods if during the most recent 3-year period that the alien was granted such status—

“(A) the alien’s United States business entity has created no fewer than 3 qualified jobs and a qualified venture capitalist, a qualified super angel investor, a qualified government entity, a qualified community development financial institution, qualified startup accelerator, or such other type of entity or investors, as determined by the Secretary, or any combination of such entities or investors, has made a qualified investment or combination of qualified investments of not less than \$250,000 in total to the alien’s United States business entity; or

“(B) the alien’s United States business entity has created no fewer than 3 qualified jobs and, during the 2-year period ending on the date that the alien petitioned for an extension, has generated not less than \$250,000 in annual revenue arising from business conducted within the United States.

“(4) WAIVER OF RENEWAL REQUIREMENTS.—The Secretary may renew an alien’s status as a nonimmigrant described in section 101(a)(15)(X) for not more than 1 year at a time, up to an aggregate of 2 years if the alien—

“(A) does not meet the criteria under paragraph (3); and

“(B) meets the criteria established by the Secretary, in consultation with the Secretary of Commerce, for approving renewals under this subsection, which shall include a finding that—

“(i) the alien has made substantial progress in meeting such criteria; and

“(ii) such renewal is economically beneficial to the United States.

“(5) ATTESTATION.—The Secretary may require an alien seeking status as a nonimmigrant described in section 101(a)(15)(X) to attest, under penalty of perjury, that the alien meets the application criteria.

“(6) X-1 VISA FEE.—In addition to processing fees, the Secretary shall collect a \$1,000 fee from each nonimmigrant admitted under section 101(a)(15)(X). Fees collected under this paragraph shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.”.

**SEC. 4802. INVEST IMMIGRANT VISA.**

Section 203(b) (8 U.S.C. 1153(b)) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following:

“(6) INVEST IMMIGRANTS.—

“(A) DEFINITIONS.—In this paragraph, section 101(a)(15)(X), and section 214(s):

“(i) QUALIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term ‘qualified community development financial institution’ is defined as provided under section 1805.201 45D(c) of title 12, Code of Federal Regulations, or any similar successor regulations.

“(ii) QUALIFIED ENTREPRENEUR.—The term ‘qualified entrepreneur’ means an individual who—

“(I) has a significant ownership interest, which need not constitute a majority interest, in a United States business entity;

“(II) is employed in a senior executive position of such United States business entity;

“(III) submits a business plan to U.S. Citizenship and Immigration Services; and

“(IV) had a substantial role in the founding or early-stage growth and development of such United States business entity.

“(iii) QUALIFIED GOVERNMENT ENTITY.—The term ‘qualified government entity’ means an agency or instrumentality of the United States or of a State, local, or tribal government.

“(iv) QUALIFIED INVESTMENT.—The term ‘qualified investment’—

“(I) means an investment in a qualified entrepreneur’s United States business entity that is—

“(aa) a purchase from the United States business entity or equity or convertible debt issued by such entity;

“(bb) a secured loan;

“(cc) a convertible debt note;

“(dd) a public securities offering;

“(ee) a research and development award from a qualified government entity to the United States entity;

“(ff) other investment determined appropriate by the Secretary; or

“(gg) a combination of the investments described in items (aa) through (ff); and

“(II) may not include an investment from such qualified entrepreneur, the parents, spouse, son, or daughter of such qualified entrepreneur, or from any corporation, company, association, firm, partnership, society, or joint stock company over which such qualified entrepreneur has a substantial ownership interest.

“(v) QUALIFIED JOB.—The term ‘qualified job’ means a full-time position of a United States business entity owned by a qualified entrepreneur that—

“(I) is located in the United States;

“(II) has been filled for at least 2 years by an individual who is not the qualified entrepreneur or the spouse, son, or daughter of the qualified entrepreneur; and

“(III) pays a wage that is not less than 250 percent of the Federal minimum wage.

“(vi) QUALIFIED STARTUP ACCELERATOR.—The term ‘qualified startup accelerator’ means a corporation, company, association, firm, partnership, society, or joint stock company that—

“(I) is organized under the laws of the United States or any State and conducts business in the United States;

“(II) in the ordinary course of business, provides a program of training, mentorship, and logistical support to assist entrepreneurs in growing their businesses;

“(III) is managed by individuals, the majority of whom are citizens of the United States or aliens lawfully admitted for permanent residence;

“(IV)(aa) regularly acquires an equity interest in companies that participate in its programs, where the majority of the capital so invested is committed from individuals who are United States citizens or aliens lawfully admitted for permanent residence, or from entities organized under the laws of the United States or any State; or

“(bb) is an entity that has received not less than \$250,000 in funding from a qualified government entity or entities during the previous 5



years and regularly makes grants to companies that participate in its programs (in which case, such grant shall be treated as a qualified investment for purposes of clause (iv));

“(V) during the previous 5 years, has acquired an equity interest in, or, in the case of an entity described in subclause (IV)(bb), regularly made grants to, not fewer than 10 United States business entities that have participated in its programs and that have—

“(aa) each secured at least \$100,000 in initial investments; or

“(bb) during any 2-year period following the date of such acquisition, generated not less than \$500,000 in aggregate annual revenue within the United States;

“(VI) has its primary location in the United States; and

“(VII) satisfies such other criteria as may be established by the Secretary.

“(vii) **QUALIFIED SUPER ANGEL INVESTOR.**—The term ‘qualified super angel investor’ means an individual or organized group of individuals investing directly or through a legal entity—

“(I) each of whom is an accredited investor, as defined in section 230.501(a) of title 17, Code of Federal Regulations, or any similar successor regulation, investing the funds owned by such individual or organized group in a qualified entrepreneur’s United States business entity;

“(II)(aa) if an individual, is a citizen of the United States or an alien lawfully admitted for permanent residence; or

“(bb) if an organized group or legal entity, a majority of the individuals investing through such group or entity are citizens of the United States or aliens lawfully admitted for permanent residence; and

“(III) each of whom in the previous 3 years has made qualified investments in a total amount determined to be appropriate by the Secretary, that is not less than \$50,000, in United States business entities which are less than 5 years old.

“(viii) **QUALIFIED VENTURE CAPITALIST.**—The term ‘qualified venture capitalist’ means an entity—

“(I) that—

“(aa) is a venture capital operating company (as defined in section 2510.3-101(d) of title 29, Code of Federal Regulations (or any successor to such regulation)); or

“(bb) has management rights, as defined in, and to the extent required by, such section 2510.3-101(d) (or successor regulation), in its portfolio companies;

“(II) that has capital commitments of not less than \$10,000,000; and

“(III) the investment adviser, that is registered under the Investment Advisers Act of 1940 (15 U.S.C. 80b-2), for which—

“(aa) has its primary office location in the United States;

“(bb) is owned, directly or indirectly, by individuals, the majority of whom are citizens of the United States or aliens lawfully admitted for permanent residence in the United States;

“(cc) has been advising such entity or other similar funds or entities for at least 2 years; and

“(dd) has advised such entity or a similar fund or entity with respect to at least 2 investments of not less than \$500,000 made by such entity or similar fund or entity during each of the most recent 2 years.

“(ix) **SECRETARY.**—Except as otherwise specifically provided, the term ‘Secretary’ means the Secretary of Homeland Security.

“(x) **SENIOR EXECUTIVE POSITION.**—The term ‘senior executive position’ includes the position of chief executive officer, chief technology officer, and chief operating officer.

“(xi) **UNITED STATES BUSINESS ENTITY.**—The term ‘United States business entity’ means any corporation, company, association, firm, part-

nership, society, or joint stock company that is organized under the laws of the United States or any State and that conducts business in the United States that is not—

“(I) a private fund, as defined in 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2);

“(II) a commodity pool, as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a);

“(III) an investment company, as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a-3); or

“(IV) an issuer that would be an investment company but for an exemption provided in—

“(aa) section 3(c) of the Investment Company Act of 1940 (15 U.S.C. 80a-3(c)); or

“(bb) section 270.3a-7 of title 17 of the Code of Federal Regulations or any similar successor regulation.

“(B) **IN GENERAL.**—Visas shall be available, in a number not to exceed 10,000 for each fiscal year, to qualified immigrants seeking to enter the United States for the purpose of creating new businesses, as described in this paragraph.

“(C) **ELIGIBILITY.**—An alien is eligible for a visa under this paragraph if—

“(i)(I) the alien is a qualified entrepreneur;

“(II) the alien maintained valid nonimmigrant status in the United States for at least 2 years;

“(III) during the 3-year period ending on the date the alien files an initial petition for such status under this section—

“(aa)(AA) the alien has a significant ownership in a United States business entity that has created no fewer than 5 qualified jobs; and

“(BB) a qualified venture capitalist, a qualified super angel investor, a qualified government entity, a qualified community development financial institution, qualified startup accelerator, or such other entity or type of investors, as determined by the Secretary, or any combination of such entities or investors, has devoted a qualified investment or combination of qualified investments of not less than \$500,000 in total to the alien’s United States business entity; or

“(bb)(AA) the alien has a significant ownership interest in a United States business entity that has created no fewer than 5 qualified jobs; and

“(BB) during the 2-year period ending on such date has generated not less than \$750,000 in annual revenue within the United States; and

“(IV) no more than 2 other aliens have received nonimmigrant status under this section on the basis of an alien’s ownership of such United States business entity;

“(ii)(I) the alien is a qualified entrepreneur;

“(II) the alien maintained valid nonimmigrant status in the United States for at least 3 years prior to the date of filing an application for such status;

“(III) the alien holds an advanced degree in a field of science, technology, engineering, or mathematics, approved by the Secretary; and

“(IV) during the 3-year period ending on the date the alien files an initial petition for such status under this section—

“(aa)(AA) the alien has a significant ownership interest in a United States business entity that has created no fewer than 4 qualified jobs; and

“(BB) a qualified venture capitalist, a qualified super angel investor, a qualified government entity, a qualified community development financial institution, qualified startup accelerator, or such other entity or type of investors, as determined by the Secretary, or any combination of such entities or investors, has devoted a qualified investment or combination of qualified investments of not less than \$500,000 in total to the alien’s United States business entity; or

“(bb)(AA) the alien has a significant ownership interest in a United States business entity

that has created no fewer than 3 qualified jobs; and

“(BB) during the 2-year period ending on such date has generated not less than \$500,000 in annual revenue within the United States; and

“(V) no more than 3 other aliens have received nonimmigrant status under this section on the basis of an alien’s ownership of such United States business entity.

“(D) **ATTESTATION.**—The Secretary may require an alien seeking a visa under this paragraph to attest, under penalties of perjury, to the alien’s qualifications.”

#### SEC. 4803. ADMINISTRATION AND OVERSIGHT.

(a) **REGULATIONS.**—Not later than 16 months after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Commerce, the Administrator of the Small Business Administration, and other heads of other relevant Federal agencies and departments, shall promulgate regulations to carry out the amendments made by this subtitle. Such regulations shall ensure that such amendments are implemented in a manner that is consistent with the protection of national security and promotion of United States economic growth, job creation, and competitiveness.

(b) **MODIFICATION OF DOLLAR AMOUNTS.**—

(1) **IN GENERAL.**—The Secretary may from time to time prescribe regulations increasing or decreasing any dollar amount specified in section 203(b)(6) of the Immigration and Nationality Act, as added by section 4802, section 101(a)(15)(X) of such Act, as added by section 4801, or section 214(s), as added by section 4801.

(2) **AUTOMATIC ADJUSTMENT.**—Unless a dollar amount referred to in paragraph (1) is adjusted by the Secretary under paragraph (1), such dollar amount shall automatically adjust on January 1, 2016, by the percentage change in the Consumer Price Index (CPI-U) during fiscal year 2015, and on every fifth subsequent January 1 by the percentage change in the CPI-U during the previous 5 fiscal years, for any petition filed to classify an alien under this paragraph on or after the date of each automatic adjustment.

(c) **OTHER AUTHORITY.**—The Secretary, in the Secretary’s unreviewable discretion, may deny or revoke the approval of a petition seeking classification of an alien under paragraph (6) of section 203(b) of the Immigration and Nationality Act, as added by section 4802, or any other petition, application, or benefit based upon the previous or concurrent filing or approval of a petition for classification of an alien under such paragraph (6), if the Secretary determines, in the Secretary’s sole and unreviewable discretion, that the approval or continuation of such petition, application, or benefit is contrary to the national interest of the United States or for other good cause.

(d) **REPORTS.**—Once every 3 years, the Secretary shall submit to Congress a report on this subtitle and the amendments made by this subtitle. Each such report shall include—

(1) the number and percentage of entrepreneurs able to meet thresholds for nonimmigrant renewal and adjustment to green card status under the amendments made by this subtitle;

(2) an analysis of the program’s economic impact including job and revenue creation, increased investments and growth within business sectors and regions;

(3) a description and breakdown of types of businesses that entrepreneurs granted nonimmigrant or immigrant status are creating;

(4) for each report following the Secretary’s initial report submitted under this subsection, a description of the percentage of the businesses initially created by the entrepreneurs granted immigrant and nonimmigrant status under this



subtitle and the amendments made by this subtitle, that are still in operation; and

(5) any recommendations for improving the program established by this subtitle and the amendments made by this subtitle.

**SEC. 4804. PERMANENT AUTHORIZATION OF EB-5 REGIONAL CENTER PROGRAM.**

(a) **REPEAL.**—Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is repealed.

(b) **AUTHORIZATION.**—Section 203(b)(5) (8 U.S.C. 1153(b)(5)) is amended by adding at the end the following:

“(E) REGIONAL CENTER PROGRAM.—

“(i) **IN GENERAL.**—Visas under this paragraph shall be made available to qualified immigrants participating in a program implementing this paragraph that involves a regional center in the United States, which has been designated by the Secretary of Homeland Security, in consultation with the Secretary of Commerce, on the basis of a general proposal for the promotion of economic growth, including—

“(I) increased export sales;

“(II) improved regional productivity;

“(III) job creation; or

“(IV) increased domestic capital investment.

“(ii) **ESTABLISHMENT OF A REGIONAL CENTER.**—A regional center shall have jurisdiction over a defined geographic area, which shall be described in the proposal and consistent with the purpose of concentrating pooled investment in defined economic zones. The establishment of a regional center may be based on general predictions, contained in the proposal, concerning—

“(I) the kinds of commercial enterprises that will receive investments from aliens;

“(II) the jobs that will be created directly or indirectly as a result of such investments; and

“(III) other positive economic effects such as investments will have.

“(iii) **COMPLIANCE.**—In determining compliance with subparagraph (A)(ii), the Secretary of Homeland Security shall permit aliens admitted under the program described in this subparagraph to establish reasonable methodologies for determining the number of jobs created by the program, including jobs estimated to have been created indirectly through—

“(I) revenues generated from increased exports, improved regional productivity, job creation; or

“(II) increased domestic capital investment resulting from the program, including jobs created outside of the geographic boundary of the regional center as a result of the immigrant's investment in regional center-affiliated commercial enterprises.

“(iv) **INDIRECT JOB CREATION.**—The Secretary shall permit immigrants admitted under this paragraph to satisfy the requirements under subparagraph (A)(ii) with jobs that are estimated to be created indirectly through investment under this paragraph in accordance with this subparagraph.

“(F) **PREAPPROVAL OF BUSINESS PLANS FOR REGIONAL CENTER INVESTMENTS.**—

“(i) **PETITION.**—Before the filing of a petition under this subparagraph by an alien investor, a commercial enterprise affiliated with a regional center may file a petition with the Secretary of Homeland Security to preapprove a particular investment in the commercial enterprise, as provided in—

“(I) a business plan for a specific capital investment project;

“(II) investment documents, such as subscription, investment, partnership, and operating agreements; and

“(III) a credible economic analysis regarding estimated job creation that is based upon reasonable methodologies.

“(ii) **PREAPPROVAL PROCEDURE.**—The Secretary shall establish a process to facilitate the preapproval of business plans under this subparagraph related to investment in a regional center commercial enterprise, which shall include an opportunity for the applicant to address and cure any deficiencies identified by the Secretary in the applicant's business plan, investment documents, or statement regarding job creation prior to a final determination. The Secretary shall impose a fee for the use of the process described in this clause sufficient to recover the costs of its administration.

“(iii) **EFFECT OF PREAPPROVAL OF BUSINESS PLAN FOR INVESTMENT IN REGIONAL CENTER COMMERCIAL ENTERPRISE.**—The preapproval of a petition under this subparagraph shall be binding for purposes of the adjudication of petitions filed under this subparagraph by immigrants investing in the commercial enterprise unless the Secretary determines that there is evidence of fraud, misrepresentation, criminal misuse, a threat to national security, or other evidence affecting program eligibility that was not disclosed by the petitioner during the preapproval process.

“(iv) **EXPEDITED PROCESSING OPTION FOR ALIEN INVESTOR PETITIONS AFFILIATED WITH PREAPPROVED BUSINESS PLANS.**—The Secretary may establish a premium processing option for alien investors who are investing in a commercial enterprise that has received preapproval under this subparagraph and may impose a fee for the use of that option sufficient to recover all costs of the option.

“(v) **CONSIDERATION OF CRIMINAL ACTIVITY IN ESTABLISHING ELIGIBILITY CRITERIA.**—The Secretary shall consider the potential for fraud, misrepresentation, criminal misuse, and threats to national security in establishing eligibility criteria for any program the Secretary may establish under this subparagraph.

“(G) **REGIONAL CENTER FINANCIAL STATEMENTS.**—

“(i) **IN GENERAL.**—Each regional center designated under subparagraph (E) shall annually submit, to the Director of U.S. Citizenship and Immigration Services (referred to in this subparagraph as the ‘Director’), in a manner prescribed by the Secretary of Homeland Security, financial statements, including—

“(I) an accounting of all foreign investor money invested through the regional center; and

“(II) for each capital investment project—

“(aa) an accounting of the aggregate capital invested through the regional center or affiliated commercial enterprises by immigrants under this paragraph;

“(bb) a description of how such funds are being used to execute the approved business plan;

“(cc) evidence that 100 percent of such investor funds have been dedicated to the project;

“(dd) detailed evidence of the progress made toward the completion of the project;

“(ee) an accounting of the aggregate direct and indirect jobs created or preserved; and

“(ff) a certification by the regional center that such statements are accurate.

“(ii) **AMENDMENT OF FINANCIAL STATEMENTS.**—If the Director determines that a financial statement required under clause (i) is deficient, the Director may require the regional center to amend or supplement such financial statement.

“(iii) **SANCTIONS.**—

“(I) **EFFECT OF VIOLATION.**—If the Director determines, after reviewing the financial statements submitted under clause (i), that a regional center, director, or other individual involved with a regional center (other than an alien investor) has violated any requirement under clause (i) or that the regional center is conducting itself in a manner inconsistent with its designation, the Director may sanction the

violating entity or individual under subclause (II).

“(II) **AUTHORIZED SANCTIONS.**—The Director shall establish a graduated set of sanctions for violations referred to in subclause (I), including—

“(aa) fines equal to not more than 5 percent of the total capital invested by immigrant investors in the commercial enterprise's approved business plan;

“(bb) temporary suspension from participation in the program described in subparagraph (E), which may be lifted by the Director if the individual or entity cures the alleged violation after being provided such an opportunity by the Director;

“(cc) permanent bar from program participation for 1 or more individuals affiliated with the regional center; and

“(dd) termination of regional center status.

“(H) **BONA FIDES OF PERSONS INVOLVED IN REGIONAL CENTERS.**—

“(i) **IN GENERAL.**—No person shall be permitted by any regional center to be involved with the regional center as its principal, representative, administrator, owner, officer, board member, manager, executive, general partner, fiduciary, marketer, promoter, or other similar position of substantive authority for the operations, management or promotion of the regional center if the Secretary of Homeland Security—

“(I) determines such person has been found liable within the previous 5 years for any criminal or civil violation of any law relating to fraud or deceit, or at any time if such violation involved a criminal conviction with a term of imprisonment of at least 1 year or a criminal or civil violation of any law or agency regulation in connection with the purchase or sale of a security; or

“(II) knows or has reasonable cause to believe that the person is engaged in, has ever been engaged in, or seeks to engage in any—

“(aa) illicit trafficking in any controlled substance;

“(bb) activity relating to espionage or sabotage;

“(cc) activity related to money laundering (as described in section 1956 or 1957 of title 18, United States Code);

“(dd) terrorist activity (as defined in clauses (iii) and (iv) of section 212(a)(3)(B));

“(ee) human trafficking or human rights offense; or

“(ff) violation of any statute, regulation, or Executive Order regarding foreign financial transactions or foreign asset control.

“(i) **INFORMATION REQUIRED.**—The Secretary shall require such attestations and information, including, the submission of fingerprints to the Federal Bureau of Investigation, and shall perform such criminal record checks and other background checks with respect to a regional center, and persons involved in a regional center as described in clause (i), as the Secretary considers appropriate to determine whether the regional center is in compliance with clause (i). The Secretary may require the information and attestations described in this clause from such regional center, and any person involved in the regional center, at any time on or after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(iii) **TERMINATION.**—The Secretary is authorized, in his or her unreviewable discretion, to terminate any regional center from the program under this paragraph if he or she determines that—

“(I) the regional center is in violation of clause (i);

“(II) the regional center or any person involved with the regional center has provided

any false attestation or information under clause (ii);

“(III) the regional center or any person involved with the regional center fails to provide an attestation or information requested by the Secretary under clause (ii); or

“(IV) the regional center or any person involved with the regional center is engaged in fraud, misrepresentation, criminal misuse, or threats to national security.

“(I) REGIONAL CENTER COMPLIANCE WITH SECURITIES LAWS.—

“(i) CERTIFICATION REQUIRED.—The Secretary of Homeland Security shall not approve an application for regional center designation or regional center amendment that does not certify that the regional center and, to the best knowledge of the applicant, all parties to the regional center are in, and will maintain, compliance with the securities laws of the United States.

“(ii) TERMINATION OR SUSPENSION.—The Secretary shall terminate the designation of any regional center that does not provide the certification described in subclause (i) on an annual basis. In addition to any other authority provided to the Secretary regarding the regional center program described in subparagraph (E), the Secretary may, in his or her unreviewable discretion, suspend or terminate the designation of any regional center if he or she determines that the regional center or any party to the regional center—

“(I) is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction in connection with the purchase or sale of a security;

“(II) is subject to any final order of the Securities and Exchange Commission that—

“(aa) bars such person from association with an entity regulated by the Securities and Exchange Commission; or

“(bb) constitutes a final order based on violations in connection with the purchase or sale of a security; or

“(III) knowingly submitted or caused to be submitted a certification described in clause (i) that contained an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

“(iii) SAVINGS PROVISION.—Nothing in this subparagraph may be construed to impair or limit the authority of the Securities and Exchange Commission under the Federal securities laws.

“(iv) DEFINED TERM.—For the purpose of this subparagraph, the term ‘party to the regional center’ shall include the regional center, its agents, employees, and attorneys, and any persons in active concert or participation with the regional center.

“(J) DENIAL OR REVOCATION.—If the Secretary of Homeland Security determines, in his or her unreviewable discretion, that the approval of a petition, application, or benefit described in this subparagraph is contrary to the national interest of the United States for reasons relating to fraud, misrepresentation, criminal misuse, or threats to national security, the Secretary may deny or revoke the approval of—

“(i) a petition seeking classification of an alien as an alien investor under this paragraph;

“(ii) a petition to remove conditions under section 216A before granting lawful permanent resident status or any other petition, application, or benefit based upon the previous or concurrent filing or approval of a petition for classification of an alien under this paragraph; or

“(iii) an application for designation as a regional center.”

(C) ASSISTANCE BY THE SECRETARY OF COMMERCE.—

(I) IN GENERAL.—The Secretary of Commerce, upon the request of the Secretary, shall provide

consultation assistance for determining whether—

(A) a proposed regional center should be designated, terminated, or subject to other adjudicative action; or

(B) a petitioner or applicant for a benefit under section 203(b)(5) of the Immigration and Nationality Act, as amended by subsection (b), has met the requirements under such paragraph with respect to job creation.

(2) RULEMAKING.—The Secretary and the Secretary of Commerce may each adopt such rules and regulations as are necessary to carry out the consultation process provided for in paragraph (1).

(3) SAVINGS PROVISION.—Nothing in this subsection shall be construed to require consultation with the Secretary of Commerce to continue the designation of a regional center approved before the date of the enactment of this Act.

(d) EFFECTIVE DATE.—The amendments made by this section—

(1) shall be effective upon the enactment of this Act; and

(2) shall apply to—

(A) any application to designate a regional center, and any person involved with the regional center, that is pending or approved on or after the date of the enactment of this Act; and

(B) any regional center approved before the date of the enactment of this Act, on or after a delayed effective date that is 1 year after such date of enactment with respect to any person involved in the regional center on or after such delayed effective date.

#### **SEC. 4805. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN EMPLOYMENT-BASED IMMIGRANTS, SPOUSES, AND CHILDREN.**

(a) IN GENERAL.—Section 216A (8 U.S.C. 1186b) is amended to read as follows:

#### **“SEC. 216A. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN EMPLOYMENT-BASED IMMIGRANTS, SPOUSES, AND CHILDREN.**

“(a) IN GENERAL.—

“(1) CONDITIONAL BASIS FOR STATUS.—Notwithstanding any other provision of this Act, employment-based immigrants (as defined in subsection (f) (1) or (2)), alien spouses, and alien children (as defined in subsection (f)(3)) shall be considered, at the time of obtaining the status of an alien lawfully admitted for permanent residence, to have obtained such status on a conditional basis subject to the provisions of this section.

“(2) NOTICE OF REQUIREMENTS.—

“(A) AT TIME OF OBTAINING PERMANENT RESIDENCE.—At the time an employment-based immigrant, alien spouse, or alien child obtains permanent resident status on a conditional basis under paragraph (1), the Secretary of Homeland Security shall provide for notice to the alien, spouse, or child respecting the provisions of this section and the requirements of subsection (c)(1) to have the conditional basis of such status removed.

“(B) AT TIME OF REQUIRED PETITION.—In addition, the Secretary of Homeland Security shall attempt to provide notice to an employment-based immigrant, alien spouse, or alien child, at or about the beginning of the 90-day period described in subsection (d)(3), of the requirements of subsection (c)(1).

“(C) EFFECT OF FAILURE TO PROVIDE NOTICE.—The failure of the Secretary of Homeland Security to provide a notice under this paragraph shall not affect the enforcement of the provisions of this section with respect to an employment-based immigrant, alien spouse, or alien child.

“(b) TERMINATION OF STATUS IF FINDING THAT QUALIFYING EMPLOYMENT IMPROPER.—

“(1) ALIEN INVESTOR.—In the case of an alien investor with permanent resident status on a

conditional basis under subsection (a), if the Secretary of Homeland Security determines, before the second anniversary of the alien's obtaining the status of lawful admission for permanent residence, that—

“(A) the investment in the commercial enterprise was intended as a means of evading the immigration laws of the United States;

“(B)(i) the alien did not invest, or was not actively in the process of investing, the requisite capital; or

“(ii) the alien was not sustaining the actions described in clause (i) throughout the period of the alien's residence in the United States; or

“(C) subject to the exception in subsection (d)(4), the alien was otherwise not conforming to the requirements under section 203(b)(5), the Secretary shall so notify the alien investor and, subject to paragraph (3), shall terminate the permanent resident status of the alien (and the alien spouse and alien child) involved as of the date of the determination.

“(2) EMPLOYEE OF A FEDERAL NATIONAL SECURITY, SCIENCE, AND TECHNOLOGY LABORATORY, CENTER OR AGENCY.—In the case of an employee of a Federal national security, science, and technology laboratory, center, or agency (as defined pursuant to section 203(b)(2)(C)) with permanent resident status on a conditional basis under subsection (a), if the Secretary of Homeland Security, in consultation with the relevant employing department or agency, determines, before the first anniversary of the alien's obtaining the status of lawful admission for permanent residence, that—

“(A) the qualifying employment was intended as a means of evading the immigration laws of the United States;

“(B) the alien has not completed or is not likely to complete 12 months of qualifying continuous employment; or

“(C) the alien did not otherwise conform with the requirements of section 203(b)(2), the Secretary shall so notify the alien involved and, subject to paragraph (3), shall terminate the permanent resident status of the alien (and the alien spouse and alien child) involved as of the date of the determination.

“(3) HEARING IN REMOVAL PROCEEDING.—Any alien whose permanent resident status is terminated under paragraph (1) or (2) may request a review of such determination in a proceeding to remove the alien. In such proceeding, the burden of proof shall be on the Secretary of Homeland Security to establish, by a preponderance of the evidence, that a condition described in paragraph (1) or (2), as appropriate, is met.

“(c) REQUIREMENTS OF TIMELY PETITION AND INTERVIEW FOR REMOVAL OF CONDITION.—

“(1) IN GENERAL.—

“(A) PETITION AND INTERVIEW.—In order for the conditional basis established under subsection (a) for an employment-based immigrant, alien spouse, or alien child to be removed—

“(i) the employment-based immigrant shall submit to the Secretary of Homeland Security, during the period described in subsection (d)(3), a petition which requests the removal of such conditional basis and which states, under penalty of perjury, the facts and information described in paragraph (1) or (2) of subsection (d), as appropriate; and

“(ii) in accordance with subsection (d)(3), the employment-based immigrant must appear for a personal interview before an officer or employee of U.S. Citizenship and Immigration Services respecting such facts and information.

“(B) SEPARATE PETITION NOT REQUIRED.—An alien spouse or alien child shall not be required to file separate petitions under subparagraph (A)(i) if the employment-based immigrant's petition includes such alien spouse or alien child.

“(C) EFFECT ON SPOUSE OR CHILD.—If the alien spouse or alien child obtains permanent

residence on a conditional basis after the employment-based immigrant files a petition under subparagraph (A)(i)—

“(i) the conditional basis of the permanent residence of the alien spouse or alien child shall be removed upon approval of the employment-based immigrant’s petition under this subsection;

“(ii) the permanent residence of the alien spouse or alien child shall be unconditional if—

“(I) the employment-based immigrant’s petition is approved before the date on which the spouse or child obtains permanent residence; or

“(II) the employment-based immigrant dies after the approval of a petition under section 203(b)(5); and

“(iii) the alien child shall not be deemed ineligible for approval under section 203(b)(5) or removal of conditions under this section if the alien child reaches 21 years of age during—

“(I) the pendency of the employment-based immigrant’s petition under section 203(b)(5); or

“(II) conditional residency under such section.

“(D) ADDITIONAL FEE.—Notwithstanding any other provision under this section, the Secretary may require the employment-based immigrant to pay an additional fee for a petition filed under subparagraph (A)(i) that includes the alien’s spouse and child or children.

“(2) TERMINATION OF PERMANENT RESIDENT STATUS FOR FAILURE TO FILE PETITION OR HAVE PERSONAL INTERVIEW.—

“(A) IN GENERAL.—In the case of an alien with permanent resident status on a conditional basis under subsection (a), if—

“(i) no petition is filed with respect to the alien in accordance with the provisions of paragraph (1)(A); or

“(ii) unless there is good cause shown, the employment-based immigrant fails to appear at the interview described in paragraph (1)(B) (if required under subsection (d)(4)),

the Secretary of Homeland Security shall terminate the permanent resident status of the alien (and the alien’s spouse and children if it was obtained on a conditional basis under this section or section 216) as of the second anniversary of the alien’s lawful admission for permanent residence.

“(B) HEARING IN REMOVAL PROCEEDING.—In any removal proceeding with respect to an alien whose permanent resident status is terminated under subparagraph (A), the burden of proof shall be on the alien to establish compliance with the conditions of paragraphs (1)(A) and (1)(B).

“(3) DETERMINATION AFTER PETITION AND INTERVIEW.—

“(A) IN GENERAL.—If—

“(i) a petition is filed in accordance with the provisions of paragraph (1)(A); and

“(ii) the employment-based immigrant appears at any interview described in paragraph (1)(B), the Secretary of Homeland Security shall make a determination, not later than 90 days after the date of such filing or interview (whichever is later), as to whether the facts and information described in paragraph (1) or (2) of subsection (d), as appropriate, and alleged in the petition are true.

“(B) REMOVAL OF CONDITIONAL BASIS IF FAVORABLE DETERMINATION.—

“(i) HEADER.—If the Secretary of Homeland Security determines with respect to a petition filed by an alien investor that such facts and information are true, the Secretary shall so notify the alien investor and shall remove the conditional basis of the alien’s status effective as of the second anniversary of the alien’s lawful admission for permanent residence.

“(ii) REMOVAL OF CONDITIONAL BASIS FOR EMPLOYEE OF A FEDERAL NATIONAL SECURITY, SCIENCE, AND TECHNOLOGY LABORATORY, CENTER

OR AGENCY.—If the Secretary of Homeland Security determines with respect to a petition filed by an employee of a Federal national security, science, and technology laboratory, center, or agency that such facts and information are true, the Secretary shall so notify the alien and shall remove the conditional basis of the alien’s status effective as of the first anniversary of the alien’s lawful admission for permanent residence.

“(C) TERMINATION IF ADVERSE DETERMINATION.—If the Secretary of Homeland Security determines that such facts and information are not true, the Secretary shall so notify the alien involved and, subject to subparagraph (D), shall terminate the permanent resident status of an employment-based immigrant, alien spouse, or alien child as of the date of the determination.

“(D) HEARING IN REMOVAL PROCEEDING.—Any alien whose permanent resident status is terminated under subparagraph (C) may request a review of such determination in a proceeding to remove the alien. In such proceeding, the burden of proof shall be on the Secretary of Homeland Security to establish, by a preponderance of the evidence, that the facts and information described in subsection (d)(1) and alleged in the petition are not true.

“(d) DETAILS OF PETITION AND INTERVIEW.—

“(1) CONTENTS OF PETITION BY ALIEN INVESTOR.—Each petition filed by an alien investor under section (c)(1)(A) shall contain facts and information demonstrating that the alien—

“(A)(i) invested, or is actively in the process of investing, the requisite capital; and

“(ii) sustained the actions described in clause (i) throughout the period of the alien’s residence in the United States; and

“(B) except as provided in paragraph (4), is otherwise conforming to the requirements under section 203(b)(5).

“(2) CONTENTS OF PETITION BY EMPLOYEE OF A FEDERAL NATIONAL SECURITY, SCIENCE, AND TECHNOLOGY LABORATORY, CENTER, OR AGENCY.—Each petition under subsection (c)(1)(A) filed by an employee of a Federal national security, science, and technology laboratory, center, or agency shall contain facts and information demonstrating that the alien is conforming to the requirements of section 203(b)(2).

“(3) PERIOD FOR FILING PETITION.—

“(A) 90-DAY PERIOD BEFORE ANNIVERSARY.—Except as provided in subparagraph (B), the petition under subsection (c)(1)(A) must be filed as follows:

“(i) In the case of an alien investor, during the 90-day period before the second anniversary of the alien’s lawful admission for permanent residence.

“(ii) In the case of an employee of a Federal national security, science, and technology laboratory, center, or agency, during the 90-day period before the first anniversary of the alien’s lawful admission for permanent residence.

“(B) LATE PETITIONS.—Such a petition may be considered if filed after such date, but only if the alien establishes to the satisfaction of the Secretary of Homeland Security good cause and extenuating circumstances for failure to file the petition during the period described in subparagraph (A).

“(C) FILING OF PETITIONS DURING REMOVAL.—In the case of an alien who is the subject of removal hearings as a result of failure to file a petition on a timely basis in accordance with subparagraph (A), the Secretary of Homeland Security may stay such removal proceedings against an alien pending the filing of the petition under subparagraph (B).

“(4) PERSONAL INTERVIEW.—The interview under subsection (c)(1)(B) shall be conducted within 90 days after the date of submitting a petition under subsection (c)(1)(A) and at a local office of U.S. Citizenship and Immigration Serv-

ices, designated by the Secretary of Homeland Security, which is convenient to the parties involved. The Secretary, in the discretion of the Secretary, may waive the deadline for such an interview or the requirement for such an interview in such cases as may be appropriate.

“(5) SPECIAL RULE FOR ALIEN INVESTORS IN A REGIONAL CENTER.—Each petition under subsection (c)(1)(A) filed by an alien investor who invests in accordance with section 203(b)(5)(E) shall contain facts and information demonstrating that the alien is complying with the requirements under section 203(b)(5), except—

“(A) the alien shall not be subject to the requirements under section 203(b)(5)(A)(ii); and

“(B) the petition shall contain the most recent financial statement filed by the regional center in which the alien has invested in accordance with section 203(b)(5)(G).

“(e) TREATMENT OF PERIOD FOR PURPOSES OF NATURALIZATION.—For purposes of title III, in the case of an alien who is in the United States as a lawful permanent resident on a conditional basis under this section, the alien shall be considered to have been admitted as an alien lawfully admitted for permanent residence and to be in the United States as an alien lawfully admitted to the United States for permanent residence, if the alien has had the conditional basis removed pursuant to this section.

“(f) FRAUD, MISREPRESENTATION, CRIMINAL MISUSE, OR THREATS TO THE PUBLIC SAFETY OR NATIONAL SECURITY.—If the Secretary of Homeland Security determines, in his or her sole and unreviewable discretion, that the conditional permanent resident status granted to an employment-based immigrant under subsection (a), or to an alien researcher described in section 203(b)(2)(A)(ii) is contrary to the national interest of the United States for reasons relating to fraud, misrepresentation, criminal misuse, or threats to national security, the Secretary shall—

“(1) notify the immigrant involved of such determination; and

“(2) terminate the permanent resident status of the immigrant involved (and the alien spouse and alien children of such immigrant) as of the date of such determination.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘alien investor’ means an alien who obtains the status of an alien lawfully admitted for permanent residence (whether on a conditional basis or otherwise) under section 203(b)(5).

“(2) The term ‘alien spouse’ and the term ‘alien child’ mean an alien who obtains the status of an alien lawfully admitted for permanent residence (whether on a conditional basis or otherwise) by virtue of being the spouse or child, respectively, of an alien investor or an employee of a Federal national security, science, and technology laboratory, center, or agency.

“(3) The term ‘commercial enterprise’ includes a limited partnership.

“(4) The term ‘employment-based immigrant’ means an alien described in paragraph (1) or (5).

“(5) The term ‘employee of a Federal national security, science, and technology laboratory, center, or agency’ means an alien who obtains the status of an alien lawfully admitted for permanent residence (whether on a conditional basis or otherwise) under section 203(b)(2)(A)(ii).”.

(b) CONFORMING AMENDMENT.—Section 216(e) (8 U.S.C. 1186a(e)) is amended by inserting before the period at the end the following: “, if the alien has had the conditional basis removed pursuant to this section”.

(c) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 216A and inserting the following:

"Sec. 216A. Conditional permanent resident status for certain employment-based immigrants, spouses, and children."

#### SEC. 4806. EB-5 VISA REFORMS.

(a) ALIENS NOT SUBJECT TO DIRECT NUMERICAL LIMITATION.—Section 201(b)(1) (8 U.S.C. 1151(b)(1)), as amended by sections 2103(c)(2), 2212(d)(2), 2307(b), and 2402, is further amended by adding at the end the following:

"(P) Aliens who are the spouse or a child of an alien admitted as an employment-based immigrant under section 203(b)(5)."

(b) TECHNICAL AMENDMENT.—Section 203(b)(5), as amended by this Act, is further amended by striking "Attorney General" each place it appears and inserting "Secretary of Homeland Security".

(c) TARGETED EMPLOYMENT AREAS.—

(1) IN GENERAL.—Section 203(b)(5)(B) (8 U.S.C. 1153(b)(5)(B)) is amended to read as follows:

"(B) SET-ASIDE FOR TARGETED EMPLOYMENT AREAS.—

"(i) IN GENERAL.—Not fewer than 5,000 of the visas made available under this paragraph in each fiscal year shall be reserved for qualified immigrants who invest in a new commercial enterprise described in subparagraph (A), which—

"(I) is investing such capital in a targeted employment area; and

"(II) will create employment in such targeted employment area.

"(ii) DURATION OF HIGH UNEMPLOYMENT AND POVERTY AREA DESIGNATION.—A designation of a high unemployment or poverty area as a targeted employment area shall be valid for 5 years and may be renewed for additional 5-year periods if the area continues to meet the definition of a high unemployment or poverty area. An investor who has made the required amount of investment in such a targeted employment area during its period of designation shall not be required to increase the amount of investment based upon expiration of the designation."

(d) ADJUSTMENT OF MINIMUM EB-5 INVESTMENT AMOUNT.—Section 203(b)(5)(C)(i) (8 U.S.C. 1153(b)(5)(C)(i)) is amended—

(1) by striking "The Attorney General" and inserting "The Secretary of Commerce";

(2) by striking "Secretary of State" and inserting "Secretary of Homeland Security"; and

(3) by adding at the end the following: "Unless adjusted by the Secretary of Commerce, the amount specified in this clause shall automatically adjust, on January 1, 2016, by the percentage change in the Consumer Price Index (CPI-U) during fiscal year 2015, and on every fifth subsequent January 1 by the cumulative percentage change in the CPI-U during the previous 5 fiscal years, for any petition filed to classify an alien under this paragraph on or after the date of each automatic adjustment."

(e) DEFINITIONS.—

(1) IN GENERAL.—Section 203(b)(5) (8 U.S.C. 1153(b)(5)), as amended by subsections (b) and (c) and section 4804, is further amended—

(A) by striking subparagraph (D) and inserting the following:

"(D) CALCULATION OF FULL-TIME EMPLOYMENT.—Job creation under this paragraph may consist of employment measured in full-time equivalents, such as intermittent or seasonal employment opportunities and construction jobs. A full-time employment position is not a requirement for indirect job creation."; and

(B) by adding at the end the following:

"(K) DEFINITIONS.—In this paragraph:

"(i) The term 'capital' means all real, personal, or mixed assets, whether tangible or intangible, owned or controlled by the investor, or held in trust for the benefit of the investor, to which the investor has unrestricted access, which shall be valued at fair market value in United States dollars, in accordance with Gen-

erally Accepted Accounting Principles, at the time it is invested under this paragraph.

"(ii) The term 'full-time employment' means employment in a position that requires at least 35 hours of service per week, regardless of how many employees fill the position.

"(iii) The term 'high unemployment and poverty area' means—

"(I) an area consisting of a census tract or contiguous census tracts that has an unemployment rate that is at least 150 percent of the national average unemployment rate and includes at least 1 census tract with 20 percent of its residents living below the poverty level as determined by the Bureau of the Census; or

"(II) an area that is within the boundaries established for purposes of a Federal or State economic development incentive program, including areas defined as Enterprise Zones, Renewal Communities, Promise Zones, and Empowerment Zones.

"(iv) The term 'rural area' means—

"(I) any area other than an area within a metropolitan statistical area or within the outer boundary of any city or town having a population of 20,000 or more (based on the most recent decennial census of the United States); or

"(II) any city or town having a population of fewer than 20,000 (based on the most recent decennial census of the United States) that is located within a State having a population of fewer than 1,500,000 (based on the most recent decennial census of the United States).

"(v) The term 'targeted employment area' means a rural area or a high unemployment and poverty area."

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to any application for a visa under section 203(b)(5) of the Immigration and Nationality Act that is filed on or after the date that is 1 year after the date of the enactment of this Act.

(f) AGE DETERMINATION FOR CHILDREN OF ALIEN INVESTORS.—Section 203(h) (8 U.S.C. 1153(h)) is amended by adding at the end the following:

"(5) AGE DETERMINATION FOR CHILDREN OF ALIEN INVESTORS.—An alien admitted under subsection (d) as a lawful permanent resident on a conditional basis as the child of an alien lawfully admitted for permanent residence under subsection (b)(5), whose lawful permanent resident status on a conditional basis is terminated under section 216A, shall continue to be considered a child of the principal alien for the purpose of a subsequent immigrant petition by such alien under subsection (b)(5) if the alien remains unmarried and the subsequent petition is filed by the principal alien not later than 1 year after the termination of conditional lawful permanent resident status. No alien shall be considered a child under this paragraph with respect to more than 1 petition filed after the alien's 21st birthday."

(g) ENHANCED PAY SCALE FOR CERTAIN FEDERAL EMPLOYEES ADMINISTERING THE EB-5 PROGRAM.—The Secretary may establish, fix the compensation of, and appoint individuals to, designated critical administrative, technical, and professional positions needed to administer sections 203(b)(5) and 216A of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5) and 1186b).

(h) DELEGATION OF CERTAIN EB-5 AUTHORITY.—

(1) IN GENERAL.—The Secretary of Homeland Security may delegate to the Secretary of Commerce authority and responsibility for determinations under sections 203(b)(5) and 216A (with respect to alien entrepreneurs) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5) and 1186a), including determining whether an alien has met employment creation requirements.

(2) REGULATIONS.—The Secretary of Homeland Security and the Secretary of Commerce may each adopt such rules and regulations as are necessary to carry out the delegation authorized under paragraph (1), including regulations governing the eligibility criteria for obtaining benefits pursuant to the amendments made by this section.

(3) USE OF FEES.—Adjudication fees described in section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)) shall remain available until expended to reimburse the Secretary of Commerce for the costs of any determinations made by the Secretary of Commerce under paragraph (1).

(i) CONCURRENT FILING OF EB-5 PETITIONS AND APPLICATIONS FOR ADJUSTMENT OF STATUS.—Section 245 (8 U.S.C. 1255), as amended by section 4237(b), is further amended—

(1) in subsection (k), in the matter preceding paragraph (1), by striking "or (3)" and inserting "(3), (5), or (7)"; and

(2) by adding at the end the following:

"(o) At the time a petition is filed for classification under section 203(b)(5), if the approval of such petition would make a visa immediately available to the alien beneficiary, the alien beneficiary's application for adjustment of status under this section shall be considered to be properly filed whether the application is submitted concurrently with, or subsequent to, the visa petition."

#### SEC. 4807. AUTHORIZATION OF APPROPRIATIONS.

(a) FUNDING.—There are authorized to be appropriated from the Trust Fund established under section 6(a) such sums as may be necessary to carry out sections 1110, 2101, 2104, 2212, 2213, 2221, 2232, 3301, 3501, 3502, 3503, 3504, 3505, 3506, 3605, 3610, 4221, and 4401 of this Act.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to this section shall remain available until expended unless otherwise specified in this Act.

#### Subtitle I—Student and Exchange Visitor Programs

#### SEC. 4901. SHORT TITLE.

This subtitle may be cited as the "Student Visa Integrity Act".

#### SEC. 4902. SEVIS AND SEVP DEFINED.

In this subtitle:

(1) SEVIS.—The term "SEVIS" means the Student and Exchange Visitor Information System of the Department of Homeland Security.

(2) SEVP.—The term "SEVP" means the Student and Exchange Visitor Program of the Department of Homeland Security.

#### SEC. 4903. INCREASED CRIMINAL PENALTIES.

Section 1546(a) of title 18, United States Code, is amended by striking "10 years" and inserting "15 years (if the offense was committed by an owner, official, employee, or agent of an educational institution with respect to such institution's participation in the Student and Exchange Visitor Program), 10 years".

#### SEC. 4904. ACCREDITATION REQUIREMENT.

Section 101(a)(52) (8 U.S.C. 1101(a)(52)) is amended to read as follows:

"(52) Except as provided in section 214(m)(4), the term 'accredited college, university, or language training program' means a college, university, or language training program that is accredited by an accrediting agency recognized by the Secretary of Education."

#### SEC. 4905. OTHER ACADEMIC INSTITUTIONS.

Section 214(m) (8 U.S.C. 1184(m)) is amended by adding at the end the following:

"(3) The Secretary of Homeland Security shall require accreditation of an academic institution (except for seminaries or other religious institutions) for purposes of section 101(a)(15)(F) if—

"(A) that institution is not already required to be accredited under section 101(a)(15)(F)(i); and

"(B) an appropriate accrediting agency recognized by the Secretary of Education is able to provide such accreditation.

“(4) The Secretary of Homeland Security, in the Secretary’s discretion, may waive the accreditation requirement in section 101(a)(15)(F)(i) with respect to an accredited college, university, or language training program if the academic institution—

“(A) is otherwise in compliance with the requirements of such section; and

“(B) is, on the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, a candidate for accreditation or, after such date, has been a candidate for accreditation for at least 1 year and continues to progress toward accreditation by an accreditation agency recognized by the Secretary of Education.”.

**SEC. 4906. PENALTIES FOR FAILURE TO COMPLY WITH SEVIS REPORTING REQUIREMENTS.**

Section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372) is amended—

(1) in subsection (c)(1)—

(A) by striking “institution,” each place it appears and inserting “institution,”; and

(B) in subparagraph (D), by striking “and” at the end;

(2) in subsection (d)(2), by striking “fails to provide the specified information” and all that follows and inserting “does not comply with the reporting requirements set forth in this section, the Secretary of Homeland Security may—

“(A) impose a monetary fine on such institution in an amount to be determined by the Secretary; and

“(B) suspend the authority of such institution to issue a Form I-20 to any alien.”.

**SEC. 4907. VISA FRAUD.**

(a) **IMMEDIATE WITHDRAWAL OF SEVP CERTIFICATION.**—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)) is amended—

(1) in paragraph (1)(A), by striking “institution,” and inserting “institution,”; and

(2) by adding at the end the following:

“(3) **EFFECT OF REASONABLE SUSPICION OF FRAUD.**—If the Secretary of Homeland Security has reasonable suspicion that an owner of, or a designated school official at, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program has committed fraud or attempted to commit fraud relating to any aspect of the Student and Exchange Visitor Program, or if such owner or designated school official is indicted for such fraud, the Secretary may immediately—

“(A) suspend such certification without prior notification; and

“(B) suspend such official’s or such school’s access to the Student and Exchange Visitor Information System (SEVIS).”.

(b) **EFFECT OF CONVICTION FOR VISA FRAUD.**—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended by subsection (a), is further amended by adding at the end the following:

“(5) **PERMANENT DISQUALIFICATION FOR FRAUD.**—A designated school official at, or an owner of, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program who is convicted for fraud relating to any aspect of the Student and Exchange Visitor Program shall be permanently disqualified from filing future petitions and from having an ownership interest or a management role (including serving as a principal, owner, officer, board member, general partner, designated school official, or any other position of substantive authority for the operations or management of the institution) in any United States educational institution that enrolls nonimmigrant alien students described in subparagraph (F) or (M) of

section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).”.

**SEC. 4908. BACKGROUND CHECKS.**

(a) **IN GENERAL.**—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)), as amended by section 4907 of this Act, is further amended by adding at the end the following:

“(6) **BACKGROUND CHECK REQUIREMENT.**—

“(A) **IN GENERAL.**—An individual may not serve as a designated school official or be granted access to SEVIS unless the individual is a national of the United States or an alien lawfully admitted for permanent residence and during the most recent 3-year period—

“(i) the Secretary of Homeland Security has—

“(I) conducted a thorough background check on the individual, including a review of the individual’s criminal and sex offender history and the verification of the individual’s immigration status; and

“(II) determined that the individual—

“(aa) has not been convicted of any violation of United States immigration law; and

“(bb) is not a risk to the national security of the United States; and

“(ii) the individual has successfully completed an on-line training course on SEVP and SEVIS, which has been developed by the Secretary.

“(B) **INTERIM DESIGNATED SCHOOL OFFICIAL.**—

“(i) **IN GENERAL.**—An individual may serve as an interim designated school official during the period that the Secretary is conducting the background check required by subparagraph (A)(i)(I).

“(ii) **REVIEWS BY THE SECRETARY.**—If an individual serving as an interim designated school official under clause (i) does not successfully complete the background check required by subparagraph (A)(i)(I), the Secretary shall review each Form I-20 issued by such interim designated school official.

“(7) **FEE.**—The Secretary is authorized to collect a fee from an approved school for each background check conducted under paragraph (6)(A)(i). The amount of such fee shall be equal to the average amount expended by the Secretary to conduct such background checks.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date that is 1 year after the date of the enactment of this Act.

**SEC. 4909. REVOCATION OF AUTHORITY TO ISSUE FORM I-20 OF FLIGHT SCHOOLS NOT CERTIFIED BY THE FEDERAL AVIATION ADMINISTRATION.**

Immediately upon the enactment of this Act, the Secretary shall prohibit any flight school in the United States from accessing SEVIS or issuing a Form I-20 to an alien seeking a student visa pursuant to subparagraph (F)(i) or (M)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) if the flight school has not been certified to the satisfaction of the Secretary and by the Federal Aviation Administration pursuant to part 141 or part 142 of title 14, Code of Federal Regulations (or similar successor regulations).

**SEC. 4910. REVOCATION OF ACCREDITATION.**

At the time an accrediting agency or association is required to notify the Secretary of Education and the appropriate State licensing or authorizing agency of the final denial, withdrawal, suspension, or termination of accreditation of an institution pursuant to section 496 of the Higher Education Act of 1965 (20 U.S.C. 1099b), such accrediting agency or association shall notify the Secretary of Homeland Security of such determination and the Secretary of Homeland Security shall immediately withdraw the school from the SEVP and prohibit the school from accessing SEVIS.

**SEC. 4911. REPORT ON RISK ASSESSMENT.**

Not later than 180 days after the date of the enactment of this Act, the Secretary shall sub-

mit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that contains the risk assessment strategy that will be employed by the Secretary to identify, investigate, and take appropriate action against schools and school officials that are facilitating the issuance of Form I-20 and the maintenance of student visa status in violation of the immigration laws of the United States.

**SEC. 4912. IMPLEMENTATION OF GAO RECOMMENDATIONS.**

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that describes—

(1) the process in place to identify and assess risks in the SEVP;

(2) a risk assessment process to allocate SEVP’s resources based on risk;

(3) the procedures in place for consistently ensuring a school’s eligibility, including consistently verifying in lieu of letters;

(4) how SEVP identified and addressed missing school case files;

(5) a plan to develop and implement a process to monitor State licensing and accreditation status of all SEVP-certified schools;

(6) whether all flight schools that have not been certified to the satisfaction of the Secretary and by the Federal Aviation Administration have been removed from the program and have been restricted from accessing SEVIS;

(7) the standard operating procedures that govern coordination among SEVP, Counterterrorism and Criminal Exploitation Unit, and U.S. Immigration and Customs Enforcement field offices; and

(8) the established criteria for referring cases of a potentially criminal nature from SEVP to the counterterrorism and intelligence community.

**SEC. 4913. IMPLEMENTATION OF SEVIS II.**

Not later than 2 years after the date of the enactment of this Act, the Secretary shall complete the deployment of both phases of the second generation Student and Exchange Visitor Information System (commonly known as “SEVIS II”).

AMENDMENT NO. 1183

Mr. LEAHY. Mr. President, I call up my amendment No. 1183, which is at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY] proposes an amendment numbered 1183.

Mr. LEAHY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To encourage and facilitate international participation in the performing arts)

At the end of subtitle D of title IV, add the following:

**SEC. 4416. INTERNATIONAL PARTICIPATION IN THE PERFORMING ARTS.**

Section 214(c)(6)(D) (8 U.S.C. 1184(c)(6)(D)) is amended—

(1) in the first sentence, by inserting “(i)” before “Any person”;

(2) in the second sentence—

(A) by striking “Once” and inserting “Except as provided in clause (ii), once”; and

(B) by striking "Attorney General shall" and inserting "Secretary of Homeland Security shall";

(3) in the third sentence, by striking "The Attorney General" and inserting "The Secretary"; and

(4) by adding at the end the following:

"(i) The Secretary of Homeland Security shall adjudicate each petition for an alien with extraordinary ability in the arts (as described in section 101(a)(15)(O)(i)), an alien accompanying such an alien (as described in clauses (ii) and (iii) of section 101(a)(15)(O)), or an alien described in section 101(a)(15)(P) (other than an alien described in paragraph (4)(A) (relating to athletes)) not later than 14 days after—

"(I) the date on which the petitioner submits the petition with a written advisory opinion, letter of no objection, or request for a waiver; or

"(II) the date on which the 15-day period described in clause (i) has expired, if the petitioner has had an appropriate opportunity to supply rebuttal evidence.

"(iii) If a petition described in clause (ii) is not adjudicated before the end of the 14-day period described in clause (i) and the petitioner is an arts organization described in paragraph (3), (5), or (6) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code for the taxable year preceding the calendar year in which the petition is submitted, or an individual or entity petitioning primarily on behalf of such an organization, the Secretary of Homeland Security shall provide the petitioner with the premium processing services referred to in section 286(u), without a fee."

Mr. LEAHY. Mr. President, I note that amendment is on behalf of Senator HATCH and myself.

Mr. REED. Mr. President, I ask through the Chair if the Senator from Vermont would yield for the purpose of a unanimous consent request.

Mr. LEAHY. I will yield for that purpose.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 953

Mr. REED. Mr. President, July 1 is less than 3 weeks away, and unless Congress acts, the interest rate on need-based student loans will double from 3.4 percent to 6.8 percent, making college more expensive for more than 7 million students across the Nation. Therefore, I ask unanimous consent that at a time to be determined by the majority leader, following consultation with the Republican leader, the Senate proceed to the immediate consideration of Calendar No. 74, S. 953, the Student Loan Affordability Act; that the bill be read a third time, the Senate proceed to vote on passage of the bill, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. COBURN. Mr. President, reserving the right to object, I appreciate the intent of my colleague and that he

wants to try to solve this problem. As he knows, several of us have another proposal. What I suggest is that we compromise on the President's proposal. It is a combination, it is a hybrid, and the President is trying to address this matter.

Rather than us having dueling unanimous consent requests and playing the political game, I propose that we need to solve the problem. I would be happy to work with the Senator to try to bring the President's proposal to the Senate, which does fix this permanently. It fixes it for all of the loans, not just 40 percent of the loans, and it gives people certainty.

If my colleague hasn't yet seen the CBO's accounting today, it shows that there are no savings in this; rather, there is a cost. No matter whose program it is, there is a cost, and this is on accurate accounting. This should give us all pause to try to fix this for the long term.

I object to the Senator's unanimous consent but would offer a unanimous consent for the President's proposal or work with my colleague to try to get us to a point where we can solve this problem for those who are in the student loan program.

The PRESIDING OFFICER. The objection is heard.

Mr. REED. Mr. President, I certainly respect my colleague's words about working together. I think we have to work together. I also respect the fact that he has made a proposal and the President has made a proposal. In my mind, both proposals fall very short on several issues. First, they use a baseline rate of the 10-year T-bill, which we have not generally used before for setting student loan interest rates. There is no cap on either proposal. One of the advantages the President's proposal has, I will admit, is income-based repayment. So I have serious reservations about both proposals.

I think the issue that faces us now is when we talk about trying to create a long-term solution, it is not just about structuring interest rates, it is also about refinancing loans that exist today and those that may come due in the future. Student loan debt is one of the greatest hindrances to young people today and ultimately to our economy in terms of buying homes and doing the things we expect college graduates could do before they turn 30—things that are going to be put on hold because they are paying off huge debts.

The other thing we have to do is look at the structure of costs for colleges and the extraordinary growth in college costs.

So rather than simply saying we fix the problem by going to a higher market rate, which, by the way, will cost all borrowers, particularly low- and middle-income borrowers, significantly more money—that is not fixing the

problem. In many cases, it is creating a new set of problems. It will saddle present students with higher interest payments and higher loans. In the long run, it will not deal with this crushing debt that already exists for those people who have been borrowing.

I recognize that we have to work together. My concern is one of calendar. We have less than 3 weeks. There is no doubt that we are going to be on the floor with this very important historic immigration bill for all of those 3 weeks. I don't think we will have the time to fashion a balanced approach for all of these different issues, bring it to the floor, and have the kind of vigorous debate that is very important.

So I clearly recognize that we need long-term solutions, but what we don't need to do is double interest rates on students. It is going to immediately impact families across this Nation.

Again, the Senator has been very forthright but also thoughtful in terms of making a proposal. We disagree, but he has come to the floor with a long-term solution. I believe we have to work toward a long-term solution. My sense is that it will not be done in 3 weeks. It cannot possibly even get to the floor. Even if we came to a meeting of the minds, there is always a possibility that one or two of our colleagues will say: I have a different approach, and therefore we won't have the procedural means to reach the floor.

So I am actually asking simply to let us have the time to work thoughtfully on a bipartisan basis to craft not a solution to a rate issue but a comprehensive approach to the issues that burden every family in this country, which include, how do I afford college? What do the colleges do to make it more affordable? What do we do to make loans be more consistent with market rates but with protections for borrowers?

On a final point, I was in law school and had the benefit of Federal assistance. In 1981 market-based rates under the Republican proposal would have reached about 17 percent. With the cost of college now, I cannot imagine borrowing that kind of money at a 17-percent fixed-interest rate. Students would be financially flattened before they got their degree.

Again, I appreciate the objection. The objection has been made, and I thank the Presiding Officer.

Mr. LEAHY. Mr. President, I believe I still have the floor.

Mr. COBURN. Mr. President, I ask if the Senator would mind yielding to me before I go to my next meeting. I will only take 3 or 4 minutes.

Mr. LEAHY. Mr. President, I will yield to the Senator for that purpose without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oklahoma.

Mr. COBURN. We are going to borrow \$1.6 trillion over the next 10 years to



fund student loans. The differential between what that costs the Treasury and what somebody pays—we are going to have subsidies in this no matter what. The question is, How much are the subsidies? We are talking about subsidized student loans, but all of these end up with a cap of 8.25 percent when the student loans are consolidated, which all of them are. We can have an income-based repayment plan, but there is still a cap when a student ultimately gets through school.

The whole purpose behind this is to get some long-term plan so we can control the cost. If, in fact, we have 3.4 percent and the rates go to that, that means the average American taxpayer is subsidizing at 14 percent of that cost.

I agree with the Senator that we, in fact, need to fix the cost drivers in a collegiate education, but one of the cost drivers is us. Senator ALEXANDER and Senator HARKIN have major bills on both of those. I agree that we are not going to get that debate done. I do think we can come to a compromise between what we have proposed and what the President proposed and what the Senator from Rhode Island is proposing that will solve the long-term problem. A 2-year extension doesn't do us any good, and it only does 40 percent. The cost the Senator outlined is a subscription to Netflix at \$14 a month. That is the cost differential between my colleague's bill and what we are proposing. Somewhere in between there has to be a compromise.

My colleague from Rhode Island has my commitment that I will work with him to do that. If we—myself, Senator ALEXANDER, Senator BURR, the Senator from Rhode Island, and those on the Democratic side—can forge something out in the next 3 weeks, we are more than happy to do it.

I yield the floor, and I thank the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I appreciate the comments from the Senator from Oklahoma. As far as the legislation that has been passed by the House Republicans, we know that for the 4 years of borrowing at the maximum loan amounts, for students entering college in 2018 and 2019, it would be \$5,650 more. Whatever subsidy we are giving, those families are going to see \$5,650 more in costs to their student loans. I am told the Senate Republican version would increase costs, versus current rates, by \$6,700.

So talking about the subsidies we are giving and not giving disguises the fact that if we don't act by July 1, we are going to see students over the next several years increasing their debt, not decreasing it and not even holding it constant.

The other remarkable thing is that we score things based on budget CBO scoring. I am also informed that based

upon the cost of borrowing, the Federal Government and their lending—they are making billions of dollars a year now on student loans. It is a profit center for the Federal Government. And, indeed, in looking at the 10-year projections for the bill that I believe was submitted by my Republican colleagues, there is a projected \$15.6 billion in additional savings or income to the Federal Government.

We are in this irony where students are now going to be contributing billions of dollars to deficit reduction, weapons platforms, and other programs, but the reality they are going to see is that this mountain of debt they have today is much higher. Too many of them will not be able to climb it, and too many others won't even begin the trip. It will result in an economy that is underperforming and potential students who don't go to college, and therefore their income will be a fraction of what it would be, and in the long run our economy will suffer grievously. Again, these are extraordinarily complicated, challenging, interrelated, and difficult issues.

I would like to believe we could get this done in 3 weeks. With the 100 Senators who are with us, the possibility of getting anything done in 3 weeks is virtually nil.

I thank the chairman from Vermont, and I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, on amendment No. 1183, I ask unanimous consent that the distinguished senior Senator from Utah, Mr. HATCH, be a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I will speak on this amendment at greater length just before the vote. It makes a small but important improvement in the processing of visas that are required by foreign performing artists before performing in American orchestras and other arts organizations. It has to be processed in a timely way.

We have had instances where orchestras, for example, in this country have had the privilege of having a visiting artist, maybe the best in their field—violinist, pianist, or whatever else—but the process of getting a visa is slowed up. Yet they plan performances on a certain date. This measure was included in the comprehensive immigration bills of 2006 and 2007 but not enacted. This would not give an automatic visa to these artists but simply says their application, instead of being in the bottom of the pile, would be considered in a timely fashion.

On another matter, as we get into this debate, I have defended the First Amendment, American's right to speak. I have done it even when people have said things about me that I wish they didn't. But I also have a right as

a Senator to comment on such speech. I saw a couple of paid political advertisements today in Politico, one that personally attacks Senator RUBIO and the other directly attacks the Senators who drafted the legislative proposal before us, four Republicans and four Democrats. The attacks are so far off the mark. They have a right to make the attacks, and certainly the publication has the right to print them. I would suggest that something this far out of line, this completely unfair type of attack, doesn't do anything to help the public debate we are having.

We had a debate with the 18 members of the Senate Judiciary Committee and had before us some 300 amendments, passed 141, including second-degree amendments, and we did it in a respectful way. Both Republican and Democratic amendments came up. In some areas we had major disagreements among the members, but we did it respectfully and did not impugn the motives of people on either side. I would say this kind of personal insult, this level of discourse, is not conducive to real debate. It helps neither side. It helps neither side.

I don't think this is a time for name-calling. Let's work together. We know the immigration system we now have in this country is not adequate for the needs of the country or the people in this country. So let's stop the name calling. Let's stop the false accusations. I say this in defense of Senator RUBIO, as well as all members of the Gang of 8, the four Republicans and four Democrats named in these ads. Let's work together to have a better debate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1195

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the pending amendment be set aside to call up amendment No. 1195.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY], for himself, and Mr. BLUNT, proposes an amendment numbered 1195.

Mr. GRASSLEY. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:



(Purpose: To prohibit the granting of registered provisional immigrant status until the Secretary has maintained effective control of the borders for 6 months)

On page 855, strike line 24 and all that follows through page 856, line 9, and insert the following:

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—Not earlier than the date upon which the Secretary has submitted to Congress a certification that the Secretary has maintained effective control of the Southern border for a period of not less 6 months, the Secretary may commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act.

Mr. GRASSLEY. Mr. President, this amendment is the first of many that will improve the bill and do what the American people expect us to do.

The American people are being asked to accept a legalization program and, in exchange for that—and that is a very compassionate approach—we would be assured and the American people would be assured that the laws were going to be enforced. But as we read the details of the bill, it is clear the approach taken is to legalize first and enforce later.

My amendment would fundamentally change that. The amendment now pending would require the Secretary to certify to Congress that the Secretary has maintained effective control over the entire southern border for 6 months before proceeding and processing applications for registered provisional immigration status. It is a commonsense approach: Border security first. Legalize second.

To summarize, the bill requires the Secretary of Homeland Security, within 6 months that a bill is signed into law, to submit a “comprehensive southern border security strategy” as well as another plan called the “southern border fencing strategy.”

After those so-called plans are submitted to Congress, the Secretary can start processing applications to legalize the 12 million people who are in the United States. The result is that those who are undocumented would become legal after a mere plan is submitted—not even considering if the plan will work.

There are two major flaws. The first is, Why do we need legislation to have the Secretary submit a border security strategy? Isn't that already the Secretary's responsibility? Do we really need to pass a law to tell her to do her job? We shouldn't have to.

This is a reminder of what comes up in my town meetings in the State of Iowa. I have had 73 of those in the 99 counties already. When I start, somebody will ask me about immigration. So I try to give them an update on where we are on the immigration legislation and what I believe about it. But invariably, without a doubt, somebody, before I start to explain, says, We don't

need any more legislation. All we have to do is enforce what is already on the books and we wouldn't have a problem. So that gets kind of back to the point: Why do we need more plans? Isn't it the Secretary's responsibility already to enforce the law?

Second, the bill would start legalization even if the Secretary's strategies are flawed and inadequate. What if this Secretary isn't committed to fencing? What if this Secretary believes the border is more secure than ever? Well, in fact, Secretary Napolitano told the committee she thought our borders were secure. That ought to concern all of us, and for sure we couldn't sell that proposition to some of the people who come to my town meetings in Iowa.

RPI status is more than probation. RPI status is legalization. Once a person gets RPI, they get the freedom to live in the United States. They can travel, work, and benefit from everything our country offers. RPI status is de facto permanent legalization. We all know it will never be taken away. Given the history of these types of programs, we know it will never end.

My amendment improves the trigger and fulfills the wishes of the American people: Secure the borders. My amendment ensures the border is secured before one person gets legal status under this act.

If we pass the bill as is, there will be no pressure on this administration or any future administration to secure the borders. There will be no push by the legalization advocates to get that job done. We need to work together to secure the border first, including Members of Congress, members of the administration, business leaders, union leaders, and advocates for all kinds of immigration people. We need to be in the same boat to push for secure borders. But if we have legalization before we know the border is secure, then we break up and balkanize the advocates for immigration reform and the promise that goes with it of border security. So we need to secure the border for several reasons so we are not back in the same position 20 years from now. We need to protect U.S. sovereignty. We need to protect homeland security and improve national security.

There are a variety of threats to our border. There are potential terrorists and transnational criminals. Foreign nationals use the porous border to import threatening goods such as weapons of mass destruction, illegal drugs, contraband, counterfeit products, and other products meant to harm Americans or hurt our economy.

Under my amendment the Secretary would have to prove that we have “effective control”—and I have not changed that definition of “effective control;” it is as defined in the bill—and to do it for at least 6 months before applications for RPI status are processed.

I agree with at least one of the authors of this bill. If this border security title is not improved, this bill does not stand a chance of making it all the way to the President of the United States.

My amendment is this very necessary first step of fixing this issue.

People do not trust the government will get this right or that this administration is dedicated to securing the border. We do not need a new bill to do that. All we need to do is prove to the American people that we are sincere and we will secure the border. That is what is promised by the authors. I do not doubt their good intentions. But when you have a plan submitted, and that is the basis for legalization, it seems to me we ought to have proof that the border is secure. So let's wait until the border is secure and then legalize.

I thank the chairman for the courtesy of offering this first amendment. Also, the chairman was not here when I spoke yesterday, but I said that he promised an open and transparent process in committee, and we had that transparent, open process, and I thank the chairman for doing that and seeing that it was done. I hope that process can continue on the floor.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Vermont.

Mr. LEAHY. Madam President, I appreciate the words of my friend of decades, the Senator from Iowa. He and I worked very closely to have an open and transparent process. Whether we agreed or disagreed on an issue, we tried to move it on. After all, it worked better that way because of the 18 members of the committee, we were the two who had to spend the most time during it.

Mr. GRASSLEY. All the time.

Mr. LEAHY. All the time. I appreciate working with him. We were able to pretty well decide when matters would come up and make sure that both Republicans and Democrats had a chance to bring up all their amendments, and we adopted 136 or so amendments, including second-degree amendments, and all but one or two of them were bipartisan votes. I appreciate what he said and I enjoyed working with him on that.

I will have more to say at another time about his amendment. But I just note for the past several days Senators have been discussing the immigration bill, and I am glad the Senate has now turned to actually consider it. We have had a lot of talk about getting to it, including, of course, the time spent in the Judiciary Committee.

I intend to file a handful of amendments to the bill today, and I would encourage others to do the same so we can get to work without further delay.

The bipartisan immigration bill is a measure the Senate should come together on to pass. We should send to

the House the best bill we can, and I think the large majority of Senators want to do that.

We should do what is right, what is fair, and what is just. The House has to consider comprehensive immigration reform legislation without any further delay.

This year one of the most important bills we enacted into law was the Violence Against Women Reauthorization Act. From the outset I worked with my Republican colleague Senator CRAPO to develop that legislation in a bipartisan way. We called in Senators from both sides of the aisle. We had cosponsors from both parties. We took suggestions and amendments from both Democrats and Republicans. Then we built a majority of Senators in support.

I worked very hard to keep that as a bipartisan issue when, frankly, we had some on both sides of the aisle who wanted to make it a partisan issue.

Last year we were able to have our bill considered. It passed the Senate with 68 votes—obviously, a bipartisan majority. Parenthetically, I would note that yesterday we passed the farm bill with fewer votes than that, but the New York Times described that farm bill, and rightly so, as having “overwhelming bipartisan support.”

In fact, last fall, when the House of Representatives would not take up our VAWA legislation—the violence against women legislation—we redoubled our efforts during the lameduck session. We had many meetings in my office between Republicans and Democrats to find where we could go. We then reintroduced our bill with some modifications at the beginning of this year.

I sought to make it our first legislative priority of the new Congress. With the strong support and leadership of the majority leader Senator REID, the Senate turned to it, we considered it, and we passed it as one of our very first legislative matters in February. We actually passed it with an even stronger bipartisan majority this year than last, although many of those who now oppose immigration reform continued voting against reauthorizing the Violence Against Women Act. But we passed a strong, principled, bipartisan bill.

I had people urge me to abandon my efforts in the Violence Against Women Act to protect all victims. I was glad to see they were proven wrong. I was told repeatedly that the House of Representatives would never consider, let alone pass, our bill that provided fairness for gay and lesbian victims and that we would never be able to provide meaningful protections for Native American women being brutalized by non-Indians on reservations.

But I said from my own experience early as a prosecutor and since as chairman of the Judiciary Committee: A victim is a victim is a victim. When

I would go to crime scenes, I never heard a police officer, who would see a victim of violence against women, say: Wait a minute. Before we can get involved, is this victim gay or straight? Is this victim Native American? They said a victim is a victim is a victim, and let us see what we can do to protect not only this person but others.

In spite of all the dire predictions and political naysayers, our bipartisan group of Senators stuck to our principles. The Senate stood firm. We did the right thing.

What happened then? How were we able to enact this bill into law?

The American people spoke up. They supported our bill. They demanded action. There were some Republican Members of the House, such as TOM COLE of Oklahoma, who knew the right thing to do and were willing to say they wanted to do it. Then more and more House Republicans came around to our view.

The House, to its credit, changed its stance and considered our bill. They passed it with no changes whatsoever—exactly as it came out of the Senate—and it is now law.

I was proud to stand with President Obama on March 7 in an emotional ceremony in which he thanked legislators from both sides of the aisle for protecting all victims of domestic violence and human trafficking.

Relevant to the pending immigration bill, there was one piece of the original Leahy-Crapo VAWA bill that was requested by law enforcement to help immigrant victims of violence. We sought to increase U visas for abused immigrant women so they could be protected and help law enforcement go after their abusers.

So often immigrant women are afraid to go and report their abusers because they think they themselves may be deported. In fact, we have had evidence and testimony that people are being abused. If they are immigrants, they are told: If you report what I am doing to you, I will get you deported.

That provision had a technical budget affect that last year the House used as an excuse not to consider our bill.

I promised at the beginning of this year that I would continue fighting to enact that measure. We would take it out of the VAWA bill to avoid the technicality of having it blocked by the House, but I never forgot that. I never forgot my promise to those immigrant women. I am happy to report that these important U visas are now part of comprehensive immigration reform legislation before us.

I tell this history because some have argued the Senate immigration reform bill has to be undermined from what we brought out of committee. We have to do that to conform to demands intended to appease some in the House Republican majority. I disagree. I disagree. Just as we did not back off on

VAWA, I say: Do not do it now. Let's consider not a partisan reason, but let's consider America. The Senate should pass the best bill for the economy, for our families, and for our Nation. We should do what we think is right.

The House of Representatives is clearly in a different place than those who support the Senate bill. Just last Thursday House Republicans voted to end President Obama's administrative program to help DREAMers, the Deferred Action for Childhood Arrivals Program, until such time as we can pass the DREAM Act.

The DREAM Act is in our Senate immigration reform bill. It recognizes that young people here without fault of their own, who are in school or in the military, and in good standing should not be deported because they are undocumented. They are Americans. They should be part of this Nation's future.

Senator DURBIN—I am so proud of him for this—has been right to fight for them, as he has for years. He is a national voice for those who want the DREAM Act to pass. Senator DURBIN has insisted on the DREAM Act being included in our legislation, and President Obama was right today to highlight the achievements and contributions these young people make to our country and will continue to make if the bill becomes law.

Should we now abandon them? Should we say let's just strike those measures from the Senate bill because Representative KING of Iowa and other House Republicans do not like them? Of course not. The Senate is a separate body—100 people to represent over 300 million Americans—and we should be the conscience of our Nation. That means the Senate should do what is right if we are to reflect the conscience of the Nation.

I am inspired by the young DREAMers I have met over the last several years and by the courageous testimony of Jose Antonio Vargas and Gaby Pacheco during our hearings this year.

Our bill should include the DREAM Act, just as we should protect and include the fair but tough pathway to citizenship included in the bill reported by the Senate Judiciary Committee.

These provisions are the core of our bill. Let's not start negotiating against ourselves. Let's not start backing off what we came together to pass. The vote by the Republicans in the House of Representatives to prevent DREAMers from being able to stay in the United States is not the example that the Senate should follow, especially if we really want to be the conscience of the Nation.

A few days ago the New York Times had a lead editorial that accurately describes where we are. It cautions against making bad modifications to the bill. It urges bipartisanship and

courage and that we stand up to bad politics and bad policy. I hope the Senate will heed this call.

I ask unanimous consent that a copy of this past Sunday's editorial be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 8, 2013]

#### IMMIGRATION HEADWINDS

(By the Editorial Board)

The bipartisan immigration bill that passed the Senate Judiciary Committee last month is now being sent to meet its fate on the Senate floor. While its chances of passage there look promising, there remains much uncertainty about how much—and how badly—the bill will be changed in the coming three weeks of debate.

The bill is imperfect as it is, adding too many layers of border enforcement and too many obstacles on its overlong path to citizenship. But at least it has a path, one that gives 11 million people a reasonable chance to get on the right side of the law. Democratic leaders and the bipartisan coalition that brought the bill this far need to stand firm to protect its carefully drawn compromises and to ensure that its irreplaceable core—the citizenship path—survives.

We know how opponents view the bill—as an irredeemable “amnesty” measure—and some of the ways they will try to kill it. Senator Jeff Sessions, a Republican of Alabama, began the barrage early, with a long floor speech on Friday full of dire warnings and outright falsehoods. For instance, he accused the Obama administration of failing to enforce existing immigration laws, saying that “virtually no one is being deported,” which would no doubt surprise a million-and-a-half deportees. He complained that the bill didn't do enough at the border, even though it lavishes billions of dollars on border drones and troops on top of decades' worth of existing militarization. As *The Times* reported on Friday, defense contractors are slaving over immigration reform as the best thing for their bottom lines since Iraq.

Mr. Sessions may be outnumbered, but he does have allies. Senator John Cornyn of Texas last week proposed a toxic amendment that would have required drastic and unachievable new border-security benchmarks to be met before a single person could be legalized. That would essentially kill reform, which, to be successful, depends on bringing millions of people into the legal immigration system, not on shutting them out from it indefinitely. Mr. Cornyn's strategy is one way to make the bill fail; there are many others.

One issue in dispute is the earned-income tax credit, one of the most effective means to lift people out of poverty and a perennial target for Republicans. Some Republicans are insisting that people legalized under the bill should not qualify for the credit. That would severely strain the fragile finances of many immigrants who are going to have to pay \$2,000 each in penalties to get green cards and citizenship. Preserving the credit for all legal immigrants is crucial for fairness and keeping families out of destitution.

As the Senate debates these and other points in this crucial-but-vulnerable bill, we can only hope that bipartisanship and courage will prevail and that opponents and skeptics finally recognize the cost of failure.

Many Republicans still don't see the political recklessness of killing reform that most

Americans support. If the Republican Party doesn't care about destroying its viability with a generation of Hispanic voters, why should anyone else?

But there is also the danger that the bill's supporters, desperate to pass something, will be too willing to yield to the die-hard obstructionists and accept compromises that warp the bill beyond recognition or usefulness.

The perils in the House are already evident, even if a solid bill is approved in the Senate. The House has its own bipartisan group working on a bill, but it has immigration dead-enders, too. One of them, Representative Steve King of Iowa, recently offered a spiteful amendment to a homeland security financing bill that would effectively kill the Obama administration's program that halts deportations of blameless young immigrants known as Dreamers. The amendment passed, sending an unsettling message about the depth of House Republican resistance to reform.

The House battle will be fought later this summer. This month, the reform leaders in the Senate will have to stand up against bad politics and bad policy for a bill that could change this country.

Mr. LEAHY. Madam President, over the past weekend, I was happy to hear from my neighboring State of New Hampshire that Senator AYOTTE pledged her support to this bipartisan legislation. I know how much I appreciated working with her and Senator SHAHEEN earlier this year to get the Leahy-Crapo Violence Against Women Act reauthorized. Senator AYOTTE, of course, was an important leader in her caucus on that bipartisan bill. I hope and expect she will be on the bipartisan immigration bill as well, especially since it also contains several protections for victims of domestic violence and human trafficking.

Just this morning the President of the United States spoke to all of us in this country, to all of America, about the need for Congress to pass comprehensive immigration reform. He called our commonsense bipartisan bill the best chance we have had in years to fix the broken immigration system. He urged us to do the right thing and do it now. He was joined by a cross-section of distinguished Americans, Democrats and Republicans alike, from DREAMers to former President Bush administration officials to business leaders and law enforcement representatives and clergy and laymen. It was interesting to see the coalition that oftentimes will not stand together on an issue or be opposed to each other standing together in unity on this issue.

I know I am meeting later this week with the President along with a bipartisan group of Senators so we can work together to pass comprehensive immigration reform. I would encourage him to keep on speaking about this because there are Senators in both parties who want real immigration reform.

Because it is an important economic issue, it is also a civil rights issue. It is an issue of fundamental fairness. It speaks to where we are as a nation.

The other day when I was speaking about this bill, and they referenced the fact that—something I never expected when I came to the Senate—I have become the President pro tempore of the Senate. It means I have been here a long time.

The distinguished Presiding Officer that day, the Acting President pro tempore, a colleague of ours, she herself is an immigrant. She came to this country with her mother. She has explained that they had all of their possessions in one suitcase. Her mother was fleeing an abusive spouse and came to this country. Now that mother's daughter is a Senator.

I think of my wife. She was born in this country, but her parents came here from Canada speaking a different language and became very successful in their careers, helped employ a lot of people in our State of Vermont. My maternal grandparents came from Italy not speaking the language, had a business, employed a lot of people, became a very important part of our country. Their children, one became the highest decorated pilot in World War II, other distinguished careers, one, of course, I am closest to is my mother.

I remember her pride and my father's pride when they saw their son, one generation removed, become a Senator. Well, there is going to be success stories all over this country if we stand for true immigration reform, if we make it possible for people of different backgrounds and different races, different cultures to come here and make this country a better country. They speak of us as being the melting pot but the melting pot that brings about a wonderful combination. We see that in a nation—not a nation of such unity of thought and religion and politics and appearance that becomes bland and not vibrant. Instead, we are a country of different cultures and languages and backgrounds, and we all become Americans. The sum of the whole is greater than the parts. We are a better country for it.

So if we stand together, if we stay true to our values and agreements, I believe we can pass legislation that will be a continuing renewal of our spirit, our creativity, our vitality as a nation, which upholds our great traditions and compassion in humanity as a welcoming nation. That is what I believe the Senate should do, what I believe our ancestors should have done, I believe generations before us that made this a great country should have done, and I believe we will be a better country if we will because of the people who have become citizens in this country.

I look forward to the day when we come together, we 100 Senators come together and pass a bill that reflects the conscience of our Nation, the conscience of the Senate, a bill that will make us all proud and America proud.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, let me first recognize the incredible work of the distinguished chairman of the Judiciary Committee who worked through a very open, transparent, fair process that led to 130-some-odd amendments being considered and voted upon, in many cases adopted, and almost all of them adopted, from what I understand, many of them bipartisan.

I think even those who oppose immigration reform acknowledge the chairman's evenhandedness and his willingness to have an open and free debate. That got us to where we are today. So he has my appreciation and my admiration for the way in which he conducted that process that brings us to today.

As a member of the Senate bipartisan Gang of 8, I believe we come to this floor if not in complete harmony, at least on the same sheet of music with a very solid legislative process. Let me take this opportunity to thank our staffs who have worked extraordinarily hard to put all of the pieces of this bill together and make this day possible.

You know, Senator SCHUMER calls Leon Fresco his genius. I like to think of my counsel, Kerri Talbot, as the conscience of the Gang of 8. I want to thank Kerri for her dedication, for always believing that if we put our heads in the yoke and pull hard enough we could pull our plow all of the way to a workable compromise, and we have.

I want to thank all of those other staffers who put in so many hours and who will no doubt put in many more until this bill is passed and put on the President's desk.

This bill before us is the essence of compromise. During this long process, no one in the Gang of 8 got everything they wanted. But everyone got a workable bill worthy of support. That is the very definition in my mind of compromise. We did what we were elected to do. That is democracy in action. We may not all agree all the time, but all of us were elected to govern, and the hard work of compromise is the only way to get things done in a democracy.

We all bring certain core principles to our job. Those are the things we should not compromise. But there is a difference between compromising your principles and compromising on issues. It is not about holding out for political or ideological gain but letting your core principles guide you to a compromise that benefits the Nation. We were all elected. It is up to all of us to govern together.

So I urge my colleagues to stand with us on this comprehensive reform package that is so critical to the national security of the United States, to the national economy of the United States, and to preserve our values as a nation of immigrants. Let's come to-

gether as we have in the Gang of 8 and give every American what they have been asking for, which is a way to fix our broken immigration system.

Now, we need to know who is here to pursue the American dream versus who is here to do it harm. That is what immigration reform will do. It will bring people out of the shadows, into the light, and they will have to register with the government, go through a criminal background check, pay taxes, learn English, and go to the back of the line after all of those who are waiting under the existing system so that they would be processed first. So they are not going to break into the line and get to the top of the line.

It is not only in the national security interests of the United States, it is in the economic interests of the United States to harness the economic power of millions of new Americans. Let's be honest with ourselves about who these new Americans are. If you had fruit for breakfast this morning, it was probably picked in the hot sun by an immigrant worker with a bent back and sunburned skin.

If you had chicken for dinner last night, it was probably plucked by the calloused, cut-up hands of an immigrant worker. If you have someone in your family who is infirm and needs constant care, chances are, it is an immigrant worker who works the third shift to attend to their needs with a warm heart and steady hand.

If you are wondering who is spurring American innovation, chances are it is an immigrant high-tech, startup entrepreneur who, according to the National Venture Capital Association, has started 25 percent of public U.S. companies backed by venture capital investors. In fact, as of 2010 nearly one-fifth, 18 percent, of all Fortune 500 companies had at least one founder who was an immigrant. That is who the new Americans are. You know it, I know it. Immigrant workers have been there every day working hard, providing services, an integral part of our economy in tourism and farming and the restaurant industry, in small businesses and high-tech startups. The simple fact is immigration reform is good for our economy.

We want to be sure every American who wants to work hard at any job has the opportunity in America to do it first. We also do not want to exploit an underclass in America that would suppress all wages of workers in the economy. And if, in fact, you have an underclass of undocumented individuals who can be exploited, and very often are very much exploited, you create a system in which you suppress the wages of all workers. Eliminating that is an opportunity to ensure that wages rise.

The fact is that immigration reform will increase tax revenue. As we can see from this chart, as a direct result

of this legislation, we will increase tax revenues over 10 years by \$109 billion. That is \$69 billion in Federal revenue and \$40 billion in badly needed increases in revenue to the States.

Our second chart shows cumulative economic gains over 10 years after passage of this legislation. Look at these numbers. Just look at them. Fixing the broken immigration system would increase America's GDP, its gross domestic product, by \$832 billion over the next 10 years.

It will increase wages of all Americans by \$470 billion over 10 years, and it will increase the number of jobs created in America by 121,000 per year. Immigrants will start small businesses, and they will create jobs for all American workers. In fact, small businesses owned by immigrants employed an estimated 4.7 million people in 2007 and created more than \$776 billion in revenue annually.

I ask my colleagues, knowing we have a broken immigration system, knowing millions of families are in the shadows, knowing we have to address this problem now, can we, in good conscience, afford not to pass a bill that would increase GDP over 10 years by \$832 billion? Really, can we? Can we afford not to pass a bill that will increase wages of all Americans by \$470 billion? Can we afford not to pass a bill that will create 121,000 jobs every year for the next 10 years, 1.2 million more jobs in the next decade, because we had the wisdom and the will to act?

Immigrants have been a silent force on this economy, working in the shadows. It is time to bring them into the light. It is time to harness that economic power. They are working hard providing services, working in every industry at every level, even sacrificing their lives to serve in our military.

In wave after wave, season after season, immigrants have been the backbone of the agricultural industry, willing to work the fields and pull the crops that feed our families. That work is being done by immigrant workers, and God bless them for their willingness to do it.

God bless men such as LCpl Jose Gutierrez, who was not even a citizen of the United States when he became the first American soldier to die in Iraq. He wore the uniform of this Nation. He was willing to do battle for this Nation. He died on behalf of the country. He was not, although he aspired to be, even a citizen of the United States.

Let's send a message to every American to stand with us on immigration reform in memory of LCpl Jose Gutierrez and every soldier like him. Let's send a message that no longer will immigrant families be separated from loved ones. No longer will U.S. citizens and lawful permanent residents be caught up in immigration raids and detained unlawfully in violation of their

constitutional rights simply because of the way they look, the way they speak, or the color of their skin.

We have many cases of U.S. citizens and legal permanent residents who have been unlawfully detained in immigration raids until their citizenship was established or their permanent residency was established. Who among us in this Chamber would be willing to be a second-class citizen in this country? I don't know about others, but right now I have nothing in my possession that says I am a U.S. citizen. I am not carrying my passport. I was born in the United States, but I don't carry my birth certificate. I certainly don't expect to be stopped because, as some said in this Chamber in 2007, I am one of those people—one of those people—that I am different, that I am somehow not American.

We know the history of this Nation. History has taught us when there is a story of one group of people becoming a suspect class, when one group of people is blamed for all the ills of the Nation, that story always has a sad ending. We cannot let that happen again in the greatest country on the face of the Earth.

As the son of Cuban-American immigrants growing up in Union City, I understand too many families have waited too long for commonsense immigration reform, too long to have the chance to raise their hands, take the oath, and say they "will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic," and "bear true faith and allegiance to the same."

Too many have waited too long to say those words that will change their lives. They changed my mother's life and, in turn, changed mine, giving me the chance to stand here today, one of 100 U.S. Senators, one of eight who has spent months negotiating a very tough but fair proposal to fix our broken immigration system.

I know what is at stake. We know what is at stake. We have lived it, and we see it every day. I believe we can finally say today there is some light at the end of the long dark tunnel that has been before us.

This bill represents a lot of hard work. It is the essence of compromise. We have come a long way in the Gang of 8, but there is still a long way to go.

Are there legitimate amendments that can improve this bill? Of course. Are there still those who would amend this bill solely to undermine immigration reform? Absolutely. They may cloak their words in suggesting they want to see reform, but the reality is they are dead set against it. Are there those who still decry this as amnesty? We hear it every day. We have already heard it in this debate. Some of these roles are being reprised from 2007. Every day they are still wrong and could not be more wrong.

Amnesty means you did something wrong and are forgiven without having to make yourself right. This bill is certainly not amnesty. This bill says you must make yourself right by registering with the government, going through criminal background checks, and if you are a criminal, or you are found to be a criminal under that background check, you will get deported, as you should. It says you have to pay taxes, you have to learn English, and you have to wait your turn and go to the back of the line.

Are there those who think we have not done enough to control the border? Yes, there are those voices, even though we have included \$6.5 billion to increase technology and finish the job. We have already started to secure our borders, even though the border provisions of this bill were largely written by Senators representing border States. They live it with every day. They had some of the biggest input in the Gang of 8 to say this is what we feel we need to deal with border security—so much so, on these provisions and with these dollars, that the New York Times reported on Friday that defense contractors favor immigration reform because of what we have included for border security. The facts are clear. The truth is here for all to see.

Let me show you our next chart.

Since 1986, spending on border security has increased. As you can see from this chart, immigration enforcement spending, adjusted to 2012 dollars, has dramatically increased over the last 26 years, over two decades. Border spending has gone from \$1.2 billion in 1986 to \$6.2 billion in the year 2002, peaking in 2009 at \$20 billion annually. We are increasing it again in this legislation by over \$6.5 billion. That is more than four times as much as 2002 and more than 20 times as much border spending as in 1986. No one can say we have neglected border security in this bill.

Here is another chart to put it in a different context. Let's put this in this context. When we look at spending, as you can see from this chart, we now spend more on immigration enforcement than all other criminal enforcement agencies combined—all of them combined.

In 2012 we spent almost \$18 billion on Immigration and Customs Enforcement, Customs and Border Patrol, and US-VISIT, \$18 billion, compared to about \$14 billion, \$4 billion less on all other principal law enforcement agencies such as the FBI.

As I said, we are adding over \$6.5 billion to the immigration and enforcement side of the ledger in this bill. That will put us in the position of spending twice as much on border security as we do on all other law enforcement agencies in this country.

It is not only the money we spend but how we spend it.

The fact is border enforcement is at an all-time high. We are enacting a strategy to have 100 percent surveillance and prevent at least 90 percent of all illegal border crossings across the highest risk areas of our southern border, but there are still those who say it is not enough.

We are investing in new technologies to secure the borders. The number of Border Patrol agents has doubled over the past 8 years, but there are still those who say not enough.

Let's be clear, we are making significant additional investments in border security and technology to make sure at least 90 percent of all illegal border crossings are prevented. There are some who say: Oh, we have to have 100 percent. I don't know anything the Federal Government does 100 percent. Do we catch 100 percent of all the criminals? Do we collect 100 percent of all taxes? Do we do 100 percent of anything? No. Those who try to invoke that type of standard are simply trying to undermine the pathway toward citizenship.

Let's be clear. We are making very significant strides and this is very tough in all of the border provisions. I have only mentioned a few. There are a lot more.

On the flip side, there are those who believe we have done all we can on border security in this legislation but have not gone far enough in other areas, that there are too many obstacles to citizenship and a 13-year path is too long. A 13-year path—certainly not an easy road or anything anyone could call amnesty—is a compromise I am willing to accept so we can finally bring 11 million people out of the shadows and give them a chance for better lives for themselves, their families, to earn their way here in America to fulfill their hopes, dreams, and aspirations, as well as our hopes, dreams, and aspirations as a country.

The fact is, at the end of the day, when all of the political posturing has subsided, we have an obligation to govern. We have met, in this proposal, that obligation. We have come up with a good, solid, bipartisan product. The time has come and the moment is here. The opportunity is before us to make history, and I hope we don't miss that opportunity.

Let me urge my colleagues, let's not begin this debate with toxic amendments that would test the basic values and principles of those on one side or the other, force us all to our respective corners, no lines in the sand. Let's get the job done. We don't need amendments that would establish manipulable border security benchmarks before we could even bring one person out of the shadows. This is not finding a way to govern, that is about killing the bill.

We do not need to retreat to lines drawn in the sand on every issue covered by this legislation. We can either

come together, both sides, both parties, and govern, as the American people want to see us do, or once again blow it up and do nothing.

I believe we have come too far and the demands of the American people in poll after poll are rather clear: It is time to fix our broken immigration system. Join us and make history.

Eleven million people live in the shadows of fear and hope they will one day—if they do all the right things—have a chance, however difficult it will be, to become American citizens. This bill would give them that chance. Citizenship will not be easy, but the rules are clear: It will take up to 13 years to complete after background checks, fines, penalties, paying taxes, working, and learning English.

They want to reunite their families, and this bill will finally—finally—do what we should have done long ago to keep families together under a provision to allow immediate reunification of green card holders with their spouses and minor children. How can we in good conscience not support the reunification of families who have been separated for far too long? For those who come to this floor and proclaim their commitment to family values, this is the time to show it.

This bill will clear the current backlog for those already waiting in line—those who have been patient and waiting in line—and put the additional 11 million at the back of that line. It is a long line indeed. Let no one come to this floor and misrepresent this compromise language as amnesty. It clearly isn't amnesty. This is not a free ride but a pathway for undocumented individuals to earn; for those who have been here contributing to America's economy while living in constant fear of deportation, constant fear of exploitation, constant fear of waking up in the morning and wondering if they will see their family at night.

The bill provides a simple, fair opportunity for DREAMers. These are young people who, through no fault of their own, came to America because their parents brought them here. The only country they know is that of the United States. The only flag they have ever pledged allegiance to is the American flag. The only national anthem they know is the "Star-Spangled Banner." How can we not give them a chance, when they were brought here by their families and they want to belong to the only country they have ever known?

Madam President, this has been a hard road to compromise, with months of hard work and hard negotiations. But the hard work of trying to achieve comprehensive immigration reform has paid off with the support of the broadest spectrum of groups and organizations I have seen in my nearly 20 years between the House and the Senate. From the U.S. Chamber of Commerce

representing business in this country, to the AFL-CIO representing labor; from agro-growers to farm workers, from high-tech entrepreneurs to restaurant owners and every religious sector—the evangelical community is strongly supportive of this, as are Christians and Jews and everything in between. People on all sides of every issue are finding common ground to say this is the right legislation for America.

We have a chance to make history, but we cannot make history without uniting behind a deep and abiding belief in the need to govern, the need to fulfill our responsibilities to the people we represent. The time has come. If we cannot come together on comprehensive immigration reform at a time when the American people have clearly spoken, if we cannot push back against the extremes that will always prevent us from ever finding the center, if we choose only to obstruct and not solve, destroy and not build, then we will have lost a perfect chance not only to make history but to do what is right by our country.

This is a good bill. It is a fair compromise, a chance for us to come together and govern and do what a majority of the American people are demanding we do. Last year's national election evidenced a new American demographic, and the new America spoke resoundingly about who they will support and not support based on how they vote on comprehensive immigration reform. Let's listen to what that new America had to say and do the right thing.

I am confident we can get this bill passed, and I hope—I sincerely hope—our colleagues in the House will take our lead and pass comprehensive immigration reform this year. I hope they will join us in realizing the time has come.

Si, se puede—yes, we can.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

#### USA PATRIOT ACT

Mr. SANDERS. Madam President, I just wanted to say a few words on an issue that is of deep concern to many Americans. In 2001, 2006, and in 2011, I voted against the USA PATRIOT Act. I voted against that legislation because I believed in a democratic and constitutional form of government we can effectively combat terrorism without sacrificing the civil liberties and the constitutional protections which make us a free country.

The President has said he welcomes a debate on this issue, and I agree with him. There should be a debate. And the debate should center on whether the Fourth Amendment to the U.S. Constitution is still relevant. If it is, let's abide by it. If it isn't, let's not be hypocrites and let's acknowledge we live in a society, in a nation, where our free-

doms and liberties have been severely compromised. But let's not pretend the protections the Fourth Amendment guarantees exist when in fact they do not exist.

Here is what the Fourth Amendment to the Constitution states:

The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or Affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

That is the Fourth Amendment to the Constitution of the United States.

Now, let's talk about what we learned in the last week about the National Security Agency's activities. We learned it is likely that virtually every phone call made by every American is being collected and stored by the United States Government. The time you made that phone call, where you made that phone call, how long you were on the phone, and to whom you made that phone call is now part of the record of the United States Government. Every husband calling a wife, every businessman making a deal, every elected official talking to a constituent, every candidate talking to a campaign manager, every doctor talking to a patient, every lawyer talking to a client, every journalist tracking a story—all of that information and more—is now on file with the United States Government.

What is even more alarming is that it is not just the government officials who have access to that information. It turns out it is also available to private contractors such as Booze-Allen, and I assume many other contractors.

A few weeks ago, Madam President, you will recall there was a huge uproar in the media, including front-page stories about the Obama administration tracking the phone calls made by reporters from the Associated Press. It was a big deal. Everybody was really concerned about that. While not listening to the calls, they learned who the reporters were speaking to, how long they were speaking, and where the reporters were located. Well, guess what. It turns out what the Obama administration was doing to the AP is nothing unusual. This appears to be exactly what the government has the capability to do to every single American.

Furthermore, we have also recently learned the government has the capability to monitor every Web site we visit, every video we see, and every item we search for online.

Madam President, everybody understands terrorism is a serious issue and the United States Government—and governments throughout the world—must do everything it can to protect its people. We do not want another 9/11. We do not want another bombing such as the one at the Boston Marathon. We do, however, want our government, our



intelligence agencies and law enforcement authorities to be strong and effective in combating terrorism. But it is my very strong opinion we can do that without living in an Orwellian world where the government and private corporations know every telephone call we make, every Web site we visit, every place we go.

Is that really the country we want to be? Let's be clear: The technology for monitoring every aspect of our daily lives will only increase in years to come as that technology becomes ever more sophisticated.

Opposition to the current NSA policy is coming from across the political spectrum. Representative JIM SENSENBRENNER, a conservative Republican from Wisconsin, and one of the authors of the original PATRIOT Act, said in a Thursday letter to Attorney General Eric Holder that he is "extremely troubled" by the National Security Agency's seizure of the phone records of millions of Verizon customers through a secret court ruling. Representative SENSENBRENNER also said:

I do not believe the released FISA order is consistent with the requirements of the PATRIOT Act. How could the phone records of so many innocent Americans be relevant to an authorized investigation as required by the act? Seizing phone records of millions of innocent people is excessive and un-American.

That is what Republican Congressman JIM SENSENBRENNER said in a press release that accompanied his letter to the Attorney General.

It is clear to me the United States Congress has to take a very hard look at the USA PATRIOT Act, and specifically section 215. The bottom line is we must be strong and effective in combating terrorism, but it is absolutely my view we can do that without undermining the constitutional rights that make us a free country.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Madam President, I want to first thank the Senator from South Dakota for his indulgence for 5 minutes or so to do this, and the Senator from Indiana for yielding his time to me. We got a little out of order on the floor, but I wanted to speak before the night was out about this incredible chance we have with respect to fixing our broken immigration system.

Over the next few weeks, the Senate has a golden opportunity to do something great, to do something that is important, to do something that shows that Washington can actually work; that we are aligned with the priorities of the American people; and that we can take on hard challenges and solve them. That is the opportunity before us.

I have to say thank you to all of my colleagues who served on this so-called Gang of 8 and worked not even in a bi-

partisan way but in a nonpartisan way to fix problems that afflict our economy and our democracy throughout the country in different ways.

I particularly want to thank Senator JOHN MCCAIN and Senator SCHUMER for their leadership during good times, but particularly during the tough times during this negotiation. A lot of people I represent sometimes wonder whether Washington is just irretrievably broken, whether we can actually do something in the regular order instead of just in the middle of the night. To them I can come to the floor tonight and say: Finally, we have a process of which we can be proud. We have a bipartisan bill. We had a dozen hearings on this issue, with almost a month between the introduction of the bill and the committee markup. We had 37 hours of consideration in the Senate Judiciary Committee, with 300 amendments filed and 212 considered. I think 141 of these amendments from our colleagues were actually approved.

Even some of the harshest critics of the bill have commended the open and transparent process, and I am grateful to Chairman LEAHY for his work as well as the Members of the Judiciary Committee.

In the coming weeks, many more amendments will come before this body. Voices on every side of the issue will continue to have the chance to be heard, which is the way democracy ought to work. At the end of the day, I hope we will not squander the greatest chance we have had in a generation, in 25 years, to fix our broken immigration system.

No one understands this better than the people of Colorado—the people I represent, who even though they do not think of themselves this way particularly, are one-third Democrat, one-third Republican, and one-third Independent. From end to end and corner to corner of our great western State, people have said to me: Michael, when are these guys going to fix this broken immigration system? With agriculture on the west slope in northern Colorado and on the eastern plains, this has a \$40 billion impact to our State.

We have great high-tech in Colorado, with people inventing the future as we stand here today in bioscience, aerospace, engineering, and a growing startup community. Colorado's high-tech sector includes more than 10,000 companies. My hope is that 5 years from now there will be 10,000 more, and 5 years after that 10,000 more than that. We have 150,000 workers today who produce almost \$3 billion in exports each year, as well as a new patent office opening soon.

We have a huge tourism industry. Hotels, restaurants, and the ski industry struggle to find the workers they need. The ski industry alone brings in 57 million visitors to the country each year, many of these people traveling to Colorado year after year.

We have a growing Latino population. It is almost 21 percent of our State's population. In places such as the Denver Public Schools—a place I had the privilege to work before I came to the Senate—over half our students are Latino. That is why we set out several years ago to have a conversation in Colorado, in the rural parts of the State, in the urban parts of the State, with our high-tech community, with our agriculture community, saying: What needs to be done? We brought together business leaders, farmers, faith leaders, law enforcement, advocates, and community leaders and we said: Washington is broken. We can't wait for them to act. What can we do in Colorado?

We came up with seven principles for immigration reform which are now reflected in the legislation before us. It turns out that actually for once we underestimated this place. This place was willing to approach this work with the seriousness of purpose that Colorado citizens were.

I wish to tell one Colorado story to reflect this. Wayne Mininger, an onion farmer from Greeley, CO, also represents onion farmers across the Nation as head of the National Onion Association. Growing up on his father's farm in California's San Joaquin Valley and now owning his own farm in Greeley, CO, he has witnessed the farmer's struggle to find reliable labor his entire working life. The farmers he represents have long voiced their frustration with a visa system that results in serious delays hiring workers or not having enough labor altogether to harvest crops.

They are not interested in the politics in the Nation's Capitol. They are interested in running their farms and ranches. They are interested in knowing they have a steady supply of labor. Wayne took the trouble to write a letter to the Greeley Tribune about why he is supporting this bill. Since he said it better than I could say it myself, I ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Greeley Tribune]

**COLORADO'S DELEGATION MUST SUPPORT  
IMMIGRATION REFORM**

(By Wayne Mininger, Executive Vice President of the National Onion Association)

Growing up in California's San Joaquin Valley, from very early on I saw the critical role seasonal workers played on my father's fruit, nut and vegetable farm. Due to diminishing domestic worker availability, it became a constant struggle to obtain sufficient immigrant seasonal help because the visa process was cumbersome, complex and convoluted.

Later in life, I experienced seasonal labor struggles as a business partner with my father in Greeley on our onion farm.

Now as a leader of the National Onion Association, I represent onion farmers from



coast to coast and border to border. Through the years, I've heard countless stories about how difficult it is to work within our immigration system.

That's why I support the immigration overhaul bill making its way through Congress. It is an excellent opportunity to address rural America's ability to attain a reliable, stable and legal workforce.

This bill isn't perfect, and I don't agree with everything in it. Thanks to the Group of Eight, which includes Sen. MICHAEL BENNET, D-Colo., for finally coming together in a bipartisan way to craft a common-sense bill that attempts to fix a broken immigration system. I encourage Colorado's other representatives, including Sen. MARK UDALL, D-Colo., and Rep. CORY GARDNER, R-Colo., to support it as well. Agriculture is the backbone of our state and national economies; we need policies that help farmers, not hinder them.

Mr. BENNET. Madam President, some critics will not be surprised people around here are using the same old, tired talking points in an effort to delay and kill this bill altogether. But the people of Colorado know better and the people across this country know better. They know that passing this bill is critical to strengthening our country's borders. It will make us safer, add to our security, aligning our immigration system with the needs not of a 20th century economy or a 19th century economy but of the 21st century economy our children are expecting us to build and honoring our heritage of a nation of laws and a nation of immigrants. That is why a growing number of Americans support fixing our broken immigration system and 70 percent support a tough but fair pathway to citizenship. That is what is contained in this bill.

I look forward to working with my colleagues in the days and weeks ahead to find ways we can even improve this bill and, at the end of the day, pass legislation that will make us stronger as a nation and better serve the next generation of Americans and the generation after that. Since our founding, there are a number of aspects that have made us spectacular as a country, but there are two that are hard to find anywhere else. We are a nation that subscribes to the rule of law and we are a nation of immigrants. With this bill, we will assert both of those principles, and I think we have a golden opportunity to come together again and say that Washington is not just about playing our own politics, it is about doing the people's business so we can show this place can actually work together again to accomplish something very important for all of America.

I yield the floor, probably considerably later than I should have.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, I also would like to thank the Senator from Colorado for his generosity with his time and for giving me the opportunity to make some remarks. I have an amendment I filed which I do not think

we are going to get an opportunity to have pending tonight. I hope we can get it pending at some point. I hope we can have a number of amendments pending and voted on. That is, after all, what the Senate should be about. Clearly, on an issue of this consequence to the American people and for those of us who represent States from all across the country, this is an issue that needs to be debated. That is why many of us voted to get on the bill today. I think we can all acknowledge that we have an immigration system that is broken and it needs to be fixed.

As I come to the floor to discuss this particular amendment, I am reminded that each time Congress has tried to fix our immigration system, there have been promises and more promises of a more secure border. Unfortunately, those promises are never upheld. The bill before us is well intended, but it is following the same path as past immigration bills. Under this bill, it is certain that 12 million undocumented workers will receive legal status soon after the bill is enacted. However, the border security provisions are nothing more than promises which, again, may never be upheld.

When I talk to my constituents back in South Dakota, they ask a couple of questions. The first one is: When will our Federal Government keep its promises on border security? I think that is first and foremost the issue most people see when they look at the immigration debate. They want to know why it is that we continue to talk about enforcing the law and securing the border, but we do not follow through on the steps that are necessary to do that.

They also ask the second question: Why do we need more laws? Why do we need more laws when we are not enforcing the laws that are currently on the books? It is time we follow through on the promises that have been made in the past of a more secure border. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 required 700 miles of reinforced double-layered fencing along the southern border. This goal was reaffirmed when Congress passed the Secure Fence Act in 2006. To date, less than 40 miles out of the 700 miles of fencing required by law has been completed. My amendment, amendment No. 1197, simply requires that we implement current law prior to legalization as an indication that we are serious about border security. As specified by this amendment, 350 miles of the fencing would be required prior to RPI status being granted. The completion of this section of the fence would be a tangible demonstration that this administration is serious about border security.

After RPI status is granted, the remaining 350 miles required by current law would have to be constructed during the 10-year period before registered provisional immigrants can apply for green cards.

There are a lot of issues associated with this bill. It has a lot of moving parts. There are lots of things, as this debate continues, that need to be addressed and hopefully amendments that will be offered on the floor can make this bill stronger and improve it as it goes through the process. I say to my colleagues in the Senate that if we are serious about wanting to show that we get this whole issue of border security and we are not just talking about it but actually making real changes to make our border more secure, then this amendment is one way to show it. After all, many of us acknowledge that of the many components and elements of this debate, first and foremost is that we have to address the issue of border security.

It gets talked about. There is a lot of rhetoric surrounding it. There is a lot of rhetoric in the Senate, as I mentioned earlier about this very subject where promises and commitments have been made, promises and commitments that have never been fulfilled with respect to border security.

This amendment, No. 1197, as I said, is very simple, very straightforward, and only follows through on commitments that have been made by Congress in the past and which I think the American people expect and, frankly, have a right to expect, that we would follow through on: 350 miles of fence before RPI status is granted and another 350 miles of fence prior to a green card being issued.

It is not complicated. I think in a lot of respects this issue is not complicated. It is certainly not complicated in the minds of the American people who think first and foremost this is about border security, about border enforcement, about a nation that is able to control its very borders for so many reasons, many of which have been discussed and talked about and I hope will be talked about even more in the days ahead.

I understand I do not have the opportunity to get this amendment up and pending to where it could be voted on this evening, but I certainly hope, at least as we get underway in this debate tomorrow, that those of us who have amendments we think would strengthen and improve this bill will have the opportunity to put them forward and to get them voted on.

Amendment No. 1197 is one of those. I certainly hope tomorrow the managers of the bill will be able to allow us a pathway where we can get amendments voted on. I think this will improve the bill. I think it strengthens the bill and it certainly follows through on a commitment that has been made to the American people many times over and has not yet been followed through on.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FLAKE. Madam President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FLAKE. Madam President, the Senate has taken an important and historic step today by adopting a motion to proceed to legislation reforming our broken immigration system. I look forward to moving through this debate over the next couple of days and weeks in regular order.

This bill received a thorough vetting in the Judiciary Committee over a couple of weeks. There were more than 100 amendments adopted. I think more than 300 amendments were submitted.

I commend Chairman LEAHY and Ranking Member GRASSLEY for offering a process which makes this Senate proud. For those who believe the Senate cannot work through regular order and that all sides can agree to amendments being offered and a debate being had, I think they would be heartened to see this process so far. This bill will be brought to the floor with agreements as well as many amendments that will be offered and considered. We will have thorough debates that leave us in good stead for this legislation.

This is important legislation. I hope, as we move through it, we can remember we need to assign motives to people who are debating either side of this issue. This is an issue where passions run high. We see that among our constituents and across the country. Here in the Senate, I hope we remember we are all coming to this debate with different perspectives. We represent different States, but all of us want a better immigration system. If we can get through this and not question each other's motives throughout this process, I think we will all be better off.

Arizona, as everyone knows, is a State which has a large population of undocumented aliens. We rest on a large border with Mexico, and with all of the issues and problems that presents, and has over the years. The sizable undocumented population helps no one. It doesn't help those families living day to day with one family member or another out of status. It doesn't help State or local governments that bear the brunt of the cost, whether it is education, health care, criminal justice, or incarceration. These are expenses which are borne more by the States than the Federal Government and it leads to a lot of frustration in Arizona and elsewhere.

It doesn't help when businesses struggle to maintain a legal workforce, and that is the case in Arizona. Up until recently, the Tucson sector of the Border Patrol was the busiest sector in the Nation when it comes to illegal crossings. While there are claims that the border is now safer than ever, land-

owners in the border region continue to face a reality that would suggest otherwise.

Let me give an example. Earlier this year, the Ladd Ranch, which is a 14,000-acre ranch that shares 10 miles of the U.S.-Mexico border, which is between Naco, AR, and the San Pedro River, reached 14 breaches with a total of 29 trucks just over the past 12 months. This was taking place in the daylight.

Between the border and the undocumented, our current immigration system does little to ensure that our economy has the talent we need to ensure the United States competes globally. While there are issues on the border with the landholders and all of the problems that presents, and then there are businesses which simply cannot get access to the talent they need, we have a problem that needs to be solved. In addition, the program is oriented toward providing adequate temporary or short-term workers typified by caps that do not work and redtape that makes them all but unusable. The current immigration system is irreparably broken.

This legislation before us takes great strides with border security. I look forward to these provisions being debated and thoroughly vetted throughout this process. I am sure many amendments will be offered. I plan to offer some of them myself to improve this process and to improve the border security elements of the bill.

This legislation has a tough but fair process to bring the undocumented out of the shadows. People who come forward will be required to pay fees and fines.

For those who raise the term amnesty again and again, let me assure them there is no amnesty in this legislation. By definition, amnesty is an unconditional pardon for a breach of law. This is no unconditional pardon. Those who come forward, come out of the shadows, and those who are undocumented will be required, as I said, will be required to pay fines and fees. They will be required to work. They will be required to stay well above the poverty level. When it comes time to renew their status, they will be required to pay any back taxes that have accrued, and again show they have stayed here and maintained the status in a way that would allow them to be renewed.

Before they are able to get a green card, 10 years into this process, there will be many other things required as well. Again, they will need to prove they have paid taxes, and that they have not been a public charge. They will need to learn English. Right now the requirement is the need to learn English to become a citizen. Under this legislation, this requirement has moved up to green card status. Just to get a green card, they will have to be proficient in English.

This legislation also dramatically modernizes our legal immigration sys-

tem. It ensures U.S. businesses will have access to the best and brightest around the world.

I have been concerned about this issue for years. Years ago I introduced what we called the Staple Act. I heard many times from businesses that we ought to staple a green card to the diploma of anyone who receives a graduate degree, particularly a Ph.D., in the so-called STEM fields. This legislation accomplishes much of that by simply saying that those who are here and educated in our U.S. universities will be allowed to stay here. Those with a master's degree or Ph.D. in STEM fields will be allowed to stay here and help create jobs.

A big percentage of the jobs created and Fortune 500 companies that are listed are started or created by foreigners—those who were here and received an education here and were allowed to stay or were born by first or second-generation immigrants. We need to make sure those who are going to help us build our economy are allowed to stay, and this legislation does that.

We all know the status quo is unworkable. If someone runs a business in this country, they are not currently given adequate tools to determine whether those who are presenting themselves for work are here legally. This legislation will make sure those tools are there.

I look forward to this process as well as the debate. I think this debate can represent the Senate at its best where we can consider this legislation, consider amendments to make sure the bill is improved, and then send the bill on to the House so it can be considered there as well.

I commend those who have been involved in this process, the so-called Gang of 8, who have worked long and hard. Our staff worked well into the night for weeks on end to make sure we have the legislation before us today, which has been a long, thorough, and good process. As I mentioned before, those who have seen the Congress—the House and Senate—in recent years maybe not reach its full potential, to put it mildly, ought to be heartened by the process on this legislation. I hope we can continue it. I look forward to debating this legislation with my colleagues.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## THE FARM BILL

Mr. CARDIN. Madam President, I rise today to speak about the 2013 farm bill that the Senate just passed. I want to congratulate Chairwoman STABENOW and ranking member COCHRAN for their work and success on this bill. I am proud to support this bill.

Last year, the Senate passed a strong bi-partisan farm bill that I was also happy to support. I greatly appreciate the work that Chairwoman STABENOW and former ranking member ROBERTS put into last year's bill and their willingness to work with me, and my colleagues from Chesapeake Bay region States to keep the conservation programs in the bill strong and effective for Maryland and other Chesapeake Bay States' farmers.

I was pleased to see the strength of the farm bill's conservation programs, namely the Regional Conservation Partnership Program retained, and in some respects improved, in the bill that the Agriculture Committee reported in May. I greatly appreciate that through floor consideration of the bill the conservation programs remained largely unchanged. During last year's consideration of this bill my Chesapeake Bay State colleagues and I, in working with Senators STABENOW and ROBERTS, put a great deal of work into improving the Regional Conservation Partnership Program and I appreciate that all of our work from last year remains intact in this year's Senate farm bill.

I have spoken with my State's soil conservation district managers about the new Regional Conservation Partnership Program that is coming and they are excited and ready to make sure that it works well in Maryland. I look forward to talking with more farmers and other stakeholders about the importance of this new program and will encourage their participation.

Farming in Maryland is extremely challenging. Pressure from developers is compounded by the water quality concerns that persist in the bay and its tributaries. The facts of the matter are that the bay is polluted and it is everyone in the watershed's responsibility to help clean it up.

The Chesapeake Bay is the world's largest most productive estuary. It is a national treasure that has an economic value over \$1 trillion. I firmly believe that it is in the Nation's interest to protect this resource. It is in the interest and purview of the Federal government to coordinate the efforts of the

six States and the District of Columbia. Because protecting this national treasure is an initiative in the Federal Government's interest I have made providing farmers financial resources to reduce pollution from their farms from polluting the bay a priority issue of mine in each farm bill I have worked on in the Senate.

Because water quality concerns in the bay watershed are so high, Maryland farms must meet extremely standards of operation to prevent sediment and nutrient loss.

I am proud to have worked with the chairman and ranking member to develop the programs in this bill that maintain the traditions of providing farmers with financial resources to mitigate nutrient and sediment loss from their farms.

Perhaps, what is even more important than the specific financial resources this bill provides farmers to implement conservation activities on their farms is reestablishing the requirement that farms must protect highly erodible lands and wetlands in order to qualify for crop insurance premium assistance. This was an issue that I was proud to help champion last year and that ultimately my Republican friend, the Senior Senator from Georgia, was able to win a floor vote to require any producer seeking crop insurance premium assistance to also meet a basic set of conservation compliance criteria established under the Sodbuster and Swampbuster programs.

The concept behind the conservation compliance programs is simple: The expenditure of Federal taxpayer dollars in support of farming operations cannot support farming practices that result in drainage of wetlands or farming of highly erodible lands. These conservation compliance requirements have long been accepted and applied to broadly to a variety of other longstanding farmer financial safety net programs. In fact, up until the 1996 farm bill these conservation compliance programs also applied to Federal crop insurance premium assistance programs.

These minimum qualifications have been a success in ensuring that Federal taxpayer dollars are not supporting farming practices that lead to costly natural resource degradation. In Maryland, however, these practices are common place not just because our farmers want to be good stewards of the bay but because the State requires farmers to manage for wetland and soil loss on their farms.

While I am proud of my Maryland farmers for their conservation work, they are punished in the marketplace for their good stewardship where they compete with producers whose production costs are lower because their operations are located in States that do not require mitigating the impacts of their operations on the natural environment.

Because the 2013 farm bill aims to move farmers out of direct payment programs and into expanded Crop Insurance Premium Assistance programs, reestablishing conservation compliance eligibility requirements for the Crop Insurance Program helps level the competitive playing field for Maryland farmers and other State's agricultural sectors that are doing what is right to protect the environment.

While mine and Senator CHAMBLISS's efforts last year were met with significant challenges last year, a series of discussions between our Nation's leading agricultural interests groups, like the American Farm Bureau, and our Nation's top wildlife and conservation organizations resulted in a mutually agreed proposal to re-link conservation compliance requirements to the crop insurance premium assistance program.

The Federal safety the farm bill provides for both farmers growing our Nation's food and low income families who have difficulty putting food on the table continues on in this bill but with needed reforms. I am proud to support this bill and congratulate the chair and ranking member.

Mr. RUBIO. Madam President, yesterday, I voted against passage of S. 954, the Agriculture Reform, Food, and Jobs Act of 2013, which is commonly known as the farm bill. With an overall cost of nearly \$1 trillion, this legislation is more than we can afford at a time when our debt of nearly \$17 trillion is growing rapidly each day. While I support some of the programs in this bill that are important to Florida and our State's important role in America's food supply, we cannot allow Washington to continue spending recklessly and condemning our children and grandchildren to a diminished future.

Not only was I concerned about the cost of this legislation, but I am disappointed that ample opportunity was not provided to Senators to improve it through a more open amendment process. When the farm bill was considered last year, the Senate voted on over 70 amendments to the bill, including my RAISE Act amendment, which would have allowed workers to earn more money for a job well done without having to first clear it by union bosses. This open process was not the case this time around and prevented my colleagues and I from introducing measures to improve the bill, as well as timely measures such as my proposal to punish Internal Revenue Service employees who violate the First Amendment rights of our citizens.

I remain committed to championing sound policy important to the farmers and working families that contribute to the agriculture industry's success and whose products ultimately end up at our dinner tables. It is why I am pursuing reforms in other areas that would benefit our farmers and our Nation. For example, I continue working

towards national immigration reform, which would help create a guest worker visa program to ensure an adequate agriculture workforce. This reform would achieve an agricultural workers program that allows us to bring in both temporary and long-term laborers to provide our farms, dairies and other agricultural industries with the workers they need and in a way that also protects the dignity and safety of those workers.

Ms. WARREN. Madam President, yesterday, I voted for the Agriculture Reform, Food, and Jobs Act of 2013—the farm bill—which makes important reforms, such as ending the practice of direct payment agricultural subsidies, and provides strong support to our local farmers which will help stabilize our food policies and increase access to fresh produce for the next decade.

I especially want to acknowledge and thank Senator COWAN, with whom I worked closely, for his successful effort to include in this bill a provision that was also advocated by former Senator Kerry to help our struggling fishermen in Massachusetts. This provision extends eligibility in the emergency disaster loan program to fishermen.

When our farmers are struck by disasters, they have access to low-interest emergency disaster—EM—loans available through USDA's Farm Service Agency. These loans have been used in the past by farmers, ranchers, and aqua farmers to help recover from crop production losses. Now, our Nation's fishermen will also have access to this important loan program.

I am also proud to have worked with Senator COWAN on his amendment to authorize the Department of Agriculture to conduct a study to propose a method for a voluntary crop insurance program for seafood harvesters. Fishermen and farmers face the same economic hardships when there are significant drops in production. This study is an important step toward providing the seafood industry with an insurance product to reduce their risk. I thank Senator COWAN and former Senator Kerry for their leadership on these efforts to help out fisherman who are experiencing very difficult economic hardships.

Although I am proud to support the broad policies in this legislation, there are certain measures in this bill that I strongly oppose and that I will push to modify when the bill is considered in conference.

In particular, I am deeply concerned with the changes that the farm bill makes to the SNAP program. I will continue working to ensure that assistance is available to all families who need help putting food on the table.

#### SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013

Mr. LEVIN. Mr. President, in May, thousands of law enforcement officers

from around the Nation came together at the National Law Enforcement Officers Memorial in Washington, DC to commemorate Peace Officers Memorial Day. The Congressional resolution that created this day of reflection dedicated it to the extraordinary law enforcement officers “who, night and day, stand guard in our midst to protect us through enforcement of our laws,” as well as the “Federal, State, and municipal officers who have been killed or disabled in the line of duty.”

As we commemorate Peace Officers Memorial Day, it is vital for us to not only to honor the extraordinary work of our Nation's law enforcement professionals, but also to listen to their suggestions for how we can make our Nation a safer place to live. And on one subject, the overwhelming majority of our Nation's law enforcement communities have been resolute and clear: Congress needs to support common sense measures, such as background checks for gun sales, to help stem the gun violence that plagues our Nation.

This is far from a revolutionary idea. Polls consistently show that approximately 90 percent of Americans support universal background checks. So do major law enforcement groups such as the International Association of Chiefs of Police, the Major Cities Chiefs Association, the International Association of Campus Law Enforcement Administrators, the National Association of Women Law Enforcement Executives, the National Organization of Black Law Enforcement Executives, the Police Executive Research Forum and the Police Foundation. These groups, each of them dedicated to the safety of our people, tell us that the time is now to act to prevent more senseless gun violence.

The extension of background checks to all gun sales would go a long way toward making our neighborhoods safer. Today, anyone, including convicted felons and the mentally ill, can walk into a gun show and walk out with a deadly weapon. As Police Chief Ronald Haddad of Dearborn, MI put it in a letter he wrote to me this past April, “Police see firsthand the toll that gun violence takes in our schools, on our streets, and among our fellow officers—and we know from experience that our broken gun laws are a significant part of the problem.”

This status quo has dangerous consequences. A 2004 Department of Justice survey found that 80 percent of prisoners who committed crimes with handguns got them through private transfers, where no background check is required. In many of these cases, a simple background check could have stopped a tragedy and saved lives by keeping a weapon out of the hands of someone who sought to use it for harm. As Baltimore County Police Chief James Johnson put it at a hearing of the Senate Judiciary Committee hear-

ing earlier this year, “The best way to stop a bad guy from getting a gun in the first place is a good background check.”

We should listen to the voices of those entrusted with the safety of our communities. We should listen to the officers who every day confront well-armed criminals who legally purchase weapons to turn on innocents. We should live up to the spirit of Peace Officers Memorial Day by passing the Safe Communities, Safe Schools Act of 2013, a common sense piece of legislation to protect our society from more senseless gun violence. We owe the brave law enforcement professionals who keep our communities safe nothing less.

#### WORLD WAR II VETERANS VISIT

Mr. TESTER. Mr. President, on June 16th, a group of World War II veterans from Montana will be visiting our Nation's Capital.

With a great deal of honor and respect, I extend a hearty Montana welcome to each and every one of them.

Together, they will visit the World War II Memorial and share stories about their service. This journey will no doubt bring about a lot of memories. I hope it will give them a deep sense of pride as well.

What they achieved together almost 70 years ago was remarkable. That memorial is a testament to the fact that a grateful nation will never forget what they did or what they sacrificed. To us, they were our greatest generation. They left the comforts of their family and their communities to confront evil from Iwo Jima to Bastogne. Together, they won the war in the Pacific by defeating an empire and liberated a continent by destroying Hitler and the Nazis.

To them, they were simply doing their jobs. They enlisted in unprecedented numbers to defend our freedoms and our values. They represented the very best of us and made us proud.

From a young age, I remember playing the bugle at the memorial services of veterans of the first two World Wars. It instilled in me a profound sense of respect that I will never forget.

Honoring the service of every generation of American veterans is a Montana value. I deeply appreciate the work of the Big Sky Honor Flight, the nonprofit organization that made this trip possible.

To the World War II veterans making the trip, I salute you. We will always be grateful, and we will never forget your service or your sacrifice.

#### TRIBUTE TO SUSAN SULLAM

Mr. CARDIN. Madam President, I rise today for a moment of bittersweet reflection and the celebration of a dedicated public servant who has contributed greatly to the State of Maryland

and our entire Nation. June 21st marks the final day that Susan Sullam will be working in my office as my communications director. We've traversed a 27-year journey together that started when I was first running for the House of Representatives. Over the years, with a combination of her quick writing and single-minded determination, she has helped me find my voice and articulate my positions during the very best and the very worst of times for me and our country. She has been a friend, trusted counselor, and a part of my extended family.

As a former editor at Knight-Ridder with an interest in politics, Susan became one of my first and few campaign workers. She was instrumental in helping me win my first election to the U.S. House of Representatives. And when I took office, she became my first press secretary. Somehow, Susan managed to give 110 percent of herself to her family and to her job.

Throughout our time working together, I have had the privilege of watching Susan's daughters, Jennifer and Karen, grow into remarkable, professionally accomplished young women. She instilled in her girls the understanding that you really could raise a family and have a career without shortchanging either one. I am forever grateful to them and Susan's husband Brian for sharing her time with me and the people of Maryland. I know Susan's family is looking forward to their first dinner without her Blackberry.

I have always thought that Susan was born to be a journalist. Her mother, Mary Jane Fisher, was an admired and respected journalist and publicist who worked for 25 years as the Washington correspondent for the National Underwriter, a publisher of insurance and financial services trade publications. She was a well-known figure on Capitol Hill, and she frequented hearings of the Ways and Means Committee, where I served.

During one particularly memorable Medicare hearing, I watched from the dais as three generations of this wonderful family all worked the room. Mary Jane was reporting for her publication; Susan was covering the hearing as my press secretary; and Susan's daughter Jennifer was serving as an intern in the Ways and Means press office that summer, reporting to her boss, now-Representative DAN MAFFEI of New York.

Susan has been witness to the good and bad of politics over the course of nearly three decades. We started together at a time of great optimism that Congress could make decisions and enact meaningful legislation. Susan worked tirelessly during the many iterations of health care reform; she was constantly and meticulous pulling together materials that would help explain how real families would

benefit from the passage of the legislation. This was as true in the 1990s with Hillary Clinton, as it was just a few years ago when we finally passed the Affordable Care Act. Her congressional career also encompassed my time as a member of the House Ethics Committee. During this period, Susan was witness to the various undertakings of the committee as it carried out its authorization to investigate violations of the House of Code of Official Conduct by Members and staff, investigations that included the "House Bank" and the Speaker of the House.

But Susan's career was so much more. As I pushed to reshape our retirement system, Susan was there every step of the way with an article, interview, or a cable show designed specifically to get out the word to people who could benefit from the proposed legislative changes.

Some moments we have shared together tested our Nation, as well as our professional relationship. We came together as a family during 9/11, watching our Nation as it was grievously wounded. I voted against giving President George W. Bush the power to send our troops into Iraq. While I knew it was the right decision, it was certainly not an easy one at the time. She pushed hard and urged me to take the strongest possible position against the war. She was my voice and my megaphone.

What makes all of Susan's accomplishments so much greater is the fact that she did much of this split between Washington and Baltimore. She was born and raised a Washingtonian but made Baltimore her home and the place she raised her family. She was as comfortable talking about restaurants on Federal Hill as Adams Morgan. When I was elected to the U.S. Senate, Susan was with me as I traveled throughout the State. She welcomed the opportunity to expand our representation to all of Maryland. Together we held press conferences on the Eastern Shore, visited editorial boards in western Maryland, and attended ribbon cuttings from Aberdeen to Fort Meade. Susan made herself familiar with nearly every Maryland smalltown newspaper and most of their publishers and could tell you about their editors without missing a beat.

After 27 years, I take as much pride as Susan in the fact that she really has had more opportunities than anyone else to share my voice and my positions on issues of importance with the people of Maryland and the Nation. I have enjoyed working side-by-side with her and having her as an anchor of Team Cardin. I have learned from her, and I thank her for her time. Her quick words, honesty, and dedication to public service will be missed by me, Myrna, and my entire staff. It is with heartfelt gratitude that I wish her well in this next stage of her life.

#### REMEMBERING EUGENE RUEHLMANN

Mr. PORTMAN. Madam President, today I wish to remember Eugene Ruehlmann, former mayor of Cincinnati, OH, for his leadership, his visions, and his dedication to his community and for his distinguished career in law and public service. Mr. Ruehlmann passed away at the age of 88 on June 8, 2013.

A native Cincinnatian, Mr. Ruehlmann's talents were recognized early on when he was voted "Boy Mayor of Cincinnati" in 1942 as a teenager. His public service career officially took off years later after he served our Nation in the U.S. Marine Corps in World War II, earned degrees from the University of Cincinnati and Harvard Law School and launched a successful law practice. Ultimately, Mr. Ruehlmann served 12 years on the Cincinnati City Council beginning in 1959 and served as the mayor of Cincinnati from 1967–1971.

Known as a "Clean Gene" for his principled leadership and legendary integrity, Mr. Ruehlmann was instrumental in advancing Cincinnati as a major league city. His leadership included guiding the early transformation of downtown Cincinnati with the development of the new Fountain Square Plaza, Riverfront Stadium, the establishment of an NFL team, the Cincinnati Bengals, and constructing Cincinnati's Convention Center.

Following the race riots in 1967, Mr. Ruehlmann worked to heal the city. He reformulated the city's Human Relations Commission, and founded the Mayor's Housing Coordinating Committee and the city's Project Commitment.

He has given his time to numerous charitable and community organizations, such as Children's Hospital, Children's Hospital Medical Center, Greater Cincinnati Foundation, the Work and Rehabilitation Center, March of Dimes and the National Conference of Christians and Jews.

Mr. Ruehlmann was awarded an Honorary Doctorate from the University of Cincinnati in 2011. In 1998, he was named a Great Living Cincinnatian by the Greater Cincinnati Chamber of Commerce for his lifetime of service and leadership. In 1970, the Urban League of Cincinnati honored him with a special award for Outstanding Achievement in Public Service.

He built a successful law practice as founder of the Strauss, Troy and Ruehlmann law firm, as a partner with Vorys, Sater, Seymour and Pease in Cincinnati, and as a director on the Board of the Center for Resolution of Disputes.

In all these years, and with all these accomplishments, he remained a devoted family man. He and his late wife, Virginia, were married for 61 years and raised 8 children, 25 grandchildren and 11 great-grandchildren.

Mr. President, I would like to honor Eugene Ruehlmann for his dedication to the City of Cincinnati, to his community and to his family.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING BOY SCOUT TROOP 414

• Mr. BROWN. Madam President, I rise today to commemorate Boy Scout Troop 414 in Wellington, Lorain County, OH.

For more than a century, the Boy Scouts of America has evolved along with America. This organization has helped create a foundation for boys to realize their responsibilities as citizens. Boy Scouts learn to value leadership, discipline, equality, justice, and integrity—but, perhaps, the greatest lesson shared with Scouts is the importance of service.

Good citizenship matters. It strengthens our democracy, transforms strangers into neighbors, and helps move us closer to becoming a more just and open society.

Troop 414, one of the oldest troops in Ohio, remains active in the local community. From volunteering and maintaining the county fairgrounds to collecting items for the local food bank and organizing monthly camping trips, Troop 414 provides new opportunities for boys to contribute to Northeast Ohio.

As an Eagle Scout, I am especially proud of the Eagle Scouts in Troop 414: Alex Coker, Bradley Cuthbert Jr., Connor Dunwoodie, Aaron Ferguson, Stephen Ferguson, and Michael Savel.

With more than 30 additional active troop members under the guidance of Scoutmaster Darrell French, I know that the future of scouting is bright in Ohio.●

##### REMEMBERING MASTER SERGEANT WILLIAM SEYMOUR "BULL" EVANS

• Mr. CARDIN. Madam President, today I would like to pay tribute to U.S. Marine Corps MSgt William Seymour "Bull" Evans of Cresaptown, MD. "Bull" Evans was a member of the legendary Marine Corps Raiders and fought valiantly in some of the most pivotal battles of the South Pacific during World War II and the Korean war. "Bull" Evans remains one of the most decorated military servicemen in western Maryland. He amassed an impressive number of medals and awards, including the Purple Heart with four clusters; two Presidential citations; the Bronze Star; Silver Star; Navy Cross; and many others over the course of a 15-year military career.

Evans' strength as a swimmer was recognized early in his youth in Cresaptown, where he could frequently

be found swimming in the Potomac River even during the winter months. When Evans was 18, he enlisted in the Marine Corps, where he eventually became an expert in amphibious assault techniques and was selected to serve with the elite 2nd Battalion, First Marine Raiders. Evans was on his first furlough, in Honolulu, when the Japanese attacked Pearl Harbor in 1941. He was among the first volunteers for the newly-organized Second Battalion, First Marine Raiders, a special operations force formed in response to the attack. Evans' heroic acts have made him a legend among Marines—36 hours of continuous action on Midway Island, a solitary advance to stop an assault on his unit while pinned down by the enemy on Tulagi, and singlehandedly stringing barbed wire to prevent an attack on his unit's position near Guadalcanal. His penchant for rapidly advancing into enemy territory by himself established his reputation as the "One Man Army" and earned him the nickname "Bull" among his brothers in arms.

Following Evans' service in World War II and as the conflict grew in Korea, he volunteered to join the 1st Marine Division and, in spite of injuries sustained in earlier campaigns, signed a waiver allowing him to fight. After being seriously wounded by machine-gun fire and shrapnel, Evans returned to the battlefield to assist in training South Korean troops and was later assigned to a military police unit in Japan where he reunited with his wife and children.

"Bull" Evans also earned a unique distinction when, in 1952, he became the only Marine authorized to wear a beard, despite military regulations against it. During the Korean war, when Maj. Gen. John T. Selden instructed all Marines to be clean shaven, he issued an edict that "For honor and distinction, Sgt Evans will be exempt from this order and permission to let his beard grow is granted."

After serving with distinction in two wars, MSgt "Bull" Evans died suddenly and unexpectedly of cardiac failure in 1954. High-ranking officials from both the United States and Japan, standing side-by-side with thousands of Marines, attended his funeral.

I am pleased that because of the advocacy of local veterans, historians, and political leaders in western Maryland, the legacy of this true American hero will be preserved by dedicating a portion of U.S. Route 220 through his hometown of Cresaptown, MD to USMC MSgt William "Bull" Evans on June 29, 2013. I commend the efforts of Ron Miller, Jim Stakem, Pete Martz, and Terry Evans to share the story of "Bull" Evans and to establish a permanent and lasting memorial in his honor, and I appreciate the leadership of State Senator George Edwards and the Maryland State Highway Adminis-

tration in making this memorial a reality. I don't think we can ever be reminded too frequently of the extraordinary valor of our men and women in uniform so I am grateful we are establishing a fitting tribute to an exemplary member of what Tom Brokaw so appropriately called the "Greatest Generation."●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1822. A communication from the Attorney-Advisor, Departmental Offices, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Garnishment of Accounts Containing Federal Benefit Payments" (RIN1505-AC20) received in the Office of the President of the Senate on June 7, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1823. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Redefinition of the Minneapolis-St. Paul, MN, and Southwestern Wisconsin Appropriated Fund Federal Wage System Wage Areas" (RIN3206-AM75) received during adjournment of the Senate in the Office of the President of the Senate on June 5, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1824. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Redefinition of the Clayton-Cobb-Fulton, GA, Nonappropriated Fund Federal Wage System Wage Area" (RIN3206-AM84) received during adjournment of the Senate in the Office of the President of the Senate on June 5, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1825. A communication from the Acting General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, Office of Management and Budget, received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Homeland Security and Governmental Affairs.



EC-1826. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1827. A communication from the Assistant Secretary for Civil Rights, Department of Agriculture, transmitting, pursuant to law, the Department's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1828. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Status of the Implementation of Recommendations from the 2008 ODCA Audit Report Titled 'Review of the District's Cash Advance Fund'"; to the Committee on Homeland Security and Governmental Affairs.

EC-1829. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-76, "Certified Business Enterprise Compliance Temporary Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-1830. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs' Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1831. A communication from the Secretary of the Interior, transmitting, pursuant to law, the Department of the Interior's Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1832. A communication from the Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Corporation for National and Community Service's Report on Final Action for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1833. A communication from the Chairman of the Board of Governors, U.S. Postal Service, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report and the Postal Service's response to the report for the period of October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1834. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1835. A communication from the Chief Executive Officer, Millennium Challenge Corporation, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1836. A communication from the Chairman of the Federal Trade Commission,

transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1837. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the Department of Agriculture's Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1838. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General and a Management Report for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1839. A communication from the Chairman of the Railroad Retirement Board, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1840. A communication from the Secretary of Labor, transmitting, pursuant to law, the Department of Labor's Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1841. A communication from the Acting Chairman of the National Endowment for the Arts, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Chairman's Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1842. A communication from the Administrator of the Agency for International Development (USAID), transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1843. A communication from the Secretary of Education, transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1844. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Department of Defense's Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1845. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Office of the Inspector General's Semiannual Report for the period of October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1846. A communication from the Director, Broadcasting Board of Governors, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1847. A communication from the Secretary of the Department of the Treasury, transmitting, pursuant to law, the Semiannual Reports from the Office of the Treas-

ury Inspector General and the Treasury Inspector General for Tax Administration for the period from October 1, 2012, through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1848. A communication from the Chief Operating Officer and Acting Executive Director, U.S. Election Assistance Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1849. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department of Health and Human Service's Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1850. A joint communication from the Chairman and the Acting General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1851. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013 and the Management Response; to the Committee on Homeland Security and Governmental Affairs.

EC-1852. A communication from the Secretary of Education, transmitting, pursuant to law, the Department's Semiannual Report to Congress on Audit Follow-up for the period of October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1853. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department of Transportation's Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1854. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-1855. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "United States and Area Median Gross Income Figures" (Rev. Proc. 2013-27) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Finance.

EC-1856. A communication from the Associate Administrator of the National Organic Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program (NOP): Amendments to the National List of Allowed and Prohibited Substances (Crops and Processing)" ((RIN0581-AD27) (AMS-NOP-12-0016; NOP-12-07FR)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1857. A communication from the Director of Regulations and Policy Management



Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Irradiation in the Production, Processing, and Handling of Animal Feed and Pet Food; Electron Beam and X-Ray Sources for Irradiation of Poultry Feed and Poultry Feed Ingredients; Correction" (Docket No. FDA-2012-F-0178) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1858. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General William J. Troy, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1859. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Willie J. Williams, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1860. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Walter M. Skinner, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1861. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Charles J. Leidig, Jr., United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1862. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to Department of Defense purchases from foreign entities for fiscal year 2012; to the Committee on Armed Services.

EC-1863. A communication from the Principal Deputy Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a report relative to the additional equipment and construction that would have been requested if the President's Budget had equaled the average of the two previous years' Authorization of Appropriations (AoA); to the Committee on Armed Services.

EC-1864. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled "Report to Congress on Defense Environmental Restoration Cost and Schedule Estimating"; to the Committee on Armed Services.

EC-1865. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Larry D. James, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1866. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Credit for Renewable Electricity Production, Refined Coal Production, and Indian Coal Production, and Publication of Inflation Adjustment Factors and Reference Prices for Cal-

endar Year 2013" (Notice 2013-33) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Finance.

EC-1867. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Wilson v. Commissioner" (AOD 2012-07) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Finance.

EC-1868. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Empowerment Zone Designation Extension" (Notice 2013-38) received in the Office of the President of the Senate on June 6, 2013; to the Committee on Finance.

EC-1869. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Belarus; to the Committee on Finance.

EC-1870. A communication from the Board of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting, pursuant to law, the Board's 2013 Annual Report; to the Committee on Finance.

EC-1871. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Kazakhstan; to the Committee on Banking, Housing, and Urban Affairs.

EC-1872. A communication from the Executive Vice President and Chief Financial Officer of the Federal Home Loan Bank of Atlanta, transmitting, pursuant to law, the Bank's 2012 management reports and statements on system of internal controls; to the Committee on Banking, Housing, and Urban Affairs.

EC-1873. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Application Procedures, Execution and Filing of Forms: Correction of State Office Address for Filings and Recordings, Including Proper Offices for Recording of Mining Claims; Oregon/Washington" (RIN1004-AE31) received in the Office of the President of the Senate on June 11, 2013; to the Committee on Energy and Natural Resources.

EC-1874. A communication from the Management Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Postdecisional Administrative Review Process for Occupancy or Use of National Forest System Lands and Resources" (RIN0596-AB45) received in the Office of the President of the Senate on June 7, 2013; to the Committee on Energy and Natural Resources.

EC-1875. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Initial Test Programs for Water-Cooled Nuclear Power Plants" (Regulatory Guide 1.68, Revision 4) received in the Office of the President of the Senate on June 7, 2013; to the Committee on Environment and Public Works.

EC-1876. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Miscellaneous Corrections" (RIN3150-AJ23) re-

ceived in the Office of the President of the Senate on June 7, 2013; to the Committee on Environment and Public Works.

EC-1877. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Turkmenistan; to the Committee on Foreign Relations.

EC-1878. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 13-074); to the Committee on Foreign Relations.

EC-1879. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-077); to the Committee on Foreign Relations.

EC-1880. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-073); to the Committee on Foreign Relations.

EC-1881. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-069); to the Committee on Foreign Relations.

EC-1882. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-068); to the Committee on Foreign Relations.

EC-1883. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-072); to the Committee on Foreign Relations.

EC-1884. A communication from the Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development (USAID), transmitting, pursuant to law, a report responding to a GAO report entitled "U.S. Assistance to Yemen: Actions Needed to Improve Oversight of Emergency Food Aid and Assess Security Assistance"; to the Committee on Foreign Relations.

EC-1885. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

EC-1886. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Incentives for Nondiscriminatory Wellness Programs in Group Health Plans" (RIN1210-AB55) received in the Office of the President of the Senate on June 3, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1887. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Incentives for Nondiscriminatory Wellness Programs in Group Health Plans" (RIN0938-AR48) received in the Office of the President of the Senate on June 5, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-1888. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the combined seventh, eighth, and ninth quarterly reports relative to the steps the Food and Drug Administration has taken to implement the Menu and Vending Machine Labeling provisions from the Patient Protection and Affordable Care Act of 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-1889. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report entitled "Workplace Wellness Report to Congress"; to the Committee on Health, Education, Labor, and Pensions.

EC-1890. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Director of Indian Health Service, Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

EC-1891. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2012 Report to Congress on Funding Needs For Contract Support Costs of Self-Determination Awards"; to the Committee on Indian Affairs.

EC-1892. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2011 Report to Congress on Funding Needs For Contract Support Cost of Self-Determination Awards" corrected version; to the Committee on Indian Affairs.

EC-1893. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Department of Justice's Indian Country Investigations and Prosecution Report for calendar years 2011 and 2012; to the Committee on the Judiciary.

EC-1894. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Office of Community Oriented Policing Services (COPS) Annual Report for fiscal year 2012; to the Committee on the Judiciary.

#### EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. BAUCUS for the Committee on Finance.

\*Michael Froman, of New York, to be United States Trade Representative, with the rank of Ambassador Extraordinary and Plenipotentiary.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TOOMEY (for himself, Mr. CASEY, and Mr. CRAPO):

S. 1128. A bill to clarify the orphan drug exception to the annual fee on branded prescription pharmaceutical manufacturers and importers; to the Committee on Finance.

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 1129. A bill to assist coordination among science, technology, engineering, and mathematics efforts in the States, to strengthen the capacity of elementary schools, middle schools, and secondary schools to prepare students in science, technology, engineering, and mathematics, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. LEE, Mr. HELLER, Mr. LEAHY, Mr. BEGICH, Mr. FRANKEN, Mr. TESTER, Mr. WYDEN, Mr. BLUMENTHAL, and Mr. PAUL):

S. 1130. A bill to require the Attorney General to disclose each decision, order, or opinion of a Foreign Intelligence Surveillance Court that includes significant legal interpretation of section 501 or 702 of the Foreign Intelligence Surveillance Act of 1978 unless such disclosure is not in the national security interest of the United States and for other purposes; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 1131. A bill to strengthen Indian education, and for other purposes; to the Committee on Indian Affairs.

By Mr. BURR (for himself and Mrs. HAGAN):

S. 1132. A bill to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes; to the Committee on Indian Affairs.

By Mr. ROCKEFELLER (for himself, Mr. BLUNT, Mr. CARDIN, Ms. COLLINS, and Ms. CANTWELL):

S. 1133. A bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN:

S. 1134. A bill to amend the Internal Revenue Code of 1986 to issue regulations covering the practice of enrolled agents before the Internal Revenue Service; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. WHITEHOUSE, and Mr. MERKLEY):

S. 1135. A bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN:

S. 1136. A bill to authorize the extension of preferential tariff treatment for certain textile goods imported from Nicaragua; to the Committee on Finance.

By Mr. WYDEN (for himself, Mr. CRAPO, Ms. LANDRIEU, Ms. CANTWELL, Mr. MERKLEY, and Mr. BLUMENTHAL):

S. 1137. A bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 1138. A bill to reauthorize the Hudson River Valley National Heritage Area; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 1139. A bill to authorize the Secretary of the Interior to conduct a special resource study of the Hudson River Valley, New York;

to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 1140. A bill to extend the authorization of the Highlands Conservation Act through fiscal year 2024; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. SCHUMER, and Ms. STABENOW):

S. 1141. A bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes; to the Committee on Finance.

#### ADDITIONAL COSPONSORS

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 195

At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 195, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 325

At the request of Mr. TESTER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 325, a bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes.

S. 382

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 382, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 559

At the request of Mr. ISAKSON, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 559, a bill to establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes.

S. 569

At the request of Mr. BROWN, the names of the Senator from Florida (Mr. NELSON) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 602

At the request of Mr. TESTER, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 602, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 647

At the request of Mr. NELSON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 647, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 650

At the request of Ms. LANDRIEU, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 650, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 699

At the request of Mr. GRASSLEY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 699, a bill to reallocate Federal judgeships for the courts of appeals, and for other purposes.

S. 709

At the request of Ms. STABENOW, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 734

At the request of Mr. NELSON, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 777

At the request of Mrs. GILLIBRAND, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 777, a bill to restore the

previous policy regarding restrictions on use of Department of Defense medical facilities.

S. 789

At the request of Mr. BAUCUS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 813

At the request of Mr. UDALL of Colorado, his name was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 842

At the request of Mr. SCHUMER, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Missouri (Mr. BLUNT) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 865

At the request of Mr. WHITEHOUSE, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 896

At the request of Mr. BEGICH, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 908

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 908, a bill to amend the Public Health Service Act to improve the diagnosis and treatment of hereditary hemorrhagic telangiectasia, and for other purposes.

S. 916

At the request of Mr. KAINE, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 916, a bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

S. 945

At the request of Mrs. SHAHEEN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of

S. 945, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

S. 967

At the request of Mrs. GILLIBRAND, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Maryland (Mr. CARDIN), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 1028

At the request of Mr. SANDERS, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1028, a bill to reauthorize and improve the Older Americans Act of 1965, and for other purposes.

S. 1050

At the request of Ms. COLLINS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1050, a bill to amend title 10, United States Code, to ensure the issuance of regulations applicable to the Coast Guard regarding consideration of a request for a permanent change of station or unit transfer submitted by a member of the Coast Guard who is the victim of a sexual assault.

S. 1059

At the request of Mr. KIRK, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1059, a bill to amend the Immigration and Nationality Act to deem any person who has received an award from the Armed Forces of the United States for engagement in active combat or active participation in combat to have satisfied certain requirements for naturalization.

S. 1096

At the request of Mr. BAUCUS, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 1096, a bill to establish an Office of Rural Education Policy in the Department of Education.

S. 1099

At the request of Mr. COBURN, the names of the Senator from Indiana (Mr. DONNELLY) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 1099, a bill to ensure that individuals do not simultaneously receive unemployment compensation and disability insurance benefits.

S. 1100

At the request of Mr. BARRASSO, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1100, a bill to amend the Energy

Independence and Security Act of 2007 to repeal a provision prohibiting Federal agencies from procuring alternative fuels.

S.J. RES. 11

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S.J. Res. 11, a joint resolution proposing an amendment to the Constitution of the United States to restore the rights of the American people that were taken away by the Supreme Court's decision in the Citizens United case and related decisions, to protect the integrity of our elections, and to limit the corrosive influence of money in our democratic process.

S. CON. RES. 15

At the request of Mr. HARKIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Con. Res. 15, a concurrent resolution expressing the sense of Congress that the Chained Consumer Price Index should not be used to calculate cost-of-living adjustments for Social Security or veterans benefits, or to increase the tax burden on low- and middle-income taxpayers.

S. RES. 75

At the request of Mr. KIRK, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 151

At the request of Mr. CASEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 151, a resolution urging the Government of Afghanistan to ensure transparent and credible presidential and provincial elections in April 2014 by adhering to internationally accepted democratic standards, establishing a transparent electoral process, and ensuring security for voters and candidates.

S. RES. 154

At the request of Mr. HOEVEN, the names of the Senator from Florida (Mr. RUBIO), the Senator from Illinois (Mr. DURBIN) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. Res. 154, a resolution supporting political reform in Iran and for other purposes.

S. RES. 164

At the request of Mr. UDALL of Colorado, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. Res. 164, a resolution designating October 30, 2013, as a national day of remembrance for nuclear weapons program workers.

S. RES. 167

At the request of Mr. MENENDEZ, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor

of S. Res. 167, a resolution reaffirming the strong support of the United States for the peaceful resolution of territorial, sovereignty, and jurisdictional disputes in the Asia-Pacific maritime domains.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 1136. A bill to authorize the extension of preferential tariff treatment for certain textile goods imported from Nicaragua; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce legislation to extend a critical textile and apparel trade program with Nicaragua, currently set to expire at the end of 2014 through the end of 2024.

This is a unique program which benefits not only Nicaraguan apparel factories and U.S. apparel companies and retailers, but U.S. fabric and yarn mills as well.

Let me explain.

In an effort to promote trade between the United States and Nicaragua, the 2006 Central American Free Trade Agreement, CAFTA, allows Nicaragua to export to the United States a limited amount of apparel products duty free regardless of the source of the yarn or fabric.

Specifically, this Tariff Preference Level, TPL, allows Nicaragua to export 100 million square meter equivalents, SMEs, of apparel made with fabric from non-CAFTA countries as long as the apparel is assembled in Nicaragua.

In order to ensure that U.S. fabric producers could also take advantage of this program, it contains a special rule for trousers.

It requires Nicaragua to purchase one square meter of U.S. fabric for every one square meter of non-CAFTA woven trouser fabric.

That is, under this "one for one" rule, for each export of woven trousers made from non-CAFTA fabric, Nicaragua agreed to export to the U.S. an equal amount of woven trousers made of U.S. fabric, up to a certain level 50 million square meter equivalents.

This "one for one" feature has been especially successful, resulting in an increase in U.S. fabric exports to Nicaragua and an increase in apparel production jobs in Central America.

In fact, since 2006, when the program went into effect, U.S. fabric exports to Nicaragua have nearly doubled from \$57.3 million to \$110.2 million.

Nicaragua is now the fastest growing market for U.S. fabric exports to the CAFTA region.

Nicaragua has also greatly benefited from this program.

I would remind my colleagues that Nicaragua, with a GDP per capita of \$3,300, is the poorest country in Central America and the second poorest country in the Western Hemisphere.

Approximately 42.5 percent of Nicaragua's population lives below the poverty line.

It is vital that Nicaragua develop and grow new export opportunities to help lift its people out of poverty. And that is what this program has done.

Since 2006, total apparel exports from Nicaragua to the U.S. have doubled. The program now accounts for 25 percent of those exports.

Between 2005 and 2013, jobs in the apparel sector in Nicaragua have grown by 23 percent. That is, 13,236 new jobs have been created since CAFTA went into effect.

With a program that has proven to be so successful and mutually beneficial, it is appropriate for Congress to extend it and ensure that these benefits continue.

Some of my colleagues may wonder why I am introducing legislation now to extend a textile and apparel trade program that will not expire until the end of 2014.

The simple answer is that an early renewal is critical for business planning purposes.

U.S. companies that have taken advantage of this program are making decisions now about their long-term investments and where they will source apparel products.

Extending this program several months before its expiration date will help give U.S. companies the necessary confidence to continue to invest in Nicaragua and take advantage of its benefits.

If we wait until the last minute to extend the program, the ties that have been developed between U.S. and Nicaraguan companies and the benefits accrued will be put at risk.

Simply put, U.S. companies will not make the commitments to Nicaragua if there is a chance the textile and apparel trade program will lapse.

They will look elsewhere for new business opportunities to avoid what would in essence be a new trade barrier to U.S. textile exports and U.S. apparel companies in Nicaragua.

And as U.S. apparel orders from Nicaragua decline, U.S. textile exports to Nicaragua will also decline. Jobs will be lost.

U.S. companies are looking for assurances that the U.S. is committed to this program after 2014 and that is why this legislation is needed now.

It is supported by the American Apparel and Footwear Association, the National Retail Federation, the Retail Industry Leaders Association, and the United States Association of Importers of Textile and Apparel.

It is a win-win trade program promoting jobs and economic growth in both countries.

Nicaragua will be able to continue to develop a vital export industry and U.S. apparel companies, retailers, and textile manufacturers will continue to

access a growing, thriving market in Central America.

I urge my colleagues to support this legislation.

By Mr. WYDEN (for himself, Mr. CRAPO, Ms. LANDRIEU, Ms. CANTWELL, Mr. MERKLEY, and Mr. BLUMENTHAL):

S. 1137. A bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1137

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Ambulatory Surgical Center Quality and Access Act of 2013”.

#### SEC. 2. ALIGNING UPDATES FOR AMBULATORY SURGICAL CENTER SERVICES WITH UPDATES FOR OPD SERVICES.

Section 1833(i)(2)(D) of the Social Security Act (42 U.S.C. 1395l(i)(2)(D)) is amended—

(1) by redesignating clause (vi) as clause (vii);

(2) in the first sentence of clause (v), by inserting before the period the following: “and, in the case of 2014 or a subsequent year, by the adjustment described in subsection (t)(3)(G) for the respective year”; and

(3) by inserting after clause (v) the following new clause:

“(vi) In implementing the system described in clause (i) for 2014 and each subsequent year, there shall be an annual update under such system for the year equal to the OPD fee schedule increase factor specified under subsection (t)(3)(C)(iv) for such year, adjusted in accordance with clauses (iv) and (v).”.

#### SEC. 3. TRANSPARENCY OF QUALITY REPORTS AND APPLICATION OF VALUE-BASED PURCHASING TO ASCS.

(a) QUALITY MEASURES.—Paragraph (7) of section 1833(i) of the Social Security Act (42 U.S.C. 1395l(i)) is amended by adding at the end the following new subparagraphs:

“(C) To the extent that quality measures implemented by the Secretary under this paragraph for ambulatory surgical centers and under section 1833(t)(17) for hospital outpatient departments are applicable to the provision of surgical services in both ambulatory surgical centers and hospital outpatient departments, the Secretary shall make reported data available on the website ‘Medicare.gov’ in a manner that will permit side-by-side comparisons on such measures for ambulatory surgical centers and hospital outpatient departments in the same geographic area.

“(D) For each procedure covered for payment in an ambulatory surgical center, the Secretary shall publish, along with the quality reporting comparisons provided for in subparagraph (C), comparisons of the Medicare payment and beneficiary copayment amounts for the procedure when performed in ambulatory surgical centers and hospital outpatient departments in the same geographic area.

“(E) The Secretary shall ensure that an ambulatory surgery center and a hospital has the opportunity to review, and submit any corrections for, the data to be made public with respect to the ambulatory surgery center under subparagraph (C)(ii) prior to such data being made public.”.

(b) AMBULATORY SURGICAL CENTER VALUE-BASED PURCHASING PROGRAM.—Section 1833(i) of the Social Security Act (42 U.S.C. 1395l(i)) is amended by adding at the end the following new paragraph:

“(8) VALUE-BASED PURCHASING PROGRAM.—

“(A) ESTABLISHMENT.—The Secretary shall establish an ambulatory surgical center value-based purchasing program (in this subsection referred to as the ‘Program’) under which, subject to subparagraph (I), each ambulatory surgical center that the Secretary determines meets (or exceeds) the performance standards under subparagraph (D) for the performance period (as established under subparagraph (E)) for a calendar year is eligible, from the amounts made available in the total shared savings pool under subparagraph (I)(iv), for shared savings under subparagraph (I), which shall be in the form, after application of the adjustments under clauses (iv), (v), and (vi) of paragraph (2)(D), of an increase in the amount of payment determined under the payment system under paragraph (2)(D) for surgical services furnished by such center during the subsequent year, by the value-based percentage amount under subparagraph (H) specified by the Secretary for such center and year.

“(B) PROGRAM START DATE.—The Program shall apply to payments for procedures occurring on or after January 1, 2015.

“(C) MEASURES.—

“(i) IN GENERAL.—For purposes of the Program, the Secretary shall select measures from the measures specified under paragraph (7).

“(ii) AVAILABILITY OF MEASURE AND DATA.—The Secretary may not select a measure under this paragraph for use under the Program with respect to a performance period for a calendar year unless such measure has been included, and the reported data available, on the website ‘Medicare.gov’, for at least 1 year prior to the beginning of such performance period.

“(iii) MEASURE NOT APPLICABLE UNLESS ASC FURNISHES SERVICES APPROPRIATE TO MEASURE.—A measure selected under this paragraph for use under the Program shall not apply to an ambulatory surgical center if such center does not furnish services appropriate to such measure.

“(D) PERFORMANCE STANDARDS.—

“(i) ESTABLISHMENT.—The Secretary shall establish performance standards with respect to measures selected under subparagraph (C)(i) for a performance period for a calendar year.

“(ii) ACHIEVEMENT AND IMPROVEMENT.—The performance standards established under clause (i) shall include levels of achievement and improvement.

“(iii) TIMING.—The Secretary shall establish and announce the performance standards under clause (i) not later than 60 days prior to the beginning of the performance period for the calendar year involved.

“(E) PERFORMANCE PERIOD.—For purposes of the Program, the Secretary shall establish the performance period for a calendar year. Such performance period shall begin and end prior to the beginning of such calendar year.

“(F) ASC PERFORMANCE SCORE.—The Secretary shall develop a methodology for assessing the total performance of each ambulatory surgery center based on performance

standards with respect to the measures selected under subparagraph (C) for a performance period (as established under subparagraph (E)). Using such methodology, the Secretary shall provide for an assessment (in this subsection referred to as the ‘ASC performance score’) for each ambulatory surgical center for each performance period. The methodology shall provide that the ASC performance score is determined using the higher of its achievement or improvement score for each measure.

“(G) APPEALS.—The Secretary shall establish a process by which ambulatory surgery centers may appeal the calculation of the ambulatory surgery center’s performance with respect to the performance standards established under subparagraph (D) and the ambulatory surgery center performance score under subparagraph (E). The Secretary shall ensure that such process provides for resolution of appeals in a timely manner.

“(H) CALCULATION OF VALUE-BASED INCENTIVE PAYMENT.—

“(i) VALUE-BASED PERCENTAGE AMOUNT.—For purposes of subparagraph (A), the Secretary shall specify a value-based percentage amount for an ambulatory surgical center for a calendar year.

“(ii) REQUIREMENTS.—In specifying the value-based percentage amount for each ambulatory surgical center for a calendar year under clause (i), the Secretary shall ensure that such percentage is based on—

“(I) the ASC performance score of the ambulatory surgery center under subparagraph (F); and

“(II) the amount of the total savings pool made available under subparagraph (I)(iii)(I) for such year.

“(I) ANNUAL CALCULATION OF SHARED SAVINGS FUNDING FOR VALUE-BASED INCENTIVE PAYMENTS.—

“(i) DETERMINING BONUS POOL.—In each year of the Program, ambulatory surgery centers shall be eligible to receive payment for shared savings under the Program only if for such year the sum of—

“(I) the estimated amount of expenditures under this title for Medicare fee-for-service beneficiaries (as defined in section 1899(h)(3)) for surgical services for which payment is made under the payment system under paragraph (2), adjusted for beneficiary characteristics, and

“(II) the estimated amount of expenditures under this title for Medicare fee-for-service beneficiaries (as so defined) for the same surgical services for which payment is made under the prospective payment system under subsection (t), adjusted for beneficiary characteristics,

is at least the percent specified by the Secretary below the applicable benchmark determined for such year under clause (ii). For purposes of this subparagraph, such sum shall be referred to as ‘estimated expenditures’. The Secretary shall determine the appropriate percent described in the preceding sentence to account for normal variation in volume of services under this title and to account for changes in the coverage of services in ambulatory surgery centers and hospital outpatient departments during the performance period involved.

“(ii) ESTABLISH AND UPDATE BENCHMARK.—For purposes of clause (i), the Secretary shall calculate a benchmark for each year described in such clause equal to the product of—

“(I) estimated expenditures described in clause (i) for such year, and

“(II) the average annual growth in estimated expenditures for the most recent three years.

Such benchmark shall be reset at the start of each calendar year, and adjusted for changes in enrollment under the Medicare fee-for-service program.

“(iii) PAYMENTS BASED ON SHARED SAVINGS.—If the requirement under clause (i) is met for a year—

“(I) 50 percent of the total savings pool estimated under clause (iv) for such year shall be made available for shared savings to be paid to ambulatory surgical centers under this paragraph;

“(II) a percent (as determined appropriate by the Secretary, in accordance with subparagraph (H)) of such amount made available for such year shall be paid as shared savings to each ambulatory surgery center that is determined under the Program to have met or exceeded performance scores for such year; and

“(III) all funds made available under subclause (I) for such year shall be used and paid as sharing savings for such year in accordance with subclause (II).

“(iv) ESTIMATE OF THE TOTAL SAVINGS POOL.—For purposes of clause (iii), the Secretary shall estimate for each year of the Program the total savings pool as the product of—

“(I) the conversion factor for such year determined by the Secretary under the payment system under paragraph (2)(D) divided by the conversion factor calculated under subsection (t)(3)(C) for such year for covered OPD services, multiplied by 100, and

“(II)(aa) the product of the estimated Medicare expenditures for surgical services described in clause (i)(I) furnished during such year to Medicare fee-for-service beneficiaries (as defined in section 1899(h)(3)) for which payment is made under subsection (t) and the average annual growth in the estimated Medicare expenditures for such services furnished to Medicare fee-for-service beneficiaries (as so defined) for which payment is made under subsection (t) in the most recent available 3 years, less

“(bb) the estimated Medicare expenditures for surgical services described in clause (i)(I) furnished to Medicare fee-for-service beneficiaries for which payment was made under subsection (t) in the most recent year.

“(J) NO EFFECT IN SUBSEQUENT CALENDAR YEARS.—The value-based percentage amount under subparagraph (H) and the percent determined under subparagraph (I)(iii)(I) shall apply only with respect to the calendar year involved, and the Secretary shall not take into account such amount or percentage in making payments to an ambulatory surgery center under this section in a subsequent calendar year.”.

#### SEC. 4. ADVISORY PANEL ON HOSPITAL OUTPATIENT PAYMENT REPRESENTATION.

(a) ASC REPRESENTATIVE.—The second sentence of section 1833(t)(9)(A) of the Social Security Act (42 U.S.C. 1395l(t)(9)(A)) is amended by inserting “and suppliers subject to the prospective payment system (including at least one ambulatory surgical center representative)” after “an appropriate selection of representatives of providers”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

#### SEC. 5. REASONS FOR EXCLUDING ADDITIONAL PROCEDURES FROM ASC APPROVED LIST.

(a) IN GENERAL.—Section 1833(i)(1) of the Social Security Act (42 U.S.C. 1395l(i)(1)) is

amended by adding at the end the following: “In updating such lists for application in years beginning after the date of the enactment of this sentence, for each procedure that was requested to be included in such lists during the public comment period but which the Secretary does not propose (in the final rule updating such lists) to so include in such lists, Secretary shall cite in such final rule the specific criteria in paragraph (b) or (c) of section 416.166 of title 42, Code of Federal Regulations, based on which the procedure was excluded. If paragraph (b) of such section is cited for exclusion of a procedure, the Secretary shall identify the peer reviewed research or the evidence upon which such determination is based. The Secretary may not use or cite section 416.166(c)(7) of such title as criteria or a basis for exclusion of a procedure from such lists.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to lists of ambulatory surgery procedures for application in years beginning after the date of the enactment of this Act.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1181. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1182. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1183. Mr. LEAHY (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 744, supra.

SA 1184. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1185. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1186. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1187. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1188. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1189. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1190. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1191. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1192. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1193. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1194. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1195. Mr. GRASSLEY (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 744, supra.

SA 1196. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1197. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1198. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1199. Mrs. BOXER (for herself and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1200. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1201. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1202. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1203. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1204. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1205. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1206. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1207. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1208. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1209. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1210. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1211. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1212. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1213. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1214. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1215. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1216. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1217. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1218. Mr. UDALL, of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1219. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1220. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1221. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1222. Ms. LANDRIEU (for herself, Mr. COATS, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1223. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1224. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1225. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1181.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1094, strike lines 16 through 24, and insert the following:

“(6) TREATMENT OF SPOUSES AND CHILDREN.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a spouse or child of a non-immigrant agricultural worker—

“(i) shall not be entitled to a visa or any immigration status by virtue of the relationship of such spouse or child to such worker; and

“(ii) may be provided status as a non-immigrant agricultural worker if the spouse or child is independently qualified for such status.

“(B) EXCEPTION.—Notwithstanding subparagraph (A)(i)—

“(i) an alien spouse and minor children of a nonimmigrant agricultural worker whose contract or offer of employment is for a period of 1 year or more may be admitted to the United States pursuant to clause (iii) or (iv) of section 101(a)(15)(W) during the period of the principal nonimmigrant agricultural worker's admission;

“(ii) such alien spouse and minor children shall not be counted against the numerical limitation in subsection (c); and

“(iii) such alien spouse shall be—

“(I) authorized to engage in employment in the United States during such period of admission; and

“(II) provided with an employment authorization document, stamp, or other appropriate work permit.

“(C) RULE OF CONSTRUCTION.—Nothing in subparagraph may be construed to require an employer of a nonimmigrant worker to provide housing or a housing allowance to the spouse or child of such worker.

**SA 1182.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . MARRIAGE.

(a) RULE OF CONSTRUCTION.—Title I (8 U.S.C. 1101 et seq.) is amended by adding at the end the following:

#### “SEC. 107. RULE OF CONSTRUCTION.

“Notwithstanding section 7 of title 1, United States Code, an individual shall be considered a ‘spouse’ and a marriage shall be considered a ‘marriage’ for the purposes of this Act if—

“(1) the marriage of the individual is valid in the State in which the marriage was entered into; or

“(2) in the case of a marriage entered into outside of any State, the marriage is valid in the place in which the marriage was entered into and the marriage could have been entered into in a State.”.

(b) CONFORMING AMENDMENT.—Section 202(b)(2) (8 U.S.C. 1152(b)(2)) is amended—

(1) by striking “his spouse” and inserting “his or her spouse”; and

(2) by striking “husband and wife” and inserting “the spouses”.

**SA 1183.** Mr. LEAHY (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; as follows:

At the end of subtitle D of title IV, add the following:

#### SEC. 4416. INTERNATIONAL PARTICIPATION IN THE PERFORMING ARTS.

Section 214(c)(6)(D) (8 U.S.C. 1184(c)(6)(D)) is amended—

(1) in the first sentence, by inserting “(i)” before “Any person”; and

(2) in the second sentence—

(A) by striking “Once” and inserting “Except as provided in clause (ii), once”; and

(B) by striking “Attorney General shall” and inserting “Secretary of Homeland Security shall”;

(3) in the third sentence, by striking “The Attorney General” and inserting “The Secretary”; and

(4) by adding at the end the following:

“(ii) The Secretary of Homeland Security shall adjudicate each petition for an alien with extraordinary ability in the arts (as described in section 101(a)(15)(O)(i)), an alien accompanying such an alien (as described in clauses (ii) and (iii) of section 101(a)(15)(O)), or an alien described in section 101(a)(15)(P) (other than an alien described in paragraph 4(A) (relating to athletes)) not later than 14 days after—

“(I) the date on which the petitioner submits the petition with a written advisory opinion, letter of no objection, or request for a waiver; or

“(II) the date on which the 15-day period described in clause (i) has expired, if the pe-

tioner has had an appropriate opportunity to supply rebuttal evidence.

“(iii) If a petition described in clause (ii) is not adjudicated before the end of the 14-day period described in clause (ii) and the petitioner is an arts organization described in paragraph (3), (5), or (6) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code for the taxable year preceding the calendar year in which the petition is submitted, or an individual or entity petitioning primarily on behalf of such an organization, the Secretary of Homeland Security shall provide the petitioner with the premium processing services referred to in section 286(u), without a fee.”.

**SA 1184.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1305, between lines 8 and 9, insert the following:

“(D) FRANCHISOR LIABILITY.—Nothing in this section may be construed to hold a franchisor civilly liable as a result of any violation of this section committed by a franchisee or by an agent of the franchisee.

**SA 1185.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1791, strike line 24 and all that follows through page 1792, line 4, and insert the following:

“(2) PROHIBITION ON DIRECT PAYMENTS FROM A UNITED STATES SOURCE.—During a period of admission pursuant to paragraph (1), an alien may not receive direct payments from a United States source, except for incidental expenses for meals, travel, lodging, and other basic services.”.

**SA 1186.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1154, strike line 21, and insert the following:

#### “(6) APPLICATION PROCEDURES.—

“(A) SUBMISSION.—During the 30-day period beginning on the first October 1 occurring at least 3 years after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and during each 30-day period beginning on October 1 in subsequent years, eligible aliens may submit, to U.S. Citizenship and Immigration Services, an application for a merit-based immigrant visa that contains such information as the Secretary may reasonably require.

“(B) ADJUDICATION.—Before the last day of each fiscal year in which applications are filed pursuant to subparagraph (A), the Director, U.S. Citizenship and Immigration Services, shall—

“(i) review the applications to determine which aliens will be granted a merit-based immigrant visa in the following fiscal year in accordance with this subsection; and

“(ii) in coordination with the Secretary of State, provide such visas to all successful applicants.



“(C) FEE.—An alien who is allocated a visa

**SA 1187.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1206, line 8, strike “203(b)(2)(B)” and insert “201(b)(1)(N)”.

**SA 1188.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1164, line 23, strike “(f)” and insert the following:

(f) **APPLICABILITY OF CERTAIN GROUNDS OF INADMISSIBILITY.**—In determining an alien's inadmissibility under this section, section 212(a)(9)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)) shall not apply.

(g)

**SA 1189.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1630, strike lines 3 through 5, and insert the following:

“(C) An allocation adjustment under clause (i), (ii), (iii), or (iv) of subparagraph (B)—

“(i) may not increase the total number of nonimmigrant visas available for any fiscal year under section 101(a)(15)(H)(i)(b) above 180,000; and

“(ii) may not take place to make additional nonimmigrant visas available for any fiscal year in which

**SA 1190.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1677, line 13, insert “, other than a public institution of higher education,” after “entity”.

**SA 1191.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1735, strike lines 4 through 8 and insert the following:

(2) by amending subparagraph (B) to read as follows:

“(B) The applicable numerical limitation referred to in subparagraph (A) for each fiscal year is—

“(i) 10,500 for each of the nationalities identified in clause (iii) of section 101(a)(15)(E); and

“(ii) 10,500 for all aliens described in clause (vi) of such section.”.

**SA 1192.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform

and for other purposes; which was ordered to lie on the table; as follows:

On page 942, between lines 17 and 18, insert the following:

**SEC. 1122. AIRPORT SPACE FOR BIOMETRIC DATA COLLECTION.**

(a) **IN GENERAL.**—Section 234 (8 U.S.C. 1224) is amended to read as follows:

**“SEC. 234. DESIGNATION OF INTERNATIONAL AIRPORTS AT WHICH ALIENS ARE PERMITTED TO ENTER OR EXIT THE UNITED STATES.**

“(a) **DESIGNATION.**—The Secretary of Homeland Security is authorized—

“(1) to designate international airports in the United States that may accept aliens arriving to or exiting from the United States by aircraft; and

“(2) to withdraw any designation made pursuant to paragraph (1) if the designated airport fails to provide, at no cost to the Federal Government, adequate space and facilities, as determined by the Secretary, for—

“(A) the inspection of aliens arriving to the United States; and

“(B) the collection of biometric information from aliens departing from the United States;

“(3) to provide such reasonable requirements for aircraft in civil air navigation with respect to giving notice of intention to land in advance of landing, or notice of landing, as the Secretary determines to be necessary to administer and enforce this chapter; and

“(4) to provide for the application to civil air navigation of the provisions of this chapter, if not expressly provided in this chapter, to the extent and upon such conditions as the Secretary determines to be necessary.

“(b) **CIVIL PENALTIES.**—

“(1) **IN GENERAL.**—Any person who violates any requirement provided by the Secretary of Homeland Security pursuant to subsection (a) shall be subject to a civil penalty of \$2,000, which may be remitted or mitigated by the Secretary in accordance with such proceedings as the Secretary shall prescribe.

“(2) **LIEN; SEIZURE.**—If a violation described in paragraph (1) is committed by the owner or person in command of an aircraft—

“(A) the penalty imposed under this subsection shall be a lien upon the aircraft;

“(B) such lien may be collected by proceedings in rem that conform as nearly as possible to civil suits in admiralty; and

“(C) such aircraft may be libeled therefore in the appropriate United States court.

“(D) such aircraft may be summarily seized by, and placed in the custody of, such persons as the Secretary may prescribe.

“(3) **NO JUDICIAL REVIEW.**—The determination by the Secretary of Homeland Security and the remission or mitigation of the civil penalty imposed under this subsection shall be final.

“(4) **RELEASE OF LIEN.**—An aircraft seized pursuant to paragraph (2)(D) may be released from such custody upon deposit of such amount not exceeding \$2,000 as the Secretary of Homeland Security may prescribe, or of a bond in such sum and with such sureties as the Secretary may prescribe, conditioned upon the payment of the penalty.”.

(b) **CLERICAL AMENDMENT.**—The table of contents is amended by striking the item relating to section 234 and inserting the following:

“Sec. 234. Designation of international airports at which aliens are permitted to enter or exit the United States.”.

(c) **RULEMAKING.**—

(1) **SECRETARY OF HOMELAND SECURITY.**—The Secretary shall prescribe such regulations as may be necessary to carry out the amendments made by this section.

(2) **JUDICIAL PROCEDURES.**—The Supreme Court of the United States, and, under its direction, other courts of the United States, are authorized to prescribe such rules regulating proceedings against aircraft subject to a penalty imposed pursuant to section 234(b) of the Immigration and Nationality Act, as amended by subsection (a), which are not otherwise provided by law.

**SA 1193.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1680, line 25, insert “(other than nonprofit education and research institutions)” after “employer”.

On page 1681, line 25, strike “employer who” and insert “employer (other than nonprofit education and research institutions) that”.

**SA 1194.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1147, strike lines 16 through 19, and insert the following:

“(1) **FISCAL YEARS 2015 THROUGH 2017.**—During each of the fiscal years 2015 through 2017, the worldwide level

Beginning on page 1147, line 24, strike “Beginning with the fifth fiscal year beginning after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act,” and insert “During fiscal year 2018 and each subsequent fiscal year.”

On page 1160, strike lines 11 through 13 and insert the following:

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2014.

**SA 1195.** Mr. GRASSLEY (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; as follows:

On page 855, strike line 24 and all that follows through page 856, line 9, and insert the following:

(1) **PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.**—Not earlier than the date upon which the Secretary has submitted to Congress a certification that the Secretary has maintained effective control of the Southern border for a period of not less 6 months, the Secretary may commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act.

**SA 1196.** Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 856, lines 1 through 3, strike “the Secretary has submitted to Congress the Notice of Commencement of implementation

of" and insert "the governors of the States along the Southern border have approved and certified to Congress the substantial implementation of".

On page 865, line 6, strike "and" and all that follows through "(G)" on line 7, and insert the following:

(G) the governors of the States of California, Arizona, New Mexico, and Texas; and (H)

On page 867, line 11, strike "and" and all that follows through "(ii)" on line 12, and insert the following:

(ii) the governors of the States of California, Arizona, New Mexico, and Texas; and (iii)

On page 868, line 8, strike "and" and all that follows through "(vii)" on line 9, and insert the following:

(vii) the governors of the States of California, Arizona, New Mexico, and Texas; and (viii)

**SA 1197.** Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 855, strike line 23 and all that follows through page 858, line 10, and insert the following:

(C) TRIGGERS.—

(1) PROCESSING APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, until after the date on which—

(A) the Secretary has submitted to Congress the notice of commencement of the implementation of the Comprehensive Southern Border Security Strategy pursuant to section 5(a)(4)(B); and

(B) 350 miles of Southern border fencing has been completed in accordance with section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by section 1122 of this Act.

(2) ADJUSTMENT OF STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.—The Secretary may not adjust the status of aliens who have been granted registered provisional status, except for aliens granted blue card status under section 2201 of this Act or described in section 245D(b) of the Immigration and Nationality Act, until the Secretary, after consultation with the Comptroller General of the United States, submits to the President and Congress a written certification that—

(A) the Comprehensive Southern Border Security Strategy, which was submitted to Congress, has been substantially deployed and is substantially operational;

(B) the Southern Border Fencing Strategy has been submitted to Congress, implemented, and is substantially completed;

(C) 700 miles of Southern border fencing has been completed in accordance with section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by section 1122 of this Act;

(D) the Secretary has implemented the mandatory employment verification system required under section 274A of the Immigration and Nationality Act, as amended by section 3101 of this Act, for use by all employers to prevent unauthorized workers from obtaining employment in the United States; and

(E) the Secretary is using an electronic exit system at air and sea ports of entry that operates by collecting machine-readable visa or passport information from air and vessel carriers.

On page 942, between lines 17 and 18, insert the following:

**SEC. 1122. EXTENSION OF REINFORCED FENCING ALONG THE SOUTHWEST BORDER.**

Section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note) is amended by adding at the end the following: "Only fencing that is double-layered and constructed in a way to effectively restrain pedestrian traffic may be used to satisfy the 700-mile requirement under this subparagraph. Fencing that does not effectively restrain pedestrian traffic (such as vehicle barriers and virtual fencing) does not satisfy the requirement under this subparagraph."

**SA 1198.** Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 922, line 13, insert "and tribal" after "border".

On page 923, line 9, strike "29" and insert "33".

On page 923, line 15, strike "12" and insert "14".

On page 923, between lines 20 and 21, insert the following:

(III) 2 tribal government officials;

On page 924, line 7, strike "17" and insert "19".

On page 924, between lines 12 and 13, insert the following:

(III) 2 tribal government officials;

On page 925, line 8, strike "14" and insert "16".

**SA 1199.** Mrs. BOXER (for herself and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 919, line 17, insert after "agents," the following: "in consultation with the Secretary of Defense, National Guard personnel performing duty to assist U.S. Customs and Border Protection under section 1103(c)(6) of this Act, Coast Guard officers and agents, assisting in border enforcement efforts under Section 1103(c)(6) of this Act,"

**SA 1200.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I, insert the following:

**CHAPTER —BORDER SECURITY ENHANCEMENTS**

**SEC. 1 — 1. SHORT TITLE.**

This chapter may be cited as the "Trust But Verify Act of 2013"

**SEC. 1 — 2. MEASURES USED TO EVALUATE BORDER SECURITY.**

(a) BORDER SECURITY REVIEW.—

(1) IN GENERAL.—The Secretary shall conduct an annual comprehensive review of the following:

(A) The security conditions in each of the following 9 Border Patrol sectors along the Southwest border:

(i) The Rio Grande Valley Sector.

(ii) The Laredo Sector.

(iii) The Del Rio Sector.

(iv) The Big Bend Sector.

(v) The El Paso Sector.

(vi) The Tucson Sector.

(vii) The Yuma Sector.

(viii) The El Centro Sector.

(ix) The San Diego Sector.

(B) Update on the new and existing double layered fencing built and in place, broken down on an annual basis since the date of the enactment of the Secure Fence Act of 2006 (Public Law 109-367), with the goal of completing the fence not later than 5 years after the date of the enactment of this Act.

(C) Progress towards the completion of an effective exit and entry program at all points of entry that tracks visa holders.

(D) Progress towards the goal of a 95 percent apprehension or turn back rate.

(E) A 100 percent incarceration until trial rate for newly captured illegal entrants and overstays.

(F) Progress towards the goal ending of illegal immigration and undocumented presence, as measured by census data and the Department.

(2) REPORT.—Not later than July 1, 2014, and annually thereafter, the Secretary shall submit a report to Congress containing specific results of the review conducted under paragraph (1).

**(3) RULE OF CONSTRUCTION.—**

(A) IN GENERAL.—Except as provided in subparagraph (B), nothing in paragraph (1) may be construed as prohibiting the Secretary from proposing—

(i) alterations to boundaries of the Border Patrol sectors; or

(ii) a different number of sectors to be operated on the Southern border.

(B) REPORTING.—The Secretary may not make any alteration to the Border Patrol sectors in operation or the boundaries of such sectors as of the date of the enactment of this Act unless the Secretary submits, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives, a written notification and description of the proposed change not later than 120 days before any such change would take effect.

**(b) UNQUALIFIED OPINION.—**

(1) IN GENERAL.—The Secretary shall submit a report to Congress that contains—

(A) an unqualified opinion of whether each of the sectors referred to in subsection (a)(1)(A) has achieved "total operational control" of the border within its jurisdiction; and

(B) the following criteria and goals of the Department:

(i) Transparent data relating to the success of border security and immigration enforcement policies.

(ii) Improved accountability to the people of the United States.

(iii) 100 percent surveillance capability on the border not later than 2 years after the date of the enactment of this Act.

(iv) An apprehension or turn back rate of 95 percent or higher not later than 5 years after the date of the enactment of this Act.

(v) Increasing annual targets for apprehensions, which shall be adapted to the unique conditions of each Border Patrol sector.

(vi) Uniformity in data collection and analysis for each Border Patrol sector.

(vii) An update on the new and existing double layered fencing built and in place, broken down on an annual basis since the date of the enactment of the Secure Fence Act of 2006.

(2) TOTAL OPERATIONAL CONTROL DEFINED.—In this chapter, the term “total operational control”, with respect to a border sector, occurs if—

(A) the fence construction requirements required under this chapter have been completed;

(B) the infrastructure enhancements required under this chapter have been completed and deployed;

(C) there have been verifiable increases in personnel dedicated to patrols, inspections, and interdiction;

(D) U.S. Customs and Border Protection has achieved 100 percent surveillance capacity and uninterrupted monitoring throughout the entire sector;

(E) U.S. Customs and Border Protection has achieved an apprehension rate of at least 95 percent for all attempted unauthorized crossings;

(F) uniform data collection standards have been adopted across all sectors; and

(G) U.S. Customs and Border Protection is tracking the exits of 100 percent of outbound aliens through all points of entry.

(3) METRICS DESCRIBED.—The Secretary shall use specific metrics to assess the progress toward, and maintenance of, total operational control of the border in each Border Patrol sector, including—

(A) with respect to resources and infrastructure—

(i) a description of the infrastructure and resources deployed on the Southwest border, including physical barriers and fencing, surveillance cameras, motion and other ground sensors, aerial platforms, and unmanned aerial vehicles;

(ii) an assessment of the Border Patrol's ability to perform uninterrupted surveillance on the entirety of the border within each sector;

(iii) an assessment of whether the Department of Homeland Security has attained a 100 percent surveillance capability for each sector; and

(iv) a specific analysis detailing the miles of fence built, including double-layered fencing, pursuant to the Secure Fence Act of 2006 (Public Law 109-367), as amended by this Act.

(B) with respect to illegal entries between ports—

(i) the number of attempted illegal entries, categorized by—

(I) number of apprehensions;

(II) people turned back to country of origin (turn-backs); and

(III) individuals who have escaped (got away);

(ii) the number of apprehensions, including data on unique apprehensions to capture individuals who attempted to enter multiple times;

(iii) the apprehension rate as a percentage of total attempted illegal entries;

(iv) an estimate of the total number of successful illegal entries, based on reliable supporting evidence;

(v) the prevalence of drug and contraband smuggling, categorized by—

(I) the frequency of attempted crossings;

(II) successful evasions of law enforcement;

(III) the value of smuggled contraband;

(IV) successful discoveries and arrests; and

(V) arrest rate trends related to violent criminals crossing the border;

(vi) physical evidence of crossings not otherwise tied to a pursuit, including fence-cuttings; and

(vii) transparent data that reports if the numbers include actual physical capture or turn-backs witnessed by border enforcement and a segregation of data that includes evi-

dence of individuals going back, including but not limited to footprints, food and torn clothing;

(C) with respect to illegal entries at ports—

(i) the number of attempted illegal entries, categorized by the number of apprehensions, turn-backs, and got aways;

(ii) the number of apprehensions, including data on unique apprehensions to capture individuals who attempt to enter multiple times;

(iii) the apprehension rate as a percentage of total attempted illegal entries;

(iv) an estimate of the number of successful illegal entries, based on reliable supporting evidence; and

(v) the prevalence of drug and contraband smuggling, categorized by—

(I) the frequency of attempted entries;

(II) successful discovery methods;

(III) the use of falsified official travel documents;

(IV) evolving evasion tactics; and

(V) arrest rate trends related to persons apprehended attempting to smuggle prohibited items;

(D) with respect to repeat offenders—

(i) data and analysis of recidivism trends, including the prevalence of multiple arrests and repeated attempts to enter unlawfully; and

(ii) updated information on U.S. Customs and Border Protection's Consequence Delivery System;

(E) with respect to smuggling—

(i) progress made in creating uniformity in the punishment of unlawful border crossers relative to their crimes for the purposes of deterring smuggling;

(ii) the percentage of unlawful immigrants and smugglers who are subject to a uniform punishment; and

(iii) data breaking down the treatment of, and consequences for, repeat offenders to determine the extent to which the Consequence Delivery System serves as an effective deterrent;

(F) with respect to visa overstays, data for each year, categorized by—

(i) the type of visa issued to the alien; and

(ii) the nationality of the alien;

(G) with respect to the unlawful presence of aliens—

(i) the total number of individuals present in the United States, which will be correlated in future years with normalization participants;

(ii) net migration into the United States, including legal and illegal immigrants, categorized by—

(I) nationality; and

(II) country of origin, if different from nationality;

(iii) deportation data, categorized by country and the nature of apprehension;

(iv) individuals who have obtained or who seek legal status; and

(v) individuals without legal status who have died while in the United States;

(H) the number of Department agents deployed to the border each year, categorized by staffing assignment and security function;

(I) progress made on the implementation of full exit tracking capabilities for land, sea, and air points of entry;

(J) progress towards the goal of 100 percent incarceration until trial date for newly captured illegal entrants and overstays;

(K) progress towards the goal of ending illegal immigration and undocumented presence, as measured by data collected by the United States Census Bureau and the Department; and

(L) progress towards eliminating disputes between Federal agencies in the use of public lands to perform border enforcement operations.

### SEC. 1 3. REPORTS ON BORDER SECURITY.

(a) DEPARTMENT OF HOMELAND SECURITY REPORT.—

(1) IN GENERAL.—Not later than July 1, 2014, and annually thereafter for 5 years, the Secretary shall submit a report to Congress that contains a comprehensive review of the security conditions in each of the Border Patrol sectors along the Southwest border.

(2) PUBLIC HEARINGS FOR REPORT.—Congress shall hold public hearings with the Secretary and other individuals responsible for preparing the report submitted under paragraph (1) to discuss the report and educate the United States public on border security from the perspective of such officials. Congress shall allow differing views on the conclusions of the report to be expressed by outside groups and interested parties for purposes of analyzing data through a transparent and deliberative committee process.

(b) INSPECTOR GENERAL'S REPORT.—

(1) IN GENERAL.—Not later than 30 days after the issuance of each report under subsection (a), the Inspector General of the Department shall submit a report to Congress that provides an independent analysis of the report submitted under subsection (a)(1) to analyze—

(A) the accuracy of the report; and

(B) the validity of the data used by the Department to issue the report.

(2) PARTICIPATION.—The Inspector General should participate in any hearings relating to the assessment of the border security report of the Department.

(c) GOVERNORS REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Governor of each of the States along the Southern border may submit an independent report to Congress that provides the perspective of the Governor and other officials of such State tasked to law enforcement on the security conditions along that State's border with Mexico.

(2) PUBLIC HEARINGS FOR STATE REPORTS.—Congress shall hold public hearings with the Governor and other officials from each State that submits a report under paragraph (1) to discuss the report and educate the United States public on border security from the perspective of such officials.

(d) PUBLIC DISCLOSURE OF REPORTS.—Upon the receipt of a report submitted under this section, the Senate and the House of Representatives shall—

(1) provide copies of the report to the Chair and ranking member of each standing committee with jurisdiction under the rules of such House, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate, and the Minority Leader of the Senate; and

(2) make the report available to the public.

### SEC. 1 4. CONGRESSIONAL APPROVAL PROCEDURES.

(a) JOINT RESOLUTION DEFINED.—

(1) IN GENERAL.—In this subsection, the term “joint resolution” means only a joint resolution of the 2 Houses of Congress that only includes—

(A) the matter contained in the preamble set forth in paragraph (2); and

(B) the matter after the resolving clause set forth in paragraph (3).

(2) PREAMBLE.—The joint resolution shall include the following preamble:

“Whereas Congress passed and the President enacted into law section 1\_\_\_\_6 of the Trust But Verify Act of 2013, with the promise to the American people that the border would be fully secure within 5 years;

“Whereas, one goal of comprehensive immigration reform was to verify that the United States Government is capable of implementing operational control of the border;

“Whereas the prerequisite to reforming visa law and the creation of new immigration and visa categories was the implementation of full border security within a reasonable amount of time; and

“Whereas the American people have been the subject of broken promises in the past on border security: Now, therefore, be it”.

(3) MATTER AFTER THE RESOLVING CLAUSE.—The matter after the resolving clause in the joint resolution shall read as follows: “It is the sense of Congress that the United States border is secure because—

“(1) the double-layered fencing is on schedule to be completed in 5 years and sufficient progress has been made in the past year to complete such fencing on the schedule promised to the American people;

“(2) an effective exit-entry registration system at all points of entry that tracks visa holders is either completed or sufficiently completed to the satisfaction of Congress;

“(3) the goal of a 95 percent effectiveness rate for the capture of unauthorized immigrants has been achieved, or is on pace to be achieved, not later than 5 years after the date of the enactment of the Trust But Verify Act of 2013;

“(4) the security conditions in each of the 9 Border Patrol sectors along the Southwest border have been achieved, or are on pace to be achieved not later than 5 years after the date of the enactment of the Trust But Verify Act of 2013, as determined by total operational control metric set forth in section 1\_\_\_\_2 of such Act;

“(5) a 100 percent incarceration rate until trial for newly captured illegal entrants and overstayers has been implemented;

“(6) progress towards the goal of ending illegal immigration and undocumented presence has been achieved, as measured by data collected by the United States Census Bureau and the Department; and

“(7) sections 245B of the Immigration and Nationality Act, as added by section 2101 of the Border Security, Economic Opportunity, and Immigration Modernization Act, will not compromise border security and shall remain in effect for at least 1 more year notwithstanding section 1\_\_\_\_5 of the Trust But Verify Act of 2013.”.

(b) PROCEDURES FOR CONSIDERING RESOLUTIONS.—

(1) INTRODUCTION.—A joint resolution—

(A) may be introduced in the Senate or in the House of Representatives during the 30-day calendar day period beginning on—

(i) July 1, 2014;

(ii) July 1 of any of the following 4 years; or

(iii) 30 days after date on which the report is submitted under section 1\_\_\_\_3(a) if such submission occurs before July 1 of a calendar year;

(B) in the Senate, may be introduced by any Member of the Senate;

(C) in the House of Representatives, may be introduced by any Member of the House of Representatives; and

(D) may not be amended.

(2) REFERRAL TO COMMITTEE.—A joint resolution introduced in the Senate shall be referred to the Committee on Homeland Security

and Governmental Affairs of the Senate. A joint resolution introduced in the House of Representatives shall be referred to the Committee on Homeland Security of the House of Representatives.

(3) DISCHARGE OF COMMITTEE.—If the congressional committee to which a joint resolution is referred has not discharged the resolution at the end of 30th day after its introduction—

(A) such committee shall be discharged from further consideration of such resolution; and

(B) such resolution shall be placed on the appropriate calendar of the House involved.

(4) FLOOR CONSIDERATION.—

(A) MOTION.—

(i) IN GENERAL.—After the committee to which a joint resolution is referred has reported, or has been discharged pursuant to paragraph (3) from further consideration of the joint resolution—

(I) it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the joint resolution; and

(II) all points of order against the joint resolution (and against consideration of the joint resolution) are waived;

(III) the motion described in subclause (I) is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable;

(IV) the motion described in subclause (I) is not subject to amendment, a motion to postpone, or a motion to proceed to the consideration of other business; and

(V) a motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(ii) UNFINISHED BUSINESS.—If a motion to proceed to the consideration of the joint resolution is agreed to, the resolution shall remain the unfinished business of the respective House until it has been disposed.

(B) DEBATE.—Debate on the joint resolution, and on all debatable motions and appeals in connection with such resolution, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order. A motion to reconsider the vote by which the joint resolution is agreed to or disagreed to is not in order.

(C) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the joint resolution shall occur.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as applicable, to the procedure relating to a joint resolution shall be decided without debate.

(5) COORDINATION WITH ACTION BY OTHER HOUSE.—If 1 House receives a joint resolution from the other House before the House passes a joint resolution—

(A) the joint resolution of the other House shall not be referred to a committee; and

(B) with respect to a joint resolution of the House receiving the resolution—

(i) the procedures in that House shall be the same as if no joint resolution had been received from the other House; except that

(ii) the vote on final passage shall be on the joint resolution of the other House.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such—

(i) it is deemed a part of the rules of each House, respectively;

(ii) it is only applicable with respect to the procedures to be followed in that House in the case of a joint resolution; and

(iii) it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 1\_\_\_\_5. CONDITIONS.

(a) YEAR 1.—Except as provide in section 1\_\_\_\_6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2014, unless Congress enacts a joint resolution pursuant to section 1\_\_\_\_4 during the 1-year period ending on such date.

(b) YEAR 2.—Except as provided in section 1\_\_\_\_6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2015, unless Congress enacts a joint resolution pursuant to section 1\_\_\_\_4 during the 1-year period ending on such date.

(c) YEAR 3.—Except as provided in section 1\_\_\_\_6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2016, unless Congress enacts a joint resolution pursuant to section 1\_\_\_\_4 during the 1-year period ending on such date.

(d) YEAR 4.—Except as provided in section 1\_\_\_\_6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2017, unless Congress enacts a joint resolution pursuant to section 1\_\_\_\_4 during the 1-year period ending on such date.

(e) YEAR 5.—Except as provided in section 1\_\_\_\_6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2018, unless Congress enacts a joint resolution pursuant to section 1\_\_\_\_4 during the 1-year period ending on such date.

(f) STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.—If section 245B of the Immigration and Nationality Act ceases to be effective pursuant to this section—

(1) any alien who was granted registered provisional immigrant status before the date such section ceases to be effective shall remain in such status; and

(2) any alien whose application for registered provisional immigrant status is pending may not be granted such status until such section is reinstated.

(g) RULES OF CONSTRUCTION.—Except as provided in subsection (g), no provision of this section may be construed—

(1) to limit the authority of the Secretary to review and process applications for registered provisional immigrant status under section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act; or

(2) to repeal or limit the application of section 245B(c) of such Act.

(h) SUNSET.—Paragraphs (1) and (2) shall cease to have effect on December 31, 2018, unless Congress enacts a joint resolution pursuant to section 1\_\_\_\_4 during 2018.

**SEC. 1 6. TRIGGERS BASED ON CONGRESSIONAL APPROVAL.**

(a) YEAR 1.—If a joint resolution is enacted pursuant to section 1 4 during 2014, the sunset provision set forth in section 1 5(a) shall have no further force or effect.

(b) YEAR 2.—If a joint resolution is enacted pursuant to section 1 4 during 2015, the sunset provision set forth in section 1 5(b) shall have no further force or effect.

(c) YEAR 3.—If a joint resolution is enacted pursuant to section 1 4 during 2016, the sunset provision set forth in section 1 5(c) shall have no further force or effect.

(d) YEAR 4.—If a joint resolution is enacted pursuant to section 1 4 during 2017, the sunset provision set forth in section 1 5(d) shall have no further force or effect.

(e) YEAR 5.—If a joint resolution is enacted pursuant to section 1 4 during 2018, the sunset provision set forth in section 1 5(e) shall have no further force or effect.

**SEC. 1 7. REQUIREMENT FOR PHYSICAL BORDER FENCE CONSTRUCTION.**

(a) CONSTRUCTION OF BORDER FENCING.—

(1) FIRST YEAR.—Except as provided in subsection (d), during the 1-year period beginning on the date of the enactment of this Act, the Secretary shall construct not fewer than 100 miles of double-layer fencing on the Southern border.

(2) SUBSEQUENT YEARS.—During each of the first 4 1-year periods immediately following the 1-year period described in paragraph (1), the Secretary shall construct not fewer than 150 miles of double-layer fencing on the Southern border.

(b) CERTIFICATION.—Except as provided in subsection (d), not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit a written certification that construction of the double-layer fencing required under subsection (a) has been completed during the preceding year to—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on the Judiciary of the House of Representatives; and

(4) the Committee on Homeland Security of the House of Representatives.

(c) DETERMINATION OF MILES OF FENCING CONSTRUCTED.—

(1) INCLUDED ITEMS.—In determining the number of fencing miles constructed in the preceding year, the Secretary may apply, toward the requirement under subsection (a), the number of miles of—

(A) new double-layer fencing that have been completed; and

(B) a second fencing layer that has been added to an existing, single-layered fence.

(2) EXCLUDED ITEMS.—In determining the number of fencing miles constructed in the preceding year, the Secretary may not apply, toward the requirement in subsection (a)—

(A) vehicle barriers;

(B) ground sensors;

(C) motion detectors;

(D) radar-based surveillance;

(E) thermal imaging;

(F) aerial surveillance platforms;

(G) observation towers;

(H) motorized or nonmotorized ground patrols;

(I) existing single-layer fencing; or

(J) new construction of single-layer fencing.

(d) SUNSET.—The Secretary shall no longer be required to comply with the requirements under subsection (a) and (b) on the earliest of—

(1) the date on which the Secretary submits the 5th affirmative certification pursuant to subsection (b); or

(2) the date on which the Secretary certifies the completion of not fewer than 700 miles of double-layer fencing on the Southern border.

(e) CONFORMING AMENDMENT.—Section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note) is amended by striking subparagraph (D).

**SEC. 1 8. ONE HUNDRED PERCENT EXIT TRACKING FOR ALL UNITED STATES VISITORS.**

(a) FINDINGS.—Congress makes the following findings:

(1) Consistent with the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, the United States will continue its progress toward full biometric entry-exit capture capability at land, air, and sea points of entry.

(2) No capability exists to fully track whether non-United States persons in the United States on a temporary basis have exited the country consistent with the terms of their visa, whether by land, sea, or air.

(3) No program exists along the Southwest border to track land exits from the United States into Mexico.

(4) Without the ability to capture the full cycle of an alien's trip into and out of the United States, it is possible for persons to remain in the United States unlawfully for years without detection by U.S. Immigration and Customs Enforcement.

(5) Because there is no exit tracking capability, there is insufficient data for an official assessment of the number of persons who have overstayed a visa and that remain in the United States. Studies have estimated that as many as 40 percent of all persons in the United States without lawful immigration status entered the country legally and did not return to their country of origin or follow the terms of their entry.

(6) Despite a legal mandate to track alien exits, more than a decade without any significant capability to do so has—

(A) degraded the Federal Government's ability to enforce immigration laws;

(B) placed a greater strain on law enforcement resources; and

(C) undermined the legal immigration process in the United States.

(b) REQUIREMENT FOR OUTBOUND TRAVEL DOCUMENT CAPTURE AT LAND POINTS OF ENTRY.—

(1) OUTBOUND TRAVEL DOCUMENT CAPTURE AT FOOT CROSSINGS.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall establish a mandatory exit data system for all outbound lanes at each land point of entry along the Southern border that is only accessible to individuals on foot or by nonmotorized means.

(B) DATA COLLECTION REQUIREMENTS.—The system established under subparagraph (A) shall require the collection of data from machine-readable visas, passports, and other travel and entry documents for all categories of aliens who are exiting the United States through an outbound lane described in subparagraph (A).

(2) OUTBOUND TRAVEL DOCUMENT CAPTURE AT ALL OTHER LAND POINTS OF ENTRY.—

(A) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall establish a mandatory exit data system at all outbound lanes not subject to paragraph (1) at each land point of entry along the Southern border.

(B) DATA COLLECTION REQUIREMENTS.—The system established under subparagraph (A) shall require the collection of data from machine-readable visas, passports, and other travel and entry documents for all categories of aliens who are exiting the United States through an outbound lane described in subparagraph (A).

(3) INFORMATION REQUIRED FOR COLLECTION.—While collecting information under paragraphs (1) and (2), the Secretary shall collect identity-theft resistant departure information from the machine-readable visas, passports, and other travel and entry documents.

(4) RECORDING OF EXITS AND CORRELATION TO ENTRY DATA.—The Secretary shall integrate the records collected under paragraphs (1) and (2) into the interoperable data system established under section 3303(b) and any other database necessary to correlate an alien's entry and exit data.

(5) PROCESSING OF RECORDS.—Before the departure of outbound aliens at each point of entry, the Secretary shall provide for cross-reference capability between databases designated by the Secretary under paragraph (4) to determine and record whether an outbound alien has been in the United States without lawful immigration status.

(6) RECORDS INCLUSION REQUIREMENTS.—The Secretary shall maintain readily accessible entry-exit data records for immigration and other law enforcement and improve immigration control and enforcement by including information necessary to determine whether an outbound alien without lawful presence in the United States entered the country through—

(A) unauthorized entry between points of entry;

(B) visa or other temporary authorized status;

(C) fraudulent travel documents;

(D) misrepresentation of identity; or

(E) any other method of entry.

(7) PROHIBITION ON COLLECTING EXIT RECORDS FOR UNITED STATES CITIZENS.—

(A) PROHIBITION.—While documenting the departure of outbound individuals at each point of entry along the Southern border, the Secretary may not—

(i) process travel documents of United States citizens;

(ii) log, store, or transfer exit data for United States citizens;

(iii) create, maintain, operate, access, or support any database containing information collected through outbound processing at a point of entry under paragraph (1) or (2) that contains records identifiable to an individual United States citizen.

(B) EXCEPTION.—The prohibition set forth in subparagraph (A) does not apply to the records of an individual if an officer processing travel documentation in the outbound lanes at a point of entry along the Southern border—

(i) has a strong suspicion that the individual has engaged in criminal or other prohibited activities; or

(ii) needs to verify an individual's identity because the individual is attempting to exit the United States without travel documentation.

(C) VERIFICATION OF TRAVEL DOCUMENTS.—Subject to the prohibition set forth in subparagraph (A), the Secretary may provide for the confirmation of a United States citizen's travel documentation validity in the outbound lanes at a point of entry along the Southern border.

(c) INFRASTRUCTURE IMPROVEMENTS AT LAND POINTS OF ENTRY.—

(1) **FACILITATION OF LAND EXIT TRACKING.**—The Secretary may improve the infrastructure at, or adjacent to, land points of entry, as necessary, to implement the requirements under paragraphs (1) and (2) of subsection (b), by—

(A) expanding or reconfiguring outbound road or bridge lanes within a point of entry;

(B) improving or reconfiguring public roads or other transportation infrastructure leading into, or adjacent to, the outbound lanes at a point of entry if—

(i) there has been a demonstrated negative impact on transportation in the area adjacent to a point of entry as a result of projects carried out under this section; or

(ii) the Secretary, in consultation with State, local, or tribal officials responsible for transportation adjacent to a point of entry, has submitted a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that projects proposed under this section will have a significant negative impact on transportation adjacent to a point of entry without such transportation infrastructure improvements; and

(iii) the total of funds obligated in any year to improve infrastructure outside a point of entry under subsection (c)(1) shall not exceed 25 percent of the total funds obligated to meet the requirements under paragraphs (1) and (2) of subsection (b) in the same year;

(C) constructing, expanding, or improving access to secondary inspection areas, where feasible;

(D) physical structures to accommodate inspections and processing travel documents described in subsection (b)(3) for outbound aliens, including booths or kiosks at exit lanes;

(E) transfer, installation, use, and maintenance of computers, software or other network infrastructure to facilitate capture and processing of travel documents described in subsection (b)(3) for all outbound aliens; and

(F) performance of outbound inspections outside of secondary inspection areas at a point of entry to detect suspicious activity or contraband.

(2) **REPORT ON INFRASTRUCTURE REQUIREMENTS TO CARRY OUT 100 PERCENT LAND EXIT TRACKING.**—Not later than 45 days after the date of the enactment of this Act, the Secretary shall submit, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives, a report that assesses the infrastructure needs for each point of entry along the Southern border to fulfill the requirements under subsection (b), including—

(A) a description of anticipated infrastructure needs within each point of entry;

(B) a description of anticipated infrastructure needs adjacent to each point of entry;

(C) an assessment of the availability of secondary inspection areas at each point of entry;

(D) an assessment of space available at or adjacent to a point of entry to perform processing of outbound aliens;

(E) an assessment of the infrastructure demands relative to the volume of outbound crossings for each point of entry; and

(F) anticipated wait times for outbound individuals during processing of travel documents at each point of entry, relative to possible improvements at the point of entry.

(d) **PROCEDURES FOR EXIT PROCESSING AND INSPECTION.**—

(1) **INDIVIDUALS SUBJECT TO OUTBOUND SECONDARY INSPECTION.**—Officers performing

outbound inspection or processing travel documents may send an outbound individual to a secondary inspection area for further inspection and processing if the individual is—

(A) determined or suspected to have been in the United States without lawful status during processing under subsection (b) or at another point during the exit process;

(B) found to be subject to an outstanding arrest warrant;

(C) suspected of engaging in prohibited activities at the point of entry;

(D) traveling without travel documentation; or

(E) subject to any random outbound inspection procedures, as determined by the Secretary.

(2) **LIMITATIONS ON OUTBOUND SECONDARY INSPECTIONS.**—The Secretary may not designate an outbound United States citizen for secondary inspection or collect biometric information from a United States citizen under outbound inspection procedures unless criminal or other prohibited activity has been detected or is strongly suspected.

(3) **OUTBOUND PROCESSING OF PERSONS IN THE UNITED STATES WITHOUT LAWFUL PRESENCE.**—

(A) **PROCESS FOR RECORDING UNLAWFUL PRESENCE.**—If the Secretary determines, at a point of entry along the Southern border, that an outbound alien has been in the United States without lawful presence, the Secretary shall—

(i) collect and record biometric data from the individual;

(ii) combine data related to the individual's unlawful presence with any other information related to the individual in the interoperable database, in accordance with paragraphs (4) and (5) of subsection (b); and

(iii) except as provided in subparagraph (B), permit the individual to exit the United States.

(B) **EXCEPTION.**—An individual shall not be permitted to leave the United States if, during outbound inspection, the Secretary detects previous unresolved criminal activity by the individual.

#### SEC. 1 9. RULE OF CONSTRUCTION.

Nothing in this Act, or amendments made by this Act, may be construed as replacing or repealing the requirements for biometric entry-exit capture required under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208).

#### SEC. 1 10. STUDENT VISA NATIONAL SECURITY REGISTRATION SYSTEM.

(a) **ESTABLISHMENT.**—The Secretary shall establish a Student Visa National Security Registration System (referred to in this section as the “System”).

(b) **COUNTRIES REPRESENTED.**—The System shall include information about each alien in the United States on a student visa from 1 of the following countries:

- (1) Afghanistan.
- (2) Algeria.
- (3) Bahrain.
- (4) Bangladesh.
- (5) Egypt.
- (6) Eritrea.
- (7) Indonesia.
- (8) Iran.
- (9) Iraq.
- (10) Jordan.
- (11) Kuwait.
- (12) Lebanon.
- (13) Libya.
- (14) Morocco.
- (15) Nigeria.
- (16) North Korea.
- (17) Oman.

(18) Pakistan.

(19) Qatar.

(20) Russia.

(21) Saudi Arabia.

(22) Somalia.

(23) Sudan.

(24) Syria.

(25) Tunisia.

(26) United Arab Emirates.

(27) Yemen.

(c) **REGISTRATION.**—The Secretary shall notify each alien from 1 of the countries listed under subsection (b) who is seeking a student visa under subparagraph (F) or (J) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) that the alien, not later than 30 days after receiving a student visa, shall—

(1) register with the System, as part of the visa application process; and

(2) be interviewed and fingerprinted by a Department official.

(d) **BACKGROUND CHECK.**—The Secretary shall perform a background check on all aliens described in subsection (c) to ensure that such individuals do not present a national security risk to the United States.

(e) **MONITORING.**—The Secretary shall establish a procedure for monitoring the status of all alien students in the United States on student visas.

(f) **REPORTS.**—

(1) **INSPECTOR GENERAL.**—The Secretary shall submit an annual report to Congress that—

(A) describes the effectiveness with which the Department is screening student visa applicants through the System; and

(B) indicates whether the System has been implemented in a manner that is overbroad or results in the deportation of individuals with no reasonable link to a national security threat or perceived threat.

(2) **CERTIFICATION AND NATIONAL SECURITY REPORT.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress that—

(i) certifies that the System has been implemented; and

(ii) describes the specific steps that have been taken to prevent national security failures in screening out terrorists from using student visas to gain entry into the United States.

(B) **EFFECT OF NONCOMPLIANCE.**—Beginning on the date that is 181 days after the date of the enactment of this Act, the Secretary shall suspend the issuance of visas under subparagraphs (F) and (J) of section 101(a)(15) of the Immigration and Nationality Act until the Secretary has submitted the report described in subparagraph (A).

(3) **ANNUAL REPORT.**—The Secretary shall submit an annual report to Congress that contains—

(A) the number of students screened and registered under the System during the past year, broken down by country of origin; and

(B) the number of students deported during the past year as a result of information gathered during the interviews and background checks conducted pursuant to subsections (c)(2) and (d), broken down by country of origin.

#### SEC. 1 11. ASYLUM AND REFUGEE REFORM.

(a) **REGISTRATION.**—The Secretary shall notify each alien who is admitted as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) or granted asylum under section 208 of such Act (8 U.S.C. 1158) that the alien, not later than 30 days after being admitted as a refugee or granted asylum—

(1) shall register with the Department as part of application process; and  
 (2) shall be interviewed and fingerprinted by an official of the Department.

(b) **BACKGROUND CHECK.**—The Secretary shall screen and perform a background check on all individuals seeking asylum or refugee status under section 207 or 208 of the Immigration and Nationality Act to ensure that such individuals do not present a national security risk to the United States.

(c) **MONITORING.**—The Secretary shall monitor individuals granted asylum or admitted as refugees for indications of terrorism.

(d) **REPORTS.**—

(1) **SECRETARY OF HOMELAND SECURITY.**—The Secretary shall submit an annual report to Congress that—

(A) describes the effectiveness with which the Department is screening applicants for asylum and refugee status; and

(B) indicates whether the System has been implemented in a manner that is overbroad or results in the deportation of individuals with no reasonable link to a national security threat or perceived threat.

(2) **CERTIFICATION AND NATIONAL SECURITY REPORT.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress that—

(i) certifies that the requirements described in subsections (a) through (c) have been implemented; and

(ii) describes the specific steps that have been taken to prevent national security failures in screening out terrorists from using asylum and refugee status to gain entry into the United States.

(B) **EFFECT OF NONCOMPLIANCE.**—Beginning on the date that is 181 days after the date of the enactment of this Act, the Secretary shall suspend the granting of asylum and refugee status under sections 207 and 208 of the Immigration and Nationality Act (8 U.S.C. 1157 and 1158) until the Secretary has submitted the report described in subparagraph (A).

(3) **ANNUAL REPORT.**—The Secretary shall submit an annual report to Congress that contains—

(A) the number of aliens seeking asylum or refugee status who were screened and registered during the past year, broken down by country of origin; and

(B) the number of aliens seeking asylum or refugee status who were deported as a result of information gathered during interviews and background checks under subsections (a)(2) and (b), broken down by country of origin.

#### **SEC. 112. RESOLUTION OF PUBLIC LAND USE DISPUTES IMPEDING BORDER SECURITY AND ENFORCEMENT.**

(a) **PROHIBITION.**—The Secretary of Interior and the Secretary of Agriculture may not impede, prohibit, restrict, or delay activities of the Secretary on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture to achieve total operational control of the Southern border.

(b) **AUTHORIZED ACTIVITIES.**—The Secretary shall be granted immediate access to land under the jurisdiction of the Secretary of Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land in accordance with the requirements under this Act:

(1) Installing and using ground and motion sensors.

(2) Installing and using of surveillance equipment, including—

(A) video or other recording devices;

(B) radar and infrared technology; and

(C) infrastructure to enhance border enforcement line-of-sight.

(3) Using aircraft and securing landing rights, where appropriate, as determined by the Secretary.

(4) Using motorized vehicles to conduct routine patrols and pursuits as required, including trucks and all-terrain vehicles.

(5) Accessing roads.

(6) Constructing and maintaining roads.

(7) Constructing and maintaining fences or other physical barriers.

(8) Constructing and maintaining communications infrastructure.

(9) Constructing and maintaining operations centers.

(10) Setting up any other temporary tactical infrastructure.

(c) **CLARIFICATION OF WAIVER AUTHORITY.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law (including any termination date relating to the waivers referred to in this subsection), the waiver by the Secretary on April 1, 2008, pursuant to section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104-208) of the laws described in paragraph (2) with respect to certain sections of the Southern border shall be considered to apply to all land under the jurisdiction of the Secretary of Interior or the Secretary of Agriculture that is located within 100 miles of the Southern border for all activities of the Secretary described in subsection (b).

(2) **DESCRIPTION OF LAWS SUBJECT TO WAIVED.**—The laws referred to in paragraph (1) are—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(D) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Clean Air Act (42 U.S.C. 7401 et seq.);

(G) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(H) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(I) the Noise Control Act of 1972 (42 U.S.C. 4901 et seq.);

(J) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.);

(K) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(L) Public Law 86-523 (16 U.S.C. 469 et seq.);

(M) the Act of June 8, 1906 (16 U.S.C. 431 et seq.) (commonly known as the “Antiquities Act of 1906”);

(N) the Act of August 21, 1935 (16 U.S.C. 461 et seq.);

(O) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(P) the Farmland Protection Policy Act (7 U.S.C. 4201 et seq.);

(Q) the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.);

(R) the Wilderness Act (16 U.S.C. 1131 et seq.);

(S) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(T) the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.);

(U) the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.);

(V) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(W) subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”);

(X) the Otay Mountain Wilderness Act of 1999 (Public Law 106-145, 113 Stat. 1711);

(Y) sections 102(29) and 103 of California Desert Protection Act of 1994 (16 U.S.C. 410aaa et seq.);

(Z) the National Park Service Organic Act (16 U.S.C. 1 et seq.);

(AA) Public Law 91-383 (16 U.S.C. 1a-1 et seq.);

(BB) sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95-625, 92 Stat. 3467);

(CC) the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101-628);

(DD) section 10 of the Act of March 3, 1899 (33 U.S.C. 403);

(EE) the Act of June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the “Bald Eagle Protection Act of 1940”);

(FF) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(GG) Public Law 95-341 (42 U.S.C. 1996);

(HH) Public Law 103-141 (42 U.S.C. 2000bb et seq.);

(II) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(JJ) the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528 et seq.);

(KK) the Mineral Leasing Act (30 U.S.C. 181, et seq.);

(LL) the Materials Act of 1947 (30 U.S.C. 601 et seq.); and

(MM) the General Mining Act of 1872 (30 U.S.C. 22 note).

(d) **NOTIFICATION REQUIREMENTS.**—The Secretary shall submit a monthly report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that—

(1) describes any public land use dispute raised by another Federal agency;

(2) describes any other land conflict subject to subsection (a) relating to border security operations on public lands; and

(3) explains whether the waiver authority under subsection (c) was exercised in regards to such dispute or conflict.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to authorize—

(1) the restriction of legal land uses, including hunting, grazing, and mining; or

(2) additional restriction on legal access to such land.

#### **SEC. 113. SAVINGS AND OFFSETS.**

(a) **USE OF FUNDS.**—The Secretary may use amounts from the Comprehensive Immigration Reform Trust Fund made available under subparagraphs (A)(ii) and (D) of section 6(a)(3)—

(1) to fulfill the requirement under section 118 for 100 percent exit tracking of outbound aliens at land points of entry;

(2) to establish and maintain the Student Visa National Security Registration System described in section 1110; and

(3) to reform the processing of applications for asylum and refugee status pursuant to section 111.

(b) **PROHIBITION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), no funds may be obligated or expended for the construction of a new headquarters for the Department.

(2) **EXCEPTION.**—The prohibition under paragraph (1) shall not apply if the Secretary certifies to Congress that—

(A) total operational control of the Southern border has been achieved;



(B) 100 percent exit tracking for all United States visitors at air, sea, and land points of entry has been achieved;

(C) the Student Visa National Security Visa Registration System is fully operational; and

(D) reforms to asylum and refugee processing set forth in section 1\_\_\_\_11 have been fully implemented.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated \$1,000,000,000 to carry out paragraphs (1) through (3) of subsection (a).

(d) **RESCISSION OF CERTAIN UNOBLIGATED FUNDS.**—From discretionary funds appropriated to the Department, but not obligated as of the date of the enactment of this Act, \$1,000,000,000 is hereby rescinded.

#### **SEC. 1\_\_\_\_14. IMMIGRATION LAW ENHANCEMENTS.**

(a) **TRANSITION OF EXECUTIVE OFFICE FOR IMMIGRATION REVIEW.**—

(1) **ESTABLISHMENT OF COURT OF IMMIGRATION REVIEW.**—Title 28, United States Code, is amended by inserting after chapter 7 the following:

##### **“CHAPTER 9—COURT OF IMMIGRATION REVIEW**

#### **“§211. Establishment and appointment of judges**

“(a) **ESTABLISHMENT.**—There is established, under article I of the Constitution of the United States, a court of record, which shall be known as the United States Court of Immigration Review.

“(b) **JURISDICTION.**—The Court of Immigration Review shall have original, but not exclusive, jurisdiction over all civil proceedings arising under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) and is authorized to implement orders issued by the Court, in cooperation with the Department of Justice.

“(c) **APPOINTMENT OF JUDGES.**—The President shall appoint, by and with the advice and consent of the Senate, such judges as may be necessary to carry out the duties of the Court of Immigration Review.

#### **“§212. Tenure and salaries of judges**

“(a) **TENURE.**—Each judge of the United States Court of Immigration Review shall be appointed for a term of 10 years.

“(b) **SALARY.**—Each judge shall receive a salary at an annual rate determined in accordance with section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351 et seq.), as adjusted by section 461 of this title.

#### **“§213. Times and places of holding court**

“The United States Court of Immigration Review may hold court at such times and such places as it may fix by rule of court.”.

(2) **CONFORMING AMENDMENT TO HOMELAND SECURITY ACT OF 2002.**—Subtitle A of title XI of the Homeland Security Act of 2002 (6 U.S.C. 521 et seq.) is amended—

(A) by striking the subtitle heading and inserting the following:

##### **“Subtitle A—United States Court of Immigration Review”; and**

(B) by amending section 1101 (6 U.S.C. 521) to read as follows:

#### **“SEC. 1101. RESPONSIBILITIES OF UNITED STATES COURT OF IMMIGRATION REVIEW.**

“The United States Court of Immigration Review, established under chapter 9 of title 28, United States Code, shall be responsible for interpreting and administering Federal immigration laws by conducting immigration court proceedings and appellate reviews of such proceedings, in cooperation with the Department of Justice.”.

(3) **CONFORMING AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT.**—Section 103 (8 U.S.C. 1103) is amended—

(A) in subsection (a)—

(i) by striking “He” each place it appears and inserting “The Secretary”;

(ii) by striking “the Service” each place it appears and inserting “the Department of Homeland Security”;

(B) in subsection (c)—

(i) by striking “The Commissioner shall” and inserting “The Director, U.S. Citizenship and Immigration Services, shall”;

(ii) by striking “He” and inserting “The Director”;

(iii) by striking “the Service” each place it appears and inserting “U.S. Citizenship and Immigration Services”; and

(iv) by striking “The Commissioner may” and inserting “The Director may”;

(C) in subsections (d) and (e), by striking “The Commissioner” and inserting “The Director, U.S. Citizenship and Immigration Services”;

(D) in subsection (e), by striking “the Service” and inserting “U.S. Citizenship and Immigration Services”; and

(E) in subsection (g), by amending paragraph (1) to read as follows:

“(1) **IN GENERAL.**—The Attorney General shall assist the Secretary of Homeland Security in enforcing the provisions of this Act, in cooperation with the United States Court of Immigration Review, established under chapter 9 of title 28, United States Code.”.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the immigration judges serving in the Executive Office for Immigration Review on the day before the date of the enactment of this Act, absent misconduct or other compelling circumstances, should be—

(1) appointed by the President to serve on the United States Court of Immigration Review, established under chapter 29 of title 28, United States Code; and

(2) confirmed by the Senate as soon as practicable, but in no case later than 1 year after such date of enactment.

(c) **CONTINUITY PROVISION.**—All officers and employees of the Executive Office for Immigration Review on the day before the date of the enactment of this Act, absent misconduct or other compelling circumstances, shall remain in their respective positions during the Office's transition to the United States Court of Immigration Review.

(d) **ENDING OF CAPTURE AND RELEASE.**—The Secretary may not release any individual arrested by the Department for the violation of any immigration law before the individual is duly tried by the United States Court of Immigration Review unless the Secretary determines that such arrests were made in error. Individuals arrested or detained by the Department have the right to an expedited proceeding to ensure that they are not detained without a hearing for an excessive period of time.

#### **SEC. 1\_\_\_\_15. PROTECTING THE PRIVACY OF AMERICAN CITIZENS.**

(a) **IN GENERAL.**—Nothing in this Act, the amendments made by this Act, or any other provision of law may be construed as authorizing, directly or indirectly, the issuance, use, or establishment of a national identification card or system.

(b) **LIMITATIONS ON IDENTIFICATION OF UNITED STATES CITIZENS.**—

(1) **BIOMETRIC INFORMATION.**—United States citizens shall not be subject to any Federal or State law, mandate, or requirement that they provide photographs or biometric information without prior cause.

(2) **PHOTO TOOL.**—As used in this Act, the term “Photo Tool” may not be construed to

allow the Federal Government to require United States citizens to provide a photograph to the Federal Government, other than photographs for Federal employment identification documents and United States passports.

(3) **BIOMETRIC SOCIAL SECURITY CARDS.**—Notwithstanding section 3102, any other provision of this Act, the amendments made by this Act, or any other provision of law, the Federal Government may not require United States citizens to carry, or to be issued, a biometric social security card.

(4) **CITIZEN REGISTRY.**—Notwithstanding any provision of this Act, the amendments made by this Act, or any other law, the Federal Government is not authorized to create a de facto national registry of citizens.

(c) **IDENTIFICATION OF NONCITIZENS.**—The Federal Government is authorized to require noncitizens, for identification purposes, to provide biometric identification, including fingerprints, DNA, and Iris scans, and non-biometric information, including photographs.

#### **SEC. 1\_\_\_\_16. NUMERICAL LIMITATION ON REGISTERED PROVISIONAL IMMIGRANTS.**

Notwithstanding any other provision of law, the Secretary may not grant registered provisional immigrant status under section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, to more than 2,000,000 applicants for such status in any calendar year.

**SA 1201.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 858, between lines 10 and 11, insert the following:

(3) **US-VISIT SYSTEM.**—Notwithstanding any other provision of this Act, any program that authorizes granting temporary legal status to individuals who are unlawfully present in the United States or adjusting the status of such individuals to that of aliens lawfully admitted for permanent residence may not be implemented until the Secretary submits written certification to the President and Congress that the integrated entry and exit data system required under section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a), which was required to be implemented by December 21, 2005, has been fully implemented and is functioning at every land, sea, and air port of entry.

**SA 1202.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . ENSURING REGISTERED PROVISIONAL IMMIGRANTS, REFUGEES, ASYLEES, AND OTHER ALIENS ARE NOT DEPENDENT ON WELFARE.**

(a) **SHORT TITLE OF SECTION.**—This section may be cited as the “Secure the Treasury Act”.

(b) **NO TAX WINDFALL FOR REGISTERED PROVISIONAL IMMIGRANTS.**—Notwithstanding any other provision of law, with respect to taxable years beginning after December 31, 2013, a noncitizen granted registered provisional immigrant status under section 245B of the

Immigration and Nationality Act (as added by this Act) and a registered provisional immigrant whose status is adjusted to that of an alien lawfully admitted for permanent residence under section 245C of the Immigration and Nationality Act (as added by this Act) shall not be allowed to claim the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986, or any other credit allowed by subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (other than the credit allowed under section 31 of such Code (relating to overpayment of taxes)).

(c) **NO ACCESS TO WELFARE.**—Notwithstanding any other provision of law, with respect to years beginning after December 31, 2013, a noncitizen granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act (as added by this Act) and a registered provisional immigrant whose status is adjusted to that of an alien lawfully admitted for permanent residence under section 245C of the Immigration and Nationality Act (as added by this Act) shall not be eligible for any of the following assistance or benefits:

(1) Any assistance or benefits provided under a State program funded under the temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(2) Any medical assistance provided under a State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or under a waiver of such plan, other than emergency medical assistance provided under paragraphs (2) and (3) of section 1903(v), and any child health assistance provided under a State child health plan under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.) or under a waiver of such plan.

(3) Any benefits or assistance provided under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

(4) Supplemental security income benefits provided under title XVI of the Social Security Act (42 U.S.C. 1381).

(5) Federal Pell Grants under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a).

(6) Housing vouchers under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(7) Federal old-age, survivors, and disability insurance benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.).

(8) Health insurance benefits for the aged and disabled under the medicare program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(9) Assistance or benefits provided under the program of block grants to States for social services under subtitle A of title XX of the Social Security Act (42 U.S.C. 1397 et seq.).

(d) **NO WELFARE FOR REFUGEES OR ASYLEES AFTER 1 YEAR OF DATE OF ADMISSION.**—Notwithstanding any other provision of law, an alien admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) or granted asylum under section 208 of such Act (8 U.S.C. 1158) shall not be eligible for any assistance or benefits described in paragraphs (1) through (8) of subsection (c), and shall not be allowed the earned income tax credit under section 32 of the Internal Revenue Code of 1986, after the date that is 1 year after the date on which the alien is admitted to the United States under section 207 of the

Immigration and Nationality Act (8 U.S.C. 1157) or granted asylum under section 208 of such Act (8 U.S.C. 1158).

(e) **NO CITIZENSHIP FOR ALIENS WHO APPLY FOR AND RECEIVE WELFARE.**—Any alien, including any registered provisional immigrant, alien granted blue card status, refugee, asylee, or nonimmigrant admitted to the United States under a permanent or temporary visa, who is prohibited under this section, another provision of this Act, an amendment made by this Act, or any other provision of law, from applying for, or receiving, assistance or benefits described in subsection (c) or from claiming the earned income tax credit allowed under section 32 of the Internal Revenue Code of 1986, or any other credit allowed by subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986, and who applies for and receives any such assistance or benefits, or who claims and is allowed any such credit, shall be permanently prohibited from becoming naturalized as a citizen of the United States.

(f) **ENFORCEMENT.**—

(1) **REQUIREMENT.**—Each State shall implement the verification procedures listed in paragraph (5) to prevent non-citizens from receiving the assistance or benefits described in subsection (c) and from being allowed the earned income tax credit under section 32 of the Internal Revenue Code of 1986. To the extent that the State is not responsible for the administration of such assistance, benefits, or tax credit, the procedures implemented by the State shall be designed to assist the head of the Federal agency responsible for administering such assistance, benefits, or tax credit in ensuring that non-citizens do not receive the assistance, benefits, or tax credit.

(2) **PENALTY.**—Notwithstanding any other provision of law, with respect to a State, each head of the Federal agency responsible for administering a Federal means-tested benefit program listed in paragraph (4) shall reduce the annual amount of federal financial payments that would otherwise be made to the State under the program by 10 percent, beginning with the payments for fiscal year 2015. The reduction under the preceding sentence shall not apply with respect to any fiscal year that begins after the date on which the State certifies to the Secretary of the Homeland Security that the State has complied with paragraph (1).

(3) **STATE DEFINED.**—In this subsection, the term “State” means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

(4) **FEDERAL MEANS-TESTED BENEFIT PROGRAMS.**—The Federal means-tested benefit programs listed in this paragraph are the following:

(A) The temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(B) The Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(C) The State children’s health insurance program under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.).

(D) The supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

(E) The program of block grants to States for social services under subtitle A of title XX of the Social Security Act (42 U.S.C. 1397 et seq.).

(5) **VERIFICATION PROCEDURES.**—The verification procedures listed in this paragraph are the following:

(A) Requiring proof of citizenship as a condition for receipt of assistance or benefits under the Federal means-tested benefit programs listed in paragraph (4).

(B) Verifying the proof of citizenship provided as a condition for receipt of assistance or benefits under the Federal means-tested benefit programs listed in paragraph (4), including by using the Systematic Alien Verification for Entitlements Program of the United States Citizenship and Immigration Services to confirm that an individual who has presented proof of citizenship as a condition for receipt of assistance or benefits under a Federal means-tested benefit program listed in paragraph (4) is not an alien.

(C) Requiring officers and employees of State agencies that administer a Federal means-tested benefit program listed in paragraph (4) to report to the Secretary of Homeland Security any suspicious or fraudulent identity information provided by an individual applying for assistance or benefits.

(6) **MISCELLANEOUS PROVISIONS.**—

(A) **NONAPPLICATION OF THE PRIVACY ACT.**—Notwithstanding any other provision of law, section 552a of title 5, United States Code (commonly referred to as the Privacy Act) shall not be construed as prohibiting an officer or employee of a State from verifying a claim of citizenship for purposes of eligibility for assistance or benefits under a Federal means-tested benefit program listed in paragraph (4).

(B) **INCLUSION OF REGISTERED PROVISIONAL IMMIGRANT STATUS IN SAVE.**—Not later than 30 days after the date of enactment of this Act, the Secretary of Homeland Security shall modify the Systematic Alien Verification for Entitlements Program of the United States Citizenship and Immigration Services to add the registered provisional immigrant status as an alien category that is ineligible for any Federal means-tested benefit program listed in paragraph (4).

**SA 1203.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 672, between lines 12 and 13, insert the following:

**SEC. 3720. DETENTION OF DANGEROUS ALIENS.**

(a) **SHORT TITLE.**—This section may be cited as the “Keep Our Communities Safe Act of 2013”.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) this section should ensure that Constitutional rights are upheld and protected;

(2) it is the intention of the Congress to uphold the Constitutional principles of due process; and

(3) due process of the law is a right afforded to everyone in the United States.

(c) **DETENTION OF ALIENS DURING REMOVAL PROCEEDINGS.**—

(1) **CLERICAL AMENDMENT.**—Section 236 (8 U.S.C. 1226) is amended—

(A) by striking “Attorney General” each place it appears (except in the second place it appears in subsection (a)) and inserting “Secretary of Homeland Security”;

(B) in subsection (a), by inserting “the Secretary of Homeland Security or” before “the Attorney General—”; and

(C) in subsection (e), by striking “Attorney General’s” and inserting “Secretary of Homeland Security’s”.

(2) LENGTH OF DETENTION.—Section 236 (8 U.S.C. 1226) is amended by adding at the end the following:

“(f) LENGTH OF DETENTION.—

“(1) Notwithstanding any other provision of this section, an alien may be detained under this section for any period, without limitation, except as provided in subsection (h), until the alien is subject to a final order of removal.

“(2) The length of detention under this section shall not affect detention under section 241 of this Act.”.

(3) DETENTION OF CRIMINAL ALIENS.—Section 236(c)(1) (8 U.S.C. 1226(c)(1)) is amended, by striking the undesignated matter following subparagraph (D) and inserting the following:

“any time after the alien is released, without regard to whether an alien is released related to any activity, offense, or conviction described in this paragraph; to whether the alien is released on parole, supervised release, or probation; or to whether the alien may be arrested or imprisoned again for the same offense. If the activity described in this paragraph does not result in the alien being taken into custody by any person other than the Secretary, then when the alien is brought to the attention of the Secretary or when the Secretary determines it is practical to take such alien into custody, the Secretary shall take such alien into custody.”.

(4) ADMINISTRATIVE REVIEW.—Section 236 (8 U.S.C. 1226) is amended by adding at the end the following:

“(g) ADMINISTRATIVE REVIEW.—

“(1) The Attorney General’s review of the Secretary’s custody determinations under section 236(a) shall be limited to whether the alien may be detained, released on bond (of at least \$1,500 with security approved by the Secretary), or released with no bond.

“(2) The Attorney General’s review of the Secretary’s custody determinations for the following classes of aliens:

“(A) Aliens in exclusion proceedings.

“(B) Aliens described in sections 212(a)(3) and 237(a)(4).

“(C) Aliens described in section 236(c).

“(D) Aliens in deportation proceedings subject to section 242(a)(2) of the Act (as in effect prior to April 1, 1997, and as amended by section 440(c) of Public Law 104-132); is limited to a determination of whether the alien is properly included in such category.

“(h) RELEASE ON BOND.—

“(1) IN GENERAL.—An alien detained under subsection (a) may seek release on bond. No bond may be granted except to an alien who establishes by clear and convincing evidence that the alien is not a flight risk or a risk to another person or the community.

“(2) CERTAIN ALIENS INELIGIBLE.—No alien detained under subsection (c) may seek release on bond.”.

(5) CLERICAL AMENDMENTS.—Section 236 (8 U.S.C. 1226) is amended—

(A) in subsection (a)(2)(B), by striking “conditional parole” and inserting “recognizance”; and

(B) in subsection (b), by striking “parole” and inserting “recognizance”.

(d) ALIENS ORDERED REMOVED.—Section 241(a) (8 U.S.C. 1231(a)) is amended—

(1) by striking “Attorney General” each place it appears, except for the first place it appears in paragraph (4)(B)(i), and inserting “Secretary of Homeland Security”;

(2) in paragraph (1)—

(A) by striking subparagraphs (B) and (C) and inserting the following:

“(B) BEGINNING OF PERIOD.—The removal period begins on the latest of—

“(i) the date on which the order of removal becomes administratively final;

“(ii) the date on which the alien is taken into such custody if the alien is not in the custody of the Secretary on the date on which the order of removal becomes administratively final; and

“(iii) the date on which the alien is taken into the custody of the Secretary after the alien is released from detention or confinement if the alien is detained or confined (except for an immigration process) on the date on which the order of removal becomes administratively final.

“(C) SUSPENSION OF PERIOD.—

“(i) EXTENSION.—The removal period shall be extended beyond a period of 90 days and the Secretary may, in the Secretary’s sole discretion, keep the alien in detention during such extended period if—

“(I) the alien fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary’s efforts to establish the alien’s identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien’s departure or conspires or acts to prevent the alien’s removal that is subject to an order of removal;

“(II) a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal;

“(III) the Secretary transfers custody of the alien pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency; or

“(IV) a court or the Board of Immigration Appeals orders a remand to an immigration judge or the Board of Immigration Appeals, during the time period when the case is pending a decision on remand (with the removal period beginning anew on the date that the alien is ordered removed on remand).

“(ii) RENEWAL.—If the removal period has been extended under clause (i), a new removal period shall be deemed to have begun on the date on which—

“(I) the alien makes all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary’s efforts to establish the alien’s identity and carry out the removal order;

“(II) the stay of removal is no longer in effect; or

“(III) the alien is returned to the custody of the Secretary.

“(iii) MANDATORY DETENTION FOR CERTAIN ALIENS.—The Secretary shall keep an alien described in subparagraphs (A) through (D) of section 236(c)(1) in detention during the extended period described in clause (i).

“(iv) SOLE FORM OF RELIEF.—An alien may only seek relief from detention under this subparagraph by filing an application for a writ of habeas corpus in accordance with chapter 153 of title 28, United States Code. No alien whose period of detention is extended under this subparagraph shall have the right to seek release on bond.”;

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by inserting “or is not detained pursuant to paragraph (6)” after “the removal period”; and

(B) by amending subparagraph (D) to read as follows:

“(D) to obey reasonable restrictions on the alien’s conduct or activities that the Secretary prescribes for the alien, in order to prevent the alien from absconding, for the

protection of the community, or for other purposes related to the enforcement of the immigration laws.”;

(4) in paragraph (4)(A), by striking “paragraph (2)” and inserting “subparagraph (B)”;

and

(5) by amending paragraph (6) to read as follows:

“(6) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS.—

“(A) DETENTION REVIEW PROCESS FOR COOPERATIVE ALIENS ESTABLISHED.—For an alien who is not otherwise subject to mandatory detention, who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary of Homeland Security’s efforts to establish the alien’s identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien’s departure, and who has not conspired or acted to prevent removal, the Secretary shall establish an administrative review process to determine whether the alien should be detained or released on conditions. The Secretary shall make a determination whether to release an alien after the removal period in accordance with subparagraph (B). The determination shall include consideration of any evidence submitted by the alien, and may include consideration of any other evidence, including any information or assistance provided by the Secretary of State or other Federal official and any other information available to the Secretary of Homeland Security pertaining to the ability to remove the alien.

“(B) AUTHORITY TO DETAIN BEYOND REMOVAL PERIOD.—

“(i) IN GENERAL.—The Secretary of Homeland Security, in the exercise of the Secretary’s sole discretion, may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period under paragraph (1)(C)). An alien whose detention is extended under this subparagraph shall have no right to seek release on bond.

“(ii) SPECIFIC CIRCUMSTANCES.—The Secretary of Homeland Security, in the exercise of the Secretary’s sole discretion, may continue to detain an alien beyond the 90 days authorized under clause (i)—

“(I) until the alien is removed, if the Secretary, in the Secretary’s sole discretion, determines that there is a significant likelihood that the alien—

“(aa) will be removed in the reasonably foreseeable future; or

“(bb) would be removed in the reasonably foreseeable future, or would have been removed, but for the alien’s failure or refusal to make all reasonable efforts to comply with the removal order, or to cooperate fully with the Secretary’s efforts to establish the alien’s identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien’s departure, or conspires or acts to prevent removal;

“(II) until the alien is removed, if the Secretary of Homeland Security certifies in writing—

“(aa) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

“(bb) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States;

“(cc) based on information available to the Secretary of Homeland Security (including

classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

“(dd) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and

“(AA) the alien has been convicted of 1 or more aggravated felonies (as defined in section 101(a)(43)(A)) or of 1 or more crimes identified by the Secretary of Homeland Security by regulation, or of 1 or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, if the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or

“(BB) the alien has committed 1 or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

“(III) pending a certification under subsection (II), if the Secretary of Homeland Security has initiated the administrative review process not later than 30 days after the expiration of the removal period (including any extension of the removal period under paragraph (1)(C)).

“(iii) NO RIGHT TO BOND HEARING.—An alien whose detention is extended under this subparagraph shall have no right to seek release on bond, including by reason of a certification under clause (ii)(II).

“(C) RENEWAL AND DELEGATION OF CERTIFICATION.—

“(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (B)(ii)(II) every 6 months, after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under subparagraph (B)(ii)(II).

“(ii) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in item (bb), (cc), or (dd) of subparagraph (B)(ii)(II) below the level of the Assistant Secretary for Immigration and Customs Enforcement.

“(iii) HEARING.—The Secretary of Homeland Security may request that the Attorney General or the Attorney General’s designee provide for a hearing to make the determination described in item (dd)(BB) of subparagraph (B)(ii)(II).

“(D) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention by a Federal court, the Board of Immigration Appeals, or if an immigration judge orders a stay of removal, the Secretary of Homeland Security, in the exercise of the Secretary’s discretion, may impose conditions on release as provided under paragraph (3).

“(E) REDETENTION.—The Secretary of Homeland Security, in the exercise of the Secretary’s discretion, without any limitations other than those specified in this section, may again detain any alien subject to a final removal order who is released from custody, if removal becomes likely in the reasonably foreseeable future, the alien fails to comply with the conditions of release, or

to continue to satisfy the conditions described in subparagraph (A), or if, upon reconsideration, the Secretary, in the Secretary’s sole discretion, determines that the alien can be detained under subparagraph (B). This section shall apply to any alien returned to custody pursuant to this subparagraph, as if the removal period terminated on the day of the redetention.

“(F) REVIEW OF DETERMINATIONS BY SECRETARY.—A determination by the Secretary under this paragraph shall not be subject to review by any other agency.”.

(e) SEVERABILITY.—If any of the provisions of this section, any amendment made by this section, or the application of any such provision to any person or circumstance, is held to be invalid for any reason, the remainder of this section, the amendments made by this section, and the application of the provisions and amendments made by this section to any other person or circumstance shall not be affected by such holding.

(f) EFFECTIVE DATES.—

(1) APPREHENSION AND DETENTION OF ALIENS.—The amendments made by subsection (c) shall take effect on the date of the enactment of this Act. Section 236 of the Immigration and Nationality Act, as amended by subsection (c), shall apply to any alien in detention under provisions of such section on or after such date of enactment.

(2) ALIENS ORDERED REMOVED.—The amendments made by subsection (d) shall take effect on the date of the enactment of this Act. Section 241 of the Immigration and Nationality Act, as amended by subsection (d), shall apply to—

(A) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(B) acts and conditions occurring or existing before, on, or after such date of enactment.

**SA 1204.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1300, between lines 11 and 12, insert the following:

#### **CHAPTER 5—ENGLISH LANGUAGE UNITY**

##### **SEC. 2561. SHORT TITLE.**

This chapter may be cited as the “English Language Unity Act of 2013”.

##### **SEC. 2562. FINDINGS.**

Congress finds and declares the following:

(1) The United States is comprised of individuals from diverse ethnic, cultural, and linguistic backgrounds, and continues to benefit from this rich diversity.

(2) Throughout the history of the United States, the common thread binding individuals of differing backgrounds has been the English language.

(3) Among the powers reserved to the States respectively is the power to establish the English language as the official language of the respective States, and otherwise to promote the English language within the respective States, subject to the prohibitions enumerated in the Constitution of the United States and in laws of the respective States.

##### **SEC. 2563. ENGLISH AS OFFICIAL LANGUAGE OF THE UNITED STATES.**

(a) IN GENERAL.—Title 4, United States Code, is amended by adding at the end the following:

#### **“CHAPTER 6—OFFICIAL LANGUAGE**

##### **“§ 161. Official language of the United States**

“The official language of the United States is English.

##### **“§ 162. Preserving and enhancing the role of the official language**

“Representatives of the Federal Government shall have an affirmative obligation to preserve and enhance the role of English as the official language of the Federal Government. Such obligation shall include encouraging greater opportunities for individuals to learn the English language.

##### **“§ 163. Official functions of Government to be conducted in English**

“(a) OFFICIAL FUNCTIONS.—The official functions of the Government of the United States shall be conducted in English.

“(b) SCOPE.—For the purposes of this section—

“(1) the term ‘United States’ means the several States and the District of Columbia; and

“(2) the term ‘official’ refers to any function that—

“(A) binds the Government;

“(B) is required by law; or

“(C) is otherwise subject to scrutiny by either the press or the public.

“(c) PRACTICAL EFFECT.—This section shall apply to all laws, public proceedings, regulations, publications, orders, actions, programs, and policies, but does not apply to—

“(1) teaching of languages;

“(2) requirements under the Individuals with Disabilities Education Act;

“(3) actions, documents, or policies necessary for national security, international relations, trade, tourism, or commerce;

“(4) actions or documents that protect the public health and safety;

“(5) actions or documents that facilitate the activities of the Bureau of the Census in compiling any census of population;

“(6) actions that protect the rights of victims of crimes or criminal defendants; or

“(7) using terms of art or phrases from languages other than English.

##### **“§ 164. Uniform English language rule for naturalization**

“(a) UNIFORM LANGUAGE TESTING STANDARD.—All citizens should be able to read and understand generally the English language text of the Declaration of Independence, the Constitution, and the laws of the United States made in pursuance of the Constitution.

“(b) CEREMONIES.—All naturalization ceremonies shall be conducted in English.

##### **“§ 165. Rules of construction**

“Nothing in this chapter shall be construed—

“(1) to prohibit a Member of Congress or any officer or agent of the Federal Government, while performing official functions, from communicating unofficially through any medium with another person in a language other than English (as long as official functions are performed in English);

“(2) to limit the preservation or use of Native Alaskan or Native American languages (as defined in the Native American Languages Act);

“(3) to disparage any language or to discourage any person from learning or using a language; or

“(4) to be inconsistent with the Constitution of the United States.

##### **“§ 166. Standing**

“A person injured by a violation of this chapter may in a civil action (including an

action under chapter 151 of title 28) obtain appropriate relief.”.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of title 4, United States Code, is amended by inserting after the item relating to chapter 5 the following new item:

“CHAPTER 6. OFFICIAL LANGUAGE”.

**SEC. 2564. GENERAL RULES OF CONSTRUCTION FOR ENGLISH LANGUAGE TEXTS OF THE LAWS OF THE UNITED STATES.**

(a) IN GENERAL.—Chapter 1 of title 1, United States Code, is amended by adding at the end the following:

**“§ 8. General rules of construction for laws of the United States**

“(a) English language requirements and workplace policies, whether in the public or private sector, shall be presumptively consistent with the Laws of the United States.

“(b) Any ambiguity in the English language text of the Laws of the United States shall be resolved, in accordance with the last two articles of the Bill of Rights, not to deny or disparage rights retained by the people, and to reserve powers to the States respectively, or to the people.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 1, is amended by inserting after the item relating to section 7 the following new item:

“8. General Rules of Construction for Laws of the United States.”.

**SEC. 2565. IMPLEMENTING REGULATIONS.**

Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue, for public notice and comment, a proposed rule for uniform testing English language ability of candidates for naturalization, based upon the principles that—

(1) all citizens should be able to read and understand generally the English language text of the Declaration of Independence, the United States Constitution, and the laws of the United States which are made pursuant to such documents; and

(2) any exceptions to this standard should be limited to extraordinary circumstances, such as asylum.

**SEC. 2566. EFFECTIVE DATE.**

The amendments made by sections 2563 and 2564 shall take effect on the date that is 180 days after the date of the enactment of this Act.

**SA 1205.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . REQUIREMENT OF ENGLISH LANGUAGE PERMISSIBLE.**

(a) FINDINGS.—Congress finds that—

(1) throughout the history of the United States, English has been the common thread to unify the American people much as they are united under one flag;

(2) Americans overwhelmingly believe that it is very important for people living in the United States to speak and understand English;

(3) there is vast support among the American people to allow a company the freedom to implement English in the workplace policies; and

(4) when a group of employees speaks a language other than English in the workplace, it may cause misunderstandings, create dangerous circumstances, and undermine morale.

(b) REQUIREMENT OF ENGLISH LANGUAGE PERMISSIBLE.—Section 703 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-2) is amended by adding at the end the following:

“(o) Notwithstanding any other provision of this title, it shall not be an unlawful employment practice for an employer to require employees to speak English while engaged in work.”.

**SA 1206.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . MULTILINGUAL SERVICES.**

(a) MULTILINGUAL SERVICES ACCOUNTING INFORMATION REQUIREMENT.—

(1) MULTILINGUAL SERVICES ACCOUNTING INFORMATION.—Chapter 9 of title 31, United States Code, is amended—

(A) in section 902(a)(6)—

(i) by striking “and” at the end of subparagraph (D);

(ii) by redesignating subparagraph (E) as subparagraph (F); and

(iii) by inserting after subparagraph (D) the following:

“(E) effective for each fiscal year beginning on or after October 1, 2013, the multilingual services accounting information of the agency for such fiscal year, in accordance with the guidance issued under section 3517 of this title and the procedures of OMB Circular No. A-11, part 6 (as in effect on the date of enactment of this subparagraph) and OMB Circular No. A-136 (as in effect on the date of enactment of this subparagraph); and”;

(B) by adding at the end the following:

**“§ 904. Definitions.**

“In this chapter—

“(1) the term ‘multilingual services’ includes—

“(A) the services provided by interpreters hired by agency;

“(B) the services provided by an agency associated with assisting agency employees or contractors learn a language other than English that result in additional expenses, wages, or salaries, or changes to expenses, wages, or salaries, for the agency or agency employees or contractors;

“(C) agency preparation, translation, printing, or recordation of documents, records, Web sites, brochures, pamphlets, flyers, or other materials in a language other than English;

“(D) the services provided or performed for the Federal Government by agency employees or contractors that require speaking a language other than English that result in wage differentials or benefits provided by the agency; and

“(E) any other services provided or performed by an agency which utilize languages other than English and that incur additional costs to the agency; and

“(2) the term ‘multilingual services accounting information’ means any accounting information related to multilingual services.”.

(2) CONFORMING AMENDMENT.—The table of sections for chapter 9 of title 31, United States Code, is amended by adding after the item relating to section 903 the following:

“904. Definitions.”.

(b) MULTILINGUAL SERVICES EXPENSES REPORT.—

(1) MULTILINGUAL SERVICES EXPENSES REPORT.—Subchapter II of chapter 35 of title 31, United States Code is amended—

(A) in section 3512(a)(2)—

(i) by striking “and” at the end of subparagraph (E);

(ii) by redesignating subparagraph (F) as subparagraph (G); and

(iii) by adding after subparagraph (E) the following:

“(F) effective for the first full calendar year beginning after December 31, 2013, and for each calendar year thereafter, a Multilingual Services Expenses Report, which shall include—

“(i) a summary and analysis of the multilingual services accounting information (as defined in section 904 of this title) prepared by each agency Chief Financial Officer under section 902(a)(6)(E) of this title;

“(ii) a description of any changes to the existing financial management structure of the Federal Government needed to establish an integrated individual agency accounting of all multilingual services (as defined in section 904 of this title) conducted by each agency; and

“(iii) any other information the Director considers appropriate to fully inform the Congress and the agency Chief Financial Officers regarding the accounting of all multilingual services provided by the Federal Government; and”;

(B) by adding at the end the following:

**“§ 3517. Multilingual services accounting guidelines.**

“Not later than 180 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall issue guidance that each agency Chief Financial Officer shall follow in compiling the multilingual services accounting information required under section 902(a)(6)(E) of this title.”.

(2) CONFORMING AMENDMENT.—The table of sections for chapter 35 of title 31, United States Code, is amended by adding after the item relating to section 3516 the following:

“3517. Multilingual services accounting guidelines.”.

**SA 1207.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PROHIBITION ON IMPEDING CERTAIN ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION RELATED TO BORDER SECURITY.**

(a) PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture to achieve operational control (as defined in section 2(b) of the Secure Fence Act of 2006 (8 U.S.C. 1701 note; Public Law 109-367)) over the international land borders of the United States.

(b) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—

(1) AUTHORIZATION.—U.S. Customs and Border Protection shall have immediate access to land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that assist in

securing the international land borders of the United States:

(A) Construction and maintenance of roads.

(B) Construction and maintenance of fences.

(C) Use vehicles to patrol.

(D) Installation, maintenance, and operation of surveillance equipment and sensors.

(E) Use of aircraft.

(F) Deployment of temporary tactical infrastructure, including forward operating bases.

(C) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any termination date relating to the waiver referred to in this subsection), the waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104-208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico and between the United States and Canada shall be considered to apply to all land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of the international land borders of the United States for the activities of U.S. Customs and Border Protection described in subsection (b).

(2) DESCRIPTION OF LAWS WAIVED.—The laws referred to in paragraph (1) are the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), the Noise Control Act of 1972 (42 U.S.C. 4901 et seq.), the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), Public Law 86-523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the “Antiquities Act of 1906”) (16 U.S.C. 431 et seq.), the Act of August 21, 1935 (16 U.S.C. 461 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Farmland Protection Policy Act (7 U.S.C. 4201 et seq.), the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.), the Wilderness Act (16 U.S.C. 1131 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”), the Otay Mountain Wilderness Act of 1999 (Public Law 106-145, 113 Stat. 1711), sections 102(29) and 103 of California Desert Protection Act of 1994 (16 U.S.C. 410aaa et seq.), the National Park Service Organic Act (16 U.S.C. 1 et seq.), Public Law 91-383 (16 U.S.C. 1a-1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95-625, 92 Stat. 3467), the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101-628), section 10 of the Act of March 3, 1899 (33 U.S.C. 403), the Act

of June 8, 1940 (16 U.S.C. 668 et seq.), (25 U.S.C. 3001 et seq.), Public Law 95-341 (42 U.S.C. 1996), Public Law 103-141 (42 U.S.C. 2000bb et seq.), the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.), the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528 et seq.), the Mineral Leasing Act (30 U.S.C. 181, et seq.), the Materials Act of 1947 (30 U.S.C. 601 et seq.), and the General Mining Act of 1872 (30 U.S.C. 22 note).

(d) PROTECTION OF LEGAL USES.—This section shall not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, or mining, on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture; or

(2) any additional authority to restrict legal access to such land.

**SA 1208.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 856, lines 1 and 2, strike “the Secretary has submitted to Congress” and insert “Congress has approved, using the fast-track procedures set forth in paragraph (3), the contents of”.

On page 56, strike lines 19 through 22, and insert the following: “Congress has ratified, using the fast-track procedures set forth in paragraph (3), the written certification submitted by the Secretary to the President and Congress, after consultation with the Comptroller of the United States, that—”.

On page 858, between lines 10 and 11, insert the following:

(3) FAST-TRACK PROCEDURES.—

(A) IN GENERAL.—Not later than 30 days after receiving a submission from the Secretary under paragraph (1) or (2), the Senate and the House of Representatives shall vote to determine whether the action taken by the Secretary meets the requirements set forth in such paragraphs that are required before applications may be processed by the Secretary for registered provisional immigrant status or adjustment of status under section 245B or 245C, respectively, of the Immigration and Nationality Act, as added by sections 2101 and 2102.

(B) REFERRAL TO COMMITTEE.—The question described in subparagraph (A) may not be referred to any congressional committee.

(C) AMENDMENTS.—The question described in subparagraph (A) may not be subject to amendment in the Senate or in the House of Representatives.

(D) MAJORITY VOTE.—The question described in subparagraph (A) shall be subject to a vote threshold of a majority of all members of each House duly chosen and sworn.

(E) PRESIDENTIAL SIGNATURE.—The congressional approval and ratification required under paragraphs (1) and (2) shall not be completed until after it has received the signature of the President.

**SA 1209.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 890, between lines 8 and 9, insert the following:

(e) ADDITIONAL APPROPRIATIONS.—Nothing in this Act may be construed to authorize the appropriation of funds to carry out section 2101 or 2102 or an amendment made by

either such section. Such sections and the amendments made by such sections shall be carried out using only the fees listed under subsection (a)(2)(C).

**SA 1210.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 946, strike line 20 and all that follows through page 947, line 11, and insert the following: “apply; and

“(II) subparagraphs (A), (C), (D), (F), and (G) of section 212(a)(6) and paragraph (10)(B) of section 212(a) shall not apply unless based on the act of unlawfully entering the United States after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act;”.

**SA 1211.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 946, lines 3 through 5, strike “offense under foreign law, except for a purely political offense, which, if the offense” and insert “act committed outside the United States, except for a purely political act, which, if the act”.

**SA 1212.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 952, strike lines 4 through 21 and insert the following:

“(2) PAYMENT OF TAXES.—

“(A) IN GENERAL.—An alien may not file an application for registered provisional immigrant status under paragraph (1) unless the alien demonstrates the payment of any applicable Federal tax liability by establishing that—

“(i) no such tax liability exists;

“(ii) all outstanding liabilities have been paid; or

“(iii) the alien has entered into an agreement for payment of all outstanding liabilities with the Internal Revenue Service.

“(B) APPLICABLE FEDERAL TAX LIABILITY.—For purposes of clause (i), the term ‘applicable Federal tax liability’ means liability for Federal taxes, including penalties and interest, owed for which the statutory period for assessment of any deficiency for such taxes has not expired.

“(C) IRS COOPERATION.—The Secretary of the Treasury shall establish rules and procedures under which the Commissioner of Internal Revenue shall provide documentation to an alien upon request to establish the payment of all taxes required by this subparagraph.

“(D) BURDEN OF PROOF.—The burden of proof for an alien in establishing a matter under this paragraph is by a preponderance of evidence.

**SA 1213.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:



On page 973, between lines 18 and 19, insert the following:

“(iv) PROHIBITION ON WAIVER.—The penalty required under this subparagraph may not be waived, limited, or reduced.

**SA 1214.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 987, strike line 19 and all that follows through page 988, line 19, and insert the following:

“(V) remittance records; and

“(VI) school records from institutions described in subparagraph (D).

“(iii) ADDITIONAL DOCUMENTS AND RESTRICTIONS.—The Secretary may designate additional documents that may be used to establish compliance with the requirement under subparagraph (A).

**SA 1215.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 980, between lines 10 and 11, insert the following:

“(4) ANNUAL REPORTS ON AMOUNTS OF FEDERAL MEANS-TESTED PUBLIC BENEFITS PROVIDED.—The Secretary of Health and Human Services, in consultation with the Secretary and the heads of other appropriate Federal agencies, shall submit to Congress each year a report on the amount of Federal means-tested public benefits (as so defined) provided in each State (including the District of Columbia) during the preceding fiscal year. Each report shall set forth, for the fiscal year covered by such report, the following:

“(A) The total amount of Federal means-tested public benefits provided during such fiscal year, disaggregated by State.

“(B) The total amount of Federal means-tested public benefits provided during such fiscal year to households with any person who resided in the United States illegally during such fiscal year.

“(C) The total amount of Federal means-tested public benefits provided during such fiscal year to households with any person with registered provisional immigrant status during such fiscal year.

On page 980, line 11, strike “(4)” and insert “(5)”.

On page 981, line 7, strike “(5)” and insert “(6)”.

**SA 1216.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1421, line 2, insert “intentionally” before “discriminate”.

On page 1423, line 2, insert “, with discriminatory intent” before the em dash.

On page 1425, line 12, insert “if done for the purpose, or with the intent, of discriminating against the individual” before the period at the end.

**SA 1217.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform

and for other purposes; which was ordered to lie on the table; as follows:

On page 1829, line 8, strike “20,000” and insert “200,000”.

On page 1829, line 9, strike “35,000” and insert “250,000”.

On page 1829, line 10, strike “55,000” and insert “300,000”.

On page 1829, line 11, strike “75,000” and insert “350,000”.

On page 1833, lines 1 and 2, strike “20,000 nor more than 200,000” and replace with “200,000 nor more than 400,000”.

**SA 1218.** Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 908, between lines 7 and 8, insert the following:

(e) ADDITIONAL PERMANENT DISTRICT COURT JUDGESHIPS IN NEW MEXICO.—

(1) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the district of New Mexico.

(2) CONVERSION OF TEMPORARY JUDGESHIP TO PERMANENT JUDGESHIP.—The existing judgeship for the district of New Mexico authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (28 U.S.C. 133 note; Public Law 107-273; 116 Stat. 1788), as of the effective date of this Act, shall be authorized under section 133 of title 28, United States Code, and the incumbent in that office shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(3) TECHNICAL AND CONFORMING AMENDMENT.—The table contained in section 133(a) of title 28, United States Code, is amended by striking the item relating to the district of New Mexico and inserting the following:

“New Mexico ..... 8”.

**SA 1219.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 111, beginning on line 22, strike “education” and all that follows through line 25, and insert “education; or”.

**SA 1220.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

**SEC. 1122. MAXIMUM ALLOWABLE COSTS OF SALARIES OF CONTRACTOR EMPLOYEES.**

Section 4304(a)(16) of title 41, United States Code, is amended by inserting before the period at the end the following: “, except that in the case of contracts with the Department of Homeland Security or the National Guard while operating in Federal status that relate to border security, the limit on such costs of compensation is the annual amount payable under the aggregate limitation on pay as established by the Office of Management and Budget (currently \$230,700)”.

**SA 1221.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 912, between lines 9 and 10, insert the following:

(3) ACQUISITION OF ADDITIONAL UNMANNED AERIAL VEHICLES AND UNMANNED AERIAL SYSTEMS.—Notwithstanding paragraphs (1) and (2) of subsection (a), the Commissioner of U.S. Customs and Border Protection may not acquire additional unmanned aerial vehicles or unmanned aircraft systems until after the Inspector General of the Department submits a report to Congress, which certifies that U.S. Customs and Border Protection has implemented all the recommendations contained in the report submitted by the Office of the Inspector General of the Department to U.S. Customs and Border Protection on May 30, 2012, titled “CBP’s Use of Unmanned Aircraft Systems in the Nation’s Border Security”, including—

(A) analyzing requirements and developing plans to achieve the unmanned aerial system mission availability objective and acquiring funding to provide necessary operations, maintenance, and equipment;

(B) developing and implementing procedures to coordinate and support stakeholders’ mission requests; and

(C) establishing interagency agreements with external stakeholders for reimbursement of expenses incurred fulfilling mission requests, to the extent authorized by law.

**SA 1222.** Ms. LANDRIEU (for herself, Mr. COATS, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1300, between lines 11 and 12, insert the following:

**SEC. 2554. UNITED STATES CITIZENSHIP FOR INTERNATIONALLY ADOPTED INDIVIDUALS.**

(a) AUTOMATIC CITIZENSHIP.—Section 104 of the Child Citizenship Act of 2000 (Public Law 106-395; 8 U.S.C. 1431 note) is amended to read as follows:

**“SEC. 104. APPLICABILITY.**

“The amendments made by this title shall apply to any individual who satisfies the requirements under section 320 or 322 of the Immigration and Nationality Act, regardless of the date on which such requirements were satisfied.”.

(b) MODIFICATION OF PREADoption VISITATION REQUIREMENT.—Section 101(b)(1)(F)(i) (8 U.S.C. 1101(b)(1)(F)(i)), as amended by section 2312, is further amended by striking “at least twenty-five years of age, who personally saw and observed the child prior to or during the adoption proceedings;” and inserting “who is at least 25 years of age, at least 1 of whom personally saw and observed the child before or during the adoption proceedings;”.

(c) AUTOMATIC CITIZENSHIP FOR CHILDREN OF UNITED STATES CITIZENS WHO ARE PHYSICALLY PRESENT IN THE UNITED STATES.—

(1) IN GENERAL.—Section 320(a)(3) (8 U.S.C. 1431(a)(3)) is amended to read as follows:

“(3) The child is physically present in the United States in the legal custody of the citizen parent pursuant to a lawful admission.”.

(2) APPLICABILITY TO INDIVIDUALS WHO NO LONGER HAVE LEGAL STATUS.—Notwithstanding the lack of legal status or physical



presence in the United States, a person shall be deemed to meet the requirements under section 320 of the Immigration and Nationality Act, as amended by paragraph (1), if the person—

(A) was born outside of the United States;  
(B) was adopted by a United States citizen before the person reached 18 years of age;  
(C) was legally admitted to the United States; and

(D) would have qualified for automatic United States citizenship if the amendments made by paragraph (1) had been in effect at the time of such admission.

(d) **RETROACTIVE APPLICATION.**—Section 320(b) (8 U.S.C. 1431(b)) is amended by inserting “, regardless of the date on which the adoption was finalized” before the period at the end.

(e) **APPLICABILITY.**—The amendments made by this section shall apply to any individual adopted by a citizen of the United States regardless of whether the adoption occurred prior to, on, or after the date of the enactment of the Child Citizenship Act of 2000.

**SA 1223.** Mr. REED submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1021, line 17, insert “or public library” after “organization”.

On page 1282, beginning on line 3, strike “and” and all that follows through line 4, and insert the following:

(14) the National Security Advisor; and  
(15) the Director of the Institute of Museum and Library Services.

On page 1282, beginning on line 24, strike “and” and all that follows through line 25, and insert the following:

(E) community development challenges; and

(F) civics education; and

On page 1286, beginning on line 21, strike “and” and all that follows through line 23, and insert the following:

(10) awarding grants to State and local governments under section 2538; and

(11) entering into agreements with other Federal agencies to promote and assist the eligible organizations and activities.

On page 1288, line 17, insert “(as defined in section 2106(b))” before the period at the end.

On page 1293, line 2, insert “public libraries,” after “municipalities.”.

**SA 1224.** Mr. REED submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1162, strike lines 7 through 11 and insert the following:

(B) has been in the United States in a class of aliens authorized to accept employment in the United States for a continuous period of at least 10 years, not counting brief, casual, and innocent absences.

Beginning on page 1164, strike line 23 and all that follows through page 1165, line 2, and insert the following:

(f) **ELIGIBILITY IN FISCAL YEARS AFTER FISCAL YEAR 2028.**—Beginning on October 1, 2028, aliens are not eligible for adjustment of status under subsection (c)(3) unless they have been in a class of aliens authorized to accept employment in the United States for 20 years before the date on which they file an application for such adjustment of status.

**SA 1225.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 992, strike “she” on line 12 and all that follows through line 22, and insert “she meets the requirements set forth in section 312.”.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON FINANCE

Mr. COONS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 11, 2013, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Sex Trafficking and Exploitation in America: Child Welfare’s Role in Prevention and Intervention.”

The PRESIDING OFFICER. Without objection it is so ordered.

### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. COONS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on June 11, 2013, at 10 a.m., in room SH-216 of the Hart Senate office building.

The PRESIDING OFFICER. Without objection it is so ordered.

### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. COONS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 11, 2013, at 10:30 a.m. to conduct a hearing entitled “Reducing Duplication and Improving Outcomes in Federal Information Technology.”

The PRESIDING OFFICER. Without objection it is so ordered.

### COMMITTEE ON THE JUDICIARY

Mr. COONS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 11, 2013, at 9:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Nominations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

### SELECT COMMITTEE ON INTELLIGENCE

Mr. COONS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate, on June 11, 2013, at 1:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SUBCOMMITTEE ON AIRLAND

Mr. COONS. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Com-

mittee on Armed Services be authorized to meet during the session of the Senate on June 11, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. COONS. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on June 11, 2013, at 6 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND THE COAST GUARD

Mr. COONS. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and the Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 11, 2013, at 3 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “Deep Sea Challenge: Innovative Partnerships in Ocean Observation.”

The PRESIDING OFFICER. Without objection, it is so ordered.

### SUBCOMMITTEE ON PERSONNEL

Mr. COONS. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on June 11, 2013, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. COONS. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on June 11, 2013, at 11 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SUBCOMMITTEE ON STRATEGIC FORCES

Mr. COONS. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on June 11, 2013, at 3:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Angela Sheldon, a detailee in Senator HATCH’s office, be granted the privileges of the floor for the duration of the debate on S. 744.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Mr. MENENDEZ. Mr. President, before I begin my remarks, I ask unanimous consent that Molly Groom, a

detailee to the Foreign Relations Committee from the Department of Homeland Security, be given floor privileges for the duration of the debate on S. 744.

The PRESIDING OFFICER. Without objection, it is so ordered.

## AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2013

On Monday, June 10, 2013, the Senate passed S. 954, as amended, as follows;

S. 954

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) IN GENERAL.—This Act may be cited as the “Agriculture Reform, Food, and Jobs Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definition of Secretary.

### TITLE I—COMMODITY PROGRAMS

#### Subtitle A—Repeals and Reforms

- Sec. 1101. Repeal of direct payments.
- Sec. 1102. Repeal of counter-cyclical payments.
- Sec. 1103. Repeal of average crop revenue election program.
- Sec. 1104. Definitions.
- Sec. 1105. Base acres.
- Sec. 1106. Payment yields.
- Sec. 1107. Availability of adverse market payments.
- Sec. 1108. Agriculture risk coverage.
- Sec. 1109. Producer agreement required as condition of provision of payments.
- Sec. 1110. Period of effectiveness.
- Subtitle B—Marketing Assistance Loans and Loan Deficiency Payments
- Sec. 1201. Availability of nonrecourse marketing assistance loans for loan commodities.
- Sec. 1202. Loan rates for nonrecourse marketing assistance loans.
- Sec. 1203. Term of loans.
- Sec. 1204. Repayment of loans.
- Sec. 1205. Loan deficiency payments.
- Sec. 1206. Payments in lieu of loan deficiency payments for grazed acreage.
- Sec. 1207. Economic adjustment assistance to users of upland cotton.
- Sec. 1208. Special competitive provisions for extra long staple cotton.
- Sec. 1209. Availability of recourse loans for high moisture feed grains and seed cotton.
- Sec. 1210. Adjustments of loans.

#### Subtitle C—Sugar

- Sec. 1301. Sugar program.

#### Subtitle D—Dairy

### PART I—DAIRY PRODUCTION MARGIN PROTECTION AND DAIRY MARKET STABILIZATION PROGRAMS

- Sec. 1401. Definitions.
- Sec. 1402. Calculation of average feed cost and actual dairy production margins.

#### SUBPART A—DAIRY PRODUCTION MARGIN PROTECTION PROGRAM

- Sec. 1411. Establishment of dairy production margin protection program.
- Sec. 1412. Participation of dairy operations in production margin protection program.

- Sec. 1413. Production history of participating dairy operations.

- Sec. 1414. Basic production margin protection.

- Sec. 1415. Supplemental production margin protection.

- Sec. 1416. Effect of failure to pay administration fees or premiums.

#### SUBPART B—DAIRY MARKET STABILIZATION PROGRAM

- Sec. 1431. Establishment of dairy market stabilization program.

- Sec. 1432. Threshold for implementation and reduction in dairy payments.

- Sec. 1433. Milk marketings information.

- Sec. 1434. Calculation and collection of reduced dairy operation payments.

- Sec. 1435. Remitting funds to the Secretary and use of funds.

- Sec. 1436. Suspension of reduced payment requirement.

- Sec. 1437. Enforcement.

- Sec. 1438. Audit requirements.

- Sec. 1439. Study; report.

#### SUBPART C—ADMINISTRATION

- Sec. 1451. Duration.

- Sec. 1452. Administration and enforcement.

### PART II—DAIRY MARKET TRANSPARENCY

- Sec. 1461. Dairy product mandatory reporting.

- Sec. 1462. Federal milk marketing order program pre-hearing procedure for Class III pricing.

### PART III—REPEAL OR REAUTHORIZATION OF OTHER DAIRY-RELATED PROVISIONS

- Sec. 1471. Repeal of dairy product price support and milk income loss contract programs.

- Sec. 1472. Repeal of dairy export incentive program.

- Sec. 1473. Extension of dairy forward pricing program.

- Sec. 1474. Extension of dairy indemnity program.

- Sec. 1475. Extension of dairy promotion and research program.

- Sec. 1476. Extension of Federal Milk Marketing Order Review Commission.

### PART IV—FEDERAL MILK MARKETING ORDER REFORM

- Sec. 1481. Federal milk marketing orders.

### PART V—EFFECTIVE DATE

- Sec. 1491. Effective date.

#### Subtitle E—Supplemental Agricultural Disaster Assistance Programs

- Sec. 1501. Supplemental agricultural disaster assistance programs.

#### Subtitle F—Administration

- Sec. 1601. Administration generally.
- Sec. 1602. Suspension of permanent price support authority.

- Sec. 1603. Payment limitations.

- Sec. 1604. Payments limited to active farmers.

- Sec. 1605. Adjusted gross income limitation.

- Sec. 1606. Geographically disadvantaged farmers and ranchers.

- Sec. 1607. Personal liability of producers for deficiencies.

- Sec. 1608. Prevention of deceased individuals receiving payments under farm commodity programs.

- Sec. 1609. Appeals.

- Sec. 1610. Technical corrections.

- Sec. 1611. Assignment of payments.

- Sec. 1612. Tracking of benefits.

- Sec. 1613. Signature authority.

- Sec. 1614. Implementation.

### TITLE II—CONSERVATION

#### Subtitle A—Conservation Reserve Program

- Sec. 2001. Extension and enrollment requirements of conservation reserve program.

- Sec. 2002. Farmable wetland program.

- Sec. 2003. Duties of owners and operators.

- Sec. 2004. Duties of the Secretary.

- Sec. 2005. Payments.

- Sec. 2006. Contract requirements.

- Sec. 2007. Conversion of land subject to contract to other conserving uses.

- Sec. 2008. Effective date.

#### Subtitle B—Conservation Stewardship Program

- Sec. 2101. Conservation stewardship program.

#### Subtitle C—Environmental Quality Incentives Program

- Sec. 2201. Purposes.

- Sec. 2202. Definitions.

- Sec. 2203. Establishment and administration.

- Sec. 2204. Evaluation of applications.

- Sec. 2205. Duties of producers.

- Sec. 2206. Limitation on payments.

- Sec. 2207. Conservation innovation grants and payments.

- Sec. 2208. Effective date.

#### Subtitle D—Agricultural Conservation Easement Program

- Sec. 2301. Agricultural Conservation Easement Program.

#### Subtitle E—Regional Conservation Partnership Program

- Sec. 2401. Regional Conservation Partnership Program.

#### Subtitle F—Other Conservation Programs

- Sec. 2501. Conservation of private grazing land.

- Sec. 2502. Grassroots source water protection program.

- Sec. 2503. Voluntary public access and habitat incentive program.

- Sec. 2504. Agriculture conservation experienced services program.

- Sec. 2505. Small watershed rehabilitation program.

- Sec. 2506. Emergency watershed protection program.

- Sec. 2507. Terminal lakes assistance.

- Sec. 2508. Study of potential improvements to the wetland mitigation process.

- Sec. 2509. Soil and water resource conservation.

#### Subtitle G—Funding and Administration

- Sec. 2601. Funding.

- Sec. 2602. Technical assistance.

- Sec. 2603. Regional equity.

- Sec. 2604. Reservation of funds to provide assistance to certain farmers or ranchers for conservation access.

- Sec. 2605. Annual report on program enrollments and assistance.

- Sec. 2606. Administrative requirements for conservation programs.

- Sec. 2607. Rulemaking authority.

- Sec. 2608. Standards for State technical committees.

- Sec. 2609. Highly erodible land and wetland conservation for crop insurance.

- Sec. 2610. Adjusted gross income limitation for conservation programs.

#### Subtitle H—Repeal of Superseded Program Authorities and Transitional Provisions

- Sec. 2701. Comprehensive conservation enhancement program.

Sec. 2702. Emergency forestry conservation reserve program.  
 Sec. 2703. Wetlands reserve program.  
 Sec. 2704. Farmland protection program and farm viability program.  
 Sec. 2705. Grassland reserve program.  
 Sec. 2706. Agricultural water enhancement program.  
 Sec. 2707. Wildlife habitat incentive program.  
 Sec. 2708. Great Lakes basin program.  
 Sec. 2709. Chesapeake Bay watershed program.  
 Sec. 2710. Cooperative conservation partnership initiative.  
 Sec. 2711. Environmental easement program.  
 Sec. 2712. Technical amendments.

### TITLE III—TRADE

#### Subtitle A—Food for Peace Act

Sec. 3001. Set-aside for support for organizations through which non-emergency assistance is provided.  
 Sec. 3002. Food aid quality.  
 Sec. 3003. Minimum levels of assistance.  
 Sec. 3004. Reauthorization of Food Aid Consultative Group.  
 Sec. 3005. Oversight, monitoring, and evaluation of Food for Peace Act programs.  
 Sec. 3006. Assistance for stockpiling and rapid transportation, delivery, and distribution of shelf-stable prepackaged foods.  
 Sec. 3007. Limitation on total volume of commodities monetized.  
 Sec. 3008. Flexibility.  
 Sec. 3009. Procurement, transportation, testing, and storage of agricultural commodities for prepositioning in the United States and foreign countries.  
 Sec. 3010. Deadline for agreements to finance sales or to provide other assistance.  
 Sec. 3011. Minimum level of nonemergency food assistance.  
 Sec. 3012. Coordination of foreign assistance programs report.  
 Sec. 3013. Micronutrient fortification programs.  
 Sec. 3014. John Ogonowski and Doug Bereuter Farmer-to-Farmer Program.  
 Sec. 3015. Prohibition on assistance for North Korea.

#### Subtitle B—Agricultural Trade Act of 1978

Sec. 3101. Export credit guarantee programs.  
 Sec. 3102. Funding for market access program.  
 Sec. 3103. Foreign market development co-operator program.

#### Subtitle C—Other Agricultural Trade Laws

Sec. 3201. Food for Progress Act of 1985.  
 Sec. 3202. Bill Emerson Humanitarian Trust.  
 Sec. 3203. Promotion of agricultural exports to emerging markets.  
 Sec. 3204. McGovern-Dole International Food for Education and Child Nutrition Program.  
 Sec. 3205. Technical assistance for specialty crops.  
 Sec. 3206. Global Crop Diversity Trust.  
 Sec. 3207. Local and regional food aid procurement projects.  
 Sec. 3208. Donald Payne Horn of Africa food resilience program.  
 Sec. 3209. Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs.

### TITLE IV—NUTRITION

#### Subtitle A—Supplemental Nutrition Assistance Program

Sec. 4001. Access to Grocery Delivery for Homebound Seniors and Individuals with Disabilities eligible for supplemental nutrition assistance benefits.  
 Sec. 4002. Food distribution program on Indian reservations.  
 Sec. 4003. Standard utility allowances based on the receipt of energy assistance payments.  
 Sec. 4004. Eligibility disqualifications.  
 Sec. 4005. Ending supplemental nutrition assistance program benefits for lottery or gambling winners.  
 Sec. 4006. Retail food stores.  
 Sec. 4007. Improving security of food assistance.  
 Sec. 4008. Technology modernization for retail food stores.  
 Sec. 4009. Use of benefits for purchase of community-supported agriculture share.  
 Sec. 4010. Restaurant meals program.  
 Sec. 4011. Quality control standards.  
 Sec. 4012. Performance bonus payments.  
 Sec. 4013. Funding of employment and training programs.  
 Sec. 4014. Authorization of appropriations.  
 Sec. 4015. Assistance for community food projects.  
 Sec. 4016. Emergency food assistance.  
 Sec. 4017. Nutrition education.  
 Sec. 4018. Retail food store and recipient trafficking.  
 Sec. 4019. Technical and conforming amendments.  
 Sec. 4020. Eligibility disqualifications for certain convicted felons.

#### Subtitle B—Commodity Distribution Programs

Sec. 4101. Commodity distribution program.  
 Sec. 4102. Commodity supplemental food program.  
 Sec. 4103. Distribution of surplus commodities to special nutrition projects.  
 Sec. 4104. Processing of commodities.

#### Subtitle C—Miscellaneous

Sec. 4201. Purchase of fresh fruits and vegetables for distribution to schools and service institutions.  
 Sec. 4202. Seniors farmers' market nutrition program.  
 Sec. 4203. Nutrition information and awareness pilot program.  
 Sec. 4204. Hunger-free communities.  
 Sec. 4205. Healthy Food Financing Initiative.  
 Sec. 4206. Pulse crop products.  
 Sec. 4207. Dietary Guidelines for Americans.  
 Sec. 4208. Purchases of locally produced foods.  
 Sec. 4209. Multiagency task force.  
 Sec. 4210. Food and Agriculture Service Learning Program.

### TITLE V—CREDIT

#### Subtitle A—Farmer Loans, Servicing, and Other Assistance Under the Consolidated Farm and Rural Development Act

Sec. 5001. Farmer loans, servicing, and other assistance under the Consolidated Farm and Rural Development Act.

#### Subtitle B—Miscellaneous

Sec. 5101. State agricultural mediation programs.  
 Sec. 5102. Loans to purchasers of highly fractionated land.

Sec. 5103. Removal of duplicative appraisals.  
 Sec. 5104. Compensation disclosure by Farm Credit System institutions.

### TITLE VI—RURAL DEVELOPMENT

#### Subtitle A—Reorganization of the Consolidated Farm and Rural Development Act

Sec. 6001. Reorganization of the Consolidated Farm and Rural Development Act.  
 Sec. 6002. Conforming amendments.

#### Subtitle B—Rural Electrification

Sec. 6101. Definition of rural area.  
 Sec. 6102. Guarantees for bonds and notes issued for electrification or telephone purposes.  
 Sec. 6103. Expansion of 911 access.  
 Sec. 6104. Access to broadband telecommunications services in rural areas.

#### Subtitle C—Miscellaneous

Sec. 6201. Distance learning and telemedicine.  
 Sec. 6202. Definition of rural area for purposes of the Housing Act of 1949.  
 Sec. 6203. Rural energy savings program.  
 Sec. 6204. Funding of pending rural development loan and grant applications.  
 Sec. 6205. Study of rural transportation issues.  
 Sec. 6206. Agricultural transportation policy.  
 Sec. 6207. Value-added agricultural market development program grants.

### TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS

#### Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977

Sec. 7101. National Agricultural Research, Extension, Education, and Economics Advisory Board.  
 Sec. 7102. Specialty crop committee.  
 Sec. 7103. Veterinary services grant program.  
 Sec. 7104. Grants and fellowships for food and agriculture sciences education.  
 Sec. 7105. Agricultural and food policy research centers.  
 Sec. 7106. Education grants to Alaska Native serving institutions and Native Hawaiian serving institutions.  
 Sec. 7107. Nutrition education program.  
 Sec. 7108. Continuing animal health and disease research programs.  
 Sec. 7109. Grants to upgrade agricultural and food sciences facilities at 1890 land-grant colleges, including Tuskegee University.  
 Sec. 7110. Grants to upgrade agricultural and food sciences facilities and equipment at insular area land-grant institutions.  
 Sec. 7111. Hispanic-serving institutions.  
 Sec. 7112. Competitive grants for international agricultural science and education programs.  
 Sec. 7113. University research.  
 Sec. 7114. Extension service.  
 Sec. 7115. Supplemental and alternative crops.  
 Sec. 7116. Capacity building grants for NLGCA institutions.  
 Sec. 7117. Aquaculture assistance programs.  
 Sec. 7118. Rangeland research programs.  
 Sec. 7119. Special authorization for biosecurity planning and response.  
 Sec. 7120. Distance education and resident instruction grants program for insular area institutions of higher education.  
 Subtitle B—Food, Agriculture, Conservation, and Trade Act of 1990  
 Sec. 7201. Best utilization of biological applications.

Sec. 7202. Integrated management systems.  
 Sec. 7203. Sustainable agriculture technology development and transfer program.  
 Sec. 7204. National Training Program.  
 Sec. 7205. National Genetics Resources Program.  
 Sec. 7206. National Agricultural Weather Information System.  
 Sec. 7207. Agricultural Genome Initiative.  
 Sec. 7208. High-priority research and extension initiatives.  
 Sec. 7209. Organic agriculture research and extension initiative.  
 Sec. 7210. Farm business management.  
 Sec. 7211. Regional centers of excellence.  
 Sec. 7212. Assistive technology program for farmers with disabilities.  
 Sec. 7213. National rural information center clearinghouse.

Subtitle C—Agricultural Research, Extension, and Education Reform Act of 1998  
 Sec. 7301. Relevance and merit of agricultural research, extension, and education funded by the Department.  
 Sec. 7302. Integrated research, education, and extension competitive grants program.  
 Sec. 7303. Support for research regarding diseases of wheat, triticale, and barley caused by *Fusarium graminearum* or by *Tilletia indica*.  
 Sec. 7304. Grants for youth organizations.  
 Sec. 7305. Specialty crop research initiative.  
 Sec. 7306. Food animal residue avoidance database program.  
 Sec. 7307. Office of pest management policy.  
 Sec. 7308. Authorization of regional integrated pest management centers.

Subtitle D—Other Laws  
 Sec. 7401. Critical Agricultural Materials Act.  
 Sec. 7402. Equity in Educational Land-Grant Status Act of 1994.  
 Sec. 7403. Research Facilities Act.  
 Sec. 7404. Competitive, Special, and Facilities Research Grant Act.  
 Sec. 7405. Enhanced use lease authority pilot program under Department of Agriculture Reorganization Act of 1994.  
 Sec. 7406. Renewable Resources Extension Act of 1978.  
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- Sec. 12211. Agriculture wool apparel manufacturers trust fund.
- Sec. 12212. Citrus disease research and development trust fund.

## SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of Agriculture.

### TITLE I—COMMODITY PROGRAMS

#### Subtitle A—Repeals and Reforms

##### SEC. 1101. REPEAL OF DIRECT PAYMENTS.

(a) REPEAL.—Sections 1103 and 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713, 8753) are repealed.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Sections 1103 and 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713, 8753), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1001 of that Act (7 U.S.C. 8702)) (except pulse crops) and peanuts on a farm.

##### SEC. 1102. REPEAL OF COUNTER-CYCLICAL PAYMENTS.

(a) REPEAL.—Sections 1104 and 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754) are repealed.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Sections 1104 and 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1001 of that Act (7 U.S.C. 8702)) and peanuts on a farm.

##### SEC. 1103. REPEAL OF AVERAGE CROP REVENUE ELECTION PROGRAM.

(a) REPEAL.—Section 1105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8715) is repealed.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Section 1105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8715), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1001 of that Act (7 U.S.C. 8702)) and peanuts on a farm for which the irrevocable election under section 1105 of that Act is made before the date of enactment of this Act.

##### SEC. 1104. DEFINITIONS.

In this subtitle, subtitle B, and subtitle F:

(1) ACTUAL CROP REVENUE.—The term “actual crop revenue”, with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1108(c)(3).

(2) ADVERSE MARKET PAYMENT.—The term “adverse market payment” means a payment made to producers on a farm under section 1107.

(3) AGRICULTURE RISK COVERAGE GUARANTEE.—The term “agriculture risk coverage guarantee”, with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1108(c)(4).

(4) AGRICULTURE RISK COVERAGE PAYMENT.—The term “agriculture risk coverage payment” means a payment under section 1108(c).

(5) AVERAGE INDIVIDUAL YIELD.—The term “average individual yield” means the yield reported by a producer for purposes of subtitle A of the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), to the maximum extent practicable.

(6) BASE ACRES.—The term “base acres”, with respect to a covered commodity on a farm, means the number of acres established under section 1101 or 1302 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911, 7952) as in effect on the date of enactment of this Act, subject to any adjustment under section 1105 of this Act.

(7) COUNTY COVERAGE.—For the purposes of agriculture risk coverage under section 1108, the term “county coverage” means coverage determined using the total quantity of all acreage in a county of the covered commodity that is planted or prevented from being planted for harvest by a producer with the yield determined by the average county yield described in subsection (c) of that section.

(8) COVERED COMMODITY.—

(A) IN GENERAL.—The term “covered commodity” means wheat, corn, grain sorghum, barley, oats, long grain rice, medium grain rice, pulse crops, soybeans, other oilseeds, and peanuts.

(B) POPCORN.—The Secretary—

(i) shall study the feasibility of including popcorn as a covered commodity by 2014; and

(ii) if the Secretary determines it to be feasible, shall designate popcorn as a covered commodity.

(9) ELIGIBLE ACRES.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) through (D), the term “eligible acres” means all acres planted or prevented from being planted to all covered commodities on a farm in any crop year.

(B) MAXIMUM.—Except as provided in subparagraph (C), the total quantity of eligible acres on a farm determined under subparagraph (A) shall not exceed the average total acres planted or prevented from being planted to covered commodities and upland cotton on the farm for the 2009 through 2012 crop years, as determined by the Secretary.

(C) ADJUSTMENT.—The Secretary shall provide for an adjustment, as appropriate, in the eligible acres for covered commodities for a farm if any of the following circumstances occurs:

(i) If a conservation reserve contract for a farm in a county entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) expires or is voluntarily terminated or cropland is released from coverage under a conservation reserve contract, the Secretary shall provide for an adjustment, as appropriate, in the eligible acres for the farm to a total quantity that is the higher of—

(I) the total base acreage for the farm, less any upland cotton base acreage, that was suspended during the conservation reserve contract; or

(II) the product obtained by multiplying—

(aa) the average proportion that—

(AA) the total number of acres planted to covered commodities and upland cotton in the county for crop years 2009 through 2012; bears to

(BB) the total number of all acres of covered commodities, grassland, and upland cotton acres in the county for the same crop years; by

(bb) the total acres for which coverage has expired, voluntarily terminated, or been released under the conservation reserve contract.

(ii) The producer has eligible oilseed acreage as the result of the Secretary designating additional oilseeds, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(1)(D) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711(a)(1)(D)).

(iii) The producer has any acreage not cropped during the 2009 through 2012 crop years, but placed into an established rotation practice for the purposes of enriching land or conserving moisture for subsequent crop years, including summer fallow, as determined by the Secretary.

(D) EXCLUSION.—The term “eligible acres” does not include any crop subsequently planted during the same crop year on the same land for which the first crop is eligible for payments under this subtitle, unless the crop was planted in an area approved for double cropping, as determined by the Secretary.

(10) EXTRA LONG STAPLE COTTON.—The term “extra long staple cotton” means cotton that—

(A) is produced from pure strain varieties of the Barbados species or any hybrid of the species, or other similar types of extra long staple cotton, designated by the Secretary, having characteristics needed for various end uses for which United States upland cotton is not suitable and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of the varieties or types; and

(B) is ginned on a roller-type gin or, if authorized by the Secretary, ginned on another type gin for experimental purposes.

(11) INDIVIDUAL COVERAGE.—For purposes of agriculture risk coverage under section 1108, the term “individual coverage” means coverage determined using the total quantity of all acreage in a county of the covered commodity that is planted or prevented from being planted for harvest by a producer with the yield determined by the average individual yield of the producer described in subsection (c) of that section.

(12) MEDIUM GRAIN RICE.—The term “medium grain rice” includes short grain rice.

(13) OTHER OILSEED.—The term “other oilseed” means a crop of sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, or any oilseed designated by the Secretary.

(14) PAYMENT ACRES.—The term “payment acres” means, in the case of adverse market payments, 85 percent of the base acres for a covered commodity on a farm on which adverse market payments are made.

(15) PAYMENT YIELD.—The term “payment yield” means the yield established for adverse market payments under section 1102 or 1302 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912, 7952) as in effect on the date of enactment of this Act, or under section 1106 of this Act, for a farm for a covered commodity.

(16) PRODUCER.—

(A) IN GENERAL.—The term “producer” means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the

farm, or would have shared had the crop been produced.

(B) **HYBRID SEED.**—In determining whether a grower of hybrid seed is a producer, the Secretary shall—

(i) not take into consideration the existence of a hybrid seed contract; and

(ii) ensure that program requirements do not adversely affect the ability of the grower to receive a payment under this title.

(17) **PULSE CROP.**—The term “pulse crop” means dry peas, lentils, small chickpeas, and large chickpeas.

(18) **STATE.**—The term “State” means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(19) **REFERENCE PRICE.**—The term “reference price” means the price per bushel, pound, or hundredweight (or other appropriate unit) of a covered commodity used to determine the payment rate for adverse market payments.

(20) **TRANSITIONAL YIELD.**—The term “transitional yield” has the meaning given the term in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)).

(21) **UNITED STATES.**—The term “United States”, when used in a geographical sense, means all of the States.

(22) **UNITED STATES PREMIUM FACTOR.**—The term “United States Premium Factor” means the percentage by which the difference in the United States loan schedule premiums for Strict Middling (SM) 1 $\frac{1}{8}$ -inch upland cotton and for Middling (M) 1 $\frac{3}{32}$ -inch upland cotton exceeds the difference in the applicable premiums for comparable international qualities.

#### SEC. 1105. BASE ACRES.

(a) **ADJUSTMENT OF BASE ACRES.**—

(1) **IN GENERAL.**—The Secretary shall provide for an adjustment, as appropriate, in the base acres for covered commodities for a farm whenever any of the following circumstances occurs:

(A) A conservation reserve contract entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) with respect to the farm expires or is voluntarily terminated, or was terminated or expired during the period beginning on October 1, 2012, and ending on the date of enactment of this Act.

(B) Cropland is released from coverage under a conservation reserve contract by the Secretary, or was released during the period beginning on October 1, 2012, and ending on the date of enactment of this Act.

(C) The producer has eligible pulse crop acreage, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911(a)(2)).

(D) The producer has eligible oilseed acreage as the result of the Secretary designating additional oilseeds, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911(a)(2)).

(2) **SPECIAL CONSERVATION RESERVE ACREAGE PAYMENT RULES.**—For the crop year in which a base acres adjustment under subparagraph (A) or (B) of paragraph (1) is first made, the producer on the farm shall elect to receive either adverse market payments with respect to the acreage added to the farm under this subsection or a prorated payment under the conservation reserve contract, but not both.

(3) **OPTIONAL ADJUSTMENT.**—

(A) **ELECTION.**—

(i) **IN GENERAL.**—For the purpose of making adverse market payments, the Secretary shall give a producer on a farm a 1-time opportunity to adjust the peanut base acres on the farm.

(ii) **NOTICE.**—As soon as practicable after the date of enactment of this Act, the Secretary shall provide notice of the election described in clause (i) to producers on farms with peanut base acres, including—

(I) the manner in which the election is to be transmitted to the Secretary;

(II) a deadline for transmission; and

(III) notification that the election is a 1-time opportunity.

(iii) **EFFECT OF FAILURE TO MAKE ELECTION.**—If the producer on a farm fails to notify the Secretary of an election by the deadline described in clause (ii), the producer shall be considered to have not elected to update the peanut base acres on the farm.

(B) **CALCULATION.**—

(i) **IN GENERAL.**—If the producer on a farm makes the election described in subparagraph (A), the base acres for peanuts on the farm established pursuant to section 1302 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7952) shall be equal to the average acreage planted on the farm to peanuts for harvest or similar purposes for the 2009 through 2012 crop years, as determined by the Secretary.

(ii) **INCLUSIONS.**—In making the calculation described in clause (i), the Secretary shall include—

(I) any acreage on the farm that the producer was prevented from planting to peanuts during the 2009 through 2012 crop years because of drought, flood, or other natural disaster, or other condition beyond the control of the producer;

(II) any crop year in which peanuts were not planted on the farm; and

(III) any adjustment, as appropriate, whenever either of the following occurs:

(aa) A conservation reserve contract entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) with respect to the peanut base acres on the farm expires or is voluntarily terminated.

(bb) Peanut cropland is released from coverage under a conservation reserve contract by the Secretary.

(C) **LIMIT.**—

(i) **IN GENERAL.**—If the producer on a farm makes the election described in subparagraph (A), the Secretary shall ensure that the adjustment does not result in a net increase in the total base acres for the farm (including the upland cotton base acres described in subsection (e)).

(ii) **REDUCTION REQUIRED.**—If the adjustment in base acres made pursuant to an election described in subparagraph (A) results in a net increase in the total base acres of all covered commodities and upland cotton on the farm, the Secretary shall reduce the base acres on the farm for all covered commodities (other than peanuts) and upland cotton proportionately, as determined by the Secretary.

(b) **PREVENTION OF EXCESS BASE ACRES.**—

(1) **REQUIRED REDUCTION.**—If the sum of the base acres for a farm, together with the acreage described in paragraph (2), exceeds the actual cropland acreage of the farm, the Secretary shall reduce the base acres for 1 or more covered commodities for the farm so that the sum of the base acres and acreage described in paragraph (2) does not exceed the actual cropland acreage of the farm.

(2) **OTHER ACREAGE.**—For purposes of paragraph (1), the Secretary shall include the following:

(A) Any acreage on the farm enrolled in the conservation reserve program or agricultural conservation easement program under subchapter B of chapter 1 of subtitle D and subtitle H, respectively, of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.).

(B) Any other acreage on the farm enrolled in a Federal conservation program for which payments are made in exchange for not producing an agricultural commodity on the acreage.

(C) Any eligible pulse crop acreage, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911(a)(2)).

(D) If the Secretary designates additional oilseeds, any eligible oilseed acreage, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911(a)(2)).

(3) **SELECTION OF ACRES.**—The Secretary shall give the producer on the farm the opportunity to select the base acres for a covered commodity for the farm against which the reduction required by paragraph (1) will be made.

(4) **EXCEPTION FOR DOUBLE-CROPPED ACREAGE.**—In applying paragraph (1), the Secretary shall make an exception in the case of double cropping, as determined by the Secretary.

(c) **REDUCTION IN BASE ACRES.**—

(1) **REDUCTION AT OPTION OF PRODUCER.**—

(A) **IN GENERAL.**—The producer on a farm may reduce, at any time, the base acres for any covered commodity for the farm.

(B) **EFFECT OF REDUCTION.**—A reduction under subparagraph (A) shall be permanent and made in a manner prescribed by the Secretary.

(2) **REQUIRED ACTION BY SECRETARY.**—

(A) **IN GENERAL.**—The Secretary shall proportionately reduce base acres on a farm for covered commodities for land that has been subdivided and developed for multiple residential units or other nonfarming uses if the size of the tracts and the density of the subdivision is such that the land is unlikely to return to the previous agricultural use, unless the producers on the farm demonstrate that the land—

(i) remains devoted to commercial agricultural production; or

(ii) is likely to be returned to the previous agricultural use.

(B) **REQUIREMENT.**—The Secretary shall establish procedures to identify land described in subparagraph (A).

(3) **REVIEW AND REPORT.**—Each year, to ensure, to the maximum extent practicable, that payments are received only by producers, the Secretary shall submit to Congress a report that describes the results of the actions taken under paragraph (2).

(d) **TREATMENT OF FARMS WITH LIMITED BASE ACRES.**—

(1) **PROHIBITION ON PAYMENTS.**—Except as provided in paragraph (2) and notwithstanding any other provision of this title, a producer on a farm may not receive adverse market payments if the sum of the base acres of the farm is 10 acres or less, as determined by the Secretary.

(2) **EXCEPTIONS.**—Paragraph (1) shall not apply to a farm owned or operated by—

(A) a socially disadvantaged farmer (as defined in section 3002 of the Consolidated Farm and Rural Development Act); or

(B) a limited resource farmer or rancher, as defined by the Secretary.

(3) DATA COLLECTION AND PUBLICATION.—The Secretary shall—

(A) collect and publish segregated data and survey information about farm profiles, utilization of land, and crop production; and

(B) perform an evaluation on the supply and price of fruits and vegetables based on the effects of suspension of base acres under this section.

(e) TREATMENT OF FARMS WITH UPLAND COTTON BASE ACRES.—The Secretary shall maintain a record of farms with upland cotton base acres in effect on the day before the date of enactment of this Act.

#### SEC. 1106. PAYMENT YIELDS.

(a) DESIGNATED OILSEED OR ELIGIBLE PULSE CROP.—

(1) ADJUSTMENT.—For the purpose of making adverse market payments under this subtitle, the Secretary shall provide for the establishment of a yield for each farm for any designated oilseed or eligible pulse crop for which a payment yield was not established under section 1102 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912) in accordance with this section.

(2) PAYMENT YIELDS FOR DESIGNATED OILSEEDS AND ELIGIBLE PULSE CROPS.—

(A) DETERMINATION OF AVERAGE YIELD.—In the case of designated oilseeds and eligible pulse crops, the Secretary shall determine the average yield per planted acre for the designated oilseed or pulse crop on a farm for the 1998 through 2001 crop years, excluding any crop year in which the acreage planted to the designated oilseed or pulse crop was zero.

(B) ADJUSTMENT FOR PAYMENT YIELD.—

(1) IN GENERAL.—The payment yield for a farm for a designated oilseed or eligible pulse crop shall be equal to the product of the following:

(I) The average yield for the designated oilseed or pulse crop determined under subparagraph (A).

(II) The ratio resulting from dividing the national average yield for the designated oilseed or pulse crop for the 1981 through 1985 crops by the national average yield for the designated oilseed or pulse crop for the 1998 through 2001 crops.

(ii) NO NATIONAL AVERAGE YIELD INFORMATION AVAILABLE.—To the extent that national average yield information for a designated oilseed or pulse crop is not available, the Secretary shall use such information as the Secretary determines to be fair and equitable to establish a national average yield under this section.

(C) USE OF PARTIAL COUNTY AVERAGE YIELD.—If the yield per planted acre for a crop of a designated oilseed or pulse crop for a farm for any of the 1998 through 2001 crop years was less than 75 percent of the county yield for that designated oilseed or pulse crop, the Secretary shall assign a yield for that crop year equal to 75 percent of the county yield for the purpose of determining the average under subparagraph (A).

(D) NO HISTORIC YIELD DATA AVAILABLE.—In the case of establishing yields for designated oilseeds and eligible pulse crops, if historic yield data is not available, the Secretary shall use the ratio for dry peas calculated under subparagraph (B)(i)(II) in determining the yields for designated oilseeds and eligible pulse crops, as determined to be fair and equitable by the Secretary.

(b) RICE.—

(1) ADJUSTMENT.—For the purpose of making adverse market payments under this subtitle, the Secretary shall give a producer on

a farm a 1-time opportunity to adjust the payment yield for base acres of rice on the farm that was established under section 1102 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912).

(2) ELECTION.—

(A) NOTICE.—As soon as practicable after the date of enactment of this Act, the Secretary shall provide notice of the election described in paragraph (1) to producers on farms with rice base acres, including—

(i) the manner in which the election is to be transmitted to the Secretary;

(ii) a deadline for transmission; and

(iii) notification that the election is a 1-time opportunity.

(B) EFFECT OF FAILURE TO MAKE ELECTION.—If the producer on a farm fails to notify the Secretary of an election by the deadline described in subparagraph (A), the producer shall be considered to have not elected to update the payment yields for base acres of rice on the farm.

(3) CALCULATION.—

(A) IN GENERAL.—If the producer on a farm makes the election described in paragraph (2), the Secretary shall adjust the payment yields for the base acres of rice using an average yield described in subparagraph (B) and adjustment described in subparagraph (C).

(B) DETERMINATION OF AVERAGE YIELD.—Subject to subparagraph (D), the Secretary shall determine the average yield per planted acre for the rice on the farm for the 2009 through 2012 crop years, excluding any crop year in which the acreage planted to rice was zero.

(C) DETERMINATION OF ADJUSTMENT.—The Secretary shall adjust the payment yield for the base acres of rice on the farm that was established under section 1102 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912) in accordance with the following:

(i) In a case in which less than 50 percent of the rice base acres on the farm were planted to rice, on average, during the 2009 through 2012 crop years, the adjustment shall be equal to the sum obtained by adding to the payment yield—

(I) the product obtained by multiplying—

(aa) the difference between the average yield and the payment yield; by

(bb) the percent of rice planted on the base acres of rice on the farm, on average.

(ii) In a case in which more than 50 percent of the rice base acres on the farm were planted to rice, on average, during the 2009 through 2012 crop years, the payment yield shall be equal to the product obtained by multiplying—

(I) the average yield; by

(II) 90 percent.

(D) USE OF PARTIAL COUNTY AVERAGE YIELD.—If the yield per planted acre for a crop of rice for a farm for any of the 2009 through 2012 crop years was less than 75 percent of the county yield for that rice crop, the Secretary shall assign a yield for that crop year equal to 75 percent of the county yield for purposes of determining the average under subparagraph (B).

(e) PEANUTS.—

(1) ADJUSTMENT.—If the producer on a farm elects to adjust the peanut base acres for the farm pursuant to section 1105, the Secretary shall adjust the payment yields for the base acres of peanuts for purposes of making adverse market payments.

(2) CALCULATION.—Notwithstanding the payment yields established under section 1102 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912), the payment yield for the base acres of peanuts adjusted

pursuant to section 1105 shall be the average yield per planted acre for such base acres for the 2009 through 2012 crop years, excluding any crop year in which the acreage planted to peanuts was zero.

(3) USE OF PARTIAL COUNTY AVERAGE YIELD.—If the yield per planted acre for a crop of peanuts for a farm for any of the 2009 through 2012 crop years was less than 75 percent of the county yield for that peanut crop, the Secretary shall assign a yield for that crop year equal to 75 percent of the county yield for purposes of determining the average under paragraph (2).

#### SEC. 1107. AVAILABILITY OF ADVERSE MARKET PAYMENTS.

(a) PAYMENT REQUIRED.—For each of the 2014 through 2018 crop years for each covered commodity, the Secretary shall make adverse market payments to producers on farms for which payment yields and base acres are established with respect to the covered commodity if the Secretary determines that the actual price for the covered commodity is less than the reference price for the covered commodity.

(b) ACTUAL PRICE.—

(1) COVERED COMMODITIES OTHER THAN RICE.—Except as provided in paragraph (2), for purposes of subsection (a), the actual price for a covered commodity is equal to the higher of the following:

(A) The national average market price received by producers during the 12-month marketing year for the covered commodity, as determined by the Secretary.

(B) The national average loan rate for a marketing assistance loan for the covered commodity in effect for the applicable period under subtitle B.

(2) RICE.—In the case of long grain rice and medium grain rice, for purposes of subsection (a), the actual price for each type or class of rice is equal to the higher of the following:

(A) The national average market price received by producers during the 12-month marketing year for the type or class of rice, as determined by the Secretary.

(B) The national average loan rate for a marketing assistance loan for the type or class of rice in effect for the applicable period under subtitle B.

(c) REFERENCE PRICE.—The reference price for a covered commodity shall be determined as follows:

(1) IN GENERAL.—Subject to paragraph (2), the reference price for a covered commodity shall be the product obtained by multiplying—

(A) 55 percent; by

(B) the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

(2) ALTERNATIVE PRICE FOR RICE AND PEANUTS.—In the case of long and medium grain rice and peanuts, the reference price shall be—

(A) in the case of long and medium grain rice, \$13.30 per hundredweight; and

(B) in the case of peanuts, \$523.77 per ton.

(d) PAYMENT RATE.—The payment rate used to make adverse market payments with respect to a covered commodity for a crop year shall be equal to the amount that—

(1) the reference price under subsection (c) for the covered commodity; exceeds

(2) the actual price determined under subsection (b) for the covered commodity.

(e) PAYMENT AMOUNT.—If adverse market payments are required to be paid under this section for any of the 2014 through 2018 crop years of a covered commodity, the amount of



the adverse market payment to be paid to the producers on a farm for that crop year shall be equal to the product of the following:

(1) The payment rate specified in subsection (d).

(2) The payment acres of the covered commodity on the farm.

(3) The payment yield for the covered commodity for the farm.

(f) DUTIES OF THE SECRETARY.—In carrying out the calculations in subsections (b) and (c), the Secretary shall differentiate by type or class the national average price of—

(1) sunflower seeds;

(2) barley, using malting barley values; and

(3) wheat.

(g) TIME FOR PAYMENTS.—If the Secretary determines under subsection (a) that adverse market payments are required to be made under this section for the crop of a covered commodity, beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity, the Secretary shall make the adverse market payments for the crop.

#### SEC. 1108. AGRICULTURE RISK COVERAGE.

(a) PAYMENTS REQUIRED.—If the Secretary determines that payments are required under subsection (c), the Secretary shall make payments for each covered commodity available to producers in accordance with this section.

(b) COVERAGE ELECTION.—

(1) IN GENERAL.—For the period of crop years 2014 through 2018, the producers shall make a 1-time, irrevocable election to receive—

(A) individual coverage under this section, as determined by the Secretary; or

(B) in the case of a county with sufficient data (as determined by the Secretary), county coverage under this section.

(2) EFFECT OF ELECTION.—The election made under paragraph (1) shall be binding on the producers making the election, regardless of covered commodities planted, and applicable to all acres under the operational control of the producers, in a manner that—

(A) acres brought under the operational control of the producers after the election are included; and

(B) acres no longer under the operational control of the producers after the election are no longer subject to the election of the producers but become subject to the election of the subsequent producers.

(3) DUTIES OF THE SECRETARY.—The Secretary shall ensure that producers are precluded from taking any action, including reconstitution, transfer, or other similar action, that would have the effect of altering or reversing the election made under paragraph (1).

(c) AGRICULTURE RISK COVERAGE.—

(1) PAYMENTS.—The Secretary shall make agriculture risk coverage payments available under this subsection for each of the 2014 through 2018 crop years if the Secretary determines that—

(A) the actual crop revenue for the crop year for the covered commodity; is less than

(B) the agriculture risk coverage guarantee for the crop year for the covered commodity.

(2) TIME FOR PAYMENTS.—If the Secretary determines under this subsection that agriculture risk coverage payments are required to be made for the covered commodity, beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity, the Secretary shall make the agriculture risk coverage payments.

(3) ACTUAL CROP REVENUE.—The amount of the actual crop revenue for a crop year of a

covered commodity shall be equal to the product obtained by multiplying—

(A)(i) in the case of individual coverage, the actual average individual yield for the covered commodity, as determined by the Secretary; or

(ii) in the case of county coverage, the actual average yield for the county for the covered commodity, as determined by the Secretary; and

(B) the higher of—

(i) the national average market price received by producers during the 12-month marketing year for the covered commodity, as determined by the Secretary; or

(ii) if applicable, the reference price for the covered commodity under section 1107.

(4) AGRICULTURE RISK COVERAGE GUARANTEE.—

(A) IN GENERAL.—The agriculture risk coverage guarantee for a crop year for a covered commodity shall equal 88 percent of the benchmark revenue.

(B) BENCHMARK REVENUE.—

(i) IN GENERAL.—The benchmark revenue shall be the product obtained by multiplying—

(I)(aa) in the case of individual coverage, subject to clause (ii), the average individual yield, as determined by the Secretary, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; or

(bb) in the case of county coverage, the average county yield, as determined by the Secretary, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; and

(II) the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

(ii) USE OF TRANSITIONAL YIELDS.—If the yield determined under clause (i)(I)(aa)—

(I) for the 2013 crop year or any prior crop year, is less than 60 percent of the applicable transitional yield, the Secretary shall use 60 percent of the applicable transitional yield for that crop year; and

(II) for the 2014 crop year and any subsequent crop year, is less than 65 percent of the applicable transitional yield, the Secretary shall use 65 percent of the applicable transitional yield for that crop year.

(5) PAYMENT RATE.—The payment rate for each covered commodity shall be equal to the lesser of—

(A) the amount that—

(i) the agriculture risk coverage guarantee for the covered commodity; exceeds

(ii) the actual crop revenue for the crop year of the covered commodity; or

(B) 10 percent of the benchmark revenue for the crop year of the covered commodity.

(6) PAYMENT AMOUNT.—If agriculture risk coverage payments under this subsection are required to be paid for any of the 2014 through 2018 crop years of a covered commodity, the amount of the agriculture risk coverage payment for the crop year shall be equal to the product obtained by multiplying—

(A) the payment rate under paragraph (5); and

(B)(i) in the case of individual coverage the sum of—

(I) 65 percent of the planted eligible acres of the covered commodity; and

(II) 45 percent of the eligible acres that were prevented from being planted to the covered commodity; or

(ii) in the case of county coverage—

(I) 80 percent of the planted eligible acres of the covered commodity; and

(II) 45 percent of the eligible acres that were prevented from being planted to the covered commodity.

(7) DUTIES OF THE SECRETARY.—In carrying out the program under this subsection, the Secretary shall—

(A) to the maximum extent practicable, use all available information and analysis to check for anomalies in the determination of payments under the program;

(B) to the maximum extent practicable, calculate a separate actual crop revenue and agriculture risk coverage guarantee for irrigated and nonirrigated covered commodities;

(C) differentiate by type or class the national average price of—

(i) sunflower seeds;

(ii) barley, using malting barley values; and

(iii) wheat; and

(D) assign a yield for each acre planted or prevented from being planted for the crop year for the covered commodity on the basis of the yield history of representative farms in the State, region, or crop reporting district, as determined by the Secretary, if the Secretary cannot establish the yield as determined under paragraph (3)(A)(ii) or (4)(B)(i) or if the yield determined under paragraph (3)(A)(ii) or (4) is an unrepresentative average yield for the covered commodity as determined by the Secretary.

#### SEC. 1109. PRODUCER AGREEMENT REQUIRED AS CONDITION OF PROVISION OF PAYMENTS.

(a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

(1) REQUIREMENTS.—Before the producers on a farm may receive agriculture risk coverage payments or adverse market payments, the producers shall agree, during the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

(C) to use the land on the farm for an agricultural or conserving use in a quantity equal to the attributable eligible acres of the farm, and not for a nonagricultural commercial, industrial, or residential use, as determined by the Secretary; and

(D) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary, if the agricultural or conserving use involves the noncultivation of any portion of the land referred to in subparagraph (C).

(2) COMPLIANCE.—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

(3) MODIFICATION.—At the request of the transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the objectives of this subsection, as determined by the Secretary.

(b) TRANSFER OR CHANGE OF INTEREST IN FARM.—

(1) TERMINATION.—

(A) IN GENERAL.—Except as provided in paragraph (2), a transfer of (or change in) the interest of the producers on a farm for which agriculture risk coverage payments or adverse market payments are made shall result in the termination of the payments, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a).

(B) **EFFECTIVE DATE.**—The termination shall take effect on the date determined by the Secretary.

(2) **EXCEPTION.**—If a producer entitled to an agriculture risk coverage payment or adverse market payment dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment, in accordance with rules issued by the Secretary.

(c) **REPORTS.**—

(1) **ACREAGE REPORTS.**—As a condition on the receipt of any benefits under this subtitle or subtitle B, the Secretary shall require producers on a farm to submit to the Secretary annual acreage reports with respect to all cropland on the farm.

(2) **PRODUCTION REPORTS.**—As a condition on the receipt of any benefits under section 1108, the Secretary shall require producers on a farm to submit to the Secretary annual production reports with respect to all covered commodities produced on the farm.

(3) **PENALTIES.**—No penalty with respect to benefits under this subtitle or subtitle B shall be assessed against the producers on a farm for an inaccurate acreage or production report unless the producers on the farm knowingly and willfully falsified the acreage or production report.

(4) **DATA REPORTING.**—To the maximum extent practicable, the Secretary shall use data reported by the producer pursuant to requirements under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) to meet the obligations described in paragraphs (1) and (2), without additional submissions to the Department.

(d) **TENANTS AND SHARECROPPERS.**—In carrying out this subtitle, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

(e) **SHARING OF PAYMENTS.**—The Secretary shall provide for the sharing of adverse market payments and agriculture risk coverage payments among the producers on a farm on a fair and equitable basis.

#### **SEC. 1110. PERIOD OF EFFECTIVENESS.**

Sections 1104 through 1109 shall be effective beginning with the 2014 crop year of each covered commodity through the 2018 crop year.

#### **Subtitle B—Marketing Assistance Loans and Loan Deficiency Payments**

#### **SEC. 1201. AVAILABILITY OF NONRECOURSE MARKETING ASSISTANCE LOANS FOR LOAN COMMODITIES.**

(a) **DEFINITION OF LOAN COMMODITY.**—In this subtitle, the term “loan commodity” means wheat, corn, grain sorghum, barley, oats, upland cotton, extra long staple cotton, long grain rice, medium grain rice, peanuts, soybeans, other oilseeds, graded wool, non-graded wool, mohair, honey, dry peas, lentils, small chickpeas, and large chickpeas.

(b) **NONRECOURSE LOANS AVAILABLE.**—

(1) **IN GENERAL.**—For each of the 2014 through 2018 crops of each loan commodity, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for loan commodities produced on the farm.

(2) **TERMS AND CONDITIONS.**—The marketing assistance loans shall be made under terms and conditions that are prescribed by the Secretary and at the loan rate established under section 1202 for the loan commodity.

(c) **ELIGIBLE PRODUCTION.**—The producers on a farm shall be eligible for a marketing assistance loan under subsection (b) for any quantity of a loan commodity produced on the farm.

(d) **COMPLIANCE WITH CONSERVATION AND WETLANDS REQUIREMENTS.**—

(1) **REQUIREMENTS.**—Before the producers on a farm may receive a marketing assistance loan or any other payment or benefit under this subtitle, the producers shall agree, for the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

(C) to use the land on the farm for an agricultural or conserving use in a quantity equal to the attributable eligible acres of the farm, and not for a nonagricultural commercial, industrial, or residential use, as determined by the Secretary; and

(D) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary, if the agricultural or conserving use involves the noncultivation of any portion of the land referred to in subparagraph (C).

(2) **COMPLIANCE.**—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with paragraph (1).

(3) **MODIFICATION.**—At the request of a transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the purposes of this subsection, as determined by the Secretary.

(e) **SPECIAL RULES FOR PEANUTS.**—

(1) **IN GENERAL.**—This subsection shall apply only to producers of peanuts.

(2) **OPTIONS FOR OBTAINING LOAN.**—A marketing assistance loan under this section, and loan deficiency payments under section 1205, may be obtained at the option of the producers on a farm through—

(A) a designated marketing association or marketing cooperative of producers that is approved by the Secretary; or

(B) the Farm Service Agency.

(3) **STORAGE OF LOAN PEANUTS.**—As a condition on the approval by the Secretary of an individual or entity to provide storage for peanuts for which a marketing assistance loan is made under this section, the individual or entity shall agree—

(A) to provide the storage on a nondiscriminatory basis; and

(B) to comply with such additional requirements as the Secretary considers appropriate to accomplish the purposes of this section and promote fairness in the administration of the benefits of this section.

(4) **STORAGE, HANDLING, AND ASSOCIATED COSTS.**—

(A) **IN GENERAL.**—To ensure proper storage of peanuts for which a loan is made under this section, the Secretary shall pay handling and other associated costs (other than storage costs) incurred at the time at which the peanuts are placed under loan, as determined by the Secretary.

(B) **REDEMPTION AND FORFEITURE.**—The Secretary shall—

(i) require the repayment of handling and other associated costs paid under subparagraph (A) for all peanuts pledged as collateral for a loan that is redeemed under this section; and

(ii) pay storage, handling, and other associated costs for all peanuts pledged as collateral that are forfeited under this section.

(5) **MARKETING.**—A marketing association or cooperative may market peanuts for which a loan is made under this section in

any manner that conforms to consumer needs, including the separation of peanuts by type and quality.

(6) **REIMBURSABLE AGREEMENTS AND PAYMENT OF ADMINISTRATIVE EXPENSES.**—The Secretary may implement any reimbursable agreements or provide for the payment of administrative expenses under this subsection only in a manner that is consistent with those activities in regard to other loan commodities.

#### **SEC. 1202. LOAN RATES FOR NONRECOURSE MARKETING ASSISTANCE LOANS.**

(a) **IN GENERAL.**—For purposes of each of the 2014 through 2018 crop years, the loan rate for a marketing assistance loan under section 1201 for a loan commodity shall be equal to the following:

(1) In the case of wheat, \$2.94 per bushel.

(2) In the case of corn, \$1.95 per bushel.

(3) In the case of grain sorghum, \$1.95 per bushel.

(4) In the case of barley, \$1.95 per bushel.

(5) In the case of oats, \$1.39 per bushel.

(6) In the case of base quality of upland cotton, for the 2014 and each subsequent crop year, the simple average of the adjusted prevailing world price for the 2 immediately preceding marketing years, as determined by the Secretary and announced October 1 preceding the next domestic plantings, but in no case less than \$0.45 per pound or more than \$0.52 per pound.

(7) In the case of extra long staple cotton, \$0.7977 per pound.

(8) In the case of long grain rice, \$6.50 per hundredweight.

(9) In the case of medium grain rice, \$6.50 per hundredweight.

(10) In the case of soybeans, \$5.00 per bushel.

(11) In the case of other oilseeds, \$10.09 per hundredweight for each of the following kinds of oilseeds:

(A) Sunflower seed.

(B) Rapeseed.

(C) Canola.

(D) Safflower.

(E) Flaxseed.

(F) Mustard seed.

(G) Crambe.

(H) Sesame seed.

(I) Other oilseeds designated by the Secretary.

(12) In the case of dry peas, \$5.40 per hundredweight.

(13) In the case of lentils, \$11.28 per hundredweight.

(14) In the case of small chickpeas, \$7.43 per hundredweight.

(15) In the case of large chickpeas, \$11.28 per hundredweight.

(16) In the case of graded wool, \$1.15 per pound.

(17) In the case of nongraded wool, \$0.40 per pound.

(18) In the case of mohair, \$4.20 per pound.

(19) In the case of honey, \$0.69 per pound.

(20) In the case of peanuts, \$355 per ton.

(b) **SINGLE COUNTY LOAN RATE FOR OTHER OILSEEDS.**—The Secretary shall establish a single loan rate in each county for each kind of other oilseeds described in subsection (a)(11).

#### **SEC. 1203. TERM OF LOANS.**

(a) **TERM OF LOAN.**—In the case of each loan commodity, a marketing assistance loan under section 1201 shall have a term of 9 months beginning on the first day of the first month after the month in which the loan is made.

(b) **EXTENSIONS PROHIBITED.**—The Secretary may not extend the term of a marketing assistance loan for any loan commodity.

**SEC. 1204. REPAYMENT OF LOANS.**

(a) **GENERAL RULE.**—The Secretary shall permit the producers on a farm to repay a marketing assistance loan under section 1201 for a loan commodity (other than upland cotton, long grain rice, medium grain rice, extra long staple cotton, peanuts and confectionery and each other kind of sunflower seed (other than oil sunflower seed)) at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283));

(2) a rate (as determined by the Secretary) that—

(A) is calculated based on average market prices for the loan commodity during the preceding 30-day period; and

(B) will minimize discrepancies in marketing loan benefits across State boundaries and across county boundaries; or

(3) a rate that the Secretary may develop using alternative methods for calculating a repayment rate for a loan commodity that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of the commodity by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing the commodity;

(D) allow the commodity produced in the United States to be marketed freely and competitively, both domestically and internationally; and

(E) minimize discrepancies in marketing loan benefits across State boundaries and across county boundaries.

(b) **REPAYMENT RATES FOR UPLAND COTTON, LONG GRAIN RICE, AND MEDIUM GRAIN RICE.**—The Secretary shall permit producers to repay a marketing assistance loan under section 1201 for upland cotton, long grain rice, and medium grain rice at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) the prevailing world market price for the commodity, as determined and adjusted by the Secretary in accordance with this section.

(c) **REPAYMENT RATES FOR EXTRA LONG STAPLE COTTON.**—Repayment of a marketing assistance loan for extra long staple cotton shall be at the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)).

(d) **PREVAILING WORLD MARKET PRICE.**—For purposes of this section, the Secretary shall prescribe by regulation—

(1) a formula to determine the prevailing world market price for each of upland cotton, long grain rice, and medium grain rice; and

(2) a mechanism by which the Secretary shall announce periodically those prevailing world market prices.

(e) **ADJUSTMENT OF PREVAILING WORLD MARKET PRICE FOR UPLAND COTTON, LONG GRAIN RICE, AND MEDIUM GRAIN RICE.**—

(1) **RICE.**—The prevailing world market price for long grain rice and medium grain rice determined under subsection (d) shall be adjusted to United States quality and location.

(2) **COTTON.**—The prevailing world market price for upland cotton determined under subsection (d)—

(A) shall be adjusted to United States quality and location, with the adjustment to include—

(i) a reduction equal to any United States Premium Factor for upland cotton of a quality higher than Middling (M) 1 $\frac{1}{2}$ -inch; and

(ii) the average costs to market the commodity, including average transportation costs, as determined by the Secretary; and

(B) may be further adjusted, during the period beginning on the date of enactment of this Act and ending on July 31, 2019, if the Secretary determines the adjustment is necessary—

(i) to minimize potential loan forfeitures;

(ii) to minimize the accumulation of stocks of upland cotton by the Federal Government;

(iii) to ensure that upland cotton produced in the United States can be marketed freely and competitively, both domestically and internationally; and

(iv) to ensure an appropriate transition between current-crop and forward-crop price quotations, except that the Secretary may use forward-crop price quotations prior to July 31 of a marketing year only if—

(I) there are insufficient current-crop price quotations; and

(II) the forward-crop price quotation is the lowest such quotation available.

(3) **GUIDELINES FOR ADDITIONAL ADJUSTMENTS.**—In making adjustments under this subsection, the Secretary shall establish a mechanism for determining and announcing the adjustments in order to avoid undue disruption in the United States market.

(f) **REPAYMENT RATES FOR CONFECTIONERY AND OTHER KINDS OF SUNFLOWER SEEDS.**—The Secretary shall permit the producers on a farm to repay a marketing assistance loan under section 1201 for confectionery and each other kind of sunflower seed (other than oil sunflower seed) at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) the repayment rate established for oil sunflower seed.

(g) **PAYMENT OF COTTON STORAGE COSTS.**—Effective for each of the 2014 through 2018 crop years, the Secretary shall make cotton storage payments available in the same manner, and at the same rates as the Secretary provided storage payments for the 2006 crop of cotton, except that the rates shall be reduced by 20 percent.

(h) **REPAYMENT RATE FOR PEANUTS.**—The Secretary shall permit producers on a farm to repay a marketing assistance loan for peanuts under subsection (a) at a rate that is the lesser of—

(1) the loan rate established for peanuts under subsection (b), plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) a rate that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of peanuts by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing peanuts; and

(D) allow peanuts produced in the United States to be marketed freely and competitively, both domestically and internationally.

(i) **AUTHORITY TO TEMPORARILY ADJUST REPAYMENT RATES.**—

(1) **ADJUSTMENT AUTHORITY.**—In the event of a severe disruption to marketing, trans-

portation, or related infrastructure, the Secretary may modify the repayment rate otherwise applicable under this section for marketing assistance loans under section 1201 for a loan commodity.

(2) **DURATION.**—Any adjustment made under paragraph (1) in the repayment rate for marketing assistance loans for a loan commodity shall be in effect on a short-term and temporary basis, as determined by the Secretary.

**SEC. 1205. LOAN DEFICIENCY PAYMENTS.**

(a) **AVAILABILITY OF LOAN DEFICIENCY PAYMENTS.**—

(1) **IN GENERAL.**—Except as provided in subsection (d), the Secretary may make loan deficiency payments available to producers on a farm that, although eligible to obtain a marketing assistance loan under section 1201 with respect to a loan commodity, agree to forgo obtaining the loan for the commodity in return for loan deficiency payments under this section.

(2) **UNSHORN PELTS, HAY, AND SILAGE.**—

(A) **MARKETING ASSISTANCE LOANS.**—Subject to subparagraph (B), nongraded wool in the form of unshorn pelts and hay and silage derived from a loan commodity are not eligible for a marketing assistance loan under section 1201.

(B) **LOAN DEFICIENCY PAYMENT.**—Effective for the 2014 through 2018 crop years, the Secretary may make loan deficiency payments available under this section to producers on a farm that produce unshorn pelts or hay and silage derived from a loan commodity.

(b) **COMPUTATION.**—A loan deficiency payment for a loan commodity or commodity referred to in subsection (a)(2) shall be equal to the product obtained by multiplying—

(1) the payment rate determined under subsection (c) for the commodity; by

(2) the quantity of the commodity produced by the eligible producers, excluding any quantity for which the producers obtain a marketing assistance loan under section 1201.

(c) **PAYMENT RATE.**—

(1) **IN GENERAL.**—In the case of a loan commodity, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for the loan commodity; exceeds

(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 1204.

(2) **UNSHORN PELTS.**—In the case of unshorn pelts, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for ungraded wool; exceeds

(B) the rate at which a marketing assistance loan for ungraded wool may be repaid under section 1204.

(3) **HAY AND SILAGE.**—In the case of hay or silage derived from a loan commodity, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for the loan commodity from which the hay or silage is derived; exceeds

(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 1204.

(d) **EXCEPTION FOR EXTRA LONG STAPLE COTTON.**—This section shall not apply with respect to extra long staple cotton.

(e) **EFFECTIVE DATE FOR PAYMENT RATE DETERMINATION.**—The Secretary shall determine the amount of the loan deficiency payment to be made under this section to the

producers on a farm with respect to a quantity of a loan commodity or commodity referred to in subsection (a)(2) using the payment rate in effect under subsection (c) as of the date the producers request the payment.

**SEC. 1206. PAYMENTS IN LIEU OF LOAN DEFICIENCY PAYMENTS FOR GRAZED ACREAGE.**

(a) ELIGIBLE PRODUCERS.—

(1) IN GENERAL.—Effective for the 2014 through 2018 crop years, in the case of a producer that would be eligible for a loan deficiency payment under section 1205 for wheat, barley, or oats, but that elects to use acreage planted to the wheat, barley, or oats for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of the wheat, barley, or oats on that acreage.

(2) GRAZING OF TRITICALE ACREAGE.—Effective for the 2014 through 2018 crop years, with respect to a producer on a farm that uses acreage planted to triticale for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of triticale on that acreage.

(b) PAYMENT AMOUNT.—

(1) IN GENERAL.—The amount of a payment made under this section to a producer on a farm described in subsection (a)(1) shall be equal to the amount determined by multiplying—

(A) the loan deficiency payment rate determined under section 1205(c) in effect, as of the date of the agreement, for the county in which the farm is located; by

(B) the payment quantity determined by multiplying—

(i) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of wheat, barley, or oats; and

(ii)(I) the yield in effect for the calculation of agriculture risk coverage payments under subtitle A with respect to that loan commodity on the farm; or

(II) in the case of a farm without a payment yield for that loan commodity, an appropriate yield established by the Secretary.

(2) GRAZING OF TRITICALE ACREAGE.—The amount of a payment made under this section to a producer on a farm described in subsection (a)(2) shall be equal to the amount determined by multiplying—

(A) the loan deficiency payment rate determined under section 1205(c) in effect for wheat, as of the date of the agreement, for the county in which the farm is located; by

(B) the payment quantity determined by multiplying—

(i) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of triticale; and

(ii)(I) the yield in effect for the calculation of agriculture risk coverage payments under subtitle A with respect to wheat on the farm; or

(II) in the case of a farm without a payment yield for wheat, an appropriate yield established by the Secretary in a manner consistent with section 1102 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8712).

(c) TIME, MANNER, AND AVAILABILITY OF PAYMENT.—

(1) TIME AND MANNER.—A payment under this section shall be made at the same time and in the same manner as loan deficiency payments are made under section 1205.

(2) AVAILABILITY.—

(A) IN GENERAL.—The Secretary shall establish an availability period for the payments authorized by this section.

(B) CERTAIN COMMODITIES.—In the case of wheat, barley, and oats, the availability period shall be consistent with the availability period for the commodity established by the Secretary for marketing assistance loans authorized by this subtitle.

(d) PROHIBITION ON CROP INSURANCE INDEMNITY OR NONINSURED CROP ASSISTANCE.—A 2014 through 2018 crop of wheat, barley, oats, or triticale planted on acreage that a producer elects, in the agreement required by subsection (a), to use for the grazing of livestock in lieu of any other harvesting of the crop shall not be eligible for an indemnity under a policy or plan of insurance authorized under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or noninsured crop assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

**SEC. 1207. ECONOMIC ADJUSTMENT ASSISTANCE TO USERS OF UPLAND COTTON.**

(a) IN GENERAL.—Subject to subsection (b), the Secretary shall, on a monthly basis, make economic adjustment assistance available to domestic users of upland cotton in the form of payments for all documented use of that upland cotton during the previous monthly period regardless of the origin of the upland cotton.

(b) VALUE OF ASSISTANCE.—Effective beginning on August 1, 2012, the value of the assistance provided under subsection (a) shall be 3 cents per pound.

(c) ALLOWABLE PURPOSES.—Economic adjustment assistance under this section shall be made available only to domestic users of upland cotton that certify that the assistance shall be used only to acquire, construct, install, modernize, develop, convert, or expand land, plant, buildings, equipment, facilities, or machinery.

(d) REVIEW OR AUDIT.—The Secretary may conduct such review or audit of the records of a domestic user under this subsection as the Secretary determines necessary to carry out this subsection.

(e) IMPROPER USE OF ASSISTANCE.—If the Secretary determines, after a review or audit of the records of the domestic user, that economic adjustment assistance under this subsection was not used for the purposes specified in subsection (c), the domestic user shall be—

(1) liable for the repayment of the assistance to the Secretary, plus interest, as determined by the Secretary; and

(2) ineligible to receive assistance under this subsection for a period of 1 year following the determination of the Secretary.

**SEC. 1208. SPECIAL COMPETITIVE PROVISIONS FOR EXTRA LONG STAPLE COTTON.**

(a) COMPETITIVENESS PROGRAM.—Notwithstanding any other provision of law, during the period beginning on the date of enactment of this Act through July 31, 2019, the Secretary shall carry out a program—

(1) to maintain and expand the domestic use of extra long staple cotton produced in the United States;

(2) to increase exports of extra long staple cotton produced in the United States; and

(3) to ensure that extra long staple cotton produced in the United States remains competitive in world markets.

(b) PAYMENTS UNDER PROGRAM; TRIGGER.—Under the program, the Secretary shall make payments available under this section whenever—

(1) for a consecutive 4-week period, the world market price for the lowest priced

competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is below the prevailing United States price for a competing growth of extra long staple cotton; and

(2) the lowest priced competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is less than 134 percent of the loan rate for extra long staple cotton.

(c) ELIGIBLE RECIPIENTS.—The Secretary shall make payments available under this section to domestic users of extra long staple cotton produced in the United States and exporters of extra long staple cotton produced in the United States that enter into an agreement with the Commodity Credit Corporation to participate in the program under this section.

(d) PAYMENT AMOUNT.—Payments under this section shall be based on the amount of the difference in the prices referred to in subsection (b)(1) during the fourth week of the consecutive 4-week period multiplied by the amount of documented purchases by domestic users and sales for export by exporters made in the week following such a consecutive 4-week period.

**SEC. 1209. AVAILABILITY OF RECOURSE LOANS FOR HIGH MOISTURE FEED GRAINS AND SEED COTTON.**

(a) HIGH MOISTURE FEED GRAINS.—

(1) DEFINITION OF HIGH MOISTURE STATE.—In this subsection, the term “high moisture state” means corn or grain sorghum having a moisture content in excess of Commodity Credit Corporation standards for marketing assistance loans made by the Secretary under section 1201.

(2) RECOURSE LOANS AVAILABLE.—For each of the 2014 through 2018 crops of corn and grain sorghum, the Secretary shall make available recourse loans, as determined by the Secretary, to producers on a farm that—

(A) normally harvest all or a portion of their crop of corn or grain sorghum in a high moisture state;

(B) present—

(i) certified scale tickets from an inspected, certified commercial scale, including a licensed warehouse, feedlot, feed mill, distillery, or other similar entity approved by the Secretary, pursuant to regulations issued by the Secretary; or

(ii) field or other physical measurements of the standing or stored crop in regions of the United States, as determined by the Secretary, that do not have certified commercial scales from which certified scale tickets may be obtained within reasonable proximity of harvest operation;

(C) certify that the producers on the farm were the owners of the feed grain at the time of delivery to, and that the quantity to be placed under loan under this subsection was in fact harvested on the farm and delivered to, a feedlot, feed mill, or commercial or on-farm high-moisture storage facility, or to a facility maintained by the users of corn and grain sorghum in a high moisture state; and

(D) comply with deadlines established by the Secretary for harvesting the corn or grain sorghum and submit applications for loans under this subsection within deadlines established by the Secretary.

(3) ELIGIBILITY OF ACQUIRED FEED GRAINS.—A loan under this subsection shall be made on a quantity of corn or grain sorghum of the same crop acquired by the producer equivalent to a quantity determined by multiplying—

(A) the acreage of the corn or grain sorghum in a high moisture state harvested on the farm of the producer; by

(B) the lower of the actual average yield used to make payments under subtitle A or the actual yield on a field, as determined by the Secretary, that is similar to the field from which the corn or grain sorghum was obtained.

(b) **RECOURSE LOANS AVAILABLE FOR SEED COTTON.**—For each of the 2014 through 2018 crops of upland cotton and extra long staple cotton, the Secretary shall make available recourse seed cotton loans, as determined by the Secretary, on any production.

(c) **REPAYMENT RATES.**—Repayment of a recourse loan made under this section shall be at the loan rate established for the commodity by the Secretary, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)).

#### SEC. 1210. ADJUSTMENTS OF LOANS.

(a) **ADJUSTMENT AUTHORITY.**—Subject to subsection (e), the Secretary may make appropriate adjustments in the loan rates for any loan commodity (other than cotton) for differences in grade, type, quality, location, and other factors.

(b) **MANNER OF ADJUSTMENT.**—The adjustments under subsection (a) shall, to the maximum extent practicable, be made in such a manner that the average loan level for the commodity will, on the basis of the anticipated incidence of the factors, be equal to the level of support determined in accordance with this subtitle and subtitles C through E.

(c) **ADJUSTMENT ON COUNTY BASIS.**—

(1) **IN GENERAL.**—The Secretary may establish loan rates for a crop for producers in individual counties in a manner that results in the lowest loan rate being 95 percent of the national average loan rate, if those loan rates do not result in an increase in outlays.

(2) **PROHIBITION.**—Adjustments under this subsection shall not result in an increase in the national average loan rate for any year.

(d) **ADJUSTMENT IN LOAN RATE FOR COTTON.**—

(1) **IN GENERAL.**—The Secretary may make appropriate adjustments in the loan rate for cotton for differences in quality factors.

(2) **REVISIONS TO QUALITY ADJUSTMENTS FOR UPLAND COTTON.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall implement revisions in the administration of the marketing assistance loan program for upland cotton to more accurately and efficiently reflect market values for upland cotton.

(B) **MANDATORY REVISIONS.**—Revisions under subparagraph (A) shall include—

(i) the elimination of warehouse location differentials;

(ii) the establishment of differentials for the various quality factors and staple lengths of cotton based on a 3-year, weighted moving average of the weighted designated spot market regions, as determined by regional production;

(iii) the elimination of any artificial split in the premium or discount between upland cotton with a 32 or 33 staple length due to micronaire; and

(iv) a mechanism to ensure that no premium or discount is established that exceeds the premium or discount associated with a leaf grade that is 1 better than the applicable color grade.

(C) **DISCRETIONARY REVISIONS.**—Revisions under subparagraph (A) may include—

(i) the use of non-spot market price data, in addition to spot market price data, that

would enhance the accuracy of the price information used in determining quality adjustments under this subsection;

(ii) adjustments in the premiums or discounts associated with upland cotton with a staple length of 33 or above due to micronaire with the goal of eliminating any unnecessary artificial splits in the calculations of the premiums or discounts; and

(iii) such other adjustments as the Secretary determines appropriate, after consultations conducted in accordance with paragraph (3).

(3) **CONSULTATION WITH PRIVATE SECTOR.**—

(A) **PRIOR TO REVISION.**—In making adjustments to the loan rate for cotton (including any review of the adjustments) as provided in this subsection, the Secretary shall consult with representatives of the United States cotton industry.

(B) **INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to consultations under this subsection.

(4) **REVIEW OF ADJUSTMENTS.**—The Secretary may review the operation of the upland cotton quality adjustments implemented pursuant to this subsection and may make further revisions to the administration of the loan program for upland cotton, by—

(A) revoking or revising any actions taken under paragraph (2)(B); or

(B) revoking or revising any actions taken or authorized to be taken under paragraph (2)(C).

(e) **RICE.**—The Secretary shall not make adjustments in the loan rates for long grain rice and medium grain rice, except for differences in grade and quality (including milling yields).

#### Subtitle C—Sugar

##### SEC. 1301. SUGAR PROGRAM.

(a) **CONTINUATION OF CURRENT PROGRAM AND LOAN RATES.**—

(1) **SUGARCANE.**—Section 156(a)(5) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)(5)) is amended by striking “the 2012 crop year” and inserting “each of the 2014 through 2018 crop years”.

(2) **SUGAR BEETS.**—Section 156(b)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(b)(2)) is amended by striking “2012” and inserting “2018”.

(3) **EFFECTIVE PERIOD.**—Section 156(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended by striking “2012” and inserting “2018”.

(b) **FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.**—

(1) **SUGAR ESTIMATES.**—Section 359b(a)(1) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(a)(1)) is amended by striking “2012” and inserting “2018”.

(2) **EFFECTIVE PERIOD.**—Section 359l(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ll(a)) is amended by striking “2012” and inserting “2018”.

#### Subtitle D—Dairy

##### PART I—DAIRY PRODUCTION MARGIN PROTECTION AND DAIRY MARKET STABILIZATION PROGRAMS

##### SEC. 1401. DEFINITIONS.

In this part:

(1) **ACTUAL DAIRY PRODUCTION MARGIN.**—The term “actual dairy production margin” means the difference between the all-milk price and the average feed cost, as calculated under section 1402.

(2) **ALL-MILK PRICE.**—The term “all-milk price” means the average price received, per hundredweight of milk, by dairy operations

for all milk sold to plants and dealers in the United States, as determined by the Secretary.

(3) **ANNUAL PRODUCTION HISTORY.**—The term “annual production history” means the production history determined for a participating dairy operation under section 1413(b) whenever the participating dairy operation purchases supplemental production margin protection.

(4) **AVERAGE FEED COST.**—The term “average feed cost” means the average cost of feed used by a dairy operation to produce a hundredweight of milk, determined under section 1402 using the sum of the following:

(A) The product determined by multiplying 1.0728 by the price of corn per bushel.

(B) The product determined by multiplying 0.00735 by the price of soybean meal per ton.

(C) The product determined by multiplying 0.0137 by the price of alfalfa hay per ton.

(5) **BASIC PRODUCTION HISTORY.**—The term “basic production history” means the production history determined for a participating dairy operation under section 1413(a) for provision of basic production margin protection.

(6) **CONSECUTIVE 2-MONTH PERIOD.**—The term “consecutive 2-month period” refers to the 2-month period consisting of the months of January and February, March and April, May and June, July and August, September and October, or November and December, respectively.

(7) **DAIRY OPERATION.**—

(A) **IN GENERAL.**—The term “dairy operation” means, as determined by the Secretary, 1 or more dairy producers that produce and market milk as a single dairy operation in which each dairy producer—

(i) shares in the pooling of resources and a common ownership structure;

(ii) is at risk in the production of milk on the dairy operation; and

(iii) contributes land, labor, management, equipment, or capital to the dairy operation.

(B) **ADDITIONAL OWNERSHIP STRUCTURES.**—The Secretary shall determine additional ownership structures to be covered by the definition of dairy operation.

(8) **HANDLER.**—

(A) **IN GENERAL.**—The term “handler” means the initial individual or entity making payment to a dairy operation for milk produced in the United States and marketed for commercial use.

(B) **PRODUCER-HANDLER.**—The term includes a “producer-handler” when the producer satisfies the definition in subparagraph (A).

(9) **PARTICIPATING DAIRY OPERATION.**—The term “participating dairy operation” means a dairy operation that—

(A) signs up under section 1412 to participate in the production margin protection program under subpart A; and

(B) as a result, also participates in the stabilization program under subpart B.

(10) **PRODUCTION MARGIN PROTECTION PROGRAM.**—The term “production margin protection program” means the dairy production margin protection program required by subpart A.

(11) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture.

(12) **STABILIZATION PROGRAM.**—The term “stabilization program” means the dairy market stabilization program required by subpart B for all participating dairy operations.

(13) **STABILIZATION PROGRAM BASE.**—The term “stabilization program base”, with respect to a participating dairy operation,

means the stabilization program base calculated for the participating dairy operation under section 1431(b).

(14) UNITED STATES.—The term “United States”, in a geographical sense, means the 50 States, the District of Columbia, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, and any other territory or possession of the United States.

**SEC. 1402. CALCULATION OF AVERAGE FEED COST AND ACTUAL DAIRY PRODUCTION MARGINS.**

(a) CALCULATION OF AVERAGE FEED COST.—The Secretary shall calculate the national average feed cost for each month using the following data:

(1) The price of corn for a month shall be the price received during that month by farmers in the United States for corn, as reported in the monthly Agricultural Prices report by the Secretary.

(2) The price of soybean meal for a month shall be the central Illinois price for soybean meal, as reported in the Market News—Monthly Soybean Meal Price Report by the Secretary.

(3) The price of alfalfa hay for a month shall be the price received during that month by farmers in the United States for alfalfa hay, as reported in the monthly Agricultural Prices report by the Secretary.

(b) CALCULATION OF ACTUAL DAIRY PRODUCTION MARGINS.—

(1) PRODUCTION MARGIN PROTECTION PROGRAM.—For use in the production margin protection program under subpart A, the Secretary shall calculate the actual dairy production margin for each consecutive 2-month period by subtracting—

(A) the average feed cost for that consecutive 2-month period, determined in accordance with subsection (a); from

(B) the all-milk price for that consecutive 2-month period.

(2) STABILIZATION PROGRAM.—For use in the stabilization program under subpart B, the Secretary shall calculate each month the actual dairy production margin for the preceding month by subtracting—

(A) the average feed cost for that preceding month, determined in accordance with subsection (a); from

(B) the all-milk price for that preceding month.

(3) TIME FOR CALCULATIONS.—The calculations required by paragraphs (1) and (2) shall be made as soon as practicable using the full month price of the applicable reference month.

**Subpart A—Dairy Production Margin Protection Program**

**SEC. 1411. ESTABLISHMENT OF DAIRY PRODUCTION MARGIN PROTECTION PROGRAM.**

Effective not later than 120 days after the effective date of this subtitle, the Secretary shall establish and administer a dairy production margin protection program under which participating dairy operations are paid—

(1) basic production margin protection program payments under section 1414 when actual dairy production margins are less than the threshold levels for such payments; and

(2) supplemental production margin protection program payments under section 1415 if purchased by a participating dairy operation.

**SEC. 1412. PARTICIPATION OF DAIRY OPERATIONS IN PRODUCTION MARGIN PROTECTION PROGRAM.**

(a) ELIGIBILITY.—All dairy operations in the United States shall be eligible to partici-

pate in the production margin protection program, except that a participating dairy operation shall be required to register with the Secretary before the participating dairy operation may receive—

(1) basic production margin protection program payments under section 1414; and

(2) if the participating dairy operation purchases supplemental production margin protection under section 1415, supplemental production margin protection program payments under such section.

(b) REGISTRATION PROCESS.—

(1) IN GENERAL.—The Secretary shall specify the manner and form by which a participating dairy operation may register to participate in the production margin protection program.

(2) TREATMENT OF MULTIPRODUCER DAIRY OPERATIONS.—If a participating dairy operation is operated by more than 1 dairy producer, all of the dairy producers of the participating dairy operation shall be treated as a single dairy operation for purposes of—

(A) registration to receive basic production margin protection and election to purchase supplemental production margin protection;

(B) payment of the participation fee under subsection (d) and producer premiums under section 1415; and

(C) participation in the stabilization program under subtitle B.

(3) TREATMENT OF PRODUCERS WITH MULTIPLE DAIRY OPERATIONS.—If a dairy producer operates 2 or more dairy operations, each dairy operation of the producer shall separately register to receive basic production margin protection and purchase supplemental production margin protection and only those dairy operations so registered shall be covered by the stabilization program.

(c) TIME FOR REGISTRATION.—

(1) EXISTING DAIRY OPERATIONS.—During the 15-month period beginning on the date of the initiation of the registration period for the production margin protection program, a dairy operation that is actively engaged as of such date may register with the Secretary—

(A) to receive basic production margin protection; and

(B) if the dairy operation elects, to purchase supplemental production margin protection.

(2) NEW ENTRANTS.—A dairy producer that has no existing interest in a dairy operation as of the date of the initiation of the registration period for the production margin protection program, but that, after such date, establishes a new dairy operation, may register with the Secretary during the 1-year period beginning on the date on which the dairy operation first markets milk commercially—

(A) to receive basic production margin protection; and

(B) if the dairy operation elects, to purchase supplemental production margin protection.

(d) TRANSITION FROM MILC TO PRODUCTION MARGIN PROTECTION.—

(1) DEFINITION OF TRANSITION PERIOD.—In this subsection, the term “transition period” means the period during which the milk income loss program established under section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) and the production margin protection program under this subtitle are both in existence.

(2) NOTICE OF AVAILABILITY.—Not later than 30 days after the date of enactment of this Act, the Secretary shall publish a notice in the Federal Register to inform dairy oper-

ations of the availability of basic production margin protection and supplemental production margin protection, including the terms of the protection and information about the option of dairy operations during the transition period to make an election described in paragraph (3).

(3) ELECTION.—Except as provided in paragraph (4), a dairy operation may elect to participate in either the milk income loss program established under section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) or the production margin protection program under this subtitle for the duration of the transition period.

(4) TRANSFER TO PRODUCTION MARGIN PROTECTION.—A dairy operation that elects to participate in the milk income loss program established under section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) during the transition period may, at any time, make a permanent transfer to the production margin protection program.

(e) ADMINISTRATION FEE.—

(1) ADMINISTRATION FEE REQUIRED.—Except as provided in paragraph (5), a participating dairy operation shall—

(A) pay an administration fee under this subsection to register to participate in the production margin protection program; and

(B) pay the administration fee annually thereafter to continue to participate in the production margin protection program.

(2) FEE AMOUNT.—The administration fee for a participating dairy operation for a calendar year shall be based on the pounds of milk (in millions) marketed by the participating dairy operation in the previous calendar year, as follows:

Pounds Marketed (in millions)	Administration Fee
less than 1	\$100
1 to 5	\$250
more than 5 to 10	\$350
more than 10 to 40	\$1,000
more than 40	\$2,500.

(3) DEPOSIT OF FEES.—All administration fees collected under this subsection shall be credited to the fund or account used to cover the costs incurred to administer the production margin protection program and the stabilization program and shall be available to the Secretary, without further appropriation and until expended, for use or transfer as provided in paragraph (4).

(4) USE OF FEES.—The Secretary shall use administration fees collected under this subsection—

(A) to cover administrative costs of the production margin protection program and stabilization program; and

(B) to cover costs of the Department of Agriculture relating to reporting of dairy market news, carrying out the amendments made by section 1476, and carrying out section 273 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1637b), to the extent funds remain available after operation of subparagraph (A).

(5) WAIVER.—The Secretary shall waive or reduce the administration fee required under paragraph (1) in the case of a limited-resource dairy operation, as defined by the Secretary.

(f) LIMITATION.—A dairy operation may only participate in the production margin protection program or the livestock gross margin for dairy program under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), but not both.

**SEC. 1413. PRODUCTION HISTORY OF PARTICIPATING DAIRY OPERATIONS.**

(a) **PRODUCTION HISTORY FOR BASIC PRODUCTION MARGIN PROTECTION.**—

(1) **DETERMINATION REQUIRED.**—For purposes of providing basic production margin protection, the Secretary shall determine the basic production history of a participating dairy operation.

(2) **CALCULATION.**—Except as provided in paragraph (3), the basic production history of a participating dairy operation for basic production margin protection is equal to the highest annual milk marketings of the participating dairy operation during any 1 of the 3 calendar years immediately preceding the calendar year in which the participating dairy operation first signed up to participate in the production margin protection program.

(3) **ELECTION BY NEW DAIRY OPERATIONS.**—In the case of a participating dairy operation that has been in operation for less than a year, the participating dairy operation shall elect 1 of the following methods for the Secretary to determine the basic production history of the participating dairy operation:

(A) The volume of the actual milk marketings for the months the participating dairy operation has been in operation extrapolated to a yearly amount.

(B) An estimate of the actual milk marketings of the participating dairy operation based on the herd size of the participating dairy operation relative to the national rolling herd average data published by the Secretary.

(4) **NO CHANGE IN PRODUCTION HISTORY FOR BASIC PRODUCTION MARGIN PROTECTION.**—Once the basic production history of a participating dairy operation is determined under paragraph (2) or (3), the basic production history shall not be subsequently changed for purposes of determining the amount of any basic production margin protection payments for the participating dairy operation made under section 1414.

(b) **ANNUAL PRODUCTION HISTORY FOR SUPPLEMENTAL PRODUCTION MARGIN PROTECTION.**—

(1) **DETERMINATION REQUIRED.**—For purposes of providing supplemental production margin protection for a participating dairy operation that purchases supplemental production margin protection for a year under section 1415, the Secretary shall determine the annual production history of the participating dairy operation under paragraph (2).

(2) **CALCULATION.**—The annual production history of a participating dairy operation for a year is equal to the actual milk marketings of the participating dairy operation during the preceding calendar year.

(3) **NEW DAIRY OPERATIONS.**—Subsection (a)(3) shall apply with respect to determining the annual production history of a participating dairy operation that has been in operation for less than a year.

(c) **REQUIRED INFORMATION.**—A participating dairy operation shall provide all information that the Secretary may require in order to establish—

(1) the basic production history of the participating dairy operation under subsection (a); and

(2) the production history of the participating dairy operation whenever the participating dairy operation purchases supplemental production margin protection under section 1415.

(d) **TRANSFER OF PRODUCTION HISTORIES.**—

(1) **TRANSFER BY SALE OR LEASE.**—In promulgating the rules to initiate the production margin protection program, the Secretary shall specify the conditions under

which and the manner by which the production history of a participating dairy operation may be transferred by sale or lease.

(2) **COVERAGE LEVEL.**—

(A) **BASIC PRODUCTION MARGIN PROTECTION.**—A purchaser or lessee to whom the Secretary transfers a basic production history under this subsection shall not obtain a different level of basic production margin protection than the basic production margin protection coverage held by the seller or lessor from whom the transfer was obtained.

(B) **SUPPLEMENTAL PRODUCTION MARGIN PROTECTION.**—A purchaser or lessee to whom the Secretary transfers an annual production history under this subsection shall not obtain a different level of supplemental production margin protection coverage than the supplemental production margin protection coverage in effect for the seller or lessor from whom the transfer was obtained for the calendar year in which the transfer was made.

(e) **MOVEMENT AND TRANSFER OF PRODUCTION HISTORY.**—

(1) **MOVEMENT AND TRANSFER AUTHORIZED.**—Subject to paragraph (2), if a participating dairy operation moves from 1 location to another location, the participating dairy operation may transfer the basic production history and annual production history associated with the participating dairy operation.

(2) **NOTIFICATION REQUIREMENT.**—A participating dairy operation shall notify the Secretary of any move of a participating dairy operation under paragraph (1).

(3) **SUBSEQUENT OCCUPATION OF VACATED LOCATION.**—A party subsequently occupying a participating dairy operation location vacated as described in paragraph (1) shall have no interest in the basic production history or annual production history previously associated with the participating dairy operation at such location.

**SEC. 1414. BASIC PRODUCTION MARGIN PROTECTION.**

(a) **PAYMENT THRESHOLD.**—The Secretary shall make a payment to participating dairy operations in accordance with subsection (b) whenever the average actual dairy production margin for a consecutive 2-month period is less than \$4.00 per hundredweight of milk.

(b) **BASIC PRODUCTION MARGIN PROTECTION PAYMENT.**—The basic production margin protection payment for a participating dairy operation for a consecutive 2-month period shall be equal to the product obtained by multiplying—

(1) the difference between the average actual dairy production margin for the consecutive 2-month period and \$4.00, except that, if the difference is more than \$4.00, the Secretary shall use \$4.00; by

(2) the lesser of—

(A) 80 percent of the production history of the participating dairy operation, divided by 6; or

(B) the actual quantity of milk marketed by the participating dairy operation during the consecutive 2-month period.

**SEC. 1415. SUPPLEMENTAL PRODUCTION MARGIN PROTECTION.**

(a) **ELECTION OF SUPPLEMENTAL PRODUCTION MARGIN PROTECTION.**—A participating dairy operation may annually purchase supplemental production margin protection to protect, during the calendar year for which purchased, a higher level of the income of a participating dairy operation than the income level guaranteed by basic production margin protection under section 1414.

(b) **SELECTION OF PAYMENT THRESHOLD.**—A participating dairy operation purchasing supplemental production margin protection

for a year shall elect a coverage level that is higher, in any increment of \$0.50, than the payment threshold for basic production margin protection specified in section 1414(a), but not to exceed \$8.00.

(c) **COVERAGE PERCENTAGE.**—A participating dairy operation purchasing supplemental production margin protection for a year shall elect a percentage of coverage equal to not more than 90 percent, nor less than 25 percent, of the annual production history of the participating dairy operation.

(d) **PREMIUMS FOR SUPPLEMENTAL PRODUCTION MARGIN PROTECTION.**—

(1) **PREMIUMS REQUIRED.**—A participating dairy operation that purchases supplemental production margin protection shall pay an annual premium equal to the product obtained by multiplying—

(A) the coverage percentage elected by the participating dairy operation under subsection (c);

(B) the annual production history of the participating dairy operation; and

(C) the premium per hundredweight of milk, as specified in the applicable table under paragraph (2) or (3).

(2) **PREMIUM PER HUNDREDWEIGHT FOR FIRST 4 MILLION POUNDS OF PRODUCTION.**—For the first 4,000,000 pounds of milk marketings included in the annual production history of a participating dairy operation, the premium per hundredweight corresponding to each coverage level specified in the following table is as follows:

Coverage Level	Premium per Cwt.
\$4.50	\$0.01
\$5.00	\$0.02
\$5.50	\$0.035
\$6.00	\$0.045
\$6.50	\$0.09
\$7.00	\$0.40
\$7.50	\$0.60
\$8.00	\$0.95.

(3) **PREMIUM PER HUNDREDWEIGHT FOR PRODUCTION IN EXCESS OF 4 MILLION POUNDS.**—For milk marketings in excess of 4,000,000 pounds included in the annual production history of a participating dairy operation, the premium per hundredweight corresponding to each coverage level is as follows:

Coverage Level	Premium per Cwt.
\$4.50	\$0.02
\$5.00	\$0.04
\$5.50	\$0.10
\$6.00	\$0.15
\$6.50	\$0.29
\$7.00	\$0.62
\$7.50	\$0.83
\$8.00	\$1.06.

(4) **TIME FOR PAYMENT.**—In promulgating the rules to initiate the production margin protection program, the Secretary shall provide more than 1 method by which a participating dairy operation that purchases supplemental production margin protection for a calendar year may pay the premium under this subsection for that year in any manner that maximizes participating dairy operation payment flexibility and program integrity.

(e) **PREMIUM OBLIGATIONS.**—

(1) **PRO-RATION OF PREMIUM FOR NEW DAIRY OPERATIONS.**—A participating dairy operation described in section 1412(c)(2) that purchases supplemental production margin protection for a calendar year after the start of the calendar year shall pay a pro-rated premium for that calendar year based on the portion of the calendar year for which the



participating dairy operation purchases the coverage.

(2) **LEGAL OBLIGATION.**—A participating dairy operation that purchases supplemental production margin protection for a calendar year shall be legally obligated to pay the applicable premium for that calendar year, except that the Secretary may waive that obligation, under terms and conditions determined by the Secretary, for 1 or more producers in any participating dairy operation in the case of death, retirement, permanent dissolution of a participating dairy operation, or other circumstances as the Secretary considers appropriate to ensure the integrity of the program.

(f) **SUPPLEMENTAL PAYMENT THRESHOLD.**—A participating dairy operation with supplemental production margin protection shall receive a supplemental production margin protection payment whenever the average actual dairy production margin for a consecutive 2-month period is less than the coverage level threshold selected by the participating dairy operation under subsection (b).

(g) **SUPPLEMENTAL PRODUCTION MARGIN PROTECTION PAYMENTS.**—

(1) **IN GENERAL.**—The supplemental production margin protection payment for a participating dairy operation is in addition to the basic production margin protection payment.

(2) **AMOUNT OF PAYMENT.**—The supplemental production margin protection payment for the participating dairy operation shall be determined as follows:

(A) The Secretary shall calculate the difference between the coverage level threshold selected by the participating dairy operation under subsection (b) and the greater of—

(i) the average actual dairy production margin for the consecutive 2-month period; or

(ii) \$4.00.

(B) The amount determined under subparagraph (A) shall be multiplied by the percentage selected by the participating dairy operation under subsection (c) and by the lesser of the following:

(i) The annual production history of the participating dairy operation, divided by 6.

(ii) The actual amount of milk marketed by the participating dairy operation during the consecutive 2-month period.

**SEC. 1416. EFFECT OF FAILURE TO PAY ADMINISTRATION FEES OR PREMIUMS.**

(a) **LOSS OF BENEFITS.**—A participating dairy operation that fails to pay the required administration fee under section 1412 or is in arrears on premium payments for supplemental production margin protection under section 1415—

(1) remains legally obligated to pay the administration fee or premiums, as the case may be; and

(2) may not receive basic production margin protection payments or supplemental production margin protection payments until the fees or premiums are fully paid.

(b) **ENFORCEMENT.**—The Secretary may take such action as necessary to collect administration fees and premium payments for supplemental production margin protection.

**Subpart B—Dairy Market Stabilization Program**

**SEC. 1431. ESTABLISHMENT OF DAIRY MARKET STABILIZATION PROGRAM.**

(a) **PROGRAM REQUIRED; PURPOSE.**—Effective not later than 120 days after the effective date of this subtitle, the Secretary shall establish and administer a dairy market stabilization program applicable to participating dairy operations for the purpose of assisting in balancing the supply of milk with

demand when participating dairy operations are experiencing low or negative operating margins.

(b) **ELECTION OF STABILIZATION PROGRAM BASE CALCULATION METHOD.**—

(1) **ELECTION.**—When a dairy operation signs up under section 1412 to participate in the production margin protection program, the dairy operation shall inform the Secretary of the method by which the stabilization program base for the participating dairy operation will be calculated under paragraph (3).

(2) **CHANGE IN CALCULATION METHOD.**—A participating dairy operation may change the stabilization program base calculation method to be used for a calendar year by notifying the Secretary of the change not later than a date determined by the Secretary.

(3) **CALCULATION METHODS.**—A participating dairy operation may elect either of the following methods for calculation of the stabilization program base for the participating dairy operation:

(A) The volume of the average monthly milk marketings of the participating dairy operation for the 3 months immediately preceding the announcement by the Secretary that the stabilization program will become effective.

(B) The volume of the monthly milk marketings of the participating dairy operation for the same month in the preceding year as the month for which the Secretary has announced the stabilization program will become effective.

**SEC. 1432. THRESHOLD FOR IMPLEMENTATION AND REDUCTION IN DAIRY PAYMENTS.**

(a) **WHEN STABILIZATION PROGRAM REQUIRED.**—Except as provided in subsection (b), the Secretary shall announce that the stabilization program is in effect and order reduced payments by handlers to participating dairy operations that exceed the applicable percentage of the participating dairy operation's stabilization program base whenever—

(1) the actual dairy production margin has been \$6.00 or less per hundredweight of milk for each of the immediately preceding 2 months; or

(2) the actual dairy production margin has been \$4.00 or less per hundredweight of milk for the immediately preceding month.

(b) **EXCEPTION.**—If any of the conditions described in section 1436(b) have been met during the 2-month period immediately preceding the month in which the announcement under subsection (a) would otherwise be made by the Secretary in the absence of this exception, the Secretary shall—

(1) suspend the stabilization program;

(2) refrain from making the announcement under subsection (a) to implement order the stabilization payment; or

(3) order reduced payments.

(c) **EFFECTIVE DATE FOR IMPLEMENTATION OF PAYMENT REDUCTIONS.**—Reductions in dairy payments shall commence beginning on the first day of the month immediately following the date of the announcement by the Secretary under subsection (a).

**SEC. 1433. MILK MARKETINGS INFORMATION.**

(a) **COLLECTION OF MILK MARKETING DATA.**—The Secretary shall establish, by regulation, a process to collect from participating dairy operations and handlers such information that the Secretary considers necessary for each month during which the stabilization program is in effect.

(b) **REDUCE REGULATORY BURDEN.**—When implementing the process under subsection (a), the Secretary shall minimize the regu-

latory burden on participating dairy operations and handlers.

**SEC. 1434. CALCULATION AND COLLECTION OF REDUCED DAIRY OPERATION PAYMENTS.**

(a) **REDUCED PARTICIPATING DAIRY OPERATION PAYMENTS REQUIRED.**—During any month in which payment reductions are in effect under the stabilization program, each handler shall reduce payments to each participating dairy operation from whom the handler receives milk.

(b) **REDUCTIONS BASED ON ACTUAL DAIRY PRODUCTION MARGIN.**—

(1) **REDUCTION REQUIREMENT 1.**—If the Secretary determines that the average actual dairy production margin has been less than \$6.00 but greater than \$5.00 per hundredweight of milk for 2 consecutive months, the handler shall make payments to a participating dairy operation for a month based on the greater of the following:

(A) 98 percent of the stabilization program base of the participating dairy operation.

(B) 94 percent of the marketings of milk for the month by the participating dairy operation.

(2) **REDUCTION REQUIREMENT 2.**—If the Secretary determines that the average actual dairy production margin has been less than \$5.00 but greater than \$4.00 for 2 consecutive months, the handler shall make payments to a participating dairy operation for a month based on the greater of the following:

(A) 97 percent of the stabilization program base of the participating dairy operation.

(B) 93 percent of the marketings of milk for the month by the participating dairy operation.

(3) **REDUCTION REQUIREMENT 3.**—If the Secretary determines that the average actual dairy production margin has been \$4.00 or less for any 1 month, the handler shall make payments to a participating dairy operation for a month based on the greater of the following:

(A) 96 percent of the stabilization program base of the participating dairy operation.

(B) 92 percent of the marketings of milk for the month by the participating dairy operation.

(c) **CONTINUATION OF REDUCTIONS.**—The largest level of payment reduction required under paragraph (1), (2), or (3) of subsection (b) shall be continued for each month until the Secretary suspends the stabilization program and terminates payment reductions in accordance with section 1436.

(d) **PAYMENT REDUCTION EXCEPTION.**—Notwithstanding any preceding subsection of this section, a handler shall make no payment reductions for a participating dairy operation for a month if the participating dairy operation's milk marketings for the month are equal to or less than the percentage of the stabilization program base applicable to the participating dairy operation under paragraph (1), (2), or (3) of subsection (b).

**SEC. 1435. REMITTING FUNDS TO THE SECRETARY AND USE OF FUNDS.**

(a) **REMITTING FUNDS.**—As soon as practicable after the end of each month during which payment reductions are in effect under the stabilization program, each handler shall remit to the Secretary an amount equal to the amount by which payments to participating dairy operations are reduced by the handler under section 1434.

(b) **DEPOSIT OF REMITTED FUNDS.**—All funds received under subsection (a) shall be available to the Secretary, without further appropriation and until expended, for use or transfer as provided in subsection (c).

## (c) USE OF FUNDS.—

(1) AVAILABILITY FOR CERTAIN COMMODITY DONATIONS.—Not later than 90 days after the funds described in subsection (a) are due as determined by the Secretary, the Secretary shall obligate the funds for the purpose of—

(A) purchasing dairy products for donation to food banks and other programs that the Secretary determines appropriate; and

(B) expanding consumption and building demand for dairy products.

(2) NO DUPLICATION OF EFFORT.—The Secretary shall ensure that expenditures under paragraph (1) are compatible with, and do not duplicate, programs supported by the dairy research and promotion activities conducted under the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501 et seq.).

(3) ACCOUNTING.—The Secretary shall keep an accurate account of all funds expended under paragraph (1).

(d) ANNUAL REPORT.—Not later than December 31 of each year that the stabilization program is in effect, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that provides an accurate accounting of—

(1) the funds received by the Secretary during the preceding fiscal year under subsection (a);

(2) all expenditures made by the Secretary under subsection (b) during the preceding fiscal year; and

(3) the impact of the stabilization program on dairy markets.

(e) ENFORCEMENT.—If a participating dairy operation or handler fails to remit or collect the amounts by which payments to participating dairy operations are reduced under section 1434, the participating dairy operation or handler responsible for the failure shall be liable to the Secretary for the amount that should have been remitted or collected, plus interest. In addition to the enforcement authorities available under section 1437, the Secretary may enforce this subsection in the courts of the United States.

**SEC. 1436. SUSPENSION OF REDUCED PAYMENT REQUIREMENT.**

(a) DETERMINATION OF PRICES.—For purposes of this section:

(1) The price in the United States for cheddar cheese and nonfat dry milk shall be determined by the Secretary.

(2) The world price of cheddar cheese and skim milk powder shall be determined by the Secretary.

(b) SUSPENSION THRESHOLDS.—The stabilization program shall be suspended or the Secretary shall refrain from making the announcement under section 1432(a) if the Secretary determines that—

(1) the actual dairy production margin is greater than \$6.00 per hundredweight of milk for 2 consecutive months;

(2) the actual dairy production margin is equal to or less than \$6.00 (but greater than \$5.00) for 2 consecutive months, and during the same 2 consecutive months—

(A) the price in the United States for cheddar cheese is equal to or greater than the world price of cheddar cheese; or

(B) the price in the United States for nonfat dry milk is equal to or greater than the world price of skim milk powder;

(3) the actual dairy production margin is equal to or less than \$5.00 (but greater than \$4.00) for 2 consecutive months, and during the same 2 consecutive months—

(A) the price in the United States for cheddar cheese is more than 5 percent above the world price of cheddar cheese; or

(B) the price in the United States for nonfat dry milk is more than 5 percent above the world price of skim milk powder; or

(4) the actual dairy production margin is equal to or less than \$4.00 for 2 consecutive months, and during the same 2 consecutive months—

(A) the price in the United States for cheddar cheese is more than 7 percent above the world price of cheddar cheese; or

(B) the price in the United States for nonfat dry milk is more than 7 percent above the world price of skim milk powder.

(c) IMPLEMENTATION BY HANDLERS.—Effective on the day after the date of the announcement by the Secretary under subsection (b) of the suspension of the stabilization program, the handler shall cease reducing payments to participating dairy operations under the stabilization program.

(d) CONDITION ON RESUMPTION OF STABILIZATION PROGRAM.—Upon the announcement by the Secretary under subsection (b) that the stabilization program has been suspended, the stabilization program may not be implemented again until, at the earliest—

(1) 2 months have passed, beginning on the first day of the month immediately following the announcement by the Secretary; and

(2) the conditions of section 1432(a) are again met.

**SEC. 1437. ENFORCEMENT.**

(a) UNLAWFUL ACT.—It shall be unlawful and a violation of the this subpart for any person subject to the stabilization program to willfully fail or refuse to provide, or delay the timely reporting of, accurate information and remittance of funds to the Secretary in accordance with this subpart.

(b) ORDER.—After providing notice and opportunity for a hearing to an affected person, the Secretary may issue an order against any person to cease and desist from continuing any violation of this subpart.

(c) APPEAL.—An order of the Secretary under subsection (b) shall be final and conclusive unless an affected person files an appeal of the order of the Secretary in United States district court not later than 30 days after the date of the issuance of the order. A finding of the Secretary in the order shall be set aside only if the finding is not supported by substantial evidence.

(d) NONCOMPLIANCE WITH ORDER.—If a person subject to this subpart fails to obey an order issued under subsection (b) after the order has become final and unappealable, or after the appropriate United States district court has entered a final judgment in favor of the Secretary, the United States may apply to the appropriate United States district court for enforcement of the order. If the court determines that the order was lawfully made and duly served and that the person violated the order, the court shall enforce the order.

**SEC. 1438. AUDIT REQUIREMENTS.**

(a) AUDITS OF DAIRY OPERATION AND HANDLER COMPLIANCE.—

(1) AUDITS AUTHORIZED.—If determined by the Secretary to be necessary to ensure compliance by participating dairy operations and handlers with the stabilization program, the Secretary may conduct periodic audits of participating dairy operations and handlers.

(2) SAMPLE OF DAIRY OPERATIONS.—Any audit conducted under this subsection shall include, at a minimum, investigation of a statistically valid and random sample of participating dairy operations.

(b) SUBMISSION OF RESULTS.—The Secretary shall submit the results of any audit conducted under subsection (a) to the Com-

mittee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate and include such recommendations as the Secretary considers appropriate regarding the stabilization program.

**SEC. 1439. STUDY; REPORT.**

(a) IN GENERAL.—The Secretary shall direct the Office of the Chief Economist to conduct a study of the impacts of the program established under section 1431(a).

(b) CONSIDERATIONS.—The study conducted under subsection (a) shall consider—

(1) the economic impact of the program throughout the dairy product value chain, including the impact on producers, processors, domestic customers, export customers, actual market growth and potential market growth, farms of different sizes, and different regions and States; and

(2) the impact of the program on the competitiveness of the United States dairy industry in international markets.

(c) REPORT.—Not later than December 1, 2017, the Office of the Chief Economist shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subsection (a).

**Subpart C—Administration****SEC. 1451. DURATION.**

The production margin protection program and the stabilization program shall end on December 31, 2018.

**SEC. 1452. ADMINISTRATION AND ENFORCEMENT.**

(a) IN GENERAL.—The Secretary shall promulgate regulations to address administrative and enforcement issues involved in carrying out the production margin protection, supplemental production margin protection, and market stabilization programs.

(b) RECONSTITUTION AND ELIGIBILITY ISSUES.—

(1) RECONSTITUTION.—Using authorities under section 1001(f) and 1001B of the Food Security Act of 1985 (7 U.S.C. 1308(f), 1308-2), the Secretary shall promulgate regulations to prohibit a dairy producer from reconstituting a dairy operation for the sole purpose of the dairy producer—

(A) receiving basic margin protection;

(B) purchasing supplemental margin protection; or

(C) avoiding participation in the market stabilization program.

(2) ELIGIBILITY ISSUES.—Using authorities under section 1001(f) and 1001B of the Food Security Act of 1985 (7 U.S.C. 1308(f), 1308-2), the Secretary shall promulgate regulations—

(A) to prohibit a scheme or device;

(B) to provide for equitable relief; and

(C) to provide for other issues affecting eligibility and liability issues.

(3) ADMINISTRATIVE APPEALS.—Using authorities under section 1001(h) of the Food Security Act of 1985 (7 U.S.C. 1308(h)) and subtitle H of the Department of Agriculture Reorganization Act (7 U.S.C. 6991 et seq.), the Secretary shall promulgate regulations to provide for administrative appeals of decisions of the Secretary that are adverse to participants of the programs described in subsection (a).

**PART II—DAIRY MARKET TRANSPARENCY**  
**SEC. 1461. DAIRY PRODUCT MANDATORY REPORTING.**

(a) DEFINITIONS.—Section 272(1)(A) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1637a(1)(A)) is amended by inserting “, or any other products that may significantly aid price discovery in the dairy markets, as determined by the Secretary” after “of 1937”.

(b) MANDATORY REPORTING FOR DAIRY PRODUCTS.—Section 273(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1637b(b)) is amended—

(1) by striking paragraph (1) and inserting the following new paragraph:

“(1) IN GENERAL.—In establishing the program, the Secretary shall only—

“(A)(i) subject to the conditions described in paragraph (2), require each manufacturer to report to the Secretary, more frequently than once per month, information concerning the price, quantity, and moisture content of dairy products sold by the manufacturer and any other product characteristics that may significantly aid price discovery in the dairy markets, as determined by the Secretary; and

“(ii) modify the format used to provide the information on the day before the date of enactment of this subtitle to ensure that the information can be readily understood by market participants; and

“(B) require each manufacturer and other person storing dairy products (including dairy products in cold storage) to report to the Secretary, more frequently than once per month, information on the quantity of dairy products stored.”; and

(2) in paragraph (2), by inserting “or those that may significantly aid price discovery in the dairy markets” after “Federal milk marketing order” each place it appears in subparagraphs (A), (B), and (C).

**SEC. 1462. FEDERAL MILK MARKETING ORDER PROGRAM PRE-HEARING PROCEDURE FOR CLASS III PRICING.**

(a) IN GENERAL.—The Secretary shall use the pre-hearing procedure described in this section to consider alternative formulas for Class III milk product pricing under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937.

(b) REQUESTS FOR PROPOSALS.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue a request for the submission by interested persons of preliminary proposals for replacement of the Class III milk product pricing formula.

(2) PRELIMINARY PROPOSALS.—Preliminary proposals submitted under paragraph (1)—

(A) may include competitive pay price formulas; and

(B) shall provide sufficient detail in concept to serve as the basis for the convening by the Secretary of a public information session for review and discussion in accordance with section 900.24 of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act), but need not conform with the other procedural requirements of part 900 of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(c) PRE-HEARING INFORMATION SESSION REVIEW.—

(1) IN GENERAL.—Not later than 180 days after the date on which the Secretary issues a request under subsection (b)(1), the Secretary shall convene a public information session in accordance with section 900.24 of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) REQUIREMENTS.—The Secretary shall review all preliminary proposals submitted under this section that are of sufficient conceptual detail to allow for the review described in paragraph (b)(2)(B).

(d) HEARING DETERMINATION.—

(1) IN GENERAL.—Not later than 90 days after the conduct of the public information

session under subsection (c), the Secretary shall determine whether to conduct a formal hearing in accordance with part 900 of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) HEARING TO BE CONDUCTED.—If the Secretary determines under paragraph (1) to conduct a formal hearing, the Secretary shall issue notice and conduct the hearing in accordance with part 900 of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(3) HEARING NOT TO BE CONDUCTED.—If the Secretary determines under paragraph (1) not to conduct a formal hearing, not later than 90 days after that determination, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition and Forestry of the Senate a written report that explains the basis for the decision.

(e) PROCEEDING WITH A HEARING AT ANY TIME.—Consistent with the purposes of this section, the Secretary may dispense with the pre-hearing requirements of this section and initiate at any time a formal hearing under part 900 of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act).

**PART III—REPEAL OR REAUTHORIZATION OF OTHER DAIRY-RELATED PROVISIONS**

**SEC. 1471. REPEAL OF DAIRY PRODUCT PRICE SUPPORT AND MILK INCOME LOSS CONTRACT PROGRAMS.**

(a) REPEAL OF DAIRY PRODUCT PRICE SUPPORT PROGRAM.—Section 1501 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8771) is repealed.

(b) REPEAL OF MILK INCOME LOSS CONTRACT PROGRAM.—

(1) PAYMENTS UNDER MILK INCOME LOSS CONTRACT PROGRAM.—Section 1506(c)(3) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773(c)(3)) is amended—

(A) in subparagraph (A), by inserting “and” after the semicolon;

(B) in subparagraph (B), by striking “August 31, 2013, 45 percent; and” and inserting “June 30, 2014, 45 percent.”; and

(C) by striking subparagraph (C).

(2) EXTENSION.—Section 1506(h)(1) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773(h)(1)) is amended by striking “September 30, 2013” and inserting “June 30, 2014”.

(3) REPEAL.—Effective July 1, 2014, section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) is repealed.

**SEC. 1472. REPEAL OF DAIRY EXPORT INCENTIVE PROGRAM.**

(a) REPEAL.—Section 153 of the Food Security Act of 1985 (15 U.S.C. 713a–14) is repealed.

(b) CONFORMING AMENDMENTS.—Section 902(2) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201(2)) is amended—

(1) by striking subparagraph (D); and

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively.

**SEC. 1473. EXTENSION OF DAIRY FORWARD PRICING PROGRAM.**

Section 1502(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8772(e)) is amended—

(1) in paragraph (1), by striking “2012” and inserting “2018”; and

(2) in paragraph (2), by striking “2015” and inserting “2021”.

**SEC. 1474. EXTENSION OF DAIRY INDEMNITY PROGRAM.**

Section 3 of Public Law 90–484 (7 U.S.C. 4501) is amended by striking “2012” and inserting “2018”.

**SEC. 1475. EXTENSION OF DAIRY PROMOTION AND RESEARCH PROGRAM.**

Section 113(e)(2) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(e)(2)) is amended by striking “2012” and inserting “2018”.

**SEC. 1476. EXTENSION OF FEDERAL MILK MARKETING ORDER REVIEW COMMISSION.**

Section 1509(a) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1726) is amended by inserting “or other funds” after “Subject to the availability of appropriations”.

**PART IV—FEDERAL MILK MARKETING ORDER REFORM**

**SEC. 1481. FEDERAL MILK MARKETING ORDERS.**

(a) AMENDMENTS.—The Secretary shall provide an analysis on the effects of amending each Federal milk marketing order issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937 (in this part referred to as a “milk marketing order”), as required by this section.

(b) USE OF END-PRODUCT PRICE FORMULAS.—In carrying out subsection (a), the Secretary shall—

(1) consider replacing the use of end-product price formulas with other pricing alternatives; and

(2) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the findings of the Secretary on the impact of the action considered under paragraph (1).

**PART V—EFFECTIVE DATE**

**SEC. 1491. EFFECTIVE DATE.**

Except as otherwise provided in this subtitle, this subtitle and the amendments made by this subtitle take effect on October 1, 2013.

**Subtitle E—Supplemental Agricultural Disaster Assistance Programs**

**SEC. 1501. SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE PROGRAMS.**

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PRODUCER ON A FARM.—

(A) IN GENERAL.—The term “eligible producer on a farm” means an individual or entity described in subparagraph (B) that, as determined by the Secretary, assumes the production and market risks associated with the agricultural production of crops or livestock.

(B) DESCRIPTION.—An individual or entity referred to in subparagraph (A) is—

(i) a citizen of the United States;

(ii) a resident alien;

(iii) a partnership of citizens of the United States; or

(iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law.

(2) FARM.—

(A) IN GENERAL.—The term “farm” means, in relation to an eligible producer on a farm, the total of all crop acreage in all counties that is planted or intended to be planted for harvest, for sale, or on-farm livestock feeding (including native grassland intended for haying) by the eligible producer.

(B) AQUACULTURE.—In the case of aquaculture, the term “farm” means, in relation to an eligible producer on a farm, all fish being produced in all counties that are intended to be harvested for sale by the eligible producer.

(C) HONEY.—In the case of honey, the term “farm” means, in relation to an eligible producer on a farm, all bees and beehives in all

counties that are intended to be harvested for a honey crop for sale by the eligible producer.

(3) **FARM-RAISED FISH.**—The term “farm-raised fish” means any aquatic species that is propagated and reared in a controlled environment.

(4) **LIVESTOCK.**—The term “livestock” includes—

- (A) cattle (including dairy cattle);
- (B) bison;
- (C) poultry;
- (D) sheep;
- (E) swine;
- (F) horses; and
- (G) other livestock, as determined by the Secretary.

(b) **LIVESTOCK INDEMNITY PAYMENTS.**—

(1) **PAYMENTS.**—For each of fiscal years 2012 through 2018, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to make livestock indemnity payments to eligible producers on farms that have incurred livestock death losses in excess of the normal mortality, as determined by the Secretary, due to—

(A) attacks by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves; or

(B) adverse weather, as determined by the Secretary, during the calendar year, including losses due to hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold.

(2) **PAYMENT RATES.**—Indemnity payments to an eligible producer on a farm under paragraph (1) shall be made at a rate of 65 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

(3) **SPECIAL RULE FOR PAYMENTS MADE DUE TO DISEASE.**—The Secretary shall ensure that payments made to an eligible producer under paragraph (1) are not made for the same livestock losses for which compensation is provided pursuant to section 10407(d) of the Animal Health Protection Act (7 U.S.C. 8306(d)).

(c) **LIVESTOCK FORAGE DISASTER PROGRAM.**—

(1) **ESTABLISHMENT.**—There is established a livestock forage disaster program to provide 1 source for livestock forage disaster assistance for weather-related forage losses, as determined by the Secretary, by combining—

(A) the livestock forage assistance functions of—

(i) the noninsured crop disaster assistance program established by section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

(ii) the emergency assistance for livestock, honey bees, and farm-raised fish program under section 531(e) of the Federal Crop Insurance Act (7 U.S.C. 1531(e)) (as in existence on the day before the date of enactment of this Act); and

(B) the livestock forage disaster program under section 531(d) of the Federal Crop Insurance Act (7 U.S.C. 1531(d)) (as in existence on the day before the date of enactment of this Act).

(2) **DEFINITIONS.**—In this subsection:

(A) **COVERED LIVESTOCK.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), the term “covered livestock” means livestock of an eligible livestock producer that, during the 60 days prior to the beginning date of an eligible forage loss, as determined by the Secretary, the eligible livestock producer—

- (I) owned;
- (II) leased;

(III) purchased;

(IV) entered into a contract to purchase;

(V) was a contract grower; or

(VI) sold or otherwise disposed of due to an eligible forage loss during—

(aa) the current production year; or

(bb) subject to paragraph (4)(B)(ii), 1 or both of the 2 production years immediately preceding the current production year.

(ii) **EXCLUSION.**—The term “covered livestock” does not include livestock that were or would have been in a feedlot, on the beginning date of the eligible forage loss, as a part of the normal business operation of the eligible livestock producer, as determined by the Secretary.

(B) **DROUGHT MONITOR.**—The term “drought monitor” means a system for classifying drought severity according to a range of abnormally dry to exceptional drought, as defined by the Secretary.

(C) **ELIGIBLE FORAGE LOSS.**—The term “eligible forage loss” means 1 or more forage losses that occur due to weather-related conditions, including drought, flood, blizzard, hail, excessive moisture, hurricane, and fire, occurring during the normal grazing period, as determined by the Secretary, if the forage—

(i) is grown on land that is native or improved pastureland with permanent vegetative cover; or

(ii) is a crop planted specifically for the purpose of providing grazing for covered livestock of an eligible livestock producer.

(D) **ELIGIBLE LIVESTOCK PRODUCER.**—

(i) **IN GENERAL.**—The term “eligible livestock producer” means an eligible producer on a farm that—

(I) is an owner, cash or share lessee, or contract grower of covered livestock that provides the pastureland or grazing land, including cash-leased pastureland or grazing land, for the covered livestock;

(II) provides the pastureland or grazing land for covered livestock, including cash-leased pastureland or grazing land that is physically located in a county affected by an eligible forage loss;

(III) certifies the eligible forage loss; and

(IV) meets all other eligibility requirements established under this subsection.

(ii) **EXCLUSION.**—The term “eligible livestock producer” does not include an owner, cash or share lessee, or contract grower of livestock that rents or leases pastureland or grazing land owned by another person on a rate-of-gain basis.

(E) **NORMAL CARRYING CAPACITY.**—The term “normal carrying capacity”, with respect to each type of grazing land or pastureland in a county, means the normal carrying capacity, as determined under paragraph (4)(D)(i), that would be expected from the grazing land or pastureland for livestock during the normal grazing period, in the absence of an eligible forage loss that diminishes the production of the grazing land or pastureland.

(F) **NORMAL GRAZING PERIOD.**—The term “normal grazing period”, with respect to a county, means the normal grazing period during the calendar year for the county, as determined under paragraph (4)(D)(i).

(3) **PROGRAM.**—For each of fiscal years 2012 through 2018, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide compensation under paragraphs (4) through (6), as determined by the Secretary for eligible forage losses affecting covered livestock of eligible livestock producers.

(4) **ASSISTANCE FOR ELIGIBLE FORAGE LOSSES DUE TO DROUGHT CONDITIONS.**—

(A) **ELIGIBLE FORAGE LOSSES.**—

(i) **IN GENERAL.**—An eligible livestock producer of covered livestock may receive assistance under this paragraph for eligible forage losses that occur due to drought on land that—

(I) is native or improved pastureland with permanent vegetative cover; or

(II) is planted to a crop planted specifically for the purpose of providing grazing for covered livestock.

(ii) **EXCLUSIONS.**—An eligible livestock producer may not receive assistance under this paragraph for eligible forage losses that occur on land used for haying or grazing under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.), unless the land is grassland eligible for the conservation reserve program under section 1231(d)(2) of the Food Security Act of 1985 (16 U.S.C. 3831(d)(2)) (as amended by section 2001).

(B) **MONTHLY PAYMENT RATE.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), the payment rate for assistance for 1 month under this paragraph shall, in the case of drought, be equal to 50 percent of the lesser of—

(I) the monthly feed cost for all covered livestock owned or leased by the eligible livestock producer, as determined under subparagraph (C); or

(II) the monthly feed cost calculated by using the normal carrying capacity of the eligible grazing land of the eligible livestock producer.

(ii) **PARTIAL COMPENSATION.**—In the case of an eligible livestock producer that sold or otherwise disposed of covered livestock due to drought conditions in 1 or both of the 2 production years immediately preceding the current production year, as determined by the Secretary, the payment rate shall be 80 percent of the payment rate otherwise calculated in accordance with clause (i).

(C) **MONTHLY FEED COST.**—

(i) **IN GENERAL.**—The monthly feed cost shall equal the product obtained by multiplying—

(I) 30 days;

(II) a payment quantity that is equal to the feed grain equivalent, as determined under clause (ii); and

(III) a payment rate that is equal to the corn price per pound, as determined under clause (iii).

(ii) **FEED GRAIN EQUIVALENT.**—For purposes of clause (i)(II), the feed grain equivalent shall equal—

(I) in the case of an adult beef cow, 15.7 pounds of corn per day; or

(II) in the case of any other type of weight of livestock, an amount determined by the Secretary that represents the average number of pounds of corn per day necessary to feed the livestock.

(iii) **CORN PRICE PER POUND.**—For purposes of clause (i)(III), the corn price per pound shall equal the quotient obtained by dividing—

(I) the lesser of—

(aa) the national average corn price per bushel for the 12-month period immediately preceding March 1 of the year for which the disaster assistance is calculated; or

(bb) the average national marketing year average corn price per bushel for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices; by

(II) 56.

(D) **NORMAL GRAZING PERIOD AND DROUGHT MONITOR INTENSITY.**—

(i) **FSA COUNTY COMMITTEE DETERMINATIONS.**—

(I) IN GENERAL.—The Secretary shall determine the normal carrying capacity and normal grazing period for each type of grazing land or pastureland in the county served by the applicable Farm Service Agency committee, except that the normal grazing period shall not exceed 240 days.

(II) CHANGES.—No change to the normal carrying capacity or normal grazing period established for a county under subclause (I) shall be made unless the change is requested by the appropriate State and county Farm Service Agency committees.

(ii) DROUGHT INTENSITY.—

(I) D2.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having a D2 (severe drought) intensity in any area of the county for at least 8 consecutive weeks during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph in an amount equal to 1 monthly payment using the monthly payment rate determined under subparagraph (B).

(II) D3.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having at least a D3 (extreme drought) intensity in any area of the county at any time during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph—

(aa) in an amount equal to 2 monthly payments using the monthly payment rate determined under subparagraph (B); or

(bb) if the county is rated as having a D3 (extreme drought) intensity in any area of the county for at least 4 weeks during the normal grazing period for the county, or is rated as having a D4 (exceptional drought) intensity in any area of the county at any time during the normal grazing period, in an amount equal to 3 monthly payments using the monthly payment rate determined under subparagraph (B).

(iii) ANNUAL PAYMENT BASED ON DROUGHT CONDITIONS DETERMINED BY MEANS OTHER THAN THE U.S. DROUGHT MONITOR.—

(I) IN GENERAL.—An eligible livestock producer that owns grazing land or pastureland that is physically located in a county that has experienced on average, over the preceding calendar year, precipitation levels that are 50 percent or more below normal levels, according to sufficient documentation as determined by the Secretary, may be eligible, subject to a determination by the Secretary, to receive assistance under this paragraph in an amount equal to not more than 1 monthly payment using the monthly payment rate under subparagraph (B).

(II) NO DUPLICATE PAYMENT.—A producer may not receive a payment under both clause (ii) and this clause.

(5) ASSISTANCE FOR LOSSES DUE TO FIRE ON PUBLIC MANAGED LAND.—

(A) IN GENERAL.—An eligible livestock producer may receive assistance under this paragraph only if—

(i) the eligible forage losses occur on rangeland that is managed by a Federal agency; and

(ii) the eligible livestock producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland due to a fire.

(B) PAYMENT RATE.—The payment rate for assistance under this paragraph shall be equal to 50 percent of the monthly feed cost

for the total number of livestock covered by the Federal lease of the eligible livestock producer, as determined under paragraph (4)(C).

(C) PAYMENT DURATION.—

(i) IN GENERAL.—Subject to clause (ii), an eligible livestock producer shall be eligible to receive assistance under this paragraph for the period—

(I) beginning on the date on which the Federal agency excludes the eligible livestock producer from using the managed rangeland for grazing; and

(II) ending on the last day of the Federal lease of the eligible livestock producer.

(ii) LIMITATION.—An eligible livestock producer may only receive assistance under this paragraph for losses that occur on not more than 180 days per year.

(6) ASSISTANCE FOR ELIGIBLE FORAGE LOSSES DUE TO OTHER THAN DROUGHT OR FIRE.—

(A) ELIGIBLE FORAGE LOSSES.—

(i) IN GENERAL.—Subject to subparagraph (B), an eligible livestock producer of covered livestock may receive assistance under this paragraph for eligible forage losses that occur due to weather-related conditions other than drought or fire on land that—

(I) is native or improved pastureland with permanent vegetative cover; or

(II) is planted to a crop planted specifically for the purpose of providing grazing for covered livestock.

(ii) EXCLUSIONS.—An eligible livestock producer may not receive assistance under this paragraph for eligible forage losses that occur on land used for haying or grazing under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.), unless the land is grassland eligible for the conservation reserve program under section 1231(d)(2) of the Food Security Act of 1985 (16 U.S.C. 3831(d)(2)) (as amended by section 2001).

(B) PAYMENTS FOR ELIGIBLE FORAGE LOSSES.—

(i) IN GENERAL.—The Secretary shall provide assistance under this paragraph to an eligible livestock producer for eligible forage losses that occur due to weather-related conditions other than—

(I) drought under paragraph (4); and

(II) fire on public managed land under paragraph (5).

(ii) TERMS AND CONDITIONS.—The Secretary shall establish terms and conditions for assistance under this paragraph that are consistent with the terms and conditions for assistance under this subsection.

(7) NO DUPLICATIVE PAYMENTS.—An eligible livestock producer may elect to receive assistance for eligible forage losses under either paragraph (4), (5), or (6), if applicable, but may not receive assistance under more than 1 of those paragraphs for the same loss, as determined by the Secretary.

(8) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this subsection shall be final and conclusive.

(d) EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.—

(1) IN GENERAL.—For each of fiscal years 2012 through 2018, the Secretary shall use not more than \$15,000,000 of the funds of the Commodity Credit Corporation to provide emergency relief to eligible producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses due to disease, adverse weather, or other conditions, such as blizzards and wildfires, as determined by the Secretary, that are not covered under subsection (b) or (c).

(2) USE OF FUNDS.—Funds made available under this subsection shall be used to reduce

losses caused by feed or water shortages, disease, or other factors as determined by the Secretary.

(3) AVAILABILITY OF FUNDS.—Any funds made available under this subsection shall remain available until expended.

(e) TREE ASSISTANCE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ORCHARDIST.—The term “eligible orchardist” means a person that produces annual crops from trees for commercial purposes.

(B) NATURAL DISASTER.—The term “natural disaster” means plant disease, insect infestation, drought, fire, freeze, flood, earthquake, lightning, or other occurrence, as determined by the Secretary.

(C) NURSERY TREE GROWER.—The term “nursery tree grower” means a person who produces nursery, ornamental, fruit, nut, or Christmas trees for commercial sale, as determined by the Secretary.

(D) TREE.—The term “tree” includes a tree, bush, and vine.

(2) ELIGIBILITY.—

(A) LOSS.—Subject to subparagraph (B), for each of fiscal years 2012 through 2018, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance—

(i) under paragraph (3) to eligible orchardists and nursery tree growers that planted trees for commercial purposes but lost the trees as a result of a natural disaster, as determined by the Secretary; and

(ii) under paragraph (3)(B) to eligible orchardists and nursery tree growers that have a production history for commercial purposes on planted or existing trees but lost the trees as a result of a natural disaster, as determined by the Secretary.

(B) LIMITATION.—An eligible orchardist or nursery tree grower shall qualify for assistance under subparagraph (A) only if the tree mortality of the eligible orchardist or nursery tree grower, as a result of damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).

(3) ASSISTANCE.—Subject to paragraph (4), the assistance provided by the Secretary to eligible orchardists and nursery tree growers for losses described in paragraph (2) shall consist of—

(A)(i) reimbursement of 65 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

(ii) at the option of the Secretary, sufficient seedlings to reestablish a stand; and

(B) reimbursement of 50 percent of the cost of pruning, removal, and other costs incurred by an eligible orchardist or nursery tree grower to salvage existing trees or, in the case of tree mortality, to prepare the land to replant trees as a result of damage or tree mortality due to a natural disaster, as determined by the Secretary, in excess of 15 percent damage or mortality (adjusted for normal tree damage and mortality).

(4) LIMITATIONS ON ASSISTANCE.—

(A) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this paragraph, the terms “legal entity” and “person” have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) AMOUNT.—The total amount of payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this subsection may not exceed \$100,000 for any crop year, or an equivalent value in tree seedlings.

(C) ACRES.—The total quantity of acres planted to trees or tree seedlings for which a

person or legal entity shall be entitled to receive payments under this subsection may not exceed 500 acres.

(f) PAYMENTS.—

(1) PAYMENT LIMITATIONS.—

(A) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this subsection, the terms “legal entity” and “person” have the meanings given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) AMOUNT.—The total amount of disaster assistance payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this section (excluding payments received under subsection (e)) may not exceed \$100,000 for any crop year.

(C) DIRECT ATTRIBUTION.—Subsections (d) and (e) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) or any successor provisions relating to direct attribution shall apply with respect to assistance provided under this section.

(2) PAYMENT DELIVERY.—The Secretary shall make payments under this section after October 1, 2013, for losses incurred in the 2012 and 2013 fiscal years, and as soon as practicable for losses incurred in any year thereafter.

**Subtitle F—Administration**

**SEC. 1601. ADMINISTRATION GENERALLY.**

(a) USE OF COMMODITY CREDIT CORPORATION.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title.

(b) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this title shall be final and conclusive.

(c) REGULATIONS.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, not later than 90 days after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this title and the amendments made by this title.

(2) PROCEDURE.—The promulgation of the regulations and administration of this title and the amendments made by this title and sections 11001 and 11012 shall be made without regard to—

(A) the notice and comment provisions of section 553 of title 5, United States Code;

(B) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”); and

(C) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking.

(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this subsection, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

(d) ADJUSTMENT AUTHORITY RELATED TO TRADE AGREEMENTS COMPLIANCE.—

(1) REQUIRED DETERMINATION; ADJUSTMENT.—If the Secretary determines that expenditures under this title that are subject to the total allowable domestic support levels under the Uruguay Round Agreements (as defined in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501)) will exceed the allowable levels for any applicable reporting period, the Secretary shall, to the maximum extent practicable, make adjustments in the amount of the expenditures during that period to ensure that the expenditures do not exceed the allowable levels.

(2) CONGRESSIONAL NOTIFICATION.—Before making any adjustment under paragraph (1),

the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the determination made under that paragraph and the extent of the adjustment to be made.

**SEC. 1602. SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITY.**

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to the 2014 through 2018 crops of covered commodities (as defined in section 1104), cotton, and sugar and shall not be applicable to milk during the period beginning on the date of enactment of this Act through December 31, 2018:

(1) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.).

(2) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 shall not be applicable to the 2014 through 2018 crops of covered commodities (as defined in section 1104), cotton, and sugar and shall not be applicable to milk during the period beginning on the date of enactment of this Act and through December 31, 2018:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—The joint resolution entitled “A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended”, approved May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be applicable to the crops of wheat planted for harvest in the calendar years 2014 through 2018.

**SEC. 1603. PAYMENT LIMITATIONS.**

(a) IN GENERAL.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking subsections (b) and (c) and inserting the following:

“(b) LIMITATION ON PAYMENTS FOR PEANUTS AND OTHER COVERED COMMODITIES.—The total amount of payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under subtitle A of title I of the Agriculture Reform, Food, and Jobs Act of 2013 for—

“(1) peanuts may not exceed \$50,000; and

“(2) 1 or more other covered commodities may not exceed \$50,000.”

(b) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS FOR PEANUTS AND OTHER LOAN COMMODITIES.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking subsection (d) and inserting the following:

“(d) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS FOR PEANUTS AND OTHER LOAN COMMODITIES.—The total amount of marketing loan gains and loan deficiency payments received, directly

or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under subtitle B of the Agriculture Reform, Food, and Jobs Act of 2013 (or a successor provision) for—

“(1) peanuts may not exceed \$75,000; and

“(2) 1 or more other loan commodities may not exceed \$75,000.”

(c) CONFORMING AMENDMENTS.—

(1) Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended—

(A) in subsection (a)(1), by striking “section 1001 of the Food, Conservation, and Energy Act of 2008” and inserting “section 1104 of the Agriculture Reform, Food, and Jobs Act of 2013”; and

(B) in subsection (e)—

(i) in paragraph (1), by striking “subsections (b) and (c) and a program described in paragraphs (1)(C)” and inserting “subsection (b) and a program described in paragraph (1)(B)”; and

(ii) in paragraph (3)(B), by striking “subsections (b) and (c)” each place it appears and inserting “subsection (b)”; and

(C) in subsection (f)—

(i) by striking “or title XII” each place it appears in paragraphs (5)(A) and (6)(A) and inserting “, title I of the Agriculture Reform, Food, and Jobs Act of 2013, or title XII”; and

(ii) in paragraph (2), by striking “Subsections (b) and (c)” and inserting “Subsection (b)”; and

(iii) in paragraph (4)(B), by striking “subsection (b) or (c)” and inserting “subsection (b)”; and

(iv) in paragraph (5)—

(I) in subparagraph (A), by striking “subsection (d)” and inserting “subsection (c)”; and

(II) in subparagraph (B), by striking “subsection (b), (c), or (d)” and inserting “subsection (b) or (c)”; and

(v) in paragraph (6)—

(I) in subparagraph (A), by striking “subsection (d), except as provided in subsection (g)” and inserting “subsection (c), except as provided in subsection (f)”; and

(II) in subparagraph (B), by striking “subsections (b), (c), and (d)” and inserting “subsections (b) and (c)”; and

(D) in subsection (g)—

(i) in paragraph (1)—

(I) by striking “subsection (f)(6)(A)” and inserting “subsection (e)(6)(A)” and

(II) by striking “subsection (b) or (c)” and inserting “subsection (b)”; and

(ii) in paragraph (2)(A), by striking “subsections (b) and (c)” and inserting “subsection (b)”; and

(E) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively.

(2) Section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308-1) is amended—

(A) in subsection (a), by striking “subsections (b) and (c)” and inserting “subsection (b)”; and

(B) in subsection (b)(1), by striking “subsection (b) or (c)” and inserting “subsection (b)”; and

(3) Section 1001B(a) of the Food Security Act of 1985 (7 U.S.C. 1308-2(a)) is amended in the matter preceding paragraph (1) by striking “subsections (b) and (c)” and inserting “subsection (b)”; and

(4) Section 1001C(a) of the Food Security Act of 1985 (7 U.S.C. 1308-3(a)) is amended by inserting “title I of the Agriculture Reform, Food, and Jobs Act of 2013,” after “2008,”.

(d) APPLICATION.—The amendments made by this section shall apply beginning with the 2014 crop year.



**SEC. 1604. PAYMENTS LIMITED TO ACTIVE FARMERS.**

Section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308-1) is amended—

(1) in subsection (b)(2)—

(A) by striking “or active personal management” each place it appears in subparagraphs (A)(i)(II) and (B)(ii); and

(B) in subparagraph (C), by striking “, as applied to the legal entity, are met by the legal entity, the partners or members making a significant contribution of personal labor or active personal management” and inserting “are met by partners or members making a significant contribution of personal labor, those partners or members”; and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking subparagraph (A) and inserting the following:

“(A) the landowner share-rents the land at a rate that is usual and customary;”;

(ii) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(C) the share of the payments received by the landowner is commensurate with the share of the crop or income received as rent.”;

(B) in paragraph (2)(A), by striking “active personal management or”;

(C) in paragraph (5)—

(i) by striking “(5)” and all that follows through “(A) IN GENERAL.—A person” and inserting the following:

“(5) CUSTOM FARMING SERVICES.—A person”;

(ii) by inserting “under usual and customary terms” after “services”; and

(iii) by striking subparagraph (B); and

(D) by adding at the end the following:

“(7) FARM MANAGERS.—A person who otherwise meets the requirements of this subsection other than (b)(2)(A)(i)(II) shall be considered to be actively engaged in farming, as determined by the Secretary, with respect to the farming operation, including a farming operation that is a sole proprietorship, a legal entity such as a joint venture or general partnership, or a legal entity such as a corporation or limited partnership, if the person—

“(A) makes a significant contribution of management to the farming operation necessary for the farming operation, taking into account—

“(i) the size and complexity of the farming operation; and

“(ii) the management requirements normally and customarily required by similar farming operations;

“(B) is the only person in the farming operation qualifying as actively engaged in farming;

“(C) does not use the management contribution under this paragraph to qualify as actively engaged in more than 1 farming operation; and

“(D) manages a farm operation that does not substantially share equipment, labor, or management with persons or legal entities that with the person collectively receive, directly or indirectly, an amount equal to more than the applicable limits under section 1001(b).”.

**SEC. 1605. ADJUSTED GROSS INCOME LIMITATION.**

(a) IN GENERAL.—Section 1001D(b) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)) is amended by striking paragraph (1) and inserting the following:

“(1) COMMODITY PROGRAMS.—

“(A) LIMITATION.—Notwithstanding any other provision of law, a person or legal enti-

ty shall not be eligible to receive any benefit described in subparagraph (B) during a crop, fiscal or program year, as appropriate, if the average adjusted gross income (or comparable measure over the 3 taxable years preceding the most immediately preceding complete taxable year, as determined by the Secretary) of the person or legal entity exceeds \$750,000.

“(B) COVERED BENEFITS.—Subparagraph (A) applies with respect to the following:

“(i) A payment under section 1107 or 1108 of the Agriculture Reform, Food, and Jobs Act of 2013.

“(ii) A marketing loan gain or loan deficiency payment under subtitle B of title I of the Agriculture Reform, Food, and Jobs Act of 2013.

“(iii) A payment under subtitle E of the Agriculture Reform, Food, and Jobs Act of 2013.”.

“(iv) A payment under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).”.

(b) APPLICATION.—The amendments made by this section shall apply beginning with the 2014 crop year.

**SEC. 1606. GEOGRAPHICALLY DISADVANTAGED FARMERS AND RANCHERS.**

Section 1621(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8792(d)) is amended by striking “2012” and inserting “2018”.

**SEC. 1607. PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.**

Section 164 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7284) is amended by striking “and title I of the Food, Conservation, and Energy Act of 2008” each place it appears and inserting “title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702 et seq.), and title I of the Agriculture Reform, Food, and Jobs Act of 2013”.

**SEC. 1608. PREVENTION OF DECEASED INDIVIDUALS RECEIVING PAYMENTS UNDER FARM COMMODITY PROGRAMS.**

(a) RECONCILIATION.—At least twice each year, the Secretary shall reconcile social security numbers of all individuals who receive payments under this title, whether directly or indirectly, with the Commissioner of Social Security to determine if the individuals are alive.

(b) PRECLUSION.—The Secretary shall preclude the issuance of payments to, and on behalf of, deceased individuals that were not eligible for payments.

**SEC. 1609. APPEALS.**

(a) DIRECTION, CONTROL, AND SUPPORT.—Section 272 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6992) is amended by striking subsection (c) and inserting the following:

“(c) DIRECTION, CONTROL, AND SUPPORT.—

“(1) DIRECTION AND CONTROL.—

“(A) IN GENERAL.—Except as provided in paragraph (2), the Director shall be free from the direction and control of any person other than the Secretary or the Deputy Secretary of Agriculture.

“(B) ADMINISTRATIVE SUPPORT.—The Division shall not receive administrative support (except on a reimbursable basis) from any agency other than the Office of the Secretary.

“(C) PROHIBITION ON DELEGATION.—The Secretary may not delegate to any other officer or employee of the Department, other than the Deputy Secretary of Agriculture or the Director, the authority of the Secretary with respect to the Division.

“(2) EXCEPTION.—The Assistant Secretary for Administration is authorized to inves-

tigate, enforce, and implement the provisions in law, Executive order, or regulations that relate in general to competitive and excepted service positions and employment within the Division, including the position of Director, and such authority may be further delegated to subordinate officials.”.

(b) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended—

(1) in the matter preceding paragraph (1) by striking “affect—” and inserting “affect:”;

(2) by striking “the authority” each place it appears in paragraphs (1) through (7) and inserting “The authority”;

(3) by striking the semicolon at the end of each of paragraphs (1) through (5) and inserting a period;

(4) in paragraph (6)(C), by striking “; or” at the end and inserting a period; and

(5) by adding at the end the following:

“(8) The authority of the Secretary to carry out amendments made by the Agriculture Reform, Food, and Jobs Act of 2013.”.

**SEC. 1610. TECHNICAL CORRECTIONS.**

(a) Section 359f(c)(1)(B) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ff(c)(1)(B)) is amended by adding a period at the end.

(b)(1) Section 1603(g) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1739) is amended in paragraphs (2) through (6) and the amendments made by those paragraphs by striking “1703(a)” each place it appears and inserting “1603(a)”.

(2) This subsection and the amendments made by this subsection take effect as if included in the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1651).

**SEC. 1611. ASSIGNMENT OF PAYMENTS.**

(a) IN GENERAL.—The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(g)), relating to assignment of payments, shall apply to payments made under this title.

(b) NOTICE.—The producer making the assignment, or the assignee, shall provide the Secretary with notice, in such manner as the Secretary may require, of any assignment made under this section.

**SEC. 1612. TRACKING OF BENEFITS.**

As soon as practicable after the date of enactment of this Act, the Secretary may track the benefits provided, directly or indirectly, to individuals and entities under titles I and II and the amendments made by those titles.

**SEC. 1613. SIGNATURE AUTHORITY.**

(a) IN GENERAL.—In carrying out this title and title II and amendments made by those titles, if the Secretary approves a document, the Secretary shall not subsequently determine the document is inadequate or invalid because of the lack of authority of any person signing the document on behalf of the applicant or any other individual, entity, general partnership, or joint venture, or the documents relied upon were determined inadequate or invalid, unless the person signing the program document knowingly and willfully falsified the evidence of signature authority or a signature.

(b) AFFIRMATION.—

(1) IN GENERAL.—Nothing in this section prohibits the Secretary from asking a proper party to affirm any document that otherwise would be considered approved under subsection (a).

(2) NO RETROACTIVE EFFECT.—A denial of benefits based on a lack of affirmation under



paragraph (1) shall not be retroactive with respect to third-party producers who were not the subject of the erroneous representation of authority, if the third-party producers—

(A) relied on the prior approval by the Secretary of the documents in good faith; and

(B) substantively complied with all program requirements.

#### SEC. 1614. IMPLEMENTATION.

(a) STREAMLINING.—In implementing this title, the Secretary shall, to the maximum extent practicable—

(1) seek to reduce administrative burdens and costs to producers by streamlining and reducing paperwork, forms, and other administrative requirements;

(2) improve coordination, information sharing, and administrative work with the Risk Management Agency and the Natural Resources Conservation Service; and

(3) take advantage of new technologies to enhance efficiency and effectiveness of program delivery to producers.

(b) IMPLEMENTATION.—On October 1, 2013, the Secretary shall make available to the Farm Service Agency to carry out this title \$97,000,000.

### TITLE II—CONSERVATION

#### Subtitle A—Conservation Reserve Program

#### SEC. 2001. EXTENSION AND ENROLLMENT REQUIREMENTS OF CONSERVATION RESERVE PROGRAM.

(a) EXTENSION.—Section 1231(a) of the Food Security Act of 1985 (16 U.S.C. 3831(a)) is amended by striking “2012” and inserting “2018”.

(b) ELIGIBLE LAND.—Section 1231(b) of the Food Security Act of 1985 (16 U.S.C. 3831(b)) is amended—

(1) in paragraph (1)(B), by striking “the date of enactment of the Food, Conservation, and Energy Act of 2008” and inserting “the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013”;

(2) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(3) by inserting before paragraph (4) the following:

“(3) grassland that—

“(A) contains forbs or shrubland (including improved rangeland and pastureland) for which grazing is the predominant use;

“(B) is located in an area historically dominated by grassland; and

“(C) could provide habitat for animal and plant populations of significant ecological value if the land is retained in its current use or restored to a natural condition.”;

(4) in paragraph (4)(C), by striking “filterstrips devoted to trees or shrubs” and inserting “filterstrips and riparian buffers devoted to trees, shrubs, or grasses”; and

(5) by striking paragraph (5) and inserting the following:

“(5) the portion of land in a field not enrolled in the conservation reserve in a case in which—

“(A) more than 50 percent of the land in the field is enrolled as a buffer or filterstrip or more than 75 percent of the land in the field is enrolled in a practice other than as a buffer or filterstrip; and

“(B) the remainder of the field is—

“(i) infeasible to farm; and

“(ii) enrolled at regular rental rates.”.

(c) PLANTING STATUS OF CERTAIN LAND.—Section 1231(c) of the Food Security Act of 1985 (16 U.S.C. 3831(c)) is amended by striking “if” and all that follows through the period at the end and inserting “if, during the crop year, the land was devoted to a conserving use.”.

(d) ENROLLMENT.—Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amend-

ed by striking subsection (d) and inserting the following:

“(d) ENROLLMENT.—

“(1) MAXIMUM ACREAGE ENROLLED.—The Secretary may maintain in the conservation reserve at any 1 time during—

“(A) fiscal year 2014, no more than 30,000,000 acres;

“(B) fiscal year 2015, no more than 27,500,000 acres;

“(C) fiscal year 2016, no more than 26,500,000 acres;

“(D) fiscal year 2017, no more than 25,500,000 acres; and

“(E) fiscal year 2018, no more than 25,000,000 acres.

“(2) GRASSLAND.—

“(A) LIMITATION.—For purposes of applying the limitations in paragraph (1), no more than 1,500,000 acres of the land described in subsection (b)(3) may be enrolled in the program at any 1 time during the 2014 through 2018 fiscal years.

“(B) PRIORITY.—In enrolling acres under subparagraph (A), the Secretary may give priority to land with expiring conservation reserve program contracts.

“(C) METHOD OF ENROLLMENT.—In enrolling acres under subparagraph (A), the Secretary shall make the program available to owners or operators of eligible land at least once during each fiscal year.”.

(e) DURATION OF CONTRACT.—Section 1231(e) of the Food Security Act of 1985 (16 U.S.C. 3831(e)) is amended by striking paragraphs (2) and (3) and inserting the following:

“(2) SPECIAL RULE FOR CERTAIN LAND.—In the case of land devoted to hardwood trees, shelterbelts, windbreaks, or wildlife corridors under a contract entered into under this subchapter, the owner or operator of the land may, within the limitations prescribed under this section, specify the duration of the contract.”.

(f) CONSERVATION PRIORITY AREAS.—Section 1231(f) of the Food Security Act of 1985 (16 U.S.C. 3831(f)) is amended—

(1) in paragraph (1), by striking “watershed areas of the Chesapeake Bay Region, the Great Lakes Region, the Long Island Sound Region, and other”;

(2) in paragraph (2), by striking “WATERSHEDS.—Watersheds” and inserting “AREAS.—Areas”; and

(3) in paragraph (3), by striking “a watershed’s designation—” and all that follows through the period at the end and inserting “an area’s designation if the Secretary finds that the area no longer contains actual and significant adverse water quality or habitat impacts related to agricultural production activities.”.

#### SEC. 2002. FARMABLE WETLAND PROGRAM.

(a) EXTENSION.—Section 1231B(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3831B(a)(1)) is amended—

(1) by striking “2012” and inserting “2018”; and

(2) by striking “a program” and inserting “a farmable wetland program”.

(b) ELIGIBLE ACREAGE.—Section 1231B(b)(1)(B) of the Food Security Act of 1985 (16 U.S.C. 3831B(b)(1)(B)) is amended by striking “flow from a row crop agriculture drainage system” and inserting “surface and subsurface flow from row crop agricultural production”.

(c) CLERICAL AMENDMENTS.—Section 1231B of the Food Security Act of 1985 (16 U.S.C. 3831B) is amended—

(1) by striking the heading and inserting the following:

“SEC. 1231B. FARMABLE WETLAND PROGRAM.”;

and

(2) in subsection (f)(2), by striking “section 1234(c)(2)(B)” and inserting “section 1234(c)(2)(A)(ii)”.

#### SEC. 2003. DUTIES OF OWNERS AND OPERATORS.

(a) LIMITATION ON HARVESTING, GRAZING OR COMMERCIAL USE OF FORAGE.—Section 1232(a)(8) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(8)) is amended by striking “except that” and all that follows through the semicolon at the end of the paragraph and inserting “except as provided in section 1233(b)”.

(b) CONSERVATION PLAN REQUIREMENTS.—Section 1232 of the Food Security Act of 1985 (16 U.S.C. 3832) is amended by striking subsection (b) and inserting the following:

“(b) CONSERVATION PLANS.—The plan referred to in subsection (a)(1) shall set forth—

“(1) the conservation measures and practices to be carried out by the owner or operator during the term of the contract; and

“(2) the commercial use, if any, to be permitted on the land during the term.”.

(c) RENTAL PAYMENT REDUCTION.—Section 1232 of the Food Security Act of 1985 (16 U.S.C. 3832) is amended by striking subsection (d).

#### SEC. 2004. DUTIES OF THE SECRETARY.

Section 1233 of the Food Security Act of 1985 (16 U.S.C. 3833) is amended to read as follows:

#### “SEC. 1233. DUTIES OF THE SECRETARY.

“(a) COST-SHARE AND RENTAL PAYMENTS.—In return for a contract entered into by an owner or operator, the Secretary shall—

“(1) share the cost of carrying out the conservation measures and practices set forth in the contract for which the Secretary determines that cost sharing is appropriate and in the public interest; and

“(2) for a period of years not in excess of the term of the contract, pay an annual rental payment in an amount necessary to compensate for—

“(A) the conversion of highly erodible cropland or other eligible land normally devoted to the production of an agricultural commodity on a farm or ranch to a less intensive use;

“(B) the retirement of any cropland base and allotment history that the owner or operator agrees to retire permanently; and

“(C) the development and management of grassland for multiple natural resource conservation benefits, including soil, water, air, and wildlife.

“(b) SPECIFIED ACTIVITIES PERMITTED.—The Secretary shall permit certain activities or commercial uses of land that is subject to the contract if those activities or uses are consistent with a plan approved by the Secretary and include—

“(1) harvesting, grazing, or other commercial use of the forage in response to drought, flooding, or other emergency without any reduction in the rental rate;

“(2) grazing by livestock of a beginning farmer or rancher without any reduction in the rental rate, if the grazing is—

“(A) consistent with the conservation of soil, water quality, and wildlife habitat (including habitat during the primary nesting season for critical birds in the area); and

“(B) described in subparagraph (B) or (C) of paragraph (3);

“(3) consistent with the conservation of soil, water quality, and wildlife habitat (including habitat during the primary nesting season for critical birds in the area) and in exchange for a reduction of not less than 25 percent in the annual rental rate for the acres covered by the authorized activity—

“(A) managed harvesting and other commercial use (including the managed harvesting of biomass), except that in permitting those activities the Secretary, in coordination with the State technical committee—

“(i) shall develop appropriate vegetation management requirements; and

“(ii) shall identify periods during which the activities may be conducted, such that the frequency is at least once every 5 years but not more than once every 3 years;

“(B) prescribed grazing for the control of invasive species, which may be conducted annually;

“(C) routine grazing, except that in permitting routine grazing, the Secretary, in coordination with the State technical committee—

“(i) shall develop appropriate vegetation management requirements and stocking rates for the land that are suitable for continued routine grazing; and

“(ii) shall identify the periods during which routine grazing may be conducted, such that the frequency is not more than once every 2 years, taking into consideration regional differences such as—

“(I) climate, soil type, and natural resources;

“(II) the number of years that should be required between routine grazing activities; and

“(III) how often during a year in which routine grazing is permitted that routine grazing should be allowed to occur; and

“(D) the installation of wind turbines and associated access, except that in permitting the installation of wind turbines, the Secretary shall determine the number and location of wind turbines that may be installed, taking into account—

“(i) the location, size, and other physical characteristics of the land;

“(ii) the extent to which the land contains threatened or endangered wildlife and wildlife habitat; and

“(iii) the purposes of the conservation reserve program under this subchapter; and

“(4) the intermittent and seasonal use of vegetative buffer practices incidental to agricultural production on land adjacent to the buffer such that the permitted use does not destroy the permanent vegetative cover.

“(c) **AUTHORIZED ACTIVITIES ON GRASSLAND.**—Notwithstanding section 1232(a)(8), for eligible land described in section 1231(b)(3), the Secretary shall permit the following activities:

“(1) Common grazing practices, including maintenance and necessary cultural practices, on the land in a manner that is consistent with maintaining the viability of grassland, forb, and shrub species appropriate to that locality.

“(2) Haying, mowing, or harvesting for seed production, subject to appropriate restrictions during the primary nesting season for critical birds in the area.

“(3) Fire suppression, rehabilitation, and construction of fire breaks.

“(4) Grazing-related activities, such as fencing and livestock watering.

“(d) **RESOURCE CONSERVING USE.**—

“(1) **IN GENERAL.**—Beginning on the date that is 1 year before the date of termination of a contract under the program, the Secretary shall allow an owner or operator to make conservation and land improvements that facilitate maintaining protection of highly erodible land after expiration of the contract.

“(2) **CONSERVATION PLAN.**—The Secretary shall require an owner or operator carrying

out the activities described in paragraph (1) to develop and implement a conservation plan.

“(3) **REENROLLMENT PROHIBITED.**—Land altered under paragraph (1) may not be reenrolled in the conservation reserve program for 5 years.

“(4) **PAYMENT.**—The Secretary shall provide an annual payment that is reduced in an amount commensurate with any income or other compensation received as a result of the activities carried out under paragraph (1).”.

#### **SEC. 2005. PAYMENTS.**

(a) **TREES, WINDBREAKS, SHELTERBELTS, AND WILDLIFE CORRIDORS.**—Section 1234(b)(3)(A) of the Food Security Act of 1985 (16 U.S.C. 3834(b)(3)(A)) is amended—

(1) in clause (i), by inserting “and” after the semicolon;

(2) by striking clause (ii); and

(3) by redesignating clause (iii) as clause (ii).

(b) **INCENTIVES.**—Section 1234(b)(3)(B) of the Food Security Act of 1985 (16 U.S.C. 3834(b)(3)(B)) is amended—

(1) in clause (i), by inserting “, practices to improve the condition of resources on the land,” after “operator”; and

(2) by adding at the end the following:

“(iii) **INCENTIVES.**—In making rental payments to an owner or operator of land described in subparagraph (A), the Secretary may provide incentive payments sufficient to encourage proper thinning and practices to improve the condition of resources on the land.”.

(c) **ANNUAL RENTAL PAYMENTS.**—Section 1234(c) of the Food Security Act of 1985 (16 U.S.C. 3834(c)) is amended—

(1) in paragraph (1), by inserting “and other eligible land” after “highly erodible cropland” both places it appears;

(2) by striking paragraph (2) and inserting the following:

“(2) **METHODS OF DETERMINATION.**—

“(A) **IN GENERAL.**—The amounts payable to owners or operators in the form of rental payments under contracts entered into under this subchapter may be determined through—

“(i) the submission of bids for such contracts by owners and operators in such manner as the Secretary may prescribe; or

“(ii) such other means as the Secretary determines are appropriate.

“(B) **GRASSLAND.**—In the case of eligible land described in section 1231(b)(3), the Secretary shall make annual payments in an amount that is not more than 75 percent of the grazing value of the land covered by the contract.”; and

(3) in paragraph (5)(A)—

(A) by striking “The Secretary” and inserting the following:

“(i) **SURVEY.**—The Secretary”; and

(B) by adding at the end the following:

“(ii) **USE.**—The Secretary may use the survey of dryland cash rental rates described in clause (i) as a factor in determining rental rates under this section as the Secretary determines appropriate.”.

(d) **PAYMENT SCHEDULE.**—Section 1234 of the Food Security Act of 1985 (16 U.S.C. 3834) is amended by striking subsection (d) and inserting the following:

“(d) **PAYMENT SCHEDULE.**—

“(1) **IN GENERAL.**—Except as otherwise provided in this section, payments under this subchapter shall be made in cash in such amount and on such time schedule as is agreed on and specified in the contract.

“(2) **SOURCE.**—Payments under this subchapter shall be made using the funds of the Commodity Credit Corporation.

“(3) **ADVANCE PAYMENT.**—Payments under this subchapter may be made in advance of determination of performance.”.

(e) **PAYMENT LIMITATION.**—Section 1234(f) of the Food Security Act of 1985 (16 U.S.C. 3834(f)) is amended—

(1) in paragraph (1), by striking “, including rental payments made in the form of in-kind commodities,”;

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as paragraph (2).

#### **SEC. 2006. CONTRACT REQUIREMENTS.**

Section 1235 of the Food Security Act of 1985 (16 U.S.C. 3835) is amended—

(1) in subsection (f)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “DUTIES” and all that follows through “a beginning farmer or rancher or” and inserting “TRANSITION TO COVERED FARMER OR RANCHER.—In the case of a contract modification approved in order to facilitate the transfer of land subject to a contract from a retired farmer or rancher to a beginning farmer or rancher, a veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)), or a”; and

(ii) in subparagraph (D), by striking “the farmer or rancher” and inserting “the covered farmer or rancher”; and

(iii) in subparagraph (E), by striking “section 1001A(b)(3)(B)” and inserting “section 1001”; and

(B) in paragraph (2), by striking “requirement of section 1231(h)(4)(B)” and inserting “option provided under section 1234(c)(2)(A)(ii)”; and

(2) by adding at the end the following:

“(g) **FINAL YEAR OF CONTRACT.**—The Secretary shall not consider an owner or operator to be in violation of a term or condition of a conservation reserve contract if—

“(1) during the year prior to expiration of the contract, the land is enrolled in the conservation stewardship program; and

“(2) the activity required under the conservation stewardship program pursuant to the enrollment is consistent with this subchapter.

“(h) **LAND ENROLLED IN AGRICULTURAL CONSERVATION EASEMENT PROGRAM.**—The Secretary may terminate or modify a contract entered into under this subchapter if eligible land that is subject to such contract is transferred into the agricultural conservation easement program under subtitle H.”.

#### **SEC. 2007. CONVERSION OF LAND SUBJECT TO CONTRACT TO OTHER CONSERVING USES.**

Section 1235A of the Food Security Act of 1985 (16 U.S.C. 3835a) is repealed.

#### **SEC. 2008. EFFECTIVE DATE.**

(a) **IN GENERAL.**—The amendments made by this subtitle shall take effect on October 1, 2013, except, the amendment made by section 2001(d), which shall take effect on the date of enactment of this Act.

(b) **EFFECT ON EXISTING CONTRACTS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the amendments made by this subtitle shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) **UPDATING OF EXISTING CONTRACTS.**—The Secretary shall permit an owner or operator with a contract entered into under subchapter B of chapter 1 of subtitle D of title

XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) before October 1, 2013, to update the contract to reflect the activities and uses of land under contract permitted under the terms and conditions of paragraphs (1) and (2) of section 1233(b) of that Act (as amended by section 2004).

**Subtitle B—Conservation Stewardship Program**

**SEC. 2101. CONSERVATION STEWARDSHIP PROGRAM.**

(a) REVISION OF CURRENT PROGRAM.—Subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) is amended to read as follows:

**“Subchapter B—Conservation Stewardship Program**

**“SEC. 1238D. DEFINITIONS.**

“In this subchapter:

“(1) AGRICULTURAL OPERATION.—The term ‘agricultural operation’ means all eligible land, whether or not contiguous, that is—

“(A) under the effective control of a producer at the time the producer enters into a contract under the program; and

“(B) operated with equipment, labor, management, and production or cultivation practices that are substantially separate from other agricultural operations, as determined by the Secretary.

“(2) CONSERVATION ACTIVITIES.—

“(A) IN GENERAL.—The term ‘conservation activities’ means conservation systems, practices, or management measures.

“(B) INCLUSIONS.—The term ‘conservation activities’ includes—

“(i) structural measures, vegetative measures, and land management measures, including agriculture drainage management systems, as determined by the Secretary; and

“(ii) planning needed to address a priority resource concern.

“(3) CONSERVATION STEWARDSHIP PLAN.—The term ‘conservation stewardship plan’ means a plan that—

“(A) identifies and inventories priority resource concerns;

“(B) establishes benchmark data and conservation objectives;

“(C) describes conservation activities to be implemented, managed, or improved; and

“(D) includes a schedule and evaluation plan for the planning, installation, and management of the new and existing conservation activities.

“(4) ELIGIBLE LAND.—

“(A) IN GENERAL.—The term ‘eligible land’ means—

“(i) private and tribal land on which agricultural commodities, livestock, or forest-related products are produced; and

“(ii) land associated with the land described in clause (i) on which priority resource concerns could be addressed through a contract under the program.

“(B) INCLUSIONS.—The term ‘eligible land’ includes—

“(i) cropland;

“(ii) grassland;

“(iii) rangeland;

“(iv) pastureland;

“(v) nonindustrial private forest land; and

“(vi) other agricultural land (including cropped woodland, marshes, and agricultural land used for the production of livestock), as determined by the Secretary.

“(5) PRIORITY RESOURCE CONCERN.—The term ‘priority resource concern’ means a natural resource concern or problem, as determined by the Secretary, that—

“(A) is identified at the national, State or local level, as a priority for a particular area of the State;

“(B) represents a significant concern in a State or region; and

“(C) is likely to be addressed successfully through the implementation of conservation activities under this program.

“(6) PROGRAM.—The term ‘program’ means the conservation stewardship program established by this subchapter.

“(7) STEWARDSHIP THRESHOLD.—The term ‘stewardship threshold’ means the level of management required, as determined by the Secretary, to conserve and improve the quality and condition of a natural resource.

**“SEC. 1238E. CONSERVATION STEWARDSHIP PROGRAM.**

“(a) ESTABLISHMENT AND PURPOSE.—During each of fiscal years 2014 through 2018, the Secretary shall carry out a conservation stewardship program to encourage producers to address priority resource concerns and improve and conserve the quality and condition of natural resources in a comprehensive manner—

“(1) by undertaking additional conservation activities; and

“(2) by improving, maintaining, and managing existing conservation activities.

“(b) EXCLUSIONS.—

“(1) LAND ENROLLED IN OTHER CONSERVATION PROGRAMS.—Subject to paragraph (2), the following land (even if covered by the definition of eligible land) is not eligible for enrollment in the program:

“(A) Land enrolled in the conservation reserve program, unless—

“(i) the conservation reserve contract will expire at the end of the fiscal year in which the land is to be enrolled in the program; and

“(ii) conservation reserve program payments for land enrolled in the program cease prior to the date on which the first program payment is made to the applicant under this subchapter.

“(B) Land enrolled in the agricultural conservation easement program in a wetland reserve easement.

“(C) Land enrolled in the conservation security program.

“(2) CONVERSION TO CROPLAND.—Eligible land used for crop production after October 1, 2013, that had not been planted, considered to be planted, or devoted to crop production for at least 4 of the 6 years preceding that date shall not be the basis for any payment under the program, unless the land does not meet the requirement because—

“(A) the land had previously been enrolled in the conservation reserve program;

“(B) the land has been maintained using long-term crop rotation practices, as determined by the Secretary; or

“(C) the land is incidental land needed for efficient operation of the farm or ranch, as determined by the Secretary.

**“SEC. 1238F. STEWARDSHIP CONTRACTS.**

“(a) SUBMISSION OF CONTRACT OFFERS.—To be eligible to participate in the conservation stewardship program, a producer shall submit a contract offer for the agricultural operation that—

“(1) demonstrates to the satisfaction of the Secretary that the producer, at the time of the contract offer, is meeting the stewardship threshold for at least 2 priority resource concerns; and

“(2) would, at a minimum, meet or exceed the stewardship threshold for at least 1 additional priority resource concern by the end of the stewardship contract by—

“(A) installing and adopting additional conservation activities; and

“(B) improving, maintaining, and managing existing conservation activities on the agricultural operation in a manner that increases or extends the conservation benefits in place at the time the contract offer is accepted by the Secretary.

“(b) EVALUATION OF CONTRACT OFFERS.—

“(1) RANKING OF APPLICATIONS.—In evaluating contract offers the Secretary shall rank applications based on—

“(A) the level of conservation treatment on all applicable priority resource concerns at the time of application;

“(B) the degree to which the proposed conservation activities effectively increase conservation performance;

“(C) the number of applicable priority resource concerns proposed to be treated to meet or exceed the stewardship threshold by the end of the contract;

“(D) the extent to which other priority resource concerns will be addressed to meet or exceed the stewardship threshold by the end of the contract period;

“(E) the extent to which the actual and anticipated conservation benefits from the contract are provided at the least cost relative to other similarly beneficial contract offers; and

“(F) the extent to which priority resource concerns will be addressed when transitioning from the conservation reserve program to agricultural production.

“(2) PROHIBITION.—The Secretary may not assign a higher priority to any application because the applicant is willing to accept a lower payment than the applicant would otherwise be eligible to receive.

“(3) ADDITIONAL CRITERIA.—The Secretary may develop and use such additional criteria that the Secretary determines are necessary to ensure that national, State, and local priority resource concerns are effectively addressed.

“(c) ENTERING INTO CONTRACTS.—After a determination that a producer is eligible for the program under subsection (a), and a determination that the contract offer ranks sufficiently high under the evaluation criteria under subsection (b), the Secretary shall enter into a conservation stewardship contract with the producer to enroll the eligible land to be covered by the contract.

“(d) CONTRACT PROVISIONS.—

“(1) TERM.—A conservation stewardship contract shall be for a term of 5 years.

“(2) REQUIRED PROVISIONS.—The conservation stewardship contract of a producer shall—

“(A) state the amount of the payment the Secretary agrees to make to the producer for each year of the conservation stewardship contract under section 1238G(d);

“(B) require the producer—

“(i) to implement a conservation stewardship plan that describes the program purposes to be achieved through 1 or more conservation activities;

“(ii) to maintain and supply information as required by the Secretary to determine compliance with the conservation stewardship plan and any other requirements of the program; and

“(iii) not to conduct any activities on the agricultural operation that would tend to defeat the purposes of the program;

“(C) permit all economic uses of the eligible land that—

“(i) maintain the agricultural nature of the land; and

“(ii) are consistent with the conservation purposes of the conservation stewardship contract;

“(D) include a provision to ensure that a producer shall not be considered in violation

of the contract for failure to comply with the contract due to circumstances beyond the control of the producer, including a disaster or related condition, as determined by the Secretary;

“(E) include provisions where upon the violation of a term or condition of the contract at any time the producer has control of the land—

“(i) if the Secretary determines that the violation warrants termination of the contract—

“(I) to forfeit all rights to receive payments under the contract; and

“(II) to refund all or a portion of the payments received by the producer under the contract, including any interest on the payments, as determined by the Secretary; or

“(ii) if the Secretary determines that the violation does not warrant termination of the contract, to refund or accept adjustments to the payments provided to the producer, as the Secretary determines to be appropriate;

“(F) include provisions in accordance with paragraphs (3) and (4) of this section; and

“(G) include any additional provisions the Secretary determines are necessary to carry out the program.

“(3) CHANGE OF INTEREST IN LAND SUBJECT TO A CONTRACT.—

“(A) IN GENERAL.—At the time of application, a producer shall have control of the eligible land to be enrolled in the program. Except as provided in subparagraph (B), a change in the interest of a producer in eligible land covered by a contract under the program shall result in the termination of the contract with regard to that land.

“(B) TRANSFER OF DUTIES AND RIGHTS.—Subparagraph (A) shall not apply if—

“(i) within a reasonable period of time (as determined by the Secretary) after the date of the change in the interest in all or a portion of the land covered by a contract under the program, the transferee of the land provides written notice to the Secretary that duties and rights under the contract have been transferred to, and assumed by, the transferee for the portion of the land transferred;

“(ii) the transferee meets the eligibility requirements of the program; and

“(iii) the Secretary approves the transfer of all duties and rights under the contract.

“(4) MODIFICATION AND TERMINATION OF CONTRACTS.—

“(A) VOLUNTARY MODIFICATION OR TERMINATION.—The Secretary may modify or terminate a contract with a producer if—

“(i) the producer agrees to the modification or termination; and

“(ii) the Secretary determines that the modification or termination is in the public interest.

“(B) INVOLUNTARY TERMINATION.—The Secretary may terminate a contract if the Secretary determines that the producer violated the contract.

“(5) REPAYMENT.—If a contract is terminated, the Secretary may, consistent with the purposes of the program—

“(A) allow the producer to retain payments already received under the contract; or

“(B) require repayment, in whole or in part, of payments received and assess liquidated damages.

“(e) CONTRACT RENEWAL.—At the end of the initial 5-year contract period, the Secretary may allow the producer to renew the contract for 1 additional 5-year period if the producer—

“(1) demonstrates compliance with the terms of the existing contract;

“(2) agrees to adopt and continue to integrate conservation activities across the entire agricultural operation as determined by the Secretary; and

“(3) agrees, at a minimum, to meet or exceed the stewardship threshold for at least 2 additional priority resource concerns on the agricultural operation by the end of the contract period.

#### “SEC. 1238G. DUTIES OF THE SECRETARY.

“(a) IN GENERAL.—To achieve the conservation goals of a contract under the conservation stewardship program, the Secretary shall—

“(1) make the program available to eligible producers on a continuous enrollment basis with 1 or more ranking periods, 1 of which shall occur in the first quarter of each fiscal year;

“(2) identify not less than 5 priority resource concerns in a particular watershed or other appropriate region or area within a State; and

“(3) establish a science-based stewardship threshold for each priority resource concern identified under paragraph (2).

“(b) ALLOCATION TO STATES.—The Secretary shall allocate acres to States for enrollment, based—

“(1) primarily on each State's proportion of eligible land to the total acreage of eligible land in all States; and

“(2) also on consideration of—

“(A) the extent and magnitude of the conservation needs associated with agricultural production in each State;

“(B) the degree to which implementation of the program in the State is, or will be, effective in helping producers address those needs; and

“(C) other considerations to achieve equitable geographic distribution of funds, as determined by the Secretary.

“(c) ACREAGE ENROLLMENT LIMITATION.—During the period beginning on October 1, 2013, and ending on September 30, 2022, the Secretary shall, to the maximum extent practicable—

“(1) enroll in the program an additional 10,348,000 acres for each fiscal year; and

“(2) manage the program to achieve a national average rate of \$18 per acre, which shall include the costs of all financial assistance, technical assistance, and any other expenses associated with enrollment or participation in the program.

“(d) CONSERVATION STEWARDSHIP PAYMENTS.—

“(1) AVAILABILITY OF PAYMENTS.—The Secretary shall provide annual payments under the program to compensate the producer for—

“(A) installing and adopting additional conservation activities; and

“(B) improving, maintaining, and managing conservation activities in place at the operation of the producer at the time the contract offer is accepted by the Secretary.

“(2) PAYMENT AMOUNT.—The amount of the conservation stewardship annual payment shall be determined by the Secretary and based, to the maximum extent practicable, on the following factors:

“(A) Costs incurred by the producer associated with planning, design, materials, installation, labor, management, maintenance, or training.

“(B) Income forgone by the producer.

“(C) Expected conservation benefits.

“(D) The extent to which priority resource concerns will be addressed through the installation and adoption of conservation activities on the agricultural operation.

“(E) The level of stewardship in place at the time of application and maintained over the term of the contract.

“(F) The degree to which the conservation activities will be integrated across the entire agricultural operation for all applicable priority resource concerns over the term of the contract.

“(G) Such other factors as determined by the Secretary.

“(3) EXCLUSIONS.—A payment to a producer under this subsection shall not be provided for—

“(A) the design, construction, or maintenance of animal waste storage or treatment facilities or associated waste transport or transfer devices for animal feeding operations; or

“(B) conservation activities for which there is no cost incurred or income forgone to the producer.

“(4) DELIVERY OF PAYMENTS.—In making stewardship payments, the Secretary shall, to the extent practicable—

“(A) prorate conservation performance over the term of the contract so as to accommodate, to the extent practicable, producers earning equal annual stewardship payments in each fiscal year; and

“(B) make stewardship payments as soon as practicable after October 1 of each fiscal year for activities carried out in the previous fiscal year.

“(e) SUPPLEMENTAL PAYMENTS FOR RESOURCE-CONSERVING CROP ROTATIONS.—

“(1) AVAILABILITY OF PAYMENTS.—The Secretary shall provide additional payments to producers that, in participating in the program, agree to adopt resource-conserving crop rotations to achieve beneficial crop rotations as appropriate for the eligible land of the producers.

“(2) BENEFICIAL CROP ROTATIONS.—The Secretary shall determine whether a resource-conserving crop rotation is a beneficial crop rotation eligible for additional payments under paragraph (1), based on whether the resource-conserving crop rotation is designed to provide natural resource conservation and production benefits.

“(3) ELIGIBILITY.—To be eligible to receive a payment described in paragraph (1), a producer shall agree to adopt and maintain the resource-conserving crop rotations for the term of the contract.

“(4) RESOURCE-CONSERVING CROP ROTATION.—In this subsection, the term ‘resource-conserving crop rotation’ means a crop rotation that—

“(A) includes at least 1 resource conserving crop (as defined by the Secretary);

“(B) reduces erosion;

“(C) improves soil fertility and tilth;

“(D) interrupts pest cycles; and

“(E) in applicable areas, reduces depletion of soil moisture or otherwise reduces the need for irrigation.

“(f) PAYMENT LIMITATIONS.—A person or legal entity may not receive, directly or indirectly, payments under the program that, in the aggregate, exceed \$200,000 under all contracts entered into during fiscal years 2014 through 2018, excluding funding arrangements with Indian tribes, regardless of the number of contracts entered into under the program by the person or legal entity.

“(g) SPECIALTY CROP AND ORGANIC PRODUCERS.—The Secretary shall ensure that outreach and technical assistance are available, and program specifications are appropriate to enable specialty crop and organic producers to participate in the program.

“(h) COORDINATION WITH ORGANIC CERTIFICATION.—The Secretary shall establish a

transparent means by which producers may initiate organic certification under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) while participating in a contract under the program.

“(i) REGULATIONS.—The Secretary shall promulgate regulations that—

“(1) prescribe such other rules as the Secretary determines to be necessary to ensure a fair and reasonable application of the limitations established under subsection (f); and

“(2) otherwise enable the Secretary to carry out the program.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

(c) EFFECT ON EXISTING CONTRACTS.—

(1) IN GENERAL.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) CONSERVATION STEWARDSHIP PROGRAM.—Funds made available under section 1241(a)(4) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(4)) (as amended by section 2601(a)) may be used to administer and make payments to program participants enrolled into contracts during any of fiscal years 2009 through 2013.

#### Subtitle C—Environmental Quality Incentives Program

##### SEC. 2201. PURPOSES.

Section 1240 of the Food Security Act of 1985 (16 U.S.C. 3839aa) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A), by striking “and” at the end;

(B) by redesignating subparagraph (B) as subparagraph (C) and, in such subparagraph, by inserting “and” after the semicolon; and

(C) by inserting after subparagraph (A) the following:

“(B) develop and improve wildlife habitat; and”;

(2) in paragraph (4), by striking “; and” and inserting a period; and

(3) by striking paragraph (5).

##### SEC. 2202. DEFINITIONS.

Section 1240A of the Food Security Act of 1985 (16 U.S.C. 3839aa-1) is amended—

(1) by striking paragraph (2) and redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively; and

(2) in paragraph (2) (as so redesignated), by inserting “established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.)” after “national organic program”.

##### SEC. 2203. ESTABLISHMENT AND ADMINISTRATION.

Section 1240B of the Food Security Act of 1985 (16 U.S.C. 3839aa-2) is amended—

(1) in subsection (a), by striking “2014” and inserting “2018”;

(2) in subsection (b), by striking paragraph (2) and inserting the following:

“(2) TERM.—A contract under the program shall have a term that does not exceed 10 years.”;

(3) in subsection (d)—

(A) in paragraph (3), by striking subparagraphs (A) through (G) and inserting the following:

“(A) soil health;

“(B) water quality and quantity improvement;

“(C) nutrient management;

“(D) pest management;

“(E) air quality improvement;

“(F) wildlife habitat development, including pollinator habitat;

“(G) invasive species management; or

“(H) other resource issues of regional or national significance, as determined by the Secretary.”; and

(B) in paragraph (4)—

(i) in subparagraph (A) in the matter preceding clause (i), by inserting “, veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))),” before “or a beginning farmer or rancher”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) ADVANCE PAYMENTS.—

“(i) IN GENERAL.—Not more than 30 percent of the amount determined under subparagraph (A) may be provided in advance for the purpose of purchasing materials or contracting.

“(ii) RETURN OF FUNDS.—If funds provided in advance are not expended during the 90-day period beginning on the date of receipt of the funds, the funds shall be returned within a reasonable time frame, as determined by the Secretary.”;

(4) by striking subsection (f) and inserting the following:

“(f) ALLOCATION OF FUNDING.—

“(1) LIVESTOCK.—For each of fiscal years 2014 through 2018, at least 60 percent of the funds made available for payments under the program shall be targeted at practices relating to livestock production.

“(2) WILDLIFE HABITAT.—For each of fiscal years 2014 through 2018, at least 5 percent of the funds made available for payments under the program shall be targeted at practices benefitting wildlife habitat under subsection (g).”; and

(5) by striking subsection (g) and inserting the following:

“(g) WILDLIFE HABITAT INCENTIVE PROGRAM.—

“(1) IN GENERAL.—The Secretary shall provide payments under the environmental quality incentives program for conservation practices that support the restoration, development, and improvement of wildlife habitat on eligible land, including—

“(A) upland wildlife habitat;

“(B) wetland wildlife habitat;

“(C) habitat for threatened and endangered species;

“(D) fish habitat;

“(E) habitat on pivot corners and other irregular areas of a field; and

“(F) other types of wildlife habitat, as determined by the Secretary.

“(2) STATE TECHNICAL COMMITTEE.—In determining the practices eligible for payment under paragraph (1) and targeted for funding under subsection (f), the Secretary shall, at a minimum, consult with the relevant State technical committee once a year.

“(3) WAIVER.—Notwithstanding any other provision of this chapter, the Secretary may make payments to a State or local unit of government to enroll land that is riparian to, or submerged under, a water body or wetland if the Secretary determines that the inclusion of the land would support the restoration, development, and improvement of wildlife habitat.”.

##### SEC. 2204. EVALUATION OF APPLICATIONS.

Section 1240C(b) of the Food Security Act of 1985 (16 U.S.C. 3839aa-3(b)) is amended—

(1) in paragraph (1), by striking “environmental” and inserting “conservation”; and

(2) in paragraph (3), by striking “purpose of the environmental quality incentives program specified in section 1240(1)” and inserting “purposes of the program”.

##### SEC. 2205. DUTIES OF PRODUCERS.

Section 1240D(2) of the Food Security Act of 1985 (16 U.S.C. 3839aa-4(2)) is amended by striking “farm, ranch, or forest” and inserting “enrolled”.

##### SEC. 2206. LIMITATION ON PAYMENTS.

Section 1240G of the Food Security Act of 1985 (16 U.S.C. 3839aa-7) is amended—

(1) in subsection (a)—

(A) by striking “by the person or entity during any six-year period,” and inserting “during fiscal years 2014 through 2018”; and

(B) by striking “federally recognized” and all that follows through the period and inserting “Indian tribes under section 1244(1).”; and

(2) in subsection (b)(2), by striking “any six-year period” and inserting “fiscal years 2014 through 2018”.

##### SEC. 2207. CONSERVATION INNOVATION GRANTS AND PAYMENTS.

Section 1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa-8) is amended—

(1) in subsection (b)(2), by striking “2012” and inserting “2018”; and

(2) by adding at the end the following:

“(c) REPORTING.—Not later than December 31, 2014, and every 2 years thereafter, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report on the status of projects funded under this section, including—

“(1) funding awarded;

“(2) project results; and

“(3) incorporation of project findings, such as new technology and innovative approaches, into the conservation efforts implemented by the Secretary.”.

##### SEC. 2208. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this subtitle shall take effect on October 1, 2013.

(b) EFFECT ON EXISTING CONTRACTS.—The amendments made by this title shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

#### Subtitle D—Agricultural Conservation Easement Program

##### SEC. 2301. AGRICULTURAL CONSERVATION EASEMENT PROGRAM.

(a) ESTABLISHMENT.—Title XII of the Food Security Act of 1985 is amended by adding at the end the following:

#### “Subtitle H—Agricultural Conservation Easement Program

##### “SEC. 1265. ESTABLISHMENT AND PURPOSES.

“(a) ESTABLISHMENT.—The Secretary shall establish an Agricultural Conservation Easement Program for the conservation of eligible land and natural resources through easements or other interests in land.

“(b) PURPOSES.—The purposes of the program are to—

“(1) combine the purposes and coordinate the functions of the wetlands reserve program established under section 1237, the grassland reserve program established under section 1238N, and the farmland protection program established under section 1238I;

“(2) restore, protect, and enhance wetland on eligible land;

“(3) protect the agricultural use, viability, and related conservation values of eligible land by limiting nonagricultural uses of that land; and

“(4) protect grazing uses and related conservation values by restoring and conserving eligible land.

**“SEC. 1265A. DEFINITIONS.**

“In this subtitle:

“(1) **AGRICULTURAL LAND EASEMENT.**—The term ‘agricultural land easement’ means an easement or other interest in eligible land that—

“(A) is conveyed for the purposes of protecting natural resources and the agricultural nature of the land, and of promoting agricultural viability for future generations; and

“(B) permits the landowner the right to continue agricultural production and related uses subject to an agricultural land easement plan.

“(2) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means—

“(A) an agency of State or local government or an Indian tribe (including farmland protection board or land resource council established under State law); or

“(B) an organization that is—

“(i) organized for, and at all times since the formation of the organization has been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), (iii), or (iv) of section 170(h)(4)(A) of the Internal Revenue Code of 1986;

“(ii) an organization described in section 501(c)(3) of that Code that is exempt from taxation under section 501(a) of that Code; or

“(iii) described in—

“(I) paragraph (1) or (2) of section 509(a) of that Code; or

“(II) section 509(a)(3) of that Code and is controlled by an organization described in section 509(a)(2) of that Code.

“(3) **ELIGIBLE LAND.**—The term ‘eligible land’ means private or tribal land that is—

“(A) in the case of an agricultural land easement, agricultural land, including land on a farm or ranch—

“(i) that is subject to a pending offer for purchase from an eligible entity;

“(ii) that—

“(I) has prime, unique, or other productive soil;

“(II) contains historical or archaeological resources; or

“(III) the protection of which could, consistent with the purposes of the program—

“(aa) further a State or local policy; or

“(bb) conserve grassland or agricultural landscapes of significant ecological value; and

“(iii) that is—

“(I) cropland;

“(II) rangeland;

“(III) grassland or land that contains forbs, or shrubland for which grazing is the predominant use;

“(IV) pastureland; or

“(V) nonindustrial private forest land that contributes to the economic viability of an offered parcel or serves as a buffer to protect such land from development;

“(B) in the case of a wetland reserve easement, a wetland or related area, including—

“(i) farmed or converted wetland, together with the adjacent land that is functionally dependent on that land if the Secretary determines it—

“(I) is likely to be successfully restored in a cost effective manner; and

“(II) will maximize the wildlife benefits and wetland functions and values as determined by the Secretary in consultation with the Secretary of the Interior at the local level;

“(ii) cropland or grassland that was used for agricultural production prior to flooding

from the natural overflow of a closed basin lake or pothole, as determined by the Secretary, together (where practicable) with the adjacent land that is functionally dependent on the cropland or grassland;

“(iii) farmed wetland and adjoining land that—

“(I) is enrolled in the conservation reserve program;

“(II) has the highest wetland functions and values; and

“(III) is likely to return to production after the land leaves the conservation reserve program;

“(iv) riparian areas that link wetland that is protected by easements or some other device that achieves the same purpose as an easement; or

“(v) other wetland of an owner that would not otherwise be eligible if the Secretary determines that the inclusion of such wetland in such easement would significantly add to the functional value of the easement; and

“(C) in the case of both an agricultural land easement or wetland reserve easement, other land that is incidental to eligible land if the Secretary determines that it is necessary for the efficient administration of the easements under this program.

“(4) **PROGRAM.**—The term ‘program’ means the Agricultural Conservation Easement Program established by this subtitle.

“(5) **WETLAND RESERVE EASEMENT.**—The term ‘wetland reserve easement’ means a reserved interest in eligible land that—

“(A) is defined and delineated in a deed; and

“(B) stipulates—

“(i) the rights, title, and interests in land conveyed to the Secretary; and

“(ii) the rights, title, and interests in land that are reserved to the landowner.

**“SEC. 1265B. AGRICULTURAL LAND EASEMENTS.**

“(a) **AVAILABILITY OF ASSISTANCE.**—The Secretary shall facilitate and provide funding for—

“(1) the purchase by eligible entities of agricultural land easements and other interests in eligible land; and

“(2) technical assistance to provide for the conservation of natural resources pursuant to an agricultural land easement plan.

“(b) **COST-SHARE ASSISTANCE.**—

“(1) **IN GENERAL.**—The Secretary shall provide cost-share assistance to eligible entities for purchasing agricultural land easements to protect the agricultural use, including grazing, and related conservation values of eligible land.

“(2) **SCOPE OF ASSISTANCE AVAILABLE.**—

“(A) **FEDERAL SHARE.**—Subject to subparagraph (C), an agreement described in paragraph (4) shall provide for a Federal share determined by the Secretary of an amount not to exceed 50 percent of the fair market value of the agricultural land easement or other interest in land, as determined by the Secretary using—

“(i) the Uniform Standards of Professional Appraisal Practices;

“(ii) an area-wide market analysis or survey; or

“(iii) another industry approved method.

“(B) **NON-FEDERAL SHARE.**—

“(i) **IN GENERAL.**—Subject to subparagraph (C), under the agreement, the eligible entity shall provide a share that is at least equivalent to that provided by the Secretary.

“(ii) **SOURCE OF CONTRIBUTION.**—An eligible entity may include as part of its share a charitable donation or qualified conservation contribution (as defined by section 170(h) of the Internal Revenue Code of 1986) from the private landowner if the eligible en-

tity contributes its own cash resources in an amount that is at least 50 percent of the amount contributed by the Secretary.

“(C) **WAIVER AUTHORITY.**—

“(i) **GRASSLAND.**—In the case of grassland of special environmental significance, as determined by the Secretary, the Secretary may provide up to 75 percent of the fair market value of the agricultural land easement.

“(ii) **CASH CONTRIBUTION.**—For purposes of subparagraph (B)(ii), the Secretary may waive any portion of the eligible entity cash contribution requirement for projects of special significance, subject to an increase in the private landowner donation that is equal to the amount of the waiver, if the donation is voluntary.

“(3) **EVALUATION AND RANKING OF APPLICATIONS.**—

“(A) **CRITERIA.**—The Secretary shall establish evaluation and ranking criteria to maximize the benefit of Federal investment under the program.

“(B) **CONSIDERATIONS.**—In establishing the criteria, the Secretary shall emphasize support for—

“(i) protecting agricultural uses and related conservation values of the land; and

“(ii) maximizing the protection of areas devoted to agricultural use.

“(C) **BIDDING DOWN.**—If the Secretary determines that 2 or more applications for cost-share assistance are comparable in achieving the purpose of the program, the Secretary shall not assign a higher priority to any of those applications solely on the basis of lesser cost to the program.

“(4) **AGREEMENTS WITH ELIGIBLE ENTITIES.**—

“(A) **IN GENERAL.**—The Secretary shall enter into agreements with eligible entities to stipulate the terms and conditions under which the eligible entity is permitted to use cost-share assistance provided under this section.

“(B) **LENGTH OF AGREEMENTS.**—An agreement shall be for a term that is—

“(i) in the case of an eligible entity certified under the process described in paragraph (5), a minimum of 5 years; and

“(ii) for all other eligible entities, at least 3, but not more than 5 years.

“(C) **MINIMUM TERMS AND CONDITIONS.**—An eligible entity shall be authorized to use its own terms and conditions for agricultural land easements so long as the Secretary determines such terms and conditions—

“(i) are consistent with the purposes of the program;

“(ii) are permanent or for the maximum duration allowed under applicable State law;

“(iii) permit effective enforcement of the conservation purposes of such easements, including appropriate restrictions depending on the purposes for which the easement is acquired;

“(iv) include a right of enforcement for the Secretary if terms of the easement are not enforced by the holder of the easement;

“(v) subject the land in which an interest is purchased to an agricultural land easement plan that—

“(I) describes the activities which promote the long-term viability of the land to meet the purposes for which the easement was acquired;

“(II) requires the management of grassland according to a grassland management plan; and

“(III) includes a conservation plan, where appropriate, and requires, at the option of the Secretary, the conversion of highly erodible cropland to less intensive uses; and

“(vi) include a limit on the impervious surfaces to be allowed that is consistent with the agricultural activities to be conducted.

“(D) SUBSTITUTION OF QUALIFIED PROJECTS.—An agreement shall allow, upon mutual agreement of the parties, substitution of qualified projects that are identified at the time of the proposed substitution.

“(E) EFFECT OF VIOLATION.—If a violation occurs of a term or condition of an agreement under this subsection—

“(i) the agreement may be terminated; and

“(ii) the Secretary may require the eligible entity to refund all or part of any payments received by the entity under the program, with interest on the payments as determined appropriate by the Secretary.

“(5) CERTIFICATION OF ELIGIBLE ENTITIES.—

“(A) CERTIFICATION PROCESS.—The Secretary shall establish a process under which the Secretary may—

“(i) directly certify eligible entities that meet established criteria;

“(ii) enter into long-term agreements with certified eligible entities; and

“(iii) accept proposals for cost-share assistance for the purchase of agricultural land easements throughout the duration of such agreements.

“(B) CERTIFICATION CRITERIA.—In order to be certified, an eligible entity shall demonstrate to the Secretary that the entity will maintain, at a minimum, for the duration of the agreement—

“(i) a plan for administering easements that is consistent with the purposes of the program described in paragraphs (3) and (4) of section 1265(b);

“(ii) the capacity and resources to monitor and enforce agricultural land easements; and

“(iii) policies and procedures to ensure—

“(I) the long-term integrity of agricultural land easements on eligible land;

“(II) timely completion of acquisitions of easements; and

“(III) timely and complete evaluation and reporting to the Secretary on the use of funds provided under the program.

“(C) REVIEW AND REVISION.—

“(i) REVIEW.—The Secretary shall conduct a review of eligible entities certified under subparagraph (A) every 3 years to ensure that such entities are meeting the criteria established under subparagraph (B).

“(ii) REVOCATION.—If the Secretary finds that the certified entity no longer meets the criteria established under subparagraph (B), the Secretary may—

“(I) allow the certified entity a specified period of time, at a minimum 180 days, in which to take such actions as may be necessary to meet the criteria; and

“(II) revoke the certification of the entity, if after the specified period of time, the certified entity does not meet such criteria.

“(c) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance, if requested, to assist in—

“(1) compliance with the terms and conditions of easements; and

“(2) implementation of an agricultural land easement plan.

#### “SEC. 1265C. WETLAND RESERVE EASEMENTS.

“(a) AVAILABILITY OF ASSISTANCE.—The Secretary shall provide assistance to owners of eligible land to restore, protect, and enhance wetland through—

“(1) easements and related wetland reserve easement plans; and

“(2) technical assistance.

“(b) EASEMENTS.—

“(1) METHOD OF ENROLLMENT.—The Secretary shall enroll eligible land through the use of—

“(A) 30-year easements;

“(B) permanent easements;

“(C) easements for the maximum duration allowed under applicable State laws; or

“(D) as an option for Indian tribes only, 30-year contracts.

“(2) LIMITATIONS.—

“(A) INELIGIBLE LAND.—The Secretary may not acquire easements on—

“(i) land established to trees under the conservation reserve program, except in cases where the Secretary determines it would further the purposes of the program; and

“(ii) farmed wetland or converted wetland where the conversion was not commenced prior to December 23, 1985.

“(B) CHANGES IN OWNERSHIP.—No easement shall be created on land that has changed ownership during the preceding 12-month period unless—

“(i) the new ownership was acquired by will or succession as a result of the death of the previous owner;

“(ii)(I) the ownership change occurred because of foreclosure on the land; and

“(II) immediately before the foreclosure, the owner of the land exercises a right of redemption from the mortgage holder in accordance with State law; or

“(iii) the Secretary determines that the land was acquired under circumstances that give adequate assurances that such land was not acquired for the purposes of placing it in the program.

“(3) EVALUATION AND RANKING OF OFFERS.—

“(A) CRITERIA.—The Secretary shall establish evaluation and ranking criteria to maximize the benefit of Federal investment under the program.

“(B) CONSIDERATIONS.—When evaluating offers from landowners, the Secretary may consider—

“(i) the conservation benefits of obtaining an easement or 30-year contract, including the potential environmental benefits if the land was removed from agricultural production;

“(ii) the cost-effectiveness of each easement or 30-year contract, so as to maximize the environmental benefits per dollar expended;

“(iii) whether the landowner or another person is offering to contribute financially to the cost of the easement or 30-year contract to leverage Federal funds; and

“(iv) such other factors as the Secretary determines are necessary to carry out the purposes of the program.

“(C) PRIORITY.—The Secretary shall place priority on acquiring easements based on the value of the easement for protecting and enhancing habitat for migratory birds and other wildlife.

“(4) AGREEMENT.—To be eligible to place eligible land into the program through a wetland reserve easement, the owner of such land shall enter into an agreement with the Secretary to—

“(A) grant an easement on such land to the Secretary;

“(B) authorize the implementation of a wetland reserve easement plan;

“(C) create and record an appropriate deed restriction in accordance with applicable State law to reflect the easement agreed to;

“(D) provide a written statement of consent to such easement signed by those holding a security interest in the land;

“(E) comply with the terms and conditions of the easement and any related agreements; and

“(F) permanently retire any existing cropland base and allotment history for the land on which the easement has been obtained.

“(5) TERMS AND CONDITIONS OF EASEMENT.—

“(A) IN GENERAL.—A wetland reserve easement shall include terms and conditions that—

“(i) permit—

“(I) repairs, improvements, and inspections on the land that are necessary to maintain existing public drainage systems; and

“(II) owners to control public access on the easement areas while identifying access routes to be used for restoration activities and management and easement monitoring;

“(ii) prohibit—

“(I) the alteration of wildlife habitat and other natural features of such land, unless specifically authorized by the Secretary;

“(II) the spraying of such land with chemicals or the mowing of such land, except where such spraying or mowing is authorized by the Secretary or is necessary—

“(aa) to comply with Federal or State noxious weed control laws;

“(bb) to comply with a Federal or State emergency pest treatment program; or

“(cc) to meet habitat needs of specific wildlife species;

“(III) any activities to be carried out on the owner's or successor's land that is immediately adjacent to, and functionally related to, the land that is subject to the easement if such activities will alter, degrade, or otherwise diminish the functional value of the eligible land; and

“(IV) the adoption of any other practice that would tend to defeat the purposes of the program, as determined by the Secretary;

“(iii) provide for the efficient and effective establishment of wetland functions and values; and

“(iv) include such additional provisions as the Secretary determines are desirable to carry out the program or facilitate the practical administration thereof.

“(B) VIOLATION.—On the violation of the terms or conditions of the easement, the easement shall remain in force and the Secretary may require the owner to refund all or part of any payments received by the owner under the program, together with interest thereon as determined appropriate by the Secretary.

“(C) COMPATIBLE USES.—Land subject to a wetland reserve easement may be used for compatible economic uses, including such activities as hunting and fishing, managed timber harvest, or periodic haying or grazing, if such use is specifically permitted by the wetland reserve easement plan and is consistent with the long-term protection and enhancement of the wetland resources for which the easement was established.

“(D) RESERVATION OF GRAZING RIGHTS.—The Secretary may include in the terms and conditions of an easement a provision under which the owner reserves grazing rights if—

“(i) the Secretary determines that the reservation and use of the grazing rights—

“(I) is compatible with the land subject to the easement;

“(II) is consistent with the historical natural uses of the land and long-term protection and enhancement goals for which the easement was established; and

“(III) complies with the wetland reserve easement plan; and

“(ii) the agreement provides for a commensurate reduction in the easement payment to account for the grazing value, as determined by the Secretary.

“(E) APPLICATION.—The relevant provisions of this paragraph shall also apply to a 30-year contract.

“(6) COMPENSATION.—

“(A) DETERMINATION.—

“(i) IN GENERAL.—The Secretary shall pay as compensation for a permanent easement acquired an amount necessary to encourage enrollment in the program based on the lowest of—



“(I) the fair market value of the land, as determined by the Secretary, using the Uniform Standards of Professional Appraisal Practices or an area-wide market analysis or survey;

“(II) the amount corresponding to a geographical cap, as determined by the Secretary in regulations; or

“(III) the offer made by the landowner.

“(ii) OTHER.—Compensation for a 30-year contract or 30-year easement shall be not less than 50 percent, but not more than 75 percent, of the compensation that would be paid for a permanent easement.

“(B) FORM OF PAYMENT.—Compensation shall be provided by the Secretary in the form of a cash payment, in an amount determined under subparagraph (A).

“(C) PAYMENT SCHEDULE.—

“(i) EASEMENTS VALUED AT LESS THAN \$500,000.—For easements valued at \$500,000 or less, the Secretary may provide easement payments in not more than 10 annual payments.

“(ii) EASEMENTS VALUED AT MORE THAN \$500,000.—For easements valued at more than \$500,000, the Secretary may provide easement payments in at least 5, but not more than 10 annual payments, except that, if the Secretary determines it would further the purposes of the program, the Secretary may make a lump sum payment for such an easement.

“(c) EASEMENT RESTORATION.—

“(1) IN GENERAL.—The Secretary shall provide financial assistance to carry out the establishment of conservation measures and practices and protect wetland functions and values, including necessary maintenance activities, as set forth in a wetland reserve easement plan.

“(2) PAYMENTS.—The Secretary shall—

“(A) in the case of a permanent easement, pay an amount that is not less than 75 percent, but not more than 100 percent, of the eligible costs; and

“(B) in the case of a 30-year contract or 30-year easement, pay an amount that is not less than 50 percent, but not more than 75 percent, of the eligible costs.

“(d) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—The Secretary shall assist owners in complying with the terms and conditions of easements and 30-year contracts.

“(2) CONTRACTS OR AGREEMENTS.—The Secretary may enter into 1 or more contracts with private entities or agreements with a State, non-governmental organization, or Indian tribe to carry out necessary restoration, enhancement or maintenance of an easement if the Secretary determines that the contract or agreement will advance the purposes of the program.

“(e) WETLAND ENHANCEMENT OPTION.—The Secretary may enter into 1 or more agreements with a State (including a political subdivision or agency of a State), nongovernmental organization, or Indian tribe to carry out a special wetland enhancement option that the Secretary determines would advance the purposes of the program.

“(f) ADMINISTRATION.—

“(1) WETLAND RESERVE EASEMENT PLAN.—The Secretary shall develop a wetland reserve easement plan for eligible land subject to a wetland reserve easement, which will include the practices and activities necessary to restore, protect, enhance, and maintain the enrolled land.

“(2) DELEGATION OF EASEMENT ADMINISTRATION.—

“(A) IN GENERAL.—The Secretary may delegate any of the easement management, mon-

itoring, and enforcement responsibilities of the Secretary to other Federal or State agencies that have the appropriate authority, expertise and resources necessary to carry out such delegated responsibilities or to other conservation organizations if the Secretary determines the organization has similar expertise and resources.

“(B) LIMITATION.—The Secretary shall not delegate any of the monitoring or enforcement responsibilities under the program to conservation organizations.

“(3) PAYMENTS.—

“(A) TIMING OF PAYMENTS.—The Secretary shall provide payment for obligations incurred by the Secretary under this section—

“(i) with respect to any easement restoration obligation as soon as possible after the obligation is incurred; and

“(ii) with respect to any annual easement payment obligation incurred by the Secretary as soon as possible after October 1 of each calendar year.

“(B) PAYMENTS TO OTHERS.—If an owner who is entitled to a payment dies, becomes incompetent, is otherwise unable to receive such payment, or is succeeded by another person or entity who renders or completes the required performance, the Secretary shall make such payment, in accordance with regulations prescribed by the Secretary and without regard to any other provision of law, in such manner as the Secretary determines is fair and reasonable in light of all of the circumstances.

“SEC. 1265D. ADMINISTRATION.

“(a) INELIGIBLE LAND.—The Secretary may not acquire an easement under the program on—

“(1) land owned by an agency of the United States, other than land held in trust for Indian tribes;

“(2) land owned in fee title by a State, including an agency or a subdivision of a State, or a unit of local government;

“(3) land subject to an easement or deed restriction which, as determined by the Secretary, provides similar protection as would be provided by enrollment in the program; and

“(4) land where the purposes of the program would be undermined due to on-site or off-site conditions, such as risk of hazardous substances, proposed or existing rights of way, infrastructure development, or adjacent land uses.

“(b) PRIORITY.—In evaluating applications under the program, the Secretary may give priority to land that is currently enrolled in the conservation reserve program in a contract that is set to expire within 1 year and—

“(1) in the case of an agricultural land easement, is grassland that would benefit from protection under a long-term easement; and

“(2) in the case of a wetland reserve easement, is a wetland or related area with the highest functions and values and is likely to return to production after the land leaves the conservation reserve program.

“(c) SUBORDINATION, EXCHANGE, MODIFICATION, AND TERMINATION.—

“(1) IN GENERAL.—The Secretary may subordinate, exchange, terminate, or modify any interest in land, or portion of such interest, administered by the Secretary, either directly or on behalf of the Commodity Credit Corporation under the program when the Secretary determines that—

“(A) it is in the Federal Government's interest to subordinate, exchange, modify or terminate the interest in land;

“(B) the subordination, exchange, modification, or termination action—

“(i) will address a compelling public need for which there is no practicable alternative, or

“(ii) such action will further the practical administration of the program; and

“(C) the subordination, exchange, modification, or termination action will result in comparable conservation value and equivalent or greater economic value to the United States.

“(2) CONSULTATION.—The Secretary shall work with the current owner, and eligible entity if applicable, to address any subordination, exchange, termination, or modification of the interest, or portion of such interest in land.

“(3) NOTICE.—At least 90 days before taking any termination action described in paragraph (1), the Secretary shall provide written notice of such action to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

“(d) LAND ENROLLED IN OTHER PROGRAMS.—

“(1) CONSERVATION RESERVE PROGRAM.—The Secretary may terminate or modify an existing contract entered into under section 1231(a) if eligible land that is subject to such contract is transferred into the program.

“(2) OTHER.—Land enrolled in the wetlands reserve program, grassland reserve program, or farmland protection program shall be considered enrolled in this program.”

(b) COMPLIANCE WITH CERTAIN REQUIREMENTS.—Before an eligible entity or owner of eligible land may receive assistance under subtitle H of title XII of the Food Security Act of 1985, the eligible entity or person shall agree, during the crop year for which the assistance is provided and in exchange for the assistance—

(1) to comply with applicable conservation requirements under subtitle B of title XII of that Act (16 U.S.C. 3811 et seq.); and

(2) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.).

(c) CROSS-REFERENCE.—Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) by inserting “and” at the end of subparagraph (A);

(ii) by striking “and” at the end of subparagraph (B); and

(iii) by striking subparagraph (C);

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

“(2) the Agricultural Conservation Easement Program established under subtitle H; and”; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “programs administered under subchapters B and C of chapter 1 of subtitle D” and inserting “conservation reserve program established under subchapter B of chapter 1 of subtitle D and the Agricultural Conservation Easement Program under subtitle H using wetland reserve easements under section 1265C”; and

(ii) in subparagraph (B), by striking “subchapter C of chapter 1 of subtitle D” and inserting “the Agricultural Conservation Easement Program under subtitle H using wetland reserve easements under section 1265C”; and

(B) by striking paragraph (4) and inserting the following:

“(4) EXCLUSIONS.—

“(A) SHELTERBELTS AND WINDBREAKS.—The limitations established under paragraph (1)

shall not apply to cropland that is subject to an easement under subchapter C of chapter 1 that is used for the establishment of shelterbelts and windbreaks.

“(B) WET AND SATURATED SOILS.—For the purposes of enrolling land in a wetland reserve easement under subtitle H, the limitations established under paragraph (1) shall not apply to cropland designated by the Secretary with subclass w in the land capability classes IV through VIII because of severe use limitations due to soil saturation or inundation.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

#### **Subtitle E—Regional Conservation Partnership Program**

#### **SEC. 2401. REGIONAL CONSERVATION PARTNERSHIP PROGRAM.**

(a) IN GENERAL.—Title XII of the Food Security Act of 1985 is amended by inserting after subtitle H (as added by section 2301) the following:

#### **“Subtitle I—Regional Conservation Partnership Program**

#### **“SEC. 1271. ESTABLISHMENT AND PURPOSES.**

“(a) ESTABLISHMENT.—The Secretary shall establish a Regional Conservation Partnership Program to implement eligible activities through—

“(1) partnership agreements with eligible partners; and

“(2) contracts with producers.

“(b) PURPOSES.—The purposes of the program are—

“(1) to combine the purposes and coordinate the functions of—

“(A) the agricultural water enhancement program established under section 1240I;

“(B) the Chesapeake Bay watershed program established under section 1240Q;

“(C) the cooperative conservation partnership initiative established under section 1243; and

“(D) the Great Lakes basin program for soil erosion and sediment control established under section 1240P;

“(2) to further the conservation, restoration, and sustainable use of soil, water, wildlife, and related natural resources on a regional or watershed scale; and

“(3) to encourage partners to cooperate with producers in—

“(A) meeting or avoiding the need for national, State, and local natural resource regulatory requirements related to production; and

“(B) implementing projects that will result in the installation and maintenance of eligible activities that affect multiple agricultural or nonindustrial private forest operations on a local, regional, State, or multi-State basis.

#### **“SEC. 1271A. DEFINITIONS.**

“In this subtitle:

“(1) COVERED PROGRAMS.—The term ‘covered programs’ means—

“(A) the agricultural conservation easement program;

“(B) the environmental quality incentives program;

“(C) the conservation stewardship program; and

“(D) the healthy forests reserve program established under section 501 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6571).

“(2) ELIGIBLE ACTIVITY.—The term ‘eligible activity’ means any of the following conservation activities when delivered through a covered program:

“(A) Water quality restoration or enhancement projects, including nutrient management and sediment reduction.

“(B) Water quantity conservation, restoration, or enhancement projects relating to surface water and groundwater resources, including—

“(i) the conversion of irrigated cropland to the production of less water-intensive agricultural commodities or dryland farming; and

“(ii) irrigation system improvement and irrigation efficiency enhancement.

“(C) Drought mitigation.

“(D) Flood prevention.

“(E) Water retention.

“(F) Habitat conservation, restoration, and enhancement.

“(G) Erosion control.

“(H) Forest restoration, including recovery of threatened and endangered species, improvement of biodiversity, and enhancement of carbon sequestration.

“(I) Other related activities that the Secretary determines will help achieve conservation benefits.

“(3) ELIGIBLE PARTNER.—The term ‘eligible partner’ means any of the following:

“(A) An agricultural or silvicultural producer association or other group of producers.

“(B) A State or unit of local government.

“(C) An Indian tribe.

“(D) A farmer cooperative.

“(E) An institution of higher education.

“(F) A municipal water or wastewater treatment entity.

“(G) An organization or other nongovernmental entity with an established history of working cooperatively with producers on agricultural land, as determined by the Secretary, to address—

“(i) local conservation priorities related to agricultural production, wildlife habitat development, and nonindustrial private forest land management; or

“(ii) critical watershed-scale soil erosion, water quality, sediment reduction, or other natural resource concerns.

“(4) PARTNERSHIP AGREEMENT.—The term ‘partnership agreement’ means an agreement between the Secretary and an eligible partner.

“(5) PROGRAM.—The term ‘program’ means the Regional Conservation Partnership Program established by this subtitle.

#### **“SEC. 1271B. REGIONAL CONSERVATION PARTNERSHIPS.**

“(a) PARTNERSHIP AGREEMENTS AUTHORIZED.—The Secretary may enter into a partnership agreement with an eligible partner to implement a project that will assist producers with installing and maintaining an eligible activity.

“(b) LENGTH.—A partnership agreement shall be for a period not to exceed 5 years, except that the Secretary may extend the agreement 1 time for up to 12 months when an extension is necessary to meet the objectives of the program.

“(c) DUTIES OF PARTNERS.—

“(1) IN GENERAL.—Under a partnership agreement, the eligible partner shall—

“(A) define the scope of a project, including—

“(i) the eligible activities to be implemented;

“(ii) the potential agricultural or nonindustrial private forest operations affected;

“(iii) the local, State, multi-State or other geographic area covered; and

“(iv) the planning, outreach, implementation and assessment to be conducted;

“(B) conduct outreach and education to producers for potential participation in the project;

“(C) at the request of a producer, act on behalf of a producer participating in the project in applying for assistance under section 1271C;

“(D) leverage financial or technical assistance provided by the Secretary with additional funds to help achieve the project objectives;

“(E) conduct an assessment of the project's effects; and

“(F) at the conclusion of the project, report to the Secretary on its results and funds leveraged.

“(2) CONTRIBUTION.—A partner shall provide a significant portion of the overall costs of the scope of the project as determined by the Secretary.

“(d) APPLICATIONS.—

“(1) COMPETITIVE PROCESS.—The Secretary shall conduct a competitive process to select applications for partnership agreements and may assess and rank applications with similar conservation purposes as a group.

“(2) CRITERIA USED.—In carrying out the process described in paragraph (1), the Secretary shall make public the criteria used in evaluating applications.

“(3) CONTENT.—An application to the Secretary shall include a description of—

“(A) the scope of the project as described in subsection (c)(1)(A);

“(B) the plan for monitoring, evaluating, and reporting on progress made towards achieving the project's objectives;

“(C) the program resources requested for the project, including the covered programs to be used and estimated funding needed from the Secretary;

“(D) the partners collaborating to achieve project objectives, including their roles, responsibilities, capabilities, and financial contribution; and

“(E) any other elements the Secretary considers necessary to adequately evaluate and competitively select applications for funding under the program.

“(4) APPLICATION SELECTION.—

“(A) PRIORITY TO CERTAIN APPLICATIONS.—The Secretary shall give a higher priority to applications that—

“(i) assist producers in meeting or avoiding the need for a natural resource regulatory requirement;

“(ii) significantly leverage non-Federal financial and technical resources and coordinate with other local, State, regional, or national efforts;

“(iii) deliver high percentages of applied conservation to address conservation priorities or local, State, regional, or national conservation initiatives;

“(iv) provide innovation in conservation methods and delivery, including outcome-based performance measures and methods; or

“(v) provide innovation in the improvement and delivery of water quality or quantity, including outcome-based performance measures and methods.

“(B) OTHER APPLICATIONS.—The Secretary may give priority to applications that—

“(i) have a high percentage of producers in the area to be covered by the agreement; or

“(ii) meet other factors that are important for achieving the purposes of the program, as determined by the Secretary.

#### **“SEC. 1271C. ASSISTANCE TO PRODUCERS.**

“(a) IN GENERAL.—The Secretary shall enter into contracts to provide financial and technical assistance to—

“(1) producers participating in a project with an eligible partner as described in section 1271B; or

“(2) producers that fit within the scope of a project described in section 1271B or a critical conservation area designated pursuant to section 1271F, but who are seeking to implement an eligible activity independent of a partner.

“(b) TERMS AND CONDITIONS.—

“(1) CONSISTENCY WITH PROGRAM RULES.—

“(A) IN GENERAL.—Except as provided in paragraph (2) and subparagraph (B), the Secretary shall ensure that the terms and conditions of a contract under this section are consistent with the applicable rules of the covered programs to be used as part of the partnership agreement, as described in the application under section 1271B(d)(3)(C).

“(B) ADJUSTMENTS.—

“(i) IN GENERAL.—The Secretary may adjust rules of a covered program, including—

“(I) operational guidance and requirements for a covered program at the discretion of the Secretary so as to provide a simplified application and evaluation process; and

“(II) nonstatutory, regulatory rules or provisions to better reflect unique local circumstances and purposes if the Secretary determines such adjustments are necessary to achieve the purposes of the covered program.

“(ii) LIMITATION.—The Secretary shall not adjust the application of statutory requirements for a covered program, including requirements governing appeals, payment limits, and conservation compliance.

“(iii) IRRIGATION.—In States where irrigation has not been used significantly for agricultural purposes, as determined by the Secretary, the Secretary shall not limit eligibility under section 1271B or this section on the basis of prior irrigation history.

“(2) ALTERNATIVE FUNDING ARRANGEMENTS.—

“(A) IN GENERAL.—Notwithstanding paragraph (1)(A), for the purposes of providing assistance for land described in subsection (a) and section 1271F, the Secretary may enter into alternative funding arrangements with a multistate water resource agency or authority if—

“(i) the Secretary determines that the goals and objectives of the program will be met by the alternative funding arrangements;

“(ii) the agency or authority certifies that the limitations established under this section on agreements with individual producers will not be exceeded; and

“(iii) all participating producers meet applicable payment eligibility provisions.

“(B) CONDITIONS.—As a condition on receipt of funding under subparagraph (A), the multistate water resource agency or authority shall agree—

“(i) to submit an annual independent audit to the Secretary that describes the use of funds under this paragraph;

“(ii) to provide any data necessary for the Secretary to issue a report on the use of funds under this paragraph; and

“(iii) not to use any of the funds provided pursuant to subparagraph (A) for administration or provide for administrative costs through contracts with another entity.

“(C) LIMITATION.—The Secretary may enter into at least 10 but not more than 20 alternative funding arrangements under this paragraph.

“(c) PAYMENTS.—

“(1) IN GENERAL.—In accordance with statutory requirements of the covered programs involved, the Secretary may make payments to a producer in an amount determined by the Secretary to be necessary to achieve the purposes of the program.

“(2) PAYMENTS TO CERTAIN PRODUCERS.—The Secretary may provide payments for a period of 5 years—

“(A) to producers participating in a project that addresses water quantity concerns and in an amount sufficient to encourage conversion from irrigated to dryland farming; and

“(B) to producers participating in a project that addresses water quality concerns and in an amount sufficient to encourage adoption of conservation practices and systems that improve nutrient management.

“(3) WAIVER AUTHORITY.—To assist in the implementation of the program, the Secretary may waive the applicability of the limitation in section 1001D(b)(2) of this Act for participating producers if the Secretary determines that the waiver is necessary to fulfill the objectives of the program.

“SEC. 1271D. FUNDING.

“(a) AVAILABILITY OF FUNDS.—The Secretary shall use \$110,000,000 of the funds of the Commodity Credit Corporation for each of fiscal years 2014 through 2018 to carry out the program established under this subtitle.

“(b) DURATION OF AVAILABILITY.—Funds made available under subsection (a) shall remain available until expended.

“(c) ADDITIONAL FUNDING AND ACRES.—

“(1) IN GENERAL.—In addition to the funds made available under subsection (a), the Secretary shall reserve 8 percent of the funds and acres made available for a covered program for each of fiscal years 2014 through 2018 in order to ensure additional resources are available to carry out this program.

“(2) UNUSED FUNDS AND ACRES.—Any funds or acres reserved under paragraph (1) for a fiscal year from a covered program that are not obligated under this program by April 1 of that fiscal year shall be returned for use under the covered program.

“(d) ALLOCATION OF FUNDING.—Of the funds and acres made available for the program under subsections (a) and (c), the Secretary shall allocate—

“(1) 25 percent of the funds and acres to projects based on a State competitive process administered by the State conservationist, with the advice of the State technical committee;

“(2) 40 percent of the funds and acres to projects based on a national competitive process to be established by the Secretary; and

“(3) 35 percent of the funds and acres to projects for the critical conservation areas designated in section 1271F.

“(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—None of the funds made available under the program may be used to pay for the administrative expenses of partners.

“SEC. 1271E. ADMINISTRATION.

“(a) DISCLOSURE.—In addition to the criteria used in evaluating applications as described in section 1271B(d)(2), the Secretary shall make publicly available information on projects selected through the competitive process described in section 1271B(d)(1).

“(b) REPORTING.—Not later than December 31, 2014, and for every 2 years thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the status of projects funded under the program, including—

“(1) the number and types of partners and producers participating in the partnership agreements selected;

“(2) the number of producers receiving assistance;

“(3) total funding committed to projects, including Federal and non-Federal resources; and

“(4) a description of how the funds under section 1271C(b)(3) are being administered, including—

“(A) any oversight mechanisms that the Secretary has implemented;

“(B) the process through which the Secretary is resolving appeals by program participants; and

“(C) the means by which the Secretary is tracking adherence to any applicable provisions for payment eligibility.

“SEC. 1271F. CRITICAL CONSERVATION AREAS.

“(a) IN GENERAL.—When administering the funding described in section 1271D(d)(3), the Secretary shall select applications for partnership agreements and producer contracts within designated critical conservation areas.

“(b) CRITICAL CONSERVATION AREA DESIGNATIONS.—

“(1) IN GENERAL.—The Secretary shall designate up to 6 geographical areas as critical conservation areas based on the degree to which an area—

“(A) includes multiple States with significant agricultural production;

“(B) is covered by an existing regional, State, binational, or multistate agreement or plan that has established objectives, goals and work plans and is adopted by a Federal, State, or regional authority;

“(C) has water quality concerns, including concerns for reducing erosion, promoting sediment control, and addressing nutrient management activities affecting large bodies of water of regional, national, or international significance;

“(D) has water quantity concerns, including—

“(i) concerns for groundwater, surface water, aquifer, or other water sources; or

“(ii) a need to promote water retention and flood prevention;

“(E) is vital habitat for migrating wildlife; or

“(F) is subject to regulatory requirements that could reduce the economic scope of agricultural operations within the area.

“(2) EXPIRATION.—Critical conservation area designations under this section shall expire after 5 years, subject to redesignation, except that the Secretary may withdraw designation from an area if the Secretary finds the area no longer meets the conditions described in paragraph (1).

“(c) ADMINISTRATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall administer any partnership agreement or producer contract under this section in a manner that is consistent with the terms of the program.

“(2) RELATIONSHIP TO EXISTING ACTIVITY.—The Secretary shall, to the maximum extent practicable, ensure that eligible activities carried out in critical conservation areas designated under this section complement and are consistent with other Federal and State programs and water quality and quantity strategies.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

#### Subtitle F—Other Conservation Programs

#### SEC. 2501. CONSERVATION OF PRIVATE GRAZING LAND.

Section 1240M(e) of the Food Security Act of 1985 (16 U.S.C. 3839bb(e)) is amended inserting “and \$30,000,000 for each of fiscal years 2014 through 2018” before the period at the end.

#### SEC. 2502. GRASSROOTS SOURCE WATER PROTECTION PROGRAM.

Section 1240O(b) of the Food Security Act of 1985 (16 U.S.C. 3839bb-2(b)) is amended by

inserting “and \$15,000,000 for each of fiscal years 2014 through 2018” before the period at the end.

**SEC. 2503. VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM.**

(a) FUNDING.—Section 1240R(f)(1) of the Food Security Act of 1985 (16 U.S.C. 3839bb–5(f)(1)) is amended—

(1) in the heading, by striking “FISCAL YEARS 2009 THROUGH 2012” and inserting “MANDATORY FUNDING”; and

(2) by inserting “and \$40,000,000 for the period of fiscal years 2014 through 2018” before the period at the end.

(b) REPORT ON PROGRAM EFFECTIVENESS.—Not later than 2 years after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report evaluating the effectiveness of the voluntary public access and habitat incentive program established by section 1240R of the Food Security Act of 1985 (16 U.S.C. 3839bb–5), including—

- (1) identifying cooperating agencies;
- (2) identifying the number of land holdings and total acres enrolled by State;
- (3) evaluating the extent of improved access on eligible land, improved wildlife habitat, and related economic benefits; and
- (4) any other relevant information and data relating to the program that would be helpful to such Committees.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

**SEC. 2504. AGRICULTURE CONSERVATION EXPERIENCED SERVICES PROGRAM.**

(a) FUNDING.—Section 1252 of the Food Security Act of 1985 (16 U.S.C. 3851) is amended by striking subsection (c) and inserting the following:

“(c) FUNDING.—

“(1) IN GENERAL.—The Secretary may carry out the ACES program using funds made available to carry out each program under this title.

“(2) EXCLUSION.—Funds made available to carry out the conservation reserve program may not be used to carry out the ACES program.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

**SEC. 2505. SMALL WATERSHED REHABILITATION PROGRAM.**

Section 14(h)(2)(E) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(2)(E)) is amended by striking “2012” and inserting “2018”.

**SEC. 2506. EMERGENCY WATERSHED PROTECTION PROGRAM.**

Section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) is amended—

(1) by striking “SEC. 402.—The Secretary” and inserting the following:

**“SEC. 402. EMERGENCY MEASURES.**

“(a) IN GENERAL.—The Secretary”; and

(2) by adding at the end the following:

“(b) FLOODPLAIN EASEMENTS.—

“(1) MODIFICATION AND TERMINATION.—The Secretary may modify or terminate a floodplain easement administered by the Secretary under this section if—

“(A) the current owner agrees to the modification or termination; and

“(B) the Secretary determines that the modification or termination—

“(i) will address a compelling public need for which there is no practicable alternative; and

“(ii) is in the public interest.

“(2) CONSIDERATION.—

“(A) TERMINATION.—As consideration for termination of an easement and associated agreements under paragraph (1), the Secretary shall enter into compensatory arrangements as determined to be appropriate by the Secretary.

“(B) MODIFICATION.—In the case of a modification under paragraph (1)—

“(i) as a condition of the modification, the current owner shall enter into a compensatory arrangement (as determined to be appropriate by the Secretary) to incur the costs of modification; and

“(ii) the Secretary shall ensure that—

“(I) the modification will not adversely affect the floodplain functions and values for which the easement was acquired;

“(II) any adverse impacts will be mitigated by enrollment and restoration of other land that provides greater floodplain functions and values at no additional cost to the Federal Government; and

“(III) the modification will result in equal or greater environmental and economic values to the United States.”.

**SEC. 2507. TERMINAL LAKES ASSISTANCE.**

Section 2507 of the Food, Security, and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107–171) is amended to read as follows:

**“SEC. 2507. TERMINAL LAKES ASSISTANCE.**

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE LAND.—The term ‘eligible land’ means privately owned agricultural land (including land in which a State has a property interest as a result of state water law)—

“(A) that a landowner voluntarily agrees to sell to a State; and

“(B) which—

“(i)(I) is ineligible for enrollment as a wetland reserve easement established under the Agricultural Conservation Easement Program under subtitle H of the Food Security Act of 1985;

“(II) is flooded to—

“(aa) an average depth of at least 6.5 feet; or

“(bb) a level below which the State determines the management of the water level is beyond the control of the State or landowner; or

“(iii) is inaccessible for agricultural use due to the flooding of adjoining property (such as islands of agricultural land created by flooding);

“(ii) is located within a watershed with water rights available for lease or purchase; and

“(iii) has been used during at least 5 of the immediately preceding 30 years—

“(I) to produce crops or hay; or

“(II) as livestock pasture or grazing.

“(2) PROGRAM.—The term ‘program’ means the voluntary land purchase program established under this section.

“(3) TERMINAL LAKE.—The term ‘terminal lake’ means a lake and its associated riparian and watershed resources that is—

“(A) considered flooded because there is no natural outlet for water accumulating in the lake or the associated riparian area such that the watershed and surrounding land is consistently flooded; or

“(B) considered terminal because it has no natural outlet and is at risk due to a history of consistent Federal assistance to address critical resource conditions, including insufficient water available to meet the needs of the lake, general uses, and water rights.

“(b) ASSISTANCE.—The Secretary shall—

“(1) provide grants under subsection (c) for the purchase of eligible land impacted by a

terminal lake described in subsection (a)(3)(A); and

“(2) provide funds to the Secretary of the Interior pursuant to subsection (e)(2) with assistance in accordance with subsection (d) for terminal lakes described in subsection (a)(3)(B).

“(c) LAND PURCHASE GRANTS.—

“(1) IN GENERAL.—Using funds provided under subsection (e)(1), the Secretary shall make available land purchase grants to States for the purchase of eligible land in accordance with this subsection.

“(2) IMPLEMENTATION.—

“(A) AMOUNT.—A land purchase grant shall be in an amount not to exceed the lesser of—

“(i) 50 percent of the total purchase price per acre of the eligible land; or

“(ii)(I) in the case of eligible land that was used to produce crops or hay, \$400 per acre; and

“(II) in the case of eligible land that was pasture or grazing land, \$200 per acre.

“(B) DETERMINATION OF PURCHASE PRICE.—A State purchasing eligible land with a land purchase grant shall ensure, to the maximum extent practicable, that the purchase price of such land reflects the value, if any, of other encumbrances on the eligible land to be purchased, including easements and mineral rights.

“(C) COST-SHARE REQUIRED.—To be eligible to receive a land purchase grant, a State shall provide matching non-Federal funds in an amount equal to 50 percent of the amount described in subparagraph (A), including additional non-Federal funds.

“(D) CONDITIONS.—To receive a land purchase grant, a State shall agree—

“(i) to ensure that any eligible land purchased is—

“(I) conveyed in fee simple to the State; and

“(II) free from mortgages or other liens at the time title is transferred;

“(ii) to maintain ownership of the eligible land in perpetuity;

“(iii) to pay (from funds other than grant dollars awarded) any costs associated with the purchase of eligible land under this section, including surveys and legal fees; and

“(iv) to keep eligible land in a conserving use, as defined by the Secretary.

“(E) LOSS OF FEDERAL BENEFITS.—Eligible land purchased with a grant under this section shall lose eligibility for any benefits under other Federal programs, including—

“(i) benefits under title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.);

“(ii) benefits under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

“(iii) covered benefits described in section 1001D(b) of the Food Security Act of 1985 (7 U.S.C. 1308–3a).

“(F) PROHIBITION.—Any Federal rights or benefits associated with eligible land prior to purchase by a State may not be transferred to any other land or person in anticipation of or as a result of such purchase.

“(d) WATER ASSISTANCE.—

“(1) IN GENERAL.—The Secretary of the Interior, acting through the Commissioner of Reclamation, may use the funds described in subsection (e)(2) to administer and provide financial assistance to carry out this subsection to provide water and assistance to a terminal lake described in subsection (a)(3)(B) through willing sellers or willing participants only—

“(A) to lease water;

“(B) to purchase land, water appurtenant to the land, and related interests; and

“(C) to carry out research, support and conservation activities for associated fish, wildlife, plant, and habitat resources.”

“(2) EXCLUSIONS.—The Secretary of the Interior may not use this subsection to deliver assistance to the Great Salt Lake in Utah, lakes that are considered dry lakes, or other lakes that do not meet the purposes of this section, as determined by the Secretary of the Interior.

“(3) TRANSITIONAL PROVISION.—

“(A) IN GENERAL.—Notwithstanding any other provision of this section, any funds made available before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 under a provision of law described in subparagraph (B) shall remain available using the provisions of law (including regulations) in effect on the day before the date of enactment of that Act.

“(B) DESCRIBED LAWS.—The provisions of law described in this section are—

“(i) section 2507 of the Farm Security and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107-171) (as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013);

“(ii) section 207 of the Energy and Water Development Appropriations Act, 2003 (Public Law 108-7; 117 Stat. 146);

“(iii) section 208 of the Energy and Water Development Appropriations Act, 2006 (Public Law 109-103; 119 Stat. 2268, 123 Stat. 2856); and

“(iv) section 208 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111-85; 123 Stat. 2858, 123 Stat. 2967, 125 Stat. 867).

“(e) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out subsection (c) \$25,000,000, to remain available until expended.

“(2) COMMODITY CREDIT CORPORATION.—As soon as practicable after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall transfer to the Bureau of Reclamation Water and Related Resources Account \$150,000,000 from the funds of the Commodity Credit Corporation to carry out subsection (d), to remain available until expended.”.

#### SEC. 2508. STUDY OF POTENTIAL IMPROVEMENTS TO THE WETLAND MITIGATION PROCESS.

(a) IN GENERAL.—Not later than 180 after the date of enactment of this Act, the Secretary shall carry out a study—

(1) to evaluate the use of wetland mitigation procedures under this title and the amendments made by this title;

(2) to determine the impact to wildlife habitat of relaxing the acre-for-acre requirement for wetland mitigation plans that result in new wetland that possesses a function and value greater than the wetland that is replaced; and

(3) to provide legislative recommendations for how wetland mitigation procedures could be improved to better enable agricultural producers to use wetland mitigation in a manner that—

(A) benefits wildlife habitat; and

(B) allows producers greater access to the wetland mitigation process.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall—

(1) submit to Congress a report that contains—

(A) the findings of the study; and

(B) any legislative recommendations under subsection (a)(3); and

(2) publish the findings of the study on a public website and in the Federal Register.

#### SEC. 2509. SOIL AND WATER RESOURCE CONSERVATION.

(a) CONGRESSIONAL POLICY AND DECLARATION OF PURPOSE.—Section 4 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2003) is amended—

(1) in subsection (b), by inserting “and tribal” after “State” each place it appears; and

(2) in subsection (c)(2), by inserting “, tribal,” after “State”.

(b) CONTINUING APPRAISAL OF SOIL, WATER, AND RELATED RESOURCES.—Section 5 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2004) is amended—

(1) in subsection (a)(4), by striking “and State” and inserting “, State, and tribal”;

(2) in subsection (b), by inserting “, tribal” after “State” each place it appears; and

(3) in subsection (c)—

(A) by striking “State soil” and inserting “State and tribal soil”; and

(B) by striking “local” and inserting “local, tribal.”.

(c) SOIL AND WATER CONSERVATION PROGRAM.—Section 6(a) of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2005(a)) is amended—

(1) by inserting “, tribal” after “State” each place it appears; and

(2) by inserting “, tribal,” after “private”.

(d) UTILIZATION OF AVAILABLE INFORMATION AND DATA.—Section 9 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2008) is amended by inserting “, tribal” after “State”.

#### Subtitle G—Funding and Administration

##### SEC. 2601. FUNDING.

(a) IN GENERAL.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (a) and inserting the following:

“(a) ANNUAL FUNDING.—For each of fiscal years 2014 through 2018, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out the following programs under this title (including the provision of technical assistance):

“(1) The conservation reserve program under subchapter B of chapter 1 of subtitle D, including, to the maximum extent practicable—

“(A) \$10,000,000 for the period of fiscal years 2014 through 2018 to provide payments under paragraph (3) of section 1234(b) in connection with thinning activities conducted on land described in subparagraph (B)(iii) of that paragraph; and

“(B) \$50,000,000 for the period of fiscal years 2014 through 2018 to carry out section 1235(f) to facilitate the transfer of land subject to contracts from retired or retiring owners and operators to beginning farmers or ranchers and socially disadvantaged farmers or ranchers.

“(2) The Agricultural Conservation Easement Program under subtitle H using to the maximum extent practicable—

“(A) \$450,000,000 for fiscal year 2014;

“(B) \$475,000,000 for fiscal year 2015;

“(C) \$500,000,000 for fiscal year 2016;

“(D) \$525,000,000 for fiscal year 2017; and

“(E) \$250,000,000 for fiscal year 2018.

“(3) The conservation security program under subchapter A of chapter 2 of subtitle D, using such sums as are necessary to administer contracts entered into before September 30, 2008.

“(4) The conservation stewardship program under subchapter B of chapter 2 of subtitle D.

“(5) The environmental quality incentives program under chapter 4 of subtitle D, using, to the maximum extent practicable—

“(A) \$1,500,000,000 for fiscal year 2014;

“(B) \$1,600,000,000 for fiscal year 2015; and

“(C) \$1,650,000,000 for each of fiscal years 2016 through 2018.”.

(b) GUARANTEED AVAILABILITY OF FUNDS.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) by redesignating subsections (b) through (h) as subsections (c) through (i), respectively;

(2) by inserting after subsection (a) the following:

“(b) AVAILABILITY OF FUNDS.—Amounts made available by subsection (a) shall be used by the Secretary to carry out the programs specified in such subsection for fiscal years 2014 through 2018 and shall remain available until expended. Amounts made available for the programs specified in such subsection during a fiscal year through modifications, cancellations, terminations, and other related administrative actions and not obligated in that fiscal year shall remain available for obligation during subsequent fiscal years, but shall reduce the amount of additional funds made available in the subsequent fiscal year by an amount equal to the amount remaining unobligated.”; and

(3) in subsection (d) (as redesignated by paragraph (1)), by striking “subsection (b)” and inserting “subsection (c)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

##### SEC. 2602. TECHNICAL ASSISTANCE.

Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (c) (as redesignated by section 2601(b)(1)) and inserting the following:

“(c) TECHNICAL ASSISTANCE.—

“(1) AVAILABILITY.—Commodity Credit Corporation funds made available for a fiscal year for each of the programs specified in subsection (a)—

“(A) shall be available for the provision of technical assistance for the programs for which funds are made available as necessary to implement the programs effectively;

“(B) except for technical assistance for the conservation reserve program under subchapter B of chapter 1 of subtitle D, shall be apportioned for the provision of technical assistance in the amount determined by the Secretary, at the sole discretion of the Secretary; and

“(C) shall not be available for the provision of technical assistance for conservation programs specified in subsection (a) other than the program for which the funds were made available.

“(2) PRIORITY.—

“(A) IN GENERAL.—In the delivery of technical assistance under the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a et seq.), the Secretary shall give priority to producers who request technical assistance from the Secretary in order to comply for the first time with the requirements of subtitle B and subtitle C of this title as a result of the amendments made by section 2609 of the Agriculture Reform, Food, and Jobs Act of 2013.

“(B) REPORT.—Not later than 270 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report regarding the extent to which the conservation compliance requirements contained in the amendments made by section 2609 of the Agriculture Reform, Food, and Jobs Act of 2013 apply to and impact specialty crop growers,

including national analysis and surveys to determine the extent of specialty crop acreage includes highly erodible land and wetlands.

“(3) REPORT.—Not later than December 31, 2013, the Secretary shall submit (and update as necessary in subsequent years) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report—

“(A) detailing the amount of technical assistance funds requested and apportioned in each program specified in subsection (a) during the preceding fiscal year; and

“(B) any other data relating to this provision that would be helpful to such Committees.

“(4) COMPLIANCE REPORT.—Not later than November 1 of each year, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes—

“(A) a description of the extent to which the requests for highly erodible land conservation and wetland compliance determinations are being addressed in a timely manner;

“(B) the total number of requests completed in the previous fiscal year;

“(C) the incomplete determinations on record; and

“(D) the number of requests that are still outstanding more than 1 year since the date on which the requests were received from the producer.”

#### SEC. 2603. REGIONAL EQUITY.

Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (e) (as redesignated by section 2601(b)(1)) and inserting the following:

“(e) REGIONAL EQUITY.—

“(1) EQUITABLE DISTRIBUTION.—When determining funding allocations each fiscal year, the Secretary shall, after considering available funding and program demand in each State, provide a distribution of funds for conservation programs under subtitle D (excluding the conservation reserve program under subchapter B of chapter 1, subtitle H, and subtitle I to ensure equitable program participation proportional to historical funding allocations and usage by all States.

“(2) MINIMUM PERCENTAGE.—In determining the specific funding allocations under paragraph (1), the Secretary shall—

“(A) ensure that during the first quarter of each fiscal year each State has the opportunity to establish that the State can use an aggregate allocation amount of at least 0.6 percent of the funds made available for those conservation programs; and

“(B) for each State that can so establish, provide an aggregate amount of at least 0.6 percent of the funds made available for those conservation programs.”

#### SEC. 2604. RESERVATION OF FUNDS TO PROVIDE ASSISTANCE TO CERTAIN FARMERS OR RANCHERS FOR CONSERVATION ACCESS.

Subsection (h) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) (as redesignated by section 2601(b)(1)) is amended—

(1) in paragraph (1) by striking “2012” and inserting “2018”; and

(2) by adding at the end the following:

“(4) PREFERENCE.—In providing assistance under paragraph (1), the Secretary shall give preference to a veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))) that qualifies under subparagraph (A) or (B) of paragraph (1).”

#### SEC. 2605. ANNUAL REPORT ON PROGRAM ENROLLMENTS AND ASSISTANCE.

Subsection (i) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) (as redesignated by section 2601(b)(1)) is amended—

(1) in paragraph (1), by striking “wetlands reserve program” and inserting “agricultural conservation easement program”; and

(2) by striking paragraphs (2) and (3) and redesignating paragraphs (4), (5), and (6) as paragraphs (2), (3), and (4), respectively;

(3) in paragraph (3) (as so redesignated)—

(A) by striking “agricultural water enhancement program” and inserting “regional conservation partnership program”; and

(B) by striking “section 1240(g)” and inserting “section 1271C(c)(3)”; and

(4) by adding at the end the following:

“(5) Payments made under the conservation stewardship program.

“(6) Waivers granted by the Secretary under section 1265B(b)(2)(C).”

#### SEC. 2606. ADMINISTRATIVE REQUIREMENTS FOR CONSERVATION PROGRAMS.

Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended—

(1) in subsection (a)(2), by adding at the end the following:

“(B) Veteran farmers or ranchers (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)))”;

(2) in subsection (d), by inserting “, H, and I” before the period at the end;

(3) in subsection (f)—

(A) in paragraph (1)(B), by striking “country” and inserting “county”; and

(B) in paragraph (3), by striking “subsection (c)(2)(B) or (f)(4)” and inserting “subsection (c)(2)(A)(ii) or (f)(2)”; and

(4) in subsection (h)(2), by inserting “including, to the extent practicable, practices that maximize benefits for honey bees” after “pollinators”; and

(5) by adding at the end the following:

“(j) IMPROVED ADMINISTRATIVE EFFICIENCY AND EFFECTIVENESS.—In administering a conservation program under this title, the Secretary shall, to the maximum extent practicable—

“(1) seek to reduce administrative burdens and costs to producers by streamlining conservation planning and program resources; and

“(2) take advantage of new technologies to enhance efficiency and effectiveness.

“(k) RELATION TO OTHER PAYMENTS.—Any payment received by an owner or operator under this title, including an easement payment or rental payment, shall be in addition to, and not affect, the total amount of payments that the owner or operator is otherwise eligible to receive under any of the following:

“(1) This Act.

“(2) The Agricultural Act of 1949 (7 U.S.C. 1421 et seq.).

“(3) The Agriculture Reform, Food, and Jobs Act of 2013.

“(4) Any law that succeeds a law specified in paragraph (1), (2), or (3).

“(1) FUNDING FOR INDIAN TRIBES.—In carrying out the conservation stewardship program under subchapter B of chapter 2 of subtitle D and the environmental quality incentives program under chapter 4 of subtitle D, the Secretary may enter into alternative funding arrangements with Indian tribes if the Secretary determines that the goals and objectives of the programs will be met by such arrangements, and that statutory limitations regarding contracts with individual producers will not be exceeded by any Tribal member.”

#### SEC. 2607. RULEMAKING AUTHORITY.

Subtitle E of title XII of the Food Security Act of 1985 (16 U.S.C. 3841 et seq.) is amended by adding at the end the following:

##### “SEC. 1246. REGULATIONS.

“(a) IN GENERAL.—The Secretary shall promulgate such regulations as are necessary to implement programs under this title, including such regulations as the Secretary determines to be necessary to ensure a fair and reasonable application of the limitations established under section 1244(f).

“(b) RULEMAKING PROCEDURE.—The promulgation of regulations and administration of programs under this title—

“(1) shall be carried out without regard to—

“(A) the Statement of Policy of the Secretary effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

“(B) chapter 35 of title 44, United States Code (commonly known as the Paperwork Reduction Act); and

“(2) shall be made as an interim rule effective on publication with an opportunity for notice and comment.

“(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In promulgating regulations under this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.”

#### SEC. 2608. STANDARDS FOR STATE TECHNICAL COMMITTEES.

Section 1261(b) of the Food Security Act of 1985 (16 U.S.C. 3861(b)) is amended by striking “Not later than 180 days after the date of enactment of the Food, Conservation, and Energy Act of 2008, the Secretary shall develop” and inserting “The Secretary shall review and update as necessary”.

#### SEC. 2609. HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION FOR CROP INSURANCE.

(a) HIGHLY ERODIBLE LAND PROGRAM INELIGIBILITY.—

(1) IN GENERAL.—Section 1211(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3811(a)(1)) is amended—

(A) in subparagraph (C), by striking “or” at the end;

(B) in subparagraph (D), by adding “or” at the end; and

(C) by adding at the end the following:

“(E) any portion of premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), on the condition that if a person is determined to have committed a violation under this subsection during a crop year, ineligibility under this subparagraph shall—

“(i) only apply to reinsurance years subsequent to the date of final determination of a violation, including all administrative appeals; and

“(ii) not apply to the existing reinsurance year or any reinsurance year prior to the date of final determination.”

(2) EXEMPTIONS.—Section 1212(a)(2) of the Food Security Act of 1985 (16 U.S.C. 3812(a)(2)) is amended—

(A) in the first sentence, by striking “(2) If,” and inserting the following:

“(2) ELIGIBILITY BASED ON COMPLIANCE WITH CONSERVATION PLAN.—

“(A) IN GENERAL.—If,”;

(B) in the second sentence, by striking “In carrying” and inserting the following:

“(B) MINIMIZATION OF DOCUMENTATION.—In carrying”; and

(C) by adding at the end the following:

“(C) CROP INSURANCE.—Notwithstanding section 1211(a)—

“(i) in the case of a person that is subject to section 1211 for the first time after May 1, 2013, due to the amendment made by section 2609(a) of the Agriculture Reform, Food, and Jobs Act of 2013, any person who produces an agricultural commodity on the land that is the basis of the payments described in section 1211(a)(1)(E) shall have 5 reinsurance years after the date on which such payments become subject to section 1211 to develop and comply with an approved conservation plan so as to maintain eligibility for such payments; and

“(ii) in the case of a person that the Secretary determines would have been in violation of section 1211(a) if the person had continued participation in the programs requiring compliance at any time after the date of enactment of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.) and is currently in violation of section 1211(a), the person shall have 2 reinsurance years after the date on which the payments described in section 1211(a)(1)(E) become subject to section 1211 to develop and comply with an approved conservation plan, as determined by the Secretary, so as to maintain eligibility for such payments.”.

(b) **WETLAND CONSERVATION PROGRAM INELIGIBILITY.**—Section 1221 of the Food Security Act of 1985 (16 U.S.C. 3821) is amended—

(1) in subsection (b), by adding at the end the following:

“(4) **CROP INSURANCE.**—

“(A) **IN GENERAL.**—Except as provided in this paragraph, a person subject to a final determination, including all administrative appeals, of a violation of subsection (c) shall have 1 reinsurance year to initiate a conservation plan to remedy the violation, as determined by the Secretary, before becoming ineligible under that subsection in the following reinsurance year to receive any payment of any portion of premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

“(B) **APPLICABILITY.**—In the case of a person that is subject to this subsection or subsection (d) for the first time due to the amendment made by section 2609(b) of the Agriculture Reform, Food, and Jobs Act of 2013, the person shall have 2 reinsurance years after the date of final determination, including all administrative appeals, to take such steps as the Secretary determines appropriate to remedy or mitigate the violation in accordance with subsection (c).

“(C) **GOOD FAITH.**—If the Secretary determines that a person subject to a final determination, including all administrative appeals, of a violation of subsection (c) acted in good faith and without intent to violate this section as described in section 1222(h), the Secretary shall give the person 1 reinsurance year to begin mitigation, restoration, or such other steps as are determined necessary by the Secretary.

“(D) **TENANT RELIEF.**—

“(i) **IN GENERAL.**—If a tenant is determined to be ineligible for payments and other benefits under this section, the Secretary may limit the ineligibility only to the farm that is the basis for the ineligibility determination if the tenant has established, to the satisfaction of the Secretary that—

“(I) the tenant has made a good faith effort to meet the requirements of this section, including enlisting the assistance of the Secretary to obtain a reasonable conservation plan for restoration or mitigation for the farm;

“(II) the landlord on the farm refuses to comply with the plan on the farm; and

“(III) the Secretary determines that the lack of compliance is not a part of a scheme or device to avoid the compliance.

“(ii) **REPORT.**—The Secretary shall provide an annual report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate concerning the ineligibility determinations limited during the previous 12-month period under this subparagraph.

“(E) **CERTIFICATION.**—

“(i) **IN GENERAL.**—Beginning with the first full reinsurance year immediately following the date of enactment of this paragraph, all persons seeking eligibility for the payment of a portion of the premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) shall provide certification of compliance with this section as determined by the Secretary.

“(ii) **TIMELY EVALUATION.**—The Secretary shall evaluate the certification in a timely manner and—

“(I) a person who has properly complied with certification shall be held harmless with regard to eligibility during the period of evaluation; and

“(II) if the Secretary fails to evaluate the certification in a timely manner and the person is subsequently found to be in violation of subsection (c), ineligibility shall not apply to the person for that violation.

“(iii) **EQUITABLE CONTRIBUTION.**—

“(I) **IN GENERAL.**—If a person fails to notify the Secretary as required and is subsequently found in violation of subsection (c), the Secretary shall determine the amount of an equitable contribution to conservation in accordance with section 1241(f) by the person for the violation.

“(II) **LIMITATION.**—The contribution shall not exceed the total of the portion of premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance for all years the person is determined to have been in violation subsequent to the date on which certification was first required under this subparagraph.”.

(2) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively; and

(3) by inserting after subsection (b) the following:

“(c) **INELIGIBILITY FOR CROP INSURANCE PREMIUM ASSISTANCE.**—

“(1) **IN GENERAL.**—If a person is determined to have committed a violation under subsection (a) or (d) during a crop year, the person shall be ineligible to receive any payment of any portion of premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

“(2) **APPLICABILITY.**—Ineligibility under this subsection shall—

“(A) only apply to reinsurance years subsequent to the date of final determination of a violation, including all administrative appeals; and

“(B) not apply to—

“(i) the existing reinsurance year; or

“(ii) any reinsurance year prior to the date of final determination.

“(3) **DATE OF CONVERSION.**—Notwithstanding subsection (d), ineligibility for crop insurance premium assistance shall apply as follows:

“(A) In the case of wetland that the Secretary determines was converted after the date of enactment of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.) but on or before May 1, 2013, and continues to

be in violation, the person shall have 2 reinsurance years after the date on which this subsection applies, to begin the mitigation process, as determined by the Secretary.

“(B) In the case of wetland that the Secretary determines was converted after May 1, 2013—

“(i) subject to clause (ii), the person shall be ineligible to receive crop insurance premium subsidies in subsequent reinsurance years unless section 1222(b) applies; and

“(ii) for any violation that the Secretary determines impacts less than 5 acres of the entire farm, the person may pay a contribution in accordance with section 1241(f) in an amount equal to 150 percent of the cost of mitigation, as determined by the Secretary, for wetland restoration in lieu of ineligibility to receive crop insurance premium assistance.

“(C) In the case of a wetland that the Secretary determines was converted prior to the date of enactment of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.), ineligibility under this subsection shall not apply.

“(D) In the case of an agricultural commodity for which an individual policy or plan of insurance is available for the first time to the person after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013—

“(i) ineligibility shall apply only to conversions that take place after the date on which the policy or plan of insurance first becomes available to the person; and

“(ii) the person shall take such steps as the Secretary determines appropriate to mitigate any prior conversion in a timely manner but not to exceed 2 calendar years.

“(4) **CERTIFICATION.**—

“(A) **IN GENERAL.**—In enforcing eligibility under this subsection, the Secretary shall use existing processes and procedures for certifying compliance.

“(B) **RESPONSIBILITY.**—The Secretary, acting through the agencies of the Department of Agriculture, shall be solely responsible for determining whether a producer is eligible to receive crop insurance premium subsidies in accordance with this subsection.

“(C) **LIMITATION.**—The Secretary shall ensure that no agent, approved insurance provider, or employee or contractor of an agency or approved insurance provider, bears responsibility or liability for the eligibility of an insured producer under this subsection, other than in cases of misrepresentation, fraud, or scheme and devise.”.

#### **SEC. 2610. ADJUSTED GROSS INCOME LIMITATION FOR CONSERVATION PROGRAMS.**

Section 1001D(b)(2)(A) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(2)(A)) is amended—

(1) by striking “LIMITS.” and all that follows through “clause (ii),” and inserting “LIMITS.—Notwithstanding any other provision of law,”; and

(2) by striking clause (ii).

#### **Subtitle H—Repeal of Superseded Program Authorities and Transitional Provisions**

#### **SEC. 2701. COMPREHENSIVE CONSERVATION ENHANCEMENT PROGRAM.**

Section 1230 of the Food Security Act of 1985 (16 U.S.C. 3830) is repealed.

#### **SEC. 2702. EMERGENCY FORESTRY CONSERVATION RESERVE PROGRAM.**

(a) **REPEAL.**—Section 1231A of the Food Security Act of 1985 (16 U.S.C. 3831a) is repealed.

(b) **TRANSITIONAL PROVISIONS.**—

(1) **EFFECT ON EXISTING CONTRACTS.**—The amendment made by this section shall not



affect the validity or terms of any contract entered into by the Secretary of Agriculture under section 1231A of the Food Security Act of 1985 (16 U.S.C. 3831a) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) **FUNDING.**—The Secretary may use funds made available to carry out the conservation reserve program under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as in existence on September 30, 2013.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

#### **SEC. 2703. WETLANDS RESERVE PROGRAM.**

(a) **REPEAL.**—Subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.) is repealed.

##### **(1) TRANSITIONAL PROVISIONS.—**

(b) **EFFECT ON EXISTING CONTRACTS AND EASEMENTS.**—The amendment made by this section shall not affect the validity or terms of any contract or easement entered into by the Secretary of Agriculture under subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.) before October 1, 2013, or any payments required to be made in connection with the contract or easement.

##### **(2) FUNDING.—**

(A) **USE OF PRIOR YEAR FUNDS.**—Notwithstanding the repeal of subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.), any funds made available from the Commodity Credit Corporation to carry out the wetlands reserve program under that subchapter for fiscal years 2009 through 2013 shall be made available to carry out contracts or easements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance), provided that no such contract or easement is modified so as to increase the amount of the payment received.

(B) **OTHER.**—The Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301, to continue to carry out contracts and easements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts and easements as in existence on September 30, 2013.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

#### **SEC. 2704. FARMLAND PROTECTION PROGRAM AND FARM VIABILITY PROGRAM.**

(a) **REPEAL.**—Subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) is repealed.

##### **(b) TRANSITIONAL PROVISIONS.—**

(1) **EFFECT ON EXISTING AGREEMENTS AND EASEMENTS.**—The amendment made by this section shall not affect the validity or terms of any agreement or easement entered into by the Secretary of Agriculture under subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) before October 1, 2013, or any payments required to be made in connection with the agreement or easement.

##### **(2) FUNDING.—**

(A) **USE OF PRIOR YEAR FUNDS.**—Notwithstanding the repeal of subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.),

any funds made available from the Commodity Credit Corporation to carry out the farmland protection program under that subchapter for fiscal years 2009 through 2013 shall be made available to carry out agreements and easements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance).

(B) **OTHER.**—On exhaustion of funds made available under subparagraph (A), the Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301, to continue to carry out agreements and easements referred to in paragraph (1) using the provisions of law and regulation applicable to such agreements and easement as in existence on September 30, 2013.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

#### **SEC. 2705. GRASSLAND RESERVE PROGRAM.**

(a) **REPEAL.**—Subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.) is repealed.

##### **(b) TRANSITIONAL PROVISIONS.—**

(1) **EFFECT ON EXISTING CONTRACTS, AGREEMENTS, AND EASEMENTS.**—The amendment made by this section shall not affect the validity or terms of any contract, agreement, or easement entered into by the Secretary of Agriculture under subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.) before October 1, 2013, or any payments required to be made in connection with the contract, agreement, or easement.

##### **(2) FUNDING.—**

(A) **USE OF PRIOR YEAR FUNDS.**—Notwithstanding the repeal of subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.), any funds made available from the Commodity Credit Corporation to carry out the grassland reserve program under that subchapter for fiscal years 2009 through 2013 shall be made available to carry out contracts, agreements, or easements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance), provided that no such contract, agreement, or easement is modified so as to increase the amount of the payment received.

(B) **OTHER.**—The Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301, to continue to carry out contracts, agreements, and easements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts, agreements, and easements as in existence on September 30, 2013.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

#### **SEC. 2706. AGRICULTURAL WATER ENHANCEMENT PROGRAM.**

(a) **REPEAL.**—Section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa-9) is repealed.

##### **(b) TRANSITIONAL PROVISIONS.—**

(1) **EFFECT ON EXISTING CONTRACTS AND AGREEMENTS.**—The amendment made by this section shall not affect the validity or terms of any contract or agreement entered into by the Secretary of Agriculture under section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa-9) before October 1, 2013, or any

payments required to be made in connection with the contract or agreement.

##### **(2) FUNDING.—**

(A) **USE OF PRIOR YEAR FUNDS.**—Notwithstanding the repeal of section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa-9), any funds made available from the Commodity Credit Corporation to carry out the agricultural water enhancement program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts and agreements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance).

(B) **OTHER.**—On exhaustion of funds made available under subparagraph (A), the Secretary may use funds made available to carry out the regional conservation partnerships program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401, to continue to carry out contracts and agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts and agreements as in existence on September 30, 2013.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

#### **SEC. 2707. WILDLIFE HABITAT INCENTIVE PROGRAM.**

(a) **REPEAL.**—Section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb-1) is repealed.

##### **(b) TRANSITIONAL PROVISIONS.—**

(1) **EFFECT ON EXISTING CONTRACTS.**—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb-1) before October 1, 2013, or any payments required to be made in connection with the contract.

##### **(2) FUNDING.—**

(A) **USE OF PRIOR YEAR FUNDS.**—Notwithstanding the repeal of section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb-1), any funds made available from the Commodity Credit Corporation to carry out the wildlife habitat incentive program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts referred to in paragraph (1) which were entered into prior to October 1, 2013 (including the provision of technical assistance).

(B) **OTHER.**—On exhaustion of funds made available under subparagraph (A), the Secretary may use funds made available to carry out the environmental quality incentives program under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as in existence on September 30, 2013.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

#### **SEC. 2708. GREAT LAKES BASIN PROGRAM.**

(a) **REPEAL.**—Section 1240P of the Food Security Act of 1985 (16 U.S.C. 3839bb-3) is repealed.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

#### **SEC. 2709. CHESAPEAKE BAY WATERSHED PROGRAM.**

(a) **REPEAL.**—Section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb-4) is repealed.

##### **(b) TRANSITIONAL PROVISIONS.—**

(1) **EFFECT ON EXISTING CONTRACTS, AGREEMENTS, AND EASEMENTS.**—The amendment made by this section shall not affect the validity or terms of any contract, agreement, or easement entered into by the Secretary of Agriculture under section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb-4) before October 1, 2013, or any payments required to be made in connection with the contract, agreement, or easement.

(2) **FUNDING.**—

(A) **USE OF PRIOR YEAR FUNDS.**—Notwithstanding the repeal of section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb-4), any funds made available from the Commodity Credit Corporation to carry out the Chesapeake Bay watershed program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts, agreements, and easements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance).

(B) **OTHER.**—The Secretary may use funds made available to carry out the regional conservation partnerships program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401, to continue to carry out contracts, agreements, and easements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts, agreements, and easements as in existence on September 30, 2013.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

**SEC. 2710. COOPERATIVE CONSERVATION PARTNERSHIP INITIATIVE.**

(a) **REPEAL.**—Section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843) is repealed.

(b) **TRANSITIONAL PROVISIONS.**—

(1) **EFFECT ON EXISTING CONTRACTS AND AGREEMENTS.**—The amendment made by this section shall not affect the validity or terms of any contract or agreement entered into by the Secretary of Agriculture under section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843) before October 1, 2013, or any payments required to be made in connection with the contract or agreement.

(2) **FUNDING.**—

(A) **USE OF PRIOR YEAR FUNDS.**—Notwithstanding the repeal of section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843), any funds made available from the Commodity Credit Corporation to carry out the cooperative conservation partnership initiative under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts and agreements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance).

(B) **OTHER.**—On exhaustion of funds made available under subparagraph (A), the Secretary may use funds made available to carry out the regional conservation partnerships program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401, to continue to carry out contracts and agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts and agreements as in existence on September 30, 2013.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

**SEC. 2711. ENVIRONMENTAL EASEMENT PROGRAM.**

Chapter 3 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839 et seq.) is repealed.

**SEC. 2712. TECHNICAL AMENDMENTS.**

(a) Section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a)) is amended in the matter preceding paragraph (1) by striking “E” and inserting “I”.

(b) Section 1211(a) of the Food Security Act of 1985 (16 U.S.C. 3811(a)) is amended by striking “predominate” each place it appears and inserting “predominant”.

(c) Section 1242(i) of the Food Security Act of 1985 (16 U.S.C. 3842(i)) is amended in the subsection heading by striking “SPECIALTY” and inserting “SPECIALTY”.

**TITLE III—TRADE**

**Subtitle A—Food for Peace Act**

**SEC. 3001. SET-ASIDE FOR SUPPORT FOR ORGANIZATIONS THROUGH WHICH NON-EMERGENCY ASSISTANCE IS PROVIDED.**

Effective October 1, 2013, section 202(e)(1) of the Food for Peace Act (7 U.S.C. 1722(e)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “13 percent” and inserting “15 percent”; and

(2) in subparagraph (A), by striking “new” and inserting “and enhancing”.

**SEC. 3002. FOOD AID QUALITY.**

Section 202(h) of the Food for Peace Act (7 U.S.C. 1722(h)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—The Administrator shall use funds made available for fiscal year 2014 and subsequent fiscal years to carry out this title—

“(A) to assess the types and quality of agricultural commodities and products donated for food aid;

“(B) to adjust products and formulations, including potential introduction of new fortificants and products, as necessary to cost-effectively meet nutrient needs of target populations;

“(C) to test prototypes;

“(D) to adopt new specifications or improve existing specifications for micronutrient fortified food aid products, based on the latest developments in food and nutrition science, and in coordination with other international partners;

“(E) to develop new program guidance to facilitate improved matching of products to purposes having nutritional intent, in coordination with other international partners;

“(F) to develop improved guidance for implementing partners on how to address nutritional deficiencies that emerge among recipients for whom food assistance is the sole source of diet in emergency programs that extend beyond 1 year, in coordination with other international partners; and

“(G) to evaluate, in appropriate settings and as necessary, the performance and cost-effectiveness of new or modified specialized food products and program approaches designed to meet the nutritional needs of the most vulnerable groups, such as pregnant and lactating mothers, and children under the age of 5.”; and

(2) in paragraph (3), by striking “2011” and inserting “2018”.

**SEC. 3003. MINIMUM LEVELS OF ASSISTANCE.**

Section 204(a) of the Food for Peace Act (7 U.S.C. 1724(a)) is amended—

(1) in paragraph (1), by striking “2012” and inserting “2018”; and

(2) in paragraph (2), by striking “2012” and inserting “2018”.

**SEC. 3004. REAUTHORIZATION OF FOOD AID CONSULTATIVE GROUP.**

Section 205(f) of the Food for Peace Act (7 U.S.C. 1725(f)) is amended by striking “2012” and inserting “2018”.

**SEC. 3005. OVERSIGHT, MONITORING, AND EVALUATION OF FOOD FOR PEACE ACT PROGRAMS.**

Section 207(f) of the Food for Peace Act (7 U.S.C. 1726a(f)) is amended—

(1) by striking paragraph (4) and redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively; and

(2) in subparagraph (A) of paragraph (5) (as so redesignated)—

(A) by striking “2012” and inserting “2018”; and

(B) by striking “during fiscal year 2009” and inserting “during the period of fiscal years 2014 through 2018”.

**SEC. 3006. ASSISTANCE FOR STOCKPILING AND RAPID TRANSPORTATION, DELIVERY, AND DISTRIBUTION OF SHELF-STABLE PREPACKAGED FOODS.**

Section 208(f) of the Food for Peace Act (7 U.S.C. 1726b(f)) is amended by striking “2012” and inserting “2018”.

**SEC. 3007. LIMITATION ON TOTAL VOLUME OF COMMODITIES MONETIZED.**

Section 403 of the Food for Peace Act (7 U.S.C. 1733) is amended by adding at the end the following:

“(m) **LIMITATION ON MONETIZATION OF COMMODITIES.**—

“(1) **LIMITATION.**—

“(A) **IN GENERAL.**—Unless the Administrator grants a waiver under paragraph (2), no commodity may be made available under this Act unless the rate of return for the commodity (as determined under subparagraph (B)) is at least 70 percent.

“(B) **RATE OF RETURN.**—For purposes of subparagraph (A), the rate of return shall be equal to the proportion that—

“(i) the proceeds the implementing partners generate through monetization; bears to

“(ii) the cost to the Federal Government to procure and ship the commodities to a recipient country for monetization.

“(2) **WAIVER AUTHORITY.**—The Administrator may waive the application of the limitation in paragraph (1) with regard to a commodity for a recipient country if the Administrator determines that it is necessary to achieve the purposes of this Act in the recipient country.

“(3) **REPORT.**—Not later than 90 days after a waiver is granted under paragraph (2), the Administrator shall prepare, publish in the Federal Register, and submit to the Committees on Foreign Affairs, Agriculture, and Appropriations of the House of Representatives, and the Committees on Appropriations, Foreign Relations, and Agriculture, Nutrition, and Forestry of the Senate a report that—

“(A) contains the reasons for granting the waiver and the actual rate of return for the commodity; and

“(B) includes for the commodity the costs of bagging or further processing, ocean transportation, inland transportation in the recipient country, storage costs, and any other information that the Administrator determines to be necessary.”.

**SEC. 3008. FLEXIBILITY.**

Section 406 of the Food for Peace Act (7 U.S.C. 1736) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

“(c) **FLEXIBILITY.**—Notwithstanding any other provision of law and as necessary to achieve the purposes of this Act, funds available under this Act may be used to pay the costs of up to 20 percent of activities conducted in recipient countries by nonprofit voluntary organizations, cooperatives, or intergovernmental agencies or organizations.”.

**SEC. 3009. PROCUREMENT, TRANSPORTATION, TESTING, AND STORAGE OF AGRICULTURAL COMMODITIES FOR PREPOSITIONING IN THE UNITED STATES AND FOREIGN COUNTRIES.**

Section 407 of the Food for Peace Act (7 U.S.C. 1736a) is amended—

(1) in subparagraph (c)(4)(A)—

(A) by striking “2012” and inserting “2018”; and

(B) by striking “for each such fiscal year not more than \$10,000,000 of such funds” and inserting “for each of fiscal years 2001 through 2012 not more than \$10,000,000 of such funds and for each of fiscal years 2014 through 2018 not more than \$15,000,000 of such funds”; and

(2) by adding at the end the following:

“(g) FUNDING FOR TESTING OF FOOD AID SHIPMENTS.—Funds made available for agricultural products acquired under this Act and section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1) may be used to pay for the testing of those agricultural products.”.

**SEC. 3010. DEADLINE FOR AGREEMENTS TO FINANCE SALES OR TO PROVIDE OTHER ASSISTANCE.**

Section 408 of the Food for Peace Act (7 U.S.C. 1736b) is amended by striking “2012” and inserting “2018”.

**SEC. 3011. MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.**

Section 412 of the Food for Peace Act (7 U.S.C. 1736f) is amended by striking subsection (e) and inserting the following:

“(e) MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.—

“(1) IN GENERAL.—Subject to paragraph (2), of the amounts made available to carry out emergency and nonemergency food assistance programs under title II, not less than 20 nor more than 30 percent for each of fiscal years 2014 through 2018 shall be expended for nonemergency food assistance programs under title II.

“(2) MINIMUM LEVEL.—The amount made available to carry out nonemergency food assistance programs under title II shall not be less than \$275,000,000 for any fiscal year.”.

**SEC. 3012. COORDINATION OF FOREIGN ASSISTANCE PROGRAMS REPORT.**

Section 413 of the Food for Peace Act (7 U.S.C. 1736g) is amended—

(1) by striking “(a) IN GENERAL.—To the maximum” and inserting “To the maximum”; and

(2) by striking subsection (b).

**SEC. 3013. MICRONUTRIENT FORTIFICATION PROGRAMS.**

(a) ELIMINATION OF OBSOLETE REFERENCE TO STUDY.—Section 415(a)(2)(B) of the Food for Peace Act (7 U.S.C. 1736g-2(a)(2)(B)) is amended by striking “, using recommendations” and all that follows through “quality enhancements”.

(b) EXTENSION.—Section 415(c) of the Food for Peace Act (7 U.S.C. 1736g-2(c)) is amended by striking “2012” and inserting “2018”.

**SEC. 3014. JOHN OGWONSKI AND DOUG BEREUTER FARMER-TO-FARMER PROGRAM.**

Section 501 of the Food for Peace Act (7 U.S.C. 1737) is amended—

(1) in subsection (d)—

(A) by striking “0.5 percent” and inserting “0.6 percent”; and

(B) by striking “2012” and inserting “2018”; and

(2) in subsection (e)(1), by striking “2012” and inserting “2018”.

**SEC. 3015. PROHIBITION ON ASSISTANCE FOR NORTH KOREA.**

(a) IN GENERAL.—No amounts may be obligated or expended to provide assistance

under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) to the Democratic People's Republic of Korea.

(b) NATIONAL INTEREST WAIVER.—The President may waive subsection (a) if the President determines and certifies to the Committees on Agriculture, Nutrition, and Forestry and Foreign Relations of the Senate and the Committees on Agriculture and Foreign Affairs of the House of Representatives that the waiver is in the national interest of the United States.

**Subtitle B—Agricultural Trade Act of 1978**

**SEC. 3101. EXPORT CREDIT GUARANTEE PROGRAMS.**

Section 211 of the Agricultural Trade Act of 1978 (7 U.S.C. 5641) is amended by striking subsection (b) and inserting the following:

“(b) EXPORT CREDIT GUARANTEE PROGRAMS.—The Commodity Credit Corporation shall make available for each of fiscal years 2014 through 2018 credit guarantees under section 202(a) in an amount equal to not more than \$4,500,000,000 in credit guarantees.”.

**SEC. 3102. FUNDING FOR MARKET ACCESS PROGRAM.**

Section 211(c)(1)(A) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)(1)(A)) is amended by striking “2012” and inserting “2018”.

**SEC. 3103. FOREIGN MARKET DEVELOPMENT CO-OPERATOR PROGRAM.**

Section 703(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5723(a)) is amended by striking “2012” and inserting “2018”.

**Subtitle C—Other Agricultural Trade Laws**

**SEC. 3201. FOOD FOR PROGRESS ACT OF 1985.**

(a) EXTENSION.—The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended—

(1) in subsection (f)(3), by striking “2012” and inserting “2018”; and

(2) in subsection (g), by striking “2012” and inserting “2018”; and

(3) in subsection (k), by striking “2012” and inserting “2018”; and

(4) in subsection (l)(1), by striking “2012” and inserting “2018”.

(b) REPEAL OF COMPLETED PROJECT.—Subsection (f) of the Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended by striking paragraph (6).

(c) FLEXIBILITY.—The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended in subsection (l) by adding at the end the following:

“(5) FLEXIBILITY.—Notwithstanding any other provision of law and as necessary to achieve the purposes of this Act, funds available under this Act may be used to pay the costs of up to 20 percent of activities conducted in recipient countries by nonprofit voluntary organizations, cooperatives, or intergovernmental agencies or organizations.”.

(d) LIMITATION ON TOTAL VOLUME OF COMMODITIES MONETIZED.—The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended by adding at the end the following:

“(p) LIMITATION ON MONETIZATION OF COMMODITIES.—

“(1) LIMITATION.—

“(A) IN GENERAL.—Unless the Secretary grants a waiver under paragraph (2), no eligible commodity may be made available under this section unless the rate of return for the eligible commodity (as determined under subparagraph (B)) is at least 70 percent.

“(B) RATE OF RETURN.—For purposes of subparagraph (A), the rate of return shall be equal to the proportion that—

“(i) the proceeds the implementing partners generate through monetization; bears to

“(ii) the cost to the Federal Government to procure and ship the eligible commodities to a recipient country for monetization.

“(2) WAIVER AUTHORITY.—The Secretary may waive the application of the limitation in paragraph (1) with regard to an eligible commodity for a recipient country if the Secretary determines that it is necessary to achieve the purposes of this Act in the recipient country.

“(3) REPORT.—Not later than 90 days after a waiver is granted under paragraph (2), the Secretary shall prepare, publish in the Federal Register, and submit to the Committees on Foreign Affairs, Agriculture, and Appropriations of the House of Representatives, and the Committees on Appropriations, Foreign Relations, and Agriculture, Nutrition, and Forestry of the Senate a report that—

“(A) contains the reasons for granting the waiver and the actual rate of return for the eligible commodity; and

“(B) includes for the commodity the costs of bagging or further processing, ocean transportation, inland transportation in the recipient country, storage costs, and any other information that the Secretary determines to be necessary.”.

**SEC. 3202. BILL EMERSON HUMANITARIAN TRUST.**

Section 302 of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f-1) is amended—

(1) in subsection (b)(2)(B)(i), by striking “2012” both places it appears and inserting “2018”; and

(2) in subsection (h), by striking “2012” both places it appears and inserting “2018”.

**SEC. 3203. PROMOTION OF AGRICULTURAL EXPORTS TO EMERGING MARKETS.**

(a) DIRECT CREDITS OR EXPORT CREDIT GUARANTEES.—Section 1542(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101-624; 7 U.S.C. 5622 note) is amended by striking “2012” and inserting “2018”.

(b) DEVELOPMENT OF AGRICULTURAL SYSTEMS.—Section 1542(d)(1)(A)(i) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101-624; 7 U.S.C. 5622 note) is amended by striking “2012” and inserting “2018”.

**SEC. 3204. MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.**

(a) REAUTHORIZATION.—Section 3107(1)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1(1)(2)) is amended by striking “2012” and inserting “2018”.

(b) TECHNICAL CORRECTION.—Section 3107(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1(d)) is amended by striking “to” in the matter preceding paragraph (1).

**SEC. 3205. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.**

(a) PURPOSE.—Section 3205(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680(b)) is amended by striking “related barriers to trade” and inserting “technical barriers to trade”.

(b) FUNDING.—Section 3205(e)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680(e)(2)) is amended—

(1) by inserting “and” at the end of subparagraph (C); and

(2) by striking subparagraphs (D) and (E) and inserting the following new subparagraph:

“(D) \$9,000,000 for each of fiscal years 2011 through 2018.”.

**SEC. 3206. GLOBAL CROP DIVERSITY TRUST.**

Section 3202(c) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246;

22 U.S.C. 2220a note) is amended by striking “2008 through 2012” and inserting “2014 through 2018”.

**SEC. 3207. LOCAL AND REGIONAL FOOD AID PROCUREMENT PROJECTS.**

Section 3206 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1726c) is amended—

(1) in subsection (b)—  
(A) by striking “(b) STUDY; FIELD-BASED PROJECTS.—” and all that follows through “(2) FIELD-BASED PROJECTS.—” and inserting the following:

“(b) FIELD-BASED PROJECTS.—”;

(B) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and indenting appropriately;

(C) in paragraph (1) (as so redesignated), by striking “subparagraph (B)” and inserting “paragraph (2)”; and

(D) in paragraph (2) (as so redesignated), by striking “subparagraph (A)” and inserting “paragraph (1)”;:

(2) in subsection (c)(1), by striking “subsection (b)(2)” and inserting “subsection (b)”;:

(3) by striking subsections (d), (f), and (g);  
(4) by redesignating subsection (e) as subsection (d);

(5) in subsection (d) (as so redesignated)—  
(A) in paragraph (2)—

(i) by striking subparagraph (B); and

(ii) in subparagraph (A)—

(I) by striking “(A) APPLICATION.—” and all that follows through “To be eligible” in clause (i) and inserting the following:

“(A) IN GENERAL.—To be eligible”;

(II) by redesignating clause (ii) as subparagraph (B) and indenting appropriately; and

(III) in subparagraph (B) (as so redesignated), by striking “clause (i)” and inserting “subparagraph (A)”; and

(B) by striking paragraph (4); and

(6) by adding at the end the following:

“(e) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$60,000,000 for each of fiscal years 2014 through 2018.

“(2) PREFERENCE.—In carrying out this section, the Secretary may give a preference to eligible organizations that have, or are working toward, projects under the McGovern-Dole International Food for Education and Child Nutrition Program established under section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1).

“(3) REPORTING.—Each year, the Secretary shall submit to the appropriate committees of Congress a report that describes the use of funds under this section, including—

“(A) the impact of procurements and projects on—

“(i) local and regional agricultural producers; and

“(ii) markets and consumers, including low-income consumers; and

“(B) implementation time frames and costs.”.

**SEC. 3208. DONALD PAYNE HORN OF AFRICA FOOD RESILIENCE PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Agency for International Development.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(B) the Committee on Agriculture of the House of Representatives;

(C) the Committee on Foreign Relations of the Senate; and

(D) the Committee on Foreign Affairs of the House of Representatives.

(3) ELIGIBLE ORGANIZATION.—The term “eligible organization” means an organization that is—

(A) a private voluntary organization or cooperative that is, to the extent practicable, registered with the Administrator; or

(B) an intergovernmental organization, such as the World Food Program.

(4) HORN OF AFRICA.—The term “Horn of Africa” means the countries of—

(A) Ethiopia;

(B) Somalia;

(C) Kenya;

(D) Djibouti;

(E) Eritrea;

(F) South Sudan;

(G) Uganda; and

(H) such other countries as the Administrator determines to be appropriate after providing notification to the appropriate committees of Congress.

(5) RESILIENCE.—The term “resilience” means—

(A) the capacity to mitigate the negative impacts of crises (including natural disasters, conflicts, and economic shocks) in order to reduce loss of life and depletion of productive assets;

(B) the capacity to respond effectively to crises, ensuring basic needs are met in a way that is integrated with long-term development efforts; and

(C) the capacity to recover and rebuild after crises so that future shocks can be absorbed with less need for ongoing external assistance.

(b) PURPOSE.—The purpose of this section is to establish a pilot program to effectively integrate all United States-funded emergency and long-term development activities that aim to improve food security in the Horn of Africa, building resilience so as—

(1) to reduce the impacts of future crises;

(2) to enhance local capacity for emergency response;

(3) to enhance sustainability of long-term development programs targeting poor and vulnerable households; and

(4) to reduce the need for repeated costly emergency operations.

(c) STUDY.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator shall initiate a study of prior programs to support resilience in the Horn of Africa conducted by—

(A) other donor countries;

(B) private voluntary organizations;

(C) the World Food Program of the United Nations; and

(D) multilateral institutions, including the World Bank.

(2) REQUIREMENTS.—The study shall—

(A) include all programs implemented through the Agency for International Development, the Department of Agriculture, the Department of the Treasury, the Millennium Challenge Corporation, the Peace Corps, and other relevant Federal agencies;

(B) evaluate how well the programs described in subparagraph (A) work together to complement each other and leverage impacts across programs;

(C) include recommendations for how full integration of efforts can be achieved; and

(D) evaluate the degree to which country-led development plans support programs that increase resilience, including review of the investments by each country in nutrition and safety nets.

(3) REPORT.—Not later than 180 days after the date of enactment of this Act, the Ad-

ministrator shall submit to the appropriate committees of Congress a report containing the results of the study.

(d) FIELD-BASED PROJECT GRANTS OR COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—The Administrator shall—

(A) provide grants to, or enter into cooperative agreements with, eligible organizations to carry out field-based projects that build resilience in the Horn of Africa in accordance with this section; and

(B) develop a project approval process to ensure full integration of efforts.

(2) REQUIREMENTS OF ELIGIBLE ORGANIZATIONS.—

(A) APPLICATION.—To be eligible to receive a grant from, or enter into a cooperative agreement with, the Administrator under this subsection, an eligible organization shall submit to the Administrator an application by such date, in such manner, and containing such information as the Administrator may require.

(B) COMPLETION REQUIREMENT.—To be eligible to receive a grant from, or enter into a cooperative agreement with, the Administrator under this subsection, an eligible organization shall agree—

(i) to collect, not later than September 30, 2016, data containing the information required under subsection (f)(2) relating to the field-based project funded through the grant or cooperative agreement; and

(ii) to provide to the Administrator the data collected under clause (i).

(3) REQUIREMENTS OF ADMINISTRATOR.—

(A) PROJECT DIVERSITY.—

(i) IN GENERAL.—Subject to clause (ii) and subparagraph (B), in selecting proposals for field-based projects to fund under this section, the Administrator shall select a diversity of projects, including projects located in—

(I) areas most prone to repeated crises;

(II) areas with effective existing resilience programs that can be scaled; and

(III) areas in all countries of the Horn of Africa.

(ii) PRIORITY.—In selecting proposals for field-based projects under clause (i), the Administrator shall ensure that the selected proposals are for field-based projects that—

(I) effectively integrate emergency and long-term development programs to improve sustainability;

(II) demonstrate the potential to reduce the need for future emergency assistance; and

(III) build targeted productive safety nets, in coordination with host country governments, through food for work, cash for work, and other proven program methodologies.

(B) AVAILABILITY.—The Administrator shall not award a grant or cooperative agreement or approve a field-based project under this subsection until the date on which the Administrator promulgates regulations or issues guidelines under subsection (e).

(e) REGULATIONS; GUIDELINES.—

(1) IN GENERAL.—Not later than 180 days after the date of completion of the study under subsection (c), the Administrator shall promulgate regulations or issue guidelines to carry out field-based projects under this section.

(2) REQUIREMENTS.—In promulgating regulations or issuing guidelines under paragraph (1), the Administrator shall—

(A) take into consideration the results of the study described in subsection (c); and

(B) provide an opportunity for public review and comment.

(f) REPORT.—

(1) IN GENERAL.—Not later than November 1, 2016, the Administrator shall submit to the

appropriate committees of Congress a report that—

(A) addresses each factor described in paragraph (2); and

(B) is conducted in accordance with this section.

(2) **REQUIRED FACTORS.**—The report shall include baseline and end-of-project data that measures—

(A) the prevalence of moderate and severe hunger so as to provide an accurate accounting of project impact on household access to and consumption of food during every month of the year prior to data collection;

(B) household ownership of and access to productive assets, including at a minimum land, livestock, homes, equipment, and other materials assets needed for income generation;

(C) household incomes, including informal sources of employment; and

(D) the productive assets of women using the Women's Empowerment in Agriculture Index.

(3) **PUBLIC ACCESS TO RECORDS AND REPORTS.**—Not later than 90 days after the date on which the report is submitted under paragraph (1), the Administrator shall provide public access to the report.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2014 through 2018.

#### **SEC. 3209. UNDER SECRETARY OF AGRICULTURE FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS.**

(a) **DEFINITION OF AGRICULTURE COMMITTEES AND SUBCOMMITTEES.**—In this section, the term “agriculture committees and subcommittees” means—

(1) the Committee on Agriculture of the House of Representatives;

(2) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(3) the subcommittees on agriculture, rural development, food and drug administration, and related agencies of the Committees on Appropriations of the House of Representatives and the Senate.

(b) **PROPOSAL.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the agriculture committees and subcommittees, shall propose a reorganization of international trade functions for imports and exports of the Department of Agriculture.

(2) **CONSIDERATIONS.**—In producing the proposal under this section, the Secretary shall—

(A) in recognition of the importance of agricultural exports to the farm economy and the economy as a whole, include a plan for the establishment of an Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs;

(B) take into consideration how the Under Secretary described in subparagraph (A) would serve as a multiagency coordinator of sanitary and phytosanitary issues and nontariff trade barriers in agriculture with respect to imports and exports of agricultural products; and

(C) take into consideration all implications of a reorganization described in paragraph (1) on domestic programs and operations of the Department of Agriculture.

(3) **REPORT.**—Not later than 180 days after the date of enactment of this Act and before the reorganization described in paragraph (1) can take effect, the Secretary shall submit to the agriculture committees and subcommittees a report that—

(A) includes the results of the proposal under this section; and

(B) provides a notice of the reorganization plan.

(4) **IMPLEMENTATION.**—Not later than 1 year after the date of the submission of the report under paragraph (3), the Secretary shall implement a reorganization of international trade functions for imports and exports of the Department of Agriculture, including the establishment of an Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs.

(c) **CONFIRMATION REQUIRED.**—The position of Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs established under subsection (b)(2)(A) shall be appointed by the President, by and with the advice and consent of the Senate.

### **TITLE IV—NUTRITION**

#### **Subtitle A—Supplemental Nutrition Assistance Program**

#### **SEC. 4001. ACCESS TO GROCERY DELIVERY FOR HOMEBOUND SENIORS AND INDIVIDUALS WITH DISABILITIES ELIGIBLE FOR SUPPLEMENTAL NUTRITION ASSISTANCE BENEFITS.**

(a) **IN GENERAL.**—Section 3(p) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (4) the following:

“(5) a public or private nonprofit food purchasing and delivery service that—

“(A) purchases food for, and delivers the food to, individuals who are—

“(i) unable to shop for food; and

“(ii)(I) not less than 60 years of age; or

“(II) individuals with disabilities;

“(B) clearly notifies the participating household at the time the household places a food order—

“(i) of any delivery fee associated with the food purchase and delivery provided to the household by the service; and

“(ii) that a delivery fee cannot be paid with benefits provided under the supplemental nutrition assistance program; and

“(C) sells food purchased for the household at the price paid by the service for the food without any additional cost markup.”.

(b) **ISSUANCE OF REGULATIONS.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue regulations that—

(1) establish criteria to identify a food purchasing and delivery service described in section 3(p)(5) of the Food and Nutrition Act of 2008 (as added by subsection (a)(3)); and

(2) establish procedures to ensure that the service—

(A) does not charge more for a food item than the price paid by the service for the food item;

(B) offers food delivery service at no or low cost to households under that Act;

(C) ensures that benefits provided under the supplemental nutrition assistance program are used only to purchase food, as defined in section 3 of that Act (7 U.S.C. 2012);

(D) limits the purchase of food, and the delivery of the food, to households eligible to receive services described in section 3(p)(5) of that Act (as added by subsection (a)(3));

(E) has established adequate safeguards against fraudulent activities, including unauthorized use of electronic benefit cards issued under that Act; and

(F) such other requirements as the Secretary considers appropriate.

(c) **LIMITATION.**—Before the issuance of regulations under subsection (b), the Secretary

may not approve more than 20 food purchasing and delivery services described in section 3(p)(5) of the Food and Nutrition Act of 2008 (as added by subsection (a)(3)) to participate as retail food stores under the supplemental nutrition assistance program.

(d) **EFFECTIVE DATE.**—This section and the amendments made by this section take effect on the date that is 30 days after the date of the enactment of this Act.

#### **SEC. 4002. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.**

(a) **IN GENERAL.**—Section 4(b)(6)(F) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)(6)(F)) is amended by striking “2012” and inserting “2018”.

(b) **FEASIBILITY STUDY FOR INDIAN TRIBES.**—Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended by inserting at the end the following:

“(1) **FEASIBILITY STUDY FOR INDIAN TRIBES.**—

“(1) **IN GENERAL.**—The Secretary shall conduct a study to determine the feasibility of a tribal demonstration project for tribes, in lieu of State agencies or other administering entities, to administer Federal food assistance programs, services, functions, and activities (or portions thereof).

“(2) **CONSIDERATIONS.**—In conducting the study, the Secretary shall consider—

“(A) the probable effects on specific programs and program beneficiaries of such a demonstration project;

“(B) statutory, regulatory, or other impediments to implementation of such a demonstration project;

“(C) strategies for implementing such a demonstration project;

“(D) probable costs or savings associated with such a demonstration project;

“(E) methods to assure quality and accountability in such a demonstration project; and

“(F) such other issues that may be determined by the Secretary or developed through consultation pursuant to paragraph (4).

“(3) **REPORT.**—Not later than 18 months after the date of the enactment of this subsection, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that contains—

“(A) the results of the study under this subsection;

“(B) a list of programs, services, functions, and activities (or portions thereof) within each agency that would be feasible to include in a tribal demonstration project;

“(C) a list of programs, services, functions, and activities (or portions thereof) included in the list described in subparagraph (B) that could be included in a tribal demonstration project without amending existing law or without waiving regulations that the Secretary may not waive; and

“(D) a list of legislative actions required in order to include those programs, services, functions, and activities (or portions thereof) included in the list described in subparagraph (B) but not included in the list described in subparagraph (C) in a tribal demonstration project.

“(4) **CONSULTATION WITH INDIAN TRIBES.**—

“(A) **IN GENERAL.**—Prior to consultation, the Secretary shall consult with Indian tribes to determine a protocol for consultation.

“(B) **REQUIREMENTS.**—The protocol shall require, at a minimum, that—

“(i) the government-to-government relationship with Indian tribes forms the basis for the consultation process;

“(ii) the Indian tribes and the Secretary jointly conduct the consultations required by this paragraph; and

“(iii) the consultation process allows for separate and direct recommendations from the Indian tribes and other entities referenced in this subsection.”.

(c) **TRADITIONAL AND LOCALLY-GROWN FOOD.**—Section 4(b)(6) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)(6)) is amended—

(1) by redesignating subparagraph (F) as subparagraph (G); and

(2) by inserting after subparagraph (E) the following:

“(F) **TRADITIONAL AND LOCALLY-GROWN FOOD.**—A tribe that is authorized to administer the distribution described in paragraph (1) shall have the option to use 5 percent of the program funding of the tribe to promote local purchase of traditional and locally-grown food to be used in the food package of the tribe by purchasing traditional and locally-grown foods from local Native American farmers, ranchers, and producers.”.

**SEC. 4003. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.**

(a) **STANDARD UTILITY ALLOWANCES IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.**—Section 5(e)(6)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6)(C)) is amended—

(1) in clause (i), by inserting “, subject to clause (iv)” after “Secretary”; and

(2) in clause (iv), by striking subclause (I) and inserting the following:

“(I) **IN GENERAL.**—Subject to subclause (II), if a State agency elects to use a standard utility allowance that reflects heating and cooling costs, the standard utility allowance shall be made available to households that have received a payment, or on behalf of which a payment has been made, under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.) or other similar energy assistance program, if in the current month or during the immediately preceding 12 months, the household either has received a payment, or a payment has been made on behalf of the household, that is greater than \$10 annually, as determined by the Secretary.”.

(b) **CONFORMING AMENDMENT.**—Section 2605(f)(2)(A) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)(A)) is amended by inserting before the semicolon at the end “, except that, for purposes of the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), such payments or allowances were greater than \$10 annually, consistent with section 5(e)(6)(C)(iv)(I) of that Act (7 U.S.C. 2014(e)(6)(C)(iv)(I)), as determined by the Secretary of Agriculture.”.

(c) **EFFECTIVE AND IMPLEMENTATION DATE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect beginning on October 1, 2013, for all certification periods beginning after that date.

(2) **STATE OPTION TO DELAY IMPLEMENTATION FOR CURRENT RECIPIENTS.**—A State may, at the option of the State, implement a policy that eliminates or minimizes the effect of the amendments made by this section for households that receive a standard utility allowance as of the date of enactment of this Act for not more than a 180-day period beginning on the date on which the amendments made by this section would otherwise affect the benefits received by a household.

**SEC. 4004. ELIGIBILITY DISQUALIFICATIONS.**

Section 6(e)(3)(B) of Food and Nutrition Act of 2008 (7 U.S.C. 2015(e)(3)(B)) is amended by striking “section” and inserting the following: “section, subject to the condition that the course or program of study—

“(i) is part of a program of career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) that may be completed in not more than 4 years at an institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)); or

“(ii) is limited to remedial courses, basic adult education, literacy, or English as a second language;”.

**SEC. 4005. ENDING SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS FOR LOTTERY OR GAMBLING WINNERS.**

(a) **IN GENERAL.**—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended by adding at the end the following:

“(r) **INELIGIBILITY FOR BENEFITS DUE TO RECEIPT OF SUBSTANTIAL LOTTERY OR GAMBLING WINNINGS.**—

“(1) **IN GENERAL.**—Any household in which a member receives substantial lottery or gambling winnings, as determined by the Secretary, shall lose eligibility for benefits immediately upon receipt of the winnings.

“(2) **DURATION OF INELIGIBILITY.**—A household described in paragraph (1) shall remain ineligible for participation until the household meets the allowable financial resources and income eligibility requirements under subsections (c), (d), (e), (f), (g), (i), (k), (l), (m), and (n) of section 5.

“(3) **AGREEMENTS.**—As determined by the Secretary, each State agency, to the maximum extent practicable, shall establish agreements with entities responsible for the regulation or sponsorship of gaming in the State to determine whether individuals participating in the supplemental nutrition assistance program have received substantial lottery or gambling winnings.”.

(b) **CONFORMING AMENDMENTS.**—Section 5(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)) is amended in the second sentence by striking “sections 6(b), 6(d)(2), and 6(g)” and inserting “subsections (b), (d)(2), (g), and (r) of section 6”.

**SEC. 4006. RETAIL FOOD STORES.**

(a) **DEFINITION OF RETAIL FOOD STORE.**—Subsection (o)(1)(A) of section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) (as redesignated by section 4018(a)(4)) is amended by striking “at least 2” and inserting “at least 3”.

(b) **ALTERNATIVE BENEFIT DELIVERY.**—Section 7(f) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(f)) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) **IMPOSITION OF COSTS.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the Secretary shall require participating retail food stores (including restaurants participating in a State option restaurant program intended to serve the elderly, disabled, and homeless) to pay 100 percent of the costs of acquiring, and arrange for the implementation of, electronic benefit transfer point-of-sale equipment and supplies, including related services.

“(B) **EXEMPTIONS.**—The Secretary may exempt from subparagraph (A)—

“(i) farmers’ markets and other direct-to-consumer markets, military commissaries, nonprofit food buying cooperatives, and establishments, organizations, programs, or group living arrangements described in paragraphs (5), (7), and (8) of section 3(k); and

“(ii) establishments described in paragraphs (3), (4), and (9) of section 3(k), other than restaurants participating in a State option restaurant program.

“(C) **INTERCHANGE FEES.**—Nothing in this paragraph permits the charging of fees relating to the redemption of supplemental nutrition assistance program benefits, in accordance with subsection (h)(13).”; and

(2) by adding at the end the following:

“(4) **TERMINATION OF MANUAL VOUCHERS.**—

“(A) **IN GENERAL.**—Effective beginning on the date of enactment of this paragraph, except as provided in subparagraph (B), no State shall issue manual vouchers to a household that receives supplemental nutrition assistance under this Act or allow retail food stores to accept manual vouchers as payment, unless the Secretary determines that the manual vouchers are necessary, such as in the event of an electronic benefit transfer system failure or a disaster situation.

“(B) **EXEMPTIONS.**—The Secretary may exempt categories of retail food stores or individual retail food stores from subparagraph (A) based on criteria established by the Secretary.

“(5) **UNIQUE IDENTIFICATION NUMBER REQUIRED.**—

“(A) **IN GENERAL.**—To enhance the anti-fraud protections of the program, the Secretary shall require all parties providing electronic benefit transfer services to provide for and maintain unique terminal identification number information through the supplemental nutrition assistance program electronic benefit transfer transaction routing system.

“(B) **REGULATIONS.**—

“(i) **IN GENERAL.**—Not earlier than 2 years after the date of enactment of this paragraph, the Secretary shall issue proposed regulations to carry out this paragraph.

“(ii) **COMMERCIAL PRACTICES.**—In issuing regulations to carry out this paragraph, the Secretary shall consider existing commercial practices for other point-of-sale debit transactions.”.

(c) **ELECTRONIC BENEFIT TRANSFERS.**—Section 7(h)(3)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(3)(B)) is amended by striking “is operational—” and all that follows through “(ii) in the case of other participating stores,” and inserting “is operational”.

(d) **APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.**—Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) is amended—

(1) in the second sentence of subsection (a)(1)—

(A) in subparagraph (A), by inserting “, including the depth of stock, variety of staple food items, and the sale of excepted items described in 3(k)(1)” after “applicant”; and

(B) by striking “; and (C)” and inserting “; (C) whether the applicant is located in an area with significantly limited access to food; and (D)”; and

(2) by adding at the end the following:

“(g) **EBT SERVICE REQUIREMENT.**—An approved retail food store shall provide adequate EBT service as described in section 7(h)(3)(B).”.

**SEC. 4007. IMPROVING SECURITY OF FOOD ASSISTANCE.**

Section 7(h)(8) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(8)) is amended—

(1) by striking the paragraph heading and inserting “REPLACEMENT OF CARDS.”;

(2) by striking “A State” and inserting the following:

“(A) **FEES.**—A State”; and



(3) by adding after subparagraph (A) (as so designated by paragraph (2)) the following:

“(B) PURPOSEFUL LOSS OF CARDS.—

“(i) IN GENERAL.—Subject to terms and conditions established by the Secretary in accordance with clause (ii), if a household makes excessive requests for replacement of the electronic benefit transfer card of the household, the Secretary may require a State agency to decline to issue a replacement card to the household unless the household, upon request of the State agency, provides an explanation for the loss of the card.

“(ii) REQUIREMENTS.—The terms and conditions established by the Secretary shall provide that—

“(I) the household be given the opportunity to provide the requested explanation and meet the requirements under this paragraph promptly;

“(II) after an excessive number of lost cards, the head of the household shall be required to review program rights and responsibilities with State agency personnel authorized to make determinations under section 5(a); and

“(III) any action taken, including actions required under section 6(b)(2), other than the withholding of the electronic benefit transfer card until an explanation described in subclause (I) is provided, shall be consistent with the due process protections under section 6(b) or 11(e)(10), as appropriate.

“(C) PROTECTING VULNERABLE PERSONS.—In implementing this paragraph, a State agency shall act to protect homeless persons, persons with disabilities, victims of crimes, and other vulnerable persons who lose electronic benefit transfer cards but are not intentionally committing fraud.

“(D) EFFECT ON ELIGIBILITY.—While a State may decline to issue an electronic benefits transfer card until a household satisfies the requirements under this paragraph, nothing in this paragraph shall be considered a denial of, or limitation on, the eligibility for benefits under section 5.”.

#### SEC. 4008. TECHNOLOGY MODERNIZATION FOR RETAIL FOOD STORES.

(a) MOBILE TECHNOLOGIES.—Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) (as amended by section 4018(e)) is amended by adding at the end the following:

“(14) MOBILE TECHNOLOGIES.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall approve retail food stores to redeem benefits through electronic means other than wired point of sale devices for electronic benefit transfer transactions, if the retail food stores—

“(i) establish recipient protections regarding privacy, ease of use, access, and support similar to the protections provided for transactions made in retail food stores;

“(ii) bear the costs of obtaining, installing, and maintaining mobile technologies, including mechanisms needed to process EBT cards and transaction fees;

“(iii) demonstrate the foods purchased with benefits issued under this section through mobile technologies are purchased at a price not higher than the price of the same food purchased by other methods used by the retail food store, as determined by the Secretary;

“(iv) provide adequate documentation for each authorized transaction, as determined by the Secretary; and

“(v) meet other criteria as established by the Secretary.

“(B) DEMONSTRATION PROJECT ON ACCEPTANCE OF BENEFITS OF MOBILE TRANSACTIONS.—

“(i) IN GENERAL.—Before authorizing implementation of subparagraph (A) in all

States, the Secretary shall pilot the use of mobile technologies determined by the Secretary to be appropriate to test the feasibility and implications for program integrity, by allowing retail food stores to accept benefits from recipients of supplemental nutrition assistance through mobile transactions.

“(ii) DEMONSTRATION PROJECTS.—To be eligible to participate in a demonstration project under clause (i), a retail food store shall submit to the Secretary for approval a plan that includes—

“(I) a description of the technology;

“(II) the manner by which the retail food store will provide proof of the transaction to households;

“(III) the provision of data to the Secretary, consistent with requirements established by the Secretary, in a manner that allows the Secretary to evaluate the impact of the demonstration on participant access, ease of use, and program integrity; and

“(IV) such other criteria as the Secretary may require.

“(iii) DATE OF COMPLETION.—The demonstration projects under this subparagraph shall be completed and final reports submitted to the Secretary by not later than July 1, 2015.

“(C) REPORT TO CONGRESS.—The Secretary shall—

“(i) by not later than January 1, 2016, authorize implementation of subparagraph (A) in all States, unless the Secretary makes a finding, based on the data provided under subparagraph (B), that implementation in all States is not in the best interest of the supplemental nutrition assistance program; and

“(ii) if the determination made in clause (i) is not to implement subparagraph (A) in all States, submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that includes the basis of the finding.”.

(b) ACCEPTANCE OF BENEFITS THROUGH ON-LINE TRANSACTIONS.—

(1) IN GENERAL.—Section 7 of the Food and Nutrition Act of 2008 (7 U.S.C. 2016) is amended by adding at the end the following:

“(k) OPTION TO ACCEPT PROGRAM BENEFITS THROUGH ON-LINE TRANSACTIONS.—

“(1) IN GENERAL.—Subject to paragraph (4), the Secretary shall approve retail food stores to accept benefits from recipients of supplemental nutrition assistance through on-line transactions.

“(2) REQUIREMENTS TO ACCEPT BENEFITS.—A retail food store seeking to accept benefits from recipients of supplemental nutrition assistance through on-line transactions shall—

“(A) establish recipient protections regarding privacy, ease of use, access, and support similar to the protections provided for transactions made in retail food stores;

“(B) ensure benefits are not used to pay delivery, ordering, convenience, or other fees or charges;

“(C) clearly notify participating households at the time a food order is placed—

“(i) of any delivery, ordering, convenience, or other fee or charge associated with the food purchase; and

“(ii) that any such fee cannot be paid with benefits provided under this Act;

“(D) ensure the security of on-line transactions by using the most effective technology available that the Secretary considers appropriate and cost-effective and that is comparable to the security of transactions at retail food stores; and

“(E) meet other criteria as established by the Secretary.

“(3) STATE AGENCY ACTION.—Each State agency shall ensure that recipients of supplemental nutrition assistance can use benefits on-line as described in this subsection as appropriate.

“(4) DEMONSTRATION PROJECT ON ACCEPTANCE OF BENEFITS THROUGH ON-LINE TRANSACTIONS.—

“(A) IN GENERAL.—Before the Secretary authorizes implementation of paragraph (1) in all States, the Secretary shall carry out a number of demonstration projects as determined by the Secretary to test the feasibility of allowing retail food stores to accept benefits through on-line transactions.

“(B) DEMONSTRATION PROJECTS.—To be eligible to participate in a demonstration project under subparagraph (A), a retail food store shall submit to the Secretary for approval a plan that includes—

“(i) a method of ensuring that benefits may be used to purchase only eligible items under this Act;

“(ii) a description of the method of educating participant households about the availability and operation of on-line purchasing;

“(iii) adequate testing of the on-line purchasing option prior to implementation;

“(iv) the provision of data as requested by the Secretary for purposes of analyzing the impact of the project on participant access, ease of use, and program integrity;

“(v) reports on progress, challenges, and results, as determined by the Secretary; and

“(vi) such other criteria, including security criteria, as established by the Secretary.

“(C) DATE OF COMPLETION.—The demonstration projects under this paragraph shall be completed and final reports submitted to the Secretary by not later than July 1, 2015.

“(5) REPORT TO CONGRESS.—The Secretary shall—

“(A) by not later than January 1, 2016, authorize implementation of paragraph (1) in all States, unless the Secretary makes a finding, based on the data provided under paragraph (4), that implementation in all States is not in the best interest of the supplemental nutrition assistance program; and

“(B) if the determination made in subparagraph (A) is not to implement in all States, submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that includes the basis of the finding.”.

(2) CONFORMING AMENDMENTS.—

(A) Section 7(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(b)) is amended by striking “purchase food in retail food stores” and inserting “purchase food from retail food stores”.

(B) Section 10 of the Food and Nutrition Act of 2008 (7 U.S.C. 2019) is amended in the first sentence by inserting “retail food stores authorized to accept and redeem benefits through on-line transactions shall be authorized to accept benefits prior to the delivery of food if the delivery occurs within a reasonable time of the purchase, as determined by the Secretary,” after “food so purchased.”.

(c) SAVINGS CLAUSE.—Nothing in this section or an amendment made by this section alter any requirements of the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) unless specifically authorized in this section or an amendment made by this section.

#### SEC. 4009. USE OF BENEFITS FOR PURCHASE OF COMMUNITY-SUPPORTED AGRICULTURE SHARE.

Subsection (o)(4) of section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) (as



redesignated by section 4018(a)(4)) is amended by inserting “, or agricultural producers who market agricultural products directly to consumers” after “such food”.

#### SEC. 4010. RESTAURANT MEALS PROGRAM.

(a) IN GENERAL.—Section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(1) in paragraph (22), by striking “and” at the end;

(2) in paragraph (23), by striking the period at the end of subparagraph (C) and inserting “; and”; and

(3) by adding at the end the following:

“(24) if the State elects to carry out a program to contract with private establishments to offer meals at concessional prices, as described in paragraphs 3, 4, and 9 of section 3(k)—

“(A) the plans of the State agency for operating the program, including—

“(i) documentation of a need that eligible homeless, elderly, and disabled clients are underserved in a particular geographic area;

“(ii) the manner by which the State agency will limit participation to only those private establishments that the State determines necessary to meet the need identified in clause (i); and

“(iii) any other conditions the Secretary may prescribe, such as the level of security necessary to ensure that only eligible recipients participate in the program; and

“(B) a report by the State agency to the Secretary annually, the schedule of which shall be established by the Secretary, that includes—

“(i) the number of households and individual recipients authorized to participate in the program, including any information on whether the individual recipient is elderly, disabled, or homeless; and

“(ii) an assessment of whether the program is meeting an established need, as documented under subparagraph (A)(i).”.

(b) APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.—Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) (as amended by section 4005(d)(3)) is amended by adding at the end the following:

“(h) PRIVATE ESTABLISHMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), no private establishment that contracts with a State agency to offer meals at concessional prices as described in paragraphs 3, 4, and 9 of section 3(k) may be authorized to accept and redeem benefits unless the Secretary determines that the participation of the private establishment is required to meet a documented need in accordance with section 11(e)(24).

“(2) EXISTING CONTRACTS.—

“(A) IN GENERAL.—If, on the day before the date of enactment of this subsection, a State has entered into a contract with a private establishment described in paragraph (1) and the Secretary has not determined that the participation of the private establishment is necessary to meet a documented need in accordance with section 11(e)(24), the Secretary shall allow the operation of the private establishment to continue without that determination of need for a period not to exceed 180 days from the date on which the Secretary establishes determination criteria, by regulation, under section 11(e)(24).

“(B) JUSTIFICATION.—If the Secretary makes a determination to terminate a contract with a private establishment that is in effect on the date of enactment of this subsection, the Secretary shall provide justification to the State in which the private establishment is located for that termination.

“(3) REPORT TO CONGRESS.—Not later than 90 days after September 30, 2013, and 90 days after the last day of each fiscal year thereafter, the Secretary shall report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the effectiveness of a program under this subsection using any information received from States under section 11(e)(24) as well as any other information the Secretary may have relating to the manner in which benefits are used.”.

(c) CONFORMING AMENDMENTS.—Section 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)) is amended by inserting “subject to section 9(h)” after “concessional prices” each place it appears.

#### SEC. 4011. QUALITY CONTROL STANDARDS.

(a) IN GENERAL.—Section 16(c)(1)(D)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(1)(D)(i)) is amended by striking subclause (I).

(b) CONFORMING AMENDMENTS.—

(1) Section 13(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2022(a)(1)) is amended in the first sentence by striking “section 16(c)(1)(D)(i)(III)” and inserting “section 16(c)(1)(D)(i)(II)”.

(2) Section 16(c)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(1)) is amended—

(A) in subparagraph (D)(i)—

(i) by redesignating subclauses (II) through (IV) as subclauses (I) through (III), respectively; and

(ii) in subclause (III) (as so redesignated), by striking “through (III)” and inserting “and (II)”;

(B) in subparagraph (E)(i), by striking “(D)(i)(III)” and inserting “(D)(i)(II)”;

(C) in subparagraph (F), by striking “(D)(i)(II)” each place it appears and inserting “(D)(i)(I)”.

#### SEC. 4012. PERFORMANCE BONUS PAYMENTS.

Section 16(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(d)) is amended by adding at the end the following:

“(5) USE OF PERFORMANCE BONUS PAYMENTS.—A State agency may use a performance bonus payment received under this subsection only to carry out the program established under this Act, including investments in—

“(A) technology;

“(B) improvements in administration and distribution; and

“(C) actions to prevent fraud, waste, and abuse.”.

#### SEC. 4013. FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.

Section 16(h)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)(1)(A)) is amended by striking “section 18(a)(1), \$90,000,000” and all that follows through the end of the subparagraph and inserting “section 18(a)(1)—

“(i) for each of fiscal years 2014 through 2017, \$90,000,000; and

“(ii) for fiscal year 2018 and each fiscal year thereafter, \$80,000,000.”.

#### SEC. 4014. AUTHORIZATION OF APPROPRIATIONS.

Section 18(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended in the first sentence by striking “2012” and inserting “2018”.

#### SEC. 4015. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.

Section 25 of the Food and Nutrition Act of 2008 (7 U.S.C. 2034) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B)—

(i) in clause (i)—

(I) in subclause (I), by inserting after “individuals” the following: “through food distribution, community outreach to assist in participation in Federally assisted nutrition programs, or improving access to food as part of a comprehensive service;”; and

(II) in subclause (III), by inserting “food access,” after “food,”; and

(ii) in clause (ii), by striking subclause (I) and inserting the following:

“(I) equipment necessary for the efficient operation of a project;”; and

(B) by striking paragraph (2) and inserting the following:

“(2) HUNGER-FREE COMMUNITIES GOAL.—The term ‘hunger-free communities goal’ means any of the 14 goals described in House Concurrent Resolution 302, 102nd Congress, agreed to October 5, 1992.”;

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting “public food program service provider or a” before “private”;;

(B) in paragraph (1)—

(i) in subparagraph (A), by striking “or” after the semicolon at the end;

(ii) in subparagraph (B), by inserting “or” after the semicolon at the end; and

(iii) by adding at the end the following:

“(C) efforts to reduce food insecurity in the community, including food distribution, improving access to services, or coordinating services and programs;”;;

(C) in paragraph (2), by striking “and” after the semicolon at the end;

(D) in paragraph (3), by striking the period at the end and inserting “; and”; and

(E) by adding at the end the following:

“(4) collaborate with 1 or more local partner organizations to achieve at least 1 hunger-free communities goal.”;

(3) in subsection (d)—

(A) in paragraph (3), by striking “or” after the semicolon at the end;

(B) in paragraph (4), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(5) develop new resources and strategies to help reduce food insecurity in the community and prevent food insecurity in the future by—

“(A) developing creative food resources;

“(B) coordinating food services with park and recreation programs and other community-based outlets to reduce barriers to access; or

“(C) creating nutrition education programs for at-risk populations to enhance food-purchasing and food-preparation skills and to heighten awareness of the connection between diet and health.”;

(4) in subsection (f)(2), by striking “3 years” and inserting “5 years”; and

(5) by striking subsections (h) and (i) and inserting the following:

“(h) REPORTS TO CONGRESS.—Not later than September 30, 2014, and each year thereafter, the Secretary shall submit to Congress a report that describes each grant made under this section, including—

“(1) a description of any activity funded;

“(2) the degree of success of each activity funded in achieving hunger-free community goals; and

“(3) the degree of success in improving the long-term capacity of a community to address food and agriculture problems related to hunger or access to healthy food.”.

#### SEC. 4016. EMERGENCY FOOD ASSISTANCE.

(a) PURCHASE OF COMMODITIES.—Section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) is amended—

(1) in paragraph (1), by striking “2008 through 2012” and inserting “2014 through 2018”;

(2) by striking paragraph (2) and inserting the following:

“(2) AMOUNTS.—The Secretary shall use to carry out paragraph (1)—

“(A) for fiscal year 2013, \$265,750,000; and  
“(B) for each subsequent fiscal year, the dollar amount of commodities specified in subparagraph (A) adjusted by the percentage by which the thrifty food plan has been adjusted under section 3(u)(4) between June 30, 2013, and June 30 of the immediately preceding fiscal year, and subsequently increased by—

“(i) for fiscal year 2014, \$22,000,000;  
“(ii) for fiscal year 2015, \$18,000,000;  
“(iii) for fiscal year 2016, \$10,000,000; and  
“(iv) for fiscal year 2017, \$4,000,000.”; and  
(3) by adding at the end the following:

“(3) FUNDS AVAILABILITY.—For purposes of the funds described in this subsection, the Secretary shall—

“(A) make the funds available for 2 fiscal years; and

“(B) allow States to carry over unexpended balances to the next fiscal year pursuant to such terms and conditions as are determined by the Secretary.”.

(b) EMERGENCY FOOD PROGRAM INFRASTRUCTURE GRANTS.—Section 209(d) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7511a(d)) is amended by striking “2012” and inserting “2018”.

#### SEC. 4017. NUTRITION EDUCATION.

Section 28(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a(b)) is amended by inserting “and physical activity” after “healthy food choices”.

#### SEC. 4018. RETAIL FOOD STORE AND RECIPIENT TRAFFICKING.

The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended by adding at the end the following:

#### “SEC. 29. RETAIL FOOD STORE AND RECIPIENT TRAFFICKING.

“(a) PURPOSE.—The purpose of this section is to provide the Department of Agriculture with additional resources to prevent trafficking in violation of this Act by strengthening recipient and retail food store program integrity.

“(b) USE OF FUNDS.—

“(1) IN GENERAL.—Additional funds are provided under this section to supplement the retail food store and recipient integrity activities of the Department.

“(2) INFORMATION TECHNOLOGIES.—The Secretary shall use an appropriate amount of the funds provided under this section to employ information technologies known as data mining and data warehousing and other available information technologies to administer the supplemental nutrition assistance program and enforce regulations promulgated under section 4(c).

“(c) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$12,000,000 for each of fiscal years 2014 through 2018.

“(2) MANDATORY FUNDING.—

“(A) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section not less than \$5,000,000 for fiscal year 2014, to remain available until expended.

“(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subparagraph (A), without further appropriation.

“(C) MAINTENANCE OF FUNDING.—The funding provided under subparagraph (A) shall supplement (and not supplant) other Federal

funding for programs carried out under this Act.”.

#### SEC. 4019. TECHNICAL AND CONFORMING AMENDMENTS.

(a) Section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) in subsection (g), by striking “coupon,” and inserting “coupon”;

(2) in subsection (k)(7), by striking “or are” and inserting “and”;

(3) by striking subsection (l);

(4) by redesignating subsections (m) through (t) as subsections (l) through (s), respectively; and

(5) by inserting after subsection (s) (as so redesignated) the following:

“(t) ‘Supplemental nutrition assistance program’ means the program operated pursuant to this Act.”.

(b) Section 4(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(a)) is amended in the last sentence by striking “benefits” and inserting “Benefits”.

(c) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the last sentence of subsection (i)(2)(D), by striking “section 13(b)(2)” and inserting “section 13(b)”;

(2) in subsection (k)(4)(A), by striking “paragraph (2)(H)” and inserting “paragraph (2)(G)”.

(d) Section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)) is amended in subparagraphs (B)(vii) and (F)(iii) by indenting both clauses appropriately.

(e) Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) is amended by redesignating the second paragraph (12) (relating to interchange fees) as paragraph (13).

(f) Section 9(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2018(a)) is amended by indenting paragraph (3) appropriately.

(g) Section 12 of the Food and Nutrition Act of 2008 (7 U.S.C. 2021) is amended—

(1) in subsection (b)(3)(C), by striking “civil money penalties” and inserting “civil penalties”; and

(2) in subsection (g)(1), by striking “(7 U.S.C. 1786)” and inserting “(42 U.S.C. 1786)”.

(h) Section 15(b)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2024(b)(1)) is amended in the first sentence by striking “an benefit” and inserting “a benefit”.

(i) Section 16(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)) is amended in the proviso following paragraph (8) by striking “as amended.”.

(j) Section 18(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(e)) is amended in the first sentence by striking “sections 7(f)” and inserting “section 7(f)”.

(k) Section 22(b)(10)(B)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(b)(10)(B)(i)) is amended in the last sentence by striking “Food benefits” and inserting “Benefits”.

(l) Section 26(f)(3)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2035(f)(3)(C)) is amended by striking “subsection” and inserting “subsections”.

(m) Section 27(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)(1)) is amended by striking “(Public Law 98-8; 7 U.S.C. 612c note)” and inserting “(7 U.S.C. 7515)”.

(n) Section 509 of the Older Americans Act of 1965 (42 U.S.C. 3056g) is amended in the section heading by striking “FOOD STAMP PROGRAMS” and inserting “SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAMS”.

(o) Section 4115(c)(2)(H) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1871) is amended by striking “531” and inserting “454”.

#### SEC. 4020. ELIGIBILITY DISQUALIFICATIONS FOR CERTAIN CONVICTED FELONS.

Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) (as amended by section 4004) is amended by adding at the end the following:

“(s) DISQUALIFICATION FOR CERTAIN CONVICTED FELONS.—

“(1) IN GENERAL.—An individual shall not be eligible for benefits under this Act if the individual is convicted of—

“(A) aggravated sexual abuse under section 2241 of title 18, United States Code;

“(B) murder under section 1111 of title 18, United States Code;

“(C) an offense under chapter 110 of title 18, United States Code;

“(D) a Federal or State offense involving sexual assault, as defined in 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

“(E) an offense under State law determined by the Attorney General to be substantially similar to an offense described in subparagraph (A), (B), or (C).

“(2) EFFECTS ON ASSISTANCE AND BENEFITS FOR OTHERS.—The amount of benefits otherwise required to be provided to an eligible household under this Act shall be determined by considering the individual to whom paragraph (1) applies not to be a member of such household, except that the income and resources of the individual shall be considered to be income and resources of the household.

“(3) ENFORCEMENT.—Each State shall require each individual applying for benefits under this Act, during the application process, to state, in writing, whether the individual, or any member of the household of the individual, has been convicted of a crime described in paragraph (1).”.

#### Subtitle B—Commodity Distribution Programs

#### SEC. 4101. COMMODITY DISTRIBUTION PROGRAM.

Section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93-86) is amended in the first sentence by striking “2012” and inserting “2018”.

#### SEC. 4102. COMMODITY SUPPLEMENTAL FOOD PROGRAM.

Section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93-86) is amended—

(1) in paragraphs (1) and (2)(B) of subsection (a), by striking “2012” each place it appears and inserting “2018”;

(2) in the first sentence of subsection (d)(2), by striking “2012” and inserting “2018”;

(3) by striking subsection (g) and inserting the following:

“(g) ELIGIBILITY.—Except as provided in subsection (m), the States shall only provide assistance under the commodity supplemental food program to low-income persons aged 60 and older.”; and

(4) by adding at the end the following:

“(m) PHASE-OUT.—Notwithstanding any other provision of law, an individual who receives assistance under the commodity supplemental food program on the day before the date of enactment of this subsection shall continue to receive that assistance until the date on which the individual is no longer eligible for assistance under the eligibility requirements for the program in effect on the day before the date of enactment of this subsection.”.

#### SEC. 4103. DISTRIBUTION OF SURPLUS COMMODITIES TO SPECIAL NUTRITION PROJECTS.

Section 1114(a)(2)(A) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e(2)(A)) is amended in the first sentence by striking “2012” and inserting “2018”.

**SEC. 4104. PROCESSING OF COMMODITIES.**

(a) IN GENERAL.—Section 17 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100-237) is amended—

(1) in the section heading, by inserting “**AND PROCESSING**” after “**DONATIONS**”; and

(2) by adding at the end the following:

“(c) **PROCESSING**.—

“(1) IN GENERAL.—For any program included under subsection (b), the Secretary may, notwithstanding any other provision of Federal or State law relating to the procurement of goods and services—

“(A) retain title to commodities delivered to a processor, on behalf of a State (including a State distributing agency and a recipient agency), until such time as end products containing the commodities, or similar commodities as approved by the Secretary, are delivered to a State distributing agency or to a recipient agency; and

“(B) promulgate regulations to ensure accountability for commodities provided to a processor for processing into end products, and to facilitate processing of commodities into end products for use by recipient agencies.

“(2) **REGULATIONS**.—The regulations described in paragraph (1)(B) may provide that—

“(A) a processor that receives commodities for processing into end products, or provides a service with respect to the commodities or end products, in accordance with the agreement of the processor with a State distributing agency or a recipient agency, provide to the Secretary a bond or other means of financial assurance to protect the value of the commodities; and

“(B) in the event a processor fails to deliver to a State distributing agency or a recipient agency an end product in conformance with the processing agreement entered into under this Act, the Secretary—

“(i) take action with respect to the bond or other means of financial assurance pursuant to regulations promulgated under this subsection; and

“(ii) distribute any proceeds obtained by the Secretary to 1 or more State distributing agencies and recipient agencies, as determined appropriate by the Secretary.”.

(b) **DEFINITIONS**.—Section 18 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100-237) is amended by striking paragraphs (1) and (2) and inserting the following:

“(1) **COMMODITIES**.—The term ‘commodities’ means agricultural commodities and their products that are donated by the Secretary for use by recipient agencies.

“(2) **END PRODUCT**.—The term ‘end product’ means a food product that contains processed commodities.”.

(c) **TECHNICAL AND CONFORMING AMENDMENTS**.—Section 3 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100-237) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking subparagraph (B) and inserting the following:

“(B) the program established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));”; and

(B) in paragraph (3)(D), by striking “the Committee on Education and Labor” and inserting “the Committee on Education and the Workforce”;

(2) in subsection (b)(1)(A)(ii), by striking “section 32 of the Agricultural Adjustment Act (7 U.S.C. 601 et seq.)” and inserting “sec-

tion 32 of the Act of August 24, 1935 (7 U.S.C. 612c)”;

(3) in subsection (e)(1)(D)(iii), by striking subclause (II) and inserting the following:

“(II) the program established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));”; and

(4) in subsection (k), by striking “the Committee on Education and Labor” and inserting “the Committee on Education and the Workforce”.

**Subtitle C—Miscellaneous****SEC. 4201. PURCHASE OF FRESH FRUITS AND VEGETABLES FOR DISTRIBUTION TO SCHOOLS AND SERVICE INSTITUTIONS.**

Section 10603(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 612c-4(b)) is amended by striking “2012” and inserting “2018”.

**SEC. 4202. SENIORS FARMERS’ MARKET NUTRITION PROGRAM.**

Section 4402(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007(a)) is amended by striking “2012” and inserting “2018”.

**SEC. 4203. NUTRITION INFORMATION AND AWARENESS PILOT PROGRAM.**

Section 4403 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3171 note; Public Law 107-171) is repealed.

**SEC. 4204. HUNGER-FREE COMMUNITIES.**

Section 4405 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517) is amended to read as follows:

**“SEC. 4405. HUNGER-FREE COMMUNITIES.**

“(a) IN GENERAL.—In this section:

“(1) **ELIGIBLE ENTITY**.—The term ‘eligible entity’ means—

“(A) a nonprofit organization (including an emergency feeding organization);

“(B) an agricultural cooperative;

“(C) a producer network or association;

“(D) a community health organization;

“(E) a public benefit corporation;

“(F) an economic development corporation;

“(G) a farmers’ market;

“(H) a community-supported agriculture program;

“(I) a buying club;

“(J) a retail food store participating in the supplemental nutrition assistance program;

“(K) a State, local, or tribal agency; and

“(L) any other entity the Secretary designates.

“(2) **EMERGENCY FEEDING ORGANIZATION**.—The term ‘emergency feeding organization’ has the meaning given the term in section 201A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501).

“(3) **SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM**.—The term ‘supplemental nutrition assistance program’ means the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

“(b) **HUNGER-FREE COMMUNITIES INCENTIVE GRANTS**.—

“(1) **AUTHORIZATION**.—

“(A) IN GENERAL.—In each of the years specified in subsection (c), the Secretary shall make grants to eligible entities in accordance with paragraph (2).

“(B) **FEDERAL SHARE**.—The Federal share of the cost of carrying out an activity under this subsection shall not exceed 50 percent of the total cost of the activity.

“(C) **NON-FEDERAL SHARE**.—

“(i) IN GENERAL.—The non-Federal share of the cost of an activity under this subsection may be provided—

“(I) in cash or in-kind contributions as determined by the Secretary, including facilities, equipment, or services; and

“(II) by a State or local government or a private source.

“(ii) **LIMITATION**.—In the case of a for-profit entity, the non-Federal share described in clause (i) shall not include services of an employee, including salaries paid or expenses covered by the employer.

“(2) **CRITERIA**.—

“(A) IN GENERAL.—For purposes of this subsection, an eligible entity is a governmental agency or nonprofit organization that—

“(i) meets the application criteria set forth by the Secretary; and

“(ii) proposes a project that, at a minimum—

“(I) has the support of the State agency;

“(II) would increase the purchase of fruits and vegetables by low-income consumers participating in the supplemental nutrition assistance program by providing incentives at the point of purchase;

“(III) agrees to participate in the evaluation described in paragraph (4);

“(IV) ensures that the same terms and conditions apply to purchases made by individuals with benefits issued under this Act and incentives provided for in this subsection as apply to purchases made by individuals who are not members of households receiving benefits, such as provided for in section 278.2(b) of title 7, Code of Federal Regulations (or a successor regulation); and

“(V) includes effective and efficient technologies for benefit redemption systems that may be replicated in other for States and communities.

“(B) **PRIORITY**.—In awarding grants under this section, the Secretary shall give priority to projects that—

“(i) maximize the share of funds used for direct incentives to participants;

“(ii) use direct-to-consumer sales marketing;

“(iii) demonstrate a track record of designing and implementing successful nutrition incentive programs that connect low-income consumers and agricultural producers;

“(iv) provide locally or regionally produced fruits and vegetables;

“(v) are located in underserved communities; or

“(vi) address other criteria as established by the Secretary.

“(3) **APPLICABILITY**.—

“(A) IN GENERAL.—The value of any benefit provided to a participant in any activity funded under this subsection shall not be considered income or resources for any purpose under any Federal, State, or local law.

“(B) **PROHIBITION ON COLLECTION OF SALES TAXES**.—Each State shall ensure that no State or local tax is collected on a purchase of food under this subsection.

“(C) **NO LIMITATION ON BENEFITS**.—A grant made available under this subsection shall not be used to carry out any project that limits the use of benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) or any other Federal nutrition law.

“(D) **HOUSEHOLD ALLOTMENT**.—Assistance provided under this subsection to households receiving benefits under the supplemental nutrition assistance program shall not—

“(i) be considered part of the supplemental nutrition assistance program benefits of the household; or

“(ii) be used in the collection or disposition of claims under section 13 of the Food and Nutrition Act of 2008 (7 U.S.C. 2022).

“(4) **EVALUATION**.—

“(A) **INDEPENDENT EVALUATION**.—The Secretary shall provide for an independent evaluation of projects selected under this subsection that measures the impact of each project on—

“(i) improving the nutrition and health status of participating households receiving incentives under this subsection; and

“(ii) increasing fruit and vegetable purchases in participating households.

“(B) REQUIREMENT.—The independent evaluation under subparagraph (A) shall use rigorous methodologies capable of producing scientifically valid information regarding the effectiveness of a project.

“(C) COSTS.—The Secretary may use funds not to exceed 10 percent of the funding provided to carry out this section to pay costs associated with administering, monitoring, and evaluating each project.

“(c) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (b) \$5,000,000 for each of fiscal years 2014 through 2018.

“(2) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out subsection (b)—

“(A) \$15,000,000 for fiscal year 2014;

“(B) \$20,000,000 for each of fiscal years 2015 through 2017; and

“(C) \$25,000,000 for fiscal year 2018.”

#### SEC. 4205. HEALTHY FOOD FINANCING INITIATIVE.

Subtitle D of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6951 et seq.) is amended by adding at the end the following:

#### “SEC. 242. HEALTHY FOOD FINANCING INITIATIVE.

“(a) PURPOSE.—The purpose of this section is to enhance the authorities of the Secretary to support efforts to provide access to healthy food by establishing an initiative to improve access to healthy foods in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities by providing loans and grants to eligible fresh, healthy food retailers to overcome the higher costs and initial barriers to entry in underserved areas.

“(b) DEFINITIONS.—In this section:

“(1) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term ‘community development financial institution’ has the meaning given the term in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702).

“(2) INITIATIVE.—The term ‘Initiative’ means the Healthy Food Financing Initiative established under subsection (c)(1).

“(3) NATIONAL FUND MANAGER.—The term ‘national fund manager’ means a community development financial institution that is—

“(A) in existence on the date of enactment of this section; and

“(B) certified by the Community Development Financial Institution Fund of the Department of the Treasury to manage the Initiative for purposes of—

“(i) raising private capital;

“(ii) providing financial and technical assistance to partnerships; and

“(iii) funding eligible projects to attract fresh, healthy food retailers to underserved areas, in accordance with this section.

“(4) PARTNERSHIP.—The term ‘partnership’ means a regional, State, or local public-private partnership that—

“(A) is organized to improve access to fresh, healthy foods;

“(B) provides financial and technical assistance to eligible projects; and

“(C) meets such other criteria as the Secretary may establish.

“(5) PERISHABLE FOOD.—The term ‘perishable food’ means a staple food that is fresh, refrigerated, or frozen.

“(6) QUALITY JOB.—The term ‘quality job’ means a job that provides wages and other

benefits comparable to, or better than, similar positions in existing businesses of similar size in similar local economies.

“(7) STAPLE FOOD.—

“(A) IN GENERAL.—The term ‘staple food’ means food that is a basic dietary item.

“(B) INCLUSIONS.—The term ‘staple food’ includes—

“(i) bread;

“(ii) flour;

“(iii) fruits;

“(iv) vegetables; and

“(v) meat.

“(c) INITIATIVE.—

“(1) ESTABLISHMENT.—The Secretary shall establish an initiative to achieve the purpose described in subsection (a) in accordance with this subsection.

“(2) IMPLEMENTATION.—

“(A) IN GENERAL.—

“(i) IN GENERAL.—In carrying out the Initiative, the Secretary shall provide funding to entities with eligible projects, as described in subparagraph (B), subject to the priorities described in subparagraph (C).

“(ii) USE OF FUNDS.—Funds provided to an entity pursuant to clause (i) shall be used—

“(I) to create revolving loan pools of capital or other products to provide loans to finance eligible projects or partnerships;

“(II) to provide grants for eligible projects or partnerships;

“(III) to provide technical assistance to funded projects and entities seeking Initiative funding; and

“(IV) to cover administrative expenses of the national fund manager in an amount not to exceed 10 percent of the Federal funds provided.

“(B) ELIGIBLE PROJECTS.—Subject to the approval of the Secretary, the national fund manager shall establish eligibility criteria for projects under the Initiative, which shall include the existence or planned execution of agreements—

“(i) to expand or preserve the availability of staple foods in underserved areas with moderate- and low-income populations by maintaining or increasing the number of retail outlets that offer an assortment of perishable food and staple food items, as determined by the Secretary, in those areas; and

“(ii) to accept benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

“(C) PRIORITIES.—In carrying out the Initiative, priority shall be given to projects that—

“(i) are located in severely distressed low-income communities, as defined by the Community Development Financial Institutions Fund of the Department of the Treasury; and

“(ii) include 1 or more of the following characteristics:

“(I) The project will create or retain quality jobs for low-income residents in the community.

“(II) The project supports regional food systems and locally grown foods, to the maximum extent practicable.

“(III) In areas served by public transit, the project is accessible by public transit.

“(IV) The project involves women- or minority-owned businesses.

“(V) The project receives funding from other sources, including other Federal agencies.

“(VI) The project otherwise advances the purpose of this section, as determined by the Secretary.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section

\$125,000,000, to remain available until expended.”

#### SEC. 4206. PULSE CROP PRODUCTS.

(a) PURPOSE.—The purpose of this section is to encourage greater awareness and interest in the number and variety of pulse crop products available to schoolchildren, as recommended by the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341).

(b) DEFINITIONS.—In this section:

(1) ELIGIBLE PULSE CROP.—The term “eligible pulse crop” means dry beans, dry peas, lentils, and chickpeas.

(2) PULSE CROP PRODUCT.—The term “pulse crop product” means a food product derived in whole or in part from an eligible pulse crop.

(c) PURCHASE OF PULSE CROPS AND PULSE CROP PRODUCTS.—In addition to the commodities delivered under section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755), the Secretary shall purchase eligible pulse crops and pulse crop products for use in—

(1) the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); and

(2) the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

(d) EVALUATION.—Not later than September 30, 2016, the Secretary shall conduct an evaluation of the activities conducted under subsection (c), including—

(1) an evaluation of whether children participating in the school lunch and breakfast programs described in subsection (c) increased overall consumption of eligible pulse crops as a result of the activities;

(2) an evaluation of which eligible pulse crops and pulse crop products are most acceptable for use in the school lunch and breakfast programs;

(3) any recommendations of the Secretary regarding the integration of the use of pulse crop products in carrying out the school lunch and breakfast programs;

(4) an evaluation of any change in the nutrient composition in the school lunch and breakfast programs due to the activities; and

(5) an evaluation of any other outcomes determined to be appropriate by the Secretary.

(e) REPORT.—As soon as practicable after the completion of the evaluation under subsection (d), the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Education and the Workforce of the House of Representatives a report describing the results of the evaluation.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000, to remain available until expended.

#### SEC. 4207. DIETARY GUIDELINES FOR AMERICANS.

Section 301(a) of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341(a)) is amended by adding at the end the following:

“(3) PREGNANT WOMEN AND YOUNG CHILDREN.—Not later than the 2020 report and in each report thereafter, the Secretaries shall include national nutritional and dietary information and guidelines for pregnant women and children from birth until the age of 2.”

#### SEC. 4208. PURCHASES OF LOCALLY PRODUCED FOODS.

Section 9(j) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(j)) is amended—

(1) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting the subparagraphs appropriately;

(2) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”;

(3) in paragraph (1) (as so redesignated)—

(A) in subparagraph (B)—

(i) by striking “paragraph (1) of the policy described in that paragraph and paragraph (3)” and inserting “subparagraph (A) of the policy described in that subparagraph and subparagraph (C)”;

(ii) by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(D) not later than 1 year after the date of enactment of this subparagraph, in accordance with paragraphs (2) and (3), conduct not fewer than 5 demonstration projects through school food authorities receiving funds under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) to facilitate the purchase of unprocessed and minimally processed locally grown and locally raised agricultural products.”; and

(4) by adding at the end the following:

“(2) SELECTION.—In conducting demonstration projects under paragraph (1)(D), the Secretary shall ensure that at least 1 project is located in a State in each of—

“(A) the Pacific Northwest Region;

“(B) the Northeast Region;

“(C) the Western Region;

“(D) the Midwest Region; and

“(E) the Southern Region.

“(3) PRIORITY.—In selecting States for participation in the demonstration projects under paragraph (2), the Secretary shall prioritize applications based on—

“(A) the quantity and variety of growers of local fruits and vegetables in the State;

“(B) the demonstrated commitment of the State to farm-to-school efforts, as evidenced by prior efforts to increase and promote farm-to-school programs in the State; and

“(C) whether the State contains a sufficient quantity of school districts of varying population sizes and geographical locations.”.

#### SEC. 4209. MULTIAGENCY TASK FORCE.

Subtitle D of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6951 et seq.) (as amended by section 4205) is amended by adding at the end the following:

#### “SEC. 243. MULTIAGENCY TASK FORCE.

“(a) IN GENERAL.—The Secretary shall establish, in the office of the Under Secretary for Food, Nutrition, and Consumer Services, a multiagency task force for the purpose of providing coordination and direction for commodity programs.

“(b) COMPOSITION.—The Task Force shall be composed of at least 4 members, including—

“(1) a representative from the Food Distribution Division of the Food and Nutrition Service, who shall—

“(A) be appointed by the Under Secretary for Food, Nutrition, and Consumer Services; and

“(B) serve as Chairperson of the Task Force;

“(2) at least 1 representative from the Agricultural Marketing Service, who shall be appointed by the Under Secretary for Marketing and Regulatory Programs;

“(3) at least 1 representative from the Farm Services Agency, who shall be appointed by the Under Secretary for Farm and Foreign Agricultural Services; and

“(4) at least 1 representative from the Food Safety and Inspection Service, who shall be appointed by the Under Secretary for Food Safety.

“(c) DUTIES.—

“(1) IN GENERAL.—The Task Force shall be responsible for evaluation and monitoring of the commodity programs to ensure that the commodity programs meet the mission of the Department—

“(A) to support the United States farm sector; and

“(B) to contribute to the health and well-being of individuals in the United States through the distribution of domestic agricultural products through commodity programs.

“(2) SPECIFIC DUTIES.—In carrying out paragraph (1), the Task Force shall—

“(A) review and make recommendations regarding the specifications used for the procurement of food commodities;

“(B) review and make recommendations regarding the efficient and effective distribution of food commodities; and

“(C) review and make recommendations regarding the degree to which the quantity, quality, and specifications of procured food commodities align the needs of producers and the preferences of recipient agencies.

“(d) REPORTS.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Secretary shall submit to Congress a report that describes, for the period covered by the report—

“(1) the findings and recommendations of the Task Force; and

“(2) policies implemented for the improvement of commodity procurement programs.”.

#### SEC. 4210. FOOD AND AGRICULTURE SERVICE LEARNING PROGRAM.

Subtitle D of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6951 et seq.) (as amended by section 4209) is amended by adding at the end the following:

#### “SEC. 244. FOOD AND AGRICULTURE SERVICE LEARNING PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) APPROVED NATIONAL SERVICE POSITION.—The term ‘approved national service position’ has the meaning given the term in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511)).

“(2) ELEMENTARY SCHOOL.—The term ‘elementary school’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(3) PROGRAM.—The term ‘Program’ means the Food and Agriculture Service Learning Program established under subsection (b).

“(4) SECONDARY SCHOOL.—The term ‘secondary school’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(b) ESTABLISHMENT.—The Secretary shall establish a Food and Agriculture Service Learning Program to increase knowledge of agriculture and improve the nutritional health of children.

“(c) PURPOSES.—The purposes of the Program are—

“(1) to increase capacity for food, garden, and nutrition education within host organizations or entities and school cafeterias and in the classroom;

“(2) to complement and build on the efforts of the farm to school programs implemented under section 18(g) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g));

“(3) to complement efforts by the Department and school food authorities to implement school meal programs under section 4(b)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1753(b)(3));

“(4) to carry out activities that advance the nutritional health of children and nutrition education in elementary schools and secondary schools;

“(5) to build on activities carried out by the Food and Nutrition Service and the Corporation for National and Community Service by providing funds to establish new approved national service positions for a national service program; and

“(6) to further expand the impact of the efforts described in paragraphs (1) through (5) through coordination with the National Institute of Food and Agriculture.

“(d) ELIGIBILITY.—In carrying out the Program, the Secretary may make awards to an organization or other entity that, as determined by the Secretary—

“(1) has a proven track record in carrying out the activities described in subsection (c);

“(2) is designated as a national service organization by the Corporation for National and Community Service under subtitle C of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq.);

“(3) works in underserved rural and urban communities;

“(4) teaches and engages children in experiential learning about agriculture, gardening, nutrition, cooking, and where food comes from; and

“(5) facilitates a connection between elementary schools and secondary schools and agricultural producers in the local and regional area.

“(e) ACCOUNTABILITY.—

“(1) IN GENERAL.—The Secretary may require an organization or other entity receiving an award under subsection (d), or another qualified entity, to collect and report any data on the activities carried out under the Program, as determined by the Secretary.

“(2) EVALUATION.—The Secretary shall—

“(A) conduct regular evaluation of the activities carried out under the Program; and

“(B) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes a description of the results of an evaluation conducted under subparagraph (A).

“(f) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000, to remain available until expended.

“(2) USE OF CERTAIN FUNDS.—Of the funds made available to carry out this section for a fiscal year, 20 percent shall be made available to the National Institute of Food and Agriculture to offset costs associated with hosting, training, and overseeing individuals in approved national service positions under the Program.

“(3) MAINTENANCE OF EFFORT.—Funds made available under paragraph (1) shall be used only to supplement, not to supplant, the amount of Federal funding otherwise expended for nutrition, research, and extension programs of the Department.”.

## TITLE V—CREDIT

## Subtitle A—Farmer Loans, Servicing, and Other Assistance Under the Consolidated Farm and Rural Development Act

## SEC. 5001. FARMER LOANS, SERVICING, AND OTHER ASSISTANCE UNDER THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.

The Consolidated Farm and Rural Development Act (as amended by section 6001) is amended by inserting after section 3002 the following:

## “Subtitle A—Farmer Loans, Servicing, and Other Assistance

## “CHAPTER 1—FARM OWNERSHIP LOANS

## “SEC. 3101. FARM OWNERSHIP LOANS.

“(a) IN GENERAL.—The Secretary may make or guarantee a farm ownership loan under this chapter to an eligible farmer for a farm in the United States.

“(b) ELIGIBILITY.—A farmer shall be eligible under subsection (a) only—

“(1) if the farmer, or, in the case of an entity, 1 or more individuals holding a majority interest in the entity—

“(A) is a citizen of the United States; and

“(B) in the case of a direct loan, has training or farming experience that the Secretary determines is sufficient to ensure a reasonable prospect of success in the farming operation proposed by the farmer;

“(2)(A) in the case of a farmer that is an individual, if the farmer is or proposes to become an owner and operator of a farm that is not larger than a family farm; or

“(B) in the case of a lessee-operator of a farm located in the State of Hawaii, if the Secretary determines that—

“(i) the farm is not larger than a family farm;

“(ii) the farm cannot be acquired in fee simple by the lessee-operator;

“(iii) adequate security is provided for the loan with respect to the farm for which the lessee-operator applies under this chapter; and

“(iv) there is a reasonable probability of accomplishing the objectives and repayment of the loan;

“(3) in the case of a farmer that is a cooperative, corporation, partnership, trust, limited liability company, joint operation, or such other legal entity as the Secretary determines to be appropriate, with respect to the entity and each farm in which the entity has an ownership or operator interest—

“(A) if—

“(i) a majority interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

“(ii) at least 1 of the individuals is or will be the operator of the farm; and

“(iii) the farm is not larger than a family farm;

“(B) if—

“(i) all of the individuals who are or propose to become owners or operators of a farm are related by blood or marriage;

“(ii) all of the individuals are or propose to become operators of the farm; and

“(iii) each of the interests of the individuals separately constitutes not larger than a family farm even if the ownership interests of the individuals collectively constitute larger than a family farm; or

“(C) if—

“(i) the entire interest is not held by individuals who are related by blood or marriage, as defined by the Secretary;

“(ii) all of the individuals are or propose to become farm operators; and

“(iii) the farm is not larger than a family farm;

“(4) in the case of an entity that is, or will become within a reasonable period of time, as determined by the Secretary, only the operator of a family farm, if the 1 or more individuals who are the owners of the family farm own—

“(A) a percentage of the family farm that exceeds 50 percent; or

“(B) such other percentage as the Secretary determines to be appropriate;

“(5) in the case of an operator described in paragraph (3) that is owned, in whole or in part, by 1 or more other entities, if each of the individuals that have a direct or indirect ownership interest in such other entities also have a direct ownership interest in the entity; and

“(6) if the farmer (or in the case of a farmer that is an entity, the 1 or more individuals that hold a majority interest in the entity) is unable to obtain credit elsewhere.

“(c) DIRECT LOANS.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary may make a direct loan under this chapter only to a farmer who has participated in business operations of a farm for not less than 3 years (or has other acceptable experience for a period of time determined by the Secretary) and—

“(A) is a qualified beginning farmer;

“(B) has not received a previous direct farm ownership loan made under this chapter; or

“(C) has not received a direct farm ownership loan under this chapter more than 10 years before the date on which the new loan would be made.

“(2) YOUTH LOANS.—The operation of an enterprise by a youth under section 3201(d) shall not be considered the operation of a farm for purposes of paragraph (1).

## “SEC. 3102. PURPOSES OF LOANS.

“(a) ALLOWED PURPOSES.—

“(1) DIRECT LOANS.—A farmer may use a direct loan made under this chapter only—

“(A) to acquire or enlarge a farm;

“(B) to make capital improvements to a farm;

“(C) to pay loan closing costs related to acquiring, enlarging, or improving a farm;

“(D) to pay for activities to promote soil and water conservation and protection described in section 3103 on a farm; or

“(E) to refinance a temporary bridge loan made by a commercial or cooperative lender to a farmer for the acquisition of land for a farm, if—

“(i) the Secretary approved an application for a direct farm ownership loan to the farmer for acquisition of the land; and

“(ii) funds for direct farm ownership loans under section 3201(a) were not available at the time at which the application was approved.

“(2) GUARANTEED LOANS.—A farmer may use a loan guaranteed under this chapter only—

“(A) to acquire or enlarge a farm;

“(B) to make capital improvements to a farm;

“(C) to pay loan closing costs related to acquiring, enlarging, or improving a farm;

“(D) to pay for activities to promote soil and water conservation and protection described in section 3103 on a farm; or

“(E) to refinance indebtedness.

“(b) PREFERENCES.—In making or guaranteeing a loan under this chapter for purchase of a farm, the Secretary shall give preference to a person who—

“(1) has a dependent family;

“(2) to the extent practicable, is able to make an initial down payment on the farm; or

“(3) is an owner of livestock or farm equipment that is necessary to successfully carry out farming operations.

“(c) HAZARD INSURANCE REQUIREMENT.—The Secretary may not make a loan to a farmer under this chapter unless the farmer has, or agrees to obtain, hazard insurance on any real property to be acquired or improved with the loan.

## “SEC. 3103. CONSERVATION LOAN AND LOAN GUARANTEE PROGRAM.

“(a) IN GENERAL.—The Secretary may make or guarantee qualified conservation loans to eligible borrowers under this section.

“(b) DEFINITIONS.—In this section:

“(1) CONSERVATION PLAN.—The term ‘conservation plan’ means a plan, approved by the Secretary, that, for a farming operation, identifies the conservation activities that will be addressed with loan funds provided under this section, including—

“(A) the installation of conservation structures to address soil, water, and related resources;

“(B) the establishment of forest cover for sustained yield timber management, erosion control, or shelter belt purposes;

“(C) the installation of water conservation measures;

“(D) the installation of waste management systems;

“(E) the establishment or improvement of permanent pasture;

“(F) compliance with section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812); and

“(G) other purposes consistent with the plan, including the adoption of any other emerging or existing conservation practices, techniques, or technologies approved by the Secretary.

“(2) QUALIFIED CONSERVATION LOAN.—The term ‘qualified conservation loan’ means a loan, the proceeds of which are used to cover the costs to the borrower of carrying out a qualified conservation project.

“(3) QUALIFIED CONSERVATION PROJECT.—The term ‘qualified conservation project’ means conservation measures that address provisions of a conservation plan of the eligible borrower.

“(c) ELIGIBILITY.—

“(1) IN GENERAL.—The Secretary may make or guarantee loans to farmers.

“(2) REQUIREMENTS.—To be eligible for a loan under this section, applicants shall meet the citizenship and training and experience requirements of section 3101(b).

“(d) PRIORITY.—In making or guaranteeing loans under this section, the Secretary shall give priority to—

“(1) qualified beginning farmers and socially disadvantaged farmers;

“(2) owners or tenants who use the loans to convert to sustainable or organic agricultural production systems; and

“(3) producers who use the loans to build conservation structures or establish conservation practices to comply with section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812).

“(e) LIMITATIONS APPLICABLE TO LOAN GUARANTEES.—The portion of a loan that the Secretary may guarantee under this section shall not exceed 75 percent of the principal amount of the loan.

“(f) ADMINISTRATIVE PROVISIONS.—The Secretary shall ensure, to the maximum extent practicable, that loans made or guaranteed under this section are distributed across diverse geographic regions.

“(g) CREDIT ELIGIBILITY.—The provisions of paragraphs (1) and (3) of section 3406(a) shall

not apply to loans made or guaranteed under this section.

“(h) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2013 through 2018, there are authorized to be appropriated to the Secretary such sums as are necessary to carry out this section.

**“SEC. 3104. LOAN MAXIMUMS.**

“(a) MAXIMUM.—

“(1) IN GENERAL.—The Secretary shall make or guarantee no loan under sections 3101, 3102, 3103, 3106, and 3107 that would cause the unpaid indebtedness under those sections of any 1 borrower to exceed the lesser of—

“(A) the value of the farm or other security, or

“(B)(i) in the case of a loan made by the Secretary, \$300,000; or

“(ii) in the case of a loan guaranteed by the Secretary, \$700,000 (as modified under paragraph (2)).

“(2) MODIFICATION.—The amount specified in paragraph (1)(B)(ii) shall be—

“(A) increased, beginning with fiscal year 2000, by the inflation percentage applicable to the fiscal year in which the loan is guaranteed; and

“(B) reduced by the amount of any unpaid indebtedness of the borrower on loans under chapter 2 that are guaranteed by the Secretary.

“(b) DETERMINATION OF VALUE.—In determining the value of the farm, the Secretary shall consider appraisals made by competent appraisers under rules established by the Secretary.

“(c) INFLATION PERCENTAGE.—For purposes of this section, the inflation percentage applicable to a fiscal year is the percentage (if any) by which—

“(1) the average of the Prices Paid By Farmers Index (as compiled by the National Agricultural Statistics Service of the Department) for the 12-month period ending on August 31 of the immediately preceding fiscal year; exceeds

“(2) the average of that index (as so defined) for the 12-month period ending on August 31, 1996.

**“SEC. 3105. REPAYMENT REQUIREMENTS FOR FARM OWNERSHIP LOANS.**

“(a) PERIOD FOR REPAYMENT.—The period for repayment of a loan under this chapter shall not exceed 40 years.

“(b) INTEREST RATES.—

“(1) IN GENERAL.—Except as otherwise provided in this title, the interest rate on a loan under this chapter shall be determined by the Secretary at a rate—

“(A) not to exceed the sum obtained by adding—

“(i) the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of the loan; and

“(ii) an amount not to exceed 1 percent, as determined by the Secretary; and

“(B) adjusted to the nearest  $\frac{1}{8}$  of 1 percent.

“(2) LOW INCOME FARM OWNERSHIP LOANS.—Except as provided in paragraph (3), the interest rate on a loan (other than a guaranteed loan) under section 3106 shall be determined by the Secretary at a rate that is—

“(A) not greater than the sum obtained by adding—

“(i) an amount that does not exceed  $\frac{1}{2}$  of the current average market yield on outstanding marketable obligations of the United States with maturities of 5 years; and

“(ii) an amount not to exceed 1 percent per year, as the Secretary determines is appropriate; and

“(B) not less than 5 percent per year.

“(3) JOINT FINANCING ARRANGEMENT.—If a direct farm ownership loan is made under this chapter as part of a joint financing arrangement and the amount of the direct farm ownership loan does not exceed 50 percent of the total principal amount financed under the arrangement, the interest rate on the direct farm ownership loan shall be at least 4 percent annually.

“(4) GUARANTEED LOANS.—The interest rate on a loan made under this chapter as a guaranteed loan shall be such rate as may be agreed on by the borrower and the lender, but not in excess of any rate determined by the Secretary.

“(c) PAYMENT OF CHARGES.—A borrower of a loan made or guaranteed under this chapter shall pay such fees and other charges as the Secretary may require, and prepay to the Secretary such taxes and insurance as the Secretary may require, on such terms and conditions as the Secretary may prescribe.

“(d) SECURITY.—

“(1) IN GENERAL.—The Secretary shall take as security for an obligation entered into in connection with a loan, a mortgage on a farm with respect to which the loan is made or such other security as the Secretary may require.

“(2) LIENS TO UNITED STATES.—An instrument for security under paragraph (1) may constitute a lien running to the United States notwithstanding the fact that the note for the security may be held by a lender other than the United States.

“(3) MULTIPLE LOANS.—A borrower may use the same collateral to secure 2 or more loans made or guaranteed under this chapter, except that the outstanding amount of the loans may not exceed the total value of the collateral.

“(e) MINERAL RIGHTS AS COLLATERAL.—

“(1) IN GENERAL.—In the case of a farm ownership loan made after December 23, 1985, unless appraised values of the rights to oil, gas, or other minerals are specifically included as part of the appraised value of collateral securing the loan, the rights to oil, gas, or other minerals located under the property shall not be considered part of the collateral securing the loan.

“(2) COMPENSATORY PAYMENTS.—Nothing in this subsection prevents the inclusion of, as part of the collateral securing the loan, any payment or other compensation the borrower may receive for damages to the surface of the collateral real estate resulting from the exploration for or recovery of minerals.

“(f) ADDITIONAL COLLATERAL.—The Secretary may not—

“(1) require any borrower to provide additional collateral to secure a farmer program loan made or guaranteed under this subtitle, if the borrower is current in the payment of principal and interest on the loan; or

“(2) bring any action to foreclose, or otherwise liquidate, the loan as a result of the failure of a borrower to provide additional collateral to secure the loan, if the borrower was current in the payment of principal and interest on the loan at the time the additional collateral was requested.

**“SEC. 3106. LIMITED-RESOURCE LOANS.**

“(a) IN GENERAL.—The Secretary may make or guarantee a limited-resource loan for any of the purposes specified in sections 3102(a) or 3103(a) to a farmer in the United States who—

“(1) in the case of an entity, all members, stockholders, or partners are eligible under section 3101(b);

“(2) has a low income; and

“(3) demonstrates a need to maximize the income of the farmer from farming operations.

“(b) INSTALLMENTS.—A loan made or guaranteed under this section shall be repayable in such installments as the Secretary determines will provide for reduced payments during the initial repayment period of the loan and larger payments during the remainder of the repayment period of the loan.

“(c) INTEREST RATES.—Except as provided in section 3105(b)(3) and in section 3204(b)(3), the interest rate on loans (other than guaranteed loans) under this section shall not be—

“(1) greater than the sum obtained by adding—

“(A) an amount that does not exceed  $\frac{1}{2}$  of the current average market yield on outstanding marketable obligations of the United States with maturities of 5 years; and

“(B) an amount not exceeding 1 percent per year, as the Secretary determines is appropriate; or

“(2) less than 5 percent per year.

**“SEC. 3107. DOWNPAYMENT LOAN PROGRAM.**

“(a) IN GENERAL.—

“(1) ESTABLISHMENT.—Notwithstanding any other provision of this chapter, the Secretary shall establish, under the farm ownership loan program established under this chapter, a program under which loans shall be made under this section to a qualified beginning farmer or a socially disadvantaged farmer for a downpayment on a farm ownership loan.

“(2) COORDINATION.—The Secretary shall be the primary coordinator of credit supervision for the downpayment loan program established under this section, in consultation with a commercial or cooperative lender and, if applicable, a contracting credit counseling service selected under section 3420(c).

“(b) LOAN TERMS.—

“(1) PRINCIPAL.—Each loan made under this section shall be in an amount that does not exceed 45 percent of the lesser of—

“(A) the purchase price of the farm to be acquired;

“(B) the appraised value of the farm to be acquired; or

“(C) \$667,000.

“(2) INTEREST RATE.—The interest rate on any loan made by the Secretary under this section shall be a rate equal to the greater of—

“(A) the difference between—

“(i) 4 percent; and

“(ii) the interest rate for farm ownership loans under this chapter; or

“(B) 1.5 percent.

“(3) DURATION.—Each loan under this section shall be made for a period of 20 years or less, at the option of the borrower.

“(4) REPAYMENT.—Each borrower of a loan under this section shall repay the loan to the Secretary in equal annual installments.

“(5) NATURE OF RETAINED SECURITY INTEREST.—The Secretary shall retain an interest in each farm acquired with a loan made under this section that shall—

“(A) be secured by the farm;

“(B) be junior only to such interests in the farm as may be conveyed at the time of acquisition to the person (including a lender) from whom the borrower obtained a loan used to acquire the farm; and

“(C) require the borrower to obtain the permission of the Secretary before the borrower may grant an additional security interest in the farm.

“(c) LIMITATIONS.—

“(1) BORROWERS REQUIRED TO MAKE MINIMUM DOWN PAYMENT.—The Secretary shall



not make a loan under this section to any borrower with respect to a farm if the contribution of the borrower to the down payment on the farm will be less than 5 percent of the purchase price of the farm.

“(2) PROHIBITED TYPES OF FINANCING.—The Secretary shall not make a loan under this section with respect to a farm if the farm is to be acquired with other financing that contains any of the following conditions:

“(A) The financing is to be amortized over a period of less than 30 years.

“(B) A balloon payment will be due on the financing during the 20-year period beginning on the date on which the loan is to be made by the Secretary.

“(d) ADMINISTRATION.—In carrying out this section, the Secretary shall, to the maximum extent practicable—

“(1) facilitate the transfer of farms from retiring farmers to persons eligible for insured loans under this subtitle;

“(2) make efforts to widely publicize the availability of loans under this section among—

“(A) potentially eligible recipients of the loans;

“(B) retiring farmers; and

“(C) applicants for farm ownership loans under this chapter;

“(3) encourage retiring farmers to assist in the sale of their farms to qualified beginning farmers and socially disadvantaged farmers providing seller financing;

“(4) coordinate the loan program established by this section with State programs that provide farm ownership or operating loans for beginning farmers or socially disadvantaged farmers; and

“(5) establish annual performance goals to promote the use of the down payment loan program and other joint financing arrangements as the preferred choice for direct real estate loans made by any lender to a qualified beginning farmer or socially disadvantaged farmer.

**“SEC. 3108. BEGINNING FARMER AND SOCIALLY DISADVANTAGED FARMER CONTRACT LAND SALES PROGRAM.**

“(a) IN GENERAL.—The Secretary shall, in accordance with this section, guarantee a loan made by a private seller of a farm to a qualified beginning farmer or socially disadvantaged farmer on a contract land sales basis.

“(b) ELIGIBILITY.—To be eligible for a loan guarantee under subsection (a)—

“(1) the qualified beginning farmer or socially disadvantaged farmer shall—

“(A) on the date the contract land sale that is subject of the loan is complete, own and operate the farm that is the subject of the contract land sale;

“(B) have a credit history that—

“(i) includes a record of satisfactory debt repayment, as determined by the Secretary; and

“(ii) is acceptable to the Secretary; and

“(C) demonstrate to the Secretary that the farmer is unable to obtain sufficient credit without a guarantee to finance any actual need of the farmer at a reasonable rate or term; and

“(2) the loan shall meet applicable underwriting criteria, as determined by the Secretary.

“(c) LIMITATIONS.—The Secretary shall not provide a loan guarantee under subsection (a) if—

“(1) the contribution of the qualified beginning farmer or socially disadvantaged farmer to the down payment for the farm that is the subject of the contract land sale would be less than 5 percent of the purchase price of the farm; or

“(2) the purchase price or the appraisal value of the farm that is the subject of the contract land sale is greater than \$500,000.

“(d) PERIOD OF GUARANTEE.—A loan guarantee under this section shall be in effect for the 10-year period beginning on the date on which the guarantee is provided.

“(e) GUARANTEE PLAN.—

“(1) SELECTION OF PLAN.—A private seller of a farm who makes a loan guaranteed by the Secretary under subsection (a) may select—

“(A) a prompt payment guarantee plan, which shall cover—

“(i) 3 amortized annual installments; or

“(ii) an amount equal to 3 annual installments (including an amount equal to the total cost of any tax and insurance incurred during the period covered by the annual installments); or

“(B) a standard guarantee plan, which shall cover an amount equal to 90 percent of the outstanding principal of the loan.

“(2) ELIGIBILITY FOR STANDARD GUARANTEE PLAN.—To be eligible for a standard guarantee plan referred to in paragraph (1)(B), a private seller shall—

“(A) secure a commercial lending institution or similar entity, as determined by the Secretary, to serve as an escrow agent; or

“(B) in cooperation with the farmer, use an appropriate alternate arrangement, as determined by the Secretary.

**“CHAPTER 2—OPERATING LOANS**

**“SEC. 3201. OPERATING LOANS.**

“(a) IN GENERAL.—The Secretary may make or guarantee an operating loan under this chapter to an eligible farmer in the United States.

“(b) ELIGIBILITY.—A farmer shall be eligible under subsection (a) only—

“(1) if the farmer, or an individual holding a majority interest in the farmer—

“(A) is a citizen of the United States; and

“(B) has training or farming experience that the Secretary determines is sufficient to ensure a reasonable prospect of success in the farming operation proposed by the farmer;

“(2) in the case of a farmer that is an individual, if the farmer is or proposes to become an operator of a farm that is not larger than a family farm;

“(3) in the case of a farmer that is a cooperative, corporation, partnership, trust, limited liability company, joint operation, or such other legal entity as the Secretary determines to be appropriate, with respect to the entity and each farm in which the entity has an ownership or operator interest—

“(A) if—

“(i) a majority interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

“(ii) at least 1 of the individuals is or will be the operator of the farm; and

“(iii) the farm is not larger than a family farm;

“(B) if—

“(i) all of the individuals who are or propose to become owners or operators of a farm are related by blood or marriage;

“(ii) all of the individuals are or propose to become operators of the farm; and

“(iii) each of the interests of the individuals separately constitutes not larger than a family farm even if the ownership interests of the individuals collectively constitute larger than a family farm; or

“(C) if—

“(i) the entire interest is not held by individuals who are related by blood or marriage, as defined by the Secretary;

“(ii) all of the individuals are or propose to become farm operators; and

“(iii) the farm is not larger than a family farm;

“(4) in the case of an operator described in paragraph (3) that is owned, in whole or in part by 1 or more other entities, if not less than 75 percent of the ownership interests of each other entity is owned directly or indirectly by 1 or more individuals who own the family farm; and

“(5) if the farmer (or in the case of a farmer that is an entity, the 1 or more individuals that hold a majority interest in the entity) is unable to obtain credit elsewhere.

“(c) DIRECT LOANS.—

“(1) IN GENERAL.—The Secretary may make a direct loan under this chapter only to a farmer who—

“(A) is a qualified beginning farmer;

“(B) has not received a previous direct operating loan made under this chapter; or

“(C) has not received a direct operating loan made under this chapter for a total of 10 years, plus any year the farmer or rancher did not receive a direct operating loan after the year in which the borrower initially received a direct operating loan under this chapter, as determined by the Secretary.

“(2) YOUTH LOANS.—In this subsection, the term ‘direct operating loan’ shall not include a loan made to a youth under subsection (d).

“(3) WAIVERS.—

“(A) FARM OPERATIONS ON TRIBAL LAND.—The Secretary shall waive the limitation under paragraph (1)(C) for a direct loan made under this chapter to a farmer whose farm land is subject to the jurisdiction of an Indian tribe and whose loan is secured by 1 or more security instruments that are subject to the jurisdiction of an Indian tribe if the Secretary determines that commercial credit is not generally available for such farm operations.

“(B) OTHER FARM OPERATIONS.—On a case-by-case determination not subject to administrative appeal, the Secretary may grant a borrower a waiver, 1 time only for a period of 2 years, of the limitation under paragraph (1)(C) for a direct operating loan if the borrower demonstrates to the satisfaction of the Secretary that—

“(i) the borrower has a viable farm operation;

“(ii) the borrower applied for commercial credit from at least 2 commercial lenders;

“(iii) the borrower was unable to obtain a commercial loan (including a loan guaranteed by the Secretary); and

“(iv) the borrower successfully has completed, or will complete within 1 year, borrower training under section 3419 (from which requirement the Secretary shall not grant a waiver under section 3419(f)).

“(d) YOUTH LOANS.—

“(1) IN GENERAL.—Notwithstanding subsection (b), except for citizenship and credit requirements, a loan may be made under this chapter to a youth who is a rural resident to enable the youth to operate an enterprise in connection with the participation in a youth organization, as determined by the Secretary.

“(2) FULL PERSONAL LIABILITY.—A youth receiving a loan under this subsection who executes a promissory note for the loan shall incur full personal liability for the indebtedness evidenced by the note, in accordance with the terms of the note, free of any disability of minority.

“(3) COSIGNER.—The Secretary may accept the personal liability of a cosigner of a promissory note for a loan under this subsection, in addition to the personal liability of the youth borrower.

“(4) YOUTH ENTERPRISES NOT FARMING.—The operation of an enterprise by a youth

under this subsection shall not be considered the operation of a farm under this subtitle.

“(5) **RELATION TO OTHER LOAN PROGRAMS.**—Notwithstanding any other provision of law, if a borrower becomes delinquent with respect to a youth loan made under this subsection, the borrower shall not become ineligible, as a result of the delinquency, to receive loans and loan guarantees from the Federal government to pay for education expenses of the borrower.

“(e) **PILOT LOAN PROGRAM TO SUPPORT HEALTHY FOODS FOR THE HUNGRY.**—

“(1) **DEFINITION OF GLEANER.**—In this subsection, the term ‘gleaner’ means an entity that—

“(A) collects edible, surplus food that would be thrown away and distributes the food to agencies or nonprofit organizations that feed the hungry; or

“(B) harvests for free distribution to the needy, or for donation to agencies or nonprofit organizations for ultimate distribution to the needy, an agricultural crop that has been donated by the owner of the crop.

“(2) **PROGRAM.**—Not later than 180 days after the date of enactment of this subsection, the Secretary shall establish, within the operating loan program established under this chapter, a pilot program under which the Secretary makes loans available to eligible entities to assist the entities in providing food to the hungry.

“(3) **ELIGIBILITY.**—In addition to any other person eligible under the terms and conditions of the operating loan program established under this chapter, gleaners shall be eligible to receive loans under this subsection.

“(4) **LOAN AMOUNT.**—

“(A) **IN GENERAL.**—Each loan issued under the program shall be in an amount of not less than \$500 and not more than \$5,000.

“(B) **REDISTRIBUTION.**—If the eligible recipients in a State do not use the full allocation of loans that are available to eligible recipients in the State under this subsection, the Secretary may use any unused amounts to make loans available to eligible entities in other States in accordance with this subsection.

“(5) **LOAN PROCESSING.**—

“(A) **IN GENERAL.**—The Secretary shall process any loan application submitted under the program not later than 30 days after the date on which the application was submitted.

“(B) **EXPEDITING APPLICATIONS.**—The Secretary shall take any measure the Secretary determines necessary to expedite any application submitted under the program.

“(6) **PAPERWORK REDUCTION.**—The Secretary shall take measures to reduce any paperwork requirements for loans under the program.

“(7) **PROGRAM INTEGRITY.**—The Secretary shall take such actions as are necessary to ensure the integrity of the program established under this subsection.

“(8) **MAXIMUM AMOUNT.**—Of funds that are made available to carry out this chapter, the Secretary shall use to carry out this subsection a total amount of not more than \$500,000.

“(9) **REPORT.**—Not later than 180 days after the maximum amount of funds are used to carry out this subsection under paragraph (8), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the pilot program and the feasibility of expanding the program.

#### “SEC. 3202. PURPOSES OF LOANS.

“(a) **DIRECT LOANS.**—A direct loan may be made under this chapter only—

“(1) to pay the costs incident to reorganizing a farm for more profitable operation;

“(2) to purchase livestock, poultry, or farm equipment;

“(3) to purchase feed, seed, fertilizer, insecticide, or farm supplies, or to meet other essential farm operating expenses, including cash rent;

“(4) to finance land or water development, use, or conservation;

“(5) to pay loan closing costs;

“(6) to assist a farmer in changing the equipment, facilities, or methods of operation of a farm to comply with a standard promulgated under section 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655) or a standard adopted by a State under a plan approved under section 18 of that Act (29 U.S.C. 667), if the Secretary determines that without assistance under this paragraph the farmer is likely to suffer substantial economic injury in complying with the standard;

“(7) to train a limited-resource borrower receiving a loan under section 3106 in maintaining records of farming operations;

“(8) to train a borrower under section 3419;

“(9) to refinance the indebtedness of a borrower, if the borrower—

“(A) has refinanced a loan under this chapter not more than 4 times previously; and

“(B)(i) is a direct loan borrower under this subtitle at the time of the refinancing and has suffered a qualifying loss because of a natural or major disaster or emergency; or

“(ii) is refinancing a debt obtained from a creditor other than the Secretary;

“(10) to provide other farm or home needs, including family subsistence; or

“(11) to assist a farmer in the production of a locally or regionally produced agricultural food product (as defined in section 3601(e)(11)(A)), including to qualified producers engaged in direct-to-consumer marketing, direct-to-institution marketing, or direct-to-store marketing, business, or activities that produce a value-added agricultural product (as defined in section 231(a) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(a))).

“(b) **GUARANTEED LOANS.**—A loan may be guaranteed under this chapter only—

“(1) to pay the costs incident to reorganizing a farm for more profitable operation;

“(2) to purchase livestock, poultry, or farm equipment;

“(3) to purchase feed, seed, fertilizer, insecticide, or farm supplies, or to meet other essential farm operating expenses, including cash rent;

“(4) to finance land or water development, use, or conservation;

“(5) to refinance indebtedness;

“(6) to pay loan closing costs;

“(7) to assist a farmer in changing the equipment, facilities, or methods of operation of a farm to comply with a standard promulgated under section 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655) or a standard adopted by a State under a plan approved under section 18 of that Act (29 U.S.C. 667), if the Secretary determines that without assistance under this paragraph the farmer is likely to suffer substantial economic injury due to compliance with the standard;

“(8) to train a borrower under section 3419; or

“(9) to provide other farm or home needs, including family subsistence.

“(c) **HAZARD INSURANCE REQUIREMENT.**—The Secretary may not make a loan to a

farmer under this chapter unless the farmer has, or agrees to obtain, hazard insurance on the property to be acquired with the loan.

“(d) **PRIVATE RESERVE.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of this title, the Secretary may reserve a portion of any loan made under this chapter to be placed in an unsupervised bank account that may be used at the discretion of the borrower for the basic family needs of the borrower and the immediate family of the borrower.

“(2) **LIMIT ON SIZE OF THE RESERVE.**—The size of the reserve shall not exceed the lesser of—

“(A) 10 percent of the loan;

“(B) \$5,000; or

“(C) the amount needed to provide for the basic family needs of the borrower and the immediate family of the borrower for 3 calendar months.

“(e) **LOANS TO LOCAL AND REGIONAL FOOD PRODUCERS.**—

“(1) **TRAINING.**—The Secretary shall ensure that loan officers processing loans under subsection (a)(11) receive appropriate training to serve borrowers and potential borrowers engaged in local and regional food production.

“(2) **VALUATION.**—

“(A) **IN GENERAL.**—The Secretary shall develop ways to determine unit prices (or other appropriate forms of valuation) for crops and other agricultural products, the end use of which is intended to be in locally or regionally produced agricultural food products, to facilitate lending to local and regional food producers.

“(B) **PRICE HISTORY.**—The Secretary shall implement a mechanism for local and regional food producers to establish price history for the crops and other agricultural products produced by local and regional food producers.

“(3) **OUTREACH.**—The Secretary shall develop and implement an outreach strategy to engage and provide loan services to local and regional food producers.

#### “SEC. 3203. RESTRICTIONS ON LOANS.

“(a) **REQUIREMENTS.**—

“(1) **IN GENERAL.**—The Secretary may not make or guarantee a loan under this chapter—

“(A) that would cause the total principal indebtedness outstanding at any 1 time for loans made under this chapter to any 1 borrower to exceed—

“(i)(I) in the case of a loan made by the Secretary, \$300,000; or

“(II) in the case of a loan guaranteed by the Secretary, \$700,000 (as modified under paragraph (2)); or

“(B) for the purchasing or leasing of land other than for cash rent, or for carrying on a land leasing or land purchasing program.

“(2) **MODIFICATION.**—The amount specified in paragraph (1)(A)(ii) shall be—

“(A) increased, beginning with fiscal year 2000, by the inflation percentage applicable to the fiscal year in which the loan is guaranteed; and

“(B) reduced by the unpaid indebtedness of the borrower on loans under sections specified in section 3104 that are guaranteed by the Secretary.

“(b) **INFLATION PERCENTAGE.**—For purposes of this section, the inflation percentage applicable to a fiscal year is the percentage (if any) by which—

“(1) the average of the Prices Paid By Farmers Index (as compiled by the National Agricultural Statistics Service of the Department) for the 12-month period ending on August 31 of the immediately preceding fiscal year; exceeds

“(2) the average of that index (as so defined) for the 12-month period ending on August 31, 1996.

**“SEC. 3204. TERMS OF LOANS.**

“(a) **PERSONAL LIABILITY.**—A borrower of a loan made under this chapter shall secure the loan with the full personal liability of the borrower and such other security as the Secretary may prescribe.

“(b) **INTEREST RATES.**—

“(1) **MAXIMUM RATE.**—

“(A) **IN GENERAL.**—Except as provided in paragraphs (2) and (3), the interest rate on a loan made under this chapter (other than a guaranteed loan) shall be determined by the Secretary at a rate not to exceed the sum obtained by adding—

“(i) the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of the loan; and

“(ii) an additional charge not to exceed 1 percent, as determined by the Secretary.

“(B) **ADJUSTMENT.**—The sum obtained under subparagraph (A) shall be adjusted to the nearest  $\frac{1}{8}$  of 1 percent.

“(2) **GUARANTEED LOAN.**—The interest rate on a guaranteed loan made under this chapter shall be such rate as may be agreed on by the borrower and the lender, but may not exceed any rate prescribed by the Secretary.

“(3) **LOW INCOME LOAN.**—The interest rate on a direct loan made under this chapter to a low-income, limited-resource borrower shall be determined by the Secretary at a rate that is not—

“(A) greater than the sum obtained by adding—

“(i) an amount that does not exceed  $\frac{1}{2}$  of the current average market yield on outstanding marketable obligations of the United States with a maturity of 5 years; and

“(ii) an amount not to exceed 1 percent per year, as the Secretary determines is appropriate; or

“(B) less than 5 percent per year.

“(c) **PERIOD FOR REPAYMENT.**—The period for repayment of a loan made under this chapter may not exceed 7 years.

“(d) **LINE-OF-CREDIT LOANS.**—

“(1) **IN GENERAL.**—A loan made or guaranteed by the Secretary under this chapter may be in the form of a line-of-credit loan.

“(2) **TERM.**—A line-of-credit loan under paragraph (1) shall terminate not later than 5 years after the date that the loan is made or guaranteed.

“(3) **ELIGIBILITY.**—For purposes of determining eligibility for an operating loan under this chapter, each year during which a farmer takes an advance or draws on a line-of-credit loan the farmer shall be considered as having received an operating loan for 1 year.

“(4) **TERMINATION OF DELINQUENT LOANS.**—If a borrower does not pay an installment on a line-of-credit loan on schedule, the borrower may not take an advance or draw on the line-of-credit, unless the Secretary determines that—

“(A) the failure of the borrower to pay on schedule was due to unusual conditions that the borrower could not control; and

“(B) the borrower will reduce the line-of-credit balance to the scheduled level at the end of—

“(i) the production cycle; or

“(ii) the marketing of the agricultural products of the borrower.

“(5) **AGRICULTURAL COMMODITIES.**—A line-of-credit loan may be used to finance the production or marketing of an agricultural

commodity that is eligible for a price support program of the Department.

**“CHAPTER 3—EMERGENCY LOANS**

**“SEC. 3301. EMERGENCY LOANS.**

“(a) **IN GENERAL.**—The Secretary shall make or guarantee an emergency loan under this chapter to an eligible farmer (including a commercial fisherman) only to the extent and in such amounts as provided in advance in appropriation Acts.

“(b) **ELIGIBILITY.**—An established farmer shall be eligible under subsection (a) only—

“(1) if the farmer or an individual holding a majority interest in the farm—

“(A) is a citizen of the United States; and

“(B) has experience and resources that the Secretary determines are sufficient to ensure a reasonable prospect of success in the farming operation proposed by the farmer;

“(2) in the case of a farmer that is an individual, if the farmer is—

“(A) in the case of a loan for a purpose under chapter 1, an owner, operator, or lessee-operator described in section 3101(b)(2); and

“(B) in the case of a loan for a purpose under chapter 2, an operator of a farm that is not larger than a family farm;

“(3) in the case of a farmer that is a cooperative, corporation, partnership, trust, limited liability company, joint operation, or such other legal entity as the Secretary determines to be appropriate, with respect to the entity and each farm in which the entity has an ownership or operator interest—

“(A) if—

“(i) a majority interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

“(ii) at least 1 of the individuals is or will be the operator of the farm; and

“(iii) the farm is not larger than a family farm;

“(B) if—

“(i) all of the individuals who are or propose to become owners or operators of a farm are related by blood or marriage;

“(ii) all of the individuals are or propose to become operators of the farm; and

“(iii) each of the interests of the individuals separately constitutes not larger than a family farm even if the ownership interests of the individuals collectively constitute larger than a family farm; or

“(C) if—

“(i) the entire interest is not held by individuals who are related by blood or marriage, as defined by the Secretary;

“(ii) all of the individuals are or propose to become farm operators; and

“(iii) the farm is not larger than a family farm;

“(4) if the entity is owned, in whole or in part, by 1 or more other entities and each individual who is an owner of the family farm involved has a direct or indirect ownership interest in each of the other entities;

“(5) if the farmer (or in the case of a farmer that is an entity, the 1 or more individuals that hold a majority interest in the entity) is unable to obtain credit elsewhere; and

“(6)(A) if the Secretary finds that the operations of the farmer have been substantially affected by—

“(i) a natural or major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); or

“(ii) a quarantine imposed by the Secretary under the Plant Protection Act (7 U.S.C. 7701 et seq.) or the Animal Health Protection Act (7 U.S.C. 8301 et seq.); or

“(B) if the farmer conducts farming operations in a county or a county contiguous to a county in which the Secretary has found that farming operations have been substantially affected by a natural or major disaster or emergency.

“(c) **TIME FOR ACCEPTING AN APPLICATION.**—The Secretary shall accept an application for a loan under this chapter from a farmer at any time during the 8-month period beginning on the date that—

“(1) the Secretary determines that farming operations of the farmer have been substantially affected by—

“(A) a quarantine imposed by the Secretary under the Plant Protection Act (7 U.S.C. 7701 et seq.) or the Animal Health Protection Act (7 U.S.C. 8301 et seq.); or

“(B) a natural disaster; or

“(2) the President makes a major disaster or emergency designation with respect to the affected county of the farmer referred to in subsection (b)(5)(B).

“(d) **HAZARD INSURANCE REQUIREMENT.**—The Secretary may not make a loan to a farmer under this chapter to cover a property loss unless the farmer had hazard insurance that insured the property at the time of the loss.

“(e) **FAMILY FARM.**—The Secretary shall conduct the loan program under this chapter in a manner that will foster and encourage the family farm system of agriculture, consistent with the reaffirmation of policy and declaration of the intent of Congress contained in section 102(a) of the Food and Agriculture Act of 1977 (7 U.S.C. 2266(a)).

**“SEC. 3302. PURPOSES OF LOANS.**

“Subject to the limitations on the amounts of loans provided in section 3303(a), a loan may be made or guaranteed under this chapter for—

“(1) any purpose authorized for a loan under chapter 1 or 2; and

“(2) crop or livestock purposes that are—

“(A) necessitated by a quarantine, natural disaster, major disaster, or emergency; and

“(B) considered desirable by the farmer.

**“SEC. 3303. TERMS OF LOANS.**

“(a) **MAXIMUM AMOUNT OF LOAN.**—The Secretary may not make or guarantee a loan under this chapter to a borrower who has suffered a loss in an amount that—

“(1) exceeds the actual loss caused by a disaster; or

“(2) would cause the total indebtedness of the borrower under this chapter to exceed \$500,000.

“(b) **INTEREST RATES.**—Any portion of a loan under this chapter up to the amount of the actual loss suffered by a farmer caused by a disaster shall be at a rate prescribed by the Secretary, but not in excess of 8 percent per annum.

“(c) **INTEREST SUBSIDIES FOR GUARANTEED LOANS.**—In the case of a guaranteed loan under this chapter, the Secretary may pay an interest subsidy to the lender for any portion of the loan up to the amount of the actual loss suffered by a farmer caused by a disaster.

“(d) **TIME FOR REPAYMENT.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), a loan under this chapter shall be repayable at such times as the Secretary may determine, considering the purpose of the loan and the nature and effect of the disaster, but not later than the maximum repayment period allowed for a loan for a similar purpose under chapters 1 and 2.

“(2) **EXTENDED REPAYMENT PERIOD.**—The Secretary may, if the loan is for a purpose described in chapter 2 and the Secretary determines that the need of the loan applicant

justifies the longer repayment period, make the loan repayable at the end of a period of more than 7 years, but not more than 20 years.

“(e) SECURITY FOR LOAN.—

“(1) IN GENERAL.—A borrower of a loan made under this chapter shall secure the loan with the full personal liability of the borrower and such other security as the Secretary may prescribe.

“(2) ADEQUATE SECURITY.—Subject to paragraph (3), the Secretary may not make or guarantee a loan under this chapter unless the security for the loan is adequate to ensure repayment of the loan.

“(3) INADEQUATE SECURITY DUE TO DISASTER.—If adequate security for a loan under this chapter is not available because of a disaster, the Secretary shall accept as security any collateral that is available if the Secretary is confident that the collateral and the repayment ability of the farmer are adequate security for the loan.

“(4) VALUATION OF FARM ASSETS.—If a farm asset (including land, livestock, or equipment) is used as collateral to secure a loan applied for under this chapter and the governor of the State in which the farm is located requests assistance under this chapter or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) for the portion of the State in which the asset is located, the Secretary shall establish the value of the asset as of the day before the occurrence of the natural or major disaster or emergency.

“(f) REVIEW OF LOAN.—

“(1) IN GENERAL.—In the case of a loan made, but not guaranteed, under section 3301, the Secretary shall review the loan 3 years after the loan is made, and every 2 years thereafter for the term of the loan.

“(2) TERMINATION OF FEDERAL ASSISTANCE.—If, based on a review under paragraph (1), the Secretary determines that the borrower is able to obtain a loan from a non-Federal source at reasonable rates and terms, the borrower shall, on request by the Secretary, apply for, and accept, a non-Federal loan in a sufficient amount to repay the Secretary.

**“SEC. 3304. PRODUCTION LOSSES.**

“(a) IN GENERAL.—The Secretary shall make or guarantee a loan under this chapter to an eligible farmer for production losses if a single enterprise that constitutes a basic part of the farming operation of the farmer has sustained at least a 30 percent loss in normal per acre or per animal production, or such lesser percentage as the Secretary may determine, as a result of a disaster.

“(b) BASIS FOR PERCENTAGE.—A percentage loss under subsection (a) shall be based on the average monthly price in effect for the previous crop or calendar year, as appropriate.

“(c) AMOUNT OF LOAN.—A loan under subsection (a) shall be in an amount that is equal to 80 percent, or such greater percentage as the Secretary may determine, of the total calculated actual production loss sustained by the farmer.

**“CHAPTER 4—GENERAL FARMER LOAN PROVISIONS**

**“SEC. 3401. AGRICULTURAL CREDIT INSURANCE FUND.**

“(The fund established pursuant to section 11(a) of the Bankhead-Jones Farm Tenant Act (60 Stat. 1075, chapter 964) shall be known as the Agricultural Credit Insurance Fund (referred to in this section as the ‘Fund’, unless the context otherwise requires) for the discharge of the obligations of the Secretary under agreements insuring

loans under this subtitle and loans and mortgages insured under prior authority.

**“SEC. 3402. GUARANTEED FARMER LOANS.**

“(a) IN GENERAL.—The Secretary may provide financial assistance to a borrower for a purpose provided in this subtitle by guaranteeing a loan made by any Federal or State chartered bank, savings and loan association, cooperative lending agency, or other legally organized lending agency.

“(b) INTEREST RATE.—The interest rate payable by a borrower on the portion of a guaranteed loan that is sold by a lender to the secondary market under this subtitle may be lower than the interest rate charged on the portion retained by the lender, but shall not exceed the average interest rate charged by the lender on loans made to farm borrowers.

“(c) FEES.—In the case of a loan guarantee on a loan made by a commercial or cooperative lender related to a loan made by the Secretary under section 3107—

“(1) the Secretary shall not charge a fee to any person (including a lender); and

“(2) a lender may charge a loan origination and servicing fee in an amount not to exceed 1 percent of the amount of the loan.

“(d) MAXIMUM GUARANTEE OF 90 PERCENT.—Except as provided in subsections (e) and (f), a loan guarantee under this subtitle shall be for not more than 90 percent of the principal and interest due on the loan.

“(e) REFINANCED LOANS GUARANTEED AT 95 PERCENT.—The Secretary shall guarantee 95 percent of—

“(1) in the case of a loan that solely refinances a direct loan made under this subtitle, the principal and interest due on the loan on the date of the refinancing; or

“(2) in the case of a loan that is used for multiple purposes, the portion of the loan that refinances the principal and interest due on a direct loan made under this subtitle that is outstanding on the date the loan is guaranteed.

“(f) BEGINNING FARMER LOANS GUARANTEED UP TO 95 PERCENT.—The Secretary may guarantee not more than 95 percent of—

“(1) a farm ownership loan for acquiring a farm to a borrower who is participating in the downpayment loan program under section 3107; or

“(2) an operating loan to a borrower who is participating in the downpayment loan program under section 3107 that is made during the period that the borrower has a direct loan outstanding under chapter 1 for acquiring a farm.

“(g) GUARANTEE OF LOANS MADE UNDER STATE BEGINNING FARMER PROGRAMS.—The Secretary may guarantee under this subtitle a loan made under a State beginning farmer program, including a loan financed by the net proceeds of a qualified small issue agricultural bond for land or property described in section 144(a)(12)(B)(ii) of the Internal Revenue Code of 1986.

“(h) PARTIAL LIQUIDATIONS.—If a partial liquidation of a delinquent loan is performed (with the prior consent of the Secretary) as part of loan servicing by a guaranteed lender under this subtitle, the Secretary shall not require full liquidation of the loan for the lender to be eligible to receive payment on losses.

**“SEC. 3403. PROVISION OF INFORMATION TO BORROWERS.**

“(a) APPROVAL NOTIFICATION.—The Secretary shall approve or disapprove an application for a loan or loan guarantee made under this subtitle, and notify the applicant of such action, not later than 60 days after the date on which the Secretary has received

a complete application for the loan or loan guarantee.

“(b) LIST OF LENDERS.—The Secretary shall make available to any farmer, on request, a list of lenders in the area that participate in guaranteed farmer program loan programs established under this subtitle, and other lenders in the area that express a desire to participate in the programs and that request inclusion on the list.

“(c) OTHER INFORMATION.—

“(1) IN GENERAL.—On the request of a borrower, the Secretary shall make available to the borrower—

“(A) a copy of each document signed by the borrower;

“(B) a copy of each appraisal performed with respect to the loan; and

“(C) any document that the Secretary is required to provide to the borrower under any law in effect on the date of the request.

“(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not supersede any duty imposed on the Secretary by a law in effect on January 5, 1988, unless the duty directly conflicts with a duty under paragraph (1).

**“SEC. 3404. NOTICE OF LOAN SERVICE PROGRAMS.**

“(a) REQUIREMENT.—The Secretary shall provide notice by certified mail to each borrower who is at least 90 days past due on the payment of principal or interest on a loan made under this subtitle.

“(b) CONTENTS.—The notice required under subsection (a) shall—

“(1) include a summary of all primary loan service programs, homestead retention programs, debt settlement programs, and appeal procedures, including the eligibility criteria, and terms and conditions of the programs and procedures;

“(2) include a summary of the manner in which the borrower may apply, and be considered, for all such programs, except that the Secretary shall not require the borrower to select among the programs or waive any right to be considered for any program carried out by the Secretary;

“(3) advise the borrower regarding all filing requirements and any deadlines that must be met for requesting loan servicing;

“(4) provide any relevant forms, including applicable response forms;

“(5) advise the borrower that a copy of regulations is available on request; and

“(6) be designed to be readable and understandable by the borrower.

“(c) CONTAINED IN REGULATIONS.—All notices required by this section shall be contained in the regulations issued to carry out this subtitle.

“(d) TIMING.—The notice described in subsection (b) shall be provided—

“(1) at the time an application is made for participation in a loan service program;

“(2) on written request of the borrower; and

“(3) before the earliest of the date of—

“(A) initiating any liquidation;

“(B) requesting the conveyance of security property;

“(C) accelerating the loan;

“(D) repossessing property;

“(E) foreclosing on property; or

“(F) taking any other collection action.

“(e) CONSIDERATION OF BORROWERS FOR LOAN SERVICE PROGRAMS.—

“(1) IN GENERAL.—The Secretary shall consider a farmer program loan borrower for all loan service programs if, not later than 60 days after receipt of the notice described in subsection (b), the borrower requests the consideration in writing.

“(2) PRIORITY.—In considering a borrower for a loan service program, the Secretary

shall place the highest priority on the preservation of the farming operations of the borrower.

**“SEC. 3405. PLANTING AND PRODUCTION HISTORY GUIDELINES.**

“(a) IN GENERAL.—The Secretary shall ensure that appropriate procedures, including, to the extent practicable, onsite inspections, or use of county or State yield averages, are used in calculating future yields for an applicant for a loan, when an accurate projection cannot be made because the past production history of the farmer has been affected by a natural or major disaster or emergency.

“(b) CALCULATION OF YIELDS.—

“(1) IN GENERAL.—For the purpose of averaging the past yields of the farm of a farmer over a period of crop years to calculate the future yield of the farm under this subtitle, the Secretary shall permit the farmer to exclude the crop year with the lowest actual or county average yield for the farm from the calculation, if the farmer was affected by a natural or major disaster or emergency during at least 2 of the crop years during the period.

“(2) AFFECTED BY A NATURAL OR MAJOR DISASTER OR EMERGENCY.—A farmer was affected by a natural or major disaster or emergency under paragraph (1) if the Secretary finds that the farming operations of the farmer have been substantially affected by a natural or major disaster or emergency, including a farmer who has a qualifying loss but is not located in a designated or declared disaster area.

“(3) APPLICATION OF SUBSECTION.—This subsection shall apply to any action taken by the Secretary that involves—

“(A) a loan under chapter 1 or 2; and

“(B) the yield of a farm of a farmer, including making a loan or loan guarantee, servicing a loan, or making a credit sale.

**“SEC. 3406. SPECIAL CONDITIONS AND LIMITATIONS ON LOANS.**

“(a) APPLICANT REQUIREMENTS.—In connection with a loan made or guaranteed under this subtitle, the Secretary shall require—

“(1) the applicant—

“(A) to certify in writing that, and the Secretary shall determine whether, the applicant is unable to obtain credit elsewhere; and

“(B) to furnish an appropriate written financial statement;

“(2) except for a guaranteed loan, an agreement by the borrower that if at any time it appears to the Secretary that the borrower may be able to obtain a loan from a production credit association, a Federal land bank, or other responsible cooperative or private credit source (or, in the case of a borrower under section 3106, the borrower may be able to obtain a loan under section 3101), at reasonable rates and terms for loans for similar purposes and periods of time, the borrower will, on request by the Secretary, apply for and accept the loan in a sufficient amount to repay the Secretary or the insured lender, or both, and to pay for any stock necessary to be purchased in a cooperative lending agency in connection with the loan;

“(3) such provision for supervision of the operations of the borrower as the Secretary shall consider necessary to achieve the objectives of the loan and protect the interests of the United States; and

“(4) the application of a person who is a veteran for a loan under chapter 1 or 2 to be given preference over a similar application from a person who is not a veteran if the applications are on file in a county or area office at the same time.

“(b) AGENCY PROCESSING REQUIREMENTS.—

“(1) NOTIFICATIONS.—

“(A) INCOMPLETE APPLICATION NOTIFICATION.—If an application for a loan or loan guarantee under this subtitle (other than an operating loan or loan guarantee) is incomplete, the Secretary shall inform the applicant of the reasons the application is incomplete not later than 20 days after the date on which the Secretary has received the application.

“(B) OPERATING LOANS.—

“(i) ADDITIONAL INFORMATION NEEDED.—Not later than 10 calendar days after the Secretary receives an application for an operating loan or loan guarantee, the Secretary shall notify the applicant of any information required before a decision may be made on the application.

“(ii) INFORMATION NOT RECEIVED.—If, not later than 20 calendar days after the date a request is made pursuant to clause (i) with respect to an application, the Secretary has not received the information requested, the Secretary shall notify the applicant and the district office of the Farm Service Agency, in writing, of the outstanding information.

“(C) REQUEST INFORMATION.—

“(i) IN GENERAL.—On receipt of an application, the Secretary shall request from other parties such information as may be needed in connection with the application.

“(ii) INFORMATION FROM AN AGENCY OF THE DEPARTMENT.—Not later than 15 calendar days after the date on which an agency of the Department receives a request for information made pursuant to subparagraph (A), the agency shall provide the Secretary with the requested information.

“(2) REPORT OF PENDING APPLICATIONS.—

“(A) IN GENERAL.—A county office shall notify the district office of the Farm Service Agency of each application for an operating loan or loan guarantee that is pending more than 45 days after receipt, and the reasons for which the application is pending.

“(B) ACTION ON PENDING APPLICATIONS.—A district office that receives a notice provided under subparagraph (A) with respect to an application shall immediately take steps to ensure that final action is taken on the application not later than 15 days after the date of the receipt of the notice.

“(C) PENDING APPLICATION REPORT.—The district office shall report to the State office of the Farm Service Agency on each application for an operating loan or loan guarantee that is pending more than 45 days after receipt, and the reasons for which the application is pending.

“(D) REPORT TO CONGRESS.—Each month, the Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, on a State-by-State basis, as to each application for an operating loan or loan guarantee on which final action had not been taken within 60 calendar days after receipt by the Secretary, and the reasons for which final action had not been taken.

“(3) DISAPPROVALS.—

“(A) IN GENERAL.—If an application for a loan or loan guarantee under this subtitle is disapproved by the Secretary, the Secretary shall state the reasons for the disapproval in the notice required under paragraph (1).

“(B) DISAPPROVAL DUE TO LACK OF FUNDS.—

“(i) IN GENERAL.—Notwithstanding paragraph (1), each application for a loan or loan guarantee under section 3601(e), or for a loan under section 3501(a) or 3502(a), that is to be disapproved by the Secretary solely because the Secretary lacks the funds necessary to make the loan or guarantee shall not be dis-

approved but shall be placed in pending status.

“(ii) RECONSIDERATION.—The Secretary shall retain each pending application and reconsider the application beginning on the date that sufficient funds become available.

“(iii) NOTIFICATION.—Not later than 60 days after funds become available regarding each pending application, the Secretary shall notify the applicant of the approval or disapproval of funding for the application.

“(4) APPROVALS ON APPEAL.—If an application for a loan or loan guarantee under this subtitle is disapproved by the Secretary, but that action is subsequently reversed or revised as the result of an appeal within the Department or to the courts of the United States and the application is returned to the Secretary for further consideration, the Secretary shall act on the application and provide the applicant with notice of the action not later than 15 days after the date of return of the application to the Secretary.

“(5) PROVISION OF PROCEEDS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), if an application for a guaranteed loan under this subtitle is approved by the Secretary, the Secretary shall provide the loan proceeds to the applicant not later than 15 days (or such longer period as the applicant may approve) after the application for the loan is approved by the Secretary.

“(B) LACK OF FUNDS.—If the Secretary is unable to provide the loan proceeds to the applicant during the 15-day period described in subparagraph (A) because sufficient funds are not available to the Secretary for that purpose, the Secretary shall provide the loan proceeds to the applicant as soon as practicable (but in no event later than 15 days unless the applicant agrees to a longer period) after sufficient funds for that purpose become available to the Secretary.

**“SEC. 3407. GRADUATION OF BORROWERS.**

“(a) GRADUATION OF SEASONED DIRECT LOAN BORROWERS TO THE LOAN GUARANTEE PROGRAM.—

“(1) REVIEW OF LOANS.—

“(A) IN GENERAL.—The Secretary, or a contracting third party, shall annually review under section 3420 the loans of each seasoned direct loan borrower.

“(B) ASSISTANCE.—If, based on the review, it is determined that a borrower would be able to obtain a loan, guaranteed by the Secretary, from a commercial or cooperative lender at reasonable rates and terms for loans for similar purposes and periods of time, the Secretary shall assist the borrower in applying for the commercial or cooperative loan.

“(2) PROSPECTUS.—

“(A) IN GENERAL.—In accordance with section 3422, the Secretary shall prepare a prospectus on each seasoned direct loan borrower determined eligible to obtain a guaranteed loan.

“(B) REQUIREMENTS.—The prospectus shall contain a description of the amounts of the loan guarantee and interest assistance that the Secretary will provide to the seasoned direct loan borrower to enable the seasoned direct loan borrower to carry out a financially viable farming plan if a guaranteed loan is made.

“(3) VERIFICATION.—

“(A) IN GENERAL.—The Secretary shall provide a prospectus of a seasoned direct loan borrower to each approved lender whose lending area includes the location of the seasoned direct loan borrower.

“(B) NOTIFICATION.—The Secretary shall notify each borrower of a loan that a prospectus has been provided to a lender under subparagraph (A).

“(C) CREDIT EXTENDED.—If the Secretary receives an offer from an approved lender to extend credit to the seasoned direct loan borrower under terms and conditions contained in the prospectus, the seasoned direct loan borrower shall not be eligible for a loan from the Secretary under chapter 1 or 2, except as otherwise provided in this section.

“(4) INSUFFICIENT ASSISTANCE OR OFFERS.—If the Secretary is unable to provide loan guarantees and, if necessary, interest assistance to the seasoned direct loan borrower under this section in amounts sufficient to enable the seasoned direct loan borrower to borrow from commercial sources the amount required to carry out a financially viable farming plan, or if the Secretary does not receive an offer from an approved lender to extend credit to a seasoned direct loan borrower under the terms and conditions contained in the prospectus, the Secretary shall make a loan to the seasoned direct loan borrower under chapter 1 or 2, whichever is applicable.

“(5) INTEREST RATE REDUCTIONS.—To the extent necessary for the borrower to obtain a loan, guaranteed by the Secretary, from a commercial or cooperative lender, the Secretary shall provide interest rate reductions as provided for under section 3413.

“(b) TRANSITION TO PRIVATE COMMERCIAL OR OTHER SOURCES OF CREDIT.—

“(1) IN GENERAL.—In making an operating or ownership loan, the Secretary shall establish a plan and promulgate regulations (including performance criteria) that promote the goal of transitioning borrowers to private commercial credit and other sources of credit in the shortest period of time practicable.

“(2) COORDINATION.—In carrying out this section, the Secretary shall integrate and coordinate the transition policy described in subsection (a) with—

“(A) the borrower training program established by section 3419;

“(B) the loan assessment process established by section 3420;

“(C) the supervised credit requirement established by section 3421;

“(D) the market placement program established by section 3422; and

“(E) other appropriate programs and authorities, as determined by the Secretary.

“(c) GRADUATION OF BORROWERS WITH OPERATING LOANS OR GUARANTEES TO PRIVATE COMMERCIAL CREDIT.—The Secretary shall establish a plan, in coordination with activities under sections 3419 through 3422, to encourage each borrower with an outstanding loan under this chapter, or with respect to whom there is an outstanding guarantee under this chapter, to graduate to private commercial or other sources of credit.

#### “SEC. 3408. DEBT ADJUSTMENT AND CREDIT COUNSELING.

“In carrying out this subtitle, the Secretary may—

“(1) provide voluntary debt adjustment assistance between—

“(A) farmers; and

“(B) the creditors of the farmers;

“(2) cooperate with State, territorial, and local agencies and committees engaged in the debt adjustment; and

“(3) give credit counseling.

#### “SEC. 3409. SECURITY SERVICING.

“(a) SALE OF PROPERTY.—

“(1) IN GENERAL.—Subject to this subsection and subsection (e)(1), the Secretary

shall offer to sell real property that is acquired by the Secretary under this subtitle using the following order and method of sale:

“(A) ADVERTISEMENT.—Not later than 15 days after acquiring real property, the Secretary shall publicly advertise the property for sale.

“(B) QUALIFIED BEGINNING FARMER.—

“(i) IN GENERAL.—Not later than 135 days after acquiring real property, the Secretary shall offer to sell the property to a qualified beginning farmer or a socially disadvantaged farmer at current market value based on a current appraisal.

“(ii) RANDOM SELECTION.—If more than 1 qualified beginning farmer or socially disadvantaged farmer offers to purchase the property, the Secretary shall select between the qualified applicants on a random basis.

“(iii) APPEAL OF RANDOM SELECTION.—A random selection or denial by the Secretary of a qualified beginning farmer or a socially disadvantaged farmer for farm inventory property under this subparagraph shall be final and not administratively appealable.

“(C) PUBLIC SALE.—If no acceptable offer is received from a qualified beginning farmer or a socially disadvantaged farmer under subparagraph (B) not later than 135 days after acquiring the real property, the Secretary shall, not later than 30 days after the 135-day period, sell the property after public notice at a public sale, and, if no acceptable bid is received, by negotiated sale, at the best price obtainable.

“(2) INTEREST.—

“(A) IN GENERAL.—Subject to subparagraph (B), any conveyance of real property under this subsection shall include all of the interest of the United States in the property, including mineral rights.

“(B) CONSERVATION.—The Secretary may for conservation purposes grant or sell an easement, restriction, development right, or similar legal right to real property to a State, a political subdivision of a State, or a private nonprofit organization separately from the underlying fee or other rights to the property owned by the United States.

“(3) OTHER LAW.—Subtitle I of title 40, United States Code, and title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.) shall not apply to any exercise of authority under this subtitle.

“(4) LEASE OF PROPERTY.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may not lease any real property acquired under this subtitle.

“(B) EXCEPTION.—

“(i) QUALIFIED BEGINNING FARMER OR SOCIALLY DISADVANTAGED FARMER.—The Secretary may lease or contract to sell to a qualified beginning farmer or a socially disadvantaged farmer a farm acquired by the Secretary under this subtitle if the qualified beginning farmer qualifies for a credit sale or direct farm ownership loan under chapter 1 but credit sale authority for loans or direct farm ownership loan funds, respectively, are not available.

“(ii) TERM.—The term of a lease or contract to sell to a qualified beginning farmer or a socially disadvantaged farmer under clause (i) shall be until the earlier of—

“(I) the date that is 18 months after the date of the lease or sale; or

“(II) the date that direct farm ownership loan funds or credit sale authority for loans becomes available to the qualified beginning farmer or socially disadvantaged farmer.

“(iii) INCOME-PRODUCING CAPABILITY.—In determining the rental rate on real property leased under this subparagraph, the Sec-

retary shall consider the income-producing capability of the property during the term that the property is leased.

“(5) EXPEDITED DETERMINATION.—

“(A) IN GENERAL.—On the request of an applicant, not later than 30 days after denial of the application, the appropriate State director shall provide an expedited review and determination of whether the applicant is a qualified beginning farmer or a socially disadvantaged farmer for the purpose of acquiring farm inventory property.

“(B) APPEAL.—The determination of a State Director under subparagraph (A) shall be final and not administratively appealable.

“(C) EFFECTS OF DETERMINATIONS.—

“(i) IN GENERAL.—The Secretary shall maintain statistical data on the number and results of determinations made under subparagraph (A) and the effect of the determinations on—

“(I) selling farm inventory property to qualified beginning farmers or socially disadvantaged farmers; and

“(II) disposing of real property in inventory.

“(ii) NOTIFICATION.—The Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate if the Secretary determines that the review process under subparagraph (A) is adversely affecting the selling of farm inventory property to qualified beginning farmers or socially disadvantaged farmers or the disposing of real property in inventory.

“(b) ROAD AND UTILITY EASEMENTS AND CONDEMNATIONS.—In the case of any real property administered under this subtitle, the Secretary may grant or sell easements or rights-of-way for roads, utilities, and other appurtenances that are not inconsistent with the public interest.

“(c) SALE OR LEASE OF FARMLAND.—

“(1) DISPOSITION OF REAL PROPERTY ON INDIAN RESERVATIONS.—

“(A) DEFINITION OF INDIAN RESERVATION.—In this paragraph, the term ‘Indian reservation’ means—

“(i) all land located within the limits of any Indian reservation under the jurisdiction of the United States, notwithstanding the issuance of any patent, and, including any right-of-way running through the reservation;

“(ii) trust or restricted land located within the boundaries of a former reservation of an Indian tribe in the State of Oklahoma; or

“(iii) all Indian allotments the Indian titles to which have not been extinguished if the allotments are subject to the jurisdiction of an Indian tribe.

“(B) DISPOSITION.—Except as provided in paragraph (3), the Secretary shall dispose of or administer the property as provided in this paragraph when—

“(i) the Secretary acquires property under this subtitle that is located within an Indian reservation; and

“(ii) the borrower-owner is the Indian tribe that has jurisdiction over the reservation in which the real property is located or the borrower-owner is a member of the Indian tribe;

“(C) PRIORITY.—Not later than 90 days after acquiring the property, the Secretary shall afford an opportunity to purchase or lease the real property in accordance with the order of priority established under subparagraph (D) to the Indian tribe having jurisdiction over the Indian reservation within which the real property is located or, if no order of priority is established by the Indian tribe under subparagraph (D), in the following order:

“(i) An Indian member of the Indian tribe that has jurisdiction over the reservation within which the real property is located.

“(ii) An Indian corporate entity.

“(iii) The Indian tribe.

“(D) REVISION OF PRIORITY AND RESTRICTION OF ELIGIBILITY.—The governing body of any Indian tribe having jurisdiction over an Indian reservation may revise the order of priority provided in subparagraph (C) under which land located within the reservation shall be offered for purchase or lease by the Secretary under subparagraph (C) and may restrict the eligibility for the purchase or lease to—

“(i) persons who are members of the Indian tribe;

“(ii) Indian corporate entities that are authorized by the Indian tribe to lease or purchase land within the boundaries of the reservation; or

“(iii) the Indian tribe itself.

“(E) TRANSFER OF PROPERTY TO SECRETARY OF THE INTERIOR.—

“(i) IN GENERAL.—If real property described in subparagraph (B) is not purchased or leased under subparagraph (C) and the Indian tribe having jurisdiction over the reservation within which the real property is located is unable to purchase or lease the real property, the Secretary shall transfer the real property to the Secretary of the Interior who shall administer the real property as if the real property were held in trust by the United States for the benefit of the Indian tribe.

“(ii) USE OF RENTAL INCOME.—From the rental income derived from the lease of the transferred real property, and all other income generated from the transferred real property, the Secretary of the Interior shall pay the State, county, municipal, or other local taxes to which the transferred real property was subject at the time of acquisition by the Secretary, until the earlier of—

“(I) the expiration of the 4-year period beginning on the date on which the real property is so transferred; or

“(II) such time as the land is transferred into trust pursuant to subparagraph (H).

“(F) RESPONSIBILITIES OF SECRETARIES.—If any real property is transferred to the Secretary of the Interior under subparagraph (E)—

“(i) the Secretary of Agriculture shall have no further responsibility under this subtitle for—

“(I) collection of any amounts with regard to the farm program loan that had been secured by the real property;

“(II) any lien arising out of the loan transaction; or

“(III) repayment of any amount with regard to the loan transaction or lien to the Treasury of the United States; and

“(ii) the Secretary of the Interior shall succeed to all right, title, and interest of the Secretary of Agriculture in the real estate arising from the farm program loan transaction, including the obligation to remit to the Treasury of the United States, in repayment of the original loan, the amounts provided in subparagraph (G).

“(G) USE OF INCOME.—After the payment of any taxes that are required to be paid under subparagraph (E)(ii), all remaining rental income derived from the lease of the real property transferred to the Secretary of the Interior under subparagraph (E)(i), and all other income generated from the real property transferred to the Secretary of the Interior under that subparagraph, shall be deposited as miscellaneous receipts in the Treasury of the United States until the amount deposited is equal to the lesser of—

“(i) the amount of the outstanding lien of the United States against the real property, as of the date the real property was acquired by the Secretary;

“(ii) the fair market value of the real property, as of the date of the transfer to the Secretary of the Interior; or

“(iii) the capitalized value of the real property, as of the date of the transfer to the Secretary of the Interior.

“(H) HOLDING OF TITLE IN TRUST.—If the total amount that is required to be deposited under subparagraph (G) with respect to any real property has been deposited into the Treasury of the United States, title to the real property shall be held in trust by the United States for the benefit of the Indian tribe having jurisdiction over the Indian reservation within which the real property is located.

“(I) PAYMENT OF REMAINING LIEN OR FAIR MARKET VALUE OF PROPERTY.—

“(i) IN GENERAL.—Notwithstanding any other subparagraph of this paragraph, the Indian tribe having jurisdiction over the Indian reservation within which the real property described in subparagraph (B) is located may, at any time after the real property has been transferred to the Secretary of the Interior under subparagraph (E), offer to pay the remaining amount on the lien or the fair market value of the real property, whichever is less.

“(ii) EFFECT OF PAYMENT.—On payment of the amount, title to the real property shall be held by the United States in trust for the tribe and the trust or restricted land that has been acquired by the Secretary under foreclosure or voluntary transfer under a loan made or insured under this subtitle and transferred to an Indian person, entity, or tribe under this paragraph shall be considered to have never lost trust or restricted status.

“(J) APPLICABILITY.—

“(i) IN GENERAL.—This paragraph shall apply to all land in the land inventory established under this subtitle (as of November 28, 1990) that was (immediately prior to the date) owned by an Indian borrower-owner described in subparagraph (B) and that is situated within an Indian reservation, regardless of the date of foreclosure or acquisition by the Secretary.

“(ii) OPPORTUNITY TO PURCHASE OR LEASE.—The Secretary shall afford an opportunity to an Indian person, entity, or tribe to purchase or lease the real property as provided in subparagraph (C).

“(iii) TRANSFER.—If the right is not exercised or no expression of intent to exercise the right is received within 180 days after November 28, 1990, the Secretary shall transfer the real property to the Secretary of the Interior as provided in subparagraph (E).

“(2) ADDITIONAL RIGHTS.—The rights provided in this subsection shall be in addition to any right of first refusal under the law of the State in which the property is located.

“(3) DISPOSITION OF REAL PROPERTY ON INDIAN RESERVATIONS AFTER PROCEDURES EXHAUSTED.—

“(A) IN GENERAL.—The Secretary shall dispose of or administer real property described in paragraph (1)(B) only as provided in paragraph (1), as modified by this paragraph, if—

“(i) the real property described in paragraph (1)(B) is located within an Indian reservation;

“(ii) the borrower-owner is an Indian tribe that has jurisdiction over the reservation in which the real property is located or the borrower-owner is a member of an Indian tribe;

“(iii) the borrower-owner has obtained a loan made or guaranteed under this subtitle; and

“(iv) the borrower-owner and the Secretary have exhausted all of the procedures provided for in this subtitle to permit a borrower-owner to retain title to the real property, so that it is necessary for the borrower-owner to relinquish title.

“(B) NOTICE OF RIGHT TO CONVEY PROPERTY.—The Secretary shall provide the borrower-owner of real property that is described in subparagraph (A) with written notice of—

“(i) the right of the borrower-owner to voluntarily convey the real property to the Secretary; and

“(ii) the fact that real property so conveyed will be placed in the inventory of the Secretary.

“(C) NOTICE OF RIGHTS AND PROTECTIONS.—The Secretary shall provide the borrower-owner of the real property with written notice of the rights and protections provided under this subtitle to the borrower-owner, and the Indian tribe that has jurisdiction over the reservation in which the real property is located, from foreclosure or liquidation of the real property, including written notice—

“(i) of paragraph (1), this paragraph, and subsection (e)(3);

“(ii) if the borrower-owner does not voluntarily convey the real property to the Secretary, that—

“(I) the Secretary may foreclose on the property;

“(II) in the event of foreclosure, the property will be offered for sale;

“(III) the Secretary shall offer a bid for the property that is equal to the fair market value of the property or the outstanding principal and interest of the loan, whichever is higher;

“(IV) the property may be purchased by another party; and

“(V) if the property is purchased by another party, the property will not be placed in the inventory of the Secretary and the borrower-owner will forfeit the rights and protections provided under this subtitle; and

“(iii) of the opportunity of the borrower-owner to consult with the Indian tribe that has jurisdiction over the reservation in which the real property is located or counsel to determine if State or tribal law provides rights and protections that are more beneficial than the rights and protections provided the borrower-owner under this subtitle.

“(D) ACCEPTANCE OF VOLUNTARY CONVEYANCE.—

“(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall accept the voluntary conveyance of real property described in subparagraph (A).

“(ii) HAZARDOUS SUBSTANCES.—If a hazardous substance (as defined in section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(14))) is located on the property and the Secretary takes remedial action to protect human health or the environment if the property is taken into inventory, the Secretary shall accept the voluntary conveyance of the property only if the Secretary determines that the conveyance is in the best interests of the Federal Government.

“(E) FORECLOSURE PROCEDURES.—

“(i) NOTICE TO BORROWER.—If an Indian borrower-owner does not voluntarily convey to the Secretary real property described in subparagraph (A), not less than 30 days before a foreclosure sale of the property, the



Secretary shall provide the Indian borrower-owner with the option of—

“(I) requiring the Secretary to assign the loan and security instruments to the Secretary of the Interior, if the Secretary of the Interior agrees to an assignment releasing the Secretary of Agriculture from all further responsibility for collection of any amounts with regard to the loan secured by the real property; or

“(II) requiring the Secretary to assign the loan and security instruments to the tribe having jurisdiction over the reservation in which the real property is located, if the tribe agrees to assume the loan under the terms specified in clause (iii).

“(ii) NOTICE TO TRIBE.—If an Indian borrower-owner does not voluntarily convey to the Secretary real property described in subparagraph (A), not less than 30 days before a foreclosure sale of the property, the Secretary shall provide written notice to the Indian tribe that has jurisdiction over the reservation in which the real property is located of—

“(I) the sale;

“(II) the fair market value of the property; and

“(III) the requirements of this paragraph.

“(iii) ASSUMED LOANS.—If an Indian tribe assumes a loan under clause (i)—

“(I) the Secretary shall not foreclose the loan because of any default that occurred prior to the date of the assumption;

“(II) the loan shall be for the lesser of the outstanding principal and interest of the loan or the fair market value of the property; and

“(III) the loan shall be treated as though the loan was made under Public Law 91-229 (25 U.S.C. 488 et seq.).

“(F) AMOUNT OF BID BY SECRETARY.—

“(i) IN GENERAL.—Except as provided in clause (ii), at a foreclosure sale of real property described in subparagraph (A), the Secretary shall offer a bid for the property that is equal to the higher of—

“(I) the fair market value of the property; or

“(II) the outstanding principal and interest on the loan.

“(ii) HAZARDOUS SUBSTANCES.—If a hazardous substance (as defined in section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(14))) is located on the property and the Secretary takes remedial action to protect human health or the environment if the property is taken into inventory, clause (i) shall apply only if the Secretary determines that bidding is in the best interests of the Federal Government.

“(4) DETRIMENTAL EFFECT ON VALUE OF AREA FARMLAND.—The Secretary shall not offer for sale or sell any farmland referred to in paragraphs (1) through (3) if placing the farmland on the market will have a detrimental effect on the value of farmland in the area.

“(5) INSTALLMENT SALES AND MULTIPLE OPERATORS.—

“(A) IN GENERAL.—The Secretary may sell farmland administered under this subtitle through an installment sale or similar device that contains such terms as the Secretary considers necessary to protect the investment of the Federal Government in the land.

“(B) SALE OF CONTRACT.—The Secretary may subsequently sell any contract entered into to carry out subparagraph (A).

“(6) HIGHLY ERODIBLE LAND.—In the case of farmland administered under this subtitle that is highly erodible land (as defined in section 1201 of the Food Security Act of 1985

(16 U.S.C. 3801)), the Secretary may require the use of specified conservation practices on the land as a condition of the sale or lease of the land.

“(7) NO EFFECT ON ACREAGE ALLOTMENTS, MARKETING QUOTAS, OR ACREAGE BASES.—Notwithstanding any other law, compliance by the Secretary with this subsection shall not cause any acreage allotment, marketing quota, or acreage base assigned to the property to lapse, terminate, be reduced, or otherwise be adversely affected.

“(8) NO PREEMPTION OF STATE LAW.—If a conflict exists between any provision of this subsection and any provision of the law of any State providing a right of first refusal to the owner of farmland or the operator of a farm before the sale or lease of land to any other person, the provision of State law shall prevail.

“(d) RELEASE OF NORMAL INCOME SECURITY.—

“(1) DEFINITION OF NORMAL INCOME SECURITY.—In this subsection:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘normal income security’ means all security not considered basic security, including crops, livestock, poultry products, Farm Service Agency payments and Commodity Credit Corporation payments, and other property covered by Farm Service Agency liens that is sold in conjunction with the operation of a farm or other business.

“(B) EXCEPTIONS.—The term ‘normal income security’ does not include any equipment (including fixtures in States that have adopted the Uniform Commercial Code), or foundation herd or flock, that is—

“(i) the basis of the farming or other operation; and

“(ii) the basic security for a farmer program loan.

“(2) GENERAL RELEASE.—The Secretary shall release from the normal income security provided for a loan an amount sufficient to pay for the essential household and farm operating expenses of the borrower, until such time as the Secretary accelerates the loan.

“(3) NOTICE OF REPORTING REQUIREMENTS AND RIGHTS.—If a borrower is required to plan for or to report as to how proceeds from the sale of collateral property will be used, the Secretary shall notify the borrower of—

“(A) the requirement; and

“(B) the right to the release of funds under this subsection and the means by which a request for the funds may be made.

“(e) EASEMENTS ON INVENTORIED PROPERTY.—

“(1) IN GENERAL.—Subject to paragraph (2), in the disposal of real property under this section, the Secretary shall establish perpetual wetland conservation easements to protect and restore wetland or converted wetland that exists on inventoried property.

“(2) LIMITATION.—The Secretary shall not establish a wetland conservation easement on an inventoried property that—

“(A) was cropland on the date the property entered the inventory of the Secretary; or

“(B) was used for farming at any time during the period—

“(i) beginning on the date that is 5 years before the property entered the inventory of the Secretary; and

“(ii) ending on the date on which the property entered the inventory of the Secretary.

“(3) NOTIFICATION.—The Secretary shall provide prior written notification to a borrower considering homestead retention that a wetland conservation easement may be placed on land for which the borrower is negotiating a lease option.

“(4) APPRAISED VALUE.—The appraised value of the farm shall reflect the value of the land due to the placement of wetland conservation easements.

#### “SEC. 3410. CONTRACTS ON LOAN SECURITY PROPERTIES.

“(a) CONTRACTS ON LOAN SECURITY PROPERTIES.—Subject to subsection (b), the Secretary may enter into a contract related to real property for conservation, recreation, or wildlife purposes.

“(b) LIMITATIONS.—The Secretary may enter into a contract under subsection (a) if—

“(1) the property is wetland, upland, or highly erodible land;

“(2) the property is determined by the Secretary to be suitable for the purpose involved; and

“(3)(A) the property secures a loan made under a law administered and held by the Secretary; and

“(B) the contract would better enable a qualified borrower to repay the loan in a timely manner, as determined by the Secretary.

“(c) TERMS AND CONDITIONS.—The terms and conditions specified in a contract under subsection (a) shall—

“(1) specify the purposes for which the real property may be used;

“(2) identify any conservation measure to be taken, and any recreational and wildlife use to be allowed, with respect to the real property; and

“(3) require the owner to permit the Secretary, and any person or governmental entity designated by the Secretary, to have access to the real property for the purpose of monitoring compliance with the contract.

“(d) REDUCTION OR FORGIVENESS OF DEBT.—

“(1) IN GENERAL.—Subject to this section, the Secretary may reduce or forgive the outstanding debt of a borrower—

“(A) in the case of a borrower to whom the Secretary has made an outstanding loan under a law administered by the Secretary, by canceling that part of the aggregate amount of the outstanding loan that bears the same ratio to the aggregate amount as—

“(i) the number of acres of the real property of the borrower that are subject to the contract; bears to

“(ii) the aggregate number of acres securing the loan; or

“(B) in any other case, by treating as prepaid that part of the principal amount of a new loan to the borrower issued and held by the Secretary under a law administered by the Secretary that bears the same ratio to the principal amount as—

“(i) the number of acres of the real property of the borrower that are subject to the contract; bears to

“(ii) the aggregate number of acres securing the new loan.

“(2) MAXIMUM CANCELED AMOUNT.—The amount canceled or treated as prepaid under paragraph (1) shall not exceed—

“(A) in the case of a delinquent loan, the greater of—

“(i) the value of the land on which the contract is entered into; or

“(ii) the difference between—

“(I) the amount of the outstanding loan secured by the land; and

“(II) the value of the land; or

“(B) in the case of a nondelinquent loan, 33 percent of the amount of the loan secured by the land.

“(e) CONSULTATION WITH FISH AND WILDLIFE SERVICE.—If the Secretary uses the authority provided by this section, the Secretary shall consult with the Director of the

Fish and Wildlife Service for the purposes of—

“(1) selecting real property in which the Secretary may enter into a contract under this section;

“(2) formulating the terms and conditions of the contract; and

“(3) enforcing the contract.

“(f) ENFORCEMENT.—The Secretary, and any person or governmental entity (including an agency of the Federal Government) designated by the Secretary, may enforce a contract entered into by the Secretary under this section.

**“SEC. 3411. DEBT RESTRUCTURING AND LOAN SERVICING.**

“(a) IN GENERAL.—The Secretary shall modify a delinquent farmer program loan made under this subtitle, or purchased from the lender or the Federal Deposit Insurance Corporation under section 3902, to the maximum extent practicable—

“(1) to avoid a loss to the Secretary on the loan, with priority consideration being placed on writing-down the loan principal and interest (subject to subsections (d) and (e)), and debt set-aside (subject to subsection (e)), to facilitate keeping the borrower on the farm, or otherwise through the use of primary loan service programs under this section; and

“(2) to ensure that a borrower is able to continue farming operations.

“(b) ELIGIBILITY.—To be eligible to obtain assistance under subsection (a)—

“(1) the delinquency shall be due to a circumstance beyond the control of the borrower, as defined in regulations issued by the Secretary, except that the regulations shall require that, if the value of the assets calculated under subsection (c)(2)(A)(ii) that may be realized through liquidation or other methods would produce enough income to make the delinquent loan current, the borrower shall not be eligible for assistance under subsection (a);

“(2) the borrower shall have acted in good faith with the Secretary in connection with the loan as defined in regulations issued by the Secretary;

“(3) the borrower shall present a preliminary plan to the Secretary that contains reasonable assumptions that demonstrate that the borrower will be able—

“(A) to meet the necessary family living and farm operating expenses of the borrower; and

“(B) to service all debts of the borrower, including restructured loans; and

“(4) the loan, if restructured, shall result in a net recovery to the Federal Government, during the term of the loan as restructured, that would be more than or equal to the net recovery to the Federal Government from an involuntary liquidation or foreclosure on the property securing the loan.

“(c) RESTRUCTURING DETERMINATIONS.—

“(1) DETERMINATION OF NET RECOVERY.—In determining the net recovery from the involuntary liquidation of a loan under this section, the Secretary shall calculate—

“(A) the recovery value of the collateral securing the loan, in accordance with paragraph (2); and

“(B) the value of the restructured loan, in accordance with paragraph (3).

“(2) RECOVERY VALUE.—For the purpose of paragraph (1), the recovery value of the collateral securing the loan shall be based on the difference between—

“(A)(i) the amount of the current appraised value of the interests of the borrower in the property securing the loan; and

“(ii) the value of the interests of the borrower in all other assets that are—

“(I) not essential for necessary family living expenses;

“(II) not essential to the operation of the farm; and

“(III) not exempt from judgment creditors or in a bankruptcy action under Federal or State law;

“(B) the estimated administrative, attorney, and other expenses associated with the liquidation and disposition of the loan and collateral, including—

“(i) the payment of prior liens;

“(ii) taxes and assessments, depreciation, management costs, the yearly percentage decrease or increase in the value of the property, and lost interest income, each calculated for the average holding period for the type of property involved;

“(iii) resale expenses, such as repairs, commissions, and advertising; and

“(iv) other administrative and attorney costs; and

“(C) the value, as determined by the Secretary, of any property not included in subparagraph (A)(i) if the property is specified in any security agreement with respect to the loan and the Secretary determines that the value of the property should be included for purposes of this section.

“(3) VALUE OF THE RESTRUCTURED LOAN.—

“(A) IN GENERAL.—For the purpose of paragraph (1), the value of the restructured loan shall be based on the present value of payments that the borrower would make to the Federal Government if the terms of the loan were modified under any combination of primary loan service programs to ensure that the borrower is able to meet the obligations and continue farming operations.

“(B) PRESENT VALUE.—For the purpose of calculating the present value referred to in subparagraph (A), the Secretary shall use a discount rate of not more than the current rate at the time of the calculation of 90-day Treasury bills.

“(C) CASH FLOW MARGIN.—For the purpose of assessing under subparagraph (A) the ability of a borrower to meet debt obligations and continue farming operations, the Secretary shall assume that the borrower needs up to 110 percent of the amount indicated for payment of farm operating expenses, debt service obligations, and family living expenses.

“(4) NOTIFICATION.—Not later than 90 days after receipt of a written request for restructuring from the borrower, the Secretary shall—

“(A) make the calculations specified in paragraphs (2) and (3);

“(B) notify the borrower in writing of the results of the calculations; and

“(C) provide documentation for the calculations.

“(5) RESTRUCTURING OF LOANS.—

“(A) IN GENERAL.—If the value of a restructured loan is greater than or equal to the recovery value of the collateral securing the loan, not later than 45 days after notifying the borrower under paragraph (4), the Secretary shall offer to restructure the loan obligations of the borrower under this subtitle through primary loan service programs that would enable the borrower to meet the obligations (as modified) under the loan and to continue the farming operations of the borrower.

“(B) RESTRUCTURING.—If the borrower accepts an offer under subparagraph (A), not later than 45 days after receipt of notice of acceptance, the Secretary shall restructure the loan accordingly.

“(6) TERMINATION OF LOAN OBLIGATIONS.—The obligations of a borrower to the Secretary under a loan shall terminate if—

“(A) the borrower satisfies the requirements of paragraphs (1) and (2) of subsection (b);

“(B) the value of the restructured loan is less than the recovery value; and

“(C) not later than 90 days after receipt of the notification described in paragraph (4)(B), the borrower pays (or obtains third-party financing to pay) the Secretary an amount equal to the current market value.

“(7) NEGOTIATION OF APPRAISAL.—

“(A) IN GENERAL.—In making a determination concerning restructuring under this subsection, the Secretary, at the request of the borrower, shall enter into negotiations with the borrower concerning appraisals required under this subsection.

“(B) INDEPENDENT APPRAISAL.—

“(i) IN GENERAL.—If the borrower, based on a separate current appraisal, objects to the decision of the Secretary regarding an appraisal, the borrower and the Secretary shall mutually agree, to the extent practicable, on an independent appraiser who shall conduct another appraisal of the property of the borrower.

“(ii) VALUE OF FINAL APPRAISAL.—The average of the 2 appraisals under clause (i) that are closest in value shall become the final appraisal under this paragraph.

“(iii) COST OF APPRAISAL.—The borrower and the Secretary shall each pay ½ of the cost of any independent appraisal.

“(d) PRINCIPAL AND INTEREST WRITE-DOWN.—

“(1) IN GENERAL.—

“(A) PRIORITY CONSIDERATION.—In selecting the restructuring alternatives to be used in the case of a borrower who has requested restructuring under this section, the Secretary shall give priority consideration to the use of a principal and interest write-down if other creditors of the borrower (other than any creditor who is fully collateralized) representing a substantial portion of the total debt of the borrower held by the creditors of the borrower, agree to participate in the development of the restructuring plan or agree to participate in a State mediation program.

“(B) FAILURE OF CREDITORS TO AGREE.—Failure of creditors to agree to participate in the restructuring plan or mediation program shall not preclude the use of a principal and interest write-down by the Secretary if the Secretary determines that restructuring results in the least cost to the Secretary.

“(2) PARTICIPATION OF CREDITORS.—Before eliminating the option to use debt write-down in the case of a borrower, the Secretary shall make a reasonable effort to contact the creditors of the borrower, either directly or through the borrower, and encourage the creditors to participate with the Secretary in the development of a restructuring plan for the borrower.

“(e) SHARED APPRECIATION ARRANGEMENTS.—

“(1) IN GENERAL.—As a condition of restructuring a loan in accordance with this section, the borrower of the loan may be required to enter into a shared appreciation arrangement that requires the repayment of amounts written off or set aside.

“(2) TERMS.—A shared appreciation agreement shall—

“(A) have a term not to exceed 10 years; and

“(B) provide for recapture based on the difference between the appraised values of the real security property at the time of restructuring and at the time of recapture.

“(3) PERCENTAGE OF RECAPTURE.—The amount of the appreciation to be recaptured by the Secretary shall be—

“(A) 75 percent of the appreciation in the value of the real security property if the recapture occurs not later than 4 years after the date of restructuring; and

“(B) 50 percent if the recapture occurs during the remainder of the term of the agreement.

“(4) TIME OF RECAPTURE.—Recapture shall take place on the date that is the earliest of—

“(A) the end of the term of the agreement;“(B) the conveyance of the real security property;

“(C) the repayment of the loans; or

“(D) the cessation of farming operations by the borrower.

“(5) TRANSFER OF TITLE.—Transfer of title to the spouse of a borrower on the death of the borrower shall not be treated as a conveyance for the purpose of paragraph (4).

“(6) NOTICE OF RECAPTURE.—Not later than 12 months before the end of the term of a shared appreciation arrangement, the Secretary shall notify the borrower involved of the provisions of the arrangement.

“(7) FINANCING OF RECAPTURE PAYMENT.—

“(A) IN GENERAL.—The Secretary may amortize a recapture payment owed to the Secretary under this subsection.

“(B) TERM.—The term of an amortization under this paragraph may not exceed 25 years.

“(C) INTEREST RATE.—The interest rate applicable to an amortization under this paragraph may not exceed the rate applicable to a loan to reacquire homestead property less 100 basis points.

“(D) REAMORTIZATION.—

“(i) IN GENERAL.—The Secretary may modify the amortization of a recapture payment referred to in subparagraph (A) of this paragraph on which a payment has become delinquent if—

“(I) the default is due to circumstances beyond the control of the borrower; and

“(II) the borrower acted in good faith (as determined by the Secretary) in attempting to repay the recapture amount.

“(ii) LIMITATIONS.—

“(I) TERM OF REAMORTIZATION.—The term of a reamortization under this subparagraph may not exceed 25 years from the date of the original amortization agreement.

“(II) NO REDUCTION OR PRINCIPAL OR UNPAID INTEREST DUE.—A reamortization of a recapture payment under this subparagraph may not provide for reducing the outstanding principal or unpaid interest due on the recapture payment.

“(f) INTEREST RATES.—Any loan for farm ownership purposes, farm operating purposes, or disaster emergency purposes, that is deferred, consolidated, rescheduled, or reamortized shall, notwithstanding any other provision of this subtitle, bear interest on the balance of the original loan and for the term of the original loan at a rate that is the lowest of—

“(1) the rate of interest on the original loan;

“(2) the rate being charged by the Secretary for loans, other than guaranteed loans, of the same type at the time at which the borrower applies for a deferral, consolidation, rescheduling, or reamortization; or

“(3) the rate being charged by the Secretary for loans, other than guaranteed loans, of the same type at the time of the deferral, consolidation, rescheduling, or reamortization.

“(g) PERIOD AND EFFECT.—

“(1) PERIOD.—The Secretary may consolidate or reschedule outstanding loans for payment over a period not to exceed 7 years (or,

in the case of loans for farm operating purposes, 15 years) from the date of the consolidation or rescheduling.

“(2) EFFECT.—The amount of unpaid principal and interest of the prior loans so consolidated or rescheduled shall not create a new charge against any loan levels authorized by law.

“(h) PREREQUISITES TO FORECLOSURE OR LIQUIDATION.—No foreclosure or other similar action shall be taken to liquidate any loan determined to be ineligible for restructuring by the Secretary under this section—

“(1) until the borrower has been given the opportunity to appeal the decision; and

“(2) if the borrower appeals, the appeals process has been completed, and a determination has been made that the loan is ineligible for restructuring.

“(i) NOTICE OF INELIGIBILITY FOR RESTRUCTURING.—

“(1) IN GENERAL.—A notice of ineligibility for restructuring shall be sent to the borrower by registered or certified mail not later than 15 days after a determination of ineligibility.

“(2) CONTENTS.—The notice required under paragraph (1) shall contain—

“(A) the determination and the reasons for the determination;

“(B) the computations used to make the determination, including the calculation of the recovery value of the collateral securing the loan; and

“(C) a statement of the right of the borrower to appeal the decision to the appeals division, and to appear before a hearing officer.

“(j) INDEPENDENT APPRAISALS.—

“(1) IN GENERAL.—An appeal may include a request by the borrower for an independent appraisal of any property securing the loan.

“(2) PROCESS FOR APPRAISAL.—On a request under paragraph (1), the Secretary shall present the borrower with a list of 3 appraisers approved by the county supervisor, from which the borrower shall select an appraiser to conduct the appraisal.

“(3) COST.—The cost of an appraisal under this subsection shall be paid by the borrower.

“(4) RESULT.—The result of an appraisal under this subsection shall be considered in any final determination concerning the loan.

“(5) COPY.—A copy of any appraisal under this subsection shall be provided to the borrower.

“(k) ONLY 1 WRITE-DOWN OR NET RECOVERY BUY-OUT PER BORROWER FOR A LOAN MADE AFTER JANUARY 6, 1988.—

“(1) IN GENERAL.—The Secretary may provide for each borrower not more than 1 write-down or net recovery buy-out under this section with respect to all loans made to the borrower after January 6, 1988.

“(2) SPECIAL RULE.—For purposes of paragraph (1), the Secretary shall treat any loan made on or before January 6, 1988, with respect to which a restructuring, write-down, or net recovery buy-out is provided under this section after January 6, 1988, as a loan made after January 6, 1988.

“(l) LIQUIDATION OF ASSETS.—The Secretary may not use the authority provided by this section to reduce or terminate any portion of the debt of the borrower that the borrower could pay through the liquidation of assets (or through the payment of the loan value of the assets, if the loan value is greater than the liquidation value) described in subsection (c)(2)(A)(ii).

“(m) LIFETIME LIMITATION ON DEBT FORGIVENESS PER BORROWER.—The Secretary may provide each borrower not more than

\$300,000 in debt forgiveness under this section.

**“SEC. 3412. RELIEF FOR MOBILIZED MILITARY RESERVISTS FROM CERTAIN AGRICULTURAL LOAN OBLIGATIONS.**

“(a) DEFINITION OF MOBILIZED MILITARY RESERVIST.—In this section, the term ‘mobilized military reservist’ means an individual who—

“(1) is on active duty under section 688, 12301(a), 12301(g), 12302, 12304, 12306, or 12406, or chapter 15 of title 10, United States Code, or any other provision of law during a war or during a national emergency declared by the President or Congress, regardless of the location at which the active duty service is performed; or

“(2) in the case of a member of the National Guard, is on full-time National Guard duty (as defined in section 101(d)(5) of title 10, United States Code) under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under section 502(f) of title 32, United States Code, for purposes of responding to a national emergency declared by the President and supported by Federal funds.

“(b) FORGIVENESS OF INTEREST PAYMENTS DUE WHILE BORROWER IS A MOBILIZED MILITARY RESERVIST.—Any requirement that a borrower of a direct loan made under this subtitle make any interest payment on the loan that would otherwise be required to be made while the borrower is a mobilized military reservist is rescinded.

“(c) DEFERRAL OF PRINCIPAL PAYMENTS DUE WHILE OR AFTER BORROWER IS A MOBILIZED MILITARY RESERVIST.—The due date of any payment of principal on a direct loan made to a borrower under this subtitle that would otherwise be required to be made while or after the borrower is a mobilized military reservist is deferred for a period equal in length to the period for which the borrower is a mobilized military reservist.

“(d) NONACCRUAL OF INTEREST.—Interest on a direct loan made to a borrower described in this section shall not accrue during the period the borrower is a mobilized military reservist.

“(e) BORROWER NOT CONSIDERED TO BE DELINQUENT OR RECEIVING DEBT FORGIVENESS.—Notwithstanding section 3425 or any other provision of this title, a borrower who receives assistance under this section shall not, as a result of the assistance, be considered to be delinquent or receiving debt forgiveness for purposes of receiving a direct or guaranteed loan under this subtitle.

**“SEC. 3413. INTEREST RATE REDUCTION PROGRAM.**

“(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish and carry out in accordance with this section an interest rate reduction program for any loan guaranteed under this subtitle.

“(b) ENTERING INTO CONTRACTS.—The Secretary shall enter into a contract with, and make payments to, an institution to reduce, during the term of the contract, the interest rate paid by the borrower on the guaranteed loan if—

“(1) the borrower—

“(A) is unable to obtain credit elsewhere;

“(B) is unable to make payments on the loan in a timely manner; and

“(C) during the 24-month period beginning on the date on which the contract is entered into, has a total estimated cash income, including all farm and nonfarm income, that will equal or exceed the total estimated cash expenses, including all farm and nonfarm expenses, to be incurred by the borrower during the period; and

“(2) during the term of the contract, the lender reduces the annual rate of interest payable on the loan by a minimum percentage specified in the contract.

“(c) PAYMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), in return for a contract entered into by a lender under subsection (b) for the reduction of the interest rate paid on a loan, the Secretary shall make payments to the lender in an amount equal to not more than 100 percent of the cost of reducing the annual rate of interest payable on the loan.

“(2) LIMITATION.—Payments under paragraph (1) may not exceed the cost of reducing the rate by more than 400 basis points.

“(d) TERM.—The term of a contract entered into under this section to reduce the interest rate on a guaranteed loan may not exceed the outstanding term of the loan.

“(e) CONDITION ON FORECLOSURE.—Notwithstanding any other law, any contract of guarantee on a farm loan entered into under this subtitle shall contain a condition that the lender of the loan may not initiate a foreclosure action on the loan until 60 days after a determination is made with respect to the eligibility of the borrower to participate in the program established under this section.

**“SEC. 3414. HOMESTEAD PROPERTY.**

“(a) DEFINITIONS.—In this section:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Small Business Administration.

“(2) BORROWER-OWNER.—The term ‘borrower-owner’ means—

“(A) a borrower-owner of a loan made or guaranteed by the Secretary or the Administrator who meets the eligibility requirements of subsection (c)(1); or

“(B) in a case in which an owner of homestead property pledged the property to secure the loan and the owner is different than the borrower, the owner.

“(3) FARM PROGRAM LOAN.—The term ‘farm program loan’ means a loan made by the Administrator under the Small Business Act (15 U.S.C. 631 et seq.) for any of the purposes authorized for loans under chapter 1 or 2.

“(4) HOMESTEAD PROPERTY.—The term ‘homestead property’ means—

“(A) the principal residence and adjoining property possessed and occupied by a borrower-owner, including a reasonable number of farm outbuildings located on the adjoining land that are useful to any occupant of the homestead; and

“(B) not more than 10 acres of adjoining land that is used to maintain the family of the borrower-owner.

“(b) RETENTION OF HOMESTEAD PROPERTY.—

“(1) IN GENERAL.—The Secretary or the Administrator shall, on application by a borrower-owner who meets the eligibility requirements of subsection (c)(1), permit the borrower-owner to retain possession and occupancy of homestead property under the terms set forth, and until the action described in this section has been completed, if—

“(A) the Secretary forecloses or takes into inventory property securing a loan made under this subtitle;

“(B) the Administrator forecloses or takes into inventory property securing a farm program loan made under the Small Business Act (15 U.S.C. 631 et seq.); or

“(C) the borrower-owner of a loan made by the Secretary or the Administrator files a petition in bankruptcy that results in the conveyance of the homestead property to the Secretary or the Administrator, or agrees to voluntarily liquidate or convey the property in whole or in part.

“(2) PERIOD OF OCCUPANCY.—Subject to subsection (c), the Secretary or the Administrator shall not grant a period of occupancy of less than 3 nor more than 5 years.

“(c) ELIGIBILITY.—

“(1) IN GENERAL.—To be eligible to occupy homestead property, a borrower-owner of a loan made by the Secretary or the Administrator shall—

“(A) apply for the occupancy not later than 30 days after the property is acquired by the Secretary or Administrator;

“(B) have received from farming operations gross farm income that is reasonably commensurate with—

“(i) the size and location of the farming unit of the borrower-owner; and

“(ii) local agricultural conditions (including natural and economic conditions), during at least 2 calendar years of the 6-year period preceding the calendar year in which the application is made;

“(C) have received from farming operations at least 60 percent of the gross annual income of the borrower-owner and any spouse of the borrower-owner during at least 2 calendar years of the 6-year period described in subparagraph (B);

“(D) have continuously occupied the homestead property during the 6-year period described in subparagraph (B), except that the requirement of this subparagraph may be waived if a borrower-owner, due to circumstances beyond the control of the borrower-owner, had to leave the homestead property for a period of time not to exceed 12 months during the 6-year period;

“(E) during the period of occupancy of the homestead property, pay a reasonable sum as rent for the property to the Secretary or the Administrator in an amount substantially equivalent to rents charged for similar residential properties in the area in which the homestead property is located;

“(F) during the period of the occupancy of the homestead property, maintain the property in good condition; and

“(G) meet such other reasonable and necessary terms and conditions as the Secretary may require.

“(2) DEFINITION OF FARMING OPERATIONS.—In subparagraphs (B) and (C) of paragraph (1), the term ‘farming operations’ includes rent paid by a lessee of agricultural land during a period in which the borrower-owner, due to circumstances beyond the control of the borrower-owner, is unable to actively farm the land.

“(3) TERMINATION OF RIGHTS.—

“(A) IN GENERAL.—For purposes of paragraph (1)(E), the failure of the borrower-owner to make a timely rental payment shall constitute cause for the termination of all rights of the borrower-owner to possession and occupancy of the homestead property under this section.

“(B) PROCEDURE FOR TERMINATION.—In effecting a termination under subparagraph (A), the Secretary shall—

“(i) afford the borrower-owner or lessee the notice and hearing procedural rights described in subtitle H of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6991 et seq.); and

“(ii) comply with any applicable State and local law governing eviction of a person from residential property.

“(4) RIGHTS OF BORROWER-OWNER.—

“(A) PERIOD OF OCCUPANCY.—Subject to subsection (b)(2), the period of occupancy allowed the borrower-owner of homestead property under this section shall be the period requested in writing by the borrower-owner.

“(B) RIGHT TO REACQUIRE.—

“(i) IN GENERAL.—During the period the borrower-owner occupies the homestead property, the borrower-owner shall have a right to reacquire the homestead property on such terms and conditions as the Secretary shall determine.

“(ii) SOCIALLY DISADVANTAGED BORROWER-OWNER.—During the period of occupancy of a borrower-owner who is a socially disadvantaged farmer, the borrower-owner or a member of the immediate family of the borrower-owner shall have a right of first refusal to reacquire the homestead property on such terms and conditions as the Secretary shall determine.

“(iii) INDEPENDENT APPRAISAL.—The Secretary may not demand a payment for the homestead property that is in excess of the current market value of the homestead property as established by an independent appraisal.

“(iv) CONDUCT OF APPRAISAL.—An independent appraisal under clause (iii) shall be conducted by an appraiser selected by the borrower-owner, or, in the case of a borrower-owner who is a socially disadvantaged farmer, the immediate family member of the borrower-owner, from a list of 3 appraisers approved by the county supervisor.

“(5) TRANSFER OF RIGHTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), no right of a borrower-owner under this section, and no agreement entered into between the borrower-owner and the Secretary for occupancy of the homestead property, shall be transferable or assignable by the borrower-owner or by operation of law.

“(B) DEATH OR INCOMPETENCY.—In the case of death or incompetency of the borrower-owner, the right and agreement shall be transferable to a spouse of the borrower-owner if the spouse agrees to comply with any terms and conditions of the right or agreement.

“(6) NOTIFICATION.—Not later than the date of acquisition of the property securing a loan made under this subtitle, the Secretary shall notify the borrower-owner of the property of the availability of homestead protection rights under this section.

“(d) END OF PERIOD OF OCCUPANCY.—

“(1) IN GENERAL.—At the end of the period of occupancy allowed a borrower-owner under subsection (c), the Secretary or the Administrator shall grant to the borrower-owner a right of first refusal to reacquire the homestead property on such terms and conditions (which may include payment of principal in installments) as the Secretary or the Administrator shall determine.

“(2) TERMS AND CONDITIONS.—The terms and conditions granted under paragraph (1) may not be less favorable than those offered by the Secretary or Administrator or intended by the Secretary or Administrator to be offered to any other buyer.

“(e) MAXIMUM PAYMENT OF PRINCIPAL.—

“(1) IN GENERAL.—At the time a reacquisition agreement is entered into, the Secretary or the Administrator may not demand a total payment of principal that is in excess of the value of the homestead property.

“(2) DETERMINATION OF VALUE.—To the maximum extent practicable, the value of the homestead property shall be determined by an independent appraisal made during the 180-day period beginning on the date of receipt of the application of the borrower-owner to retain possession and occupancy of the homestead property.

“(f) TITLE NOT NEEDED TO ENTER INTO CONTRACTS.—The Secretary may enter into a

contract authorized by this section before the Secretary acquires title to the homestead property that is the subject of the contract.

“(g) STATE LAW PREVAILS.—In the event of a conflict between this section and a provision of State law relating to the right of a borrower-owner to designate for separate sale or redeem part or all of the real property securing a loan foreclosed on by a lender to the borrower-owner, the provision of State law shall prevail.

**“SEC. 3415. TRANSFER OF INVENTORY LAND.**

“(a) IN GENERAL.—Subject to subsection (b), the Secretary may transfer to a Federal or State agency, for conservation purposes, any real property, or interest in real property, administered by the Secretary under this subtitle—

“(1) with respect to which the rights of all prior owners and operators have expired;

“(2) that is eligible to be disposed of in accordance with section 3409; and

“(3) that—

“(A) has marginal value for agricultural production;

“(B) is environmentally sensitive; or

“(C) has special management importance.

“(b) CONDITIONS.—The Secretary may not transfer any property or interest in property under subsection (a) unless—

“(1) at least 2 public notices are given of the transfer;

“(2) if requested, at least 1 public meeting is held prior to the transfer; and

“(3) the Governor and at least 1 elected county official of the State and county in which the property is located are consulted prior to the transfer.

**“SEC. 3416. TARGET PARTICIPATION RATES.**

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary shall establish annual target participation rates, on a county-wide basis, that shall ensure that members of socially disadvantaged groups shall—

“(A) receive loans made or guaranteed under chapter 1; and

“(B) have the opportunity to purchase or lease farmland acquired by the Secretary under this subtitle.

“(2) GROUP POPULATION.—Except as provided in paragraph (3), in establishing the target rates, the Secretary shall take into consideration—

“(A) the portion of the population of the county made up of the socially disadvantaged groups; and

“(B) the availability of inventory farmland in the county.

“(3) GENDER.—In the case of gender, target participation rates shall take into consideration the number of current and potential socially disadvantaged farmers in a State in proportion to the total number of farmers in the State.

“(b) RESERVATION AND ALLOCATION.—

“(1) RESERVATION.—To the maximum extent practicable, the Secretary shall reserve sufficient loan funds made available under chapter 1 for use by members of socially disadvantaged groups identified under target participation rates established under subsection (a).

“(2) ALLOCATION.—The Secretary shall allocate the loans on the basis of the proportion of members of socially disadvantaged groups in a county and the availability of inventory farmland, with the greatest amount of loan funds being distributed in the county with the greatest proportion of socially disadvantaged group members and the greatest quantity of available inventory farmland.

“(3) INDIAN RESERVATIONS.—In distributing loan funds in counties within the boundaries

of an Indian reservation, the Secretary shall allocate the funds on a reservation-wide basis.

“(c) OPERATING LOANS.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—The Secretary shall establish annual target participation rates that shall ensure that socially disadvantaged farmers receive loans made or guaranteed under chapter 2.

“(B) CONSIDERATIONS.—In establishing the target rates, the Secretary shall consider the number of socially disadvantaged farmers in a State in proportion to the total number of farmers in the State.

“(2) RESERVATION AND ALLOCATION.—

“(A) IN GENERAL.—To the maximum extent practicable, the Secretary shall reserve and allocate the proportion of the loan funds of each State made available under chapter 2 that is equal to the target participation rate of the State for use by the socially disadvantaged farmers in the State.

“(B) DISTRIBUTION.—To the maximum extent practicable, the Secretary shall distribute the total loan funds reserved under subparagraph (A) on a county-by-county basis according to the number of socially disadvantaged farmers in the county.

“(C) REALLOCATION OF UNUSED FUNDS.—Any funds reserved and allocated under this paragraph but not used within a State shall, to the extent necessary to satisfy pending applications under this subtitle, be available for use by socially disadvantaged farmers in other States, as determined by the Secretary, and any remaining funds shall be reallocated within the State.

“(d) REPORT.—The Secretary shall prepare and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the annual target participation rates and the success in meeting the rates.

“(e) IMPLEMENTATION CONSISTENT WITH SUPREME COURT HOLDING.—Not later than 180 days after April 4, 1996, the Secretary shall ensure that the implementation of this section is consistent with the holding of the Supreme Court in *Adarand Constructors, Inc. v. Federico Pena*, Secretary of Transportation, 115 S. Ct. 2097 (1995).

**“SEC. 3417. COMPROMISE OR ADJUSTMENT OF DEBTS OR CLAIMS BY GUARANTEED LENDER.**

“(a) LOSS BY LENDER.—If the lender of a guaranteed farmer program loan takes any action described in section 3903(a)(4) with respect to the loan and the Secretary approves the action, for purposes of the guarantee, the lender shall be treated as having sustained a loss equal to the amount by which—

“(1) the outstanding balance of the loan immediately before the action; exceeds

“(2) the outstanding balance of the loan immediately after the action.

“(b) NET PRESENT VALUE OF LOAN.—The Secretary shall approve the taking of an action described in section 3903(a)(4) by the lender of a guaranteed farmer program loan with respect to the loan if the action reduces the net present value of the loan to an amount equal to not less than the greater of—

“(1) the greatest net present value of a loan the borrower could reasonably be expected to repay; and

“(2) the difference between—

“(A) the greatest amount that the lender of the loan could reasonably expect to recover from the borrower through bankruptcy, or liquidation of the property securing the loan; and

“(B) all reasonable and necessary costs and expenses that the lender of the loan could reasonably expect to incur to preserve or dispose of the property (including all associated legal and property management costs) in the course of such a bankruptcy or liquidation.

“(c) NO LIMITATION ON AUTHORITY.—This section shall not limit the authority of the Secretary to enter into a shared appreciation arrangement with a borrower under section 3411(e).

**“SEC. 3418. WAIVER OF MEDIATION RIGHTS BY BORROWERS.**

“The Secretary may not make or guarantee any farmer program loan to a farm borrower on the condition that the borrower waive any right under the mediation program of any State.

**“SEC. 3419. BORROWER TRAINING.**

“(a) IN GENERAL.—The Secretary shall contract to provide educational training to all borrowers of direct loans made under this subtitle in financial and farm management concepts associated with commercial farming.

“(b) CONTRACT.—

“(1) IN GENERAL.—The Secretary may contract with a State or private provider of farm management and credit counseling services (including a community college, the extension service of a State, a State department of agriculture, or a nonprofit organization) to carry out this section.

“(2) CONSULTATION.—The Secretary may consult with the chief executive officer of a State concerning the identity of the contracting organization and the process for contracting.

“(c) ELIGIBILITY FOR LOANS.—

“(1) IN GENERAL.—Subject to paragraph (2), to be eligible to obtain a direct loan under this subtitle, a borrower shall be required to obtain management assistance under this section, appropriate to the management ability of the borrower during the determination of eligibility for the loan.

“(2) LOAN CONDITIONS.—The need of a borrower who satisfies the criteria set out in section 3101(b)(1)(B) or 3201(b)(1)(B) for management assistance under this section shall not be cause for denial of eligibility of the borrower for a direct loan under this subtitle.

“(d) GUIDELINES AND CURRICULUM.—The Secretary shall issue regulations establishing guidelines and curriculum for the borrower training program established under this section.

“(e) PAYMENT.—A borrower—

“(1) shall pay for training received under this section; and

“(2) may use funds from operating loans made under chapter 2 to pay for the training.

“(f) WAIVERS.—

“(1) IN GENERAL.—The Secretary may waive the requirements of this section for an individual borrower on a determination that the borrower demonstrates adequate knowledge in areas described in this section.

“(2) CRITERIA.—The Secretary shall establish criteria providing for the application of paragraph (1) consistently in all counties nationwide.

**“SEC. 3420. LOAN ASSESSMENTS.**

“(a) IN GENERAL.—After an applicant is determined to be eligible for assistance under this subtitle, the Secretary shall evaluate, in accordance with regulations issued by the Secretary, the farming plan and financial situation of each qualified farmer applicant.

“(b) DETERMINATIONS.—In evaluating the farming plan and financial situation of an applicant under this section, the Secretary shall determine—

“(1) the amount that the applicant needs to borrow to carry out the proposed farming plan;

“(2) the rate of interest that the applicant would need to be able to cover expenses and build an adequate equity base;

“(3) the goals of the proposed farming plan of the applicant;

“(4) the financial viability of the plan and any changes that are necessary to make the plan viable; and

“(5) whether assistance is necessary under this subtitle and, if so, the amount of the assistance.

“(c) **CONTRACT.**—The Secretary may contract with a third party (including an entity that is eligible to provide borrower training under section 3419(b)) to conduct a loan assessment under this section.

“(d) **REVIEW OF LOANS.**—

“(1) **IN GENERAL.**—Loan assessments conducted under this section shall include annual review of direct loans, and periodic review (as determined necessary by the Secretary) of guaranteed loans, made under this subtitle to assess the progress of a borrower in meeting the goals for the farm operation.

“(2) **CONTRACTS.**—The Secretary may contract with an entity that is eligible to provide borrower training under section 3419(b) to conduct a loan review under paragraph (1).

“(3) **PROBLEM ASSESSMENTS.**—If a borrower is delinquent in payments on a direct or guaranteed loan made under this subtitle, the Secretary or the contracting entity shall determine the cause of, and action necessary to correct, the delinquency.

“(e) **GUIDELINES.**—The Secretary shall issue regulations providing guidelines for loan assessments conducted under this section.

#### “SEC. 3421. SUPERVISED CREDIT.

“The Secretary shall provide adequate training to employees of the Farm Service Agency on credit analysis and financial and farm management—

“(1) to better acquaint the employees with what constitutes adequate financial data on which to base a direct or guaranteed loan approval decision; and

“(2) to ensure proper supervision of farmer program loans.

#### “SEC. 3422. MARKET PLACEMENT.

“The Secretary shall establish a market placement program for a qualified beginning farmer and any other borrower of farmer program loans that the Secretary believes has a reasonable chance of qualifying for commercial credit with a guarantee provided under this subtitle.

#### “SEC. 3423. RECORDKEEPING OF LOANS BY GENDER OF BORROWER.

“The Secretary shall classify, by gender, records of applicants for loans and loan guarantees under this subtitle.

#### “SEC. 3424. CROP INSURANCE REQUIREMENT.

“(a) **IN GENERAL.**—As a condition of obtaining any benefit (including a direct loan, loan guarantee, or payment) described in subsection (b), a borrower shall be required to obtain at least catastrophic risk protection insurance coverage under section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) for the crop and crop year for which the benefit is sought, if the coverage is offered by the Federal Crop Insurance Corporation.

“(b) **APPLICABLE BENEFITS.**—Subsection (a) shall apply to—

“(1) a farm ownership loan under section 3102;

“(2) an operating loan under section 3202; and

“(3) an emergency loan under section 3301.

#### “SEC. 3425. LOAN AND LOAN SERVICING LIMITATIONS.

“(a) **DELINQUENT BORROWERS PROHIBITED FROM OBTAINING DIRECT OPERATING LOANS.**—The Secretary may not make a direct operating loan under chapter 2 to a borrower who is delinquent on any loan made or guaranteed under this subtitle.

“(b) **LOANS PROHIBITED FOR BORROWERS THAT HAVE RECEIVED DEBT FORGIVENESS.**—

“(1) **PROHIBITIONS.**—Except as provided in paragraph (2)—

“(A) the Secretary may not make a loan under this subtitle to a borrower that has received debt forgiveness on a loan made or guaranteed under this subtitle; and

“(B) the Secretary may not guarantee a loan under this subtitle to a borrower that has received—

“(i) debt forgiveness after April 4, 1996, on a loan made or guaranteed under this subtitle; or

“(ii) received debt forgiveness on more than 3 occasions on or before April 4, 1996.

“(2) **EXCEPTIONS.**—

“(A) **IN GENERAL.**—The Secretary may make a direct or guaranteed farm operating loan for paying annual farm operating expenses of a borrower who—

“(i) was restructured with a write-down under section 3411;

“(ii) is current on payments under a confirmed reorganization plan under chapters 11, 12, or 13 of title 11 of the United States Code; or

“(iii) received debt forgiveness on not more than 1 occasion resulting directly and primarily from a major disaster or emergency designated by the President on or after April 4, 1996, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

“(B) **EMERGENCY LOANS.**—The Secretary may make an emergency loan under section 3301 to a borrower that—

“(i) on or before April 4, 1996, received not more than 1 debt forgiveness on a loan made or guaranteed under this subtitle; and

“(ii) after April 4, 1996, has not received debt forgiveness on a loan made or guaranteed under this subtitle.

“(c) **NO MORE THAN 1 DEBT FORGIVENESS FOR A BORROWER ON A DIRECT LOAN.**—The Secretary may not provide to a borrower debt forgiveness on a direct loan made under this subtitle if the borrower has received debt forgiveness on another direct loan made under this subtitle.

#### “SEC. 3426. SHORT FORM CERTIFICATION OF FARM PROGRAM BORROWER COMPLIANCE.

“The Secretary shall develop and use a consolidated short form for farmer program loan borrowers to use in certifying compliance with any applicable provision of law (including a regulation) that serves as an eligibility prerequisite for a loan made under this subtitle.

#### “SEC. 3427. UNDERWRITING FORMS AND STANDARDS.

“In the administration of this subtitle, the Secretary shall, to the extent practicable, use underwriting forms, standards, practices, and terminology similar to the forms, standards, practices, and terminology used by lenders in the private sector.

#### “SEC. 3428. BEGINNING FARMER INDIVIDUAL DEVELOPMENT ACCOUNTS PILOT PROGRAM.

“(a) **DEFINITIONS.**—In this section:

“(1) **DEMONSTRATION PROGRAM.**—The term ‘demonstration program’ means a demonstration program carried out by a qualified entity under the pilot program established in subsection (b)(1).

“(2) **ELIGIBLE PARTICIPANT.**—The term ‘eligible participant’ means a qualified beginning farmer that—

“(A) lacks significant financial resources or assets; and

“(B) has an income that is less than—

“(i) 80 percent of the median income of the State in which the farmer resides; or

“(ii) 200 percent of the most recent annual Federal Poverty Income Guidelines published by the Department of Health and Human Services for the State.

“(3) **INDIVIDUAL DEVELOPMENT ACCOUNT.**—The term ‘individual development account’ means a savings account described in subsection (b)(4)(A).

“(4) **QUALIFIED ENTITY.**—

“(A) **IN GENERAL.**—The term ‘qualified entity’ means—

“(i) 1 or more organizations—

“(I) described in section 501(c)(3) of the Internal Revenue Code of 1986; and

“(II) exempt from taxation under section 501(a) of such Code; or

“(ii) a State, local, or tribal government submitting an application jointly with an organization described in clause (i).

“(B) **NO PROHIBITION ON COLLABORATION.**—An organization described in subparagraph (A)(i) may collaborate with a financial institution or for-profit community development corporation to carry out the purposes of this section.

“(b) **PILOT PROGRAM.**—

“(1) **IN GENERAL.**—The Secretary shall establish a pilot program to be known as the ‘New Farmer Individual Development Accounts Pilot Program’ under which the Secretary shall work through qualified entities to establish demonstration programs—

“(A) of at least 5 years in duration; and

“(B) in at least 15 States.

“(2) **COORDINATION.**—The Secretary shall operate the pilot program through and in coordination with the farmer program loans of the Farm Service Agency.

“(3) **RESERVE FUNDS.**—

“(A) **IN GENERAL.**—A qualified entity carrying out a demonstration program under this section shall establish a reserve fund consisting of a non-Federal match of 50 percent of the total amount of the grant awarded to the demonstration program under this section.

“(B) **FEDERAL FUNDS.**—After the qualified entity has deposited the non-Federal matching funds described in subparagraph (A) in the reserve fund, the Secretary shall provide the total amount of the grant awarded under this section to the demonstration program for deposit in the reserve fund.

“(C) **USE OF FUNDS.**—Of the funds deposited under subparagraph (B) in the reserve fund established for a demonstration program, the qualified entity carrying out the demonstration program—

“(i) may use up to 10 percent for administrative expenses; and

“(ii) shall use the remainder in making matching awards described in paragraph (4)(B)(ii)(I).

“(D) **INTEREST.**—Any interest earned on amounts in a reserve fund established under subparagraph (A) may be used by the qualified entity as additional matching funds for, or to administer, the demonstration program.

“(E) **GUIDANCE.**—The Secretary shall issue guidance regarding the investment requirements of reserve funds established under this paragraph.

“(F) **REVERSION.**—On the date on which all funds remaining in any individual development account established by a qualified entity have reverted under paragraph (5)(B)(ii) to

the reserve fund established by the qualified entity, there shall revert to the Treasury of the United States a percentage of the amount (if any) in the reserve fund equal to—

“(i) the amount of Federal funds deposited in the reserve fund under subparagraph (B) that were not used for administrative expenses; divided by

“(ii) the total amount of funds deposited in the reserve fund.

“(4) INDIVIDUAL DEVELOPMENT ACCOUNTS.—

“(A) IN GENERAL.—A qualified entity receiving a grant under this section shall establish and administer individual development accounts for eligible participants.

“(B) CONTRACT REQUIREMENTS.—To be eligible to receive funds under this section from a qualified entity, an eligible participant shall enter into a contract with only 1 qualified entity under which—

“(i) the eligible participant agrees—

“(I) to deposit a certain amount of funds of the eligible participant in a personal savings account, as prescribed by the contractual agreement between the eligible participant and the qualified entity;

“(II) to use the funds described in subclause (I) only for 1 or more eligible expenditures described in paragraph (5)(A); and

“(III) to complete financial training; and

“(ii) the qualified entity agrees—

“(I) to deposit, not later than 1 month after an amount is deposited pursuant to clause (i)(I), at least a 100-percent, and up to a 200-percent, match of that amount into the individual development account established for the eligible participant; and

“(II) with uses of funds proposed by the eligible participant.

“(C) LIMITATION.—

“(i) IN GENERAL.—A qualified entity administering a demonstration program under this section may provide not more than \$6,000 for each fiscal year in matching funds to the individual development account established by the qualified entity for an eligible participant.

“(ii) TREATMENT OF AMOUNT.—An amount provided under clause (i) shall not be considered to be a gift or loan for mortgage purposes.

“(5) ELIGIBLE EXPENDITURES.—

“(A) IN GENERAL.—An eligible expenditure described in this subparagraph is an expenditure—

“(i) to purchase farmland or make a down payment on an accepted purchase offer for farmland;

“(ii) to make mortgage payments on farmland purchased pursuant to clause (i), for up to 180 days after the date of the purchase;

“(iii) to purchase breeding stock, fruit or nut trees, or trees to harvest for timber; and

“(iv) for other similar expenditures, as determined by the Secretary.

“(B) TIMING.—

“(i) IN GENERAL.—An eligible participant may make an eligible expenditure at any time during the 2-year period beginning on the date on which the last matching funds are provided under paragraph (4)(B)(ii)(I) to the individual development account established for the eligible participant.

“(ii) UNEXPENDED FUNDS.—At the end of the period described in clause (i), any funds remaining in an individual development account established for an eligible participant shall revert to the reserve fund of the demonstration program under which the account was established.

“(c) APPLICATIONS.—

“(1) IN GENERAL.—A qualified entity that seeks to carry out a demonstration program

under this section may submit to the Secretary an application at such time, in such form, and containing such information as the Secretary may prescribe.

“(2) CRITERIA.—In considering whether to approve an application to carry out a demonstration program under this section, the Secretary shall assess—

“(A) the degree to which the demonstration program described in the application is likely to aid eligible participants in successfully pursuing new farming opportunities;

“(B) the experience and ability of the qualified entity to responsibly administer the demonstration program;

“(C) the experience and ability of the qualified entity in recruiting, educating, and assisting eligible participants to increase economic independence and pursue or advance farming opportunities;

“(D) the aggregate amount of direct funds from non-Federal public sector and private sources that are formally committed to the demonstration program as matching contributions;

“(E) the adequacy of the plan of the qualified entity to provide information relevant to an evaluation of the demonstration program; and

“(F) such other factors as the Secretary considers to be appropriate.

“(3) PREFERENCES.—In considering an application to conduct a demonstration program under this section, the Secretary shall give preference to an application from a qualified entity that demonstrates—

“(A) a track record of serving clients targeted by the program, including, as appropriate, socially disadvantaged farmers; and

“(B) expertise in dealing with financial management aspects of farming.

“(4) APPROVAL.—Not later than 1 year after the date of enactment of this section, in accordance with this section, the Secretary shall, on a competitive basis, approve such applications to conduct demonstration programs as the Secretary considers appropriate.

“(5) TERM OF AUTHORITY.—If the Secretary approves an application to carry out a demonstration program, the Secretary shall authorize the applicant to carry out the project for a period of 5 years, plus an additional 2 years to make eligible expenditures in accordance with subsection (b)(5)(B).

“(d) GRANT AUTHORITY.—

“(1) IN GENERAL.—The Secretary shall make a grant to a qualified entity authorized to carry out a demonstration program under this section.

“(2) MAXIMUM AMOUNT OF GRANTS.—The aggregate amount of grant funds provided to a demonstration program carried out under this section shall not exceed \$250,000.

“(3) TIMING OF GRANT PAYMENTS.—The Secretary shall pay the amounts awarded under a grant made under this section—

“(A) on the awarding of the grant; or

“(B) pursuant to such payment plan as the qualified entity may specify.

“(e) REPORTS.—

“(1) ANNUAL PROGRESS REPORTS.—

“(A) IN GENERAL.—Not later than 60 days after the end of the calendar year in which the Secretary authorizes a qualified entity to carry out a demonstration program under this section, and annually thereafter until the conclusion of the demonstration program, the qualified entity shall prepare an annual report that includes, for the period covered by the report—

“(i) an evaluation of the progress of the demonstration program;

“(ii) information about the demonstration program, including the eligible participants

and the individual development accounts that have been established; and

“(iii) such other information as the Secretary may require.

“(B) SUBMISSION OF REPORTS.—A qualified entity shall submit each report required under subparagraph (A) to the Secretary.

“(2) REPORTS BY THE SECRETARY.—Not later than 1 year after the date on which all demonstration programs under this section are concluded, the Secretary shall submit to Congress a final report that describes the results and findings of all reports and evaluations carried out under this section.

“(f) ANNUAL REVIEW.—The Secretary may conduct an annual review of the financial records of a qualified entity—

“(1) to assess the financial soundness of the qualified entity; and

“(2) to determine the use of grant funds made available to the qualified entity under this section.

“(g) REGULATIONS.—In carrying out this section, the Secretary may promulgate regulations to ensure that the program includes provisions for—

“(1) the termination of demonstration programs;

“(2) control of the reserve funds in the case of such a termination;

“(3) transfer of demonstration programs to other qualified entities; and

“(4) remissions from a reserve fund to the Secretary in a case in which a demonstration program is terminated without transfer to a new qualified entity.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2013 through 2018.

#### “SEC. 3429. FARMER LOAN PILOT PROJECTS.

“(a) IN GENERAL.—The Secretary may conduct pilot projects of limited scope and duration that are consistent with this subtitle to evaluate processes and techniques that may improve the efficiency and effectiveness of the programs carried out under this subtitle

“(b) NOTIFICATION.—The Secretary shall—

“(1) not less than 60 days before the date on which the Secretary initiates a pilot project under subsection (a), submit notice of the proposed pilot project to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

“(2) consider any recommendations or feedback provided to the Secretary in response to the notice provided under paragraph (1).

#### “SEC. 3430. PROHIBITION ON USE OF LOANS FOR CERTAIN PURPOSES.

“(a) IN GENERAL.—Except as provided in subsections (b) and (c), the Secretary may not approve a loan under this subtitle to drain, dredge, fill, level, or otherwise manipulate a wetland (as defined in section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a))), or to engage in any activity that results in impairing or reducing the flow, circulation, or reach of water.

“(b) PRIOR ACTIVITY.—Subsection (a) does not apply in the case of—

“(1) an activity related to the maintenance of a previously converted wetland; or

“(2) an activity that had already commenced before November 28, 1990.

“(c) EXCEPTION.—This section shall not apply to a loan made or guaranteed under this subtitle for a utility line.

#### “SEC. 3431. AUTHORIZATION OF APPROPRIATIONS AND ALLOCATION OF FUNDS.

“(a) AUTHORIZATION FOR LOANS.—

“(1) IN GENERAL.—The Secretary may make or guarantee loans under chapters 1 and 2



from the Agricultural Credit Insurance Fund for not more than \$4,226,000,000 for each of fiscal years 2013 through 2018, of which, for each fiscal year—

“(A) \$1,200,000,000 shall be for direct loans, of which—

“(i) \$350,000,000 shall be for farm ownership loans; and

“(ii) \$850,000,000 shall be for operating loans; and

“(B) \$3,026,000,000 shall be for guaranteed loans, of which—

“(i) \$1,000,000,000 shall be for guarantees of farm ownership loans; and

“(ii) \$2,026,000,000 shall be for guarantees of operating loans.

“(2) BEGINNING FARMERS.—

“(A) DIRECT LOANS.—

“(i) FARM OWNERSHIP LOANS.—

“(I) IN GENERAL.—Of the amounts made available under paragraph (1) for direct farm ownership loans, the Secretary shall reserve an amount that is not less than 75 percent of the total amount for qualified beginning farmers.

“(II) DOWN PAYMENT LOANS; JOINT FINANCING ARRANGEMENTS.—Of the amounts reserved for a fiscal year under subclause (I), the Secretary shall reserve an amount not less than  $\frac{3}{4}$  of the amount for the down payment loan program under section 3107 and joint financing arrangements under section 3105 until April 1 of the fiscal year.

“(ii) OPERATING LOANS.—Of the amounts made available under paragraph (1) for direct operating loans, the Secretary shall reserve for qualified beginning farmers for each of fiscal years 2013 through 2018, an amount that is not less than 50 percent of the total amount.

“(iii) FUNDS RESERVED UNTIL SEPTEMBER 1.—Except as provided in clause (i)(II), funds reserved for qualified beginning farmers under this subparagraph for a fiscal year shall be reserved only until September 1 of the fiscal year.

“(B) GUARANTEED LOANS.—

“(i) FARM OWNERSHIP LOANS.—Of the amounts made available under paragraph (1) for guarantees of farm ownership loans, the Secretary shall reserve an amount that is not less than 40 percent of the total amount for qualified beginning farmers.

“(ii) OPERATING LOANS.—Of the amounts made available under paragraph (1) for guarantees of operating loans, the Secretary shall reserve 40 percent for qualified beginning farmers.

“(iii) FUNDS RESERVED UNTIL APRIL 1.—Funds reserved for qualified beginning farmers under this subparagraph for a fiscal year shall be reserved only until April 1 of the fiscal year.

“(C) RESERVED FUNDS FOR ALL QUALIFIED BEGINNING FARMERS.—If a qualified beginning farmer meets the eligibility criteria for receiving a direct or guaranteed loan under section 3101, 3107, or 3201, the Secretary shall make or guarantee the loan if sufficient funds reserved under this paragraph are available to make or guarantee the loan.

“(3) TRANSFER FOR DOWN PAYMENT LOANS.—

“(A) IN GENERAL.—Subject to subparagraph (B)—

“(i) beginning on August 1 of each fiscal year, the Secretary shall use available unsubsidized guaranteed farm operating loan funds to provide direct farm ownership loans approved by the Secretary to qualified beginning farmers under the down payment loan program established under section 3107, if sufficient direct farm ownership loan funds are not otherwise available; and

“(ii) beginning on September 1 of each fiscal year, the Secretary shall use available

unsubsidized guaranteed farm operating loan funds to provide direct farm ownership loans approved by the Secretary to qualified beginning farmers, if sufficient direct farm ownership loan funds are not otherwise available.

“(B) LIMITATION.—The Secretary shall limit the transfer of funds under subparagraph (A) so that all guaranteed farm operating loans that have been approved, or will be approved, by the Secretary during the fiscal year will be made to the extent of available amounts.

“(4) TRANSFER FOR CREDIT SALES OF FARM INVENTORY PROPERTY.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C), beginning on September 1 of each fiscal year, the Secretary may use available funds made available under chapter 3 for the fiscal year to fund the credit sale of farm real estate in the inventory of the Secretary.

“(B) SUPPLEMENTAL APPROPRIATIONS.—The transfer authority provided under subparagraph (A) shall not apply to any funds made available to the Secretary for any fiscal year under an Act making supplemental appropriations.

“(C) LIMITATION.—The Secretary shall limit the transfer of funds under subparagraph (A) so that all emergency disaster loans that have been approved, or will be approved, by the Secretary during the fiscal year will be made to the extent of available amounts.

“(5) AVAILABILITY OF FUNDS.—Funds made available to carry out this subtitle shall remain available until expended.

“(b) COST PROJECTIONS.—

“(1) IN GENERAL.—The Secretary shall develop long-term cost projections for loan program authorizations required under subsection (a).

“(2) ANALYSIS.—Each projection under paragraph (1) shall include analyses of—

“(A) the long-term costs of the lending levels that the Secretary requests to be authorized under subsection (a); and

“(B) the long-term costs for increases in lending levels beyond those requested to be authorized, based on increments of \$10,000,000 or such other levels as the Secretary considers appropriate.

“(3) SUBMISSION TO CONGRESS.—The Secretary shall submit to the Committees on Agriculture and Appropriations of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry and Appropriations of the Senate reports containing the long-term cost projections for the 3-year period beginning with fiscal year 1983 and each 3-year period thereafter at the time the requests for authorizations for those periods are submitted to Congress.

“(c) LOW-INCOME, LIMITED-RESOURCE BORROWERS.—

“(1) RESERVE.—Notwithstanding any other provision of law, not less than 25 percent of the loans for farm ownership purposes for each fiscal year under this subtitle shall be for low-income, limited-resource borrowers.

“(2) NOTIFICATION.—The Secretary shall provide notification to farm borrowers under this subtitle in the normal course of loan making and loan servicing operations, of the provisions of this subtitle relating to low-income, limited-resource borrowers and the procedures by which persons may apply for loans under the low-income, limited-resource borrower program.”.

#### Subtitle B—Miscellaneous

#### SEC. 5101. STATE AGRICULTURAL MEDIATION PROGRAMS.

Section 506 of the Agricultural Credit Act of 1987 (7 U.S.C. 5106) is amended by striking “2015” and inserting “2018”.

#### SEC. 5102. LOANS TO PURCHASERS OF HIGHLY FRACTIONATED LAND.

(a) IN GENERAL.—The first sentence of Public Law 91–229 (25 U.S.C. 488) is amended—

(1) in subsection (a), in the first sentence, by striking “loans from” and all that follows through “1929” and inserting “direct loans in a manner consistent with direct loans pursuant to chapter 4 of subtitle A of the Consolidated Farm and Rural Development Act”;

(2) in subsection (b)(1)—

(A) by striking “pursuant to section 205(c) of the Indian Land Consolidation Act (25 U.S.C. 2204(c))”; and

(B) by inserting “or to intermediaries in order to establish revolving loan funds for the purchase of highly fractionated land under that section” before the period at the end; and

(3) by adding at the end the following:

“(c) CONSULTATION REQUIRED.—In determining regulations and procedures to define eligible purchasers of highly fractionated land under this section, the Secretary of Agriculture shall consult with the Secretary of the Interior.”.

#### SEC. 5103. REMOVAL OF DUPLICATIVE APPRAISALS.

Notwithstanding any other law (including regulations), in making loans under the first section of Public Law 91–229 (25 U.S.C. 488), borrowers who are Indian tribes, members of Indian tribes, or tribal corporations shall only be required to obtain 1 appraisal under an appraisal standard recognized as of the date of enactment of this Act by the Secretary or the Secretary of the Interior.

#### SEC. 5104. COMPENSATION DISCLOSURE BY FARM CREDIT SYSTEM INSTITUTIONS.

(a) FINDINGS.—Congress finds that —

(1) the reasonable disclosure to stockholders by Farm Credit System institutions regarding the compensation of Farm Credit System institution senior officers is beneficial to stockholders’ understanding of the operation of their institutions;

(2) transparency regarding compensation practices reinforces the cooperative nature of Farm Credit System institutions;

(3) the unique cooperative structure of the Farm Credit System should be considered when promulgating rules;

(4) the participation of stockholders in the election of the boards of directors of Farm Credit System institutions provides stockholders the opportunity to participate in the management of their institutions;

(5) as representatives of stockholders, the boards of directors of Farm Credit System institutions importantly establish and oversee the compensation practices of Farm Credit System institutions to ensure the safe and sound operation of those institutions; and

(6) any regulation should strengthen and not hinder the ability of Farm Credit System boards of directors to oversee compensation practices.

(b) IMPLEMENTATION.—Not later than 60 days after the date of enactment of this Act, the Farm Credit Administration shall review its rules to reflect Congressional intent that a primary responsibility of the boards of directors of Farm Credit System institutions, as elected representatives of their stockholders, is to oversee compensation practices.

**TITLE VI—RURAL DEVELOPMENT****Subtitle A—Reorganization of the Consolidated Farm and Rural Development Act****SEC. 6001. REORGANIZATION OF THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.**

Title III of the Agricultural Act of 1961 (7 U.S.C. 1921 et seq.) is amended to read as follows:

**“TITLE III—AGRICULTURAL CREDIT****“SEC. 3001. SHORT TITLE; TABLE OF CONTENTS.**

“(a) SHORT TITLE.—This title may be cited as the ‘Consolidated Farm and Rural Development Act’.

“(b) TABLE OF CONTENTS.—The table of contents of this title is as follows:

**“TITLE III—AGRICULTURAL CREDIT**

“Sec. 3001. Short title; table of contents.

“Sec. 3002. Definitions.

“Subtitle A—Farmer Loans, Servicing, and Other Assistance

**“CHAPTER 1—FARM OWNERSHIP LOANS**

“Sec. 3101. Farm ownership loans.

“Sec. 3102. Purposes of loans.

“Sec. 3103. Conservation loan and loan guarantee program.

“Sec. 3104. Loan maximums.

“Sec. 3105. Repayment requirements for farm ownership loans.

“Sec. 3106. Limited-resource loans.

“Sec. 3107. Downpayment loan program.

“Sec. 3108. Beginning farmer and socially disadvantaged farmer contract land sales program.

**“CHAPTER 2—OPERATING LOANS**

“Sec. 3201. Operating loans.

“Sec. 3202. Purposes of loans.

“Sec. 3203. Restrictions on loans.

“Sec. 3204. Terms of loans.

**“CHAPTER 3—EMERGENCY LOANS**

“Sec. 3301. Emergency loans.

“Sec. 3302. Purposes of loans.

“Sec. 3303. Terms of loans.

“Sec. 3304. Production losses.

**“CHAPTER 4—GENERAL FARMER LOAN PROVISIONS**

“Sec. 3401. Agricultural Credit Insurance Fund.

“Sec. 3402. Guaranteed farmer loans.

“Sec. 3403. Provision of information to borrowers.

“Sec. 3404. Notice of loan service programs.

“Sec. 3405. Planting and production history guidelines.

“Sec. 3406. Special conditions and limitations on loans.

“Sec. 3407. Graduation of borrowers.

“Sec. 3408. Debt adjustment and credit counseling.

“Sec. 3409. Security servicing.

“Sec. 3410. Contracts on loan security properties.

“Sec. 3411. Debt restructuring and loan servicing.

“Sec. 3412. Relief for mobilized military reservists from certain agricultural loan obligations.

“Sec. 3413. Interest rate reduction program.

“Sec. 3414. Homestead property.

“Sec. 3415. Transfer of inventory land.

“Sec. 3416. Target participation rates.

“Sec. 3417. Compromise or adjustment of debts or claims by guaranteed lender.

“Sec. 3418. Waiver of mediation rights by borrowers.

“Sec. 3419. Borrower training.

“Sec. 3420. Loan assessments.

“Sec. 3421. Supervised credit.

“Sec. 3422. Market placement.

“Sec. 3423. Recordkeeping of loans by gender of borrower.

“Sec. 3424. Crop insurance requirement.

“Sec. 3425. Loan and loan servicing limitations.

“Sec. 3426. Short form certification of farm program borrower compliance.

“Sec. 3427. Underwriting forms and standards.

“Sec. 3428. Beginning farmer individual development accounts pilot program.

“Sec. 3429. Farmer loan pilot projects.

“Sec. 3430. Prohibition on use of loans for certain purposes.

“Sec. 3431. Authorization of appropriations and allocation of funds.

**“Subtitle B—Rural Development****“CHAPTER 1—RURAL COMMUNITY PROGRAMS**

“Sec. 3501. Water and waste disposal loans, loan guarantees, and grants.

“Sec. 3502. Community facilities loans, loan guarantees, and grants.

“Sec. 3503. Health care services.

**“CHAPTER 2—RURAL BUSINESS AND COOPERATIVE DEVELOPMENT**

“Sec. 3601. Business programs.

“Sec. 3602. Rural Business Investment Program.

**“CHAPTER 3—GENERAL RURAL DEVELOPMENT PROVISIONS**

“Sec. 3701. General provisions for loans and grants.

“Sec. 3702. Strategic economic and community development.

“Sec. 3703. Guaranteed rural development loans.

“Sec. 3704. Rural Development Insurance Fund.

“Sec. 3705. Rural economic area partnership zones.

“Sec. 3706. Streamlining applications and improving accessibility of rural development programs.

“Sec. 3707. State Rural Development Partnership.

**“CHAPTER 4—DELTA REGIONAL AUTHORITY**

“Sec. 3801. Definitions.

“Sec. 3802. Delta Regional Authority.

“Sec. 3803. Economic and community development grants.

“Sec. 3804. Supplements to Federal grant programs.

“Sec. 3805. Local development districts; certification and administrative expenses.

“Sec. 3806. Distressed counties and areas and nondistressed counties.

“Sec. 3807. Development planning process.

“Sec. 3808. Program development criteria.

“Sec. 3809. Approval of development plans and projects.

“Sec. 3810. Consent of States.

“Sec. 3811. Records.

“Sec. 3812. Annual report.

“Sec. 3813. Authorization of appropriations.

“Sec. 3814. Termination of authority.

**“CHAPTER 5—NORTHERN GREAT PLAINS REGIONAL AUTHORITY**

“Sec. 3821. Definitions.

“Sec. 3822. Northern Great Plains Regional Authority.

“Sec. 3823. Interstate cooperation for economic opportunity and efficiency.

“Sec. 3824. Economic and community development grants.

“Sec. 3825. Supplements to Federal grant programs.

“Sec. 3826. Multistate and local development districts and organizations and Northern Great Plains Inc.

“Sec. 3827. Distressed counties and areas and nondistressed counties.

“Sec. 3828. Development planning process.

“Sec. 3829. Program development criteria.

“Sec. 3830. Approval of development plans and projects.

“Sec. 3831. Consent of States.

“Sec. 3832. Records.

“Sec. 3833. Annual report.

“Sec. 3834. Authorization of appropriations.

“Sec. 3835. Termination of authority.

**“Subtitle C—General Provisions**

“Sec. 3901. Full faith and credit.

“Sec. 3902. Purchase and sale of guaranteed portions of loans.

“Sec. 3903. Administration.

“Sec. 3904. Loan moratorium and policy on foreclosures.

“Sec. 3905. Oil and gas royalty payments on loans.

“Sec. 3906. Taxation.

“Sec. 3907. Conflicts of interest.

“Sec. 3908. Loan summary statements.

“Sec. 3909. Certified lenders program.

“Sec. 3910. Loans to resident aliens.

“Sec. 3911. Expedited clearing of title to inventory property.

“Sec. 3912. Transfer of land to Secretary.

“Sec. 3913. Competitive sourcing limitations.

“Sec. 3914. Regulations.

**“SEC. 3002. DEFINITIONS.**

“In this title (unless the context otherwise requires):

“(1) ABLE TO OBTAIN CREDIT ELSEWHERE.—The term ‘able to obtain credit elsewhere’ means able to obtain a loan from a production credit association, a Federal land bank, or other responsible cooperative or private credit source (or, in the case of a borrower under section 3106, the borrower may be able to obtain a loan under section 3101) at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time.

“(2) AGRICULTURAL CREDIT INSURANCE FUND.—The term ‘Agricultural Credit Insurance Fund’ means the fund established under section 3401.

“(3) APPROVED LENDER.—The term ‘approved lender’ means—

“(A) a lender approved prior to October 28, 1992, by the Secretary under the approved lender program established by exhibit A to subpart B of part 1980 of title 7, Code of Federal Regulations (as in effect on January 1, 1991); or

“(B) a lender certified under section 3909.

“(4) AQUACULTURE.—The term ‘aquaculture’ means the culture or husbandry of aquatic animals or plants by private industry for commercial purposes, including the culture and growing of fish by private industry for the purpose of creating or augmenting publicly owned and regulated stocks of fish.

“(5) BEGINNING FARMER.—The term ‘beginning farmer’ has the meaning given the term by the Secretary.

“(6) BORROWER.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘borrower’ means an individual or entity who has an outstanding obligation to the Secretary under any loan made or guaranteed under this title, without regard to whether the loan has been accelerated.

“(B) EXCLUSIONS.—The term ‘borrower’ does not include an individual or entity all of whose loans and accounts have been foreclosed on or liquidated, voluntarily or otherwise.

“(7) COUNTY COMMITTEE.—The term ‘county committee’ means the appropriate county

committee established under section 8(b)(5) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)(5)).

“(8) DEBT FORGIVENESS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘debt forgiveness’ means reducing or terminating a loan made or guaranteed under this title, in a manner that results in a loss to the Secretary, through—

“(i) writing down or writing off a loan under section 3411;

“(ii) compromising, adjusting, reducing, or charging-off a debt or claim under section 3903;

“(iii) paying a loss on a guaranteed loan under this title; or

“(iv) discharging a debt as a result of bankruptcy.

“(B) LOAN RESTRUCTURING.—The term ‘debt forgiveness’ does not include consolidation, rescheduling, reamortization, or deferral.

“(9) DEPARTMENT.—The term ‘Department’ means the Department of Agriculture.

“(10) DIRECT LOAN.—The term ‘direct loan’ means a loan made by the Secretary from appropriated funds.

“(11) ENTITY.—The term ‘entity’ means a corporation, farm cooperative, partnership, joint operation, governmental entity, or other legal organization, as determined by the Secretary.

“(12) FARM.—The term ‘farm’ means an operation involved in—

“(A) the production of an agricultural commodity;

“(B) ranching; or

“(C) aquaculture, in a controlled environment.

“(13) FARMER.—The term ‘farmer’ means an individual or entity engaged primarily and directly in—

“(A) the production of an agricultural commodity;

“(B) ranching; or

“(C) aquaculture, in a controlled environment.

“(14) FARMER PROGRAM LOAN.—The term ‘farmer program loan’ means—

“(A) a farm ownership loan under section 3101;

“(B) a conservation loan under section 3103;

“(C) an operating loan under section 3201;

“(D) an emergency loan under section 3301;

“(E) an economic emergency loan under section 202 of the Emergency Agricultural Credit Adjustment Act of 1978 (7 U.S.C. prec. 1961 note; Public Law 95-334);

“(F) a loan for a farm service building under section 502 of the Housing Act of 1949 (42 U.S.C. 1472);

“(G) an economic opportunity loan under section 602 of the Economic Opportunity Act of 1964 (Public Law 88-452; 42 U.S.C. 2942 note) (as it existed before the amendment made by section 683(a) of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35; 95 Stat. 519));

“(H) a softwood timber loan under section 608 of the Agricultural Programs Adjustment Act of 1984 (7 U.S.C. 1981 note; Public Law 98-258); or

“(I) any other loan described in section 343(a)(10) of this title (as it existed before the amendment made by section 2 of the Agriculture Reform, Food, and Jobs Act of 2013) that is outstanding on the date of enactment of that Act.

“(15) FARM SERVICE AGENCY.—The term ‘Farm Service Agency’ means the offices of the Farm Service Agency to which the Secretary delegates responsibility to carry out this title.

“(16) GOVERNMENTAL ENTITY.—The term ‘governmental entity’ means any agency of a State or a unit of local government of a State, or subdivision thereof.

“(17) GUARANTEE.—The term ‘guarantee’ means guaranteeing the payment of a loan originated, held, and serviced by a private financial agency, or lender, approved by the Secretary.

“(18) HIGHLY ERODIBLE LAND.—The term ‘highly erodible land’ has the meaning given the term in section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a)).

“(19) HOMESTEAD RETENTION.—The term ‘homestead retention’ means homestead retention as authorized under section 3414.

“(20) INDIAN TRIBE.—The term ‘Indian tribe’ means a Federal or State-recognized Indian tribe or other federally recognized Indian tribal group (including a Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

“(21) LOAN SERVICE PROGRAM.—The term ‘loan service program’ means, with respect to a farmer program loan borrower, a primary loan service program or a homestead retention program.

“(22) NATURAL OR MAJOR DISASTER OR EMERGENCY.—The term ‘natural or major disaster or emergency’ means—

“(A) a disaster due to nonmanmade causes declared by the Secretary; or

“(B) a major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

“(23) PRIMARY LOAN SERVICE PROGRAM.—The term ‘primary loan service program’ means, with respect to a farmer program loan—

“(A) loan consolidation, rescheduling, or reamortization;

“(B) interest rate reduction, including the use of the limited resource program;

“(C) loan restructuring, including deferral, set aside, or writing down of the principal or accumulated interest charges, or both, of the loan; or

“(D) any combination of actions described in subparagraphs (A), (B), and (C).

“(24) PRIME FARMLAND.—The term ‘prime farmland’ means prime farmland and unique farmland (as defined in subsections (a) and (b) of section 657.5 of title 7, Code of Federal Regulations (1980)).

“(25) PROJECT.—For purposes of section 3501, the term ‘project’ includes a facility providing central service or a facility serving an individual property, or both.

“(26) QUALIFIED BEGINNING FARMER.—The term ‘qualified beginning farmer’ means an applicant, regardless of whether the applicant is participating in a program under section 3107, who—

“(A) is eligible for assistance under subtitle A;

“(B) has not operated a farm, or has operated a farm for not more than 10 years;

“(C) in the case of a cooperative, corporation, partnership, or joint operation, has members, stockholders, partners, or joint operators who are all related to each other by blood or marriage;

“(D) in the case of a farmer who is the owner and operator of a farm—

“(i) in the case of a loan made to an individual, individually or with the immediate family of the applicant—

“(I) materially and substantially participates in the operation of the farm; and

“(II) provides substantial day-to-day labor and management of the farm, consistent with the practices in the State or county in which the farm is located; or

“(ii)(I) in the case of a loan made to a cooperative, corporation, partnership, or joint operation, has members, stockholders, partners, or joint operators who materially and substantially participate in the operation of the farm; and

“(II) in the case of a loan made to a corporation, has stockholders who all qualify individually as beginning farmers;

“(E) in the case of an applicant seeking to become an owner and operator of a farm—

“(i) in the case of a loan made to an individual, individually or with the immediate family of the applicant, will—

“(I) materially and substantially participate in the operation of the farm; and

“(II) provide substantial day-to-day labor and management of the farm, consistent with the practices in the State or county in which the farm is located; or

“(ii)(I) in the case of a loan made to a cooperative, corporation, partnership, or joint operation, will have members, stockholders, partners, or joint operators who will materially and substantially participate in the operation of the farm; and

“(II) in the case of a loan made to a corporation, has stockholders who will all qualify individually as beginning farmers;

“(F) agrees to participate in such loan assessment, borrower training, and financial management programs as the Secretary may require;

“(G)(i) does not own farm land; or

“(ii) directly or through interests in family farm corporations, owns farm land, the aggregate acreage of which does not exceed 30 percent of the average acreage of the farms, as the case may be, in the county in which the farm operations of the applicant are located, as reported in the most recent census of agriculture taken in accordance with the Census of Agriculture Act of 1997 (7 U.S.C. 2204g et seq.), except that this subparagraph shall not apply to a loan made or guaranteed under chapter 2 of subtitle A; and

“(H) demonstrates that the available resources of the applicant and any spouse of the applicant are not sufficient to enable the applicant to farm on a viable scale.

“(27) RECREATIONAL PURPOSE.—For purposes of section 3410, the term ‘recreational purpose’ has the meaning provided by the Secretary, but shall include hunting.

“(28) RURAL AND RURAL AREA.—

“(A) IN GENERAL.—Subject to any determination made under subparagraph (B), the terms ‘rural’ and ‘rural area’ mean any area other than—

“(i) a city or town that has a population of greater than 50,000 inhabitants; and

“(ii) any urbanized area contiguous and adjacent to a city or town described in clause (i).

“(B) DETERMINATION OF AREAS RURAL IN CHARACTER.—

“(i) IN GENERAL.—If part of an area described in subparagraph (A)(ii) was eligible under the definitions of the terms ‘rural’ and ‘rural area’ in section 343 (as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013) for community facility, water and waste disposal, and broadband programs, that area shall remain eligible unless the Secretary, acting through the Under Secretary for Rural Development (referred to in this subparagraph as the ‘Under Secretary’), determines the area is no longer rural, based on the criteria described in clause (iii).

“(ii) OTHER AREAS.—On petition of a unit of local government in an urbanized area described in subparagraph (A)(ii), or on the initiative of the Under Secretary, the Under

Secretary may determine that part of an area is rural, based on the criteria described in clause (iii).

“(iii) CRITERIA.—In making a determination under clause (i), the Under Secretary shall consider—

“(I) population density;

“(II) economic conditions, favoring a rural determination for areas facing—

“(aa) chronic unemployment in excess of statewide averages;

“(bb) sudden loss of employment from natural disaster or the loss of a significant employer in the area; or

“(cc) chronic poverty demonstrated at the census block or county level compared to statewide median household income; and

“(III) commuting patterns, favoring a rural determination for areas that can demonstrate higher proportions of the population living and working in the area.

“(iv) ADMINISTRATION.—In carrying out this subparagraph, the Under Secretary shall—

“(I) not delegate the authority to carry out this subparagraph;

“(II) not make a determination under clause (i) until the date that is 3 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013;

“(III) consult with the applicable rural development State or regional director of the Department and the Governor of the respective State;

“(IV) provide an opportunity to appeal to the Under Secretary a determination made under this subparagraph;

“(V) release to the public notice of a petition filed or initiative of the Under Secretary under this subparagraph not later than 30 days after receipt of the petition or the commencement of the initiative, as appropriate;

“(VI) make a determination under this subparagraph not less than 15 days, and not more than 60 days, after the release of the notice under subclause (V); and

“(VII) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report on actions taken to carry out this subparagraph.

“(v) HAWAII AND PUERTO RICO.—Notwithstanding any other provision of this subsection, within the areas of the County of Honolulu, Hawaii, and the Commonwealth of Puerto Rico, the Under Secretary may designate any part of the areas as a rural area if the Under Secretary determines that the part is not urban in character, other than any area included in the Honolulu Census Designated Place or the San Juan Census Designated Place.

“(C) EXCLUSIONS.—Notwithstanding any other provision of this paragraph, in determining which census blocks in an urbanized area are not in a rural area (as defined in this paragraph), the Secretary shall exclude any cluster of census blocks that would otherwise be considered not in a rural area only because the cluster is adjacent to not more than 2 census blocks that are otherwise considered not in a rural area under this paragraph.

“(29) SEASONED DIRECT LOAN BORROWER.—The term ‘seasoned direct loan borrower’ means a borrower who could reasonably be expected to qualify for commercial credit using criteria determined by the Secretary.

“(30) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture.

“(31) SOCIALLY DISADVANTAGED FARMER.—The term ‘socially disadvantaged farmer’

means a farmer who is a member of a socially disadvantaged group.

“(32) SOCIALLY DISADVANTAGED GROUP.—The term ‘socially disadvantaged group’ means a group whose members have been subjected to racial, ethnic, or gender prejudice because of the identity of the members as members of a group without regard to the individual qualities of the members.

“(33) SOLAR ENERGY.—The term ‘solar energy’ means energy derived from sources (other than fossil fuels) and technologies included in the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5901 et seq.).

“(34) STATE.—The term ‘State’ means—

“(A) in this title (other than subtitle A), each of the 50 States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau; and

“(B) in subtitle A, each of the 50 States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and, to the extent the Secretary determines it to be feasible and appropriate, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

“(35) STATE BEGINNING FARMER PROGRAM.—The term ‘State beginning farmer program’ means any program that is—

“(A) carried out by, or under contract with, a State; and

“(B) designed to assist qualified beginning farmers in obtaining the financial assistance necessary to enter agriculture and establish viable farming operations.

“(36) VETERAN.—The term ‘veteran’ has the meaning given the term in section 101 of title 38, United States Code.

“(37) WETLAND.—The term ‘wetland’ has the meaning given the term in section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a)).

“(38) WILDLIFE.—The term ‘wildlife’ means fish or wildlife (as defined in section 2(a) of the Lacey Act Amendments of 1981 (16 U.S.C. 3371(a))).

#### “Subtitle B—Rural Development “CHAPTER 1—RURAL COMMUNITY PROGRAMS

##### “SEC. 3501. WATER AND WASTE DISPOSAL LOANS, LOAN GUARANTEES, AND GRANTS.

“(a) IN GENERAL.—The Secretary may make grants and loans and issue loan guarantees (including a guarantee of a loan financed by the net proceeds of a bond described in section 142(a) of the Internal Revenue Code of 1986) to eligible entities described in subsection (b) for projects in rural areas that primarily serve rural residents to provide for—

“(1) the development, storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste; and

“(2) financial assistance and other aid in the planning of projects for purposes described in paragraph (1).

“(b) ELIGIBLE ENTITIES.—Entities eligible for assistance described in subsection (a) are—

“(1) associations (including corporations not operated for profit);

“(2) Indian tribes;

“(3) public and quasi-public agencies; and

“(4) in the case of a project to attach an individual property in a rural area to a water system to alleviate a health risk, an individual.

“(c) LOAN AND LOAN GUARANTEE REQUIREMENTS.—In connection with loans made or guaranteed under this section, the Secretary shall require the applicant—

“(1) to certify in writing, and the Secretary shall determine, that the applicant is unable to obtain credit elsewhere to finance the actual needs of the applicant at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time; and

“(2) to furnish an appropriate written financial statement.

“(d) GRANT AMOUNTS.—

“(1) MAXIMUM.—Except as otherwise provided in this subsection, the amount of any grant made under this section shall not exceed 75 percent of the development cost of the project for which the grant is provided.

“(2) GRANT RATE.—The Secretary shall establish the grant rate for each project in conformity with regulations issued by the Secretary that shall provide for a graduated scale of grant rates that establish higher rates for projects in communities that have—

“(A) lower community population;

“(B) higher rates of outmigration; and

“(C) lower income levels.

“(3) LOCAL SHARE REQUIREMENTS.—Grants made under this section may be used to pay the local share requirements of another Federal grant-in-aid program to the extent permitted under the law providing for the grant-in-aid program.

“(e) SPECIAL GRANTS.—

“(1) REVOLVING FUNDS FOR FINANCING WATER AND WASTEWATER PROJECTS.—

“(A) IN GENERAL.—The Secretary may make grants to qualified, nonprofit entities in rural areas to capitalize revolving funds for the purpose of providing financing to eligible entities for—

“(i) predevelopment costs associated with proposed water and wastewater projects or with existing water and wastewater systems; and

“(ii) short-term costs incurred for replacement equipment, small-scale extension services, or other small capital projects that are not part of the regular operations and maintenance activities of existing water and wastewater systems.

“(B) MAXIMUM AMOUNT OF FINANCING.—The amount of financing made to an eligible entity under this paragraph shall not exceed—

“(i) \$100,000 for costs described in subparagraph (A)(i); and

“(ii) \$100,000 for costs described in subparagraph (A)(ii).

“(C) TERM.—The term of financing provided to an eligible entity under this paragraph shall not exceed 10 years.

“(D) ADMINISTRATION.—The Secretary shall limit the amount of grant funds that may be used by a grant recipient for administrative costs incurred under this paragraph.

“(E) ANNUAL REPORT.—A nonprofit entity receiving a grant under this paragraph shall submit to the Secretary an annual report that describes the number and size of communities served and the type of financing provided.

“(F) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph \$30,000,000 for each of fiscal years 2014 through 2018.

“(2) EMERGENCY AND IMMINENT COMMUNITY WATER ASSISTANCE PROGRAM.—

“(A) IN GENERAL.—The Secretary shall provide grants in accordance with this paragraph to assist the residents of rural areas

and small communities to secure adequate quantities of safe water—

“(i) after a significant decline in the quantity or quality of water available from the water supplies of the rural areas and small communities, or when such a decline is imminent; or

“(ii) when repairs, partial replacement, or significant maintenance efforts on established water systems would remedy—

“(I) an acute or imminent shortage of quality water; or

“(II) a significant or imminent decline in the quantity or quality of water that is available.

“(B) PRIORITY.—In carrying out subparagraph (A), the Secretary shall—

“(i) give priority to projects described in subparagraph (A)(i); and

“(ii) provide at least 70 percent of all grants under this paragraph to those projects.

“(C) ELIGIBILITY.—To be eligible to obtain a grant under this paragraph, an applicant shall—

“(i) be a public or private nonprofit entity; and

“(ii) in the case of a grant made under subparagraph (A)(i), demonstrate to the Secretary that the decline referred to in that subparagraph occurred, or will occur, not later than 2 years after the date on which the application was filed for the grant.

“(D) USES.—

“(i) IN GENERAL.—Grants made under this paragraph may be used—

“(I) for waterline extensions from existing systems, laying of new waterlines, repairs, significant maintenance, digging of new wells, equipment replacement, and hook and tap fees;

“(II) for any other appropriate purpose associated with developing sources of, treating, storing, or distributing water;

“(III) to assist communities in complying with the requirements of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

“(IV) to provide potable water to communities through other means.

“(ii) JOINT PROPOSALS.—

“(I) IN GENERAL.—Subject to the restrictions in subparagraph (E), nothing in this paragraph precludes rural communities from submitting joint proposals for emergency water assistance.

“(II) CONSIDERATION OF RESTRICTIONS.—The restrictions in subparagraph (E) shall be considered in the aggregate, depending on the number of communities involved.

“(E) RESTRICTIONS.—

“(i) MAXIMUM INCOME.—No grant provided under this paragraph shall be used to assist any rural area or community that has a median household income in excess of the State nonmetropolitan median household income according to the most recent decennial census of the United States.

“(ii) SET-ASIDE FOR SMALLER COMMUNITIES.—Not less than 50 percent of the funds allocated under this paragraph shall be allocated to rural communities with populations that do not exceed 3,000 inhabitants.

“(F) MAXIMUM GRANTS.—Grants made under this paragraph may not exceed—

“(i) in the case of each grant made under subparagraph (A)(i), \$500,000; and

“(ii) in the case of each grant made under subparagraph (A)(ii), \$150,000.

“(G) FULL FUNDING.—Subject to subparagraph (F), grants under this paragraph shall be made in an amount equal to 100 percent of the costs of the projects conducted under this paragraph.

“(H) APPLICATION.—

“(i) NATIONALLY COMPETITIVE APPLICATION PROCESS.—

“(I) IN GENERAL.—The Secretary shall develop a nationally competitive application process to award grants under this paragraph.

“(II) REQUIREMENTS.—The process shall include criteria for evaluating applications, including population, median household income, and the severity of the decline, or imminent decline, in the quantity or quality of water.

“(ii) TIMING OF REVIEW OF APPLICATIONS.—

“(I) SIMPLIFIED APPLICATION.—The application process developed by the Secretary under clause (i) shall include a simplified application form that will permit expedited consideration of an application for a grant filed under this paragraph.

“(II) PRIORITY REVIEW.—In processing applications for any water or waste grant or loan authorized under this section, the Secretary shall afford priority processing to an application for a grant under this paragraph to the extent funds will be available for an award on the application at the conclusion of priority processing.

“(III) TIMING.—The Secretary shall, to the maximum extent practicable, review and act on an application under this paragraph not later than 60 days after the date on which the application is submitted to the Secretary.

“(I) FUNDING.—

“(i) RESERVATION.—

“(I) IN GENERAL.—For each fiscal year, not less than 3 nor more than 5 percent of the total amount made available to carry out this section for the fiscal year shall be reserved for grants under this paragraph.

“(II) RELEASE.—Funds reserved under subclause (I) for a fiscal year shall be reserved only until July 1 of the fiscal year.

“(ii) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds made available under clause (i), there is authorized to be appropriated to carry out this paragraph \$35,000,000 for each of fiscal years 2014 through 2018.

“(3) WATER AND WASTE FACILITY LOANS AND GRANTS TO ALLEVIATE HEALTH RISKS.—

“(A) DEFINITION OF COOPERATIVE.—In this paragraph, the term ‘cooperative’ means a cooperative formed specifically for the purpose of the installation, expansion, improvement, or operation of water supply or waste disposal facilities or systems.

“(B) LOANS AND GRANTS TO PERSONS OTHER THAN INDIVIDUALS.—

“(i) IN GENERAL.—The Secretary shall make or guarantee loans and make grants to provide for the conservation, development, use, and control of water (including the extension or improvement of existing water supply systems) and the installation or improvement of drainage or waste disposal facilities and essential community facilities, including necessary related equipment, training, and technical assistance to—

“(I) rural water supply corporations, cooperatives, or similar entities;

“(II) Indian tribes on Federal or State reservations and other federally recognized Indian tribes;

“(III) rural or native villages in the State of Alaska;

“(IV) native tribal health consortiums;

“(V) public agencies; and

“(VI) Native Hawaiian Home Lands.

“(ii) ELIGIBLE PROJECTS.—Loans and grants described in clause (i) shall be available only to provide the described water and waste facilities and services to communities whose

residents face significant health risks, as determined by the Secretary, due to the fact that a significant proportion of the residents of the community do not have access to, or are not served by, adequate affordable—

“(I) water supply systems; or

“(II) waste disposal facilities.

“(iii) MATCHING REQUIREMENTS.—For entities described under subclauses (III), (IV), or (V) of clause (i) to be eligible to receive a grant for water supply systems or waste disposal facilities, the State in which the project will occur shall provide 25 percent in matching funds from non-Federal sources.

“(iv) CERTAIN AREAS TARGETED.—

“(I) IN GENERAL.—Loans and grants under clause (i) shall be made only if the loan or grant funds will be used primarily to provide water or waste services, or both, to residents of a county or census area—

“(aa) the per capita income of the residents of which is not more than 70 percent of the national average per capita income, as determined by the Department of Commerce; and

“(bb) the unemployment rate of the residents of which is not less than 125 percent of the national average unemployment rate, as determined by the Bureau of Labor Statistics.

“(II) EXCEPTIONS.—Notwithstanding subclause (I), loans and grants under clause (i) may also be made if the loan or grant funds will be used primarily to provide water or waste services, or both, to residents of—

“(aa) a rural area that was recognized as a colonia as of October 1, 1989; or

“(bb) an area described under subclause (II), (III), or (VI) of clause (i).

“(C) LOANS AND GRANTS TO INDIVIDUALS.—

“(i) IN GENERAL.—The Secretary shall make or guarantee loans and make grants to individuals who reside in a community described in subparagraph (B)(i) for the purpose of extending water supply and waste disposal systems, connecting the systems to the residences of the individuals, or installing plumbing and fixtures within the residences of the individuals to facilitate the use of the water supply and waste disposal systems.

“(ii) INTEREST.—Loans described in clause (i) shall be at a rate of interest no greater than the Federal Financing Bank rate on loans of a similar term at the time the loans are made.

“(iii) AMORTIZATION.—The repayment of loans described in clause (i) shall be amortized over the expected life of the water supply or waste disposal system to which the residence of the borrower will be connected.

“(iv) MANNER IN WHICH LOANS AND GRANTS ARE TO BE MADE.—Loans and grants to individuals under clause (i) shall be made—

“(I) directly to the individuals by the Secretary; or

“(II) to the individuals through the rural water supply corporation, cooperative, or similar entity, or public agency, providing the water supply or waste disposal services, pursuant to regulations issued by the Secretary.

“(D) PREFERENCE.—The Secretary shall give preference in the awarding of loans and grants under subparagraphs (B) and (C) to entities described in clause (i) of subparagraph (B) that propose to provide water supply or waste disposal services to the residents of Indian reservations, rural or native villages in the State of Alaska, Native Hawaiian Home Lands, and those rural subdivisions commonly referred to as colonias, that are characterized by substandard housing, inadequate roads and drainage, and a lack of adequate water or waste facilities.

“(E) RELATIONSHIP TO OTHER AUTHORITY.—Notwithstanding any other provision of law, the head of any Federal agency may enter into interagency agreements with Federal, State, tribal, and other entities to share resources, including transferring and accepting funds, equipment, or other supplies, to carry out the activities described in this paragraph.

“(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

“(i) for grants under this paragraph, \$60,000,000 for each fiscal year;

“(ii) for loans under this paragraph, \$60,000,000 for each fiscal year; and

“(iii) in addition to grants provided under clause (i), for grants under this section to benefit Indian tribes, \$20,000,000 for each fiscal year.

“(4) SOLID WASTE MANAGEMENT GRANTS.—

“(A) IN GENERAL.—The Secretary may make grants to nonprofit organizations for the provision of regional technical assistance to local and regional governments and related agencies for the purpose of reducing or eliminating pollution of water resources and improving the planning and management of solid waste disposal facilities in rural areas.

“(B) TECHNICAL ASSISTANCE GRANT AMOUNTS.—Grants made under this paragraph for the provision of technical assistance shall be made for 100 percent of the cost of the technical assistance.

“(C) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph \$10,000,000 for each of fiscal years 2014 through 2018.

“(5) RURAL WATER AND WASTEWATER TECHNICAL ASSISTANCE AND TRAINING PROGRAMS.—

“(A) GRANTS TO NONPROFITS.—

“(i) IN GENERAL.—The Secretary may make grants to nonprofit organizations to enable the organizations to provide to associations that provide water and wastewater services in rural areas technical assistance and training—

“(I) to identify, and evaluate alternative solutions to, problems relating to the obtaining, storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas;

“(II) to prepare applications to receive financial assistance for any purpose specified in subsection (a)(1) from any public or private source; and

“(III) to improve the operation and maintenance practices at any existing works for the storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas.

“(ii) SELECTION PRIORITY.—In selecting recipients of grants to be made under clause (i), the Secretary shall give priority to nonprofit organizations that have experience in providing the technical assistance and training described in clause (i) to associations serving rural areas in which—

“(I) residents have low income; and

“(II) water supply systems or waste facilities are unhealthful.

“(iii) FUNDING.—

“(I) IN GENERAL.—Except as provided in subclause (II), not less than 1 nor more than 3 percent of any funds made available to carry out water and waste disposal projects described in subsection (a) for any fiscal year shall be reserved for grants under this paragraph.

“(II) EXCEPTION.—The minimum amount specified in subclause (I) shall not apply if the aggregate amount of grant funds requested by applications that qualify for grants received by the Secretary from eligi-

ble nonprofit organizations for the fiscal year totals less than 1 percent of those funds.

“(B) RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM.—

“(i) IN GENERAL.—The Secretary shall continue a national rural water and wastewater circuit rider program that—

“(I) is consistent with the activities and results of the program conducted before January 1, 2012, as determined by the Secretary; and

“(II) received funding from the Secretary, acting through the Administrator of the Rural Utilities Service.

“(ii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subparagraph \$25,000,000 for fiscal year 2014 and each fiscal year thereafter.

“(6) SEARCH PROGRAM.—

“(A) IN GENERAL.—The Secretary may establish a Special Evaluation Assistance for Rural Communities and Households (SEARCH) program to make predevelopment planning grants for feasibility studies, design assistance, and technical assistance, to financially distressed communities in rural areas with populations of 2,500 or fewer inhabitants for water and waste disposal projects described in this section.

“(B) TERMS.—

“(i) DOCUMENTATION.—With respect to grants made under this paragraph, the Secretary shall require the lowest quantity of documentation practicable.

“(ii) MATCHING.—Notwithstanding any other provision of this section, the Secretary may fund up to 100 percent of the eligible costs of grants provided under this paragraph, as determined by the Secretary.

“(iii) FUNDING.—The Secretary may use not more than 4 percent of the total amount of funds made available for a fiscal year for water, waste disposal, and essential community facility activities under this chapter to carry out this paragraph.

“(C) RELATIONSHIP TO OTHER AUTHORITY.—

“(i) IN GENERAL.—The funds and authorities provided under this paragraph are in addition to any other funds or authorities the Secretary may have to carry out activities described in this section.

“(ii) AUTHORIZED ACTIVITIES.—The Secretary may furnish financial assistance or other aid in planning projects for the purposes described in subparagraph (A).

“(f) PRIORITY.—In making grants and loans, and guaranteeing loans, for water, wastewater, and waste disposal projects under this section, the Secretary shall give priority consideration to projects that serve rural communities that, as determined by the Secretary—

“(1) have a population of less than 5,500 permanent residents;

“(2) have a community water, wastewater, or waste disposal system that—

“(A) is experiencing—

“(i) an unanticipated reduction in the quality of water, the quantity of water, or the ability to deliver water; or

“(ii) some other deterioration in the supply of water to the community;

“(B) is not adequate to meet the needs of the community; and

“(C) requires immediate corrective action;

“(3) are experiencing outmigration;

“(4) have a high percentage of low-income residents; or

“(5) are isolated from other significant population centers.

“(g) CURTAILMENT OR LIMITATION OF SERVICE PROHIBITED.—The service provided or made available through any such association

shall not be curtailed or limited by inclusion of the area served by such association within the boundaries of any municipal corporation or other public body, or by the granting of any private franchise for similar service within such area during the term of such loan; nor shall the happening of any such event be the basis of requiring such association to secure any franchise, license, or permit as a condition to continuing to serve the area served by the association at the time of the occurrence of such event.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary.

#### “SEC. 3502. COMMUNITY FACILITIES LOANS, LOAN GUARANTEES, AND GRANTS.

“(a) IN GENERAL.—The Secretary may make grants and loans and issue loan guarantees (including a guarantee of a loan financed by the net proceeds of a bond described in section 142(a) of the Internal Revenue Code of 1986) to eligible entities described in subsection (b) for projects in rural areas that primarily serve rural residents to provide for—

“(1) essential community facilities, including—

“(A) necessary equipment;

“(B) recreational developments; and

“(2) financial assistance and other assistance in the planning of projects for purposes described in this section.

“(b) ELIGIBLE ENTITIES.—Entities eligible for assistance described in subsection (a) are—

“(1) associations (including corporations not operated for profit);

“(2) Indian tribes (including groups of individuals described in paragraph (4) of section 815 of the Native American Programs Act of 1974 (42 U.S.C. 2992c)); and

“(3) public and quasi-public agencies.

“(c) LOAN AND LOAN GUARANTEE REQUIREMENTS.—

“(1) IN GENERAL.—In connection with loans made or guaranteed under this section, the Secretary shall require the applicant—

“(A) to certify in writing, and the Secretary shall determine, that the applicant is unable to obtain credit elsewhere to finance the actual needs of the applicant; and

“(B) to furnish an appropriate written financial statement.

“(2) DEBT RESTRUCTURING AND LOAN SERVICING FOR COMMUNITY FACILITY LOANS.—The Secretary shall establish and implement a program that is similar to the program established under section 3411, except that the debt restructuring and loan servicing procedures shall apply to delinquent community facility program loans to a hospital or health care facility under subsection (a).

“(d) GRANT AMOUNTS.—

“(1) MAXIMUM.—Except as otherwise provided in this subsection, the amount of any grant made under this section shall not exceed 75 percent of the development cost of the project for which the grant is provided.

“(2) GRANT RATE.—The Secretary shall establish the grant rate for each project in conformity with regulations issued by the Secretary that shall provide for a graduated scale of grant rates that establish higher rates for projects in communities that have—

“(A) low community population;

“(B) high rates of outmigration; and

“(C) low income levels.

“(3) LOCAL SHARE REQUIREMENTS.—Grants made under this section may be used to pay

the local share requirements of another Federal grant-in-aid program to the extent permitted under the law providing for the grant-in-aid program.

“(e) PRIORITY.—In making grants and loans, and guaranteeing loans under this section, the Secretary shall give priority consideration to projects that serve rural communities that—

“(1) have a population of less than 20,000 permanent residents;

“(2) are experiencing outmigration;

“(3) have a high percentage of low-income residents; or

“(4) are isolated from other significant population centers.

“(f) TRIBAL COLLEGES AND UNIVERSITIES.—

“(1) IN GENERAL.—The Secretary may make grants to an entity that is a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))) to provide the Federal share of the cost of developing specific Tribal College or University essential community facilities in rural areas.

“(2) FEDERAL SHARE.—The Secretary shall establish the maximum percentage of the cost of the project that may be covered by a grant under this subsection, except that the Secretary may not require non-Federal financial support in an amount that is greater than 5 percent of the total cost of the project.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$10,000,000 for each of fiscal years 2014 through 2018.

“(g) TECHNICAL ASSISTANCE FOR COMMUNITY FACILITIES PROJECTS.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary may use funds made available for community facilities programs authorized under this section to provide technical assistance to applicants and participants for community facilities programs.

“(2) FUNDING.—The Secretary may use not more than 3 percent of the amount of funds made available to participants for a fiscal year for a community facilities program to provide technical assistance described in paragraph (1).

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary.

#### “SEC. 3503. HEALTH CARE SERVICES.

“(a) PURPOSE.—The purpose of this section is to address the continued unmet health needs in the Delta region through cooperation among health care professionals, institutions of higher education, research institutions, and other individuals and entities in the region.

“(b) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ‘eligible entity’ means a consortium of regional institutions of higher education, academic health and research institutes, and economic development entities located in the Delta region that have experience in addressing the health care issues in the region.

“(c) GRANTS.—To carry out the purpose described in subsection (a), the Secretary may award a grant to an eligible entity for—

“(1) the development of—

“(A) health care services;

“(B) health education programs; and

“(C) health care job training programs; and

“(2) the development and expansion of public health-related facilities in the Delta region to address longstanding and unmet health needs of the region.

“(d) USE.—As a condition of the receipt of the grant, the eligible entity shall use the

grant to fund projects and activities described in subsection (c), based on input solicited from local governments, public health care providers, and other entities in the Delta region.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$3,000,000 for each of fiscal years 2014 through 2018.

#### “CHAPTER 2—RURAL BUSINESS AND COOPERATIVE DEVELOPMENT

##### “SEC. 3601. BUSINESS PROGRAMS.

“(a) RURAL BUSINESS DEVELOPMENT GRANTS.—

“(1) IN GENERAL.—The Secretary may make grants under this subsection to eligible entities described in paragraph (2) in rural areas that primarily serve rural areas for purposes described in paragraph (3).

“(2) ELIGIBLE ENTITIES.—The Secretary may make grants under this subsection to—

“(A) governmental entities;

“(B) Indian tribes; and

“(C) nonprofit entities.

“(3) ELIGIBLE PURPOSES FOR GRANTS.—Eligible entities that receive grants under this subsection may use the grant funds for—

“(A) business opportunity projects that—

“(i) identify and analyze business opportunities;

“(ii) identify, train, and provide technical assistance to existing or prospective rural entrepreneurs and managers;

“(iii) assist in the establishment of new rural businesses and the maintenance of existing businesses, including through business support centers;

“(iv) conduct regional, community, and local economic development planning and coordination, and leadership development; and

“(v) establish centers for training, technology, and trade that will provide training to rural businesses in the use of interactive communications technologies to develop international trade opportunities and markets; and

“(B) projects that support the development of business enterprises that finance or facilitate—

“(i) the development of small and emerging private business enterprise;

“(ii) the establishment, expansion, and operation of rural distance learning networks;

“(iii) the development of rural learning programs that provide educational instruction or job training instruction related to potential employment or job advancement to adult students; and

“(iv) the provision of technical assistance and training to rural communities for the purpose of improving passenger transportation services or facilities.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this subsection \$65,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

“(b) VALUE-ADDED AGRICULTURAL PRODUCER GRANTS.—

“(1) DEFINITIONS.—In this subsection:

“(A) MID-TIER VALUE CHAIN.—The term ‘mid-tier value chain’ means a local and regional supply network that links independent producers with businesses and cooperatives that market value-added agricultural products in a manner that—

“(i) targets and strengthens the profitability and competitiveness of small- and medium-sized farms that are structured as family farms; and

“(ii) obtains agreement from an eligible agricultural producer group, farmer coopera-

tive, or majority-controlled producer-based business venture that is engaged in the value chain on a marketing strategy.

“(B) PRODUCER.—The term ‘producer’ means a farmer.

“(C) VALUE-ADDED AGRICULTURAL PRODUCT.—The term ‘value-added agricultural product’ means any agricultural commodity or product—

“(i) that—

“(I) has undergone a change in physical state;

“(II) was produced in a manner that enhances the value of the agricultural commodity or product, as demonstrated through a business plan that shows the enhanced value, as determined by the Secretary;

“(III) is physically segregated in a manner that results in the enhancement of the value of the agricultural commodity or product;

“(IV) is a source of farm-based renewable energy, including E-85 fuel; or

“(V) is aggregated and marketed as a locally produced agricultural food product; and

“(ii) for which, as a result of the change in physical state or the manner in which the agricultural commodity or product was produced, marketed, or segregated—

“(I) the customer base for the agricultural commodity or product is expanded; and

“(II) a greater portion of the revenue derived from the marketing, processing, or physical segregation of the agricultural commodity or product is available to the producer of the commodity or product.

“(2) GRANTS.—

“(A) IN GENERAL.—The Secretary may make grants under this subsection to—

“(i) independent producers of value-added agricultural products; and

“(ii) an agricultural producer group, farmer cooperative, or majority-controlled producer-based business venture, as determined by the Secretary.

“(B) GRANTS TO A PRODUCER.—A grantee under subparagraph (A)(i) shall use the grant—

“(i) to develop a business plan or perform a feasibility study to establish a viable marketing opportunity (including through mid-tier value chains) for value-added agricultural products; or

“(ii) to provide capital to establish alliances or business ventures that allow the producer to better compete in domestic or international markets.

“(C) GRANTS TO AN AGRICULTURAL PRODUCER GROUP, COOPERATIVE OR PRODUCER-BASED BUSINESS VENTURE.—A grantee under subparagraph (A)(ii) shall use the grant—

“(i) to develop a business plan for viable marketing opportunities in emerging markets for a value-added agricultural product; or

“(ii) to develop strategies that are intended to create marketing opportunities in emerging markets for the value-added agricultural product.

“(D) AWARD SELECTION.—

“(i) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to projects—

“(I) that contribute to increasing opportunities for operators of small- and medium-sized farms that are structured as family farms; or

“(II) at least ¼ of the recipients of which are beginning farmers or socially disadvantaged farmers.

“(ii) RANKING.—In evaluating and ranking proposals under this subsection, the Secretary shall provide substantial weight to the priorities described in clause (i).

“(E) AMOUNT OF GRANT.—



“(i) IN GENERAL.—The total amount provided to a grant recipient under this subsection shall not exceed \$500,000.

“(ii) MAJORITY-CONTROLLED, PRODUCER-BASED BUSINESS VENTURES.—The total amount of all grants provided to majority-controlled, producer-based business ventures under this subsection for a fiscal year shall not exceed 10 percent of the amount of funds used to make all grants for the fiscal year under this subsection.

“(F) TERM.—The term of a grant under this paragraph shall not exceed 3 years.

“(G) SIMPLIFIED APPLICATION.—The Secretary shall offer a simplified application form and process for project proposals requesting less than \$50,000 under this subsection.

“(3) FUNDING.—

“(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$40,000,000 for each of fiscal years 2014 through 2018.

“(B) RESERVATION OF FUNDS FOR PROJECTS TO BENEFIT BEGINNING FARMERS, SOCIALLY DISADVANTAGED FARMERS, AND MID-TIER VALUE CHAINS.—

“(i) IN GENERAL.—The Secretary shall reserve 10 percent of the amounts made available for each fiscal year under this subsection to fund projects that benefit beginning farmers or socially disadvantaged farmers.

“(ii) MID-TIER VALUE CHAINS.—The Secretary shall reserve 10 percent of the amounts made available for each fiscal year under this subsection to fund applications of eligible entities described in paragraph (2) that propose to develop mid-tier value chains.

“(iii) UNOBLIGATED AMOUNTS.—Any amounts in the reserves for a fiscal year established under clauses (i) and (ii) that are not obligated by June 30 of the fiscal year shall be available to the Secretary to make grants under this subsection to eligible entities in any State, as determined by the Secretary.

“(C) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this subsection \$12,500,000 for each of fiscal years 2014 through 2018, to remain available until expended.

“(c) RURAL COOPERATIVE DEVELOPMENT GRANTS.—

“(1) DEFINITIONS.—In this subsection:

“(A) NONPROFIT INSTITUTION.—The term ‘nonprofit institution’ means any organization or institution, including an accredited institution of higher education, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

“(B) UNITED STATES.—The term ‘United States’ means—

“(i) the several States; and

“(ii) the District of Columbia.

“(2) GRANTS.—The Secretary shall make grants under this subsection to nonprofit institutions for the purpose of enabling the nonprofit institutions to establish and operate centers for rural cooperative development.

“(3) GOALS.—The goals of a center funded under this subsection shall be to facilitate the creation of jobs in rural areas through the development of new rural cooperatives, value-added processing, and rural businesses.

“(4) APPLICATION.—

“(A) IN GENERAL.—Any nonprofit institution seeking a grant under paragraph (2) shall submit to the Secretary an application

containing a plan for the establishment and operation by the institution of 1 or more centers for cooperative development.

“(B) REQUIREMENTS.—The Secretary may approve an application if the plan contains the following:

“(i) A provision that substantiates that the center will effectively serve rural areas in the United States.

“(ii) A provision that the primary objective of the center will be to improve the economic condition of rural areas through cooperative development.

“(iii) A description of the activities that the center will carry out to accomplish the objective, which may include programs—

“(I) for applied research and feasibility studies that may be useful to individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center;

“(II) for the collection, interpretation, and dissemination of information that may be useful to individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center;

“(III) providing training and instruction for individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center;

“(IV) providing loans and grants to individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center;

“(V) providing technical assistance, research services, and advisory services to individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center; and

“(VI) providing for the coordination of services and sharing of information by the center.

“(iv) A description of the contributions that the activities are likely to make to the improvement of the economic conditions of the rural areas for which the center will provide services.

“(v) Provisions that the center, in carrying out the activities, will seek, if appropriate, the advice, participation, expertise, and assistance of representatives of business, industry, educational institutions, the Federal Government, and State and local governments.

“(vi) Provisions that the center will take all practicable steps to develop continuing sources of financial support for the center, particularly from sources in the private sector.

“(vii) Provisions for—

“(I) monitoring and evaluating the activities by the nonprofit institution operating the center; and

“(II) accounting for funds received by the institution under this section.

“(5) AWARDED GRANTS.—

“(A) IN GENERAL.—Grants made under paragraph (2) shall be made on a competitive basis.

“(B) PREFERENCE.—In making grants under paragraph (2), the Secretary shall give preference to grant applications providing for the establishment of centers for rural cooperative development that—

“(i) demonstrate a proven track record in carrying out activities to promote and assist the development of cooperatively and mutually owned businesses;

“(ii) demonstrate previous expertise in providing technical assistance in rural areas to promote and assist the development of cooperatively and mutually owned businesses;

“(iii) demonstrate the ability to assist in the retention of businesses, facilitate the es-

tablishment of cooperatives and new cooperative approaches, and generate employment opportunities that will improve the economic conditions of rural areas;

“(iv) commit to providing technical assistance and other services to underserved and economically distressed areas in rural areas of the United States;

“(v) demonstrate a commitment to—

“(I) networking with and sharing the results of the efforts of the center with other cooperative development centers and other organizations involved in rural economic development efforts; and

“(II) developing multiorganization and multistate approaches to addressing the economic development and cooperative needs of rural areas; and

“(vi) commit to providing a 25 percent matching contribution with private funds and in-kind contributions, except that the Secretary shall not require non-Federal financial support in an amount that is greater than 5 percent in the case of a 1994 institution (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382)).

“(6) GRANT PERIOD.—

“(A) IN GENERAL.—A grant awarded to a center that has received no prior funding under this subsection shall be made for a period of 1 year.

“(B) MULTIYEAR GRANTS.—If the Secretary determines it to be in the best interest of the program, the Secretary shall award grants for a period of more than 1 year, but not more than 3 years, to a center that has successfully met the requirements of paragraph (5)(B), as determined by the Secretary.

“(7) AUTHORITY TO EXTEND GRANT PERIOD.—The Secretary may extend for 1 additional 12-month period the period during which a grantee may use a grant made under this subsection.

“(8) TECHNICAL ASSISTANCE TO PREVENT EXCESSIVE UNEMPLOYMENT OR UNDEREMPLOYMENT.—

“(A) IN GENERAL.—In carrying out this subsection, the Secretary may provide technical assistance to alleviate or prevent conditions of excessive unemployment, underemployment, outmigration, or low employment growth in economically distressed rural areas that the Secretary determines have a substantial need for the assistance.

“(B) INCLUSIONS.—The assistance may include planning and feasibility studies, management and operational assistance, and studies evaluating the need for the development potential of projects that increase employment and improve economic growth in the areas.

“(9) GRANTS TO DEFRAY ADMINISTRATIVE COSTS.—

“(A) IN GENERAL.—The Secretary may make grants to defray not to exceed 75 percent of the costs incurred by organizations and public bodies to carry out projects for which grants or loans are made under this subsection.

“(B) COST-SHARING.—For purposes of determining the non-Federal share of the costs, the Secretary shall include contributions in cash and in kind, fairly evaluated, including premises, equipment, and services.

“(10) COOPERATIVE RESEARCH PROGRAM.—The Secretary shall offer to enter into a cooperative research agreement with 1 or more qualified academic institutions in each fiscal year to conduct research on the effects of all types of cooperatives on the national economy.

“(11) ADDRESSING NEEDS OF MINORITY COMMUNITIES.—

“(A) IN GENERAL.—If the total amount appropriated under paragraph (13) for a fiscal year exceeds \$7,500,000, the Secretary shall reserve an amount equal to 20 percent of the total amount appropriated for grants for cooperative development centers, individual cooperatives, or groups of cooperatives—

“(i) that serve socially disadvantaged groups; and

“(ii) a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups.

“(B) INSUFFICIENT APPLICATIONS.—To the extent there are insufficient applications to carry out subparagraph (A), the Secretary shall use the funds as otherwise authorized by this subsection.

“(12) INTERAGENCY WORKING GROUP.—Not later than 90 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall coordinate and chair an interagency working group to foster cooperative development and ensure coordination with Federal agencies and national and local cooperative organizations that have cooperative programs and interests.

“(13) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$50,000,000 for each of fiscal years 2014 through 2018.

“(d) APPROPRIATE TECHNOLOGY TRANSFER FOR RURAL AREAS PROGRAM.—

“(1) DEFINITION OF NATIONAL NONPROFIT AGRICULTURAL ASSISTANCE INSTITUTION.—In this subsection, the term ‘national nonprofit agricultural assistance institution’ means an organization that—

“(A) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code;

“(B) has staff and offices in multiple regions of the United States;

“(C) has experience and expertise in operating national agricultural technical assistance programs;

“(D) expands markets for the agricultural commodities produced by producers through the use of practices that enhance the environment, natural resource base, and quality of life; and

“(E) improves the economic viability of agricultural operations.

“(2) ESTABLISHMENT.—The Secretary shall establish a national appropriate technology transfer for rural areas program to assist agricultural producers that are seeking information—

“(A) to reduce input costs;

“(B) to conserve energy resources;

“(C) to diversify operations through new energy crops and energy generation facilities; and

“(D) to expand markets for agricultural commodities produced by the producers by using practices that enhance the environment, natural resource base, and quality of life.

“(3) IMPLEMENTATION.—

“(A) IN GENERAL.—The Secretary shall carry out the program under this subsection by making a grant to, or offering to enter into a cooperative agreement with, a national nonprofit agricultural assistance institution.

“(B) GRANT AMOUNT.—A grant made, or cooperative agreement entered into, under subparagraph (A) shall provide 100 percent of the cost of providing information described in paragraph (2).

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2014 through 2018.

“(e) BUSINESS AND INDUSTRY DIRECT AND GUARANTEED LOANS.—

“(1) DEFINITION OF BUSINESS AND INDUSTRY LOAN.—In this section, the term ‘business and industry loan’ means a direct loan that is made, or a loan that is guaranteed, by the Secretary under this subsection.

“(2) LOAN PURPOSES.—The Secretary may make business and industry loans to public, private, or cooperative organizations organized for profit or nonprofit, private investment funds that invest primarily in cooperative organizations, or to individuals—

“(A) to improve, develop, or finance business, industry, and employment and improve the economic and environmental climate in rural communities, including pollution abatement and control;

“(B) to conserve, develop, and use water for aquaculture purposes in rural areas; and

“(C) to reduce the reliance on nonrenewable energy resources by encouraging the development and construction of renewable energy systems (including solar energy systems, wind energy systems, and anaerobic digestors for the purpose of energy generation), including the modification of existing systems, in rural areas.

“(3) LOAN GUARANTEES FOR CERTAIN LOANS.—The Secretary may guarantee loans made under this subsection to finance the issuance of bonds for the projects described in paragraph (2).

“(4) MAXIMUM AMOUNT OF PRINCIPAL.—

“(A) IN GENERAL.—Except as otherwise provided in this paragraph, no loan may be made or guaranteed under this subsection that exceeds \$25,000,000 in principal amount.

“(B) LIMITATIONS ON LOAN GUARANTEES FOR COOPERATIVE ORGANIZATIONS.—

“(i) PRINCIPAL AMOUNT.—Subject to clause (ii), the principal amount of a business and industry loan made to a cooperative organization and guaranteed under this subsection shall not exceed \$40,000,000.

“(ii) USE.—To be eligible for a guarantee under this subsection for a business and industry loan made to a cooperative organization, the principal amount of the loan in excess of \$25,000,000 shall be used to carry out a project that is in a rural area and—

“(I) provides for the value-added processing of agricultural commodities; or

“(II) significantly benefits 1 or more entities eligible for assistance for the purposes described in paragraph (2), as determined by the Secretary.

“(iii) APPLICATIONS.—If a cooperative organization submits an application for a guarantee under this paragraph, the Secretary shall make the determination whether to approve the application, and the Secretary may not delegate this authority.

“(iv) MAXIMUM AMOUNT.—The total amount of business and industry loans made to cooperative organizations and guaranteed for a fiscal year under this subsection with principal amounts that are in excess of \$25,000,000 may not exceed 10 percent of the total amount of business and industry loans guaranteed for the fiscal year under this subsection.

“(5) FEES.—The Secretary may assess a 1-time fee and an annual renewal fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

“(6) INTANGIBLE ASSETS.—In determining whether a cooperative organization is eligible for a guaranteed business and industry loan, the Secretary may consider the market value of a properly appraised brand name, patent, or trademark of the cooperative.

“(7) LOAN APPRAISALS.—The Secretary may require that any appraisal made in connection with a business and industry loan be

conducted by a specialized appraiser that uses standards that are comparable to standards used for similar purposes in the private sector, as determined by the Secretary.

“(8) LOAN GUARANTEES FOR THE PURCHASE OF COOPERATIVE STOCK.—

“(A) IN GENERAL.—The Secretary may guarantee a business and industry loan to individual farmers to purchase capital stock of a farmer cooperative established for the purpose of processing an agricultural commodity.

“(B) PROCESSING CONTRACTS DURING INITIAL PERIOD.—A cooperative described in subparagraph (A) for which a farmer receives a guarantee to purchase stock under that subparagraph may contract for services to process agricultural commodities or otherwise process value added for the period beginning on the date of the startup of the cooperative in order to provide adequate time for the planning and construction of the processing facility of the cooperative.

“(C) FINANCIAL INFORMATION.—Financial information required by the Secretary from a farmer as a condition of making a business and industry loan guarantee under this paragraph shall be provided in the manner generally required by commercial agricultural lenders in the applicable area.

“(9) LOANS TO COOPERATIVES.—

“(A) ELIGIBILITY.—

“(i) IN GENERAL.—The Secretary may make or guarantee a business and industry loan to a cooperative organization that is headquartered in a metropolitan area if the loan is—

“(I) used for a project or venture described in paragraph (2) that is located in a rural area; or

“(II) a loan guarantee that meets the requirements of paragraph (10).

“(ii) EQUITY.—The Secretary may guarantee a loan made for the purchase of preferred stock or similar equity issued by a cooperative organization or a fund that invests primarily in cooperative organizations, if the guarantee significantly benefits 1 or more entities eligible for assistance for the purposes described in paragraph (2)(A), as determined by the Secretary.

“(B) REFINANCING.—A cooperative organization that is eligible for a business and industry loan shall be eligible to refinance an existing business and industry loan with a lender if—

“(i) the cooperative organization—

“(I) is current and performing with respect to the existing loan; and

“(II)(aa) is not, and has not been, in payment default, with respect to the existing loan; or

“(bb) has not converted any of the collateral with respect to the existing loan; and

“(ii) there is adequate security or full collateral for the refinanced loan.

“(10) LOAN GUARANTEES IN NONRURAL AREAS.—The Secretary may guarantee a business and industry loan to a cooperative organization for a facility that is not located in a rural area if—

“(A) the primary purpose of the loan guarantee is for a facility to provide value-added processing for agricultural producers that are located within 80 miles of the facility;

“(B) the applicant demonstrates to the Secretary that the primary benefit of the loan guarantee will be to provide employment for residents of a rural area; and

“(C) the total amount of business and industry loans guaranteed for a fiscal year

under this paragraph does not exceed 10 percent of the business and industry loans guaranteed for the fiscal year under this subsection.

“(11) **LOCALLY OR REGIONALLY PRODUCED AGRICULTURAL FOOD PRODUCTS.**—

“(A) **DEFINITIONS.**—In this paragraph:

“(i) **LOCALLY OR REGIONALLY PRODUCED AGRICULTURAL FOOD PRODUCT.**—The term ‘locally or regionally produced agricultural food product’ means any agricultural food product that is raised, produced, and distributed in—

“(I) the locality or region in which the final product is marketed, so that the total distance that the product is transported is less than 400 miles from the origin of the product; or

“(II) the State in which the product is produced.

“(ii) **UNDERSERVED COMMUNITY.**—The term ‘underserved community’ means a community (including an urban or rural community and an Indian tribal community) that, as determined by the Secretary, has—

“(I) limited access to affordable, healthy foods, including fresh fruits and vegetables, in grocery retail stores or farmer-to-consumer direct markets; and

“(II) a high rate of hunger or food insecurity or a high poverty rate.

“(B) **LOAN AND LOAN GUARANTEE PROGRAM.**—

“(i) **IN GENERAL.**—The Secretary shall make or guarantee loans to individuals, cooperatives, cooperative organizations, businesses, and other entities to establish and facilitate enterprises that process, distribute, aggregate, store, and market locally or regionally produced agricultural food products to support community development and farm income.

“(ii) **REQUIREMENT.**—The recipient of a loan or loan guarantee under this paragraph shall include in an appropriate agreement with retail and institutional facilities to which the recipient sells locally or regionally produced agricultural food products a requirement to inform consumers of the retail or institutional facilities that the consumers are purchasing or consuming locally or regionally produced agricultural food products.

“(iii) **PRIORITY.**—In making or guaranteeing a loan under this paragraph, the Secretary shall give priority to projects that have components benefitting underserved communities.

“(iv) **REPORTS.**—Not later than 2 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, and publish on the Internet, a report that describes projects carried out using loans or loan guarantees made under clause (i), including—

“(I) summary information about all projects;

“(II) the characteristics of the communities served; and

“(III) resulting benefits.

“(v) **RESERVATION OF FUNDS.**—For each of fiscal years 2014 through 2018, the Secretary shall reserve not less than 5 percent of the total amount of funds made available to carry out this subsection to carry out this paragraph until April 1 of the fiscal year.

“(vi) **OUTREACH.**—The Secretary shall develop and implement an outreach plan to publicize the availability of loans and loan guarantees under this paragraph, working

closely with rural cooperative development centers, credit unions, community development financial institutions, regional economic development authorities, and other financial and economic development entities.

“(12) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection \$75,000,000 for each of fiscal years 2014 through 2018.

“(f) **RELENDING PROGRAMS.**—

“(1) **INTERMEDIATE RELENDING PROGRAM.**—

“(A) **IN GENERAL.**—The Secretary may make or guarantee loans to eligible entities described in subparagraph (B) so that the eligible entities may relend the funds to individuals and entities for the purposes described in subparagraph (C).

“(B) **ELIGIBLE ENTITIES.**—Entities eligible for loans and loan guarantees described in subparagraph (A) are—

“(i) public agencies;

“(ii) Indian tribes;

“(iii) cooperatives; and

“(iv) nonprofit corporations.

“(C) **ELIGIBLE PURPOSES.**—The proceeds from loans made or guaranteed by the Secretary pursuant to subparagraph (A) may be relet by eligible entities for projects that—

“(i) predominately serve communities in rural areas; and

“(ii) as determined by the Secretary—

“(I) promote community development;

“(II) establish new businesses;

“(III) establish and support microlending programs; and

“(IV) create or retain employment opportunities.

“(D) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection \$50,000,000 for each of fiscal years 2014 through 2018.

“(2) **RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM.**—

“(A) **DEFINITIONS.**—In this paragraph:

“(i) **MICROENTREPRENEUR.**—The term ‘microentrepreneur’ means an owner and operator, or prospective owner and operator, of a rural microenterprise who is unable to obtain sufficient training, technical assistance, or credit other than under this subsection, as determined by the Secretary.

“(ii) **MICROENTERPRISE DEVELOPMENT ORGANIZATION.**—The term ‘microenterprise development organization’ means an organization that is—

“(I) a nonprofit entity;

“(II) an Indian tribe, the tribal government of which certifies to the Secretary that—

“(aa) no microenterprise development organization serves the Indian tribe; and

“(bb) no rural microentrepreneur assistance program exists under the jurisdiction of the Indian tribe;

“(III) a public institution of higher education; or

“(IV) a collaboration of rural nonprofit entities serving a region or State, if 1 lead nonprofit entity is the sole underwriter of all loans and is responsible for associated risks.

“(iii) **MICROLOAN.**—The term ‘microloan’ means a business loan of not more than \$50,000 that is provided to a rural microenterprise.

“(iv) **PROGRAM.**—The term ‘program’ means the rural microentrepreneur assistance program established under subparagraph (B).

“(v) **RURAL MICROENTERPRISE.**—The term ‘rural microenterprise’ means a business entity with not more than 10 full-time equivalent employees located in a rural area.

“(vi) **TRAINING.**—The term ‘training’ means teaching broad business principles or general business skills in a group or public setting.

“(vii) **TECHNICAL ASSISTANCE.**—The term ‘technical assistance’ means working with a business client in a 1-to-1 manner to provide business and financial management counseling, assist in the preparation of business or marketing plans, or provide other skills tailored to an individual microentrepreneur.

“(B) **RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM.**—

“(i) **ESTABLISHMENT.**—The Secretary shall establish a rural microentrepreneur assistance program to provide loans and grants to support microentrepreneurs in the development and ongoing success of rural microenterprises.

“(ii) **PURPOSE.**—The purpose of the program is to provide microentrepreneurs with—

“(I) the skills necessary to establish new rural microenterprises; and

“(II) continuing technical and financial assistance related to the successful operation of rural microenterprises.

“(iii) **LOANS.**—

“(I) **IN GENERAL.**—The Secretary shall make loans to microenterprise development organizations for the purpose of providing fixed-interest rate microloans to microentrepreneurs for startup and growing rural microenterprises.

“(II) **LOAN TERMS.**—A loan made by the Secretary to a microenterprise development organization under this subparagraph shall—

“(aa) be for a term not to exceed 20 years; and

“(bb) bear an annual interest rate of at least 1 percent.

“(III) **LOAN LOSS RESERVE FUND.**—The Secretary shall require each microenterprise development organization that receives a loan under this subparagraph to—

“(aa) establish a loan loss reserve fund; and

“(bb) maintain the reserve fund in an amount equal to at least 5 percent of the outstanding balance of such loans owed by the microenterprise development organization, until all obligations owed to the Secretary under this subparagraph are repaid.

“(IV) **DEFERRAL OF INTEREST AND PRINCIPAL.**—The Secretary may permit the deferral of payments on principal and interest due on a loan to a microenterprise development organization made under this paragraph for a 2-year period beginning on the date on which the loan is made.

“(v) **GRANTS TO SUPPORT RURAL MICROENTERPRISE DEVELOPMENT.**—

“(I) **IN GENERAL.**—The Secretary shall make grants to microenterprise development organizations—

“(aa) to provide training and technical assistance, and other related services to rural microentrepreneurs; and

“(bb) to carry out such other projects and activities as the Secretary determines appropriate to further the purposes of the program.

“(II) **SELECTION.**—In making grants under subclause (I), the Secretary shall—

“(aa) place an emphasis on microenterprise development organizations that serve microentrepreneurs that are located in rural areas that have suffered significant outward migration, as determined by the Secretary; and

“(bb) ensure, to the maximum extent practicable, that grant recipients include microenterprise development organizations of varying sizes and that serve racially and ethnically diverse populations.

“(v) **GRANTS TO ASSIST MICROENTREPRENEURS.**—

“(I) IN GENERAL.—The Secretary shall make annual grants to microenterprise development organizations to provide technical assistance to microentrepreneurs that—

“(aa) received a loan from the microenterprise development organization under subparagraph (B)(iii); or

“(bb) are seeking a loan from the microenterprise development organization under subparagraph (B)(iii).

“(II) MAXIMUM AMOUNT OF TECHNICAL ASSISTANCE GRANT.—The maximum amount of a grant under this clause shall be in an amount equal to not more than 25 percent of the total outstanding balance of microloans made by the microenterprise development organization under clause (iii), as of the date the grant is awarded.

“(vi) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of a grant received by a microenterprise development organization for a fiscal year under this subparagraph may be used to pay administrative expenses.

“(C) ADMINISTRATION.—

“(i) MATCHING REQUIREMENT.—As a condition of any grant made under clauses (iv) and (v) of subparagraph (B), the Secretary shall require the microenterprise development organization to match not less than 15 percent of the total amount of the grant in the form of matching funds (including community development block grants), indirect costs, or in-kind goods or services.

“(ii) OVERSIGHT.—At a minimum, not later than December 1 of each fiscal year, a microenterprise development organization that receives a loan or grant under this section shall provide to the Secretary such information as the Secretary may require to ensure that assistance provided under this section is used for the purposes for which the loan or grant was made.

“(D) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph \$40,000,000 for each of fiscal years 2014 through 2018.

“(E) MANDATORY FUNDING FOR FISCAL YEARS 2014 THROUGH 2018.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this paragraph \$3,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

**“SEC. 3602. RURAL BUSINESS INVESTMENT PROGRAM.**

“(A) DEFINITIONS.—In this section:

“(1) ARTICLES.—The term ‘articles’ means articles of incorporation for an incorporated body or the functional equivalent or other similar documents specified by the Secretary for other business entities.

“(2) DEVELOPMENTAL VENTURE CAPITAL.—The term ‘developmental venture capital’ means capital in the form of equity capital investments in rural business investment companies with an objective of fostering economic development in rural areas.

“(3) EMPLOYEE WELFARE BENEFIT PLAN; PENSION PLAN.—

“(A) IN GENERAL.—The terms ‘employee welfare benefit plan’ and ‘pension plan’ have the meanings given the terms in section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002).

“(B) INCLUSIONS.—The terms ‘employee welfare benefit plan’ and ‘pension plan’ include—

“(i) public and private pension or retirement plans subject to this subtitle; and

“(ii) similar plans not covered by this subtitle that have been established, and that are maintained, by the Federal Government or any State (including by a political subdivision, agency, or instrumentality of the Fed-

eral Government or a State) for the benefit of employees.

“(4) EQUITY CAPITAL.—The term ‘equity capital’ means common or preferred stock or a similar instrument, including subordinated debt with equity features.

“(5) LEVERAGE.—The term ‘leverage’ includes—

“(A) debentures purchased or guaranteed by the Secretary;

“(B) participating securities purchased or guaranteed by the Secretary; and

“(C) preferred securities outstanding as of the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013.

“(6) LICENSE.—The term ‘license’ means a license issued by the Secretary in accordance with in subsection (d)(5).

“(7) LIMITED LIABILITY COMPANY.—The term ‘limited liability company’ means a business entity that is organized and operating in accordance with a State limited liability company law approved by the Secretary.

“(8) MEMBER.—The term ‘member’ means, with respect to a rural business investment company that is a limited liability company, a holder of an ownership interest, or a person otherwise admitted to membership in the limited liability company.

“(9) OPERATIONAL ASSISTANCE.—The term ‘operational assistance’ means management, marketing, and other technical assistance that assists a rural business concern with business development.

“(10) PARTICIPATION AGREEMENT.—The term ‘participation agreement’ means an agreement, between the Secretary and a rural business investment company granted final approval under subsection (d)(5), that requires the rural business investment company to make investments in smaller enterprises in rural areas.

“(11) PRIVATE CAPITAL.—

“(A) IN GENERAL.—The term ‘private capital’ means the total of—

“(i)(I) the paid-in capital and paid-in surplus of a corporate rural business investment company;

“(II) the contributed capital of the partners of a partnership rural business investment company; or

“(III) the equity investment of the members of a limited liability company rural business investment company; and

“(ii) unfunded binding commitments from investors that meet criteria established by the Secretary to contribute capital to the rural business investment company, except that—

“(I) unfunded commitments may be counted as private capital for purposes of approval by the Secretary of any request for leverage; but

“(II) leverage shall not be funded based on the commitments.

“(B) EXCLUSIONS.—The term ‘private capital’ does not include—

“(i) any funds borrowed by a rural business investment company from any source;

“(ii) any funds obtained through the issuance of leverage; or

“(iii) any funds obtained directly or indirectly from the Federal Government or any State (including by a political subdivision, agency, or instrumentality of the Federal Government or a State), except for—

“(I) funds obtained from the business revenues (excluding any governmental appropriation) of any Federally chartered or government-sponsored enterprise established prior to the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013;

“(II) funds invested by an employee welfare benefit plan or pension plan; and

“(III) any qualified nonprivate funds (if the investors of the qualified nonprivate funds do not control, directly or indirectly, the management, board of directors, general partners, or members of the rural business investment company).

“(12) QUALIFIED NONPRIVATE FUNDS.—The term ‘qualified nonprivate funds’ means any—

“(A) funds directly or indirectly invested in any applicant or rural business investment company on or before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 by any Federal agency, other than the Department, under a provision of law explicitly mandating the inclusion of those funds in the definition of the term ‘private capital’; and

“(B) funds invested in any applicant or rural business investment company by 1 or more entities of any State (including by a political subdivision, agency, or instrumentality of the State and including any guarantee extended by those entities) in an aggregate amount that does not exceed 33 percent of the private capital of the applicant or rural business investment company.

“(13) RURAL BUSINESS CONCERN.—The term ‘rural business concern’ means—

“(A) a public, private, or cooperative for-profit or nonprofit organization;

“(B) a for-profit or nonprofit business controlled by an Indian tribe; or

“(C) any other person or entity that primarily operates in a rural area, as determined by the Secretary.

“(14) RURAL BUSINESS INVESTMENT COMPANY.—The term ‘rural business investment company’ means a company that—

“(A) has been granted final approval by the Secretary under subsection (d)(5); and

“(B) has entered into a participation agreement with the Secretary.

“(15) SMALLER ENTERPRISE.—

“(A) IN GENERAL.—The term ‘smaller enterprise’ means any rural business concern that, together with its affiliates—

“(i) has—

“(I) a net financial worth of not more than \$6,000,000, as of the date on which assistance is provided under this section to the rural business concern; and

“(II) except as provided in subparagraph (B), an average net income for the 2-year period preceding the date on which assistance is provided under this section to the rural business concern, of not more than \$2,000,000, after Federal income taxes (excluding any carryover losses); or

“(ii) satisfies the standard industrial classification size standards established by the Administrator of the Small Business Administration for the industry in which the rural business concern is primarily engaged.

“(B) EXCEPTION.—For purposes of subparagraph (A)(i)(II), if the rural business concern is not required by law to pay Federal income taxes at the enterprise level, but is required to pass income through to the shareholders, partners, beneficiaries, or other equitable owners of the business concern, the net income of the business concern shall be determined by allowing a deduction in an amount equal to the total of—

“(i) if the rural business concern is not required by law to pay State (and local, if any) income taxes at the enterprise level, the product obtained by multiplying—

“(I) the net income (determined without regard to this subparagraph); by

“(II) the marginal State income tax rate (or by the combined State and local income tax rates, as applicable) that would have applied if the business concern were a corporation; and

“(ii) the product obtained by multiplying—  
“(I) the net income (so determined) less any deduction for State (and local) income taxes calculated under clause (i); by

“(II) the marginal Federal income tax rate that would have applied if the rural business concern were a corporation.

“(b) PURPOSES.—The purposes of the Rural Business Investment Program established under this section are—

“(1) to promote economic development and the creation of wealth and job opportunities in rural areas and among individuals living in those areas by encouraging developmental venture capital investments in smaller enterprises primarily located in rural areas; and

“(2) to establish a developmental venture capital program, with the mission of addressing the unmet equity investment needs of small enterprises located in rural areas, by authorizing the Secretary—

“(A) to enter into participation agreements with rural business investment companies;

“(B) to guarantee debentures of rural business investment companies to enable each rural business investment company to make developmental venture capital investments in smaller enterprises in rural areas; and

“(C) to make grants to rural business investment companies, and to other entities, for the purpose of providing operational assistance to smaller enterprises financed, or expected to be financed, by rural business investment companies.

“(c) ESTABLISHMENT.—In accordance with this subtitle, the Secretary shall establish a Rural Business Investment Program, under which the Secretary may—

“(1) enter into participation agreements with companies granted final approval under subsection (d)(5) for the purposes described in subsection (b);

“(2) guarantee the debentures issued by rural business investment companies as provided in subsection (e); and

“(3) make grants to rural business investment companies, and to other entities, under subsection (h).

“(d) SELECTION OF RURAL BUSINESS INVESTMENT COMPANIES.—

“(1) ELIGIBILITY.—A company shall be eligible to apply to participate, as a rural business investment company, in the program established under this section if—

“(A) the company is a newly formed for-profit entity or a newly formed for-profit subsidiary of such an entity;

“(B) the company has a management team with experience in community development financing or relevant venture capital financing; and

“(C) the company will invest in enterprises that will create wealth and job opportunities in rural areas, with an emphasis on smaller enterprises.

“(2) APPLICATION.—To participate, as a rural business investment company, in the program established under this section, a company meeting the eligibility requirements of paragraph (1) shall submit an application to the Secretary that includes—

“(A) a business plan describing how the company intends to make successful developmental venture capital investments in identified rural areas;

“(B) information regarding the community development finance or relevant venture capital qualifications and general reputation of the management of the company;

“(C) a description of how the company intends to work with community-based organizations and local entities (including local

economic development companies, local lenders, and local investors) and to seek to address the unmet equity capital needs of the communities served;

“(D) a proposal describing how the company intends to use the grant funds provided under this section to provide operational assistance to smaller enterprises financed by the company, including information regarding whether the company intends to use licensed professionals, as necessary, on the staff of the company or from an outside entity;

“(E) with respect to binding commitments to be made to the company under this section, an estimate of the ratio of cash to in-kind contributions;

“(F) a description of the criteria to be used to evaluate whether and to what extent the company meets the purposes of the program established under this section;

“(G) information regarding the management and financial strength of any parent firm, affiliated firm, or any other firm essential to the success of the business plan of the company; and

“(H) such other information as the Secretary may require.

“(3) STATUS.—Not later than 90 days after the initial receipt by the Secretary of an application under this subsection, the Secretary shall provide to the applicant a written report describing the status of the application and any requirements remaining for completion of the application.

“(4) MATTERS CONSIDERED.—In reviewing and processing any application under this subsection, the Secretary shall—

“(A) determine whether—

“(i) the applicant meets the requirements of paragraph (5); and

“(ii) the management of the applicant is qualified and has the knowledge, experience, and capability necessary to comply with this section;

“(B) take into consideration—

“(i) the need for and availability of financing for rural business concerns in the geographic area in which the applicant is to commence business;

“(ii) the general business reputation of the owners and management of the applicant; and

“(iii) the probability of successful operations of the applicant, including adequate profitability and financial soundness; and

“(C) not take into consideration any projected shortage or unavailability of grant funds or leverage.

“(5) APPROVAL; LICENSE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may approve an applicant to operate as a rural business investment company under this subtitle and license the applicant as a rural business investment company, if—

“(i) the Secretary determines that the application satisfies the requirements of paragraph (2);

“(ii) the area in which the rural business investment company is to conduct its operations, and establishment of branch offices or agencies (if authorized by the articles), are approved by the Secretary; and

“(iii) the applicant enters into a participation agreement with the Secretary.

“(B) CAPITAL REQUIREMENTS.—

“(i) IN GENERAL.—Notwithstanding any other provision of this section, the Secretary may approve an applicant to operate as a rural business investment company under this section and designate the applicant as a rural business investment company, if the Secretary determines that the applicant—

“(I) has private capital as determined by the Secretary;

“(II) would otherwise be approved under this section, except that the applicant does not satisfy the requirements of subsection (i)(3); and

“(III) has a viable business plan that—

“(aa) reasonably projects profitable operations; and

“(bb) has a reasonable timetable for achieving a level of private capital that satisfies the requirements of subsection (i)(3).

“(ii) LEVERAGE.—An applicant approved under clause (i) shall not be eligible to receive leverage under this section until the applicant satisfies the requirements of section 3602(i)(3).

“(iii) GRANTS.—An applicant approved under clause (i) shall be eligible for grants under subsection (h) in proportion to the private capital of the applicant, as determined by the Secretary.

“(e) DEBENTURES.—

“(1) IN GENERAL.—The Secretary may guarantee the timely payment of principal and interest, as scheduled, on debentures issued by any rural business investment company.

“(2) TERMS AND CONDITIONS.—The Secretary may make guarantees under this subsection on such terms and conditions as the Secretary considers appropriate, except that the term of any debenture guaranteed under this section shall not exceed 15 years.

“(3) FULL FAITH AND CREDIT OF THE UNITED STATES.—Section 3901 shall apply to any guarantee under this subsection.

“(4) MAXIMUM GUARANTEE.—Under this subsection, the Secretary may—

“(A) guarantee the debentures issued by a rural business investment company only to the extent that the total face amount of outstanding guaranteed debentures of the rural business investment company does not exceed the lesser of—

“(i) 300 percent of the private capital of the rural business investment company; or

“(ii) \$105,000,000; and

“(B) provide for the use of discounted debentures.

“(f) ISSUANCE AND GUARANTEE OF TRUST CERTIFICATES.—

“(1) ISSUANCE.—The Secretary may issue trust certificates representing ownership of all or a fractional part of debentures issued by a rural business investment company and guaranteed by the Secretary under this section, if the certificates are based on and backed by a trust or pool approved by the Secretary and composed solely of guaranteed debentures.

“(2) GUARANTEE.—

“(A) IN GENERAL.—The Secretary may, under such terms and conditions as the Secretary considers appropriate, guarantee the timely payment of the principal of and interest on trust certificates issued by the Secretary or agents of the Secretary for purposes of this subsection.

“(B) LIMITATION.—Each guarantee under this paragraph shall be limited to the extent of principal and interest on the guaranteed debentures that compose the trust or pool.

“(C) PREPAYMENT OR DEFAULT.—

“(i) IN GENERAL.—

“(I) AUTHORITY TO PREPAY.—A debenture may be prepaid at any time without penalty.

“(II) REDUCTION OF GUARANTEE.—Subject to subclause (I), if a debenture in a trust or pool is prepaid, or in the event of default of such a debenture, the guarantee of timely payment of principal and interest on the trust certificates shall be reduced in proportion to the amount of principal and interest the prepaid debenture represents in the trust or pool.

“(ii) INTEREST.—Interest on prepaid or defaulted debentures shall accrue and be guaranteed by the Secretary only through the date of payment of the guarantee.

“(iii) REDEMPTION.—At any time during the term of a trust certificate, the trust certificate may be called for redemption due to prepayment or default of all debentures.

“(3) FULL FAITH AND CREDIT OF THE UNITED STATES.—Section 3901 shall apply to any guarantee of a trust certificate issued by the Secretary under this section.

“(4) SUBROGATION AND OWNERSHIP RIGHTS.—

“(A) SUBROGATION.—If the Secretary pays a claim under a guarantee issued under this section, the claim shall be subrogated fully to the rights satisfied by the payment.

“(B) OWNERSHIP RIGHTS.—No Federal, State, or local law shall preclude or limit the exercise by the Secretary of the ownership rights of the Secretary in a debenture residing in a trust or pool against which 1 or more trust certificates are issued under this subsection.

“(5) MANAGEMENT AND ADMINISTRATION.—

“(A) REGISTRATION.—The Secretary shall provide for a central registration of all trust certificates issued under this subsection.

“(B) CREATION OF POOLS.—The Secretary may—

“(i) maintain such commercial bank accounts or investments in obligations of the United States as may be necessary to facilitate the creation of trusts or pools backed by debentures guaranteed under this subtitle; and

“(ii) issue trust certificates to facilitate the creation of those trusts or pools.

“(C) FIDELITY BOND OR INSURANCE REQUIREMENT.—Any agent performing functions on behalf of the Secretary under this paragraph shall provide a fidelity bond or insurance in such amount as the Secretary considers to be necessary to fully protect the interests of the United States.

“(D) REGULATION OF BROKERS AND DEALERS.—The Secretary may regulate brokers and dealers in trust certificates issued under this subsection.

“(E) ELECTRONIC REGISTRATION.—Nothing in this paragraph prohibits the use of a book-entry or other electronic form of registration for trust certificates issued under this subsection.

“(g) FEES.—

“(1) IN GENERAL.—The Secretary may charge a fee that does not exceed \$500 with respect to any guarantee or grant issued under this section.

“(2) TRUST CERTIFICATE.—Notwithstanding paragraph (1), the Secretary shall not collect a fee for any guarantee of a trust certificate under subsection (f), except that any agent of the Secretary may collect a fee that does not exceed \$500 for the functions described in subsection (f)(5)(B).

“(3) LICENSE.—

“(A) IN GENERAL.—Except as provided in subparagraph (C), the Secretary may prescribe fees to be paid by each applicant for a license to operate as a rural business investment company under this section.

“(B) USE OF AMOUNTS.—Fees collected under this paragraph—

“(i) shall be deposited in the account for salaries and expenses of the Secretary;

“(ii) are authorized to be appropriated solely to cover the costs of licensing examinations; and

“(iii) shall—

“(I) in the case of a license issued before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, not exceed \$500 for any fee collected under this paragraph; and

“(II) in the case of a license issued after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, be a rate as determined by the Secretary.

“(C) PROHIBITION ON COLLECTION OF CERTAIN FEES.—In the case of a license described in subparagraph (A) that was approved before July 1, 2007, the Secretary shall not collect any fees due on or after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013.

“(h) OPERATIONAL ASSISTANCE GRANTS.—

“(1) IN GENERAL.—In accordance with this subsection, the Secretary may make grants to rural business investment companies and to other entities, as authorized by this section, to provide operational assistance to smaller enterprises financed, or expected to be financed, by the entities.

“(2) TERMS.—Grants made under this subsection shall be made over a multiyear period (not to exceed 10 years) under such terms as the Secretary may require.

“(3) USE OF FUNDS.—The proceeds of a grant made under this subsection may be used by the rural business investment company receiving the grant only to provide operational assistance in connection with an equity or prospective equity investment in a business located in a rural area.

“(4) SUBMISSION OF PLANS.—A rural business investment company shall be eligible for a grant under this subsection only if the rural business investment company submits to the Secretary, in such form and manner as the Secretary may require, a plan for use of the grant.

“(5) GRANT AMOUNT.—

“(A) RURAL BUSINESS INVESTMENT COMPANIES.—The amount of a grant made under this subsection to a rural business investment company shall be equal to the lesser of—

“(i) 10 percent of the private capital raised by the rural business investment company; or

“(ii) \$1,000,000.

“(6) OTHER ENTITIES.—The amount of a grant made under this subsection to any entity other than a rural business investment company shall be equal to the resources (in cash or in kind) raised by the entity in accordance with the requirements applicable to rural business investment companies under this section.

“(i) RURAL BUSINESS INVESTMENT COMPANIES.—

“(1) ORGANIZATION.—For purposes of this subsection, a rural business investment company shall—

“(A) be an incorporated body, a limited liability company, or a limited partnership organized and chartered or otherwise existing under State law solely for the purpose of performing the functions and conducting the activities authorized by this section; and

“(B)(i) if incorporated, have succession for a period of not less than 30 years unless earlier dissolved by the shareholders of the rural business investment company; and

“(ii) if a limited partnership or a limited liability company, have succession for a period of not less than 10 years; and

“(iii) possess the powers reasonably necessary to perform the functions and conduct the activities.

“(2) ARTICLES.—The articles of any rural business investment company—

“(A) shall specify in general terms—

“(i) the purposes for which the rural business investment company is formed;

“(ii) the name of the rural business investment company;

“(iii) the 1 or more areas in which the operations of the rural business investment company are to be carried out;

“(iv) the place where the principal office of the rural business investment company is to be located; and

“(v) the amount and classes of the shares of capital stock of the rural business investment company;

“(B) may contain any other provisions consistent with this section that the rural business investment company may determine appropriate to adopt for the regulation of the business of the rural business investment company and the conduct of the affairs of the rural business investment company; and

“(C) shall be subject to the approval of the Secretary.

“(3) CAPITAL REQUIREMENTS.—

“(A) IN GENERAL.—Each rural business investment company shall be required to meet the capital requirements as provided by the Secretary.

“(B) TIME FRAME.—Each rural business investment company shall have a period of 2 years to meet the capital requirements of this paragraph.

“(C) ADEQUACY.—In addition to the requirements of subparagraph (A), the Secretary shall—

“(i) determine whether the private capital of each rural business investment company is adequate to ensure a reasonable prospect that the rural business investment company will be operated soundly and profitably, and managed actively and prudently in accordance with the articles of the rural business investment company;

“(ii) determine that the rural business investment company will be able to comply with the requirements of this section;

“(iii) require that at least 75 percent of the capital of each rural business investment company is invested in rural business concerns;

“(iv) ensure that the rural business investment company is designed primarily to meet equity capital needs of the businesses in which the rural business investment company invests and not to compete with traditional small business financing by commercial lenders; and

“(v) require that the rural business investment company makes short-term non-equity investments of less than 5 years only to the extent necessary to preserve an existing investment.

“(4) DIVERSIFICATION OF OWNERSHIP.—The Secretary shall ensure that the management of each rural business investment company licensed after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 is sufficiently diversified from and unaffiliated with the ownership of the rural business investment company so as to ensure independence and objectivity in the financial management and oversight of the investments and operations of the rural business investment company.

“(j) FINANCIAL INSTITUTION INVESTMENTS.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection and notwithstanding any other provision of law, the following banks, associations, and institutions are eligible both to establish and invest in any rural business investment company or in any entity established to invest solely in rural business investment companies:

“(A) Any bank or savings association the deposits of which are insured under the Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.), including an investment pool created entirely by such bank or savings association.

“(B) Any Farm Credit System institution described in subsection 1.2(a) of the Farm Credit Act of 1971 (12 U.S.C. 2002(a)).

“(2) LIMITATION.—No bank, association, or institution described in paragraph (1) may make investments described in paragraph (1) that are greater than 5 percent of the capital and surplus of the bank, association, or institution.

“(3) LIMITATION ON RURAL BUSINESS INVESTMENT COMPANIES CONTROLLED BY FARM CREDIT SYSTEM INSTITUTIONS.—If a Farm Credit System institution described in section 1.2(a) of the Farm Credit Act of 1971 (12 U.S.C. 2002(a)) holds more than 25 percent of the shares of a rural business investment company, either alone or in conjunction with other System institutions (or affiliates), the rural business investment company shall not provide equity investments in, or provide other financial assistance to, entities that are not otherwise eligible to receive financing from the Farm Credit System under that Act (12 U.S.C. 2001 et seq.).

“(k) EXAMINATIONS.—

“(1) IN GENERAL.—Each rural business investment company that participates in the program established under this section shall be subject to examinations made at the direction of the Secretary in accordance with this subsection.

“(2) ASSISTANCE OF PRIVATE SECTOR ENTITIES.—An examination under this subsection may be conducted with the assistance of a private sector entity that has the qualifications and the expertise necessary to conduct such an examination.

“(3) COSTS.—

“(A) IN GENERAL.—The Secretary may assess the cost of an examination under this section, including compensation of the examiners, against the rural business investment company examined.

“(B) PAYMENT.—Any rural business investment company against which the Secretary assesses costs under this subparagraph shall pay the costs.

“(4) DEPOSIT OF FUNDS.—Funds collected under this subsection shall—

“(A) be deposited in the account that incurred the costs for carrying out this subsection;

“(B) be made available to the Secretary to carry out this subsection, without further appropriation; and

“(C) remain available until expended.

“(l) REPORTING REQUIREMENTS.—

“(1) RURAL BUSINESS INVESTMENT COMPANIES.—Each entity that participates in a program established under this section shall provide to the Secretary such information as the Secretary may require, including—

“(A) information relating to the measurement criteria that the entity proposed in the program application of the rural business investment company; and

“(B) in each case in which the entity under this section makes an investment in, or a loan or grant to, a business that is not located in a rural area, a report on the number and percentage of employees of the business who reside in those areas.

“(2) PUBLIC REPORTS.—

“(A) IN GENERAL.—The Secretary shall prepare and make available to the public an annual report on the programs established under this section, including detailed information on—

“(i) the number of rural business investment companies licensed by the Secretary during the previous fiscal year;

“(ii) the aggregate amount of leverage that rural business investment companies have received from the Federal Government during the previous fiscal year;

“(iii) the aggregate number of each type of leveraged instruments used by rural business investment companies during the previous fiscal year and how each number compares to previous fiscal years;

“(iv) the number of rural business investment company licenses surrendered and the number of rural business investment companies placed in liquidation during the previous fiscal year, identifying the amount of leverage each rural business investment company has received from the Federal Government and the type of leverage instruments each rural business investment company has used;

“(v) the amount of losses sustained by the Federal Government as a result of operations under this section during the previous fiscal year and an estimate of the total losses that the Federal Government can reasonably expect to incur as a result of the operations during the current fiscal year;

“(vi) actions taken by the Secretary to maximize recoupment of funds of the Federal Government expended to implement and administer the Rural Business Investment Program under this section during the previous fiscal year and to ensure compliance with the requirements of this section (including regulations);

“(vii) the amount of Federal Government leverage that each licensee received in the previous fiscal year and the types of leverage instruments each licensee used;

“(viii) for each type of financing instrument, the sizes, types of geographic locations, and other characteristics of the small business investment companies using the instrument during the previous fiscal year, including the extent to which the investment companies have used the leverage from each instrument to make loans or equity investments in rural areas; and

“(ix) the actions of the Secretary to carry out this section

“(B) PROHIBITION.—In compiling the report required under subparagraph (A), the Secretary may not—

“(i) compile the report in a manner that permits identification of any particular type of investment by an individual rural business investment company or small business concern in which a rural business investment company invests; or

“(ii) release any information that is prohibited under section 1905 of title 18, United States Code.

“(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for the period of fiscal years 2008 through 2018.”

#### “CHAPTER 3—GENERAL RURAL DEVELOPMENT PROVISIONS

##### “SEC. 3701. GENERAL PROVISIONS FOR LOANS AND GRANTS.

“(a) PERIOD FOR REPAYMENT.—Unless otherwise specifically provided for in this subtitle, the period for repayment of a loan under this subtitle shall not exceed 40 years.

“(b) INTEREST RATES.—

“(1) IN GENERAL.—Except as otherwise provided in this title, the interest rate on a loan under this subtitle shall be determined by the Secretary at a rate—

“(A) not to exceed a sum obtained by adding—

“(i) the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of the loan; and

“(ii) an amount not to exceed 1 percent, as determined by the Secretary; and

“(B) adjusted to the nearest  $\frac{1}{8}$  of 1 percent.

“(2) WATER AND WASTE FACILITY LOANS AND COMMUNITY FACILITIES LOANS.—

“(A) IN GENERAL.—Notwithstanding any provision of State law limiting the rate or amount of interest that may be charged, taken, received, or reserved, except as provided in subparagraph (C) and paragraph (4), the interest rate on a loan (other than a guaranteed loan) to a public body or nonprofit association (including an Indian tribe) for a water or waste disposal facility or essential community facility shall be determined by the Secretary at a rate not to exceed—

“(i) the current market yield on outstanding municipal obligations with remaining periods to maturity comparable to the average maturity for the loan, and adjusted to the nearest  $\frac{1}{8}$  of 1 percent;

“(ii) 5 percent per year for a loan that is for the upgrading of a facility or construction of a new facility as required to meet applicable health or sanitary standards in—

“(I) an area in which the median family income of the persons to be served by the facility is below the poverty line (as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902)); and

“(II) any areas the Secretary may designate in which a significant percentage of the persons to be served by the facilities are low income persons, as determined by the Secretary; and

“(iii) 7 percent per year for a loan for a facility that does not qualify for the 5 percent per year interest rate prescribed in clause (ii) but that is located in an area in a State in which the median household income of the persons to be served by the facility does not exceed 100 percent of the statewide non-metropolitan median household income for the State.

“(B) HEALTH CARE AND RELATED FACILITIES.—Notwithstanding subparagraph (A), the Secretary shall establish a rate for a loan for a health care or related facility that is—

“(i) based solely on the income of the area to be served; and

“(ii) otherwise consistent with subparagraph (A).

“(C) INTEREST RATES FOR WATER AND WASTE DISPOSAL FACILITIES LOANS.—

“(i) IN GENERAL.—Except as provided in clause (ii) and notwithstanding subparagraph (A), in the case of a direct loan for a water or waste disposal facility—

“(I) in the case of a loan that would be subject to the 5 percent interest rate limitation under subparagraph (A), the Secretary shall establish the interest rate at a rate that is equal to 60 percent of the current market yield for outstanding municipal obligations with remaining periods to maturity comparable to the average maturity of the loan, adjusted to the nearest  $\frac{1}{8}$  of 1 percent; and

“(II) in the case of a loan that would be subject to the 7 percent limitation under subparagraph (A), the Secretary shall establish the interest rate at a rate that is equal to 80 percent of the current market yield for outstanding municipal obligations with remaining periods to maturity comparable to the average maturity of the loan, adjusted to the nearest  $\frac{1}{8}$  of 1 percent.

“(ii) EXCEPTION.—Clause (i) does not apply to a loan for a specific project that is the subject of a loan that has been approved, but not closed, as of the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013.

“(3) INTEREST RATES ON BUSINESS AND OTHER LOANS.—

“(A) IN GENERAL.—Except as provided in paragraph (4), the interest rates on loans



under sections 3501(a)(1) (other than guaranteed loans and loans as described in paragraph (2)(A)) shall be as determined by the Secretary in accordance with subparagraph (B).

“(B) MINIMUM RATE.—The interest rates described in subparagraph (A) shall be not less than the sum obtained by adding—

“(i) such rates as determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted in the judgment of the Secretary of the Treasury to provide for rates comparable to the rates prevailing in the private market for similar loans and considering the insurance by the Secretary of the loans; and

“(ii) an additional charge, prescribed by the Secretary, to cover the losses of the Secretary and cost of administration, which shall be deposited in the Rural Development Insurance Fund, and further adjusted to the nearest  $\frac{1}{4}$  of 1 percent.

“(4) INTEREST RATES ADJUSTMENTS.—

“(A) ADJUSTMENTS.—Notwithstanding any other provision of this subsection, in the case of loans (other than guaranteed loans) made or guaranteed under the authorities of this title specified in subparagraph (C) for activities that involve the use of prime farmland, the interest rates shall be the interest rates otherwise applicable under this section increased by 2 percent per year.

“(B) PRIME FARMLAND.—

“(i) IN GENERAL.—Wherever practicable, construction by a State, municipality, or other political subdivision of local government that is supported by loans described in subparagraph (A) shall be placed on land that is not prime farmland, in order to preserve the maximum practicable quantity of prime farmlands for production of food and fiber.

“(ii) INCREASED RATE.—In any case in which other options exist for the siting of construction described in clause (i) and the governmental authority still desires to carry out the construction on prime farmland, the 2-percent interest rate increase provided by this paragraph shall apply, but that increased interest rate shall not apply where such other options do not exist.

“(C) APPLICABLE AUTHORITIES.—The authorities referred to in subparagraph (A) are—

“(i) the provisions of section 3502(a) relating to loans for recreational developments and essential community facilities;

“(ii) section 3601(e)(2)(A); and

“(iii) section 3601(c).

“(c) PAYMENT OF CHARGES.—A borrower of a loan made or guaranteed under this subtitle shall pay such fees and other charges as the Secretary may require, and prepay to the Secretary such taxes and insurance as the Secretary may require, on such terms and conditions as the Secretary may prescribe.

“(d) SECURITY.—

“(1) IN GENERAL.—The Secretary shall take as security for an obligation entered into in connection with a loan made under this subtitle such security as the Secretary may require.

“(2) LIENS TO UNITED STATES.—An instrument for security under paragraph (1) may constitute a lien running to the United States notwithstanding the fact that the note for the security may be held by a lender other than the United States.

“(3) MULTIPLE LOANS.—A borrower may use the same collateral to secure 2 or more loans

made or guaranteed under this subtitle, except that the outstanding amount of the loans may not exceed the total value of the collateral.

“(e) LEGAL COUNSEL FOR SMALL LOANS.—In the case of a loan of less than \$500,000 made or guaranteed under section 3501 that is evidenced by a note or mortgage (as distinguished from a bond issue), the borrower shall not be required to appoint bond counsel to review the legal validity of the loan if the Secretary has available legal counsel to perform the review.

#### “SEC. 3702. STRATEGIC ECONOMIC AND COMMUNITY DEVELOPMENT.

“(a) PRIORITY.—In the case of any rural development program authorized by this subtitle, the Secretary may give priority to applications that are otherwise eligible and support strategic community and economic development plans on a multijurisdictional basis, as approved by the Secretary.

“(b) EVALUATION.—In evaluating strategic applications, the Secretary shall give a higher priority to strategic applications for a plan described in subsection (a) that demonstrate—

“(1) the plan was developed through the collaboration of multiple stakeholders in the service area of the plan, including the participation of combinations of stakeholders such as State, local, and tribal governments, nonprofit institutions, institutions of higher education, and private entities;

“(2) an understanding of the applicable regional resources that could support the plan, including natural resources, human resources, infrastructure, and financial resources;

“(3) investment from other Federal agencies;

“(4) investment from philanthropic organizations; and

“(5) clear objectives for the plan and the ability to establish measurable performance measures and to track progress toward meeting the objectives.

“(c) FUNDS.—

“(1) IN GENERAL.—Subject to paragraph (3), the Secretary may reserve for projects that support multijurisdictional strategic community and economic development plans described in subsection (a) an amount that does not exceed—

“(A) 20 percent of the funds made available for a fiscal year for a functional category described in paragraph (2); and

“(B) 15 percent of the total funds available for all functional categories.

“(2) FUNCTIONAL CATEGORIES.—The functional categories described in this subsection are the following:

“(A) RURAL COMMUNITY FACILITIES.—The rural community development category consists of all amounts made available for community facility grants and direct and guaranteed loans under section 3502.

“(B) RURAL UTILITIES.—The rural utilities category consists of all amounts made available for—

“(i) water or waste disposal grants or direct or guaranteed loans under section 3501(a);

“(ii) emergency community water assistance grants under section 3501(e)(2);

“(iii) solid waste management grants under section 3501(e)(4); or

“(iv) rural water or wastewater technical assistance and training grants under section 3501(e)(5).

“(C) RURAL BUSINESS AND COOPERATIVE DEVELOPMENT.—The rural business and cooperative development category consists of all amounts made available for—

“(i) rural business opportunity grants, rural business enterprise grants, or rural educational network grants under section 3601(a); or

“(ii) business and industry direct and guaranteed loans under section 3601(e).

“(3) LIMITATION.—The reservation of funds described in paragraph (2) may only extend through June 30 of the fiscal year in which the funds were first made available.

#### “SEC. 3703. GUARANTEED RURAL DEVELOPMENT LOANS.

“(a) IN GENERAL.—The Secretary may provide financial assistance to a borrower for a purpose provided in this subtitle by guaranteeing a loan made by any Federal or State chartered bank, savings and loan association, cooperative lending agency, or other legally organized lending agency.

“(b) INTEREST RATE.—The interest rate payable by a borrower on the portion of a guaranteed loan that is sold by a lender to the secondary market under this subtitle may be lower than the interest rate charged on the portion retained by the lender.

“(c) MAXIMUM GUARANTEE OF 90 PERCENT.—Except as provided in subsections (d) and (e), a loan guarantee under this subtitle shall be for not more than 90 percent of the principal and interest due on the loan.

“(d) REFINANCED LOANS GUARANTEED AT 95 PERCENT.—The Secretary shall guarantee 95 percent of—

“(1) in the case of a loan that solely refinances a direct loan made under this subtitle, the principal and interest due on the loan on the date of the refinancing; or

“(2) in the case of a loan that is used for multiple purposes, the portion of the loan that refinances the principal and interest due on a direct loan made under this subtitle that is outstanding on the date on which the loan is guaranteed.

“(e) RISK OF LOSS.—

“(1) IN GENERAL.—Subject to subsection (b), the Secretary may not make a loan under section 3501 or 3601 unless the Secretary determines that no other lender is willing to make the loan and assume 10 percent of the potential loss to be sustained from the loan.

“(2) EXCEPTION FOR NONPROFIT GROUPS.—Paragraph (1) shall not apply to a public body or nonprofit association, including an Indian tribe.

#### “SEC. 3704. RURAL DEVELOPMENT INSURANCE FUND.

“(a) DEFINITION OF RURAL DEVELOPMENT LOAN.—In this section, the term ‘rural development loan’ means a loan provided for by section 3501 or 3601.

“(b) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the ‘Rural Development Insurance Fund’ that shall be used by the Secretary to discharge the obligations of the Secretary under contracts making or guaranteeing rural development loans.

#### “SEC. 3705. RURAL ECONOMIC AREA PARTNERSHIP ZONES.

“(a) IN GENERAL.—The Secretary may designate additional areas as rural economic area partnership zones to be assisted under this chapter—

“(1) through an open, competitive process; and

“(2) with priority given to rural areas—

“(A) with excessive unemployment or underemployment, a high percentage of low-income residents, or high rates of outmigration, as determined by the Secretary; and

“(B) that the Secretary determines have a substantial need for assistance.

“(b) REQUIREMENTS.—The Secretary shall carry out those rural economic area partnership zones administratively in effect on the

date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 in accordance with the terms and conditions contained in the memoranda of agreement entered into by the Secretary for the rural economic area partnership zones.

**“SEC. 3706. STREAMLINING APPLICATIONS AND IMPROVING ACCESSIBILITY OF RURAL DEVELOPMENT PROGRAMS.**

“The Secretary shall expedite the process of creating user-friendly and accessible application forms and procedures prioritizing programs and applications at the individual applicant level with an emphasis on utilizing current technology including online applications and submission processes.

**“SEC. 3707. STATE RURAL DEVELOPMENT PARTNERSHIP.**

“(a) DEFINITIONS.—In this section:

“(1) AGENCY WITH RURAL RESPONSIBILITIES.—The term ‘agency with rural responsibilities’ means any executive agency (as defined in section 105 of title 5, United States Code) that implements a Federal law, or administers a program, targeted at or having a significant impact on rural areas.

“(2) PARTNERSHIP.—The term ‘Partnership’ means the State Rural Development Partnership continued by subsection (b).

“(3) STATE RURAL DEVELOPMENT COUNCIL.—The term ‘State rural development council’ means a State rural development council that meets the requirements of subsection (c).

“(b) PARTNERSHIP.—

“(1) IN GENERAL.—The Secretary shall support the State Rural Development Partnership comprised of State rural development councils.

“(2) PURPOSES.—The purposes of the Partnership are to empower and build the capacity of States, regions, and rural communities to design flexible and innovative responses to their rural development needs in a manner that maximizes collaborative public- and private-sector cooperation and minimizes regulatory redundancy.

“(3) COORDINATING PANEL.—A panel consisting of representatives of State rural development councils shall be established—

“(A) to lead and coordinate the strategic operation and policies of the Partnership; and

“(B) to facilitate effective communication among the members of the Partnership, including the sharing of best practices.

“(4) ROLE OF FEDERAL GOVERNMENT.—The role of the Federal Government in the Partnership may be that of a partner and facilitator, with Federal agencies authorized—

“(A) to cooperate with States to implement the Partnership;

“(B) to provide States with the technical and administrative support necessary to plan and implement tailored rural development strategies to meet local needs;

“(C) to ensure that the head of each agency with rural responsibilities directs appropriate field staff to participate fully with the State rural development council within the jurisdiction of the field staff; and

“(D) to enter into cooperative agreements with, and to provide grants and other assistance to, State rural development councils.

“(c) STATE RURAL DEVELOPMENT COUNCILS.—

“(1) ESTABLISHMENT.—Notwithstanding chapter 63 of title 31, United States Code, each State may elect to participate in the Partnership by entering into an agreement with the Secretary to recognize a State rural development council.

“(2) COMPOSITION.—A State rural development council shall—

“(A) be composed of representatives of Federal, State, local, and tribal governments, nonprofit organizations, regional organizations, the private sector, and other entities committed to rural advancement; and

“(B) have a nonpartisan and nondiscriminatory membership that—

“(i) is broad and representative of the economic, social, and political diversity of the State; and

“(ii) shall be responsible for the governance and operations of the State rural development council.

“(3) DUTIES.—A State rural development council shall—

“(A) facilitate collaboration among Federal, State, local, and tribal governments and the private and nonprofit sectors in the planning and implementation of programs and policies that have an impact on rural areas of the State;

“(B) monitor, report, and comment on policies and programs that address, or fail to address, the needs of the rural areas of the State;

“(C) as part of the Partnership, facilitate the development of strategies to reduce or eliminate conflicting or duplicative administrative or regulatory requirements of Federal, State, local, and tribal governments; and

“(D)(i) provide to the Secretary an annual plan with goals and performance measures; and

“(ii) submit to the Secretary an annual report on the progress of the State rural development council in meeting the goals and measures.

“(4) FEDERAL PARTICIPATION IN STATE RURAL DEVELOPMENT COUNCILS.—

“(A) IN GENERAL.—A State Director for Rural Development of the Department of Agriculture, other employees of the Department, and employees of other Federal agencies with rural responsibilities shall fully participate as voting members in the governance and operations of State rural development councils (including activities related to grants, contracts, and other agreements in accordance with this section) on an equal basis with other members of the State rural development councils.

“(B) CONFLICTS.—Participation by a Federal employee in a State rural development council in accordance with this paragraph shall not constitute a violation of section 205 or 208 of title 18, United States Code.

“(D) ADMINISTRATIVE SUPPORT OF THE PARTNERSHIP.—

“(1) DETAIL OF EMPLOYEES.—

“(A) IN GENERAL.—In order to provide experience in intergovernmental collaboration, the head of an agency with rural responsibilities that elects to participate in the Partnership may, and is encouraged to, detail to the Secretary for the support of the Partnership 1 or more employees of the agency with rural responsibilities without reimbursement for a period of up to 1 year.

“(B) CIVIL SERVICE STATUS.—The detail shall be without interruption or loss of civil service status or privilege.

“(2) ADDITIONAL SUPPORT.—The Secretary may provide for any additional support staff to the Partnership as the Secretary determines to be necessary to carry out the duties of the Partnership.

“(3) INTERMEDIARIES.—The Secretary may enter into a contract with a qualified intermediary under which the intermediary shall be responsible for providing administrative and technical assistance to a State rural development council, including administering the financial assistance available to the State rural development council.

“(e) MATCHING REQUIREMENTS FOR STATE RURAL DEVELOPMENT COUNCILS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a State rural development council shall provide matching funds, or in-kind goods or services, to support the activities of the State rural development council in an amount that is not less than 33 percent of the amount of Federal funds received from a Federal agency under subsection (f)(2).

“(2) EXCEPTIONS TO MATCHING REQUIREMENT FOR CERTAIN FEDERAL FUNDS.—Paragraph (1) shall not apply to funds, grants, funds provided under contracts or cooperative agreements, gifts, contributions, or technical assistance received by a State rural development council from a Federal agency that are used—

“(A) to support 1 or more specific program or project activities; or

“(B) to reimburse the State rural development council for services provided to the Federal agency providing the funds, grants, funds provided under contracts or cooperative agreements, gifts, contributions, or technical assistance.

“(3) DEPARTMENT'S SHARE.—The Secretary shall develop a plan to decrease, over time, the share of the Department of Agriculture of the cost of the core operations of State rural development councils.

“(f) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2014 through 2018.

“(2) FEDERAL AGENCIES.—

“(A) IN GENERAL.—Notwithstanding any other provision of law limiting the ability of an agency, along with other agencies, to provide funds to a State rural development council in order to carry out the purposes of this section, a Federal agency may make grants, gifts, or contributions to, provide technical assistance to, or enter into contracts or cooperative agreements with, a State rural development council.

“(B) ASSISTANCE.—Federal agencies are encouraged to use funds made available for programs that have an impact on rural areas to provide assistance to, and enter into contracts with, a State rural development council, as described in subparagraph (A).

“(3) CONTRIBUTIONS.—A State rural development council may accept private contributions.

“(g) TERMINATION.—The authority provided under this section shall terminate on September 30, 2018.

**“CHAPTER 4—DELTA REGIONAL AUTHORITY**

**“SEC. 3801. DEFINITIONS.**

“In this chapter:

“(1) AUTHORITY.—The term ‘Authority’ means the Delta Regional Authority established by section 3802.

“(2) FEDERAL GRANT PROGRAM.—The term ‘Federal grant program’ means a Federal grant program to provide assistance in—

“(A) acquiring or developing land;

“(B) constructing or equipping a highway, road, bridge, or facility; or

“(C) carrying out other economic development activities.

“(3) REGION.—The term ‘region’ means the Lower Mississippi (as defined in section 4 of the Delta Development Act (42 U.S.C. 3121 note; Public Law 100-460)).

**“SEC. 3802. DELTA REGIONAL AUTHORITY.**

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established the Delta Regional Authority.

“(2) COMPOSITION.—The Authority shall be composed of—

“(A) a Federal member, to be appointed by the President, with the advice and consent of the Senate; and

“(B) the Governor (or a designee of the Governor) of each State in the region that elects to participate in the Authority.

“(3) COCHAIRPERSONS.—The Authority shall be headed by—

“(A) the Federal member, who shall serve as—

“(i) the Federal cochairperson; and

“(ii) a liaison between the Federal Government and the Authority; and

“(B) a State cochairperson, who shall be—

“(i) a Governor of a participating State in the region; and

“(ii) elected by the State members for a term of not less than 1 year.

“(4) ALABAMA.—Notwithstanding any other provision of law, the State of Alabama shall be a full member of the Authority and shall be entitled to all rights and privileges that the membership affords to all other participating States in the Authority.

“(b) ALTERNATE MEMBERS.—

“(1) STATE ALTERNATES.—The State member of a participating State may have a single alternate, who shall be—

“(A) a resident of that State; and

“(B) appointed by the Governor of the State.

“(2) ALTERNATE FEDERAL COCHAIRPERSON.—The President shall appoint an alternate Federal cochairperson.

“(3) QUORUM.—A State alternate shall not be counted toward the establishment of a quorum of the Authority in any instance in which a quorum of the State members is required to be present.

“(4) DELEGATION OF POWER.—No power or responsibility of the Authority specified in paragraphs (2) and (3) of subsection (c), and no voting right of any Authority member, shall be delegated to any person—

“(A) who is not an Authority member; or

“(B) who is not entitled to vote in Authority meetings.

“(c) VOTING.—

“(1) IN GENERAL.—A decision by the Authority shall require a majority vote of the Authority (not including any member representing a State that is delinquent under subsection (g)(2)(C)) to be effective.

“(2) QUORUM.—A quorum of State members shall be required to be present for the Authority to make any policy decision, including—

“(A) a modification or revision of an Authority policy decision;

“(B) approval of a State or regional development plan; and

“(C) any allocation of funds among the States.

“(3) PROJECT AND GRANT PROPOSALS.—The approval of project and grant proposals shall be—

“(A) a responsibility of the Authority; and

“(B) conducted in accordance with section 3809.

“(4) VOTING BY ALTERNATE MEMBERS.—An alternate member shall vote in the case of the absence, death, disability, removal, or resignation of the Federal or State representative for which the alternate member is an alternate.

“(d) DUTIES.—The Authority shall—

“(1) develop, on a continuing basis, comprehensive and coordinated plans and programs to establish priorities and approve grants for the economic development of the region, giving due consideration to other Federal, State, and local planning and development activities in the region;

“(2) review, and where appropriate amend, priorities in a development plan for the re-

gion (including 5-year regional outcome targets);

“(3) assess the needs and assets of the region based on available research, demonstrations, investigations, assessments, and evaluations of the region prepared by Federal, State, and local agencies, universities, local development districts, and other nonprofit groups;

“(4) formulate and recommend to the Governors and legislatures of States that participate in the Authority forms of interstate cooperation;

“(5) work with State and local agencies in developing appropriate model legislation;

“(6)(A) enhance the capacity of, and provide support for, local development districts in the region; or

“(B) if no local development district exists in an area in a participating State in the region, foster the creation of a local development district;

“(7) encourage private investment in industrial, commercial, and other economic development projects in the region; and

“(8) cooperate with and assist State governments with economic development programs of participating States.

“(e) ADMINISTRATION.—In carrying out subsection (d), the Authority may—

“(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute a description of the proceedings and reports on actions by the Authority as the Authority considers appropriate;

“(2) authorize, through the Federal or State cochairperson or any other member of the Authority designated by the Authority, the administration of oaths if the Authority determines that testimony should be taken or evidence received under oath;

“(3) request from any Federal, State, or local department or agency such information as may be available to or procurable by the department or agency that may be of use to the Authority in carrying out duties of the Authority;

“(4) adopt, amend, and repeal bylaws, rules, and regulations governing the conduct of Authority business and the performance of Authority duties;

“(5) request the head of any Federal department or agency to detail to the Authority such personnel as the Authority requires to carry out duties of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

“(6) request the head of any State department or agency or local government to detail to the Authority such personnel as the Authority requires to carry out duties of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

“(7) provide for coverage of Authority employees in a suitable retirement and employee benefit system by—

“(A) making arrangements or entering into contracts with any participating State government; or

“(B) otherwise providing retirement and other employee benefit coverage;

“(8) accept, use, and dispose of gifts or donations of services or real, personal, tangible, or intangible property;

“(9) enter into and perform such contracts, leases, cooperative agreements, or other transactions as are necessary to carry out Authority duties, including any contracts, leases, or cooperative agreements with—

“(A) any department, agency, or instrumentality of the United States;

“(B) any State (including a political subdivision, agency, or instrumentality of the State); or

“(C) any person, firm, association, or corporation; and

“(10) establish and maintain a central office and field offices at such locations as the Authority may select.

“(f) FEDERAL AGENCY COOPERATION.—A Federal agency shall—

“(1) cooperate with the Authority; and

“(2) provide, on request of the Federal cochairperson, appropriate assistance in carrying out this chapter, in accordance with applicable Federal laws (including regulations).

“(g) ADMINISTRATIVE EXPENSES.—

“(1) IN GENERAL.—Administrative expenses of the Authority (except for the expenses of the Federal cochairperson, including expenses of the alternate and staff of the Federal cochairperson, which shall be paid solely by the Federal Government) shall be paid—

“(A) by the Federal Government, in an amount equal to 50 percent of the administrative expenses; and

“(B) by the States in the region participating in the Authority, in an amount equal to 50 percent of the administrative expenses.

“(2) STATE SHARE.—

“(A) IN GENERAL.—The share of administrative expenses of the Authority to be paid by each State shall be determined by the Authority.

“(B) NO FEDERAL PARTICIPATION.—The Federal cochairperson shall not participate or vote in any decision under subparagraph (A).

“(C) DELINQUENT STATES.—If a State is delinquent in payment of the State's share of administrative expenses of the Authority under this subsection—

“(i) no assistance under this chapter shall be furnished to the State (including assistance to a political subdivision or a resident of the State); and

“(ii) no member of the Authority from the State shall participate or vote in any action by the Authority.

“(h) COMPENSATION.—

“(1) FEDERAL COCHAIRPERSON.—The Federal cochairperson shall be compensated by the Federal Government at level III of the Executive Schedule in subchapter II of chapter 53 of title 5, United States Code.

“(2) ALTERNATE FEDERAL COCHAIRPERSON.—The alternate Federal cochairperson—

“(A) shall be compensated by the Federal Government at level V of the Executive Schedule described in paragraph (1); and

“(B) when not actively serving as an alternate for the Federal cochairperson, shall perform such functions and duties as are delegated by the Federal cochairperson.

“(3) STATE MEMBERS AND ALTERNATES.—

“(A) IN GENERAL.—A State shall compensate each member and alternate representing the State on the Authority at the rate established by law of the State.

“(B) NO ADDITIONAL COMPENSATION.—No State member or alternate member shall receive any salary, or any contribution to or supplementation of salary from any source other than the State for services provided by the member or alternate to the Authority.

“(4) DETAILED EMPLOYEES.—

“(A) IN GENERAL.—No person detailed to serve the Authority under subsection (e)(6) shall receive any salary or any contribution to or supplementation of salary for services provided to the Authority from—

“(i) any source other than the State, local, or intergovernmental department or agency from which the person was detailed; or

“(ii) the Authority.

“(B) VIOLATION.—Any person that violates this paragraph shall be fined not more than \$5,000, imprisoned not more than 1 year, or both.

“(C) APPLICABLE LAW.—The Federal cochairperson, the alternate Federal cochairperson, and any Federal officer or employee detailed to duty on the Authority under subsection (e)(5) shall not be subject to subparagraph (A), but shall remain subject to sections 202 through 209 of title 18, United States Code.

“(5) ADDITIONAL PERSONNEL.—

“(A) COMPENSATION.—

“(i) IN GENERAL.—The Authority may appoint and fix the compensation of an executive director and such other personnel as are necessary to enable the Authority to carry out the duties of the Authority.

“(ii) EXCEPTION.—Compensation under clause (i) shall not exceed the maximum rate for the Senior Executive Service under section 5382 of title 5, United States Code, including any applicable locality-based comparability payment that may be authorized under section 5304(h)(2)(C) of that title.

“(B) EXECUTIVE DIRECTOR.—The executive director shall be responsible for—

“(i) the carrying out of the administrative duties of the Authority;

“(ii) direction of the Authority staff; and

“(iii) such other duties as the Authority may assign.

“(C) NO FEDERAL EMPLOYEE STATUS.—No member, alternate, officer, or employee of the Authority (except the Federal cochairperson of the Authority, the alternate and staff for the Federal cochairperson, and any Federal employee detailed to the Authority under subsection (e)(5)) shall be considered to be a Federal employee for any purpose.

“(i) CONFLICTS OF INTEREST.—

“(1) IN GENERAL.—Except as provided under paragraph (2), no State member, alternate, officer, or employee of the Authority shall participate personally and substantially as a member, alternate, officer, or employee of the Authority, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other matter in which, to knowledge of the member, alternate, officer, or employee, there is a financial interest of—

“(A) the member, alternate, officer, or employee;

“(B) the spouse, minor child, partner, or organization (other than a State or political subdivision of the State) of the member, alternate, officer, or employee, in which the member, alternate, officer, or employee is serving as officer, director, trustee, partner, or employee; or

“(C) any person or organization with whom the member, alternate, officer, or employee is negotiating or has any arrangement concerning prospective employment.

“(2) DISCLOSURE.—Paragraph (1) shall not apply if the State member, alternate, officer, or employee—

“(A) immediately advises the Authority of the nature and circumstances of the proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter presenting a potential conflict of interest;

“(B) makes full disclosure of the financial interest; and

“(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the Authority that the interest is not so substan-

tial as to be likely to affect the integrity of the services that the Authority may expect from the State member, alternate, officer, or employee.

“(3) VIOLATION.—Any person that violates this subsection shall be fined not more than \$10,000, imprisoned not more than 2 years, or both.

“(j) VALIDITY OF CONTRACTS, LOANS, AND GRANTS.—The Authority may declare void any contract, loan, or grant of or by the Authority in relation to which the Authority determines that there has been a violation of any provision under subsection (h)(4), subsection (i), or sections 202 through 209 of title 18, United States Code.

#### “SEC. 3803. ECONOMIC AND COMMUNITY DEVELOPMENT GRANTS.

“(a) IN GENERAL.—The Authority may approve grants to States and public and nonprofit entities for projects, approved in accordance with section 3809—

“(1) to develop the transportation infrastructure of the region for the purpose of facilitating economic development in the region (except that grants for this purpose may only be made to a State or local government);

“(2) to assist the region in obtaining the job training, employment-related education, and business development (with an emphasis on entrepreneurship) that are needed to build and maintain strong local economies;

“(3) to provide assistance to severely distressed and underdeveloped areas that lack financial resources for improving basic public services;

“(4) to provide assistance to severely distressed and underdeveloped areas that lack financial resources for equipping industrial parks and related facilities; and

“(5) to otherwise achieve the purposes of this chapter.

“(b) FUNDING.—

“(1) IN GENERAL.—Funds for grants under subsection (a) may be provided—

“(A) entirely from appropriations to carry out this section;

“(B) in combination with funds available under another Federal or Federal grant program; or

“(C) from any other source.

“(2) PRIORITY OF FUNDING.—To best build the foundations for long-term economic development and to complement other Federal and State resources in the region, Federal funds available under this chapter shall be focused on the activities in the following order or priority:

“(A) Basic public infrastructure in distressed counties and isolated areas of distress.

“(B) Transportation infrastructure for the purpose of facilitating economic development in the region.

“(C) Business development, with emphasis on entrepreneurship.

“(D) Job training or employment-related education, with emphasis on use of existing public educational institutions located in the region.

#### “SEC. 3804. SUPPLEMENTS TO FEDERAL GRANT PROGRAMS.

“(a) FINDING.—Congress finds that certain States and local communities of the region, including local development districts, may be unable to take maximum advantage of Federal grant programs for which the States and communities are eligible because—

“(1) the States or communities lack the economic resources to provide the required matching share; or

“(2) there are insufficient funds available under the applicable Federal law authorizing

the Federal grant program to meet pressing needs of the region.

“(b) FEDERAL GRANT PROGRAM FUNDING.—Notwithstanding any provision of law limiting the Federal share, the areas eligible for assistance, or the authorizations of appropriations of any Federal grant program, and in accordance with subsection (c), the Authority, with the approval of the Federal cochairperson and with respect to a project to be carried out in the region—

“(1) may increase the Federal share of the costs of a project under the Federal grant program to not more than 90 percent (except as provided in section 3806(b)); and

“(2) shall use amounts made available to carry out this chapter to pay the increased Federal share.

“(c) CERTIFICATIONS.—

“(1) IN GENERAL.—In the case of any project for which all or any portion of the basic Federal share of the costs of the project is proposed to be paid under this section, no Federal contribution shall be made until the Federal official administering the Federal law that authorizes the Federal grant program certifies that the project—

“(A) meets (except as provided in subsection (b)) the applicable requirements of the applicable Federal grant program; and

“(B) could be approved for Federal contribution under the Federal grant program if funds were available under the law for the project.

“(2) CERTIFICATION BY AUTHORITY.—

“(A) IN GENERAL.—The certifications and determinations required to be made by the Authority for approval of projects under this Act in accordance with section 3809 shall be—

“(i) controlling; and

“(ii) accepted by the Federal agencies.

“(B) ACCEPTANCE BY FEDERAL COCHAIRPERSON.—In the case of any project described in paragraph (1), any finding, report, certification, or documentation required to be submitted with respect to the project to the head of the department, agency, or instrumentality of the Federal Government responsible for the administration of the Federal grant program under which the project is carried out shall be accepted by the Federal cochairperson.

#### “SEC. 3805. LOCAL DEVELOPMENT DISTRICTS; CERTIFICATION AND ADMINISTRATIVE EXPENSES.

“(a) DEFINITION OF LOCAL DEVELOPMENT DISTRICT.—In this section, the term ‘local development district’ means an entity that—

“(1) is—

“(A) a planning district in existence on the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 that is recognized by the Secretary; or

“(B) if an entity described in subparagraph (A) does not exist—

“(i) organized and operated in a manner that ensures broad-based community participation and an effective opportunity for other nonprofit groups to contribute to the development and implementation of programs in the region;

“(ii) governed by a policy board with at least a simple majority of members consisting of elected officials or employees of a general purpose unit of local government who have been appointed to represent the government;

“(iii) certified to the Authority as having a charter or authority that includes the economic development of counties or parts of counties or other political subdivisions within the region—

“(I) by the Governor of each State in which the entity is located; or

“(II) by the State officer designated by the appropriate State law to make the certification; and

“(iv)(I) a nonprofit incorporated body organized or chartered under the law of the State in which the entity is located;

“(II) a nonprofit agency or instrumentality of a State or local government;

“(III) a public organization established before December 21, 2000, under State law for creation of multi-jurisdictional, area-wide planning organizations; or

“(IV) a nonprofit association or combination of bodies, agencies, and instrumentalities described in subclauses (I) through (III); and

“(2) has not, as certified by the Federal co-chairperson—

“(A) inappropriately used Federal grant funds from any Federal source; or

“(B) appointed an officer who, during the period in which another entity inappropriately used Federal grant funds from any Federal source, was an officer of the other entity.

“(b) GRANTS TO LOCAL DEVELOPMENT DISTRICTS.—

“(1) IN GENERAL.—The Authority shall make grants for administrative expenses under this section.

“(2) CONDITIONS FOR GRANTS.—

“(A) MAXIMUM AMOUNT.—The amount of any grant awarded under paragraph (1) shall not exceed 80 percent of the administrative expenses of the local development district receiving the grant.

“(B) MAXIMUM PERIOD.—No grant described in paragraph (1) shall be awarded to a State agency certified as a local development district for a period greater than 3 years.

“(C) LOCAL SHARE.—The contributions of a local development district for administrative expenses may be in cash or in kind, fairly evaluated, including space, equipment, and services.

“(c) DUTIES OF LOCAL DEVELOPMENT DISTRICTS.—A local development district shall—

“(1) operate as a lead organization serving multicounty areas in the region at the local level; and

“(2) serve as a liaison between State and local governments, nonprofit organizations (including community-based groups and educational institutions), the business community, and citizens that—

“(A) are involved in multijurisdictional planning;

“(B) provide technical assistance to local jurisdictions and potential grantees; and

“(C) provide leadership and civic development assistance.

#### “SEC. 3806. DISTRESSED COUNTIES AND AREAS AND NONDISTRESSED COUNTIES.

“(a) DESIGNATIONS.—Each year, the Authority, in accordance with such criteria as the Authority may establish, shall designate—

“(1) as distressed counties, counties in the region that are the most severely and persistently distressed and underdeveloped and have high rates of poverty or unemployment;

“(2) as nondistressed counties, counties in the region that are not designated as distressed counties under paragraph (1); and

“(3) as isolated areas of distress, areas located in nondistressed counties (as designated under paragraph (2)) that have high rates of poverty or unemployment.

“(b) DISTRESSED COUNTIES.—

“(1) IN GENERAL.—The Authority shall allocate at least 75 percent of the appropriations made available under section 3813 for programs and projects designed to serve the needs of distressed counties and isolated areas of distress in the region.

“(2) FUNDING LIMITATIONS.—The funding limitations under section 3804(b) shall not apply to a project providing transportation or basic public services to residents of 1 or more distressed counties or isolated areas of distress in the region.

“(c) NONDISTRESSED COUNTIES.—

“(1) IN GENERAL.—Except as provided in this subsection, no funds shall be provided under this chapter for a project located in a county designated as a nondistressed county under subsection (a)(2).

“(2) EXCEPTIONS.—

“(A) IN GENERAL.—The funding prohibition under paragraph (1) shall not apply to grants to fund the administrative expenses of local development districts under section 3805(b).

“(B) MULTICOUNTY PROJECTS.—The Authority may waive the application of the funding prohibition under paragraph (1) to a multicounty project that includes participation by a nondistressed county; or any other type of project if the Authority determines that the project could bring significant benefits to areas of the region outside a nondistressed county.

“(C) ISOLATED AREAS OF DISTRESS.—For a designation of an isolated area of distress for assistance to be effective, the designation shall be supported—

“(i) by the most recent Federal data available; or

“(ii) if no recent Federal data are available, by the most recent data available through the government of the State in which the isolated area of distress is located.

“(d) TRANSPORTATION AND BASIC PUBLIC INFRASTRUCTURE.—The Authority shall allocate at least 50 percent of any funds made available under section 3813 for transportation and basic public infrastructure projects authorized under paragraphs (1) and (3) of section 3803(a).

#### “SEC. 3807. DEVELOPMENT PLANNING PROCESS.

“(a) STATE DEVELOPMENT PLAN.—In accordance with policies established by the Authority, each State member shall submit a development plan for the area of the region represented by the State member.

“(b) CONTENT OF PLAN.—A State development plan submitted under subsection (a) shall reflect the goals, objectives, and priorities identified in the regional development plan developed under section 3802(d)(2).

“(c) CONSULTATION WITH INTERESTED LOCAL PARTIES.—In carrying out the development planning process (including the selection of programs and projects for assistance), a State may—

“(1) consult with—

“(A) local development districts; and

“(B) local units of government; and

“(2) take into consideration the goals, objectives, priorities, and recommendations of the entities described in paragraph (1).

“(d) PUBLIC PARTICIPATION.—

“(1) IN GENERAL.—The Authority and applicable State and local development districts shall encourage and assist, to the maximum extent practicable, public participation in the development, revision, and implementation of all plans and programs under this chapter.

“(2) REGULATIONS.—The Authority shall develop guidelines for providing public participation described in paragraph (1), including public hearings.

#### “SEC. 3808. PROGRAM DEVELOPMENT CRITERIA.

“(a) IN GENERAL.—In considering programs and projects to be provided assistance under this chapter and in establishing a priority ranking of the requests for assistance provided by the Authority, the Authority shall follow procedures that ensure, to the maximum extent practicable, consideration of—

“(1) the relationship of the project or class of projects to overall regional development;

“(2) the per capita income and poverty and unemployment rates in an area;

“(3) the financial resources available to the applicants for assistance seeking to carry out the project, with emphasis on ensuring that projects are adequately financed to maximize the probability of successful economic development;

“(4) the importance of the project or class of projects in relation to other projects or classes of projects that may be in competition for the same funds;

“(5) the prospects that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income, or the economic development of the area served by the project; and

“(6) the extent to which the project design provides for detailed outcome measurements by which grant expenditures and the results of the expenditures may be evaluated.

“(b) NO RELOCATION ASSISTANCE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), no financial assistance authorized by this chapter shall be used to assist a person or entity in relocating from 1 area to another.

“(2) OUTSIDE BUSINESSES.—Financial assistance under this chapter may be used as otherwise authorized by this subtitle to attract businesses from outside the region to the region.

“(c) REDUCTION OF FUNDS.—Funds may be provided for a program or project in a State under this chapter only if the Authority determines that the level of Federal or State financial assistance provided under a law other than this chapter, for the same type of program or project in the same area of the State within the region, will not be reduced as a result of funds made available by this chapter.

#### “SEC. 3809. APPROVAL OF DEVELOPMENT PLANS AND PROJECTS.

“(a) IN GENERAL.—A State or regional development plan or any multistate sub-regional plan that is proposed for development under this chapter shall be reviewed and approved by the Authority.

“(b) EVALUATION BY STATE MEMBER.—An application for a grant or any other assistance for a project under this chapter shall be made through and evaluated for approval by the State member of the Authority representing the applicant.

“(c) CERTIFICATION.—An application for a grant or other assistance for a project shall be approved only on certification by the State member that the application for the project—

“(1) describes ways in which the project complies with any applicable State development plan;

“(2) meets applicable criteria under section 3808;

“(3) provides adequate assurance that the proposed project will be properly administered, operated, and maintained; and

“(4) otherwise meets the requirements of this chapter.

“(d) APPROVAL OF GRANT APPLICATIONS.—On certification by a State member of the Authority of an application for a grant or other assistance for a specific project under this section, an affirmative vote of the Authority under section 3802(c) shall be required for approval of the application.

#### “SEC. 3810. CONSENT OF STATES.

“Nothing in this chapter requires any State to engage in or accept any program under this chapter without the consent of the State.

**“SEC. 3811. RECORDS.**

“(a) RECORDS OF THE AUTHORITY.—

“(1) IN GENERAL.—The Authority shall maintain accurate and complete records of all transactions and activities of the Authority.

“(2) AVAILABILITY.—All records of the Authority shall be available for audit and examination by the Comptroller General of the United States and the Inspector General of the Department of Agriculture (including authorized representatives of the Comptroller General and the Inspector General of the Department of Agriculture).

“(b) RECORDS OF RECIPIENTS OF FEDERAL ASSISTANCE.—

“(1) IN GENERAL.—A recipient of Federal funds under this chapter shall, as required by the Authority, maintain accurate and complete records of transactions and activities financed with Federal funds and report on the transactions and activities to the Authority.

“(2) AVAILABILITY.—All records required under paragraph (1) shall be available for audit by the Comptroller General of the United States, the Inspector General of the Department of Agriculture, and the Authority (including authorized representatives of the Comptroller General, the Inspector General of the Department of Agriculture, and the Authority).

**“SEC. 3812. ANNUAL REPORT.**

“Not later than 180 days after the end of each fiscal year, the Authority shall submit to the President and to Congress a report describing the activities carried out under this chapter.

**“SEC. 3813. AUTHORIZATION OF APPROPRIATIONS.**

“(a) IN GENERAL.—There is authorized to be appropriated to the Authority to carry out this chapter \$30,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

“(b) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amount appropriated under subsection (a) for a fiscal year shall be used for administrative expenses of the Authority.

**“SEC. 3814. TERMINATION OF AUTHORITY.**

“This chapter and the authority provided under this chapter expire on October 1, 2018.

**“CHAPTER 5—NORTHERN GREAT PLAINS REGIONAL AUTHORITY****“SEC. 3821. DEFINITIONS.**

“In this chapter:

“(1) AUTHORITY.—The term ‘Authority’ means the Northern Great Plains Regional Authority established by section 3822.

“(2) FEDERAL GRANT PROGRAM.—The term ‘Federal grant program’ means a Federal grant program to provide assistance in—

“(A) implementing the recommendations of the Northern Great Plains Rural Development Commission established by the Northern Great Plains Rural Development Act (7 U.S.C. 2661 note; Public Law 103-318);

“(B) acquiring or developing land;

“(C) constructing or equipping a highway, road, bridge, or facility;

“(D) carrying out other economic development activities; or

“(E) conducting research activities related to the activities described in subparagraphs (A) through (D).

“(3) REGION.—The term ‘region’ means the States of Iowa, Minnesota, Missouri (other than counties included in the Delta Regional Authority), Nebraska, North Dakota, and South Dakota.

**“SEC. 3822. NORTHERN GREAT PLAINS REGIONAL AUTHORITY.**

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established the Northern Great Plains Regional Authority.

“(2) COMPOSITION.—The Authority shall be composed of—

“(A) a Federal member, to be appointed by the President, by and with the advice and consent of the Senate;

“(B) the Governor (or a designee of the Governor) of each State in the region that elects to participate in the Authority; and

“(C) a member of an Indian tribe, who shall be a chairperson of an Indian tribe in the region or a designee of such a chairperson, to be appointed by the President, by and with the advice and consent of the Senate.

“(3) COCHAIRPERSONS.—The Authority shall be headed by—

“(A) the Federal member, who shall serve as—

“(i) the Federal cochairperson; and

“(ii) a liaison between the Federal Government and the Authority;

“(B) a State cochairperson, who shall be—

“(i) a Governor of a participating State in the region; and

“(ii) elected by the State members for a term of not less than 1 year; and

“(C) the member of an Indian tribe, who shall serve as—

“(i) the tribal cochairperson; and

“(ii) a liaison between the governments of Indian tribes in the region and the Authority.

“(4) FAILURE TO CONFIRM.—

“(A) FEDERAL MEMBER.—Notwithstanding any other provision of this section, if a Federal member described in paragraph (2)(A) has not been confirmed by the Senate by not later than 180 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Authority may organize and operate without the Federal member.

“(B) TRIBAL COCHAIRPERSON.—In the case of the tribal cochairperson, if no tribal cochairperson is confirmed by the Senate, the regional authority shall consult and coordinate with the leaders of Indian tribes in the region concerning the activities of the Authority, as appropriate.

“(b) ALTERNATE MEMBERS.—

“(1) ALTERNATE FEDERAL COCHAIRPERSON.—The President shall appoint an alternate Federal cochairperson.

“(2) STATE ALTERNATES.—

“(A) IN GENERAL.—The State member of a participating State may have a single alternate, who shall be—

“(i) a resident of that State; and

“(ii) appointed by the Governor of the State.

“(B) QUORUM.—A State alternate member shall not be counted toward the establishment of a quorum of the members of the Authority in any case in which a quorum of the State members is required to be present.

“(3) ALTERNATE TRIBAL COCHAIRPERSON.—The President shall appoint an alternate tribal cochairperson, by and with the advice and consent of the Senate.

“(4) DELEGATION OF POWER.—No power or responsibility of the Authority specified in paragraphs (2) and (3) of subsection (c), and no voting right of any member of the Authority, shall be delegated to any person who is not—

“(A) a member of the Authority; or

“(B) entitled to vote in Authority meetings.

“(c) VOTING.—

“(1) IN GENERAL.—A decision by the Authority shall require a majority vote of the Authority (not including any member representing a State that is delinquent under subsection (g)(2)(D)) to be effective.

“(2) QUORUM.—A quorum of State members shall be required to be present for the Authority to make any policy decision, including—

“(A) a modification or revision of an Authority policy decision;

“(B) approval of a State or regional development plan; and

“(C) any allocation of funds among the States.

“(3) PROJECT AND GRANT PROPOSALS.—The approval of project and grant proposals shall be—

“(A) a responsibility of the Authority; and

“(B) conducted in accordance with section 3830.

“(4) VOTING BY ALTERNATE MEMBERS.—An alternate member shall vote in the case of the absence, death, disability, removal, or resignation of the Federal, State, or Indian tribe member for whom the alternate member is an alternate.

“(d) DUTIES.—The Authority shall—

“(1) develop, on a continuing basis, comprehensive and coordinated plans and programs for multistate cooperation to advance the economic and social well-being of the region and to approve grants for the economic development of the region, giving due consideration to other Federal, State, tribal, and local planning and development activities in the region;

“(2) review, and when appropriate amend, priorities in a development plan for the region (including 5-year regional outcome targets);

“(3) assess the needs and assets of the region based on available research, demonstrations, investigations, assessments, and evaluations of the region prepared by Federal, State, tribal, and local agencies, universities, regional and local development districts or organizations, and other nonprofit groups;

“(4) formulate and recommend to the Governors and legislatures of States that participate in the Authority forms of interstate cooperation for—

“(A) renewable energy development and transmission;

“(B) transportation planning and economic development;

“(C) information technology;

“(D) movement of freight and individuals within the region;

“(E) federally funded research at institutions of higher education; and

“(F) conservation land management;

“(5) work with State, tribal, and local agencies in developing appropriate model legislation;

“(6) enhance the capacity of, and provide support for, multistate development and research organizations, local development organizations and districts, and resource conservation districts in the region;

“(7) encourage private investment in industrial, commercial, renewable energy, and other economic development projects in the region; and

“(8) cooperate with and assist State governments with economic development programs of participating States.

“(e) ADMINISTRATION.—In carrying out subsection (d), the Authority may—

“(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute a description of the proceedings and reports on actions by the Authority as the Authority considers appropriate;

“(2) authorize, through the Federal, State, or tribal cochairperson or any other member

of the Authority designated by the Authority, the administration of oaths if the Authority determines that testimony should be taken or evidence received under oath;

“(3) request from any Federal, State, tribal, or local agency such information as may be available to or procurable by the agency that may be of use to the Authority in carrying out the duties of the Authority;

“(4) adopt, amend, and repeal bylaws and rules governing the conduct of business and the performance of duties of the Authority;

“(5) request the head of any Federal agency to detail to the Authority such personnel as the Authority requires to carry out duties of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

“(6) request the head of any State agency, tribal government, or local government to detail to the Authority such personnel as the Authority requires to carry out duties of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

“(7) provide for coverage of Authority employees in a suitable retirement and employee benefit system by—

“(A) making arrangements or entering into contracts with any participating State government or tribal government; or

“(B) otherwise providing retirement and other employee benefit coverage;

“(8) accept, use, and dispose of gifts or donations of services or real, personal, tangible, or intangible property;

“(9) enter into and perform such contracts, leases, cooperative agreements, or other transactions as are necessary to carry out Authority duties, including any contracts, leases, or cooperative agreements with—

“(A) any department, agency, or instrumentality of the United States;

“(B) any State (including a political subdivision, agency, or instrumentality of the State);

“(C) any Indian tribe in the region; or

“(D) any person, firm, association, or corporation; and

“(10) establish and maintain a central office and field offices at such locations as the Authority may select.

“(f) **FEDERAL AGENCY COOPERATION.**—A Federal agency shall—

“(1) cooperate with the Authority; and

“(2) provide, on request of a cochairperson, appropriate assistance in carrying out this chapter, in accordance with applicable Federal laws (including regulations).

“(g) **ADMINISTRATIVE EXPENSES.**—

“(1) **FEDERAL SHARE.**—The Federal share of the administrative expenses of the Authority shall be—

“(A) for fiscal year 2014, 100 percent;

“(B) for fiscal year 2015, 75 percent; and

“(C) for fiscal year 2016 and each fiscal year thereafter, 50 percent.

“(2) **NON-FEDERAL SHARE.**—

“(A) **IN GENERAL.**—The non-Federal share of the administrative expenses of the Authority shall be paid by non-Federal sources in the States that participate in the Authority.

“(B) **SHARE PAID BY EACH STATE.**—The share of administrative expenses of the Authority to be paid by non-Federal sources in each State shall be determined by the Authority.

“(C) **NO FEDERAL PARTICIPATION.**—The Federal cochairperson shall not participate or vote in any decision under subparagraph (B).

“(D) **DELINQUENT STATES.**—If a State is delinquent in payment of the State's share of administrative expenses of the Authority under this subsection—

“(i) no assistance under this chapter shall be provided to the State (including assistance to a political subdivision or a resident of the State); and

“(ii) no member of the Authority from the State shall participate or vote in any action by the Authority.

“(h) **COMPENSATION.**—

“(1) **FEDERAL AND TRIBAL COCHAIRPERSONS.**—The Federal cochairperson and the tribal cochairperson shall be compensated by the Federal Government at the annual rate of basic pay prescribed for level III of the Executive Schedule in subchapter II of chapter 53 of title 5, United States Code.

“(2) **ALTERNATE FEDERAL AND TRIBAL COCHAIRPERSONS.**—The alternate Federal cochairperson and the alternate tribal cochairperson—

“(A) shall be compensated by the Federal Government at the annual rate of basic pay prescribed for level V of the Executive Schedule described in paragraph (1); and

“(B) when not actively serving as an alternate, shall perform such functions and duties as are delegated by the Federal cochairperson or the tribal cochairperson, respectively.

“(3) **STATE MEMBERS AND ALTERNATES.**—

“(A) **IN GENERAL.**—A State shall compensate each member and alternate representing the State on the Authority at the rate established by State law.

“(B) **NO ADDITIONAL COMPENSATION.**—No State member or alternate member shall receive any salary, or any contribution to or supplementation of salary from any source other than the State for services provided by the member or alternate member to the Authority.

“(4) **DETAILED EMPLOYEES.**—

“(A) **IN GENERAL.**—No person detailed to serve the Authority under subsection (e)(6) shall receive any salary or any contribution to or supplementation of salary for services provided to the Authority from—

“(i) any source other than the State, tribal, local, or intergovernmental agency from which the person was detailed; or

“(ii) the Authority.

“(B) **VIOLATION.**—Any person that violates this paragraph shall be fined not more than \$5,000, imprisoned not more than 1 year, or both.

“(C) **APPLICABLE LAW.**—The Federal cochairperson, the alternate Federal cochairperson, and any Federal officer or employee detailed to duty on the Authority under subsection (e)(5) shall not be subject to subparagraph (A), but shall remain subject to sections 202 through 209 of title 18, United States Code.

“(5) **ADDITIONAL PERSONNEL.**—

“(A) **COMPENSATION.**—

“(i) **IN GENERAL.**—The Authority may appoint and fix the compensation of an executive director and such other personnel as are necessary to enable the Authority to carry out the duties of the Authority.

“(ii) **EXCEPTION.**—Compensation under clause (i) shall not exceed the maximum rate for the Senior Executive Service under section 5382 of title 5, United States Code, including any applicable locality-based comparability payment that may be authorized under section 5304(h)(2)(C) of that title.

“(B) **EXECUTIVE DIRECTOR.**—The executive director shall be responsible for—

“(i) the carrying out of the administrative duties of the Authority;

“(ii) direction of the Authority staff; and

“(iii) such other duties as the Authority may assign.

“(C) **NO FEDERAL EMPLOYEE STATUS.**—No member, alternate, officer, or employee of

the Authority (except the Federal cochairperson of the Authority, the alternate and staff for the Federal cochairperson, and any Federal employee detailed to the Authority under subsection (e)(5)) shall be considered to be a Federal employee for any purpose.

“(i) **CONFLICTS OF INTEREST.**—

“(1) **IN GENERAL.**—Except as provided under paragraph (2), no State member, Indian tribe member, State alternate, officer, or employee of the Authority shall participate personally and substantially as a member, alternate, officer, or employee of the Authority, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other matter in which, to knowledge of the member, alternate, officer, or employee, there is a financial interest of—

“(A) the member, alternate, officer, or employee;

“(B) the spouse, minor child, partner, or organization (other than a State or political subdivision of the State or the Indian tribe) of the member, alternate, officer, or employee, in which the member, alternate, officer, or employee is serving as officer, director, trustee, partner, or employee; or

“(C) any person or organization with whom the member, alternate, officer, or employee is negotiating or has any arrangement concerning prospective employment.

“(2) **DISCLOSURE.**—Paragraph (1) shall not apply if the State member, Indian tribe member, alternate, officer, or employee—

“(A) immediately advises the Authority of the nature and circumstances of the proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter presenting a potential conflict of interest;

“(B) makes full disclosure of the financial interest; and

“(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the Authority that the interest is not so substantial as to be likely to affect the integrity of the services that the Authority may expect from the State member, Indian tribe member, alternate, officer, or employee.

“(3) **VIOLATION.**—Any person that violates this subsection shall be fined not more than \$10,000, imprisoned not more than 2 years, or both.

“(j) **VALIDITY OF CONTRACTS, LOANS, AND GRANTS.**—The Authority may declare void any contract, loan, or grant of or by the Authority in relation to which the Authority determines that there has been a violation of any provision under subsection (h)(4) or subsection (i) of this chapter, or sections 202 through 209 of title 18, United States Code.

**“SEC. 3823. INTERSTATE COOPERATION FOR ECONOMIC OPPORTUNITY AND EFFICIENCY.**

“(a) **IN GENERAL.**—The Authority shall provide assistance to States in developing regional plans to address multistate economic issues, including plans—

“(1) to develop a regional transmission system for movement of renewable energy to markets outside the region;

“(2) to address regional transportation concerns, including the establishment of a Northern Great Plains Regional Transportation Working Group;

“(3) to encourage and support interstate collaboration on federally funded research that is in the national interest; and

“(4) to establish a Regional Working Group on Agriculture Development and Transportation.



“(b) ECONOMIC ISSUES.—The multistate economic issues referred to in subsection (a) shall include—

“(1) renewable energy development and transmission;

“(2) transportation planning and economic development;

“(3) information technology;

“(4) movement of freight and individuals within the region;

“(5) federally funded research at institutions of higher education; and

“(6) conservation land management.

**“SEC. 3824. ECONOMIC AND COMMUNITY DEVELOPMENT GRANTS.**

“(a) IN GENERAL.—The Authority may approve grants to States, Indian tribes, local governments, and public and nonprofit organizations for projects, approved in accordance with section 3830—

“(1) to assist the region in obtaining the job training, employment-related education, and business development (with an emphasis on entrepreneurship) that are needed to build and maintain strong local economies;

“(2) to develop the transportation, renewable energy transmission, and telecommunication infrastructure of the region for the purpose of facilitating economic development in the region (except that grants for this purpose may be made only to States, Indian tribes, local governments, and nonprofit organizations);

“(3) to provide assistance to severely distressed and underdeveloped areas that lack financial resources for improving basic public services;

“(4) to provide assistance to severely distressed and underdeveloped areas that lack financial resources for equipping industrial parks and related facilities; and

“(5) to otherwise achieve the purposes of this chapter.

“(b) FUNDING.—

“(1) IN GENERAL.—Funds for grants under subsection (a) may be provided—

“(A) entirely from appropriations to carry out this section;

“(B) in combination with funds available under another Federal grant program; or

“(C) from any other source.

“(2) PRIORITY OF FUNDING.—To best build the foundations for long-term economic development and to complement other Federal, State, and tribal resources in the region, Federal funds available under this chapter shall be focused on the following activities:

“(A) Basic public infrastructure in distressed counties and isolated areas of distress.

“(B) Transportation and telecommunication infrastructure for the purpose of facilitating economic development in the region.

“(C) Business development, with emphasis on entrepreneurship.

“(D) Job training or employment-related education, with emphasis on use of existing public educational institutions located in the region.

**“SEC. 3825. SUPPLEMENTS TO FEDERAL GRANT PROGRAMS.**

“(a) FINDING.—Congress finds that certain States and local communities of the region may be unable to take maximum advantage of Federal grant programs for which the States and communities are eligible because—

“(1) the States and communities lack the economic resources to provide the required matching share; or

“(2) there are insufficient funds available under the applicable Federal law authorizing the Federal grant program to meet pressing needs of the region.

“(b) FEDERAL GRANT PROGRAM FUNDING.—Notwithstanding any provision of law limiting the Federal share, the areas eligible for assistance, or the authorizations of appropriations, under any Federal grant program, and in accordance with subsection (c), the Authority, with the approval of the Federal cochairperson and with respect to a project to be carried out in the region—

“(1) may increase the Federal share of the costs of a project under any Federal grant program to not more than 90 percent (except as provided in section 3827(b)); and

“(2) shall use amounts made available to carry out this chapter to pay the increased Federal share.

“(c) CERTIFICATIONS.—

“(1) IN GENERAL.—In the case of any project for which all or any portion of the basic Federal share of the costs of the project is proposed to be paid under this section, no Federal contribution shall be made until the Federal official administering the Federal law that authorizes the Federal grant program certifies that the project—

“(A) meets (except as provided in subsection (b)) the applicable requirements of the applicable Federal grant program; and

“(B) could be approved for Federal contribution under the Federal grant program if funds were available under the law for the project.

“(2) CERTIFICATION BY AUTHORITY.—

“(A) IN GENERAL.—The certifications and determinations required to be made by the Authority for approval of projects under this Act in accordance with section 3830 shall be—

“(i) controlling; and

“(ii) accepted by the Federal agencies.

“(B) ACCEPTANCE BY FEDERAL COCHAIRPERSON.—In the case of any project described in paragraph (1), any finding, report, certification, or documentation required to be submitted with respect to the project to the head of the department, agency, or instrumentality of the Federal Government responsible for the administration of the Federal grant program under which the project is carried out shall be accepted by the Federal cochairperson.

**“SEC. 3826. MULTISTATE AND LOCAL DEVELOPMENT DISTRICTS AND ORGANIZATIONS AND NORTHERN GREAT PLAINS INC.**

“(a) DEFINITION OF MULTISTATE AND LOCAL DEVELOPMENT DISTRICT OR ORGANIZATION.—In this section, the term ‘multistate and local development district or organization’ means an entity—

“(1) that—

“(A) is a planning district that is recognized by the Economic Development Administration of the Department of Commerce; or

“(B) is—

“(i) organized and operated in a manner that ensures broad-based community participation and an effective opportunity for other nonprofit groups to contribute to the development and implementation of programs in the region;

“(ii) a nonprofit incorporated body organized or chartered under the law of the State in which the entity is located;

“(iii) a nonprofit agency or instrumentality of a State or local government;

“(iv) a public organization established before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 under State law for creation of multijurisdictional, area-wide planning organizations;

“(v) a nonprofit agency or instrumentality of a State that was established for the purpose of assisting with multistate cooperation; or

“(vi) a nonprofit association or combination of bodies, agencies, and instrumentalities described in clauses (ii) through (v); and

“(2) that has not, as certified by the Authority (in consultation with the Federal cochairperson or Secretary, as appropriate)—

“(A) inappropriately used Federal grant funds from any Federal source; or

“(B) appointed an officer who, during the period in which another entity inappropriately used Federal grant funds from any Federal source, was an officer of the other entity.

“(b) GRANTS TO MULTISTATE, LOCAL, OR REGIONAL DEVELOPMENT DISTRICTS AND ORGANIZATIONS.—

“(1) IN GENERAL.—The Authority may make grants for administrative expenses under this section to multistate, local, and regional development districts and organizations.

“(2) CONDITIONS FOR GRANTS.—

“(A) MAXIMUM AMOUNT.—The amount of any grant awarded under paragraph (1) shall not exceed 80 percent of the administrative expenses of the multistate, local, or regional development district or organization receiving the grant.

“(B) MAXIMUM PERIOD.—No grant described in paragraph (1) shall be awarded for a period of greater than 3 years.

“(3) LOCAL SHARE.—The contributions of a multistate, local, or regional development district or organization for administrative expenses may be in cash or in kind, fairly evaluated, including space, equipment, and services.

“(c) DUTIES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a local development district shall operate as a lead organization serving multicounty areas in the region at the local level.

“(2) DESIGNATION.—The Federal cochairperson may designate an Indian tribe or multijurisdictional organization to serve as a lead organization in such cases as the Federal cochairperson or Secretary, as appropriate, determines appropriate.

“(d) NORTHERN GREAT PLAINS INC.—Northern Great Plains Inc., a nonprofit corporation incorporated in the State of Minnesota to implement the recommendations of the Northern Great Plains Rural Development Commission established by the Northern Great Plains Rural Development Act (7 U.S.C. 2661 note; Public Law 103-318)—

“(1) shall serve as an independent, primary resource for the Authority on issues of concern to the region;

“(2) shall advise the Authority on development of international trade;

“(3) may provide research, education, training, and other support to the Authority; and

“(4) may carry out other activities on its own behalf or on behalf of other entities.

**“SEC. 3827. DISTRESSED COUNTIES AND AREAS AND NONDISTRESSED COUNTIES.**

“(a) DESIGNATIONS.—Each year, the Authority, in accordance with such criteria as the Authority may establish, shall designate—

“(1) as distressed counties, counties in the region that are the most severely and persistently distressed and underdeveloped and have high rates of poverty, unemployment, or outmigration;

“(2) as nondistressed counties, counties in the region that are not designated as distressed counties under paragraph (1); and

“(3) as isolated areas of distress, areas located in nondistressed counties (as designated under paragraph (2)) that have high

rates of poverty, unemployment, or outmigration.

“(b) DISTRESSED COUNTIES.—

“(1) IN GENERAL.—The Authority shall allocate at least 50 percent of the appropriations made available under section 3834 for programs and projects designed to serve the needs of distressed counties and isolated areas of distress in the region.

“(2) FUNDING LIMITATIONS.—The funding limitations under section 3825(b) shall not apply to a project to provide transportation or telecommunication or basic public services to residents of 1 or more distressed counties or isolated areas of distress in the region.

“(c) TRANSPORTATION, TELECOMMUNICATION, RENEWABLE ENERGY, AND BASIC PUBLIC INFRASTRUCTURE.—The Authority shall allocate at least 50 percent of any funds made available under section 3834 for transportation, telecommunication, renewable energy, and basic public infrastructure projects authorized under paragraphs (1) and (3) of section 3824(a).

**“SEC. 3828. DEVELOPMENT PLANNING PROCESS.**

“(a) STATE DEVELOPMENT PLAN.—In accordance with policies established by the Authority, each State member shall submit a development plan for the area of the region represented by the State member.

“(b) CONTENT OF PLAN.—A State development plan submitted under subsection (a) shall reflect the goals, objectives, and priorities identified in the regional development plan developed under section 3823(d)(2).

“(c) CONSULTATION WITH INTERESTED LOCAL PARTIES.—In carrying out the development planning process (including the selection of programs and projects for assistance), a State may—

“(1) consult with—

“(A) multistate, regional, and local development districts and organizations; and

“(B) local units of government; and

“(2) take into consideration the goals, objectives, priorities, and recommendations of the entities described in paragraph (1).

“(d) PUBLIC PARTICIPATION.—

“(1) IN GENERAL.—The Authority and applicable multistate, regional, and local development districts and organizations shall encourage and assist, to the maximum extent practicable, public participation in the development, revision, and implementation of all plans and programs under this chapter.

“(2) REGULATIONS.—The Authority shall develop guidelines for providing public participation described in paragraph (1), including public hearings.

**“SEC. 3829. PROGRAM DEVELOPMENT CRITERIA.**

“(a) IN GENERAL.—In considering programs and projects to be provided assistance under this chapter, and in establishing a priority ranking of the requests for assistance provided to the Authority, the Authority shall follow procedures that ensure, to the maximum extent practicable, consideration of—

“(1) the relationship of the project or class of projects to overall multistate or regional development;

“(2) the per capita income and poverty and unemployment and outmigration rates in an area;

“(3) the financial resources available to the applicants for assistance seeking to carry out the project, with emphasis on ensuring that projects are adequately financed to maximize the probability of successful economic development;

“(4) the importance of the project or class of projects in relation to other projects or classes of projects that may be in competition for the same funds;

“(5) the prospects that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income, or the economic development of the area to be served by the project; and

“(6) the extent to which the project design provides for detailed outcome measurements by which grant expenditures and the results of the expenditures may be evaluated.

“(b) NO RELOCATION ASSISTANCE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), no financial assistance authorized by this chapter shall be used to assist a person or entity in relocating from 1 area to another.

“(2) OUTSIDE BUSINESSES.—Financial assistance under this chapter may be used as otherwise authorized by this title to attract businesses from outside the region to the region.

“(c) MAINTENANCE OF EFFORT.—Funds may be provided for a program or project in a State under this chapter only if the Authority determines that the level of Federal or State financial assistance provided under a law other than this chapter, for the same type of program or project in the same area of the State within the region, will not be reduced as a result of funds made available by this chapter.

**“SEC. 3830. APPROVAL OF DEVELOPMENT PLANS AND PROJECTS.**

“(a) IN GENERAL.—A State or regional development plan or any multistate sub-regional plan that is proposed for development under this chapter shall be reviewed by the Authority.

“(b) EVALUATION BY STATE MEMBER.—An application for a grant or any other assistance for a project under this chapter shall be made through and evaluated for approval by the State member of the Authority representing the applicant.

“(c) CERTIFICATION.—An application for a grant or other assistance for a project shall be approved only on certification by the State member that the application for the project—

“(1) describes ways in which the project complies with any applicable State development plan;

“(2) meets applicable criteria under section 3829;

“(3) provides adequate assurance that the proposed project will be properly administered, operated, and maintained; and

“(4) otherwise meets the requirements of this chapter.

“(d) VOTES FOR DECISIONS.—On certification by a State member of the Authority of an application for a grant or other assistance for a specific project under this section, an affirmative vote of the Authority under section 3822(c) shall be required for approval of the application.

**“SEC. 3831. CONSENT OF STATES.**

“Nothing in this chapter requires any State to engage in or accept any program under this chapter without the consent of the State.

**“SEC. 3832. RECORDS.**

“(a) RECORDS OF THE AUTHORITY.—

“(1) IN GENERAL.—The Authority shall maintain accurate and complete records of all transactions and activities of the Authority.

“(2) AVAILABILITY.—All records of the Authority shall be available for audit and examination by the Comptroller General of the United States and the Inspector General of the Department of Agriculture (including authorized representatives of the Comptroller

General and the Inspector General of the Department of Agriculture).

“(b) RECORDS OF RECIPIENTS OF FEDERAL ASSISTANCE.—

“(1) IN GENERAL.—A recipient of Federal funds under this chapter shall, as required by the Authority, maintain accurate and complete records of transactions and activities financed with Federal funds and report to the Authority on the transactions and activities to the Authority.

“(2) AVAILABILITY.—All records required under paragraph (1) shall be available for audit by the Comptroller General of the United States, the Inspector General of the Department of Agriculture, and the Authority (including authorized representatives of the Comptroller General, the Inspector General of the Department of Agriculture, and the Authority).

“(c) ANNUAL AUDIT.—The Inspector General of the Department of Agriculture shall audit the activities, transactions, and records of the Authority on an annual basis for any fiscal year for which funds are appropriated.

**“SEC. 3833. ANNUAL REPORT.**

“Not later than 180 days after the end of each fiscal year, the Authority shall submit to the President and to Congress a report describing the activities carried out under this chapter.

**“SEC. 3834. AUTHORIZATION OF APPROPRIATIONS.**

“(a) IN GENERAL.—There is authorized to be appropriated to the Authority to carry out this chapter \$30,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

“(b) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amount appropriated under subsection (a) for a fiscal year shall be used for administrative expenses of the Authority.

“(c) MINIMUM STATE SHARE OF GRANTS.—Notwithstanding any other provision of this chapter, for any fiscal year, the aggregate amount of grants received by a State and all persons or entities in the State under this chapter shall be not less than  $\frac{1}{3}$  of the product obtained by multiplying—

“(1) the aggregate amount of grants under this chapter for the fiscal year; and

“(2) the ratio that—

“(A) the population of the State (as determined by the Secretary of Commerce based on the most recent decennial census for which data are available); bears to

“(B) the population of the region (as so determined).

**“SEC. 3835. TERMINATION OF AUTHORITY.**

“The authority provided by this chapter terminates effective October 1, 2018.

**“Subtitle C—General Provisions**

**“SEC. 3901. FULL FAITH AND CREDIT.**

“(a) IN GENERAL.—A guarantee executed by the Secretary under this title shall be an obligation supported by the full faith and credit of the United States.

“(b) CONTESTABILITY.—A guarantee executed by the Secretary under this title shall be incontestable except for fraud or misrepresentation that the lender or any holder—

“(1) has actual knowledge of at the time the guarantee is executed; or

“(2) participates in or condones.

**“SEC. 3902. PURCHASE AND SALE OF GUARANTEED PORTIONS OF LOANS.**

“(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary may purchase, on such terms and conditions as the Secretary considers appropriate, the guaranteed portion of a loan guaranteed under this title, if

the Secretary determines that an adequate secondary market is not available in the private sector.

“(b) MAXIMUM PAYMENT.—The Secretary may not pay for any guaranteed portion of a loan under subsection (a) in excess of an amount equal to the unpaid principal balance and accrued interest on the guaranteed portion of the loan.

“(c) SOURCES OF FUNDING.—The Secretary may use for the purchases—

“(1) funds from the Rural Development Insurance Fund with respect to rural development loans (as defined in section 3704(a)); and

“(2) funds from the Agricultural Credit Insurance Fund with respect to all other loans under this title.

“(d) SALE OF GUARANTEED LOANS.—

“(1) SALES.—

“(A) REGULATION.—

“(i) IN GENERAL.—The guaranteed portion of any loan made under this title may be sold by the lender, and by any subsequent holder, in accordance with such regulations governing the sales as the Secretary shall establish, subject to clauses (ii) and (iii).

“(ii) FEES TO BE PAID IN FULL.—All fees due the Secretary with respect to a guaranteed loan shall be paid in full before any sale.

“(iii) LOAN TO BE FULLY DISBURSED.—The loan shall be fully disbursed to the borrower before the sale.

“(B) POST-SALE.—After a loan is sold in the secondary market, the lender shall—

“(i) remain obligated under the guarantee agreement of the lender with the Secretary; and

“(ii) continue to service the loan in accordance with the terms and conditions of that agreement.

“(C) PROCEDURES.—The Secretary shall develop such procedures as are necessary for—

“(i) the facilitation, administration, and promotion of secondary market operations; and

“(ii) determining the increase of access of farmers to capital at reasonable rates and terms as a result of secondary market operations.

“(D) RIGHTS TO PREPAY.—This subsection does not impede or extinguish—

“(i) the right of the borrower or the successor in interest to the borrower to prepay (in whole or in part) any loan made under this title; or

“(ii) the rights of any party under any provision of this title.

“(2) ISSUE POOL CERTIFICATES.—

“(A) IN GENERAL.—The Secretary may, directly or through a market maker approved by the Secretary, issue pool certificates representing ownership of part or all of the guaranteed portion of any loan guaranteed by the Secretary under this title.

“(B) APPROVAL.—Certificates under subparagraph (A) shall be based on and backed by a pool established or approved by the Secretary and composed solely of the entire guaranteed portion of the loans.

“(C) GUARANTEE OF POOL.—On such terms and conditions as the Secretary considers appropriate, the Secretary may guarantee the timely payment of the principal and interest on pool certificates issued on behalf of the Secretary by approved market makers for purposes of this subsection.

“(D) LIMITATIONS.—A guarantee under subparagraph (C) shall be limited to the extent of principal and interest on the guaranteed portions of loans that compose the pool.

“(E) PREPAYMENT.—If a loan in a pool is prepaid, either voluntarily or by reason of default, the guarantee of timely payment of

principal and interest on the pool certificates shall be reduced in proportion to the amount of principal and interest that the prepaid loan represents in the pool.

“(F) INTEREST ACCRUAL.—Interest on prepaid or defaulted loans shall accrue and be guaranteed by the Secretary only through the date of payment on the guarantee.

“(G) REDEMPTION.—During the term of the pool certificate, the certificate may be called for redemption due to prepayment or default of all loans constituting the pool.

“(H) FULL FAITH AND CREDIT.—The full faith and credit of the United States is pledged to the payment of all amounts that may be required to be paid under any guarantee of the pool certificates issued by approved market makers under this subsection.

“(I) FEES.—

“(i) IN GENERAL.—The Secretary shall not collect any fee for any guarantee under this subsection.

“(ii) SECRETARIAL FUNCTIONS.—Clause (i) does not preclude the Secretary from collecting a fee for the functions described in paragraph (3).

“(J) DEFAULT.—Not later than 30 days after a borrower of a guaranteed loan is in default of any principal or interest payment due for 60 days or more, the Secretary shall—

“(i) purchase the pool certificates representing ownership of the guaranteed portion of the loan; and

“(ii) pay the registered holder of the certificates an amount equal to the guaranteed portion of the loan represented by the certificate.

“(K) PAYMENT OF CLAIMS.—If the Secretary pays a claim under a guarantee issued under this subsection, the claim shall be subrogated fully to the rights satisfied by the payment, as may be provided by the Secretary.

“(L) APPLICATION OF LAWS.—No State or local law, and no Federal law, shall preclude or limit the exercise by the Secretary of the ownership rights of the Secretary in the portions of loans constituting the pool against which the certificates are issued.

“(3) DUTIES OF THE SECRETARY.—

“(A) IN GENERAL.—On the adoption of final rules and regulations, the Secretary shall—

“(i) provide for the central collection of registration information from all participating market makers for all loans and pool certificates sold under paragraphs (1) and (2), including, with respect to each original sale and any subsequent sale—

“(I) identification of the interest rate paid by the borrower to the lender;

“(II) the servicing fee of the lender;

“(III) disclosure of whether interest on the loan is at a fixed or variable rate;

“(IV) identification of each purchaser of a pool certificate;

“(V) the interest rate paid on the certificate; and

“(VI) such other information as the Secretary considers appropriate.

“(ii) before any sale, require the seller (as defined in subparagraph (B)) to disclose to each prospective purchaser of the portion of a loan guaranteed under this title and to each prospective purchaser of a pool certificate issued under paragraph (2) information on the terms, conditions, and yield of such instrument;

“(iii) provide for adequate custody of any pooled guaranteed loans;

“(iv) take such actions as are necessary, in restructuring pools of the guaranteed portion of loans, to minimize the estimated costs of paying claims under guarantees issued under this subsection;

“(v) require each market maker—

“(I) to service all pools formed, and participations sold, by the market maker; and

“(II) to provide the Secretary with information relating to the collection and disbursement of all periodic payments, prepayments, and default funds from lenders, to or from the reserve fund that the Secretary shall establish to enable the timely payment guarantee to be self-funding, and from all beneficial holders; and

“(vi) regulate market makers in pool certificates sold under this subsection.

“(B) DEFINITION OF SELLER.—For purposes of subparagraph (A)(ii), if the instrument being sold is a loan, the term ‘seller’ does not include—

“(i) the person who made the loan; or

“(ii) any person who sells 3 or fewer guaranteed loans per year.

“(4) CONTRACT FOR SERVICES.—The Secretary may contract for goods and services to be used for the purposes of this subsection without regard to titles 5, 40, and 41, United States Code (including any regulations issued under those titles).

#### “SEC. 3903. ADMINISTRATION.

“(a) POWERS OF SECRETARY.—The Secretary may—

“(1)(A) administer the powers and duties of the Secretary through such national, area, State, or local offices and employees in the United States as the Secretary determines to be necessary; and

“(B) authorize an office to serve an area composed of 2 or more States if the Secretary determines that the volume of business in the area is not sufficient to justify separate State offices;

“(2)(A) accept and use voluntary and uncompensated services; and

“(B) with the consent of the agency concerned, use the officers, employees, equipment, and information of any agency of the Federal Government, or of any State, territory, or political subdivision;

“(3) subject to appropriations, make necessary expenditures for the purchase or hire of passenger vehicles, and such other facilities and services as the Secretary may from time to time find necessary for the proper administration of this title;

“(4) subject to subsection (b), compromise, adjust, reduce, or charge-off debts or claims (including debts and claims arising from loan guarantees), and adjust, modify, subordinate, or release the terms of security instruments, leases, contracts, and agreements entered into or administered by the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, the Rural Business-Cooperative Service, or successor agencies under this title, except for activities conducted under the Housing Act of 1949 (42 U.S.C. 1441 et seq.);

“(5)(A) except for activities conducted under the Housing Act of 1949 (42 U.S.C. 1441 et seq.), collect all claims and obligations administered by the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, or the Rural Business-Cooperative Service, or under any mortgage, lease, contract, or agreement entered into or administered by the Agency or Service; and

“(B) if the Secretary determines the action is necessary and advisable, pursue the collection to final collection in any court having jurisdiction;

“(6) release mortgage and other contract liens if it appears that the mortgage and liens have no present or prospective value or that the enforcement of the mortgage and liens likely would be ineffectual or uneconomical;

“(7) obtain fidelity bonds protecting the Federal Government against fraud and dishonesty of officers and employees of the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, or the Rural Business-Cooperative Service in lieu of faithful performance of duties bonds under section 14 of title 6, United States Code, but otherwise in accordance with the section;

“(8) consent to—

“(A) long-term leases of facilities financed under this title notwithstanding the failure of the lessee to meet any of the requirements of this title if the long-term leases are necessary to ensure the continuation of services for which financing was extended to the lessor; and

“(B) the transfer of property securing any loan or financed by any loan or grant made or guaranteed by the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, or the Rural Business-Cooperative Service under this title, or any other law administered by the Secretary, on such terms as the Secretary considers necessary to carry out the purpose of the loan or grant or to protect the financial interest of the Federal Government, provided that the Secretary shall document the consent of the Secretary for the transfer of the property of a borrower in the file of the borrower; and

“(9) notwithstanding that an area ceases, or has ceased, to be rural, in a rural area, or an eligible area, make loans and grants, and approve transfers and assumptions, under this title on the same basis as though the area still was rural in connection with property securing any loan made or guaranteed by the Secretary under this title or in connection with any property held by the Secretary under this title.

“(b) LOAN ADJUSTMENTS.—

“(1) NO LIQUIDATION OF PROPERTY.—The Secretary may not require liquidation of property securing any farmer program loan or acceleration of any payment required under any farmer program loan as a prerequisite to initiating an action authorized under subsection (a).

“(2) RELEASE OF PERSONAL LIABILITY.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may release a borrower or other person obligated on a debt (other than debt incurred under the Housing Act of 1949 (42 U.S.C. 1441 et seq.)) from personal liability with or without payment of any consideration at the time of the compromise, adjustment, reduction, or charge-off of any claim.

“(B) EXCEPTION.—No compromise, adjustment, reduction, or charge-off of any claim may be made or carried out after the claim has been referred to the Attorney General, unless the Attorney General approves.

“(3) RURAL ELECTRIFICATION SECURITY INSTRUMENTS.—In the case of a security instrument entered into under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.), the Secretary shall notify the Attorney General of the intent of the Secretary to exercise the authority of the Secretary under paragraph (2).

“(c) SIMPLIFIED APPLICATION FORMS FOR LOAN GUARANTEES.—

“(1) IN GENERAL.—The Secretary shall provide to lenders a short, simplified application form for guarantees under this title of—

“(A) farmer program loans the principal amount of which is \$125,000 or less; and

“(B) business and industry guaranteed loans under section 3601(a)(2)(A) the principal amount of which is—

“(i) \$400,000 or less; or

“(ii) if the Secretary determines that there is not a significant increased risk of a default on the loan, \$600,000 or less.

“(2) WATER AND WASTE DISPOSAL GRANTS AND LOANS.—The Secretary shall develop an application process that accelerates, to the maximum extent practicable, the processing of applications for water and waste disposal grants or direct or guaranteed loans under section 3501(a)(1) the grant award amount or principal loan amount, respectively, of which is \$300,000 or less.

“(3) ADMINISTRATION.—In developing an application under this subsection, the Secretary shall—

“(A) consult with commercial and cooperative lenders; and

“(B) ensure that—

“(i) the form can be completed manually or electronically, at the option of the lender;

“(ii) the form minimizes the documentation required to accompany the form;

“(iii) the cost of completing and processing the form is minimal; and

“(iv) the form can be completed and processed in an expeditious manner.

“(d) USE OF ATTORNEYS FOR PROSECUTION OR DEFENSE OF CLAIMS.—The Secretary may use for the prosecution or defense of any claim or obligation described in subsection (a)(5) the Attorney General, the General Counsel of the Department, or a private attorney who has entered into a contract with the Secretary.

“(e) PRIVATE COLLECTION AGENCY.—The Secretary may use a private collection agency to collect a claim or obligation described in subsection (a)(5).

“(f) SECURITY SERVICING.—

“(1) IN GENERAL.—The Secretary may—

“(A) make advances, without regard to any loan or total indebtedness limitation, to preserve and protect the security for, or the lien or priority of the lien securing any loan or other indebtedness owing to or acquired by the Secretary under this title or under any other program administered by the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, or the Rural Business-Cooperative Service applicable program, as determined by the Secretary; and

“(B)(i) bid for and purchase at any execution, foreclosure, or other sale or otherwise acquire property on which the United States has a lien by reason of a judgment or execution arising from, or that is pledged, mortgaged, conveyed, attached, or levied on to secure the payment of, the indebtedness regardless of whether the property is subject to other liens;

“(ii) accept title to any property so purchased or acquired; and

“(iii) sell, manage, or otherwise dispose of the property in accordance with this subsection.

“(2) OPERATION OR LEASE OF REALTY.—Except as provided in subsections (c) and (e), real property administered under this title may be operated or leased by the Secretary for such period as the Secretary may consider necessary to protect the investment of the Federal Government in the property.

“(g) PAYMENTS TO LENDERS.—

“(1) REQUIREMENT.—Not later than 90 days after a court of competent jurisdiction confirms a plan of reorganization under chapter 12 of title 11, United States Code, for any borrower to whom a lender has made a loan guaranteed under this title, the Secretary shall pay the lender an amount estimated by the Secretary to be equal to the loss incurred by the lender for purposes of the guarantee.

“(2) PAYMENT TOWARD LOAN GUARANTEE.—Any amount paid to a lender under this sub-

section with respect to a loan guaranteed under this title shall be treated as payment towards satisfaction of the loan guarantee.

#### “SEC. 3904. LOAN MORATORIUM AND POLICY ON FORECLOSURES.

“(a) IN GENERAL.—In addition to any other authority that the Secretary may have to defer principal and interest and forgo foreclosure, the Secretary may permit, at the request of the borrower, the deferral of principal and interest on any outstanding loan made or guaranteed by the Secretary under this title, or under any other law administered by the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, or the Rural Business-Cooperative Service, and may forgo foreclosure of the loan, for such period as the Secretary considers necessary on a showing by the borrower that, due to circumstances beyond the control of the borrower, the borrower is temporarily unable to continue making payments of the principal and interest when due without unduly impairing the standard of living of the borrower.

“(b) INTEREST.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may permit any loan deferred under this section to bear no interest during or after the deferral period.

“(2) EXCEPTION.—If the security instrument securing the loan is foreclosed, such interest as is included in the purchase price at the foreclosure shall become part of the principal and draw interest from the date of foreclosure at the rate prescribed by law.

“(c) MORATORIUM REGARDING CIVIL RIGHTS CLAIMS.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, effective beginning on May 22, 2008, there shall be in effect a moratorium, with respect to farmer program loans made under subtitle A, on all acceleration and foreclosure proceedings instituted by the Department against any farmer who—

“(A) has pending against the Department a claim of program discrimination that is accepted by the Department as valid; or

“(B) files a claim of program discrimination that is accepted by the Department as valid.

“(2) WAIVER OF INTEREST AND OFFSETS.—During the period of the moratorium, the Secretary shall waive the accrual of interest and offsets on all farmer program loans made under subtitle A for which loan acceleration or foreclosure proceedings have been suspended under paragraph (1).

“(3) TERMINATION OF MORATORIUM.—The moratorium shall terminate with respect to a claim of discrimination by a farmer on the earlier of—

“(A) the date the Secretary resolves the claim; or

“(B) if the farmer appeals the decision of the Secretary on the claim to a court of competent jurisdiction, the date that the court renders a final decision on the claim.

“(4) FAILURE TO PREVAIL.—If a farmer does not prevail on a claim of discrimination described in paragraph (1), the farmer shall be liable for any interest and offsets that accrued during the period that loan acceleration or foreclosure proceedings have been suspended under paragraph (1).

#### “SEC. 3905. OIL AND GAS ROYALTY PAYMENTS ON LOANS.

“(a) IN GENERAL.—The Secretary shall permit a borrower of a loan made or guaranteed under this title to make a prospective payment on the loan with proceeds from—

“(1) the leasing of oil, gas, or other mineral rights to real property used to secure the loan; or

“(2) the sale of oil, gas, or other minerals removed from real property used to secure the loan, if the value of the rights to the oil, gas, or other minerals has not been used to secure the loan.

“(b) APPLICABILITY.—Subsection (a) shall not apply to a borrower of a loan made or guaranteed under this title with respect to which a liquidation or foreclosure proceeding was pending on December 23, 1985.

#### “SEC. 3906. TAXATION.

“(a) IN GENERAL.—Except as provided in subsection (b), all property subject to a lien held by the United States or the title to which is acquired or held by the Secretary under this title (other than property used for administrative purposes) shall be subject to taxation by State, territory, district, and local political subdivisions in the same manner and to the same extent as other property is taxed.

“(b) EXCEPTIONS.—No tax shall be imposed or collected as described in subsection (a) if the tax (whether as a tax on the instrument or in connection with conveying, transferring, or recording the instrument) is based on—

“(1) the value of any notes or mortgages or other lien instruments held by or transferred to the Secretary;

“(2) any notes or lien instruments administered under this title that are made, assigned, or held by a person otherwise liable for the tax; or

“(3) the value of any property conveyed or transferred to the Secretary.

“(c) FAILURE TO PAY OR COLLECT TAX.—The failure to pay or collect a tax under subsection (a) shall not—

“(1) be a ground for—

“(A) refusal to record or file an instrument; or

“(B) failure to provide notice; or

“(2) prevent the enforcement of the instrument in any Federal or State court.

#### “SEC. 3907. CONFLICTS OF INTEREST.

“(a) ACCEPTANCE OF CONSIDERATION PROHIBITED.—No officer, attorney, or other employee of the Department shall, directly or indirectly, be the beneficiary of or receive any fee, commission, gift, or other consideration for or in connection with any transaction or business under this title other than such salary, fee, or other compensation as the officer, attorney, or employee may receive as the officer, attorney, or employee.

“(b) ACQUISITION OF INTEREST IN LAND PROHIBITED.—

“(1) IN GENERAL.—Except as provided in paragraph (2), no officer or employee of the Department who acts on or reviews an application made by any person under this title for a loan to purchase land may acquire, directly or indirectly, any interest in the land for a period of 3 years after the date on which the action is taken or the review is made.

“(2) FORMER COUNTY COMMITTEE MEMBERS.—Paragraph (1) shall not apply to a former member of a county committee on a determination by the Secretary, prior to the acquisition of the interest, that the former member acted in good faith when acting on or reviewing the application.

“(c) PENALTIES.—Any person violating this section shall, on conviction of the violation, be punished by a fine of not more than \$2,000 or imprisonment for not more than 2 years, or both.

#### “SEC. 3908. LOAN SUMMARY STATEMENTS.

“(a) DEFINITION OF SUMMARY PERIOD.—In this section, the term ‘summary period’ means the period beginning on the date of issuance of the preceding loan summary

statement and ending on the date of issuance of the current loan summary statement.

“(b) ISSUANCE OF STATEMENTS.—On the request of a borrower of a loan made (but not guaranteed) under this title, the Secretary shall issue to the borrower a loan summary statement that reflects the account activity during the summary period for each loan made under this title to the borrower, including—

“(1) the outstanding amount of principal due on each loan at the beginning of the summary period;

“(2) the interest rate charged on each loan;

“(3) the amount of payments made on, and the application of the payments to, each loan during the summary period and an explanation of the basis for the application of the payments;

“(4) the amount of principal and interest due on each loan at the end of the summary period;

“(5) the total amount of unpaid principal and interest on all loans at the end of the summary period;

“(6) any delinquency in the repayment of any loan;

“(7) a schedule of the amount and date of payments due on each loan; and

“(8) the procedure the borrower may use to obtain more information concerning the status of the loans.

#### “SEC. 3909. CERTIFIED LENDERS PROGRAM.

“(a) CERTIFIED LENDERS PROGRAM.—

“(1) IN GENERAL.—The Secretary shall establish a program under which the Secretary shall guarantee loans under this title that are made by lending institutions certified by the Secretary.

“(2) CERTIFICATION REQUIREMENTS.—The Secretary shall certify a lending institution that meets such criteria as the Secretary may prescribe in regulations, including the ability of the institution to properly make, service, and liquidate the loans of the institution.

“(3) CONDITION OF CERTIFICATION.—

“(A) IN GENERAL.—As a condition of the certification, the Secretary shall require the institution to undertake to service the loans guaranteed by the Secretary under this section, using standards that are not less stringent than generally accepted banking standards concerning loan servicing employed by prudent commercial or cooperative lenders.

“(B) MONITORING.—The Secretary shall, at least annually, monitor the performance of each certified lender to ensure that the conditions of the certification are being met.

“(4) EFFECT OF CERTIFICATION.—Notwithstanding any other provision of law:

“(A) AMOUNT OF LOAN GUARANTEE.—In the case of a loan made or guaranteed under subtitle A, the Secretary shall guarantee not more than 80 percent of a loan made under this section by a certified lending institution as described in paragraph (1), subject to a determination that the borrower of the loan meets the eligibility requirements and such other criteria as may be applicable to loans guaranteed by the Secretary under other provisions of this title.

“(B) CERTIFICATIONS BY LENDING INSTITUTIONS.—In the case of loans to be guaranteed by the Secretary under this section, the Secretary shall permit certified lending institutions to make appropriate certifications (as provided by regulations issued by the Secretary)—

“(i) relating to issues such as creditworthiness, repayment ability, adequacy of collateral, and feasibility of farm operation; and

“(ii) that the borrower is in compliance with all requirements of law, including regulations issued by the Secretary.

“(C) APPROVAL PROCESS.—

“(i) IN GENERAL.—The Secretary shall approve or disapprove a guarantee not later than 14 days after the date that the lending institution applies to the Secretary for the guarantee.

“(ii) DISAPPROVAL.—If the Secretary disapproves the loan application during the 14-day period, the Secretary shall state, in writing, all of the reasons the application was disapproved.

“(5) RELATIONSHIP TO OTHER REQUIREMENTS.—Nothing in this section affects the responsibility of the Secretary to certify eligibility, review financial information, and otherwise assess an application.

“(b) PREFERRED CERTIFIED LENDERS PROGRAM.—

“(1) IN GENERAL.—The Secretary shall establish a Preferred Certified Lenders Program for lenders under this title who establish—

“(A) knowledge of, and experience under, the program established under subsection (a);

“(B) knowledge of the regulations concerning the guaranteed loan program; and

“(C) proficiency related to the certified lender program requirements.

“(2) REVOCATION OF DESIGNATION.—

“(A) IN GENERAL.—Subject to subparagraph (B), the designation of a lender as a Preferred Certified Lender shall be revoked at any time—

“(i) that the Secretary determines that the lender is not adhering to the rules and regulations applicable to the program; or

“(ii) if the loss experiences of a Preferred Certified Lender are excessive as compared to other Preferred Certified Lenders.

“(B) EFFECT.—A suspension or revocation under subparagraph (A) shall not affect any outstanding guarantee.

“(3) CONDITION OF CERTIFICATION.—As a condition of preferred certification, the Secretary shall require the institution to undertake to service the loans guaranteed by the Secretary under this subsection using generally accepted banking standards concerning loan servicing employed by prudent commercial or cooperative lenders.

“(4) MONITORING.—The Secretary shall, at least annually, monitor the performance of each Preferred Certified Lender to ensure that the conditions of certification are being met.

“(5) EFFECT OF PREFERRED LENDER CERTIFICATION.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall—

“(i) guarantee not more than 80 percent of an approved loan made by a certified lending institution as described in this subsection, subject to a determination that the borrower meets the eligibility requirements or such other criteria as may be applicable to loans guaranteed by the Secretary under other provisions of this title;

“(ii) permit certified lending institutions—

“(I) to make all decisions, with respect to loans to be guaranteed by the Secretary under this subsection relating to credit worthiness, the closing, monitoring, collection and liquidation of loans; and

“(II) to accept appropriate certifications, as provided by regulations issued by the Secretary, that the borrower is in compliance with all requirements of law or regulations promulgated by the Secretary; and

“(iii) be considered to have guaranteed 80 percent of a loan made by a preferred certified lending institution as described in paragraph (1), if the Secretary fails to approve or reject the application of such institution within 14 calendar days after the date

that the lending institution presented the application to the Secretary.

“(B) REQUIREMENT.—If the Secretary rejects an application under subparagraph (A)(iii) during the 14-day period, the Secretary shall state, in writing, the reasons the application was rejected.

“(C) ADMINISTRATION OF CERTIFIED LENDERS AND PREFERRED CERTIFIED LENDERS PROGRAMS.—The Secretary may administer the loan guarantee programs under subsections (a) and (b) through central offices established in States or in multi-State areas.

**“SEC. 3910. LOANS TO RESIDENT ALIENS.**

“(a) IN GENERAL.—Notwithstanding the provisions of this title limiting the making of a loan to a citizen of the United States, the Secretary may make a loan under this title to an alien lawfully admitted to the United States for permanent residence under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

“(b) REGULATIONS.—

“(1) IN GENERAL.—No loan may be made under this title to an alien referred to in subsection (a) until the Secretary issues regulations establishing the terms and conditions under which the alien may receive the loan.

“(2) REQUIREMENT.—The Secretary shall submit the regulations to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate at least 30 days prior to the date on which the regulations are published in the Federal Register.

**“SEC. 3911. EXPEDITED CLEARING OF TITLE TO INVENTORY PROPERTY.**

“(a) IN GENERAL.—The Secretary may employ local attorneys, on a case-by-case basis, to process all legal procedures necessary to clear the title to foreclosed properties in the inventory of the Department.

“(b) COMPENSATION.—Attorneys shall be compensated at not more than the usual and customary charges of the attorneys for the work.

**“SEC. 3912. TRANSFER OF LAND TO SECRETARY.**

“The President may at any time, in the discretion of the President, transfer to the Secretary any right, interest, or title held by the United States in any land acquired in the program of national defense and no longer needed for that purpose that the President finds suitable for the purposes of this title, and the Secretary shall dispose of the transferred land in the manner and subject to the terms and conditions of this title.

**“SEC. 3913. COMPETITIVE SOURCING LIMITATIONS.**

“The Secretary may not complete a study of, or enter into a contract with a private party to carry out, without specific authorization in a subsequent Act of Congress, a competitive sourcing activity of the Secretary, including support personnel of the Department, relating to rural development or farmer program loans.

**“SEC. 3914. REGULATIONS.**

“The Secretary may issue such regulations, prescribe such terms and conditions for making or guaranteeing loans, security instruments, and agreements, except as otherwise specified in this title, and make such delegations of authority as the Secretary considers necessary to carry out this title.”.

**SEC. 6002. CONFORMING AMENDMENTS.**

(a) Section 17(c) of the Rural Electrification Act of 1936 (7 U.S.C. 917(c)) is amended by striking paragraph (1) and inserting the following:

“(1) Subtitle B of the Consolidated Farm and Rural Development Act.”.

(b) Section 305(c)(2)(B)(i)(I) of the Rural Electrification Act of 1936 (7 U.S.C.

935(c)(2)(B)(i)(I)) is amended by striking “section 307(a)(3)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1927(a)(3)(A))” and inserting “section 3701(b)(2) of the Consolidated Farm and Rural Development Act”.

(c) Section 306F(a)(1) of the Rural Electrification Act of 1936 (7 U.S.C. 936f(a)(1)) is amended by striking subparagraph (B) and inserting the following:

“(B) chapter 1 of subtitle B of the Consolidated Farm and Rural Development Act.”.

(d) Section 2333(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa–2(d)) is amended—

(1) in paragraph (11), by adding “and” at the end;

(2) by striking paragraph (12); and

(3) by redesignating paragraph (13) as paragraph (12).

(e) Section 601(b) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(b)) is amended by striking paragraph (3).

(f) Section 602(5) of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471(5)) is amended by striking “section 355(e)(1)(D)(ii) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1985(e)(1)(D)(ii))” and inserting “section 3409(c)(1)(A) of the Consolidated Farm and Rural Development Act”.

(g) Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(1) in subsection (b)(7)(A), by striking “section 371 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008f)” and inserting “section 3424 of the Consolidated Farm and Rural Development Act”; and

(2) in subsection (n)(2), by striking “subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.)” and inserting “chapter 3 of subtitle A of the Consolidated Farm and Rural Development Act”.

(h) Section 231(a) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(a)) is amended—

(1) in paragraph (1), by striking “section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”; and

(2) in paragraph (4), by striking “section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(i) Section 14204(a) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2008q–1(a)) is amended by striking “an entity described in section 379C(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008q(a))” and inserting “an entity determined by the Secretary”.

(j) Section 607(c)(6) of the Rural Development Policy Act of 1972 (7 U.S.C. 2204b(c)(6)) is amended in the last sentence—

(1) by striking “, and” and inserting “and any”; and

(2) by striking “required under section 306(a)(12) of the Consolidated Farm and Rural Development Act”.

(k) Section 901(b) of the Agricultural Act of 1970 (7 U.S.C. 2204b–1(b)) is amended by striking “rural areas as defined in the private business enterprise exception in section 306(a)(7) of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1926)” and inserting “rural areas, as defined in section 3002 of the Consolidated Farm and Rural Development Act”.

(l) Section 14220 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2206b) is amended by striking “section 343(a)(13)(A) of

the Consolidated Farm and Rural Development Act)” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(m) Section 2501(c)(2)(D) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(c)(2)(D)) is amended by striking “sections 355(a)(1) and 355(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(a)(1))” and inserting “paragraphs (1) and (3) of section 3416(a) of the Consolidated Farm and Rural Development Act”.

(n) Section 2501A(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279–1(b)) is amended by striking “section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(o) Section 7405(c)(8)(B) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f(c)(8)(B)) is amended by striking “section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(p) Section 1101(d)(2)(A) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711(d)(2)(A)) is amended by striking “section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(q) Section 1302(d)(2)(A) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8752(d)(2)(A)) is amended by striking “section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(r) Section 2375(g) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 6613(g)) is amended by striking “section 304(b), 306(a), or 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924(b), 1926(a), and 1932(e))” and inserting “subtitle B of the Consolidated Farm and Rural Development Act”.

(s) Section 226B(a)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(a)(1)) is amended by striking “section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(t) Section 196(i)(3)(B) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(i)(3)(B)) is amended by striking “subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.)” and inserting “chapter 3 of subtitle A of the Consolidated Farm and Rural Development Act”.

(u) Section 9009(a)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8109(a)(1)) is amended by striking “section 343(a)(13)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)(A))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(v) Section 9011(c)(2)(B)(v) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111(c)(2)(B)(v)) is amended by striking subclause (I) and inserting the following:

“(I) beginning farmers (as defined in accordance with section 3002 of the Consolidated Farm and Rural Development Act); or”.

(w) Section 7(b)(2)(B) of the Small Business Act (15 U.S.C. 636(b)(2)(B)) is amended by striking “section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961)” and inserting “section 3301 of the Consolidated Farm and Rural Development Act”.



(x) Section 8(b)(5)(B)(iii)(III)(bb) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)(5)(B)(iii)(III)(bb)) is amended by striking “section 355(e)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e)(1))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(y) Section 10(b)(3) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106(b)(3)) is amended in the last sentence by striking “set out in the first clause of section 306(a)(7) of the Consolidated Farm and Rural Development Act” and inserting “given the term in section 3002 of the Consolidated Farm and Rural Development Act”.

(z) Section 1201(a)(2) of the Food Security Act of 1985 (16 U.S.C. 3801(a)(2)) is amended by striking “section 343(a)(8) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(8))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(aa) Section 1238(2) of the Food Security Act of 1985 (16 U.S.C. 3838(2)) is amended by striking “section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(bb) Section 5 of Public Law 91-229 (25 U.S.C. 492) is amended by striking “section 307(a)(3)(B) of the Consolidated Farmers Home Administration Act of 1961, as amended, and to the provisions of subtitle D of that Act except sections 340, 341, 342, and 343” and inserting “3105(b)(2) of the Consolidated Farm and Rural Development Act”.

(cc) Section 6(c) of Public Law 91-229 (25 U.S.C. 493(c)) is amended by striking “section 333B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983b)” and inserting “subtitle H of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6991 et seq.)”.

(dd) Section 181(a)(2)(B)(ii) of the Internal Revenue Code of 1986 is amended by striking “section 2009aa-1 of title 7, United States Code” and inserting “section 3801 of the Consolidated Farm and Rural Development Act”.

(ee) Section 515(b)(3) of the Housing Act of 1949 (42 U.S.C. 1485(b)(3)) is amended by striking “all the provisions of section 309 and the second and third sentences of section 308 of the Consolidated Farmers Home Administration Act of 1961, including the authority in section 309(f)(1) of that Act” and inserting “section 3401 of the Consolidated Farm and Rural Development Act”.

(ff) Section 517(b) of the Housing Act of 1949 (42 U.S.C. 1487(b)) is amended in the third sentence by striking “(7 U.S.C. 1929)” and inserting “under section 3401 of the Consolidated Farm and Rural Development Act”.

(gg) Section 3(8) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3122(8)) is amended—

(1) by striking subparagraph (B) and inserting the following:

“(B) the Delta Regional Authority established under chapter 4 of subtitle B of the Consolidated Farm and Rural Development Act;” and

(2) by striking subparagraph (D) and inserting the following:

“(D) the Northern Great Plains Regional Authority established under chapter 5 of subtitle B of the Consolidated Farm and Rural Development Act.”.

(hh) Section 310(a) of the Robert T. Stafford Disaster Relief and Emergency Assist-

ance Act (42 U.S.C. 5153(a)) is amended by striking paragraph (4) and inserting the following:

“(4) Chapter 1 of subtitle B of the Consolidated Farm and Rural Development Act.”.

(ii) Section 582(d)(1) of the National Flood Insurance Reform Act of 1994 (42 U.S.C. 5154a(d)(1)) is amended by striking “section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a))” and inserting “section 3301(b) of the Consolidated Farm and Rural Development Act”.

(jj) Section 213(c)(1) of the Biomass Energy and Alcohol Fuels Act of 1980 (42 U.S.C. 8813(c)(1)) is amended in the first sentence by striking “section 309 of the Consolidated Farm and Rural Development Act or the Rural Development Insurance Fund in section 309A of such Act” and inserting “under section 3401 of the Consolidated Farm and Rural Development Act or the Rural Development Insurance Fund under section 3704 of that Act”.

(kk) Section 1323(b)(2) of the Food Security Act of 1985 (Public Law 99-198; 7 U.S.C. 1932 note) is amended—

(1) in subparagraph (A), by inserting “and” at the end;

(2) in subparagraph (B), by striking “; and” at the end and inserting a period; and

(3) by striking subparagraph (C).

#### Subtitle B—Rural Electrification

##### SEC. 6101. DEFINITION OF RURAL AREA.

Section 13(3) of the Rural Electrification Act of 1936 (7 U.S.C. 913(A)) is amended by striking subparagraph (A) and inserting the following:

“(A) any area described in section 3002(28)(A)(i) of the Consolidated Farm and Rural Development Act; and”.

##### SEC. 6102. GUARANTEES FOR BONDS AND NOTES ISSUED FOR ELECTRIFICATION OR TELEPHONE PURPOSES.

Section 313A(f) of the Rural Electrification Act of 1936 (7 U.S.C. 940c-1(f)) is amended by striking “2012” and inserting “2018”.

##### SEC. 6103. EXPANSION OF 911 ACCESS.

Section 315(d) of the Rural Electrification Act of 1936 (7 U.S.C. 940e(d)) is amended by striking “2012” and inserting “2018”.

##### SEC. 6104. ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS.

Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—

(1) in subsection (a), by striking “loans and” and inserting “grants, loans, and;”

(2) in subsection (b), by striking paragraph (3) and inserting the following:

“(3) RURAL AREA.—The term ‘rural area’ means any area described in section 3002 of the Consolidated Farm and Rural Development Act.

“(4) ULTRA-HIGH SPEED SERVICE.—The term ‘ultra-high speed service’ means broadband service operating at a 1 gigabit per second downstream transmission capacity.”;

(3) in subsection (c)—

(A) in the subsection heading, by striking “LOANS AND” and inserting “GRANTS, LOANS, AND”; and

(B) in paragraph (1), by inserting “make grants and” after “Secretary shall”;

(C) by striking paragraph (2) and inserting the following:

“(2) PRIORITY.—

“(A) IN GENERAL.—In making grants, loans, or loan guarantees under paragraph (1), the Secretary shall—

“(i) establish not less than 2, and not more than 4, evaluation periods for each fiscal year to compare grant, loan, and loan guarantee applications and to prioritize grants, loans, and loan guarantees to all or part of

rural communities that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e);

“(ii) give the highest priority to applicants that offer to provide broadband service to the greatest proportion of unserved rural households or rural households that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e), as—

“(I) certified by the affected community, city, county, or designee; or

“(II) demonstrated on—

“(aa) the broadband map of the affected State if the map contains address-level data; or

“(bb) the National Broadband Map if address-level data is unavailable; and

“(iii) provide equal consideration to all qualified applicants, including those that have not previously received grants, loans, or loan guarantees under paragraph (1).

“(B) OTHER.—After giving priority to the applicants described in subparagraph (A), the Secretary shall then give priority to projects that serve rural communities—

“(i) with a population of less than 20,000 permanent residents;

“(ii) experiencing outmigration;

“(iii) with a high percentage of low-income residents; and

“(iv) that are isolated from other significant population centers.”; and

(D) by adding at the end the following:

“(3) GRANT AMOUNTS.—

“(A) ELIGIBILITY.—To be eligible for a grant under this section, the project that is the subject of the grant shall be carried out in a rural area.

“(B) MAXIMUM.—Except as provided in subparagraph (D), the amount of any grant made under this section shall not exceed 50 percent of the development costs of the project for which the grant is provided.

“(C) GRANT RATE.—The Secretary shall establish the grant rate for each project in accordance with regulations issued by the Secretary that shall provide for a graduated scale of grant rates that establish higher rates for projects in communities that have—

“(i) remote locations;

“(ii) low community populations;

“(iii) low income levels;

“(iv) developed the applications of the communities with the participation of combinations of stakeholders, including—

“(I) State, local, and tribal governments;

“(II) nonprofit institutions;

“(III) institutions of higher education;

“(IV) private entities; and

“(V) philanthropic organizations; and

“(v) targeted funding to provide the minimum acceptable level of broadband service established under subsection (e) in all or part of an unserved community that is below that minimum acceptable level of broadband service.

“(D) SECRETARIAL AUTHORITY TO ADJUST.—The Secretary may make grants of up to 75 percent of the development costs of the project for which the grant is provided to an eligible entity if the Secretary determines that the project serves a remote or low income area that does not have access to broadband service from any provider of broadband service (including the applicant).”;

(4) in subsection (d)—

(A) in paragraph (1)(A)—

(i) in the matter preceding clause (i), by striking “loan or” and inserting “grant, loan, or”;



(ii) by striking clause (i) and inserting the following:

“(i) demonstrate the ability—

“(I) to furnish, improve in order to meet the minimum acceptable level of broadband service established under subsection (e), or extend broadband service to all or part of an unserved rural area or an area below the minimum acceptable level of broadband service established under subsection (e); or

“(II) to carry out a project under paragraph (4)(B)(ii);”;

(iii) in clause (ii), by striking “a loan application” and inserting “an application”; and

(iv) in clause (iii)—

(I) by striking “the loan application” and inserting “the application”; and

(II) by striking “proceeds from the loan made or guaranteed under this section are” and inserting “assistance under this section is”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i)—

(aa) by striking “the proceeds of a loan made or guaranteed” and inserting “assistance”; and

(bb) by striking “for the loan or loan guarantee” and inserting “of the eligible entity”;

(II) in clause (i), by striking “is offered broadband service by not more than 1 incumbent service provider” and inserting “are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e)”; and

(III) in clause (ii), by striking “3” and inserting “2”;

(ii) by striking subparagraph (B) and inserting the following:

“(B) ADJUSTMENTS.—

“(i) INCREASE.—The Secretary may increase the household percentage requirement under subparagraph (A)(i) if—

“(I) more than 25 percent of the costs of the project are funded by grants made under this section; or

“(II) the proposed service territory includes 1 or more communities with a population in excess of 20,000.

“(ii) REDUCTION.—The Secretary may reduce the household percentage requirement under subparagraph (A)(i) if—

“(I) to not less than 15 percent, if the proposed service territory does not have a population in excess of 5,000 people; or

“(II) to not less than 18 percent, if the proposed service territory does not have a population in excess of 7,500 people.”; and

(iii) in subparagraph (C)—

(I) in the subparagraph heading, by striking “3” and inserting “2”;

(II) in clause (i), by inserting “the minimum acceptable level of broadband service established under subsection (e) in” after “service to”; and

(III) by striking clause (ii) and inserting the following:

“(ii) EXCEPTIONS.—Clause (i) shall not apply if—

“(I) the applicant is eligible for funding under another title of this Act; or

“(II) the project is being carried out under paragraph (4)(B)(ii), unless an incumbent service provider is providing ultra-high speed service as of the date of an application for assistance submitted to the Secretary under this section.”;

(C) in paragraph (3)—

(i) in subparagraph (A), by striking “loan or” and inserting “grant, loan, or”; and

(ii) in subparagraph (B), by adding at the end the following:

“(iii) INFORMATION.—Information submitted under this subparagraph shall be—

“(I) certified by the affected community, city, county, or designee; and

“(II) demonstrated on—

“(aa) the broadband map of the affected State if the map contains address-level data; or

“(bb) the National Broadband Map if address-level data is unavailable.”;

(D) in paragraph (4)—

(i) by striking “Subject to paragraph (1),” and inserting the following:

“(A) IN GENERAL.—Subject to paragraph (1) and subparagraph (B),”;

(ii) by striking “loan or” and inserting “grant, loan, or”; and

(iii) by adding at the end the following:

“(B) PILOT PROGRAMS.—The Secretary shall establish pilot programs under which the Secretary may, at the discretion of the Secretary, provide grants, loans, or loan guarantees under this section to eligible entities, including interested entities described in subparagraph (A)—

“(i) to address areas that are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e); or

“(ii) for the purposes of providing a proposed service territory with ultra-high speed service, subject to the conditions that—

“(I) not more than 5 projects, and not more than 1 project in any State, shall be carried out under this clause during the period beginning on the date of enactment of this Act and ending on September 30, 2018;

“(II) for each fiscal year, not more than 10 percent of the funds made available under subsection (1) shall be used to carry out this clause;

“(III) for each fiscal year, not more than 20 percent of the funds made available under subclause (II) shall be used for any 1 project; and

“(IV) paragraph (2)(A)(i) shall apply to the project, unless—

“(aa) the Secretary determines that no other project in the State is funded under this section; and

“(bb) no application for any other project that could be funded under this section, other than under this clause, is pending in the State.”;

(E) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking “loan or” and inserting “grant, loan, or”; and

(ii) in subparagraph (C), by inserting “, and proportion relative to the service territory,” after “estimated number”;

(F) in paragraph (6), by striking “loan or” and inserting “grant, loan, or”; and

(G) in paragraph (7), by striking “a loan application” and inserting “an application”; and

(H) by adding at the end the following:

“(8) TRANSPARENCY AND REPORTING.—The Secretary—

“(A) shall require any entity receiving assistance under this section to submit quarterly, in a format specified by the Secretary, a report that describes—

“(i) the use by the entity of the assistance, including new equipment and capacity enhancements that support high-speed broadband access for educational institutions, health care providers, and public safety service providers (including the estimated number of end users who are currently using or forecasted to use the new or upgraded infrastructure); and

“(ii) the progress towards fulfilling the objectives for which the assistance was granted, including—

“(I) the number and location of residences and businesses that will receive new

broadband service, existing network service improvements, and facility upgrades resulting from the Federal assistance;

“(II) the speed of broadband service;

“(III) the price of broadband service;

“(IV) any changes in broadband service adoption rates, including new subscribers generated from demand-side projects; and

“(V) any other metrics the Secretary determines to be appropriate;

“(B) shall maintain a fully searchable database, accessible on the Internet at no cost to the public, that contains, at a minimum—

“(i) a list of each entity that has applied for assistance under this section;

“(ii) a description of each application, including the status of each application;

“(iii) for each entity receiving assistance under this section—

“(I) the name of the entity;

“(II) the type of assistance being received;

“(III) the purpose for which the entity is receiving the assistance; and

“(IV) each quarterly report submitted under subparagraph (A); and

“(iv) such other information as is sufficient to allow the public to understand and monitor assistance provided under this section;

“(C) shall, in addition to other authority under applicable law, establish written procedures for all broadband programs administered by the Secretary that, to the maximum extent practicable—

“(i) recover funds from loan defaults;

“(ii) (I) deobligate awards to grantees that demonstrate an insufficient level of performance (including failure to meet build-out requirements, service quality issues, or other metrics determined by the Secretary) or wasteful or fraudulent spending; and

“(II) award those funds, on a competitive basis, to new or existing applicants consistent with this section; and

“(iii) consolidate and minimize overlap among the programs;

“(D) with respect to an application for assistance under this section, shall—

“(i) promptly post on the website of the Rural Utility Service—

“(I) an announcement that identifies—

“(aa) each applicant;

“(bb) the amount and type of support requested by each applicant; and

“(II) a list of the census block groups or proposed service territory, in a manner specified by the Secretary, that the applicant proposes to service;

“(ii) provide not less than 15 days for broadband service providers to voluntarily submit information about the broadband services that the providers offer in the groups or tracts listed under clause (i)(II) so that the Secretary may assess whether the applications submitted meet the eligibility requirements under this section; and

“(iii) if no broadband service provider submits information under clause (ii), consider the number of providers in the group or tract to be established by reference to—

“(I) the most current National Broadband Map of the National Telecommunications and Information Administration; or

“(II) any other data regarding the availability of broadband service that the Secretary may collect or obtain through reasonable efforts; and

“(E) may establish additional reporting and information requirements for any recipient of any assistance under this section so as to ensure compliance with this section.”;

(5) in subsection (e)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Subject to paragraph (2), for purposes of this section, the minimum acceptable level of broadband service for a rural area shall be at least—

“(A) a 4-Mbps downstream transmission capacity; and

“(B) a 1-Mbps upstream transmission capacity.

“(2) ADJUSTMENTS.—

“(A) IN GENERAL.—At least once every 2 years, the Secretary shall review, and may adjust, the minimum acceptable level of broadband service established under paragraph (1) to ensure that high quality, cost-effective broadband service is provided to rural areas over time.

“(B) CONSIDERATIONS.—In making an adjustment to the minimum acceptable level of broadband service under subparagraph (A), the Secretary may consider establishing different transmission rates for fixed broadband service and mobile broadband service.”;

(6) in subsection (f), by striking “make a loan or loan guarantee” and inserting “provide assistance”;

(7) in subsection (g), by striking paragraph (2) and inserting the following:

“(2) TERMS.—In determining the term and conditions of a loan or loan guarantee, the Secretary may—

“(A) consider whether the recipient would be serving an area that is unserved; and

“(B) if the Secretary makes a determination in the affirmative under subparagraph (A), establish a limited initial deferral period or comparable terms necessary to achieve the financial feasibility and long-term sustainability of the project.”;

(8) in subsection (j)—

(A) in the matter preceding paragraph (1), by striking “loan and loan guarantee”;

(B) in paragraph (1)—

(i) by inserting “grants and” after “number of”; and

(ii) by inserting “, including any loan terms or conditions for which the Secretary provided additional assistance to unserved areas” before the semicolon at the end;

(C) in paragraph (2)—

(i) in subparagraph (A), by striking “loan”; and

(ii) in subparagraph (B), by striking “loans and” and inserting “grants, loans, and”;

(D) in paragraph (3), by striking “loan”;

(E) in paragraph (5), by striking “and” at the end;

(F) in paragraph (6), by striking the period at the end and inserting “; and”;

(G) by adding at the end the following:

“(7) the overall progress towards fulfilling the goal of improving the quality of rural life by expanding rural broadband access, as demonstrated by metrics, including—

“(A) the number of residences and businesses receiving new broadband services;

“(B) network improvements, including facility upgrades and equipment purchases;

“(C) average broadband speeds and prices on a local and statewide basis;

“(D) any changes in broadband adoption rates; and

“(E) any specific activities that increased high speed broadband access for educational institutions, health care providers, and public safety service providers.”; and

(9) by redesignating subsections (k) and (l) as subsections (1) and (m), respectively;

(10) by inserting after subsection (j) the following:

“(k) BROADBAND BUILDOUT DATA.—

“(1) IN GENERAL.—As a condition of receiving a grant, loan, or loan guarantee under

this section, a recipient of assistance shall provide to the Secretary address-level broadband buildout data that indicates the location of new broadband service that is being provided or upgraded within the service territory supported by the grant, loan, or loan guarantee—

“(A) for purposes of inclusion in the semi-annual updates to the National Broadband Map that is managed by the National Telecommunications and Information Administration (referred to in this subsection as the ‘Administration’); and

“(B) not later than 30 days after the earlier of—

“(i) the date of completion of any project milestone established by the Secretary; or

“(ii) the date of completion of the project.

“(2) ADDRESS-LEVEL DATA.—Effective beginning on the date the Administration receives data described in paragraph (1), the Administration shall use only address-level broadband buildout data for the National Broadband Map.

“(3) CORRECTIONS.—

“(A) IN GENERAL.—The Secretary shall submit to the Administration any correction to the National Broadband Map that is based on the actual level of broadband coverage within the rural area, including any requests for a correction from an elected or economic development official.

“(B) INCORPORATION.—Not later than 30 days after the date on which the Administration receives a correction submitted under subparagraph (A), the Administration shall incorporate the correction into the National Broadband Map.

“(C) USE.—If the Secretary has submitted a correction to the Administration under subparagraph (A), but the National Broadband Map has not been updated to reflect the correction by the date on which the Secretary is making a grant or loan award decision under this section, the Secretary may use the correction submitted under that subparagraph for purposes of making the grant or loan award decision.”;

(11) subsection (1) (as redesignated by paragraph (9))—

(A) in paragraph (1)—

(i) by striking “\$25,000,000” and inserting “\$50,000,000”; and

(ii) by striking “2012” and inserting “2018”;

and

(B) in paragraph (2)(A)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(iii) set aside at least 1 percent to be used for—

“(I) conducting oversight under this section; and

“(II) implementing accountability measures and related activities authorized under this section.”; and

(12) in subsection (m) (as redesignated by paragraph (9))—

(A) by striking “loan or” and inserting “grant, loan, or”; and

(B) by striking “2012” and inserting “2018”.

#### Subtitle C—Miscellaneous

#### SEC. 6201. DISTANCE LEARNING AND TELEMEDICINE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 2335A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa-5) is amended by striking “2012” and inserting “2018”.

(b) CONFORMING AMENDMENT.—Section 1(b) of Public Law 102-551 (7 U.S.C. 950aaa note) is

amended by striking “2012” and inserting “2018”.

#### SEC. 6202. DEFINITION OF RURAL AREA FOR PURPOSES OF THE HOUSING ACT OF 1949.

The second sentence of section 520 of the Housing Act of 1949 (42 U.S.C. 1490) is amended—

(1) by striking “1990 or 2000 decennial census shall continue to be so classified until the receipt of data from the decennial census in the year 2010” and inserting “1990, 2000, or 2010 decennial census, and any area deemed to be a ‘rural area’ for purposes of this title under any other provision of law at any time during the period beginning January 1, 2000, and ending December 31, 2010, shall continue to be so classified until the receipt of data from the decennial census in the year 2020”;

and

(2) by striking “25,000” and inserting “35,000”.

#### SEC. 6203. RURAL ENERGY SAVINGS PROGRAM.

Subtitle E of title VI of the Farm Security and Rural Investment Act of 2002 (Public Law 107-171; 116 Stat. 424) is amended by adding at the end the following:

#### “SEC. 6407. RURAL ENERGY SAVINGS PROGRAM.

“(a) PURPOSE.—The purpose of this section is to create jobs, promote rural development, and help rural families and small businesses achieve cost savings by providing loans to qualified consumers to implement durable cost-effective energy efficiency measures.

“(b) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) any public power district, public utility district, or similar entity, or any electric cooperative described in section 501(c)(12) or 1381(a)(2) of the Internal Revenue Code of 1986, that borrowed and repaid, prepaid, or is paying an electric loan made or guaranteed by the Rural Utilities Service (or any predecessor agency);

“(B) any entity primarily owned or controlled by 1 or more entities described in subparagraph (A); or

“(C) any other entity that is an eligible borrower of the Rural Utility Service, as determined under section 1710.101 of title 7, Code of Federal Regulations (or a successor regulation).

“(2) ENERGY EFFICIENCY MEASURES.—The term ‘energy efficiency measures’ means, for or at property served by an eligible entity, structural improvements and investments in cost-effective, commercial technologies to increase energy efficiency.

“(3) QUALIFIED CONSUMER.—The term ‘qualified consumer’ means a consumer served by an eligible entity that has the ability to repay a loan made under subsection (d), as determined by the eligible entity.

“(4) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture, acting through the Administrator of the Rural Utilities Service.

“(c) LOANS TO ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall make loans to eligible entities that agree to use the loan funds to make loans to qualified consumers for the purpose of implementing energy efficiency measures.

“(2) REQUIREMENTS.—

“(A) IN GENERAL.—As a condition of receiving a loan under this subsection, an eligible entity shall—

“(i) establish a list of energy efficiency measures that is expected to decrease energy use or costs of qualified consumers;

“(ii) prepare an implementation plan for use of the loan funds, including use of any

interest to be received pursuant to subsection (d)(1)(A);

“(iii) provide for appropriate measurement and verification to ensure—

“(I) the effectiveness of the energy efficiency loans made by the eligible entity; and

“(II) that there is no conflict of interest in carrying out this section; and

“(iv) demonstrate expertise in effective use of energy efficiency measures at an appropriate scale.

“(B) REVISION OF LIST OF ENERGY EFFICIENCY MEASURES.—Subject to the approval of the Secretary, an eligible entity may update the list required under subparagraph (A)(i) to account for newly available efficiency technologies.

“(C) EXISTING ENERGY EFFICIENCY PROGRAMS.—An eligible entity that, at any time before the date that is 60 days after the date of enactment of this section, has established an energy efficiency program for qualified consumers may use an existing list of energy efficiency measures, implementation plan, or measurement and verification system of that program to satisfy the requirements of subparagraph (A) if the Secretary determines the list, plan, or systems are consistent with the purposes of this section.

“(3) NO INTEREST.—A loan under this subsection shall bear no interest.

“(4) REPAYMENT.—With respect to a loan under paragraph (1)—

“(A) the term shall not exceed 20 years from the date on which the loan is closed; and

“(B) except as provided in paragraph (6), the repayment of each advance shall be amortized for a period not to exceed 10 years.

“(5) AMOUNT OF ADVANCES.—Any advance of loan funds to an eligible entity in any single year shall not exceed 50 percent of the approved loan amount.

“(6) SPECIAL ADVANCE FOR START-UP ACTIVITIES.—

“(A) IN GENERAL.—In order to assist an eligible entity in defraying the appropriate start-up costs (as determined by the Secretary) of establishing new programs or modifying existing programs to carry out subsection (d), the Secretary shall allow an eligible entity to request a special advance.

“(B) AMOUNT.—No eligible entity may receive a special advance under this paragraph for an amount that is greater than 4 percent of the loan amount received by the eligible entity under paragraph (1).

“(C) REPAYMENT.—Repayment of the special advance—

“(i) shall be required during the 10-year period beginning on the date on which the special advance is made; and

“(ii) at the election of the eligible entity, may be deferred to the end of the 10-year period.

“(7) LIMITATION.—All special advances shall be made under a loan described in paragraph (1) during the first 10 years of the term of the loan.

“(d) LOANS TO QUALIFIED CONSUMERS.—

“(1) TERMS OF LOANS.—Loans made by an eligible entity to qualified consumers using loan funds provided by the Secretary under subsection (c)—

“(A) may bear interest, not to exceed 3 percent, to be used for purposes that include—

“(i) to establish a loan loss reserve; and

“(ii) to offset personnel and program costs of eligible entities to provide the loans;

“(B) shall finance energy efficiency measures for the purpose of decreasing energy usage or costs of the qualified consumer by an amount that ensures, to the maximum extent practicable, that a loan term of not

more than 10 years will not pose an undue financial burden on the qualified consumer, as determined by the eligible entity;

“(C) shall not be used to fund purchases of, or modifications to, personal property unless the personal property is or becomes attached to real property (including a manufactured home) as a fixture;

“(D) shall be repaid through charges added to the electric bill for the property for, or at which, energy efficiency measures are or will be implemented, on the condition that this requirement does not prohibit—

“(i) the voluntary prepayment of a loan by the owner of the property; or

“(ii) the use of any additional repayment mechanisms that are—

“(I) demonstrated to have appropriate risk mitigation features, as determined by the eligible entity; or

“(II) required if the qualified consumer is no longer a customer of the eligible entity; and

“(E) shall require an energy audit by an eligible entity to determine the impact of proposed energy efficiency measures on the energy costs and consumption of the qualified consumer.

“(2) CONTRACTORS.—In addition to any other qualified general contractor, eligible entities may serve as general contractors.

“(e) CONTRACT FOR MEASUREMENT AND VERIFICATION, TRAINING, AND TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary—

“(A) shall establish a plan for measurement and verification, training, and technical assistance of the program; and

“(B) may enter into 1 or more contracts with a qualified entity for the purposes of—

“(i) providing measurement and verification activities; and

“(ii) developing a program to provide technical assistance and training to the employees of eligible entities to carry out this section.

“(2) USE OF SUBCONTRACTORS AUTHORIZED.—A qualified entity that enters into a contract under paragraph (1) may use subcontractors to assist the qualified entity in carrying out the contract.

“(f) FAST START DEMONSTRATION PROJECTS.—

“(1) IN GENERAL.—The Secretary shall offer to enter into agreements with eligible entities (or groups of eligible entities) that have energy efficiency programs described in subsection (c)(2)(C) to establish an energy efficiency loan demonstration projects consistent with the purposes of this section.

“(2) EVALUATION CRITERIA.—In determining which eligible entities to award loans under this section, the Secretary shall take into consideration eligible entities that—

“(A) implement approaches to energy audits and investments in energy efficiency measures that yield measurable and predictable savings;

“(B) use measurement and verification processes to determine the effectiveness of energy efficiency loans made by eligible entities;

“(C) include training for employees of eligible entities, including any contractors of such entities, to implement or oversee the activities described in subparagraphs (A) and (B);

“(D) provide for the participation of a majority of eligible entities in a State;

“(E) reduce the need for generating capacity;

“(F) provide efficiency loans to—

“(i) in the case of a single eligible entity, not fewer than 20,000 consumers; or

“(ii) in the case of a group of eligible entities, not fewer than 80,000 consumers; and

“(G) serve areas in which, as determined by the Secretary, a large percentage of consumers reside—

“(i) in manufactured homes; or

“(ii) in housing units that are more than 50 years old.

“(3) DEADLINE FOR IMPLEMENTATION.—To the maximum extent practicable, the Secretary shall enter into agreements described in paragraph (1) by not later than 90 days after the date of enactment of this section.

“(4) EFFECT ON AVAILABILITY OF LOANS NATIONALLY.—Nothing in this subsection shall delay the availability of loans to eligible entities on a national basis beginning not later than 180 days after the date of enactment of this section.

“(5) ADDITIONAL DEMONSTRATION PROJECT AUTHORITY.—

“(A) IN GENERAL.—The Secretary may conduct demonstration projects in addition to the project required by paragraph (1).

“(B) INAPPLICABILITY OF CERTAIN CRITERIA.—The additional demonstration projects may be carried out without regard to subparagraphs (D), (F), or (G) of paragraph (2).

“(g) ADDITIONAL AUTHORITY.—The authority provided in this section is in addition to any other authority of the Secretary to offer loans under any other law.

“(h) EFFECTIVE PERIOD.—Subject to the availability of funds and except as otherwise provided in this section, the loans and other expenditures required to be made under this section shall be available until expended, with the Secretary authorized to make new loans as loans are repaid.

“(i) REGULATIONS.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, not later than 180 days after the date of enactment of this section, the Secretary shall promulgate such regulations as are necessary to implement this section.

“(2) PROCEDURE.—The promulgation of the regulations and administration of this section shall be made without regard to—

“(A) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

“(B) chapter 35 of title 44, United States Code (commonly known as the ‘Paperwork Reduction Act’).

“(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

“(4) INTERIM REGULATIONS.—Notwithstanding paragraphs (1) and (2), to the extent regulations are necessary to carry out any provision of this section, the Secretary shall implement such regulations through the promulgation of an interim rule.”

#### SEC. 6204. FUNDING OF PENDING RURAL DEVELOPMENT LOAN AND GRANT APPLICATIONS.

(a) IN GENERAL.—The Secretary shall use funds made available under subsection (b) to provide funds for applications that are pending on the date of enactment of this Act in accordance with the terms and conditions of section 6029 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1955).

(b) FUNDING.—Notwithstanding any other provision of law, beginning in fiscal year

2014, of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$150,000,000, to remain available until expended.

**SEC. 6205. STUDY OF RURAL TRANSPORTATION ISSUES.**

(a) IN GENERAL.—The Secretary and the Secretary of Transportation shall jointly conduct a study of transportation issues regarding the movement of agricultural products, domestically produced renewable fuels, and domestically produced resources for the production of electricity for rural areas of the United States, and economic development in those areas.

(b) INCLUSIONS.—The study shall include an examination of—

(1) the importance of freight transportation, including rail, truck, and barge, to—

(A) the delivery of equipment, seed, fertilizer, and other products important to the development of agricultural commodities and products;

(B) the movement of agricultural commodities and products to market;

(C) the delivery of ethanol and other renewable fuels;

(D) the delivery of domestically produced resources for use in the generation of electricity for rural areas;

(E) the location of grain elevators, ethanol plants, and other facilities;

(F) the development of manufacturing facilities in rural areas; and

(G) the vitality and economic development of rural communities;

(2) the sufficiency in rural areas of transportation capacity, the sufficiency of competition in the transportation system, the reliability of transportation services, and the reasonableness of transportation rates;

(3) the sufficiency of facility investment in rural areas necessary for efficient and cost-effective transportation; and

(4) the accessibility to shippers in rural areas of Federal processes for the resolution of grievances arising within various transportation modes.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of Transportation shall submit a report to Congress that contains the results of the study required under subsection (a).

(d) PERIODIC UPDATES.—The Secretary and the Secretary of Transportation shall publish triennially an updated version of the study described in subsection (a).

**SEC. 6206. AGRICULTURAL TRANSPORTATION POLICY.**

Section 203 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622) is amended by striking subsection (j) and inserting the following:

“(j) POLICY DEVELOPMENT PROCEEDINGS.—The Secretary shall participate on behalf of the interests of agriculture and rural America in all policy development proceedings or other proceedings of the Surface Transportation Board that may establish freight rail transportation policy affecting agriculture and rural America.”.

**SEC. 6207. VALUE-ADDED AGRICULTURAL MARKET DEVELOPMENT PROGRAM GRANTS.**

Section 231(b) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(b)) is amended—

(1) in paragraph (6)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) veteran farmers or ranchers (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))).”; and

(2) in paragraph (7)(B), by striking “2012” and inserting “2017”.

**TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS**

**Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977**

**SEC. 7101. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 1408(h) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(h)) is amended by striking “2012” and inserting “2018”.

(b) DUTIES OF NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.—Section 1408(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(c)) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4)(C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(5) consult with industry groups on agricultural research, extension, education, and economics, and make recommendations to the Secretary based on that consultation.”.

**SEC. 7102. SPECIALTY CROP COMMITTEE.**

Section 1408A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a) is amended—

(1) in subsection (b)—

(A) by striking “Individuals” and inserting the following:

“(1) ELIGIBILITY.—Individuals”;

(B) by striking “Members” and inserting the following:

“(2) SERVICE.—Members”; and

(C) by adding at the end the following:

“(3) DIVERSITY.—Membership of the specialty crops committee shall reflect diversity in the specialty crops represented.”;

(2) in subsection (c), by adding at the end the following:

“(6) Analysis of alignment of specialty crop committee recommendations with specialty crop research initiative grants awarded under section 412(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632).”;

(3) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(4) by inserting after subsection (c) the following:

“(d) CONSULTATION WITH SPECIALTY CROP INDUSTRY.—In studying the scope and effectiveness of programs under subsection (a), the specialty crops committee shall consult on an ongoing basis with diverse sectors of the specialty crop industry.”; and

(5) in subsection (f) (as redesignated by paragraph (3)), by striking “subsection (d)” and inserting “subsection (e)”.

**SEC. 7103. VETERINARY SERVICES GRANT PROGRAM.**

The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended by inserting after section 1415A (7 U.S.C. 3151a) the following:

**“SEC. 1415B. VETERINARY SERVICES GRANT PROGRAM.**

“(a) DEFINITIONS.—In this section:

“(1) QUALIFIED ENTITY.—The term ‘qualified entity’ means—

“(A) a for-profit or nonprofit entity located in the United States that operates a veterinary clinic providing veterinary services—

“(i) in a rural area, as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)); and

“(ii) in response to a veterinarian shortage situation;

“(B) a State, national, allied, or regional veterinary organization or specialty board recognized by the American Veterinary Medical Association;

“(C) a college or school of veterinary medicine accredited by the American Veterinary Medical Association;

“(D) a university research foundation or veterinary medical foundation;

“(E) a department of veterinary science or department of comparative medicine accredited by the Department of Education;

“(F) a State agricultural experiment station; and

“(G) a State, local, or tribal government agency.”.

“(2) VETERINARIAN SHORTAGE SITUATION.—The term ‘veterinarian shortage situation’ means a veterinarian shortage situation determined by the Secretary under section 1415A(b).

“(b) ESTABLISHMENT OF PROGRAM.—

“(1) COMPETITIVE GRANTS.—The Secretary shall carry out a program to make competitive grants to qualified entities that carry out programs or activities described in paragraph (2) for the purpose of developing, implementing, and sustaining veterinary services.

“(2) ELIGIBILITY REQUIREMENTS.—To be eligible to receive a grant described in paragraph (1), a qualified entity shall carry out programs or activities that the Secretary determines will—

“(A) substantially relieve veterinarian shortage situations;

“(B) support or facilitate private veterinary practices engaged in public health activities; or

“(C) support or facilitate the practices of veterinarians who are participating in or have successfully completed a service requirement under section 1415A(a)(2).

“(c) AWARD PROCESSES AND PREFERENCES.—

“(1) APPLICATION, EVALUATION, AND INPUT PROCESSES.—In administering the grant program under this section, the Secretary shall—

“(A) use an appropriate application and evaluation process, as determined by the Secretary; and

“(B) seek the input of interested persons.

“(2) GRANT PREFERENCES.—In selecting recipients of grants to be used for any of the purposes described in paragraphs (2) through (6) of subsection (d), the Secretary shall give a preference to qualified entities that provide documentation of coordination with other qualified entities, with respect to any such purpose.

“(3) ADDITIONAL PREFERENCES.—In awarding grants under this section, the Secretary may develop additional preferences by taking into account the amount of funds available for grants and the purposes for which the grant funds will be used.

“(4) APPLICABILITY OF OTHER PROVISIONS.—Sections 1413B, 1462(a), 1469(a)(3), 1469(c), and 1470 apply to the administration of the grant program under this section.

“(d) USE OF GRANTS TO RELIEVE VETERINARIAN SHORTAGE SITUATIONS AND SUPPORT VETERINARY SERVICES.—A qualified entity may use funds provided by grants under this section to relieve veterinarian shortage situations and support veterinary services for the following purposes:

“(1) To assist veterinarians with establishing or expanding practices for the purpose of—

“(A) equipping veterinary offices;

“(B) sharing in the reasonable overhead costs of the practices, as determined by the Secretary; or

“(C) establishing mobile veterinary facilities in which a portion of the facilities will address education or extension needs.

“(2) To promote recruitment (including for programs in secondary schools), placement, and retention of veterinarians, veterinary technicians, students of veterinary medicine, and students of veterinary technology.

“(3) To allow veterinary students, veterinary interns, externs, fellows, and residents, and veterinary technician students to cover expenses (other than the types of expenses described in 1415A(c)(5)) to attend training programs in food safety or food animal medicine.

“(4) To establish or expand accredited veterinary education programs (including faculty recruitment and retention), veterinary residency and fellowship programs, or veterinary internship and externship programs carried out in coordination with accredited colleges of veterinary medicine.

“(5) To assess veterinarian shortage situations and the preparation of applications submitted to the Secretary for designation as a veterinarian shortage situation under section 1415A(b).

“(6) To provide continuing education and extension, including veterinary telemedicine and other distance-based education, for veterinarians, veterinary technicians, and other health professionals needed to strengthen veterinary programs and enhance food safety.

“(e) SPECIAL REQUIREMENTS FOR CERTAIN GRANTS.—

“(1) TERMS OF SERVICE REQUIREMENTS.—

“(A) IN GENERAL.—Grants provided under this section for the purpose specified in subsection (d)(1) shall be subject to an agreement between the Secretary and the grant recipient that includes a required term of service for the recipient, as established by the Secretary.

“(B) CONSIDERATIONS.—In establishing a term of service under subparagraph (A), the Secretary shall consider only—

“(i) the amount of the grant awarded; and

“(ii) the specific purpose of the grant.

“(2) BREACH REMEDIES.—

“(A) IN GENERAL.—An agreement under paragraph (1) shall provide remedies for any breach of the agreement by the grant recipient, including repayment or partial repayment of the grant funds, with interest.

“(B) WAIVER.—The Secretary may grant a waiver of the repayment obligation for breach of contract if the Secretary determines that the grant recipient demonstrates extreme hardship or extreme need.

“(C) TREATMENT OF AMOUNTS RECOVERED.—Funds recovered under this paragraph shall—

“(i) be credited to the account available to carry out this section; and

“(ii) remain available until expended.

“(f) COST-SHARING REQUIREMENTS.—

“(1) RECIPIENT SHARE.—Subject to paragraph (2), to be eligible to receive a grant under this section, a qualified entity shall provide matching non-Federal funds, either in cash or in-kind support, in an amount equal to not less than 25 percent of the Federal funds provided by the grant.

“(2) WAIVER.—The Secretary may establish, by regulation, conditions under which the cost-sharing requirements of paragraph (1) may be reduced or waived.

“(g) PROHIBITION ON USE OF GRANT FUNDS FOR CONSTRUCTION.—Funds made available for grants under this section may not be used—

“(1) to construct a new building or facility; or

“(2) to acquire, expand, remodel, or alter an existing building or facility, including site grading and improvement and architect fees.

“(h) REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Secretary shall promulgate regulations to carry out this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$10,000,000 for fiscal year 2014 and each fiscal year thereafter, to remain available until expended.”.

#### SEC. 7104. GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURE SCIENCES EDUCATION.

Section 1417(m) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(m)) is amended by striking “section \$60,000,000” and all that follows and inserting the following: “section—

“(1) \$60,000,000 for each of fiscal years 1990 through 2013; and

“(2) \$40,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7105. AGRICULTURAL AND FOOD POLICY RESEARCH CENTERS.

Section 1419A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3155) is amended—

(1) in the section heading, by inserting “**agricultural and food**” before “**policy**”; and

(2) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking “Secretary may” and inserting “Secretary shall, acting through the Office of the Chief Economist,”; and

(B) by inserting “with a history of providing unbiased, nonpartisan economic analysis to Congress” after “subsection (b)”;

(3) in subsection (b), by striking “other research institutions” and all that follows through “shall be eligible” and inserting “other public research institutions and organizations shall be eligible”;

(4) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting “, with preference given to policy research centers having extensive databases, models, and demonstrated experience in providing Congress with agricultural market projections, rural development analysis, agricultural policy analysis, and baseline projections at the farm, multiregional, national, and international levels, including information, analysis, and research relating to drought mitigation,” after “with this section”; and

(B) in paragraph (2), by inserting “applied” after “theoretical”; and

(5) by striking subsection (d) and inserting the following:

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for fiscal year 2013 and each fiscal year thereafter.”.

#### SEC. 7106. EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.

Section 1419B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3156) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “(or grants without regard to any requirement for competition)”;

(B) in paragraph (3), by striking “2012” and inserting “2018”; and

(2) in subsection (b)(1), by striking “(or grants without regard to any requirement for competition)”;

(3) in paragraph (3), by striking “2012” and inserting “2018”.

#### SEC. 7107. NUTRITION EDUCATION PROGRAM.

Section 1425(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175(f)) is amended by striking “2012” and inserting “2018”.

#### SEC. 7108. CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

Section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195) is amended by striking the section designation and heading and all that follows through subsection (a) and inserting the following:

#### “SEC. 1433. APPROPRIATIONS FOR CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated to support continuing animal health and disease research programs at eligible institutions such sums as are necessary, but not to exceed \$25,000,000 for each of fiscal years 1991 through 2018.

“(2) USE OF FUNDS.—Funds made available under this section shall be used—

“(A) to meet the expenses of conducting animal health and disease research, publishing and disseminating the results of such research, and contributing to the retirement of employees subject to the Act of March 4, 1940 (7 U.S.C. 331);

“(B) for administrative planning and direction; and

“(C) to purchase equipment and supplies necessary for conducting research described in subparagraph (A).”.

#### SEC. 7109. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

Section 1447(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b(b)) is amended by striking “2012” and inserting “2018”.

#### SEC. 7110. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AND EQUIPMENT AT INSULAR AREA LAND-GRANT INSTITUTIONS.

Section 1447B(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b-2(d)) is amended by striking “2012” and inserting “2018”.

#### SEC. 7111. HISPANIC-SERVING INSTITUTIONS.

Section 1455(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3241(c)) is amended by striking “2012” and inserting “2018”.

#### SEC. 7112. COMPETITIVE GRANTS FOR INTERNATIONAL AGRICULTURAL SCIENCE AND EDUCATION PROGRAMS.

Section 1459A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b) is amended by striking subsection (c) and inserting the following:

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) such sums as are necessary for each of fiscal years 1999 through 2013; and

“(2) \$5,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7113. UNIVERSITY RESEARCH.

Section 1463 of the National Agricultural Research, Extension, and Teaching Policy

Act of 1977 (7 U.S.C. 3311) is amended in each of subsections (a) and (b) by striking “2012” each place it appears and inserting “2018”.

#### SEC. 7114. EXTENSION SERVICE.

Section 1464 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3312) is amended by striking “2012” and inserting “2018”.

#### SEC. 7115. SUPPLEMENTAL AND ALTERNATIVE CROPS.

(a) AUTHORIZATION OF APPROPRIATIONS AND TERMINATION.—Section 1473D of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d) is amended—

(1) in subsection (a), by striking “2012” and inserting “2018”; and

(2) by adding at the end the following:

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) such sums as are necessary for each of fiscal years 2012 and 2013; and

“(2) \$1,000,000 for each of fiscal years 2014 through 2018.”.

(b) COMPETITIVE GRANTS.—Section 1473D(c)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d(c)(1)) is amended by striking “use such research funding, special or competitive grants, or other means, as the Secretary determines,” and inserting “make competitive grants”.

#### SEC. 7116. CAPACITY BUILDING GRANTS FOR NLGCA INSTITUTIONS.

Section 1473F(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319i(b)) is amended by striking “2012” and inserting “2018”.

#### SEC. 7117. AQUACULTURE ASSISTANCE PROGRAMS.

(a) COMPETITIVE GRANTS.—Section 1475(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3322(b)) is amended in the matter preceding paragraph (1) by inserting “competitive” before “grants”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1477 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324) is amended to read as follows:

#### “SEC. 1477. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle—

“(1) \$7,500,000 for each of fiscal years 1991 through 2013; and

“(2) \$5,000,000 for each of fiscal years 2014 through 2018.

“(b) PROHIBITION ON USE.—Funds made available under this section may not be used to acquire or construct a building.”.

#### SEC. 7118. RANGELAND RESEARCH PROGRAMS.

Section 1483(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3336(a)) is amended by striking “subtitle” and all that follows and inserting the following: “subtitle—

“(1) \$10,000,000 for each of fiscal years 1991 through 2013; and

“(2) \$2,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7119. SPECIAL AUTHORIZATION FOR BIOSECURITY PLANNING AND RESPONSE.

Section 1484(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3351(a)) is amended by striking “response such sums as are necessary” and all that follows and inserting the following: “response—

“(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

“(2) \$20,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7120. DISTANCE EDUCATION AND RESIDENT INSTRUCTION GRANTS PROGRAM FOR INSULAR AREA INSTITUTIONS OF HIGHER EDUCATION.

(a) DISTANCE EDUCATION GRANTS FOR INSULAR AREAS.—

(1) COMPETITIVE GRANTS.—Section 1490(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362(a)) is amended by striking “or noncompetitive”.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 1490(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362(f)) is amended by striking “section” and all that follows and inserting the following: “section—

“(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

“(2) \$2,000,000 for each of fiscal years 2014 through 2018.”.

(b) RESIDENT INSTRUCTION GRANTS FOR INSULAR AREAS.—Section 1491(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363(c)) is amended by striking “such sums as are necessary” and all that follows and inserting the following: “to carry out this section—

“(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

“(2) \$2,000,000 for each of fiscal years 2014 through 2018.”.

#### Subtitle B—Food, Agriculture, Conservation, and Trade Act of 1990

#### SEC. 7201. BEST UTILIZATION OF BIOLOGICAL APPLICATIONS.

Section 1624 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5814) is amended—

(1) by striking “\$40,000,000 for each fiscal year”; and

(2) by inserting “\$40,000,000 for each of fiscal years 2014 through 2018” after “chapter”.

#### SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.

Section 1627 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5821) is amended by striking subsection (d) and inserting the following:

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section through the National Institute of Food and Agriculture \$20,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DEVELOPMENT AND TRANSFER PROGRAM.

Section 1628 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5831) is amended by striking subsection (f) and inserting the following:

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary for each of fiscal years 2014 through 2018.”.

#### SEC. 7204. NATIONAL TRAINING PROGRAM.

Section 1629 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5832) is amended by striking subsection (i) and inserting the following:

“(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the National Training Program \$20,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7205. NATIONAL GENETICS RESOURCES PROGRAM.

Section 1635(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5844(b)) is amended—

(1) by striking “such funds as may be necessary”; and

(2) by striking “subtitle” and all that follows and inserting the following: “subtitle—

“(1) such sums as are necessary for each of fiscal years 1991 through 2013; and

“(2) \$1,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7206. NATIONAL AGRICULTURAL WEATHER INFORMATION SYSTEM.

Section 1641(c) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5855(c)) is amended by inserting “and \$1,000,000 for each of fiscal years 2014 through 2018” before the period at the end.

#### SEC. 7207. AGRICULTURAL GENOME INITIATIVE.

Section 1671(c) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5924(c)) is amended by adding at the end the following:

“(3) CONSORTIA.—The Secretary shall encourage awards under this section to consortia of eligible entities.”.

#### SEC. 7208. HIGH-PRIORITY RESEARCH AND EXTENSION INITIATIVES.

Section 1672 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925) is amended—

(1) in the first sentence of subsection (a), by striking “subsections (e) through (i) of”; and

(2) in subsection (b)(2)—

(A) by striking the first sentence and inserting the following:

“(A) IN GENERAL.—To facilitate the making of research and extension grants under subsection (d), the Secretary may appoint a task force to make recommendations to the Secretary.”; and

(B) in the second sentence, by striking “The Secretary may not incur costs in excess of \$1,000 for any fiscal year in connection with each” and inserting the following:

“(B) COSTS.—The Secretary may not incur costs in excess of \$1,000 for any fiscal year in connection with a”; and

(3) in subsection (e)—

(A) by striking paragraphs (1) through (5), (7), (8), (11) through (43), (47), (48), (51), and (52);

(B) by redesignating paragraphs (6), (9), (10), (44), (45), (46), (49), and (50) as paragraphs (1), (2), (3), (4), (5), (6), (7), and (8), respectively; and

(C) by adding at the end the following:

“(9) CERVIDAE INITIATIVE.—Research and extension grants may be made under this section to support collaborative research focusing on the development of viable strategies for the prevention, diagnosis, and treatment of parasites and diseases of farmed deer and elk such as epizootic hemorrhagic disease and chronic wasting disease and the mapping of the cervid genome.

“(10) CORN, SOYBEAN MEAL, CEREAL GRAINS, AND GRAIN BYPRODUCTS RESEARCH AND EXTENSION.—Research and extension grants may be made under this section for the purpose of carrying out or enhancing research to improve the digestibility, nutritional value, and efficiency of use of corn, soybean meal, cereal grains, and grain byproducts for the poultry and food animal production industries.”;

(4) by striking subsections (f), (g), and (i);

(5) by redesignating subsections (h) and (j) as subsections (j) and (k), respectively;

(6) by inserting after subsection (e) the following:

“(f) PULSE HEALTH INITIATIVE.—

“(1) DEFINITIONS.—In this subsection;

“(A) INITIATIVE.—The term ‘Initiative’ means the pulse health initiative established by paragraph (2).

“(B) PULSE.—The term ‘pulse’ means dry beans, dry peas, lentils, and chickpeas or garbanzo beans.

“(2) ESTABLISHMENT.—Notwithstanding any other provision of law, during the period beginning on the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and ending on September 30, 2018, the Secretary shall carry out a pulse crop health and extension initiative to address the critical needs of the pulse crop industry by developing and disseminating science-based tools and information, including—

“(A) research in health and nutrition, such as—

“(i) identifying global dietary patterns of pulse crops in relation to population health;“(ii) researching pulse crop diets and the ability of the diets to reduce obesity and associated chronic disease (including cardiovascular disease, type 2 diabetes, and cancer); and

“(iii) identifying the underlying mechanisms of the health benefits of pulse crop consumption (including disease biomarkers, bioactive components, and relevant plant genetic components to enhance the health promoting value of pulse crops);

“(B) research in functionality, such as—

“(i) improving the functional properties of pulse crops and pulse fractions;

“(ii) developing new and innovative technologies to improve pulse crops as an ingredient in food products; and

“(iii) developing nutrient-dense food product solutions to ameliorate chronic disease and enhance food security worldwide;

“(C) research in sustainability to enhance global food security, such as—

“(i) plant breeding, genetics and genomics to improve productivity, nutrient density, and phytonutrient content for a growing world population;

“(ii) pest and disease management, including resistance to pests and diseases resulting in reduced application management strategies; and

“(iii) improving nitrogen fixation to reduce the carbon and energy footprint of agriculture;

“(D) optimizing pulse cropping systems to reduce water usage; and

“(E) education and technical service, such as—

“(i) providing technical expertise to help food companies include nutrient-dense pulse crops in innovative and healthy foods; and

“(ii) establishing an educational program to encourage the consumption and production of pulse crops in the United States and other countries.

“(3) ELIGIBLE ENTITIES.—The Secretary may carry out the Initiative through—

“(A) Federal agencies, including the Agricultural Research Service and the National Institute of Food and Agriculture;

“(B) National Laboratories;

“(C) institutions of higher education;

“(D) research institutions or organizations;

“(E) private organizations or corporations;

“(F) State agricultural experiment stations;

“(G) individuals; or

“(H) groups consisting of 2 or more entities or individuals described in subparagraphs (A) through (G).

“(4) RESEARCH PROJECT GRANTS.—

“(A) IN GENERAL.—In carrying out this subsection, the Secretary shall award grants on a competitive basis.

“(B) IN GENERAL.—The Secretary shall—

“(i) seek and accept proposals for grants;

“(ii) determine the relevance and merit of proposals through a system of peer review, in

consultation with the pulse crop industry; and

“(iii) award grants on the basis of merit, quality, and relevance.

“(C) PRIORITIES.—In making grants under this subsection, the Secretary shall provide a higher priority to projects that—

“(i) are multistate, multiinstitutional, and multidisciplinary; and

“(ii) include explicit mechanisms to communicate results to the pulse crop industry and the public.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$25,000,000 for each of fiscal years 2014 through 2018.

“(g) FORESTRY PRODUCTS ADVANCED UTILIZATION RESEARCH.—

“(1) ESTABLISHMENT.—The Secretary shall establish a forestry and forestry products research and extension initiative to develop and disseminate science-based tools that address the needs of the forestry sector and their respective regions, forest and timberland owners and managers, and forestry products engineering, manufacturing, and related interests, including—

“(A) research in wood quality improvement with respect to lumber strength and grade yield;

“(B) improvement in forestry products, lumber, and evaluation standards and valuation techniques;

“(C) research and development of novel engineered lumber products and renewable energy from wood;

“(D) efforts to improve lumber quality and value based on forest management techniques;

“(E) efforts to improve forestry products conversion and manufacturing efficiency, productivity, and profitability over the long term (including forestry product marketing); and

“(F) other research to support the longevity, sustainability, and profitability of timberland through sound management and utilization.

“(2) GRANTS.—

“(A) IN GENERAL.—As part of the initiative described in paragraph (1), the Secretary shall make grants to eligible entities to carry out the activities described in subparagraphs (A) through (F) of paragraph (1).

“(B) ELIGIBLE ENTITIES.—Entities eligible for grants described in subparagraph (A) shall include—

“(i) Federal agencies;

“(ii) National Laboratories

“(iii) colleges and universities;

“(iv) research institutions and organizations;

“(v) private organizations or corporations;

“(vi) State agricultural experiment stations; and

“(vii) groups consisting of 2 or more such entities.

“(C) PRIORITIES.—In making grants, the Secretary shall give higher priority to projects that—

“(i) are multistate, multiinstitutional, or multidisciplinary;

“(ii) include explicit mechanisms to communicate results to producers, forestry industry stakeholders, policymakers, and the public; and

“(iii) have—

“(I) extensive history and demonstrated experience in forestry and forestry products research;

“(II) existing capacity in forestry products research and dissemination; and

“(III) a demonstrated means of evaluating and responding to the needs of the related commercial sector.

“(D) ADMINISTRATION.—

“(i) SELECTION PROCESS.—In awarding grants under this subsection, the Secretary shall—

“(I) seek and accept proposals;

“(II) determine the relevance and merit of proposals through a system of peer and merit review; and

“(III) award grants on the basis of merit, quality, and relevance.

“(ii) TERMS.—The term of a grant made under this paragraph may not exceed 10 years.

“(iii) MATCHING FUNDS.—The Secretary shall require the recipient of a grant to provide funds or in-kind support from non-Federal sources in an amount that is at least equal to the amount provided by the Federal Government.

“(iv) BUILDINGS AND FACILITIES.—Funds made available under this paragraph shall not be used for the construction of a new building or facility or the acquisition, expansion, remodeling, or alteration of an existing building or facility (including site grading and improvement, and architect fees).

“(v) COORDINATION.—The Secretary shall ensure that any activities carried out under this paragraph are done in coordination with the Forest Products Laboratory.

“(3) AUTHORIZATION OF APPROPRIATIONS.—

“(A) IN GENERAL.—There is authorized to be appropriated to carry out this subsection \$7,000,000 for each of fiscal years 2014 through 2018.

“(B) MATCHING FUNDS.—To the extent practicable, the Secretary shall match any funds received under subparagraph (A) with funds received for the research and development program of the Forest Service under section 3 of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642).

“(h) TRAINING COORDINATION FOR FOOD AND AGRICULTURE PROTECTION.—

“(1) IN GENERAL.—The Secretary shall make grants and enter into contracts or cooperative agreements with eligible entities described in paragraph (2) for the purposes of establishing a Comprehensive Food Safety Training Network.

“(2) ELIGIBILITY.—

“(A) IN GENERAL.—For purposes of this subsection, an eligible entity is a multiinstitutional consortium that includes—

“(i) a nonprofit institution that provides administering food protection training; and

“(ii) 1 or more training centers in institutions of higher education that have demonstrated expertise in developing and delivering community-based training in food and agricultural safety and defense.

“(B) REQUIREMENTS.—To ensure that coordination and administration is provided across all the disciplines and provide comprehensive food protection training, the Secretary may only consider an entire consortium collectively rather than on an institution-by-institution basis.

“(C) MEMBERSHIP.—An eligible entity may alter the consortium membership to meet specific training expertise needs.

“(3) DUTIES OF ELIGIBLE ENTITY.—As a condition of the receipt of assistance under this subsection, an eligible entity, in cooperation with the Secretary, shall establish and maintain the network for an internationally integrated training system to enhance protection of the United States food supply, including, at a minimum—

“(A) developing curricula and a training network to provide basic, technical, management, and leadership training to regulatory and public health officials, producers, processors, and other agrifood businesses;



“(B) serving as the hub for the administration of an open training network;

“(C) implementing standards to ensure the delivery of quality training through a national curricula;

“(D) building and overseeing a nationally recognized instructor cadre to ensure the availability of highly qualified instructors;

“(E) reviewing training proposed through the National Institute of Food and Agriculture and other relevant Federal agencies that report to the Secretary on the quality and content of proposed and existing courses;

“(F) assisting Federal agencies in the implementation of food protection training requirements including requirements contained in the Agriculture Reform, Food, and Jobs Act of 2013, the FDA Food Safety Modernization Act (Public Law 111-353; 124 Stat. 3885), and amendments made by those Acts; and

“(G) performing evaluation and outcome-based studies to provide to the Secretary feedback on the effectiveness and impact of training and metrics on jurisdictions and sectors within the food safety system.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

“(i) FARM ANIMAL AGRICULTURE INTEGRATED RESEARCH INITIATIVE.—

“(1) DEFINITION OF INITIATIVE.—In this subsection, the term ‘Initiative’ means the farm animal integrated research initiative established under paragraph (2).

“(2) ESTABLISHMENT.—Notwithstanding any other provision of law, during the period beginning on the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and ending on September 30, 2018, the Secretary shall carry out a farm animal integrated research initiative to address the critical needs of animal agriculture, by developing and disseminating science-based tools and information, including—

“(A) research to promote food security, such as—

“(i) improving feed efficiency;

“(ii) improving energetic efficiency;

“(iii) connecting genomics, proteomics, metabolomics, and related phenomena to animal production;

“(iv) improving reproductive efficiency; and

“(v) enhancing pre- and post-harvest food safety systems;

“(B) research on the interrelationship between animal and human health, such as—

“(i) exploring new approaches for vaccine development;

“(ii) understanding and controlling zoonoses, including the impact of zoonoses on food safety;

“(iii) improving animal health through feed; and

“(iv) enhancing product quality and nutritive value; and

“(C) research on stewardship, such as—

“(i) minimizing or reducing the flow of nutrients from animal production systems;

“(ii) improving sustainability and increasing efficiency of natural resource use; and

“(iii) better understanding animal production systems and the interactions between animals, plants, and human management.

“(3) ELIGIBLE ENTITIES.—The Secretary may carry out the Initiative through—

“(A) Federal agencies, including the Agricultural Research Service and the National Institute of Food and Agriculture;

“(B) National Laboratories;

“(C) institutions of higher education;

“(D) research institutions or organizations;

“(E) private organizations or corporations;

“(F) State agricultural experiment stations;

“(G) individuals; and

“(H) groups consisting of 2 or more entities or individuals described in subparagraphs (A) through (G).

“(4) RESEARCH PROJECT GRANTS.—

“(A) IN GENERAL.—In carrying out this subsection, the Secretary shall award grants on a competitive basis in accordance with subparagraphs (B) and (C).

“(B) PROCESS FOR AWARDED GRANTS.—The Secretary shall—

“(i) seek and accept proposals for grants;

“(ii) determine the relevance and merit of proposals through a system of peer review, in consultation with the animal agriculture industry; and

“(iii) award grants on the basis of merit, quality, and relevance.

“(C) PRIORITIES.—In making grants under this subsection, the Secretary shall give priority to projects that—

“(i) are multistate, multiinstitutional, and multidisciplinary; and

“(ii) include explicit mechanisms to communicate results to the animal agriculture industry and the public.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$50,000,000 for each of fiscal years 2014 through 2018.”;

(7) in subsection (j) (as redesignated by paragraph (5)), by striking “2012” each place it appears and inserting “2018”; and

(8) in subsection (k) (as redesignated by paragraph (5)), by striking “2012” and inserting “2018”.

#### SEC. 7209. ORGANIC AGRICULTURE RESEARCH AND EXTENSION INITIATIVE.

Section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, education,” after “support research”;;

(B) in paragraph (1), by inserting “and improvement” after “development”;

(C) in paragraph (2), by striking “to producers and processors who use organic methods” and inserting “of organic agricultural production and methods to producers, processors, and rural communities”;

(D) in paragraph (5), by inserting “and researching solutions to” after “identifying”; and

(E) in paragraph (6), by striking “and marketing” and inserting “, marketing, and food safety”;

(2) by striking subsection (e);

(3) by redesignating subsection (f) as subsection (e); and

(4) in paragraph (1) of subsection (e) (as so redesignated)—

(A) in the heading, by striking “FOR FISCAL YEARS 2008 THROUGH 2012”;

(B) in subparagraph (A), by striking “and” at the end;

(C) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(C) \$16,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7210. FARM BUSINESS MANAGEMENT.

Section 1672D(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925f(d)) is amended by striking “such sums as are necessary to carry out this section.” and inserting the following: “to carry out this section—

“(1) such sums as are necessary for fiscal year 2013; and

“(2) \$5,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7211. REGIONAL CENTERS OF EXCELLENCE.

Subtitle H of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended by inserting after section 1672D (7 U.S.C. 5925) the following:

#### “SEC. 1673. REGIONAL CENTERS OF EXCELLENCE.

“(a) ESTABLISHMENT.—The Secretary may prioritize regional centers of excellence established for specific agricultural commodities for the receipt of funding.

“(b) COMPOSITION.—A regional center of excellence shall be composed of 1 or more colleges and universities (including land-grant institutions, schools of forestry, schools of veterinary medicine, or NLGCA Institutions (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103))) that provide financial support to the regional center of excellence.

“(c) CRITERIA FOR REGIONAL CENTERS OF EXCELLENCE.—The criteria for consideration to be a regional center of excellence shall include efforts—

“(1) to ensure coordination and cost-effectiveness by reducing unnecessarily duplicative efforts regarding research, teaching, and extension;

“(2) to leverage available resources by using public/private partnerships among agricultural industry groups, institutions of higher education, and the Federal Government;

“(3) to implement teaching initiatives to increase awareness and effectively disseminate solutions to target audiences through extension activities;

“(4) to increase the economic returns to rural communities by identifying, attracting, and directing funds to high-priority agricultural issues; and

“(5) to improve teaching capacity and infrastructure at colleges and universities (including land-grant institutions, schools of forestry, and schools of veterinary medicine, and NLGCA Institutions).

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7212. ASSISTIVE TECHNOLOGY PROGRAM FOR FARMERS WITH DISABILITIES.

Section 1680(c)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5933(c)(1)) is amended—

(1) by striking “is” and inserting “are”; and

(2) by striking “section” and all that follows and inserting the following: “section—

“(A) \$6,000,000 for each of fiscal years 1999 through 2013; and

“(B) \$5,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7213. NATIONAL RURAL INFORMATION CENTER CLEARINGHOUSE.

Section 2381(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is amended by striking “2012” and inserting “2018”.

#### Subtitle C—Agricultural Research, Extension, and Education Reform Act of 1998

#### SEC. 7301. RELEVANCE AND MERIT OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION FUNDED BY THE DEPARTMENT.

Section 103(a)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7613(a)(2)) is amended—

(1) by striking the paragraph designation and heading and inserting the following:

“(2) RELEVANCE AND MERIT REVIEW OF RESEARCH, EXTENSION, AND EDUCATION GRANTS.—”;

(2) in subparagraph (A)—

(A) by inserting “relevance and” before “merit”; and

(B) by striking “extension or education” and inserting, “research, extension, or education”; and

(3) in subparagraph (B) by inserting “on a continuous basis” after “procedures”.

**SEC. 7302. INTEGRATED RESEARCH, EDUCATION, AND EXTENSION COMPETITIVE GRANTS PROGRAM.**

Section 406(f) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626(f)) is amended by striking “2012” and inserting “2018”.

**SEC. 7303. SUPPORT FOR RESEARCH REGARDING DISEASES OF WHEAT, TRITICALE, AND BARLEY CAUSED BY FUSARIUM GRAMINEARUM OR BY TILLETIA INDICA.**

Section 408(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7628(e)) is amended by striking “such sums as may be necessary for each of fiscal years 1999 through 2012” and inserting “\$10,000,000 for each of fiscal years 2014 through 2018”.

**SEC. 7304. GRANTS FOR YOUTH ORGANIZATIONS.**

Section 410(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7630(d)) is amended by striking “section such sums as are necessary” and all that follows and inserting the following: “section—

“(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

“(2) \$3,000,000 for each of fiscal years 2014 through 2018.”.

**SEC. 7305. SPECIALTY CROP RESEARCH INITIATIVE.**

Section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632) is amended—

(1) in subsection (b)(3), by inserting “handling and processing,” after “production efficiency.”;

(2) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking “and” at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(iii) by inserting after subparagraph (C) the following:

“(D) consult with the specialty crops committee authorized under section 1408A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a) during the peer and merit review process.”; and

(B) in paragraph (3), by striking “non-Federal” and all that follows through the end of the paragraph and inserting “other sources in an amount that is at least equal to the amount provided by a grant received under this section.”; and

(3) in subsection (h), by striking paragraph (3) and inserting the following:

“(3) SUBSEQUENT FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section—

“(A) \$25,000,000 for fiscal year 2014;

“(B) \$30,000,000 for each of fiscal years 2015 and 2016;

“(C) \$65,000,000 for fiscal year 2017; and

“(D) \$50,000,000 for fiscal year 2018 and each fiscal year thereafter.”.

**SEC. 7306. FOOD ANIMAL RESIDUE AVOIDANCE DATABASE PROGRAM.**

Section 604(e) of the Agricultural Research, Extension, and Education Reform

Act of 1998 (7 U.S.C. 7642(e)) is amended by striking “2012” and inserting “2018”.

**SEC. 7307. OFFICE OF PEST MANAGEMENT POLICY.**

Section 614(f) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7653(f)) is amended—

(1) by striking “such sums as are necessary”; and

(2) by striking “section” and all that follows and inserting the following: “section—

“(1) such sums as are necessary for each of fiscal years 1999 through 2013; and

“(2) \$3,000,000 for each of fiscal years 2014 through 2018.”.

**SEC. 7308. AUTHORIZATION OF REGIONAL INTEGRATED PEST MANAGEMENT CENTERS.**

Subtitle B of title VI of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7651 et seq.) is amended by adding at the end the following:

**“SEC. 621. AUTHORIZATION OF REGIONAL INTEGRATED PEST MANAGEMENT CENTERS.**

“(a) IN GENERAL.—There are established 4 regional integrated pest management centers (referred to in this section as the ‘Centers’), which shall be located at such specific locations in the north central, northeastern, southern, and western regions of the United States as the Secretary shall specify.

“(b) PURPOSES.—The purposes of the Centers shall be—

“(1) to strengthen the connection of the Department with production agriculture, research, and extension programs, and agricultural stakeholders throughout the United States;

“(2) to increase the effectiveness of providing pest management solutions for the private and public sectors;

“(3) to quickly respond to information needs of the public and private sectors; and

“(4) to improve communication among the relevant stakeholders.

“(c) DUTIES.—In meeting the purposes described in subsection (b) and otherwise carrying out this section, the Centers shall—

“(1) develop regional strategies to address pest management needs;

“(2) assist the Department and partner institutions of the Department in identifying, prioritizing, and coordinating a national pest management research, extension, and education program implemented on a regional basis;

“(3) establish a national pest management communication network that includes—

“(A) the agencies of the Department and other government agencies;

“(B) scientists at institutions of higher education; and

“(C) stakeholders focusing on pest management issues;

“(4) serve as regional hubs responsible for ensuring efficient access to pest management expertise and data available through institutions of higher education; and

“(5) on behalf of the Department, manage grants that can be most effectively and efficiently delivered at the regional level, as determined by the Secretary.”.

**Subtitle D—Other Laws**

**SEC. 7401. CRITICAL AGRICULTURAL MATERIALS ACT.**

Section 16(a) of the Critical Agricultural Materials Act (7 U.S.C. 178n(a)) is amended—

(1) by striking “such sums as are necessary”; and

(2) by striking “Act” and all that follows and inserting the following: “Act—

“(1) such sums as are necessary for each of fiscal years 1991 through 2013; and

“(2) \$2,000,000 for each of fiscal years 2014 through 2018.”.

**SEC. 7402. EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.**

(a) DEFINITION OF 1994 INSTITUTIONS.—Section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended to read as follows:

**“SEC. 532. DEFINITION OF 1994 INSTITUTIONS.**

“In this part, the term ‘1994 Institutions’ means any 1 of the following:

“(1) Aaniiih Nakoda College.

“(2) Bay Mills Community College.

“(3) Blackfeet Community College.

“(4) Cankdeska Cikana Community College.

“(5) Chief Dull Knife Memorial College.

“(6) College of Menominee Nation.

“(7) College of the Muscogee Nation.

“(8) D-Q University.

“(9) Dine College.

“(10) Fond du Lac Tribal and Community College.

“(11) Fort Berthold Community College.

“(12) Fort Peck Community College.

“(13) Haskell Indian Nations University.

“(14) Iisagvik College.

“(15) Institute of American Indian and Alaska Native Culture and Arts Development.

“(16) Keweenaw Bay Ojibwa Community College.

“(17) Lac Courte Oreilles Ojibwa Community College.

“(18) Leech Lake Tribal College.

“(19) Little Big Horn College.

“(20) Little Priest Tribal College.

“(21) Navajo Technical College.

“(22) Nebraska Indian Community College.

“(23) Northwest Indian College.

“(24) Oglala Lakota College.

“(25) Saginaw Chippewa Tribal College.

“(26) Salish Kootenai College.

“(27) Sinte Gleska University.

“(28) Sisseton Wahpeton College.

“(29) Sitting Bull College.

“(30) Southwestern Indian Polytechnic Institute.

“(31) Stone Child College.

“(32) Tohono O’odham Community College.

“(33) Turtle Mountain Community College.

“(34) United Tribes Technical College.

“(35) White Earth Tribal and Community College.”.

(b) ENDOWMENT FOR 1994 INSTITUTIONS.—

(1) IN GENERAL.—Section 533 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended—

(A) in subsection (a)(2)(A)(ii), by striking “of such Act as added by section 534(b)(1) of this part” and inserting “of that Act (7 U.S.C. 343(b)(3)) and for programs for children, youth, and families at risk and for Federally recognized tribes implemented under section 3(d) of that Act (7 U.S.C. 343(d))”; and

(B) in subsection (b), in the first sentence by striking “2012” and inserting “2018”.

(2) CONFORMING AMENDMENT.—Section 3(d) of the Smith-Lever Act (7 U.S.C. 343(d)) is amended in the second sentence by inserting “and, in the case of programs for children, youth, and families at risk and for Federally recognized tribes, the 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382)),” before “may compete for”.

(c) INSTITUTIONAL CAPACITY BUILDING GRANTS.—Section 535 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is

amended by striking “2012” each place it appears in subsections (b)(1) and (c) and inserting “2018”.

(d) RESEARCH GRANTS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 536(c) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended in the first sentence by striking “2012” and inserting “2018”.

(2) RESEARCH GRANT REQUIREMENTS.—Section 536(b) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended by striking “with at least 1 other land-grant college or university” and all that follows and inserting the following: “with—

“(1) the Agricultural Research Service of the Department of Agriculture; or

“(2) at least 1—

“(A) other land-grant college or university (exclusive of another 1994 Institution);

“(B) non-land-grant college of agriculture (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)); or

“(C) cooperating forestry school (as defined in that section).”.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (d)(2) take effect on October 1, 2013.

#### SEC. 7403. RESEARCH FACILITIES ACT.

Section 6(a) of the Research Facilities Act (7 U.S.C. 390d(a)) is amended by striking “2012” and inserting “2018”.

#### SEC. 7404. COMPETITIVE, SPECIAL, AND FACILITIES RESEARCH GRANT ACT.

Section 2 of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i) is amended—

(1) in subsection (b)(11)(A)—

(A) in the matter preceding clause (i), by striking “2012” and inserting “2018”; and

(B) in clause (i), by striking “integrated research” and all that follows through “; and” and inserting “integrated research, extension, and education activities; and”; and

(2) by adding at the end the following:

“(1) STREAMLINING GRANT APPLICATION PROCESS.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall submit to Congress a report that includes—

“(1) an analysis of barriers that exist in the competitive grants process administered by the National Institute of Food and Agriculture that prevent eligible institutions and organizations with limited institutional capacity from successfully applying and competing for competitive grants; and

“(2) specific recommendations for future steps that the Department can take to streamline the competitive grants application process so as to remove the barriers and increase the success rates of applicants described in paragraph (1).”.

#### SEC. 7405. ENHANCED USE LEASE AUTHORITY PILOT PROGRAM UNDER DEPARTMENT OF AGRICULTURE REORGANIZATION ACT OF 1994.

Section 308(b)(6) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 3125a note; Public Law 103-354) is amended by striking subparagraph (A) and inserting the following:

“(A) on September 30, 2018; or”.

#### SEC. 7406. RENEWABLE RESOURCES EXTENSION ACT OF 1978.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 6 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1675) is amended in the first sentence by striking “2012” and inserting “2018”.

(b) TERMINATION DATE.—Section 8 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 note; Public Law 95-306) is amended by striking “2012” and inserting “2018”.

#### SEC. 7407. NATIONAL AQUACULTURE ACT OF 1980.

Section 10 of the National Aquaculture Act of 1980 (16 U.S.C. 2809) is amended by striking “2012” each place it appears and inserting “2018”.

#### SEC. 7408. BEGINNING FARMER AND RANCHER DEVELOPMENT PROGRAM UNDER FARM SECURITY AND RURAL INVESTMENT ACT OF 2002.

Section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f) is amended—

(1) in subsection (c)(8)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) beginning farmers and ranchers who are veterans (as defined in section 101 of title 38, United States Code).”; and

(2) by redesignating subsection (h) as subsection (i);

(3) by inserting after subsection (g) the following:

“(h) STATE GRANTS.—

“(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term ‘eligible entity’ means—

“(A) an agency of a State or political subdivision of a State;

“(B) a national, State, or regional organization of agricultural producers; and

“(C) any other entity determined appropriate by the Secretary.

“(2) GRANTS.—The Secretary shall use such sums as are necessary of funds made available to carry out this section for each fiscal year under subsection (i) to make grants to States, on a competitive basis, which States shall use the grants to make grants to eligible entities to establish and improve farm safety programs at the local level.”; and

(4) in subsection (i) (as redesignated by paragraph (2))—

(A) in paragraph (1)—

(i) in the heading, by striking “FOR FISCAL YEARS 2009 THROUGH 2012”; and

(ii) in subparagraph (A), by striking “and” at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(C) \$17,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.”; and

(B) in paragraph (2)—

(i) in the heading, by striking “FOR FISCAL YEARS 2009 THROUGH 2012”; and

(ii) striking “2012” and inserting “2018”; and

(C) by striking paragraph (3).

#### Subtitle E—Food, Conservation, and Energy Act of 2008

##### PART I—AGRICULTURAL SECURITY

#### SEC. 7501. AGRICULTURAL BIOSECURITY COMMUNICATION CENTER.

Section 14112 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8912) is amended by striking subsection (c) and inserting the following:

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

“(2) \$2,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7502. ASSISTANCE TO BUILD LOCAL CAPACITY IN AGRICULTURAL BIOSECURITY PLANNING, PREPARATION, AND RESPONSE.

Section 14113 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8913) is amended—

(1) in subsection (a)(2)—

(A) by striking “such sums as may be necessary”; and

(B) by striking “subsection” and all that follows and inserting the following: “subsection—

“(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

“(2) \$15,000,000 for each of fiscal years 2014 through 2018.”; and

(2) in subsection (b)(2), by striking “is authorized to be appropriated to carry out this subsection” and all that follows and inserting the following: “are authorized to be appropriated to carry out this subsection—

“(1) \$25,000,000 for each of fiscal years 2008 through 2013; and

“(2) \$15,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7503. RESEARCH AND DEVELOPMENT OF AGRICULTURAL COUNTERMEASURES.

Section 14121(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8921(b)) is amended by striking “is authorized to be appropriated to carry out this section” and all that follows and inserting the following: “are authorized to be appropriated to carry out this section—

“(1) \$50,000,000 for each of fiscal years 2008 through 2013; and

“(2) \$15,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7504. AGRICULTURAL BIOSECURITY GRANT PROGRAM.

Section 14122(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8922(e)) is amended—

(1) by striking “such sums as are necessary”; and

(2) by striking “section” and all that follows and inserting the following: “section—

“(1) such sums as are necessary for each of fiscal years 2008 through 2013, to remain available until expended; and

“(2) \$5,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.”.

##### PART II—MISCELLANEOUS

#### SEC. 7511. GRAZINGLANDS RESEARCH LABORATORY.

Section 7502 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 112 Stat. 2019) is amended by striking “for the 5-year period beginning on the date of enactment of this Act” and inserting “until September 30, 2018”.

#### SEC. 7512. BUDGET SUBMISSION AND FUNDING.

Section 7506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7614c) is amended—

(1) in subsection (a)—

(A) by striking “(a) DEFINITION OF COMPETITIVE PROGRAMS.—In this section, the term”; and inserting the following:

“(a) DEFINITIONS.—In this section:

“(1) COMPETITIVE PROGRAMS.—The term”; and

(B) by adding at the end the following:

“(2) COVERED PROGRAM.—The term ‘covered program’ means—

“(A) each research program carried out by the Agricultural Research Service or the Economic Research Service for which annual appropriations are requested in the annual budget submission of the President; and

“(B) each competitive program (as defined in section 251(f)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C.

6971(f)(1)) carried out by the National Institute of Food and Agriculture for which annual appropriations are requested in the annual budget submission of the President.

“(3) REQUEST FOR AWARDS.—The term ‘request for awards’ means a funding announcement published by the National Institute of Food and Agriculture that provides detailed information on funding opportunities at the Institute, including the purpose, eligibility, restriction, focus areas, evaluation criteria, regulatory information, and instructions on how to apply for such opportunities.”; and

(2) by adding at the end the following:

“(e) ADDITIONAL PRESIDENTIAL BUDGET SUBMISSION REQUIREMENT.—

“(1) IN GENERAL.—Each year, the President shall submit to Congress, together with the annual budget submission of the President, the information described in paragraph (2) for each funding request for a covered program.

“(2) INFORMATION DESCRIBED.—The information described in this paragraph includes—

“(A) baseline information, including with respect to each covered program—

“(i) the funding level for the program for the fiscal year preceding the year the annual budget submission of the President is submitted;

“(ii) the funding level requested in the annual budget submission of the President, including any increase or decrease in the funding level; and

“(iii) an explanation justifying any change from the funding level specified in clause (i) to the level specified in clause (ii);

“(B) with respect to each covered program that is carried out by the Economic Research Service or the Agricultural Research Service, the location and staff years of the program;

“(C) the proposed funding levels to be allocated to, and the expected publication date, scope, and allocation level for, each request for awards to be published under—

“(i) each priority area specified in section 2(b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(2));

“(ii) each research and extension project carried out under section 1621(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5811(a));

“(iii) each grant awarded under section 1672B(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b(a));

“(iv) each grant awarded under section 412(b) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(b)); and

“(v) each grant awarded under 7405(c)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f(c)(1)); or

“(D) any other information the Secretary determines will increase congressional oversight with respect to covered programs.

“(f) REPORT OF THE SECRETARY OF AGRICULTURE.—Each year on a date that is not later than the date on which the President submits the annual budget submission, the Secretary shall submit to Congress a report containing a description of the agricultural research, extension, and education activities carried out by the Federal Government during the fiscal year that immediately precedes the year for which the report is submitted, including—

“(1) a review of the extent to which those activities—

“(A) are duplicative or overlap within the Department of Agriculture; or

“(B) are similar to activities carried out by—

“(i) other Federal agencies;

“(ii) the States (including the District of Columbia, the Commonwealth of Puerto Rico, and other territories or possessions of the United States);

“(iii) institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

“(iv) the private sector; and

“(2) for each report submitted under this section on or after January 1, 2014, a 5-year projection of national priorities with respect to agricultural research, extension, and education, taking into account both domestic and international needs.”.

#### SEC. 7513. NATURAL PRODUCTS RESEARCH PROGRAM.

Section 7525 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5937) is amended by striking subsection (e) and inserting the following:

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$7,000,000 for each of fiscal years 2014 through 2018.”.

#### SEC. 7514. SUN GRANT PROGRAM.

(A) IN GENERAL.—Section 7526 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114) is amended—

(1) in subsection (a)(4)(B), by striking “the Department of Energy” and inserting “other appropriate Federal agencies (as determined by the Secretary)”;

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking “at South Dakota State University”;

(B) in subparagraph (B), by striking “at the University of Tennessee at Knoxville”;

(C) in subparagraph (C), by striking “at Oklahoma State University”;

(D) in subparagraph (D), by striking “at Oregon State University”;

(E) in subparagraph (E), by striking “at Cornell University”;

(F) in subparagraph (F), by striking “at the University of Hawaii”;

(3) in subsection (c)(1)—

(A) in subparagraph (B), by striking “multistate” and all that follows through “technology implementation” and inserting “integrated, multistate research, extension, and education programs on technology development and technology implementation”;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “gasification” and inserting “bioproducts”; and

(ii) by striking “the Department of Energy” and inserting “other appropriate Federal agencies”;

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(D) in paragraph (1), by striking “in accordance with paragraph (2)”;

(5) in subsection (g), by striking “2012” and inserting “2018”.

(b) CONFORMING AMENDMENTS.—Section 7526(f) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114(f)) is amended—

(1) in paragraph (1), by striking “subsection (c)(1)(D)(i)” and inserting “subsection (c)(1)(C)(i)”;

(2) in paragraph (2), by striking “subsection (d)(1)” and inserting “subsection (d)”.

#### Subtitle F—Miscellaneous

#### SEC. 7601. FOUNDATION FOR FOOD AND AGRICULTURE RESEARCH.

(a) DEFINITIONS.—In this section:

(1) BOARD.—The term “Board” means the Board of Directors described in subsection (e).

(2) DEPARTMENT.—The term “Department” means the Department of Agriculture.

(3) FOUNDATION.—The term “Foundation” means the Foundation for Food and Agriculture Research established under subsection (b).

(4) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a nonprofit corporation to be known as the “Foundation for Food and Agriculture Research”.

(2) STATUS.—The Foundation shall not be an agency or instrumentality of the United States Government.

(c) PURPOSES.—The purposes of the Foundation shall be—

(1) to advance the research mission of the Department by supporting agricultural research activities focused on addressing key problems of national and international significance including—

(A) plant health, production, and plant products;

(B) animal health, production, and products;

(C) food safety, nutrition, and health;

(D) renewable energy, natural resources, and the environment;

(E) agricultural and food security;

(F) agriculture systems and technology; and

(G) agriculture economics and rural communities; and

(2) to foster collaboration with agricultural researchers from the Federal Government, institutions of higher education, industry, and nonprofit organizations.

(d) DUTIES.—

(1) IN GENERAL.—The Foundation shall—

(A) award grants to, or enter into contracts, memoranda of understanding, or cooperative agreements with, scientists and entities, which may include agricultural research agencies in the Department, university consortia, public-private partnerships, institutions of higher education, nonprofit organizations, and industry, to efficiently and effectively advance the goals and priorities of the Foundation;

(B) in consultation with the Secretary—

(i) identify existing and proposed Federal intramural and extramural research and development programs relating to the purposes of the Foundation described in subsection (c); and

(ii) coordinate Foundation activities with those programs so as to minimize duplication of existing efforts;

(C) identify unmet and emerging agricultural research needs after reviewing the Roadmap for Agricultural Research, Education and Extension as required by section 7504 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7614a);

(D) facilitate technology transfer and release of information and data gathered from the activities of the Foundation to the agricultural research community;

(E) promote and encourage the development of the next generation of agricultural research scientists; and

(F) carry out such other activities as the Board determines to be consistent with the purposes of the Foundation.

(2) AUTHORITY.—Subject to paragraph (3), the Foundation shall be the sole entity responsible for carrying out the duties enumerated in this subsection.

(3) RELATIONSHIP TO OTHER ACTIVITIES.—The activities described in paragraph (1)

shall be supplemental to any other activities at the Department and shall not preempt any authority or responsibility of the Department under another provision of law.

(e) BOARD OF DIRECTORS.—

(1) ESTABLISHMENT.—The Foundation shall be governed by a Board of Directors.

(2) COMPOSITION.—

(A) IN GENERAL.—The Board shall be composed of appointed and ex-officio, nonvoting members.

(B) EX-OFFICIO MEMBERS.—The ex-officio members of the Board shall be the following individuals or designees:

(i) The Secretary.

(ii) The Under Secretary of Agriculture for Research, Education, and Economics.

(iii) The Administrator of the Agricultural Research Service.

(iv) The Director of the National Institute of Food and Agriculture.

(v) The Director of the National Science Foundation.

(C) APPOINTED MEMBERS.—

(i) IN GENERAL.—The ex-officio members of the Board under subparagraph (B) shall, by majority vote, appoint to the Board 15 individuals, of whom—

(I) 8 shall be selected from a list of candidates to be provided by the National Academy of Sciences; and

(II) 7 shall be selected from lists of candidates provided by industry.

(ii) REQUIREMENTS.—

(I) EXPERTISE.—The ex-officio members shall ensure that a majority of the members of the Board have actual experience in agricultural research and, to the extent practicable, represent diverse sectors of agriculture.

(II) LIMITATION.—No employee of the Federal Government may serve as an appointed member of the Board under this subparagraph.

(III) NOT FEDERAL EMPLOYMENT.—Appointment to the Board under this subparagraph shall not constitute Federal employment.

(iii) AUTHORITY.—All appointed members of the Board shall be voting members.

(D) CHAIR.—The Board shall, from among the members of the Board, designate an individual to serve as Chair of the Board.

(3) INITIAL MEETING.—Not later than 60 days after the date of enactment of this Act, the Secretary shall convene a meeting of the ex-officio members of the Board—

(A) to incorporate the Foundation; and

(B) to appoint the members of the Board in accordance with paragraph (2)(C)(i).

(4) DUTIES.—

(A) IN GENERAL.—The Board shall—

(i) establish bylaws for the Foundation that, at a minimum, include—

(I) policies for the selection of future Board members, officers, employees, agents, and contractors of the Foundation;

(II) policies, including ethical standards, for—

(aa) the acceptance, solicitation, and disposition of donations and grants to the Foundation; and

(bb) the disposition of assets of the Foundation, including appropriate limits on the ability of donors to designate, by stipulation or restriction, the use or recipient of donated funds;

(III) policies that would subject all employees, fellows, trainees, and other agents of the Foundation (including members of the Board) to the conflict of interest standards under section 208 of title 18, United States Code;

(IV) policies for writing, editing, printing, publishing, and vending of books and other materials;

(V) policies for the conduct of the general operations of the Foundation, including a cap on administrative expenses for recipients of a grant, contract, or cooperative agreement from the Foundation; and

(VI) specific duties for the Executive Director;

(ii) prioritize and provide overall direction for the activities of the Foundation;

(iii) evaluate the performance of the Executive Director; and

(iv) carry out any other necessary activities regarding the Foundation.

(B) ESTABLISHMENT OF BYLAWS.—In establishing bylaws under subparagraph (A)(i), the Board shall ensure that the bylaws do not—

(i) reflect unfavorably on the ability of the Foundation to carry out the duties of the Foundation in a fair and objective manner; or

(ii) compromise, or appear to compromise, the integrity of any governmental agency or program, or any officer or employee employed by or involved in a governmental agency or program.

(5) TERMS AND VACANCIES.—

(A) TERMS.—

(i) IN GENERAL.—The term of each member of the Board appointed under paragraph (2)(C) shall be 5 years.

(ii) PARTIAL TERMS.—If a member of the Board does not serve the full term applicable under clause (i), the individual appointed to fill the resulting vacancy shall be appointed for the remainder of the term of the predecessor of the individual.

(iii) TRANSITION.—A member of the Board may continue to serve after the expiration of the term of the member until a successor is appointed.

(B) VACANCIES.—Any vacancy in the membership of the Board shall be filled in the manner in which the original position was made and shall not affect the power of the remaining members to execute the duties of the Board.

(6) COMPENSATION.—Members of the Board may not receive compensation for service on the Board but may be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out the duties of the Board.

(7) MEETINGS AND QUORUM.—A majority of the members of the Board shall constitute a quorum for purposes of conducting business of the Board.

(f) ADMINISTRATION.—

(1) EXECUTIVE DIRECTOR.—

(A) IN GENERAL.—The Board shall hire an Executive Director who shall carry out such duties and responsibilities as the Board may prescribe.

(B) SERVICE.—The Executive Director shall serve at the pleasure of the Board.

(2) ADMINISTRATIVE POWERS.—

(A) IN GENERAL.—In carrying out this section, the Board, acting through the Executive Director, may—

(i) adopt, alter, and use a corporate seal, which shall be judicially noticed;

(ii) hire, promote, compensate, and discharge 1 or more officers, employees, and agents, as may be necessary, and define the duties of the officers, employees, and agents;

(iii) solicit and accept any funds, gifts, grants, devises, or bequests of real or personal property made to the Foundation, including such support from private entities;

(iv) prescribe the manner in which—

(I) real or personal property of the Foundation is acquired, held, and transferred;

(II) general operations of the Foundation are to be conducted; and

(III) the privileges granted to the Board by law are exercised and enjoyed;

(v) with the consent of the applicable executive department or independent agency, use the information, services, and facilities of the department or agency in carrying out this section;

(vi) enter into contracts with public and private organizations for the writing, editing, printing, and publishing of books and other material;

(vii) hold, administer, invest, and spend any gift, devise, or bequest of real or personal property made to the Foundation;

(viii) enter into such contracts, leases, cooperative agreements, and other transactions as the Board considers appropriate to conduct the activities of the Foundation;

(ix) modify or consent to the modification of any contract or agreement to which the Foundation is a party or in which the Foundation has an interest;

(x) take such action as may be necessary to obtain patents and licenses for devices and procedures developed by the Foundation and employees of the Foundation;

(xi) sue and be sued in the corporate name of the Foundation, and complain and defend in courts of competent jurisdiction;

(xii) appoint other groups of advisors as may be determined necessary to carry out the functions of the Foundation; and

(xiii) exercise such other incidental powers as are necessary to carry out the duties and functions of the Foundation in accordance with this section.

(B) LIMITATION.—No appointed member of the Board or officer or employee of the Foundation or of any program established by the Foundation (other than ex-officio members of the Board) shall exercise administrative control over any Federal employee.

(3) RECORDS.—

(A) AUDITS.—The Foundation shall—

(i) provide for annual audits of the financial condition of the Foundation; and

(ii) make the audits, and all other records, documents, and other papers of the Foundation, available to the Secretary and the Comptroller General of the United States for examination or audit.

(B) REPORTS.—

(i) ANNUAL REPORT ON FOUNDATION.—

(I) IN GENERAL.—Not later than 5 months following the end of each fiscal year, the Foundation shall publish a report for the preceding fiscal year that includes—

(aa) a description of Foundation activities, including accomplishments; and

(bb) a comprehensive statement of the operations and financial condition of the Foundation.

(II) FINANCIAL CONDITION.—Each report under subclause (I) shall include a description of all gifts or grants to the Foundation of real or personal property or money, which shall include—

(aa) the source of the gifts or grants; and

(bb) any restrictions on the purposes for which the gift or grant may be used.

(III) AVAILABILITY.—The Foundation shall—

(aa) make copies of each report submitted under subclause (I) available for public inspection; and

(bb) on request, provide a copy of the report to any individual.

(IV) PUBLIC MEETING.—The Board shall hold an annual public meeting to summarize the activities of the Foundation.

(ii) GRANT REPORTING.—Any recipient of a grant under subsection (d)(1)(A) shall provide the Foundation with a report at the conclusion of any research or studies conducted the describes the results of the research or studies, including any data generated.

## (4) INTEGRITY.—

(A) IN GENERAL.—To ensure integrity in the operations of the Foundation, the Board shall develop and enforce procedures relating to standards of conduct, financial disclosure statements, conflict of interest (including recusal and waiver rules), audits, and any other matters determined appropriate by the Board.

(B) FINANCIAL CONFLICTS OF INTEREST.—Any individual who is an officer, employee, or member of the Board is prohibited from any participation in deliberations by the Foundation of a matter that would directly or predictably affect any financial interest of—

(i) the individual;

(ii) a relative (as defined in section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.)) of that individual; or

(iii) a business organization or other entity in which the individual has an interest, including an organization or other entity with which the individual is negotiating employment.

(5) INTELLECTUAL PROPERTY.—The Board shall adopt written standards to govern ownership of any intellectual property rights derived from the collaborative efforts of the Foundation.

(6) LIABILITY.—The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation nor shall the full faith and credit of the United States extend to any obligations of the Foundation.

## (g) FUNDS.—

## (1) MANDATORY FUNDING.—

(A) IN GENERAL.—On October 1, 2013, of the funds of the Commodity Credit Corporation, the Secretary shall transfer to the Foundation to carry out this section \$200,000,000, to remain available until expended under the conditions described in subparagraph (B).

(B) CONDITIONS ON EXPENDITURE.—The Foundation may use the funds made available under subparagraph (A) to carry out the purposes of the Foundation only to the extent that the Foundation secures an equal amount of non-Federal matching funds for each expenditure.

(C) PROHIBITION ON CONSTRUCTION.—None of the funds made available under subparagraph (A) may be used for construction.

(2) SEPARATION OF FUNDS.—The Executive Director shall ensure that any funds received under paragraph (1) are held in separate accounts from funds received from nongovernmental entities as described in subsection (f)(2)(A)(iii).

**SEC. 7602. AGRICULTURAL AND FOOD LAW RESEARCH, LEGAL TOOLS, AND INFORMATION.**

(a) FINDINGS.—Congress finds that—

(1) the farms, ranches, and forests of the United States are impacted by a complex and rapidly evolving web of competition and international, Federal, State, and local laws (including regulations);

(2) objective, scholarly, and authoritative agricultural and food law research, legal tools, and information helps the farm, ranch, and forestry community contribute to the strength of the United States through improved conservation, environmental protection, job creation, economic development, renewable energy production, outdoor recreational opportunities, and increased and diversified local and regional supplies of food, fiber, and fuel; and

(3) the vast agricultural community of the United States, including farmers, ranchers, foresters, attorneys, policymakers, and extension personnel, need access to agricultural and food law research and information

provided by an objective, scholarly, and neutral source.

(b) PARTNERSHIPS.—The Secretary, acting through the National Agricultural Library, shall support the dissemination of objective, scholarly, and authoritative agricultural and food law research, legal tools, and information by entering into cooperative agreements with institutions of higher education that on the date of enactment of this Act are carrying out objective programs for research, legal tools, and information in agricultural and food law.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year, the Secretary may use not more than \$5,000,000 of the amounts made available to the National Agricultural Library to carry out this section.

**TITLE VIII—FORESTRY****Subtitle A—Repeal of Certain Forestry Programs****SEC. 8001. FOREST LAND ENHANCEMENT PROGRAM.**

(a) REPEAL.—Section 4 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103) is repealed.

(b) CONFORMING AMENDMENT.—Section 8002 of the Farm Security and Rural Investment Act of 2002 (Public Law 107-171; 16 U.S.C. 2103 note) is amended by striking subsection (a).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

**SEC. 8002. HISPANIC-SERVING INSTITUTION AGRICULTURAL LAND NATIONAL RESOURCES LEADERSHIP PROGRAM.**

(a) REPEAL.—Section 8402 of the Food, Conservation, and Energy Act of 2008 (16 U.S.C. 1649a) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

**SEC. 8003. TRIBAL WATERSHED FORESTRY ASSISTANCE PROGRAM.**

(a) REPEAL.—Section 303 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6542) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

**Subtitle B—Reauthorization of Cooperative Forestry Assistance Act of 1978 Programs****SEC. 8101. STATE-WIDE ASSESSMENT AND STRATEGIES FOR FOREST RESOURCES.**

Section 2A(f)(1) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101a(f)(1)) is amended by striking “2012” and inserting “2018”.

**Subtitle C—Reauthorization of Other Forestry-Related Laws****SEC. 8201. RURAL REVITALIZATION TECHNOLOGIES.**

Section 2371(d)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 6601(d)(2)) is amended by striking “2012” and inserting “2018”.

**SEC. 8202. OFFICE OF INTERNATIONAL FORESTRY.**

Section 2405(d) of the Global Climate Change Prevention Act of 1990 (7 U.S.C. 6704(d)) is amended by striking “2012” and inserting “2018”.

**SEC. 8203. INSECT AND DISEASE INFESTATION.**

Title VI of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591 et seq.) is amended by adding at the end the following: “SEC. 602. DESIGNATION OF TREATMENT AREAS.

“(a) DEFINITION OF DECLINING FOREST HEALTH.—In this section, the term ‘declining forest health’ means a forest that is experiencing—

“(1) substantially increased tree mortality due to insect or disease infestation; or

“(2) dieback due to infestation or defoliation by insects or disease.

“(b) DESIGNATION OF TREATMENT AREAS.—

“(1) INITIAL AREAS.—Not later than 60 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall, if requested by the Governor of the State, designate as part of an insect and disease treatment program 1 or more subwatersheds (sixth-level hydrologic units, according to the System of Hydrologic Unit Codes of the United States Geological Survey) in at least 1 national forest in each State that is experiencing an insect or disease epidemic.

“(2) ADDITIONAL AREAS.—After the end of the 60-day period described in paragraph (1), the Secretary may designate additional subwatersheds under this section as needed to address insect or disease threats.

“(c) REQUIREMENTS.—To be designated a subwatershed under subsection (b), the subwatershed shall be—

“(1) experiencing declining forest health, based on annual forest health surveys conducted by the Secretary;

“(2) at risk of experiencing substantially increased tree mortality over the next 15 years due to insect or disease infestation, based on the most recent National Insect and Disease Risk Map published by the Forest Service; or

“(3) in an area in which the risk of hazard trees poses an imminent risk to public infrastructure, health, or safety.

“(d) TREATMENT OF AREAS.—

“(1) IN GENERAL.—The Secretary may carry out priority projects on Federal land in the subwatersheds designated under subsection (b) to reduce the risk or extent of, or increase the resilience to, insect or disease infestation in the subwatersheds.

“(2) AUTHORITY.—Any project under paragraph (1) for which a public notice to initiate scoping is issued on or before September 30, 2018, may be carried out in accordance with subsections (b), (c), and (d) of section 102, and sections 104, 105, and 106.

“(3) EFFECT.—Projects carried out under this subsection shall be considered authorized hazardous fuel reduction projects for purposes of the authorities described in paragraph (2).

“(4) REPORT.—Not later than September 30, 2018, the Secretary shall issue a report on actions taken to carry out this subsection, including—

“(A) an evaluation of the progress towards project goals; and

“(B) recommendations for modifications to the projects and management treatments.

“(e) TREE RETENTION.—The Secretary shall carry out projects under subsection (d) in a manner that maximizes the retention of old-growth and large trees, as appropriate for the forest type, to the extent that the trees promote stands that are resilient to insects and disease.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$200,000,000 for each of fiscal years 2014 through 2018.”.

**SEC. 8204. STEWARDSHIP END RESULT CONTRACTING PROJECTS.**

(a) IN GENERAL.—Title VI of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591) (as amended by section 8203) is amended by adding at the end the following:

**“SEC. 603. STEWARDSHIP END RESULT CONTRACTING PROJECTS.**

“(a) DEFINITIONS.—In this section:

“(1) CHIEF.—The term ‘Chief’ means the Chief of the Forest Service.

“(2) DIRECTOR.—The term ‘Director’ means the Director of the Bureau of Land Management.

“(b) PROJECTS.—The Chief and the Director, via agreement or contract as appropriate, may enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

“(c) LAND MANAGEMENT GOALS.—The land management goals of a project under subsection (b) may include—

“(1) road and trail maintenance or obliteration to restore or maintain water quality;

“(2) soil productivity, habitat for wildlife and fisheries, or other resource values;

“(3) setting of prescribed fires to improve the composition, structure, condition, and health of stands or to improve wildlife habitat;

“(4) removing vegetation or other activities to promote healthy forest stands, reduce fire hazards, or achieve other land management objectives;

“(5) watershed restoration and maintenance;

“(6) restoration and maintenance of wildlife and fish; or

“(7) control of noxious and exotic weeds and reestablishing native plant species.

“(d) AGREEMENTS OR CONTRACTS.—

“(1) PROCUREMENT PROCEDURE.—A source for performance of an agreement or contract under subsection (b) shall be selected on a best-value basis, including consideration of source under other public and private agreements or contracts.

“(2) CONTRACT FOR SALE OF PROPERTY.—A contract entered into under this section may, at the discretion of the Secretary of Agriculture, be considered a contract for the sale of property under such terms as the Secretary may prescribe without regard to any other provision of law.

“(3) TERM.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Chief and the Director may enter into a contract under subsection (b) in accordance with section 3903 of title 41, United States Code.

“(B) MAXIMUM.—The period of the contract under subsection (b) may exceed 5 years but may not exceed 10 years.

“(4) OFFSETS.—

“(A) IN GENERAL.—The Chief and the Director may apply the value of timber or other forest products removed as an offset against the cost of services received under the agreement or contract described in subsection (b).

“(B) METHODS OF APPRAISAL.—The value of timber or other forest products used as an offset under subparagraph (A)—

“(i) shall be determined using appropriate methods of appraisal commensurate with the quantity of products to be removed; and

“(ii) may—

“(I) be determined using a unit of measure appropriate to the contracts; and

“(II) may include valuing products on a per-acre basis.

“(5) RELATION TO OTHER LAWS.—Notwithstanding subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a), the Chief may enter into an agreement or contract under subsection (b).

“(6) CONTRACTING OFFICER.—Notwithstanding any other provision of law, the Secretary or the Secretary of the Interior may determine the appropriate contracting officer to enter into and administer an agreement or contract under subsection (b).

“(e) RECEIPTS.—

“(1) IN GENERAL.—The Chief and the Director may collect monies from an agreement or contract under subsection (b) if the collection is a secondary objective of negotiating the contract that will best achieve the purposes of this section.

“(2) USE.—Monies from an agreement or contract under subsection (b)—

“(A) may be retained by the Chief and the Director; and

“(B) shall be available for expenditure without further appropriation at the project site from which the monies are collected or at another project site.

“(3) RELATION TO OTHER LAWS.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, the value of services received by the Chief or the Director under a stewardship contract project conducted under this section, and any payments made or resources provided by the contractor, Chief, or Director shall not be considered monies received from the National Forest System or the public lands.

“(B) KNUTSON-VANDERBERG ACT.—The Act of June 9, 1930 (commonly known as the ‘Knutson-Vanderberg Act’) (16 U.S.C. 576 et seq.) shall not apply to any agreement or contract under subsection (b).

“(f) COSTS OF REMOVAL.—Notwithstanding the fact that a contractor did not harvest the timber, the Chief may collect deposits from a contractor covering the costs of removal of timber or other forest products under—

“(1) the Act of August 11, 1916 (16 U.S.C. 490); and

“(2) the Act of June 30, 1914 (16 U.S.C. 498).

“(g) PERFORMANCE AND PAYMENT GUARANTEES.—

“(1) IN GENERAL.—The Chief and the Director may require performance and payment bonds under sections 28.103-2 and 28.103-3 of the Federal Acquisition Regulation, in an amount that the contracting officer considers sufficient to protect the investment in receipts by the Federal Government generated by the contractor from the estimated value of the forest products to be removed under a contract under subsection (b).

“(2) EXCESS OFFSET VALUE.—If the offset value of the forest products exceeds the value of the resource improvement treatments, the Chief and the Director may—

“(A) collect any residual receipts under the Act of June 9, 1930 (commonly known as the ‘Knutson-Vanderberg Act’) (16 U.S.C. 576 et seq.); and

“(B) apply the excess to other authorized stewardship projects.

“(h) MONITORING AND EVALUATION.—

“(1) IN GENERAL.—The Chief and the Director shall establish a multiparty monitoring and evaluation process that accesses the stewardship contracting projects conducted under this section.

“(2) PARTICIPANTS.—Other than the Chief and Director, participants in the process described in paragraph (1) may include—

“(A) any cooperating governmental agencies, including tribal governments; and

“(B) any other interested groups or individuals.

“(i) REPORTING.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Chief and the Director shall report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives on—

“(1) the status of development, execution, and administration of agreements or contracts under subsection (b);

“(2) the specific accomplishments that have resulted; and

“(3) the role of local communities in the development of agreements or contract plans.”.

(b) CONFORMING AMENDMENT.—Section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105-277) is repealed.

#### SEC. 8205. HEALTHY FORESTS RESERVE PROGRAM.

(a) DEFINITION OF ACREAGE OWNED BY INDIAN TRIBES.—Section 502(e)(3) of the Healthy Forests Restoration Act (16 U.S.C. 6572(e)(3)) is amended—

(1) in subparagraph (C), by striking “subparagraphs (A) and (B)” and inserting “clauses (i) and (ii)”; and

(2) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately; and

(3) by striking “In the case of” and inserting the following:

“(A) DEFINITION OF ACREAGE OWNED BY INDIAN TRIBES.—In this paragraph, the term ‘acreage owned by Indian tribes’ includes—

“(i) land that is held in trust by the United States for Indian tribes or individual Indians;

“(ii) land, the title to which is held by Indian tribes or individual Indians subject to Federal restrictions against alienation or encumbrance;

“(iii) land that is subject to rights of use, occupancy, and benefit of certain Indian tribes;

“(iv) land that is held in fee title by an Indian tribe; or

“(v) land that is owned by a native corporation formed under section 17 of the Act of June 18, 1934 (commonly known as the ‘Indian Reorganization Act’) (25 U.S.C. 477) or section 8 of the Alaska Native Claims Settlement Act (43 U.S.C. 1607); or

“(vi) a combination of 1 or more types of land described in clauses (i) through (v).

“(B) ENROLLMENT OF ACREAGE.—In the case of”.

(b) CHANGE IN FUNDING SOURCE FOR HEALTHY FORESTS RESERVE PROGRAM.—Section 508 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6578) is amended—

(1) in subsection (a), by striking “IN GENERAL” and inserting “FISCAL YEARS 2009 THROUGH 2013”; and

(2) by redesignating subsection (b) as subsection (d); and

(3) by inserting after subsection (a) the following:

“(b) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to the Secretary of Agriculture to carry out this section \$9,750,000 for each of fiscal years 2014 through 2018.

“(c) ADDITIONAL SOURCE OF FUNDS.—In addition to funds appropriated pursuant to the authorization of appropriations in subsection (b) for a fiscal year, the Secretary may use such amount of the funds appropriated for that fiscal year to carry out the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a et seq.) as the Secretary determines necessary to cover the cost of technical assistance, management, and enforcement responsibilities for land enrolled in the healthy forests reserve program pursuant to subsections (a) and (b) of section 504.”.

#### Subtitle D—Miscellaneous Provisions

#### SEC. 8301. MCINTIRE-STENNIS COOPERATIVE FORESTRY ACT.

(a) 1890 WAIVERS.—Section 4 of Public Law 87-788 (commonly known as the ‘McIntire-Stennis Cooperative Forestry Act’) (16



U.S.C. 582a-3) is amended by inserting “The matching funds requirement shall not be applicable to eligible 1890 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601)) if the allocation is below \$200,000.” before “The Secretary is authorized” in the second sentence.

(b) PARTICIPATION.—Section 8 of Public Law 87-788 (commonly known as the “McIntire-Stennis Cooperative Forestry Act”) (16 U.S.C. 582a-7) is amended by inserting “the Federated States of Micronesia, American Samoa, the Northern Mariana Islands, the District of Columbia,” before “and Guam”.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2013.

#### SEC. 8302. REVISION OF STRATEGIC PLAN FOR FOREST INVENTORY AND ANALYSIS.

(a) REVISION REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall revise the strategic plan for forest inventory and analysis initially prepared pursuant to section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e)) to address the requirements imposed by subsection (b).

(b) ELEMENTS OF REVISED STRATEGIC PLAN.—In revising the strategic plan, the Secretary of Agriculture shall describe in detail the organization, procedures, and funding needed to achieve each of the following:

(1) Complete the transition to a fully annualized forest inventory program and include inventory and analysis of interior Alaska.

(2) Implement an annualized inventory of trees in urban settings, including the status and trends of trees and forests, and assessments of their ecosystem services, values, health, and risk to pests and diseases.

(3) Report information on renewable biomass supplies and carbon stocks at the local, State, regional, and national level, including by ownership type.

(4) Engage State foresters and other users of information from the forest inventory and analysis in reevaluating the list of core data variables collected on forest inventory and analysis plots with an emphasis on demonstrated need.

(5) Improve the timeliness of the timber product output program and accessibility of the annualized information on that database.

(6) Foster greater cooperation among the forest inventory and analysis program, research station leaders, and State foresters and other users of information from the forest inventory and analysis.

(7) Availability of and access to non-Federal resources to improve information analysis and information management.

(8) Collaborate with the Natural Resources Conservation Service, National Aeronautics and Space Administration, National Oceanic and Atmospheric Administration, and United States Geological Survey to integrate remote sensing, spatial analysis techniques, and other new technologies in the forest inventory and analysis program.

(9) Understand and report on changes in land cover and use.

(10) Expand existing programs to promote sustainable forest stewardship through increased understanding, in partnership with other Federal agencies, of the over 10 million family forest owners, their demographics, and the barriers to forest stewardship.

(11) Implement procedures to improve the statistical precision of estimates at the sub-State level.

(c) SUBMISSION OF REVISED STRATEGIC PLAN.—The Secretary of Agriculture shall submit the revised strategic plan to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

#### SEC. 8303. REIMBURSEMENT OF FIRE FUNDS.

(a) DEFINITION OF STATE.—In this section, the term “State” means—

- (1) a State; and
- (2) the Commonwealth of Puerto Rico.

(b) IN GENERAL.—If a State seeks reimbursement for amounts expended for resources and services provided to another State for the management and suppression of a wildfire, the Secretary of Agriculture, subject to subsections (c) and (d)—

(1) may accept the reimbursement amounts from the other State; and

(2) shall pay those amounts to the State seeking reimbursement.

(c) MUTUAL ASSISTANCE AGREEMENT.—As a condition of seeking and providing reimbursement under subsection (b), the State seeking reimbursement and the State providing reimbursement must each have a mutual assistance agreement with the Forest Service or another Federal agency for providing and receiving wildfire management and suppression resources and services.

(d) TERMS AND CONDITIONS.—The Secretary of Agriculture may prescribe the terms and conditions determined to be necessary to carry out subsection (b).

(e) EFFECT ON PRIOR REIMBURSEMENTS.—Any acceptance of funds or reimbursements made by the Secretary of Agriculture before the date of enactment of this Act that otherwise would have been authorized under this section shall be considered to have been made in accordance with this section.

### TITLE IX—ENERGY

#### SEC. 9001. DEFINITIONS.

Section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101) is amended—

(1) by redesignating paragraphs (9) through (12) and (13) and (14) as paragraphs (10) through (13) and (15) and (16) respectively;

(2) by inserting after paragraph (8) the following:

“(9) FOREST PRODUCT.—The term ‘forest product’ means a product made from materials derived from the practice of forestry or the management of growing timber, including—

“(A) pulp, paper, paperboard, pellets, lumber, and wood products; and

“(B) any recycled products derived from forest materials.”; and

(3) by inserting after paragraph (13) (as redesignated by paragraph (1)) the following:

“(14) RENEWABLE CHEMICAL.—The term ‘renewable chemical’ means a monomer, polymer, plastic, formulated product, or chemical substance produced from renewable biomass.”.

#### SEC. 9002. BIOBASED MARKETS PROGRAM.

(a) IN GENERAL.—Section 9002 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A)(i)—

(i) in subclause (I), by striking “and” at the end;

(ii) in subclause (II)(bb), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(III) establish a targeted biobased-only procurement requirement under which the procuring agency shall issue a certain number of biobased-only contracts when the pro-

curing agency is purchasing products, or purchasing services that include the use of products, that are included in a biobased product category designated by the Secretary.”; and

(B) in paragraph (3)—

(i) in subparagraph (B)—

(I) in clause (v), by inserting “as determined to be necessary by the Secretary based on the availability of data,” before “provide information”; and

(II) by redesignating clauses (v) and (vi) as clauses (vii) and (viii), respectively; and

(III) by inserting after clause (iv) the following:

“(v) require reporting of quantities and types of biobased products purchased by procuring agencies;

“(vi) focus on products that meet the biobased content requirements, including forest products, that apply an innovative approach to growing, harvesting, sourcing, procuring, processing, manufacturing, or application of biobased products regardless of the date of entry of the products into the marketplace.”; and

(ii) by adding at the end the following:

“(F) REQUIRED DESIGNATIONS.—Not later than 1 year after the date of enactment of this subparagraph, the Secretary shall begin to designate intermediate ingredients or feedstocks and assembled and finished biobased products in the guidelines issued under this paragraph.”;

(2) in subsection (b)—

(A) in paragraph (3)—

(i) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”; and

(ii) by adding at the end the following:

“(B) AUDITING AND COMPLIANCE.—The Secretary may carry out such auditing and compliance activities as the Secretary determines to be necessary to ensure compliance with subparagraph (A).”; and

(B) by adding at the end the following:

“(4) ASSEMBLED AND FINISHED PRODUCTS.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall begin issuing criteria for determining which assembled and finished products may qualify to receive the label under paragraph (1).”; and

(3) by redesignating subsections (d), (e), (f), (g), and (h) as subsections (e), (f), (g), (i), and (j), respectively;

(4) by inserting after subsection (c) the following:

“(d) OUTREACH, EDUCATION, AND PROMOTION.—

“(1) IN GENERAL.—The Secretary may engage in outreach, educational, and promotional activities intended to increase knowledge, awareness, and benefits of biobased products.

“(2) AUTHORIZED ACTIVITIES.—In carrying out this subsection, the Secretary may—

“(A) conduct consumer education and outreach (including consumer and awareness surveys);

“(B) conduct outreach to and support for State and local governments interested in implementing biobased purchasing programs;

“(C) partner with industry and nonprofit groups to produce educational and outreach materials and conduct educational and outreach events;

“(D) sponsor special conferences and events to bring together buyers and sellers of biobased products; and

“(E) support pilot and demonstration projects.”;

(5) in subsection (h) (as redesignated by paragraph (3))—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A) by striking “The report” and inserting “Each report under paragraph (1)”;

(ii) in subparagraph (A), by striking “and” at the end;

(iii) in subparagraph (B)(ii), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(C) the progress made by other Federal agencies in compliance with the biobased procurement requirements, including the quantity of purchases made; and

“(D) the status of outreach, educational, and promotional activities carried out by the Secretary under subsection (d), including the attainment of specific milestones and overall results.”; and

(B) by adding at the end the following:

“(3) ECONOMIC IMPACT STUDY AND REPORT.—

“(A) IN GENERAL.—The Secretary shall conduct a study to assess the economic impact of the biobased products industry, including—

“(i) the quantity of biobased products sold;

“(ii) the value of the biobased products;

“(iii) the quantity of jobs created;

“(iv) the quantity of petroleum displaced;

“(v) other environmental benefits; and

“(vi) areas in which the use or manufacturing of biobased products could be more effectively used, including identifying any technical and economic obstacles and recommending how those obstacles can be overcome.

“(B) REPORT.—Not later than 180 days after the date of enactment of this subparagraph, the Secretary shall submit to Congress a report describing the results of the study conducted under subparagraph (A).”.

(6) by inserting after subsection (g) (as redesignated by paragraph (3)) the following:

“(h) FOREST PRODUCTS LABORATORY COORDINATION.—In determining whether products are eligible for the ‘USDA Certified Biobased Product’ label, the Secretary (acting through the Forest Products Laboratory) shall provide appropriate technical and other assistance to the program and applicants for forest products.”; and

(7) in subsection (j) (as redesignated by paragraph (3))—

(A) in the heading of paragraph (1), by inserting “FOR FISCAL YEARS 2008 THROUGH 2012” after “FUNDING”;

(B) in the heading of paragraph (2), by inserting “FOR FISCAL YEARS 2009 THROUGH 2013” after “FUNDING”; and

(C) by adding at the end the following:

“(3) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2014 through 2018.

“(4) MANDATORY FUNDING FOR FISCAL YEARS 2014 THROUGH 2018.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$3,000,000 for each of fiscal years 2014 through 2018.”.

(b) CONFORMING AMENDMENT.—Section 944(c)(2)(A) of the Energy Policy Act of 2005 (42 U.S.C. 16253(c)(2)(A)) is amended by striking “section 9002(h)(1)” and inserting “section 9002(b)”.

#### **SEC. 9003. BIOREFINERY, RENEWABLE CHEMICAL, AND BIOBASED PRODUCT MANUFACTURING ASSISTANCE.**

(a) PROGRAM ADJUSTMENTS.—

(1) IN GENERAL.—Section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) is amended—

(A) in the section heading, by inserting “, RENEWABLE CHEMICAL, AND BIOBASED PRODUCT MANUFACTURING” after “BIOREFINERY”;

(B) in subsection (a), in the matter preceding paragraph (1), by inserting “renewable chemicals, and biobased product manufacturing” after “advanced biofuels.”;

(C) in subsection (b)—

(i) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(ii) by inserting before paragraph (2) (as so redesignated) the following:

“(1) BIOBASED PRODUCT MANUFACTURING.—The term ‘biobased product manufacturing’ means development, construction, and retrofitting of technologically new commercial-scale processing and manufacturing equipment and required facilities that will be used to convert renewable chemicals and other biobased outputs of biorefineries into end-user products on a commercial scale.”; and

(D) in subsection (c)—

(i) in paragraph (1), by striking “and” at the end;

(ii) in paragraph (2), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(3) grants and loan guarantees to fund the development and construction of renewable chemical and biobased product manufacturing facilities.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2013.

(b) FUNDING.—Section 9003(h) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103(h)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) MANDATORY FUNDING.—

“(A) IN GENERAL.—Subject to subparagraph (B), of the funds of the Commodity Credit Corporation, the Secretary shall use for the cost of loan guarantees under this section, to remain available until expended—

“(i) \$100,000,000 for fiscal year 2014; and

“(ii) \$58,000,000 for each of fiscal years 2015 and 2016.

“(B) BIOBASED PRODUCT MANUFACTURING.—Of the total amount of funds made available for fiscal years 2014 and 2015 under subparagraph (A), the Secretary use for the cost of loan guarantees under this section not more than \$25,000,000 to promote biobased product manufacturing.”; and

(2) in paragraph (2), by striking “2013” and inserting “2018”.

#### **SEC. 9004. BIOENERGY PROGRAM FOR ADVANCED BIOFUELS.**

Section 9005(g) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8105(g)) is amended—

(1) in the heading of paragraph (1), by inserting “FOR FISCAL YEARS 2009 THROUGH 2012” after “FUNDING”;

(2) in the heading of paragraph (2), by inserting “FOR FISCAL YEARS 2009 THROUGH 2013” after “FUNDING”;

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following:

“(3) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2014 through 2018.”.

#### **SEC. 9005. BIODESEL FUEL EDUCATION PROGRAM.**

Section 9006(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(d)) is amended—

(1) in paragraph (1)—

(A) in the heading, by striking “FISCAL YEARS 2009 THROUGH 2012” and inserting “MANDATORY FUNDING”; and

(B) by striking “2012” and inserting “2018”; and

(2) in paragraph (2), by striking “fiscal year 2013” and inserting “each of fiscal years 2014 through 2018”.

#### **SEC. 9006. RURAL ENERGY FOR AMERICA PROGRAM.**

(a) PROGRAM ADJUSTMENTS.—

(1) IN GENERAL.—Section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107) is amended—

(A) in subsection (b)(2)—

(i) in subparagraph (C), by striking “and” at the end;

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

“(D) a council (as defined in section 1528 of the Agriculture and Food Act of 1981 (16 U.S.C. 3451)); and”; and

(B) in subsection (c)—

(i) in paragraph (1)(A), by inserting “, such as for agricultural and associated residential purposes” after “electricity”;

(ii) by striking paragraph (3);

(iii) by redesignating paragraph (4) as paragraph (3);

(iv) in paragraph (3) (as so redesignated), by striking subparagraph (A) and inserting the following:

“(A) GRANTS.—The amount of a grant under this subsection shall not exceed the lesser of—

“(i) \$500,000; and

“(ii) 25 percent of the cost of the activity carried out using funds from the grant.”; and

(v) by adding at the end the following:

“(4) TIERED APPLICATION PROCESS.—

“(A) IN GENERAL.—In providing loan guarantees and grants under this subsection, the Secretary shall use a 3-tiered application process that reflects the size of proposed projects in accordance with this paragraph.

“(B) TIER 1.—The Secretary shall establish a separate application process for projects for which the cost of the activity funded under this subsection is not more than \$80,000.

“(C) TIER 2.—The Secretary shall establish a separate application process for projects for which the cost of the activity funded under this subsection is greater than \$80,000 but less than \$200,000.

“(D) TIER 3.—The Secretary shall establish a separate application process for projects for which the cost of the activity funded under this subsection is equal to or greater than \$200,000.

“(E) APPLICATION PROCESS.—The Secretary shall establish an application, evaluation, and oversight process that is the most simplified for tier I projects and more comprehensive for each subsequent tier.”.

(2) EFFECTIVE DATE.—The amendments

made by paragraph (1) shall take effect on October 1, 2013.

(b) FUNDING.—Section 9007(g) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107(g)) is amended—

(1) in the heading of paragraph (1), by inserting “FOR FISCAL YEARS 2009 THROUGH 2012” after “FUNDING”;

(2) in the heading of paragraph (2), by inserting “FOR FISCAL YEARS 2009 THROUGH 2012” after “FUNDING”;

(3) in the heading of paragraph (3), by inserting “FOR FISCAL YEARS 2009 THROUGH 2013” after “FUNDING”; and

(4) by adding at the end the following:

“(4) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2014 through 2018.

“(5) MANDATORY FUNDING FOR FISCAL YEARS 2014 THROUGH 2018.—Of the funds of the Commodity Credit Corporation, the Secretary

shall use to carry out this section \$68,200,000 for each of fiscal years 2014 through 2018.”.

**SEC. 9007. BIOMASS RESEARCH AND DEVELOPMENT.**

Section 9008(h) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8108(h)) is amended—

(1) in the heading of paragraph (1), by inserting “FOR FISCAL YEARS 2009 THROUGH 2012” after “FUNDING”;

(2) in the heading of paragraph (2), by inserting “FOR FISCAL YEARS 2009 THROUGH 2013” after “FUNDING”; and

(3) by adding at the end the following:

“(3) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to carry out this section \$30,000,000 for each of fiscal years 2014 through 2018.

“(4) MANDATORY FUNDING FOR FISCAL YEARS 2014 THROUGH 2018.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$26,000,000 for each of fiscal years 2014 through 2018.”.

**SEC. 9008. FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.**

Section 9010(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110(b)) is amended—

(1) in paragraph (1)(A), by striking “2013” and inserting “2018”; and

(2) in paragraph (2)(A), by striking “2013” and inserting “2018”.

**SEC. 9009. BIOMASS CROP ASSISTANCE PROGRAM.**

Section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111) is amended to read as follows:

**“SEC. 9011. BIOMASS CROP ASSISTANCE PROGRAM.**

“(a) DEFINITIONS.—In this section:

“(1) BCAP.—The term ‘BCAP’ means the Biomass Crop Assistance Program established under this section.

“(2) BCAP PROJECT AREA.—The term ‘BCAP project area’ means an area that—

“(A) has specified boundaries that are submitted to the Secretary by the project sponsor and subsequently approved by the Secretary;

“(B) includes producers with contract acreage that will supply a portion of the renewable biomass needed by a biomass conversion facility; and

“(C) is physically located within an economically practicable distance from the biomass conversion facility.

“(3) CONTRACT ACREAGE.—The term ‘contract acreage’ means eligible land that is covered by a BCAP contract entered into with the Secretary.

“(4) ELIGIBLE CROP.—

“(A) IN GENERAL.—The term ‘eligible crop’ means a crop of renewable biomass.

“(B) EXCLUSIONS.—The term ‘eligible crop’ does not include—

“(i) any crop that is eligible to receive payments under title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702 et seq.) or an amendment made by that title; or

“(ii) any plant that is invasive or noxious or species or varieties of plants that credible risk assessment tools or other credible sources determine are potentially invasive, as determined by the Secretary in consultation with other appropriate Federal or State departments and agencies.

“(5) ELIGIBLE LAND.—

“(A) IN GENERAL.—The term ‘eligible land’ includes—

“(i) agricultural and nonindustrial private forest lands (as defined in section 5(c) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103a(c))); and

“(ii) land enrolled in the conservation reserve program established under subchapter

B of chapter I of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) or the Agricultural Conservation Easement Program established under subtitle H of title XII of that Act under a contract that will expire at the end of the current fiscal year.

“(B) EXCLUSIONS.—The term ‘eligible land’ does not include—

“(i) Federal- or State-owned land;

“(ii) land that is native sod, as of the date of enactment of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.);

“(iii) land enrolled in the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.), other than land described in subparagraph (A)(ii); or

“(iv) land enrolled in the Agricultural Conservation Easement Program established under subtitle H of title XII of that Act, other than land described in subparagraph (A)(ii).

“(6) ELIGIBLE MATERIAL.—

“(A) IN GENERAL.—The term ‘eligible material’ means renewable biomass harvested directly from the land, including crop residue from any crop that is eligible to receive payments under title I of the Agriculture Reform, Food, and Jobs Act of 2013 or an amendment made by that title.

“(B) INCLUSIONS.—The term ‘eligible material’ shall only include—

“(i) eligible material that is collected or harvested by the eligible material owner—

“(I) directly from—

“(aa) National Forest System;

“(bb) Bureau of Land Management land;

“(cc) non-Federal land; or

“(dd) land owned by an individual Indian or Indian tribe that is held in trust by the United States for the benefit of the individual Indian or Indian tribe or subject to a restriction against alienation imposed by the United States;

“(II) in a manner that is consistent with—

“(aa) a conservation plan;

“(bb) a forest stewardship plan; or

“(cc) a plan that the Secretary determines is equivalent to a plan described in item (aa) or (bb) and consistent with Executive Order 13112 (42 U.S.C. 4321 note; relating to invasive species);

“(ii) if woody eligible material, woody eligible material that is produced on land other than contract acreage that—

“(I) is a byproduct of a preventative treatment that is removed to reduce hazardous fuel or to reduce or contain disease or insect infestation; and

“(II) if harvested from Federal land, is harvested in accordance with section 102(e) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6512(e)); and

“(iii) eligible material that is delivered to a qualified biomass conversion facility to be used for heat, power, biobased products, research, or advanced biofuels.

“(C) EXCLUSIONS.—The term ‘eligible material’ does not include—

“(i) material that is whole grain from any crop that is eligible to receive payments under title I of the Agriculture Reform, Food, and Jobs Act of 2013 or an amendment made by that title, including—

“(I) barley, corn, grain sorghum, oats, rice, or wheat;

“(II) honey;

“(III) mohair;

“(IV) oilseeds, including canola, crambe, flaxseed, mustard seed, rapeseed, safflower seed, soybeans, sesame seed, and sunflower seed;

“(V) peanuts;

“(VI) pulse;

“(VII) chickpeas, lentils, and dry peas;

“(VIII) dairy products;

“(IX) sugar; and

“(X) wool and cotton boll fiber;

“(ii) animal waste and byproducts, including fat, oil, grease, and manure;

“(iii) food waste and yard waste;

“(iv) algae;

“(v) woody eligible material that—

“(I) is removed outside contract acreage; and

“(II) is not a byproduct of a preventative treatment to reduce hazardous fuel or to reduce or contain disease or insect infestation;

“(vi) any woody eligible material collected or harvested outside contract acreage that would otherwise be used for existing market products; or

“(vii) bagasse.

“(7) PRODUCER.—The term ‘producer’ means an owner or operator of contract acreage that is physically located within a BCAP project area.

“(8) PROJECT SPONSOR.—The term ‘project sponsor’ means—

“(A) a group of producers; or

“(B) a biomass conversion facility.

“(9) SOCIALLY DISADVANTAGED FARMER OR RANCHER.—The term ‘socially disadvantaged farmer or rancher’ has the meaning given the term in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)).

“(b) ESTABLISHMENT AND PURPOSE.—The Secretary shall establish and administer a Biomass Crop Assistance Program to—

“(1) support the establishment and production of eligible crops for conversion to bioenergy in selected BCAP project areas; and

“(2) assist agricultural and forest land owners and operators with the collection, harvest, storage, and transportation of eligible material for use in a biomass conversion facility.

“(c) BCAP PROJECT AREA.—

“(1) IN GENERAL.—The Secretary shall provide financial assistance to a producer of an eligible crop in a BCAP project area.

“(2) SELECTION OF PROJECT AREAS.—

“(A) IN GENERAL.—To be considered for selection as a BCAP project area, a project sponsor shall submit to the Secretary a proposal that, at a minimum, includes—

“(i) a description of the eligible land and eligible crops of each producer that will participate in the proposed BCAP project area;

“(ii) a letter of commitment from a biomass conversion facility that the facility will use the eligible crops intended to be produced in the proposed BCAP project area;

“(iii) evidence that the biomass conversion facility has sufficient equity available, as determined by the Secretary, if the biomass conversion facility is not operational at the time the proposal is submitted to the Secretary; and

“(iv) any other information about the biomass conversion facility or proposed biomass conversion facility that the Secretary determines necessary for the Secretary to be reasonably assured that the plant will be in operation by the date on which the eligible crops are ready for harvest.

“(B) BCAP PROJECT AREA SELECTION CRITERIA.—In selecting BCAP project areas, the Secretary shall consider—

“(i) the volume of the eligible crops proposed to be produced in the proposed BCAP project area and the probability that those crops will be used for the purposes of the BCAP;

“(ii) the volume of renewable biomass projected to be available from sources other

than the eligible crops grown on contract acres;

“(iii) the anticipated economic impact in the proposed BCAP project area;

“(iv) the opportunity for producers and local investors to participate in the ownership of the biomass conversion facility in the proposed BCAP project area;

“(v) the participation rate by—

“(I) beginning farmers or ranchers (as defined in accordance with section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))); or

“(II) socially disadvantaged farmers or ranchers;

“(vi) the impact on soil, water, and related resources;

“(vii) the variety in biomass production approaches within a project area, including (as appropriate)—

“(I) agronomic conditions;

“(II) harvest and postharvest practices; and

“(III) monoculture and polyculture crop mixes;

“(viii) the range of eligible crops among project areas; and

“(ix) any additional information that the Secretary determines to be necessary.

“(3) CONTRACT.—

“(A) IN GENERAL.—On approval of a BCAP project area by the Secretary, each producer in the BCAP project area shall enter into a contract directly with the Secretary.

“(B) MINIMUM TERMS.—At a minimum, a contract under this subsection shall include terms that cover—

“(i) an agreement to make available to the Secretary, or to an institution of higher education or other entity designated by the Secretary, such information as the Secretary considers to be appropriate to promote the production of eligible crops and the development of biomass conversion technology;

“(ii) compliance with the highly erodible land conservation requirements of subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) and the wetland conservation requirements of subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

“(iii) the implementation of (as determined by the Secretary)—

“(I) a conservation plan;

“(II) a forest stewardship plan; or

“(III) a plan that is equivalent to a conservation or forest stewardship plan; and

“(iv) any additional requirements that Secretary determines to be necessary.

“(C) DURATION.—A contract under this subsection shall have a term of not more than—

“(i) 5 years for annual and perennial crops; or

“(ii) 15 years for woody biomass.

“(4) RELATIONSHIP TO OTHER PROGRAMS.—In carrying out this subsection, the Secretary shall provide for the preservation of cropland base and yield history applicable to the land enrolled in a BCAP contract.

“(5) PAYMENTS.—

“(A) IN GENERAL.—The Secretary shall make establishment and annual payments directly to producers to support the establishment and production of eligible crops on contract acreage.

“(B) AMOUNT OF ESTABLISHMENT PAYMENTS.—

“(i) IN GENERAL.—Subject to clause (ii), the amount of an establishment payment under this subsection shall be not more than 50 percent of the costs of establishing an eligible perennial crop covered by the contract but not to exceed \$500 per acre, including—

“(I) the cost of seeds and stock for perennials;

“(II) the cost of planting the perennial crop, as determined by the Secretary; and

“(III) in the case of nonindustrial private forestland, the costs of site preparation and tree planting.

“(ii) SOCIALLY DISADVANTAGED FARMERS OR RANCHERS.—In the case of socially disadvantaged farmers or ranchers, the costs of establishment may not exceed \$750 per acre.

“(C) AMOUNT OF ANNUAL PAYMENTS.—

“(i) IN GENERAL.—Subject to clause (ii), the amount of an annual payment under this subsection shall be determined by the Secretary.

“(ii) REDUCTION.—The Secretary shall reduce an annual payment by an amount determined to be appropriate by the Secretary, if—

“(I) an eligible crop is used for purposes other than the production of energy at the biomass conversion facility;

“(II) an eligible crop is delivered to the biomass conversion facility;

“(III) the producer receives a payment under subsection (d);

“(IV) the producer violates a term of the contract; or

“(V) the Secretary determines a reduction is necessary to carry out this section.

“(D) EXCLUSION.—The Secretary shall not make any BCAP payments on land for which payments are received under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) or the agricultural conservation easement program established under subtitle H of title XII of that Act.

“(d) ASSISTANCE WITH COLLECTION, HARVEST, STORAGE, AND TRANSPORTATION.—

“(1) IN GENERAL.—The Secretary shall make a payment for the delivery of eligible material to a biomass conversion facility to—

“(A) a producer of an eligible crop that is produced on BCAP contract acreage; or

“(B) a person with the right to collect or harvest eligible material, regardless of whether the eligible material is produced on contract acreage.

“(2) PAYMENTS.—

“(A) COSTS COVERED.—A payment under this subsection shall be in an amount described in subparagraph (B) for—

“(i) collection;

“(ii) harvest;

“(iii) storage; and

“(iv) transportation to a biomass conversion facility.

“(B) AMOUNT.—Subject to paragraph (3), the Secretary may provide matching payments at a rate of up to \$1 for each \$1 per ton provided by the biomass conversion facility, in an amount not to exceed \$20 per dry ton for a period of 4 years.

“(3) LIMITATION ON ASSISTANCE FOR BCAP CONTRACT ACREAGE.—As a condition of the receipt of an annual payment under subsection (c), a producer receiving a payment under this subsection for collection, harvest, storage, or transportation of an eligible crop produced on BCAP acreage shall agree to a reduction in the annual payment.

“(e) REPORT.—Not later than 4 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the dissemination by the Secretary of the best practice data and information gathered from participants receiving assistance under this section.

“(f) FUNDING.—

“(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$38,600,000 for each of fiscal years 2014 through 2018.

“(2) COLLECTION, HARVEST, STORAGE, AND TRANSPORTATION PAYMENTS.—Of the amount made available under paragraph (1) for each fiscal year, the Secretary shall use not less than 10 percent, nor more than 50 percent, of the amount to make collection, harvest, transportation, and storage payments under subsection (d)(2).”

#### SEC. 9010. REPEAL OF FOREST BIOMASS FOR ENERGY.

Section 9012 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8112) is repealed.

#### SEC. 9011. COMMUNITY WOOD ENERGY PROGRAM.

(a) DEFINITION OF BIOMASS CONSUMER COOPERATIVE.—Section 9013(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(a)) is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(2) by inserting before paragraph (2) (as so redesignated) the following:

“(1) BIOMASS CONSUMER COOPERATIVE.—The term ‘biomass consumer cooperative’ means a consumer membership organization the purpose of which is to provide members with services or discounts relating to the purchase of biomass heating products or biomass heating systems.”

(b) GRANT PROGRAM.—Section 9013(b)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(b)(1)) is amended—

(1) in subparagraph (A), by striking “and” after the semicolon at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) grants of up to \$50,000 to biomass consumer cooperatives for the purpose of establishing or expanding biomass consumer cooperatives that will provide consumers with services or discounts relating to—

“(i) the purchase of biomass heating systems;

“(ii) biomass heating products, including wood chips, wood pellets, and advanced biofuels; or

“(iii) the delivery and storage of biomass of heating products.”

(c) MATCHING FUNDS.—Section 9013(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(d)) is amended—

(1) by striking “A State or local government that receives a grant under subsection (b)” and inserting the following:

“(1) STATE AND LOCAL GOVERNMENTS.—A State or local government that receives a grant under subparagraph (A) or (B) of subsection (b)(1); and

(2) by adding at the end the following:

“(2) BIOMASS CONSUMER COOPERATIVES.—A biomass consumer cooperative that receives a grant under subsection (b)(1)(C) shall contribute an amount of non-Federal funds (which may include State, local, and non-profit funds and membership dues) toward the establishment or expansion of a biomass consumer cooperative that is at least equal to 50 percent of the amount of Federal funds received for that purpose.”

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 9013(e) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(e)) is amended by striking “2013” and inserting “2018”.

**SEC. 9012. REPEAL OF RENEWABLE FERTILIZER STUDY.**

Section 9003 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2096) is repealed.

**TITLE X—HORTICULTURE****SEC. 10001. SPECIALTY CROPS MARKET NEWS ALLOCATION.**

Section 10107(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1622b(b)) is amended by striking “2012” and inserting “2018”.

**SEC. 10002. REPEAL OF GRANT PROGRAM TO IMPROVE MOVEMENT OF SPECIALTY CROPS.**

Section 10403 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1622c) is repealed.

**SEC. 10003. FARMERS MARKET AND LOCAL FOOD PROMOTION PROGRAM.**

Section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005) is amended—

(1) in the section heading, by adding “AND LOCAL FOOD” after “MARKET”;

(2) in subsection (a)—

(A) by inserting “and Local Food” after “Market”;

(B) by striking “farmers’ markets and to promote”; and

(C) by inserting “and local food capacity development” before the period at the end;

(3) in subsection (b), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—The purposes of the Program are to increase domestic consumption of and access to locally and regionally produced agricultural products by developing, improving, expanding, and providing outreach, training, and technical assistance to, or assisting in the development, improvement and expansion of—

“(A) domestic farmers’ markets, roadside stands, community-supported agriculture programs, agritourism activities, and other direct producer-to-consumer market opportunities; and

“(B) local and regional food enterprises that are not direct producer-to-consumer markets but process, distribute, aggregate, store, and market locally or regionally produced food products.”;

(4) in subsection (c)(1)—

(A) by inserting “or other business entity” after “cooperative”; and

(B) by inserting “, including a community supported agriculture network or association” after “association”;

(5) by redesignating subsection (e) as subsection (f);

(6) by inserting after subsection (d) the following:

“(e) PRIORITIES.—In providing grants under the Program, priority shall be given to applications that include projects that—

“(1) benefit underserved communities;

“(2) develop market opportunities for small and mid-sized farm and ranch operations; and

“(3) include a strategic plan to maximize the use of funds to build capacity for local and regional food systems in a community.”;

(7) in subsection (f) (as redesignated by paragraph (5))—

(A) in paragraph (1)—

(i) in the heading, by striking “FISCAL YEARS 2008 THROUGH 2012” and inserting “MANDATORY FUNDING”;

(ii) in subparagraph (B), by striking “and” after the semicolon at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(D) \$20,000,000 for each of fiscal years 2014 through 2018.”;

(B) by striking paragraphs (3) and (5);

(C) by inserting after paragraph (2) the following:

“(3) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds made available under paragraph (1), there is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2014 through 2018.”; and

(D) by adding at the end the following:

“(5) USE OF FUNDS.—

“(A) IN GENERAL.—Of the funds made available to carry out the Program for each fiscal year, 50 percent shall be used for the purposes described in subsection (b)(1)(A) and 50 percent shall be used for the purposes described in subsection (b)(1)(B).

“(B) COST SHARE.—To be eligible to receive a grant for a project described in subsection (b)(1)(B), a recipient shall provide a match in the form of cash or in-kind contributions in an amount equal to 25 percent of the total cost of the project.

“(6) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of the total amount made available to carry out this section for a fiscal year may be used for administrative expenses.

“(7) LIMITATIONS.—An eligible entity may not use a grant or other assistance provided under the Program for the purchase, construction, or rehabilitation of a building or structure.”.

**SEC. 10004. STUDY ON LOCAL FOOD PRODUCTION AND PROGRAM EVALUATION.**

(a) IN GENERAL.—The Secretary shall—

(1) collect data on the production and marketing of locally or regionally produced agricultural food products;

(2) facilitate interagency collaboration and data sharing on programs related to local and regional food systems; and

(3) monitor the effectiveness of programs designed to expand or facilitate local food systems.

(b) REQUIREMENTS.—In carrying out this section, the Secretary shall, at a minimum—

(1) collect and distribute comprehensive reporting of prices of locally or regionally produced agricultural food products;

(2) conduct surveys and analysis and publish reports relating to the production, handling, distribution, retail sales, and trend studies (including consumer purchasing patterns) of or on locally or regionally produced agricultural food products;

(3) evaluate the effectiveness of existing programs in growing local and regional food systems, including—

(A) the impact of local food systems on job creation and economic development;

(B) the level of participation in the Farmers’ Market and Local Food Promotion Program established under section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005), including the percentage of projects funded in comparison to applicants and the types of eligible entities receiving funds;

(C) the ability for participants to leverage private capital and a synopsis of the places from which non-Federal funds are derived; and

(D) any additional resources required to aid in the development or expansion of local and regional food systems;

(4) expand the Agricultural Resource Management Survey to include questions on locally or regionally produced agricultural food products; and

(5) seek to establish or expand private-public partnerships to facilitate, to the maximum extent practicable, the collection of data on locally or regionally produced agri-

cultural food products, including the development of a nationally coordinated and regionally balanced evaluation of the redevelopment of locally or regionally produced food systems.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the progress that has been made in implementing this section and identifying any additional needs related to developing local and regional food systems.

**SEC. 10005. ORGANIC AGRICULTURE.**

(a) ORGANIC PRODUCTION AND MARKET DATA INITIATIVES.—Section 7407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5925c) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting “and annually thereafter” after “this subsection”;

(B) in paragraph (1), by striking “and” at the end;

(C) by redesignating paragraph (2) as paragraph (3); and

(D) by inserting after paragraph (1) the following:

“(2) describes how data collection agencies (such as the Agricultural Marketing Service and the National Agricultural Statistics Service) are coordinating with data user agencies (such as the Risk Management Agency) to ensure that data collected under this section can be used by data user agencies, including by the Risk Management Agency to offer price elections for all organic crops; and”;

(2) in subsection (d)—

(A) by striking paragraph (3);

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

“(2) MANDATORY FUNDING.—In addition to any funds available under paragraph (1), of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$5,000,000, to remain available until expended.”; and

(D) in paragraph (3) (as redesignated by subparagraph (B))—

(i) in the heading, by striking “FOR FISCAL YEARS 2008 THROUGH 2012”;

(ii) by striking “paragraph (1)” and inserting “paragraphs (1) and (2)”;

(iii) by striking “2012” and inserting “2018”.

(b) MODERNIZATION AND TECHNOLOGY UPGRADE FOR NATIONAL ORGANIC PROGRAM.—Section 2123 of the Organic Foods Production Act of 1990 (7 U.S.C. 6522) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking “and” at the end;

(B) by redesignating paragraph (6) as paragraph (7); and

(C) by inserting after paragraph (5) the following:

“(6) \$15,000,000 for each of fiscal years 2014 through 2018; and”;

(2) by adding at the end the following:

“(c) MODERNIZATION AND TECHNOLOGY UPGRADE FOR NATIONAL ORGANIC PROGRAM.—

“(1) IN GENERAL.—The Secretary shall modernize database and technology systems of the national organic program.

“(2) FUNDING.—Of the funds of the Commodity Credit Corporation and in addition to any other funds made available for that purpose, the Secretary shall make available to

carry out this subsection \$5,000,000 for fiscal year 2014, to remain available until expended.”.

#### SEC. 10006. FOOD SAFETY EDUCATION INITIATIVES.

Section 10105(c) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7655a(c)) is amended by striking “2012” and inserting “2018”.

#### SEC. 10007. COORDINATED PLANT MANAGEMENT PROGRAM.

(a) IN GENERAL.—Section 420 of the Plant Protection Act (7 U.S.C. 7721) is amended—

(1) by striking the section heading and inserting “**COORDINATED PLANT MANAGEMENT PROGRAM.**”;

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following:

“(e) NATIONAL CLEAN PLANT NETWORK.—

“(1) IN GENERAL.—The Secretary shall establish a program to be known as the ‘National Clean Plant Network’ (referred to in this subsection as the ‘Program’).

“(2) REQUIREMENTS.—Under the Program, the Secretary shall establish a network of clean plant centers for diagnostic and pathogen elimination services—

“(A) to produce clean propagative plant material; and

“(B) to maintain blocks of pathogen-tested plant material in sites located throughout the United States.

“(3) AVAILABILITY OF CLEAN PLANT SOURCE MATERIAL.—Clean plant source material produced or maintained under the Program may be made available to—

“(A) a State for a certified plant program of the State; and

“(B) private nurseries and producers.

“(4) CONSULTATION AND COLLABORATION.—In carrying out the Program, the Secretary shall—

“(A) consult with—

“(i) State departments of agriculture; and

“(ii) land-grant colleges and universities and NLGCA Institutions (as those terms are defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)); and

“(B) to the extent practicable and with input from the appropriate State officials and industry representatives, use existing Federal or State facilities to serve as clean plant centers.”.

(b) FUNDING.—Subsection (f) of section 420 of the Plant Protection Act (7 U.S.C. 7721) (as redesignated by subsection (a)(2)) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking “and each fiscal year thereafter.” and inserting a semicolon; and

(3) by adding at the end the following:

“(5) \$60,000,000 for each of fiscal years 2014 through 2017; and

“(6) \$65,000,000 for fiscal year 2018 and each fiscal year thereafter.”.

(c) REPEAL OF EXISTING PROVISION.—Section 10202 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7761) is repealed.

(d) CLARIFICATION OF USE OF FUNDS FOR TECHNICAL ASSISTANCE.—Section 420 of the Plant Protection Act (7 U.S.C. 7721) (as amended by subsection (a)) is amended by adding at the end the following:

“(g) RELATIONSHIP TO OTHER LAW.—The use of Commodity Credit Corporation funds under this section to provide technical assistance shall not be considered an allotment or fund transfer from the Commodity Credit Corporation for purposes of the limit on ex-

penditures for technical assistance imposed by section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 7141).”.

#### SEC. 10008. SPECIALTY CROP BLOCK GRANTS.

Section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465) is amended—

(1) in subsection (a)—

(A) by striking “subsection (j)” and inserting “subsection (l)”; and

(B) by striking “2012” and inserting “2018”;

(2) by striking subsection (b) and inserting the following:

“(b) GRANTS BASED ON VALUE AND ACRE-

AGE.—Subject to subsection (c), in the case of each State with an application for a grant for a fiscal year that is accepted by the Secretary of Agriculture under subsection (f), the amount of a grant for a fiscal year to a State under this section shall bear the same ratio to the total amount made available under subsection (l) for that fiscal year as—

“(1) the average of the most recent available value of specialty crop production in the State and the acreage of specialty crop production in the State, as demonstrated in the most recent Census of Agriculture data; bears to

“(2) the average of the most recent available value of specialty crop production in all States and the acreage of specialty crop production in all States, as demonstrated in the most recent Census of Agriculture data.”;

(3) by redesignating subsection (j) as subsection (l);

(4) by inserting after subsection (i) the following:

“(j) MULTISTATE PROJECTS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary of Agriculture shall issue guidance for the purpose of making grants to multistate projects under this section for projects involving—

“(A) food safety;

“(B) plant pests and disease;

“(C) crop-specific projects addressing common issues; and

“(D) any other area that furthers the purposes of this section, as determined by the Secretary.

“(2) FUNDING.—Of the funds provided under subsection (l), the Secretary of Agriculture may allocate for grants under this subsection, to remain available until expended—

“(A) \$1,000,000 for fiscal year 2014;

“(B) \$2,000,000 for fiscal year 2015;

“(C) \$3,000,000 for fiscal year 2016;

“(D) \$4,000,000 for fiscal year 2017; and

“(E) \$5,000,000 for fiscal year 2018.

“(k) ADMINISTRATION.—

“(1) DEPARTMENT.—The Secretary of Agriculture may not use more than 3 percent of the funds made available to carry out this section for a fiscal year for administrative expenses.

“(2) STATES.—A State receiving a grant under this section may not use more than 8 percent of the funds received under the grant for a fiscal year for administrative expenses.”; and

(5) in subsection (l) (as redesignated by paragraph (3))—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(4) \$70,000,000 for fiscal year 2014 and each fiscal year thereafter.”.

#### SEC. 10009. RECORDKEEPING, INVESTIGATIONS, AND ENFORCEMENT.

The Organic Foods Production Act of 1990 is amended by inserting after section 2120 (7 U.S.C. 6519) the following:

#### “SEC. 2120A. RECORDKEEPING, INVESTIGATIONS, AND ENFORCEMENT.

“(a) RECORDKEEPING.—

“(1) IN GENERAL.—Except as otherwise provided in this title, all persons, including producers, handlers, and certifying agents, required to report information to the Secretary under this title shall maintain, and make available to the Secretary on the request of the Secretary, all contracts, agreements, receipts, and other records associated with the organic certification program established by the Secretary under this title.

“(2) DURATION OF RECORDKEEPING REQUIREMENT.—A record covered by paragraph (1) shall be maintained—

“(A) by a person covered by this title, except for a certifying agent, for a period of 5 years beginning on the date of the creation of the record; and

“(B) by a certifying agent, for a period of 10 years beginning on the date of the creation of the record.

“(b) CONFIDENTIALITY.—

“(1) IN GENERAL.—Subject to paragraph (2), and except as provided in section 2107(a)(9) and as otherwise directed by the Secretary or the Attorney General for enforcement purposes, no officer, employee, or agent of the United States shall make available to the public information, statistics, or documents obtained from or made available by any person under this title, other than in a manner that ensures that confidentiality is preserved regarding the identity of persons, including parties to a contract, and proprietary business information.

“(2) VIOLATORS AND NATURE OF ACTIONS.—The Secretary may release the name of the violator and the nature of the actions triggering an order or revocation under subsection (e).

“(c) INVESTIGATION.—

“(1) IN GENERAL.—The Secretary may take such investigative actions as the Secretary considers to be necessary to carry out this title—

“(A) to verify the accuracy of any information reported or made available under this title; and

“(B) to determine, with regard to actions, practices, or information required under this title, whether a person covered by this title has committed, or will commit, a violation of any provision of this title, including an order or regulation promulgated by the Secretary.

“(2) INVESTIGATIVE POWERS.—The Secretary may administer oaths and affirmations, subpoena witnesses, compel attendance of witnesses, take evidence, and require the production of any records required to be maintained under subsection (a) or section 2112(d) or 2116(c) that are relevant to the investigation.

“(d) UNLAWFUL ACT.—It shall be unlawful and a violation of this title for any person covered by this title—

“(1) to fail or refuse to provide, or delay the timely provision of, accurate information required by the Secretary under this section;

“(2) to violate—

“(A) an order of the Secretary;

“(B) a revocation of the organic certification of a producer or handler; or

“(C) a revocation of the accreditation of a certifying agent; or

“(3) to sell, or attempt to sell, a product that is represented as being organically produced under this title (including an order or regulation promulgated under this title) if in fact the product has been produced or handled by an operation that is not yet a certified organic producer or handler under this title.

“(e) ENFORCEMENT.—

“(1) ORDER.—

“(A) IN GENERAL.—The Secretary may issue an order to stop the sale of an agricultural product that is labeled or otherwise represented as being organically produced in cases of suspected fraudulent or otherwise unlawful acts as described in subsection (d) that are willful, noncorrectable, or the subject of a combined noncompliance and adverse action until the product can be verified—

“(i) as meeting the national and State standards for organic production and handling as provided in sections 2105 through 2114;

“(ii) as having been produced or handled without the use of a prohibited substance listed under section 2118; and

“(iii) as being produced and handled by a certified organic operation.

“(B) AFFIRMATIVE DEFENSE TO STOP SALE ORDER.—

“(i) IN GENERAL.—If a producer or handler has a valid organic certification from the Department of Agriculture, the burden shall shift to the Secretary to prove fraud or unlawful activity that is willful, noncorrectable, or the subject of a combined noncompliance and adverse action before a stop sale order under subparagraph (A) may be implemented.

“(ii) INFORMATION.—

“(I) IN GENERAL.—The producer or handler shall comply with any requests of the Secretary for documents and other information not later than 30 days after a request is made.

“(II) NONCOMPLIANCE.—If the producer or handler fails to comply within the period described in subclause (I), the Secretary may issue a stop sale order.

“(C) APPEAL OF STOP SALE ORDER.—

“(i) IN GENERAL.—If the Secretary proves fraud or unlawful activity that is willful, noncorrectable, or the subject of a combined noncompliance and adverse action, the determination may be appealed through an expedited administrative appeal process.

“(ii) DEADLINE.—The expedited appeal process shall be completed not later than 30 days after the date of the issuance of the stop sale order.

“(iii) STAY.—Any stop sale order shall be stayed pending the 30 day-expedited appeal under this subparagraph.

“(2) CERTIFICATION OR ACCREDITATION.—After notice and opportunity for an administrative appeal under section 2121, if a violation described in subparagraph (A)(ii) is determined to have occurred and is an unlawful act under subsection (d), the Secretary shall revoke the organic certification of the producer or handler, or the accreditation of the certifying agent.

“(3) VIOLATION OF ORDER OR REVOCATION.—A person who violates an order to stop the sale of a product as an organically produced product under paragraph (1), or a revocation of certification or accreditation under paragraph (2), shall be subject to 1 or more of the penalties provided under subsections (a) and (b) of section 2120.

“(f) APPEAL.—

“(1) IN GENERAL.—An order under subsection (e)(1), or a revocation of certification

or accreditation under subsection (e)(2)(B), shall be final and conclusive unless the affected person files an appeal of the order—

“(A) first, to the administrative appeals process established under section 2121(a); and

“(B) after a final decision of the Secretary, if the affected person so elects, to a United States district court as provided in section 2121(b) not later than 30 days after the date of the determination under subparagraph (A).

“(2) STANDARD.—An order under subsection (e)(1)(A), or a revocation of certification or accreditation under subsection (e)(2), shall be set aside if the order, or the revocation of certification or accreditation, fails to comply with section 706 of title 5, United States Code.

“(g) NONCOMPLIANCE.—

“(1) IN GENERAL.—If a person covered by this title fails to obey an order, or a revocation of certification or accreditation, described in subsection (f)(2) after the order or revocation has become final and conclusive or after the appropriate United States district court has entered a final judgment in favor of the Secretary, the United States may apply to the appropriate United States district court for enforcement of the order, or the revocation of certification or accreditation.

“(2) ENFORCEMENT.—If the court determines that the order or revocation was lawfully made and duly served and that the person violated the order or revocation, the court shall enforce the order or revocation.

“(3) CIVIL PENALTY.—If the court finds that the person violated the order or revocation, the person shall be subject to a civil penalty of not more than \$10,000 for each offense.”.

#### SEC. 10010. REPORT ON HONEY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with affected stakeholders, shall submit to the Commissioner of Food and Drugs a report describing how an appropriate Federal standard for the identity of honey would promote honesty and fair dealing and would be in the interest of consumers, the honey industry, and United States agriculture.

(b) CONTENTS.—In preparing the report under subsection (a), the Secretary shall take into consideration the March 2006 Standard of Identity citizens petition filed with the Food and Drug Administration, including any current industry amendments or clarifications necessary to update that 2006 petition.

#### SEC. 10011. REMOVAL OF AMS INSPECTION AUTHORITY OVER APPLES IN BULK BINS.

(a) DEFINITION OF BULK BIN.—In this section, the term “bulk bin” means a bin that contains a quantity of apples weighing more than 100 pounds.

(b) PROHIBITION.—Notwithstanding any other provision of law, the Secretary of Agriculture, acting through the Agricultural Marketing Service, shall have no authority to inspect apples in bulk bins prior to export to Canada.

#### SEC. 10012. ORGANIC PRODUCT PROMOTION ORDERS.

(a) EXEMPTION OF CERTIFIED ORGANIC PRODUCTS FROM PROMOTION ORDER ASSESSMENTS.—Section 501 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401) is amended by striking subsection (e) and inserting the following:

“(e) EXEMPTION OF CERTIFIED ORGANIC PRODUCTS FROM PROMOTION ORDER ASSESSMENTS.—

“(1) IN GENERAL.—Notwithstanding any provision of a commodity promotion law, a

person that produces, handles, markets, or imports organic products may be exempt from the payment of an assessment under a commodity promotion law with respect to any agricultural commodity that is certified as ‘organic’ or ‘100 percent organic’ (as defined in part 205 of title 7, Code of Federal Regulations (or successor regulations)).

“(2) SPLIT OPERATIONS.—The exemption described in paragraph (1) shall apply to an agricultural commodity described in that paragraph regardless of whether the agricultural commodity subject to the exemption is produced, handled, or marketed by a person that also produces, handles, or markets conventional or nonorganic agricultural products, including conventional or nonorganic agricultural products of the same agricultural commodity as that for which the exemption is claimed.

“(3) APPROVAL.—The Secretary shall approve the exemption of a person under this subsection if the person maintains a valid organic certificate issued under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).

“(4) TERMINATION OF EFFECTIVENESS.—This subsection shall be effective until the date on which the Secretary issues an organic commodity promotion order in accordance with subsection (f).

“(5) REGULATIONS.—The Secretary shall promulgate regulations concerning eligibility and compliance for an exemption under paragraph (1).”.

(b) ORGANIC COMMODITY PROMOTION ORDER.—Section 501 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401) (as amended by subsection (a)) is amended by adding at the end the following:

“(f) ORGANIC COMMODITY PROMOTION ORDER.—

“(1) DEFINITIONS.—In this subsection:

“(A) CERTIFIED ORGANIC FARM.—The term ‘certified organic farm’ has the meaning given the term in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502).

“(B) COVERED PERSON.—The term ‘covered person’ means a producer, handler, marketer, or importer of an organic agricultural commodity.

“(C) DUAL-COVERED AGRICULTURAL COMMODITY.—The term ‘dual-covered agricultural commodity’ means an agricultural commodity that—

“(i) is produced on a certified organic farm; and

“(ii) is covered under both—

“(I) an organic commodity promotion order issued under paragraph (2); and

“(II) any other agricultural commodity promotion order issued under this section.

“(2) AUTHORIZATION.—The Secretary may issue an organic commodity promotion order under section 514 that includes any agricultural commodity that—

“(A) is—

“(i) produced or handled (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502)); and

“(ii) certified to be sold or labeled as ‘organic’ or ‘100 percent organic’ (as defined in part 205 of title 7, Code of Federal Regulations (or successor regulations)); or

“(B) is imported with a valid organic certificate (as defined in that part).

“(3) ELECTION.—If the Secretary issues an organic commodity promotion order described in paragraph (2), a covered person



may elect, for applicable dual-covered agricultural commodities and in the sole discretion of the covered person, whether to be assessed under the organic commodity promotion order or another applicable agricultural commodity promotion order.

“(4) REGULATIONS.—The Secretary shall promulgate regulations concerning eligibility and compliance for an exemption under paragraph (1).”

(c) DEFINITION OF AGRICULTURAL COMMODITY.—Section 513(1) of the Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7412(1)) is amended—

(1) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(2) by inserting after subparagraph (D) the following:

“(E) products, as a class, that are produced on a certified organic farm (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502)) and that are certified to be sold or labeled as ‘organic’ or ‘100 percent organic’ (as defined in part 205 of title 7, Code of Federal Regulations (or successor regulations)).”

#### SEC. 10013. EFFECTIVE DATE.

This title and the amendments made by this title take effect on October 1, 2013.

### TITLE XI—CROP INSURANCE

#### SEC. 11001. SUPPLEMENTAL COVERAGE OPTION.

(a) AVAILABILITY OF SUPPLEMENTAL COVERAGE OPTION.—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by striking paragraph (3) and inserting the following:

“(3) YIELD AND LOSS BASIS OPTIONS.—A producer shall have the option of purchasing additional coverage based on—

“(A)(i) an individual yield and loss basis; or

“(ii) an area yield and loss basis; or

“(B) an individual yield and loss basis, supplemented with coverage based on an area yield and loss basis to cover part of the deductible under the individual yield and loss policy, as authorized in paragraph (4)(C).”

(b) LEVEL OF COVERAGE.—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by striking paragraph (4) and inserting the following:

“(4) LEVEL OF COVERAGE.—

“(A) DOLLAR DENOMINATION AND PERCENTAGE OF YIELD.—Except as provided in subparagraph (C), the level of coverage—

“(i) shall be dollar denominated; and

“(ii) may be purchased at any level not to exceed 85 percent of the individual yield or 95 percent of the area yield (as determined by the Corporation).

“(B) INFORMATION.—The Corporation shall provide producers with information on catastrophic risk and additional coverage in terms of dollar coverage (within the allowable limits of coverage provided in this paragraph).

“(C) SUPPLEMENTAL COVERAGE OPTION.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), in the case of the supplemental coverage option described in paragraph (3)(B), the Corporation shall offer producers the opportunity to purchase coverage in combination with an individual buy up policy or plan of insurance offered under this subtitle that would allow indemnities to be paid to a producer equal to part of the deductible under the policy or plan of insurance, if sufficient area data is available (as determined by the Corporation).

“(ii) DEDUCTIBLE.—Coverage offered under this subparagraph shall be subject to a deductible in an amount equal to—

“(I) in the case of a producer who participates in the agriculture risk coverage program under section 1108(c) of the Agriculture Reform, Food, and Jobs Act of 2013, 22 percent of the expected value of the crop of the producer covered by the underlying policy or plan of insurance, as determined by the Corporation; and

“(II) in the case of all other producers, 10 percent of the expected value of the crop of the producer covered by the underlying policy or plan of insurance, as determined by the Corporation.

“(iii) COVERAGE.—Subject to the deductible imposed by clause (ii), coverage offered under this subparagraph shall cover the first loss incurred by the producer, not to exceed the difference between—

“(I) 100 percent; and

“(II) the coverage level selected by the producer for the underlying policy or plan of insurance.

“(iv) CALCULATION OF PREMIUM.—Notwithstanding subsection (d), the premium shall—

“(I) be sufficient to cover anticipated losses and a reasonable reserve; and

“(II) include an amount for operating and administrative expenses established in accordance with subsection (k)(4)(F).”

(c) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Section 508(e)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(2)) is amended by adding at the end the following:

“(H) In the case of the supplemental coverage option authorized in subsection (c)(4)(C), the amount shall be equal to the sum of—

“(i) 65 percent of the additional premium associated with the coverage; and

“(ii) the amount determined under subsection (c)(4)(C)(iv)(II) for the coverage to cover operating and administrative expenses.”

(d) CONFORMING AMENDMENT.—Section 508(k)(4)(F) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)(F)) is amended by inserting “or authorized under subsection (c)(4)(C)” after “of this subparagraph”.

(e) EFFECTIVE DATE.—The Federal Crop Insurance Corporation shall begin to provide additional coverage based on an individual yield and loss basis, supplemented with coverage based on an area yield and loss basis, not later than for the 2014 crop year.

#### SEC. 11002. CROP MARGIN COVERAGE OPTION.

(a) AVAILABILITY OF CROP MARGIN COVERAGE OPTION.—Section 508(c)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) (as amended by section 11001(a)) is amended—

(1) in subparagraph (A)(ii), by striking “or” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(C) a margin basis alone or in combination with—

“(i) individual yield and loss coverage; or

“(ii) area yield and loss coverage.”

#### SEC. 11003. PREMIUM AMOUNTS FOR CATASTROPHIC RISK PROTECTION.

Section 508(d)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(2)) is amended by striking subparagraph (A) and inserting the following:

“(A) In the case of catastrophic risk protection, the amount of the premium established by the Corporation for each crop for which catastrophic risk protection is available shall be reduced by the percentage equal to the difference between the average loss ratio for the crop and 100 percent, plus a reasonable reserve, as determined by the Corporation.”

#### SEC. 11004. PERMANENT ENTERPRISE UNIT.

Section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—The Corporation may pay a portion of the premiums for plans or policies of insurance for which the insurable unit is defined on a whole farm or enterprise unit basis that is higher than would otherwise be paid in accordance with paragraph (2).”

#### SEC. 11005. ENTERPRISE UNITS FOR IRRIGATED AND NONIRRIGATED CROPS.

Section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended by adding at the end the following:

“(D) NONIRRIGATED CROPS.—Beginning with the 2014 crop year, the Corporation shall make available separate enterprise units for irrigated and nonirrigated acreages of crops in counties.”

#### SEC. 11006. DATA COLLECTION.

Section 508(g)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)(2)) is amended by adding at the end the following:

“(E) SOURCES OF YIELD DATA.—To determine yields under this paragraph, the Corporation—

“(i) shall use county data collected by the Risk Management Agency or the National Agricultural Statistics Service, or both; or

“(ii) if sufficient county data is not available, may use other data considered appropriate by the Secretary.”

#### SEC. 11007. ADJUSTMENT IN ACTUAL PRODUCTION HISTORY TO ESTABLISH INSURABLE YIELDS.

Section 508(g)(4)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)(4)(B)) is amended—

(1) in the matter preceding clause (i), by inserting “for the 2013 crop year or any prior crop year, or 65 percent of the applicable transitional yield for the 2014 or any subsequent crop year,” after “transitional yield”; and

(2) in clause (ii), by striking “60 percent of the applicable transitional yield” and inserting “the applicable percentage of the transitional yield described in this subparagraph”.

#### SEC. 11008. SUBMISSION AND REVIEW OF POLICIES.

Section 508(h)(1) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)(1)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) by striking “(1) IN GENERAL.—” and inserting the following:

“(1) SUBMISSION AND REVIEW OF POLICIES.—

“(A) SUBMISSIONS.—In addition”; and

(3) by adding at the end the following:

“(B) REVIEW.—The Corporation shall review any policy developed under section 522(c) or any pilot program developed under section 523 and submit the policy or program to the Board under this subsection if the Corporation, at the sole discretion of the Corporation, finds that the policy or program—

“(i) will likely result in a viable and marketable policy consistent with this subsection;

“(ii) would provide crop insurance coverage in a significantly improved form; and

“(iii) adequately protects the interests of producers.”

#### SEC. 11009. BOARD REVIEW AND APPROVAL.

(a) REVIEW AND APPROVAL BY THE BOARD.—Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended by striking paragraph (3) and inserting the following:

“(3) REVIEW AND APPROVAL BY THE BOARD.—

“(A) IN GENERAL.—A policy, plan of insurance, or other material submitted to the Board under this subsection shall be reviewed by the Board and shall be approved by the Board for reinsurance and for sale by approved insurance providers to producers at actuarially appropriate rates and under appropriate terms and conditions if the Board, at the sole discretion of the Board, determines that—

“(i) the interests of producers are adequately protected;

“(ii) the rates of premium and price election methodology are actuarially appropriate;

“(iii) the terms and conditions for the proposed policy or plan of insurance are appropriate and would not unfairly discriminate among producers;

“(iv) the proposed policy or plan of insurance will, at the sole discretion of the Board—

“(I) likely result in a viable and marketable policy that can reasonably attain levels of participation similar to other like policies or plans of insurance;

“(II) likely improve crop insurance coverage in a significantly improved form or in a manner that addresses a recognized flaw or problem in an existing policy; or

“(III) provide a new kind of coverage for a commodity that previously had no available crop insurance, or has demonstrated a low level of participation under existing coverage;

“(v) the proposed policy or plan of insurance will, at the sole discretion of the Board, not have a significant adverse impact on the crop insurance delivery system; and

“(vi) the proposed policy or plan of insurance meets such other requirements as are determined appropriate by the Board.

“(B) PRIORITIES.—

“(i) ESTABLISHMENT.—The Board, at the sole discretion of the Board, may—

“(I) annually establish priorities under this subsection that specify types of submissions needed to fulfill the portfolio of policies or plans of insurance to be reviewed and approved under this subsection; and

“(II) make the priorities available on the website of the Corporation.

“(ii) PROCESS.—

“(I) IN GENERAL.—Policies or plans of insurance that satisfy the priorities established by the Board under this subsection shall be considered by the Board for approval prior to other submissions.

“(II) CONSIDERATIONS.—In approving policies or plans of insurance, the Board shall—

“(aa) consider providing the highest priorities for policies or plans of insurance that address underserved commodities, including commodities for which there is no insurance; and

“(bb) consider providing the highest priorities for existing policies for which there is inadequate coverage or there exists low levels of participation.

“(iii) OTHER CRITERIA.—The Board may establish such other criteria as the Board determines to meet the needs of producers and the priorities of this subsection, consistent with the purposes of this subtitle.”.

#### SEC. 11010. CONSULTATION.

Section 508(h)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended by adding at the end the following:

“(E) CONSULTATION.—

“(i) REQUIREMENT.—As part of the feasibility and research associated with the development of a policy or other material conducted prior to making a submission to the Board under this subsection, the submitter

shall consult with groups representing producers of agricultural commodities in all major producing areas for the commodities to be served or potentially impacted, either directly or indirectly.

“(ii) SUBMISSION TO THE BOARD.—Any submission made to the Board under this subsection shall contain a summary and analysis of the feasibility and research findings from the impacted groups described in clause (i), including a summary assessment of the support for or against development of the policy and an assessment on the impact of the proposed policy to the general marketing and production of the crop from both a regional and national perspective.

“(iii) EVALUATION BY THE BOARD.—In evaluating whether the interests of producers are adequately protected pursuant to paragraph (3) with respect to an submission made under this subsection, the Board shall review the information provided pursuant to clause (ii) to determine if the submission will create adverse market distortions with respect to the production of commodities that are the subject of the submission.”.

#### SEC. 11011. BUDGET LIMITATIONS ON RENEGOTIATION OF THE STANDARD REINSURANCE AGREEMENT.

Section 508(k)(8) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(8)) is amended by adding at the end the following:

“(F) BUDGET.—

“(i) IN GENERAL.—The Board shall ensure that any Standard Reinsurance Agreement negotiated under subparagraph (A)(ii), as compared to the previous Standard Reinsurance Agreement—

“(I) to the maximum extent practicable, shall be budget neutral; and

“(II) in no event, may significantly depart from budget neutrality.

“(ii) USE OF SAVINGS.—To the extent that any budget savings is realized in the renegotiation of a Standard Reinsurance Agreement under subparagraph (A)(ii), and the savings are determined not to be a significant departure from budget neutrality under clause (i), the savings shall be used for programs administered or managed by the Risk Management Agency.”.

#### SEC. 11012. TEST WEIGHT FOR CORN.

Section 508(m) of the Federal Crop Insurance Act (7 U.S.C. 1508(m)) is amended by adding at the end the following:

“(6) TEST WEIGHT FOR CORN.—

“(A) IN GENERAL.—The Corporation shall establish procedures to allow insured producers not more than 120 days to settle claims, in accordance with procedures established by the Secretary, involving corn that is determined to have low test weight.

“(B) IMPLEMENTATION.—As soon as practicable after the date of enactment of this paragraph, the Corporation shall implement subparagraph (A) on a regional basis based on market conditions and the interests of producers.

“(C) TERMINATION OF EFFECTIVENESS.—The authority provided by this paragraph terminates effective on the date that is 5 years after the date on which subparagraph (A) is implemented.”.

#### SEC. 11013. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

(a) AVAILABILITY OF STACKED INCOME PROTECTION PLAN.—The Federal Crop Insurance Act is amended by inserting after section 508A (7 U.S.C. 1508a) the following:

#### “SEC. 508B. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

“(a) AVAILABILITY.—Beginning not later than the 2014 crop of upland cotton, if prac-

ticable, the Corporation shall make available to producers of maximum eligible acres of upland cotton an additional policy (to be known as the ‘Stacked Income Protection Plan’), which shall provide coverage consistent with the Group Risk Income Protection Plan (and the associated Harvest Revenue Option Endorsement) offered by the Corporation for the 2011 crop year.

“(b) REQUIRED TERMS.—The Corporation may modify the Stacked Income Protection Plan on a program-wide basis, except that the Stacked Income Protection Plan shall comply with the following requirements:

“(1)(A) Provide coverage for revenue loss of not more than 30 percent of expected county revenue, specified in increments of 5 percent.

“(B) The deductible is the minimum percent of revenue loss at which indemnities are triggered under the plan, not to be less than 10 percent of the expected county revenue.

“(C) Once the deductible is met, any losses in excess of the deductible will be paid up to the coverage selected by the producer.

“(2) Be offered to producers of upland cotton in all counties with upland cotton production—

“(A) at a county-wide level to the fullest extent practicable; or

“(B) in counties that lack sufficient data, on the basis of such larger geographical area as the Corporation determines to provide sufficient data for purposes of providing the coverage.

“(3) Be purchased in addition to any other individual or area coverage in effect on the producer’s acreage or as a stand-alone policy, except that if a producer has an individual or area coverage for the same acreage, the maximum coverage available under the Stacked Income Protection Plan shall not exceed the deductible for the individual or area coverage.

“(4) Establish coverage based on—

“(A) an expected price that is the expected price established under existing Group Risk Income Protection or area wide policy offered by the Corporation for the applicable county (or area) and crop year; and

“(B) an expected county yield that is the higher of—

“(i) the expected county yield established for the existing area-wide plans offered by the Corporation for the applicable county (or area) and crop year (or, in geographic areas where area-wide plans are not offered, an expected yield determined in a manner consistent with those of area-wide plans); or

“(ii)(I) the average of the applicable yield data for the county (or area) for the most recent 5 years, excluding the highest and lowest observations, from the Risk Management Agency or the National Agricultural Statistics, or both; or

“(II) if sufficient county data is not available, such other data considered appropriate by the Secretary.

“(5) Use a multiplier factor to establish maximum protection per acre (referred to as a ‘protection factor’) of not more than 120 percent.

“(6) Pay an indemnity based on the amount that the expected county revenue exceeds the actual county revenue, as applied to the individual coverage of the producer. Indemnities under the Stacked Income Protection Plan shall not include or overlap the amount of the deductible selected under paragraph (1).

“(7) To the maximum extent practicable, in all counties for which data are available, establish separate coverage for irrigated and nonirrigated practices.

“(8) Notwithstanding section 508(d), include a premium that—

“(A) is sufficient to cover anticipated losses and a reasonable reserve; and

“(B) includes an amount for operating and administrative expenses established in accordance with section 508(k)(4)(F).

“(C) RELATION TO OTHER COVERAGES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Stacked Income Protection Plan is in addition to all other coverages available to producers of upland cotton.

“(2) LIMITATION.—Acreage of upland cotton insured under the Supplemental Coverage Option shall not be eligible for the Stacked Income Protection Plan.

“(d) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Subject to section 508(e)(4), the amount of premium paid by the Corporation for all qualifying coverage levels of the Stacked Income Protection Plan shall be—

“(1) 80 percent of the amount of the premium established under subsection (b)(8)(A) for the coverage level selected; and

“(2) the amount determined under subsection (b)(8)(B) to cover administrative and operating expenses.”.

(b) CONFORMING AMENDMENT.—Section 508(k)(4)(F) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)(F)) (as amended by section 1101(d)) is amended by inserting “or under section 508B” after “subsection (c)(4)(C)”.

#### SEC. 11014. PEANUT REVENUE CROP INSURANCE.

The Federal Crop Insurance Act is amended by inserting after section 508B (as added by section 11013(a)) the following:

##### “SEC. 508C. PEANUT REVENUE CROP INSURANCE.

“(a) IN GENERAL.—Effective beginning with the 2014 crop year, the Risk Management Agency and the Corporation shall make available to producers of peanuts a revenue crop insurance program for peanuts.

“(b) EFFECTIVE PRICE.—

“(1) IN GENERAL.—Subject to paragraph (2), for purposes of the policies and plans of insurance offered under subsections (a) and (b) of section 508, the effective price for peanuts shall be equal to the Rotterdam price index for peanuts, as adjusted to reflect the farmer stock price of peanuts in the United States.

“(2) ADJUSTMENTS.—

“(A) IN GENERAL.—The effective price for peanuts established under paragraph (1) may be adjusted by the Risk Management Agency and the Corporation to correct distortions.

“(B) ADMINISTRATION.—If an adjustment is made under subparagraph (A), the Risk Management Agency and the Corporation shall—

“(i) make the adjustment in an open and transparent manner; and

“(ii) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the reasons for the adjustment.”.

#### SEC. 11015. AUTHORITY TO CORRECT ERRORS.

Section 515(c) of the Federal Crop Insurance Act (7 U.S.C. 1515(c)) is amended—

(1) in the first sentence, by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”;

(2) in the second sentence, by striking “Beginning with” and inserting the following:

“(2) FREQUENCY.—Beginning with”;

and

(3) by adding at the end the following:

“(3) CORRECTIONS.—

“(A) IN GENERAL.—The Corporation shall establish procedures that allow an agent and approved insurance provider within a reasonable amount of time following the applicable sales closing date to correct information regarding the entity name, social security number, tax identification number, or such other eligibility information as determined

by the Corporation that is provided by a producer for the purpose of obtaining coverage under any policy or plan of insurance made available under this subtitle to ensure that the eligibility information is consistent with the information reported by the producer to the Farm Service Agency.

“(B) LIMITATION.—In accordance with the procedures of the Corporation, procedures under subparagraph (A) may include any subsequent correction to the eligibility information described in that subparagraph made by the Farm Service Agency if the corrections do not allow the producer—

“(i) to obtain a disproportionate benefit under the crop insurance program or any related program of the Department of Agriculture; or

“(ii) to avoid an obligation or requirement under any Federal or State law.”.

#### SEC. 11016. IMPLEMENTATION.

Section 515 of the Federal Crop Insurance Act (7 U.S.C. 1515) is amended—

(1) in subsection (j), by striking paragraph (1) and inserting the following:

“(1) SYSTEMS MAINTENANCE AND UPGRADES.—

“(A) IN GENERAL.—The Secretary shall maintain and upgrade the information management systems of the Corporation used in the administration and enforcement of this subtitle.

“(B) REQUIREMENT.—

“(i) IN GENERAL.—In maintaining and upgrading the systems, the Secretary shall ensure that new hardware and software are compatible with the hardware and software used by other agencies of the Department to maximize data sharing and promote the purposes of this section.

“(ii) ACREAGE REPORT STREAMLINING INITIATIVE PROJECT.—As soon as practicable, the Secretary shall develop and implement an acreage report streamlining initiative project to allow producers to report acreage and other information directly to the Department.”; and

(2) in subsection (k), by striking paragraph (1) and inserting the following:

“(1) INFORMATION TECHNOLOGY.—

“(A) IN GENERAL.—For purposes of subsection (j)(1), the Corporation may use, from amounts made available from the insurance fund established under section 516(c), not more than—

“(i) (I) for fiscal year 2014, \$25,000,000; and

“(II) for each of fiscal years 2015 through 2018, \$10,000,000; or

“(ii) if the Acreage Crop Reporting Streamlining Initiative (ACRSI) project is substantially completed by September 30, 2013, not more than \$15,000,000 for each of fiscal years 2015 through 2018.

“(B) NOTIFICATION.—Not later than July 1, 2013, the Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the status of the substantial completion of the Acreage Crop Reporting Streamlining Initiative (ACRSI) project.”.

#### SEC. 11017. CROP INSURANCE FRAUD.

Section 516(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1516(b)(2)) is amended by adding at the end the following:

“(C) REVIEWS, COMPLIANCE, AND PROGRAM INTEGRITY.—For each of the 2014 and subsequent reinsurance years, the Corporation may use the insurance fund established under subsection (c), but not to exceed \$5,000,000 for each fiscal year, to pay the following:

“(i) Costs to reimburse expenses incurred for the review of policies, plans of insurance, and related materials and to assist the Corporation in maintaining program integrity.

“(ii) In addition to other available funds, costs incurred by the Risk Management Agency for compliance operations associated with activities authorized under this title.”.

#### SEC. 11018. APPROVAL OF COSTS FOR RESEARCH AND DEVELOPMENT.

Section 522(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)(2)) is amended by striking subparagraph (E) and inserting the following:

“(E) APPROVAL.—

“(i) IN GENERAL.—The Board may approve up to 50 percent of the projected total research and development costs to be paid in advance to an applicant, in accordance with the procedures developed by the Board for the making of the payments, if, after consideration of the reviewer reports described in subparagraph (D) and such other information as the Board determines appropriate, the Board determines that—

“(I) the concept, in good faith, will likely result in a viable and marketable policy consistent with section 508(h);

“(II) at the sole discretion of the Board, the concept, if developed into a policy and approved by the Board, would provide crop insurance coverage—

“(aa) in a significantly improved form or that addresses a unique need of agricultural producers;

“(bb) to a crop or region not traditionally served by the Federal crop insurance program; or

“(cc) in a form that addresses a recognized flaw or problem in the program;

“(III) the applicant agrees to provide such reports as the Corporation determines are necessary to monitor the development effort;

“(IV) the proposed budget and timetable are reasonable, as determined by the Board; and

“(V) the concept proposal meets any other requirements that the Board determines appropriate.

“(ii) WAIVER.—The Board may waive the 50-percent limitation and, upon request of the submitter after the submitter has begun research and development activities, the Board may approve an additional 25 percent advance payment to the submitter for research and development costs, if, at the sole discretion of the Board, the Board determines that—

“(I) the intended policy or plan of insurance developed by the submitter will provide coverage for a region or crop that is underserved by the Federal crop insurance program, including specialty crops;

“(II) the submitter is making satisfactory progress towards developing a viable and marketable policy or plan of insurance consistent with section 508(h); and

“(III) the submitter does not have sufficient financial resources to complete the development of the submission into a viable and marketable policy or plan of insurance consistent with section 508(h).”.

#### SEC. 11019. WHOLE FARM RISK MANAGEMENT INSURANCE.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended by adding at the end the following:

“(18) WHOLE FARM DIVERSIFIED RISK MANAGEMENT INSURANCE PLAN.—

“(A) IN GENERAL.—The Corporation shall conduct activities or enter into contracts to carry out research and development to develop a whole farm risk management insurance plan, with a liability limitation of

\$1,500,000, that allows a diversified crop or livestock producer the option to qualify for an indemnity if actual gross farm revenue is below 85 percent of the average gross farm revenue or the expected gross farm revenue that can reasonably be expected of the producer, as determined by the Corporation.

“(B) ELIGIBLE PRODUCERS.—The Corporation shall permit producers (including direct-to-consumer marketers, and producers servicing local and regional and farm identity-preserved markets) who produce multiple agricultural commodities, including specialty crops, industrial crops, livestock, and aquaculture products, to participate in the plan in lieu of any other plan under this subtitle.

“(C) DIVERSIFICATION.—The Corporation may provide diversification-based additional coverage payment rates, premium discounts, or other enhanced benefits in recognition of the risk management benefits of crop and livestock diversification strategies for producers that grow multiple crops or that may have income from the production of livestock that uses a crop grown on the farm.

“(D) MARKET READINESS.—The Corporation may include coverage for the value of any packing, packaging, or any other similar on-farm activity the Corporation determines to be the minimum required in order to remove the commodity from the field.

“(E) REPORT.—Not later than 2 years after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results and feasibility of the research and development conducted under this paragraph, including an analysis of potential adverse market distortions.”

#### SEC. 11020. STUDY OF FOOD SAFETY INSURANCE.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11018) is amended by adding at the end the following:

“(19) STUDY OF FOOD SAFETY INSURANCE.—

“(A) IN GENERAL.—The Corporation shall offer to enter into a contract with 1 or more qualified entities to conduct a study to determine whether offering policies that provide coverage for specialty crops from food safety and contamination issues would benefit agricultural producers.

“(B) SUBJECT.—The study described in subparagraph (A) shall evaluate policies and plans of insurance coverage that provide protection for production or revenue impacted by food safety concerns including, at a minimum, government, retail, or national consumer group announcements of a health advisory, removal, or recall related to a contamination concern.

“(C) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).”

#### SEC. 11021. CROP INSURANCE FOR LIVESTOCK.

Section 522(c) of the Federal Crop Insurance Act (as amended by section 11019) is amended by adding at the end the following:

“(20) STUDY ON SWINE CATASTROPHIC DISASTRE PROGRAM.—

“(A) IN GENERAL.—The Corporation shall contract with a qualified person to conduct a study to determine the feasibility of insuring swine producers for a catastrophic event.

“(B) REPORT.—Not later than 1 year after the date of the enactment of this paragraph,

the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).”

#### SEC. 11022. MARGIN COVERAGE FOR CATFISH.

Section 522(c) of the Federal Crop Insurance Act (as amended by section 11020) is amended by adding at the end the following:

“(21) MARGIN COVERAGE FOR CATFISH.—

“(A) IN GENERAL.—The Corporation shall offer to enter into a contract with a qualified entity to conduct research and development regarding a policy to insure producers against reduction in the margin between the market value of catfish and selected costs incurred in the production of catfish.

“(B) ELIGIBILITY.—Eligibility for the policy described in subparagraph (A) shall be limited to freshwater species of catfish that are propagated and reared in controlled or selected environments.

“(C) IMPLEMENTATION.—The Board shall review the policy described in subparagraph (B) under subsection 508(h) and approve the policy if the Board finds that the policy—

“(i) will likely result in a viable and marketable policy consistent with this subsection;

“(ii) would provide crop insurance coverage in a significantly improved form;

“(iii) adequately protects the interests of producers; and

“(iv) the proposed policy meets other requirements of this subtitle determined appropriate by the Board.”

#### SEC. 11023. POULTRY BUSINESS DISRUPTION INSURANCE POLICY.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11021) is amended by adding at the end the following:

“(22) POULTRY BUSINESS DISRUPTION INSURANCE POLICY AND CATASTROPHIC DISEASE PROGRAM.—

“(A) DEFINITION OF POULTRY.—In this paragraph, the term ‘poultry’ has the meaning given the term in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

“(B) AUTHORITY.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out—

“(i) a study to determine the feasibility of insuring commercial poultry production against business disruptions caused by integrator bankruptcy; and

“(ii) a study to determine the feasibility of insuring poultry producers for a catastrophic event.

“(C) BUSINESS DISRUPTION STUDY.—The study described in subparagraph (B)(i) shall—

“(i) evaluate the market place for business disruption insurance that is available to poultry producers;

“(ii) assess the feasibility of a policy to allow producers to ensure against a portion of losses from loss under contract due to business disruption from integrator bankruptcy; and

“(iii) analyze the costs to the Federal Government of a Federal business disruption insurance program for poultry producers.

“(D) REPORTS.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of—

“(i) the study carried out under subparagraph (B)(i); and

“(ii) the study carried out under subparagraph (B)(ii).”

#### SEC. 11024. STUDY OF CROP INSURANCE FOR SEAFOOD HARVESTERS.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11022) is amended by adding at the end the following:

“(23) FEASIBILITY STUDY TO ASSIST SEAFOOD HARVESTERS.—

“(A) IN GENERAL.—The Corporation shall offer to enter into a contract with a qualified entity to conduct a feasibility study to determine the best method of insuring seafood harvesters, including such data collection and analysis as is necessary to conduct the study.

“(B) REPORT.—Not later than 1 year after the date of enactment of this subsection, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the results of the study.”

#### SEC. 11025. BIOMASS AND SWEET SORGHUM ENERGY CROP INSURANCE POLICIES.

Section 522(c) of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1522(c)) (as amended by section 11023) is amended by adding at the end the following:

“(24) BIOMASS AND SWEET SORGHUM ENERGY CROP INSURANCE POLICIES.—

“(A) AUTHORITY.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out research and development regarding—

“(i) a policy to insure biomass sorghum that is grown expressly for the purpose of producing a feedstock for renewable biofuel, renewable electricity, or biobased products; and

“(ii) a policy to insure sweet sorghum that is grown for a purpose described in clause (i).

“(B) RESEARCH AND DEVELOPMENT.—Research and development with respect to each of the policies described in subparagraph (A) shall evaluate the effectiveness of risk management tools for the production of biomass sorghum or sweet sorghum, including policies and plans of insurance that—

“(i) are based on market prices and yields;

“(ii) to the extent that insufficient data exist to develop a policy based on market prices and yields, are based on the use of weather indices, including, at a minimum, excessive or inadequate rainfall, to protect the interests of crop producers; and

“(iii) provide protection for production or revenue losses, or both.”

#### SEC. 11026. ALFALFA CROP INSURANCE POLICY.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11024) is amended by adding at the end the following:

“(25) ALFALFA CROP INSURANCE POLICY.—

“(A) IN GENERAL.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out research and development regarding a policy to insure alfalfa.

“(B) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).”

#### SEC. 11027. CROP INSURANCE FOR ORGANIC CROPS.

(a) IN GENERAL.—Section 508(c)(6) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(6)) is amended by adding at the end the following:

“(D) ORGANIC CROPS.—

“(i) IN GENERAL.—As soon as possible, but not later than the 2015 reinsurance year, the

Corporation shall offer producers of organic crops price elections for all organic crops produced in compliance with standards issued by the Department of Agriculture under the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) that reflect the actual retail or wholesale prices, as appropriate, received by producers for organic crops, as determined by the Secretary using all relevant sources of information.

“(ii) ANNUAL REPORT.—The Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report on progress made in developing and improving Federal crop insurance for organic crops, including—

“(I) the numbers and varieties of organic crops insured;

“(II) the progress of implementing the price elections required under this subparagraph, including the rate at which additional price elections are adopted for organic crops;

“(III) the development of new insurance approaches relevant to organic producers; and

“(IV) any recommendations the Corporation considers appropriate to improve Federal crop insurance coverage for organic crops.”

(b) CONFORMING AMENDMENT.—Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11024) is amended—

(1) by striking paragraph (10); and

(2) by redesignating paragraphs (11) through (24) as paragraphs (10) through (23), respectively.

#### SEC. 11028. RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended—

(1) in the subsection heading, by striking “Contracting”;

(2) in paragraph (1), in the matter preceding subparagraph (A), by striking “may enter into contracts to carry out research and development to” and inserting “may conduct activities or enter into contracts to carry out research and development to maintain or improve existing policies or develop new policies to”;

(3) in paragraph (2)—

(A) in subparagraph (A), by inserting “conduct research and development or” after “The Corporation may”; and

(B) by striking subparagraph (B) and inserting the following:

“(B) CONSULTATION.—Before conducting research and development or entering into a contract under subparagraph (A), the Corporation shall follow the consultation requirements described in section 508(h)(4)(E).”;

(4) in paragraph (5), by inserting “after expert review in accordance with section 505(e) and procedures of the Board” after “approved by the Board”; and

(5) in paragraph (6), by striking “a pasture, range, and forage program” and inserting “policies that increase participation by producers of underserved agricultural commodities, including sweet sorghum, sorghum for biomass, specialty crops, sugarcane, and dedicated energy crops”.

(b) FUNDING.—Section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) is amended—

(1) in paragraph (2)—

(A) by striking “(A) AUTHORITY.—” and inserting “(A) CONDUCTING AND CONTRACTING FOR RESEARCH AND DEVELOPMENT.—”;

(B) in subparagraph (A), by inserting “conduct research and development and” after “the Corporation may use to”; and

(C) in subparagraph (B), by inserting “conduct research and development and” after “for the fiscal year to”;

(2) in paragraph (3), in the matter preceding subparagraph (A), by striking “to provide either reimbursement payments or contract payments”; and

(3) by striking paragraph (4).

#### SEC. 11029. PILOT PROGRAMS.

Section 523(a) of the Federal Crop Insurance Act (7 U.S.C. 1523(a)) is amended—

(1) in paragraph (1), by inserting “, at the sole discretion of the Corporation,” after “may”; and

(2) by striking paragraph (5).

#### SEC. 11030. INDEX-BASED WEATHER INSURANCE PILOT PROGRAM.

Section 523(a)(2) of the Federal Crop Insurance Act (7 U.S.C. 1523(a)(2)) is amended—

(1) by striking “Under” inserting the following:

“(A) IN GENERAL.—Under”; and

(2) by adding at the end the following:

“(B) INDEX-BASED WEATHER INSURANCE PILOT PROGRAM.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), the Corporation, at the sole discretion of the Corporation, may conduct a pilot program to provide financial assistance for producers of underserved crops and livestock (including specialty crops) to purchase an index-based weather insurance product from a private insurance company, subject to the requirements of this subparagraph.

“(ii) PAYMENT OF PREMIUM.—

“(I) IN GENERAL.—Subject to subclause (II) and clause (v), the Corporation may pay a portion of the premium for producers who purchase index-based weather insurance protection from a private insurance company for a crop and policy that is not reinsured under this subtitle, as determined by the Corporation.

“(II) CONDITION.—The premium assistance under subclause (I) shall not exceed 60 percent of the estimated premium amount, based on expected losses, representative operating expenses, and representative profit margins, as determined by the Corporation.

“(iii) ELIGIBLE PROVIDERS.—Before providing premium assistance to producers to purchase index-based weather insurance from a private insurance company pursuant to this subparagraph, the Corporation shall verify that the company has adequate experience—

“(I) to develop and manage the index-based weather insurance products, including adequate resources, experience, and assets or sufficient reinsurance to meet the obligations of the company under this subparagraph; and

“(II) to support and deliver the index-based weather insurance products.

“(iv) PROCEDURES.—The Corporation shall develop and publish procedures to administer the pilot program under this subparagraph that—

“(I) require each applicable private insurance company to report claim and sales data, and any other data the Corporation determines to be appropriate, to allow the Corporation to evaluate product pricing and performance;

“(II) allow the private insurance companies exclusive rights over the private insurance offered under this subparagraph, including rating of policies, protection of intellectual property rights on the product or policy, and associated rating methodology, for the period during which the companies are eligible under clause (iii); and

“(III) contain such other requirements as the Corporation determines to be necessary to ensure that—

“(aa) the interests of producers are protected; and

“(bb) the program operates in an actuarially sound manner.

“(v) FUNDING.—Of the funds of the Corporation, the Corporation shall use to carry out this subparagraph \$10,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.”.

#### SEC. 11031. ENHANCING PRODUCER SELF-HELP THROUGH FARM FINANCIAL BENCHMARKING.

(a) DEFINITION.—Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) is amended—

(1) by redesignating paragraphs (6) through (9) as paragraphs (7) through (10), respectively; and

(2) by inserting after paragraph (5) the following:

“(6) FARM FINANCIAL BENCHMARKING.—The term ‘farm financial benchmarking’ means—

“(A) the process of comparing the performance of an agricultural enterprise against the performance of other similar enterprises, through the use of comparable and reliable data, in order to identify business management strengths, weaknesses, and steps necessary to improve management performance and business profitability; and

“(B) benchmarking of the type conducted by farm management and producer associations consistent with the activities described in or funded pursuant to section 1672D of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925f).”.

(b) PARTNERSHIPS FOR RISK MANAGEMENT FOR PRODUCERS OF SPECIALTY CROPS AND UNDERSERVED AGRICULTURAL COMMODITIES.—Section 522(d)(3)(F) of the Federal Crop Insurance Act (7 U.S.C. 1522(d)(3)(F)) is amended by inserting “farm financial benchmarking,” after “management.”.

(c) CROP INSURANCE EDUCATION AND RISK MANAGEMENT ASSISTANCE.—Section 524(a) of the Federal Crop Insurance Act (7 U.S.C. 1524(a)) is amended—

(1) in paragraph (3)(A), by inserting “farm financial benchmarking,” after “risk reduction,”; and

(2) in paragraph (4), in the matter preceding subparagraph (A), by inserting “(including farm financial benchmarking)” after “management strategies”.

#### SEC. 11032. BEGINNING FARMER AND RANCHER PROVISIONS.

(a) DEFINITION.—Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) (as amended by section 11029(a)) is amended—

(1) by redesignating paragraphs (3) through (10) as paragraphs (4) through (11), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) BEGINNING FARMER OR RANCHER.—The term ‘beginning farmer or rancher’ means a farmer or rancher who has not actively operated and managed a farm or ranch with a bona fide insurable interest in a crop or livestock as an owner-operator, landlord, tenant, or sharecropper for more than 5 crop years, as determined by the Secretary.”.

(b) PREMIUM ADJUSTMENTS.—Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(1) in subsection (b)(5)(E), by inserting “and beginning farmers or ranchers” after “limited resource farmers”;

(2) in subsection (e), by adding at the end the following:

“(8) PREMIUM FOR BEGINNING FARMERS OR RANCHERS.—Notwithstanding any other provision of this subsection regarding payment of a portion of premiums, a beginning farmer or rancher shall receive premium assistance that is 10 percentage points greater than premium assistance that would otherwise be available under paragraphs (2) (except for subparagraph (A) of that paragraph), (5), (6), and (7) for the applicable policy, plan of insurance, and coverage level selected by the beginning farmer or rancher.”; and

(3) in subsection (g)—

(A) in paragraph (2)(B)—

(i) in clause (i), by striking “or” at the end;

(ii) in clause (ii)(III), by striking the period at the end and inserting “; or”; and

(iii) by adding at the end the following:

“(iii) if the producer is a beginning farmer or rancher who was previously involved in a farming or ranching operation, including involvement in the decisionmaking or physical involvement in the production of the crop or livestock on the farm, for any acreage obtained by the beginning farmer or rancher, a yield that is the higher of—

“(I) the actual production history of the previous producer of the crop or livestock on the acreage determined under subparagraph (A); or

“(II) a yield of the producer, as determined in clause (i).”; and

(B) in paragraph (4)(B)(ii) (as amended by section 11007)—

(i) by inserting “(I)” after “(ii)”;

(ii) by striking the period at the end and inserting “; or”; and

(iii) by adding at the end the following:

“(II) in the case of beginning farmers or ranchers, replace each excluded yield with a yield equal to 80 percent of the applicable transitional yield.”.

**SEC. 11033. LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.**

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11030(b)) is amended by adding at the end the following:

“(9) LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.—

“(A) DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term ‘average adjusted gross income’ has the meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(a)).

“(B) LIMITATION.—Notwithstanding any other provision of this subtitle and beginning with the 2014 reinsurance year, in the case of any producer that is a person or legal entity that has an average adjusted gross income in excess of \$750,000 based on the most recent data available from the Farm Service Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508B, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percentage points less than the premium subsidy provided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.

“(C) APPLICATION.—

“(i) STUDY.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Government Accountability Office, shall carry out a study to determine the effects of the limitation described in subparagraph (B) on—

“(I) the overall operations of the Federal crop insurance program;

“(II) the number of producers participating in the Federal crop insurance program;

“(III) the level of coverage purchased by participating producers;

“(IV) the amount of premiums paid by participating producers and the Federal Government;

“(V) any potential liability for participating producers, approved insurance providers, and the Federal Government;

“(VI) different crops or growing regions;

“(VII) program rating structures;

“(VIII) creation of schemes or devices to evade the impact of the limitation; and

“(IX) administrative and operating expenses paid to approved insurance providers and underwriting gains and loss for the Federal government and approved insurance providers.

“(ii) EFFECTIVENESS.—The limitation described in subparagraph (B) shall not take effect unless the Secretary determines, through the study described in clause (i), that the limitation would not—

“(I) significantly increase the premium amount paid by producers with an average adjusted gross income of less than \$750,000;

“(II) result in a decline in the crop insurance coverage available to producers; and

“(III) increase the total cost of the Federal crop insurance program.”.

**SEC. 11034. AGRICULTURAL MANAGEMENT ASSISTANCE, RISK MANAGEMENT EDUCATION, AND ORGANIC CERTIFICATION COST SHARE ASSISTANCE.**

Section 524 of the Federal Crop Insurance Act (7 U.S.C. 1524) is amended by striking subsection (b) and inserting the following:

“(b) AGRICULTURAL MANAGEMENT ASSISTANCE, RISK MANAGEMENT EDUCATION, AND ORGANIC CERTIFICATION COST SHARE ASSISTANCE.—

“(1) AUTHORITY FOR PROVISION OF ASSISTANCE.—The Secretary shall provide assistance under this section as follows:

“(A) Provision of organic certification cost share assistance pursuant to section 10606 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523).

“(B) Activities to support risk management education and community outreach partnerships pursuant to section 522(d), including—

“(i) entering into futures or hedging;

“(ii) entering into agricultural trade options as a hedging transaction to reduce production, price, or revenue risk; or

“(iii) conducting any other activity relating to an activity described in clause (i) or (ii), including farm financial benchmarking, as determined by the Secretary.

“(C) Provision of agricultural management assistance grants to producers in States in which there has been traditionally, and continues to be, a low level of Federal crop insurance participation and availability, and producers underserved by the Federal crop insurance program, as determined by the Secretary, for the purposes of—

“(i) constructing or improving—

“(I) watershed management structures; or

“(II) irrigation structures;

“(ii) planting trees to form windbreaks or to improve water quality; and

“(iii) mitigating financial risk through production or marketing diversification or resource conservation practices, including—

“(I) soil erosion control;

“(II) integrated pest management;

“(III) organic farming; or

“(IV) to develop and implement a plan to create marketing opportunities for the producer, including through value-added processing.

“(2) PAYMENT LIMITATION.—The total amount of payments made to a person (as defined in section 1001(a)(5) of the Food Security Act (7 U.S.C. 1308(a)(5))) (as in existence before the amendment made by section 1603(b) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1730)) under paragraph (1) for any year may not exceed \$50,000.

“(3) FUNDING.—

“(A) IN GENERAL.—The Secretary shall carry out this subsection through the Commodity Credit Corporation.

“(B) FUNDING.—For each of fiscal years 2014 through 2018, the Commodity Credit Corporation shall make available to carry out this subsection \$23,000,000.

“(C) DISTRIBUTION OF FUNDS.—Of the amount made available to carry out this subsection for a fiscal year, the Commodity Credit Corporation shall use not less than—

“(i) 50 percent to carry out paragraph (1)(A);

“(ii) 26 percent to carry out paragraph (1)(B); and

“(iii) 24 percent to carry out paragraph (1)(C).”.

**SEC. 11035. CROP PRODUCTION ON NATIVE SOD.**

(a) FEDERAL CROP INSURANCE.—Section 508(o) of the Federal Crop Insurance Act (7 U.S.C. 1508(o)) is amended—

(1) in paragraph (1)(B), by inserting “, or the producer cannot substantiate that the ground has ever been tilled,” after “tilled”;

(2) in paragraph (2)(A), by striking “for benefits under—” and all that follows through the period at the end and inserting “for—

“(i) a portion of crop insurance premium subsidies under this subtitle in accordance with paragraph (3);

“(ii) benefits under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

“(iii) payments described in section 1001(b) of the Food Security Act of 1985 (7 U.S.C. 1308(b)).”; and

(3) by striking paragraph (3) and inserting the following:

“(3) ADMINISTRATION.—

“(A) IN GENERAL.—During the first 4 crop years of planting on native sod acreage by a producer described in paragraph (2)—

“(i) paragraph (2) shall apply to 65 percent of the applicable transitional yield; and

“(ii) the crop insurance premium subsidy provided for the producer under this subtitle shall be 50 percentage points less than the premium subsidy that would otherwise apply.

“(B) YIELD SUBSTITUTION.—During the period native sod acreage is covered by this subsection, a producer may not substitute yields for the native sod acreage.”.

(b) NONINSURED CROP DISASTER ASSISTANCE.—Section 196(a)(4) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(a)(4)) is amended—

(1) in subparagraph (A)(ii), by inserting “, or the producer cannot substantiate that the ground has ever been tilled,” after “tilled”;

(2) in subparagraph (B)(i), by striking “for benefits under—” and all that follows through the period at the end and inserting “for—

“(I) benefits under this section;

“(II) a portion of crop insurance premium subsidies under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) in accordance with subparagraph (C); and

“(III) payments described in section 1001(b) of the Food Security Act of 1985 (7 U.S.C. 1308(b)).”; and

(3) by striking subparagraph (C) and inserting the following:



“(C) ADMINISTRATION.—

“(i) IN GENERAL.—During the first 4 crop years of planting on native sod acreage by a producer described in subparagraph (B)—

“(I) subparagraph (B) shall apply to 65 percent of the applicable transitional yield; and

“(II) the crop insurance premium subsidy provided for the producer under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) shall be 50 percentage points less than the premium subsidy that would otherwise apply.

“(ii) YIELD SUBSTITUTION.—During the period native sod acreage is covered by this paragraph, a producer may not substitute yields for the native sod acreage.”.

(c) CROPLAND REPORT.—

(1) BASELINE.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the cropland acreage in each county and State, and the change in cropland acreage from the preceding year in each county and State, beginning with calendar year 2000 and including that information for the most recent year for which that information is available.

(2) ANNUAL UPDATES.—Not later than January 1, 2014, and each January 1 thereafter through January 1, 2018, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

(A) the cropland acreage in each county and State as of the date of submission of the report;

(B) the change in cropland acreage from the preceding year in each county and State; and

(C) the number of acres of native sod that have been converted to cropland or to any other use in the preceding year in each county and State.

#### SEC. 11036. TECHNICAL AMENDMENTS.

Section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)) is amended—

(1) by striking paragraph (7); and

(2) by redesignating paragraphs (8) through (11) as paragraphs (7) through (10), respectively.

#### SEC. 11037. GREATER ACCESSIBILITY FOR CROP INSURANCE.

(a) FINDINGS.—Congress finds that—

(1) due to changes in commodity and other agricultural programs made by the Agriculture Reform, Food, and Jobs Act of 2013, it is more important than ever that agricultural producers be able to fully understand the terms of plans and policies of crop insurance offered under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

(2) proposed reductions by the Secretary in the number of State and local offices of the Farm Service Agency will reduce the services available to assist agricultural producers in understanding crop insurance.

(b) REQUIREMENT FOR USE OF PLAIN LANGUAGE.—

(1) IN GENERAL.—In issuing regulations and guidance relating to plans and policies of crop insurance, the Risk Management Agency and the Federal Crop Insurance Corporation shall, to the greatest extent practicable, use plain language, as required under Executive Orders 12866 (5 U.S.C. 601 note; relating to regulatory planning and review) and 12988 (28 U.S.C. 519 note; relating to civil justice reform).

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Sec-

retary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the efforts of the Secretary to accelerate compliance with the Executive orders described in paragraph (1).

(c) WEBSITE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the approved insurance providers (as defined in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b))), shall improve the existing Internet website through which agricultural producers in any State may identify crop insurance options in that State.

(2) REQUIREMENTS.—The website described in paragraph (1) shall—

(A) provide answers in an easily accessible format to frequently asked questions; and

(B) include published materials of the Department of Agriculture that relate to plans and policies of crop insurance offered under that Act.

(d) ADMINISTRATION.—Nothing in this section authorizes the Risk Management Agency to sell a crop insurance policy or plan of insurance.

#### SEC. 11038. GAO CROP INSURANCE FRAUD REPORT.

Section 515(d) of the Federal Crop Insurance Act (7 U.S.C. 1515(d)) is amended by adding at the end the following:

“(6) GAO CROP INSURANCE FRAUD REPORT.—As soon as practicable after the date of enactment of this paragraph, the Comptroller General of the United States shall conduct, and submit to Congress a report describing the results of, a study regarding fraudulent claims filed, and benefits provided, under this subtitle.”.

### TITLE XII—MISCELLANEOUS

#### Subtitle A—Socially Disadvantaged Producers and Limited Resource Producers

##### SEC. 12001. OUTREACH AND ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS AND VETERAN FARMERS AND RANCHERS.

(a) OUTREACH AND ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS AND VETERAN FARMERS AND RANCHERS.—Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is amended—

(1) in the section heading, by inserting “AND VETERAN FARMERS AND RANCHERS” after “RANCHERS”;

(2) in subsection (a)—

(A) in paragraph (2)(B)(i), by inserting “and veteran farmers or ranchers” after “ranchers”; and

(B) in paragraph (4)—

(i) in subparagraph (A)—

(I) in the heading, by striking “FISCAL YEARS 2009 THROUGH 2012” and inserting “MANDATORY FUNDING”;

(II) in clause (i), by striking “and” at the end;

(III) in clause (ii), by striking the period at the end and inserting “; and”; and

(IV) by adding at the end the following:

“(iii) \$10,000,000 for each of fiscal years 2014 through 2018.”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2014 through 2018.”;

(3) in subsection (b)(2), by inserting “or veteran farmers and ranchers” after “socially disadvantaged farmers and ranchers”; and

(4) in subsection (c)—

(A) in paragraph (1)(A), by inserting “veteran farmers or ranchers and” before “members”; and

(B) in paragraph (2)(A), by inserting “veteran farmers or ranchers and” before “members”.

(b) DEFINITION OF VETERAN FARMER OR RANCHER.—Section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)) is amended by adding at the end the following:

“(7) VETERAN FARMER OR RANCHER.—The term ‘veteran farmer or rancher’ means a farmer or rancher who served in the active military, naval, or air service, and who was discharged or released from the service under conditions other than dishonorable.”.

#### SEC. 12002. SOCIALLY DISADVANTAGED FARMERS AND RANCHERS POLICY RESEARCH CENTER.

Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is amended by adding at the end the following:

“(i) SOCIALLY DISADVANTAGED FARMERS AND RANCHERS POLICY RESEARCH CENTER.—The Secretary shall award a grant, through a competitive grant program, to an eligible 1890 Institution (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601)) to establish a policy research center, to be known as the ‘Socially Disadvantaged Farmers and Ranchers Policy Research Center’, for the purpose of developing policy recommendations for the protection and promotion of the interests of socially disadvantaged farmers and ranchers.”.

#### SEC. 12003. OFFICE OF ADVOCACY AND OUTREACH.

Section 226B(f)(3) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(f)(3)) is amended to read as follows:

“(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection—

“(A) such sums as are necessary for each of fiscal years 2009 through 2013; and

“(B) \$2,000,000 for each of fiscal years 2014 through 2018.”.

#### Subtitle B—Livestock

##### SEC. 12101. WILDLIFE RESERVOIR ZOOBOTIC DISEASE INITIATIVE.

Title IV of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621 et seq.) is amended by adding at the end the following:

##### “SEC. 413. WILDLIFE RESERVOIR ZOOBOTIC DISEASE INITIATIVE.

“(a) DEFINITION OF COVERED DISEASE.—In this section, the term ‘covered disease’ means a zoonotic disease affecting domestic livestock that is transmitted primarily from wildlife.

“(b) ESTABLISHMENT.—There is established within the Department a wildlife reservoir zoonotic disease initiative to provide assistance through Coordinated Agricultural Project grants for research and development of surveillance methods, vaccines, vaccination delivery systems, or diagnostic tests for covered diseases.

“(c) COVERED DISEASE.—

“(1) IN GENERAL.—To be eligible for a grant under this section, an eligible entity shall conduct research and development of surveillance methods, vaccines, vaccination delivery systems, or diagnostic tests for covered diseases in—

“(A) a wildlife reservoir in the United States; or

“(B) domestic livestock or wildlife presenting a potential concern to public health.



“(2) PRIORITY.—In making grants under this section, the Secretary shall give priority to grants that address—

“(A) *Brucella abortus* (Bovine Brucellosis);

“(B) *Mycobacterium bovis* (Bovine Tuberculosis); or

“(C) other zoonotic disease in livestock that is covered by a high-priority research and extension initiative conducted under section 1672 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925).

“(d) ELIGIBLE ENTITIES.—The Secretary shall carry out the initiative established under subsection (b) through public scientific research consortia that may consist of members from—

“(1) Federal agencies;

“(2) National Laboratories;

“(3) institutions of higher education;

“(4) research institutions and organizations; or

“(5) State agricultural experiment stations.

“(e) RESEARCH PROJECTS.—In carrying out this section, the Secretary shall award grants on a competitive basis.

“(f) ADMINISTRATION.—

“(1) IN GENERAL.—In the case of grants awarded under this section, the Secretary shall—

“(A) seek and accept proposals for grants;

“(B) determine the relevance and merit of proposals through a system of peer and merit review in accordance with section 103;

“(C) award grants on the basis of merit, quality, and relevance; and

“(D) manage the initiative established under subsection (b) using a Coordinated Agricultural Project format.

“(2) TERM.—The term of a grant under this section may not exceed 10 years.

“(3) MATCHING FUNDS REQUIRED.—The Secretary shall require the recipient of a grant under this section to provide funds or in-kind support from non-Federal sources in an amount that is not less than 25 percent of the amount provided by the Federal Government.

“(4) OTHER CONDITIONS.—The Secretary may set such other conditions on the award of a grant under this section as the Secretary determines to be appropriate.

“(g) BUILDINGS AND FACILITIES.—Funds made available under this section shall not be used for—

“(1) the construction of a new building or facility; or

“(2) the acquisition, expansion, remodeling, or alteration of an existing building or facility (including site grading and improvement and architect fees).

“(h) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$7,000,000 for each of fiscal years 2014 through 2018.

“(2) ALLOCATION.—Of the amount made available for a fiscal year under paragraph (1), the Secretary shall use not less than 30 percent of the amount for the fiscal year to carry out activities under each of subparagraphs (A) and (B) of subsection (c)(2).”

#### SEC. 12102. TRICHINAE CERTIFICATION PROGRAM.

(a) ALTERNATIVE CERTIFICATION PROCESS.—

(1) IN GENERAL.—The Secretary shall amend the regulation issued under section 11010(a)(2) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8304(a)(2)) to implement the voluntary trichinae certification program established under section 11010(a)(1) of that Act, to include a requirement to establish an alternative trichinae certification

process based on surveillance or other methods consistent with international standards for categorizing compartments as having negligible risk for trichinae.

(2) FINAL REGULATIONS.—Not later than 1 year after the date on which the international standards described in paragraph (1) are adopted, the Secretary shall finalize the rule amended under paragraph (1).

(b) REAUTHORIZATION.—Section 10405(d)(1) of the Animal Health Protection Act (7 U.S.C. 8304(d)(1)) is amended in subparagraphs (A) and (B) by striking “2012” each place it appears and inserting “2018”.

#### SEC. 12103. NATIONAL AQUATIC ANIMAL HEALTH PLAN.

Section 11013(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8322(d)) is amended by striking “2012” and inserting “2018”.

#### SEC. 12104. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM.

(a) IN GENERAL.—Subtitle A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

##### “SEC. 209. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM.

“(a) ESTABLISHMENT.—The Secretary, acting through the Administrator of the Agricultural Marketing Service (referred to in this section as the ‘Secretary’) shall establish a competitive grant program for the purposes of improving the United States sheep industry.

“(b) PURPOSE.—The purpose of the grant program shall be to strengthen and enhance the production and marketing of sheep and sheep products, including improvement of—

“(1) infrastructure;

“(2) business;

“(3) resource development; and

“(4) innovative approaches to solve long-term needs.

“(c) ELIGIBILITY.—The Secretary shall make grants under this section to 1 or more national entities the mission of which is consistent with the purpose of the grant program.

“(d) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$1,500,000 for fiscal year 2014, to remain available until expended.”

(b) CONFORMING AMENDMENT.—Section 374 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j) (as in existence on the day before the date of enactment of this Act) is—

(1) amended in subsection (e)—

(A) in paragraph (3)(D), by striking “3 percent” and inserting “10 percent”; and

(B) by striking paragraph (6); and

(2) redesignated as section 210 of the Agricultural Marketing Act of 1946; and

(3) moved so as to appear at the end of subtitle A of that Act (as amended by subsection (a)).

#### SEC. 12105. FERAL SWINE ERADICATION PILOT PROGRAM.

(a) IN GENERAL.—To eradicate or control the threat feral swine pose to the domestic swine population, the entire livestock industry, and the destruction of crops and natural plant communities and native habitats, the Secretary of Agriculture may establish a feral swine eradication pilot program.

(b) PILOT.—Subject to the availability of appropriations under this section, the Secretary may provide financial assistance for the cost of carrying out a pilot program—

(1) to study and assess the nature and extent of damage to the pilot area caused by feral swine;

(2) to develop methods to eradicate or control feral swine in the pilot area; and

(3) to develop methods to restore damage caused by feral swine.

(c) COORDINATION.—The Secretary shall ensure that the Natural Resource Conservation Service and the Animal and Plant Health Inspection Service coordinate to carry out the pilot program.

(d) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the costs of the pilot program under this section may not exceed 75 percent of the total costs of carrying out the pilot program.

(2) IN-KIND CONTRIBUTIONS.—The non-Federal share of the costs of the pilot program may be provided in the form of in-kind contributions of materials or services.

(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 10 percent of financial assistance provided by the Secretary under this section may be used for administrative expenses.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2014 through 2018.

#### SEC. 12106. NATIONAL ANIMAL HEALTH LABORATORY NETWORK.

Subtitle E of title X of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8301 et seq.) is amended by inserting after section 10409 the following:

##### “SEC. 10409A. NATIONAL ANIMAL HEALTH LABORATORY NETWORK.

“(a) DEFINITION OF ELIGIBLE LABORATORY.—In this section, the term ‘eligible laboratory’ means a diagnostic laboratory that meets specific criteria developed by the Secretary, in consultation with State animal health officials, State veterinary diagnostic laboratories, and veterinary diagnostic laboratories at institutions of higher education.

“(b) CONTRACTS.—The Secretary, in consultation with State veterinarians, shall offer to enter into contracts, grants, cooperative agreements, or other legal instruments with eligible laboratories—

“(1) to enhance the capability of the Secretary to respond in a timely manner to emerging or existing bioterrorist threats to animal health; and

“(2) to provide the capacity and capability for standardized—

“(A) test procedures, reference materials, and equipment;

“(B) laboratory biosafety and biosecurity levels;

“(C) quality management system requirements;

“(D) interconnected electronic reporting and transmission of data; and

“(E) evaluation for emergency preparedness; and

“(3) to coordinate the development, implementation, and enhancement of national veterinary diagnostic laboratory capabilities, with special emphasis on surveillance planning and vulnerability analysis, technology development and validation, training, and outreach.

“(c) PRIORITY.—To the extent practicable and to the extent capacity and specialized expertise may be necessary, the Secretary shall give priority to eligible laboratories at existing Federal facilities, State facilities, and facilities at institutions of higher education.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2014 through 2018.”

#### SEC. 12107. NATIONAL POULTRY IMPROVEMENT PLAN (NPPI).

(a) SURVEILLANCE PROGRAM.—The Secretary shall ensure that the Department of

Agriculture continues to administer the avian influenza surveillance program in commercial poultry through the National Poultry Improvement Program.

(b) **STANDARDS.**—The Secretary shall ensure that the program described in subsection (a) meets any relevant standards established by the World Organization for Animal Health.

#### Subtitle C—Other Miscellaneous Provisions

##### SEC. 12201. MILITARY VETERANS AGRICULTURAL LIAISON.

Subtitle A of the Department of Agriculture Reorganization Act of 1994 is amended by inserting after section 218 (7 U.S.C. 6918) the following:

##### “SEC. 219. MILITARY VETERANS AGRICULTURAL LIAISON.

“(a) **AUTHORIZATION.**—The Secretary shall establish in the Department the position of Military Veterans Agricultural Liaison.

“(b) **DUTIES.**—The Military Veterans Agricultural Liaison shall—

“(1) provide information to returning veterans about, and connect returning veterans with, beginning farmer training and agricultural vocational and rehabilitation programs appropriate to the needs and interests of returning veterans, including assisting veterans in using Federal veterans educational benefits for purposes relating to beginning a farming or ranching career;

“(2) provide information to veterans concerning the availability of and eligibility requirements for participation in agricultural programs, with particular emphasis on beginning farmer and rancher programs;

“(3) serving as a resource for assisting veteran farmers and ranchers, and potential farmers and ranchers, in applying for participation in agricultural programs; and

“(4) advocating on behalf of veterans in interactions with employees of the Department.

“(c) **CONTRACTS AND COOPERATIVE AGREEMENTS.**—For purposes of carrying out the duties under subsection (b), the Military Veterans Agricultural Liaison may enter into contracts or cooperative agreements with the research centers of the Agricultural Research Service, institutions of higher education, or nonprofit organizations for—

“(1) the conduct of regional research on the profitability of small farms;

“(2) the development of educational materials;

“(3) the conduct of workshops, courses, and certified vocational training;

“(4) the conduct of mentoring activities; or

“(5) the provision of internship opportunities.”.

##### SEC. 12202. INFORMATION GATHERING.

Section 1619(b)(3) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8791) is amended by adding at the end the following:

“(B) **COOPERATION WITH STATE AND LOCAL GOVERNMENTS.**—

“(i) **IN GENERAL.**—Subject to clause (ii), in the case of a State agency, political subdivision, or local governmental agency that is charged with implementing an agriculture or conservation program under State law, on request of the State agency, political subdivision, or local governmental agency, the information described in paragraph (2) shall be disclosed to the State agency, political subdivision, or local governmental agency if the Secretary determines that the disclosure is required for implementing the State program.

“(ii) **RESTRICTION.**—Any information disclosed to a State agency, political subdivi-

sion, or local governmental agency under clause (i) shall be—

“(I) used solely by the State agency, political subdivision, or local governmental agency; and

“(II) exempt from disclosure to the public, including under any State law that allows a citizen to petition a State agency for that information.”.

##### SEC. 12203. GRANTS TO IMPROVE SUPPLY, STABILITY, SAFETY, AND TRAINING OF AGRICULTURAL LABOR FORCE.

Section 14204(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2008q–1(d)) is amended to read as follows:

“(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

“(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

“(2) \$10,000,000 for each of fiscal years 2014 through 2018.”.

##### SEC. 12204. NONINSURED CROP ASSISTANCE PROGRAM.

(a) **IN GENERAL.**—Section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—

“(A) **COVERAGES.**—In the case of an eligible crop described in paragraph (2), the Secretary of Agriculture shall operate a non-insured crop disaster assistance program to provide coverages based on individual yields (other than for value-loss crops) equivalent to—

“(i) catastrophic risk protection available under section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)); or

“(ii) additional coverage available under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) that does not exceed 65 percent.

“(B) **ADMINISTRATION.**—The Secretary shall carry out this section through the Farm Service Agency (referred to in this section as the ‘Agency’).”; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter before clause (i), by striking “(except livestock)” and inserting “(except livestock and crops and grasses used for grazing)”;

(II) in clause (i), by striking “and” after the semicolon at the end;

(III) by redesignating clause (ii) as clause (iii); and

(IV) by inserting after clause (i) the following:

“(ii) for which additional coverage under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) is not available; and”; and

(i) in subparagraph (B)—

(I) by inserting “(except ferns)” after “(flood)”;

(II) by inserting “(except ferns)” after “(ornamental nursery)”;

(III) by striking “(including ornamental fish)” and inserting “(including ornamental fish, but excluding tropical fish)”;

(2) in subsection (d), by striking “The Secretary” and inserting “Subject to subsection (1), the Secretary”;

(3) in subsection (k)(1)—

(A) in subparagraph (A), by striking “\$250” and inserting “\$260”; and

(B) in subparagraph (B)—

(i) by striking “\$750” and inserting “\$780”; and

(ii) by striking “\$1,875” and inserting “\$1,950”; and

(4) by adding at the end the following:

“(1) **PAYMENT EQUIVALENT TO ADDITIONAL COVERAGE.**—

“(1) **IN GENERAL.**—The Secretary shall make available to a producer eligible for noninsured assistance under this section a payment equivalent to an indemnity for additional coverage under subsections (c) and (h) of section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) that does not exceed 65 percent, computed by multiplying—

“(A) the quantity that is less than 50 to 65 percent of the established yield for the crop, as determined by the Secretary, specified in increments of 5 percent;

“(B) 100 percent of the average market price for the crop, as determined by the Secretary; and

“(C) a payment rate for the type of crop, as determined by the Secretary, that reflects—

“(i) in the case of a crop that is produced with a significant and variable harvesting expense, the decreasing cost incurred in the production cycle for the crop that is, as applicable—

“(I) harvested;

“(II) planted but not harvested; or

“(III) prevented from being planted because of drought, flood, or other natural disaster, as determined by the Secretary; or

“(ii) in the case of a crop that is produced without a significant and variable harvesting expense, such rate as shall be determined by the Secretary.

“(2) **PREMIUM.**—To be eligible to receive a payment under this subsection, a producer shall pay—

“(A) the service fee required by subsection (k); and

“(B) a premium for the applicable crop year that is equal to—

“(i) the product obtained by multiplying—

“(I) the number of acres devoted to the eligible crop;

“(II) the yield, as determined by the Secretary under subsection (e);

“(III) the coverage level elected by the producer;

“(IV) the average market price, as determined by the Secretary; and

“(ii) 5.25-percent premium fee.

“(3) **LIMITED RESOURCE, BEGINNING, AND SOCIALLY DISADVANTAGED FARMERS.**—The additional coverage made available under this subsection shall be available to limited resource, beginning, and socially disadvantaged producers, as determined by the Secretary, in exchange for a premium that is 50 percent of the premium determined for a producer under paragraph (2).

“(4) **ADDITIONAL AVAILABILITY.**—

“(A) **IN GENERAL.**—As soon as practicable after October 1, 2013, the Secretary shall make assistance available to producers of an otherwise eligible crop described in subsection (a)(2) that suffered losses—

“(i) to a 2012 annual fruit crop grown on a bush or tree; and

“(ii) in a county covered by a declaration by the Secretary of a natural disaster for production losses due to a freeze or frost.

“(B) **ASSISTANCE.**—The Secretary shall make assistance available under subparagraph (A) in an amount equivalent to assistance available under paragraph (1), less any fees not previously paid under paragraph (2).”.

(b) **TERMINATION DATE.**—

(1) **IN GENERAL.**—Effective October 1, 2018, subsection (a) and the amendments made by subsection (a) (other than the amendments made by clauses (i)(I) and (ii) of subsection (a)(1)(B)) are repealed.

(2) **ADMINISTRATION.**—Effective October 1, 2018, section 196 of the Federal Agriculture

Improvement and Reform Act of 1996 (7 U.S.C. 7333) shall be applied and administered as if subsection (a) and the amendments made by subsection (a) (other than the amendments made by clauses (i)(I) and (ii) of subsection (a)(1)(B)) had not been enacted.

**SEC. 12205. BIOENERGY COVERAGE IN NON-INSURED CROP ASSISTANCE PROGRAM.**

Section 196(a)(2)(B) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(a)(2)(B)) is amended by inserting “(including those grown expressly for the purpose of producing a feedstock for renewable biofuel, renewable electricity, or biobased products)” after “industrial crops”.

**SEC. 12206. REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT.**

Section 15751 of title 40, United States Code, is amended—

(1) in subsection (a), by striking “2012” and inserting “2018”; and

(2) in subsection (b)—

(A) by striking “Not more than” and inserting the following:

“(1) IN GENERAL.—Except as provided in paragraph (2), not more than”; and

(B) by adding at the end the following:

“(2) LIMITED FUNDING.—In a case in which less than \$10,000,000 is made available to a Commission for a fiscal year under this section, paragraph (1) shall not apply.”

**SEC. 12207. OFFICE OF TRIBAL RELATIONS.**

Title III of the Department of Agriculture Reorganization Act of 1994 is amended by adding after section 308 (7 U.S.C. 3125a note; Public Law 103-354) the following:

**“SEC. 309. OFFICE OF TRIBAL RELATIONS.**

“The Secretary shall establish in the Office of the Secretary an Office of Tribal Relations.”

**SEC. 12208. ACER ACCESS AND DEVELOPMENT PROGRAM.**

(a) GRANTS AUTHORIZED; AUTHORIZED ACTIVITIES.—The Secretary of Agriculture may make grants to States and tribal governments to support their efforts to promote the domestic maple syrup industry through the following activities:

(1) Promotion of research and education related to maple syrup production.

(2) Promotion of natural resource sustainability in the maple syrup industry.

(3) Market promotion for maple syrup and maple-sap products.

(4) Encouragement of owners and operators of privately held land containing species of tree in the genus *Acer*—

(A) to initiate or expand maple-sugaring activities on the land; or

(B) to voluntarily make the land available, including by lease or other means, for access by the public for maple-sugaring activities.

(b) APPLICATIONS.—In submitting an application for a grant under this section, a State or tribal government shall include—

(1) a description of the activities to be supported using the grant funds;

(2) a description of the benefits that the State or tribal government intends to achieve as a result of engaging in such activities; and

(3) an estimate of the increase in maple-sugaring activities or maple syrup production that the State or tribal government anticipates will occur as a result of engaging in such activities.

(c) RELATIONSHIP TO OTHER LAWS.—Nothing in this section preempts a State or tribal government law, including any State or tribal government liability law.

(d) DEFINITION OF MAPLE SUGARING.—In this section, the term “maple-sugaring”

means the collection of sap from any species of tree in the genus *Acer* for the purpose of boiling to produce food.

(e) REGULATIONS.—The Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2014 and 2015.

**SEC. 12209. PROHIBITION ON ATTENDING AN ANIMAL FIGHT OR CAUSING A MINOR TO ATTEND AN ANIMAL FIGHT; ENFORCEMENT OF ANIMAL FIGHTING PROVISIONS.**

(a) PROHIBITION ON ATTENDING AN ANIMAL FIGHT OR CAUSING A MINOR TO ATTEND AN ANIMAL FIGHT.—Section 26 of the Animal Welfare Act (7 U.S.C. 2156) is amended—

(1) in subsection (a)—

(A) in the heading, by striking “SPONSORING OR EXHIBITING AN ANIMAL IN” and inserting “SPONSORING OR EXHIBITING AN ANIMAL IN, ATTENDING, OR CAUSING A MINOR TO ATTEND”; and

(B) in paragraph (1)—

(i) in the heading, by striking “IN GENERAL” and inserting “SPONSORING OR EXHIBITING”; and

(ii) by striking “paragraph (2)” and inserting “paragraph (3)”; and

(C) by redesignating paragraph (2) as paragraph (3); and

(D) by inserting after paragraph (1) the following:

“(2) ATTENDING OR CAUSING A MINOR TO ATTEND.—It shall be unlawful for any person to—

“(A) knowingly attend an animal fighting venture; or

“(B) knowingly cause a minor to attend an animal fighting venture.”; and

(2) in subsection (g), by adding at the end the following:

“(5) the term ‘minor’ means a person under the age of 18 years old.”

(b) ENFORCEMENT OF ANIMAL FIGHTING PROHIBITIONS.—Section 49 of title 18, United States Code, is amended—

(1) by striking “Whoever” and inserting “(a) IN GENERAL.—Whoever”;

(2) in subsection (a), as designated by paragraph (1) of this section, by striking “subsection (a),” and inserting “subsection (a)(1),”;

(3) by adding at the end the following:

“(b) ATTENDING AN ANIMAL FIGHTING VENTURE.—Whoever violates subsection (a)(2)(A) of section 26 of the Animal Welfare Act (7 U.S.C. 2156) shall be fined under this title, imprisoned for not more than 1 year, or both, for each violation.

“(c) CAUSING A MINOR TO ATTEND AN ANIMAL FIGHTING VENTURE.—Whoever violates subsection (a)(2)(B) of section 26 (7 U.S.C. 2156) of the Animal Welfare Act shall be fined under this title, imprisoned for not more than 3 years, or both, for each violation.”

**SEC. 12210. PIMA COTTON TRUST FUND.**

(a) ESTABLISHMENT OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the “Pima Cotton Trust Fund”, consisting of such amounts as may be transferred to the Pima Cotton Trust Fund pursuant to the authorization of appropriations under subsection (e).

(b) DISTRIBUTION OF FUNDS.—From amounts in the Pima Cotton Trust Fund, the Secretary may make payments annually beginning in fiscal year 2014 as follows:

(1) To nationally recognized associations established for the promotion of pima cotton for use in textile and apparel goods.

(2) To yarn spinners of pima cotton that produce ring spun cotton yarns in the United States, to be allocated to each spinner in an amount that bears the same ratio as—

(A) the spinner’s production of ring spun cotton yarns, measuring less than 83.33 decitex (exceeding 120 metric number) from pima cotton in single and plied form during the period January 1, 1998, through December 31, 2003 (as evidenced by an affidavit provided by the spinner that meets the requirements of subsection (c)) bears to—

(B) the production of the yarns described in subparagraph (A) during the period January 1, 1998, through December 31, 2003, for all spinners who qualify under this paragraph.

(3) To manufacturers who cut and sew cotton shirts in the United States who certify that they used imported cotton fabric during the period January 1, 1998, through July 1, 2003, to be allocated to each such manufacturer in an amount that bears the same ratio as—

(A) the dollar value (excluding duty, shipping, and related costs) of imported woven cotton shirting fabric of 80s or higher count and 2-ply in warp purchased by the manufacturer during calendar year 2002 (as evidenced by an affidavit provided by the manufacturer that meets the requirements of subsection (d)) used in the manufacturing of men’s and boys’ cotton shirts, bears to—

(B) the dollar value (excluding duty, shipping, and related costs) of the fabric described in subparagraph (A) purchased during calendar year 2002 by all manufacturers who qualify under this paragraph.

(c) AFFIDAVIT OF YARN SPINNERS.—The affidavit required by subsection (c)(2)(A) is a notarized affidavit provided annually by an officer of a producer of ring spun yarns that affirms—

(1) that the producer used pima cotton during the year in which the affidavit is filed and during the period January 1, 2002, through December 31, 2002, to produce ring spun cotton yarns in the United States, measuring less than 83.33 decitex (exceeding 120 metric number), in single and plied form during 2002;

(2) the quantity, measured in pounds, of ring spun cotton yarns, measuring less than 83.33 decitex (exceeding 120 metric number), in single and plied form during calendar year 2002; and

(3) that the producer maintains supporting documentation showing the quantity of such yarns produced, and evidencing the yarns as ring spun cotton yarns, measuring less than 83.33 decitex (exceeding 120 metric number), in single and plied form during calendar year 2002.

(d) AFFIDAVIT OF SHIRTING MANUFACTURERS.—The affidavit required by subsection (c)(3)(A) is a notarized affidavit provided annually by an officer of a manufacturer of men’s and boys’ shirts that affirms—

(1) that the manufacturer used imported cotton fabric during the year in which the affidavit is filed and during the period January 1, 1998, through July 1, 2003, to cut and sew men’s and boys’ woven cotton shirts in the United States;

(2) the dollar value of imported woven cotton shirting fabric of 80s or higher count and 2-ply in warp purchased by the manufacturer during calendar year 2002;

(3) that the manufacturer maintains invoices along with other supporting documentation (such as price lists and other technical descriptions of the fabric qualities) showing the dollar value of such fabric purchased, the date of purchase, and evidencing the fabric as woven cotton fabric of 80s or higher count and 2-ply in warp; and

(4) that the fabric was suitable for use in the manufacturing of men's and boys' cotton shirts.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2014 through 2019.

**SEC. 12211. AGRICULTURE WOOL APPAREL MANUFACTURERS TRUST FUND.**

(a) **ESTABLISHMENT OF TRUST FUND.**—There is established in the Treasury of the United States a trust fund to be known as the "Agriculture Wool Apparel Manufacturers Trust Fund" (in this section referred to as the "Wool Trust Fund"), consisting of such amounts as may be transferred to the Wool Trust Fund pursuant to the authorization of appropriations under subsection (e).

(b) **DISTRIBUTION OF FUNDS.**—From amounts in the Wool Trust Fund, the Secretary of Agriculture may make payments annually beginning in fiscal year 2014 for calendar years 2010 through 2019 as follows:

(1) To eligible manufactures under paragraph (3) of section 4002(c) of the Wool Suit and Textile Trade Extension Act of 2004 (Public Law 108-429; 118 Stat. 2600), as amended by section 1633(c) of the Miscellaneous Trade and Technical Corrections Act of 2006 (Public Law 109-280; 120 Stat. 1166) and section 325(b) of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008 (division C of Public Law 110-343; 122 Stat. 3875), who filed an affidavit with U.S. Customs and Border Protection not later than April 15 of the year of the payment, so that the amount of such payments, when added to any other payments made to eligible manufacturers under that paragraph in calendar years 2010 through 2019, equal the total amount of payments authorized to be provided to eligible manufacturers under that paragraph, or the provisions of this section, in such calendar years.

(2) To eligible manufacturers under paragraph (6) of such section 4002(c), so that the amount of such payments, when added to any other payments made to eligible manufacturers under that paragraph in calendar years 2010 through 2019, equal the total amount of payments authorized to be provided to eligible manufacturers under that paragraph, or the provisions of this section, in such calendar years.

(c) **PAYMENT OF AMOUNTS.**—The Secretary of Agriculture shall make payments to eligible manufacturers described in paragraphs (1) and (2) of subsection (b)—

(1) for calendar years 2010 through 2013, not later than 30 days after the transfer of amounts from the general fund of the Treasury to the Wool Trust Fund under this section; and

(2) for calendar years 2014 through 2019, not later than April 15 of the year of the payment.

(d) **RELATIONSHIP TO OTHER LAW.**—The payments authorized under this section shall be made through the end of fiscal year 2019 notwithstanding any lapse of authority under any other provision of law to transfer funds to—

(1) the Wool Apparel Manufacturers Trust Fund established by section 4002(c) of the Wool Suit and Textile Trade Extension Act of 2004 (Public Law 108-429; 118 Stat. 2600), as amended by section 1633(c) of the Miscella-

neous Trade and Technical Corrections Act of 2006 (Public Law 109-280; 120 Stat. 1166) and section 325(b) of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008 (division C of Public Law 110-343; 122 Stat. 3875); or

(2) the Wool Research, Development, and Promotion Trust Fund established by 506 of the Trade and Development Act of 2000 (7 U.S.C. 7101 note).

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2014 through 2019.

**SEC. 12212. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.**

(a) **ESTABLISHMENT OF TRUST FUND.**—There is established in the Treasury of the United States a trust fund to be known as the "Citrus Disease Research and Development Trust Fund" (in this section referred to as the "Citrus Trust Fund"), consisting of such amounts as may be transferred to the Citrus Trust Fund pursuant to the authorization of appropriations under subsection (f).

(b) **DISTRIBUTION OF FUNDS.**—From amounts in the Citrus Trust Fund, the Secretary may make payments annually beginning in fiscal year 2014 to the following:

(1) Entities engaged in scientific research concerning diseases and pests, both domestic and invasive, afflicting the citrus industry.

(2) Entities engaged in dissemination and commercialization of relevant information, techniques, or technologies, or in research projects intended to solve problems caused by citrus production diseases and invasive pests.

(3) The Citrus Disease Research and Development Trust Fund Advisory Board, if established under subsection (c).

(c) **CITRUS ADVISORY BOARD.**—

(1) **IN GENERAL.**—From amounts in the Citrus Trust Fund, and with the advice and recommendations of citrus producers and other entities with an interest in the citrus industry, the Secretary may establish a Citrus Disease Research and Development Trust Fund Advisory Board (in this subsection referred to as the "Citrus Advisory Board").

(2) **MEMBERSHIP.**—The Citrus Advisory Board, if established under paragraph (1), shall consist of 9 members, who shall be appointed by the Secretary as follows:

(A) Five members who are domestic producers of citrus in Florida.

(B) Three members who are domestic producers of citrus in Arizona or California.

(C) One member who is a domestic producer of citrus in Texas.

(3) **REGULATIONS.**—The Secretary may prescribe such rules and regulations as are necessary to carry out this subsection, including rules establishing procedures for disqualification from service on the Citrus Advisory Board, appointment terms for members of the Citrus Advisory Board, compensation for those members, and powers and responsibilities of the Citrus Advisory Board.

(4) **LIMITATION ON EXPENDITURES.**—The Secretary shall ensure that not more than 5 percent of total expenditures from the Citrus Trust Fund in any year are used for the operations of the Citrus Advisory Board.

(d) **SECRETARIAL DISCRETION OF FUND ALLOCATION.**—Subject to subsection (e), in distributing amounts under subsection (b), the Sec-

retary shall give strong deference to providing funding for research projects exploring the proximity of citrus producers to the effects of diseases such as huanglongbing and the quickly evolving nature of scientific understanding of the effect of the diseases on citrus production.

(e) **OTHER FUNDING.**—The Secretary should take into account other public and private citrus-related research and development projects and funding.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2014 through 2019.

## APPOINTMENT

The **PRESIDING OFFICER.** The Chair announces, on behalf of the Republican leader, after consultation with the ranking member of the Committee on Armed Services, pursuant to the provisions of Public Law 112-239, the appointment of the following individuals to be members of the Military Compensation and Retirement Modernization Commission: The Honorable Stephen E. Buyer, of Indiana, and Edmund P. Giambastiani, Admiral, US Navy (ret), of Florida.

## ORDERS FOR WEDNESDAY, JUNE 12, 2013

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, June 12; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and that following any leader remarks the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each during that time, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans the final half; further, that following morning business the Senate resume consideration of S. 744.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:39 p.m., adjourned until Wednesday, June 12, 2013, at 9:30 a.m.

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### NOMINATIONS

Executive nominations received by the Senate:

#### DEPARTMENT OF DEFENSE

STEPHEN WOOLMAN PRESTON, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE DEPART-

MENT OF DEFENSE, VICE JEH CHARLES JOHNSON, RESIGNED.

#### EXECUTIVE OFFICE OF THE PRESIDENT

JASON FURMAN, OF NEW YORK, TO BE A MEMBER AND CHAIRMAN OF THE COUNCIL OF ECONOMIC ADVISERS, VICE ALAN B. KRUEGER.

#### DEPARTMENT OF STATE

DANIEL BROOKS BAER, OF COLORADO, TO BE U.S. REPRESENTATIVE TO THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE, WITH THE RANK OF AMBASSADOR.

KEITH MICHAEL HARPER, OF MARYLAND, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES REPRESENTATIVE TO THE UN HUMAN RIGHTS COUNCIL.

#### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

MICHAEL G. CARROLL, OF NEW YORK, TO BE INSPECTOR GENERAL, UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE DONALD A. GAMBATESA, RESIGNED.

#### DEPARTMENT OF EDUCATION

JAMES COLE, JR., OF NEW YORK, TO BE GENERAL COUNSEL, DEPARTMENT OF EDUCATION, VICE CHARLES P. ROSE.

CATHERINE ELIZABETH LHAMON, OF CALIFORNIA, TO BE ASSISTANT SECRETARY FOR CIVIL RIGHTS, DEPARTMENT OF EDUCATION, VICE RUSSLYN ALLI.

## EXTENSIONS OF REMARKS

RECOGNITION OF THE 2012 ROBERT W. CAREY PERFORMANCE EXCELLENCE AWARD FOR THE SOUTHERN ARIZONA VA HEALTH CARE SYSTEM

## HON. RON BARBER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. BARBER. Mr. Speaker, I rise today to honor the Southern Arizona VA Health Care System, which has been awarded the 2012 Robert W. Carey Performance Excellence Award.

As Congress continues to work to improve veterans' services, I believe it is important that we take the time to recognize the outstanding dedication of our VA employees. The committed men and women of the Southern Arizona VA Health Care System strive every day to provide quality support and care for our Arizona veterans who have sacrificed so much for our country. Our veterans deserve the highest quality of care, and the Robert W. Carey Performance Award recognizes the Southern Arizona VA Health Care System's commitment to achieving this goal.

The Southern Arizona VA Health Care System is a leader in veteran health care. Collectively, the various parts of the system provide quality services to more than 177,000 veterans. The Southern Arizona VA Health Care System not only provides general and primary care but a myriad of specialty services including neurology, rehabilitation, and mental health.

The Robert W. Carey Performance Excellence Award is an annual award sponsored by the Secretary of Veterans Affairs. The award recognizes specific organizations within the VA that have implemented management approaches that result in sustained high levels of performance and service to our nation's veterans. Mr. Speaker, I can think of no better recipient of this year's award than the Southern Arizona Veterans Affairs Health Care System, SAVAHCS. I congratulate the employees of SAVAHCS on this well-deserved recognition of the care they provide to our veterans.

## TRIBUTE TO DR. BRUCE AYERS

## HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to a long-time friend and tremendous leader in Kentucky, Dr. Bruce Ayers upon his retirement as President of the Southeast Kentucky Community and Technical College.

Dr. Bruce Ayers is arguably one of the most brilliant educators and dedicated businessmen

in Kentucky. He understands the value of forging new partnerships, expanding educational opportunities, and mentoring young leaders. He is also an avid ambassador for our beautiful region, promoting our rich culture and heritage with every opportunity.

Dr. Ayers enjoys explaining how he "grew up" at Southeast, spending nearly a half-century at the institution. After bravely serving in the U.S. Marine Corps with a deployment at Guantanamo Bay, Bruce became a student at what used to be the Southeast Center of the University of Kentucky in Cumberland. He quickly displayed leadership qualities by helping to establish the college's award-winning newspaper, *The Southeasterner*, before moving on to the University of Kentucky in Lexington. After earning his Master's degree, Bruce immediately returned to Southeast as a faculty member and worked diligently to become the 8th President of SKCTC in 1987.

With Dr. Ayers at the helm of his alma mater, Southeast has grown from a small campus with 1,100 students to well over 5,000 students spanning five cities with individual campuses. With his vision and compassion to help others succeed, the college established a Nursing School, the Kentucky Coal Academy, the Pine Mountain Development Corporation, and multiple outreach programs for younger students, beginning in elementary school. Most recently, he has worked tirelessly to help laid-off coal miners get the education they need to pursue alternative careers in the midst of economic struggles in our Appalachian coalfields.

Dr. Ayers' exemplary leadership has earned national recognition. He is the founding chair of the Rural Community College Alliance; he served as an adjunct member on the graduate faculty of the Department of Instructional Systems, Leadership, and Workforce Development at Mississippi State University; and served as a local advisor for students pursuing a PhD in Community College Leadership through MSU. Additionally, under his leadership, the Aspen Institute selected SKCTC as one of the top ten community colleges in the nation earlier this year.

While his excellence in education has largely defined his career, Dr. Ayers' footprint extends far beyond the Southeast campuses, through his tireless community service efforts in the tri-city area of Harlan County and our entire region. Dr. Ayers has been a huge advocate for non-profit, grassroots programs like our region's tourism initiative, TOUR Southern and Eastern Kentucky; the environmental cleanup campaign, Eastern Kentucky PRIDE; and the holistic anti-drug program, Operation UNITE. I believe he spends each day trying to find a way to give more back to the region he calls home. He is truly a difference maker.

Mr. Speaker, I ask my colleagues to join me in honoring my friend and a true inspiration, Dr. Bruce Ayers on his retirement. I wish Bruce and his wife, Barbara all the best in the years to come.

REMEMBERING THE HONORABLE RUDY CLAY

## HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. VISCLOSKY. Mr. Speaker, it is with deep sadness and the utmost respect that I take this time to remember a dear friend and one of Indiana's most distinguished citizens, the Honorable Rudolph Clay, former Mayor of Gary, Indiana. On Tuesday, June 4, 2013, Rudy Clay passed away at the age of 77. Known for his many years of public service and his countless efforts toward improving the lives of Northwest Indiana residents, Rudy will be missed by his family, friends, constituents, and the many people whose lives he touched.

Rudolph Clay was born in Courtland, Alabama. He and his brother, David, were raised by their aunts, Daisy Washington and Mary Lucy Hunter, in Gary, Indiana, following the passing of his mother. Rudy graduated from Roosevelt High School in Gary before continuing his education at Indiana University in Bloomington, which he attended on a track scholarship. After returning to Gary, he met and fell in love with Christine Swan, whom he wed on November 30, 1957. From 1958 to 1960, Rudy began what would become a lifetime of public service by serving in the United States Army. During this time, Rudy's calling to fight injustice and to serve the public, especially those most in need, and his unwavering desire to be a catalyst for positive change, led him on his extraordinary journey.

Rudolph Clay was elected to the Indiana State Senate in 1972. While in this position, the focus of his efforts included working toward improved training programs for prison inmates and the creation of a victim's compensation fund. Following his service in the Indiana General Assembly, Rudy was elected to the Lake County Council in 1978 and re-elected in 1982. During his time on the Council, Rudy's dedication to equal rights impelled him to be an outspoken leader in the fight to eliminate unfair hiring practices in Lake County government. He was elected Lake County Recorder in 1984, and three years later, he was elected to the Lake County Board of Commissioners, a capacity in which he remained for four terms.

In 2005, Rudy became the first African American elected to serve as the Lake County Democratic Chairman, a position he held until 2009.

In 2006, recognizing the leadership Rudy Clay would bring to the people of Gary, the Gary Precinct Organization appointed him to be the next mayor of Gary, and he was elected to the position the following year. Mayor Clay was the epitome of a public servant. His energetic dedication to serving people and his profound compassion for them, especially

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

those most in need, was limitless. Throughout his illustrious career, Rudy received many esteemed honors for his outstanding commitment and his constant efforts to improve the quality of life for the people of Gary and throughout Northwest Indiana.

While Rudy was fully committed to the improvement of Gary and Northwest Indiana, his greatest source of pride was always his family. He is survived by his devoted wife, Christine, and his beloved son, Rudy Jr. Rudy also leaves behind many other dear friends and family members, as well as a saddened but grateful community whose lives have been made better by having had Mayor Clay live amongst them.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in paying tribute to my dear friend, and a true public servant, Rudolph Clay. For his tremendous contributions to the people of Gary and all of Northwest Indiana, he has earned our admiration. Rudy Clay's unselfish and lifelong devotion to civil justice and to serving those most in need will be forever remembered. His legacy serves as an inspiration to us all.

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STEPHANI RUVALCABA

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Stephani Ruvalcaba for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Stephani Ruvalcaba is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Stephani Ruvalcaba is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Stephani Ruvalcaba for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

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HONORING OFFICER CARLETON J. GILES ON THE OCCASION OF HIS RETIREMENT

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Ms. DeLAURO. Mr. Speaker, it is with great pleasure that I rise today to join the many family, friends, and colleagues who have gathered to celebrate with Officer Carleton J. Giles as he marks the end of his distinguished career after thirty-three years of dedicated service with the Norwalk Department of Police Services. I am honored to have this oppor-

tunity to pay him tribute for both his service at the Department and in the community.

I have had the honor of knowing and working with Carleton for many years. Over the course of his career, he has earned the respect and admiration of all those who have been fortunate enough to have worked with him. That is particularly true with the City of Norwalk's young people. Carleton was one of the first trained D.A.R.E. officers in the State of Connecticut and he has influenced the lives of nearly every 5th grade student in the City since the program's implementation in 1987. In addition to D.A.R.E., Carleton also taught Gang Resistance Education and Training (GREAT) in each of the middle schools and also worked with high school students as a certified School Resource Officer. His leadership and commitment has served as a model not only for the students he has worked with but for his fellow police officers as well.

Carleton has become a beloved fixture in the Norwalk community. Well known for his work with the Police Activities League Summer Camp as well as the Drug Education for Youth Summer Camp, he has provided support and guidance to some of the community's most vulnerable families. As an ordained clergyman, he served as a chaplain for both the Norwalk Fire Department as well as with the Police Department's chaplain corps—offering comfort and spiritual guidance in some of the most critical times and incidents in the lives of the departments and his fellow first responders.

Carleton's passion for making a difference extends far beyond his work with the Department. An ordained minister with the First Baptist Church of Milford, he has nourished the souls of many with his spiritual guidance. He has served his community of Milford as the Chair of the Police Commission and running for elected office on the Board of Alderman. And I would be remiss if I did not extend a special note of thanks to him for his willingness to assist me as a member of my Service Academy Advisory Committee where he takes the time to interview students interested in attending our nation's military academies and advise me on recommendations for nominations. I cannot thank him enough for his many years of friendship and support.

Police officer, minister, community activist, mentor, and friend—Carleton Giles is a reflection of the compassion and generosity that we hope members of our community possess. His work with both the Norwalk Department of Police and in our communities has made all the difference in the lives of many. I am so proud to join all of those gathered here tonight in thanking him for his outstanding service and wishing him and his wife, Stephany, the very best for many more years of health and happiness as he enjoys his retirement.

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HONORING THE INDIANA PACERS

**HON. LUKE MESSER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. MESSER. Mr. Speaker, I rise today to honor the accomplishments of the Indiana Pacers, my home-state NBA team.

The Indiana Pacers reached Game 7 of the Eastern Conference Finals, their first appearance in the Conference Finals since 2004. This 2013 Pacers team embodied the best of Hoosier basketball with a toughness and energy that was exciting to watch. As a long-time fan of the Indiana Pacers, I am thrilled to see the level of competitiveness and talent in this young team.

Led on the court by All-Stars Paul George and Roy Hibbert, the Pacers had one of the best defenses in the League, holding teams to only 90.7 points per game. Joined by hometown-product George Hill, Lance Stephenson, and David West, the Pacers starting-five came together as a team to win the Central Division with a regular season record of 49–32. Credit for this outstanding player development goes to Head Coach Frank Vogel, a great ambassador of the game.

Owner Herb Simon, President Jim Morris, and President of Basketball Operations Donnie Walsh deserve special recognition for their leadership of this franchise and for reconnecting it with Pacers fans from all over the State. We are lucky to have these leaders so highly invested in our community.

I join the entire 6th District and Hoosiers across the State in congratulating the Indiana Pacers for a fantastic and thrilling 2012–2013 season. Pacers fans statewide are looking forward to what this talented team will achieve next season.

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TANIA PEREZ

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Tania Perez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Tania Perez is an 11th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Tania Perez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Tania Perez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

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HONORING HAROLD EUGENE "GENE" HAYWOOD FOR HIS SERVICE AS A EULESS POLICE OFFICER

**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. MARCHANT. Mr. Speaker, I am proud to recognize Harold Eugene "Gene" Haywood



for his 31 years of public service as a police officer for the City of Euless, Texas.

Gene began his career with Euless in 1981. He was hired on as a jailer, and within a couple of months he was promoted to a sworn officer.

In 1988, Gene was one of the founders of the Field Training Program for Euless. He wrote the Standard Operating Procedures and created the training program. In 1990, Gene founded the Euless Honor Guard program. In 1991, Gene transferred to the Criminal Investigation Division where he worked as an investigator.

In 1993, he transferred to the Patrol Division and was promoted to corporal. During this period, Gene managed the implementation of the Field Training Program. He continued to train new officers and ensure that they were ready to meet the demands of police service. In 1994, Gene was assigned to the Tarrant County Auto Theft Task Force where he worked along with officers from several cities within the county to combat vehicle thefts.

In September, 2001, Gene transferred to Keys Alternative School to serve as a School Resource Officer. He finished his career at Keys where he was able to positively influence students.

During his tenure at Euless, Gene has been nominated for Officer of the Year twice. He has received 15 commendations from citizens, other police agencies, and his peers. Gene has served on the board of the Euless Benevolent Peace Officer Association which provides city employees with scholarship money to their children and donates to other worthwhile causes.

Gene has accumulated 2,300 hours of training while at Euless. He was certified as an Instructor in 1987. He received his Masters Police Officer Certification from the Texas Commission on Law Enforcement Standards and Education in 2005.

Prior to his employment with Euless Police Department, Gene served for five years as Sergeant in the Police Reserves at Winters Police Department in Winters, California, and then two years as a firefighter for South Placer Fire Department in Granite Bay, California. During this period of time in California, Gene served for six years in the National Guard from which he was honorably discharged in 1978. Before becoming a Euless police officer, Gene worked for the University of Texas Health Science as a campus security officer.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in thanking Gene Haywood for his 31 years of public service as an officer of the Euless Police Department.

AMPLIFY GYMNASTICS, 2013 WINNER OF SMALL BUSINESS ADMINISTRATION'S PHOENIX AWARD

**HON. BILLY LONG**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. LONG. Mr. Speaker, I rise today to recognize the hard work and perseverance of

Paul Comstedt, Derek Hammeke, and Kip Johnson, owners of Amplify Gymnastics, and as the recipients of the U.S. Small Business Administration's 2013 Phoenix Award.

In May 2011, Paul, Derek, and Kip were preparing for the grand opening of their business, Amplify Gymnastics. Tragically, just days before the opening, an EF5 tornado tore through the Joplin community, destroying 20 percent of the city. In addition, their entire building was destroyed and a single slab of concrete was all that was left of the gym. In fact, on the day of the tornado Kip stopped by the gym to complete some finishing touches. During that time, the tornado ripped through the gym and a two-ton truck that Kip used for cover was thrown 20 feet. Thankfully, he survived.

After surviving the catastrophic event, the men were forced to rebuild their entire gym. Paul, Derek, and Kip applied for an SBA disaster loan to cover rebuilding costs and operating expenses. After 9 months of rebuilding, Amplify held its grand opening with over 200 young athletes registered. In the following months, Amplify added 300 more athletes and grew their staff from 10 to 23 employees. In just a few months following the grand opening, Amplify Gymnastics surpassed their five-year goal.

The efforts of these three men encompass all the characteristics of true entrepreneurs. Despite overwhelming odds, Amplify Gymnastics has become a place in the community where local kids can train their bodies and exercise their minds. I am grateful for the contributions they have given to the Joplin community.

The Small Business Administration's Phoenix Award is awarded to businesses, public officials and volunteers who are tested by disasters like the Joplin tornado but work to overcome the disaster by rebuilding and helping their communities recover.

I would like to take this opportunity to express how grateful I am by the courage and ingenuity of Paul Comstedt, Derek Hammeke, and Kip Johnson. May God bless them and the continued recovery of the Joplin community.

CONGRATULATING THE TOWN OF  
MILLBURY, MASSACHUSETTS

**HON. JAMES P. MCGOVERN**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. MCGOVERN. Mr. Speaker, I rise today to ask that the House of Representatives join me in congratulating the town of Millbury, Massachusetts on their 200th anniversary. Millbury has grown tremendously since its inception in 1813 as a small New England Mill town, from which their name and seal are derived. To celebrate their 200th anniversary, the people of Millbury have come together over the past year by facilitating community events to honor this historic day.

Millbury's rich history can be traced back to the 18th century when John Singletary built the oldest continuously running mill in the United States. The power of the Blackstone

River provided the energy to run the mill and helped propel Millbury into the Industrial Revolution as a leading textile producer.

Millbury's significance is further punctuated as the historic summer home of President William Howard Taft's childhood, continuing this summer tradition into and after his Presidency. On one of his many trips to Millbury, he celebrated alongside their residents as they rung in their first 100 years.

The bicentennial celebration kicked off last June with a performance by the Massachusetts Symphony Orchestra. Continuing with tradition, Millbury recently celebrated the Period Ball. Millbury is also looking forward to the town parade this weekend. Similar town parades were held at the celebrations of Millbury's 100th, 150th, and 175th anniversaries. The celebration will culminate with Millbury's largest parade which features bands, antique cars, floats, and a fireworks display.

I would also like to recognize and thank the Millbury Bicentennial Committee, and the many volunteers for the hard work and dedication that they have devoted into the planning of this momentous event.

Mr. Speaker, I would like to again congratulate the town of Millbury on their 200th anniversary. May this great American town continue to celebrate its rich history for years to come. I ask the House of Representatives join me in celebrating the history of Millbury on this very special occasion.

TAYLOR SMOTHERS

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Taylor Smothers for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Taylor Smothers is an 11th grader at Standley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Taylor Smothers is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Taylor Smothers for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

CONGRATULATING CORONA DEL  
SOL HIGH SCHOOL'S COMPETITION  
GOVERNMENT TEAM

**HON. KYRSTEN SINEMA**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Ms. SINEMA. Mr. Speaker, I rise today to ask that my colleagues join me in congratulating Corona del Sol High School's Competition Government Team, the 6th place winners of the "We the People" national tournament. Corona Del Sol has made all of Tempe, Arizona proud.

The aim of "We the People" is to foster civic engagement and responsibility among young people, and to enhance students' understanding of the institutions of American constitutional democracy. "We the People" also strives to enrich students' understanding of the Bill of Rights by emphasizing its contemporary relevance.

The contest is structured as a mock congressional hearing, wherein the entire team works together in preparing and presenting statements before a panel of judges who act as congressional committee members. After reading their statements, each member of the team is asked a series of questions by to test their knowledge of constitutional principles.

Under the guidance of Tim Smith, and assistant coaches Lisa Adams and Justine Centennial, 29 dedicated students from Corona del Sol, not only brought home their 12th state title in February, but were once again nationally ranked for the first time since 2001. I ask that my colleagues join me in congratulating Corona del Sol's Competition Government students on this impressive achievement.

IN RECOGNITION OF PETER J.  
BARNES, JR.

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Peter J. Barnes, Jr. as he is recognized for his tenure as Middlesex County Democratic Organization Chairman at a reception in his honor. Chairman Barnes has been a dedicated public servant for over 15 years and is truly deserving of this body's recognition.

Chairman Barnes has a distinguished career in public service. In addition to his tenure as Middlesex County Democratic Organization Chairman, he also serves as Chairman of the New Jersey State Parole Board, a position he has held since 2007. Previously, he represented New Jersey's 18th legislative district as an Assemblyman. Throughout his public service career, Chairman Barnes has made significant contributions to Middlesex County and the State of New Jersey. As an Assemblyman, Chairman Barnes saw 62 bills that he sponsored signed into law. He also served as the Majority Whip from 2002 to 2007.

In addition, Chairman Barnes served his community and country prior to beginning his

public service career. He was a Military Police Private First Class in the United States Army from 1946–1948 and then served as a Special Agent for the FBI for over 25 years. Chairman Barnes later served as the Director of Public Safety in Edison and East Brunswick, where he was able to use his FBI training to help maintain safety and order in each municipality.

Chairman Barnes earned his B.A. in Political Science from Providence College and has continued his education with post-baccalaureate studies in Public Administration at Kean University. In addition, he graduated from the FBI Crime Resistance and Hostage Negotiating Schools as well as the FBI Management Training Prop-am.

Once again, please join me in honoring Peter J. Barnes, Jr. for his outstanding accomplishments and thanking him for his years of service as Middlesex County Democratic Organization Chairman.

IN RECOGNITION OF THE JUNIOR  
LEAGUE OF MACON

**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to salute the members of the Junior League of Macon for being recognized by the Association of Junior Leagues International with the prestigious Fund Development Award, which is one of only five awards given each year by AJLI. A press conference to announce the award will be held on Tuesday, June 11, 2013 at 10 a.m. at the Junior League of Macon Office located at 2055 Vineville Avenue in Macon, Georgia.

The Junior League of Macon is an organization of women who are committed to promoting volunteerism, developing the potential of women and improving the community. It was first established as the Utility Club in 1924. In 1937, it was adopted by the Association of Junior Leagues of America, Inc. From the first fundraiser in 1924, which raised \$492.35, to the record-breaking 2003–2004 League year, which netted over \$133,000, the Junior League of Macon has been a driving force in advancing the community. The Junior League of Macon celebrated its 75th anniversary last year and currently boasts over 700 members.

The Junior League of Macon has made a tremendous impact on improving literacy and school readiness in the Middle Georgia area since making the decision in 2009 to focus its mission on these particular issues. The organization's members and trained volunteers have been committed to preparing young minds for a quality education through participating in school partnerships, fundraising, advocacy, and hands-on projects. During the 2011–2012 League year, the organization donated more than 2,500 books, served 1,400 children and volunteered 5,320 hours, which is the equivalent of \$106,400.

This year, the Junior League of Macon received international recognition for earning the Fund Development Award from the Association of Junior Leagues International, which

represents 293 junior league organizations around the world. This unique honor was awarded to JLM for successfully alleviating economic challenges by developing an effective strategy for fund development that significantly diversified JLM's funding base. As one of only five awards given by AJLI each year, the Fund Development Award is a great honor for the Junior League of Macon and a tribute to their hard work and commitment to the well-being and advancement of the Middle Georgia community.

Mr. Speaker, I ask that my colleagues join me in recognizing the Junior League of Macon for being honored with the Fund Development Award from the Association of Junior Leagues International. This award is well-deserved and I applaud their exceptional efforts to serve and improve the community by promoting literacy and school readiness in the Middle Georgia area.

TREVOR SOWL

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Trevor Sowl for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Trevor Sowl is an 8th grader at Mandalay Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Trevor Sowl is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Trevor Sowl for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

REGARDING AMERICAN  
LEADERSHIP IN THE BALKANS

**HON. ROBERT E. ANDREWS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. ANDREWS. Mr. Speaker, I rise today to ask the State Department to take a more active role in resolving a important dispute between two of the United States' valued allies, Greece and the Republic of Macedonia.

Since the nation commonly called "Macedonia" declared its independence from Yugoslavia in 1991, Greece has objected to its use of the name "Macedonia". Greece considers this both a usurpation of its rich heritage and part of a potential basis for forming a territorial claim on the neighboring Greek province of Macedonia. The geographic area of the Greek province of Macedonia corresponds with the

ancient Kingdom of Macedonia, whose capital Pella, sits well within Greece's borders.

Mister Speaker, this issue is not just about names, but about security for Greece and for the entire region. In 2008, the Republic of Macedonia applied to join the North Atlantic Treaty Organization. Despite meeting all requirements for NATO membership, Greece, as a member of NATO, vetoed the entrance of Macedonia until the name issue is resolved. Greece worries that by calling itself "Macedonia," its northern neighbor risks raising the specter of future territorial accusations based on the idea of a "united Macedonia."

The United States has long been a leading partner in the NATO Alliance, and as such we should be doing all we can to resolve this issue. The Department of State should be making a concerted effort to work with both nations to bring a mutually agreed upon resolution. Greece has long been an important NATO member and ally of the United States, and once this issue is resolved the United States should encourage the acceptance of "Macedonia" into NATO as well.

Mr. Speaker, I believe it is vital to the interests of this nation in maintaining stability in the Balkans and adding a new member of the NATO Alliance.

IN HONOR OF THE ACS AND THE  
JESSAMINE COUNTY RELAY FOR  
LIFE SUBMISSION FOR THE CON-  
GRESSIONAL RECORD, JUNE 11,  
2013

### HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. BARR. Mr. Speaker, I rise today to honor the American Cancer Society and the Relay For Life of Jessamine County, and to thank these organizations for their work in the fight against cancer.

In May 1985, Dr. Gordy Klatt walked and ran for 24 hours around a track in Tacoma, Washington, ultimately raising \$27,000 to help the American Cancer Society fight the nation's biggest health concern—cancer. A year later, 340 supporters joined the overnight event. Since those first steps, the Relay For Life movement has grown into a worldwide phenomenon, raising more than \$4 billion to fight cancer.

The Relay For Life of Jessamine County, Kentucky was formed in 1997, and over the last 16 years has raised over \$800,000 toward the fight against cancer.

These organizations work to create a world where cancer will no longer threaten our loved ones like Abrielle, a three year old who was diagnosed in October of 2012 with acute lymphoblastic leukemia. She is currently being treated at the University of Kentucky Children's Hospital. Our thoughts and prayers are with Abrielle and her parents, Matt and Lacy, during this difficult time.

Mr. Speaker, I ask that my colleagues join me in expressing our support for Abrielle and her family, and in commending the American Cancer Society and Relay For Life for their contributions to the fight against cancer. I

would also like to extend my personal appreciation to the Relay For Life of Jessamine County for all that they have done to better our community and our Commonwealth.

### VICTORIA TRUE

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Victoria True for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Victoria True is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Victoria True is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Victoria True for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

### PERSONAL EXPLANATION

### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. THOMPSON of California. Mr. Speaker, on June 6, 2013, I missed rollcall votes No. 207–211. Had I been present, I would have voted in the following manner:

Rollcall No: 207 "aye,"

Rollcall No: 208 "nay,"

Rollcall No: 209 "nay,"

Rollcall No: 210 "aye,"

Rollcall No: 211 "nay."

### OUR UNCONSCIONABLE NATIONAL DEBT

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,738,726,834,732.35. We've added \$6,111,849,785,819.27 to our debt in 4 and a half years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

STEPHANIE SHEPHERD

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Stephanie Shepherd for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Stephanie Shepherd is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Stephanie Shepherd is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Stephanie Shepherd for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

### HONORING SERGE MARSHALL DAVIS

### HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. ENGEL. Mr. Speaker, educating our children is one of the most important functions of a society. Preparing our children for the future is the best thing we can do for them and for our society. Serge Marshall Davis, the principal of the Sheila Mencher School in the Bronx is a man who has taken that message to heart.

He is dedicated to improving the lives of the young people in his care by meeting the challenges of providing for them a high quality education. This includes children from many different countries speaking a variety of languages and dialects.

He instituted and maintained a variety of programs including a middle school honors program, health oriented programs, the use of teacher specialists including mentors, inter-visitations by teachers, using data to improve instruction, and middle school community service among so many others. His school even won the Bronx Middle School Poetry Slam this year and was the Ball Room Dance Grand Champions in 2010.

Under Principal Davis the school and its students have flourished through a well rounded education for the children from pre-kindergarten through the eighth grade.

Serge Marshall Davis is being honored for his dedication as principal to improving the lives of the young people in his care and for meeting the challenges of providing for them a high quality education.

IN RECOGNITION OF THE 40TH ANNIVERSARY OF ESKATON MONROE LODGE INDEPENDENT LIVING

**HON. DORIS O. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Ms. MATSUI. Mr. Speaker, I rise today in recognition of Eskaton Monroe Lodge as they celebrate their 40th Anniversary. I ask my colleagues to join me in honoring the hard-working staff, volunteers and supporters who have ensured that this fine organization is able to provide valuable senior living and social services to Sacramento's seniors.

Established in 1973 and located in the historic Land Park neighborhood of Sacramento, Eskaton Monroe Lodge was built by Eskaton, a non-profit health care organization based in Sacramento, as its first residential facility. While the buildings and property have been enhanced over the years, many of the original features and landscape have been preserved. Today, the property consists of almost one hundred apartments and continues to offer seniors to live independently and to the fullest extent possible in a comfortable and secure setting. Eskaton Monroe Lodge continues to offer a wide array of services and programs dedicated to improving the lives of Sacramento's seniors and their families.

Eskaton Monroe Lodge offers its residents a variety of services including blood pressure clinics, access to the public library's bookmobile, church services, and continuing education programs pertinent to seniors. Also offered are activities such as exercise and wellness classes, movie showings, live artistic performances, craft groups, and many more which allow for social interaction. In addition, residents have access to transportation services that can get them to doctor appointments, grocery stores, and banks, and be able to run personal errands.

Mr. Speaker, I am honored to recognize and celebrate the outstanding service of Eskaton Monroe Lodge on its 40th Anniversary. I ask all my colleagues to join me in celebrating Eskaton Monroe Lodge, its residents, staff and volunteers as they celebrate the valuable contributions Eskaton Monroe Lodge has made to supporting Sacramento's seniors.

THE DISTRICT OF COLUMBIA NATIONAL GUARD HOME RULE ACT

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Ms. NORTON. Mr. Speaker, as the Atlantic hurricane season begins, a time when many of our National Guards will be deployed to various parts of the country, I introduce a bill that would give the mayor of the District of Columbia authority over deploying the D.C. National Guard, after consultation with the Commanding General of the D.C. National Guard, with the President retaining authority on federal matters. In local emergencies, including

natural disasters and civil disturbances unrelated to national or homeland security, the mayor of the District of Columbia should have the same authority that governors exercise over the National Guard in their states. Each governor, as head of state, has the authority to mobilize the National Guard to protect his or her state, just as local militia did historically.

The National Guards in the 50 states operate under dual federal and local jurisdiction. Yet only the President and the Commanding General of the D.C. National Guard currently have the authority to deploy the D.C. National Guard for local and national purposes, respectively. Today, by far the most likely need for the D.C. National Guard here would be for natural disasters, such as hurricanes and floods, and to restore order in the wake of civil disturbances. The mayor, who knows the city better than any federal official and who works closely with federal security officials, should be able to call on the D.C. National Guard for local natural disasters and civil disturbances, after consultation with the Commanding General of the D.C. National Guard. The President should be focused on national matters, including homeland security, not local D.C. matters. Homeland security authority, with respect to the D.C. National Guard, would remain the sole province of the President, along with the power to nationalize the D.C. National Guard for federal matters at will. It does no harm to give the mayor this authority for civil disturbances and natural disasters. However, it could do significant harm to leave the mayor powerless to act quickly. If it makes sense that governors would have control over the mobilization and deployment of their National Guard, it makes equal sense for the mayor of the District of Columbia, with a population the size of a small state, to have the same authority.

The mayor of the District of Columbia, as head of state, should have the authority to deploy the D.C. National Guard in instances that do not rise to the level of homeland defense activities. My bill permits the mayor to only deploy the D.C. National Guard after consultation with the Commanding General of the D.C. National Guard. The bill is another important step toward completing the transfer of full self-government powers to the District of Columbia. Congress began that process with the passage of the Home Rule Act of 1973, when it delegated most of its authority over District agencies to the District of Columbia. The bill follows that model.

I urge my colleagues to support the bill.

**TAYLOR BAXLEY**

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Taylor Baxley for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Taylor Baxley is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Taylor Baxley is exemplary of the type of achieve-

ment that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Taylor Baxley for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING THE 50TH ANNIVERSARY OF U.S. SOUTHCOM

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate U.S. SOUTHCOM on the 50th anniversary, today June 11th. For the past five decades this command has protected and defended the privileges, comforts and freedoms that we, as Americans, enjoy.

We are fortunate and privileged to have General John Kelly as the new Commander of United States Southern Command. His distinguished career and exemplary service to our nation is a testament to the ideals of honor, courage, and commitment. SOUTHCOM has continued to grow and thrive in South Florida with its 1,200 SOUTHCOM employees. These individuals have dedicated their lives to the service of others and truly embody the heart and spirit of America. I thank each and every one of them for their efforts as well as the good they provide throughout the hemisphere.

Today, SOUTHCOM celebrates half a century of excellence and service to the citizens of the United States. Over these years, many brave men and women in uniform have worked tirelessly to keep us safe while also promoting peace, security, and democracy throughout the Western Hemisphere. From combating international crime syndicates and drug lords, to monitoring human rights and providing humanitarian relief, SOUTHCOM has a proven track record of achievement. Its successful efforts in counter-terrorism and in combating illicit trafficking across this hemisphere have helped to promote democracy abroad and has encouraged respect for human rights. SOUTHCOM certainly remains a beacon of strength and resilience throughout the region.

Shortly before the United States entered the Second World War, President Roosevelt established the U.S. Caribbean Defense Command with the goal of defending the Panama Canal and the surrounding area. Following the conclusion of the war, the U.S. Caribbean Defense Command was renamed the U.S. Southern Command. The new name was intended to reflect the command's changed responsibilities with an emphasis of ensuring security, stability, and prosperity throughout Central and South America, as well as the Caribbean.

SOUTHCOM encompasses six major mission areas, including humanitarian assistance and disaster relief, as well as assisting our allies in the region and while promoting military-

to-military interaction. Its successful efforts in counter-terrorism and in combating illicit trafficking across this hemisphere is key to regional stability even while it continues to be a leader in medical assistance, providing quality medical care for schools and community centers. I know many individuals still remember the devastating 2010 earthquake in Haiti, in which SOUTHCOM took the lead in humanitarian effort on the ground that undoubtedly saved thousands.

SOUTHCOM has had a tremendous impact on our local economy in South Florida and I applaud its efforts to give back to our community. Congratulations again to SOUTHCOM on its 50th anniversary. I look forward to working with General Kelly and his wonderful team in South Florida. Thank you again for all that you do.

CELEBRATING THE 50TH ANNIVERSARY OF THE SCHOOL OF SOCIAL WORK AT ARIZONA STATE UNIVERSITY

**HON. KYRSTEN SINEMA**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Ms. SINEMA. Mr. Speaker, I ask my colleagues to join me in celebrating the 50th anniversary of the School of Social Work at Arizona State University.

Since 1963, the School of Social Work has prepared its students for careers that allow them to serve and provide assistance to individuals, families, and communities. With over 1,300 diverse students and 8,000 alumni, the ASU School of Social Work is one of the largest social work programs in the country. Through innovative research and service efforts, the school is actively developing social service systems that will greatly aid our society. As an alumna of the program, I served as a social worker at Sunnyslope Elementary School, and I realize the difference that graduates from the School of Social Work can make in the lives of Arizona families.

Finally, from my experience teaching at the ASU School of Social Work for over 10 years, I can confidently say that the school prepares its students to take on the challenges of tomorrow and give our country a bright future. It has been such a privilege to spend time with them, and I ask my colleagues to join me in congratulating the ASU School of Social Work and its students for 50 years of passionate commitment to our community.

TIMMY PAULSEN

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Timmy Paulsen for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Timmy Paulsen is a 12th grader at Jefferson High School and received this award because his

determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Timmy Paulsen is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Timmy Paulsen for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING THE 50TH ANNIVERSARY OF THE EQUAL PAY ACT

**HON. PATRICK MURPHY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. MURPHY of Florida. Mr. Speaker, I rise today to recognize the 50th anniversary of President John F. Kennedy signing the Equal Pay Act into law on June 10. When he signed it, President Kennedy stated that "when women enter the labor force they will find equality in their pay envelopes." Unfortunately, fifty years later, women are still looking for that equality. The recognition of this anniversary serves also as a proclamation for Congress to close the wage gap and continue to strengthen the economy. Women make up almost half of the American workforce and the disparity between men and women's wages needs to be recognized and corrected. This isn't just a women's issue—it's a family issue, an equality issue, and an economic issue.

According to the United States Census Bureau's 2011 American Community Survey Data, a woman in Florida makes 82.6 cents for every dollar a man makes, an African American woman makes 62.4 cents for every dollar a white, non-Hispanic man makes and a Hispanic woman makes 58 cents for every dollar a white, non-Hispanic man makes. My commitment to working towards fairness and equality led me to cosponsor the Paycheck Fairness Act, which reinforces the Equal Pay Act by providing solutions to women who are not being paid equally for identical work and protecting employees from retaliation for sharing salary information with their co-workers.

The time is now to strive for wage equality. Recent efforts such as the Lilly Ledbetter Fair Pay Act have helped propel us forward on a path to equality but have not been enough to balance the discrepancy at this time. As we look back in time when the Equal Pay Act became law we see that fifty years later, women are still not receiving the same wages as men for the same work. This is beyond disappointing and should no longer be tolerated. As our great nation continues to progress, there is no reason why women should not receive equal wages when held to the same standard as men.

Mr. Speaker, on the 50th anniversary of the Equal Pay Act it is clear that we still have work to do to end the wage gap and I encourage all of my colleagues on both sides of the

aisle to join me in the fight for the enactment of the Paycheck Fairness Act.

REMEMBERING DR. ALFRED FRANCIS HURLEY

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. BURGESS. Mr. Speaker, I rise today to honor the life of Dr. Alfred Francis Hurley. After a battle with Alzheimer's disease, Dr. Hurley passed away last week at the age of 84. He served as the 14th President of the University of North Texas, the longest serving president, and the university's first chancellor.

The oldest of four, Dr. Hurley was born in Brooklyn in 1928 to Irish immigrants Patrick and Margaret Hurley. Dr. Hurley graduated summa cum laude in 1950 from St. John's University. He received both his master's degree and Ph.D. in history at Princeton University while serving in the Air Force, preparing to teach at the Air Force Academy.

Before the outbreak of Korean War in 1950, Dr. Hurley enlisted as an airman, and in 1980, retired as a Brigadier General. From 1966 to 1980, he was permanent professor and head of the Department of History at the U.S. Air Force Academy, building a nationally regarded history department. He was a member of the Academy's executive board and chairman of the Humanities Division, and in 1968, he served a tour of duty in Vietnam, where he flew missions and worked on the EC-47 program, which he conceived and organized, produced 100 histories of the air war in Vietnam. Dr. Hurley initiated and hosted eight Military History Symposia that brought together leading scholars from the U.S. and Europe. Dr. Hurley's military awards include the Air Force Commendation Medal with oak leaf cluster, Legion of Merit with oak leaf cluster, Republic of Vietnam Gallantry Cross with Device, and Vietnam Service Medal with two bronze stars.

Dr. Hurley's tenure at UNT, from 1982 to 2002, was a period of extensive growth for the UNT system. Enrollment at the university increased from 19,000 to 27,000 students, the university's endowment grew from \$850,000 to \$45 million, and \$200 million was raised. Many of UNT's programs were nationally recognized, including the UNT Office of Postgraduate Fellowships, UNT's Texas Academy of Mathematics and Science, UNT Health Science Center, and the UNT System Center at Dallas, including UNT at Dallas, the first public university within Dallas.

The first resident of Denton to chair the North Texas Commission and to join the Dallas Citizens Council, Dr. Hurley also served as co-chair of the Coalition of Urban Metropolitan Universities and on its executive committee; president of Texas Philosophical Society, director of Fort Worth and Denton Chambers of Commerce, vice chairman of Denton County Business Leaders Council, president of Denton County United Way, chairman of the Texas Council of Public University Presidents and Chancellors, and director of the Association of Texas Colleges and Universities. In 1986, Dr. Hurley received the Otis Fowler

Award from the Denton Chamber of Commerce.

After his retirement, Dr. Hurley became a history professor at UNT from 2003 to 2008. He and his wife Johanna continued to help organize UNT's annual Military History seminar, which enabled Texan community leaders to discuss with a leading scholar and a current or retired military officer who had served in combat. At its 23rd anniversary in 2006, the seminar was endowed by many of its participants and named the Alfred and Johanna Hurley Military History Seminar.

I am proud to honor the life of Dr. Hurley for his years of service to the University of North Texas community. I would like to extend my sincerest condolences to Dr. Hurley's family and friends.

CONGRATULATING THE ONONDAGA  
COMMUNITY COLLEGE MEN'S LA-  
CROSSE TEAM ON WINNING  
THEIR FIFTH CONSECUTIVE  
NJCAA CHAMPIONSHIP

**HON. DANIEL B. MAFFEI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. MAFFEI. Mr. Speaker, I rise today to congratulate the Onondaga Community College Men's Lacrosse team on winning the 2013 National Junior College Athletic Association (NJCAA) National Championship.

On May 12, 2013, the Onondaga Community College Lazars defeated Nassau Community College 15–11, capturing their fifth consecutive NJCAA Championship. The national offensive player of the year, Onondaga attackman Randy Staats, contributed three goals and two assists, while the national goalie of the year, Onondaga goalie Warren Hill, had 17 saves in the national championship game. Warren was named top defensive player of the tournament. This was the Lazars' seventh national title in the last eight years. The Onondaga Community College Men's Lacrosse team made history with its record-setting 70th win in a row, setting a new record for consecutive wins at any level in the sport of lacrosse. This historic win is a testament to what can be accomplished when hard work and sound leadership combine to pursue a specific goal.

Under the direction of Head Coach Chuck Wilbur, the Lazars have exemplified first class sportsmanship in their journey this season. The team should be commended for their achievements on the playing field, as well as in the classroom.

Mr. Speaker, I ask the House of Representatives to join me in congratulating the Onondaga Community College Men's Lacrosse team on their unprecedented achievements this season, and wish them continued success for many years to come.

RECOGNIZING STUDENTS  
ENTERING OUR ARMED FORCES

**HON. RICHARD L. HANNA**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. HANNA. Mr. Speaker, I proudly rise today to honor high school graduates from the Broome-Tioga Board of Cooperative Educational Services area who are entering the United States Armed Forces. These young men and women have made an admirable decision to defend our county. I join the Conklin Kiwanis Club in honoring them.

The Conklin Kiwanis Club will hold a special celebration to honor these graduating high school seniors. "The First to Say Thank You" event will take place on Wednesday, June 12th at Susquehanna Valley High School in Conklin.

Mr. Speaker, I would ask you join me in honoring the following students entering the Army National Guard: Ms. Tessa Brown, Harpursville; Mr. Joshua Decker, Tioga; Ms. Holly Rowe, Tioga; Ms. Holly St. Hilaire, Tioga; Ms. Emily Stansfield, Tioga.

Honoring the students entering the United States Air Force: Mr. Brandyn Sloan, Binghamton; Ms. Ashley Blanton, Johnson City; Mr. Patrick Bidwell, Owego-Apalachin; Mr. Kyle Johnson, Owego-Apalachin; Mr. Deven Nauta, Tioga; Ms. Dakota Lockwood, Union-Endicott; Mr. Brendan Griffith, Vestal; Ms. Tiffany Stoeckel, Windsor.

Honoring the students entering the United States Army: Mr. Zachary P. Cepeda, Binghamton; Mr. Patrick M. Stanton, Binghamton; Mr. Johnathan M. Truesdell, Binghamton; Mr. Aaron Tiikkala, Candor; Mr. Alex T. Vessey, Chenango Forks; Mr. Andrew Kinner, Hannock; Ms. Anna Carman, Homer; Mr. Michael J. Sarnoski, Newark Valley; Mr. Andre T. Judge, Owego-Apalachin; Mr. Nathan Bomysoad, Union-Endicott; Mr. Andrew Gregor, Vestal; Mr. Richard Pedro, Vestal; Mr. Daniel Bond, Windsor; Mr. Jack Teetor, Windsor.

Honoring the students entering the United States Marines: Mr. Michael Elliott, Candor; Mr. Jacob Seymour, Deposit; Ms. Brook Bart, Maine-Endwell; Mr. Matthew Morgan, Maine-Endwell; Mr. Jarrett Thomas, Maine-Endwell; Mr. James Raab, Newark Valley; Mr. Cody Harbst, Owego-Apalachin; Mr. Shaun Chamberlain, Vestal; Mr. Ilioff Garrett, Vestal; Mr. Brian Jennings, Vestal; Mr. Cody Bellmore, Windsor; Mr. Jacob Colwell, Windsor; Mr. Nicholas Freed, Windsor.

I would also like to honor Ms. Savannah Murry of Harpursville entering the United States Military Academy and Mr. Kory Newton of Vestal entering the United States Navy.

VALERIA PLACENCIO

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Valeria

Placencio for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Valeria Placencio is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Valeria Placencio is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Valeria Placencio for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

CONGRATULATING THE APOPKA  
CHAMBER OF COMMERCE ON A  
CENTURY OF SERVICE

**HON. JOHN L. MICA**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. MICA. Mr. Speaker, I rise today to congratulate the Apopka Chamber of Commerce on the occasion of its 100th Anniversary of service to our community. Through its consistent efforts over the past century, the Apopka Chamber of Commerce has helped advance opportunities both in the city of Apopka as well as throughout the greater Central Florida region.

First founded as the Apopka Board of Trade in 1913, the organization was established to stimulate local economic growth. Under the direction of founding members Henry Witherington; A.C. and A.M. Starbird; Frank H. Davis; W.G. Talton; Dr. C.H. Morrison; Francis E. Zepp; John J. Anderson; J.R. Womble; Gust Jackson; William Edwards; and Nathaniel Cogswell, the organization worked to improve the community wherever possible. The Apopka board was also instrumental in the organization of the Orange County Chamber of Commerce.

In 1926, the board was reorganized as the Apopka Chamber of Commerce and since then has maintained the goal of aiding the development of entrepreneurs and businesses in the Apopka community. Their mission continues to this day.

As the second largest city in Orange County, Apopka remains a vital hub of Florida commerce. It is important now, more than ever, that the Chamber continues in its efforts to promote economic growth and sustainability in the community and county.

Mr. Speaker, it is my sincere pleasure to congratulate Apopka Chamber of Commerce Chairwoman Wendy Kurtz, the Board of Directors and all members of this great organization on a century of service to the citizens of Apopka and Orange County. I ask my colleagues to join me in wishing them every success for their future.

RECOGNIZING DON BRUNELL FOR HIS NEARLY 30 YEARS OF SERVICE AT THE ASSOCIATION OF WASHINGTON BUSINESS

### HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mrs. McMORRIS RODGERS. Mr. Speaker, I'd like to rise today to recognize my good friend Don C. Brunell, who has been a champion of business in Washington state for nearly 30 years, with an exceptional record of achievement at the Association of Washington Business, the fourth largest state chamber of commerce in the U.S.

Don Brunell came to the Evergreen State in 1978 from his native state of Montana to work in the forest products industry for Crown Zellerbach, combining his love of the outdoors with his interests in politics and business.

In 1981, Don was appointed to the Association of Washington Business Executive Committee and chaired the Association's Natural Resources and Environment Council until, in 1986, Don was appointed vice chairman of government affairs for AWB, and, a year later, president of AWB.

That's how we all know him, as the steady hand and leader of our business community. He has grown the organization from under 1,000 members to what is now the state's largest business advocacy organization with more than 8,000 private employers of all industries and sizes.

Under Don Brunell's 28 years of leadership, the Association of Washington Business has been designated as the state's manufacturing association by the National Association of Manufacturing and is twice recognized by the U.S. Chamber of Commerce as an Accredited Chamber with Distinction, and is currently one of just four state chambers "accredited with distinction"

But maybe his most enduring legacy is his extensive work with Washington Business Week and through the Don C. Brunell Scholarship that has helped encourage generations of high school students with an interest in business to achieve their entrepreneurial goals.

In his role as AWB President, Don Brunell has had the honor of working with five Washington governors, including Govs. Gardner, Lowry, Locke, Gregoire and Inslee, as well as the leaderships of Speakers Ehlers, King, Ebersole, Ballard, and Chopp. For hundreds of legislators, Don was the voice of experience, always looking out to protect our wonderful free enterprise system.

I want to particularly note that each Christmas since 1988, the holidays for many rural families in Washington have been a bit brighter—and the Legislative Building a bit more festive—since Don Brunell founded the Holiday Kids' Tree Program, raising hundreds of thousands of dollars for needy families around the state and establishing the community tradition of a tree lighting each December in the state capitol.

Throughout his distinguished career, Don has maintained his strong belief in family, as evidenced by his marriage of 42 years to wife Jeri, children Jennifer, Carey, Erin, Don, Dan

and Colleen and his 14 grandchildren; and Don has also remained committed to those serving in the U.S. armed forces, himself a veteran with 23 years of service in the U.S. Army, Montana and Washington Army National Guard and U.S. Army Reserve as a special forces, infantry and public affairs officer.

It is bittersweet to see such a distinguished career draw to a close, but I must acknowledge Don will retire from AWB in January 2014, making the legislative session that is drawing to a close in Washington state the last one with Don as president of the state's largest and oldest business association.

Future legislators and business leaders should draw inspiration from his steadfastness and dedication to the cause of freedom and free enterprise that was a constant during his long and honorable career.

ROB O'BRIAN, 2013 WINNER OF SMALL BUSINESS ADMINISTRATION'S PHOENIX AWARD

### HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. LONG. Mr. Speaker, I rise today to recognize Joplin Area Chamber of Commerce President Rob O' Brian, recipient of the U.S. Small Business Administration's Phoenix Award.

Like all Joplin residents, Rob had his life drastically changed on May 22, 2011, when an EF5 tornado touched down leaving only a path of destruction in its wake.

The aftermath of the Joplin tornado left the area with nearly 5,000 jobs in jeopardy of being lost and damage to over 550 local businesses. As president of the Joplin Area Chamber of Commerce, Rob used his quick thinking and resourcefulness to help business owners recover from the destruction left behind from the tornado.

Through the leadership of Rob, the Joplin Chamber was able to set up a Small Business Administration Business Recovery Center just days after the tornado. This center enabled the chamber and its staff to help all business owners in their time of need. In fact, over 500 affected companies are still operating today and 90 percent of the jobs affected by the storm were saved.

In addition to the reopened businesses, more than 100 new employers have opened their doors since the storm. The new businesses cited the resilience of Joplin residents and the support of Rob and the Joplin Chamber as key reasons for their decision to locate to the region.

The Small Business Administration's Phoenix Award is awarded to businesses, public officials, and volunteers who are tested by disasters like the Joplin tornado but work to overcome the disaster by rebuilding and helping their communities recover.

Rob's acts of courage, selflessness and perseverance in the aftermath of this disaster make him an outstanding recipient of this award. I am grateful for his leadership and service to Missouri's 7th District.

HONORING ARIZONA STATE UNIVERSITY STUDENTS, DAVIER RODRIGUEZ AND JESUS CISNEROS

### HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Ms. SINEMA. Mr. Speaker, I ask my colleagues to join me in honoring Arizona State University students, Davier Rodriguez and Jesus Cisneros, winners of the Clinton Global Initiative University's 2013 Commitments Challenge.

Mr. Rodriguez and Mr. Cisneros are the leaders of DREAMzone ASU, a professional development workshop aimed at bettering the ability of student leaders, staff, and faculty to meet the social, cultural and academic needs of undocumented students at Arizona State University.

DREAMzone ASU strives to establish a network of support as part of a national network of allies through a four-hour certification program. Those enrolled in the program expand their content knowledge regarding federal, state, local, and institutional policies that directly affect the undocumented college student experience. Participants also actively work to increase their knowledge of the challenges faced by undocumented students at ASU, and by challenging assumptions through meaningful dialogue and interaction.

The Clinton Global Initiative University's Commitments Challenge involved a rigorous application process and four rounds of intensive online voting, in which DREAMzone emerged victorious. I ask my colleagues to join me in congratulating Mr. Rodriguez and Mr. Cisneros on this accomplishment, and on their hard work to help make many DREAMs a reality.

### PERSONAL EXPLANATION

### HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Ms. CLARKE. Mr. Speaker, I was unavoidably detained in my district and missed the votes on Monday, June 3, 2013.

Had I been present, I would have voted "yea" on rollcall No. 184, H.R. 1206—Permanent Electronic Duck Stamp Act of 2013 and "yea" on rollcall No. 185, S. 622—Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013.

### YATZIRE AGUIRRE

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Yatzire Aguirre for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Yatzire



Aguirre is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Yatzire Aguirre is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Yatzire Aguirre for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

#### TRIBUTE TO TRISH MORRIS-YAMBA

#### HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. PAYNE. Mr. Speaker, I ask my colleagues here in the House of Representative to join me as I rise to recognize and honor a dedicated public servant, Trish Morris-Yamba who is retiring from the Newark Day Center after 32 years of service. Mrs. Morris-Yamba's journey to this post encompassed many levels including launching the Livingston College Day Care Center, classroom teacher, principal at the Chen School in Newark, overseeing the Newark Fresh Air fund and Executive Director at the Newark Day Center. As a result of these experiences, Mrs. Morris-Yamba was definitely in a position to make a difference in the lives of our most precious resources, our children.

Mrs. Morris-Yamba attended Rutgers University where she received both a Bachelors and Masters Degree in education. Mrs. Morris-Yamba sought to ensure that Newark's preschool children received both quality daycare and education. Her influence can be seen in the many programs she spearheaded, like the Fresh Air Fund that sends hundreds of children every year to summer camp and the programs that help seniors, single parents and people out of work or returning to work. Fortunately, for those who had the opportunity to work with her, Mrs. Morris-Yamba was generous with sharing her knowledge and her significant leadership skills.

As Mrs. Morris-Yamba retires, she will be remembered for her belief in fulfilling the needs of the total child. She has a love of learning and is an excellent role model as well as the consummate professional. Mrs. Morris-Yamba has touched the lives of countless children, parents and Newark's senior citizens. Mrs. Morris-Yamba has received many awards during her tenure at the Newark Day Center. I am truly grateful that she chose Newark. I know that to be in an educational environment is to serve with one's heart. Mrs. Morris-Yamba has served the Newark Day Center with her heart and in the process has created a memorable legacy.

Mr. Speaker, I am sure my colleagues agree that Mrs. Trish Morris-Yamba deserves

to be recognized for a job well done and for her many years of dedicated service to the Newark community. I am proud to have such a dedicated person in my Congressional district and wish her much success in her future endeavors.

#### HONORING THE SONS OF ITALY

#### HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. MARINO. Mr. Speaker, the Sons of Italy is the largest and oldest nationally-recognized organization in the United States for people of Italian heritage.

For 100 years, the Sons of Italy Grand Lodge of Pennsylvania has worked to establish over 150 lodges throughout the commonwealth, all dedicated to the promotion of Italian culture, traditions, and legacy.

With support from their members, the Sons of Italy has raised over \$35 million for numerous charities including the Alzheimer's Association, the Doug Flutie Junior Foundation for Autism and Cooley's Anemia Foundation.

The organization has also given \$117 million in donations to scholarships, medical research, cultural preservation and disaster relief.

Through their commission for social justice, The Sons of Italy has fought racism, prejudice and the stereotyping of all races, religions and cultures.

As an Italian-American myself, I am honored to offer my congratulations to the Sons of Italy, and praise their devotion to the preservation of Italian-American heritage.

#### TRIBUTE TO WORLD WAR II VETERANS OF THE USS "TIDE"

#### HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mrs. CAPITO. Mr. Speaker, I rise today to recognize Mark Zangara who has established a 501(c)3 in Harpers Ferry, called "World War Two History Archives". The purpose of this non-profit organization is to honor WW2 Vets with oral history interviews as well as commemoration of WW2 military service.

On the week of June 4-8, 2013, Mark Zangara sponsored the reunion of survivors of the USS *Tide*. On June 7, 2013, 1100 hours, the USS *Tide* veterans were honored at the Navy Memorial at the plaque dedication ceremony of their ship, itself a minesweeper. June 7 was a significant day for the crew since it was on that day June 7, 1944, that the *Tide* hit a mine and was split in two. 25 percent of the crew were killed immediately, while all others on board were wounded and hospitalized. The USS *Tide* is the only American Naval ship to have 100% casualties (either KIA or WIA) in one single incident. The heroic acts of the sailors involving great risk to themselves to save others are extensive and numerous. They will be covered at length in Mr.

Zangara's forthcoming book to be released this year "Reflections: World War Two Veterans Tell their Remarkable History."

We owe everything to these Veterans of World War Two. We owe them a debt that can never be repaid.

#### CONGRATULATING MICHAEL ROSEN

#### HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Ms. SCHAKOWSKY. Mr. Speaker, I rise to congratulate Michael Rosen as he receives the inaugural Patient Impact Legacy Award from the Cures Within Reach Foundation for his work in the BioSciences over the last 30 years.

Michael Rosen has been chosen to receive this inaugural Legacy Award based on his leadership and involvement in the BioScience industry and his interest in the betterment of the regional community. Currently the Senior Vice President of the Forest City Science + Technology Group, Rosen is responsible for developing marketing strategies for Forest City's biotech projects across the United States and serves as their liaison to the life science industry developing relationships with clients and major research universities. Forest City Science + Technology Group is one of the country's leading developers & owners of science parks associated with leading research-based universities. He is also a founding member, current board member and former vice-chairman of IBIO, the Illinois Biotechnology Industry Organization, and chairman of its predecessor organization. Prior to Forest City, Mr. Rosen spent 32 years as an executive in the pharmaceutical, biotech and medical device industries in the U.S. and abroad working in Europe, Asia and Latin America.

The Cures Within Reach Midwest BioScience Industry Campaign event will occur annually to celebrate both the industry in our region, and its commitment to life-changing solutions for patients. Cures Within Reach was founded in 2005 as a Chicago-based not-for-profit organization helping patients by repurposing FDA-approved drugs and devices to deliver fast, safe and affordable treatments for diseases and rare disorders that have insufficient or nonexistent therapies. Cures Within Reach has emerged as a leader in the repurposing revolution, working to transform patient lives through research that looks backward to move forward.

Past research has delivered seven treatments in use today in major disease areas and rare disorders including Multiple Sclerosis, Autoimmune Lymphoproliferative Syndrome, Lung Cancer, Prostate Cancer, and Familial Dysautonomia. Current research projects are in process at many select institutional partners, including The Mayo Clinic, the Seattle Children's Hospital, Rush University, The University of Chicago, Weill Cornell, and the Children's Hospital of Philadelphia.

I join others in the Chicago area in offering my deep gratitude for Michael's decades of

work and lifelong commitment to patients and the bioscience that heals them, and to Cures Within Reach. I wish them well and ask this body to do the same on this momentous occasion.

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PERSONAL EXPLANATION

**HON. ROBERT PITTENGER**

OF NORTH CAROLINA  
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. PITTENGER. Mr. Speaker, on rollcall votes Nos. 103–105, I am not recorded because I was absent from the U.S. House of Representatives. Had I been present, I would have voted in the following manner.

On rollcall No. 194, had I been present, I would have voted “nay.”

On rollcall No. 195, had I been present, I would have voted “nay.”

On rollcall No. 196, had I been present, I would have voted “nay.”

On rollcall No. 197, had I been present, I would have voted “nay.”

On rollcall No. 198, had I been present, I would have voted “nay.”

On rollcall No. 199, had I been present, I would have voted “nay.”

On rollcall No. 200, had I been present, I would have voted “nay.”

On rollcall No. 201, had I been present, I would have voted “yea.”

On rollcall No. 202, had I been present, I would have voted “nay.”

On rollcall No. 203, had I been present, I would have voted “nay.”

On rollcall No. 204, had I been present, I would have voted “yea.”

On rollcall No. 205, had I been present, I would have voted “nay.”

On rollcall No. 206, had I been present, I would have voted “nay.”

On rollcall No. 207, had I been present, I would have voted “nay.”

On rollcall No. 208, had I been present, I would have voted “yea.”

On rollcall No. 209, had I been present, I would have voted “yea.”

On rollcall No. 210, had I been present, I would have voted “nay.”

On rollcall No. 211, had I been present, I would have voted “yea.”

niston, Alabama, was named after Mrs. Eula Ford. This church was founded as a Southern Missionary Baptist Church with an emphasis on missions.

One hundred twenty-five years later, this church and its congregation have grown immensely. However, they remain focused on missions and serving their community of Eulaton, in Anniston, Alabama.

On Sunday, August 4th, members, friends and the community will gather together at the church to remember, reflect and rejoice on the triumphs of Eulaton Baptist Church. Please join me in celebrating their rich history and wishing them great success in the future.

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PERSONAL EXPLANATION

**HON. LUIS V. GUTIERREZ**

OF ILLINOIS  
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Monday, June 3. I would like the record to show that, had I been present, I would have voted “yea” on rollcall vote 184, and “yea” on rollcall vote 185. I was also inadvertently absent for the following votes and would like the record to show that, had I been present, I would have voted “nay” on rollcall vote 189, and “yea” on rollcall vote 205.

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IN RECOGNITION OF THE 125TH ANNIVERSARY OF EULATON BAPTIST CHURCH

**HON. MIKE ROGERS**

OF ALABAMA  
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 11, 2013*

Mr. ROGERS of Alabama. Mr. Speaker, I would like to ask for the House's attention today to recognize the congregation of Eulaton Baptist Church, which will be celebrating their 125th anniversary on June 13th.

In 1888, in the community of Eulatonin, Alabama, 30 people gathered to worship in an old school house. Eulatonin, a community in An-

**SENATE—Wednesday, June 12, 2013**

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Strong Deliverer, You are our strength and shield. Use Your powerful arms to help those in need and to prepare us to be instruments of Your purposes. Lord, listen to our longings and hear our cries as we intercede for this land we love. Bring to America the righteousness that exalts nations as You lead us away from those sins that bring reproach to any people. Use our lawmakers in this endeavor so that they will plant seeds that will produce a moral and ethical harvest. May their lives provide exemplary models of moral excellence so that people can see their ethical congruence. Teach them to hate pride and deceit as they strive to treat others as they want others to treat them.

We pray in Your sacred Name. Amen.

**PLEDGE OF ALLEGIANCE**

The PRESIDING OFFICER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 12, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

**SCHEDULE**

Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business for 1 hour. The majority will control the first half and the Republicans the final half.

Following morning business the Senate will resume consideration of S. 744, which is the immigration bill. Today we will work through amendments on the bill. Senators will be notified when votes are scheduled.

**IMMIGRATION REFORM**

Mr. REID. Mr. President, last night the Senate advanced a bipartisan immigration reform bill that will be good for national security and very good for our economy. It will be good for American citizens as well as those who aspire to one day become citizens.

It is truly gratifying to see the momentum behind this commonsense reform proposal. Eighty-four Senators voted to adopt the motion to proceed to this legislation—a very strong vote. By comparison, the Senate failed to advance an immigration reform bill just 6 years ago when only 46 Senators voted to end debate on that measure.

It is a sign of progress that the legislation now before the Senate has not been stopped procedurally. I hope we are allowed to proceed on this legislation without being blocked by some arcane Senate rule and that we can finish this legislation and send it to the House of Representatives.

I applaud the Gang of 8 for their bipartisan proposal. That is how the Senate used to work. They worked hard. They have worked through hundreds of different proposals. After the Gang of 8 finished their work, they took it before the Judiciary Committee. There were over 100 amendments—many more than 100 amendments. They adopted 46, and some 40 amendments were Republican amendments that were adopted. Chairman LEAHY conducted a fair markup, and no one disputes that. So I commend the Gang of 8 for allowing the bill to get to the Judiciary Committee, and I thank the Judiciary Committee for now giving us this proposal and bringing it to the floor, and now Democrats allowing us to proceed on this legislation, as well as Republicans.

Our goal now is to pass the strongest legislation possible, with as many votes as possible, while staying true to our principles, then await what the House is going to do. The Speaker has said he wants a bill that will allow the Democrats to vote. That is good news because in the House, for the last two Congresses, there have been very few

opportunities for the Democrats to vote on substantive legislation.

The Speaker has said he will only allow legislation to pass over there that has a majority of the majority. That means only Republicans. If they don't have enough Republican votes, they are not going to bring up a bill for a vote. So I am very pleased the Speaker would say that. It is important we understand the procedure we have used for 230-plus years in this body: We pass something here, they pass something in the House, we go to conference and work out our differences.

So I understand we have a long road before us and more work will be necessary to get this bill across the finish line. I truly understand that. I know some of my Republican colleagues will support this bill if they feel confident what is in the bill adequately addresses the need to secure our borders. I agree the legislation focused on border security a lot. I think that is important, and I am glad it did.

Reform that takes significant steps to stop illegal crossings is important, and reform that does not take significant steps to stop illegal crossings will fail. That is why I so admire what was done by the Gang of 8 and the Judiciary Committee in regard to that issue. They have done a terrific job on border security.

We should all also acknowledge the progress the Obama administration has already made to secure our borders. Illegal border crossings are down 80 percent. That is no small accomplishment. Yesterday I received a letter from my colleagues, the chairman of the Judiciary Committee PAT LEAHY, and the chairman of the Homeland Security Committee TOM CARPER, detailing the tremendous strides we have made toward a more secure border.

As described by the Wall Street Journal, illegal entries nationwide are at a four-decade low. We have less crossings now than we had at any time during the last 4 years, and the number of illegal entrants who sneak into the country through the southern border and successfully elude law enforcement—so-called “got aways” is what they are called—is down 86 percent. Smarter technology, physical barriers, and double the number of agents on the border have made this achievement possible.

We must ensure those who come to America seeking a better life do so in compliance with our laws. The measure before the Senate builds on the progress we have made by allocating even more resources for border security infrastructure, and that includes patrol bases, unmanned vehicles—yes,

drones—helicopters, fixed-wing aircraft, sensors, x-rays, cameras, and more. This legislation also includes additional funding for the prosecution of those who are caught crossing illegally.

The legislation also establishes two strict but attainable statutory border security goals: to prevent 90 percent of illegal entries and to monitor the entire southern border, not just high-risk sectors of the border. Chairman LEAHY and Chairman CARPER agreed in their letter that this legislation will reduce illegal entries by reforming our legal immigration system.

This legislation will make it virtually impossible for undocumented people to work, so they will no longer have an incentive to enter illegally.

This is what my two colleagues said in their letter:

We need to stop focusing our attention on the symptoms and start leading with the underlying root causes of illegal immigration in a way that is tough, practical, and fair.

That says it all. This bill does that.

There is one thing this bill does not do and should not do: It does not and should not make the path to citizenship contingent on attaining border security goals that are impossible to measure. That would leave millions who aspire to become citizens in indefinite limbo. We have to move past this.

Six years ago we tried to do something about it and the situation only got worse. This legislation is critical. If we made those goals impossible, the legislation would be a failure. This would give opponents of citizenship in the Senate an opportunity to prevent our border security goals from being met in order to block the path to citizenship. I am concerned that some who oppose the very idea of reform see these triggers as a backdoor way to undermine the legislation, and we must be very careful in recognizing that people are trying to do that with this legislation now before this body. I believe some Republicans with no intention of voting for the final bill—no intention, regardless of how it is amended—seek to offer amendments with the sole purpose of derailing this vital reform.

I commend Senators—Democrats and Republicans—who sincerely want to make this proposal stronger by enhancing its border security provisions. So I look forward to hearing ideas over the next few days on amendments—ideas to make our country safer and more secure. If that is the intent, we will certainly look at it, and I hope we can move forward as expeditiously as possible.

I am glad colleagues, both Democrats and Republicans, are engaged in this debate and are interested in offering amendments, but I hope those amendments will be constructive in nature. We have come too far and the country needs this legislation too badly to lose sight of our purpose now.

As Martin Luther said, “Everything that is done in the world is done by hope.” There is no better example of that than this legislation because hope is what it is all about. As Martin Luther said, “Everything that is done in the world is done by hope,” and I certainly believe that regarding this legislation.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### KENTUCKY BUS ACCIDENT

Mr. MCCONNELL. Mr. President, I wish to send my sympathies to the many families in Kentucky affected by a terrible bus accident that occurred yesterday afternoon. A group of Waggener High School students were returning to Louisville after a visit to Eastern Kentucky University when their bus crashed on Interstate 64. Of the 42 people onboard, 34 were taken to area hospitals. Thankfully, news sources report no loss of life. I am going to continue to closely follow the details of this accident.

The people of Kentucky, always generous of spirit, have already responded to this accident with an outpouring of support for the crash victims. I am grateful for that and I am grateful also that this situation was not much worse.

#### NOMINATIONS

Mr. MCCONNELL. Mr. President, Senate Democrats are not content with the additional powers they have—powers greater than those enjoyed by any previous majority—so they intend to manufacture a crisis over nominations as a pretext for a further power grab. Yet the Senate is treating President Obama's nominees very fairly. For example, let's just look at how the Senate has treated his judicial nominees.

Overall, the Senate has confirmed 193 lower court judges and defeated only 2—defeated only 2. That is a .990 batting average—a .990 batting average. After this week, the Senate will have approved 24 of the President's lifetime appointments compared to just 9—9—for President Bush at a comparable point in his second term.

I will mention my party actually controlled the Senate then, so we could have arguably confirmed a lot more. President Bush got 9 at this point in his second term; President Obama 24.

Last Congress Obama had more district court confirmations than in any of the previous eight Congresses—previous eight Congresses. He also had almost 50 percent more confirmations—171—than President Bush—119—under similar circumstances.

To support an unprecedented power grab, the administration and its allies in the Senate have resorted to truly outlandish claims about how the President's judicial nominees are being treated—sort of making this stuff up.

Washington Post Fact Checker gave the President two Pinocchios for extreme claims about Republican delays of his judicial nominees, noting that in some ways the President's nominees are actually being moved along “better” than Bush's.

The Washington Post cited CRS's conclusion that from nomination to confirmation—one of the most relevant indicators, according to a Brookings scholar—Obama's circuit court nominations are being processed about 100 days quicker—100 days quicker—than President Bush's: 350.6 days for Bush to 256.9 for Obama.

Factcheck.org:

... during Obama's first term, his nominees to federal appeals courts actually were confirmed more quickly on average than Bush's first-term nominees, measured from the day of nomination to the day of the confirmation vote.

Politifact:

... the average wait for George W. Bush's circuit court nominees was actually longer from nomination to confirmation.

So, as you can see, Mr. President, this is a manufactured crisis—one that does not, in fact, exist—in order to try to justify a power grab to fundamentally change the Senate.

At the beginning of each of last two Congresses, we have had this discussion at length. At the beginning of the previous Congress, here is what the majority leader said back in January of 2011. He said:

I agree that the proper way to change Senate rules is through the procedures established in those rules, and I will oppose—

“I will oppose,” he said. This is January of 2011—

any effort in this Congress or the next to change the Senate's rules other than through the regular order.

“I will oppose any effort in this Congress or the next”—the one we are in now—to change the rules of the Senate in any other way than through the regular order. The regular order is it takes 67 votes—not even 60 but 67 votes—to change the rules of the Senate.

Not being willing to keep the commitment he made in January of 2011, we went around and around again at the beginning of 2013—this year—and the Senate this year, after considerable discussion, joined by a number of Members of the Senate on both sides of the aisle, passed two new rules and two new standing orders. In the wake of that action, an additional commitment was made, and here was the exchange on the floor on January 24 of this year.

I said:

I would confirm with the majority leader that the Senate would not consider other resolutions relating to any standing order or

rules this Congress unless they went through the regular order process?

We had just done that. We followed the regular order, and we passed two rules changes and two standing orders.

The majority leader said:

That is correct. Any other resolutions related to Senate procedure would be subject to a regular order process, including consideration by the Rules Committee.

Now, that was not a promise made based on the majority leader's view of good behavior. But, of course, by any objective standard, there has not been any bad behavior anyway, even if that would justify breaking a commitment that was not contingent.

Now my friend the majority leader has taken to kind of leaving the floor in the hopes that somehow this would go away if only he were not here. What will not go away is the unequivocal commitment made at the beginning of this Congress so we would know what the rules were for the duration of this Congress.

I think colleagues on both sides of the aisle have a right to know whether the commitment made by the leader of this body—the leader of the majority and this body—is going to be kept. That is the only way we can function. Our word is the currency of the realm in the Senate.

As you can see from the facts, this is a manufactured crisis. There is no crisis over the way the Senate has functioned. In fact, except for these periodic threats by the majority leader to break the rules of the Senate in order to change the rules of the Senate, we have been operating much better this Congress than in recent previous Congresses. Bills have been open for amendment. We have been able to get them to passage. They have been bipartisan in large measure.

The Senate these days is not broken. It does not need to be fixed, particularly if your judgment to fixing the Senate is to not keep a commitment you made at the beginning of the year.

So I would conclude by saying that I am going to bring this up every morning, and the majority leader not being here or not responding does not make it go away. What my colleagues in the minority have on their minds is whether the commitment will be kept, and at some point the majority leader is going to have to answer that question because it is not going away.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning

business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

The Senator from Maryland.

#### ASIAN POLICY

Mr. CARDIN. Mr. President, this past weekend President Obama met with President Xi of China in California for a summit meeting between the two leaders. It was an opportunity for a personal relationship between the leader of China and the leader of the United States in order to improve the trust between the two countries.

China is important to the United States. China, as we know, is a permanent member of the Security Council of the United Nations—a key player in developing international policies that are important to the United States and global security. China is very influential in the policies concerning North Korea and Iran. China is a key trading partner of the United States. We know the amount of products that go back and forth between China and the United States.

President Obama has correctly identified Asia as a region of particular interest. He has rebalanced Asian policy because of the importance of Asia to the United States. We are a Pacific power, and Asia is critically important for regional security as well as for global security.

I have the opportunity of chairing the Subcommittee on East Asian and Pacific Affairs of the Senate Foreign Relations Committee. In that capacity, 2 weeks ago I visited China, the Republic of Korea, and Japan.

In China, I was able to observe firsthand the progress that is being made in that country and to meet with key leaders of the Chinese Government. I did see much progress. I saw economic change in China as to how they are becoming a more open society from the point of view of entrepreneurship. I saw rights that have been advanced. People do have more freedom than they had several decades ago.

I saw an opportunity where the United States and China could build a stronger relationship between our two countries. It starts with building trust. There is a lot of mistrust out there. That is why I was particularly pleased about the summit meeting this past weekend. We have common interests. China is critically important to the United States on making sure the Korean Peninsula remains a nonnuclear peninsula. China has tremendous impact over North Korea and does not want to see North Korea continue its ambition to become a nuclear weapon power. They can help us in resolving that issue, hopefully in a way that will help us in a peaceful manner.

I could not help but observe when I was in Beijing that China has a huge environmental challenge. The entire time I was there, I never saw the Sun, and that was not because of clouds, it was because of pollution, which is common in Beijing. It is not only a problem that China needs to deal with, it is a political necessity. The people of China know that their air is dirty. Here is an opportunity for the United States, working with China—the two large emitters of greenhouse gases—for them to come together and show international leadership by what we can do in our own countries to encourage progress but also international progress on this issue.

While I was in China, I had a chance to advance areas of concern. I want to talk about that. Our security interests with China go toward their military, yes, but also go toward their economic conditions and their respect for human rights. I raised throughout my visit to China my concern, and I think America's concern—the international concern—about China recognizing universally accepted human rights. The right to dissent is not there in China.

On June 4 we celebrated another anniversary of Tiananmen Square, where the student protest turned very deadly. It is still dangerous to dissent in China. Civil rights lawyers can lose their right to practice law and can be physically intimidated if they are too aggressive in representing those who disagree with government policies.

China has a policy to this day of detaining people, putting them in prison for their "reeducation." That could be for up to 4 years without trial and without being questioned as to why they are being detained, solely because they disagree with the government's policy.

If you are born in a community, you are registered in that community. There may not be economic opportunity there for you. You might want to move to a big city in order to explore additional economic opportunities for yourself and your family. In China that is not possible for the great majority of the people. They are registered in their community, they are expected to live in their community, and they are expected to work in that community. So you have the haves and the have nots. There are many people in China who are doing very well. The vast majority are not.

Then there is the issue of religious freedom. I think we all know about Tibet and the Buddhists in Tibet and how they have been harassed. We know about the Uighers and the Muslim community. What really shocked me was talking to the Protestants who have their house churches. They explained to me that if their churches get too big—maybe over 25 or 30 members—they lose their right to meet. The government is worried about too many

people getting together to celebrate their religion. Well, that certainly is unacceptable. It violates internationally recognized human rights standards.

And then they block access, full access, to the Internet. Sites such as the New York Times or Bloomberg are considered to be too difficult for the Chinese people to accept, and the government blocks those sources.

Perhaps one of the most difficult challenges China has today is that it does not trust its own people to innovate and create. Instead, they use cyber to try to steal our rights, our innovation, not just in America but throughout the world. We are very concerned about the proper use of protecting intellectual property, and I raised that during my visit to China.

We are also concerned about the cyber security issues, and I know that was on the agenda of President Obama and President Xi. We would urge progress to be made on acceptable standards on the use of cyber.

Then there is the issue of corruption. Because so much is determined by where you live and your local government, corruption is widespread. That needs to be changed.

So these are important subjects that we raised in a country that is critically important to the United States, but these issues must be debated.

When President Park was here, the President of the Republic of Korea, she mentioned on the House floor to a joint session of Congress that she wants a security dialog in Northeast Asia. When I met with her when I was in Seoul, we had a chance to talk more about it. The more she talked about the security dialog, the more it reminded me of the Helsinki Commission, the Organization for Security and Cooperation in Europe, which was established in 1975 as a security dialog between all the countries of Europe, now Central Asia, the United States, and Canada.

That security dialog deals with all three baskets of concern. Yes, we are concerned about military actions. We have serious military issues that we need to take up in the northeast. Maritime security issues are very much of concern to all the countries of Northeast Asia. But we also need to deal with economic freedom and opportunity, and we need to deal with human rights.

This type of a dialog would allow us in the north to participate with the major countries in Northeast Asia to work out and know the concerns of each of the countries. It would include not just China and the Republic of Korea but Japan, North Korea, the United States, and Russia.

I would urge the region to either adopt a security dialog similar to the Helsinki process or look at becoming a part of the Helsinki process. We do have regional forums. There is a re-

gional forum for Asia. So it is a possibility that they could actually work under the Helsinki framework.

In my visits to Japan and the Republic of Korea, I know we have two close allies. Japan, of course, is a treaty ally. We have U.S. troops both in Korea and Japan. We are working out ways to make our troop presence more effective, consistent with the political realities of both of those countries.

Both Japan and the Republic of Korea strongly support our policies in Iran and Afghanistan and the Korean Peninsula. The relationship between these two countries must improve. There are serious issues. Of course the comfort woman issue during World War II is a matter of major concern to the Korean population. I certainly support and understand that. But it is important for those two allies of the United States to become closer allies and to move forward in areas of mutual interest. I urge them to do that.

In Japan, I had meetings on the economic issues, on the Trans-Pacific Partnership, TPP, which clearly are areas where we can make advancements. I saw an opportunity to advance U.S. interests in the rebalance to Asia. It is not a pivot to Asia. We used that term originally. It is not. We have been active in Asia for centuries. It is a rebalance because we recognize the importance of Asia. I think we can do that by enhancing our relationship with all the countries in Asia. It is an opportunity to advance U.S. security interests through military cooperation.

I did talk about the military in China. I also talked, particularly in Japan, about more of their students coming here to the United States to advance good governance and economic relationships, and to have a responsible environmental program.

The subcommittee I chair has already held two hearings on the rebalance to Asia, including good governance and military issues. We are going to hold future hearings dealing with the environmental issues and economic issues.

Clearly, working with the President, I see a major opportunity to advance U.S. interests through our rebalance to Asia policies.

#### REMEMBERING FRANK R. LAUTENBERG

Mr. CARDIN. Mr. President, we all lost a dear friend when Frank Lautenberg passed away a little over a week ago. He was a friend, he was a colleague, he was a mentor. In the last Congress I had the opportunity to sit next to him on the floor of the Senate. Our desks were back there in the last row. I had a chance to sit next to him. I tell you—you have heard this many times—but when we had those vote-aramas Frank kept me very much engaged. His sense of humor, his ability

to use contemporary activities with a sense of humor kept us all going. We are certainly going to miss that humor.

I also sat next to him on the Environment and Public Works Committee. He was a fierce defender of public health and the environment. I am going to certainly miss his advocacy. He was there to protect clean air. He chaired that subcommittee and took on every special interest in order to protect our children and to protect our communities.

He was a fierce defender of the environment, recognizing we all have a responsibility to pass on the environment in a better condition to future generations.

His story is a story about the success of America. Here we have a child of an immigrant family that came to this country and started anew with virtually no resources. It is very appropriate that I am talking about Frank Lautenberg on a day in which the immigration reform bill is on the floor of the Senate.

I know if Frank were here, he would be talking about his own family and his own experiences and why the passage of this immigration bill is so important for America's future. Yes, we are going to do the right thing for the values of America, but we are also going to help America's economic future and our security in the future. He grew up in a family of poverty. His father died when he was very young. He had no choice after high school but to enter the military. But he wanted to enter the military because he wanted to serve his country. So he went and served our country in World War II. As we know, he was the last surviving Member of the Senate who served in World War II. He did an incredible service to our country under extremely difficult circumstances. He came back to the United States and this country offered him the GI bill opportunity for education. But for that GI bill Frank Lautenberg never would have had those educational opportunities. He took advantage of it and went to business school. He used that to develop a business that was innovative and creative. There was a need out there to deal with personnel costs by businesses. Frank Lautenberg developed, with his partners, a way in which that service could be provided in the most cost-effective way.

What did that do? That made this country more efficient, more effective. What that did was create a lot of jobs for this country. It also made Frank Lautenberg a fairly wealthy person. That is the American way: innovation to grow our economy, to create jobs, and to benefit by your own innovation. Frank Lautenberg took advantage of that and succeeded in a great way.

But he was not satisfied with that. He wanted to give back to his community. So he served his community. He

served his community in many ways. There is a whole host of community organizations to which he provided leadership, his own personal time, in order to help people. He did that. Jewish Federation—he became a national leader there to help communities all over the world. Frank Lautenberg did that as a private citizen because he thought it was the right thing to do.

But then he decided he wanted to serve his community in a different way, so he ran for the Senate, got elected to the Senate, served two different terms in the Senate. He is the only Senator who was both the junior and senior Senator twice from the same State. But he never forgot his roots. He never forgot where he came from. He has a long list of accomplishments, from helping refugees come here to America, to helping keep the air we breathe on airlines safe for our children. The list is voluminous. We have already talked about it. He will be missed by all.

Our thoughts and prayers are with Bonnie, who we all know so well, and his entire family. To the people of New Jersey and the people of this Nation, Frank Lautenberg was an extraordinary person who made a lasting mark. He will be missed by all. We all know we are better because of having served with him.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### IMMIGRATION REFORM

Mr. CASEY. Mr. President, I rise to address two issues this morning, but starting with the issue that is confronting us here on the Senate floor. It is a great challenge, but it is also a great opportunity; that is, immigration. The opportunity we have to come together in the Senate, Democrats and Republicans, is to fix a broken system and to help our economy.

Along the way, as we are working through the immigration bill over the next days and weeks, I think we can not only get this issue on the right track substantively but we can also send a very strong message to the American people that on major consequential issues for the American people we can come together, work together, and get a good result for them. I think that in and of itself is worthy of a lot of attention.

SYRIA

But even as we are working on immigration, of course we have to concern ourselves with a whole range of other

issues. One I will speak to briefly this morning is the issue of our policies as they relate to Syria. We are confronted this morning with a headline in the Washington Post. I will hold it up. It reads: "Iran On Ascent As Syria Churns." The first page of the Post. I will read the first paragraph of this story:

As fighters with Lebanon's Hezbollah movement wage the battles that are helping Syria's regime survive, their chief sponsor, Iran, is emerging as the biggest victor in the wider regional struggle for influence that the Syrian conflict has become.

There is one of the reasons why I and others, for not just weeks but months now, have been urging the administration and the Congress to come together on a more focused and more effective strategy as it relates to Syria. We had a good bipartisan effort in the Foreign Relations Committee. We were able to pass out of the committee legislation that dealt with Syria that would provide a whole range of supports and efforts that will lead to a better result in Syria.

I know the White House has spent the last couple of weeks and will be spending even more time today to come up with a policy that makes sense. But I do not think we can any longer pretend this issue is not an issue that concerns our national security, because every day the Iranian regime and Hezbollah plot against us. Anything that results in the regime in Iran being strengthened, as the Washington Post points to today in this story, is bad for our national security.

We have a lot of work to do. Again, this should be bipartisan. But the administration needs to focus on Syria and come to a conclusion about the way forward that will be in the best interests of our national security and also in the best interests of the people of Syria who are fighting valiantly against the Assad regime.

We all agree the Assad regime should not be in power, but we can't just wish that. We will have to take the steps that will lead to that result in a concerted fashion with allies in the region.

I ask unanimous consent the story entitled "Iran on ascent as Syria churns" from the Washington Post this morning be made part of the RECORD.

There being no objection, the material was ordered to be printed, in the RECORD, as follows:

[From the Washington Post, June 12, 2013]

#### IRAN EMERGING AS VICTOR IN SYRIAN CONFLICT

(By Liz Sly)

BEIRUT.—As fighters with Lebanon's Hezbollah movement wage the battles that are helping Syria's regime survive, their chief sponsor, Iran, is emerging as the biggest victor in the wider regional struggle for influence that the Syrian conflict has become.

With top national security aides set to meet at the White House on Wednesday to reassess options in light of recent setbacks

for the rebels seeking Syrian President Bashar al-Assad's ouster, the long-term outcome of the war remains far from assured, analysts and military experts say.

But after the Assad regime's capture of the small but strategic town of Qusair last week—a battle in which the Iranian-backed Shiite militia played a pivotal role—Iran's supporters and foes alike are mulling a new reality: that the regional balance of power appears to be tilting in favor of Tehran, with potentially profound implications for a Middle East still grappling with the upheaval wrought by the Arab Spring revolts.

"This is an Iranian fight. It is no longer a Syrian one," said Mustafa Alani, director of security and defense at the Dubai-based Gulf Research Council. "The issue is hegemony in the region."

The ramifications extend far beyond the borders of Syria, whose location at the heart of the Middle East puts it astride most of the region's fault lines, from the Israeli-Palestinian conflict to the disputes left over from the U.S. occupation of Iraq, from the perennial sectarian tensions in Lebanon to Turkey's aspirations to restore its Ottoman-era reach into the Arab world.

An Iran emboldened by the unchecked exertion of its influence in Syria would also be emboldened in other arenas, Alani said, including the negotiations over its nuclear program, as well as its ambitions in Iraq, Lebanon and beyond.

"If Iran wins this conflict and the Syrian regime survives, Iran's interventionist policy will become wider and its credibility will be enhanced," he added.

From Iran's point of view, sustaining Assad's regime also affirms Iran's control over a corridor of influence stretching from Tehran through Baghdad, Damascus and Beirut to Maroun al-Ras, a hilltop town on Lebanon's southern border that offers a commanding view of northern Israel, according to Mohammad Obaid, a Lebanese political analyst with close ties to Hezbollah.

Iran has sought to minimize its visible involvement in Syria so as not to exacerbate sectarian tensions that have been inflamed by a conflict pitting an overwhelmingly Sunni opposition against a regime dominated by Assad's minority Shiite-affiliated sect, Obaid said.

Iran has provided advice, money and arms to Assad's regime, but the manpower needed to bolster his forces, flagging after two years of trying to contain the revolt, has come from Hezbollah, which was founded in the 1980s with help from Iran's Revolutionary Guard Corps and has become Lebanon's leading military and political force.

"Hezbollah is part of the Iranian strategy," Obaid said. "This counts as a victory for the group of Iran, Syria, Iraq and Hezbollah against the group backed by the United States."

#### 'IRAN WALKED THE WALK'

Supporters of the Syrian opposition contrast the hesitancy of the U.S. administration in offering arms to the outgunned, poorly trained and deeply divided rebels with the commitment that Iran has shown to its Damascus ally.

The U.S. goal was to pressure Assad into making concessions at the negotiating table, without delivering a resounding military victory to the rebels that might have brought Islamists to power in Damascus, said Amr al-Azm, a history professor at Shawnee State University in Ohio who is Syrian and is active in the opposition. Instead, a proposed peace conference in Geneva seems likely to be held on Assad's terms, should it go ahead.



"Politically we're screwed, and militarily we're taking a pounding," Azm said. "America talked the talk while Iran walked the walk."

This would not be the first time that Iran has outmaneuvered the United States since the Iranian revolution brought Shiite clerics to power in Tehran in 1979. But the assertion of Shiite power in Syria rankles Sunnis across the region, compounding the dangers that the Syrian conflict could provoke a wider and even bloodier war than the one currently underway, which is estimated to have killed at least 80,000 people.

Escalating violence in Iraq and growing tensions in Lebanon, whose conflicts are inextricably intertwined with the increasingly sectarian nature of the war in Syria, underscore the risk that centuries-old religious rivalries between Sunnis and Shiites will be aggravated by Iran's role. The leading religious authority in Saudi Arabia and al-Qaeda chief Ayman al-Zawahiri have in the past week called on Sunnis to volunteer to fight in Syria, marking a potentially dangerous convergence that could herald an intensified influx of Sunni jihadis.

#### SAUDI ARABIA'S ROLE

Saudi Arabia, the leading Sunni power in the region and Washington's closest Arab ally, is unlikely to tolerate an ascendant Iran even if the United States chooses to remain aloof, said Jamal Khashoggi, director of the al-Arab television channel.

"It is a serious blow in the face of Saudi Arabia, and I don't think the Saudis will accept it. They will do something, whether on their own or with America," he said. "Syria is the heart of the Arab world, and for it to be officially conquered by the Iranians is unacceptable."

One way in which Saudi Arabia could influence the outcome is by facilitating unchecked supplies of arms to the rebels, analysts say. Although the umbrella Free Syrian Army has received small quantities of weaponry from Turkey, Saudi Arabia and Qatar over the past year, the United States has sought to control the flow, vetting the recipients and restricting the caliber of the weapons provided.

After videos surfaced in March of Islamist groups wielding antitank weapons funneled across the Jordanian border by Saudi Arabia, the United States imposed a freeze on all further deliveries, putting the rebels at a disadvantage just as Iran, through Hezbollah, was gearing up to rejuvenate the Assad regime's army with reinforcements, according to rebel leaders.

#### A SYMBOLIC BATTLE

Military analysts caution against overestimating the impact of the rebel defeat in Qusair on what is likely to be a long and unpredictable war. The obscure western town abutting Hezbollah-controlled territory in Lebanon almost certainly offered an easier conquest than other rebel strongholds, such as the city of Aleppo, where the regime is touting an imminent offensive.

The rebels are continuing to press attacks in the northern, eastern and southern peripheries of the country even as the government appears to be tightening its grip on the central provinces of Damascus and Homs, raising the specter that the country will be partitioned into enclaves backed by rival Sunni and Shiite regional powers. A suicide bombing in Damascus on Tuesday highlighted the likelihood that the rebels will sustain an insurgency similar to the one that persists in Iraq even if they are defeated militarily.

The chief significance of the battle for Qusair lay in the powerful symbolism of the role played by Hezbollah, which eliminated any doubt that the Syrian conflict has turned into a proxy war for regional influence, said Charles Lister, an analyst with IHS Jane's defense consultancy in London.

"External actors are becoming increasingly decisive and pivotal in terms of where the conflict is going," he said. And if the United States increased its support for the rebels, Assad's allies would be likely to boost theirs, he added.

"The conflict has regionalized, and, unfortunately, that gives it the potential to drag on longer," he said. "As long as one side increases its assistance, the other will see the need to do so, too."

#### NOMINATIONS

Mr. CASEY. I move to the second part of my remarks, which is to talk about two of our judicial nominees who will be coming before the Senate today. Both of these nominees will be voted on today to be members of the United States District Court for the Eastern District of Pennsylvania. I wish to give Senators the benefit of a little biographical background on both of them.

I will begin with Nitza Quinones Alejandro. Judge Quinones is recognized by her colleagues as being very well prepared as a judge and a conscientious judicial official who exhibits an outstanding judicial temperament and fairness.

Since 1991, Nitza Quinones Alejandro has served as a trial judge for the First Judicial District of the Pennsylvania Court of Common Pleas in Philadelphia, working on criminal and civil trials with all of the diversity, difficulty, and challenge that comes with that. She runs a good courtroom, treats lawyers and litigants fairly, and renders thoughtful decisions. She was first nominated for judicial appointment back in May of 1990 by Gov. Robert P. Casey, my father, when he was serving in office in Pennsylvania.

At the time—not quite then a judge—Judge Quinones became the first Latina State court judge in the Commonwealth of Pennsylvania back in the early 1990s.

Prior to her judicial appointment, Judge Quinones served as an arbitrator for the Philadelphia Court of Common Pleas from 1980 to 1991. She also worked as a staff attorney with the Department of Veterans Affairs and as an attorney-advisor for the Office of Hearings and Appeals at the Department of Health and Human Services. She was also a staff attorney with Community Legal Services in Philadelphia.

Judge Quinones is a founding member and has been active within the Hispanic Bar Association of Pennsylvania for the past 20 years. She has actively recruited students from local law schools and hired numerous Hispanic attorneys as full-time law clerks and serves as a mentor to countless students and professionals.

A native of Puerto Rico, she graduated from the University of Puerto Rico School of Business Administration cum laude in 1972 and acquired her juris doctor degree from the University of Puerto Rico's School of Law in 1975.

Her commitment to public service and substantial judicial experience will make her an outstanding Federal judge. It is also, I should note, a remarkable American story that Judge Quinones brings to us today.

We look forward to the vote today on her confirmation. We appreciate the work that has been done to bring her nomination to the floor.

I have enjoyed working with Senator TOOMEY on both Judge Quinones' nomination as well as the second nomination.

Judge Jeffrey L. Schmehl, the second nominee, as well will bring an extraordinary record of knowledge, experience, and public service to the Federal bench. He is well regarded by lawyers and litigants who appear before him, as well as the people of Reading in Berks County, PA.

Since 2007 he has served as the president judge for the Berks County Court of Common Pleas, where he has served as a judge since 1998.

Prior to joining the bench, Judge Schmehl was a partner at Rhoda Stoudt & Bradley from 1988 to 1997, where he also worked as an associate since 1986.

He has served as the county solicitor at the Berks County Services Center from 1989 to 1997, and he owned his own law firm from 1981 to 1986. He also served as an assistant district attorney in Berks County, as a prosecutor, and as an assistant public defender for the Berks County Public Defender's Office—a rare combination, both a public defender and a prosecutor.

He received his bachelor of arts degree from Dickinson College in 1977 and a juris doctor from the University of Toledo School of Law in 1980. We look forward to Judge Schmehl's confirmation as well.

Both of these are individuals about whom we can be very proud, vote for, and support with enthusiasm. It always helps when you have two judges who are the result of the working together of a Democratic Senator and a Republican Senator—in this case, Senator TOOMEY and myself—working together to bring their nominations to this point and to get them confirmed on the floor of the Senate.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADVICE AND CONSENT

Mr. BARRASSO. Mr. President, I come to the floor today to talk about the advice and consent duties of the Senate. Our Constitution gives the Senate the responsibility to advise the President on high-level executive positions and judgeships. The Senate is also asked to consent on those appointments to ensure that only those who are worthy of the public's trust hold positions of such great power. The confirmation process is a way to protect the American people from nominees who simply aren't up to the job or to the times we are in as a country.

It is also an important opportunity for the Senate to exercise oversight over the agencies and the policies of an administration and to do this on behalf of the American people. Let me repeat that. It is about exercising oversight on behalf of the American people.

This is one of the most important roles we play as Senators. This is one of the reasons our Nation's Founding Fathers intentionally made the pace of the Senate deliberate. They wanted to make sure there was free debate on important subjects so we could give appropriate consideration to policies, to laws, and to nominations.

The Father of our Constitution, James Madison, explained the Senate's role was "first to protect the people against their rulers."

"First to protect the people against their rulers" was the point of this body. That is why, over its long history, the Senate has adopted rules that provide strong protections for political minorities.

Lately some in the majority have decided the American people shouldn't ask so many questions and the minority shouldn't have so many rights. Here is a little perspective on the conversation we are having today. Over the last 6 years Majority Leader REID has taken an unprecedented stand against the rights of the minority in this body. He has done it through procedural tactics such as filling the amendment tree on bills and bypassing committees using something called rule XIV of the Senate rules. Those techniques may make it easier for the majority leader to get what he wants, but they shut many Senators out of legislating, and they shut out the Americans we represent, Democrats as well as Republicans.

At the beginning of the last Congress and again at the start of this Congress, there was an attempt to use the so-called nuclear option and to use it to radically change the rules of the Senate and to strip the rights of the minority. Back in 2011, Majority Leader REID made a commitment not to use the nuclear option.

On the floor he said:

I agree that the proper way to change Senate rules is through the procedures established in those rules, and I will oppose any

effort in this Congress or the next to change the Senate rules other than through the regular order.

He said this Congress or the next Congress, so that includes the Congress we are in right now today.

It didn't stop some of the members of his caucus from trying to force the nuclear option again earlier this year. I was one of a bipartisan group of Senators—eight of us—who worked together and negotiated, I thought, responsible changes to Senate procedures. Our goal was to avoid the rush that would take drastic steps that would damage this body and our country forever. It was a fair agreement.

It was also an agreement that we were told would rule out the use of the nuclear option. So Republicans agreed to support two new standing orders and two new standing rules of the Senate. Those changes were overwhelmingly supported by Republicans as well as Democrats in this body.

In return, the majority leader again gave his word he would not try to break the rules in order to change the rules. Here is what he said a few months ago on the Senate floor: "Any other resolutions related to Senate procedure would be subject to a regular order process."

He even added this included considerations by the Rules Committee. There was no equivocating in the statement by the Democratic leader. There were no ifs, ands, or buts. This was January 24 of this year. Here we are again, less than 5 months later, and we are having this same argument.

Some Senate Democrats want to use the nuclear option to break the rules, to change the rules, and do away with the right to extended debate on nominations. This would be an unprecedented power grab by the majority. It would gut the advice and consent function of the Senate. It would trample the rights of the minority. It would deprive millions of Americans of their right to have their voices heard through their representatives here in Washington. The nuclear option would irreparably change this institution.

Republicans have raised principled objections to a select few of the President's nominees. In other cases, such as the D.C. Circuit Court, we simply want to apply the standard the Democrats had set, that the court's workload doesn't justify the addition of three more judges.

The President claims his nominees have been treated unfairly. Even the Washington Post's Fact Checker said the President's comments were untrue. The other day the Post Fact Checker gave the President not just one but two Pinocchios for his claims about Republican delays on his judicial nominees.

The White House and the majority leader don't want to hear it. They want the Senate to rubberstamp the President's nominees. The Democrats aren't

happy with the rulings by the D.C. Circuit Court, and they want to avoid any more inconvenient questions about the Obama administration. Democrats claim they want to change the rules to make things move more quickly, but that is no excuse. Remember when the majority leader threatened the same drastic step a couple of years ago? One of the Democrats who stood up to oppose the current majority leader at the time was former Senator Chris Dodd. In his farewell speech in this body in late 2010, this is what Senator Dodd had to say:

I can understand the temptation to change the rules that make the Senate so unique—and, simultaneously, so frustrating. But whether such a temptation is motivated by a noble desire to speed up the legislative process, or by pure political expedience, I believe such changes would be unwise.

This was a Democratic Senator with 30 years of service in the Senate.

The reality is the pace of the Senate can be deliberate. Extended debate and questioning of nominees is a vital tool to help ensure the men and women who run our government are up to the job and are held accountable.

Under the system some in the majority want to impose, there will be less opportunity for political minorities to question nominees. There will be less government transparency. The faith of the American people in their government will get smaller and smaller.

I believe it would be a terrible mistake for Democrats to pursue the nuclear option and an irresponsible abuse of power. From the beginning the American political system has functioned on majority rule but with strong minority rights. Democracy is not winner-take-all. Senator REID gave his word. We negotiated in good faith earlier this year. We reached a bipartisan agreement to avoid the nuclear option. Using the nuclear option on nominations now would unfairly disregard that agreement. If Democrats break the rules to change the rules, political minorities and all Americans will lose.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Iowa.

Mr. GRASSLEY. I listened to my colleague from Wyoming. He states it very well. I have come to the floor for roughly the same reason, but I don't know how many times you have to say it, because I think basically what the Senator from Wyoming was saying, and what I want to say is it is very difficult to reach agreements in the Senate. But when you reach an agreement, particularly only if it involves two Senators but particularly if they are leaders of the Senate, a person's word is his bond. That bond ought to be kept—as far as I know, always kept. At least that has been my relationship with fellow Senators. You say you are going to do something and you continue that until

it is successful. So here we are, no Senator has not kept their word yet, but we hear this threat. So I come to the floor to give my comments on it.

At the beginning of this Congress, the majority and minority leaders reached an agreement as to how to proceed with rules changes. An agreement was reached. We agreed to two rule changes: One change to the standing rules and one to the standing order. Senate Republicans gave up certain rights and protections in those rules changes. That was the first part of the agreement. In exchange for these rules changes, the majority leader gave his word to Republican Senators he would not utilize what is called around here and around this town the “nuclear option” and not use it during this Congress.

Let me review the exact wording of that agreement as it is recorded for history in the CONGRESSIONAL RECORD. This year, on January 24, 2013, the following exchange took place in the Senate. Senator MCCONNELL stated:

Finally, I would confirm with the majority leader that the Senate would not consider other resolutions relating to any standing order or rules in this Congress unless they went through the regular order process?

The majority leader replied:

This is correct. Any other resolution related to Senate procedure would be subject to a regular order process, including consideration by the rules committee.

In fact, the majority leader gave his word at the beginning of the last Congress as well. He stated:

The minority leader and I have discussed this issue on numerous occasions. I know that there is a strong interest in rules changes among many in my caucus. In fact, I would support many of these changes through regular order. But I agree that the proper way to change Senate rules is through the procedures established in those rules and I will oppose any effort in this Congress or the next to change the Senate rules other than through regular order.

Let me just say when a Senator reaches an agreement and gives his word that he will stick to that agreement, that should mean something around here. As far as I am concerned, it means something all the time. I don't think I have been subject to entering an agreement with a colleague that hasn't been kept.

Let me emphasize something further. There was no contingency on that agreement. Republicans agreed to a change in the rules, and the majority leader gave his word he would not invoke the so-called nuclear option. That was the extent of the agreement, period. I trust the majority leader will keep his word and his commitment. If he pulls back on that commitment, it will irreparably damage the Senate.

Moreover, the notion there is now a crisis that demands another rules change is completely manufactured. The minority leader has spoken about the culture of intimidation. I am trou-

bled it is finding its way into the Senate. For the record, in regard to why there is some talk around this institution of changing the rules—something to do with nominations and particularly judicial nominations not moving fast enough—I am in the middle of that as ranking member of the Judiciary Committee. So far this year, we have confirmed 22 lower court nominees, with two more scheduled for this week. That is more than double the number of judges who were confirmed at this point during the previous President's second term—President Bush.

With the nominations this week, we have confirmed 195 of President Obama's nominees as lower court judges. We have defeated only two. That is a batting average of 99-plus percent. I don't know how much better we can get unless it is expected the Senate will not raise any questions about anybody appointed by any President to the judgeships of our country.

The claim we are obstructing nominees is plainly without foundation. I have cooperated with the chairman of the Judiciary Committee in moving forward on consensus nominees, and on the Senate floor there has been a consistent and steady progress on judicial nominations. Yet it seems as if the majority is intent on creating a false crisis in order to effect changes in longstanding Senate practices. They are now even threatening—can you believe this—to break the rules to change the rules. Again, I hope the majority leader keeps his word. We have certainly upheld our end of the bargain.

May I inquire of the Chair how many minutes are remaining for the minority in morning business?

The PRESIDING OFFICER. The Republicans control 15 minutes.

Mr. GRASSLEY. Fifteen minutes more?

The PRESIDING OFFICER. The Senator is correct.

Mr. GRASSLEY. In regard to this whole issue about the Senate as an institution and where I said if this nuclear option holds it is going to destroy the Senate, I think it is very appropriate for us to remember the Senate is the only institution in our political branch of government where minority views are protected. In the House of Representatives, whether it is a Republican majority or a Democratic majority, as long as they stick together, they can do anything they want to and they can ignore the minority. But in the Senate, where it takes a supermajority of 60 to get something done, whether there is a Republican or Democratic minority, that minority is protected.

Today, where we have 54 Democrats and 46 Republicans, nothing is going to get done unless it is done in a bipartisan consensus way, and that is why it is so very important we do not destroy that aspect of the uniqueness of the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. I thank the Chair for the opportunity to speak, and I wish to continue discussing what my good friend from Iowa was talking about.

There is a reason for the Senate. There are times when it is hard to figure out exactly what that reason is, with the lack of activity we have seen in the last couple of years, but that has very little to do with the rules of the Senate. It has a lot to do with the Senate not following its regular order, its regular procedures. In fact, when we have done that, whether it was the highway bill or the Federal Aviation Act or the farm bill, we have always produced a successful piece of legislation.

The Senate works when we let the Senate work. The Senate works when people are allowed to bring differing points of view to the Senate floor. Frankly, one of the reasons to be in the Senate is to have the ability to not only bring those ideas to the floor but to have a vote on those ideas; to let the American people know where we stand and to let the people in the States we represent know where we stand. The idea the Senate is now afraid of the amendment process is a great obstacle to the Senate getting its work done.

Another obstacle is constantly talking about changing the Senate rules. The Senate rules have served the Senate well for a long time and served the country well. The Senate rules are what define the Senate in giving individual Senators abilities they wouldn't otherwise have. This is the only body like it in the world where a bare majority can't do whatever it wants to do. If that is the way we want to govern the country, we have one of those bodies already. It is called the House of Representatives, where the majority absolutely rules, where the Rules Committee has nine members representing the majority and four members representing the minority.

I was the whip in the House for a long time—the chief vote counter in the House—and I can tell you that nine always beats four. It is not just 2 to 1, it is 2 to 1, plus 1. That is a body where the majority has incredible capacity to do whatever the majority wants to do. That is not the way the Senate is supposed to work.

We started off this year trying to agree on how to move the Senate forward in an agreeable and effective way, and now we are right back, every day now, hearing: We are going to have to think about changing the rules. When we hear the majority leader talking about changing the rules, it usually is not a good indication we will be prepared to get anything done.

The two leaders, when we started this year, agreed on a plan to make sure the Senate wouldn't unilaterally

change the rules; that we would break the rules to change the rules. The thing we would have to do to change the rules is to break the rules, because the rules, once the Senate is constituted, can't be changed by just a majority of Senators. It takes more than that.

We created two new ways for the majority leader—not the minority leader but for the majority leader—to expedite Senate action. We gave new powers to the leader. One of these rules changes passed 78 to 16. The other one passed 86 to 9. These changes gave the majority ways to consider nominations and legislation and going to conference. The minority agreed, under certain circumstances, the ability to engage in debate could and would be limited.

But now we are back again having the same discussion. The only way the majority leader would be able to get what he apparently wants would be to break the rules. There are enough rules being broken, in my view, in Washington right now. One of the problems we face is that the country, frankly, does not trust their government. When we look across the board, from the IRS to what happened in Benghazi, to what the NSA has said in answering about the retaining of records, we don't need to do yet another thing to convince people there is a reason they should not believe what people in the government say.

Let's look at a few things the majority leader said on the Senate floor over the last couple of years. On January of 2011—January 27, to be exact—Mr. REID said:

I agree that the proper way to change the Senate rules is through the procedures established in those rules, and I will oppose any effort in this Congress or the next to change the Senate rules other than through the regular order.

That was January of 2011. Mr. MCCONNELL, in January of this year, said on the Senate floor—January 24:

I would confirm with the majority leader that the Senate would not consider other resolutions relating to any standing order or rules in this Congress unless they went through the regular order process?

That was Senator MCCONNELL's question. In response, Senator REID said:

That is correct. Any other resolutions related to Senate procedure would be subject to a regular order process, including consideration by the Rules Committee.

I am on the Rules Committee, and we are not talking about any rules changes in the Rules Committee, which Senator REID said in January of this year would have to be part of looking at that.

Of course, a lot of the discussion is: The nominations are taking too long. But these are important jobs, and there is a reason they take so long. In particular, judicial nominees serve for the rest of their lives. They are going to

serve well beyond, in most cases, the President who nominates them. So they have taken a long time for quite a while.

I would think the facts are clear the Senate is treating President Obama's judicial nominees fairly and, in some ways, even better than they treated President Bush's nominees.

Already in this Congress, the Senate—in this Congress, the one that began in January—the Senate has approved 22 of the President's lifetime appointments. Twenty-two people on the Federal bench for the rest of their lives, that is already happening this year. At a comparable point in President Bush's second term the Senate had approved only five of his judicial nominees.

In the last Congress, President Obama had 50 percent more confirmations than President Bush; 171 of his nominees were confirmed. His predecessor had 119 under similar circumstances, a time when the Senate was also dealing with 2 Supreme Court nominees who, by the way, also serve for life.

I think in the first term of President Obama the Senate made the kind of progress one would expect the Senate to make on these important jobs. In fact, President Obama has had more district court confirmations than any President in the previous eight Congresses. One would think that would be a pretty good record on the part of the Senate doing its job.

The Constitution says the President nominates but, it says, the Senate confirms. In my view, those are equally important jobs. In fact, one could argue that the last job, the one that actually puts the judge on the bench, is even more important than the first job.

Overall, the Senate has confirmed 193 lower court judges under President Obama and defeated only 2. The Washington Post cited the Congressional Research Service conclusion that from nomination to confirmation, which is the most relevant indicator, President Obama's circuit court nominees were being processed about 100 days quicker than those of President Bush. President Bush's nominees took about a year, 350 days. President Obama's take about 100 days less than that.

Let's look at the other side of nominations. There is a difference in the executive nominations, I believe, because they are only likely to serve during the term of the President and not exceed that. I think that creates a slightly different standard. The process on these nominations has been pretty extraordinary in any view. If anything, the Obama administration has had more nominations considered quicker than the Bush administration.

The Secretary of Energy was recently confirmed 97 to 0. The Secretary of the Interior was confirmed 87 to 11; the Secretary of the Treasury, 71 to 26.

Those are substantial votes done in a substantial time. The commerce committee that I am on just this week voted out three nominations the President had made with no dissenting votes to report that nomination to the floor.

The Director of the Office of Management and Budget was confirmed 96 to 0. The Secretary of State was confirmed 94 to 3, only 7 days after the Secretary of State was nominated. Members of the Senate knew the Secretary of State pretty well. It was easy to look at that in a quick way, but it is pretty hard to imagine a Secretary of State who can be confirmed quicker than 7 days after that person was nominated.

The Administrator for the Centers of Medicare & Medicaid Services was confirmed 91 to 7. The Chair of the Securities and Exchange Commission was confirmed by a voice vote. Yet in spite of all of that, we are being told by the White House and by others that somehow the Senate's record on these nominations is worthy of an unprecedented rules change, and that rules change would shut out the rights of the minority to fully review and debate, particularly, lifetime judicial nominations.

The very essence of the constitutional obligation of the Senate is to look at these nominations and decide whether these people should go onto the Federal bench for the rest of their lives.

I am hopeful that the majority leader will keep his word to the Senate and to the American people and ensure that we move onto this debate that should happen—didn't happen in January—and instead of changing the rules, we do what we are supposed to do and do it in a way that meets our obligations as a Senate and our obligations to the Constitution. Let's not break the rules to change the rules. Let's get on with the important business that is before us rather than going back to the business we have dealt with months ago.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 744, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 744) to provide for comprehensive immigration reform and for other purposes.

Pending:

Leahy/Hatch amendment No. 1183, to encourage and facilitate international participation in the performing arts.

Grassley/Blunt amendment No. 1195, to prohibit the granting of registered provisional immigrant status until the Secretary

has maintained effective control of the borders for 6 months.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is on S. 744.

Mr. LEAHY. Is there a division of time?

The PRESIDING OFFICER. There is no such division of time.

Mr. LEAHY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, I want to visit with my colleagues about border security. It refers to an amendment that I have pending to enhance the bill's provisions on border security. I would like to take a few minutes to discuss why I think my amendment is a good first step to restore the faith of the American people in government. That faith has to be restored on the issue of immigration because we promised so much in the 1986 bill on border security and stopping undocumented workers from coming to this country, so, consequently, for the institution of Congress and the executive branch both, because we are not enforcing existing law, the credibility on immigration is at stake. On this issue the American people have lost faith that, at least from the immigration point of view, we are really a nation based on the rule of law.

It is no secret that we in Washington, particularly in the congressional branch, have low approval ratings. A lot of people, especially in recent weeks, wonder about the trust of government—you know, Benghazi, IRS, AP investigations. They have also lost confidence, then, in the leaders. They question our ability to protect their privacy. They question our capacity to protect their security.

This is especially true when we talk about border security with average Americans. They do not think we are doing enough. They say we do not need to pass another law. They just do not understand why we cannot stop the flow and simply enforce the laws on the books. To them it is that simple.

It comes up in my town meetings in Iowa, but the bill before us complicates things. It takes a step backwards on an issue about which Americans care deeply. It says we will legalize millions now—that means millions of undocumented workers—and we will worry about border security down the road, in 5 or 10 years.

The authors of this document before us, the Group of 8, say they are open to

improving the bill. My amendment now before the Senate does just that. My amendment improves the trigger that jump-starts the legalization program. It ensures that the border is secure before one person gets legal status under this act.

The American people have shown they are very compassionate, not just willing to deal with this issue of 12 million undocumented workers here but in a lot of other ways so numerous and well-known we do not even need to mention them. Many can come to terms with a legalization program.

But many would say that a legalization program should be tied to border security or enforcement. That is what is very simple for the American people: secure the borders. Let me give some examples.

Bloomberg recently released a poll in which they asked the following question:

Congress is debating changing immigration laws. Do you support or oppose a revision of immigration policy that would provide a path to citizenship for 11 million undocumented immigrants in the United States?

Madam President, 46 percent said they would support it.

The poll then went on to ask the same respondents about elements in the immigration bill, and 85 percent said they favored "strengthening border security and creating a system to track foreigners entering and leaving the country." So we have 46 percent saying they support immigration, but 85 percent of the same group say it is very necessary to strengthen border security.

In Iowa, a poll by the Des Moines Register found that 58 percent of the respondents were OK with a path to citizenship for undocumented immigrants after—and I emphasize the word "after"—the border is secure. Almost every poll shows the same results.

Sure, people would consider a legalization program, but it is almost always tied to the condition of border security. The American people do not think we are doing enough to secure the border. In a poll conducted by Anderson Robbins Research and Shaw & Company, 60 percent of those polled said the current level of security at the country's border is not strict enough. Also, 69 percent of the respondents said they favor requiring completion of a new border security measure first before making other changes in immigration policies.

Unfortunately, too many people have been led to believe this bill will force the Secretary of Homeland Security to secure the border. In fact, it does not guarantee that before legalization. That is why we need to pass my amendment on file now. It is a good first step to ensuring that we stop the flow of undocumented workers coming to this country. We need to prove to the Amer-

ican people that we can do our job. We need to show them we are committed to security.

Bottom line: Nobody says the existing immigration system is as it should be. People support reform, but they support reform if we have border security first.

I yield the floor.

Mr. LEAHY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, it is good that the Nation is having this debate on immigration, but I think we ought to talk about what is truly involved. For the last several months—even before our bill was drafted, people were saying we cannot proceed with immigration reform until we do more to secure our borders. Now that we have a bill—a bill that takes extraordinary steps to further secure an already strong border—we continue to hear we must wait. We are told that the immigration bill reported from the Senate Judiciary Committee last month, the Border Security, Economic Opportunity, and Immigration Modernization Act, S. 744, does not do enough.

It is so easy to wait. Oh, let's wait until next year or the year after or the year after that, because then the 100 Members of the Senate don't have to vote. We can be on everybody's side. That is not why we were elected. We were elected to vote yes or to vote no. Let's start moving forward and stand up to vote, because when they say we have to wait for more security it ignores the facts.

We have been pouring billions of dollars into border security for years—billions. Keep this in mind: Sometimes we argue over \$15, \$20, \$30 million to help educate our children and that becomes a big issue. We have put billions of dollars into border security. Since the Senate last considered immigration reform in 2006 and 2007, we have made enormous strides on border security. This bill takes even more steps to prevent and deter illegal immigration.

We can talk about philosophy and we can talk about things people have heard. I would like to talk about facts. It may be inconvenient to some of those who don't want to have immigration reform, but the facts speak for themselves. The Border Patrol has doubled in the past 10 years. It now has more than 21,000 agents. That is more than at any time in its history. The Obama administration has more than 21,000 Border Patrol agents, which is more than they have ever had under either Democratic or Republican administrations.

The Department of Homeland Security has deployed additional technology in aircraft and hundreds of miles of fencing along the southern border. The Department has built more than 650 miles of fencing along the southern border, including more than 350 miles of pedestrian fencing.

There has been talk about illegal crossing. Here is a fact: Illegal border crossing is at a near 40-year low under this administration because fewer people are trying to cross. In 2005, Border Patrol apprehended more than 1.1 million individuals who unlawfully crossed the border. In 2012, that number went down to one-third—roughly 365,000. At the same time, deportation, as we all know, is at a record high level.

Here is one of the things we should talk about: People ignore the fact that we spend more money on enforcing immigration and customs laws—\$18 billion each year—than we do on all of our other Federal law enforcement agencies put together. For those who care about law enforcement, that is kind of a striking number. So we have done “enforcement first.”

This legislation goes even further to build on what has been a successful record. Chairman CARPER of the Homeland Security and Governmental Affairs Committee and I wrote a letter to our colleagues yesterday.

In fact, I ask unanimous consent that our letter be printed in the *RECORD* at the end of my statement.

In the letter, we point out that the bill appropriates up to another \$6.5 billion to secure the border. It authorizes another 3,500 Customs and Border Protection officers. It allows Governors to deploy the National Guard to the southwest border region. It expands border security and use of technology at the border. I mean, this is not a bill that ignores enforcement; it expands it.

It increases the already strict criminal penalties against those unlawfully crossing the border and provides additional resources for their criminal prosecution. It sets clear statutory goals: The prevention of 90 percent of illegal entries and persistent surveillance of the entire southern border. If DHS doesn't meet these goals within 5 years, the bill establishes a bipartisan commission to develop further concrete plans and provides an additional \$2 billion to carry out those plans.

Some say: I have a better plan. Come on. The needs at the border change all the time, so we built in flexibility to meet those needs.

The bill sets tough border security triggers. In fact, before DHS can register any undocumented individuals for provisional status, it has to provide Congress with two detailed plans laying out exactly how it is going to meet statutory goals: a comprehensive strategy and another specific to fencing. This is one of the toughest pieces of

legislation on the security of our borders that has ever been before the Senate.

The Department of Homeland Security cannot issue green cards to these individuals for 10 years—and even then only after four triggers are satisfied: Comprehensive border security strategy is substantially deployed; the fencing strategy is substantially completed; a mandatory electronic employment verification system is established for all employers; and an electronic exit system based on machine-readable travel documents is in place at airports and seaports. Even then we added more during the Judiciary Committee's markup of this bill. We adopted an amendment offered by Senator GRASSLEY that expands the bill's 90 percent effectiveness rate to the entire southern border, not just high-risk sectors.

So those who say they want more security than what we have here—it is virtually impossible to have more security. I think we might ask: Are you saying you don't want any immigration bill? This is similar to debates we have had—and I use the example of the work we did to bring about peace in Northern Ireland during the Clinton administration.

The former majority leader of this body, Senator George Mitchell, did a heroic effort, along with others, on both the Protestant and Catholic side in Northern Ireland. There were some who said we cannot have a peace agreement until we do not have a single act of violence. I said, OK. Senator Mitchell and President Clinton said, so in other words, you are going to let one disgruntled person on either side veto any peace agreement?

Let us not say we will have no immigration bill until not one person crosses our border illegally. That is making the perfect the enemy of the good, and that means we will never have it.

I was pleased the committee also looked at two border-related amendments I offered with Senator CORNYN—the Leahy-Cornyn amendments. I mention this because there are a number of amendments offered which are bipartisan from Democrats and Republicans alike. One helps protect cross-border travel and tourism by prohibiting land border crossing fees. The other ensures that DHS has flexibility to spend the bill's fencing fund on the most effective infrastructure and technology available, while still requiring that \$1 billion be allocated to fencing. It also requires consultation with relevant stake holders and respect for State and local laws when DHS implements fencing projects. Again, knowing that what we do or want today may be different from what we want a few years from now.

I might say, parenthetically, the amendment I offered with Senator CORNYN to stop border crossing fees on ei-

ther the southern border or northern border—some say we are going to turn our customs agents into toll collectors. I live an hour's drive from the Canadian border. We go back and forth like it is another State.

The distinguished Presiding Officer lives in a State that borders Canada. She knows what it is like going back and forth, and she also knows how important that is to the economy of her State and my State, just as it is to Canada. We ought to luxuriate in the fact that Canada is such a friendly neighbor and the relationship we have with them is so good. Some of us are even related to people who have Canadian ancestry. I have been married to a woman whose parents came from Canada. She was born in the United States. We have been married for almost 51 years. I am delighted Canadians come across our border and settle in Vermont.

I am also working on another amendment for Senate consideration regarding the use of vehicle checkpoints in the 100-mile border zone.

I simply do not understand how some can argue that this bill does not do enough to secure the border. We do that in this bill. We massively increase the money, the agents, the technology used on the border, and this is in addition to the billions—yes, billions—of dollars we already spend each year to physically stop people from crossing.

Some of the same people who want more security are the same people who say we are spending too much money in the Federal government. Well, short of putting up a steel wall, it is hard to imagine what more we can physically do from stopping people from crossing. As Chairman CARPER said, if we build a 25-foot wall, I will show you somebody with a 26-foot ladder. We know people will still come. Because—and let's be serious for a moment—a fence does not address the root causes of illegal immigration. People come here looking for jobs, and American businesses hire them because they will do the jobs nobody else will. Yes, some come here to join their families, as the current backlogs for family-sponsored green cards would otherwise force them to wait years.

If we are serious about stopping illegal immigration, we have to do more than build a bigger, longer, and higher fence. That won't work. We have to create legal ways for people to enter the country—people who want to come here for work and to join family members. Then we have to make it harder for people to find work if they do not use legal avenues, by requiring a nationwide employment verification system known as E-Verify—some have called this a virtual fence—and by increasing penalties on employers who hire undocumented workers. This bill does exactly that.

The distinguished senior Senator from New York, Senator SCHUMER,



talks about riding his bicycle around Brooklyn and seeing people who are probably undocumented and contractors coming up to them and saying, I will hire you for \$15 a day, and they have to take the job. If we have real teeth, as our bill does, real penalties on employers who hire undocumented workers, they would instead have to hire those who are legal and have to pay at least minimum wage and have to put money into Social Security and so on. It makes a big difference.

As Grover Norquist said in his testimony, our bill, if adopted, would improve the finances of our Nation. But more than that, this legislation provides workable, flexible, affordable, humane solutions. It is tough, it is fair, and it is practical. Yet, just as in 2006 and 2007, we are still hearing from some Senators who oppose comprehensive immigration reform that we must do more to secure the border and enforce our laws.

I welcome additional ideas on how to enhance border security and public safety. I want people to bring forth their amendments to be voted on up or down. Our goal must be to secure the border, not seal it.

As chairman of the Senate Judiciary Committee, I will oppose efforts that impose unrealistic, excessively costly, overly rigid, inhumane, or ineffective border security measures, and I will oppose efforts to modify the triggers in ways that could unduly delay or prevent the earned legalization path—such as efforts to require Congress to ratify the trigger certifications. We have waited too long already. That includes the amendment offered by my friend from Iowa, Senator GRASSLEY, which would significantly delay even the initial registration process for the 11 million undocumented individuals in this country.

The bottom line is this: The pathway to citizenship must be earned, but it also must be attainable.

Let's not forget that bringing 11 million people out of the shadows is not only the moral thing to do, it helps keep this country safe so we know who is here and we can focus our resources on those who actually pose a threat.

I don't often quote the Wall Street Journal editorial board, but I will quote them here. They said:

[Those] who claim we must "secure the border first" ignore the progress already made, because their real goal isn't border security, it is to use border security as an excuse to kill immigration reform.

We need immigration reform. It is a moral issue. It speaks to the greatness of our country. But it is also a national security issue and a public safety issue. Attempts to undermine immigration reform may come in the guise of promoting border security, but let us not be fooled. As 76 former State attorneys general recently wrote: "Put simply, practical, comprehensive reform to our

Federal immigration laws will make us all safer."

We must fix our broken immigration system once and for all. As I have said many times on this floor, I think of my maternal grandparents coming to Vermont from Italy and making Vermont a better State with the jobs they created, and their grandson became a Senator. I think of my wife's parents, coming from Quebec, bringing their French language but also bringing English, and my wife was born in Vermont as a result of that. But I think of her extended family—her father, uncle, and others—creating many jobs in Vermont and making Vermont better. Every one of us can tell stories such as that. Let's not forget those people.

Let's not say that what worked for our ancestors is no longer available. Let's speak as the conscience of the Nation. One hundred Senators can be the conscience of the Nation and sometimes are, as we were on the Violence Against Women Act. It can now be so now, on the immigration bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, June 11, 2013.

DEAR COLLEAGUE, As the Senate prepares to take up S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act, as amended, we write to draw your attention to the strong border security provisions in the bill. As chairmen of the Judiciary Committee and the Homeland Security and Governmental Affairs Committee, we have conducted extensive oversight of the Department of Homeland Security and its enforcement record. The United States has made significant progress on border security and immigration enforcement in recent years, and this bill reinforces and advances that progress in many ways.

The Wall Street Journal editorial board recently explained just how far we have come since the last time that the Senate considered comprehensive immigration reform:

The number of border patrol agents has grown to a small army of 21,370, or triple the personnel employed as recently as the Clinton Presidency. There are an additional 21,000 Customs and Border Protection officers.

The feds have built some 300 radar and camera towers as well as 650 miles of single, double and in some places triple fencing. Immigration and Customs Enforcement (ICE) now has the ability to detain 34,000 criminals and aliens at one time. The Border Patrol deploys military-style vehicles, 276 aircraft, nearly 300 marine vessels, along with state-of-the-art surveillance.

Meanwhile, illegal entries nationwide are at four-decade lows. Apprehensions of illegal entrants exceeded 1.1 million in 2005 but by 2012 had fallen by two-thirds to 365,000, the lowest level since 1971 with the exception of 2011, the previous 40-year low.

Last year the Government Accountability Office (GAO) examined federal data on "estimated known illegal entries" across the Mexican border. The numbers were way down nearly everywhere. In San Diego, illegal entries fell to about 55,000 in 2011 from more than 265,000 in 2006. In Tucson—the gateway

to Arizona—illegal entries fell to about 200,000 from 600,000 over those years. And in El Paso illegal crossings tumbled to 30,000 a year from more than 350,000.

Even more dramatic is GAO's analysis of illegals who escape through the enforcement net, a statistic called "got aways." In nine major Southern border crossing areas, including the main gateways of Tucson, San Diego and the Rio Grande, got aways fell to an estimated 86,000 in 2011 from 615,000 in 2006. That's an 86% decline in foreigners who successfully snuck into the country from Mexico.

Border Security Reality Check, Wall Street Journal (May 2, 2013).

Let there be no mistake: We have poured billions of dollars into border security over the past decade. In fact, according to a recent Migration Policy Institute report, we spend more money on enforcing our immigration and customs laws—\$18 billion each year—than we do on all other federal law enforcement agencies combined. The result of this unprecedented investment of taxpayer money is that, as Secretary Napolitano has told us, our borders are more secure than they have ever been.

The bill, as amended, builds on these successes by allocating substantial additional resources to border security. As outlined in the Senate Judiciary Committee's report on the bill, S. 744, as amended, appropriates up to \$6.5 billion to secure the border beyond current spending levels; authorizes 3,500 additional Customs and Border Protection officers for our ports of entry; permits the deployment of the National Guard to the Southwest border region; significantly expands border security infrastructure, such as Border Patrol stations and forward operating bases; calls for the further use of technology at the border, including additional unarmed unmanned aerial vehicles; provides additional resources for criminal prosecutions of those unlawfully crossing the border; and authorizes reimbursements to State, local and tribal governments for their costs related to illegal immigration.

In addition to providing these new resources and authorities to enhance our border security operations, the bill also enhances the accountability of our border officials. The bill, as amended, establishes a statutory goal, known as the "effectiveness rate," of preventing 90 percent of illegal entries at the border, and requires DHS to report to Congress whether it is achieving this rate. It also instructs DHS to achieve persistent surveillance over the border, so that the American public and Congress can know exactly how many people are trying to cross the border illegally each year. If these statutory goals are not met within 5 years, the bill establishes a bipartisan Southern Border Security Commission, with members appointed by the President, both Houses of Congress, and the Governors of our border states. This Commission will be charged with developing further concrete plans to meet the statutory goals in the bill, and is provided with an additional \$2 billion to carry out its plan. During the Senate Judiciary Committee's markup of the bill, the Committee adopted additional provisions to strengthen border security, such as an amendment offered by Senator Grassley to expand the bill's 90% effectiveness rate and persistent surveillance goals to cover the entire Southern border, not just its high-risk sectors.

The bill, as amended, also establishes tough triggers that will ensure additional border security steps are taken before the



earned path to legalization can begin. Specifically, DHS must provide to Congress a Comprehensive Southern Border Security Strategy and a Southern Border Fencing Strategy that lay out exactly how it will meet the statutory goals outlined above before it can begin to register undocumented individuals for provisional status. These Registered Provisional Immigrants, in turn, will be allowed to apply for green cards after 10 years—but only after:

1. the Secretary certifies that the Comprehensive Southern Border Security Strategy is substantially deployed and substantially operational;
2. the Secretary certifies that the Southern Border Fencing Strategy is implemented and substantially completed;
3. DHS has implemented a mandatory employment verification system to be used by all employers; and
4. DHS is using an electronic exit system at air and seaports based on machine-readable travel documents to better identify individuals who overstay their visas by tracking the departures of non-citizens.

The bill's comprehensive approach to immigration reform will also enhance border security, by reducing the incentives that lead people to come here illegally. We need to stop focusing our attention on the symptoms, and start dealing with the underlying root causes in a way that is tough, practical, and fair. The Border Security, Economic Opportunity, and Immigration Modernization Act, as amended, accomplishes that goal. First, undocumented individuals will find it much more difficult to work, because the bill requires a nationwide electronic employment verification system and enhances penalties for employers who hire undocumented workers. Second, the bill, as amended, creates a more rational immigration system that provides legal avenues for eligible individuals to enter the country for work or to join their family members. As former Homeland Security Secretary Michael Chertoff wrote, "without expanded legal immigration to address the needs of the labor market, border security will be harder and more expensive to achieve" (Obama's Immigration Agenda, *The Washington Post*, Feb. 14, 2013). By making it more difficult for employers to hire undocumented workers, creating legal ways to enter the country for immigrants coming for legitimate reasons, and allowing eligible undocumented individuals to earn a path to citizenship, this bill will allow the Department of Homeland Security to focus its efforts on addressing threats to our national security and public safety.

In sum, S. 744, as amended, will dramatically reduce illegal immigration and improve national security. We look forward to considering additional ideas to improve border security further during Senate floor consideration, especially those that present solutions that are effective, workable, affordable, and flexible enough to allow the Department of Homeland Security to deploy the right resources where they are needed, without creating undue delays to prevent undocumented individuals from earning a path to citizenship. As we continue to build on the unprecedented investments that have been made to secure our borders, we must ensure that extreme or unworkable proposals do not become a barrier to moving forward on comprehensive reforms that are also critical to securing our borders. These reforms include a path to citizenship for the undocumented in the United States who work, pay taxes, learn English, pass criminal background checks, pay substantial fines, and get

in line behind those who applied to come here legally and have been waiting for years.

The Border Security, Economic Opportunity, and Immigration Modernization Act, as amended, makes important improvements to our immigration system that will strengthen national security and benefit our nation as a whole. We look forward to working with you as the Senate considers this legislation and, hopefully, improves it.

Sincerely,

PATRICK LEAHY,  
*Chairman, Senate Judiciary Committee.*

TOM CARPER,  
*Chairman, Senate Homeland Security and Governmental Affairs Committee.*

Mr. LEAHY. Madam President, I see my good friend, and I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Madam President, I thank the Senator from Vermont. I appreciate what he has said about this issue. This is a debate we need to undertake, and we are doing so. We are doing it in a way that the Senate in my previous experience has essentially dealt with legislation. We have brought it to the floor and it has come through the regular process. The committee has held extensive hearings on the issue. There is a national debate going on. We are hearing from our constituents back at home. I am not on the committee that has jurisdiction here, but I have been following it carefully in terms of what has been presented, the bill that has been drafted, the amendments that have been offered, which ones have succeeded, and which ones haven't. This is a major issue which deserves and is getting—unlike most of what has happened here in the last couple of years—a thorough debate, with opportunities to offer amendments, with opportunities to work to find ways to address concerns about the current legislation before us. That is why I voted for the motion to proceed. This is an issue that needs to be discussed so that, hopefully, a system we know is broken—I think there is pretty much unanimous agreement on the fact our current immigration system is full of flaws and has not achieved what was promised when the initial legislation was passed. It needs to be fixed because the status quo simply perpetuates and adds to the problem we have with illegal immigration and all the impacts on our country, including the distrust of the American people. So, hopefully, we are going to come forward with credible legislation this time to address the real problems. So I am pleased we are having this debate.

We are a Nation of immigrants. It is part of our rich history. While all of those who have come to our shores over the decades may have different stories and a different journey, most share a common goal. They want the opportunity to live in a free society. They want to advance economically.

They want to pursue the American dream. They want to provide for their children and their children's children the freedoms and the opportunities that exist in America.

The American dream is a reality that is available for people to achieve if given the opportunity to work hard. I am the son of an immigrant. My mother's family came here to the United States legally in search of a better life and better opportunities not just for themselves but for their children and generations to follow.

What my mother learned and passed down to her children is that with these freedoms granted to us as American citizens come responsibilities. We have the responsibility to cherish and defend our Constitution. We have the responsibility to be engaged citizens in our communities. We have the responsibility to vote and take part in the electoral process and, we have a responsibility to come to the aid of our neighbors in need. We have been, and hopefully will continue to be, a compassionate country—a country that believes all human beings are created equal and that our rights are endowed not by a king, not by a President, not by a government, but by God.

In America, it doesn't matter where one comes from or what one's last name may be. If given the opportunity and the chance, a person can succeed, and that is what sets us apart from so many other countries. That is what makes us a shining light, a beacon to the rest of the world, and it is that light that attracts so many to our shores with hopes and dreams of a better future.

During my time as Ambassador to Germany, Colin Powell, then Secretary of State, made many visits. One of those visits included a stop on the way back from a trip to India. As we were riding from the airport to his first appointment, he shared with me something that I think pretty much says it all about the world's view of America. He was talking to me about how we sometimes see people holding demonstrations and protests against America. He said, but, you know, as I was traveling in the motorcade down the main street, there was an Indian citizen there with a huge sign in big, bold letters that said "Yankee, go home." And in parentheses, right underneath those bold letters, it said, "and please take me with you." I think that little story illustrates how much of the world views America: a place they would like to get to.

So as we address this issue, I think it is important to understand that this country is a magnet. It is a magnet for people to come and fulfill their dreams, to make their lives better and their children's lives better.

But if we are a country that cannot have an orderly and effective process of legal immigration, we are going to lose

the support of the American people. If individuals continue to learn that those who come the right way, the legal way, have to stand in line for 10, 12, 15, 20 years, hoping to win the lottery, hoping to be one of those select people who are chosen, we will continue to see more and more illegal immigration. That is why it is important to address this issue and to make the necessary reforms.

As I said earlier, it is an indisputable fact that our current immigration system has failed. It has failed the citizens of this country and it has failed those who have been standing in line for years trying to become eligible for immigration through the legal process. Today we have 11 million undocumented individuals living in our country. Approximately 40 percent of those who are here illegally arrive legally, on a legal basis for a temporary time. But once having come to our shores, they have overstayed their visas, absorbed themselves into our country and have not returned to their country. That is an issue. That is a problem, and we need to address that. We need to have a certified system in place that works—not promises, not words on pieces of paper—but a system that has the credibility to work, that when we grant people temporary status to come here to study, come here to visit, come here to see relatives, come here for whatever reason on a temporary basis, we know who comes in and we know who goes out and we know those who stay and we take appropriate action. That is simply a logical, legal way of having a system the American people can trust and believe in.

One of the major issues here is our southern border and securing that border. I had the opportunity to spend a few days on the border from the Pacific Ocean in southern California and all the way across the Arizona border. So I had a pretty good look at this.

As ranking member on the Senate Appropriations Subcommittee on Homeland Security, I wanted to find out how we were spending our money, what kind of success we were having, what problems we faced, and how we should better address our resources. It was instructive, and I urge my colleagues to take the opportunity to do the same.

As a result of that, despite efforts to make that border secure, “secure” is not the right word to define where we are now. So one of the issues before us is: What do we do to make our borders more secure in a way that can convince the American people and the people we represent that this time—this time—we have in place a process which will result in a secured border?

We went through this in 1986. Ronald Reagan proposed immigration reform. I voted for it. At the time, we had 3 million illegal immigrants. The promise in that legislation was that we would se-

cure the border, and we would solve the problem of illegal immigration. Obviously, we did not. Today we have 11 million and perhaps counting.

It is appropriate to say that the border is more secure than it was then. We have, over the years, and particularly in later years with a surge of illegal immigrants coming into our country, taken significant steps: increased border patrol agents, introduced sophisticated technology—a whole range of things that we have invested—money, resources, and manpower to make that border more secure.

But we cannot truthfully come down here today and say the border is secure. We can say: We are going to make it secure and here is how we are going to do it. But I think we need something that is credible because the American people will simply say: How do we know you are not going to be here 5 years from now, 10 years from now, saying: I know we told you it was going to be secure and I know we still have a significant problem, but we will get it better next time. We do not want to repeat that mistake. If that happens again, I think it will be a long time before we are able to come down with a sensible reform proposal.

Clearly, there is more work to do there, and it is going to be difficult for me to support a bill that does not put in place something that is credible relative to our ability to strengthen our border security.

We cannot ignore this problem. We cannot ignore the fact that people continue to stay in our country illegally or cross our borders illegally. The status quo is not working. It encourages illegal immigrants to come across the border, which is why we need this debate, why we need reforms to our current broken system, and why we need to assure the American people we are going to work to repair this broken system.

It is critical for our economic growth, it is critical for securing our borders, and it is critical for strengthening our national security. That is why I supported the motion to proceed to this debate on this important issue. Immigration reform needs to take place in an open, fair, and thorough debate, with the input of the American people, and I am certainly hearing from many of them in my State.

I do have to say, I have serious concerns with the current text of the legislation that has come out of the Judiciary Committee, and I believe this bill needs to be improved before I could support it. I am particularly concerned and focused on improving the border security measures, making sure, as I said, we do not make the same mistakes we made in 1986. We must take steps now to secure it before we consider granting legal status to illegal immigrants.

Additionally, I wish to work with my colleagues to improve the employer

verification program, which I think is essential to dealing with the problem, and also our exit system measures, which I just discussed before about the people who come legally for a temporary stay but then we do not know if they go back home.

I hope over the days ahead that we can live up to our reputation of being the most deliberative body in the world. People say: Why don't you get more things done? There is either one of two answers to that. One is, we do not bring bills to the floor and offer the opportunity to debate in an open way. But the second is that this is exactly what we need to do. On an issue of this importance, we clearly need this, and I am pleased that process is going to go forward.

But let's not rush to a decision. Let's do it right. Let's not stand and declare that every amendment, if it does not fit with what the current bill before us addresses, then it is a poison pill that is simply being offered because Members do not want anything to pass. I do not fall in that category. I do not think we should have poison pills either. But a lot of these amendments I think go to addressing the problem we face as well as the inadequacies of the bill before us. There are a lot of sections in the bill that need fixing and a lot of amendments that will be offered are genuine and aim to make the bill better. A lot of those are offered by people who would like to get credible, workable, necessary immigration reform legislation passed.

But if the sponsors of the bill or the supporters of the current text of the bill are simply going to declare that every amendment is a poison pill and that the only intent of the Members offering the amendment is to kill the bill, that is not constructive and that is not how we should go forward.

So let's make sure what we do delivers on the promises we are making to secure our borders first, to deal with employer verification, improve the existing exit system, and to provide important provisions to ensure we have a legal immigration system that can benefit our country and continue the great story of America.

I am looking forward to working with my colleagues to improve this legislation. I would like to see legitimate, real, effective border control, and a number of other features, but I would like to get our system reformed because the current system is not working.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I appreciate the opportunity for all Members of this body to participate in a debate and amendments and discussion of the bill that was reported out through the Judiciary Committee in the regular order. If my colleagues have any doubt

about this so-called Group of 8, I wish to assure them we are continuing to look for ways to improve the legislation. In fact, I have a couple amendments myself that I believe would help improve the legislation and make it better and stronger.

But the fact is this legislation is absolutely needed. It is needed for a variety of reasons, most of which I will not go into at this time. But right now I hope my colleagues and the American people understand—and I think they do because recent polling overwhelmingly supports this legislation—I hope they understand that the status quo is totally unacceptable. The status quo is *de facto* amnesty. The status quo is 11 million people living in the shadows, and they are not going home. Anybody who thinks we are going to round up 11 million people and send them back to the country they came from—most of them from south of our border—obviously is unaware of the logistics that would be required.

So if the status quo is unacceptable, don't we all share the same goal of a secure border, of addressing the issue of these 11 million people who are in this country living in the shadows and, by the way, being exploited in incredible fashion because they do not have the rights of citizens. They did break our laws by coming here, and we are making them pay a heavy price for doing so, including a fine, including learning English, including paying back taxes, including waiting 10 years before they would be eligible for a green card. Most important to many Americans, they get in line behind everybody who waited—who waited legally either inside this country or outside it. They have to get in line behind them and they have to be working for those 10 years and they have to pay fees of \$500, another \$500 after 5 years, another \$1,000 as they apply for a green card. They have to undergo a background check. Anyone who has committed crimes in this country is going to be deported. Most important, this legislation dries up the magnet that pulls people into this country where they believe they can find work.

Over 40 percent of the people who are in this country illegally never crossed a single border. They came to this country on a visa and it is expired. So that is why E-Verify, which we do not hear a lot about in this debate, is so important. Because under the E-Verify system—which means a document that is verifiable which identifies the individual—that employer who hires someone who does not have that documentation can be subject to prosecution and heavy fines and even more if they are repeat offenders.

Once the word gets out all over the world—and especially south of our border, where living conditions are far worse than in the United States of America—then they are going to say: I

am not going to come because I can't get a job once I am here.

Today, in the streets of Sonora, Mexico, you can buy a birth certificate for about \$40. So that person comes and shows it to the employer and they are hired. The E-Verify system will make that impossible. That is one of the key elements of this legislation.

I have been on the border in Arizona for the last 30 years. I have seen the Border Patrol grow from 4,000 to 21,000. I have seen the National Guard deployed to the border. I have seen drones flying along the border. I have seen fences built. We have to do more. We have to do a lot more, and those are provisions in this bill. But to somehow say there has not been significant advancements in border security defies the facts on the ground.

The border is still not secure, despite what we might hear the Secretary of Homeland Security say. It is not secure. But the provisions in this bill, I am confident—I can tell my colleagues from 30 years of experience—I am confident it will make this border secure, as much as is humanly possible, remembering that there is an aspect of this issue we do not talk about; that is, the flow of drugs. Because, my friends, as long as there is a demand in this country for drugs, drugs are going to find a way into this country. It is just a fundamental of economics. We have not had nearly the discussion nationally, much less in this body, about the issue of the drugs that flow across our border. Believe me, if there is a demand, they will find a way, whether it is an ultralight, whether it is a tunnel or whether it is a submarine.

But the fact is that we can get this border secured. The answer, my friends, as is proposed in the Cornyn amendment—that we hire 10,000 more Border Patrol—is not a recognition of what we truly need. What we need is technology. We need to use the VADER radar that was developed in Iraq, where we can track people back to where they came from. We need to have more drones. We need to have more sensors on the ground, and I have gotten from the Border Patrol—not from the Department of Homeland Security but from the Border Patrol—a detailed list of every single piece of equipment that they believe is necessary in all nine sectors of our border in order to make our border secure, and it is detailed. It talks about, for example, at the Yuma and Tucson sectors: 50 fixed towers, 73 fixed camera systems, 28 mobile surveillance systems, 685 unattended ground sensors, 22 hand-held equipment devices.

The list goes on and on. It is detailed. I will be proposing this as an amendment on this bill to let my colleagues know that this is the recommendation of the men and women who are on our border, who are taking this issue on every single day they are at work—in

fact, under very difficult conditions. I note that the temperature in southern Arizona is over 110 degrees today. It is very tough on individuals as they are patrolling our border. But we need helicopters. We need VADER radar. We need a whole lot of things. That will be paid for with approximately \$6 billion that we provide in this bill—over \$6 billion. We can purchase a lot of equipment that way. We are going to use the Army. We are going to use the Army to tell us how we can best surveil and enforce this border because of the experience they have had overseas in Iraq and Afghanistan.

I say to my colleagues, I am not apologizing for this legislation we have proposed and as sent through the Judiciary Committee, I am proud of it. I am confident we will secure this border by taking the measures that will be required in this legislation.

I also have to say in all candor, my friends, there are amendments that will be proposed that will assist and make this bill better and improve it. There are also amendments that will be designed to kill it. I intend to do everything I can to reflect the will of the American people. I will be entering into the RECORD poll after poll after poll that shows that over 70 percent of the American people, if they are confident that we are going to secure our borders and if they are confident that these people will be brought out of the shadows, they will have to pay a fine, back taxes, learn English, and get in line behind everybody else, they support this path to citizenship after a 10-year period of having legal status in this country.

Why is it important for them to have a legal status if they have not committed crimes and they qualify? My friends, today on street corners all over America, particularly in the Southwest, there are men and women who are standing on a street corner waiting to be picked up by someone and taken to repair their roof or to cut their grass or to do menial labor. Do you know what they are getting out of that? They are getting below minimum wage because they have no recourse. They have no recourse as to any mistreatment they might suffer. So we want to bring these people out of the shadows.

Yes, they broke our laws. That is why they have to pay such a big penalty. I doubt if there is a Member of this body who at one time or another has not broken a law, but we paid a penalty for it, hopefully, and we moved on with our lives. These people have broken our laws, and they have to pay a heavy penalty.

There has been pushback, frankly, from our friends in the Hispanic community that this is too tough, this is too hard, this is too demanding. I understand that. I pushed back against them. But to somehow base this opposition on the fact that we cannot get

our borders secure—it frankly is in defiance in a belief in what the United States of America can do. There have been significant failures on the border. There was a \$787 million failure called SBI Net—I believe that was the name of it. That was supposed to secure our border. But I am confident that we have the technology and we have the ability and we can get this legislation through with confidence.

I see the Senator from Louisiana is waiting. I am not going to take too much longer.

The other key to this is workers. Frankly, I was not happy—nor were my friends—that we did not raise the cap higher than we did for guest workers to come into this country. But I would remind my colleagues that anybody who graduates from a U.S. college with a science, technology, engineering, or math degree and has an offer of employment will be eligible to have a green card to stay in this country.

Today, in postgraduate schools in STEM—science, technology, engineering and math—the majority of the students are from foreign countries. If they want to stay here and work in this country and they have that degree, which we all know there is a shortage of, we will let them.

High-tech companies will be able to bring in and keep more highly skilled workers through H-1B. The bill would raise the cap to 110,000 a year.

All I am saying is that one of the keys to this is if we secure our borders and we dry up the magnet, then we have to have a way of attracting the workers we need to keep our economy going. Let's be honest. It is pretty tough picking lettuce down in Yuma. There are not a lot of American workers who want to do that. That has been the history of this country. Immigrants have come to this country, they have grabbed the bottom rung, and they have moved up. The bottom rung is pretty tough. We are going to have those people as guest workers. If they want to become citizens, then they apply for a green card, et cetera.

Finally, I just want to say that the Grassley amendment would “prevent anyone currently illegally in the country from earning RPI status until effective control.” Sounds good. Let me give my colleagues the testimony from Michael Fisher, who is the Chief of the U.S. Border Patrol, who testified in February about this very issue.

First of all, 90 percent really would not make sense everywhere. We put 90 percent as a goal, because there are sections along the border where we have not only achieved, we have been able to sustain 90 percent effectiveness.

By the way, that is the case in the Yuma sector on our Arizona border.

So it is a realistic goal, but I wouldn't necessarily and just arbitrarily say 90 percent is across the board, because there are other locations where there is a lot less activity and there won't be a lot of activity simply because of terrain features, for instance.

So where it makes sense, we want to go ahead and start parsing that out within these corridors and within these specific sectors. That is exactly one of the things my amendment does. It has specific provisions of hardware and capabilities that need to be installed in each section.

I thank my friend from Louisiana for her patience. I would like to again say to my colleagues that I have seen this movie before. I have been through it before. We failed in the past. We failed for a variety of reasons. This is our opportunity. If we enact this comprehensive bill now, we will remove a very huge stain on the conscience of the United States of America.

We need to bring these people out of the shadows, but we must also assure all our citizens, especially in the southern part of my State, that they will live in a secure environment. We can do that. We can send a message to employers that they cannot hire someone who is in this country illegally without paying a very heavy price for doing so. That is what this legislation is all about.

I thank the distinguished chairman of the Judiciary Committee for the way he took this bill through his committee and brought it to the floor of the Senate. I am in favor of vigorous debate and discussion. We will have plenty of time for amendments and votes on those amendments. This is not a perfect bill that I am proud of. There are many ways we can improve it. But fundamentally we have the basics of a package that I believe is vitally needed for the good of this Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. While the distinguished senior Senator from Arizona is still on the floor, I would like to note that during the process of putting this bill together in the committee and having the votes, we had a number of quiet meetings, bipartisan meetings in the President pro tem office. It was extraordinarily helpful to have the senior Senator from Arizona, Mr. MCCAIN, there because I feel very knowledgeable about the northern border, living an hour's drive from it, and we needed the Senator's expertise on the southern border. But more importantly, he and I, Senator Kennedy, and President George W. Bush worked for hours and hours, days and days, weeks and weeks, months and months trying to get a comprehensive immigration reform bill through once before. We now have the possibility of one.

He said something every one of us can echo: It is not exactly the bill any one of us individually might have written. But by the time we get done, we can have legislation that will make America better and be true to our principles and be realistic.

I could use a lot of other adjectives, but I want to personally thank the dis-

tinguished senior Senator from Arizona.

The distinguished senior Senator from Louisiana is about to speak. Before she does, I would add that she is going to talk about an amendment I strongly support. I mention that support because we have a number of amendments that both Republicans and Democrats will support. I would hope that after the other party has their noon caucus, we can get to the point where we start voting on some of these.

There are a lot of amendments that Republicans and Democrats would vote for together. There are some that will be opposed on one side or the other. But either way, vote on them. Vote them up or vote them down.

Now, as manager of the bill, I can start calling up amendments and move to table. I do not want to do that. We have a lot of good amendments, a lot of good ideas from both Republicans and Democrats, but they cannot be in the bill until we vote on them. The distinguished Senator from Louisiana has one. I hope the other side will let her amendment come up soon.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN.) The Senator from Louisiana.

Ms. LANDRIEU. I thank the chairman and the manager of this bill for his support of this particular amendment, which I hope is going to be non-controversial. It has to do with clarifying some technical parts of the law dealing with adoptees and how they are able to claim citizenship.

It does not have anything really to do with the larger pieces of this bill, but it is an opportunity to provide help and support to thousands of children, young people, and even adults who come to this country through the wonderful process of adoption, to clear up a couple of matters.

I will talk about that in just a minute, but I want to associate myself with the extraordinarily powerful comments of the Senator from Arizona JOHN MCCAIN. Without his leadership and without his strong knowledge of the issue we are dealing with, I do not think the bill would be on the floor of the Senate, and I do not think we would have a chance to be voting on this important piece of legislation.

He particularly—along with Senator RUBIO and Senator GRAHAM but particularly Senator MCCAIN—has spent his adult life on the border in Arizona and has been in public office and has served this country so admirably in so many ways and fashions and understands this issue just about as well if not better than anyone on the floor.

I have had the pleasure of working with him over many years to secure the border, as the chair of the Homeland Security Appropriations Subcommittee. I can attest that what he says is actually true and factual. The

border is not as secure as it could be, but it is significantly stronger and more secure than it was just 5 years ago, let alone 10 years ago.

He is also correct that we can make improvements on border security. Hopefully we will as this bill moves through, but the underlying bill itself takes huge steps in that direction by applying new resources to the technologies that are going to help us secure the border.

Anyone who has been to the border—and I have traveled there to see with my own eyes, at the invitation of Senator McCain, which was a great eye-opener to me. As a Senator from Louisiana, the only borders I am aware of are water borders. We do not have land borders like Arizona and California and Texas and other States, so it was the first time I had seen such a thing. I was absolutely amazed and somewhat taken aback by how quickly a person could scale the fence, how quickly tunnels can be built under the fence.

I do not think some of my friends who are on the Republican side who are really concerned—and we all are, but they talk a lot about it. I am not sure they do as much as they talk about it, but that is my view. But they talk a lot about spending taxpayer money wisely. Putting more agents on the border and building a higher fence is not going to do it. Senator McCain is absolutely correct. What is going to do it is smart technology leveraged with the resources he has written in his bill.

So if we want to secure the border more, which is my intention—and as chair of this committee, I intend to continue leading in that way, both our southern border and our northern border, as well as providing the Coast Guard with the resources they need to interdict drug smugglers who are coming into this country.

I learned the other day—I would like to share this with people who potentially could be listening—that the Coast Guard has intercepted more illegal drugs than the entire land operation last year. They intercept drugs at a wholesale level before they even get to the country. This is about creating a perimeter that secures us against things we don't want to come into this country—illegal workers, illegal drugs, or illegal human trafficking, which is also a concern to many people in Louisiana and around the country.

It is also important to have a border that allows for trade and commerce. We cannot lock ourselves away from the world. What Senator McCain is saying is so true.

We have to be the smartest Nation on the Earth to protect our borders because we are the most open society and a model of what an open society should look like. We have to have that balance of security and trade. This is important for every American.

I say to my colleague how proud I am of the Senator, and I would hope my

colleagues on the other side of the aisle would follow his good and steady advice.

Yes, this bill could be improved on the floor of the Senate, but it should not be undermined with rhetoric that makes no sense. I am hearing that from some colleagues on the other side. I would hope they would have the good judgment to follow the very wise and mature leadership of the Senator from Arizona.

I want to call my colleagues' attention to an amendment Senator COATS and I have filed, and I am very grateful for his leadership. I know of no opposition to this amendment. I am hoping that after lunch the caucuses can meet and we can maybe take up a few non-controversial amendments that seek to clarify some provisions in the law that could be helpful to a few hundred and potentially even a few thousand Americans who desperately need our help. It is one amendment, the Citizenship for Lawful Adoptees amendment, supported by Senator KLOBUCHAR, Senator COATS, and me. We hope there will be many more cosponsors.

It does three simple but important things. First, a couple of years ago I helped lead the fight—with many of my colleagues still serving here—to pass the intercountry adoption act or the Child Citizenship Act of 2000. That was a very significant breakthrough in the adoption community.

As my colleagues know, I am the chair of the adoption caucus. We have Democrats and Republicans who support the idea that every child in the world needs a family. We try to minimize and reduce barriers to children getting the family they need—either staying with the one to whom they were born, trying to help that family or, if they are abandoned, neglected, or grossly abused, by finding them another family.

Governments do a lot of things well, but raising children isn't one of them. Parents raise children, and a responsible, loving adult is necessary for a child's physical, emotional, and spiritual development. Both our faith and the new science tell us that. It is really nondebateable.

A group of us worked on this, and we are proud of the progress we are making. One part of this amendment would make it clear that if a person had been adopted and is now an adult but because of some circumstances never went through the process of citizenship before this law—because when we passed the law 10 years ago, any child now adopted overseas is automatically a citizen. It is as if the child was born to an American. That is what happens if you are overseas and you give birth to a child—the child is automatically American. You don't need to go through the immigration process to bring your child to the United States. We made it the same for adopted chil-

dren because that truly is what adoption is like. It is like having your own biological child.

So we made a great step forward, and we said that at the time for anybody under 18. Well, what has happened is, before 2000, for people older than 18—and they might be adults now; they are clearly in their thirties, forties, or fifties. They were adopted as infants or young children, but their paperwork never went through. Some of these individuals are being deported.

It would be like deporting a child who came from Korea at 6 months. They have never spoken a word of Korean and have never been to Korea. If they were adopted from Korea, they shouldn't be deported to Korea. If they have committed some misdemeanor or even a felony, they should be penalized under the laws of the United States. They could be put in jail for life. For criminal activity, they should be treated like any other American. Deportation is not and should not be an option for this very small group. This amendment makes that clear.

It also clarifies a residency requirement. The Child Citizenship Act was passed with overwhelming support from Republicans and Democrats. Don Nickles, as I recall, the Senator from Oklahoma, was the lead sponsor on this bill. He was a very strong supporter of many of the things of which I was speaking. He is no longer here, but his work lives on.

The Child Citizenship Act also requires that Americans living abroad for military, diplomatic, and other reasons do not receive automatic citizenship upon entering the United States. When we wrote this bill, we intended for that to be the case, but because we put the word "reside" instead of "permanently physically present," we have to clarify that. With that minor change, it will basically say that if you are a diplomat living overseas and you adopt a child through a lawful, legal adoption process, this act applies to you.

The third thing it will do is what we call the one-parent fix. There are many countries—and we hope Russia one day will again open. We hope Guatemala will one day get its 112 cases that we are still waiting for moved through very quickly.

Some of the countries are requiring—and rightly so—that parents come to the country to adopt the child physically and then bring the child to the United States. In the past things could be done through agents or through adoption agencies, et cetera. I am perfectly fine with that. Many adoption advocates are. Parents should travel to the country.

My sister did an intercountry adoption with Russia, so I am fairly familiar with our family's experience, which was quite a joy—an added expense but a joy to travel to the orphanage. And

some Members of Congress have adopted children and gone through that process.

The problem is that our agencies are saying—which is not according to the law, I believe—that if both parents don't travel, that adoption is not automatic. That was never the intention of our law. We are simply saying that if one parent travels and it is a legal adoption, that law still applies. It doesn't have to be both.

There are three minor changes to this bill which have helped so many children come to the United States, and they have been such a joy to their parents. It is a help to the world in providing homes and loving support for kids who need it. It takes another barrier, another headache, and another heartache away from them for us to encourage adoption of all orphaned children and unparented children in the world who need families.

I see the leader of the bill on the other side, the Senator from Utah. I would hope he could also be a cosponsor, if he would, and take a look at this amendment and give his support. I know there are many people in Utah, Minnesota, Louisiana, and Indiana whom this could potentially help. It is not going to touch millions, but it will touch thousands of people who I think could benefit.

I will have several other amendments that I think can tighten the underlying bill, particularly for E-Verify, which Senator MCCAIN spoke about. I wanted to get this hopefully small, uncontroversial amendment out of the way to help this small group and then turn my attention to some other things that are very important in the other underlying parts of the bill.

I ask that whenever this amendment may be considered, the Senator from Utah would ask me personally, through the Chair, if he would consider putting this amendment on the short list to be reconciled potentially today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, this week we continue a very important discussion about how to fix our broken immigration system.

One of the most important concerns we have is that the border is simply not secure. Despite the fact that this assertion is almost universally held on both the left and on the right, the bill we are debating has very little, if anything, to make the border more secure or at least to guarantee that it will become more secure as a result of its passage. Instead, the bill offers more of what the American people are used to from Washington—plans, promises, commissions, studies, and spending lots and lots of money but requires almost no action on border security.

Many on my side of the aisle have placed heavy emphasis on strength-

ening the border security provisions to ensure that certain goals are met before granting permanent legal status to illegal immigrants. The reason for this is not merely academic; it is based in common sense. Failing to secure the border is the quickest way to repeat the mistakes we have made in the past. It means we will be back here in another 20 years dealing with a much larger and far less manageable problem. That is what we are trying to prevent today and why we need to make sure this bill secures the border.

The problem with this bill isn't just the weak border security measures. Even if we can come to some satisfactory conclusion on the security issues, this bill still would fail to reform many of the challenges we face and it makes most of them worse. If all we do is fix the border security portion, this bill is still considerably weak in four major areas and would still be unworthy of support without major changes.

First, there is no congressional oversight of how the executive branch implements these reforms. By passing this bill, Congress would turn over almost all authority to the executive branch to secure or not secure the border, verify or not verify workplace enforcement, and certify or not certify visa reforms.

Of course, the administration will begin the legalization of 11 million illegal immigrants with no input from Congress as soon as possible regardless of how much progress has been made on border security, fencing provisions, and on the other priorities outlined in the bill.

Congress is the branch of government that is most accountable to the American people. If the people don't believe the border is secure or that our visa system actually works or that the country's economic needs are being met, it is Congress that should be held accountable. It is also Congress that can most readily be held accountable through regular elections that occur every 2 years in both Houses, with each Senator being held accountable every 6 years. Therefore, Congress must play a predominant role in approving, overseeing, and verifying these reforms, as well as ensuring that these reforms are being implemented correctly and achieving desired results. This bill, however, leaves Congress and the American people dangerously out of the loop.

Second, the bill surrenders control of immigration law to the Secretary of Homeland Security, as well as to a handful of other unelected, unaccountable bureaucrats in Washington. This is a problem that permeates the Federal Government in general. For example, last year Congress passed and the President signed into law 1,519 pages of legislation. Meanwhile, the Federal Government published 82,349 pages of new and updated rules and regulations

in the Federal Register. That is more than 82,000 pages of rules that never came before Congress, never had a chance to be amended, and never received a vote in this body.

This bill will make that problem worse by granting similarly broad discretion to the Secretary of Homeland Security to create the rules and regulations that will determine how the bill is to be implemented as well as authorize the Secretary in hundreds and hundreds of instances to simply ignore immigration law as it is enacted by Congress. While I can certainly see why Members of Congress might not want to take responsibility for the consequences of this bill, that is not how our Republic is supposed to function.

Third, this bill is inherently unfair to the countless thousands of people who have tried to navigate our current broken immigration system. Let me cite just one example. I received a letter just a few months ago from a constituent in Utah, from a person who immigrated to this country lawfully, a person who was teaching school at American Fork, UT, and here on a non-immigrant visa. As she explained, she spent years of her life and thousands of dollars making sure that she came to the country legally. But she understands that her visa will expire in a few years, in 2017. She anticipates that she will be unable to get a renewal on that same visa and that she will effectively be deported at that point—voluntarily, but her visa term will expire and she anticipates she will have to go back to her home country. She explained to me it is very difficult for her to accept the fact that she has been here a few years teaching lawfully, developing friendships, developing her career, and because she did it legally she will have to go home. Meanwhile, those who have broken the law by their illegal presence in the United States will not only be allowed to stay where they are, not only be allowed to live where they now live, not only be allowed to work where they now work, but they will be put on a path toward eventual citizenship at the same time she and many others like her will have to go back to their home country.

This policy seems to be rewarding those who have broken our laws while, in relative terms, punishing those who have attempted to abide by our laws in good faith. So this bill must be fair to those who have tried to come to the country the right way.

As my colleague from Iowa Senator GRASSLEY explained in painstaking detail yesterday, the claims of those who say there will be stiff penalties for those who have broken the law have proven to be almost entirely false. There is no requirement to learn English or to pay all back taxes. And it is quite possible many noncitizens will be eligible for our country's generous benefits, or at least a number of them.



That brings me to the final concern that must be addressed before anyone should support this bill: the cost. One study conducted by the Heritage Foundation says the Gang of 8 bill could cost the taxpayers more than \$6 trillion. Some on the right and on the left have criticized that study, and I welcome the debate surrounding that criticism. But the proponents of this bill have so far refused to do their own corresponding cost analysis. If they believe the Heritage Foundation is wrong, that is fine, but they should tell us how much they think it is going to cost the taxpayers. So far we have heard nothing. So far we don't have a corresponding study replacing the Heritage Foundation study that responds to the same points.

There are reports some Democrats have asked the Congressional Budget Office to evaluate the bill, but the report won't be published until next week. That is unfortunate. If they are concerned about the cost, and if they want it to be part of the debate, this should have been done a long time ago. These are major portions of the bill that need to be addressed, major aspects of the bill I think we need the full opportunity to debate, discuss, and consider. Even if we are able to come to a deal that makes the security portions incrementally better, as long as it still lacks congressional oversight, grants excessive authority to the executive branch, unfairly penalizes those who are trying to follow the law, and costs taxpayers trillions of dollars, we should reject this reform unless major changes have been made.

Some have suggested by pointing out the flaws of the bill we are letting the perfect be the enemy of the good. That vastly understates the problems in this bill. Far from good, this bill repeats the mistakes of the past. It makes our immigration system worse than the one we have today and will only lead to bigger and less manageable problems in the future. I strongly urge my colleagues to oppose it.

There is one more point I wish to make as we continue this debate. I realize this issue is very personal to some. Moments ago, I recounted a story from a constituent who takes this issue to heart. It has affected her family, her employment, and almost every aspect of her life. I understand when Congress is taking on tough challenges sometimes emotions get heated. That is understandable. But let us not forget we are all on the side of immigration reform. I don't know a single Member of this body or the other body of Congress, anyone on the left or on the right, who is not on the side of immigration reform. Perhaps such a person exists, but if that is the case, I have not met him or her.

As I said last week, and as I have said on countless occasions—in interviews, op-ed pieces, newsletters, and online—I

stand here today in support of real and comprehensive immigration reform. And I stand here today as someone who supports legal immigration into our country. I understand, as all of my colleagues do, that immigration is necessary to our country's prosperity and to its ultimate success.

There are those who unfairly suggest that I and my fellow Senators who oppose this bill are somehow "anti-immigrant" or "anti-immigration." Unfortunately, those are the voices that are diminishing the prospects of getting real immigration reform done this year. I am well aware if this bill does not pass the Senate we will have an immigration problem that very next day. That is why I have been encouraging Members of Congress to support a step-by-step approach to immigration reform. Let's not hold hostage the things we can't get done today because we are unable to iron out every contentious issue.

There are more than 40 individual pieces of immigration-related legislation that have been introduced in this Congress alone, half of which I have sponsored, cosponsored, or that I could support. Indeed, the only reason immigration reform is controversial, in my opinion, is because the Senate refuses to take it step by step.

First, let's secure the border. Let's set up a workable entry-exit system and create a reliable employment verification system that protects immigrants, citizens, and businesses. Then let's fix our legal immigration system to make sure we are letting in the immigrants our economy needs in numbers that make sense for our country.

We don't need another 1,000-page bill full of unintended consequences. We need, and the American people deserve, real reform.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, a few months ago I met two sisters from my home State. They are Mari and Adriana Barrera. These two sisters were brought here by their parents when Mari was 7 and Adriana was 3 years old. They were raised by a single mother who spoke no English after their father left the family behind.

Growing up, their mother, who worked at a local hotel, did whatever she could to support her family, but Mari and Adriana often had to depend on themselves. Unlike other children her age, Mari told me she grew up the moment her father left. She told me about how she scheduled all of her family's doctors' appointments and how she translated legal documents, and how, at the age of 13, she started working as a hostess at a local restaurant, and not for money, as most teenagers want for their own indulgences, but to support her family.

Mari also told me when she was about to enter high school Adriana had

to have life-threatening surgery, and a dream was born within herself. As her sister's life hung in the balance, Mari realized she wanted to become a pediatric cardiothoracic surgeon. She wanted to help others the way she watched doctors help her sister that day, and she decided she would commit herself to getting the education and work toward that dream.

When I talked to Mari that day a few months ago it was just after she had been forced to drop out of the University of Washington because she could no longer afford it. Living in Seattle, she told me about how she had been unable to find a job to support her studies. Why? Because she lacks a Social Security number. Mari's dream, it turns out—the same as for many like her—has been put on hold. It has been put on hold because our immigration system remains broken. All those dreams have been put on hold because for far too long Congress has failed to act. They have been put on hold because, despite the fact that young women such as the Barrera sisters want to contribute to our Nation, our current system won't let them.

It is not only stories such as those of the Barrera sisters that point to a system badly in need of reform, I see it everywhere in my State. I see it in rural parts of my State, in cities such as Yakima and Moses Lake, where farmers can't get the seasonal agricultural workers they need to support one of our State's largest industries. I see it in big cities such as Seattle and Vancouver and Spokane, where high-tech businesses struggle to hire the world's best and brightest. I see it in neighborhoods throughout my State where families have been ripped apart by a system that forces them to choose between legal immigration and long-term separation from the people they love. I see it along our northern border in Washington State where the need to secure a long, porous border must be balanced with smart enforcement policies that don't use intimidation and fear as a weapon. And I see it in my State's LGBT community—a community that badly lacks fairness and equality under today's broken system.

But these aren't problems that cannot be fixed. Although previous reform efforts have fallen short, this Senate is not incapable of this task, especially now. And that is because today—due to the changing demographics of our Nation, because of the growing political voice of a new generation of Americans, and because of the energy, determination, and hard work of immigration advocates in my home State and across the Nation—we are at a historic moment of opportunity. For the first time in the history of this debate there is broad bipartisan agreement this system must be fixed and that a bipartisan solution is within reach.



No one in this country needs to be reminded it is a rarity here when Senators from different parties and from very different States come together to agree on common solutions to a big issue. So it is truly remarkable that over the course of the past year the bipartisan so-called Gang of 8 has worked to craft this bill that is now before the Senate. The bill we are considering is focused on four bipartisan pillars that have drawn consensus support from Members of Congress and the American people.

First of all, this bill includes a path to citizenship, so that with a lot of hard work many of the immigrants living in this country who are dreaming of citizenship can achieve that goal over time.

Second, the bill provides employers certainty in a system that has often left them without any answers.

Third, this bill will help continue the progress we have made in securing our borders by focusing on the most serious security threats and by utilizing new technology.

Finally, this bill helps to reform our legal immigration system so it meets the needs of our families and our Nation going forward.

These are all important steps. But this bill is only the beginning of a full, fair, and open public debate over reforming immigration in this country. And while it will be tempting to get caught up in the specifics of one amendment or policy in this debate, we can't forget about the larger questions this bill addresses, because at its heart this is a bill that touches nearly every aspect of American life, from our economy to our security, from our classrooms to our workplaces. It is about what type of country we want to be, what we stand for, and what type of future we all want to build.

These are the questions I have actually posed in meetings with advocates and businesses and leaders in meetings all over my State, both in recent weeks and going back many years. Those conversations have stirred a lot of passion, brought new facts to light, and helped me bring the voices of countless advocates to this debate today. They have also helped me to arrive at the core issues I believe are essential to repairing our broken immigration system—the issues I will fight for as we debate in the weeks to come.

Sitting and talking about the aspiring Americans this bill will affect has made clear that protecting families must be a central priority in comprehensive immigration reform. Immigration reform isn't just about a person's status, it is about sons and daughters and mothers and fathers and families who want to live full, productive lives together in this country. We know when workers have their families nearby they are more likely to be satisfied with their job, they are

healthier, they work harder, and they contribute to our economy.

We know families are the building block of strong communities. Yet under today's broken system, family-based immigration has been pitted against employment-based immigration, and far too often immigrant families are being forced to choose between the country they love and the ones they love. I firmly believe it is in our long-term national interest to change this approach. For immigration reform to best meet our national ideals we have to keep our focus on keeping our families together, reducing these backlogs, giving women immigrants access to green cards, and reuniting immigrants with their families.

Immigration reform must also include a pathway to citizenship for the 11 million undocumented immigrants residing in this country. Many of our undocumented immigrants have lived in this country for more than a decade. They are our neighbors, our friends, our colleagues. They go to church with us, they pay their taxes, and they follow our laws.

But our current system creates a permanent underclass of people that are caught between the law and earning a living. While citizenship has to be earned, it is simply not feasible to deport this entire population or expect them to return to their nation of citizenship. We certainly can't make this pathway contingent on enforcement measures that are unachievable or unrealistic. I believe the bill before us lays the foundation for a pathway to citizenship that will bring aspiring Americans out from the shadows.

Immigration reform must also meet the needs of our changing economy. This need is perhaps best on display in my home State where the diversity of our economy creates diverse immigration needs. Washington is home to some of our Nation's largest high-tech, aerospace, and composite manufacturing firms. These are businesses that demand a robust employment-based visa system that attracts the best and brightest from across the world. However, just across the Cascade mountains lie miles and miles of fertile farmlands and orchards that demand a flexible and pragmatic agricultural worker program. I plan to support changes that help meet both of those needs while also working to invest in job opportunities for American workers through the STEM investments that are provided in this bill.

We also need a smart and humane system of securing our Nation's borders, including my State's many land border crossings. But we must balance the necessity of securing our borders and enforcing our laws with the importance of treating everyone with dignity and respect, and that includes ensuring access to due process in our immigration hearings, restrictions on the use of

unnecessary restraints on pregnant women, the use of less costly alternatives to detention whenever possible, and humane conditions and strict oversight and reporting requirements at our detention centers.

Our strategy for enforcement and border security should focus on keeping Americans safe, fighting violent crime, reducing smuggling, and stopping terrorists. We should always be doing it in a way that upholds our commitment to civil liberties and the rights of every American.

Finally, I strongly support efforts to craft a system that will unite families by extending immigration sponsorship privileges for married binational LGBT couples. I was very proud of my home State of Washington when it voted last year for marriage equality. However, my heart breaks because each time a binational LGBT married Washingtonian is split apart because their marriage is not recognized by the Federal Government, it is just not right.

The Defense of Marriage Act has long barred equal immigration sponsorship privileges for married binational LGBT couples. While I am hopeful the Supreme Court will strike down the Defense of Marriage Act, I believe we should also move decisively to include these provisions in this bill.

These are certainly not the only priorities I will be fighting for in the coming days. In fact, I am hoping to offer some amendments that will help open new doors to education for our DREAMers and that will expand investment in our STEM education. But I also know we will see amendments that will attempt to weaken and defeat this bill altogether, because as we saw in the exhaustive and inclusive committee process, there are those who are simply bent on standing in the way of a bill that Americans want and our economy needs—those who will say or do anything to defeat this bill.

But I am confident this is a new day for immigration reform. I am confident of that because more Americans than ever before see the benefits of a modern immigration system that is coupled with the investments that help our families succeed. They see we are stronger when immigrant workers are contributing to our economy, when employers have the resources they need to grow, and when a path to citizenship is available to those who are already here.

Too often in this debate it is difficult for some people to understand that the millions of undocumented families in our country are already an important part of our communities. Immigrants work hard. They send their children to schools throughout this country. They pay their taxes, and they help weave the fabric of our society. In all but name they are Americans.

When John F. Kennedy was serving in this Chamber, he wrote a book about

the fact that America is a nation of immigrants. In it, he wrote:

Immigration policy should be generous; it should be fair; it should be flexible. With such a policy we can turn to the world, and to our own past, with clean hands and a clear conscience.

Today, those words continue to ring true. It is not only the world we have to turn to. This effort is about living up to our own ideals. It is about, as then-Senator Kennedy said, living up to our own past.

Our history has long been that of a beacon of hope for people throughout the world, from those who arrived at Ellis Island to start a new life decades ago to the DREAMers who want to contribute to the country they love today.

As we once again take on this very difficult task of reforming our immigration policy, let's make sure our actions reflect our security, our economy, and our future. But let's also never forget the past and the fact that our Nation has long offered generations of immigrants the chance to achieve their dreams.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mr. KAINE. Madam President, I ask unanimous consent the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is—and has been—at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate on March 23, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses; and the Chair be authorized to appoint conferees on the part of the Senate; that following the authorization, two motions to instruct conferees be in order from each side: a motion to instruct relative to the debt limit and a motion to instruct relative to taxes-revenue; that there be 2 hours of debate equally divided between the two leaders or their designees prior to the votes in relation to the motions; and, further, that no amendments be in order to either of the motions prior to the votes, all of the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection to the request?

The Senator from Utah.

Mr. LEE. Madam President, reserving the right to object, I would like to explain briefly the overall situation.

We are not objecting to budget. We are not objecting to conference. We just want the debt limit left out. It is a separate issue that warrants its own debate. It is a simple request: no backroom deals on the debt limit.

I would like to focus on one particular argument we have heard from

the other side. Critics argue that conference committees are transparent and that they don't involve backroom deals. If this were ever the case, today it is not.

The purpose of conference committees is to reconcile differences in similar bills passed by the House and by the Senate. It is not the only way, but it is one way.

In theory, conference committees are an open, accountable, and trustworthy means of resolving bicameral differences. But in recent years, the conference process—such as so much else in this town and in this Chamber—has become corrupted.

Today, conference committees are just another mechanism to exclude the American people from the legislative process. Secret closed doors, they usually don't even begin until the deal is already completed, as a practical matter.

Speaker BOEHNER himself said recently: We don't typically go to conference until such time that they are well on their way.

A recent example was the conference last year on the highway bill. The Senate passed its bill in March. The House passed its version in April. On May 8, the conference committee met for about 2½ hours on C-SPAN, but no amendments, no substantive legislating. Members mostly gave just opening statements, but that was just the first meeting, after all—plenty of time to get to the real work.

But then at the end of it all, the Chair of the conference thanked everyone for coming and then said something peculiar: We will be back here, if necessary. Maybe we can do this out of this room, but we may be able to agree and get signatures on a conference report. But, if necessary, we will be back here in 20-some days.

A strange thing that the conference—which hadn't done anything yet—would only meet again, if necessary. How else could they do their work if they didn't meet again?

But then, without meeting again, the conference filed its 670-page report in the early morning hours of Thursday, June 28. As if by magic, without any debate or amendments or votes or public meetings, all the differences simply got ironed out. What is more, the highway bill suddenly included major provisions that had nothing to do with highways. Out of thin air the conference committee had added to the highway bill the flood insurance program and the student loan program. We might call it the miraculous deception.

So Thursday morning they presented to Congress their massive bill—intentionally waiting until only hours before the entire highway program was set to expire. It was a classic cliff deal: negotiated in secret, immune from amendment, including unrelated provi-

sions air-dropped into the bill, presented as a take-it-or-leave-it proposition up against a manufactured deadline crisis.

Faced with this situation, the House and Senate passed the report without reading it and patted each other on the back for their bipartisanship.

This, unfortunately, is how Washington too often works, and it is why the American people hold Washington in such low esteem. People don't trust the government because they know the government doesn't trust them.

If my colleagues truly want a backroom deal on the budget, we will give them their chance to have it. We just ask that they leave the debt ceiling out of it.

But make no mistake, my colleagues and I are not objecting because we don't understand how Washington works, as some have suggested. We are objecting because we know exactly how Washington works in this regard, and we mean to change it.

So I ask unanimous consent that the Senator from Virginia modify his request so it not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

The PRESIDING OFFICER. Is there objection to the request as modified?

The Senator from Virginia.

Mr. KAINE. Madam President, given that no Member of this body made an amendment to request such a provision and offered it for vote either during the Budget Committee deliberation or on the floor of this body when we were debating the budget, I consider the request basically an effort to modify the budget after the vote is done.

Therefore, I reject the request, and I would ask an opportunity to comment additionally.

The PRESIDING OFFICER. Does the Senator object to the request as modified?

Mr. KAINE. I object to the request as modified.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. LEE. Madam President, in that case, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Virginia.

Mr. KAINE. Madam President, I would like to comment on my colleague's characterization that Members of this body want a backroom deal. Because in that characterization, my colleague neglected to make clear to certainly people in this gallery what happens when there is a conference report.

Since March 23, we have been trying to take a budget passed by this body, in accord with the Budget Act of 1974, into a conference with the House budget that was passed the same week.

That is the way, in a bicameral legislature, we resolve differences between the two Houses: to put the two different positions in a conference committee, and we ask people to sit down and debate and listen and dialog and hopefully find a compromise.

There is no guarantee in any conference that a compromise will be found. All we are asking is that Members of this body, instead of exercising a prerogative to block debate and compromise, allow a conference to go forward so we can talk and listen and see whether we can find compromise for the good of the Nation.

The Senator has indicated they are blocking that because they want to stop backroom deals. The Senator has neglected to explain what happens when there is a conference. When there is a conference, if there is a deal, if there is an agreement to find good for the common good of the Nation between a Republican House majority and a Democratic Senate majority, then the conference report gets submitted back to the bodies, we have debate in this Chamber where every Senator—just as they did during the budget—can stand and explain whether they are for it or against it, and then every Senator has the ability to vote yes or no to the conference report.

If the Senator would like to see a conference and see if it works and if he doesn't like it vote against the budget or the budget compromise, he is able to do it. If any Senator allows a conference committee to go forward and when it comes back believes it represents some kind of a backroom deal, at that point they can say that on the floor. But to restrict a budget from even going to conference so we can find compromise before you know whether compromise will be found, before you know what the compromise might be, and to call it a back-room deal when you are blocking anybody from even entering the room and trying to find compromise I think is an unfair characterization of the procedures of this body.

I have stated before on the floor as I have made the motion—this is the 13th motion we have made since March 23 to begin a budget conference so we can find compromise—when our Framers established a bicameral legislature they knew what they were doing, but they gave us a challenge and the challenge was this: In a bicameral legislature that requires passage in both Houses, if the governmental organism is to be alive, then compromise is the blood of the organism because passage in one House is not enough. There has to be passage in both Houses for the vast majority of items, including a budget.

Blocking a process of compromise from beginning is taking the blood out of the living organism of this Congress and of this government. Efforts to

block compromise harm this institution. They are harming the institution every day in the minds of the American public, be they Democratic, Republican, Independent, wherever they live.

I have made the motion. The motion has been objected to. I can assure folks this motion will continue to be made because we passed a budget in this body under regular order. We need to get into a compromise—into a conference with the House so we can do what is expected of us: listen, dialog, exercise efforts to find compromise. Without compromise, there is no Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, to respond to my distinguished colleague and friend from Virginia, in the first place it is important for us to remember, yes, we are a bicameral Congress. Yes, in order to pass legislation you have to have something pass in the House and pass in the Senate and then be signed into law by the President. But the fact is there are a number of ways to accomplish this.

Yes, it is certainly true that one way we reconcile competing versions of legislation passed in the House and Senate respectively is through conference committee. It is not the only way, it is one way.

It is also true that under Article I, Section 5, Clause 2 of the Constitution, each body of Congress has the power to write its own rules for its own operation. The way the rules of the Senate are written it is such that in our current posture, in order to get to a conference committee it requires unanimous consent. That means all of us have to agree it is a good idea to take that particular route. But we don't have to take that route. There are other ways that, under the rules of the Senate, would allow us to address differences in the House-passed budget and Senate-passed budget without going to conference.

We could, for example, take up the House-passed budget right now. We could debate that and discuss that. That is a way of addressing this that does not require us to go to conference. But going to conference right now under the rules of the Senate as they apply to this set of facts does require unanimous consent.

There are a handful of us who are not willing to grant that consent if in fact the possibility remains that they will use that as a back-room effort to raise the debt limit, a back-room effort that would not require utilization of the Senate's traditional rules, including the 60-vote threshold that often applies.

You are asking us to agree with something with which we fundamentally disagree. My friend from Virginia has also made the argument that it is

somehow unreasonable of us to make this objection because of the fact that none of these amendments were brought up in connection with the budget. I actually think the argument goes exactly the opposite way. Because the debt limit was not part of the deliberations in this body on the budget, and because the debt limit was not part of the deliberations or the final text in the other body in connection with the budget, there is no need for the conference committee to address the debt limit. There certainly is no need to circumvent the otherwise applicable rules of the Senate that would govern this in this posture in this context.

Madam President, I ask unanimous consent to engage in a colloquy with my colleague, the junior Senator from Texas.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. I ask my colleague from Texas—who has on occasion expressed similar concerns to those I have just expressed with this kind of posture—so I ask my friend from Texas, is it in fact his interest, his objective to be obstructionist? Is he trying to obstruct here and in fact being unreasonable in raising these objections?

Mr. CRUZ. I thank my friend and note that a number of Senators have raised this objection and we have focused on one thing and one thing only, which is whether the Senate can raise the debt ceiling with just 50 votes or instead whether the Senate can do so with 60 votes. That is the issue.

We are perfectly prepared to go to conference on the budget, right now, today. That is a red herring. That is not what this procedural fight is about. Every time this motion has been asked by the majority, the minority has risen to protect the rights of the minority because ordinarily to raise the debt ceiling it would take 60 votes, and if it takes 60 votes, what that means is that the 54 Democrats are not able to do so on a straight party-line vote, freezing out Republicans.

Right now the Democrats have stated they believe the debt ceiling should be raised with no preconditions, no negotiations, no structural changes to our out-of-control spending that is bankrupting our country.

What the minority Senators have said is that, at a minimum, if we are going to raise the debt ceiling it should be subject to a 60-vote threshold so that we have a conversation about fixing the deep fiscal and economic challenges in this country. It is indeed the majority that—I will give credit for candor—does not wish to say no, we will take the debt ceiling off the table. Because it is, I believe, the Democrats' intention if this budget process goes to conference committee to use reconciliation as a backdoor procedural trick to raise the debt ceiling on 50 votes. I think that would be a travesty. But I

think much of this debate is clouded in smoke and mirrors. Much of this debate is clouded in obfuscation. This is a simple question: Should the debt ceiling be able to be raised with only 50 votes or should it require 60 votes, which will necessitate some compromise, some discussion?

On that question I am quite confident the American people are with my friend from Utah, are with the Members of the minority who believe that if the debt of this country is going to go higher and higher and higher, we need leadership in this body to fix the problem rather than simply putting more and more debt on our kids and grandkids.

Mr. LEE. If I might ask, Madam President, of my friend from Texas, why wouldn't one want the usual rules of the Senate to apply? That is, why would one want to block or prevent the 60-vote threshold from applying with a debt ceiling increase, just as the 60-vote threshold applies to much of the most important, contentious, closely watched legislation that moves through this body?

Mr. CRUZ. The 60-vote threshold, as my friend from Utah knows well, was designed to protect this institution that has been called the world's greatest deliberative body and to ensure that the minority has a role in the discussions. On this issue I think that is critically important. There are few if any issues we will address that are more important than the question of the unsustainable debt that is threatening the future of our kids and grandkids.

The natural reason why the majority would want to get around the 60-vote threshold is because without a 60-vote threshold the majority does not need to listen to this side of the house. President Obama has been very explicit. The President has said he wants the debt ceiling raised with no negotiations, no discussions, no conditions, "no nothin'" to fix the problem.

In the last 4½ years our national debt has gone from \$10 trillion to nearly \$17 trillion. What we are doing is fundamentally irresponsible and the majority wishes to be able to keep doing it without making any prudent decisions to stop the out-of-control spending, stop the out-of-control debt, fix the problem. The only way they can do it is to use a procedural trick to shut down the minority.

I do not believe that is consistent with our obligations to the constituents who elected us, and I don't believe it is consistent with the responsibility of all 100 Senators to take seriously the obligation of protecting the fiscal and economic strength of this Nation for the next generations.

Mr. LEE. The Senator from Texas is a seasoned constitutional scholar, a graduate of Princeton University and of Harvard Law School. He went on to

clerk for Judge Michael Ludick on the U.S. Court of Appeals for the Fourth Circuit, now general counsel to Boeing. He later clerked for late Chief Justice William H. Rehnquist on the U.S. Supreme Court.

Having argued a total of nine cases before the U.S. Supreme Court, the Senator from Texas is a seasoned litigator in addition to being a scholar of the Constitution. So I ask my colleague a couple of questions related to that.

It has occurred to me sometimes as a lawyer myself that there are sometimes some similarities between being a Senator and being a lawyer. They are not perfect, but we are retained for a limited period of time, in 6-year increments generally, to represent a group of people. It is our job to do what we can to act in the absence of those people. In my case there are 3 million people from my State, the State of Utah. They cannot all fit inside this Chamber so I am one of the people who is elected to represent them in their absence.

I ask my colleague from Texas, No. 1, how do the people of Texas feel about the idea of raising the debt limit yet again? In particular, how do they feel about the idea of raising the debt limit yet again without any kind of permanent structural reform put in place as condition precedent to that action? And finally, how do the people of Texas feel as their elected representative, representing those people here in this body, you surrender one of your biggest bargaining chips, you abandon one of the tools that allows you to make sure we do not raise the debt limit too casually, too cavalierly, without putting in place the adequate precautions?

Mr. CRUZ. I thank the junior Senator from Utah for his overly generous comments and kind characterizations. I think the analogy he drew is quite apt, that any lawyer, in representing a client, has an obligation to zealously represent that client; that he owes a fiduciary duty to that client.

I suggest all 100 of us owe that same fiduciary duty to the men and women in our States who entrusted us with the obligation of coming here and fighting for them. Because the 3 million citizens of Utah could not all be on the floor of the Senate fighting, the junior Senator from Utah steps in their shoes to fight on their behalf. I feel confident that the citizens of Utah, like the citizens from Texas, would be horrified at the notion that this body would continue raising the debt ceiling over and over again without even trying to fix the underlying problem.

This Senate floor has a long and storied history. There have been great men and women, great leaders of this country who have walked on this floor. Yet each generation, going back for centuries, has managed to avoid saddling the next generation with crushing debts. I am reminded of the very

distinguished late father of the Senator from Utah, Rex Lee, who was the Solicitor General of the United States, who was widely considered one of the finest Supreme Court advocates to have ever lived. He was an individual who took the obligation of zealously representing his client deeply and near and dear to his heart.

Your father's generation, my father's generation, did not leave us with crushing debts, did not leave us with debts from which we could never escape. What has happened in the last 4½ years is qualitatively different, qualitatively different from what has happened in the last 2½ centuries in this country. No other generation has said to their kids, their grandkids, and to their grandkids' grandkids, we are going to rack up so much debt that you are never going to be able to escape.

My wife and I are blessed. We have two little girls at home, 5 and 2. The idea that Caroline and Catherine are going to spend their adult days working to pay the taxes to pay off the debt we are spending recklessly right now I think is profoundly immoral, is profoundly irresponsible. I cannot tell you how many thousands of Texans, men and women across the State, have said the exact same thing: Stop bankrupting the country. Stop bankrupting our kids and grandkids. That is the fiduciary duty we have to fight for, to defend—to stand for the 300 million Americans for whom this body, Congress, has been racking up a massive credit card debt that threatens to imperil the security of this country and the future generations in America.

Mr. LEE. Is my colleague suggesting that we stop altogether the practice of issuing U.S. treasuries to finance the operations of government or is he suggesting that we go without a budget or that we simply halt the issuance of Treasury instruments altogether or is my colleague suggesting something more long term?

Mr. CRUZ. Of course we shouldn't halt the issuance of treasuries, and of course we shouldn't forswear any and all debt. The Constitution provides that the Federal Government can incur debt, and there has been a long history of incurring debt, particularly to meet extraordinary circumstances. In wartime we have had a history of incurring debt and then paying that down.

What is important to emphasize is that there is a qualitative difference in what has happened in the last 4½ years. We have always had some degree of debt in this country, but one of the challenges is that at times \$1 million, \$1 billion, and \$1 trillion can seem like the same number. They all end in "illions," they all sound big, and yet the difference of \$10 trillion, where the national debt was 5 years ago, and just shy of \$17 trillion, where we are now, is fundamental; it is structural. Our national debt exceeds the size of our entire economy.

The nations of Europe are collapsing because their elected officials were not able to be responsible. They spent money they did not have, and they built up so much debt they could not repay. Eventually, there comes a point where every decision to address the debt is an ugly one. There comes a point where the debt hole is so deep—as some of the nations in Europe are discovering—that the answers are either drastic cuts to spending or massive tax increases or massively inflating the currency. Every one of those outcomes is ugly, which is one of the reasons we have seen rioting in the streets of Europe.

Thankfully the United States is not yet in as deep a hole as some of the nations of Europe, and that is why we need leadership now to stop the out-of-control spending by addressing the deep structural problems. If we keep spending money we don't have—if any of us ran our families, our households, our businesses the way the Federal Government is run, we would be bankrupt. We would be sleeping under a bridge.

What it takes, I believe, is responsible leadership, and I hope bipartisan responsible leadership. We need Republicans and Democrats to come together to say: Let's live within our means. That is not a terribly conservative principle. That is a principle that has been common sense in this country for centuries, and it is one, sadly, we have gotten away from in the last 4½ years.

Mr. LEE. We are talking about a procedural strategy. We are not even talking about an outcome here. We are talking about the full utilization of the procedural rights of each and every Member of this body. We have been asked to give our consent and to effectively vote for a procedure that people on both sides of the Capitol have now admitted could and may well be utilized as a mechanism for raising the debt limit in a way that circumvents the 60-vote threshold of the Senate. It seems to me that is troubling, and if we analogize that yet again to other circumstances where we have to represent someone else, that can be troubling.

Let's suppose the Senator from Texas is representing a client in court—let's say in the U.S. Supreme Court. For example, when the Senator is in the position of the petitioner, he has the right, as the petitioner—meaning the person filing the petition for a writ of certiorari—to seek review by the Supreme Court of the United States, and let's say review is granted.

After review is granted, a briefing schedule kicks in and the petitioner has the opportunity to file the first brief. That is the Senator's prerogative as the petitioner. The other side then has about a month to file its brief, and then the Senator gets something the other side doesn't get to file—the Senator gets a reply brief.

Procedurally, under the rules of the Supreme Court of the United States, that is the Senator's client's right. Once the Senator has a case in front of the Supreme Court and in the middle of the briefing schedule, what would the Senator from Texas say to a client if you came to them and said: My opposing counsel has asked me to waive my right to file a reply brief even though it is my right to do that? The client has asked me to do it. What would the client think if the Senator actually said: I am not going to file a reply brief even though procedurally I have every right to do that?

Mr. CRUZ. My friend from Utah asks a terrific question. It is a question of procedural rules—whether in a courtroom or in the Senate—designed to protect substantive rights. Ultimately, the 60-vote threshold is designed to protect the substantive rights not of the Senators—we are not here in our own stead. We are instead representing the constituents who sent us here.

What the majority is asking us to do by asking for unanimous consent to allow this to go to conference and to set it up for them to raise the debt ceiling with 50 votes—the majority is asking for the 46 Republicans on this side of the aisle to give away our right to speak. They are asking us to say we will cede to the majority the ability to do whatever it wishes on the debt ceiling. In giving away our right to speak, what we are giving away is not anything that belongs to us, it is the right of 26 million Texans to have their voice heard.

For us to agree with the majority and say, yes, we will hand over the ability to make this decision on the debt ceiling without ever again consulting this side of the aisle would be very much like the situation the Senator from Utah asked about. I don't know how the Senator from Utah would answer a constituent in Utah who said: Senator LEE, why did you give away my voice? Why did you simply hand to the Democrats the ability to decide how much debt the United States should have, to raise it? And why did you essentially give away my seat at the table?

It is not the seat of the Senator from Utah; it is not my seat. It is the seat of the millions of constituents in Utah, Texas, and each of our home States that sent us here. The idea that we would willingly give up their right to speak is inconsistent with the obligation we owe the men and women of Utah and the men and women of Texas.

Mr. LEE. I would suspect that in most circumstances a lawyer giving up that procedural right would be committing malpractice. Perhaps a lawyer in that circumstance could say to the client: I am going to do this because opposing counsel has asked it of me, and I want to get along with her. I want to make sure I maximize our

chances of settling this litigation perhaps before the litigation has been completely resolved. If that were the argument opposing counsel was making to me, I suspect I would tell the client: If that is the case and our objective is to try to settle the litigation rather than wait until the Court resolves it, then by doing that and giving up that procedural right to file the reply brief, I would be forfeiting a lot of bargaining power that I would otherwise have.

And so too here we would be forfeiting a tremendous amount of bargaining power relative to the budget discussions, relative to the debt limit discussion, a discussion that needs to take place in full sunlight and not under cover of darkness. It needs to take place in the two Chambers and not in some back-room deal. That is what we are talking about. That is why these procedural rights are so important.

People can disagree with the rules of the Senate, and a lot of people do. People can want to change the rules of the Senate, and there are some who do—some even in this body. But the fact is the rules are what they are. We have the power to make those rules under article 1, section 5 of the Constitution, and we have the power to change those rules under article 1, section 5 of the Constitution. But those rules being what they are, those rules being in place as they are today, and those rules having the application they do as of this very moment, people cannot ask someone such as me or my friend from Texas to give our consent to something we think is fundamentally wrong and that we think will substantially diminish the bargaining power we have in undertaking that policy approach we think is most necessary today.

One of the questions I have been asked by some of our friends on the other side of the aisle, and a few of our friends who are even on the same side of the aisle as myself and the Senator from Texas, is: You are a Republican, I am a Republican, so why can't you guys trust that the Republicans who control the House of Representatives will adequately secure your interests? Why don't you therefore feel comfortable effectively forfeiting your right to a 60-vote threshold on the debt ceiling debate?

Mr. CRUZ. I think that is a reasonable question to ask. There are a number of points that are relevant. No. 1, there is a considerable history of the debt ceiling being raised through reconciliation, and, indeed, it has been done in 1986, 1990, 1993, and in 1997. So the danger that we are acting to prevent is not a hypothetical danger, it is a danger that has proven accurate.

Those who say we will simply trust the House—the House Members were elected to represent their constituents, and each of the 435 Members of the

House has an obligation to exercise their best judgment to represent their constituents. Whatever they choose to do—and I would note a number of Members of House leadership have publicly on the record suggested they might well be amenable to raising the debt ceiling through reconciliation. So given their public statements, the scenario we are raising is a possibility that the House leadership has suggested may well be on the table.

But more fundamentally, regardless of what the House chooses to do, the Senator from Utah has an obligation to the 3 million citizens of Utah to represent their views. I don't think it would be responsible for him to give up his very eloquent voice or for me to give up my voice or for any of us to give up the voice of the citizens we are representing.

I am reminded of meeting an individual at a gathering of Republican women back in Texas about a month ago, and this individual was a veteran who had fought in World War II. He was there, introduced to everyone, and received a standing ovation. A story was told about how he had been grievously injured in World War II. As a result of that injury, he was in a hospital and two doctors were debating about where to amputate his leg. They were debating whether to amputate the leg above the knee or below the knee.

This soldier was unconscious, and he awakened in the middle of this conversation between the two doctors about where to amputate his leg. This soldier began to participate in that debate. And, unsurprisingly, he had a very strong view that he would very much prefer they not amputate the leg. He expressed that view vociferously to the doctors who were having that debate. As he expressed his view, he ended up prevailing in that argument and they chose not to amputate his leg below or above the knee.

To this day he walks with a limp. He doesn't walk as well as he might if he had not been injured, but he was able to save that leg because he had a voice in that debate, because he spoke up and his interest concerning his leg was acutely different from the two doctors who were debating it without his voice. I think he had every right to participate in that debate because it affected him, it affected his future, and it affected his life. And just so, I think the 3 million citizens of Utah have every right to participate in this debate and not simply to be told to trust the other body of Congress. They have an independent obligation. My friend the Senator from Utah has an obligation to his constituents to make sure their voice is part of this debate.

Mr. LEE. Indeed, we each have an obligation to utilize our own voice and to make our own judgments with regard to the best course of action to take in any debate and in any discussion.

The problems in this country are significant. There is not one of us in this body who wishes to minimize them. There is not one of us in this body who is not concerned about these problems. Each of us might take, advocate, or firmly believe in a different course of action, but it is precisely because of the diversity of opinion in this Nation that this Nation is great. It is precisely because of the viewpoint and diversity we have in this body that this body has been called the world's greatest deliberative legislative body. We need to make sure that that remains.

In order for that to be the case, it is appropriate that Members of the Senate who have a good-faith, genuine disagreement with an issue as to which a unanimous consent has been made come forward and they object.

On that basis, I object. I will continue to object as long as it remains necessary to ensure that the debate we have surrounding the debt limit occurs under the regular order of the Senate.

I yield the floor.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MCCASKILL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MCCASKILL. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SEXUAL ASSAULT IN THE MILITARY

Mrs. MCCASKILL. Madam President, this afternoon the Senate Armed Services Committee—in fact, in less than an hour—will convene and we will begin working on historic changes, unprecedented changes to the Uniform Code of Military Justice in response to the serious and significant problem of sexual assault in our military.

I come to the floor before we convene to explain why I am supporting significant changes as to how we handle sexual assaults in the military but also why I am not supporting completely removing the role senior military commanders play in ordering these kinds of trials to go forward.

The discussion of this issue takes me back many years when I began prosecuting rape and sodomy cases as a young assistant DA in the prosecutor's office in Kansas City. For years, I handled dozens and dozens of these cases in the courtroom, both as an assistant prosecutor and as the elected prosecutor. I have had the opportunity, the blessing, the challenge, and the scarring that comes from holding victims' hands, crying with victims, feeling their pain, the permanency of the injuries they have suffered as a result of these unspeakable crimes. I would

challenge anyone in the Senate to come to this issue with more experience or more understanding of the unique challenges this crime represents in the never-ending quest for true justice.

In my years of experience and the time I have spent with military prosecutors, victims, and civilian prosecutors, I have become convinced that the approach the Armed Services Committee will take today is the right approach to get these predators put in prison.

I believe the provision that I expect will receive a bipartisan majority of the votes in the Armed Services Committee will better empower victims and lead to more reporting. The reason it will empower victims and lead to more reporting is because these changes will lead to more and effective prosecutions.

Ultimately, no woman wants to come forward and talk about this crime, and certainly no man who has been victimized in the military wants to come forward and talk about this crime. It is personal. It is private. It is painful. So it does not matter whether the perpetrator is a member of the military or a civilian; these are difficult cases to bring forward because of the intensely personal nature of the pain involved.

But I believe these reforms will hold the chain of command more accountable and force them to be part of the solution, and it will prevent the unintended consequences of dismantling a system of military justice that has long been a centerpiece of discipline in our military.

Make no mistake about it, the changes we are making are aggressive, historic, victim-oriented, and unforgiving to the predators.

Commanders under these reforms will not have the ability to dismiss a conviction of a jury. That is the first and most important reform that is occurring. Never again will a commander who has not heard the testimony be able to say "never mind" to that victim. Most importantly—and this is very important because the reporting on this issue has not been accurate—most importantly, under these reforms, if the lawyers, the prosecutors, say the case should go forward, and the commander disagrees and says no, that will go straight up, not to a man in uniform, but to the Secretary of the branch of the military where the crime occurred. So no longer will you have the uniforms making the ultimate decision.

I would argue we are taking in many ways the convening authority out of the equation because we are allowing that lawyer, if the commander disagrees with them, that prosecutor, if the commander disagrees with them, to go straight up to the Secretary of the Army, the Secretary of the Navy, the

Secretary of the Air Force for the ultimate decision by a civilian, not by a member of the military.

If the commander decides not to order the court-martial, not to order the trial, the final decision will go to the civilian Secretary. The ultimate authority is with the civilian.

This is even a greater level of scrutiny than in the reforms proposed by Senator GILLIBRAND because you have another level. We heard of cases where the prosecutors did not want to go forward and the command did. There are instances where prosecutors in the civilian world will not file these cases and the military prosecutors will. I am sure there will be cases where military prosecutors will not want to go forward.

So the good news is there is someone above the prosecutors who is a civilian who can, in fact, pass judgment also. We know that many cases are not filed in the civilian courts when they are "he said, she said" consent defenses in rape cases. I have painfully explained that decision to victims when the evidence simply was not going to meet the burden.

But in the military, we have to make sure that it is not just a line prosecutor who has the ultimate authority. We need that civilian Secretary at the top of this decisionmaking power. We need that ultimate authority, especially in the culture of our military.

The other thing our reform does that Senator GILLIBRAND's proposal does not do—and I think this is key—it creates a crime of retaliation. So if this victim comes back to the unit and retaliation occurs, the people who are committing the retaliation are now subject to the Uniform Code of Military Justice and they can be prosecuted for the crime of retaliation.

I think this is a very important, direct approach. Because, ultimately, that is what most victims who do not come forward say they are afraid of: their loss of privacy and retaliation and the impact on their career.

The bill also makes many other reforms, giving victims better access to legal counsel, improving the skill of personnel working with victims in the sexual assault response system, making sure victims have a voice in the clemency proceedings, and many others.

Ultimately, at the end of the day, if a victim is sexually assaulted, and they come back to their unit, is it more likely the unit will retaliate against them and make their life miserable if outside lawyers have said the case should go forward or if the commander has said the case should go forward? We do not have evidence that this is a problem right now, that commanders are refusing to file these cases. Just the opposite. We heard testimony in committee that they are demanding prosecutions in some instances where the lawyers have said no.

I believe these reforms will do a better job of getting predators behind bars and ultimately creating a more supportive environment for victims to come forward.

We are not done with this, even after we pass these reforms in committee today, and even after we pass this Defense authorization bill and it goes to the President. But I think we have the best chance of making real progress with a strong bipartisan reform that will get at the heart of the matter, which these reforms do.

I believe we will continue to monitor this, and as we go forward, if more changes are necessary, I will be the first in line to work for them. But do not let anyone say the reforms we are doing today are not what is right for the victims of sexual assault or for the proposition that anybody, any coward who besmirches our fine military by committing these crimes—that they should not belong in prison. They belong in prison, and that is what these reforms are intended to help happen.

I thank the Chair and I assume I should yield the floor for my colleague from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Madam President, I wish to say, through the Chair, thank you to the Senator from Missouri for her advocacy on behalf of our service men and women. And I think she should have made no assumption about yielding the floor to me, but I am happy to take it, if the Senator is done.

Madam President, I come to the floor today, as I did yesterday, to talk about this incredible opportunity we have before us with this bipartisan immigration bill that we are considering now in the Senate, in regular order in the Senate. I hope we have a process on the floor, now that we are here, that mirrors the one the Judiciary Committee had: an open process where people can offer amendments they care about, one that has a spirited debate on a variety of important issues, so the American people can have the benefit of a fully transparent and deliberative process over these important issues.

In the Judiciary Committee process alone, over 300 amendments were filed, and 200 were considered, and over 140 of them were actually adopted by the committee. That is the way this place ought to work. I think it will strengthen this bipartisan bill to continue to take other people's ideas.

What we did not do in the Judiciary Committee, and what I hope we will not do on the Senate floor, is accept amendments that will disrupt a very carefully negotiated balance in the so-called Gang of 8 or Group of 8—four Democrats and four Republicans—who worked hard together to try to get to a place that could actually work.

Today there has been a lot of talk, and over the past few days, about the

border security issues, the border in particular, and preventing future waves of immigration. I did not come down here to negotiate any particular amendments or to litigate any particular amendments. I did want to get a little bit of context of where we arrived in the Group of 8 on this issue.

The bill, as written, makes very serious investments, takes major steps to secure our borders. I have to say the work was informed most principally by two border Senators, JOHN MCCAIN and JEFF FLAKE, both Republicans representing the great State of Arizona. As they have pointed out and as we have pointed out, we actually, contrary to some of the rhetoric around this place, have made a lot of progress over the last decade. It is not perfect, but we have moved in the right direction.

As you can see from this chart, in 2012 alone our expenditure on border security and immigration enforcement—this is before this bill we are talking about now that makes more investments in border security—our investment exceeded \$17.7 billion. That is what the American people spent on border security, which is 23 percent higher—just on border security. That is 23 percent higher than the \$14 billion we spend on all of the other Federal law enforcement agencies combined.

I think it will surprise the American people to know that. This is what we spent on border security. Here is the Border Patrol. Here is ICE. Together that is \$17 billion, a little more than that. That is more than we spent on the FBI, the DEA, the Secret Service, the U.S. Marshal's Service, the ATF—all of those law enforcement agencies. All of them combined in 2012, before we pass the law that is in front of us, that is what we spent protecting the border.

To hear some people around here talk about it, one would think none of that money made a difference. One would think none of the increased border agents have made a difference. Well, as of January 2013, the U.S. Border Patrol had 21,370 agents in total, 18,000 of whom are on the southwest border. From 1980 that represents a ninefold increase. It is nine times the number of agents we had. We had roughly 2,000 in 1980; today we have roughly 21,000. That might be a reason border crossings are down as much as they are.

In fact, we are at about net zero this year in terms of people coming across our southern border and leaving. Now, there are still areas on the borders where we need to do more, like in Arizona's Tucson sector. Senators MCCAIN and FLAKE were kind enough to take some of us down to the border to see what was really happening, to understand the topography down there, the difficulty of building a fence from one end of our border to the other. There are places where fences have been incredibly effective, like in San Diego. There are other places we are going to



need other technology to be able to secure our borders in an efficient and thoughtful manner.

I hope others who have concerns in this area will meet with these border Senators and listen to what they have to say about how we can improve the situation on the southern border. What our bill calls for, in addition to the increases in resources, is that within 6 months of the bill's passage, the Secretary of Homeland Security is required to develop and submit to Congress a comprehensive border strategy and fencing strategy.

We appropriate in this bill \$4.5 billion in addition to this money you saw up here, \$4.5 billion for these strategies. The goal of this plan is to achieve persistent surveillance and a 90-percent effectiveness rate at certain high-traffic border areas. These are places on the border where lots of people try to get into the United States. I can tell the Presiding Officer, I have seen it with my own eyes. When Senator McCAIN took us down there, we actually saw someone come across the border. We saw somebody climb the fence while we were standing right there. I have a photograph of it on my cell phone. That person was apprehended within about 30 seconds of getting across the border.

It shows it is an issue we need to continue to manage, but it is good news that we have seen the improvement we have. I think these goals will be met. I am convinced by the conversations I have had with Homeland Security and with others that the objectives we have laid out to create this 90-percent effectiveness rate in the high-traffic areas is achievable; that it is achievable with the technologies we propose.

If there are changes that can be made during this discussion to improve that, I am all for them. But if the goals are not met, people will say: Well, you say it is going to happen. What if it does not happen?

Here is what happens: In 5 years, if it has not happened, a southern border security commission will be established to make further recommendations about how it is we can secure the border, with representation from the border States themselves. We appropriate another \$2 billion in this bill for the commission's recommendations, if, in fact, we ever have to get to a commission, which I hope we will not, and I expect that we will not.

I have heard people say one of the big problems with this bill is it is just like 1986 all over. I was not here in 1986, so I cannot take the credit or the blame for what happened in 1986. But it is a serious critique and a reasonable critique of that bill; that it did not do anything to stop the future flow of immigrants and illegal immigration in this country. That is a very fair critique.

It is not a fair critique of our bill because our bill deals with the border se-

curity I talked about, as well as internal security measures in the United States of America that were completely absent in the 1986 effort. This bill includes a universal E-Verify system. We crack down on employers who hire undocumented workers. That alone will reduce dramatically the incentive of people to cross the border illegally. If they know all across America that small businesses can run a biometric card or other ID through a database that tells them whether people are here lawfully or not, and in an instant know whether they are here lawfully instead of engaging in this game that has been played for decades in-country where people with false security cards are able to come in and get a job and then a year or 18 months later, the employer finds out the Social Security is no longer available, that is going to dramatically disincentivize people from crossing the border.

The small business owners I know are very happy with this because they are tired of being the immigration police. They are tired of feeling like they went the extra mile to figure out whether someone was here lawfully, they relied on a Social Security card that looked perfectly valid, with a valid Social Security number, only to find out 18 months later they hired somebody who was undocumented. They are so weary, which is why they are expecting the Congress to finally do its job and fix this broken immigration system.

The comparison to 1986 is unfair in many ways. Mark Everson, who is a former Deputy Commissioner at the Immigration and Naturalization Service who oversaw the implementation of the 1986 law, wrote today in the Washington Post:

In contrast, the legislation before the Senate today takes a comprehensive approach. . . . Demand for unauthorized workers can be dampened, but only through adequate attention to the workplace and interior enforcement. If anything, I would accelerate the rollout of the E-Verify system, while helping to secure our borders faster.

I hope we can accelerate the E-Verify system. The reason is I have heard from employers who say: You know what. We are playing by the rules. We are making sure we do not hire undocumented people for our construction business, but there are other people down the road who will pay lower wages to people who are here unlawfully. That is an unfair disadvantage for us.

I agree with that. I think the question about how fast we can implement E-Verify needs to be balanced against the inconvenience we pose to businesses as they get up to speed on the new system. But that is certainly something we can talk about.

Finally, we have among many other broken parts of this system a broken entry-exit visa system in the United States. I think it would shock the American people—it surprised me—to

learn that of the 11 million people who are here, 40 percent of them are people who entered the country lawfully. They entered the country on a visa, but they overstayed their visa.

We have to have the ability in this great country of ours, in this 21st century, to somehow detect when people are coming in on a visa, but we have not bothered to figure out when people are leaving, which does not make a lot of sense given the fact that the technology is available.

This bill finally includes a mandatory and operational biographic entry-and-exit system to track those coming to the United States and those living in the United States of America, and, miraculously, finally, we are going to actually know who is coming in and out of the country.

As we begin to phase in a biometric system, it will build upon the other efforts being taken to track visitors in a way that is cost effective. We are going to become more secure. We will finally know who is in this country and who should be asked to leave the United States of America.

So, in my view, border security is not a reason to obstruct this bill. As I said earlier, we are open to changes, but we already have very strong border measures in this bill. I do not want that to be overlooked. I think when people hear that we need to spend billions and billions and billions of dollars more, they should know that we are already spending billions of dollars down there. Some of it has been effective; some of it has not been effective. I would say let's do what is effective, let's not do what is ineffective, and let's not overspend at a time when we have the budget issues that we are facing.

In conclusion, as the USA Today editorial board has written:

Unlike 1986's political sleight of hand—

There is not a lot of love lost for the 1986 bill, as you can tell.

Unlike 1986's political sleight of hand, this year's legislation is a tough, credible plan for preventing a new surge of illegal immigration. A quest for unattainable perfection should not be allowed to undo the good that it would achieve.

I wish I could say this was a place that did not let the perfect be the enemy of the good. We seldom ever get to the good. But in this case, I think we have gotten to a place that is very good. We should move forward together as we have to this point in a bipartisan way to craft a thoughtful solution to a broken system that continues to be a drag on the economy of the State of Colorado and the economy of the United States of America.

This law, if we pass it, will once again reaffirm what makes the United States so special: One, that we subscribe to the rule of law. There are a lot of countries in the world where that is not true. It is one of the principal reasons that people want to come to

the United States: because it is a place where you can live up to your talent, because nobody can take it from you, because we subscribe to the rule of law. People want to come from all over the world—it is a great compliment to our country—to build their businesses here and to help us grow our economy.

It will reaffirm as well the very important notion that we are a nation of immigrants, generation to generation going back to the founding of this great country of ours. That is who we are. If we get this bill passed, if we get this bill passed in the House, I think we will have done something very important for this generation of Americans and also for the people who are coming after.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HEINRICH). The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. VITTER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, I come to the Senate floor to strongly urge consideration and passage of the first of several amendments I will be presenting on this so-called comprehensive immigration reform bill.

It is amendment No. 1228 and is about the US-VISIT system, the entry-exit system that is supposed to be in place. It has been mandated by Congress many times to guard against visa overstays, which is a serious national security problem.

Why is this important? There is one simple way to underscore it to answer that question, and that is to remind us that the 9/11 terrorists, every single one of them, were visa overstays. They were dangerous people who came into our country on valid visas, overstayed their visas, plotted against us, and ultimately caused horrendous death and destruction on 9/11.

What do we do about that situation? We need a system of tracking visas of the people who come into the country, tracking when they should be leaving the country, and looking to see if they have exited the country. We need a system which has biometric data associated with it which can track those entrances and those exits.

This sort of system is technologically possible. It is definitely possible to fund and put in place. It is primarily a question of political will.

Unfortunately, even after Congress mandated this multiple times to no effect, even after 9/11 and other terrorist attacks, we haven't mustered the political will to demand to put this in place. If 9/11 wasn't enough, the 9/11 Commission—which we appointed, we put into law and asked them to look at the horrible attack of 9/11 and give us

recommendations—made this one of their top recommendations. Their specific recommendation was that “the Department of Homeland Security, properly supported by Congress, should complete as quickly as possible a biometric entry-exit screening system.”

Again, Congress had talked about this years before, starting in 1996. Congress passed that mandate, and Congress repeated that mandate many different times over 17 years, with six additional votes. The 9/11 Commission said the tragedy of 9/11 was, in part, due to our not having that system and, Congress, the administration, you need to get this done. Still that important piece of border security is not in place.

This Vitter amendment No. 1228 is very simple. It will prohibit the implementation of any program granting temporary legal status in this bill or adjusting the legal status of anyone who is presently in our country unlawfully until this US-VISIT system has been fully implemented—full implementation. So no change in anybody's legal status happens until we finally, after decades, implement this US-VISIT system; until we finally, after years, heed the recommendation of the 9/11 Commission; until we finally, decades after 9/11, say this will never happen again.

Also, under my amendment, both Houses of Congress must pass a joint resolution of approval stating, yes, this is fully in place. Because, quite frankly, there isn't sufficient trust of just the administration saying so, some certification from any administration—not just this one but any administration. It has to happen and Congress has to say, yes, that is in place, and then that change in legal status can go forward.

We talk a lot about border security, and, of course, usually we focus on the southern border, for obvious reasons. That is where the numbers are. That is where the greatest flow is. But when it comes to national security, this is a vital component of enforcement. This is a vital component of border security, and so we need to get this right. We need to remember 9/11. We need to heed the recommendation of the 9/11 Commission. It has been since 1996 when Congress mandated this, and we need to make it stick. The only way to make it stick, in the context of this bill, is to demand it is done, it is completed, verified, including by Congress, before any change in legal status happens.

In closing, I also wish to express strong concern and opposition to Leahy amendment No. 1183, which is currently on the floor and up for consideration. That amendment would grant exceptional priority and exceptional favor to particular O and P visa applications, which are generally for renowned professors, researchers, doctors, Oscar winners, entertainers, and

performers. It would specifically waive a fee associated with this visa.

I think that is problematic because we depend on all of these fees to fund this system and this enforcement system which we are trying to improve. I find it ironic we would waive this fee for that class of individuals, who are absolutely the most well-heeled and the most capable of paying it. We would give that class of individuals special status and a waiver of a relatively modest fee and, in the process, hurt the funding for the entire enforcement system.

I think that is misguided when we are trying to build up enforcement, when we are trying to get this done and pay for all that enforcement. I think it is misguided to waive this fee for exactly the sort of visa applicants who are most in a position to pay it.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, one of the things I have found intriguing, and was glad to hear, was the bill sponsors of S. 744—the comprehensive immigration bill—indicated they had a plan that would move us to a more merit-based system of immigration. They made that promise.

It is something I advocated in 2007. I had the opportunity to meet with the chairman of the Canadian system while in Canada and we talked about their merit-based system. It is a very significant system, a major change in how they handle immigration in Canada. He was very pleased with it. Fundamentally, they sought to admit people into Canada who would have the best chance of being successful in Canada. They can't admit everybody into Canada. No other country I know of has no limit on the number of people who enter. But they wanted to say who could be the most successful, who would do the best, and who should flourish in Canada, so they gave points for people with more education, people who already spoke English, people who had the job skills Canada needs, younger people, and matters such as that. It was designed to serve the Canadian national interest. It has been in place for a number of years now, it actually works, and they are very happy with it.

So when I heard this might be a part of the immigration reform bill, I was pleased. It is important to emphasize, first, that merit-based immigration is separate from the doubling of the guest workers who come in under the bill. Because guest workers come in under other categories. I am referring now to

immigrants—people who come to the country with plans to stay permanently. The merit-based system, as I understood it, was to focus on that group and rightly so. The merit-based provisions don't include the temporary workers. They have their own category.

But when I actually review the bill, it is clear this promise of a merit-based system is not met. The promise is not met to any significant degree. It is another example of the promoters of the legislation overpromoting and selling something that is popular, but when one reads the bill, it is not there. So I wish to talk about the legislation and go through it on this particular subject.

The bill is 1,000 pages and deals with quite a lot of issues and each one of them are very important. The merit-based system has had almost no discussion in the process so far and it needs to be discussed. It is the reason, I believe, we would be better off to have brought up pieces of legislation that deal with the characteristics of the people we would like to have enter the country in the future, to deal with border security, to deal with the visa system, to deal with workplace enforcement, and to deal with internal enforcement, individually and separately.

But, no, we have this monumental 1,000-page bill, with all kinds of things in it. The sponsors say: We have taken care of this problem. We have taken care of border security. We have taken care of the visa system, and, by the way, we have a great plan. The system is going to be merit based now.

The proponents of the legislation have said the bill decreases annual family-based immigration by reducing the cap on family-based visa systems. These are immigrants who come to the country based on relationships with people here. They say: We will reduce that from 226,000 to 161,000. However, the bill actually increases overall family-based immigration by allowing an unlimited number of visas each year for children and spouses of green card holders. It grows the number further by allowing the visas that would have gone to them under the old system to be used by other family-based visa applicants.

The bill also does not change current law, which allows an unlimited number of family-based visas for parents of U.S. citizens each year. One of the largest and fastest growing chain migration categories is parents. According to the Department of Homeland Security yearbook statistics in 2012, 124,210 parents adjusted their status to legal permanent resident through this category.

Canada does the opposite. Canada says it benefits more if they have young people come. They have a full working life, they pay into the pension plans, and that is fine. That works well. But they give less points for older people for the very same reason.

This is a big increase we are seeing there. And the number of merit-based visas pales in comparison to the family-based visas under the bill. So the total number of merit-based visas in this category is much smaller than the family-based visas in this legislation.

For example, the new merits section allows for up to 250,000 a year. These are people who would apply and claim they have certain merit qualities that justify being ranked higher on the list. That is almost exactly the number of petitions that the U.S. Citizenship and Immigration Services currently receives every year in just sibling and married sons and daughters family-based visa category. So the 250,000—the maximum number under the merit system—is almost exactly the same as the number of brothers and sisters and married sons and daughters in the family-based category.

According to the liberal group the Center for American Progress, the annual flow of family-based immigrants will be over 800,000—three times higher than the number of merit-based visas offered each year.

The Migration Policy Institute notes this:

The Senate bill would lift numerical limits and increase the number of permanent visas issued on the basis of nuclear family ties.

The Migration Policy Institute effectively and correctly notes this:

The Senate bill would dramatically expand options for low- and middle-skilled foreign workers to fill year-round longer term jobs and ultimately qualify for permanent residence.

So this is a serious matter. Does the bill move to a merit-based system or does it dramatically expand immigration of low- and middle-skilled foreign workers to fill long-term jobs and move to qualify for permanent residence? I think there is no doubt about it. The Migration Policy Institute is correct in that analysis. It would be so good if we had moved a lot further in the merit-based system, but the bill just doesn't.

The bill's proponents also suggest that the bill reduces chain migration by eliminating siblings—brothers and sisters—and married children categories from the family-based visa system. However, the bill awards points in the new merit-based system to siblings and married children, allowing the same chain migrants to receive merit-based visas ahead of many highly skilled and educated merit-based visa applicants. So what I am saying is that the merit-based system gives points, but it also gives points if you have family here—a lot of points.

Proponents of the bill argue that the merit-based system will ensure that more highly skilled and educated aliens will receive visas because the point system favors education, employment, and English proficiency. However, points are also allocated for nonmerit-based factors, such as family

ties, civic involvement, and by virtue of being an alien from a country from which few aliens have emigrated. That is sort of like the former diversity visa. The merit-based visa system favors chain migrants over highly skilled and educated applicants by allocating more points to nonmerit-based factors.

Let's look at it. For example, an alien who wants to apply to the United States who has a college degree, a 4-year bachelor's degree, is given 5 points because they have more education. However, an alien who wants to come to the United States can also receive 5 points for simply being a national of a country from which few aliens have been admitted. Also, an alien who is a sibling of a citizen of the United States would receive the same amount of points as an alien with a master's degree—10 points—and 5 more points than an alien with a college degree. So this brother or sister would also receive more points than an alien with 3 years of experience in an occupation requiring extensive preparation, such as a surgeon.

So what I am saying is that through a backdoor way they claim they have a merit system, but, again, vast advantages are given based on family connections. So we could have two people from Honduras apply to come to the United States. One was valedictorian of his high school class, has a 4-year college degree, speaks English, and is anxious to come to America and go to work, and the other one dropped out of high school, doesn't speak English, and doesn't even have a high school degree. Well, if that one had a brother in the United States, he would be accepted before the more educated student graduate. I think that is wrong.

In tier 2, a brother or sister of a citizen would receive the same amount of points as an alien lawfully present and employed in the United States in an occupation that requires medium preparation, which can include air traffic controllers, commercial pilots, and registered nurses.

But this is only a fraction of the chain family-based migration that will occur over the next 10 years under this legislation because the 11 million illegal immigrants who are given green cards and even citizenship will be able to bring in their families as well over time, and they can be approved on an expedited basis.

For example, there are an estimated 2.5 million who would benefit under the DREAM Act provisions of the legislation. If they came here as children, they get accelerated process; they will be eligible for citizenship in 5 years. Again, that 2.5 million will be able to bring their parents also. DREAM Act beneficiaries will also be able to bring in an unlimited number—without any count—of parents, spouses, and children, and those spouses, children, and parents will get permanent legal status

in an additional 5 years and will be eligible for citizenship in 10.

An estimated 800,000 illegal agricultural workers today would become legal permanent residents, green card holders, in 5 years and will then be eligible to bring in an unlimited number of spouses and children. An estimated 8 million additional illegal immigrants who are here today would be given legal status, including recent arrivals from as late as December of 2011. Millions of visa overstay persons will receive legal status and work authorizations.

These 8 million will be able to bring in their relatives as soon as 10 years from now, and those relatives, over time, will be able to bring in spouses, children, and parents. None of those will come in on a merit-based system. They are not depending on their education. They are not depending on their health. They will just be able to come under the rules that will be set forth in this bill.

There are an estimated 4.5 million aliens awaiting employment and family-based visas under current cap limitations. We have 4.5 million who have applied to come, but there are limits on how many people can come per year under the current law. But large parts of those caps and limits will be completely eliminated under the legislation. So an estimated 4.5 million who are waiting now outside of America for their time to come will be cleared over a period of years, not subject to the family-based annual cap, thus freeing room for more family-based migration that would be subject to an annual cap.

Over the next decade the bill would legalize well over 30 million applicants. Colleagues, we need to understand that. Under current law, our processes call for the legalization of 1 million people a year. We are the most generous Nation in the world, but you have to know that if this bill passes, we will be giving permanent legal status to 30 million people in the next 10 years. Over 2.5 million of those people would be through the new merit-based system. So out of 30 million, only 2.5 million would be admitted under the merit-based system, and even among those 2.5 million, many will be admitted because they get extra points for being family members.

But there is a larger issue as well. Median income has declined in America since Congress last considered immigration reform. Income in America for working Americans has been declining. I hate to say it, but it is true. I have seen recent statistics. From 1999 to today we have seen an 8-percent reduction in real take-home pay of working Americans. Some say that for the last 30 years we have had a basic erosion of the salary base of working Americans. That is very serious. Yet this bill roughly triples the annual flow of legal immigrants—largely low-

skilled legal immigrants, not high-skilled college graduates—and doubles the flow of temporary guest workers, which is an entirely separate group from the one I have been talking about.

Do my colleagues have any concerns about how this will impact the falling incomes of our middle-class American citizens? Has any thought been given to that? Has anybody considered that if we bring in more people than the economy can absorb, this will create unemployment, place people on welfare and dependency, deny men and women the ability to produce an income sufficient to take care of their families, make them dependent on the State because we simply don't have enough jobs? Well, we don't have enough jobs now. That is an absolute fact. We had an increase in unemployment this last month. We had a decline of 8,000 jobs in manufacturing. The bulk of the increases in jobs was in service industries, such as restaurants and bars, and part-time workers.

We have a serious problem, and our colleagues need to be asking themselves, can I justify this kind of huge increase in immigration when we can't find jobs for current Americans? And what about the millions living in poverty today and chronically unemployed? What about the nearly one in two African American teenagers who are unemployed today? They need to get started in the workforce, but if they have to compete against somebody who came here under a work visa program who is 30 years of age who would be glad to work for minimum wage or lower, they don't have a chance to get started.

Can one of the sponsors explain to me the economic justification for adding four times more guest workers than proposed in the bill in 2007 at a time when more than 4.6 million more Americans are out of work today than in 2007? Can one of the sponsors answer this basic question: How will this legislation protect struggling American workers? How will it help them? Oh, it may help some meatpacker or some large agribusiness. They may get a gain from it. But will it help the millions of middle-class working Americans who need jobs, need pay raises, need to be able to have health care and retirement benefits? I am worried about that. We need to talk about that. Some people are talking about it on the outside, but it is almost not discussed within this Chamber.

Will the flowing of this many new workers raise wages or reduce wages? Will it make it harder for a husband or a wife, a son or a daughter, a grandchild or a granddaughter to get a job at a decent wage? Wages have been going down, unemployment is up—the lowest percentage of people in the workforce in America today since the 1970s. How can we justify this? Somebody needs to talk about it.

We have people who are optimistic. They think we will just bring in millions of people and somehow jobs will accrue, but it doesn't appear to be so.

To whom do we owe our loyalty? To some business that would like to have more labor? Or to the American people who fight our wars, obey our laws, raise their children and pay their taxes to this country—when they are working and can pay taxes? To whom is our loyalty owed? We need to ask those questions.

I appreciate the fact that the Gang of 8 has stated they believe in a merit-based kind of program that would bring in more people and convert our system from low-skilled immigration to a higher skilled immigration. Unfortunately, it makes far too little advancement in that regard. We cannot accept such a meager alteration in our system. Canada went much further toward a merit-based system than we did, and that is what we need to do.

There are a lot of statistics out there that show that an immigrant who comes to America with 2 years of college or more, speaking English, does very well in our country. They tend to flourish, tend to do well financially. They tend to pay more in taxes than they take out. But for those who are less skilled, the opposite is true. It is obvious the Nation should seek to advance its national interest by welcoming more people who have the ability to be successful and flourish in our great country.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Mississippi.

**MR. WICKER.** Mr. President, I rise to continue this debate on one of the great issues of our time, immigration, the bill that is before us. I thank the ranking member Mr. GRASSLEY for allowing me to jump ahead of him in the schedule. I have a markup in the Armed Services Committee, and I need to get back.

Let me say that in the next few weeks the Senate will have an opportunity to discuss, clearly and resolutely, America's broken immigration system. Part of that means seeking policy solutions that will not only make our country stronger for decades to come but make our country safer going forward. Partisan politics should not derail the pursuit of an honest and good-faith approach to solving national problems, problems such as our broken immigration system. Americans are right to demand better from their elected representatives, and there is merit in allowing this legislation to proceed in an open and transparent manner.

In doing so, we rightfully recognize that there is widespread and bipartisan consensus for lasting immigration reform. That consensus exists in this Chamber and it exists across the country. For that reason yesterday I voted

in favor of cloture on this bill and in favor of the motion to proceed. So here we are, about to consider, I hope, amendments that would improve the bill.

We cannot ignore the reality that there are 11 million undocumented immigrants in America today. We cannot dismiss the economic implications of a failed immigration system. Disagreements are part of the legislative process, and we will have disagreements over the next several weeks on this issue. I do not expect our work on this issue to be seamless, I do not expect it to be easy, but robust debate has always been central to the Senate's function and purpose. We would do well to uphold that proud tradition now. Lasting and effective immigration reform requires a willingness to work on issues collaboratively and constructively—and in a bipartisan manner. An issue of this magnitude that touches on so many aspects of our society and economy cannot be done on a solely partisan basis. We must have a wide, large, bipartisan majority for anything that moves out of this body and down to the House.

I am a long-time supporter of reinforcing our borders, of increasing the number of Border Patrol agents and using surveillance technology to prevent illegal immigrants from crossing into our country. I support policies that come with enforcement and accountability, where those who have broken the law face consequences for their wrongdoing. I believe measures to strengthen employment verification are important to making sure American jobs are held by American citizens and by those who live and work in our country legally.

In my view the immigration bill, prepared by a bipartisan Group of 8 and supported by the Judiciary Committee, is a start but it is lacking in many ways, and I cannot support it in its current form. More should be done to ensure, first and foremost, that our borders are secure. Without this fundamental first step, true reform remains elusive and the problem of illegal immigration will persist.

As we proceed with this bill, I look forward to amendments that would implement a stronger border security strategy, interior security protections, and processes for honest employers to assess employee work rights. A responsible way forward must recognize past failures, and we have certainly seen that—past failures, for example, to secure the border and unfulfilled promises for better enforcement. We need to recognize those failures of the past. A comprehensive plan must include mechanisms to track those who unlawfully overstay their visas just as it seeks to remedy gaps in border security.

Over the course of the past few weeks, Mississippians have contacted

my office and spoken to me directly regarding their concerns about whether the bill will offer amnesty; whether it will offer Federal benefits to illegal immigrants. Let me be clear that I will oppose legislation if it grants legal status without penalties or if it issues welfare benefits to individuals who have broken the law to live and work in this country. These individuals should not go to the front of the line, ahead of those who have patiently waited to become Americans.

We are a country of immigrants. Throughout American history people of all nations have recognized the promise of opportunity and freedom in the United States. Legal immigration has sustained and advanced our communities in a positive way. Whether our immigration system is going forward in a way that benefits our society depends on how we act in the coming weeks. I hope we can do so thoughtfully and meaningfully as we seek solutions to a flawed system.

This bill in its current form does not contain the reforms we need. Efforts to amend it should be seen as an opportunity to get a bipartisan consensus of Senators to a “yes” vote. They should not be seen as poison pills or as efforts to hurt the process. This bill serves as a vehicle for continued discussion about the future of U.S. immigration policy. We should welcome this debate, and I do welcome this debate. We should confront the challenges of our day in a way that is deliberative and principled.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I suppose when some of us raise a lot of questions about this legislation and point out shortcomings in it that some question our sincerity. When we say we need a piece of legislation, we might be questioned by a lot of people who are listening. That may also sound like we question the sincerity of the Group of 8 when we raise questions about this bill that they worked hard to put together. I don't question their sincerity, and I do believe that legislation must pass the Senate.

There are those of us who have said for such a long time that the system we have is not satisfactory, we cannot maintain the status quo, and we have to be working for a product. All of us in the Senate are working toward a product. There is a difference of what that product should be in the final analysis.

I continue to come to the floor to raise some questions about, not the intent of the authors, but what I think is the practical effect of the legislation by these authors. I come to the floor today to respond to what my friend, the senior Senator from Arizona, said earlier today on this legislation. He is one of those hard-working Senators

who have worked hard, hours I am sure I cannot comprehend, to put together this piece of legislation.

Today that Senator argued that poll after poll shows Americans support a legalization process if—and that is a very important “if”—people pay back taxes, pay a fine, and get at the end of the line, and if we secure the border. I pointed out before that the problem with the legislation before us, as well intended, is that people do not really have to pay back taxes, or a fine, or go to the end of the line, and secure the border. So these polls are being misused if the practical effect of the language in the bill makes it possible that those things may never happen, even though it is well intended that they ought to happen. Nobody disagrees they ought to happen.

I will probably be somewhat repetitive, but I want to remind my colleagues, as I take a few minutes to discuss this, how the authors have tried to sell this particular immigration bill and what I see as false advertising. You see, the American people are being sold a product. In fact that is what politics is, it is a sale of ideas. A political party does not have any reason to exist if it does not have good ideas. Then the idea is to get in a position to put those ideas into effect.

This product is being sold, and I wish it comes out the way they say it does, but I have some questions about that. The American people are being asked to accept a legalization program. In exchange, they would be assured that the laws were going to be enforced. Normally, consumers are able to read the labels of things they are about to purchase. They have to read 1,175 pages to really know what is truly in this bill. Even a quick read of the bill would have many shaking their heads in confusion.

This bill is full of delegations of authority to the Secretary, possibilities for waivers, things of that nature—that really would be well down the road after the President signs legislation that you are really going to know how it is being carried out.

We have all heard the phrase “the devil is in the details.” At first the proposal the bipartisan group put forward sounded reasonable, but we need to examine the fine print and take a closer look at what the bill really does. As I noted yesterday, I thought the framework held hope, but I realize the assurances the Group of 8 made did not really translate when the language of the bill emerged.

They professed that the border would be secured and that people would “earn” their legal status. However, the bill as drafted is legalization first and enforcement later, if at all. So I would like to dive into these details and give a little reality check to those who expect this bill to do exactly what the authors promise.

I have on this chart four points that I would like to make and statements that have been made about this legislation.

No. 1, they say “people will have to pay a penalty” to obtain legal status. The reality is the bill lays out the application procedures, and on page 972 a penalty is imposed on those who apply for registered provisional immigration status. Those are the words in the bill for legalization. We refer to that as RPI. It says those who apply must pay \$1,000 to the Department of Homeland Security.

What is the certainty of getting that \$1,000? For instance, it waives the penalty for anyone under the age of 21. Yet, on the next page, it allows the applicant to pay the penalty in installments. The bill says:

The Secretary shall establish a process for collecting payments . . . that permit the penalty to be paid in periodic installments that shall be completed before the alien may be granted an extension of status.

In effect, this says the applicants have 6 years to pay the penalty. Six years is how long it takes to get RPI status, and at the end of 6 years, they have to extend it.

In addition to the penalty, applicants would pay a processing fee. That level is set by the Secretary. So here we have two instances of excessive delegation of authority to the Secretary. The bill says the Secretary has a discretion to waive the processing fee for any “classes of individuals” she chooses and may limit the maximum fee paid by a family.

The bill doesn’t require everyone to pay a penalty. It doesn’t require anyone to pay it when they apply for legal status. In fact, they may never have to pay a penalty.

No. 2, they say “people have to pay back taxes.” Who is going to argue with the fact that people have to pay back taxes to receive legal status? The reality: Members of the Group of 8 stated over and over again their bill would require undocumented individuals to pay back taxes prior to being granted legal status. However, the bill before us fails to make good on that promise. Proponents of the bill point to a provision of the bill that prohibits people from filing for legal status “unless the applicant has satisfied any applicable federal tax liability.” Doesn’t that sound right? Absolutely it sounds right. As always, the devil is in the details.

There are two important weaknesses with how the bill defines “applicable federal tax liability.” The first one is: The bill limits the definition to exclude employment taxes, such as for Social Security and Medicare. For a lot of people, that may be the only taxes they pay, but they don’t have to pay Social Security and Medicare taxes.

Second, the bill does not require the payment of all back taxes legally owed.

What it requires is the payment of taxes previously assessed by the Internal Revenue Service. Well, there are a lot of problems with the IRS assessing somebody for taxes if they have been in the underground, as an example. In order to assess taxes, it is quite obvious the IRS must first have information on which to base its assessment.

Our tax system is largely a voluntary system, relying on everybody to self-report their income on their tax return. But it also relies on certain third-party reporting, such as wage reporting by employers. That is why we get a W-2 form at the end of every year, so we and the IRS know exactly what we owe and what we paid and so they can figure out what more we might owe or how much we might get back.

If someone has been working unlawfully in this country and working off the books, it is likely that neither an individual return nor a third-party return will even exist; thus, no assessment will exist and no taxes will be paid. Similarly, it is very unlikely any assessment will exist for those who have worked under a false Social Security number and have never filed a tax return. A legal obligation exists to pay taxes on all income from whatever source derived, and nothing in this bill provides a requirement or a mechanism to accomplish this prior to granting legal status.

One of the Group of 8 members in January said:

Shouldn’t citizens have to pay back taxes? We can trace their employment back. It doesn’t take a genius.

While it may be a well-intended statement, it obviously meets the test of common sense, but I showed how difficult it is to make that happen. The other side of the aisle, for instance, is going to argue that establishing a requirement for back taxes owed rather than taxes assessed is unworkable and costly. They will also claim imposing additional tax barriers on this population could prevent undocumented workers and their families from coming forward in the first place.

But the sales pitch has been clear: To get legal status, one has to pay their back taxes. So let me provide a reality check. This bill doesn’t make good on the promises made.

Let’s go to the third item on the chart. “People will have to learn English.” The reality: The bill, as drafted, is supposed to ensure that new Americans speak a common language. Learning English is a way for new residents to assimilate. This is an issue that is very important to Americans. Immigrants before us made a concerted effort to learn English. The proponents are claiming their bill fulfills this wish.

However, the bill does not require people here unlawfully to learn English before receiving legal status or even a

green card. Under section 2101, a person with RPI status who applies for a green card only has to pursue a course of study to achieve an understanding of English and knowledge and understanding of civics.

If the people who gain legal status ever apply for citizenship—and some doubt this will happen to a majority of the undocumented population—they would also have to pass an English proficiency exam, as required under current law. So, yes, after 13 years, one would have to pass an exam, but the bill does very little to ensure that those who come out of the shadows will cherish or use the English language. The reality is English is not as much of a priority for the proponents of this bill as they claim it is.

The fourth thing on the chart: They say “people won’t get public benefits” if they choose to apply for legal status.

The reality: Americans are very compassionate and generous people. Many people can understand providing some legal status to people here illegally, but one major sticking point for those who question the legalization program is the fact that lawbreakers could become eligible for public benefits and taxpayer subsidies.

The authors of the bill understood this. In an attempt to show that those who receive RPI status would not receive taxpayer benefits, they included a provision that prohibited the population from receiving certain benefits. There are two major problems with this point in the bill.

First, those who receive RPI status will be immediately eligible for State and local welfare benefits. For instance, many States offer cash, medical, and food assistance through State-only programs to “lawfully present” individuals.

Second, the bill contains a welfare waiver loophole that could allow those with RPI status to receive Federal welfare dollars. The Obama administration has pushed the envelope by waiving the welfare laws. If this loophole is not closed, they could waive existing law and allow funds provided under the welfare block grant known as Temporary Assistance for Needy Families to be provided to noncitizens.

Senator HATCH had an amendment during committee markup that would prohibit the U.S. Department of HHS from waiving various requirements and the Temporary Assistance for Needy Families Program. His amendment would also prohibit any Federal agency from waiving restrictions on eligibility of immigrants for future public benefits. But the reality check for the American people is there are loopholes and the potential for public benefits to go to those who are legalized under the bill.

Again, the devil is in the details, and I hope this reality check will encourage proponents of this bill to fix these

problems before the bill is passed by the Senate. The American people deserve truth in advertising.

I want to speak about the provision that deals with the commission. Aside from the claims I just gave on the promises to pay taxes, et cetera, one of the authors of the immigration bill before us stated early on that if the Department of Homeland Security has not reached 100 percent awareness and 90 percent apprehension at the southern border within 5 years, the Secretary would lose control of the responsibility and it will be turned over to the border governors to get the job done.

The fact is the border governors and the commission they serve with are not going to have any power, and that is the point I am going to make. There was a lot of talk about how the Secretary would be pushed to fulfill the congressional mandate to secure the border. I pointed out yesterday how this Secretary said: We don't need to secure the border. It is already secured. But at the end of the day, as far as this bill is concerned, the legislative text doesn't match up with the rhetoric.

The border commission created is not made up primarily of border governors, doesn't have any real power, and the Secretary is not held accountable for not getting the job done. Again, it is false advertising.

The bill states that effective control—and those words “effective control” are the legal language in the bill—of the border is the ability to achieve and maintain “persistent surveillance and an effectiveness rate of 90 percent or higher.” It defines the effectiveness rate as “the percentage calculated by dividing the number of apprehensions and turn backs in the sector during a fiscal year by the total number of illegal entries in the sector during such fiscal year.”

First, the bill only states that effective control requires “persistent surveillance.” It does not require 100 percent awareness.

Second, there is nothing in the bill that turns over the issue of border security to border governors if the Department here in Washington, DC, is unable to secure the border. The bill provides for a commission to be created if the Secretary of Homeland Security tells Congress she has not achieved effective control in all border sections during any fiscal year within 5 years. The southern border security commission is then created with the primary responsibility to make recommendations to the Secretary. There will be 10 members of the commission. While border States have a seat at the table, only 4 of the 10 members need to be southern border Governors or appointed by them. The members are allowed travel expenses and administrative support. They have to have some knowledge and experience in border security.

The commission is required to submit a report to the President, the Secretary, and the Congress with specific recommendations for achieving and maintaining the border security goals established in the bill. The members have 6 months to come up with a plan to achieve what the Secretary failed to do in 5 years.

The bill does not grant the commission any grand or impressive authorities. The bill simply states that the commission shall make recommendations. Nothing in the bill requires that the recommendations be acted upon or implemented by the administration.

The bill provides \$2 billion to the Secretary to carry out the recommendations made by the commission. But, again, there is nothing in this bill requiring the Secretary to take any further action on those recommendations. Why not then give the commission actual authority to enforce border security? Then, if we don't do that, why create the commission at all?

In recent years, we in Congress have become accustomed to outsourcing our work. We have a responsibility to legislate. The executive branch has a responsibility to enact. These are basic tenets of government.

What the commission called for in this bill is kind of irrelevant. This administration and any future administration must get the job done, no outsourcing the job to some commission, no excuses. This is so important because we quote these polls, and I refer to the polls the senior Senator from Arizona referenced before he made his remarks. They are all based upon certain propositions. They are well intended, but they do not provide the certainty they are going to be carried out, and legalization is based on that—the same for the polls that say people want the borders secure.

So this commission ought to have some power if the Secretary isn't going to act. But already the Secretary has the responsibility to see that the border is secure. She has testified it is secure, more secure than it has ever been, but I think the facts are that it has not been and we need to do better. For us to sell this bill to the American people, it must be based upon the proposition that the border be secured first and then legalization.

I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Nevada.

Mr. HELLER. Mr. President, there is very little disagreement about the fact that America's immigration system is broken and in need of reform. For far too long, our immigration system has punished those who come to this country to pursue the American dream and play by the rules while rewarding those who do not respect our laws. As a result, our Nation is suffering. That is why it is important for this body to

have an open and transparent amendment process as we move forward on this immigration reform legislation and try to fix what is broken with our immigration system.

No State feels the impact of this broken immigration system more than my home State of Nevada. Nevada is a top destination for travelers all over the world, and it is an international hub through which tens of millions of people pass each year. Our State benefits from the cultural diversity of Filipino, Cuban, Chinese, and Armenian communities, just to name a few, and we are couched between two States that border the country of Mexico.

Las Vegas is known for McCarran International Airport, which sees tens of millions of international tourists each year and is merely a short drive away from Los Angeles, San Diego, and Phoenix. Nevada's unique location leaves it highly vulnerable to our flawed immigration system and open to the exact same problems faced by other southwestern border States such as Arizona, Texas, California, and New Mexico.

Despite the fact that Nevada is, in many respects, a border State that copes with the exact same immigration problems facing a State such as California, this bill in its current form excludes Nevada from the list of States that are eligible to join the southern border security commission. So my amendment No. 1227 would include Nevada with other southwestern border States whose Governors would comprise the southern border security commission.

This amendment ensures the commission created in the underlying bill is fully representative of issues affecting southern border and Southwestern States. Although Nevada does not touch the southern border, its current demographics and State issues are reflective of other southern border States, and Nevada should have a voice on this commission.

The problems of our immigration system are not simply geographic problems of latitude and longitude. They impact my home State in profound ways. I encourage my colleagues to support this commonsense amendment.

As I have said, this immigration reform legislation is important, and we have an opportunity to provide much needed solutions to the problems with our immigration system. But we must also ensure the bill does not make matters worse by creating more confusion and placing heavier burdens on the economy and on the American people.

My home State of Nevada continues to lead the Nation in high unemployment, bankruptcies, and foreclosures. It is absolutely critical that this immigration bill does not hinder Nevada's already struggling economy.

That is why I filed two amendments, amendment No. 1234 and amendment



No. 1235, which will help to safeguard Nevada's recovering tourism industry in a way that meets our Nation's border security needs.

The bill before us mandates the implementation of an entry-exit system that will include a biometric data system for all ports of entry, including the 10 highest volume airports. The implementation of such a system is long overdue in order to comply with current law, but we can take steps to make sure it does not negatively impact international travel.

While I firmly believe we need to process our visitors both in and out of this country safely and securely, it is also essential that this mandatory exit system not cause increased travel delays for international passengers at high-volume airports such as McCarran International Airport in Las Vegas. So I filed an amendment that will require DHS to submit a report to the Homeland Security and Government Reform Committee within 60 days of the enactment of the underlying bill detailing how DHS intends to implement this biometric exit system.

Requiring DHS to outline its implementation plan will provide the necessary guidance and clarity to airports that will first be required to comply with the system as well as ensuring they provide the necessary staffing at these airports in an effort to minimize the impact on the flow of travelers. Additionally, my amendment No. 1235 will require DHS to create a wait-time reduction goal and increase, as deemed necessary by the Department, the number of Customs and Border Protection officers so airports with high volumes of international travelers can process them in a timely manner.

Under this amendment, DHS will be required to develop a viable plan to reduce wait times by 50 percent at airports with the highest volumes of international travelers. Wait times for international visitors at McCarran International Airport in Las Vegas are already significantly high, largely due to a lack of Customs and Border Protection officers. This amendment will help to alleviate these wait times and to reduce the congestion that is discouraging travel and ultimately hurting our economy.

The underlying bill is far from perfect, but as GEN George Patton famously said, "A good plan executed today is better than a perfect plan executed next week." The amendments I am filing today will increase government transparency and help to make sure this bill does not add more confusion to the immigration process, which would only make the problems with our immigration system worse.

I urge my colleagues to join me in that effort by supporting these amendments.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, let me start by complimenting the Senator from Nevada on his concerns with regard to staffing at our ports of entry, airports, and seaports. We have similar challenges, even at our land ports in Texas where legitimate commerce and tourism is taking place but which is being inhibited because of hardship or inconvenience on travelers because of a lack of staffing and infrastructure at those ports of entry.

I have come to the floor to talk about an amendment I intend to offer, which I have discussed over the last couple of days, which uses many of the same standards the underlying Gang of 8 bill does. Let me explain.

Of course, the Gang of 8 represents the Republicans and Democrats who came up with the original framework that then was adopted, by and large, by the Judiciary Committee, which is the base bill we are talking about today. But both the Gang of 8 bill and the results amendment which I will introduce call for the Department of Homeland Security to achieve 100 percent situational awareness of the southern border in 10 years. Both the Gang of 8 bill and the RESULTS amendment that I will offer call for the Department of Homeland Security to achieve full operational control of the border, which is defined as a 90-percent apprehension rate of illegal traffic. Both the Gang of 8 bill and the RESULTS amendment which I will offer call for a nationwide E-Verify system or a system of employer verification so we don't have our employers, small and large alike, having to be the police. We can give them a system that will be easily implemented—cards swiped and the like—which will allow them to determine and satisfy themselves that the worker who presents himself or herself for work is legally qualified to work in the United States.

Both the Gang of 8 bill—the underlying bill—and the RESULTS amendment which I will offer call for a biometric entry-exit system at America's largest airports. In other words, rather than a poison pill—if my amendment is a poison pill as some have suggested—then the Gang of 8 bill itself is a poison pill. But neither is true.

The most important difference between my amendment and the Gang of 8 bill is that my amendment has real border security triggers in place while the Gang of 8 bill has no effective trigger that will guarantee implementation of border security standards that reach the gang's own standards of 100 percent situational awareness and a 90-percent apprehension rate.

The Gang of 8 bill endorses many of the same border security standards that my amendment does, but it also authorizes a permanent legalization program for illegal immigrants regardless of whether the United States-Mexico border is ever secured. In other

words, it is another promise Congress is making to the American people, but the American people have no way of knowing whether that promise will ever be kept.

As further indication that truly what I am trying to do in my amendment is consistent with what the Gang of 8 has proposed, here is a quote from the majority whip, Senator DURBIN from Illinois, in January of 2013. He said their bipartisan framework for comprehensive immigration reform—in that bill—a pathway to citizenship needs to be "contingent upon securing the border."

But yesterday, as reported in the National Journal on June 11, Senator DURBIN said the gang has "de-linked the pathway to citizenship and border enforcement."

What my amendment does is restore this contingency which, if the gang's own standards are met—and I believe they will be—will allow people to transition from RPI status—registered provisional immigrant status—to legal permanent residency if they comply with the other requirements of the law.

My amendment would delay permanent legal status until after we have that 100-percent situational awareness along the border and full operational control and nationwide E-Verify and a national biometric entry-exit system at all airports and seaports where Customs and Border Protection are currently deployed.

Some have said my amendment and the standards in my amendment are unattainable or some say it is just too expensive. Let me answer both of those criticisms. If the standards the Gang of 8 has set itself for situational awareness and operational security are unattainable, then why did they embrace those standards in their own bill? Again, the only difference between my amendment and their initial proposal is that my amendment creates a trigger or a contingency requiring that standard to be met before immigrants who qualify for registered provisional immigrant status can transition into a legal permanent residency status.

It has also been claimed by some of our colleagues, who interestingly were speaking without having actually seen language in the bill, that somehow the cost of my amendment is just too high. The fact is this bill appropriates \$8.3 billion to pay into a trust fund that is created by the underlying legislation. On page 872 of the bill, it is called the comprehensive immigration reform trust fund. The initial funding is \$8.3 billion.

If my colleagues will simply read the legislation in my proposal, my amendment, the funding for my amendment comes from that same trust fund and does not appropriate any other additional funds. So I am satisfied by merely reallocating those funds in a way that I believe will help the Department of Homeland Security, help Congress,

help the U.S. Government make sure we keep our promises to the American people.

Well, you do not need to take my word for it. The Washington Post recently asked a number of immigration experts whether the goals set out in the Gang of 8 bill and in my amendment are, in fact, attainable. One of them, Asa Hutchinson—a name that is familiar to many of us because he has served as a Member of Congress, a member of the Drug Enforcement Administration, and as Under Secretary for Border and Transportation Security at the Department of Homeland Security—told the Washington Post that the border security requirements in my amendment are both “reasonable and attainable.” In fact, Hutchinson said my amendment “only requires security measures that are attainable in the near future.”

Another expert, Cato Institute scholar Alex Nowrasteh, who is a strong supporter of the underlying Gang of 8 bill, said my amendment is “very much in the vein of the rest of the bill.” He also affirmed that it would be, indeed, possible for the Federal Government to attain that 90 percent apprehension rate along the southern border.

As for the biometric entry-exit system and the E-Verify requirements, if a nationwide biometric entry-exit system at our airports and seaports is unrealistic, then somebody should have told President Clinton in 1996 when he signed such a requirement into law.

That is really the problem that my amendment is designed to solve. It has been the law of the land that Congress and the Federal Government implement a biometric entry-exit system for people entering our country and leaving our country since 1996, but do you know what. It has never been done.

After the tragedy of 9/11 where 3,000 Americans lost their lives on that terrible day, the 9/11 Commission itself undertook a comprehensive study of how to stop such a terrible tragedy from occurring again. What they recommended, again, is a biometric entry-exit system. But while the biometric entry system is in place—it is just fingerprints on a fingerprint reader; pretty quick, easy technology, relatively cheap—there has been no implementation at the airports and seaports of an exit system, which would tell us when people have entered legally but then have illegally overstayed their visa, which is 40 percent of illegal immigration.

I would just close on this: On the E-Verify component—this, of course, is the employment verification system—if that is unrealistic, then somebody should have told our friends on the Gang of 8 because the E-Verify language in their bill is identical with my amendment.

But here is the bottom line and the reality: Without a border security trig-

ger, immigration reform will be dead on arrival in the House of Representatives. My amendment provides such a trigger. The Gang of 8 bill does not. That does not mean my amendment is a full-scale alternative to the Gang of 8 bill. But it does mean my amendment is essential to moving this legislation forward and to getting an outcome that ultimately will end up on the President's desk.

I believe we should try to do our best to improve this underlying bill. My amendment is in that spirit because I do believe that the status quo is simply unacceptable, as I believe almost virtually all of our colleagues do. If we do not guarantee results on border security, particularly at a time when skepticism about Washington is at an all-time high, we guarantee the failure of bipartisan immigration reform, and that would be a tragedy.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, thank you, and I thank my colleague from Texas for his specifics there, and I know he is trying to make the bill a better bill. I have to say, as I understand it, this is the very same amendment that was defeated in committee. It was defeated by a bipartisan vote of 12 to 6. It was defeated for two reasons.

Let me take a step back. The two reasons are, one, its cost goes through the roof, and there is no way to pay for it in the Cornyn amendment. It is estimated it could be, in the original amendment, as much as \$25 billion. Now, maybe the number of border agents was reduced. I do not know if my colleague has done that, but that is a huge expense, and an unnecessary expense because our bill, the proposal that is before us, does a huge amount on border security for much lower cost. Mr. President, \$25 billion is a lot of money.

Second, we do have triggers in our bill, but they are achievable and specific because this bill is a careful compromise. We want to do two things. We want to have border security, absolutely. I have always said a watch word of this bill is that the American people will be fair and have a commonsense approach to both future legal immigration and the 11 million who are living here in the shadows provided, and only provided, we prevent future waves of illegal immigration.

We do that in three ways. One is the E-Verify system. We both agree that should be in place before there is a path to citizenship. One is fixing up exit-entry. The way my colleague has fixed up exit-entry, it could take 20 or 25 years before it is in place. We cannot, should not, and will not tell those who have waited in the shadows for so long that they should wait for 25 years. Those are the estimates. We can do this on the ports and in the air, but we

need a better system, which we have worked on, for land entry.

Finally, at the border itself, we have put a large amount of money in there. We have been guided by Senators MCCAIN and FLAKE—because the Arizona border has more people passing through it than any other—as to what we should do.

We emphasized the ability to put in new technologies—drones that can track everybody who crosses the border and track them on land. We do it for a lot less money. But, unfortunately, one of the triggers that my colleague, my good friend from Texas, has put in place would make a path to citizenship—even if all the other metrics were put in place—iffy, possibly yes, possibly no. That is unacceptable. We need to do both.

Should there be a new person who comes into office, should there be a different Senate, a different House, under the proposal of my colleague from Texas, not one single person could achieve citizenship, even if we had improved the border in many different ways.

So I would say to my colleagues, we certainly want to improve the border, but we cannot improve that border and put in place triggers that are not specific and achievable. We can measure whether there are 20 drones at the border. We can measure whether we have X miles of fence. But if we say, then, that it has to be at this certain rate every year, we are taking away that path to citizenship, through no fault of those who have tried to implement tougher border security.

So I say to my colleague, we cannot accept his amendment, plain and simple. We welcome proposals on border security. I know there are many on the other side. I have spoken to four or five who are working on those proposals, but the very same amendment, the very same proposal that was defeated in committee by a bipartisan vote of 12 to 6 is not going to revitalize an immigration bill, which has plenty of life already. It is not going to strengthen a bill. It could indeed kill it.

Mr. CORNYN. Mr. President, will the Senator yield for a question?

Mr. SCHUMER. So I would urge that we go back to the drawing boards. If the Senator from Texas has a different proposal, obviously, I would look at it. This one is, unfortunately, one that we have tried, rejected, and will not lead to either comprehensive immigration reform in the broader sense or a path to citizenship in the most immediate sense.

Mr. CORNYN. Mr. President, will the Senator yield for a question?

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I am happy to allow a colloquy between the two Senators—questions or otherwise—but

I have a consent request that Senator GRASSLEY and I have been waiting to do for some time. So when we complete our work, I would hope the two Senators would engage in whatever conversation they want. I have also been told that perhaps Senator LEAHY, the manager of this bill, may want to say something.

So, Mr. President, I ask unanimous consent that the following amendments be in order to be called up before the Senate: Thune No. 1197, Vitter No. 1228, Landrieu No. 1222, and Tester No. 1198; that the time until 4:30 p.m. be equally divided between the two managers or their designees for debate on these amendments and the Grassley amendment No. 1195; that at 4:30 p.m. the Senate proceed to vote in relation to the Grassley amendment; that upon disposition of the Grassley amendment, the Senate proceed to vote on the four amendments in this agreement in the order listed; that there be no second-degree amendments in order prior to the votes; that all five amendments be subject to a 60-affirmative vote threshold; that there be 2 minutes equally divided in between the votes, and all after the first vote be 10-minute votes.

The PRESIDING OFFICER. Is there objection to this request?

Mr. GRASSLEY. I object.

Mr. REID. It is my understanding—

Mr. GRASSLEY. Will the Senator yield?

Mr. REID. Yes. My friend has a consent request I understand he wants to propose.

Mr. GRASSLEY. I ask unanimous consent that the pending Grassley amendment be set aside and the following amendments be in order to be called up: Thune No. 1197, Vitter No. 1228, Landrieu No. 1222, and Tester No. 1198; that the time until 4 p.m. be equally divided between the managers or their designees for debate in relation to the pending Grassley amendment No. 1195 and the pending Leahy amendment No. 1183; further, I ask that at 4 p.m. the Senate proceed to vote in relation to the Grassley amendment; that upon disposition of the Grassley amendment, the Senate proceed to vote in relation to the Leahy amendment; that there be no second-degree amendments in order prior to the votes; that there be 2 minutes equally divided in between the votes.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, reserving the right to object, I am somewhat surprised at this request. How many times have we heard the Republican leader say on this floor and publicly that the new reality in the Senate is 60? So I just thought I was following the direction of the Republican leader. This is what he said. That is why we are having 60 votes on virtually everything. And with this bill—with this bill—no one can in any way suggest this bill is

not important and these amendments are not important.

So I care a great deal about my friend, the ranking member of this committee, but I object.

The PRESIDING OFFICER. Objection is heard to both requests.

Mr. LEAHY. Mr. President, will the Senator from Nevada yield to me?

Mr. GRASSLEY. Will the Senator yield to me?

Mr. REID. Yes.

Mr. GRASSLEY. Well, it is amazing to me that the majority has touted this immigration bill process as one that is open and regular order. But right out of the box, right now, just on the third day, they want to subject our amendments to a filibuster-like 60-vote threshold. So I have to ask, who is obstructing now?

There is no reason, particularly in this first week at the beginning of the process, to be blocking our amendments with a 60-vote margin as required when you suppose there is a filibuster.

Let's at least start out with regular order; otherwise, it really looks as if the fix is in and the bill is rigged to pass basically as it is.

Bottom line: You should have seen how the 18 members of the Judiciary Committee operated for 5 or 6 days over a 2-week period of time. Everything was open. Everything was transparent. There was complete cooperation between the majority and the minority. There is no reason we cannot do that out here in the Senate right now, particularly at the beginning. This is a very provocative act.

Mr. REID. Mr. President, a provocative act? If my friend is so interested in regular order, why have we waited 3 months to go to conference on the budget? On the budget. That is regular order. Now, suddenly, when it works to their advantage, I guess, they want to do away with the McConnell rule. What is the McConnell rule? Sixty votes on everything.

Mr. LEAHY. Mr. President, if the Senator would yield on that point, I was privileged in my capacity as President pro tempore to speak to the graduating class of pages, the group of pages who graduated just ahead of the distinguished group we have here now. There had been discussion about immigration coming up. Then the distinguished Republican leader spoke and went on at great length to the pages about how these important issues must have 60 votes on everything, must have 60 votes on amendments and so forth. I am sure the distinguished Senator from Kentucky would confirm that is what he said. There were 100-and-some-odd people in the room who heard him say it. And here we have offered—the distinguished majority leader has offered to have three Republican votes and two votes by Democratic Senators, all under exactly the same rule, the rule Senator MCCONNELL proposed.

We have talked and given great speeches that we have all given time and time again both in the committee and on the floor. I would like to have votes on something so we can finish this because, frankly, given my choice of spending the Fourth of July week in Washington—salubrious as the weather is—or being in Vermont for the Fourth of July, I would much rather be in Vermont.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I still have the floor. I am sorry we have had this disagreement, but I would say to everybody that there are other ways of having simple-majority votes. If there is an objection to this, we will have to go to that.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I would note that Senator GRASSLEY just offered in a few minutes to commence voting on two amendments in the normal way we proceed. I think that was a very reasonable request. We have to be careful. These amendments represent important changes to a historic piece of legislation. We cannot just throw up a bunch of amendments here at the beginning, when people have not had time to digest them. So I think that as we proceed, we are going to need to be sure that it is not some situation where people are bringing up an amendment and it has to be voted on an hour or so later. People have not had time to fully digest it. I think the offer by Senator GRASSLEY is very reasonable.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, while the Senator from New York is still here, I would like to respond briefly and in a nonconfrontational way. But I would hope that on something as important as this, we are all operating from the same facts and not based on erroneous information or erroneous assumptions.

First of all, my understanding is the Congressional Budget Office has not scored the underlying bill. As I said earlier, on page 872 of this bill, a comprehensive immigration reform trust fund is created, and \$8.3 billion is transferred into that trust fund. My amendment uses the same money the underlying bill does to fund the requirements of my amendment.

This notion that somehow having a biometric entry-exit system costs \$25 billion is completely detached from any factual information I am aware of. My staff informs me, based on our best estimate, that a biometric entry-exit system at airports and at seaports would cost roughly \$80 million a year. We are more than happy to share that information with our colleagues and have them take a look at it.

Further, I know there has been an assumption that somehow there has been

a figure of 10,000 new Border Patrol agents mandated in my amendment. That is an incorrect reading of it. The underlying bill calls for 3,500. We plus that up, we do, by not only Border Patrol but also customs and border agents to help facilitate the flow of legal commerce across Arizona, Texas borders, and elsewhere, which creates about 6 million jobs in America.

So I do not mind us having a disagreement about policy. We are used to that. That is fine. I think some of these claims about extravagant expenses are not borne out by the facts. We would actually rely upon the same money that the trust fund created by the underlying bill does.

I would yield to my friend from Arizona.

Mr. McCAIN. I would ask my friend from Texas, if you are adding additional either Border Patrol or Customs agents in addition to what is already in the underlying bill, where does your money come from? We are talking about personnel costs that are incredibly expensive. So I would ask him where the money comes from if there is not additional cost. He would have to take it from someplace else.

Mr. CORNYN. If I can respond to my friend, it comes from the same trust fund the underlying bill uses. It reallocates the money and does put some more money toward personnel. One of the problems is that there is so much that technology can do. I am excited about the prospects of technology when it comes to 100-percent situational awareness and allowing the Border Patrol to do a good job. But you have to have border patrol who show up and detain people when they come across illegally. My State has the longest border with Mexico—1,200 miles. Arizona has its own challenges. We have our challenges as well. So we do need more personnel.

But the part that I would think is sort of baked into the underlying bill is that we also need to separate the legal commerce and tourism that is beneficial to both sides of the border. That is part of why the Customs agents who are included in my amendment are also there as well, the theory being—I think it is a good one—if you identify legitimate commerce and beneficial tourism and separate that from the bad guys, then law enforcement can focus more on the bad guys. That is what my amendment attempts to do. It is no additional money.

Mr. McCAIN. You are adding personnel into your version of the bill. The money has to come from somewhere. Where is it coming from? You are saying it is "reallocated." From where is it reallocated?

Mr. CORNYN. It comes in the same trust fund that is created on page 872 of the bill.

Mr. McCAIN. There is a finite amount of money that is authorized. If

the Senator takes money from one and adds money one place, it has to come from someplace else. That is simply first grade mathematics. I think it is incredible that the Senator should stand there and say: Yeah, we are adding these thousands of personnel, but there is no additional cost. That is not possible.

Mr. CORNYN. If I can explain to the Senator from Arizona, this is the trust fund created by the underlying bill on page 872.

Mr. McCAIN. With a finite amount of money in it.

Mr. CORNYN. It is \$8.3 billion. They allocate some of that money for the purposes set out in the underlying bill. My amendment reallocates some of that same trust fund for other purposes, including additional personnel. There is no additional money. This is an appropriation made in the underlying bill. So I think it is a misunderstanding of what my amendment is.

Mr. SCHUMER. How many extra personnel does he ask for in his amendment?

Mr. CORNYN. The underlying bill calls for 3,500. We ask for a plus-up of another 6,500.

Mr. SCHUMER. Mr. President, it is quite arguable that the entire trust fund is used up by those 6,500. That would mean no drones. That would mean no helicopters. That would mean none of the other things. It may mean no fencing that we add to the border. So my colleague from Arizona is exactly correct.

The cost here—my good friend from his side of the aisle, Senator GRAHAM, estimated this morning that the total cost would be \$18 billion. I think if you add a type of land-based exit-entry, it goes up another \$7, \$8 billion. We do not have that kind of money.

So I would suggest to my colleague that if he wants to add 10,000 Border Patrol—which most experts have told us will not do close to as good a job as the drones and the helicopters and the more mobile assets. And the reason is very simple. He knows as well as I do. He knows the border better than I do. We do not have roads on most of the border. What is Border Patrol going to do? There are no roads. They are impassable. A drone flying 10,000 feet above can see every person who crosses the border, track them inland, and if they go to a gathering point 25 miles inland, they pick them up there.

So the bottom line is that not only is the cost of this amendment probably exceeding the trust fund by itself, but it will take a highly efficient way of preventing people from crossing the border and replace it with an inefficient way that no experts I have talked to—again, maybe my colleague has—no expert I have talked to says the best way to control people from crossing the border illegally—which I desperately want to do—works better with

a huge amount of personnel, unallocated. We do not even know—if I ask my colleague where they are going to be assigned, which sector, where they are going to work, I bet there is no answer to that.

The bottom line is very simple. We have carefully thought this through. We think we have maximized the effectiveness for about one-third of the money our colleague is talking about. It is only one of many reasons this amendment was defeated by a bipartisan group, a majority in committee.

So let's move on. Let's move on. Let's look at how we can make the border more secure. I am open to that. But this amendment, as I said, for a variety of reasons is a nonstarter.

Mr. CORNYN. Mr. President, what is this—the third day this bill has been on the floor? There has been no scoring of the bill by the Congressional Budget Office, so no one knows what the official scorekeeper of the Congress has to say about this bill. But I would say that my amendment does not appropriate any additional money other than the money in the bill. Indeed, this leaves it up to the Department of Homeland Security within 120 days to render a plan, and then under the underlying bill, you can transition after 10 years from RPI status—registered provisional immigrant—to legal permanent resident by substantial completion of a plan we do not know anything about.

I mean, I do not think we are the experts in how exactly this should be done. I would hope that technology, which I think is fantastic—what answers that may provide to us 10 years hence in terms of how to accomplish the goals. But to suggest that somehow this legislation, which I have complimented on numerous occasions that it represents a substantial step in the right direction—to say that we cannot touch it, we cannot change it because eight Senators got together and decided what it should be, is preposterous. That is exactly what we are supposed to do. We ought to have a regular process to debate it and vote on it. But we should not be sort of suggesting "been there, done that; you had your shot in committee" and then not allow this process to move forward.

I do not think we are all that far apart if we will stick to the facts and stick to the text of the bill. But we should not make things up, particularly on the order of \$25 billion. I do not know where that came from. I know there was a suggestion that my amendment called for 10,000 new Border Patrol agents. That is not in the bill. So let's stick to the facts.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I would just say this: No. 1, this amendment—we are only on the third day of the bill. I have said over and over that I welcome suggestions on how to improve the bill. No

one says the bill by the Gang of 8 is exactly right. In fact, as Senator LEAHY well knows—our chairman of the Judiciary Committee—we accepted a large number of amendments, many of which came from the other side, in committee. We will do the same thing here. But this particular amendment is not 3 days old.

Mr. MCCAIN. Will the Senator yield? Is it not true that whether or not it has been scored by CBO, the legislation calls for the expenditure of certain amounts of money—in other words, about \$6.2 billion, I believe? So if it calls for the expenditure of a certain amount of money and it designates what that money is for, and if you are going to add thousands of Border Patrol agents onto it, then it seems logical that is going to cost more money.

Mr. SCHUMER. It is hard to refute the logic of my friend from Arizona.

Mr. MCCAIN. May I finish my question? Is it not true that we have said: Look, we welcome any suggestion to improve the bill.

I would say respectfully to my friend from Texas it is not true that this is written in golden tablets. In fact, the Senator from Ohio, who is coming here, is going to have some suggestions for improvements on the exit-entry visa, which I think will make the bill much better.

Isn't it true that somehow to allege that we said there could be no changes is patently false?

Third, isn't it true this amendment would break the agreement that was a hard-fought agreement? We are willing to compromise and make agreements in certain areas but not to a bill that billions and billions of dollars are added to, especially in the area of personnel, when we have gone from 4,000 members of the Border Patrol several years ago to 21,000. We are adding National Guard to the border.

Personnel is not the challenge, whether it be the Texas border or the Arizona border, what the challenge is, is to use the technology that is existing so we can surveil and intercept. That is what this bill is all about; is that true?

Mr. SCHUMER. I thank my colleague for those questions, and they are all pretty obvious.

No. 1, we have costed this out. CBO will judge whether we are correct. We have made the bill revenue neutral. In fact, we have a slight surplus. The huge cost of 6,500 border agents without any allocation where they would go—do you know what. If this were another bill, my colleague from Texas and all of his colleagues would say we are wasting billions of dollars with no plan. He is exactly right on that point.

On the second point, I have said, until I am blue in the face, sometimes from some criticism from some of the people who are my allies out there, that I am willing to look at changes in

this bill. It is so unfair and patently false to say any one of the Group of 8 said we can't change the bill. We welcome changes to improve it. What happened in committee proves that.

The third point, I would say to my colleague, the way the Senator from Texas constructs the trigger, there will be no one who will ever achieve a path to citizenship because he leaves out turnbacks. If we don't have turnbacks—the 90 percent causes us trouble even with the way it was done in other areas, with other suggestions. If we leave out turnbacks, people who are turned back or caught, and we say go home, we will never get to 90 percent.

To say the proposal of the Senator from Texas allows a path to citizenship—it makes it virtually impossible. Therefore, again, I would say I wish to improve border security. I am open to suggestions. I wish to improve this bill in every area. I know my colleague from Arizona, my colleague from Colorado, my colleague from Illinois, the rest of us welcome that, and we have shown it time and time again.

This amendment, I don't think, advances moving the bill forward. It doesn't work on border security because of its expense, its lack of specificity, and it is taking away the very technology we need. It doesn't create a path to citizenship in any way. It doesn't allow one.

Finally, its cost is through the roof. Whatever CBO says, 6,500 new border agents is a multibillion-dollar proposition, unpaid for. I know my colleagues on the other side rue the day when we vote for unpaid-for obligations.

Mr. LEAHY. Will the Senator yield for a question?

Mr. SCHUMER. I yield to the Senator from Vermont.

Mr. LEAHY. There has been some discussion about whether this might be a closed thing, and the eight Senators came together on this and did a tremendous job. There were four Democrats and four Republicans putting it together. They were saying it was closed. Isn't it true that when the bill came to the Judiciary Committee, isn't it true there were 301 amendments filed in the committee?

Mr. SCHUMER. That is exactly the right number, as I recall.

Mr. LEAHY. Isn't it true that 136 of those amendments were then adopted?

Mr. SCHUMER. My count is exactly the same.

Mr. LEAHY. Forty-nine of those amendments were proposed by Republicans; is that not correct?

Mr. SCHUMER. We are so proud of that fact, Mr. Chairman.

Mr. LEAHY. Isn't it possible to say that of the eight Senators we have talked about, four of them, two Democrats and two Republicans, serve on the Judiciary Committee? They were

helpful in voting for most of these changes that were changes to the original; is that not correct?

Mr. SCHUMER. I agree. That is the right count. There were four of us there, and we did just as the chairman said.

Mr. SESSIONS. Would the Senator yield for a question?

The PRESIDING OFFICER. The Senator from New York controls the floor.

Mr. LEAHY. To finish putting my question to the Senator from New York, I wish to make sure, because I thought I heard some comment that this was a closed process, and I appreciate that the Senator from New York agreed it was anything but.

Mr. MCCAIN. May I be recognized.

Mr. SCHUMER. I yield to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. The Senator from Ohio is working on E-Verify. I think he has come up with some very good ideas on how we can improve a vital part of the bill; that is, verification of someone who applies for a job. That is the magnet that draws people across the border.

Again, we look forward to those kinds of improvements and many other suggestions that have been made.

How you can manufacture 3,500 new personnel and say it doesn't add to the cost and it will be reallocated, I want to know where it has been reallocated from.

Mr. SCHUMER. I thank my colleague, and I agree with the sentiments.

I reiterate one final point. The Cornyn amendment, as proposed, asks for a 90-percent success rate in terms of effectiveness on the border, but it eliminates the turnback part of it.

That would mean now that it would be virtually impossible to get to that 90 percent 1 year from now, 5 years from now, 10 years from now, because one of the most effective things we do on the border is turn people back. We don't catch them after they cross the border. They get up to the border, we find them when they get to the border and say go home.

It fails on both counts. It has been debated. It has been studied.

I would plead with my colleagues who want more border security: Let's move on.

The Senator from Utah has amendments on taxes and on benefits. The Senator from Ohio has amendments on E-Verify. Many of my colleagues have amendments on many other issues. We are open to debate and discussion on the core principles that the eight of us agreed to. That is an agreement among the eight of us, and the rest of you can disagree with that—we think most of you will agree with those core principles. So be it. Aside from the basic core of the bill, we welcome changes,

suggestions, and improvements. We look forward to a healthy debate.

To bring up an amendment that has been rejected and basically turns things on its head, because there will be no path to citizenship for anybody, and because you are just sort of, if you will, with all due respect, throwing money at a problem without specificity as to where the money goes, that doesn't move the debate forward.

Mr. MCCAIN. Will the Senator yield for one more question?

Mr. SCHUMER. I yield to my colleague.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. I hope the Senator from New York understands what the Chief of the Border Patrol said on this issue of 90 percent effectiveness. We are going to hear this over and over.

In a hearing on February 26, 2013, at a House Homeland Security Committee hearing, the Chief of the Border Patrol—not the Secretary of Homeland Security—said:

First of all, 90 percent wouldn't really make sense everywhere. . . . We put 90 percent as a goal because there are sections along the border where we have not only achieved, we've been able to sustain 90 percent effectiveness. So it's a realistic goal but I wouldn't necessarily and just arbitrarily say 90 percent is across the board because there are other locations where there is a lot less activity and there won't be a lot of activity because of terrain features, for instance.

So where it makes sense we want to go ahead and start parsing that out within those corridors and within those specific sectors.

That is why we think that what we came up with in this legislation is effective control, 100 percent surveillance, and the use of technology, which I am confident will give us a border that all Americans can be happy with. No border is ever going to be sealed. Anybody who stands in this body and says if you want to hire 10,000, 20,000 or 50,000 more Border Patrol agents, you still aren't going to secure the border completely.

We can have effective control of that border, we can have 100 percent surveillance, and we can get the border to the point where American people can have confidence in it while we move forward with the rest of the legislation.

I thank my colleague.

Mr. SCHUMER. I thank my colleague.

Reclaiming the floor for a brief minute, I know my colleague from Utah has been offered time to speak on his proposal, so I don't want to take too much more time.

I wish to say once again that we welcome suggestions. The Senator from Arizona is right. We carefully looked at the border. This wasn't fly-by-night. Every one of us, certainly not only myself, wants to see that border as secure as possible.

It so happens that 6,500 more Border Patrol agents, if you asked the experts, they wouldn't know what to do with them. Large sections of the border have no roads, have no way to station Border Patrol agents there; whereas, helicopters, drones, and mobile forces work.

It was my colleague from Arizona who actually taught me that on a trip to the border. He used his military expertise to help us figure out the most effective way to seal the border effectively.

When I hear of the amendment from my colleague from Texas, I don't get what the logic is behind it, frankly. I certainly don't get the logic on his trigger.

It is fair if we want to make sure the border is secure, but if we use triggers—as some might, and I am not saying that my colleague from Texas intended that—but if triggers become a way to avoid a path to citizenship—without saying directly I want to avoid a path to citizenship because I don't want to vote for it—that is not going to work and we will not move forward.

This Nation desperately needs us to move forward as Democrats and Republicans together. Let's continue the bipartisan spirit we have had. Let us move forward together to make this bill better, make our country proud of us, and keep America the leading power economically and every other way.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Utah is recognized.

Mr. HATCH. May I ask unanimous consent to ask that the Senator from Ohio, without losing my right to the floor, if he has something he wanted to do—I didn't mean to jump in front of him, but I was told I could appear here at 4 o'clock.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. The ranking member of the Finance Committee, member of the Judiciary Committee, I was told I could speak even before that, but then the majority leader came out to the floor to do some important business, and I was put back. I have about 5 or 10 minutes in which I would like to talk about E-Verify, as indicated earlier, and border security.

I would defer to my colleague as long as my other colleagues would allow me to speak after that.

Mr. HATCH. I thank my friend from Ohio. I am happy to proceed. I appreciate that.

I would ask unanimous consent that the Senator from Ohio may speak and give his remarks immediately following mine.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah.

Mr. HATCH. Mr. President, I wish to take some time today to talk about

immigration before us, its flaws, and what needs to be done to fix it.

I first wish to note that I voted in favor of reporting this legislation out of the Senate Judiciary Committee. I worked in good faith with my colleagues to secure the inclusion of provisions addressing things such as high-skilled immigration and a new agricultural visa program. Indeed, throughout the Judiciary Committee process, I was a willing negotiator on many important issues surrounding this bill. In general, I am in favor of immigration reform, and I wish to see this bill succeed.

I also wish to commend my colleagues for their work on this legislation so far. Up to now, I think that process has been fair. It has been transparent, and, I believe, bipartisan. I hope that will continue now that the bill is on the floor.

It is important we continue to work on a bipartisan basis because the bill is far from perfect. One can't look at it without knowing that. In my view, there are a number of issues that need to be addressed before this legislation is ready for final passage.

During the Judiciary Committee's consideration of S. 744, I introduced four amendments on issues that fall under the jurisdiction of the Senate Finance Committee. At that time I stated that my continued support for the bill is contingent on whether those issues were addressed before final passage. Today I will file similar amendments here on the floor, with the hope I can work with my colleagues to address these concerns.

I want to say upfront that, despite what will likely be several claims to the contrary, these are not poison pill amendments. I have no desire to weaken the bill or to threaten its prospects for final passage. Indeed, I think my four amendments will make it easier to pass the bill with strong bipartisan support, not only here but in the House.

Senator RUBIO, a member of the Gang of 8, is a cosponsor on these amendments. I appreciate his willingness to work with me on these important issues. He has been the one singular person, in my opinion, who has had an open mind and has been willing to work on these issues with both sides. He deserves a lot of credit for this bill, but he knows it is not perfect, he knows it is not there yet. I know he wants to do the right thing. I can only hope other proponents of this legislation will be willing to do the same.

Each of my amendments is designed to ensure illegal immigrants applying for a change in status are not awarded special privileges and benefits under the law. I don't want to punish these immigrants, I simply want to make sure they are treated no better or worse than U.S. citizens and resident aliens with respect to Federal benefits and taxes.

Let me take a few minutes to describe each of my amendments.

My first amendment is designed to ensure compliance with Federal welfare and public benefits law. As we all know, last July, during the height of the Presidential campaign, the Department of Health and Human Services issued an information memo to States allowing them to waive Federal welfare work requirements. We now know that HHS attorneys have concluded the HHS Secretary has the authority to waive almost any prohibitions on Federal welfare spending that exist under current law—certainly a false interpretation.

Under a longstanding provision of Federal welfare law, noncitizens are banned from receiving cash welfare assistance for their first 5 years in this country. Under S. 744, that 5-year ban is extended to registered provisional immigrants, or RPIs, and blue card holders. However, under current interpretations of the law by HHS, the Department could choose at any time to ignore this restriction and offer welfare benefits to these groups of noncitizens. My amendment would simply clarify the law to make clear the Obama administration does not have the authority to allow States to waive these longstanding restrictions and ensures welfare benefits are not offered to noncitizens as a result of this bill.

As I stated, this is not punitive. This is not designed to punish any illegal immigrant seeking a change in status. It is, instead, designed to preserve the balance that exists under current welfare law.

Some critics of the underlying bill have claimed it will allow illegal immigrants to receive welfare benefits, and when you couple the bill with HHS's recently claimed waiver authority, these critics actually have a point. My amendment would protect the bill from this type of criticism. That is a step in the right direction. I think it will bring people onto the bill.

Let me make one thing clear: No one who is currently eligible to receive welfare benefits will be denied them as a result of this amendment. Instead, this amendment does something we should have done long ago, which is to assert the prerogatives of the Congress in the face of executive overreach. There is no question that with its information memo permitting States to waive Federal welfare work requirements the Obama administration overstepped its statutory authority. We now know officials in the administration were working through ways to circumvent key features of welfare reform for years, including how and on whom Federal welfare dollars can be spent. So we know they believe they can allow States to spend Federal welfare dollars on noncitizens, and I don't think it is far-fetched to conclude that at some point they will allow States to

spend Federal welfare dollars on noncitizens.

Congress needs to act to prevent this and future administrations from engaging in this type of overreach. That is the purpose of my amendment.

My second amendment would apply a 5-year waiting period for immigrants to become eligible for tax credits and cost-sharing subsidies under the Affordable Care Act—or the so-called Affordable Care Act. Under current Federal law, most lawful permanent residents or green card holders must wait 5 years before they are eligible for most means-tested benefits, including Medicaid and TANF—the Temporary Assistance for Needy Families. However, the bill does not apply this 5-year waiting period to the premium credits and subsidies offered under the Affordable Care Act.

True enough, the bill does not allow RPIs and blue card holders to access these benefits. But once they become lawful permanent residents, they can access them immediately. This is a serious oversight that essentially creates a carve-out for the Affordable Care Act and a huge expense to this government. My amendment would correct this oversight and put the Affordable Care Act subsidies in the same class as other Federal benefits.

This is only fair. After all, even those who were U.S. citizens at the time the health law was passed have had to wait nearly 5 years for the law to go into effect so they could access these credits and subsidies. Those who would, under this bill, be placed on a path to citizenship should be required to do the same.

The amendment also prevents nonimmigrants who are not on any path to citizenship from accessing these benefits. My gosh, anybody in this body should want that. Under the bill, a ban on Affordable Care Act benefits is applied only to RPIs and blue card holders but not to nonimmigrants. My amendment would extend the ban to nonimmigrants.

Let me repeat that. Under the bill, a ban on Affordable Care Act benefits is applied to only RPIs and blue card holders but not to nonimmigrants. My amendment would extend the ban to nonimmigrants.

Once again, my goal with this amendment is not to punish any immigrant applicants or deny them benefits they might be entitled to under the law. I simply want to ensure we are not creating a new class of people with special access to Federal benefits. We can prevent that by imposing the same waiting period on Affordable Care Act subsidies we place on other federally means-tested benefits.

My third amendment would help to preserve the Social Security system. Under current law, for a worker to be eligible for Social Security benefits they must be classified as “fully insured” or “permanently insured.” To

be become insured, a worker accrues quarters of coverage during the years they work in the United States. S. 744 is unclear as to whether it would allow an illegal immigrant who obtains a change in status to claim years of unauthorized employment to determine their eligibility for Social Security benefits.

Indeed, this bill is entirely silent on this matter. Once again, this is a glaring oversight in the legislation that needs to be rectified in order to preserve the integrity of the Social Security system. My amendment makes it clear no periods of unauthorized employment can be counted in an employee's quarters of coverage and, thus, they cannot be used to determine eligibility for Social Security.

This is not a matter that can be simply overlooked. If someone was not authorized to work in this country but made the calculated decision to work anyway, using a made-up or stolen Social Security number or if someone overstayed their visa and worked anyway, they should not have been working and paying into the Social Security system. Consequently, they are ineligible for benefits until they become citizens.

Once again, there is nothing punitive involved with this amendment. It only ensures we do not reward past unlawful activities. Once they are lawful, under this bill, they can participate but not for past unlawful activities. That is like rewarding people for doing wrong and disobeying our laws and ignoring the obligations that come with living in the United States of America. And it is a punch in the face to every law-abiding citizen who has been making these payments. The amendment provides the fairest and most workable path forward.

My fourth and final amendment is the one that has garnered the most attention, as it should, in some ways. I think all three of these amendments have been very important and will be very important in this debate, and I am certainly hoping my colleagues on the other side will recognize that and help to pass them. But this fourth amendment would modify provisions in the bill relating to back taxes to include all income and employment taxes owed by immigrant applicants.

For the past few months, proponents of this legislation, including members of the so-called Gang of 8, have been claiming that, as a condition of being put on a path to citizenship, illegal immigrants will be required to pay back taxes. This claim was repeated in the Halls of Congress, on Sunday morning talk shows, and in casual conversation. This was a promise made as a chief response to arguments the bill would provide amnesty for illegal immigrants. However, under the current draft of the legislation, this promise goes largely unfulfilled.



The bill currently states illegal immigrants cannot apply for a change in status unless they have “satisfied any applicable Federal tax liability.” While that is all well and good, under this standard immigrant applicants will not be required to pay any portion of their back taxes owed to any part of their U.S. residency unless the IRS has already made a tax assessment. This will only occur in the very rare case where the IRS has already audited an immigrant applicant and found a tax deficiency. Put simply, very few people will be required to pay back taxes under this provision.

My amendment would require RPI applicants to demonstrate they either have no obligation to pay back taxes or to actually pay the back taxes they lawfully owe. It also requires them to remain current on their tax obligations once they obtain the change in status.

Once again, this is only fair. Some may claim it is punitive, but that is absurd. Is it punitive to ask immigrant applicants to live up to the same standards and requirements imposed on citizens and legal residents? No.

When a citizen decides to leave the United States and renounce their citizenship, they often face taxes on income earned in the United States and on any gains from appreciated assets. Is it punitive to apply a similar standard for those seeking U.S. citizenship? Think about that: When a U.S. citizen decides to leave the United States and renounce their citizenship, they often face taxes on income earned in the United States and on any gains from appreciated assets. That is not punitive. The answer, of course, is that it is not punitive.

My amendment would not punish any immigrant applicants. It would simply ensure they pay no more and no less than U.S. citizens and resident aliens in the same economic position.

In addition to claims that requiring the payment of back taxes is punitive, some have already claimed it would be impossible to enforce because the applicants won't be able to determine what they owe in back taxes. This too is extremely misguided. The IRS is well experienced at estimating the tax liabilities for people who, for whatever reason, lack the records that normally support a tax return. They do it for U.S. citizens. Why can't we do it for people who now want to be on a path for citizenship but who haven't played by the rules? It just makes sense. Using bank records, credit card statements, housing records, and other evidence of an individual's lifestyle, the IRS is able to construct returns and estimate tax liabilities for nonfilers who are U.S. citizens and resident aliens. The same process can be used for immigrants looking to certify they no longer owe any Federal taxes. That is not a tough thing to do. It is something they do every day at the IRS.

It may very well be that a number of these people didn't make enough money to pay any taxes anyway. But they should at least have to be honest about where they stand, and they should at least have to do what regular citizens in this country have to do. We are not asking anything more or less than that.

In the end, the only way proponents of this bill can escape the label of amnesty is to ensure immigrant applicants fulfill all their legal obligations and they are not accorded any special treatment. We are talking about amnesty here. This is the way to get rid of amnesty and to pass this bill. You simply cannot do that without requiring they pay any taxes they still owe for income they earned during their U.S. residency.

I think the authors of the bill know this because, once again, they have been claiming the bill requires the payment of back taxes for months now. My amendment would simply fulfill the promise they have already been making. Let's get it right. Let's not play games.

What is more, if we put this amendment into effect, we would be reducing the tax gap. As you know, the tax gap is the difference between what is actually paid to the IRS and what taxpayers owe under the law. The most recent tax gap estimate we have is from 2006, when the tax gap was approximately \$385 billion for a single year. A number of my colleagues on both sides of the floor talk a lot about closing the tax gap. My amendment would take significant steps toward doing just that.

As I said at the outset, my amendments are not designed to punish immigrants who come forward out of the shadows, and they are not designed to poison the well for immigration reform. My aim throughout this process has been to improve the bill.

I believe we are engaged in an important effort, but we have to do things the right way. I made that effort during the markup of this bill. I didn't bring these four amendments up because they were Finance Committee amendments and probably would have been ruled out of order in the Judiciary Committee, and I agreed with my colleagues on the other side of the aisle to defer until the floor. Now, all of a sudden, I am finding there are roadblocks being put up on these very simple amendments.

Too often over the past few years the Senate majority has opted to ignore opportunities for bipartisan cooperation on issues of great importance. When the Senate first took up immigration reform, proponents of the bill said they were hoping to get at least 70 votes in the Senate. I said at the time that was an important goal, that we needed to get at least that many votes to send the right message to the House

of Representatives. However, this week there are indications from the Democratic leadership that they are willing to set these goals aside if they just get 60 votes. Well, guess where that is going to go with the House. If we get 70 votes, that puts pressure on everybody involved in this matter. And I think we can get 70 votes.

According to news reports out just today, two members of the majority leadership have indicated that they don't want to make too many concessions to conservatives in order to get Republicans on board. Instead, they just want to focus on getting to 60 votes. Needless to say, I think that would be a serious mistake. I think there are a lot of people on this side who would like to vote for a final bill, but they are going to need amendments like these that are basically simple, nonpunitive amendments that make sense, that basically show we are not for amnesty.

Immigration reform is too big to be done by just one party, and it can't be done with the support of just a small handful of Republicans. As courageous as those Republicans have been, as far as I am concerned, it is going to take Members of both parties to put together something that can not only pass but also something that will work once it becomes law.

We do have an opportunity to come together here on something that will make a real difference for a lot of people; something that, if done correctly, can do a lot of good. I hope we don't waste this opportunity in favor of yet another political exercise.

Once again, I want to support this legislation, but I am not going to if we don't do commonsense things like this, and I am laying down the gauntlet. I want immigration reform to succeed. These amendments will help it to succeed not only here but in the House of Representatives as well. But unless we address these four issues I have outlined today—and there are others, but these are the ones I have decided to bend my plow over—unless we address these four issues, I believe the bill is designed to fail, if not here in the Senate then in the House of Representatives. And it will deserve to fail, as far as I am concerned.

Most importantly, if we don't address these issues, the bill will not be able to be implemented in a fair and equitable way, and I think the American people would be justly outraged.

I know there are some who don't really care about these important issues. I just urge my colleagues on both sides of the aisle to support my amendments—I think it is critical that these amendments pass—or work with me to find ways that I can please both sides. But I believe they are pretty straightforward amendments.

I was promised by leaders in the Gang of 8 that they would work with

me, that they would help me get these things done. I consider those promises to be very important. Yet I have had some indication over the last few days that maybe they are not going to work with me. I don't think anybody has acted in better good faith than I have. As I have said, I would like to support the bill.

And make no mistake about it, I don't want people stiffing me on things that I consider to be important without even talking, without even working with me to resolve any problems they may have. I am not the kind of guy who takes that lightly. I think there is too much partisanship around here anyway.

Frankly, if you could pass this bill with these amendments, I think it would go a long way to showing not just four Republicans on our side who are courageous, as I think are the four Democrats in the Gang of 8. But they are not the only ones who should support this bill if it is done right.

If this is going to be a political exercise, count me out. If this is an exercise to really try to resolve the amnesty issues, if it is an exercise to really try to resolve these critical issues, I can be counted in. Maybe I don't mean that much in this debate, but if you look at some of the major sections in this bill, I have worked them out, and I will help work out this bill not only with colleagues on this side but with colleagues on the other side of Capitol Hill. But I don't want to be stiffed at this time, and I am not the kind of guy who takes stiffing lightly.

I see some real politics at work here rather than the kind of fair working together that we have to have and that we have to start working toward if we want to really accomplish things that need to be accomplished during these next 3½ years.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Ohio is recognized.

Mr. PORTMAN. Mr. President, I would like to join in the debate on immigration reform, and I think my colleague from Utah who just spoke makes a couple good points—one on the substance of the legislation and the need for us to be concerned about what the eligibility is, particularly as it relates to Federal benefits, to go to a legal status, but second about the process. I do hope the process can be an open one.

Not all of us are in the Gang of 8. Not all of us are on the Judiciary Committee. A number of us have what we think are improvements to this legislation to make sure that it does work and hope that there will be an openness to that over the next couple of weeks as we take up this legislation. It is my hope that, working constructively in a bipartisan fashion, we can address some of what I see as shortcomings in this legislation.

I do believe our current immigration system is broken. I think it is far too easy for people to cross our borders illegally and too easy for folks to find work without authorization. I think it is also too difficult for those who seek to come here in accordance with the law. So both the legal and the illegal part of our immigration system need fixing. It can't keep up with the demand for legal immigration or stem the tide of illegal immigration. So I think reform is essential.

As it stands now, however, I am concerned that the legislation will not provide the country with a lasting workable solution. Like a lot of my colleagues we just heard from today—Senator CORNYN talked about this, Senator HATCH talked about it, and others have talked about it today on the floor—I remain concerned about a few things. One is the eligibility for Federal benefits. Senator HATCH talked about that. But for me, a lot of it comes down to meaningful enforcement of our laws, including on the border, which is very important, also entry-exit, as Senator MCCAIN talked about, but significantly workplace enforcement. This is one area in particular that I believe must be addressed in order for us to have a successful implementation of the bill. Particularly, I would like to focus my comments today on what is called employment verification, or the E-Verify system.

When we talk about strong enforcement measures, we hear a lot of talk about the border, and we heard a lot of discussion about it earlier today, and that is important. It is important to have a secure border for a lot of reasons, including the movement of guns, drugs, certainly terrorism, as well as immigration. But I don't believe that border security alone will address the problem. Why? Because so many people enter here legally but then overstay their visas. It is estimated that 40 percent of those who are here illegally are here because they overstayed their visas. So we are not going to solve that problem at the border.

Second, I believe that no matter how many miles of fence we build or how many Border Patrol agents we put side by side along the border, as long as there are people wanting to come here for economic reasons—and I believe economic incentives are the primary reason people come to this great country—I think it is going to be very difficult to stop illegal immigration just at the border. We have to deal with the jobs magnet, which is why people are coming here.

This, by the way, has been a discussion over the years going back to the 1980s. The 1986 act talked about the jobs magnet and the need for us to have an effective—at that point it was called the employer sanctions system. It was never put in place. That is one reason the 1986 act did not work. It has

been in the debate for decades, and yet we haven't fixed it yet.

My belief is that the underlying bill still needs to be improved in this regard. Our current employer verification system has simply failed to address some of the very fundamental problems of having unauthorized workers. So effective employment verification is essential to the successful completion of this legislative process and to having a successful comprehensive immigration reform bill that prevents future illegal immigration.

Simply put, whatever reform we may adopt in this Congress will fail in the long run, in my view, if we don't eliminate the enticement to come to our country to work. I believe we must have a strong and workable E-Verify system that can help solve this basic problem.

Ideally, E-Verify would enable all employers to be able to, first, verify accurately and efficiently the identity of new employees and, second, ensure their work eligibility. By ensuring that only authorized job seekers get hired, we can begin to remove the jobs magnet that, frankly, as I said earlier, undermined the 1986 reform effort and left us in the situation we face today where we have over 10 million people working and living in the shadows here in this country.

Ultimately, I believe the E-Verify system contemplated by this legislation falls short but could be improved. While no verification system is perfect, the bill we are now considering mandates nationwide E-Verify implementation while doing little to address the fundamental flaws we have seen in E-Verify. There is a recent study that estimates that E-Verify has an error rate for unauthorized workers of 54 percent. That means half of the folks who are not authorized to work who go through E-Verify are able to be qualified anyway. In other words, the E-Verify system is not working to detect more than half of the unauthorized workers.

In implementing the mandatory E-Verify system, we have to do more to strengthen the protections against the fraudulent use of identifiers—particularly the Social Security cards and Social Security numbers in the employment authorization process—and we need to improve individuals' data privacy protections in that process. The proposal before us attempts to address some of these problems through what is called a photo-matching tool. This tool is designed to allow employers to compare a digital photograph from the E-Verify system with the photo on a new hire's passport, immigration document, or driver's license.

Unfortunately, the verification system doesn't have access to photos for more than 60 percent of U.S. residents who do not have a U.S. passport or an immigration document, making the photo-matching ineffective. The current legislation therefore relies on the

States to give the Department of Homeland Security access to driver's license records on a voluntary basis. There is no assurance that all or even most States will choose to participate in this. Past experience with what is called the REAL ID Act would indicate that fewer than half of the States would comply. Some say only 13 States would comply, some say 18 States would comply. The fact is, fewer than half of the States are complying with REAL ID, which would mean that on a voluntary basis it is unlikely we are going to get those driver's licenses or get those photos to be able to have photo-match work effectively for the 60 percent or fewer residents who don't have a passport or immigration document.

So I think more can be done to make this bill work better, and I am committed to trying to do that through legislation, amendments, and working with my colleagues on both sides of the aisle.

American citizenship is precious, and there are millions around the world who dream of attaining it. Our Nation deserves an immigration system that works. We can get there but only if we demand reform that recognizes the mistakes of the past—including the lack of promised enforcement from the 1986 law—and take steps to remedy those mistakes.

I am committed to addressing the deficiencies in the present legislation, and I will work on the Senate floor to help strengthen border security, deal with the eligibility issues Senator HATCH talked about, and eliminate this magnet of illegal employment. In particular, I am committed to helping ensure that E-Verify is implemented in a manner that does curtail the employment of unauthorized workers, protects privacy, and minimizes the burdens on employers, particularly small businesses. I sincerely hope we can get there.

I am confident that if this process is indeed open, as was discussed earlier, if it is an open process where amendments are able to be accepted, where people of good faith on both sides of the aisle are trying to get to a solution for a broken immigration system—broken both in terms of legal immigration and illegal immigration—we can in the end pass good legislation out of the Senate.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I have come to the floor several times to discuss border security. Border secu-

rity is so essential to people approving the legislation that we pass because most every poll shows when people want an immigration bill, it is premised on the assumption that we are going to have a secured border.

I talked yesterday about my amendment, and that amendment tends to be pending. I tried to improve upon the Group of 8 legislation on border security. I will take a few minutes right now—not very long—to discuss why I think my amendment is a good first step at restoring the faith of the American people—in this legislation, but in turn in our government.

I would like to mention why it is so important, not just for public confidence—because that is what I have spoken about in the past—but for national security and the defense of the homeland. Being a U.S. Border Patrol agent is a very dangerous job. A former agent said in an interview in the *El Paso Times*:

I was attacked one time by a group of seven men with rocks and I was pretty severely injured. Being assaulted is not really that uncommon. Whether it is rocks being thrown at you or a hand-to-hand combat situation or being shot at, it is not particularly uncommon.

We need a bill that will protect our Border Patrol agents who put their lives on the line every day and do their job of patrolling the border. They face threats and violence, and many, such as Brian Terry, have been killed because of gang violence or drug cartels. Not only do our Border Patrol agents face danger, but ranchers face daily encounters of drug smugglers and illegal border crossers.

Robert Krentz from Arizona, a rancher, was killed in 2010. His family expressed frustration with the Federal Government, stating:

The disregard of our repeated pleas and warnings of impending violence towards our community fell on deaf ears, shrouded in political correctness. As a result, we have paid the ultimate price for their negligence in credibly securing our borderlands.

No one can fault someone for wanting to improve their lot in life. Husband and wives trek across the border to make a better life for them and for their families. People yearn to be free and to make life full of liberty and happiness. But people who cross the border illegally risk their own lives. They spend days walking through desert. They fall prey to smugglers and become victims of rape and abuse. Securing the border is one of the most humane things we can do to protect the lives of those who will venture into the United States, not caring about our laws but for the sole purpose of improving their lives. That is the goal of America, a better life for all of us who were born here as well as those who immigrate here.

It is dangerous crossing the border illegally for those people. We can give them legal avenues to enter this coun-

try to live, work, and raise a family. If we do not deter illegal border crossings, people's lives will remain at risk as they are at this very hour.

Nonetheless, proponents of legalization hold to the belief that the vast majority of people who cross our border are people seeking employment. Most times that is true; however, not everyone who crosses the southern border is a resident of Mexico who seeks to be reunited with family and do the jobs Americans will not do. The number of individuals from noncontiguous countries, otherwise known as "other than Mexicans," should be a concern.

As of April 2, 2013, the "other than Mexican" numbers on the southwest border were up 67 percent from fiscal year 2012 to fiscal year 2013. We know some of the "other than Mexicans" include terrorists who enter the United States via the southern border. Secretary Napolitano has testified before Congress to that very fact.

We also know a majority of "other than Mexicans" fails to appear for their immigration proceedings and simply disappears, lost here in this great country, the United States. Increasing bonds for these nationals would deter absconders, assist ICE and custom border police in covering detention and removal costs or, at a minimum, provide a disincentive to cross. Unfortunately, an amendment during the Judiciary Committee markup to raise the bonds for "other than Mexicans" failed.

Many commonsense amendments were defeated during the committee process and many amendments to beef up the border will be considered in the days ahead.

As I have said before, the bill before us only requires the Secretary of Homeland Security submit a plan to Congress before millions of people are legalized. There is little regard for the need to better secure our border. In other words, when a plan is presented, make sure the plan works. Some of them say we have done enough. The Secretary says the border is more secure than ever before. They say border security shouldn't stand in the way of legalization.

My amendment is a good first step to stopping the flow of illegal immigration. It sends a clear signal that we are serious about getting the job done. For the Secretary to simply submit a plan to Congress is only worth the paper upon which it is printed. We need to take action and we need to make it a priority.

I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as if in morning business for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

## CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I rise today for the 35th time to again bring the message to my colleagues that it is time to wake up to the threat of climate change. There is simply too much credible evidence that climate change is occurring, and there is too much at risk for us to continue sleepwalking.

Our oceans face unprecedented challenges from climate change and carbon pollution. Oceans have absorbed more than 550 billion tons of our carbon pollution. As a result, they have become 30 percent more acidic. That is a measurement, not a theory.

Ocean temperatures are also changing dramatically, again driven by carbon pollution. Sea surface temperatures in 2012, from the Gulf of Maine down to Cape Hatteras, were the highest recorded in 150 years. That is another measurement. Fish stocks are shifting northward with some disappearing from U.S. waters as they move farther offshore. Fishermen who have come here to talk to Senator REED and myself have noted anomalies, and "things are not making sense out there" is the way they have described it.

In my home State of Rhode Island, the Ocean State, we put our lives and hearts into our relationship with the ocean. The day-to-day life on the coast is a proud and rewarding tradition, but it is one that is now threatened by climate change.

The waters of Narragansett Bay are getting warmer—4 degrees Fahrenheit warmer in the winter since the 1960s. Long-term data from the tide gauges in Newport, RI, show an increase in the average sea level of nearly 10 inches since 1930, and the rate of increase is accelerating. Sea level rise is contributing to erosion and allows storm surges and waves to wash farther and farther inland. Last year Hurricane Sandy really sped up that erosion, driving down beaches and dunes and tearing up coastal homes and roads.

The ecosystem damage, erosion, and storms are just part of the price Rhode Islanders pay for unchecked greenhouse gas pollution. We are not alone. Every region of the United States is facing similar costs.

Economists are working to calculate the costs of carbon pollution by adding up those damages of climate change. It is called "the social cost of carbon" because it is the cost of pollution the big polluters offload onto the rest of society. When consumers and taxpayers are forced to shoulder those costs, that is a market failure, and it is flat out unfair.

The Obama administration recently revised its estimates of the social cost of carbon. The new calculation does a better job at capturing the most recent projections for sea level rise and agricultural productivity. This is a good

step toward recognizing the magnitude of the harms of climate change, and I hope it is an indication that the President is going to do more to address this problem.

Economists and administration officials are not the only ones looking at the cost of carbon pollution. Among those weighing the evidence that our climate is changing are the cold-eyed professionals of the property casualty insurance industry—insurers and the reinsurers. Their industry depends on getting this right. Politics has no place in their calculations. This is how they make their living.

The insurance sector has created a complete data set for natural catastrophes worldwide from 1980 up to 2011, and here is what they see: The annual number of natural disasters is going steadily up. The top three colors of each of these bars show the number of events that are related to weather. On the bottom, this set in red shows the events that are not related to weather. Volcanoes, earthquakes, and so forth, are not climate related.

While the overall number of catastrophes is increasing, we can see the number of these nonclimate catastrophes is constant. It is the climate-driven catastrophes that are increasing.

Here is the chart without those nonclimate catastrophes. These are the catastrophes that are related to climate-driven weather. Insurers and reinsurers are looking more closely at the increase in weather-related catastrophes and are now starting to include climate-change costs in their risk models.

Pricing carbon properly is necessary. Representative HENRY WAXMAN, Representative EARL BLUMENAUER, Senator BRIAN SCHATZ, and I have released a discussion draft of legislation to make the big carbon polluters pay a fee to cover the costs of dumping their waste carbon into our atmosphere and oceans—a cost they now push off onto the rest of us—and return all of that revenue to the American people.

At present the political conditions in Congress are stacked against us. The big polluters and their allies hold sway and Congress refuses to wake up. While Congress sleepwalks through history, States such as my home State of Rhode Island are acting to mitigate and adapt for climate change.

This week I welcomed dozens of Rhode Islanders to Washington for our annual Rhode Island Energy and Environmental Leaders Day. This event brings together Rhode Island renewable energy and sustainable development businesses, community development nonprofits, State and local officials, environmentalists, experts, and academics, to share ideas with national leaders and Federal agencies on promoting green energy, improving resiliency, and combating climate change.

We were joined by my terrific Rhode Island delegation, JACK REED, JIM LAN-

GEVIN, and DAVID CICILLINE. The highlight of the event was hearing from Vice President Al Gore, who is a world leader on environmental protection and alternative energy. Vice President Gore declared that "We are on the cusp of a fantastic revolution" in green energy. "But there is still ferocious resistance," he warned, from "legacy industries that have built up wealth and power in a previous age"—that is what stops Congress. That is what keeps us sleepwalking, and that is why we don't wake up.

We were also joined by Energy Secretary Ernest Moniz, who asserted the Obama administration's dedication to doubling renewable generation by the end of this decade.

Congressman HENRY WAXMAN, the ranking member on the House Energy and Commerce Committee and my fellow cochair of our Bicameral Task Force on Climate Change, also came to address the group, as did our colleague Senator ELIZABETH WARREN of Massachusetts. New Englanders, of course, know Senator WARREN as a tireless advocate for everyday Americans, who is unafraid to challenge powerful special interests, and my friend HENRY WAXMAN has carved out a unique role for himself as one of the leading legislators in the House of Representatives on this and a great number of other public health issues. I am so proud to be working with Representative WAXMAN.

The innovation that is taking place in my Ocean State was on full display at the Rhode Island Energy and Environmental Leaders Day. We are a leader in the development of offshore wind energy. This month the Federal Bureau of Ocean Energy Management announced the first-ever auction for renewable energy leases off the coast of Rhode Island and Massachusetts.

Our State's Special Area Management Plan, or SAMP, has balanced environmental, commercial, and military marine interests through a first-of-its-kind marine spatial planning process. This cooperation has protected rich fishing grounds and sped up wind energy development.

Rhode Island is part of the Regional Greenhouse Gas Initiative, nicknamed "Reggie," along with eight other northeastern States, including the State of the Presiding Officer, I believe. Our region caps carbon emissions and sells permits to powerplants to emit greenhouse gases, creating economic incentives for both States and utilities to invest in energy efficiency and renewable energy development.

Rhode Island's Climate Change Commission identifies risks to important State infrastructure and reports on the effects of catastrophic events such as Hurricane Sandy and the 2010 flood.

In places such as North Kingstown, RI, the city planners have taken the best elevation data available, and they have modeled various levels of sea level

rise and storm surge. By combining these models with maps showing roads, emergency routes, water treatment plants, and estuaries, the town can better plan its infrastructure and its conservation projects.

The Rhode Island Department of Health is using a \$250,000 grant from the Centers for Disease Control and Prevention to help the State prepare for and address health effects associated with climate change.

Most of all, Rhode Islanders are calling for action, especially young Rhode Islanders. When I spoke at a climate change rally on the National Mall earlier this year, busloads of Rhode Islanders had driven down to show support for action on climate change. Right now students at Brown University and the Rhode Island School of Design are pushing their great universities to divest their endowments of coal holdings.

I am proud of the effort we are making in Rhode Island, and I know a lot of States are working just as hard. But I say to my colleagues: Our home States are hampered in these efforts by inaction in Congress. Even the Government Accountability Office, known as Congress's watchdog, has pointed out repeatedly that the Federal Government should be a better partner to States that are trying to adapt to and plan for climate change.

Sadly, Congress seems determined to be the last holdout against good sense. Some in this body choose to ignore the science and put special interests before national interests. They stifle policies that would be economically inconvenient to their special interests. The obstruction may be well funded by the polluters and their allies, but the majority of the American people understand that climate change is a problem, and they want their leaders to take action.

Many in Washington do recognize the need for climate action and ocean stewardship. President Obama declared this June to be National Oceans Month, saying:

All of us have a stake in keeping the oceans, coasts, and Great Lakes clean and productive—which is why we must manage them wisely not just in our time, but for generations to come. Rising to meet that test means addressing threats like overfishing, pollution, and climate change.

Last week, the National Marine Sanctuary Foundation hosted the 12th Capitol Hill Ocean Week, bringing marine professionals, government officials, and ocean advocates to Washington to discuss strategies for keeping our oceans and coasts healthy.

Also, last week, Secretary of State John Kerry hosted a roundtable discussion about the challenges of and opportunities for ocean sustainability under climate change.

Responsible people are calling for action, such as Rhode Island's energy and

environmental leaders, the insurance and reinsurance sector, and virtually every major reputable scientific organization, such as NASA, whose scientists sent a buggy the size of an SUV to Mars and are driving it around right now on the surface of Mars. They may know something when they can do that. Major U.S. corporations are calling for action, including Apple and Ford and Nike and Coca-Cola and organizations such as the U.S. Conference of Catholic Bishops. Heather Zichal, President Obama's Deputy Assistant for Energy and Climate Change, made it clear to the crowd at Rhode Island Energy and Environmental Leaders Day:

Congress has not yet delivered a common-sense, market-based solution. . . . [I]f Congress will not act, then [the President] will.

It is time to wake up and to meet the challenge of our time. There is a lot at stake for every State and there is a lot at stake for every generation. It is time to wake up and to take action.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I come to the floor because I have been listening to some of the discussions of my colleagues about the immigration reform bill that is before the Senate.

As I have said before, everyone is entitled to their own opinion, but they are not entitled to their own facts. I have heard references, time and time again, to 1986, the last time immigration reform legislation was passed. This is not 1986. Selective memory loss seems to be at work in the Senate today, so I wish to respond to some of these claims made by my colleagues.

On one hand, critics of the immigration bill keep harking back to the Immigration Control Act of 1986, commonly known as IRCA, arguing we haven't learned the lessons of 1986. On the other hand, they insist on their slogan of securing the border first, before a legalization process can begin. But if there are lessons to be learned from 1986, there are just as many to be learned from the last 10 years in which "enforcement first" has been the mantra of Congress's immigration policy, with disastrous results.

First, with respect to 1986, the overriding lesson learned from that bill was that if we don't deal with the reasons people come to the United States, we don't solve the problem. A promise to end illegal immigration ultimately could not be fulfilled because the 1986 law did not address the question of future immigration flows.

The Migration Policy Institute and the Immigration Policy Center have identified one cause of future illegal immigration after IRCA to be not legalization—not legalization—but the failure of legislation to address future flows of immigration. S. 744, the bill we are debating, however, does not follow

in the failed footsteps of the 1986 act and addresses future flow in real and meaningful ways.

But we have learned other lessons in the intervening years, most notably that the enforcement-first policy does not serve our country well. Despite an extraordinary allocation of resources and personnel, the flow of illegal immigrants has steadfastly been affected more by the economy than by enforcement efforts. As deportations have gone up, the tragic impact on families and children has been well documented and the impact on the economy continues to grow.

So if one of the pull factors is the opportunity to earn money to send back to families, S. 744 undermines that opportunity by mandating a universal—a universal—employment verification system and provides for a reasonable implementation schedule. What that basically means is that virtually every employer in America is going to have to make sure that regardless of who a person is, when they come forth and seek to be employed by an employer that has a job available, they are going to go through the system and verify whether the person has the legal status to be able to work in the United States. That undermines that factor of drawing people to this country for employment opportunities much more than anything else about interdiction.

If anything, the growing outrage over a broken immigration system helped to change the political dynamic last year. It was a rejection of both the enforcement-only strategy and the idea that we must secure the border first.

Finally, the Migration Policy Institute explained that the 1986 limited legalization program left many people in the shadows, which led to substantial backlogs in family-based immigration categories. Illegal immigration did not decrease dramatically until after the passage of enforcement-only bills starting in 1996 that trapped many in an undocumented status despite their family or employment ties. So our legislation learns from the mistakes of the past and creates a balanced 21st century immigration system.

Despite what many have said, our legislation, in moving forward with legalization, does not abandon border security but, rather, addresses it in tandem with the significant problems that face our immigration system. We can, for example, reap enormous benefits from legalizing the undocumented, both in terms of their economic and social contributions—making sure they fully pay taxes and are law abiding in every other respect—and in terms of creating a more secure and accountable system, as we will know who is in the United States and who can lawfully work here, but we can't do it if we have to wait years—years—under some of the amendments our colleagues are offering to begin the process of

transitioning undocumented people into a legal status.

I have heard a lot about national security. I would prefer to know who is in the United States. Let them come forth, register with the government, go through a criminal background check, and those who can't pass that background check—maybe they don't think their background is going to come up—get deported. Then I know who is here to do harm to America versus who is here to pursue the American dream. But my colleagues would continue through their amendments to keep these people in the shadows—millions—and, therefore, I don't know how we promote national security if we don't know who is here and for what purposes. So we reap enormous benefits, both in terms of economic benefits as well as security, by bringing those people out of the shadows and into the light—registering with the government, going through a criminal background check, paying taxes, learning English, and earning their way to make their situation right in the United States.

Certain impossible border security standards must be seen for what they are, which, in my view, is a cynical attempt to deny a pathway to legalization. My colleagues can flower it all they want, they can cover it up all they want, they can put all the lipstick on it they want, but it is still what it is. It is a cynical attempt to ultimately undermine a pathway to legalization. The standards some of my colleagues are trying to propose have not been met by the Federal Government in virtually any other responsibility the government has. Pretty amazing. Tying the two together, as so many have tried to do, is simply institutionalizing the status quo.

What does the status quo do? The status quo allows millions to be in this country without knowing what their purpose is here. The status quo allows families to be divided. The status quo allows U.S. citizens and permanent residents—legal permanent residents of the United States—to be unlawfully detained in immigration raids, treated as second-class citizens of this country because of the happenstance of where they live, who they are, what they look like. Who among us is willing to be a second-class citizen in America?

The status quo permits an underclass to be exploited and creates downward pressures on the wages of all Americans, and that exploitation takes place. The status quo doesn't allow for the challenges, even in a tough job economy, to be fulfilled so our economy can grow. I listen to all different sectors of our economy, including the agricultural sector. I listen to the seafood industry. I listen to the hospitality industry. I listen to the restaurant industry. I listen to the high-tech industry. They all clamor for individuals to do

these critical jobs that very often support the high-paying jobs above them but are essential in order to be able to produce that product or deliver that service. Yet we would have the status quo be preserved because that is, in essence, what the amendments being offered include, which are unattainable standards that my colleagues know simply cannot be met. They are not about border security but about undermining the pathway to legalization.

So let's look at what this bill does do, however, about border security, among many other provisions. It includes \$6.5 billion in addition to the greatest amount of resources, including money, border patrol, customs enforcement, physical impediments on the border, aerial surveillance that already exists. It adds \$6.5 billion to bolster our border security efforts, and that is in addition to the annual appropriations for border security.

Effective border controls? Yes. As a matter of fact, these provisions of the Gang of 8 were largely drafted by the Senators who came from border States and who had a real sense and a real conversation with those who secure the border every day about what is needed.

It requires all employers to verify their workers are authorized to work in this country, which cuts off the job magnet—another effective control, perhaps the most effective control. It has a whole entry-exit system that is far more advanced than that which exists today, and before any legalization can begin—before any legalization can begin—the Secretary of Homeland Security is designated to come up with a plan for how to deploy \$4.5 billion of those resources on infrastructure, technology, fencing, and personnel such as the Border Patrol, so it will be able to catch 9 out of every 10 undocumented immigrants who might attempt to cross the border. So there is more border control.

Only after this plan has been presented to the Congress and the E-Verify system—which is that employment check—is ready for nationwide implementation and the deployment of the resources has commenced, may the legalization program begin to adjust undocumented individuals to that provisional status. Before anyone in that provisional status can ever be granted a green card, which basically means permanent residency, all of the resources in the plan must be deployed on the ground and be working.

That is not enough for some of my colleagues because they create standards for which we, in essence, could never, ever have even a provisional status in the country.

Some Senators have also claimed our bill allows immigrants to receive welfare and other public benefits. That is just simply not true. S. 744, the bill before us, bars individuals granted even provisional status and blue card sta-

tus—which are agriculture workers and V nonimmigrant visas—they will not be eligible for the following Federal means-tested public benefit programs for the duration of their provisional status: nonemergency Medicaid, Supplemental Nutrition Assistance Program, otherwise known as SNAP or food stamps, Temporary Assistance for Needy Families, TANF, and Supplementary Security Income.

In fact, when most of these individuals adjust to LPR/green card status, they will be forced to wait at least 5 additional years before becoming eligible for these programs, and all the while they are paying taxes, which is a prerequisite. As a result, an individual with RPI status, who is otherwise eligible for public benefits, would not be able to enroll in programs such as Medicaid and SNAP for 15 years.

Now, during the duration of their provisional status, individuals will not be eligible for the Affordable Care Act's premium tax credits and cost-sharing reductions that help make health insurance affordable for low- and middle-income working families. They will not be eligible for that. Individuals granted RPI—the provisional status—blue card or V nonimmigrant visa status will be able to purchase private health insurance at full cost—at full cost—without subsidies, without tax credits through the insurance marketplaces created under the Affordable Care Act.

We want to give them the opportunity out of their own pocket and with full cost to be able to do so if they can because that means we lessen the burden on our health care system, particularly in an emergency room setting, which is what happens right now.

This does not give tax credits, it does not give subsidies, but it does say to the individual: If you have the wherewithal, go buy insurance and protect yourself.

This bill denies benefits to legalized immigrants. It is a tough bill and, frankly, for many of us, some of these provisions, because we say to someone: Come forth, register, pay fines, pay fees, pay your taxes, and, by the way, for a decade or more, even though you are paying taxes like anybody else, you have absolutely no right to anything—that is virtually what we are saying. So I wanted to clarify the record so the American people understand the truth about this bill. It is a tough and fair compromise that respects the American taxpayer.

Finally, I would like to clarify the record about taxes and the economic benefits of this bill. This bill increases the gross domestic product of the United States by a cumulative \$832 billion over 10 years—\$832 billion over 10 years—and that is only by virtue of looking at the legalization aspect. If we look at the totality of all the elements of the bill, it exceeds \$1 trillion.



It increases the wages of all Americans by \$470 billion, and it creates an average of 121,000 new jobs each year for the next 10 years. That is an additional 1.2 million jobs over the next decade.

The Senate bill says individuals who do not pay their taxes cannot—cannot—renew their legal status or obtain green cards. Legalizing immigrants can be required to pay assessed taxes going back as far as 10 years before legalization.

This requirement is tougher than the back tax requirements in the 2006 and 2007 bipartisan Senate immigration bills, which only required legalizing workers to pay back taxes when they obtained their green cards. Under this bill, workers are held responsible for back taxes at three points: when first transitioning to legal status, when renewing their status, and when obtaining a green card. On top of the back tax requirement, legalizing workers will have to pay significant penalties and fees at registration and renewal and when obtaining their green cards.

Everyone who works, regardless of their immigration status, is liable for the payment of taxes. “Assessed liability” simply means legalizing workers will be held responsible for all of the back taxes the IRS says they owe—all the back taxes the IRS says they owe—going back as far as 10 years before legalization.

The back tax requirement is written in the way that is most straightforward for the IRS to implement and enforce, saving resources and making sure that individuals with past-due liability can actually be blocked from adjusting their status.

It provides an efficient way for the Department of Homeland Security to confirm that individuals have satisfied their tax liabilities. It is much easier for the Department of Homeland Security to work with IRS to confirm that individuals have paid all their assessed liabilities instead of sifting through tens of millions of tax returns, which would not reflect taxes that may have been assessed by the IRS.

I look at the Congressional Budget Office. We will await their score, but they and other experts in the past have found that undocumented workers will pay billions of dollars more in taxes—more in taxes—once they come out of the shadows and work legally.

I had thought, with poll after poll after poll where Democrats and Republicans and Independents said they wanted to see this broken immigration system fixed, where, in fact, we had a national election last November for the Presidency, for the Congress, in which this debate raged on quite a bit—and ultimately a new demographic in the country showed, in those election results, as they marched to the polls, that they were looking at how this Congress would deal with the question of reforming our broken immigration

system—that, in fact, we would have a different day in the Senate, that instead of voices that are seeking to undermine the very essence of reform—that includes border security, that includes a pathway to legalization, that includes provisions in our economy that are incredibly important both to grow and not suppress the wages of Americans, that improves the protections to make sure American workers have the first shot at getting any job that exists in America first and foremost, that looks at the future in terms of flows and says: This is how we are going to deal with this to ensure that our economic vitality grows by virtue of who we allow in this country but that still preserves a very core value, an American value, a value I often hear my colleagues talk about, which is about family values and the family unit—well, that still preserves the very essence of that value, even as it reduces it somewhat, and at the same time preserves our history as a nation of immigrants, the greatest experiment in the history of mankind, which has made us the greatest country on the face of the Earth—that we would hear a different approach by some of our colleagues.

But I have heard the same tired refrain, and it may sound good, but when you read what the amendments are all about, you understand what they are really trying to do. I believe those efforts will be rejected. Legitimate efforts to improve this bill, as it was improved in the Senate Judiciary Committee, in which 136 amendments were offered and passed—many of them were Republican amendments, many of them were bipartisan amendments that were passed, and they, in fact, refined, improved, and made more specific elements of the bill that were great additions—those opportunities exist here as well.

But what we cannot allow is to nullify the hopes and dreams and aspirations of millions of people in our country who are waiting for this moment. We cannot nullify the opportunity to really move toward securing our country in a way far beyond the status quo. We cannot lose the opportunity to grow our economy, get more taxpayers into our system, and strengthen our overall revenue sources. That is what this bill is all about. That is why I believe at the end of the day it will prevail and receive the votes necessary to move forward and be sent to the House so we can finally get this broken immigration system fixed.

Mr. LEAHY. Mr. President, I understand Senator VITTER, the Senator from Louisiana was on the floor earlier discussing the amendment Senator HATCH and I have proposed, Amendment No. 1183. I have read the remarks the Senator from Louisiana made, and I wish he had read our amendment more carefully. His remarks seem to be

describing a different amendment than the one Senator HATCH and I have proposed.

Our amendment is very simple. Under current law, foreign performing artists who come to the United States must get either an “O” or “P” visa. The Immigration Statute requires that U.S. Citizenship and Immigration Services, USCIS process these visas in 14 days. This statutory requirement is a reflection of the time sensitivity involved with scheduling these artists for engagements in the United States, and permitting them to meet their obligations, which of course benefit the American organizations that hire them. Our amendment, which is limited to non-profit organizations, provides that if the 14-day statutory requirement for processing is not met, then the foreign artist’s petition would automatically be given expedited processing, and the associated additional fee is waived. But let me be clear, the visiting artist is already paying a fee of several hundred dollars for the petition. All our amendment would do is provide the petitioner with free expedited processing if the deadline were not met by the agency.

Senator VITTER expressed concern that providing expedited processing in a case where the immigration agency does not adhere to its statutory deadline would take funding away from the enforcement of immigration law. Surely Senator VITTER knows that U.S. Citizenship and Immigration Services is a fully fee-funded agency, and has no enforcement responsibilities. When Congress reorganized the former Immigration and Naturalization Service and created the Department of Homeland Security, the visa adjudication and immigration enforcement functions were separated. So let me be clear—the waiver of an expedited processing fee has absolutely no effect on the funding that goes to immigration enforcement. Moreover, as I discussed this morning, the bill we debate provides \$6.5 billion to border security and enforcement. Our amendment is not some giveaway to, as Senator VITTER described, “well-heeled” individuals. Rather, it is an incentive for USCIS to process these petitions in a timely way as they are required under the law.

But the most important distinction that the Senator from Louisiana failed to explain to the Senate was that our amendment applies only to non-profit organizations. Organizations like the Greater New Orleans Youth Orchestra, the Louisiana Philharmonic Orchestra, Louisiana State University Opera, and the New Orleans Ballet Association. I suspect that these are not the “well-heeled” individuals the Senator from Louisiana is describing. In fact, I would ask unanimous consent to have printed in the RECORD a list of 83 Louisiana Arts Organizations and supporters of the amendment Senator HATCH and I have offered.



The Senator from Louisiana called our amendment misguided. Again, I wish he had read the amendment more carefully. I suspect the dozens of non-profit performing arts organizations across Louisiana that are enriching their communities with performances from international musicians and dancers would not think it is misguided to help them continue their important work. With such an incredibly rich musical history and tradition, I suspect the people of Louisiana, like Americans across the country, place a very high value on the performing arts.

So with that clarification, I hope I have addressed the concern of the Senator from Louisiana and that he will reconsider his opposition.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PERFORMING ARTS ALLIANCE

MEMBERS AND SUPPORTERS IN LOUISIANA  
ORGANIZATION AND CITY

Acadiana Center for the Arts, Lafayette; Acadiana Symphony Orchestra, Lafayette; Alligator Mike Promotions LLC, New Orleans; Ark-La-Tex Youth Symphony Orchestra, Shreveport; ArteFuturo Productions, New Orleans; Arts Council of Greater Baton Rouge, Baton Rouge; ArtSpot Productions, New Orleans; Ashé Cultural Center/Efforts of Grace, Inc., New Orleans; Atlantic Brass Quintet, Baton Rouge; Backbeat Foundation Inc., New Orleans; Baton Rouge Symphony, Baton Rouge; BREC Independence Park Theatre, Baton Rouge; Cindy Scott, New Orleans; Columbia Theatre for the Performing Arts, Hammond; Contemporary Arts Center, New Orleans; Coughlin-Saunders Performing Arts Center, Alexandria; Cripple Creek Theatre Company, New Orleans; CubaNOLA Arts Collective, New Orleans; Dillard, New Orleans; Downsview High School, Downsview; DUKES of Dixieland, The, New Orleans.

Festival International de Louisiane, Lafayette; FMBC—Liturgical/Spiritual Dance Ministry, New Orleans; Goat in the Road Productions, New Orleans; Graduate Program in Arts Administration—UNO, New Orleans; Grand Opera House of the South, Crowley; Greater New Orleans Youth Orchestras, New Orleans; HMS Architects, New Orleans; Hot 8 Brass Band, New Orleans; Houma Terrebonne Civic Center Development Corporation, Houma; Independence Park Theatre, Baton Rouge; Isidore Newman School, New Orleans; Jefferson Performing Arts Society, Metairie; Junebug Productions, New Orleans; Kors Entertainment, Baton Rouge; Lake Charles Symphony Orchestra, Lake Charles; Little Theater Shreveport, Shreveport; Louis Armstrong Society Jazz Band, The, New Orleans; Louisiana Alliance for Dance, Baton Rouge; Louisiana Division of the Arts, Baton Rouge; Louisiana Philharmonic Orchestra, New Orleans.

Louisiana State University, Baton Rouge; Louisiana State University Opera, Baton Rouge; Louisiana State University Student Union Theater, Baton Rouge; Louisiana Youth Orchestra, Baton Rouge; Loyola University, New Orleans; Maculele Cultural Project, Inc., New Orleans; Manship Theatre, Baton Rouge; Mondo Bizarro, New Orleans; Monroe Symphony Orchestra, Monroe; Moving Forward Gulf Coast, Slidell; Musaica Chamber Music Ensemble, Metairie; Musicians for Music, New Orleans; National Per-

formance Network, New Orleans; NEW NOISE, New Orleans; New Orleans Ballet Association, New Orleans; New Orleans Center for Creative Arts Institute, New Orleans; New Orleans Friends of Music, New Orleans; New Orleans Opera, New Orleans; New Orleans Shakespeare Festival at Tulane, New Orleans; Night Light Collective, New Orleans; North Star Theatre, Mandeville; Opera Louisiana, Baton Rouge.

Oportunidades Nola, New Orleans; PearlDamour, New Orleans; Performing Arts Society of Acadiana, Lafayette; Playmakers of Baton Rouge, Baton Rouge; Rapides Symphony Orchestra, Alexandria; Salvatore Liberto Music, River Ridge; Shreveport Opera, Shreveport; Shreveport Symphony Orchestra, Shreveport; Southern Rep, New Orleans; Strand Theatre of Shreveport, Shreveport; Swine Palace Productions, Baton Rouge; Terrance Simien & The Zydeco Experience, Lafayette; Terrance Simien & The Zydeco Experience, Lafayette; The Shakespeare Festival, New Orleans; Tsunami Dance, New Orleans; Tutti Dynamics, New Orleans; University of Louisiana, Lafayette; University of Louisiana—Monroe, Monroe; VIEUX CARRE ARTISTS, New Orleans.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARPER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. I wish to start tonight by saluting our Gang of 8. I won't call them by name; you know their names, but four Democrats and four Republicans. I wish to thank them for their tireless efforts to bring this bipartisan legislation to the floor.

I also wish to commend Senator LEAHY and the Judiciary Committee that he leads for their efforts to bring the committee together and for bringing to the floor what I think most of us agree is very important legislation.

Delaware celebrated the 375th anniversary of the arrival of the first Swedes and Finns who came to America and came right through what is now Wilmington, DE. South of that spot, about 5 miles to the south, William Penn first came to America as well.

Those immigrants came to our country all those years ago for a lot of the same reasons people come here today. They came to live what we now call the American dream, the remarkable idea that regardless of our background or station in life, people can still come to this country, work hard, build a better life for themselves and for their families. Today, some 400 years later after those first immigrants settled in my own State, we are blessed to live in a thriving and prosperous Nation in no small part because of millions of immigrants who came together to build this Nation. We can all be proud of that history.

As a Nation of immigrants, we in Congress have a special responsibility

to ensure our immigration system is effective and it reflects our values. Those values were what inspired brave, hard-working, and committed people to take great chances to come to this Nation. They are often seeking out of poverty, to lift themselves out of poverty, or to simply live a better life.

These immigrants renew and enrich our communities. They enhance our economy, but we cannot and should not open our doors indiscriminately to everybody who wants to come here. We need an immigration system that is practical, is effective and, in the end, is fair—fair to us, fair to the people who want to be here, and fair to the people who have been in line to become citizens in this country sometime down the road.

Today, however, our immigration system is, by most standards, broken. It is not effective in bringing in the talent we need and maintaining a strong and vibrant economy. Our immigration system does not give employers the assurances that someone they want to hire is actually here legally and eligible to do some work. That system does not always focus our security efforts on the real risks and on those who come here with the intent to do us harm.

Finally, our immigration system does not address in a pragmatic or fair way the fate of 11 million undocumented people living in our country right now, many of whom came here as children and, like us, know no home other than America.

With that said, how do we modernize our immigration laws in a way that is fair, practicable, and makes our Nation more secure, physically and also economically? I have always said the key to immigration reform is border security.

You will recall the last major comprehensive effort this body made to reform our broken immigration system about 6 years ago fell apart because a number of my colleagues here claimed, with some justification, that our borders were not secure enough. Many of my colleagues claim, justly or not, that the border is still too porous, and we would be having the same debate 20 years later because of border control, the lack of it.

People ask themselves are our borders secure enough to ensure we don't end up having this same debate 20 or 30 years down the line. The answer, for many of my colleagues and for a lot of Americans was, no, they are not. That was then; this is now.

Six years later, a number of people will still argue our borders are not secure enough to even try to move forward with these reforms. I disagree. When I hear our colleagues ask are our borders more secure, I am often reminded of a friend who says, when you ask him how he is doing: Compared to what?

Some say our borders won't be secure until we stop every single person who tries to get across illegally. I think it is clear this is not a realistic goal or expectation.

Let's go back a little bit in time. Take, for example, the border between East Germany and West Germany, most famously the Berlin Wall. This was perhaps the most secure border our world has ever seen, with roughly 100 miles of concrete, electrified razor wire, and a 100-yard-wide kill zone guarded by some 30,000 soldiers. Still people made it safely across this highly secured border every year. In fact, a recent report by the Council of Foreign Relations concluded that East Germany only stopped about 95 percent of those who tried to cross the border and enter West Germany. Even a ruthless regime willing to kill its citizens couldn't stop desperate people in search of a better life. I don't think any reasonable person believes we should try to replicate the East German border strategy.

What is the right comparison? I suggest the right comparison is what our borders looked like in 2007. Are our borders more secure today than they were then? Are they a lot more secure or just a little bit? I think they are a lot more secure.

How do I know? I have the privilege of chairing the Senate Committee on Homeland Security and Government Affairs. We held a number of hearings this year on border security. Even more importantly I have had the opportunity to visit our borders with Mexico and actually up in Canada, along with Senator JOHN MCCAIN, Congressman MICHAEL MCCAUL of Texas, Secretary Janet Napolitano, all kinds of local officials, sheriffs, police, mayors, and other folks. About 3 years ago, I visited the California border and earlier this year Arizona and Texas and up in Michigan. My goal was to get a first-hand look at what is working, what is not, and what more we ought to do to secure the border further—and we can.

Based on what I have seen, there is overwhelming success, though, that our borders are more secure than they have been—probably have ever been—and certainly more secure than they were in 2007. I saw parts of our border that were overrun with undocumented immigrants as recently as 2006, when the Border Patrol agents I met with told me they used to arrest more than 1,000 people every single day trying to get into this country illegally. Think about that, 1,000 people a day. Today those same agents told me they have a busy day if they arrest as many as 50 people. Is 50 too many? Yes, it is, but it is not 1,000 people a day.

In fact, arrests at the border have reached their lowest levels since the early 1970s. With our putting massive investments in personnel and technology along the border, we are arrest-

ing significantly fewer people, and it is not because we are not on the lookout or trying to get those who are coming here.

I have a slide of our southern border, from the Pacific to the Gulf of Mexico; from California into Arizona, to parts of New Mexico and Texas, all the way to the Gulf of Mexico. So four States are divided into about nine different quadrants. We have some interesting numbers. If we look at 1992, the number of people who were arrested was about 565,000 just south of San Diego. In 2000, in the El Centro area of California, we had about 238,000. Initially, the numbers here in the West were huge. In the Navy, I used to be stationed in San Diego. These numbers were huge. It has sort of drifted this way. I used to go across the border south of San Diego into Mexico, but it is remarkably secure. The challenge now lies way over here and other places as well, but really it lies over here. We have not just Mexicans trying to get across. Maybe the majority of people trying to get across in South Texas today are from Central American countries—Guatemala, Honduras, and El Salvador.

In 2005, a year or two before we debated the last immigration reform proposal, Border Patrol was arresting, in this Yuma section right here, 138,000 people. Today, the number is 6,500. Think about that, from 138,000 down to 6,500.

Let's look at the Tucson sector. In the year 2000, we were arresting over 600,000, today about 120,000. In the El Paso sector in 1993 we were arresting close to 300,000; now it is right around 10,000, and it is not because we are not trying. It is not because we don't have a lot more people there, a lot better technology. It is just that the number of folks coming across has just significantly diminished.

Over here in Texas though, in 1997, there were about one-quarter million coming across and getting arrested and today still about 97,000. So there is still a good number—too high a number trying to get across—and we are arresting a number of those.

But the change in these numbers—the dramatic reductions from 1997 to today—is not an accident. This precipitous drop in arrests is the direct result of the unprecedented investments we have made in securing our borders over the past decade.

You don't have to take my word for it. Here is what several of our border officials and residents who are true experts have to say about the progress we have made in securing our borders. I will just quote a few. I talked to a whole lot more. Some of my colleagues have been down there and talked to a bunch of local officials in those States too. Here is what the mayor of San Antonio said earlier this year before the House Judiciary Committee. Mayor Julian Castro of San Antonio said:

In Texas, we know firsthand that this administration has put more boots on the ground along the border than at any other time in our history, which has led to unprecedented success in removing dangerous individuals with criminal records.

The mayor of Nogales, AZ, one of the places we visited earlier this year with Secretary Napolitano, said:

We used to have street chases all the time. . . . Now all those things are gone, something you don't even hear about.

That was about 2 or 3 months ago.

A woman named Veronica Escobar, a county judge in El Paso, said this near the end of 2011:

Those of us who actually live along the border know otherwise. El Paso, the largest city along the United States-Mexico border, is also one of the country's safest cities and the heart of a vibrant bi-national community.

So the truth is we spend more on border security each year—about \$18 billion—according to a recent Migration Policy Institute report—about \$18 billion a year—than we spend on the rest of Federal law enforcement activities combined. Think about that for a moment. We spend more on border enforcement, border security, than we spend on the FBI, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the U.S. Marshals combined—combined.

Since 2000, the Border Patrol alone has more than doubled in size. Its funding has almost quadrupled. We have built 650 miles more of fencing along the border. That is roughly one-third of our Mexican border. To better secure parts of our border where a fence might not be as effective, we deployed a number of what I like to call force multipliers, and I will talk about some of those later on.

When I am talking about technology that will help the Border Patrol do their job more effectively, in some parts of the border it might be radar, it might be drones, in others it might be cameras, towers or hand-held systems. For example, in the past couple of years, we have deployed roughly 350 land-based towers, vehicle-based towers with advanced cameras and radar. We fly more than 270 aircraft and helicopters to monitor a 2,000-mile border, and we are also using drones and the lighter-than-air assets—blimps.

But you don't have to take my word for it. I think a picture is worth a thousand words, and I have a couple of pictures here of some slides I wish to show to take a look at what the border looked like 7 years ago, in 2006, and what it looks like today.

This is one of my favorite pictures. It is a picture of a ranch. I believe this is a ranch in Arizona. Look at this. It looks almost like a junkyard, almost like a place where people come to drop their trash, and that is what happened, because every day hundreds of people would come through here, through this

ranch, to cross the border, and this is what they left behind. Here is the same place today.

This is not because the folks trying to get into our country have somehow gotten an environmental conscience and they do not litter as much. That is not what is going on here. They are not coming through as much. So if you ever hear: Is our border more secure? Does it make a difference? I would say go to that ranch and take a look. We have spent a lot of money on infrastructure.

This is Douglas, AZ. We were there, along the southern border of Arizona, and this is a before shot. This is the same landscape and what we see today. Actually, it looks like we have a couple of fences, a road in between, and all kinds of detectors. This is what it looked like before. So we have made huge investments for miles and miles and miles.

We have something from the Yuma sector in Arizona. The Yuma sector was out of control. Border-wise, I think we had the most illegal border crossings than at any stretch of the border in 2006. Starting in 2006, they built more than 100 miles of fencing, just in this one sector alone—in the Yuma sector—where it made a lot of sense. There is an access road so the Border Patrol agents can get where they need to go quickly. We have deployed a bunch of cameras as well. Today, Yuma is the most controlled part of our border, as I reported those numbers earlier. There is a dramatic reduction in the numbers of folks coming through.

This is another place in Arizona, in Nogales. We met with a bunch of local officials there as well. This is a lovely piece of landscape right here. This may not be as lovely, but what is different here is an access road. We can't put a Border Patrol agent every 100 feet along the border, but what we can do is get them where they need to go more quickly. One of the ways to do that is with access roads, and this is one of those near Nogales, AZ.

This is another shot. This is Deming, NM. What it shows is what the area looked like in 2007 along the border. It doesn't look too hard to get across, and it wasn't. This is what it looks like today: lighting, the walls, ways for the Border Patrol to move quickly if they need to. It is just a different place today, and the numbers will demonstrate that has made a difference.

Here we are in Del Rio, TX. There is a lot of water here. In 2008, there was literally no infrastructure whatsoever in Del Rio, TX. That was about 2008, and this is a couple of years later. You could literally walk across the border and you didn't know it. You didn't know if you were in the United States or Mexico. Today you know it, and we built significant fencing and all those all-important access roads and now have a far more secure border.

This is a place called Marfa, TX. This is a border in the western part of Texas, actually near Big Bend National Park. In 2006, the border was wide open. This is lovely, isn't it? There were some people, particularly some of the locals, who were opposed to fencing. The reason why is because this now looks like this. But the problem with this is people were able to literally walk across, wade across, in substantial numbers. They do not do that anymore. We gave up some scenic beauty, but at the same time we have a whole lot of security we never had before.

Here is Harlingen, TX. We were there a month or two ago. This is the eastern part of Texas, closer to the Gulf of Mexico, but we see a part of the border that as recently as 4 years ago, right here, you could literally walk across it and you wouldn't know it. You could walk right across, and a lot of people walked right across it. This is what it looks like now, with fencing and access roads. They don't walk across it without them knowing it and, frankly, oftentimes without us knowing it.

This is one of my favorite pictures. This is a fence, and this is a fence, in this case, that at least stopped this vehicle. A friend of mine likes to say let me build a 20-foot fence and someone will come along and build a 21-foot ladder. Someone tried to be very clever and find a way to get this vehicle over this fence. I don't know if that is a Jeep, but they tried to get it across and they didn't quite make it. So people trying to get across are pretty ingenious, and they will try to build that 21-foot ladder or in this case a different type of ladder. Sometimes it works and sometimes it doesn't. In this case it worked to stop them.

I also wish to show some of the force multipliers that are helping to enhance security efforts at our borders and ports of entry. These are pictures of just a small sample of the massive improvements we have made along the southern border from California to Texas. It shows what any fairminded person who has been to the border in recent years can tell us; that is, the investments we have made are actually paying off. I hope so. As much money as we have spent, I would hate to think we spent it without getting any kind of result.

One of the investments we have made are the drones. We don't have a huge number, but I think we have four of them in Arizona, a couple in Texas, and I think they have a couple up along the northern border, maybe North Dakota, and a couple over in Florida. But we will talk a little more about these.

Let me just say, if you put up a drone and you put a VADER system on it, they can fly at high altitudes, they can fly day or night, they can see in the rain, they can see in the dark, they can see when the Sun is shining. They are an incredibly effective asset when they

fly. We will talk later about the problem that they don't always fly. They do not fly when the wind is more than 15 knots. We have four of these in Arizona, with only one that has a VADER system. Of the four we have, only about two of them are flying most of the time. They only fly 5 days a week. So one of the keys, if we are going to use the drones, let's make sure we have VADER on all of them and let's make sure they are able to fly more than 5 days a week, more than 16 hours a day, and let's properly resource these aircraft.

Old technology. The drone is pretty new. This is old technology. Blimps and dirigibles have been around forever. Some of you may recall seeing a video of blimps such as this from Kabul, Afghanistan. I talked on the phone this week with a fellow who is now Ambassador to Mexico. His name is Tony Wayne. He used to be the No. 2 guy in our Embassy in Afghanistan.

I asked him: How do we use blimps in Kabul? We use them in Kabul very effectively. He said: The great thing about blimps is you can put them up in bad weather, when it is windy. You can't fly more than 15 knots, but these stay up and don't run out of gas. You can have more surveillance systems with pods on these than you can on a lot of the other aircraft we are flying. We use them with great effect in Kabul, Kandahar, Afghanistan, and other places, and we ought to be able to do better with them on the border with Mexico. They can be a great force multiplier as well.

This is a little plane called a Cessna C-206, and it has enough room to carry two people. I think we have about 17 of them. We saw one in Arizona, and we saw a bunch more in Texas. It is really not cutting-edge technology; it is just cost-effective. You can put these planes out for a while, and they don't use much gas. They are a good platform for surveillance.

Unfortunately, out of the 16 or 17 that we have, only 1 of them has a surveillance system that enables us to look down and find out what is going on on the ground. It is sort of like sending out an airplane doing maritime surveillance when occasionally we do search and rescue missions over the vast ocean with binoculars, looking for somebody in a little skiff or in a life preserver. It is like looking for a needle in the haystack. When we fly these planes, we ought to have them fully resourced with modern surveillance equipment and people operating them.

We have boats, and we have helicopters. We have boats that go fast along the Rio Grande River. We need boats that go fast. We need the same thing off the coast of California. Fortunately, we have them.

We don't have enough helicopters. We talked to some folks in East Texas.

They basically are flying three different kinds of helicopters—one is fairly modern, and a couple others are not. The only one the Border Patrol is really interested in is the one that is fairly modern. It is reliable, has good surveillance equipment.

What we were told by some people is this: If you are going to send us the older, less reliable helicopters without the technology, don't send them. What we need to have is more of the successful helicopters, the ones in demand, where it will actually be a real force multiplier.

I thought this was an interesting slide. This is with night vision goggles. We also have the ability to use the VADERS, the systems we put in our drones. In the C-206s we fly, our ground-mounted cameras are along the border. This is nighttime, but this is what we can see today, and it is pretty easy to pick people up. If we are going to ever be able to figure out how many are getting across, not getting across, we need this; we don't need this. Fortunately we have this, and it is a force multiplier. We need to make sure we use it well.

This shows a different series. Some are cameras, some are radar, but they are ground-based. In this case they have an operator. Again, this is one that is mounted on a truck bed. It can be moved around. Some are more permanent. Here is one that is more permanent. You have the Border Patrol here right at the fence and the ability to look north, south, east, and west.

These are just a couple examples of force multipliers. We have all these men and women on the border. We have basically doubled the border patrol. How do we make them more effective without just adding more and more bodies between the ports of entry? We can do it with this kind of technology. We can do it effectively, and I think we can do it in a cost-effective way. That is what we ought to do.

The bill we are going to be debating over the next couple of weeks sets aside an additional \$6.5 billion for border security on top of the \$18 billion we already spend today, every year. The \$6.5 billion in the bill will be used to add another 3,500 officers—not between the ports of entry, these big ports. We are not talking about water ports. We are talking about land-based ports of entry where a lot of commerce—cars, trucks, pedestrians—is getting in, and big commerce is going through those ports of entry as well.

But the legislation wisely could use some of that extra \$6.5 billion to hire another 3,500 officers to work in our ports of entry, to build new infrastructure at the ports of entry and make them better, to secure new surveillance systems, and for the aerial support for the Border Patrol.

For the first time in our Nation's history, we have set a statutory goal for

the Border Patrol in this legislation to arrest or turn back to Mexico some 90 percent of all those trying to get across illegally. So if we have 100 people trying to get in on a given day at a particular spot, the idea is to know how many are actually trying to get in and how many are either detained or actually turned back. The idea is to make sure we are going to have at least a 90-percent success rate. It is a tough law, and it ensures accountability.

Do you remember what I said about Germany? In Germany, with all the hundreds of miles of concrete and 30,000 soldiers, their effective rate was 95 percent. We are talking about something very close to that—90 percent—without doing the kinds of stuff they did in East Germany.

Lastly, the bill that is before us calls for achieving persistent surveillance over the entire border so we can know with a high degree of certainty how many people are trying to cross it illegally. Given the length of our borders and how rugged and how varied it is, this goal will be a challenge—and a costly one—to achieve, but it is not impossible.

As I learned from my trips to the border, there is simply no one-size-fits-all solution for securing our border. It really depends on the terrain, which varies widely along the border region. That is why we need to systemically identify the best technology to allow us to use our frontline agents—the Border Patrol—more effectively and give them the tools they tell us they need to be successful.

One specific thing I have seen on my trips along the border with the C-206—and just think about it. You have an airplane. You put it up to fly for 3 or 4 hours, and you can send it out with one person looking through binoculars or a surveillance system with lights out. That works in the day or the night, rain or not, and it gives us great images and a great capability.

We also need to make sure the Department of Homeland Security has the flexibility to deploy resources when and where it makes sense. For example, as we talked earlier about the blimps that are tethered, they have proven to be enormously successful in northern Afghanistan. And for anybody who doubts that, I urge you to give our Ambassador to Mexico a call, who was our No. 2 guy in Afghanistan the last time I was there a couple of years ago. As I said earlier, the blimps are old in terms of the technology, but they can handle a lot of surveillance stuff and equipment, and they do great work. In some places, they will make a lot of sense; in other cases, maybe not so much.

But the Department of Homeland Security needs to be able to swiftly put in place innovative tools like blimps when factors on the ground change or when they see the need for a new ap-

proach to securing certain portions of our border. I don't think we ought to be hamstringing them with mandates that make them less effective in carrying out their missions, including requiring additional fences in areas where the fencing doesn't make much sense. In a lot of places, it does. There are 600 miles or so where it does, and there are more places that it does. But there are also some places where it makes more sense to resource a drone, to have land-based radar and cameras, where it makes more sense to fly the 206s, to have helicopters with the right kind of surveillance equipment on them and be able to move people along.

I want to mention some other cost-effective technology. We saw some really interesting hand-held devices that allow the border agents to see in the dark. I also saw something at one of the ports of entry. It was actually about the size of my BlackBerry. I remember standing at the ports of entry where they have literally thousands of cars and trucks and vehicles and pedestrians coming across a day. But before the truck or vehicle ever got to the border, the officer had a device that would tell her the truck that was coming through, the history of the truck that was coming through, the driver who was in the truck and the history of that driver coming through, what should be in the truck, and what was the cargo in the truck in recent months. This was up in Detroit too. But one of the officers there said this is a game changer.

As I mentioned earlier, this bill we are debating appropriates about \$6.5 billion to continue to build on the progress we have made and achieve the ambitious goals it sets for the Department. That is good news. My goal is to make sure that much of this funding is devoted to these force multipliers to help our boots on the ground work smarter and be more effective. I don't think we need to micromanage the process.

We have been joined by the majority leader. I am happy to yield.

Mr. REID. Mr. President, I appreciate my friend yielding.

Mr. President, I read into the RECORD in some detail today a letter that he wrote with Senator LEAHY talking about what has gone on in recent years with border security. Our country is very fortunate to have this good man leading our Homeland Security Committee.

There are some Senators I don't know as much about as I do about this man, but we have been together since 1982. He had a sabbatical for 8 years to run the State of Delaware as Governor, but other than that, we have been locked in arms, moving forward.

I appreciate very much his yielding.

## MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## REMEMBERING OFFICER JASON ELLIS

Mr. MCCONNELL. Mr. President, I rise today for the sad occasion of paying tribute to a brave and honorable police officer from my home State of Kentucky who has fallen in the line of duty. Officer Jason Ellis, a seven-year veteran of the Bardstown Police Department, was tragically killed on May 25. He was 33 years old.

Officer Ellis worked as a field-training officer and a canine officer; with his police dog, Figo, he fought illegal drug use in Bardstown. Bardstown Police Chief Rick McCubbin described Officer Ellis as one of Bardstown's top officers and credited him with making a serious dent in the town's drug problem. Chief McCubbin also said these words: "[He] paid the ultimate sacrifice doing what he loved: being a police officer."

Jason Ellis, a native of Cincinnati, OH, attended the University of the Cumberlands in Williamsburg, KY, where he was a star baseball player. He set records for all time career hits, doubles, home runs, and career games played, the last of which is still a record at the school. He played minor league baseball in the Cincinnati Reds system.

Even as a star on the diamond, however, coaches and teammates remember Jason Ellis talking about becoming a law enforcement officer. His wife, Amy, says: "He was always a go-getter . . . He was dedicated to his job and he wanted to clean the streets up. And that was the way to get the drugs off the streets."

On May 30, Officer Ellis was laid to rest at Highview Cemetery in Nelson County. Fellow law enforcement officers from across the Commonwealth as well as Pennsylvania, Ohio, and Illinois came to pay their respects, and hundreds of police cruisers made up the funeral procession. Over a thousand people filled the church sanctuary, with more standing along the aisles, to show their gratitude for Officer Ellis's service and sacrifice.

It is incredibly moving to see the broad outpouring of support from Kentuckians and the law enforcement community for Officer Ellis, which I pray was of some comfort to Officer Ellis's family at such a difficult time. Officer Ellis leaves behind his wife Amy and two sons, Hunter and Parker.

It can't be stated enough, Mr. President, how deep our admiration and respect is for every man and woman who

wears a police uniform and makes a solemn vow to defend the lives of others, even at the cost of their own. Police officers provide stability and justice in our civil society. I know my colleagues in the U.S. Senate join me in extending the deepest sympathies to the family of Officer Jason Ellis and the members of the Bardstown Police Department. We are very sorry for their loss.

## REMEMBERING PETE VONACHEN

Mr. DURBIN. Mr. President, I rise today to pay tribute to a generous, genuine Illinoisan we lost this week.

Those of us who have watched and listened to Chicago Cubs' games for some time can easily recall Harry Caray. His booming voice was instantly recognizable as the voice of the Cubs—and fans fondly remember his celebrations of their triumphs and his deeply felt sorrow at more than a few of their disappointments.

Some of us may even recall his bright voice welcoming one of his closest friends to the broadcasting booth with the words: "and here today, from Peoria, Pete Vonachen!"

I am sad to say that Pete Vonachen passed away—peacefully—this week. Pete was an enthusiastic, colorful, and memorable person. He loved Peoria, baseball, and the Cubs. You could tell that he bled Cubs blue—especially, as one friend explained, in 2005. That was the year that the White Sox won the World Series.

After running a successful restaurant and making his name in the Peoria business community, he bought the local minor league team and struck an affiliation with his favorite Chicago team. The Peoria Chiefs soon had the highest attendance of any team in the Midwest League. A decade later, they renamed the ballpark they called home to Pete Vonachen Stadium. They even put a statue of him just inside the main gate of their new stadium.

That statue was surrounded with flowers and baseballs placed by fans Monday night as the Chiefs took the field against the Quad Cities River Bandits. And, after a moment of silence to honor his memory, the Chiefs won. The Cubs held a moment of silence for him as well at Wrigley Field Monday.

Pete Vonachen will be missed by his family, his many friends and those who loved him in Peoria, and the entire Illinois baseball community.

We will remember Pete and his tremendous line, "Have a great day, and keep swingin'."

## AMIR HEKMATI

Mr. LEVIN. Mr. President, in Flint, MI, a family anxiously awaits word of when their son and brother will return to them. For more than 600 days, Amir

Hekmati has been imprisoned in Iran, accused of spying for the United States. His capture, detention, trial and sentencing have brought great anxiety to his loved ones here in the United States.

Amir, who spent much of his childhood in Michigan and whose family still lives there, was visiting relatives in Iran in August of 2011 when he was arrested by Iranian police. In January of 2012, an Iranian trial court sentenced him to death. But on March 5, 2012, Iran's Supreme Court overturned that sentence, ruled Amir's trial had been flawed and ordered a new trial.

That was more than a year ago, and yet Amir's family still has little clue as to his fate. Amir has been held for much of his captivity in solitary confinement. He has not been granted access to his Iranian attorney and has been allowed only limited contact with family. Switzerland, which oversees U.S. interests in Iran, has not been granted consular access to him.

There is no evidence that Amir was engaged in any espionage activity while visiting his family in Iran. There is every reason to believe—including the ruling of the Iranian Supreme Court—that the information used against Amir in his original trial was deeply flawed. A videotaped "confession" broadcast on Iranian television was obviously edited. Iranian officials have yet to make clear what charges, if any, Amir faces, or when he might be re-tried on those charges, even though more than a year has passed since his original sentence was overturned. Humanitarian and human rights groups including Amnesty International have called for Amir's release. So have a number of U.S.-based Islamic organizations, including Islamic Circle of North America, Islamic Society of North America, Muslim Public Affairs Council, Council on American-Islamic Relations of Michigan, the Council of Islamic Organizations of Michigan, Islamic House of Wisdom, the Muslim Center of Detroit and the Michigan Muslim Community Council.

Recently, Amir's family has received some limited communication with him. He has been able to send them letters, and an uncle in Iran has been given permission to visit Amir in prison. This limited contact has been welcome, but has only increased the family's desire to secure Amir's return. This desire is all the stronger because Amir's father, a college professor in Flint, has been diagnosed with terminal cancer. Ali Hekmati faces his illness wondering if he will ever again be able to see his son. Islamic and universal principles of compassion and mercy argue for his release.

Our two nations have wide differences of opinion, many of them longstanding, others which have emerged more recently. But innocent citizens of both our nations should not

be caught up in matters of state. I urge the Iranian government to recognize the humanitarian necessity of releasing Amir Hekmati and returning him to the Michigan family that has missed him for so long.

#### NO CHILD LEFT BEHIND REFORM

Ms. MURKOWSKI. Mr. President, I rise today to speak briefly about two pieces of legislation that I have introduced. They are the Educational Accountability and State Flexibility Act and the Early Intervention for Graduation Success Act. I intend to speak with my colleagues about these bills in the coming days and weeks, but I would like to take a moment now to provide an overview of my thoughts.

We have all heard from our constituents—teachers, principals, superintendents, school board members, and parents—about the No Child Left Behind Act. Clearly, the law has some good things. Americans deserve accountability for how their Federal tax dollars are spent, even when they are spent in their local schools. Parents want to know their local schools can help prepare their children for the future. But No Child Left Behind went too far. My bill, the Educational Accountability and State Flexibility Act, seeks to maintain reasonable accountability to taxpayers and parents while providing greater flexibility to States and schools to meet our children's needs and local communities' individual circumstances.

As we know, the Senate HELP Committee has again begun to address the need to reform No Child Left Behind. A markup of the Strengthening America's Schools Act began yesterday, Tuesday, June 11, 2013. I am hopeful the committee can come together to reduce, not expand, the Federal government's role in our local schools. I know several of my colleagues share that hope, including Senator ALEXANDER, who offered a substitute amendment to reduce the Federal mandates in the Strengthening America's Schools Act. I voted for that amendment and others like it. Since the Alexander amendment and several similar amendments failed, I hope my colleagues will review my Educational Accountability and School Flexibility Act. It is intended to offer some ideas for continuing the conversation.

My bill would amend the Elementary and Secondary Education Act—also known as No Child Left Behind—to do the following: No. 1: Eliminate adequate yearly progress—AYP; No. 2: Allow States to stick with an approved waiver plan if that is their choice; No. 3: Require States, not the Federal government, to determine each school's level of success in helping kids succeed based on broad, flexible parameters, publish the results, reward what schools are doing right, and help the

schools that need help; No. 4: Require States to diagnose why a school is not improving to help fix what is wrong in a way that will work for that school and community—not implement a school turnaround model mandated by the Federal government; No. 6: Prohibit the Secretary from prioritizing or mandating any school turnaround strategy; No. 7: Prohibit the Secretary of Education from approving or disapproving a State's decisions about standards, tests, and accountability while making sure the public can access experts' opinions on the plans; No. 8: Eliminate the Federal "highly qualified teacher" requirements and let States decide what makes teachers highly effective; No. 9: Continue to ask the low-performing schools to tutor students who are not succeeding in schools; No. 10: Continue to allow public school choice as long as a higher performing public school is available and kids would not have to ride long hours on dangerous roads to get there; and No. 11: Respect the voice and expertise of our Nation's indigenous first peoples regarding what helps Native children succeed in school.

I have also reintroduced my Early Intervention for Graduation Success Act with a few changes from last Congress. I hope my colleagues will take some time to review this legislation.

This legislation would, if enacted, amend the current school dropout prevention provisions of the Elementary and Secondary Education Act. It would focus attention on identifying and helping students who are at risk to not graduate from high school as early as prekindergarten and through elementary and middle school.

Some may ask, Why are you concentrating on toddlers and elementary school children when you are trying to solve the high school dropout crisis facing our Nation? Why not focus attention and our Nation's scarce resources on high school students, or even middle school students?

The reason is simple. Early on is when children's troubles in school begin, and an ounce of prevention is worth a pound of cure. High school and middle school students do not just wake up one day and say, I think I will drop out of school today. Twenty-five years of research tells us that dropping out is a long process of frustration, alienation, and even boredom—it is not a sudden decision. We know that students with disabilities, minority and poor children, and students whose home lives are, in all sorts of ways, difficult have lower graduation rates than their peers. The challenges children face today are all too prevalent, and we know the factors that make it harder for them to succeed in school. We know this.

It only makes sense, then, that we rework the program intended to help schools increase their graduation rates

so that it actually helps schools help children when we can make the most difference. We need to act before these children have fought for years just to stay afloat, and before they are too tired, frustrated, alienated, and angry to fight anymore.

But I have also heard from some who asked that my legislation include a stronger focus on secondary schools, knowing that today we have middle and high schools that are struggling to keep their students in school and on a path to success. So I have done that.

I have also heard from my State. They shared concerns with me that the cost to create a database combining data from multiple State agencies that have information that will inform schools as to students' risk factors for dropping out—participation in public assistance programs, being homeless or a foster child, having an incarcerated parent, etc.—would be too high. So, knowing that it still makes sense to help our educators better identify students who are at risk, I have amended my bill to just ask the State to help schools access this information while following FERPA and HIPAA rules for privacy of that data.

We all want our schools to be successful. We all want our children to be successful. I am hopeful my colleagues will take a good look at both of these bills, and that they will help to move the conversation forward about how we can help reach our goals.

#### TRIBUTE TO BRIGADIER GENERAL STEVEN R. RUDDER

Mr. BLUMENTHAL. Mr. President, today I rise to honor a true patriot and native son of Canton, CT. After more than 3 years of service as the legislative assistant to the Commandant of the Marine Corps, Brig. Gen. Steven R. Rudder is deservedly moving up to assume the responsibilities of commanding general, 1st Marine Aircraft Wing. On this occasion, I wish to recognize General Rudder's noble service and dedication to fostering the warm relationship between the U.S. Marine Corps and the U.S. Senate.

Commissioned in June of 1984, General Rudder is well-known and respected as a true leader and warrior. In addition to serving as a weapons and tactics instructor, he has distinguished himself in combat and effectively commanded HML/A-167 and Marine Air Group 26.

Over the last 3 years, General Rudder has been instrumental in facilitating the oversight responsibilities of the Senate. Known for his comprehensive knowledge of legislative issues and the operational requirements of the Marine Corps, he ensured that the Senate Armed Services Committee was armed with timely information on Operation Enduring Freedom and other forward-



deployed Marine forces, as well as numerous Marine Corps programs to include the Joint Strike Fighter, the Amphibious Combat Vehicle, and the MV-22 *Osprey*. Moreover, General Rudder worked to recognize the contributions of the Montford Point Marines—the first African Americans who entered into service with the Marine Corps during World War II—with a Congressional Gold Medal.

In 2011 I had the unique privilege of being the guest of honor at the U.S. Marine Corps Sunset Parade, hosted by General Rudder. It was a glorious display of military precision and a truly enjoyable and moving event. I join many past and present members of Congress in my gratitude and appreciation for General Rudder's outstanding leadership. I invite my Senate colleagues to wish him well, along with his wife Holly, as he transfers to Okinawa, Japan.

#### ADDITIONAL STATEMENTS

##### ALASKA AIR NATIONAL GUARD

• Ms. MURKOWSKI. Mr. President, I have the honor today to recognize five great Americans who valiantly risked their lives multiple times in the service of their country. CPT Christopher Keen, MSgt. Sergeant Chad Moore, TSgt. Christopher Harding, SSgt. William Cenna, and SSgt. Sergeant Nickolas Watson are members of the Air National Guard from the State of Alaska who serve with the 212th Rescue Squadron from Joint Base Elmendorf-Richardson, Alaska. I'd like to tell you about some of the heroic actions taken by these men in the summer of 2012, when they were deployed to Afghanistan.

Captain Keen, Master Sergeant Moore, Tech Sergeant Harding, Staff Sergeant Cenna, and Staff Sergeant Watson are assigned to an Air National Guard unit that specializes in dangerous medical evacuation missions. Pararescue Jumpers, or PJs, train to be inserted into the most hazardous and precarious situations to save lives. They learn to operate in the extreme cold and harsh terrain. As a matter of fact, Staff Sergeant Cenna was part of a five-member team to summit Denali about a month ago on May 9, 2013. PJs train on some of the most cutting edge equipment and master complicated medical procedures. If that is not enough, they prepare to do this job in the face of an enemy that, when they are plunged into the heart of a battle, can appear from any direction.

In order to fully understand the valorous actions of these five men in 2012, I must begin the story in April 2011. Staff Sergeant Cenna, who you will hear about again, was part of a rescue team tasked to recover two U.S. Army pilots downed in the Tagab Valley, Af-

ghanistan. After dropping Sergeant Cenna and his teammate at the crash site, members of the aircrew were injured by enemy fire and forced to leave the team without overhead coverage. On the ground, insurgents began voicing their intent to take individuals hostage and Sergeant Cenna began taking enemy fire. A six-hour firefight ensued, and Sergeant Cenna maintained complete situational awareness while relaying critical information to attack helicopters above. Risking his life repeatedly, Sergeant Cenna's actions directly contributed to eliminating the threat and most importantly, enabled the recovery of the downed American pilot, a killed in action infantryman, and another critically wounded soldier from enemy territory. For his gallantry and devotion to duty on April 23, 2011, Staff Sergeant Cenna was awarded the Silver Star.

Just over a year later, on July 29, 2012, Staff Sergeant Cenna was again deployed to Afghanistan. He, along with Tech Sergeant Harding and Staff Sergeant Watson, were conducting a mission to evacuate two Danish soldiers near Gereshk, Afghanistan. The Danes had been critically wounded and were pinned down in an active firefight. The three-man pararescue team infiltrated at an unplanned insertion point approximately 100 meters from the soldiers. Without hesitation, the PJs maneuvered through a field with possible improvised explosive devices and enemy machine gun fire. The team then forded a flowing canal and climbed a 12-foot embankment to reach the wounded Danish soldiers. After applying lifesaving medical interventions and evacuating them to the transport vehicle, the team was notified of two more critically wounded soldiers at the incident site. Exposing themselves to extreme danger again, the team extracted those wounded troopers as well. In all that day, Tech Sergeant Harding, Staff Sergeant Cenna, and Staff Sergeant Watson saved four lives. Just a year after earning the Silver Star, Staff Sergeant Cenna joined Tech Sergeant Harding and Staff Sergeant Watson displaying sheer courage under fire and unadulterated, unselfish dedication to their duty, their country and their brothers in arms.

The very next month, on August 8 and 9, 2012, Captain Keen, Master Sergeant Moore and Staff Sergeant Cenna were operating in support of Marines in Alpha Company, 2d Reconnaissance Battalion, near Urmuz, Afghanistan. The operation was called Lion's Den. It was during this operation that Sergeant Cenna earned his second Bronze Star with Valor. Captain Keen led the insertion and extraction of the Marines into unexplored enemy tunnel networks, while combating small arms fire, heavy machine gun engagements, mortar attacks and improvised explosive devices. While conducting their

primary mission, Captain Keen's dismounted patrol was engaged by the enemy, isolating one member of his patrol. After observing the enemy firing position was in close proximity to women and children, he maneuvered 75 meters to another position, preventing civilian casualties while simultaneously eliminating threats. Sergeant Moore was also performing his duties of lowering and recovering Marines into tunnel systems in order to destroy enemy lethal aide. While moving to an objective through a known concentration of improvised explosive devices, a supporting tank struck such a device. Without regard for his own safety, Sergeant Moore maneuvered with his team's vehicle to rescue the tank crew. He treated the tank crew, and soon after his own vehicle was struck by an improvised explosive device and began receiving enemy mortar fire. Despite the dire situation, Sergeant Moore maintained security and safeguarded the disabled tank crew, enabling the success of the operation.

For their actions in the summer of 2012, all five of these men have been awarded the Bronze Star with Valor. I wish to thank these great men for their selfless service and dedication to our nation. They are all my heroes.●

##### TRIBUTE TO DR. PIERMARIA ODDONE

• Mr. KIRK. Mr. President, I stand today to honor Dr. Piermaria Oddone as he retires after 8 years of exemplary leadership as director of the Fermi National Accelerator Laboratory, also known as Fermilab.

As America's premier particle physics laboratory, Fermilab is a point of pride for Illinois. For over 45 years it has supported thousands of scientists across the country whose research is a priceless contribution to the world's understanding of matter, energy, space, and time. With the appointment of Pier Oddone as director in 2005, Fermilab was placed under the leadership of a visionary who ensured that the United States would remain a producer of groundbreaking research in particle physics.

Under the direction of Dr. Oddone, Fermilab entered a period of unparalleled scientific progress. The laboratory launched a new era of research in high-intensity particle beams, and experimentation on muons and neutrinos. It advanced our understanding of dark matter and led the Pierre Auger Observatory project to study ultra-high-energy cosmic rays. Fermilab, in partnership with the State of Illinois, constructed the Illinois Accelerator Research Center. It concluded a 28-year run for the Tevatron collider that discovered the quark. It contributed invaluable resources to the groundbreaking discovery of the Higgs boson. Most importantly, however,



Fermilab has provided state-of-the-art facilities for over 4,000 researchers each year so that they can continue their work for the advancement of science and society.

Dr. Oddone's contributions to the scientific community outside of his leadership at Fermilab are no less impressive. Born in Peru, he received his Ph.D. in physics from Princeton before joining the Lawrence Berkeley National Laboratory. He quickly rose to become the laboratory's deputy director and was responsible for the scientific development that contributed to many of the lab's successes. As an elected member of the National Academy of Sciences in both the United States and Peru, Dr. Oddone has received numerous awards for his work, including fellowships from the American Physical Society and American Academy of Arts and Sciences. He is a recipient of the Panofsky Award for his invention of the Asymmetric B-Factory particle collider, and is known for his role in the SLAC BaBar collaboration that helped to discover matter-antimatter asymmetry in B mesons.

As my friend Dr. Piermaria Oddone retires from Fermilab, I ask that you join me in honoring an individual who embodies the spirit of discovery through a shining example of scientific excellence. Thank you for your leadership.●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Armed Services.

(The message received today is printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 12:56 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 251. An act to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes.

H.R. 723. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and

Scenic Rivers System, and for other purposes.

H.R. 993. An act to provide for the conveyance of certain parcels of National Forest System land to the city of Fruit Heights, Utah.

H.R. 1157. An act to ensure public access to the summit of Rattlesnake Mountain in the Hanford Reach National Monument for educational, recreational, historical scientific, cultural, and other purposes.

H.R. 1158. An act to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

The message also announced that the Clerk of the House be directed to request the Senate to return to the House of Representatives the bill (H.R. 2217) to make appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes.

The message further announced that pursuant to 44 U.S.C. 2702, the Clerk of the House reappoints the following member on the part of the House of Representatives to the Advisory Committee on the Records of Congress: Dr. Sharon Leon of Fairfax, Virginia.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 993. An act to provide for the conveyance of certain parcels of National Forest System land to the city of Fruit Heights, Utah; to the Committee on Energy and Natural Resources.

H.R. 1157. An act to ensure public access to the summit of Rattlesnake Mountain in the Hanford Reach National Monument for educational, recreational, historical, scientific, cultural, and other purposes; to the Committee on Energy and Natural Resources.

H.R. 1158. An act to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area; to the Committee on Energy and Natural Resources.

#### MEASURES DISCHARGED

The following bill was discharged from the Committee on Appropriations, and ordered returned to the House pursuant to the request of the House of June 11, 2013:

H.R. 2217. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 251. An act to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1895. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the Federal Voting Assistance Program's 2010 Electronic Voting Support Wizard Pilot Program Report to Congress; to the Committee on Rules and Administration.

EC-1896. A joint communication from the Acting Under Secretary of Defense (Personnel and Readiness) and the Deputy Secretary of Veterans Affairs, transmitting, pursuant to law, a report relative to the activities of the Extremity Trauma and Amputation Center of Excellence; to the Committee on Veterans' Affairs.

EC-1897. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "VA Dental Insurance Program" (RIN2900-AN99) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Veterans' Affairs.

EC-1898. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Community Residential Care" (RIN2900-AO62) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2013; to the Committee on Veterans' Affairs.

EC-1899. A communication from the Chief of the Border Securities Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Extension of Border Zone in the State of New Mexico" (RIN1651-AA95) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1900. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Thea Foss Waterway previously known as City Waterway, Tacoma, WA" ((RIN1625-AA09) (Docket No. USCG-2012-0911)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1901. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Vessel Traffic in vicinity of Marseilles Dam; Illinois River" ((RIN1625-AA11) (Docket No. USCG-2013-0344)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1902. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Waldo-Hancock Bridge Demolition, Penobscot River, between Prospect and Verona, ME" ((RIN1625-AA11) (Docket No. USCG-2012-0394)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1903. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Temporary Change of Dates for Recurring Marine Event in the Fifth Coast Guard District; Mattaponi Drag Boat Race, Mattaponi River; Wakema, VA" ((RIN1625-AA08) (Docket No. USCG-2013-0325)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1904. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations: ODBA Draggin' on the Waccamaw, Atlantic Intracoastal Waterway; Bucksport, SC" ((RIN1625-AA08) (Docket No. USCG-2013-0102)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1905. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations: Daytona Beach Grand Prix of the Sea, Atlantic Ocean; Daytona Beach, FL" ((RIN1625-AA08) (Docket No. USCG-2013-0250)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1906. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events, Pleasantville Aquatics 15th Annual 5K Open Water Swim, Intracoastal Waterway; Atlantic City, NJ" ((RIN1625-AA08) (Docket No. USCG-2013-0402)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1907. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations: Annual Swim around Key West, Atlantic Ocean and Gulf of Mexico; Key West, FL" ((RIN1625-AA08) (Docket No. USCG-2013-0160)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1908. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations: Swim Across the Potomac, Potomac River; National Harbor Access Channel, MD" ((RIN1625-AA08) (Docket No. USCG-2013-0156)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1909. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations and Safety Zones; Recurring Marine Events and Fireworks Displays within the Fifth Coast Guard District" ((RIN1625-AA00, AA08) (Docket No. USCG-2012-0970)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1910. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Spe-

cial Local Regulation; Wy-Hi Rowing Regatta, Trenton Channel; Detroit River, Wyandotte, MI" ((RIN1625-AA08) (Docket No. USCG-2013-0287)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1911. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations: Pro Hydro-X Tour, Lake Dora; Tavares, FL" ((RIN1625-AA08) (Docket No. USCG-2013-0171)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1912. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation, 50 Aniversario Balneario de Boqueron, Bahia de Boqueron; Boqueron, PR" ((RIN1625-AA08) (Docket No. USCG-2013-0297)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1913. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Low Country Splash, Wando River, Cooper River, and Charleston Harbor; Charleston, SC" ((RIN1625-AA08) (Docket No. USCG-2013-0052)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1914. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "When Pigs Fly Fireworks Display; San Diego, CA" ((RIN1625-AA00) (Docket No. USCG-2013-0276)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1915. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; RXR Sea Faire Celebration Fireworks, Glen Cove, NY" ((RIN1625-AA00) (Docket No. USCG-2013-0358)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1916. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Great Western Tube Float; Colorado River; Parker, AZ" ((RIN1625-AA00) (Docket No. USCG-2013-0268)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1917. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Grain-Shipment and Grain-Shipment Assist Vessels, Columbia and Willamette Rivers" ((RIN1625-AA00) (Docket No. USCG-2013-0010)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1918. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled

"Safety Zone; 2013 Ocean City Air Show, Atlantic Ocean; Ocean City, MD" ((RIN1625-AA00) (Docket No. USCG-2013-0378)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1919. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; USO Patriotic Festival Air Show, Atlantic Ocean; Virginia Beach, VA" ((RIN1625-AA00) (Docket No. USCG-2013-0377)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1920. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Flagship Niagara Mariners Ball Fireworks, Presque Isle Bay, Erie, PA" ((RIN1625-AA00) (Docket No. USCG-2013-0419)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1921. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Tennessee River, Mile 463.5 to 464.5; Chattanooga, TN" ((RIN1625-AA00) (Docket No. USCG-2013-0075)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1922. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Salvage Operations at Marseilles Dam; Illinois River" ((RIN1625-AA00) (Docket No. USCG-2013-0405)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1923. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Figure Eight Causeway Channel; Figure Eight Island, NC" ((RIN1625-AA00) (Docket No. USCG-2013-0258)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1924. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; High Water Conditions; Illinois River" ((RIN1625-AA00) (Docket No. USCG-2013-0323)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1925. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Melrose Pyrotechnics Fireworks Display; Chicago Harbor, Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2013-0328)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1926. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Safety Precautions to Protect

the Public from the Effects of a Potential Catastrophic Failure of the Marseilles Dam; Illinois River" ((RIN1625-AA00) (Docket No. USCG-2013-0334)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1927. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; USA Triathlon; Milwaukee Harbor, Milwaukee, WI" ((RIN1625-AA00) (Docket No. USCG-2013-0140)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1928. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; 2013 Fish Festival Fireworks, Lake Erie, Vermilion, OH" ((RIN1625-AA00) (Docket No. USCG-2013-0163)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1929. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones and Special Local Regulations; Recurring Marine Events in Captain of the Port Long Island Sound Zone" ((RIN1625-AA00, AA08) (Docket No. USCG-2012-1036)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1930. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bay Village Independence Day Fireworks, Lake Erie, Bay Village, OH" ((RIN1625-AA00) (Docket No. USCG-2013-0313)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1931. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Annual Firework Displays within the Captain of the Port, Puget Sound Area of Responsibility" ((RIN1625-AA00) (Docket No. USCG-2012-1001)) received in the Office of the President of the Senate on June 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1932. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Reno, NV" ((RIN2120-AA66) (Docket No. FAA-2012-1195)) received during adjournment of the Senate in the Office of the President of the Senate on May 30, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1933. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Assessment of Mediation and Arbitration Procedures" (RIN2140-AB02) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1934. A communication from the Director, Office of Management and Budget, Exec-

utive Office of the President, transmitting, proposed legislation to stop the excessive payments to Federal contractors that is required by law; Homeland Security and Governmental Affairs.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. BOXER:

S. 1142. A bill to prohibit Members of Congress from receiving pay when the Federal Government is unable to make payments or meet obligations because the public debt limit has been reached; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MORAN (for himself, Mr. THUNE, and Mr. TESTER):

S. 1143. A bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 1144. A bill to prohibit unauthorized third-party charges on wireline telephone bills, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ISAKSON (for himself, Mr. MURPHY, Ms. WARREN, Mr. SCOTT, and Mr. NELSON):

S. 1145. A bill to amend the Employee Retirement Income Security Act of 1974 to require a lifetime income disclosure; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KIRK (for himself, Mr. MENENDEZ, and Mr. DURBIN):

S. 1146. A bill to amend title 23, United States Code, to protect States that have in effect laws or orders with respect to pay-to-play reform, and for other purposes; to the Committee on Environment and Public Works.

By Mr. UDALL of Colorado:

S. 1147. A bill to clarify the disposition of covered persons detained in the United States pursuant to the Authorization for Use of Military Force, and for other purposes; to the Committee on Armed Services.

By Mr. HEINRICH (for himself and Mr. HELLER):

S. 1148. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide notice of average times for processing claims, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NELSON (for himself and Mr. SCHUMER):

S. 1149. A bill to reauthorize the ban on undetectable firearms, and to extend the ban to undetectable firearm receivers and undetectable ammunition magazines; to the Committee on the Judiciary.

By Mr. BLUMENTHAL:

S. 1150. A bill to posthumously award a Congressional Gold Medal to Constance Baker Motley; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HARKIN:

S. 1151. A bill to reauthorize the America's Agricultural Heritage Partnership in the State of Iowa; to the Committee on Energy and Natural Resources.

By Mr. REED (for himself and Mr. BLUNT):

S. 1152. A bill to amend the Public Health Service Act to help build a stronger health care workforce; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself, Mr. NELSON, and Mr. LEVIN):

S. 1153. A bill to establish an improved regulatory process for injurious wildlife to prevent the introduction and establishment in the United States of nonnative wildlife and wild animal pathogens and parasites that are likely to cause harm; to the Committee on Environment and Public Works.

By Mr. ROBERTS (for himself, Mr. INHOFE, Mr. BARRASSO, and Mr. COCHRAN):

S. 1154. A bill to provide that certain requirements of the Patient Protection and Affordable Care Act do not apply if the American Health Benefit Exchanges are not operating on October 1, 2013; to the Committee on Finance.

By Mr. TESTER:

S. 1155. A bill to provide for advance appropriations for certain information technology accounts of the Department of Veterans Affairs, to include mental health professionals in training programs of the Department, and for other purposes; to the Committee on Veterans' Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. JOHNSON of South Dakota (for himself and Mr. KIRK):

S. Res. 168. A resolution designating June 2013 as "National Aphasia Awareness Month" and supporting efforts to increase awareness of aphasia; considered and agreed to.

By Ms. HEITKAMP (for herself, Mr. BOOZMAN, Mr. ROCKEFELLER, Mr. TESTER, Mr. BLUMENTHAL, Mr. BEGICH, Ms. HIRONO, Mrs. MURRAY, Mr. JOHANNIS, Mr. FRANKEN, Mr. DONNELLY, Mr. MORAN, Ms. STABENOW, Mr. SANDERS, Mr. HELLER, Mr. LEAHY, Mr. HOEVEN, and Mr. BROWN):

S. Res. 169. A resolution designating the month of June 2013 as "National Post-Traumatic Stress Disorder Awareness Month"; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 203

At the request of Mr. PORTMAN, the names of the Senator from Indiana (Mr. COATS), the Senator from Nevada (Mr. REID), the Senator from Missouri (Mrs. McCASKILL), the Senator from Georgia (Mr. CHAMBLISS), the Senator from North Carolina (Mr. BURR), the Senator from Arizona (Mr. FLAKE), the Senator from California (Mrs. BOXER), the Senator from Louisiana (Mr. VITTER) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 203, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame.

S. 217

At the request of Mrs. MURRAY, the name of the Senator from Hawaii (Ms.

HIRONO) was added as a cosponsor of S. 217, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational elementary schools and secondary schools on such schools' athletic programs, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 394

At the request of Ms. KLOBUCHAR, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 394, a bill to prohibit and deter the theft of metal, and for other purposes.

S. 420

At the request of Mr. ENZI, the names of the Senator from Arizona (Mr. FLAKE) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 420, a bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to longstanding regulatory rule.

S. 427

At the request of Mr. HOEVEN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 427, a bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes.

S. 534

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 534, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 603

At the request of Mr. BARRASSO, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 689

At the request of Mr. HARKIN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 689, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 717

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 717, a bill to direct the Secretary of Energy to establish a pilot program to award grants to nonprofit organizations for the purpose of retrofitting nonprofit buildings with energy-efficiency improvements.

S. 718

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 718, a bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes.

S. 734

At the request of Mr. NELSON, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 842

At the request of Mr. SCHUMER, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Connecticut (Mr. MURPHY), the Senator from Iowa (Mr. HARKIN) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 941

At the request of Mr. RUBIO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 941, a bill to amend title 18, United States Code, to prevent discriminatory misconduct against taxpayers by Federal officers and employees, and for other purposes.

S. 955

At the request of Mr. THUNE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 955, a bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

S. 965

At the request of Mr. INHOFE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 965, a bill to eliminate oil exports from Iran by expanding domestic production.

S. 993

At the request of Mr. CORNYN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 993, a bill to authorize and request the President to award the Medal

of Honor to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for acts of valor on January 28, 1945, during the Battle of the Bulge in World War II.

S. 1000

At the request of Mr. WARNER, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 1000, a bill to require the Director of the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed, and for other purposes.

S. 1038

At the request of Mr. REID, his name was added as a cosponsor of S. 1038, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1069

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1069, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1079

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1079, a bill to require the Director of the Bureau of Safety and Environmental Enforcement to promote the artificial reefs, and for other purposes.

S. 1116

At the request of Mr. SCHUMER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1116, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1123

At the request of Mr. CARPER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1123, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1130

At the request of Mr. MERKLEY, the names of the Senator from Colorado (Mr. UDALL), the Senator from Montana (Mr. BAUCUS) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1130, a bill to require the Attorney General to disclose each decision, order, or opinion of a Foreign Intelligence Surveillance Court that includes significant legal interpretation of section 501 or 702 of the Foreign Intelligence Surveillance Act of 1978 unless such disclosure is not in the national security interest of the United States.

S. RES. 154

At the request of Mr. HOEVEN, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. Res. 154, a resolution supporting political reform in Iran and for other purposes.

AMENDMENT NO. 1182

At the request of Mr. LEAHY, the names of the Senator from California (Mrs. BOXER), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of amendment No. 1182 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1195

At the request of Mr. JOHANNIS, his name was added as a cosponsor of amendment No. 1195 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1198

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 1198 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1208

At the request of Mr. LEE, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of amendment No. 1208 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER (for himself, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 1144. A bill to prohibit unauthorized third-party charges on wireline telephone bills, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, I rise to introduce the Fair Telephone Billing Act of 2013. This legislation would protect millions of American consumers and businesses from unauthorized charges on their wireline telephone bills.

In 2011, the Senate Commerce Committee, which I chair, completed a year-long investigation into unauthorized third-party charges on telephone bills, a practice commonly referred to as "cramming." The investigation confirmed that third-party billing through wireline telephone bills had likely cost American consumers and businesses billions of dollars in unauthorized charges.

This legislation will put an end to cramming on wireline bills once and for all.

Unauthorized third-party charges on telephone bills have plagued consumers for years. Cramming first emerged in the 1990s. Following the breakup of AT&T and the detariffing of "billing and collection services" by the Federal Communications Commission, telephone companies opened their billing and collection systems to third-party companies offering a variety of services, some of which were completely unrelated to telephone services.

For the first time, telephone numbers worked like credit card numbers. Consumers could purchase services with their telephone numbers and the charges for these services would later appear on their telephone bills.

There has been much debate over the extent to which telephone companies were required to allow third parties to place charges on customers' phone bills, but the last of any Federal obligations ended in 2007. Since that time, with the exception of a few state requirements, telephone companies have been free to allow, or not allow, whatever companies they choose to place third-party charges on their customers' telephone bills. The telephone companies chose to allow all sorts of companies to place charges for all sorts of services.

Throughout the 1990s, state and federal law enforcement saw a dramatic increase in complaints about unauthorized charges on telephone bills. In response, the Federal Communications Commission and the telephone industry created voluntary guidelines to combat cramming.

Throughout this same period, Congress also convened hearings on the issue, and each time, the telephone industry used these voluntary guidelines to argue that congressional action on cramming was not needed. Several bills were introduced, but none were adopted. Now we find ourselves, over a decade later, still discussing cramming. We cannot make the same mistake again.

In 2010, I opened the Committee's investigation into cramming to better understand the scope of the cramming problem. The investigation showed that over the past decade, cramming caused extensive financial harm to all types of wireline telephone customers, from residences and small businesses, to government agencies and large companies. All the while, the largest telephone companies were making large profits, likely generating over \$1 billion in revenue by placing third-party charges on their customers' telephone bills.

It was shocking to learn that many third-party vendors that were placing charges on telephone bills were illegitimate and appeared to have been created solely to exploit a broken system. Consumers reported being charged \$10 to \$30 a month for so-called "services" that they never authorized. These in-

cluded weekly e-mail messages with "celebrity gossip" and "fashion tips," and others completely unrelated to wireline telephone services—such as "online photo storage" and "electronic facsimile." In some of the most egregious examples, unauthorized charges had been added to the bills for telephone lines dedicated to fire alarms, security systems, bank vaults, elevators, and 911 services.

The Committee investigation also determined that many of the services being charged to consumers' telephone bills seemed to serve no legitimate purpose, frequently did not function properly, and were often available elsewhere for free.

The investigation involved a review of thousands of consumer complaints and interviews with more than 500 individuals and business owners whose telephone bills included charges from third parties. Not one of these individuals or entities believed they had authorized the charges.

Further, many of these consumers complained that when they found unauthorized charges on their telephone bills, they were unable to get the money refunded, either from the carrier or from the third-party vendor. That is unacceptable.

In response to the Committee's investigation, the three largest wireline telephone companies—AT&T, Verizon, and CenturyLink—took positive steps to eliminate cramming on wireline telephone bills, including a decision to stop allowing the placement of most third-party charges on wireline telephone bills.

The Fair Telephone Billing Act will ensure that all wireline telephone companies and providers of interconnected VoIP services are required to take the same steps so that cramming on telephone bills never happens again.

In short, the bill would prohibit any local exchange carrier or provider of interconnected VoIP services from placing any third-party charge on a customer's bill, unless the charge is for a telephone-related service or a "bundled" service that is jointly marketed or sold with a company's telephone service.

Under the bill, a telephone company that places prohibited charges on a customer's bill is responsible for refunding to the customer any charge for services the customer did not authorize.

The bill also includes a narrow exception for two categories of third-party billing services: telephone-related services, such as collect calls; and "bundled" services, such as satellite television services offered together with phone service. This bill recognizes that such legitimate types of billing offer substantial benefit to consumers.

In recent years, increasing numbers of consumers have transitioned from traditional wireline telephone service

to interconnected VoIP services and more are expected. Since consumers likely do not see a distinction between traditional wireline service and interconnected VoIP services, I believe these services need to be included. It is important to ensure that all telephone customers are offered the same protections from unauthorized charges.

It also has become clear that cramming now extends to wireless bills. When I introduced a similar bill last year, I included provisions that would have directed the Federal Communications Commission to create rules to prevent cramming on wireless telephone bills. Since that time, the Senate Commerce Committee has been examining cramming on wireless bills, and I believe this issue demands additional attention. I do not want to see in a few years that cramming has simply migrated from wireline to wireless. It is important that we examine the extent to which third-party wireless billing practices raise any issues distinct from third-party wireline billing practices, so we can best determine appropriate policies for protecting against consumer abuses in this context.

Cramming has likely already cost consumers and businesses billions. The Fair Telephone Billing Act would stop practices that Congress, regulators, and consumers agree are nothing more than a cover for fraud.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1144

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Fair Telephone Billing Act of 2013".

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) For years, telephone users have complained that their wireline telephone bills included unauthorized third-party charges.

(2) This problem, commonly referred to as "cramming," first appeared in the 1990s, after wireline telephone companies opened their billing platforms to an array of third-party vendors offering a variety of services.

(3) Since the 1990s, the Federal Communications Commission, the Federal Trade Commission, and State attorneys general have brought multiple enforcement actions against dozens of individuals and companies for engaging in cramming.

(4) An investigation by the Committee on Commerce, Science, and Transportation of the Senate confirmed that cramming is a problem of massive proportions and has affected millions of telephone users, costing them billions of dollars in unauthorized third-party charges over the past decade.

(5) The Committee showed that third-party billing through wireline telephone numbers has largely failed to become a reliable method of payment that consumers and businesses can use to conduct legitimate commerce.

(6) Telephone companies regularly placed third-party charges on their customers' telephone bills without their customers' authorization.

(7) Many companies engaged in third-party billing were illegitimate and created solely to exploit the weaknesses in the third-party billing platforms established by telephone companies.

(8) In the last decade, millions of business and residential consumers have transitioned from wireline telephone service to interconnected VoIP service.

(9) Users of interconnected VoIP service often use the service as the primary telephone line for their residences and businesses.

(10) Millions more business and residential consumers are expected to migrate to interconnected VoIP service in the coming years as the evolution of the nation's traditional voice communications networks to IP-based networks continues.

(11) Users of interconnected VoIP service that have telephone numbers through the service should be protected from the same vulnerabilities that affected third-party billing through wireline telephone numbers.

#### SEC. 3. UNAUTHORIZED THIRD-PARTY CHARGES.

(a) IN GENERAL.—Section 258 of the Communications Act of 1934 (47 U.S.C. 258) is amended—

(1) by amending the heading to read as follows: "**SEC. 258. PREVENTING ILLEGAL CHANGES IN SUBSCRIBER CARRIER SELECTIONS AND UNAUTHORIZED THIRD-PARTY CHARGES.**"; and

(2) by adding at the end the following:

"(c) PROHIBITION.—

"(1) IN GENERAL.—No local exchange carrier or provider of interconnected VoIP service shall place or cause to be placed a third-party charge that is not directly related to the provision of telephone services on the bill of a customer, unless—

"(A) the third-party charge is from a contracted third-party vendor;

"(B) the third-party charge is for a product or service that a local exchange carrier or provider of interconnected VoIP service jointly markets or jointly sells with its own service;

"(C) the customer was provided with clear and conspicuous disclosure of all material terms and conditions prior to consenting under subparagraph (D);

"(D) the customer provided affirmative consent for the placement of the third-party charge on the bill; and

"(E) the local exchange carrier or provider of interconnected VoIP service has implemented reasonable procedures to ensure that the third-party charge is for a product or service requested by the customer.

"(2) FORFEITURE AND REFUND.—

"(A) IN GENERAL.—Any person who commits a violation of paragraph (1) shall be subject to a civil forfeiture, which shall be determined in accordance with section 503 of title V of this Act, except that the amount of the penalty shall be double the otherwise applicable amount of the penalty under that section.

"(B) REFUND.—Any local exchange carrier or provider of interconnected VoIP service that commits a violation of paragraph (1) shall be liable to the customer in an amount equal to all charges paid by that customer related to the violation of paragraph (1), in accordance with such procedures as the Commission may prescribe.

"(3) ADDITIONAL REMEDIES.—The remedies under this subsection are in addition to any other remedies provided by law.

"(4) DEFINITIONS.—In this subsection:

"(A) AFFIRMATIVE CONSENT.—The term 'affirmative consent' means express verifiable authorization.

"(B) CONTRACTED THIRD-PARTY VENDOR.—The term 'contracted third-party vendor' means a person that has a contractual right to receive billing and collection services from a local exchange carrier or a provider of interconnected VoIP service for a product or service that the person provides directly to a customer.

"(C) THIRD-PARTY CHARGE.—The term 'third-party charge' means a charge for a product or service not provided by a local exchange carrier or a provider of interconnected VoIP service."

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Federal Communications Commission, in consultation with the Federal Trade Commission, shall prescribe any rules necessary to implement the provisions of this section.

(2) MINIMUM CONTENTS.—At a minimum, the regulations promulgated by the Federal Communications Commission under this subsection shall—

(A) define how local exchange carriers and providers of interconnected VoIP service will obtain affirmative consent from a consumer for a third-party charge;

(B) include adequate protections to ensure that consumers are fully aware of the charges to which they are consenting; and

(C) impose record keeping requirements on local exchange carriers and providers of interconnected VoIP service related to any grants of affirmative consent by consumers.

(c) EFFECTIVE DATE.—The Federal Communications Commission shall prescribe that any rule adopted under subsection (b) shall become effective for a local exchange carrier or provider of interconnected VoIP service not later than the date that the carrier's or provider's contractual obligation to permit another person to charge a customer for a good or service on a bill rendered by the carrier or provider expires, or 180 days after the date of enactment of this Act, whichever is earlier.

#### SEC. 4. RELATIONSHIP TO OTHER LAWS.

(a) NO PREEMPTION OF STATE LAWS.—Nothing in this Act shall be construed to preempt any State law, except that no State law may relieve any person of a requirement otherwise applicable under this Act.

(b) PRESERVATION OF FTC AUTHORITY.—Nothing in this Act shall be construed as modifying, limiting, or otherwise affecting the applicability of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) or any other law enforced by the Federal Trade Commission.

#### SEC. 5. SEVERABILITY.

If any provision of this Act or the application of that provision to any person or circumstance is held invalid, the remainder of this Act and the application of that provision to any other person or circumstance shall not be affected thereby.

By Mr. REED (for himself and Mr. BLUNT):

S. 1152. A bill to amend the Public Health Service Act to help build a stronger health care workforce; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to be joined by Senator BLUNT in the introduction of the Building a Health Care Workforce for the Future Act.



According to the Association of American Medical Colleges, by 2020, there will be a shortage of 91,000 physicians. Approximately half of the shortage, 45,000, will be in primary care.

Individuals and families living in underserved areas, urban and rural, will continue to be those most disadvantaged by this shortage. According to the Pew Research Center, roughly 10,000 baby boomers will become eligible for Medicare every day through 2030. The most recent estimates from the Congressional Budget Office predict that 27 million individuals will gain access to health insurance by 2017 as a result of the Affordable Care Act. With an aging population and increasing number of individuals with health insurance, the gap between patients and providers is expected to widen. The Affordable Care Act took steps to address this shortage, but we can do more.

The Building a Health Care Workforce for the Future Act would authorize programs that would grow the overall number of health care providers, as well as encourage providers to pursue careers in geographic and practice areas of highest need.

Building on the success of the National Health Service Corp, NHSC, Scholarship and Loan Repayment Programs, and State Loan Repayment Program, this legislation would establish a state scholarship program. Like the NHSC State Loan Repayment Program, States would be able to receive a dollar-for-dollar match to support individuals that commit to practicing in the State in which the scholarship was issued after completing their education and training. At least 50 percent of the funding would be required to support individuals committed to pursuing careers in primary care. The States would have the flexibility to use the remaining 50 percent to support scholarships to educate students in other documented health care professional shortages in the state that are approved by the Secretary of Health and Human Services.

The Building a Health Care Workforce for the Future Act would also authorize grants to medical schools to develop primary care mentors on faculty and in the community. According to the Association of American Medical Colleges, graduating medical students consistently state that role models are one of the most important factors affecting the career path they choose. Building a network of primary care mentors in the classroom and in a variety of practice settings will help guide more medical students into careers in primary care.

The legislation would couple these mentorship grants with an initiative to improve the education and training offered by medical schools in competencies most critical to primary care, including patient-centered med-

ical homes, primary and behavioral health integration, and team-based care.

It would also direct the Institute of Medicine (IOM) to study and make recommendations about ways to limit the administrative burden on providers in documenting cognitive services delivered to patients. Primary care providers treat patients in need of these services almost exclusively, and as such, spend a significant percentage of their day documenting. That is not the case for providers who perform procedures, like surgeries. This IOM study would help uncover ways to simplify documentation requirements, particularly for delivering cognitive services, in order to eliminate one of the potential factors that may discourage medical students from pursuing careers in primary care.

I am pleased that providers across the spectrum of care recognize that this bipartisan legislation is part of the solution to addressing the looming health care workforce shortage and have lent their support, including: the Alliance of Specialty Medicine, the American Association of College of Osteopathic Medicine, the American College of Physicians, the American Osteopathic Association, the Association of Academic Health Centers, the Association of American Medical Colleges, and the Society of General Internal Medicine.

I look forward to working with these and other stakeholders as well as Senator BLUNT and our colleagues to pass the Building a Health Care Workforce for the Future Act in order to help ensure patients have access to the health care they need.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 168—DESIGNATING JUNE 2013 AS “NATIONAL APHASIA AWARENESS MONTH” AND SUPPORTING EFFORTS TO INCREASE AWARENESS OF APHASIA

Mr. JOHNSON of South Dakota (for himself and Mr. KIRK) submitted the following resolution; which was considered and agreed to:

S. RES. 168

Whereas aphasia is a communication impairment caused by brain damage that typically results from a stroke;

Whereas aphasia can also occur with other neurological disorders, such as a brain tumor;

Whereas many people with aphasia also have weakness or paralysis in the right leg and right arm, usually due to damage to the left hemisphere of the brain, which controls language and movement on the right side of the body;

Whereas the effects of aphasia may include a loss of, or reduction in, the ability to speak, comprehend, read, and write, but the intelligence of a person with aphasia remains intact;

Whereas, according to the National Institute of Neurological Disorders and Stroke (referred to in this preamble as the “NINDS”), strokes are the third-leading cause of death in the United States, ranking behind heart disease and cancer;

Whereas strokes are a leading cause of serious, long-term disability in the United States;

Whereas the NINDS estimates that there are approximately 5,000,000 stroke survivors in the United States;

Whereas the NINDS estimates that people in the United States suffer approximately 750,000 strokes per year, with about 1/3 of the strokes resulting in aphasia;

Whereas, according to the NINDS, aphasia affects at least 1,000,000 people in the United States;

Whereas the NINDS estimates that more than 200,000 people in the United States acquire aphasia each year;

Whereas the people of the United States should strive to learn more about aphasia and to promote research, rehabilitation, and support services for people with aphasia and aphasia caregivers throughout the United States; and

Whereas people with aphasia and their caregivers envision a world that recognizes the “silent” disability of aphasia and provides opportunity and fulfillment for people affected by aphasia: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates June 2013 as “National Aphasia Awareness Month”;

(2) supports efforts to increase awareness of aphasia;

(3) recognizes that strokes, a primary cause of aphasia, are the third-largest cause of death and disability in the United States;

(4) acknowledges that aphasia deserves more attention and study to find new solutions for people experiencing aphasia and their caregivers;

(5) supports efforts to make the voices of people with aphasia heard, because people with aphasia are often unable to communicate with others; and

(6) encourages all people in the United States to observe National Aphasia Awareness Month with appropriate events and activities.

##### SENATE RESOLUTION 169—DESIGNATING THE MONTH OF JUNE 2013 AS “NATIONAL POST-TRAUMATIC STRESS DISORDER AWARENESS MONTH”

Ms. HEITKAMP (for herself, Mr. BOOZMAN, Mr. ROCKEFELLER, Mr. TESTER, Mr. BLUMENTHAL, Mr. BEGICH, Ms. HIRONO, Mrs. MURRAY, Mr. JOHANNES, Mr. FRANKEN, Mr. DONNELLY, Mr. MORAN, Ms. STABENOW, Mr. SANDERS, Mr. HELLER, Mr. LEAHY, Mr. HOEVEN, and Mr. BROWN) submitted the following resolution; which was considered and agreed to:

S. RES. 169

Whereas the brave men and women Armed Forces of the United States, who proudly serve the United States, risk their lives to protect the freedom of the United States, and deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being;

Whereas more than 2,000,000 service members have deployed overseas as part of overseas contingency operations since the events of September 11, 2001;



Whereas the military has sustained an operational tempo for a period of time unprecedented in the history of the United States, with many service members deploying multiple times to combat zones, placing them at high risk of post-traumatic stress disorder (referred to in this preamble as “PTSD”);

Whereas the Department of Veterans Affairs reports that—

(1) since October of 2001, more than 286,000 of the approximately 900,000 veterans of Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn who have used Department of Veterans Affairs health care have been coded for PTSD;

(2) in fiscal year 2011, more than 475,000 of the nearly 6,000,000 veterans from all wars who sought care at a Department of Veterans Affairs medical center received treatment for PTSD; and

(3) of veterans who served in Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn who are using Veterans Affairs health care, more than 486,000—or 54 percent—have received a diagnosis for at least 1 mental health disorder;

Whereas many cases of PTSD remain unreported, undiagnosed, and untreated due to a lack of awareness about PTSD and the persistent stigma associated with mental health conditions;

Whereas PTSD significantly increases the risk of depression, suicide, and drug- and alcohol-related disorders and deaths, especially if left untreated;

Whereas symptoms of PTSD or other mental health disorders create unique challenges for veterans seeking employment;

Whereas the Departments of Defense and Veterans Affairs have made significant advances in the prevention, diagnosis, and treatment of PTSD and the symptoms of PTSD, but many challenges remain; and

Whereas the establishment of a National Post-Traumatic Stress Disorder Awareness Month will raise public awareness about issues related to PTSD, reduce the stigma associated with PTSD, and help ensure that those suffering from the invisible wounds of war receive proper treatment: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates June 2013, as “National Post-Traumatic Stress Disorder Awareness Month”;

(2) supports the efforts of the Secretary of Veterans Affairs and the Secretary of Defense to educate service members, veterans, the families of service members and veterans, and the public about the causes, symptoms, and treatment of post-traumatic stress disorder; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Secretary of Veterans Affairs and the Secretary of Defense.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1226. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1227. Mr. HELLER (for himself and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1228. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1229. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1230. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1231. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1232. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1233. Mr. REED (for himself, Mr. SCHUMER, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1234. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1235. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1236. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1237. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1238. Mr. RISCH (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1239. Mr. KIRK (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1240. Mrs. BOXER (for herself and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1241. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1242. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1243. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1244. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1245. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1246. Mr. HATCH (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1247. Mr. HATCH (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1248. Mr. HATCH (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1249. Mr. HATCH (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1250. Mrs. FEINSTEIN (for herself and Mr. COONS) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1251. Mr. CORNYN (for himself, Mr. CRAPO, Mr. BLUNT, Mr. KIRK, Mr. HATCH, Mr. ALEXANDER, Mr. ISAKSON, Mr. ROBERTS, Mr. BURR, Mr. CHAMBLISS, Mr. JOHANNES, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1252. Mr. CASEY (for himself, Mr. SCHUMER, and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1253. Mr. NELSON submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1254. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1251 submitted by Mr. CORNYN (for himself, Mr. CRAPO, Mr. BLUNT, Mr. KIRK, Mr. HATCH, Mr. ALEXANDER, Mr. ISAKSON, Mr. ROBERTS, Mr. BURR, Mr. CHAMBLISS, Mr. JOHANNES, and Mr. BARRASSO) and intended to be proposed to the bill S. 744, supra; which was ordered to lie on the table.

SA 1255. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1256. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1257. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1258. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1226.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 912, between lines 9 and 10, insert the following:

(3) ACQUISITION OF ADDITIONAL UNMANNED AERIAL VEHICLES AND UNMANNED AERIAL SYSTEMS.—Notwithstanding paragraphs (1) and (2) of subsection (a), and except as provided in paragraph (4), the Commissioner of U.S. Customs and Border Protection may not acquire additional unmanned aerial vehicles or unmanned aircraft systems until after the Inspector General of the Department submits a report to Congress, which certifies that U.S. Customs and Border Protection has implemented all the recommendations contained in the report submitted by the Office of the Inspector General of the Department to U.S. Customs and Border Protection on May 30, 2012, titled “CBP’s Use of Unmanned Aircraft Systems in the Nation’s Border Security”, including—

(A) analyzing requirements and developing plans to achieve the unmanned aerial system mission availability objective and acquiring

funding to provide necessary operations, maintenance, and equipment;

(B) developing and implementing procedures to coordinate and support stakeholders' mission requests; and

(C) establishing interagency agreements with external stakeholders for reimbursement of expenses incurred fulfilling mission requests, to the extent authorized by law.

(4) **WAIVER.**—The Secretary may waive the application of paragraph (3) if the Secretary—

(A) determines that such waiver is in the national security interests of the United States; and

(B) provides Congress with notice of, and justification for, such waiver not later than 15 days before such waiver is granted.

**SA 1227.** Mr. **HELLER** (for himself and Mr. **REID**) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 861, line 9, strike “4 members, consisting of 1 member” and insert “5 members, consisting of 1 member from the Southwestern State of Nevada and 1 member”.

**SA 1228.** Mr. **VITTER** submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 858, between lines 10 and 11, insert the following:

(3) **US-VISIT SYSTEM.**—Notwithstanding any other provision of this Act, any program that authorizes granting temporary legal status to individuals who are unlawfully present in the United States or adjusting the status of such individuals to that of aliens lawfully admitted for permanent residence may not be implemented until—

(A) the Secretary submits written certification to the President and Congress that the integrated entry and exit data system required under section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a), which was required to be implemented by December 21, 2005, has been fully implemented and is functioning at every land, sea, and air port of entry; and

(B) a joint resolution of approval is enacted into law pursuant to paragraph (4).

(4) **JOINT RESOLUTION OF APPROVAL.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of this Act, the Secretary may not exercise any authority to grant temporary legal status to individuals who are unlawfully present in the United States or adjust the status of such individuals to that of aliens lawfully admitted for permanent residence if, not later than 15 calendar days after the date on which Congress receives written certification from the Secretary pursuant to paragraph (3), there is enacted into law a joint resolution approving the certification of the Secretary.

(B) **CONTENTS OF JOINT RESOLUTION.**—In this paragraph, the term “joint resolution” means a joint resolution—

(i) that is introduced not later than 3 calendar days after the date on which the written certification of the Secretary under paragraph (3) is received by Congress;

(ii) that does not have a preamble;

(iii) the title of which is as follows: “Joint resolution relating to the approval of the

certification of the Secretary of Homeland Security obligations under the Border Security, Economic Opportunity, and Immigration Modernization Act”; and

(iv) the matter after the resolving clause of which is as follows: “That Congress approves the certification of the implementation of the integrated entry and exit data system required under section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a) at every land, sea, and air port of entry”.

(5) **FAST TRACK CONSIDERATION IN HOUSE OF REPRESENTATIVES.**—

(A) **RECONVENING.**—Upon the receipt of a written certification from the Secretary under paragraph (3), the Speaker, if the House would otherwise be adjourned, shall notify the Members of the House that, pursuant to this paragraph, the House shall convene not later than the second calendar day after receipt of such certification;

(B) **REPORTING AND DISCHARGE.**—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House not later than 5 calendar days after the date of receipt of the certification described in paragraph (3). If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be referred to the appropriate calendar.

(C) **PROCEEDING TO CONSIDERATION.**—After each committee authorized to consider a joint resolution reports it to the House or has been discharged from its consideration, it shall be in order, not later than the sixth day after Congress receives the certification described in paragraph (3), to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(D) **CONSIDERATION.**—The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(6) **FAST TRACK CONSIDERATION IN SENATE.**—

(A) **RECONVENING.**—Upon receipt of a certification under paragraph (3), if the Senate has adjourned or recessed for more than 2 days, the Majority Leader of the Senate, after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate that, pursuant to this paragraph, the Senate shall convene not later than the second calendar day after receipt of such message.

(B) **PLACEMENT ON CALENDAR.**—Upon introduction in the Senate, the joint resolution shall be placed immediately on the calendar.

(C) **FLOOR CONSIDERATION.**—

(i) **IN GENERAL.**—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time during the period beginning on the 4th day after the date on which Congress receives a certification described in paragraph (3) and ending on the 6th day after the date on which Congress re-

ceives such certification (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(ii) **DEBATE.**—Debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the Majority Leader and Minority Leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(iii) **VOTE ON PASSAGE.**—The vote on passage shall occur immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(iv) **RULINGS OF THE CHAIR ON PROCEDURE.**—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(7) **RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.**—

(A) **COORDINATION WITH ACTION BY OTHER HOUSE.**—If, before the passage by 1 House of a joint resolution of that House, that House receives from the other House a joint resolution, then the following procedures shall apply:

(i) The joint resolution of the other House shall not be referred to a committee.

(ii) With respect to a joint resolution of the House receiving the resolution—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(II) the vote on passage shall be on the joint resolution of the other House.

(B) **TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.**—

(C) If one House fails to introduce or consider a joint resolution under this section, the joint resolution of the other House shall be entitled to expedited floor procedures under this section.

(D) **TREATMENT OF COMPANION MEASURES.**—If, following passage of the joint resolution in the Senate, the Senate receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

(E) **CONSIDERATION AFTER PASSAGE.**—

(i) **IN GENERAL.**—If Congress passes a joint resolution, the period beginning on the date the President is presented with the joint resolution and ending on the date the President takes action with respect to the joint resolution shall be disregarded in computing the 15-calendar day period described in paragraph (4)(A).

(ii) **VETOES.**—If the President vetoes the joint resolution—

(I) the period beginning on the date the President vetoes the joint resolution and ending on the date the Congress receives the veto message with respect to the joint resolution shall be disregarded in computing the

15-calendar day period described in paragraph (4)(A); and

(II) debate on a veto message in the Senate under this section shall be 1 hour equally divided between the majority and minority leaders or their designees.

(F) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This paragraph and paragraphs (4), (5), and (6) are enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively;

(ii) as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(iii) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

**SA 1229.** Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 978, strike lines 5 through 10, and insert the following:

“(A) IN GENERAL.—The Secretary shall immediately revoke the status of a registered provisional immigrant, after providing appropriate notice to the alien, if the alien—

**SA 1230.** Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 949, strike line 22 and all that follows through “(5)” on line 1 of page 950, and insert “(4)”.

**SA 1231.** Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 875, strike line 22 and all that follows through page 876, line 3, and insert the following:

(C) ANNUAL INFLATION ADJUSTMENT REQUIRED.—The Secretary shall adjust each of the fees and penalties specified in clauses (ii), (iii), (iv), (v), (vi), and (viii) of subparagraph (B) on October 1, 2014, and annually thereafter, to reflect the inflation rate during the most recent 12-month period, as measured by such price index as the Secretary considers appropriate, rounded to the nearest dollar.

**SA 1232.** Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 973, line 2, strike “\$1,000” and insert “\$2,000”.

On page 997, line 4, strike “\$1,000” and insert “\$2,000”.

**SA 1233.** Mr. REED (for himself, Mr. SCHUMER, and Mr. CASEY) submitted an

amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ INADMISSIBILITY OF INDIVIDUALS WHO RENOUNCE CITIZENSHIP TO AVOID TAXES.**

Section 212(a)(10)(E) (8 U.S.C. 1182(a)(10)(E)) is amended to read as follows:

“(E) FORMER CITIZENS WHO RENOUNCED CITIZENSHIP TO AVOID TAXATION.—

“(i) INADMISSIBILITY.—The following aliens are inadmissible:

“(I) Any alien who is a former citizen of the United States who officially renounces United States citizenship and who is determined by the Secretary of Homeland Security to have renounced United States citizenship for the purpose of avoiding taxation by the United States.

“(II) Subject to clause (ii), any alien who is a former citizen of the United States and who is a covered expatriate.

“(ii) REVIEW FOR COVERED EXPATRIATES.—A covered expatriate shall not be inadmissible under clause (i)(II) if the Secretary determines that the covered expatriate has established by clear and convincing evidence that avoiding taxation by the United States was not one of the principle purposes that the covered expatriate renounced United States citizenship.

“(iii) COVERED EXPATRIATE DEFINED.—In this subparagraph, the term ‘covered expatriate’ means an individual described in section 877A(g)(1) of the Internal Revenue Code of 1986 and to whom section 877A(a) of such Code applies.”.

**SA 1234.** Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1455, strike line 8, and insert the following:

(3) IMPLEMENTATION REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report the implementation of the biometric exit data system referred to in paragraph (2), the impact of such system on any additional wait times for travelers, and projections for new officer personnel, including U.S. Customs and Border Protection officers.

(4) EFFECTIVENESS REPORT.—Not later than 3 years after the

**SA 1235.** Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 897, line 11, insert after “this Act.” the following: “The Secretary shall allocate these officers with the primary goals of reducing primary processing wait times at high volume international airports by 50 percent by the end of fiscal year 2014, and screening all air passengers within 30 minutes under normal operating conditions by the end of fiscal year 2016.”.

On page 898, line 15, insert “, for the purpose of implementing subsection (a)” before the period.

On page 898, after line 22, add the following:

(e) REPORT.—Prior to the hiring and training of additional U.S. Customs and Border Protection officers under subsection (a), the Secretary shall submit to Congress a report on current wait times at land, air, and sea ports of entry, officer staffing at land, air, and sea ports of entry and projections for new officer allocation at land, air, and sea ports of entry designed to implement subsection (a), including the need to hire non-law enforcement personnel for administrative duties.

**SA 1236.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 866, line 3, insert “through existing or new programs” before “and successfully”.

**SA 1237.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1793, between lines 17 and 18, insert the following:

**SEC. 4607. AMERICAN JOBS IN AMERICAN FORESTS.**

(a) SHORT TITLE.—This section may be cited as the “American Jobs in American Forests Act of 2013”.

(b) DEFINITIONS.—In this section:

(1) FORESTRY.—The term “forestry” means—

(A) propagating, protecting, and managing forest tracts;

(B) felling trees and cutting them into logs;

(C) using hand tools or operating heavy powered equipment to perform activities such as preparing sites for planting, tending crop trees, reducing competing vegetation, moving logs, piling brush, and yarding and trucking logs from the forest; and

(D) planting seedlings and trees.

(2) H-2B NONIMMIGRANT.—The term “H-2B nonimmigrant” means a nonimmigrant described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)).

(3) PROSPECTIVE H-2B EMPLOYER.—The term “prospective H-2B employer” means a United States business that is considering employing 1 or more nonimmigrants described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)).

(4) STATE WORKFORCE AGENCY.—Except as used in subsection (c), the term “State workforce agency” means the workforce agency of the State in which the prospective H-2B employer intends to employ H-2B nonimmigrants.

(c) DEPARTMENT OF LABOR.—

(1) RECRUITMENT.—As a component of the labor certification process required before H-2B nonimmigrants are offered forestry employment in the United States, the Secretary of Labor shall require all prospective H-2B employers, before they submit a petition to hire H-2B nonimmigrants to work in forestry, to conduct a robust effort to recruit

United States workers, including, to the extent the State workforce agency considers appropriate—

(A) advertising at employment or job-placement events, such as job fairs;

(B) advertising with State or local workforce agencies, nonprofit organizations, or other appropriate entities, and working with such entities to identify potential employees;

(C) advertising in appropriate media, including local radio stations and commonly used, reputable Internet job-search sites; and

(D) such other recruitment strategies as the State workforce agency considers appropriate for the sector or positions for which H-2B nonimmigrants would be considered.

(2) SEPARATE PETITIONS.—A prospective H-2B employer shall submit a separate petition for each State in which the employer plans to employ H-2B nonimmigrants in forestry for a period of 7 days or longer.

(d) STATE WORKFORCE AGENCIES.—The Secretary of Labor may not grant a temporary labor certification to a prospective H-2B employer seeking to employ H-2B nonimmigrants in forestry until after the Director of the State workforce agency—

(1) has, after formally consulting with the workforce agency director of each contiguous State listed on the prospective H-2B employer's application, determined that—

(A) the employer has complied with all recruitment requirements set forth in subsection (c) and there is a legitimate demand for the employment of H-2B nonimmigrants in each of those States; or

(B) the employer has amended the application by removing or making appropriate modifications with respect to the States in which the criteria set forth in subparagraph (A) have not been met;

(2) certifies that the prospective H-2B employer has complied with all recruitment requirements set forth in subsection (c) or any other applicable provision of law; and

(3) makes a formal determination that nationals of the United States are not qualified or available to fill the employment opportunities offered by the prospective H-2B employer.

**SA 1238.** Mr. RISCH (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1392, line 13, strike “(F)” and insert the following:

“(F) EXCEPTION.—Any employer who violates any provision of this section, including, but not limited to, failure to query the System to verify the identity and work authorized status of an individual or failure to comply with any requirement under subsection (d), shall not be subject to any civil or criminal penalty under this Act unless the Secretary demonstrates, by the appropriate evidentiary standard of proof, that the individual in question is not authorized to work in the United States. Nothing in this subparagraph may be construed to limit the safe harbor provision under section 3610(g)(2) of the Border Security, Economic Opportunity and Immigration Modernization Act or the good faith defenses under subsections (a)(5), (a)(6), and (d)(5).

“(G)

**SA 1239.** Mr. KIRK (for himself and Mr. COONS) submitted an amendment

intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . TREATMENT OF CERTAIN PERSONS AS HAVING SATISFIED ENGLISH AND CIVICS, GOOD MORAL CHARACTER, AND HONORABLE SERVICE AND DISCHARGE REQUIREMENTS FOR NATURALIZATION.**

(a) IMMIGRATION AND NATIONALITY ACT.—The Immigration and Nationality Act is amended by inserting after section 329A (8 U.S.C. 1440-1) the following new section:

**“SEC. 329B. PERSONS WHO HAVE RECEIVED AN AWARD FOR ENGAGEMENT IN ACTIVE COMBAT OR ACTIVE PARTICIPATION IN COMBAT.**

“(a) IN GENERAL.—For purposes of naturalization and continuing citizenship under the following provisions of law, a person who has received an award described in subsection (b) shall be treated—

“(1) as having satisfied the requirements in sections 312(a), 316(a)(3), and subsections (b)(3), (c), and (e) of section 328; and

“(2) under sections 328 and 329, as having served honorably in the Armed Forces for (in the case of section 328) a period or periods aggregating one year, and, if separated from such service, as having been separated under honorable conditions.

“(b) APPLICATION.—This section shall apply with respect to the following awards from the Armed Forces of the United States:

“(1) The Combat Infantryman Badge from the Army.

“(2) The Combat Medical Badge from the Army.

“(3) The Combat Action Badge from the Army.

“(4) The Combat Action Ribbon from the Navy, the Marine Corps, or the Coast Guard.

“(5) The Air Force Combat Action Medal.

“(6) Any other award that the Secretary of Defense determines to be an equivalent award for engagement in active combat or active participation in combat.”.

(b) CLERICAL AMENDMENT.—The table of contents of such Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 329A the following:

“Sec. 329B. Persons who have received an award for engagement in active combat or active participation in combat.”.

**SA 1240.** Mrs. BOXER (for herself and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 919, line 17, insert after “agents,” the following: “in consultation with the Secretary of Defense, National Guard personnel performing duty to assist U.S. Customs and Border Protection under section 1103(c)(6) of this Act, Coast Guard officers and agents assisting in maritime border enforcement efforts.”.

**SA 1241.** Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which

was ordered to lie on the table; as follows:

On page 908, between lines 7 and 8, insert the following:

(e) BORDER ENFORCEMENT SECURITY TASK FORCE.—

(1) IN GENERAL.—The Secretary shall enhance law enforcement preparedness and operational readiness in the Southwest border region by expanding the Border Enforcement Security Task Force (referred to in this section as “BEST”), established under section 432 of the Homeland Security Act of 2002 (6 U.S.C. 240).

(2) UNITS TO BE EXPANDED.—The Secretary shall expand the BEST units operating on the date of the enactment of this Act in New Mexico, Texas, Arizona, and California by increasing the funding available for operational, administrative, and technological costs associated with the participation of Federal, State, local, and tribal law enforcement agencies in BEST.

(3) FUNDING.—There are authorized to be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this subsection.

**SA 1242.** Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

After section 1115, insert the following:

**SEC. 1116. BORDER INFECTIOUS DISEASE SURVEILLANCE PROJECT.**

(a) FUNDING FOR BORDER STATES.—Of the amount in the Comprehensive Immigration Reform Trust Fund established by section 6(a), \$5,000,000 shall be made available to health authorities of States along the Northern border or the Southern border to strengthen the Border Infectious Disease Surveillance project.

(b) USE OF FUNDS.—Amounts made available under subsection (a) shall be used to implement priority surveillance, epidemiology, and preparedness activities in the regions along the Northern border or the Southern border to respond to potential outbreaks and epidemics, including those caused by potential bioterrorism agents.

(c) ALLOCATION OF FUNDS.—Of the amounts made available under subsection (a)—

(1) \$1,500,000 shall be made available to States along the Northern border, which may use the infrastructure of the Assistant Secretary for Preparedness and Response of the Department of Health and Human Services; and

(2) \$3,500,000 shall be made available to States along the Southern border.

**SA 1243.** Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 954, beginning on line 20, strike “and” and all that follows through “(III)” on line 21, and insert the following:

“(III) an affidavit from the alien stating that the alien—

“(aa) unlawfully entered the United States on or before December 31, 2012; or

“(bb) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(IV)

On page 1045, line 14, strike the period at the end and insert the following: “, including an affidavit from the alien stating that the alien—

(i) unlawfully entered the United States on or before December 31, 2012; or

(ii) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of this Act.

On page 1477, beginning on line 9, strike “and” and all that follows through “(E)” on line 10, and insert the following:

“(E) submits an affidavit to the Secretary of Homeland Security or the Attorney General stating that the alien—

“(i) unlawfully entered the United States on or before December 31, 2012; or

“(ii) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(F)

**SA 1244.** Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1679, line 23, strike the period and insert the following “unless, in connection with such placement, outsourcing, leasing, or contracting, the H-1B nonimmigrant—

“(I) remains under the supervision and control of the employer; and

“(II) is primarily engaged in services involving the installation or configuration of products provided by the employer.

**SA 1245.** Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1672, line 24, strike the comma at the end and all that follows through page 1673, line 2, and insert the following: “wages that—

“(I) are not less than the level 2 wages set out in subsection (p); or

“(II) are consistent with the market rate, as evidenced by an independent authoritative wage survey or comparable evidence ; and

**SA 1246.** Mr. HATCH (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

**SEC. \_\_\_\_ . ENSURING COMPLIANCE WITH RESTRICTIONS ON WELFARE AND PUBLIC BENEFITS FOR ALIENS.**

(a) GENERAL PROHIBITION.—No officer or employee of the Federal Government may—

(1) waive compliance with any requirement in title IV of the Personal Responsibility and

Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1601 et seq.) in effect on the date of enactment of this Act or with any restriction on eligibility for any form of assistance or benefit described in section 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(a)) established under a provision of this Act or an amendment made by this Act;

(2) waive the prohibition under subsection (d)(3) of section 245B of the Immigration and Nationality Act (as added by section 2101 of this Act) on eligibility for Federal means-tested public benefits for any alien granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act;

(3) waive the prohibition under subsection (c)(3) of section 2211 of this Act on eligibility for Federal means-tested public benefits for any alien granted blue card status under that section;

(4) waive the prohibition under subsection (c) of section 2309 of this Act on eligibility for Federal means-tested public benefits for any noncitizen who is lawfully present in the United States pursuant to section 101(a)(15)(V) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(V)) (as amended by section 2309(a)); or

(5) waive the prohibition under subsection (w)(2)(C) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184(w)(2)(C)) (as added by section 4504(b) of this Act) on eligibility for any assistance or benefits described in section 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(a)) for any alien described in section 101(a)(15)(Y) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(Y)) (as added by section 4504 of this Act) who is issued a nonimmigrant visa.

(b) ENSURING COMPLIANCE WITH FEDERAL WELFARE LAW.—

(1) RESTRICTION OF SECRETARY OF HEALTH AND HUMAN SERVICES AUTHORITY.—In addition to the prohibitions specified in subsection (a), the Secretary of Health and Human Services (in this subsection referred to as the “Secretary”) shall not do the following:

(A) Waive compliance by a State with, or otherwise permit a State not to comply with, any of the Temporary Assistance for Needy Families (TANF) work requirements in section 407 of the Social Security Act (42 U.S.C. 607), including the participation rate requirements. The Secretary also may not permit accountability by a State for negotiated outcomes to substitute for the participation rate requirements under such section.

(B) Permit a State to spend TANF funds for a benefit or service that is not an allowable use of funds under section 404 of the Social Security Act (42 U.S.C. 604).

(C) Permit a State to use funds provided under section 403(a)(2) of the Social Security Act (42 U.S.C. 603(a)(2)) for healthy marriage promotion and responsible fatherhood grants for expenditures other than expressly permitted under that section.

(D) Waive compliance by a State with, or otherwise permit a State not to comply with, any of the prohibitions and requirements in section 408 of the Social Security Act (42 U.S.C. 608), including extending assistance to a family for which assistance would otherwise be prohibited under that section.

(E) Waive the imposition of a penalty on a State derived from any experimental pilot or demonstration projects under section 1115 of the Social Security Act (42 U.S.C. 1315) or as part of authorizing, approving, renewing,

modifying or extending any such project, including with respect to work participation rates or providing assistance to a family beyond the period permitted under section 408(a)(7) of the Social Security Act (42 U.S.C. 608(a)(7)), that the Secretary is required to apply under section 409 of the Social Security Act (42 U.S.C. 609) or determine there is a reasonable cause exception to the imposition of a penalty on a State required by that section.

(F) Authorize, approve, renew, modify, or extend any experimental, pilot, or demonstration project under section 1115 of the Social Security Act (42 U.S.C. 1315) submitted by a State that requests a waiver of compliance with any rule, requirement, or prohibition described in subsection (a) or subparagraphs (A) through (E) of this paragraph, including through a waiver under—

(i) section 1115(a)(1) of such Act of any TANF requirement in, or incorporated by reference in, section 402 of the Social Security Act (42 U.S.C. 602); or

(ii) section 1115(a)(2)(B) of such Act by authorizing an expenditure that would not otherwise be an allowable use of funds under a State program funded under part A of title IV of such Act (42 U.S.C. 601 et seq.) to be regarded as an allowable use of funds under that program for any period.

(2) RESCISSION OF WAIVERS AND 1115 PROJECTS.—Any waiver, and any approval of any experimental, pilot, or demonstration project under section 1115 of the Social Security Act (42 U.S.C. 1315), of any rule, requirement, or prohibition described in subsection (a) or subparagraphs (A) through (E) of paragraph (1) of this subsection, that is granted before the date of the enactment of this section is hereby rescinded and shall be null and void.

(3) RULE OF CONSTRUCTION.—Nothing in paragraph (1) or (2) shall be construed as limiting the authority of the Secretary of Health and Human Services under section 1115 of the Social Security Act (42 U.S.C. 1315) to grant a State application to conduct an experimental, pilot, or demonstration project under section 1115 with respect to the Medicaid program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), including a State application for a project to operate the Medicaid program with a block grant for the federal share of the program funding.

**SA 1247.** Mr. HATCH (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 952, strike lines 4 through 21 and insert the following:

“(2) PAYMENT OF TAXES.—

“(A) IN GENERAL.—An alien may not file an application for registered provisional immigrant status under paragraph (1) unless the applicant has established the payment of any applicable Federal tax liability.

“(B) APPLICABLE FEDERAL TAX LIABILITY.—In this paragraph, the term ‘applicable Federal tax liability’ means, with respect to an alien—

“(i) all Federal income and employment taxes owed by such alien for any period in which such alien was present in the United States; and

“(ii) any interest and penalties owed in connection with such taxes.

“(C) DEMONSTRATION OF COMPLIANCE.—

“(i) IN GENERAL.—An applicant shall demonstrate compliance with this paragraph by establishing to the satisfaction of the Secretary of the Treasury that—

“(I) no applicable Federal tax liability exists;

“(II) all outstanding applicable Federal tax liabilities have been met; or

“(III) the applicant has entered into an agreement for payment of all outstanding applicable Federal tax liabilities with the Secretary of the Treasury.

“(ii) DOCUMENTATION.—The Secretary of the Treasury shall—

“(I) maintain records and documentation for aliens who have established the payment of all applicable Federal tax liability to which this paragraph applies; and

“(II) provide such documentation to an alien upon request.

“(iii) SECRETARY OF THE TREASURY.—For purposes of this paragraph, the term ‘Secretary of the Treasury’ includes any delegate (as defined in section 7701(a)(12)(A)(i) of the Internal Revenue Code of 1986) of the Secretary of the Treasury.

“(D) REGULATORY AUTHORITY.—The Secretary of the Treasury shall issue regulations to carry out the purposes of this paragraph, including regulations relating to the determination of whether applicable Federal tax liability has been satisfied and the issuance of documentation under subparagraph (C)(ii)(II).

On page 970, line 23, strike “has satisfied” and insert “has established the payment of”.

On page 985, strike lines 1 through 19 and insert the following:

“(2) PAYMENT OF TAXES.—

“(A) IN GENERAL.—An applicant may not file an application for adjustment of status under this section unless the applicant has established the payment of any applicable Federal tax liability.

“(B) APPLICABLE FEDERAL TAX LIABILITY.—In this paragraph, the term ‘applicable Federal tax liability’ means, with respect to an alien—

“(i) all Federal income and employment taxes owed by such alien for the period beginning on the date on which the applicant was authorized to work in the United States as a registered provisional immigrant under section 245(a), and

“(ii) any interest and penalties owed in connection with such taxes.

“(C) DEMONSTRATION OF COMPLIANCE.—

“(i) IN GENERAL.—An applicant shall demonstrate compliance with this paragraph by establishing to the satisfaction of the Secretary of the Treasury that—

“(I) no applicable Federal tax liability exists;

“(II) all outstanding applicable Federal tax liabilities have been met; or

“(III) the alien has entered into an agreement for payment of all outstanding applicable Federal tax liabilities with the Secretary of the Treasury.

“(ii) DOCUMENTATION.—The Secretary of the Treasury shall—

“(I) maintain records and documentation for aliens who have established the payment of all applicable Federal tax liability to which this paragraph applies; and

“(II) provide such documentation to an alien upon request.

“(iii) SECRETARY OF THE TREASURY.—For purposes of this paragraph, the term ‘Secretary of the Treasury’ includes any delegate (as defined in section 7701(a)(12)(A)(i) of the Internal Revenue Code of 1986) of the Secretary of the Treasury.

“(D) REGULATORY AUTHORITY.—The Secretary of the Treasury shall issue regula-

tions to carry out the purposes of this paragraph, including regulations relating to the determination of whether applicable Federal tax liability has been satisfied and the issuance of documentation under subparagraph (C)(ii)(II).

Beginning on page 1068, strike line 11 and all that follows through page 1069, line 3, and insert the following:

“(4) PAYMENT OF TAXES.—

“(A) IN GENERAL.—An applicant may not file an application for adjustment of status under this section unless the applicant has established the payment of any applicable Federal tax liability.

“(B) APPLICABLE FEDERAL TAX LIABILITY.—In this paragraph, the term ‘applicable Federal tax liability’ means, with respect to an alien—

“(i) all Federal income and employment taxes owed by such alien for the period beginning on the date on which the applicant was authorized to work in the United States in blue card status, and

“(ii) any interest and penalties owed in connection with such taxes.

“(C) DEMONSTRATION OF COMPLIANCE.—

“(i) IN GENERAL.—An applicant shall demonstrate compliance with this paragraph by establishing to the satisfaction of the Secretary of the Treasury that—

“(I) no applicable Federal tax liability exists;

“(II) all outstanding applicable Federal tax liabilities have been met; or

“(III) the alien has entered into an agreement for payment of all outstanding applicable Federal tax liabilities with the Secretary of the Treasury.

“(ii) DOCUMENTATION.—The Secretary of the Treasury shall—

“(I) maintain records and documentation for aliens who have established the payment of all applicable Federal tax liability to which this paragraph applies; and

“(II) provide such documentation to an alien upon request.

“(iii) SECRETARY OF THE TREASURY.—For purposes of this paragraph, the term ‘Secretary of the Treasury’ includes any delegate (as defined in section 7701(a)(12)(A)(i) of the Internal Revenue Code of 1986) of the Secretary of the Treasury.

“(D) REGULATORY AUTHORITY.—The Secretary of the Treasury shall issue regulations to carry out the purposes of this paragraph, including regulations relating to the determination of whether applicable Federal tax liability has been satisfied and the issuance of documentation under subparagraph (C)(ii)(II).

**SA 1248.** Mr. HATCH (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 981, line 7, strike “(5)” and insert the following:

“(5) APPLICATION OF WAITING PERIODS FOR PURPOSES OF PPACA.—The provisions of section 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall apply to an alien who has been granted registered provisional immigrant status, with respect to eligibility for tax credits under section 36B of the Internal Revenue Code of 1986 and cost sharing assistance under section 1402 of the Patient Protection and Affordable Care Act, beginning on the date on which such alien becomes an alien

lawfully admitted for permanent residence under section 245C.

“(6)

On page 1061, line 13, strike “(5)” and insert the following:

(5) APPLICATION OF WAITING PERIODS FOR PURPOSES OF PPACA.—The provisions of section 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall apply to a noncitizen who has been granted blue card status, with respect to eligibility for tax credits under section 36B of the Internal Revenue Code of 1986 and cost sharing assistance under section 1402 of the Patient Protection and Affordable Care Act, beginning on the date on which such noncitizen becomes an alien lawfully admitted for permanent residence under section 245C of the Immigration and Nationality Act, as added by section 2102 of this Act.

(6)

Beginning on page 1220, strike line 10 and all that follows through page 1221, line 5, and insert the following:

(c) PUBLIC BENEFITS.—

(1) IN GENERAL.—An alien who is lawfully present in the United States in any non-immigrant status—

(A) is not entitled to the premium assistance tax credit authorized under section 36B of the Internal Revenue Code of 1986 for his or her coverage;

(B) shall be subject to the rules applicable to individuals not lawfully present that are set forth in subsection (e) of such section;

(C) shall be subject to the rules applicable to individuals not lawfully present that are set forth in section 1402(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18071); and

(D) shall be subject to the rules applicable to individuals not lawfully present set forth in section 5000A(d)(3) of the Internal Revenue Code of 1986.

(2) APPLICATION OF WAITING PERIODS FOR PURPOSES OF PPACA.—The provisions of section 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall apply to an alien described in paragraph (1), with respect to eligibility for tax credits under section 36B of the Internal Revenue Code of 1986 and cost sharing assistance under section 1402 of the Patient Protection and Affordable Care Act, beginning on the date on which such alien becomes an alien lawfully admitted for permanent residence under section 245C of the Immigration and Nationality Act, as added by section 2102 of this Act.

**SA 1249.** Mr. HATCH (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1031, after line 22, insert the following:

(d) PRECLUSION OF SOCIAL SECURITY CREDITS FOR PERIODS WITHOUT WORK AUTHORIZATION.—

(1) INSURED STATUS.—Section 214 of the Social Security Act (42 U.S.C. 414) is amended by striking subsection (c) and inserting the following:

“(c) INSURED STATUS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), for purposes of subsections (a) and (b), no quarter of coverage shall be credited for any calendar year beginning on or after January 1, 2004, with respect to an individual who is not a natural-born United



States citizen, unless the Commissioner of Social Security determines, on the basis of information provided to the Commissioner in accordance with an agreement entered into under subsection (d) or otherwise, that the individual was authorized to be employed in the United States during such quarter.

“(2) EXCEPTION.—Paragraph (1) shall not apply to an individual who was assigned a social security account number before January 1, 2004.

“(d) AGREEMENT.—Not later than 180 days after the date of the enactment of this subsection, the Secretary of Homeland Security shall enter into an agreement with the Commissioner of Social Security to provide such information as the Commissioner determines necessary to carry out the limitation on crediting quarters of coverage under subsection (c).”.

(2) BENEFIT COMPUTATION.—Section 215(e) of the Social Security Act (42 U.S.C. 415(e)) is amended—

(A) in paragraph (1), by striking “and” at the end;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(3) in computing the average indexed monthly earnings of an individual, there shall not be counted any wages or self-employment income for any year for which no quarter of coverage may be credited to such individual as a result of the application of section 214(c).”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to benefit applications filed on or after the date that is 180 days after the date of the enactment of this Act based on the wages or self-employment income of an individual with respect to whom a primary insurance amount has not been determined under title II of the Social Security Act (42 U.S.C. 401 et seq.) before such date.

**SA 1250.** Mrs. FEINSTEIN (for herself and Mr. COONS) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 883, strike lines 19 through 22 and insert the following:

funding level provided in this Act;

(xviii) costs to the Judiciary estimated to be caused by the implementation of this Act and the amendments made by this Act, as the Secretary and the Judicial Conference of the United States shall jointly determine in consultation with the Attorney General; and

(xix) the operations and maintenance costs associated with the implementation of clauses (i) through (xvii).

**SA 1251.** Mr. CORNYN (for himself, Mr. CRAPO, Mr. BLUNT, Mr. KIRK, Mr. HATCH, Mr. ALEXANDER, Mr. ISAKSON, Mr. ROBERTS, Mr. BURR, Mr. CHAMBLISS, Mr. JOHANNES, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2 and all that follows through the end of title I inserting the following:

## SEC. 2. STATEMENT OF CONGRESSIONAL FINDINGS.

Congress makes the following findings:

(1) Every sovereign nation has an unconditional right and duty to secure its territory and people, which right depends on control of its international borders. The sovereign people and several states of the United States have delegated these sovereign functions to the Federal Government (United States Constitution, article I, section 8, clause 4). The liberty and prosperity of the people depends on the execution of this duty.

(2) The passage of this Act recognizes that the Federal Government must secure the sovereignty of the United States of America and establish a coherent and just system for integrating those who seek to join American society.

(3) The United States has failed to control its Southern border. The porousness of that border has contributed to the proliferation of the narcotics trade and its attendant violent crime. The trafficking and smuggling of persons across the border is an ongoing human rights scandal.

(4) We have always welcomed immigrants to the United States and will continue to do so, but in order to qualify for the honor and privilege of eventual citizenship, our laws must be followed. The world depends on America to be strong economically, militarily, and ethically. The establishment of a stable, just, and efficient immigration system only supports those goals. As a Nation, we have the right and responsibility to make our borders safe, to establish clear and just rules for seeking citizenship, to control the flow of legal immigration, and to eliminate illegal immigration, which in some cases has become a threat to our national security.

(5) Throughout our long history, many lawful immigrants have assimilated into American society and contributed to our strength and prosperity. Our immigration policy strives to welcome those who share the values of the United States Constitution and seek to contribute to our nation's greatness. But no person has a right to enter the United States unless by its express permission and in accordance with the procedures established by law.

(6) This Act is premised on the right and need of the United States to achieve these goals, and to protect its borders and maintain its sovereignty.

## SEC. 3. EFFECTIVE DATE TRIGGERS.

(a) DEFINITIONS.—In this section and sections 4 through 8 of this Act:

(1) COMMISSION.—The term “Commission” means the Southern Border Security Commission established pursuant to section 4.

(2) COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.—The term “Comprehensive Southern Border Security Strategy” means the strategy established by the Secretary pursuant to section 5(a) to achieve and maintain operational control and full situational awareness of the Southern border.

(3) CONSEQUENCE DELIVERY SYSTEM.—The term “Consequence Delivery System” means the series of consequences applied to persons illegally entering the United States by U.S. Border Patrol to prevent illegal border crossing recidivism.

(4) EFFECTIVENESS RATE.—The term “effectiveness rate” means a metric, informed by situational awareness, that measures the percentage calculated by dividing—

(A) the number of illegal border crossers who are apprehended or turned back during a fiscal year (excluding those who are believed to have turned back for the purpose of engaging in criminal activity), by

(B) the total number of illegal entries in the sector during such fiscal year.

(5) FULL SITUATIONAL AWARENESS.—The term “full situational awareness” means situational awareness of the entire Southern border, including the functioning and operational capability to conduct continuous and integrated manned or unmanned, monitoring, sensing, or surveillance of 100 percent of Southern border mileage or the immediate vicinity of the Southern border.

(6) MAJOR VIOLATOR.—The term “major violator” means a person or entity that has engaged in serious criminal activities at any port of entry along the Southern border, including possession of narcotics, smuggling of prohibited products, human smuggling, human trafficking, weapons possession, use of fraudulent United States documents, or other offenses serious enough to result in arrest.

(7) NORTHERN BORDER.—The term “Northern border” means the international border between the United States and Canada.

(8) OPERATIONAL CONTROL.—The term “operational control” means that, within each and every sector of the Southern border, a condition exists in which there is an effectiveness rate, informed by situational awareness, of not lower than 90 percent.

(9) SITUATIONAL AWARENESS.—The term “situational awareness” means knowledge and an understanding of current illicit cross-border activity, including cross-border threats and trends concerning illicit trafficking and unlawful crossings along the international borders of the United States and in the maritime environment, and the ability to predict future shifts in such threats and trends.

(10) SOUTHERN BORDER.—The term “Southern border” means the international border between the United States and Mexico.

(b) BORDER SECURITY GOALS.—The border security goals of the Department shall be—

(1) to achieve and maintain operational control of the Southern border within 5 years of the date of the enactment of this Act;

(2) to achieve and maintain full situational awareness of the Southern border within 5 years of the date of the enactment of this Act;

(3) to fully implement a biometric entry and exit system at all land, air, and sea ports of entry in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b) within 5 years of the date of the enactment of this Act; and

(4) to implement a mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101 of this Act, within 5 years of the date of the enactment of this Act.

(c) TRIGGERS.—

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—Not earlier than the date upon which the Secretary has submitted to Congress the Notice of Commencement of implementation of the Comprehensive Southern Border Security Strategy required by section 5 of this Act, the Secretary may commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2111 of this Act.

(2) ADJUSTMENT OF STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.—The Secretary may not adjust the status of aliens who have been granted registered provisional immigrant status, except for aliens granted blue card status under section 2211 of this Act or



described in section 245D(b) of the Immigration and Nationality Act, as added by section 2103 of this Act, until—

(A) not earlier than 9 years and 6 months after the date of the enactment of this Act, the Secretary and the Commissioner of United States Customs and Border Protection jointly submit to the President and Congress a written certification, including a comprehensive report detailing the data, methodologies, and reasoning justifying such certification, that certifies, under penalty of perjury, that—

(i) the Secretary has achieved and maintained full situational awareness of the Southern border for the 12-month period immediately preceding such certification;

(ii) the Secretary has achieved and maintained operational control of the Southern border for the 12-month period immediately preceding such certification;

(iii) the Secretary has implemented the mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101 of this Act, for use by all employers to prevent unauthorized workers from obtaining employment in the United States; and

(iv) the Secretary has implemented a biometric entry and exit data system at all airports and seaports at which U.S. Customs and Border Protection personnel were deployed on the date of the enactment of this Act, and in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b); and

(B) not earlier than 60 days after the submission of a certification under paragraph (A), the Inspector General of the Department of Homeland Security, who has been appointed by the President, by and with the advice and consent of the Senate, in consultation with the Comptroller General of the United States, reviews the reliability of the data, methodologies, and conclusions of a certification under subparagraph (A) and submits to the President and Congress a written certification and report attesting that each of the requirements of clauses (i), (ii), (iii), and (iv) of subparagraph (A) have been achieved.

(d) PROTECTING CONSTITUTIONAL SEPARATION OF POWERS AGAINST ABUSES OF DISCRETION.—

(1) EMERGENCY COMPTROLLER GENERAL REPORT.—Not later than 30 days after the submission of a certification by the Secretary under subsection (c)(2)(A), the Comptroller General of the United States shall review such certification and provide Congress with a written report reviewing the reliability of such certification, and expressing the conclusion of the Comptroller General as to whether or not the requirements of clauses (i), (ii), (iii), and (iv) of subsection (c)(2)(A) have been achieved.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the United States Senate should use its powers of advice and consent under section 102(a)(1) of the Homeland Security Act of 2002 (6 U.S.C. 112(a)(1)) and section 3(a) of the Inspector General Act of 1978 (5 U.S.C. App.) to ensure that the triggers contained in subsection (c) have been fully achieved.

#### SEC. 4. SOUTHERN BORDER SECURITY COMMISSION.

(a) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, there shall be established a commission to be known as the “Southern Border Security Commission” (in this section referred to as the “Commission”).

(b) COMPOSITION.—

(1) IN GENERAL.—The Commission shall be composed of up to 8 members as follows:

(A) The Governor of the State of Arizona, or the designee of the Governor.

(B) The Governor of the State of California, or the designee of the Governor.

(C) The Governor of the State of New Mexico, or the designee of the Governor.

(D) The Governor of the State of Texas, or the designee of the Governor.

(E) One designee of the Governor of the State of Arizona who is not such official or such official's designee under subparagraph (A).

(F) One designee of the Governor of the State of California who is not such official or such official's designee under subparagraph (B).

(G) One designee of the Governor of the State of New Mexico who is not such official or such official's designee under subparagraph (C).

(H) One designee of the Governor of the State of Texas who is not such official or such official's designee under subparagraph (D).

(2) CHAIR.—At the first meeting of the Commission, a majority of the members of the Commission present and voting shall elect the Chair of the Commission.

(3) RULES.—The Commission shall establish the rules and procedures of the Commission which shall require the approval of a majority of members of the Commission.

(4) MEETINGS.—Members of the Commission shall meet at the times and places of their choosing.

(5) NATURE OF REQUIREMENTS.—The tenure and terms of participation as a member of the Commission of any Governor or designee of a Governor under this subsection shall be subject to the sole discretion of such Governor.

(c) CONSULTATION; FEDERALISM PROTECTIONS.—

(1) CONSULTATION.—The Secretary shall regularly consult with members of the Commission as to the substance and contents of any strategy, plan, or report required by section 5 of this Act.

(2) FEDERALISM PROTECTIONS.—The Secretary may make no rules, regulations, or conditions regarding the operation of the Commission, or the terms of service of members of the Commission.

(d) TRANSITION.—The Secretary shall no longer be required to consult with the Commission under subsection (d)(1) on the date which is the earlier of—

(1) 30 days after the date on which a certification is made by the Secretary and Comptroller General of the United States under section 3(c)(2)(A) of this Act; or

(2) 10 years after the date of the enactment of this Act.

#### SEC. 5. COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.

(a) COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a strategy, to be known as the “Comprehensive Southern Border Security Strategy” (in this section referred to as the “Strategy”), for achieving and maintaining operational control and full situational awareness of the Southern border, to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on the Judiciary of the House;

(E) the Committee on Appropriations of the Senate;

(F) the Committee on Appropriations of the House of Representatives; and

(G) the Comptroller General of the United States.

(2) ELEMENTS.—The Strategy shall include, at a minimum, a consideration of the following:

(A) The state of operational control and situational awareness of the Southern border, including a sector-by-sector analysis.

(B) An assessment of principal Southern border security threats.

(C) Efforts to analyze and disseminate Southern border security and Southern border threat information between Department border security components.

(D) Efforts to increase situational awareness of the Southern border in accordance with privacy, civil liberties, and civil rights protections, including—

(i) surveillance capabilities developed or utilized by the Department of Defense, including any technology determined to be excess by the Department of Defense; and

(ii) use of manned aircraft and unmanned aerial systems, including the camera and sensor technology deployed on such assets.

(E) A Southern border fencing strategy that identifies where fencing, including double-layer fencing, infrastructure, and technology should be deployed along the Southern border.

(F) A comprehensive Southern border security technology plan for detection technology capabilities, including a documented justification and rationale for the technologies selected, deployment locations, fixed versus mobile assets, and a timetable for procurement and deployment.

(G) Technology required to both enhance security and facilitate trade at Southern border ports of entry, including nonintrusive detection equipment, radiation detection equipment, biometric technology, and other sensors and technology that the Secretary determines necessary.

(H) Operational coordination of Department Southern border security components, including efforts to ensure that a new border security technology can be operationally integrated with existing technologies in use by the Department.

(I) Cooperative agreements other Federal law enforcement agencies and State, local, tribal, and territorial law enforcement agencies that have jurisdiction on the Southern border, or in the maritime environment.

(J) Information received from consultation with other Federal law enforcement agencies and State, local, tribal, and territorial law enforcement agencies that have jurisdiction on the Southern border, or the maritime environment, and from Southern border community stakeholders, including representatives from border agricultural and ranching organizations and representatives from business organizations within close proximity of the Southern border.

(K) Agreements with foreign governments that support the border security efforts of the United States.

(L) Efforts to detect and prevent terrorists and instruments of terrorism from entering the United States.

(M) Staffing requirements for all Southern border security functions.

(N) Metrics required by section 6 of this Act.

(O) An assessment of existing efforts and technologies used for border security and the

effect of the use of such efforts and technologies on civil rights, private property rights, privacy rights, and civil liberties.

(P) Resources and other measures that are necessary to achieve a 50 percent reduction in the average wait times of commercial and passenger vehicles at international land ports of entry along the Southern border and the Northern border.

(Q) A prioritized list of research and development objectives to enhance the security of the Southern border.

(R) A strategy to reduce passenger wait times and cargo screening times at airports that serve as ports of entry.

(3) **IMPLEMENTATION PLAN.**—Not later than 60 days after the submission of the Strategy under paragraph (1), the Secretary shall submit to the committees of Congress specified in paragraph (1) an implementation plan for each of the border security components of the Department to carry out the Strategy. The plan shall include, at a minimum—

(A) a comprehensive border security technology plan for continuous and systematic surveillance of the Southern border, including a documented justification and rationale for the technologies selected, deployment locations, fixed versus mobile assets, and a timetable for procurement and deployment;

(B) the resources, including personnel, infrastructure, and technologies that must be developed, procured, and successfully deployed, to achieve and maintain operational control and full situational awareness of the Southern border; and

(C) a set of interim goals and supporting milestones necessary for the Department to achieve and maintain operational control and full situational awareness of the Southern border.

(4) **SEMIANNUAL REPORTS.**—

(A) **IN GENERAL.**—After the Strategy is submitted under paragraph (1), the Secretary shall submit to the committees of Congress specified in paragraph (1), not later than May 15 and November 15 each year, a report on the status of the implementation of the Strategy by the Department, including a report on the state of operational control of the Southern border and the metrics required by section 6 of this Act.

(B) **ELEMENTS.**—Each report submitted under subparagraph (A) shall include—

(i) a detailed description of the steps the Department has taken, or plans to take, to execute the Strategy;

(ii) a detailed description of—

(I) any impediments identified in the Department's efforts to execute the strategy;

(II) the actions the Department has taken, or plans to take, to address such impediments; and

(III) any additional measures developed by the Department to measure the state of security along the Southern border;

(iii) for each U.S. Border Patrol sector along the Southern border—

(I) the effectiveness rate for such sector;

(II) the number of recidivist apprehensions; and

(III) the recidivism rate for all unique subjects that received a criminal consequence through the Consequence Delivery System process;

(iv) the aggregate effectiveness rate of all U.S. Border Patrol sectors along the Southern border;

(v) a resource allocation model for current and future year staffing requirements that includes optimal staffing levels at Southern border land, air, and sea ports of entry, and an explanation of U.S. Customs and Border Protection methodology for aligning staffing

levels and workload to threats and vulnerabilities across all mission areas;

(vi) detailed information on the level of manpower available at all Southern border land, air, and sea ports of entry and between Southern border ports of entry, including the number of canine and agricultural officers assigned to each such port of entry;

(vii) detailed information that describes the difference between the staffing the model suggests and the actual staffing at each Southern border port of entry and between the ports of entry; and

(viii) monthly per passenger wait times, including data on peaks, for crossing the Southern border and the Northern border, per passenger processing wait times at air and sea ports of entry, and the staffing levels at all ports of entry.

#### **SEC. 6. BORDER SECURITY METRICS.**

(a) **METRICS FOR SECURING THE SOUTHERN BORDER BETWEEN PORTS OF ENTRY.**—Not later than 90 days after the date of the enactment of this Act, the Secretary shall implement metrics to measure the effectiveness of security between ports of entry along the Southern border. The metrics shall address, at a minimum, the following:

(1) The effectiveness rate for the areas covered.

(2) Estimates, using alternate methodologies, including recidivism and survey data, of total attempted illegal border crossings, the rate of apprehension of attempted illegal border crossings, and the inflow into the United States of illegal border crossers who evade apprehension.

(3) Estimates of the impacts of the Consequence Delivery System of U.S. Border Patrol on the rate of recidivism of illegal border crossers.

(4) The current level of situational awareness.

(5) Amount of narcotics seized between ports of entry.

(6) A narcotics interdiction rate which measures the amount of narcotics seized against the total estimated amount of narcotics U.S. Border Patrol fails to seize.

(b) **METRICS FOR SECURING THE BORDER AT PORTS OF ENTRY.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary shall implement metrics to measure the effectiveness of security at Southern border ports of entry. The metrics shall address, at a minimum, the following:

(A) The effectiveness rate for such ports of entry.

(B) Estimates, using alternative methodologies, including recidivism data, survey data, known-flow data, and randomized secondary screening data, of total attempted inadmissible border crossers, the rate of apprehension of attempted inadmissible border crossers, and the inflow into the United States of inadmissible border crossers who evade apprehension.

(C) A narcotics interdiction rate which measures the amount of narcotics seized against the total estimated amount of narcotics U.S. Customs and Border Protection fails to seize.

(D) The number of infractions related to personnel and cargo committed by major violators who are apprehended by U.S. Customs and Border Protection at such ports of entry, and the estimated number of such infractions committed by major violators who are not so apprehended.

(E) The effect of the border security apparatus on crossing times.

(2) **COVERT TESTING.**—The Inspector General of the Department of Homeland Security shall carry out covert testing at ports of entry along the Southern border and submit to the Secretary and the committees of Congress specified in section 5(a)(1) of this Act a report that contains the results of such tests. The Secretary shall use such results to assess activities under this subsection.

(c) **INDEPENDENT ASSESSMENT BY NATIONAL LABORATORY WITHIN DEPARTMENT OF HOMELAND SECURITY LABORATORY NETWORK.**—The Secretary shall request the head of a national laboratory within the Department laboratory network with prior expertise in border security to—

(1) provide an independent assessment of the metrics implemented in accordance with subsections (a) and (b) to ensure each such metric's suitability and statistical validity; and

(2) make recommendations for other suitable metrics that may be used to measure the effectiveness of border security along the Southern border.

(d) **EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.**—

(1) **IN GENERAL.**—The Secretary shall make available to the Government Accountability Office the data and methodology used to develop the metrics implemented under subsections (a) and (b) and the independent assessment described under subsection (c).

(2) **REPORT.**—Not later than 270 days after receiving the data and methodology described in paragraph (1), the Comptroller General of the United States shall submit to the committees of Congress specified in section 5(a)(1) of this Act a report on the suitability and statistical validity of such data and methodology.

(e) **GAO REPORT ON BORDER SECURITY DUPLICATION.**—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the committees of Congress specified in section 5(a)(1) of this Act a report addressing areas of overlap in responsibilities within the border security functions of the Department.

#### **SEC. 7. COMPREHENSIVE IMMIGRATION REFORM TRUST FUND.**

(a) **COMPREHENSIVE IMMIGRATION REFORM TRUST FUND.**—

(1) **ESTABLISHMENT.**—There is established in the Treasury a separate account, to be known as the Comprehensive Immigration Reform Trust Fund (referred to in this section as the "Trust Fund"), consisting of—

(A) amounts transferred from the general fund of the Treasury under paragraph (2)(A); and

(B) proceeds from the fees described in paragraph (2)(B).

(2) **DEPOSITS.**—

(A) **INITIAL FUNDING.**—On the later of the date of the enactment of this Act or October 1, 2013, \$8,300,000,000 shall be transferred from the general fund of the Treasury to the Trust Fund.

(B) **ONGOING FUNDING.**—Notwithstanding section 3302 of title 31, United States Code, in addition to the funding described in subparagraph (A), and subject to paragraphs (3)(B) and (4), the following amounts shall be deposited in the Trust Fund:

(i) **ELECTRONIC TRAVEL AUTHORIZATION SYSTEM FEES.**—Fees collected under section 217(h)(3)(B)(i)(II) of the Immigration and Nationality Act, as added by section 1102(c).

(ii) **REGISTERED PROVISIONAL IMMIGRANT PENALTIES.**—Penalties collected under section 245B(c)(10)(C) of the Immigration and Nationality Act, as added by section 2101.

(iii) **BLUE CARD PENALTY.**—Penalties collected under section 2211(b)(9)(C).

(iv) **FINES FOR ADJUSTMENT FROM BLUE CARD STATUS.**—Fines collected under section 245F(a)(5) of the Immigration and Nationality Act, as added by section 2212(a).

(v) **PENALTIES FOR FALSE STATEMENTS IN APPLICATIONS.**—Fines collected under section 245F(f) of the Immigration and Nationality Act, as added by section 2212(a).

(vi) **MERIT SYSTEM GREEN CARD FEES.**—Fees collected under section 203(c)(6) of the Immigration and Nationality Act, as amended by section 2301(a)(2).

(vii) **H-1B AND L VISA FEES.**—Fees collected under section 281(d) of the Immigration and Nationality Act, as added by section 4105.

(viii) **H-1B OUTPLACEMENT FEE.**—Fees collected under section 212(n)(1)(F)(ii) of the Immigration and Nationality Act, as amended by section 4211(d).

(ix) **H-1B NONIMMIGRANT DEPENDENT EMPLOYER FEES.**—Fees collected under section 4233(a)(2).

(x) **L NONIMMIGRANT DEPENDENT EMPLOYER FEES.**—Fees collected under section 4305(a)(2).

(xi) **J-1 VISA MITIGATION FEES.**—Fees collected under section 281(e) of the Immigration and Nationality Act, as added by section 4407.

(xii) **F-1 VISA FEES.**—Fees collected under section 281(f) of the Immigration and Nationality Act, as added by section 4408.

(xiii) **RETIREE VISA FEES.**—Fees collected under section 214(w)(1)(B) of the Immigration and Nationality Act, as added by section 4504(b).

(xiv) **VISITOR VISA FEES.**—Fees collected under section 281(g) of the Immigration and Nationality Act, as added by section 4509.

(xv) **H-2B VISA FEES.**—Fees collected under section 214(x)(5)(A) of the Immigration and Nationality Act, as added by section 4602(a).

(xvi) **NONIMMIGRANTS PERFORMING MAINTENANCE ON COMMON CARRIERS.**—Fees collected under section 214(z) of the Immigration and Nationality Act, as added by section 4604.

(xvii) **X-1 VISA FEES.**—Fees collected under section 214(s)(6) of the Immigration and Nationality Act, as added by section 4801.

(xviii) **PENALTIES FOR ADJUSTMENT FROM REGISTERED PROVISIONAL IMMIGRANT STATUS.**—Penalties collected under section 245C(c)(5)(B) of the Immigration and Nationality Act, as added by section 2102.

(C) **AUTHORITY TO ADJUST FEES.**—As necessary to carry out the purposes of this Act, the Secretary may adjust the amounts of the fees and penalties set out under subparagraph (B), except for the fines and penalties referred to in clauses (ii), (iii), (iv), or (xviii) of such subparagraph.

(3) **USE OF FUNDS.**—

(A) **INITIAL FUNDING.**—Of the amounts transferred to the Trust Fund pursuant to paragraph (2)(A)—

(i) \$6,500,000,000 shall be made available to the Secretary for carrying out the Comprehensive Southern Border Security Strategy, including the Southern border fencing strategy;

(ii) \$750,000,000 shall remain available for the 6-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary to expand and implement the mandatory employment verification system, which shall be used as required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101;

(iii) \$900,000,000 shall remain available for the 8-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary of State to pay for one-time and startup costs necessary to implement this Act; and

(iv) \$150,000,000 shall remain available for the 2-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary for transfer to the Secretary of Labor, the Secretary of Agriculture, or the Attorney General, for initial costs of implementing this Act.

(B) **REPAYMENT OF TRUST FUND EXPENSES.**—The first \$8,300,000,000 collected pursuant to the fees, penalties, and fines referred to in clauses (ii), (iii), (iv), (vi), (xiii), (xvii), and (xviii) of paragraph (2)(B) shall be collected, deposited in the general fund of the Treasury, and used for Federal budget deficit reduction. Collections in excess of \$8,300,000,000 shall be deposited into the Trust Fund, as specified in paragraph (2)(B).

(C) **PROGRAM IMPLEMENTATION.**—Amounts deposited into the Trust Fund pursuant to paragraph (2)(B) shall be available during each of fiscal years 2014 through 2018 as follows:

(i) \$50,000,000 to carry out the activities referenced in section 1104(a)(1).

(ii) \$50,000,000 to carry out the activities referenced in section 1104(b).

(D) **ONGOING FUNDING.**—Subject to the availability of appropriations, amounts deposited in the Trust Fund pursuant to paragraph (2)(B) are authorized to be appropriated as follows:

(i) Such sums as may be necessary to carry out the authorizations included in this Act.

(ii) Such sums as may be necessary to carry out the operations and maintenance of border security and immigration enforcement investments described in subparagraph (A).

(E) **EXPENDITURE PLAN.**—The Secretary, in consultation with the Attorney General and the Secretary of Defense, shall submit to the Committee on Appropriations and the Committee on the Judiciary of the Senate and the Committee on Appropriations and the Committee on the Judiciary of the House of Representatives, in conjunction with the Comprehensive Southern Border Strategy, a plan for expenditure that describes—

(i) the types and planned deployment of fixed, mobile, video, and agent and officer portable surveillance and detection equipment, including those recommended or provided by the Department of Defense;

(ii) the number of Border Patrol agents and U.S. Customs and Border Protection officers to be hired, including a detailed description of which Border Patrol sectors and which land border ports of entry such agents and officers will be stationed;

(iii) the numbers and type of unarmed, unmanned aerial systems and unarmed, fixed-wing and rotary aircraft, including pilots, air interdiction agents, and support staff to fly or otherwise operate and maintain the equipment;

(iv) the numbers, types, and planned deployment of marine and riverine vessels, if any, including marine interdiction agents and support staff to operate and maintain the vessels;

(v) the locations, amount, and planned deployment of fencing, including double layer fencing, tactical and other infrastructure, and technology, including fixed towers, sensors, cameras, and other detection technology;

(vi) the numbers, types, and planned deployment of ground-based mobile surveillance systems;

(vii) the numbers, types, and planned deployment of tactical and other interoperable law enforcement communications systems and equipment;

(viii) required construction, including repairs, expansion, and maintenance, and loca-

tion of additional checkpoints, Border Patrol stations, and forward operating bases;

(ix) the number of additional attorneys and support staff for the Office of the United States Attorney for Tucson;

(x) the number of additional support staff and interpreters in the Office of the Clerk of the Court for Tucson;

(xi) the number of additional personnel, including Marshals and Deputy Marshals for the United States Marshals Office for Tucson;

(xii) the number of additional magistrate judges for the southern border United States district courts;

(xiii) activities to be funded by the Homeland Security Border Oversight Task Force;

(xiv) amounts and types of grants to States and other entities;

(xv) amounts and activities necessary to hire additional personnel and for start-up costs related to upgrading software and information technology necessary to transition from a voluntary E-Verify system to mandatory employment verification system under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) within 5 years;

(xvi) the number of additional personnel and other costs associated with implementing the immigration courts and removal proceedings mandated in subtitle E of title III;

(xvii) the steps the Commissioner of Social Security plans to take to create a fraud-resistant, tamper-resistant, wear-resistant, and identity theft-resistant Social Security card, including—

(I) the types of equipment needed to create the card;

(II) the total estimated costs for completion that clearly delineates costs associated with the acquisition of equipment and transition to operation, subdivided by fiscal year and including a description of the purpose by fiscal year for design, pre-acquisition activities, production, and transition to operation;

(III) the number and type of personnel, including contract personnel, required to research, design, test, and produce the card; and

(IV) a detailed schedule for production of the card, including an estimated completion date at the projected funding level provided in this Act; and

(xviii) the operations and maintenance costs associated with the implementation of clauses (i) through (xvii).

(F) **ANNUAL REVISION.**—The expenditure plan required in (E) shall be revised and submitted with the President's budget proposals for fiscal year 2016, 2017, 2018, and 2019 pursuant to the requirements of section 1105(a) of title 31, United States Code.

(4) **LIMITATION ON COLLECTION.**—

(A) **IN GENERAL.**—No fee deposited in the Trust Fund may be collected except to the extent that the expenditure of the fee is provided for in advance in an appropriations Act only to pay the costs of activities and services for which appropriations are authorized to be funded from the Trust Fund.

(B) **RECEIPTS COLLECTED AS OFFSETTING RECEIPTS.**—Until the date of the enactment of an Act making appropriations for the activities authorized under this Act through September 30, 2014, the fees authorized by paragraph (2)(B) that are not deposited into the general fund pursuant to paragraph (3)(B) may be collected and shall be credited as to the Trust Fund to remain available until expended only to pay the costs of activities and services for which appropriations are authorized to be funded from the Trust Fund.

(b) COMPREHENSIVE IMMIGRATION REFORM STARTUP ACCOUNT.—

(1) ESTABLISHMENT.—There is established in the Treasury a separate account, to be known as the “Comprehensive Immigration Reform Startup Account,” (referred to in this section as the “Startup Account”), consisting of amounts transferred from the general fund of the Treasury under paragraph (2).

(2) DEPOSITS.—There is appropriated to the Startup Account, out of any funds in the Treasury not otherwise appropriated, \$3,000,000,000, to remain available until expended on the later of the date that is—

(A) the date of the enactment of this Act; or

(B) October 1, 2013.

(3) REPAYMENT OF STARTUP COSTS.—

(A) IN GENERAL.—Notwithstanding section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), 50 percent of fees collected under section 245B(c)(10)(A) of the Immigration and Nationality Act, as added by section 2101 of this Act, shall be deposited monthly in the general fund of the Treasury and used for Federal budget deficit reduction until the funding provided by paragraph (2) has been repaid.

(B) DEPOSIT IN THE IMMIGRATION EXAMINATIONS FEE ACCOUNT.—Fees collected in excess of the amount referenced in subparagraph (A) shall be deposited in the Immigration Examinations Fee Account, pursuant to subsection (m) of section 286 of the Immigration and Nationality Act (8 U.S.C. 1356), and shall remain available until expended pursuant to subsection (n) of such section.

(4) USE OF FUNDS.—The Secretary shall use the amounts transferred to the Startup Account to pay for one-time and startup costs necessary to implement this Act, including—

(A) equipment, information technology systems, infrastructure, and human resources;

(B) outreach to the public, including development and promulgation of any regulations, rules, or other public notice;

(C) grants to community and faith-based organizations; and

(D) anti-fraud programs and actions related to implementation of this Act.

(5) EXPENDITURE PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Attorney General and the Secretary of Defense, shall submit to the Committee on Appropriations and the Committee on the Judiciary of the Senate and the Committee on Appropriations and the Committee on the Judiciary of the House of Representatives, a plan for expenditure of the one-time and startup funds in the Startup Account that provides details on—

(A) the types of equipment, information technology systems, infrastructure, and human resources;

(B) the plans for outreach to the public, including development and promulgation of any regulations, rules, or other public notice;

(C) the types and amounts of grants to community and faith-based organizations; and

(D) the anti-fraud programs and actions related to implementation of this Act.

(6) ANNUAL AUDITS.—

(1) AUDITS REQUIRED.—Not later than October 1 each year beginning on or after the date of the enactment of this Act, the Chief Financial Officer of the Department shall, in conjunction with the Inspector General of the Department, conduct an audit of the Trust Fund.

(2) REPORTS.—Upon completion of each audit of the Trust Fund under paragraph (1), the Chief Financial Officer shall, in conjunction with the Inspector General, submit to Congress, and make available to the public on an Internet website of the Department available to the public, a jointly audited financial statement concerning the Trust Fund.

(3) ELEMENTS.—Each audited financial statement under paragraph (2) shall include the following:

(A) The report of an independent certified public accountant.

(B) A balance sheet reporting admitted assets, liabilities, capital and surplus.

(C) A statement of cash flow.

(D) Such other information on the Trust Fund as the Chief Financial Officer, the Inspector General, or the independent certified public accountant considers appropriate to facilitate a comprehensive understanding of the Trust Fund during the year covered by the financial statement.

(d) DETERMINATION OF BUDGETARY EFFECTS.—

(1) EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.—In the Senate, amounts appropriated by or deposited in the general fund of the Treasury pursuant to this section are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(2) EMERGENCY DESIGNATION FOR STATUTORY PAYGO.—Amounts appropriated by or deposited in the general fund of the Treasury pursuant to this section are designated as an emergency requirement under section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

#### SEC. 8. GRANT ACCOUNTABILITY.

(a) DEFINITIONS.—In this section:

(1) AWARDED ENTITY.—The term “awarded entity” means the Secretary, the Director of the Federal Emergency Management Agency, the Chief of the Office of Citizenship and New Americans, as designated by this Act, or the Director of the National Science Foundation.

(2) NONPROFIT ORGANIZATION.—The term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(3) UNRESOLVED AUDIT FINDING.—The term “unresolved audit finding” means a finding in a final audit report conducted by the Inspector General of the Department, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 1 year from the date when the final audit report is issued.

(b) ACCOUNTABILITY.—All grants awarded by an awarding entity pursuant to this Act shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) AUDITS.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. Such Inspectors General shall de-

termine the appropriate number of grantees to be audited each year.

(B) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the first 2 fiscal years beginning after the end of the 1-year period described in subsection (a)(3).

(C) PRIORITY.—In awarding a grant under this Act, the awarding entity shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years prior to the date the entity submitted the application for such grant.

(D) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the period of 2 fiscal years in which the entity is barred from receiving grants under subparagraph (B), the awarding entity shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to such entity into the general fund of the Treasury; and

(ii) seek to recover the costs of the repayment under clause (i) from such entity.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) PROHIBITION.—An awarding entity may not award a grant under this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding the tax imposed by section 511(a) of the Internal Revenue Code of 1986.

(B) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the awarding entity, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the awarding entity shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department or the National Science Foundation for grant programs under this Act may be used by an awarding entity or by any individual or entity awarded discretionary funds through a cooperative agreement under this Act to host or support any expenditure for conferences that uses more than \$20,000 in funds made available by the Department or the National Science Foundation unless the Deputy Secretary for Homeland Security, or the Deputy Director of the National Science Foundation, or their designee, provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—The Deputy Secretary of Homeland Security and the Deputy Director of the National Science Foundation shall submit to Congress an annual report on all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, each awarding entity shall submit to Congress a report—

(A) indicating whether—

(i) all audits issued by the Offices of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate individuals;

(ii) all mandatory exclusions required under paragraph (1)(B) have been issued; and

(iii) all reimbursements required under paragraph (1)(D) have been made; and

(B) including a list of any grant recipients excluded under paragraph (1) from the previous year.

#### SEC. 9. REFERENCE TO THE IMMIGRATION AND NATIONALITY ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

#### SEC. 10. DEFINITIONS.

In this Act:

(1) **DEPARTMENT.**—Except as otherwise provided, the term “Department” means the Department of Homeland Security.

(2) **SECRETARY.**—Except as otherwise provided, the term “Secretary” means the Secretary of Homeland Security.

### TITLE I—BORDER SECURITY

#### SEC. 1101. DEFINITIONS.

In this title:

(1) **NORTHERN BORDER.**—The term “Northern border” means the international border between the United States and Canada.

(2) **RURAL, HIGH-TRAFFICKED AREAS.**—The term “rural, high-trafficked areas” means rural areas through which drugs and undocumented aliens are routinely smuggled, as designated by the Commissioner of U.S. Customs and Border Protection.

(3) **SOUTHERN BORDER.**—The term “Southern border” means the international border between the United States and Mexico.

(4) **SOUTHWEST BORDER REGION.**—The term “Southwest border region” means the area in the United States that is within 100 miles of the Southern border.

#### SEC. 1102. ADDITIONAL U.S. CUSTOMS AND BORDER PROTECTION OFFICERS.

(a) **IN GENERAL.**—Not later than September 30, 2017, the Secretary shall increase the number of trained full-time active duty U.S. Border Patrol agents deployed to the Southern border by 5,000, compared to the number of such officers as of the date of the enactment of this Act. The Secretary shall make progress in increasing such number of officers during each of fiscal years 2014 through 2017.

(b) **CONSTRUCTION.**—Nothing in subsection (a) may be construed to preclude the Secretary from reassigning or stationing U.S. Customs and Border Protection officers and U.S. Border Patrol agents from the Northern border to the Southern border.

(c) **FUNDING.**—Section 217(h)(3)(B) (8 U.S.C. 1187(h)(3)(B)) is amended—

(1) in clause (i)—

(A) by striking “No later than 6 months after the date of enactment of the Travel Promotion Act of 2009, the” and inserting “The”;

(B) in subclause (I), by striking “and” at the end;

(C) by redesignating subclause (II) as subclause (III); and

(D) by inserting after subclause (I) the following:

“(II) \$16 for border processing; and”;

(2) in clause (ii), by striking “Amounts collected under clause (i)(II)” and inserting

“Amounts collected under clause (i)(II) shall be deposited into the Comprehensive Immigration Reform Trust Fund established by section 7(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act. Amounts collected under clause (i)(III)”;

and

(3) by striking clause (iii).

#### SEC. 1103. NATIONAL GUARD SUPPORT TO SECURE THE SOUTHERN BORDER.

(a) **IN GENERAL.**—With the approval of the Secretary of Defense, the Governor of a State may order any units or personnel of the National Guard of such State to perform operations and missions under section 502(f) of title 32, United States Code, in the Southwest border region for the purposes of assisting U.S. Customs and Border Protection in securing the Southern border.

(b) **ASSIGNMENT OF OPERATIONS AND MISSIONS.**—

(1) **IN GENERAL.**—National Guard units and personnel deployed under subsection (a) may be assigned such operations and missions specified in subsection (c) as may be necessary to secure the Southern border.

(2) **NATURE OF DUTY.**—The duty of National Guard personnel performing operations and missions described in paragraph (1) shall be full-time duty under title 32, United States Code.

(c) **RANGE OF OPERATIONS AND MISSIONS.**—The operations and missions assigned under subsection (b) shall include the temporary authority—

(1) to construct fencing, including double-layer and triple-layer fencing;

(2) to increase ground-based mobile surveillance systems;

(3) to deploy additional unmanned aerial systems and manned aircraft sufficient to maintain continuous surveillance of the Southern border;

(4) to deploy and provide capability for radio communications interoperability between U.S. Customs and Border Protection and State, local, and tribal law enforcement agencies;

(5) to construct checkpoints along the Southern border to bridge the gap to long-term permanent checkpoints; and

(6) to provide assistance to U.S. Customs and Border Protection, particularly in rural, high-trafficked areas, as designated by the Commissioner of U.S. Customs and Border Protection.

(d) **MATERIEL AND LOGISTICAL SUPPORT.**—The Secretary of Defense shall deploy such materiel and equipment and logistical support as may be necessary to ensure success of the operations and missions conducted by the National Guard under this section.

(e) **EXCLUSION FROM NATIONAL GUARD PERSONNEL STRENGTH LIMITATIONS.**—National Guard personnel deployed under subsection (a) shall not be included in—

(1) the calculation to determine compliance with limits on end strength for National Guard personnel; or

(2) limits on the number of National Guard personnel that may be placed on active duty for operational support under section 115 of title 10, United States Code.

#### SEC. 1104. ENHANCEMENT OF EXISTING BORDER SECURITY OPERATIONS.

(a) **BORDER CROSSING PROSECUTIONS.**—

(1) **IN GENERAL.**—From the amounts available pursuant to the authorization of appropriations in paragraph (3), funds shall be available—

(A) to increase the number of border crossing prosecutions in each and every sector of the Southwest border region by at least 50 percent per day, as calculated by the pre-

vious yearly average on the date of the enactment of this Act, through increasing the funding available for—

(i) attorneys and administrative support staff in offices of United States attorneys;

(ii) support staff and interpreters in Court Clerks’ Offices;

(iii) pre-trial services;

(iv) activities of the Federal Public Defenders Office; and

(v) additional personnel, including Deputy U.S. Marshals in United States Marshals’ Offices to perform intake, coordination, transportation, and court security; and

(B) to reimburse Federal, State, local, and tribal law enforcement agencies for any detention costs related to the border crossing prosecutions carried out pursuant to subparagraph (A).

(2) **ADDITIONAL MAGISTRATE JUDGES TO ASSIST WITH INCREASED CASELOAD.**—The chief judge of the United States district courts within sectors of the Southwest border region are authorized to appoint additional full-time magistrate judges, who, consistent with the Constitution and laws of the United States, shall have the authority to hear cases and controversies in the judicial district in which the respective judges are appointed.

(3) **FUNDING.**—There are authorized to be appropriated from the Comprehensive Immigration Reform Trust Fund established by section 7(a)(1) of this Act such sums as may be necessary to carry out this subsection.

(b) **OPERATION STONEGARDEN.**—

(1) **IN GENERAL.**—The Federal Emergency Management Agency shall enhance law enforcement preparedness and operational readiness along the borders of the United States through Operation Stonegarden.

(2) **GRANTS AND REIMBURSEMENTS.**—

(A) **IN GENERAL.**—For purposes of paragraph (1), not less than 90 percent of the amounts made available pursuant to the authorization of appropriations in paragraph (3) shall be allocated for grants and reimbursements to law enforcement agencies in the States in the Southwest border region for personnel, overtime, travel, and other costs related to combating illegal immigration and drug smuggling in the Southwest border region.

(B) **GRANTS TO LAW ENFORCEMENT AGENCIES.**—Allocations for grants and reimbursements to law enforcement agencies under this paragraph shall be made by the Federal Emergency Management Agency through a competitive process.

(3) **FUNDING.**—There are authorized to be appropriated from the Comprehensive Immigration Reform Trust Fund pursuant to section 7(a)(3)(C)(ii) of this Act such sums as may be necessary to carry out this subsection.

(c) **PHYSICAL AND TACTICAL INFRASTRUCTURE IMPROVEMENTS.**—

(1) **CONSTRUCTION, UPGRADE, AND ACQUISITION OF BORDER CONTROL FACILITIES.**—The Secretary shall, consistent with the Southern Border Security Strategy required by section 5 of this Act, upgrade existing physical and tactical infrastructure of the Department, and construct and acquire additional physical and tactical infrastructure, including the following:

(A) U.S. Border Patrol stations.

(B) U.S. Border Patrol checkpoints.

(C) Forward operating bases.

(D) Monitoring stations.

(E) Mobile command centers.

(F) Field offices.

(G) All-weather roads.

(H) Lighting.

(I) Real property.

(J) Land border port of entry improvements.

(K) Other necessary facilities, structures, and properties.

(2) REQUIRED USES OF FUNDS.—The Secretary, consistent with the Southern Border Security Strategy, shall do the following:

(A) U.S. BORDER PATROL STATIONS.—

(i) Construct additional U.S. Border Patrol stations in the Southwest border region that U.S. Customs and Border Protection determines are needed to provide full operational support in rural, high-trafficked areas.

(ii) Analyze the feasibility of creating additional U.S. Border Patrol sectors along the Southern border to interrupt drug trafficking operations.

(B) U.S. BORDER PATROL CHECKPOINTS.—Operate and maintain additional temporary or permanent checkpoints on roadways in the Southwest border region in order to deter, interdict, and apprehend terrorists, human traffickers, drug traffickers, weapons traffickers, and other criminals before they enter the interior of the United States.

(C) U.S. BORDER PATROL FORWARD OPERATING BASES.—

(i) Establish additional permanent forward operating bases for U.S. Border Patrol, as needed.

(ii) Upgrade existing forward operating bases to include modular buildings, electricity, and potable water.

(iii) Ensure that forward operating bases surveil and interdict individuals entering the United States unlawfully immediately after such individuals cross the Southern border.

(3) SAFE AND SECURE BORDER INFRASTRUCTURE.—The Secretary and the Secretary of Transportation, in consultation with the Governors of the States in the Southwest border region or the region along the Northern border, shall establish a grant program, which shall be administered by the Secretary of Transportation and the Administrator of the General Services Administration, to construct transportation and supporting infrastructure improvements at existing and new international border crossings necessary to facilitate safe, secure, and efficient cross border movement of people, motor vehicles, and cargo.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2014 through 2018, such sums as may be necessary to carry out this subsection.

(d) ADDITIONAL PERMANENT DISTRICT COURT JUDGESHIPS IN SOUTHWEST BORDER STATES.—

(1) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(A) 2 additional district judges for the district of Arizona;

(B) 3 additional district judges for the eastern district of California;

(C) 2 additional district judges for the western district of Texas; and

(D) 1 additional district judge for the southern district of Texas.

(2) CONVERSIONS OF TEMPORARY DISTRICT COURT JUDGESHIPS.—The existing judgeships for the district of Arizona and the central district of California authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (28 U.S.C. 133 note; Public Law 107-273; 116 Stat. 1788), as of the effective date of this Act, shall be authorized under section 133 of title 28, United States Code, and the incumbents in those offices shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—The table contained in section 133(a) of title 28, United States Code, is amended—

(A) by striking the item relating to the district of Arizona and inserting the following:

“Arizona ..... 15”;

(B) by striking the items relating to California and inserting the following:

“California:  
Northern ..... 14  
Eastern ..... 9  
Central ..... 28  
Southern ..... 13”;

and

(C) by striking the items relating to Texas and inserting the following:

Texas:  
Northern ..... 12  
Southern ..... 20  
Eastern ..... 7  
Western ..... 15”

(4) INCREASE IN FILING FEES.—

(A) IN GENERAL.—Section 1914(a) of title 28, United States Code, is amended by striking “\$350” and inserting “\$360”.

(B) EXPENDITURE LIMITATION.—Incremental amounts collected by reason of the enactment of this paragraph shall be deposited as offsetting receipts in the special fund of the Treasury established under section 1931 of title 28, United States Code. Such amounts shall be available solely for the purpose of facilitating the processing of civil cases, but only to the extent specifically appropriated by an Act of Congress enacted after the date of the enactment of this Act.

(5) WHISTLEBLOWER PROTECTION.—

(A) IN GENERAL.—No officer, employee, agent, contractor, or subcontractor of the judicial branch may discharge, demote, threaten, suspend, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of any lawful act done by the employee to provide information, cause information to be provided, or otherwise assist in an investigation regarding any possible violation of Federal law or regulation, or misconduct, by a judge, justice, or any other employee in the judicial branch, which may assist in the investigation of the possible violation or misconduct.

(B) CIVIL ACTION.—An employee injured by a violation of subparagraph (A) may, in a civil action, obtain appropriate relief.

#### SEC. 1105. BORDER SECURITY ON CERTAIN FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LANDS.—The term “Federal lands” includes all land under the control of the Secretary concerned that is located within the Southwest border region in the State of Arizona along the Southern border.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(b) SUPPORT FOR BORDER SECURITY NEEDS.—To achieve effective control of Federal lands—

(1) the Secretary concerned, notwithstanding any other provision of law, shall authorize and provide U.S. Customs and Border Protection personnel with immediate access to Federal lands for security activities, including—

(A) routine motorized patrols; and

(B) the deployment of communications, surveillance, and detection equipment;

(2) the security activities described in paragraph (1) shall be conducted, to the maximum extent practicable, in a manner that the Secretary determines will best protect the natural and cultural resources on Federal lands; and

(3) the Secretary concerned may provide education and training to U.S. Customs and Border Protection personnel on the natural and cultural resources present on individual Federal land units.

#### (c) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—

(1) IN GENERAL.—After implementing subsection (b), the Secretary, in consultation with the Secretaries concerned, shall prepare and publish in the Federal Register a notice of intent to prepare a programmatic environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to analyze the impacts of the activities described in subsection (b).

(2) EFFECT ON PROCESSING APPLICATION AND SPECIAL USE PERMITS.—The pending completion of a programmatic environmental impact statement under this section shall not result in any delay in the processing or approving of applications or special use permits by the Secretaries concerned for the activities described in subsection (b).

(3) AMENDMENT OF LAND USE PLANS.—The Secretaries concerned shall amend any land use plans, as appropriate, upon completion of the programmatic environmental impact statement described in subsection (b).

(4) SCOPE OF PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—The programmatic environmental impact statement described in paragraph (1)—

(A) may be used to advise the Secretary on the impact on natural and cultural resources on Federal lands; and

(B) shall not control, delay, or restrict actions by the Secretary to achieve effective control on Federal lands.

(d) INTERMINGLED STATE AND PRIVATE LAND.—This section shall not apply to any private or State-owned land within the boundaries of Federal lands.

#### SEC. 1106. EQUIPMENT AND TECHNOLOGY.

(a) ENHANCEMENTS.—The Secretary, in consultation with the Commissioner of U.S. Customs and Border Protection and consistent with the Southern Border Security Strategy required by section 5 of this Act, shall upgrade existing technological assets and equipment, and procure and deploy additional technological assets and equipment, including the following:

- (1) Unarmed, unmanned aerial vehicles.
- (2) Fixed-wing aircraft.
- (3) Helicopters.
- (4) Remote video surveillance camera systems.
- (5) Mobile surveillance systems.
- (6) Agent portable surveillance systems.
- (7) Radar technology.
- (8) Satellite technology.
- (9) Fiber optics.
- (10) Integrated fixed towers.
- (11) Relay towers.
- (12) Poles.
- (13) Night vision equipment.
- (14) Sensors, including imaging sensors and unattended ground sensors.
- (15) Biometric entry-exit systems.
- (16) Contraband detection equipment.
- (17) Digital imaging equipment.
- (18) Document fraud detection equipment.
- (19) Land vehicles.

(20) Officer and personnel safety equipment.

(21) Other technologies and equipment.

(b) **REQUIRED USES OF FUNDS.**—The Secretary, consistent with the Southern Border Security Strategy, shall—

(1) deploy additional mobile, video, and agent-portable surveillance systems, and unarmed, unmanned aerial vehicles in the Southwest border region as necessary to provide 24-hour operation and surveillance;

(2) operate unarmed unmanned aerial vehicles along the Southern border for 24 hours per day and for 7 days per week;

(3) deploy unarmed additional fixed-wing aircraft and helicopters along the Southern border;

(4) acquire new rotocraft and make upgrades to the existing helicopter fleet;

(5) increase horse patrols in the Southwest border region; and

(6) acquire and deploy watercraft and other equipment to provide support for border-related maritime anti-crime activities.

(c) **LIMITATION.**—

(1) **IN GENERAL.**—Notwithstanding paragraphs (1) and (2) of subsection (a), and except as provided in paragraph (2), U.S. Border Patrol may not operate unarmed, unmanned aerial vehicles in the San Diego and El Centro Sectors, except within 3 miles of the Southern border.

(2) **EXCEPTION.**—The limitation under this subsection shall not restrict the maritime operations of U.S. Customs and Border Protection.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts otherwise authorized to be appropriated, there is authorized to be appropriated for each of fiscal years 2014 through 2018 for U.S. Customs and Border Protection such sums as may be necessary to carry out this section.

#### **SEC. 1107. ACCESS TO EMERGENCY PERSONNEL.**

(a) **SOUTHWEST BORDER REGION EMERGENCY COMMUNICATIONS GRANTS.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the Governors of the States in the Southwest border region, shall establish a 2-year grant program, to be administered by the Secretary, to improve emergency communications in the Southwest border region.

(2) **ELIGIBILITY FOR GRANTS.**—An individual is eligible to receive a grant under this subsection if the individual demonstrates that he or she—

(A) regularly resides or works in the Southwest border region; and

(B) is at greater risk of border violence due to the lack of cellular service at his or her residence or business and his or her proximity to the Southern border.

(3) **USE OF GRANTS.**—Grants awarded under this subsection may be used to purchase satellite telephone communications systems and service that—

(A) can provide access to 9-1-1 service; and

(B) are equipped with global positioning systems.

(4) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated such sums as may be necessary to carry out the grant program established under this subsection.

(b) **INTEROPERABLE COMMUNICATIONS FOR LAW ENFORCEMENT.**—

(1) **FEDERAL LAW ENFORCEMENT.**—There are authorized to be appropriated to the Department, the Department of Justice, and the Department of the Interior, during the 5-year period beginning on the date of the enactment of this Act, such sums as may be necessary—

(A) to purchase, through a competitive procurement process, P25-compliant radios, which may include a multi-band option, for Federal law enforcement agents working in the Southwest border region in support of the activities of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, including law enforcement agents of the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Department of the Interior, and the Forest Service; and

(B) to upgrade, through a competitive procurement process, the communications network of the Department of Justice to ensure coverage and capacity, particularly when immediate access is needed in times of crisis, in the Southwest border region for appropriate law enforcement personnel of the Department of Justice (including the Drug Enforcement Administration and the Bureau of Alcohol, Tobacco, Firearms, and Explosives), the Department (including U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection), the United States Marshals Service, other Federal agencies, the State of Arizona, tribes, and local governments.

(2) **STATE AND LOCAL LAW ENFORCEMENT.**—

(A) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Department of Justice, during the 5-year period beginning on the date of the enactment of this Act, such sums as may be necessary to purchase, through a competitive procurement process, P25-compliant radios, which may include a multi-band option, for State and local law enforcement agents working in the Southwest border region.

(B) **ACCESS TO FEDERAL SPECTRUM.**—If a State, tribal, or local law enforcement agency in the Southwest border region experiences an emergency situation that necessitates immediate communication with the Department of Justice, the Department, the Department of the Interior, or any of their respective subagencies, such law enforcement agency shall have access to the spectrum assigned to such Federal agency for the duration of such emergency situation.

#### **SEC. 1108. SOUTHWEST BORDER REGION PROSECUTION INITIATIVE.**

(a) **REIMBURSEMENT TO STATE AND LOCAL PROSECUTORS FOR FEDERALLY INITIATED IMMIGRATION-RELATED CRIMINAL CASES.**—The Attorney General shall reimburse State, county, tribal, and municipal governments for costs associated with the prosecution, pre-trial services and detention, clerical support, and public defenders' services associated with the prosecution of federally initiated criminal cases declined by local offices of the United States attorneys.

(b) **EXCEPTION.**—Reimbursement under subsection (a) shall not be available, at the discretion of the Attorney General, if the Attorney General determines that there is reason to believe that the jurisdiction seeking reimbursement has engaged in unlawful conduct in connection with immigration-related apprehensions.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for each of fiscal years 2014 through 2018 such sums as may be necessary to carry out this section.

#### **SEC. 1109. INTERAGENCY COLLABORATION.**

The Assistant Secretary of Defense for Research and Engineering shall collaborate with the Under Secretary of Homeland Security for Science and Technology to identify equipment and technology used by the Department of Defense that could be used by

U.S. Customs and Border Protection to improve the security of the Southern border by—

(1) detecting border tunnels;

(2) detecting the use of ultralight aircraft;

(3) enhancing wide aerial surveillance; and

(4) otherwise improving the enforcement of such border.

#### **SEC. 1110. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.**

(a) **SCAAP REAUTHORIZATION.**—Section 241(i)(5)(C) (8 U.S.C. 1231(i)(5)) is amended by striking “2011.” and inserting “2016.”.

(b) **SCAAP ASSISTANCE FOR STATES.**—

(1) **ASSISTANCE FOR STATES INCARCERATING UNDOCUMENTED ALIENS CHARGED WITH CERTAIN CRIMES.**—Section 241(i)(3)(A) (8 U.S.C. 1231(i)(3)(A)) is amended by inserting “charged with or” before “convicted”.

(2) **ASSISTANCE FOR STATES INCARCERATING UNVERIFIED ALIENS.**—Section 241(i) (8 U.S.C. 1231(i)) is amended—

(A) by redesignating paragraphs (4), (5), and (6), as paragraphs (5), (6), and (7), respectively;

(B) in paragraph (7), as so redesignated, by striking “(5)” and inserting “(6)”;

(C) by adding after paragraph (3) the following:

“(4) In the case of an alien whose immigration status is unable to be verified by the Secretary of Homeland Security, and who would otherwise be an undocumented criminal alien if the alien is unlawfully present in the United States, the Attorney General shall compensate the State or political subdivision of the State for incarceration of the alien, consistent with subsection (i)(2).”.

(3) **TIMELY REIMBURSEMENT.**—Section 241(i) (8 U.S.C. 1231(i)), as amended by paragraph (2), is further amended by adding at the end the following:

“(8) Any funds awarded to a State or a political subdivision of a State, including a municipality, for a fiscal year under this subsection shall be distributed to such State or political subdivision not later than 120 days after the last day of the application period for assistance under this subsection for that fiscal year.”.

#### **SEC. 1111. SOUTHERN BORDER SECURITY ASSISTANCE GRANTS.**

(a) **AUTHORITY.**—

(1) **IN GENERAL.**—The Secretary, in consultation with State and local law enforcement agencies, may award border security assistance grants to law enforcement agencies located in the Southwest border region for the purposes described in subsection (b).

(2) **PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to law enforcement agencies located in a county that is located within 25 miles of the Southern border.

(b) **PURPOSES.**—Each grant awarded under subsection (a) shall be used to address drug trafficking, smuggling, and border violence—

(1) by obtaining law enforcement equipment and tools, including secure 2-way communication devices, portable laptops and office computers, license plate readers, unmanned aerial vehicles, unmanned aircraft systems, manned aircraft, cameras with night viewing capabilities, and any other appropriate law enforcement equipment;

(2) by hiring additional personnel, including administrative support personnel, dispatchers, and jailers, and to provide overtime pay for such personnel;

(3) by purchasing law enforcement vehicles;

(4) by providing high performance aircraft and helicopters for border surveillance and



other critical mission applications and paying for the operational and maintenance costs associated with such craft;

(5) by providing critical power generation systems, infrastructure, and technological upgrades to support State and local data management systems and fusion centers; or

(6) by providing specialized training and paying for the direct operating expenses associated with detecting and prosecuting drug trafficking, human smuggling, and other illegal activity or violence that occurs at or near the Southern border.

(c) APPLICATION.—

(1) REQUIREMENT.—A law enforcement agency seeking a grant under subsection (a), or a nonprofit organization or coalition acting as an agent for 1 or more such law enforcement entities, shall submit an application to the Secretary that includes the information described in paragraph (2) at such time and in such manner as the Secretary may require.

(2) CONTENT.—Each application submitted under paragraph (1) shall include—

(A) a description of the activities to be carried out with a grant awarded under subsection (a);

(B) if equipment will be purchased with the grant, a detailed description of—

(i) the type and quantity of such equipment; and

(ii) the personnel who will be using such equipment;

(C) a description of the need of the law enforcement agency or agencies for the grant, including a description of the inability of the agency or agencies to carry out the proposed activities without the grant; and

(D) an assurance that the agency or agencies will, to the extent practicable, seek, recruit, and hire women and members of racial and ethnic minority groups in law enforcement positions of the agency or agencies.

(d) REVIEW AND AWARD.—

(1) REVIEW.—Not later than 90 days after receiving an application submitted under subsection (c), the Secretary shall review and approve or reject the application.

(2) AWARD OF FUNDS.—Subject to the availability of appropriations, not later than 45 days after the date an application is approved under paragraph (1), the Secretary shall transmit the grant funds to the applicant.

(3) PRIORITY.—In distributing grant funds under this subsection, priority shall be given to high-intensity areas for drug trafficking, smuggling, and border violence.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2014 and 2015, \$300,000,000 for grants authorized under this section.

**SEC. 1112. USE OF FORCE.**

Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Assistant Attorney General for the Civil Rights Division of the Department of Justice, shall issue policies governing the use of force by all Department personnel that—

(1) require all Department personnel to report each use of force; and

(2) establish procedures for—

(A) accepting and investigating complaints regarding the use of force by Department personnel;

(B) disciplining Department personnel who violate any law or Department policy relating to the use of force; and

(C) reviewing all uses of force by Department personnel to determine whether the use of force—

(i) complied with Department policy; or

(ii) demonstrates the need for changes in policy, training, or equipment.

**SEC. 1113. TRAINING FOR BORDER SECURITY AND IMMIGRATION ENFORCEMENT OFFICERS.**

(a) IN GENERAL.—The Secretary shall ensure that U.S. Customs and Border Protection officers, U.S. Border Patrol agents, U.S. Immigration and Customs Enforcement officers and agents, United States Air and Marine Division agents, agriculture specialists, and, in consultation with the Secretary of Defense, National Guard personnel deployed to assist U.S. Customs and Border Protection under section 1103(c)(6) of this Act, stationed within 100 miles of any land or marine border of the United States or at any United States port of entry receive appropriate training, which shall be prepared in collaboration with the Assistant Attorney General for the Civil Rights Division of the Department of Justice, in—

(1) identifying and detecting fraudulent travel documents;

(2) civil, constitutional, human, and privacy rights of individuals;

(3) the scope of enforcement authorities, including interrogations, stops, searches, seizures, arrests, and detentions;

(4) the use of force policies issued by the Secretary pursuant to section 1112 of this Act;

(5) immigration laws, including screening, identifying, and addressing vulnerable populations, such as children, victims of crime and human trafficking, and individuals fleeing persecution or torture;

(6) social and cultural sensitivity toward border communities;

(7) the impact of border operations on communities; and

(8) any particular environmental concerns in a particular area.

(b) TRAINING FOR BORDER COMMUNITY LIAISON OFFICERS.—The Secretary shall ensure that border communities liaison officers in U.S. Border Patrol sectors along the Southern border and the Northern border receive training to better—

(1) act as a liaison between border communities and the Office for Civil Rights and Civil Liberties of the Department and the Civil Rights Division of the Department of Justice;

(2) foster and institutionalize consultation with border communities;

(3) consult with border communities on Department programs, policies, strategies, and directives; and

(4) receive Department performance assessments from border communities.

(c) HUMANE CONDITIONS OF CONFINEMENT FOR CHILDREN IN U.S. CUSTOMS AND BORDER PROTECTION CUSTODY.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish standards to ensure that children in the custody of U.S. Customs and Border Protection—

(1) are afforded adequate medical and mental health care, including emergency medical and mental health care, if necessary;

(2) receive adequate nutrition;

(3) are provided with climate-appropriate clothing, footwear, and bedding;

(4) have basic personal hygiene and sanitary products; and

(5) are permitted to make supervised phone calls to family members.

**SEC. 1114. DEPARTMENT OF HOMELAND SECURITY BORDER OVERSIGHT TASK FORCE.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an independent task force, which shall be

known as the Department of Homeland Security Border Oversight Task Force (referred to in this section as the “DHS Task Force”).

(2) DUTIES.—The DHS Task Force shall—

(A) review and make recommendations regarding immigration and border enforcement policies, strategies, and programs that take into consideration their impact on border communities;

(B) recommend ways in which the Border Communities Liaison Offices can strengthen relations and collaboration between communities in the border regions and the Department, the Department of Justice, and other Federal agencies that carry out such policies, strategies, and programs;

(C) evaluate how the policies, strategies, and programs of Federal agencies operating along the Southern border and the Northern border protect the due process, civil, and human rights of border residents, visitors, and migrants at and near such borders; and

(D) evaluate and make recommendations regarding the training of border enforcement personnel described in section 1113 of this Act.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The DHS Task Force shall be composed of 29 members, appointed by the President, who have expertise in migration, local crime indices, civil and human rights, community relations, cross-border trade and commerce, quality of life indicators, or other pertinent experience, of whom—

(i) 12 members shall be from the Northern border region and shall include—

(I) 2 local government elected officials;

(II) 2 local law enforcement official;

(III) 2 civil rights advocates;

(IV) 1 business representative;

(V) 1 higher education representative;

(VI) 1 private land owner representative;

(VII) 1 representative of a faith community; and

(VIII) 2 representatives of U.S. Border Patrol; and

(ii) 17 members shall be from the Southern border region and include—

(I) 3 local government elected officials;

(II) 3 local law enforcement officials;

(III) 3 civil rights advocates;

(IV) 2 business representatives;

(V) 1 higher education representative;

(VI) 2 private land owner representatives;

(VII) 1 representative of a faith community; and

(VIII) 2 representatives of U.S. Border Patrol.

(B) TERM OF SERVICE.—Members of the Task Force shall be appointed for the shorter of—

(i) 3 years; or

(ii) the life of the DHS Task Force.

(C) CHAIR, VICE CHAIR.—The members of the DHS Task Force shall elect a Chair and a Vice Chair from among its members, who shall serve in such capacities for the life of the DHS Task Force or until removed by the majority vote of at least 14 members.

(b) OPERATIONS.—

(1) HEARINGS.—The DHS Task Force may, for the purpose of carrying out its duties, hold hearings, sit and act, take testimony, receive evidence, and administer oaths.

(2) RECOMMENDATIONS.—The DHS Task Force may make findings or recommendations to the Secretary related to the duties described in subsection (a)(2).

(3) RESPONSE.—Not later than 180 days after receiving findings and recommendations from the DHS Task Force under paragraph (2), the Secretary shall issue a response that describes how the Department

has addressed, or will address, such findings and recommendations. If the Secretary disagrees with any finding of the DHS Task Force, the Secretary shall provide an explanation for the disagreement.

(4) **INFORMATION FROM FEDERAL AGENCIES.**—The Chair, or 16 members of the DHS Task Force, may request statistics relating to the duties described in subsection (a)(2) directly from any Federal agency, which shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the DHS Task Force.

(5) **COMPENSATION.**—Members of the DHS Task Force shall serve without pay, but shall be reimbursed for reasonable travel and subsistence expenses incurred in the performance of their duties.

(c) **REPORT.**—Not later than 2 years after its first meeting, the DHS Task Force shall submit to the President, the Secretary, and Congress a final report that contains—

(1) findings with respect to the duties of the DHS Task Force; and

(2) recommendations regarding border and immigration enforcement policies, strategies, and programs, including—

(A) a recommendation as to whether the DHS Task Force should continue to operate; and

(B) a description of any duties the DHS Task Force should be responsible for after the termination date described in subsection (e).

(d) **SUNSET.**—The DHS Task Force shall terminate operations 60 days after the date on which the DHS Task Force submits the report described in subsection (c).

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for each of fiscal years 2014 through 2017 such sums as may be necessary to carry out this section.

**SEC. 1115. OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS OF THE DEPARTMENT OF HOMELAND SECURITY.**

(a) **ESTABLISHMENT.**—Title I of the Homeland Security Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding at the end the following new section:

**“SEC. 104. OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS.**

“(a) **IN GENERAL.**—There shall be within the Department an Ombudsman for Immigration Related Concerns (in this section referred to as the ‘Ombudsman’). The individual appointed as Ombudsman shall have a background in immigration law as well as civil and human rights law. The Ombudsman shall report directly to the Deputy Secretary.

“(b) **FUNCTIONS.**—The functions of the Ombudsman shall be as follows:

“(1) To receive and resolve complaints from individuals and employers and assist in resolving problems with the immigration components of the Department.

“(2) To conduct inspections of the facilities or contract facilities of the immigration components of the Department.

“(3) To assist individuals and families who have been the victims of crimes committed by aliens or violence near the United States border.

“(4) To identify areas in which individuals and employers have problems in dealing with the immigration components of the Department.

“(5) To the extent practicable, to propose changes in the administrative practices of the immigration components of the Department to mitigate problems identified under paragraph (4).

“(6) To review, examine, and make recommendations regarding the immigration

and enforcement policies, strategies, and programs of U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and U.S. Citizenship and Immigration Services.

“(c) **OTHER RESPONSIBILITIES.**—In addition to the functions specified in subsection (b), the Ombudsman shall—

“(1) monitor the coverage and geographic allocation of local offices of the Ombudsman, including appointing a local ombudsman for immigration related concerns; and

“(2) evaluate and take personnel actions (including dismissal) with respect to any employee of the Ombudsman.

“(d) **REQUEST FOR INVESTIGATIONS.**—The Ombudsman shall have the authority to request the Inspector General of the Department of Homeland Security to conduct inspections, investigations, and audits.

“(e) **COORDINATION WITH DEPARTMENT COMPONENTS.**—The Director of U.S. Citizenship and Immigration Services, the Assistant Secretary of Immigration and Customs Enforcement, and the Commissioner of Customs and Border Protection shall each establish procedures to provide formal responses to recommendations submitted to such official by the Ombudsman.

“(f) **ANNUAL REPORTS.**—Not later than June 30 of each year, the Ombudsman shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the objectives of the Ombudsman for the fiscal year beginning in such calendar year. Each report shall contain full and substantive analysis, in addition to statistical information, and shall set forth any recommendations the Ombudsman has made on improving the services and responsiveness of U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection and any responses received from the Department regarding such recommendations.”.

(b) **REPEAL OF SUPERSEDED AUTHORITY.**—Section 452 of the Homeland Security Act of 2002 (6 U.S.C. 272) is repealed.

(c) **CLERICAL AMENDMENTS.**—The table of contents for the Homeland Security Act of 2002 is amended—

(1) by inserting after the item relating to section 103 the following new item:

“Sec. 104. Ombudsman for immigration related concerns.”; and

(2) by striking the item relating to section 452.

**SEC. 1116. PROTECTION OF FAMILY VALUES IN APPREHENSION PROGRAMS.**

(a) **DEFINITIONS.**—In this section:

(1) **APPREHENDED INDIVIDUAL.**—The term “apprehended individual” means an individual apprehended by personnel of the Department of Homeland Security or of a cooperating entity pursuant to a migration deterrence program carried out at a border.

(2) **BORDER.**—The term “border” means an international border of the United States.

(3) **CHILD.**—Except as otherwise specifically provided, the term “child” has the meaning given to the term in section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)).

(4) **COOPERATING ENTITY.**—The term “cooperating entity” means a State or local entity acting pursuant to an agreement with the Secretary.

(5) **MIGRATION DETERRENCE PROGRAM.**—The term “migration deterrence program” means an action related to the repatriation or referral for prosecution of 1 or more apprehended individuals for a suspected or confirmed violation of the Immigration and Na-

tionality Act (8 U.S.C. 1001 et seq.) by the Secretary or a cooperating entity.

(b) **PROCEDURES FOR MIGRATION DETERRENCE PROGRAMS AT THE BORDER.**—In any migration deterrence program carried out at a border, the Secretary and cooperating entities shall for each apprehended individual—

(1) as soon as practicable after such individual is apprehended—

(A) inquire as to whether the apprehended individual is—

(i) a parent, legal guardian, or primary caregiver of a child; or

(ii) traveling with a spouse or child; and

(B) ascertain whether repatriation of the apprehended individual presents any humanitarian concern or concern related to such individual’s physical safety; and

(2) ensure that, with respect to a decision related to the repatriation or referral for prosecution of the apprehended individual, due consideration is given—

(A) to the best interests of such individual’s child, if any;

(B) to family unity whenever possible; and

(C) to other public interest factors, including humanitarian concerns and concerns related to the apprehended individual’s physical safety.

(c) **MANDATORY TRAINING.**—The Secretary, in consultation with the Secretary of Health and Human Services, the Attorney General, the Secretary of State, and independent immigration, child welfare, family law, and human rights law experts, shall—

(1) develop and provide specialized training for all personnel of U.S. Customs and Border Protection and cooperating entities who come into contact with apprehended individuals in all legal authorities, policies, and procedures relevant to the preservation of a child’s best interest, family unity, and other public interest factors, including those described in this Act; and

(2) require border enforcement personnel to undertake periodic and continuing training on best practices and changes in relevant legal authorities, policies, and procedures pertaining to the preservation of a child’s best interest, family unity, and other public interest factors, including those described in this Act.

(d) **ANNUAL REPORT ON THE IMPACT OF MIGRATION DETERRENCE PROGRAMS AT THE BORDER.**—

(1) **REQUIREMENT FOR ANNUAL REPORT.**—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report that describes the impact of migration deterrence programs on parents, legal guardians, primary caregivers of a child, individuals traveling with a spouse or child, and individuals who present humanitarian considerations or concerns related to the individual’s physical safety.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include for the previous 1-year period an assessment of—

(A) the number of apprehended individuals removed, repatriated, or referred for prosecution who are the parent, legal guardian, or primary caregiver of a child who is a citizen of the United States;

(B) the number of occasions in which both parents, or the primary caretaker of such a child was removed, repatriated, or referred for prosecution as part of a migration deterrence program;

(C) the number of apprehended individuals traveling with close family members who are removed, repatriated, or referred for prosecution; and

(D) the impact of migration deterrence programs on public interest factors, including humanitarian concerns and physical safety.

(e) REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall promulgate regulations to implement this section.

**SEC. 1117. EMERGENCY PORT OF ENTRY PERSONNEL AND INFRASTRUCTURE FUNDING.**

(a) STAFF ENHANCEMENTS.—In addition to positions authorized before the date of the enactment of this Act and any existing officer vacancies within U.S. Customs and Border Protection on such date, the Secretary shall, subject to the availability of appropriations for such purpose, hire, train, and assign to duty, by not later than September 30, 2018—

(1) 5,000 full-time officers of U.S. Customs and Border Protection to serve—

(A) on all inspection lanes (primary, secondary, incoming, and outgoing) and enforcement teams at United States land ports of entry on the Northern border and the Southern border; and

(B) at airports to implement the biometric entry-exit system in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b); and

(2) 350 full-time support staff distributed among all United States ports of entry.

(b) WAIVER OF PERSONNEL LIMITATION.—The Secretary may waive any limitation on the number of full-time equivalent personnel assigned to the Department in order to fulfill the requirements under subsection (a).

**(c) REPORTS TO CONGRESS.—**

(1) OUTBOUND INSPECTIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report containing the Department's plans for ensuring the placement of sufficient officers of U.S. Customs and Border Protection on outbound inspections, and adequate outbound infrastructure, at all Southern and Northern border land ports of entry.

(2) AGRICULTURAL SPECIALISTS.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall submit to the appropriate committees of Congress a report that contains the Department's plans for ensuring the placement of sufficient agriculture specialists at all Southern border and Northern border land ports of entry.

(3) ANNUAL IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report that—

(A) describes in detail the Department's implementation plan for staff enhancements required under subsection (a);

(B) includes the number of additional personnel assigned to duty at land ports of entry by location; and

(C) describes the methodology used to determine the distribution of additional personnel to address northbound and southbound cross-border inspections.

(4) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives.

(d) SECURE COMMUNICATION.—The Secretary shall ensure that each officer of U.S. Customs and Border Protection is equipped with a secure 2-way communication and satellite-enabled device, supported by system interoperability, that allows such officers to communicate between ports of entry and inspection stations, and with other Federal, State, local, and tribal law enforcement entities.

(e) BORDER AREA SECURITY INITIATIVE GRANT PROGRAM.—The Secretary shall establish a grant program for the purchase of detection equipment at land ports of entry and mobile, hand-held, 2-way communication and biometric devices for State and local law enforcement officers serving on the Southern border and Northern border.

(f) PORT OF ENTRY INFRASTRUCTURE IMPROVEMENTS.—In order to aid in the enforcement of Federal customs, immigration, and agriculture laws, the Commissioner of U.S. Customs and Border Protection may—

(1) design, construct, and modify United States ports of entry, living quarters for officers, agents, and personnel, and other structures and facilities, including those owned by municipalities, local governments, or private entities located at land ports of entry;

(2) acquire, by purchase, donation, exchange, or otherwise, land or any interest in land determined to be necessary to carry out the Commissioner's duties under this section; and

(3) construct additional ports of entry along the Southern border and the Northern border.

**(g) CONSULTATION.—**

(1) LOCATIONS FOR NEW PORTS OF ENTRY.—The Secretary shall consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of State, the International Boundary and Water Commission, the International Joint Commission, and appropriate representatives of States, local governments, Indian tribes, and property owners—

(A) to determine locations for new ports of entry; and

(B) to minimize adverse impacts from such ports on the environment, historic and cultural resources, commerce, and quality of life for the communities and residents located near such ports.

(2) SAVINGS PROVISION.—Nothing in this subsection may be construed—

(A) to create any right or liability of the parties described in paragraph (1);

(B) to affect the legality and validity of any determination under this Act by the Secretary; or

(C) to affect any consultation requirement under any other law.

(h) AUTHORITY TO ACQUIRE LEASEHOLDS.—Notwithstanding any other provision of law, the Secretary may acquire a leasehold interest in real property, and may construct or modify any facility on the leased property, if the Secretary determines that the acquisition of such interest, and such construction or modification, are necessary to facilitate the implementation of this Act.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, for each of the fiscal years 2014 through 2018, \$1,000,000,000, of which \$5,000,000 shall be used for grants authorized under subsection (e).

(j) OFFSET; RESCISSION OF UNOBLIGATED FUNDING.—

(1) IN GENERAL.—There is hereby rescinded, from appropriated discretionary funds that remain available for obligation as of the date of the enactment of this Act (other than the

unobligated funds described in paragraph (4)), amounts determined by the Director of the Office of Management and Budget such that the aggregate amount of the rescission equals the amount authorized to be appropriated under subsection (i).

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify—

(A) the appropriation accounts from which the rescission under paragraph (1) shall apply; and

(B) the amount of the rescission that shall be applied to each such account.

(3) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to Congress and to the Secretary of the Treasury that describes the accounts and amounts determined and identified under paragraph (2) for rescission under paragraph (1).

(4) EXCEPTIONS.—This subsection shall not apply to unobligated funds of—

(A) the Department of Defense;

(B) the Department of Veterans Affairs; or

(C) the Department of Homeland Security.

**SEC. 1118. CROSS-BORDER TRADE ENHANCEMENT.**

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATION.—The term “Administration” means the General Services Administration.

(2) ADMINISTRATOR.—The term “Administrator” means the Administrator of the General Services Administration.

(3) PERSON.—The term “person” means an individual or any corporation, partnership, trust, association, or any other public or private entity, including a State or local government.

(b) AGREEMENTS AUTHORIZED.—Notwithstanding any other provision of law, upon the request of any persons, the Administrator may, for purposes of facilitating construction, alteration, operation or maintenance of a new or existing facility or other infrastructure at a port of entry, enter into cost-sharing or reimbursement agreements or accept a donation of real and personal property (including monetary donations) and nonpersonal services.

**(c) EVALUATION PROCEDURES.—**

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall establish procedures for evaluating a proposal submitted by any person under subsection (b)—

(A) to enter into a cost-sharing or reimbursement agreement with the Administration to facilitate the construction, alteration, operation, or maintenance of a new or existing facility or other infrastructure at a land border port of entry; or

(B) to provide the Administration with a donation of real and personal property (including monetary donations) and nonpersonal services to be used in the construction, alteration, operation, or maintenance of a facility or other infrastructure at a land border port of entry under the control of the Administration.

(2) SPECIFICATION.—Donations made under paragraph (1)(B) may specify—

(A) the land port of entry facility or facilities in support of which the donation is being made; and

(B) the time frame in which the donated property or services shall be used.

(3) RETURN OF DONATION.—If the Administrator does not use the property or services donated pursuant to paragraph (1)(B) for the specific facility or facilities designated pursuant to paragraph (2)(A) or within the time

frame specified pursuant to paragraph (2)(B), such donated property or services shall be returned to the person that made the donation.

(4) DETERMINATION AND NOTIFICATION.—

(A) IN GENERAL.—Not later than 90 days after receiving a proposal pursuant to subsection (b) with respect to the construction or maintenance of a facility or other infrastructure at a land border port of entry, the Administrator shall—

(i) make a determination with respect to whether or not to approve the proposal; and

(ii) notify the person that submitted the proposal of—

(I) the determination; and

(II) if the Administrator did not approve the proposal, the reasons for such disapproval.

(B) CONSIDERATIONS.—In determining whether or not to approve a proposal under this subsection, the Administrator shall consider—

(i) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(ii) the potential of the proposal to increase trade and travel efficiency through added capacity; and

(iii) the potential of the proposal to enhance the security of the port of entry.

(d) DELEGATION.—For facilities where the Administrator has delegated or transferred to the Secretary, operations, ownership, or other authorities over land border ports of entry, the authorities and requirements of the Administrator under this section shall be deemed to apply to the Secretary.

**SEC. 1119. HUMAN TRAFFICKING REPORTING.**

(a) SHORT TITLE.—This section may be cited as the “Human Trafficking Reporting Act of 2013”.

(b) FINDINGS.—Congress finds the following:

(1) Human trafficking is a form of modern-day slavery.

(2) According to the Trafficking Victims Protection Act of 2000 “severe forms of trafficking in persons” means—

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(3) There is an acute need for better data collection of incidents of human trafficking across the United States in order to effectively combat severe forms of trafficking in persons.

(4) The State Department’s 2012 Trafficking in Persons report found that—

(A) the United States is a “source, transit and destination country for men, women, and children, subjected to forced labor, debt bondage, domestic servitude and sex trafficking;” and

(B) the United States needs to “improve data collection on human trafficking cases at the Federal, state and local levels”.

(5) The International Organization for Migration has reported that in order to effectively combat human trafficking there must be reliable and standardized data, however, the following barriers for data collection exist:

(A) The illicit and underground nature of human trafficking.

(B) The reluctance of victims to share information with authorities.

(C) Insufficient human trafficking data collection and research efforts by governments world wide.

(6) A 2009 report to the Department of Health and Human Services entitled Human Trafficking Into and Within the United States: A Review of the Literature found that “the data and methodologies for estimating the prevalence of human trafficking globally and nationally are not well developed, and therefore estimates have varied widely and changed significantly over time”.

(7) The Federal Bureau of Investigation compiles national crime statistics through the Uniform Crime Reporting Program.

(8) Under current law, State and local governments receiving Edward Byrne Memorial Justice Assistance grants are required to share data on part 1 violent crimes with the Federal Bureau of Investigation for inclusion in the Uniform Crime Reporting Program.

(9) The addition of severe forms of trafficking in persons to the definition of part 1 violent crimes will ensure that statistics on this heinous crime will be compiled and available through the Federal Bureau of Investigation’s Uniform Crime Report.

(c) HUMAN TRAFFICKING TO BE INCLUDED IN PART 1 VIOLENT CRIMES FOR PURPOSES OF BYRNE GRANTS.—Section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) is amended by adding at the end the following new subsection:

“(i) PART 1 VIOLENT CRIMES TO INCLUDE HUMAN TRAFFICKING.—For purposes of this section, the term ‘part 1 violent crimes’ shall include severe forms of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).”.

**SEC. 1120. PROHIBITION ON LAND BORDER CROSSING FEES.**

The Secretary shall not establish, collect, or otherwise impose a border crossing fee for pedestrians or passenger vehicles at land ports of entry along the Southern border or the Northern border, nor conduct any study relating to the imposition of such a fee.

**SEC. 1121. DELEGATION.**

The Secretary may delegate any authority provided to the Secretary under this Act or an amendment made by this Act to the Secretary of Agriculture, the Attorney General, the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of State, or the Commissioner of Social Security.

**SEC. 1122. SEVERABILITY.**

If any provision of this Act or any amendment made by this Act, or any application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of the provisions of this Act and the amendments made by this Act and the application of the provision or amendment to any other person or circumstance shall not be affected.

**SEC. 1123. RULE OF CONSTRUCTION.**

Nothing in this Act may be construed to authorize the deployment, procurement, or construction of fencing along the Northern border.

On page 1008, strike line 18 and all that follows through page 1009, line 22, and insert the following:

“(2) REQUIRED DISCLOSURES.—The Secretary shall provide the information furnished in an application filed under section 245B, 245C, 245D, or 245F or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act, and any other information derived from such furnished information to—

“(A) a law enforcement agency, intelligence agency, national security agency, a component of the Department of Homeland Security, court, or grand jury, in each instance about an individual suspect or group of suspects, consistent with law, in connection with—

“(i) a criminal investigation or prosecution;

“(ii) a national security investigation or prosecution; or

“(iii) a duly authorized investigation of a civil violation; and

“(B) an official coroner for purposes of affirmatively identifying a deceased individual, whether or not the death of such individual resulted from a crime.

“(3) INAPPLICABILITY AFTER DENIAL.—The limitations set forth in paragraph (1)—

“(A) shall apply only until—

“(i) an application filed under section 245B, 245C, 245D, or 245F or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act is denied; and

“(ii) all opportunities for administrative appeal of the denial have been exhausted; and

“(B) shall not apply to the use of the information furnished pursuant to such application in any removal proceeding or other criminal or civil case or action relating to an alien whose application has been granted that is based upon any violation of law committed or discovered after such grant.

“(4) CRIMINAL CONVICTIONS.—Notwithstanding any other provision of this section, information concerning whether the applicant has, at any time, been convicted of a crime may be used or released for immigration enforcement and law enforcement purposes.

“(5) AUDITING AND EVALUATION OF INFORMATION.—The Secretary may—

“(A) audit and evaluate information furnished as part of any application filed under section 245B, 245C, 245D, or 245F for purposes of identifying immigration fraud or fraud schemes; and

“(B) use any evidence detected by means of audits and evaluations for purposes of investigating, prosecuting, referring for prosecution, or denying or terminating immigration benefits.

“(6) USE OF INFORMATION IN PETITIONS AND APPLICATIONS SUBSEQUENT TO ADJUSTMENT OF STATUS.—If the Secretary has adjusted an alien’s status to that of an alien lawfully admitted for permanent residence pursuant to section 245C, 245D, or 245F, the Secretary, at any time thereafter, may use the information furnished by the alien in the application for adjustment of status or in an application for status under section 245B, 245C, 245D, or 245F to make a determination on any petition or application.

“(7) CONSTRUCTION.—Nothing in this section may be construed to limit the use or release, for immigration enforcement purposes, of information contained in files or records of the Secretary or the Attorney General pertaining to applications filed under section 245B, 245C, 245D, or 245F other than information furnished by an applicant in the application, or any other information derived from the application, that is not available from any other source.

Beginning on page 945, strike line 21 and all that follows through page 946, line 12 and insert the following:

“(III) an offense, unless the applicant demonstrates, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or

that no offense occurred, which is classified as a misdemeanor in the convicting jurisdiction which involved—

“(aa) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

“(bb) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

“(cc) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

“(dd) the violation of a protection order (as defined in section 2266 of title 18, United States Code); or

“(ee) driving while intoxicated (as defined in section 164 of title 23, United States Code);

“(IV) 3 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien’s immigration status, or a violation of this Act);

“(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

On page 948, beginning on line 14, strike “subparagraph (A)(i)(III) or”.

On page 955, strike lines 1 through 5 and insert the following:

“(C) INTERVIEW.—In order to determine whether an applicant meets the eligibility requirements set forth in subsection (b), the Secretary—

“(i) shall interview each such applicant who—

“(I) has been convicted of any criminal offense;

“(II) has previously been deported; or

“(III) without just cause, has failed to respond to a notice to appear as required under section 239; and

“(ii) may, in the Secretary’s sole discretion, interview any other applicant for registered provisional immigrant status under this section.

Beginning on page 956 strike line 7 and all that follows through page 961, line 13.

Beginning on page 1014, strike line 1 and all that follows through page 1020, line 2.

After section 2009 insert the following:

#### SEC. 2110. VISA INFORMATION SHARING.

Section 222(f) (8 U.S.C. 1202(f)) is amended—

(1) in the matter preceding paragraph (1), by striking “issuance or refusal” and inserting “issuance, refusal, or revocation”; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “discretion and on the basis of reciprocity,” and inserting “discretion,”;

(B) by amending subparagraph (A) to read as follows:

“(A) with regard to individual aliens, at any time on a case-by-case basis for the purpose of—

“(i) preventing, investigating, or punishing acts that would constitute a crime in the United States, including, but not limited to, terrorism or trafficking in controlled substances, persons, or illicit weapons; or

“(ii) determining a person’s removability or eligibility for a visa, admission, or other immigration benefit;”; and

(C) in subparagraph (B)—

(i) by striking “for the purposes” and inserting “for one of the purposes”; and

(ii) by striking “or to deny visas to persons who would be inadmissible to the United States.” and inserting “; or”; and

(D) by adding at the end the following:

“(C) with regard to any or all aliens in the database-specified data elements from each record, if the Secretary of State determines that it is in the national interest to provide such information to a foreign government.”.

On page 1579, line 11, by inserting “less than 5 years nor” after “not”.

On page 1579, line 15, by inserting “not less than 10” after “years”; and

On page 1579, between lines 15 and 16, insert the following:

“(8) in the case of a violation that is the third or more subsequent offense committed by such person under this section or section 1324, shall be fined under title 18, imprisoned not less than 5 years nor more than 40 years, or both; or

“(9) in the case of a violation that negligently, recklessly, knowingly, or intentionally results in a victim being involuntarily forced into labor or prostitution, shall be fined under title 18, imprisoned not less than 5 years nor more than 40 years, or both.

On page 1582, between lines 14 and 15 insert the following:

(d) TARGETING TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT ENGAGE IN MONEY LAUNDERING.—Section 1956(c)(7) of title 18, United States Code is amended—

(1) in subparagraph (E), by striking “or” after the semicolon;

(2) in subparagraph (F), by inserting “or” after the semicolon; and

(3) by adding at the end the following—

“(G) any act which is indictable under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), including section 274 of such Act (relating to bringing in and harboring certain aliens), section 277 of such Act (relating to aiding or assisting certain aliens to enter the United States), or section 278 of such Act (relating to importation of an alien for immoral purpose);”.

#### SEC. 3713. DANGEROUS HUMAN SMUGGLING, HUMAN TRAFFICKING, AND HUMAN RIGHTS VIOLATIONS.

(a) BRINGING IN AND HARBORING CERTAIN ALIENS.—Section 274 (8 U.S.C. 1324) is amended—

(1) in subsection (a)(1)(B)—

(A) by redesignating clauses (iii) and (iv) as clauses (vi) and (vii), respectively;

(B) by inserting after clause (ii) the following:

“(iii) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that is the third or subsequent offense committed by such person under this section, shall be fined under title 18, imprisoned not less than 5 years nor more than 25 years, or both;

“(iv) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that negligently, recklessly, knowingly, or intentionally results in a victim being involuntarily forced into labor or prostitution, shall be fined under title 18, imprisoned not less than 5 years nor more than 25 years, or both;

“(v) in the case of a violation of subparagraph (A)(i),(ii),(iii),(iv),or(v) during and in relation to which any person is subjected to an involuntary sexual act (as defined in section 2246(2) of title 18), be fined under title 18, imprisoned for not less than 5 years, nor more than 25 years, or both;” and

(C) in clause (vi), as redesignated, by striking inserting “and not less than 10” before “years”; and

(2) by amending subsection (b)(1) to read as follows:

“(1) IN GENERAL.—Any property, real or personal, involved in or used to facilitate the commission of a violation or attempted vio-

lation of subsection (a) of this section, the gross proceeds of such violation or attempted violation, and any property traceable to such property or proceeds, shall be seized and subject to forfeiture.”.

#### SEC. 3714. RESPECT FOR VICTIMS OF HUMAN SMUGGLING.

(a) VICTIM REMAINS.—The Attorney General shall appoint an official to ensure that information regarding missing aliens and unidentified remains found in the covered area are included in a database of the National Missing and Unidentified Persons System.

(b) REIMBURSEMENT.—The Secretary shall reimburse county, municipal, and tribal governments in the United States that are located in the covered area for costs associated with the transportation and processing of unidentified remains, found in the desert or on ranch lands, on the condition that the remains are transferred either to an official medical examiner’s office, or a local university with the capacity to analyze human remains using forensic best practices.

(c) BORDER CROSSING DATA.—The National Institute of Justice shall encourage genetic laboratories receiving Federal grant monies to process samples from unidentified remains discovered within the covered area and compare the resulting genetic profiles against samples from the relatives of any missing individual, including those provided by foreign consulates or authorized entities.

(d) COVERED AREA DEFINED.—In this section, the term “covered area” means the area of United States within 200 miles of the international border between the United States and Mexico.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2014 through 2018 to carry out this section.

#### SEC. 3715. PUTTING THE BRAKES ON HUMAN SMUGGLING ACT.

(a) SHORT TITLE.—This section may be cited as the “Putting the Brakes on Human Smuggling Act”.

(b) FIRST VIOLATION.—Paragraph (1) of section 31310(b) of title 49, United States Code, is amended—

(1) in subparagraph (D), by striking the “or” at the end;

(2) in subparagraph (E), by striking the period at the end and inserting a semicolon and “or”; and

(3) by adding at the end the following:

“(F) using a commercial motor vehicle in willfully aiding or abetting an alien’s illegal entry into the United States by transporting, guiding, directing, or attempting to assist the alien with the alien’s entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section.”.

(c) SECOND OR MULTIPLE VIOLATIONS.—Paragraph (1) of section 31310(c) of title 49, United States Code, is amended—

(1) in subparagraph (E), by striking the “or” at the end;

(2) by redesignating subparagraph (F) as subparagraph (G);

(3) in subparagraph (G), as so redesignated, by striking “(E)” and inserting “(F)”; and

(4) by inserting after subparagraph (E) the following:

“(F) using a commercial motor vehicle on more than one occasion in willfully aiding or abetting an alien’s illegal entry into the United States by transporting, guiding, directing and attempting to assist the alien with alien’s entry in violation of section 275

of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section; or”.

(d) **LIFETIME DISQUALIFICATION.**—Subsection (d) of section 31310 of title 49, United States Code, is amended to read as follows:

“(d) **LIFETIME DISQUALIFICATION.**—The Secretary shall disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle—

“(1) in committing a felony involving manufacturing, distributing, or dispensing a controlled substance, or possessing with the intent to manufacture, distribute, or dispense a controlled substance; or

“(2) in committing an act for which the individual is convicted under—

“(A) section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

“(B) section 277 of such Act (8 U.S.C. 1327).”.

(e) **REPORTING REQUIREMENTS.**—

(1) **COMMERCIAL DRIVER’S LICENSE INFORMATION SYSTEM.**—Paragraph (1) of section 31309(b) of title 49, United States Code, is amended—

(A) in subparagraph (E), by striking “and” at the end;

(B) in subparagraph (F), by striking the period at the end and inserting a semicolon and “and”; and

(C) by adding at the end the following new subparagraph:

“(G) whether the operator was disqualified, either temporarily or for life, from operating a commercial motor vehicle under section 31310, including under subsection (b)(1)(F), (c)(1)(F), or (d) of such section.”.

(2) **NOTIFICATION BY THE STATE.**—Paragraph (8) of section 31311(a) of title 49, United States Code, is amended by inserting “including such a disqualification, revocation, suspension, or cancellation made pursuant to a disqualification under subsection (b)(1)(F), (c)(1)(F), or (d) of section 31310,” after “60 days.”.

#### **SEC. 3716. DRUG TRAFFICKING AND CRIMES OF VIOLENCE.**

(1) **IN GENERAL.**—Title 18, United States Code, is amended by inserting after chapter 51 the following:

#### **“CHAPTER 52—DRUG TRAFFICKING AND CRIMES OF VIOLENCE COMMITTED BY ILLEGAL ALIENS**

“Sec.

“1131. Enhanced penalties for drug trafficking and crimes committed by illegal aliens.

#### **“§ 1131 Enhanced penalties for drug trafficking and crimes committed by illegal aliens**

“(a) **IN GENERAL.**—Any alien unlawfully present in the United States, who commits, or conspires or attempts to commit, a crime of violence or a drug trafficking crime (as defined in section 924), shall be fined under this title and sentenced to not less than 5 years in prison.

“(b) **ENHANCE PENALTIES FOR ALIENS ORDERED REMOVED.**—If an alien who violates subsection (a) was previously ordered removed under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) on the grounds of having committed a crime, the alien shall be sentenced to not less than 15 years in prison.

“(c) **REQUIREMENT FOR CONSECUTIVE SENTENCES.**—A sentence of imprisonment imposed under this section shall run consecutively to any other sentence of imprisonment imposed for any other crime.”.

(2) **CLERICAL AMENDMENT.**—The table of chapters at the beginning of part I of title 18,

United States Code, is amended by inserting after the item relating to chapter 51 the following:

“52. Drug Trafficking and Crimes of Violence Committed by Illegal Aliens ..... 1131”.

#### **SEC. 3717. ILLEGAL BORDER CROSSING FOR THE PURPOSE OF TERRORISM.**

Section 275(a) (8 U.S.C. 1325(a)) is amended to read as follows:

“(a) **IMPROPER TIME OR PLACE; AVOIDANCE OF EXAMINATION OR INSPECTION; MISREPRESENTATION AND CONCEALMENT OF FACTS.**—

“(1) **IN GENERAL.**—Except as provided under paragraph (2), any alien who—

“(A) enters or attempts to enter the United States at any time or place other than as designated by immigration officers;

“(B) eludes examination or inspection by immigration officers; or

“(C) attempts to enter or obtains entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact, shall, for the first commission of any such offense, be fined under title 18, United States Code, imprisoned for not more than 6 months, or both, and, for a subsequent commission of any such offense, be fined under such title 18, imprisoned for not more than 2 years, or both.

“(2) **ENHANCED PENALTIES.**—Any alien who commits an offense described in paragraph (1) with the intent to aid, abet, or engage in any Federal crime of terrorism (as defined in section 2332b(f) of title 18, United States Code) shall be imprisoned for not less than 15 years and not more than 30 years.”.

#### **SEC. 3718. FREEZING BANK ACCOUNTS OF INTERNATIONAL CRIMINAL ORGANIZATIONS AND MONEY LAUNDERERS.**

Section 981(b) of title 18, United States Code, is amended by adding at the end the following:

“(5)(A) If a person is arrested or charged in connection with an offense described in subparagraph (C) involving the movement of funds into or out of the United States, the Attorney General may apply to any Federal judge or magistrate judge in the district in which the arrest is made or where the charges are filed for an ex parte order restraining any account held by the person arrested or charged for not more than 30 days, except that such 30-day time period may be extended for good cause shown at a hearing conducted in the manner provided in Rule 43(e) of the Federal Rules of Civil Procedure. The court may receive and consider evidence and information submitted by the Government that would be inadmissible under the Federal Rules of Evidence.

“(B) The application for the restraining order referred to in subparagraph (A) shall—

“(i) identify the offense for which the person has been arrested or charged;

“(ii) identify the location and description of the accounts to be restrained; and

“(iii) state that the restraining order is needed to prevent the removal of the funds in the account by the person arrested or charged, or by others associated with such person, during the time needed by the Government to conduct such investigation as may be necessary to establish whether there is probable cause to believe that the funds in the accounts are subject to forfeiture in connection with the commission of any criminal offense.

“(C) A restraining order may be issued pursuant to subparagraph (A) if a person is arrested or charged with any offense for which forfeiture is authorized under this title, title 31, or the Controlled Substances Act (21 U.S.C. 801 et seq.).

“(D) For purposes of this section—

“(i) the term ‘account’ includes any safe deposit box and any account (as defined in paragraphs (1) and (2) of section 5318A(e) of title 31, United States Code) at any financial institution; and

“(ii) the term ‘account held by the person arrested or charged’ includes an account held in the name of such person, and any account over which such person has effective control as a signatory or otherwise.

“(E) Restraint pursuant to this paragraph shall not be deemed a ‘seizure’ for purposes of subsection 983(a) of this title.

“(F) A restraining order issued pursuant to this paragraph may be executed in any district in which the subject account is found, or transmitted to the central authority of any foreign State for service in accordance with any treaty or other international agreement.”.

#### **SEC. 3719. CRIMINAL PROCEEDS LAUNDERED THROUGH PREPAID ACCESS DEVICES, DIGITAL CURRENCIES, OR OTHER SIMILAR INSTRUMENTS.**

(a) **IN GENERAL.**—Section 5312(a) of title 31, United States Code, is amended—

(1) by striking paragraph (2)(K) and inserting the following:

“(K) an issuer, redeemer, or cashier or travelers’ checks, checks, money orders, prepaid access devices, digital currencies, or other similar instruments;”;

(2) in paragraph (3)(B), by inserting “prepaid access devices,” after “delivery;”;

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by inserting after paragraph (5) the following:

“(6) ‘prepaid access device’ means an electronic device or vehicle, such as a card, plate, code, number, electronic serial number, mobile identification number, personal identification number, or other instrument that provides a portal to funds or the value of funds that have been paid in advance and can be retrievable and transferable at some point in the future.”.

(b) **GAO REPORT.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on—

(1) the impact the amendments made by subsection (a) has had on law enforcement, the prepaid access industry, and consumers; and

(2) the implementation and enforcement by the Department of Treasury of the final rule on Definitions and Other Regulations Relating to Prepaid Access (76 Fed. Reg. 45403), issued July 26, 2011.

(c) **CUSTOMS AND BORDER PROTECTION STRATEGY FOR PREPAID ACCESS DEVICES.**—Not later than 18 months after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Commission of the U.S. Customs and Border Protection, shall submit to Congress a report detailing a strategy to interdict and detect prepaid access devices, digital currencies, or other similar instruments, at border crossings and other ports of entry for the United States. The report shall include an assessment of infrastructure needs to carry out the strategy detailed in the report.

#### **SEC. 3720. FIGHTING MONEY SMUGGLING THROUGH BLANK CHECKS IN BEARER FORM.**

Section 5316 of title 31, United States Code, is amended by adding at the end the following:

“(e) **MONETARY INSTRUMENTS WITH AMOUNT LEFT BLANK.**—For purposes of this section, a monetary instrument in bearer form that has the amount left blank, such that the

amount could be filled in by the bearer, shall be considered to have a value in excess of \$10,000 if the instrument was drawn on an account that contained or was intended to contain more than \$10,000 at the time the instrument was transported or the time period it was negotiated or was intended to be negotiated."

**SEC. 3721. CLOSING THE LOOPHOLE ON DRUG CARTEL ASSOCIATES ENGAGED IN MONEY LAUNDERING.**

(a) PROCEEDS OF A FELONY.—Section 1956(c)(1) of title 18, United States Code, is amended by inserting ", and regardless of whether or not the person knew that the activity constituted a felony" before the semicolon at the end.

(b) INTENT TO CONCEAL OR DISGUISE.—Section 1956(a) of title 18, United States Code, is amended—

(1) in paragraph (1)(B), by striking "(B) knowing that" and all that follows through "Federal law," and inserting the following:

"(B) knowing that the transaction—

"(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

"(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,"; and

(2) in paragraph (2)(B), by striking "(B) knowing that" and all that follows through "Federal law," and inserting the following:

"(B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, or transfer—

"(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

"(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,".

**SEC. 3722. DIRECTIVE TO UNITED STATES SENTENCING COMMISSION; EMERGENCY AUTHORITY.**

(a) IN GENERAL.—The United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements as the Commission considers appropriate to respond to this Act.

(b) EMERGENCY AUTHORITY.—In carrying out subsection (a), the Commission may promulgate amendments to the Federal sentencing guidelines and policy statements in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as though the authority under that Act had not expired.

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PROSECUTING VISA OVERSTAYS.**

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall immediately initiate removal proceedings against not less than 90 percent of aliens admitted as nonimmigrants after such date of enactment who the Secretary has determined have exceeded their authorized period of admission.

(b) REPORT.—The Secretary shall submit to Congress a report on a quarterly basis that sets out the following:

(1) The total number of aliens who the Secretary has determined in that quarter have exceeded their authorized period of stay as nonimmigrants.

(2) The total number of aliens described in paragraph (1) against whom the Secretary

has initiated removal proceedings during that quarter.

**SA 1252.** Mr. CASEY (for himself, Mr. SCHUMER, and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title III, add the following:

**SEC. 37 \_\_\_\_ . TREATMENT OF CITIZENS WHO RENOUNCE CITIZENSHIP TO AVOID TAXATION.**

(a) TAXATION OF CAPITAL GAINS OF NON-RESIDENT ALIEN EXPATRIATES.—

(1) IN GENERAL.—Paragraph (2) of section 871(a) of the Internal Revenue Code of 1986 is amended to read as follows:

"(2) CAPITAL GAINS.—

"(A) IN GENERAL.—In the case of—

"(i) a nonresident alien individual present in the United States for a period or periods aggregating 183 days or more during the taxable year, or

"(ii) a specified expatriate,

there is hereby imposed for such year a tax of 30 percent of the amount by which his gains, derived from sources within the United States, from the sale or exchange at any time during such year of capital assets exceed his losses, allocable to sources within the United States, from the sale or exchange at any time during such year of capital assets. For purposes of this paragraph, gains and losses shall be taken into account only if, and to the extent that, they would be recognized and taken into account if such gains and losses were effectively connected with the conduct of a trade or business within the United States, except that such gains and losses shall be determined without regard to section 1202 and such losses shall be determined without the benefits of the capital loss carryover provided in section 1212. Any gain or loss which is taken into account in determining the tax under paragraph (1) or subsection (b) shall not be taken into account in determining the tax under this paragraph. For purposes of this paragraph, a nonresident alien individual or specified expatriate not engaged in trade or business within the United States who has not established a taxable year for any prior period shall be treated as having a taxable year which is the calendar year.

"(B) COORDINATION WITH SECTION 877A.—For purposes of subparagraph (A), in determining the amount of any gain or loss on the sale or exchange of any asset which is held by a specified expatriate and which was subject to section 877A, the basis in such asset shall be considered to be the fair market value of such asset on the day before the expatriation date (as defined in section 877A(g)(3)).

"(C) SPECIFIED EXPATRIATE.—

"(i) IN GENERAL.—For purposes of subparagraph (A), the term 'specified expatriate' means, with respect to any taxable year, any covered expatriate (as defined in section 877A(g)(1)) whose expatriation date (as defined in section 877A(g)(3)) occurs after the date which is 10 years prior to the date of the enactment of this subparagraph.

"(ii) EXCEPTION.—An individual shall not be considered a specified expatriate if such individual establishes to the satisfaction of the Secretary that the loss of such individual's United States citizenship did not result in a substantial reduction in taxes."

(2) WITHHOLDING.—Subsection (b) of section 1441 of the Internal Revenue Code of 1986 is

amended by inserting "gains subject to tax under section 871(a)(2) by reason of subparagraph (A)(ii) thereof," after "section 871(a)(1)(D),".

(3) EFFECTIVE DATES.—

(A) TAXATION.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act.

(B) WITHHOLDING.—The amendment made by paragraph (2) shall apply to payments made after the date of the enactment of this Act.

(b) FORMER CITIZENS WHO RENOUNCED CITIZENSHIP TO AVOID TAXATION.—

(1) INADMISSIBILITY OF FORMER CITIZENS.—Section 212(a)(10)(E) of the Immigration and Nationality Act (8 U.S.C. 212(a)(10)(E)) is amended to read as follows:

"(E) FORMER CITIZENS WHO RENOUNCED CITIZENSHIP TO AVOID TAXATION.—

"(i) IN GENERAL.—Any alien who is determined by the Secretary of the Treasury to be a specified expatriate is inadmissible.

"(ii) SPECIFIED EXPATRIATE.—In this subparagraph, the term 'specified expatriate' has the meaning given that term in section 871(a)(2)(C) of the Internal Revenue Code of 1986.

"(iii) NOTIFICATION OF EXCEPTED INDIVIDUALS.—The Secretary of the Treasury shall notify the Secretary of State and the Secretary of Homeland Security of the name of each individual who the Secretary of the Treasury has determined is not a specified expatriate under section 871(a)(2)(C)(ii) of the Internal Revenue Code of 1986."

(2) PROHIBITION ON WAIVER OF INADMISSIBILITY.—

(A) IN GENERAL.—Section 212(d)(3)(A) of the Immigration and Nationality Act (8 U.S.C. 212(d)(3)), as amended by section 4403, is amended—

(i) in clause (i), by inserting "or paragraph (10)(E)" after "paragraph (3)"; and

(ii) in clause (ii), by inserting "or paragraph (10)(E)" after "paragraph (3)".

(B) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the Treasury, or the Secretary's delegate, shall submit to Congress a report with recommendations (made in consultation with the Secretary of State and the Secretary of Homeland Security) for implementing a policy under which an individual who is a specified expatriate (as defined in section 871(a)(2)(C) of the Internal Revenue Code of 1986) may be granted a waiver of inadmissibility under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) if such individual satisfies requirements relating to such individual's tax status, such as a tax or penalty equal to the loss in tax revenue to the United States resulting from such individual's loss of United States citizenship.

**SA 1253.** Mr. NELSON submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

**SEC. 1122. MARITIME BORDER SECURITY ENHANCEMENTS.**

(a) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection, working through the Office of Air and Marine, shall —

(1) acquire and deploy such additional vessels and aircraft as may be necessary to provide for enhanced maritime border security along—

(A) the coastal areas of the Southeastern United States, including Florida, Puerto Rico, and the Gulf Coast; and



(B) the California coast;

(2) increase unarmed, unmanned aircraft deployments to the Caribbean region;

(3) acquire, upgrade, and maintain sensor systems for the aircraft and vessel fleet;

(4) increase air and maritime patrols to gain and enhance maritime domain awareness;

(5) increase and upgrade facilities as necessary to accommodate personnel and asset needs;

(6) perform whatever additional maintenance as may be necessary to preserve the operational capability of any additional air or marine assets;

(7) modernize and appropriately staff the Air and Marine Operations Center in order to enhance maritime domain awareness; and

(8) hire and deploy such personnel as may be necessary to provide maritime border security along—

(A) the coastal areas of the Southeastern United States, including Florida, Puerto Rico, and the Gulf Coast; and

(B) the California coast.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts otherwise authorized to be appropriated, there is authorized to be appropriated, to U.S. Customs and Border Protection, such sums as may be necessary to carry out subsection (a) during fiscal years 2014 through 2018.

**SA 1254.** Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1251 submitted by Mr. CORNYN (for himself, Mr. CRAPO, Mr. BLUNT, Mr. KIRK, Mr. HATCH, Mr. ALEXANDER, Mr. ISAKSON, Mr. ROBERTS, Mr. BURR, Mr. CHAMBLISS, Mr. JOHANNES, and Mr. BARRASSO) and intended to be proposed to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 6, strike line 25 and all that follows through page 7, line 19 and insert the following:

(c) **TRIGGERS.**—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2111 of this Act, until—

**SA 1255.** Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 903, lines 5 through 12, strike “Not less than 90 percent of the amounts made available under section 6(a)(3)(C)(ii) shall be allocated for grants and reimbursements to law enforcement agencies in the States in the Southwest border region for personnel, overtime, travel, and other costs related to combating illegal immigration and drug smuggling in the Southwest border region.”.

**SA 1256.** Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1150, strike lines 21 through 24 and insert the following:

“(D) **ENTREPRENEURSHIP.**—

“(i) **EMPLOYMENT.**—An alien who is an entrepreneur—

“(I) shall be allocated 10 points if the alien’s business entity in the United States employs at least 2 United States citizens or legal permanent residents in a zone 1 occupation, a zone 2 occupation, or a zone 3 occupation;

“(II) shall be allocated 15 points if the alien’s business entity in the United States employs at least 2 United States citizens or legal permanent residents in a zone 4 occupation or a zone 5 occupation; or

“(ii) **BUSINESS SUCCESS.**—A qualified entrepreneur (as defined in subsection (b)(6)(A)), who holds a valid nonimmigrant visa and whose business entity was purchased by another United States business entity, shall be allocated 15 points.

On page 1160, line 11, strike “(c)” and insert the following:

(c) **STUDY.**—Not later than 2 years after the date on which the first merit-based immigrant visa is issued pursuant to section 203(c) of the Immigration and Nationality Act, as added by section 2301(a)(2) of this Act, the Secretary shall submit a report to Congress that analyzes the issuance of such visas to immigrant entrepreneurs.

(d)

On page 1850, line 6, strike “super”.

On page 1851, line 18, strike “super”.

On page 1853, line 14, strike “Section 203(b)” and insert the following:

“(a) **IN GENERAL.**—Section 203(b)”.

On page 1854, line 13, insert “and” after the semicolon.

On page 1854, beginning on line 14, strike “submits” and all that follows through “(IV)” on line 17.

Beginning on page 1855, line 25, strike “from such qualified entrepreneur, the parents, spouse, son, or daughter of such qualified entrepreneur, or”.

On page 1856, strike lines 14 through 21 and insert the following:

“(II) has been filled by a United States citizen or legal permanent resident who is not the qualified entrepreneur or the spouse, son, or daughter of the qualified entrepreneur; and

“(III) is compensated at a rate comparable to the median income of similar employees in the region or in a manner common and comparable to the business entity’s industry.

On page 1859, line 5, strike “SUPER”.

On page 1859, line 6, strike “super”.

On page 1860, strike lines 3 through 9 and insert the following:

“(III) each of whom in the previous 3 years has made qualified investments totaling not less than \$50,000 in United States business entities which are less than 5 years old.

On page 1862, lines 8 and 9, strike “and chief operating officer” and insert “, chief operating officer, chief marketing officer, chief design officer, and chief creative officer”.

On page 1864, line 9, strike “super”.

On page 1864, line 19, strike “\$500,000” and insert “\$250,000”.

On page 1865, line 3, strike “\$750,000” and insert “\$500,000”.

On page 1866, line 2, strike “super”.

On page 1866, line 12, strike “\$500,000” and insert “\$250,000”.

On page 1866, line 20, strike “\$500,000” and insert “\$400,000”.

On page 1867, between lines 4 and 5, insert the following:

(b) **AUTHORIZATION OF DUAL INTENT FOR INVEST IMMIGRANTS.**—Section 214 (8 U.S.C. 1184) is amended—

(1) in subsection (b), by striking “subparagraph (L) or (V)” and inserting “subparagraph (L), (V), or (X)”;

(2) in subsection (h), as amended by sections 2403(c) and 4401(b), by striking “or (W)” and inserting “(W), or (X)”.

On page 1869, strike lines 1 through 21 and insert the following:

(1) the number of immigrant and non-immigrant visas issued to entrepreneurs for each fiscal year;

(2) an accounting of the excess demand for immigrant visas if the annual allocation is insufficient in any fiscal year to meet demand;

(3) the number and percentage of entrepreneurs able to meet thresholds for non-immigrant renewal and adjustment to permanent resident status under the amendments made by this subtitle;

(4) an analysis of the economic impact of entrepreneurs holding immigrant and non-immigrant visas authorized under this subtitle and the amendments made by this subtitle, including—

(A) job and revenue creation;

(B) increased investments; and

(C) growth within business sectors and regions;

(5) a description and breakdown of types of businesses created by entrepreneurs granted nonimmigrant or immigrant visas;

(6) the number of businesses established by entrepreneurs holding immigrant and non-immigrant visas authorized under this subtitle and the amendments made by this subtitle that are purchased by another United States business entity;

(7) except for the Secretary’s initial report under this subsection, a description of the percentage of the businesses initially created by the entrepreneurs granted immigrant and nonimmigrant visas authorized under this subtitle and the amendments made by this subtitle, that are still in operation; and

(8) any recommendations for improving the programs established under this subtitle and the amendments made by this subtitle.

**SA 1257.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

**SEC. 3413. VIOLENCE AGAINST WOMEN ACT SAFETY NET.**

(a) **DESIGNATING ADDITIONAL ALIENS AS ELIGIBLE TO RECEIVE CERTAIN ASSISTANCE.**—Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)) is amended—

(1) in the subsection heading, by striking “BATTERED ALIENS” and inserting “VICTIMS OF ABUSE AND SPECIAL IMMIGRANT JUVENILES”;

(2) in paragraph (1)—

(A) in subparagraph (A), by striking “in the United States” and all that follows through “the spouse or parent consented” and inserting “by a spouse, parent, son, or daughter, or by a member of the spouse, parent, son, or daughter’s family residing in the same household as the alien and the spouse, parent, son, or daughter consented”;

(B) in subparagraph (B)—

(i) in clause (v), by striking the semicolon and inserting “; or”;

(ii) by adding at the end the following:

“(vi) status as a VAWA self-petitioner (as defined in section 101(51) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(51)));”;

(3) in paragraph (3)(B), by striking “; or” and inserting a semicolon;

(4) in paragraph (4), by striking the period at the end and inserting a semicolon; and  
(5) by inserting after paragraph (4) the following:

“(5) an alien who has been granted non-immigrant status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) or who has a pending application for such nonimmigrant status;

“(6) an alien who has been granted immigrant status under section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) or who has a pending application for such immigrant status; or

“(7) an alien—

“(A) who—

“(i) has been granted status as a spouse or child of a registered provisional immigrant under section 245B the Immigration and Nationality Act;

“(ii) has been granted blue card status under 221 of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

“(iii) has a pending application for status described in clause (i) or (ii); and

“(B) who has been battered or subjected to extreme cruelty by a spouse or parent.”

(b) EXEMPTION FROM 5-YEAR LIMITED ELIGIBILITY FOR CERTAIN FEDERAL PROGRAMS.—Section 403(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(b)) is amended by adding at the end the following:

“(3) BATTERED AND CRIME VICTIM ALIENS.—An alien—

“(A) who is described in section 431(c); or

“(B)(i) who is described in section 431(b);

“(ii) who has been battered or subjected to extreme cruelty by—

“(I) a spouse, parent, son, or daughter; or

“(II) a member of the spouse, parent, son, or daughter's family residing in the same household as the alien and the spouse, parent, son, or daughter consented to, or acquiesced in, such battery or cruelty; and

“(iii) for whom there is a substantial connection between such battery or cruelty and the need for the benefits to be provided.”

(c) ELIGIBILITY FOR MEDICAID, TANF, AND CERTAIN OTHER SAFETY NET BENEFITS.—Section 402(b)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(2)) is amended by adding at the end the following:

“(G) ALIENS ELIGIBLE FOR IMMIGRATION RELIEF AS CRIME VICTIMS.—An alien—

“(i) who is described in section 431(c); or

“(ii)(I) who is described in section 431(b);

“(II) who has been battered or subjected to extreme cruelty by—

“(aa) a spouse, parent, son, or daughter; or

“(bb) a member of the spouse, parent, son, or daughter's family residing in the same household as the alien and the spouse, parent, son, or daughter consented to, or acquiesced in, such battery or cruelty; and

“(III) for whom there is a substantial connection between such battery or cruelty and the need for the benefits to be provided.”

(d) ELIGIBILITY FOR SSI AND FOOD ASSISTANCE SAFETY NET BENEFITS.—Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)) is amended by adding at the end the following:

“(N) ALIENS ELIGIBLE FOR IMMIGRATION RELIEF AS CRIME VICTIMS.—With respect to eligibility for a specified Federal program (as defined in paragraph (3)), paragraph (1) shall not apply to an alien—

“(i) who is described in section 431(c); or

“(ii)(I) who is described in section 431(b);

“(II) who has been battered or subjected to extreme cruelty by—

“(aa) a spouse, parent, son, or daughter; or

“(bb) by a member of the spouse, parent, son, or daughter's family residing in the same household as the alien and the spouse, parent, son, or daughter consented to, or acquiesced in, such battery or cruelty; and

“(III) for whom there is a substantial connection between such battery or cruelty and the need for the benefits to be provided.”

(e) EFFECTIVE DATE.—The amendments made by this section apply to applications for public benefits and public benefits provided on or after the date of the enactment of this Act.

(f) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to prohibit the requirement for a substantial connection determination in order to receive benefits under section 431(c)(1)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)(1)(A)).

**SA 1258.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 998, line 2, after “subsection (a)” insert the following: “(other than an immediate relative (as defined in section 201(b)(2)(B) of the Immigration and Nationality Act, as amended by section 2305 of this Act) or an applicant for an employment-based visa under section 203(b) of the Immigration and Nationality Act, as amended by this Act)”.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ARMED SERVICES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 12, 2013, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ARMED SERVICES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 12, 2013, at 4 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on June 12, 2013, at 10 a.m. in room SH-216 of the Hart Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 12, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON INDIAN AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on June 12, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON RULES AND ADMINISTRATION

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on June 12, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON VETERANS' AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on June 12, 2013, at 10 a.m. in room SR-418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SUBCOMMITTEE ON SEAPOWERS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on June 12, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Mr. CARPER. Mr. President, I ask unanimous consent that Gohar Sedighi, a fellow in my Senate office, and Susan Corbin and Michelle Taylor, detailees to the Homeland Security and Governmental Affairs Committee, be granted privileges of the floor for the remainder of the first session of the 113th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

## NATIONAL APHASIA AWARENESS MONTH

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 168.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 168) designating June 2013 as “National Aphasia Awareness Month” and supporting efforts to increase awareness of aphasia.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 168) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### NATIONAL POST-TRAUMATIC STRESS DISORDER AWARENESS MONTH

Mr. REID. Mr. President, I ask we move to S. Res. 169.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 169) designating the month of June 2013 as "National Post-Traumatic Stress Disorder Awareness Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 169) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### ORDER TO PRINT—S. 954

Mr. REID. I ask unanimous consent S. 954 be printed as passed by the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DISCHARGE AND REFERRAL

Mr. REID. Mr. President, I ask unanimous consent that the Appropriations Committee be discharged from further consideration of H.R. 2217; that the papers with respect to the bill be returned to the House of Representatives as requested by the House; and when the bill is received back in the Senate it be referred to the Appropriations Committee, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR THURSDAY, JUNE 13, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow morning, Thursday, June 13, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders

be reserved for their use later in the day; and that following leader remarks, the Senate resume consideration of S. 744, the Comprehensive Immigration Reform bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, I therefore ask, if there is no further business to come before the Senate, that following the remarks of this distinguished Senator from Delaware, the Senate adjourn under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IMMIGRATION REFORM

Mr. CARPER. Mr. President, picking up where I left off, I don't think we, Congress, need to micromanage this process. We don't need congressional enforcement officers, so to speak. Rather, we need to spell out the goals, the priorities for border and port security which this bill does. We need to give the Department of Homeland Security the tools, skills, resources, and flexibility it needs to get this job done, which this bill also does. Then we need to let DHS do its job while at the same time continuing to provide responsible and robust oversight, not just here from Washington but along the border itself.

That is why now in my Committee on Homeland Security that is what my colleagues and I will want to do to be sure this bill is implemented strongly and effectively.

Still, as strong as our border defenses have become and despite how much stronger this bill will make them, we cannot defend our Nation entirely at the border. One of our witnesses earlier this year noted that we often look to our borders to solve problems that originate elsewhere. In other words, we are so preoccupied with the symptoms we are missing the underlying causes which can make finding a solution all the more difficult. We have to address the root causes that are drawing people to our country illegally in order to fully secure our borders and ensure we are not embroiled in the same debate 20 years from now. I am pleased to say this bipartisan legislation addresses the root causes in a way that I believe is tough, is practical, and is fair.

My friend and former Deputy Secretary of the Department of Homeland Security Jane Holl Lute recently told me we have to strike the right balance between enforcing security policies at our borders and ports of entry, to keep bad actors out while facilitating and while encouraging commerce between the United States and our neighbors to the north and south, two of our biggest trading partners. This bill provides, as I said earlier, for 3,500 additional offi-

cers to work the our ports of entry—not ports along the water, actually land-based ports where a lot of traffic moves through, a lot of commerce moves through, and 3,500 additional officers actually will make a big difference. We need them.

We also need to modernize our ports so these additional officers have the resources and tools they need to process legitimate travelers and trade while focusing on bad actors.

Here are some of the examples of what we have done to upgrade our ports of entry. I am not going to use all of these, but we will use a couple of them. This is a before. This is a shot, probably about 6 years before. We had limited, I think, very limited percentage of traveler queries. We had limited technology and we had minimal signage.

This is today. We have nearly 100 percent traveler queries on land borders, the expansive use of RFID-enabled documents and increased efficiency by 25 percent. We have new READY lanes to encourage our use of RFID documents as well.

Here, it is hard—this is like signage, simple, a lot of printed stuff. Here we have gone electronic. We can just stop.

When trucks are coming, when vehicles are coming, we have the ability to read the license plates before they ever get to the officers. We have the ability, if people are coming across, to use devices that read their passports and give us some idea who actually is coming up to the officer, Customs and Border Patrol officer. We use gamma rays. We are able to look inside trucks. We have detection, the ability to detect radiation on any vehicles that are coming through. It is a massive change. We don't just do it because we want to secure the vehicles and make sure what is supposed to be in them is actually in them and not some contraband or drugs or whatever, but we want to be able to expedite the movement of these vehicles.

We want them to have a better throughput because there are huge economic consequences for us and for Mexico. We want to strengthen our borders. One of the reasons why we are making these investments is it is a tool to make them more secure, to keep bad people and bad stuff out, and do a better job of facilitating trade. It is smart business. It is a smart way to do business with the help of this legislation.

I think that is all we are going to look at in terms of these ports of entry. I could move along. I think properly balancing commerce and security is critical because facilitating trade with our neighbors to the south and also to the north not only strengthens our own economy but also strengthens the economies throughout North, South, and Central America.

Why do we care? We want their economies to be stronger so they don't

want to come up here and live with us, come here illegally and try to be a part of this country, although we appreciate their desire to do that. We want to make sure their countries are strong economically too.

For most who live in the United States illegally, though, what draws them to our country and enables them to stay here without legal status, as we know, is jobs. We need, obviously, a system that makes it easier for employers to do the right thing and to verify who is eligible to work. Too often today that is not the case. We also need to hold employers who normally break the law hiring undocumented workers accountable for doing that.

I believe, again, the legislation that is before us comes close to achieving those goals. It requires all employers to use a strong electronic verification system, starting with large employers down to small employers over time, but a strong verification system, designed to give employers quick assurance that the new employees are eligible to work, that they are considering hiring. For many workers these will include photo tools that let the employer verify the person applying for the job is indeed the person who applied for the worker eligibility document. The law increases fines for knowingly hiring undocumented workers and increases them by more than tenfold and includes a significant criminal penalty for those who systematically abuse our workplace laws. These new penalties, including jail sentences of up to 10 years, will provide a strong deterrent to unscrupulous employers who seek to exploit undocumented workers for their own gain.

We also need to convince those who want to come here for a better life that the way to do that is through legal rather than illegal immigration. While we crack down on the bad actors who try to hire undocumented workers, we also need to make sure that employers who are playing by the rules have ample access to the talent they need to keep our economy growing—and encourage people from other nations to come here legally when we do not have the talent here in this country able and willing to do some of the work that needs to be done. This legislation does help by modernizing our outdated visa system to supply sufficient workers when needed, particularly in critical areas such as high-skilled and agricultural employment. These approved legal pathways for workers and their families will shrink the flow of undocumented migrants and help our border forces to concentrate on the most serious threats at the border.

Ultimately, I believe the most effective force multiplier, as much as I like the idea of these drones, fully resourced with the VADER systems on them, as much as I like the idea of the

C-2006 aircraft with the right kind of surveillance, and as much as I like having the blimps with all the technology they can carry, as much as I want to have helicopters to move our border surveillance up and down the border and have all kinds of surveillance equipment, as much as I think fencing helps and access routes and all these investments help, I still think maybe the most effective force multiplier for protecting our border is to take away the need for people to come here illegally in the first place.

As we address the root causes, we have to address another challenge and that is the 11 million people who are here without proper documentation, living in the shadows today. Ironically, 40 percent came in on a legal status, on a student visa, a tourist visa, a work visa. They overstayed their welcome and overstayed what the law allows.

Some critics argue that the bill before us grants immediate amnesty to those 11 million undocumented people. I don't think that is true. What they get is not amnesty but, rather, a long, I think a hard path toward possible citizenship, one with many hurdles and no guarantees. It kind of reminds me of the trek a bunch of them took through Mexico just to get to the border, getting across the border without getting caught, trying to escape, in many cases, these coyotes who took advantage of them, robbed them, in some cases raped them, and once they got into this country avoiding getting detained. And a bunch got detained and ended up in the detention centers. That is not an easy path.

I don't think the path this lays out ahead for those undocumented today is an easy path. Just to reach the first step, becoming what is called a registered provisional immigrant, individuals would have to clear multiple background checks, pay back taxes, pay a hefty fine. If they committed any kind of significant crime they are disqualified from pursuing legal status.

Once an applicant has cleared the first hurdle, registered provisional immigrants must remain employed, pay even more taxes and fines, learn English, maintain a clean criminal record, and demonstrate they are living not below the poverty line but above the poverty line; they are gainfully employed. Most importantly, these people have to go to the back of the line, not ahead of people who are waiting to get ahead who have played by the rules, but behind them, at the end of the line—behind the folks who are here legally, who are going to get processed, as they should, first. It is going to take about 10 years before those folks who are undocumented will have a chance to even qualify for a green card.

Three years after getting a green card, these immigrants would finally be able to apply for citizenship. We are

not talking about 13 weeks or 13 months, we are talking about 13 years. Once again, they have to pass extensive background checks in order to successfully move forward in that process.

So to our colleagues who are suggesting this bill would immediately begin legalizing the 11 million undocumented immigrants in this country right away, I would simply ask: Does that sound like an immediate process to you? It doesn't to me. This is not an easy path, and, frankly, a lot of people won't make it, just as a lot of people who have tried to get into this country have not made it either. I think the process we have laid out over those next 10, 13 years, if you will, is a tough, fair, and practical approach. Call it a lot of things, but I would not call it amnesty.

We also need to make sure the men and women around the world know this Nation is making unprecedented investments to improve and modernize our legal immigration system in addition to making it very difficult for folks who try to come here illegally. We are dedicating significant resources to detaining and deporting those who try to go around the rules—spending roughly \$2 billion a year on this effort. In fact, since President Obama took office, removals have increased from 291,000 people in 2007, or just under 300,000 folks, to more than 400,000 last year, when we returned a record number of people to their home countries.

Our Nation must also work with our neighbors to improve the process and decrease the time it takes to return our detainees to those countries of origin. When we were in Texas recently, I learned we have an agreement with Guatemala where they issue electronic travel documents to their citizens almost as soon as we apprehend them along our border—mostly Texas. This process cuts down on detention times for Guatemalans from 30 days to roughly 7 days.

It has a real positive effect on the Guatemalans we arrest and take into custody because they spend less time in detention—not a pleasant experience. It saves us millions of dollars because we have to hold them, feed them, and give them a place to stay for a shorter period of time. We need to take the Guatemalan model where we dramatically reduce the detention time and see if we cannot replicate their program with our other nations, especially particularly nations such as Mexico.

Finally, I will conclude by admitting this legislation is not perfect. On the other hand, I have not seen a perfect piece of legislation. Even the Constitution we adopted in Delaware on December 7, 1787, to become the first State wasn't perfect either. We amended it again and again. We amended it over 30 times.

While I do believe there is certainly room for constructive criticism and debate about this bill, I am certain this legislation represents an improvement over our current system. I believe we can make it even stronger in the coming weeks, and I hope we will.

I plan to offer some amendments, and my guess is the Presiding Officer will offer amendments as well as our colleagues. We ought to offer them, debate them, and vote them up or down.

We must come to this debate with an understanding that the status quo is unacceptable. If we don't modernize our immigration system to allow employers to fill the jobs our economy needs and our citizens are unwilling or unable to do, we are hurting our children's future while at the same time making our Nation less secure.

As a Nation founded on the principles of life, liberty, and the pursuit of happiness, we simply cannot tolerate a shadow economy of 11 million people who are scared to live freely, who generate black markets to produce false identity documents, and who drive down the wages of U.S. citizens.

To my colleagues who are still uneasy with legalization, I ask this: What is the alternative? It is not practical to find and deport 11 million people. Most of the undocumented immigrants in this country have lived here more than 10 years. Many have children who are

U.S. citizens. They have deep roots in our society and contribute meaningfully to our national interests.

I think the American people would want us to be tough, but they also want us to be humane and realistic. I believe this legislation offers that path, that balance, and now is the time to take that path.

In closing, I am reminded of something that binds all of us together. If we actually look above where you are sitting, there are some words in Latin. If we look up there, we will see the Latin phrase "e pluribus unum," which means "out of many, one." It is a phrase that adorns our Nation's seal. It suggests that while we all come from many different places, in the end we are one Nation.

With that thought in mind, I will simply say to our colleagues and to those who are following this discussion tonight, we have a choice. We can work together to make this bill better and adopt it in a bipartisan manner or we can remain in gridlock and let the American people down.

I know what I want to do. I know what the people of Delaware want us to do. They want us to legislate, and I want us to legislate as well. I want us to make our immigration system better. I want to show the American people that Congress can come together—Democrats, Republicans, and a couple

of Independents—on an issue of great importance to our country's economy and great importance to our national security. We need to get this done, and I am encouraged with the grace of God we will.

Mr. President, you will be glad to know that I am done, but our work remains to be done. I look forward to working with the Presiding Officer and 98 of our colleagues to get the job done for the American people.

With that, I yield the floor.

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#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. on Thursday, June 13, 2013.

Thereupon, the Senate, at 7:02 p.m., adjourned until Thursday, June 13, 2013, at 9:30 a.m.

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#### NOMINATIONS

Executive nomination received by the Senate:

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. MICHAEL S. LINNINGTON

## HOUSE OF REPRESENTATIVES—Wednesday, June 12, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. MASSIE).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

June 2, 2013.

I hereby appoint the Honorable THOMAS MASSIE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### THE EFFECTS OF THE SEQUESTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, as we proceed with the 15th week of the Republican policy of sequester, this House continues to avoid taking the steps it ought to be taking to replace the entire sequester with a balanced alternative.

Instead, House Republicans have fully embraced the sequester's draconian cuts, which slash funding from our highest and lowest priorities equally and put our economic recovery and national security at risk.

Last week, they approved a rule deeming the Ryan budget's caps for next year, which locks in the sequester cuts. This is a blatant violation of the Budget Control Act agreement reached between the two parties in August of 2011.

Now we're about to consider a defense authorization bill that shifts \$54 billion in sequester cuts from the Pentagon onto domestic programs which were already cut by sequester, like Head Start, Meals on Wheels, and rental assistance for low-income families. How shameful.

This follows the passage of two appropriations bills last week as part of a strategy from Republicans we've seen before. It came as no surprise that they chose to consider two of the most popular bills first, those that fund programs that protect our homeland security and provide care for our veterans. I'm glad there's bipartisan consensus that these bills represent important funding priorities.

But let me quote from an Associated Press article from June 4 which sheds some light on their strategy:

The boost for veterans came even as Republicans controlling the Chamber marched ahead with a plan that would require most other domestic programs to absorb even deeper cuts next year than those in place now after the imposition of across-the-board spending cuts.

This refers, of course, to the sequester. The article continues:

Republicans are coping with the shortfall by slashing across a broad swath of domestic programs, forcing cuts in the range of 20 percent, for instance, to a huge domestic spending bill that funds aid to local school districts, health research, and enforcement of labor laws.

The article goes on to say, "The GOP strategy is to, early on, advance popular bipartisan bills"—for which almost all of us voted—"and then bring up bills making deep cuts later in the summer, if at all."

In fact, I predict that they will not bring up most of the bills, notwithstanding their discussions about regular order.

By insisting on budget numbers that not only include the sequester but cut even further into domestic priorities, in clear violation of the Budget Control Act and the agreement that we reached between the two parties, Republicans are torpedoing any chances of reaching a big and balanced solution to deficits.

The longer we wait, Mr. Speaker, to forge a compromise that can replace the entire sequester with a balanced alternative, the more pain will be felt across our economy and the greater the risk will be to our national security. Just ask the joint chiefs, not us.

Let me review just some of the sequester's many effects: 70,000 kids kicked off Head Start; 10,000 teachers' jobs at risk from title I cuts; furloughs to cause delays in processing retirement and disability claims; 4 million fewer meals for seniors; 125,000 less HUD rental assistance vouchers; emergency unemployment past 26 weeks cut 11 percent for 2 million Americans out of work; 2,100 fewer food safety inspections; longer waits to approve new

drugs; furloughs equivalent to 1,000 fewer Federal agents, FBI, Border, et cetera, on the job.

We talk about border security while, at the same time, slashing border guards.

One-third of combat air units are grounded in America.

It has now been over 70 days since the House passed its budget and since the Senate did the same. Regular order. Yet, Speaker BOEHNER, who claims to wish regular order for this House, will not appoint conferees. Or shall I say, he is unable to do so as a result of a severely divided caucus.

The Washington Post reported on June 3 that the House Republicans have "disintegrated into squabbling factions no longer able to agree on, much less execute, some of the most basic government functions."

It seems what matters is only a commitment to deep austerity and a weakened government. This ideology has achieved a dangerous manifestation in the sequester, which has been the Republican policy all along, and which, as I have pointed out in the past, was included in their Cut, Cap and Balance bill passed in July of 2011, when 229 Members of their caucus voted for sequester as an option.

Now we have further evidence the sequester is their policy, as Republicans double down on these irrational cuts and refuse to negotiate.

There is, however, Mr. Speaker, an alternative. That is a balanced bill that will replace the sequester entirely. The ranking member of the Budget Committee, Mr. VAN HOLLEN, has put forward a proposal that deserves a vote.

The Speaker so often says, "Let the House work its will." In fact, he has asked for a vote on it six times, VAN HOLLEN has, and will ask for a seventh time at the Rules Committee today, but Speaker BOEHNER and Republican Leader CANTOR have so far said, no, the House cannot work its will; the House cannot consider this option.

The American people deserve to see where their representatives stand on a balanced alternative to the sequester, and they deserve a Congress where real compromise proves stronger than partisan maneuvering.

If the Van Hollen alternative were to come to the floor for a vote, I would hope that a majority of Members would vote for it. A majority of Democrats certainly would and I believe a substantial number of Republicans who are concerned about our fiscal future.

HAL ROGERS, in fact, the chairman of the Appropriations Committee, has opined how much pain the sequester would be causing and how much dysfunction it would be causing. It's exactly the kind of compromise approach we need, the Van Hollen alternative.

All we're asking to do, in the immediate term, is for Speaker BOEHNER to let the House work its will and have a vote on Mr. VAN HOLLEN's alternative, and to follow regular order and agree to go to conference. That's what they said they wanted to do. That's what they said they would do, but they're not doing it.

It's time for Democrats and Republicans to work together, in a bipartisan way, to rise to our budget challenges and set our country back on a sound fiscal path.

Let us have regular order. Let us have a vote, and let us restore sanity to this House, and replace the sequester with a balanced solution.

□ 1010

#### THE "SOME LIVE AND SOME DIE" CZAR

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, last week, the Nation learned of the plight of Sarah Murnaghan, the 10-year-old who will die within weeks unless she gets a desperately needed lung transplant. There are no pediatric lungs available, but there may be adult lungs, which her doctors say would be entirely satisfactory for her condition. But because she's nearly 11 years old and not 12, the bureaucratic regulations prohibited it.

As Secretary of Health and Human Services, Kathleen Sebelius could have modified those regulations to conform to the judgment of the doctors, but she wouldn't. Her warm words of sympathy for Sarah and her family at a Congressional hearing last week were horrific: "some live and some die." Fortunately, a Federal judge intervened and concluded what Sebelius wouldn't, that the regulations are arbitrary and capricious. Thank God, Sarah is now on the adult transplant list, but the incident provided all of us with a chilling look at what health care will be like when bureaucrats like Kathleen Sebelius are making more and more of our health care decisions.

Sebelius constructed a straw man to argue with. She said that we shouldn't have public officials making these choices, and a lung provided to Sarah necessarily means a lung denied to someone else. That is utterly disingenuous. Sarah's family, joined by many Members of the House, were not calling for Sebelius to pick winners or losers but, rather, were calling for her to

place the judgment of the doctors ahead of the rigid one-size-fits-all diktats of the Federal bureaucracy in all such cases, not just this one.

The fact is, Ms. Sebelius is picking who lives and who dies. The difference is that she is doing so not by deferring to the judgment of doctors but, rather, by conforming to the cold and rigid regulations that cannot discern between individual cases.

This is the process to which we are about to consign every American as government dictates every detail of their health coverage: sorry, you're a few months too young or too old. Tough luck, some live and some die.

My chief of staff grew up in the Soviet Union where the first question asked when an ambulance was called was, "Well, how old is the patient?" That's what bureaucracies do. They choose who wins and who loses, who lives and who dies, and they do so in a blind, cold, unthinking, and unreasonable manner.

The fact is we don't want officials making these choices, which is exactly what Ms. Sebelius is doing. Those decisions should not involve the government but, rather, should be determined by the individual judgment of the professional physicians directly involved. Until the court stepped in, that's what this administration was impeding. And that shouldn't surprise us. This is the same administration that has substituted the individual medical insurance choices once made by families with the one-size-fits-all mandates of the very same Federal officials who dismissively tell dying 10-year-olds "some live and some die."

Mr. Speaker, this incident was a dire warning to us all of the danger that lies ahead for every American. Remember that the same IRS that abused its fearsome authority to harass and intimidate ordinary Americans for political reasons next year will have the power to enforce the regulations over our families' choice of health plans under ObamaCare.

Mr. Speaker, each of us as Americans may one day face the same peril as Sarah Murnaghan because of what we set in motion by empowering this government to take an ever-widening role in our health care decisions. We have taken a process that once was determined by individual choice and was once guided by the professional judgment of the physicians who actually gathered around the patient's bed and turned those decisions over to the likes of Kathleen Sebelius.

I'm afraid in coming years we will pay dearly for that duplicity as we move ever closer toward the "Brave New World" of bureaucratically controlled health care that we can already see so clearly through a 10-year-old's life-or-death battle with the Federal bureaucracy.

#### STATE ETHICS LAW PROTECTION ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, I rise today to announce my reintroduction of the State Ethics Law Protection Act. At a time when indictments and allegations of ethics violations of our elected leaders have become all too common, now more than ever we must use every tool at our disposal to fight corruption.

Unfortunately, the Federal Government is currently preventing numerous States from using one of the most important tools we have to fight cronyism, corruption, and waste. My home State of Illinois, which is no stranger to these issues, along with several other States around the country, has taken a stand against corruption by passing laws to eliminate shady pay-to-play contracting.

Pay-to-play politics is the practice of trading campaign contributions for lucrative government contracts. Pay-to-play practices erode the integrity of our public works projects and allow individuals to profit at the expense of American taxpayers. It is the most common example of government corruption.

Fortunately, it is also one of the easiest to solve. Anti-pay-to-play laws are designed to ensure that the competitive bidding process for government contracts is open and fair, not rigged or otherwise biased by lining the campaign pockets of those responsible for awarding the contracts.

Amazingly, a loophole created in a previous administration in the Federal Highway Administration's contracting requirements is making it difficult, if not impossible, for States to implement these anticorruption laws. The Federal Government has threatened to cut off highway funds to any State that passes an anti-pay-to-play law. The Highway Administration's competitive bidding requirements have been interpreted to mean that States can't weed out corrupt contractors.

Clearly, this was not the intent of Congress when it passed these requirements. That is why I'm reintroducing the State Ethics Law Protection Act. This important measure simply amends the Federal Highway Administration's contracting requirements to allow States to pass these important laws. It ensures States that do pass anticorruption laws do not face financial penalties for doing so.

It is time for us to make it clear that Congress supports the right of States to fight corruption as they see fit. States have the right to ensure their contracting conforms to the highest ethical standards and offers the best value to taxpayers. It is not the Federal Highway Administration's place to second-guess a State on how to best



ethically award contracts. States like Connecticut, New Jersey, South Carolina, Pennsylvania, and Kentucky have all passed laws like Illinois to root out this kind of blatant corruption.

These States should be applauded, not punished, for doing the right thing. By amending the Federal Highway Administration's contracting requirements, we can ensure that States have every tool at their disposal to encourage transparency and accountability. Our States have shown they are ready to reform. It is now our duty to ensure they have the ability to implement these reforms.

I am often asked what the true cost of corruption is. I will tell you, in my view, coming from Illinois, it is the loss of the public's trust. We cannot lead without this trust. And at this critical juncture, we must do all we can to restore trust and inspire the confidence of people across this country.

#### TRUST, ANTITERRORISM, AND BREACH OF TRUST BY OBAMA ADMINISTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. The Justice Department targets Associated Press, FOX News, and other journalists. For political reasons, the State Department and White House contrive a false story about Americans murdered in Benghazi. Cover-ups ensue. The President promotes rather than fires the principal deceiver. The President promises to punish the Benghazi murderers, yet the only person jailed is a scapegoated filmmaker the White House falsely blamed for inspiring the Benghazi attacks.

Armed Federal SWAT agents raid Gibson Guitar and threaten to put Gibson Guitar out of business. Why? Gibson Guitar imported the same guitar materials they have imported for years; yet Martin & Company, a Gibson Guitar competitor, imports the same guitar materials with impunity. The difference? Gibson Guitar contributes to Republicans like Congresswoman MARSHA BLACKBURN and Senator LAMAR ALEXANDER of Tennessee, while Martin contributes \$35,000 to Democrats.

The IRS targets law-abiding citizens who use names like "Tea Party" and "Patriots" and dare exercise their freedom of association and speech rights. In one particularly outrageous example, Texan Catherine Engelbrecht is investigated and harassed by the IRS, the FBI, the Occupational Safety and Health Administration, and Alcohol, Tobacco, and Firearms. Why? Engelbrecht founded the King Street Patriots, which hosts weekly discussions on economic freedom, and True the Vote, which trains volunteers to fight voter fraud.

□ 1020

The White House manages the Fast and Furious gunrunning scandal that left hundreds of Mexicans and an American Border Patrol agent dead. Health and Human Services Secretary Kathleen Sebelius unethically—and perhaps unlawfully—shakes down companies she regulates for donations to support ObamaCare.

President Obama thumbs his nose at America's immigration laws by not only giving millions of illegal aliens a free pass; Obama rewards illegal conduct by giving illegal aliens work permits in direct violation of American law, thereby undermining the ability of Americans to obtain good-paying jobs.

America is in uncharted waters when our own Federal Government aggressively undermines our rights to freedom of speech and association—rights won with American blood on the battlefields of Lexington and Concord, Trenton and Princeton, Saratoga, Cowpens and Kings Mountain, and Yorktown.

Mr. Speaker, America faces a policy debate between privacy and national security. Fifty years ago, our foes were well-known nation-states like Communist China and the Soviet Union. Now, our enemies may be foreign neighbors, foreign tourists, or even foreign students.

Foreign terrorists seek chemical, biological, or nuclear weapons of mass destruction that can destroy an American city or murder hundreds of thousands of Americans in a single attack.

As America seeks the proper balance between our privacy rights and national security, one thing stands out: Americans must be able to trust our Federal Government to do the right thing with the privacy information Americans give up. If we cannot trust the Federal Government to use our private privacy information solely for antiterrorism purposes, then the balance shifts. We will not give up our privacy information, thereby increasing the risk of a successful weapon of mass destruction terrorist attack on an American city.

More and more, our own Federal Government disregards the rule of law that is essential to avoid the strife and bloodshed of anarchy. More and more, the Federal Government targets American citizens who differ politically with the White House.

While the IRS, Gibson Guitar, Benghazi, Fast and Furious, and numerous other scandals are troublesome, the bigger picture is that this White House, this administration, has breached the public's trust. The bigger scandal is that this White House, this administration, by their breach of trust, has undermined America's national security and thereby risked American lives.

Mr. Speaker, the White House can still do the right thing, but the right

thing is not coverups. The right thing is not rewarding and promoting political cronies and lawbreakers. The right thing is, with full and open candor, telling the American people the truth about these scandals. The right thing is very publicly and aggressively firing offending Federal employees. The right thing is very publicly prosecuting lawbreakers. Then and only then will the trust of the American people in the Federal Government be restored. Then and only then can America fight the war on terror with certainty that we will win.

#### RICHMOND OFFICE OF NEIGHBORHOOD SAFETY PEACEKEEPER FELLOWS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. GEORGE MILLER) for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise to commend two young men from Richmond, California, who will begin classes this fall at Tallahassee Community College in Tallahassee, Florida. Sounds pretty straightforward, I know, but these are no ordinary students.

What makes these young men from my congressional district stand out is their background. It's not just that most people thought they would never go to college—in fact, most people thought they would never make it out of the neighborhood. People thought they would end up in jail, or even worse.

D'vondre Woodard and Eric Welch are two senior fellows at the city of Richmond's Office of Neighborhood Safety Peacekeeper Fellowship, an office that does a remarkable job of changing violent lives. D'vondre and Eric are shining examples of what remarkable transformation individuals are capable of when they desire to make positive change in their lives and when they're supported in that effort.

From a life dominated by gun violence in the streets of Richmond to noses buried in books at college, internships in Washington, D.C., and meetings on Capitol Hill, these young men have come a long way. I wish them the best. I hope their success will serve as an inspiration for many more to follow in their steps and leave the violent streets.

#### THE SPYING DRONE OVER A VIRGINIA NEIGHBORHOOD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, last week, just after suppertime in a neighborhood in McLean, Virginia, a 14-year-old girl—we'll call her Sarah—was jumping on a neighbor's backyard trampoline. Suddenly, Sarah heard a

noise and looked up, only to see a low-flying object hovering overhead. It was a small, remote-controlled flying object. It was a drone. It had a blinking red light coming from it.

The object hovered over her for about 10 minutes. She began to get real nervous and uneasy. So she jumped off the trampoline and ran home to tell her parents, but the flying object continued to follow her. She told her mother. So her mother walked outside into the street and observed the flying object. Suddenly, the object moved away into another neighbor's backyard, where three other teenage girls were sitting in the pool. The small drone hovered over them momentarily, then it moved away.

The police were called. They arrived at the scene and told the citizens: "Sorry, there's nothing we can do." Mr. Speaker, this sounds like something out of a sci-fi movie—someone up to no good spying on teenage girls with a drone.

Mr. Speaker, drones are easy to find and easy to obtain. With a simple Google search, you will find out that one can buy a drone on eBay or go down the street and buy one at Radio Shack.

According to the FAA, the group that monitors and issues permits for drones, by 2030, there will be 30,000 drones cruising American skies—looking, observing, filming, spying, and hovering over America. We will not know who they are, what they're up to, what they're looking at, or what their purpose is, whether it's permitted or really not permitted, whether it's lawful or unlawful. And we won't know who's flying those drones.

There are legitimate uses for government and private citizens for the use of drones, but a nosy neighbor or snooping government should not be able to spy on citizens without legal guidelines.

As technology changes, Congress has the responsibility to be proactive and protect the Fourth Amendment right of all citizens—"The right of people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated." Thus sayeth the Constitution.

Nowadays especially, Americans are concerned about their Fourth Amendment rights being taken away. Well, no kidding. The right of a reasonable expectation of privacy is a constitutional right. The general rule is snooping, spying, surveillance, or eavesdropping goes against the basic rights outlined in the Constitution. That is why I have introduced the Preserving American Privacy Act, along with Representative ZOE LOFGREN from California.

Congress must be proactive in protecting the rights of civilians from private use and government use of drones. This legislation balances individual constitutional rights with legitimate

government activity and the private use of drones. The bill sets forth clear guidelines, protects individual privacy, and informs peace officers so they will know what they can and cannot do under the law.

There will be limits on government use of drones so that the surveillance of individuals or their property is only permitted or conducted when there is a warrant based on probable cause, as the Constitution requires.

Of course there will be exceptions. They are called exigent circumstances, which is already in our law, and these will apply, as it does now, regarding search and seizure. Those exceptions include fire and rescue, monitoring droughts and floods, assisting in other emergency cases, or to chase a fleeing criminal.

The bill also allows for the use of drones for border security. The bill also sets forth guidelines for the private use of drones. Basically, private citizens cannot use drones to spy on others without consent of the landowner or that person.

Congress has the obligation to set forth guidelines, to secure the right of privacy, and protect citizens from unlawful drone surveillance while maintaining lawful private and government use.

Drone laws are needed because a Peeping Tom should not be able to spy on young girls who are in the privacy of their backyards just because the Peeping Tom has the ability to do so.

And that's just the way it is.

□ 1030

#### STUDENT LOAN INTEREST RATES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Arizona (Ms. SINEMA) for 5 minutes.

Ms. SINEMA. Mr. Speaker, Brandie Reiner, Jack Welty, Andy Albright, Diego Soto, Anthony Carly, Ellen Hamilton, Ariel Carlos, Joe Slaven, Brandy Pantilione, Gary Brewer, Christopher Valles—these are the students and college graduates from Arizona State University, my alma mater, who shared their stories with me. Some of these young adults are my students at Arizona State University where I teach. Some are recent graduates. Some are thinking of starting a family, while others are working hard to care for the families they already have.

What do these graduates want? They just want a fair shot. They want to know that their hard work in college mattered, that it led to the promise that their parents made to them when they were little, the promise we all believe in: if you work hard and play by the rules, you will succeed. Essentially, they want what each of us wanted for ourselves, what we want for our own kids, what we're working for in our districts. They want a shot at the American Dream.

Instead, as Brandie Reiner begins her life and career as a social worker—having just graduated from ASU last month—she will face the biggest financial hurdle of her life. She doesn't face massive medical bills or an expensive car loan. It's not rent or a mortgage payment. It's a bill for over \$100,000 in student loans. Eighteen days—18 days—that's all the time we have to stop student loan interest rates from doubling. Eighteen days makes a lot of difference to the young people who will have to pay thousands of additional dollars to the Federal Government at a time in their lives when those dollars matter the most.

Christopher Valles has \$20,000 in debt, and he's just a freshman; Gary Brewer, \$57,000 in debt; Kent Fogg, \$70,000; Sara Cureton, \$74,000.

The Federal Reserve has noted that the U.S.'s \$1 trillion in student debt is further constricting our economy. Young people are foregoing long-term job opportunities and homeownership in order to meet the urgent demands of their large student loan payments. And today, as they work hard to find jobs in this recession that they didn't cause, Congress debates whether to force students to pay more in order to pay down Congress' debt.

Brandie, Christopher, Gary, Kent, Sara—these graduates should not have to foot the bill for Congress' failure. In 18 days, I want to go back to Arizona and tell these students that I took their stories to Congress and that their stories mattered, that their experiences made a difference.

When these young adults tell me that they just want a shot at the American Dream, that they're working hard, playing by the rules, and doing everything they can to live that dream, then they've done their part. Now it's time for us to do ours.

I challenge us, all of us: Republicans, Democrats, Senators, Representatives. I challenge us to stand together and do the right thing. Stop the finger-pointing and the cynical posturing. Instead, we must act together to keep student loan interest rates affordable. The clock is ticking. There's no time to waste.

#### PATRIOT ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Idaho (Mr. LABRADOR) for 5 minutes.

Mr. LABRADOR. Mr. Speaker, during the past week, we have heard about a series of major violations of our civil liberties, including the fact that NSA is collecting the phone records of tens of millions of Americans. This wholesale snooping on innocent Americans is an unacceptable violation of one of our most basic freedoms—the right to privacy and to be free from government surveillance—and one of many unintended but predictable consequences of the USA PATRIOT Act.

I proudly voted against reauthorization of the PATRIOT Act three times because of its potential for abuse, and more people are starting to see that abuse. Even former Vice President Al Gore, not someone I normally agree with, had the right response to the NSA report. He tweeted:

In a digital era, privacy must be a priority. Is it just me, or is secret blanket surveillance obscenely outrageous?

And I tweeted back:

Crazy, but I agree!

Of course, what's happening with the NSA is just the latest example of the government abusing its power.

We've all heard about the IRS scandals, in which one of the most powerful agencies in the government deliberately targeted conservative organizations for audits and other forms of harassment.

We've all heard about what happened with FOX News reporter James Rosen, whose phone was tapped by the Justice Department even though Attorney General Eric Holder testified before the House Judiciary Committee "that potential prosecution of the press for the disclosure of material, that is not something that I have ever been involved with, heard of, or would think would be wise policy."

Needless to say, what Mr. Holder said under oath is sharply at odds with what happened to Mr. Rosen, and I joined with my Judiciary Committee colleagues in sending a letter to Mr. Holder requesting that he appear before the committee again to explain these discrepancies.

Then, just last Friday, it was reported that the NSA and the FBI are tapping directly into the central servers of nine leading U.S. Internet companies, including Google, Facebook, and YouTube. Who knows what we'll find out next.

When thinking about all these scandals, I'm reminded of what James Madison wrote in Federalist 51 in the early days of our country:

If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the government and, in the next place, oblige it to control itself.

In recent years, many Members of both parties have forgotten Mr. Madison's lesson, a lesson that infuses our founding document, the U.S. Constitution, that government powers must be limited because governments, by their very nature, have a hard time "controlling" themselves.

During the Bush years, many Republicans ignored that truth; and in the Obama era, many Democrats have ignored it, too.

What's happening with the NSA, the IRS, the DOJ, and other agencies

should correct the misguided idea that it's okay to give the government more powers so long as the "right" party is in power. Because parties change. And to quote Madison again:

Enlightened statesmen will not always be at the helm.

For all of these reasons and more, I voted against the USA PATRIOT Act, which, despite its nice name, was written in such a sweeping way that it opened the door for the NSA to invade the privacy of millions of Americans. That is because the USA PATRIOT Act's section 215 allows the FBI to seek the production of "tangible things" to obtain foreign intelligence and to protect against clandestine intelligence activities.

But since it does not require that either the caller or the recipient of the call be a foreign agent or located abroad, you can see how the FBI could be tempted to collect broad swaths of data concerning Americans' phone calls to detect patterns of activity, as many analysts suggest may have happened in this case. That is why, last Thursday, I joined several of my House colleagues in sending a letter to FBI Director Mueller and NSA Director Alexander requesting more information concerning their data collection activities.

Given public outrage about the NSA's abuse of power, it is time for Congress to reexamine all sections of the USA PATRIOT Act, and I am hopeful my colleagues will join me in starting that reexamination.

Now is the time to work together to reduce the scope of government power before it becomes so large and so impenetrable that regaining our freedoms becomes almost impossible. Now is our moment, and we must seize it.

#### CHILDREN'S ACT FOR RESPONSIBLE EMPLOYMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. ROYBAL-ALLARD) for 5 minutes.

Ms. ROYBAL-ALLARD. Mr. Speaker, today is International Day Against Child Labor, which gives us the opportunity to reflect on the plight of hundreds of millions of children throughout the world who perform work that endangers their health, deprives them of an adequate education, and denies them basic freedoms and protections.

Unfortunately, the United States is not immune to the scourge of child labor. Long hours and dangerous working conditions are, sadly, a reality for hundreds of thousands of children working in our country's fields and farms.

□ 1040

Throughout our Nation, there are children like Zulema, who at age 12 works in the fields picking fruits and

vegetables, while her classmates spend afternoons doing homework and playing with friends. Despite her young age, Zulema frequently, with bare hands, wields adult-sized harvesting shears. When crop dusters fly overhead, she is often covered in pesticides meant to kill insects in the field. In spite of Zulema's exposure to these serious and dangerous conditions, she takes home to her struggling family a mere \$64 a week.

Our farming industry is alarmingly plagued by preventable tragedies like the one in Mount Carroll, Illinois, where a 14-year-old boy cleaning a grain bin suffocated to death when he was sucked into a sinkhole of flowing corn. Tragic accidents like this underscore the fact that agriculture is one of our Nation's most dangerous industries. Yet it is the only industry in which our children are not protected equally by our child labor laws.

While reserved for adults in every other occupation in agriculture, children as young as 16 are allowed to perform hazardous work, like driving tractors and operating chain saws. It is also the only industry in which children as young as 12 are allowed to labor in the fields with virtually no restrictions on the number of hours they work outside of the school day.

To address this shameful reality in our country, I am reintroducing the Children's Act for Responsible Employment, better known as the CARE Act. While retaining current exemptions that protect family farms and agricultural education programs like 4-H and Future Farmers of America, the CARE Act raises labor standards and protections for farmworker children to the same level set for children in all other occupations.

Specifically, the CARE Act ends our country's double standard that allows children employed in agriculture to work at younger ages and for longer hours than those working in all other industries. The bill raises the minimum age for agricultural work to 14 and restricts children under 16 from work that interferes with their education or endangers their health and well-being. The CARE Act also prohibits children under the age of 18 from working in agricultural jobs which the Department of Labor has declared particularly hazardous. This is consistent with current law governing every industry outside of agriculture.

Mr. Speaker, no child should be discriminated against based on the work they do. All of America's children deserve to be protected equally under our laws. It is our moral obligation to do all in our power to protect the rights, safety, and educational future of our most precious resource—America's children.

The time has come for the United States of America to bring our child labor laws in line with our American

values and to give all of our children the fundamental protections they rightfully deserve. I urge my colleagues to support and to help pass the CARE Act.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 44 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

Colonel Andrew Gibson, Maine Army National Guard, Augusta, Maine, offered the following prayer:

Gracious God, we thank You for allowing us to live in a land that is free, and we thank You for the men and women who have served to ensure that freedom.

As this body convenes to create the laws of this land, might we faithfully plan for a day when war is forgotten, but that we would never forget the warriors who will have brought us to that day.

Guide us that we might through inspired legislation be a healer of all nations, a healer of our own Nation, and a healer of those who have willingly traveled far from their homes to secure our liberties, in the current generation and extending back to the formation of our great Nation.

Bless the men and women of this House. Give to them an ample portion of Your wisdom, Your courage, and especially Your love this day and forevermore.

Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Ms. HAHN) come forward and lead the House in the Pledge of Allegiance.

Ms. HAHN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### WELCOMING COLONEL ANDREW GIBSON

The SPEAKER. Without objection, the gentleman from Maine (Mr. MICHAUD) is recognized for 1 minute.

There was no objection.

Mr. MICHAUD. Mr. Speaker, I rise today to welcome Colonel Andrew Gibson as today's guest chaplain.

Colonel Gibson is from Pittsfield, Maine. He is a decorated veteran who served in the Maine Army National Guard for 25 years. Before being deployed to Afghanistan in 2006, he served in Bosnia in 1997 as one of the first two National Guard chaplains to ever be deployed to a hostile fire zone.

Currently, Colonel Gibson is the Joint Forces Headquarters Maine chaplain and the director of Deployment Cycle Support. In these roles, he oversees the spiritual needs of the Maine Guard's soldiers and families. He also coordinates a team of health professionals who provide support to our servicemembers, veterans, and military families.

Colonel Gibson's service also extends deep into our communities. He is a key organizer of Maine's annual Interfaith Prayer Breakfast. Colonel Gibson is a true asset to our State of Maine and our country. I'm proud that he is my constituent, and it's an honor to have him deliver today's prayer.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. CAPITO). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

#### PATRIOT ACT

(Mr. MASSIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MASSIE. Madam Speaker, I rise today to implore my fellow Congressmen to wake up. Can't we see what's happening?

In just the past month, we discovered that the NSA is snooping on millions of innocent Americans using the PATRIOT Act. Congress wrote the PATRIOT Act. The IRS is targeting conservative organizations using the Tax Code. Congress created the Tax Code. And the DHS has stockpiled 200 million hollow-point bullets. Congress just funded DHS last week. Do you want me to be surprised? I'm not surprised. I'm outraged. But what's happening here? In each case of executive overreach, Congress gave an inch and the executive branch took a mile.

When our civil liberties are stolen, Congress investigates and expresses

righteous indignation, but all too often Congress then turns around and funds and enables this unconstitutional behavior. If we don't reverse this trend, we can kiss our civil liberties good-bye.

The Constitution embodies American principles that men and women fought and died to protect. We swore an oath to protect it. Madam Speaker, I encourage my colleagues to reflect on the damage that CISPA, the PATRIOT Act, and the NDAA have wrought on our civil liberties and implore my fellow Members to uphold the constitutional rights they swore to protect. Don't yield one inch.

#### IMMIGRATION REFORM

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Madam Speaker, the pivotal days for immigration reform are before us. I am pleased that a bipartisan group of Senators have come together in a compromise that could finally create a roadmap to citizenship for the 11 million people in this Nation who have worked hard and contributed to the success of this Nation. We are a Nation founded by immigrants and working families. It's what makes this country strong.

Let us not forget that nearly every American family has its own immigration story. We all pledge allegiance to the same American flag, and we all hope to achieve the same American Dream.

Our Nation's immigration system is broken. This is our chance to get it right. Let's get it right for those young DREAMers, let's get it right for the tireless working mothers and fathers, let's get it right for same-sex families stuck on opposite sides of the border. Together we can build an effective, fair, and inclusive system that lives up to our heritage as a Nation of immigrants. Let's get it right this time.

#### THE BUCK MUST STOP SOMEWHERE

(Mr. ROGERS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Alabama. Madam Speaker, where is the accountability? From Benghazi to the IRS to the Justice Department monitoring reporter emails, the trust Americans should have in their government is being shaken, and for good reason.

It's unfortunate we're spending time and resources searching for answers from our own leaders. Americans have questions like: Has the President been completely transparent about the Benghazi attacks? Who ordered the IRS to target conservative groups? Were more reporters monitored by the Justice Department, more than just the

AP and FOX News? Did Attorney General Eric Holder mislead the U.S. Congress?

Because of his failed leadership on this and other scandals like Operation Fast and Furious, I have called on Eric Holder to resign. The buck has to stop somewhere. It's time for the Obama administration to come clean with the American people.

#### NATIONAL DEFENSE AUTHORIZATION ACT ADDS PROTECTIONS FOR VICTIMS OF SEXUAL ASSAULT

(Mr. BARBER asked and was given permission to address the House for 1 minute.)

Mr. BARBER. Madam Speaker, this week, we will vote on the National Defense Authorization Act. As we debate this important legislation, we must keep in mind the deeply troubling problem of sexual assault within our military.

The vast majority of men and women who are in our armed services serve us with honor and distinction, but their dedication is undermined by those who commit sexual assaults. Last year, nearly one out of every 16 Active Duty women reported having been the victim of an unwarranted sexual contact. This is a deplorable situation.

Last week, in a truly bipartisan manner, the Armed Services Committee produced a bill that we will debate today. It prohibits the dismissal or reduction of guilty verdicts in sexual assault convictions. It makes sure that those who are found guilty of these heinous crimes will be discharged from the military, and adds other important protections for victims of sexual assault.

As leaders, we have a duty to protect those who protect us.

#### UNACCEPTABLE VIOLATIONS OF OUR FUNDAMENTAL RIGHTS

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Madam Speaker, "Those who give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety." Ben Franklin uttered those words several hundred years ago, but his warning is still relevant today.

Reports that the National Security Agency has been monitoring the phone records and Internet activities of ordinary citizens should concern every American.

The President has said that these surveillance programs don't involve listening to people's phone calls or reading their emails. Americans want to believe their President. Yet his tax agency lied about targeting conservative groups and his Justice Depart-

ment spied on reporters who were just doing their job.

As a Nation, we would be wise to heed Ben Franklin's advice and make sure that there is a bright line between acceptable counterterrorism activities and unacceptable violations of our fundamental rights.

□ 1210

#### WARRANT OFFICER MULLEN

(Mr. CARNEY asked and was given permission to address the House for 1 minute.)

Mr. CARNEY. I rise today to pay tribute to a fallen soldier from my home State of Delaware.

Last week, I joined the family of Warrant Officer Sean Mullen at Dover Air Force Base to witness the dignified transfer of his remains.

Sean, whose family resides in Dover, Delaware, was killed earlier this month in Afghanistan. He was on his sixth tour of duty. He leaves behind his wife, Nancy, and a life full of service, loyalty, and courage.

As I stood with Sean's mother, Mariam, through her tears, she asked me to do one thing. She said, "Let the people know what these men and women go through. Let them know what they do for their country."

That's why I'm here on the floor today—to do what this Gold Star mother asked me to do, which is to remember the hundreds of thousands of Americans who have volunteered out of a sense of patriotism and selflessness to put themselves in harm's way in service to their country.

So to Sean Mullen and to his heroic brothers and sisters in arms who have given their lives to protect ours, I stand here today to say thank you, and may God bless you.

#### ADOPTION TAX CREDIT

(Mr. COTTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COTTON. Today, I want to highlight another potential IRS abuse, namely, unfair audits of adoptive parents who filed for the Adoption Tax Credit.

We've all heard about the abuse of conservatives, Christians, and other groups, but fewer people know the alarming story of families who use the Adoption Tax Credit to offset some of the high costs of adoption.

According to the IRS' own Taxpayer Advocate Service, 90 percent of those who filed for the Adoption Tax Credit last year were flagged for additional review. Nearly 70 percent were audited, but only 1½ percent of adoption credit claims were disallowed in the end. By contrast, only 1 percent of all tax returns are audited.

Adoptive parents are loving, selfless Americans who are simply trying to provide a safe and loving home for kids in need. An adoption is a reflection of the boundless compassion of our country, and it helps save innocent unborn lives that may otherwise be ended by abortion.

We should do all in our power to encourage adoption, not to discourage it through bureaucratic runarounds. I urge the Congress to get to the bottom of this unfair treatment of adoptive parents.

#### ARMY SERGEANT MARIBEL MANRIQUEZ RAMOS

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. I rise today to honor Sergeant Maribel Manriquez Ramos, a resident of my district who was laid to rest this past week.

Her dedication was displayed in her many promotions, commendations, and medals earned during deployments to imminent-danger areas like Korea and Iraq. Sergeant Ramos served her Nation with both duty and honor both at home and abroad. Back home, she was set to receive a degree in criminal justice from Cal State Fullerton this May. During her enrollment at the university, she served as an inspiration to other veterans in the pursuing of their dreams through higher education.

Unfortunately, our heroic Sergeant Ramos died at the age of 36. She is a hero because of the way she lived her life. She lived a life of honor and service both as an Army sergeant and as a community leader.

To her family, I convey the deepest sympathies from all of the community. May she never be forgotten.

#### JOBS AND ECONOMIC GROWTH

(Mrs. ROBY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ROBY. Madam Speaker, I rise to discuss an issue that matters to all Americans—jobs and economic growth. The story got buried with all the breaking news of last week; but last month's job numbers are in, and they aren't good.

On the surface, the U.S. economy adding 175,000 jobs might sound like good news; but look deeper, and you'll see troubling indicators for our economy. Manufacturing actually lost 8,000 jobs in total. This recovery is so weak by historic standards that it has produced 4 million fewer jobs than any other recovery since World War II.

Madam Speaker, this isn't real recovery. If we are going to improve this economy and create jobs, we need less

government and more freedom. Every day, House Republicans are seeking solutions to grow the economy. Let's make life work for families across the country, and let's expand opportunities for everyone without expanding government.

#### ENDING SEXUAL ASSAULT IN THE MILITARY

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. I was very proud after 9/11 when I enlisted in the Hawaii Army National Guard; proud to continue serving as a captain in that same unit; proud when I was a private that I went to Fort Jackson, South Carolina, in basic training and learned about the Army values of respect, integrity, and honor; proud to be a part of an organization in which strong, unbreakable bonds of trust exist between my brothers and sisters in uniform. But I am not proud that we as a country have allowed an epidemic of sexual assault in the military to continue to such great lengths today.

I feel it is my responsibility to my brothers and sisters in uniform to take action to address this issue, and it is why I have introduced a bill to have a fair, independent, and transparent process to bring justice for these survivors and to prosecute those who are guilty.

We've seen calls to action from communities across the country—headlines from *The Washington Post*, *The New York Times*, *USA Today*, and from my own local newspaper, the *Honolulu Star-Advertiser*—each calling for us as Congress to pass these measures. We must take action. We owe it to our selfless heroes and to our servant leaders who put their lives on the line every single day for our country.

#### AMERICAN ENERGY AND A HEALTHY ECONOMY

(Mrs. NOEM asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. NOEM. Last weekend, I was speaking with a group of individuals, and I talked about the need for a healthy economy and an energy plan where we prioritize American energy.

A woman who was in that meeting stood up, and she shared her story. She started to talk about her husband, who had his hours reduced at work because of regulations that came out of the ObamaCare bill. She talked about her kids, two of them teenagers, who are unable to find summer work and how, if they want to go to church during the week, if they want to play baseball games, if they want to do daily activities that normal, everyday families do, they will put hundreds of miles on

their car and spend hundreds of dollars on gasoline in trying to make it happen.

That's why our team and I are so committed to dealing with bills that directly address the problems that these Americans face. It's why we prioritize a healthy economy, a healthy economy that can give certainty to these struggling American families. It's important that we pass a 5-year farm bill; it's important that we make sure that food is affordable and safe in this country; it's also important that we focus on American energy and on using the natural resources we have at home; and it's important that we talk about the Keystone pipeline.

We are going to continue to work to ensure that our students get educations, that they can pay off their loans when they're done, and that they can continue to pursue the American Dream—just like we got to do decades ago.

#### AN ALGORITHMIC SOLUTION TO THE BOLTZMANN EQUATION

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute.)

Mr. MCNERNEY. Madam Speaker, I rise to announce a new advancement in mathematics: an algorithmic solution to the full Boltzmann equation that has taken 140 years to solve.

The full seven-dimensional Boltzmann equation provides a crucial link between the microscopic, or quantum, behavior of atomic particles on the one hand and the behavior of matter that we humans observe on the other hand. It does this by predicting how gaseous material responds to external influences, such as changes in temperature and pressure, quickly settling to a stable equilibrium.

The solution of this equation gives us an understanding of grazing collisions, when molecules glance off one another, which is the dominant type of collision. The algorithm uses a range of geometric fractional derivatives from kinetic theory.

I congratulate the authors, Philip Gressman and Robert Strain, from the University of Pennsylvania on this advancement; and I commend the National Science Foundation for supporting these scientists in their work.

□ 1220

#### OBAMACARE

(Mr. ROE of Tennessee asked and was given permission to address the House for 1 minute.)

Mr. ROE of Tennessee. President Obama took the stage last Friday in California and admitted that some Americans will see higher costs on their health care premiums, but blamed employers for shifting costs

rather than taking responsibility for the damage caused by his damaged health care reform.

The President also said the law was "working the way it was supposed to," but many employers, myself included, cannot tell their employees exactly what their health insurance premiums will look like next year.

Worse, President Obama neglected to include all the facts in his stump speech, touting a recent report that claimed health care would be less expensive for Californians under the law. The truth is: in California, the cheapest plan under ObamaCare for a 25-year-old man is roughly 64 percent to 117 percent more expensive than the five cheapest policies sold today, according to *The Wall Street Journal*.

The uncertainty around the implementation and cost of the Affordable Care Act is causing economic chaos during a time employers need stability, and it appears this train wreck is only going to get worse.

Madam Speaker, ObamaCare was a bad idea 3½ years ago, and today we're seeing exactly how this law is bad medicine for this country.

#### RENEWABLE ENERGY AND ENERGY EFFICIENCY EXPO

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. I rise today to draw attention to the Congressional Renewable Energy and Energy Efficiency EXPO being held here today.

For my constituents in North Carolina, investing in new forms of energy and improving efficiency can create jobs and reduce costs. The estimated 850,000 jobs in renewable energy industries are continuing to grow.

Triangle Biofuels Industries in Wilson, North Carolina, continues to expand each year; the Biofuels Center of North Carolina, located in Oxford, is working to replace 10 percent of the petroleum used in our State with locally produced biofuels; and a proposed Chemtex plant stands to bring more than 300 direct and indirect jobs and increase revenue for local farmers by \$4.5 million annually.

This project would not be possible without a \$99 million loan guarantee from USDA.

#### OBAMACARE

(Mr. COLLINS of New York asked and was given permission to address the House for 1 minute.)

Mr. COLLINS of New York. Madam Speaker, I come to the House floor today to share real-life examples from my district concerning the growing trend happening all across this country because of ObamaCare.

My office recently received a call from Colden Repka, a 23-year-old from

Attica, New York. Colden works 30 hours a week for a manufacturer while carrying a full college course load. Colden's boss recently told him his weekly hours would be cut from 30 to between 20 and 25 in order to avoid the ObamaCare employer mandate, despite Colden staying on his parents' health insurance policy.

Just last week, Richard Markel from Clarence, New York, called my office with a similar concern. Richard is a man just trying to make some extra money for his family. His regular 32 hours per week are being reduced to less than 25 to avoid the perverse mandates of ObamaCare.

Madam Speaker, Americans want to get back to work. Unfortunately, ObamaCare's onerous regulations are hitting employees in ways many did not expect, and it's just the beginning. This country is realizing that ObamaCare is a train wreck. Just ask Colden and Richard.

#### IN RECOGNITION OF THE OUTSTANDING STUDENTS FROM MORNINGSIDE MIDDLE SCHOOL

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Madam Speaker, I rise today to congratulate eight outstanding students in southeast Fort Worth that attend Morningside Middle School in Fort Worth, Texas. Lexi Stanford, Tomas Altamirano, Alex Delgadillo, Carei Frank, Yontrell George, Jennifer Huynh, Adair Medina, and Paola Rios were all contenders in the Junior National Academic Championship.

This is the first time that students from the 33rd Congressional District's Morningside Middle School participated in the qualifying competition, nicknamed the "Whiz Quiz" competition and also the GE College Bowl, which has been a tradition in the Fort Worth Independent School District since 1978. This challenge of knowledge requires middle school and high school academic teams to accurately answer brain-stretching questions faster than their opponents.

On May 31, these eight students traveled to Washington to compete against other schools across the Nation in the larger Junior National Academic Championship. I would once again like to commend these students on a job well-done and encourage them to continue excelling in their academic pursuits.

#### REPUBLICAN SOLUTIONS FOR JOBS

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Madam Speaker, according to last week's jobs report,

nearly 12 million Americans—12 million of our fellow citizens—are out of work. That's simply unacceptable.

The American people deserve better than a constant parade of job-destroying regulations coming out of Washington. They deserve better than a government that continues to spend us further into debt.

The American people deserve solutions that will create jobs today, and that's what the House Republican plan is all about. We have a plan to grow our economy and secure the future for all Americans, to expand opportunity, not government.

We want to rein in massive government spending and reform the Tax Code to make it simpler and fairer for all Americans. That's the House Republican plan. It's one of growth, prosperity, and unlimited opportunities for all Americans.

#### REPUBLICAN SOLUTIONS FOR JOBS

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Madam Speaker, can you blame the American people for being dissatisfied with Washington? The most crucial issue facing our country is the need to create jobs and grow our economy, but what do the American people see? A government run amok.

House Republicans know how important it is to hold the government accountable to the people. After all, that's where power comes from in a democracy. And we know that we can't grow our economy with massive, bloated bureaucracy standing in the way.

House Republicans are committed to clearing out the underbrush, cutting waste, and fixing broken government. It's our constitutional duty to provide effective oversight of the executive branch, and that's just what we're going to do. That's how we secure a good future for all Americans.

#### REPUBLICAN SOLUTIONS FOR JOBS

(Mr. HENSARLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HENSARLING. Madam Speaker, regrettably for the American people, they see a nonrecovery recovery. Millions of our fellow citizens remain unemployed and underemployed. That's why House Republicans are working to make the Tax Code fairer, flatter, simpler, more competitive, so America can go back to work, but so far we're hearing silence from the White House. We want red tape reform. That is strangling small business people.

Madam Speaker, I heard one small business person in my district say,

"It's just like the Federal Government doesn't want me to succeed." We need to unchain them. We need to cut the red tape and allow them to create jobs.

Finally, the Affordable Care Act is not affordable for our American citizens. It is not affordable to small businesses. It is harming job creation and costing trillions of dollars and potentially millions of jobs. Republicans want to repeal it.

This is an agenda to help create jobs for America when Americans need growth, hope, and opportunity.

#### STUDENT LOAN RATE HIKES

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Madam Speaker, on July 1 of this year, student loan interest rates are set to double.

This doesn't have to happen, though, and it won't if President Obama and Senate Democrats choose to work with House Republicans on a bipartisan solution.

Unlike the Senate, the House of Representatives successfully acted to stop the unnecessary rate double. The President and Senate should follow our bipartisan example and build off the Smarter Solutions for Students Act.

Despite the White House whiplash on this issue, our legislation is very similar to President Obama's own budget proposal. It will prevent rates from doubling, allowing students to benefit from low rates and protect low- and middle-income students.

The House acted in a way that satisfies the President's original criteria for a long-term, market-based plan. We welcome the Senate to get on board.

Preserving this problem just to be able to campaign on the issue year after year would be a true disservice to every student and taxpayer.

□ 1230

#### ELECTING CERTAIN MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Ms. FOXX. Madam Speaker, by direction of the House Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 257

*Resolved*, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON HOMELAND SECURITY: Mr. Sanford.

COMMITTEE ON THE JUDICIARY: Mr. Smith of Missouri.

COMMITTEE ON NATURAL RESOURCES: Mr. Smith of Missouri.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY: Mr. Collins of New York.



COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE: Mr. Sanford.

Ms. FOXX (during the reading). Madam Speaker, I ask unanimous consent that the resolution be considered as read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

#### REVERSE MORTGAGE STABILIZATION ACT OF 2013

Mr. HENSARLING. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2167) to authorize the Secretary of Housing and Urban Development to establish additional requirements to improve the fiscal safety and soundness of the home equity conversion mortgage insurance program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2167

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Reverse Mortgage Stabilization Act of 2013”.

#### SEC. 2. ADDITIONAL SAFETY AND SOUNDNESS REQUIREMENTS FOR HOME EQUITY CONVERSION MORTGAGE INSURANCE PROGRAM.

Subsection (h) of section 255 of the National Housing Act (12 U.S.C. 1715z–20(h)) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(3) establish, by notice or mortgagee letter, any additional or alternative requirements that the Secretary, in the Secretary’s discretion, determines are necessary to improve the fiscal safety and soundness of the program authorized by this section, which requirements shall take effect upon issuance.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HENSARLING) and the gentleman from Washington (Mr. HECK) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. HENSARLING. Madam Speaker, I ask unanimous consent that all Mem-

bers have 5 legislative days in which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 2167 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENSARLING. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of the bipartisan H.R. 2167, the Reverse Mortgage Stabilization Act of 2013, introduced by our colleagues, Mr. HECK of Washington and Mr. FITZPATRICK of Pennsylvania.

H.R. 2167 provides authority to the Secretary of Housing and Urban Development to make administrative and policy changes to the FHA’s Home Equity Conversion Mortgage Program through a mortgagee letter rather than the arduous 18-month regulatory process. The bill sets conditions that FHA can only use this new authority when immediate changes are necessary to improve the fiscal safety and soundness of the program. And, Madam Speaker, immediate changes that improve the fiscal safety and soundness of this program are exactly what is needed.

In our efforts in this Congress and on the Financial Services Committee to help create a sustainable and competitive housing finance system for Americans, our committee and its Housing and Insurance Subcommittee have held a series of hearings this year on the financial problems at the FHA.

In its current form, FHA is most definitely an impediment to a sustainable and competitive housing finance system. Because of this, the Financial Services Committee has been working to examine needed reforms to FHA, reforms that go beyond its fiscal solvency and address serious structural flaws at the FHA.

There is one thing that we know for certain about FHA: the FHA is not just broke; regrettably, it is bailout broke. This is not just my conclusion; it is the conclusion of the annual independent actuarial study of the FHA’s Mutual Mortgage Insurance Fund—the government fund that insures the FHA’s single-family mortgages. This actuarial study shows us “the economic value of the fund as of FY 2012 is negative \$13.48 billion.”

The same actuarial report states that the economic value of the Home Equity Conversion Mortgage portion of the fund—which H.R. 2167 addresses—is “negative \$2.8 billion.” Again, bailout broke.

Madam Speaker, H.R. 2167, which has strong bipartisan support, is a first and modest step in stemming substantial losses from FHA. It provides the tools needed to allow the agency to immediately address serious and significant flaws with its Home Equity Conversion

Mortgage Program that threaten hard-working taxpayers with being forced to fund yet another Washington bailout.

That’s why, Madam Speaker, I urge the passage of H.R. 2167 today. The Secretary of HUD has testified that HUD needs this authority from Congress to make immediate changes. As I said, without H.R. 2167, it could take up to 18 months for these vital, needed changes to be made, during which the FHA would continue to lose money.

I thank the bipartisan supporters and authors of this bill for their leadership and for their support in order to help protect taxpayers and improve and reform the FHA program.

I reserve the balance of my time.

Mr. HECK of Washington. Madam Speaker, I yield myself such time as I may consume.

I would like to begin by reciprocating and thanking the gentleman from Texas for his leadership on this issue, and perhaps as notably the gentleman from Pennsylvania for his leadership and cooperation and collaboration in helping to solve this important problem. I thank you, sir. And, more importantly, I thank you on behalf of the many people who will benefit as a result of our action here today.

Madam Speaker, currently the Federal Housing Administration underwrites 100 percent of all reverse mortgages. Let me say that again. The Federal Housing Administration underwrites 100 percent of all reverse mortgages, and that is a program that is deeply troubled, as enumerated by the capable chair of the Financial Services Committee.

And so if you believe, as I do, that reverse mortgages are a financial product that actually ought to be available to some people, but under appropriate circumstances and conditions, it’s all the more important that we enact H.R. 2167 today, and not just because TV pitchmen—let’s see if I can name them all—James Garner, Henry “the Fonz” Winkler, Fred Dalton Thompson, Pat Boone, and Robert Wagner—entreat our elderly to do so, but because this legislation is very important.

So the question is, as with all legislation: What’s the problem? There’s probably no better statement of the problem than is represented in this chart which says that 7 percent of the FHA’s portfolio is related to reverse mortgages, but 17 percent of their portfolio that is underwater is attributable to reverse mortgages. That is a stark, salient representation of why this legislation is needed.

I might add, frankly, that if you were to compare reverse mortgages across all, just the going forward, 30-year fixed mortgage market, it would be even more stark. This is against all products.

So what’s the solution? As the chair indicated, it is to give the FHA the authority through mortgagee letter to

adopt certain reforms. The alternative is to wait and to endure the arduous rulemaking process.

I had an agency in the office the other day for which I had a problem, and I sought a solution through the rulemaking process. I asked them, what's the minimum amount of time that would be required for adoption of rules, and they indicated the best of circumstances would be 18 months—sighed, paused—then said more like 24 to 36 months. We can't wait that long, Madam Speaker.

So what are those reforms that are likely to be adopted via mortgagee letter at the FHA? I think most notably, it would require a financial assessment of potential borrowers to ensure that this financial product is suitable for them. There are others as well. It may reduce the amount of funds granted up front to the borrower, and it may require escrow for provision of payment of taxes and insurance, something that is not uncommon in the mortgage industry.

But the financial assessment portion that very well may ensue as a result of passage of this legislation, it's important to note that that is a tool and technique used by the VA when it underwrites reverse mortgages. Let me say that again. The VA uses this tool to underwrite reverse mortgages. And how much of a problem does the VA have with reverse mortgages? Zero. Zero.

So we know with a virtual certainty that this solution which the gentleman from Pennsylvania and I bring to you today will solve the problem.

Finally, let me just say this is a twofer. We don't often get the opportunity for a twofer. This will extend some consumer protection insofar as there are consumers who will not purchase or who will purchase under different terms and conditions this product in a way that will not render them at risk as they are today. And secondly, it will inarguably improve the portfolio of the FHA. So, ladies and gentlemen, I entreat you to vote "yes," and I thank once again both the chair of the committee and the gentleman from Pennsylvania.

I reserve the balance of my time.

Mr. HENSARLING. Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK), the vice chair of our Oversight and Investigations Subcommittee, and the lead cosponsor of this bill.

□ 1240

Mr. FITZPATRICK. Madam Speaker, I rise in support of H.R. 2167, a bill that I was very happy to work on with the gentleman from Washington. It's an example of us able to work in a bipartisan way on important legislation that will, in fact, institute good, commonsense reforms on an important program for America's seniors.

This bill is very simple. It allows HUD to institute some needed reforms to the Home Equity Conversion Mortgage Program, better known as reverse mortgages, using an expedited process. The legislation requires that any changes to the program being made using the authority contained in this act must be done to improve the fiscal safety and soundness of the reverse mortgage program.

There is concern on both sides of the aisle about the financial health of FHA. Last November, FHA released its annual report to Congress on the financial status of the Mutual Mortgage Insurance Fund. There are some significant shortfalls, and the Financial Services Committee and the chairman have been diligently examining the problems there and what actions that Congress may need to take.

The Home Equity Conversion Mortgage Program is one of those areas that must be reformed, and this bill is going to help the HUD Secretary take some critical steps to ensure the long-term stability of that program.

Madam Speaker, it is important that we make improvements to FHA's HECM program to ensure that reverse mortgages remain an option for seniors. When used appropriately, a reverse mortgage can help seniors pay off debts; deal with unexpected expenses, including health emergencies; and improve or maintain quality of life.

It can be an important financial tool for folks like Robert and Fran Ciaccia of Bristol Township in my district who, because of this program, had access to equity that they used to make their lives and their retirement better—their lives, Robert and Fran, and the lives of countless seniors throughout Pennsylvania that I've spoken to who were able to maintain their home and stay in their home well into their retirement years when they had no other options to do so.

FHA insurance makes these products widely available, while protecting against predatory practices. By using the authority granted in this act, the Secretary of HUD has suggested reforms that protect taxpayers by making the HECM program more fiscally sound, while increasing consumer protections for seniors who may want to take advantage of a reverse mortgage.

So, Madam Speaker, I urge my colleagues to support the legislation. I appreciate the opportunity to work with the gentleman from Washington on this bill.

Mr. HECK of Washington. Madam Speaker, I yield back the balance of my time.

Mr. HENSARLING. Madam Speaker, I'm ready to close. I just simply want to thank my two colleagues for their bipartisan leadership on this bill, something that is going to be very important to sustainable housing, the fiscal sanity of the FHA, and for a num-

ber of our consumers as well. I urge the House to adopt the bill.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HENSARLING) that the House suspend the rules and pass the bill, H.R. 2167.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## BUSINESS RISK MITIGATION AND PRICE STABILIZATION ACT OF 2013

Mr. HENSARLING. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 634) to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 634

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Business Risk Mitigation and Price Stabilization Act of 2013".

### SEC. 2. MARGIN REQUIREMENTS.

(a) COMMODITY EXCHANGE ACT AMENDMENT.—Section 4s(e) of the Commodity Exchange Act (7 U.S.C. 6s(e)), as added by section 731 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by adding at the end the following new paragraph:

"(4) APPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(ii) and (2)(B)(ii), including the initial and variation margin requirements imposed by rules adopted pursuant to paragraphs (2)(A)(ii) and (2)(B)(ii), shall not apply to a swap in which a counterparty qualifies for an exception under section 2(h)(7)(A), or an exemption issued under section 4(c)(1) from the requirements of section 2(h)(1)(A) for cooperative entities as defined in such exemption, or satisfies the criteria in section 2(h)(7)(D)."

(b) SECURITIES EXCHANGE ACT AMENDMENT.—Section 15F(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–10(e)), as added by section 764(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by adding at the end the following new paragraph:

"(4) APPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(ii) and (2)(B)(ii) shall not apply to a security-based swap in which a counterparty qualifies for an exception under section 3C(g)(1) or satisfies the criteria in section 3C(g)(4)."

### SEC. 3. IMPLEMENTATION.

The amendments made by this Act to the Commodity Exchange Act shall be implemented—

(1) without regard to—  
(A) chapter 35 of title 44, United States Code; and

(B) the notice and comment provisions of section 553 of title 5, United States Code;

(2) through the promulgation of an interim final rule, pursuant to which public comment will be sought before a final rule is issued; and

(3) such that paragraph (1) shall apply solely to changes to rules and regulations, or proposed rules and regulations, that are limited to and directly a consequence of such amendments.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HENSARLING) and the gentleman from Michigan (Mr. PETERS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. HENSARLING. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 634, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENSARLING. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, H.R. 634, the Business Risk Mitigation and Price Stabilization Act of 2013, is bipartisan legislation. It will help provide America's job creators with greater certainty so that they can invest more in our still-struggling economy and help create desperately needed jobs for the millions who remain either unemployed or underemployed.

Again, when our so-called recovery has produced 4 million fewer jobs than the average recovery of the last 70 years, clearly nothing is more important than finding solutions that will help grow our economy and create more and better jobs for those who need them.

Americans want and deserve a healthier economy and a more secure future. But, regrettably, all too often Washington, either inadvertently or on purpose, creates piles and piles, mountains upon mountains of unnecessary red tape for our entrepreneurs or small business people and our job creators.

Quite often, Madam Speaker, this institution makes the goal of economic growth and job creation more difficult. But the bipartisan bill before us today is helpful. It is needed to help protect manufacturers, ranchers, thousands of Main Street businesses across the Nation from unnecessary red tape that would divert their resources and time away from the activities to make their businesses successful and thus create more jobs.

One manufacturer told the Financial Services Committee earlier this year, a Mr. Thomas Deas, who works for a chemical manufacturing company in Pennsylvania, he testified before our committee that without H.R. 634, man-

ufacturers and other end-users of derivatives, which this legislation deals with, would be forced to comply with unnecessary regulation that he said "means less funding is available to grow their businesses and expand employment."

Now, improving the Dodd-Frank Act, regardless of its relative merit, it did at least make clear that Congress intended that manufacturers, ranchers, and, again, Main Street businesses that this bill is intended to address, that they would not be subject to certain regulations regarding margin requirements for end-users of derivatives.

Still, despite Congress' clear intent on the subject, such requirements have been proposed by Washington regulators. And so this resulting legislation would contain provisions that would modify and provide greater clarity to the Dodd-Frank Act regarding the intentions of Congress in dealing with the end-user exemption.

We have heard from Federal Reserve Chairman Bernanke, who stated before the Senate Banking Committee earlier this year that because the Dodd-Frank Act is "a very big, complicated piece of legislation" that regulators like the Federal Reserve needed "clarity" from Congress on what "to do about end-users."

So H.R. 634 provides that clarity by stating clearly that end-users of derivatives shall be exempt from the onerous margin requirements imposed by Title VII of the Dodd-Frank Act.

As I said earlier, Madam Speaker, this is a bill with very strong bipartisan support. The Financial Services Committee reported this bill out of committee on a recorded vote of 59-0. Let me repeat that, Madam Speaker: the Financial Services Committee reported this bill out of committee on a recorded vote of 59-0.

Likewise, the Agriculture Committee approved this bill on a voice vote, meaning it has received no opposition in either committee.

And, Madam Speaker, I should note that this substantially similar legislation was overwhelmingly passed by the House last year with 370 bipartisan votes.

In closing, I want to thank our colleague, Agriculture Committee Chairman FRANK LUCAS, for advancing this bipartisan bill on which our committees share jurisdiction. And I also want to thank the bipartisan supporters of this bill, particularly the gentleman from New York (Mr. GRIMM) and the gentleman from Michigan (Mr. PETERS), who are outstanding leaders in our committee, as well as the gentleman from Georgia (Mr. AUSTIN SCOTT), the gentleman from North Carolina (Mr. MCINTYRE), leaders on the Agriculture Committee.

H.R. 634 is sound policy, and it is necessary to ensure that regulators do not further hurt our economy by forcing

manufacturers, ranchers, and Main Street businesses to needlessly divert resources away from creating more and better jobs for an American public that is more than ready for them.

Madam Speaker, I urge the House to approve this needed bipartisan legislation today.

I reserve the balance of my time.

□ 1250

Mr. PETERS of Michigan. Madam Speaker, I ask unanimous consent to yield 10 minutes of my time to the gentleman from North Carolina and a member of the Agriculture Committee, Mr. MCINTYRE, and that he be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PETERS of Michigan. Madam Speaker, I now yield myself as much time as I may consume.

I rise today in support of H.R. 634, the Business Risk Mitigation and Price Stabilization Act of 2013. I'm proud to have coauthored this bipartisan legislation with my colleague, MICHAEL GRIMM. I appreciate his hard work on this important legislation and his willingness to work across the aisle. I would also like to thank our partners on the Agriculture Committee, Representatives AUSTIN SCOTT and MIKE MCINTYRE. We all worked together on this bill to keep costs down for families and small businesses for a wide range of goods and services like groceries, air travel, and autos. I would like to thank Chairman HENSARLING and Ranking Member WATERS for their support on this crucial legislation.

While this bill improves financial regulation, this is truly a Main Street bill. Derivatives end users represent a broad cross section of businesses across our Nation, from farmers worried about the price of fertilizer to manufacturers concerned about fluctuating interest rates. Businesses in all of our districts use derivatives to ensure that they pay a reasonable price for the products they need and keep consumer prices stable no matter what happens in the financial markets. This bill is about protecting businesses across Michigan and the United States that rely on derivatives to responsibly manage risk.

During consideration of the Wall Street Reform, there was bipartisan recognition that regulations to curb excessive risk taking in the financial sector should not stifle job creation in the agriculture or manufacturing industries. Michigan is a State that builds and grows things, and I will continue to fight to make sure that we always will be.

Let me be clear: as a member of the conference committee that approved the final version of the Dodd-Frank Act, I can say with certainty that Wall

Street Reform was not written or signed into law to hinder the hard-working folks building autos or growing apples.

End users, companies that use derivative contracts to offset legitimate business risks, were specifically exempted from the clearing requirements, and Congress did not specifically direct regulators to require end users to post margin. Our bipartisan bill simply clarifies congressional intent that nonfinancial end users are exempt from the Dodd-Frank margin requirements.

Forcing nonfinancial end users to post margin could have several negative consequences: unnecessarily increasing prices for consumers across a range of goods, slowing job growth here in the United States, and driving businesses to foreign, less transparent derivatives markets.

Our bill passed the House last year with overwhelming bipartisan support because it is about protecting jobs and clarifying congressional intent, and it passed the House Financial Services Committee earlier this year, as we heard, with unanimous, bipartisan support by a vote of 59-0.

This bill will ensure congressional intent to protect our manufacturing and agricultural industries is carried out. I look forward to this crucial legislation passing the House later today, and I urge my colleagues to support it. I will continue to work to get the Business Risk Mitigation and Price Stabilization Act signed into law.

I reserve the balance of my time.

Mr. HENSARLING. Madam Speaker, I now yield 4 minutes to the gentleman from New York (Mr. GRIMM), an outstanding member of the Financial Services Committee and the coauthor and lead Republican on this legislation.

Mr. GRIMM. Madam Speaker, I proudly rise in support of this legislation, H.R. 634, the Business Risk Mitigation and Price Stabilization Act of 2013. H.R. 634, as has already been noted by the chairman and my colleague, is truly a bipartisan piece of legislation that has passed this House previously in the 112th Congress with overwhelming support.

I would like to thank my colleague, Mr. PETERS, for working on this with me—this is an extremely important issue, and it is a pleasure to work across the aisle—as well as my colleagues on the Agriculture Committee, Mr. AUSTIN SCOTT and Mr. MCINTYRE. Of course, I want to thank Chairman HENSARLING for his leadership on this issue, as well as for his leadership as chairman of the full committee, and also thank Ranking Member WATERS.

H.R. 634, as has been noted, will clarify the intent of Congress under the Dodd-Frank Act by providing an explicit exemption for the true commercial, nonfinancial end users of over-the-counter derivatives from having to

post margin on uncleared derivatives transactions. This exemption is extremely important for job creation and economic growth, as well as price stabilization for average consumers.

Despite clear legislative history to the contrary, regulators continue to misinterpret the Dodd-Frank Act as giving them authority to impose margin requirements on true end users. H.R. 634 will ensure that nonfinancial end users remain exempt from margin requirements and that the regulators do not—I emphasize, they do not—exercise authorities that were not specifically given to them by the Congress.

If margin requirements were imposed on these nonfinancial end users, it would harm our economy by very simply diverting working capital from productive uses such as reinvestment into the business or job creation. And this legislation prevents this, and that's also extremely important to protecting American jobs and our economy.

True end users are firms and companies that use derivatives to manage their various financial risks. For example, firms use these products to protect against changes in interest rates if they've sold floating rate debt as well as to protect their profits earned in other currencies from variations in foreign exchange markets.

The benefits of this legislation are not limited to American businesses but extend into the heart of our communities. This bill will help keep consumption prices stable for hardworking families and for individuals. If true nonfinancial end users were required to post margin, their hedging costs could become so high that they could abandon the practice. This would lead to larger variations in consumer prices for a whole host of products, which has been said, things like groceries and airline tickets, and would create economic instability.

There's a study that has shown that imposing a 3 percent margin requirement on over-the-counter derivatives held by the S&P 500 companies could cut capital spending by \$5.1 billion to \$6.7 billion and cost 100,000 to 130,000 U.S. jobs. With the unemployment rate at 7.6 percent, this is a consequence that simply cannot be overlooked.

So, in closing, I ask that my colleagues once again support this commonsense, bipartisan pro-jobs legislation.

Mr. PETERS of Michigan. I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for yielding and for his leadership on this important issue along with Congressmen MCINTYRE, GRIMM, HENSARLING, and many, many others.

Madam Speaker, I rise today in support of H.R. 634, the Business Risk Mitigation and Price Stabilization Act. This bill will make it easier for compa-

nies to manage their risks and plan for their future by clarifying that Dodd-Frank does not require end users of derivatives to post collateral on these trades. Congress never intended for these companies to be required to post collateral on their derivatives, because that would needlessly raise their costs and could even discourage companies from prudently managing their risks.

But because of a drafting error in Dodd-Frank, end users of derivatives currently face uncertainty about whether the regulators will require them to post collateral. Both Federal Reserve Chairman Ben Bernanke and CFTC Chairman Gary Gensler have stated that they support this bill because it would provide them with much-needed clarity on whether their rules on posting collateral should apply to end users.

This bipartisan effort to correct a problem with Dodd-Frank is not an attempt by opponents to weaken the safeguards of the bill but, rather, an attempt to make good legislation even better. Congress needs to step in and ensure that companies that use derivatives to manage their day-to-day commercial risk are not subject to unnecessary collateral requirements.

It was reported out in a very strong bipartisan vote from Financial Services Committee, and for these reasons, I urge my colleagues on both sides of the aisle to support H.R. 634.

Mr. HENSARLING. Madam Speaker, at this time, I'm pleased to yield 1 minute to the gentleman from Illinois (Mr. HULTGREN), another leader on H.R. 634.

Mr. HULTGREN. Thank you, Chairman HENSARLING.

Like many of my colleagues here, I am confident the House will pass H.R. 634 today and present this deserving bill to the Senate—again. After years of inaction bordering on dereliction, it's time for the Senate Banking Committee to act on Title VII before potentially irreparable and self-inflicting harm is done to our economy.

□ 1300

Unaddressed, end user margin requirements could lock up billions of dollars that would otherwise be put to productive use, dollars that could go to hiring new employees.

This bill, the Business Risk Mitigation and Price Stabilization Act of 2013, is a jobs bill. Without this bill, company treasurers complying with new margin requirements will have to pull money from somewhere, choking off funding for other business operations.

And these businesses, by definition, are those that only use these tools to avoid risk, not for speculation. These businesses do not pose systemic risk; they didn't contribute to the crisis of 2008. Yet going against what Congress intended, regulators are roping them in.

I hope this bill passes with a large majority so it cannot be ignored by the Senate and President.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HENSARLING. I yield the gentleman an additional 30 seconds.

Mr. HULTGREN. I thank the chairman.

My constituents in Illinois need this legislation. Our farmers and manufacturers, big and small, have voiced their clear support. Thank you to the sponsors of this legislation, Mr. GRIMM and Mr. PETERS.

Mr. PETERS of Michigan. Madam Speaker, I have no further requests for time from the Financial Services Committee.

I ask unanimous consent to allow the gentleman from North Carolina (Mr. MCINTYRE) from the Agriculture Committee to control the rest of the time.

The SPEAKER pro tempore. Without objection, the gentleman from North Carolina will control the time.

There was no objection.

Mr. MCINTYRE. Madam Speaker, I rise today in support of this bill of which I'm a strong supporter and lead cosponsor, H.R. 634, and would like to thank my colleagues—Representatives HENSARLING, GRIMM, PETERS, and SCOTT—for their commitment to working together on this, as you've heard, in the discussion that has occurred thus far.

This bipartisan bill is a prime example—something our Nation is yearning for to see here in Congress—that Members can and will work together when we need to find solutions that we can come across the aisle and reach, and reach them quickly.

The Business Risk Mitigation and Price Stabilization Act will clarify that true derivatives end users are exempt from the margin requirement supplied by the Dodd-Frank Wall Street Reform and the Consumer Protection Act to many derivatives contracts.

These true end users use derivatives to manage actual business risk and protect against fluctuating prices, currency rates, or interest rates—not to speculate. Margin requirements would place undue burden on responsible end users not only back home in eastern North Carolina where I'm from, but also, indeed, across the country.

Our farmers, agriculture co-ops, and community banks all use financial products to mitigate risk, provide security for their businesses, and maintain prices for consumers. By removing margin requirements, this bill will free up capital—something we all hear about that our small businesses are screaming for—free up capital and allow businesses to plan for the future, shield these plans from risk, and provide certainty needed to create American jobs. And those battle cries of freeing up capital and providing cer-

tainty is something I know all of our colleagues on both sides of the aisle can agree on. We do want to help with jobs and small business.

In the previous Congress, the House overwhelmingly passed an identical bill, as has been mentioned earlier. It is my hope that this House will again pass this important bipartisan legislation today and send a strong message that Congress can and will work together to pass commonsense solutions that protect our businesses, our farmers, our cooperatives and others from burdensome and misguided regulations.

With that, I reserve the balance of my time.

Mr. HENSARLING. Madam Speaker, I now yield 3 minutes to the gentleman from Georgia (Mr. SCOTT), who is the lead cosponsor of this bill from the Agriculture Committee.

Mr. AUSTIN SCOTT of Georgia. I thank the chairman.

Madam Speaker, I rise today in support of H.R. 634, the Business Risk Mitigation and Price Stabilization Act of 2013. And I, too, would like to thank many of the Members on the other side of the aisle, as well as mine, specifically, Mr. MCINTYRE from North Carolina for his work on the Ag Committee on this piece of legislation.

This bill clarifies congressional intent by providing a clear exemption for non-financial end users that qualify for the clearing exception under Title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Across the country, consumers and businesses alike are confronted with risks that are associated with their day-to-day operations. To manage these risks, businesses use over-the-counter derivatives to provide price certainty. Consumers, in turn, benefit from these risk-management practices through lower volatility in the day-to-day prices of the goods and services that they purchase.

By passing this legislation, Congress is providing a specific exemption from clearing and margin requirements for businesses and individuals who are not financial institutions. This accounts for less than 10 percent of the capital of the derivatives markets. It relieves the burdensome regulations and keeps the U.S. economy moving. This balance protects the consumer while providing a pro-growth environment for business.

To further the initial goal, H.R. 634 clarifies Congress' intent of keeping much-needed capital in the U.S. markets, which plays an important role in our country's continued economic growth.

I would also like to reiterate the fact that last year Congress passed this same piece of legislation 370–24. For this reason, I ask my colleagues to support H.R. 634, so that businesses and individuals may benefit from the day-to-day risk-management prices that this will provide.

Mr. MCINTYRE. I reserve the balance of my time.

Mr. HENSARLING. Madam Speaker, I now yield 2 minutes to the gentlelady from Missouri (Mrs. HARTZLER), also a member of the Agriculture Committee.

Mrs. HARTZLER. I rise today in strong support of H.R. 634, the Business Risk Mitigation and Price Stabilization Act of 2013.

This bipartisan, commonsense piece of legislation is critical for commercial end users like farm credit companies and rural electric cooperatives to be able to use swaps to manage their long-term risks.

Earlier this year, I introduced H.R. 2136, the School Business Credit Availability Act, to address this very issue. I'm pleased that my colleagues have put together this important legislation which addresses the concerns that I have with clearing and margin requirements for rural electric cooperatives.

It's important to every family in my district to be able to count on reasonable and stable electric bills without unplanned price fluctuations. This bill ensures that the rural electric cooperatives in my district will be able to manage their long-term risk without the burden of costly clearing and margin requirements that would ultimately be passed on to my constituents.

I want to especially thank the chairman and ranking member of both committees for including language ensuring that cooperatives that have clearing exemption are also excluded from costly margin requirements. Dodd-Frank never intended for end users like rural electric cooperatives and farm credit companies to be subject to clearing and margin requirements.

Rural cooperatives in my district provide a great service at the lowest rates possible. Requiring these rural cooperatives to post margin on their swaps merely ties up working capital and will unnecessarily lead to higher electricity costs across the U.S.

I was pleased to see that earlier this year the CFTC included many of these end users, like rural cooperatives, in their proposed rulemaking on the clearing exemption. I support this legislation's directive to close the loophole by granting margin exemptions to those same entities as well.

Again, I support H.R. 634, and I urge my colleagues to vote for this legislation.

Mr. MCINTYRE. I reserve the balance of my time.

Mr. HENSARLING. Madam Speaker, I'm prepared to close, and I reserve the balance of my time.

Mr. MCINTYRE. Madam Speaker, I do want to emphasize the fact that we have great bipartisan support and would like to see this bill passed right away.

I yield back the balance of my time.

Mr. HENSARLING. Madam Speaker, I just want to urge all my colleagues to

support this bipartisan legislation to bring some relief to end users, promote economic growth and jobs, and make congressional intent clear.

Again, I urge all of my colleagues to adopt it, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HENSARLING) that the House suspend the rules and pass the bill, H.R. 634, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MCINTYRE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1310

#### SWAP DATA REPOSITORY AND CLEARINGHOUSE INDEMNIFICATION CORRECTION ACT OF 2013

Mr. CRAWFORD. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 742) to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 742

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Swap Data Repository and Clearinghouse Indemnification Correction Act of 2013”.

#### SEC. 2. REPEAL OF INDEMNIFICATION REQUIREMENTS.

(a) DERIVATIVES CLEARING ORGANIZATIONS.—Section 5b(k)(5) of the Commodity Exchange Act (7 U.S.C. 7a-1(k)(5)) is amended to read as follows:

“(5) CONFIDENTIALITY AGREEMENT.—Before the Commission may share information with any entity described in paragraph (4), the Commission shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.”.

(b) SWAP DATA REPOSITORIES.—Section 21(d) of the Commodity Exchange Act (7 U.S.C. 24a(d)) is amended to read as follows:

“(d) CONFIDENTIALITY AGREEMENT.—Before the swap data repository may share information with any entity described in subsection (c)(7), the swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.”.

(c) SECURITY-BASED SWAP DATA REPOSITORIES.—Section 13(n)(5)(H) of the Securities

Exchange Act of 1934 (15 U.S.C. 78m(n)(5)(H)) is amended to read as follows:

“(H) CONFIDENTIALITY AGREEMENT.—Before the security-based swap data repository may share information with any entity described in subparagraph (G), the security-based swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 24 relating to the information on security-based swap transactions that is provided.”.

(d) EFFECTIVE DATE.—The amendments made by this Act shall take effect as if enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203) on July 21, 2010.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. CRAWFORD) and the gentleman from Georgia (Mr. DAVID SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

#### GENERAL LEAVE

Mr. CRAWFORD. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 742.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CRAWFORD. Madam Speaker, I yield myself such time as I may consume.

I want to thank the cosponsors of this bill, especially Mr. HUIZENGA, Ms. MOORE, and Mr. MALONEY, for joining me in this bipartisan effort to help bring transparency to the global swap markets. While I may not agree with every provision of the Dodd-Frank law, today I believe we're working towards its bipartisan goal of giving the regulators the tools they need to improve systemic risk mitigation in the global financial markets.

I think everyone agrees that the lack of transparency in the over-the-counter derivatives markets escalated the financial crisis of 2008. In order to provide market transparency, the Dodd-Frank law requires post-trade reporting to swap data repositories, or SDRs, so that regulators and market participants have access to realtime market data that help identify systemic risk in the financial system. So far we have made great strides in reaching this goal, but unfortunately a provision in the law threatens to undermine our progress unless we fix it.

Currently, Dodd-Frank includes a provision requiring a foreign regulator to indemnify a U.S.-based SDR for any expenses arising from litigation relating to a request for market data. Unlike the rest of the world, the concept of indemnification is only established within U.S. tort law. As a result, foreign regulators have been reluctant to comply with this provision, and international regulatory coordination is being thwarted.

While the intent of the provision was to protect market confidentiality, in

practice it threatens to fragment global data on swap markets. Foreign regulators would be forced to create their own SDRs, resulting in a fragmented global data framework where regulators would be unable to see a complete picture of the marketplace. Without effective coordination between international regulators and SDRs, monitoring and mitigating global systemic risk is severely limited.

H.R. 742 fixes this problem by removing the indemnification provisions in Dodd-Frank. This legislation has broad bipartisan support and was unanimously approved by the House Agriculture Committee in March and the House Financial Services Committee in May. Additionally, last year, the SEC testified to the Financial Services Committee that a legislative solution was needed, saying:

In removing the indemnification requirement, Congress would assist the SEC, as well as other regulators, in securing the access it needs to data held in global trade repositories.

Many other U.S. and foreign regulators have echoed these same sentiments.

If left unresolved, the indemnification provision in Dodd-Frank has the potential to effectively reduce transparency in the over-the-counter derivatives markets and undo the great progress already being made through the cooperative efforts of more than 50 regulators worldwide. In passing this legislation, we will ensure that regulators will have access to a global set of swap market data, which is essential to maintaining the highest degree of market transparency and risk mitigation.

I strongly urge my colleagues to vote “yes” on this bill.

With that, I reserve the balance of my time.

Mr. DAVID SCOTT of Georgia. Madam Speaker, I ask unanimous consent to yield 10 minutes of my time to Ms. MOORE of Wisconsin, who's done a tremendous job on this issue, and that she be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVID SCOTT of Georgia. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 742, the Swap Data Repository and Clearinghouse Indemnification Correction Act, which has been sponsored by my colleague and good friend Representative CRAWFORD from Arkansas, and it's been a pleasure to work with him on this. I would like to strongly urge all of my colleagues to vote in favor of this bill.

H.R. 742 is noncontroversial and it is highly bipartisan, shared by both Democrats and Republicans alike. It passed the Agriculture Committee by



voice vote unanimously, and it passed the Financial Services Committee by a unanimous vote as well, 52-0.

Madam Speaker, Dodd-Frank ushered in a new era of financial marketing, reporting and transparency requirements—which was very much needed—in order to aid regulators by providing insight into what were once very opaque markets and to facilitate information-sharing between and among United States and international regulators. These were very laudable and necessary changes that were welcome by regulators and market participants alike.

Dodd-Frank also included a provision requiring that in order for the gathered action information to be shared, the SEC and the CFTC, or a swap data repository, be indemnified against accidental release or misuse of information.

Unfortunately, Madam Speaker, this indemnification provision is having an unintended consequence, an unintended effect of preventing data collection and information-sharing, particularly when international transactions and international regulators are involved, because indemnification is a legal concept unique only to the United States. H.R. 742 would very simply remove this indemnification requirement, as requested by United States, foreign regulators and swap data repositories, so that we can realize the level of global information-sharing that is so critical to monitoring systemic risk.

Madam Speaker, as I said, I strongly support this very simple but necessary bill that will help to facilitate greater information-sharing, as intended by Dodd-Frank, and I encourage my colleagues to do the same.

I reserve the balance of my time.

Mr. CRAWFORD. Madam Speaker, I would like to yield 3 minutes to the lead cosponsor in Financial Services on this bill, the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. Madam Speaker, I appreciate that from my friend from Arkansas, who has shown great leadership on this issue.

Madam Speaker, thousands of companies across this country and in my State of Michigan utilize derivatives to better manage the risks that they face every day. The proper use of derivatives to lower risk benefits the global economy by allowing a range of businesses, from manufacturing to health care, agriculture and a myriad of others, to improve their planning and forecasting and offer more stable prices to customers.

By imposing over-the-top regulatory burdens on end users, this could increase costs and reduce liquidity that would prevent these companies from using derivatives markets efficiently, effectively, and properly. That is why I am a proud sponsor of H.R. 742, the Data Swap Repository and Clearing-

house Indemnification Correction Act—quite a mouthful, but an important piece of bipartisan legislation—which unanimously passed both the Agriculture and the Financial Services Committees—a rare feat in Washington these days—and it would remove the unrealistic requirement to secure against future losses, which some have noted is a concept unique to U.S. law. But it would remove these unrealistic requirements imposed on foreign regulators by Dodd-Frank as a condition of obtaining access to the data repositories that we need to share.

In fact, earlier this year, the CFTC and the SEC—the regulatory agencies—issued a Joint Report on International Swap Regulation acknowledging the problems with indemnification provisions in Dodd-Frank. The SEC and CFTC staff report said that the indemnification provisions have “caused concern among foreign regulators, some of which have expressed unwillingness to register or recognize (a swaps data repository) unless able to have direct access to necessary information.”

□ 1320

Additionally, the report noted:

Congress may determine that a legislative amendment to the indemnification provision is appropriate.

Folks, despite opposition from the Secretary of the Treasury and the White House, here is the bipartisan answer to this problem, and we are glad to see that people on all sides—right, left, and center—have agreed that this is a proper measured step to solve this issue. As you can see, this legislative solution is a small technical fix to the Dodd-Frank Act, but it's desperately needed and is vital to maintaining the integrity of domestic and global derivatives market regulations, so I urge the swift passage of H.R. 742.

Ms. MOORE. Again, I do want to thank Mr. SCOTT, and I yield myself such time as I may consume.

I am so delighted to be the lead cosponsor on the Democratic side of the Financial Services Committee of this critical legislation. However, I do want to thank all of my colleagues on both the Ag Committee and the Financial Services Committee for their leadership and support on this nuanced, but important, legislation. It really took the hard work of a bipartisan group of members and staff to get this bill to this point.

H.R. 742, the Swap Data Repository and Clearing House Indemnification Correction Act, strikes the mandate that global regulators indemnify U.S.-based SDRs and regulators from liability in order to access swap trade data in U.S.-based SDRs.

Mr. SCOTT and Mr. CRAWFORD have done a fantastic job in walking through the details of this bill. I just want to add, Madam Speaker, that striking this

indemnification provision does not compromise the new legal framework for the swap markets enacted in Dodd-Frank, nor does it erode any other important market protections. In fact, H.R. 742 ensures the functioning of the newly enacted swap regime and the ability of swap data repositories to function as intended.

The bill passed both the House Financial Services and Ag Committees without opposition. The bill is supported by consumer advocacy groups as well as by business groups. In testimony before the Financial Services Committee, the Securities and Exchange Commission said of the bill:

The SEC recommends that Congress consider removing the indemnification requirement added by the Dodd-Frank Act . . . the indemnification requirement interferes with access to essential information, including information about the cross-border OTC derivatives markets.

H.R. 742 ensures information regarding the global swap market will be available to U.S. and foreign regulators, which will enhance the global transparency and oversight of derivatives markets.

I reserve the balance of my time.

Mr. CRAWFORD. Madam Speaker, I reserve the balance of my time.

Ms. MOORE. Madam Speaker, I yield 2½ minutes to my colleague, a senior member of the Financial Services Committee, the gentlelady from New York (Mrs. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank the gentlelady for her leadership and for yielding.

This is a very strong bipartisan effort, and I rise today in support of H.R. 742, the Swap Data Repository and Clearing House Indemnification Correction Act.

In enacting the Dodd-Frank Act, Congress passed the most sweeping reforms to the financial industry in decades in response to the worst economic crisis in our lifetimes. The facts are clear: the financial system is global and, as a result, systemic risk is global as well. We saw it in 2008 with the exposure that European banks had to counterparties like Lehman and Merrill, and we see it today with U.S. banks' exposure to the European debt crisis. The great equalizer here is data.

This is the reason Dodd-Frank created swap data repositories. It was so that the regulators, domestic and foreign alike, could recognize prospective cracks in the financial armor before they become gaping holes. This is critically important, and we must get it right. Data collection has been one of the issues that I've worked hard on in the past, and I want to ensure that we are doing everything we can to support collaboration and to encourage an open exchange of data with our foreign counterparties.

Virtually everyone agrees that the indemnification provisions in Dodd-



Frank will have the unintended consequence of limiting the extent to which our U.S. regulators share information with well over 50 foreign regulators. That is the complete opposite of the direction we want to go. This bipartisan effort to correct a problem in Dodd-Frank is not an attempt in any way to weaken the bill. It is an attempt to make good legislation even better.

This bill will go a long way toward furthering a major goal of the Dodd-Frank legislation in reforms, which is sharing data and collaborating with foreign entities to reduce global systemic risk. This not only has strong bipartisan support, but it is likewise supported by the SEC. I urge my colleagues on both sides of the aisle to support this important correction.

Mr. CRAWFORD. Madam Speaker, I continue to reserve the balance of my time.

Ms. MOORE. Madam Speaker, I am so delighted at this point to yield 2 minutes to someone who was formerly on the Ag Committee and is currently on the Financial Services Committee and who understands the importance of H.R. 742, the gentlelady from Alabama, Representative TERRI SEWELL.

Ms. SEWELL of Alabama. I rise today in support of H.R. 742, the Swap Data Repository and Clearing House Indemnification Correction Act.

H.R. 742 helps to ensure that regulators continue to have the transparency in the derivatives market needed to make the critical decisions to help mitigate risk in our domestic and international financial markets.

As we continue to move forward with the implementation process of Dodd-Frank, we must be mindful of the original purpose and intent behind this essential reform to our financial markets. Dodd-Frank was intended to add more transparency and oversight to our financial markets and to ensure that another financial crisis and meltdown would never occur. However, Congress must continue to provide important guidance and oversight to financial regulatory agencies in order to ensure that no unintended consequences associated with these new regulations will run counter to the original intent.

That is why I support this bipartisan and commonsense technical correction and clarification in H.R. 742. As a former securities lawyer and finance professional, I believe that this bill, by correcting the indemnification provisions that impose burdensome regulations on our foreign regulators, will in many ways maintain the integrity of our financial markets; and I think it is the right thing to do.

While many aspects of the new derivatives market and the entire title VII regime remain uncertain, I want to applaud the diligent work of both the CFTC and the SEC in drafting and implementing these critically new regula-

tions. Today's vote helps to add clarity and clarification to very important derivative reform. I also want to commend my colleagues on both sides of the aisle and my colleague, the gentlewoman from Wisconsin, GWEN MOORE, as well as my colleague from Georgia, DAVID SCOTT, for their leadership on this issue.

I urge my colleagues on both sides of the aisle to vote in favor of this important clarification and to support this bipartisan piece of legislation.

Mr. CRAWFORD. Madam Speaker, I continue to reserve the balance of my time.

Ms. MOORE. I yield myself such time as I may consume.

I am so pleased that H.R. 742 is before us so that people understand, Madam Speaker, that this process actually does work from time to time. This provision was added at the last minute to the Dodd-Frank bill. It was not fully vetted and not fully debated. In a very diligent way, two committees on both sides of the aisle were able to come together and really pull together this very modest, but extremely critical, important bill to make sure that there is transparency as well as fluidity in our oversight of derivatives markets.

□ 1330

I am so pleased to be a part of this remarkable consensus on the indemnification of this bill, and I urge all my colleagues to support this critically important legislation.

I yield back the balance of my time.

Mr. CRAWFORD. Madam Speaker, I yield myself such time as I may consume just to simply say that by passing and enacting H.R. 742, it would send a clear message to the international community that the United States is strongly committed to global data sharing and is determined to avoid fragmenting the current global data set for over-the-counter derivatives.

I urge a "yes" vote on H.R. 742, and I continue to reserve the balance of my time.

Mr. DAVID SCOTT of Georgia. Madam Speaker, as I have no additional speakers, I would like to close by simply saying a great thanks for the work of Mr. CRAWFORD from Arkansas, Ms. MOORE from Wisconsin, Ms. SEWELL from Alabama, and Mrs. MALONEY from New York in this great show of bipartisanship that will help us to facilitate greater information sharing, which was intended by Dodd-Frank.

I urge passage on this much-needed legislation, and I yield back the balance of my time.

Mr. CRAWFORD. Madam Speaker, I thank the gentleman from Georgia.

I again urge a "yes" vote on H.R. 742 and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. CRAWFORD) that the House suspend the rules and pass the bill, H.R. 742.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DAVID SCOTT of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### PUBLIC POWER RISK MANAGEMENT ACT OF 2013

Mr. LAMALFA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1038) to provide equal treatment for utility special entities using utility operations-related swaps, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1038

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Public Power Risk Management Act of 2013".

#### SEC. 2. TRANSACTIONS WITH UTILITY SPECIAL ENTITIES.

Section 1a(49) of the Commodity Exchange Act (7 U.S.C. 1a(49)) is amended by adding at the end the following:

"(E) CERTAIN TRANSACTIONS WITH A UTILITY SPECIAL ENTITY.—

"(i) Transactions in utility operations-related swaps shall be reported pursuant to section 4r.

"(ii) In making a determination to exempt pursuant to subparagraph (D), the Commission shall treat a utility operations-related swap entered into with a utility special entity, as defined in section 4s(h)(2)(D), as if it were entered into with an entity that is not a special entity, as defined in section 4s(h)(2)(C)."

#### SEC. 3. UTILITY SPECIAL ENTITY DEFINED.

Section 4s(h)(2) of the Commodity Exchange Act (7 U.S.C. 6s(h)(2)) is amended by adding at the end the following:

"(D) UTILITY SPECIAL ENTITY.—For purposes of this Act, the term 'utility special entity' means a special entity, or any instrumentality, department, or corporation of or established by a State or political subdivision of a State, that—

"(i) owns or operates an electric or natural gas facility or an electric or natural gas operation;

"(ii) supplies natural gas and or electric energy to another utility special entity;

"(iii) has public service obligations under Federal, State, or local law or regulation to deliver electric energy or natural gas service to customers; or

"(iv) is a Federal power marketing agency, as defined in section 3 of the Federal Power Act."

#### SEC. 4. UTILITY OPERATIONS-RELATED SWAP.

(a) SWAP FURTHER DEFINED.—Section 1a(47)(A)(iii) of the Commodity Exchange Act (7 U.S.C. 1a(47)(A)(iii)) is amended—

(1) by striking "and" at the end of subclause (XXI);

(2) by adding "and" at the end of subclause (XXII); and

(3) by adding at the end the following:

“(XXIII) a utility operations-related swap.”

(b) UTILITY OPERATIONS-RELATED SWAP DEFINED.—Section 1a of such Act (7 U.S.C. 1a) is amended by adding at the end the following:

“(52) UTILITY OPERATIONS-RELATED SWAP.—The term ‘utility operations-related swap’ means a swap that—

“(A) is entered into to hedge or mitigate a commercial risk;

“(B) is not a contract, agreement, or transaction based on, derived on, or referencing—

“(i) an interest rate, credit, equity, or currency asset class; or

“(ii) a metal, agricultural commodity, or crude oil or gasoline commodity of any grade, except as used as fuel for electric energy generation; and

“(C) is associated with—

“(i) the generation, production, purchase, or sale of natural gas or electric energy, the supply of natural gas or electric energy to a utility, or the delivery of natural gas or electric energy service to utility customers;

“(ii) all fuel supply for the facilities or operations of a utility;

“(iii) compliance with an electric system reliability obligation;

“(iv) compliance with an energy, energy efficiency, conservation, or renewable energy or environmental statute, regulation, or government order applicable to a utility; or

“(v) any other electric energy or natural gas swap to which a utility is a party.”

#### SEC. 5. EFFECTIVE DATE.

The amendments made by this Act take effect as if enacted on July 21, 2010.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. LAMALFA) and the gentleman from Georgia (Mr. DAVID SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. LAMALFA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 1038.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LAMALFA. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, the premise of the heavily bipartisan Public Power Risk Management Act is simple and is one that all Members of the House should support. It seeks to keep electricity and natural gas rates from increasing for over 47 million Americans. Those 47 million Americans are customers of over 2,000 publicly owned utilities who have used swaps to manage their risk for years.

Unfortunately, the Dodd-Frank Act, though well-intentioned and enacted to make reforms to our Nation's financial industry, has been used to limit who can do business with a publicly owned utility.

For example, in my district specifically, the city of Redding, California, the Redding Electric Utility has been concerned that potential limitations to hedging options in the future could in-

crease the costs to their customers, as well as Grays Harbor Public Utility District, a community-owned nonprofit utility that serves 45,000 customers in Washington State, which previously had 20 counterparties whom they could use to help manage their risk, says Doug Streeter, its chief financial officer. Now, instead of 20, it is down to just two counterparties due to overly restrictive rules born out of, I think, an unintentional consequence of the Dodd-Frank Act.

“What we're hearing from the counterparties is it's abundantly clear that they're worth more to us than we are to them,” Mr. Streeter says. “It wasn't a big book of business for them, and it's just not worth it for them to be designated as a swap dealer. They're not willing to take that on, so they've left the market,” continued Mr. Streeter.

Of course, this unintended consequence is affecting utilities in congressional districts all across the United States. The results of this limitation are fewer options for publicly owned utilities to manage their risks, which will translate into higher costs for millions of American ratepayers.

I was not yet a Member of this body when Dodd-Frank was debated, but I think it's safe to say that at no point during the debate was it contemplated that Dodd-Frank could lead to higher energy rates for millions of Americans, which is an unacceptable result during a period of tremendous economic uncertainty. This potential outcome can be prevented by sending H.R. 1038 to the Senate today with a strong bipartisan vote.

I should note that while my bill seeks to preserve a publicly owned utility's access to cost-effective and customized nonfinancial commodity swaps used to generate electricity or produce natural gas, it still requires financial swaps to be governed by the new CFTC rules issued under the Dodd-Frank Act and requires reporting of all transactions to the CFTC to ensure market integrity.

I should also note that my bill has broad bipartisan support from many Members all over the country from both sides of the aisle, for which we're very thankful, as well as broad support by key stakeholders, including the Consumer Federation of America and the United States Chamber of Commerce, of which I will include their letters in the RECORD.

Let's stick up for these utilities and their customers. They're simply trying to manage their risk so that they can keep rates low for millions of Americans.

With that, I reserve the balance of my time.

CONSUMER FEDERATION OF AMERICA,

May 17, 2013.

Hon. FRANK D. LUCAS,  
Chairman, Committee on Agriculture,  
Rayburn House Office Building, Washington,  
DC.

Hon. COLLIN C. PETERSON,  
Ranking Member, Committee on Agriculture,  
Rayburn House Office Building, Washington,  
DC.

DEAR CHAIRMAN LUCAS AND RANKING MEMBER PETERSON: The Consumer Federation of America encourages the House Agriculture Committee to approve H.R. 1038, the Public Power Risk Management Act. This narrowly crafted legislation would protect public utility ratepayers from increased costs and rate volatility by ensuring that these utilities have the same ability as other utilities to hedge operational risks.

CFA has long-recognized the central importance of a strong swap dealer definition to the effective oversight of the derivatives markets and, by extension, to the stability of the financial system. We believe it is essential that those entities that are genuinely acting as swap dealers remain subject to appropriate regulatory requirements and oversight.

However, we also believe it is inappropriate for non-financial counterparties—such as natural gas producers, independent generators, and other utilities—to be treated as swap dealers in their transactions with public utilities, who are essentially functioning as business units, not as governing bodies. In the past, these transactions have given no cause for concern. Public utilities should be as free as other utilities to engage in these transactions to hedge risks.

The Commodity Futures Trading Commission has recognized this unique problem and has taken steps to try to mitigate it. But as yet, these measures have not been sufficient to persuade nonfinancial counterparties to resume normal dealings with public utilities. We believe that H.R. 1038 would provide the clarity that allows such a presumption.

Sincerely,

STEPHEN BROBECK,  
Executive Director.

CHAMBER OF COMMERCE OF THE  
UNITED STATES OF AMERICA,  
Washington, DC, June 11, 2013.

R. BRUCE JOSTEN,  
Executive Vice President, Government Affairs.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES. The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, strongly supports H.R. 634, H.R. 742, H.R. 1038, and H.R. 1256, bills that would provide critical relief for Main Street companies that rely on derivatives to manage their business risk, and ensure regulation reflects the global nature of the derivatives market.

H.R. 634, the “Business Risk Mitigation and Price Stabilization Act of 2013,” would create an exemption for corporate “end users” that manage their business risk with derivatives. Despite the clear intent of Congress to shield end users from unnecessary cash collateral requirements, the Prudential Banking Regulators believe they do not have the flexibility under the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank) to provide a regulatory exemption. Federal Reserve Chairman Ben

Bernanke has noted this problem on a number of occasions and has supported a legislative fix, and an identical bill passed the House in 2012 by an overwhelming bipartisan margin—370–24. Main Street companies urgently need legislative relief from cash draining government-imposed margin requirements, so they are not forced to choose between hedging risk and growing their businesses.

H.R. 742, the “Swap Data Repository and Clearinghouse Indemnification Correction Act of 2013,” would eliminate an unworkable indemnification requirement in Dodd-Frank that would lead to a balkanized system for storing and accessing swaps data. Some foreign jurisdictions have laws or regulations that make indemnification impossible, and therefore prevent foreign regulators from accessing swaps information from U.S.-registered swap data repositories. This bill would repeal the indemnification requirement, but make clear that regulators have an obligation to maintain the confidentiality of the information.

H.R. 1038, the “Public Power Risk Management Act of 2013,” would help ensure that public utilities’ ability to hedge their risk and minimize customer costs would not be hindered by Commodity Futures Trading Commission (CFTC) regulation. CFTC’s “swap dealer” definition punishes counterparties who transact with “special entities” like public utilities by increasing their compliance burden, making it more difficult and more expensive for these special entities to find willing partners in the market.

H.R. 1256, the “Swap Jurisdiction Certainty Act,” would require CFTC and the Securities and Exchange Commission (SEC) to conduct a joint rulemaking to define the territorial reach of U.S. derivatives regulation, while carefully considering the costs and benefits of regulating transactions between non-U.S. counterparties. CFTC has proposed guidance, rather than a notice and comment period for proposed rulemaking, while SEC has more faithfully followed the regulatory process. The lack of interagency coordination on even this basic procedural point is problematic, but more concerning is CFTC’s substantive approach which could increase end user costs by imposing new burdens on their dealer counterparties that operate globally.

These bills would provide clarity and certainty for companies that use derivatives to hedge their business risk efficiently, allowing them to focus on growing their business and creating jobs.

Sincerely,

R. BRUCE JOSTEN.

Mr. DAVID SCOTT of Georgia. Madam Speaker, I yield myself such time as I may consume.

I rise today to offer my full support for H.R. 1038, the Public Power Risk Management Act, which is sponsored by my colleague from California (Mr. LAMALFA). And I’d like to commend Mr. LAMALFA for his outstanding leadership because, as he pointed out, this is another one of those unintended consequences that we’re here to fix.

H.R. 1038 is a noncontroversial bill. It passed the House Committee on Agriculture by a voice vote. And H.R. 1038 seeks to correct an oversight in Dodd-Frank that has hindered the ability of publicly owned utilities to offset their risk in the traditional fashion. Put simply, H.R. 1038 would simply allow

producers, utility companies, and other nonfinancial entities to continue entering into energy swaps with government-owned utilities without danger of being required to register with the CFTC as a swap dealer.

What this will do is it will allow these publicly owned utilities to continue using their traditional swap counterparties to help manage their risk related to the generation of electricity and the production of natural gas. This is very important, Madam Speaker, because, if the law remains as it is without this bill, the ability of utilities to manage risk would be hindered by increased costs and could lead to higher energy rates for millions of Americans. We certainly do not want this to happen.

□ 1340

This is something we want to avoid, especially during our still fragile economic recovery. So, Madam Speaker, I support this technical correction to Dodd-Frank, and I urge my colleagues to support it as well.

I reserve the balance of my time.

Mr. LAMALFA. Madam Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. I thank the gentleman from California for his leadership on this issue and for the opportunity to allow me to speak in support of H.R. 1038, the Public Power Risk Management Act of 2013.

This is a good, bipartisan piece of legislation that would simply allow producers, utility companies, and other nonfinancial entities to continue entering into energy swaps with government-owned utilities, also known as utility special entities, without requiring them to register with the CFTC as a swap dealer solely because of their dealings with government-owned utilities.

As a group, public power utilities deliver electricity to one in seven of every electric customers in the United States, over 47 million people—certainly some in major metropolitan areas such as Los Angeles, San Antonio, Seattle, and Orlando—but the vast majority of public power companies serve communities with populations of 10,000 people or less.

H.R. 1038 will place utility special entities on a level-playing field with everyone else in the marketplace, allowing many of them to keep the same swap counterparties they have used to manage risk for years. Utility special entities should be allowed to keep using swaps to help manage their risk related to the generation of electricity or production of natural gas. To hinder these utilities’ ability to manage risk would only increase their costs and possibly lead to higher energy rates for millions of Americans, an unacceptable result during a period of tremendous economic uncertainty.

Madam Speaker, I urge passage of H.R. 1038 and urge a “yes” vote.

Mr. DAVID SCOTT of Georgia. I have no other speakers, Madam Speaker, so I would like to close by saying that Mr. COSTA, our distinguished Congressman from California, expresses his deep concern and support for this legislation, and I certainly wanted to register that on his behalf.

And certainly to Mr. LAMALFA and to Mr. CRAWFORD, I again commend you for your outstanding work on this. Wherever we can cut costs and save money for the American people, we need to do it and do it quickly. Therefore, I urge very quick passage of this very important and timely piece of legislation.

I yield back the balance of my time.

Mr. LAMALFA. Madam Speaker, I appreciate again how we have been able to come together in such a good bipartisan fashion. I greatly appreciate my colleague from Georgia’s kind and helpful words in moving this legislation today on the floor.

In closing, again, H.R. 1038 seeks to keep electricity and natural gas bills affordable for over 47 million Americans. Our publicly owned utilities should have access to the risk management tools that they need to keep costs down, a goal we all share, and which prevents utility rates from rising. I ask my colleagues to support this commonsense legislation.

I yield back the balance of my time.

Mr. COSTA. Madam Speaker, I rise in support of the bi-partisan, H.R. 1038, the Public Power Risk Management Act of 2013.

This bill allows producers, utility companies, and other non-financial entities (swap counterparties) to continue entering into energy swaps with government-owned utilities (aka: utility special entities) without requiring them to register with the CFTC as a “swap dealer” solely because of their dealings with government-owned utilities.

There are over 2,000 municipal, state and locally-owned, not-for-profit electric utilities throughout the United States, which deliver electricity to one in every seven electricity customers in the United States, over 47 million people. Further, the vast majority of public power companies serve communities with populations of 10,000 people or less.

Utility special entities should be allowed to keep using traditional swap counterparties, such as natural gas producers, independent generators, and investor-owned utility companies to help manage their operational risk related to the generation of electricity or production of natural gas.

I urge my colleagues to support this commonsense, bipartisan legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LAMALFA) that the House suspend the rules and pass the bill, H.R. 1038.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DAVID SCOTT of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 1960, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014; AND PROVIDING FOR CONSIDERATION OF H.R. 1256, SWAP JURISDICTION CERTAINTY ACT

Mr. NUGENT. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 256 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 256

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. After general debate, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1256) to direct the Securities and Exchange Commission and the Commodity Futures Trading Commission to jointly adopt rules setting forth the application to cross-border swaps transactions of certain provisions relating to swaps that were enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act. All points of order against consideration of the bill are waived. The amendments recommended by the Committee on Financial Services now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Agriculture; and (2) one motion to recommit with or without instructions.

SEC. 3. The chair of the Committee on Agriculture is authorized, on behalf of the committee, to file a supplemental report to accompany H.R. 1947.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. NUGENT. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NUGENT. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. NUGENT. House Resolution 256 provides for House consideration of two separate pieces of legislation. The first of these bills is H.R. 1256, the Swap Jurisdiction Certainty Act, which will be considered for 1 hour, with time divided between the Committees on Financial Services and Agriculture, under a closed rule.

Secondly, and the reason why I am so proud to be the sponsor of this rule, H. Res. 256 provides for 1 hour of general debate for this year's National Defense Authorization Act.

The Rules Committee traditionally receives hundreds of amendments to the NDAA; and with just under 300 submitted by the end of the day yesterday, this year is no different. Therefore, as is the tradition for this bill, this first rule in the NDAA consideration process provides for general debate while a second will provide for consideration of the plethora of amendments we have before us.

As a member of the House Armed Services Committee, I have had the honor of helping craft this legislation for the past few months. As I think anybody can imagine, when you're talking about a bill that authorizes the Department of Defense, there is a lot to discuss and consider. That point was illustrated by our full committee markup in the Armed Services Committee last week, which started first thing Wednesday morning and went through to almost 3 a.m. on Thursday, 16 hours. We worked long and hard, and I'm proud of the product we've presented to this House for consideration.

But for as much time and effort that we on the Committee on Armed Services put into the Defense Authorization Act, I know that other Members who don't serve on our committee will want to make their mark on this bill, too. To ensure that the House has an opportunity to really have a comprehensive, free-flowing debate on such an important topic, we've decided to break the rule for the Defense Authorization Act into two parts.

That's why today's rule provides us with 1 hour of general debate time. It gets us started on the path to consideration. It also allows Members from

both sides of the aisle to have a full discussion about the broader themes running through this base legislation. There are important debates, and the sooner we get them started, the better. But with nearly 300 amendments submitted to the National Defense Authorization Act, the truth is we on the Rules Committee couldn't give each and every amendment the full weight and consideration it deserves and produce a comprehensive rule that starts debate on the full bill and all amendments today.

□ 1350

If something's worth doing, it's worth doing it right. Therefore, while the House works on the Swap Jurisdiction Certainty Act and starts general debate on the NDAA, we, on the Rules Committee, will return to the committee room and we'll continue to sift through all the amendments that Members have offered on this bill.

We want to make sure the House has the opportunity to weigh in on each and every important issue in the NDAA. That's why we need to take our time. And once we have a full understanding of the amendments submitted to the committee, we'll come back with a second rule setting the universe of amendments for this legislation.

I know that we all share the same commitment to making this a fair and collaborative process. Quite frankly, it's the spirit of cooperation and the knowledge that we're serving a common purpose that has been one of the most gratifying parts of serving on HASC to date. As Chairman MCKEON said to the Rules Committee yesterday, we may disagree sometimes, but it doesn't mean we have to be disagreeable. We're able to put partisanship aside, and we know that our work directly impacts the life of each and every servicemember and his or her family in a personal and direct way.

We're providing for the common defense, which is part of the Federal Government's most fundamental roles, part of our core mission, as I like to say. And if you want proof of how collaboratively we worked on this bill as a committee, you only need to look at the fact that we passed this bill out of committee 59-2. And as the father of three sons serving in the Army, I'm heartened to know that politics can be set aside when it comes down to making sure our troops are equipped with the tools that are required, funded at the levels they need, and trained for the mission at hand.

This is an important time for our country and an important time for those members of the military who serve us every day. These young men and women put their lives on the line for us so we could be here today and debate the issues of the day. So they deserve our undivided attention and support when it comes to making sure

that they have everything that they need, and there's no more essential role for our Federal Government, in my opinion, as to what we are doing today.

H.R. 1960 fulfills the promise to our warfighters and to their loved ones. I'm proud of this rule, which gets us on the road towards considering and passing this essential bill. For that reason, I support the rule. I support the underlying pieces of legislation and look forward to coming back here tomorrow in the next step of getting the National Defense Authorization Act for Fiscal Year 2014 passed.

I encourage all my colleagues to vote "yes" on the rule, and I reserve the balance of my time.

Mr. McGOVERN. Madam Speaker, I want to thank the gentleman from Florida (Mr. NUGENT) for yielding me the customary 30 minutes.

I yield myself such time as I may consume.

Madam Speaker, this should be a simple rule. Every year, this House considers the annual National Defense Authorization Act. It's a bill that reauthorizes our Nation's defense programs and a place where we should have the opportunity to debate some of the most important issues facing this country and the world.

The process is typically broken up into two parts: a rule providing for general debate on the National Defense Authorization Act and a rule providing for consideration of amendments to that bill. It's generally not a controversial process; although, the decisions made by the Rules Committee in allowing and preventing amendments from being considered can be controversial.

And that's where this rule goes wrong. This is not the normal rule providing for general debate for the defense authorization bill. No, Madam Speaker, this rule is much more than that.

Over the past 3 years, we've seen the Republican leadership in the House fixated on several things:

They want to take health care away from millions of Americans by repealing ObamaCare;

They want to destroy the social safety net through mindless budget cuts; and

They want to weaken our financial system by repealing the Dodd-Frank Act that came out of the greatest fiscal crisis since the Great Depression.

This rule, the rule that should be a simple general debate rule for the Defense Authorization Act, also makes in order H.R. 1256, the Swap Jurisdiction Certainty Act. Not only does this rule cram in this controversial bill, it does not allow one single amendment. That's right. This is a closed rule. That's not an open and transparent process, certainly not the one that Speaker BOEHNER promised.

H.R. 1256 would require the Commodity Futures Trading Commission

and the Securities Exchange Commission to jointly issue rules on the regulations of swaps transactions between the United States and foreign entities.

H.R. 1256 automatically exempts transactions in countries with the nine largest swaps markets from U.S. regulations unless the CFTC and the SEC jointly determine that the regulations aren't broadly equivalent. Because many large U.S. financial institutions have subsidiaries outside of the United States, there are serious concerns that banks will seek to conduct swap transactions in countries with looser regulations to avoid U.S. oversight. And, Madam Speaker, it is important to note that many countries are far behind the United States in promulgating their rules on swaps.

Why are we looking to allow foreign regulations to govern transactions involving U.S. companies that could ultimately impact our economy?

During the markup in the Financial Services Committee, Ranking Member MAXINE WATERS offered an amendment to strike the presumption that foreign regulatory requirements satisfy U.S. swaps requirements, allowing the CFTC and the SEC to determine whether foreign regulatory requirements are comparable to U.S. requirements. Unfortunately, under this closed rule, the full House will not have the opportunity to consider a similar amendment to strengthen this legislation.

Madam Speaker, this is yet another attempt to slow down the Dodd-Frank rulemaking process, undermine the CFTC's work in regulating derivatives trading, and weaken the financial market regulations needed to protect our economy.

Madam Speaker, I urge all my colleagues to vote "no" on this rule.

This rule also allows, believe it or not, the Agriculture Committee to file a supplemental report to H.R. 1947, the farm bill reauthorization. Madam Speaker, this is a bill that cuts \$20.5 billion from SNAP, formerly known as food stamps. While this report is just technical, and fulfills the committee's responsibilities following the markup of H.R. 1947, this rule is not the place for this report. And, more importantly, I want to make it crystal clear that I do not support these egregious cuts. It's a rotten thing to do to poor people during this tough economic time.

Finally, Madam Speaker, let me discuss the least controversial part of this rule, the defense authorization bill. This rule allows the House to begin general debate on H.R. 1960, the FY 2014 National Defense Authorization Act.

There is much to admire and support in this bill, and I commend the chairman and ranking member for working together to ensure the programs that provide benefits and support to our veterans and military retirees are adequately funded and that there will be no increases in TRICARE fees. Regret-

tably, there's also a great deal in this bill that should make every Member of this Chamber pause and think about our national security priorities:

Should we be spending additional billions on Cold War nuclear weapons rather than on our troops, their families, and our veterans?

Should we really be cutting funds and putting obstacles in the way of implementing the New START Treaty with Russia, limiting both our nations' ability to further reduce and verify our nuclear arsenals?

Should we be committing hundreds of millions this year and billions of dollars in the future to an east coast missile defense site that the Pentagon says it doesn't want and doesn't need?

Should we continue to set up roadblocks and obstruct the President's efforts to resolve the issue of how to effectively and safely close the detention facilities at Guantanamo Naval Station, appropriately release and return to their families those prisoners who have been cleared of all charges, and bring to justice once and for all those few remaining prisoners who were indeed engaged in heinous acts of terrorism?

And once again, Madam Speaker, the committee provides \$85.8 billion for the war in Afghanistan through the Overseas Contingency Operations account. That's \$5 billion more than what the President and the Pentagon asked for.

Now let me just say a couple of words about the OCO account. It is an off-budget account. It is another \$85 billion on the Nation's credit card—deficit spending, pure and simple. It is the lingo of "emergency spending," as if it were an unexpected surprise that we will still be in Afghanistan throughout all of FY 2014.

I have always been concerned that the wars in Iraq and Afghanistan, and the ever more amorphous and hard-to-define global war on terror, have not been included in the Pentagon's base budget but always outside that budget, with an "emergency" designation so that we don't have to figure out how to pay for it now. We'll just pay for it later and later and later. I'm increasingly concerned that, even after we transition all combat military and security operations over to the Afghan Government by the end of 2014, the OCO will still go on.

It is time to phase out the OCO, put this spending back into the base spending bill, and if we want to make war, then we ought to figure out a way to pay for it or make the appropriate cuts in other Pentagon programs to make room for the funding of these operations.

□ 1400

Finally, Mr. Speaker, let me say a few words about the strong concerns this Congress has, on both sides of the aisle, about the epidemic of sexual assault in all branches of our military.

This bill includes several measures that will strengthen the investigation and prosecution of these heinous crimes inside our military. It also provides new protections for victims of military sexual assault. It reflects the bipartisan work of Representative TURNER, my Massachusetts colleague, Representative TSONGAS, as well as Representatives WALORSKI, NOEM, CASTRO, and LORETTA SANCHEZ. However, Mr. Speaker, there is still much more that should and can be done to ensure these brutal rapes and assaults are fully investigated and prosecuted, the victims treated with respect, and to advance education in our military academies and among our ranks and our officer corps.

Several amendments were submitted to the Rules Committee, and I hope that they will be made in order so that we can more fully debate this critical issue and how to end rape and sexual assault within our Armed Forces.

Let me just add, Mr. Speaker, that while the NDAA looks to strengthen protections and prosecutions inside our military, we here in Congress are also to blame for having failed in our oversight responsibilities. Congress has not given the attention to military sexual assault that it deserves. So I think that we do need to clean up our own House and ensure that Congress does a far better job of oversight to ensure that the Pentagon and all our military members are held accountable for preventing, reducing, and prosecuting cases of sexual assault and abuse in our Armed Forces and providing victims with the services and support that they deserve.

Mr. Speaker, I'm always ambivalent about the annual defense authorization bill. I support the programs for our veterans and our retirees, and I support providing for the genuine needs of our servicemen and -women, whether they are based here at home or abroad. But I cannot support the amount of waste, the spending on unnecessary and often ridiculous programs, on more nukes, on outdated weapons, and on wars that never end.

As we begin general debate on the defense bill later today, I ask my colleagues to keep these questions in mind.

Once again, Mr. Speaker, this rule is unnecessarily complicated and misguided. There is no reason to include yet another bill gutting Dodd-Frank in this rule, and there's no reason to cram into this rule a report from the Agriculture Committee about a bill that will make hunger worse in America.

For these reasons, I oppose this rule, and I urge my colleagues to vote "no" on the rule for these three measures, and I reserve the balance of my time.

Mr. NUGENT. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Speaker, about 5 years ago in my community, we were

saddened to hear of the news of the tragic death of Marie Lauterbach. Marie Lauterbach was a marine who came forward to report the sexual assault that she had endured and came forward and reported her belief of a subsequent pregnancy from that sexual assault, only to have the Marines inform her and the accused in the sexual assault, the perpetrator, that they would wait until her baby was born, and when the baby was born, they would do DNA testing. And if the DNA testing showed, in fact, that the baby was the accused's, then they would move forward with the prosecution. Until then, they left the two in close proximity until the accused murdered Marie Lauterbach in her eighth month of pregnancy and burned her in her backyard in a bonfire.

It was at that time that I saw that the issue of sexual assault in the military was not just one of unacceptable numbers, it was an issue of an environment where victims were re-victimized and perpetrators felt safe.

Mr. Speaker, a recent survey in the military indicated that 28,000 service-members have indicated that they were sexually assaulted, but less than 3,000 of those were willing to actually report it in a manner that would result in charges against their accused. We think we know why: because 62 percent of the slightly less than 3,000 indicated that they felt that they were persecuted in the workplace for having done so. They were re-victimized.

What we're doing in this NDAA is to ensure that that culture shifts, that the perpetrators are those that fear the system, and the victims are those that will feel embraced. We change the relationship between the commander and the victim, moving the responsibility for both the prosecution and the handling of those cases and diminishing the direct commander's authority over the disposition of sexual assault cases when a conviction has occurred. We expand legal counsel for victims, making certain that victims have beside them someone who can advise them in the legal processes, and we remove the chain of command's authority in the disposition of these cases and establish a mandatory minimum.

The SPEAKER pro tempore (Mr. FORTENBERRY). The time of the gentleman has expired.

Mr. NUGENT. I yield the gentleman an additional 2 minutes.

Mr. TURNER. Mr. Speaker, we include mandatory minimums that say if you commit a sexual assault, you are out of the military, you will be dishonorably discharged, and if you are a trainer and you enter into a trainer-trainee relationship that is inappropriate, you are out. No longer will a victim be forced to salute their predator or their accused. These provisions are incredibly important. They're ones we worked with on a bipartisan basis.

I want to thank my cochair of the Military Sexual Assault Prevention Caucus, NIKI TSONGAS. I also want to thank Ranking Member SMITH and the chairman, BUCK MCKEON, and also the chairs of the Subcommittee on Military Personnel, SUSAN DAVIS and JOE WILSON.

This is a matter on which we've worked together very thoughtfully. At the same time, we know that Chairman Dempsey, Secretary Hagel, and former Secretary Panetta have made this a significant issue to address in the military. What we're trying to do on a legislative basis is to give them the tools to, once again, make perpetrators fear the system and hold them accountable.

Mr. MCGOVERN. Mr. Speaker, I'm happy to yield 2 minutes to the gentlewoman from New York, the ranking member of the Financial Services Subcommittee on Capital Markets and Government Sponsored Enterprises, Mrs. MALONEY.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for yielding and for his leadership. I commend the work of Mr. TURNER and others for strengthening protections for women in the military, but it's not enough. The amendments from JACKIE SPEIER and other women leaders were not included. We need an open rule where all of these ideas can come to the floor to protect our men and women in the military.

The status quo in the military is not a way to solve the problem of sexual abuse. Too often, it is the problem. Every year that I have been in Congress, the military brass has come to us and said that they will stop this abuse. Yet each year, it seems to be getting worse. Women are even afraid to report it. They're then afraid that they'll be punished in some way.

Despite the widespread public and congressional outrage, some top military officers still seem to resist important, fundamental changes to a culture that has clearly failed in one of its single, most important missions: keeping its own people safe. And the casualties are mounting every day.

For example, a U.S. military officer overseeing sexual assault prevention at Fort Hood in Texas is under investigation for his sexual assault of soldiers. The officer in charge of the Air Force's sexual abuse prevention program was recently arrested for groping women. We need to end the culture of tolerating the abuser and punishing the victims.

We created a database for them to report in, but they won't report because they are afraid of retaliation. Too often they've seen if you're a woman who's been raped and abused, then you're told to be quiet. If you report it, you'll be punished, but if you're the abuser, you might end up in charge of the sexual abuse prevention program and get a promotion.



The strongest military in the world has got to learn how to protect its own soldiers. It's got to keep them from being wounded by rape and sexual assault. We need to stop this, allow an open rule, and allow amendments on this important protection of our soldiers.

Mr. NUGENT. Mr. Speaker, I just want to make sure that everybody knows that there were almost 300 amendments that have been submitted, and they'll be discussed later today, and Mr. MCGOVERN is a part of that process and will be discussing those amendments today.

But I agree with both of my colleagues as it relates to sexual assault in the military. Having only been on Armed Services now for 6 months, I will tell you that I agree with Mr. MCGOVERN, particularly as it relates to oversight. And I believe that this Congress should exhibit and utilize its oversight capacity to the fullest, especially as it relates to sexual assault within the military.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I'm happy to yield 1 minute to the gentlewoman from New York, the distinguished ranking member of the Committee on Appropriations, Mrs. LOWEY.

Mrs. LOWEY. Mr. Speaker, military cohesion is eroding and trust is disintegrating throughout the ranks as sexual assault infests the services. An Air Force officer charged with sexual assault prevention efforts here in Washington was arrested for sexual battery last month.

□ 1410

West Point and the Naval Academy have made recent headlines about assaults involving athletes. Alarming, the military academies reported 80 cases of sexual assault last year, a 23 percent increase; and too many cases go unreported.

We trust the service academies to mold our sons and daughters for service to our country. Cadets and midshipmen are of an impressionable and often vulnerable age, requiring stronger protections against sexual assault and better support for victims.

The culture that is propelling this epidemic must change. I urge support for the sexual assault provisions in the NDAA.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I'm happy to yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), the ranking member of the Armed Services Subcommittee on Intelligence, Emerging Threats and Capabilities.

Mr. LANGEVIN. I thank the gentleman for yielding.

Mr. Speaker, while I rise in opposition to this rule, I want to express my strong support for the underlying bill,

H.R. 1960, the National Defense Authorization Act.

This legislation is not perfect; however, it ensures support for our men and women in uniform who sacrifice so much on our behalf, and includes provisions that are crucial to our military's future capabilities in this fiscally constrained environment.

Now, among other things, it fully supports the President's request for the peerless Virginia-class submarines, as well as critical future enablers such as the Ohio Class Replacement and the Virginia Payload Module.

It also includes the Oversight of Sensitive Military Operations Act which, for the first time, requires prompt notification to the defense committees of any overseas lethal or capture operations outside of Afghanistan, including those conducted with unmanned aerial vehicles.

Furthermore, I'm pleased that this measure begins to tackle the epidemic of sexual assault in our military. Our people in uniform need to know that they are protected from and against sexual assault, and God forbid if there is a sexual assault that occurs, that the perpetrator is held accountable.

While far more must be done, there are important first steps in this bill that are worthy of our strong support.

Mr. Speaker, I'm also proud to work closely with Chairman MAC THORBERRY, both in this bill and in numerous other provisions which fall under the jurisdiction of the Subcommittee on Intelligence, Emerging Threats and Capabilities. Together, we have worked hard to increase resources for our Special Operations Forces, who are helping us confront shifting threats and unconventional battlefields, and to support our efforts in the cybersecurity realm.

There are many other positive steps with regard to cyber in this legislation, including incentivizing new cybersecurity standards, ensuring U.S. Cyber Command has the proper authorities and the personnel in coordinating cybersecurity efforts with related disciplines.

However, the reality is that our Nation's cybersecurity challenges cannot simply be handed over to the Department of Defense. With the vast majority of our critical infrastructure in private hands, we absolutely must require minimum standards for their owners and operators. It is way past time for Congress to move aggressively to partner with the private sector and address what I believe is our greatest national security vulnerability.

Meanwhile, though I applaud DHS's efforts to coordinate the various approaches to cybersecurity found across the Federal Government, I continue to believe that there must be an office within the White House with the policy and budgetary authority to enforce appropriate actions across the whole government. I'm disappointed the proce-

dural and jurisdictional issues precluded offering such an amendment to the NDAA, but I am going to continue to work with my colleagues to enact what I believe to be a crucial provision.

Finally, I want to thank Chairman MCKEON and Ranking Member SMITH, as well as Chairman THORBERRY and all of my colleagues on the committee, but most especially the tireless HASC, for all of their efforts, which have been really Herculean in bringing this bill to the process of where we are today.

I certainly urge my colleagues to support the National Defense Authorization Act.

Mr. NUGENT. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I'm happy to yield 2 minutes to the gentleman from Texas (Mr. CASTRO).

Mr. CASTRO of Texas. I thank my friend, Mr. MCGOVERN, for yielding.

Mr. Speaker, I rise today to speak about the U.S. detention facility at Guantanamo Bay.

Continued operation of the facility at Guantanamo weakens U.S. national security, wastes resources, damages our relationships with key allies, and reinforces anti-American propaganda led by groups like al Qaeda to recruit new enemies against the United States.

In a time of war, the Commander in Chief must have the flexibility to execute important foreign policy and national security determinations. This includes how to treat detainees captured on the battlefield. The Commander in Chief having this authority is not a new concept to this Congress. In fact, under President Bush, some 530 detainees were transferred from Gitmo with Congress' support. Restrictions placed by Congress to prevent this President from making these decisions are not prudent.

In addition to foreign policy and national security consideration, the facility at Guantanamo is also a waste of scarce resources. DOD estimates that the cost to run Guantanamo Bay is around \$150 million a year. In a time when we're making sequestration cuts to programs here at home, we're spending approximately \$1 million per detainee each year. This makes Guantanamo Bay literally the most expensive detention facility in the world.

I urge my colleagues to give the President the flexibility he needs to operate Guantanamo Bay.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I'm happy to yield 2 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Mr. Speaker, sexual assault in the military continues to be a serious problem. Given both the headlines and the reality, this is an understatement. It impacts thousands of servicemen and -women each year. And while Congress has investigated and discussed this problem for more than



two decades, the issue remains pervasive. It's time for us to act. Recent reports that assault is happening by individuals who are supposed to protect and command our servicemembers make this all the more concerning.

According to a recent 2012 Pentagon survey, an estimated 26,000 sexual assaults in the military occurred in that year. That's a 35 percent increase since 2010. It means that roughly 70 servicemen and -women are sexually assaulted every single day. And I know from my own long history and experience of working on these issues that where there are 26,000, there are many, many more. And we know that only a fraction of these incidents are reported; fewer than 3,400 reported incidents every year.

Sexual violence has a longstanding impact on servicemen and -women and their families. According to the Service Women's Action Network, while experiences of sexual violence are strongly associated with a wide range of mental health conditions for men and for women veterans, military sexual trauma is the leading cause of PTSD among women. Due to shame, guilt, or fear of not being believed, fewer than 15 percent of these sexual assaults are reported to the proper authorities.

As a former domestic violence and sexual assault advocate, I understand that coming forward is an unimaginably tough thing to do, and I commend every single one of the men and women who had the courage to come forward and name their accused. Their fear of coming forward is not imagined; it's real. Victims of sexual assault face a lack of confidentiality, protection, support, and access to legal counsel once an incident is reported. This is profound in the military and it has profound consequences.

We have to act and stand together as a Congress and as a Nation to declare that the problem can't go on, and we have to work now to stamp out the violence within the military.

We have to ensure that the Guard and Reserve have response coordinators available at all times regardless of their duty status, and to ensure that each service has a robust investigative team, with clarity and consistency among the services.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlelady 1 additional minute.

Ms. EDWARDS. Our hope is to ensure that zero tolerance for sexual assault in the military is the norm.

I want to say that some have pointed to a culture issue within the military that contributes to the problem. You know what, that might be true; but we cannot use culture as an excuse. It has to be a challenge and a commitment to change throughout the chain of command.

Some have pointed as well to say that this is just endemic within the

military. As somebody who grew up in a servicemember family as one of four daughters, I can't lay this blame on the fact of service. I know that in the civilian sector a relatively small number of perpetrators commit the overwhelming number of crimes. So let's root out the criminals within the military. We have to commit ourselves to making sure that we do that and hold them accountable, hold their commanders accountable, punish people for crime, and stop promoting perpetrators and transferring the problem from one installation to the next installation. This enforceability and accountability has to happen throughout the command structure, no excuses and no exceptions.

□ 1420

It's the service that my father sacrificed for and that millions of others do that we have to honor. We do that by protecting the men and women who serve by saying to them: We want you to serve your country, but we want to make sure that you can do it in safety and that those who are criminals are held accountable.

Mr. NUGENT. I continue to reserve the balance of my time, Mr. Speaker.

Mr. MCGOVERN. Mr. Speaker, I am happy to yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank my colleague from Massachusetts for yielding.

I rise in support of the progress this underlying bill makes in combating military sexual assault. Sexual assault in the military continues to be a serious problem. In 2012, an average of 70 servicemen and -women were sexually assaulted each and every day. This is unacceptable. Moreover, only a fraction of these are reported. Fewer yet are prosecuted.

More needs to be done at every level to establish comprehensive uniform solutions. I am pleased to see that this bill offers a renewed determination to stop these unacceptable crimes that undermine the strength and honor of our military. The included provisions make progress to increase transparency with new victim protections and services, and improved processes to hold offenders accountable.

But we must do more. We must work diligently to put an end to this problem so we can again—with full confidence—encourage our daughters and sons to serve this great country.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I am happy to yield 2 minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me time.

Seventy men and women serving in the military every single day are sexu-

ally assaulted and raped. While we sit here and we talk, that's going on.

For over 25 years—for over 25 years—we have known about this problem and we have done very little. Aberdeen, Tailhook, the military academies, Lackland, all of these are happening under our collective watch, and we have found it acceptable to hold hearings, to bring the brass up here, have them say the right words—"zero tolerance"—and then we would go about our business. That is not good enough. And while the NDAA has some good fixes on the end of the process, we still have much to do on the front end.

There is a reason why there are 26,000 sexual assaults and rapes a year in the military and only 3,300 have the guts to come forward. It's because if you come forward, you're retaliated against. Some 63 percent are retaliated against. And of those 3,300 that report, only 500 of those cases are going to go to court-martial and only 200 will end up in a conviction.

So why would anyone report? Because your odds of getting justice are just not there. That's why it is important for us to have a debate on this House floor about taking these cases out of the chain of command. If it's in the chain of command, then you have the potential of having the assailant be the person making the decision, or the person making the decision—the commander—being the friend of the assailant, or the commander itching for a promotion, who is fearful that if they find out that there was a rape under their watch, that they won't get that promotion.

Other countries have a similar Uniform Code of Military Justice. Ours is based on the British system. And the Brits and the Canadians and the New Zealanders and the Australians and the Israelis have all taken these cases out of the chain of command, and it's working. It's time for us to have that discussion as well.

I urge my colleagues to embrace an amendment that I will take up in Rules Committee that will at least give us the opportunity to have this debate—this healthy debate—on the House floor. Otherwise, I will guarantee you in another 6 months, in another year, we will see yet another scandal, and we will not have changed anything.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from New York, the distinguished ranking member of the Committee on Small Business, Ms. VELÁZQUEZ.

Ms. VELÁZQUEZ. Mr. Speaker, I thank the gentleman for yielding.

I rise in opposition to this rule. Our Armed Forces face an epidemic that is tearing away this institution's moral credibility. Millions of patriotic young men and women who are considering

donning our Nation's uniform, must contend with the fact that our military has become a safe haven for sexual assault and rape.

According to DOD's own estimate, on average, 70 servicemembers are sexually assaulted every day, with 26,000 of these incidents occurring last year alone. That represents a 30 percent increase from just 2 years before.

Keep in mind, this is the Department of Defense data. It is likely this problem is even more widespread than these numbers suggest. Equally troubling, only a sliver of about 3 percent of these cases were prosecuted. The horrifying fact is that tolerance of sexual assault has become part of the Armed Forces' culture. In too many cases, victims are further harmed by a system that protects offenders in the name of the chain of command. This is unacceptable. It must change, and it must change now.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlelady an additional 30 seconds.

Ms. VELÁZQUEZ. The men and women who serve our Nation sacrifice enough. They should not have to worry about sexual assault at the hands of superiors and colleagues.

It is time for real steps that end this permissive culture, hold sexual offenders accountable, and restore trust in our Armed Forces.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I am happy to yield 1 minute to the gentlewoman from California (Ms. BROWNLEY).

Ms. BROWNLEY of California. Mr. Speaker, I thank the gentleman of Massachusetts for yielding.

It has already been stated—but it is worth repeating again—in 2012, 26,000 servicemembers were sexually assaulted. If only one servicemember was assaulted, that is one too many.

Sexual assault in the military is intolerable—period. It is a terrible entrenched cultural flaw of our military that allows victims to be abused without accountability or justice.

While there are a number of legislative proposals to address this issue, the consensus is clear: we need a fail-safe solution that increases transparency and accountability so that the military no longer is a place where sexual assault is tolerated.

I am pleased that H.R. 1960 takes steps to improve the military justice system. However, I do believe the bill does not go far enough. We must do a better job.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I am happy to yield 1 minute to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I am loath to turn attention away from this critical topic, and I agree with all of my colleagues on it. But also part of this rule is H.R. 1256, which is entitled the Swaps Jurisdiction Certainty Act. This is a closed rule—they're not allowing any amendments on it—and it is bad policy. I urge members to vote "no."

This bill reminds me of the old adage that's often said that "the past isn't dead. It isn't even past."

I'm referring to the global crisis—the global financial crisis—that a few years ago had every Member of this body absolutely on razor's edge as we wondered what was going to happen to the American economy, and we ended up seeing the TARP passed and all types of things to try to avert collapse.

\$13 trillion in lost wealth. Mr. Speaker, and still here we are looking at a bill—in a closed rule, mind you—that would allow offshore derivative swap trading to be beyond the jurisdiction of American regulators.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 30 seconds.

□ 1430

Mr. ELLISON. Let me just cut straight to the chase.

Congress granted the Commodity Futures Trading Commission explicit authority in the Dodd-Frank Wall Street Reform and Consumer Protection Act to oversee all derivatives transactions with a direct and significant connection to the U.S. economy.

That's a good idea—a \$223 trillion industry. I think we need to protect our interests. Vote "no" on this closed rule.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the distinguished ranking member of the Committee on Financial Services, the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Thank you very much.

I rise to oppose the closed rule on H.R. 1256.

H.R. 1256 really has no business being hidden in this bill at all. It is another attempt to keep the debate from taking place so that people will know what is happening when we are trying to have a regulatory regime that will protect us from having to bail out big institutions.

We are simply saying that we can't allow our financial institutions to have subsidiaries overseas that are doing business and trading and putting us at risk. Every time they get involved in a trade in which they don't have comparable rules in that country, what we are doing is putting this country at risk that we are going to have to bail out a big financial institution because the harm will come right back to the parent company.

We, in Dodd-Frank, have said that we must have comparable rules, that we must have regulatory regimes that are comparable to ours in order to do business and to do trading in order to protect against big institutions failing. So now we have this H.R. 1256 that would undo all of that and drag it back into the shadows, this derivatives trading, and put us all at risk. We can't even debate it. We can't even have an amendment because, again, they're trying to kill Dodd-Frank.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. MCGOVERN. I would like to inquire of the gentleman from Florida how many additional speakers he may have.

Mr. NUGENT. I have none.

Mr. MCGOVERN. How much time do I have left, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Massachusetts has 2 minutes remaining.

Mr. MCGOVERN. I yield 1 additional minute to the ranking member of the Committee on Financial Services, the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Thank you so much. I do appreciate this. This is so important.

I am against this closed rule simply because we have mandated the kind of reform in Dodd-Frank that would keep us from ever being in the position in which we have to bail out these big institutions, and now we have so much organized push back and undermining of Dodd-Frank in which they are attempting to undo the reforms that we have done.

Simply put, we cannot allow the branches and subsidiaries of these big broker dealers—these big banks—to go over and do trading with countries that don't have comparable rules. If we allow that to happen, we will be forced to do what we have seen with AIG, which was to bail them out to the tune of billions of dollars, and supposedly, we'd done reforms to keep from having to be in that position again. We will find that we will again be experiencing what happened with Goldman Sachs and others who ended up being the beneficiaries of our failed regulatory regime.

So I am opposed to the closed rule. Vote against the closed rule, and then vote against the bill.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. MCGOVERN. I yield myself the remaining time.

Mr. Speaker, I get it. The Republican majority wants to repeal Dodd-Frank, and they're using every possible vehicle they can to undermine Dodd-Frank, which puts consumers at risk by their constant attack on protections that, I think, most people in this country think are reasonable.

As you heard from Ms. WATERS, the ranking member on the Committee on

Financial Services, and from Mr. ELLISON, there is controversy around this bill. The thought that you would bring a bill like this to the floor that would weaken Dodd-Frank under a closed rule is really unforgivable, quite frankly. We ought to debate this. This is important stuff. There ought to be debates, and there ought to be amendments.

On the defense authorization bill, I just want to say this for the record: while I have no opposition to your bringing the DOD bill up for general debate, I do want to express my concern that when the Rules Committee considers the amendments that they be fair-minded about it and that all major issues, including the issues raised by a number of my colleagues on sexual assault, are addressed.

I also want to say that the war in Afghanistan ought to be debated on this floor. A central part of our defense budget right now is going to this war, and last year, we were shut out. I'm hoping that this year we will at least have the opportunity to bring an amendment to the floor, debate what our policy should be, and will let Members on both sides vote up or down.

I urge my colleagues to vote "no" because this does allow H.R. 1256 to come to the floor under a closed rule. That is wrong. This should be a more open and transparent process, especially when it comes to an issue that is so important.

With that, I yield back the balance of my time.

Mr. NUGENT. Mr. Speaker, in closing, I support this rule and encourage my colleagues to support it as well. It allows the House to take action on two different but very important pieces of legislation.

It provides us with an opportunity to force the SEC and the CFTC to finally and jointly promulgate rules governing the U.S. institutions' use of swaps and other financial derivatives while accessing international markets. This action will help ensure that we have a vibrant financial system and that American companies can manage the risks while remaining competitive in an international market. Additionally, it begins our consideration on the National Defense Authorization Act, providing the House with an hour of general debate on programs that make up our Department of Defense.

As a Member of Congress, as a three Blue Star parent, and as an American, I can think of nothing more important than providing our military the tools that they need to carry out their missions. These brave men and women put their lives on the line for our Nation each and every day. This legislation isn't a thank-you to the troops, it's our duty as citizens to acknowledge that we live in the land of the free only because of the service of the brave.

Mr. Speaker, we've heard a lot of discussion here on the floor, particularly as it relates to Dodd-Frank. First of

all, this does not repeal Dodd-Frank. If it were a vote for a repeal of Dodd-Frank, I'd vote for it, but it's not a repeal of Dodd-Frank. As a matter of fact, this piece of legislation, the Swap Act, was actually voice voted out of the Agriculture Committee, which has joint jurisdiction over this piece of legislation. It was voice voted. In the Committee on Financial Services, 100 percent of the Republicans and two-thirds of the Democrats voted for its passage, so it isn't exactly as one would hear the other side say.

When we talk about open rules, I think one of the things that distinguishes this Congress versus the 111th Congress is that this is one of the most open Congresses in the 112th Congress versus the 111th, which had absolutely zero open rules. I will remind my colleagues of that just because, as we talk about this and move forward on both of these issues, it's important to know that we have an open rule coming up in which we have almost 300 amendments that we are going to be considering in the Rules Committee in just a short period of time with the NDAA.

Lastly, I hear my colleagues talk about how for 25 years they have allowed sexual assault to go unabated. I can hardly stomach the fact that this body would allow that to happen over the last 25 years. As a former law enforcement officer, as one who vigorously prosecuted cases of sexual assault and rape, it should be no different for our armed services.

That is where my good friend Mr. MCGOVERN had mentioned the oversight of armed services and of this House to make sure that we hold people accountable; to make sure, as other Members have talked about, that members of our military are kept safe, and that those who would prey upon members of their own military unit will find swift justice so that nobody can say there is not justice in regards to the fact, if you commit a rape or a sexual assault in the military, that you will be prosecuted to the fullest extent of the law; that we make sure that we have victim advocates for those who are assaulted, and that we have good investigators who focus on those types of crimes and have the forensics to back it up so you have a strong prosecution. I think that's what this NDAA bill is an attempt to do.

□ 1440

I strongly support the bill and the underlying legislation.

With that, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Resolution 256 will be followed by 5-minute votes on motions to suspend the rules on H.R. 634 and H.R. 742.

The vote was taken by electronic device, and there were—yeas 239, nays 184, not voting 11, as follows:

[Roll No. 214]

YEAS—239

Aderholt	Graves (MO)	Pearce
Alexander	Griffin (AR)	Perry
Amash	Griffith (VA)	Peters (CA)
Amodei	Grimm	Petri
Bachmann	Guthrie	Pittenger
Bachus	Hall	Pitts
Barber	Hanna	Poe (TX)
Barletta	Harper	Pompeo
Barr	Harris	Posey
Barton	Hartzler	Price (GA)
Benishek	Hastings (WA)	Radel
Bentivolio	Heck (NV)	Reed
Bilirakis	Hensarling	Reichert
Bishop (UT)	Herrera Beutler	Renacci
Black	Holding	Ribble
Blackburn	Hudson	Rice (SC)
Bonner	Huelskamp	Rigell
Boustany	Huizenga (MI)	Roby
Brady (TX)	Hultgren	Roe (TN)
Bridenstine	Hunter	Rogers (AL)
Brooks (AL)	Hurt	Rogers (KY)
Brooks (IN)	Issa	Rogers (MI)
Broun (GA)	Jenkins	Rohrabacher
Buchanan	Johnson (OH)	Rokita
Bucshon	Johnson, Sam	Rooney
Burgess	Jones	Ros-Lehtinen
Calvert	Jordan	Roskam
Camp	Joyce	Ross
Capito	Kelly (PA)	Rothfus
Carter	King (IA)	Royce
Cassidy	King (NY)	Runyan
Chabot	Kingston	Ryan (WI)
Chaffetz	Kinzinger (IL)	Salmon
Coble	Kline	Sanford
Coffman	Labrador	Scalise
Cole	LaMalfa	Schneider
Collins (GA)	Lamborn	Schock
Collins (NY)	Lance	Schweikert
Conaway	Lankford	Scott, Austin
Cook	Latham	Sensenbrenner
Costa	Latta	Sessions
Cotton	LoBiondo	Shimkus
Cramer	Long	Shuster
Crawford	Lucas	Simpson
Crenshaw	Luetkemeyer	Sinema
Culberson	Lummis	Smith (MO)
Daines	Maffei	Smith (NE)
Davis, Rodney	Marchant	Smith (NJ)
Denham	Marino	Smith (TX)
Dent	Massie	Southerland
DeSantis	McCarthy (CA)	Stewart
DesJarlais	McCaul	Stivers
Duffy	McClintock	Stockman
Duncan (SC)	McHenry	Stutzman
Duncan (TN)	McIntyre	Terry
Ellmers	McKeon	Thompson (PA)
Farenthold	McKinley	Thornberry
Fincher	McMorris	Tiberi
Fitzpatrick	Rodgers	Tipton
Fleischmann	Meadows	Turner
Fleming	Meehan	Upton
Flores	Messer	Valadao
Forbes	Mica	Wagner
Fortenberry	Miller (FL)	Walberg
Fox	Miller (MI)	Walden
Franks (AZ)	Miller, Gary	Walorski
Frelinghuysen	Mullin	Weber (TX)
Garcia	Mulvaney	Webster (FL)
Gardner	Murphy (FL)	Wenstrup
Garrett	Murphy (PA)	Westmoreland
Gerlach	Neugebauer	Whitfield
Gibbs	Noem	Williams
Gibson	Nugent	Wilson (SC)
Gingrey (GA)	Nunes	Wittman
Gohmert	Nunnelee	Wolf
Goodlatte	Olson	Womack
Gosar	Owens	
Gowdy	Palazzo	
Granger	Paulsen	

Woodall  
Yoder

# NAYS—184

Andrews  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Courtney  
Crowley  
Cuellar  
Cummins  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Grayson

# NOT VOTING—11

Campbell  
Cantor  
Chu  
Deutch

# □ 1510

Ms. McCOLLUM, Messrs. DAVID SCOTT of Georgia, PETERSON, THOMPSON of Mississippi, CUMMINGS, and VEASEY changed their vote from “yea” to “nay.”

Mr. HURT changed his vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Young (FL)  
Young (IN)

Negrete McLeod  
Nolan  
O'Rourke  
Pallone  
Pascarell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (MI)  
Peterson  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schradler  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sires  
Smith (WA)  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

Meeks  
Slaughter  
Wasserman  
Schultz

# BUSINESS RISK MITIGATION AND PRICE STABILIZATION ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 634) to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HENSARLING) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 12, not voting 11, as follows:

[Roll No. 215]

# YEAS—411

Aderholt  
Alexander  
Amash  
Amodei  
Andrews  
Bachmann  
Bachus  
Barber  
Barletta  
Barr  
Barrow (GA)  
Barton  
Bass  
Beatty  
Becerra  
Benishiek  
Bentivolio  
Bera (CA)  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Black  
Blackburn  
Blumenauer  
Bonamici  
Bonner  
Boustany  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Bucshon  
Burgess  
Bustos  
Butterfield  
Calvert  
Camp  
Capito  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Carter  
Cartwright  
Cassidy  
Castor (FL)  
Castro (TX)  
Chabot  
Chaffetz  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Coble  
Coffman  
Cohen

Kind  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Kuster  
Labrador  
LaMalfa  
Lamborn  
Lance  
Langevin  
Lankford  
Larsen (WA)  
Larson (CT)  
Latham  
Latta  
Lee (CA)  
Levin  
Lewis  
Lipinski  
LoBiondo  
Loebback  
Long  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lummis  
Lynch  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Massie  
Matheson  
Matsui  
McCarthy (CA)  
McCaul  
McClintock  
McCollum  
McDermott  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meehan  
Meng  
Messer  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Miller, George  
Moore  
Moran  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Napolitano  
Neal  
Negrete McLeod

Conyers  
Ellison  
Enyart  
Grayson

Campbell  
Cantor  
Chu  
Deutch

Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
O'Rourke  
Olson  
Palazzo  
Pallone  
Pascarell  
Pastor (AZ)  
Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters (CA)  
Peters (MI)  
Peterson  
Petri  
Pingree (ME)  
Pittenger  
Pitts  
Pocan  
Poe (TX)  
Polis  
Pompeo  
Posey  
Price (GA)  
Price (NC)  
Quigley  
Radel  
Rahall  
Rangel  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Richmond  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Roybal-Allard  
Royce  
Ruiz  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salmon  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanford  
Scalise  
Schakowsky  
Schiff  
Schneider  
Schock  
Schradler  
Schwartz

# NAYS—12

Hahn  
Lofgren  
Lowenthal  
McGovern

# NOT VOTING—11

Markey  
McCarthy (NY)  
Meeks  
Owens

# □ 1517

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southernland  
Speier  
Stewart  
Stivers  
Stockman  
Stutzman  
Swalwell (CA)  
Takano  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Titus  
Tonko  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walorski  
Walz  
Waters  
Watt  
Waxman  
Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Whitfield  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (FL)  
Young (IN)

Nadler  
Nolan  
Sarbanes  
Tierney

Slaughter  
Wasserman  
Schultz  
Westmoreland

A motion to reconsider was laid on the table.

Stated for:

Mr. OWENS. Mr. Speaker, today, I briefly stepped off the floor to discuss a pressing issue related to the Northern Border. Consequently, I was not able to return in time for a vote (roll No. 215) to suspend the rules and pass the Business Risk Mitigation and Price Stabilization Act of 2013, H.R. 634. Had I been present for this vote, I would have voted "yea."

#### PERSONAL EXPLANATION

Mr. LAMBORN. Mr. Speaker, I was unavoidably detained due to a family medical emergency and was unable to vote on rollcall No. 212 and rollcall No. 213.

Had I been present, I would have voted "yea" on rollcall No. 212 and "yea" on rollcall No. 213.

#### SWAP DATA REPOSITORY AND CLEARINGHOUSE INDEMNIFICATION CORRECTION ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 742) to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. CRAWFORD) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 2, not voting 12, as follows:

[Roll No. 216]

YEAS—420

Aderholt	Brooks (IN)	Cole
Alexander	Broun (GA)	Collins (GA)
Amash	Brown (FL)	Collins (NY)
Amodei	Brownley (CA)	Conaway
Andrews	Buchanan	Connolly
Bachmann	Bucshon	Conyers
Bachus	Burgess	Cook
Barber	Bustos	Cooper
Barletta	Butterfield	Costa
Barr	Calvert	Cotton
Barrow (GA)	Camp	Courtney
Barton	Cantor	Cramer
Bass	Capito	Crawford
Beatty	Capps	Crenshaw
Becerra	Capuano	Crowley
Benishkek	Cardenas	Cuellar
Bentivolio	Carney	Culberson
Bera (CA)	Carson (IN)	Cummings
Bilirakis	Carter	Daines
Bishop (GA)	Cartwright	Davis (CA)
Bishop (NY)	Cassidy	Davis, Danny
Bishop (UT)	Castor (FL)	Davis, Rodney
Black	Castro (TX)	DeFazio
Blackburn	Chabot	DeGette
Blumenauer	Chaffetz	Delaney
Bonamici	Cicilline	DeLauro
Bonner	Clarke	DeBene
Boustany	Clay	Denham
Brady (PA)	Cleaver	Dent
Brady (TX)	Clyburn	DeSantis
Braley (IA)	Coble	DesJarlais
Bridenstine	Coffman	Diaz-Balart
Brooks (AL)	Cohen	Dingell

Doggett	Kelly (PA)	Pelosi
Doyle	Kennedy	Perlmutter
Duckworth	Kildee	Perry
Duffy	Kilmer	Peters (CA)
Duncan (SC)	Kind	Peters (MI)
Duncan (TN)	King (IA)	Peterson
Edwards	King (NY)	Petri
Ellison	Kingston	Pingree (ME)
Ellmers	Kinzinger (IL)	Pittenger
Engel	Kirkpatrick	Pitts
Enyart	Kline	Pocan
Eshoo	Kuster	Poe (TX)
Esty	Labrador	Polis
Farenthold	LaMalfa	Pompeo
Farr	Lamborn	Posey
Fattah	Lance	Price (GA)
Fincher	Langevin	Price (NC)
Fitzpatrick	Lankford	Quigley
Fleischmann	Larsen (WA)	Radel
Fleming	Larson (CT)	Rahall
Flores	Latham	Rangel
Forbes	Latta	Reed
Fortenberry	Lee (CA)	Reichert
Foster	Levin	Renacci
Fox	Lewis	Ribble
Frankel (FL)	Lipinski	Rice (SC)
Franks (AZ)	LoBiondo	Richmond
Frelinghuysen	Loeb	Rigell
Fudge	Long	Roby
Gabbard	Lowenthal	Roe (TN)
Gallego	Lowe	Rogers (AL)
Garamendi	Lucas	Rogers (KY)
Garcia	Luetkemeyer	Rogers (MI)
Gardner	Lujan Grisham	Rohrabacher
Garrett	(NM)	Rokita
Gerlach	Lujan, Ben Ray	Rooney
Gibbs	(NM)	Ros-Lehtinen
Gibson	Lummis	Roskam
Gingrey (GA)	Lynch	Ross
Gohmert	Maffei	Rothfus
Goodlatte	Maloney,	Roybal-Allard
Gosar	Carolyn	Royce
Granger	Maloney, Sean	Ruiz
Graves (GA)	Marchant	Runyan
Graves (MO)	Marino	Ruppersberger
Grayson	Massie	Rush
Green, Al	Matheson	Ryan (OH)
Green, Gene	Matsui	Ryan (WI)
Griffin (AR)	McCarthy (CA)	Salmon
Griffith (VA)	McCaul	Sanchez, Loretta
Grijalva	McClintock	Sanford
Grimm	McCollum	Sarbanes
Guthrie	McDermott	Scalise
Gutierrez	McGovern	Schakowsky
Hahn	McHenry	Schiff
Hall	McIntyre	Schneider
Hanabusa	McKeon	Schock
Hanna	McKinley	Schrader
Harper	McMorris	Schwartz
Harris	Rodgers	Schweikert
Hartzler	McNerney	Scott (VA)
Hastings (FL)	Meadows	Scott, Austin
Hastings (WA)	Meehan	Scott, David
Heck (NV)	Messer	Sensenbrenner
Heck (WA)	Mica	Serrano
Hensarling	Michaud	Sessions
Herrera Beutler	Miller (FL)	Sewell (AL)
Higgins	Miller (MI)	Shea-Porter
Himes	Miller, Gary	Sherman
Hinojosa	Miller, George	Shimkus
Holding	Moore	Shuster
Holt	Moran	Simpson
Honda	Mullin	Sinema
Horsford	Mulvaney	Sires
Hoyer	Murphy (FL)	Smith (MO)
Hudson	Murphy (PA)	Smith (NE)
Huelskamp	Nadler	Smith (NJ)
Huffman	Napolitano	Smith (TX)
Huizenga (MI)	Neal	Smith (WA)
Hultgren	Negrete McLeod	Southerland
Hunter	Neugebauer	Speler
Hurt	Noem	Stewart
Israel	Nolan	Stivers
Issa	Nugent	Stutzman
Jackson Lee	Nunes	Swalwell (CA)
Jeffries	Nunnelee	Takano
Jenkins	O'Rourke	Terry
Johnson (GA)	Olson	Thompson (CA)
Johnson (OH)	Owens	Thompson (MS)
Johnson, E. B.	Palazzo	Thompson (PA)
Jones	Pallone	Thornberry
Jordan	Pascrell	Tiberi
Joyce	Pastor (AZ)	Tierney
Kaptur	Paulsen	Tipton
Keating	Payne	Titus
Kelly (IL)	Pearce	Tonko

Tsongas	Walorski	Wilson (SC)
Turner	Walz	Wittman
Upton	Waters	Wolf
Valadao	Watt	Womack
Van Hollen	Waxman	Woodall
Vargas	Weber (TX)	Yarmuth
Veasey	Webster (FL)	Yoder
Vela	Welch	Yoho
Velázquez	Wenstrup	Young (AK)
Visclosky	Westmoreland	Young (FL)
Wagner	Whitfield	Young (IN)
Walberg	Williams	
Walden	Wilson (FL)	

NAYS—2

Lofgren	Sánchez, Linda T.
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NOT VOTING—12

Campbell	Markey	Stockman
Chu	McCarthy (NY)	Wasserman
Deutch	Meeks	Schultz
Gowdy	Meng	
Johnson, Sam	Slaughter	

□ 1526

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### SWAP JURISDICTION CERTAINTY ACT

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 256, I call up the bill (H.R. 1256) to direct the Securities and Exchange Commission and the Commodity Futures Trading Commission to jointly adopt rules setting forth the application to cross-border swaps transactions of certain provisions relating to swaps that were enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 256, the amendments recommended by the Committee on Financial Services, printed in the bill, are adopted. The bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1256

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Swap Jurisdiction Certainty Act".

#### SEC. 2. JOINT RULEMAKING ON CROSS-BORDER SWAPS.

(a) JOINT RULEMAKING REQUIRED.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Securities and Exchange Commission and the Commodity Futures Trading Commission shall jointly issue rules setting forth the application of United States swaps requirements of the Securities Exchange Act of 1934 and the Commodity Exchange Act relating to cross-border swaps and security-based swaps transactions involving U.S. persons or non-U.S. persons.

(2) CONSTRUCTION.—The rules required under paragraph (1) shall be identical, notwithstanding any difference in the authorities granted the Commissions in section 30(c)

of the Securities Exchange Act of 1934 (15 U.S.C. 78dd(c)) and section 2(i) of the Commodity Exchange Act (7 U.S.C. 2(i)), respectively, except to the extent necessary to accommodate differences in other underlying statutory requirements under such Acts, and the rules thereunder.

(b) CONSIDERATIONS.—The Commissions shall jointly issue rules that address—

(1) the nature of the connections to the United States that require a non-U.S. person to register as a swap dealer, major swap participant, security-based swap dealer, or major security-based swap participant under each Commission's respective Acts and the regulations issued under such Acts;

(2) which of the United States swaps requirements shall apply to the swap and security-based swap activities of non-U.S. persons, U.S. persons, and their branches, agencies, subsidiaries, and affiliates outside of the United States and the extent to which such requirements shall apply; and

(3) the circumstances under which a non-U.S. person in compliance with the regulatory requirements of a foreign jurisdiction shall be exempt from United States swaps requirements.

(c) RULE IN ACCORDANCE WITH APA REQUIRED.—No guidance, memorandum of understanding, or any such other agreement may satisfy the requirement to issue a joint rule from the Commissions in accordance with section 553 of title 5, United States Code.

(d) GENERAL APPLICATION TO COUNTRIES OR ADMINISTRATIVE REGIONS HAVING NINE LARGEST MARKETS.—

(1) GENERAL APPLICATION.—In issuing rules under this section, the Commissions shall provide that a non-U.S. person in compliance with the swaps regulatory requirements of a country or administrative region that has one of the nine largest combined swap and security-based swap markets by notional amount in the calendar year preceding issuance of such rules, or other foreign jurisdiction as jointly determined by the Commissions, shall be exempt from United States swaps requirements in accordance with the schedule set forth in paragraph (2), unless the Commissions jointly determine that the regulatory requirements of such country or administrative region or other foreign jurisdiction are not broadly equivalent to United States swaps requirements.

(2) EFFECTIVE DATE SCHEDULE.—The exemption described in paragraph (1) and set forth under the rules required by this section shall apply to persons or transactions relating to or involving—

(A) countries or administrative regions described in such paragraph, or any other foreign jurisdiction as jointly determined by the Commissions, accounting for the five largest combined swap and security-based swap markets by notional amount in the calendar year preceding issuance of such rules, on the date on which final rules are issued under this section; and

(B) the remaining countries or administrative regions described in such paragraph, and any other foreign jurisdiction as jointly determined by the Commissions, 1 year after the date on which such rules are issued.

(3) CRITERIA.—In such rules, the Commissions shall jointly establish criteria for determining that one or more categories of regulatory requirements of a country or administrative region described in paragraph (1) or other foreign jurisdiction is not broadly equivalent to United States swaps requirements and shall jointly determine the appropriate application of certain United States

swap requirements to persons or transactions relating to or involving such country or administrative region or other foreign jurisdiction. Such criteria shall include the scope and objectives of the regulatory requirements of a country or administrative region described in paragraph (1) or other foreign jurisdiction as well as the effectiveness of the supervisory compliance program administered, and the enforcement authority exercised, by such country or administrative region or other foreign jurisdiction, and such other factors as the Commissions, by rule, jointly determine to be necessary or appropriate in the public interest.

(4) REQUIRED ASSESSMENT.—Beginning on the date on which final rules are issued under this section, the Commissions shall begin to jointly assess the regulatory requirements of countries or administrative regions described in paragraph (1), as the Commissions jointly determine appropriate, in accordance with the criteria established pursuant to this subsection, to determine if one or more categories of regulatory requirements of such a country or administrative region or other foreign jurisdiction is not broadly equivalent to United States swaps requirements.

(e) REPORT TO CONGRESS.—If the Commissions make the joint determination described in subsection (d)(1) that the regulatory requirements of a country or administrative region described in such subsection or other foreign jurisdiction are not broadly equivalent to United States swaps requirements, the Commissions shall articulate the basis for such a determination in a written report transmitted to the Committee on Financial Services and the Committee on Agriculture of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Agriculture, Nutrition, and Forestry of the Senate within 30 days of the determination. The determination shall not be effective until the transmission of such report.

(f) DEFINITIONS.—As used in this Act and for purposes of the rules issued pursuant to this Act, the following definitions apply:

(1) The term “U.S. person”—

(A) means—

(i) any natural person resident in the United States;

(ii) any partnership, corporation, trust, or other legal person organized or incorporated under the laws of the United States or having its principal place of business in the United States;

(iii) any account (whether discretionary or non-discretionary) of a U.S. person; and

(iv) any other person as the Commissions may further jointly define to more effectively carry out the purposes of this Act; and

(B) does not include the International Monetary Fund, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, the United Nations, their agencies and pension plans, and any other similar international organizations and their agencies and pension plans.

(2) The term “United States swaps requirements” means the provisions relating to swaps and security-based swaps contained in the Commodity Exchange Act (7 U.S.C. 1a et seq.) and the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) that were added by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 8301 et seq.) and any rules or regulations prescribed by the Securities and Exchange Commission and the Commodity Futures Trading Commission pursuant to such provisions.

(g) CONFORMING AMENDMENTS.—

(1) SECURITIES EXCHANGE ACT OF 1934.—Section 36(c) of the Securities Exchange Act of 1934 (15 U.S.C. 78mm(c)) is amended by inserting “or except as necessary to effectuate the purposes of the Swap Jurisdiction Certainty Act,” after “to grant exemptions,”.

(2) COMMODITY EXCHANGE ACT.—Section 4(c)(1)(A) of the Commodity Exchange Act (7 U.S.C. 6(c)(1)(A)) is amended by inserting “or except as necessary to effectuate the purposes of the Swap Jurisdiction Certainty Act,” after “to grant exemptions,”.

The SPEAKER pro tempore. Debate shall not exceed 1 hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Agriculture.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes. The gentleman from Texas (Mr. CONAWAY) and the gentleman from Georgia (Mr. DAVID SCOTT) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous material for the RECORD on H.R. 1256, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

□ 1530

Mr. Speaker, the legislation before the House this afternoon, H.R. 1256, the Swap Jurisdiction Certainty Act, is a bipartisanship response to what many view to be, frankly, regulatory red tape overreach and the adverse consequences that it can have on the millions of our fellow countrymen who are either unemployed or underemployed—the impact that it could have on the competitiveness of our U.S. employers and job creators.

Mr. Speaker, I need not tell anyone in this body that we regrettably continue to be in the middle of a non-recovery recovery. If it weren't for the fact that so many people have actually left the job force—the working participation rate—our unemployment rate would be even higher. Many have just given up.

We know that for many, even though America has, in the past, produced 3½ percent economic growth and is probably capable of 4 or 5 percent economic growth with the right economic policies, regrettably, we find ourselves mired in 1½ to 2 percent GDP growth,

which means, Mr. Speaker, a lot of American dreams go unfulfilled and a lot of our constituents lay awake at night wondering how are they going to pay the bills.

So, Mr. Speaker, jobs continue to be job number one, I believe, of the United States House of Representatives. But, regrettably, those who create jobs, those who employ our constituents, are drowning in a sea of red tape. There's been an over 50 percent increase in regulations under the Obama administration. We know that it is directly correlated to the lackluster economic growth that we see in the Nation today.

I still vividly remember that one small business person in east Texas came up to me—he had a small cabinetry shop. Even though it was still profitable, he shut it down. He shut it down because of the red tape burden that crushed him and the jobs of 17 people who worked in east Texas. And he said, Congressman, it got to the point I just thought my Federal Government didn't want me to succeed.

Mr. Speaker, we always have to be vigilant in ensuring that the red tape burden doesn't strangle the jobs and hopes and aspirations of the American people. So that brings us to H.R. 1256, the Swap Jurisdiction Certainty Act.

Now, many of you who may be tuning in to this debate may not be quite familiar with the world of derivatives, but it's a way that many farmers, ranchers, manufacturers hedge risk in order to become successful companies and employ people and sell their goods and services at competitive prices. An outfit like John Deere will use a derivative. They may do an interest rate swap as they finance a tractor for some farmer in rural east Texas that I may represent. That derivative is directly linked to the cost and the availability of that tractor.

What we are trying to do with H.R. 1256 is make sure that those who are trying to access derivatives, to hedge risk, to create and sustain jobs, don't automatically overnight have huge swaps of the global market pulled out from under them because, if they do, all of a sudden it could be that somebody can't finance that tractor anymore.

Companies like Southwest Airlines that operate in my hometown of Dallas, Texas, they hedge their fuel cost; and if they can't access global markets, who knows about the success of their hedges. Then, all of a sudden, the price of a trip for grandparents to fly in from Kansas City to see their grandkids in Dallas, Texas, just became more prohibitive, it just became more expensive.

An outfit like Coors, they'll hedge their aluminum cost through swaps, maybe their wheat costs through swaps. And I don't know about other Members, but I represent a lot of hard-

working people in the Fifth District of Texas; and let me tell you, sometimes on a hot August afternoon after working, putting in 40 hours at the Pepsi bottling plant or maybe putting it in at some of the other factories that we may have in Mesquite, somebody might just want to go to the 7-Eleven and buy a six-pack. In America that ought to be their right. And the inability—the inability—to access global markets for swaps ultimately can actually inflate that cost. That's not something I care to deny to hardworking Americans who want that.

This is a very simple and bipartisan bill. Mr. Speaker, this passed. We had a hearing in the Financial Services Committee and we had a markup in the Financial Services Committee. It passed with 100 percent of the Republican vote. It passed with almost two-thirds of the Democratic vote. You would think that we might be under the suspension calendar for this one, but in order to respect the wishes of the ranking member, we are having a more prolonged debate in addition to the one that we've already had in the committee.

But, Mr. Speaker, ultimately, this bill will do two things. It will tell the Securities and Exchange Commission and the Commodity Futures Trading Commission, You need to issue one joint rule when it comes really to American end users being able to access global markets, not one suggestion and one rule, two different rules—one rule. One rule. Let's take down a little complexity here.

Mr. Speaker, after Dodd-Frank, we're about to celebrate its 3rd anniversary next month. After 3 years of deliberating, maybe it's time to actually come out with a rule and create a little certainty for the people at Coors and at Southwest Airlines and at all the other employers and John Deere. Maybe it's time to create a little certainty. So the bill says, Okay, let's get this done in 9 months. You've had almost 3 years. It's time to get it done.

And last but not least, in order not to pull the rug out from under these people on day one, it says, Do you know what? The nine largest markets, we are going to have a presumption that their regimes are broadly equivalent to the U.S. and not immediately deny access.

Now, at any given time, if the CFTC and SEC come to the conclusion that these regimes are not broadly equivalent, that somehow they present risk to our economy, with the stroke of a pen they can change that presumption. But not on day one, not on day one, Mr. Speaker.

So, for the sake of economic growth, for the sake of jobs, to provide some certainty in a struggling economy, I would urge all—all of my colleagues to support this bipartisan legislation that was voice voted in the Ag Committee, voice voted, and had unani-

mous—unanimous—consent of all Republicans and almost two-thirds of the Democrats on the Financial Services Committee, urge all my colleagues to support H.R. 1256.

I reserve the balance of my time.

Ms. WATERS. Mr. Speaker, I yield myself such time as I may consume.

I would like to try to clear up some of the misunderstandings of what this bill is about. The more we debate it, the better Members understand the impact of this bill on our economy.

The gentleman from Texas, the chairman, just talked about how generous they are in allowing this debate to take place. Members, let me tell you what really happened. The fact of the matter is there has been an attempt to hide H.R. 1256 in this DOD bill. What business does it have in this bill? Why is it the Rules Committee determined that it would be a closed rule?

The first reason is that they tried to get away without having amendments to the bill. I had an amendment that I offered in committee that was not accepted, an amendment that if there were an open rule, I would have been able to offer this amendment on the floor. But, no, they close-ruled this bill to keep any amendments from being heard, to be debated, to be voted on, because they know that if Members really discover what these derivatives are all about and how they could create such risk that we'll be put in the position of bailing out failed institutions all over again, that Members would not support this kind of bill.

□ 1540

This country has been through a terrible financial crisis. Part of the reason is that we allowed our banks and financial institutions to place unregulated bets on the mortgage markets. Remember AIG? What did AIG do? It made a really big bet that the mortgage market would go up, and it lost, and the taxpayer was put in the position of having to bail it out. The Dodd-Frank Act enabled us to put a stop to that kind of betting going on, hidden from the rest of us, finally dragging that activity out into the sunlight.

The CFTC and the SEC are finally putting in place rules of the road to prevent any one institution from threatening our livelihood again, but this bill wants to drag some of that activity back into the shadows, allowing banks and others, once again, to enter into transactions without even our regulators being able to see them.

You may say that this bill just concerns the limits on how far U.S. law goes. So why is it so important that the CFTC and SEC have discretion over the rules on cross-border initiatives? Because the exposure that a foreign branch or subsidiary of a U.S. institution takes in foreign markets comes back home to the U.S. Moreover, U.S. banks and corporations may find that



those they do business with have much more hidden exposure because of foreign transactions. This bill says that we will have to rely on the foreign regulators to protect us. We shouldn't have to rely on foreign regulators who don't even have regulatory regimes to protect us. We should protect ourselves by making sure that anybody our branches and our subsidiaries are doing business with have comparable rules. Those countries must have comparable rules to the U.S. rules in order to protect us.

To put it simply, this bill would delay the implementation of the Wall Street Reform Act's derivatives provisions by months, if not years, and would preserve the kind of opacity in our markets that led to taxpayers' bailing out AIG just 5 short years ago.

For example, while Europe has made considerable progress on its swaps' clearing and reporting rules, Europe's framework for implementing trading and internal business conduct standards have been caught up in delays. It is unclear at this point how strong those requirements ultimately will be. This bill increases the incentives for other jurisdictions to avoid making the tough decisions to put in a strong financial framework.

I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

Mr. HENSARLING. I yield myself 30 seconds just to say to the gentlelady that she had the opportunity to offer her amendment in committee, and her amendment was defeated. Second of all, as she raises the specter of bailout, she has also said before that Dodd-Frank ended bailouts, so I don't know which it is. I would also say nothing in the bill changes the rulemaking authority of the CFTC or the SEC, and it delays nothing, but it was just 6 months ago that the ranking member sent a letter to the chairman of the CFTC:

I request that you provide for phased-in compliance and appropriate short-term relief from relevant title VII provisions.

So she, herself, was asking for a delay.

I now yield 5 minutes to the chairman of the Subcommittee on Capital Markets and Government Sponsored Enterprises, the author of this legislation, the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. I thank the gentleman from Texas for yielding. I also want to thank the gentleman from Delaware (Mr. CARNEY), the gentleman also from Texas (Mr. CONAWAY) and the gentleman from Georgia (Mr. SCOTT),

who all, along with us, were able to work together in a bipartisan manner on this legislation.

I want to begin my comments today by clearing up what might be called a knee-jerk reaction that some commentators have made about our efforts on this legislation.

Today's legislation is not about deregulating the swap markets or creating loopholes for market participants. In fact, this bill is just the opposite of that. You see, there is broad bipartisan support for appropriately regulating the swap markets and for shining the proverbial light of day, if you will, on what was once an opaque marketplace. I agree that bringing greater additional transparency and clarity to this market is a positive thing for all—for American consumers and taxpayers as well.

Yet I have significant concerns about how the ongoing Dodd-Frank implementation of this appropriate regulation is being conducted. Only in Washington, D.C., would you have two, not one, regulatory bodies tasked to work together to implement rules required by Congress and then have them working down two separate, entirely different tracks on rules that will impact literally hundreds of American businesses and thousands of investors.

What you have is one agency over here. It's moving forward with a 100-page informal guidance, and the other, on the other hand, has just released a 1,000-page formal rule proposal. One proposal applies U.S. regulations to transactions taking place entirely outside the U.S. between the U.S. nonpersons, and the other creates a new, detailed substitute compliance framework. So it's hard to imagine a scenario in which these two proposals are more different. In effect, we have two very powerful U.S. regulators. Both of them have literally hundreds upon hundreds of millions of dollars in budget and thousands of staff, but at the end of the day, they cannot sit down together and work out a common proposal.

That's not what Dodd-Frank wanted them to do. They wanted them to come together, and that's what this legislation would effectuate. H.R. 1256, the Swap Jurisdiction Certainty Act, will restore that much-needed sanity to the rule-writing of this extraterritorial application of U.S. swaps regulation.

Again, given that there has been some confusion and a great deal of mischaracterization by some commentators on the impact of this legislation, let me take a moment to make certain everyone understands exactly what it does and the effects it will have. You see, the legislation before us allows the CFTC and the SEC to continue to enjoy significant discretion and also flexibility as to how they implement the rules. We are not removing any of their current authority. In fact,

we are adding to it, and we are enhancing it.

First and foremost, the legislation specifically requires the SEC and the CFTC to have the same or identical cross-border rules. I think it's difficult—maybe it's impossible—for anyone to suggest that it is appropriate for two domestic U.S. regulatory bodies to have two different standards governing very similar parts of the market. So, by simply requiring the agencies to get together and have identical rules, the bill will limit the ability for potential arbitrage opportunities for the market participants, and it will ensure that we have standard identical regulatory regimes for both types of swaps. There is a great deal of ongoing discussion right now about how to limit this, about how to limit regulatory arbitrage opportunities for market participants. Under this new regime, the most glaring area of potential in this area is if the SEC and the CFTC have different rules;

Secondly, the legislation would require a formal rule, not a guidance, to be issued. Currently, the CFTC is moving down the path of instituting a more amorphous guidance, if you will, which really has questionable legal authority. So, without a formal rule in place that carries the force of law, there is a valid concern that some entities won't feel the need to even abide by this guidance from the CFTC or, if it's challenged by a court, will feel that it might carry considerably less weight. So, by requiring a formal rule, the bill will then ensure that the force of law will apply without question;

Finally, the legislation specifically authorizes the SEC and CFTC to regulate swap transactions between the U.S. and foreign entities. Now, this is important if the regulators are concerned about the importation of systemic risk. Why is this important? Because under current law, it is really questionable what authority these agencies actually have to regulate potential transactions between the U.S. and foreign participants. We add this to it and give them that explicit authority.

□ 1550

So if the regulators are concerned about any foreign country not living up to the Obama administration's G-20 commitments that was established back in 2009, then these regulators will be able to work together to specifically authorize under the act.

This expansion and enhancement, if you will, of the regulators' current authority—I would think it should be well received by the administration.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HENSARLING. I yield the gentleman an additional 45 seconds.

Mr. GARRETT. Finally, in a formal Statement of Administration Policy, the administration argues that the bill

will somehow slow down implementation of title VII. This can't be further from the truth. By requiring the agencies to work together and put the same rule, this will remove legal obstacles here in Washington and ensure that we have the appropriate regulatory framework sooner rather than later. It will remind the people saying that we will somehow slow down implementation of these rules that, no, that cannot be further from the truth. Dodd-Frank was passed almost 3 years ago, and we're no closer today than we were 3 years ago to getting this done.

Mr. Speaker, let us restore, then, some common sense and some clarity to the rulemaking process and actually bring it some additional transparency. Let us not play into the narrative that the rest of the country has of a dysfunctional Washington. Let us make sure that our financial regulators are actually working together and not trying to allow some to front-end each other.

Let us pass this legislation.

Ms. WATERS. Mr. Speaker, at this time I enter into the RECORD three letters of opposition to this bill. One is from the Executive Office of the President of the United States Office of Management and Budget; Americans for Financial Reform; and American Federation of Labor and Congress of Industrial Organizations.

AMERICAN FEDERATION OF LABOR  
AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,

Washington, DC, June 11, 2013.

DEAR REPRESENTATIVE: The AFL-CIO opposes the "Swaps Jurisdiction Certainty Act" (H.R. 1256) scheduled for floor consideration this week. If passed, this bill would undermine the framework Congress put in place in the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 to prevent risky derivatives trading from contributing to another global financial crisis. It would impose major new procedural hurdles that would impede the Commodity Futures Trading Commission's (CFTC) ability to move forward with effective rules designed to prevent risks that arise from overseas derivatives trading from impacting the U.S. economy.

The 2008 financial crisis provided vivid illustrations of how derivatives transactions conducted by U.S. institutions in overseas markets can wreak havoc on the U.S. economy—both the AIG bailout and the Lehman Brothers failure were caused to a large extent by offshore derivatives trades.

As we saw with AIG and Lehman Brothers, U.S. institutions can easily conduct derivatives transactions outside U.S. borders that put U.S. financial institutions at risk. With this in mind, Congress granted the CFTC, which regulates around 90 percent of U.S. derivatives markets, authority in Section 722(d) of Dodd-Frank to oversee derivatives transactions that "have a direct and significant connection with activities in, or effect on, commerce of the United States."

The CFTC has issued proposed guidance that strikes an appropriate balance. It protects U.S. taxpayers and the U.S. economy while allowing overseas subsidiaries of U.S. banks to be regulated under 'substituted compliance' by their local regulator when

the CFTC makes a specific determination that the relevant foreign rules are as strong as the U.S. rules.

H.R. 1256 would seriously undermine the CFTC's ability to protect U.S. taxpayers from risks that arise from overseas derivatives trading by creating a presumption that these transactions are exempt from U.S. regulation. To overcome this presumption, the CFTC and the Securities and Exchange Commission (SEC) would be required to determine that the foreign country rules are not 'broadly comparable' to U.S. rules, issue joint rules, and make formal reports to Congress.

The CFTC's ability to effectively oversee offshore derivatives transactions that create risks to the U.S. economy is central to whether Title VII is ultimately successful in mitigating the risks in the derivatives markets that nearly brought down the economy less than five years ago.

Don't let another AIG or Lehman Brothers happen under your watch. Vote against the "Swaps Jurisdiction Certainty Act" (H.R. 1256) and prevent a major loophole from undermining the basic derivatives market protections that Congress so sensibly put in place when it passed Dodd-Frank in 2010.

Sincerely,

WILLIAM SAMUEL,

Director, Government Affairs Department.

AMERICANS FOR FINANCIAL REFORM,

Washington, DC, June 11, 2013.

DEAR REPRESENTATIVE, on behalf of Americans for Financial Reform, we are writing to express our opposition to HR 1256, the "Swaps Jurisdiction Certainty Act". This legislation is supported by Wall Street because it opens a back door in financial regulation that could allow the largest international banks to evade U.S. derivatives regulation by transacting through their foreign subsidiaries.

Proper oversight of foreign subsidiaries is critical for any derivatives regulation to be effective. In the financial crisis, AIG required a \$160 billion public bailout for activities conducted through its London office, and more recently JP Morgan's 'London Whale' lost the company \$6 billion. Bloomberg News has documented that large Wall Street banks routinely transact well over half of their swaps business through foreign subsidiaries. For this reason, the Dodd-Frank Act granted the Commodity Futures Trading Commission (CFTC), which regulates some 90 percent of U.S. derivatives transactions, oversight over all derivatives transactions that have "a direct and significant connection with" U.S. commerce. Yet HR 1256 would block and hinder this oversight in numerous ways, including by establishing a presumption that derivatives regulations in major foreign markets are adequate to satisfy U.S. derivatives protections. By doing so, it could encourage U.S. financial firms to outsource operations to foreign jurisdictions with weaker rules.

The proper oversight of international derivatives transactions is crucial to effective regulation of U.S. derivatives markets. Financial transactions that are nominally booked in overseas subsidiaries of U.S. banks create risk for the U.S. parent. We have learned this lesson in many crises, most recently in the massive derivatives losses experienced at JP Morgan's London office, and most painfully in the world financial collapse of 2008. As the chair of the Commodity Futures Trading Commission (CFTC) has stated:

Swaps executed offshore by U.S. financial institutions can send risk straight back to

our shores. It was true with the London and Cayman Islands affiliates of AIG, Lehman Brothers, Citigroup and Bear Stearns. A decade earlier it was true, as well, with Long-Term Capital Management. The nature of modern finance is that large financial institutions set up hundreds, if not thousands of "legal entities" around the globe. . . .

Many of these far-flung legal entities, however, are still highly connected back to their U.S. affiliates.

The CFTC, the agency assigned to regulate some 90 percent of U.S. derivatives markets, is already addressing this vital issue. The agency has proposed guidance that would protect U.S. taxpayers and the U.S. economy by preserving jurisdiction over derivatives transactions executed through foreign entities which impact the U.S. economy. The CFTC's balanced approach would apply Dodd-Frank oversight to such transactions, but also allow foreign entities to be regulated under 'substituted compliance' by their local regulator when the agency finds that the relevant foreign rules are as strong as the U.S. rules.

Crucially, the CFTC has taken the position that 'substituted compliance' under foreign rules would only be permitted in cases where the U.S. regulators found foreign regulation to be genuinely equivalent to the relevant U.S. regulation. Maintaining this principle is critical to protecting U.S. taxpayers from the risks of offshore swaps by U.S. institutions. If it is not maintained, we could see a 'race to the bottom' as derivatives transactions move to the least regulated jurisdictions to take advantage of lax rules. This is particularly dangerous since foreign countries are not exposed to the risks to the U.S. taxpayer created due to derivatives losses in foreign subsidiaries of U.S. banks.

HR 1256 would seriously undermine the capacity of regulators to assure that U.S. derivatives transactions conducted through foreign entities are subject to regulations that meet U.S. standards. It does this in several ways.

First, HR 1256 would effectively create a presumption that overseas derivatives transactions will be ruled by foreign country rule-making rather than U.S. rulemaking. The current CFTC guidance only permits 'substituted compliance' when U.S. regulators determine that relevant foreign rules are as strong as the U.S. rules. But HR 1256 instead establishes a strong statutory presumption that transactions in the world's major derivatives markets will be governed by foreign regulatory rules in the host country rather than U.S. rules. The statutory presumption that foreign rules govern could only be overturned if both the CFTC and SEC make a joint determination, supported by a formal report to Congress, that the foreign country rules are not 'broadly comparable' to U.S. rules. This determination could be challenged in court on the basis of the 'broadly comparable' language in HR 1256, creating significant litigation risk.

Thus, U.S. regulators would face major new hurdles in applying derivatives rules to overseas transactions, even where these transactions clearly posed a risk to the U.S. economy. This would not only weaken protections for U.S. financial markets, it would weaken the U.S. negotiating position in pressing foreign governments for adequate derivatives rules. The statutory roadblocks to properly enforcing U.S. derivatives rules that are created by HR 1256 would undercut the U.S. government before negotiations are even begun. They create numerous additional opportunities for Wall Street to undermine effective regulation.

Second, HR 1256 strips the CFTC of authority to independently determine derivatives rules for overseas transactions. It requires any such rules to be passed by a joint rulemaking between the SEC and CFTC, which must specify identical rules. The SEC regulates less than 10 percent of the gross notional swaps market, and has jurisdiction over different types of swaps than the CFTC does. Furthermore, the agencies are already required to harmonize their regulation where appropriate. A joint rulemaking is not needed for coordination, as the agencies regulate different derivatives markets. But it would hinder and delay the CFTC's work to regulate extraterritorial derivatives transactions. The purpose of this joint rulemaking requirement is simply to add more hurdles and more delay before any action can be taken, making effective regulation less likely.

In addition to the impact of additional bureaucratic hurdles, in this case a joint rulemaking requirement would also represent a dramatic roll back of the statutory mandate granted to the CFTC in overseeing 90% of the swaps market. Section 722(d) of the Dodd-Frank Act grants the CFTC jurisdiction over all activities that have a "direct and significant connection with activities in, or effect on, commerce of the United States". This is clearly the appropriate jurisdiction to protect U.S. taxpayers and the U.S. economy—it is obviously critical that U.S. regulators have jurisdiction over potentially risky transactions that are directly connected to the U.S. economy. Yet the SEC has no such clear statement of jurisdiction in the Dodd-Frank Act. The effect of requiring joint rulemaking would be to eliminate the CFTC's clear grant of jurisdiction over those transactions that are directly connected to U.S. commerce.

This long and complex legislation raises other issues as well. However, the core issue is that oversight of swaps transactions in foreign subsidiaries of U.S. banks is not a side issue in derivatives regulation. It is at the heart of effective oversight of these vast and complex markets. The thousands of subsidiaries of major global banks allow them to transmit cash flows and risk from derivatives contracts around the world with unprecedented ease. If derivatives transactions impacting the U.S. market that are conducted through foreign subsidiaries are not properly regulated, then no regulation of U.S. derivatives markets can be effective. The numerous additional statutory restrictions created by HR 1256 to block U.S. oversight of derivatives transactions conducted overseas would undermine derivatives regulation as a whole and weaken protections against financial instability.

Thank you for your consideration. For more information please contact AFR's Policy Director, Marcus Stanley at [marcus@ourfinancialsecurity.org](mailto:marcus@ourfinancialsecurity.org) or 202-466-3672.

Sincerely,

AMERICANS FOR FINANCIAL REFORM:

AARP; A New Way Forward; AFL-CIO; AFSCME; Alliance For Justice; American Income Life Insurance; American Sustainable Business Council; Americans for Democratic Action, Inc.; Americans United for Change; Campaign for America's Future; Campaign Money; Center for Digital Democracy; Center for Economic and Policy Research; Center for Economic Progress; Center for Media and Democracy; Center for Responsible Lending; Center for Justice and Democracy; Center of Concern;

Center for Effective Government; Change to Win; Clean Yield Asset Management; Coastal Enterprises Inc.; Color of Change.

Common Cause; Communications Workers of America; Community Development Transportation Lending Services; Consumer Action; Consumer Association Council; Consumers for Auto Safety and Reliability; Consumer Federation of America; Consumer Watchdog; Consumers Union; Corporation for Enterprise Development; CREDO Mobile; CTW Investment Group; Demos; Economic Policy Institute; Essential Action; Green America; Greenlining Institute; Good Business International; HNMA Funding Company; Home Actions; Housing Counseling Services; Home Defender's League; Information Press; Institute for Global Communications.

Institute for Policy Studies; Global Economy Project; International Brotherhood of Teamsters; Institute of Women's Policy Research; Krull & Company; Laborers' International Union of North America; Lawyers' Committee for Civil Rights Under Law; Main Street Alliance; Move On; NAACP; NASCAT; National Association of Consumer Advocates; National Association of Neighborhoods; National Community Reinvestment Coalition; National Consumer Law Center (on behalf of its low-income clients); National Consumers League; National Council of La Raza; National Council of Women's Organizations; National Fair Housing Alliance; National Federation of Community Development Credit Unions; National Housing Resource Center; National Housing Trust; National Housing Trust Community Development Fund; National NeighborWorks Association; National Nurses United; National People's Action; National Urban League.

Next Step; OpenTheGovernment.org; Opportunity Finance Network; Partners for the Common Good; PICO National Network; Progress Now Action; Progressive States Network; Poverty and Race Research Action Council; Public Citizen; Sargent Shriver Center on Poverty Law; SEIU; State Voices; Taxpayer's for Common Sense; The Association for Housing and Neighborhood Development; The Fuel Savers Club; The Leadership Conference on Civil and Human Rights; The Seminal; TICAS; U.S. Public Interest Research Group.

UNITE HERE; United Food and Commercial Workers; United States Student Association; USAction; Veris Wealth Partners; Western States Center; We the People Now; Woodstock Institute; World Privacy Forum; UNET; Union Plus; Unitarian Universalist for a Just Economic Community.

List of State and Local Partners:

Alaska PIRG; Arizona PIRG; Arizona Advocacy Network; Arizonans For Responsible Lending; Association for Neighborhood and Housing Development NY; Audubon Partnership for Economic Development LDC, New York NY; BAC Funding Consortium Inc., Miami FL; Beech Capital Venture Corporation, Philadelphia PA; California PIRG; California Reinvestment Coalition; Century Housing Corporation, Culver City CA; CHANGER NY; Chautauqua Home Rehabilitation and Improvement Corporation (NY); Chi-

cago Community Loan Fund, Chicago IL; Chicago Community Ventures, Chicago IL.

Chicago Consumer Coalition; Citizen Potawatomi CDC, Shawnee OK; Colorado PIRG; Coalition on Homeless Housing in Ohio; Community Capital Fund, Bridgeport CT; Community Capital of Maryland, Baltimore MD; Community Development Financial Institution of the Tohono O'odham Nation, Sells AZ; Community Redevelopment Loan and Investment Fund, Atlanta GA; Community Reinvestment Association of North Carolina; Community Resource Group, Fayetteville A; Connecticut PIRG; Consumer Assistance Council; Cooper Square Committee (NYC); Cooperative Fund of New England, Wilmington NC; Corporacion de Desarrollo Economico de Ceiba, Ceiba PR; Delta Foundation, Inc., Greenville MS; Economic Opportunity Fund (EOF), Philadelphia PA; Empire Justice Center NY; Empowering and Strengthening Ohio's People (ESOP), Cleveland OH; Enterprises, Inc., Berea KY; Fair Housing Contact Service OH; Federation of Appalachian Housing; Fitness and Praise Youth Development, Inc., Baton Rouge LA; Florida Consumer Action Network; Florida PIRG; Funding Partners for Housing Solutions, Ft. Collins CO.

Georgia PIRG; Grow Iowa Foundation, Greenfield IA; Homewise, Inc., Santa Fe NM; Idaho Nevada CDFI, Pocatello ID; Idaho Chapter, National Association of Social Workers; Illinois PIRG; Impact Capital, Seattle WA; Indiana PIRG; Iowa PIRG; Iowa Citizens for Community Improvement; JobStart Chautauqua, Inc., Mayville NY; La Casa Federal Credit Union, Newark NJ; Low Income Investment Fund, San Francisco CA; Long Island Housing Services NY; MaineStream Finance, Bangor ME; Maryland PIRG; Massachusetts Consumers' Coalition; MASSPIRG; Massachusetts Fair Housing Center; Michigan PIRG; Midland Community Development Corporation, Midland TX; Midwest Minnesota Community Development Corporation, Detroit Lakes MN; Mile High Community Loan Fund, Denver CO; Missouri PIRG; Mortgage Recovery Service Center of L.A.; Montana Community Development Corporation, Missoula MT.

Montana PIRG; Neighborhood Economic Development Advocacy Project; New Hampshire PIRG; New Jersey Community Capital, Trenton NJ; New Jersey Citizen Action; New Jersey PIRG; New Mexico PIRG; New York PIRG; New York City Aids Housing Network; New Yorkers for Responsible Lending; NOAH Community Development Fund, Inc., Boston MA; Nonprofit Finance Fund, New York NY; Nonprofits Assistance Fund, Minneapolis M; North Carolina PIRG; Northside Community Development Fund, Pittsburgh PA; Ohio Capital Corporation for Housing, Columbus OH; Ohio PIRG; OligarchyUSA; Oregon State PIRG; Our Oregon; PennPIRG; Piedmont Housing Alliance, Charlottesville VA; Michigan PIRG; Rocky Mountain Peace and Justice Center, CO; Rhode Island PIRG; Rural Community Assistance Corporation, West Sacramento CA; Rural Organizing Project OR; San Francisco Municipal Transportation Authority; Seattle Economic Development Fund;

Community Capital Development; TexPIRG; The Fair Housing Council of Central New York; The Loan Fund, Albuquerque NM; Third Reconstruction Institute NC; Vermont PIRG; Village Capital Corporation, Cleveland OH; Virginia Citizens Consumer Council; Virginia Poverty Law Center; War on Poverty—Florida; WashPIRG; Westchester Residential Opportunities Inc.; Wigamig Owners Loan Fund, Inc., Lac du Flambeau WI; WISPIRG;

#### Small Businesses

Blu; Bowden-Gill Environmental; Community MedPAC; Diversified Environmental Planning; Hayden & Craig, PLLC; Mid City Animal Hospital, Phoenix AZ; The Holographic Repatterning Institute at Austin; UNET.

#### STATEMENT OF ADMINISTRATION POLICY

H.R. 1256—SWAP JURISDICTION CERTAINTY ACT  
(Rep. Garrett, R-NJ, and 3 cosponsors, June 11, 2013)

The Administration is firmly committed to strengthening the Nation's financial system through the implementation of key reforms to derivatives markets. However, the Administration opposes passage of H.R. 1256, which would modify Title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act. The Dodd-Frank Act puts in place a number of requirements that bring transparency to and enhance the stability of derivatives markets. These reforms will collectively strengthen the weak and outdated regulatory regime that played a significant role in the crisis that caused devastating damage to the U.S. economy and the financial well-being of American families.

Regulators are making significant progress with a number of derivatives-related reforms. As part of these efforts, regulators are already coordinating to address the issues raised in H.R. 1256, while taking into account the characteristics of the particular markets they regulate. Given these ongoing coordination efforts, passage of this bill would be premature and disruptive to the current and ongoing implementation of the reforms. The Administration believes regulators should be given the time necessary to complete their work. The Administration consequently opposes passage of H.R. 1256, which would preempt ongoing work and slow the implementation of these vital reforms.

Ms. WATERS. I yield 2 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank the gentlelady for yielding and for her leadership.

Mr. Speaker, I rise today in opposition to H.R. 1256, the Swap Jurisdiction Certainty Act.

I oppose this bill, as does the Obama administration, because it would fundamentally undermine Dodd-Frank's derivatives reforms and would create a loophole big enough to drive an AIG-sized truck through.

Many of the derivatives that brought down AIG in 2008 were executed through one of its foreign branches, and many of the counterparties on those derivatives were European banks. These derivatives were a big factor in the AIG bailout that cost our taxpayers \$182 billion and in the financial crisis that cost our economy well over \$12 trillion.

H.R. 1256 would require the CFTC and the SEC to issue a joint rule detailing how U.S. derivatives rules would apply to transactions between U.S. and foreign companies or individuals. However, the bill then requires the agencies to exempt foreign companies from U.S. rules unless both agencies determine that the derivatives rules in the foreign country are broadly equivalent to U.S. rules, a vague standard that would weaken both the CFTC and the SEC's proposed rules governing crossborder transactions.

In the modern financial system, risk knows no borders. Problems in a U.S. bank's foreign office flow right back to the parent company here in the U.S., and it is the U.S. parent company that ultimately bears the loss. This is especially true in derivatives, which are traded in a global and highly interconnected market. For these regulations to be truly effective, however, they must cover derivatives executed in the foreign branches and guaranteed affiliates of U.S. banks.

I urge my colleagues to vote against this bill.

Mr. Speaker, I rise today in opposition to H.R. 1256, the Swap Jurisdiction Certainty Act.

I oppose this bill and the Obama Administration opposes because it would fundamentally undermine Dodd-Frank's derivatives reforms, and would create a loophole big enough to drive an AIG-sized truck through.

Many of the derivatives that brought down AIG in 2008 were executed through one of its foreign branches, and many of the counterparties on those derivatives were European banks. These derivatives were a big factor in the AIG bailout that cost taxpayers \$182 billion, and in the financial crisis that cost our economy over \$12 trillion. Why would we want to repeat the same mistake?

H.R. 1256 would require the CFTC and the SEC to issue a joint rule detailing how U.S. derivatives rules would apply to transactions between U.S. and foreign companies or individuals. However, the bill then requires the agencies to exempt foreign companies from U.S. rules unless both agencies determine that the derivatives rules in the foreign country are "broadly equivalent" to U.S. rules—a vague standard that would weaken both the CFTC and the SEC's proposed rules governing cross-border transactions.

In the modern financial system, risk knows no borders. Problems in a U.S. bank's foreign office flow right back to the parent company here in the U.S., and it is the U.S. parent company that ultimately bears the loss. This is especially true for derivatives, which are traded in a global and highly interconnected market.

For these regulations to be truly effective, however, they must cover derivatives executed in the overseas branches and guaranteed affiliates of U.S. banks. This is what the CFTC has proposed, and what the supporters of this bill are seeking to prevent.

We cannot afford to outsource derivatives regulation to foreign jurisdictions when it is U.S. taxpayers, and not the taxpayers of the foreign jurisdiction, who are ultimately bearing

the risks. We learned the hard way with AIG that risk in the derivatives market flows across borders. Why would we want to repeat the same mistake?

In response to the financial crisis, Congress enacted Dodd-Frank, which imposes common-sense rules on the derivatives market, such as capital and margin requirements for U.S. derivatives dealers. These rules will make the financial system safer by ensuring that U.S. banks that deal derivatives are sufficiently capitalized, and have the ability to pay off all of their derivatives without government help.

H.R. 1256 would undermine these basic reforms. This is why I oppose the bill, why the Obama administration opposes the bill, and I would urge my colleagues to vote against the bill.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. NEUGEBAUER), chairman of the Housing and Insurance Subcommittee.

Mr. NEUGEBAUER. Mr. Speaker, I rise in support of H.R. 1256.

One of the things that I think people demand out of their government is transparency and regular order, and one of the things about this bill is there has been a lot of transparency and a lot of debate and discussion about it.

In fact, this bill was marked up in the previous Congress, both in the House Agriculture Committee and the House Financial Services Committee. You would have thought we would have just brought that bill back here and put it on suspension. That's not what's happening. It was sent back to the House Financial Services Committee and the House Agriculture Committee.

In fact, during that process in the Financial Services Committee, some issues that Mr. Frank, the ranking member of last year, brought up were incorporated into this markup. When it was over in the House Agriculture Committee—and I have the opportunity to sit on both of those committees—some changes that were recommended by the ranking member, COLLIN PETERSON, were incorporated into that bill. In fact, that bill passed on voice vote in the House Agriculture Committee.

Mr. KILDEE offered some language that would limit the bill to the nine largest swap jurisdictions as was alluded to earlier. Those were incorporated into this bill.

The ranking member of the full committee did bring up an amendment, and interestingly enough some of her own Members did not support that amendment.

So what I would say about H.R. 1256 is that it's going to bring some certainty to a very uncertain process. The fact that it has been 3 years and these two agencies have not been able to come together and come out with a common rule doesn't make sense. I think it's one of the things that frustrates people about government, that

two different agencies would have different rules about the same thing.

Then I think the third thing, too, as was alluded to by the chairman, is that these are important markets to our businesses, whether they be large or small. They rely on foreign participants to come into the markets and provide opportunities to hedge, whether it's crops or ingredients in the manufacturing process.

Basically, what we're doing is we're saying that the SEC and the CFTC still have the authority that was given to them in the original Dodd-Frank bill, but we need some harmonization not only within those agencies, but with the other countries that are involved in regulating the foreign entities, as well.

Ms. WATERS. Mr. Speaker, I will enter into the RECORD the amendment that I would have offered had they not come up with a closed rule.

Page 5, strike line 1 and all that follows through page 7, line 6, and insert the following:

(d) GENERAL APPLICATION TO FOREIGN JURISDICTIONS.—

(1) GENERAL APPLICATION.—In issuing rules under subsection (b), the Commissions shall provide that persons in compliance with the regulatory requirements of a country or administrative region that has one of the nine largest combined swap and security-based swap markets by notional amount in the calendar year preceding issuance of such rules or any other foreign jurisdiction as jointly determined by the Commissions may satisfy the corresponding categories of United States swaps requirements through such compliance upon the making of a joint determination by the Commissions pursuant to subsection (d)(2).

(2) DETERMINATIONS.—The Commissions shall jointly determine whether one or more categories of regulatory requirements of a foreign jurisdiction as jointly determined by the Commissions, are broadly equivalent to corresponding United States swaps requirements, with such determinations initially to be made as follows:

(A) Initial determinations regarding a country or administrative region described under paragraph (1), or any other foreign jurisdiction as jointly determined by the Commissions, accounting for the five largest combined swap and security-based swap markets by notional amount in the calendar year preceding issuance of rules under subsection (b) shall be made within 180 days after issuance of such rules.

(B) Initial determinations regarding a country or administrative region described under paragraph (1), or any other foreign jurisdiction as jointly determined by the Commissions, accounting for the next five largest combined swap and security-based swap markets by notional amount in the calendar year preceding issuance of rules under subsection (b) shall be made within 360 days after issuance of such rules.

(C) Initial determinations regarding a country or administrative region described under paragraph (1), or any other foreign jurisdiction as jointly determined by the Commissions, shall be made within 540 days after issuance of rules under subsection (b).

(3) CRITERIA.—In such rules, the Commissions shall jointly establish criteria for determining that one or more categories of

regulatory requirements of a country or administrative region described under paragraph (1) or other foreign jurisdiction are broadly equivalent to corresponding United States swaps requirements, and shall jointly determine the appropriate application of certain United States swap requirements to persons or transactions relating to or involving such country or administrative region or other foreign jurisdiction as jointly determined by the Commission to the extent that the Commissions have determined that certain regulatory requirements of such country or administrative region or other foreign jurisdiction are broadly equivalent to corresponding United States swaps requirements.

(4) RIGHT TO PETITION.—A market participant or group of market participants may request a determination with respect to a particular category or categories of foreign regulatory requirements with regard to a foreign jurisdiction or jurisdictions. Any determination made regarding such a request shall be available to all market participants.

Page 7, line 7, strike "(4)" and insert "(5)".

Ms. WATERS. I yield 1½ minutes to the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Mr. Speaker, I thank the gentlewoman for yielding.

Look, this bill is not going to create jobs in America. This bill is all about foreign swaps. If we're going to create jobs, we're going to create them in foreign countries.

By the way, Dodd-Frank exempts foreign swaps activities from derivatives regs, except when they have—and this is a quote from the bill—"direct and significant connection with activities in, or effect on, commerce of the United States."

Other than that, if they don't affect us; they're not subject to regulation. Simple. But if they're done in a foreign country and they affect us, if it's just a way to get around our regs, they're subject to United States regulation. It's really kind of simple.

By the way, according to The Wall Street Journal, the sixth largest banks of the United States combined have 22,621 subsidiaries. That's an average of 3,770 subsidiaries each. Why? In order to get around this kind of regulation.

I don't blame them. I'm not against swaps. I'm not against swaps conducted on foreign soil. I simply want them subjected to United States regulation. I don't think it's that difficult. I don't understand why we have to do this, except to say, Here's a big open door. This is a huge hole to the regulatory process of the United States of America.

I understand that some Members of this body don't like any regulation, and I respect that. But get up and say it.

Mr. HENSARLING. Mr. Speaker, may I inquire as to how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Texas has 3¼ minutes remaining, and the gentlewoman from California has 12 minutes remaining.

Mr. HENSARLING. At this time, Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. CRENSHAW).

□ 1600

Mr. CRENSHAW. Mr. Speaker, I thank the gentleman for yielding.

This seems to be one of the most straightforward, commonsense pieces of legislation that I have seen in a long time.

As chairman of the subcommittee on Appropriations that oversees the budget of the SEC, we have hearings from time to time to make sure that the SEC is doing their job—that is to protect investors, to make sure that capital markets are fair and stable. Here we have a situation where a certain amount of instability has been created because you have two different agencies that are writing different rules about what's called the over-the-counter commodities market. That's a global market, and it is very important to an awful lot of people. It seems to me that if we're going to have that kind of regulation, you would think that the SEC would coordinate with the other agency, the Commodity Futures Trading Commission, and they would publish one rule that people can understand and live by. But that's not the case.

You don't have the similarities that you need; you don't have them mirroring each other. All this bill does is simply say: Look, if we're going to ask for this kind of regulation, let's make sure that these two agencies publish the same rule. Otherwise you've got all kinds of uncertainty, all kinds of turmoil. If you're a regulated individual or entity or company, how do you know what to comply with unless this happens?

Now, I don't want to have to put language in the appropriations bill that kind of encourages folks to do that. It's simple, just pass this bill. It sounds to me like we're going to. It's a bipartisan bill, and I encourage everyone to vote "yes" and move on.

Ms. WATERS. I yield 1½ minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I thank the gentlelady for yielding.

I rise today in strong opposition to the bill before this House today, H.R. 1256, the Swaps Jurisdiction Certainty Act. It should be called the Wall Street Bailout Certainty Act because that's the actual effect this is going to have. It will do serious and irrevocable harm to our efforts to rein in the reckless behavior of Wall Street.

In the words of our own Commodity Futures Trading Commission Chairman Gary Gensler, this bill will "blow a hole" in the hard-fought derivatives reforms we passed 3 years ago. Section 722 of the Dodd-Frank Act gives the CFTC authority to regulate overseas derivatives that have a direct and significant effect on the commerce of the United States.

If my colleagues need an example, I harken to the ranking member's example of why this cross-border authority is so critically important, and that's the case of AIG, the insurance giant. AIG engaged in increasingly complex and risky derivatives bets on the subprime mortgage market out of its AIG Financial Products subsidiary in London. And because there was virtually no oversight of derivatives markets, AIG Financial Products was able to deal in the shadows. And when the housing bubble burst, no one, not its directors, not its counterparties, not even its regulators, knew just how deeply in trouble AIG was.

So while we have adopted a number of regulations within Dodd-Frank, this bill will allow all of the companies that would be regulated to escape that regulation by doing these derivative deals through their foreign subsidiaries. And the four biggest derivative dealers in this country have over 3,000 foreign subsidiaries each. So this is an escape hatch for them. Vote "no" on this bill.

Mr. HENSARLING. I reserve the balance of my time.

Ms. WATERS. I yield 1½ minutes to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, the question before us is whether we will outsource American economic stability in this quadrillion-dollar derivatives market to foreign subsidiaries of American companies. Will we outsource this quadrillion-dollar market?

Now, a quadrillion is a big number. If you stack dollar bills one on the other, a quadrillion will take you all of the way from the Earth to the Sun. It's important for us to remember that AIG outsourced to a foreign subsidiary. It was in London. And, of course, we know what happened with AIG.

Finally, I will say this. We're trying to jump-start the economy, it seems. We have to be careful what we do when we try these jump starts because this derivatives market has within it interest rate derivatives. These derivatives, if there's a spike in interest rates, can have an enormous impact on the world's economy.

So let us be careful when we jump-start. Sometimes when we do common things, like jump-starting our cars, it works fine. But on other occasions, we can have an explosion. Let's be careful as we jump-start the derivatives market.

Mr. HENSARLING. I continue to reserve the balance of my time.

Ms. WATERS. I yield 1½ minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I will get right to the point: AIG, Citibank, and Lehman are recent examples of institutions where the U.S. parent was hurt by those firms' problems abroad. Lehman had 3,300 subsidiaries at the time

they declared bankruptcy, and its London subsidiary had more than 130,000 outstanding swaps contracts, many of them guaranteed by Lehman Brothers Holdings, headquartered in the U.S.

Bank of America, for example, has more than 2,000 subsidiaries, with 38 percent of them in foreign jurisdictions. Bank of America books its derivatives not only in the U.S. but also in the U.K. and in Ireland.

Now, a very simple fact, Mr. Speaker, is that Dodd-Frank, the bill that has been deconstructed before our very eyes, while the ink is still wet on the page, requires that all foreign or U.S. firms transacting with U.S. persons comply with derivatives market reform. We're taking that apart right now. That's a shame, and it's going to put that guy who wants to buy beer in Texas at risk for his job and his house and everything else.

Mr. HENSARLING. I reserve the balance of my time.

Ms. WATERS. I yield 1½ minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I stand in strong opposition to this bill, which weakens Dodd-Frank regulations over derivatives markets and allows foreign banks and swaps traders to engage in the same risky behavior that caused an economic meltdown a few short years ago.

We are here to represent the American people, not the big banks. And after the 2008 financial crisis that triggered the worse recession since the Great Depression, the American people want to see more accountability from Wall Street, not less. That's why we passed Dodd-Frank in the first place, to end dangerous speculation by financial institutions and prevent more bailouts.

The bill before us tries to exempt from oversight any swap transaction in which one of the parties is not based in the United States. In other words, it effectively guts the derivatives regulation in the Dodd-Frank Act.

When AIG nearly destroyed the economy, their affiliate was based out of London as a branch of a French-registered bank. Lehman Brothers had 3,300 legal entities here and abroad when it failed. Citigroup set up numerous structured investment vehicles overseas to move positions off its balance sheet. But when those investments were about to fail, Citigroup in the U.S. assumed the huge debt, and was ultimately bailed out by U.S. taxpayers.

The notion that we should let big banks evade Dodd-Frank oversight if they set up a subsidiary in another major economy first is absurd. A vote for this bill is a vote for more risky derivatives transactions, more bad behavior, and more bailouts. I urge my colleagues to stand up for the American people, the American taxpayers, and vote this down.

Mr. HENSARLING. I reserve the balance of my time.

Ms. WATERS. I yield an additional 1 minute to the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. What this bill says is if you do this activity in the United States of America, you'll be subject to certain regulations. If you do the exact same activity through a subsidiary in a foreign country, you will not be subject to our regulation. That's an open invitation to move American jobs offshore. It's an encouragement to move American jobs offshore. It is blatantly obvious. How that is good for the American economy, I don't know. Why would we want to say to any American company some foreign regulator is better than us?

Now I know we are going to have this debate in other matters later on this week, saying just the opposite. So in this case, foreign regulators are better, but in other cases, they're not. It's kind of stunning. We actually did it this morning on another matter.

I want to join with the AFL-CIO in making a pretty clear warning to my colleagues: if this bill becomes law, I regretfully agree that there will come a day that you'll regret this vote, as many of us, not me, but many of us regret the vote for the PATRIOT Act.

□ 1610

Ms. WATERS. I yield 1 minute to the gentleman from Massachusetts (Mr. LYNCH.)

Mr. LYNCH. Mr. Speaker, I thank the gentlelady for yielding.

Let me just make one final point on this. What this bill will do now is to give the Cayman Islands or London or some other jurisdiction the ability to write derivatives rules that cover U.S. affiliates.

Now, the problem with that very idea is that the Cayman Islands or any other jurisdiction has no interest in protecting the U.S. taxpayer. That's the truth.

When the bailout for AIG came, it was \$160 billion in U.S. currency, supported by the U.S. taxpayer, that bailed AIG out. So any of these foreign affiliates that go under in foreign jurisdictions, those foreign jurisdictions, whether it be the Cayman Islands or any other jurisdiction, have no interest, they have no dog in the fight to protect the American taxpayer.

That's the problem with this bill. That's the bottom line. We should vote against it. This is a disgrace. But it does show the power of Wall Street, I'll say that.

Mr. HENSARLING. I yield myself 15 seconds, Mr. Speaker, to say, one, if this is a disgrace, you need to inform almost two-thirds of your Members who voted for it in committee. Second of all, nothing in this amends Dodd-Frank. Third of all, you all tell us Dodd-Frank ended "too big to fail," so



the specter of bailout I simply do not understand. You need to make up your mind.

I reserve the balance of my time.

Ms. WATERS. I yield myself as much time as I may consume to refute.

The gentleman from Texas keeps talking about we make the claim that we ended “too big to fail.” That’s what we’re trying to do. That’s what we’re standing up against, what you’re attempting to do in this piece of legislation.

Derivatives are an important part of the reform of Dodd-Frank. It is important because we’re trying to create transparency. The over-the-counter derivatives market that has been working for so long in the shadows we cannot continue to have.

Mr. HENSARLING. Will the gentleman yield?

Ms. WATERS. I yield to the gentleman from Texas.

Mr. HENSARLING. If I misquoted the gentlelady, I apologize, but I thought I had seen earlier quotes where the gentlelady posited that Dodd-Frank ended “too big to fail.” If I was incorrect, I apologize to the gentlelady, but I thought you had said that on more than one occasion.

Ms. WATERS. Reclaiming my time, the gentleman from Texas knows how it works. We have Dodd-Frank reform, and it has to be implemented. You know the living wills have to be done. You know that we have to put in place all that it takes to have the orderly liquidation procedure. And it is important that you understand, and that all of our Members understand, that derivatives are an important part of reform.

If we allow this bill that presumes that other countries are comparable to us in their regulatory regimes without even checking, without vetting, without asking any questions, without requiring anything, then we absolutely put our own country at risk, and we put at risk the American taxpayers who will have to bail out the major financial institutions if we allow you to pass a bill like this, presuming that they are okay, that these countries are okay.

The other thing is—I know and understand now. I understand very well that if we allow this presumption to take place, then you’ll just go to court and you’ll argue that you have the presumption, and you’ll try and tie up the CFTC all over again.

I reserve the balance of my time.

Mr. HENSARLING. I reserve the balance of my time.

Ms. WATERS. I yield 1 minute to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Thank you, Madam Ranking Member.

It’s important to note the amount in derivatives that we’re talking about. We’re talking about a quadrillion dollars—a quadrillion dollars—more than

the entire economy of the world, a quadrillion dollars, and the impact a quadrillion dollars can have on the world’s economy.

Some of this money is in interest rate derivatives. If there’s a spike in interest rates, we’re not sure what the ultimate impact on the world’s economy will be. If I am wrong, everything will be all right; but if I’m right, everything will be all wrong, and it will be too late for us to take corrective action.

Mr. HENSARLING. I reserve the balance of my time.

Ms. WATERS. I yield myself the balance of my time.

Mr. Speaker and Members, I’m very disappointed and worried that this bill has been brought to the floor under a closed rule, as have more than one-third of the bills so far this Congress.

I believe there are important issues concerning the structure of this bill, particularly the bill’s presumption that the rules of the nine largest foreign markets will be broadly equivalent to our own. The bill would require the SEC and the CFTC to act in order to allow U.S. rules to apply to transactions, even though the risk of the transactions will ultimately be imported back to the United States.

My amendment would have the reverse of this presumption, directing the SEC and CFTC to jointly consider the regulatory framework of these countries to provide appropriate exemptions when jurisdictions have derivatives rules that are truly broadly equivalent to our own.

A closed rule prevents us from considering these issues. Why do they have a closed rule? Why did they try to hide this bill inside the DOD?

They don’t want this debate. They didn’t want an opportunity for any amendments. They don’t care that foreign countries would be determining our fate when they set up their regulatory regimes, which won’t be comparable to ours.

We owe it to the American people to do better than we have done. We have had the subprime meltdown. We’ve had the economic crisis. Why throw us back into that simply because you’re trying to protect Wall Street?

Our citizens don’t deserve that. They deserve for us to stand up and protect them from having to bail out these big institutions that will fail.

We have gone through AIG. We have gone through JP Morgan, the London Whale, the \$6 billion failure. Why should we do that again?

I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, how much time do we have?

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from Texas is advised that he has 1½ minutes remaining.

Mr. HENSARLING. Mr. Speaker, in order to close for the bipartisan major-

ity, I will yield the remainder of our time to the author of the bill, the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. I thank the gentleman from Texas, and the bipartisan manner from Mr. CARNEY and Mr. SCOTT as well, working together to get this bill passed.

And I am welcome to the debate that we are having here, but I do find it amazingly ironic that I have to come to the floor and stand here in the position of former Member Barney Frank and defend Dodd-Frank to the allegations from the other side of the aisle to the idea that there’s some sort of escape hatch here, or a pole blown out, or that we’re outsourcing regulation, when, in fact, if you read the legislation, you’ll realize it does none of those things.

Now, I understand that Dodd-Frank was a piece of legislation that was well over 2,000 pages, and maybe some who voted in favor of it did not understand the complexity of it and what was involved; but the bill before us today is only 11 pages long, so everyone should be able to have read it and understand it.

So when the gentleman from Massachusetts refers to section 722(d) being affected by it and other portions of Dodd-Frank being changed by it, he should understand, by reading the 11 pages, none of Dodd-Frank or 722 or those other sections were altered in one way, shape, or form or other.

What was done was to install and enforce and carry out the will of Dodd-Frank in the area to make sure that the two regulatory agencies dealing with the respective areas here, the SEC and the CFTC, actually do what former Chairman Frank wanted Dodd-Frank to do, and that is to issue a rule and issue a rule that would be effective, in their judgement, for the betterment of the economy and for the regulated entities involved.

And with that, I see my time is up. I encourage a “yes” vote on this legislation.

□ 1620

Mr. CONAWAY. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today to urge my colleagues to pass H.R. 1256, the Swap Jurisdiction Certainty Act. Swaps are important tools that our farmers, ranchers, and businesses rely on to hedge the risks of competing in a global marketplace. Yet later this month, guidance the CFTC issued could fundamentally disrupt these markets here at home and around the world unless Congress acts today.

Last summer, the CFTC issued its proposed crossborder guidance to the marketplace for review and comment, explaining how it would regulate swaps entered into by foreign companies.



What was produced was startling in its reach—the guidance declares that almost any swap entered into by anyone with any interest related to the United States falls under the jurisdiction of the CFTC and the Dodd-Frank Act.

As chairman of the General Farm Commodities and Risk Management Subcommittee, I held a hearing on this issue last December with Commissioners Sommers and Chilton from the CFTC and regulators from the European Union and Japan. Each witness agreed that it was imperative that we get the crossborder application of Dodd-Frank correct and that the U.S. not try to police swap markets around the world.

Respect for equivalent, but not necessarily identical, regulatory standards has been a cornerstone of international banking regulations for decades. The CFTC as rewritten the principles of international cooperation with this guidance, insisting that it alone can and should manage the global swaps markets. Predictably, this was met with universal outcry from foreign governments and international regulators.

But today's bill is about far more than just the pride of international regulators. If the CFTC's guidance stands and equivalence is no longer recognized, the global derivatives market can become regionalized as institutions and customers transact a majority of their business within their home jurisdictions. Such an outcome would concentrate specific risks in various economies and sectors of the world.

Here at home, American end users who use swaps to manage everyday business risks may have fewer counterparties to work with. Fewer counterparties means that there will be less competition and liquidity in the market, leading to higher costs for end users and a concentration of higher risk in the United States.

Not only has the CFTC failed to cooperate with international regulators, it's failed to do so at home, as well, leading the SEC to propose a separate rule governing the small slice of swaps markets that it regulates. Today, there are two different sets of rules for when market participants are subject to U.S. law, depending on what instrument is being traded.

The Swap Jurisdiction Certainty Act will end this mess. It first requires that the CFTC and the SEC cooperate on a single, joint rule for the extraterritorial application of Dodd-Frank regulations. Second, it requires the CFTC and the SEC to recognize the competence of certain sophisticated foreign regulators, unless they can both agree that the regulators have failed to produce equivalent requirements.

For all the back and forth today, this is a simple, straightforward bill. In a nutshell, it requires the CFTC and the SEC to cooperate, both with each other

and with the rest of the world—exactly what they should have been doing all along.

I'd like to thank my counterpart on the Financial Services Committee, Mr. GARRETT, for his work on bringing this legislation to the floor today. I would, as well, like to thank Ranking Member DAVID SCOTT, who continues to be a thoughtful and productive partner on issues in the Agriculture Committee. And, finally, I'd like to thank Chairman FRANK LUCAS who never lets us forget that our constituents depend on these markets to manage their businesses and protect themselves in an uncertain world.

With that, I urge swift passage of the legislation and reserve the balance of my time.

Mr. DAVID SCOTT of Georgia. Thank you, Mr. Chairman. I yield myself such time as I may consume.

Let me say at the outset that what has been clearly brought to our attention today is a great need for leadership. That's what this is about. Derivatives are here. The other side pointed out very magnificently we're dealing with a \$600 trillion piece of the world economy. It must have rules. It must have regulations. This is the duty and the responsibility of the United States Congress to do so. To do otherwise would indeed weaken Dodd-Frank. What this bill does is strengthen Dodd-Frank.

Now, I serve on both the Agriculture Committee and the Financial Services Committee. I'm also the ranking member of the General Farm Commodity and Risk Management Subcommittee. I mention those things because I have been intimately involved in this issue for a long time, and I know the consequences if we do not respond.

Now, why do we need this bill? Dodd-Frank has been approved almost 3 years; but right today, we still do not know what swaps activities will be subject to U.S. regulation and which ones will be subject to foreign regulations. If something is shameful, that is shameful.

In section 722, the Dodd-Frank Act limits the CFTC's jurisdiction over swaps transactions outside the United States for those that have "direct and significant connection with activities in or effect on commerce in the United States." However, section 722, the same section, limits the SEC's jurisdiction over security-backed swaps outside the United States, as well. That brings confusion.

What is the proper thing to do? Ask these two agencies to harmonize. Give us one rule so that that will apply. That's what this bill does. We are dealing with a global market. We cannot put our American banking system at a disadvantage competitively. That is what will weaken Dodd-Frank. That is what will bring about another crisis beyond what we already have.

So, Mr. Speaker, what we need to do is understand that on the foreign market, what are we dealing with? We're not dealing with every nation in the world. We are dealing with only the nine largest economies, and we must make sure that their regulatory regimes are as strong as ours. That is the responsibility of the SEC and the CFTC. That's what this bill is.

As far as AIG and as far as all of the other debacles that have happened, we're all upset about that. That's why we must move with this legislation.

Now, very briefly, much has been said about what has happened as if we've done nothing about it. Mr. Speaker, we've put clearing in so that all swaps transactions must be cleared. Clearing of swap contracts will eliminate bilateral credit risk, and it transfers that risk to clearinghouses which requires market participants to post margins, put up their own money. That's how you prevent another calamity.

The margin requirements are there also for uncleared swaps. And the clearing rules and the margin rules taken together mean that all swap contracts will be fully secured by high-quality liquid assets, and this is what will prevent another scenario.

And so I started what I said with what is desperately needed here: leadership. To allow this crossborder to go unanswered any longer is weakening us. Mr. Gensler, who is the chairman of the CFTC, next week will be meeting in Montreal with the European regulators. Leadership is needed. There is a July 23 deadline that all of the international markets must meet to deal with rules and regulations.

□ 1630

The wrong thing for us to do is not to pass this bill. And I assure my colleagues, my Democratic and Republican friends, I've gone through the safeguards we've put in here. This will not happen again. It will not happen again because we have strengthened Dodd-Frank. And the head of our Fed, Chairman Bernanke, said in his own words, We need this cross-border protection; we need this legislation.

So with that, I reserve the balance of my time because I have some other speakers that we'd like to hear from.

Mr. CONAWAY. Mr. Speaker, I yield 2 minutes to a former member of the Agriculture Committee and the subcommittee, the gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Mr. Speaker, I rise today in strong support of H.R. 1256, the Swap Jurisdiction Certainty Act, which requires the CFTC and the SEC to cooperate on a single rule for how U.S. derivatives regulations are applied overseas.

This bill and several others we will consider today are critically important to the work we have begun in the

House Agriculture Committee to reform Dodd-Frank and make this bill less onerous for our farmers and bankers.

As Commissioner Jill Sommers noted, it appears as though the CFTC was “guided by what could only be called the ‘Intergalactic Commerce Clause’” as they prepared their cross-border guidance when it was released last summer.

How foreign institutions comply with Dodd-Frank is of enormous consequence. The CFTC has taken the position that virtually everyone everywhere is a U.S. person and subject to its jurisdiction. Without question, this expansive claim of jurisdiction is going to raise the cost for farmers and end users in my home State of North Carolina to hedge their risk and diminish global competitiveness of our domestic financial firms, which employ many people back home in North Carolina.

The CFTC is risking all this to an end that no one seems to fully understand. Their actions are making financial regulatory reform more burdensome and more complicated, while serving only to alienate the CFTC and U.S. markets from the rest of the world.

The Swap Jurisdiction Certainty Act would force the CFTC to cooperate with the SEC on a single standard for cross-border application of swaps regulations. In addition, the bill is narrowly tailored to guarantee that the top nine foreign swaps markets will be recognized by the CFTC and SEC as having comparable rules so foreign firms would be governed by the laws of their home countries.

This bill does not allow unchecked swaps markets to spring up in Caribbean island nations or the four corners of Southeast Asia, as some on the other side of the aisle have alluded. Instead, it directs the CFTC to do what it should have done in the first place: to cooperate with its fellow regulators both down the street and around the world.

I urge its adoption.

Mr. DAVID SCOTT of Georgia. I yield 1½ minutes to the gentleman from Delaware (Mr. CARNEY).

Mr. CARNEY. I would like to thank Mr. SCOTT for yielding time and for his leadership on this issue.

I rise today in support of H.R. 1256. It will lead to a stronger, more robust set of regulations for the derivatives market.

Let me be clear, this is not an effort to roll back Title VII of Dodd-Frank or to weaken its reach overseas. In fact, its intent is to harmonize regulations for cross-border swaps transactions, to eliminate confusion, and to prevent the establishment of two sets of rules in certain jurisdictions, which we know will leave us vulnerable to companies who would want to exploit those loopholes. In fact, this is a goal that our

former chair and ranking member articulated well in a letter that he co-signed with Senator TIM JOHNSON to the regulators dated October 4, 2011, in which he says:

U.S. regulators should work with other international regulators to seek broad harmonization of appropriately tough and effective standards. Should current harmonization efforts ultimately fail or prove a race to the bottom that would undermine effective regulation, the U.S. would of course reserve the right to proceed to extend the application of its standards to overseas operations.

That’s exactly what this bill does: it calls on the CFTC and the SEC to issue joint regulations in overseas markets, and in the G8 plus Hong Kong, in those markets where there are already rigorous regulations, the CFTC to determine whether our regulations are strong enough. If they are not, they can apply our regulations there.

So this bill is a good bill to create one set of regulations around the world that will be strong and clear and consistent.

Mr. Speaker, I rise today to support H.R. 1256. It will lead to a stronger, more robust set of regulations for the derivatives market.

Let me be clear, this is not an effort to roll back Title 7 of Dodd-Frank or to weaken its reach overseas.

In fact its intent is to harmonize regulations for cross-border swaps transactions.

To eliminate confusion.

And to prevent the establishment of two sets of rules in certain jurisdictions—which we know leaves us vulnerable to companies who want to exploit loopholes when there’s a patchwork of regulations.

Unfortunately, since the passage of Dodd-Frank, the CFTC and SEC have moved forward with conflicting proposals to enforce Dodd-Frank derivatives law in markets overseas.

This bill has one goal: to create clear, strong and consistent rules governing derivatives transactions for U.S. companies operating around the world.

It does this in two ways.

First: it tells the SEC and CFTC to coordinate and issue their swaps regulations jointly. That way, we have one set of regulations that companies have to follow.

Under current law, the two agencies can issue overlapping, or even conflicting regulations. In fact, that’s exactly what they’ve done.

This is confusing and burdensome for U.S. firms. But more importantly, it creates opportunities for firms to exploit inconsistencies and loopholes in the regulations.

This bill requires one consistent set of regulations to close loopholes and eliminate confusion.

Second: this bill acknowledges the strong regulatory commitment some nations have already made to regulate swaps.

The bill says that since these countries are moving forward with derivatives regulations that are comparable to ours in scope and rigor, companies engaged in derivatives transactions in these countries can follow those regulations.

During consideration of this bill in the Financial Services Committee, I supported an

amendment offered by the Ranking Member that would have flipped the presumption in the bill.

Instead of presuming that certain countries have broadly equivalent regulations to ours, it would’ve directed the regulators to proactively make that determination. That amendment didn’t pass. But there is a failsafe in this bill.

But, this is critical. Under this bill, if the SEC and CFTC look at these countries’ regulations and determine that they are not in fact as strong or robust as our regulations, the agencies can require that companies operating in those countries follow U.S. law.

Our regulators remain in control.

Without this bill, firms operating overseas, even in the nine countries where most of this business takes place, will have to comply both with U.S. regulation, and the regulations of those countries.

Again, this leaves us vulnerable to firms that want to exploit this patchwork regulatory framework. Or worse, it could drive derivative trading away from U.S. firms and further away from the view of our regulators.

The SEC, just a few weeks ago, proposed a draft rule that acknowledges the need for harmonization between our rules and the rules of other countries.

Here’s the bottom line.

The goal is really simple, and that is to reach an accommodation where we have strong regulatory requirements that are consistent across borders, that are strong, but that do not create loopholes or confusion in those markets.

Mr. CONAWAY. Mr. Speaker, may I inquire as to how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Texas has 4½ minutes remaining. The gentleman from Georgia has 2 minutes remaining.

Mr. CONAWAY. Mr. Speaker, I yield 2 minutes of my time to the gentleman from Georgia (Mr. SCOTT) for his use.

The SPEAKER pro tempore. Without objection, the gentleman from Georgia will control the time.

There was no objection.

Mr. DAVID SCOTT of Georgia. With that, I’d like to yield 1½ minutes to the gentleman from Florida (Mr. MURPHY).

Mr. MURPHY of Florida. I thank the gentleman from Georgia for yielding.

I rise in support of H.R. 1256.

Title VII of Dodd-Frank contains important structural reforms to the derivatives market so that complicated, unregulated financial instruments can never bring our economy to its knees again. However, no law is perfect, and we should look for ways to improve Wall Street Reform to keep unintended consequences from trickling down to Main Street.

The bill before us would put SEC and CFTC on the same page, giving American businesses the ability to compete with foreign companies on a level playing field. This will not destabilize the global financial system because the bill demands a broadly equivalent swaps regime as Title VII.

The global derivatives market deserves smart regulations, not duplicative or conflicting requirements. I urge my colleagues to support this common-sense, technical adjustment.

Mr. CONAWAY. I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Georgia is advised that he has 3 minutes remaining.

Mr. DAVID SCOTT of Georgia. With that, I yield 1½ minutes to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. I thank the gentleman from Georgia.

I rise today to support H.R. 1256, the Swap Jurisdiction Certainty Act.

I proudly supported the Dodd-Frank Wall Street Reform Act because I believed that regulations of derivatives were desperately needed, and today I stand here to support what is a very modest change because I believe that the inability of the CFTC and the SEC to come together on a definition of "U.S. persons" is centrally important to effective cross-border rules and regulations and rules of the road.

Now, I did support the gentlelady from California's amendment for switching the presumption. Because of the closed rules, we were unable to take that up at this time, and I believe it would have improved the bill. However, although this amendment was not adopted, I believe that the regulators will continue to have the authority to regulate any overseas swaps transactions under U.S. rules if they conclude that it is appropriate.

I believe that without this bill we could find U.S. companies going outside not only the jurisdiction of the United States and our losing our competitiveness, but those swaps activities could migrate away from U.S. companies overseas to companies outside of the reach of U.S. regulators. So I would urge my colleagues to support this important legislation.

Mr. CONAWAY. I reserve the balance of my time.

Mr. DAVID SCOTT of Georgia. With no other speakers, Mr. Speaker, let me just close by saying, with the international, interconnected, complex nature of financial markets and the sizeable role the derivatives play within the global economy—as I mentioned, \$600 trillion—international harmonization of rulemaking between the CFTC and the SEC is critical, and a coordinated regulatory cooperation between the nine largest global partners keeping our financial institutions at a competitive position is critical. That's what this bill does.

I urge all of my colleagues to support this important and timely piece of legislation.

I yield back the balance of my time.

□ 1640

Mr. CONAWAY. Mr. Speaker, I yield myself the balance of my time.

We have heard from a number of foreign governments around the world on their entities' regulatory schemes and—let me just say—strong disagreement with the cross-border guidance that Chairman Gensler and the CFTC proposed.

We have heard from Ministers of Finance from the United Kingdom, the European Commission, France, Brazil, Germany, South Africa, Russia, and Switzerland. We've heard from the European Securities and Markets Authority. In Australia, we've heard from the Reserve Bank of Australia and the Australian Securities and Investments Commission. The Hong Kong Secretary for Financial Services and the Treasury. Japan has weighed in with the Japan Financial Services Agency and the Bank of Japan. The Monetary Authority of Singapore, the Swiss Financial Market Supervisory Authority, and from the UK we've heard from the Chancellor of the Exchequer and the Financial Services Authority.

I would like to submit for the RECORD two of those letters; one to Secretary Lew from a number of folks, and the other is to Chairman Gensler from England, the European Union, Japan, as well as France. Mr. Speaker, all of these letters are posted on the Agriculture Committee's Web site for constituents and others to read and get a flavor of what our fellow regulators around the world are saying about this. None of them have any interest in an unregulated market. They all see the risks that we see.

This bill simply asks the SEC and the CFTC to get along, come to a conclusion, whatever that might be, and then deal equitably with their fellow regulators around the world. These are bright, smart people, just like we are. For us to argue that we have the only perfect scheme to regulate derivatives is a bit wrongheaded. This bill goes a long way to fixing that.

I would urge my colleagues to support the bill, vote in favor of it, and I yield back the balance of my time.

18 APRIL 2013.

#### CROSS-BORDER OTC DERIVATIVES REGULATION

DEAR SECRETARY LEW: We, the undersigned, are writing to express our concern at the lack of progress in developing workable cross-border rules as part of reforms of the OTC derivatives market.

We are already starting to see evidence of fragmentation in this vitally important financial market, as a result of lack of regulatory coordination. We are concerned that, without clear direction from global policymakers and regulators, derivatives markets will recede into localised and less efficient structures, impairing the ability of business across the globe to manage risk. This will in turn dampen liquidity, investment and growth.

We share a common commitment with respect to OTC derivatives reform, and are implementing rules across very different markets with different characteristics and different risk profiles, to support this global initiative. We believe the basic principles on

which cross-border rules should be based are clear and widely shared, and we summarise them in the annex to this letter. An approach in which jurisdictions require that their own domestic regulatory rules be applied to their firms' derivatives transactions taking place in broadly equivalent regulatory regimes abroad is not sustainable. Market places where firms from all our respective jurisdictions can come together and do business will not be able to function under such burdensome regulatory conditions.

A coherent collective solution is therefore needed for cross-border derivatives, and regulators must work together to avoid outright conflicts in regulation and minimise overlaps as far as possible. In this regard, mutual recognition, substituted compliance, exemptions, or a combination of these would all be a valid approach, and careful consideration should be given with respect to registration requirements for firms operating across borders.

Recent experience shows that these discussions can only proceed if they are based on a shared understanding of the overall outcome being sought. For this reason, we are writing to urge that jurisdictions consider carefully the attached principles to avoid cross-border conflicts and support the Pittsburgh G20 reforms. We hope that these principles might provide a useful foundation for regulatory discussions to make progress.

We urge all authorities to work with us to achieve an outcome that meets the principles outlined in this letter and we, in turn, commit to continue to work to address the areas of concern which are most fundamental to others. To this end, this letter is copied to the Chairman of the FSB; the Chairman of the CFTC; the Chairman of the SEC; the Chairman of the U.S. Senate Committee on Agriculture, Nutrition and Forestry; and the Chairman of the US House of Representatives Committee on Agriculture.

Yours sincerely

GUIDO MANTEGA,  
*Minister of Finance,  
Government of  
Brazil.*

PIERRE MOSCOVICI,  
*Minister of Finance,  
Government of  
France.*

TARO ASO,  
*Deputy Prime Minister,  
Minister of Finance,  
Minister of State for Financial  
Services, Government of Japan.*

PRAVIN GORDHAN,  
*Minister of Finance,  
Government of  
South Africa.*

GEORGE OSBORNE,  
*Chancellor of the Exchequer, UK Government.*

MICHEL BARNIER,  
*Commissioner for Internal Market and Services, European Commission.*

WOLFGANG SCHÄUBLE,  
*Minister of Finance,  
Government of Germany.*

ANTON SILUANOV,  
*Minister of Finance,  
Government of Russia.*

EVELINE WIDMER-SCHLUMPF,  
Finance Minister,  
Government of Switzerland.

OCTOBER 17, 2012.

# U.S. CROSS BORDER SWAPS RULES

Hon. GARY GENSLER,  
Chairman, Commodity Futures Trading Commission, Washington, DC.

DEAR CHAIRMAN GENSLER: We, the undersigned, would like to share our concerns with you about the implementation of the current phase of post-crisis regulatory reform, as you reflect on the final shape of the CFTC cross border rules for swaps.

Faithfully implementing the reforms adopted by the G20 in 2009 in Pittsburgh on the clearing and electronic trading of standardized OTC derivatives in a non-discriminatory way remains of the utmost importance. As you know, Europe has adopted legislation on clearing and is in the final stages of negotiation on the trading aspect of the G20 Pittsburgh reforms. In Japan, clearing requirements will be effective in November and legislation on trading platforms was recently approved by the Diet. While there may be differences in some areas of detail, we believe the US, the Member States of the EU and Japan are now set to implement these historic reforms in a broadly consistent way in our respective jurisdictions.

This is a significant achievement, capturing the large majority of the global swaps market. But as has been continuously stressed by G20 leaders since 2009, domestic legislation alone does not fulfil the political aim that was agreed in Pittsburgh and reaffirmed in Toronto in 2010. Regulation across the G20 needs to be carefully implemented in a harmonised way that does not risk fragmenting vital global financial markets.

For all its past faults, the derivatives market has allowed financial counterparties across the globe to come together to conduct more effective risk management and, as a result, support economic development. Done properly this should be of benefit to all. At a time of highly fragile economic growth, we believe that it is critical to avoid taking steps that risk a withdrawal from global financial markets into inevitably less efficient regional or national markets.

We of course recognise and understand the need for US and other regulators to satisfy themselves on the adequacy of regulation in other jurisdictions. But we would urge you before finalising any rules, or enforcing any deadlines, to take the time to ensure that US rulemaking works not just domestically but also globally. We should collectively adopt cross border rules consistent with the principle that equivalence or substituted compliance with respect to partner jurisdictions, and consequential reliance on the regulation and supervision within those jurisdictions, should be used as far as possible to avoid fragmentation of global markets. Specifically, this principle needs to be enshrined in CFTC cross border rules, so that all US persons wherever they are located can transact with non-US entities using a proportionate substituted compliance regime.

We assure you our regulatory authorities stand ready to work closely with you to ensure an effective cross border regime is implemented at the earliest possible opportunity and provide you with the necessary information and reassurance regarding our respective regulatory frameworks.

Yours sincerely,

GEORGE OSBORNE,

Chancellor of the Exchequer, UK Government.

MICHEL BARNIER,  
Commissioner for Internal Market and Services, European Commission.

IKKO NAKATSUKA  
Minister of State for Financial Services, Government of Japan.

PIERRE MOSCOVICI,  
Minister of Finance, Government of France.

Mr. BLUMENAUER. Mr. Speaker, I supported the passage of the Dodd-Frank Wall Street Reform Act in 2010 to rein in Wall Street, end taxpayer bailouts of big banks, and protect consumers. Under this Act, the CFTC and the SEC were charged with regulating a number of previously unregulated or under-regulated Wall Street and financial service sector activities that led in large part to the 2008 crisis, including the \$700 trillion derivatives market.

While Congress has a responsibility to ensure that the reforms enacted under Dodd-Frank are clear and effective—and many may still require clarification from Congress—the bill under consideration today, H.R. 1526, is premature and potentially damaging. I therefore do not support this legislation.

Regulators at the CFTC and the SEC continue to make progress on implementing important regulations of the derivatives market. Given this progress and the fact that this is an ongoing process, intervening and micromanaging the rulemaking process at this stage would only delay the positive benefits these changes will have for Americans.

I also have concerns that this legislation sets a policy that would make it more difficult for regulators to ensure that U.S. derivatives transactions conducted overseas through foreign entities are subject to the new rules, potentially opening up a hole in the regulatory process. In requiring that the CFTC and the SEC issue a joint determination along with a formal report to Congress to establish that another country's rules are not "broadly comparable" to U.S. rules, this legislation creates an extra layer of bureaucracy on these already overburdened agencies that will hinder their effectiveness.

Regulating the derivatives market is a huge and important job. This legislation slows this progress without benefit to the American people or our economy.

Mr. MARKEY. Mr. Speaker, I rise in opposition to the bill being considered today, H.R. 1256, the Swap Jurisdiction Certainty Act. Although couched as an innocuous bill to ensure that U.S. banks have clarity about how swaps and derivatives trades are to be managed between U.S. and non-U.S. entities, in reality this bill will significantly impede efforts to apply strong regulations on Wall Street banks trading in these financial products.

The size of the global swaps market is staggering. According to the Bank for International Settlements, at the end of last year, the total notional value of outstanding over-the-counter swaps was over 632 trillion dollars. Again, 632 trillion dollars. In comparison, the gross do-

mestic product of the entire United States was just 15.1 trillion dollars at the end of last year. The swaps market is over 40 times larger than the entire U.S. economy; in fact, the swaps market is 10 times larger than the entire global economy.

This market is also truly global in scope. Many of our major Wall Street banks, such as J.P. Morgan, Bank of America, and Goldman Sachs, have significant foreign subsidiaries. Bank of America alone has subsidiaries in approximately 40 countries. Given the massive size of this market, we need the strongest possible rules over swaps transactions in foreign subsidiaries that could adversely affect U.S. banks and bank holding companies.

Unfortunately, this bill will prevent our primary regulator of the swaps market, the Commodity Futures Trading Commission, from finalizing strong regulations. The CFTC has spent years crafting strong rules governing cross-border swaps and derivatives and has received a large amount of industry input on these rules. The most recent draft was circulated on May 16, 2013. If this bill passes, that entire process will be stopped in its tracks, even as the rules are supposed to be finalized within the next 30 days. Enacting this bill now is tantamount to tripping the CFTC at the finish line.

Even beyond the poor timing of this bill, the bill will substantially weaken the CFTC's ability to regulate the global swaps market. Under the text of H.R. 1256, the CFTC and the SEC are to jointly release rules governing cross-border swaps. Yet, as part of that rulemaking, the CFTC and SEC are required to assume that a foreign person in compliance with the regulations of any of the nine largest combined swap jurisdictions is also in compliance with all U.S. swaps rules. Given that the United States sets the global standard in financial matters, this provision effectively makes all global swaps rules only as strong as the rules of the weakest country among the nine largest jurisdictions. In other words, it will prompt a regulatory race to the bottom, which is a recipe for disaster.

Have we learned nothing from the excesses of the Bush Administration, when financial deregulation allowed excessively risk derivatives driving a financial market collapse? Just five years after that experience, this is a bill that allows for increased deregulation of some of Wall Street's most dangerous financial products at a time when we need more regulation of swaps. It was only one year ago that J.P. Morgan experienced its "London Whale" fiasco, where bad decisions by J.P. Morgan personnel in London resulted in New York based J.P. Morgan taking a loss of \$6.2 billion. No one in senior management, risk, legal, or compliance was aware of the risks or liabilities being assumed by people in the London office. Yet, if CFTC's cross-border swaps rules were in place, maybe that disaster would not have happened.

U.S. based swaps dealers are increasingly fragmented, and we need strong central rules to minimize the risk of swaps trading causing another financial crisis. At a time when we are just four years removed from the worst recession since the Great Depression, a recession sparked by insufficient regulation of the swaps market, this bill is the wrong solution for the

wrong problem at the wrong time. I urge my colleagues to vote no on H.R. 1256.

Mr. VAN HOLLEN. Mr. Speaker, I have substantial sympathy with those seeking regulatory clarity and with U.S. companies wishing to avoid being competitively disadvantaged when operating abroad. At the same time, one of the hard-learned lessons from the recent financial crisis is that outsized risk readily crosses national boundaries, which is why prudent regulation of cross-border derivatives transactions that can impact our economy was embedded in the Dodd-Frank Wall Street Reform law.

The problem with today's legislation is that it seeks to achieve regulatory certainty for these kinds of transactions by effectively substituting foreign derivatives rules for our own safeguards unless the Commodity Futures Trading Commission (CFTC) and the Securities and Exchange Commission (SEC) both agree that the foreign rules in question are not "broadly equivalent" to our own.

Like the Administration, I would prefer for Americans to rely on U.S. law for protection in this area, and for our regulators to finish their work on these important safeguards in coordination with their foreign counterparts—rather than presume that foreign regulation, and in some cases foreign regulation that hasn't even been written yet, will be sufficient to do the job.

Mr. CUMMINGS. Mr. Speaker, yesterday I voted "yes" in error for the Swap Jurisdiction Certainty Act. As I stated in a dear colleague with fellow members, this bill will "undermine our financial regulators' efforts to regulate cross-border derivatives . . . putting our financial markets and economy at risk and undermining one of the most important provisions of Wall Street Reform." I stand firm with 124 of my colleagues who voted against this harmful legislation and will continue to fight for sensible policies that will prevent the kind of reckless gambling by our financial institutions that led us to the brink of economic catastrophe.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 256, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SEAN PATRICK MALONEY of New York. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Page 7, after line 24, insert the following:

(4) ADDITIONAL CRITERIA ON CHINA, IRAN, AND OTHER COUNTRIES WHO ENGAGE IN CYBER ATTACKS OR VIOLATE THE IRAN SANCTIONS ACT.—The Commissions shall determine that the regulatory requirements of a country, administrative region, or other foreign juris-

diction are not broadly equivalent to United States swaps requirements if the Commissions determine that such country, administrative region, or other foreign jurisdiction—

(A) engages in cyber attacks and does not have, or has but does not enforce, laws to deter cyber attacks against U.S. person, including U.S. companies, and the Government of the United States; and

(B) is in violation of, or does not enforce comparable restrictions to, the Iran Sanctions Act of 1996, the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, the Iran Threat Reduction and Syria Human Rights Act of 2012, and the International Emergency Economic Powers Act.

Page 8, line 1, strike "(4)" and insert "(5)".

Page 11, after line 2, insert the following: (g) EXCLUSIONS OF CORPORATIONS THAT VIOLATE IRAN SANCTIONS ACT OR ENGAGE IN CYBER ATTACKS.—A non-U.S. person shall not receive the exemption provided in subsection (d) if the Commissions determine such person has—

(1) been the subject of a civil or criminal proceeding for violating the Iran Sanctions Act of 1996, the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, the Iran Threat Reduction and Syria Human Rights Act of 2012, or the International Emergency Economic Powers Act; or

(2) been the subject of a civil or criminal proceeding related to cyber attacks on the Government of the United States or U.S. companies.

Page 11, line 3, strike "(g)" and insert "(h)".

Mr. SEAN PATRICK MALONEY of New York (during the reading). I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mrs. WAGNER. I object, Mr. Speaker. The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes in support of his motion.

Mr. SEAN PATRICK MALONEY of New York. Thank you, Mr. Speaker.

I rise today to offer the final amendment to the bill. It will not kill the bill or send it back to the committee. If adopted, the bill will immediately proceed to final passage as amended.

I rise to offer this motion to recommit because this bill in its current form misses an opportunity to do more, and we should not let that opportunity pass.

The underlying legislation has the goal of extending reasonable accommodations to like-minded friends and allies around the globe. A stronger, better coordinated global regulatory framework is, of course, a goal that we all share.

My amendment is simple. It says that the accommodations we extend to our friends must not be extended to those who actively seek to harm the United States—our citizens, our allies,

our corporations—by violating the Iran Sanctions Act or by engaging in cyber attacks against the United States.

The dangers of a nuclear Iran are real. They are made even more real by actors who continue to bypass American and U.N. sanctions.

Iran is an existential threat to our friend and our ally Israel. Iran is a growing menace in the Middle East, arming both the Syrian regime and Hezbollah, and undermining peace in Iraq. Iran is actively pursuing the development of a nuclear capability, which we cannot allow.

We cannot let countries or corporations who do not share our values reap the benefits of this bill. That's why my amendment would target countries and corporations and deny them the benefits of this bill if they violate the Iran Sanctions Act.

We have very strong laws on the books blocking any violation of the Iran Sanctions Act, here or abroad, either by countries or corporations who don't share our values. That's a good thing.

In fact, the President just recently issued a new Executive order further tightening these sanctions, particularly in the financial sector. That's why this final amendment is key to keeping this legislation aligned with these efforts to keep Iran isolated from the international community and to eliminate any new sources of funding to the Iranian regime.

My amendment also targets countries that engage in cyber attacks against our country or our corporations. Countries like Iran and other countries such as China try to undermine the United States, our companies, our infrastructure, our systems every day, thousands of times a day.

Cyber attacks result in a huge economic loss to our intellectual property to the tune of hundreds of billions of dollars annually, not to mention the extreme danger to our national security, our banks, our infrastructure.

My amendment doesn't allow transactions under this bill that would harm either the United States or Israel. We cannot and should not walk away from making this bill better, and I urge my colleagues to support my amendment.

I yield back the balance of my time.

Mrs. WAGNER. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Missouri is recognized for 5 minutes.

Mrs. WAGNER. Mr. Speaker, my friends on the other side of the aisle just refuse to face the fact that 3 years ago with the passage of Dodd-Frank they created some of the most complex and confusing rules our economy has ever seen.

It is by no means a coincidence that the difficulties faced by farmers and small businesses and families in obtaining credit today is a direct result

of Dodd-Frank's chilling effect on our capital markets.

The bill that we are considering today has nothing to do with cyber attacks. Although this is an important matter, this issue has nothing to do with cyber attacks. If it was so important, I'm wondering why it was not offered in either committee where we were fully debating this particular bill.

□ 1650

Our system is broken, absolutely broken, at the Federal regulatory level. The SEC and the CFTC have promulgated two completely different regulations to govern cross-border swap transactions. The delay and disorder on this issue end today.

Mr. Speaker, disparate regulations governing the same behavior hinder the capital markets and hurt the economy. I am hopeful that a bipartisan vote on this legislation will send a strong signal to our regulators in Washington that finally, after 3 years, they need to come together for the good of economic growth and prosperity. I urge a "no" vote on the motion to recommit and a "yes" vote on H.R. 1256.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on the question on passage of H.R. 1256, if ordered; and the motion to suspend the rules and pass H.R. 1038.

The vote was taken by electronic device, and there were—yeas 194, nays 230, not voting 10, as follows:

[Roll No. 217]

YEAS—194

Andrews	Cartwright	DeLauro
Barber	Castor (FL)	DelBene
Barrow (GA)	Castro (TX)	Dingell
Bass	Cicilline	Doggett
Beatty	Clarke	Doyle
Becerra	Clay	Duckworth
Bera (CA)	Cleaver	Duncan (TN)
Bishop (GA)	Clyburn	Edwards
Bishop (NY)	Cohen	Ellison
Blumenauer	Connolly	Engel
Bonamici	Conyers	Enyart
Brady (PA)	Cooper	Eshoo
Braley (IA)	Costa	Esty
Brown (FL)	Courtney	Farr
Brownley (CA)	Crowley	Fattah
Bustos	Cuellar	Foster
Butterfield	Cummings	Frankel (FL)
Capps	Davis (CA)	Fudge
Capuano	Davis, Danny	Gabbard
Cárdenas	DeFazio	Gallego
Carney	DeGette	Garamendi
Carson (IN)	Delaney	Garcia

Grayson	Luján, Ben Ray	Ruppersberger
Green, Al	(NM)	Rush
Green, Gene	Lynch	Ryan (OH)
Gutierrez	Maffei	Sánchez, Linda
Hahn	Maloney,	T.
Hanabusa	Carolyn	Sanchez, Loretta
Hastings (FL)	Maloney, Sean	Sarbanes
Heck (WA)	Matheson	Schakowsky
Higgins	Matsui	Schiff
Himes	McCollum	Schneider
Hinojosa	McDermott	Schrader
Holt	McGovern	Schwartz
Honda	McIntyre	Scott (VA)
Horsford	McNerney	Scott, David
Hoyer	Meng	Serrano
Huffman	Michaud	Sewell (AL)
Israel	Miller, George	Shea-Porter
Jackson Lee	Moran	Sherman
Jeffries	Murphy (FL)	Sinema
Johnson (GA)	Nadler	Sires
Johnson, E. B.	Napolitano	Slaughter
Jones	Neal	Smith (WA)
Kaptur	Negrete McLeod	Speier
Keating	Nolan	Swalwell (CA)
Kelly (IL)	O'Rourke	Takano
Kennedy	Owens	Thompson (CA)
Kildee	Pallone	Thompson (MS)
Kilmer	Pascrell	Tierney
Kind	Pastor (AZ)	Titus
Kirkpatrick	Payne	Tonko
Kuster	Pelosi	Tsongas
Langevin	Perlmutter	Van Hollen
Larsen (WA)	Peters (CA)	Vargas
Larson (CT)	Peters (MI)	Veasey
Lee (CA)	Peterson	Vela
Levin	Pingree (ME)	Velázquez
Lewis	Pocan	Visclosky
Lipinski	Price (NC)	Walz
Loeb sack	Quigley	Waters
Lofgren	Rahall	Watt
Lowenthal	Rangel	Waxman
Lowey	Richmond	Welch
Lujan Grisham	Roybal-Allard	Wilson (FL)
(NM)	Ruiz	Yarmuth

NAYS—230

Aderholt	DeSantis	Hurt
Alexander	DesJarlais	Issa
Amash	Diaz-Balart	Jenkins
Amodei	Duffy	Johnson (OH)
Bachmann	Duncan (SC)	Johnson, Sam
Bachus	Ellmers	Jordan
Barletta	Farenthold	Joyce
Barr	Fincher	Kelly (PA)
Barton	Fitzpatrick	King (IA)
Benishek	Fleischmann	King (NY)
Bentivolio	Fleming	Kingston
Bilirakis	Flores	Kinzingler (IL)
Bishop (UT)	Forbes	Kline
Black	Fortenberry	Labrador
Blackburn	Fox	LaMalfa
Bonner	Franks (AZ)	Lamborn
Boustany	Frelinghuysen	Lance
Brady (TX)	Gardner	Lankford
Bridenstine	Garrett	Latham
Brooks (AL)	Gerlach	Latta
Brooks (IN)	Gibbs	LoBiondo
Broun (GA)	Gibson	Long
Buchanan	Gingrey (GA)	Lucas
Bucshon	Gohmert	Luetkemeyer
Burgess	Goodlatte	Lummis
Calvert	Gosar	Marchant
Camp	Gowdy	Marino
Cantor	Granger	Massie
Capito	Graves (GA)	McCarthy (CA)
Carter	Graves (MO)	McCaul
Cassidy	Griffin (AR)	McClintock
Chabot	Griffith (VA)	McHenry
Chaffetz	Grijalva	McKeon
Coble	Grimm	McKinley
Coffman	Guthrie	McMorris
Cole	Hall	Rodgers
Collins (GA)	Hanna	Meadows
Collins (NY)	Harper	Meehan
Conaway	Hartzler	Messer
Cook	Hastings (WA)	Mica
Cotton	Heck (NV)	Miller (FL)
Cramer	Hensarling	Miller (MI)
Crawford	Herrera Beutler	Miller, Gary
Crenshaw	Holding	Mullin
Culberson	Hudson	Mulvaney
Daines	Huelskamp	Murphy (PA)
Davis, Rodney	Huizenga (MI)	Neugebauer
Denham	Hultgren	Noem
Dent	Hunter	Nugent

Nunes	Rokita	Stutzman
Nunnelee	Rooney	Terry
Olson	Ros-Lehtinen	Thompson (PA)
Palazzo	Roskam	Thornberry
Paulsen	Ross	Tiberi
Pearce	Rothfus	Tipton
Perry	Royce	Turner
Petri	Runyan	Upton
Pittenger	Ryan (WI)	Valadao
Pitts	Salmon	Wagner
Poe (TX)	Sanford	Walberg
Polis	Scalise	Walden
Pompeo	Schock	Walorski
Posey	Schweikert	Weber (TX)
Price (GA)	Scott, Austin	Webster (FL)
Radel	Sensenbrenner	Wenstrup
Reed	Sessions	Whitfield
Reichert	Shimkus	Williams
Renacci	Shuster	Wilson (SC)
Ribble	Simpson	Wittman
Rice (SC)	Smith (MO)	Wolf
Rigell	Smith (NE)	Womack
Roby	Smith (NJ)	Woodall
Roe (TN)	Smith (TX)	Yoder
Rogers (AL)	Southerland	Yoho
Rogers (KY)	Stewart	Young (AK)
Rogers (MI)	Stivers	Young (FL)
Rohrabacher	Stockman	Young (IN)

NOT VOTING—10

Campbell	Markey	Wasserman
Chu	McCarthy (NY)	Schultz
Deutch	Meeks	Westmoreland
Harris	Moore	

□ 1716

Messrs. CALVERT, ROGERS of Alabama, YOUNG of Indiana, and CAMP changed their vote from "yea" to "nay."

Mr. HUFFMAN and Ms. WILSON of Florida changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. WATERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 301, noes 124, not voting 9, as follows:

[Roll No. 218]

AYES—301

Aderholt	Brooks (IN)	Collins (GA)
Alexander	Broun (GA)	Collins (NY)
Amash	Brownley (CA)	Conaway
Amodei	Buchanan	Connolly
Bachmann	Bucshon	Cook
Bachus	Burgess	Cooper
Barber	Butterfield	Costa
Barletta	Calvert	Cotton
Barr	Camp	Cramer
Barrow (GA)	Cantor	Crawford
Barton	Capito	Crenshaw
Benishek	Cárdenas	Crowley
Bentivolio	Carney	Cuellar
Bera (CA)	Carson (IN)	Culberson
Bilirakis	Carter	Cummings
Bishop (GA)	Cassidy	Daines
Bishop (UT)	Chabot	Davis, Rodney
Black	Chaffetz	Delaney
Blackburn	Clay	DelBene
Bonner	Clyburn	Denham
Boustany	Coble	Dent
Brady (TX)	Coffman	DeSantis
Brooks (AL)	Cole	DesJarlais

Diaz-Balart	Kirkpatrick	Richmond	Higgins	Matsui	Schiff	Clay	Hanna	McKeon
Duckworth	Kline	Rigell	Hinojosa	McCollum	Scott (VA)	Cleaver	Harper	McKinley
Duffy	Kuster	Roby	Holt	McDermott	Serrano	Clyburn	Harris	McMorris
Duncan (SC)	Labrador	Roe (TN)	Honda	McGovern	Shea-Porter	Coble	Hartzler	Rodgers
Duncan (TN)	LaMalfa	Rogers (AL)	Hoyer	Mitchaud	Sires	Coffman	Hastings (FL)	McNerney
Ellmers	Lamborn	Rogers (KY)	Huffman	Miller, George	Slaughter	Cohen	Hastings (WA)	Meadows
Esty	Lance	Rogers (MI)	Jackson Lee	Moran	Smith (WA)	Cole	Heck (NV)	Meehan
Farenthold	Lankford	Jeffries	Jeffries	Nadler	Speier	Collins (GA)	Heck (WA)	Meng
Fincher	Larsen (WA)	Johnson, E. B.	Johnson, E. B.	Napolitano	Swalwell (CA)	Collins (NY)	Hensarling	Messer
Fitzpatrick	Latham	Jones	Jones	Neal	Takano	Conaway	Herrera Beutler	Mica
Fleischmann	Latta	Kaptur	Kaptur	Negrete McLeod	Thompson (CA)	Connolly	Higgins	Michaud
Fleming	Lipinski	Keating	Keating	Nolan	Tierney	Conyers	Himes	Miller (FL)
Flores	LoBiondo	Kennedy	Kennedy	O'Rourke	Titus	Cook	Hinojosa	Miller (MI)
Forbes	Long	Kildee	Kildee	Pallone	Tonko	Cooper	Holding	Miller, Gary
Fortenberry	Lowe	Langevin	Langevin	Pascrell	Tsongas	Costa	Holt	Miller, George
Foster	Lucas	Larson (CT)	Larson (CT)	Pastor (AZ)	Van Hollen	Cotton	Honda	Moore
Fox	Luetkemeyer	Lee (CA)	Lee (CA)	Payne	Velázquez	Courtney	Horsford	Moran
Franks (AZ)	Lummis	Levin	Levin	Pelosi	Visclosky	Cramer	Hoyer	Mullin
Frelinghuysen	Maffei	Lewis	Lewis	Pingree (ME)	Rush	Crawford	Hudson	Mulvaney
Gabbard	Maloney, Sean	Loebach	Loebach	Pocan	Ryan (OH)	Crenshaw	Huelskamp	Murphy (FL)
Gallego	Marchant	Lofgren	Lofgren	Price (NC)	Sánchez, Linda	Crowley	Huffman	Murphy (PA)
Garcia	Marino	Lowenthal	Lowenthal	Rangel	T.	Cuellar	Huizenga (MI)	Nadler
Gardner	Massie	Lujan Grisham	Lujan Grisham	Roybal-Allard	Sarbanes	Culberson	Hultgren	Napolitano
Garrett	Matheson	(NM)	(NM)	Rush	Schakowsky	Cummings	Hunter	Neal
Gerlach	McCarthy (CA)	Luján, Ben Ray	Luján, Ben Ray	Ryan (OH)		Daines	Hurt	Negrete McLeod
Gibbs	McCaul	(NM)	(NM)	Sánchez, Linda		Davis (CA)	Israel	Neugebauer
Gibson	McClintock	Lynch	Lynch	T.		Davis, Danny	Issa	Noem
Gingrey (GA)	McHenry	Maloney, Carolyn	Maloney, Carolyn	Sarbanes		Davis, Rodney	Jackson Lee	Nolan
Gohmert	McIntyre			Schakowsky		DeFazio	Jeffries	Nugent
Goodlatte	McKeon					DeGette	Jenkins	Nunes
Gosar	McKinley					Delaney	Johnson (GA)	Nunnelee
Gowdy	McMorris					DeLauro	Johnson (OH)	O'Rourke
Granger	Rodgers					DelBene	Johnson, Sam	Olson
Graves (GA)	McNerney					Denham	Jones	Owens
Graves (MO)	Meadows					Dent	Jordan	Palazzo
Griffin (AR)	Meehan					DeSantis	Joyce	Pallone
Griffith (VA)	Meng					DesJarlais	Kaptur	Pascrell
Grijalva	Messer					Diaz-Balart	Keating	Pastor (AZ)
Grimm	Mica					Dingell	Kelly (IL)	Paulsen
Guthrie	Miller (FL)					Doggett	Kelly (PA)	Payne
Gutierrez	Miller (MI)					Doyle	Kennedy	Pearce
Hahn	Miller, Gary					Duckworth	Kildee	Perlmutter
Hall	Moore					Duffy	Kilmer	Perry
Hanabusa	Mullin					Duncan (SC)	Kind	Peters (CA)
Hanna	Mulvaney					Duncan (TN)	King (IA)	Peters (MI)
Harper	Murphy (FL)					Edwards	King (NY)	Peterson
Harris	Murphy (PA)					Ellison	Kingston	Petri
Hartzler	Neugebauer					Ellmers	Kinzing (IL)	Pingree (ME)
Hastings (WA)	Noem					Engel	Kirkpatrick	Pittenger
Heck (NV)	Nugent					Enyart	Kline	Pitts
Heck (WA)	Nunes					Eshoo	Kuster	Pocan
Hensarling	Nunnelee					Esty	Labrador	Poe (TX)
Herrera Beutler	Olson					Farenthold	LaMalfa	Polis
Himes	Owens					Farr	Lamborn	Pompeo
Holding	Palazzo					Fattah	Lance	Posey
Horsford	Paulsen					Fincher	Langevin	Price (GA)
Hudson	Pearce					Fitzpatrick	Lankford	Price (NC)
Huelskamp	Perlmutter					Fleischmann	Larsen (WA)	Quigley
Huizenga (MI)	Perry					Fleming	Larson (CT)	Radel
Hultgren	Peters (CA)					Flores	Latham	Rahall
Hunter	Peters (MI)					Forbes	Latta	Rangel
Hurt	Peterson					Fortenberry	Lee (CA)	Reed
Israel	Petri					Foster	Levin	Reichert
Issa	Pittenger					Fox	Lewis	Renacci
Jenkins	Pitts					Frankel (FL)	Lipinski	Ribble
Johnson (GA)	Poe (TX)					Franks (AZ)	LoBiondo	Rice (SC)
Johnson (OH)	Polis					Frelinghuysen	Loebach	Richmond
Johnson, Sam	Pompeo					Fudge	Lofgren	Rigell
Jordan	Posey					Gabbard	Long	Roby
Joyce	Price (GA)					Gallo	Lowenthal	Roe (TN)
Kelly (IL)	Quigley					Garamendi	Lowe	Rogers (AL)
Kelly (PA)	Radel					Garcia	Lucas	Rogers (KY)
Kilmer	Rahall					Gardner	Luetkemeyer	Rogers (MI)
Kind	Reed					Garrett	Lujan Grisham	Rohrabacher
King (IA)	Reichert					Gerlach	(NM)	Rokita
King (NY)	Renacci					Gibbs	Luján, Ben Ray	Rooney
Kingston	Ribble					Gibson	(NM)	Ros-Lehtinen
Kinzing (IL)	Rice (SC)					Gingrey (GA)	Lummis	Roskam
						Gohmert	Lynch	Ross
						Goodlatte	Maffei	Rothfus
						Gosar	Maloney,	Roybal-Allard
						Gowdy	Carolyn	Royce
						Granger	Maloney, Sean	Ruiz
						Graves (GA)	Marchant	Runyan
						Graves (MO)	Marino	Ruppersberger
						Grayson	Massie	Rush
						Green, Al	Matheson	Ryan (OH)
						Green, Gene	Matsui	Ryan (WI)
						Griffin (AR)	McCarthy (CA)	Salmon
						Griffith (VA)	McCaul	Sánchez, Linda
						Grijalva	McClintock	T.
						Guthrie	McCollum	Sanchez, Loretta
						Gutierrez	McDermott	Sanford
						Hahn	McGovern	Sarbanes
						Hall	McHenry	Scalise
						Hanabusa	McIntyre	Schakowsky

## NOES—124

Andrews	Castor (FL)	Doyle	Aderholt	Bishop (NY)	Bustos
Bass	Castro (TX)	Edwards	Alexander	Bishop (UT)	Butterfield
Beatty	Cicilline	Ellison	Amash	Black	Calvert
Becerra	Clarke	Bachus	Amodei	Blackburn	Camp
Bishop (NY)	Cleaver	Barber	Andrews	Blumenauer	Cantor
Blumenauer	Cohen	Barletta	Bachmann	Bonamici	Capito
Bonamici	Conyers	Barr	Bachus	Bonner	Capps
Brady (PA)	Courtney	Barrow (GA)	Barber	Boustany	Capuano
Brady (IA)	Davis (CA)	Barton	Barletta	Brady (PA)	Cárdenas
Bridenstine	Davis, Danny	Bass	Barr	Brady (TX)	Carney
Brown (FL)	DeFazio	Beatty	Barrow (GA)	Brady (IA)	Carson (IN)
Bustos	DeGette	Becerra	Barton	Bridenstine	Carter
Capps	DeLauro	Benishek	Bass	Brooks (AL)	Cartwright
Capuano	Dingell	Bentivolio	Beatty	Brooks (IN)	Cassidy
Cartwright	Doggett	Bera (CA)	Becerra	Brown (GA)	Castor (FL)
		Bilirakis	Benishek	Brown (FL)	Castro (TX)
		Bishop (GA)	Bentivolio	Brownley (CA)	Chabot
			Bera (CA)	Buchanan	Chaffetz
			Bilirakis	Bucshon	Cicilline
			Bishop (GA)	Burgess	Clarke

## NOT VOTING—9

□ 1723

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PUBLIC POWER RISK  
MANAGEMENT ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1038) to provide equal treatment for utility special entities using utility operations-related swaps, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LAMALFA) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 11, as follows:

[Roll No. 219]

YEAS—423



Schiff	Speier	Wagner
Schneider	Stewart	Walberg
Schock	Stivers	Walden
Schrader	Stockman	Walorski
Schwartz	Stutzman	Walz
Schweikert	Swalwell (CA)	Waters
Scott (VA)	Takano	Watt
Scott, Austin	Terry	Waxman
Scott, David	Thompson (CA)	Weber (TX)
Sensenbrenner	Thompson (MS)	Webster (FL)
Serrano	Thompson (PA)	Welch
Sessions	Thornberry	Wenstrup
Sewell (AL)	Tiberi	Whitfield
Shea-Porter	Tierney	Williams
Sherman	Tipton	Wilson (FL)
Shimkus	Titus	Wilson (SC)
Shuster	Tonko	Wittman
Simpson	Tsongas	Wolf
Sinema	Turner	Womack
Sires	Upton	Woodall
Slaughter	Valadao	Yarmuth
Smith (MO)	Van Hollen	Yoder
Smith (NE)	Vargas	Yoho
Smith (NJ)	Veasey	Young (AK)
Smith (TX)	Vela	Young (FL)
Smith (WA)	Velázquez	Young (IN)
Southerland	Visclosky	

## NOT VOTING—11

Campbell	Johnson, E. B.	Pelosi
Chu	Markey	Wasserman
Deutch	McCarthy (NY)	Schultz
Grimm	Meeks	Westmoreland

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1731

Mr. ENYART changed his vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

## GENERAL LEAVE

Mr. McKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 1960.

The SPEAKER pro tempore (Mr. WEBSTER of Florida). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 256 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1960.

The Chair appoints the gentleman from Arkansas (Mr. WOMACK) to preside over the Committee of the Whole.

□ 1735

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military per-

sonnel strengths for such fiscal year, and for other purposes, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. McKEON) and the gentleman from Washington (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. McKEON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014, which overwhelmingly passed the Committee on Armed Services. In keeping with the committee's tradition of bipartisanship, Ranking Member SMITH and I worked collaboratively to produce this bill and solicited input from each of our members. We've already adopted 169 amendments during markup and look forward to a robust debate the remainder of the week on the floor.

The legislation advances our national security objectives, provides support and logistical resources for our warfighters, and helps the United States confront the national security challenges of the 21st century. The bill authorizes \$552.1 billion for national defense in the base budget. It also authorizes another \$85.8 billion for Overseas Contingency Operations, consistent with the House budget, and the bill contains no earmarks.

Of critical importance, the bill takes serious and significant steps to end the crisis of sexual assault in our military. This includes stripping the commanders of their authority to dismiss a finding by a court-martial; prohibiting commanders from reducing guilty findings to lesser offenses; establishing minimum sentencing requirements for sexual assault; extending whistleblower protections to those who report rape, sexual assault, or other sexual misconduct; and other vital measures. Based on the years of work and oversight our committee has done on this critical issue, I share Senator LEVIN's reluctance to remove the commander from the decision process for crimes under the Uniform Code of Military Justice. The only way to change the culture is to hold commanders responsible and accountable for their actions and decisions.

Elsewhere in the bill, despite historic cuts to our Armed Forces, we prevent military readiness shortfalls from becoming a readiness emergency. We restore flying hours for the Army and Air Force squadrons, direct money to help reset equipment returning from Afghanistan, and relieve some of the military's maintenance backlogs.

The bill also provides our warfighters with resources and authorities they need to win the war in Afghanistan and to pressure al Qaeda and its affiliates.

We fully fund a series of important authorities that support the transition in Afghanistan and U.S. national security interests. However, we prohibit the use of the majority of those funds until the Secretary of Defense certifies that U.S. priorities have been accommodated in a bilateral security agreement.

□ 1740

We have made controlling costs a top priority. However, the mark guards against achieving false, short-term savings at the expense of vital, long-term strategic capabilities. For example, we prohibit the premature retirement of Navy cruisers and amphibious assault ships, critical vessels that are vital to the Pacific-focused strategy. The bill also continues investments in oversight for key systems while preserving our capacity to meet future challenges.

The bill continues our care for our warfighters, veterans and their families with the support they earned through their service; and it mandates fiscal responsibility, transparency, and accountability within the Department of Defense.

The bill reduces the number of general officer billets and works to end redundancies in military headquarters and task forces.

For 51 straight years, the National Defense Authorization Act has been passed and signed into law. Congress has no higher responsibility than to provide for the common defense. And with that in mind, I look forward to passing this bill for the 52nd consecutive year.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield myself 4 minutes.

I want to thank Chairman McKEON and the entire committee—and most importantly the staff. It's always this time of year when our staff never sleeps and does an amazing job of pulling this bill together.

We, once again, worked in a very bipartisan fashion, worked the bill through the process—a series of hearings, the markup last week. I thank the chairman for his excellent leadership in continuing that bipartisan tradition in the hopes of, for the 52nd straight year, getting our bill done. So I appreciate working with him and with all the members of the committee and the staff.

This bill, overall, sets the right priorities, I believe. It makes sure that our military is funded and that our troops get the equipment and support that they need to carry out the missions that we ask them to do. That is something General Dempsey says all the time: We'll do whatever you ask us to do; just make sure that you provide us with the resources to do it.

Whatever missions we as policymakers decide the military should perform, it's our obligation to make sure that it's funded. I believe this bill does

that. It particularly prioritizes Special Operations Forces, intelligence surveillance and reconnaissance, and the kind of equipment that we will need to confront the terrorist asymmetric threats that are so central to our challenges right now on national security.

As the chairman mentioned, it also takes steps on the sexual assault problem. I will say that no piece of legislation is going to fix this. The military needs to change its culture and prioritize the protection of the men and women in our service. This legislation will help, certainly; but this is a huge crisis right now that the military has not yet stepped up to. I think it is one of the most important challenges that we face in national security.

This piece of legislation also recognizes that we are still at war. It funds the ongoing effort in Afghanistan to make sure that our troops have the support that they need to carry out that mission.

However, there are a couple of things in the bill that I am concerned about. I believe that we do need to close Guantanamo, and I have an amendment before the Rules Committee which hopefully will be made in order that will set us on a process to do that. I agree with people who say that we can't simply close it tomorrow, we need a plan. My amendment would require that the President come up with such a plan in 60 days and implement it as soon as possible.

I continue to be concerned that the President has the power to indefinitely detain any person captured in the United States who is designated to be an enemy combatant. That is a level of executive power that I do not think is necessary; And as we have seen in recent weeks, people are growing concerned about the amount of power the executive branch has. Again, I will have an amendment to try to change that as well.

Lastly, it is worth mentioning—sequestration. This bill is marked to a level that assumes sequestration will not happen. I think that's appropriate. That's where we're at and what we have to do, but it points up the challenge of sequestration. If sequestration happens, this bill is going to have to be cut by between \$40 billion and \$50 billion. Where would that money come from? How would we make that work? Especially the way sequestration works, mindless, across-the-board cuts. Because the sad truth is that's the likely outcome. There is no pathway out of sequestration that we've seen. I thank the chairman for his leadership in continually bringing home how important this is, but we haven't gotten there yet. We need to keep emphasizing that.

With that, I reserve the balance of my time.

Mr. McKEON. Mr. Chairman, I yield 3 minutes to my friend and colleague,

the vice chairman of the Armed Services Committee, the chairman of the Subcommittee on Intelligence, Emerging Threats and Capabilities, the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I appreciate the chairman yielding.

I think the first thing that should be said is that it is a tremendous credit to the chairman and the ranking member that we are where we are today. It may be true that for 51 straight years a defense authorization bill has been signed into law, but that doesn't make it easy to do number 52.

There are still a number of complex and even some controversial issues. And so to have this bill before us today coming out of the committee on a vote that is so strong I think is truly a credit to the leadership of the chairman and the ranking member and the staff who have worked very well together.

I also want to express particular appreciation to the ranking member on our subcommittee, Mr. LANGEVIN, because that, too, has been a partnership in dealing with a number of complex issues, including Special Operations, cybersecurity, science and technology, and military intelligence issues.

One of the key priorities for us on this subcommittee has been oversight. If you think back 2 years ago, in this bill we instituted a quarterly reporting requirement for certain counterterrorism operations involving Special Operations. Last year, we had a quarterly reporting requirement on cyber operations. This year, in the full committee mark, is a reporting requirement involving sensitive military operations, including lethal and capture operations that is designed for oversight before, just after, and, in a broader sense, after these events have occurred. Oversight is a critically important part of everything the committee does, especially in these complex areas.

There are a number of other provisions, Mr. Chairman, dealing with military intelligence, cyber, Special Operations, and science and technology that take important steps forward in helping this country to be safer.

I will note I find it strange, the administration seems to oppose requiring the Defense Clandestine Service to focus its collection on defense priorities. That is what we require in this bill, and for some reason that gives the administration heartburn. I hope we can continue to have conversations with them about it because it seems to me that's exactly what a defense clandestine service should be focused on.

There are other priorities here dealing with chem/biodefense and the Defense Threat Reduction Agency that deal with some of the issues most in the news today—think of Syria and other problem spots around the world.

The key point, Mr. Chairman, is it has taken a lot of work to get to this point; we have a lot of amendment de-

bate to come. But it is truly a credit to the staff, to the chairman, to the ranking member of this committee that something so important, so complex has come to the floor with such overwhelming bipartisan support. We'll have differences, but I hope and trust that it will leave the floor in the same way.

Mr. SMITH of Washington. Mr. Chairman, I yield 2½ minutes to the gentlelady from California (Ms. LORETTA SANCHEZ), the ranking member on the Air and Land Subcommittee.

Ms. LORETTA SANCHEZ of California. I want to first begin by complimenting the chairman of the Tactical Air and Land Forces, Chairman MIKE TURNER. He has really been a delight to work with. His steady and thoughtful leadership has really allowed us to, I believe, make a good mark in this bill.

Under his leadership, the Tactical Air and Land Forces Subcommittee worked in a very bipartisan fashion. We developed a set of oversight legislation and funding recommendations that I think really looks at cutting waste, shaping programs, and making sure that our men and women in our military are ready to go.

First, the subcommittee's portion of H.R. 1960 supports many of the high-priority recommendations and desires of the President's budget. For example, H.R. 1960 provides \$8.1 billion for the F-35 Joint Strike Fighter program, \$5.2 billion for Army aviation upgrades, \$3.2 billion for 21 EA-18Gs and F-18 upgrades, \$1.4 billion for the V-22, and \$1.3 billion for the U.S. Marine Corps ground equipment.

In addition, the Armed Services Committee increased funding in some parts of the DOD budget that came from the President where we felt that there were inadequate funds. Specifically, the bill provides an additional \$400 million for the National Guard and Reserve equipment account and adds funding for an additional F-100 engines by \$165 million, and increases advanced procurement funding for 29 Navy F-18 aircraft by \$75 million.

□ 1750

Beyond these funding increases, I want to point out that we made reductions—over \$463 million worth of reductions—in this funding bill. It's never easy to reduce or to cut programs, but I think we did a very good job in making sure that as we move forward we will have the systems that we need.

Finally, H.R. 1960 includes important oversight legislation, especially for the F-35 Joint Strike Fighter, for the ground combat vehicle, for the individual carbine, the Stryker vehicle, and for body armor for our men and women of our military.

All of these provisions are good government, and I look forward to voting for this bill.

Mr. McKEON. Mr. Chairman, I yield 3 minutes to my friend and colleague,

the chairman of the Subcommittee on Readiness, the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Mr. Chairman, I would like to begin by thanking Chairman McKEON for his leadership and Ranking Member SMITH for the extraordinary job that both of you gentlemen have done in bringing this bill together—bringing people together to make this happen. I also want to thank the ranking member of the Readiness Subcommittee, MADELEINE BORDALLO, thank you so much for your leadership and for your cooperation to make our effort on the Readiness Subcommittee as successful as it was.

Today, I rise in strong support of H.R. 1960, the fiscal year 2014 National Defense Authorization Act. While this bill will not fix all of the Nation's readiness challenges, it does go far in addressing depleted force readiness levels and associated levels of assumed risk.

Specifically, the bill prohibits the Department from proposing, planning, or initiating another round of base realignment and closure commission elements—a measure that's critical, in my view, given the fiscal uncertainties we face as a Nation.

This bill helps our military members by restoring vital readiness accounts, such as the Army and Air Force flying programs; increasing funding for facility sustainment; increasing funding for Army depot maintenance and rest; increasing funding for ship depot maintenance; and prohibiting the retirement of amphibious and cruisers the Navy proposed to retire 10 to 15 years early.

With successive rounds of budget cuts and the disastrous effects of sequestration, readiness rates remain at historic levels, and these levels are unacceptably low. Our warfighters are at risk, and we owe it to them to make sure that we put dollars back to make sure that the readiness of our Armed Forces does not in any way suffer. We want to make sure that our men and women have what they need, making sure that they continue to have overwhelming superiority on the battlefield. That's what this Nation has always done. It is our obligation to make sure that that continues.

While we have restored the Air Force and Army flying hours programs and bolstered facilities sustainment and depot maintenance, we will need to remain focused on readiness challenges in the months and years to come. Those readiness challenges will continue. Especially as we retrograde from Afghanistan and reset our force, we cannot forget the need to maintain readiness.

As I close, Mr. Chairman, I want to thank the members of the subcommittee and the staff for their unyielding support for the men and women of our military. Our Nation faces many challenges, as this bill makes clear.

I want to remind this Chamber that we owe a debt of gratitude to those who selflessly serve our Nation—those who volunteer to put themselves in harm's way. That's what makes our Nation great. We owe them the highest amount of respect in getting this bill done in their best interest.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina, the ranking member on the Seapower Subcommittee, Mr. MCINTYRE.

Mr. MCINTYRE. Mr. Chairman, I rise in support of the National Defense Authorization bill, which the Armed Services Committee passed last week with overwhelming support, and thank my colleagues, Chairman McKEON and Ranking Member SMITH, for their hard work in making sure this bipartisan measure would be done the right way, and to help our men and women in uniform.

Specifically, I am pleased that this bill strengthens our national defense, supports North Carolina military bases with a \$355 million investment in military construction, and makes key investments across the Nation to help make sure that our servicemen and -women have the tools they need to do their job.

This measure authorizes \$552 billion for national defense spending and \$85.8 billion for overseas contingency operations.

It also supports current law, which mandates an automatic 1.8 percent annual increase in troop pay, and it rejects proposals to increase some TRICARE fees or establish new TRICARE fees, which many servicemembers and veterans have long been concerned about.

I am also pleased that the committee made sexual assault prevention and prosecution a cornerstone of this legislation. And I am particularly pleased that this bill includes an amendment authored by my good friend and colleague across the aisle, Representative WALTER JONES, a fellow North Carolinian, to protect the religious freedom of military chaplains to be able to close a prayer according to the dictates of their conscience, faith, and training.

The committee also included an important provision that Representative JONES and I both worked together on to require periodic audits of Berry Amendment contracting compliance by the DOD inspector general.

I can tell you, as the ranking member of the Seapower and Projection Forces Subcommittee, I would like to thank my colleague, Chairman RANDY FORBES, for his work on our section of this bill. The Seapower portion of the bill carefully cuts waste in some programs while also improving Congress' ability to oversee the DOD. It includes provisions for the Gerald Ford class aircraft carrier, multiyear procurement language for E-2D and C-130J air-

craft, and several other provisions that provide additional oversight of important programs, including two of the Navy's largest unmanned aircraft programs.

It also gives the DOD permission to begin retirement of some old KC-135 refueling aircraft that have been in storage for many years. With the new tanker program—the KC-46A—coming on line, it is “on cost” and “on schedule,” two phrases that we love to hear, not only in the committee but also on behalf of our taxpayers. I am glad we are giving DOD more flexibility in these tough budget times to manage its inventory of aircraft.

Also, the Seapower portion has \$14.3 billion for shipbuilding that would authorize a total of eight new ships. It authorizes \$934 million of ship construction funding to ensure that the Virginia-class submarine DDG-1000 class destroyer, DDG-51 class destroyer, and joint high-speed vessel programs stay on schedule.

With regard to the aircraft programs, this bill fully funds the administration's request for all major aircraft programs in our jurisdiction, including the Air Force's new bomber program.

The Seapower portion of this, being on budget and on time, is something I know that we all can support. It is clear this entire bill is one that has strong bipartisan support, and I urge my colleagues to support it.

Mr. McKEON. Mr. Chairman, I yield 3 minutes to my friend and colleague, the chairman of the Subcommittee on Military Personnel, the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Chairman, the military personnel provisions of H.R. 1960 are the product of an open, bipartisan process.

H.R. 1960 provides our warfighters, veterans, and military families the care and support they need, deserve, and have earned. Specifically, this year's proposal reforms the way the Department of Defense must address sexual assault in the Uniform Code of Military Justice and provides significant additional support, especially in the form of dedicated legal assistance and whistleblower protection to victims of this terrible crime.

In addition, the mark would support the services' requested end strength while ensuring the Army and the Marine Corps adhere to the limitation on reductions mandated in the National Defense Authorization Act for Fiscal Year 2013.

It reaffirms the committee's commitment to the operational reserves by requiring minimum notification before deployment or cancellation of deployment and provides authority to improve the personnel readiness of the National Guard.

It also requires the Secretary of Defense to review and make improvements to the Integrated Disability

Evaluation System for members of the Reserve components.

Further, it authorizes transitional compensation and other benefits for dependents of a servicemember who is separated from the Armed Forces because of a court-martial and forfeits all pay and benefits.

This bill does not include the request for military retirees to pay more for health care.

In conclusion, I want to thank Mrs. DAVIS and her staff for their contributions and support in this process. I particularly appreciate the active, informed, and dedicated subcommittee members, supported by the professional staff. Their recommendations and priorities are clearly reflected in the Defense Authorization Act for Fiscal Year 2014.

I urge all my colleagues to support this bill.

□ 1800

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentlelady from California (Mrs. DAVIS), the ranking member of the Military Personnel Subcommittee.

Mrs. DAVIS of California. I want to thank my colleagues on the committee for working together to bring forward a good bill. My thanks, of course, to Chairman WILSON and to the committee staff for working in a bipartisan manner.

The bill contains a multitude of provisions to address the issue of sexual assault; and while it may seem that this year Congress focused on sexual assault in the military, the reality is that this committee and its members have been working hard to address this issue, which demands our attention, for the last several years. This committee has, once again, put forward a number of proposals; but as much as we would wish that legislation alone will stop someone from committing a sexual act, we know that is not the case. It will also not stop the fear of retaliation, which prevents a number of servicemembers from reporting a sexual assault.

This problem and how we deal with it has to start and end with those who wear the uniform, but it is important that we provide them the tools they need to effectively change the system and, ultimately, the culture by holding perpetrators accountable and commanders and prosecutors to the highest standard. Whether through bystander intervention, command climates that do not tolerate or condone sexual harassment and innuendo, and appropriate prosecutions and command actions, our servicemembers are ultimately the change agents who need to step forward.

This bill also focuses on the dependents and families who have sacrificed so much as well and who have been the backbone of support for our service-

members through over a decade of war. Military families also bear the scars of war, and many need help as well. I am pleased that the bill includes a number of provisions to support families, including a provision that seeks to track the number of dependents who have taken their own lives by suicide. While the number of suicides for Active Duty members has increased, we have heard anecdotal evidence that the same holds true for dependents, and the bill seeks to determine if the Services can begin to track these individuals as well so that we can determine the best course of action to also address this critical problem.

Included are several provisions to address issues within the Reserve components, including a requirement that members of the Reserve be provided at least 120 days' notification of their deployments. We have been in conflict for more than a decade, and it's time that the Services ensure that, when individuals and units are called to deploy or if their orders are canceled, they have adequate time to prepare.

I would like to mention, though, Mr. Chairman, that there is one provision which, I think, could adversely impact the morale, well-being, good order, and discipline of the force. It is a provision that extends protections to the actions and speech of servicemembers. In essence, this provision protects an individual who engages in hateful or discriminatory speech or action, and a commander may take action only when actual harm occurs.

The Acting CHAIR (Mr. COLLINS of Georgia). The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlelady an additional 30 seconds.

Mrs. DAVIS of California. So if this language becomes law, a servicemember could engage in such speech and action for as long as and as much as desired, and a commander could only act against the individual when, say, the first shot was taken. I don't believe that was the author's intent, but I do believe that the language as currently written could be made to be understood in that fashion.

While I have some concerns with the provisions in the bill, the overall bill provides many benefits to our troops and their families, and I urge my colleagues to support it.

Mr. MCKEON, Mr. Chairman, I yield 3 minutes to my friend and colleague, the chairman of the Subcommittee on Tactical Air and Land Forces, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Chairman, I am here today to speak in favor of the National Defense Authorization Act, and I am very privileged to serve as the chairman of the Tactical Air and Land Forces Subcommittee.

I first want to begin by thanking Chairman MCKEON and Ranking Mem-

ber SMITH for their support for the provisions in the bill that go to address the important issue of sexual assault in the military.

Ms. TSONGAS and I were tasked by the ranking member and the chairman to come up with a bipartisan solution. We worked directly with the staffs of both the ranking member and the chair, and we believe that we have put provisions in this bill with the full bipartisan support of the committee, which will end the re-victimization of the victim. We have a problem of sexual assault in the military, and that problem is that the perpetrators feel safe and that the victims feel insecure and re-victimized. This bill includes provisions of the Turner-Tsongas BE SAFE Act. It also includes provisions from Representatives HECK, WALORSKI, NOEM, CASTRO, SANCHEZ, and DUCKWORTH.

Basically, this bill will strip commanders of their authority to dismiss a conviction for a serious offense by a court-martial, and it significantly limits the commander's ability to modify or dismiss the sentence determined by a court-martial, but we go even beyond that.

This bill says if you commit a sexual assault, you are out. If you have an inappropriate relationship between a trainer and a trainee, you are out. No longer will it be tolerated for someone to commit a sexual assault and stay in the military. No longer will victims ever have to passionately tell in a hearing before Congress that they were forced to salute someone who had committed a sexual assault against them.

We ask for the Department of Defense to convene an independent panel to review all of the Uniform Code of Military Justice as it applies to sexual assault so that we can see if there are additional provisions and reforms that need to be enacted.

I want to thank my ranking member, LORETTA SANCHEZ, on the Tactical Air and Land Forces Subcommittee. We have worked together to make our priority that of serving our men and women in uniform in the area of Afghanistan. Also, we've added over \$1.3 billion in the President's budget that was requested to be authorized to address urgent operational needs for the warfighter, including counter-improvised explosive device requirements.

The bill includes support for the production in our Nation's heavy armored vehicle industrial base by maintaining the minimum sustained production of upgrade modifications for the Abrams tanks and heavy improved recovery vehicles.

The committee bill retains the Air Force's Global Hawk Block 30 unmanned intelligence, surveillance and reconnaissance aircraft to support the deployed warfighter rather than placing these aircraft in storage as the Air Force plans to do.

The committee bill also addresses the critical need to reduce the weight of individual warfighter equipment, improve acquisition practices used for this gear, and it requires the Secretary of Defense to assess options for providing personnel protection equipment specifically fitted for the female warfighter.

Our subcommittee is very proud to look at all of the aspects and ways that we can support the warfighter. Again, I want to thank the chair and the ranking member for their steadfast support in addressing the epidemic issue that we have of sexual assault in the military.

Mr. SMITH of Washington. I yield 3 minutes to the gentleman from Tennessee (Mr. COOPER), who is the ranking member on the Strategic Forces Subcommittee.

Mr. COOPER. I thank my friend and colleague from Washington State for yielding.

Mr. Chairman, I rise in support of the work of the Strategic Forces Subcommittee. I would particularly like to thank Chairman ROGERS for his friendship and bipartisan leadership, as well as to thank all of the members of the subcommittee.

I support the many provisions in the bill that strengthen our national security.

The bill, for example, maintains a safe, secure and reliable nuclear arsenal while improving the effective oversight of the National Nuclear Security Administration's cost assessments, efforts and planning.

The bill supports nuclear non-proliferation efforts, including an increase of \$23 million to reduce the risk of nuclear terrorism and the spread of nuclear weapons.

The bill increases funding for regional missile defense assets to protect our deployed forces and allies, including important cooperation with Israel against short- and medium-range missile threats.

The bill authorizes defense environmental cleanup activities; and, finally, the bill supports investments in military and space assets.

However, I also should report that I do have reservations about several provisions in the bill that, in my opinion, undermine national security and waste taxpayer dollars.

For example, the bill blocks prudent nuclear weapons reductions, including New START reductions, which would strengthen strategic stability.

The bill increases funding for nuclear weapons by \$220 million over the President's already generous budget request.

The bill accelerates the funding of the Ground-Based Midcourse Defense program spending by nearly \$250 million, and it jumps to conclusions about east coast missile defense sites against the best military advice of our generals.

Finally, the bill changes NNSA health and safety oversight, undermining the independent oversight of defense nuclear sites related to worker and public protection as well as increasing the Secretary of Energy's authority to fire employees without due process.

I look forward, Mr. Chairman, to debating the merits of these and other provisions of the bill.

□ 1810

Mr. McKEON. Mr. Chairman, I yield 3 minutes to my friend and colleague, the chairman of the Subcommittee on Strategic Forces, the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Mr. Chairman, as chairman of the Strategic Forces Subcommittee, I rise in support of H.R. 1960, the National Defense Authorization Act for fiscal year 2014.

It's important to understand what this bill does and why it deserves our support. For example:

It streamlines the acquisition of 14 ground-based interceptors announced by the Secretary of Defense on March 15, saving the taxpayer hundreds of millions of dollars;

It ensures that strategic competitors do not gain inadvertent access to vital systems or information because of reliance on commercial sitcom providers;

It prohibits the transfer of some missile defense technology to Russia and strengthens congressional oversight of administration efforts with regards to U.S.-Russia missile defense cooperation generally;

It invests in proven and vital systems like the Iron Dome and short-range rocket defense systems;

It provides significant resources above the President's request for other Israeli cooperative missile defense programs like Arrow 2, Arrow 3, and the David's Sling weapons system;

It forces efficiencies and prioritization of critical nuclear modernization programs in the budget of the National Nuclear Security Administration; and

It implements several initiatives to improve security at the National Nuclear Security Administration and NSA, and streamlines the process to terminate DOE employees negligent in their duties at category 1 nuclear material sites like the Y-12 site.

Mr. Chairman, I want to thank the full committee chairman, BUCK McKEON, for his leadership this year. Without him, this process would not have worked nearly as well. And I also want to thank my friend and colleague, the ranking member from Tennessee (Mr. COOPER), who has been a great partner in this process.

I urge all of my colleagues to support the bill.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentlelady from Guam (Ms. BORDALLO),

who is the ranking member on the Readiness Subcommittee.

Ms. BORDALLO. Mr. Chairman, I want to say at the onset that I've enjoyed very much working in a bipartisan manner with the chairman of the Readiness Subcommittee, Mr. ROB WITTMAN, also the chair of the full committee, Mr. McKEON, and the ranking member of the full committee, Mr. ADAM SMITH. I want to thank also the committee and professional staff for the many long hours that they've put into getting this bill ready.

I rise in strong support of H.R. 1960. This bill works to ensure that our men and women in uniform are well trained and equipped to defend our Nation and its allies.

Although this bill represents the hard work and efforts of both the majority and the minority, I want to highlight the need to resolve sequestration. I hope that this Congress undertakes serious efforts to finally fix sequestration with a comprehensive solution. We can avoid this problem.

I would like to highlight a few important readiness issues.

The bill provides a 1-year extension of authority for certain pay and benefits to civilian personnel who are forward deployed, performing critical operations overseas and in combat zones. We are also requiring GAO to look into how the furloughs of civilian employees are being implemented by the Department of Defense to ensure they are implemented in a fair and equitable manner and to understand the impact on mission execution.

The bill addresses sustainment issues for two important procurement programs: the F-35 Joint Strike Fighter and the LCS. We must understand the costs associated with the sustainment of these programs over the long term to make informed decisions about the future of these programs. The bill also contains a provision that will close loopholes that allow MSC and Navy to repair an increasing number of ships overseas.

I am especially pleased to note that this bill puts real resources into the rebalance of our military toward the Asia-Pacific region. The bill takes a commonsense approach and rolls back restrictive language that hampers the obligation and the expenditure of Government of Japan funds, which is positive for our bilateral relationship with the Government of Japan. The bill continues the House's consistent position of support of the realignment of forces in this region.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlelady an additional 1 minute.

Ms. BORDALLO. We also provide funding for the LCS, continued development of the next generation long-range strike bomber, and robust procurement of *Virginia* class submarines,

which are all assets that are important to our rebalance to the Asia-Pacific region.

However, I am concerned about section 233 in the underlying bill. I appreciate the intent of this provision. We do need to ensure the defense of our allies in East Asia. Yet this provision unduly restricts our combatant commanders from providing support to emerging threats or supporting other allies in other areas. The provision is unnecessary, and it negatively impacts our military's readiness. I hope that the Rules Committee will make my amendment in order to improve the provision.

Again, I thank my colleagues, and I urge all my colleagues to support this vitally important bill.

Mr. McKEON. Mr. Chairman, I yield 3 minutes to my friend and colleague, the chairman of the Subcommittee on Seapower and Projection Forces, the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Mr. Chairman, I rise in support of the National Defense Authorization Act for Fiscal Year 2014.

With Chairman McKEON's and Ranking Member SMITH's leadership, I believe that this bill provides the right authorities and sufficient resources to demonstrate our resounding and unequivocal support for the men and women who place their service to country above all things. I think we could all learn from their service and devotion.

As to the Seapower and Projection Forces Subcommittee mark, I continue to be concerned about both the size and composition of our Navy's fleet. In the 30-year shipbuilding plan, the administration has indicated a requirement of 306 ships. The 2010 QDR independent panel indicated a requirement of 346 ships. Unfortunately, the Navy has proposed a reduction of the fleet to 270 ships in just the next year. Various outside experts have indicated that if we continue to support our current level of shipbuilding investments, the fleet could be reduced further to just 240 ships. This path is simply unacceptable.

Given the budget cuts of the past 4 years, which I opposed, I think this bill does a good job of reversing some of these negative trends and takes a step in the right direction by authorizing eight combat ships and ensuring that we retain and modernize our current fleet to the end of their service life.

I remain very pleased with the direction of our projection forces. This bill provides strategic Air Force investments in terms of both the KC-46A tanker program and the Long-Range Strike Bomber. These are critical capabilities that need to be nurtured carefully.

This mark also includes important cost-saving initiatives that provide the Navy and Air Force with the ability to procure E-2D Hawkeye and C-130H

Super Hercules aircraft using multiyear procurement authority. These legislative provisions alone are projected to save taxpayers over \$1 billion.

As I look to the future, I believe that it's essential to ensure strategy drives our debate.

Mr. Chairman, we've gone a long ways to reverse some of these negative trends. I think this bill does a good job of supporting our forces, and I would urge my colleagues to support this bill.

I thank my colleague and friend, MIKE MCINTYRE, my ranking member, and our hardworking staff for their efforts in producing this bill.

Mr. SMITH of Washington. Mr. Chairman, could you please let us know how much time is remaining?

The Acting CHAIR. The gentleman from Washington has 12½ minutes remaining, and the gentleman from California has 11 minutes remaining.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentlelady from Massachusetts (Ms. TSONGAS), who is the ranking member on the Oversight Investigation Committee and also has done fabulous work on the sexual assault legislation contained in this bill.

Ms. TSONGAS. Mr. Chairman, this year's NDAA takes unprecedented steps to address a disturbing prevalence of sexual assault in the military, and I want to thank Chairman McKEON, Ranking Member SMITH, Congressman WILSON, and Congresswoman DAVIS for including these provisions in the bill. I'd also like to thank my co-chair of the Military Sexual Assault Prevention Caucus, Congressman MIKE TURNER.

In recent months, we have seen reports rise, military commanders and supervisors abuse their authority, and officers in charge of sexual assault prevention efforts allegedly commit the crimes they were sworn to stop. This is a systemic problem, and the NDAA takes real consequential actions in response.

This NDAA begins to reform the power of a military commander, the first major bipartisan effort in decades to make such a significant change on the command structure.

□ 1820

Commanders will no longer have the authority to dismiss court-martial convictions for serious offenses, including sexual assault, and are prohibited from reducing guilty findings for serious offenses. It makes sure that those who are convicted of sexual assault will, at a minimum, be dishonorably discharged or dismissed. And this bill continues our push to provide victims of sexual assault with access to legal counsel, which is a critical step in the process of creating an environment that encourages victims to report these crimes and in bringing those responsible to justice.

These, and others, are significant reforms that offer considerable momentum toward changing the deeply rooted and flawed culture that has allowed these crimes to pervade our Armed Forces. We are making progress, but there is a long way to go.

Last year's bill established a nine-member independent review panel to evaluate the systems used to investigate, prosecute, and adjudicate sexual assault crimes under the Uniform Code of Military Justice. The members of this panel are just getting to work now, and their input, 1 year from now, will be invaluable in making sure that Congress continues its work to make the best reforms possible and end the scourge of sexual assault.

I look forward to continuing to work with many Members in both Chambers, the victims who have bravely come forward, and the committed military leaders who are all meaningfully contributing to this debate to ensure that this issue can never again be disregarded or ignored.

I also want to take a moment to highlight the important work that this bill advances to develop superior, lightweight body armor for our servicemembers. While the ceramic plates which our servicemembers insert into their tactical vests have always provided the requisite level of protection in Iraq and Afghanistan, they are unfortunately still too heavy and are causing an epidemic of musculoskeletal injuries among servicemembers, which the VA will be paying for over decades to come.

Last year, the NDAA contained language requiring the continued development of body armor systems for female servicemembers, as the legacy systems fit poorly.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield an additional 30 seconds to the gentlelady.

Ms. TSONGAS. Lightweight body armor that hadn't been designed for female members put female soldiers at greater risk in the field. This year's bill requires the Secretary of Defense to submit a comprehensive R&D strategy for lightweight body armor to Congress. I believe this is an important step, and I thank Air and Land Subcommittee Chair TURNER and Ranking Member SANCHEZ for their work on this matter.

Mr. McKEON. Mr. Chairman, I yield 3 minutes to the gentlewoman from Alabama (Mrs. ROBY), my friend and colleague, the chairman of the Subcommittee on Oversight and Investigations.

Mrs. ROBY. Mr. Chairman, I am proud to rise in support of H.R. 1960, and I would like to thank my chairman and the ranking member and all of the subcommittee chairmen and ranking members for all of the hard work that has gone into this bill. This is a strong,

bipartisan bill that properly funds our military. It provides for our men and women in uniform and their families, while ensuring that our warfighters have the necessary equipment and provisions to continue to ensure our Nation's security.

I am honored to chair the Oversight and Investigations Subcommittee of the House Armed Services Committee. I am pleased to have as my colleague and ranking member Ms. TSONGAS of Massachusetts.

The world has changed tremendously in the past decade. It remains a dangerous place, but in new and challenging ways. For this reason, H.R. 1960 takes into account the threats this Nation faces today and the forces that we must maintain in response. The members of the House Armed Services Committee are united in the belief that we must not return to the days of a "hollow" military decreed by General Edward "Shy" Meyer 33 years ago.

Indeed, H.R. 1960 addresses part of our military's current readiness crisis. It restores funding so planes can take flight, ships can sail, and our military can train at the pace and scope that's necessary. This bill responsibly responds to the global conditions, but does so within this Nation's fiscal constraints.

H.R. 1960 also ensures that, as Afghan forces assume an incredibly large role in Afghanistan's defense, preserving the safety and security of Afghan women will be among our priorities. It includes important provisions so that the Department of Defense understands the lessons of Benghazi and organizes its forces to preclude or better respond to a similar attack. This year's National Defense Authorization Act maintains that the detention facility in Guantanamo Bay is being funded, operated, and managed properly; and it also provides the necessary guidance relating to Iran, North Korea, and Syria.

I'm proud to represent two distinguished military installations, Maxwell Air Force Base and Fort Rucker, and I'm mindful of the important role these and all other installations around the world play in ensuring the defense of this great Nation.

In light of the strong provisions included in H.R. 1960 and the collaborative, bipartisan sentiments upon which it rests, I join my colleagues in urging support for the National Defense Authorization Act.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I thank my friend for yielding, and I would like to thank and congratulate him and Chairman MCKEON and their

outstanding staffs for first-rate work and leadership on this issue.

This bill is an example of a properly resourced and properly thought-out plan that would serve the interests of those who serve us. As we meet tonight, there are America's best sons and daughters stationed around the world in dangerous and often lonely places who are defending our freedom and doing us proud every single day. I do believe this budget plan is one that gives them the tools and the support that they need. It has many good things to recommend it.

But I wish it were actually going to take effect, because the fact of the matter is unless this Congress acts, this plan will never take effect. Instead, it will be about \$50 billion shy of the resources that we're going to debate and vote on this week.

Mr. Chairman, I think the whole House would be well-served by following the example by which this legislation was put together. Led by Chairman MCKEON and Mr. SMITH, there was open, transparent, substantive dialogue throughout this process. Members on both sides of the aisle met for—my goodness, was it 16 hours, 18 hours, it seemed like longer, and any idea that any Member had was brought to the body, was vigorously debated, and either approved or disapproved. There was an open process that led to a good piece of legislation.

This is exactly the opposite of what we've done on the sequestration problem. There have been backroom meetings. There have been high-level discussions, and absolutely nothing has happened. This, frankly, is a bipartisan responsibility of a national problem.

I think that what is incumbent upon us doing here is the budget that has passed this Chamber and the budget that has passed the other body should be brought to a conference, and our body should select our conferees, and I'm sure the other body will select its, and they will thrash out this process and, I hope, come to a resolution of this mindless, harmful sequestration process.

About a third of our Navy and Air Force planes aren't flying training missions because of sequestration. There's intelligence training for intelligence units throughout the services not being done because of sequestration. Important research and development, deferred maintenance on our capital stock, isn't being done because of this problem.

We have spent hours in this Chamber accusing each other of whose fault it is that we are in this box. I, frankly, think the American people are tired of hearing whose fault it is and are ready to see this problem resolved.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. I yield an additional 30 seconds to the gentleman.

Mr. ANDREWS. I thank my friend.

The way to solve this problem is to emulate the example Chairman MCKEON and Mr. SMITH have given us: have a fair, transparent, open process; debate the issues; make some difficult choices. There are other difficult choices yet to make because of the amendments that are forthcoming.

When the Members are given the chance to act in regular order, we can solve problems. Let's have that full and open debate on sequestration; and some day the plan that we're going to pass this week will actually take effect.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to the gentlelady from South Dakota (Mrs. NOEM), my friend and colleague and a member of the Armed Services Committee.

Mrs. NOEM. I thank the chairman for leading and for all of his hard work on this very important bill that we have on the floor today.

Mr. Chairman, the number is staggering: 26,000. That's how many military members were sexually assaulted last year alone; and thousands more were unwilling to come forward. Since 2010, there has been a 35 percent increase in military sexual assault.

□ 1830

This is a disturbing trend that needs to be stopped, and I would like to thank the chairman for working with me and for many other members on the committee to do just exactly that.

There's no doubt that our military is the strongest and most capable force in the world. The men and women who voluntarily step up to serve and to defend this country know full well that they will be called, potentially, to serve in times of danger. But they should never, under any circumstances, feel threatened in one another's presence. For many, the military is an extension of family, and nothing hurts more than being hurt or let down by one of your own.

Last week, the House Armed Services Committee passed the 2014 National Defense Authorization Act by an overwhelming vote of 59-2. I was proud to support the bill in committee. It takes important steps to address the rise of sexual assault in our military, including several provisions that I authored. These provisions will improve military sexual assault investigations. They will also standardize sexual assault prevention training programs, and require the Pentagon to increase scrutiny of those selected that will fill sexual assault prevention positions in the military, necessary reforms that need to get done.

For years, lawmakers, military officials, and civilians, alike, have discussed the need to bring an end to sexual assault. I see a real opportunity with this bill to put those words into action, to take meaningful steps to address this growing problem.



It's time to say, once and for all, that sexual assault ends now. In order to do that, we need to ensure that there are adequate protections in place that encourage the reporting of sexual assaults without fear of reprisal or further abuse from peers. We must provide support for victims and insist on swift punishment for those responsible.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, I rise in support of the National Defense Authorization Act of 2014 and, again, I want to congratulate the chairman and the ranking member and the committee staff for a process that was really a breath of fresh air in this Congress—a long meeting, lots of hot debates and passionate debates, many opportunities, frankly, for the polarization that seems to dominate this Congress to break down the process.

But at the end of the day, we had a strong vote, 59-2, obviously very bipartisan, and we came together as a committee to make sure that core functions of the government, our national defense are, in fact, going to be advanced. In particular, I want to focus for a moment on the bipartisan effort made in the Seapower and Projection Force Subcommittee to support our Nation's shipbuilding priorities.

This bill supports the President's budget request for continued projection of two Virginia-class submarines in 2014, building on our efforts last year to restore a boat that had been removed from the shipbuilding plan. This measure also continues investment in critical undersea capabilities, such as the replacement of our SSBN fleet and the Virginia Payload Module.

In particular, and also, the bill supports construction of eight battle force ships, four littoral combat ships, a DDG 51 destroyer, as well as continued work on a new aircraft carrier and vital seapower programs. To put that in context, the build rate in 2006 was only four battle force ships; in 2008, it was only three battle force ships.

As we have heard firsthand in our subcommittee, a stable, predictable, and robust shipbuilding plan is the best way to ensure that our taxpayers are getting cost-effective ships with the block grant fixed price model that is producing ships ahead of schedule and below price. I know this is an issue that our panel will continue to look at closely as we move forward.

In 2011, in Libya, we saw firsthand the value of a strong Naval force, where Operation Odyssey Dawn used seapower to wipe out the air defense system of Muammar Qadhafi. Again, using surface ships and submarines firing Tomahawk missiles, in a matter of hours we had advanced the cause for our NATO allies to finish up the work. So this is, again, critical to the refocus

of our naval and strategic plan in Asia-Pacific and the Middle East.

Again, we need a strong shipbuilding plan and naval force structure, which this bill will provide strong resources, again, far greater than in past years.

So, again, I want to close by saluting the chairman's tremendous work and our staff, in terms of making sure that both sides of the aisle came together to protect core functions of our government, which, again, the Seapower Subcommittee, in particular, will advance.

Mr. McKEON. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Indiana (Mrs. WALORSKI), my friend and colleague, and a member of the Armed Services Committee.

Mrs. WALORSKI. Mr. Chairman, I want to thank the chairman of the House Armed Services Committee for yielding me time. I also want to thank him for his tremendous leadership, and Mr. SMITH, as well, in crafting a bill that brings solutions to combat sexual violence in the Armed Forces.

This bill includes a provision that I authored with Congresswoman LORETTA SANCHEZ to encourage victims to step out of the darkness. The provision specifically identifies reports of sexual assault as a form of communication under whistleblower protections. It ensures that victims cannot face reprisal for reporting acts of sexual assault.

Sexual violence has reached epidemic proportions and is eroding the foundations of trust that our military traditions have been built upon.

I had the privilege to visit our troops in Afghanistan and stand shoulder-to-shoulder with the finest military in the world. Hearing their concerns on this issue firsthand typifies the horrific reality of this situation.

Mr. Chairman, there were an estimated 26,000 cases of military sexual assault last year alone, with only 3,600 victims reporting. It's reported that 62 percent of those who have been assaulted went on to experience some form of retaliation.

Citing these facts and figures does not attest to the victims and the real-life faces of this problem. We're talking about our sons and daughters. We are talking about our brothers and sisters.

In Indiana, a brave woman named Lisa Wilken, an Air Force veteran, came forward to share her own story of repetitive sexual abuse that she suffered during her military career. After being raped, she reported the incident to the Air Force. Her description of the reporting process was chilling. Whistleblower protections like what I'm talking about today will create an environment for safe reporting so that victims like Lisa can come forward and demand justice.

For the troops who've been victimized while serving their country and the countless Americans who some day want to serve in this great military, I ask that we do the right thing. It's

time for this Congress to do the right thing, and it's time for this Congress to act. I ask my colleagues to join me in supporting this bill and the thoughtful reforms contained within.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time.

I just, again, want to emphasize how important this piece of legislation is, and the work that goes into it.

And all the Members have said this is the way legislation is supposed to work. It really does work when you do the legislative process, when you have committee hearings and you debate amendments and you put together a product.

And also to remind folks how important this piece of legislation is. It funds and supports our military in providing for the national security of this country. It is critically important that we pass it and get it done.

I do also, however, want to emphasize the point that Mr. ANDREWS made, and that is that, unfortunately, unless we do something about sequestration, this bill is going to be largely undone. Taking \$50 billion out of this budget in a meat-ax fashion will not be helpful. We have to do something about sequestration if we're going to be able to protect this process.

So I would urge the full body to follow the example of the Armed Services Committee: get together, work out a bipartisan solution to make sure that we can protect this work and not just the national security.

Sequestration obviously affects all parts of government in a very, very negative way; infrastructure, education, health care all jeopardized by the sequestration legislation. So I would urge us to deal with that.

But, in the meantime, I thank the chairman and I thank all the members and the staff for the great work that they've done in putting together this bill, and I urge support.

I yield back the balance of my time.

Mr. McKEON. Might I inquire how much time we have remaining?

The Acting CHAIR. The gentleman has 4½ minutes.

Mr. McKEON. Mr. Chairman, I yield myself the balance of the time.

At this time, I'd like to thank Mr. SMITH. This is our third bill that we've worked on in these positions, and I think we've become better friends over the years. We understand each other. We know that we, at times, will have disagreements.

I have to confess, I've been married now 50 years, and my wife and I have had a couple of disagreements. I was always wrong, and she's stood by me, and we've had a great relationship.

And we have a great relationship working in this committee. Likewise, our staff. I think they have done yeoman's work to get us to this point. And our subcommittee chairmen and ranking members that we've heard speak here today.

And I have to agree with Mr. SMITH on the sequestration.

□ 1840

We, I think, all understand that this is bad for our Nation. We voted on it, those of us who did, knowing that, understanding that it would never happen. Well, reality set in, and it happened. I've had a few people come to me and say, gee, sequestration isn't that bad. They really haven't seen the full impact to this point. We're just starting into the first year of sequestration. And I was meeting with General Breedlove today, our new European commander. And he's just a month into his new job, and he's starting to feel the sequestration.

I think what we need to understand is—and I've talked to each of our military leaders as they came in and secretaries as they came before our committee for the hearings that led up to this bill—that if something doesn't happen between now and September 30, all of this work, everything that we're working on is, as Mr. SMITH has pointed out, going away. We are cutting \$487 billion out of defense over the next 10 years. That's in the bill. We also, through sequestration, cut another \$500 billion out of defense over the next 10 years. That is not reflected in—this year's portion is not reflected in this bill. Our Budget Committee in the House passed a budget, and they kept the top line number from the Budget Control Act of \$967 billion, and they gave us additional money for defense, which we've used in this bill. But if we're not able to resolve the differences between us and the Senate on September 30, it will be like Cinderella and that magic shoe. Everything goes away. The carriage becomes a cantaloupe, or a pumpkin, and it's bad times.

We've got to deal with that, we've got to deal with raising the debt limit, and there are a lot of very serious things on the table. So I would encourage all of our colleagues to join in the debate tomorrow.

We had a great debate in committee. We had differences, and we talked about them. We didn't get personal, and we didn't get rancorous. We came out with a vote of 59-2 because everybody on this committee understands how important our work is, how important our national defense is, and how important the men and the women and their families in uniform are, and we stand behind them. Now we do need to make sure that we have the resources that they need.

With that, Mr. Chairman, I would encourage all of us to support this bill tomorrow. Join in the process. Make it a better bill if we can.

I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise today in support of the men and women in uniform who have been faced

with sexual assault while serving in the military. According to the Defense Department's own estimates, roughly 26,000 individuals in our military will be sexually assaulted each year. Worse yet, only a small fraction of these victims will find the courage to come forward to report these incidents, all of whom must then possibly face sizeable retaliation or anemic prosecution.

Currently, sex-related crimes are subject to a traditional military chain of command, where a commander essentially has complete authority and control over the discovery process. This creates an opportunity for military commanders to protect perpetrators and even punish victims for speaking out.

Today, as the House begins consideration of amendments to the National Defense Authorization Act, I applaud the efforts of Representative JACKIE SPEIER and other House Democrats to drastically alter the way that military sexual assaults are addressed. Representative SPEIER's amendment, which was rejected by House Republicans without debate, would have given prosecutorial discretion to the impartial Office of the Chief Prosecutor, limiting any opportunities for wrongdoing during this critical phase in the judicial process. Until consistent and effective processes are established to carefully consider any wrongdoing, members of our armed forces will continue to struggle with the shameful reality of widespread sexual assault throughout the military ranks.

Mr. Chair, mechanisms within the military structure must be implemented in force if we are to send the powerful message to these perpetrators that sexual assault will not be tolerated under any circumstances. We must stand behind our men and women in uniform, and provide them with the assurances that their voices will be heard, and that they will no longer have to live in fear of losing their livelihood in the process.

Mr. MCKEON. Mr. Chair, I submit the following exchange of letters:

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, June 7, 2013.

Hon. HOWARD P. "BUCK" MCKEON, Chairman, Committee on Armed Services, U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN MCKEON: I am writing to you concerning the jurisdictional interest of the Committee on Science, Space, and Technology in H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014.

Our Committee recognizes the importance of H.R. 1960 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This is, of course, conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces, or otherwise affects the jurisdiction of the Committee on Science, Space, and Technology.

Further, I request your support for the appointment of Science, Space, and Technology Committee conferees during any House-Senate conference convened on this and any similar legislation. I also ask that a copy of this letter and your response acknowledging our jurisdictional interest be placed in the legislative report on H.R. 1960 and the Congressional Record during consideration of this measure on the House floor.

I look forward to working with you on this important legislation.

Sincerely,

LAMAR SMITH,  
Chairman.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Hon. LAMAR SMITH, Chairman, House Committee on Science, Space, and Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on Science, Space, and Technology has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Science, Space, and Technology is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, June 5, 2013.

Hon. HOWARD "BUCK" MCKEON, Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. MCKEON: I am writing to you concerning the jurisdictional interest of the Committee on Natural Resources in matters being considered in H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014.

Our committee recognizes the importance of H.R. 1960 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on Natural Resources and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Committee on Natural Resources also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your consideration in this matter.

Sincerely,

DOC HASTINGS,  
Chairman.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.  
Chairman DOC HASTINGS,  
House Committee on Natural Resources, Washington, DC.

DEAR CHAIRMAN HASTINGS: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on Natural Resources has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I

agree that by foregoing a sequential referral, the Committee on Natural Resources is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON VETERANS' AFFAIRS,  
Washington, DC, June 7, 2013.

Hon. HOWARD "BUCK" MCKEON,  
Chairman, Committee on Armed Services,  
House of Representatives, Washington, DC.

DEAR MR. MCKEON: I write to confirm our mutual understanding regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. The section provisions attached to this letter contain subject matter within the jurisdiction of the Committee on Veterans Affairs. However, in order to expedite floor consideration of this important legislation, the committee waives consideration of these provisions.

The Committee on Veterans Affairs takes this action only with the understanding that the committee's jurisdictional interests over this and similar legislation are in no way diminished or altered.

The committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your including this letter in the Congressional Record during consideration of H.R. 1960 on the House Floor. Thank you for your attention to these matters.

With warm personal regards I am,

Sincerely,

JEFF MILLER,  
Chairman.

Attachment.

#### SECTION PROVISIONS

Section 524—Contents of Transition Assistance Program.

Section 552—Protection of Child Custody Arrangements For Parents Who Are Members of the Armed Forces.

Section 553—Treatment of Relocation of Members of the Armed Forces for Active Duty for Purposes of Mortgage Refinancing.

Section 584—Recodification and Revision of Army, Navy, Air Force, and Coast Guard Medal of Honor Roll Requirements.

Section 592—Authority to Enter into Concessions Contracts at Army National Military Cemeteries.

Section 1421—Authority for Transfer of Funds to Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Hon. JEFF MILLER,  
Chairman, House Committee on Veterans' Affairs, Washington, DC.

DEAR CHAIRMAN MILLER: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on Veterans' Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Veterans' Affairs is not waiving its jurisdiction. Further, this ex-

change of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, June 7, 2013.

Hon. HOWARD P. "BUCK" MCKEON,  
Chairman, Committee on Armed Services, U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN MCKEON: I write to confirm our mutual understanding regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014, which contains substantial matter that falls within the Rule X legislative jurisdiction of the Foreign Affairs Committee. I appreciate the cooperation that allowed us to work out mutually agreeable text on numerous matters prior to your markup.

Based on that cooperation and our associated understandings, the Foreign Affairs Committee will not seek a sequential referral or object to floor consideration of the bill text approved at your Committee markup. However, this decision in no way diminishes or alters the jurisdictional interests of the Foreign Affairs Committee in this bill, any subsequent amendments, or similar legislation. I request your support for the appointment of House Foreign Affairs conferees during any House-Senate conference on this legislation.

As the committee with legislative jurisdiction over U.S. intervention abroad and declarations of war, and as the traditional committee of sole referral for legislative authorizations for the use of military force (including the post-9/11 AUMF enacted as Public Law 107-40), the Foreign Affairs Committee requires knowledge of where, and against whom, such authority is used. For that reason, I appreciate your commitment to add the Foreign Affairs Committee as a recipient of the reporting required by section 1038 of the Chairman's mark, and to include additional language in your Committee report to expressly note that any reports required by section 1041 are in addition to War Powers Resolution (P.L. 93-148) reporting, which should continue.

Finally, I respectfully request that you include this letter and your response in your committee report on the bill, and in the Congressional Record during consideration of H.R. 1960 on the House floor.

Sincerely,

EDWARD R. ROYCE,  
Chairman.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Chairman EDWARD R. ROYCE,  
House Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on Foreign Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Foreign Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
Chairman.

COMMITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE, HOUSE OF REPRESENTATIVES

Washington, DC, June 7, 2013.

Hon. HOWARD P. "BUCK" MCKEON,  
Chairman, Committee on Armed Services, House of Representatives, Washington, DC

DEAR CHAIRMAN MCKEON: I write concerning H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014, as amended. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

However, in order to expedite floor consideration of this legislation, the Committee will forgo action on this bill. This, of course, is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 1960 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,  
Chairman.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Chairman BILL SHUSTER,  
House Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Transportation and Infrastructure is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, June 7, 2013.

Hon. HOWARD "BUCK" MCKEON,  
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN MCKEON: I am writing to you concerning the jurisdictional interest of the Committee on the Judiciary in matters being considered in H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014.

Our committee recognizes the importance of H.R. 1960 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on the Judiciary, and that a copy of

this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Committee on the Judiciary also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your consideration in this matter.

Sincerely,

BOB GOODLATTE,  
*Chairman.*

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Chairman BOB GOODLATTE,  
*House Committee on the Judiciary, Washington, DC.*

DEAR CHAIRMAN GOODLATTE: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on the Judiciary has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Judiciary is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON OVERSIGHT AND  
GOVERNMENT REFORM,  
Washington, DC, June 7, 2013.

Hon. HOWARD "BUCK" MCKEON,  
*Chairman, Committee on Armed Services, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Committee on Oversight and Government Reform in matters being considered in H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014.

Our committee recognizes the importance of H.R. 1960 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on Oversight and Government Reform, and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Committee on Oversight and Government Reform also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your consideration in this matter.

Sincerely,

DARRELL ISSA,  
*Chairman.*

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Chairman DARRELL ISSA,  
*House Committee on Oversight and Government Reform, Washington, DC.*

DEAR CHAIRMAN ISSA: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on Oversight and Government Reform has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Oversight and Government Reform is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
*Chairman.*

GENERAL LEAVE STATEMENT

Mr. MCKEON. Mr. Chair, I submit the following exchange of letters.

COMMITTEE ON EDUCATION  
AND THE WORKFORCE,  
Washington, DC, June 7, 2013.

Hon. HOWARD P. "BUCK" MCKEON,  
*Chairman, Committee on Armed Services, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. Thank you for consulting with the Committee on Education and the Workforce with regard to H.R. 1960 on those matters within the committee's jurisdiction.

In the interest of expediting the House's consideration of H.R. 1960, the Committee on Education and the Workforce will forgo further consideration of this bill. However, I do so only with the understanding that this procedural route will not be construed to prejudice my committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request that you include our exchange of letters on this matter in the Committee Report on H.R. 1960 and in the Congressional Record during consideration of this bill on the House floor. Thank you for your attention to these matters.

Sincerely,

JOHN KLINE,  
*Chairman.*

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Hon. JOHN KLINE  
*Chairman, House Committee on Education and the Workforce, Washington, DC.*

DEAR CHAIRMAN KLINE: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on Education and the Workforce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequen-

tial referral, the Committee on Education and the Workforce is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
*Chairman.*

CONGRESS OF THE UNITED STATES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, June 7, 2013.

Hon. HOWARD P. "BUCK" MCKEON,  
*Chairman, Committee on Armed Services, U.S. House of Representatives, Washington, DC.*

DEAR CHAIRMAN MCKEON: I write concerning H.R. 1960, the "National Defense Authorization Act for Fiscal Year 2014." I wanted to notify you that the Committee on Energy and Commerce will forgo action on H.R. 1960 so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee's jurisdictional interests over this and similar legislation are in no way diminished or altered. In addition, the Committee reserves the right to seek conferees on H.R. 1960 and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 1960 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

FRED UPTON,  
*Chairman.*

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Hon. FRED UPTON,  
*Chairman, House Committee on Energy and Commerce, Washington, DC.*

DEAR CHAIRMAN UPTON: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on Energy and Commerce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Energy and Commerce is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
*Chairman.*

PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE,  
June 7, 2013.

Hon. BUCK MCKEON,  
*Chairman, Committee on Armed Services, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: In recognition of the importance of expediting the passage of H.R. 1960, the "National Defense Authorization Act for Fiscal Year 2014," the Permanent Select Committee on Intelligence hereby waives further consideration of the bill. The Committee has jurisdictional interests in several provisions of H.R. 1960, including intelligence and intelligence-related authorizations and provisions contained in the bill and provisions that may affect sensitive reporting with respect to covert action.

The Committee has specific and unresolved concerns with respect to certain provisions of the bill, and takes this action only with

the understanding that this procedural route should not be construed to prejudice the House Permanent Select Committee on Intelligence's jurisdictional interest over this bill or any similar bill and will not be considered as precedent for consideration of matters of jurisdictional interest to the Committee in the future. In addition, the Permanent Select Committee on Intelligence will seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation.

Finally, I would ask that you include a copy of our exchange of letters on this matter in the Congressional Record during the House debate on H.R. 1960. I appreciate the constructive work between our committees on this matter and thank you for your consideration.

Sincerely,

MIKE ROGERS,  
Chairman.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Hon. MIKE ROGERS,  
House Permanent Select Committee on Intelligence, Capitol Visitor Center, Washington, DC.

DEAR CHAIRMAN ROGERS: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Permanent Select Committee on Intelligence has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Permanent Select Committee on Intelligence is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
Chairman.

COMMITTEE ON FINANCIAL SERVICES  
Washington, DC, June 7, 2013.

Hon. BUCK MCKEON,  
Chairman, House Committee on Armed Services, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MCKEON: On June 6, 2013, the Committee on Armed Services ordered H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014, as amended, to be reported favorably to the House. As a result of your having consulted with the Committee on Financial Services concerning provisions of the bill that fall within our Rule X jurisdiction, I agree to discharge our committee from further consideration of the bill so that it may proceed expeditiously to the House Floor.

The Committee on Financial Services takes this action with our mutual understanding that, by foregoing consideration of H.R. 1960, as amended, at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 1960, as amended, and would ask that a copy of our exchange of letters on this matter be included in your committee's report to accompany the legislation and/or in the Congressional Record during floor consideration thereof.

Sincerely,

JEB HENSARLING,  
Chairman.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Hon. JEB HENSARLING,  
House Committee on Financial Services, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN HENSARLING: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on Financial Services has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Financial Services is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, June 5, 2013.

Hon. HOWARD "BUCK" MCKEON,  
Chairman, Committee on Armed Services, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MCKEON, I am writing concerning H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014, which was expected to be marked up in the Committee on Armed Services this week.

In order to expedite House consideration of H.R. 1960, the Committee on the Budget will forgo action on the bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 1960, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration.

Sincerely,

PAUL RYAN,  
Chairman.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Hon. PAUL RYAN,  
House Committee on the Budget, Cannon House Office Building, Washington, DC.

DEAR CHAIRMAN RYAN: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on the Budget has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Budget is not waiving its jurisdiction.

Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON AGRICULTURE,  
Washington, DC, June 3, 2013.

Hon. HOWARD "BUCK" MCKEON,  
Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. MCKEON: I am writing to you concerning the jurisdictional interest of the Committee on Agriculture in matters being considered in H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014.

Our committee recognizes the importance of H.R. 1960 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on Agriculture, and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

I also ask that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your consideration in this matter.

Sincerely,

FRANK D. LUCAS,  
Chairman.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Hon. FRANK D. LUCAS,  
House Committee on Agriculture, Washington, DC.

DEAR CHAIRMAN LUCAS: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I agree that the Committee on Agriculture has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Agriculture is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
Washington, DC, June 7, 2013.  
Hon. HOWARD P. "BUCK" MCKEON,  
Chairman, House Committee on Armed Services, Washington, DC.

DEAR CHAIRMAN MCKEON, I write to you regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. There are certain provisions of this legislation that fall within the Rule X jurisdiction of the Committee on Homeland Security.

In the interest of permitting the Committee on Armed Services to proceed expeditiously to the House floor, I will not seek a

sequential referral of H.R. 1960. However, I do so only with the mutual understanding that the jurisdiction of the Committee on Homeland Security over matters contained in this or similar legislation is in no way diminished or altered. I further request that you urge the Speaker to name members of this Committee to any conference committee that is named to consider such provisions.

I request that you include this letter and your response into the committee report on H.R. 1960 and into the Congressional Record. Thank you for your consideration.

Sincerely,

MICHAEL T. MCCAUL,  
*Chairman.*

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 7, 2013.

Hon. MICHAEL T. MCCAUL,  
*Chairman, House Committee on Homeland Security, Washington, DC.*

DEAR CHAIRMAN MCCAUL: Thank you for your letter regarding H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. I am most appreciative of your support and interest in this important legislation. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. "BUCK" MCKEON,  
*Chairman.*

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GRIFFITH of Virginia) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

#### AMERICA'S FUTURE

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, my friends on the other side of the aisle like to refer to the House majority as the Party of No. And do you know what? I'm okay with that. We've said no to unending and out-of-control spending and passed a budget that balances in 10 years. We've said no to the largest tax increase in history and repealed ObamaCare. We said no to fraud and political games and demanded answers from the Internal Revenue Service.

We've said no to the fact that four Americans in Benghazi are dead and we will not rest until we have answers. We've said no to the tax more, spend more, save less, Big Government, job

killing machine that is crushing the American spirit and our economic growth.

We've replaced government growth and regulations with reform. We have restored transparency and trust. We're giving our Nation a reason to believe that one day our children won't be looking for a job, they will be creating jobs.

America was founded by patriots who said no to the tyrannical government that was crushing their freedom and economic future. And America's future rests in the hands of those who will carry on the torch of freedom to protect the future of their children and grandchildren. America's future rests in the hands of those who are sometimes willing to say no.

#### SAFE CLIMATE CAUCUS

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, State governments, institutions, businesses and private individuals are organizing to meet the challenges and opportunities of climate change.

For example, experts from New York State's land-grant college, Cornell University, have partnered with others at McGill University in Montreal and the private sector to define the needs of the region's agricultural sector in a warmer climate. Farmers will need new plant varieties. The longer growing season will open possibilities for growing new crops. The timing of planting and fertilizing will change.

Pest management will, indeed, be different. Climate change can be approached with a positive perspective for agriculture, but only if we plan now to take advantage of new opportunities and prepare for the transition.

So where are we, as a body, on this issue? We should be talking climate change and taking it into account as we move a new 5-year farm bill forward. We should be taking action to adapt our infrastructure and economy to these changes. But there is no discussion or action on this crucial issue.

Change is underway. We have little time to lose. We can meet this challenge, slow down the rate of change, adapt to the new conditions and take advantage of new opportunities, but only if we begin today.

#### PROGRESSIVE CAUCUS

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Under the Speaker's announced policy of January 3, 2013, the gentlewoman from California (Ms. LEE) is recognized for 60 minutes as the designee of the minority leader.

Ms. LEE of California. Mr. Speaker, first of all, let me just say I am truly honored tonight to anchor this Special

Order on the farm bill on behalf of the Congressional Progressive Caucus. And I just want to thank our cochairs, Congressman KEITH ELLISON and Congressman RAÚL GRIJALVA, for their tremendous leadership and for giving us the opportunity to really speak to the American people once a week about what has truly taken place here in Washington, D.C.

As the cochair of the Out-of-Poverty Caucus, which we founded actually during the Bush administration, and now chair of the new Democratic Whip Task Force on Poverty and Opportunity, let me just highlight how truly important it is to continue to support programs that lift Americans out of poverty.

Even as our economy slowly recovers, income inequality continues to grow. Unfortunately, too many people who are working are poor, and they're living on the edge.

I want to take a moment now and just yield a few minutes to my colleague from Minnesota, the cochair of the Progressive Caucus, and I will return and complete what I have to say, but I know he has to leave, and I would like for him to be able to engage in this discussion at this point.

Mr. ELLISON. Mr. Speaker, I just want to thank the gentlelady from California, BARBARA LEE, who has been leading this country for years on the question of economic justice, civil rights and human rights. This issue of the Supplemental Nutrition Assistance Program, also known as food stamps, is critical. We have a farm bill that contemplates a \$20 billion cut in the food stamp program, and I think it's just important that Americans know just a few basic things about the food stamp program. One is that many people on food stamps have jobs and work every day. These folks work hard. They work in jobs that pay so little that they don't have enough money to make it without some assistance. But these are the people who probably are making sure that the office buildings we go into are clean and sanitary. These are the folks who prepare fast-food. These people are the folks who make sure that it's safe, because some of the security guards making very low wages.

In fact, in 2010, 41 percent of SNAP recipients lived in a household with earnings. That means 41 percent were earning some income, but they still didn't earn enough money to make a go of it. So this idea that food stamps promote dependency is wrong.

□ 1850

In fact, what food stamps do is provide enough food for families to make it, nearly half of whom are working a job.

It's also important to bear in mind, too, that 76 percent of SNAP households include a child, a senior citizen, or a disabled person, and about 45 percent of SNAP recipients are in fact



children. The reality is that if you have a problem with SNAP, then we're talking about children, seniors and disabled people, three-quarters of whom are those households that receive SNAP.

Now, it is also true that there are some single adults who get SNAP. I had a chance to meet one on Monday. This young fellow is 19 years old, and he had been looking for work, going from place to place. He hadn't eaten in a few days and actually got so dizzy that he fell. His friends picked him up, got him some supplemental food quickly, and then he somehow got into the SNAP program. But when I looked in the eyes of this young fellow, I didn't see somebody who didn't want to work. I saw a hardworking Minnesotan who wanted to make a contribution, but who had tough times and was down on his luck for a little while. He wanted to work, he is still looking for a job, but the food stamps got him in a position where he could look for a job.

I just want to share with you, Mr. Speaker and Congresswoman LEE, on Monday, my good friend BETTY MCCOLLUM and I were at the State legislature in St. Paul, Minnesota. BETTY represents St. Paul. I represent Minneapolis. We came together and we listened to some people who really know the firsthand experience. We talked to people from the faith community. Patricia Law of St. Paul Church of Christ. We talked to Marie Ellis of Catholic Charities, and Judith Tannenbaum of Maison. All three of them talked about how if we cut SNAP to the tune that is proposed in the farm bill—the charities that they run are already stretched to the limit—therefore it would be very difficult for them to try to pick up the slack that the government would drop if the government quit.

Patricia Lull of the St. Paul Council of Churches—I said Church of Christ, I made a mistake, it was Council of Churches—has a slogan: “No More Hungry Neighbors.” She talked about 18,200 people seeking assistance from food shelves in Minnesota every day, which was pretty upsetting.

Another thing that I'd like to share with the Speaker, too, is that there was a woman who spoke from Hennepin County; she's a health administrator, and her name is Jennifer DeCubellis. She talked about the negative health effects of reduced nutrition access caused by SNAP cuts. So she is trying to describe how so many people who end up in the ER or who have medical problems, their underlying problem is that they're food insecure or housing insecure.

She talked about a woman who was not taking her meds. And they said, well, why don't you take the meds? She said, well, they hurt my stomach. Well, why do the meds hurt your stomach? Well, have you eaten? No, I don't have any money for food. So she's supposed

to be eating this food, eating regularly, and she's not. So she's not taking the meds because they hurt her stomach. Getting food literally helps her take her medication. I just thought to myself, look, what are we doing? Richest country in the history of the world can't take care of some people who happen to have some tough times?

The bottom line is most people on SNAP don't use the program forever—some do use it for a long time—but many only use it for about a year when they need it. And as I said, 41 percent are working. I personally don't mind, as an American taxpayer, helping seniors, children, and people with disabilities have a good, healthy nutritious meal.

So I have to abandon my friends now; I'm sorry to have to do that. But I am so proud that we're here tonight saying that it's not weakness; you're not some kind of a sucker if you have compassion for your fellow Americans who don't have enough food. You're not throwing away money. You're doing something that is absolutely necessary, and any compassionate society would have a way to help people who cannot eat.

It's simply not the case that our churches, our synagogues, our mosques and other charities can pick up the slack if the government drops out of helping people who are food insecure.

So I'm going to then thank my good friend from California for carrying on this great tradition. We're going to stay there for the folks on SNAP tonight.

Ms. LEE of California. I want to thank our cochair of the Progressive Caucus, Congressman ELLISON, for, once again, his tremendous leadership, but also for that very powerful and very graphic statement, sharing the stories of people who are struggling just to survive. That's what this is really about. The majority of people on SNAP do not want to be on SNAP; they want to work. They want to take care of their families, and they want to live the American Dream.

Let me yield now to the gentlelady from Connecticut, Congresswoman DELAURO, a member of the Appropriations Committee's Subcommittee on Ag. I don't know of anyone who has fought the good fight on behalf of the poor, low-income individuals, middle-income individuals, the most vulnerable—our seniors—more than Congresswoman DELAURO. So I want to thank the gentlelady for really staying true to the cause and for being here tonight with us.

Ms. DELAURO. Thank you so much. It's an honor to join with you. I know where your heart, your head and your courage lie with regard to this issue. And we applaud you for your efforts with regard to the one caucus around this place that says that our goal and our mission is to make sure that people

who are poor today, let us help them move out of that being poor. Let us help them move into the middle class, because in fact they do want to work, they do want to take care of their families. They're not just statistics. They are people to be upheld and respected and not to be vilified in so many ways as they are there. So I congratulate you and your efforts.

I'm proud to be here with you tonight and with my colleague, Congressman ELLISON, and the Progressive Caucus for his comments and remarks. I see that we are also joined by our colleague, Mr. JOHNSON. I want to thank you for your efforts as well.

As you're talking about, what tonight is all about is highlighting severe immoral cuts that are made to anti-hunger and nutrition programs, particularly the food stamp program; And that is coming from the House of Representatives in the farm bill that passed out of committee.

Everybody knows millions of families are struggling in this economy. Across this country, nearly 15 percent of American households were food insecure in 2010. Nearly 50 million Americans—over 60 million children—are struggling with hunger right now. It is about children; it is about the disabled; it is about seniors. And this is a problem all across this land.

My State of Connecticut, in my district—Connecticut statistically is the richest State in the Nation because we have Fairfield County, and some parts of the State are known as the Gold Coast, with very affluent people. But we have such pockets of hunger that, in my district, one out of seven is food insecure.

I'm tired of the commentary on food insecurity. What that means—and my colleague knows this, we've talked about this—it is about being hungry. These folks, one out of seven doesn't know where their next meal is coming from.

In Mississippi, 24.5 percent suffer food hardship, nearly one in four people. West Virginia and Kentucky, that drops to just over 22 percent, one in five. In Ohio, nearly 20 percent. California, just over 19 percent.

The estimates of Americans at risk of going hungry here in this land of plenty are appalling. And at times such as this, our key Federal food security programs become all the more important.

This is especially true of food stamps, our country's most important effort to deal with hunger here at home and to ensure that American families can put food on the table for their kids. Right now, food stamps are helping over 47 million Americans—nearly half of them children—to meet their basic food needs. They make a tremendous difference for the health and the well-being of families, as our colleague, Mr. ELLISON, pointed out with his examples.



Food stamps have been proven to improve low-income children's health, their development, reduced food insecurity, and have a continuing positive influence into adulthood.

You know, I listen to people that talk about waste, fraud, abuse. Food stamps always has one of the lowest error rates of any government program.

□ 1900

Go to the IRS, go to Defense, go to a crop insurance program, and you will find waste, fraud, and abuse.

Food stamps are good for the economy. Economists agree that food stamps have a powerful, positive impact on economic growth.

Last month, Bloomberg ran an article called, "Best Stimulus Package May Be Food Stamps," because they get resources into the hands of families who are going to spend those dollars right away.

Most importantly, food stamps are the right thing to do. Ninety-nine percent of food stamp recipients have incomes below the poverty line. It is the job of good government to help vulnerable families get back on their feet. In the words of Harry Truman:

Nothing is more important in our national life than the welfare of our children, and proper nourishment comes first in attaining this welfare.

This is something that everyone in Washington used to agree on. In the past, there's been a strong tradition of bipartisanship on hunger and nutrition. From the left, leaders like George McGovern, and from the right, leaders like Bob Dole, came together. They made a difference for families who were in need.

Over the past 30 years, policies aimed at debt and deficit reduction to keep programs that help the most vulnerable among us to get by have always been protected on a bipartisan basis from deep cuts. But the farm bill coming out of the House right now seeks to destroy that tradition. In the name of deficit reduction, the bill slashes food stamps by more than \$20 billion, hurting millions of Americans in our economy.

By eliminating categorical eligibility, their bill would force up to 2 million low-income Americans to go hungry. Their bill kicks 210,000 low-income children from the free school lunch program. It changes the relationship between SNAP and LIHEAP to take benefits from more low-income Americans—mostly seniors and working families with kids.

Let's be clear: this has nothing to do with deficit reduction and everything to do with the ideological priorities of a House majority. Ever since the Speaker took the gavel, this majority has tried to slash through the most crucial threads of our American social safety net.

Their Ryan budget cut over \$130 billion from food stamps, mostly by converting it to an inadequate block grant. Last year, when the House Ag Committee had to identify \$33 billion in 10-year savings from the programs of their jurisdiction, they singled out food stamps for all of the cuts—not direct payments, not crop insurance—just food stamps for the entire cut.

This is terrible policy. It will cause hunger and more health problems. These cuts are lopsided and are a dereliction of our responsibility to the American people, and of our moral responsibility.

Let me quote the U.S. Conference of Catholic Bishops. They said last year:

We must form a "circle of protection" around programs that serve the poor and the vulnerable in our Nation and throughout the world.

And as Catholic leaders wrote last month:

Congress should support access to adequate and nutritious food for those in need and oppose attempts to weaken or restructure these programs that would result in reduced benefits to hungry people.

The House farm bill does the opposite. It jeopardizes the growth and development of our children, it jeopardizes seniors, and it puts at risk those disabled Americans.

In my district yesterday, I went to the Cornerstone Christian Church in Milford, Connecticut, and the representatives there were the woman who volunteers in their food bank program, Reverend Stackhouse of the Church of the Redeemer, Lucy Nolan of End Hunger Connecticut, Nancy Carrington, who heads up the Connecticut Food Bank, and a young woman whose name was Penny.

She had worked all of her adult life. She lost her job. She thought it was going to be easy to get another job and to be able to make her mortgage payments and all of the other financial obligations that she had. In the midst of this financial crisis, she and her husband separated, putting the burden of the family on her shoulders. She didn't know where to turn. She didn't know how she was going to put food on the table.

She went to the Connecticut food bank. They helped her to be able to access the food stamp program. That's where she is now—still looking for a job, still wanting to work. Her pride enables her to continue to look for that job. The courage of speaking before this group yesterday and the press, and to tell that story, took great courage—like so many others are telling that story, my colleagues tonight.

We do have an obligation. These are not statistics that we are talking about. These are flesh and blood Americans who are looking for a bridge. They don't want to be there forever. They want to be able to take care of themselves and their families.

It's a genius of the food stamp program to say in times of need: we're there and, yes, we rise in the participation. When it gets better economically, those numbers drop.

We have an obligation to those people—not to the statistics, but to those individuals who look to the Federal Government that says in a time of challenge: give me a little help, that's all I'm asking. I don't want everything. I know you don't have all those resources. Help me in this hour of need. That's what where our moral responsibility is.

Again, I say thank you to my colleagues for participating and for your steadfastness in dealing with this issue.

Ms. LEE of California. Let me thank the gentlelady for that very powerful—in many ways, very sad—statement. We shouldn't have to listen to you say this in the wealthiest and most powerful country in the world. These stories should not have to be told here, Congresswoman DELAURO.

Thank you also for reminding us—and I know that you are a person of tremendous faith, and there are many in this body who are believers who have a faith and who care about the least of these. However, when we look at this \$20 billion cut, you have to wonder where the people of faith are and how they understand this scripturally, I have to say. So thank you for raising this.

Ms. DELAURO. If I can make one more point, because in the committee—and the people shall be nameless—there was a lot of quoting of scripture when people voted for and passed a \$20 billion cut. I think it was one individual who said that in the scripture it says: If you don't work, then you don't eat.

I went back to find out what kinds of subsidies from farm programs that the individual had access to. Quite frankly, it's in the millions of dollars. I'm delighted that this individual can take care of family, but he's doing it with the largesse and the kindness, if you will, of the Federal Government. That doesn't seem to bother the individual at all. But providing food for a child or a senior or a disabled individual is a bridge too far. We need to stop that and we need to call attention to it, and the people of this Nation need to know what is happening in this institution.

Ms. LEE of California. Absolutely. Thank you for that.

I just want to also remind us tonight that—well, first, I'm on the Budget Committee also. We had a debate about poverty. Both sides had something to say. Thank goodness at least we had a debate. But when it came to looking at the Ryan budget and the cuts that were enacted or that would be enacted if the Ryan budget passes, I can't for the life of me understand how anyone on the

other side who wants to reduce poverty—as they said they do—could support the Ryan budget, because it cuts every single government program which lifts people out of poverty into the middle class and will actually put more people into poverty if the Ryan budget cuts are sustained.

□ 1910

Ms. DELAURO. I know my colleague Mr. JOHNSON is here to speak—and I think you understand this—but I think people need to know this. I want to take that crop insurance program for a moment—and I'm for crop insurance. I wish it covered people in my community, in my State.

My comment is, in the crop insurance program, 60 percent of those costs are picked up by the U.S. taxpayer. That doesn't include administrative costs. There is no income test, no wage threshold, no asset test, all of which apply to food stamp recipients. There are 26 individuals in this Nation who have received at a minimum \$1 million in a premium subsidy, and they don't have to follow conservation programs. They don't have to do anything but accept that premium subsidy, and we can't find out who they are because they are statutorily protected. Do you want to look at a program from which we could get money to deal with the deficit? Go there, and don't hurt poor kids, seniors and the disabled. Those folks in that program who are getting at least \$1 million are eating high on the hog. They are doing well.

So that's what we have to do, and that's what this country needs to know about. We are a good country. People have good values, and they will turn their backs on this effort as well.

Ms. LEE of California. Thank you for being with us tonight and for making it very clear.

Let me now yield a few minutes to my colleague from Georgia, Congressman HANK JOHNSON, who has been a tremendous leader on so many issues. He will talk about these bags that he brought here to the floor and about the food stamp challenge, which many of us have mounted and which I will speak to later.

Mr. JOHNSON of Georgia. Thank you. I am very happy to participate in this Special Order, especially with the esteemed women who are here—yourself, BARBARA LEE, and ROSA DELAURO, a person of great justice and passion who represents truth and righteousness and tries to do the right thing and fights for those who need a voice to fight for them.

I appreciate you, ROSA, for being here and for everything that you do.

BARBARA LEE—I've said it before—you are just a tremendous patriot, a wonderful person with a heart of gold, but with a fist of steel when it comes to what you believe in.

I deeply respect and honor both of those women.

Today, in a Judiciary Committee meeting in which we were engaged in the war on women—another abortion bill—I happened to notice that on the other side of the aisle there were no women on the panel. In fact, I discovered, to my horror, that there are no women on the Judiciary Committee, period, and here we are in the year 2013. On this side of the aisle, we've got some great women, like ROSA DELAURO from Connecticut, BARBARA LEE from California and so many others—NANCY PELOSI and DEBBIE WASSERMAN SCHULTZ. I can just name them forever, and I just appreciate being able to serve with them.

I'll tell you that I'm not always out doing a lot of shopping, but I had to go shopping today because I decided to take what we call the food stamp challenge. It mandates that we go out and that we spend no more than \$31.50 for one-week's worth of food. I'm just coming back from the local Safeway. Maybe I shouldn't give that name out because I might have gotten a better deal at Publix—I don't know—but I went to Safeway, and here is my bill. It is for \$29.76. I went through the supermarket, trying to find a week's worth of food that could get me through.

Pardon me for my choice of food, but I had to go back to my standard Quaker Oats oatmeal. I'm trying to be healthy. I can use this for breakfast or for dinner, but I got these for breakfast, my Homestyle waffles. They already have butter in them, so I didn't have to buy the butter. I did have to come up, of course, with some sugar-free syrup. I got that. I was pleased to find Oscar Mayer bacon on sale—two for \$5 and, I think it was, 99 cents. I got these two of the Oscar Mayer bacon. I didn't mean to get the maple, I meant to get the regular. Anyway—boom—that was \$5, \$6. I bought some milk, and I did splurge on some tea. I'm sorry. I splurged on some tea, but I did get some hot dogs and topped them off with some ramen noodles. I used to eat those a lot when I was in college, too. So I have 6 of those in there and 10 of these in here. Then to splurge I also bought some bananas.

That all ended up costing \$29.76. I actually had an over-ring because I bought two heads of broccoli. Do we call those “heads” of broccoli? But two things of broccoli, I bought those. Those ran me over, so I had to go through the indignity of standing there while the cashier called for an over-ring. They had to come over there and fix that and redo the whole thing with people in line behind me and everything, and with people trying to get in and out of the store. They would have looked at me even more funny if I'd had food stamps to make the purchase, and they would have wondered why was I eating Oscar Mayer bacon.

This is what I'm going to be eating for the next 7 days starting tomorrow.

It's going to be a challenge. I certainly will not be eating three meals a day. I will eat in the morning, and then I will eat in the evening. So between this meat, these starches, that fruit—and this is a starch here, with no greens—I think they had greens at Safeway, but there are some places—they call them food deserts—in the central cities where there is no supermarket, where there are no fresh fruits, even if I'd had the money to buy them. Nonetheless, this is not the most healthy of diets, but it will keep the hunger pangs away, I believe, for a week. If I were a child who was living on this and going to school every day, I'm not sure how angry or depressed or how, really, ready to learn I would be.

This is reality, so I am looking forward to participating in this. I understand you've done it now for a number of years, BARBARA. This will be my first year. I can't say that I've been looking forward to it, but I have been getting ready for it.

□ 1920

Ms. LEE of California. Let me first thank the gentleman for that very powerful statement and also sharing with us what you were able to purchase. Also, much of what you purchased has a high sodium content and, as you said, very few fresh fruits and vegetables.

But what is just so tragic is that as Members of Congress, we don't live on this budget each and every day. There's an end in sight for us. But for millions of Americans, there is no end in sight. This is their existence.

What we're trying to do is to make sure that that is no more and that people have the right to eat healthy, nutritious foods without worrying about health consequences, without worrying about the \$20 billion which will cut substantially their ability to buy even the kinds of foods that are unhealthy.

So thank you very much for being here with us.

Let me now yield to the gentleman from Massachusetts, who serves on the Agriculture Committee, chairs our Hunger Caucus and has been a tremendous and consistent champion on behalf of those who are hungry, not only here, but throughout the world, and also fights for food security. I just want to thank him for being with us tonight, and thank you for your leadership.

Congressman MCGOVERN has also taken the food stamp challenge many times and has really helped organize all of us here to be very focused on what is the real deal as it relates to the least of us.

Thank you again.

Mr. MCGOVERN. I want to thank my distinguished colleague from California for organizing this and for her leadership on this and so many other issues aimed at trying to eliminate poverty in

this country. I also want to thank all my colleagues who have already spoken on this issue.

I want to come to the floor just to remind people that hunger is a real problem in the United States of America. We have close to 50 million of our fellow citizens who are hungry, and 17 million are kids. We are the richest, most prosperous Nation in the world, and we have close to 50 million people in this country who are hungry. I'm ashamed of that fact. We all should be ashamed of that fact. What is particularly maddening about this issue is that it is solvable. This is a solvable problem.

Hunger is a political condition. We have the food. We have the resources. We have the infrastructure. We have everything but the political will to end it.

Hunger is a problem that costs us dearly. People say to me, Oh, we can't spend any more money; we have a tough budget situation. I remind them that we can't afford not to. The cost of hunger in this country is astronomical.

We pay an incredible amount in terms of avoidable health care costs. People who don't eat on a regular basis, their immune systems are compromised and they end up spending more time in a hospital. Senior citizens who can't afford their prescription drugs and their food take their prescription drugs on an empty stomach and end up in hospitals. There's a cost to that. There is a human cost and there's a financial cost to it. Children who are hungry who go to school don't learn. Workers who are hungry and go to work lack in productivity. We pay for this.

This is solvable. It is solvable.

Now, I have come to this floor every week for the last 13 weeks with this sign, "End Hunger Now," and I have given a speech every week about what we need to do to end hunger, a different perspective on hunger. I have tried to raise awareness on this issue because there is not a single community in the United States of America, not a single congressional district that is hunger free.

One of the tools that we have to combat hunger is the SNAP program. It is not the answer to everything. It is not a perfect program, but it is one of the tools that we utilize to help alleviate hunger in this country. And we are now considering a farm bill next week, which is stunning to me, because rather than being a bill that helps expand opportunities for our farmers and helps alleviate hunger, it will be a farm bill that makes hunger worse.

The House of Representatives is going to consider a bill that came out of the House Agriculture Committee that cuts SNAP by \$20.5 billion. Two million people will lose their benefits. Hundreds of thousands of kids who qualify right now for free breakfast and

lunch at school because their parents are on SNAP will lose that benefit.

I've had people say to me, Well, you know, those people ought to go out and look for a job. The fact of the matter is that millions and millions and millions of people who are on SNAP right now work. They work full-time, but they earn so little they still qualify for this benefit.

We ought to have a debate in this Congress about ensuring that work pays a livable wage, that when people go to work and they work full-time, they ought not have to live in poverty. But that, unfortunately, is not the reality as we speak. The reality is that there are millions of people who are working and earn so little that they need this benefit to feed their kids and feed their families.

As we emerge from this difficult economic crisis, we need to make sure that this safety net is in place. We need to ensure that people have enough to eat. That shouldn't be a controversial issue.

To my Republican friends, I would say that this used to be a bipartisan issue. The great antihunger programs that our country has emerged as a result of bipartisan cooperation. In the 1970s, Senator Bob Dole of Kansas and Senator George McGovern of South Dakota worked together to help strengthen these programs to the point that in the 1970s we almost eliminated hunger in America. We made progress. We came close.

Then we undid all of this. We turned our backs on those who were struggling, and now we have close to 50 million people who are hungry in this country. That, to me, is a national scandal. And rather than putting forward a farm bill that makes hunger worse, we ought to be talking about a farm bill that helps solve this problem.

I've urged the White House to call a conference or a summit on food and nutrition to bring us all together, all the various agencies that have some role in combatting hunger: the charities, the food banks, the churches, the synagogues, the mosques, the doctors, the teachers, the nutritionists, the people who are involved in this issue one way or another. Let's bring us all together and actually come up with a plan to end this scourge. We can do this.

You're not going to solve a problem without a plan, and we do not have a plan. But as we wait to develop that plan, let's not take away what is there right now to help keep people from being hungry to literally starving.

When you cut a program like this by \$20 billion—by the way, a program with one of the lowest error rates of any Federal program that we have. I wish I could find a missile program that the Pentagon is championing that has a lower error rate than the SNAP program. It would be phenomenal, quite frankly. It would save billions of dol-

lars if the Pentagon ran their missile programs as efficiently as this program is run. Yet it has been demonized and it has been diminished. People have demagogued this program. All it does is provide people the ability to buy food; that's all it does. The fact that we would be taking away this safety net at this difficult time is something I don't think we should do.

To my Democratic colleagues who are saying that we ought to support a farm bill even though it has \$20 billion of cuts in it, we'll send it to conference and hopefully it will all get better, don't do that. Our priority, if it stands for anything—we have stood by and for those who are poor, those who are struggling, those who are vulnerable—let's not throw that away. Let's not trash our principles. This is not the bill that should be moving forward, not a bill that makes hunger worse.

I want to also call attention to the fact that I joined with Congresswoman LEE and others in taking the food stamp challenge today, and I just will remind you that this SNAP challenge that we took today means that we live on an average SNAP benefit, which is \$1.50 a meal and it is \$4.50 a day. I mean, how much does a Starbucks coffee cost? This is what people live on.

□ 1930

Critics will say this is meant as a supplement, not to be the entire food budget. Well, I'm going to tell you something: things are tough for a lot of people. This is their entire food budget. In fact, what they do is they utilize this modest benefit, and then they go to food banks and they go to their churches and they go to their charities and look for additional food because this doesn't provide enough.

And so those of us in Congress who are trying to call attention to the fact that this is an important program—and by the way, it's not an overly generous program. We are doing the SNAP challenge. Some say this is a gimmick, it's a stunt. Well, you know what? We're trying to call attention to a real problem in this country. And if you think it's a gimmick or a stunt, you take the challenge. You live on this for a week. You see how difficult it is. It's hard to be poor. It takes a lot of time to try to make ends meet, to try to put a grocery list together that will get you through the week. And we're doing it just for ourselves. Imagine doing it when you have kids. I'm a parent of a 15-year-old boy and an 11-year-old girl. I couldn't imagine the anguish of wondering whether or not I could put food on the table to make sure they have enough to eat. This is the United States of America. We should be trying to lift people up, not put people down.

Let me just say finally, none of us here believe that this should be a permanent condition. In fact, what we need to do is have a conversation about

how to extend these ladders of opportunity for people so they can climb out of poverty, so they won't need this, so they can be on their own, so they can have a job. That's why so many of us have been complaining about the fact that we have a lot of debates here on the floor, a lot of bills, but we don't seem to have many bills that deal with job creation. That's the answer. That's the answer. You want to get people off of SNAP, give them a job that pays a livable wage.

I'll just say in conclusion that I appreciate the opportunity to be able to highlight this issue. I'll tell you, I have spent an awful lot of time as cochair of the House Hunger Caucus meeting with people who are struggling in this country and meeting with families who have kids who are hungry. You meet a child who is hungry, it breaks your heart. You can't get it out of your mind. And that there are hungry children in this country—in this country—is something that should not be.

I would urge my colleagues on both sides of the aisle, let's come together and reject these cuts in the farm bill. Reject these cuts in SNAP, and let's try to figure out a way to restore those moneys so that people will not go without, and then let's have a farm bill that we can be proud of. If we cannot reverse the \$20.5 billion in cuts in SNAP, then there's no way we should support that farm bill. No way. Republicans and Democrats should join together and say no, we're not going to support a farm bill that makes hunger worse.

I appreciate this opportunity, and I look forward to working with the gentlewoman from California and others in trying to find ways to make sure that people in this country have enough to eat, and also make sure that we develop a plan to help people transition off of this assistance so they can be independent and productive like all of the people we know who are struggling want to be.

Ms. LEE of California. I thank the gentleman from Massachusetts very much for that very powerful and clear presentation, but also for what you do each and every day for the last 13 years. This is part of your life's work. So thank you very much for not only talking about why we need to not cut the \$20 billion, but also why we need to build these ladders of opportunity so that people can get a good-paying job and lift themselves out of poverty.

Congressman McGOVERN mentioned the food stamp challenge that many of us are taking: Congressman JOHNSON; our Congressional Black Caucus chair, MARCIA FUDGE; Congresswoman JAN SCHAKOWSKY; our Democratic Caucus vice chair, Mr. CROWLEY. Approximately 25 Members will be taking part in this food stamp challenge, in addition to who will speak next, the Congresswoman from the District of Co-

lumbia, Congresswoman ELEANOR HOLMES NORTON, because we need to raise the level of awareness of what is taking place not only here in Washington, D.C., in this body, but in the District of Columbia where we all have to thank Congresswoman NORTON, who is our representative during the week. We need to make sure that we recommit ourselves to fighting hunger, fighting poverty, and to not voting for this agriculture bill if the \$20 billion cut remains.

So, Congresswoman NORTON, thank you very much, and thank you for allowing us to be at your grocery stores today and to work with people in your district to really see and understand what is going on here in the District of Columbia.

Ms. NORTON. I thank the gentlelady from California for her consistent, heartfelt, energetic leadership on this issue for many years. And I see the gentleman from Georgia is here. I am so pleased he brought down his stash for the week. I had to ask him, Did you really get those bananas? He budgeted so well that he was able to stay within the \$31.50 for the week.

Now we've done this before, and I can tell you, it's not pleasant if you're really adhering to this budget. But we had an effect before. When Members joined together and took the challenge, we were able not only to keep the cuts from occurring, but to raise the level for those on food stamps.

I was interested to hear the gentleman from Massachusetts talk about the low error rate, something like 3 percent. I just sat through a committee hearing this morning, and the discussion was about how much waste and fraud reported in a 2011 report about the wars in Afghanistan and Iraq. They reported that about 30 percent was attributed to waste and fraud. Here we have poor people in a program with the lowest error rate I've seen in a long time.

I want to thank all of the Members who visited at what I call our neighborhood Capitol Hill Safeway at 14th and D Streets, Southeast, where we had the help of employees who helped guide us toward the least expensive food.

What we're talking about here is the House outdoing the Senate. The Senate bill already cuts \$4 billion. The House wants to up that five times. How much damage can we do and sit up straight and feel that we are worthy to be in the Congress of the United States?

We succeeded because of the stimulus in raising the per meal amount from \$1.40 a day—isn't that an amazing number—to \$4.50 a day. When I was going down the aisle, one of the clerks said to me, Don't you want to get some water? I said, God, go to the spigot, please. I hope people are not buying water on the food stamp challenge because you'll have to eat it. Bottled water is very expensive—and unnecessary.

We believe at least 20 million children will be affected, and 10 million of them are labeled in deep poverty. These people are going to be off the rolls altogether. The reason they are on food stamps at all is because in our wisdom, food stamps, SNAP, has become an entitlement. There are some on the other side who want to take that away from them. I don't know where poor people would be. TANF, for example, its rolls have not increased. So what people have at least been able to do is eat.

And let me tell you about eating. The calculation is that the monthly amount of food stamps will last you about 2½ weeks. If you're eating anywhere near what you should be on \$4.50 a day, it's going to last you, according to all the statistics, 2½ weeks. What do you think people do the rest of the month on a month's worth of food stamps that lasts 2½ weeks? They go to the churches or the food pantries. They get the rest of what they need from the pantries, which is why the charities' cupboards are bare. You go there, and even the food charities are begging for food because so many people are coming to the pantries because food stamps cannot sustain a family. These are the poorest people. So all we're trying to do is just try to raise the consciousness really right here in the House of Representatives.

□ 1940

If we got even where the Senate was, that would mean hundreds of thousands of people losing food stamps that have no other sustenance.

What more can we do to people on food stamps?

It seems to me we have hit bottom, with a provision in the Senate bill that seeks to ban certain ex-convicts from receiving food stamps for life.

Now, wait a minute. I understand—they list certain kinds of violent crimes, and it's very easy to get everybody worked up about giving them any food. I mean, if this is what you want to do to them, why don't you just give them a life sentence and leave them in jail where they'll be fed three meals a day.

But this provision means that if you committed one of these crimes, and they do mean only murders, rapists and pedophiles, so these are not people for whom anybody will speak up. If you've committed one of those crimes, even if it was a single crime, even if it was decades ago, even if you've been doing well—but, of course, if you committed one of those crimes you're not doing well, perhaps, so you may need food stamps. Not only would you not be permitted food stamps, but the family allotment would be decreased by your portion.

What are we trying to do?

By the way, don't they say they have a lot of Christians on the other side of

the aisle, Christian conservatives? Where are they? Where are they?

Aren't these the people that Jesus would have reached out to and said, let me feed you because nobody else will?

I just don't think that when you hit people when they're down as low as they can get, you ought to be proud of yourselves as a Congress.

We even find, among low-income workers, if I could make just one point, most of them try to keep from getting on food stamps. And you have some States going out and saying, Instead of going hungry, these are low-income people who work on the pantries—I think you're entitled to SNAP.

We had people in the streets here in the District of Columbia, just last month, who work in these iconic buildings, Federal buildings, for retail, and some of these are great big retailers, like fast food who pay them the minimum wage with no benefits. Guess who pays?

Those who, in fact, have some knowledge, supplement their low incomes with food stamps. And guess where they get their health care? You and me, the taxpayers.

Why are we allowing people to pay people so little that they depend upon the taxpayers to make up the rest?

So my good friend from California, I say to you, thank you for taking your usual leadership here and again, particularly your leadership on the SNAP challenge.

Don't feel sorry for us. We're going to have plenty to eat before and after. It doesn't begin, I think, until the 13th, for a week. We ask only that you think deeply about those who we will represent on this SNAP challenge.

I yield, and thank the gentlelady from California.

Ms. LEE of California. Let me thank the gentlelady from the District of Columbia, first of all, for working day and night on behalf of the residents of the District of Columbia.

Secondly, for really laying out additional impacts and how this \$20 billion cut and what the bill will actually do in a very negative way. I mean, the whole, all of the issues that you raised, many people don't even know are in the bills. And so that's why we try to beat the drum a little bit down here on the floor, and you certainly have awakened America in terms of what some of the really critical issues are in this bill. So thank you again for your leadership and your friendship.

How many minutes do I have left, Mr. Speaker?

The SPEAKER pro tempore. The gentlelady has 3 minutes.

Ms. LEE of California. Let me just conclude, before I yield to the gentleman from Georgia.

Now, I am a former food stamp recipient myself. Of course, I'm not proud of that, but I am. I didn't talk about it for a long time because of the

stigma associated with being on public assistance and on food stamps. But I decided a couple of years ago, when we started to see these tremendous cuts and assaults on these safety net programs, to really talk about my personal experience.

And I was going to college, raising two little boys who are phenomenal young men now raising their own families. But it was very difficult, very difficult. I would not be here if it were not for the lifeline that the American people extended to me when I was a single mother struggling to care for my kids.

No one wants to be on food stamps. I did not want to be on food stamps. Everyone wants a job. Everyone wants to take care of their kids and their family, but there are bumps in the road sometimes, and the economy hasn't turned around for a lot of people. And so that bridge over troubled waters, that needs to be there. You know, that needs to be there.

And so I hope that Democrats and Republicans reject these cuts. We need to stop sequestration. We need to start creating jobs and build these ladders of opportunity for people.

And I hope, and many of us hope, that the President will veto this bill if it gets off this floor with this \$20 billion cut because, first of all, it's morally wrong, it's fiscally irresponsible, it will hurt our economy, and we need to lift people, build these ladders of opportunity and lift the economy for all.

Let me now yield to the gentleman from Georgia for a concluding statement.

Mr. JOHNSON of Georgia. Thank you, BARBARA LEE. Thank you, ELEANOR HOLMES NORTON, for what you bring to the table to this Congress. And on behalf of your constituents, one of whom is me, during the week, as I'm a D.C. resident. I mean, I'm a D.C. native; I had to move to Georgia before I could come to Congress.

But anyway, Mr. Speaker, on behalf of the Safe Climate Caucus, and as a member of the Armed Services Committee, I'd like to take a moment to discuss two major implications of climate change for the Department of Defense.

First, climate change will shape the operating environment, roles and missions that the Department undertakes. It may have significant geopolitical impacts around the world, contributing to greater competition for more limited and critical life-sustaining resources like food and water.

While the effects of climate change alone do not cause conflict, they may act as accelerants of instability or conflict in parts of the world.

Second, the Department will need to adjust to the impacts of climate change on its facilities and infrastructure.

With that, after pointing out that we're spending \$3 billion on an east

coast missile defense system which is totally unnecessary, I will yield back.

The SPEAKER pro tempore. The time of the gentlewoman from California has expired.

Ms. LEE of California. Thank you, Mr. Speaker. SNAP works.

#### FREEDOM OF CONSCIENCE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 60 minutes as the designee of the majority leader.

Mr. FORTENBERRY. Mr. Speaker, tonight's discussion is not about politics. It's not about partisanship. It's about principle. It's about an American ideal, an ideal so common, so ordinary that we don't think about it very much; yet this ideal is essential to a well-functioning, orderly, and just society. In fact, it should define the nature of the relationship between the government and her people.

Mr. Speaker, when a person uses right reason and sound judgment when they believe something is right or wrong, that is a sacred space. That is called conscience.

Conscience is inextricably intertwined with the inherent rights and dignity of all persons. It is, therefore, only just that governing authority have the highest level of sensitivity to upholding and protecting the person's free exercise of deeply held, reasoned beliefs.

Mr. Speaker, I want to read two emails that I received from constituents back home. Katie, from Nebraska, says this to me:

Please do everything in your power to ensure that our hospitals, service agencies, and universities are allowed to carry out their work unhindered by laws that go against their conscience. I do not want to see good agencies and businesses shut down because they were forced to choose between the law and their conscience.

Karen McGivney-Lecht wrote to me and said this:

As a woman's health practitioner and as a Catholic, I need the ability to stay within my faith boundaries. I would be unable to work if I was required to provide the services this HHS mandate has imposed.

□ 1950

Now, Mr. Speaker, what are they talking about? What are they referring to? Let's take a few moments and unpack the issue here. Let's review the multiple layers.

The Department of Health and Human Services proposed a rule, commonly known as the HHS mandate, which will take full effect this coming August. This mandate, authorized by the 2010 health care law known as ObamaCare, would require all health care plans to cover in full—and consequently, every American—to subsidize procedures and drugs that many

Americans consider to be ethically divisive. Americans who cannot in good conscience comply with this mandate will now be subject to ruinous fines if they do not obey simply for exercising their First Amendment rights, exercising their religious freedom, exercising the deeper philosophical principle of the rights of conscience as rightly exercised by reasonable persons doing what they believe to be right, what they believe to be good, what they believe to be just.

Mr. Speaker, I simply find it difficult to understand how we can let this happen, how we got to this place in our country, how we can willfully cross a threshold that Republicans and Democrats of an earlier, wiser era sought scrupulously to avoid. For the first time in our history, Mr. Speaker, the new health care law provides the Secretary of Health and Human Services the discretionary authority to mandate the coverage of drugs and procedures such as abortion-producing drugs. Many Americans reasonably find these drugs and procedures controversial. In past times, they were considered to be electives. If a person or an organization didn't want to choose them, they didn't have to.

In 1993, Congress passed the Religious Freedom Restoration Act, a Federal law signed into law by President Clinton. The Religious Freedom Restoration Act ensures that Federal officials cannot reach into the private sphere to substantially burden the practice of religion. In view of the many philosophical and diverse religious perspectives in this country that all contribute to our vibrant civic culture, members of both parties, Mr. Speaker, worked to pass that important piece of legislation.

Now, however, we have the HHS mandate, which is clearly an affront to established law and precedent. Conscience protections in health care have always been championed by members of both parties since Senator Frank Church authored the widely popular Church Amendment in 1973 to protect objections of conscience to abortions and sterilization.

So, Mr. Speaker, what has changed? What has so dramatically changed in this body? We have lost our collective sense of respect for divergent views. We have lost our sense that the government must protect that sacred right of conscience and not coerce her citizens into doing something that they fundamentally believe is unjust or wrong.

While the HHS mandate is arguably a small component of the 2010 health care law, it does bring us face-to-face with a stark new reality here in Washington that we fervently hope will not become the new normal in America. We have recently heard of the discrimination against Americans by certain employees at the IRS, IRS employees targeting Americans because of their reli-

gious or philosophical or political leanings. The IRS is the very agency set to implement the new health care law.

Mr. Speaker, a good government must ensure that those in position of authority are committed to two principles: fairness and impartiality. These revelations about religious and political targeting have done much to undermine the public trust.

But, Mr. Speaker, the HHS mandate is also a form of discrimination. It primarily targets people in faith communities, the very people who have been the backstop of compassionate care for the poor, the vulnerable, and the marginalized in our society today.

When the new health care law was under consideration, it was said that if you like your health care, you can keep it. Now, however, we are finding out that you may not be able to keep your health care plan. You may not be able to keep your doctor. You may not even be able to keep your own faith traditions, given this governmental threat.

Mr. Speaker, no American should be forced to choose between their conscience and their livelihood. No American should be forced to choose between their faith and their job. No American should be forced to choose between their deeply held, reasoned beliefs and the law. That's a false choice. It's un-American, and it's wrong.

I want to thank my colleagues who have joined me tonight to share other stories of Americans who are deeply concerned about the impact of this mandate upon them, but who also, I think, are going to discuss the very purpose of our government, which, at its core, should be to protect the dignity and the rights of every person, beginning with the fundamental right of the reasonable exercise of conscience. Mr. Speaker, this is not some theoretical debate. This is about the preservation of our way of life, the ability to work as we choose, the ability to serve as we see fit with what should be support from our government.

With that said, I'd like to now call upon and yield time to my good friend, JOE PITTS, who heads the Values Action Team, who has been a stalwart leader for years upon years now for basic protections for the most vulnerable and the calling forth of leadership in the whole arena of human rights. JOE PITTS is from Pennsylvania. He is a Vietnam war veteran. He flew 116 combat missions in service to our country.

JOE.

Mr. PITTS. Mr. Speaker, I want to thank the gentleman from Nebraska (Mr. FORTENBERRY) for his outstanding leadership on this issue that we're discussing tonight, the right of conscience. And I come tonight to the floor with alarm over how this administration is trampling on our First Amendment rights.

Freedom of assembly means that Americans can come together to petition the government, but the IRS has targeted conservative groups for extra scrutiny, throwing up roadblocks to their organization.

Freedom of the press means that journalists can work on stories without government interference, but the Justice Department subpoenaed multiple telephone numbers for the Associated Press and investigated a FOX News journalist as a "coconspirator."

Freedom of religion means that the government does not get to tell you to violate your beliefs, but ObamaCare is forcing even explicitly religious employers to provide services they have moral objections to.

Our freedoms are clearly under assault by government bureaucrats who claim that they know what is best for all Americans. Over 60 organizations around the country, nonprofits and businesses, are suing the Federal Government to protect their rights.

One of those businesses is located in my district, in Lancaster County, Conestoga Wood Specialties of East Earl, Pennsylvania. For nearly 40 years, this family-owned business has made high-quality doors and wood components for kitchen cabinets. They provide over 950 quality jobs in my district. The owners have provided good health insurance that comports with their Mennonite beliefs for their employees, but now they are being coerced into providing government-approved health care, required to pay for products that include abortion-inducing drugs and sterilization.

Anthony Hahn, President and CEO of Conestoga Wood Specialties Corporation, said this:

Being told that we must provide a health plan that includes a provision that violates the Christian beliefs of our family and the Christian values that our company was founded on is deeply troubling. Forcing Americans to surrender longstanding, deeply held principles in order to own and run a business is not merely troubling but unnecessary and unconstitutional.

And they've gone to court over this.

□ 2000

Americans should not have to sacrifice their religious rights when they enter the marketplace. ObamaCare would fine Conestoga Wood Specialties up to \$36,500 per employee per year—\$34 million a year for not providing government-approved insurance, but only about \$2 million for not providing any insurance at all. This is madness. Clearly, this law is out of control.

Conestoga and many others are fighting for their rights in court, but here in Congress, we too have an obligation to defend the Constitution.

The Founding Fathers established a Bill of Rights because they knew that the government would always be tempted to abuse its power. Democratic elections do not protect the

rights of unpopular minorities. In fact, all too often an unbound democracy becomes a tyranny of the majority.

The bureaucrats at the HHS may feel that they know what is best for all Americans, but being an American means the freedom to decide on your own, to let your convictions guide your life. What kind of Nation will we be when the IRS decides who gets to assemble, when the Department of Justice decides who reports the news, and when HHS decides what religious beliefs are worthy of First Amendment protection?

I'm not a Catholic. I'm not a Mormon. We don't share the same ideas about what is morally objectionable on everything, but I do not believe that my ideals should be forced on them. Under ObamaCare, we can't choose our doctor; we can't choose our health insurance plan. Now we lose our First Amendment rights.

At one time Pennsylvania was perhaps the only place in the world where people could freely practice their religious beliefs without fear of persecution. In a world where people were killing each other over theology, William Penn established a safe harbor in our colony, and Penn's once radical idea became the foundation for our Nation's concept of religious freedom.

The actions of the HHS remind us that our rights are not guaranteed. We must stand up and protect them. We must continually demand that the government respect that which has been granted to us by God. And I'm proud to stand with my colleagues tonight in defense of religious freedom, to stand with my constituents at Conestoga Wood Specialties.

We should pass the Health Care Conscience Rights Act and make it clear that this House of Representatives will not stand by while minority religious beliefs are under attack. What a sad day for America when our fundamental rights like religious freedom and freedom of conscience are under attack by the heavy hand of government. We must pass this bill.

Mr. FORTENBERRY. Thank you, Congressman PITTS, for your forceful words and your leadership. We're very, very grateful.

I would now like to call upon my good friend, Dr. JOHN FLEMING from Louisiana. As a dedicated physician who cares deeply about the health care system in our country, I know you can provide us with extraordinary insights into the problems with the implementation of the new health care law. But I think it's important to point out that you are one of the lead cosponsors and a coauthor of the Health Care Conscience Rights Act, and we are very grateful for your leadership as well.

Dr. FLEMING.

Mr. FLEMING. I thank the gentleman from Nebraska (Mr. FORTENBERRY) for bringing us together this

evening with a number of colleagues talking about an extremely important topic today, and that is health care conscience rights. You've heard some of the major points here, and I'm going to touch on more.

On August 1, 2013, the administration's coercive health care mandate will take effect. It will force religious organizations, American family businesses, universities, and countless others across the great country of ours to violate the deeply held moral and religious beliefs that we have. The HHS mandate is a serious affront to religious freedom and leaves American businesses, nonprofit religious organizations, and individuals with three terrible decisions.

First, they could violate their conscience and religious convictions and comply with the mandate, purchasing and providing items and services they find morally objectionable.

Second, they could resist the mandate, not complying with the Federal regulations, and face fines up to \$100 per employee, per day.

Or third, they could drop employee health coverage altogether—which defeats the purpose, the basic idea of ObamaCare to begin with—leaving employees to fend for themselves and still pay a Federal fine of \$2,000 per employee, per year, according to the business that employs that person.

These are not actually choices, but a top-down, burdensome Federal regulatory scheme that forces the American public to participate in a government-run health care plan that violates their values.

Who are we talking about? Who will be affected by the HHS mandate? Mr. Speaker, to date, 61 cases and over 200 plaintiffs have filed suit against the Federal Government to preserve their First Amendment right of freedom of religion. One of the nonprofit lawsuits was filed by Louisiana College, a private Baptist college in Pineville, Louisiana just outside of my district.

Offering degrees in art, music, science, nursing, social work and teaching, this central Louisiana school has over 70 programs of study, has a student enrollment of about 1,500 students, and a faculty/student ratio of 13-1.

The HHS mandate requires that Louisiana College provide employee health insurance covering abortion-inducing drugs and counseling on the use of such drugs. This, Mr. Speaker, is a violation of Louisiana College's belief that all life is sacred, including the life of the unborn.

Who else? Hobby Lobby is another example of a well-known business throughout the country—we have 11 stores in Louisiana—employing more than 2,000 people in 41 States. The business practice of Hobby Lobby mirrors their religious principles. Their hours of operation are family friendly, and

they are closed on Sundays. Employee pay is important.

Well, what is the anecdote to this problem created by ObamaCare and the rules rolled out of this administration? I'm going to just quickly touch on them, and then yield back to my good friend from Nebraska.

Section 3 provides much needed protections to ensure that the Federal Government cannot force individuals, charities and businesses to buy plans for their employees that provide or facilitate coverage of items or services to which they have a deeply held moral or religious objection.

Section four provides much needed protections to ensure that any government agency that receives Federal funds cannot force pro-life health care entities to be complicit in abortion or discriminate against them because they are pro-life.

Section 5 of the Conscience Rights Act amends title II of the Public Health Service Act. It includes a private right of action for victims who have been discriminated against. You see, at this time, Mr. Speaker, people who are discriminated against, or coerced or forced in some way by this mandate don't have access to courts. This opens up a private right of action so that those of us who may object through our conscience will have our day in court.

Just in conclusion I would like to say, Mr. Speaker, that ObamaCare has provided many, many problems and really no solutions. But there are even unintended consequences, and that is forcing people of conscience to have to make that decision on whether to end providing certain care for their employees or for their—really to their patients—or suffer large fines, or just give up on health care coverage at all for their employees.

I think it's time that this country comes together and decides, let's make health care attractive and affordable and protect life, and protect those who want to protect life, and not have this top-down, bureaucratic, coercive system that's now in law that will require many of us to do many things against our conscience. That is simply un-American.

With that, I thank the gentleman for his time today.

Mr. FORTENBERRY. Dr. FLEMING, thank you as well for your leadership. To know that you gave up a medical practice to enter into public service and stand here today defending this deep, essential American principle, the rights of conscience, and as it affects those who are most vulnerable in our society, is frankly deeply moving to me and I'm grateful for your leadership. Thank you so much.

I would now like to call upon my good friend, Congressman CHRIS SMITH from New Jersey. And if you don't mind me calling you the "Dean" of the



tireless efforts on behalf of so many of us to fight for human rights and the poor and the marginalized around the world. Your tireless efforts have been an extraordinary example to me, and I'm very, very grateful not only for your mentorship, but for your friendship.

Congressman SMITH.

□ 2010

Mr. SMITH of New Jersey. Mr. FORTENBERRY, thank you for your extraordinary leadership. This has been a very tough fight. You have been walking point, and doing it with great class and with great precision. I think your opening comments for this Special Order which you have sponsored just summed up the issue so eloquently. I want to thank you for your leadership. It is making a difference. And while we may not have success on the short-term, I do believe on the intermediate and long-term we will prevail over time, and I thank you for your leadership, Mr. FORTENBERRY.

Mr. Speaker, President Obama today is using the coercive power of the state to force tens of millions of people of faith and people of conscience to violate a fundamental conviction or suffer a severe penalty. What Mr. Obama has done is unconscionable, unprecedented, and violates religious freedom. By coercing all insurance plans, including those offered by faith-based institutions, to pay for drugs and devices that are contrary to their deeply held beliefs, including subsidizing abortion drugs like Ella and Plan B, President Obama demonstrates a reckless disregard for conscience rights.

Everyone must comply, regardless of moral convictions or religious tenets, simply because his administration says so. Mr. Obama's means of coercing compliance—absolutely ruinous fines of \$100 per day per employee that total up to over \$36,000 per year per employee. Just people listening at home, our Members who may be listening to today's important Special Order, \$36,500 per employee per year.

When faith-based organizations refuse to comply, Obama's mandate will impose incalculable harm on millions of children educated in faith-based schools, as well as the poor, the sick, the disabled, and frail elderly who are served with such compassion and dignity by faith-based entities.

Even Notre Dame, which heaped praise and honors and an honorary degree on President Obama in 2009, will be crushed by this cruel mandate. Astonishingly, it was President Obama in his 2009 speech at Notre Dame University, who said:

Let's honor the conscience of those who disagree with abortion and draft a sensible conscience clause.

Mr. Speaker, another promise broken; more empty, misleading rhetoric from the President who has excelled at that.

Mr. Speaker, the fact of the matter is approximately 4,600 employees are covered under Notre Dame's self-insured health plan, which means that Notre Dame will face fines of over \$100 million a year when they refuse to comply with the Obama mandate.

If Mr. Obama's attack on conscience rights isn't reversed, faith-based employers will be discriminated against and fined, and employees who today benefit from health insurance plans provided by their faith-based employer will be dumped into government health exchanges. And even when they do that, the fines to faith-based organizations are also without precedent. If a faith-based entity scraps its own insurance coverage because of the Obama mandate, they are then fined \$2,000 per employee.

Mr. Speaker, Mr. Obama's attack on conscience rights fits a dangerous emerging pattern. The United States Conference of Catholic Bishops had a Federal grant to assist human trafficking victims under a law that I wrote, known as the Trafficking Victims Protection Act of 2000, and did an absolutely superb job, according to all professional reviews, assisting trafficking victims in this country. In 2011, however, the USCCB, or the Conference of Catholic Bishops, was blatantly discriminated against and thrown out of the program simply because they would not refer for abortions. That was it. Throw it out of the program.

The Health Care Conscience Rights Act reasserts and restores conscience rights, Mr. Speaker, by making absolutely clear that no one can be compelled to subsidize certain so-called services in private insurance plans contrary to their religious beliefs or moral convictions.

Again, I want to thank Mr. FORTENBERRY. He had introduced the legislation in the last Congress and was the first individual in this House to come out of the blocks to recognize just how damaging the Barack Obama anticonscience initiative really is. We need to move on this. We need to protect those men and women of conscience, those of religious belief who will not bow and will not go in the direction that this administration is demanding.

Mr. FORTENBERRY. Thank you, Congressman SMITH, for your very powerful words. I think, before you leave, I should say this. We also value your leadership. For decades now you've stood in this House well, even when it wasn't the most popular thing to do—as it isn't now—to talk about that which is right and just, that which is higher and good, to, in a sense, provoke the conscience of this body to a more meaningful engagement. So I want to thank you again for your strong leadership.

Let's turn now to my good friend Dr. BILL CASSIDY, another physician in the

House of Representatives, from Louisiana. Again, like I told Dr. JOHN FLEMING, I think it's important that everybody knows that you left a medical practice to enter into public service, and we're very, very grateful for the example you've provided, and your leadership as well. I know you have some broader concerns about the issue of conscience and religious freedom, so we look forward to hearing your comments.

Mr. CASSIDY. Thank you, Congressman FORTENBERRY.

Mr. Speaker, a couple of things. First, I associate myself with the remarks made by my colleagues. I think that there is a concern regarding our religious freedoms here in the United States.

But for just a moment, I want to draw the attention of those watching and the Speaker to an issue of Pastor Saeed Abedini. He is an American, originally from Iran, who is now incarcerated for 8 years—this is his sentence in Iran—for crimes, as they defined it, that happened 13 years ago. This is a question of religious freedom which involves an American citizen who happens now to be abroad.

Pastor Abedini is 33 years old, was born in Iran, and there converted from Islam to Christianity. Here, that would not be a big deal because we have religious freedom. Theoretically, so does Iran.

In his early twenties, he helped start house churches. It was legal to do so. At some point, he moved to the United States and married his wife, who I gather her family also is originally from Iran. They have two children and they live in Idaho.

He went back to Iran to work on a nonsectarian orphanage. He was arrested by the state police and incarcerated, at first they said for activities disruptive to the state. Now they apparently are attributing it to his work in house churches around the year 2000. But he has been incarcerated in prison and is tortured. He's been taken to the hospital on a couple of occasions. The physician recommended that he be admitted to a hospital. The Iranian Government will not allow it. He went to seek medical care on another occasion. The nurse refused to touch him saying that because he was a Christian, or if he had been Baha'i, either, she would not touch him.

So here we have a fellow, an American, who is being imprisoned for activities which happened 13 years ago in a country which is a signatory to the UN Declaration of Human Rights in which someone may have religious freedom.

Now, it is upon we, as Americans, if you're a person of faith, to pray for the Abedini family. If you're a person not necessarily of faith but just believe in human rights, this is something which should be incredibly important to you.

If you're just a person who has compassion for a 33-year-old man whose wife and two children are here alone as he is being imprisoned and tortured for no other crime than attempting to start an orphanage for children who might not have another option, even that would offend someone who is of no faith whatsoever.

So what can we as Americans do? One, we have to draw attention to it. We have a resolution that has been submitted that calls upon the U.S. State Department to intervene on his behalf—and, in fairness, the State Department has attempted to do so in the past, but there is some feeling they could do more—and for the Iranian Government to free him.

So one, we have this resolution before Members of Congress. If you're watching this, ask your Member of Congress to sign on to this resolution. It has bipartisan support now.

□ 2020

Number two, contact our State Department and ask them to redouble their efforts to free Pastor Abedini.

Number three, include him and his family in your prayers. We can only imagine if our loved ones were abroad, in prison, being tortured, without access to health care, and what that would mean for both wife, children, and also parents.

Lastly, join us all in admiration for a man in his commitment to the people whom he loves, who was willing to risk something that he knew might be a possibility as he was living out his faith, caring for those, treating those as he would have them treat him but, as an impulse of his faith, going to those who were otherwise without care.

So thank you for allowing me to speak on behalf of Pastor Abedini, and I thank you for having this discussion of religious freedom here tonight.

Mr. FORTENBERRY. Thank you, Dr. CASSIDY, for your powerful words as well.

As you were speaking, I was reminded of the fact that this is America. We disagree with what the President and the Secretary of Health and Human Services have done with health care, particularly imposing this harsh mandate. We need the right type of health care reform, but one that is going to protect our liberties and not simply shift more unsustainable cost and spending to the government.

Those are the normal debates that we have, but we have that debate, and we can have it right here without fear of that type of retribution that so many people in other places have who are exercising their deeply held beliefs, their rights of conscience, their faith perspectives; but they do so under grave threat. This is still America.

Mr. CASSIDY. The United States has historically been a beacon of human rights to the rest of the world, and so

it is no accident that a fellow comes to the United States seeking religious freedom.

I think the undertone of what others here have spoken is the sense that some of our commitment to religious freedom is under siege by forces of secularism. Now, you can be secular if you wish; but nonetheless, the First Amendment says that the right to practice religion shall not be infringed upon. So with all of these kinds of trimming at the margins, at the edges, of someone's ability to practice her faith or his faith, one, it affects us, but, two, it also affects our standing in the rest of the world in our ability to advocate for those who do not have the same freedom as we.

If others see our example as substituting religious freedom for something which is less so, how much less will our beacon be dimmed? That will have tragedy, not only for us, but also for them.

Mr. FORTENBERRY. That is an outstanding point to make. It's something, as I tried to state earlier, that we so take for granted—our rights of conscience as we exercise them through faith, through prudential judgment in our everyday lives. It has been embedded in our culture and, therefore, in our government until very recently, until this measure has come along and is coercing people unjustly into violating that sacred space, that right of conscience.

By the way, this is not just people of faith who are speaking out. Other persons of goodwill can see the fundamental principle here in that, if we erode that, we are eroding something that is essential to human dignity and the very flourishing of democratic ideals, themselves. So thank you for pointing that out.

The gentleman from Michigan, if you are ready to speak, I'd love to hear from you.

Congressman WALBERG is a good friend, who has been here a long time, again, championing these issues, standing up for what he believes to be right and just, and being a good partner in trying, as well, to exercise his rights of good conscience before this body about what is essential and good.

So thank you, Congressman WALBERG, for coming tonight.

Mr. WALBERG. I thank the gentleman from Nebraska. I thank you for your leadership, and I thank you for the opportunity to stand with principled legislators. We are not talking about parties here. We are talking about people who understand rights and responsibilities.

The First Amendment to our Constitution says so clearly that Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. Tonight, we are talking about rights of conscience. Our First Amendment liberty affirms that

for us. It affirms us for greater principles than just political or even governmental.

In approximately the year my father was born, 1903, Abraham Kuyper, a theologian—and I take great comfort in the fact that theologians sometimes aspire to political life in coming from the pastorate myself and pastoring for over a decade—this theologian who became the Prime Minister of the Netherlands, said:

When principles that run against your deepest convictions begin to win the day, then battle is your calling, and peace has become sin. You must at the price of dearest peace lay your convictions bare before friend and enemy with all the fire of your faith.

That's a powerful statement. It's a statement that, I'm sure, Mr. Kuyper would have said to his brethren in the Netherlands is not coming simply from my religious convictions but, rather, is coming from my conviction for freedom and the right given us by the Creator God. So he fought. Sadly, as we know the course in the Netherlands, they've gone away from the freedom of life, and we know the impact upon the unborn. We know the impact upon the infirm. We know the impact upon the elderly. We know the impact upon the frail, upon the disabled in the Netherlands. Their lives are cast off. Their lives are not as secure.

So here tonight, Mr. Speaker, we stand for rights of conscience that go way beyond just issues of medicine and issues of government. It goes to the core of life and to the sanctity of it and to the humanity of each and every individual.

We have talked about some people and about their convictions of things like life, abortifacient, contraceptives, and people who are compassionate to businesses and compassionate in using their businesses for the good of people, like the Greens already referred to with Hobby Lobby, who allegedly have given over \$500 million to charities and who give to their employees and benefit them and see that as an outflow of their religious life as well;

Or we go over to St. Louis, where Chris and Paul Griesedieck, who run a 105-year-old business that they've carried on from their father and grandfather, with 150 employees who have taken stands for their religious beliefs, as well, and have very clearly stated that they will not abandon their beliefs in order to stay in business. The impact is upon all of their people;

Or we look at an 85-year-old gentleman by the name of Charles Sharpe, also from northeast Missouri, who has made millions in the insurance business, but who took that and founded Heartland Ministries in 1992, providing rehabilitation services to men and women who are battling drug and alcohol addiction, and employing 170 employees. Yet if this HHS mandate comes down on them, those employees

will lose their jobs because of millions of dollars in fines.

I can go to businesses in my district like Eden Foods, which has challenged the insurance rule on religious grounds; or a garden center in Oakland County, Michigan doing the same—employing many, many employees and providing benefits—and is now being challenged with this HHS mandate. I could go on and on.

Mr. Speaker, it is time for us who understand what America is about to stand firmly with our convictions and to uphold liberties that go way beyond ourselves. Our Framers and Founders understood that. John Witherspoon said that a Republic once equally poised must either preserve its virtue or lose its liberty.

We are losing our liberty.

John Adams—and I close with this—the second President of the United States said that our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.

Mr. Speaker, the people of the United States are great people, and this government is a great government; but when the attack comes on what makes America America—its liberty and its freedom and its moral and traditional value heritage that is now being impinged upon to the point of violating rights of conscience—we must stand and stand firmly.

So I thank the gentleman from Nebraska for pulling us together so as to speak out clearly tonight; and I would hope, Mr. Speaker, that those who are listening and watching tonight on C-SPAN will speak out very strongly to their communities and their families, calling us back to decency, order, conviction—and a conscience that even God can honor.

□ 2030

Mr. FORTENBERRY. I thank the gentleman from Michigan for his thoughtful and powerful remarks. I particularly noted what you said, that the rights of conscience go way beyond the issues of health care. That was very well put. Thank you very much for your leadership on this issue, as well.

I want to turn now to Congressman DAN LIPINSKI and yield time to him.

As I said earlier in the beginning of this hour, this is not about politics and it's not about partisanship. It's about principle. Congressman LIPINSKI and I do not share the same party affiliation, but we share this principle. He has been one of the key lead cosponsors on this initiative, the Health Care Conscience Rights Act, and has stood, as well, side by side in helping to promote this effort to revive an understanding of this fundamentally American principle that transcends the philosophical differences we tend to find with the pushing and shoving that go around here.

So I'm very grateful, Congressman LIPINSKI, for your willingness to come tonight and speak with us.

Mr. LIPINSKI. Thank you, Mr. FORTENBERRY. Thank you for yielding and leading us here tonight. I'm glad to join you here from this side of the aisle.

Mr. Speaker, religious freedom is our first freedom, as stated right there in the First Amendment. This is not just freedom to worship as we hear it defined now in many ways. It is not just freedom to worship in our own homes, in our churches, synagogues, mosques, temples. It is freedom to practice and live out religious faith here in America.

On June 21 through July 4, the U.S. Conference of Catholic Bishops is having a Fortnight for Freedom to pray, educate, and act for religious freedom. But this is not just a Catholic issue. This is an issue for all Americans. It's an American issue. Just as you said this is not just a Republican issue.

Freedom is what our country was founded on. We just recently commemorated Memorial Day for all of those who have died for our country and for freedom. Friday is Flag Day. Again, we'll be remembering what America is all about in our freedom. And on the Fourth of July, we celebrate the freedom that our country was born to serve and to live out and be a beacon for the rest of the world. We need to uphold that freedom, and the HHS mandate, amongst other efforts, other things that have been done by the Federal Government, unfortunately, in recent years has really run counter to freedom.

Mr. Speaker, I want Americans to understand what this is about. It's not about birth control or abortion, although we were told in the health care law, ObamaCare was not going to cover abortion, though we know the HHS mandate requires the abortion-inducing drugs. But that's not what the core of this is about. It's about freedom. It's about taking away Americans' freedom, requiring them to participate in activities that violate their conscience.

Unfortunately, I think there's been a lot of misdirection on this, and I think it's important for all of us to focus back on what this is about. It's about freedom for all Americans to live their lives according to their conscience, whether or not they are practicing faith or not. It's to live according to their conscience.

So, Mr. Speaker, I just am very happy to join with my colleagues in helping to support, protect and call upon Americans to speak up, rise up and bring that message to Congress, to their Representatives, that freedom must be protected. We must do it now. We cannot continue to let freedom slip away. And I'm very happy to join my colleagues tonight.

Mr. FORTENBERRY. Before you leave, Congressman LIPINSKI, let me

first of all say thanks. I'm very deeply grateful to you for two things. One is your personal friendship. The second is the gift of your leadership on these essential American issues. I think most American people want to see what we just did: Republicans and Democrats standing right here and focusing on that which can be constructively achieved for the greater good. So for you providing that example of strong bipartisanship in this effort, I'm very grateful. Thank you so much.

Mr. Speaker, may I inquire as to how much time we have remaining.

The SPEAKER pro tempore (Mr. COOK). The gentleman has 12½ minutes remaining.

Mr. FORTENBERRY. Mr. Speaker, now I'd like to turn to my new friend, Congressman MARK MEADOWS, from near Ashland, North Carolina. He was newly elected for this Congress. And I'm just going to say this—and I hope this doesn't embarrass you—I consider you a rising star. Your thoughtfulness, your immediate engagement on that which is most important around here, your willingness to look for good outcomes, to me, has been a great example.

So we are grateful for your willingness to come tonight, and I turn it over to you.

Mr. MEADOWS. I thank the gentleman from Nebraska, and I, too, would echo just the fact that we're friends. And I appreciate your leadership on this and the heart that it represents.

Mr. Speaker, I rise today to join with my colleagues in strong opposition to the Obama administration's attack on our fundamental religious freedoms that we have, our First Amendment rights that must be protected.

This HHS mandate that has been mentioned many times tonight is an unprecedented government overreach that forces charities and businesses to buy plans for their employees and provide coverage in areas that violate their deeply held religious beliefs.

We've already heard about Hobby Lobby and the fact that they're facing fines of some \$1.3 million a day just for believing and upholding those values that they hold dear. And I'd love to say that I wish that it was just with ObamaCare that we're having this attack, but it's not.

Throughout our Nation, we're seeing our religious liberties being attacked in a number of areas. In New York, the school board has been working there for two decades to block Bronx Household of Faith from meeting in a public building for their worship services on Sundays.

In Montana, we see that Canyon Ferry Road Baptist Church faced election law charges just for a volunteer passing out petitions to place a marriage amendment on a Montana ballot.

In Louisiana, we saw a Federal contractor order Calvary Baton Rouge

Church to stop feeding people who were left homeless during Hurricane Katrina's aftermath just because the group offered voluntary prayer service and Bible studies.

These are painful examples, Mr. Speaker. But one that comes home to me—and I'll share this and close with this—in my home district, a 6-year-old writing a poem about her grandfather who served our country honorably put in there that he prayed to God for peace and he prayed to God for strength, and yet they wanted to strike the word "God" from that poem.

We have created a culture that, quite frankly, we cannot continue to support. We must stand up and stand against it. So tonight I join with so many of our colleagues, and those who are watching, I hope that you will understand the true point to which we've come that we must stand up and fight.

In the rotunda of this very building is a painting of the Mayflower where they had a particular person there, William Brewster, who had a Bible open. The foundation of our country was really about religious freedoms, and we have it there as a reminder of that. To me, that's got a special meaning because William Brewster, holding that Bible there for those freedoms that we must hold dear, is my 11th great grandfather. I'm a direct descendent of that. So today I am here joining with him and my colleagues to say that we must stand and we must fight back and make sure that we protect this freedom and not yield.

With that, I thank my friend and colleague.

Mr. Speaker, I rise today in strong opposition to the Obama administration's attacks on our fundamental First Amendment right to religious freedom.

The HHS mandate is an unprecedented government overreach that forces charities and businesses to buy plans for their employees that provide coverage of items or services that violate their deeply-held religious convictions.

Individuals, non-profits, and businesses that fail to comply will face massive fines.

We're already seeing this happen with Hobby Lobby, facing fines of up to \$1.3 million a day because of refusing on religious grounds to include abortion coverage in employee healthcare packages.

Organizations that do not comply with the mandate will face fines of up to \$2,000 per employee per day. Those who can't pay may have to make the incredibly difficult decision to drop insurance coverage for their employees. This administration has made it more costly to defend and protect our religious freedoms than it is to provide healthcare.

Americans should never be penalized like this simply for following their conscience.

Violations of religious liberty aren't just limited to Obamacare, however.

Throughout our nation, we are seeing an increase in attacks on our religious liberty:

In New York, the school board has been trying for nearly two decades to block Bronx

Household of Faith from meeting in a public school building for worship services on Sundays.

In Montana, Canyon Ferry Road Baptist Church faced election law charges after a volunteer passed out petitions to place a marriage amendment on the Montana ballot.

In Louisiana, a federal contractor ordered Calvary Baton Rouge Church to stop feeding people left homeless by Hurricane Katrina because the group offered a voluntary prayer service and Bible study.

And the list continues.

These violations of religious freedom are becoming more frequent because our government is sanctioning this type of discrimination against people of faith.

Religious liberty does not simply mean allowing people to attend a worship service. It protects the fundamental right to—live all aspects of our lives in a way that is consistent with our religious beliefs.

Religious freedom, often referred to as our "first freedom," is one of the bedrocks that make America such a tremendous nation. Our Founding Fathers knew a country could not flourish without defending this fundamental truth.

Thomas Jefferson emphasized the value of freedom of conscience when he stated that "no provision in our Constitution ought to be dearer to man than that which protects the rights of conscience against the enterprises of the civil authority."

Throughout our history, Americans have been able to freely choose and live out their faith, abiding by conscience in their day-to-day lives.

Yet, through the mandate, this administration is now telling Christian business owners to check their faith at the door and comply.

And which agency will be tasked with ensuring that businesses comply with the mandate? None other than the IRS, which has already admitted to targeting organizations for their beliefs.

In the 11th District of North Carolina, my constituents continue to voice their concerns to me about these dangerous infringements on religious liberty. They want to ensure that our fundamental freedoms are protected, not trampled on by our government.

Our heritage, from the Mayflower until today, has been rooted in protecting our religious freedoms. [William Brewster]

This administration's decision to disregard our fundamental right to religious liberty cannot be ignored.

□ 2040

Mr. FORTENBERRY. What a powerful and beautiful story you shared with us. I had no idea about your family being one of the founding families of this country. And now 13 generations later, you stand here with the mantle of authority now on your shoulders directing the affairs of state. That has to be very gratifying and a proud moment for your entire family, but it is also proud for me to know because I consider us to be good friends. Thank you so much for your comments.

I now recognize my friend, the gentleman from Kansas (Mr. HUELSKAMP)

for a few thoughts on the subject. Thank you as well for your tireless and strong leadership on the fundamental principles of protecting that which is necessary for all of us to understand at the core, where our liberty comes from.

Mr. HUELSKAMP. Thank you, Congressman FORTENBERRY. It is a pleasure to be here. I will warn you, as I will warn those who are listening, I'm going to try to be frank. And obviously, short, candid and truthful. But I think it may be uncomfortable to hear what is happening.

Simply put, the HHS mandate is a religion tax. You heard me right. If you morally or ethically disagree with the abortion, drugs, contraception, sterilization, it doesn't matter, under the President's health care plan, you will pay for it for your employees, for your family, and for yourself even if you don't want it. If you dare to follow your conscience and actually practice your faith and refuse to participate, you will be fined. You will be taxed. You will be forced to give your hard-earned money to Washington, even if you morally disagree.

That, my fellow Americans, is a religion tax; a faith tax; a tax on conscience; a tax on our freedom of religion. It's a shocking attack on that first right in the First Amendment, the right to believe in and follow the God we choose. As of now, there have been 31 lawsuits by nonprofits filed over the HHS mandate, another 30 lawsuits filed by for profit. These include hospitals, businesses, charities, religious colleges, Catholic dioceses, and many others. Let me illustrate the impact, particularly with Catholic services.

One in six patients in America are treated in Catholic hospitals. Catholic Charities provides an estimated 334 orphanages, feeds millions of Americans each year, serves thousands of our homeless each year, and the mandate punishes these individuals for feeding the homeless, takes away help for the sick, starves the hungry, and punishes the entrepreneur. Since the initial announcement, the administration has issued multiple updates claiming to modify the mandate. These are simply deceitful smoke screens. And even if some accommodation did exist in the language, the First Amendment is to be protected, not accommodated.

It's kind of like accommodating our freedom of speech by saying you use your freedom of speech on Sunday, Monday, and Tuesday, but Wednesday, Thursday, Friday, and Saturday, that's probably not permitted. We should ask ourselves: How can the beacon of freedom known as America become home to religious intolerance on such a massive scale?

Frankly, there is a war on religious liberty in this country, and there is no one to ride in defense. It is up to us. We must be ever-vigilant in defense of our God-given rights. We must be ever-vigilant in safeguarding the protections in

law for those rights. We must be ever-vigilant in standing for that first right of that First Amendment, religious liberty.

Thank you for your leadership, Congressman.

Mr. FORTENBERRY. Thank you, Congressman HUELSKAMP. I know you have to run. We are very grateful you were willing to share those powerful sentiments tonight.

I turn now to Congressman JIM JORDAN of Ohio, a former national championship wrestler in college, who now wrestles with some of the toughest issues right here on the House floor.

Mr. JORDAN. I thank the gentleman for yielding, and thank you for your leadership on this most fundamental, most basic of issues.

You think about the folks who started this place, this experiment in freedom we call America. In Europe they said you have to practice your faith a certain way. And they said, No, we don't, and we're willing to risk it all. We'll get on a boat and risk everything and practice our faith the way we think the good Lord wants us to. And they did. They risked everything to come here for that fundamental principle.

This experiment in freedom we call America, the greatest nation in history, was founded on that simple, yet basic and profound principle.

The document that started it all—it's probably been talked about, I haven't been here for the whole hour—but the document that started it all, the Declaration of Independence:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights.

The document that started this experiment in freedom started with this simple concept that there is a Creator, and that's where we derive our rights from. Not gifts from government, not grants from government, but gifts from the Creator. Gifts from God. And here's why this is so important: because this attack on this basic and most fundamental principle is not isolated.

Think about what we are witnessing in this country today regarding so many of your liberties. Start with the one we are talking about tonight, the most basic, your First Amendment right to practice your faith the way you think the good Lord wants you to. There is an attack on our First Amendment religious liberty rights. But there is also a First Amendment attack on freedom of the press. We now know that what this Justice Department did relative to Mr. Rosen, First Amendment attack on freedom of the press. There is a violation, an attack on your First Amendment rights to free speech, political speech, as evidenced by the IRS issue. There are attacks on your Second Amendment rights. And as we just learned this past week, potentially

your Fourth Amendment rights to be free from unreasonable search and seizure.

So this is critical because this is the issue that started it all, but it's also critical when viewed in context, when viewed in the overall attack on freedom, the overall attack on the Constitution, the overall attack on the Bill of Rights. And that's why I applaud the gentleman from Nebraska for his leadership, and as he well said, the gentleman from Illinois (Mr. LIPINSKI) on the other side of the aisle, who understands these basic principles and basic freedoms, and how central they are to the American experience and to what we call the United States of America.

Mr. FORTENBERRY. Thank you so much, Congressman JORDAN, for your thoughtful words and your powerful presentation. Thank you for your tireless leadership on this and so many other issues. Thank you for coming tonight.

I think it is most appropriate that the gentlewoman from Tennessee (Mrs. BLACK) gets to close the hour. DIANE BLACK is the primary author of the Health Care Conscience Rights Act. We have been proud to stand in partnership with you as you've taken the lead on this term, this Congress.

Mrs. BLACK. I thank you the gentleman from Nebraska for yielding. I'm getting a signal from Mr. Speaker that I have 1 minute left, so I'm going to reserve what I've written up, and just talk very briefly about what my colleagues have addressed up to this point in time.

The bill that we are talking about, the Health Care Conscience Rights bill, would simply take us back to where we were before a decision was made by Ms. Sebelius to change the way in which we have operated in this country now for over 235 years. All we're asking is to take us back to where our Founding Fathers had us from the beginning, as has just been talked about by Mr. JORDAN, about the founding principles of this country where people came here to be able to practice their deeply held beliefs without having government intrusion.

This is so important for the American people to understand, that this is not about the issues that sometimes are talked about from the other side about birth control. This is about religious freedom, and I thank the gentleman for leading this hour this evening. We will have many more conversations.

Once again, thank you for being a leader in this arena.

Mr. FORTENBERRY. Thank you, Congresswoman BLACK. We are so grateful for your leadership.

Mr. Speaker, I yield back the balance of my time.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 50 minutes p.m.), the House stood in recess.

□ 0300

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SESSIONS) at 3 a.m.

#### REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1960, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

Mr. NUGENT, from the Committee on Rules, submitted a privileged report (Rept. No. 113-108) on the resolution (H. Res. 260) providing for further consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### ADJOURNMENT

Mr. NUGENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 1 minute a.m.), under its previous order, the House adjourned until today, Thursday, June 13, 2013, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1803. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Milk in the Northeast and Other Marketing Areas; Termination of Proceeding on Proposed Amendments to Tentative Marketing Agreements and Orders [Docket No.: AMS-DA-13-0016; AO-14-A74, et al.; DA-06-01] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1804. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Cranberries Grown in States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Changing Reporting Requirements [Docket No.: AMS-FV-12-0002; FV12-929-1 FIR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1805. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — United States Standards for Grades of Almonds in the Shell [Doc. Number: AMS-FV-11-0046] received

May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1806. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Redistricting and Reapportionment of Grower Members, and Changing the Qualifications for Grower Membership on the Citrus Administrative Committee [Docket No.: AMS-FV-11-0076; FV11-905-1 FR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1807. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Pears Grown in Oregon and Washington; Assessment Rate Decrease for Processed Pears [Doc. No.: AMS-FV-12-0031; FV12-927-2 FR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1808. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Revision of Regulations Defining Bona Fide Cotton Spot Markets [Doc. #: AMS-CN-12-0024] (RIN: 0581-AD26) received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1809. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Onions Grown in South Texas; Increased Assessment Rate [Doc. No.: AMS-FV-12-0039; FV12-959-1 FR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1810. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Pears Grown in Oregon and Washington; Modification of the Assessment Rate for Fresh Pears [Doc. No.: AMS-FV-12-0030; FV12-927-1 FR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1811. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Domestic Dates Produced or Packed in Riverside County, California; Decreased Assessment Rate [Docket No.: AMS-FV-12-0035; FV12-987-1 FR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1812. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Washington; Decreased Assessment Rate [Doc. No.: AMS-FV-13-0010; FV13-946-1 IR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1813. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Colorado; Modification of the Handling Regulation for Area No. 2 [Doc. No.: AMS-FV-12-0043; FV12-948-1 FR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1814. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Increased Assessments Rate [Doc. No.: AMS-FV-12-0038; FV12-906-1 FR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1815. A letter from the Principal Deputy Assistant Secretary, Reserve Affairs, Department of Defense, transmitting modernization priority assessments for the National Guard and Reserve equipment for Fiscal Year 2013; to the Committee on Appropriations.

1816. A letter from the Attorney, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Loan Originator Compensation Requirements Under the Truth in Lending Act (Regulation Z); Prohibition on Financing Credit Insurance Premiums; Delay of Effective Date [Docket No.: CFPB-2013-0013] (RIN: 3170-AA37) received June 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1817. A letter from the Attorney, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Amendments to the 2013 Escrows Final Rule under the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2013-0009] (RIN: 3170-AA37) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1818. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Kenai Peninsula Borough, AK) [Docket ID: FEMA-2013-0002] received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1819. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "Workplace Wellness Report to Congress"; to the Committee on Energy and Commerce.

1820. A letter from the Agency for International Development, transmitting a formal response to GAO report GAO-13-310; to the Committee on Foreign Affairs.

1821. A letter from the Chairman, Postal Service, transmitting the Semiannual Report of the Inspector General for the period of October 1, 2012 through March 31, 2013, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1822. A letter from the Secretary, Department of Agriculture, transmitting the Department's semiannual report from the office of the Inspector General for the period ending March 31, 2013; to the Committee on Oversight and Government Reform.

1823. A letter from the Secretary, Department of Education, transmitting the Department's fiscal year 2012 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1824. A letter from the Executive Analyst, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1825. A letter from the Executive Analyst, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1826. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department's semiannual report from the office of the Inspector General for the period October 1, 2012 through March 31, 2013; to the Committee on Oversight and Government Reform.

1827. A letter from the Attorney-Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1828. A letter from the Secretary, Department of Treasury, transmitting the Department's semiannual reports from the Treasury Inspector General and the Treasury Inspector General for Tax Administration; to the Committee on Oversight and Government Reform.

1829. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting two reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1830. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Commission's semiannual report from the office of the Inspector General for the period October 1, 2012 through March 31, 2013, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1831. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's semiannual report from the office of the Inspector General and the Management Response for the period October 1, 2012 through March 31, 2013; to the Committee on Oversight and Government Reform.

1832. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's semiannual report from the office of the Inspector General and the Management Response for the period October 1, 2012 through March 31, 2013; to the Committee on Oversight and Government Reform.

1833. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's Indian Country Investigations and Prosecution Report for calendar years 2011 and 2012; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LUCAS: Committee on Agriculture. Supplemental report on H.R. 1947. A bill to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes (Rept. 113-92, Pt. 3); Referred to the Committee of the Whole House of the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 634. A bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes (Rept. 113-105, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 634. A bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes (Rept. 113-105, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.



Mr. LUCAS: Committee on Agriculture. H.R. 742. A bill to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts (Rept. 113-106, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 742. A bill to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts (Rept. 113-106, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 1038. A bill to provide equal treatment for utility special entities using utility operations-related swaps, and for other purposes (Rept. 113-107). Referred to the Committee of the Whole House on the state of the Union.

Mr. NUGENT: Committee on Rules. House Resolution 260. Resolution providing for further consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes (Rept. 113-108). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MILLER of Florida:

H.R. 2327. A bill to amend title 38, United States Code, to establish in the Department of Veterans Affairs a Veterans Economic Opportunity Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROGERS of Michigan (for himself, Mr. BARROW of Georgia, Mrs. BLACKBURN, Mr. ROE of Tennessee, Mr. KINZINGER of Illinois, Mr. DUFFY, Mr. CLAY, Mr. HARRIS, Mrs. BACHMANN, Mr. DUNCAN of South Carolina, Mr. CASSIDY, Mr. PALAZZO, Mr. CONAWAY, Mr. DENT, Mr. WOMACK, Mr. GRIMM, Mr. HUELSKAMP, Mr. ROKITA, Mr. JOYCE, Mr. MCKINLEY, Mr. GRIFFITH of Virginia, Mr. BISHOP of Georgia, Mr. BURGESS, Mrs. CAPITO, Mr. GINGREY of Georgia, and Mr. YOUNG of Indiana):

H.R. 2328. A bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers; to the Committee on Energy and Commerce.

By Mr. SMITH of Nebraska (for himself, Mr. SAM JOHNSON of Texas, Mr. NUNES, Mr. TIBERI, Mr. ROSKAM, Mr. PRICE of Georgia, Mr. SCHOCK, Mrs. BLACK, Mr. REED, Mr. YOUNG of Indiana, Mr. KELLY of Pennsylvania, Mr. BENISHEK, and Ms. JENKINS):

H.R. 2329. A bill to amend title XVIII of the Social Security Act to provide for a maximum period of 2 years for submissions of Medicare part B claims originally submitted by hospitals as Medicare part A claims and of 60 days for certain such submissions for one-day stays; and for other purposes; to the

Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. GUTHRIE, Mr. MICHAUD, Mr. MCKINLEY, Mr. GERLACH, Mr. HUIZENGA of Michigan, and Mr. MEEHAN):

H.R. 2330. A bill to amend title XVIII of the Social Security Act to provide comprehensive audiology services to Medicare beneficiaries, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFITH of Virginia:

H.R. 2331. A bill to provide for the conveyance of a small parcel of National Forest System land in Pound, Virginia; to the Committee on Agriculture.

By Mr. KILMER (for himself, Mr. KIND, Mr. MARKEY, Ms. MOORE, Mr. HECK of Washington, Mr. LARSEN of Washington, Mr. BECERRA, Mr. CÁRDENAS, Ms. MCCOLLUM, Mr. BLUMENAUER, Mr. HONDA, Ms. HANABUSA, Mr. POCAN, Ms. SLAUGHTER, Mr. COLE, Mr. KEATING, Mr. HASTINGS of Florida, Mr. GRIMM, Mr. CONYERS, Mr. MORAN, and Mr. YOUNG of Alaska):

H.R. 2332. A bill to amend the Internal Revenue Code of 1986 to recognize Indian tribal governments for purposes of determining under the adoption credit whether a child has special needs; to the Committee on Ways and Means.

By Mr. LARSEN of Washington (for himself and Mr. REICHERT):

H.R. 2333. A bill to amend the Small Business Act to provide for the permanent establishment of the State Trade and Export Promotion Grant Program, and for other purposes; to the Committee on Small Business.

By Mr. BEN RAY LUJAN of New Mexico (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. PEARCE, and Mr. CÁRDENAS):

H.R. 2334. A bill to assist coordination among science, technology, engineering, and mathematics efforts in the States, to strengthen the capacity of elementary schools, middle schools, and secondary schools to prepare students in science, technology, engineering, and mathematics, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MCDERMOTT:

H.R. 2335. A bill to prohibit Members of Congress from receiving pay when the Federal Government is unable to make payments or meet obligations because the public debt limit has been reached; to the Committee on House Administration.

By Mr. PEARCE:

H.R. 2336. A bill to direct the Secretary of Agriculture to convey lands of the former Fort Bayard Military Reservation in Grant County, New Mexico, to the village of Santa Clara, the city of Bayard, or the county of Grant in that State, in tracts of not less than 40 acres, and at market price at its present state of use as agricultural grazing lands as determined by the Secretary, for business and community development, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS:

H.R. 2337. A bill to provide for the conveyance of the Forest Service Lake Hill Administrative Site in Summit County, Colorado; to the Committee on Natural Resources.

By Mr. POLIS (for himself and Mr. LATHAM):

H.R. 2338. A bill to amend the Elementary and Secondary Education Act of 1965 to aid gifted and talented and high-ability learners by empowering the Nation's teachers, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS:

H.R. 2339. A bill to facilitate affordable workforce homeownership in, and develop the full-time resident communities of, high tourism areas, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. QUIGLEY (for himself, Mr. FOSTER, and Ms. DUCKWORTH):

H.R. 2340. A bill to amend title 23, United States Code, to protect States that have in effect laws or orders with respect to pay to play reform, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ROONEY (for himself, Mr. BILIRAKIS, Mr. BARBER, and Mr. SCHRAEDER):

H.R. 2341. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to consider the resources of individuals applying for pension that were recently disposed of by the individuals for less than fair market value when determining the eligibility of such individuals for such pension, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. ROYBAL-ALLARD:

H.R. 2342. A bill to amend the Fair Labor Standards Act of 1938 to strengthen the provisions relating to child labor; to the Committee on Education and the Workforce.

By Ms. SCHWARTZ (for herself, Ms. FUDGE, Mr. BLUMENAUER, and Ms. PINGREE of Maine):

H.R. 2343. A bill to amend the Department of Agriculture Reorganization Act of 1994 to establish in the Department of Agriculture a Healthy Food Financing Initiative; to the Committee on Agriculture.

By Mr. SESSIONS (for himself and Mr. THOMPSON of California):

H.R. 2344. A bill to direct the Secretary of Defense to carry out a pilot program for investigational treatment of members of the Armed Forces for traumatic brain injury and post-traumatic stress disorder; to the Committee on Armed Services.

By Mr. TURNER:

H.R. 2345. A bill to amend title 5, United States Code, to prohibit the transfer or reprogramming of discretionary appropriations made available to the Internal Revenue Service, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Oversight and Government Reform, and Appropriations, for a period to be subsequently determined by the



Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX:

H. Res. 257. A resolution electing certain Members to certain standing committees of the House of Representatives; considered and agreed to.

By Ms. ESTY:

H. Res. 258. A resolution providing for the consideration of the bill (H.R. 1565) to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process; to the Committee on Rules.

By Mr. HONDA (for himself and Mr. BERA of California):

H. Res. 259. A resolution recognizing the 100th anniversary of the founding of the Ghadar Party in the United States; to the Committee on Foreign Affairs.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MILLER of Florida:

H.R. 2327.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. ROGERS of Michigan:

H.R. 2328.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article 1, Section 8, Clause 18 of the Constitution, which states "To make all Laws which shall be necessary and proper in the Government of the United States or in any Department or Officer thereof."

By Mr. SMITH of Nebraska:

H.R. 2329.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. BILIRAKIS:

H.R. 2330.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. GRIFFITH of Virginia:

H.R. 2331.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. KILMER:

H.R. 2332.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. LARSEN of Washington:

H.R. 2333.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section. 8. Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 2334.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. McDERMOTT:

H.R. 2335.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6 of the Constitution of the United States.

By Mr. PEARCE:

H.R. 2336.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. POLIS:

H.R. 2337.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

Article IV, Section 3, Clause 2, (relating to the power of Congress to dispose of and make all needful rules and regulations respecting territory or other property belonging to the United States).

By Mr. POLIS:

H.R. 2338.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article 1, Section 8, Clause 18 of US Constitution, to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. POLIS:

H.R. 2339.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. QUIGLEY:

H.R. 2340.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; as enumerated in Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ROONEY:

H.R. 2341.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

To regulate Commerce with Foreign nations, and among the several States, and with Indian Tribes.

By Mr. ROYBAL-ALLARD:

H.R. 2342.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. SCHWARTZ:

H.R. 2343.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. SESSIONS:

H.R. 2344.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. TURNER:

H.R. 2345.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 and Article I, Section 8, Clause 2 of the Constitution of the United States.

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. MURPHY of Pennsylvania and Mr. KELLY of Pennsylvania.

H.R. 127: Mr. DUNCAN of South Carolina.

H.R. 139: Mr. PALLONE.

H.R. 198: Mr. TAKANO.

H.R. 217: Mr. PERRY.

H.R. 223: Mr. VAN HOLLEN.

H.R. 318: Mr. NEUGEBAUER.

H.R. 333: Ms. SINEMA and Mr. KEATING.

H.R. 343: Mr. LATHAM.

H.R. 352: Mr. WILSON of South Carolina, Mr. MCKINLEY, Mr. MULVANEY, Mr. BARTON, and Mr. CHABOT.

H.R. 367: Mr. BRADY of Texas.

H.R. 437: Mr. TONKO and Ms. SHEA-PORTER.

H.R. 451: Mr. MILLER of Florida and Ms. BROWN of Florida.

H.R. 460: Mr. BRALEY of Iowa and Mr. BISHOP of Georgia.

H.R. 481: Mr. McDERMOTT.

H.R. 487: Mr. ROE of Tennessee.

H.R. 501: Mr. GRJALVA.

H.R. 503: Mr. MESSER.

H.R. 508: Mr. PERRY.

H.R. 526: Mr. CONNOLLY.

H.R. 543: Mr. NEAL, Mr. ELLISON, and Mr. HASTINGS of Florida.

H.R. 596: Ms. BROWNLEY of California and Mr. STEWART.

H.R. 630: Ms. ROYBAL-ALLARD.

H.R. 647: Mr. PAULSEN.

H.R. 649: Mr. GRAYSON.

H.R. 666: Ms. DELBENE.

H.R. 685: Mr. SMITH of Nebraska, Mrs. LUMMIS, and Mr. KINZINGER of Illinois.

H.R. 693: Ms. TITUS and Mr. SMITH of New Jersey.

H.R. 698: Mr. TAKANO.

H.R. 712: Mr. LARSON of Connecticut.

H.R. 742: Mr. HASTINGS of Florida.

H.R. 763: Mr. MCKINLEY, Mr. GOHMERT, Mr. GARY G. MILLER of California, Mr. LAMBORN, Mr. BENTIVOLIO, and Mr. WILLIAMS.

H.R. 778: Mr. ROSKAM.

H.R. 813: Ms. SINEMA.

H.R. 867: Mr. SCHOCK.

H.R. 900: Ms. LEE of California.

H.R. 903: Mr. WALBERG and Mr. GRIFFIN of Arkansas.

H.R. 904: Mr. SARBANES, Mr. COSTA, and Mr. AMODEI.

H.R. 958: Mr. ISRAEL.

H.R. 961: Ms. ROYBAL-ALLARD.

- H.R. 984: Mr. LARSEN of Washington.  
H.R. 1014: Mr. NUGENT and Mr. GIBSON.  
H.R. 1024: Mr. RODNEY DAVIS of Illinois, Mr. GRIFFIN of Arkansas, Mr. CARTWRIGHT, Mr. PERRY, and Mr. BRADY of Pennsylvania.  
H.R. 1078: Mrs. LUMMIS.  
H.R. 1126: Mrs. LUMMIS.  
H.R. 1129: Mr. LOEBSACK.  
H.R. 1146: Mr. BARR.  
H.R. 1148: Mr. WOMACK.  
H.R. 1151: Mr. GENE GREEN of Texas and Mr. MULVANEY.  
H.R. 1155: Mrs. MILLER of Michigan.  
H.R. 1175: Ms. SHEA-PORTER.  
H.R. 1187: Ms. DELAULO, Ms. MCCOLLUM, Mr. WAXMAN, Mr. GEORGE MILLER of California, Ms. VELÁZQUEZ, Ms. SCHAKOWSKY, Mrs. LOWEY, and Ms. SCHWARTZ.  
H.R. 1205: Mr. BUCHSHON.  
H.R. 1250: Mr. HINOJOSA and Mr. BARLETTA.  
H.R. 1252: Ms. SLAUGHTER.  
H.R. 1262: Mr. WELCH.  
H.R. 1274: Mr. GUTHRIE.  
H.R. 1333: Mr. BARBER.  
H.R. 1339: Mr. LANCE.  
H.R. 1414: Mr. SEAN PATRICK MALONEY of New York, Mr. KEATING, Mrs. DAVIS of California, and Ms. LOFGREN.  
H.R. 1416: Mr. GINGREY of Georgia.  
H.R. 1455: Ms. CLARKE.  
H.R. 1493: Mr. ISSA.  
H.R. 1494: Mr. BARBER.  
H.R. 1518: Mr. ISRAEL and Mr. FOSTER.  
H.R. 1563: Mr. RUSH, Mr. KINGSTON, and Mr. MEADOWS.  
H.R. 1595: Mr. SEAN PATRICK MALONEY of New York and Ms. HAHN.  
H.R. 1620: Mr. BARBER.  
H.R. 1634: Mr. PAULSEN.  
H.R. 1652: Mr. DEFazio, Ms. VELÁZQUEZ, Mr. CLEAVER, and Ms. CLARKE.  
H.R. 1699: Mr. ELLISON and Mrs. LOWEY.  
H.R. 1717: Mr. PAULSEN and Ms. KAPTUR.  
H.R. 1726: Mr. MCCAUL, Mr. HASTINGS of Florida, Ms. ROS-LEHTINEN, and Ms. WASSERMAN SCHULTZ.  
H.R. 1737: Mr. CÁRDENAS.  
H.R. 1755: Mr. PASTOR of Arizona.  
H.R. 1771: Mr. CONAWAY, Mr. MEEHAN, Mr. PEARCE, Mr. WESTMORELAND, and Mr. VARGAS.  
H.R. 1772: Mr. BACHUS.  
H.R. 1787: Mrs. HARTZLER, Ms. KUSTER, Mr. HASTINGS of Florida, and Mr. FORTENBERRY.  
H.R. 1796: Ms. KELLY of Illinois, Mr. O'ROURKE, Mr. KIND, Mr. MCGOVERN, Mr. MURPHY of Florida, and Mr. RYAN of Ohio.  
H.R. 1797: Mr. GOODLATTE, Mr. SANFORD, Mr. CULBERSON, Mr. RICE of South Carolina, Mr. WOLF, Mr. GRAVES of Missouri, Mr. WITTMAN, Mr. SMITH of Missouri, and Mr. PETRI.  
H.R. 1801: Ms. WASSERMAN SCHULTZ, Mr. CARNEY, Mr. TAKANO, and Ms. TITUS.  
H.R. 1823: Mr. PEARCE and Mr. REICHERT.  
H.R. 1825: Mr. HUNTER, Mr. MESSER, and Mr. KINZINGER of Illinois.  
H.R. 1829: Mr. BUCHSHON.  
H.R. 1830: Ms. DUCKWORTH, Mr. RODNEY DAVIS of Illinois, and Mr. GENE GREEN of Texas.  
H.R. 1843: Mr. CUMMINGS.  
H.R. 1846: Mr. KING of New York.  
H.R. 1852: Ms. SINEMA, Mr. RADEL, Mr. REED, Ms. SHEA-PORTER, and Ms. JENKINS.  
H.R. 1857: Mr. HOLT.  
H.R. 1864: Mr. KEATING, Mr. HECK of Washington, Mr. SHUSTER, Mr. NADLER, Mr. GRIJALVA, and Mr. AMODEI.  
H.R. 1869: Mrs. HARTZLER and Ms. BROWNLEY of California.  
H.R. 1871: Mrs. HARTZLER and Mr. MCCLINTOCK.  
H.R. 1882: Mr. PERRY.  
H.R. 1893: Mr. LANGEVIN.  
H.R. 1908: Mr. MESSER.  
H.R. 1921: Ms. SCHWARTZ.  
H.R. 1945: Ms. GABBARD and Mr. PAYNE.  
H.R. 1961: Mr. LUETKEMEYER.  
H.R. 1971: Mr. KILMER, Mr. NUGENT, Mr. SCHRADER, and Mr. GENE GREEN of Texas.  
H.R. 2000: Mr. TIERNEY, Mr. MCGOVERN, Mr. VAN HOLLEN, and Mr. QUIGLEY.  
H.R. 2002: Mr. NADLER.  
H.R. 2003: Ms. PINGREE of Maine.  
H.R. 2009: Mr. SENSENBRENNER, Mr. ROTHFUS, Mr. DESJARLAIS, and Mr. WENSTRUP.  
H.R. 2016: Ms. JENKINS.  
H.R. 2019: Mr. WILLIAMS, Mr. SMITH of Texas, Mr. BENISHEK, Mr. CUELLAR, and Mr. PAULSEN.  
H.R. 2020: Mr. SEAN PATRICK MALONEY of New York, Mr. DOGGETT, Mr. WAXMAN, and Mr. HUFFMAN.  
H.R. 2022: Mr. JONES.  
H.R. 2026: Mr. BUTTERFIELD, Mr. GOHMERT, Mr. ADERHOLT, Mr. LAMALFA, Mr. SOUTHERLAND, Mr. MCKINLEY, Mr. GRIFFIN of Arkansas, Mr. GOSAR, Mr. WOMACK, and Mr. DAINES.  
H.R. 2027: Mr. BUCHSHON.  
H.R. 2041: Mr. LATHAM.  
H.R. 2045: Mr. ROE of Tennessee and Mr. PEARCE.  
H.R. 2066: Ms. TITUS.  
H.R. 2077: Ms. DEGETTE and Mr. MURPHY of Florida.  
H.R. 2080: Mr. GEORGE MILLER of California.  
H.R. 2089: Mr. RADEL.  
H.R. 2093: Mr. MARCHANT, Mr. MULVANEY, and Mr. WOMACK.  
H.R. 2125: Mr. ROTHFUS and Mr. JONES.  
H.R. 2138: Mr. ISSA and Mr. ROTHFUS.  
H.R. 2162: Mr. PEARCE.  
H.R. 2164: Mr. MILLER of Florida, Mr. LATTI and Mr. FORBES.  
H.R. 2166: Mr. McDERMOTT.  
H.R. 2186: Ms. ESHOO.  
H.R. 2240: Mr. MORAN, Mr. GRIJALVA, Mr. HANNA, Mr. McDERMOTT, and Mr. POCAN.  
H.R. 2255: Mr. CONNOLLY.  
H.R. 2273: Mr. WALBERG.  
H.R. 2277: Mr. YOHO.  
H.R. 2288: Ms. SINEMA.  
H.R. 2290: Ms. FUDGE and Mr. MARKEY.  
H.R. 2300: Mr. MULVANEY, Mr. WENSTRUP, Mr. PITTENGER, Mr. DESJARLAIS, Mr. ROE of Tennessee, Mr. WILSON of South Carolina, Mr. OLSON, and Mrs. BACHMANN.  
H.R. 2309: Ms. DUCKWORTH, Mr. PAYNE, Mr. MICHAUD, Mr. WILLIAMS, and Mr. MARCHANT.  
H.R. 2319: Mr. TIPTON.  
H.J. Res. 34: Mr. LARSEN of Washington.  
H. Con. Res. 24: Mr. AMODEI and Mr. MARCHANT.  
H. Con. Res. 36: Mr. HASTINGS of Florida, Mr. KEATING, Mr. FARR, and Ms. KUSTER.  
H. Res. 89: Mr. KINZINGER of Illinois, Mrs. CAROLYN B. MALONEY of New York, and Mr. BERA of California.  
H. Res. 104: Mr. ROTHFUS.  
H. Res. 109: Mrs. DAVIS of California and Mr. PETERS of California.  
H. Res. 147: Ms. JENKINS.  
H. Res. 188: Mr. POSEY.  
H. Res. 208: Ms. WILSON of Florida, Ms. TITUS, Mr. MICHAUD, and Mr. TIERNEY.  
H. Res. 213: Mr. MARKEY, Mr. CARTWRIGHT, and Mr. WELCH.  
H. Res. 218: Mr. FORBES, Ms. ROS-LEHTINEN, Mr. SHERMAN, and Mr. CHABOT.  
H. Res. 227: Mr. WAXMAN, Mr. LANGEVIN, Ms. HAHN, Ms. MENG, Mr. CÁRDENAS, Mr. TIERNEY, Mr. DENHAM, and Mr. MARKEY.  
H. Res. 231: Mr. MICA, Mr. MESSER, and Mr. RUNYAN.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative Howard P. "Buck" McKeon to H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

## EXTENSIONS OF REMARKS

### COMBATING SEXUAL ASSAULT IN THE MILITARY

#### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Ms. ESHOO. Mr. Speaker, our nation's armed forces are the best in the world, but I rise today to speak against a form of cancer spreading within the ranks that is compromising the integrity of our armed forces.

For 25 years, Congress has pressured the Department of Defense to take bold action against sexual assault among our service men and women, and for 25 years, we've heard the same promises. In hearing after hearing, they've offered the results of study after study; told us about their zero tolerance policy; created task forces; and promised to prioritize this issue within the chain of command.

Despite these promises, sexual assault in the military is at an all-time high and rising. According to the Defense Department, there were more than 70 assaults per day in 2012, an estimated 26,000 total and a 30 percent increase over two years. Worse, only three percent of estimated sexual assaults in the military in 2012 were prosecuted. Countless service members continue to have little faith in the military justice system, and countless more suffer in silence for fear of retaliation.

The existing military justice system has clearly demonstrated its inability to solve this problem. As the civilian institution tasked with military oversight, it is incumbent upon Congress to act.

The amendment offered by my colleague, Representative SPEIER, is an effective and meaningful solution. This amendment is modeled on legislation, the Sexual Assault Training Oversight and Prevention Act (STOP Act), which I'm proud to cosponsor.

The STOP Act rightfully removes the sexual assault response process from the military chain of command and replaces it with an accountable, civilian-controlled oversight office. It ensures that trained, impartial prosecutors respond to allegations of sexual assault, not higher ranking commanders with a potential bone to pick.

It provides victims with real access to justice, via an objective response system. And it means no more fear of retaliation, lost promotion, re-victimization, and pushback. Sexual assault is a scourge that weakens our military and our nation and has absolutely no place in society. I encourage my colleagues in the strongest possible terms to support this sensible amendment.

### TRIBUTE TO LIEUTENANT COLONEL JOHN D. WROTH

#### HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mrs. CAPITO. Mr. Speaker, I rise today to recognize Lieutenant Colonel John D. Wroth's recent retirement from a distinguished military career in the United States Air Force. His service to our nation is one of honor and devotion, to which the people of West Virginia and the United States of America owe a tremendous debt of gratitude.

Born in Parkersburg, West Virginia, John Wroth received his bachelor's degree from the University of Charleston in 1987 and began serving his country in 1989, the year he received his commission from the United States Air Force Officer Training School. He has led unit deployments to Europe, the Pacific and Southwest Asia and, as a graduate of the elite Air Force Weapons School, he led as mission commander on the first night of Operation ALLIED FORCE in the Balkan Peninsula and served as the Master Air Attack Plan Team Chief in support of both Iraqi and Enduring Freedom. In addition, Lieutenant Colonel Wroth has served as a unit scheduler, standardization/evaluation officer, tactics and training instructor, flight commander, platform instructor and lead electronic warfare instructor at the U.S. Air Force Weapons School.

Lieutenant Colonel Wroth has received numerous awards and decorations throughout his service to our nation: the Meritorious Service Medal, the Air Medal, the Air Force Commendation Medal, the Air Force Achievement Medal, the Global War on Terrorism Expeditionary Medal, and the NATO Medal. Furthermore, Wroth led the Air Force ROTC of Duke University to a number one rating for all small detachments.

Currently, Lieutenant Colonel Wroth is Chief, Nuclear Operations Branch serving on the Nuclear Command and Control System, and is the primary liaison to the Department of Homeland Security and the White House Military Office.

In addition to his devoted service to our country, Wroth also managed to raise a wonderful family with his wife, Lydia. Together they have four children, Ian, Sarah, Jacob, and Dylan.

Mr. Speaker, the exemplary service of Lieutenant Colonel John D. Wroth is deserving of the utmost respect. His dedication to country and family is a model for all of us, and I am proud to call him a fellow West Virginian.

### HONORING THE LIFE AND SERVICE OF PETE VONACHEN

#### HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mrs. BUSTOS. Mr. Speaker, I rise today to commemorate the life of Harold "Pete" Vonachen, an American veteran from Illinois, who passed away on Monday, June 10th, 2013 at the age of 87. Pete was best known as "Mr. Baseball" around Peoria, and as a dedicated community leader and philanthropist. His loss will be felt throughout the community.

Pete Vonachen, who graduated from Bradley University in Peoria with a Bachelor of Science in business administration, started out in the restaurant business, opening Vonachen's Junction in 1955. He carried over many of the same philosophies from his restaurant days to his other businesses, including a recognition of the importance of people. Pete treated everyone as a friend, regardless of whether you were a coworker, customer, or competitor.

As his name and reputation grew, Pete purchased the Peoria Suns Minor League baseball franchise in 1985, later changing the name to the Peoria Chiefs, a tribute to Peoria's last baseball team. With the help of his close friend the great baseball broadcaster Harry Caray, he was able to reach an affiliation agreement with the Chicago Cubs. Under Pete's leadership, the once struggling franchise became the first Midwest League team to draw more than 200,000 fans in one season.

Pete Vonachen also served his community in many roles, including as the Director of the Peoria Cerebral Palsy Board, a member of OSF St. Francis Medical Advisory Board, the Chairman of the Children's Hospital of Illinois Medical Center, a Peoria Park District trustee, the Director of the Peoria Area Chamber of Commerce, and the Peoria Rotary Club, among others.

Mr. Speaker, I am forever grateful for Pete's contributions as a serviceman and leader in his community, and am deeply saddened by his passing. I offer my sincerest thoughts and prayers to his wife Donna, the rest of the Vonachen family, and the entire Peoria community.

### CONGRATULATING TERRY AND ROSY BROMELL

#### HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mr. ALEXANDER. Mr. Speaker, it is with great pride and pleasure that I rise today to

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

commemorate and congratulate Terry and Rosy Bromell on the occasion of their 50th wedding anniversary, which they will celebrate with their loved ones on June 15. Mr. and Mrs. Bromell have led incredible lives, truly worthy of this distinction.

Terry and Rosy are the parents of four wonderful children: Alicia Lowther, Teena Doxley, Ty Bromell, and Rose Marie Dillon. They are also blessed with seven grandchildren: Ric Lowther, Jonah Doxey, Sarah Doxey, Erin Dillon, Ruth Dillon, Vivian Dillon, and Ellie Bromell.

Both graduates of Louisiana Tech University, Terry and Rosy are well-known and appreciated in the North Louisiana area. In 1983, the couple opened their family-owned and independently operated insurance agency, Bromell Agency, Inc. For the past 30 years, the Bromells have benefitted both Ruston and Shreveport families and businesses with their commitment to service, as well as their active involvement and leadership in the Chamber of Commerce, local bureaus, boards, and 4H programs, and various charitable organizations in the community.

As the Bromell family and friends prepare to join together to honor Terry and Rosy Bromell, this couple continues to exemplify admirable dedication to serving our region. I ask my colleagues to join me in congratulating Terry and Rosy Bromell on this very special 50th anniversary.

CONGRATULATING THE PENSACOLA ICE FLYERS AS CHAMPIONS OF THE SOUTHERN PROFESSIONAL HOCKEY LEAGUE'S PRESIDENT'S CUP

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the Pensacola Ice Flyers for their recent victory in the Southern Professional Hockey League's President's Cup Championship series and offer my congratulations to the team members, owners, coaching staff, and front office staff:

Team members, Steve Bergin; Dan Buccella; Jordan Chong; Joe Caveney; Brent Clarke; Brad Cooper; Ron Cramer; John Dunbar; Nick Dupuis; Gerry Festa; Jeremy Gates; Mitchell Good; Patrick Knowlton; Kevin Kozlowski; Justin MacDonald; Mike MacIntyre; Ross MacKinnon; Ryan Salvis; Tyler Soehner; and Brandon Vossberg; Owners, Greg Harris; and Tim Kerr; Coach, Gary Graham; Equipment Manager, Mark "Bonez" Bradtmueller; Athletic Trainer, Jen Lorenzo; and front office staff, Tina Burnham; Patrick Casey; Kayleigh Kerr; Josh Kersh; Willa Licata; Chuck McCartney; and Brittany Tindell.

The Pensacola Ice Flyers were founded in 2009 and named to honor Pensacola's long and proud history as the "Cradle of Naval Aviation." From the beginning, the Ice Flyers have been strong competitors in the Southern Professional Hockey League, SPHL, making it to playoffs in each year of their existence. Last season, the Ice Flyers made it all the way to

the championship series, before narrowly losing in the final game.

After coming agonizingly close to victory last season, the Ice Flyers entered into the 2012-13 season with only one goal: to win it all. The Ice Flyers enjoyed a successful regular season, finishing with the third best record in the league. The team also enjoyed tremendous support from the Pensacola community, drawing more than 100,000 fans to their home games this season.

The President's Cup series between the Ice Flyers and the Huntsville Havoc was a closely contested affair. In the first game, the Ice Flyers prevailed at home in overtime 2-1; however, the Havoc fought back just three days later to claim a series tying 2-1 victory, sending the series back to Pensacola for a third and final game.

A passionate crowd of nearly 4,700 fans showed up at the Pensacola Bay Center to watch as the Ice Flyers faced the Havoc in the third and final game of the President's Cup series on April 14, 2013. The Ice Flyers took an early lead after just two minutes and seven seconds of play, and they never looked back en route to a 2-0 shutout victory to claim the crown and bring the President's Cup to Pensacola. With their victory, the Ice Flyers became just the third professional hockey team from Florida to capture a championship, and they became the first team from Pensacola to bring a professional sports trophy to the area.

Mr. Speaker, on behalf of the United States Congress, I am honored to recognize the players, coaches, staff, and fans of the Pensacola Ice Flyers for their championship winning season. The entire Northwest Florida area looks forward to many more winning seasons to come.

LOUISIANA ECONOMIC DEVELOPMENT ASSOCIATION RECOGNIZES CENTURY GROUP INC. AS A RECIPIENT OF THE 2013 LANTERN AWARDS

**HON. CHARLES W. BOUSTANY, JR.**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mr. BOUSTANY. Mr. Speaker, I rise today to congratulate Century Group Inc. as the Southwest Louisiana Region recipient of the 2013 Lantern Awards.

The Lantern Award provides an opportunity to salute manufacturers for their outstanding contributions to the Louisiana economy and to their communities. Recipients are selected on the basis of their contributions over a period of time to the betterment of their communities, growth in the number of employees, and expansion of their facilities.

The Century Group Inc. started out as one man, Alma Como, who built a wooden cast to create concrete steps in 1942. Today, Century Group is the leading manufacturer of precast concrete steps, concrete railroad grade crossings, railroad spill collection systems and other precise concrete products in North America.

During the first 30 years, Century Group Inc. set up seven manufacturing locations servicing home building material dealers in 27 states. In

the mid 1960's the Century Group Inc. entered the railroad market providing services to industry along the Louisiana-Texas Gulf Coast. By the late 1970's, it had established a precast division which served state Department of Transportation, municipalities, military facilities, heavy industry, harbors, and general contractors.

With over 59 years of experience in the precast concrete manufacturing railroad and industrial construction industry, Century Group Inc. continues its legacy of innovation and superior service. It is due to the efforts of businesses and individuals like the Century Group Inc. that Louisiana continues to grow and prosper economically.

IN HONOR OF THE 50TH WEDDING ANNIVERSARY OF LINDA AND RICHARD KERR

**HON. DAVID B. MCKINLEY**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mr. MCKINLEY. Mr. Speaker, I rise today to congratulate Linda and Richard Kerr on their fiftieth wedding anniversary.

Richard Kerr and Linda Fleming were married in Morgantown, West Virginia on June 4, 1964. They proudly raised two daughters with love and a wonderful sense of humor. They are committed to continuous learning and have a natural curiosity that they share with their four grandchildren.

Dr. Richard Kerr practiced medicine in West Virginia for over 35 years, while Mrs. Kerr served as a teacher at Morgantown High School. Dr. and Mrs. Kerr are two incredibly patriotic people who have tirelessly worked towards the improvement of our country, and our home State of West Virginia.

Mr. Speaker, on behalf of the 1st Congressional District of West Virginia, I ask all my distinguished colleagues to join me in congratulating my friends, Linda and Richard Kerr, on their fiftieth wedding anniversary and wishing them fifty more.

IN HONOR OF RICHARD GAINES

**HON. WALTER B. JONES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mr. JONES. Mr. Speaker, I would like to take a moment to honor Richard Gaines, an accomplished journalist and great friend of the fishing industry who passed away unexpectedly on June 9, 2013.

I began working with Mr. Gaines when he was employed at the Gloucester Daily Times in Massachusetts as a staff writer with a reputation for thorough, effective reporting.

Through his passionate coverage of the fishing industry, he became an advocate for fishermen across the country. Elected officials, peers, and readers alike admired Mr. Gaines' ability to clearly and accurately communicate the issues facing the industry.

Mr. Gaines began his career in the 1960's as a reporter for United Press International.

He went on to become editor-in-chief at the Boston Phoenix, where he was well-known as an investigative journalist and garnered national attention when the paper was named as a runner up for a Pulitzer Prize. He authored a book and worked as a political consultant before joining the Gloucester Daily Times.

Mr. Gaines regularly reported on issues directly affecting the Third District of North Carolina, and his insight into the fishing industry will be greatly missed. We have lost not only a talented journalist, but a man of honesty and integrity and a true friend to America's fishermen. I am grateful for Mr. Gaines' service and pleased to have him recognized by the United States Congress, an honor which he truly deserves.

#### HONORING THE PINE BROOK VOLUNTEER FIRE DEPARTMENT'S CENTENNIAL ANNIVERSARY

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Pine Brook Volunteer Fire Department, located in Montville Township, New Jersey, which is celebrating its Centennial Anniversary.

In 1913, the citizens of Pine Brook, an area within Montville Township, decided to organize a Fire Department to protect their community. Using land donated by Abram A. Van Wert, the people of Pine Brook built their own firehouse, which is still in use; the only changes being the addition of overhead doors and a rear meeting room. The people also provided the funds needed to start the fire company through donations. With the location and funds in place, the Pine Brook Fire Department was able to designate bell codes and zones, and purchase their first pieces of equipment; two hand-pulled chemical fire extinguishers. Over the following eight months, the Fire Department held a number of fundraising raffles, giving away pigs, ponies, clocks, and watches. With these funds, they were able to purchase a chassis from Republic Truck with two chemical tanks, a 150-foot reel of hose, and a small chemical holder and acid receptacle. Two years later, the headlights and bumper were purchased. This served the town until 1924, when the truck was sold to Hanover, and an American-LaFrance truck was purchased in its place. Throughout these early years the Pine Brook Volunteer Fire Department provided protection to the towns of Hanover, Parsippany, and to the Township of Caldwell.

Over the coming years, the department struggled to maintain operation due to insufficient funds. The citizens were informed that, because of their lack of interest and support, the fire department would have to be turned over to the Township of Montville. This prompted the people to pledge greater support in the future, and the Fire Department has since thrived. In later years, the department successfully petitioned for a Fire Commission Board, and held elections in February 1937. By this time, demand for aid had grown, and a 750 gallon Mack pumper truck was ac-

quired. In 1954, the department joined the North Jersey Volunteer Firemen's Association, and in the following year joined the Montville Firemen's Relief Organization. Around the same time, the population had increased to a problematic number; the water supply was unable to cope with the fires in the area, and feasible solutions were difficult to find. However, in 1955, the department was able to build a special 1,500 gallon tank truck, the only one of its kind in this area. In 1965, the department purchased a Mack Diesel Pumper, the second diesel fire truck to be delivered in the State of New Jersey. Later, in 1969 a Hahn Pumper was purchased, and in 1972 a Telesquirt Pumper was added to the fleet.

Since 1963, the substantial growth has transformed Pine Brook from a rural community to an area diverse with industrial, commercial, and residential properties, all of which are served by the Pine Brook Volunteer Fire Department. This increase caused the department to build another fire station on Konner Avenue, which was dedicated and placed into service in June 1969. The Township of Montville, recognizing the growth, expanded the water system with the installation of water mains and hydrants throughout the township in 1970. Later in 1975, plans for a new, larger headquarters on Bloomfield Avenue next to the existing firehouse began. Two years later, the department was able to operate out of the new station. With the increases in demand over the coming years, they added a Rescue and Salvage truck, a ladder truck, as well as other pumper trucks to their fleet. With the enactment of the Uniform Fire Code in 1986 by the State of New Jersey, Montville Township established three separate Local Enforcing Agencies, with the Pine Brook Fire Prevention Bureau serving under District #3 LEA. To meet the new inspection and code requirements, the Pine Brook LEA hired a part time Fire Official and Fire Inspector.

Today, the Pine Brook Volunteer Fire Department has remained an important part of community, and adapted to its ever-changing needs. The department has kept up to date with its rigs, equipment, and radio devices, as well as with volunteer training in fire safety and techniques. Due to the efforts of the Pine Brook Volunteer Fire Department, a Fire Prevention Bureau ordinance was introduced to the Township. Additionally, during Fire Prevention Week, firefighters have visited schools and educated children on fire safety for the past 29 years. After one hundred years, the Pine Brook Volunteer Fire Department continues its proud tradition of service, while maintaining a high level of professionalism and readiness for any emergencies that may arise.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Pine Brook Fire Department as they celebrate their 100th anniversary.

#### HURRICANE PREPAREDNESS

**HON. SUSAN W. BROOKS**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mrs. BROOKS of Indiana. Mr. Speaker, June 1st marked the beginning of the 2013 At-

lantic hurricane season. The National Oceanic and Atmospheric Administration (NOAA) has once again predicted an "active or extremely active" hurricane season this year, with the potential for 13 to 20 named storms, of which 7 to 11 could become hurricanes. In fact, less than two weeks into hurricane season, we've already seen our first named storm, Tropical Storm Andrea. As the Chairman of the Committee on Homeland Security's Subcommittee on Emergency Preparedness, Response, and Communications, I rise today to urge citizens in hurricane prone areas to take steps to prepare themselves and their families.

This is also a good time for citizens not in areas susceptible to hurricanes to consider the threats to their areas; be it from tornadoes, earthquakes, flooding, or other severe weather. Many of the steps necessary to prepare for hurricanes are the same for other hazards. I urge all Americans to develop a disaster plan; assemble an emergency kit, including medications, important documents, and food and water; and become familiar with the evacuation routes and emergency management officials in their areas.

Unsure of what to do to get prepared? There are resources online that can help. In my home state of Indiana, Hoosiers can visit the Indiana Department of Homeland Security's "Get Prepared" site at [www.in.gov/dhs/getprepared.htm](http://www.in.gov/dhs/getprepared.htm). Information is also available from the Federal Emergency Management Agency at [www.fema.gov](http://www.fema.gov). The Department of Homeland Security's Ready program has useful information on ways to get prepared at [www.ready.gov](http://www.ready.gov). Through this site resources are also available for kids, businesses, and non-English speakers in 12 languages. Information on ways to plan and prepare is also available from the American Red Cross through its "Be Red Cross Ready" module at [www.arcbrcr.org](http://www.arcbrcr.org).

Severe weather can occur at any time, with little notice. Super Storm Sandy, the tornadoes in Oklahoma, and the recent flooding in my congressional district are proof of the devastation that disasters can have on our nation. The time to prepare is now. Taking some simple steps to prepare yourself, and your family, can make all the difference when disaster strikes.

#### IN RECOGNITION OF THE HISTORIC MARKER DEDICATION FOR CUSSETA INDUSTRIAL HIGH SCHOOL

**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mr. BISHOP of Georgia. Mr. Speaker, I rise today in recognition of the upcoming Historic Marker dedication ceremony for Cusseta Industrial High School in Cusseta, Georgia. The grounds of this historic edifice will be dedicated Saturday, June 15, 2013 at 11:00 a.m.

The dedication ceremony will serve as tribute to the preservative efforts of dedicated alumni, the Chattahoochee County Historic Preservation Society, and members of the community who saw fit to treasure this jewel of American history.

Beginning in 1912, a beacon of light was shone on the education of African-American students when philanthropist Julius Rosenwald worked with Booker T. Washington and other African-American educators at the Tuskegee Institute to build a number of black schools in the racially segregated rural South. Known as the Rosenwald Fund, these endeavors supported the construction of approximately 5,000 schools in fifteen states—242 of which are located in Georgia.

With the support of the Rosenwald Trust Fund, the neighboring African-American community, and funds from Chattahoochee County, Cusseta Industrial High School served as the only high school in the county to educate students of color. The school was built in 1929–1930 in conformance with standardized plans for efficient new schools for the education of African-American students within the county. The Cusseta School is among the best surviving examples of the roughly fifty remaining Rosenwald schools in Georgia. It was placed on the National Historic Register on April 15, 2011.

This “little school on the hill” educated a number of African-American scholars until its closure in 1958. Of the seventeen students in the last graduating class, four have passed away. Echoing the sentiments of the place where “everybody was somebody and Christ was all,” a place where Friday worship experiences sourced spiritual renewal, many hold the memory of this vibrant community in the corridors of their hearts.

Since its closure as a public school, the building has served the community as a Country Club, Lion’s Club, Kiwanis Club, Boy Scouts meeting place, and a school of dance. Envisioned by alumni, Rev. Andrew L. Thomas, Jr., Dr. Mildred Gardner, and fifteen others as well as three community partners, the dream of establishing a historic marker on the grounds of Old Cusseta Industrial High School has become a reality.

Mr. Speaker, today I ask my colleagues to join me in recognizing this historic moment as the community of Cusseta, Georgia rises to honor and preserve Old Cusseta Industrial High School, a beloved landmark where many young African-American students were given the opportunity to earn an education.

**RECOGNIZING THE PENSACOLA CATHOLIC HIGH SCHOOL CRUSADERS BASEBALL TEAM AS CLASS 4A FLORIDA HIGH SCHOOL SPORTS ASSOCIATION STATE CHAMPIONS**

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the First Congressional District of Florida’s Pensacola Catholic High School Crusaders for winning its second-straight Class 4A Florida High School Sports Association Baseball Championship and offer my congratulations to the team members, coaches, trainer, and school principal:

Team members, Tanner Halstead (#3); Gavin Wehby (#4); Drew LaBounty (#5); Zane

Gill (#7); Jon Jon Burkett (#8); Clarke Berry (#9); Brandon Wiley (#10); Gregory Ciangiottio (#11); Evans Bozeman (#12); Avery Geyer (#13); Bronson Chancellor (#14); Chandler Burns (#15); Cooper Jones (#16); Cody Henry (#17); Zach Allen (#21); James McGhee (#22); Jacob Knorr (#23); Michael Neal (#31); Brandon Lockridge (#32); Nick Helton (#40); Zach Wyant; Kai Wilson; Hunter Wilson; and Jason Borcz; Coaches, Richard LaBounty; P.J. Smith; Sonny Reedy; Glenn Currie; Keith Haynes; Jack-y Kohr; Christian Macon; and Russell Deason; Trainer, Lexi West; and Principal, Sister Kierstin Martin.

The Catholic Crusaders ended a spectacular season with thirty wins and no losses to clinch this year’s state championship. The final game was played against Miami Monsignor Pace High School at JetBlue Park in Fort Myers, Florida, on Tuesday, May 21, with the Crusaders earning an eighth inning victory by a score of seven to five. Many of the exceptional plays leading up to the victory occurred in the eighth inning itself. Junior James McGhee hit a two-run double in the top of the eighth inning, and senior pitcher Cooper Jones handled all three outs himself in the bottom of the eighth, striking two batters out and fielding a ground ball to the pitcher’s mound to close out the game.

This extraordinary triumph marks a proud moment in the sports history of Northwest Florida and builds upon its already strong baseball tradition. The Crusader’s winning streak has risen to thirty-five, which it was reported has not occurred in the Pensacola area since Escambia High School reached that level in the 1965–1966 season. Perhaps more impressive is the fact that no team in Pensacola history, prior to this one, has ever ended a season undefeated.

On behalf of the United States Congress and the citizens of Northwest Florida, I congratulate the team, students, and faculty of Catholic High School for its extraordinary victory. My wife Vicki joins me in offering our best wishes to the school and its talented athletes for their continued success.

**HONORING LANDON BONNIEPAUL VERNON**

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Ms. LEE of California. Mr. Speaker, I rise today to honor the remarkable life of Mr. Landon Bonniepaul Vernon. A loving son, brother, husband, father, grandfather and friend, Mr. Vernon was exemplary in his familial devotion, entrepreneurial spirit and community pride. With his passing on March 5, 2013 we are reminded of his life’s journey and the joyful legacy he inspired.

Born in Franklinton, Louisiana on August 26, 1936, Landon was the third of six boys born to Sherman Vernon and Sara Crawford. The family relocated to California in the early 1940s, settling in Oakland, where Landon attended local schools and played high school and college basketball.

Mr. Vernon married his high school sweetheart and the love of his life, Barbara

McKellar-Vernon, and together they raised three children, Landon Carl, Wayne and Darlene. An avid businessman and entrepreneur, Mr. Vernon started a janitorial service as early as high school. Over the years, he also worked in a variety of roles at stalwart Bay Area businesses like Aerojet, Wonder Bread, The National Association of Home Builders and Oakland’s Outreach Development Program.

Yet, Mr. Vernon also continued to achieve his dream of entrepreneurial success while becoming co-owner and co-manager of several Bay Area clubs, including Celebrity Club, Consultants Lounge, Bird Kage, Dock of the Bay, Old Golden, Bosh’s Locker and Nick’s Lounge. Many of these locales were African American cultural institutions that contributed to the important legacy of Black- and minority-owned small businesses in the East Bay. Mr. Vernon was also the owner of the vending machine company LV Rentals.

In addition to Mr. Vernon’s commitment to his business ventures, he was an avid sports buff who supported East Bay athletic organizations and cofounded the Bird Kage Golf Tournament. As a member of the “Sportsmen Club All Stars” basketball team, Mr. Vernon played with the likes of Wilt “The Stilt” Chamberlain, Charlie Hardy, Don Barksdale, Richard Whitehurst and Harold Theus. His enthusiasm in supporting athletic and business communities of color undoubtedly helped to pave the way for more organizations to follow.

In addition to this community activity, Mr. Vernon loved to travel. He was especially fond of visiting extended family and friends back in Louisiana and making sure that the bonds of family and friendship were always strong. Fishing was also one of his favorite pastimes for relaxation, and he often noted that if all mankind could fish, the world would recognize and want that kind of peace every day. His life was truly one that was “well-lived and well-loved,” and his memory is a testament to the benefits of forming and sustaining meaningful relationships with others. Furthermore, Landon was a personal friend who I met in the early 1970s. He was fun, smart and extremely kind to my family. We are deeply grateful for his friendship.

Today, California’s 13th Congressional District salutes and honors Mr. Landon Bonniepaul Vernon. His vibrant spirit and sense of fellowship will continue to guide others to connect with their communities and loved ones for years to come. I offer my sincerest condolences to Landon’s surviving family and to the many friends and associates whose lives he touched over the course of his incredible life. He will be deeply missed.

**IN RECOGNITION OF SRIRAM HATHWAR**

**HON. TOM REED**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mr. REED. Mr. Speaker, I rise today to recognize Sriram Hathwar, a resident of Painted Post, New York. Sriram, a seventh-grader at the Corning Alternative School for Math and

Science, placed third in this year's Scripps National Spelling Bee. This thirteen-year-old stands as a representative of the bright young minds of the 23rd Congressional District of New York.

The Scripps National Spelling Bee is the nation's largest and longest-running educational promotion, with the purpose of helping students build the foundations for English language skills they will use all their lives. Only 281 spellers out of 11 million won regional bees to advance to the national level, and Sriram rose up through the ranks to place in the top three. He has competed at the national level four times, and his performance this year has placed him at his highest ranking thus far. Sriram has not taken his eye off the prize, though, as he plans to compete in the bee again next year, his final year of eligibility.

I am proud to have students like Sriram in my district. His accomplishments show the brilliance set to come forth from this district in the future, and I am honored to recognize him today.

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IN RECOGNITION OF THE 30TH ANNIVERSARY OF LOAVES AND FISHES

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**HON. DORIS O. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Ms. MATSUI. Mr. Speaker, I rise today to recognize and honor Sacramento's Loaves and Fishes homeless shelter, and congratulate them as they celebrate their 30th anniversary. I ask all my colleagues to join me in honoring this organization.

Founded in 1983, Loaves and Fishes has been serving the Sacramento area by providing food, shelter, and social services for the area's homeless. They are a haven of safety, sustenance, and shelter for the men, women and children that seek their assistance. Today's "30 Years of Food, Warmth, and a Path Home" celebration has been dedicated to the hard work of Loaves and Fishes' countless volunteers.

Loaves and Fishes, led by Sister Libby Fernandez and a committed Board of Directors, has shown compassion and devotion to meeting the needs of the homeless and indigent in the greater Sacramento area. They place the dignity of each person that they serve at the forefront of their efforts and strive to meet the needs of each person that walks in their doors. To fulfill its mission of compassion, Loaves and Fishes relies on financial support from a number of private donations and church groups.

Mr. Speaker, I hereby recognize Loaves and Fishes for their continued service to the homeless men, women, and children of the Greater Sacramento area. I ask my colleagues to join me in honoring this organization and wishing them continued success as they endeavor to serve Sacramento's homeless.

IN RECOGNITION OF THE LAKEWOOD FOUNDATION AND THE 2013 NATIONAL INTERCOLLEGIATE WHEELCHAIR BASKETBALL ASSOCIATION TOURNAMENT

**HON. SPENCER BACHUS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mr. BACHUS. Mr. Speaker, it is the privilege of the State of Alabama and the City of Homewood to be the site of the renowned Lakeshore Foundation, a center whose focus on personal fitness and competitive athletics has benefited countless individuals with physical disabilities throughout my state, our country, and the world.

Lakeshore started as a hospital dedicated to treating the national scourge of tuberculosis in the 1920s. In 1984, it became fully focused on its current mission: to provide rehabilitative recreational and sports programs to improve the lives of people with disabilities. At Lakeshore, the connection between physical activity, from basic fitness to competitive athletics, and emotional restoration is understood and nurtured.

The world-class athletic facilities at Lakeshore Foundation are used by individuals of all ages, from young children to senior citizens. It is a training location for the U.S. Paralympic Team. After 9/11, it created a special program called "Lima Foxtrot" to help courageous wounded warriors recover their physical skills after severe injury.

Most recently, Lakeshore Foundation and the University of Alabama at Birmingham have formed the UAB/Lakeshore Research Collaborative. The joint effort between Lakeshore and UAB is a world-class research program in rehabilitative science. The collaborative links Lakeshore's extraordinary programs for people with physically disabling conditions with UAB's research expertise.

A special event took place from March 7 through March 9 of this year when Lakeshore Foundation teamed with the University of Alabama and the National Wheelchair Basketball Association (NWBA) to successfully host the National Intercollegiate Wheelchair Basketball Association Tournament. The University of Alabama is known for having one of the top adaptive athletic programs in the nation.

Eight men's teams and four women's teams from across the country competed in the tournament.

In the women's finals, the University of Wisconsin-Whitewater team defeated the University of Alabama team 55-41 to become the 2013 Women's National Champions.

In the men's finals, the University of Alabama team came out victorious, defeating the University of Texas-Arlington 71-52 to become the 2013 Men's National Champions.

The wheelchair play on the Lakeshore basketball courts was every bit as intense as you would have seen during the NCAA's "Final Four." The lesson that athletes on each of the participating teams taught us about determination and overcoming obstacles made them all champions. The event brought great pride and honor to the State of Alabama.

Mr. Speaker, I ask my colleagues to join me in recognizing the combined efforts of the achievements of all the players, coaches, and staff who contributed to the championship season and to congratulate Lakeshore Foundation and the University of Alabama for successfully hosting the 2013 National Intercollegiate Wheelchair Basketball Association Tournament. Under the leadership of President and Chief Executive Officer Jeff Underwood, the Lakeshore Foundation will continue to change the way we think about physical disabilities and challenge all of us to expand our horizons.

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RECOGNIZING CHUCK HERSEY

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**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mr. LEVIN. Mr. Speaker, I rise today to recognize one of Southeast Michigan's environmental leaders, Chuck Hersey, on the occasion of his retirement from the Southeast Michigan Council of Governments after 35 years of dedicated service.

After graduating with a degree in Environmental Studies from the University of Michigan-Dearborn, Chuck joined SEMCOG in the spring of 1978 as a co-op research assistant. He was promptly hired full time to work on transportation planning, and was promoted to the position of Air Quality Planner in 1980. Since that time, Chuck has been intimately involved in our region's implementation strategy for meeting air quality goals. Over the course of many years, he has also worked tirelessly in the cause of improving water quality in Michigan.

SEMCOG was formed over 40 years ago to fill a vital need—to bring together distinct communities in Southeast Michigan, and provide a forum to help them plan and work together for the common good. The philosophy at the heart of SEMCOG is that the whole is sometimes greater than the sum of its parts, and that our region faces challenges we can only meet by working together.

Chuck's work on air pollution is a good example. Air pollution does not recognize political boundaries. You can't deal with ozone and particulate pollution unless you are able to look at pollution on a regional basis, and then develop strategies that both meet the health-based standards of the Clean Air Act and are achievable and cost-effective. This is precisely the work that has occupied Chuck during his tenure at SEMCOG, whether it was his efforts behind the formation of a Southeast Michigan Ozone Strategy; his work on air quality attainment strategies; and his development of the Ozone Action! Program, which became a national model on air quality education.

I am also grateful for the work Chuck and SEMCOG have done to advance water quality improvements in Lake St. Clair, and, in particular, his efforts to advance the Lake St. Clair Strategic Implementation Plan.

Among his other accomplishments, Chuck holds a Masters in Public Administration from the University of Michigan. He is the devoted husband of Agnes, and father of Mathew and



Angela. Chuck and Agnes have two grandchildren, Cameron and Giovanni.

Mr. Speaker, I ask my colleagues to join me in recognizing Chuck Hersey for his commitment to the citizens of Michigan as well as our state's precious environment.

#### OUR UNCONSCIONABLE NATIONAL DEBT

#### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$16,738,715,835,680.58. We've added \$6,111,838,786,767.50 to our debt in 4 and a half years. This is \$6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

#### TRIBUTE TO HONOR FLIGHT OF OREGON

#### HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 2013

Mr. WALDEN. Mr. Speaker, I rise to recognize the 27 World War II veterans from Oregon who will be visiting their memorial this Saturday in Washington, DC through Honor Flight of Oregon. On behalf of a grateful State and country, we welcome these heroes to the nation's capital.

The veterans on this flight from Oregon are as follows: Albert G. Archer, U.S. Army; Edmund D. Fowler, U.S. Army; Wilbur "Wib" Hart, U.S. Army; Walter E. Koerschner, U.S. Army; Ernest J. Lathrop, U.S. Army; Elmer Lively, U.S. Army; Richard H. Young, U.S. Army; Milton F. Cook, U.S. Army Air Force; Ovie "Bob" Holman, U.S. Army Air Force; Brook "Hap" Lovell, U.S. Army Air Force; Clifford J. Larson, U.S. Air Force; James A. Curran, U.S. Navy; Marvin E. Haynie, U.S. Navy; Raymond Jones, U.S. Navy; Eugene L. Kern, U.S. Navy; Gordon L. Lentz, U.S. Navy; Robert W. Moore, U.S. Navy; Marshall P. Ramsey, U.S. Navy; William G. Rugh, U.S. Navy; Clarence L. Schick, U.S. Navy; Robert K. Schroth, U.S. Navy; Leslie O. Stinnett, U.S. Navy; Ralph L. Sweet, U.S. Navy; Olaf Tomlinson, U.S. Navy; Roy F. Wiese, U.S. Navy; Anthony J. Kanchler, U.S. Marine; Leo Manus, U.S. Merchant Marine.

These 27 heroes join more than 98,000 veterans from across the country who, since 2005, have journeyed from their home states to Washington, DC to reflect at the memorials built in honor of our nation's veterans.

Mr. Speaker, each of us is humbled by the courage of these soldiers, sailors, airmen, and Marines who put themselves in harm's way for our country and way of life. As a nation, we can never fully repay the debt of gratitude owed to them for their honor, commitment,

and sacrifice in defense of the freedoms we have today.

My colleagues, please join me in thanking these veterans and the volunteers of Honor Flight of Oregon for their exemplary dedication and service to this great country. I especially want to recognize and thank Gail Yakopatz for her tireless work as president of Honor Flight of Oregon.

#### PAY YOUR BILLS OR LOSE YOUR PAY ACT

#### HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 2013

Mr. McDERMOTT. Mr. Speaker, right now, all across this country, American families are looking at an average of \$15,000 of credit card debt. The average student loan debt is double that. I'm sure each and every one of those families would like the option of saying, "no thanks, I'm not interested in paying those bills." But they can't.

Americans don't get to skip out on repaying their debt without drastic consequences. Why should Congress get to play by separate rules?

When we talk about the debt ceiling, we're not talking about our spending habits or curbing our expenses; we're talking about fulfilling the promises we've already made. We can't debate our budget after we've received what we bought.

The last time we played chicken with the debt ceiling, we deeply hurt our credit standing in the world. And we don't have to guess why we were downgraded: Standard and Poors directly told us that it was on account of the political circus the debate had become.

Luckily for us, America still enjoys one of the highest credit ratings in the world, but with continued turmoil and unnecessary, partisan wars over this, how long do we expect our lenders to hang on?

And why are we having this same, foolish fight? In the name of a so-called "debt crisis" that even Speaker BOEHNER and Budget Chair RYAN admitted isn't a crisis.

We're threatening vital services and sacrificing the security of our good national credit for a bogus threat, and all the while the real threat to our economy, anemic growth and persistent unemployment, still looms.

Americans are tired of phony disasters. They want real solutions. They are tired of political theatre. They want jobs. They are tired of a Congress that can't do anything but bicker and point fingers. They want their representatives to get to work.

To default on our debts would be more than irresponsible, it would send us down a path to becoming a banana republic. We are not a nation of deadbeats and delinquents. We pay our bills or we suffer dire consequences.

If we in Congress won't do our job, we shouldn't get paid.

RECOGNIZING MS. ANTOINETTE "TONI" J. PAULINE ON THE OCCASION OF HER 75TH BIRTHDAY

#### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in recognition of Ms. Antoinette "Toni" Jones Pauline on the occasion of her 75th birthday. An outstanding educator, mother, and grandmother, I am truly blessed to be able to count Toni among my dearest friends. Throughout the years, she always has been a great source of motivation and inspiration to me, and exemplifies what it means to serve the community.

Toni was born in Gainesville, Florida to Allen Quinn Jones, Jr. and Glovine. She spent her early childhood in Gainesville before moving to Fernandina Beach, where she attended Peck High School and was a majorette. Following her graduation from Peck High School in 1956, Toni went on to continue her education at my alma mater, Florida A&M University, and then Nova Southeastern University, where she graduated with a Bachelor's degree in Library Science and a Master's degree in Media Science, respectively.

With a love for education, Toni began her career in the Florida public school system as a librarian at Bradenton Elementary. She continued working at various libraries in schools throughout Broward County, including Chester A. Moore Elementary and Dillard High School. Wanting to do more to help those who are underrepresented and underserved, Toni found work with both the State of Florida and Broward County to improve migrant education. For nearly seven years, she dedicated her time to working with migrant camps in communities all across the State. Toni then returned to the Broward County Public Library System, where she spent the latter years of her career as the Head Reference Librarian at the Pompano Branch Library.

After over 43 years of public service, Toni now fills her days spending time with her granddaughter and volunteering in her community. She is also a lifelong member of Alpha Kappa Alpha Sorority, Inc.

Mr. Speaker, as we celebrate Toni's 75th birthday, I would like to wish her and her entire family all the very best.

#### IN HONOR OF BERNARD ALGENON CATCHINGS

#### HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 2013

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart and solemn remembrance that I rise today to pay tribute to a great man and outstanding citizen of Camilla, Georgia, Bernard Algenon Catchings. Mr. Catchings passed away on May 22, 2013. A memorial service will be held on Saturday, June 15, 2013 at 1:00 p.m. at St. Peter AME Church in Camilla, Georgia.

Born on January 19, 1915 to the late Timothy and Alice Catchings of Camilla, Georgia, Bernard Catchings was the fourteenth of sixteen children. He was educated at the Catchings Family School, a school his father built on the family's farm, and graduated from Mitchell County Training School in Pelham, Georgia. He later earned his Bachelor of Science Degree in Agriculture from Fort Valley State College in 1946. In the intervening time, he proudly served his country as a Medical Technician in World War II and was honorably discharged in 1944. Mr. Catchings obtained his Master's Degree in Horticulture from Florida Agricultural and Mechanical University.

Mr. Catchings' passion for education persisted during his professional career as a teacher in the school systems of Mitchell and Baker Counties in Georgia as well as in the Jackson County School System in Florida. He taught Math, Science, Agriculture, Shop, and Driver's Education classes. He continued to touch the lives of young people by substitute teaching at Mitchell Baker High School upon retiring after 40 years as an educator.

Other employment ventures led him to serving as a Florida Frozen Fruits and Vegetable Inspector, World Book Encyclopedia Sales Representative, Farm Bureau Co-Op, and an Angler Watcher with the Department of Natural Resources.

A favorite pastime of Mr. Catchings was hunting. He was regarded by many in Camilla, Mitchell County, and Southwest Georgia as the greatest huntsman of quail and dove ever known. He was affectionately known by many as "The Birdman."

Maya Angelou once said, "A great soul serves everyone all the time. A great soul never dies." Mr. Catchings is undoubtedly great because of his service to his community, devotion to his work, and the compassion he showed for his friends and loved ones.

Mr. Catchings was preceded in death by his wife, Alexa Burton Catchings and his grandson, Walter Williams. He is survived by his children, Bernard, Jr., Gwainever, Janet, Rose, and Alexa; grandchildren, Joy, Kimberly, Walter, Tracey, Natalie, Elliot, Bernard, and Alex; and great-grandchildren, Christopher, Brandon, Alex, and Emerie.

Mr. Speaker, my wife Vivian and I would like to extend our deepest sympathies to Mr. Catchings' children and other family members during this difficult time. May they be consoled and comforted by their abiding faith and the Holy Spirit in the days, weeks, and months ahead.

REMEMBERING THE LONG-TIME  
CONGRESSIONAL AIDE RICK  
JAUERT

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 2013

Ms. McCOLLUM. Mr. Speaker, last Saturday I traveled to Luverne, Minnesota to say good-bye to a dear friend and long-time congressional aide Rick Jauert. For nearly three decades Rick worked for seven different Minnesota Democrats in the U.S. House. He also

worked for members from New York and California.

A committed, passionate man, Rick worked for the families of Minnesota's Fourth Congressional District as my press secretary during my first-term in Congress.

Rick Jauert passed away on June 2, 2013 at the age of 59 years old.

Mr. Speaker, I delivered the following eulogy for Rick at his funeral on June 8th.

EULOGY FOR A FRIEND: REMEMBERING THE  
LIFE OF RICK JAUERT

Today we are here to remember a brother, a cousin, an uncle, a co-worker, a mentor, a public servant, a dear friend. We are here to celebrate Rick Jauert and how his life touched us. We are here to grieve for our loss. And, we are here to say good-bye to a dear man who we cared for and loved.

In April, I drove down from the Twin Cities with Sue Vento to see Rick and visit with him for the last time. He was very sick, physically depleted, and enduring the realities of his failing health. His dear friend Ben VanderKoi had rigged up a microphone which allowed his whispers to be heard and we had a wonderful conversation. His political opinions had not been diminished. He was more up to date on the news than I was. Rick was calm.

As we were ending our visit Rick didn't ask, but sort of told me and Sue that we would be speaking at his funeral, even though he assured us that it would be a long way off. He was sure he was improving even though he very gracefully accepted the fatal nature of his condition.

A few weeks ago I received an email from Rick. He told me he saw me on MSNBC speaking on the House floor and that he was proud, that I had done a good job. I didn't know I had been on MSNBC so it made me feel like once again Rick was playing his congressional aide role, this time from his hospice bed. That was the last time I heard from Rick.

I am here today because Rick was a special person in my life. He was a special person to each of us. Rick's sisters and brother and other family members have known him from childhood. Some of you may have grown up with him here in Luverne or maybe a worked with him on a political campaign or in a congressional office. Some of you may have stayed with Rick at his famous 146 North Caroline Ave South East home.

But however we got to know Rick, here we are, together in Luverne, Minnesota on a June afternoon. We are here because a kid grew up surrounded by a loving family, a uncomplicated small town life, and then one day he packed a bag on day went out to discover the world. He took with him his love for his family, the strong values this community instilled in him, and his own curiosity and sharp intellect.

Rick went to the Philippines and lived and studied there right out of high school. That took real courage and a tremendous sense of adventure. He went to college at Morris and excelled at both activism and academics. He went to our Nation's capital and found a home for himself for more than three decades.

Rick Jauert grew up on the prairie and ended up meeting Presidents and First Ladies, working with Members of Congress and Senators, and fighting policy battles to help make Minnesota, our country and this world a better place.

Rick was dedicated. He was smart. He had a quick wit and a sharp tongue. He could be incredibly kind and incredibly cruel, which

was the case anytime the words "Michele Bachmann" came out of his mouth.

He was a DFLer to the core of his being and an unapologetic liberal. If there are any Republicans here today you must have never told Rick your party affiliation or you endured a lot of political lectures.

Stop for a moment. Think back to the first time you met Rick.

I remember. I first met Rick thirteen years ago—June of 2000—at the DFL State Convention. I was running for Congress and Rick was in Rochester wearing a seersucker suit. As many of us know, it takes a special person to make a fashion statement at a DFL State Convention and Rick stood out!

At that time Rick was working for Bruce Vento, Bruce was living at Rick's house, and Bruce was dying of cancer. Rick was playing the role of friend, caretaker, and staff member. It was a heavy burden.

I got the feeling Bruce had sent Rick out to keep an eye on me and to provide advice. Rick was certainly not shy about sharing his opinions about what I needed to do on my campaign. After all these years I can't remember anything that Rick told me that day.

I just kept looking at his suit and thought to myself—is this what happens to Minnesotans who go to work in Washington?

Over the next six months Rick gave his heart and soul to help me win that congressional race. He spent the last month of the campaign in the office every day doing any job that was helpful. He helped with strategy, entertained volunteers with stories, chastised young staffers for sport, and prepared me for my new career in Congress. He was invaluable.

But there were some hard times. Bruce's death really hit Rick. The next year we evacuated my Washington office on September 11th, 2001 and my entire staff and I camped out with Rick at his house during that day of horror and tragedy. The following year in 2002 the tragic deaths of our friends Paul and Sheila Wellstone was devastating to Rick as it was to so many of us.

I really felt these three tragedies tore into Rick's being, into his soul. He internalized the losses, the pain, the grief and it seemed like he wouldn't let it go.

For any of us, there is no denying our faults, failures and frailties. Rick had his and at times imposed them on those he cared for and those who cared for him. He had his vulnerabilities and many of us endured difficult episodes with him.

There were some dark times. But this was the very human nature of Rick. He so often gave of himself without holding back. He gave so much to others and to the causes and people he believed in. And, at times, he needed help desperately.

These last two years Rick needed help—especially as his physical health declined.

So many of his family and friends gave Rick the love and support he needed.

As Rick's condition became more debilitating he put his trust in his friends and family members. And their love for him was comforting and it allowed Rick to make the final transitions in his life that brought him back home to Minnesota. Ben VanderKoi and Cini and Denny McGrann, along with so many others, gave so much to help guide Rick through difficult decisions and towards a peaceful conclusion to his life.

What I always will remember about Rick, what is embedded in my heart, is that Rick never stopped loving, he never stopped believing in people, he never stopped hoping for a better tomorrow—even when he felt dark inside.

On Wednesday night this week, I was in Washington and we finished voting in the Capitol around 8 o'clock. I went outside to walk home and there was dark smoke in the air and a strong odor of something burning.

When I got home I looked on-line and the news said that there was a four alarm fire at Frager's Hardware Store which is on Pennsylvania Avenue about 10 blocks from the Capitol and about the same distance from Rick's house.

The first thing I thought about when I read the news was Rick. Rick loved Frager's. Rick really, really loved Frager's. It seemed like Rick would walk to Frager's every Saturday as part of his weekend routine. He had a Frager's tee-shirt I remember him wearing.

Frager's was the old school hardware store where everything you could ever want is packed into tiny isles and tall shelves. There is clutter and disorder and a sense of stepping back into a grittier, more personal time.

In fact, the hardware store looked a lot like the packed shelves and poster covered walls in Rick's house. And in both places, in spite of appearances, if you asked for a special window putty or a book about Trotsky's travels in Mexico, the respective proprietors could locate them almost instantly.

For 90 years Frager's was a Capitol Hill institution. And now it is gone.

Rick Jauert was a Capitol Hill institution for more than 30 years. And now he is gone.

Rick gave his life to public service and to the U.S. House of Representatives. He gave me his friendship and put his faith in me and for that I'll be grateful forever. He gave so much to so many of us.

Let us all give thanks that our lives were touched by Rick Jauert. Let us all pray for Rick that may God bless him and keep his soul at peace. Let us all remember that for 59 years a good man walked this Earth and we had the privilege of knowing him, caring about him, and loving him.

We will miss you, Rick.

#### RECOGNIZING TANNER AND DALLIN REED'S COMMITMENT AND SERVICE TO THE OLYMPIC PENINSULA REGION OF WASHINGTON STATE

##### HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mr. KILMER. Mr. Speaker, I rise today to honor Tanner Douglas Reed and Dallin Walker Reed, who recently earned the impressive rank of Eagle Scout and have a steadfast commitment to the growth and prosperity of the Olympic Peninsula region of Washington State.

It takes great effort, service, and determination to earn the rank of Eagle Scout. It is an honor to congratulate Tanner and Dallin on their awards.

Mr. Speaker, Tanner is a 17-year-old cancer survivor and Army ROTC Scholarship recipient who will be attending Brigham Young University this fall. Dallin is a 15-year-old student that attends Peninsula High School and volunteers his time and energy to helping the elderly and children. They are the 2nd and 3rd Eagle Scout recipients in their family.

Tanner and Dallin built a wooden trellis system for the Kitsap Helpline Food Bank for their

community service project. The system consists of separate lengths of cable strung between three support trellises, creating a structure that allows the tomato vines to grow vertically. In the winter, the structure is able to act as a greenhouse when plastic sheets are draped over the structure. This will be used to support the food bank's annual crop of tomatoes.

The Boy Scouts represent the finest qualities in America's youth; the Reeds' accomplishments have helped solidify a strong foundation for their future. I am hopeful that others in our community will follow the Reed's example of leadership.

As I close, I can say with confidence that our community is a better place thanks to the ongoing, selfless commitment of people like the Reeds. Their dedicated service to our community has earned them the appreciation and admiration of peers and neighbors in the Olympic Peninsula region. I am pleased to recognize their service today in the United States House of Representatives.

#### HONORING DAVID GLOVER

##### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Ms. LEE of California. Mr. Speaker, I rise today to honor the extraordinary life and career of Bay Area community leader and tireless advocate for the underserved, Mr. David Glover. Known throughout the Greater Oakland/Bay Area region as an innovative and dedicated nonprofit leader, David Glover was also a stalwart community member. With his passing, we look to Mr. Glover's tremendous legacy and the outstanding quality of his life's work.

For over two decades, Mr. Glover served at the helm of The Oakland Citizens Committee for Urban Renewal (OCCUR). Under his tenure as Executive Director, OCCUR expanded its role as a key leader of efforts to serve and revitalize neighborhoods throughout Oakland and the Greater Bay Area. From the concept of asset mapping and the community-building Neighborhood Profiles project, to the launch of the Eastmont Technology Center as a source of multimedia learning and digital inclusion, OCCUR's commitment to increasing 21st century skills in low-income communities mirrored David's vision of advancing social equity for minority communities.

His commitment to innovation and strategic local investment also led OCCUR to initiate the Oakland Equity Policy and the program, "A Model Built on Faith." By leading development activity among community partners along key retail and commercial corridors, Mr. Glover helped OCCUR aggressively implement financial literacy and consumer education programs for low-income residents and families. Furthermore, OCCUR's successful community partnerships with faith-based institutions, as well as community-based and nonprofit organizations, has resulted in a dynamic level of civic engagement and leadership development among local communities of color.

Mr. Glover never gave up on his mission to improve the lives and conditions of low-income

youth, residents, and families through the delivery of balanced goods, effective public policy, and targeted community services. Likewise, our community will never forget his countless contributions and achievements.

He received national and local recognition for his efforts, earning accolades that included Community Service awards from the Niagara Democratic Club, National Association of Black Planners, National Council of Negro Women, and the Bay Area Black United Fund, as well as a Profile in Excellence Award from KGO TV, a Leadership Award from Black Business Listings, and an Outstanding Citizen Resolution from the City of Oakland.

Mr. Glover was also an active member of myriad organizations, serving on the boards of the Oakland Advisors, the Stewardship Council, the Oakland Partnership, the Berkeley Law Foundation, Operation Hope, and as a founding board member of the groundbreaking, Greenlining Institute. He produced public affairs programs and content for radio and television, and was an award-winning mentor and coach for various youth programs supporting sports leadership development.

On a personal note, when I met David many years ago, I immediately recognized the depth of his intellect and his indomitable spirit. I was deeply humbled when he endorsed me early in my California Legislature campaign. It was an endorsement that I knew commanded the respect and trust of voters. For that, I will be forever grateful.

Today, California's 13th Congressional District salutes and honors a great friend of the Bay Area and a true champion for equity, Mr. David Glover. His steadfast commitment to ensuring that all Oakland residents have access to a better quality of life will forever live on with the legacy of his vision. I offer my sincerest condolences to his many loved ones and to all of those whose lives he touched over the years. He will be deeply missed.

#### PERSONAL EXPLANATION

##### HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

Mr. PETERS of Michigan. Mr. Speaker, on Friday, May 17, I was unable to be present to cast my vote on four matters before the House.

Had I been present for rollcall No. 157, I would have voted "no."

Had I been present for rollcall No. 158, I would have voted "aye."

Had I been present for rollcall No. 159, I would have voted "aye."

Had I been present for rollcall No. 160, I would have voted "no."

RECOGNIZING THE FRIENDSHIP  
BETWEEN THE PEOPLE OF  
NORTHWEST FLORIDA AND  
NOIRMOUTIER

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to commemorate the enduring spirit and gratitude of the people of the United States and France as exemplified through the mutual friendship of the sister cities of Crestview, Florida, and the French island city of Noirmoutier-en-l'Île.

The island of Noirmoutier, located off the west coast of France near Nantes and Saint-Nazaire, maintains an inextricable link with our Nation's military history. On July 4, 1943, while America was celebrating the date of its independence, an American B-17 crash-landed right on the beach of the small Noirmoutier village of la Guérinière. This Flying Fortress was returning to England after a bombing run on the Nazi-held airfield outside Saint-Nazaire during World War II. Though the crew survived, the Nazi occupation forces on Noirmoutier got to the Americans before the island's underground partisans could rescue them, and the crew was imprisoned for the duration of the war.

To this day, the people of Noirmoutier refuse to clear the wreckage of the B-17. Even for the island's youngest generation, it acts as a vivid reminder of the sacrifices made by France's American allies toward the cause of liberating France, and Europe, from the scourge of Nazi occupation, deprivation, and brutality. On Commemoration Day, Sunday, June 30, 2013, a monument will be unveiled on Noirmoutier dedicated to the courageous crew of that fateful B-17 and to all Americans who worked so selflessly to obtain France's liberation from the Nazis.

On behalf of the United States Congress and the citizens of Northwest Florida, I am privileged to recognize the friendship between the people of Northwest Florida and Noirmoutier and join them in honoring the service and sacrifice of all men and women who sacrifice their lives in the name of freedom.

PROPOSED CUTS TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 12, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to speak against the appalling proposed cuts to the Supplemental Nutrition Assistance Program, SNAP, in the 2013 Farm Bill. SNAP provides an indispensable safety net for families struggling to make ends meet.

Approximately 50.1 million Americans live in households that suffer from food insecurity. In Texas, 19 percent of people and 27 percent of

children struggle against hunger. SNAP supports people when they need it most, responding to the dramatic increase in the number of unemployed Americans from 2007 to 2011 with a 70 percent increase in participation.

The Republican Farm Bill would cut \$20.5 billion from SNAP, kicking 2 million Americans off the program. As a result of these cuts, 210,000 children would also lose access to free school meals. These cuts are reckless and irresponsible. As our economy continues to recover, now is not the time to slash funding for this essential safety net program that helps people out of poverty.

I urge my colleagues to oppose cuts to SNAP. We must not balance the budget on the backs of children and the most vulnerable Americans.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 13, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 14

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.

SR-222

JUNE 18

10 a.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on Housing, Transportation, and Community Development  
To hold hearings to examine long term sustainability for reverse mortgages, focusing on the Home Equity Conversion Mortgage's (HECM) impact on the mutual mortgage insurance fund.

SD-538

Committee on Energy and Natural Resources

Business meeting to consider pending calendar business.

SD-366

Committee on Finance

To hold hearings to examine health care costs.

SD-215

Committee on Foreign Relations  
Subcommittee on African Affairs

To hold hearings to examine prospects for democratic reform and economic recovery in Zimbabwe.

SD-419

10:30 a.m.

Committee on the Budget

To hold hearings to examine the President's proposed budget request for fiscal year 2014 for education.

SD-608

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Daniel M. Tangherlini, of the District of Columbia, to be Administrator of General Services.

SD-342

2:30 p.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nomination of Thomas Edgar Wheeler, of the District of Columbia, to be a Member of the Federal Communications Commission.

SR-253

Committee on Foreign Relations

Subcommittee on Western Hemisphere and Global Narcotics Affairs

To hold hearings to examine security cooperation in Mexico, focusing on the next steps in the United States-Mexico security relationship.

SD-419

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

JUNE 19

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine next steps in improving passenger and freight rail safety.

SR-253

Committee on Health, Education, Labor, and Pensions

Subcommittee on Primary Health and Aging

To hold hearings to examine reducing senior poverty and hunger, focusing on the role of the "Older Americans Act".

SD-430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine extreme weather events, focusing on the costs of not being prepared.

SD-342

Committee on the Judiciary

To hold an oversight hearing to examine the Federal Bureau of Investigation.

SD-106

2 p.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Geoffrey R. Pyatt, of California, to be Ambassador to Ukraine, and Tulinabo Salama Mushingi, of Virginia, to be Ambassador to Burkina Faso, both of the Department of State.

SD-419

Special Committee on Aging

To hold hearings to examine paperless Social Security payments, focusing on protecting seniors from fraud and confusion.

SD-366

2:30 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Aviation Operations, Safety, and Security

To hold hearings to examine airline industry consolidation.

SR-253

Committee on the Judiciary

To hold hearings to examine the nominations of Todd M. Hughes, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit, Colin Stirling Bruce, to be United States District Judge for the Central District of Illinois, Sara Lee Ellis, and Andrea R. Wood, both to be a United States District Judge for the Northern District of Illinois, and Madeline Hughes Haikala, to be United States

District Judge for the Northern District of Alabama.

SD-226

JUNE 20

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine water resource issues in the Klamath River Basin.

SD-366

Committee on Small Business and Entrepreneurship

To hold hearings to examine sequestration, focusing on small business contractors.

SR-428A

2:15 p.m.

Committee on Foreign Relations

To hold hearings to examine the nomination of Daniel R. Russel, of New York,

to be Assistant Secretary of State for East Asian and Pacific Affairs.

SD-419

2:30 p.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce

To hold joint hearings to examine the workforce of the United States Intelligence Community and the role of private contractors.

SD-342

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

**SENATE—Thursday, June 13, 2013**

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, we trust You to order our steps. Show us Your path and teach us to follow You. Lord, guide us by Your truth and instruct us with Your wisdom.

Today, help our Senators to give You their challenges as they remember that You have promised to make them more than conquerors. Infuse them with a spirit of peace, and may they find new strength in Your gift of quiet confidence. May they trust You above all and through all, as You pour into their hearts a greater love for You and humanity.

Use us, O God, to bring healing to those in pain, hope to those in despair, and peace to those in war.

We pray in Your awesome Name. Amen.

**PLEDGE OF ALLEGIANCE**

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**RECOGNITION OF THE MAJORITY LEADER**

The PRESIDENT pro tempore. The majority leader is recognized.

**ORDER OF PROCEDURE**

Mr. REID. Mr. President, following my statement the Republican leader will be recognized. I ask unanimous consent that I be recognized when he completes his statement.

The PRESIDENT pro tempore. Without objection, it is so ordered.

**SCHEDULE**

Mr. REID. Mr. President, following leader remarks the Senate will resume consideration of S. 744, the comprehensive immigration bill.

I renew my request to be recognized following the remarks of Senator MCCONNELL and the reporting of the immigration bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

**BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT**

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 744, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 744) to provide for comprehensive immigration reform and for other purposes.

Pending:

Leahy/Hatch amendment No. 1183, to encourage and facilitate international participation in the performing arts.

Grassley/Blunt amendment No. 1195, to prohibit the granting of registered provisional immigrant status until the Secretary has maintained effective control of the borders for 6 months.

The PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, when Alfredo Castaneda crossed the border from Mexico into the United States two decades ago, he didn't climb over a fence. He didn't swim across a river. He didn't fly over the border. He didn't walk through the desert. When Alfredo Castaneda crossed the border, he was a 2-year-old little boy perched on his father's shoulders.

The choice to leave Mexico wasn't an easy one for Alfredo's father, but the rumble of hunger in his belly and in his son's belly convinced Alfredo's dad to leave behind the world he knew for a hopefully better life in America. He wrote me a letter; it is addressed to me. Here is what he said:

I lived in a shack with one wall of my house leaning on my neighbor's; the other three were made of sticks and mud bricks. I wanted to give my family a better life, and so I hear the U.S. is a land of opportunity. All I want is to have a sliver of that opportunity for my family.

So with his wife by his side and his son on his shoulders, Alfredo's father came to America illegally. Alfredo was a 2-year-old boy, as I mentioned, at the time. Today he is a 23-year-old man who appreciates the privileges that come with life in America, but he is also conscious of the opportunities available only to U.S. citizens—opportunities that aren't available to him because of his immigration status.

When his friends applied for part-time jobs in high school, Alfredo knew he could never work legally. When he was researching a paper for a class, Alfredo was denied a library card because he had no identification. When he filled out an application for his dream school, selecting “noncitizen” on an online form, Alfredo received an error message in bold red letters that

said “noncitizens cannot apply”—cannot apply for entry into this institution.

Alfredo's life in Nevada bears little in common with the shack of sticks and mud he left behind. For him, America truly is the land of opportunity his father envisioned. Yet, until recently, Alfredo could not get a Social Security number, a driver's license, or even a full-time job because he is an undocumented immigrant. But that hasn't stopped him from reaching for his dreams. This is what he wrote in addition to what we have already heard:

My parents constantly reminded me to be a good citizen and volunteer in my community whenever possible. They said that it would pay off and would help me acquire citizenship in the future. I took that to heart.

So Alfredo worked hard in high school—really hard—volunteered in a local hospital, and became politically active. He enrolled in the College of Southern Nevada.

Since he can't find steady work, it has been difficult for Alfredo to afford tuition while he helps support his family. But he believes things are about to change for the better.

Thanks to a directive issued last year by President Obama, Alfredo and 800,000 DREAMers just like him won't be deported and will be able to work and drive legally. Alfredo has already applied for several jobs. He has even gotten a few interviews. He looks forward to learning to drive, going back to school, completing his associate's degree, and one day owning a business.

But President Obama's directive isn't a permanent answer. The Republican majority in the House of Representatives voted last week to resume deportation of outstanding young people just like Alfredo who were brought to this country through no fault of their own. Remember, this boy got here on his dad's shoulders. And the directive isn't a solution for Alfredo's parents and 10 million people just like them who live in the United States without the proper paperwork.

It is more important than ever that Congress pass a permanent fix for this Nation's broken immigration system. Alfredo believes in us. He believes we will succeed. He believes we will find the political will to pass commonsense, bipartisan immigration reform and do it now.

His letter contained a reminder of what is at stake in this debate. This is what he wrote:

It's not just a piece of legislation; that piece of paper holds our dreams, ambitions, and potential in it.

I note the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. SCHATZ). The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, it is my understanding that the immigration bill was reported, so we are on that bill right now; is that right?

The PRESIDING OFFICER. That is correct.

Mr. REID. And the pending amendment is what?

The PRESIDING OFFICER. The pending amendment is Grassley amendment No. 1195.

Mr. REID. Mr. President, in a brief moment I am going to move to table that amendment, but I want everyone to understand that I talked to Senator GRASSLEY yesterday and told him I was going to do this, and the staffs have been advised of it as well.

So I ask unanimous consent to move to table the Grassley amendment and that the vote on the motion to table occur at 10 a.m. following the remarks of Senator MCCONNELL; and that at a time following Senator MCCONNELL's remarks, there be 5 minutes for the opposition and 5 minutes for those supporting the motion to table. So the vote would occur a little after 10 a.m., but that depends on how long Senator MCCONNELL speaks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

YOUNG AMERICANS

Mr. MCCONNELL. Mr. President, the Obama economy has been pretty rough on our Nation's young people. If you are a teenager looking for work over the summer break or if you are a high-schooler looking for a part-time job after school, good luck with that. The unemployment rate for 16- to 19-year-olds is 25 percent—25 percent—which is near historic highs. If you are a college graduate, things don't look much brighter. In fact, the unemployment rate for 20- to 24-year-olds is over 13 percent.

It hardly needs mentioning at this point that many Americans are likely to see their hours cut or their jobs disappear altogether as ObamaCare continues to come online. That is because so far we know that the President's new health care law will impose about 20,000 pages of onerous regulations and probably many more than that when all is said and done.

Many of these regulations will hit small businesses, which create the ma-

jority of new jobs in our country. Many of these regulations will hit part-time workers very hard. For instance, the law punishes businesses if they allow employees to work too many hours. So it is no surprise when we read any one of the numerous stories about companies slashing hours. It also punishes businesses if they dare to give jobs to too many people, so, of course, it will probably lead them to slash jobs or actually limit hiring.

I am sure the Washington Democrats who drafted ObamaCare thought they were striking some blow for "fairness" with these job-crushing ideas. Well, now the youth of our country are finding out what Democrats' so-called fairness means for them. It means smaller paychecks or no paychecks at all. It must seem pretty unfair from where they stand.

It actually gets a lot worse. Many experts predict that ObamaCare will also cause health care premiums to skyrocket, especially for younger Americans. Some studies show that young men in particular could see rate increases of 50 percent—50 percent—or more. Think about that. You work your tail off in high school just to get into a good college. You spend 4 years pulling all-nighters and cramming for finals, all for the privilege of putting on a gown, accepting your degree, and potentially spending who knows how long frantically searching to find work. Then, if you are lucky—if you are lucky—your hours get cut after you find a job or maybe your job gets cut altogether. You get a letter in the mail that says: Sorry, your premium is going up by double-digits. Can't pay the higher premium? Too bad. If you don't, Uncle Sam slaps you with a penalty tax. And for all the talk of subsidies, the studies indicate these payments from taxpayers might not even make up for the higher costs.

Look, I would be pretty disillusioned if I were in that position, and I think everyone else would be also. Well, it could get worse if Washington Democrats don't start getting serious about working with Republicans on student loans too. As I mentioned last week, President Obama and Republicans actually agree in broad terms on the way forward for student loan reform. As the President's Secretary of Education told Politico yesterday—this is the Obama administration's Secretary of Education:

My strong preference would be for a longer-term solution, and not to just keep solving it this year, and then the next year and then the next year.

So it is time for Senate Democrats to stop blocking us from enacting permanent reform because Federal rates for new student loans are set to double—double—if we don't act soon.

Several Senate Democratic leaders have basically already admitted to the media that they would rather have a

failed bill they can morph into a campaign issue than a signed bill that can help 100 percent of students.

It is time for that to change, and they should not assume younger Americans will be that easily tricked one more time in 2014. These young men and women may be drowning in the Obama economy, but it is not because they are dumb or lazy or apathetic. It is because of policies dreamed up in Washington during the years of the Obama administration.

As the days go by, these young Americans are discovering just how unfairly Washington Democrats have treated them in the past few years.

KEEPING A COMMITMENT

Finally, Mr. President, we have been discussing on a daily basis whether the majority leader will keep the commitment he made at the beginning of the last two Congresses that no rules changes would be made other than by following the rules. In other words, the commitment was: I will not break the rules of the Senate in order to change the rules of the Senate.

My friend the majority leader has made that commitment on two occasions. He made it in January of 2011 for the next two Congresses. We are in the second Congress now. At the beginning of this Congress, we had an extensive discussion about rules changes, after which the vast majority of Senate Republicans supported two rules changes and two standing orders, and in return for those changes we made, the majority leader committed once again that for this Congress he would not pull the nuclear trigger, as we call it around here, use the nuclear option; in other words, turn the Senate into the House.

So the majority leader will be confronted with his promise, his commitment, on a daily basis until we understand fully that he intends to keep his commitment to the Senate and to the American people.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1195

Under the previous order, the time until 10 a.m. is equally divided between the proponents and opponents of the motion to table the amendment offered by the Senator from Iowa.



Mr. SCHUMER. Mr. President, I ask unanimous consent that the proponents be given 5 minutes and the opponents be given 5 minutes and then we vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I rise to speak against the amendment offered by my friend and colleague, the ranking member of the Judiciary Committee.

What does this amendment do? It is very simple. It says that the 11 million people living in the shadows cannot even get RPI status, the provisional status by which they can work and travel, until—until—the Secretary of Homeland Security says the border is fully secure.

We all know that will take years and years and years, and that is why an amendment very similar to this came up in the Judiciary Committee and was defeated 12 to 6, with two Republicans joining the Democrats in voting against it, Mr. FLAKE and Mr. GRAHAM, who were part of our so-called Gang of 8.

The problem with the amendment is very simple: What do we do for 5, 6 years until the border is fully secure? It is going to take a while to do it. We need to bring equipment there. We need to build fences there. We need to do all of the kinds of things that are in our bill. We provide \$6.5 billion to build \$1 billion worth of border fence, to deploy sensors, fixed towers, radar, drones that will cover the entire border.

So what are we telling those 11 million? If you hide successfully from the police, then maybe 5 years from now you can stay here and get the right to work and the right to travel. This clearly would undo the entire theme and structure of the immigration bill that has such bipartisan support that is before us today.

Again, let me repeat, as I understand it, it is opposed by all the Members of the Gang of 8—the four Democrats and the four Republicans—for the very reason it will take years and years until the border is secure. To wait that long, we will have millions more come across the borders illegally, the number of illegal immigrants in America will increase, and we may never get to real immigration reform that is needed—so desperately needed—by the country.

I strongly urge that this amendment be defeated. The American people made it resoundingly clear they want us to move forward with immigration reform in a careful, balanced, and bipartisan way. They want us to secure the border, and they want us to be reasonable about the 11 million who are here and about future immigration so we can grow the American economy. That is what our bill does.

This proposal would undo much of that without proposing any real solutions as to what we do before that. It

has bipartisan opposition, and I strongly urge that it be defeated.

I yield the rest of my time to the chairman of our Judiciary Committee, Senator LEAHY.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, this amendment offered by my friend from Iowa would significantly delay even the initial registration process for the 11 million undocumented individuals in the country.

We believe the pathway to citizenship has to be earned, but it also has to be attainable. This amendment would further delay a process that already would take at least 13 years.

Bringing these 11 million people out of the shadows is not only the right thing to do, it is the best thing to do. It keeps our country safe. We would know who is here. We could focus our resources on who poses a threat.

This amendment is also unnecessary. We have been pouring billions of dollars into border security in recent years. We have made enormous progress since the last immigration bills in 2006 and 2007, and this bill takes even more steps.

As I said yesterday on the floor, I am going to have to oppose this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I wish to remind my colleagues that we were promised an open and fair process on this legislation. The fact that the majority is moving to table my amendment proves this so-called open and fair process is a farce. The majority is afraid to have an up-or-down vote on my amendment. They are apparently afraid to have an open debate and vote on a provision that ensures true border security before legalization, and that is what the people of this country want. They claim to be open to improving the bill, but this motion to table shows they are not ready to fundamentally change the bill.

By tabling my amendment, the majority is stifling progress on this bill. They are refusing to have an amendment process to improve it. This is not the right way to start off on a very important bill.

You know, we only do immigration reform once every 25 years. So what is the hurry? Surely, we need an amendment process in which true immigration reform can succeed. There is a lesson to be learned from the 1986 legislation that is now the law of the land. Then, we legalized first and thought we were going to secure the border later, which we never did.

So this amendment is the first of many that will improve the bill and do what the authors of the bill say they want to do, secure the border and do what the American people expect us to

do. If the American people are being asked to accept a legalization program in exchange for that compassionate approach, they should be assured that the laws are going to be enforced.

But as we read the details of the bill, it is clear the approach taken is legalize first, enforce later, the same mistake that was made in 1986. My amendment would fundamentally change that. The amendment that is now pending would require the Secretary to certify to Congress that the Secretary has maintained effective control over the entire southern border for at least 6 months before processing applications for legalization.

It is a commonsense approach: border security first, like promised, legalize next. If the bill passes as is, the Secretary only needs to submit two plans before processing people through the legalization program. We do not need to pass any more legislation that tells this administration to do a job that is already required of them that they are not doing. People want laws enforced. Nevertheless, the bill would start legalization even if the strategies the Secretary submits to Congress are flawed and inadequate. What if this Secretary is not committed to fencing? What if this Secretary believes the border is more secure than ever? Well, in fact, this Secretary told the committee she thought the borders were secure. That should concern all of us.

Legalization status is more than probation. This RPI status is, in fact, legalization. Once a person gets RPI, they get the freedom to live in the United States. They can travel, work, and benefit from everything our country offers. RPI status is de facto permanent legalization.

We all know it will never be taken away. People who say 10 years down the road if we do not have the borders secure, that they are going to take back and classify these people as illegal again, that is naive. Given the history of these types of programs, we know it will never end.

My amendment improves the trigger and fulfills the wish of the American people. My amendment ensures that the border is secured before one person gets legal status.

If we pass this bill as it is, there will be no pressure on this administration or future administrations to secure the border. There will be no push by the legalization advocates to get that job done. We need to work together. We need to secure the border for several reasons, so that we are not back here in the same position 25 years from now saying we made a mistake 25 years ago, like we know now we made a mistake. We need to protect our sovereignty and to protect the homeland and improve national security.

Under my amendment the Secretary would have to prove that we have effective control, as defined in the bill, for

6 months before the applications for registered provisional immigration status are processed. I agree with at least one of the authors of this bill that if the border security title is not improved this bill does not stand a chance of getting to the President.

So my amendment is a first and necessary step to fixing this issue.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, my dear friend—we have served together in the Congress for more than three decades—I care a great deal about him. He is a good legislator. But I think the only criticism I have is he must be reading my speeches because the speech he just gave is almost a carbon copy of what I have been saying for a long time: that we should not have this 60-vote threshold on everything the Republicans created.

For him to come now and say we are going to have 50 votes, he should go back and reread my speeches, which maybe his staff has done.

I move to table the Grassley amendment. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to table amendment No. 1195 offered by the Senator from Iowa.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 57, nays 43, as follows:

[Rollcall Vote No. 148 Leg.]

#### YEAS—57

Baldwin	Graham	Murphy
Baucus	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Boxer	Hirono	Rockefeller
Brown	Johnson (SD)	Rubio
Cantwell	Kaine	Sanders
Cardin	King	Schatz
Carper	Klobuchar	Schumer
Casey	Landrieu	Shaheen
Coons	Leahy	Stabenow
Cowan	Levin	Tester
Donnelly	McCain	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Flake	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden

#### NAYS—43

Alexander	Cruz	Moran
Ayotte	Enzi	Paul
Barrasso	Fischer	Portman
Blunt	Grassley	Pryor
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeben	Scott
Chiesa	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Thune
Cochran	Johnson (WI)	Toomey
Collins	Kirk	Vitter
Corker	Lee	Wicker
Cornyn	Manchin	
Crapo	McConnell	

The motion was agreed to.

Mr. REID. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, for the benefit of Members, we have had a number of amendments filed, and I would like to move forward on trying to move this legislation along. That is what this is all about.

So, Mr. President, I ask unanimous consent that the following amendments be in order and be called up in the order I offer them here: Thune No. 1197, Landrieu No. 1222, Vitter No. 1228, Tester No. 1198, and Heller No. 1227; that the time until 11:30 a.m. be equally divided between the two managers or their designees for debate on these amendments; that at that time; that is, 11:30 a.m., the Senate proceed to vote on the amendments in this agreement in the order listed; that there be no second-degree amendments in order prior to the votes; that all the amendments be subject to a 60-affirmative vote threshold; that there be 2 minutes equally divided between the votes, and all after the first vote be 10 minutes in duration.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. Mr. President, reserving the right to object—

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I have a suggestion: that we agree to everything for the first four amendments on the list.

I object.

Mr. REID. So you object to the whole thing?

Mr. GRASSLEY. Yes.

Mr. REID. I thought we had a deal there.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. I therefore ask, because of the objection, unanimous consent that the following amendments be in order to be called up: Thune No. 1197, Landrieu No. 1222, Vitter No. 1228, Tester No. 1198, and Heller No. 1227.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. Reserving the right to object—

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I suggest to the majority leader we can agree to what he has suggested except for Heller amendment No. 1227.

Mr. REID. I am disappointed my colleague's amendment is not going to be part of this, but maybe we can work on that at a subsequent time.

Mr. GRASSLEY. Yes.

The PRESIDING OFFICER. Is there objection to the request as modified?

Without objection, it is so ordered.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, while we are determining the best way to move forward on these amendments that are now in order, I ask unanimous consent that the Senator from New Mexico Mr. HEINRICH be allowed to speak for up to 15 minutes to give his maiden speech before the Senate, and during that 15-minute period of time we will try to figure out a way to proceed.

That is the request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I also ask unanimous consent that following the Senator's statement I be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Mexico.

MEETING 21ST CENTURY CHALLENGES

Mr. HEINRICH. I thank the Chair for the opportunity to address the Chamber today.

Mr. President, I am a strong believer that innovation is what America does best, that boundless wonder and curiosity can lead to revolutionary discoveries, and that diligence and optimism can break down barriers. I am a believer that technology and, more importantly, the scientific method are how we can best meet many of our 21st-century challenges. And this is, indeed, a time of great challenge for our Nation.

There is no question that it is easier to legislate in a time of peace and prosperity than in a time of economic recovery and global conflict. But Americans, Mr. President, are no strangers to adversity. Time and again we have shown our ingenuity and our perseverance. In fact, the very character of our Nation has been shaped by hard work and innovation. That is America's story. I am certain our capacity to deal with the challenges we face rests heavily on our ability to make policy that is driven by facts, by data, and, yes, by science.

Historically, America has responded to challenges with transformative innovations—electricity, radio, television, transistors, silicon computer processors, and the rise of the modern distributed Internet. In my own State of New Mexico, we have built our economy around some of the greatest innovations of the modern era.

New Mexico Tech, the University of New Mexico, and New Mexico State University offered advanced degrees in chemistry and engineering as early as the 1890s. After World War I, Kirtland, Holloman, and Cannon military bases in our State provided supreme training conditions for the new flight wing of the Army that would eventually be called the U.S. Air Force.

During World War II, New Mexico was home to the Manhattan Project, which installed Los Alamos National Laboratory, White Sands Missile

Range, and Sandia National Laboratories.

Through the collaboration of its major defense and research installations, New Mexico has become the birthplace of technologies that have changed the world. Over time, our National Labs, our universities, and our defense installations have proven to be invaluable to research and development not only for our State but for the entire Nation. They led key research efforts during the space race and continue to develop modern defense and computer technology in the digital age, often partnering with private sector innovators such as Intel Corporation.

As innovators in technology transfer, Sandia National Labs and Intel came together on the development of radiation-hardened microprocessors for space and defense applications. With the help of our State universities, New Mexico will continue to lead the way in low-carbon energy technology.

The University of New Mexico Taos Campus is a prime example of the public and private sectors working together to employ cleaner energy. Their campus is home to one of the largest solar arrays in the State—a project that was successful thanks to a partnership with Los Alamos National Lab and Kit Carson Electric Cooperative.

On the research front, Santa Fe Community College and New Mexico State University are developing algal biofuels as a source of liquid renewable energy. In addition to our universities benefiting from technology transfer, Los Alamos National Lab's Labstart Initiative is also promoting growth in the private sector. This program encourages future entrepreneurs to start businesses using technologies first developed within our National Labs. So far, the lab-to-market strategy has brought \$20 million in revenue for the 19 companies that have started under this initiative.

Today, the technology industry, both public and private, supports nearly 50,000 jobs in our small State at over 2,000 technology establishments throughout New Mexico. It is our history of innovation and new technology that drive New Mexico's economy and our contributions to this great Nation.

As our country faces the challenges of bringing our economy back from a devastating recession and reversing the effects of climate change, we must embrace the challenge and lead the world in innovation and clean energy, using science as our guide to setting public policy. Yet during my time in Washington, too often I have seen scientific integrity undermined and scientific research politicized in an effort to advance ideological or even purely political agendas. I have watched as too many of us in elected office moved from being entitled to our own opinions—something which our democracy relies upon—to embracing the belief

that somehow we are entitled to our own facts. None of us are entitled to our own facts.

As someone who began my adult life studying engineering, I believe we must better use science as a guiding tool in our deliberations on how to set public policy. Whether for our national security, our energy independence, or our Nation's ability to compete in the global economy, our efforts and our solutions should be rooted in fact and driven by the best available science but also with a keen eye to the innovations that are transforming our Nation before our very eyes.

By investing in education, in research, engineering, in our teachers, and in our professors, we will lead the world in scientific and technological innovation. Even in this challenging fiscal environment, we must make the investments that have paid dividends for our Nation time and time again.

My own path to scientific inquiry began in the first grade. I had a teacher named Mrs. Taylor, who saw in me a thirst for knowledge and discovery. She fed that desire, even when it meant considerable extra work and planning a supplemental curriculum that wasn't part of her normal work plan. She was the kind of teacher—and I hope some of you have had one—who would take the extra time to make sure a student hungry to read never ran out of new books to explore or that a student interested in fossils and dinosaurs had extra projects and materials to feed their interest.

I can honestly say, if it weren't for Mrs. Taylor, my own life would have taken some very different turns. When we ensure that every student has a Mrs. Taylor, we ensure that our children will not just spend their afternoons playing on tablets and smart phones, but they will have the education to grow up designing and building the next generation of technology and devices. We should harness their natural intellectual curiosity to solve humankind's greatest challenges.

From the classrooms of our elementary schools to the research labs of our universities, to the grounds of our National Laboratories and research institutes to the offices of venture capital firms and innovative tech startups, the frontiers of human knowledge can be boundless. If we harness it, we will continue to fuel our Nation's prosperity.

No area of innovation and science will be more important in the coming years than our Nation's ability to tackle climate change and to lead the world in clean energy technology. America can and must become truly energy independent, and we must move from traditional carbon-intensive energy sources to ever-cleaner alternatives. Investing in cleaner energy will create quality jobs and protect our Nation from the serious economic and strategic risks associated with our reliance on foreign energy.

I must take the opportunity to say how impressed I have been with the current bipartisan efforts to embrace energy efficiency.

Whether your goal is job creation, economic vitality, saving consumers money, or lowering your carbon footprint, conservation is not only conservative, it is effective. Getting the most out of every unit of energy we use should be a concern for all of levels of government—State, Federal, and local—and for community organizations as well.

I have spent a lot of time traveling across my home State of New Mexico highlighting how innovation and investment in new energy technology can help create good jobs and grow our economy. New Mexico is home to innovators such as EMCORE Corporation, a leading provider of compound semiconductor-based components, which recently deployed a system that uses solar cells with a conversion efficiency of sunlight to electricity of 39 percent, a remarkable feat; Sapphire Energy in Columbus, NM, which is producing drop-in crude oil from algae, sunlight, and CO<sub>2</sub>; and, energy storage projects in Los Alamos and Albuquerque that are demonstrating smart-grid technology with solar PV storage fully integrated into a utility power grid. These are just a few examples. It is clear New Mexico is already capitalizing on a diversified but rapidly innovative energy sector.

To help the Nation transition to cleaner sources of energy, I am supporting efforts to streamline permitting for renewable energy projects while still protecting access to our public lands for families and sportsmen to enjoy.

Another key to further development of clean energy is to alleviate the bottlenecks in the electric power grid. New Mexico is an energy exporter, and I am working to spur substantial renewable energy development by adding the transmission capacity that will allow us to export clean energy to markets in Arizona and California. Through American ingenuity, we can unleash the full potential of cleaner homegrown energy and put Americans to work while we are at it.

At the same time, we can, and we must, lead the world in addressing our climate crisis. Climate change is no longer theoretical. It is one of those stubborn facts that doesn't go away simply because we choose to ignore it. In New Mexico we are seeing bigger fires, drier summers, and less snowpack in the winter. And as I speak these words, too many of our high elevation forests are burning. With humidity levels lower and temperatures higher, we are dealing with fire behavior that is markedly more intense than we have seen in the past. Over the last 3 years alone, we have seen two of the largest

fires in New Mexico's history. With elevated temperatures, studies at Los Alamos National Labs predict that three-quarters of our evergreen forests in New Mexico might be gone as early as 2050.

At the same time we are experiencing our driest 2-year drought since record-keeping started in the mid-19th century. Flows in the Rio Grande are less than 20 percent of normal. Since the first of the year, central New Mexico, where I live, has seen less than 1 inch of rain. This is a tragedy, and we must start taking active steps to reverse it. We owe that to our children. We owe that to the next generation.

In 1961 President John F. Kennedy made a bold claim that an American would walk on the Moon by the end of the decade. Eight years later, Neil Armstrong did just that.

Today we face a similarly audacious challenge when it comes to addressing climate change. We need to think big and we need to execute. We did that when President Kennedy said we would go to the Moon—and we made it happen as Americans. Climate change is our greatest future challenge, and we must commit to solving it within the decade.

I am by nature an optimist. I have seen this great Nation defy the odds again and again. And, yes, I believe compromise and even bipartisanship are still possible. Our country is strong because of rigorous debate, but debate doesn't mean endless gridlock. Despite our differences, there are issues where both parties can come together and find common ground. Using science to rise to our Nation's challenges, whatever those may be, should be one of those areas. It is one I am committed to, and I look forward to working with my colleagues so our Nation and my home State of New Mexico can achieve the greatness and future all of our children deserve.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I am going to ask consent that we have a vote on some judges in an hour. But prior to saying that, I want to say this. This is a very important bill. People want to offer amendments on this bill. We have five amendments that are now pending. There are ways we could move forward expeditiously, but sometimes that is not the right thing to do.

We have a number of issues I want to focus on for just a minute. No. 1, we

have a storm coming—we all know about that—in a couple of different waves. We have meetings going on today in the Capitol with different groups of people trying to figure out a way to go forward on this important legislation. I think what we should do is have these judges votes, have people go ahead and do their meetings—for example, there is one at the White House late this afternoon with some Senators.

But I do say this: We are going to finish the work on the floor soon on this bill, but we are going to come back Monday and we are going to be on this bill. I want to alert everybody that next weekend we will be working on this bill. We are going to finish this bill before the July 4 recess. Everyone should understand that. Everyone has had adequate warning, notice, that we are going to work next weekend. That means Friday, Monday, and that includes Saturday and Sunday to get this legislation done. If something comes up and we do not have to do that, good, but as things now stand, I see that is something we have to do. I want to make sure people know. They know because we have to move forward on this legislation.

We have a lot we have to finish during the July time period. We will be on this legislation. I have had a couple of Senators say: Can we be next? Mr. President, everyone is alerted. We are working. Both sides are working in good faith to get this bill done, and we are going to continue to do that. Hopefully we will not have to terminate all these amendments with procedural votes. If we have to do that, we will, but I would rather not do that.

I hope everyone will continue working to come to an agreement on how we can improve this bill. I kind of like it the way it is, but I am not the one who is going to make this determination. The ranking member is here, and he will have plenty of time for speeches this afternoon on this legislation. I also appreciate everyone being reasonable. My friend the Senator from South Dakota is always very easy and pleasant to work with. I talked to him about how we should move forward on his amendment, and we had a good conversation. Hopefully what I have said will pacify everyone for the time being and hopefully for a long period of time so we can get this done.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE NOMINATIONS

I ask unanimous consent that at 11:30 today the Senate proceed to executive session to consider Calendar Nos. 47 and 49 under the previous order. Therefore, under the order, the Senate would have one or two votes beginning at noon, beginning on the confirmation of Nitza Alejandro and Jeffrey L. Schmehl to be U.S. district judges for the Eastern District of Pennsylvania. Both of these judges are from Pennsylvania.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. So people can plan, we hope the first one will be by voice. This one vote after noon will be the last vote of the week.

The PRESIDING OFFICER. The Senator from South Dakota.

AMENDMENT NO. 1197

Mr. THUNE. Mr. President, I thank the majority leader for trying to work with us in a fashion that will allow us to get to some votes on amendments. We have several amendments pending, one of which is the amendment I have offered, amendment No. 1197. I spoke to this subject a little bit the other evening as we commenced debate on the immigration bill. I would like to, if I might, elaborate a little bit further on why I believe this amendment is important and why I think it strengthens and improves the underlying bill.

I said the other evening that I am very convinced—I think we all are—that we need an immigration system that works. The immigration system we have today is broken, and it must be fixed. Unfortunately, each time Congress has tried to fix our immigration system, promises of a more secure border have never held. The bill in front of us is well-intended, but it is following the same path as past immigration bills.

Under this bill, it is certain that 12 million undocumented workers will receive legal status soon after the bill is enacted. However, the border security provisions of this bill are nothing more than promises which, again, may never be upheld. I have said this before. When I talk to constituents back in my State of South Dakota, there are couple of questions they ask. The first question is, When will our Federal Government keep its promises on border security? They also ask a second question; that is, Why do we need more laws when we are not enforcing the laws that are currently on the books?

It is time that we follow through on promises of a more secure border. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 required 700 miles of reinforced, double-layered fencing along the southern border. That goal was reaffirmed when Congress passed the Secure Fence Act back in 2006. To date, less than 40 miles—36, to be exact—out of the 700 miles of fencing required by law has been completed.

My amendment No. 1197 simply requires that when we implement current law prior to legalization—that is an indication that we are serious about border security—as specified by this amendment, 350 miles of the fencing would be required prior to RPI status being granted. The completion of this section of the fence would be a tangible demonstration that we are serious about border security. After RPI status is granted, the remaining 350 miles required by current law would have to be

constructed during the 10-year period before registered provisional immigrants can apply for green cards.

There are still many problems with this bill that need to be addressed. I think that is what the amendment process is all about. But I say to my colleagues here in the Senate that if we want to show we are serious about border security and not just talking about it but actually making real changes to make our border more secure, then this amendment is one way to show we are serious.

There has been a lot of discussion about the various costs associated with building a fence. If we look at the different estimates about border fence costs, there are quotes from private contractors suggesting that the cost of constructing a double-layered fence is about \$3.2 million per mile. Putting that in terms of a 700-mile fence, we are looking at about \$2.2 billion. Remember, it would cost a lot less than that if we reach the 350-mile mark, which is what my amendment calls for, prior to RPI status. But it is a reasonable cost.

There are dollars allocated in the legislation that are designed to strengthen border security. I suggest to my colleagues that one of the best, simplest, plainest, most straightforward ways of doing that is to build the fence—the fence that is required by law, that was required in the 1996 act and in the 2006 act and to date only 40 miles of which has been built.

This makes a lot of sense. I suggest that as we talk about the various other elements of the immigration debate and the legislation in front of us, we start with this. If we start with this, I think we can convince the American people we are serious.

I think it is difficult for Americans to trust Congress, trust the government to do the right thing on the border when past promises have not been fulfilled. If we go back to the 1986 immigration reform legislation, there were promises made about border security that were never kept, and we allowed people to come in at that time. Since that time, here we are many years later with the same set of circumstances in front of us today, trying to figure out how to deal with the undocumented workers who are currently here but absent anything having happened that would ensure to the American people that the border security requirements are being met.

I encourage my colleagues in the Senate to express our commitment to the American people that before RPI status is granted, we are serious about securing our border, ensuring that the commitments made about building a fence there are fulfilled—again, 350 miles of which would be constructed prior to RPI status, and the other 350 miles of that 700-mile fence would happen subsequent to a green card being

issued and moving into that next status that is allowed for in this legislation.

This is not something that is complicated. I think if you are an American citizen in this country, you ask a couple of very straightforward questions. One is, why do we have to pass new laws if we are not going to enforce the laws already on the books? The 700 miles of border fence is on the books—in 1986, when it was first called for, and then in 2006, subsequent to that, it was again stipulated that a fencing requirement be completed on the southern border.

Interestingly enough, I would add that at the time when that vote was held in 2006, then-Senators Obama, BIDEN, and Clinton supported that bill, along with a lot of the current Members, authors of the legislation that is before us today.

It makes perfect sense to the American people. I think it is a necessary and essential, actually, requirement to be met not only for us to move on to the other elements of the immigration debate but, more important, to secure the American border.

I ask that amendment No. 1197 be made pending.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 1197.

The amendment is as follows:

(Purpose: To require the completion of the 350 miles of reinforced, double-layered fencing described in section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 before registered provisional immigrant status may be granted and to require the completion of 700 miles of such fencing before the status of registered provisional immigrants may be adjusted to permanent resident status)

Beginning on page 855, strike line 23 and all that follows through page 858, line 10, and insert the following:

(c) TRIGGERS.—

(1) PROCESSING APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, until after the date on which—

(A) the Secretary has submitted to Congress the notice of commencement of the implementation of the Comprehensive Southern Border Security Strategy pursuant to section 5(a)(4)(B); and

(B) 350 miles of Southern border fencing has been completed in accordance with section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by section 1122 of this Act.

(2) ADJUSTMENT OF STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.—The Secretary may not adjust the status of aliens who have been granted registered provisional status, except for aliens granted blue card status under section 2201 of this Act or described in

section 245D(b) of the Immigration and Nationality Act, until the Secretary, after consultation with the Comptroller General of the United States, submits to the President and Congress a written certification that—

(A) the Comprehensive Southern Border Security Strategy, which was submitted to Congress, has been substantially deployed and is substantially operational;

(B) the Southern Border Fencing Strategy has been submitted to Congress, implemented, and is substantially completed;

(C) 700 miles of Southern border fencing has been completed in accordance with section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by section 1122 of this Act;

(D) the Secretary has implemented the mandatory employment verification system required under section 274A of the Immigration and Nationality Act, as amended by section 3101 of this Act, for use by all employers to prevent unauthorized workers from obtaining employment in the United States; and

(E) the Secretary is using an electronic exit system at air and sea ports of entry that operates by collecting machine-readable visa or passport information from air and vessel carriers.

On page 942, between lines 17 and 18, insert the following:

**SEC. 1122. EXTENSION OF REINFORCED FENCING ALONG THE SOUTHWEST BORDER.**

Section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note) is amended by adding at the end the following: “Only fencing that is double-layered and constructed in a way to effectively restrain pedestrian traffic may be used to satisfy the 700-mile requirement under this subparagraph. Fencing that does not effectively restrain pedestrian traffic (such as vehicle barriers and virtual fencing) does not satisfy the requirement under this subparagraph.”.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 1222

Ms. LANDRIEU. Mr. President, I ask unanimous consent to call up amendment No. 1222, the Child Citizenship Act, for lawful adoptees.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU], for herself, Mr. COATS, and Ms. KLOBUCHAR, proposes an amendment numbered 1222.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To apply the amendments made by the Child Citizenship Act of 2000 retroactively to all individuals adopted by a citizen of the United States in an international adoption and to repeal the pre-adoption parental visitation requirement for automatic citizenship and to amend section 320 of the Immigration and Nationality Act relating to automatic citizenship for children born outside of the United States who have a United States citizen parent)

On page 1300, between lines 11 and 12, insert the following:

**SEC. 2554. UNITED STATES CITIZENSHIP FOR INTERNATIONALLY ADOPTED INDIVIDUALS.**

(a) AUTOMATIC CITIZENSHIP.—Section 104 of the Child Citizenship Act of 2000 (Public Law

106-395; 8 U.S.C. 1431 note) is amended to read as follows:

**"SEC. 104. APPLICABILITY.**

"The amendments made by this title shall apply to any individual who satisfies the requirements under section 320 or 322 of the Immigration and Nationality Act, regardless of the date on which such requirements were satisfied."

(b) **MODIFICATION OF PREADoption VISITATION REQUIREMENT.**—Section 101(b)(1)(F)(i) (8 U.S.C. 1101(b)(1)(F)(i)), as amended by section 2312, is further amended by striking "at least twenty-five years of age, who personally saw and observed the child prior to or during the adoption proceedings;" and inserting "who is at least 25 years of age, at least 1 of whom personally saw and observed the child before or during the adoption proceedings;"

(c) **AUTOMATIC CITIZENSHIP FOR CHILDREN OF UNITED STATES CITIZENS WHO ARE PHYSICALLY PRESENT IN THE UNITED STATES.**—

(1) **IN GENERAL.**—Section 320(a)(3) (8 U.S.C. 1431(a)(3)) is amended to read as follows:

"(3) The child is physically present in the United States in the legal custody of the citizen parent pursuant to a lawful admission."

(2) **APPLICABILITY TO INDIVIDUAL'S WHO NO LONGER HAVE LEGAL STATUS.**—Notwithstanding the lack of legal status or physical presence in the United States, a person shall be deemed to meet the requirements under section 320 of the Immigration and Nationality Act, as amended by paragraph (1), if the person—

(A) was born outside of the United States;

(B) was adopted by a United States citizen before the person reached 18 years of age;

(C) was legally admitted to the United States; and

(D) would have qualified for automatic United States citizenship if the amendments made by paragraph (1) had been in effect at the time of such admission.

(d) **RETROACTIVE APPLICATION.**—Section 320(b) (8 U.S.C. 1431(b)) is amended by inserting "regardless of the date on which the adoption was finalized" before the period at the end.

(e) **APPLICABILITY.**—The amendments made by this section shall apply to any individual adopted by a citizen of the United States regardless of whether the adoption occurred prior to, on, or after the date of the enactment of the Child Citizenship Act of 2000.

Ms. LANDRIEU. Mr. President, I am going to speak about this amendment in just a minute, but first I want to respond to Senator THUNE. I wish we could get a vote on my amendment as well as this one because I would like to vote and strongly express my objection to his amendment. I will comment for just a minute.

I chair the Appropriations Homeland Security Subcommittee that is actually building the fence. The money that builds it comes through my committee. I have looked at the fence they are trying to build. It is shocking to me, and would be shocking to everyone in America if they could see it. No matter if we build a single fence or double fence with spacing in between, it will be easy for people to get over it or under it.

I will vote against Senator THUNE's amendment because I am not going to waste taxpayer money on a dumb fence, and that is what his fence would be. We need to build a smart fence. A

fence is not just a physical structure which can be built out of a variety of different materials with or without barbed wire on the top.

A smart fence is what Senator MCCAIN and I want to build. Since he is from Arizona, I think he knows a little bit more about this than the Senator from South Dakota who doesn't have a border with Mexico but only with Canada, and that is quite different. If Senator MCCAIN were on the Senate floor, I think he would say we absolutely want to build a barrier of security, and this would be a combination of a physical structure that is built to the great standards we can with the technology that will actually shut down illegal immigration.

It is not correct for anybody listening to this debate to think that people on the Democratic side of this aisle or people supporting this bill do not want to secure the border. Nothing could be further from the truth. I may be over-ridden, and people may vote against it, but I am going to hold the position that we cannot waste billions and billions of dollars building a fence that doesn't hold anybody on one side or the other. We have wasted enough taxpayer money.

While I didn't come here to talk about this at this moment, I am going to talk about it for just a few minutes.

This immigration bill is about fixing a broken system, not dumping taxpayer money down a rat hole. And some people want to talk about building a fence. I went to look at the fence. I have been in tunnels that go under the fence. I watched people climb over the fence, and so has anybody who actually lives along the border, which is why Senator MCCAIN's voice is so important in this debate.

No one should think that Senator MCCAIN, who has been the leader on border security in this Senate for 20 years, is not interested in building a strong fence. His State gets affected—just like California and Texas—more directly than any of us.

The Presiding Officer knows geography well. So for my colleagues to come to the floor and suggest that the eight people who put this bill together are not interested in border security is just truly false, misleading, and unfortunate. That is what this debate is going to be about.

I have respect for my colleague. I absolutely oppose his amendment, but I am going to come back and give some more facts about how we are building a smart fence, how we are going to keep using new technologies to keep people out that we don't want and keep people in we want to keep in.

I want to say one thing about this immigration bill as well. We are the most open society in the world. It is a great source of pride to our country. We are an open, transparent democracy that is trying to create a broad middle

class not only here in America but around the world, and trade and commerce are essential. We need secure borders that open for trade and create jobs. As chairman of this committee, I am not going to waste more money building something that doesn't work just so some people can get a headline in their local press. It is just not going to happen.

So we are going to put money in this bill to build a smart barrier that is going to have all the new technology we need to track down illegal immigrants and close that off. Then we are also—which is in this bill—going to use new technology, such as what we have seen on television and these fancy shows, to find the 40 percent of immigrants who came here under visas and overstayed, for the queue so they can pay their taxes, learn English, and become citizens.

I will come back and speak more on the record about this issue, and I am sure the Senator from South Dakota will have a response.

Happily, I don't think there is an objection to my amendment, the citizenship for lawful adoptees. I am very happy I have the cosponsorship of Senator COATS, Senator BLUNT, and Senator KLOBUCHAR. This amendment does not go to the heart of the immigration bill, but it does touch the hearts of many parents and children who have been caught up in a very unfortunate situation.

A couple of years ago Senator Nickles from Oklahoma, whom I had the great pleasure of working with across the aisle on many important adoption bills, and I passed a bill that is very important to the adoption community. The bill basically says when a child is adopted overseas—we mostly do adoptions in America, but we have anywhere from 10,000 to 20,000 adoptions internationally.

When somebody adopts a child overseas, it is very expensive, time consuming, and more bureaucratic than it needs to be. Several years ago our bill said once that process is over and the adoption is finalized, those children will automatically become citizens. It was a great step forward because now we have at least 10,000 to 20,000 kids who are all various ages—infants, teenagers, all the way up to 18—who, once they come to the United States, don't have to go through another process to get their citizenship; otherwise, we would obviously have a backlog of millions.

This is sort of giving the adopted kids a little express lane, which is what we wanted to do, and we did. Unfortunately, when we pass bills, many times the bureaucracy gets ahold of the law and starts to interpret it in a different way than we wanted and starts throwing barriers in the way.

Simply put, my amendment, which is supported by the Members I said, is



going to fix three important provisions in that law. First, it says if a child is adopted into this country and later commits a misdemeanor or felony—just as if it was a biological child who committed a misdemeanor or felony—that person would not be deported. Deportation is not an option for adoptees. It may be an option for illegal immigrants but not children who have been adopted by American citizens. So we are going to correct that. They are going to have the full penalties against them. They can go to jail for a long time. They can do whatever the law says, but deportation is not one of the options.

There have been very sad circumstances where adults were brought here as children, but the parents failed to get their certification. Many of them have been deported back to a country they never lived in a day, and they don't speak the language. As far as they know, in their mind they are completely American, even if they did know their country of origin. It is very unfortunate, and it has happened. This is going to bring help to maybe dozens and hundreds—it is not going to be more than that—of families to prevent any deportation of adoptees in the future.

Secondly, it will clarify the residency requirement. Over time the Child Citizenship Act has been misinterpreted so that the adopted children of Americans living abroad—particularly for military, diplomatic, and other reasons—do not receive automatic citizenship upon entering the United States. We intended, when we passed our bill, for this to apply to our military families and diplomats. As a result of serving in a foreign country, they have the opportunity to take in a child who is completely homeless and has no parents. They are doing God's work, and many times they end up in some bureaucratic haggling. So we are going to try to correct that.

Finally, it clarifies that when parents are required to travel overseas to adopt a child—some countries require two parents, some countries require one. Whether the country requires one or two parents, one will be sufficient to meet our standard. If two are required, then two have to go; but if only one is required, one is enough to meet our standard.

There have been months and months and years and years where parents who go through all of this trouble to do something they really believe God has called them to do—to adopt a homeless or unparented child or a sibling group—have come home to find that their own government, which would be our government, is nitpicking this law to prevent them from getting an easy path forward.

I hope there will be no opposition to this amendment. I am happy if we are required to have 51 votes or 60 votes. I

will take any vote of any number for this bill. I hope the Members will support it.

I am sorry I have to oppose Senator THUNE's amendment, but I will be opposing all amendments that I don't think support the underlying nature of a smart barrier, which is a fence that is both physical and virtual and has new technologies that will actually do the job.

I could not even express how shocking it was to go down to the border and see the number of tunnels that were built under the fence. If we build three fences, they will still build tunnels under those fences. They could build four fences. I am very sorry, but I am not going to waste people's money on that.

We are going to figure out a way to use technology to find these improper entrances to our country and close them down. It may be an actual fence in some places. It is going to be a virtual fence in other places. It is going to be special technology, lasers, helicopters, infrared, et cetera, et cetera.

Senator MCCAIN actually had a list of the equipment that we intend to buy with taxpayer money, and I am going to come to the floor and maybe spend some hours reading off the list so people know about this. We most certainly are not saying no to a fence because we don't want to secure the border. We are saying no to the fence because it is a waste of money, and we don't have any money to be wasted around here. We need smart technologies.

Now, I am going to read Senator THUNE's entire amendment because I have not read the details of it. I do believe I will be opposing it. It may be that his words did not appropriately say what his amendment does, but if it is an amendment that requires a complete fence and not a virtual fence, I will oppose it. If his amendment says I want a smart fence and we need to build more of a smart fence, then I will support it.

I want everyone to know there are going to be amendments about the fence, and this is the position I will take. I will try to encourage as many people as I can to assume the position I have because I think it is the right position, and I think the taxpayers will support this.

We want a secure border that is smart with the smartest technology possible, not one that just spends untold amounts of money decade after decade and fail and fail again.

I yield the floor, and I see the Senator is still on the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, if I might, I will make a response to the Senator from Louisiana. I understand that there is not going to be a barrier that will be 100 percent effective, but the type of double-layered fencing

mandated by the law would be a significant physical deterrent, demonstrating that we are serious. It would prevent some of the pedestrian traffic but not all of it.

In the legislation of the fence that was required, we really don't know all that much about how effective it has been. I think it has been somewhat effective in States such as Arizona, but we have only built 36 miles of it.

In response to my colleague from Louisiana, we all voted for this. She described it as a dumb fence. She voted for the dumb fence. I guess I voted for the dumb fence. I didn't realize it was a dumb fence. I thought it was a commitment we made to the American people to secure the border.

I will certainly concede that there are other ways in which we can combine manpower, technology, and infrastructure along the border to make it more secure. However, a border fence is a cost-effective component.

I would say to my colleague from Louisiana, there are dollars in this bill, \$6.5 billion for border security, some of which is dedicated—\$1.5 billion is dedicated to fencing infrastructure and those sorts of things.

The cost I mentioned in my earlier remarks, if we look at it on a per-mile basis to build the fence—\$3.2 million per mile—we would be looking at somewhere around \$1 billion less than the amount allowed for and allocated in the bill for fencing and infrastructure and those sorts of things.

But this is not a new issue. The Senator from Louisiana voted for the dumb fence. I think many of us in the Senate at the time—and I mentioned earlier many of the Senators here, including Obama, Clinton, and BIDEN, all voted for that fence.

We made a commitment to the American people we would get serious about doing this. We need to do it in the most cost-effective way, and there are many components of that. I fully understand that. But I also think a fence is a very serious and important deterrent and a commitment we made to the American people.

So the amendment, again, is very straightforward. It simply asks Congress to follow through on the commitment we made in 1996 and in 2006 and do more than 36 miles, which is what has been built so far out of the 700-mile commitment made to the American people.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I would just simply respond by saying I know the Senator is quite sincere, and he is correct. I voted for the dumb fence once. I am not going to do it again because I learned from my mistake. I went down there to look at it and realized we could build two dumb fences or three dumb fences and it would not work.



I am simply not going to waste the money to do something I know will not work. So if somebody else wants to vote for the dumb fence for the second or third time, go right ahead. But I was raised such that when you make a mistake, admit it and then fix it. I intend to fix it.

The fence we are going to build—Senator CARPER, Senator COBURN, Senator MCCAIN, and I—is a real and virtual fence that is actually going to work. We will have further debate on this issue.

I yield the floor.

#### EXECUTIVE SESSION

##### NOMINATION OF NITZA I. QUINONES ALEJANDRO TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

##### NOMINATION OF JEFFREY L. SCHMEHL TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations which the clerk will report.

The assistant legislative clerk read the nominations of Nitza I. Quinones Alejandro, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania, and Jeffrey L. Schmehl, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that all time be allocated equally as previously agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, I know we are going to be voting in a matter of minutes on two judicial nominees for the Eastern District of Pennsylvania, which is the eastern side of our State. Obviously, these appointments are critically important to justice and critically important to litigants who come before these courts, whether they are civil or criminal matters.

These candidates go through an exhaustive review process. That is prob-

ably an understatement. The process includes the nomination through the White House under any administration and then the process continues through the Senate. There are all kinds of reviews. So we are finally to this point. It has been a very long road and we are grateful for that.

One of the votes will be by voice potentially and one will be a rollcall vote. I wish to speak about both candidates. I spoke about them yesterday, but I will speak briefly this morning.

First of all, Judge Quinones, who has served in the city of Philadelphia, has served on the common pleas court in the city of Philadelphia since 1991, in what is known as the First Judicial District of Pennsylvania, which is the trial court in the city of Philadelphia. One can just imagine, in a big city such as Philadelphia, all of the matters a judge such as Judge Quinones would deal with over the course of more than two decades now, dealing with civil and criminal cases, all kinds of difficult and complex matters that come before a judge. In essence, she has been performing the same functions as a county judge that she would on the Federal district court. So I think she is more than prepared to take on this assignment.

In her case, this is also a great American story. Judge Quinones was born in Puerto Rico, educated there, and came to the United States. As I said, since 1991 she has been on the court of common pleas in Philadelphia. Prior to that, she was an arbitrator for more than a decade. She worked in the Department of Veterans Affairs. She worked in the Department of Health and Human Services. She did a lot of work in the 1970s for Community Legal Services of Philadelphia. So that speaks to a broad range of experience and expertise dealing with litigants and representing clients, which is so important in our system. She is someone who takes on the responsibility to represent someone in court so they may have their day in court, which is one of the foundational principles of our government. Then, of course, she later served as a judge, as I mentioned.

So it is not only a resume and a life story that speaks to experience and knowledge and insight when it comes to dealing with complex matters that come before the Federal courts, but it is also in a very personal way a great American story. So I am particularly grateful that her nomination is now coming to the Senate floor and that we will be able to have a vote on her nomination today.

I have enjoyed working with Senator TOOMEY on both of these nominations. Both of us represent a big and diverse State, one Democrat and one Republican, working through this process together, these judicial appointments.

We will be voting as well on a second judge in the Eastern District of Penn-

sylvania: Judge Jeffrey Schmehl. I can say a lot of the same things about his experience. Judge Schmehl is now and has been the president judge of the Berks County Court of Common Pleas since 2007. So for many years now he has been in the trenches, so to speak, or to use an expression from the Bible, "laboring the vineyards," dealing with cases of complex issues. Berks County, just by way of geographic orientation, is north of Philadelphia but on the eastern side of our State. It is a big county. It is a county that has a lot of matters that come before it that are particularly complex.

He has served, as I mentioned, as the president judge of the court of common pleas, but then prior to that he was a judge on that same court from 1998 to 2007. So these are long periods of time, in both instances, for Judge Schmehl and Judge Quinones to serve on a court.

For those who know something about our judicial system and know a bit about the difference between an appellate court, where we are dealing with appeals and legal arguments, as opposed to a trial court, which is where the action is in terms of litigants, trial judges have to preside over a trial as well as deal with and rule on evidentiary matters. They have to deal with witnesses and lawyers and all the complexities of a trial. As we all know, when your case is on trial, it is the most important case in the world.

So these judges have tremendous experience as trial judges, and we are so grateful they are willing to put themselves forward not just to be nominated and today confirmed as judges, as I am sure they will be, but to put themselves forward for that kind of public service in a difficult environment, where the scrutiny and the review and the long road from nomination to confirmation can be very challenging.

So again I will pay tribute to the work Senator TOOMEY has done working with us. He is on the floor, and I wish to thank him for that good work. And obviously I thank the chairman of the Judiciary Committee, Senator LEAHY, who is on the floor as well. We appreciate him working with our offices to move these nominations forward.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, does the other Senator from Pennsylvania wish to say something?

Mr. TOOMEY. Mr. President, I would like to speak for several minutes, principally about the two judicial nominees.

Mr. LEAHY. I just want to make sure I have time prior to the vote at noon. How long does the Senator from Pennsylvania wish to speak?

Mr. TOOMEY. I think I could wrap this up in less than 10 minutes.

Mr. LEAHY. OK. Then, Mr. President, I simply ask unanimous consent that there be 4 minutes for the Senator from Vermont at the conclusion of the comments of the Senator from Pennsylvania.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Because these nominees are from his State, I will step aside and let the Senator go forward.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I thank the chairman of the Judiciary Committee.

I do want to speak principally about the two nominees from Pennsylvania, both of whom I strongly support, and I am delighted they are going to get their votes today. But before I do that, I do want to put just a little bit of context on judicial nominations and confirmations as a general matter because I think it is important that we understand this.

In my own experience in the 2½ years I have been in the Senate, I know I have voted to confirm the vast majority of judicial nominees whom President Obama has proposed for us. In fact, since President Obama became President, the Senate has confirmed 193 district court nominees and blocked 2. That is a confirmation rate of about 99 percent. In the last Congress, the 112th Congress confirmed more judges than any Congress in 20 years. So by any reasonable measure, we are confirming judges at a terrific rate. Republicans are cooperating and confirming the nominees of a Democratic President, and this is as it should be when the nominees are competent, as they have been.

So President Obama is enjoying a rate of confirmation of judges that is far greater than the rate President Bush, for instance, enjoyed or most other previous recent Presidents, which is part of the reason why I am concerned when I hear persistent rumors that the majority leader is considering invoking the nuclear option and breaking the rules so he can change the rules as to how nominees get confirmed. I do not understand why there is a problem that would require this. If he were to do this, this would be in direct contradiction to a commitment he made to all of us very publicly that he would not do this. So I really hope that Senator REID will keep his word and that he will not break the rules in order to change the rules.

He stated very clearly in January of 2011 that—I will quote Senator REID:

I agree that the proper way to change Senate rules is through the procedures established in those rules, and I will oppose any effort in this Congress or the next to change the Senate's rules other than through the regular order.

I would remind my colleagues that earlier this year Republicans went

along with a rule change about which I had real reservations. I personally could not support it, but most Republicans did. It changed the rules, forfeiting some of the power we have as a minority, granting the majority greater flexibility to go to a bill without assuring us we would be able to offer the amendments we would like. We granted that to the majority in part because we got another explicit commitment that there would be no nuclear rule change if we made that agreement. Well, we did, at least as a party and as a body.

So, again, I certainly hope Senator REID will honor the promise he made that was part of that understanding, where he said in January of this year, in an exchange with Senator MCCONNELL—Senator REID said:

Any other resolutions related to Senate procedure would be subject to a regular order process including consideration by the Rules Committee.

I would add, that means a 67-vote majority in the Senate because that is the way you change the rules in accordance with the rules.

SARAH MURNAGHAN

Having said that, I want to also make a brief mention of some terrific news we got in Pennsylvania; that is, the opportunity for a little girl named Sarah Murnaghan to have a lung transplant she had been waiting for. I have spoken about this on the Senate floor. A Federal judge in the Eastern District of Pennsylvania issued a temporary restraining order forbidding a rule that was keeping her off the transplant list to be a potential recipient of a donor lung transplant. Fortunately, by virtue of that restraining order, she was able to go on the list and receive the lung transplant. She had an emergency surgery just yesterday that seems to have gone very well, and we are all delighted for that and wishing for her speedy and full recovery.

Having said that, as I indicated to the chairman, I wanted to come down principally to say how pleased I am that we are going to vote today and I believe confirm both Judge Jeffrey Schmehl and Judge Nitza Quinones, who are two nominees for the Eastern District of Pennsylvania. Both are eminently qualified, terrific individuals who come highly recommended.

I commend Senator CASEY. He and I have worked together since I have been here. He has been terrific to work with. We have looked to identify some of the most capable and talented people. I would like to mention a couple of the things I know Senator CASEY mentioned.

Judge Schmehl is a terrific guy. He is the president judge of the Berks County Court of Common Pleas. His candidacy was approved by a voice vote in the Senate Judiciary Committee. He is a graduate of Dickinson College. He has his J.D. from the University of Toledo School of Law. He has served as a

public defender. He has served in private practice. After 9 years at a law firm, he was elected to the Berks County Court of Common Pleas, where his colleagues made him the president judge. He is a very bright individual. He has a keen intellect, a great judicial temperament. He has done a great job on the Berks County court, and he will make a great Federal judge. I hope my colleagues will support his candidacy.

Nitza Quinones is a native of Puerto Rico. She is a graduate of the University of Puerto Rico School of Business Administration. At the University of Puerto Rico, she got her J.D. She has demonstrated a terrific commitment to the legal community and beyond that in Philadelphia. She has been very active mentoring young people—law students in particular—and is a great advocate of civic education for high school students. She has served on the Philadelphia Court of Common Pleas since 1991, presiding over a very large number of very diverse cases. She has extensive experience in the courtroom. She has demonstrated her ability, her commitment, her judicial temperament. Yet, as it happens, she will be the first Latino judge on the Eastern District of Pennsylvania court.

I think it is terrific that we are able to vote today to confirm both of these judges. I look forward to continuing to work with Senator CASEY to fill the remaining vacancies across Pennsylvania. I thank Chairman LEAHY for his work in advancing these nominees. I urge my colleagues to support their confirmation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I appreciate the words of both Senators from Pennsylvania. I would note there are currently three nominations pending for vacancies in the Eastern District of Pennsylvania. All three have the bipartisan support of their home State Senators. All three were reported unanimously by the Judiciary Committee 3 months ago. Yet Senate Republicans are permitting votes on only two of them. They are forcing Judge Luis Restrepo to continue to wait for a vote even though he would fill a seat that has been vacant for 4 years.

I mention this because we talk about how things move during this President's tenure as compared to that of his predecessor. At the end of President Bush's second term, I was chairman of the Judiciary Committee and I expedited confirmations of three of his nominees to this same court—three, not just allowing two to go through, as my friends on the other side of the aisle are today—and not having to wait for months and months. Those three were confirmed by voice vote. So you know how long it took, we had reported them out of the Judiciary Committee the day before. They were confirmed along with 7 other district court

nominees for a total of 10 that day. We got them out of committee and voted them by voice vote. But now we have seven judicial nominees on the calendar, and Republicans are only allowing us to vote on two of them.

This is just the latest example of Senate Republicans insisting that President Obama play by a different set of rules than they had for President Bush. It was perfectly fine to expedite President Bush's three nominees to the Eastern District of Pennsylvania and to confirm them all on the same day, along with seven others. We had Democratic control of the Senate, and we moved them that way. But now with President Obama they refuse to proceed with the seven nominees who are pending on the Calendar. They will not even proceed with the three judicial nominees needed in the Eastern District of Pennsylvania.

So let's not talk about how Presidents are treated. I am not sure what it is that is different about President Obama, but his nominees get delayed, delayed, and delayed, unlike—and I use Pennsylvania as an example—where we vote out three, unanimously, of President Bush's nominees on one day and confirm them by voice vote the next day, along with seven others. Here they are refusing to proceed with the seven nominees on the Calendar. They will not even proceed with all three of the judicial nominees for the Eastern District of Pennsylvania. There are currently seven vacancies on that court—seven. The Eastern District of Pennsylvania needs judges.

Like the two nominees we will be permitted to vote on today, Judge Restrepo has the support of his Republican home State Senator as well as every single Republican member of the Judiciary Committee. So let's not make him and the people of Pennsylvania wait.

Frankly, there is no good reason Nitz Quinones Alejandro and Jeffrey Schmehl should have waited this long for a vote. There is no good reason why, when half of President Bush's consensus district nominees waited 18 days or fewer after being sent to the Senate by the Judiciary Committee during his first term, these consensus nominees should have had to wait almost 100 days. This contributes to the unprecedented delays and obstruction of President Obama's consensus judicial nominees.

I read comments last week by Judge James Brady of the Middle District of Louisiana expressing concern about what has happened to the judicial confirmation process. Shelly Dick was confirmed this year to that court after months of delay, and the Advocate article noted the “strain the empty judgeship had on a district overburdened with cases.” Judge Brady was quoted saying of the confirmation process: “It's just crazy, and we need to

do something about that.” I could not agree more. Judge Brady added that the delays in the process are “driving away a lot of really good folks that would make excellent judges because they're saying, ‘I don't need to go through that process and be in limbo for 18, 20, 24 months.’ That's something I'm very, very concerned about.” We should all share that concern, especially Senators who are looking for district nominees to recommend to the President. I ask that this article, entitled “Nomination Delays Hurting Courts, Federal Judge Says,” be printed in the RECORD at the conclusion of my statement.

The recent assertion by Senate Republicans that 99 percent of President Obama's nominees have been confirmed is just not accurate. He has nominated 237 individuals to be circuit or district judges, and 193 have been confirmed. That is 81 percent. By way of comparison, at the same point in President Bush's second term, June 13 of his fifth year in office, President Bush had nominated four fewer people, but had seen 214 of them confirmed, or 92 percent. That is an apples to apples comparison, and it demonstrates the undeniable fact that the Senate has confirmed a lower number and lower percentage of President Obama's nominees than President Bush's nominees at the same time in their presidencies.

I noted at the end of last year while Senate Republicans were insisting on delaying confirmations of 15 judicial nominees that could and should have taken place then, and that we would not likely be allowed to complete work on them until May. That was precisely the Republican plan. So when Senate Republicans now seek to claim credit for their confirmations in President Obama's second term, they are falsely inflating the confirmation statistics. The truth is that only seven confirmations have taken place this year that are not attributable to those nominations they held over from last year and that could and should have taken place last year. To return to the baseball analogy, if a baseball player goes 0-for-9, and then gets a hit, we do not say he is an all-star because he is batting 1.000 in his last at bat. We recognize that he is just 1-for-10, and not a very good hitter. Nor would a fair calculation of hits or home runs allow a player to credit those that occurred in one game or season to the next because it would make his stats look better.

I was Chairman of the Judiciary Committee for 17 months during President Bush's first term, so I know something about how President Bush's nominees were treated. During those 17 months, 100 of them were confirmed. In the 31 months that Republicans controlled the Senate during President Bush's first term, 105 of his circuit and district nominees were confirmed. That is, it took them almost twice as long to

make as much progress as I had as Chairman. Even when Senate Democrats were in the minority, we worked with the Republicans to bring the number of vacancies all the way down to 28. Vacancies have remained near or above 80 for 4 years during the Obama presidency. In the last 4 years, Senate Republicans have never let vacancies get below 72. At this point in the fifth year of the Bush presidency there were 44 vacancies. Today they remain almost double that amount. Despite Senate Republicans who make self-congratulatory statements about “progress” this year, we are not even keeping up with attrition. Vacancies have increased, not decreased, since the start of this year.

If President Obama's nominees were receiving the same treatment as President Bush's, Judge Srinivasan would have been the 210th confirmation, not the 193rd and vacancies would be far lower. The nonpartisan Congressional Research Service has noted that it will require 33 more district and circuit confirmations this year to match President Bush's 5-year total. Even with the confirmations finally concluded during the first 6 months of this year, Senate Republicans have still not allowed President Obama to match the record of President Bush's first term. Even with an extra 6 months, we are still a dozen confirmations behind where we were at the end of 2004.

In addition to the obstruction of circuit and district nominees, I am deeply concerned about the impact of sequestration on our Federal courts. I continue to hear from judges and legal professionals around the country who worry about the impact of these senseless budget cuts, and I share their concern. A recent evaluation of sequestration concluded: “Its impact on the operation of the [F]ederal courts will be devastating and longlasting.” Sequestration will exacerbate the delays our courts already face due to persistent understaffing, both for civil and criminal cases. According to the Executive Summary of “FY 2013 Sequestration Impacts on the Federal Judiciary,” “Delays in cases will harm individuals, small businesses, and corporations,” while the “cuts to funding for drug testing, substance abuse and mental health treatment of federal defendants and offenders have also been made, increasing further the risk to public safety.” I ask that the full summary be printed in the RECORD at the conclusion of my statement.

Judge Nitz Quinones Alejandro has served as a judge on the Court of Common Pleas for the First Judicial District of Pennsylvania since 1991. Prior to being a judge, Judge Quinones worked as a solo practitioner, a staff attorney with the U.S. Department of Veterans Affairs, an Attorney Advisor with the U.S. Department of Health and Human Services' Bureau of Hearings and Appeals, and a staff attorney

at Community Legal Services, Inc. When confirmed, Judge Quiñones will be the first openly gay Latina judge to serve on the Federal bench. Judge Quiñones was also Pennsylvania's first Latina judge.

Judge Jeffrey Schmehl currently serves as the President Judge in Berks County, where he has been an active member of the bench since 1997. Prior to becoming a judge, Judge Schmehl served in various capacities in private practice, including as an associate and partner at Rhoda, Stoudt & Bradley and as a solo practitioner at the Law Offices of Jeffrey L. Schmehl, Esq. While working in private practice, Judge Schmehl was also a Berks County Solicitor from 1989 to 1997. In addition to his experience in private practice, Judge Schmehl has served as an assistant district attorney and as an assistant public defender for Berks County.

I want the Senate to make real progress on filling judicial vacancies so that the American people have access to justice. Before the recess, the minority leader asked during a floor debate when Gregory Phillips, the Wyoming nominee to the Tenth Circuit, would receive a vote.

Majority Leader REID said: OK, let's vote on him right now.

They said: Well, we are not ready.

I hope the American people were watching, because there should be no ambiguity about this: The only reason the Senate is not voting today on Judge Restrepo, Attorney General Phillips, or the other seven judicial nominees pending on the Calendar is because of Republican refusal to allow such votes. They could be voted on today. We ought to do it. These nominees deserve better, and the American people deserve better.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### FY 2013 SEQUESTRATION IMPACTS ON THE FEDERAL JUDICIARY

##### SEQUESTRATION AND THE FEDERAL JUDICIARY

On March 26, 2013, the President signed Public Law 113-6, the Consolidated and Further Continuing Appropriations Act of 2013, which provides full-year FY 2013 funding for the federal government, including the Judiciary. The bill leaves in place the government-wide sequestration cuts mandated under the Budget Control Act of 2011.

Sequestration reduces Judiciary funding overall by nearly \$350 million below the FY 2012 discretionary funding. The impact of sequestration on the Judiciary is compounded by the fact that the Judiciary has no control over its workload—the courts must react to the cases which it receives from the Executive Branch, individuals and businesses—overall, that workload has not declined. In addition, unlike most Executive Branch entities, the Judiciary has little flexibility to move funds between appropriations accounts to lessen the effects of sequestration. There are no lower-priority programs to reduce to transfer to other accounts.

##### IMPACT OF SEQUESTRATION ON THE COURTS

Sequestration places unprecedented pressure on the federal Judiciary's administra-

tion of justice. Its impact on the operation of the federal courts will be devastating and longlasting.

To mitigate the impact of sequestration on employees, the courts have slashed non-salary budgets (training, information technology, supplies and equipment), which is possible for one fiscal year, but cannot be sustained into future years. Even with these reductions, on a national level, up to 1,000 court employees could be laid off, or thousands of employees could face furloughs before the end of the year. These staffing losses will come on top of the nearly 2,200 probation officers and clerks office staff the courts have already lost since the end of July 2011.

Cuts in staffing will result in the slower processing of civil and bankruptcy cases. Delays in cases will harm individuals, small businesses, and corporations.

Sequestration has also reduced funding for probation and pretrial officer staffing throughout the courts, which means less deterrence, detection, and response to possible resumed criminal activity by federal defendants and offenders in the community. In addition, law enforcement funding to support GPS and other electronic monitoring of potentially dangerous defendants and offenders has been cut 20%. Equivalent cuts to funding for drug testing, substance abuse and mental health treatment of federal defendants and offenders have also been made, increasing further the risk to public safety.

Security systems and equipment in our Court Security program have been cut 25% and court security officers' hours have been reduced. These reductions come at a time of heightened security resulting from the prosecutor murders in Texas and the Boston bombings. A high level of security of judges, prosecutors, defense counsel, jurors and litigants entering our courthouses must be maintained.

#### IMPACT OF SEQUESTRATION ON REPRESENTATION OF INDIGENT OFFENDERS

For Defender Services, incorporating enacted appropriations, offset by sequestration, results in a \$51 million shortfall in funding below minimum requirements. This program has no flexibility to absorb such large cuts. It is almost totally comprised of compensation to federal defenders, rent, case related expenses (expert witnesses, interpreters, etc.), and payments to private panel attorneys. The only way to absorb the \$51 million shortfall is to reduce staffing or defer payments to private panel attorneys.

The Executive Committee examined all aspects of the account, scrubbed expenses where possible, and approved a spending plan that will result in federal defender offices having to cut staff and furlough employees an average of approximately 15 days. The approved spending plan will also halt payments to private panel attorneys for the last 15 business days of the fiscal year. This will shift these expenses to FY 2014, which were not considered as part of the Judiciary's FY 2014 budget request to Congress, and add to FY 2014 appropriation requirements.

The uncertainty of the availability of federal defender attorneys and the anticipated suspension of panel attorney payments will create the real possibility that panel attorneys may decline to accept Criminal Justice Act appointments in cases that otherwise would have been represented by FDOs. Delays in the cases moving forward may result in violations of constitutional and statutory speedy trial mandates resulting in criminal cases being dismissed.

Since all non-case related expenses in this account have already been reduced, the only

solution to avoiding these impacts is for Congress to provide additional funds.

#### SUPPLEMENTAL APPROPRIATIONS

The Judiciary transmitted to the Office of Management and Budget and the Congress an FY 2013 emergency supplemental request that seeks \$72.9 million to mitigate the devastating impact of sequestration on defender services, probation and pretrial services offices, court staffing, and court security. The request includes \$31.5 million for the Courts' Salaries and Expenses account, and \$41.4 million for the Defender Services account.

##### Courts' Salaries and Expenses:

\$18.5 million will be used to avoid further staffing cuts and furloughs in clerks of court and probation and pretrial services offices during the fourth quarter of FY 2013. This funding will save the jobs of approximately 500 court employees and avoid 14,400 planned furlough days for 3,300 court employees.

\$13.0 million will restore half of the sequestration cuts to drug testing and substance abuse and mental health treatment services for defendants awaiting trial and offenders released from prison.

##### Defender Services:

\$27.7 million is required to avoid deferring payments to private attorneys for the last 15 business days (3 weeks) of the fiscal year.

\$8.7 million is needed to avoid further staffing cuts and furloughs in federal defender organizations during the fourth quarter of FY 2013. This funding will save the jobs of approximately 50 employees and avoid 9,600 planned furlough days for 1,700 federal defender organization employees.

\$5.0 million is for projected defense representation and related expert costs for high-threat trials, including high-threat cases in New York and Boston that, absent sequestration, the Defender Services program would have been able to absorb.

Executive branch agencies with criminal justice responsibilities have had the flexibility and resources to address their FY 2013 post-sequestration requirements. As a result, these agencies—which directly impact the workload of the Judiciary—have been able to avoid furloughs. The Judiciary has no such flexibility and instead must ask Congress to approve a supplemental appropriation.

#### COST CONTAINMENT IN THE JUDICIARY

Cost containment is not new to the Judiciary. In 2004, as a result of an unexpected shortfall in funding, the Judicial Conference endorsed a cost containment strategy that called for examining more than 50 court operations for reducing expenses. Since then, the Judiciary has focused on three that have the greatest potential for significant long-term savings: rent, personnel expenses, and information technology. To date, the Judiciary has cut costs by \$1.1 billion.

The Judiciary's approach to cost containment is to continuously challenge our ways of doing business and to identify, wherever possible, ways to economize even further. This can be a painful process as we are often proposing changes to long established Judiciary customs and practices and we sometimes face opposition from within. But we are committed to doing everything we can to conserve resources and be good stewards of the taxpayers' money.

While cost containment has been helpful during the last several years of flat budgets, it will not come close to offsetting the major reductions we face from sequestration.

NOMINATION DELAYS HURTING COURTS,  
FEDERAL JUDGE SAYS

(By Jim Mustian, Advocate staff writer)

LONG DELAYS DRIVE AWAY NOMINEES

U.S. District Judge James J. Brady spoke out Monday against the increasingly glacial pace of judicial nominations, calling on U.S. Senate leaders to “come to their senses” and recognize the toll a vacant bench has on the court system.

“It’s just crazy, and we need to do something about that,” said Brady, who sits in the Middle District of Louisiana in Baton Rouge. “What’s happening, in my mind, is we’re driving away a lot of really good folks that would make excellent judges because they’re saying, ‘I don’t need to go through that process and be in limbo for 18, 20, 24 months.’ That’s something I’m very, very concerned about.”

Brady’s remarks, made to more than two dozen people attending a Catholic Community Radio luncheon, came less than a month after Baton Rouge attorney Shelly Dick was confirmed as the Middle District’s first female federal judge more than a year after being nominated by President Barack Obama.

Dick’s nomination was initially blocked by U.S. Sen. David Vitter, who had been holding out hope that Obama would lose to Republican presidential nominee Mitt Romney. Vitter, R-La., who said at the time he wanted to “let the people speak,” later withdrew his block and backed Dick’s confirmation after Obama won re-election months later.

Brady did not refer specifically to the delays in Dick’s confirmation, but he alluded to the strain the empty judgeship had on a district overburdened with cases. Dick already has been assigned nearly a third of the district’s 877 pending civil cases, Brady said.

The federal Middle District of Louisiana includes the parishes of East Baton Rouge, West Baton Rouge, East Feliciana, West Feliciana, Pointe Coupee, Iberville, Ascension, Livingston and St. Helena.

“Getting a third judge has been a real relief for us,” Brady said. “It helps people get their cases decided much more promptly and, I think, in a much better fashion.”

Delays in judicial nominations due to political differences have become increasingly common in recent years. During Obama’s first term, the average wait time from nomination to confirmation was more than six months for nominees to circuit and district court judgeships, according to a recent report by the Congressional Research Service.

“It’s gotten to be now that it’s almost like you’re going to paint a big bullseye on anyone who’s nominated as a federal judge,” said Brady, whose own confirmation in 2000 took a little less than a year.

Then-President Bill Clinton nominated Brady for the judgeship.

Brady suggested that concerns over district court nominees are often overblown, noting he and his colleagues adhere to parameters set forth by the higher circuit courts and U.S. Supreme Court.

“I don’t care if you’re a Democratic appointee or a Republican appointee, you’re going to follow those laws, the precedents that those courts have set,” Brady said. “I don’t know of anyone that deliberately goes out and tries to rule against those precedents.”

Brady’s remarks were unusual for a federal judge but were prompted by the “unusual times” gripping the federal courts, said Carl W. Tobias, a University of Richmond law professor who is an expert on judicial nominations.

“An increasing number of judges and other people are very concerned about the (nomination) process and how long it takes to move people through it,” Tobias said. “You have Exhibit A with Shelly Dick right there in Baton Rouge.”

Tobias said he was glad to hear of Brady speaking publicly about the issue.

“I think it’s important for people to understand what’s going on, and nobody knows better than the judges,” he said. “They have to live with it.”

Mr. LEAHY. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I urge my colleagues to vote for the nominees who are before the Senate today.

At this point in President Obama’s term, when we get done with these two today, we will have approved 195 of the President’s judicial appointments, and we have only disapproved 2. That is a 99-plus percent voting record.

It would help if the President would speed up getting his nominees to the Senate. There are 81 vacancies now. The President has only submitted 29. That means there are 52 vacancies that could be filled by the White House that the Senate would have an opportunity to work on as well.

So far this year, the Senate has confirmed 22 lower court nominees. Today, after these nominees are confirmed, we will have confirmed more than twice the number of district and circuit judges that were confirmed at this point in President Bush’s second term. In fact, we will have confirmed more lower-court nominees than were confirmed in the entire first year of President Bush’s second term.

Think about that—I will repeat it. In the 5 months of this President’s second term while we have been in session, we have confirmed more district and circuit judges than were confirmed in the entire first year of President Bush’s second term.

The bottom line is that the Senate is processing the President’s nominees exceptionally fairly. He is being treated much more fairly than Senate Democrats treated President Bush in 2005.

So I just wanted to set the record straight before we vote on these nominees. I expect they will both be confirmed and I congratulate them on their confirmations.

Judge Quiñones received her B.B.A. from the University of Puerto Rico in 1972 and her J.D. from the University of Puerto Rico School of Law in 1975. Upon graduation, she worked as a staff attorney with Community Legal Services in Philadelphia, where she focused on strictly civil and administrative matters, appearing predominately in family court and before administrative judges.

From 1977 to 1979, Judge Quiñones wrote opinions in support of decisions rendered by an Administrative Judge

at the Department of Health & Human Services. From 1979 to 1991, she was a staff attorney at the Department of Veterans Affairs, VA, where her practice involved the interpretation and application of the VA’s administrative rules and regulations. During this time, she also appeared in State court and administrative agencies to represent the VA before the Equal Employment Opportunity Commission and Merit Systems Protection Board. Additionally, from 1980 to 1991, Quiñones worked as an arbitrator for the Arbitration Center at the Philadelphia Court of Common Pleas, designed to dispose of small civil cases. In 1991, Judge Quiñones left the VA and established a solo practice. During this time she represented a criminal defendant and sat as an arbitrator in insurance matters.

As a practicing attorney, Judge Quiñones appeared in court with occasional frequency. She estimates that over the course of her pre-judicial career, she tried 20 cases in family court, 300 commitment hearings before a Mental Health officer, pursuant to her work at the VA, and 600 administrative hearings.

In 1990, Judge Quiñones was nominated by then Governor Robert Casey to a judgeship on the Court of Common Pleas for the First Judicial District of Pennsylvania, a court of general jurisdiction. She was confirmed, but also engaged in a judicial election, and secured the first of three 10-year terms in 1992. She won the later terms in November 2001 and 2011.

Judge Quiñones has experience in both criminal and civil divisions, has presided over both jury and nonjury trials, and has supervised nearly every step in the trial process. Judge Quiñones has presided over approximately 1,500 criminal trials and 300 civil trials.

The American Bar Association’s Standing Committee on the Federal Judiciary gave her a Majority “Qualified” and Minority “Not Qualified” rating.

Judge Schmehl received his B.A. from Dickinson College in 1977 and his J.D. from University of Toledo School of Law in 1980. Early in his career, he focused on criminal law, first as an Assistant Public Defender, then as an Assistant District Attorney. In these capacities, he tried all types of criminal cases, from DUI to murder. During his time as Assistant District Attorney, Judge Schmehl also had his own private civil practice, handling wills, estates, real estate matters, workers’ compensation cases, and unemployment compensation cases.

In 1986, Judge Schmehl left private practice and the District Attorney’s office to join the private law firm Rhoda, Stoudt, & Bradley. There he worked on insurance defense work and plaintiffs’ personal injury cases. As a practicing

attorney, he has tried approximately 200 cases to verdict, judgment, or final decision, serving as sole counsel or chief counsel in almost all of them.

In 1997, Judge Schmehl was nominated by both the Democratic and Republican parties for a judicial position in the Berks County Court of Common Pleas and later elected to the bench. In 2007, he was appointed to a 5-year term as President Judge in the same court and remains there today. Judge Schmehl has presided over approximately 180 cases that have gone to verdict.

The American Bar Association's Standing Committee on the Federal Judiciary gave him a majority "Well Qualified" and minority "Qualified" rating.

I also am going to take a couple minutes to discuss something I would have discussed in the Judiciary Committee meeting this morning, but because of our vote I was not able to do it.

First, I want to talk about the nominations hearing we had earlier this week on B. Todd Jones.

There is an open investigation in the Office of Special Counsel regarding very troubling allegations that Mr. Jones retaliated against a whistleblower in the U.S. Attorney's Office.

He is now up for confirmation for the Bureau of Alcohol, Tobacco, and Firearms.

Mr. President, how much time remains until the vote?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. GRASSLEY. Last week Carolyn Lerner, the special counsel who leads the office, wrote us a letter explaining the status of the matter. She wrote that the parties had agreed to participate in mediation. She also wrote, "If mediation is unsuccessful, the case would return to the Office of Special Counsel's Investigation Prosecution Division for further investigation."

On Monday, she wrote us another letter confirming that the case was still open. We were told the reason we had to move forward with the hearing was because an April letter from the Office of Special Counsel was made public. The justification for holding the hearing was since that issue was made public, the nominee should have had an opportunity to respond at the hearing.

But, of course, there was nothing confidential in the Office of Special Counsel's letter. I am not about to hide this issue from the public. It is relevant to our inquiry as to the qualifications of the nominee. Moving forward under these circumstances is not consistent with past committee practices. Of course, there are sensible reasons for that committee practice.

First, none of us knows what the results of that investigation might be. How are we supposed to make an assessment of the matter while it is still open? Second, how are we supposed to

ask the nominee about the results of the investigation when the investigation has not been completed? And, third, how are we supposed to ask the nominee about an open investigation when the nominee will claim he cannot talk about it for that exact reason?

I would also note that an assistant U.S. attorney who filed the complaint against Mr. Jones gave his consent on Monday for the Office of Special Counsel to provide the complaint to the committee. I must say the allegations in the complaint are extremely troubling. So I began my questions by asking Mr. Jones about these allegations. Here is what he had to say:

Because those complaints are confidential as a matter of law I have not seen the substance of the complaints nor can I comment on what they are. I have learned more from your statement today—

meaning, from this Senator,

than what I knew before I came here this morning about the nature and substance in the complaints.

In other words, Mr. Jones said he could not answer questions about the Office of Special Counsel investigation because it remains open. This is precisely why it is imprudent to move forward with a hearing in this way. At his hearing, I followed up with another question to Mr. Jones, had he ever taken adverse personnel action? He responded:

I'm not familiar with the OSC complaint. I'm at somewhat of a disadvantage with the facts. I can say that the privacy act considerations do fit into the picture.

As another followup, I asked him how we were supposed to ask about the complaint if he would not answer it. Here is what Mr. Jones said:

Well, quite frankly, Senator, I'm at a disadvantage with the facts. There is a process in place. I have not seen the OSC complaints.

So we have a problem.

So again, even though there is an open investigation, we were told we were going forward with the hearing so that Mr. Jones had an opportunity to answer the allegations. But whenever he was asked about it, he said he could not answer our questions because he had not seen the Complaint.

So, my point about the hearing being premature was overwhelmingly proven.

I also want to make a few comments about Tony West, nominated to be the Associate Attorney General. He is currently the Acting-Associate Attorney General and has generally done a good job. However, I remain concerned about his time serving as the Assistant Attorney General for the Civil Division.

He was involved in the quid pro quo deal between the Department and the City of St. Paul, Minnesota that was orchestrated by Assistant Attorney General Tom Perez. That quid pro quo involved the Department agreeing to decline two False Claims Act cases pending against the City of St. Paul in exchange for the City dropping a case pending before the Supreme Court.

Perhaps the most concerning part to me is that Mr. West essentially let Tom Perez take control of the Civil Division and cut this deal which hurt the whistleblower, Frederick Newell, leaving him to fight his case all alone. This is not how I expect the Department to treat good faith whistleblowers.

On top of all that, I believe it is contrary to the assurances that I was given by Mr. West that he would protect whistleblowers and vigorously enforce the False Claims Act when we held his confirmation hearing in 2009. If this nominee is ultimately confirmed, I sincerely hope he does not let politics within the Department control, instead of supporting good faith whistleblowers who stick their necks out.

I also wanted to address the nomination of Ms. Caproni, to be a District Judge. I have concerns over the fact that I made a request to the FBI over 6 years ago, asking for documents regarding exigent letters. In March 2007, Chairman LEAHY and I requested copies of unclassified emails related to the use of National Security Letters issued by the FBI.

I only received a few of these emails, and they were heavily redacted, so in 2008 I asked for the rest. Ms. Caproni, was general counsel of the FBI at the time and told me that the documents I was waiting for were on her desk, awaiting her review.

Well, it is now 2013 and as of her hearing, I had never received these documents.

I asked Ms. Caproni about this in her hearing and she had no specific recollection of this request. So, I asked her again in writing. This led to a set of FOIA documents being produced, which are a poor substitute for properly answering a committee request. It also raises further questions as to why it took 6 years and why Ms. Caproni told me years ago that she was working on responding to our request.

I have followed up with the FBI with specific requests regarding Ms. Caproni's involvement in the matter. Therefore, while I did not hold Ms. Caproni's nomination in committee, I reserve my right to do so on the Senate floor.

Concerning S. 394, the metal theft bill that we reported out this morning, I appreciate the changes that the sponsors made at my request to the criminal portion of the bill. The nature of the offense is clarified, and limited to the federal interest of critical infrastructure.

The bill also now requires criminal intent as an element of the proposed offense. The negligence standard in the bill has been eliminated.

However, I still have a number of concerns with this bill. The reality is that theft is already illegal everywhere in the country.

So is receipt of stolen goods. That raises questions about the necessity of a new federal offense.



The civil provisions are also duplicative of many State laws. The regulatory elements of this bill apply to any transaction in specified metal products exceeding \$100. In my opinion, \$100 seems to be a very low threshold.

We should not impose federal obligations unless the transaction is of a significant amount.

States can enforce their own laws if they have enacted a lower threshold.

Some of the recordkeeping requirements are of questionable value. For instance, the recipient must record the license plate number and make of the car used to deliver the metal.

Although the sponsors agreed to reduce the maximum amount, the dealer still faces up to a \$5,000 penalty if he knowingly commits a paperwork violation, unless it is minor. This is true even if the metal is not stolen. That strikes me as excessive.

And the sponsors declined to accept the changes that I sought in the civil provision, especially as enforced by the state attorneys general.

Those provisions effectively allow a private right of action, even a class action, to enforce these paperwork violations at up to \$5,000 per violation.

Not only can federal authorities enforce the bill's civil authorities, but so can the States. If metal theft continues, then that diffuse authority undermines the ability of citizens to hold accountable the responsible level of government.

This would allow the States to bring these cases in friendly State courts and expand the number of cases by outsourcing them to private lawyers paid under contingency fees.

This leads to more enforcement than would occur if these cases had to compete for attention with other priorities that state attorneys general would bring.

Excessive government can derive not only from broad laws, but from overzealous enforcement. The bill sponsors rejected my request that suits by the State AGs be filed only in federal court, and that any federal actions would supersede them.

There should be transparency and accountability for these lawsuits that are brought under authority of federal law.

I had amendments to discuss in markup, but will not do that here. However, when the full Senate takes up the bill, I will not be able to support it in its current form. I hope to work with the sponsors to address the concerns I have with this bill.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Nitza I. Quiñones Alejandro, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania?

The nomination was confirmed.

The PRESIDING OFFICER (Ms. BALDWIN). Under the previous order,

the question is, Will the Senate advise and consent to the nomination of Jeffrey L. Schmehl, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania?

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 149 Ex.]

YEAS—100

Alexander	Flake	Murkowski
Ayotte	Franken	Murphy
Baldwin	Gillibrand	Murray
Barrasso	Graham	Nelson
Baucus	Grassley	Paul
Begich	Hagan	Portman
Bennet	Harkin	Pryor
Blumenthal	Hatch	Reed
Blunt	Heinrich	Reid
Boozman	Heitkamp	Risch
Boxer	Heller	Roberts
Brown	Hirono	Rockefeller
Burr	Hoeven	Rubio
Cantwell	Inhofe	Sanders
Cardin	Isakson	Schatz
Carper	Johanns	Schumer
Casey	Johnson (SD)	Scott
Chambliss	Johnson (WI)	Sessions
Chiesa	Kaine	Shaheen
Coats	King	Shelby
Coburn	Kirk	Stabenow
Cochran	Klobuchar	Tester
Collins	Landrieu	Thune
Coons	Leahy	Toomey
Corker	Lee	Udall (CO)
Cornyn	Levin	Udall (NM)
Cowan	Manchin	Vitter
Crapo	McCain	Warner
Cruz	McCaskill	Warren
Donnelly	McConnell	Whitehouse
Durbin	Menendez	Wicker
Enzi	Merkley	Wyden
Feinstein	Mikulski	
Fischer	Moran	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are made and laid on the table, and the President will be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, Senate resumes legislative session.

#### BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—Continued

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. TESTER. Madam President, I ask unanimous consent that I be recognized to speak for up to 5 minutes in order to call up my amendment, that Senator VITTER then be recognized for up to 8 minutes in order to call up his amendment, and then Senator HIRONO be recognized to speak for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1198

Mr. TESTER. Madam President, I call up amendment No. 1198.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Montana [Mr. TESTER] proposes an amendment numbered 1198.

The amendment is as follows:

(Purpose: To modify the Border Oversight Task Force to include tribal government officials)

On page 922, line 13, insert "and tribal" after "border".

On page 923, line 9, strike "29" and insert "33".

On page 923, line 15, strike "12" and insert "14".

On page 923, between lines 20 and 21, insert the following:

(III) 2 tribal government officials;

On page 924, line 7, strike "17" and insert "19".

On page 924, between lines 12 and 13, insert the following:

(III) 2 tribal government officials;

On page 925, line 8, strike "14" and insert "16".

Mr. TESTER. Madam President, I am proud to be joined by Senators MURKOWSKI, CRAPO, and MURRAY in offering this bipartisan amendment. Border security is one of the most important aspects of this bill, and on both sides of the border, especially the northern border, the only way to secure the border is to involve State, local, and tribal law enforcement in that effort. Native-American lands and people are a vital but, unfortunately, an often overlooked part of our border security plan. A chain is only as strong as its weakest link. Right now, drug smuggling and trafficking in persons is happening on Indian reservations on our border, moving virtually unnoticed into America. The problem, as the GAO told me in a recent report on this very topic, is a lack of communication and coordination between tribal and U.S. border officials.

This amendment adds four tribal voices to the Department of Homeland Security Task Force, two from the northern border region and two from the southern border region. As drafted, this task force included border security experts from various government entities and is responsible for solving problems related to border security. But somehow the tribal perspective was left out. Yet in Montana, the Blackfeet Reservation is bigger than the entire State of Delaware and it directly borders Canada for 50 miles. The Fort Peck Reservation sits less than 30 miles from the Canadian border. This amendment will increase communication and improve coordination between the Federal and tribal governments that it relies on to secure these borders. Adding a tribal representative to that task force is the right thing to do and it is just plain common sense.

I urge my colleagues to support it, and I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Louisiana.



AMENDMENT NO. 1228

Mr. VITTER. Mr. President, I call up to my pending amendment No. 1228.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 1228.

Mr. VITTER. I ask unanimous consent to waive reading of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The text of the amendment is printed in the RECORD of June 12, 2013, under "Text of Amendments."

Mr. VITTER. Mr. President, this amendment was in the group of four that was the subject of the previous unanimous consent so I look forward to an ongoing debate and vote on this amendment, hopefully early next week, because we need to start voting on this topic and on amendments to this bill. The amendment is simple and in my opinion very important. It would mandate finally that we have an operational US-VISIT system to track visas coming into the country and exiting the country to guard against visa overstays.

This is an important part of security and enforcement, but one that is not talked about enough. We always talk about the border, as we should. We often talk about workplace enforcement, as we should. That is extremely important. This is the third leg of the stool that we do not talk about enough but we need to focus on because this goes to our national security as well as border security.

The 9/11 terrorists all were individuals who came into this country legally, with a visa, but what happened? They overstayed their visa by a lot and they plotted to kill and destroy, which unfortunately they successfully did on 9/11. Because of that, one of the top recommendations of the 9/11 Commission was to implement this visa entry-exit system using biometric data. We call the system that has been developed the US-VISIT system. The problem is full implementation of the US-VISIT system has never come close to occurring as the 9/11 Commission recommended that it be executed.

This amendment says simply we are finally going to do it. We have talked about it for years. We have lived through actual terrorist attacks that go to the heart of this need. The 9/11 Commission has rated it as a top recommendation, so we are finally going to do it. We are not going to move on to changing the legal status of current illegals in this country under this bill until we do it and until we verify that it has been done. That is a very simple idea.

I look forward to a continuing debate on this need, on this amendment, and a vote on this amendment early next week.

Second, I also want to mention a point of order I will be making on this underlying bill as soon as possible, hopefully also early next week. The point of order is simple. It is a point of order against the emergency designation provision contained in the bill in section (d)(1). It is pursuant to section 403(e) of the fiscal year 2010 budget resolution.

We all consider spending and debt a big problem in this country. We put enormous focus and energy and debate and discussion on that issue. The problem is so often, after we set budget caps, after we set these limits with the very serious spending and debt issue in mind, whenever a big bill comes up they bust the caps. We put a so-called emergency designation on the spending and all of a sudden, like that, with that simple phrase we exempt that entire bill from the spending caps, from the provisions we have put in place to try to get spending and debt under control.

This immigration reform bill is another example of that because it would spend \$8.3 billion and it calls all of that spending emergency spending. That is a sleight of hand. That is avoiding the caps and the limits we have tried to put in place to begin to rein in spending and debt.

This is not an emergency in any reasonable sense of the term. This is not an unforeseen storm. This is not an unpredicted earthquake. This is not an unpredicted attack on our country from a foreign power. This is a problem, for sure, but we have annual spending bills and a whole department of government that is supposed to be about this problem—the Department of Homeland Security. We have an annual Department of Homeland Security appropriations bill, so this is not something unforeseen, a true emergency. To call this \$8.3 billion emergency spending is a pure sleight of hand to avoid the discipline of the spending caps.

At least on my side of the aisle, when this exact same point of order has been made before on many other bills, we have upheld it. We have said: You are right, this is a sleight of hand. You are right, this is an end run around those budget provisions. You are right, this is just busting the budget cap by another name.

We should do the same here. We should respect the budget law. We should not do an end run around the budget caps. We should not essentially lie to the American people and say this is unforeseen, this is a true emergency, when it is not.

I will be raising this very important budget point of order regarding the emergency designation of \$8.3 billion of spending in the bill at the earliest possible opportunity, when it is in order. I expect that to be early next week as well.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his suggestion?

Mr. VITTER. Yes, I withhold the quorum call.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I believe hope and fairness lie at the core of what makes our country great. Fifty years ago, President Kennedy called on the country to embrace civil rights legislation that would end the unfair treatment of millions of people as second-class citizens. Congress responded, and the country is better for it. This week, we in the Senate are debating comprehensive immigration reform legislation that gives hope to the millions of undocumented people who live in this country that they will be able to emerge from the shadows and live full lives. It is our time to act. We should pass this important legislation.

I thank the Gang of 8, and their staff, for their hard work negotiating the bill and getting it through committee and onto the floor. They have set an example of bipartisanship on a tough issue that is all too rare these days.

I also thank Senator LEAHY, and his staff, for his able leadership during the markup. It was a remarkably open and fair process, full of principled debate. That is how the Senate should work.

Their hard work, and that of others, has produced the bill that is before us.

Many senators have already spoken about what is in the bill: the billions of dollars for border security, the tough employment eligibility verification requirements, the pro-tourism policies, and the path to citizenship.

Rather than cover that ground again, I want to talk about two problems with the bill that I hope can be fixed: first, the system designed for future immigration is unfair to women; and second, the pathway to citizenship is unfair to immigrant taxpayers.

The new merit-based point system for allocating visas to future immigrants is the first problem. Simply put, the point system inadvertently makes it harder for women than for men to come to this country.

The new point system is based on an attractive economic idea, but unfortunately one that clearly disadvantages women. The idea is if we want a stronger economy, then we should give immigration preferences to people who hold advanced degrees or work in high-skill jobs.

This idea ignores the discrimination women endure in other countries. Women in too many other countries do not have the same education or career advancement opportunities available to men in those countries. In practice, the bill's new point system takes that discriminatory treatment abroad and cements it into our immigration laws, making it harder for women to come to our country than for men.

While unintentional in this case, the idea that we want to attract the most

educated and skilled people but they just happen to be mostly men is the same argument used for generations to protect gender discrimination in our work places. We all want a stronger economy, but we should not sacrifice the hard-won victories of the women's equality movement to get it.

By contrast, the current family immigration system treats men and women equally. The current system is based on keeping families together. That system reflects our shared values about the social importance of family. My family and millions of others also know the family system makes good economic sense.

Anyone, whether an immigrant or natural-born citizen, has a better chance of being successful if they are surrounded by a strong family that can pool its resources to help start a business or to help one another during tough times. In many families aunts and uncles, parents and grandparents, even brothers and sisters, use part of their paychecks every week to help a young man or a young woman in their family pay for college and take one step closer to that American dream. That is how it worked in my family.

My mother brought my brothers and me to this country to escape an abusive marriage at the hands of my father. My mother raised me and my brothers as a single parent, and times were tough for us. But with the help of my grandparents, who later joined us, I was able to learn English and succeed in school. The amazing thing about this country is millions of families have stories like mine.

If I had not been able to come to this country, who knows where I would be today. But I know I would never have had the kind of opportunities given to me by this great country of ours. I want other women to have those chances too.

The biggest losers in this bill's new point system will be unmarried sisters of U.S. citizens. Why? Because the new system not only makes it harder for women to immigrate here, but it eliminates visas for siblings of U.S. citizens while allowing new immigrants to bring their spouses. What this means is a woman who aspires to live with her family and work in the greatest country in the world should not have to get married to do that.

The future immigration system in the bill needs to be modified to give unmarried women more opportunities to come here. There is more than one way to fix this problem. One solution could be to restore the sibling category. I will file an amendment to do that. Another solution could be to modify the point system in the bill. I am working with other Senators on an amendment to do that, which I hope will be ready soon.

The second problem in this bill that needs to be fixed is how it treats immi-

grant taxpayers. Make no mistake, immigrants pay taxes. A study released in May by researchers at Harvard and the City University of New York found that immigrants contributed \$115.2 billion more to Medicare than they took out between 2002 and 2009.

Even undocumented immigrants pay taxes. A 2006 survey by UC-San Diego showed that 75 percent of undocumented immigrants had taxes withheld from their paychecks, filed tax returns, or both. The Social Security Administration estimates undocumented immigrants have contributed between \$120 and \$240 billion to the Social Security trust fund.

I have a fact sheet with citations of several studies about immigrant taxpayers, and I ask unanimous consent that this fact sheet be printed in the RECORD following my remarks.

The bill makes clear that immigrants on the pathway to citizenship have to continue working, paying taxes and other penalties, and meeting other requirements. In fact, they have to do all of this before they can even start on the path to citizenship.

The Social Security Administration estimates the tax requirements in this bill will raise more than \$300 billion in payroll taxes alone. The general fund will also receive more in tax revenues. Although we have not yet seen CBO's official score, in all likelihood the Treasury Department will collect billions more in revenue for the general fund from these immigrants.

In his written testimony to the Senate Judiciary Committee on April 22, 2013, Grover Norquist pointed out that once immigrants have lawful status and work authorization, they will be able to get better jobs and contribute even more to the funding of Federal programs. He wrote that after the 1986 immigration law was enacted, "their incomes rose by an average of 15 percent just by gaining legal status. Those immigrants today are making much more than they did then and, as a result, paying more in taxes."

My point is immigrant taxpayers contribute to the funding of not only Medicare and Social Security, but of all Federal programs. No one disputes that it should be this way. Immigrants on the pathway must pay taxes, just like everyone else. The strict tax requirements in the bill are the right policy.

What is wrong are the policies in the bill that prohibit immigrant taxpayers who are on the pathway from being able to use Federal safety net programs for at least 13 years. Their taxes pay for these programs, but they cannot use these programs; that is profoundly unfair. Imagine a person buys homeowner's insurance, but the policy won't cover their house if it catches fire until 13 years after they started paying their premiums. That is obviously not fair, but that is exactly the situation in

which we are putting immigrants who are on the pathway to citizenship.

Yesterday, the senior Senator from Utah spoke on the floor about several amendments he filed to further restrict immigrant taxpayers' access to the programs their tax dollars pay for. He said:

I don't want to punish these immigrants. I simply want to make sure they are treated no better or no worse than U.S. citizens and resident aliens with respect to federal benefits and taxes.

I have the greatest respect for the senior Senator from Utah. I agree with him that these immigrants should be treated no worse than U.S. citizens and resident aliens, but they are not being treated that way. They are being treated worse because of the restrictions in this bill.

Under current law, immigrant taxpayers who are resident aliens cannot use the Federal safety net programs they pay into for 5 years. Their taxes are paid into the system for 5 years, but they get no help during that time if their kids get sick or if they lose their jobs. That is already unfair, but the bill treats immigrants on provisional status even worse. They have to pay taxes for 13 years before they can use the programs they are paying for.

The 13-year-long pathway to citizenship will be hard enough. If they lose their job, they risk losing their legal status and being deported, work hard to save up money, not just for the kids' school supplies but to pay the penalties under this bill. The restrictions on Federal safety net programs make their pathway even more treacherous.

We are saying to these immigrants: Pay your taxes, but if your kids get sick, don't come to us for help. We are saying: Pay your taxes, but if you have to work part time because of a recession, don't come to us if you need some help putting food on the table. We are saying: Pay your taxes, but we are not going to help you. That is not fair.

I want to be clear: I am talking only about immigrants who will be lawfully present. Undocumented immigrants are not eligible for these programs at all and no one is proposing to change that, but the pathway provides a way for certain people to earn lawful status. Let's treat lawfully present taxpayers fairly, including those on the pathway. Let's do as the Senator from Utah suggests and at the very least make sure they are treated no worse than U.S. citizens or resident aliens.

Finally, not only are the prohibitions in the bill unfair to immigrant taxpayers, they are also bad economics. Both Republican and Democratic Senators say they want immigrants to be successful, start businesses, and continue contributing to the economy. We all do. But few people would use their life savings to start a business if they think their children will go hungry or go without health care if their business

fails. The safety net programs exist so people can take risks to improve their economic circumstances.

Immigrants come to this country to work. They don't come to get hand-outs. They come here to work. Two papers from the Cato Institute show that immigrants are more likely to be working or looking for work than natural-born citizens. Immigrants are less likely to use Federal safety net programs.

The title of one Cato article sums it up nicely: "Evidence Shows Immigrants Come to Work, Not to Collect Welfare."

Mr. President, I ask unanimous consent that these two papers be printed in the RECORD following my remarks.

Both political parties should be able to support the idea that taxpayers who are lawfully present, working, and paying taxes should be able to use the programs their taxes are paying for. That is only fair. I will file an amendment that says precisely that.

In closing, during the debates on immigration reform, I hope we remember who undocumented immigrants are. Like other immigrants, they had the courage and aspiration to leave their hometowns and all they knew to find work elsewhere in order to give their kids better lives than they could dream for themselves.

The undocumented should pay penalties for the laws they broke by coming here, but we should remember that our Founding Fathers were willing to break up an empire to achieve their dreams.

We are a Nation of immigrants. Let's treat immigrants how we would have wanted our immigrant ancestors to be treated—with dignity and forgiveness.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FACT SHEET ABOUT IMMIGRANT TAXPAYERS  
AND THE HIRONO AMENDMENT

Imagine you buy homeowner's insurance, but the policy won't cover your house if it catches fire until 13 years after you start paying premiums.

That's the situation that millions of immigrants will find themselves under the immigration bill. Immigrants pay hundreds of billions of dollars in taxes that contribute to the funding of federal safety net programs like Medicaid, CHIP, and SNAP, but they are prohibited from using them. Current law prohibits legal immigrants from using these programs for five years. And the immigration bill prohibits immigrants on the path to citizenship from using these programs for at least 13 years. Thirteen years is an entire childhood.

It is unfair that immigrants pay for these programs but are prohibited from using them if they lose their job or if their kids get sick. If they pay for it, they should be able to use it. We should not treat immigrants as second class citizens.

The Hirono amendment simply states that a person who is lawfully present, working, and paying taxes, shall not be prohibited from using any federal programs or tax credits because of their immigration status.

Here are some facts about immigrant taxpayers:

Immigrants pay taxes. A study released in May by researchers at Harvard and the City University of New York found that immigrants are paying billions in taxes. ("Immigrants Contributed An Estimated \$115.2 Billion More to the Medicare Trust Fund Than They Took Out in 2002-2009," Health Affairs, May 2013).

Undocumented immigrants also pay taxes, both payroll taxes and income taxes. A 2006 study by UC San Diego found that "75 percent of undocumented immigrants had taxes withheld from their paychecks, filed tax returns, or both." (CBO report, "The Impact of Unauthorized Immigrants on the Budgets of State and Local Governments," December 2007). The Social Security Administration estimated that undocumented immigrants contributed a net \$12 billion to the Social Security Trust Fund in 2010.

The path to citizenship will increase federal tax revenue. Immigrants will have to continue paying taxes, and legal status will allow them to move out of the shadows into higher paying jobs. Grover Norquist's written testimony to the Senate Judiciary Committee on April 22, 2013: "After the legalization of immigrants during the Reagan amnesty, their incomes rose by an average 15 percent just by gaining legal status. Those immigrants today are making much more than they did then and, as a result, paying more in taxes." In a letter to Senator Rubio dated May 8, 2013, the Social Security Administration's Chief Actuary estimated the immigration reform bill will increase payroll tax collection by more than \$300 billion between 2014-2024.

Immigrants use federal safety net programs less often than natural born citizens, and when they use them their average costs are less than for natural born citizens. Immigrants are also more likely to be working or looking for work. See Cato Institute papers "Poor Immigrants Use Public Benefits at a Lower Rate than Poor Native-Born Citizens," March 2013 and "Evidence Shows Immigrants Come to Work, Not to Collect Welfare," August 2010.

Even Grover Norquist warns against believing "Baseless Criticisms" in flawed analyses about the costs of immigrants use of safety net programs. His written testimony cited above cautions against analyses that "exaggerat[e] public benefit costs by citing household costs, rather than individual immigrant costs" or "portray[] impossible levels of welfare use."

[From the Cato Institute, Mar. 4, 2013]

POOR IMMIGRANTS USE PUBLIC BENEFITS AT A  
LOWER RATE THAN POOR NATIVE-BORN CITIZENS

(By Leighton Ku and Brian Bruen)

Low-income immigrants use public benefits like Medicaid or the Supplemental Nutrition Assistance Program (SNAP, formerly the Food Stamp Program) at a lower rate than low-income native-born citizens.<sup>1</sup> Many immigrants are ineligible for public benefits because of their immigration status. Nonetheless, some claim that immigrants use more public benefits than the native born, creating a serious and unfair burden for citizens.<sup>2</sup> This analysis provides updated analysis of immigrant and native-born utilization of Medicaid, SNAP, cash assistance (Temporary Assistance for Needy Families and similar programs), and the Supplemental Security Income (SSI) program based on the most recent data from the Census Bureau's March 2012 Current Population Survey (CPS).

Low-income (family income below 200% of poverty line) non-citizen children and adults utilize Medicaid, SNAP, cash assistance, and SSI at a generally lower rate than comparable low-income native-born citizen children and adults, and the average value of public benefits received per person is generally lower for non-citizens than for natives. Because of the lower benefit utilization rates and the lower average benefit value for low-income non-citizen immigrants, the cost of public benefits to non-citizens is substantially less than the cost of equivalent benefits to the native-born.

BACKGROUND ON IMMIGRANTS IN THE UNITED STATES

About 40 million immigrants reside in the United States, comprising 12.9 percent of the total population.<sup>3</sup> Of those immigrants, 43.8 percent are naturalized citizens and 56.3 percent are non-citizens—including undocumented immigrants.<sup>4</sup> Immigrants are more likely to participate in the labor force,<sup>5</sup> lack a high school degree,<sup>6</sup> and to have incomes below the poverty line than the native-born.<sup>7</sup> Immigrants begin with lower earnings but over time their incomes improve as they remain here.<sup>8</sup>

IMMIGRANT ELIGIBILITY FOR PUBLIC ASSISTANCE BENEFITS

Immigrants' eligibility for public benefits is based on specific aspects of their immigration status and state policies.<sup>9</sup> Some key elements of the rules are:

Citizenship. Naturalized citizens and U.S.-born children in non-citizen families are citizens. They are fully eligible for public benefits like Medicaid, the Children's Health Insurance Program (CHIP), SNAP, cash assistance, and SSI, if they meet other program eligibility criteria.<sup>10</sup>

Refugees and Asylees. Immigrants granted refugee or asylee status are generally eligible for public benefits if they meet program eligibility criteria.

Lawful Permanent Residents. Lawful permanent residents (LPRs) must wait at least five years before they are eligible for benefits, but states have the option of providing them earlier.<sup>11</sup> After five years, LPRs are eligible for federal benefits if they meet the program eligibility criteria. As exceptions, LPR children have been eligible for SNAP benefits since 2003 and states have been able to restore Medicaid benefits for children and pregnant women since 2009.

Temporary/Provisional Immigrants. Temporary immigrants (e.g., work or student visa holders) are generally ineligible for public benefits, including the youth who are categorized as "Deferred Action for Childhood Arrivals."

Undocumented Immigrants. Undocumented immigrants are generally ineligible for the public assistance programs mentioned above.<sup>12</sup>

Immigrant-related eligibility restrictions do not apply to some programs, such as the National School Lunch Program, the Women, Infants and Children Nutrition Program (WIC), and Head Start.

The unit of assistance (benefits received on an individual or family basis) and eligibility varies across programs. For Medicaid, CHIP, and SSI, benefits are provided to individuals and eligibility is individually determined. Thus many U.S.-born children in immigrant families receive health insurance through Medicaid or CHIP, but their non-citizen parents do not. SNAP and cash assistance provide household-level benefits. In many immigrant families, some family members are ineligible non-citizen immigrants, so the

household SNAP allotment or cash assistance check is reduced. For example, if a very poor three-person family is composed of two LPR parents who have been here for two years and an American-born child, the benefit level is computed only using the child, not the ineligible parents.

#### RESULTS

Medicaid/CHIP. Figure 1 shows that more than one-quarter of native citizens and naturalized citizens in poverty receive Medicaid, but only about one in five non-citizens do so. Figure 2 shows that about two-thirds of low-income citizen children receive health insurance through Medicaid or CHIP, while about half of non-citizen children do so. Low-income non-citizen immigrants are the least likely to receive Medicaid or CHIP.

A major reason for these gaps is strict benefit eligibility barriers for many immigrants. Benefit use by poor immigrants was low even before the 1996 welfare reform, suggesting that eligibility factors are not the only reason for low levels of benefit use by non-citizen immigrants.<sup>13</sup>

Figure 3 shows that immigrants who receive Medicaid or CHIP tend to have lower per beneficiary medical expenditures than native-born people, reducing the government cost of their benefits.<sup>14</sup> Immigrant adults who received Medicaid or CHIP benefits in 2010 had annual expenditures about a quarter lower than adult natives. Immigrant children had average annual Medicaid expenditures that were less than one-half those of native-born children. Generally, immigrants have lower per capita medical expenditures than the native-born, regardless of type of insurance.<sup>15</sup>

Supplemental Nutrition Assistance Program (SNAP). Figure 4 shows that among low-income adults, 33 percent of native citizens, 25 percent of naturalized citizens, and 29 percent of non-citizens received SNAP benefits in 2011.<sup>16</sup> Figure 5 shows that about half of poor citizen children in citizen households receive SNAP, compared to about one-third of non-citizen children and two-fifths of citizen children in non-citizen-headed families. It is likely that the actual percentage of SNAP eligible non-citizen immigrants is even lower, but the gaps in the CPS data prevent us from knowing how large the gap is. Figure 6 shows that the average annual SNAP benefits per household member are about one-fifth lower for non-citizens than native adults or citizen children with citizen parents.

Cash Assistance and Supplemental Security Income (SSI). Figure 7 shows that the SSI receipt was higher for native and naturalized citizens than non-citizen immigrants.<sup>17</sup> Figure 8 shows that children in households with non-citizen family members are less likely to be in households receiving cash assistance or SSI than citizen children living in full-citizen households.

Figure 9 shows that average annual cash assistance and SSI benefits for the native-born, naturalized, and non-citizens were very similar. In contrast, Figure 10 shows that the value of these benefits per household member was lowest for children living in non-citizen households. The cash assistance benefit for citizen children in non-citizen families was 13 percent lower, and the cash assistance for non-citizen children was 22 percent lower compared to citizen children with citizen parents. The average SSI benefit was 30 percent to 33 percent lower for children in non-citizen families and non-citizen children than for citizen children in citizen families.

#### COMPARING STUDIES

A study by the Center for Immigration Studies (CIS) found that immigrant-headed

households with children used more Medicaid than native-headed households with children and had higher use of food assistance, but lower use of cash assistance.<sup>18</sup> The CIS study did not examine the average value of benefits received per recipient.

There are several reasons why our study differs from CIS's study. First, CIS did not adjust for income, so the percent of immigrants receiving benefits is higher in their study in part because a greater percent of immigrants are low-income and, all else remaining equal, more eligible for benefits. Non-citizens are almost twice as likely to have low incomes compared with natives.<sup>19</sup> We focus on low-income adults and children because public benefit programs are means-tested and intended for use by low-income people. It is conventional in analyses like these to focus on the low income because it reduces misinterpretations about benefit utilization.

Second, CIS focused on households headed by immigrants while we focus on individuals by immigration status. Our study focuses on individuals because immigrant-headed households often include both immigrants and citizens. Since citizen children constitute the bulk of children in immigrant-headed households and are eligible for benefits, CIS's method of using the immigrant-headed household as the unit of analysis systematically inflates immigrants' benefit usage. For example, 30 percent of U.S. children receiving Medicaid or CHIP benefits are children in immigrant-headed families and 90 percent of those children are citizens.<sup>20</sup>

Third, CIS focused on immigrants in general, including naturalized citizens, while we also included non-citizen immigrants. Naturalized citizens are accorded the same access to public benefits as native-born citizens and are more assimilated, meaning their opinions of benefit use are more similar to those of native born Americans. Separating non-citizens from naturalized Americans gives a clearer picture of which immigrant groups are actually receiving benefits.

#### CONCLUSION

Low-income non-citizen adults and children generally have lower rates of public benefit use than native-born adults or citizen children whose parents are also citizens. Moreover, when low-income non-citizens receive public benefits, the average value of benefits per recipient is almost always lower than for the native-born. For Medicaid, if there are 100 native-born adults, the annual cost of benefits would be about \$98,400, while for the same number of non-citizen adults the annual cost would be approximately \$57,200. The benefits cost of non-citizens is 42 percent below the cost of the native-born adults. For children, a comparable calculation for 100 non-citizens yields \$22,700 in costs, while 100 citizen children of citizen parents cost \$67,000 in benefits. The benefits cost of non-citizen children is 66 percent below the cost of benefits for citizen children of citizen parents.

The combined effect of lower utilization rates and lower average benefits means that the overall financial cost of providing public benefits to non-citizen immigrants and most naturalized immigrants is lower than for native-born people. Non-citizen immigrants receive fewer government benefits than similarly poor natives.

#### END NOTES

This is a condensed version of Leighton Ku and Brian Bruen, "The Use of Public Assistance Benefits by Citizens and Non-citizen Immigrants in the United States," Cato

Working Paper, February 19, 2013, <http://www.cato.org/publications/working-paper/usepublic-assistance-benefits-citizens-non-citizen-immigrants-united>.

1. R. Capps, M. Fix, and E. Henderson, "Trends in Immigrants' Use of Public Assistance after Welfare Reform," in *Immigrants and Welfare: The Impact of Welfare Reform on America's Newcomers*, M. Fix, ed. (New York: Russell Sage Foundation, 2009), pp. 123-52; and L. Ku, "Changes in Immigrants' Use of Medicaid and Food Stamps: The Role of Eligibility and Other Factors," in *Immigrants and Welfare: The Impact of Welfare Reform on America's Newcomers*, M. Fix, ed. (New York: Russell Sage Foundation, 2009), pp. 152-92.

2. S. Camarota, *Welfare Use by Immigrant Households with Children: A Look at Cash, Medicaid, Housing, and Food Programs* (Washington: Center for Immigration Studies, 2011); S. Camarota, *Immigrants in the United States: A Profile of America's Foreign-Born Population* (Washington: Center for Immigration Studies, 2012); and Office of Senator Jim DeMint, "Pickpocket: How Big Government Bureaucracy, Regulations, Taxes and Out-of-Control Spending Rob Taxpayers: One-third of Immigrants Households Use Welfare," October 12, 2012, [http://www.demint.senate.gov/public/index.cfm?p=pickpocket&contentrecord\\_id=c81c7eb2-3d1a-42a1-a3e5-a5c913f4fd23](http://www.demint.senate.gov/public/index.cfm?p=pickpocket&contentrecord_id=c81c7eb2-3d1a-42a1-a3e5-a5c913f4fd23).

Because Senator DeMint has resigned from the Senate to become President of the Heritage Foundation, this website has since been closed.

3. An immigrant is a foreign born person, except those born to American citizens living abroad.

4. The Census Bureau does not ask about non-citizen immigrant legal status.

5. *Ibid.*

6. Q. Ji and J. Batalova, "College-Educated Immigrants in the United States," Migration Policy Institute, December 2012, <http://www.migrationinformation.org/Feature/display.cfm?ID=927>.

7. E. Grieco et al., "The Foreign-Born Population in the United States: 2010," U.S. Census Bureau American Community Survey Reports (ACS-19), May 2012.

8. H. Duleep and M. Regets, "Immigrants and Human-Capital Investment," *American Economic Review* 89, no. 2 (1999): 186-91; and H. Duleep and D. Dowhan, "Insights from Longitudinal Data on Earnings Growth of U.S. Foreign Born Men," *Demography* 39, no. 3 (2002): 485-506.

9. Many of the key federal rules were established in 1996 by the Personal Responsibility and Work Opportunity Reconciliation Act, as amended by the Illegal Immigration Reform and Immigrant Responsibility Act, although there have been subsequent amendments in a variety of laws. For primary federal rules, see Office of the Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, "Summary of Immigrant Eligibility Restrictions under Current Law as of 2/25/2009," <http://aspe.hhs.gov/hsp/immigration/restrictions-sum.shtml>. For a more comprehensive review, including state variations in policies, see National Immigration Law Center (NILC), *Guide to Immigrant Eligibility for Federal Programs*, 4th ed. (Los Angeles: National Immigration Law Center, 2002). In particular, see the NILC's updates of laws and state options at <http://www.nilc.org/guideupdate.html>.

10. The Fourteenth Amendment to the U.S. Constitution begins: "All persons born or naturalized in the United States and subject

to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.”

11. See the NILC updates for more detail about state choices at <http://www.nilc.org/guideupdate.html>.

12. In Medicaid, payments to health care providers for emergency services are rendered to undocumented immigrants who otherwise meet Medicaid eligibility criteria (e.g., income, category, age). Emergency rooms, because of the Emergency Medical Treatment and Active Labor Act, are required to treat undocumented immigrants like other patients regardless of insurance status. The Medicaid provision helps ensure that reimbursement is available to the emergency care providers.

13. R. Capps, M. Fix, and E. Henderson, “Trends in Immigrants’ Use of Public Assistance after Welfare Reform,” pp. 123–52.

14. MEPS does not have information about citizenship, so we compare native-born vs. foreign-born low-income children and adults.

15. L. Ku, “Health-Insurance Coverage and Medical Expenditures for Immigrants and Native-Born Citizens in the United States,” *American Journal of Public Health* 99, no. 7 (2009): 1322–28; and S. Mohanty et al., “Health Care Expenditures of Immigrants in the United States: A Nationally Representative Analysis,” *American Journal of Public Health* 95, no. 8 (2005): 1431–38.

16. CPS data do not indicate which particular household members receive SNAP benefits, so all that can be determined is that a household received SNAP and that some members of the household are immigrants and some are not. If two citizen children are eligible for SNAP but their two immigrant parents are not, Census data only reveal that all four are part of a household receiving SNAP.

17. The CPS does not enumerate which children receive cash assistance and SSI benefits because the Census Bureau uses these data to compute adults’ incomes, but it does not compute income for children. The CPS data indicate which individual adults report receiving cash assistance and SSI but does not reveal which children received these benefits; we only know if they are members of households that received cash assistance or SSI. Thus, some immigrant children may be in families getting TANF or SSI benefits, but they may not be recipients.

18. S. Camarota, *Immigrants in the United States: A Profile of America’s Foreign-Born Population* (Washington: Center for Immigration Studies, 2012); and S. Camarota, *Welfare Use by Immigrant Households with Children: A Look at Cash, Medicaid, Housing, and Food Programs* (Washington: Center for Immigration Studies, 2011).

19. C. DeNavas-Walt, B. Proctor, and J. Smith, *Current Population Reports, P60-243, Income, Poverty, and Health Insurance Coverage in the United States: 2011*, U.S. Census Bureau (Washington: U.S. Government Printing Office, 2012).

20. *Ibid.*

[From the Cato Institute, Aug. 2010]

#### EVIDENCE SHOWS IMMIGRANTS COME TO WORK, NOT TO COLLECT WELFARE

(By Stuart Anderson)

Some oppose immigration because they believe immigrant use of welfare demonstrates immigrants do not assimilate in America. Others argue the immigrant work ethic remains strong and that immigrants do not come here to get on the dole. Examining data and eligibility rules provides an answer as to who is right on this issue.

Welfare and immigration is a combustible topic. In many ways, the issue is less fiscal than emotional. Americans treat the concept of newcomers arriving in America and immediately receiving government handouts as akin to an in-law moving into their basement and refusing to look for a job. It’s not so much the cost as the principle of the thing. The good news is there is little evidence that immigrants come to America to go on welfare, rather than to work, flee persecution or join family members in the United States.

To evaluate whether immigrants come here to be on the dole one has to examine several aspects of the issue. First, it is necessary to look at the eligibility rules for immigrants, which are complicated and were overhauled in 1996. Second, one should evaluate their level of workforce participation, since if immigrants are working, then they are not bursting the welfare rolls. And third, we should compare native and immigrant use of welfare programs. Similar benefit use rates would indicate immigrants are not becoming fiscal burdens on other residents of the country.

#### ELIGIBILITY RULES ARE TIGHT FOR ARRIVING IMMIGRANTS

Upon first arriving in the country, immigrants are generally ineligible for federal means-tested benefits programs. With the exception of refugees, eligibility for programs usually requires immigrants to have been in the United States for 5 years or more in a lawful immigrant status.

In 1996, Congress changed the rules for immigrant benefit eligibility as part of a broader reform of the nation’s welfare laws. The tighter regulations resulted in a decrease in immigrant welfare use. “There were substantial declines between 1994 and 1999 in legal immigrants’ use of all major benefit programs: TANF or Temporary Assistance for Needy Children (down 60 percent), food stamps (down 48 percent), SSI (down 32 percent), and Medicaid (down 15 percent),” according to a 2003 report by the Urban Institute.<sup>1</sup>

Even before the changes in the law, there was little support for the view that individual immigrants were more likely to be on welfare than natives.<sup>2</sup> One of the difficulties in measuring welfare use is that eligibility for some benefits are geared toward individuals and others are based on family, and families may live in households that go beyond two spouses and their children. If one labels a household as “using welfare” even when only one person in a house is receiving benefits, then it is likely to inflate the data on welfare use for immigrants, since the foreign-born tend to maintain larger households. On the other hand, such a calculation could capture data on a U.S. citizen child born to immigrant parents.

At the state level, eligibility rules differ and can be less restrictive than federal rules. Moreover, a child born in America is a U.S. citizen and can receive benefits if he or she meets a program’s eligibility criteria, regardless of a parent’s immigration status.

If immigrants have been seeking states with lenient benefit eligibility, then they’re not doing a good job. Author and Wall Street Journal editorial writer Jason Riley notes many states with recent large increases in their immigrant populations, such as Arkansas, North Carolina, South Carolina, Utah and Georgia, are primarily states with low and below average social spending.<sup>3</sup>

Prior to the 1996 reforms, there was concern that non-citizen parents were making excessive use of SSI (Supplemental Security

Income). With the exception of refugees and other “humanitarian immigrants,” veterans, active duty military and their families, and certain Native Americans born abroad, Congress enacted a complete ban on SSI for non-citizens who enter the United States after August 22, 1996.<sup>4</sup> Lawful permanent residents with credit for 40 quarters of work history in the U.S. can receive SSI once they have been in “qualified” status for 5 years or more.

In 1995, 3.2 percent of non-citizens used SSI, compared to 1.3 percent in 2006. Similarly, Congress barred most non-citizens arriving after August 22, 1996, from using food stamps, although this was modified in 2002 to allow non-citizen children and certain other lawfully residing immigrants to use food stamps. In general, a sponsor of an immigrant can be “required to reimburse the government for any means-tested public benefit the alien has received,” notes attorney Susan Fortino-Brown.<sup>5</sup>

#### WORKFORCE PARTICIPATION RATES: IMMIGRANTS AND NATIVES

Immigrant men, ages 18 to 64, are more likely to work than native-born Americans. According to 2004 Census data analyzed by the Pew Hispanic Center, the labor force participation rate for legal immigrant males in that age group is 86 percent, compared to 83 percent for native-born males (see Table 1.) The rate is even higher—92 percent—for illegal immigrant males. Immigrant women are more likely to be married and have children, according to Census data, and this leads to a lower labor force participation rate—64 percent for legal immigrant women vs. 73 percent for native-born women.<sup>6</sup>

#### NATIVE VS. IMMIGRANT USE OF WELFARE

An analysis of Census data released by the House Ways and Means Committee indicate the proportion of natives, non-citizens and naturalized citizens who use AFDC/TANF (Aid to Families with Dependent Children/Temporary Assistance for Needy Children), Medicaid and food stamps is similar for the three groups. More important, the data show the vast majority of immigrants are not receiving these types of public benefits. Less than 1 percent of naturalized citizens and non-citizens in 2006 received benefits under TANF.<sup>7</sup>

The data tell the story:

In 2006, 0.6 percent of natives used AFDC/TANF, compared to 0.3 percent of naturalized citizens and 0.7 percent for non-citizens.

For Medicaid: 13.1 percent of natives used Medicaid, compared to 10.8 percent of naturalized citizens and 11.6 percent of non-citizens.

For SSI, which most natives would not use because they are eligible for Social Security benefits, 1.6 percent of natives used SSI (Supplemental Security Income) in 2006, compared to 3.0 percent of naturalized citizens and 1.3 percent of non-citizens. (See Table 7.1.)

And 7.7 percent of natives used the Food Stamp program, compared to 3.9 percent of naturalized citizens and 6.2 percent of non-citizens.

#### CONCLUSION

Concerns about immigrant welfare use do not represent valid grounds for supporting reductions in legal immigration. Nor is it reasonable to oppose a better approach to addressing illegal immigration, such as by instituting new temporary visa categories. Historically, immigrants have come to America not for a handout, but in search of opportunity. There is no reason to think this will change.

## ENDNOTES

1. Walter A. Ewing, *Not Getting What They Paid For* (Washington, DC: Immigration Policy Center, June 2003), 1.

2. In research for the Urban Institute in 1994, Rebecca L. Clark wrote, "Among immigrants, high rates of welfare use are limited to one group of immigrants—those who entered as refugees—and one type of welfare—SSI. For other types of welfare, immigrants who did not enter as refugees are no more likely to use welfare than natives." From Rebecca L. Clark, "The Costs of Providing Public Assistance and Education to Immigrants" (Washington, DC: The Urban Institute, May 1994), 18, as cited in Julian L. Simon, *Immigration, The Demographic and Economic Facts*, (Washington, DC: The Cato Institute and the National Immigration Forum, 1995), 35–36.

3. Jason Riley, *Let Them In* (New York, NY: Gotham Books, 2008), 108.

4. Thank you to Jonathan Blazer and Tanya Broder of the National Immigration Law Center for their assistance.

5. Susan Fortino-Brown, "Family-Sponsored Immigration, in Navigating the Fundamentals of Immigration Law: Guidance and Tips for Successful Practice, 2007–08 Edition, ed., Grace E. Akers, (Washington, DC: American Immigration Lawyers Association, 2007), 326.

6. Jeffery S. Passel, *Unauthorized Migrants: Numbers and Characteristics*, (Washington, DC: Pew Hispanic Center, June 14, 2005), 25.

7. House Ways and Means Committee, 2008 Green Book, Appendix H, Table H-9—Estimated Benefit Usage by Citizenship Categories: 1995, 1999, 2001, 2006.

Ms. HIRONO. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELLER. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

## REMEMBERING BARBARA VUCANOVICH

Mr. HELLER. Mr. President, Monday was a sad day for my home State of Nevada. This week we learned that Congresswoman Barbara Vucanovich passed away in Reno just a few weeks after her 92nd birthday. As the first woman elected to represent Nevada in Congress, Barbara was a dedicated and effective legislator, admired by her colleagues on both sides of the aisle. As the first person to represent Nevada's 2nd Congressional District—a district I was privileged to represent in the House of Representatives—Barbara was a role model to countless Nevadans. She exemplified the highest standards of public service. Moreover, Barbara was a dear friend.

When I came to Washington for the very first time, Barbara invited me to join her for lunch, even though I was a total stranger. It was a kind and considerate gesture I will never forget.

Even today, when constituents come to Washington to visit, I tell them the story about Barbara and how I aspire to the high standards she set.

During her seven terms in Congress, she was a vigorous advocate for important issues, including breast cancer research and was herself a breast cancer survivor. As chairwoman of the House Subcommittee on Military Construction—at the time one of only two women ever to serve as chairman of an appropriations subcommittee—she was a strong and effective voice for America's men and women in uniform, and she played a pivotal role in protecting Nevada's vast resources while serving on the House Interior Committee, helping to create the Great Basin National Park.

Barbara served in Congress at a time when Members of different parties could come together and find solutions for the American people. She served at a time when compromise and common sense guided decisionmaking, when results were more important than petty partisanship, and the same was certainly true of Barbara.

Barbara was a devoted mother, grandmother, and great-grandmother. She was an admired and beloved public servant, a patriot, a proud Nevadan, and a dear friend.

My heart goes out to her family and friends during this difficult time. My wife Lynne and I join our fellow Nevadans in remembering the inspirational life and legacy of Barbara Vucanovich.

Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I take this time to speak in strong support of the immigration bill currently on the floor of the Senate.

First and foremost, we need an immigration system that is fair. We are a nation of immigrants. My grandparents came to this country seeking a new life for their family. Our story is similar to the story of millions of other families in this country.

Immigration is very important for our country. It is important for our economy. We need highly skilled workers who can innovate, create, and move our country forward. All of our workers should be protected under our laws and not just some.

We also need strong border security. We need to know who is coming into this country, and we must make sure we have a legal system that protects the homeland.

So we need a balance. For immigration reform we need a balance between border security and lawful employment and a pathway to citizenship and the ability to lawfully remain in this country for those who are currently undocumented. The legislation before us creates that balance. I wish to compliment my colleagues on both sides of the aisle who have brought forward

this package. It is not what any one of us would have written, but it does balance the security of our country with border security and a lawful system for employment with the realities of 11 million people currently living in the shadows who will have an opportunity to remain in this country in a lawful way, to be able to work and ultimately become citizens of America. But those individuals have to earn their way. They have to pay taxes, learn English, be law-abiding, and they cannot break into the line. They have to go to the end of the line.

This is a fair bill. This is a bill that at long last fixes the broken system we have in this country.

Over the past months, I have held a number of immigration roundtables throughout the State of Maryland. At the Lutheran Immigration and Refugee Service in Baltimore we discussed the importance of streamlining the process in refugee and asylum cases and eliminating barriers to family unification.

We discussed the need for strong provisions to prevent human trafficking and to make sure the U.S. labor protections apply to all immigrant workers. We talked about making sure we have a realistic 10-year pathway to citizenship that can be both started and finished in a workable manner by undocumented immigrants. All those issues have been addressed in the bipartisan bill that is currently before the Senate.

I held this similar discussion at CASA of Maryland in Hyattsville. We discussed the DREAM Act recently approved by the voters in Maryland and the DREAM Act provisions that are pending in the bill before the Senate. The group stressed the importance of family reunification and the need to create a workable pathway to citizenship for undocumented immigrants. We discussed the need to clear up and eliminate the backlog of legal immigrants waiting in the system so the undocumented immigrants do not have to jump ahead in line.

That is what this bill does. It provides the resources so we can process those who are currently in the system in a fair manner, which is in the best interests of this country and the best interests of those who are currently caught in this backlog. The bill provides for an orderly way to consider legal immigration and to deal with those who are currently undocumented as they come into our system.

These roundtables were important for me to hold to hear directly from Marylanders who are affected by the immigration policy decisions we make in the Senate. Maryland, as well as the United States, has a long and proud tradition of welcoming immigrants, and our Nation is truly a nation of immigrants. According to the Immigration Policy Center and U.S. Census Bureau statistics, foreign-born immigrants make up roughly 1 in 7 Marylanders—14 percent of our population.



More than a quarter of Maryland's scientists were foreign born, as were roughly one-fifth of our health care practitioners, mathematicians, and computer specialists. According to the Migration Policy Institute, the number of immigrants in Maryland with a college degree increased nearly 70 percent between 2000 and 2011.

My point here is that immigrants contribute to the growth of America. They help us develop the innovations of tomorrow that will create the jobs of tomorrow. They help solve the problems we have today. They help our economy grow. That is what has made America strong.

According to the Urban Institute, immigrant households paid nearly one-fifth—or \$4 billion—of all taxes collected in Maryland, including Federal income taxes, Social Security, and Medicare taxes; State income, sales, and auto taxes; and local property, income, sales, auto, and utility taxes.

I hope we can keep these facts and statistics in mind as we enter into this historic debate on how to overhaul our Nation's immigration laws. We should avoid stereotypes and generalizations in this debate.

But more importantly, I want to put a human face on these facts and statistics, so I am going to share two stories of individuals who came in contact with our office. These two are representative of literally millions of people. We hear the numbers, but when we listen to the stories and look at the faces of people involved, we know we have to act.

The first is about Yves Gerald Gomes, 20 years of age, who was originally from India. I quote him:

My own story started in 1994, when I came to this country in the arms of my parents. I was only a year and a half. My parents came from India and Bangladesh, hoping to provide me with opportunities, something they didn't have growing up in poverty in their homes. My earliest memories in life are growing up in MD in the basement of my great aunt and great uncle's house and learning English from their children (my older cousins) by watching *Fresh Prince of Bel Air* and *Full House*. Soon after, in 1995, my brother was born.

My parents had an ongoing asylum case, which was denied in 2006. But over that 12 year span, my father worked hard as a hotel server in order to help my mother pay for her college education and for us to live comfortably; growing up I felt as though I was just like any of my middle-class, American peers from school. But in 2006, we became "undocumented." Our work permits could no longer be renewed, so my father was forced to quit his job at the hotel, and my mother had to resign her tenure as a college professor, and surrender her PhD studies in computer sciences. In 2008, our home was raided by ICE, a few days after my dad was pulled over one night for driving with a busted taillight in Baltimore. Ultimately both of my parents were deported in 2009. I faced my own deportation in 2010, but was able to remain in the US because of the [hard] work of my lawyer . . . the support of my friends, church community, [and] the media. . . .

It will be 5 years since my brother and I have last seen our parents. Currently my brother and I live with the same great aunt, great uncle and cousin with whom we resided when my family first came to US. It was disheartening when my parents missed my own high school graduation, and it will again be disheartening when they will miss my younger brother's high school graduation.

Moreover, the pain of separation resonates to our extended family too. My mother treated my great-aunt and great-uncle, naturalized US citizens for 40+ years, like her own parents, and she cannot be here to take care of them in their old age. Their son, my cousin (a US citizen) has a degenerative muscle disease which prevents him from traveling. If immigration reform does not happen, it's possible he will never get to see my father, whom he treats like his older brother, ever again.

I will graduate from the University of Maryland College Park in 3 semesters with my undergraduate degree in Biochemistry, and I really hope that my parents will be there to see me walk across the stage. For myself and millions of others, immigration reform means a pathway to pursue our dreams and give back to American society, our home; personally, I want to enter into the field of medical research or pharmacy. Moreover, for myself and so many others, immigration reform means the hope of being reunited with family members, and also it means no longer having to wake up every morning with the constant fear of deportation.

I have lived in the United States since I was a year old. This is the only country I have ever known as my home. Despite all the challenges my family has faced, I still love the United States, and have always considered myself to be American at heart. I hope that after this year, I can be an American on paper too.

Let me tell one more story. I could read from other letters we have received. I am sure the Presiding Officer has the same situation. We have all heard from people in our communities.

Let me talk about Raymond, who was originally from the Philippines. I quote him:

My family and I came to the United States in hopes and dreams of a better life; we left everything behind in the Philippines in pursuit of the "American Dream." At the age of nine, assimilating to the American culture was not difficult; naturally I felt as though I was just like everyone else. Or so I thought. The harsh reality of being undocumented hit me my senior year of high school when I came home from an invitational track meet where I was scouted and offered scholarships. I was so excited to tell my parents the great news; to this day I still remember the proud look on my father's face. My mother on the other hand suddenly broke down in tears. . . . I was confused as to why she was asking for forgiveness, she began to explain that we were undocumented and due to my immigration status I would not be able to accept the scholarships. Finally hitting that wall made me realize that all my hard work would amount to nothing.

For as long as I could remember my family has constantly faced financial struggles, but somehow we always found a way to make ends meet. My father, who was once a successful businessman, was forced to work odd jobs such as landscaping, delivery, and driving a taxi. My mother, who was once a nurse

practitioner, works multiple jobs from cleaning houses, babysitting, and taking care of the elderly. My sister who is only two years older than me, made the sacrifice of not going to college so that I would be able to, and she works any job that comes her way. They all work day in and day out to make sure there's food on the table, clothes on my back, and a roof over our heads. I know that if my parents were able to work legally in the US in business and nursing, we would not struggle as much, and we would be able to contribute much more to the US economy. Yet, because of our current broken immigration system, our hard work does not pay dividends.

In 2011, I became involved in the campaign for the Maryland DREAM Act . . . which involved grassroots organizing. At this point I realized that no longer would I stay silent in the shadows, I had to let my voice be heard and take a stand against this injustice that my community and I faced. Throughout the campaign I realized that even as youth we can still bring forth change, which is why to this day I continue to fight for my family and all 11 million undocumented immigrants in the US.

In this year's push for Comprehensive Immigration Reform, no one will be left behind; we must stand united and battle this suppression. In the words of Martin Luther King Jr. "Injustice anywhere is a threat to justice everywhere."

I could bring up many other stories, put faces on these numbers, because I think we need to do that. This immigration bill is for the two persons whom I just talked about, their families, and the 11 million. It is for this Nation.

There is bipartisan agreement that our Nation's immigration and border security system is broken and must be fixed. We must ensure our borders are secure and that we know who is coming and going from the Nation. At the same time we must find a tough but fair process that allows the estimated 11 million undocumented immigrants in the United States to come out of the shadows and sets reasonable requirements if they want to stay in this country.

This legislation creates a fair path to citizenship for undocumented immigrants currently living in the United States. This path to citizenship must be earned and would require individuals to register with the government, submit biometric data, learn English, pass criminal background and national security checks, and pay taxes and penalties before they would be eligible for a provisional legal status. This pathway to citizenship requires individuals to earn their legal status over a period of no fewer than 10 years.

In addition, the legislation addresses the need for improved border security and requires a 90-percent effectiveness rate for apprehensions and returns in high-risk border sections before individuals in provisional legal status can adjust to permanent residence. It also creates an effective employment verification system—using the E-Verify system—that will prevent identity theft,



end the hiring of unauthorized workers, and help stop future waves of illegal immigration. And finally, this legislation establishes an improved process for future legal immigration that is responsive to the needs of American businesses and supports reunification of families.

Despite fears that immigrants will take jobs from Americans, numerous studies show that immigrants and U.S.-born workers generally do not compete for the same jobs. In fact, a 2009 study by the Cato Institute, a conservative think tank, found that immigrants have a positive effect on the workforce.

The business sector strongly supports comprehensive immigration reform. That is because our economy is in need of highly skilled workers who can help stimulate growth and keep our Nation at the forefront of innovation and invention. From 1990 to 2005, foreign-born nationals founded more than 25 percent of the technology startups in the United States.

Immigration reform is about keeping families together and ensuring that immigration laws are respected. I want to commend my colleagues from both parties for coming together in crafting a bipartisan bill that creates a workable framework for comprehensive reform. Now the Senate needs to move forward in passing legislation that is both comprehensive and fair.

This legislation enjoys broad support from a diverse coalition of labor, business, civil rights, and religious groups. Polls indicate broad support across party lines for comprehensive immigration reform, with most Americans agreeing that immigration is a net positive for the United States. Most Americans want Congress to take action to fix our broken immigration system. While this legislation is not perfect—it is not what I would have drafted—I believe it is a strong step forward and a vast improvement over our current laws, and I urge my colleagues to support this balanced approach to immigration reform.

Article I, section 8 of the Constitution provides that “Congress shall have power . . . to establish a uniform rule of naturalization.” Congress last enacted a major overhaul of immigration policy in 1986 during President Reagan’s administration, over a quarter century ago. The time is now for Congress to act.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Alabama.

#### TRIBUTE TO MARCUS PEACOCK

Mr. SESSIONS. Madam President, I wish to take a moment to do something special. This week, the Senate community will say goodbye to Marcus Peacock, my staff director on the Senate Budget committee.

During his tenure with the committee, he has been a constant warrior

for sound finances and this country that he so loves. I am going to miss his exemplary service, and the Nation will miss his service.

Marcus has been with me since I became ranking member on the Budget Committee. During that time, he has helped my staff and me negotiate and navigate the intricacies, quirks, and arcana of the budget process, which, as anyone with budget experience will tell you, can be a most daunting and frequently frustrating task, even for the most savvy budgeteer. He has approached every task and every challenge with his trademark sunny disposition, remarkable unflappability, and can-do attitude.

During his tenure with the Budget Committee, Marcus was instrumental in crafting the Honest Budget Act—we need that around here—legislation that I introduced in 2011 that exposed some of the most egregious budget gimmicks, gimmicks that are often utilized to get around budget requirements. Together we have achieved a string of victories on budget points of order. I think as many as maybe seven consecutive times the Senate has failed to proceed with spending bills that exceeded our budget limits. That is a very significant achievement. He has been able to therefore expose, and frustrate, some of Washington’s spend-thrift ways.

I was very glad to have him at my side when the Senate finally produced its first budget in 3 years. It had been so long since the last budget that everyone was a little rusty, and I was grateful to have his counsel.

Marcus brought invaluable experience to his leadership of the Budget Committee staff because he’s spent his professional career creating and implementing ways to measure and improve the effectiveness and efficiency of government programs. Whether he was managing oversight efforts on the House Committee on Transportation and Infrastructure, leading the Performance Improvement Initiatives at the Office of Management and Budget under President Bush, or ferreting out waste and inefficiency as the Deputy Administrator at the Environmental Protection Agency, Marcus has always been a careful steward of taxpayers’ dollars. It is their money. It comes to us in trust. We have an absolute duty to show fidelity to it.

Marcus imposed those same principles at the helm of the Senate Budget Committee, turning back 15 percent of his staff budget every year, coming in 15 percent below the allocated amount—something I was very proud of.

I would be remiss if I also did not thank Marcus’ wife Donna and their two lovely daughters, Iona and Mey, for loaning his time to public service. Hours on the Hill can be long and I know he’s missed a recital or sports

match here and there, and probably several “date nights” too. So thank you Donna, Iona, and Mey.

Truly, Marcus Peacock is one of the finest public servants I have ever had the honor to work with. His character and integrity are sterling. He honors his family. Surely he is a role model for a high public servant.

Marcus, I know I speak on behalf of the entire staff of your Budget Committee when I say that we will miss your wit, your leadership, and your dedication to good government. I wish you the very best of luck. I know our paths will cross again.

The PRESIDING OFFICER. The majority leader.

#### ORDER FOR RECESS

Mr. REID. Madam President, a number of people have said they did not know what was going on with the intelligence situation that has developed in the country. The programs have been around for 7 years. We have had a number of briefings, both classified and unclassified. We are having another one at 2:30. General Alexander will be there. He has some new stuff he wants to lay out for us. Everyone should go. If you do not go, you have no excuse for saying you do not know what is going on. This meeting has been scheduled all week.

Having said that, I ask unanimous consent that the Senate recess from 2:30 to 3:30 p.m. I do not want anyone to have an excuse for why they are not going there.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

#### UNANIMOUS CONSENT REQUEST—S. 953

Ms. WARREN. Madam President, in less than 3 weeks the interest rates on subsidized student loans will double if Congress fails to act. This is not only wrong, it is unnecessary. Senator HARKIN and Senator REED have proposed a plan to hold the interest rate steady at 3.4 percent for 2 years. This will give Congress time to develop a long-term plan to address the rising burden of student loan debt, a long-term plan that keeps interest rates low and that addresses rising college costs.

Two weeks ago a majority of Senators in this body voted to approve this temporary extension to provide a measure of relief to our families. Unfortunately, Republicans have decided to filibuster this bill, blocking the measure that has majority support. That is not the way our democracy should work.

I met with students in Massachusetts earlier this week. They told me we need to fix this problem. They said to me: Do not double my rate. Do not double my rate. Dozens of Massachusetts universities have asked us to step in and help their students. Petitions urging us to stop interest rates from doubling on July 1 have collected more than 1 million signatures. Students,

parents, families are asking for help. They do not have time for politics.

I ask unanimous consent that at a time to be determined by the majority leader, following consultation with the Republican leader, the Senate proceed immediately to the consideration of Calendar No. 74, S. 953, the Student Loan Affordability Act, and that the bill be read a third time, the Senate proceed to vote on passage of the bill, and the motion to reconsider be considered made and laid upon the table, with no intervening objection or debate.

**THE PRESIDING OFFICER.** Is there objection?

**Mr. BURR.** Madam President, reserving the right to object, my good friend and colleague from Massachusetts stated that students in Massachusetts have come up and said: Senator, fix the student loan program. Fix it. She said that what Republicans have done is they have filibustered it. The fact is that what Republicans offered was a fix.

What the Senator comes to the floor today to do is to have a 2-year extension of a student loan program that the Secretary of Education admits does not fix the problem. As a matter of fact, in a Washington paper today, Secretary of Education Duncan is very clear and implores the Senate and the Congress: Fix it. Find a long-term solution.

Let me state for my colleagues that what the Senator from Massachusetts is here to do is to extend a preferred interest rate of 3.4 percent for 2 years on 39 percent of the student loans that are taken out. Current law is that for subsidized student loans, they are subsidized at 3.4 percent. That preferred half, 50-percent cut, is effective until the end of June. But under current law, the unsubsidized Stafford loans are at 6.8 percent. The parent and graduate PLUS loans are at 7.9 percent. My colleague's amendment only covers the subsidized Stafford loans that are 39 percent of all of the loans that are administered. So what her proposal says is that we are not going to fix it, we are going to kick the can down the road for 2 more years. To the parents and to those who do not get subsidized Stafford loans, we are going to continue to charge you double what we charge other students. If we look at the math, where we are is unsustainable.

I understand that when we voted on a Republican alternative last week, it was the Alexander-Coburn-Burr bill where we actually wanted to tie the interest rate on an annual basis to the rate of the 10-year Treasury bond. The advantage was that if you locked that in in any given year, that was your interest rate for the entire life of the loan.

What students want is predictability. What they want to do is understand how much is it going to cost them for their education, not this year but over the life of having to pay it off. Well,

you know what. We put a proposal on the table. It was routinely rejected even though it was a solution. It was a fix. It was what the President has called for. It is what the Secretary of Education called for.

The President also proposed a fix. The President's—I do not agree with all aspects of it, but it is a start. It is the nucleus of a compromise. In the President's bill, he ties everything to the 10-year Treasury bond—very similar to the fix Republicans came up with. Here is the difference: The President ties subsidized loans to the price of the Treasury bill plus .93. Ours was 3.0. On unsubsidized Stafford loans, it was 10-year Treasury bill plus 2.93—almost identical to the Republican proposal. For parents and graduates, the President's bill called for a 10-year bond rate plus 3.93 percent. So if you do the math and you look at 60 percent of it not being subsidized and 40 percent being subsidized, what Republicans laid on the table and what the President laid on the table are very similar. As a matter of fact, both the Republican proposal and the President's proposal said: Let's fix the rate for the life of the loan.

So not only am I being asked today to agree to a unanimous consent request to take up a bill that does not fix the problem, I am being asked to grant unanimous consent to a bill that does not even extend the same rate for the life of the loan for the students who are borrowing it. Imagine where we would be in the marketplace if we wanted to buy a home, and when we walked in, our lender looked at us and said: I am going to lend you the \$300,000, but I have a right to readjust the rate every year. Some people take a risk at doing that. They are called mortgages that are fixed with ARMs—adjustable rate mortgages. After the downturn, they were not very popular. As a matter of fact, many of those were the ones that were foreclosed on.

Here is the challenge: We have to present something that is understandable and that is predictable and something that is financially sustainable for the American people. Some have come to the floor and they have been brave enough to say that these bills actually produce savings. Let me squash that. The Congressional Budget Office has projected that direct student loans issued between 2013 and 2023 will cost \$95 billion based upon a fair value basis, in contrast with a projected savings of \$184 billion using questionable fuzzy math.

So make no mistake about it, there are no savings that can be claimed from any of the proposals that are out there. It is a cost to the American taxpayer, one that I think is a justifiable investment in education if we applied it to everybody. But this is not applied to everybody. It is a unanimous consent request for 39 percent of the indi-

viduals who take out student loans. To the other 61 percent, it says: Hey, you live with 6.8 or 7.9.

So I am not in a position today to agree to the unanimous consent request that has been made, but I am in a position to do this: I ask unanimous consent that the Senate proceed to the immediate consideration of the bill that is at the desk, which is the proposal of the President of the United States on student loan issues. I further ask that there be 1 hour of debate equally divided in the usual form and that at the expiration of time, the bill be read a third time and the Senate proceed to a vote on passage of the bill.

Let's put this to bed now. Let's not wait until the end of June, when we have used a couple of more weeks, to say to kids: You ought to be concerned because rates are going to go up. Let's lock it down. I will not argue with the rates the President set even though I do not agree with it all. It starts to fix the problem. It is a solution in the right direction, where just assuming that we extend what is currently broken, does not fix it, and is not cost-sustainable, I believe is the wrong thing.

**THE PRESIDING OFFICER.** Is there objection to the request of the Senator from North Carolina?

The Senator from Massachusetts.

**Ms. WARREN.** Reserving the right to object, I would like to focus on three words Senator BURR discussed, and they are “unsustainable,” “everybody,” and “fix.”

I heard all three, and I think all three are very important words here. Let's go through this and figure out what it is the Senator is proposing and what it is we need to do.

Right now we have a student loan program that produces \$51 billion in profits this year off the backs of our students, \$51 billion. Yes, I think that is unsustainable. We must find a way to deal with that.

In fact, Republicans did put a proposal on the table. Their proposal would have increased profits to the Federal Government from the student loan program by another \$16 billion.

The Republicans' plan was to say let's take a debt load that is already too difficult for students to deal with and let's make it harder. That is, in my view, completely unsustainable. We have to do better than that.

The question the Senator also raises is one about everybody: We need to fix this problem for everybody. I agree with the Senator. We do, indeed, need to fix this problem for everybody. Let's think about what this is.

What we are talking about is student interest rates that are about to double. What the Democrats have proposed, what I propose in the original request for a UC, is that we not let those interest rates double. We use that time to try to develop a comprehensive way to deal with the rising costs of college and

with the trillion dollars of college loan debt that is outstanding.

In other words, we recognize this is a narrow slice. This is to prevent our students from facing a double interest rate, a doubling of their interest rates on July 1. We say we would use this time in order to get a comprehensive answer for all of our students.

What the Senator has proposed and what he has asked for unanimous consent on is not that. It is only a narrow slice of the question of how we are going to deal with interest rates on loans going forward. It doesn't deal with the interest of the loans outstanding, and it certainly doesn't deal with the rising costs of college. They want to put this problem to bed by saying that one problem we will deal with and we will move on. Let's keep in mind we have seen what the Republican plan will do. The Republican plan will cost our students an additional \$16 billion. That is the plan. Take a problem and make it worse but not something that is sustainable and not something that fixes it for everyone.

The third point he raised is he used the question of fix. I think fix is exactly what we are talking about.

We have three different kinds of problems we need to solve. We have the problem of \$1 trillion of outstanding student loan debt that is crushing our students. We have the problem of rising costs for college. We must deal with this. We have the immediate problem of interest rates about to double for our students.

We can fix one of those problems in the next 2 weeks. We could fix it today. We could fix it by unanimous consent right now.

Then we could agree to sit down, on a bipartisan basis, and we could work together to try to solve the larger problems. That is what our students are asking for. That is what we need to do.

One last point I wish to make, I notice that Senator BURR cites the Congressional Budget Office study. Let's just be clear what that same study decided right from the beginning. The Congressional Budget Office projects the total cost to the Federal Government of student loans disbursed between 2013 and 2023—I believe that is what the Senator was referring to—will be negative; that is, the student loan program will produce savings that reduce the debt. Don't let anyone be confused by what that language means—produce savings that reduce the debt—meaning our kids have become a profit center for the Government. Right now this government will lend to large financial institutions at less than 1 percent interest, but the plan has continued to produce profits off the backs of our kids, and not small profits, tens of billions of dollars of profits.

There is \$51 billion projected this year. The Republicans are asking for another \$16 billion. We can't do that.

We need a sustainable answer. We need a fix that encompasses all of our students, all of our families.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request from the Senator from Massachusetts?

Mr. BURR. Madam President, continuing my objection, I am appalled. I am, frankly, appalled. Out of the student loan program, the Democrats push \$8.7 billion to the Affordable Care Act; \$8.7 billion of student loan-designated money is going to pay for ObamaCare.

I realize the Senator wasn't here when the vote was made, but it is \$8.7 billion. To suggest that trying to be fiscally responsible is an insult to this generation of students when they are sending \$8.7 billion to a health care plan out of the student loan fund is incredible.

Let me go a step further. The Senator quoted from the Congressional Budget Office. Let me quote from the Congressional Budget Office as well:

Taking account the cost of market risk significantly reduces or eliminates the savings estimated for student loans under the FCRA approach, making student loans costly to the Federal government in most years during the coming decade.

Maybe you can pick these out that say we can make money off this, but I am not sure it says it any clearer than that it costs the American taxpayers money. Let me say I am fine with subsidizing student loans. I am not objecting to that. I didn't object to the President's proposal. I offered the President's proposal.

I am sure the President is going to be shocked to find out it doesn't solve the problem because the Secretary of Education surely believes it does.

Here is what I object to. I object to the fact that we are going to give some kids a preferred rate, and we are going to sock it to the 61 percent of kids, parents, and postgrads. Why should they be denied the same rate? Why are only 39 percent going to get a cut of 3.4?

Why? Because it is hard to do. It gives away a political tool.

You see, we are here arguing this because of politics, not because of affordability of higher education. Thank goodness the President in his budget proposal laid something on the table.

Quite frankly, I am sick and tired of waiting until the deadline. We are going to come out here every week, and we are going to hear in 3 weeks: This is going to happen; in 2 weeks: This is going to happen; and in 1 week: This is going to happen. We are going to come down to the last day and we are going to dare each other not to do it.

I don't know what is going to happen on the last day, but I can tell you what is going to happen every day until the last day. I am going to come out and object to anything that does not solve

the problem long term. I don't want to go home and look at kids and tell them the rate they agreed to this year is not the rate for the entirety of the loan, period.

That is not the case under this bill. I am not going to go home and look at two different students whom we have put in two different categories and tell one: You have to pay 3.4 percent, but you have to pay 6.8 percent.

That is wrong. It is not our role to pick winners and losers.

I would turn to my good friend from Massachusetts and ask, Have I in any way, shape or form misstated what her proposal does, which is extend the 3.4 percent which is limited only to subsidized Stafford loans?

If the Senator thinks that is wrong, I would ask her to speak now.

Ms. WARREN. I believe, if I understand this correctly, what we are trying to do is protect the subsidized Stafford loans. What I understand the Republicans have tried to do is protect all the new loans so no one is dealing with all the loans that already have been issued and are at much higher interest rates. This is how I understand it. If the Senator is talking about wanting—

Mr. BURR. Reclaiming my time—

Ms. WARREN. Then I assume the Senator means all the students with student loan debt, and that is not my proposal.

Mr. BURR. Reclaiming my time, clearly, the Senator said her bill only deals with the subsidized Stafford loan.

Under current law, let me state it again, unsubsidized Stafford loans, current law, 6.8 percent; parent and graduate PLUS loans, 7.9 percent. Somehow, somebody thinks this is fair.

I, personally, participated in coming up with something that treats everybody the same, that ties it to a 10-year Treasury, that fixes the rate above a 10-year Treasury that sets that number once a year, lets students know exactly what their exposure is going to be, and provides them the certainty of that interest rate for the life of the loan—

Ms. WARREN. Will the Senator yield for a question?

Mr. BURR. Let me finish—which this unanimous consent request doesn't incorporate.

In essence, the unanimous consent request says we are not going to deal with this 61 percent; we are only going to deal with 39 percent. Because they have received the preferred rate up to this point, we want to protect the preferred rate.

Some people think it is the role of Congress. I don't think that is the role of Congress.

I yield to the Senator for a question through the Chair.

Ms. WARREN. I wish to make sure I understand. Have the Republicans put any proposal on the table that will deal with all of the outstanding student loan debt?

Mr. BURR. I would be happy to address the Senator's question.

No, we haven't. The President's proposal—and I said there are parts of it I don't agree with—makes loan forgiveness tax free.

Maybe what we ought to debate is whether we are going to make college tuition free, because this is a race for who can make it the cheapest on the backs of the American taxpayer—when we are \$1 trillion out of balance, \$1 trillion we spend.

Excuse me, we have new numbers: \$646 billion this year, projected to go up next year. We are accruing debt on this country's books at a rate nobody ever dreamed. We are still talking about constructing programs that financially are unsustainable because we are using somebody else's checkbook.

This is the definition of insanity. Therefore, I would object to the Senator's original request.

The PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

Ms. WARREN. I just wanted to return to this question, since the Senator has raised it, about the Congressional Budget Office. Let's all be clear about what the current student loan interest rates produce for the government.

The CBO, the agency in charge of estimating these costs for the government, maintains that this year the government will make \$51 billion in profits from the student loans. Their most recent report on this—I read the language earlier—is clear and direct. We will make a profit.

The CBO uses this accounting method because it reflects reality. It is the reality of how these loans affect the Federal budget. The CBO's method takes into account the cost of lending money from the Treasury and the projected money that will be returned to the Treasury.

It takes into account the risk that some students will default; in other words, it is basic math.

Some people don't like the idea that the government is profiting from the student loans. Their approach is to try to change the accounting rules to treat the government as if it were a private bank rather than the Federal Government, which it is.

The government is not a bank in a private market. If we want to reduce the profits from student loans, then we should actually reduce the profits from the student loans, not change the map, not bury our heads in the sand and pretend those profits don't exist.

Let's go back to what the Senator has proposed. The Republicans propose that we take \$51 billion in profits that will currently be made from the backs of our students and add another \$16 billion in profits off the backs of our students. This is fundamentally wrong. It is not sustainable.

I think the larger point the Senator makes is one that says we have a big

problem. We need to talk about the debt that is outstanding. We need to talk about how we are going to pay for college over time. We can't do that in the next 2 weeks.

We need to make sure interest rates don't double, and then we need to address this problem. I am pleased to work with people on both sides of the aisle.

Mr. BURR. Will the Senator yield for a question?

The PRESIDING OFFICER. The Senator should be aware we have a previous order to recess.

Mr. BURR. I ask unanimous consent to ask one question of my colleague from Massachusetts.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURR. Does the Senator from Massachusetts agree that out of the student loan fund \$8.7 billion is diverted to the Affordable Care Act?

Ms. WARREN. No.

Mr. BURR. The Senator is not aware of that?

Ms. WARREN. Look, we can go back over the CBO numbers, but what is clear right now is what the CBO has made clear. We will make \$51 billion in profits off the backs of our students. The Republicans propose to make another \$16 billion off the backs of our students. We can't do that. It is unsustainable. Our students are asking for more.

Mr. BURR. I thank my colleague for not answering.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 3:30 p.m.

Thereupon, at 2:31 p.m., the Senate recessed until 3:30 p.m. and reassembled when called to order by the Presiding Officer (Ms. WARREN).

#### BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—Continued

The PRESIDING OFFICER. The Senator from Connecticut.

##### GUN VIOLENCE EPIDEMIC

Mr. BLUMENTHAL. Madam President, today we mark the 6-month anniversary of a date that none of us will ever forget because it transformed our lives, it transformed America, and it certainly transformed Connecticut and the community of Newtown.

We commemorate the 6-month anniversary of that unspeakable, unimaginable tragedy that cut short the lives of 20 beautiful, innocent children and six dedicated, courageous educators.

It transformed America in so many ways. It changed our lives irrevocably and, I hope, put us on a trajectory toward changes in our laws that will prevent this kind of horrific, unimaginable

tragedy from ever happening again. Our challenge right here in this body, on this floor, is to make sure we learn from it, that we act on it, and that we keep faith with those families, as well as the Newtown community and all of our country that lost so much that day.

December 14 began like so many other days for the parents of Newtown, CT. They took their children to school, kissed them goodbye, and went about their day with plans for play dates, Hanukkah and Christmas holiday parties, and presents that they would give to those children for those holidays. They planned snack breaks and holiday parties. They wrapped presents. Just hours later, I stood with them and saw them emerge from the Sandy Hook firehouse having learned that those children would not be coming home that night.

I arrived in Newtown as a public official within hours of that shooting. But what I saw was through the eyes of a parent—grief-stricken, panicked parents, tears streaming down their faces—who came hoping to reunite with their children. Many parents did reunite. Children were brought to all of the parents who gathered at the firehouse, and they left with their children—until the families who realized that their children would not be coming home.

I saw those families who lost beautiful, young children. Some of them are here, along with adults—dedicated, courageous adults—families of educators who died themselves trying to save their children. I will never forget the cries of grief, anguish, pain, and disbelief.

Every parent in his or her DNA has something fundamental. It is about trust and caring for children, making sure they come home at the end of the day when they go to school; that they are kept safe in some very basic and fundamental way. Society shares that trust. Society failed in that trust.

We will never forget the loss and heartbreak of that tragic day in Sandy Hook. But we also know that in the face of evil there was tremendous goodness and heroism. There were genuine heroes: the first responders who braved the unknown, hearing gunfire, charging into that school, and stopping the shooting through their courage because the shooter turned that gun on himself. There were the brave educators, teachers, administrators, and school psychologists who threw themselves in front of bullets or tried to save their children and perished themselves. Then members of the community who came together in support of the families and who themselves, along with first responders, are continuing to recover. They exemplify the quintessential values of this quintessential New England town that make us proud to be American.

Thirty-two members of the victims' families at the massacre wrote to the

U.S. Senate Judiciary Committee. Through their unspeakable pain and suffering, they asked Congress to honor the memory of their loved ones by supporting measures to stem and stop the epidemic of gun violence. They wrote, "In the midst of our anguish we are compelled to speak out to save others from suffering what we have endured."

These brave families have come to Washington to tell their stories. They sat in this very gallery. They met with colleagues. Some of our colleagues refused to meet with them. I urged them to share some of their hurt and meet with them, to hear their stories. We owe them tremendous respect and gratitude. They enabled us to come to this point where we are close to making fundamental changes in the law.

But in April, that day of the vote was a day of shame because the Senate turned its back on the families of Newtown while some of them watched in this very gallery. How to explain to those families or try to explain how 90 percent of the American people could be in favor of reasonable, commonsense measures that we proposed—background checks on all firearms purchases and a ban on illegal traffic and straw purchases, on assault weapons, and on excess capacity magazines—how 90 percent of the people could be in favor of those kinds of commonsense measures, most especially the background checks, yet the Senate failed to pass it.

Those families have been resolute and resilient at every turn. Mark Barden, whose son Daniel was killed 6 months ago at Sandy Hook, wrote:

We are not defeated. We will always be here because we have no other choice.

Despite their profound and harrowing loss, those parents, husbands, wives, sisters, brothers, grandmothers have kept faith and they have inspired us to keep faith. They uplifted us and their determination has meant the world to colleagues who have heard them, and as an example of grace under pressure and courage and strength, they have refused to give up.

They will not give up, nor will we. We are coming back for another vote. We will not allow that vote to be the final one. It may be the first one, but it is not the final one, and we will win the last vote, which is the one that counts.

In the meantime many of my colleagues have stood up to the special interests and most especially the NRA, which was accustomed to having its way and holding sway in this body, in Congress, just as a schoolyard bully would. My colleagues have stood up to that bully once and will do it again. This time we will win.

What happened in Newtown could happen anywhere in America. If it happened there, it can happen in any town or city, and it has, in fact, claimed the lives of 4,900 people since Newtown.

Gun violence has claimed their lives. I am constantly shocked and saddened by how quickly that number rises each time I speak about this topic. Just last week a man armed with semiautomatic AR-15 assault rifle and more than 1,300 rounds of ammunition, opened fire at a Santa Monica college and killed five people.

The stories about Newtown, about all of the massacres since and before—whether Columbine or Virginia Tech or Arizona and Tucson—affirm that these laws can help save lives. These laws can help save lives.

Six months ago I left the firehouse at Sandy Hook to attend a vigil at a church in Newtown. The church was St. Rose of Lima, presided over by Father Bob, Msgr. Robert Weiss. The church was filled. It was a powerful and moving experience. People listened to the service through the windows and the PA system outside.

I said that evening the world is watching Newtown. In fact, for 6 months the world has watched Newtown. It has seen a story of unparalleled and unprecedented courage and fortitude. Now we will continue to watch Newtown. But the world is also watching the Senate. We need to be worthy of the courage and strength that Newtown has demonstrated in moving ahead.

I thank the majority leader HARRY REID and all of my colleagues who have determined that we will bring this bill back, not only to honor the memories of the Newtown victims and keep faith with them but also to make this country better and safer, worthy of these children, beautiful and innocent at the time of their passing with all of their future ahead of them. There were educators who worked for their whole professional lives, trying to help children such as these young people.

Out of that grief and pain we can make America safer and stronger. We can make America better. That is the potential legacy of these lost lives, a better and safer America. If we achieve it, they will not have died in vain.

I yield the floor.

Mr. MURPHY. Madam President, I join my colleague from Connecticut on the floor of the Senate to commemorate a sad day; 6 months since the shootings in Newtown took the lives of 20 6- and 7-year-olds and 6 of the teachers charged with protecting them. I know you share in our sadness, Madam President, since it was not too long afterwards that your State went through a tragedy of smaller and bigger proportions.

We have to wonder, 6 months later, after these families, the brothers and the sisters and the moms and the dads of these victims coming down to the Senate, over and over again, including this week, looking Senator after Senator, Congressman after Congressman, in the eye and asking for this place to

learn something from this tragedy—we wonder how 6 months later we have done nothing. We wonder how, if 20 little kids dying at the hands of a mad man with a gun over the course of 5 or 10 minutes doesn't move this place to action, what would? What visit to your office, what message, what story, what set of facts could possibly make this place change the laws that have allowed for these slaughters—plural—over and over again to happen?

It is 6 months later and we have done nothing. At least on the Senate floor we raised the bill, we put it on for debate, we got 55 votes, and the rules prevented us from getting it passed. The House down the hall has done absolutely nothing. They have not lifted a finger to move legislation for 6 months, 6 months later, and no answer to these families.

I was there with Senator BLUMENTHAL that afternoon in that firehouse. Those are moments I would, a lot of days, love to have never lived—things I did not need to see. But it changed my life and committed me to action.

It commands us to understand that the most shallow argument that has been posed, I would argue the most backward argument that has been posed over the last 6 months, is that, yes, these terrible things happen—the most terrible of them we are marking the 6-month anniversary of—but there is nothing we could do here that would change that; that very bad things are going to happen to good people, to good first grade students, but that nothing here is going to truly change any of that.

That is just flat wrong. It should not be every 6 months that we come to the floor to try to rebut that argument. It should be every day. Because in Columbine, the guns that were bought to slaughter those high school students were bought outside of the background check system—intentionally so, because the person who bought them knew if they went into a legitimate gun store they would not be able to purchase the guns that were being requested, so they went to a gun show, around the background check system.

We know different laws would change things because in Aurora the shooter went in with a 100-round drum and the shooting stopped and people escaped, including a couple of my constituents, because the gun jammed. They had trouble switching these massive ammunition clips.

In Newtown, we know the power of the gun that was used. These assault weapons are all over the place today. They have become commonplace. But it does not belie the fact that they still have a power to kill that few other guns do, so much so that when Lanza walked into that school that day, fired over 150 rounds, shot 20 kids, not a single one of them survived. Every kid he

shot died, in part because of the power of that gun. That same day a very sick man walked into a school in China, armed with a weapon, attacked over 20 children and every single one of them lived. That guy had a knife.

Assault weapons, if we continue to allow them to ripple throughout our streets, lead to mass slaughters. High-capacity ammunition clips, when somebody chooses to engage in one of these massacres, allow more people to be killed. Our failure, over and over again, to pass comprehensive background checks is unacceptable, given the number of criminals and the number of people with severe mental illness who are still allowed to get guns over the Internet or in gun shows; 6 months and we have done nothing.

But I stand here, frankly, more optimistic about human nature than I was 6 months ago, not less optimistic. I might be less optimistic about this place and about the Congress, but I am more optimistic about the indomitable human spirit than I was when this started out.

Senator BLUMENTHAL said it best. That 10 minutes of grievous violence, mental illness masquerading as evil inside that school, was essentially enveloped by the millions of acts of humanity that just flowed forth from Newtown, from Connecticut, from all over the country, whether it was the heroism of those teachers, whether it was the firefighters, the volunteer fighters who stayed at that firehouse for days or weeks on end with no pay or just the thousands of gifts—teddy bears, small tokens of appreciation of the community that came from all over the country.

People are good. They truly are. Despite what that young man did, it reaffirmed my faith in who we are.

Last Friday night, the Sandy Hook Fire Department had their big annual fundraiser. Some people wondered whether they would do it. First of all, they said they were going to do it because they were not going to start changing the way they did things and, second, they needed the money because they expended a lot of effort and equipment and resources in responding to this tragedy. On Friday we had an absolute deluge in New England. It was raining cats and dogs all day. There was no reason they should have gone forward on Friday night with that lobster bake at the Sandy Hook firehouse, but they decided to put it on, and I went, despite thinking there were going to be about six people inside that firehouse. It was packed, jammed full of people, not just from Newtown but from all over New England who came down on a torrentially raining evening to show their support for those firefighters, for that community, and for those families. That is what defines Newtown.

Six months later, we know the headlines still read about the 26 kids and

adults who lost their lives there. But what we know Newtown to be today is a place full of love, full of compassion, and—though not maybe today yet—a place that will, 1 year, 5 years, 10 years down the line be defined by resiliency.

I wish we weren't down here commemorating 6 months. I wish we weren't down here commemorating nothing having been done over the course of 6 months. But we are not going away. We are not giving up. The families who were down here this week didn't turn into advocates for 4 months, they turned into advocates for 40 years, and they will be back again and again until we have an answer for these mass tragedies and for the 5,033 people who have died at the hands of guns since December 14—6 months ago.

I yield back the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. CARPER). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, first of all, I wish to thank the Presiding Officer, the distinguished Senator from Delaware, who is not only an outstanding Member of the Senate, but he is the chairman of the homeland security committee. He has gone out of his way to understand the issues we face when we are addressing border security. The chairman was kind enough to visit the border between Arizona and Sonora, Mexico, and spent a lot of time with us and with the people who are entrusted to secure the border. He made some remarks I think were entirely accurate about the challenges we face in enforcing our border. So I wish to again thank the distinguished chairman of the homeland security committee.

I wish to address a few aspects of comprehensive immigration reform that need to be discussed. First of all, everybody says—and I say it too—we don't want to return to 1986 because in 1986 we guaranteed the American people we would secure the border, and it would never happen again. Well, the fact is, when we look at what we did in 1986—and I will, first of all, plead guilty for having voted for it—the only mandate in the entire legislation which gave “amnesty” to 3 million people was:

Of the amounts authorized to be appropriated under paragraph one, sufficient funds shall be available to provide for an increase in the Border Patrol personnel of the Immigration and Naturalization Service so that the average level of such personnel in each of the fiscal years 1987 and 1988 is at least 50 percent higher than such level for fiscal year 1986.

Let me translate that. It meant we would increase the Border Patrol. That was the only mention of how we were going to secure the border after we gave amnesty in 1986. And at that time, I say to my colleagues, the cost, as I mentioned, was 50 percent higher. The Border Patrol has to be 50 percent higher.

Well, the number of Border Patrol agents in 1986 was 4,000—4,000. Now we have 21,000. So there was really nothing in the 1986 bill about fencing, about sensors, about other ways to get our border secure. So we learned from that.

We learned from that, and this legislation that recently passed through the Judiciary Committee and is now on the floor, as compared with 1986 where they said they would increase the numbers of Border Patrol agents by 50 percent—this legislation appropriates \$3 billion in funding for the comprehensive southern border security strategy. No one who is in RPI status will be able to petition for a green card until certain requirements are fulfilled, including the following: E-Verify in use by all employers, an entry-exit system in place, \$1.5 billion in additional funding for the southern border fencing strategy that has to be submitted within 180 days of passage of this legislation and signed by the President.

It sets the goal of a 90-percent effectiveness rate for all southern border States. If that goal is not reached within 5 years, there will be a bipartisan commission formed and authorized to spend \$2 billion in additional funds to secure the border.

It will add an additional 3,500 Customs and Border Patrol agents. Remember, in 1986, there was a total of 4,000.

It will authorize the National Guard to provide assistance along the border if requested. The National Guard has had tremendous success on our border. No, they don't carry weapons, but they do incredibly important work, and I am glad they don't carry weapons, to tell the truth.

The bill funds additional Border Patrol stations and forward operating bases.

It increases something called Operation Stonegarden funding, which is vital, in my view, in disincentivizing people to frequently cross the border, and strengthens Border Patrol training.

It authorizes funds to triple the border-crossing prosecutions in the Tucson sector. Why do I mention the Tucson sector? Not because I am from the State of Arizona but because the Tucson sector for years has been a major thoroughfare for both people and drugs.

The current bill will authorize funds to help States and localities incarcerate criminal unauthorized illegal immigrants.

It grants the Department of Homeland Security access to Federal lands.

That is a problem on our border, where we have an Indian reservation that is right on the border. They are sovereign nations, and this will authorize a greater ability for us to have access to those lands. There are wildlife refuges we need access to as well.

The bill removes the discretion from the Secretary of Homeland Security to develop the southern border strategy and provides the minimum requirements recommended by the Border Patrol. Those are the people on the ground. These are the people who today, in 120-degree heat at the Sonora, AZ, border, are sitting in vehicles and patrolling our border to keep our Nation secure. This is recommended by them and must be included in the strategy that we want to achieve and must achieve, which is 100 percent situational awareness of each and every 1-mile segment of the southern border.

The technology list will include, but is not limited to, sector-by-sector requirements for integrated fixed towers, VADER radar systems. These radar track people back from where they came.

The list includes unmanned aerial systems—what we know as drones—fixed cameras, mobile surveillance systems, ground sensors, handheld thermal imaging systems, infrared cameras, thermal imaging cameras, license plate readers, and radiation detection systems. All of these are part of this legislation and the billions of dollars we are going to spend to improve border security. We all admit the border is more secure, but where I disagree with the Secretary of Homeland Security is that it is not secure enough.

So we want to prevent the adjustment of status RPI, which is registered permanent status, for people who will be granted it once the passage of this bill is achieved until that strategy is deployed and operational—deployed and operational. This is just to achieve a legal status in this country; also, a technology list before anybody can adjust RPI to green card status.

It removes the sole discretion from the Department of Homeland Security to certify the strategy is complete. It requires written, third-party certification to the President and Congress that affirms the elements required by the strategy are operational and capable of achieving effective control of the border.

With these tools in place, we can achieve situational awareness and be guaranteed this technology is deployed and working along the border. So I say to my friends who say we do not have sufficient provisions for border security, we will be glad to do more, but let's look at this.

Look at what we are doing: billions of dollars of technology as well as additional people, as well as other measures, including the E-Verify. The magnet that draws people to this country is

jobs, and if the word is out that unless an E-Verify is in operation—unless a person can get a job in this country they are not going to come here unless it is through a legal means and not through illegal means.

We are a nation of immigrants. I would remind my colleagues again, 40 percent of the people who are in this country illegally did not cross our border. They came on a visa that expired. So we need to have footprints and other physical evidence of illegal crossings. It is a tool for Border Patrol agents to identify and locate illegal border crossers. But it is imprecise. That is why we need to have this technology, so we can surveil and have situational awareness of the entire border.

The General Accounting Office is an organization all of us over time begin to rely on enormously, and I will quote from them:

In terms of collecting data, Border Patrol officials reported that sectors rely on a different mix of cameras, sign cutting—

That is tracking footprints—credible sources, and visual observation to identify and report the number of turn backs and gotaways.

Turnbacks are those we catch and turn back, and gotaways are those we see come across and do not apprehend.

Again, quoting the GAO:

According to Border Patrol officials, the ability to obtain accurate or consistent data using these identification sources depends on various factors such as terrain and weather. For example, data on turn backs and gotaways may be understated in areas with rugged mountains and steep canyons that can hinder detection of illegal entries. In other cases, data may be overstated—for example, in cases where the same turn back identified by a camera is also identified by tracks. Double counting may also occur when agents in one zone record as a gotaway an individual who is apprehended and then reported as an apprehension in another zone. As a result of these data limitations, Border Patrol headquarters officials said that while they consider turn back and gotaway data sufficiently reliable to assess each sector's progress toward border security and to inform sector decisions regarding resource deployment, they do not consider the data sufficiently reliable to compare—or externally report—results across sectors.

That is why we need this technology.

Now, I wish to point out that from the Border Patrol, not from the Department of Homeland Security, I got a detailed list of what they believe is necessary, using their experience, as to the specific equipment and capabilities they need on each of the nine sectors of the border.

For example, in the Arizona sectors, including Yuma and Tucson, we need 56 towers, 73 fixed camera systems, 28 mobile surveillance systems, 685 unattended ground sensors, and 22 handheld equipment devices.

At points of entry or checkpoints we need one nonintrusive inspection system, and the list goes on. It is a spe-

cific list of what the Border Patrol believes we need in each of the nine sectors on our southern border in order to give us 100 percent situational awareness and put us on the path to a 90-percent effective control of the border.

So I say to my friends who say we cannot control our border, I respectfully disagree because of what we are doing in this legislation. And those who say we are unable to keep track of what goes on at our border, I would argue that the minimum requirements to be included in the southern border security strategy as provided by the Border Patrol should convince anyone of what we need.

I ask unanimous consent that these minimum requirements be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MINIMUM REQUIREMENTS TO BE INCLUDED IN  
THE SOUTHERN BORDER SECURITY STRATEGY  
ARIZONA (YUMA AND TUCSON SECTORS)

BETWEEN THE PORTS OF ENTRY

50 Integrated Fixed Towers (with relocation capability)

73 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems

28 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems

685 Unattended Ground Sensors, including seismic, imaging, and infrared

22 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles.

AT POINTS OF ENTRY, CHECKPOINTS

1 Non-intrusive Inspection System  
7 Fiber-optic Tank Inspection Scopes  
19 License Plate Readers, including mobile, tactical, and fixed

2 Backscatter  
14 Portable Contraband Detectors  
2 Radiation Isotope Identification Devices  
18 Radiation Isotope Identification Devices

updates  
16 Personal Radiation Detectors  
24 Mobile Automated Targeting Systems  
3 Land Automated Targeting Systems

AIR AND MARINE

3 VADER radar systems  
6 Air Mobility Helicopters

SAN DIEGO

BETWEEN THE PORTS OF ENTRY

3 Integrated Fixed Towers (with relocation capability)

41 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems

14 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems

393 Unattended Ground Sensors, including seismic, imaging, and infrared

83 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles.

AT POINTS OF ENTRY, CHECKPOINTS

2 Non-intrusive Inspection Systems, including fixed and mobile

1 Radiation Portal Monitor

AIR AND MARINE

2 Aerial Downlink Communication Systems



12 Night Vision Goggles  
 5 Forward Looking Infrared Radar Cameras  
 2 Search Radar  
 1 Long Range Thermal Imaging Camera  
 3 Radar for use in the maritime environment  
 1 Day Color Camera  
 3 Cameras for use in the maritime environment  
 1 Littoral Detection & Classification Network

## EL CENTRO

## BETWEEN THE PORTS OF ENTRY

66 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems  
 18 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems  
 85 Unattended Ground Sensors, including seismic, imaging, and infrared  
 57 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles.  
 2 Sensor Repeaters  
 2 Communications Repeaters

## AT POINTS OF ENTRY, CHECKPOINTS

5 Fiber-optic Tank Inspection Scopes  
 1 License Plate Reader  
 1 Backscatter  
 2 Portable Contraband Detectors  
 2 Radiation Isotope Identification Devices  
 8 Radiation Isotope Identification Devices updates  
 3 Personal Radiation Detectors  
 16 Mobile Automated Targeting Systems

## AIR AND MARINE

2 Aerial Downlink Communication Systems  
 3 Aerial Receiver Communication Systems  
 2 Forward Looking Infrared Radar Cameras  
 1 Unmanned Aerial System

## EL PASO

## BETWEEN THE PORTS OF ENTRY

27 Integrated Fixed Towers (with relocation capability)  
 71 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems  
 31 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems  
 170 Unattended Ground Sensors, including seismic, imaging, and infrared  
 24 Handheld equipment devices, including handheld thermal imaging systems and night vision goggles.  
 1 Portable Camera Tower  
 1 Sensor Repeater  
 2 Camera Refresh

## AT POINTS OF ENTRY, CHECKPOINTS

4 Non-intrusive Inspection Systems, including fixed and mobile  
 23 Fiber-optic Tank Inspection Scopes  
 1 Portable Contraband Detectors  
 19 Radiation Isotope Identification Devices updates  
 1 Real time Radioscopy version 4  
 8 Personal Radiation Detectors

## AIR AND MARINE

1 Aerial Downlink Communication Systems  
 7 Aerial Receivers  
 24 Night Vision Goggles  
 4 Forward Looking Infrared Radar Cameras  
 20 Global Positioning Systems

## 17 UAS Radio Systems

## BIG BEND

## BETWEEN THE PORTS OF ENTRY

7 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems  
 29 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems  
 1105 Unattended Ground Sensors, including seismic, imaging, and infrared  
 131 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles  
 1 Mid-range Camera Refresh  
 1 Improved Surveillance Capabilities for existing aerostat  
 27 Sensor Repeaters  
 27 Communications Repeaters

## AT POINTS OF ENTRY, CHECKPOINTS

7 Fiber-optic Tank Inspection Scopes  
 3 License Plate Readers, including mobile, tactical, and fixed  
 12 Portable Contraband Detectors  
 7 Radiation Isotope Identification Devices  
 12 Radiation Isotope Identification Devices updates  
 254 Personal Radiation Detectors  
 19 Mobile Automated Targeting Systems

## AIR AND MARINE

6 Aerial Receiver Communication Systems  
 3 Forward Looking Infrared Radar Cameras  
 UAS Radio Systems

## DEL RIO

## BETWEEN THE PORTS OF ENTRY

3 Integrated Fixed Towers (with relocation capability)  
 74 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems  
 47 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems  
 868 Unattended Ground Sensors, including seismic, imaging, and infrared  
 174 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles  
 26 Mobile/Handheld Inspection Scopes and Sensors for checkpoints  
 1 Improved Surveillance Capabilities for existing aerostat  
 21 Sensor Repeaters  
 21 Communications Repeaters

## AT POINTS OF ENTRY, CHECKPOINTS

4 License Plate Readers, including mobile, tactical, and fixed  
 13 Radiation Isotope Identification Devices updates  
 3 Mobile Automated Targeting Systems  
 6 Land Automated Targeting Systems

## AIR AND MARINE

8 Aerial Receiver Communication Systems  
 15 Night Vision Goggles  
 7 Forward Looking Infrared Radar Cameras  
 3 Forward Looking Infrared Radar Cameras with marine capabilities

## LAREDO

## BETWEEN THE PORTS OF ENTRY

2 Integrated Fixed Towers (with relocation capability)  
 69 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems  
 38 Mobile Surveillance Systems, which include mobile video surveillance systems,

agent-portable surveillance systems, and mobile surveillance capability systems  
 573 Unattended Ground Sensors, including seismic, imaging, and infrared  
 124 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles  
 38 Sensor Repeaters  
 38 Communications Repeaters

## AT POINTS OF ENTRY, CHECKPOINTS

1 Non-intrusive Inspection System  
 7 Fiber-optic Tank Inspection Scopes  
 19 License Plate Readers, including mobile, tactical, and fixed  
 2 Backscatter  
 14 Portable Contraband Detectors  
 2 Radiation Isotope Identification Devices  
 18 Radiation Isotope Identification Devices updates  
 16 Personal Radiation Detectors  
 24 Mobile Automated Targeting Systems  
 3 Land Automated Targeting Systems

## AIR AND MARINE

6 Aerial Receiver Communication Systems  
 2 Remote Video Terminals  
 3 Forward Looking Infrared Radar Cameras  
 6 Forward Looking Infrared Radar Cameras with marine capability  
 2 Medium Lift Helicopters

## RIO GRANDE VALLEY

## BETWEEN THE PORTS OF ENTRY

1 Integrated Fixed Towers (with relocation capability)  
 83 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems  
 25 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems  
 716 Unattended Ground Sensors, including seismic, imaging, and infrared  
 205 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles.  
 4 Portable Camera Towers  
 4 Sensor Repeaters  
 1 Communications Repeater  
 2 Camera Refresh

## AT POINTS OF ENTRY, CHECKPOINTS

1 Mobile Non-intrusive Inspection System  
 11 Fiberoptic Tank Inspection Scopes  
 1 License Plate Reader  
 2 Backscatter  
 2 Card Reader System  
 8 Portable Contraband Detectors  
 5 Radiation Isotope Identification Devices  
 18 Radiation Isotope Identification Devices updates  
 135 Personal Radiation Detectors

## AIR AND MARINE

3 VADER Radar Systems  
 2 Aerial Downlink Communication Systems  
 12 Aerial Receiver Communication Systems  
 2 Forward Looking Infrared Radar Cameras  
 3 Omni-directional Antennae  
 28 Forward Looking Infrared Radar Cameras with marine capabilities  
 1 Unmanned Aerial System

Mr. MCCAIN. I see my distinguished friend from Vermont on the floor, who is always worth listening to, so I will be brief.

I wish to share with our colleagues another aspect of this problem that we really have not talked about very much, and that is the issue of drugs.

Drugs are a problem of enormous proportion in this country. We see the effects of illegal drugs such as methamphetamine and others, and we see it is doing incredible damage to our Nation and particularly to our young people.

This document is called the Arizona High Intensity Drug Trafficking Area Threat Assessment of 2013. Now, I am not going to go into a lot of the details, but there are some stark facts about the flow of drugs across our southern border that should disturb all of us. I quote:

The Tucson and Phoenix areas remain the primary distribution hubs for ton quantities of marijuana in the southwest region—

Ton quantities of marijuana in the southwest region—

as Tucson and Phoenix-based sources sell throughout the United States.

In other words, the drugs come up across the Arizona-Sonora border, they are tracked by guides on mountaintops and into Phoenix, and from Phoenix they are distributed throughout the country.

The Phoenix field DEA—Drug Enforcement Agency—Phoenix field division's biannual drug price list for 2012 indicates marijuana in the Tucson and Phoenix metropolitan areas remained stable during the period January 2011 to 2012.

Why is that important? Because the only real indication as to whether we are reducing a supply is the price of that supply. So when we see the price of marijuana on the street in Phoenix and Tucson is exactly what it was for the entire year, no matter what we see in the papers and on television of these large apprehensions, unless the price is going up, then we are not apprehending these drugs.

So I just want to mention a couple of other facts to my colleagues and why I think we are not addressing the drug problem sufficiently in this legislation.

The assessment continues:

The retail price of methamphetamine decreased in the Phoenix area and now ranges from \$500 to \$1,000 per ounce.

If there is a terrible drug on the market today, it has to be methamphetamine. I am told that one—one—ingestion of methamphetamine makes a person an addict. So what have we been able to do as far as methamphetamine? The retail price of methamphetamine decreased, which obviously means the supply has certainly not been impacted.

Wholesale black tar heroin prices in Arizona have remained stable or decreased slightly, including market stability.

Only 35 percent of the HIDTA—

The high density trafficking area—respondents reported high cocaine availability in their respective jurisdictions. Intelligence indicates cocaine price increases in Mexico and Arizona during the past year may have impacted the supply of cocaine to the Arizona drug market, thus impacting other drug markets.

So that is good news.

Continuing to read from the threat assessment: The price per kilogram of cocaine increased \$5,000 to \$6,000 per kilogram in the Phoenix area.

My friends, I know my colleagues are very busy, but I would at least have your staff read this threat assessment of 2013 in the State of Arizona. Again, I do not say that because I represent the State of Arizona. But these same people—the Drug Enforcement Agency—will tell you still the bulk of illegal drugs crossing our southern border comes through the Arizona-Tucson sector.

So what is my recipe on this situation? Frankly, I do not know a real good recipe because clearly demand is either stable or on the rise in the United States of America depending on to whom you talk. In some places in America, the use of drugs is glamorized. In some places, it is kind of the sophisticated thing to do. I do not think there is any doubt that there are influences in the United States of America that increase the attractiveness of drugs to our citizens.

I am not saying I know the answer, but I do think that as we address the issue of border security, we have to understand that if there is a demand for drugs in the streets of every major city in America, they will use all ultralights, they will use submarines, they will use tunnels, they will do whatever is necessary in order to get that supply to where there is a market.

I will never forget being down in Colombia, where the government people there showed me a submarine the drug cartel people had built—a very sophisticated submarine. They had hired engineers to build it. It was one that travels under the water—not far but under the water.

I said: How much did it cost them to build this?

He said: Five million dollars.

I said: Five millions dollars. That is a lot of money.

The guy said: They make \$15 million in one load—in one load.

So I am not coming to this floor with a lot of answers, but I am coming to the floor of this Senate and saying that the drug issue in this country is a serious one, and if anybody thinks we are reducing the supply of those drugs, I think the facts contradict that, and it is time we started seriously as a society addressing what is killing our young and old Americans.

So, again, I thank my colleagues for their consideration of this legislation. I really came to the floor to convince them that this is a far different situation from 1986. We have gone from 4,000 border agents to 21,000. We have put in all kinds of barriers to the border. But, most importantly, as the Presiding Officer from Delaware pointed out earlier today, we now have technology that can surveil and interdict people from

crossing our border. Our challenge is to get it done.

I thank my colleague from Vermont for his patience, and I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, let me congratulate Senator McCain for all of his hard work in the Gang of 8 and his focus on border security, which is an enormously important issue.

As the son of an immigrant—my dad came to this country at the age of 17 from Poland—I strongly support the concept of immigration reform, and I applaud the Judiciary Committee and all of those people who have been working hard on this legislation.

There are a lot of provisions within this bill that I think should be strongly supported by the American people.

I strongly support a pathway to citizenship for the 11 million undocumented immigrants in this country. Bringing undocumented workers out of the shadows and giving them legal status will make it more difficult, among many other things, for employers to undercut the wages and benefits of all workers and will be good for our entire economy—a very important step forward.

I strongly support the DREAM Act to make sure the children of illegal immigrants who were brought into this country by their parents years ago are allowed to become citizens.

I strongly support providing legal status to foreign workers on family farms. Dairy farmers in Vermont and the owners of apple orchards in my State have told me that without these workers, they would go out of business, and it is obviously true in many parts of this country.

We also need to make sure, as Senator McCain has just elaborated, that our borders are more secure and prevent unscrupulous employers from hiring those who have come here illegally.

All of those provisions are extremely important, are included in the legislation passed out of the Judiciary Committee last week, and are provisions I support. I commend my colleague from Vermont Senator PAT LEAHY for his leadership on those issues. But let me tell you some of what concerns me very much about the bill as it presently stands.

At a time when nearly 14 percent of the American people do not have a full-time job, at a time when the middle class continues to disappear, and at a time when tens of millions of Americans are working longer hours for lower wages, it makes no sense to me that the immigration reform bill includes a massive increase in temporary guest worker programs that will allow large corporations to import and bring into this country hundreds of thousands of temporary blue-collar and white-collar guest workers from overseas. That makes no sense to me.

I am particularly concerned that at a time when college is becoming increasingly unaffordable—and every parent out there with a high school kid is worried about how that family is going to afford college for their kids—at a time when young people desperately need jobs to help pay for the cost of a college education, this bill will make it more difficult for young Americans to find the jobs they need.

Today, youth unemployment is over 16 percent, and the teen unemployment rate is over 25 percent. Unfortunately, many of the jobs that used to be performed by young Americans are now being done by foreign college students through the J-1 Summer Work Travel Program and the H-2B guest worker program.

Millions of Americans, including myself—and I suspect many Members of Congress—earned money when they were young at summer jobs or at part-time jobs when they were in college in order to pay for the cost of college. Some Americans today are working as waiters and waitresses. They are working as lifeguards. They are working as front-desk clerks at hotels and resorts. They are working as ski instructors, as cooks, chefs, kitchen personnel, chambermaids, landscapers, and many other similar jobs. And there is nothing any American has to be embarrassed about at working at any of those jobs or any other job in order to earn some income to pay the bills or to make some money in order to afford to go to college. There is nothing anybody should be ashamed about doing that kind of work. What I worry about very much is the degree to which those jobs will be available for young Americans as a result of the J-1 program and the H-2B program.

It pains me very deeply that with minority unemployment extraordinarily high—I was just in Detroit last week talking to kids who are working so hard, and they are working for \$7.25 an hour at McDonald's or other fast food places—if they are lucky enough to get that work. Many of them would like to go to college but are unable to earn the money they need in order to go to college. It seems to me terribly wrong that we have programs such as this J-1 Summer Work Travel Program which brings students from all over the world into the United States to take jobs that young Americans want to do.

The J-1 program for foreign college students is supposed to be—is supposed to be—used as a cultural exchange program, a program to bring young people into this country to learn about our way of life, our customs, and to support international cooperation and understanding. Those are extremely important goals. I believe in that passionately. When I was mayor of the city of Burlington, we started sister-city programs with towns around the world in order to develop that type of under-

standing and cooperation. That is the theory of what the J-1 program is supposed to be, and a wonderful goal it is.

Unfortunately, that is not what it is today. Today the J-1 program has morphed into a low-wage jobs program to allow corporations such as Hershey's and McDonald's and many others to replace young American workers with cheaper labor from abroad. Each and every year companies from all over this country are hiring more than 100,000 foreign college students in low-wage jobs through the J-1 Summer Work Travel Program.

Unlike other guest worker programs, the J-1 Summer Work Travel Program does not require businesses to recruit American workers for these positions, offer jobs to willing and able Americans first, or to pay prevailing wages. In other words, if there are jobs out there that our young people would like to get in order to put aside a few bucks or help pay for the cost of a college education, the employer is not obliged to reach out to these young Americans. It is one thing for an employer to say: Look, I reached out, tried to get some young people to do this job, could not find them, and I had to go abroad. I can understand that. But that is not the requirement of this J-1 program.

Let me read from a Web site of a foreign labor recruiter touting the benefits of using the J-1 Summer Work Travel Program to employers in the United States. This Web site is called [jobofer.org](http://jobofer.org). This is one, as I understand it, of many. But here is what it says. I quote from the Web site [jobofer.org](http://jobofer.org). This is going to employers who need unskilled workers for the summer.

Whether you are running an amusement park, a water park, a concessions stand, a golf club, a circus, a zoo, or anything else where people come to enjoy themselves, it's a great idea not to miss the opportunities of the season and hire international seasonal workers to cover your growing staffing needs.

International seasonal workers.

[Jobofer.org](http://Jobofer.org) has experience in matching candidates from foreign exchange students with amusement firms all over the USA, covering every type of entry level position you may want to cover with seasonal staffing.

The Work And Travel USA program allows exchange students from abroad to work in the US for up to 4 months during the busy season under a J1 visa.

[Jobofer.org](http://Jobofer.org) is committed to understanding your needs as an amusement business and handling all the seasonal staffing procedures for you, at absolutely no cost. Check out the list of positions typically filled with international exchange students . . .

Now, what this Web site is doing is telling employers—in this case, they are just focusing on amusement parks, but obviously it goes much beyond that into all kinds of resorts, many other areas—but what they are simply saying is that we need unskilled labor.

One knows that historically in this country that is what young people did. When you were in high school, when

you were in college, you would try to make a few bucks. You go out and you get a summer job. Maybe you could earn a couple of thousand dollars. Maybe it starts you on a career or maybe it is money to put aside to go to college. I did it. Many Members of the Senate did it. Millions of young people in this country want to do it.

What these companies are saying is: You do not need to hire kids in your community anymore. You do not have to reach out to minority kids who desperately need a job, to kids in Vermont who want to put away a few bucks to go to college. You do not have to do that anymore. We will help you bring in young people from all over the world to do those jobs.

One of the arguments we hear on the floor is we need highly skilled workers because high-tech companies cannot attract the scientists and the engineers and the physicists and the mathematicians they need. When we bring them in, these guys are going to help create jobs in America. Maybe. That is a whole other issue for discussion. But nobody can tell me we need to bring young people from all over the world to work at entry-level jobs because there are not young Americans who want to do that job, when the unemployment rate of young people in this country is extraordinarily high. Nobody with a straight face can make that claim.

Here are some of the jobs being advertised on this very same Web site. There are many Web sites like it. This one focuses on jobs within the amusement industry: Ride operators/attendants, game operators, food service—flipping hamburgers—lifeguard. I guess we have no young people in America who are capable of being lifeguards. Nobody in America can swim and get a job as a lifeguard. I guess we need to bring people from all over the world to be lifeguards. Guest relations, admissions, security, games and attractions, merchandise, grounds quality, season pass processor, entertainment wardrobe, warehouse, safari gatekeepers and wardens, parking lot attendant. I guess nobody in America could be a parking lot attendant. Landscape, cash control.

Here is the interesting point. The Web site, after mentioning all of those jobs specific to the amusement industry, asks the following questions: What happens—interesting question. What happens when you use seasonal employment for your theme or amusement park? Here is the answer this foreign labor recruiter gives on its Web site:

You cover your seasonal staffing needs with young, highly motivated, English-speaking international staff from 18 to 28 years old and cut costs by paying fewer taxes.

Got that? You can bring in international workers, students from abroad, and one of the advantages you

have is you pay lower taxes on that foreign worker than you do for an American worker.

In fact, under the J-1 Summer Work Travel Program, employers do not have to pay Medicare, Social Security, and unemployment taxes, which amounts to a payroll savings of about 8.45 percent per employee. What a bargain. So we are enticing—we are giving an incentive to a company to bring foreign workers into this country and saving them money by hiring foreign workers at the expense of young Americans who certainly can do those jobs.

Under the J-1 program, employers do not have to pay Social Security and Medicare payroll taxes. They do not have to pay unemployment taxes. They do not have to offer jobs to Americans first. They do not have to pay wages that are comparable to what American workers make. What employer in America would want to hire a young American as a lifeguard or a ski instructor or a waiter or a waitress, or any other low-skilled job, when they can hire a foreign college student instead at a significant reduction in cost?

I understand the immigration reform bill we are debating reforms this program by requiring foreign labor recruiters to pay a \$500 fee for every foreign college student they bring into this country. Right now, foreign college students bear all of these costs. But in my opinion, that is not good enough. This program is a real disservice to the young people in this country.

I believe in cultural exchanges. I would put a lot more money into cultural exchanges so our young people can go abroad, so young people from all over the world could attend our high schools. That would be a great thing. But that is not what this J-1 program is. It is a program which is displacing young American workers at a time of double-digit unemployment among youth, and it is putting downward pressure on wages at a time when the American people are in many cases working longer hours for lower wages.

In my opinion, this particular program should be abolished. Cultural program, yes; but bringing in young people to take jobs from young Americans, no. At the very least, if we are not going to abolish this program, we need to make sure we have a comparable summer and year-round jobs program for our young people in order to help them pay for college and to move up the economic ladder. At the very least, that is what should be in this bill.

That is why I will be filing an amendment today to the immigration reform bill to create a youth jobs program. My amendment would provide States with \$1.5 billion in immediate funding to support a 2-year summer and year-round jobs program for low-income youth and economically disadvantaged

young adults. This amendment is modeled on the summer and year-round youth jobs program included in President Obama's American Jobs Act.

This amendment would build on the success from the American Recovery and Reinvestment Act, which provided \$1.2 billion in funding for the WIA Youth Jobs Program. This program created over 374,000 summer job opportunities during 2009 and 2010 for young Americans who desperately needed those jobs. This amendment, in fact, would create even more jobs.

Let me be very clear. The same corporations and businesses that support a massive expansion in guest worker programs are opposed to raising the minimum wage. They have long supported the outsourcing of American jobs. They have reduced wages and benefits of American workers at a time when corporate profits are at an all-time high. In too many cases, the H-2B program for lower skilled guest workers and the H-1B for high-skilled guest workers are being used by employers to drive down the wages and benefits of American workers and to replace American workers with cheap labor from abroad.

The immigration reform bill that passed the Senate Judiciary Committee could increase the number of low-skilled guest workers by as much as 800 percent over the next 5 years and could more than triple the number of temporary white-collar guest workers coming into this country. That is the basic issue. That is my basic concern. At a time when unemployment is so high, does it make a whole lot of sense to be bringing hundreds of thousands of workers from all over the world into this country to fill jobs American workers desperately need?

The high-tech industry tells us they need the H-1B program so they can hire the best and the brightest science, technology, engineering, and math workers in the world, and that there are not enough qualified American workers in these fields. In some cases—let me be very honest—I think that is true. I think there are some companies in some parts of the country that are unable to attract American workers to do the jobs that are needed. I believe in those instances, corporations should have the right to bring in foreign workers so the corporation can do the business it is supposed to be doing.

But having said that, let me also tell you some facts: In 2010, 54 percent of the H-1B guest workers were employed in entry-level jobs and performed "routine tasks requiring limited judgment," according to the Government Accountability Office. Routine tasks.

So when a lot of my friends here talk about high-tech workers, they are talking about scientists, they are talking about all of these guys who are doing a great job, but that is not necessarily the case. Only 6 percent of H-1B visas were given to workers with highly spe-

cialized skills in 2010, according to the GAO. More than 80 percent of H-1B guest workers are paid wages that are less than American workers in comparable positions, according to the Economic Policy Institute.

Over 9 million Americans have degrees in a STEM-related field, but only about 3 million have a job in one. Last year, the top 10 employers of H-1B guest workers were all offshore outsourcing companies. These firms are responsible for shipping large numbers of American information technology jobs to India and other countries. Half of all recent college graduates majoring in computer and information science in the United States did not receive jobs in the information technology sector. So it seems to me this is an issue we have got to deal with.

The second amendment I will be filing today is with Senators GRASSLEY and HARKIN. That amendment would prohibit companies that have announced mass layoffs over the past year from hiring guest workers unless these companies can prove their overall employment will not be reduced as a result of these mass layoffs. In other words, what we are seeing is a very clear trend. Large corporations are throwing American workers out on the street, and they are bringing in foreign workers to do those very same jobs.

Many of those very same companies have moved parts of their corporate world away from the United States into Third World countries. So this continues the attack on American workers. We must stop it.

Let me give you a few examples as I conclude my remarks. In 2012, Hewlett-Packard, one of the large American corporations, announced it was laying off 30,000 workers at the same time it hired more than 660 H-1B guest workers. In 2012, Cisco laid off 1,300 employees at the same time it hired more than 330 H-1B guest workers. In 2012, Yahoo hired more than 135 H-1B guest workers at the same time it announced it was laying off over 2,000 workers. Research in Motion hired 24 H-1B guest workers at the same time it laid off over 5,000 people.

I think it makes no sense at all that corporations that are laying off American workers are now reaching into the H-1B program to bring in foreign workers.

Let me conclude by saying there is much in this legislation I support and that I believe the American people support. But problems remain. Problems remain. The main problem to me is this guest worker concept which is being widely abused by employers throughout this country. At the very least, I want to see a summer jobs program for our kids who are now losing jobs because of the J-1 program. But we need to do even more than that.

I look forward to working with my colleagues who have worked so hard on

this bill to make it a bill that all Americans and all working people can be supportive of.

I yield the floor.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Arizona.

Mr. MCCAIN. I ask unanimous consent to address the Senate as in morning business and engage in a colloquy with the Senator from South Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

SYRIA

Mr. MCCAIN. Mr. President, in a couple of minutes the President of the United States will be announcing it is now conclusive that Bashar al-Asad and the Syrian butchers have used chemical weapons, which is, as we all know, a red line which the President of the United States announced that Bashar al-Asad cannot cross.

Asad has been very clever in using small amounts rather than large amounts. But the fact is we are not the first country to conclude the Asad regime has used chemical weapons in their attacks on the population of Syria.

The President also will announce we will be assisting the Syrian rebels in Syria by providing them with weapons and other assistance. I applaud the President's decision, 93,000 people dead later, over 1 million refugees, and the countries in the surrounding region erupting into sectarian violence, the clear spreading of this conflict into a regional conflict: Sunni, Shia, Saudi, Iran, Russia, all major players.

We see that Jordan is overwhelmed with refugees. Lebanon is experiencing sectarian violence. Iraq is unraveling and the entire region is bordering on chaos, not to mention the massacre and genocide that is taking place in Syria.

I applaud the President's decision, and I appreciate it. The President of the United States had better understand that just supplying weapons is not going to change the equation on the ground of the balance of power. These people, the Free Syrian Army, need weapons and heavy weapons to counter tanks and aircraft. They need a no-fly air zone. Bashar Asad's air assets have to be taken out and neutralized. We can do that without risking a single American airplane. We can do it by cratering the runways with cruise missiles, moving the PATRIOT missiles closer to the border, and protecting a safe zone where they can organize, they can work, and they can coordinate with the civilian side of the Syrian National Army, and they can have a chance of success.

Today—thanks to Iranians, thanks to Russia, thanks to Hezbollah pouring in by the thousands, thanks to people flowing in from all over the Middle East—including from Iraq back into Syria—they are losing. They are being massacred and they are sustaining incredibly heavy casualties. It is terrible.

I applaud the President's decision. I applaud the fact that he has now acknowledged what the French, the others, and all the rest of us knew, that Bashar Asad is using chemical weapons.

Just to provide weapons to the Syrian National Army is not enough. We have to change the equation on the battleground. If I might say, I have seen and been in conflicts where there was gradual escalation. They don't win. If all we are going to do is supply weapons, then there will be a commensurate resupply by the Iranians, Russians, and others.

I thank the President for acknowledging the Syrians are using chemical weapons and massacring their own people. I applaud his decision to provide additional weapons.

Every ounce, every bone in my body knows that simply providing weapons will not change the battlefield equation, and we must change the battlefield equation; otherwise, we are going to see a regional conflict, the consequences of which we will be paying for for a long time.

I yield to my colleague from South Carolina.

Mr. GRAHAM. I wish to add my voice to the President's decision to act, because I think action by the United States and the international community is required.

What does it matter to the average American that we contain this war in Syria and that it ends sooner rather than later? As to chemical weapons that have now been acknowledged to be used by Asad against his own people, my goal is to make sure they are not used against us, Israel, or our allies throughout the world. If we don't stop this war, the chemical weapons caches—numbers in the hundreds of thousands of weapons—could be used to be deployed to kill thousands of Americans or Israelis or people who are aligned with us.

The President's decision to intervene comes from an escalation of the use of chemical weapons by Asad. As Senator MCCAIN has indicated, the threats to our country are not just from the chemical weapons but from a regional deterioration.

I say to the sitting President of the Senate today, we were in Jordan. The Jordanian Government has to accommodate over 550,000 Syrian refugees. Sixty thousand Syrian children are attending Jordanian schools. The economy in Jordan is about to collapse. If we lose the King of Jordan, we have lost one of the last moderate voices in the Middle East.

This war has a ripple effect. It is affecting Turkey; it is affecting Iraq. Radical Islamists are flowing in on the Sunni side and Shia side. There are al-Qaida elements that are filling in the vacuum because the war has gone on so long. Now we have Hezbollah, a radical

Islamic Shia group. This is turning into a civil war within Syria and a regional conflict.

To the President: Your decision today to get involved is welcome news. But as Senator MCCAIN said, Mr. President, the goal is to end the war. The only way this war is going to end quickly and on our terms is to neutralize the air assets Asad enjoys.

On the air power advantage he has over the rebels, we can crater the runways. There are four air bases he uses. We can stop the planes from flying. We can shoot planes down without having one boot on the ground. That is not necessary.

As to Senator MCCAIN's point, the longer this war goes on, the more damage to our allies, and the more likely the chemical weapons can be used not just against Syrians but against us and others. My biggest fear about the war in Syria is the chemical weapons falling in the hands of radical Islamists. They are closer today than they have ever been in achieving that goal.

Mr. President, you made the right call today. We need to follow up to end this war with neutralizing Asad's air power and having a no-fly zone so the rebels can reorganize. When we supply arms to the rebels, we will look long and hard at who to give the arms to.

The good news is we don't need to give them a bunch of anti-aircraft capability if we crater the runways through the international community using our assets. If we neutralize the air power by blowing up the runways, you don't have to provide the rebels with a bunch of anti-aircraft capability.

If we will provide a no-fly zone using PATRIOT missile batteries, you can protect the people without interjecting massive weapons into the conflict.

Senator MCCAIN has been right about this for a couple of years. This is a big day.

I will conclude with this. Asad is the reason the Russians are providing him more weapons. The reason is Hezbollah is in Syria. The reason the Iranians are so bold is he is clearly winning. It is not in our national interests for him to win because the Israelis cannot allow the technology being sold to Asad by the Russians being present, because it will hurt their national security.

I hope with this intervention today to get involved, after chemical weapons have been used, the tide of the battle will turn. If it doesn't turn, it will have catastrophic results for national security and the region as a whole.

The President chose wisely today to get involved. We support him. The goal is not to help the rebels, the goal is to end the war before chemical weapons can be used against us, we lose the King of Jordan, and the entire Middle East goes up in flames.

Mr. MCCAIN. May I ask my colleague if he remembers when the Secretary of

Defense and the Chairman of the Joint Chiefs of Staff appeared before our committee well over a year ago and said, unsolicited, it is inevitable, it is inevitable that Bashar Asad will fall? Does the Senator remember that?

Mr. GRAHAM. Yes.

Mr. MCCAIN. This is from our highest ranking official and from our highest defense official, the Secretary of Defense.

At that time I said: What makes you so sure? How can you be so sure with the help from Hezbollah, with the help from the Russians at the time, the equipment and arms they are getting?

They said: Don't worry. The fall of Asad is inevitable.

Is there anybody today who believes he is going to fall? I don't think so. Because the facts on the ground are he is winning and the slaughter continues. The latest is 93,000 people have been massacred. As the Senator from South Carolina indicated, there are well over 1 million refugees overwhelming the neighboring countries.

It is my understanding the President has not made the final decision on arming, but he has made the decision that chemical weapons are being used. I think it is obvious they will be providing weapons. They need a no-fly zone. I would say there are military officials in the Pentagon who will say we can't do it, and we have to have total mobilization of every single Reserve in the world and the United States, and it is so hard.

We spend tens of billions of dollars a year on defense. If our military can't establish a no-fly zone, then, by God, American taxpayer dollars have been terribly wasted and we ought to have an investigation as to why we can't handle a situation in a third-rate country. I believe we can, I know we can. I know, because I talked to people, such as the head of our Central Command, a former head of our Central Command, our former head of NATO, and others, such as General Keane, the architect of the surge. We can go in and establish a no-fly zone, and we can change this equation on the battlefield.

Finally, I would ask my colleague, we understand the American people are war weary. They are weary because of what happened in Iraq. We remain in Afghanistan. Iraq is unraveling, by the way, but Americans are weary. They are tired of reading the casualty lists, of the funerals, and the terrible tragedies that have befallen American families. That is why neither I nor the Senator from South Carolina is saying we want boots on the ground. In fact, we don't want boots on the ground. We know it would be counterproductive. We know it would not lead to victory. We do know we can provide incredible assistance and change this battlefield equation.

Finally, because a lot of Americans haven't paid perhaps as much attention

as some of us, and maybe because they are war weary, I think it would be wise for the President of the United States to go on national television to explain to the American people why we are stopping this genocide, explain why we are assisting these people who are struggling for the same things we stand for and believe in, why the United States of America went to Bosnia with air power, not boots on the ground, and why we went to Kosovo and didn't put boots on the ground. Explain how we can help these people while alleviating the unspeakable misery of the Syrian people.

Does my colleague from South Carolina agree with that?

Mr. GRAHAM. I would recommend the President educate the American people about what is going on in the Middle East, because it is scary. It is really scary.

The Iranians are marching toward a nuclear weapon. Israel is becoming more surrounded by radical Islamic nations, not less. The King of Jordan is teetering. If we lose him, God knows what is going to happen in the Middle East.

I would suggest that the President take it one step further. Explain to the American people what happens to us if these chemical weapons Asad has used against his own people fall into the hands of radical Islamists who want to do more than just take care of Syria. My big fear is weapons of mass destruction are going to fall into the hands of radical Islamists either in Iran or Syria if we don't act quickly.

The only reason thousands of Americans have been killed in the war on terror—and not millions—is they can't get the weapons to kill millions of us. If they could, they would.

I would argue very strongly it is in our national security interests to make sure the war in Syria ends and Asad is displaced.

Senator MCCAIN is right, he is winning. He was supposed to be gone last year. He is never going to be displaced until the tide of battle changes. The way we change the tide of battle is neutralize his air power. We can do that without mobilizing every Reservist, including me. It can be done, it should be done, and it is in our interests to do it.

One last thought. If we do not address the chemical weapons compromise in Syria and end this war before these chemical weapons flow out of Syria, not only will Israel be in the crosshairs of radical Islamists with a weapons-of-mass-destruction capability, it is only a matter of time before they come here. The next bomb that goes off in a place like Boston could have more than nails and glass in it.

The people who want these weapons in Syria, trying to develop nuclear capability in Iran, if we don't think they

are coming after us, we are naive. I know we are war weary, but I hope we are not too weary to protect our children, grandchildren, and ourselves from a threat that is real. I wish it would go away, but we don't make these things go away by wishing, we confront them. The sooner we confront it, the better off we will be.

Mr. MCCAIN. I would mention one other thing, as I know one of my colleagues is waiting on the floor. There is no other experience that I think anyone can have to see the terrible ravage of war than to go to a refugee camp. The Senator from South Carolina and I have been to refugee camps on both the Turkish and the Jordanian border to see thousands of people living in terribly primitive conditions; to see, as I did in one camp we visited—there had been a rainstorm the night before and people were literally living in water—the desperation on the faces of the people and the children.

I have had many moving experiences while visiting these refugee camps, but I also think there is an aspect we ought to understand and appreciate as Americans. They are angry and they are bitter because we wouldn't come to their assistance.

I will never forget a woman who was a schoolteacher escorting me around the refugee camp. She said: Senator MCCAIN, do you see all these children here? Do you see all these children?

She said: These children are going to take revenge on those who refused to help them stop this slaughter by Bashar Asad.

So there are long-term implications both on the humanitarian side as well as other aspects of this issue. Believe me, it is the greatest blow to Iran in 25 years if Bashar Asad fell. So it is not just a humanitarian issue. If Bashar Asad goes, Hezbollah is disconnected from Iran, and the whole equation in the Middle East dramatically changes. If Iran and Bashar Asad succeed, we will see a direct threat of the State of Israel, which the Israelis understand, coming from the Golan Heights.

So this is not only a humanitarian issue, it is a national security issue. If Iran succeeds, keeping Bashar Asad in power, that will send a message throughout the Middle East about Iranian power, Iranian ability, and the Iranian ability to change governments throughout the Middle East. So there is a lot at stake.

I hope the President will go to a no-fly zone and give these people the weapons with which to defend themselves, as Russian arms and Iranian arms pour into the country on the side of Bashar Asad. My friends, it is not a fair fight, and we know, in that kind of climate and terrain, air power is the deciding factor.

I thank my colleague from South Carolina, and I appreciate the patience of the Senator from Texas.

I yield the floor.

The PRESIDING OFFICER (Mr. COWAN). The Senator from Texas.

#### IRAN ELECTION

Mr. CRUZ. Mr. President, on Friday, the people of Iran head to the polls to make a false choice. Ostensibly participating in a democratic process to select a new President, they are really affirming their existing extremist theocracy. They will be forced to select not the candidate of their choice but the candidates that have been chosen for them by the Supreme Leader Ali Khamenei—candidates guaranteed to continue the Supreme Leader's policies of political and religious oppression in pursuit of nuclear capability at all costs.

In the United States we are now engaged in a national dialog about how we can best preserve our God-given rights guaranteed to us by our Constitution. We are taking a serious look at the role of government in our lives and revisiting the balance government is striking between security and privacy. But even as we debate these vital issues at home, we should remember those who are denied their liberty in Iran.

Today, in Iran, the economic picture is grim. Forty percent of Iranian citizens now live below the poverty line, almost double the rate in 2005. The rial has lost 50 percent of its value. The official rate of inflation is 32.2 percent. The real rate is considerably higher. The national rate of unemployment is 11.2 percent, and it is as high as 20 percent in certain regions.

Basic freedoms—political, religious, speech, the Internet—are under systematic attack by the regime. Sadly, persecution and oppression are the norm in Iran. Iran's political opposition has been effectively silenced. Key 2009 opposition leaders, such as Mir Hossein Mousavi and Mehdi Karubi have been imprisoned without charge in their own homes for 2 years with locked doors and windows. The list of Presidential candidates has been hand-selected by the Supreme Leader, not by the Iranian people. American-Iranian Pastor Saeed Abedini is right now serving an 8-year sentence in Iran's brutal Evin prison for simply professing his faith.

In January, I was proud to sign a letter, along with 11 other Senators, to Secretary Clinton advocating for Pastor Abedini's release and to Secretary Kerry on February 12, thanking him for his statement in support of Pastor Abedini.

There has been a crackdown on Christians in the lead-up to this election, including the closing of the Central Assemblies of God Church in Tehran and the detention of Pastor Robert Asserian. Iranian Pastor Behnam Irani may face the death penalty for organizing a 300-strong congregation of the Church of Iran. Iran's

100,000-plus Evangelical Christians are suffering brutal oppression right now.

In an imitation of China, Iran is attempting to create a sort of internal Internet that will block access to international news and social media. Since the 2009 uprising, the Supreme Leader has instituted four new entities to restrict Internet freedom: The Supreme Council on Cyberspace, the Committee Charged with Determining Offensive Content, the Cyber Police, and the Cyber Army.

Iran has continued to aggressively expand its influence in the region and beyond. Iran remains a leading state sponsor of terrorism and is increasing its activity. Iran has been so hostile toward the nation of Israel that Prime Minister Netanyahu recently expressed fears of "another Holocaust" from Tehran, regardless of any election that may take place. Iran's proxy army, Hezbollah, is supporting Assad's murderous attacks on his own people in Syria.

Today, the United Nations estimated that 93,000 people have been slaughtered in Syria since the uprising began in 2011. Iran's fingerprints are on those murders. Iran is not only expanding its own influence in the region through closer ties with the Muslim Brotherhood in Egypt, but it is also expanding its influence in Latin America. Most troubling, Iran is proceeding undeterred in its pursuit of nuclear weapons capability.

In my judgment, there is no greater threat to the national security of the United States than the prospect of a nuclear Iran, and we need to be unequivocal and speak with absolute clarity that the United States will do whatever it takes to prevent Iran from acquiring nuclear weapons capability.

Unfortunately, the message from the United States has at times seemed muddled. On the one hand, Secretary of State John Kerry has asked Congress to relax sanctions around the Iranian Presidential elections so his diplomatic efforts have a "window" to work. On the other hand, the Obama administration recently announced new sanctions on Iran's currency and a new initiative to get communications devices to the Iranian people. But both efforts, however well intentioned, came too late to have any real impact on this election.

Today, the Senate is taking encouraging action. I am pleased the Senate hopes to pass a resolution, S. Res. 154, reaffirming our call for free and fair elections, a resolution I fully support.

The resolution also condemns the widespread human rights violations of the Government of Iran, calls on the Government of Iran to respect its peoples' freedom of expression and association, and expresses our ongoing support to the people of Iran for their calls for a democratic government that upholds freedom, civil liberties, and the rule of law.

The Iranian people may well be confused about where the United States stands, especially after we stood silently by when they took to the streets 4 years ago during the Green Revolution. But it was not always this way. Twenty-six years ago this week, President Ronald Reagan stood in front of the Brandenburg Gate in Berlin and challenged Soviet leader Mikhail Gorbachev to tear down the wall that divided the eastern and western halves of the city. No more important words have been spoken by a leader in modern times.

Today, I ask all Americans to join me in likewise urging the regime in Iran to tear down the walls of political and religious persecution, to relieve the pain of the unnecessary economic hardship, and to renounce the isolation caused by Tehran's aggressive and beligerent policies.

To those right now imprisoned and being persecuted in Iran, I would repeat the words of encouragement President Reagan gave when he knew the tyranny represented by the Berlin Wall would not stand. As President Reagan observed: "For it cannot withstand faith; it cannot withstand truth; it cannot withstand freedom." That is the very same message we should convey to the people of Iran as they suffer under tyrannical theocracy.

To the Supreme Leader I would say: Stop oppressing your people. Stop persecuting Christians. Stop pursuing nuclear weapons capability. Stop stifling freedom of speech and allow real and free elections. Free the Iranian people.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DEFENSE CONTRACTING

Mr. MANCHIN. Mr. President, I appreciate the power of the free enterprise system. It is one of the reasons for America's greatness. I know from experience that private businesses do some things better than the government ever could. But over the last couple of decades, the United States has increasingly relied on private contractors to do the work the men and women in our Armed Forces used to do, and they are getting exorbitant salaries to do the same work—in some cases, almost twice the salary of the President of the United States.

To the people of West Virginia and to me it doesn't make any sense to pay a defense contractor up to \$763,000 a year. That is almost twice as much as our Commander in Chief and almost four times as much as our Secretary of Defense. If we do nothing about this, this



figure will automatically rise to \$951,000 next year—\$951,000. That is almost \$1 million a year right in the middle of sequestration when we are cutting everything.

With the war in Afghanistan winding down, it is only natural for defense contractors to be looking for new opportunities, and the southern border of our country is one of the places they are eyeing. In fact, the New York Times says some of them are getting ready to demonstrate military grade and long-range camera systems this summer in an effort to secure billion-dollar contracts with Homeland Security.

I understand we need the expertise of a private industry to secure our borders, but taxpayers should not be responsible for the exorbitant salaries these contractors are demanding. So I am offering an amendment that would cap compensation for private contractors employed for border security. The cap would be \$230,700 annually, which is the most a government civilian can be paid in a given year. So it is in line with what we are doing.

That is significantly more than we pay Defense Secretary Hagel or our Homeland Security Secretary Napolitano.

There is nothing in my amendment that would prevent contractors from making more than \$230,000. We are not saying they can't make more than that. We are saying they can't pass that through to the taxpayers of America. They have to pay it out of the profits of their company. The only thing I am preventing is the taxpayers from having to foot the bill.

I have heard some proposals to bring that figure down to \$487,000. That is an improvement. But, frankly, I can't look West Virginians in the eye, and I am sure the Chair would have a hard time looking his constituents in Massachusetts in the eye, and justify paying government contractors that much money because it is just hard to justify. It can't be justified.

We need to get our fiscal house in order. We can't do that if we allow private contractors to charge the taxpayers exorbitant salaries of almost \$1 million. It is time for commonsense controls on contractors' salaries. So I am asking for the support of this amendment when it comes to the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I appreciate the opportunity to share some remarks, and I appreciate the eloquence of my friend and colleague from West Virginia on the issue he just mentioned.

The committee did reduce almost by half the amount that contractors could bill, and we may see further changes in that issue. But when we are talking about money, real money, there is a problem we have with the bill that

came out of committee. It is such a grim, serious matter that we have to talk about it, we have to be up front about it, and nobody can be confused about it.

I was pleased with Chairman LEVIN. He is a wonderful chairman of our committee. We have consistently had bipartisan votes. I wanted it to be a bipartisan vote for the bill and voted for it today, but I am not sure that was the right vote because I said during the committee that we have a serious problem in the amount of money that was appropriated for the bill, \$52 billion over the current law.

There is a hope and belief that we can fix that gap between now and the time it comes to the floor. Secretary Hagel was before the Budget Committee yesterday. I am the ranking Republican on the Budget Committee. He indicated he is working on a plan to help us be within the law. He also indicated that to Chairman LEVIN and Ranking Member INHOFE on the Armed Services Committee. But let's be sure what the situation is.

August 2011 we had run up huge debt. We had hit our debt ceiling again. The administration and the President wanted to raise the debt ceiling \$2.1 trillion, one of the largest—or maybe the largest—raise of the debt ceiling in history. That was supposed to take us 2 or 3 years.

Well, we have already hit that debt ceiling again now it appears. Soon we will be having to pass legislation. All the little extensions and maneuvering to extend the debt ceiling a little longer are being exercised, and we will soon have to vote again to raise the debt ceiling.

But in August of 2011, after much intensity of effort, legislation passed. I opposed it. One of my biggest concerns was what it was doing to the defense budget. But the bill passed. It set up a committee, and the committee was to deal with future cuts and long-term entitlement programs and other programs. That was their goal. They were given that challenge.

Fundamentally, the bill that passed raised the debt ceiling \$2.1 trillion, but it reduced the growth of spending over the next 10 years by \$2.1 trillion. Unfortunately, those reductions in the growth of spending fell disproportionately on the Defense Department. I will mention that in a minute.

But the agreement was clear. There were no tax increases. There were no other gimmicks to it other than the spending level would be reduced over 10 years by \$2.1 trillion. We were then spending at the level of \$3.7 trillion a year, which would mean \$37 trillion over 10 years. We were on track to spend \$47 trillion over 10 years—a substantial increase from the current level. So the agreement was that it would reduce the growth to \$45 trillion instead of \$47 trillion.

There was a hope that the committee would reach an even more historic agreement in which entitlements—Social Security and Medicare—would be put on a firm foundation, and we would get the country on the right track.

The committee failed. They did not reach an agreement. So in law there remains the BCA, and within the Budget Control Act there was the sequester, and the sequester would take another \$500 billion. The BCA took about \$500 billion out of the defense budget, and the sequester part of the BCA took another. When the committee didn't reach an agreement, that was another \$500 billion to be taken out of the Defense Department, \$1 trillion.

The Defense Department represents one-sixth of the Federal budget, almost \$1 trillion out of the defense, one-sixth of the government. That is one-half of the cuts that were to be taken from our entire government.

When we look at the numbers over 10 years, the defense budget adjusted for inflation would take a 14-percent reduction in its funding, whereas the remaining five-sixths of the Federal Government would have a 44-percent increase in its funding.

This is the kind of malapportionment of belt tightening that ought not to happen. So I thought—and I believe the American people thought—that we should get together with the President and see how we can avoid this problem and spread the cuts out through other agencies and departments, many of which had no reductions whatsoever. Of course, Social Security had no reduction whatsoever. Medicaid—one of the fastest growing programs of all—had zero reduction in spending under sequester. Food stamps had gone from \$20 billion to \$80 billion, increased fourfold in 12 years, and got zero cuts. A lot of other programs got zero cuts; whereas, the Defense Department was getting hammered.

People think, well, the war is coming down and the Defense Department can handle it. No, that is not the way it works. The war costs are entirely separate. This is a reduction of the base defense budget, where we pay our soldiers, pay our electric bills, maintain our aircraft, our ships, our ports, and our bases around the world. That is what is being cut, the fundamental strength of the military, and it is too much.

Can they survive it? Not without doing some damage. Sure, they will survive it, and they will be able to get by. But what ought to be done is we ought to get together with the Commander in Chief of the U.S. military, work with the Secretary of Defense, former-Senator Chuck Hagel, get together and figure out a way to have some other parts of this government take some of the reductions in spending that have fallen disproportionately on the Defense Department. It is just that simple.

I suggested to Secretary Hagel yesterday at the Budget Committee that, yes, he ought to be talking with Congress; yes, we have eventually the power of the purse; but nothing is going to happen in the Senate that President Obama doesn't agree to. Senator REID is not going to support anything President Obama doesn't agree to. It looks to me like the Members of the Democratic caucus are going to stick together on this issue. They have so far. Months have gone by and sequester hasn't been fixed.

So I said: I assume, Mr. Secretary, you have the phone number to 1600 Pennsylvania Avenue. I think you had better call over there to the Commander in Chief of the U.S. military, who has an obligation to the men and women he is deploying all over the world and sending into harm's way, and who has an obligation to maintain the strength of our military.

Yes, it can be more efficient. It has already taken \$500 billion in cuts, and it may take a little more. But these cuts are more than can be easily assimilated.

I just believe this has drifted to a point where we are in a serious predicament. The military has already had to lay off civilian workers of the U.S. Government for 11 days, furloughed without pay, and done other things to try to stay within the financial constraints they are now under because the cuts are beginning to bite.

So that is the situation. I want to say to my colleagues, I do not believe the Defense bill that came out of committee—and we had a nice discussion today on multiple issues that are important to America's defense, and we had a good collegial feeling. I don't believe that bill should pass the Senate—I don't believe it will pass the Senate—if it violates the spending limits we voted on just 2 years ago.

Just think of it. We agreed to reduce the growth of spending from \$37 billion now at that rate 2 years ago. We were going to let it grow to 47, we reduced the growth to 45, and we come back to the American people and say we can't effect that now? We can't reduce the growth and spending just that little bit? We promised you that we would raise the debt ceiling, but I know it made you angry, American people. You were mad at us because we mismanaged your money. But we promise, we will reduce the growth of spending by \$2.1 trillion. Trust us. We will do it.

And here we are. President Obama, 6 months later, produced a budget that wiped out all those cuts and increased taxes, taxes and spending. This has been the pattern we have been in. I have to say, we do not need to have this happen.

So I am prepared to meet with the President. I am prepared to meet with the Secretary of Defense, the Office of Management and Budget, and talk

about where we can find other reductions in spending and reduce some of the reductions on the Defense Department. We need to reduce a good many of those, frankly. Then the Defense Department can phase in some reductions in spending over the outyears. They can do that. But too much too fast is destabilizing. No business would do that. So we have to figure out a way to make this system work.

I was pleased to work with Senator LEVIN and Senator INHOFE today. I want to be cooperative and be positive in our efforts. I like much of what we did with the authorization bill in the Armed Services Committee, but we just didn't talk about the elephant in the room; that is, the sequester, the real danger we have there. We are going to have to discuss it now. It will be part of the floor discussion and debate if it is not fixed.

It can be fixed. I think we are all prepared to work for it. I don't believe this country will sink into the ocean. I don't believe this country is going to have to close its ports. I don't believe this country is going to have to end tours at the White House to reduce the growth of spending by \$2 trillion, from \$47 trillion to \$45 trillion over the next 10 years. I don't believe that is going to bankrupt us. But we ought to do it in a smart way. We should have every agency and department of government tighten their belts, not just some.

We slipped into this when the sequester was written to try to effect some political result that didn't occur, and now, as a responsible Senate, we have to consider what is right for America. The right thing is to have all agencies and departments tighten their belts and reduce the pressure that is now falling on our Defense Department.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. I ask unanimous consent that Senators proceed to a period of morning business, with Senators being permitted to speak for 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### B. TODD JONES NOMINATION

Mr. LEAHY. Mr. President, on Tuesday, the Senate Judiciary Committee held a hearing on the nomination of B. Todd Jones to serve as the director of the Bureau of Alcohol, Tobacco, Fire-

arms, and Explosives, ATF. I thank Senator KLOBUCHAR for the exceptional job she did in chairing this hearing and setting the record straight with respect to distortions of the nominee's record.

Todd Jones continues to serve this country honorably. He volunteered for the U.S. Marine Corps in 1983, serving on active duty as a judge advocate and infantry officer until 1989. In 1991, he was recalled to Active Duty to command the 4th Marine Division's Military Police Company in Iraq. He also served as commanding officer of the Twin Cities Marine Reserve Unit. He has twice been considered for the important law enforcement position of U.S. attorney and twice unanimously reported out of the Judiciary Committee and unanimously confirmed by the Senate. In 1998 he was first appointed to be the U.S. attorney for the District of Minnesota and became the first African American U.S. attorney in Minnesota's history. In 2009, when that office was at a low point and needed a strong hand to lead it back, he answered the call, again.

When the Bureau of Alcohol, Tobacco, Firearms and Explosives needed new leadership after its poorly conceived and executed Fast and Furious operation, the President called upon him, again. He was called upon to clear up the mess and deserves our thanks for having made great progress in doing so. He has done so while all the while continuing to serve as the U.S. attorney for the District of Minnesota and has had to restore leadership and effectiveness in two important law enforcement agencies.

We have received numerous letters of support for Todd Jones' nomination from law enforcement, respected legal professionals, and veterans of the U.S. Marine Corps. He has critics; he has taken on difficult assignments. As he noted at his hearing, sometimes you have to take action to make a change and change is not always something that everyone is going to favor. A fair evaluation of what he has accomplished leads me to support his nomination to be confirmed as the director of ATF.

The ATF has been without a permanent director since that position was made a confirmable position in 2006. We lean heavily on the expertise of the ATF. For example, under the leadership of Todd Jones, since September 2011, ATF has been called on to analyze the bombs left near the finish line at the Boston Marathon, to sift through burned debris at the chemical plant explosion in West, TX, and to trace the weapons used in the Newtown and Aurora mass killings. Agents of the ATF have played a major role in investigating some of our Nation's worst tragedies. The agency needs a confirmed head. Todd Jones is the ATF's fifth acting director since 2006. The Senate should be doing everything it

can to ensure that the Bureau of Alcohol, Tobacco, Firearms, and Explosives has the tools it needs to keep Americans safe, and that starts with a Senate-confirmed director.

I had accommodated the ranking member on requests for further information and delay on this nomination for months. Senator GRASSLEY insisted on the production of documents from the Department of Justice that his staff had already had access to for months. He insisted that his staff be able to interview Todd Jones in his capacity as U.S. Attorney for the District of Minnesota, as well as two other Justice Department officials, in order to try to build a case against another nomination, that of Tom Perez to be Labor Secretary. Those interviews have taken place. Senator GRASSLEY requested additional background information from the administration not usually required by the committee for an executive nomination and he received that information. When he sought information about an ATF operation in Milwaukee, I arranged a bipartisan briefing for our staffs from the agency.

Some are criticizing the nominee based on a complaint filed against him by an AUSA from the earlier Bush-era U.S. attorney office. After learning about the complaint, I had initially put on hold a planned hearing on this nomination. In late April, a news article reported that “an aide to Senator GRASSLEY” had released a letter from OSC that the ranking member and I had received about the existence of that preliminary inquiry. It was at that time that I determined that this hearing should move forward to allow the nominee an opportunity to defend his reputation. When a private complaint against him was disclosed publicly, I thought it unfair that the nominee could not respond. He did at his hearing and in my view that matter is put to rest.

The U.S. Office of Special Counsel, OSC, closed the file on the underlying allegation made against the nominee of “gross mismanagement and abuses of authority.” The allegation involving alleged retaliation has been referred to mediation. In deference to the complaining party and the request of the investigating agency that the complaint not be made public, it has not been. I wish it were. It is not substantial or even substantially about Todd Jones. It is certainly not reason to oppose the confirmation.

The ranking member requested that the long-delayed June 4 confirmation hearing on the nomination to head ATF be postponed further, and I postponed it another week. During that postponement, over that last weekend, the ranking member threatened to use Senate rules for the minority to call an outside witness to testify at the hearing. There is no precedent for outside

witnesses at a Judiciary Committee hearing for a subcabinet executive level position. I nonetheless sought to accommodate his last-minute demand by agreeing to his calling a witness.

The hearing proceeded on Tuesday and should have cleared the air. For instance, those opposing this nomination were unaware that Todd Jones had terminated a supervisor of the Fast and Furious operation.

The Judiciary Committee had for decades followed a tradition and practice of examining allegations against nominees in a bipartisan manner from the outset. That has not been the practice Republicans have followed during the last several years. They have, instead, not brought matters to the bipartisan staff but chosen to proceed on their own.

Sometimes we do delay committee consideration of nominations to allow a complaint to be resolved. Sometimes we proceed despite lawsuits involving nominees, such as the way we proceeded last year with the nomination of Judge Stephanie Rose of Iowa to the United States District Court for the District of Iowa even though there was a lawsuit pending in which there were allegations against her actions as the U.S. attorney for Iowa. Earlier this year, when defense counsel filed a motion against the U.S. attorney for the District of New Mexico making allegations, we independently examined the matter. The committee proceeded with that nomination rather than delay it.

I have reached out to the ranking member staff about getting back to our tradition of conducting bipartisan inquiries into allegations made against nominees. I hope that practice will be restored. With respect to the nomination of Todd Jones, we are further examining the matter, but I believe him qualified and at this time know of no good reason the Senate should not confirm his nomination to serve as Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

#### RECOGNIZING THE WAYSIDE RESTAURANT

Mr. LEAHY. Mr. President, today, I would like to pay tribute to the Wayside Restaurant—a trusted and venerated Vermont fixture and a staple of the community surrounding Montpelier, our State capital. The Wayside is a local business that has remained true to the values of its humble beginnings. For nearly a century, the Wayside Restaurant has been a place where Vermonters can count on quality service, reasonable prices, and a quality meal that is sure to satisfy both the stomach and the heart. I am honored to join Vermonters in celebrating the Wayside Restaurant's 95th anniversary.

In 1918, when Effie Ballou first opened the Wayside's doors, many of the restaurant's offerings were pre-

pared in the kitchen of her home and carried down to her roadside eatery. Never did she imagine that her small eating house would become the bustling spot that it is today, drawing both locals and out-of-State travelers and serving nearly 1000 customers daily. Every day, diners—from families to office workers pile into the Wayside Restaurant. Its warm environment, familiar staff and signature Vermont cooking make the restaurant a home away from home for locals and visitors alike.

The owners and staff of the Wayside Restaurant are devoted to providing extraordinary service to the crowds of loyal customers who stop in to pile their plates high with Wayside's fine fare. Regular customers of the Wayside Restaurant can order their meals to-go or can dine in while enjoying friendly conversation and classic Wayside dishes like the salt pork and gravy, honeycomb beef tripe, or maple cream pie.

Current owners Karen and Brian Zecchinelli have remained true to the restaurant's early virtues—preparation of quality, old-time favorites as well as modern cuisine, and a focus on family and community values. As a member of the Vermont Business Environmental Partnership, the Wayside Restaurant has implemented earth-friendly initiatives that are kind to our natural environment. In 2012, the Wayside Restaurant was recognized as the first and only “green” restaurant in Montpelier and was praised for its support of small business by buying locally produced products, a tradition they have kept throughout the years.

Today the Wayside Restaurant continues as a symbol of both longstanding tradition and effective progress. From Effie Ballou's humble beginnings to the eatery's current, booming success, the Wayside Restaurant holds a special place in Vermonters' hearts. Marcelle and I are always delighted to join them for a meal and visit with other patrons. I want to join the many others congratulating the Wayside on 95 successful years of enriching its community and supporting Vermont's local economy.

Every time I go there to eat I remember going with my parents, brother, and sister when I was a child. It was great then and still is.

#### TRIBUTE TO NORM BROWNSTEIN

Mr. MCCONNELL. Mr. President, I would like to wish a happy, if slightly belated, 70th birthday to Norm Brownstein—a dedicated husband, father, and grandfather, and a talented and effective advocate for the alliance between the United States and Israel.

Norm's story is a classic American tale of a young man rising from humble beginnings to achieve big things. Born to an immigrant family, Norm

was orphaned at an early age and faced a number of hardships. But he did not let that stop him from working hard or realizing his dreams—even if they differed from his original goal of becoming a dentist. In fact, Norm became the first member of his family to graduate from college and received both undergraduate and law degrees from the University of Colorado-Boulder.

He then opened a law firm with two fellow UC-Boulder law graduates in the 1960s. In the ensuing decades, that firm would transform into an agency with hundreds of employees and offices in all corners of the country.

And, as a board member of the American Israeli Public Affairs Committee, Norm would also establish himself as a well-regarded supporter of the State of Israel and the relationship between our two countries. Clearly passionate on the issue, Norm has made his case effectively to numerous policymakers over the years—Republicans and Democrats alike.

As he looks back over his 70 years, though, I think Norm will be most proud of his role as a father of three, a grandfather of four, and as a husband.

So, today, please allow me to wish Norm a happy birthday, and to also wish him good health in the years to come.

#### VOTE EXPLANATION

Mr. BLUMENTHAL. Mr. President, on June 10, 2013, I was regretfully absent during the vote on the Leahy amendment No. 998 because of travel delays due to inclement weather. Had I been able to attend the vote, I would have supported passage of this amendment, which establishes a pilot program to invest in gigabit networks in rural areas. This program has the potential to greatly improve Internet access in underserved communities, which can lead to significant improvements in commerce, education, health care and other areas. I applaud the Senate's passage of this amendment.

#### MICHIGAN'S GOOD NEWS

Mr. LEVIN. Mr. President, much of what we read today in newspapers or on the Internet, much of what we hear on TV, much of what dominates our national conversation and our conversation here in the Senate is bad news. And it's understandable in a way that we're focused on righting wrongs and debating the solutions to problems. But too often we lose sight of the remarkable accomplishments and uplifting stories that are every bit as much a feature of the human condition as conflict and tragedy.

With that in mind, I want to alert my colleagues to an extraordinarily good-news story from right in my home State of Michigan. There, experts at the University of Michigan's CS Mott

Children's Hospital, recently broke important new ground in treating a rare but life-threatening condition, and made an enormous difference in the lives of one little boy and his family.

At just 3 months old, Kaiba Gionfriddo's life was in danger. The Ohio baby was threatened by an unusual weakening of the wall of his bronchus, the passage leading to his lungs. His condition caused him to stop breathing, and his physicians worried that the condition would prove fatal. But they knew that doctors and engineers at the University of Michigan were working to develop a new treatment that offered hope.

At UM, pediatrician Dr. Glenn Green and biomechanical engineering professor Scott Hollister were working on a groundbreaking procedure. Alerted to young Kaiba's condition, they went to work. Kaiba was airlifted from his Ohio hospital to Ann Arbor, and the UM team went to work.

Their ingenious idea combined several important technologies. They used high-resolution imaging to create a detailed picture of Kaiba's airway. Through computer-aided design techniques and the use of a three-dimensional printer, they created a customized tracheal splint to support the weakened walls of his bronchus and allow him to breathe. And they fashioned this device out of a bioresorbable polymer that will be absorbed by Kaiba's body by the age of four, after it has given his body time to form a stronger breathing passage.

There are many heroes in this story: Kaiba's parents, who moved heaven and earth for their son while dealing with the fear that they might lose him; the Ohio physicians who searched for solutions to a difficult case; of course, Dr. Green and Professor Hollister and their team at UM; and, not to be forgotten, the countless researchers, engineers, and developers who put remarkable technological tools such as high-resolution imaging, computer-aided design, and 3D printing in the hands of the UM experts. A year after his procedure, Kaiba's mother April says her son is doing well. "He's getting himself into trouble nowadays," she said in a newspaper interview. "He scoots across the floor and gets into everything."

It's a remarkable story—but every day, countless Americans are engaged in similar efforts to help loved ones, neighbors, patients, even total strangers they will never know or meet. The combination of remarkable ingenuity and public spirit are defining characteristics of our Nation, and so long as they remain, there is nothing Americans cannot accomplish. As we focus on the problems we need to solve and the challenges we face and the flood of negative and discouraging news, I hope we will also keep in mind the remarkable good news that also happens every day and take inspiration from it.

#### TRIBUTE TO HOWARD BOKSENBAUM

Mr. REED. Mr. President, today I pay tribute to an exceptional library advocate and public servant in Rhode Island, Howard Boksenbaum, who is retiring from his position as the State's chief library officer after a long and distinguished career.

Howard graduated with a linguistics degree from Washington University in St. Louis and Waseda University in Tokyo, earned a master's degree in library and information science from the University of Pittsburgh, and started his career working at various library positions in Pennsylvania before moving to Rhode Island.

His service to Rhode Island libraries began nearly 34 years ago at the Island Interrelated Library System, which, at the time, was one of five regional library systems in the State. In 1988, he joined the State's Department of State Library Services, which later became the Office of Library and Information Services, OLIS. After serving in various capacities within these agencies, and as assistant director for Central Information Management Services at the Rhode Island Division of Information Technology, Howard became the state's chief library officer in 2007.

During his more than three decades working for Rhode Island libraries and the State's library agency, Howard helped improve Rhode Island's libraries in many important ways. His focus on and passion for technology brought our State's libraries further into the digital age. He worked to consolidate Rhode Island's regional library networks into a single statewide system and created Ocean State Free-Net, a public access computer network. He also played a major role in other statewide technology initiatives, including working on the state's website launch and helping to establish the statewide public safety communication network, RISCON. Howard was also part of the Rhode Island Library Association and the Coalition for Library Advocates.

His view of the importance of libraries to our citizens, to our communities, and to our Nation can be found in a quote of his soon after he became chief library officer:

A library is bigger than the web because it includes it, bigger than its users because they grow there. Unlike a school, a library is elective, unlike a store, a library belongs to its users, unlike the World Wide Web, a library is people, is history, is culture, is connection. A library is the past and the present and will be changing again to be the future.

Rhode Islanders have been fortunate to have Howard devote more than three decades of service to the state and its libraries, and especially for the past 6 years he served as chief library officer. I have also had the benefit of his knowledge and insights about libraries, and worked with him on legislative initiatives to enhance federal support for libraries.

I would also like to recognize Howard's wife Judith Stokes and his three daughters Anna, Martha, and Emily. I join many others in the State in thanking Howard for his dedication and service to our State's libraries, and I ask my colleagues to join us in commending Howard Boksenbaum on his long and accomplished career. I wish him fulfillment and continued success in his future endeavors.

#### COMMENDING JOHN LEWIS

Mr. CHAMBLISS. Mr. President, I rise today to commemorate the life and legacy of Congressman JOHN ROBERT LEWIS of Georgia, and recognize the 50th anniversary of his chairmanship of the Student Nonviolent Coordinating Committee.

JOHN LEWIS grew up during the heart of segregation, born as the son of sharecroppers and attending segregated schools in Pike County, AL. At a young age, he became inspired by Martin Luther King, Jr. and Rosa Parks, and decided that he too, would fight for equal rights guaranteed to all by the Constitution of the United States.

JOHN attended Fisk University, where he began his civil rights activism by organizing a sit-in at segregated lunch counters in Nashville, TN. He later became one of the original 13 Freedom Riders, bravely challenging segregation at interstate bus terminals throughout the South.

In 1963, JOHN LEWIS was elected as chairman of the Student Nonviolent Coordinating Committee, which we are here to recognize today. He helped found this organization, which encouraged students to get involved in the civil rights movement and played a key role in the struggle to end legalized racial discrimination and segregation.

By the age of 23, he was recognized as one of the "Big Six" leaders of the civil rights movement, planning and participating as the youngest speaker at the historic March on Washington in August 1963.

He remains the last remaining speaker from this march.

He continued his work, organizing the Mississippi Freedom Summer, a campaign to register black voters and expose students around the country to the perils and conditions in the South. Knowing what lay ahead, he risked his life to lead over 600 marchers across the Edmund Pettus Bridge in Selma, AL, only to be brutally attacked by Selma police officers. This massacre became known as Bloody Sunday, during which JOHN's skull was fractured.

He still bears the scars today.

JOHN remained chairman of the SNCC until 1966, and then continued his commitment to the civil rights movement as associate director of the Field Foundation and in various voter registration programs. Even after more than 40

arrests during his peaceful protests, JOHN LEWIS never gave up on his cause.

He still remains devoted to non-violence and equality for all.

In 1986, JOHN was elected to serve as the U.S. Representative for Georgia's Fifth Congressional District, where he continues to serve his constituency and do remarkable work for the State of Georgia.

He has been a loyal colleague and friend, and an invaluable member of the Georgia Congressional Delegation. JOHN LEWIS's unwavering ethical and moral principles have garnered admiration and respect from his colleagues on both sides of the aisle, and I am honored to have known him.

Today, let us honor Mr. LEWIS, who stood boldly against those who resisted racial equality. JOHN's legacy will be remembered as one of great importance in American history.

Like Martin Luther King, Jr. and Rosa Parks, JOHN continues to inspire those of us around him to fight for what we believe in.

I hope we can all learn from the remarkable life of Congressman JOHN ROBERT LEWIS of Georgia.

#### THE ARMY'S 238TH BIRTHDAY

Mr. CARDIN. Mr. President, tomorrow—June 14—marks the Army's 238th birthday. For 238 years, the Nation has entrusted the Army with preserving its peace and freedom, and defending its democracy. Since its beginnings as the Continental Army during our Revolutionary War, to its instrumental role in the wars of Iraq and Afghanistan, the Army has always served America admirably and I have every confidence that it will continue in this proud mission.

The United States Army existed before there even was a United States to speak of. The Continental Army was established on June 14, 1775. It was composed of rebellious colonists who had little or no experience in soldiering. Despite these humble beginnings, General George Washington led the Continental Army and against overwhelming odds they defeated the more seasoned and well-equipped British ground forces. Following the end of the Revolutionary War, the Continental Army was disbanded but that action was followed by the official creation of the U.S. Army on June 3, 1784. Since then, our Army has become the model against which all other nations' armies are measured.

The Army's birthday coincides with Flag Day, a holiday that commemorates our Nation's adoption of the U.S. flag. I believe this is fitting as our Nation's flag would not exist were it not for the bravery and sacrifice of our Army; and since its adoption, the Army has always carried our Nation's flag into battle.

With the withdrawal of our military forces in Iraq and the drawdown of

those forces in Afghanistan, I am concerned that our soldiers who have recently entered—or are about to enter—civilian life will not be provided with the tools to adapt to their new lives. Veteran unemployment, post-traumatic stress, and active duty military/veteran suicides continue to be serious issues and they must be addressed. If a soldier is able to excel on the battlefield, then I see no reason why that same soldier should not be able to excel in the classroom, in a hospital, or in the boardroom. We have to provide our servicemen and women with the tools to help them achieve these goals. Doing so is not a hand-out, but rather a "hand up" that strengthens our Nation, since it redounds to the benefit of all Americans. Ultimately, we have to continue to give these men and women a stake in their own country.

Since 1775, American soldiers have been the strength and sinew of our Nation. Our soldiers are driven by the ideals of the Warrior Ethos and commit themselves to succeed in any mission our Nation asks of them. Our soldiers believe that our Constitution and the freedom it guarantees are worth fighting for. They sacrifice their personal comfort and safety to answer a higher calling: service in the cause of freedom, both here at home for Americans, but also abroad for foreign peoples.

I am awed by our servicemen and women's ability to adapt and succeed in a mission that at various stages has called upon them to be scholars, teachers, policemen, farmers, bankers, engineers, social workers, and, of course, warriors—often all at the same time. Above all, I am perpetually thankful for their willingness to serve, and have the greatest of faith in their ability to face the difficult and dangerous missions that lie ahead. These patriots have always been the strength of the Nation. The unwavering dedication to duty, to our country, and to all Americans is embodied in the Army motto, which is inscribed on top of the Department of the Army's official emblem "This we'll defend." For 238 years, our Army has lived by these words, protecting us so that our society may be free. Let us remember our Army soldiers for this achievement today, and wish them a happy 238th birthday.

#### FLAG DAY

Mr. MANCHIN. Mr. President, as do all West Virginians, I feel a special surge of emotion every time I see the American flag. After all, Old Glory is the most enduring symbol of our country, representing the unity of our people and the cause of liberty and justice for all.

But the Star Spangled Banner is also the most recognized symbol of freedom wherever it flies in the world, a powerful inspiration to people everywhere who are "yearning to breathe free," as it is inscribed on the Statue of Liberty.

Every day, Americans all across this great land pledge their allegiance to the flag of the United States. We salute it; we fight for it; we cherish it; we honor it.

But one day a year, we pay special honor to our flag. We set aside every June 14th as Flag Day, commemorating the date in 1777 when the Continental Congress officially made the Stars and Stripes the symbol of America.

Tomorrow, my office is planning special events in West Virginia commemorating Flag Day. Members of my staff will be presenting American flags to selected organizations all across the State that have requested flags:

To veterans in Logan at the "Spirit of the Doughboy" statue, which honors the victorious American soldiers of World War One.

To the Veterans Museum of Mid-Ohio Valley in Parkersburg, which pays tribute to West Virginians who have fought to preserve this country's freedom.

To Shepherd University in Shepherdstown, in conjunction with its Team River Runner program which includes kayaking programs for wounded warriors and their families.

To American Legion Post 33, in Sutton, honoring them for conducting memorial services for veterans in Braxton County.

To the City Council of Wardensville, to be displayed at the Wardensville Town Office.

To the "Here and There" Transit of Philippi, as part of the dedication of its new operations facilities.

And to the West Virginia Northern Community College in Wheeling, which only last month opened its Applied Technology Center to veterans and other students.

Flag Day has a special significance to West Virginia. Our State was born out of the fiery conflict of the Civil War, and next week we will celebrate our 150th birthday.

In that terrible war, West Virginians had a choice of two flags. We chose to follow the Stars and Stripes and in doing so, West Virginia became the 35th star on that Grand Old Flag.

So as we prepare for our State's 150th birthday celebration, I urge all West Virginians to join me in celebrating Flag Day—by displaying the flag that from the first days of America came to symbolize a "new constellation" of hope and freedom and from the first days of West Virginia came to represent an allegiance to our remarkable Constitution.

In doing so, we honor not only our flag, but also the ideals on which America was founded as well as the generations of Americans who have defended those ideals in battle, always ensuring at the end of the fight that "our flag was still there."

The Star Spangled Banner is a symbol of their sacrifice and our faith.

Not long after Congress officially adopted the Stars and Stripes as the flag of the United States, George Washington said, "We take the stars from Heaven, the red from our mother country, separating it by white stripes, thus showing that we have separated from her, and the white stripes shall go down to posterity representing liberty."

But a little poem I learned as a child from my Uncle Jimmy perfectly captures how I feel about the American flag even now:

It's only some stripes of red and white.  
It's only some stars on a field of blue.  
It's only a little cotton flag.  
Does it mean anything to you?  
Oh yes it does,  
For beneath its folds  
Our people are safe at land and sea.  
It stands for a land where God is still king,  
And His truth and His freedoms are free.  
So let us love it well  
And keep it pure as our banner of liberty.

This "little cotton flag" is displayed proudly in our homes, in our schools, in our businesses, over the Capitol and the White House, in parades and ballparks, on the field of battle, and on the graves of the heroes who fought in those battles.

It has flown from the tops of mountains, from the 9/11 rubble of Ground Zero, over the scarred wall of the Pentagon and from the surface of the moon—not once, not twice, but six times.

May our beautiful flag ever wave, and may God ever bless the country for which it stands.

#### ADDITIONAL STATEMENTS

##### CONGRATULATING SCOTT BLACKMUN

• Mr. BENNET. Mr. President, today I would like to congratulate Mr. Scott Blackmun of the U.S. Olympic Committee, USOC, on recently being named Sports Business Journal's 2013 Sports Executive of the Year. Scott has shown real leadership as the chief executive officer of the United States Olympic Committee, a position in which he has served for the past 3 years. He has represented Colorado with distinction on that committee, and he fully deserves this recognition for his work and commitment to international athletic excellence.

Scott has revamped the U.S. Olympic Committee since his appointment in 2010, bringing results both on and off the field of competition. Under his leadership, the USOC has been able to partner with several new sponsors, negotiate a revenue-sharing agreement with the International Olympic Committee, and oversee a U.S. Olympic team that won the most Gold Medals at the 2012 London Olympic Games. Scott also served the USOC capably in multiple previous capacities a decade ago.

A hard worker of high integrity, Scott previously served as chief operating officer of Anschutz Entertainment Group, a major presenter of sports and entertainment events. An accomplished attorney, Scott's skill and work ethic have made him an invaluable asset in the Colorado legal community. I know Scott personally, having worked with him in the past, and I know him to be a diligent yet passionate advocate for clients and causes alike.

It is a privilege to recognize and commend the accomplishments and career of Scott Blackmun. This award is a testament to his commitment to the USOC and to his country. We are proud to be able to say that he is a Coloradoan, and I want to extend my sincere congratulations to Scott, his wife Ann, and their three children.●

#### GREAT ALLEGHENY PASSAGE

• Mr. CASEY. Mr. President, Saturday, June 15, 2013, marks the completion of the Great Allegheny Passage. This 150-mile trail provides an uninterrupted, nonmotorized passageway for travelers to hike or bike from Cumberland, MD, to Pittsburgh, PA. The Great Allegheny Passage connects to the C&O Canal Towpath, which leads from Washington, DC, to Cumberland, MD, creating an uninterrupted route between our Nation's Capital and the Forks of the Ohio.

President Theodore Roosevelt once stated, "Conservation means development as much as it does protection." The Great Allegheny Passage is an excellent example of an area that Americans have worked to conserve in such a way. The development of the passage has greatly improved the trail, while preserving its natural beauty for all to enjoy.

The Great Allegheny Passage is a wonderful place for Americans of all ages to engage in our rich cultural history, enjoy the varied natural history of great river valleys, and experience a range from rural to urban communities.

The Great Allegheny Passage significantly benefits the surrounding communities in many ways. Trails increase the quality of life in a community. The proximity to rivers, trails, and greenways is an important factor when people and businesses are deciding where to live or invest in new properties. Employees who work near such areas will reduce their commuting costs by walking or biking to work.

The Great Allegheny Passage increases tourism to the surrounding areas. Americans realize that using such a trail is an environmentally responsible way to spend their time. The trail attracts people to the area, which greatly benefits the local communities. Trail users create a demand for more lodging, restaurants, and sporting

equipment stores. New jobs will be created as entrepreneurs continue to bring tourism and service based businesses to the area.

The Great Allegheny Passage is truly a unique path through a significant corridor. I encourage Pennsylvanians and all Americans to enjoy the natural beauty of America by visiting the Great Allegheny Passage, now, and for years to come.●

#### TRIBUTE TO MIHAELA GHITA

● Mrs. SHAHEEN. Mr. President, I rise today to recognize Mihaela Ghita, a graduating senior at Manchester High School West in Manchester, NH. There is much to celebrate about Mihaela's academic achievements, but one of her most notable accomplishments is that she has never missed a day of school since the day she entered first grade.

Mihaela is an active member of West's school community. She competes in throwing events for the school's track and field team and is also a member of West's gymnastics squad. In addition, Mihaela has gone above and beyond academic requirements by completing an extended learning opportunity, volunteering to read with and tutor the school's special needs students. She is also an active volunteer in the greater Manchester community.

Mihaela's dedication to her education and her commitment to being present to learn every day is truly admirable. As a former public school teacher and parent, I understand and appreciate how unusual and unique it is for a student to attend every day of school for an academic year, but it is truly impressive that she has never missed a day at any point in her studies. The maturity and sense of dedication that Mihaela has demonstrated will serve her well in whatever field she chooses. I am confident that Mihaela will achieve success in her future pursuits.

High school graduation is a special time in a student's life, and I am pleased to rise today to recognize Mihaela's unique attendance accomplishment. However, I would also like to extend my sincerest congratulations to Mihaela and all of her classmates who will be joining her on Saturday, June 15, 2013, for their graduation ceremony. While the students may be heading in different directions, they will always share the common bond of being graduates of Manchester High School West. Once again, I would like to recognize Mihaela Ghita on achieving her exemplary attendance record. I know that her family, her friends, and the entire West community join me in congratulating her and celebrating her many accomplishments.●

#### TRIBUTE TO RALPH MCGARY

● Mr. UDALL of New Mexico. Mr. President, I would like to speak today about an individual in my home State—a gentleman from Carlsbad named Ralph McGary. Because as we work for solutions to our Nation's challenges, I hope that we will always remember one basic thing. There are human beings behind these debates. There are stories of struggle and hardship and of inspiration. What we do here in Washington, DC, has real impact on real lives. What happens here matters in profound ways to millions of Americans, matters to fellow citizens like Ralph McGary, who have sacrificed and worked hard, and who depend on a government that will be there for them in return.

This is Ralph's story, as reported recently in Focus on Carlsbad magazine. Ralph worked in the oilfields. One day, in 2006, on his way home, he was almost killed in a traffic accident. In an instant, his life was changed forever. He spent 6 weeks in intensive care and then 3½ months at a rehabilitation hospital. He survived but was left a quadriplegic. Ralph McGary had to face tremendous loss, and then he had to decide how to move forward with his life.

It is impossible for any of us to fully realize what an ordeal that must have been for Ralph or what courage and determination it has required of him every single day just to keep going, just to find his way on a path that he never imagined he would be on. But move forward he did. Drawing upon his own valiant spirit and with the help of others, among his family and in his community. His is a classic American story of self-reliance and community support.

He found valuable allies at the Division of Vocational Rehabilitation in Carlsbad. Despite his severe physical impairment, Ralph still wanted to work, still wanted to be as productive as his condition would allow. DVR is a State-Federal organization. Its mission is to work with folks like Ralph to find employment, to help them overcome their disabilities.

DVR provided Ralph with a computer and a special voice recognition software. His counselor at DVR, Barry Jolly, explained:

We worked with him to develop a plan. That included going back to school and completing his degree. We don't just identify employment. We identify a strategy to get from where you are to where you need to be.

Ralph is still on that journey getting from where he has been to where he needs to be. He requires 24-hour care. His family, like so many others, tried to provide that care at home for as long as they could. For now, Ralph resides at a local nursing care facility. Most of his disability income pays for his nursing home care. He keeps about \$60 a month. But his dream of greater independence continues. He dreams of

some day being able to adapt his home to accommodate his needs.

In the meantime, he earned his associate's degree from the New Mexico State University-Carlsbad. Last year, he obtained a part-time job at the Jeff Diamond Law Firm. The firm had helped him obtain his Social Security disability benefits, and SSA allows him to earn a certain amount of money each month without reducing his disability income.

In his work at the law firm, Ralph calls himself the "reminder guy." He calls clients to remind them of their appointments or other matters relating to their disability claims. He knows their struggles. He understands what they are going through. His job not only provides some extra income, it boosts his morale and his connection to his community, and the McGary family is very much a part of the community. His wife, Susan, has taught at Carlsbad schools for over three decades.

Jolly told Focus on Carlsbad that:

Ralph is a determined man and a sharp individual. I used to work in the oilfields too, so I think we speak the same language. I think one of his strengths is his ability to get along with other people and his understanding of how things work.

Those are admirable qualities—getting along with others. Understanding how things work. We need more of that here in Washington, DC. People like Ralph McGary should expect no less of us. Ralph faced his challenges. We should face ours.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13405 OF JUNE 16, 2006, WITH RESPECT TO BELARUS—PM 12

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*



Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions that was declared in Executive Order 13405 of June 16, 2006, is to continue in effect beyond June 16, 2013.

In 2012, the Government of Belarus continued its crackdown against political opposition, civil society, and independent media. The September 23 elections failed to meet international standards. The government arbitrarily arrested, detained, and imprisoned citizens for criticizing officials or for participating in demonstrations; imprisoned at least one human rights activist on manufactured charges; and prevented independent media from disseminating information and materials. These actions show that the Government of Belarus has not taken steps forward in the development of democratic governance and respect for human rights.

The actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions, to commit human rights abuses related to political repression, and to engage in public corruption continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13405 with respect to Belarus.

BARACK OBAMA.  
THE WHITE HOUSE, June 13, 2013.

#### MESSAGES FROM THE HOUSE

At 11:27 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 634. An act to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes.

H.R. 742. An act to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts.

H.R. 2167. An act to authorize the Secretary of Housing and Urban Development to

establish additional requirements to improve the fiscal safety and soundness of the home equity conversion mortgage insurance program.

At 3:28 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1038. An act to provide equal treatment for utility special entities using utility operations-related swaps, and for other purposes.

H.R. 1256. An act to direct the Securities and Exchange Commission and the Commodity Futures Trading Commission to jointly adopt rules setting forth the application to cross-border swaps transactions of certain provisions relating to swaps that were enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

At 5:16 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2217. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 634. An act to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 742. An act to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 1038. An act to provide equal treatment for utility special entities using utility operations-related swaps, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 1256. An act to direct the Securities and Exchange Commission and the Commodity Futures Trading Commission to jointly adopt rules setting forth the application to cross-border swaps transactions of certain provisions relating to swaps that were enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 2167. An act to authorize the Secretary of Housing and Urban Development to establish additional requirements to improve the fiscal safety and soundness of the home equity conversion mortgage insurance program; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2217. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes; to the Committee on Appropriations.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-19. A resolution adopted by the House of Representatives of the State of Michigan urging support for continuation of the STARBASE program; to the Committee on Armed Services.

##### HOUSE RESOLUTION NO. 85

Whereas, STARBASE is a U.S. Department of Defense youth program which targets at-risk students who are historically underrepresented in the areas of science, technology, engineering, and math (STEM). Established in 1993, the STARBASE program has grown to 76 locations across 40 states, including three Michigan sites: Selfridge Air National Guard Base, Battle Creek Air National Guard Base, and Alpena Combat Readiness Training Center. The program reached about 3,500 Michigan students in Fiscal Year 2012; and

Whereas, STARBASE provides exceptional, hands-on curriculum to participating schools and students that helps overall comprehension of science and math and improves MEAP scores. It provides an inquiry-based curriculum of experiential, exploratory learning to motivate fifth graders to explore STEM as they continue their education. A more recent addition, STARBASE 2.0, is aimed at middle school students in an after school program. It offers robotic training opportunities and participation in the Lego League team robotics challenge. STARBASE works with school districts to support their learning objectives and expands relationships with local networks of STEM initiatives and organizations; and

Whereas, The rapid pace of technological change and the globalization of the economy demand that our workforce be literate in science and math. Less than one percent of current elementary students are expected to seek advanced education in the sciences. STARBASE raises student interest and improves their attitudes and confidence in STEM skills: Now, therefore, be it

*Resolved by the House of Representatives,* That we urge the support for continuation of the STARBASE program; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-20. A concurrent resolution adopted by the House of Representatives of the General Assembly of the State of Ohio urging the Congress of the United States to maintain operation of the 179th Airlift Wing at Mansfield-Lahm Regional Airport in Mansfield, Ohio; to the Committee on Armed Services.

##### HOUSE CONCURRENT RESOLUTION NO. 4

Whereas, The United States Air Force 179th Airlift Wing is a military airlift organization assigned to the Ohio Air National Guard and stationed at Mansfield-Lahm Regional Airport; and

Whereas, Due to its superior record, the 179th Airlift Wing received a mission to operate the C-27J Spartan aircraft, a twin turbo-prop aircraft with short takeoff and landing capabilities, ideal for the nation's current military needs and for providing rapid response support for homeland emergencies; and

Whereas, The United States Air Force has published proposed personnel actions associated with plans to retire more than 300 aircraft nationwide, including the C-27J; and

Whereas, The United States Air Force has plans to move personnel positions among states to mitigate the impact of the reductions; and

Whereas, The United States Air National Guard, including the 179th Airlift Wing, is responsible for homeland defense, and the C-27J is an important tool in accomplishing this mission; and

Whereas, The 179th Airlift Wing has made United States Air National Guard history by deploying the C-27J in Afghanistan in Operation Enduring Freedom; and

Whereas, Closing the Air National Guard Station at Mansfield-Lahm, relocating its personnel, and diverting or retiring its C-27J aircraft would create discontinuity and weaken national defense and homeland disaster readiness: Now therefore be it

*Resolved*, That the Congress of the United States is urged to maintain operation of the 179th Airlift Wing at Mansfield-Lahm Regional Airport to ensure Ohio and our nation will continue to benefit from the unique experience and capabilities of its personnel and the region; and be it further

*Resolved*, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the President of the United States, to the President Pro Tempore and Secretary of the United States Senate, to the Speaker and the Clerk of the United States House of Representatives, to the members of the Ohio Congressional delegation, and to the news media of Ohio.

POM-21. A resolution adopted by the House of Representatives of the State of Michigan memorializing Congress to pass H.R. 1014 to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide that military technicians (dual status) shall be included in military personnel accounts for purposes of any order issued under that Act; to the Committee on the Budget.

#### HOUSE RESOLUTION NO. 71

Whereas, A federal military technician (dual status) is a federal civilian employee who is assigned to a civilian position as a technician in the administration and training of a Selected Reserve on in the maintenance and repair of supplies or equipment issued to a Selected Reserve or the armed forces. The Selected Reserve include the Army, Navy, Air Force, Marine Corps, and Coast Guard Reserves, and the Army and Air National Guards. The primary mission of a military technician is to provide day-to-day continuity in the training of reserve units, particularly, Army and Air National Guard. More than 58,000 military technicians are currently employed helping to maintain our military readiness; and

Whereas, Military technicians are generally required to maintain membership in the National Guard or Reserve as a condition of their employment. They are required to attend weekend drills and annual training with their reserve unit and military technicians can be involuntarily ordered to active duty just as other members of the Guard or Reserve; and

Whereas, Under sequestration, uniformed military personnel are exempt from furlough days and pay cuts. However, military technicians in the National Guard and the Reserves were not exempted, placing the readiness of our military at home and abroad at risk: Now, therefore, be it

*Resolved by the House of Representatives*, That we memorialize Congress to pass H.R.

1014 to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide that military technicians (dual status) shall be included in military personnel accounts for purposes of any order issued under that act; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-22. A resolution adopted by the Senate of the State of Louisiana memorializing the Congress of the United States and requesting the Secretary of the United States Department of Commerce to take such action as necessary relative to red snapper season; to the Committee on Commerce, Science, and Transportation.

#### SENATE RESOLUTION NO. 25

Whereas, it is the responsibility of the National Marine Fisheries Service, an agency in the National Oceanographic and Atmospheric Administration, through the Gulf of Mexico Fisheries Management Council, to manage and regulate marine species located in the Gulf of Mexico; and

Whereas, such management and regulation includes a determination of the sustainability of each species and preservation of the sustainability through the setting of take limits, individual fishing quotas, and opening and closing seasons; and

Whereas, on March 25, 2013, a temporary emergency rule was published in the Federal Register that gives the National Oceanic and Atmospheric Administration (NOAA) Fisheries Services the authority to set separate closure dates for the recreational red snapper season in federal waters off the individual Gulf of Mexico states; and

Whereas, the closure dates will depend on whether state regulations are consistent with federal regulations for the recreational red snapper season length or bag limit; and

Whereas, the federal recreational season for Gulf of Mexico red snapper begins June 1 each year with a two-fish bag limit and the length of the season is determined by the amount of the quota, the average weight of fish landed, and the estimated catch rates over time; and

Whereas, since NOAA Fisheries is responsible for ensuring that the entire recreational harvest, including harvest in state waters, does not exceed the recreational quota, then if states establish a longer season or a larger bag limit for state waters than the federal regulations allow in federal waters, the federal season must be adjusted to account for the additional harvest expected in state waters; and

Whereas, if all states were to implement consistent regulations, the 2013 recreational season would be twenty-eight days, assuming the recreational quota is increased to 4.145 million pounds through separate rule-making; and

Whereas, in addition to Louisiana, the states of Texas and Florida have indicated to NOAA Fisheries that they will implement inconsistent red snapper regulations for their state waters; and

Whereas, without this emergency rule, the 2013 federal season would be reduced to twenty-two days to compensate for that additional expected harvest; and

Whereas, this emergency rule allows NOAA Fisheries to calculate the recreational red snapper fishing season separately in the exclusive economic zone off each state to account for any inconsistency of regulations in state waters; and

Whereas, based on the expected regulations for Texas, Louisiana, and Florida, the preliminary season lengths would be as follows: Texas, twelve days; Louisiana, none days; Mississippi and Alabama, twenty-eight days; and Florida, twenty-one days; and

Whereas, on March 23, 2013, Louisiana implemented weekend-only recreational red snapper season that will end on September 30, with a recreational bag limit of three fish per day at sixteen-inch minimum; and

Whereas, the regional administrator of the National Oceanic and Atmospheric Administration Fisheries Services's Southeast Regional Office and his scientists can provide information on the following issues: (1) emergency rule on the recreational closure authority specific to federal waters off individual states for the recreational red snapper component of the Gulf of Mexico reef fish fishery; (2) methodology for determination of the length, allocations, and quotas for the red snapper season; (3) plans for the future allocations and quotas of red snapper; (4) update on the regional and Gulf of Mexico red snapper stock assessments on natural and artificial habitats; (5) relationship of size of quota to recovery of red snapper fisheries; (6) general conditions and health of red snapper fisheries and projections for future; and (7) requirements in order for Louisiana to get additional allocations or quotas based on Louisiana's management and growth of the red snapper fisheries: Now, therefore, be it

*Resolved*, that the Legislature of Louisiana memorializes the Congress of the United States and requests the secretary of the United States Department of Commerce to take such action as necessary to require the regional administrator of the National Oceanic and Atmospheric Administration Fisheries Service's Southeast Regional Office and his scientists to attend a meeting of the Louisiana Senate Committee on Natural Resources, on a date that is convenient for the parties during the month of April or the first week of May, to provide information on the red snapper season, and be it further

*Resolved*, that a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives, to each member of the Louisiana delegation to the United States Congress, to the secretary of the United States Department of Commerce, and the regional administrator of the National Oceanic and Atmospheric Administration Fisheries Service's Southeast Regional Office.

POM-23. A concurrent resolution adopted by the House of Representatives of the State of Missouri supporting continued and increased development and delivery of oil derived from North American oil reserves to United States refineries; to the Committee on Energy and Natural Resources.

#### HOUSE CONCURRENT RESOLUTION NO. 19

Whereas, the United States relies—and will continue to rely for many years—on gasoline, diesel, and jet fuel, as well as renewable and alternative sources of energy; and

Whereas, in order to fuel our economy, the United States will need more oil and natural gas while also requiring additional alternative energy sources; and

Whereas, the United States accounts for 20% of world energy consumption and is the world's largest petroleum consumer. The United States consumes more than 15 million barrels of oil each day, with forecast suggesting that this will not change for decades; and

Whereas, even with new technology, oil discoveries, alternative fuels, and conservation efforts, the United States will remain

dependent on imported energy for decades to come. A secure supply of crude oil is not only needed for Americans to continue to heat their homes, cook their food, and drive their vehicles, but to allow the United States economy to thrive and grow free from the potential threats and disruptions of crude oil supply from less secure parts of the world; and

Whereas, the growing production of conflict-free oil from Canada's oil sands and the Bakken formation in Saskatchewan, Montana, North Dakota, and South Dakota can replace crude imported from countries that do not share American values, but additional pipeline capacity to refineries in the United States Midwest and Gulf Coast is required; and

Whereas, increasing energy imports from Canada makes sense for the United States. Canada is a trusted neighbor with a stable democratic government, strong environmental standards equal to that of the United States, and some of the most stringent human rights and worker protection laws in the world; and

Whereas, improvements in production technology have reduced the carbon footprint of Canadian oil sands development by 26% on a per barrel basis since 1990. Oil sands production accounts for 6.9% of Canada's greenhouse gas (GHG) emissions and 0.1% (1/100th) of global GHG emissions. Total emissions from Canada's oil sands sector was 48 megatons in 2010, equivalent to 0.5% of United States GHG emissions. Oil sands crude has similar CO<sub>2</sub> emissions to other heavy oils and is 6% more carbon-intensive than the average crude refined in the United States on a wells-to-wheels basis; and

Whereas, the 57 refineries in the Gulf Coast region provide a total refining capacity of approximately 8.7 million barrels per day (bpd), or half of United States refining capacity. In 2011, these refineries imported approximately 5 million bpd of crude oil from more than 30 countries, with the top four suppliers being Mexico (22%), Saudi Arabia (17%), Venezuela (16%), and Nigeria (9%). Imports from Mexico and Venezuela are declining as production from those countries decreases and supply contracts expire. Once completed, TransCanada's Keystone XL Pipeline and Gulf Coast Expansion projects could displace roughly 40% of the oil the United States currently imports from the Persian Gulf and Venezuela; and

Whereas, the Keystone XL Pipeline project has been subject to the most thorough public consultation process of any proposed United States pipeline, and the subject of multiple environmental impacts statements and several United States Department of State studies which have concluded that it poses the least impact to the environment and is much safer than other modes of transporting crude oil; and

Whereas, the original Keystone Pipeline, which spans across the northern part of Missouri, supplies over 500,000 barrels of North American crude oil to American refineries in the Midwest. When completed, the Keystone XL Pipeline will carry 830,000 barrels of North American crude oil to American refineries in the Gulf Coast region which will make its way back to Missouri in the form of gasoline, diesel, and jet fuel; and

Whereas, the Keystone XL Pipeline project will create approximately 9,000 construction jobs. The Gulf Coast Expansion project is a \$2.3 billion project that has created approximately 4,000 construction jobs. Combined, these projects support yet another 7,000 manufacturing jobs. 75% of the pipe used to build

the Keystone XL Pipeline in the United States will come from North American mills, including half made by United States workers. Goods for the pipeline valued at approximately \$800 million have already been sourced from United States manufacturers: Now, therefore, be it

*Resolved*, That the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby strongly:

(1) Support continued and increased development and delivery of oil derived from North American oil reserves to United States refineries;

(2) Urge the United States Congress to support continued and increased development and delivery of oil from Canada to the United States;

(3) Urge the President of the United States to support the continued and increased importation of oil derived from the Bakken formation in Montana, North Dakota, and South Dakota, as well as Canadian oil sands;

(4) Urge the United States Secretary of State to approve the newly routed pipeline application from TransCanada to reduce dependence on unstable governments, create new jobs, improve our national security, and strengthen ties with an important ally; and be it further

*Resolved*, That the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President Pro Tem of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Adam Crumbliss, Chief Clerk of the House of Representatives, and Terry L. Spieler, Secretary of the Senate, do hereby certify that the aforementioned is a true and correct copy of House Concurrent Resolution No. 19, adopted by the House of Representatives on March 14, 2013, and concurred in the Senate on April 17, 2013.

POM-24. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take whatever actions necessary to encourage and support reunification of Ireland; to the Committee on Foreign Relations.

#### SENATE CONCURRENT RESOLUTION No. 21

Whereas, Ireland is an ancient and distinct land, an island-nation artificially rendered in two in 1922; partitioned by the Government of Ireland Act as an independent Irish state and Northern Ireland which remained a dominion of the United Kingdom; and

Whereas, the partition divided the nation into Northern Ireland, which is composed of six counties and is one of the four constituent countries of the British Crown, and Southern Ireland, which consists of the remaining twenty-six counties and which eventually became the Republic of Ireland in 1949; and

Whereas, the Belfast Agreement, also known as the Good Friday Agreement, was ratified by the Irish and British governments on April 10, 1998, as was successfully negotiated with support from the United States; and

Whereas, the Good Friday Agreement represents a fundamental political advance that created a framework and a mechanism for further political development toward the final resolution of the issue and reunification; and

Whereas, today with self determination, the Irish Republic enjoys an unencumbered

economic future as a viable member of the European Union; and

Whereas, the time has come to bring about a seamless resolution of the partition of Ireland in favor of a more united, sovereign nation that guarantees equal rights and equal opportunities for all of its citizens; and

Whereas, in every area that affects the overall well-being of the Irish people, including their economy, education, health, governance, and social interaction, a united Ireland proffers the best opportunity for peace and prosperity for a divided Irish population; Now, therefore, be it

*Resolved*, That the Legislature of Louisiana memorializes the Congress of the United States to take whatever actions necessary to encourage and support the reunification of Ireland, and be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-25. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the Congress of the United States to enact legislation to provide additional funding for research in order to find a treatment and a cure for Amyotrophic Lateral Sclerosis; to the Committee on Health, Education, Labor, and Pensions.

#### SENATE CONCURRENT RESOLUTION No. 14

Whereas, amyotrophic lateral sclerosis, or ALS, is more commonly known as Lou Gehrig's disease; and

Whereas, ALS is a fatal neurodegenerative disease characterized by degeneration of cell bodies of the lower motor neurons in the gray matter of the anterior horns of the spinal cord; and

Whereas, the initial symptom of ALS is usually weakness of the skeletal muscles, especially those of the extremities; and

Whereas, as ALS progresses, the patient typically experiences difficulty in swallowing, talking, and breathing; and

Whereas, ALS eventually causes muscles to atrophy and the patient becomes a functional quadriplegic; and

Whereas, ALS does not affect mental capacity of the patient, such that the patient remains alert and aware of surroundings and aware of the loss of motor functions and the inevitable outcome of continued deterioration and death; and

Whereas, on average, patients diagnosed with ALS survive only two to five years from the time of diagnosis; and

Whereas, despite the catastrophic consequences of a diagnosis of ALS, the disease currently has no known cause, means of protection, or cure; and

Whereas, research indicates that military veterans are at a sixty percent greater risk of developing ALS than those who have not served in the military; and

Whereas, the United States Department of Veterans Affairs has promulgated regulations to establish a presumption of service connection for ALS thereby presuming that the development of ALS was incurred or aggravated by a veteran's service in the military; and

Whereas, a national ALS registry, administered by the Centers for Disease Control and Prevention, is currently identifying cases of ALS in the United States and may become the largest ALS research project ever undertaken; and

Whereas, Amyotrophic Lateral Sclerosis Awareness Month increases the awareness of

the circumstances of living with ALS and acknowledges the terrible impact this disease has not only on the patient, but also on the family and community of anyone receiving such a diagnosis; and

Whereas, Amyotrophic Lateral Sclerosis Awareness Month also increases awareness of research being done to eradicate this dire disease: Now, therefore, be it

*Resolved*, That the Legislature of Louisiana does hereby recognize May 2013 as Amyotrophic Lateral Sclerosis Awareness Month, and be it further

*Resolved*, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to enact legislation to provide additional funding for research in order to find a treatment and a cure for Amyotrophic Lateral Sclerosis, and be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-26. A resolution adopted by the Georgia State Senate requesting that Georgia's Congressional delegation, Congress as a whole, and President Obama immediately resolve our national debt crisis with a bipartisan, balanced, comprehensive, long-term solution; to the Committee on the Judiciary.

#### SENATE RESOLUTION NO. 423

Whereas, our national debt is more than 70 percent of our economy (\$11.1 trillion) and is on track to exceed 100 percent of the economy next decade; and

Whereas, rising national debt threatens to stunt the strength of our economy and eventually lead to an economic crisis; and

Whereas, our national debt threatens the solvency of Social Security and medicare; and

Whereas, if Congress and President Obama fail to avoid the looming fiscal cliff and find a comprehensive solution to our national debt, Georgia could lose up to 50,000 jobs due to federal spending cuts; and

Whereas, continued missed opportunities for resolution and successive manufactured crises add to economic uncertainty, preventing business development and investment; and

Whereas, failing to resolve our national debt crisis imperils the economic and financial security of future generations; and

Whereas, smart and gradual debt reduction can reverse all of the negative economic and generational consequences of elevated and rising debt; and

Whereas, a credible plan could help strengthen our fragile economic recovery by improving confidence and reducing uncertainty; and

Whereas, fixing the debt could restore public faith in Washington's ability to solve problems; and

Whereas, our national debt can only be resolved through a bipartisan, comprehensive solution that reins in spending, raises revenues, and reforms entitlements: Now, therefore, be it

*Resolved by the Senate*, That the members of this body request that Georgia's Congressional delegation, Congress as a whole, and President Obama immediately resolve our national debt crisis with a bipartisan, balanced, comprehensive, long-term solution, and be it further

*Resolved*, That the Secretary of the Senate is authorized and directed to transmit an appropriate copy of this resolution to Georgia's Congressional delegation, all Congressional members, and President Obama.

POM-27. A resolution adopted by the Legislature of Rockland County, New York, calling upon the Federal Emergency Management Agency to expedite the release of advisory base flood elevations for Rockland County; to the Committee on Banking, Housing, and Urban Affairs.

POM-28. A resolution adopted by the Pecos River Commission requesting that the United States Congress reauthorize the Water Resources Development Act of 2007, Section 5056, and appropriate sufficient funds to carry out work related to the legislation; to the Committee on Environment and Public Works.

POM-29. A resolution adopted by the Legislature of Rockland County, New York, urging the United States Congress to pass S. 84 and H.R. 377—Paycheck Fairness Act of 2013; to the Committee on Health, Education, Labor, and Pensions.

POM-30. A resolution adopted by the City Council of Seaside, California expressing its support to the President of the United States, the Senate, and the House of Representatives, for comprehensive immigration reform and urging action to adopt comprehensive immigration legislation; to the Committee on the Judiciary.

POM-31. A resolution adopted by the Board of Supervisors of the County of Monterey of the State of California urging the United States Supreme Court to affirm the constitutionality of the Voting Rights Act; to the Committee on the Judiciary.

POM-32. A resolution adopted by the Pecos River Commission requesting that Congress fully fund the National Streamflow Information Program (NSIP) gages associated with the Pecos River Basin and the U.S. Geological Survey placing a priority on funding these gages under NSIP; to the Committee on Environment and Public Works.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHUMER, from the Committee on Rules and Administration:

Report to accompany S. Res. 64, An original resolution authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013 (Rept. No. 113-41).

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment:

S. 579. A bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes (Rept. No. 113-42).

S. 793. A bill to support revitalization and reform of the Organization of American States, and for other purposes (Rept. No. 113-43).

### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Valerie E. Caproni, of the District of Columbia, to be United States District Judge for the Southern District of New York.

Vernon S. Broderick, of New York, to be United States District Judge for the Southern District of New York.

Derek Anthony West, of California, to be Associate Attorney General.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FRANKEN (for himself, Mr. GRASSLEY, Mr. HARKIN, Mr. RUBIO, Mrs. GILLIBRAND, Mrs. MURRAY, Mr. CARDIN, Mr. SCHUMER, Mr. CARPER, Mr. BLUMENTHAL, Mr. WYDEN, Mr. DURBIN, Mr. WHITEHOUSE, Mr. JOHNSON of South Dakota, Mr. COONS, and Ms. MIKULSKI):

S. 1156. A bill to amend the Higher Education Opportunity Act to add disclosure requirements to the institution financial aid offer form and to amend the Higher Education Act of 1965 to make such form mandatory; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 1157. A bill to reauthorize the Rivers of Steel National Heritage Area, the Lackawanna Valley National Heritage Area, the Delaware and Lehigh National Heritage Corridor, and the Schuylkill River Valley National Heritage Area; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself and Mr. ENZI):

S. 1158. A bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY:

S. 1159. A bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL:

S. 1160. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for qualified conservation contributions which include National Scenic Trails; to the Committee on Finance.

By Ms. LANDRIEU (for herself and Mr. WICKER):

S. 1161. A bill to provide for the development of a fishery management plan for the Gulf of Mexico red snapper, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Mr. WYDEN, and Mrs. FEINSTEIN):

S. 1162. A bill to authorize the Administrator of the National Oceanic and Atmospheric Administration to provide certain funds to eligible entities for activities undertaken to address the marine debris impacts of the March 2011 Tohoku earthquake and subsequent tsunami, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARPER (for himself and Ms. COLLINS):

S. 1163. A bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. COONS):

S. 1164. A bill to amend the Patient Protection and Affordable Care Act to clarify provisions with respect to church plans; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. PRYOR, Mr. BEGICH, and Mr. WYDEN):

S. 1165. A bill to amend title 38, United States Code, to provide for certain requirements relating to the immunization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ISAKSON (for himself, Mr. ALEXANDER, Mr. BURR, Mr. COATS, Mr. CORKER, Mr. CORNYN, Mr. ENZI, Mr. GRAHAM, Mr. INHOFE, Mr. JOHANNES, Mr. KIRK, Mr. ROBERTS, and Mr. SCOTT):

S. 1166. A bill to amend the National Labor Relations Act to provide for appropriate designation of collective bargaining units; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HELLER (for himself and Mr. REID):

S. 1167. A bill to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANDERS:

S. 1168. A bill to amend the Foreign Intelligence Surveillance Act of 1978 to limit overbroad surveillance requests and expand reporting requirements and for other purposes; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 1169. A bill to withdraw and reserve certain public land in the State of Montana for the Limestone Hills Training Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANDERS:

S. 1170. A bill to provide for youth jobs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself, Mr. BOOZMAN, Mr. BURR, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORNYN, Mr. CRAPO, Mr. ENZI, Mrs. FISCHER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HELLER, Mr. JOHANNES, Mr. MCCAIN, Ms. MURKOWSKI, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. SESSIONS, Mr. THUNE, and Mr. VITTER):

S.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ISAKSON:

S. Res. 170. A resolution commemorating John Lewis on the 50th anniversary of his chairmanship of the Student Nonviolent Coordinating Committee; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Ms. COLLINS, and Mr. NELSON):

S. Res. 171. A resolution designating June 15, 2013, as "World Elder Abuse Awareness Day"; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 104

At the request of Mr. VITTER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 104, a bill to provide for congressional approval of national monuments and restrictions on the use of national monuments.

S. 109

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 109, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 113

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 113, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 117

At the request of Ms. KLOBUCHAR, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 117, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 330

At the request of Mrs. BOXER, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 409

At the request of Mr. BURR, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 409, a bill to add Vietnam Veterans Day as a patriotic and national observance.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 522

At the request of Mr. DURBIN, the name of the Senator from Alaska (Mr.

BEGICH) was added as a cosponsor of S. 522, a bill to require the Secretary of Veterans Affairs to award grants to establish, or expand upon, master's degree or doctoral degree programs in orthotics and prosthetics, and for other purposes.

S. 559

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 559, a bill to establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes.

S. 569

At the request of Mr. BROWN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 577

At the request of Mr. NELSON, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 577, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 695

At the request of Mr. BEGICH, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 695, a bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., and for other purposes.

S. 723

At the request of Mrs. GILLIBRAND, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 723, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 769

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 769, a bill to designate as wilderness certain Federal portions of the red

rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Tennessee (Mr. CORKER), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 813

At the request of Mr. BEGICH, his name was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 896

At the request of Mr. BEGICH, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 928

At the request of Mr. SANDERS, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 928, a bill to amend title 38, United States Code, to improve the processing of claims for compensation under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 947

At the request of Mrs. HAGAN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 947, a bill to ensure access to certain information for financial services industry regulators, and for other purposes.

S. 1091

At the request of Ms. MIKULSKI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1091, a bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp.

S. 1118

At the request of Mr. WYDEN, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1118, a bill to amend part E of title IV of the Social Security Act to better enable State child welfare agencies to prevent sex trafficking of children and serve the needs of children who are victims of sex trafficking, and for other purposes.

S. RES. 151

At the request of Mr. CASEY, the name of the Senator from Maryland

(Mr. CARDIN) was added as a cosponsor of S. Res. 151, a resolution urging the Government of Afghanistan to ensure transparent and credible presidential and provincial elections in April 2014 by adhering to internationally accepted democratic standards, establishing a transparent electoral process, and ensuring security for voters and candidates.

S. RES. 154

At the request of Mr. BLUMENTHAL, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. Res. 154, a resolution calling for free and fair elections in Iran, and for other purposes.

S. RES. 165

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 165, a resolution calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko in light of the recent European Court of Human Rights ruling.

AMENDMENT NO. 1198

At the request of Mr. TESTER, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Alaska (Mr. BEGICH) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of amendment No. 1198 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1222

At the request of Ms. LANDRIEU, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 1222 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1246

At the request of Mr. JOHANNIS, his name was added as a cosponsor of amendment No. 1246 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1247

At the request of Mr. JOHANNIS, his name was added as a cosponsor of amendment No. 1247 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1251

At the request of Mr. CORNYN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 1251 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH (for himself, Mr. BOOZMAN, Mr. BURR, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr.

CORNIN, Mr. CRAPO, Mr. ENZI, Mrs. FISCHER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HELLER, Mr. JOHANNIS, Mr. MCCAIN, Ms. MURKOWSKI, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. SESSIONS, Mr. THUNE, and Mr. VITTER):

S.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, tomorrow is Flag Day and I am proud to be joined by 21 of my colleagues in introducing an amendment to the Constitution giving Congress power to prohibit the physical desecration of the flag of the United States. At a time when many issues divide us, the flag to which we pledge allegiance ought to be one thing that unites us.

On this day in 1777, the Continental Congress adopted a resolution designating the design of the flag of the United States. President Woodrow Wilson first issued a proclamation in 1916 officially establishing June 14 as Flag Day and Congress did so by statute in 1949.

States began adopting laws protecting the American flag in the late 19th century and every state had adopted such a law by 1932. Congress adopted the Federal Flag Code in 1942 providing uniform guidelines for displaying the flag and in 1968 enacted the Federal Flag Protection Act.

We have, as they say, come a long way—but not in a good direction. Gregory Johnson, a member of the Revolutionary Communist Party, was prosecuted under State law for torching an American flag at the 1984 Republican National Convention in Dallas. Five years later, in *Texas v. Johnson*, the U.S. Supreme Court held that the State flag protection law violated the First Amendment. Congress quickly revised the Flag Protection Act but in *United States v. Eichman*, the Supreme Court held in 1990 that it too violated the First Amendment.

I believe these two cases, decided by the narrowest 5-4 margins, were based on an incorrect interpretation of the First Amendment. But I also believe that the Constitution belongs to the American people, not to Federal judges.

The Constitution embodies the will of the American people in setting rules for government. The Constitution defines what the federal government may do by enumerating its powers in the body of the Constitution. It defines what government may not do by identifying individual rights in the amendments to the Constitution.

The Supreme Court has had its say, concluding that neither States nor the Federal Government may prohibit desecration of the American flag. But the Supreme Court does not have the



last word about what the Constitution says or what the Constitution means. The American people do. They alone have authority to change the Constitution's rules for government.

This is why I first introduced a flag protection constitutional amendment on June 22, 1989, just one day after the Supreme Court's decision in *Texas v. Johnson*. The American people can decide whether to change their Constitution only when an amendment is proposed and sent to the States for ratification. The American people should have that opportunity regarding protection of this unique symbol of national unity.

Today is the ninth time I have introduced a flag protection amendment. The Senate has voted five times on such proposals, including three of mine. The bipartisan support has grown each time—from 51 votes in 1989, 58 votes in 1990, 63 votes in 1995 and 2000, and 66 votes in 2006, just one short of the  $\frac{3}{4}$  required by the Constitution.

Members of Congress must keep two things in mind. First, even if it is ratified, this amendment would not prohibit flag desecration. It would merely give Congress authority to do so. Remember what the Supreme Court did in its pair of decisions. The court did not say government should not protect the flag, but said that government may not do so. This amendment would restore that authority. I believe that a vigorous and public debate about our shared values and principles and about the flag as a unique symbol of national unity would be very healthy for America. We can have that debate only when the Constitution allows it and with this amendment the Constitution would.

Second, members of Congress must remember our role in the constitutional amendment process. Congress cannot amend the Constitution. We can propose amendments, but the Constitution is not changed until  $\frac{3}{4}$  of the States say so. Congress should not deprive the American people of the opportunity to express their will on this important issue.

The American people want that opportunity. All 50 State legislatures have indicated their support for a constitutional amendment to allow protection of the flag.

Just a few days ago, President Obama issued the annual proclamation designating this week as National Flag Week and designating today as Flag Day. He urged all Americans to observe these "with pride and all due ceremony . . . as a time to honor America, to celebrate our heritage in public gatherings and activities, and to publicly recite the Pledge of Allegiance to the Flag of the United States of America." I believe that we can make that ongoing observance and celebration complete by restoring authority to protect this symbol of national unity.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 170—COMMEMORATING JOHN LEWIS ON THE 50TH ANNIVERSARY OF HIS CHAIRMANSHIP OF THE STUDENT NONVIOLENT COORDINATING COMMITTEE

Mr. ISAKSON submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 170

Whereas Congressman John Robert Lewis was born on February 21, 1940, outside of Troy, Alabama, to parents Eddie and Willie Mae (Carter) Lewis;

Whereas John Lewis has devoted his life to safeguarding human rights, protecting civil liberties, and building what he calls "the Beloved Community" in the United States;

Whereas John Lewis grew up on a farm in a family of sharecroppers and attended segregated public schools in Pike County, Alabama;

Whereas, drawing inspiration at an early age from the dedication and bravery demonstrated through the Montgomery Bus Boycott and the Reverend Martin Luther King, Jr., John Lewis joined the movement to secure the basic equal rights guaranteed by the Constitution of the United States;

Whereas, while studying at Fisk University, where he earned a Bachelor of Arts in Religion and Philosophy, John Lewis led the charge by unifying and organizing volunteers for sit-in demonstrations at segregated lunch counters in Nashville, Tennessee;

Whereas, in 1961, John Lewis showed his bravery and dedication while participating in Freedom Rides, challenging segregation at interstate bus terminals throughout the South, subjecting himself to being beaten by an angry mob, and even being arrested for peacefully confronting the injustice of Jim Crow segregation in the South;

Whereas, from 1963 to 1966, at a pivotal point in the Civil Rights Movement, John Lewis was named Chairman of the Student Nonviolent Coordinating Committee, which he helped found, orchestrating student activism in the Movement, including sit-ins, voter registration drives, community action programs, and other activities;

Whereas, at the young age of 23, John Lewis achieved national recognition and respect as 1 of the "Big Six" leaders of the Civil Rights Movement, both planning and speaking at the historic March on Washington in August 1963, along with fellow leaders and friends such as Martin Luther King, Jr.;

Whereas, along with many others, John Lewis demonstrated great courage by risking his life and casting light on the senseless cruelty of the time when he was brutally attacked while leading over 600 peaceful orderly protestors across the Edmund Pettus Bridge in Selma, Alabama, to demonstrate the need for voting rights, on March 7, 1965, which later became known as "Bloody Sunday," expediting the passage of the Voting Rights Act of 1965 (42 U.S.C. 1971 note; Public Law 89-110);

Whereas, in 1968, John Lewis portrayed wisdom in balancing his advocacy with family, taking Lillian Miles Lewis as his wife and later raising their son, John Miles Lewis, together;

Whereas John Lewis was elected in 1986 to serve as the United States Representative for Georgia's Fifth Congressional District

and has capably and effectively served his constituency since then, serving as Chief Deputy Whip for the House Democratic caucus; and

Whereas John Lewis's unwavering ethical and moral principles have garnered admiration and respect from his colleagues on both sides of the aisle: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends Congressman John Lewis of Georgia on the 50th anniversary of his chairmanship of the Student Nonviolent Coordinating Committee; and

(2) commemorates his legacy of tirelessly working to secure civil liberties for all, thereby building and ensuring a more perfect Union.

### SENATE RESOLUTION 171—DESIGNATING JUNE 15, 2013, AS "WORLD ELDER ABUSE AWARENESS DAY"

Mr. BLUMENTHAL (for himself, Ms. COLLINS, and Mr. NELSON) submitted the following resolution; which was considered and agreed to:

Whereas Federal Government estimates show that more than 1 in 10 persons over age 60, or 6,000,000 individuals, are victims of elder abuse each year;

Whereas the vast majority of the abuse, neglect, and exploitation of older adults in the United States goes unidentified and unreported;

Whereas only 1 in 44 cases of financial abuse of older adults is reported;

Whereas at least \$2,900,000,000 is taken from older adults each year due to financial abuse and exploitation;

Whereas elder abuse, neglect, and exploitation have no boundaries and cross all racial, social, class, gender, and geographic lines;

Whereas older adults who are abused are 3 times more likely to die earlier than older adults of the same age who are not abused;

Whereas, although all 50 States have laws against elder abuse, incidents of elder abuse have increased by 150 percent over the last 10 years;

Whereas public awareness has the potential to increase the identification and reporting of elder abuse by the public, professionals, and victims, and can act as a catalyst to promote issue-based education and long-term prevention; and

Whereas private individuals and public agencies must work together on the federal, state, and local levels to combat increasing occurrences of abuse, neglect, and exploitation crime and violence against vulnerable older adults and vulnerable adults, particularly in light of limited resources for vital protective services: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates June 15, 2013 as "World Elder Abuse Awareness Day";

(2) recognizes judges, lawyers, adult protective services professionals, law enforcement officers, social workers, health care providers, victims' advocates, and other professionals and agencies for their efforts to advance awareness of elder abuse; and

(3) encourages members of the public and professionals who work with older adults to act as catalysts to promote awareness and long-term prevention of elder abuse by reaching out to local adult protective services agencies and by learning to recognize, detect, report, and respond to elder abuse.



## AMENDMENTS SUBMITTED AND PROPOSED

SA 1259. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1260. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1261. Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1262. Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1263. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1264. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1265. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1266. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1267. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1268. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1269. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1270. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1271. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1272. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1273. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1274. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1275. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1276. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1277. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1278. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1279. Mr. REID (for Mr. HOEVEN) submitted an amendment intended to be proposed by Mr. REID to the resolution S. Res. 154, calling for free and fair elections in Iran, and for other purposes.

SA 1280. Mr. REID (for Mr. HOEVEN) submitted an amendment intended to be proposed by Mr. REID to the resolution S. Res. 154, supra.

SA 1281. Mr. REID (for Mr. HOEVEN) proposed an amendment to the resolution S. Res. 154, supra.

SA 1282. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1283. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1284. Mr. SANDERS (for himself, Mr. GRASSLEY, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1285. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1286. Mr. CARDIN (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 1259.** Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1618, between lines 11 and 12, insert the following:

**SEC. 3722. LISTING OF IMMIGRATION VIOLATORS IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.**

(a) **PROVISION OF INFORMATION TO THE NCIC.**—Not later than 180 days after the date of the enactment of this Act and periodically thereafter as updates may require, the Secretary shall provide the National Crime Information Center of the Department of Justice with all the information in the possession of the Secretary regarding—

- (1) any alien against whom a final order of removal has been issued;
- (2) any alien who has entered into a voluntary departure agreement;
- (3) any alien who has overstayed his or her authorized period of stay; and
- (4) any alien whose visa has been revoked.

(b) **INCLUSION OF INFORMATION IN IMMIGRATION VIOLATORS FILE.**—The National Crime Information Center shall enter the information provided pursuant to subsection (a) into the Immigration Violators File of the National Crime Information Center database, regardless of whether—

- (1) the alien received notice of a final order of removal;
- (2) the alien has already been removed; or
- (3) sufficient identifying information is available with respect to the alien.

(c) **CONFORMING AMENDMENT.**—

(1) **IN GENERAL.**—Section 534(a) of title 28, United States Code, is amended—

(A) in paragraph (3), by striking “and” at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

“(4) acquire, collect, classify, and preserve records of violations by aliens of the immigration laws of the United States, regardless of whether any such alien has received notice of the violation or whether sufficient identifying information is available with respect to any such alien or whether any such alien has already been removed from the United States; and”.

(2) **EFFECTIVE DATE.**—The Attorney General and the Secretary shall ensure that the amendment made by paragraph (1) is implemented not later than 6 months after the date of the enactment of this Act.

(d) **TECHNOLOGY ACCESS.**—States shall have access to Federal programs or technology directed broadly at identifying inadmissible or deportable aliens.

**SEC. 3723. STATE AND LOCAL LAW ENFORCEMENT PROVISION OF INFORMATION ABOUT APPREHENDED ALIENS.**

(a) **PROVISION OF INFORMATION.**—As a condition of receiving compensation for the incarceration of undocumented criminal aliens pursuant to section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)), grants under the “Cops on the Beat” program authorized under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.), or other law enforcement grants from the Department or the Department of Justice, each State, and each political subdivision of a State, shall, in a timely manner, provide the Secretary with the information specified in subsection (b) with respect to each alien apprehended in the jurisdiction of the State, or in the political subdivision of the State, who is believed to be inadmissible or deportable.

(b) **INFORMATION REQUIRED.**—The information required under this subsection is—

- (1) the alien’s name;
- (2) the alien’s address or place of residence;
- (3) a physical description of the alien;
- (4) the date, time, and location of the encounter with the alien and the reason for stopping, detaining, apprehending, or arresting the alien;
- (5) the alien’s driver’s license number, if applicable, and the State of issuance of such license;
- (6) the type of any other identification document issued to the alien, if applicable, any designation number contained on the identification document, and the issuing entity for the identification document;
- (7) the license plate number, make, and model of any automobile registered to, or driven by, the alien, if applicable;
- (8) a photo of the alien, if available or readily obtainable; and
- (9) the alien’s fingerprints, if available or readily obtainable.

(c) **ANNUAL REPORT ON REPORTING.**—The Secretary shall maintain, and annually submit to the Congress, a detailed report listing the States, or the political subdivisions of States, that have provided information under subsection (a) in the preceding year.

(d) **REIMBURSEMENT.**—The Secretary shall reimburse States, and political subdivisions of a State, for all reasonable costs, as determined by the Secretary, incurred by the State, or the political subdivision of a State, as a result of providing information under subsection (a).

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to require law enforcement officials of a State, or of a political subdivision of a State, to provide the

Secretary with information related to a victim of a crime or witness to a criminal offense.

(g) **EFFECTIVE DATE.**—This section shall take effect on the date that is 120 days after the date of the enactment of this Act and shall apply with respect to aliens apprehended on or after such date.

**SEC. 3724. STATE VIOLATIONS OF ENFORCEMENT OF IMMIGRATION LAWS.**

(a) **IN GENERAL.**—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended—

(1) by striking “Immigration and Naturalization Service” each place it appears and inserting “Department of Homeland Security”;

(2) in subsection (a), by striking “may” and inserting “shall”;

(3) in subsection (b)—

(A) by striking “no person or agency may” and inserting “a person or agency shall not”;

(B) by striking “doing any of the following with respect to information” and inserting “undertaking any of the following law enforcement activities”;

(C) by striking paragraphs (1) through (3) and inserting the following:

“(1) Notifying the Federal Government regarding the presence of inadmissible and deportable aliens who are encountered by law enforcement personnel of a State or political subdivision of a State.

“(2) Complying with requests for information from Federal law enforcement.

“(3) Complying with detainers issued by the Department of Homeland Security.

“(4) Issuing policies in the form of a resolutions, ordinances, administrative actions, general or special orders, or departmental policies that violate Federal law or restrict a State or political subdivision of a State from complying with Federal law or coordinating with Federal law enforcement.”; and

(4) by adding at the end the following:

“(d) **COMPLIANCE.**—

“(1) **IN GENERAL.**—A State, or a political subdivision of a State, that has in effect a statute, policy, or practice that prohibits law enforcement officers of the State, or of a political subdivision of the State, from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers’ routine law enforcement duties shall not be eligible to receive, for a minimum period of 1 year—

“(A) any of the funds that would otherwise be allocated to the State or political subdivision under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or the ‘Cops on the Beat’ program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.); or

“(B) any other law enforcement or Department of Homeland Security grant.

“(2) **ANNUAL DETERMINATION AND REPORT.**—The Secretary shall—

“(A) annually determine which States or political subdivisions of a State are ineligible for certain Federal funding pursuant to paragraph (1); and

“(B) submit a report to Congress by March 1st of each year that lists such States and political subdivisions.

“(3) **OTHER REPORTS.**—The Attorney General shall issue a report concerning the compliance of any particular State or political subdivision at the request of the Committee on the Judiciary of the Senate or the Committee on the Judiciary of the House of Representatives.

“(4) **CERTIFICATION.**—Any jurisdiction that is described in paragraph (1) shall be ineli-

gible to receive Federal financial assistance described in paragraph (1) until after the Attorney General certifies that the jurisdiction no longer prohibits its law enforcement officers from assisting or cooperating with Federal immigration law enforcement.

“(5) **REALLOCATION.**—Any funds that are not allocated to a State or to a political subdivision of a State pursuant to paragraph (1) shall be reallocated to States, or to political subdivisions of States, that comply with such subsection.

“(e) **CONSTRUCTION.**—Nothing in this section shall require law enforcement officials from States, or from political subdivisions of States, to report or arrest victims or witnesses of a criminal offense.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act, except that subsection (d) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), as added by this section, shall take effect beginning on the date that is 1 year after the date of the enactment of this Act.

**SA 1260.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title III, add the following:

**SEC. 3722. STANDARDS FOR SHORT-TERM CUSTODY BY U.S. CUSTOMS AND BORDER PROTECTION.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall, in consultation with the Office for Civil Rights and Civil Liberties of the Department, prescribe regulations establishing standards for short-term custody of aliens by U.S. Customs and Border Protection that provide for basic minimums of care at all facilities of U.S. Customs and Border Protection that hold aliens in custody, including Border Patrol stations, ports of entry, checkpoints, forward operating bases, secondary inspection areas, and short-term custody facilities.

(b) **REQUIREMENTS.**—

(1) **IN GENERAL.**—The regulations prescribed under subsection (a) shall include standards with respect to the following:

(A) Limits on detention space capacity.

(B) The availability of potable water and food.

(C) Access to bathroom facilities and hygiene items.

(D) Sleeping arrangements for detainees held overnight.

(E) Adequate climate control.

(F) Access to language-appropriate forms and materials that include an explanation of the consequences of signing such forms.

(G) Pregnant women and individuals with medical needs.

(H) Reasonable accommodations in accordance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(I) Access to emergency medical care, if necessary.

(J) Access to facilities by nongovernmental organizations.

(K) Transferring detainees to facilities of U.S. Immigrations and Customs Enforcement and of the Office for Refugee Resettlement.

(2) **ADDITIONAL STANDARDS.**—The Secretary may prescribe such additional standards with respect to the short-term custody of aliens as the Secretary considers appropriate.

(c) **INSPECTIONS.**—

(1) **INSPECTIONS BY OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS.**—The Ombudsman for Immigration Related Concerns established by section 104 of the Homeland Security Act of 2002, as added by section 1114, shall—

(A) inspect the facilities described in subsection (a) not less frequently than annually; and

(B) make the results of the inspections available to the public without the need to submit a request under section 552 of title 5, United States Code.

(2) **INSPECTIONS BY BORDER OVERSIGHT TASK FORCE.**—Each facility described in subsection (a) shall be available for inspection by members of the Department of Homeland Security Border Oversight Task Force established by section 1113.

(d) **CERTIFICATION.**—Not later than 18 months after the issuance of the regulations required by subsection (a), the Secretary shall certify to Congress that the regulations have been fully implemented.

**SA 1261.** Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . . . RECOGNITION OF STATE COURT DETERMINATIONS OF NAME AND BIRTH DATE.**

Section 320 (8 U.S.C. 1431) is amended by adding at the end the following:

“(c) A Certificate of Citizenship or other Federal document issued or requested to be amended under this section shall reflect the child’s name and date of birth as indicated on a birth certificate, certificate of birth facts, certificate of birth abroad, or similar State vital records document issued by the child’s State of residence in the United States after the child has been adopted or re-adopted in that State.”.

**SA 1262.** Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1231, between lines 12 and 13, insert the following:

(g) **EMERGENCY ENTRY FOR ADOPTEES AND MINOR RELATIVES.**—Section 212(d)(5) (8 U.S.C. 1182(d)(5)) is amended—

(1) by striking “(5)(A) The Attorney General may” and inserting the following:

“(5) **PAROLE.**—

“(A) **IN GENERAL.**—The Director of U.S. Citizenship and Immigration Services (referred to in this paragraph as the ‘Director’);

(2) by striking “Attorney General” each place such term appears and inserting “Director”;

(3) in subparagraph (A)—

(A) by striking “in his discretion” and inserting “in the discretion of the Director, may”;

(B) by striking “he may” and inserting “the Director may”;

(C) by striking “he was” and inserting “the alien was”;

(D) by striking “his case” and inserting “the alien’s case”;

(4) by striking “(B)” and inserting the following:

“(C) LIMITATION.—”; and

(5) by inserting after subparagraph (A) the following:

“(B) SPECIAL USE OF PAROLE AUTHORITY.—

“(i) IN GENERAL.—Notwithstanding any other provision of this Act, the Director, in the discretion of the Director, may grant parole into the United States to a child who is unparented or otherwise in an emergent situation in the child’s country of origin or habitual residence if the Director determines that—

“(I) the party or parties seeking parole on behalf of the child have a preexisting relationship with the child, such as a pending adoption case or a familial relationship;

“(II) the child is not subject to any ongoing investigation or legal dispute as to custody in the child’s country of origin or habitual residence;

“(III) there is no explicit objection by the government of the child’s country of origin or habitual residence to the United States granting parole to the child;

“(IV) the child will receive proper care in the United States by the party or parties who seek parole on behalf of the child, based on a review of the suitability of the party or parties, which may include background checks or a home study conducted by a licensed child placing agency;

“(V) the parties seeking parole on behalf of the child will make every effort to follow the laws of the United States and of the child’s country of origin or habitual residence in resolving any outstanding issues of custody based on the best interests of the child; and

“(VI) the parties seeking parole on behalf of the child intend—

“(aa) to reunite the child with the child’s parents or guardians at the first possible opportunity; or

“(bb) to seek to adopt the child permanently and legally.

“(ii) TOLLING OF 2-YEAR PERIODS.—If a child is granted parole under this subparagraph—

“(I) the 2-year period for legal custody of the child with respect to filing an immediate relative petition on behalf of the child shall begin to toll on the date on which the party or parties seeking parole on behalf of the child document a grant of custody in the child’s country of origin or habitual residence or in the United States;

“(II) the 2-year period for physical custody of the child, with respect to filing an immediate relative petition on behalf of the child, shall begin to toll on the date on which the child shares a residence with the party or parties seeking parole in the child’s country of origin or habitual residence or in the United States; and

“(III) the requirement for approval of an immediate relative petition that the 2 years of joint residence and legal custody be spent outside the United States in cases involving Hague Adoption Convention partner countries under section 204.2(d)(2)(vii)(E) of title 8, Code of Federal Regulations, shall not apply.”.

**SA 1263.** Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 954, beginning on line 3, strike “and” and all that follows through “(III)” on line 4, and insert the following:

“(III) an affidavit from aliens who are 18 years of age or older stating that the alien—

“(aa) unlawfully entered the United States on or before December 31, 2012; or

“(bb) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(IV)

On page 1044, line 23, strike the period at the end and insert the following: “, including an affidavit from aliens who are 18 years of age or older stating that the alien—

(i) unlawfully entered the United States on or before December 31, 2012; or

(ii) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of this Act.

On page 1476, beginning on line 9, strike “and” and all that follows through “(E)” on line 10, and insert the following:

“(E) is 18 years of age or older and submits an affidavit to the Secretary of Homeland Security or the Attorney General stating that the alien—

“(i) unlawfully entered the United States on or before December 31, 2012; or

“(ii) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(F)

**SA 1264.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1920, after line 13, add the following:

#### TITLE V—PRIVATE PRISONS

##### SECTION 5001. SHORT TITLE.

This title may be cited as the “Private Prison Information Act of 2013”.

##### SEC. 5002. FREEDOM OF INFORMATION ACT APPLICABLE FOR CONTRACT PRISONS.

(a) IN GENERAL.—Each applicable entity shall be subject to section 552 of title 5, United States Code (popularly known as the Freedom of Information Act), in the same manner as a Federal agency operating a Federal prison or other Federal correctional facility would be subject to such section of title 5, including—

(1) the duty to release information about the operation of the non-Federal prison or correctional facility; and

(2) the applicability of the exceptions and exemptions available under such section.

(b) REGULATIONS.—A Federal agency that contracts with, or provides funds to, an applicable entity to incarcerate or detain Federal prisoners in a non-Federal prison or correctional facility shall promulgate regulations or guidance to ensure compliance by the applicable entity with subsection (a).

(c) NO FEDERAL FUNDS FOR COMPLIANCE.—No Federal funds may be used to assist applicable entities with compliance with this section or section 552 of title 5, United States Code.

(d) CIVIL ACTION.—Any party aggrieved by a violation of section 552 of title 5, United States Code, by an applicable entity, as such section is applicable to such an entity in accordance with subsection (a), may, in a civil action, obtain appropriate relief against the applicable entity for the violation.

(e) DEFINITIONS.—In this section:

(1) NON-FEDERAL PRISON OR CORRECTIONAL FACILITY.—

(A) IN GENERAL.—The term “non-Federal prison or correctional facility” includes any non-Federal facility described in subparagraph (B) that incarcerates or detains Federal prisoners pursuant to a contract or intergovernmental service agreement with—

(i) the Federal Bureau of Prisons;

(ii) Immigration and Customs Enforcement; or

(iii) any other Federal agency.

(B) NON-FEDERAL FACILITIES.—A non-Federal facility is—

(i) a privately owned prison or other privately owned correctional facility; or

(ii) a State or local prison, jail, or other correctional facility.

(2) ENTITY.—The term “applicable entity” means—

(A) a nongovernmental entity contracting with, or receiving funds from, the Federal Government to incarcerate or detain Federal prisoners in a non-Federal prison or correctional facility; or

(B) a State or local governmental entity with an intergovernmental service agreement with the Federal Government to incarcerate or detain Federal prisoners in a non-Federal prison or correctional facility.

**SA 1265.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title III, insert the following:

##### SEC. 3722. PREEMPTION OF STATE AND LOCAL LAW.

(a) IN GENERAL.—

(1) PREEMPTION OF STATE AND LOCAL LAW.—Title I is (8 U.S.C. 1101 et seq.) is amended by adding at the end the following:

##### “SEC. 107. PREEMPTION OF STATE AND LOCAL LAW.

“(a) Except as explicitly authorized or required by Federal law, the provisions of this Act preempt any State or local law or policy that—

“(1) imposes a civil or criminal sanction, impairment, or liability on the basis of either immigration status or violation of a provision of this Act or the Border Security, Economic Opportunity, and Immigration Modernization Act; or

“(2) requires the disclosure of immigration status as a condition of receiving any dwelling, good, program, or service.

“(b) CONSTRUCTION.—Nothing in this section may be construed to restrict the authority of a State or locality to cooperate in the enforcement of Federal immigration law, to the extent that such cooperation is explicitly authorized by this Act or the he Border Security, Economic Opportunity, and Immigration Modernization Act.”.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section is amended by inserting after the item relating to section 106 the following:

“Sec. 107. Preemption of State and local law.”.

(b) INFORMATION SHARING BETWEEN STATE AND LOCAL GOVERNMENT AGENCIES AND THE DEPARTMENT OF HOMELAND SECURITY.—

(1) IN GENERAL.—Section 434 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1644) is amended to read as follows:

**"SEC. 434. INFORMATION SHARING BETWEEN STATE AND LOCAL GOVERNMENT AGENCIES AND THE DEPARTMENT OF HOMELAND SECURITY.**

"(a) IN GENERAL.—Notwithstanding any other provision of Federal, State, or local law, no Federal, State, or local government entity or official may prohibit, or in any way restrict, any government entity or official from sending the Secretary of Homeland Security information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

"(b) ADDITIONAL AUTHORITY OF GOVERNMENT ENTITIES.—Notwithstanding any other provision of Federal, State, or local law, no person or agency may prohibit, or in any way restrict, any government entity or official from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual:

"(1) Requesting such information from the Department of Homeland Security.

"(2) Maintaining such information.

"(3) Exchanging such information with any other Federal government entity.

"(c) OBLIGATION TO RESPOND TO REQUESTS.—The Secretary of Homeland Security shall respond to a request by a Federal, State, or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency by providing the requested verification or status information only when the request is made for a purpose explicitly authorized or required by Federal law.

"(d) DATA SHARING.—For purposes of enforcing the anti-discrimination provision of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the anti-discrimination provisions in section 809 of the Omnibus Crime Control Act and Safe Streets Act of 1968 (42 U.S.C. 3789d), the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997 et seq.), and other Federal civil rights laws, the Attorney General shall have access to all data collected and maintained pursuant to any request for verification under this section. No State or local government entity shall publicly disclose any such data unless explicitly authorized or required by Federal law. The Secretary and Attorney General will enter into an agreement setting forth the process for data sharing consistent with the purpose of this subsection."

"(c) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 2 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2105) by striking the item relating to section 434 and inserting the following:

"Sec. 434. Information sharing between State and local government agencies and the Department of Homeland Security."

**SA 1266.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 968, strike lines 9 through 21 and insert the following:

"(ii) ADDITIONAL SECURITY SCREENING.—The Secretary of Homeland Security, in consultation with the Secretary of State, may conduct additional national security and law enforcement background checks upon an intelligence based determination by the Secretary of Homeland Security that the alien represents an enhanced threat to national security.

**SA 1267.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3305 and insert the following:

**SEC. 3305. PROFILING.**

(a) PROHIBITION.—In making routine or spontaneous law enforcement decisions, such as ordinary traffic stops, Federal law enforcement officers may not use race, ethnicity, religion, or national origin to any degree, except that officers may rely on race, ethnicity, religion, or national origin if a specific suspect description exists.

(b) EXCEPTION.—In conducting activities in connection with a specific investigation, Federal law enforcement officers may consider race, ethnicity, religion, or national origin only to the extent that there is trustworthy information, relevant to the locality or time frame, that links persons of a particular race, ethnicity, religion, or national origin to an identified criminal incident or scheme. This standard applies even where the use of race, ethnicity, religion, or national origin might otherwise be lawful.

(c) INTENT.—This section is not intended to and should not impede the ability of Federal, State, and local law enforcement officers to protect the United States and the people of the United States from any threat, be it foreign or domestic.

(d) DEFINED TERM.—In this section, the term "Federal law enforcement officer" means any officer, agent, or employee of the United States authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of Federal law.

(e) STUDY AND REGULATIONS.—

(1) DATA COLLECTION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall begin collecting data regarding the individualized immigration enforcement activities of covered Department of Homeland Security officers.

(2) STUDY.—Not later than 180 days after data collection under paragraph (1) commences, the Secretary shall complete a study analyzing the data.

(3) REGULATIONS.—Not later than 90 days after the date the study required by paragraph (2) is completed, the Secretary, in consultation with the Attorney General, shall issue regulations regarding the use of race, ethnicity, and any other suspect classifications the Secretary deems appropriate by covered Department of Homeland Security officers.

(4) REPORTS.—Not later than 30 days after completion of the study required by paragraph (2), the Secretary shall submit the study to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on the Judiciary of the Senate; and

(F) the Committee on the Judiciary of the House of Representatives.

(5) DEFINED TERM.—In this subsection, the term "covered Department of Homeland Security officer" means any officer, agent, or employee of United States Customs and Border Protection, United States Immigration

and Customs Enforcement, or the Transportation Security Administration.

**SA 1268.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

**SEC. 1122. MAXIMUM ALLOWABLE COSTS OF SALARIES OF CONTRACTOR EMPLOYEES.**

Section 4304(a)(16) of title 41, United States Code, is amended by inserting before the period at the end the following: "except that in the case of contracts with the Department of Homeland Security or the National Guard while operating in Federal status that relate to border security, the limit on the costs of compensation of all executives and employees of contractors is the annual amount payable under the aggregate limitation on pay as established by the Office of Management and Budget (currently \$230,700)".

**SA 1269.** Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 897, strike lines 7 through 13 and insert the following:

(a) IN GENERAL.—In addition to positions authorized before the date of the enactment of this Act and any existing officer vacancies within U.S. Customs and Border Protection on such date, the Secretary shall, subject to the availability of appropriations for such purpose, hire, train, and assign to duty, by not later than September 30, 2018, 4,000 full-time U.S. Customs and Border Protection officers to serve on all inspection lanes (primary, secondary, incoming, and outgoing) and enforcement teams at United States land ports of entry on the Southern border.

(b) WAIVER OF PERSONNEL LIMITATION.—The Secretary may waive any limitation on the number of full-time equivalent personnel assigned to the Department in order to fulfill the requirements under subsection (a).

**SA 1270.** Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 856, line 5, strike "Act," and insert "Act and a notice that the mandatory exit data system required by section 3303(a)(2) is established as required by such section,".

On page 857, strike lines 15 through 19 and insert the following:

(iv) the Secretary has implemented the biometric air and sea entry and exit data system in accordance with the applicable requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b).

Beginning on page 1455, strike line 20 and all that follows through page 1456, line 8.

**SA 1271.** Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 856, line 5, strike "Act," and insert "Act and a notice that employers in the

United States with more than 500 employees are required to participate in the Employment Verification System under section 274A(d)(2)(E) of the Immigration and Nationality Act, as amended by section 3101.”

**SA 1272.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1861, beginning on line 24, strike “each of the most recent 2 years.” and insert “at least 2 of the most recent 3 years.”

**SA 1273.** Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. VISA OVERSTAY NOTIFICATION PILOT PROGRAM.**

(a) **ESTABLISHMENT OF PILOT PROGRAM.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a pilot program to explore the feasibility and effectiveness of notifying individuals who have traveled to the United States from a foreign nation that the terms of their admission to the United States are about to expire, including individuals that entered with a visa or through the visa waiver program.

(b) **REQUIREMENTS.**—In establishing the pilot program required under subsection (a), the Secretary shall—

(1) provide for the collection of contact information, including telephone numbers and email addresses, as appropriate, of individuals traveling to the United States from a foreign nation; and

(2) randomly select a pool of participants in order to form a statistically significant sample of people who travel to the United States each year to receive notification by telephone, email, or other electronic means that the terms of their admission to the United States is about to expire.

(c) **REPORT.**—Not later than 1 year after the date on which the Secretary establishes the pilot program under subsection (a), the Secretary shall submit to Congress a report on whether the telephone or email notifications have a statistically significant effect on reducing the rates of visa overstays in the United States.

**SA 1274.** Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. PREVENTING UNAUTHORIZED IMMIGRATION TRANSITING THROUGH MEXICO.**

(a) **IN GENERAL.**—The Secretary of State, in conjunction with the Secretary of Homeland Security, shall develop a strategy to address the unauthorized immigration of individuals who transit through Mexico.

(b) **REQUIREMENTS.**—The strategy developed under subsection (a) shall include—

(1) specific steps the Federal Government will take to enhance the training, resources, and professionalism of border and law en-

forcement officials in Mexico, Honduras, El Salvador, Guatemala, and other countries, as appropriate; and

(2) specific steps the Federal Government will take to educate nationals of the countries described in paragraph (1) about the perils of the journey to the United States, including how this Act will increase the likelihood of apprehension, increase criminal penalties associated with illegal entry, and make finding employment in the United States more difficult.

(c) **IMPLEMENTATION OF STRATEGY.**—In carrying out the strategy developed under subsection (a)—

(1) the Secretary of Homeland Security, in coordination with the Secretary of State, shall produce an educational campaign and disseminate educational materials about the perils of the journey across Mexico, the likelihood of apprehension, and the difficulty of finding employment in the United States; and

(2) the Secretary of State, in conjunction with the Secretary of Homeland Security, shall—

(A) provide training to border and law enforcement officials to enable these officials to operate more effectively, by using, to the greatest extent practicable, Department of Homeland Security personnel to conduct the training; and

(B) provide technical assistance and equipment to border officials, including computers, document readers, and other forms of technology that may be needed.

(d) **REPORT TO CONGRESS.**—The Secretary of State, in conjunction with the Secretary of Homeland Security, shall—

(1) submit to Congress the strategy developed under subsection (a); and

(2) provide a briefing to the appropriate Congressional committees on the strategy.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—The Secretary of Homeland Security may use such sums as are necessary from the Comprehensive Immigration Trust Fund established under section 6(a)(1) to carry out this section.

**SA 1275.** Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1106 and insert the following:

**SEC. 1106. ACHIEVING PERSISTENT SURVEILLANCE.**

(a) **ANALYSIS OF OPERATIONAL REQUIREMENTS.**—

(1) **IN GENERAL.**—As part of the Comprehensive Southern Border Security Strategy under section 5, and in order to achieve the goal of persistent surveillance, the Commissioner of U.S. Customs and Border Protection shall undertake a sector by sector analysis of the border to determine what specific technologies are most effective in identifying illegal cross-border traffic for each particular Border Patrol sector and station along the border.

(2) **REQUIREMENTS.**—The analysis conducted under paragraph (1) shall—

(A) include a comparison of the costs and benefits for each type of technology;

(B) estimate total life cycle costs for each type of technology; and

(C) identify specific performance metrics for assessing the performance of the technologies.

(b) **ENHANCEMENTS.**—In order to achieve surveillance over the southwest border 24

hours per day for 7 days per week and using the analysis conducted under subsection (a), the Commissioner of U.S. Customs and Border Protection shall—

(1) deploy additional mobile, video, and man-portable surveillance systems;

(2) ensure, to the extent practicable, that all aerial assets, including assets owned before the date of enactment of this Act, are outfitted with advanced sensors that can be used to detect cross-border activity and deploy agents, including infrared cameras, radars, or other technologies as appropriate;

(3) deploy tethered aerostat systems, including systems to detect low flying aircraft across the entire border, as well as systems to detect the movement of people and vehicles;

(4) operate unarmed unmanned aerial vehicles equipped with advanced sensors in every Border Patrol sector to ensure 24 hours per day coverage for 7 days a week, unless—

(A) severe or prevailing weather precludes operations in a given sector;

(B) the Secretary determines that national security requires unmanned aerial vehicles to be deployed elsewhere; or

(C) the governor of a State requests that the Secretary deploy unmanned aerial vehicles to assist with disaster recovery efforts or other law enforcement activities; and

(5) deploy unarmed additional fixed-wing aircraft and helicopters.

(c) **LIMITATION.**—

(1) **IN GENERAL.**—Notwithstanding subsection (b), Border Patrol may not operate unarmed, unmanned aerial vehicles in the San Diego and El Centro Sectors, except within 3 miles of the Southern border.

(2) **EXCEPTION.**—The limitation under this subsection shall not restrict the maritime operations of U.S. Customs and Border Protection.

(d) **FLEET CONSOLIDATION.**—In acquiring technological assets under subsection (b), the Commissioner of U.S. Customs and Border Protection shall, to the greatest extent practicable, implement a plan for streamlining the fleet of aircraft, helicopters, aerostats, and unmanned aerial vehicles of U.S. Customs and Border Protection to generate savings in maintenance costs and training costs for pilots and other personnel needed to operate the assets.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts otherwise authorized to be appropriated, there is authorized to be appropriated to U.S. Customs and Border Protection such sums as may be necessary to carry out subsection (a) during fiscal years 2014 through 2018.

**SA 1276.** Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 898, after line 22, insert the following:

(e) **TECHNOLOGY AND EQUIPMENT.**—

(1) **IN GENERAL.**—To help facilitate cross border traffic and provide increased situational awareness of inbound and outbound trade and travel, the Commissioner of U.S. Customs and Border Protection shall deploy a variety of fixed and mobile technologies, in addition to the technologies in use as of the date of enactment of this Act, at ports of entry, including—

(A) hand-held biometric and document readers;

(B) license plate readers;

(C) radio frequency identification documents and readers;

(D) interoperable communication devices;  
(E) nonintrusive scanning equipment; and  
(F) document scanning kiosks.

(2) REQUIREMENTS.—In carrying out paragraph (1), the Commissioner of U.S. Customs and Border Protection shall—

(A) consult with officers and agents in the field;

(B) use, to the maximum extent practicable, commercial off the shelf technology; and

(C) prioritize the deployment of such technology based on the needs of each port of entry.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall submit to the appropriate Congressional committees a report on the deployment of technology under paragraph (1), including expenditures made and any measurable gains in increased security and trade and travel efficiency for each technology.

(f) AUTHORIZATION OF APPROPRIATIONS.—The Secretary, acting through the Commissioner of U.S. Customs and Border Protection, may use such sums as are necessary from the Comprehensive Immigration Trust Fund established under section 6(a)(1) to carry out this section.

**SA 1277.** Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 857, lines 1 and 2, strike “is substantially deployed and substantially operational” and insert “is 100 percent deployed and 100 percent operational”.

**SA 1278.** Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_\_. WHISTLEBLOWER PROTECTIONS.

(a) IN GENERAL.—Section 214(c) (8 U.S.C. 1184(c)) is amended by adding at the end the following:

“(15) WHISTLEBLOWER PROTECTIONS.—

“(A) PROHIBITIONS.—A person may not discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because such employee—

“(i) has filed or is about to file a complaint, instituted or caused to be instituted any proceeding, testified, assisted, or will testify, or cooperated or seeks to cooperate, in an investigation or other proceeding concerning compliance with the requirements under this title or any rule or regulation pertaining to this title or any covered claim;

“(ii) has disclosed or is about to disclose information to the person or to any other person or entity, that the employee reasonably believes evidences a violation of this title or any rule or regulation pertaining to this title, or grounds for any covered claim;

“(iii) has assisted or participated, or is about to assist or participate, in any manner in a proceeding or in any other action to carry out the purposes of this title or any covered claim;

“(iv) furnished, or is about to furnish, information to the Department of Labor, the

Department of Homeland Security, the Department of Justice, or any Federal, State, or local regulatory or law enforcement agency relating to a violation of this title or any covered claim; or

“(v) objected to, or refused to participate in, any activity, policy, practice, or assigned task that the employee (or other such person) reasonably believed to be in violation of any provision of this Act or any other Act, or any order, rule, regulation, standard, or ban under any Act.

“(B) ENFORCEMENT.—

“(i) IN GENERAL.—An employee who believes that he or she has suffered a violation of subparagraph (A) may seek relief in accordance with the procedures, notifications, burdens of proof, remedies, and statutes of limitation set forth in section 1514A of title 18, United States Code.

“(ii) APPEAL.—

“(I) JURISDICTION.—Any person adversely affected or aggrieved by an order issued under clause (i) may obtain review of the order in the United States Court of Appeals for—

“(aa) the circuit in which the violation, with respect to which the order was issued, allegedly occurred; or

“(bb) the circuit in which the complainant resided on the date of such violation.

“(II) FILING DEADLINE.—A petition for review under this subparagraph shall be filed not later than 60 days after the date on which the final order was issued by the Secretary of Labor.

“(III) APPLICABLE LAW.—A review under this subparagraph shall conform to the provisions set forth in chapter 7 of title 5, United States Code.

“(IV) STAY OF ORDER.—Unless ordered by the court, the commencement of proceedings under this subparagraph shall not operate as a stay of the order by the Secretary of Labor.

“(C) EDUCATION.—Each person, entity, and institution covered by this Act shall—

“(i) prominently communicate to all sectors and ranks of its labor force the rights and responsibilities under this Act; and

“(ii) provide associated education and training to all sectors and ranks of its labor force through notifications, postings, mailings, and training classes, supplemented with publicly accessible online materials on the requirements of, and developments that would affect the implementation of this Act.

“(D) NO LIMITATION ON RIGHTS.—Nothing in this paragraph may be construed to diminish the rights, privileges, or remedies of any employee under any Federal or State law, equity, or under any collective bargaining agreement. The rights and remedies set forth in this paragraph may not be waived by any agreement, policy, form, or condition of employment.

“(E) DEFINITIONS.—In this paragraph:

“(i) COVERED CLAIM.—The term ‘covered claim’ means any claim, petition, charge, complaint, or grievance filed with, or submitted to, a Federal, State, or local agency or court, relating to the violation of applicable Federal or State labor or employment laws.

“(ii) DISCLOSE.—The term ‘disclose’ means to make a formal or informal communication or transmission.

“(iii) EMPLOYEE.—The term ‘employee’ means—

“(I) a current or former nonimmigrant alien admitted pursuant to section 101(a)(15)(H)(ii)(B); or

“(II) persons performing or formerly performing substantially the same work as such nonimmigrants in a related workplace.”.

(b) RULEMAKING.—Not later than 180 days after the date of the enactment of this Act, and after an opportunity for notice and comment, the Secretary of Labor shall promulgate regulations to carry out the amendment made by subsection (a).

**SA 1279.** Mr. REID (for Mr. HOEVEN) submitted an amendment intended to be proposed by Mr. REID to the resolution S. Res. 154, calling for free and fair elections in Iran, and for other purposes; as follows:

Strike all after the resolving clause and insert the following: “That the Senate—

(1) recalls Senate Resolution 386, 112th Congress, agreed to March 5, 2012, which called for free and fair elections in Iran;

(2) reaffirms the commitment of the United States to democracy, human rights, civil liberties, and the rule of law, including the universal rights of freedom of assembly, freedom of speech, freedom of the press, and freedom of association;

(3) expresses support for freedom, human rights, civil liberties, and rule of law in Iran, and for elections that are free and fair;

(4) expresses strong support for the people of Iran in their peaceful calls for a representative and responsive democratic government that respects human rights, civil liberties, and the rule of law;

(5) condemns the widespread human rights violations of the Government of the Islamic Republic of Iran;

(6) calls on the Government of the Islamic Republic of Iran to respect freedom of expression and association in Iran by—

(A) holding elections that are free, fair, and responsive to the people of Iran, including by refraining from disqualifying candidates for political reasons;

(B) ending arbitrary detention, torture, and other forms of harassment against media professionals, human rights defenders and activists, and opposition figures, and releasing all individuals detained for exercising freedom of the press, assembly, association, and expression;

(C) lifting legislative restrictions on freedom of the press, assembly, association, and expression; and

(D) allowing the Internet to remain free and open and allowing domestic and international media to operate freely;

(7) calls on the Government of the Islamic Republic of Iran to allow international election monitors to be present for the June 14, 2013, election; and

(8) urges the President of the United States, the Secretary of State, and other world leaders—

(A) to express support for the rights and freedoms of the people of Iran, including to democratic self-government;

(B) to engage with the people of Iran and support their efforts to promote human rights and democratic reform, including supporting civil society organizations that promote democracy and governance;

(C) to support policies and programs that preserve free and open access to the Internet in Iran; and

(D) to condemn elections that are not free and fair and that do not meet international standards.

**SA 1280.** Mr. REID (for Mr. HOEVEN) submitted an amendment intended to be proposed by Mr. REID to the resolution S. Res. 154, calling for free and fair elections in Iran, and for other purposes; as follows:



Strike the preamble and insert the following:

Whereas democracy, human rights, and civil liberties are universal values and fundamental principles of the foreign policy of the United States;

Whereas an essential element of democratic self-government is for leaders to be chosen and regularly held accountable through elections that are organized and conducted in a manner that is free, fair, inclusive, and consistent with international standards;

Whereas governments in which power does not derive from free and fair elections lack democratic legitimacy;

Whereas elections in Iran are marred by the disqualification of candidates based on their political views, the absence of credible international observers, widespread intimidation and repression of candidates, political parties, and citizens, and systemic electoral fraud and manipulation;

Whereas elections in Iran consistently involve severe restrictions on freedom of expression, assembly, and association, including censorship, surveillance, disruptions in telecommunications, and the absence of a free media;

Whereas the current president of Iran came to office through an election on June 12, 2009, that was widely condemned in Iran and throughout the world as neither free nor fair and provoked large-scale peaceful protests throughout Iran;

Whereas authorities in Iran continue to hold several candidates from the 2009 election under house arrest;

Whereas the Government of the Islamic Republic of Iran banned more than 2,200 candidates from participating in the March 2, 2012, parliamentary elections and refused to allow domestic or international election observers to oversee those elections;

Whereas the Government of the Islamic Republic of Iran seeks to prevent the people of Iran from accessing news and information by disrupting access to the Internet, including blocking e-mail and social networking sites, limiting access to foreign news and websites, and developing a national Internet that will facilitate government censorship of news and information, and by jamming international broadcasts such as the Voice of America Persian News Network and Radio Farda, a Persian language broadcast of Radio Free Europe/Radio Liberty;

Whereas authorities in Iran have announced that a presidential election will be held on June 14, 2013; and

Whereas the Guardian Council and the Supreme Leader of Iran have blocked numerous candidates from participating in the June 14, 2013, presidential election: Now, therefore be it

**SA 1281.** Mr. REID (for Mr. HOEVEN) proposed an amendment to the resolution S. Res. 154, calling for free and fair elections in Iran, and for other purposes; as follows:

Amend the title so as to read: "Calling for free and fair elections in Iran, and for other purposes."

**SA 1282.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 979, strike line 23 and all that follows through page 980, line 5 and insert the following:

"(3) INELIGIBILITY FOR PUBLIC BENEFITS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), an alien who has been granted registered provisional immigrant status under this section is not eligible for any Federal means-tested public benefit (as such term is defined and implemented in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613)).

"(B) EXCEPTION.—Any noncitizen who, after 6 years in registered provisional immigrant status, satisfies the terms and conditions for renewing such status and who, after having been lawfully present in the United States for at least 10 years, satisfies the terms and conditions for adjusting to lawful permanent residence, and who obtains lawful permanent resident status, shall be deemed to be a qualified alien and to have satisfied the 5-year waiting period for purposes of section 402(a)(2)(L) and 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(L) and 1613)."

"(C) APPLICATION.—This paragraph shall not apply until after the Secretary of State certifies that immigrant visas have become available for all approved petitions for immigrant visas that were filed under sections 201 and 203 before the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

On page 1060, strike lines 11 through 16, and insert the following:

(3) INELIGIBILITY FOR PUBLIC BENEFITS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an alien who has been granted blue card status is not eligible for any Federal means-tested public benefit (as such term is defined and implemented in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613)).

(B) EXCEPTION.—Any noncitizen who has maintained blue card status for at least 5 years, who satisfies the conditions for adjusting to lawful permanent residence, and who obtains lawful permanent resident status, shall be deemed to be a qualified alien and to have satisfied the 5-year waiting period for purposes of section 402(a)(2)(L) and 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(L) and 1613).

**SA 1283.** Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1920, after line 13, add the following:

#### TITLE V—JOBS FOR YOUTH

##### SEC. 5101. DEFINITIONS.

In this title:

(1) CHIEF ELECTED OFFICIAL.—The term "chief elected official" means the chief elected executive officer of a unit of local government in a local workforce investment area or in the case in which such an area includes more than one unit of general government, the individuals designated under an agreement described in section 117(c)(1)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2832(c)(1)(B)).

(2) LOCAL WORKFORCE INVESTMENT AREA.—The term "local workforce investment area" means such area designated under section 116 of the Workforce Investment Act of 1998 (29 U.S.C. 2831).

(3) LOCAL WORKFORCE INVESTMENT BOARD.—The term "local workforce investment

board" means such board established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832).

(4) LOW-INCOME YOUTH.—The term "low-income youth" means an individual who—

(A) is not younger than 16 but is younger than 25;

(B) meets the definition of a low-income individual provided in section 101(25) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(25)), except that States and local workforce investment areas, subject to approval in the applicable State plans and local plans, may increase the income level specified in subparagraph (B)(i) of such section to an amount not in excess of 200 percent of the poverty line for purposes of determining eligibility for participation in activities under section 5103; and

(C) is in one or more of the categories specified in section 101(13)(C) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(13)(C)).

(5) POVERTY LINE.—The term "poverty line" means a poverty line as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), applicable to a family of the size involved.

(6) STATE.—The term "State" means each of the several States of the United States, and the District of Columbia.

##### SEC. 5102. ESTABLISHMENT OF YOUTH JOBS FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States an account that shall be known as the Youth Jobs Fund (referred to in this title as "the Fund").

(b) DEPOSITS INTO THE FUND.—Out of any amounts in the Treasury not otherwise appropriated, there is appropriated \$1,500,000,000 for fiscal year 2014, which shall be paid to the Fund, to be used by the Secretary of Labor to carry out this title.

(c) AVAILABILITY OF FUNDS.—Of the amounts deposited into the Fund under subsection (b), the Secretary of Labor shall allocate \$1,500,000,000 to provide summer and year-round employment opportunities to low-income youth in accordance with section 5103.

(d) PERIOD OF AVAILABILITY.—The amounts appropriated under this title shall be available for obligation by the Secretary of Labor until December 31, 2014, and shall be available for expenditure by grantees (including subgrantees) until September 30, 2015.

##### SEC. 5103. SUMMER EMPLOYMENT AND YEAR-ROUND EMPLOYMENT OPPORTUNITIES FOR LOW-INCOME YOUTH.

(a) IN GENERAL.—From the funds available under section 5102(c), the Secretary of Labor shall make an allotment under subsection (c) to each State that has a modification to a State plan approved under section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822) (referred to in this section as a "State plan modification") (or other State request for funds specified in guidance under subsection (b)) approved under subsection (d) and recipient under section 166(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2911(c)) (referred to in this section as a "Native American grantee") that meets the requirements of this section, for the purpose of providing summer employment and year-round employment opportunities to low-income youth.

(b) GUIDANCE AND APPLICATION OF REQUIREMENTS.—

(1) GUIDANCE.—Not later than 20 days after the date of enactment of this Act, the Secretary of Labor shall issue guidance regarding the implementation of this section.

(2) PROCEDURES.—Such guidance shall, consistent with this section, include procedures for—



(A) the submission and approval of State plan modifications, for such other forms of requests for funds by the State as may be identified in such guidance, for modifications to local plans approved under section 118 of the Workforce Investment Act of 1998 (29 U.S.C. 2833) (referred to individually in this section as a "local plan modification"), or for such other forms of requests for funds by local workforce investment areas as may be identified in such guidance, that promote the expeditious and effective implementation of the activities authorized under this section; and

(B) the allotment and allocation of funds, including reallocation and reallocation of such funds, that promote such implementation.

(3) REQUIREMENTS.—Except as otherwise provided in the guidance described in paragraph (1) and in this section and other provisions of this title, the funds provided for activities under this section shall be administered in accordance with the provisions of subtitles B and E of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq., 2911 et seq.) relating to youth activities.

(C) STATE ALLOTMENTS.—

(1) IN GENERAL.—Using the funds described in subsection (a), the Secretary of Labor shall allot to each State the total of the amounts assigned to the State under subparagraphs (A) and (B) of paragraph (2).

(2) ASSIGNMENTS TO STATES.—

(A) MINIMUM AMOUNTS.—Using funds described in subsection (a), the Secretary of Labor shall assign to each State an amount equal to  $\frac{1}{2}$  of 1 percent of such funds.

(B) FORMULA AMOUNTS.—The Secretary of Labor shall assign the remainder of the funds described in subsection (a) among the States by assigning—

(i) one-half on the basis of the relative number of young unemployed individuals in areas of substantial youth unemployment in each State, compared to the total number of young unemployed individuals in areas of substantial youth unemployment in all States; and

(ii) one-half on the basis of the relative number of disadvantaged young adults and youth in each State, compared to the total number of disadvantaged young adults and youth in all States.

(3) REALLOTMENT.—If the Governor of a State does not submit a State plan modification or other State request for funds specified in guidance under subsection (b) by the date specified in subsection (d)(2)(A), or a State does not receive approval of such State plan modification or request, the amount the State would have been eligible to receive pursuant to paragraph (2) shall be allocated to States that receive approval of State plan modifications or requests specified in the guidance. Each such State shall receive a share of the total amount available for reallocation under this paragraph, in accordance with the State's share of the total amount allotted under paragraph (2) to such State.

(4) DEFINITIONS.—For purposes of paragraph (2):

(A) AREA OF SUBSTANTIAL YOUTH UNEMPLOYMENT.—The term "area of substantial youth unemployment" means any contiguous area that has a population of at least 10,000, and that has an average rate of unemployment of at least 10 percent, among individuals who are not younger than 16 but are younger than 25, for the most recent 12 months, as determined by the Secretary of Labor.

(B) DISADVANTAGED YOUNG ADULT OR YOUTH.—The term "disadvantaged young adult or youth" means an individual who is

not younger than 16 but is younger than 25 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of—

(i) the poverty line; or

(ii) 70 percent of the lower living standard income level.

(C) YOUNG UNEMPLOYED INDIVIDUAL.—The term "young unemployed individual" means an individual who is not younger than 16 but is younger than 25.

(d) STATE PLAN MODIFICATION.—

(1) IN GENERAL.—For a State to be eligible to receive an allotment of funds under subsection (c), the Governor of the State shall submit to the Secretary of Labor a State plan modification, or other State request for funds specified in guidance under subsection (b), in such form and containing such information as the Secretary may require. At a minimum, such State plan modification or request shall include—

(A) a description of the strategies and activities to be carried out to provide summer employment opportunities and year-round employment opportunities, including linkages to training and educational activities, consistent with subsection (f);

(B) a description of the requirements the State will apply relating to the eligibility of low-income youth, consistent with section 5101(4), for summer employment opportunities and year-round employment opportunities, which requirements may include criteria to target assistance to particular categories of such low-income youth, such as youth with disabilities, consistent with subsection (f);

(C) a description of the performance outcomes to be achieved by the State through the activities carried out under this section and the processes the State will use to track performance, consistent with guidance provided by the Secretary of Labor regarding such outcomes and processes and with section 5104(b);

(D) a description of the timelines for implementation of the strategies and activities described in subparagraph (A), and the number of low-income youth expected to be placed in summer employment opportunities, and year-round employment opportunities, respectively, by quarter;

(E) assurances that the State will report such information, relating to fiscal, performance, and other matters, as the Secretary may require and as the Secretary determines is necessary to effectively monitor the activities carried out under this section;

(F) assurances that the State will ensure compliance with the requirements, restrictions, labor standards, and other provisions described in section 5104(a); and

(G) if a local board and chief elected official in the State will provide employment opportunities with the link to training and educational activities described in subsection (f)(2)(B), a description of how the training and educational activities will lead to the industry-recognized credential involved.

(2) SUBMISSION AND APPROVAL OF STATE PLAN MODIFICATION OR REQUEST.—

(A) SUBMISSION.—The Governor shall submit the State plan modification or other State request for funds specified in guidance under subsection (b) to the Secretary of Labor not later than 30 days after the issuance of such guidance.

(B) APPROVAL.—The Secretary of Labor shall approve the State plan modification or request submitted under subparagraph (A) within 30 days after submission, unless the

Secretary determines that the plan or request is inconsistent with the requirements of this section. If the Secretary has not made a determination within that 30-day period, the plan or request shall be considered to be approved. If the plan or request is disapproved, the Secretary may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Secretary shall allot funds to the State under subsection (c) within 30 days after such approval.

(3) MODIFICATIONS TO STATE PLAN OR REQUEST.—The Governor may submit further modifications to a State plan modification or other State request for funds specified under subsection (b), consistent with the requirements of this section.

(e) WITHIN-STATE ALLOCATION AND ADMINISTRATION.—

(1) IN GENERAL.—Of the funds allotted to the State under subsection (c), the Governor—

(A) may reserve not more than 5 percent of the funds for administration and technical assistance; and

(B) shall allocate the remainder of the funds among local workforce investment areas within the State in accordance with clauses (i) and (ii) of subsection (c)(2)(B), except that for purposes of such allocation references to a State in subsection (c)(2)(B) shall be deemed to be references to a local workforce investment area and references to all States shall be deemed to be references to all local workforce investment areas in the State involved.

(2) LOCAL PLAN.—

(A) SUBMISSION.—In order to receive an allocation under paragraph (1)(B), the local workforce investment board, in partnership with the chief elected official for the local workforce investment area involved, shall submit to the Governor a local plan modification, or such other request for funds by local workforce investment areas as may be specified in guidance under subsection (b), not later than 30 days after the submission by the State of the State plan modification or other State request for funds specified in guidance under subsection (b), describing the strategies and activities to be carried out under this section.

(B) APPROVAL.—The Governor shall approve the local plan modification or other local request for funds submitted under subparagraph (A) within 30 days after submission, unless the Governor determines that the plan or request is inconsistent with requirements of this section. If the Governor has not made a determination within that 30-day period, the plan shall be considered to be approved. If the plan or request is disapproved, the Governor may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Governor shall allocate funds to the local workforce investment area within 30 days after such approval.

(3) REALLOCATION.—If a local workforce investment board and chief elected official do not submit a local plan modification (or other local request for funds specified in guidance under subsection (b)) by the date specified in paragraph (2), or the Governor disapproves a local plan, the amount the local workforce investment area would have been eligible to receive pursuant to the formula under paragraph (1)(B) shall be allocated to local workforce investment areas that receive approval of their local plan modifications or local requests for funds

under paragraph (2). Each such local workforce investment area shall receive a share of the total amount available for reallocation under this paragraph, in accordance with the area's share of the total amount allocated under paragraph (1)(B) to such local workforce investment areas.

(f) USE OF FUNDS.—

(1) IN GENERAL.—The funds made available under this section shall be used—

(A) to provide summer employment opportunities for low-income youth, with direct linkages to academic and occupational learning, and may be used to provide supportive services, such as transportation or child care, that is necessary to enable the participation of such youth in the opportunities; and

(B) to provide year-round employment opportunities, which may be combined with other activities authorized under section 129 of the Workforce Investment Act of 1998 (29 U.S.C. 2854), to low-income youth.

(2) PROGRAM PRIORITIES.—In administering the funds under this section, the local board and chief elected official shall give priority to—

(A) identifying employment opportunities that are—

(i) in emerging or in-demand occupations in the local workforce investment area; or

(ii) in the public or nonprofit sector and meet community needs; and

(B) linking participants in year-round employment opportunities to training and educational activities that will provide such participants an industry-recognized certificate or credential (referred to in this title as an “industry-recognized credential”).

(3) ADMINISTRATION.—Not more than 5 percent of the funds allocated to a local workforce investment area under this section may be used for the costs of administration of this section.

(4) PERFORMANCE ACCOUNTABILITY.—For activities funded under this section, in lieu of meeting the requirements described in section 136 of the Workforce Investment Act of 1998 (29 U.S.C. 2871), States and local workforce investment areas shall provide such reports as the Secretary of Labor may require regarding the performance outcomes described in section 5104(b)(5).

**SEC. 5104. GENERAL REQUIREMENTS.**

(a) LABOR STANDARDS AND PROTECTIONS.—Activities provided with funds made available under this title shall be subject to the requirements and restrictions, including the labor standards, described in section 181 of the Workforce Investment Act of 1998 (29 U.S.C. 2931) and the nondiscrimination provisions of section 188 of such Act (29 U.S.C. 2938), in addition to other applicable Federal laws.

(b) REPORTING.—The Secretary of Labor may require the reporting of information relating to fiscal, performance and other matters that the Secretary determines is necessary to effectively monitor the activities carried out with funds provided under this title. At a minimum, recipients of grants (including recipients of subgrants) under this title shall provide information relating to—

(1) the number of individuals participating in activities with funds provided under this title and the number of such individuals who have completed such participation;

(2) the expenditures of funds provided under this title;

(3) the number of jobs created pursuant to the activities carried out under this title;

(4) the demographic characteristics of individuals participating in activities under this title; and

(5) the performance outcomes for individuals participating in activities under this title, including—

(A) for low-income youth participating in summer employment activities under section 5103, performance on indicators consisting of—

(i) work readiness skill attainment using an employer validated checklist;

(ii) placement in or return to secondary or postsecondary education or training, or entry into unsubsidized employment; and

(B) for low-income youth participating in year-round employment activities under section 5103, performance on indicators consisting of—

(i) placement in or return to postsecondary education;

(ii) attainment of a secondary school diploma or its recognized equivalent;

(iii) attainment of an industry-recognized credential; and

(iv) entry into, retention in, and earnings in, unsubsidized employment.

(c) ACTIVITIES REQUIRED TO BE ADDITIONAL.—Funds provided under this title shall only be used for activities that are in addition to activities that would otherwise be available in the State or local workforce investment area in the absence of such funds.

(d) ADDITIONAL REQUIREMENTS.—The Secretary of Labor may establish such additional requirements as the Secretary determines may be necessary to ensure fiscal integrity, effective monitoring, and the appropriate and prompt implementation of the activities under this title.

(e) REPORT OF INFORMATION AND EVALUATIONS TO CONGRESS AND THE PUBLIC.—The Secretary of Labor shall provide to the appropriate committees of Congress and make available to the public the information reported pursuant to subsection (b).

**SEC. 5105. VISA SURCHARGE.**

(a) COLLECTION.—

(1) IN GENERAL.—Subject to paragraph (2), and in addition to any fees otherwise imposed for such visas, the Secretary shall collect a surcharge of \$10 from an employer that submits an application for—

(A) an employment-based visa under paragraph (3), (4), (5), or (6) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)); and

(B) a nonimmigrant visa under subparagraph (C), (H)(i)(b), (H)(i)(c), (H)(ii)(a), (H)(ii)(B), (O), (P), (R), or (W) of section 101(a)(15) of such Act (8 U.S.C. 1101(a)(15)).

(2) EXPIRATION.—The Secretary shall suspend the collection of the surcharge authorized under paragraph (1) on the date on which the Secretary has collected a cumulative total of \$1,500,000,000 under this subsection.

(b) DEPOSIT.—All of the amounts collected under subsection (a)(1) shall be deposited in the general fund of the Treasury.

**SA 1284.** Mr. SANDERS (for himself, Mr. GRASSLEY, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, between lines 5 and 6, insert the following:

**SEC. 3204. EMPLOY AMERICA.**

(a) SHORT TITLE.—This section may be cited as the “Employ America Act”.

(b) CERTIFICATION REQUIREMENT.—

(1) IN GENERAL.—The Secretary may not approve a petition by an employer for any visa authorizing employment in the United States unless the employer has provided written certification, under penalty of perjury, to the Secretary of Labor that—

(A) the employer has not provided a notice of a mass layoff pursuant to the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.) during the 12-month period immediately preceding the date on which the alien is scheduled to be hired; and

(B) the employer does not intend to provide a notice of a mass layoff pursuant to such Act.

(2) EFFECT OF MASS LAYOFF.—If an employer provides a notice of a mass layoff pursuant to the Worker Adjustment and Retraining Notification Act after the approval of a visa described in paragraph (1), any visas approved during the most recent 12-month period for such employer shall expire on the date that is 60 days after the date on which such notice is provided. The expiration of a visa under this paragraph shall not be subject to judicial review.

(3) NOTICE REQUIREMENT.—Upon receiving notification of a mass layoff from an employer, the Secretary shall inform each employee whose visa is scheduled to expire under paragraph (2)—

(A) the date on which such individual will no longer be authorized to work in the United States; and

(B) the date on which such individual will be required to leave the United States unless the individual is otherwise authorized to remain in the United States.

(4) EXEMPTION.—An employer shall be exempt from the requirements under this subsection if the employer provides written certification, under penalty of perjury, to the Secretary of Labor that the total number of the employer's workers who are United States citizens and are working in the United States have not been, and will not be, reduced as a result of a mass layoff described in paragraph (2).

(c) RULEMAKING.—Not later than 90 days after the date of the enactment of this Act, the Secretary and the Secretary of Labor shall promulgate regulations to carry out this section, including a requirement that employers provide notice to the Secretary of a mass layoff (as defined in section 2 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101)).

**SA 1285.** Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1341, line 2, insert “The Commissioner, in consultation with the Secretary, shall establish alternative procedures for updating or correcting records maintained by the Commissioner for the purposes of verifying the individual's identity and employment eligibility if the individual resides more than 150 highway miles from the nearest office of the Social Security Administration or in a location that is inaccessible by road from the nearest office of the Social Security Administration.” after “eligibility.”.

**SA 1286.** Mr. CARDIN (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**TITLE —RESOURCES FOR HOLOCAUST SURVIVORS**

**Subtitle A—Responding to the Needs of Holocaust Survivors**

**PART I—DEFINITION, GRANTS, AND OTHER PROGRAMS**

**SEC. 01. DEFINITION.**

Section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended—

- (1) in paragraph (24)—
- (A) in subparagraph (B), by striking “and”;
- (B) in subparagraph (C)(ii), by striking the period at the end and inserting “; and”; and
- (C) by adding at the end the following:
 

“(D) status as a Holocaust survivor.”;
- (2) by redesignating paragraphs (26) through (54) as paragraphs (27) through (55); and
- (3) by inserting after paragraph (25) the following:
 

“(26) The term ‘Holocaust survivor’ means an individual who—

“(A)(i) lived in a country between 1933 and 1945 under a Nazi regime, under Nazi occupation, or under the control of Nazi collaborators; or

“(ii) fled from a country between 1933 and 1945 under a Nazi regime, under Nazi occupation, or under the control of Nazi collaborators;

“(B) was persecuted between 1933 and 1945 on the basis of race, religion, physical or mental disability, sexual orientation, political affiliation, ethnicity, or other basis; and

“(C) was a member of a group that was persecuted by the Nazis.”.

**SEC. 02. ORGANIZATION.**

Section 305(a) of the Older Americans Act of 1965 (42 U.S.C. 3025(a)) is amended—

- (1) in paragraph (1)(E), by inserting “older individuals who are Holocaust survivors,” after “proficiency,” each place it appears; and

(2) in paragraph (2)(E), by inserting “older individuals who are Holocaust survivors,” after “proficiency.”.

**SEC. 03. AREA PLANS.**

Section 306 of the Older Americans Act of 1965 (42 U.S.C. 3026) is amended—

- (1) in subsection (a)—
- (A) in paragraph (1), by inserting “older individuals who are Holocaust survivors,” after “proficiency,” each place it appears;
- (B) in paragraph (4)—
- (i) in subparagraph (A)—
- (I) in clause (1)(I)(bb), by inserting “older individuals who are Holocaust survivors,” after “proficiency.”; and
- (II) in clause (ii), by inserting “older individuals who are Holocaust survivors,” after “proficiency,” each place it appears;
- (ii) in subparagraph (B)(1)—
- (I) in subclause (VI), by striking “and” at the end; and
- (II) by inserting after subclause (VII) the following:
 

“(VIII) older individuals who are Holocaust survivors; and”;
- (iii) in subparagraph (B)(ii), by striking “subclauses (I) through (VI)” and inserting “subclauses (I) through (VIII)”;
- (C) in paragraph (7)(B)(iii), by inserting “, in particular, older individuals who are Holocaust survivors,” after “placement”;
- (2) in subsection (b)(2)(B), by inserting “older individuals who are Holocaust survivors,” after “areas.”.

(II) by inserting after subclause (VII) the following:

“(VIII) older individuals who are Holocaust survivors; and”;

(iii) in subparagraph (B)(ii), by striking “subclauses (I) through (VI)” and inserting “subclauses (I) through (VIII)”;

(C) in paragraph (7)(B)(iii), by inserting “, in particular, older individuals who are Holocaust survivors,” after “placement”;

(2) in subsection (b)(2)(B), by inserting “older individuals who are Holocaust survivors,” after “areas.”.

**SEC. 04. STATE PLANS.**

Section 307(a) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)) is amended—

- (1) in paragraph (4), by inserting “older individuals who are Holocaust survivors,” after “proficiency.”;

- (2) in paragraph (16)—

- (A) in subparagraph (A)—

- (i) in clause (v), by striking “and” at the end; and

- (ii) by adding at the end the following:

“(vii) older individuals who are Holocaust survivors; and”;

- (B) in subparagraph (B), by striking “clauses (i) through (vi)” and inserting “clauses (i) through (vii)”;

- (3) in paragraph (28)(B)(ii), by inserting “older individuals who are Holocaust survivors,” after “areas.”.

**SEC. 05. CONSUMER CONTRIBUTIONS.**

Section 315 of the Older Americans Act of 1965 (42 U.S.C. 3030c-2) is amended—

- (1) in subsection (c)(2), by inserting “older individuals who are Holocaust survivors,” after “proficiency.”; and

- (2) in subsection (d), by inserting “older individuals who are Holocaust survivors,” after “proficiency.”.

**SEC. 06. PROGRAM AUTHORIZED.**

Section 373(c)(2)(A) of the Older Americans Act of 1965 (42 U.S.C. 3030s-1(c)(2)(A)) is amended by striking “individuals” and inserting “individuals and older individuals who are Holocaust survivors”.

**SEC. 07. PREVENTION OF ELDER ABUSE, NEGLECT, AND EXPLOITATION.**

Section 721(b)(12) of the Older Americans Act of 1965 (42 U.S.C. 3058i(b)(12)) is amended—

- (1) in subparagraph (B), by striking “or” at the end;

- (2) in subparagraph (C), by striking the period at the end and inserting “; or”;

- (3) by adding at the end the following:

“(D) older individuals who are Holocaust survivors.”.

**PART II—FUNCTIONS WITHIN ADMINISTRATION FOR COMMUNITY LIVING TO ASSIST HOLOCAUST SURVIVORS**

**SEC. 11. DESIGNATION OF INDIVIDUAL WITHIN THE ADMINISTRATION.**

The Administrator for Community Living is authorized to designate within the Administration for Community Living a person who has specialized training, background, or experience with Holocaust survivor issues to have responsibility for implementing services for older individuals who are Holocaust survivors.

**SEC. 12. ANNUAL REPORT TO CONGRESS.**

The Administrator for Community Living, with assistance from the individual designated under section 111, shall prepare and submit to Congress an annual report on the status and needs, including the priority areas of concern, of older individuals (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)) who are Holocaust survivors.

**Subtitle B—Nutrition Services for All Older Individuals**

**SEC. 21. NUTRITION SERVICES.**

(a) IN GENERAL.—Section 339(2) of the Older Americans Act of 1965 (42 U.S.C. 3030g-21(2)) is amended—

- (1) in subparagraph (A), by amending clause (iii) to read as follows:

“(iii) to the maximum extent practicable, are adjusted and appropriately funded to meet any special health-related or other dietary needs of program participants, including needs based on religious, cultural, or ethnic requirements.”;

- (2) in subparagraph (J), by striking “, and” and inserting a comma;

- (3) in subparagraph (K), by striking the period and inserting “, and”;

- (4) by adding at the end the following:

“(L) encourages and educates individuals who distribute nutrition services under subpart 2 to engage in conversation with homebound older individuals and to be aware of the warning signs of medical emergencies, injury or abuse in order to reduce isolation and promote well-being.”.

(b) STUDY OF NUTRITION PROJECTS.—Section 317(a)(2) of the Older Americans Act Amendments of 2006 (Public Law 109-365) is amended—

- (1) in subparagraph (B), by striking “; and” and inserting a semicolon;

- (2) in subparagraph (C), by striking the period at the end and inserting “; and”;

- (3) by adding at the end the following:

“(D) an analysis of service providers’ abilities to obtain viable contracts for special foods necessary to meet a religious requirement, required dietary need, or ethnic consideration.”.

**Subtitle C—Transportation**

**SEC. 31. TRANSPORTATION SERVICES AND RESOURCES.**

Section 411(a) of the Older Americans Act of 1965 (42 U.S.C. 3032(a)) is amended—

- (1) by redesignating paragraph (13) as paragraph (14);

- (2) in paragraph (12), by striking “; and” and inserting a semicolon; and

- (3) by inserting after paragraph (12) the following:

“(13) supporting programs that enable the mobility and self-sufficiency of older individuals with the greatest economic need and older individuals with the greatest social need by providing transportation services and resources; and”.

**NOTICE OF HEARING**

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, June 25, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to receive testimony on the challenges and opportunities for improving forest management on Federal lands.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to [John\\_Assini@energy.senate.gov](mailto:John_Assini@energy.senate.gov).

For further information, please contact Michele Miranda at (202) 224-7556 or John Assini at (202) 224-9313.

# AUTHORITY FOR COMMITTEES TO MEET

## COMMITTEE ON ARMED SERVICES

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 13, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON FOREIGN AFFAIRS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 13, 2013, at 10 a.m., to hold a International Operations and Organizations, Human Rights, Democracy and Global Women's Issues & European Affairs joint subcommittee hearing entitled, "A Dangerous Slide Backwards: Russia's Deteriorating Human Rights Situation."

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON THE JUDICIARY

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 13, 2013, at 10:30 a.m., in S-216 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 13, 2013, at 10 a.m. in room 428A Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SELECT COMMITTEE ON INTELLIGENCE

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 13, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on June 13, 2013, at 10 a.m., to conduct a hearing entitled "Lessons Learned From the Financial Crisis Regarding Community Banks."

The PRESIDING OFFICER. Without objection, it is so ordered.

# UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that on Monday, June 17, 2013, at 5

p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 48 and 62; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the nominations in the order listed; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

# SUPPORTING POLITICAL REFORM IN IRAN

Mr. REID. I ask unanimous consent the Foreign Relations Committee be discharged from further consideration of and the Senate now proceed to S. Res. 154.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 154) supporting political reform in Iran and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the Hoeven substitute amendment be agreed to; the resolution, as amended, be agreed to; the Hoeven amendment to the preamble be agreed to; the preamble, as amended, be agreed to; the title amendment be agreed to; and the motions to reconsider be considered made and laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 1279, 1280, and 1281) were agreed to, as follows:

## AMENDMENT NO. 1279

(Purpose: In the nature of a substitute)

Strike all after the resolving clause and insert the following: "That the Senate—

(1) recalls Senate Resolution 386, 112th Congress, agreed to March 5, 2012, which called for free and fair elections in Iran;

(2) reaffirms the commitment of the United States to democracy, human rights, civil liberties, and the rule of law, including the universal rights of freedom of assembly, freedom of speech, freedom of the press, and freedom of association;

(3) expresses support for freedom, human rights, civil liberties, and rule of law in Iran, and for elections that are free and fair;

(4) expresses strong support for the people of Iran in their peaceful calls for a representative and responsive democratic government that respects human rights, civil liberties, and the rule of law;

(5) condemns the widespread human rights violations of the Government of the Islamic Republic of Iran;

(6) calls on the Government of the Islamic Republic of Iran to respect freedom of expression and association in Iran by—

(A) holding elections that are free, fair, and responsive to the people of Iran, including by refraining from disqualifying candidates for political reasons;

(B) ending arbitrary detention, torture, and other forms of harassment against media professionals, human rights defenders and activists, and opposition figures, and releasing all individuals detained for exercising freedom of the press, assembly, association, and expression;

(C) lifting legislative restrictions on freedom of the press, assembly, association, and expression; and

(D) allowing the Internet to remain free and open and allowing domestic and international media to operate freely;

(7) calls on the Government of the Islamic Republic of Iran to allow international election monitors to be present for the June 14, 2013, election; and

(8) urges the President of the United States, the Secretary of State, and other world leaders—

(A) to express support for the rights and freedoms of the people of Iran, including to democratic self-government;

(B) to engage with the people of Iran and support their efforts to promote human rights and democratic reform, including supporting civil society organizations that promote democracy and governance;

(C) to support policies and programs that preserve free and open access to the Internet in Iran; and

(D) to condemn elections that are not free and fair and that do not meet international standards.

## AMENDMENT NO. 1280

(Purpose: To amend the preamble)

Strike the preamble and insert the following:

Whereas democracy, human rights, and civil liberties are universal values and fundamental principles of the foreign policy of the United States;

Whereas an essential element of democratic self-government is for leaders to be chosen and regularly held accountable through elections that are organized and conducted in a manner that is free, fair, inclusive, and consistent with international standards;

Whereas governments in which power does not derive from free and fair elections lack democratic legitimacy;

Whereas elections in Iran are marred by the disqualification of candidates based on their political views, the absence of credible international observers, widespread intimidation and repression of candidates, political parties, and citizens, and systemic electoral fraud and manipulation;

Whereas elections in Iran consistently involve severe restrictions on freedom of expression, assembly, and association, including censorship, surveillance, disruptions in telecommunications, and the absence of a free media;

Whereas the current president of Iran came to office through an election on June 12, 2009, that was widely condemned in Iran and throughout the world as neither free nor fair and provoked large-scale peaceful protests throughout Iran;

Whereas authorities in Iran continue to hold several candidates from the 2009 election under house arrest;

Whereas the Government of the Islamic Republic of Iran banned more than 2,200 candidates from participating in the March 2, 2012, parliamentary elections and refused to allow domestic or international election observers to oversee those elections;

Whereas the Government of the Islamic Republic of Iran seeks to prevent the people of Iran from accessing news and information by disrupting access to the Internet, including blocking e-mail and social networking sites, limiting access to foreign news and websites, and developing a national Internet that will facilitate government censorship of news and information, and by jamming international broadcasts such as the Voice of America Persian News Network and Radio Farda, a Persian language broadcast of Radio Free Europe/Radio Liberty;

Whereas authorities in Iran have announced that a presidential election will be held on June 14, 2013; and

Whereas the Guardian Council and the Supreme Leader of Iran have blocked numerous candidates from participating in the June 14, 2013, presidential election: Now, therefore be it

#### AMENDMENT NO. 1281

(Purpose: To amend the title)

Amend the title so as to read: "Calling for free and fair elections in Iran, and for other purposes."

The resolution (S. Res. 154), as amended, was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, and its title, as amended, is as follows:

#### S. RES. 154

Whereas democracy, human rights, and civil liberties are universal values and fundamental principles of the foreign policy of the United States;

Whereas an essential element of democratic self-government is for leaders to be chosen and regularly held accountable through elections that are organized and conducted in a manner that is free, fair, inclusive, and consistent with international standards;

Whereas governments in which power does not derive from free and fair elections lack democratic legitimacy;

Whereas elections in Iran are marred by the disqualification of candidates based on their political views, the absence of credible international observers, widespread intimidation and repression of candidates, political parties, and citizens, and systemic electoral fraud and manipulation;

Whereas elections in Iran consistently involve severe restrictions on freedom of expression, assembly, and association, including censorship, surveillance, disruptions in telecommunications, and the absence of a free media;

Whereas the current president of Iran came to office through an election on June 12, 2009, that was widely condemned in Iran and throughout the world as neither free nor fair and provoked large-scale peaceful protests throughout Iran;

Whereas authorities in Iran continue to hold several candidates from the 2009 election under house arrest;

Whereas the Government of the Islamic Republic of Iran banned more than 2,200 candidates from participating in the March 2, 2012, parliamentary elections and refused to allow domestic or international election observers to oversee those elections;

Whereas the Government of the Islamic Republic of Iran seeks to prevent the people of Iran from accessing news and information by disrupting access to the Internet, including blocking e-mail and social networking sites, limiting access to foreign news and

websites, and developing a national Internet that will facilitate government censorship of news and information, and by jamming international broadcasts such as the Voice of America Persian News Network and Radio Farda, a Persian language broadcast of Radio Free Europe/Radio Liberty;

Whereas authorities in Iran have announced that a presidential election will be held on June 14, 2013; and

Whereas the Guardian Council and the Supreme Leader of Iran have blocked numerous candidates from participating in the June 14, 2013, presidential election: Now, therefore be it

*Resolved*, That the Senate—

(1) recalls Senate Resolution 386, 112th Congress, agreed to March 5, 2012, which called for free and fair elections in Iran;

(2) reaffirms the commitment of the United States to democracy, human rights, civil liberties, and the rule of law, including the universal rights of freedom of assembly, freedom of speech, freedom of the press, and freedom of association;

(3) expresses support for freedom, human rights, civil liberties, and rule of law in Iran, and for elections that are free and fair;

(4) expresses strong support for the people of Iran in their peaceful calls for a representative and responsive democratic government that respects human rights, civil liberties, and the rule of law;

(5) condemns the widespread human rights violations of the Government of the Islamic Republic of Iran;

(6) calls on the Government of the Islamic Republic of Iran to respect freedom of expression and association in Iran by—

(A) holding elections that are free, fair, and responsive to the people of Iran, including by refraining from disqualifying candidates for political reasons;

(B) ending arbitrary detention, torture, and other forms of harassment against media professionals, human rights defenders and activists, and opposition figures, and releasing all individuals detained for exercising freedom of the press, assembly, association, and expression;

(C) lifting legislative restrictions on freedom of the press, assembly, association, and expression; and

(D) allowing the Internet to remain free and open and allowing domestic and international media to operate freely;

(7) calls on the Government of the Islamic Republic of Iran to allow international election monitors to be present for the June 14, 2013, election; and

(8) urges the President of the United States, the Secretary of State, and other world leaders—

(A) to express support for the rights and freedoms of the people of Iran, including to democratic self-government;

(B) to engage with the people of Iran and support their efforts to promote human rights and democratic reform, including supporting civil society organizations that promote democracy and governance;

(C) to support policies and programs that preserve free and open access to the Internet in Iran; and

(D) to condemn elections that are not free and fair and that do not meet international standards.

#### WORLD ELDER ABUSE AWARENESS DAY

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S.

Res. 171, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 171) designating June 15, 2013, "World Elder Abuse Awareness Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. NELSON. Mr. President, today I rise in recognition of June 15 as World Elder Abuse Awareness Day. This Saturday will be the eighth commemoration since the day was first established in 2006. By observing World Elder Abuse Awareness Day, we are joining organizations around the world to raise awareness and support existing efforts to combat the serious problem of elder abuse in all forms.

Every year, millions of older Americans are abused, neglected, or exploited, with an estimated 84 percent of these cases going unreported. This problem is particularly relevant for my constituents in the great State of Florida, which has the highest proportion of individuals over age 65 in the United States. As chairman of the Special Committee on Aging, I will shine a spotlight on this issue and work with my colleagues to eradicate and hold accountable those that would take advantage of our seniors.

I am proud of the State of Florida's leadership to raise awareness about World Elder Abuse Awareness Day. For example, the Seminole County Triad—a collaborative of local law enforcement, public safety, and senior organizations in Seminole County, FL—will host its eighth annual World Elder Abuse Awareness Day symposium. The focus this year will be on Alzheimer's, an area the Aging Committee has and will continue to work on as this session of Congress continues.

The University of Miami Health System Center on Aging will host a webcast on financial exploitation and its impact on the health of older adults. This webcast, along with similar informational events being held throughout our country and the world, provide essential information for professionals who work with seniors.

Our 11 area agencies on aging are on the frontlines of helping older Floridians. They share a common information and referral system, making access to services faster and more efficient. By calling 1-800-96-ELDER, individuals receive advice and information on a range of issues, including health care, housing, nutrition, abuse prevention, and other social programs. One of these agencies, Elder Options, recently moved to a new location in Gainesville, allowing them to better provide vital services to seniors living in 16 different counties in the mid-Florida region.

Florida is also home to the Elder Rights Center of Excellence at the

Palm Beach-Treasure Coast Area Agency on Aging. Led by director Mary Jones, the Elder Rights Center conducted 24 trainings for over 670 different professions, provided over 3,100 hours of service, and assisted over 4,400 senior crime victims last year in Palm Beach County. It also has a staffer dedicated to working solely on financial abuse.

I am proud of these events, and all those events that will be held this year that aim to protect our seniors from harm. World Elder Abuse Awareness Day is not only a time to recognize and support these efforts but also to critically examine what further steps can be taken. As Chairman of the Senate Special Committee on Aging, I will continue to work on eradicating elder abuse as one of many issues that are critical to ensure the health and economic security of older Americans.

In honor of the many advocates working tirelessly to combat elder abuse throughout the United States and the world, I am pleased to recognize June 15 as World Elder Abuse Awareness Day.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. 171) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. REID. Mr. President, I apologize to everyone for having to wait. We were trying to get some things cleared, and it didn't work.

#### ORDERS FOR MONDAY, JUNE 17, 2013

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, June 17; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate proceed to executive session under the previous order; finally, that when the Senate resumes legislative session following the vote on the Gonzales nomination, the Senate resume consideration of S. 744, the immigration bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. REID. Mr. President, the next rollcall vote will be at 5:30 p.m. on Monday.

#### ADJOURNMENT UNTIL MONDAY, JUNE 17, 2013, AT 2 P.M.

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:03 p.m., adjourned until Monday, June 17, 2013, at 2 p.m.

#### NOMINATIONS

Executive nominations received by the Senate:

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

MARK THOMAS NETHERY, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K.

UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2018, VICE ERIC D. EBERHARD, TERM EXPIRED.

CHARLES P. ROSE, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING MAY 26, 2019, VICE ROBERT BOLDREY, TERM EXPIRED.

#### LEGAL SERVICES CORPORATION

JOHN GERSON LEVI, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014. (RE-APPOINTMENT)

#### DEPARTMENT OF STATE

SAMANTHA POWER, OF MASSACHUSETTS, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS.

SAMANTHA POWER, OF MASSACHUSETTS, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS.

STEPHANIE SANDERS SULLIVAN, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE CONGO.

JOSEPH Y. YUN, OF OREGON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MALAYSIA.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate June 13, 2013:

##### THE JUDICIARY

NITZA I. QUINONES ALEJANDRO, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

JEFFREY L. SCHMEHL, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

#### WITHDRAWAL

Executive Message transmitted by the President to the Senate on June 13, 2013 withdrawing from further Senate consideration the following nomination:

AVRIL D. HAINES, OF NEW YORK, TO BE LEGAL ADVISER OF THE DEPARTMENT OF STATE, VICE HAROLD HONGJU KOH, RESIGNED, WHICH WAS SENT TO THE SENATE ON APRIL 18, 2013.

## HOUSE OF REPRESENTATIVES—Thursday, June 13, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. COOK).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
June 13, 2013.

I hereby appoint the Honorable PAUL COOK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### THE SNAP CHALLENGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, this morning, I, along with many of my colleagues and scores of antihunger advocates, began the SNAP challenge. I will live off of the average SNAP benefit of \$4.50 per day. That's \$31.50 for 7 days. The SNAP challenge is not a new fad diet. It's not a weight loss scheme to get ready for the summer. Rather, it's a way of raising awareness not only how important this program is in combating hunger in America, but also about how inadequate the benefit truly is.

Being on SNAP is not easy. To qualify, you have to have an income under 130 percent of poverty. That's under \$25,000 for a family of three. Let me repeat that. A family of three has to earn less than \$25,000 to qualify for SNAP. And the average benefit is only \$4.50 a day. That's not much to live off of.

Mr. Speaker, we all know that rent is high, utilities are high, transportation costs are high, and food prices are high. Yet the SNAP benefit is still so inadequate that it typically doesn't even

last an entire month. In fact, the average SNAP benefit typically lasts just 21 days out of the month, leaving a family or individual 9 or 10 days without support.

Yesterday, I experienced firsthand how difficult it is to shop on a fixed budget that must be stretched for a fixed amount of time. I'm fortunate enough that I don't have to count every penny when I shop. But with \$31.50 for the week, I didn't have the luxury to buy very many fresh fruits and vegetables, let alone organic ones. It took me a lot longer to shop because I had to make sure that I didn't go over my budget. And I know that my meals will be smaller than they normally are.

Now, don't get me wrong when I talk about my shopping experience and my participation in the SNAP challenge. For me, this challenge will be over in a week. Going into this, I know that I only have to endure this for 7 days. But for millions of hardworking Americans who don't earn enough to make ends meet, they could be on food assistance for a lot longer.

This is not about me and it's not about my colleagues. It's about the program. It's about SNAP and the fact that SNAP works. More than 47 million Americans rely on this program to help put food on their tables. They're not looking for a handout; they're looking for a hand up. Americans are proud and they are industrious.

We like to do things on our own, but we don't turn our backs on people in need. That's one of the things that makes America great. We take care of our own, and that's what SNAP does. It's a way of helping our own—our brothers and our sisters, our children and our seniors, our friends and neighbors, even strangers—and it does so by helping those who simply don't earn enough to make ends meet.

Those of us taking the SNAP challenge are using our positions here to raise awareness of the program. We're using our positions as Members of Congress to tell the American people that SNAP works. We're here to tell our House colleagues not to cut this important program.

This SNAP challenge, starting today and lasting through next Wednesday, will likely coincide with floor consideration of the farm bill. That bill includes \$20.5 billion worth of cuts to SNAP, cuts that will kick 2 million people off of SNAP altogether and 210,000 kids off the free school meal program. And those cuts, if enacted, will come on top of the looming across-

the-board SNAP cuts that will happen in November. That cut will result in a family of four receiving \$25 less each month for food.

Now, I believe we can end hunger now if we just find the will to do so. I believe we need White House leadership to do so. I continue to call for a White House conference on food and nutrition to address hunger and nutrition issues in this country. But I also believe this House must do the right thing. This House hasn't held one single hearing about hunger in America or about the SNAP program.

Opponents of SNAP talk about the program being full of fraud, waste, and abuse. It is not true. It is simply not true. Less than 2 percent of ineligible people are actually on SNAP. And for all their bluster, these opponents have never once talked about how to strengthen the program. That's because they don't care about the program. They just want to cut it. They want to eliminate it.

I'm taking this challenge to make a difference. I'm going to blog, I'm going to tweet, and I'm going to talk about my experiences to show that SNAP works, and I will do everything I can to push back and to fight these cuts. Reducing the ability of poor people to buy food is a rotten thing to do. If we can't restore the SNAP cuts, then I will do everything I can to defeat this farm bill because Americans deserve better.

Join me in this fight. Let's end hunger now.

### COMMEMORATING THE 24TH ANNIVERSARY OF THE TIANANMEN SQUARE CRACKDOWN AND BEIJING MASSACRE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I rise today to commemorate the 24th anniversary of the 1989 Tiananmen Square crackdown and Beijing massacre in China.

A quarter of a century ago, the world watched with horror as the atrocities in Tiananmen Square and nearby streets in Beijing unfolded. During this anniversary period, it is with solidarity that we remember the victims of that deep tragedy.

The courageous students protesting on those days in April, May, and June of 1989 sought basic freedoms. Prophetic in their presence, they called upon their autocratic, Communist government to embrace liberty, respect

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



human rights, and put an end to deep-seated corruption. Chinese intellectuals like Wei Jingsheng championed political reform. They posted essays on the Democracy Wall in Beijing. For that, he was arrested and imprisoned twice for a total of 18 years. The Democracy Wall and its postings were shut down.

Today, still autocratic and still Communist, China faces many of the same challenges, despite promises by its new leadership that reform would occur. Millions of Chinese people remain denied adequate food, housing, and health care, and over 1,200 Chinese dissidents and critics are known to be imprisoned or detained for standing up for freedom of speech. Deep disparities between the rich and the poor of China exist. Eight hundred million Chinese, close to a billion people—60 percent of its people—exist on less than \$15 a day, all while the government seizes land and forces evictions.

Meanwhile, Communist Party leaders have become billionaires, often through corruption, graft, and theft, with immunity from a lawless regime. To rise economically in China, you must take an oath to the Communist Party and then be accepted into that club of politicians who become vastly wealthy as they climb the party ladder.

The Market-Leninism that drives China has resulted in 83 billionaires buying seats in their parliament. I can only imagine what that money power does to drive out the voices of the masses of the people longing to be free. The average fortune among these wealthiest 83 Communist Party delegates is \$3.35 billion.

Environmental issues are also a major source of concern for the Chinese people, and they remain unaddressed. The New York Times recently reported on the findings of the Global Burden of Disease Study, which states air pollution contributed to 1.2 million premature deaths in China in 2010.

It is no secret religious organizations are heavily restricted and monitored in China. The Catholic Church is banned, and phony bishops are sanctioned by the government in their stead. Often, ethnic and religious minorities are intimidated or harassed by government officials.

□ 1010

Despite extensive documentation of the truth, the Chinese Communist Party continues to manipulate and censor the facts surrounding the events at Tiananmen Square and Beijing a quarter century ago; not to mention their ongoing censorship of the press and the Internet. The government blocks the social media, denying Facebook and Twitter the ability to operate. Journalists are regularly harassed and often imprisoned.

In remembrance of freedom's prophets, lost peacefully pursuing liberty at

Tiananmen Square and in Beijing a quarter century ago, and those today who dream of a more liberty-loving future in that country, our Nation honors their noble spirits, their courage, their aspirations, and their lives given in pursuit of the cause of liberty.

#### TIME RUNNING OUT FOR STAFFORD STUDENT LOAN INTEREST RATES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, in 17 days, unless Congress acts, the Stafford student loan program—which is the workhorse loan program for millions of college students all across America—is going to see the interest rate double from 3.4 percent to 6.8 percent.

Stepping back for a moment, 6 years ago, the Democrats passed the College Cost Reduction Act, which cut that rate from 6.8 to 3.4 percent. It was a 5-year bill concurrent with the Higher Education Authorization Act. Last year, with minutes to spare, we extended that lower rate of 3.4 percent for an additional year. And now, once again, we are hours away from students who are about to embark on life decisions, in terms of which college to attend, which course to follow; and they need to know with some certainty the borrowing cost, which for many is now a stark reality in terms of paying the cost of higher education.

This morning in The New York Times, there was a very encouraging story about the fact that the number of college degrees in the U.S. has hit an all-time high. Students are now completing college, and it's just in time in terms of the workforce needs of our country. The same study which was released yesterday shows that in fact we have workforce needs for high-degree skills for which the education system is still scrambling to catch up. So there is no question for young people in America. This question of protecting the affordability of higher education is of critical importance to both their future and to our Nation's future.

Unfortunately, the only action in the House of Representatives was a measure which the majority party rammed through a couple of weeks ago, which the Congressional Budget Office Monday issued an analysis of. What CBO told the country is that the House Republican bill—which is a variable interest rate program—would actually cost students more than if we did nothing and let the rates double to 6.8 percent. I want to repeat that. That measure actually worsens the situation if we did absolutely nothing and allowed the rate to go to 6.8 percent.

It's obvious what we need to do. As a Congress, we need to recognize the fact that we have a national interest in

terms of maintaining access to higher education. We also need to recognize that families are being crushed with the cost of higher education when we need to protect the lower interest rate.

I have a bill, H.R. 1595, which has over 150 cosponsors in the House—it received 51 votes in the Senate—that would protect that lower rate for 2 years and allow us to do a new Higher Education Authorization Act. This morning, just a few minutes ago, I executed a discharge petition for Members of Congress to sign to get H.R. 1595 on the floor immediately so that we can protect the lower interest rates for young people embarking on next year's college curriculum and semester.

So I would urge all Members to sign the discharge petition, H.R. 1595, which will protect the lower rate so that we can, in a measured, intelligent way, come up with a Higher Education Authorization Act, which will go through the whole gamut of issues for college costs—whether it's the Perkins loan program, Pell Grants, allowing students to refinance after they leave college, giving high school students better information as they make a decision that really is almost the equivalent of buying a house when you go to college in modern day America. Again, the stakes are huge, but the payoff is even greater for students, which that report issued yesterday documents.

Lastly, Mr. Speaker, I want to join some of my colleagues who are going to speak later this morning who will note the fact that it is now 6 months ago to the date that my State, the State of Connecticut, saw a horrible tragedy, young children who were slaughtered in an act of senseless gun violence. And today, survivors of the Newtown massacre are all across Capitol Hill urging Congress to act.

Congressman THOMPSON and Congressman KING painstakingly worked out a compromise bill to strengthen background checks in our country, balancing constitutional concerns, again, totally consistent with the Heller decision, which sets forth the individual right to gun ownership.

It is time for this Congress to act. We should pass the Thompson-King bill. We should listen to those families, the survivors of the Newtown massacre, who are begging Congress to move forward and act on this measure. It will protect the rights of gun owners, but it will also protect the public safety of this country, which is so long overdue.

I want to salute Congressman THOMPSON, Congressman KING, Congresswoman ESTY, who represents the Newtown district in Connecticut, all of my colleagues from my State, and all across the country who have come together in response to this horrible event to make sure that it will not just be a passing memory, but that we will build something from that event that

will protect Americans from the epidemic of gun violence that unfortunately goes on every single day in this country.

#### HONORING THE LIFE AND LEGACY OF FRED D. WILLIAMS III

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize and pay tribute to the life and legacy of Mr. Fred D. Williams III, a beloved husband and father, highly respected community leader, and successful business owner from the great State of Alabama, who sadly passed away on June 11, 2013 at the age of 76. This phenomenal man was an extraordinary source of wisdom and guidance for me and so many others.

While I'm deeply saddened by his passing, I am confident that his legacy will continue through the countless people that he touched during his life.

For more than 50 years, this exceptional man owned and operated Fred's Flower and Gift Shop in the historic Selma, Alabama. Opened on October 15, 1956, Fred's Flower and Gift Shop served as a pillar in the Selma community until July 2011, when Mr. Fred Williams retired. Mr. Fred Williams, III represents a whole line of wonderful business owners in my home town of Selma, Alabama.

Fred Williams was married for 45 years to Martha J. Williams, who preceded him in death on July 15, 2003. Their marriage was blessed with two beautiful children, Kaye Frances Williams of Alexandria, Virginia, and Kimberly Joyce Williams of Minneapolis, Minnesota. He was also the doting and loving grandfather of McKenzie and Madison Dillon.

For me, this is a personal loss since I was privileged to be raised by Fred Williams. His daughter Kim was my childhood best friend, and I grew up in the Williams household. In fact, there is not a childhood memory of mine that does not include the Williams family or my many visits to Fred's Florist.

Because of the closeness my family shared with the Williamses over the years, I affectionately called him Uncle Fred. Uncle Fred has left an indelible mark on the city of Selma, Alabama, and I am so grateful for the part he played in raising me.

While I am sad that I am not able to attend the funeral today to be with Kim and Kaye, I rejoice in knowing that Uncle Fred's legacy will live on in the many people that he touched. I find comfort in remembering his hearty laugh, the way he always walked with his head cocked to one side, and of course the way he always brought a smile to my face as he called me Terri Sue. I will forever carry with me the

love, support, laughter and precious memories of Uncle Fred.

On behalf of the State of Alabama and this Nation, I ask my colleagues of the United States House of Representatives to join me in celebrating the wonderful life and legacy of Mr. Fred D. Williams III, an extraordinary American and an Alabama treasure.

He came by his entrepreneurship spirit honestly, following in the footsteps of his forefathers who were prominent business owners in Selma.

His floral expertise was legendary and his leadership in the industry was highly acclaimed. In 1970, Fred Williams became the first African-American member of the Alabama State Florist Association. As a trailblazer, he achieved recognition at the state level in 1979 when he served as the President of the Alabama State Florist Association and ultimately received the Association's Lifetime Membership Award for his dedicated service.

Integrally involved in his family businesses, Fred also owned and operated Fairlawn Memory Gardens and was Corporate President of J.H. Williams and Sons Funeral Home, a 108-year-old family business. He was a licensed funeral director and former member of the Alabama Funeral Directors and Morticians Association.

Fred Williams was known as a savvy business leader and a caring professional who took great pride in ensuring his floral arrangements were beautiful and personal for each occasion. He was beloved, respected and admired in our community. Many will remember him as the "dean of the floral business" who inspired and provided exceptional mentorship for other florists in the industry.

Fred Williams spent his formative years in Selma, Alabama. He moved with his family to Richmond, Virginia in the 1950s where he graduated from Maggie L. Walker High School. He then attended the historic Stillman College in Tuscaloosa, Alabama. After graduation, he returned to his hometown of Selma and opened his flower shop in 1956.

Fred Williams was actively involved in every facet of the Selma community. His love of people and his hometown was evident in his tireless efforts to make the City of Selma a better place. The list of clubs and organizations included the Selma-Dallas County Historic Preservation Society, the Selma-Dallas Chamber of Commerce and he also served on the boards for the Vaughan-Smitherman Building and Sturdivant Hall. He was a charter member of the 12 High Club as well as the Chesterfield Club and he was a founding member of the Tuesday Night Men's Group. He was a long-time member of the Historic Brown Chapel A.M.E. Church where he earned the title of "Trustee Emeritus" for his generosity and dedicated service to the church.

#### NEWTOWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of California. Mr. Speaker, 6 months ago, our Nation wit-

nessed a horrible massacre of innocents in Newtown, Connecticut. In the 6 months since, there are two important facts that we should note: first, nearly 5,000 more Americans have been killed by people using guns.

□ 1020

Second, Congress has done absolutely nothing to reduce and prevent these deaths.

The Senate took one vote to expand background checks. Sadly, it failed when a minority of Senators voted against the wishes of 90 percent of Americans. The only thing more disappointing than the Senate voting down this pro-gun owner, anti-criminal legislation is that the House has refused to vote at all.

My Republican colleague, PETER KING, and I have introduced H.R. 1565, legislation that's identical to the Senate background check effort. We have 3 Republicans, we have 179 Democrats—a total of 182 coauthors. Surely, we need more support from the Republican side of the aisle.

But the truth is this shouldn't be a controversial bill, and it shouldn't be partisan. Background checks are something everyone in both parties should be able to agree on. Everyone says they're against criminals, terrorists, and the dangerously mentally ill getting guns. But you can't be against that and be against background checks. Background checks are the first line of defense. Our bipartisan bill strengthens that first line of defense.

It's anti-criminal. Right now a criminal can buy a firearm at a gun show, over the Internet, or through a newspaper ad because those sales don't require a background check. Last year, the background check system identified and denied 88,000 gun sales to criminals, domestic abusers, those with dangerous mental illness, and other prohibited purchasers. However, those same criminals could buy those same guns at a gun show or over the Internet without any questions asked because those sales don't require a background check.

Our bill closes this huge loophole, greatly reducing the number of places a criminal can buy a gun, because our bill would require background checks at all gun shows and for Internet or newspaper sales.

Our bill is pro-gun owner and pro-Second Amendment. It provides reasonable exceptions for firearm transfers between families and friends. You won't have to get a background check when you inherit the family rifle or borrow a shotgun for a hunting trip, or purchase a gun from a friend, hunting buddy, or neighbor.

It bans the creation of a Federal registry and makes the misuse of records a felony, punishable up to 15 years in prison. It allows Active Duty military to buy firearms in their home States or

the State in which they're stationed. It authorizes the use of State concealed carry permits in lieu of a background check to purchase a firearm. And, it allows interstate handgun sales from licensed dealers.

We have a bill that's ready for the floor. It's bipartisan. It will help keep guns from criminals, terrorists, and the dangerously mentally ill, and it supports the Second Amendment rights of law-abiding Americans. If the bill didn't support the Second Amendment, my name wouldn't be on it. I'm a gun owner, and I believe that law-abiding Americans have a constitutional right to own a firearm. But I'm also a father and a grandfather, and I know that we have a responsibility to do everything we can to reduce gun violence.

This bill deserves a vote. The people of Newtown deserve a vote. The families of the nearly 5,000 people who have been killed since Newtown deserve a vote. Our kids and our grandkids deserve a vote. Mr. Speaker, please give us a vote.

#### A CHALLENGE FOR THE FRIENDS OF BRETT BAXLEY GOSNELL

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. MCHENRY) for 5 minutes.

Mr. MCHENRY. Mr. Speaker, in this country there are children diagnosed with rare diseases every day. While it's a tragedy that anyone is diagnosed with a disease or cancer in this country, it is a particular tragedy that the youngest in our society are diagnosed with oftentimes incurable diseases and ailments.

So today, I rise to support the Kids First Research Act, because it's important that we focus our national resources on fixing these problems, these challenges that as a society we can band together and put research dollars where our heart is. We all do this in individual ways, whether it's donating to a local charity or focusing our interest on making sure Congress allocates resources necessary to come up with life-saving cures through the National Institutes of Health or other areas of government research.

At home, we have something called "Brett's Ride for Rhabdo." It's an incredible story of a young man at age 17 who is diagnosed with Rhabdomyosarcoma. It's a very rare pediatric cancer that roughly 300 children are diagnosed with each year. It's very rare. This incredible young man named Brett Gosnell was diagnosed at age 17 with this cancer.

Brett was an all-American kid from Hickory. Maryann and Mark Gosnell were his parents. He has two younger brothers. Just a great all-American family. I'm pleased to know the family, and I was pleased to know Brett.

Brett was an all-star kid, the kind of young man that I hope to have as my

wife and I start a family. But Brett was a very special guy. He was not pleased with his SAT score—his math SAT score. He got a 740 on the math portion of the SAT. So after a round of chemotherapy he retook the SAT and he scored a perfect 800 on the math portion. Incredible young man.

So what his parents did was come together—and his family—at Brett's urging to come up with a charity bike ride that hundreds of people participate in every October in Hickory, North Carolina. Even folks like me that aren't great bike riders or particularly athletic participate in Brett's honor. Each year they are able to raise tens of thousands of dollars for Rhabdo research.

I tell the story because it's very important. Brett's story is a very important one, and inspiring to so many of us. Brett was diagnosed early and still insisted on going off to college at the University of Virginia. He did lose his fight to Rhabdo in 2006.

Brett left a letter for us that we read every October at Brett's Ride for Rhabdo. He left this letter that he dictated to a friend of his. He calls it: "A Challenge for the Friends of Brett Baxley Gosnell." He says:

I am not here physically, but I am looking down from Heaven on this assembled group. I challenge you to adopt a new goal, a new way of life for yourself. Put helping, caring about, and serving others at the center of all that you do—not just for today or tomorrow but for the remainder of your life. I ask you to look for ways in which to make a difference in the lives of others, regardless of who they are or where you find them. They are God's children and they need us. We must turn away from thinking only of ourselves and remember that each one of us has a capacity for doing something. Discover what you can do—and do it. I ask you to do that. But there is something else. In the act of helping others, think of this. It was my desire to make a difference, and I tried to do that in the opportunities that were given to me. There was so much more that I wanted to do, but I will keep my eye on you from Heaven. Now you can pick up where I left off and serve so many others. Hear this plea and respond to it. This is your friend who asks you to accept this challenge. Do something meaningful with your life. After all, that is how you can most honor me in my life.

Brett.

I bring this to the House floor to urge my colleagues to ensure that we support important pediatric research so that we don't have to lose another Brett Gosnell.

□ 1030

#### THE SANDY HOOK PROMISE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. PELOSI) for 5 minutes.

Ms. PELOSI. Mr. Speaker, our hearts are broken, but our spirit is not. That is the Sandy Hook promise.

Tomorrow marks 6 months since the tragedy in Newtown, a tragedy seared

in the minds of every person across America—indeed, in the minds of millions across the world. Like the anniversaries of the shootings in Tucson, Arizona, in Oak Creek, and in so many other communities, tomorrow marks an anniversary of shock, uncertainty, violence, horror. Tomorrow marks another solemn reminder of the persistent plague of gun violence in our society and of the ongoing challenge to end it.

Over the past 6 months, many words have been spoken to offer our love and support to the community of Newtown and to the students and teachers of Sandy Hook. Yet, from the start, we have known that words of comfort would never be enough, that there would be no substitute for the action that we must take that would be a truly fitting memorial to the 20 children and six teachers and administrators lost that day.

Yesterday, we had visits from the families, who brought pictures of their loved ones who were lost—Daniel Barden, Lauren Rousseau, Benjamin Wheeler, Mary Sherlach, Dylan Hockley—heartbreaking photos of these children and family members who were lost. I don't know how much more motivation we need than to see the tears in their eyes and the resolve in their voices to use their grief as a source of strength to help save other people.

That would start with a vote on bipartisan legislation by Congressman MIKE THOMPSON, Congressman PETER KING, and 180 cosponsors to expand and strengthen our background checks. No one knows better than the people of Newtown—the men and women, mothers and fathers, brothers and sisters—who lost their loved ones on December 14, 2012. Since that dark day, the families of Newtown and their supporters have turned their sorrow into strength, their pain into perseverance, their unspeakable loss into unmatched courage and determination to carry on.

Yesterday, these mothers and fathers met with both Republican and Democratic leaders. Yet they had come with no partisan agenda. They came as Americans who wished to spare their fellow parents and family members the mourning, fear and terror they felt 6 months ago. Their message is clear: honor the memories of the little children of these educators by helping to ensure that no other family is forced to endure such an unimaginable tragedy.

It had been unimaginable. Now we have seen it. Now our task is plain. We must restore confidence in the safety of our communities by taking clear, effective steps to prevent gun violence in our schools, homes, and neighborhoods.

I just read the names and showed the pictures of a few of the people whose lives were lost that day. For them and for others and for the lives we want to save, again I mention the bipartisan

Thompson-King, King-Thompson legislation, which means to use this anniversary, certainly, to memorialize the victims of Newtown, but also to answer the call of their families to give gun violence prevention legislation a vote in the Congress of the United States.

Six months ago in Newtown, a lone gunman took the lives of 26 Americans. We all know that. It's emblazoned in our minds and in our souls. Since then, nearly 5,000 more Americans have fallen victim to gun violence. Now in Congress we must summon the courage to act. We must take inspiration from the courage of the Newtown families, from the courage it has taken to turn their grief into action. We must heed the moving words of the Sandy Hook promise: our hearts are broken; our spirit is not. As we mark this anniversary, we must uphold our most basic responsibility: the oath we take—the oath of office—to protect and defend the Constitution and to protect and defend the people of the United States.

Mr. Speaker, I thank our colleague Congresswoman ESTY and our colleague Congressman MIKE THOMPSON for their leadership in bringing us together this morning so that we cannot only remember but so that we can have the courage to act.

#### NEWTOWN ANNIVERSARY AND GUN CONTROL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. I rise to join the leader. I rise to join Congresswoman ESTY and Congressman THOMPSON in recognizing this sad anniversary.

Mr. Speaker, it is with sadness that we mark the 6-month anniversary tomorrow of the tragic shooting at Sandy Hook Elementary School in Newtown.

On that day, as has been repeated and must be remembered, Americans were united in shock and grief at the senseless murder by a crazed gunman of 26 innocent people—of 20 innocent first graders and six courageous school staff members—who tried to protect them and helped save the lives of others. Since that day, approximately 4,500—the leader mentioned 5,000, but it's a figure in excess of 4,500—Americans have died as a result of gun violence, according to the Newtown Action Alliance.

Mr. Speaker, this is not just a tragedy; it is an epidemic, one that Congress has a moral responsibility to address. When nine out of 10 Americans support stricter background checks to keep dangerous guns out of the hands of criminals and those with mental illness, there is no reason why Congress shouldn't be able to take swift and decisive action to enact tougher protections. I was deeply disappointed, Mr. Speaker, that the Senate failed to move forward with legislation to pro-

tect Americans from gun violence by enacting effective background checks that safeguard the constitutional rights of responsible gun owners and safeguard Americans.

The American people are demanding action, and the House now has a chance to succeed where the Senate failed. Demonstrating that commonsense proposals to reduce gun violence can, indeed, command bipartisan support, Democratic Representative MIKE THOMPSON of California, who chairs the House Democratic Task Force on Gun Violence, and my friend Republican Representative PETER KING of New York have joined together to introduce legislation in this Chamber similar to that which was blocked in the Senate. There is not a single provision in their bill that should be worrisome to those concerned about our longstanding tradition of protecting Second Amendment rights—not a single provision.

It will help us keep firearms out of the hands of dangerous and mentally unstable individuals likely to do harm to others or themselves. Will it keep all of us safe all the time? It will not. We know that. That is the tragic fact of life. But will it help? It will. If we can help, should we? The answer is an emphatic “yes.”

□ 1040

This proposal contains commonsense proposals that I strongly support and that most Americans have supported, as well.

Congress has the opportunity to get this right by considering the Thompson-King legislation in the House and sending it to the Senate for consideration.

I congratulate Congresswoman ESTY in particular, as well as Congressman THOMPSON, for their leadership and efforts in this regard. After the backlash many Senators received for opposing expanded background checks, I suspect that a number may be ready to reconsider.

Mr. Speaker, I urge my colleagues to come together, as Representative THOMPSON and Representative KING have done, to advance this bipartisan solution to this pressing challenge facing our Nation—not just the Congress, but every American.

It should not take and it must not take another tragedy such as Newtown for us to act. We have a responsibility to keep our neighborhoods and our schools safe. I urge Speaker BOEHNER and Majority Leader CANTOR to allow this bill to come to the floor for a vote.

The Speaker often says that he wants to allow the House to work its will. That's why the people of Newtown sent Congresswoman ESTY to Congress. That's why the people of my district and every district represented in this House, people sent them here to vote on policies, policies to make their country better, policies to make their country more safe.

The memories of those children, the memories of those teachers, the memories of those 26, and, yes, the memories of those 4,500-plus who, since the Newtown tragedy, have lost their lives to violence, their memory, Mr. Speaker, demands and deserves action by their representatives.

#### GUN REFORM

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Connecticut (Ms. ESTY) for 5 minutes.

Ms. ESTY. Mr. Speaker, 6 months ago tomorrow, Newtown experienced unimaginable tragedy and unparalleled loss.

That loss, the painful loss of sons and daughters, spouses, siblings, and friends, is still very raw and will always run very deep for the people of Newtown. Yet, in the face of that unimaginable tragedy on that day and on the days since, this small community that has been through so much has inspired our Nation with tremendous courage and resilience.

Americans have been inspired by the sixth grade educators who gave their very lives to defend and protect their students.

Americans have been inspired by the brave first responders who arrived on the scene to save others and live with the trauma of what they saw that day.

Americans have been inspired by the Sandy Hook families who, despite living with the pain that one can only begin to imagine, have responded to loss not with anger or hate, but with unbelievable love, strength, and courage.

They've taken their call to action to Hartford, where a comprehensive set of commonsense gun laws passed with bipartisan support. They've taken the call to action to State capitols around this country. And they've taken that call to action here in Washington, but here they've faced inexplicable political cowardice.

Mr. Speaker, in the 6 months since that terrible day, since we lost 26 precious lives in Newtown, nearly 4,800 Americans have also lost their lives to gun violence. But during that same time, this House has not held a single vote on commonsense gun reform to reduce and prevent gun violence, not even enhanced criminal background checks.

Forty-six Senators blocked an up-or-down vote on enhanced background checks. This is a reform that the members of the Newtown community have asked our elected leaders to support. It is a reform supported by over 90 percent of the American people, and it is shameful that we have not yet had a chance to vote.

Yet, in spite of that obstruction and misinformation, these families and this community have refused to give up. On Tuesday, I was honored to again meet

with several of the Newtown families as they traveled here to continue to lead the push for commonsense gun laws, and I'm honored that several members of that community of the Newtown Alliance are with us here in the gallery today.

In meeting with the families, I was given pictures of their loved ones that they've been handing out to elected officials from across the country.

This photo of school psychologist Mary Sherlach reads:

One of six educators who, on December 14, became first responders equipped with just their lives. Can you show the same courage with your vote?

On this card, we have a picture of Dylan Hockley, with these words:

Honor his life. Stand with us for change. Now is the time.

Here's the picture of precious Dylan Hockley.

With this card, we have the photo of 6-year-old Benjamin Wheeler, who asks:

What is worth doing?

Mr. Speaker, these words, these faces, these lives mark the call to action for Newtown. They mark the call to action in Hartford and Aurora, Chicago, Santa Monica, and every community torn apart by gun violence.

The sad truth is that this Congress has not met this call to action. This Congress has not shown the courage to pass commonsense gun reforms. But the good news is that it is not too late for this Congress to do better, and now is the time.

We must do better for Mary. We must do better for Dylan. We must do better for Benjamin and for Charlotte, for Daniel and Olivia, for Josephine, for Ana and for Madeleine, for Catherine, for Chase and for Jesse, for James, for Grace and for Emilie, for Jack, for Noah and for Caroline, for Jessica, for Avielle and for Allison, for Rachel, Dawn, and Anne Marie, for Lauren and Victoria.

We can and we must do better.

These families cannot forget and will not give up. Neither can we.

The SPEAKER pro tempore (Mr. McHENRY). Members are reminded that it is not in order to refer to occupants of the gallery.

#### EXTEND TAMP COVERAGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, for those serving our country in uniform, transitioning to civilian life can be a stressful process, especially when the transition is involuntary or unexpected.

Currently, the Transitional Assistance Management Program, or TAMP, offers 180 days of health care coverage

to certain servicemembers transitioning from military service to help bridge the insurance gap until coverage can be secured through employment or outside the service.

In many instances, traumatic brain injury symptoms do not appear until 8 to 10 months after deployment, and it is important that these individuals have mental health care access during that time.

This week, during the debate over the National Defense Authorization Act, I've offered two amendments, one of which would extend the TAMP coverage for servicemembers by an additional 180 days for any treatment provided through telemedicine.

Through the expansion of telemedicine, we can offer greater access to health care while lowering the cost. It's time we fully utilize these new technologies, which is why I encourage my colleagues to support this amendment. This commonsense, zero-cost reform will help those who serve our country transition to civilian life without unnecessary burden or undue delay.

□ 1050

#### TIME FOR CONGRESS TO ACT IS LONG OVERDUE

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). The Chair recognizes the gentleman from Connecticut (Mr. LARSON) for 5 minutes.

Mr. LARSON of Connecticut. Mr. Speaker, I rise to associate myself with the remarks of my dear colleague from Connecticut, ELIZABETH ESTY, who has done such a remarkable job in representing that district and especially the families of Newtown, Connecticut, in the aftermath of this horrific tragedy.

Mr. Speaker, the time for us to act is long overdue. The hard truth for the United States Congress is, as Congressman MIKE THOMPSON pointed out, since Newtown, 5,000 Americans have lost their lives at the point of a gun; 5,000 Americans since Newtown.

The United States Congress has a responsibility to act and do its constitutionally obligated desire to get this bill passed. Now, whether you believe this is the correct course of action or not, as the President said in his State of the Union message, you still have a responsibility to vote. This is a democracy. Every day that we delay a vote on this bipartisan bill, Congress is complicit—Congress is complicit—in the deaths of those American citizens who wait for action as Congress sits by as 5,000 more victims die at the point of a gun.

I commend the families of Newtown, and the whole world was heartened when Mark Barton stepped out into the Rose Garden with the President of the United States and reiterated a phrase that has held them all together: that

their hearts are broken, along with those of the entire world as we look down at this tragedy, but their spirit is not. And they are undaunted in their determination, driven by the memories of those teachers and administrators and students who died so tragically. They—both students and teachers—were willing to stand in the way of violence, and the United States Congress can't do its constitutional responsibility and stand up and vote?

All of us in America watched as the United States Senate, with families in the gallery, voted on background checks that 91 percent of the American people agree with, voted it down. No teacher in America could explain the next day how the vote was 54-46, and it lost. Citizens all across this country take heed: do not give up. Continue to fight this fight. Fight what's wrong with Congress about not taking votes when they should and about a system in the Senate where a majority prevails and a vote goes down because of the cloture rule, an arbitrary rule in the United States Senate.

The outrage has to start outside of this building because here in this building, people remain complicit in the acts that will only continue to take place if Congress does not take action.

#### PREVENTING FUTURE SHOOTING TRAGEDIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. BARBER) for 5 minutes.

Mr. BARBER. Mr. Speaker, tomorrow we observe the sixth-month anniversary of the senseless and tragic murders at Sandy Hook Elementary School. We will never forget what happened in Newtown, Connecticut, on December 14, 2012, just as we will never forget what happened in Tucson, in Oak Creek, Virginia Tech, Portland, Milwaukee, and Columbine. As we remember the precious lives lost, we must also renew our determination to work together to make sure that such a tragedy never happens again.

As a survivor of the Tucson shooting that took place on January 8, 2011, as a grandfather of children the same age as those who were slaughtered in Newtown, and as a Member of Congress, I am committed to taking the reasonable action to make sure that we prevent future deaths and injuries from such mass shootings.

After the awful shooting and deaths in Newtown, the Sunday following I was reading the newspaper about the tragedy, and I saw a photograph of one of the children that was killed. As I looked at that photograph of this little 6-year-old girl, looking back at me from that page was my granddaughter that was the same age. I have to tell you that I sobbed, along with my wife. I think no grandparent and no parent in this country could have had any

other reaction. We must take action here to make sure these mass shootings never occur again.

While there is no single answer to preventing mass shootings, we do know some things. We know, for example, that untreated or undiagnosed serious mental illness has been a factor in many of these tragedies. It's important to note as we say this that more than 95 percent of people with a mental illness never will commit a violent act. They are far more likely to be the victims of violence than the perpetrators.

The young man who killed six people in Tucson and wounded 13 of us had displayed symptoms of mental illness for many, many months before the tragedy. He never received either a diagnosis or treatment. He ended up getting a diagnosis and treatment when he was in prison. I believe this and other such mass shootings could have been averted if the public was more aware of the indications of symptoms of mental illness and how to get help.

We must do more to reduce the stigma surrounding mental illness. We must invest in the early identification of mental illness and treatment programs. Sixty percent of people living in this country with mental illness are not receiving the care they need. We must do better. It is clear that we must expand mental health services and awareness for 100 percent of the individuals with mental illness in the country.

That's one of the reasons I introduced the Mental Health First Aid Act earlier this year with strong bipartisan support. This legislation would provide training to help first responders, educators, students, and the general public identify and respond to signs of mental illness.

This is just one of many actions we can take. You've heard of others from speakers before me today. There are many things we can and must do. Congress must act. I call on my colleagues on both sides of the aisle to stand with me and the families of Newtown and of Tucson and all the other places where there have been mass shooting tragedies in the last 2 years and take action. We must act. We must do it now. The families of Newtown, Oak Creek, Aurora, Tucson, and across this Nation, are waiting for our answer. Will we answer? I hope we will do it, and do it soon.

#### MORE VALUE FROM DEFENSE DEPARTMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 4 minutes.

Mr. BLUMENAUER. Mr. Speaker, yesterday in the Budget Committee hearing, we had Secretary Hagel and Joint Chief of Staff Dempsey walk us through the impossible position that

the Department of Defense has been placed in.

Now, I'll be the first to admit—as I think they would; in fact, they said as much in the hearing—that there are areas of opportunity for additional savings, and that the Department of Defense can itself do a better job.

When you have almost half of the world's military spending by the United States, even though we are only 5 percent of the world's population and less than a quarter of the world's economic might, we can and should be able to squeeze more value. But the problem is not so much that the Department of Defense isn't willing to come forward with changes that need to be made; a great part of this problem is Congress itself.

□ 1100

I have proposed, from the Department of Defense, that we actually close bases, that we reform compensation and health care, that we don't force weapons systems on the Department of Defense that the military doesn't want or need. These are things that gets Congress weak in the knees. It's time for us to step up to make sure that we are having the world's most powerful military, but that we are squeezing more value out of it.

One critical area that needs greater attention is our nuclear deterrent. We have far more nuclear weapons than we'd ever want, need, or could use. It's been 68 years since the United States used a nuclear weapon in war; and no matter what you do in terms of deterrence, there's no question that we don't have to blow the world up hundreds of times over to have that deterrent work. Yet, sadly, we are poised to spend almost three-quarters of a trillion dollars over the next 10 years.

The administration was forced by former Senator Kyl, as a concession for the START Treaty, to invest even more in weapons modernization. We need to step up and change that.

There are other details that need attention. When the military looked at a proposal to streamline the PX operation, where military families shop, there was a proposal by major retailers to provide exactly the same service, in many cases, equally convenient, saving a billion dollars; and yet the political pushback was such that the Pentagon turned away.

Now, dealing with things like military bands and the PX and NASCAR sponsorship are appropriate, but that's rounding error. Those are small items.

We need to deal with reforming the military, to deal with the new threats and challenges that are more serious and immediate and largely impervious to the major military footprint we've got. We need to start now, in partnership with the Department of Defense, to reduce the footprint, to restructure the force, and reform pay and benefits.

We were told yesterday that we can either reform TRICARE over the next 5 years, or we'll have 25,000 more troops to lay off. These proposals are stark, but they are immediate and they are real; and we should take advantage of them.

#### THE REALITIES OF THE FOOD STAMP PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. ELLISON) for 5 minutes.

Mr. ELLISON. Mr. Chairman, I come before the House today to talk a little bit about the food stamp program. I want to talk about it because it is proposed in the farm bill that we'll be talking about soon that there will be a \$20 billion cut from the program.

Now, I just thought that I would come before the House today, Mr. Speaker, to talk about the realistic implications for regular people, and maybe even to try to stand against some of the misconceptions that people may have about the food stamp program.

Last Monday, I was in my district and nearby there in St. Paul, and I and BETTY MCCOLLUM sat down with a number of our neighbors and friends and colleagues to talk about the food stamp program. And we had three groups of people who were talking to us.

One was a group of people who are using the food stamp program. One of them was a senior citizen, and she was working, she was in her early sixties, got sick, couldn't work anymore, and was hoping to get to the age where she could retire and get her Social Security, get other benefits, but she wasn't quite there yet. She got sick before she did, and she needed the food stamp program.

Now, personally, as a taxpaying American, I've got no problem helping this wonderful lady meet her food needs.

Another was a young mom. Actually, she didn't have any money for child care, so she brought her baby to the meeting, who was across her shoulder in a sort of a wrap. And this young mom explained how she tried to get the best options for her baby, wanted to get back to work, but, while she was in the middle of trying to find work, needed to have good nutrition for her child.

We also talked with a person who was a young adult, 19-year-old guy, didn't get any food stamps until he passed out one day because he hadn't been eating.

And then we talked to a person who was not a food stamp recipient, but who was a health care professional in Hennepin County. She explained that the food stamp program was essential for good health because she had had a number of people, she talked about one woman in particular named Mary, who was complaining, was not taking her



medication. And her doctor said, Mary, you're not compliant on your medication. Mary said, well, it hurts my stomach.

And so when the doctor talked to her more, he found out she wasn't eating, so the medication was sitting on her empty stomach. When she got some food in her stomach, she was able to take her medication and be in compliance and stay well so that she could stay out of the emergency room.

So we talked with these folks. Then we talked with people from the faith community—Jewish community, Christian community, and Catholic community—and all of them said that, look, you know, we do a lot of food aid. We're trying to make sure that folks have enough to eat; but if the government steps away from nutrition assistance, then that's just going to leave a bigger hole for us.

They talked about how their food shelves were already being used a lot, and how they already were struggling to meet the needs of the folks who came to them. So at the end of the day, they said, look, you know, we're not going to be able to step in where the government steps out.

And so at the end of the conversation, it was clear to me that, aside from statistics, aside from all the numbers, there is a human face on the food stamp program; and the cuts that have been proposed will be devastating.

Let me just tell you this, Mr. Speaker. If there was a program which said that it would improve children's math and reading scores, it would prevent diabetes, asthma and depression, it would contribute to healthy babies with fewer developmental problems, it would decrease health care costs and lower the poverty rate, would you support it?

That's the food stamp program. It needs to be supported.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 7 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at noon.

#### PRAYER

Pastor Ron Dunn, Revolution Church of God, Harrison, Michigan, offered the following prayer:

Father, You have given us this land for our heritage. We humbly ask that You will keep us mindful of Your favor and Your will.

Bless our land. Save us from violence, discord, and confusion and from every evil way. Turn us into one united people.

Give wisdom to our leaders who have been elected and entrusted with the authority to govern this great Nation. Let these leaders be obedient to Your law, and may Your glory shine throughout our Nation.

Bless this Nation as we put our trust in You in times of trouble and give You our thankfulness in times of prosperity.

Father, pour out Your Spirit on these men and women as they commit themselves to Your service and the service of our Nation.

We pray this in the name of our Lord and Savior Jesus Christ.

Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Oklahoma (Mr. MULLIN) come forward and lead the House in the Pledge of Allegiance.

Mr. MULLIN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### WELCOMING PASTOR RON DUNN

The SPEAKER pro tempore. Without objection, the gentleman from Michigan (Mr. CAMP) is recognized for 1 minute.

There was no objection.

Mr. CAMP. Today, I rise to welcome Pastor Ron Dunn to the House floor and to thank him for sharing his inspiring words this morning.

Pastor Dunn has served in a number of ministry roles for the last 15 years. Currently, he is the senior pastor to the Revolution Church of God in Harrison, Michigan, where he has encouraged the church to serve the community by offering counseling services and donating items such as clothing, diapers, and formula.

Before joining the ministry, Reverend Dunn was a member of the United States Army for 8 years and served in Operations Desert Shield and Desert Storm. He and his wife, Stephanie, have three daughters—Chelsea, Abigail, and Sara—and they join us here today.

On behalf of the United States House of Representatives, I would like to thank Pastor Dunn for offering this

morning's prayer and for his service to God, his community, and our country.

God bless you, and God bless the United States of America.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 13, 2013.

Hon. JOHN A. BOEHNER,  
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 13, 2013 at 9:32 a.m.:

That the Senate agrees to return the bill to the House H.R. 2217.

Appointment:  
Military Compensation and Retirement Modernization Commission.

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

#### VIOLA MEEKINS

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute.)

Mr. CRAWFORD. I rise today to recognize Viola Meekins and her lifetime of service to her community and to the State of Arkansas.

The life of Mrs. Meekins will be remembered in every corner of Arkansas County as well as in the halls of Upchurch and McRae High Schools in Prescott and by her classmates of Philander Smith College.

When Mrs. Meekins and her husband, George, first moved to Stuttgart in 1958, he became the principal of the former Holman School. Mrs. Meekins was the school's secretary as well as a teacher. After desegregation in 1971, the couple moved to Stuttgart High School. Even though Mrs. Meekins retired from teaching in 1989, her work in the community was just beginning. She spent countless hours volunteering at many places, including at the Holman Heritage Community Center. Upon the



passing of her husband, George, Mrs. Meekins was appointed to fulfill his term on the quorum court and went on to serve for over 20 years.

In closing, I want to highlight the reason Mrs. Meekins sought a career as a teacher: to add value to the lives of the students and their families she taught. The life of Mrs. Meekins will live on, Mr. Speaker, and I hope that everyone who came in contact with Mrs. Meekins will honor her legacy by finding ways that they, too, can add value to the lives of those they come in contact with on a daily basis.

#### VETERANS EDUCATION FLEXIBILITY ACT

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, the original GI Bill was one of the most significant pieces of legislation in American history. It is responsible for providing education to a generation of veterans—the right to rise—and it transformed our Nation's economy from an industrial-based economy to a knowledge-based economy.

Unfortunately, the GI Bill today sets forth limits for using these educational benefits. After leaving service, many veterans must postpone further education to support families or are unable to work due to lengthy rehabilitation from service-related injuries.

GI Bill benefits should not come with an expiration date. We should provide our veterans greater flexibility. That's why I've introduced the Veterans Education Flexibility Act. This legislation would remove the expiration date for veterans in order for them to take advantage of the GI Bill's educational benefits, and it would retroactively restore benefits to individuals whose benefits have already expired.

Mr. Speaker, caring for our veterans is more than thanking them for their service. On behalf of a good and generous Nation, we must restore the promise to and the potential of every returning veteran.

#### OBAMACARE

(Mr. MULLIN asked and was given permission to address the House for 1 minute.)

Mr. MULLIN. Mr. Speaker, I stand before you today not only as a Member of Congress but as a concerned American.

As a country, we cannot continue to ignore ObamaCare's impact on jobs and small businesses. This past Friday, our Nation witnessed yet another rise in the unemployment rate. Why is it becoming increasingly difficult for nearly 12 million Americans to secure jobs?

When you attack a small business, you attack the backbone of our economy.

American employers are struggling to manage this job-killing health care law. Health care now tops the concerns facing small business owners like myself. We will have to make the tough choice of whether to comply with the health care mandate or to reject it. This is yet another regulation that is choking our economy at a time when we should be creating more jobs.

ObamaCare also empowers the scandal-plagued IRS—an agency that, in 2010 alone, administered \$17 billion in improper payments to the earned income tax credit.

Where is the recovery America was promised? It is time we put America back in business.

#### CALIFORNIA AVOCADO APPRECIATION MONTH

(Ms. BROWNLEY of California asked and was given permission to address the House for 1 minute.)

Ms. BROWNLEY of California. Mr. Speaker, I rise today to recognize one of my State's most important agricultural assets—the California avocado. This June, during the peak of the avocado growing season, we celebrate California Avocado Appreciation Month.

California avocados are both an economic driver as well as a healthy sodium- and cholesterol-free food option. Throughout California, family farms produce 90 percent of the Nation's avocados, and many of these farms and avocado groves are in my home in Ventura County. Growers in Ventura County are leading the way in avocado agriculture, and they are true stewards of the land. It is this stewardship and their hard work that makes the future of the California avocado so bright and Ventura County one of the most beautiful places in the country to live and work.

I look forward to joining my colleagues to further strengthen this important economic driver for California and for our country.

□ 1210

#### AMERICAN ENERGY POLICY

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, the Motor Capital of Michigan currently has the second-highest gas prices in the country at over \$4 per gallon. Sadly, this reality is just another painful and needed reminder for the Senate and the President to work with the House in passing an all-of-the-above approach that expands American energy production, creates jobs, boosts manufacturing, makes energy more affordable, and allows America to be America.

The U.S. is a treasure trove of natural resources. New practices allow producers to easily extract natural gas,

coal, and oil from the ground while doing it cheaper, safer, and with less disruption to the landscape.

Energy production also creates jobs. The Keystone XL pipeline project alone would create tens of thousands of jobs. The State Department declares it environmentally safe. Labor unions agree it will create jobs. Last month, the House passed H.R. 3, the Northern Route Approval Act, to clear the remaining barriers to construction of the project. But the administration refuses to move forward. Why? America deserves better.

The President and the Senate must join our efforts to help hardworking taxpayers and create jobs, create an economy, and allow America to be America.

#### MILITARY SEXUAL ASSAULT

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, the men and women who serve our country every day have to worry about the fate of losing a limb or losing their life facing the enemy, but they shouldn't have to worry about the insidious sexual assaults from their very own, nor should they have to live in the shadows of fear and intimidation and retaliation by their abuser.

According to our Department of Defense, 26,000 servicemen and servicewomen who serve our country were sexually assaulted in the military in 2012. That's more than 70 servicewomen and servicemen sexually assaulted every single day in our military. That's a scary statistic.

But what's even scarier is, due to a culture heavy on retaliation and light on prosecution, only 3,374 of those cases were even reported. This is a pervasive crisis that threatens the moral underpinnings of our military. We must take urgent action now.

I actually support the underlying changes of the defense bill that we're going to be voting on this week.

Congress should create a transparent and fair system that ensures the safety of our men and women in the armed services who have sacrificed enough.

#### SMALL AIRCRAFT REVITALIZATION ACT

(Mr. POMPEO asked and was given permission to address the House for 1 minute.)

Mr. POMPEO. Economic growth of just over 1½ percent is unsatisfactory. We all want a better economy and better jobs.

In south central Kansas, the aviation manufacturing industry has been hit particularly hard. Machinists, engineers, small business owners, and families are very worried about what their future might hold.

That's why I've offered bipartisan legislation offered in the Senate by Senator KLOBUCHAR which will reduce the burden on manufacturers who are building airplanes in the United States of America, trying to compete with global companies all across the world.

The Small Aircraft Revitalization Act, H.R. 1848, would greatly reduce that burden and help manufacturers all across south central Kansas and indeed all across America to get their products to market faster so that we can compete and provide aircraft, great tools for all businesses, to compete all around the world. It will replace an outdated certification system and greatly ease the burden on those who are trying to build these great products here in the United States.

This bill would ensure that this industry can continue to thrive in the years and decades ahead.

### JOBS

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, in the 6 months since we've convened the 113th Congress, the legislative branch has passed only 13 bills that have become law, but none of these is focused on the most urgent issue facing families all across our country: jobs and the economy.

This is wrong.

With so many people still out of work and middle class families struggling to achieve economic security, the same old broken Washington political games need to stop.

The American people have had enough of congressional dysfunction and gridlock in Washington. They want Republicans to come to the table and work with Democrats to pass legislation to put our country back to work. That's why I'm adding my voice to a growing list of Members from both parties who want leaders in the House and Senate to set aside the issues that divide us and take immediate action that will create jobs, prevent an unnecessary interest rate hike on student loans, and help our small business owners succeed.

Let's come together not as Democrats and Republicans but as Americans and get our country moving together. Let's work together to confront the big challenges facing our country. The American people deserve nothing less.

### NATIONAL DEFENSE AUTHORIZATION ACT

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, I rise today in support of H.R. 1960, the National Defense Authorization Act.

While our brave Armed Forces continue to fight for our national security, it is vitally important that Congress ensures their economic security.

Even during times of tight budgets and spending cuts, it is our responsibility to give adequate support all the way from the joint chiefs to the newest recruits. This also includes stricter penalties for personal misconduct and greater protection for victims of assault.

Texas' 25th District is home to Fort Hood, one of the largest military installations in the world. These soldiers, and all who wear the uniform, need to know their Congress is behind them, giving them the best armored trucks you can drive, the best planes you can fly, the best weapons you can fire, and the best ammunition you can use. We need to have an unbeatable military readiness and the highest quality of life possible for the greatest military in the history of the world.

Even with restrained resources, this bill will support and protect our troops and their families and provide the American people with the peace they deserve.

In God we trust.

### SAFE CLIMATE CAUCUS

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, climate change is already taking a devastating effect on our planet. We're seeing its evidence in everything from Hurricane Sandy to more extreme droughts and wildfires, but we must not forget that we live on a blue planet—so climate change is an ocean issue, as well.

The same greenhouse gases that are changing our climate are also changing our oceans. Our oceans absorb a tremendous amount of carbon dioxide from the atmosphere. So as carbon pollution increases, so too does the acidity of the oceans.

Ocean acidification is threatening the survival of entire food chains and ocean ecosystems that we all depend upon for food, for jobs, and recreation.

Mr. Speaker, our window of opportunity to address this problem is quickly closing. And with every day we fail to act, we further jeopardize the future of ocean resources.

The President has declared this month as National Oceans Month. And last weekend, the international community celebrated World Oceans Day.

Let's live up to this challenge. Let's take action on commonsense measures for healthy and productive oceans now and into the future.

### ST. MARY-OF-THE-WOODS COLLEGE

(Mr. BUCSHON asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. BUCSHON. Mr. Speaker, I rise today to recognize a milestone in the history of St. Mary-of-the-Woods College, located in my district.

As an early leader in distance learning, St. Mary-of-the-Woods College is celebrating its 40th anniversary of providing quality distance education for students across the Nation.

The program began with the bold vision of Sister Jeanne Knoerle, then-president of the college, as a way to educate women who needed a nontraditional way to earn a college degree and was expanded in 2005 to provide access to men. Known today as Woods Online, it is one of the largest online degree programs in Indiana. More than 800 students are currently enrolled in the program from 33 States and across the globe.

I would like to congratulate St. Mary-of-the-Woods College on the longevity of this program and thank them for their innovative efforts in offering a nontraditional means for students to achieve their educational goals.

### IMMIGRATION REFORM

(Mr. GARCIA asked and was given permission to address the House for 1 minute.)

Mr. GARCIA. Mr. Speaker, in the Judiciary Committee today, we will be considering an immigration enforcement bill that is as controversial as it is downright dangerous.

While the Senate is working in good faith towards real immigration reform, some of my colleagues continue to push partisan legislation that does nothing to fix our broken immigration system or get us any closer to real reform.

If my colleagues will indulge me, I'd like to say a few words in Spanish.

(English translation of the statement made in Spanish is as follows:)

In the Judiciary Committee today, we will be considering legislation that is as controversial as it is dangerous.

It would give unprecedented powers to local police, essentially giving them the same authority as immigration officials.

While the Senate continues to work toward a compromise, some of our colleagues continue to offer legislation that does nothing to protect our national security, does nothing to grow our economy, and does nothing to fix our immigration system.

We cannot allow a handful of Members of Congress to play politics instead of taking seriously the goal of passing immigration reform.

Hoy, en el comité judicial, vamos a considerar legislación que es tanto controversial como peligrosa.

Le daría poderes sin precedentes a la policía local, esencialmente dándole la misma autoridad de agentes de inmigración.

Mientras que el Senado continúa trabajando hacia un compromiso, algunos de nuestros colegas siguen proponiendo legislación que no protege nuestra seguridad nacional, no ayuda a crecer nuestra economía, y no arregla nuestro sistema de inmigración.

No podemos permitir que algunos congresistas jueguen política en vez de tomar en serio la meta de pasar una reforma migratoria.

Our Nation cannot afford to play partisan politics. Now is the time for real immigration reform.

The SPEAKER pro tempore. The gentleman from Florida will provide the Clerk a translation of his remarks.

□ 1220

#### CONGRATULATING BOB MCKAY

(Mr. DESJARLAIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DESJARLAIS. Mr. Speaker, I rise today to recognize Mr. Bob McKay, a lifelong resident of Maury County, Tennessee, who was recently inducted in the Tennessee Radio Hall of Fame.

On December 7, 1941, Mr. McKay listened to the radio accounts of the attacks on Pearl Harbor, and realized just how important radio is in keeping us informed. He filed with the FCC to open a radio station but joined the Army shortly after to serve his country in the Pacific. Before leaving, he gave his application to his father and said:

If I'm lucky enough to get back, I'll want that radio station for Columbia.

Mr. McKay returned home in 1946, and started WKRM. Its success allowed him to open three more stations.

In addition to broadcasting, Mr. McKay chaired the Maury Regional Hospital Board of Trustees, was a founding member of the Tennessee Association of Broadcasters, and served on the boards of numerous charities in Columbia. He retired in 2008 after 62 years in the broadcasting industry. In his work and personal life, he has always followed the highest Christian principles.

#### PREVENTING STUDENT LOAN INTEREST RATE INCREASE

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, in less than 3 weeks, student loan interest rates will double for millions of the country's neediest students, going from 3.4 percent to 6.8 percent, unless Congress takes decisive action to maintain the current interest rate.

The rising cost of a college education is driving many young Americans to

assume historically high levels of student debt. With college tuition growing rapidly, the doors of opportunity are closing on today's students. The problem will only get worse if Congress does not act soon.

With the job market still recovering, we should not be asking students with the greatest need to be burdened by higher loan costs. Making college more affordable is one of the best investments our Nation can make in America's economic future. We must craft a long-term solution for student debt—and it must be now—as part of a comprehensive approach at lowering the cost of college, but time is running out to block the July rate hike. We don't need the sham that we passed a few weeks ago that makes the situation worse.

Providing affordable education should not be a partisan issue. This is a student issue, and it affects young people across this Nation of all political persuasions and in all congressional districts.

#### CONGRATULATING SERVICE ACADEMY APPOINTEES

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to congratulate an extraordinary group of 21 students who have been chosen as future leaders of our Armed Forces. These students have received appointments from the prestigious United States service academies.

Eight received appointments from the Air Force—my personal favorite; four from the Naval Academy; another eight from the Military Academy; and one from the Merchant Marines.

I am proud of this group. They will get one of the finest educations available and really learn the meaning of duty, honor, commitment, and sacrifice to this great Nation. America has the finest fighting men and women in the world, and these students who are the best and the brightest are needed now more than ever. I'm confident they'll represent the Third District of Texas well.

I salute each one for the endeavor they are about to undertake. God bless them and God bless the United States of America.

#### ENSURING FOOD SECURITY

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I represent the San Joaquin Valley of California where our business is growing healthy, safe foods. It's the breadbasket of America.

But even in our agriculturally rich region, many of the same families who labor to produce these crops struggle to feed their children. This is part of the tragedy of hunger in America.

I have witnessed firsthand the challenges these families face living on the average SNAP benefit, which is \$4.50 per day.

While I am a strong supporter of passing a farm bill, I have serious concerns about what the proposed cuts mean for 16.2 million children nationwide who are faced with hunger. We must and we can do better. I hope we pass the farm bill in the House next week. And if so, I will be fighting to make sure that these children have a seat at the table when we go to conference with the Senate.

Budget choices are a reflection of our priorities. In a time of such economic hardship, we can and we must make sure that those most vulnerable in our society are fed properly.

#### WASHINGTON BOOMS AT COUNTRY'S EXPENSE

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, as I travel my district back home, folks tell stories about how the Obama economy is failing families, young people, seniors, workers, and future generations. Too many western Pennsylvanians are unemployed, underemployed, or have given up looking for work.

Just last week, we learned that a Pennsylvania coal company was forced to lay off over 100 miners and other employees. These hardworking men and women are mothers and fathers. They have fallen victim to the stagnant economy and President Obama's war on coal.

While the rest of the country is struggling, however, Washington, D.C. is booming. In fact, the suburbs here surrounding our capital include seven of the 10 richest counties in the country. It's easy for politicians and unelected Federal elites to spend recklessly and regulate carelessly when they are safely ensconced here in Washington. Their wasteful spending and onerous regulations have created a boomtown bubble and left the rest of the country behind.

It's past time for this to change. Hardworking Americans need Washington to stop booming so the rest of the country has a chance to grow, prosper, and add jobs.

#### NO BUDGET, NO PAY

(Mr. PETERS of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PETERS of California. Mr. Speaker, last year, I ran for Congress

on No Budget, No Pay: the concept that if Congress does not pass a budget and do its job, we should not be paid. In so doing, I joined my Republican colleagues here in the House in being critical of the Democrats in the Senate who had not passed a budget for 4 years. As a result of our actions, we forced the Senate to pass their budget, and we in the House have passed our own.

Now, according to our rules and centuries of practice, we are supposed to have a conference to reconcile the Senate and House budgets so we can approve a compromise and forward a congressional budget to the President for his signature.

When I go home, I hear a sense of urgency from San Diegans about balancing the budget and ending the sequester. But too many in Washington, D.C., who are well paid and comfortable seem to care more about politics than about helping the American families and businesses that are struggling. Now is the time to honor the American people by doing our jobs.

Mr. Speaker, please appoint conferees now so we can pass a Federal budget and get on with our work.

#### MEDICARE PART D

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I would like to call the attention of this Chamber to a government program that is under budget and immensely popular. In 2003 when Medicare part D was passed, it was hotly contested, and rightly so. The Medicare Modernization Act represented one of the largest expansions of Medicare since its creation.

However, what cannot be contested is part D's success. Premiums are far below projections—less than half the \$61 monthly premium originally projected. Benefits packages are actually expanding, giving seniors more coverage and options. The CBO has confirmed that the increased usage of prescription drugs by seniors is offset by savings in medical services.

Medicare part D is keeping our seniors healthy for less, and they love it: 96 percent say their coverage works well.

The benefits of competition, prevention, and consumer choice have been tested and proven. It begs the question: When will we apply these principles to other Federal health care programs? And why is the President trying to cripple part D through price controls and new taxes when it is performing well?

□ 1230

#### RECOGNIZING THE RECENT OPENING OF FOREST HILL MEMORIAL PARK

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to recognize the recent opening of the Forest Hill Memorial Park in the 33rd Congressional District. The park was opened for all citizens to honor the military service contributions of our men and women in uniform.

This special memorial park includes the engraved names of the local brave men and women who served in all branches of the U.S. military. There's also a monument honoring local prisoners of war and missing soldiers, and a monument honoring Forest Hill public safety officers who have lost their lives in the line of duty.

I attended the dedication ceremony for the park on Memorial Day, and I can personally attest to the fact that it truly honors the veterans of Forest Hill and the surrounding communities across the United States. I commend Forest Hill elected officials who worked tirelessly to bring such a park to the north Texas community.

#### CONSEQUENCES OF OBAMACARE

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to highlight the terrible consequences ObamaCare is having on working families. In my district, Zionsville Community School Corporation was forced to cut hours for substitute teachers, instructional assistants, and other staff because of the employer mandates.

Recently, one Indiana school administrator who had just cut coaches', aides', and assistants' hours asked, "Did they really think about the seventh- and eighth-grade basketball coach or the substitute teacher or the part-time instructional aide" when they wrote this law?

Schools shouldn't be forced to cut back on services for kids because Washington is too stubborn to roll back a failed initiative.

While 12 million Americans are still looking for a job, schools are cutting hours and, consequently, people's pay. A recent study by the U.S. Chamber of Commerce found that ObamaCare is the number one concern for small businesses, and soon our children and families will learn it's the number one concern for school systems.

Mr. Speaker, this law is hurting our students, our school systems, its workers, and our economy. We must repeal it.

#### STUDENT LOANS

(Mr. MATHESON asked and was given permission to address the House for 1 minute.)

Mr. MATHESON. Mr. Speaker, I rise today to voice my support for American students.

Sierra Curian is a sophomore studying biology and chemistry at the University of Utah. Monday, I had the privilege of sitting down with Sierra and several Utah college students to talk about their experiences and why it is so important that Congress come together to solve the current student loan debate.

Not surprisingly, Sierra and the other students I spoke with are very concerned about the prospect of student loan interest rates doubling on July 1. What impressed me the most was listening to the aspirations of these students, many of which I promised to share here on the floor of the House of Representatives.

Sierra shared her hopes of becoming a large animal vet, hoping to specialize in equine medicine and research. Her dedication and determination toward this goal are apparent. Aside from being a full-time student, she works with large animals at a nearby clinic.

Sierra, along with over 110,000 students in Utah, is relying on subsidized student loans to help pay for education. As a sophomore, she has time to choose whether to continue her schooling by pursuing a doctor of veterinary medicine degree, but she has worries about what a higher interest rate could mean if she decides to continue her schooling.

Education is the key to opportunity. Our public policies should make sure everyone in America has the opportunity to pursue their dream.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to traffic the well while another Member is under recognition.

#### JOBS

(Mr. NUGENT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NUGENT. Mr. Speaker, I rise today to remind the United States Senate that although this country has turned a corner on the economy, there are millions of Americans who are out of work. And as we inch closer every day towards the implementation of ObamaCare, these businesses are at risk. Jobs are on the line, Mr. Speaker. Precious employment hours are on the line.

There are steps this House has taken over the last 2½ years. We have voted

almost 40 times to repeal and replace ObamaCare with something special. We've passed bills here in the House for over 400 votes, and those bills to help small businesses have withered on the vine in the Senate.

So while the White House continues to stumble from scandal to scandal, it's still incumbent upon the President to show leadership as it relates to jobs. There are bills waiting for consideration in the Senate that will make a very real difference to the American people.

The House has done and will continue to do everything possible to put American people back to work, and this cannot be done alone. We need the Senate and the President to work with us, Mr. Speaker.

#### SEXUAL ASSAULT IN THE MILITARY

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Mr. Speaker, I rise today to give voice to the thousands of men and women who have been sexually assaulted while serving their country in our Armed Forces. The Pentagon estimates that as many as 26,000 service-members were sexually assaulted last year. That's 70 assaults a day. But only 13 percent of the victims have reported the crime because of fear of retaliation.

We must establish a culture in our military that has zero tolerance for sexual assault; a culture that protects, not intimidates, victims; that prosecutes, not excuses, perpetrators; and that denounces, not ignores, sexual violence. We must make it a priority to end this unfathomable crime within our military and provide victims with the care that they need and deserve.

Next week, I will introduce the National Guard Military Sexual Trauma Parity Act to ensure that victims of sexual trauma in the National Guard also have access to the resources and services they need.

#### STUDENT LOAN RATE HIKES

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, it is disappointing that President Obama and Senate Democrats cannot agree with Republicans in the House on a simple issue like preventing student loan rates from doubling. Although a bipartisan vote in the House passed the Smarter Solutions for Students Act, the President and Senate have panned this common-ground approach.

The Smarter Solutions for Students Act is a simple plan, ready-made for bipartisan compromise, as it was patterned after President Obama's own budget proposal. Politicizing the com-

ing student loan interest rate hike is not an option if we are serious about a July 1 solution.

I urge my colleagues in the Senate to build off of the Smarter Solutions for Students Act proposal and commit to a long-term solution for students that eliminates the Washington guessing game from the rate-setting equation.

Ignoring the common ground Republicans already share with President Obama puts politics ahead of students.

#### AS YOU DID TO THE LEAST OF THEM

(Mr. HIMES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HIMES. Mr. Speaker, the American people need to understand what's happening on the floor of the House this week with respect to the farm bill. Now, it's a complicated thing with agricultural subsidies, commodity treatments, and food stamps. And here's where the American public needs to pay attention, because the Republican majority in this Chamber is using unprecedented and massive cuts to food stamps to get an agriculture bill passed.

What are food stamps?

Food stamps are about \$4.50 a day to hungry children and to vulnerable seniors.

I'm not going to dignify this amoral effort with a counterargument. I'm just going to observe that I'm standing under 4 words: "In God we trust."

I'm going to observe that the minister this morning opened the House with a prayer to our Lord and Savior, Jesus Christ, and I will say two things:

Proverbs 22:9: Whoever has a bountiful eye will be blessed, for he shares his bread with the poor.

Matthew 25:37: Lord, when did we see you hungry and feed you or thirsty and give you drink? And the King will answer them, Truly, I say to you, as you did it to the least of these my brothers, you did it to me.

#### REPUBLICAN SOLUTIONS FOR JOBS

(Mrs. NOEM asked and was given permission to address the House for 1 minute.)

Mrs. NOEM. Madam Speaker, the Democrats who run Washington, D.C., continue to lead this country down an irresponsible path: a ceaseless march of regulations out of Washington threatens to choke off American innovation; government spending continues at unsustainable levels; and the specter of ObamaCare, it looms large over every sector of our economy.

Is it any wonder that we continue to see stagnant job numbers like those released last week? Nearly 12 million Americans are out of work, 4.4 million of them with no job for 6 months or more.

Simply put, it's not fair. It's not fair to any American, which is why House Republicans are committed to securing the future for all Americans. We have a plan to create jobs and expand opportunity, and we'll do it by growing the economy, not by growing the government.

□ 1240

#### UNFINISHED BUSINESS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Madam Speaker, I rise today to stand with the families of those who fell in Sandy Hook who are here on this campus today to talk about unfinished business. I stand with them in mourning for those of their family members who died by senseless gun violence and thousands who have died since.

I will soon leave this House to go to read the names of those who have died in Sandy Hook and beg my colleagues for once to come together and vote for universal background checks and gun storage laws that simply provide safety and security for our children—unfinished business.

I stand here today, as well, to restore the trust to the American people about their privacy rights and civil liberties and ask my colleagues in a very bipartisan manner to rein in the number of private contractors—70 percent of the intelligence budget—and I intend to introduce legislation that will hopefully find an opportunity for bipartisan, thoughtful efforts to bring back the trust of the American people.

Madam Speaker, we have unfinished business. I stand here to finish it.

#### REPUBLICAN SOLUTIONS FOR JOBS

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute.)

Mrs. WALORSKI. Last week's jobs report was yet another stark reminder that our economy has far from recovered. Nearly 12 million Americans remain out of work, and 4.4 million people have been out of work for 6 months or more; and these are more than just numbers that come out of some monthly Bureau of Labor statistics. These are our fellow Americans. These are our friends and our family. These are our neighbors and our kids. These are the folks next door. And they—each and every one of them—deserve better.

House Republicans have passed legislation that helps working families maintain that crucial work-life balance. We've passed a long-term fix to the student loan programs to make life better for our recent grads.

These are real solutions, and they're all a part of the House Republican plan to create jobs and secure our future.

# IMMIGRATION REFORM EQUALS JOBS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, it has been 893 days since I arrived in Congress, and the Republican leadership has not allowed a single vote on serious legislation to address our unemployment crisis; but there's no shortage of policies to solve this crisis.

One of the best things we can do to create jobs is to pass immigration reform. When we bring undocumented workers in from the shadows where they're abused and paid below minimum wage, we boost wages for all Americans.

A recent study by the Center for American Progress shows that granting legal status to undocumented workers would create up to 159,000 jobs per year over the next 5 years. By empowering undocumented people to earn higher wages, immigration reform will enable people to spend more on food, clothing, and housing. This strengthens the American economy, builds our tax base, and creates jobs.

Immigration reform is not only about justice. It's about jobs, jobs, jobs.

## CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE ACTIONS AND POLICIES OF CERTAIN MEMBERS OF THE GOVERNMENT OF BELARUS AND OTHER PERSONS TO UNDERMINE BELARUS'S DEMOCRATIC PROCESSES OR INSTITUTIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-36)

The SPEAKER pro tempore (Mr. ROTHFUS) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions that was declared in Executive Order 13405 of June 16, 2006, is to continue in effect beyond June 16, 2013.

In 2012, the Government of Belarus continued its crackdown against political opposition, civil society, and independent media. The September 23 elections failed to meet international standards. The government arbitrarily arrested, detained, and imprisoned citizens for criticizing officials or for participating in demonstrations; imprisoned at least one human rights activist on manufactured charges; and prevented independent media from disseminating information and materials. These actions show that the Government of Belarus has not taken steps forward in the development of democratic governance and respect for human rights.

The actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions, to commit human rights abuses related to political repression, and to engage in public corruption continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13405 with respect to Belarus.

BARACK OBAMA.  
THE WHITE HOUSE, June 13, 2013.

## PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1960, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

Mr. NUGENT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 260 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

### H. RES. 260

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes. No further general debate shall be in order.

SEC. 2. (a) In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-13, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived.

(b) No amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those

printed in part B of the report of the Committee on Rules and amendments en bloc described in section 3 of this resolution.

(c) Each amendment printed in part B of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in part B of the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1250

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. NUGENT. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

### GENERAL LEAVE

Mr. NUGENT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. NUGENT. Mr. Speaker, House Resolution 260 is a structured rule that provides House consideration of amendments to this year's National Defense Authorization Act.

As I explained when I was down here yesterday, the Rules Committee receives hundreds of amendments to the NDAA every single year. This time we had 299 amendments to make our way through.

While the volume of amendments was massive, the Rules Committee evaluated each and every one in developing this rule. We were not able to make every amendment in order, but I believe this rule will allow for the exhaustive debate of a vast majority of the issues presented in committee.

Yesterday's rule provided for 1 hour of general debate on the underlying bill, H.R. 1960. Today, we're considering a structured rule that provides Members of the House with the opportunity to have copious and free-flowing debate on many of the issues contained in the underlying legislation.

As a member of both the Rules Committee and the Armed Services Committee, I know how complicated and far-reaching the National Defense Authorization Act can be. I've sat through multiple subcommittee marks on this legislation. We had a nearly 16-hour-long full committee markup on this bill, a meeting that started early Wednesday and lasted into Thursday morning. And now we've had two Rules Committee hearings on this bill, including yesterday's hearing, which took almost 10 hours from start to finish.

Having spent as much time with this legislation as I have, I can promise you this: the National Defense Authorization Act for fiscal year 2014 is a good bill. That's why the Armed Services Committee passed it with an overwhelming vote of 59-2. And we need to acknowledge Chairman McKEON and Ranking Member SMITH for fostering such a bipartisan and collaborative approach. This rule is the next step in that transparent and cooperative process.

Of the 299 amendments that we received in the Rules Committee, H. Res. 260 makes 172 of them in order. To use a technical term, that's a lot of amendments. Despite that, my colleagues on the other side of the aisle will remind us that even with 172 amendments allowed on the floor, it's still not an open rule; and, clearly, they're right. But let me assure you that this is also a fair and inclusive rule.

Having considered each of the amendments that was offered in the Rules Committee, I can honestly say that what we have here today is a rule that gives the House the opportunity to debate all of the major topics contained in the underlying legislation without duplicating efforts and having multiple amendments on the same issue.

For example, we heard many Members speak on the House floor yesterday about sexual assault in the military. The underlying legislation takes significant and necessary steps to com-

bat, prosecute, and prevent this heinous crime. But given the importance of this issue, the Rules Committee understandably received five different amendments all related to sexual assault. So I'm proud to say that H. Res. 260 provides the House with the opportunity to debate this issue and ask ourselves if there isn't more that we can do.

Another major topic, one that none of us can ignore, is the nature of our military's operation in Afghanistan. We need to ask ourselves what's going to happen at the end of 2014, at which time President Obama has indicated we will have moved strictly to a security operation in that country.

The Rules Committee received no less than four different amendments on Afghanistan. I'm happy to say the rule allows for debate on the issue by way of an amendment offered by my colleague from the Rules Committee, Mr. McGOVERN, and I look forward to that. I look forward to having the opportunity to join the gentleman from Massachusetts in supporting that important—and I think commonsense—amendment, and my hat's off to you for that.

And the list goes on—energy, the use of drones, Guantanamo Bay, missile defense. The rule allows for amendments on all these important topics. I am going to vote for some of the amendments that this rule makes in order; I'm going to vote against others. But first and foremost, I'm going to vote for this rule.

The bill was done the right way. It went through the subcommittee process; it had a thorough and lively markup in the full committee; and it went to the Rules Committee, where we were diligent about making sure we gave it the consideration it deserves and provided it with two rules.

H. Res. 260 is the next step in a thoughtful, bipartisan process. I'm proud of this rule and the underlying legislation and the process that has gotten us to where we are today. For that reason, I encourage all of my colleagues on both sides of the aisle to join me in passing this rule, passing the National Defense Authorization Act for fiscal year 2014, and making sure our men and women in uniform have the tools and resources they need to complete the mission safely and successfully.

With that, I reserve the balance of my time.

Mr. McGOVERN. I want to thank my friend, the gentleman from Florida (Mr. NUGENT), for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, the rule for the defense authorization bill is a structured rule. Over 300 amendments were submitted to the Rules Committee, and 172 were made in order.

This was a very difficult task, made even more difficult because the major-

ity scheduled only 2 days for debate on amendments to this 850-page bill. But I would like to add a special word of appreciation for the Rules Committee staff, both majority and minority, who worked tirelessly for long hours to prepare this bill and its amendments for debate. I think most of my colleagues do not have the appreciation for what the staff and even the members of the Rules Committee have to go through, but I think they should appreciate their work even more after this rule that is being brought before the floor today.

I am pleased that one of the amendments included in this rule is my amendment on the war in Afghanistan. This is a bipartisan amendment which will be debated and voted on later today. It is cosponsored by WALTER JONES of North Carolina and Ranking Member ADAM SMITH of Washington, along with Representatives LEE and GARAMENDI of California.

A very similar amendment was not allowed debate last year; and I want to particularly thank Chairman SESSIONS, members of the Rules Committee, my good friend, Mr. NUGENT, and the Republican leadership of the House for allowing a debate on the war to occur this year. It is the right thing to do; and I appreciate that they take seriously the responsibilities of the House to debate issues of war and peace and to sending and keeping our servicemen and -women in harm's way.

However, I'm a little disappointed that the debate will only last for 10 minutes. That's the amount of time designated for this amendment. Ten minutes is not really enough time for a genuine debate on the war in Afghanistan and what might next be required of our troops, and how much staying in Afghanistan will cost us.

Afghanistan has turned into the longest war in American history—over 12 years so far. And heaven only knows, Mr. Speaker, it has cost us dearly in both blood and treasure. Those costs will haunt us for decades to come, as so many of our veterans have returned wounded in body, mind, and soul: 2,235 American military personnel have been killed in Afghanistan, and even more will be sacrificed before our troops come home. Over 17,000 have been wounded. It's estimated that over 30,000 Afghan civilians have been killed since 2001; 349 of our veterans committed suicide last year, more than the 310 servicemen and -women who were killed in theater in Afghanistan.

Since 2001, including the money in this bill, we have spent \$778 billion for Operation Enduring Freedom, nearly all of that in Afghanistan. Right now, as we speak on the floor of this House, we're spending over \$7 billion each month in Afghanistan. Every hour costs us nearly \$10 million. And all this time we have helped support a corrupt Karzai government, a government that



gets billions of dollars each year and billions more under the table.

□ 1300

Surely this war and the possible extended deployment of our brave troops for an indefinite period of time are worth a little bit more time than has been given for debate.

But, Mr. Speaker, Members will have the opportunity to debate and vote later today on ensuring the President completes his timeline to transfer all combat military and security operations to Afghan control by the end of 2014, at which time U.S. involvement in combat operations is to end; and to express that should the President determine to extend the deployment of U.S. troops in Afghanistan after 2014, then the United States Congress should specifically vote to authorize that mission.

I would urge all of my colleagues—Democrats and Republicans—to join us in supporting this very, very important amendment.

Again, I do want to express my appreciation to my colleagues on the Rules Committee for making it in order. While I am pleased that my amendment was made in order under the rule, several other amendments on very serious military security issues were excluded from debate. I would just like to mention a couple of them.

In a bipartisan fashion, Members of Congress have expressed their shock and outrage over the epidemic of rape and sexual abuse and assault in all branches of our military and at all ranks and military institutions. It is unacceptable, and it is intolerable. While H.R. 1960 has many provisions that address aspects of this crisis, there were several amendments that were not allowed, in particular, amendments dealing with military sexual assault offered by Representatives SPEIER and GABBARD.

These amendments were serious efforts to advance this debate and to let Members of this House as a whole decide whether more needs to be done to prevent and reduce the level of military sexual assault, to prosecute and to bring to justice the perpetrators of sexual abuse, and to hold accountable the military chain of command and institutions that have allowed, facilitated, or tolerated this abuse. They should have not been excluded from this rule, and they deserve our most serious attention.

So because these and some other important issues fail to be included in the rule, I reluctantly urge my colleagues to oppose this rule.

Again, I thank my colleague, Mr. NUGENT, for his courtesies and for his kind words about my amendment, and I will now reserve the balance of my time.

Mr. NUGENT. Mr. Speaker, I yield 3 minutes to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. Mr. Speaker, I thank the gentleman for yielding.

Today, during this debate, you may hear that some of the reforms that are in H.R. 1960 do not go far enough, that commanders absolutely have to be taken out of the decision process in sex-related offenses. Well, I disagree, Mr. Speaker, and let me tell you why. Holding commanders responsible and accountable for their actions and decisions is the most effective way to change the military culture, especially with regard to sex-related events.

Proposals to take the commander out of the military justice decision process, they believe that it will improve those prosecutions. I disagree. They believe it will improve convictions and overall confidence of victims in the military justice system. There is no evidence to support these assertions.

In fact, in 2005, the HASC heard similar assertions about the need to conform the UCMJ section on rape and sexual assault to the Federal law on those offenses. Congress made that revolutionary change and found that it did not make things better. In fact, the change made things worse. Cases were thrown out, the court of military appeals declared parts of the changes were unconstitutional, and justice for victims was delayed and ignored completely in some instances. Congress had to rewrite the UCMJ to fix the harm done. The lesson from that is to slow down when you're making major changes to UCMJ to make sure that you're doing the right thing.

H.R. 1960 does exactly that. It asks both the Secretary of Defense and the independent panel established by fiscal year '13 NDAA to closely examine the role of the commanders under the UCMJ and make recommendations for change as appropriate. It's time that we focus on what's best for our victims of sexual assault in the military and how to bring those perpetrators to justice.

Let me talk a little bit about some of the reforms that are included in the bill because there are so many of them on a bipartisan basis that were added to the bill that are going to help reduce the incidences of sexual assault in our military.

One of them is that it would strip the commanders of their authority to dismiss a finding by a court-martial. It would limit commanders' ability to reduce, suspend, or dismiss a sentence. It would also establish minimum sentencing guidelines—dismissal or dishonorable discharge for sex-related offenses. Currently, such guidelines only exist in the military for the crimes of murder and espionage. Now it would include those that have to do with sexual assault in the military.

There are whistleblower protections that were put in here, advocated by Members of both parties—Republicans and Democrats—that would add rape,

sexual assault, or other sexual misconduct to the protected communications of servicemembers with a Member of Congress or an Inspector General.

I want to talk about some provisions that I championed that were included in this bill. One of them, that it would review the practices by military criminal investigative organizations in sex-related crimes. It will put forward standardized training procedures that every branch of the military would have to adhere to. It would make our commanders much more accountable throughout that process.

The last one that I will mention today, Mr. Speaker, is development of uniform criteria for selection of sexual assault response coordinators.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. NUGENT. Mr. Speaker, I yield an additional 30 seconds to the gentlelady.

Mrs. NOEM. Mr. Speaker, in the past, yes, absolutely justice has been delayed and we have not seen the answers for our victims that they need that have been victims of sexual assault in our military. I wasn't here to work on the other NDAA bills. I wasn't here to have the debate during those conversations that were had in the past. A lot of the things that were done and discussed were empty words and broken promises.

Today, I'm here to say that these reforms that are included in H.R. 1960 will help our victims and will stop sexual assault in the military today.

Mr. MCGOVERN. Mr. Speaker, it is my privilege now to yield 3 minutes to the gentleman from Maryland, the Democratic whip, Mr. HOYER.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding, and I rise in opposition to this rule as it fails to make in order several important amendments, including ones from Representatives SPEIER and GABBARD, that would have continued a critical debate on the urgent problem of sexual assault in the military.

The previous speaker has pointed out how important an issue this is. If it's such an important issue, it really deserves broader debate in this House fully. Unfortunately, the Rules Committee saw fit not to allow those amendments in order.

But I want to thank the Rules Committee for making in order by the ranking member, Mr. SMITH, to close the detention facility in Guantanamo Bay, Cuba. I've been to Guantanamo—I don't know how many of my colleagues have been there, but I've been to Guantanamo—and Guantanamo is a significant drain on the Department of Defense's resources.

There are other reasons to close Guantanamo, which I will speak of, but the numbers speak for themselves. It costs us \$1.6 million per detainee. That's versus \$34,000 for Federal prisoners. \$1.6 million per detainee. \$247

million authorized in this bill to replace temporary facilities at Guantanamo. Overall, \$264 million a year to keep this facility operational for 166 people. For every dollar spent on a detainee we spend one less dollar on our troops in the field. At a time of great fiscal uncertainty, it is astounding that this facility stays open.

Guantanamo costs us not only in economic might, but in moral might as well. We are a Nation of laws, and it is our continued adherence to the Founders' vision of a lawful society that allows us to lead the world in confronting threats to peace and stability.

I urge all of my colleagues to think about the damage Guantanamo's continued operation causes to our national security as our moral might slips, as terrorists continue to use Guantanamo as a recruitment tool, and as our allies grow leery of cooperating with us for fear that a transferred detainee could end up at Guantanamo.

I also urge all of us to remember that hundreds of terrorists—hundreds—have faced justice in civilian courts and are currently serving time in prison in the United States. Among them are Faisal Shahzad, the Times Square bomber; Richard Reid, the shoe bomber; Zacarias Moussaoui, who conspired to kill nearly 3,000 innocent Americans on 9/11—all of them in our prisons here.

□ 1310

We don't have to worry about these individuals because our system works. Not a single terrorist—not one—or anyone else has ever escaped from one of our maximum security prisons.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. HOYER. Since 9/11, 494 terrorists have been convicted in our civilian court system. In stark contrast, there have been only seven terrorists convicted by the military commissions in Guantanamo. Five of these, by the way, were pleas.

To quote General Colin Powell from 2010:

We have 300 terrorists—it's now less—who have been put in jail not by a military commission but by a regular court system . . . We ought to remove this incentive that exists in the presence of Guantanamo to encourage people and give radicals an opportunity to say, "You see? This is what America is all about."

That's Colin Powell.

We should be proud of our Nation's long history of bringing to justice those who commit crimes that threaten the peace and freedom of innocent people around the world. Guantanamo is a stain on that record. It should be closed.

I urge my colleagues to support this amendment.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. MCGOVERN. I yield the gentleman 30 additional seconds.

Mr. HOYER. Additionally, let me say there are a few other amendments that, I hope, Members will support.

One is the amendment from my friend JIM MCGOVERN—a sense of Congress that this body should have the right—indeed, the duty—to engage in a debate about the continued path forward in Afghanistan.

I urge my colleagues to support that amendment.

Mr. NUGENT. Mr. Speaker, I yield 3 minutes to the gentlewoman from Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. I rise today to speak in support of this rule.

Being new to the HASC Committee, I was very encouraged to see the bipartisan fashion in which this bill was crafted. We worked together as a committee, and we had vigorous debates on these issues in the committee. I even had the privilege to work with colleagues across the aisle to address the issue of sexual assault language.

I want to thank Chairman McKEON and Ranking Member SMITH for making efforts to combat sexual assault as a cornerstone of this bill.

Within this bill are provisions that would strip commanders of their authority to dismiss findings. My bipartisan provision adds rape, sexual assault or other sexual misconduct to the protected communications of service-members with a Member of Congress or with an inspector general. This bill also establishes minimum sentencing guidelines. It establishes an independent panel to examine the role of the commander in sex-related offenses. It also reviews the practices of military criminal investigative organizations in sex-related crimes.

Mr. Speaker, we spent months debating and drafting all of the reforms I just mentioned in this bill. There are a lot of good things in the overall bill. The time for Congress to eradicate sexual abuse in the military is now. I urge my colleagues to support the rule so that we can move these much-needed reforms one step closer to becoming law.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank my good friend, and I thank the manager of the underlying legislation and this rule.

Happy Father's Day to all of the men who serve in the United States military, for this legislation points, in some instances, to the needs of these great servants—and to the women who serve in the United States military as well.

I, too, would have wanted to see the Speier-Gabbard amendment be included. I am glad for an amendment that I submitted to post sexual assault prevention information and to be able to ensure that there are ways of get-

ting resources to those victims, the number of whom we want to see diminished. I am also glad to note that Mr. MCGOVERN's amendment has been put in another amendment by Mr. CONYERS that has to do with not using force in Iran. Also, we recognize that our soldiers suffer from PTSD, and I am glad that an amendment has been made to extend the mental health services and counselors for our soldiers.

One that I have been working on for a long time has come to fruition—and I want to thank the Rules Committee and, of course, the Armed Services Committee—which is to collaborate between the National Institutes of Health and the Department of Defense on finding the biomarkers on triple-negative breast cancer. It will save the lives of so many women.

I had hoped that we could have moved the 1.8 percent salary increase to 2.2 percent. I know that it costs money—yes, it does—but our soldiers are valuable.

Finally, I wish we could have had a thoughtful discussion to restore the trust of Americans around our civil liberties, and to simply rein in the number of private contractors that deal with intelligence gathering, and I intend to introduce legislation.

Mr. NUGENT. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. We have a significant problem of sexual assaults in the military, and this bill addresses many of the issues that we know legislatively will help both change the culture and change the environment in the military.

Recent surveys indicate that over 28,000 people have indicated that they have been sexually assaulted in the military, but slightly fewer than 3,000 are willing to come forward and actually ask that their perpetrators be prosecuted. When you look at that number further, the survey indicates that 62 percent of those who came forward indicated that they felt they were persecuted in the workplace for having done so.

Many victims of sexual assault in the military report that they have been revictimized, that they, in fact, fear the system, and that there is a sense that if one reports a sexual assault that it will negatively impact one's career and perhaps even put one at risk for further violence.

What we have tried to do in this bill on a bipartisan basis, in working with NIKI TSONGAS—my cochair of the Sexual Assault Prevention Caucus—and in working with Chairman McKEON and Ranking Member SMITH, is to look at ways in which the commander's role can be restricted and to require that the decisionmaking on sexual assaults be pushed up the chain of command, and to instill upon the entire system an evaluation process so that those

who are making decisions are held accountable for those decisions.

We have taken away from the commander the ability to set aside a conviction for sexual assault, and we have added a mandatory minimum so that, if you commit a sexual assault, you are out of the military. If there is an inappropriate relationship between a trainee and a trainer, you are out of the military.

We tried to make certain in this that we had bipartisan consensus. Now, there are those who say that we need a whole new judicial system in order to be able to address sexual assault, but, in fact, the judicial system hasn't been the failure; the chain of command has been the failure, and we have addressed that by restricting the authority of the chain of command by requiring decisions be pushed up the chain of command and by imposing criteria of holding them accountable.

Mr. MCGOVERN. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Thank you, Mr. MCGOVERN.

I want to follow up on the previous comments.

A strong case was made for changing the way in which rape is handled and sexual assault is handled, but it doesn't go far enough. Unfortunately, the rule doesn't allow for a full discussion and a full vote by the House on this very, very important issue being brought to us by my colleague from California (Ms. SPEIER). We need to have that debate here. We need to really go outside the chain of command for the most important piece, and that is the charging of the incident.

Beyond that, the Rules Committee did pick up an issue that I put forward. The Afghan National Army is going to receive \$7.7 billion in this legislation. Unfortunately, \$2.6 billion has been added to last year's money, and there is no indication as to how that \$2.6 billion will be spent. So the Rules Committee did adopt my amendment, and it will be en bloc. It deals with: we can't spend that money until we find out how it is going to be spent, which is the basic policy that we apply to every military acquisition in our own military.

The east coast missile defense site remains and is not to be debated on the floor. That's unfortunate. It's \$2.25 million this year and more in the future. Language in this bill about Syria ought to be debated on the floor. Fortunately, it will. We are going to also debate the authorization to use force.

□ 1320

We need that debate. Unfortunately, in the committee markup, only moments were spent on the Afghanistan war, and more than \$80 billion will be spent there.

At a time when we are reducing our forces by 40 percent, we're actually spending at least as much as we're spending in the current year. Why? We need to ask that question. Why are we spending that amount of money as we reduce our forces? It was not discussed at all during the markup. We need that full debate on the floor. And therefore, for these reasons, I oppose the rule.

We must debate this \$700 billion bill in full.

Mr. NUGENT. Mr. Speaker, I yield 4 minutes to the gentleman from Utah (Mr. BISHOP), my colleague on both the Rules Committee and the Armed Services Committee.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate the gentleman from Florida yielding. I now owe you one more.

This is an impeccably good rule. It made in order 172 amendments, which makes someone wonder why we have committees in the first place. I wish to bring to light three of those particular amendments so they're not overlooked in the rhetoric that we have going here today, because each does have an impact on the readiness taking place.

The first one is one by the gentleman from New Mexico (Mr. PEARCE), which would ask the agencies of this government to communicate with the military when something actually would impact the military; in this case, BLM making a decision which would have a great deal of impact on our military lands in New Mexico. We saw this earlier when NASA decided to change its flight program—it had a great deal of impact on the cost of our missile defense system—and when the FAA decided to close towers, which impacted three military bases and made their security much more tenuous, and all of these cases without ever discussing the impact of those decisions with the military. We have an administration that seems to have the problem of interagency communication—when the actions of one impact the actions of the other—and this is the first step to move it that way.

Mrs. LUMMIS of Wyoming has an amendment which would create a warm line for the ICBM. Not only would this increase our security, but it ensures we have an adequate industrial base. We cannot turn on and off our industrial base like a spigot: when we need them, they're there; and when we don't need them, they can go off. This would require us to have a strong industrial base and would move us forward in the area of security.

Finally, I wish to address an amendment by Mr. RIGELL of Virginia which deals with A-76. On the surface, this looks like a wonderful idea. Who can be opposed to competition? Especially when it's fair and apples to apples. Unfortunately, this particular amendment is comparing artichokes to avocados, which have only the fact that they start with the letter "A" in com-

mon and the fact that I hate both of them equally.

Five years ago, the Office of Management and Budget asked the Government Accountability Office to review A-76, as well as the inspector general of the Department of Defense. They concluded that this program should be suspended because there were structural flaws within the system that was dealt with on its implementation. None of those suggested structural flaws have been fixed in the meantime. This system has been studied and found wanting.

At the same time, the Department of Defense has come up with a DTM process, which is required to be reviewed by the underlying base bill. Now is not the time to change that process of A-76 until that review has also been completed.

Let me be kind of honest here. The idea before A-76 is really about lowest price but not necessarily best value. With lowest price, you're doing a product that will be put on the open market that will sell or not sell. Who really cares what happens to it. But when you're dealing with the military, you're dealing with military equipment that must be repaired on a timely basis and be available on a timely basis or lives are lost, and that becomes the significance of this particular issue.

What we should be doing, instead of trying to go backwards to A-76, is do a public-private partnership, which many of our depots are actually doing. In that case, I am appreciative that Mr. RIGELL did put one sentence that would not interfere with any public-private partnerships that we are doing at the present time. But the idea of allowing the creativity of the private sector to meet with the stability of the workforce from a public sector would be the ideal solution, rather than trying to do some other program which would create a food fight, which would be costly, counterproductive, harm our readiness, and destroy the morale of our workforce, which is already harmed because of the furloughs they're facing.

In this particular amendment, the Office of Management and Budget is opposed to it. The Department of Defense is opposed to this amendment, and so should we be on the floor of the House.

Mr. MCGOVERN. Mr. Speaker, it's my privilege to yield 1½ minutes to the gentleman from Texas (Mr. CASTRO).

Mr. CASTRO of Texas. I thank my friend, Mr. MCGOVERN, for yielding.

I rise to speak today on sexual assault in the military and the need for justice and reform. This issue carries great significance for me, as I represent the area around Lackland Air Force Base in San Antonio, Texas.

The community in San Antonio, like communities across the country, was appalled to learn of the events that took place at Lackland. The sexual

misconduct by military training instructors at Lackland has been one of the largest sexual misconduct scandals and investigations within the military. Similar stories have also surfaced from the academies to forward operating bases and now in the Pentagon.

When events like this occur, we must do two things: first, we must provide justice swiftly, and second, we must implement reforms to prevent future transgressions.

I'll continue to work with the committee to make sure that the recommendations for reform are implemented and serve as a model for the other branches of service.

This legislation does make progress in combating military sexual assault, but let us not forget that there is still much work to be done.

Mr. NUGENT. Mr. Speaker, I yield 1½ minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of this very fair rule which has allowed 172 amendments.

I rise in strong support of the amendment by the gentleman from North Carolina (Mr. JONES), which would accelerate the paced withdrawal from Afghanistan.

Mr. Speaker, the American people do not want forever wars that now have lasted three or four times longer than World War II. Afghanistan has simply become little more than a gigantic money pit, with President Karzai and his cronies ripping off American taxpayers for billions of dollars. President Karzai has made it very clear that even he wants us out, but, of course, he still wants us to send him our billions. It is long past the time.

In fact, Mr. Speaker, there never should have been a time in the first place for needless wars that keep resulting in the killing and maiming of young American soldiers. The wars in Iraq and Afghanistan have always been more about money and power than about any real threat to the American people.

William F. Buckley changed his views before he died and came out strongly against the war in Iraq. What he said in 2005 regarding the war in Iraq can be said about Afghanistan today. Mr. Buckley said:

A respect for the power of the United States is engendered by our success in engagements in which we take part. A point is reached when tenacity conveys not steadfastness of purpose, but misapplication of pride.

Mr. Speaker, as other speakers have pointed out before me, the underlying bill calls for a spending of \$85 billion, or \$7 billion a month, for the war in Afghanistan. That is too much.

It is time to bring our troops home.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. Mr. Speaker, I'm here today, and I stand in support of the Smith amendment to close the detention facility at Guantanamo Bay.

Guantanamo Bay has become a symbol around the world for an America that has lost sight of its own cherished principles: due process, habeas corpus, and the rule of law.

I recently visited the Guantanamo Bay detention camp. Seeing this camp made it clear to me that we cannot keep these detainees forever without charging them with crimes and giving them their day in court. It is not humane. It is not just. It is not American.

Some prisoners must go home; some must face trial; some prisoners will spend the rest of their lives in jail. In the end, though, we must close this chapter and ensure that justice is done. Guantanamo must close.

Keeping the Guantanamo camp open is a complete waste of taxpayers' money. The solution is to support Congressman SMITH's amendment to close the Guantanamo detention center.

Mr. NUGENT. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

□ 1330

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank the gentleman formerly from the great State of Illinois.

Mr. Speaker, I rise today in support of the rule, and I appreciate the time to talk about a very critical issue that the underlying bill addresses. As the father of a 16-year-old daughter, I don't know how comfortable I would be if she came to me and said she would like to join the military, especially given the current culture regarding sexual assault. This year alone, 26,000 men and women in the military have been impacted by sexual assault.

The National Defense Authorization Act is a step in the right direction in ending this culture and establishing an intolerance, as it includes mandatory sentencing requirements and strips commanders of their authority to dismiss a conviction by court-martial.

The Department of Defense estimates there were 19,000 victims of sexual assault in FY 2011 alone, but only 2,700 victims actually filed a report.

In early May, I was pleased to co-sponsor H.R. 1864, a military whistleblower bill which extends whistleblower protections to those who report instances of sexual misconduct. This valuable provision has been added to the National Defense Authorization Act. I am pleased to see Congress respond to the issues of sexual assault within the military. I look forward to the day when all fathers will be comfortable sending daughters like mine into the military to fight for our freedoms, and without second thoughts about their safety.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Mr. Speaker, I rise in opposition to the rule. I thank Mr. MCGOVERN for yielding.

Last week, this House passed the Ruth Moore Act to help support the victims of sexual assault and trauma in the military, but more must still be done to stop those crimes before they occur.

I thank the Armed Services Committee members for their work on this issue to date; but, unfortunately, the Sexual Assault Training Oversight and Prevention amendment, sponsored by Representative JACKIE SPEIER, was not made in order. This amendment would help stop sexual violence in our military and remove sexual predators from its ranks, and we should have an opportunity to vote up or down on the provision. We're missing a crucial opportunity to stop the unwanted sexual contact that is now experienced by one in five servicewomen.

I've heard from Oregonians who live with the painful memory of sexual assault they experienced while serving and veterans associations concerned for the safety of those who answer the call of duty.

We all agree that these crimes have no place in our society and no place in our military. It's too bad that we were deprived of an opportunity to do something meaningful about it.

Mr. NUGENT. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I am proud to yield 2 minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Speaker, I thank the gentleman from Massachusetts for allowing me to speak.

My colleagues have all spoken eloquently on the floor today about the importance of addressing this issue of sexual assault and rape in the military. What we hasten to do around here is pat ourselves on the back for all the things we have done.

But let me tell you what the elephant in the room is here today. The elephant in the room here today is we have not had a robust debate on chain of command. And why are my good friends on the Republican side of the aisle unwilling to have that debate? Let's just air it. The Senate has taken up this issue in their committee. They've had a full-out hearing on it, and yet we have not done that in the House in the Armed Services Committee. I had an amendment that was taken up last night by the Rules Committee. It had 134 cosponsors. It was bipartisan in nature. What's wrong with taking up an amendment with over a quarter of the membership of this House on the floor in what is supposed to be an open debate on this issue?

We will not fix this issue, Members, if we don't fix it on the front end; and the problem is on the front end where people feel they cannot file their complaint for fear of retaliation. And when

complaints are filed, and there were 3,300 of them filed in 2011, only 500 of them were investigated and sent to court-martial, and less than 200 actually had convictions. So why would anyone who was raped or sexually assaulted in the military feel with confidence that they will receive justice?

We deserve an opportunity to have a robust debate on the chain of command and whether or not we should take these cases out of the chain of command.

Britain, Canada, Australia, New Zealand, and Israel all have taken these cases out of the chain of command. At the very least, we should be able to debate it.

Mr. NUGENT. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Speaker, there are two things that I think are important to note about the Speier amendment. First is that the author of the amendment is actually a full member of the Armed Services Committee and chose not to offer this amendment in the Armed Services Committee where there could have been unlimited debate on the substance of the amendment; instead choosing to offer it in this more limited format where there were hundreds of amendments and certainly limited time and issues of great import.

Also, it is cast in the light of the fact that you have bipartisan, full support for the provisions that are in our bill that do address sexual assault. The second thing that is important about the Speier amendment is that, as the author noted, there had been debate on this in the Senate. And in that debate, in fact, it was rejected—the structure that was being proposed in the Speier amendment. So we already have the Senate's view, and we also have a bipartisan view of this House on what needs to be done. And we share with the author the absolute commitment that this needs to be addressed.

The manner in which we've done it, again on a bipartisan basis, is by moving it up the chain of command and restricting the chain of command. No more can a commander, by their signature, set aside a conviction for sexual assault. No more can someone who's convicted of a sexual assault stay in the military. We will never have another victim who has to report that after a conviction of a perpetrator for sexual assault, that they were forced to salute their attacker. That attacker will be out.

Now, there is more that we can do. In fact, I want to thank the Rules Committee for having ruled in order my amendment, the Turner amendment, that would also include 2 years of incarceration along with the mandatory minimum of being thrown out. I would encourage everyone to support the Turner amendment that actually would

like to increase the penalties beyond what we've done.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. O'ROURKE).

Mr. O'ROURKE. I thank the gentleman for yielding me this time.

I rise today in support of the McGovern-Smith-Lee-Jones-Garamendi amendment to responsibly end the war in Afghanistan.

I have the distinct honor of representing Fort Bliss in El Paso, Texas, home to 33,000 Active Duty Army servicemembers and their families.

Since the start of this war in Afghanistan, 41 soldiers from Fort Bliss have lost their lives in combat. In April of this year, five Fort Bliss soldiers lost their lives in a single IED attack. All five of them had already been awarded both a Bronze Star and a Purple Heart. Just this past month, three Fort Bliss soldiers were killed in a single attack. More than 100 have been injured in combat and awarded the Purple Heart. Countless soldiers are coming back to our community with unseen mental injuries, including post-traumatic stress disorder. And already this year, three soldiers at Fort Bliss have committed suicide.

This terrible loss of life should focus us on our solemn responsibility to know when to bring our soldiers home to their families. We are grateful to their service and their achievements. Because of them, Osama bin Laden has been killed. The Taliban has been weakened, and the Afghan people have been given the opportunity to develop a stable and democratic state, if they so choose.

I believe now is the right time to responsibly end the longest war in our Nation's history. The amendment would help ensure that the President sticks to his timetable to end combat operations by the end of this year and bring our soldiers home from Afghanistan by the end of next year. This amendment will save lives, and it honors the sacrifice of our soldiers who have lost their lives by guaranteeing that Congress fulfills our constitutional responsibility to decide when to send our soldiers into harm's way and how long to keep them there.

I urge all of my colleagues to support it, and bring our soldiers home.

Mr. NUGENT. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. VEASEY).

Mr. VEASEY. Mr. Speaker, I'm proud today to stand with my colleagues, Congresswoman TULSI GABBARD and Dr. BENISHEK, in support of their amendment to include the Military Justice Improvement Act of 2013 in the National Defense Authorization Act, and I regret that this rule for this bill did not allow that.

The Military Justice Improvement Act will reform the military legal pro-

cedure for handling sexual assault cases by giving a military attorney outside the victim's chain of command the ability to initiate legal proceedings. This is a fundamental change from currently requiring a sexual assault victim to first turn to their commanding officer to investigate and decide how to advance the case.

□ 1340

As a member of the House Armed Services Committee, I'm proud to support this bill that will decrease the occurrence of sexual assault within our military ranks.

The current state of 26,000 reported sexual assault incidents in 2012 is completely unacceptable. This amendment will strengthen initiatives already in the Defense bill that aim to reduce this way-too-high number. Our military men and women deserve better, and this bill is a strong step in the right direction.

Also, Mr. Speaker, I rise today in opposition to the amendment by Mr. COFFMAN that would direct the Defense Department to contract any function not considered to be inherently governmental, with no regard to policy, risk, or costs.

At a time when service and contract costs to our military have risen by 200 percent in the last 10 years and civilian personnel costs have remained relatively flat, I believe it's irresponsible to require our military to outsource important governmental work like developing budgets, overseeing contracts, and interpreting regulations to private contractors.

We cannot allow our Federal employees and civilian personnel to continue to serve at the first line of cuts and furloughs in an effort to cut costs. Federal employees and civilian personnel are a critical component to our national security and consistently deliver their services at significantly lower costs than private contractors. In fiscal year 2010, the Pentagon reported saving nearly \$900 million by using civilian workers instead of private contractors.

I urge my colleagues to oppose this amendment and let the defense workers continue their service.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I'm happy to yield 2 minutes to the gentleman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Mr. Speaker, yesterday, I joined with many of my colleagues here on the floor to urge the Congress and the Rules Committee to take seriously the disturbingly high incidences of sexual assault in the military and to act quickly and responsively to address the issue.

Yesterday, on this floor, we were promised full consideration and open debate on an issue that affects, at a

minimum, 26,000 individuals in the United States armed services. And yet here we are today with a closed rule, consideration of only some amendments. And, frankly, the amendments that would actually do the most to strengthen the hand of survivors and prosecutors aren't being considered on this floor, and that's really unfortunate.

I feel that we have let 26,000 victims of sexual assault down. We've just let them down. And for all the good intentions—and I think that there were good intentions. The Congress has considered, for the last 20 years, testimony and information from the Department of Defense on its efforts to eliminate sexual assault from its ranks. These well-intentioned efforts are falling well short, and we know that.

But we can't wake up on another day, or in another 20 years to say, You know what? We still have to solve the problem. And so I would urge us, we have to do that today for those victims. And with the estimated 26,000—that's up even 19,000 from 2011—we know that something is not working.

While some of the provisions that are being considered today are good-faith efforts, the dozens, including the Speier amendment, supported by experts, advocates, and legal experts and proposed before the Rules Committee to take additional steps to show that we really do mean business are not being considered. It's really unfortunate that only half of those amendments were made in order. And with an issue as pervasive and damaging as this, where Republicans and Democrats, men and women, agree that we have to do something, why, for those 26,000 victims, aren't we doing everything that we can?

We can't stand on the side of the perpetrators. We must stand on the side of victims and survivors.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE of Maine. Thank you to my good friend for yielding.

Mr. Speaker, as we confront the issue of sexual assault in the military, we can't forget the survivors who continue to serve.

One area that has needed reform is the questionnaire that must be filled out to obtain or renew a security clearance. One of the questions, Question 21, asks if you have ever sought mental health counseling. Knowing the question is there, and believing that answering "yes" might jeopardize their chances at a security clearance, survivors of sexual assault often decided not to get the mental health counseling that they needed.

The Director of National Intelligence has listened to us on this and has issued guidance saying survivors of

sexual trauma do not have to report counseling related to that assault. But that change won't do the survivors any good unless they know it has taken place, which is why I've introduced an amendment that is part of a package we are considering later today that would require the Department of Defense to inform servicemembers of this change.

Mr. Speaker, I regularly hear from survivors of sexual assault who want to know when the change will be made. It's time they get their answer.

It's unfortunate that this rule does not allow more time for debate on these critical topics.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Let me thank the gentleman for yielding, for your support, and for your tremendous leadership on so many issues.

Let me rise, first of all, in strong opposition to this rule. I am extremely disappointed that Congress was denied the opportunity on this floor to have a full and necessary debate about our constitutional role in declaring war and our obligation to conduct vigorous oversight, accountability, and to demand transparency.

While I appreciate the committee making my bipartisan amendment with Congresswoman ILEANA ROS-LEHTINEN with regard to HIV discrimination in order, I offered a number of other amendments to audit the Pentagon and to end the overly broad 2001 Authorization to Use Military Force, which is a blank check.

I have long called for repeal of this authorization, dating back to the horrific days of 9/11, right when we debated that resolution for no more than an hour on September 14. We did not have a meaningful debate 12 years ago, and by blocking my amendment, this Congress will not be able to exercise its constitutional war-making duties today.

Let me also say that I am pleased to join Representatives MCGOVERN, JONES, GARAMENDI, and our Armed Services ranking member, ADAM SMITH, on an amendment which was made in order, which will at least give us an opportunity to open that door and begin to talk about the fact that it is time to bring our troops home, and that once 2014 is here, then we need to determine what Congress will authorize, if anything.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman an additional 10 seconds.

Ms. LEE of California. Also, let me just say it's important, the amendment that was made in order, Congressman HANK JOHNSON and myself, with regard

to prohibiting permanent military bases, so important.

So finally let me just say, Congress must debate and authorize any future troop presence in Afghanistan beyond 2014.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore. The gentleman has 2¼ minutes.

Mr. MCGOVERN. I am happy to yield 1 minute to the gentlewoman from Arizona (Ms. SINEMA).

Ms. SINEMA. Mr. Speaker, I'm very disappointed that the Rules Committee chose to disallow my amendment from being heard today. The amendment that I offered, in conjunction with Representative BENISHEK and Representative GABBARD, simply allowed for victims of sexual violence in the military to have an opportunity to seek justice in court, in the light of day, without fear of retribution or recrimination from their superiors.

This amendment, Mr. Speaker and Members, would have taken the policy outside of the chain of command so that victims of sexual assault would have the opportunity to seek justice, and that those perpetrators who have committed sexual assault against their fellow servicemembers would be held accountable, accountable for the acts which they have committed.

In this instance, Mr. Speaker and Members, this amendment would ensure that the victims could report the crimes, seek justice without fear of retribution or, even worse, having a superior who ignores or downplays the severity of the incident which has occurred.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, may I inquire from my friend how many more speakers he has on his side?

Mr. NUGENT. I have none.

Mr. MCGOVERN. Okay. Then I will yield myself the balance of the time.

Mr. Speaker, I'm going to urge that we defeat the previous question. And if we defeat the previous question, I will offer an amendment to make this an open rule so that Members have the opportunity to offer any amendment allowed under the rules of the House.

□ 1350

Mr. Speaker, I ask unanimous consent to include for the RECORD the text of the amendment in the RECORD along with extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, let me just say that I think the Rules Committee had a difficult task given the



fact that the leadership of this House has kind of only allocated 2 days for debate on the defense authorization bill. They had to deal with 300 amendments. They made 172 in order. I know that everybody worked hard to try to be fair. I appreciate, again, the courtesy extended to me on my amendment with regard to Afghanistan, and I appreciate my colleagues on the Republican side for their support.

I think the controversy still is around the issue of sexual assault in the military. A number of amendments, particularly those offered by Ms. SPEIER and Ms. GABBARD, were not made in order. That, unfortunately, makes it very difficult for many on our side to support this rule.

But I want to thank, again, the staff of the Rules Committee and the Members for work on this. I urge a "no" vote on the previous question and a "no" vote on the rule. I yield back the balance of my time.

Mr. NUGENT. Mr. Speaker, this may be my third National Defense Authorization Act as a Member of Congress, but it's my first NDAA as a member of the Armed Services Committee. Let me tell you, it's been an experience. It's an educational, time-consuming and sometimes an exhausting experience, but it's always been a gratifying one.

As the father of three sons that currently serve in the United States Army, I never forget the overarching purpose for all of our work on the Defense Authorization Act. I know that my HASC colleagues never forget it either.

I've had sons that have served in Iraq and Afghanistan, sometimes simultaneously. I know what it's like to send a son or a daughter off to war. As a family, it's something that causes you anguish all the time. It's not something that should be done lightly. So I appreciate the McGovern amendment because it's going to provide the opportunity to actually discuss and put on the floor an ability for this House to actually authorize or continue authorization of any force.

I think this House has been, unfortunately, somewhat derelict in its duties because of what we've done in the past and what we've called the President to do when we went into Libya, even though limited by air support only. We should never put our men and women at risk unless this House has a say in that which is so precious to us, and that's our sons and daughters.

You heard Mr. TURNER speak as relates to sexual assault, and I heard a lot on the floor about Ms. SPEIER. She had the ability in the Armed Services Committee—the committee I serve on—she had the ability to bring that up in committee and have unlimited debate—unlimited debate—within that body in regards to her amendment. She chose not to do that. Instead, she chose to bring it in front of the Rules Committee that has a limited time slot.

Of the 299 amendments that were brought forward, 172 were made in order that are going to be heard on this floor today. That's what this rule is about, about giving everybody access and to be heard on all the important aspects of the NDAA. So to say that she was locked out just isn't so. The ability was there. As a Member of the HASC Committee, she had the ability to have unlimited debate.

Remember, the NDAA passed out of that committee 59-2. That's about as bipartisan as you can get, and it really talks about the issues that are important to America and particularly as it relates to protecting our sons and daughters that are called upon to protect this Nation and called upon to go out and sacrifice for this Nation. We owe them that much. We want to make sure that they're successful in any mission that they're sent forward to participate in to protect the interests of this Nation and our Allies.

The American people hear in the news media about how partisan Congress is today. Although we have our disagreements, and I know those reports and folks back home can't be looking at the work we're doing on the Armed Services Committee if all they see is partisanship, because it's not there. If they were looking at the Armed Services Committee and this year's National Defense Authorization Act, they'd see the kind of collaboration that legislation is supposed to be about. They'd see a chairman and a ranking member who work together on a common goal. They'd see staff that works to benefit our warfighters and not a political party. They'd see an NDAA that was passed out of the largest committee in the House of Representatives with only two people opposing it.

And, tomorrow, I hope they'll see a House of Representatives that can put politics aside and support our troops by overwhelmingly passing the National Defense Authorization Act for fiscal year 2014.

It's a good bill. H. Res. 260 makes it even better by allowing the House to consider amendments covering all the major issues covered by NDAA and the Department of Defense at large. I always like to say that nobody has a monopoly on good ideas. And that truism is evidenced by the 299 amendments that were offered to this legislation. The rule provides time for a vote on the majority of those ideas. That's why I support the rule, I support the underlying legislation, and I hope the House, as a whole, can do the same.

Mr. HONDA. Mr. Speaker, I rise today to express my disappointment in the Rules Committee for not making my amendment to H.R. 1960, the National Defense Authorization Act or Fiscal Year 2014, in order.

House Republicans have once again failed to live up their promises of openness and transparency by denying me the opportunity to

offer this important amendment to protect the privacy of students and parents with regard to military recruiters.

I sought to offer this amendment in support of parents and students within my own Silicon Valley district and from across the country. The privacy of high school students across our nation is compromised by a provision of the Elementary and Secondary Education Act, also known as No Child Left Behind, which requires school districts to provide the personal, private information of students to military recruiters at the risk of losing scarce federal education dollars, unless parents opt out in writing.

Parents in my district complained to me that, in some instances, their children were persistently contacted at home by military recruiters. These parents wanted to know how the military got their children's personal, confidential information, including home phone numbers and addresses. They wanted to know why they were getting calls during dinner, especially when they had already gotten off of telemarketing lists.

My amendment sought to change this to an "opt in" requirement, under which parents would need to provide written permission in order for schools to be allowed share student information with recruiters.

The decision to join the military is a solemn one. Ideally, this decision should be made in consultation with people who love and care for the child—not with a government official, however well-intentioned, whose very job is to recruit for the military. This cannot be guaranteed if recruiters are able to contact students without explicit parental approval, as those parents may not realize their students are receiving such calls.

Other federal privacy statutes explicitly recognize individual privacy rights, particularly those of minors. The Children's Online Privacy Act prohibits commercial websites or online services from releasing personally identifiable information of minors. Federal agencies are prohibited from divulging personal information without written consent. Yet under current law it is acceptable to force schools to provide military recruiters with personal information of their students. This violates the trust between schools and students.

Our nation has the best-trained and most powerful armed forces in the world, and maintaining our military superiority depends on effective recruiting. This country also has a proud history of personal rights and privacy protection. I believe we can sustain one while preserving the other.

We must protect the children and students who represent the future of our country. This includes protecting their privacy.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 260 OFFERED BY  
MR. MCGOVERN OF MASSACHUSETTS

Strike all after the resolved clause and insert:

That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for



military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes. No further general debate shall be in order. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill. The amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled

"Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NUGENT. With that, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. McGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 233, nays 195, not voting 6, as follows:

[Roll No. 220]

YEAS—233

Aderholt	Crawford	Hall
Alexander	Crenshaw	Hanna
Amash	Culberson	Harper
Amodei	Daines	Harris
Bachmann	Davis, Rodney	Hartzler
Bachus	Denham	Hastings (WA)
Barber	Dent	Heck (NV)
Barletta	DeSantis	Hensarling
Barr	DesJarlais	Holding
Barton	Diaz-Balart	Hudson
Benishak	Duffy	Huelskamp
Bentivolio	Duncan (SC)	Huizenga (MI)
Bilirakis	Duncan (TN)	Hultgren
Bishop (UT)	Ellmers	Hunter
Black	Enyart	Hurt
Blackburn	Farenthold	Issa
Bonner	Fincher	Jenkins
Boustany	Fitzpatrick	Johnson (OH)
Brady (TX)	Fleischmann	Johnson, Sam
Bridenstine	Fleming	Jones
Brooks (AL)	Flores	Jordan
Brooks (IN)	Forbes	Joyce
Broun (GA)	Fortenberry	Kelly (PA)
Buchanan	Fox	King (IA)
Bucshon	Franks (AZ)	King (NY)
Burgess	Frelinghuysen	Kingston
Calvert	Gardner	Kinzinger (IL)
Camp	Garrett	Kline
Cantor	Gerlach	Labrador
Capito	Gibbs	LaMalfa
Carter	Gibson	Lamborn
Cassidy	Gingrey (GA)	Lance
Chabot	Gohmert	Lankford
Chaffetz	Goodlatte	Latham
Coble	Gosar	Latta
Coffman	Gowdy	LoBiondo
Cole	Granger	Long
Collins (GA)	Graves (GA)	Lucas
Collins (NY)	Graves (MO)	Luetkemeyer
Conaway	Griffin (AR)	Lummis
Cook	Griffith (VA)	Marchant
Cotton	Grimm	Marino
Cramer	Guthrie	Massie

McCarthy (CA)	Radel	Smith (NJ)
McCaul	Reed	Smith (TX)
McClintock	Reichert	Southerland
McHenry	Renacci	Stewart
McKeon	Ribble	Stivers
McKinley	Rice (SC)	Stockman
McMorris	Rigell	Stutzman
Rodgers	Roby	Terry
Meadows	Roe (TN)	Thompson (PA)
Meehan	Rogers (AL)	Thornberry
Messer	Rogers (KY)	Tiberi
Mica	Rogers (MI)	Tipton
Miller (FL)	Rohrabacher	Turner
Miller (MI)	Rokita	Upton
Miller, Gary	Rooney	Valadao
Mullin	Ros-Lehtinen	Wagner
Mulvaney	Roskam	Walberg
Murphy (PA)	Ross	Walden
Neugebauer	Rothfus	Walorski
Noem	Royce	Weber (TX)
Nugent	Runyan	Webster (FL)
Nunes	Ryan (WI)	Wenstrup
Nunnelee	Salmon	Westmoreland
Olson	Sanford	Whitfield
Palazzo	Scalise	Williams
Paulsen	Schock	Wilson (SC)
Pearce	Schweikert	Wittman
Perry	Scott, Austin	Wolf
Petri	Sensenbrenner	Womack
Pittenger	Sessions	Woodall
Pitts	Shimkus	Yoder
Poe (TX)	Shuster	Yoho
Pompeo	Simpson	Young (AK)
Posey	Smith (MO)	Young (FL)
Price (GA)	Smith (NE)	Young (IN)

NAYS—195

Andrews	Frankel (FL)	Matsui
Barrow (GA)	Fudge	McCollum
Bass	Gabbard	McDermott
Beatty	Galleo	McGovern
Becerra	Garamendi	McIntyre
Bera (CA)	Garcia	McNerney
Bishop (GA)	Grayson	Meeks
Bishop (NY)	Green, Al	Meng
Blumenauer	Green, Gene	Michaud
Bonamici	Grijalva	Miller, George
Brady (PA)	Gutierrez	Moore
Braley (IA)	Hahn	Moran
Brown (FL)	Hanabusa	Murphy (FL)
Brownley (CA)	Hastings (FL)	Nadler
Bustos	Heck (WA)	Napolitano
Butterfield	Higgins	Neal
Capps	Himes	Negrete McLeod
Capuano	Hinojosa	Nolan
Cárdenas	Holt	O'Rourke
Carney	Honda	Owens
Carson (IN)	Horsford	Pallone
Cartwright	Hoyer	Pascarell
Castor (FL)	Huffman	Pastor (AZ)
Castro (TX)	Israel	Payne
Cicilline	Jackson Lee	Pelosi
Clarke	Jeffries	Perlmutter
Clay	Johnson (GA)	Peters (CA)
Cleaver	Johnson, E. B.	Peters (MI)
Clyburn	Kaptur	Peterson
Cohen	Keating	Pingree (ME)
Connolly	Kelly (IL)	Pocan
Conyers	Kennedy	Polis
Cooper	Kildee	Price (NC)
Costa	Kilmer	Quigley
Courtney	Kind	Rahall
Crowley	Kirkpatrick	Rangel
Cuellar	Kuster	Richmond
Cummings	Langevin	Roybal-Allard
Davis (CA)	Larsen (WA)	Ruiz
Davis, Danny	Larson (CT)	Ruppersberger
DeFazio	Lee (CA)	Rush
DeGette	Levin	Ryan (OH)
Delaney	Lewis	Sánchez, Linda
DeLauro	Lipinski	T.
DelBene	Loebach	Sanchez, Loretta
Deutch	Lofgren	Sarbanes
Dingell	Lowenthal	Schakowsky
Doggett	Lowe	Schiff
Doyle	Lujan Grisham	Schneider
Duckworth	(NM)	Schrader
Edwards	Lujan, Ben Ray	Schwartz
Ellison	(NM)	Scott (VA)
Engel	Lynch	Scott, David
Eshoo	Maffei	Serrano
Esty	Maloney,	Sewell (AL)
Farr	Carolyn	Sherman
Fattah	Maloney, Sean	Sinema
Foster	Matheson	Sires

Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus

Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz

Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

Miller(MI)  
Miller,Gary  
Mullin  
Mulaney  
Murphy(FL)  
Murphy(PA)  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee

Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus

Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Valadao

Velázquez  
Visclosky  
Walz

Wasserman  
Schultz  
Waters  
Watt

Waxman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—6

Campbell  
Chu

Herrera Beutler  
Markey  
McCarthy (NY)  
Shea-Porter

□ 1422

Messrs. WELCH, GARCIA, and CARNEY changed their vote from “yea” to “nay.”

Mrs. HARTZLER changed her vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 189, not voting 7, as follows:

[Roll No. 221]

AYES—238

Aderholt  
Alexander  
Amash  
Amodei  
Bachmann  
Bachus  
Barber  
Barletta  
Barr  
Barton  
Benishek  
Bentivolio  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Calvert  
Camp  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cotton  
Cramer  
Crawford  
Crenshaw  
Culberson  
Daines  
Davis, Rodney

Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Enyart  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Holding  
Hudson

Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kelly (PA)  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Maffei  
Marchant  
Marino  
Massie  
McCarthy (CA)  
McCaul  
McClintock  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)

Andrews  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)

Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard

## NOES—189

Galleo  
Garamendi  
Garcia  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Holt  
Honda  
Horsford  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham  
(NM)  
Lujan, Ben Ray  
(NM)  
Lynch  
Maloney,  
Carolyn  
Maloney, Sean  
Matheson  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng

Michaud  
Miller, George  
Moore  
Moran  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
Nolan  
O'Rourke  
Pallone  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (MI)  
Peterson  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Richmond  
Rohrabacher  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela

## NOT VOTING—7

Campbell  
Chu  
Herrera Beutler

Markley  
McCarthy (NY)  
Pascrell

□ 1431

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. GRIJALVA. Mr. Speaker, on rollcall votes 217 and 218, I was unavoidably detained. My vote should be noted as a “yea” on rollcall 217 and a “no” on rollcall 218.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 1960, pursuant to House Resolution 260, amendment Nos. 18, 19, and 20 printed in part B of House Report 113-108 may be considered out of sequence.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 260 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1960.

Will the gentleman from Nebraska (Mr. TERRY) kindly take the chair.

□ 1436

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. TERRY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, June 12, 2013, all time for general debate pursuant to House Resolution 256 had expired.

Pursuant to House Resolution 260, no further general debate shall be in order. In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the

text of Rules Committee Print 113-13, modified by the amendment printed in part A of House Report 113-108. The amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

*H.R. 1960*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE.**

*This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2014”.*

#### **SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.**

(a) *DIVISIONS.*—This Act is organized into four divisions as follows:

(1) *Division A—Department of Defense Authorizations.*

(2) *Division B—Military Construction Authorizations.*

(3) *Division C—Department of Energy National Security Authorizations and Other Authorizations.*

(4) *Division D—Funding Tables.*

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

*Sec. 1. Short title.*

*Sec. 2. Organization of Act into divisions; table of contents.*

*Sec. 3. Congressional defense committees.*

#### **DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

##### **TITLE I—PROCUREMENT**

*Subtitle A—Authorization of Appropriations*

*Sec. 101. Authorization of appropriations.*

*Subtitle B—Army Programs*

*Sec. 111. Limitation on availability of funds for Stryker vehicle program.*

*Subtitle C—Navy Programs*

*Sec. 121. Multiyear procurement authority for E-2D aircraft program.*

*Sec. 122. Cost limitation for CVN-78 aircraft carriers.*

*Subtitle D—Air Force Programs*

*Sec. 131. Multiyear procurement authority for multiple variants of the C-130J aircraft program.*

*Sec. 132. Prohibition on cancellation or modification of avionics modernization program for C-130 aircraft.*

*Sec. 133. Retirement of KC-135R aircraft.*

*Sec. 134. Competition for evolved expendable launch vehicle providers.*

*Subtitle E—Defense-wide, Joint, and Multiservice Matters*

*Sec. 141. Multiyear procurement authority for ground-based interceptors.*

*Sec. 142. Multiyear procurement authority for tactical wheeled vehicles.*

*Sec. 143. Limitation on availability of funds for retirement of RQ-4 Global Hawk unmanned aircraft systems.*

*Sec. 144. Personal protection equipment procurement.*

*Sec. 145. Repeal of certain F-35 reporting requirements.*

*Sec. 146. Study on procurement of personal protection equipment.*

##### **TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

*Subtitle A—Authorization of Appropriations*

*Sec. 201. Authorization of appropriations.*

*Subtitle B—Program Requirements, Restrictions, and Limitations*

*Sec. 211. Limitation on availability of funds for ground combat vehicle engineering and manufacturing phase.*

*Sec. 212. Limitation on Milestone A activities for Unmanned Carrier-launched Surveillance and Strike system program.*

*Sec. 213. Limitation on availability of funds for Air Force logistics transformation.*

*Sec. 214. Limitation on availability of funds for defensive cyberspace operations of the Air Force.*

*Sec. 215. Limitation on availability of funds for precision extended range munition program.*

*Sec. 216. Limitation on availability of funds for the program manager for biometrics of the Department of Defense.*

*Sec. 217. Unmanned combat air system demonstration testing requirement.*

*Sec. 218. Long-range standoff weapon requirement.*

*Sec. 219. Review of software development for F-35 aircraft.*

*Sec. 220. Evaluation and assessment of the Distributed Common Ground System.*

*Sec. 221. Requirement to complete individual carbine testing.*

*Sec. 222. Establishment of funding line and fielding plan for Navy laser weapon system.*

*Sec. 223. Sense of Congress on importance of aligning common missile compartment of Ohio-class replacement program with the United Kingdom's Vanguard successor program.*

*Sec. 224. Sense of congress on counter-electronics high power microwave missile project.*

*Subtitle C—Missile Defense Programs*

*Sec. 231. Prohibition on use of funds for MEADS program.*

*Sec. 232. Additional missile defense site in the United States for optimized protection of the homeland.*

*Sec. 233. Limitation on removal of missile defense equipment from East Asia.*

*Sec. 234. Improvements to acquisition accountability reports on ballistic missile defense system.*

*Sec. 235. Analysis of alternatives for successor to precision tracking space system.*

*Sec. 236. Plan to improve organic kill assessment capability of the ground-based midcourse defense system.*

*Sec. 237. Availability of funds for Iron Dome short-range rocket defense program.*

*Sec. 238. NATO and the phased, adaptive approach to missile defense in Europe.*

*Sec. 239. Sense of Congress on procurement of capability enhancement II exoatmospheric kill vehicle.*

*Sec. 240. Sense of Congress on 30th anniversary of the Strategic Defense Initiative.*

*Subtitle D—Reports*

*Sec. 251. Annual Comptroller General report on the amphibious combat vehicle acquisition program.*

*Sec. 252. Report on strategy to improve body armor.*

*Sec. 253. Report on main battle tank fuel efficiency initiative.*

*Sec. 254. Report on powered rail system.*

*Subtitle E—Other Matters*

*Sec. 261. Establishment of Cryptographic Modernization Review and Advisory Board.*

*Sec. 262. Clarification of eligibility of a State to participate in defense experimental program to stimulate competitive research.*

*Sec. 263. Extension and expansion of mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.*

*Sec. 264. Extension of authority to award prizes for advanced technology achievements.*

*Sec. 265. Five-year extension of pilot program to include technology protection features during research and development of certain defense systems.*

*Sec. 266. Briefing on power and energy research conducted at university affiliated research centers.*

#### **TITLE III—OPERATION AND MAINTENANCE**

*Subtitle A—Authorization of Appropriations*

*Sec. 301. Operation and maintenance funding.*

*Subtitle B—Energy and Environment*

*Sec. 311. Deadline for submission of reports on proposed budgets for activities relating to operational energy strategy.*

*Sec. 312. Facilitation of interagency cooperation in conservation programs of the Departments of Defense, Agriculture, and Interior to avoid or reduce adverse impacts on military readiness activities.*

*Sec. 313. Reauthorization of Sikes Act.*

*Sec. 314. Cooperative agreements under Sikes Act for land management related to Department of Defense readiness activities.*

*Sec. 315. Exclusions from definition of “chemical substance” under Toxic Substances Control Act.*

*Sec. 316. Exemption of Department of Defense from alternative fuel procurement requirement.*

*Sec. 317. Clarification of prohibition on disposing of waste in open-air burn pits.*

*Sec. 318. Limitation on plan, design, refurbishing, or construction of biofuels refineries.*

*Sec. 319. Limitation on procurement of biofuels.*

*Subtitle C—Logistics and Sustainment*

*Sec. 321. Littoral Combat Ship Strategic Sustainment Plan.*

*Sec. 322. Review of critical manufacturing capabilities within Army arsenals.*

*Sec. 323. Inclusion of Army arsenals capabilities in solicitations.*

*Subtitle D—Reports*

*Sec. 331. Additional reporting requirements relating to personnel and unit readiness.*

*Sec. 332. Repeal of annual Comptroller General report on Army progress.*

*Sec. 333. Revision to requirement for annual submission of information regarding information technology capital assets.*

*Subtitle E—Limitations and Extensions of Authority*

*Sec. 341. Limitation on reduction of force structure at Lajes Air Force Base, Azores.*

*Sec. 342. Prohibition on performance of Department of Defense flight demonstration teams outside the United States.*

*Subtitle F—Other Matters*

*Sec. 351. Requirement to establish policy on joint combat uniforms.*

#### **TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS**

*Subtitle A—Active Forces*

*Sec. 401. End strengths for active forces.*

- Sec. 402. Revision in permanent active duty end strength minimum levels.
- Subtitle B—Reserve Forces
- Sec. 411. End strengths for Selected Reserve.
- Sec. 412. End strengths for Reserves on active duty in support of the reserves.
- Sec. 413. End strengths for military technicians (dual status).
- Sec. 414. Fiscal year 2014 limitation on number of non-dual status technicians.
- Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.
- Subtitle C—Authorization of Appropriations
- Sec. 421. Military personnel.
- TITLE V—MILITARY PERSONNEL POLICY
- Subtitle A—Officer Personnel Policy Generally
- Sec. 501. Limitations on number of general and flag officers on active duty.
- Subtitle B—Reserve Component Management
- Sec. 511. Minimum notification requirements for members of reserve components before deployment or cancellation of deployment related to a contingency operation.
- Sec. 512. Information to be provided to boards considering officers for selective early removal from reserve active-status list.
- Sec. 513. Temporary authority to maintain active status and inactive status lists of members in the inactive National Guard.
- Sec. 514. Review of requirements and authorizations for reserve component general and flag officers in an active status.
- Sec. 515. Feasibility study on establishing a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.
- Subtitle C—General Service Authorities
- Sec. 521. Review of Integrated Disability Evaluation System.
- Sec. 522. Compliance requirements for organizational climate assessments.
- Sec. 523. Command responsibility and accountability for remains of members of the Army, Navy, Air Force, and Marine Corps who die outside the United States.
- Sec. 524. Contents of Transition Assistance Program.
- Sec. 525. Procedures for judicial review of military personnel decisions relating to correction of military records.
- Sec. 526. Establishment and use of consistent definition of gender-neutral occupational standard for military career designators.
- Sec. 527. Expansion and enhancement of authorities relating to protected communications of members of the Armed Forces and prohibited retaliatory actions.
- Sec. 528. Applicability of medical examination requirement regarding post-traumatic stress disorder or traumatic brain injury to proceedings under the Uniform Code of Military Justice.
- Sec. 529. Protection of the religious freedom of military chaplains to close a prayer outside of a religious service according to the traditions, expressions, and religious exercises of the endorsing faith group.
- Sec. 530. Expansion and implementation of protection of rights of conscience of members of the Armed Forces and chaplains of such members.
- Sec. 530A. Servicemembers' Accountability, Rights, and Responsibilities Training.
- Sec. 530B. Inspector General of the Department of Defense review of separation of members of the Armed Forces who made unrestricted reports of sexual assault.
- Sec. 530C. Report on data and information collected in connection with Department of Defense review of laws, policies, and regulations restricting service of female members of the Armed Forces.
- Sec. 530D. Sense of Congress regarding the Women in Service Implementation Plan.
- Subtitle D—Military Justice, Including Sexual Assault Prevention and Response
- Sec. 531. Limitations on convening authority discretion regarding court-martial findings and sentence.
- Sec. 532. Elimination of five-year statute of limitations on trial by court-martial for additional offenses involving sex-related crimes.
- Sec. 533. Discharge or dismissal for certain sex-related offenses and trial of offenses by general courts-martial.
- Sec. 534. Regulations regarding consideration of application for permanent change of station or unit transfer by victims of sexual assault.
- Sec. 535. Consideration of need for, and authority to provide for, temporary administrative reassignment or removal of a member on active duty who is accused of committing a sexual assault or related offense.
- Sec. 536. Victims' Counsel for victims of sex-related offenses and related provisions.
- Sec. 537. Inspector General investigation of allegations of retaliatory personnel actions taken in response to making protected communications regarding sexual assault.
- Sec. 538. Secretary of Defense report on role of commanders in military justice process.
- Sec. 539. Review and policy regarding Department of Defense investigative practices in response to allegations of sex-related offenses.
- Sec. 540. Uniform training and education programs for sexual assault prevention and response program.
- Sec. 541. Development of selection criteria for assignment as Sexual Assault Response and Prevention Program Managers, Sexual Assault Response Coordinators, Sexual Assault Victim Advocates, and Sexual Assault Nurse Examiners-Adult/Adolescent.
- Sec. 542. Extension of crime victims' rights to victims of offenses under the Uniform Code of Military Justice.
- Sec. 543. Defense counsel interview of complaining witnesses in presence of counsel for the complaining witness or a Sexual Assault Victim Advocate.
- Sec. 544. Participation by complaining witnesses in clemency phase of courts-martial process.
- Sec. 545. Eight-day incident reporting requirement in response to unrestricted report of sexual assault in which the victim is a member of the Armed Forces.
- Sec. 546. Amendment to Manual for Courts-Martial to eliminate considerations relating to character and military service of accused in initial disposition of sex-related offenses.
- Sec. 547. Inclusion of letter of reprimands, non-punitive letter of reprimands and counseling statements.
- Sec. 548. Enhanced protections for prospective members and new members of the Armed Forces during entry-level processing and training.
- Sec. 549. Independent reviews and assessments of Uniform Code of Military Justice and judicial proceedings of sexual assault cases.
- Sec. 550. Review of the Office of Diversity Management and Equal Opportunity role in sexual harassment cases.
- Subtitle E—Military Family Readiness
- Sec. 551. Department of Defense recognition of spouses of members of the Armed Forces who serve in combat zones.
- Sec. 552. Protection of child custody arrangements for parents who are members of the Armed Forces.
- Sec. 553. Treatment of relocation of members of the Armed Forces for active duty for purposes of mortgage refinancing.
- Sec. 554. Family support programs for immediate family members of members of the Armed Forces assigned to special operations forces.
- Subtitle F—Education and Training Opportunities and Wellness
- Sec. 561. Inclusion of Freely Associated States within scope of Junior Reserve Officers' Training Corps program.
- Sec. 562. Improved climate assessments and dissemination and tracking of results.
- Sec. 563. Service-wide 360 assessments.
- Sec. 564. Health welfare inspections.
- Sec. 565. Review of security of military installations, including barracks and multi-family residences.
- Sec. 566. Enhancement of mechanisms to correlate skills and training for military occupational specialties with skills and training required for civilian certifications and licenses.
- Sec. 567. Use of educational assistance for courses in pursuit of civilian certifications or licenses.
- Subtitle G—Defense Dependents' Education
- Sec. 571. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
- Sec. 572. Support for efforts to improve academic achievement and transition of military dependent students.
- Sec. 573. Treatment of tuition payments received for virtual elementary and secondary education component of Department of Defense education program.
- Subtitle H—Decorations and Awards
- Sec. 581. Fraudulent representations about receipt of military decorations or medals.
- Sec. 582. Repeal of limitation on number of medals of honor that may be awarded to the same member of the Armed Forces.
- Sec. 583. Standardization of time-limits for recommending and awarding Medal of Honor, Distinguished-Service Cross, Navy Cross, Air Force Cross, and Distinguished-Service Medal.

Sec. 584. Recodification and revision of Army, Navy, Air Force, and Coast Guard Medal of Honor Roll requirements.

Sec. 585. Treatment of victims of the attacks at recruiting station in Little Rock, Arkansas, and at Fort Hood, Texas.

Sec. 586. Retroactive award of Army Combat Action Badge.

Sec. 587. Report on Navy review, findings, and actions pertaining to Medal of Honor nomination of Marine Corps Sergeant Rafael Peralta.

Sec. 588. Authorization for award of the Distinguished-Service Cross to Sergeant First Class Robert F. Keiser for acts of valor during the Korean War.

#### Subtitle I—Other Matters

Sec. 591. Revision of specified senior military colleges to reflect consolidation of North Georgia College and State University and Gainesville State College.

Sec. 592. Authority to enter into concessions contracts at Army National Military Cemeteries.

Sec. 593. Commission on Military Behavioral Health and Disciplinary Issues.

Sec. 594. Commission on Service to the Nation.

#### TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

##### Subtitle A—Pay and Allowances

Sec. 601. Extension of authority to provide temporary increase in rates of basic allowance for housing under certain circumstances.

##### Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.

Sec. 612. One-year extension of certain bonus and special pay authorities for health care professionals.

Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.

Sec. 614. One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities.

Sec. 615. One-year extension of authorities relating to payment of other title 37 bonuses and special pays.

Sec. 616. One-year extension of authority to provide incentive pay for members of precommissioning programs pursuing foreign language proficiency.

Sec. 617. Authority to provide bonus to certain cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

##### Subtitle C—Disability, Retired Pay, Survivor, and Transitional Benefits

Sec. 621. Transitional compensation and other benefits for dependents of certain members separated for violation of the Uniform Code of Military Justice.

Sec. 622. Prevention of retired pay inversion for members whose retired pay is computed using high-three average.

##### Subtitle D—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

Sec. 631. Expansion of protection of employees of nonappropriated fund instrumentalities from reprisals.

Sec. 632. Purchase of sustainable products, local food products, and recyclable materials for resale in commissary and exchange store systems.

Sec. 633. Correction of obsolete references to certain nonappropriated fund instrumentalities.

#### Subtitle E—Other Matters

Sec. 641. Authority to provide certain expenses for care and disposition of human remains retained by the Department of Defense for forensic pathology investigation.

Sec. 642. Provision of status under law by honoring certain members of the reserve components as veterans.

Sec. 643. Survey of military pay and benefits preferences.

#### TITLE VII—HEALTH CARE PROVISIONS

##### Subtitle A—Improvements to Health Benefits

Sec. 701. Mental health assessments for members of the Armed Forces.

Sec. 702. Periodic mental health assessments for members of the Armed Forces.

##### Subtitle B—Health Care Administration

Sec. 711. Future availability of TRICARE Prime for certain beneficiaries enrolled in TRICARE Prime.

Sec. 712. Cooperative health care agreements between the military departments and non-military health care entities.

Sec. 713. Limitation on availability of funds for integrated electronic health record program.

Sec. 714. Pilot program on increased third-party collection reimbursements in military medical treatment facilities.

##### Subtitle C—Other Matters

Sec. 721. Display of budget information for embedded mental health providers of the reserve components.

Sec. 722. Authority of Uniformed Services University of Health Sciences to enter into contracts and agreements and make grants to other non-profit entities.

Sec. 723. Mental health support for military personnel and families.

Sec. 724. Research regarding hydrocephalus.

Sec. 725. Traumatic brain injury research.

#### TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

##### Subtitle A—Acquisition Policy and Management

Sec. 801. Modification of reporting requirement for Department of Defense business system acquisition programs when initial operating capability is not achieved within five years of Milestone A approval.

Sec. 802. Enhanced transfer of technology developed at Department of Defense laboratories.

Sec. 803. Extension of limitation on aggregate annual amount available for contract services.

##### Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 811. Additional contractor responsibilities in regulations relating to detection and avoidance of counterfeit electronic parts.

Sec. 812. Amendments relating to detection and avoidance of counterfeit electronic parts.

Sec. 813. Government-wide limitations on allowable costs for contractor compensation.

Sec. 814. Inclusion of additional cost estimate information in certain reports.

Sec. 815. Amendment relating to compelling reasons for waiving suspension or debarment.

Sec. 816. Requirement that cost or price to the Federal Government be given at least equal importance as technical or other criteria in evaluating competitive proposals for defense contracts.

Sec. 817. Requirement to buy American flags from domestic sources.

Subtitle C—Provisions Relating to Contracts in Support of Contingency Operations in Iraq or Afghanistan

Sec. 821. Amendments relating to prohibition on contracting with the enemy.

Sec. 822. Collection of data relating to contracts in Iraq and Afghanistan.

#### Subtitle D—Other Matters

Sec. 831. Extension of pilot program on acquisition of military purpose non-developmental items.

Sec. 832. Extension of authority to acquire products and services produced in countries along a major route of supply to Afghanistan.

#### TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

##### Subtitle A—Department of Defense Management

Sec. 901. Redesignation of the Department of the Navy as the Department of the Navy and Marine Corps.

Sec. 902. Revisions to composition of transition plan for defense business enterprise architecture.

##### Subtitle B—Space Activities

Sec. 911. National security space satellite reporting policy.

Sec. 912. National security space defense and protection.

Sec. 913. Space acquisition strategy.

Sec. 914. Space control mission report.

Sec. 915. Responsive launch.

##### Subtitle C—Defense Intelligence and Intelligence-Related Activities

Sec. 921. Revision of Secretary of Defense authority to engage in commercial activities as security for intelligence collection activities.

Sec. 922. Department of Defense intelligence priorities.

Sec. 923. Defense Clandestine Service.

Sec. 924. Prohibition on National Intelligence Program consolidation.

##### Subtitle D—Cyberspace-Related Matters

Sec. 931. Modification of requirement for inventory of Department of Defense tactical data link systems.

Sec. 932. Defense Science Board assessment of United States Cyber Command.

Sec. 933. Mission analysis for cyber operations of Department of Defense.

Sec. 934. Notification of investigations related to compromise of critical program information.

Sec. 935. Additional requirements relating to the software licenses of the Department of Defense.

##### Subtitle E—Total Force Management

Sec. 941. Requirement to ensure sufficient levels of Government oversight of functions closely associated with inherently Governmental functions.

Sec. 942. Five-year requirement for certification of appropriate manpower performance.

#### TITLE X—GENERAL PROVISIONS

##### Subtitle A—Financial Matters

Sec. 1001. General transfer authority.

Sec. 1002. Budgetary effects of this Act.

- Sec. 1003. Audit of Department of Defense fiscal year 2018 financial statements.
- Sec. 1004. Authority to transfer funds to the National Nuclear Security Administration to sustain nuclear weapons modernization.
- Subtitle B—Counter-Drug Activities**
- Sec. 1011. Extension of authority to support unified counter-drug and counter-terrorism campaign in Colombia.
- Sec. 1012. Extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.
- Sec. 1013. Two-year extension of authority to provide additional support for counter-drug activities of certain foreign governments.
- Sec. 1014. Sense of Congress regarding the National Guard Counter-Narcotic Program.
- Subtitle C—Naval Vessels and Shipyards**
- Sec. 1021. Clarification of sole ownership resulting from ship donations at no cost to the navy.
- Sec. 1022. Availability of funds for retirement or inactivation of Ticonderoga class cruisers or dock landing ships.
- Sec. 1023. Repair of vessels in foreign shipyards.
- Sec. 1024. Sense of Congress regarding a balanced future naval force.
- Sec. 1025. Authority for short-term extension or renewal of leases for vessels supporting the Transit Protection System Escort Program.
- Subtitle D—Counterterrorism**
- Sec. 1030. Clarification of procedures for use of alternate members on military commissions.
- Sec. 1031. Modification of Regional Defense Combating Terrorism Fellowship Program reporting requirement.
- Sec. 1032. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 1033. Requirements for certifications relating to the transfer of detainees at United States Naval Station, Guantanamo Bay, Cuba, to foreign countries and other foreign entities.
- Sec. 1034. Prohibition on the use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 1035. Unclassified summary of information relating to individuals detained at Parwan, Afghanistan.
- Sec. 1036. Assessment of affiliates and adherents of al-Qaeda outside the United States.
- Sec. 1037. Designation of Department of Defense senior official for facilitating the transfer of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 1038. Rank of chief prosecutor and chief defense counsel in military commissions established to try individuals detained at Guantanamo.
- Sec. 1039. Report on capability of Yemeni government to detain, rehabilitate, and prosecute individuals detained at Guantanamo who are transferred to Yemen.
- Sec. 1040. Report on attachment of rights to individuals detained at Guantanamo if transferred to the United States.
- Sec. 1040A. Summary of information relating to individuals detained at Guantanamo who became leaders of foreign terrorist groups.
- Subtitle E—Sensitive Military Operations**
- Sec. 1041. Congressional notification of sensitive military operations.
- Sec. 1042. Report on process for determining targets of lethal operations.
- Sec. 1043. Counterterrorism operational briefings.
- Subtitle F—Nuclear Forces**
- Sec. 1051. Prohibition on elimination of the nuclear triad.
- Sec. 1052. Limitation on availability of funds for reduction of nuclear forces.
- Sec. 1053. Limitation on availability of funds for reduction or consolidation of dual-capable aircraft based in Europe.
- Sec. 1054. Statement of policy on implementation of any agreement for further arms reduction below the levels of the New START Treaty; limitation on retirement or dismantlement of strategic delivery systems.
- Sec. 1055. Sense of congress on compliance with nuclear arms control agreements.
- Sec. 1056. Retention of capability to redeploy multiple independently targetable reentry vehicles.
- Sec. 1057. Assessment of nuclear weapons program of the People's Republic of China.
- Sec. 1058. Cost estimates for nuclear weapons.
- Sec. 1059. Report on New START Treaty.
- Subtitle G—Miscellaneous Authorities and Limitations**
- Sec. 1061. Enhancement of capacity of the United States Government to analyze captured records.
- Sec. 1062. Extension of authority to provide military transportation services to certain other agencies at the Department of Defense reimbursement rate.
- Sec. 1063. Limitation on availability of funds for modification of force structure of the Army.
- Sec. 1064. Limitation on use of funds for public-private cooperation activities.
- Subtitle H—Studies and Reports**
- Sec. 1071. Oversight of combat support agencies.
- Sec. 1072. Inclusion in annual report of description of interagency coordination relating to humanitarian demining technology.
- Sec. 1073. Extension of deadline for Comptroller General report on assignment of civilian employees of the Department of Defense as advisors to foreign ministries of defense.
- Sec. 1074. Repeal of requirement for Comptroller General assessment of Department of Defense efficiencies.
- Sec. 1075. Matters for inclusion in the assessment of the 2013 quadrennial defense review.
- Sec. 1076. Review and assessment of United States Special Operations Forces and United States Special Operations Command.
- Sec. 1077. Reports on unmanned aircraft systems.
- Sec. 1078. Online availability of reports submitted to Congress.
- Sec. 1079. Provision of defense planning guidance and contingency operation plan information to Congress.
- Subtitle I—Other Matters**
- Sec. 1081. Technical and clerical amendments.
- Sec. 1082. Transportation of supplies for the United States by aircraft operated by United States air carriers.
- Sec. 1083. Reduction in costs to report critical changes to major automated information system programs.
- Sec. 1084. Extension of authority of Secretary of Transportation to issue non-premium aviation insurance.
- Sec. 1085. Revision of compensation of members of the National Commission on the Structure of the Air Force.
- Sec. 1086. Protection of tier one task critical assets from electromagnetic pulse and high-powered microwave systems.
- Sec. 1087. Strategy for future military information operations capabilities.
- Sec. 1088. Compliance of military departments with minimum safe staffing standards.
- Sec. 1089. Determination and Disclosure of Transportation Costs Incurred by Secretary of Defense for congressional trips outside the United States.
- TITLE XI—CIVILIAN PERSONNEL MATTERS**
- Sec. 1101. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.
- Sec. 1102. One-year extension of discretionary authority to grant allowances, benefits, and gratuities to personnel on official duty in a combat zone.
- Sec. 1103. Extension of voluntary reduction-in-force authority for civilian employees of Department of Defense.
- Sec. 1104. Extension of authority to make lump-sum severance payments to Department of Defense employees.
- Sec. 1105. Revision to amount of financial assistance under Department of Defense Science, Mathematics, and Research for Transformation (SMART) Defense Education Program.
- Sec. 1106. Extension of program for exchange of information-technology personnel.
- Sec. 1107. Defense Science Initiative for Personnel.
- TITLE XII—MATTERS RELATING TO FOREIGN NATIONS**
- Subtitle A—Assistance and Training**
- Sec. 1201. Modification and extension of authorities relating to program to build the capacity of foreign military forces.
- Sec. 1202. Three-year extension of authorization for non-conventional assisted recovery capabilities.
- Sec. 1203. Global Security Contingency Fund.
- Sec. 1204. Codification of National Guard State Partnership Program.
- Sec. 1205. Authority to conduct activities to enhance the capability of certain foreign countries to respond to incidents involving weapons of mass destruction in Syria and the region.
- Sec. 1206. One-year extension of authority to support foreign forces participating in operations to disarm the Lord's Resistance Army.
- Subtitle B—Matters Relating to Iraq, Afghanistan, and Pakistan**
- Sec. 1211. One-year extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.
- Sec. 1212. One-year extension of authority to use funds for reintegration activities in Afghanistan.

Sec. 1213. Extension of Commanders' Emergency Response Program in Afghanistan.

Sec. 1214. Extension of authority to support operations and activities of the Office of Security Cooperation in Iraq.

Sec. 1215. One-year extension and modification of authority for program to develop and carry out infrastructure projects in Afghanistan.

Sec. 1216. Special immigrant visas for certain Iraqi and Afghan allies.

Sec. 1217. Requirement to withhold Department of Defense assistance to Afghanistan in amount equivalent to 100 percent of all taxes assessed by Afghanistan to extent such taxes are not reimbursed by Afghanistan.

Subtitle C—Matters Relating to Afghanistan Post 2014

Sec. 1221. Modification of report on progress toward security and stability in Afghanistan.

Sec. 1222. Sense of Congress on United States military support in Afghanistan.

Sec. 1223. Defense intelligence plan.

Sec. 1224. Limitation on availability of funds for certain authorities for Afghanistan.

Subtitle D—Matters Relating to Iran

Sec. 1231. Report on United States military partnership with Gulf Cooperation Council countries.

Sec. 1232. Additional elements in annual report on military power of Iran.

Sec. 1233. Sense of Congress on the defense of the Arabian Gulf.

Subtitle E—Reports and Other Matters

Sec. 1241. Report on posture and readiness of United States Armed Forces to respond to future terrorist attacks in Africa and the Middle East.

Sec. 1242. Role of the Government of Egypt to United States national security.

Sec. 1243. Sense of Congress on the military developments on the Korean peninsula.

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- Sec. 4301. Operation and maintenance.  
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**TITLE XLIV—MILITARY PERSONNEL**

- Sec. 4401. Military personnel.  
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**TITLE XLV—OTHER AUTHORIZATIONS**

- Sec. 4501. Other authorizations.  
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- Sec. 4601. Military construction.

**TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**

- Sec. 4701. Department of Energy national security programs.

**SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**

In this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

**DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

**TITLE I—PROCUREMENT**

**Subtitle A—Authorization of Appropriations**

**SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

Funds are hereby authorized to be appropriated for fiscal year 2014 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

**Subtitle B—Army Programs**

**SEC. 111. LIMITATION ON AVAILABILITY OF FUNDS FOR STRYKER VEHICLE PROGRAM.**

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for weapons and tracked combat vehicles, Army, for the procurement or upgrade of Stryker vehicles, not more than 75 percent may be obligated or expended until a period of 15 days has elapsed following the date on which the Secretary of the Army submits the report under subsection (b).

(b) **REPORT REQUIRED.**—The Secretary of the Army shall submit to the congressional defense committees a report on the status of the Stryker vehicle spare parts inventory located in Auburn, Washington, cited in the report of the Inspector General of the Department of Defense (number 2013-025) dated November 30, 2012. The report submitted under this subsection shall include the following:

(1) The status of the implementation by the Secretary of the recommendations specified on pages 30 to 34 of the report by the Inspector General.

(2) The value of the parts remaining in warehouse that may still be used by the Secretary for the repair, upgrade, or reset of Stryker vehicles.

(3) The value of the parts remaining in the warehouse that are no longer usable by the Secretary for the repair, upgrade, or reset of Stryker vehicles.

(4) A cost estimate of the monthly cost of maintaining the inventory of parts no longer usable by the Secretary.

(5) Any other matters the Secretary considers appropriate.

**Subtitle C—Navy Programs**

**SEC. 121. MULTIYEAR PROCUREMENT AUTHORITY FOR E-2D AIRCRAFT PROGRAM.**

(a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into—

(1) one or more multiyear contracts, beginning with the fiscal year 2014 program year, for the procurement of E-2D aircraft; and

(2) one or more multiyear contracts, beginning with the fiscal year 2014 program year, for the procurement of mission equipment with respect to aircraft procured under a contract entered into under paragraph (1).

(b) **CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.**—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2014 is subject to the availability of appropriations for that purpose for such later fiscal year.

**SEC. 122. COST LIMITATION FOR CVN-78 AIRCRAFT CARRIERS.**

(a) **IN GENERAL.**—Section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2104) is amended to read as follows:

**“SEC. 122. ADHERENCE TO NAVY COST ESTIMATES FOR CVN-78 CLASS OF AIRCRAFT CARRIERS.**

“(a) **LIMITATION.**—

“(1) **LEAD SHIP.**—The total amount obligated from funds appropriated or otherwise made available for Shipbuilding and Conversion, Navy, or for any other procurement account, for the aircraft carrier designated as CVN-78 may not exceed \$12,887,000,000 (as adjusted pursuant to subsection (b)).

“(2) **FOLLOW-ON SHIPS.**—The total amount obligated from funds appropriated or otherwise made available for Shipbuilding and Conversion, Navy, or for any other procurement account, for the construction of any ship that is constructed in the CVN-78 class of aircraft carriers after the lead ship of that class may not exceed \$11,411,000,000 (as adjusted pursuant to subsection (b)).

“(b) **ADJUSTMENT OF LIMITATION AMOUNT.**—The Secretary of the Navy may adjust the amount set forth in subsection (a) for any ship constructed in the CVN-78 class of aircraft carriers by the following:

“(1) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2013.

“(2) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws.

“(3) The amounts of outfitting costs and post-delivery costs incurred for that ship.

“(4) The amounts of increases or decreases in costs of that ship that are attributable to insertion of new technology into that ship, as compared to the technology baseline as it was defined in the approved acquisition program baseline estimate of December 2005.

“(5) The amounts of increases or decreases to nonrecurring design and engineering cost attributable to achieving compliance with the cost limitation.

“(6) The amounts of increases or decreases to cost required to correct deficiencies that may affect the safety of the ship and personnel or otherwise preclude the ship from safe operations and crew certification.

“(7) With respect to the aircraft carrier designated as CVN-78, the amounts of increases or decreases in costs of that ship that are attributable to the shipboard test program.

“(c) **LIMITATION ON TECHNOLOGY INSERTION COST ADJUSTMENT.**—The Secretary of the Navy may use the authority under paragraph (4) of subsection (b) to adjust the amount set forth in

subsection (a) for a ship referred to in that subsection with respect to insertion of new technology into that ship only if—

“(1) the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology would lower the life-cycle cost of the ship; or

“(2) the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology is required to meet an emerging threat and the Secretary of Defense certifies to those committees that such threat poses grave harm to national security.

“(d) NOTICE.—

“(1) REQUIREMENT.—The Secretary of the Navy shall submit to the congressional defense committees each year, at the same time that the budget is submitted under section 1105(a) of title 31, United States Code, for the next fiscal year, written notice of—

“(A) any change in the amount set forth in subsection (a) during the preceding fiscal year that the Secretary has determined to be associated with a cost referred to in subsection (b); and

“(B) the most accurate estimate possible of the Secretary with respect to the total cost compared to the amount set forth in subsection (a), as adjusted by subsection (b), and the steps the Secretary is taking to reduce the costs below such amount.

“(2) EFFECTIVE DATE.—The requirement in paragraph (1) shall become effective with the budget request for the year of procurement of the first ship referred to in subsection (a).”.

(b) CONFORMING AMENDMENT.—The table of contents at the beginning of such Act is amended by striking the item relating to section 122 and inserting the following:

“Sec. 122. Adherence to Navy cost estimates for CVN-78 class of aircraft carriers.”.

#### **Subtitle D—Air Force Programs**

#### **SEC. 131. MULTIYEAR PROCUREMENT AUTHORITY FOR MULTIPLE VARIANTS OF THE C-130J AIRCRAFT PROGRAM.**

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Air Force may enter into—

(1) one or more multiyear contracts, beginning with the fiscal year 2014 program year, for the procurement of multiple variants of C-130J aircraft for the Department of the Navy and the Department of the Air Force; and

(2) one or more multiyear contracts, beginning with the fiscal year 2014 program year, for the procurement of mission equipment with respect to aircraft procured under a contract entered into under paragraph (1).

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2014 is subject to the availability of appropriations for that purpose for such later fiscal year.

#### **SEC. 132. PROHIBITION ON CANCELLATION OR MODIFICATION OF AVIONICS MODERNIZATION PROGRAM FOR C-130 AIRCRAFT.**

(a) PROHIBITION.—The Secretary of the Air Force may not take any action to cancel or modify the avionics modernization program of record for C-130 aircraft.

(b) CONFORMING REPEAL.—Section 143 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1662) is repealed.

#### **SEC. 133. RETIREMENT OF KC-135R AIRCRAFT.**

(a) TREATMENT OF RETIRED KC-135R AIRCRAFT.—Except as provided by subsection (b) and (c), the Secretary of the Air Force shall

maintain each KC-135R aircraft that is retired by the Secretary in a condition that would allow recall of that aircraft to future service in the Air Force Reserve, Air National Guard, or active forces aerial refueling force structure.

(b) EXCEPTION.—Subsection (a) shall not apply to a KC-135R aircraft that the Secretary transfers or sells to allies or partner nations of the United States.

(c) DELIVERY OF KC-46A AIRCRAFT.—For each KC-46A aircraft that is delivered to the Air Force and the Commander of the Air Mobility Command initially certifies as mission capable, the Secretary may waive the requirements of subsection (a) with respect to one retired KC-135R aircraft.

(d) CONFORMING REPEAL.—Section 135 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2114) is repealed.

#### **SEC. 134. COMPETITION FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROVIDERS.**

(a) FINDINGS.—Congress finds the following:

(1) The new acquisition strategy for the evolved expendable launch vehicle program of the Air Force will maintain mission assurance, reduce costs, and provide opportunities for competition for certified launch providers.

(2) The method in which the current and potential future certified launch providers will be evaluated in a competition is still under development.

(b) PLAN.—

(1) IN GENERAL.—The Secretary of the Air Force shall develop and implement a plan to ensure the fair evaluation of competing contractors in awarding a contract to a certified evolved expendable launch vehicle provider.

(2) COMPARISON.—The plan under paragraph (1) shall include a description of how the following areas will be addressed in the evaluation:

(A) The proposed cost, schedule, and performance.

(B) Mission assurance activities.

(C) The manner in which the contractor will operate under the Federal Acquisition Regulation.

(D) The effect of other contracts in which the contractor is entered into with the Federal Government, such as the evolved expendable launch vehicle launch capability contract and the space station commercial resupply services contracts.

(E) Any other areas the Secretary determines appropriate.

(c) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall—

(A) submit to the appropriate congressional committees a report that includes the plan under subsection (b)(1); or

(B) provide to such committees a briefing on such plan.

(2) GAO REVIEW.—The Comptroller General of the United States shall—

(A) submit to the appropriate congressional committees a review of the plan under subsection (b)(1); or

(B) provide to such committees a briefing on such plan.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means the following:

(A) The congressional defense committees.

(B) The Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(C) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

#### **Subtitle E—Defense-wide, Joint, and Multiservice Matters**

#### **SEC. 141. MULTIYEAR PROCUREMENT AUTHORITY FOR GROUND-BASED INTERCEPTORS.**

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Director of the Missile Defense Agency may enter into one or more multiyear contracts, beginning with the fiscal year 2014 program year, for the procurement of 14 ground-based interceptors.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Director may enter into one or more contracts for advance procurement associated with the ground-based interceptors for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2014 is subject to the availability of appropriations for that purpose for such later fiscal year.

#### **SEC. 142. MULTIYEAR PROCUREMENT AUTHORITY FOR TACTICAL WHEELED VEHICLES.**

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of Defense may enter into one or more multiyear, multi-vehicle contracts, beginning with the fiscal year 2014 program year, for the procurement of core tactical wheeled vehicles.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2014 is subject to the availability of appropriations for that purpose for such later fiscal year.

(c) NOTIFICATION REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall notify the congressional defense committees of—

(1) whether the Secretary will enter into a contract under subsection (a); and

(2) if not, an explanation for why the Secretary will not enter into such a contract.

(d) ANNUAL REPORTS.—For each fiscal year in which the Secretary is entered into a contract under this section, the Secretary shall submit to the congressional defense committees, as part of the material submitted in support of the budget of the President for such fiscal year, as submitted to Congress pursuant to section 1105(a) of title 31, United States Code, the following:

(1) The status of procurements under such contract.

(2) A detailed analysis of any cost savings achieved for each class of vehicle procured under such contract.

(3) A description of any challenges to the Secretary in carrying out this section or in achieving any such cost savings.

(4) Any recommendations for future implementation of a program for multiyear, multi-vehicle procurement.

(e) TERMINATION OF AUTHORITY.—The Secretary may not enter into a contract under this section after September 30, 2018. During the five-year period beginning on October 1, 2018, the Secretary may continue to carry out any contract entered into under this section before such date using funds made available to the Secretary for such purpose before such date.

(f) CORE TACTICAL VEHICLES DEFINED.—In this section, the term “core tactical wheeled vehicles” means—

(1) the family of medium tactical vehicles;

(2) medium tactical wheeled vehicle replacements;

(3) the family of heavy tactical vehicles; and

(4) logistics vehicle system replacements.

**SEC. 143. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF RQ-4 GLOBAL HAWK UNMANNED AIRCRAFT SYSTEMS.**

(a) **LIMITATION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to retire, prepare to retire, or place in storage an RQ-4 Block 30 Global Hawk unmanned aircraft system.

(b) **MAINTAINED LEVELS.**—During the period preceding December 31, 2016, in supporting the operational requirements of the combatant commands, the Secretary of the Air Force shall maintain the operational capability of each RQ-4 Block 30 Global Hawk unmanned aircraft system belonging to the Air Force or delivered to the Air Force during such period.

(c) **CONFORMING AMENDMENT.**—Section 154 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1666) is amended—

- (1) by striking “(a) **LIMITATION.**—”; and
- (2) by striking subsection (b).

**SEC. 144. PERSONAL PROTECTION EQUIPMENT PROCUREMENT.**

(a) **PROCUREMENT.**—The Secretary of Defense shall ensure that personal protection equipment is procured using funds authorized to be appropriated by section 101 and available for such purpose as specified in the funding table in sections 4101 and 4102.

(b) **PROCUREMENT LINE ITEM.**—In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2015, and each subsequent fiscal year, the Secretary shall ensure that within each military department procurement account, a separate, dedicated procurement line item is designated for personal protection equipment.

(c) **PERSONAL PROTECTION EQUIPMENT DEFINED.**—In this section, the term “personal protection equipment” means the following:

- (1) Body armor components.
- (2) Combat helmets.
- (3) Combat protective eyewear.
- (4) Protective clothing.
- (5) Other items as determined appropriate by the Secretary.

**SEC. 145. REPEAL OF CERTAIN F-35 REPORTING REQUIREMENTS.**

Section 122 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4157) is amended—

- (1) by striking subsection (b); and
- (2) by redesignating subsection (c) as subsection (b).

**SEC. 146. STUDY ON PROCUREMENT OF PERSONAL PROTECTION EQUIPMENT.**

(a) **STUDY.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a federally funded research and development center to conduct a study to identify and assess alternative and effective means for stimulating competition and innovation in the personal protection equipment industrial base.

(2) **SUBMISSION.**—Not later than 180 days after the date of the enactment of this Act, the federally funded research and development center conducting the study under paragraph (1) shall submit to the Secretary the study, including any findings and recommendations.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study conducted under subsection (a)(1).

(2) **MATTERS INCLUDED.**—The report under paragraph (1) shall include the following:

(A) The study, findings, and recommendations submitted to the Secretary under subsection (a)(2).

(B) An assessment of current and future technologies that could markedly improve body armor, including by decreasing weight, increasing survivability, and making other relevant improvements.

(C) An analysis of the capability of the personal protection equipment industrial base to leverage such technologies to produce the next generation body armor.

(D) An assessment of alternative body armor acquisition models, including different types of contracting and budgeting practices of the Department of Defense.

(c) **PERSONAL PROTECTION EQUIPMENT.**—In this section, the term “personal protection equipment” includes body armor.

**TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

**Subtitle A—Authorization of Appropriations**

**SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

**Subtitle B—Program Requirements, Restrictions, and Limitations**

**SEC. 211. LIMITATION ON AVAILABILITY OF FUNDS FOR GROUND COMBAT VEHICLE ENGINEERING AND MANUFACTURING PHASE.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Army may be obligated or expended for post-Milestone B engineering and manufacturing phase development activities for the ground combat vehicle program until a period of 30 days has elapsed following the date on which the Secretary of the Army submits to the congressional defense committees a report that includes the following:

(1) An independent assessment of the draft milestone B documentation for the ground combat vehicle that—

(A) is performed by the Director of Cost Assessment and Program Evaluation, the Assistant Secretary of Defense for Research and Engineering, or other similar official; and

(B) analyzes whether there is a sufficient business case to proceed with the engineering and manufacturing development phase for the ground combat vehicle using only one contractor.

(2) A certification by the Secretary that the ground combat vehicle program has—

- (A) feasible and fully-defined requirements;
- (B) fully mature technologies;
- (C) independent and high-confidence cost estimates;
- (D) available funding; and
- (E) a realistic and achievable schedule.

**SEC. 212. LIMITATION ON MILESTONE A ACTIVITIES FOR UNMANNED CARRIER-LAUNCHED SURVEILLANCE AND STRIKE SYSTEM PROGRAM.**

The Under Secretary of Defense for Acquisition, Technology, and Logistics may not award a Milestone A technology development contract with respect to the Unmanned Carrier-launched Surveillance and Strike system program until a period of 30 days has elapsed following the date on which the Under Secretary certifies to the congressional defense committees that the software and system engineering designs for the control system and connectivity and aircraft carrier segments of such program can achieve, with low level of integration risk, successful compatibility and interoperability with the air

vehicle segment selected for contract award with respect to such program.

**SEC. 213. LIMITATION ON AVAILABILITY OF FUNDS FOR AIR FORCE LOGISTICS TRANSFORMATION.**

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for procurement, Air Force, or research, development, test, and evaluation, Air Force, for logistics information technology, including for the expeditionary combat support system, not more than 50 percent may be obligated or expended until the date that is 30 days after the date on which the Secretary of the Air Force submits to the congressional defense committees a report on how the Secretary will modernize and update the logistics information technology systems of the Air Force following the cancellation of the expeditionary combat support system. Such report shall include—

(1) strategies to—

(A) in the near term, address any gaps in capability with respect to logistics information technology; and

(B) during the period covered by the current future-years defense plan, provide for long-term modernization of logistics information technology;

(2) an analysis of the root causes leading to the failure of the expeditionary combat support system program; and

(3) a plan of action by the Secretary to ensure that the lessons learned under such analysis are—

(A) shared throughout the Department of Defense and the military departments; and

(B) considered in program planning for similar logistics information technology systems.

**SEC. 214. LIMITATION ON AVAILABILITY OF FUNDS FOR DEFENSIVE CYBERSPACE OPERATIONS OF THE AIR FORCE.**

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for procurement, Air Force, or research, development, test, and evaluation, Air Force, for Defensive Cyberspace Operations (Program Element 0202088F), not more than 90 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees a report on the Application Software Assurance Center of Excellence.

(b) **MATTERS INCLUDED.**—The report under subsection (a) shall include the following:

(1) A description of how the Application Software Assurance Center of Excellence is used to support the software assurance activities of the Air Force and other elements of the Department of Defense, including pursuant to section 933 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 2224 note).

(2) A description of the resources used to support the Center of Excellence from the beginning of the Center through fiscal year 2014.

(3) The plan of the Secretary for sustaining the Center of Excellence during the period covered by the future-years defense program submitted in 2013 under section 221 of title 10, United States Code.

**SEC. 215. LIMITATION ON AVAILABILITY OF FUNDS FOR PRECISION EXTENDED RANGE MUNITION PROGRAM.**

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense, not more than 50 percent may be obligated or expended for the precision extended range munition program until the date on which the Under Secretary of Defense for Acquisition, Technology, and Logistics submits to the congressional defense committees written certification that—

(1) such program is necessary to meet a valid operational need that cannot be met by the existing precision guided mortar munition of the Army, other indirect fire weapons, or aerial-delivered joint fires; and

(2) a sufficient business case exists to proceed with development and production of such program.

**SEC. 216. LIMITATION ON AVAILABILITY OF FUNDS FOR THE PROGRAM MANAGER FOR BIOMETRICS OF THE DEPARTMENT OF DEFENSE.**

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for research, development, test, and evaluation for the Department of Defense program manager for biometrics for future biometric architectures or systems, not more than 75 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of Defense submits to the congressional defense committees a report assessing the future program structure for biometrics oversight and execution and architectural requirements for biometrics enabling capability.

(b) **MATTERS INCLUDED.**—The report under subsection (a) shall include the following:

(1) An assessment of the roles and responsibilities of the principal staff assistant for biometrics, the program manager for biometrics, and the Biometrics Identity Management Agency, including an analysis of alternatives to evaluate—

(A) how to better align responsibilities for the multiple elements of the military departments and the Department of Defense with responsibility for biometrics, including the Navy and the Marine Corps; the Office of the Provost Marshall General, and the intelligence community; and

(B) whether the program management responsibilities of the Department of Defense program manager for biometrics should be retained by the Army or transferred to another military department or element of the Department based on the expected future operating environment.

(2) An assessment of the current requirements for the biometrics enabling capability to ensure the capability continues to meet the needs of the relevant military departments and elements of the Department of Defense based on the future operating environment after the drawdown in Afghanistan.

(3) An analysis of the need to merge the program management structures and systems architecture and requirements development process for biometrics and forensics applications.

**SEC. 217. UNMANNED COMBAT AIR SYSTEM DEMONSTRATION TESTING REQUIREMENT.**

Not later than October 1, 2014, the Secretary of the Navy shall demonstrate, with respect to the X-47B unmanned combat air system aircraft, the following:

(1) Unmanned autonomous rendezvous and aerial-refueling operations using the receptacle and probe equipment of the X-47B aircraft.

(2) The ability of such aircraft to on-load fuel from airborne tanker aircraft using both the boom and drogue equipment installed on the tanker aircraft.

**SEC. 218. LONG-RANGE STANDOFF WEAPON REQUIREMENT.**

The Secretary of the Air Force shall develop a follow-on air-launched cruise missile to the AGM-86 that—

(2) achieves initial operating capability for both conventional and nuclear missions by not later than 2030; and

(3) is certified for internal carriage and employment for both conventional and nuclear missions on the next-generation long-range strike bomber by not later than 2034.

**SEC. 219. REVIEW OF SOFTWARE DEVELOPMENT FOR F-35 AIRCRAFT.**

(a) **REVIEW.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall establish an independent team consisting of subject matter experts to review the development of software for the F-35 aircraft program (in this section referred to as the “software development program”), including by reviewing the progress made in—

(1) managing the software development program; and

(2) delivering critical software capability in accordance with current program milestones.

(b) **REPORT.**—Not later than March 3, 2014, the Under Secretary shall submit to the congressional defense committees a report on the review under subsection (a). Such report shall include the following:

(1) An assessment by the independent team with respect to whether the software development program—

(A) has been successful in meeting the key milestone dates occurring before the date of the report; and

(B) will be successful in meeting the established program schedule.

(2) Any recommendations of the independent team with respect to improving the software development program to ensure that, in support of the start of initial operational testing, the established program schedule is met on time.

(3) If the independent team determines that the software development program will be unable to deliver the full complement of software within the established program schedule, any potential alternatives that the independent team considers appropriate to deliver such software within such schedule.

**SEC. 220. EVALUATION AND ASSESSMENT OF THE DISTRIBUTED COMMON GROUND SYSTEM.**

(a) **PROJECT CODES FOR BUDGET SUBMISSIONS.**—In the budget transmitted by the President to Congress under section 1105 of title 31, United States Code, for fiscal year 2015 and each subsequent fiscal year, each capability component within the distributed common ground system program shall be set forth as a separate project code within the program element line, and each covered official shall submit supporting justification for the project code within the program element descriptive summary.

(b) **ANALYSIS.**—

(1) **REQUIREMENT.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall conduct an analysis of commercial link analysis tools that are compliant with the intelligence community data standards and could be used to meet the requirements of the distributed common ground system program.

(2) **ELEMENTS.**—The analysis required under paragraph (1) shall include the following:

(A) Revalidation of the distributed common ground system program requirements for link analysis tools based on current program needs, recent operational experience, and the requirement for nonproprietary solutions that adhere to open-architecture principles.

(B) Market research of current commercially available link analysis tools to determine which tools, if any, could potentially satisfy the requirements described in subparagraph (A).

(C) Analysis of the competitive acquisition options for any commercially available link analysis tools identified in subparagraph (B).

(3) **SUBMISSION.**—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall submit to the congressional defense committees the results of the analysis conducted under paragraph (1).

(c) **COMPETITION REQUIRED.**—

(1) **IN GENERAL.**—Except as provided by paragraph (3), if the Under Secretary identifies one

or more commercial link analysis tools under subsection (b) (other than such tools offered by the current technology provider) that meet the requirements for the distributed common ground system program, including the requirement for nonproprietary solutions that adhere to open-architecture principles, each covered official shall initiate a request for proposals for such link analysis tools by not later than 180 days after the Under Secretary makes such identification. Such a request for proposals shall be based on market research and competitive procedures in accordance with applicable law and the Defense Federal Acquisition Regulation Supplement.

(2) **NOTIFICATION.**—Each covered official shall submit to the congressional defense committees written notification of any request for proposals issued under paragraph (1) by not later than 30 days after such request is issued.

(3) **WAIVER OF RFP TIMELINE.**—If a covered official determines that issuing a request for proposals by the date specified in paragraph (1) would not be aligned with the acquisition or developmental milestones of the distributed common ground station program, the covered official may waive the requirement to issue such a request for proposals by such date if the covered official submits to the congressional defense committees a written notification of such waiver that includes—

(A) the reasons for making such a waiver; and

(B) identification of when in the acquisition timeline of such program that the covered official plans to issue the request for proposals.

(d) **COVERED OFFICIAL DEFINED.**—In this section, the term “covered official” means the following:

(1) The Secretary of the Army, with respect to matters concerning the Army.

(2) The Secretary of the Navy, with respect to matters concerning the Navy.

(3) The Secretary of the Air Force, with respect to matters concerning the Air Force.

(4) The Commandant of the Marine Corps, with respect to matters concerning the Marine Corps.

(5) The Commander of the United States Special Operations Command, with respect to matters concerning the United States Special Operations Command.

**SEC. 221. REQUIREMENT TO COMPLETE INDIVIDUAL CARBINE TESTING.**

The Secretary of the Army may not cancel the individual carbine program unless the Secretary—

(1) completes the Phase III down-select and user-evaluation phase of the individual carbine competitors;

(2) conducts the required comprehensive business case analysis of such program; and

(3) submits to the congressional defense committees—

(A) the results of the down-select and user evaluation described in paragraph (1); and

(B) the business case analysis described in paragraph (2).

**SEC. 222. ESTABLISHMENT OF FUNDING LINE AND FIELDING PLAN FOR NAVY LASER WEAPON SYSTEM.**

(a) **IN GENERAL.**—The Secretary shall ensure that each future-years defense program submitted to Congress under section 221 of title 10, United States Code, that covers any of fiscal years 2018 through 2028 includes a funding line and fielding plan for a Navy laser weapon system with respect to such fiscal years.

(b) **ALTERNATIVE REPORT.**—If the Secretary determines that the technology and maturation efforts of a Navy laser weapon system conducted prior to fiscal year 2016 do not indicate that suitable technology warranting a program of record for such system will be available by 2018, the Secretary may waive the requirements of

subsection (a) if the Secretary submits to the congressional defense committees written justification of such determination, including a description of the technical shortcomings of such system, by not later than March 30, 2016.

**SEC. 223. SENSE OF CONGRESS ON IMPORTANCE OF ALIGNING COMMON MISSILE COMPARTMENT OF OHIO-CLASS REPLACEMENT PROGRAM WITH THE UNITED KINGDOM'S VANGUARD SUCCESSOR PROGRAM.**

(a) **FINDINGS.**—Congress finds the following:

(1) The Polaris Sales Agreement of 1963 formally arranged for the Polaris missile system to be purchased by the United Kingdom for its submarines. It was extended in 1982 to include the Trident missile system and this agreement continues to underpin the independent nuclear deterrent of the United Kingdom.

(2) April 2013 marked the 50-year anniversary of the agreement.

(3) Since the inception of the agreement, the agreement has been a tremendous success and provided great benefits to both nations by creating major cost savings, stronger nuclear deterrence, and a stronger alliance.

(4) The Ohio-class ballistic missile submarine replacement of the United States and the Vanguard-class ballistic missile successor of the United Kingdom will share a common missile compartment and the Trident II/D5 strategic weapon system.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the Secretary of Defense and the Secretary of the Navy should make every effort to ensure that the common missile compartment associated with the Ohio-class ballistic missile submarine replacement program stays on schedule and is aligned with the Vanguard-successor program of the United Kingdom in order for the United States to fulfill its longstanding commitment to our ally and partner in sea-based strategic deterrence.

**SEC. 224. SENSE OF CONGRESS ON COUNTER-ELECTRONICS HIGH POWER MICROWAVE MISSILE PROJECT.**

It is the sense of the Congress that—

(1) following the successful joint technology capability demonstration that the counter-electronics high power microwave missile project (in this section referred to as “CHAMP”) conducted last year, the Air Force should examine the results of the demonstration and consider the demonstration as a potential solution during any analysis of alternatives conducted in 2014;

(2) an analysis of alternatives is an important step in the long term-term development of a high power microwave weapon;

(3) additionally, a near-term option may be available to get such capability to commanders of the combatant commands should the capability be required;

(4) the Secretary of the Air Force should pursue both near- and long-term high power microwave weapon systems;

(5) CHAMP could be developed as a cruise missile delivered weapon with target availability to commanders of the combatant commands by 2016; and

(6) such development should not prohibit or divert resources from an analysis of alternatives and long-term development of a high power microwave weapon.

**Subtitle C—Missile Defense Programs**

**SEC. 231. PROHIBITION ON USE OF FUNDS FOR MEADS PROGRAM.**

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended for the medium extended air defense system.

(b) **HARVESTING TECHNOLOGY.**—

(1) **NOTICE AND WAIT.**—The Secretary of Defense may not carry out actions described in

paragraph (2) until a period of 120 days has elapsed following the date on which the Secretary notifies the congressional defense committees of the plans of the Secretary to carry out such actions.

(2) **ACTIONS DESCRIBED.**—Actions described in this paragraph are actions relating to harvesting technology of the medium extended air defense system.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than February 15, 2014, the Secretary of the Army shall submit to the congressional defense committees a report on the opportunities to harvest technology of the medium extended air defense system to modernize the various air and missile defense systems and integrated architecture of the Army, based on the report required by section 226 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1678).

(2) **MATTERS INCLUDED.**—The report under paragraph (1) shall include the following:

(A) A review of current Army and joint requirements to which any harvested technology of the medium extended air defense system might be applied.

(B) The timeline of the Secretary for completion of an analysis of alternatives to technologies and systems being considered for harvesting.

(C) An overview of the planned acquisition strategy for any major systems being considered for harvesting and for insertion into the integrated air and missile defense architecture.

(d) **APPLICATION.**—The prohibition in subsection (a) may not be superseded except by a provision of law that specifically supersedes, repeals, or modifies such subsection.

**SEC. 232. ADDITIONAL MISSILE DEFENSE SITE IN THE UNITED STATES FOR OPTIMIZED PROTECTION OF THE HOMELAND.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) President George W. Bush and President Barack Obama have each recognized the necessity for an additional measure of protection-beyond missile defense sites in Alaska and California—for defending the United States against intercontinental ballistic missile (ICBM) threats emanating from the Middle East.

(2) General Jacoby, the Commander of the United States Northern Command, testified before Congress that “we should consider that Iran has a capability within the next few years of flight testing ICBM capable technologies” and that “the Iranians are intent on developing an ICBM”.

(3) General Kehler, the Commander of the United States Strategic Command, testified before Congress that “I am confident that we can defend against a limited attack from Iran, although we are not in the most optimum posture to do that today. . . it doesn't provide total defense today”.

(4) General Jacoby also testified before Congress that “I would agree that a third site, wherever the decision is to build a third site, would give me better weapons access, increased GBI inventory and allow us the battle space to more optimize our defense against future threats from Iran and North Korea”.

(5) Section 227 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1678) directs the Missile Defense Agency—

(A) to conduct environmental impact studies for three potential locations for an additional missile defense site capable of protecting the homeland; and

(B) to develop a contingency plan in case the President determines to proceed with deployment of such an additional site.

(6) According to the Missile Defense Agency, the cost to deploy up to 20 ground-based interceptors

(GBIs) at a new missile defense site on the East Coast of the United States is approximately \$3,000,000,000 and would require approximately 5 to 6 years to complete.

(b) **ADDITIONAL MISSILE DEFENSE SITE.**—

(1) **IN GENERAL.**—The Missile Defense Agency shall construct and make operational in fiscal year 2018 an additional homeland missile defense site capable of protecting the homeland, designed to complement existing sites in Alaska and California, to deal more effectively with the long-range ballistic missile threat from the Middle East.

(2) **REQUIREMENT IN ADDITION TO OTHER REQUIRED ACTIVITIES REGARDING MISSILE DEFENSE SITES.**—The Missile Defense Agency shall carry out the requirement in paragraph (1) to construct and deploy an additional homeland missile defense site (including any advance procurement and engineering and design in connection with such site) while continuing to meet the requirement to prepare environmental impact statements and a contingency plan under section 227 of the National Defense Authorization Act for Fiscal Year 2013 for the missile defense sites described in that section.

(3) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to Congress a report on the missile defense site required to be constructed and deployed under paragraph (1). The report shall include a description of the current estimate of the funding to be required for construction and deployment of the missile defense site, including for advance procurement, engineering and design, materials and construction, interceptor missiles, and sensors.

**SEC. 233. LIMITATION ON REMOVAL OF MISSILE DEFENSE EQUIPMENT FROM EAST ASIA.**

(a) **POLICY.**—It is the policy of the United States that—

(1) the missile defenses of the United States provide defense against multiple threats, including threats to the United States, allies of the United States, and the deployed forces of the United States; and

(2) the elimination of one threat, for example the illegal nuclear weapons program of a rogue state, does not eliminate the reason the United States deploys missile defenses to a particular region, including to defend allies of the United States and deployed forces of the United States from other regional threats.

(b) **LIMITATION.**—Except as provided by subsection (c) or (d), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 or any fiscal year thereafter may be obligated or expended to remove missile defense equipment of the United States from East Asia until a period of 180 days has elapsed following the date on which the President certifies to the congressional defense committees the following:

(1) Each country in East Asia that poses a threat to allies of the United States has verifiably dismantled the nuclear weapons and ballistic missile programs of such country.

(2) The President has consulted with such allies with respect to the dismantlement described in paragraph (1) that—

(A) such dismantlement has occurred; and

(B) the missile defense platforms of the United States located in East Asia are no longer needed.

(c) **WAIVER.**—The President may waive the limitation in subsection (b) with respect to removing missile defense equipment of the United States from East Asia if—

(1) the President submits to the congressional defense committees—

(A) a certification that such waiver is in the national security interest of the United States; and



(B) a report, in unclassified form, explaining—

(i) why the President cannot make a certification for such removal under subsection (b);

(ii) the national security interest covered by the certification made under subparagraph (A); and

(iii) how the President will provide a commensurate level of defense for the United States, allies of the United States, and deployed forces of the United States, as provided by such missile defense equipment being removed; and

(2) a period of 30 days has elapsed following the date on which the President submits the information under paragraph (1).

(d) **EXCEPTION.**—The limitation in subsection (b) shall not apply to destroyers and cruisers of the Navy equipped with the Aegis ballistic missile defense system.

**SEC. 234. IMPROVEMENTS TO ACQUISITION ACCOUNTABILITY REPORTS ON BALLISTIC MISSILE DEFENSE SYSTEM.**

(a) **IN GENERAL.**—Section 225 of title 10, United States Code, is amended—

(1) in subsection (b)(3)(A), by inserting “comprehensive” before “life-cycle”; and

(2) by adding at the end the following:

“(e) **QUALITY OF COST ESTIMATES.**—(1) The Director shall ensure that each cost estimate included in an acquisition baseline pursuant to subsection (b)(3) includes all operation and support costs, regardless of funding source, for which the Director is responsible.

“(2) In each such baseline submitted to the congressional defense committees, the Director shall state whether the underlying cost estimates in such baseline meet the criteria of the Comptroller General of the United States to be considered a high-quality estimate. If the Director states that such estimates do not meet such criteria, the Director shall include in such baseline the actions, including a schedule, that the Director plans to carry out for the estimates to meet such criteria.”.

(b) **REPORT.**—Not later than February 15, 2014, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report of the plans and schedule of the Director with respect to when the Director will meet the quality and criteria of cost estimates required by section 225(e) of title 10, United States Code, as added by subsection (a)(2).

**SEC. 235. ANALYSIS OF ALTERNATIVES FOR SUCCESSOR TO PRECISION TRACKING SPACE SYSTEM.**

(a) **ANALYSIS OF ALTERNATIVES REQUIRED.**—

(1) **IN GENERAL.**—The Director of the Missile Defense Agency, in cooperation with the Director of Cost Assessment and Program Evaluation and the Defense Space Council, shall perform an analysis of alternatives for a successor to the precision tracking space system.

(2) **CONSIDERATION.**—The Director shall ensure that the analysis of alternatives under paragraph (1) considers the following:

(A) Current and future terrestrial, airborne, and space capabilities and capability gaps for missile defense sensing requirements.

(B) Current and planned overhead persistent infrared architecture and the potential for the future exploitability of such architecture.

(C) Lessons learned from the space tracking and surveillance system and precision tracking space system technology development programs.

(D) Opinions of private industry based on the experience of such industry with delivering space capabilities.

(E) Opportunities for such successor system to contribute to nonmissile defense missions with unmet requirements, including space situational awareness.

(3) **ROLE OF OTHER DEPARTMENTS.**—In conducting the analysis of alternatives under paragraph (1), the Director shall compare the advantages and disadvantages, including in terms of costs, with respect to the Director—

(A) developing a successor to the precision tracking space system solely for the Missile Defense Agency; and

(B) cooperating with other heads of departments and agencies of the United States to develop space systems that are multi-mission, including by hosting payloads.

(b) **SUBMISSION REQUIRED.**—

(1) **TERMS OF REFERENCE.**—Not later than 60 days after the date of the enactment of this Act, the Director shall submit to the congressional defense committees the terms of reference of the analysis of alternatives performed under subsection (a)(1).

(2) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a report including—

(A) the analysis of alternatives for a successor to the precision tracking space system performed under subsection (a)(1); and

(B) a description of the potential platforms on which a hosted payload could be hosted.

(3) **FORM.**—The report required by paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

(c) **CONFORMING REPEAL.**—Section 224 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1675) is repealed.

**SEC. 236. PLAN TO IMPROVE ORGANIC KILL ASSESSMENT CAPABILITY OF THE GROUND-BASED MIDCOURSE DEFENSE SYSTEM.**

(a) **ORGANIC KILL ASSESSMENT CAPABILITY.**—The Director of the Missile Defense Agency and the Commander of the United States Northern Command, in consultation with the Commander of the United States Strategic Command, shall jointly develop—

(1) options to achieve an organic kill assessment capability for the ground-based midcourse defense system that can be developed by not later than December 31, 2019, including by improving the command, control, battle management, and communications program and the sensor and communications architecture of the Agency; and

(2) a plan to carry out such options that gives priority to including such capabilities in at least some of the 14 ground-based interceptors that will be procured by the Director, as announced by the Secretary of Defense on March 15, 2013.

(b) **IMPROVED HIT ASSESSMENT.**—The Director and the Commander of the United States Northern Command, in consultation with the Commander of the United States Strategic Command, shall jointly develop an interim capability for improved hit assessment for the ground-based midcourse defense system that can be integrated into near-term enhanced kill vehicle upgrades and refurbishment.

(c) **SUBMISSION TO CONGRESS.**—Not later than March 15, 2014, the Director and the Commander of the United States Northern Command shall jointly submit to the congressional defense committees a report on—

(1) the development of an organic kill assessment capability under subsection (a), including the plan developed under paragraph (2) of such subsection; and

(2) the development of an interim capability for improved hit assessment under subsection (b).

**SEC. 237. AVAILABILITY OF FUNDS FOR IRON DOME SHORT-RANGE ROCKET DEFENSE PROGRAM.**

Of the funds authorized to be appropriated for fiscal year 2014 by section 201 for research, development, test, and evaluation, Defense-wide, and available for the Missile Defense Agency, \$15,000,000 may be obligated or expended for enhancing the capability for producing the Iron

Dome short-range rocket defense program in the United States, including for infrastructure, tooling, transferring data, special test equipment, and related components.

**SEC. 238. NATO AND THE PHASED, ADAPTIVE APPROACH TO MISSILE DEFENSE IN EUROPE.**

(a) **NATO FUNDING.**—

(1) **PHASE I OF EPAA.**—Not later than 60 days after the date of the enactment of this Act, the President shall consult with the North Atlantic Council and the Secretary General of the North Atlantic Treaty Organization (in this section referred to as “NATO”) on—

(A) the funding of the phased, adaptive approach to missile defense in Europe; and

(B) establishing a plan for NATO to provide at least 50 percent of the infrastructure and operations and maintenance costs of phase I of the phased, adaptive approach to missile defense in Europe.

(2) **PHASES II AND III OF EPAA.**—The President shall use the NATO Military Common-Funded Resources process to seek to fund at least 50 percent of the costs for phases II and III of the phased, adaptive approach to missile defense in Europe.

(3) **REPORTS.**—Not later than 180 days after the date of the enactment of this Act, and each 180-day period thereafter, the President shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on the funding provided by NATO pursuant to paragraphs (1) and (2).

(b) **INTERCEPTORS.**—If the Secretary of Defense determines that it is useful to the interests of the United States, the Secretary shall seek to engage with members of NATO to establish a NATO common pool of Aegis standard missile-3 block 1A, standard missile-3 block 1B, and standard missile-3 block 1IA interceptors to defend NATO members through the phased, adaptive approach to missile defense in Europe.

**SEC. 239. SENSE OF CONGRESS ON PROCUREMENT OF CAPABILITY ENHANCEMENT II EXOATMOSPHERIC KILL VEHICLE.**

It is the sense of Congress that the Secretary of Defense should not procure a Capability Enhancement II exoatmospheric kill vehicle for deployment until after the date on which a successful operational flight test of the Capability Enhancement II ground-based interceptor has occurred unless such procurement is for test assets or to maintain a warm line for the industrial base.

**SEC. 240. SENSE OF CONGRESS ON 30TH ANNIVERSARY OF THE STRATEGIC DEFENSE INITIATIVE.**

(a) **FINDINGS.**—Congress finds the following:

(1) President Ronald Reagan in March 1983, in a speech from the oval office, laid the corner stone for a long-term research and development program to begin to achieve our ultimate goal of eliminating the threat posed by strategic nuclear missiles.

(2) President Reagan stated, “I’ve become more and more deeply convinced that the human spirit must be capable of rising above dealing with other nations and human beings by threatening their existence. . . . What if free people could live secure in the knowledge that their security did not rest upon the threat of instant U.S. retaliation to deter a Soviet attack, that we could intercept and destroy strategic ballistic missiles before they reached our own soil or that of our allies?”.

(3) The Strategic Defense Initiative, also known as “Star Wars”, challenged the nation to accomplish the impossible by moving beyond the obvious possibilities of the day to set the United States and our allies up for success.

(4) In 1999, the Ballistic Missile Defense Organization (BMDO), National Missile Defense



(NMD) prototype interceptor successfully demonstrated “hit-to-kill” technology intercepting a modified Minuteman intercontinental Ballistic Missile (ICBM).

(5) Congress passed the National Missile Defense Act of 1999 (Public Law 106-38) (signed by President Clinton), which stated, “It is the policy of the United States to deploy, as soon as is technologically possible, an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack (whether accidental, unauthorized, or deliberate)”.

(6) On December 13, 2001, President George W. Bush announced “I have concluded the ABM treaty hinders our government’s ability to develop ways to protect our people from future terrorist or rogue state missile attacks”.

(7) Russian President Vladimir Putin said the move was “not a threat to the security of the Russian Federation”.

(8) Since 2001, the United States has deployed considerable Missile Defense capability: 30 ground-based interceptors defending the continental U.S. today; 32 Aegis BMD ships; 113 SM-3 1A interceptors; 25 SM-3 1B interceptors; 3 THAAD batteries and 89 interceptors; and 8 AN/TPY-2 forward-based sensors.

(9) The United States has partnerships with 22 nations, and the North Atlantic Treaty Organization (NATO), for missile defense cooperation. Likewise, India and South Korea are developing missile defenses and the Russian Federation and People’s Republic of China are also developing and improving missile defenses.

(10) Since 2001 when they began development, United States missile defenses have had a test record of 58 of 73 hit-to-kill intercept attempts and have been successful across all programs of the integrated system, including Aegis Ballistic Missile Defense (BMD), Ground-based Mid-course Defense (GMD), Terminal High Altitude Area Defense (THAAD), and PATRIOT Advanced Capability-3.

(11) In July of 2004, the United States missile defense system was declared operational with limited capability. Since that time, it has offered defense against limited threats to the continental United States.

(12) The United States has cooperatively developed with our Israeli allies a number of missile defense systems including Arrow, Arrow 3 and David’s Sling, systems which will protect our Israeli allies and contribute technology and expertise to U.S. systems.

(13) The United States in support of NATO deployed a Patriot missile battery to defend the population and territory of Turkey and provide material support for Article V of the North Atlantic Treaty in the event of spillover from the Syrian civil war and has deployed Phase I of the European Phased Adaptive Approach, which includes a transportable x-band radar array and an on-station AEGIS ballistic missile defense ship armed with Standard Missile 3 block 1A missile interceptors.

(14) When United States territory, deployed forces and allies were threatened by North Korean ballistic missiles the United States had the operational capability and national will to deploy THAAD units to Guam to provide a defensive shield.

(15) The United States continues to work jointly with Japan to improve the Navy Aegis Ballistic Missile Defense (BMD) which in addition to providing missile defense in the Pacific is also a keystone in the Phased Adaptive Approach for European missile defense.

(16) On-going research and development under the auspices of the Missile Defense Agency will continue to expand the technology envelope to deploy a layered missile defense system capable of defending the homeland, our military forces deployed overseas, friendly nations and

our allies against all ballistic missiles from launch and orbit to reentry.

(17) A credible ballistic missile defense system is critical to the national defense of the United States.

(b) SENSE OF CONGRESS.—Congress—

(1) recognizes the inspiring leadership of President Ronald Reagan to “maintain the peace through strength”;

(2) recognizes the enduring obligation President as Commander in Chief to “preserve, protect, and defend the Constitution”;

(3) commemorates the vision of President Reagan on the 30th anniversary of the Strategic Defense Initiative;

(4) believes that it is imperative that the United States continue fielding a robust missile defense system, including additional ground based interceptors; and

(5) commits to supporting continued investments in future missile defense capabilities and emerging technologies such as directed energy and railguns.

#### Subtitle D—Reports

#### SEC. 251. ANNUAL COMPTROLLER GENERAL REPORT ON THE AMPHIBIOUS COMBAT VEHICLE ACQUISITION PROGRAM.

(a) ANNUAL GAO REVIEW.—During the period beginning on the date of the enactment of this Act and ending on March 1, 2018, the Comptroller General of the United States shall conduct an annual review of the amphibious combat vehicle acquisition program.

(b) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than March 1 of each year beginning in 2014 and ending in 2018, the Comptroller General shall submit to the congressional defense committees a report on the review of the amphibious combat vehicle acquisition program conducted under subsection (a).

(2) MATTERS TO BE INCLUDED.—Each report under paragraph (1) shall include the following:

(A) The extent to which the program is meeting development and procurement cost, schedule, performance, and risk mitigation goals.

(B) With respect to meeting the desired initial operational capability and full operational capability dates for the amphibious combat vehicle, the progress and results of—

(i) developmental and operational testing of the vehicle; and

(ii) plans for correcting deficiencies in vehicle performance, operational effectiveness, reliability, suitability, and safety.

(C) An assessment of procurement plans, production results, and efforts to improve manufacturing efficiency and supplier performance.

(D) An assessment of the acquisition strategy of the amphibious combat vehicle, including whether such strategy is in compliance with acquisition management best-practices and the acquisition policy and regulations of the Department of Defense.

(E) An assessment of the projected operations and support costs and the viability of the Marine Corps to afford to operate and sustain the amphibious combat vehicle.

(3) ADDITIONAL INFORMATION.—In submitting to the congressional defense committees the first report under paragraph (1) and a report following any changes made by the Secretary of the Navy to the baseline documentation of the amphibious combat vehicle acquisition program, the Comptroller General shall include, with respect to such program, an assessment of the sufficiency and objectivity of—

(A) the analysis of alternatives;

(B) the initial capabilities document; and

(C) the capabilities development document.

#### SEC. 252. REPORT ON STRATEGY TO IMPROVE BODY ARMOR.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional de-

fense committees a report on the comprehensive research and development strategy of the Secretary to achieve significant reductions in the weight of body armor.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) A brief description of each solution for body armor weight reduction that is being developed as of the date of the report.

(2) For each such solution—

(A) the costs, schedules, and performance requirements;

(B) the research and development funding profile;

(C) a description of the materials being used in the solution; and

(D) the feasibility and technology readiness levels of the solution and the materials.

(3) A strategy to provide resources for future research and development of body armor weight reduction.

(4) An explanation of how the Secretary is using a modular or tailorable solution to approach body armor weight reduction.

(5) A description of how the Secretary coordinates the research and development of body armor weight reduction being carried out by the military departments.

(6) Any other matter the Secretary considers appropriate.

#### SEC. 253. REPORT ON MAIN BATTLE TANK FUEL EFFICIENCY INITIATIVE.

Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the investment strategy to accelerate fuel efficiency improvements to the current engine and transmission of the M1 Abrams series main battle tank as part of the Army’s Engineering Change Proposal Phase I strategy.

#### SEC. 254. REPORT ON POWERED RAIL SYSTEM.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the powered rail system compared to currently fielded solutions. Such report shall include each of the following:

(1) Verification of relevant studies previously conducted by the Army, including that of the Maneuver Center of Excellence, which show that a typical infantry platoon requires approximately 430 pounds of batteries for a 72-hour mission, or roughly 10 pounds per soldier, and that the per-soldier, per-year procurement, storage, transport and disposal costs of these batteries are between \$50,000 and \$65,000.

(2) An assessment of the comparative total cost of ownership, including procurement, fielding, training, and sustainment of the existing rail system and associated rail-mounted devices with respect to battery types and usage, when compared to that of a powered rail or intelligent rail system with a consolidated power source.

(3) An assessment of the specific effects of excessive battery weight on soldier mobility, endurance and lethality determined through side-by-side time, endurance, motion and lethality tests between soldiers operating with existing rail-mounted weapon accessories and soldiers using the powered rail or intelligent rail solution.

(4) An assessment of the advantages to the Army of incorporating the high-speed communications capability embedded in the powered rail or intelligent rail technology, including the integration of existing Army devices and devices in development such as the family of weapons sights and the enhanced night vision goggles, with the powered rail technology, and the connection of these previously unconnected devices to the soldier network.

(b) TESTING.—Any testing conducted in order to produce the report required by subsection (a)

shall be supervised and validated by the Director of Operational Test and Evaluation of the Department of Defense.

#### Subtitle E—Other Matters

#### SEC. 261. ESTABLISHMENT OF CRYPTOGRAPHIC MODERNIZATION REVIEW AND ADVISORY BOARD.

(a) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:

##### “§ 189. Cryptographic Modernization Review and Advisory Board

“(a) ESTABLISHMENT.—There shall be in the Department of Defense a Cryptographic Modernization Review and Advisory Board (in this section referred to as the ‘Board’) to review and assess the cryptographic modernization activities of the Department and provide advice to the Secretary with respect to such activities pursuant to the roles and responsibilities outlined in the Chairman of the Joint Chiefs of Staff Instruction 6510.02D.

“(b) MEMBERS.—(1) The Secretary shall determine the number of members of the Board.

“(2) The Secretary shall appoint officers in the grade of general or admiral and civilian employees of the Department of Defense in the Senior Executive Service to serve as members of the Board.

“(c) RESPONSIBILITIES.—The Board shall—

“(1) review compliance with cease-use dates for specific cryptographic systems based on rigorous analysis of technical and threat factors and issue guidance, as needed, to relevant program executive offices and program managers;

“(2) monitor the overall cryptographic modernization efforts of the Department, including while such efforts are being executed;

“(3) convene in-depth technical program reviews, as needed, for specific cryptographic modernization developments with respect to validating current and in-draft requirements of systems of the Department of Defense and identifying programmatic risks;

“(4) develop a five-year cryptographic modernization plan to—

“(A) make recommendations to the Joint Requirements Oversight Council with respect to updating or modifying requirements for cryptographic modernization; and

“(B) identify previously unidentified requirements;

“(5) develop a long-term roadmap to—

“(A) ensure synchronization with major planning documents;

“(B) anticipate risks and issues in 10- and 20-year timelines; and

“(C) ensure that the expertise and insights of the military departments, Defense Agencies, the combatant commands, industry, academia, and key allies are included in the course of developing and carrying out cryptographic modernization activities;

“(6) develop a concept of operations for how cryptographic systems should function in a system-of-systems environment; and

“(7) advise the Secretary on the development of a cryptographic asset visibility system.

“(d) EXCLUSION OF CERTAIN PROGRAMS.—The Board shall not include programs funded under the National Intelligence Program (as defined in section 3(6) of the National Security Act of 1947 (50 U.S.C. 3003(6))) in carrying out this section.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 188 the following new item:

“189. Cryptographic Modernization Review and Advisory Board.”.

#### SEC. 262. CLARIFICATION OF ELIGIBILITY OF A STATE TO PARTICIPATE IN DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEARCH.

Subparagraph (A) of section 257(d)(2) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 10 U.S.C. 2358 note) is amended to read as follows:

“(A) the State is eligible for the experimental program to stimulate competitive research under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g); and”.

#### SEC. 263. EXTENSION AND EXPANSION OF MECHANISMS TO PROVIDE FUNDS FOR DEFENSE LABORATORIES FOR RESEARCH AND DEVELOPMENT OF TECHNOLOGIES FOR MILITARY MIS- SIONS.

(a) CLARIFICATION OF AVAILABILITY OF FUNDS.—Section 219 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. 2358 note) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) AVAILABILITY OF FUNDS FOR INFRASTRUCTURE REVITALIZATION PROJECTS.—

“(1) IN GENERAL.—Subject to the provisions of this subsection, funds available under a mechanism under subsection (a) for specific laboratory infrastructure revitalization projects shall be available for such projects until expended.

“(2) PRIOR NOTICE OF COSTS OF PROJECTS.—Funds shall be available in accordance with paragraph (1) for a project referred to in that paragraph only if the congressional defense committees are notified of the total cost of the project before the commencement of the project.

“(3) ACCUMULATION OF FUNDS FOR PROJECTS.—Funds may accumulate under a mechanism under subsection (a) for a project referred to in paragraph (1) for not more than five years.

“(4) LIMITATION ON TOTAL COST OF PROJECT.—Funds shall be available in accordance with paragraph (1) for a project referred to in that paragraph only if the cost of the project does not exceed \$4,000,000.”.

(b) EXTENSION.—Subsection (d) of such section, as redesignated by subsection (a)(1) of this section, is amended by striking “September 30, 2016” and inserting “September 30, 2020”.

(c) APPLICATION.—Subsection (b) of section 219 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. 2358 note), as added by subsection (a)(2), shall apply with respect to funds made available under such section 219 after the date of the enactment of this Act.

#### SEC. 264. EXTENSION OF AUTHORITY TO AWARD PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Section 2374a(f) of chapter 139 of title 10, United States Code, is amended by striking “September 30, 2013” and inserting “September 30, 2018”.

#### SEC. 265. FIVE-YEAR EXTENSION OF PILOT PROGRAM TO INCLUDE TECHNOLOGY PROTECTION FEATURES DURING RESEARCH AND DEVELOPMENT OF CERTAIN DEFENSE SYSTEMS.

Section 243(d) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 2358 note) is amended by striking “October 1, 2015” and inserting “October 1, 2020”.

#### SEC. 266. BRIEFING ON POWER AND ENERGY RESEARCH CONDUCTED AT UNIVERSITY AFFILIATED RESEARCH CENTERS.

(a) BRIEFING.—Not later than March 31, 2014, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on power and energy

research conducted at the university affiliated research centers.

(b) MATTERS INCLUDED.—The briefing under subsection (a) shall include the following:

(1) A description of current and planned research on power grid issues conducted with other university-based energy centers.

(2) A description of current and planned collaboration efforts regarding power grid issues with university-based research centers that have an expertise in energy efficiency and renewable energy, including efforts with respect to—

(A) system failure and losses, including—

(i) utility logistics and supply chain management for events resulting in system failure or other major damage;

(ii) near real-time utility and law enforcement access to damage assessment information during events resulting in system failure or other major damage;

(B) mitigation and response to disasters and attacks;

(C) variable energy resource integration on the bulk power system;

(D) integration of high penetrations of distributed energy technologies on the electric distribution system;

(E) substation and asset hardening techniques appropriate for use in civilian areas;

(F) facilitating development of training programs to support significant increase in required technical skills of present and future utility field forces, including hands-on training; and

(G) facilitating increased consumer self-sufficiency.

### TITLE III—OPERATION AND MAINTENANCE

#### Subtitle A—Authorization of Appropriations

#### SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

#### Subtitle B—Energy and Environment

#### SEC. 311. DEADLINE FOR SUBMISSION OF REPORTS ON PROPOSED BUDGETS FOR ACTIVITIES RELATING TO OPERATIONAL ENERGY STRATEGY.

Section 138c(e) of title 10, United States Code, is amended—

(1) in paragraph (4), by striking “Not later than 30 days after the date on which the budget for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the Secretary of Defense shall submit to Congress a report on the proposed budgets for that fiscal year” and inserting “The Secretary of Defense shall submit to Congress a report on the proposed budgets for a fiscal year”; and

(2) by adding at the end the following new paragraph:

“(6) The report required by paragraph (4) for a fiscal year shall be submitted by the later of the following dates:

“(A) The date that is 30 days after the date on which the budget for that fiscal year is submitted to Congress pursuant to section 1105 of title 31.

“(B) March 31 of the previous fiscal year.”.

#### SEC. 312. FACILITATION OF INTERAGENCY COOPERATION IN CONSERVATION PROGRAMS OF THE DEPARTMENTS OF DEFENSE, AGRICULTURE, AND INTERIOR TO AVOID OR REDUCE ADVERSE IMPACTS ON MILITARY READINESS ACTIVITIES.

(a) USE OF FUNDS UNDER CERTAIN AGREEMENTS.—Section 2684a of title 10, United States Code, is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j); and

(2) by inserting after subsection (g) the following new subsection (h):

“(h) **INTERAGENCY COOPERATION IN CONSERVATION PROGRAMS TO AVOID OR REDUCE ADVERSE IMPACTS ON MILITARY READINESS ACTIVITIES.**—In order to facilitate interagency cooperation and enhance the effectiveness of actions that will protect both the environment and military readiness, the recipient of funds provided pursuant an agreement under this section or under the Sikes Act (16 U.S.C. et seq.) may, with regard to the lands and waters within the scope of the agreement, use such funds to satisfy any matching funds or cost-sharing requirement of any conservation program of the Department of Agriculture or the Department of the Interior notwithstanding any limitation of such program on the source of matching or cost-sharing funds.”.

(b) **SUNSET.**—This section and subsection (h) of section 2684a of title 10, United States Code, as added by this section, shall expire on October 1, 2019, except that any agreement referred to in such subsection that is entered into on or before September 30, 2019, shall continue according to its terms and conditions as if this section has not expired.

#### **SEC. 313. REAUTHORIZATION OF SIKES ACT.**

Section 108 of the Sikes Act (16 U.S.C. 670f) is amended by striking “fiscal years 2009 through 2014” each place it appears and inserting “fiscal years 2014 through 2019”.

#### **SEC. 314. COOPERATIVE AGREEMENTS UNDER SIKES ACT FOR LAND MANAGEMENT RELATED TO DEPARTMENT OF DEFENSE READINESS ACTIVITIES.**

(a) **MULTIYEAR AGREEMENTS TO FUND LONG-TERM MANAGEMENT.**—Subsection (b) of section 103A of the Sikes Act (16 U.S.C. 670c–1) is amended—

(1) by inserting “(1)” before “Funds”; and  
(2) by adding at the end the following new paragraph:

“(2) In the case of a cooperative agreement under subsection (a)(2), funds referred to in paragraph (1)—

“(A) may be paid in a lump sum and include an amount intended to cover the future costs of the natural resource maintenance and improvement activities provided for under the agreement; and

“(B) may be invested by the recipient in accordance with the recipient’s own guidelines for the management and investment of financial assets, and any interest or income derived from such investment may be applied for the same purposes as the principal.”.

(b) **AVAILABILITY OF FUNDS AND RELATION TO OTHER LAWS.**—Subsection (c) of such section is amended to read as follows:

“(c) **AVAILABILITY OF FUNDS AND RELATION TO OTHER LAWS.**—(1) Cooperative agreements and interagency agreements entered into under this section shall be subject to the availability of funds.

“(2) Notwithstanding chapter 63 of title 31, United States Code, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the United States Government.

“(3) Amounts available to the Department of Defense that are provided to any Federal, State, local, or nongovernmental entity for conservation and rehabilitation of natural resources in an area that is not on a military installation—

“(A) may only be used for payment of direct costs associated with the management of such area; and

“(B) may be used to pay not more than 3 percent of total project administrative costs, fees, and management charges.

“(4) Amounts available to the Department of Defense may not be used under this Act to acquire fee title interest in real property for nat-

ural resources projects that are not on a military installation.”.

(c) **ANNUAL AUDITS.**—Such section is further amended by adding at the end the following new subsection:

“(d) **ANNUAL AUDITS.**—The Inspector General of the Department of Defense shall annually audit each natural resources project funded with amounts available to the Department of Defense under this Act that is not on a military installation.”.

(d) **SUNSET.**—This section and the provisions of law enacted by the amendments made by this section shall expire on October 1, 2019, except that any cooperative agreement referred to in such provisions that is entered into on or before September 30, 2019, shall continue according to its terms and conditions as if this section has not expired.

#### **SEC. 315. EXCLUSIONS FROM DEFINITION OF “CHEMICAL SUBSTANCE” UNDER TOXIC SUBSTANCES CONTROL ACT.**

Section 3(2)(B)(v) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)(v)) is amended by striking “, and” and inserting “and any component of such an article (including, without limitation, shot, bullets and other projectiles, propellants when manufactured for or used in such an article, and primers), and”.

#### **SEC. 316. EXEMPTION OF DEPARTMENT OF DEFENSE FROM ALTERNATIVE FUEL PROCUREMENT REQUIREMENT.**

Section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142) is amended by adding at the end the following: “This section shall not apply to the Department of Defense.”.

#### **SEC. 317. CLARIFICATION OF PROHIBITION ON DISPOSING OF WASTE IN OPEN-AIR BURN PITS.**

For the purposes of Department of Defense Instruction 4715.19, issued as required by section 317 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2701 note) or any successor instruction, the term “covered waste” specifically includes, in addition to the materials already specified in subparagraphs (A) and (B) of subsection (c)(2) of such section, the following:

- (1) Tires.
- (2) Treated wood.
- (3) Batteries.
- (4) Plastics, except insignificant amounts of plastic remaining after a good-faith effort to remove or recover plastic materials from the solid waste stream.
- (5) Munitions and explosives, the destruction of which is covered in Department of Defense Instruction 6055.09–M (Reference (i)).
- (6) Compressed gas cylinders, unless empty with valves removed.
- (7) Fuel containers, unless completely evacuated of its contents.
- (8) Aerosol cans.
- (9) Polychlorinated biphenyls.
- (10) Petroleum, oils, and lubricants products (other than waste fuel for initial combustion).
- (11) Asbestos.
- (12) Mercury.
- (13) Foam tent material.
- (14) Any item containing any of the materials referred to in a preceding paragraph.

#### **SEC. 318. LIMITATION ON PLAN, DESIGN, REFINISHING, OR CONSTRUCTION OF BIOFUELS REFINERIES.**

Notwithstanding any other provision of law, the Secretary of Defense may not enter into a contract for the planning, design, refurbishing, or construction of a biofuels refinery any other facility or infrastructure used to refine biofuels unless such planning, design, refurbishing, or construction is specifically authorized by law.

#### **SEC. 319. LIMITATION ON PROCUREMENT OF BIOFUELS.**

(a) **IN GENERAL.**—Except as provided in subsection (b), none of the amounts authorized to

be appropriated by this Act or otherwise made available for the Department of Defense may be used to purchase or produce biofuels until the earlier of the following dates:

(1) The date on which the cost of the biofuel is equal to the cost of conventional fuels purchased by the Department.

(2) The date on which the Budget Control Act of 2011 (Public Law 112–25), and the sequestration in effect by reason of such Act, are no longer in effect.

(b) **EXCEPTIONS.**—The limitation under subsection (a) shall not apply to biofuels purchased—

(1) in limited quantities necessary to complete test and certification; or

(2) for the biofuel research and development efforts of the Department.

#### **Subtitle C—Logistics and Sustainment**

#### **SEC. 321. LITTORAL COMBAT SHIP STRATEGIC SUSTAINMENT PLAN.**

(a) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees and to the Comptroller General of the United States a strategic sustainment plan for the Littoral Combat Ship. Such plan shall include each of the following:

(1) An estimate of the cost and schedule of implementing the plan.

(2) An identification of the requirements and planning for the long-term sustainment of the Littoral Combat Ship and its mission modules in accordance with section 2366b of title 10, United States Code, as amended by section 801 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1482).

(3) A description of the current and future operating environments of the Littoral Combat Ship, as specified or referred to in strategic guidance and planning documents of the Department of Defense.

(4) The facility, supply, and logistics systems requirements of the Littoral Combat Ship when forward deployed, and an estimate of the cost and personnel required to conduct the necessary maintenance activities.

(5) Any required updates to host-nation agreements to facilitate the forward-deployed maintenance requirements of the Littoral Combat Ship, including a discussion of overseas management of Ship ordnance and hazardous materials and delivery of equipment and spare parts needed for emergent repair.

(6) An evaluation of the forward-deployed maintenance requirements of the Littoral Combat Ship and a schedule of pier-side maintenance timelines when forward-deployed, including requirements for multiple ships and variants.

(7) An assessment of the total quantity of equipment, spare parts, permanently forward-stationed personnel, and size of fly away teams required to support forward-deployed maintenance requirements for the U.S.S. Freedom while in Singapore, and estimates for follow-on deployments of Littoral Combat Ships of both variants.

(8) A detailed description of the continuity of operations plans for the Littoral Combat Ship Squadron and of any plans to increase the number of Squadron personnel.

(9) An identification of mission critical single point of failure equipment for which a sufficient number spare parts are necessary to have on hand, and determination of Littoral Combat Ship forward deployed equipment and spare parts locations and levels.

(b) **FORM.**—The plan required under subsection (a) shall be submitted in unclassified form but may have a classified annex.

#### **SEC. 322. REVIEW OF CRITICAL MANUFACTURING CAPABILITIES WITHIN ARMY ARSENAIS.**

(a) **REVIEW.**—The Secretary of Defense, in consultation with the Secretaries of the military

departments and the directors of the Defense Agencies, shall conduct a review of the current and expected manufacturing requirements across the Department of Defense to identify critical manufacturing competencies, supplies, components, end items, parts, assemblies, and sub-assemblies for which no or a limited domestic commercial source exists. In conducting the review under this section, the Secretary—

(1) shall assess which of the competencies for which no or a limited domestic commercial source exists could be executed by an arsenal owned by the United States; and

(2) may review other manufacturing capabilities, as the Secretary determines appropriate, to determine if such capabilities could be executed by an arsenal owned by the United States.

(b) **CONGRESSIONAL BRIEFING.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall brief the congressional defense committees on the results of the review conducted under subsection (a).

**SEC. 323. INCLUSION OF ARMY ARSENALS CAPABILITIES IN SOLICITATIONS.**

(a) **DETERMINATION OF USE OF ARSENALS.**—

(1) **SOLICITATION OF INFORMATION.**—When undertaking a make-or-buy analysis, a Program Executive Officer or Program Manager of a military service or Defense Agency shall solicit information from an arsenal owned by the United States regarding the capability of the arsenal to fulfill a manufacturing requirement.

(2) **SUBMITTAL OF MATERIAL SOLUTION.**—Upon a determination, that an arsenal owned by the United States is capable of fulfilling a manufacturing requirement, a Program Executive Officer or Program Manager shall allow the arsenal to submit a material solution in response to the requirement.

(b) **NOTIFICATION OF SOLICITATIONS.**—When issuing a solicitation, a Program Executive Officer or Program Manager shall notify each arsenal owned by the United States of any manufacturing requirement that the arsenal has the capability to fulfill and allow the arsenal to submit a proposal in response to the requirement.

**Subtitle D—Reports**

**SEC. 331. ADDITIONAL REPORTING REQUIREMENTS RELATING TO PERSONNEL AND UNIT READINESS.**

(a) **ASSESSMENT OF ASSIGNED MISSIONS AND CONTRACTOR SUPPORT.**—Section 482 of title 10, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (j); and

(2) by inserting after subsection (f) the following new subsections:

“(g) **COMBATANT COMMAND ASSIGNED MISSION ASSESSMENTS.**—(1) Each report shall also include an assessment by each commander of a geographic or functional combatant command of the ability of the command to successfully execute each of the assigned missions of the command. Each such assessment for a combatant command shall also include a list of the mission essential tasks for each assigned mission of the command and an assessment of the ability of the command to successfully complete each task within prescribed timeframes.

“(2) For purposes of this subsection, the term ‘assigned mission’ means any contingency response program plan, theater campaign plan, or named operation that is approved and assigned by the Joint Chiefs of Staff.

“(h) **RISK ASSESSMENT OF DEPENDENCE ON CONTRACTOR SUPPORT.**—Each report shall also include an assessment by the Chairman of the Joint Chiefs of Staff of the level of risk incurred by using contract support in contingency operations as required under Department of Defense Instruction 1100.22, ‘Policies and Procedures for Determining Workforce Mix’.

“(i) **COMBAT SUPPORT AGENCIES ASSESSMENT.**—(1) Each report shall also include an as-

essment by the Secretary of Defense of the military readiness of the combat support agencies, including, for each such agency—

“(A) a determination with respect to the responsiveness and readiness of the agency to support operating forces in the event of a war or threat to national security, including—

“(i) a list of mission essential tasks and an assessment of the ability of the agency to successfully perform those tasks;

“(ii) an assessment of how the ability of the agency to accomplish the tasks referred to in subparagraph (A) affects the ability of the military departments and the unified and geographic combatant commands to execute operations and contingency plans by number;

“(iii) any readiness deficiencies and actions recommended to address such deficiencies; and

“(iv) key indicators and other relevant information related to any deficiency or other problem identified;

“(B) any recommendations that the Secretary considers appropriate.

“(2) In this subsection, the term ‘combat support agency’ means any of the following Defense Agencies:

“(A) The Defense Information Systems Agency.

“(B) The Defense Intelligence Agency.

“(C) The Defense Logistics Agency.

“(D) The National Geospatial-Intelligence Agency (but only with respect to combat support functions that the agencies perform for the Department of Defense).

“(E) The Defense Contract Management Agency.

“(F) The Defense Threat Reduction Agency.

“(G) The National Reconnaissance Office.

“(H) The National Security Agency (but only with respect to combat support functions that the agencies perform for the Department of Defense) and Central Security Service.

“(I) Any other Defense Agency designated as a combat support agency by the Secretary of Defense.”.

(b) **CONFORMING AMENDMENT.**—Such section is further amended in subsection (a), by striking “(and (f))” and inserting “(f), (g), (h), and (i)”.

**SEC. 332. REPEAL OF ANNUAL COMPTROLLER GENERAL REPORT ON ARMY PROGRESS.**

Section 323 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2146; 10 U.S.C. 229 note) is amended—

(1) by striking subsection (d);

(2) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(3) in subsection (e), as so redesignated, by striking “or (d)”.

**SEC. 333. REVISION TO REQUIREMENT FOR ANNUAL SUBMISSION OF INFORMATION REGARDING INFORMATION TECHNOLOGY CAPITAL ASSETS.**

Section 351(a)(1) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 10 U.S.C. 221 note) is amended by striking “in excess of \$30,000,000” and all that follows and inserting “(as computed in fiscal year 2000 constant dollars) in excess of \$32,000,000 or an estimated total cost for the future-years defense program for which the budget is submitted (as computed in fiscal year 2000 constant dollars) in excess of \$378,000,000, for all expenditures, for all increments, regardless of the appropriation and fund source, directly related to the assets definition, design, development, deployment, sustainment, and disposal.”.

**Subtitle E—Limitations and Extensions of Authority**

**SEC. 341. LIMITATION ON REDUCTION OF FORCE STRUCTURE AT LAJES AIR FORCE BASE, AZORES.**

The Secretary of the Air Force may not reduce the force structure at Lajes Air Force Base,

Azores, relative to the force structure at such Air Force Base as of October 1, 2013, until 30 days after the Secretary of Defense concludes the European Infrastructure Consolidation Assessment initiated by the Secretary on January 25, 2013, and briefs the congressional defense committees regarding such Assessment. Such briefing shall include a specific assessment of the efficacy of Lajes Air Force Base, Azores, in supporting the United States overseas force posture.

**SEC. 342. PROHIBITION ON PERFORMANCE OF DEPARTMENT OF DEFENSE FLIGHT DEMONSTRATION TEAMS OUTSIDE THE UNITED STATES.**

(a) **PROHIBITION.**—None of the funds authorized to be appropriated or otherwise available to the Secretary of Defense for fiscal year 2014 or 2015 may be used for the performance of flight demonstration teams under the jurisdiction of the Secretary at any location outside the United States.

(b) **UNITED STATES.**—In this section, the term “United States” means the several States of the United States, the District of Columbia, and the commonwealths, territories, and possessions of the United States.

**Subtitle F—Other Matters**

**SEC. 351. REQUIREMENT TO ESTABLISH POLICY ON JOINT COMBAT UNIFORMS.**

(a) **ESTABLISHMENT OF POLICY.**—It is the policy of the United States that by not later than October 1, 2018, the Secretary of Defense shall require all military services to use a joint combat camouflage uniform, including color and pattern variants designed for specific combat environments.

(b) **PROHIBITION.**—Except as provided in subsection (c), each military service shall be prohibited from adopting a new combat camouflage uniform, unless—

(1) the combat camouflage utility uniform will be a joint uniform adopted by all military services; or

(2) the military services adopt a uniform currently in use by another military service.

(c) **EXCEPTIONS.**—Nothing in subsection (b) shall be construed as—

(1) prohibiting the development or fielding of combat and camouflage utility uniforms for use by personnel assigned to or operating in support of the unified combatant command for special operations forces described in section 167 of title 10, United States Code;

(2) prohibiting the military services from fielding ancillary uniform items, including headwear, footwear, or other such items as determined by the Secretaries of the military departments; or

(3) prohibiting the military services from issuing working or vehicle crew uniforms.

(d) **GUIDANCE REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to implement this section. At a minimum, such guidance shall—

(1) require the Secretaries of the military departments to collaborate on the development of joint criteria for the design, development, fielding, and characteristics of combat camouflage uniforms;

(2) require the Secretaries of the military departments to ensure that new combat and camouflage utility uniforms meet the geographic and operational requirements of the commanders of the combatant commands; and

(3) require the Secretaries of the military departments to ensure that all new combat and camouflage utility uniforms achieve interoperability with other components of individual war fighter systems, including organizational clothing and individual equipment such as body armor and other individual protective systems.

(e) **WAIVER.**—The Secretary of Defense may waive the prohibition in subsection (b) if the

Secretary certifies to Congress that there are exceptional operational circumstances that require the development or fielding of a new combat camouflage uniform.

(f) **REPEAL OF POLICY.**—Section 352 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84, 123 Stat. 2262; 10 U.S.C. 771 note prec.) is hereby repealed.

#### **TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS**

##### **Subtitle A—Active Forces**

#### **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2014, as follows:

- (1) The Army, 520,000.
- (2) The Navy, 323,600.
- (3) The Marine Corps, 190,200.
- (4) The Air Force, 327,600.

#### **SEC. 402. REVISION IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.**

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

- “(1) For the Army, 520,000.
- “(2) For the Navy, 323,600.
- “(3) For the Marine Corps, 190,200.
- “(4) For the Air Force, 327,600.”.

##### **Subtitle B—Reserve Forces**

#### **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

(a) **IN GENERAL.**—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2014, as follows:

- (1) The Army National Guard of the United States, 354,200.
- (2) The Army Reserve, 205,000.
- (3) The Navy Reserve, 59,100.
- (4) The Marine Corps Reserve, 39,600.
- (5) The Air National Guard of the United States, 105,400.
- (6) The Air Force Reserve, 70,400.
- (7) The Coast Guard Reserve, 9,000.

(b) **END STRENGTH REDUCTIONS.**—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) **END STRENGTH INCREASES.**—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

#### **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.**

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2014, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

- (1) The Army National Guard of the United States, 32,060.
- (2) The Army Reserve, 16,261.
- (3) The Navy Reserve, 10,159.

(4) The Marine Corps Reserve, 2,261.

(5) The Air National Guard of the United States, 14,734.

(6) The Air Force Reserve, 2,911.

#### **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).**

The minimum number of military technicians (dual status) as of the last day of fiscal year 2014 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

- (1) For the Army National Guard of the United States, 27,210.
- (2) For the Army Reserve, 8,395.
- (3) For the Air National Guard of the United States, 21,875.
- (4) For the Air Force Reserve, 10,429.

#### **SEC. 414. FISCAL YEAR 2014 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.**

(a) **LIMITATIONS.**—

(1) **NATIONAL GUARD.**—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2014, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) **ARMY RESERVE.**—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2014, may not exceed 595.

(3) **AIR FORCE RESERVE.**—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2014, may not exceed 90.

(b) **NON-DUAL STATUS TECHNICIANS DEFINED.**—In this section, the term “non-dual status technician” has the meaning given that term in section 10217(a) of title 10, United States Code.

#### **SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.**

During fiscal year 2014, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

- (1) The Army National Guard of the United States, 17,000.
- (2) The Army Reserve, 13,000.
- (3) The Navy Reserve, 6,200.
- (4) The Marine Corps Reserve, 3,000.
- (5) The Air National Guard of the United States, 16,000.
- (6) The Air Force Reserve, 14,000.

#### **Subtitle C—Authorization of Appropriations**

##### **SEC. 421. MILITARY PERSONNEL.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) **CONSTRUCTION OF AUTHORIZATION.**—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2014.

#### **TITLE V—MILITARY PERSONNEL POLICY**

##### **Subtitle A—Officer Personnel Policy Generally**

#### **SEC. 501. LIMITATIONS ON NUMBER OF GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.**

(a) **PER-SERVICE LIMITATIONS; LIMITED JOINT DUTY EXCLUSIONS.**—Section 526 of title 10,

United States Code, as amended by section 502 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1387) and section 501(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1714), is amended—

(1) in subsection (a)—  
(A) in paragraph (1), by striking “231” and inserting “226”

(B) in paragraph (2), by striking “162” and inserting “157”; and

(C) in paragraph (3), by striking “198” and inserting “193”; and

(2) in subsection (b)—  
(A) in paragraph (1), by striking “310” and inserting “300”; and

(B) in paragraph (2)—  
(i) in subparagraph (A), by striking “85” and inserting “81”;

(ii) in subparagraph (B), by striking “61” and inserting “59”;

(iii) in subparagraph (C), by striking “73” and inserting “70”; and

(iv) in subparagraph (D), by striking “21” and inserting “20”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2014.

##### **Subtitle B—Reserve Component Management**

#### **SEC. 511. MINIMUM NOTIFICATION REQUIREMENTS FOR MEMBERS OF RESERVE COMPONENTS BEFORE DEPLOYMENT OR CANCELLATION OF DEPLOYMENT RELATED TO A CONTINGENCY OPERATION.**

Section 12301 of title 10, United States Code, is amended—

(1) in subsection (e), by striking “The period” and inserting “Subject to subsection (i), the period”; and

(2) by adding at the end the following new subsection:

“(i)(1) The Secretary concerned shall provide not less than 120 days advance notice to a unit of the reserve components that—

“(A) will be ordered to active duty for deployment in connection with a contingency operation; or

“(B) having been notified of such a deployment, has such deployment canceled, postponed, or otherwise altered.

“(2) If a member of the reserve components is not assigned to a unit organized to serve as a unit or is to be ordered to active duty apart from the member’s unit, the required notice under paragraph (1) shall be provided directly to the member.

“(3) If the Secretary concerned fails to provide timely notification as required by paragraph (1) or (2), the Secretary concerned shall submit, within 30 days after the date of the failure, written notification to the Committees on Armed Services of the House of Representatives and the Senate explaining the reason for the failure and the units and members of the reserve components affected.”.

#### **SEC. 512. INFORMATION TO BE PROVIDED TO BOARDS CONSIDERING OFFICERS FOR SELECTIVE EARLY REMOVAL FROM RESERVE ACTIVE-STATUS LIST.**

(a) **OFFICERS TO BE CONSIDERED; EXCLUSIONS.**—Section 14704(a) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “Whenever”;

(2) by striking “all officers on that list” and inserting “officers on the reserve active-status list”;

(3) by striking “the reserve active-status list, in the number specified by the Secretary by each grade and competitive category.” and inserting “that list.”; and

(4) by adding at the end the following new paragraphs:

“(2) Except as provided in paragraph (3), the list of officers in a reserve component whose

names are submitted to a board under paragraph (1) shall include each officer on the reserve active-status list for that reserve component in the same grade and competitive category whose position on the reserve active-status list is between—

“(A) that of the most junior officer in that grade and competitive category whose name is submitted to the board; and

“(B) that of the most senior officer in that grade and competitive category whose name is submitted to the board.

“(3) A list submitted to a board under paragraph (1) may not include an officer who—

“(A) has been approved for voluntary retirement; or

“(B) is to be involuntarily retired under any provision of law during the fiscal year in which the board is convened or during the following fiscal year.”.

(b) SPECIFICATION OF NUMBER OF OFFICERS WHO MAY BE RECOMMENDED FOR REMOVAL.—Such section is further amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection:

“(b) SPECIFICATION OF NUMBER OF OFFICERS WHO MAY BE RECOMMENDED FOR SEPARATION.—The Secretary of the military department concerned shall specify the number of officers described in subsection (a)(1) that a board may recommend for separation under subsection (c).”.

**SEC. 513. TEMPORARY AUTHORITY TO MAINTAIN ACTIVE STATUS AND INACTIVE STATUS LISTS OF MEMBERS IN THE INACTIVE NATIONAL GUARD.**

(a) AUTHORITY TO MAINTAIN ACTIVE AND INACTIVE STATUS LISTS IN THE INACTIVE NATIONAL GUARD.—

(1) ACTIVE AND INACTIVE STATUS LISTS AUTHORIZED.—The Secretary of the Army and the Secretary of the Air Force may maintain an active status list and an inactive status list of members in the inactive Army National Guard and the inactive Air National Guard, respectively.

(2) TOTAL NUMBER ON ALL LISTS AT ONE TIME.—The total number of members of the Army National Guard and members of the Air National Guard on the active status lists and the inactive status lists assigned to the inactive National Guard may not exceed a total of 10,000 at any time.

(3) TOTAL NUMBER ON ACTIVE STATUS LISTS AT ONE TIME.—The total number of members of the Army National Guard and members of the Air National Guard on the active status lists of the inactive National Guard may not exceed 4,000 at any time.

(4) CONDITION OF IMPLEMENTATION.—Before the authority provided by this subsection is used to establish an active status list and an inactive status list of members in the inactive Army National Guard or the inactive Air National Guard, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a copy of the implementation guidance to be used to execute this authority.

(b) ADDITIONAL ENLISTED MEMBER TRANSFER AUTHORITY.—In addition to the transfer authority provided by section 303(b) of title 32, United States Code, while an inactive status list for the inactive National Guard exists—

(1) an enlisted member of the active Army National Guard may be transferred to the inactive Army National Guard without regard to whether the member was formerly enlisted in the inactive Army National Guard; and

(2) an enlisted member of the active Air National Guard may be transferred to the inactive Air National Guard without regard to whether the member was formerly enlisted in the inactive Air National Guard.

(c) REMOVAL OF RESTRICTIONS ON TRANSFER OF OFFICERS.—While an inactive status list for the inactive National Guard exists, nothing in chapter 3 of title 32, United States Code, shall be construed to prevent any of the following:

(1) An officer of the Army National Guard who fills a vacancy in a federally recognized unit of the Army National Guard from being transferred from the active Army National Guard to the inactive Army National Guard.

(2) An officer of the Air National Guard who fills a vacancy in a federally recognized unit of the Air National Guard from being transferred from the active Air National Guard to the inactive Air National Guard.

(3) An officer of the Army National Guard transferred to the inactive Army National Guard from being transferred from the inactive Army National Guard to the active Army National Guard to fill a vacancy in a federally recognized unit.

(4) An officer of the Air National Guard transferred to the inactive Air National Guard from being transferred from the inactive Air National Guard to the active Air National Guard to fill a vacancy in a federally recognized unit.

(d) STATUS AND TRAINING CATEGORIES FOR MEMBERS IN INACTIVE STATUS.—While an inactive status list for the inactive Army National Guard or inactive Air National Guard exists—

(1) the first sentence of subsection (b) of section 10141 of title 10, United States Code, shall apply only with respect to members of the reserve components assigned to the inactive Army National Guard or inactive Air National Guard who are assigned to such inactive status list; and

(2) the exclusion of the Army National Guard of the United States or Air National Guard of the United States under the first sentence of subsection (c) of such section shall not apply.

(e) ELIGIBILITY FOR INACTIVE-DUTY TRAINING PAY.—While an inactive status list for the inactive National Guard exists, the limitation on pay for inactive-duty training contained in section 206(c) of title 37, United States Code, shall apply only to persons assigned to the inactive status list of the inactive National Guard, rather than to all persons enlisted in the inactive National Guard.

(f) CONFORMING AMENDMENTS.—

(1) MODIFICATION OF ACTIVE STATUS DEFINITION.—Section 101(d)(4) of title 10, United States Code, is amended by adding at the end the following new sentence: “However, while an inactive status list for the inactive Army National Guard or inactive Air National Guard exists, such term means the status of a member of the Army National Guard of the United States or Air National Guard of the United States who is not assigned to the inactive status list of the inactive Army National Guard or inactive Air National Guard, on another inactive status list, or in the Retired Reserve.”.

(2) COMPUTATION OF YEARS OF SERVICE FOR ENTITLEMENT TO RETIRED PAY.—Paragraph (3) of section 12732(b) of such title is amended to read as follows:

“(3) Service in the inactive National Guard (for any period other than a period in which an inactive status list for the inactive National Guard exists) and service while assigned to the inactive status list of the inactive National Guard (for any period in which an inactive status list for the inactive National Guard exists).”.

(g) EVALUATION OF USE OF AUTHORITY.—

(1) INDEPENDENT STUDY REQUIRED.—Before the end of the period specified in subsection (h), the Secretary of Defense shall commission an independent study to evaluate the effectiveness of using an active status list for the inactive National Guard to improve the readiness of the Army National Guard and the Air National Guard.

(2) ELEMENTS.—As part of the study required by this subsection, the entity conducting the study shall determine, for each year in which the temporary authority provided by subsection (a) is used—

(A) how many members of the Army National Guard and the Air National Guard were transferred to the active status list of the inactive National Guard;

(B) how many of these vacancies were filled with personnel new to the Army National Guard;

(C) the additional cost of filling these positions; and

(D) the impact on drill and annual training participation rates.

(3) ADDITIONAL CONSIDERATION.—The study required by this subsection also shall include an assessment of the impact of the use of the temporary authority provided by subsection (a) on medical readiness category 3B personnel transferred to the active status inactive National Guard, including—

(A) how long it took them to complete the Integrated Disability Evaluation System (IDES) process; and

(B) how satisfied they were with their unit's management and collaboration during the IDES process.

(4) SUBMISSION OF RESULTS.—Not later than 180 days after completion of the study required by this subsection, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing the results of the study.

(h) DURATION OF AUTHORITY.—The authority provided by subsection (a) for the maintenance of both an active status list and inactive status list of members in the inactive National Guard exists only during the period beginning on October 1, 2013, and ending on December 31, 2018.

**SEC. 514. REVIEW OF REQUIREMENTS AND AUTHORIZATIONS FOR RESERVE COMPONENT GENERAL AND FLAG OFFICERS IN AN ACTIVE STATUS.**

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of the general officer and flag officer requirements for members of the reserve component in an active status.

(b) PURPOSE OF REVIEW.—The purpose of the review is to ensure that the authorized strengths provided in section 12004 of title 10, United States Code, for reserve general officers and reserve flag officers in an active status—

(1) are based on an objective requirements process and are sufficient for the effective management, leadership, and administration of the reserve components;

(2) provide a qualified, sufficient pool from which reserve component general and flag officers can continue to be assigned on active duty in joint duty and in-service military positions;

(3) reflect a review of the appropriateness and number of exemptions provided by subsections (b), (c), and (d) of section 12004 of title 10, United States Code;

(4) reflect the efficiencies that can be achieved through downgrading or elimination of reserve component general or flag officer positions, including through the conversion of certain reserve component general or flag officer positions to senior civilian positions; and

(5) are subjected to periodic review, control, and adjustment.

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the review, including such recommendations for changes in law and policy related to authorized reserve general and flag officers strengths as the Secretary considers to be appropriate.



**SEC. 515. FEASIBILITY STUDY ON ESTABLISHING A UNIT OF THE NATIONAL GUARD IN AMERICAN SAMOA AND IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.**

(a) **STUDY REQUIRED.**—The Secretary of Defense shall conduct a study to determine the feasibility of establishing—

(1) a unit of the National Guard in American Samoa; and

(2) a unit of the National Guard in the Commonwealth of the Northern Mariana Islands.

(b) **FORCE STRUCTURE ELEMENTS OF STUDY.**—In conducting the study required under subsection (a), the Secretary of Defense shall consider the following:

(1) The allocation of National Guard force structure and manpower to American Samoa and the Commonwealth of the Northern Mariana Islands in the event of the establishment of a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands, and the impact of this allocation on existing National Guard units in the 50 states, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and the District of Columbia.

(2) The Federal funding that would be required to support pay, benefits, training operations, and missions of members of a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands, based on the allocation derived from paragraph (1), and the equipment, including maintenance, required to support such force structure.

(3) The presence of existing infrastructure to support a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands, and the requirement for additional infrastructure, including information technology infrastructure, to support such force structure, based on the allocation derived from paragraph (1).

(4) How a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands would accommodate the National Guard Bureau's "Essential Ten" homeland defense capabilities (i.e., aviation, engineering, civil support teams, security, medical, transportation, maintenance, logistics, joint force headquarters, and communications) and reflect regional needs.

(5) The manpower cadre, both military personnel and full-time support, including National Guard technicians, required to establish, maintain, and sustain a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands, and the ability of American Samoa and of the Commonwealth of the Northern Mariana Islands to support demographically a unit of the National Guard at each location.

(6) The ability of a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands to maintain unit readiness and the logistical challenges associated with transportation, communications, supply/resupply, and training operations and missions.

(c) **SUBMISSION OF RESULTS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing the results of the study conducted under subsection (a). The report shall also include the following:

(1) A determination of whether the executive branch of American Samoa and of the Commonwealth of the Northern Mariana Islands has enacted and implemented statutory authorization for an organized militia as a prerequisite for establishing a unit of the National Guard, and a description of any other steps that such executive branches must take to request and carry out the establishment of a National Guard unit.

(2) A list of any amendments to titles 10, 32, and 37, United States Code, that would have to be enacted by Congress to provide for the establishment of a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.

(3) A description of any required Department of Defense actions to establish a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.

(4) A suggested timeline for completion of the steps and actions described in the preceding paragraphs.

**Subtitle C—General Service Authorities**

**SEC. 521. REVIEW OF INTEGRATED DISABILITY EVALUATION SYSTEM.**

(a) **REVIEW.**—The Secretary of Defense shall conduct a review of—

(1) the backlog of pending cases in the Integrated Disability Evaluation System with respect to members of the reserve components of the Armed Forces for the purpose of addressing the matters specified in paragraph (1) of subsection (b); and

(2) the improvements to the Integrated Disability Evaluation System specified in paragraph (2) of such subsection.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the review under subsection (a). Such report shall include the following:

(1) With respect to the reserve components of the Armed Forces—

(A) the number of pending cases that exist as of the date of the report, listed by military department, component, and, with respect to the National Guard, State;

(B) as of the date of the report, the average time it takes to process a case in the Integrated Disability Evaluation System;

(C) a description of the steps the Secretary will take to resolve the backlog of cases in the Integrated Disability Evaluation System; and

(D) the date by which the Secretary plans to resolve such backlog for each military department.

(2) With respect to the regular components and reserve components of the Armed Forces—

(A) a description of the progress being made to transition the Integrated Disability Evaluation System to an integrated and readily accessible electronic format that a member of the Armed Forces may access and see the status of the member during each phase of the system;

(B) an estimate of the cost to complete the transition to an integrated and readily accessible electronic format; and

(C) an assessment of the feasibility of improving in-transit visibility of pending cases, including by establishing a method of tracking a pending case when a military treatment facility is assigned a packet and pending case for action regarding a member.

(c) **PENDING CASE DEFINED.**—In this section, the term "pending case" means a case involving a member of the Armed Forces who, as of the date of the review under subsection (a), is within the Integrated Disability Evaluation System and has been referred to a medical evaluation board.

**SEC. 522. COMPLIANCE REQUIREMENTS FOR ORGANIZATIONAL CLIMATE ASSESSMENTS.**

(a) **VERIFICATION AND TRACKING REQUIREMENTS.**—The Secretary of Defense shall direct the Secretaries of the military departments to verify and track the compliance of commanding officers in conducting organizational climate assessments required as part of the comprehensive policy for the Department of Defense sexual assault prevention and response program pursuant to section 572(a)(3) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1753).

(b) **IMPLEMENTATION.**—No later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing—

(1) a description of the progress of the development of the system that will verify and track the compliance of commanding officers in conducting organizational climate assessments; and

(2) an estimate of when the system will be completed and implemented.

**SEC. 523. COMMAND RESPONSIBILITY AND ACCOUNTABILITY FOR REMAINS OF MEMBERS OF THE ARMY, NAVY, AIR FORCE, AND MARINE CORPS WHO DIE OUTSIDE THE UNITED STATES.**

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall take such steps as may be necessary to ensure that there is continuous, designated military command responsibility and accountability for the care, handling, and transportation of the remains of each deceased member of the Army, Navy, Air Force, or Marine Corps who died outside the United States, beginning with the initial recovery of the remains, through the defense mortuary system, until the interment of the remains or the remains are otherwise accepted by the person designated as provided by section 1482(c) of title 10, United States Code, to direct disposition of the remains.

**SEC. 524. CONTENTS OF TRANSITION ASSISTANCE PROGRAM.**

(a) **IN GENERAL.**—Section 1144 of title 10, United States Code, is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

“(9) Provide information about disability-related employment and education protections.”.

(2) by redesignating subsections (c), (d), and (e), as subsections (d), (e), and (f), respectively; and

(3) by inserting after subsection (b) the following new subsection (c):

“(c) **ADDITIONAL ELEMENTS OF PROGRAM.**—The mandatory program carried out by this section shall include—

“(1) for any such member who plans to use the member's entitlement to educational assistance under title 38—

“(A) instruction providing an overview of the use of such entitlement; and

“(B) courses of post-secondary education appropriate for the member, courses of post-secondary education compatible with the member's education goals, and instruction on how to finance the member's post-secondary education; and

“(2) instruction in the benefits under laws administered by the Secretary of Veterans Affairs and in other subjects determined by the Secretary concerned.”.

(b) **DEADLINE FOR IMPLEMENTATION.**—The program carried out under section 1144 of title 10, United States Code, shall comply with the requirements of subsections (b)(9) and (c) of such section, as added by subsection (a), by not later than April 1, 2015.

(c) **FEASIBILITY STUDY.**—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate and the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives the results of a study carried out by the Secretary to determine the feasibility of providing the instruction described in subsection (b) of section 1144 of title 10, United States Code, at all overseas locations where such instruction is provided by entering into a contract jointly with the Secretary of Labor for the provision of such instruction.



**SEC. 525. PROCEDURES FOR JUDICIAL REVIEW OF MILITARY PERSONNEL DECISIONS RELATING TO CORRECTION OF MILITARY RECORDS.**

(a) AVAILABILITY OF JUDICIAL REVIEW; LIMITATIONS.—

(1) IN GENERAL.—Chapter 79 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 1560. Judicial review of decisions relating to correction of military records**

“(a) AVAILABILITY OF JUDICIAL REVIEW.—

“(1) IN GENERAL.—Pursuant to sections 1346 and 1491 of title 28 and chapter 7 of title 5 any person adversely affected by a records correction final decision may obtain judicial review of the decision in a court with jurisdiction to hear the matter.

“(2) RECORDS CORRECTION FINAL DECISION DEFINED.—In this section, the term ‘records correction final decision’ means any of the following decisions:

“(A) A final decision issued by the Secretary concerned pursuant to section 1552 of this title.

“(B) A final decision issued by the Secretary concerned pursuant to section 1034(f) of this title.

“(C) A final decision issued by the Secretary of Defense pursuant to section 1034(g) of this title.

“(b) EXHAUSTION OF ADMINISTRATIVE REMEDIES.—

“(1) GENERAL RULE.—Except as provided in paragraphs (3) and (4), judicial review of a matter that could be subject to correction under a provision of law specified in subsection (a)(2) may not be obtained under this section or any other provision of law unless—

“(A) the petitioner has requested a correction under section 1552 of this title (including such a request in a matter arising under section 1034 of this title); and

“(B) the Secretary concerned has rendered a final decision denying that correction in whole or in part.

“(2) WHISTLEBLOWER CASES.—When the final decision of the Secretary concerned is subject to review by the Secretary of Defense under section 1034(g) of this title, the petitioner is not required to seek such review before obtaining judicial review, but if the petitioner does seek such review, judicial review may not be sought until the earlier of the following occurs:

“(A) The Secretary of Defense makes a decision in the matter.

“(B) The period specified in section 1034(g) of this title for the Secretary to make a decision in the matter expires.

“(3) CLASS ACTIONS.—If judicial review of a records correction final decision is sought, and the petitioner for such judicial review also seeks to bring a class action with respect to a matter for which the petitioner requested a correction under section 1552 of this title (including such a request in a matter arising under section 1034 of this title) and the court issues an order certifying a class in the case, paragraphs (1) and (2) do not apply to any member of the certified class (other than the petitioner) with respect to any matter covered by a claim for which the class is certified.

“(4) TIMELINESS.—Paragraph (1) shall not apply if the records correction final decision of the Secretary concerned is not issued by the date that is 18 months after the date on which the petitioner requests a correction.

“(c) STATUTES OF LIMITATION.—

“(1) SIX YEARS FROM FINAL DECISION.—A records correction final decision (other than in a matter to which paragraph (2) applies) is not subject to judicial review under this section or otherwise subject to review in any court unless petition for such review is filed in a court not later than six years after the date of the records correction final decision.

“(2) SIX YEARS FOR CERTAIN CLAIMS THAT MAY RESULT IN PAYMENT OF MONEY.—(A) In a case of a records correction final decision described in subparagraph (B), the records correction final decision (or the portion of such decision described in such subparagraph) is not subject to judicial review under this section or otherwise subject to review in any court unless petition for such review is filed in a court before the end of the six-year period that began on the date of discharge, retirement, release from active duty, or death while on active duty, of the person whose military records are the subject of the correction request. Such six-year period does not include any time between the date of the filing of the request for correction of military records leading to the records correction final decision and the date of the final decision.

“(B) Subparagraph (A) applies to a records correction final decision or portion of the decision that involves a denial of a claim that, if relief were to be granted by the court, would support, or result in, the payment of money, other than payments made under chapter 73 of this title, either under a court order or under a subsequent administrative determination.

“(d) HABEAS CORPUS.—This section does not affect any cause of action arising under chapter 153 of title 28.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item: “1560. Judicial review of decisions.”

(b) EFFECT OF DENIAL OF REQUEST FOR CORRECTION OF RECORDS WHEN PROHIBITED PERSONNEL ACTION ALLEGED.—

(1) NOTICE OF DENIAL; PROCEDURES FOR JUDICIAL REVIEW.—Subsection (f) of section 1034 of such title is amended by adding at the end the following new paragraph:

“(7) In any case in which the final decision of the Secretary concerned results in denial, in whole or in part, of any requested correction of the record of the member or former member, the Secretary concerned shall provide the member or former member—

“(A) a concise written statement of the basis for the decision; and

“(B) a notification of the availability of judicial review of the decision pursuant to section 1560 of this title and the time period for obtaining such review in accordance with the applicable statute of limitations.”

(2) SECRETARY OF DEFENSE REVIEW; NOTICE OF DENIAL.—Subsection (g) of such section is amended—

(A) by inserting “(1)” before “Upon the completion of all”; and

(B) by adding at the end the following new paragraph:

“(2) The submittal of a matter to the Secretary of Defense by the member or former member under paragraph (1) must be made within 90 days of the receipt by the member or former member of the final decision of the Secretary of the military department concerned in the matter. In any case in which the final decision of the Secretary of Defense results in denial, in whole or in part, of any requested correction of the record of the member or former member, the Secretary of Defense shall provide the member or former member—

“(A) a concise written statement of the basis for the decision; and

“(B) a notification of the availability of judicial review of the decision pursuant to section 1560 of this title and the time period for obtaining such review in accordance with the applicable statute of limitations.”

(3) SOLE BASIS FOR JUDICIAL REVIEW.—Such section is further amended—

(A) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(B) by inserting after subsection (g) the following new subsection (h):

“(h) JUDICIAL REVIEW.—(1) A decision of the Secretary of Defense under subsection (g) shall be subject to judicial review only as provided in section 1560 of this title.

“(2) In a case in which review by the Secretary of Defense under subsection (g) was not sought, a decision of the Secretary of a military department under subsection (f) shall be subject to judicial review only as provided in section 1560 of this title.

“(3) A decision by the Secretary of Homeland Security under subsection (f) shall be subject to judicial review only as provided in section 1560 of this title.”

(c) EFFECT OF DENIAL OF OTHER REQUESTS FOR CORRECTION OF MILITARY RECORDS.—Section 1552 of such title is amended by adding at the end the following new subsections:

“(h) In any case in which the final decision of the Secretary concerned results in denial, in whole or in part, of any requested correction, the Secretary concerned shall provide the claimant—

“(1) a concise written statement of the basis for the decision; and

“(2) a notification of the availability of judicial review of the decision pursuant to section 1560 of this title and the time period for obtaining such review in accordance with the applicable statute of limitations.

“(i) A decision by the Secretary concerned under this section shall be subject to judicial review only as provided in section 1560 of this title.”

(d) EFFECTIVE DATE AND APPLICATION.—

(1) IN GENERAL.—The amendments made by this section shall take effect on January 1, 2015, and shall apply to all final decisions of the Secretary of Defense under section 1034(g) of title 10, United States Code, and of the Secretary of a military department and the Secretary of Homeland Security under sections 1034(f) or 1552 of such title rendered on or after such date.

(2) TREATMENT OF EXISTING CASES.—This section and the amendments made by this section do not affect the authority of any court to exercise jurisdiction over any case that was properly before the court before the effective date specified in paragraph (1).

(e) IMPLEMENTATION.—The Secretary of a military department and the Secretary of Homeland Security (in the case of the Coast Guard when it is not operating as a service in the Department of the Navy) may prescribe regulations, and interim guidance before prescribing such regulations, to implement the amendments made by this section. Regulations or interim guidance prescribed by the Secretary of a military department may not take effect until approved by the Secretary of Defense.

**SEC. 526. ESTABLISHMENT AND USE OF CONSISTENT DEFINITION OF GENDER-NEUTRAL OCCUPATIONAL STANDARD FOR MILITARY CAREER DESIGNATORS.**

(a) ESTABLISHMENT OF DEFINITIONS.—Section 543 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 10 U.S.C. 113 note) is amended by adding at the end the following new subsection:

“(d) DEFINITIONS.—In this section:

“(1) GENDER-NEUTRAL OCCUPATIONAL STANDARD.—The term ‘gender-neutral occupational standard’, with respect to a military career designator, means that all members of the Armed Forces serving in or assigned to the military career designator must meet the same physical and performance outcome-based standards for the successful accomplishment of the necessary and required specific tasks associated with the qualifications and duties performed while serving in or assigned to the military career designator.

“(2) MILITARY CAREER DESIGNATOR.—The term ‘military career designator’ refers to—

“(A) in the case of enlisted members and warrant officers of the Armed Forces, military occupational specialties, specialty codes, enlisted designators, enlisted classification codes, additional skill identifiers, and special qualification identifiers; and

“(B) in the case of commissioned officers (other than commissioned warrant officers), officer areas of concentration, occupational specialties, specialty codes, additional skill identifiers, and special qualification identifiers.”.

(b) **USE OF DEFINITIONS.**—Such section is further amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “military occupational career field” and inserting “military career designator”; and

(B) in paragraph (1), by striking “common, relevant performance standards” and inserting “an occupational standard”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “any military occupational specialty” and inserting “any military career designator”; and

(ii) by striking “requirements for members in that specialty and shall ensure (in the case of an occupational specialty)” and inserting “requirements as part of the gender-neutral occupational standard for members in that career designator and shall ensure (in the case of a career designator”); and

(B) in paragraph (2)—

(i) by striking “an occupational specialty” and inserting “a military career designator”;

(ii) by striking “that occupational specialty” and inserting “that military career designator”;

(iii) by striking “that specialty” and inserting “that military career designator”;

(3) in subsection (c)—

(A) by striking “the occupational standards for a military occupational field” and inserting “the gender-neutral occupational standard for a military career designator”; and

(B) by striking “that occupational field” and inserting “that military career designator”.

**SEC. 527. EXPANSION AND ENHANCEMENT OF AUTHORITIES RELATING TO PROTECTED COMMUNICATIONS OF MEMBERS OF THE ARMED FORCES AND PROHIBITED RETALIATORY ACTIONS.**

(a) **EXPANSION OF PROHIBITED RETALIATORY PERSONNEL ACTIONS.**—Subsection (b) of section 1034 of title 10, United States Code, is amended—

(1) in paragraph (1)(B)—

(A) by striking “or” at the end of clause (iv);

(B) by redesignating clause (v) as clause (vi);

and

(C) by inserting after clause (iv) the following new clause (v):

“(v) a court-martial proceeding; or”; and

(2) in paragraph (2), by inserting after “any favorable action” the following: “, or a significant change in a member’s duties, responsibilities, or working conditions”.

(b) **INSPECTOR GENERAL INVESTIGATIONS OF ALLEGATIONS.**—Subsection (c) of such section is amended—

(1) in paragraph (1), by striking “paragraph (3)” and inserting “paragraph (4)”;

(2) in paragraph (2), by striking subparagraph (A) and inserting the following new subparagraph (A):

“(A) Any violation of any law, rule, or regulation, including a law or regulation prohibiting rape, sexual assault, or other sexual misconduct in sections 920 through 920c of this title (articles 120 through 120c of the Uniform Code of Military Justice), sexual harassment or unlawful discrimination.”;

(3) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively;

(4) by inserting after paragraph (2) the following new paragraph (3):

“(3) A communication described in paragraph (2) shall not be excluded from the protections provided in this section because—

“(A) the communication was made to a person who participated in an activity that the member reasonably believed to be covered by paragraph (2);

“(B) the communication revealed information that had previously been communicated;

“(C) of the member’s motive for making the communication;

“(D) the communication was not made in writing;

“(E) the communication was made while the member was off duty;

“(F) the communication was made during the normal course of duties of the member.”;

(5) in subparagraph (D) of paragraph (4), as redesignated by paragraph (3) of this subsection, by inserting before the period at the end of the second sentence the following: “, with the consent of the member”;

(6) in paragraph (5), as so redesignated—

(A) by striking “paragraph (3)(A)” and inserting “paragraph (4)(A)”;

(B) by striking “paragraph (3)(D)” and inserting “paragraph (4)(D)”;

(C) by striking “60 days” and inserting “one year”.

(c) **INSPECTOR GENERAL INVESTIGATIONS OF UNDERLYING ALLEGATIONS.**—Subsection (d) of such section is amended by striking “subparagraph (A) or (B) of subsection (c)(2)” and inserting “subparagraph (A), (B), or (C) of subsection (c)(2)”.

(d) **REPORTS ON INVESTIGATIONS.**—Subsection (e) of such section is amended—

(1) in paragraph (1)—

(A) by striking “subsection (c)(3)(E)” both places it appears and inserting “subsection (c)(4)(E)”;

(B) by striking “the Secretary of Defense” and inserting “the Secretary of the military department concerned”;

(C) by striking “to the Secretary,” and inserting “to such Secretary.”;

(2) in paragraph (3), by striking “the Secretary of Defense” and inserting “the Secretary of the military department concerned”;

(3) in paragraph (4), by striking the second sentence and inserting the following new sentence: “The report shall include an explicit determination as to whether a personnel action prohibited by subsection (b) has occurred and a recommendation as to the disposition of the complaint, including appropriate corrective action for the member.”.

(e) **ACTION IN CASE OF VIOLATIONS.**—Section 1034 of title 10, United States Code, is further amended—

(1) by redesignating subsections (i) and (j), as redesignated by section 525(b) of this Act, as subsections (k) and (l), respectively; and

(2) by inserting after subsection (h), as added by section 525(b), the following new subsection:

“(i) **ACTION IN CASE OF VIOLATIONS.**—(1) If an Inspector General reports under subsection (e) that a personnel action prohibited by subsection (b) has occurred, not later than 30 days after receiving such report from the Inspector General, the Secretary of Homeland Security or the Secretary of the military department concerned, as applicable, shall order such action as is necessary to correct the record of a personnel action prohibited by subsection (b), taking into account the recommendations in the report by the Inspector General. Such Secretary shall take any appropriate disciplinary action against the individual who committed such prohibited personnel action.

“(2) If the Secretary of Homeland Security or the Secretary of the military department con-

cerned, as applicable, determines that an order for corrective or disciplinary action is not appropriate, not later than 30 days after making the determination, such Secretary shall—

“(A) provide to the Secretary of Defense, the Committees on Armed Services of the Senate and the House of Representatives, and the member or former member, a notice of the determination and the reasons for not taking action; and

“(B) refer the report to the appropriate board for the correction of military records for further review under subsection (g).”.

(f) **CORRECTION OF RECORDS.**—Subsection (f) of such section is amended—

(1) in paragraph (2)(C), by striking “may” and inserting “upon the request of the member or former member, after an initial determination that a complaint is not frivolous and has not previously been addressed by the board, shall”; and

(2) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking “board elects to hold” and inserting “board holds”; and

(B) in subparagraph (A)—

(i) by striking “may be provided” and inserting “shall be provided”; and

(ii) in clause (ii), by striking “the case is unusually complex or otherwise requires” and inserting “the member or former member would benefit from”.

(g) **BURDENS OF PROOF.**—Such section is further amended by inserting after subsection (i), as added by subsection (e) of this section, the following new subsection:

“(j) **BURDENS OF PROOF.**—The burdens of proof specified in section 1221(e) of title 5 shall apply in any investigation conducted by an Inspector General, and any review conducted by the Secretary of Defense, the Secretary of Homeland Security, and any board for the correction of military records, under this section.”.

(h) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date that is 30 days after the date of the enactment of this Act, and shall apply with respect to allegations pending or submitted under section 1034 of title 10, United States Code, on or after that date.

**SEC. 528. APPLICABILITY OF MEDICAL EXAMINATION REQUIREMENT REGARDING POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY TO PROCEEDINGS UNDER THE UNIFORM CODE OF MILITARY JUSTICE.**

Section 1177 of title 10, United States Code, is amended by striking subsection (c).

**SEC. 529. PROTECTION OF THE RELIGIOUS FREEDOM OF MILITARY CHAPLAINS TO CLOSE A PRAYER OUTSIDE OF A RELIGIOUS SERVICE ACCORDING TO THE TRADITIONS, EXPRESSIONS, AND RELIGIOUS EXERCISES OF THE ENDORSING FAITH GROUP.**

(a) **UNITED STATES ARMY.**—Section 3547 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c) If called upon to lead a prayer outside of a religious service, a chaplain shall have the prerogative to close the prayer according to the traditions, expressions, and religious exercises of the endorsing faith group.”.

(b) **UNITED STATES MILITARY ACADEMY.**—Section 4337 of such title is amended—

(1) by inserting “(a)” before “There”; and

(2) by adding at the end the following new subsection:

“(b) If called upon to lead a prayer outside of a religious service, the Chaplain shall have the prerogative to close the prayer according to the traditions, expressions, and religious exercises of the endorsing faith group.”.

(c) **UNITED STATES NAVY AND MARINE CORPS.**—Section 6031 of such title is amended by adding at the end the following new subsection:

“(d) If called upon to lead a prayer outside of a religious service, a chaplain shall have the

prerogative to close the prayer according to the traditions, expressions, and religious exercises of the endorsing faith group.”

(d) UNITED STATES AIR FORCE.—Section 8547 of such title is amended by adding at the end the following new subsection:

“(c) If called upon to lead a prayer outside of a religious service, a chaplain shall have the prerogative to close the prayer according to the traditions, expressions, and religious exercises of the endorsing faith group.”

(e) UNITED STATES AIR FORCE ACADEMY.—Section 9337 of such title is amended—

(1) by inserting “(a)” before “There”; and

(2) by adding at the end the following new subsection:

“(b) If called upon to lead a prayer outside of a religious service, the Chaplain shall have the prerogative to close the prayer according to the traditions, expressions, and religious exercises of the endorsing faith group.”

**SEC. 530. EXPANSION AND IMPLEMENTATION OF PROTECTION OF RIGHTS OF CONSCIENCE OF MEMBERS OF THE ARMED FORCES AND CHAPLAINS OF SUCH MEMBERS.**

(a) ACCOMMODATION OF MEMBERS’ BELIEFS, ACTIONS, AND SPEECH.—Subsection (a)(1) of section 533 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1727; 10 U.S.C. prec. 1030 note) is amended—

(1) by striking “The Armed Forces shall accommodate the beliefs” and inserting “Except in cases of military necessity, the Armed Forces shall accommodate the beliefs, actions, and speech”; and

(2) by inserting “, actions, or speech” after “such beliefs”.

(b) NARROW EXCEPTION.—Subsection (a)(2) of such section is amended by striking “that threaten” and inserting “that actually harm”.

(c) DEADLINE FOR REGULATIONS; CONSULTATION.—The implementation regulations required by subsection (c) of such section shall be issued not later than 120 days after the date of the enactment of this Act. In preparing such regulations, the Secretary of Defense shall consult with the official military faith-group representatives who endorse military chaplains.

**SEC. 530A. SERVICEMEMBERS’ ACCOUNTABILITY, RIGHTS, AND RESPONSIBILITIES TRAINING.**

(a) RESPONSIBILITIES OF SECRETARY OF DEFENSE.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Secretaries of the military departments, shall ensure that all members of the Armed Forces understand and comply with the rights and responsibilities specified in subsections (b) and (c).

(2) IMPLEMENTATION.—The Secretary of Defense shall have discretion regarding the manner in which this information will be disseminated to members, except that, at a minimum, the Secretary shall require acknowledgment of these rights and responsibilities by a member at these occurrences during the military service of the member:

(A) Recruitment.

(B) Enlistment and reenlistment.

(C) Commissioning.

(D) Promotion in rank.

(E) Selection for command.

(b) MEMBER RIGHTS.—Each member of the Armed Forces has the following rights:

(1) To a workplace and battlespace free from the threat of sexual violence, including harassment, abuse, assault, and rape.

(2) To have every instance of illegal activity appropriately investigated. Law enforcement agencies will investigate every allegation of criminal behavior, and commanders will respond appropriately to every report of wrongdoing.

(3) To make a restricted or unrestricted report of a sex-based criminal act. Victims will have

access to vital services whether they pursue an investigation or not.

(4) To use any and all reporting and prosecution avenues to pursue an allegation of sexual assault.

(5) To not face retaliation for reporting a criminal offense or harmful behavior.

(c) MEMBER RESPONSIBILITIES.—Each member of the Armed Forces has the following responsibilities:

(1) To responsibly intervene in any situation that involves the presence or threat of criminal behavior.

(2) To never leave another member behind in a situation of risk to self or others, on the battlefield or anywhere else.

(3) To immediately report observation or knowledge of criminal behavior to appropriate officials.

**SEC. 530B. INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE REVIEW OF SEPARATION OF MEMBERS OF THE ARMED FORCES WHO MADE UNRESTRICTED REPORTS OF SEXUAL ASSAULT.**

(a) REVIEW REQUIRED.—The Inspector General of the Department of Defense shall conduct a review—

(1) to identify all members of the Armed Forces who, since January 1, 2002, were separated from the Armed Forces after making an unrestricted report of sexual assault;

(2) to determine the circumstances of and grounds for each such separation, including—

(A) whether the separation was in retaliation for or influenced by the identified member making an unrestricted report of sexual assault; and

(B) whether the identified member requested an appeal; and

(3) if an identified member was separated on the grounds of having a personality or adjustment disorder, to determine whether the separation was carried out in compliance with Department of Defense Instruction 1332.14 and any other applicable Department of Defense regulations, directives, and policies.

(b) SUBMISSION OF RESULTS AND RECOMMENDATIONS.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives the results of the review conducted under subsection (a), including such recommendations as the Inspector General of the Department of Defense considers necessary.

**SEC. 530C. REPORT ON DATA AND INFORMATION COLLECTED IN CONNECTION WITH DEPARTMENT OF DEFENSE REVIEW OF LAWS, POLICIES, AND REGULATIONS RESTRICTING SERVICE OF FEMALE MEMBERS OF THE ARMED FORCES.**

(a) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the specific results and data produced during the research programs, tests, surveys, consultant reports, assessments, and similar projects conducted to comply with the requirement of section 535 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4217) to review laws, policies, and regulations that may restrict the service of female members of the Armed Forces.

(b) PUBLIC AVAILABILITY.—Subject to subsection (c), the Secretary of Defense shall make the report required by subsection (a) publically available.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a request or authority for the Secretary of Defense to provide

in the report required by subsection (a) any personal information that would identify, or violate the privacy of, members of the Armed Forces, including members who participated in the research programs, tests, surveys, reports, assessments, and similar projects conducted regarding the possible future assignments of female members of the Armed Forces.

**SEC. 530D. SENSE OF CONGRESS REGARDING THE WOMEN IN SERVICE IMPLEMENTATION PLAN.**

(a) FINDINGS.—Congress makes the following findings:

(1) In February 2012, the Secretary of Defense notified Congress of the intent of the Secretary to rescind the co-location restriction and to implement policy exceptions to allow female members of the Armed Forces to be assigned to specified positions in ground combat units at the battalion level.

(2) On January 24, 2013, the Secretary of Defense and the Joint Chiefs of Staff issued guidance to rescind the direct combat exclusion rule for female members of the Armed Forces and eliminate all unnecessary gender-based barriers to service in the Armed Forces.

(3) The Secretaries of the military departments were required to develop and submit their plans for implementation of the rescission of the direct combat exclusion rule by May 15, 2013.

(4) As of 2013, there are approximately 202,000 female members of the Armed Forces, approximately 20,000 female members have served in Iraq and Afghanistan, and more than 60 female members have been killed in combat.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretaries of the military departments—

(1) no later than September 2015, should develop, review, and validate individual occupational standards, using validated gender-neutral occupational standards, so as to assess and assign members of the Armed Forces to units, including Special Operations Forces; and

(2) no later than January 1, 2016, should complete all assessments.

**Subtitle D—Military Justice, Including Sexual Assault Prevention and Response**

**SEC. 531. LIMITATIONS ON CONVENING AUTHORITY DISCRETION REGARDING COURT-MARTIAL FINDINGS AND SENTENCE.**

(a) ELIMINATION OF UNLIMITED COMMAND PREROGATIVE AND DISCRETION.—Paragraph (1) of section 860(c) of title 10, United States Code (article 60(c) of the Uniform Code of Military Justice) is amended by striking the first sentence.

(b) LIMITATIONS ON DISCRETION REGARDING COURT-MARTIAL FINDINGS.—Paragraph (3) of section 860(c) of title 10, United States Code (article 60(c) of the Uniform Code of Military Justice) is amended to read as follows:

“(3)(A) Action on the findings of a court-martial by the convening authority or by another person authorized to act under this section is not required.

“(B) If the convening authority or another person authorized to act under this section acts on the findings of a court-martial, the convening authority or other person may not—

“(i) dismiss any charge or specification, other than a charge or specification for a qualifying offense, by setting aside a finding of guilty thereto; or

“(ii) change a finding of guilty to a charge or specification, other than a charge or specification for a qualifying offense, to a finding of guilty to an offense that is a lesser included offense of the offense stated in the charge or specification.

“(C) If the convening authority or another person authorized to act under this section acts on the findings to dismiss or change any charge

or specification for a qualifying offense, the convening authority or other person shall provide, at that same time, a written explanation of the reasons for such action. The written explanation shall be made a part of the record of the trial and action thereon.

“(D)(i) In this paragraph, the term ‘qualifying offense’ means, except in the case of an offense specified in clause (ii), an offense under this chapter for which—

“(I) the maximum sentence of confinement that may be adjudged does not exceed two years; and

“(II) the sentence adjudged does not include dismissal, a dishonorable or bad-conduct discharge, or confinement for more than six months.

“(ii) Such term does not include the following:

“(I) An offense under section 920 of this title (article 120).

“(II) An offense under section 928 of this title (article 128), if such offense consisted of assault consummated by battery upon child under 16 years of age.

“(III) An offense under section 934 of this title (article 134), if such offense consisted of indecent language communicated to child under the age of 16 years.

“(IV) Such other offenses as the Secretary of Defense may exclude by regulation.”.

(c) LIMITATIONS ON DISCRETION TO MODIFY AN ADJUDGED SENTENCE.—Section 860(c) of title 10, United States Code (article 60(c) of the Uniform Code of Military Justice) is amended—

(1) in paragraph (2), by striking “The convening authority” and inserting the following:

“(B) Except as provided in paragraph (4), the convening authority”; and

(2) by adding at the end the following new paragraph:

“(4)(A) Except as provided in subparagraphs (B) and (C), the convening authority or another person authorized to act under this section may not modify an adjudged sentence of confinement or a punitive discharge or disapprove, commute, or suspend an adjudged sentence of confinement or a punitive discharge in whole or in part.

“(B)(i) Upon the recommendation of the trial counsel, the convening authority or another person authorized to act under this section shall have the authority to impose a sentence below a level established by statute as a minimum sentence, to impose a sentence of confinement below the adjudged confinement sentence, or to disapprove, commute, or suspend the adjudged sentence in whole or in part in recognition of the substantial assistance by the accused in the investigation or prosecution of another person who has committed an offense.

“(ii) If a mandatory minimum sentence exists for a charge, the convening authority or another person authorized to act under this section may not modify an adjudged sentence to reduce the sentence to less than the mandatory minimum sentence or disapprove, commute, or suspend the adjudged mandatory minimum sentence in whole or in part. This limitation does not restrict the discretion of the convening authority or another person authorized to act under this section to modify, disapprove, commute, or suspend any portion of the adjudged sentence that is in addition to the mandatory minimum sentence.

“(C) In addition, if a mandatory minimum sentence does not exist for a charge and a pre-trial agreement has been entered into by the convening authority and the accused, as authorized by Rule for Court-Martial 705, the convening authority or another person authorized to act under this section may take action to reduce, dismiss, or suspend an adjudged sentence of confinement in whole or in part pursuant to the terms of the pre-trial agreement.”.

(d) EXPLANATION FOR ANY DECISION DISAPPROVING, COMMUTING, OR SUSPENDING COURT-

MARTIAL SENTENCE.—Section 860(c)(2) of title 10, United States Code (article 60(c)(2) of the Uniform Code of Military Justice), as amended by subsection (c)(1), is further amended—

(1) by inserting “(A)” after “(2)”; and

(2) by adding at the end the following new subparagraph:

“(C) If the convening authority or another person authorized to act under this section acts to disapprove, commute, or suspend the sentence in whole or in part, the convening authority or other person shall provide, at that same time, a written explanation of the reasons for such action. The written explanation shall be made a part of the record of the trial and action thereon.”.

(e) CONFORMING AMENDMENT TO OTHER AUTHORITY FOR CONVENING AUTHORITY TO SUSPEND SENTENCE.—Section 871(d) of such title (article 71(d) of the Uniform Code of Military Justice) is amended by adding at the end the following new sentence: “Paragraphs (2) and (4) of subsection (c) of section 860 of this title (article 60) shall apply to any decision by the convening authority or such person to suspend the execution of any sentence or part thereof under this subsection.”.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act and shall apply with respect to findings and sentences of courts-martial reported to convening authorities under section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), as amended by this section, on or after that effective date.

#### **SEC. 532. ELIMINATION OF FIVE-YEAR STATUTE OF LIMITATIONS ON TRIAL BY COURT-MARTIAL FOR ADDITIONAL OFFENSES INVOLVING SEX-RELATED CRIMES.**

(a) INCLUSION OF ADDITIONAL OFFENSES.—Section 843(a) of title 10, United States Code (article 43(a) of the Uniform Code of Military Justice) is amended by striking “rape, or rape of a child” and inserting “rape or sexual assault, or rape or sexual assault of a child”.

(b) CONFORMING AMENDMENT.—Section 843(b)(2)(B)(i) of title 10, United States Code (article 43(b)(2)(B)(i) of the Uniform Code of Military Justice) is amended by inserting before the period at the end the following: “, unless the offense is covered by subsection (a)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to an offense covered by section 920(b) or 920b(b) of title 10, United States Code (article 120(b) or 120b(b) of the Uniform Code of Military Justice) that is committed on or after that date.

#### **SEC. 533. DISCHARGE OR DISMISSAL FOR CERTAIN SEX-RELATED OFFENSES AND TRIAL OF OFFENSES BY GENERAL COURTS-MARTIAL.**

(a) MANDATORY DISCHARGE OR DISMISSAL REQUIRED.—

(1) IMPOSITION.—Section 856 of title 10, United States Code (article 56 of the Uniform Code of Military Justice) is amended—

(A) by inserting “(a)” before “The punishment”; and

(B) by adding at the end the following new subsection:

“(b)(1) While a person subject to this chapter who is found guilty of an offense specified in paragraph (2) shall be punished as a general court-martial may direct, such punishment must include, at a minimum, dismissal or dishonorable discharge.

“(2) Paragraph (1) applies to the following offenses:

“(A) An offense in violation of subsection (a) or (b) of section 920 (article 120(a) or (b)).

“(B) Forcible sodomy under section 925 of this title (article 125).

“(C) An attempt to commit an offense specified in subparagraph (A) or (B) that is punishable under section 880 of this title (article 80).”.

(2) CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended to read as follows:

**“§856. Art. 56. Maximum and minimum limits”.**

(B) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter VIII of chapter 47 of such title is amended by striking the item relating to section 856 and inserting the following new item:

“856. Art 56. Maximum and minimum limits.”.

(b) JURISDICTION LIMITED TO GENERAL COURTS-MARTIAL.—Section 818 of title 10, United States Code (article 18 of the Uniform Code of Military Justice) is amended—

(1) by inserting “(a)” before the first sentence;

(2) in the third sentence, by striking “However, a general court-martial” and inserting the following:

“(b) A general court-martial”; and

(3) by adding at the end the following new subsection:

“(c) Consistent with sections 819, 820, and 856(b) of this title (articles 19, 20, and 56(b)), only general courts-martial have jurisdiction over an offense specified in section 856(b)(2) of this title (article 56(b)(2)).”.

(c) ADDITIONAL DUTIES FOR INDEPENDENT PANELS.—

(1) RESPONSE SYSTEMS PANEL.—The independent panel established by the Secretary of Defense under subsection (a)(1) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1758) shall assess the appropriateness of statutorily mandated minimum sentencing provisions for additional offenses under the Uniform Code of Military Justice. The panel shall include the results of the assessment in the report required by subsection (c)(1) of such section.

(2) JUDICIAL PROCEEDINGS PANEL.—The independent panel established by the Secretary of Defense under subsection (a)(2) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1758) shall assess the implementation and effect of the mandatory minimum sentences established by section 856(b) of title 10, United States Code (article 56(b) of the Uniform Code of Military Justice), as added by subsection (a) of this section. The panel shall include the results of the assessment in one of the reports required by subsection (c)(2)(B) of such section 576.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act, and apply to offenses specified in section 856(b)(2) of title 10, United States Code (article 56(b)(2) of the Uniform Code of Military Justice), as added by subsection (a)(1), committed after that date.

#### **SEC. 534. REGULATIONS REGARDING CONSIDERATION OF APPLICATION FOR PERMANENT CHANGE OF STATION OR UNIT TRANSFER BY VICTIMS OF SEXUAL ASSAULT.**

Section 673(b) of title 10, United States Code, is amended by striking “The Secretaries of the military departments” and inserting “The Secretary concerned”.

#### **SEC. 535. CONSIDERATION OF NEED FOR, AND AUTHORITY TO PROVIDE FOR, TEMPORARY ADMINISTRATIVE REASSIGNMENT OR REMOVAL OF A MEMBER ON ACTIVE DUTY WHO IS ACCUSED OF COMMITTING A SEXUAL ASSAULT OR RELATED OFFENSE.**

(a) IN GENERAL.—Chapter 39 of title 10, United States Code, is amended by inserting after section 673 the following new section:

**“§ 674. Temporary administrative reassignment or removal of a member on active duty accused of committing a sexual assault or related offense**

“(a) **GUIDANCE FOR TIMELY CONSIDERATION AND ACTION.**—The Secretary concerned may provide guidance, within guidelines provided by the Secretary of Defense, for commanders regarding their authority to make a timely determination, and to take action, regarding whether a member of the armed forces serving on active duty who is alleged to have committed a sexual assault or other sex-related offense covered by section 920, 920a, 920b, or 920c of this title (article 120, 120a, 120b, or 120c of the Uniform Code of Military Justice) should be temporarily reassigned or removed from a position of authority or assignment, not as a punitive measure, but solely for the purpose of maintaining good order and discipline within the member's unit.

“(b) **TIME FOR DETERMINATIONS.**—A determination described in subsection (a) may be made at any time after receipt of notification of an unrestricted report of a sexual assault or other sex-related offense that identifies the member as an alleged perpetrator.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 673 the following new item:

“674. Temporary administrative reassignment or removal of a member on active duty accused of committing a sexual assault or related offense.”

(c) **ADDITIONAL TRAINING REQUIREMENT FOR COMMANDERS.**—The Secretary of Defense shall provide for inclusion of information and discussion regarding the availability and use of the authority provided by section 674 of title 10, United States Code, as added by subsection (a), as part of the training for new and prospective commanders at all levels of command required by section 585(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 1561 note).

**SEC. 536. VICTIMS' COUNSEL FOR VICTIMS OF SEX-RELATED OFFENSES AND RELATED PROVISIONS.**

(a) **DESIGNATION AND DUTIES.**—

(1) **IN GENERAL.**—Chapter 53 of title 10, United States Code, is amended by inserting after section 1044d the following new section:

**“§ 1044e. Victims' Counsel for victims of sex-related offenses**

“(a) **DESIGNATION; PURPOSES.**—The Secretary concerned shall designate legal counsel (to be known as ‘Victims' Counsel’) for the purpose of providing legal assistance to an individual eligible for military legal assistance under section 1044 of this title who is the victim of an alleged sex-related offense, regardless of whether the report of that offense is restricted or unrestricted.

“(b) **TYPES OF LEGAL ASSISTANCE AUTHORIZED.**—The types of legal assistance authorized by subsection (a) include the following:

“(1) Legal consultation regarding potential criminal liability of the victim stemming from or in relation to the circumstances surrounding the alleged sex-related offense and the victim's right to seek military defense services.

“(2) Legal consultation regarding the Victim Witness Assistance Program, including—

“(A) the rights and benefits afforded the victim;

“(B) the role of the Victim Witness Assistance Program liaison and what privileges do or do not exist between the victim and the liaison; and

“(C) the nature of communication made to the liaison in comparison to communication made to a Victims' Counsel or a legal assistance attorney under section 1044 of this title.

“(3) Legal consultation regarding the responsibilities and support provided to the victim by

the Sexual Assault Response Coordinator, a unit or installation Sexual Assault Victim Advocate or domestic abuse advocate, to include any privileges that may exist regarding communications between those persons and the victim.

“(4) Legal consultation regarding the potential for civil litigation against other parties (other than the Department of Defense).

“(5) Legal consultation regarding the military justice system, including—

“(A) the roles and responsibilities of the trial counsel, the defense counsel, and investigators;

“(B) any proceedings of the military justice process in which the victim may observe or participate as a witness or other party;

“(C) the Government's authority to compel cooperation and testimony; and

“(D) the victim's responsibility to testify, and other duties to the court.

“(6) Accompanying the victim at any proceedings in connection with the reporting, military investigation, and military prosecution of the alleged sex-related offense.

“(7) Legal consultation regarding—

“(A) services available from appropriate agencies or offices for emotional and mental health counseling and other medical services;

“(B) eligibility for and requirements for obtaining any available military and veteran benefits, such as transitional compensation benefits found in section 1059 of this title and other State and Federal victims' compensation programs; and

“(C) the availability of, and any protections offered by, civilian and military restraining orders.

“(8) Legal consultation and assistance in personal civil legal matters in accordance with section 1044 of this title.

“(9) Such other legal assistance as the Secretary of Defense (or, in the case of the Coast Guard, the Secretary of the Department in which the Coast Guard is operating) may authorize in the regulations prescribed under subsection (g).

“(c) **QUALIFICATIONS.**—An individual may not be designated as a Victims' Counsel under this section unless the individual—

“(1) meets the qualifications specified in section 1044(d)(2) of this title; and

“(2) is certified as competent to be designated as a Victims' Counsel by the Judge Advocate General of the Armed Force in which the judge advocate is a member or by which the civilian attorney is employed.

“(d) **ADMINISTRATIVE RESPONSIBILITY.**—(1) Consistent with the regulations prescribed under subsection (g), the Judge Advocate General (as defined in section 801(1) of this title) under the jurisdiction of the Secretary, and within the Marine Corps the Staff Judge Advocate to the Commandant of the Marine Corps, is responsible for the establishment and supervision of individuals designated as Victims' Counsel.

“(2) The Secretary of Defense (and, in the case of the Coast Guard, the Secretary of the Department in which the Coast Guard is operating) shall conduct a periodic evaluation of the Victims' Counsel programs operated under this section.

“(e) **AVAILABILITY OF VICTIMS' COUNSEL.**—(1) An individual eligible for military legal assistance under section 1044 of this title who is the victim of an alleged sex-related offense shall be offered the option of receiving assistance from a Victims' Counsel upon report of an alleged sex-related offense or at the time the victim seeks assistance from a Sexual Assault Response Coordinator, a Sexual Assault Victim Advocate, a military criminal investigator, a victim/witness liaison, a trial counsel, a healthcare provider, or any other personnel designated by the Secretary concerned for purposes of this subsection.

“(2) The assistance of a Victims' Counsel under this subsection shall be available to an

individual eligible for military legal assistance under section 1044 of this title regardless of whether the individual elects unrestricted or restricted reporting of the alleged sex-related offense. The individual shall also be informed that the assistance of a Victims' Counsel may be declined, in whole or in part, but that declining such assistance does not preclude the individual from subsequently requesting the assistance of a Victims' Counsel.

“(f) **ALLEGED SEX-RELATED OFFENSE DEFINED.**—In this section, the term ‘alleged sex-related offense’ means any allegation of—

“(1) a violation of section 920, 920a, 920b, 920c, or 925 of this title (article 120, 120a, 120b, 120c, or 125 of the Uniform Code of Military Justice); or

“(2) an attempt to commit an offense specified in a paragraph (1) as punishable under section 880 of this title (article 80 of the Uniform Code of Military Justice).

“(g) **REGULATIONS.**—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall prescribe regulations to carry out this section.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1044d the following new item:

“1044e. Victims' Counsel for victims of sex-related offenses.”

(3) **CONFORMING AMENDMENTS.**—

(A) **QUALIFICATIONS OF PERSONS PROVIDING LEGAL ASSISTANCE.**—Section 1044(d)(2) of such title is amended by inserting before the period at the end the following: “and, for purposes of service as a Victims' Counsel under section 1044e of this title, meets the additional qualifications specified in subsection (c)(2) of such section.”

(B) **INCLUSION IN DEFINITION OF MILITARY LEGAL ASSISTANCE.**—Section 1044(d)(3)(B) of such title is amended by striking “and 1044d” and inserting “1044d, 1044e, and 1565b(a)(1)(A)”.

(C) **ACCESS TO LEGAL ASSISTANCE AND SERVICES.**—Section 1565b(a)(1)(A) of such title is amended by striking “section 1044” and inserting “sections 1044 and 1044e”.

(4) **IMPLEMENTATION.**—Section 1044e of title 10, United States Code, as added by paragraph (1), shall be implemented within six months after the date of the enactment of this Act.

(b) **ENHANCED TRAINING REQUIREMENT.**—The Secretary of each military department, and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Department of the Navy, shall implement, consistent with the guidelines provided under section 1044e of title 10, United States Code, as added by subsection (a), in-depth and advanced training for all military and civilian attorneys providing legal assistance under section 1044 or 1044e of such title to support victims of alleged sex-related offenses.

(c) **SECRETARY OF DEFENSE IMPLEMENTATION REPORT.**—

(1) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Homeland Security with respect to the Coast Guard, shall submit to the Committees on Armed Services and Commerce, Science, and Transportation of the Senate and the Committees on Armed Services and Transportation and Infrastructure of the House of Representatives a report describing how the Armed Forces will implement the requirements of section 1044e of title 10, United States Code, as added by subsection (a).

(2) **ADDITIONAL SUBMISSION REQUIREMENT.**—The report required by paragraph (1) shall also be submitted to the independent review panel established by the Secretary of Defense under section 576(a)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law

112-239; 126 Stat. 1758) and to the Joint Services Committee on Military Justice.

(c) **ADDITIONAL DUTIES FOR INDEPENDENT PANELS.**—

(1) **RESPONSE SYSTEMS PANEL.**—The independent panel established by the Secretary of Defense under subsection (a)(1) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1758) shall conduct an assessment regarding whether the roles, responsibilities, and authorities of Victims' Counsel to provide legal assistance under section 1044e of title 10, United States Code, as added by subsection (a), to victims of alleged sex-related offenses should be expanded to include legal standing to represent the victim during investigative and military justice proceedings in connection with the prosecution of the offense. The panel shall include the results of the assessment in the report required by subsection (c)(1) of such section.

(2) **JUDICIAL PROCEEDINGS PANEL.**—The independent panel established by the Secretary of Defense under subsection (a)(2) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1758) shall conduct an assessment of the implementation and effect of section 1044e of title 10, United States Code, as added by subsection (a), and make such recommendations for modification of such section 1044e as the panel considers appropriate. The panel shall include the results of the assessment and its recommendations in one of the reports required by subsection (c)(2)(B) of such section 576.

**SEC. 537. INSPECTOR GENERAL INVESTIGATION OF ALLEGATIONS OF RETALIATORY PERSONNEL ACTIONS TAKEN IN RESPONSE TO MAKING PROTECTED COMMUNICATIONS REGARDING SEXUAL ASSAULT.**

Section 1034(c)(2)(A) of title 10, United States Code, is amended by striking “sexual harassment or” and inserting “rape, sexual assault, or other sexual misconduct in violation of sections 920 through 920c of this title (articles 120 through 120c of the Uniform Code of Military Justice), sexual harassment, or”.

**SEC. 538. SECRETARY OF DEFENSE REPORT ON ROLE OF COMMANDERS IN MILITARY JUSTICE PROCESS.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing—

(1) an assessment of the current role and authorities of commanders in the administration of military justice and the investigation, prosecution, and adjudication of offenses under the Uniform Code of Military Justice; and

(2) a recommendation by the Secretary of Defense regarding whether the role and authorities of commanders should be further modified or repealed.

**SEC. 539. REVIEW AND POLICY REGARDING DEPARTMENT OF DEFENSE INVESTIGATIVE PRACTICES IN RESPONSE TO ALLEGATIONS OF SEX-RELATED OFFENSES.**

(a) **REVIEW.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a review of the practices of the military criminal investigative organizations (Army Criminal Investigation Command, Naval Criminal Investigative Service, and Air Force Office of Special Investigation) regarding the investigation of alleged sex-related offenses involving members of the Armed Forces, including the extent to which the military criminal investigative organizations make a recommendation regarding whether an allegation of a sex-related offense appears founded or unfounded.

(b) **POLICY.**—After conducting the review required by subsection (a), the Secretary of De-

fense shall develop a uniform policy for the Armed Forces, to the extent practicable, regarding the use of case determinations to record the results of the investigation of a sex-related offense. In developing the policy, the Secretary shall consider the feasibility of adopting case determination methods, such as the uniform crime report, used by nonmilitary law enforcement agencies.

(c) **SEX-RELATED OFFENSE DEFINED.**—In this section, the term “sex-related offense” includes—

(1) any offense covered by section 920, 920a, 920b, 920c, or 925 of title 10, United States Code (article 120, 120a, 120b, 120c, or 125 of the Uniform Code of Military Justice); or

(2) an attempt to commit an offense specified in a paragraph (1) as punishable under section 880 of such title (article 80 of the Uniform Code of Military Justice).

**SEC. 540. UNIFORM TRAINING AND EDUCATION PROGRAMS FOR SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM.**

Section 585(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1434; 10 U.S.C. 1561 note) is amended—

(1) in paragraph (1)—

(A) in the first sentence, by striking “Not later than one year after the date of the enactment of this Act, the Secretary of each military department shall develop a curriculum to provide sexual assault prevention and response training and education for members of the Armed Forces under the jurisdiction of the Secretary and civilian employees of the military department” and inserting “Not later than June 30, 2014, the Secretary of Defense shall develop a uniform curriculum to provide sexual assault prevention and response training and education for members of the Armed Forces and civilian employees of the Department of Defense”; and

(B) in the second sentence, by inserting “including lesson plans to achieve core competencies and learning objectives,” after “curriculum,”; and

(2) in paragraph (3)—

(A) by striking “CONSISTENT TRAINING.—The Secretary of Defense shall ensure” and inserting “UNIFORM TRAINING.—The Secretary of Defense shall require”; and

(B) by striking “consistent” and inserting “uniform”.

**SEC. 541. DEVELOPMENT OF SELECTION CRITERIA FOR ASSIGNMENT AS SEXUAL ASSAULT RESPONSE AND PREVENTION PROGRAM MANAGERS, SEXUAL ASSAULT RESPONSE COORDINATORS, SEXUAL ASSAULT VICTIM ADVOCATES, AND SEXUAL ASSAULT NURSE EXAMINERS-ADULT/ADOLESCENT.**

(a) **QUALIFICATIONS FOR ASSIGNMENT.**—Section 1602(e)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 1561 note; 124 Stat. 4431) is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by striking subparagraph (A) and inserting the following new subparagraphs:

“(A) the qualifications necessary for a member of the Armed Forces or a civilian employee of the Department of Defense to be selected for assignment to duty as a Sexual Assault Response and Prevention Program Manager, Sexual Assault Response Coordinator, or Sexual Assault Victim Advocate, whether assigned to such duty on a full-time or part-time basis;

“(B) consistent with section 584(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 1561 note; 125 Stat. 1433), the training, certification, and status of members of the Armed Forces and

civilian employees of the department assigned to duty as Sexual Assault Response and Prevention Program Managers, Sexual Assault Response Coordinators, and Sexual Assault Victim Advocates for the Armed Forces; and”.

**(b) ASSIGNMENT OF SEXUAL ASSAULT NURSE EXAMINERS-ADULT/ADOLESCENT TO CERTAIN MILITARY UNITS.**—

(1) **ASSIGNMENT TO CERTAIN MILITARY UNITS.**—Section 584 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 1561 note) is amended—

(A) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(B) by inserting after subsection (b) the following new subsection (c):

“(c) **SEXUAL ASSAULT NURSE EXAMINERS-ADULT/ADOLESCENT.**—

“(1) **ASSIGNMENT REQUIREMENTS.**—The Secretary of each military department shall assign at least one Sexual Assault Nurse Examiner-Adult/Adolescent to each brigade or equivalent unit level of each armed force under the jurisdiction of that Secretary unless assignment to other units is determined to be more practicable and effective by the Secretary of Defense. The Secretary of the military department concerned may assign additional Sexual Assault Nurse Examiners-Adult/Adolescent as necessary based on the demographics or needs of a military unit. The Secretary of the military department concerned may waive the assignment requirement for a specific unit level if that Secretary determines that compliance will impose an undue burden, except that the Secretary shall notify Congress of each waiver and explain how compliance would impose an undue burden.

“(2) **ELIGIBLE PERSONS.**—On and after October 1, 2015, only members of the armed forces and civilian employees of the Department of Defense may be assigned to duty as a Sexual Assault Nurse Examiner-Adult/Adolescent. The Secretary of the military department concerned may satisfy paragraph (1) through the assignment of additional personnel to a unit or by assigning the duties of a Sexual Assault Nurse Examiner-Adult/Adolescent to current personnel of the unit, so long as such personnel meet the training and certification requirements of subsection (d).”.

(2) **TRAINING AND CERTIFICATION.**—Subsection (d) of such section, as redesignated by paragraph (1)(A), is amended—

(A) in paragraph (1), by striking “assigned under subsection (a) and Sexual Assault Victim Advocates assigned under subsection (b)” and inserting “, Sexual Assault Victim Advocates, and Sexual Assault Nurse Examiners-Adult/Adolescent assigned under this section”; and

(B) in paragraph (2), by adding at the end the following new sentence: “In the case of the curriculum and other components of the program for certification of Sexual Assault Nurse Examiners-Adult/Adolescent, the Secretary of Defense shall utilize the most recent guidelines and standards as outlined by the Department of Justice, Office on Violence Against Women, in the National Training Standards for Sexual Assault Medical Forensic Examiners.”; and

(C) in paragraph (3), by adding at the end the following new sentence: “On and after October 1, 2015, before a member or civilian employee may be assigned to duty as a Sexual Assault Nurse Examiner-Adult/Adolescent under subsection (c), the member or employee must have completed the training program required by paragraph (1) and obtained the certification.”.

(c) **CONFORMING AMENDMENTS.**—Section 584 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 1561 note; 125 Stat. 1432) is amended—

(1) in subsection (a)(2), by inserting “who satisfy the selection criteria established under section 1602(e)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011



(Public Law 111–383; 10 U.S.C. 1561 note; 124 Stat. 4431)” after “Defense”; and

(2) in subsection (b)(2), by inserting “who satisfy the selection criteria established under section 1602(e)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011” after “Defense”.

(d) **CLERICAL AMENDMENT.**—The heading of section 584 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 1561 note) is amended to read as follows:

**“SEC. 584. SEXUAL ASSAULT RESPONSE COORDINATORS, SEXUAL ASSAULT VICTIM ADVOCATES, AND SEXUAL ASSAULT NURSE EXAMINERS-ADULT/ADOLESCENT.”**

**SEC. 542. EXTENSION OF CRIME VICTIMS’ RIGHTS TO VICTIMS OF OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.**

(a) **VICTIMS’ RIGHTS.**—

(1) **IN GENERAL.**—Subchapter I of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by adding at the end the following new section (article):

**“§806b. Art. 6b. Rights of victims of offenses under this chapter**

**“(a) RIGHTS OF A VICTIM OF A MILITARY CRIME.**—A victim of a military crime has the following rights:

**“(1) The right to be reasonably protected from the accused.**

**“(2) The right to reasonable, accurate, and timely notice of any public proceeding in an investigation under section 832 of this title (article 32), court-martial, involuntary plea hearing, pre-sentencing hearing, or parole hearing involving the offense or of any release or escape of the accused.**

**“(3) The right not to be excluded from any such public proceeding, referred to in paragraph (2) unless the military judge, after receiving clear and convincing evidence, determines that testimony by the victim of a military crime would be materially altered if the victim of a military crime heard other testimony at that proceeding.**

**“(4) The reasonable right to confer with the trial counsel in the case.**

**“(5) The right to full and timely restitution as provided in law.**

**“(6) The right to proceedings free from unreasonable delay.**

**“(7) The right to be treated with fairness and with respect for the dignity and privacy of the victim of a military crime.**

**“(b) DUTY OF MILITARY JUDGE.**—In any court-martial proceeding involving an offense against a victim of a military crime, the military judge shall ensure that the victim of a military crime is afforded the rights described in subsection (a). Before making a determination described in subsection (a)(3), the military judge shall make every effort to permit the fullest attendance possible by the victim of a military crime and shall consider reasonable alternatives to the exclusion of the victim of a military crime from the criminal proceeding. The reasons for any decision denying relief under this subsection shall be clearly stated on the record.

**“(c) BEST EFFORTS REQUIRED.**—(1) Military judges, trial and defense counsel, military criminal investigation organizations, services, and personnel, and other members and personnel of the Department of Defense engaged in the detection, investigation, or prosecution of offenses under this chapter (the Uniform Code of Military Justice) shall make their best efforts to see that a victim of a military crime is notified of, and accorded, the rights described in subsection.

**“(2) The trial counsel in a case shall advise a victim of a military crime that the victim of a military crime can seek the advice of an attor-**

**ney with respect to the rights described in subsection (a).**

**“(3) Notice of release otherwise required pursuant to this chapter shall not be given if such notice may endanger the safety of any person.**

**“(d) VICTIM OF A MILITARY CRIME DEFINED.**—

**“(1) DEFINITION.**—In this section, the term ‘victim of a military crime’ means a person who has suffered direct physical, emotional, or pecuniary harm as a result of the commission of a crime in violation of this chapter (the Uniform Code of Military Justice) or in violation of the law of another jurisdiction if any portion of the investigation of the violation of that law was conducted primarily by a military criminal investigative organization (Army Criminal Investigation Command, Naval Criminal Investigative Service, or Air Force Office of Special Investigation). The term shall include, at a minimum, the following:

**“(A) Members of the armed forces and their dependents.**

**“(B) Civilian employees of the Department of Defense and contractor employees stationed outside the continental United States and their dependents residing with them.**

**“(C) Such other individuals as the Secretary of Defense determines should be included.**

**“(2) TREATMENT OF CERTAIN VICTIMS.**—In the case of a victim of a military crime who is under 18 years of age, incompetent, incapacitated, or deceased, the term shall also include an individual acting on behalf of the victim who is (in order of precedence) a spouse, parent, legal guardian, child, sibling, or another dependent of the victim or another person designated by the military judge, but in no event shall an accused be designated or included.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter I of chapter 47 of such title (the Uniform Code of Military Justice) is amended by adding at the end the following new item:

**“806b. Art. 6b. Victims’ rights of victims of offenses under this chapter.”.**

(b) **PROCEDURES TO PROMOTE COMPLIANCE.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall recommend to the President changes to the Manual for Courts-Martial, and prescribe such other regulations as the Secretary considers appropriate, to implement section 806b of title 10, United States Code (article 6b of the Uniform Code of Military Justice), as added by subsection (a).

(2) **ELEMENTS.**—The modifications and regulations issued pursuant to paragraph (1) shall include the following:

(A) The designation of an administrative authority within the Department of Defense to oversee the implementation of such section 806b, and within each Armed Force, an authority to receive and investigate complaints relating to the provision or violation of the rights of victims of military crimes.

(B) A requirement for a course of training for judge advocates and other appropriate members of the Armed Forces and personnel of the Department to promote compliance with and implementation of such section 806b and assist such personnel in responding more effectively to the needs of victims of military crimes.

(C) Disciplinary sanctions for members of the Armed Forces and other personnel of the Department of Defense, including suspension or termination from employment in the case of employees of the Department, who willfully or wantonly fail to comply with such section 806b.

(D) Mechanisms to ensure that the Secretary of Defense shall be the final arbiter of a complaint authorized pursuant to subparagraph (A) by a victim of a military crime that the victim was not afforded a right under such section 806b.

(c) **ADDITIONAL DUTY FOR RESPONSE SYSTEMS INDEPENDENT PANEL.**—The independent panel established by the Secretary of Defense under subsection (a)(1) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1758) shall assess the feasibility and appropriateness of extending to victims of military crimes the additional right afforded a crime victim in civilian criminal legal proceedings under subsection (a)(4) of section 3771 of title 18, United States Code, and the legal standing to seek enforcement of crime victim rights provided by subsection (d) of such section. The panel shall include the results of the assessment in the report required by subsection (c)(1) of such section.

**SEC. 543. DEFENSE COUNSEL INTERVIEW OF COMPLAINING WITNESSES IN PRESENCE OF COUNSEL FOR THE COMPLAINING WITNESS OR A SEXUAL ASSAULT VICTIM ADVOCATE.**

Section 846 of title 10, United States Code (article 46 of the Uniform Code of Military Justice), is amended—

(1) by inserting “(a) **OPPORTUNITY TO OBTAIN WITNESSES AND OTHER EVIDENCE.**—” before “The trial counsel”;

(2) by striking “Process issued” and inserting the following:

**“(c) **PROCESS.**—Process issued”;** and

(3) by inserting after subsection (a), as designated by paragraph (1), the following new subsection (b):

**“(b) **INTERVIEW OF COMPLAINING WITNESSES BY DEFENSE COUNSEL.**—(1) Upon notice by trial counsel to defense counsel of the name and address of the complaining witness or witnesses trial counsel intends to call to testify in any portion of an investigation under section 832 of this title (article 32) or a court-martial under this chapter, defense counsel shall make all requests to interview any such complaining witness through trial counsel.**

**“(2) If requested by a complaining witness subject to a request for interview under paragraph (1), any interview of the witness by defense counsel shall take place only in the presence of counsel for the complaining witness or a Sexual Assault Victim Advocate.**

**“(3) In this subsection, the term ‘complaining witness’ means a person who has suffered a direct physical, emotional, or pecuniary harm as a result of a commission of an offense under this chapter (the Uniform Code of Military Justice).”.**

**SEC. 544. PARTICIPATION BY COMPLAINING WITNESSES IN CLEMENCY PHASE OF COURTS-MARTIAL PROCESS.**

Section 860(b) of title 10, United States Code (article 60(b) of the Uniform Code of Military Justice), is amended—

(1) by inserting “(A)” after “(b)(1)”;

(2) by redesignating paragraphs (2), (3), and (4) as subparagraphs (B), (C), and (D), respectively, and, in such subparagraphs as so redesignated, by striking “paragraph (1)” each place it appears and inserting “subparagraph (A)”;

and

(3) by adding at the end the following new paragraphs:

**“(2)(A) In any case in which findings and sentence have been adjudged for an offense involving a complaining witness, the complaining witness shall be provided an opportunity to submit matters for consideration by the convening authority or by another person authorized to act under this section before the convening authority or such other person takes action under this section. Such a submission shall be made within 10 days after the complaining witness has been given an authenticated record of trial and, if applicable, the recommendation of the staff judge advocate or legal officer under subsection (d).**



“(B) If a complaining witness shows that additional time is required for submission of matters under subparagraph (A), the convening authority or other person taking action under this section, for good cause, may extend the submission period for not more than an additional 20 days.

“(C) In this paragraph, the term ‘complaining witness’ means a person who has suffered a direct physical, emotional, or pecuniary harm as a result of a commission of an offense under this chapter (the Uniform Code of Military Justice).

“(3) The convening authority shall not consider under this section any submitted matters that go to the character of a complaining witness unless such matters were presented at the trial.”.

**SEC. 545. EIGHT-DAY INCIDENT REPORTING REQUIREMENT IN RESPONSE TO UNRESTRICTED REPORT OF SEXUAL ASSAULT IN WHICH THE VICTIM IS A MEMBER OF THE ARMED FORCES.**

(a) **INCIDENT REPORTING POLICY REQUIREMENT.**—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall establish and maintain a policy to require the submission by a designated person of a written incident report not later than eight days after an unrestricted report of sexual assault has been made in which a member of the Armed Forces is the victim. At a minimum, this incident report shall be provided to the following:

(1) The installation commander, if such incident occurred on or in the vicinity of a military installation.

(2) The first officer in the grade of O-6 in the chain of command of the victim.

(3) The first general officer or flag officer in the chain of command of the victim.

(b) **PURPOSE OF THE REPORT.**—The purpose of the required incident report under subsection (a) is to detail the actions taken or in progress to provide the necessary care and support to the victim of the assault, to refer the allegation of sexual assault to the appropriate investigatory agency, and to provide initial notification of the serious incident when that notification has not already taken place.

(c) **ELEMENTS OF REPORT.**—

(1) **IN GENERAL.**—The report of an incident under subsection (a) shall include, at a minimum, the following:

(A) Time/Date/Location of incident.

(B) Type of offense allegation.

(C) Service affiliation, assigned unit, and location of the victim.

(D) Service affiliation, assigned unit, and location of the alleged offender, including information regarding whether the alleged offender has been temporarily transferred or removed from an assigned billet or ordered to pretrial confinement or otherwise restricted, if applicable.

(E) Post-incident actions taken in connection with the incident, including the following:

(i) Referral of the victim to medical services and all other services available for members of the Armed Forces who are victims of sexual assault, including the date of each such referral.

(ii) Receipt and processing status of a request for expedited victim transfer, if applicable.

(iii) Notification of incident to appropriate investigatory offices, including the organization notified and date of such notification.

(iv) Issuance of any military protective orders in connection with the incident.

(2) **MODIFICATION.**—

(A) **IN GENERAL.**—The Secretary of Defense may modify the elements required in a report under this section regarding an incident involving a member of the Armed Forces (including the Coast Guard when it is operating as service in the Department of the Navy) if the Secretary determines that such modification will facilitate

compliance with best practices for such reporting as identified by the Sexual Assault Prevention and Response Office of the Department of Defense.

(B) **COAST GUARD.**—The Secretary of the Department in which the Coast Guard is operating may modify the elements required in a report under this section regarding an incident involving a member of the Coast Guard if the Secretary determines that such modification will facilitate compliance with best practices for such reporting as identified by the Coast Guard Office of Work-Life Programs.

(3) **FOR OFFICIAL USE ONLY.**—A report under this section shall be intended for official use only and shall not be distributed beyond the requirements listed above.

(d) **REGULATIONS.**—Not later than 180 days after enactment, The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall prescribe regulations to carry out this section.

**SEC. 546. AMENDMENT TO MANUAL FOR COURTS-MARTIAL TO ELIMINATE CONSIDERATIONS RELATING TO CHARACTER AND MILITARY SERVICE OF ACCUSED IN INITIAL DISPOSITION OF SEX-RELATED OFFENSES.**

(a) **AMENDMENT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the President a proposed amendment to rule 306 of the Manual for Courts-Martial (relating to policy on initial disposition of offenses) to eliminate the character and military service of the accused from the list of factors that may be considered by the disposition authority in disposing of a sex-related offense.

(b) **SEX-RELATED OFFENSE DEFINED.**—In this section, a “sex-related offense” includes—

(1) any offense covered by section 920, 920a, 920b, 920c, or 925 of title 10, United States Code (article 120, 120a, 120b, 120c, or 125 of the Uniform Code of Military Justice); or

(2) an attempt to commit an offense specified in a paragraph (1) as punishable under section 880 of such title (article 80 of the Uniform Code of Military Justice).

**SEC. 547. INCLUSION OF LETTER OF REPRIMANDS, NONPUNITIVE LETTER OF REPRIMANDS AND COUNSELING STATEMENTS.**

(a) **INCLUSION IN PERFORMANCE EVALUATION REPORTS.**—The Secretary of Defense shall require commanders to include letter of reprimands, nonpunitive letter of actions and counseling statements involving substantiated cases of sexual harassment or sexual assault in the performance evaluation report of a member of the Armed Forces for the purpose of—

(1) providing commanders increased visibility of the background information of members of the unit;

(2) identifying and preventing trends of bad behavior early and effectively disciplining repeated actions which hinder units from fostering a healthy climate; and

(3) preventing the transfer of sexual offenders.

(b) **DEFINITIONS.**—In this section:

(1) The term “sexual harassment” has the meaning given such term in Department of Defense Directive 1350.2, Department of Defense Military Equal Opportunity Program.

(2) The term “sexual assault” means any of the offenses described in section 920 of title 10, United States Code (article 120 of the Uniform Code of Military Justice).

**SEC. 548. ENHANCED PROTECTIONS FOR PROSPECTIVE MEMBERS AND NEW MEMBERS OF THE ARMED FORCES DURING ENTRY-LEVEL PROCESSING AND TRAINING.**

(a) **DEFINING INAPPROPRIATE AND PROHIBITED RELATIONSHIPS, COMMUNICATION, CONDUCT, AND CONTACT BETWEEN CERTAIN MEMBERS.**—

(1) **POLICY REQUIRED.**—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall establish and maintain a policy to uniformly define and prescribe, for the persons described in paragraph (2), what constitutes an inappropriate and prohibited relationship, communication, conduct, or contact, including when such an action is consensual, between a member of the Armed Forces described in paragraph (2)(A) and a prospective member or member of the Armed Forces described in paragraph (2)(B).

(2) **COVERED MEMBERS.**—The policy required by paragraph (1) shall apply to—

(A) a member of the Armed Forces who is superior in rank to, exercises authority or control over, or supervises a person described in subparagraph (B) during the entry-level processing or training of the person; and

(B) a prospective member of the Armed Forces or a member of the Armed Forces undergoing entry-level processing or training.

(3) **INCLUSION OF CERTAIN MEMBERS REQUIRED.**—The members of the Armed Forces covered by paragraph (2)(A) shall include, at a minimum, military personnel assigned or attached to duty—

(A) for the purpose of recruiting or assessing persons for enlistment or appointment as a commissioned officer, warrant officer, or enlisted member of the Armed Forces;

(B) at a Military Entrance Processing Station; or

(C) at an entry-level training facility or school of an Armed Force.

(b) **EFFECT OF VIOLATIONS.**—A member of the Armed Forces who violates the policy established pursuant to subsection (a) shall be subject to prosecution under the Uniform Code of Military Justice.

(c) **PROCESSING FOR ADMINISTRATIVE SEPARATION.**—

(1) **IN GENERAL.**—(A) The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall require the processing for administrative separation of any member of the Armed Forces described in subsection (a)(2)(A) in response to the first substantiated violation by the member of the policy established pursuant to subsection (a), when the member is not otherwise punively discharged or dismissed from the Armed Forces for that violation.

(B) The Secretary of each military department shall revise regulations applicable to the Armed Forces under the jurisdiction of the Secretary as necessary to ensure compliance with the requirement under subparagraph (A).

(2) **REQUIRED ELEMENTS.**—(A) In imposing the requirement under paragraph (1), the Secretaries shall ensure that any separation decision regarding a member of the Armed Forces is based on the full facts of the case and that due process procedures are provided under existing law or regulations or additionally prescribed, as considered necessary by the Secretaries, pursuant to subsection (f).

(B) The requirement imposed by paragraph (1) shall not be interpreted to limit or alter the authority of the Secretary of a military department and the Secretary of the Department in which the Coast Guard is operating to process members of the Armed Forces for administrative separation—

(i) for reasons other than a substantiated violation of the policy established pursuant to subsection (a); or

(ii) under other provisions of law or regulation.

(3) **SUBSTANTIATED VIOLATION.**—For purposes of paragraph (1), a violation by a member of the Armed Forces described in subsection (a)(2)(A) of the policy established pursuant to subsection (a) shall be treated as substantiated if—

(A) there has been a court-martial conviction for violation of the policy, but the adjudged sentence does not include discharge or dismissal; or

(B) a nonjudicial punishment authority under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice) has determined that a member has committed an offense in violation of the policy and imposed nonjudicial punishment upon the member.

(d) **PROPOSED UNIFORM CODE OF MILITARY JUSTICE PUNITIVE ARTICLE.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives—

(1) a proposed amendment to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) to create an additional article under subchapter X of such chapter regarding violations of the policy required by subsection (a); and

(2) the conforming changes to part IV, punitive articles, in the Manual for Courts-Martial that will be necessary upon adoption of such article.

(e) **DEFINITIONS.**—In this section:

(1) The term “entry-level processing or training”, with respect to a member of the Armed Forces, means the period beginning on the date on which the member became a member of the Armed Forces and ending on the date on which the member physically arrives at that member’s first duty assignment following completion of initial entry training (or its equivalent), as defined by the Secretary of the military department concerned or the Secretary of the Department in which the Coast Guard is operating.

(2) The term “prospective member of the Armed Forces” means a person who has had a face-to-face meeting with a member of the Armed Forces assigned or attached to duty described in subsection (a)(3)(A) regarding becoming a member of the Armed Forces, regardless of whether the person eventually becomes a member of the Armed Forces.

(f) **REGULATIONS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall issue such regulations as may be necessary to carry out this section. The Secretary of Defense shall ensure that, to the extent practicable, the regulations are uniform for each armed force under the jurisdiction of that Secretary.

**SEC. 549. INDEPENDENT REVIEWS AND ASSESSMENTS OF UNIFORM CODE OF MILITARY JUSTICE AND JUDICIAL PROCEEDINGS OF SEXUAL ASSAULT CASES.**

(a) **ADDITIONAL DUTIES FOR RESPONSE SYSTEMS PANEL REGARDING DISPOSITION AUTHORITY.**—

(1) **IN GENERAL.**—The independent panel established by the Secretary of Defense under subsection (a)(1) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1758) shall—

(A) conduct an assessment of the impact, if any, that removing from the chain of command any disposition authority regarding charges preferred under the Uniform Code of Military Justice would have on overall reporting and prosecution of sexual assault cases; and

(B) review and provide comment on the report of the Secretary of Defense on the role of military commanders in the military justice process, which is required pursuant to section 538 of this Act.

(2) **SUBMISSION OF RESULTS.**—The panel shall include the results of the assessment and review and its recommendations and comments in the report required by subsection (c)(1) of such section 576, as amended by subsection (b) of this section.

(b) **EARLIER SUBMISSION DEADLINE FOR REPORT OF THE RESPONSE SYSTEMS PANEL.**—Subsection (c) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1758) is amended by striking paragraph (1) and inserting the following new paragraph:

“(1) **RESPONSE SYSTEMS PANEL.**—Not later than one year after the date of the first meeting of the panel established under subsection (a)(1), the panel shall submit a report of its findings and recommendations, through the Secretary of Defense, to the Committees on Armed Services of the Senate and the House of Representatives. The panel shall terminate 30 days after submission of such report.”.

**SEC. 550. REVIEW OF THE OFFICE OF DIVERSITY MANAGEMENT AND EQUAL OPPORTUNITY ROLE IN SEXUAL HARASSMENT CASES.**

(a) **REVIEW REQUIRED.**—The Secretary of Defense shall conduct a review of the Office of Diversity Management and Equal Opportunity for the purposes specified in subsection (b).

(b) **ELEMENTS OF STUDY.**—In conducting the review under subsection (a), the Secretary of Defense shall—

(1) identify and evaluate the resource and personnel gaps in the Office;

(2) identify and evaluate the role of the Office in sexual harassment cases; and

(3) evaluate how the Office works with the Sexual Assault Prevention and Response Office to address sexual harassment in the Armed Forces.

(c) **DEFINITION.**—In this section, the term “sexual harassment” has the meaning given such term in Department of Defense Directive 1350.2, Department of Defense Military Equal Opportunity Program.

**Subtitle E—Military Family Readiness**

**SEC. 551. DEPARTMENT OF DEFENSE RECOGNITION OF SPOUSES OF MEMBERS OF THE ARMED FORCES WHO SERVE IN COMBAT ZONES.**

(a) **ESTABLISHMENT AND PRESENTATION OF LAPEL BUTTONS.**—Chapter 57 of title 10, United States Code, is amended by inserting after section 1126 the following new section:

**“§ 1126a. Spouse-of-a-combat-veteran lapel button: eligibility and presentation**

“(a) **DESIGN AND ELIGIBILITY.**—A lapel button, to be known as the spouse-of-a-combat-veteran lapel button, shall be designed, as approved by the Secretary of Defense, to identify and recognize the spouse of a member of the armed forces who is serving or has served in a combat zone for a period of more than 30 days.

“(b) **PRESENTATION.**—The Secretary concerned may authorize the use of appropriated funds to procure spouse-of-a-combat-veteran lapel buttons and to provide for their presentation to eligible spouses of members.

“(c) **EXCEPTION TO TIME-PERIOD REQUIREMENT.**—The 30-day period specified in subsection (a) does not apply if the member is killed or wounded in the combat zone before the expiration of the period.

“(d) **LICENSE TO MANUFACTURE AND SELL LAPEL BUTTONS.**—Section 901(c) of title 36 shall apply with respect to the spouse-of-a-combat-veteran lapel button authorized by this section.

“(e) **COMBAT ZONE DEFINED.**—In this section, the term ‘combat zone’ has the meaning given that term in section 112(c)(2) of the Internal Revenue Code of 1986.

“(f) **REGULATIONS.**—The Secretary of Defense shall issue such regulations as may be necessary to carry out this section. The Secretary shall ensure that the regulations are uniform for each armed force to the extent practicable.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1126 the following new item:

“1126a. Spouse-of-a-combat-veteran lapel button: eligibility and presentation.”.

(c) **SENSE OF CONGRESS REGARDING IMPLEMENTATION.**—It is the sense of Congress that, as soon as practicable once the spouse-of-a-combat-veteran lapel button becomes available, the Secretary of Defense should—

(1) widely announce the availability of spouse-of-a-combat-veteran lapel buttons through military and public information channels; and

(2) encourage commanders at all levels to conduct ceremonies recognizing the support provided by spouses of members of the Armed Forces and to use the ceremonies as an opportunity for members to present their spouses with a spouse-of-a-combat-veteran lapel button.

**SEC. 552. PROTECTION OF CHILD CUSTODY ARRANGEMENTS FOR PARENTS WHO ARE MEMBERS OF THE ARMED FORCES.**

(a) **CHILD CUSTODY PROTECTION.**—Title II of the Servicemembers Civil Relief Act (50 U.S.C. App. 521 et seq.) is amended by adding at the end the following new section:

**“SEC. 208. CHILD CUSTODY PROTECTION.**

“(a) **RESTRICTION ON TEMPORARY CUSTODY ORDER.**—If a court renders a temporary order for custodial responsibility for a child based solely on a deployment or anticipated deployment of a parent who is a servicemember, then the court shall require that, upon the return of the servicemember from deployment, the custody order that was in effect immediately preceding the temporary order shall be reinstated, unless the court finds that such a reinstatement is not in the best interest of the child, except that any such finding shall be subject to subsection (b).

“(b) **LIMITATION ON CONSIDERATION OF MEMBER’S DEPLOYMENT IN DETERMINATION OF CHILD’S BEST INTEREST.**—If a motion or a petition is filed seeking a permanent order to modify the custody of the child of a servicemember, no court may consider the absence of the servicemember by reason of deployment, or the possibility of deployment, as the sole factor in determining the best interest of the child.

“(c) **NO FEDERAL JURISDICTION OR RIGHT OF ACTION OR REMOVAL.**—Nothing in this section shall create a Federal right of action or otherwise give rise to Federal jurisdiction or create a right of removal.

“(d) **PREEMPTION.**—In any case where State law applicable to a child custody proceeding involving a temporary order as contemplated in this section provides a higher standard of protection to the rights of the parent who is a deploying servicemember than the rights provided under this section with respect to such temporary order, the appropriate court shall apply the higher State standard.

“(e) **DEPLOYMENT DEFINED.**—In this section, the term ‘deployment’ means the movement or mobilization of a servicemember to a location for a period of longer than 60 days and not longer than 540 days pursuant to temporary or permanent official orders—

“(1) that are designated as unaccompanied; or

“(2) for which dependent travel is not authorized; or

“(3) that otherwise do not permit the movement of family members to that location.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of such Act is amended by adding at the end of the items relating to title II the following new item:

“208. Child custody protection.”.

**SEC. 553. TREATMENT OF RELOCATION OF MEMBERS OF THE ARMED FORCES FOR ACTIVE DUTY FOR PURPOSES OF MORTGAGE REFINANCING.**

(a) **IN GENERAL.**—Title III of the Servicemembers Civil Relief Act is amended by inserting after section 303 (50 U.S.C. App. 533) the following new section:

**“SEC. 303A. TREATMENT OF RELOCATION OF SERVICEMEMBERS FOR ACTIVE DUTY FOR PURPOSES OF MORTGAGE REFINANCING.**

“(a) **TREATMENT OF ABSENCE FROM RESIDENCE DUE TO ACTIVE DUTY.**—While a servicemember who is the mortgagor under an existing mortgage does not reside in the residence that secures the existing mortgage because of a relocation described in subsection (c)(1)(B), if the servicemember inquires about or applies for a covered refinancing mortgage, the servicemember shall be considered, for all purposes relating to the covered refinancing mortgage (including such inquiry or application and eligibility for, and compliance with, any underwriting criteria and standards regarding such covered refinancing mortgage) to occupy the residence that secures the existing mortgage to be paid or prepaid by such covered refinancing mortgage as the principal residence of the servicemember during the period of such relocation.

“(b) **LIMITATION.**—Subsection (a) shall not apply with respect to a servicemember who inquires about or applies for a covered refinancing mortgage if, during the 5-year period preceding the date of such inquiry or application, the servicemember entered into a covered refinancing mortgage pursuant to this section.

“(c) **DEFINITIONS.**—In this section:

“(1) **EXISTING MORTGAGE.**—The term ‘existing mortgage’ means a mortgage that is secured by a 1- to 4-family residence, including a condominium or a share in a cooperative ownership housing association, that was the principal residence of a servicemember for a period that—

“(A) had a duration of 13 consecutive months or longer; and

“(B) ended upon the relocation of the servicemember caused by the servicemember receiving military orders for a permanent change of station or to deploy with a military unit, or as an individual in support of a military operation, for a period of not less than 18 months that did not allow the servicemember to continue to occupy such residence as a principal residence.

“(2) **COVERED REFINANCING MORTGAGE.**—The term ‘covered refinancing mortgage’ means any mortgage that—

“(A) is made for the purpose of paying or repaying, and extinguishing, the outstanding obligations under an existing mortgage or mortgages; and

“(B) is secured by the same residence that secured such existing mortgage or mortgages.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 303 the following new item:

“303A. Treatment of relocation of servicemembers for active duty for purposes of mortgage refinancing.”.

**SEC. 554. FAMILY SUPPORT PROGRAMS FOR IMMEDIATE FAMILY MEMBERS OF MEMBERS OF THE ARMED FORCES ASSIGNED TO SPECIAL OPERATIONS FORCES.**

(a) **PILOT PROGRAMS AUTHORIZED.**—Consistent with such regulations as the Secretary of Defense may prescribe to carry out this section, the Commander of the United States Special Operations Command may conduct up to three pilot programs to assess the feasibility and benefits of providing family support activities for the immediate family members of members of the Armed Forces assigned to special operations forces.

(b) **SELECTION OF PROGRAMS.**—In selecting the pilot programs to be conducted under subsection (a), the Commander shall—

(1) identify family support activities that have a direct and concrete impact on the readiness of special operations forces, but that are not being provided to the immediate family members of

members of the Armed Forces assigned to special operations forces by the Secretary of a military department; and

(2) conduct a cost-benefit analysis of each family support activity proposed to be included in a pilot program.

(c) **EVALUATION.**—The Commander shall develop outcome measurements to evaluate the success of each family support activity included in a pilot program under subsection (a).

(d) **ADDITIONAL AUTHORITY.**—The Commander may expend up to \$5,000,000 during each fiscal year specified in subsection (f) to carry out the pilot programs under subsection (a).

(e) **DEFINITIONS.**—In this section:

(1) The term “Commander” means the Commander of the United States Special Operations Command.

(2) The term “immediate family members” has the meaning given that term in section 1789(c) of title 10, United States Code.

(3) The term “special operations forces” means those forces of the Armed Forces identified as special operations forces under section 167(f) of such title.

(f) **DURATION OF PILOT PROGRAM AUTHORITY.**—The authority provided by subsection (a) is available to the Commander during fiscal years 2014 through 2016.

(g) **REPORT.**—Not later than 180 days after completing a pilot program under subsection (a), the Commander shall submit to the congressional defense committees a report describing the results of the pilot program.

**Subtitle F—Education and Training Opportunities and Wellness**

**SEC. 561. INCLUSION OF FREELY ASSOCIATED STATES WITHIN SCOPE OF JUNIOR RESERVE OFFICERS’ TRAINING CORPS PROGRAM.**

Section 2031(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) If a secondary educational institution in the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau otherwise meets the conditions imposed by subsection (b) on the establishment and maintenance of units of the Junior Reserve Officers’ Training Corps, the Secretary of a military department may establish and maintain a unit of the Junior Reserve Officers’ Training Corps at the secondary educational institution even though the secondary educational institution is not a United States secondary educational institution.”.

**SEC. 562. IMPROVED CLIMATE ASSESSMENTS AND DISSEMINATION AND TRACKING OF RESULTS.**

(a) **IMPROVED DISSEMINATION OF RESULTS IN CHAIN OF COMMAND.**—The Secretary of Defense shall ensure that the results of command climate assessments are provided to the relevant individual commander and to the next higher level of command.

(b) **PERFORMANCE TRACKING.**—

(1) **EVIDENCE OF COMPLIANCE.**—The Secretary of each military department shall include in the performance evaluations and assessments used by each Armed Force under the jurisdiction of the Secretary a designated form where senior commanders can indicate whether the commander has conducted the required climate assessments.

(2) **EFFECT OF FAILURE TO CONDUCT ASSESSMENT.**—If a commander is found to not have conducted the required climate assessments, the failure shall be noted in the commander’s performance evaluation and be considered a serious factor during consideration for any subsequent promotion.

(c) **TRACKING SYSTEM.**—The Inspector General of the Department of Defense shall develop a system to track whether commanders are conducting command climate assessments.

(d) **UNIT COMPLIANCE REPORTS.**—Working with the Inspector General of the Department of Defense, unit commanders shall gather all the climate assessments from the unit and develop a compliance report that, at a minimum, shall include the following:

(1) A comprehensive overview of the concerns members of the unit expressed in the climate assessments.

(2) Data showing how leadership is perceived in the unit.

(3) A detailed strategic plan on how leadership plans to address the expressed concerns.

**SEC. 563. SERVICE-WIDE 360 ASSESSMENTS.**

(a) **ADOPTION OF 360-DEGREE APPROACH.**—The Secretary of each military department shall develop an assessment program modeled after the current Department of the Army Multi-Source Assessment and Feedback (MSAF) Program, known in this section as the “360-degree approach”.

(b) **REPORT ON INCLUSION IN PERFORMANCE EVALUATION REPORTS.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the results of an assessment of the feasibility of including the 360-degree approach as part of the performance evaluation reports.

(c) **INDIVIDUAL COUNSELING.**—The Secretary of each military department shall include individual counseling as part of the performance evaluation process.

**SEC. 564. HEALTH WELFARE INSPECTIONS.**

The Secretary of each military department shall conduct health welfare inspections on a monthly basis in order to ensure and maintain security, military readiness, good order, and discipline of all units of the Armed Forces under the jurisdiction of the Secretary. Results of the Health Welfare Inspections shall be provided to both the commander and senior commander.

**SEC. 565. REVIEW OF SECURITY OF MILITARY INSTALLATIONS, INCLUDING BARRACKS AND MULTI-FAMILY RESIDENCES.**

(a) **REVIEW OF SECURITY MEASURES.**—The Secretary of Defense shall conduct a review of security measures on United States military installations, specifically with regard to barracks and multi-family residences on military installations, for the purpose of ensuring the safety of members of the Armed Forces and their dependents who reside on military installations.

(b) **ELEMENTS OF STUDY.**—In conducting the review under subsection (a), the Secretary of Defense shall—

(1) identify security gaps on military installations; and

(2) evaluate the feasibility and effectiveness of using 24-hour electronic monitoring or placing security personnel at all points of entry into barracks and multi-family residences on military installation.

(c) **SUBMISSION OF RESULTS.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the results of the study conducted under subsection (a), including an estimate of the costs—

(1) to eliminate all security gaps identified under subsection (b)(1); and

(2) to provide 24-hour security monitoring as evaluated under subsection (b)(2).

**SEC. 566. ENHANCEMENT OF MECHANISMS TO CORRELATE SKILLS AND TRAINING FOR MILITARY OCCUPATIONAL SPECIALTIES WITH SKILLS AND TRAINING REQUIRED FOR CIVILIAN CERTIFICATIONS AND LICENSES.**

(a) **IMPROVEMENT OF INFORMATION AVAILABLE TO MEMBERS OF THE ARMED FORCES ABOUT CORRELATION.**—

(1) **IN GENERAL.**—The Secretaries of the military departments, in coordination with the

Under Secretary of Defense for Personnel and Readiness, shall, to the maximum extent practicable, make information on civilian credentialing opportunities available to members of the Armed Forces beginning with, and at every stage of, training of members for military occupational specialties, in order to permit members—

(A) to evaluate the extent to which such training correlates with the skills and training required in connection with various civilian certifications and licenses; and

(B) to assess the suitability of such training for obtaining or pursuing such civilian certifications and licenses.

(2) **COORDINATION WITH TRANSITION GOALS PLANS SUCCESS PROGRAM.**—Information shall be made available under paragraph (1) in a manner consistent with the Transition Goals Plans Success (GPS) program.

(3) **TYPES OF INFORMATION.**—The information made available under paragraph (1) shall include, but not be limited to, the following:

(A) Information on the civilian occupational equivalents of military occupational specialties (MOS).

(B) Information on civilian license or certification requirements, including examination requirements.

(C) Information on the availability and opportunities for use of educational benefits available to members of the Armed Forces, as appropriate, corresponding training, or continuing education that leads to a certification exam in order to provide a pathway to credentialing opportunities.

(4) **USE AND ADAPTATION OF CERTAIN PROGRAMS.**—In making information available under paragraph (1), the Secretaries of the military departments may use and adapt appropriate portions of the Credentialing Opportunities On-Line (COOL) programs of the Army and the Navy and the Credentialing and Educational Research Tool (CERT) of the Air Force.

(b) **IMPROVEMENT OF ACCESS OF ACCREDITED CIVILIAN CREDENTIALING AGENCIES TO MILITARY TRAINING CONTENT.**—

(1) **IN GENERAL.**—The Secretaries of the military departments, in coordination with the Under Secretary of Defense for Personnel and Readiness, shall, to the maximum extent practicable consistent with national security requirements, make available to accredited civilian credentialing agencies that issue certifications or licenses, upon request of such agencies, information such as military course training curricula, syllabi, and materials, levels of military advancement attained, and professional skills developed.

(2) **CENTRAL REPOSITORY.**—The actions taken pursuant to paragraph (1) may include the establishment of a central repository of information on training and training materials provided members in connection with military occupational specialties that is readily accessible by accredited civilian credentialing agencies described in that paragraph in order to meet requests described in that paragraph.

#### **SEC. 567. USE OF EDUCATIONAL ASSISTANCE FOR COURSES IN PURSUIT OF CIVILIAN CERTIFICATIONS OR LICENSES.**

(a) **COURSES UNDER DEPARTMENT OF DEFENSE EDUCATIONAL ASSISTANCE AUTHORITIES.**—

(1) **IN GENERAL.**—Chapter 101 of title 10, United States Code, is amended by inserting after section 2015 the following new section:

##### **“§2015a. Civilian certifications and licenses: use of educational assistance for courses in pursuit of civilian certifications or licenses**

“(a) **LIMITATION ON USE OF ASSISTANCE.**—In the case of a member of the armed forces who is enrolled in an educational institution in a State for purposes of obtaining employment in an occupation or profession requiring the approval or

licensure of a board or agency of that State, educational assistance specified in subsection (b) may be used by the member for a course offered by the educational institution that is a required element of the curriculum to be satisfied to obtain employment in that occupation or profession only if—

“(1) the successful completion of the curriculum fully qualifies a student to—

“(A) take any examination required for entry into the occupation or profession, including satisfying any State or professionally mandated programmatic and specialized accreditation requirements; and

“(B) be certified or licensed or meet any other academically related pre-conditions that are required for entry into the occupation or profession; and

“(2) in the case of State licensing or professionally mandated requirements for entry into the occupation or profession that require specialized accreditation, the curriculum meets the requirement for specialized accreditation through its accreditation or pre-accreditation by an accrediting agency or association recognized by the Secretary of Education or designated by that State as a reliable authority as to the quality or training offered by the institution in that program.

“(b) **COVERED EDUCATIONAL ASSISTANCE.**—The educational assistance specified in this subsection is educational assistance as follows:

“(1) Educational assistance for members of the armed forces under section 2007 and 2015 of this title.

“(2) Educational assistance for persons enlisting for active duty under chapter 106A of this title.

“(3) Educational assistance for members of the armed forces held as captives under section 2183 of this title.

“(4) Educational assistance for members of the Selected Reserve under chapter 1606 of this title.

“(5) Educational assistance for reserve component members supporting contingency operations and other operations under chapter 1607 of this title.

“(6) Such other educational assistance provided members of the armed force under the laws administered by the Secretary of Defense or the Secretaries of the military departments as the Secretary of Defense shall designate for purposes of this section.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2015 the following new item:

“2015a. Civilian certifications and licenses: use of educational assistance for courses in pursuit of civilian certifications or licenses.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on August 1, 2014, and shall apply with respect to courses pursued on or after that date.

#### **Subtitle G—Defense Dependents’ Education**

#### **SEC. 571. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.**

(a) **ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.**—Of the amount authorized to be appropriated for fiscal year 2014 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$20,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 20 U.S.C. 7703b).

(b) **ASSISTANCE TO SCHOOLS WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.**—

(1) **EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE.**—Section 572(b)(4) of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7703b(b)(4)) is amended by striking “September 30, 2014” and inserting “September 30, 2015”.

(2) **AMOUNT OF ASSISTANCE AUTHORIZED.**—Of the amount authorized to be appropriated for fiscal year 2014 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$5,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (b) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7703b).

(c) **LOCAL EDUCATIONAL AGENCY DEFINED.**—In this section, the term “local educational agency” has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

#### **SEC. 572. SUPPORT FOR EFFORTS TO IMPROVE ACADEMIC ACHIEVEMENT AND TRANSITION OF MILITARY DEPENDENT STUDENTS.**

The Secretary of Defense may make grants to nonprofit organizations that provide services to improve the academic achievement of military dependent students, including those nonprofit organizations whose programs focus on improving the civic responsibility of military dependent students and their understanding of the Federal Government through direct exposure to the operations of the Federal Government.

#### **SEC. 573. TREATMENT OF TUITION PAYMENTS RECEIVED FOR VIRTUAL ELEMENTARY AND SECONDARY EDUCATION COMPONENT OF DEPARTMENT OF DEFENSE EDUCATION PROGRAM.**

(a) **CREDITING OF PAYMENTS.**—Section 2164(l) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) Any payments received by the Secretary of Defense under this subsection shall be credited to the account designated by the Secretary for the operation of the virtual educational program under this subsection. Payments so credited shall be merged with other funds in the account and shall be available, to the extent provided in advance in appropriation Acts, for the same purposes and the same period as other funds in the account.”.

(b) **APPLICATION OF AMENDMENT.**—The amendment made by subsection (a) shall apply only with respect to tuition payments received under section 2164(l) of title 10, United States Code, for enrollments authorized by such section, after the date of the enactment of this Act, in the virtual elementary and secondary education program of the Department of Defense education program.

#### **Subtitle H—Decorations and Awards**

#### **SEC. 581. FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.**

(a) **IN GENERAL.**—Section 704 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “wears,”; and

(2) so that subsection (b) reads as follows:

“(b) **FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.**—Whoever, with intent to obtain money, property, or other tangible benefit, fraudulently holds oneself out to be a recipient of a decoration or medal described in subsection (c)(2) or (d) shall be fined under this title, imprisoned not more than one year, or both.”.

(b) **ADDITION OF CERTAIN OTHER MEDALS.**—Section 704(d) of title 18, United States Code, is amended—

(1) by striking “If a decoration” and inserting the following:

“(1) IN GENERAL.—If a decoration”;

(2) by inserting “a combat badge,” after “1129 of title 10.”; and

(3) by adding at the end the following new paragraph:

“(2) COMBAT BADGE DEFINED.—In this subsection, the term ‘combat badge’ means a Combat Infantryman’s Badge, Combat Action Badge, Combat Medical Badge, Combat Action Ribbon, or Combat Action Medal.”.

(c) CONFORMING AMENDMENT.—Section 704 of title 18, United States Code, is amended in each of subsections (c)(1) and (d) by striking “or (b)”.

**SEC. 582. REPEAL OF LIMITATION ON NUMBER OF MEDALS OF HONOR THAT MAY BE AWARDED TO THE SAME MEMBER OF THE ARMED FORCES.**

(a) ARMY.—Section 3744(a) of title 10, United States Code, is amended by striking “medal of honor, distinguished-service cross,” and inserting “distinguished-service cross”.

(b) NAVY AND MARINE CORPS.—Section 6247 of title 10, United States Code, is amended by striking “medal of honor.”.

(c) AIR FORCE.—Section 8744(a) of title 10, United States Code, is amended by striking “medal of honor, Air Force cross,” and inserting “Air Force Cross”.

**SEC. 583. STANDARDIZATION OF TIME-LIMITS FOR RECOMMENDING AND AWARDING MEDAL OF HONOR, DISTINGUISHED-SERVICE CROSS, NAVY CROSS, AIR FORCE CROSS, AND DISTINGUISHED-SERVICE MEDAL.**

(a) ARMY.—Section 3744(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “three years” and inserting “five years”; and

(2) in paragraph (2), by striking “two years” and inserting “three years”.

(b) AIR FORCE.—Section 8744(b) of such title is amended—

(1) in paragraph (1), by striking “three years” and inserting “five years”; and

(2) in paragraph (2), by striking “two years” and inserting “three years”.

**SEC. 584. RECODIFICATION AND REVISION OF ARMY, NAVY, AIR FORCE, AND COAST GUARD MEDAL OF HONOR ROLL REQUIREMENTS.**

(a) AUTOMATIC ENROLLMENT AND FURNISHING OF CERTIFICATE.—

(1) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1134 the following new section:

**“§1134a. Medal of honor: Army, Navy, Air Force, and Coast Guard Medal of Honor Roll**

“(a) ESTABLISHMENT.—There shall be in the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Department in which the Coast Guard is operating a roll designated as the ‘Army, Navy, Air Force, and Coast Guard Medal of Honor Roll’.

“(b) ENROLLMENT.—The Secretary concerned shall enter and record on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll the name of each person who has served on active duty in the armed forces and who has been awarded a medal of honor pursuant to section 3741, 6241, or 8741 of this title or section 491 of title 14.

“(c) ISSUANCE OF ENROLLMENT CERTIFICATE.—Each living person whose name is entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll shall be issued a certificate of enrollment on the roll.

“(d) ENTITLEMENT TO SPECIAL PENSION; NOTICE TO SECRETARY OF VETERANS AFFAIRS.—The Secretary concerned shall deliver to the Secretary of Veterans Affairs a certified copy of each certificate of enrollment issued under sub-

section (c). The copy of the certificate shall authorize the Secretary of Veterans Affairs to pay the special pension provided by section 1562 of title 38 to the person named in the certificate.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1134 the following new item:

“1134a. Medal of honor: Army, Navy, Air Force, and Coast Guard Medal of Honor Roll.”.

(b) SPECIAL PENSION.—

(1) AUTOMATIC ENTITLEMENT.—Subsection (a) of section 1562 of title 38, United States Code, is amended—

(A) by striking “each person” and inserting “each living person”;

(B) by striking “Honor roll” and inserting “Honor Roll”;

(C) by striking “subsection (c) of section 1561 of this title” and inserting “subsection (d) of section 1134a of title 10”; and

(D) by striking “date of application therefor under section 1560 of this title” and inserting “date on which the person’s name is entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll under subsection (b) of such section”.

(2) ELECTION TO DECLINE SPECIAL PENSION.—Such section is further amended by adding at the end the following new subsection:

“(g)(1) A person who is entitled to special pension under subsection (a) may elect not to receive special pension by notifying the Secretary of such election in writing.

“(2) Upon receipt of an election made by a person under paragraph (1) not to receive special pension, the Secretary shall cease payments of special pension to the person.”.

(c) CONFORMING AMENDMENTS.—

(1) REPEAL OF RECODIFIED PROVISIONS.—Sections 1560 and 1561 of title 38, United States Code, are repealed.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 15 of such title is amended by striking the items relating to sections 1560 and 1561.

(d) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply with respect to Medals of Honor awarded on or after the date of the enactment of this Act.

**SEC. 585. TREATMENT OF VICTIMS OF THE ATTACKS AT RECRUITING STATION IN LITTLE ROCK, ARKANSAS, AND AT FORT HOOD, TEXAS.**

(a) AWARD OF PURPLE HEART REQUIRED.—The Secretary of the military department concerned shall award the Purple Heart to the members of the Armed Forces who were killed or wounded in the attacks that occurred at the recruiting station in Little Rock, Arkansas, on June 1, 2009, and at Fort Hood, Texas, on November 5, 2009.

(b) EXCEPTION.—This section shall not apply to a member of the Armed Forces whose death or wound in an attack described in subsection (a) was the result of the willful misconduct of the member.

**SEC. 586. RETROACTIVE AWARD OF ARMY COMBAT ACTION BADGE.**

(a) AUTHORITY TO AWARD.—The Secretary of the Army may award the Army Combat Action Badge (established by order of the Secretary of the Army through Headquarters, Department of the Army Letter 600–05–1, dated June 3, 2005) to a person who, while a member of the Army, participated in combat during which the person personally engaged, or was personally engaged by, the enemy at any time during the period beginning on December 7, 1941, and ending on September 18, 2001 (the date of the otherwise applicable limitation on retroactivity for the award of such decoration), if the Secretary determines that the person has not been previously recog-

nized in an appropriate manner for such participation.

(b) PROCUREMENT OF BADGE.—The Secretary of the Army may make arrangements with suppliers of the Army Combat Action Badge so that eligible recipients of the Army Combat Action Badge pursuant to subsection (a) may procure the badge directly from suppliers, thereby eliminating or at least substantially reducing administrative costs for the Army to carry out this section.

**SEC. 587. REPORT ON NAVY REVIEW, FINDINGS, AND ACTIONS PERTAINING TO MEDAL OF HONOR NOMINATION OF MARINE CORPS SERGEANT RAFAEL PERALTA.**

Not later than 30 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and House of Representatives a report describing the Navy review, findings, and actions pertaining to the Medal of Honor nomination of Marine Corps Sergeant Rafael Peralta. The report shall account for all evidence submitted with regard to the case.

**SEC. 588. AUTHORIZATION FOR AWARD OF THE DISTINGUISHED-SERVICE CROSS TO SERGEANT FIRST CLASS ROBERT F. KEISER FOR ACTS OF VALOR DURING THE KOREAN WAR.**

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 3144 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army is authorized and requested to award the Distinguished-Service Cross under section 3742 of such title to Sergeant First Class Robert F. Keiser for the acts of valor referred to in subsection (b) during the Korean War.

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Robert F. Keiser’s on November 30, 1950, as a member of the 2d Military Police Company, 2d Infantry Division, United States Army, during the Division’s successful withdrawal from the Kunuri-Sunchon Pass.

**Subtitle I—Other Matters**

**SEC. 591. REVISION OF SPECIFIED SENIOR MILITARY COLLEGES TO REFLECT CONSOLIDATION OF NORTH GEORGIA COLLEGE AND STATE UNIVERSITY AND GAINESVILLE STATE COLLEGE.**

Paragraph (6) of section 2111a(f) of title 10, United States Code, is amended to read as follows:

“(6) The University of North Georgia.”.

**SEC. 592. AUTHORITY TO ENTER INTO CONCESSIONS CONTRACTS AT ARMY NATIONAL MILITARY CEMETERIES.**

(a) IN GENERAL.—Chapter 446 of title 10, United States Code, is amended by adding at the end the following new section:

**“§4727. Cemetery concessions contracts**

“(a) CONTRACTS AUTHORIZED.—The Secretary of the Army may enter into a contract with an appropriate entity for the provision of transportation, interpretative, or other necessary or appropriate concession services to visitors at the Army National Military Cemeteries.

“(b) SPECIAL REQUIREMENTS.—(1) The Secretary of the Army shall establish and include in each concession contract such requirements as the Secretary determines are necessary to ensure the protection, dignity, and solemnity of the cemetery at which services are provided under the contract.

“(2) A concession contract shall not include operation of the gift shop at Arlington National Cemetery without the specific prior authorization by an Act of Congress.

“(c) TERM OF CONTRACTS.—(1) Except as provided in paragraph (2), a concession contract

may be awarded for a period of not more than 10 years.

“(2)(A) If the Secretary of the Army determines that the terms and conditions of a concession contract to be entered into under this section, including any required construction of capital improvements, warrant entering into the contract for a period of greater than 10 years, the Secretary may award the contract for a period of up to 20 years.

“(B) If a concession contract is intended solely for the provision of transportation services, the Secretary may enter into the contract for a period of not more than five years and may extend the period of the contract for one or more successive five-year periods pursuant to an option included in the contract or a modification of the contract. The aggregate period of any such contract, including extensions, may not exceed 10 years.

“(d) **FRANCHISE FEES.**—A concession contract shall provide for payment to the United States of a franchise fee or such other monetary consideration as determined by the Secretary of the Army. The Secretary shall ensure that the objective of generating revenue for the United States is subordinate to the objectives of honoring the service and sacrifices of the deceased members of the armed forces and of providing necessary and appropriate services for visitors to the Cemeteries at reasonable rates.

“(e) **SPECIAL ACCOUNT.**—All franchise fees (and other monetary consideration) collected by the United States under subsection (d) shall be deposited into a special account established in the Treasury of the United States. The funds deposited in such account shall be available for expenditure by the Secretary of the Army, to the extent authorized and in such amounts as are provided in advance in appropriations Acts, to support activities at the Cemeteries. The funds deposited into the account shall remain available until expended.

“(f) **CONCESSION CONTRACT DEFINED.**—In this section, the term ‘concession contract’ means a contract authorized and entered into under this section.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item: “4727. Cemetery concessions contracts.”

#### **SEC. 593. COMMISSION ON MILITARY BEHAVIORAL HEALTH AND DISCIPLINARY ISSUES.**

(a) **ESTABLISHMENT OF COMMISSION.**—There is established the Commission on Military Behavioral Health and Disciplinary Issues (in this section referred to as the “Commission”).

##### **(b) MEMBERSHIP.**

(1) **COMPOSITION.**—The Commission shall be composed of 10 members, of whom—

(A) two shall be appointed by the President;

(B) two shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) two shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) two shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(E) two shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) **APPOINTMENT DATE.**—The appointments of the members of the Commission shall be made not later than 30 days after the date of the enactment of this Act. If one or more appointments under a subparagraph of paragraph (1) is not made by such appointment date, the authority to make such appointment or appointments shall expire, and the number of members of the Commission shall be reduced by the number equal to the number of appointments not made.

(3) **EXPERTISE.**—In making appointments under this subsection, consideration should be

given to individuals with expertise in service-connected mental disorders, post-traumatic stress disorder (PTSD), traumatic brain injury (TBI), psychiatry, behavioral health, neurology, as well as disciplinary matters and military justice.

(4) **PERIOD OF APPOINTMENT; VACANCIES.**—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(5) **INITIAL MEETING.**—Not later than 30 days after the appointment date specified in paragraph (2), the Commission shall hold its first meeting.

(6) **MEETINGS.**—The Commission shall meet at the call of the Chair. A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(7) **CHAIR AND VICE CHAIRMAN.**—The Commission shall select a Chair and Vice Chair from among its members.

##### **(c) STUDY AND REPORT.**

(1) **STUDY REQUIRED.**—The Commission shall undertake a comprehensive study of whether—

(A) the Department of Defense mechanisms for disciplinary action adequately address the impact of service-connected mental disorders and TBI on the basis for the disciplinary action; and

(B) whether the disciplinary mechanisms should be revisited in light of new information regarding the connection between service-connected mental disorders and TBI, behavioral problems, and disciplinary action.

(2) **CONSIDERATIONS.**—In considering the Department of Defense mechanisms for disciplinary action, the Commission shall give particular consideration to evaluating a structure that examines those members diagnosed with or reasonably asserting post traumatic stress disorder or traumatic brain injury that have been deployed overseas in support of a contingency operation during the previous 24 months and how that injury or deployment may constitute matters in extenuation that relate to the basis for administrative separation under conditions other than honorable or the overall characterization of service of the member as other than honorable.

(3) **REPORT.**—Not later than June 30, 2014, the Commission shall submit to the President and the congressional defense committees a report containing a detailed statement of the findings and conclusions of the Commission as a result of the study required by this subsection, together with its recommendations for such legislation and administrative actions it may consider appropriate in light of the results of the study.

##### **(d) POWERS OF THE COMMISSION.**

(1) **HEARINGS.**—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this section.

(2) **INFORMATION FROM FEDERAL AGENCIES.**—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this section. Upon request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

##### **(e) COMMISSION PERSONNEL MATTERS.**

(1) **COMPENSATION OF MEMBERS.**—All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) **TRAVEL EXPENSES.**—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under sub-

chapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) **STAFF.**—The Chair of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel from as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission. The staff members should be officers or employees of the United States.

(f) **TERMINATION DATE.**—The Commission shall terminate 30 days after the date on which the Commission submits its report.

#### **SEC. 594. COMMISSION ON SERVICE TO THE NATION.**

(a) **ESTABLISHMENT.**—There is established a commission to be known as the “Commission on Service to the Nation”.

##### **(b) DUTIES.**

(1) **STUDY.**—The Commission shall carry out a study of the following:

(A) The effect of warfare, focusing on recent wars and conflicts, on members of the Armed Forces, the families of members, and the communities of members.

(B) The outgoing experience and transition between military and civilian life.

(C) The gaps between the military and those Americans who do not participate directly in the military community.

(2) **TESTIMONY AND RESEARCH.**—In carrying out the study under paragraph (1), the Commission shall—

(A) hear testimony from all aspects of military and civilian life, including public, private, individual and institutional stakeholders, with personal testimony, expert testimony, academic testimony, as well as testimony from association and community leaders, and other testimony as appropriate;

(B) hear and accept testimony in an open and public manner, accepting testimony in a wide variety of ways for each hearing, including submissions made through a public internet website, and testimony heard remotely if appropriate;

(C) retain the records of all hearings and artifacts of testimony for the purposes of historical documentation and research;

(D) assess the social, mental, and physical effects of war on active members of the Armed Forces, the families of members, and the communities of members and the preparation they receive for transitioning out of the military; and

(E) assess the existing academic and social science research and analysis on transition from active military to civilian life.

(3) **RECOMMENDATIONS.**—The Commission shall make recommendations, based on the analyses in subparagraphs (A) through (C) of paragraph (1), on how to better—

(A) support the transition to civilian life of a member of the Armed Forces;

(B) support the families and communities of the member; and

(C) better connect the military community and civilians.

(4) **WEBSITE.**—The Commission shall maintain an Internet website available to the public to—

(A) share the schedule of the Commission;

(B) notify the public of events;

(C) accept feedback; and

(D) post records of events and other information to inform the public in a manner consistent with the mission of the Commission.

##### **(c) COMPOSITION.**

(1) **MEMBERS.**—The Commission shall be composed of 15 members appointed as follows:

(A) Four members appointed by Majority Leader of the Senate, in consultation with the chairman of the Committee on Armed Services of the Senate.



(B) Four members appointed by the Speaker of the House of Representatives, in consultation with the chairman of the Committee on Armed Services of the House of Representatives.

(C) Two members appointed by the Minority Leader of the Senate, in consultation with the ranking minority member of the Committee on Armed Services of the Senate.

(D) Two members appointed by the Minority Leader of the House of Representatives, in consultation with the ranking minority member of the Committee on Armed Service of the House of Representatives.

(E) Three members appointed by the President.

(2) **QUALIFICATIONS.**—The members of the Commission shall be appointed from among persons who have knowledge and expertise in the following areas:

(A) The effects of war on members of the Armed Forces, their families, and society.

(B) The process of transitioning out of the Armed Forces.

(C) The resources available to members and their families as members transition out of the Armed Forces and into society.

(D) Personnel benefits, including healthcare and job training, available to members.

(E) Policy making and policy analysis.

(3) **SERVICE REQUIREMENT.**—Not less than one member of the Commission appointed under each of subparagraphs (A) through (E) of paragraph (1) shall have served in the Armed Forces.

(4) **DURATION AND VACANCIES.**—Members of the Commission shall be appointed for the life of the Commission. A vacancy in the membership of the Commission shall not affect the powers of the Commission, but shall be filled in the same manner as the original appointment.

(5) **CHAIRMAN.**—The President shall designate a member of the Commission to serve as chairman of the Commission.

(6) **DEADLINE FOR APPOINTMENT.**—The members shall be appointed by not later than 90 days after the date of the enactment of this Act

(d) **PROCEDURES.**—

(1) **INITIAL MEETING.**—The Commission shall hold its initial meeting not later than 30 days after the date on which all members of the Commission have been appointed.

(2) **MEETINGS.**—After the initial meeting under paragraph (1), the Commission shall meet at the call of the chairman.

(3) **QUORUM.**—Four members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(4) **PROCEDURE.**—The Commission shall act by resolution agreed to by a majority of the members of the Commission.

(5) **PANELS.**—The Commission may establish panels composed of less than the full membership of the Commission for the purpose of carrying out the Commission's duties. The actions of each such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(e) **COMPENSATION AND STAFF.**—

(1) **PAY.**—Each member of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for level IV of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without pay in addition to that received for their services as officers or employees of the United States.

(2) **TRAVEL EXPENSES.**—The members of the Commission shall be allowed travel expenses, in-

cluding per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) **EXECUTIVE DIRECTOR.**—The Commission shall appoint and fix the rate of basic pay for an Executive Director in accordance with section 3161 of title 5, United States Code.

(4) **STAFF.**—The Executive Director, with the approval of the Commission, may appoint and fix the rate of basic pay for additional personnel as staff of the Commission in accordance with section 3161 of title 5, United States Code.

(5) **DETAIL OF GOVERNMENT EMPLOYEES.**—Upon request of the chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its duties.

(f) **POWERS.**—

(1) **HEARINGS.**—For the purpose of carrying out this Act, the Commission (or on the authority of the Commission, any subcommittee or member) may hold such hearings and forums, and sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Commission considers appropriate. The Commission shall hold not less than one hearing in each State and the District of Columbia, and may hold hearings and forums in any commonwealth, territory, or possession of the United States as the Commission determines appropriate.

(2) **INFORMATION FROM FEDERAL AGENCIES.**—The Commission, or designated staff member, may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the chairman of the Commission, the chairman of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission, the head of that department or agency shall furnish that information to the Commission.

(3) **MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.**—The Secretary of Defense shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

(4) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

(5) **GIFTS.**—The Commission may accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of aiding or facilitating the work of the Commission. Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be deposited in the Treasury and shall be available for disbursement upon order of the chairman, vice chairman, or designee.

(g) **REPORTS.**—

(1) **INITIAL REPORT.**—Not later than 90 days after the initial meeting of the Commission, the Commission shall submit to the President, the Secretary of Defense, and the Committees on Armed Services of the Senate and the House of Representatives, and release to the public, a report setting forth—

(A) a strategic plan for the work of the Commission;

(B) a discussion of the activities of the Commission; and

(C) any initial findings of the Commission.

(2) **FINAL REPORT.**—Not later than 18 months after the initial meeting of the Commission, the

Commission shall submit to the President, the Secretary of Defense, and the Committees on Armed Services of the Senate and the House of Representatives, and release to the public, a final report. Such report shall include any recommendations developed under subsection (b)(3) that the Commission determines appropriate, including any recommended legislation, policies, regulations, directives, and practices.

(h) **TERMINATION.**—The Commission shall terminate 90 days after the date on which the final report is submitted under subsection (g)(2).

## **TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS**

### **Subtitle A—Pay and Allowances**

#### **SEC. 601. EXTENSION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING UNDER CERTAIN CIRCUMSTANCES.**

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

### **Subtitle B—Bonuses and Special and Incentive Pays**

#### **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.**

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

#### **SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.**

(a) **TITLE 10 AUTHORITIES.**—The following sections of title 10, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) **TITLE 37 AUTHORITIES.**—The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 302c–1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.



(8) Section 3021(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

**SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.**

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

**SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.**

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

**SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.**

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 324(g), relating to accession bonus for new officers in critical skills.

(6) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(7) Section 327(h), relating to incentive bonus for transfer between armed forces.

(8) Section 330(f), relating to accession bonus for officer candidates.

**SEC. 616. ONE-YEAR EXTENSION OF AUTHORITY TO PROVIDE INCENTIVE PAY FOR MEMBERS OF PRECOMMISSIONING PROGRAMS PURSUING FOREIGN LANGUAGE PROFICIENCY.**

Section 316a(g) of title 37, United States Code is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

**SEC. 617. AUTHORITY TO PROVIDE BONUS TO CERTAIN CADETS AND MIDSHIPMEN ENROLLED IN THE SENIOR RESERVE OFFICERS' TRAINING CORPS.**

(a) **BONUS AUTHORIZED.**—Chapter 5 of title 37, United States Code, is amended by inserting after section 335 the following new section:

**“§336. Contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps**

“(a) **CONTRACTING BONUS AUTHORIZED.**—The Secretary concerned may pay a bonus under

this section to a cadet or midshipman enrolled in the Senior Reserve Officers' Training Corps who executes a written agreement described in subsection (c).

“(b) **AMOUNT OF BONUS.**—The amount of a bonus under subsection (a) may not exceed \$5,000.

“(c) **AGREEMENT.**—A written agreement referred to in subsection (a) is a written agreement by the cadet or midshipman—

“(1) to complete field training or a practice cruise under section 2104(b)(6)(A)(ii) of title 10;

“(2) to complete advanced training under chapter 103 of title 10;

“(3) to accept a commission or appointment as an officer of the armed forces; and

“(4) to serve on active duty.

“(d) **PAYMENT METHOD.**—Upon acceptance of a written agreement under subsection (a) by the Secretary concerned, the total amount of the bonus payable under the agreement becomes fixed. The agreement shall specify when the bonus will be paid and whether the bonus will be paid in a lump sum or in installments.

“(e) **REPAYMENT.**—A person who, having received all or part of a bonus under subsection (a), fails to fulfill the terms of the written agreement required by such subsection for receipt of the bonus shall be subject to the repayment provisions of section 373 of this title.

“(f) **REGULATIONS.**—The Secretary concerned shall issue such regulations as may be necessary to carry out this section.

“(g) **TERMINATION OF AUTHORITY.**—No agreement under this section may be entered into after December 31, 2015.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 335 the following new item:

“336. Contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.”.

**Subtitle C—Disability, Retired Pay, Survivor, and Transitional Benefits**

**SEC. 621. TRANSITIONAL COMPENSATION AND OTHER BENEFITS FOR DEPENDENTS OF CERTAIN MEMBERS SEPARATED FOR VIOLATION OF THE UNIFORM CODE OF MILITARY JUSTICE.**

(a) **IN GENERAL.**—Chapter 53 of title 10, United States Code, is amended by inserting after section 1059 the following new section:

**“§1059a. Dependents of certain members separated for Uniform Code of Military Justice offenses: transitional compensation; commissary and exchange benefits**

“(a) **AUTHORITY TO PAY COMPENSATION.**—The Secretary of Defense, with respect to the armed forces (other than the Coast Guard when it is not operating as a service in the Navy), and the Secretary of Homeland Security, with respect to the Coast Guard when it is not operating as a service in the Navy, may each establish a program under which the Secretary may pay monthly transitional compensation in accordance with this section to dependents or former dependents of a member of the armed forces described in subsection (b) who is under the jurisdiction of the Secretary.

“(b) **MEMBERS AND PUNITIVE ACTIONS COVERED.**—This section applies in the case of a member of the armed forces who, after completing more than 20 years of active service or more than 20 years of service computed under section 12732 of this title—

“(1) is convicted by court-martial of an offense under chapter 47 of this title (the Uniform Code of Military Justice);

“(2) is separated from active duty pursuant to the sentence of the court-martial; and

“(3) forfeits all pay and allowances pursuant to the sentence of the court-martial.

“(c) **RECIPIENT OF PAYMENTS.**—(1) In the case of a member of the armed forces described in subsection (b), the Secretary may pay compensation under this section to dependents or former dependents of the member as follows:

“(A) If the member was married at the time of the commission of the offense resulting in separation from the armed forces, such compensation may be paid to the spouse or former spouse to whom the member was married at that time, including an amount for each, if any, dependent child of the member who resides in the same household as that spouse or former spouse.

“(B) If there is a spouse or former spouse who is or, but for subsection (d)(2), would be eligible for compensation under this section and if there is a dependent child of the member who does not reside in the same household as that spouse or former spouse, compensation under this section may be paid to each such dependent child of the member who does not reside in that household.

“(C) If there is no spouse or former spouse who is or, but for subsection (d)(2), would be eligible under this section, compensation under this section may be paid to the dependent children of the member.

“(2) A dependent or former dependent of a member described in subsection (b) is not eligible for transitional compensation under this section if the Secretary concerned determines (under regulations prescribed under subsection (g)) that the dependent or former dependent was an active participant in the conduct constituting the offense under chapter 47 of this title (the Uniform Code of Military Justice) for which the member was convicted and separated from the armed forces.

“(d) **COMMENCEMENT AND DURATION OF PAYMENT.**—(1) If provided under this section, the payment of transitional compensation under this section shall commence—

“(A) as of the date the court-martial sentence is adjudged if the sentence, as adjudged, includes—

“(i) a dismissal, dishonorable discharge, or bad conduct discharge; and

“(ii) forfeiture of all pay and allowances; or

“(B) if there is a pretrial agreement that provides for disapproval or suspension of the dismissal, dishonorable discharge, bad conduct discharge, or forfeiture of all pay and allowances, as of the date of the approval of the court-martial sentence by the person acting under section 860(c) of this title (article 60(c) of the Uniform Code of Military Justice) if the sentence, as approved, includes—

“(i) an unsuspended dismissal, dishonorable discharge, or bad conduct discharge; and

“(ii) forfeiture of all pay and allowances.

“(2) Paragraphs (2) and (3) of subsection (e), paragraphs (1) and (2) of subsection (g), and subsections (f) and (h) of section 1059 of this title shall apply in determining—

“(A) the amount of transitional compensation to be paid under this section;

“(B) the period for which such compensation may be paid; and

“(C) the circumstances under which the payment of such compensation may or will cease.

“(e) **COMMISSARY AND EXCHANGE BENEFITS.**—A dependent or former dependent who receives transitional compensation under this section shall, while receiving such payments, be entitled to use commissary and exchange stores in the same manner as provided in subsection (j) of section 1059 of this title.

“(f) **COORDINATION OF BENEFITS.**—The Secretary concerned may not make payments to a spouse or former spouse under both this section and section 1059 or 1408(h)(1) of this title. In the case of a spouse or former spouse for whom a court order provides for payments by the Secretary pursuant to section 1408(h)(1) of this title and to whom the Secretary offers payments

under this section or section 1059, the spouse or former spouse shall elect which payments to receive.

“(g) **REGULATIONS.**—If the Secretary of Defense (or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy) establishes a program to provide transitional compensation under this section, that Secretary shall prescribe regulations to carry out the program.

“(h) **DEPENDENT CHILD DEFINED.**—In this section, the term ‘dependent child’, with respect to a member or former member of the armed forces referred to in subsection (b), has the meaning given such term in subsection (l) of section 1059 of this title, except that status as a ‘dependent child’ shall be determined as of the date on which the member described in subsection (b) is convicted of the offense concerned.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 53 of such title is amended by inserting after the item relating to section 1059 the following new item:

“1059a. Dependents of certain members separated for Uniform Code of Military Justice offenses: transitional compensation; commissary and exchange benefits.”.

(c) **CONFORMING AMENDMENT.**—Subsection (i) of section 1059 of title 10, United States Code, is amended to read as follows:

“(i) **COORDINATION OF BENEFITS.**—The Secretary concerned may not make payments to a spouse or former spouse under both this section and section 1059a or 1408(h)(1) of this title. In the case of a spouse or former spouse for whom a court order provides for payments by the Secretary pursuant to section 1408(h)(1) of this title and to whom the Secretary offers payments under this section or section 1059a, the spouse or former spouse shall elect which payments to receive.”.

**SEC. 622. PREVENTION OF RETIRED PAY INVERSION FOR MEMBERS WHOSE RETIRED PAY IS COMPUTED USING HIGH-THREE AVERAGE.**

(a) **CLARIFICATION OF RULE FOR MEMBERS WHO BECAME MEMBERS ON OR AFTER SEPTEMBER 8, 1980.**—Section 1401a(f)(1) of title 10, United States Code, is amended—

(1) by striking “Notwithstanding any other provision of law, the monthly retired pay of a member or a former member of an armed force” and inserting the following:

“(A) **MEMBERS WITH RETIRED PAY COMPUTED USING FINAL BASIC PAY.**—The monthly retired pay of a member or former member of an armed force who first became a member of a uniformed service before September 8, 1980, and”; and

(2) by adding at the end the following new subparagraph:

“(B) **MEMBERS WITH RETIRED PAY COMPUTED USING HIGH-THREE.**—Subject to subsections (d) and (e), the monthly retired pay of a member or former member of an armed force who first became a member of a uniformed service on or after September 8, 1980, may not be less, on the date on which the member or former member initially becomes entitled to such pay, than the monthly retired pay to which the member or former member would be entitled on that date if the member or former member had become entitled to retired pay on an earlier date, adjusted to reflect any applicable increases in such pay under this section. However, in the case of a member or former member whose retired pay is computed subject to section 1407(f) of this title, subparagraph (A) (rather than the preceding sentence) shall apply in the same manner as if the member or former member first became a member of a uniformed service before September 8, 1980, but only with respect to a calculation as of the date on which the member or former member first became entitled to retired pay.”.

(b) **APPLICABILITY.**—Subparagraph (B) of section 1401a(f)(1) of title 10, United States Code, as added by subsection (a)(2), applies to the computation of retired pay or retainer pay of any member or former member of an Armed Force who first became a member of a uniformed service on or after September 8, 1980, regardless of the date on which the member first becomes entitled to retired or retainer pay.

**Subtitle D—Commissary and Non-appropriated Fund Instrumentality Benefits and Operations**

**SEC. 631. EXPANSION OF PROTECTION OF EMPLOYEES OF NONAPPROPRIATED FUND INSTRUMENTALITIES FROM REPRISALS.**

Section 1587(b) of title 10, United States Code, is amended by striking “take or fail to take” and inserting “take, threaten to take, or fail to take”.

**SEC. 632. PURCHASE OF SUSTAINABLE PRODUCTS, LOCAL FOOD PRODUCTS, AND RECYCLABLE MATERIALS FOR RESALE IN COMMISSARY AND EXCHANGE STORE SYSTEMS.**

(a) **IMPROVED PURCHASING EFFORTS.**—Section 2481(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3)(A) The governing body established pursuant to paragraph (2) shall endeavor to increase the purchase for resale at commissary stores and exchange stores of sustainable products, local food products, and recyclable materials.

“(B) As part of its efforts under subparagraph (A), the governing body shall develop—

“(i) guidelines for the identification of fresh meat, poultry, seafood, and fish, fresh produce, and other products raised or produced through sustainable methods; and

“(ii) goals, applicable to all commissary stores and exchange stores world-wide, to maximize, to the maximum extent practical, the purchase of sustainable products, local food products, and recyclable materials by September 30, 2018.”.

(b) **DEADLINE FOR ESTABLISHMENT AND GUIDELINES.**—The initial guidelines required by paragraph (3)(B)(i) of section 2481(c) of title 10, United States Code, as added by subsection (a), shall be issued not later than two years after the date of the enactment of this Act.

**SEC. 633. CORRECTION OF OBSOLETE REFERENCES TO CERTAIN NON-APPROPRIATED FUND INSTRUMENTALITIES.**

Section 2105(c) of title 5, United States Code, is amended by striking “Army and Air Force Motion Picture Service, Navy Ship’s Stores Ashore” and inserting “Navy Ships Stores Program”.

**Subtitle E—Other Matters**

**SEC. 641. AUTHORITY TO PROVIDE CERTAIN EXPENSES FOR CARE AND DISPOSITION OF HUMAN REMAINS RETAINED BY THE DEPARTMENT OF DEFENSE FOR FORENSIC PATHOLOGY INVESTIGATION.**

(a) **DISPOSITION OF REMAINS OF PERSONS WHOSE DEATH IS INVESTIGATED BY THE ARMED FORCES MEDICAL EXAMINER.**—

(1) **COVERED DECEDENTS.**—Section 1481(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(10) To the extent authorized under section 1482(g) of this title, any person not otherwise covered by the preceding paragraphs whose remains (or partial remains) have been retained by the Secretary concerned for purposes of a forensic pathology investigation by the Armed Forces Medical Examiner under section 1471 of this title.”.

(2) **AUTHORIZED EXPENSES RELATING TO CARE AND DISPOSITION OF REMAINS.**—Section 1482 of such title is amended by adding at the end the following new subsection:

“(g)(1) The payment of expenses incident to the recovery, care, and disposition of the remains of a decedent covered by section 1481(a)(10) of this title is limited to those expenses that, as determined under regulations prescribed by the Secretary of Defense, would not have been incurred but for the retention of those remains for purposes of a forensic pathology investigation by the Armed Forces Medical Examiner under section 1471 of this title. The Secretary concerned shall pay all other expenses authorized to be paid under this section only on a reimbursable basis. Amounts reimbursed to the Secretary concerned under this subsection shall be credited to appropriations available at the time of reimbursement for the payment of such expenses.

“(2) In a case covered by paragraph (1), if the person designated under subsection (c) to direct disposition of the remains of a decedent does not direct disposition of the remains that were retained for the forensic pathology investigation, the Secretary may pay for the transportation of those remains to, and interment or inurnment of those remains in, an appropriate place selected by the Secretary, in lieu of the transportation authorized to be paid under subsection (a)(8).

“(3) In a case covered by paragraph (1), expenses that may be paid do not include expenses with respect to an escort under subsection (a)(8), whether or not on a reimbursable basis.”.

(b) **CLARIFICATION OF COVERAGE OF INURNMENT.**—Section 1482(a)(9) of such title is amended by inserting “or inurnment” after “Interment”.

(c) **TECHNICAL AMENDMENT.**—Section 1482(f) of such title is amended in the third sentence by striking “this subsection” and inserting “this section”.

**SEC. 642. PROVISION OF STATUS UNDER LAW BY HONORING CERTAIN MEMBERS OF THE RESERVE COMPONENTS AS VETERANS.**

(a) **VETERAN STATUS.**—

(1) **IN GENERAL.**—Chapter 1 of title 38, United States Code, is amended by inserting after section 107 the following new section:

**“§ 107A. Honoring as veterans certain persons who performed service in the reserve components**

“Any person who is entitled under chapter 1223 of title 10 to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this section.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 107 the following new item:

“107A. Honoring as veterans certain persons who performed service in the reserve components.”.

(b) **CLARIFICATION REGARDING BENEFITS.**—No person may receive any benefit under the laws administered by the Secretary of Veterans Affairs solely by reason of section 107A of title 38, United States Code, as added by subsection (a).

**SEC. 643. SURVEY OF MILITARY PAY AND BENEFITS PREFERENCES.**

(a) **SURVEY REQUIRED.**—The Secretary of Defense shall carry out an anonymous survey of random members of the Armed Forces regarding military pay and benefits.

(b) **CONTENT OF SURVEY.**—A survey under this section shall be conducted for the purpose of soliciting information on the following:

(1) The value that members of the Armed Forces place on the following forms of compensation relative to one another:

(A) Basic pay.

(B) Allowances for housing and subsistence.

(C) Bonuses and special pays.

(D) Dependent healthcare benefits.

(E) Healthcare benefits for retirees under 65 years old.

(F) Healthcare benefits for Medicare-eligible retirees.

(G) Retirement pay.

(2) How the members value different levels of pay or benefits, including the impact of co-payments or deductibles on the value of benefits.

(3) Any other issues related to military pay and benefits as the Secretary of Defense considers appropriate.

(4) How information collected pursuant to a previous paragraph varies by age, rank, dependent status, and other factors the Secretary of Defense considers appropriate.

(c) **SUBMISSION OF RESULTS.**—Upon the completion of a survey conducted under this section, the Secretary of Defense shall submit to Congress and make publicly available a report containing the results of the survey, including both the analyses and the raw data collected.

## **TITLE VII—HEALTH CARE PROVISIONS**

### **Subtitle A—Improvements to Health Benefits**

#### **SEC. 701. MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES.**

(a) **IN GENERAL.**—Section 1074m of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by redesignating subparagraph (B) and (C) as subparagraph (C) and (D), respectively; and

(B) by inserting after subparagraph (A) the following:

“(B) Once during each 180-day period during which a member is deployed.”; and

(2) in subsection (c)(1)(A)—

(A) in clause (i), by striking “; and” and inserting a semicolon;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following: “(ii) by personnel in deployed units whose responsibilities include providing unit health care services if such personnel are available and the use of such personnel for the assessments would not impair the capacity of such personnel to perform higher priority tasks; and”.

(b) **CONFORMING AMENDMENT.**—Section 1074m(a)(2) of title 10, United States Code, is amended by striking “subparagraph (B) and (C)” and inserting “subparagraph (C) and (D)”.

#### **SEC. 702. PERIODIC MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES.**

(a) **IN GENERAL.**—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074m the following new section:

##### **“§1074n. Periodic mental health assessments for members of the armed forces**

“(a) **IN GENERAL.**—The Secretary of Defense shall provide periodic, person-to-person mental health assessments to each member of the armed forces serving on active duty.

“(b) **FREQUENCY.**—The Secretary shall determine the frequency of the mental health assessments provided under subsection (a).

“(c) **ELEMENTS.**—(1) The mental health assessments provided under subsection (a) shall meet the requirements for mental health assessments as described in section 1074m(c)(1) of this title.

“(2) The Secretary may treat health assessments and other person-to-person assessments that are provided to members of the armed forces, including examinations under sections 1074f and 1074m of this title, as meeting the requirements for mental health assessments required under subsection (a) if the Secretary determines that such assessments and person-to-person assessments meet the requirements for mental health assessments established by this section.

“(d) **SHARING OF INFORMATION.**—Section 1074m(e) of this title, regarding the sharing of information with the Secretary of Veterans Affairs, shall apply to mental health assessments provided under subsection (a).

“(e) **REGULATIONS.**—The Secretary of Defense, in consultation with the other administering Secretaries, shall prescribe regulations for the administration of this section.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074m the following new item:

“1074n. Periodic mental health assessments for members of the armed forces.”.

### **Subtitle B—Health Care Administration**

#### **SEC. 711. FUTURE AVAILABILITY OF TRICARE PRIME FOR CERTAIN BENEFICIARIES ENROLLED IN TRICARE PRIME.**

Section 732 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1816) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting the following new subsection:

“(b) **ACCESS TO TRICARE PRIME.**—

“(1) **ONE-TIME ELECTION.**—Subject to paragraph (3), the Secretary shall ensure that each affected eligible beneficiary who is enrolled in TRICARE Prime as of September 30, 2013, may make a one-time election to continue such enrollment in TRICARE Prime, notwithstanding that a contract described in subsection (a)(2)(A) does not allow for such enrollment based on the location in which such beneficiary resides. The beneficiary may continue such enrollment in TRICARE Prime so long as the beneficiary resides in the same ZIP code as the ZIP Code in which the beneficiary resided at the time of such election.

“(2) **ENROLLMENT IN TRICARE STANDARD.**—If an affected eligible beneficiary makes the one-time election under paragraph (1), the beneficiary may thereafter elect to enroll in TRICARE Standard at any time in accordance with a contract described in subsection (a)(2)(A).

“(3) **RESIDENCE AT TIME OF ELECTION.**—An affected eligible beneficiary may not make the one-time election under paragraph (1) if, at the time of such election, the beneficiary does not reside in a ZIP code that is in a region described in subsection (c)(1)(B).”.

#### **SEC. 712. COOPERATIVE HEALTH CARE AGREEMENTS BETWEEN THE MILITARY DEPARTMENTS AND NON-MILITARY HEALTH CARE ENTITIES.**

Section 713 of the National Defense Authorization Act of 2010 (Public Law 111-84; 10 U.S.C. 1073 note) is amended—

(1) in subsection (a), by striking “Secretary of Defense” and inserting “Secretary concerned”;

(2) in subsection (b)—

(A) by striking “Secretary shall” and inserting “Secretary concerned shall”;

(B) in paragraph (1)(A), by inserting “if the Secretary establishing such agreement is the Secretary of Defense” before the semicolon; and

(C) in paragraph (3), by inserting “or the military department concerned” after “the Department of Defense”;

(3) by adding at the end the following new subsection:

“(e) **SECRETARY CONCERNED DEFINED.**—In this section, the term ‘Secretary concerned’ means—

“(1) the Secretary of a military department; or

“(2) the Secretary of Defense.”.

#### **SEC. 713. LIMITATION ON AVAILABILITY OF FUNDS FOR INTEGRATED ELECTRONIC HEALTH RECORD PROGRAM.**

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for procurement or research, development, test, and evaluation for

the Department of Defense for the integrated electronic health record program, not more than 75 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of Defense submits to the congressional defense committees a report detailing an analysis of alternatives for the plan of the Secretary to proceed with such program.

(b) **MATTERS INCLUDED.**—The report under subsection (a) shall include the following:

(1) A description of the key performance requirements for the integrated electronic health record program capability.

(2) An analysis of alternatives for how to acquire and implement an integrated electronic health record capability that meets such requirements.

(3) An assessment of the budgetary resources and timeline required for each of the evaluated alternatives.

(4) A recommendation by the Secretary with respect to the alternative preferred by the Secretary.

#### **SEC. 714. PILOT PROGRAM ON INCREASED THIRD-PARTY COLLECTION REIMBURSEMENTS IN MILITARY MEDICAL TREATMENT FACILITIES.**

(a) **PILOT PROGRAM.**—

(1) **IN GENERAL.**—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall carry out a pilot program to demonstrate and assess the feasibility of implementing processes described in paragraph (2) to increase the amounts collected under section 1095 of title 10, United States Code, from a third-party payer for charges for health care services incurred by the United States at a military medical treatment facility.

(2) **PROCESSES DESCRIBED.**—The processes described in this paragraph are revenue-cycle management processes, including cash-flow management and accounts-receivable processes.

(b) **REQUIREMENTS.**—In carrying out the pilot program under subsection (a)(1), the Secretary shall—

(1) identify and analyze the best practice option, including commercial best practices, with respect to the processes described in subsection (a)(2) that are used in nonmilitary health care facilities; and

(2) conduct a cost-benefit analysis to assess measurable results of the pilot program, including an analysis of—

(A) the different processes used in the pilot program;

(B) the amount of third-party collections that resulted from such processes;

(C) the cost to implement and sustain such processes; and

(D) any other factors the Secretary determines appropriate to assess the pilot program.

(c) **LOCATIONS.**—The Secretary shall carry out the pilot program under subsection (a)(1)—

(1) at military installations that have a military medical treatment facility with inpatient and outpatient capabilities;

(2) at a number of such installations at different military departments that the Secretary determines sufficient to fully assess the results of the pilot program.

(d) **DURATION.**—The Secretary shall commence the pilot program under subsection (a)(1) by not later than 270 days after the date of the enactment of this Act and shall carry out such program for three years.

(e) **REPORT.**—Not later than 180 days after completing the pilot program under subsection (a)(1), the Secretary shall submit to the congressional defense committees a report describing the results of the program, including—

(1) a comparison of—

(A) the processes described in subsection (a)(2) that were used in the military medical treatment facilities participating in the program; and

(B) the third-party collection processes used by military medical treatment facilities not included in the program;

(2) a cost analysis of implementing the processes described in subsection (a)(2) for third-party collections at military medical treatment facilities; and

(3) an assessment of the program, including any recommendations to improve third-party collections.

#### **Subtitle C—Other Matters**

#### **SEC. 721. DISPLAY OF BUDGET INFORMATION FOR EMBEDDED MENTAL HEALTH PROVIDERS OF THE RESERVE COMPONENTS.**

(a) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by adding at the end the following new section:

#### **“§236. Embedded mental health providers of the reserve components: display of budget information**

“The Secretary of Defense shall submit to Congress, as a part of the documentation that supports the President’s annual budget for the Department of Defense, a budget justification display with respect to embedded mental health providers within each reserve component, including the amount requested for each such component.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“236. Embedded mental health providers of the reserve components: display of budget information.”.

#### **SEC. 722. AUTHORITY OF UNIFORMED SERVICES UNIVERSITY OF HEALTH SCIENCES TO ENTER INTO CONTRACTS AND AGREEMENTS AND MAKE GRANTS TO OTHER NONPROFIT ENTITIES.**

Section 2113(g)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B)—

(A) by inserting “, or any other nonprofit entity” after “Military Medicine”; and

(B) by inserting “, or nonprofit entity,” after “such Foundation”; and

(2) in subparagraph (C)—

(A) by inserting “, or any other nonprofit entity,” after “Military Medicine”; and

(B) by inserting “, or nonprofit entity,” after “such foundation”.

#### **SEC. 723. MENTAL HEALTH SUPPORT FOR MILITARY PERSONNEL AND FAMILIES.**

The Secretary of Defense may carry out collaborative programs to—

(1) respond to the escalating suicide rates and combat stress related arrest rates of members of the Armed Forces; and

(2) train active duty members to recognize and respond to combat stress disorder, suicide risk, substance addiction, risk-taking behaviors, and family violence.

#### **SEC. 724. RESEARCH REGARDING HYDROCEPHALUS.**

In conducting the Peer Reviewed Medical Research Program, the Secretary of Defense may consider selecting medical research projects relating to hydrocephalus.

#### **SEC. 725. TRAUMATIC BRAIN INJURY RESEARCH.**

The Secretary of Defense shall carry out research, development, test, and evaluation activities with respect to traumatic brain injury and psychological health, including activities regarding drug development to halt neurodegeneration following traumatic brain injury.

### **TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS**

#### **Subtitle A—Acquisition Policy and Management**

#### **SEC. 801. MODIFICATION OF REPORTING REQUIREMENT FOR DEPARTMENT OF DEFENSE BUSINESS SYSTEM ACQUISITION PROGRAMS WHEN INITIAL OPERATING CAPABILITY IS NOT ACHIEVED WITHIN FIVE YEARS OF MILESTONE A APPROVAL.**

(a) SUBMISSION TO PRE-CERTIFICATION AUTHORITY.—Subsection (b) of section 811 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2316; 10 U.S.C. 2222 note) is amended by striking “the system shall be deemed to have undergone” and all that follows through the period and inserting “the appropriate official shall report such failure, along with the facts and circumstances surrounding the failure, to the appropriate pre-certification authority for that system under section 2222 of title 10, United States Code, and the information so reported shall be considered by the pre-certification authority in the decision whether to recommend certification of obligations under that section.”.

(b) COVERED SYSTEMS.—Subsection (c) of such section is amended—

(1) by striking “3542(b)(2) of title 44” and inserting “section 2222(j)(2) of title 10”; and

(2) by inserting “, and that is not designated in section 2445a of title 10, United States Code, as a ‘major automated information system program’ or an ‘other major information technology investment program’” before the period at the end.

(c) UPDATED REFERENCES TO DOD ISSUANCES.—Subsection (d) of such section is amended—

(1) in paragraph (1), by striking “Department of Defense Instruction 5000.2” and inserting “Department of Defense Directive 5000.01”; and

(2) in paragraph (2), by striking “Department of Defense Instruction 5000.2, dated May 12, 2003” and inserting “Department of Defense Instruction 5000.02, dated December 3, 2008”.

#### **SEC. 802. ENHANCED TRANSFER OF TECHNOLOGY DEVELOPED AT DEPARTMENT OF DEFENSE LABORATORIES.**

(a) DEFINITIONS.—As used in this section:

(1) The term “military department” has the meaning provided in section 101 of title 10, United States Code.

(2) The term “DOD laboratory” or “laboratory” means any facility or group of facilities that—

(A) is owned, leased, operated, or otherwise used by the Department of Defense; and

(B) meets the definition of “laboratory” as provided in subsection (d)(2) of section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a).

(b) AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of a military department each may authorize the heads of DOD laboratories to grant nonexclusive, exclusive, or partially exclusive licenses, royalty free or for royalties or for rights to other intellectual property, for computer software and its related documentation developed at a DOD laboratory, but only if—

(A) the computer software and related documentation would be a trade secret under the meaning of section 552(b)(4) of title 5, United States Code, if the information had been obtained from a non-Federal party;

(B) the public is notified of the availability of the software and related documentation for licensing and interested parties have a fair opportunity to submit applications for licensing;

(C) such licensing activities and licenses comply with the requirements under section 209 of title 35, United States Code; and

(D) the software originally was developed to meet the military needs of the Department of Defense.

(2) PROTECTIONS AGAINST UNAUTHORIZED DISCLOSURE.—The Secretary of Defense and the Secretary of a military department each shall provide appropriate precautions against the unauthorized disclosure of any computer software or documentation covered by paragraph (1)(A), including exemption from section 552 of title 5, United States Code, for a period of up to 5 years after the development of the computer software by the DOD laboratory.

(c) ROYALTIES.—

(1) USE OF ROYALTIES.—Except as provided in paragraph (2), any royalties or other payments received by the Department of Defense or a military department from licensing computer software or documentation under paragraph (b)(1) shall be retained by the Department of Defense or the military department and shall be disposed of as follows:

(A)(i) The Department of Defense or the military department shall pay each year the first \$2,000, and thereafter at least 15 percent, of the royalties or other payments, to be divided among the employees who developed the computer software.

(ii) The Department of Defense or the military department may provide appropriate lesser incentives, from the royalties or other payments, to laboratory employees who are not developers of such computer software but who substantially increased the technical value of the software.

(iii) The Department of Defense or the military department shall retain the royalties and other payments received until it makes payments to employees of a DOD laboratory under clause (i) or (ii).

(iv) The Department of Defense or the military department may retain an amount reasonably necessary to pay expenses incidental to the administration and distribution of royalties or other payments under this section by an organizational unit of the Department of Defense or military department other than its laboratories.

(B) The balance of the royalties or other payments shall be transferred by the Department of Defense or the military department to its laboratories, with the majority share of the royalties or other payments going to the laboratory where the development occurred. The royalties or other payments so transferred to any DOD laboratory may be used or obligated by that laboratory during the fiscal year in which they are received or during the 2 succeeding fiscal years—

(i) to reward scientific, engineering, and technical employees of the DOD laboratory, including developers of sensitive or classified technology, regardless of whether the technology has commercial applications;

(ii) to further scientific exchange among the laboratories of the agency;

(iii) for education and training of employees consistent with the research and development missions and objectives of the Department of Defense, military department, or DOD laboratory, and for other activities that increase the potential for transfer of the technology of the laboratories;

(iv) for payment of expenses incidental to the administration and licensing of computer software or other intellectual property made at that DOD laboratory, including the fees or other costs for the services of other agencies, persons, or organizations for intellectual property management and licensing services; or

(v) for scientific research and development consistent with the research and development missions and objectives of the DOD laboratory.

(C) All royalties or other payments retained by the Department of Defense, military department, or DOD laboratory after payments have

been made pursuant to subparagraphs (A) and (B) that are unobligated and unexpended at the end of the second fiscal year succeeding the fiscal year in which the royalties and other payments were received shall be paid into the Treasury of the United States.

(2) **EXCEPTION.**—If, after payments under paragraph (1)(A), the balance of the royalties or other payments received by the Department of Defense or the military department in any fiscal year exceed 5 percent of the funds received for use by the DOD laboratory for research, development, engineering, testing, and evaluation or other related administrative, processing or value-added activities for that year, 75 percent of such excess shall be paid to the Treasury of the United States and the remaining 25 percent may be used or obligated under paragraph (1)(B). Any funds not so used or obligated shall be paid into the Treasury of the United States.

(3) **STATUS OF PAYMENTS TO EMPLOYEES.**—Any payment made to an employee under this section shall be in addition to the regular pay of the employee and to any other awards made to the employee, and shall not affect the entitlement of the employee to any regular pay, annuity, or award to which the employee is otherwise entitled or for which the employee is otherwise eligible or limit the amount thereof except that the monetary value of an award for the same project or effort shall be deducted from the amount otherwise available under this paragraph. Payments, determined under the terms of this paragraph and made to an employee developer as such, may continue after the developer leaves the DOD laboratory or the Department of Defense or military department. Payments made under this section shall not exceed \$75,000 per year to any one person, unless the President approves a larger award (with the excess over \$75,000 being treated as a Presidential award under section 4504 of title 5, United States Code).

(d) **INFORMATION IN REPORT.**—The report required by section 2515(d) of title 10, United States Code, shall include information regarding the implementation and effectiveness of this section.

(e) **EXPIRATION.**—The authority provided in this section shall expire on December 31, 2018.

**SEC. 803. EXTENSION OF LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.**

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1489) is amended—

(1) by striking “fiscal year 2012 or 2013” each place it appears and inserting “fiscal year 2012, 2013, 2014 or 2015”; and

(2) by striking “fiscal years 2012 and 2013” each place it appears and inserting “fiscal years 2012, 2013, 2014, and 2015”.

**Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations**

**SEC. 811. ADDITIONAL CONTRACTOR RESPONSIBILITIES IN REGULATIONS RELATING TO DETECTION AND AVOIDANCE OF COUNTERFEIT ELECTRONIC PARTS.**

Section 818(c)(2)(B) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1493; 10 U.S.C. 2302 note) is amended—

(1) in clause (i), by inserting “electronic” after “avoid counterfeit”; and

(2) in clause (ii), by striking “were provided” and inserting the following: “were—

“(I) procured from an original manufacturer or its authorized dealer or from a trusted supplier in accordance with regulations described in paragraph (3); or

“(II) provided”.

**SEC. 812. AMENDMENTS RELATING TO DETECTION AND AVOIDANCE OF COUNTERFEIT ELECTRONIC PARTS.**

Section 818(c)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 2302 note) is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), at the end of clause (iii), by striking the period and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(C) the cost of counterfeit electronic parts and suspect counterfeit electronic parts and the cost of rework or corrective action that may be required to remedy the use or inclusion of obsolete parts are not allowable costs under Department contracts, unless—

“(i) the offeror’s proposal in response to a Department of Defense solicitation for maintenance, refurbishment, or remanufacture work identifies obsolete electronic parts and includes a plan to ensure trusted sources of supply for obsolete electronic parts, or to implement design modifications to eliminate obsolete electronic parts;

“(ii) the Department elects not to fund design modifications to eliminate obsolete electronic parts; and

“(iii) the contractor applies inspections and tests intended to detect counterfeit electronic parts and suspect counterfeit electronic parts when purchasing electronic parts from other than the original manufacturers or their authorized dealers, pursuant to paragraph (3).”.

**SEC. 813. GOVERNMENT-WIDE LIMITATIONS ON ALLOWABLE COSTS FOR CONTRACTOR COMPENSATION.**

(a) **DEFENSE CONTRACTS.**—

(1) **AMENDMENTS RELATING TO CONTRACTOR EMPLOYEES.**—Subparagraph (P) of section 2324(e)(1) of title 10, United States Code, is amended to read as follows:

“(P) Costs of compensation of any contractor employee for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds \$763,029 adjusted annually for the U.S. Bureau of Labor Statistics Employment Cost Index for total compensation for private industry workers, by occupational and industry group not seasonally adjusted, except that the Secretary of Defense may establish narrowly targeted exceptions for positions in the science, technology, engineering, mathematics, medical, and manufacturing fields upon a determination that such exceptions are needed to ensure that the Department of Defense has continued access to needed skills and capabilities.”.

(2) **AMENDMENTS RELATING TO SENIOR EXECUTIVES OF CERTAIN CONTRACTORS.**—Section 2324(e)(1) of such title is further amended by adding at the end the following new subparagraph:

“(Q) Costs of compensation of senior executives of a covered contractor.”.

(3) **DEFINITIONS.**—Section 2324(l) of such title is amended—

(A) by inserting after paragraph (4) the following new paragraph (5):

“(5) The term ‘senior executives’, with respect to a covered contractor, means the five most highly compensated employees of the contractor. In determining the five most highly compensated employees in the case of a contractor with components (such as subsidiaries or divisions), the determination shall be made using the five most highly compensated employees contractor-wide, not within each component.”; and

(B) by inserting after paragraph (6) the following new paragraph (7):

“(7) The term ‘covered contractor’, with respect to a fiscal year, means a contractor that was awarded Federal contracts in an amount totaling more than \$500,000,000 during the previous fiscal year.”.

(b) **CIVILIAN AGENCY CONTRACTS.**—

(1) **AMENDMENTS RELATING TO CONTRACTOR EMPLOYEES.**—Paragraph (16) of section 4304(a) of title 41, United States Code, is amended to read as follows:

“(16) Costs of compensation of any contractor employee for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds \$763,029 adjusted annually for the U.S. Bureau of Labor Statistics Employment Cost Index for total compensation for private industry workers, by occupational and industry group not seasonally adjusted, except that the executive agency may establish narrowly targeted exceptions for positions in the science, technology, engineering, mathematics, medical, and manufacturing fields upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.”.

(2) **AMENDMENTS RELATING TO SENIOR EXECUTIVES OF CERTAIN CONTRACTORS.**—Section 4304(a) of such title is further amended by adding at the end the following new paragraph:

“(17) Costs of compensation of senior executives of a covered contractor.”.

(3) **DEFINITIONS.**—Section 4301 of such title is amended by striking paragraph (4) and inserting the following new paragraphs (4) and (5):

“(4) The term ‘senior executives’, with respect to a covered contractor, means the five most highly compensated employees of the contractor. In determining the five most highly compensated employees in the case of a contractor with components (such as subsidiaries or divisions), the determination shall be made using the five most highly compensated employees contractor-wide, not within each component.

“(5) The term ‘covered contractor’, with respect to a fiscal year, means a contractor that was awarded Federal contracts in an amount totaling more than \$500,000,000 during the previous fiscal year.”.

(c) **CONFORMING AMENDMENTS.**—Chapter 11 of title 41, United States Code, is amended—

(1) by striking section 1127; and

(2) by striking the item relating to that section in the table of sections at the beginning of such chapter.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to costs of compensation incurred under contracts entered into on or after the date that is 180 days after the date of the enactment of this Act.

**SEC. 814. INCLUSION OF ADDITIONAL COST ESTIMATE INFORMATION IN CERTAIN REPORTS.**

(a) **ADDITIONAL COST ESTIMATE INFORMATION REQUIRED TO BE INCLUDED IN SELECTED ACQUISITION REPORTS.**—Section 2432(c)(1) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (B), (C) and (D) as subparagraphs (C), (D), and (F), respectively;

(2) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) for each major defense acquisition program or designated major subprogram included in the report—

“(i) the Baseline Estimate (as that term is defined in section 2433(a)(2) of this title), along with the associated risk curve and sensitivity of that estimate;

“(ii) the original Baseline Estimate (as that term is defined in section 2435(d)(1) of this title), along with the associated risk curve and sensitivity of that estimate;

“(iii) if the original Baseline Estimate was adjusted or revised pursuant to section 2435(d)(2) of this title, such adjusted or revised estimate, along with the associated risk curve and sensitivity of that estimate; and

“(iv) the primary risk parameters associated with the current procurement cost for the program (as that term is used in section 2432(e)(4) of this title);”.

(3) in subparagraph (D), as so redesignated, by striking “and” at the end; and

(4) by inserting after subparagraph (D), as so redesignated, the following new subparagraph (E):

“(E) estimated contract termination costs; and”.

(b) **ADDITIONAL DUTIES OF DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION WITH RESPECT TO SAR.**—

(1) **REVIEW REQUIRED.**—Section 2334(a) of title 10, United States Code, is amended—

(A) by striking “and” at the end of paragraph (6);

(B) by striking the period and inserting “; and” at the end of paragraph (7); and

(C) by adding at the end the following new paragraph (8):

“(8) annually review the cost estimates and associated information required to be included, by section 2432(c)(1)(B) of this title, in the Selected Acquisition Reports required by that section.”.

(2) **ADDITIONAL INFORMATION REQUIRED IN ANNUAL REPORT.**—Section 2334(f)(1) of such title is amended—

(A) by striking “report, an assessment of—” and inserting “report—”;

(B) in each of subparagraphs (A), (B), and (C), by inserting “an assessment of” before the first word of the text;

(C) in subparagraph (B), by striking “and” at the end;

(D) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(E) by adding at the end the following new subparagraph:

“(D) a summary of the cost estimate information reviewed under subsection (a)(8), an identification of any trends in that information, an aggregation of the cumulative risk of the portfolio of systems reviewed under that subsection, and recommendations for improving cost estimates on the basis of the review under that subsection.”.

**SEC. 815. AMENDMENT RELATING TO COMPELLING REASONS FOR WAIVING SUSPENSION OR DEBARMENT.**

Section 2393(b) of title 10, United States Code, is amended by inserting after the first sentence the following: “The Secretary of Defense shall also make the determination described in subsection (a)(2) available on a publicly accessible website.”.

**SEC. 816. REQUIREMENT THAT COST OR PRICE TO THE FEDERAL GOVERNMENT BE GIVEN AT LEAST EQUAL IMPORTANCE AS TECHNICAL OR OTHER CRITERIA IN EVALUATING COMPETITIVE PROPOSALS FOR DEFENSE CONTRACTS.**

(a) **REQUIREMENT.**—Subparagraph (A) of section 2305(a)(3) of title 10, United States Code, is amended by striking “proposals; and” at the end of clause (ii) and all that follows through the end of the subparagraph and inserting the following: “proposals and that must be assigned importance at least equal to all evaluation factors other than cost or price when combined.”.

(b) **WAIVER.**—Section 2305(a)(3) of such title is further amended by striking subparagraph (B) and inserting the following:

“(B) The requirement of subparagraph (A)(ii) relating to assigning at least equal importance to evaluation factors of cost or price may be waived by the head of the agency.”.

(c) **REPORT.**—Section 2305(a)(3) of such title is further amended by adding at the end the following new subparagraph:

“(C) Not later than 180 days after the end of each fiscal year, the Secretary of Defense shall submit to Congress, and post on a publicly available website of the Department of Defense, a report containing a list of each waiver issued by the head of an agency under subparagraph (B) during the preceding fiscal year.”.

**SEC. 817. REQUIREMENT TO BUY AMERICAN FLAGS FROM DOMESTIC SOURCES.**

Section 2533a(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) A flag of the United States of America (within the meaning of chapter 1 of title 4).”.

**Subtitle C—Provisions Relating to Contracts in Support of Contingency Operations in Iraq or Afghanistan**

**SEC. 821. AMENDMENTS RELATING TO PROHIBITION ON CONTRACTING WITH THE ENEMY.**

(a) **AMENDMENTS RELATING TO PROHIBITION.**—Section 841(a)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 126 Stat. 1510) is amended—

(1) in the matter preceding subparagraph (A), by striking “Commander of the United States Central Command” and inserting “commander of a covered combatant command”;

(2) in subparagraph (A)—

(A) by striking “Commander of the United States Central Command” and inserting “commander of the covered combatant command”; and

(B) by striking “United States Central Command theater of operations” and inserting “theater of operations of that command”;

(3) in subparagraph (B), by striking “United States Central Command theater of operations” and inserting “theater of operations of the covered combatant command”; and

(4) in subparagraph (C)—

(A) by striking “Commander of the United States Central Command” and inserting “commander of the covered combatant command”; and

(B) by striking “United States Central Command theater of operations” and inserting “theater of operations of that command”.

(b) **AMENDMENTS RELATING TO CONTRACT CLAUSE.**—Section 841(b)(3) of such Act is amended—

(1) by striking “\$100,000” and inserting “\$50,000”; and

(2) by striking “United States Central Command theater of operations” and inserting “theater of operations of a covered combatant command”.

(c) **AMENDMENTS RELATING TO IDENTIFICATION OF CONTRACTS.**—Section 841(c) of such Act is amended—

(1) in paragraph (1)—

(A) by striking “; acting through the Commander of the United States Central Command,”; and

(B) by striking “United States Central Command theater of operations” and inserting “theaters of operations of covered combatant commands”;

(2) in paragraph (2)—

(A) by striking “Commander of the United States Central Command” and inserting “commander of a covered combatant command”; and

(B) by striking “Commander may notify” and inserting “commander may notify”; and

(3) in paragraph (3), by striking “Commander of the United States Central Command” and inserting “commander of a covered combatant command”.

(d) **AMENDMENTS RELATING TO NONDELEGATION OF RESPONSIBILITIES.**—Section 841(d)(2) of such Act is amended by striking “Commander of the United States Central Command” and inserting “commander of a covered combatant command”.

(e) **AMENDMENTS RELATING TO DEFINITIONS.**—Section 841(f) of such Act is amended—

(1) by striking the subsection heading and inserting “DEFINITIONS.—”;

(2) by striking “In this section, the term” and inserting the following: “In this section:

“(1) **CONTINGENCY OPERATION.**—The term”;

and

(3) by adding at the end the following new paragraph:

“(2) **COVERED COMBATANT COMMAND.**—The term ‘covered combatant command’ means the United States Central Command, the United States European Command, the United States Southern Command, and the United States Pacific Command.”.

(f) **REPEAL OF SUNSET.**—Subsection (g) of section 841 of such Act is repealed.

(g) **TECHNICAL AMENDMENTS.**—

(1) **CONFORMING AMENDMENT TO SECTION HEADING.**—

(A) The heading of section 841 of such Act is amended by striking “IN THE UNITED STATES CENTRAL COMMAND THEATER OF OPERATIONS”.

(B) The item relating to section 841 in the table of sections at the beginning of title VIII and in section 2 of such Act is amended to read as follows:

“Sec. 841. Prohibition on contracting with the enemy.”.

(2) **REPEAL OF SUPERSEDED DEADLINES.**—Paragraph (1) of each of subsections (a), (b), and (c) of section 841 of such Act is amended by striking “Not later than 30 days after the date of the enactment of this Act, the” and inserting “The”.

(h) **EFFECTIVE DATE.**—The amendments made by this section shall apply to contracts entered into on or after the date that is 90 days after the date of the enactment of this Act.

**SEC. 822. COLLECTION OF DATA RELATING TO CONTRACTS IN IRAQ AND AFGHANISTAN.**

(a) **PENALTIES.**—Section 861 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2302 note) is amended by adding at the end the following new subsection:

“(e) **PENALTIES FOR FAILURE TO COMPLY.**—Any contract in Afghanistan entered into or modified after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014 may include a clause requiring the imposition of a penalty on any contractor that does not comply with the policies or guidance issued or the regulations prescribed pursuant to subsection (c). Compliance with such policies, guidance, or regulations may be considered as a factor in the determination of award and incentive fees.”.

(b) **PENALTY INFORMATION COVERED IN REPORT.**—Section 863(c) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2302 note) is amended by adding at the end the following new paragraph:

“(4) Any penalties imposed on contractors for failing to comply with requirements under section 861(e), including requirements to provide information for the common databases identified under section 861(b)(4).”.

**Subtitle D—Other Matters**

**SEC. 831. EXTENSION OF PILOT PROGRAM ON ACQUISITION OF MILITARY PURPOSE NONDEVELOPMENTAL ITEMS.**

Section 866(f)(1) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4296; 10 U.S.C. 2302 note) is amended by striking “the date that is five years after the date of the enactment of this Act.” and inserting “December 31, 2019.”.

**SEC. 832. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.**

Section 801(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399), as amended by section 841(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1845), is amended by striking “December 31, 2014” and inserting “December 31, 2015”.



**TITLE IX—DEPARTMENT OF DEFENSE  
ORGANIZATION AND MANAGEMENT  
Subtitle A—Department of Defense  
Management**

**SEC. 901. REDESIGNATION OF THE DEPARTMENT  
OF THE NAVY AS THE DEPARTMENT  
OF THE NAVY AND MARINE CORPS.**

(a) REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.—

(1) REDESIGNATION OF MILITARY DEPARTMENT.—The military department designated as the Department of the Navy is redesignated as the Department of the Navy and Marine Corps.

(2) REDESIGNATION OF SECRETARY AND OTHER STATUTORY OFFICES.—

(A) SECRETARY.—The position of the Secretary of the Navy is redesignated as the Secretary of the Navy and Marine Corps.

(B) OTHER STATUTORY OFFICES.—The positions of the Under Secretary of the Navy, the four Assistant Secretaries of the Navy, and the General Counsel of the Department of the Navy are redesignated as the Under Secretary of the Navy and Marine Corps, the Assistant Secretaries of the Navy and Marine Corps, and the General Counsel of the Department of the Navy and Marine Corps, respectively.

(b) CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.—

(1) DEFINITION OF “MILITARY DEPARTMENT”.—Paragraph (8) of section 101(a) of title 10, United States Code, is amended to read as follows:

“(8) The term ‘military department’ means the Department of the Army, the Department of the Navy and Marine Corps, and the Department of the Air Force.”.

(2) ORGANIZATION OF DEPARTMENT.—The text of section 5011 of such title is amended to read as follows: “The Department of the Navy and Marine Corps is separately organized under the Secretary of the Navy and Marine Corps.”.

(3) POSITION OF SECRETARY.—Section 5013(a)(1) of such title is amended by striking “There is a Secretary of the Navy” and inserting “There is a Secretary of the Navy and Marine Corps”.

(4) CHAPTER HEADINGS.—

(A) The heading of chapter 503 of such title is amended to read as follows:

**“CHAPTER 503—DEPARTMENT OF THE  
NAVY AND MARINE CORPS”.**

(B) The heading of chapter 507 of such title is amended to read as follows:

**“CHAPTER 507—COMPOSITION OF THE DE-  
PARTMENT OF THE NAVY AND MARINE  
CORPS”.**

(5) OTHER AMENDMENTS.—

(A) Title 10, United States Code, is amended by striking “Department of the Navy” and “Secretary of the Navy” each place they appear other than as specified in paragraphs (1), (2), (3), and (4) (including in section headings, subsection captions, tables of chapters, and tables of sections) and inserting “Department of the Navy and Marine Corps” and “Secretary of the Navy and Marine Corps”, respectively, in each case with the matter inserted to be in the same typeface and typestyle as the matter stricken.

(B)(i) Sections 5013(f), 5014(b)(2), 5016(a), 5017(2), 5032(a), and 5042(a) of such title are amended by striking “Assistant Secretaries of the Navy” and inserting “Assistant Secretaries of the Navy and Marine Corps”.

(ii) The heading of section 5016 of such title, and the item relating to such section in the table of sections at the beginning of chapter 503 of such title, are each amended by inserting “and Marine Corps” after “of the Navy”, with the matter inserted in each case to be in the same typeface and typestyle as the matter amended.

(c) OTHER PROVISIONS OF LAW AND OTHER REFERENCES.—

(1) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended by striking “Department of the Navy” and “Secretary of the Navy” each place they appear and inserting “Department of the Navy and Marine Corps” and “Secretary of the Navy and Marine Corps”, respectively.

(2) OTHER REFERENCES.—Any reference in any law other than in title 10 or title 37, United States Code, or in any regulation, document, record, or other paper of the United States, to the Department of the Navy shall be considered to be a reference to the Department of the Navy and Marine Corps. Any such reference to an office specified in subsection (a)(2) shall be considered to be a reference to that office as redesignated by that section.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first month beginning more than 60 days after the date of the enactment of this Act.

**SEC. 902. REVISIONS TO COMPOSITION OF TRAN-  
SITION PLAN FOR DEFENSE BUSI-  
NESS ENTERPRISE ARCHITECTURE.**

Section 2222(e) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “defense business enterprise architecture” and inserting “target defense business systems computing environment described in subsection (d)(3)”;

(2) in paragraph (2)—

(A) by striking “existing as of September 30, 2011 (known as ‘legacy systems’) that will not be part of the defense business enterprise architecture” and inserting “that will be phased out of the defense business systems computing environment within three years after review and certification as ‘legacy systems’ by the investment management process established under subsection (g)”;

(B) by striking “that provides for reducing the use of those legacy systems in phases”;

(3) in paragraph (3), by striking “legacy systems (referred to in subparagraph (B)) that will be a part of the target defense business systems computing environment described in subsection (d)(3)” and inserting “existing systems that are part of the target defense business systems computing environment”.

**Subtitle B—Space Activities**

**SEC. 911. NATIONAL SECURITY SPACE SATELLITE  
REPORTING POLICY.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department of Defense depends on national security space programs to support, among other critical capabilities—

(A) communications;

(B) missile warning;

(C) position, navigation, and timing;

(D) intelligence, surveillance, and reconnaissance; and

(E) environmental monitoring; and

(2) foreign threats to national security space systems are increasing.

(b) NOTIFICATION OF FOREIGN INTERFERENCE OF NATIONAL SECURITY SPACE.—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

**“§2278. Notification of foreign interference of  
national security space**

“(a) NOTICE REQUIRED.—The Secretary of Defense shall, with respect to each attempt by a foreign actor to disrupt, degrade, or destroy a United States national security space capability, provide to the appropriate congressional committees—

“(1) not later than 48 hours after the Secretary determines that there is reason to believe such attempt occurred, notice of such attempt; and

“(2) not later than 10 days after the date on which the Secretary determines that there is

reason to believe such attempt occurred, a notification described in subsection (b) with respect to such attempt.

“(b) NOTIFICATION DESCRIPTION.—A notification described in this subsection is a notification that includes—

“(1) the name and a brief description of the national security space capability that was impacted by an attempt by a foreign actor to disrupt, degrade, or destroy a United States national security space capability;

“(2) a description of such attempt, including the foreign actor, the date and time of such attempt, and any related capability outage and the mission impact of such outage; and

“(3) any other information the Secretary considers relevant.

“(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term ‘appropriate congressional committees’ means—

“(1) the congressional defense committees; and

“(2) with respect to a notice or notification related to an attempt by a foreign entity to disrupt, degrade, or destroy a United States national security space capability that is intelligence-related, the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.”.

(c) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following item:

“2278. Notification of foreign interference of national security space.”.

**SEC. 912. NATIONAL SECURITY SPACE DEFENSE  
AND PROTECTION.**

(a) REVIEW.—The Secretary of the Air Force shall enter into an arrangement with the National Research Council to—

(1) in response to the near-term and long-term threats to the national security space systems of the United States, conduct a review of—

(A) the range of strategic options available to address such threats, in terms of deterring hostile actions, defeating hostile actions, or surviving hostile actions until such actions conclude;

(B) strategies and plans to counter such threats, including resilience, reconstitution, disaggregation, and other appropriate concepts; and

(C) existing and planned architectures, warfighter requirements, technology development, systems, workforce, or other factors related to addressing such threats; and

(2) identify recommend courses of action to address such threats, including potential barriers or limiting factors in implementing such courses of action.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the National Research Council shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report containing the results of the review conducted pursuant to the arrangement under subsection (a) and the recommended courses of action identified pursuant to such arrangement.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) SPACE PROTECTION STRATEGY.—Section 911(f)(1) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2271 note) is amended by striking “including each of the matters required by subsection (c).” and inserting the following: “including—

“(A) each of the matters required by subsection (c); and

“(B) a description of how the Department of Defense and the intelligence community plan to



provide necessary national security capabilities, through alternative space, airborne, or ground systems, if a foreign actor degrades, denies access to, or destroys United States national security space capabilities.”.

#### SEC. 913. SPACE ACQUISITION STRATEGY.

(a) **STRATEGY REQUIRED.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Chief Information Officer of the Department of Defense, shall establish a strategy to enable the multi-year procurement of commercial satellite services.

(b) **BASIS.**—The strategy required under subsection (a) shall include and be based on—

(1) an analysis of financial or other benefits to acquiring satellite services through multi-year acquisition approaches;

(2) an analysis of the risks associated with such acquisition approaches;

(3) an identification of methods to address planning, programming, budgeting, and execution challenges to such approaches, including methods to address potential termination liability or cancellation costs generally associated with multi-year contracts;

(4) an identification of any changes needed in the requirements development and approval processes of the Department of Defense to facilitate effective and efficient implementation of such strategy, including an identification of any consolidation of requirements for such services across the Department that may achieve increased buying power and efficiency; and

(5) an identification of any necessary changes to policies, procedures, regulations, or statutes.

(c) **SUBMISSION.**—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Chief Information Officer of the Department of Defense, shall submit to the congressional defense committees the strategy required under subsection (a), including the elements required under subsection (b).

#### SEC. 914. SPACE CONTROL MISSION REPORT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the space control mission of the Department of Defense. Such report shall include—

(1) an identification of existing offensive and defensive space control systems, policies, and technical possibilities of future systems;

(2) an identification of any gaps or risks in existing space control system architecture and possibilities for improvement or mitigation of such gaps or risks;

(3) a description of existing and future sensor coverage and ground processing capabilities for space situational awareness;

(4) an explanation of the extent to which all relevant and available information is being utilized for space situational awareness to detect, track, and identify objects in space;

(5) a description of existing space situational awareness data sharing practices, including what information is being shared and what the benefits and risks of such sharing are to the national security of the United States; and

(6) plans for the future space control mission.

#### SEC. 915. RESPONSIVE LAUNCH.

(a) **FINDINGS.**—Congress finds the following:

(1) United States Strategic Command has identified three needs as a result of dramatically increased demand and dependence on space capabilities as follows:

(A) To rapidly augment existing space capabilities when needed to expand operational capability.

(B) To rapidly reconstitute or replenish critical space capabilities to preserve continuity of operations capability.

(C) To rapidly exploit and infuse space technological or operational innovations to increase the advantage of the United States.

(2) Operationally responsive low cost launch could assist in addressing such needs of the combatant commands.

(b) **STUDY.**—The Department of Defense Executive Agent for Space shall conduct a study on responsive, low-cost launch efforts. Such study shall include—

(1) a review of existing and past operationally responsive, low-cost launch efforts by domestic or foreign governments or industry;

(2) a technology assessment of various methods to develop an operationally responsive, low-cost launch capability; and

(3) an assessment of the viability of greater utilization of innovative methods, including the use of secondary payload adapters on existing launch vehicles.

(c) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Department of Defense Executive Agent for Space shall submit to the congressional defense committees a report containing—

(1) the results of the study conducted under subsection (b); and

(2) a consolidated plan for development within the Department of Defense of an operationally responsive, low-cost launch capability.

#### Subtitle C—Defense Intelligence and Intelligence-Related Activities

#### SEC. 921. REVISION OF SECRETARY OF DEFENSE AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES.

(a) **PERIOD FOR REQUIRED AUDITS.**—Section 432(b)(2) of title 10, United States Code, is amended—

(1) in the first sentence, by striking “annually” and inserting “biennially”; and

(2) in the second sentence, by striking “the intelligence committees” and all that follows and inserting “the congressional defense committees and the congressional intelligence committees (as defined in section 437(c)).”

(b) **REPEAL OF DESIGNATION OF DEFENSE INTELLIGENCE AGENCY AS REQUIRED OVERSIGHT AUTHORITY WITHIN DEPARTMENT OF DEFENSE.**—Section 436(4) of title 10, United States Code, is amended—

(1) by striking “Defense Intelligence Agency” and inserting “Department of Defense”; and

(2) by striking “management and supervision” and inserting “oversight”.

(c) **CONGRESSIONAL OVERSIGHT.**—Section 437 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “the intelligence committees” and inserting “congressional defense committees and the congressional intelligence committees”; and

(2) in subsection (b), by striking “the intelligence committees” and inserting “congressional defense committees and the congressional intelligence committees”; and

(3) by adding at the end the following new subsection:

“(c) **CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.**—In this section, the term ‘congressional intelligence committees’ has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).”

#### SEC. 922. DEPARTMENT OF DEFENSE INTELLIGENCE PRIORITIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) establish a written policy governing the internal coordination and prioritization of intelligence priorities of the Office of the Secretary of Defense, the Joint Staff, the combatant commands, and the military departments to improve identification of the intelligence needs of the Department of Defense;

(2) identify any significant intelligence gaps of the Office of the Secretary of Defense, the Joint Staff, the combatant commands, and the military departments; and

(3) provide to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a briefing on the policy established under paragraph (1) and the gaps identified under paragraph (2).

#### SEC. 923. DEFENSE CLANDESTINE SERVICE.

(a) **CERTIFICATION REQUIRED.**—Not more than 50 percent of the funds authorized to be appropriated by this Act or otherwise available to the Department of Defense for the Defense Clandestine Service for fiscal year 2014 may be obligated or expended for the Defense Clandestine Service until such time as the Secretary of Defense certifies to the covered congressional committees that—

(1) the Defense Clandestine Service is designed primarily to—

(A) fulfill priorities of the Department of Defense that are unique to the Department of Defense or otherwise unmet; and

(B) provide unique capabilities to the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))); and

(2) the Secretary of Defense has designed metrics that will be used to ensure that the Defense Clandestine Service is employed as described in paragraph (1).

(b) **ANNUAL ASSESSMENTS.**—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for five years, the Secretary of Defense shall submit to the covered congressional committees a detailed assessment of Defense Clandestine Service employment and performance based on the metrics referred to in subsection (a)(2).

(c) **NOTIFICATION OF FUTURE CHANGES TO DESIGN.**—Following the submittal of the certification referred to in subsection (a), in the event that any significant change is made to the Defense Clandestine Service, the Secretary shall promptly notify the covered congressional committees of the nature of such change.

(d) **QUARTERLY BRIEFINGS.**—The Secretary of Defense shall quarterly provide to the covered congressional committees a briefing on the deployments and collection activities of personnel of the Defense Clandestine Service.

(e) **COVERED CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “covered congressional committees” means the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate.

#### SEC. 924. PROHIBITION ON NATIONAL INTELLIGENCE PROGRAM CONSOLIDATION.

(a) **PROHIBITION.**—No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, to execute—

(1) the separation of the National Intelligence Program budget from the Department of Defense budget;

(2) the consolidation of the National Intelligence Program budget within the Department of Defense budget; or

(3) the establishment of a new appropriations account or appropriations account structure for the National Intelligence Program budget.

(b) **BRIEFING REQUIREMENT.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall jointly provide to the congressional defense committees, the Permanent Select Committee on Intelligence of the

House of Representatives, and the Select Committee on Intelligence of the Senate a briefing regarding any planning relating to the future execution of the activities described in subsection (a) that has occurred during the two-year period ending on such date and any anticipated future planning relating to such execution or related efforts.

(c) DEFINITIONS.—In this section:

(1) NATIONAL INTELLIGENCE PROGRAM.—The term “National Intelligence Program” has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) NATIONAL INTELLIGENCE PROGRAM BUDGET.—The term “National Intelligence Program budget” means the portions of the Department of Defense budget designated as part of the National Intelligence Program.

#### Subtitle D—Cyberspace-Related Matters

#### SEC. 931. MODIFICATION OF REQUIREMENT FOR INVENTORY OF DEPARTMENT OF DEFENSE TACTICAL DATA LINK SYSTEMS.

Section 934(a)(1) of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2225 note; Public Law 112–239; 126 Stat. 1885) is amended by inserting “and an assessment of vulnerabilities to such systems in anti-access or area-denial environments” before the semicolon.

#### SEC. 932. DEFENSE SCIENCE BOARD ASSESSMENT OF UNITED STATES CYBER COMMAND.

(a) ASSESSMENT.—The Defense Science Board shall conduct an assessment of the organization, missions, and authorities of the United States Cyber Command.

(b) ELEMENTS.—The assessment required by subsection (a) shall include the following:

(1) A review of the existing organizational structure of the United States Cyber Command, including—

(A) the positive and negative impact on the Command resulting from a single individual simultaneously serving as the Commander of the United States Cyber Command and the Director of the National Security Agency;

(B) the oversight activities undertaken by the Commander and the Director with regard to the Command and the Agency, respectively, including how the respective oversight activities affect the ability of each entity to complete the respective missions of such entity;

(C) the dependencies of the Command and the Agency on one another under the existing management structure of both entities, including an examination of the advantages and disadvantages attributable to the unity of command and unity of effort resulting from a single individual simultaneously serving as the Commander of the United States Cyber Command and the Director of the National Security Agency;

(D) the ability of the existing management structure of the Command and the Agency to identify and adequately address potential conflicts of interest between the roles of the Commander of the United States Cyber Command and the Director of the National Security Agency; and

(E) the ability of the Department of Defense to train and develop, through professional assignment, individuals with the appropriate subject-matter expertise and management experience to support both the cyber operations missions of the Command and the signals intelligence missions of the Agency.

(2) A review of the missions of the Command, including whether the reliance of the Command on the Agency for critical warfighting infrastructure, organization, and personnel contributes to or detracts from the ability of the Command to achieve the missions of the Command.

(3) A review of how the Commander of the United States Cyber Command and the Director of the National Security Agency implement au-

thorities where missions intersect to ensure that the activities of each entity are conducted only pursuant to the respective authorities of each entity.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than 300 days after the date of the enactment of this Act, the Defense Science Board shall submit to the Secretary of Defense, the Director of National Intelligence, the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report containing—

(A) the results of the assessment required by subsection (a); and

(B) recommendations for improvements or changes to the organization, missions, or authorities of the United States Cyber Command.

(2) ADDITIONAL EVALUATION REQUIRED.—Not later than 60 days after the date on which the committees referred to in paragraph (1) receive the report required by such paragraph, the Secretary of Defense and the Director of National Intelligence shall jointly submit to such committees an evaluation of the findings and recommendations contained in such report.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term “intelligence community” has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

#### SEC. 933. MISSION ANALYSIS FOR CYBER OPERATIONS OF DEPARTMENT OF DEFENSE.

(a) MISSION ANALYSIS REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall conduct a mission analysis of the cyber operations of the Department of Defense.

(b) ELEMENTS.—The mission analysis under subsection (a) shall include the following:

(1) The concept of operations and concept of employment for cyber operations forces.

(2) An assessment of the manpower needs for cyber operations forces, including military requirements for both active and reserve components and civilian requirements.

(3) A description of the alignment of the organization and reporting chains of the Department, the military departments, and the combatant commands.

(4) An assessment of the current, as of the date of the analysis, and projected equipping needs of cyber operations forces.

(5) An analysis of how the Secretary, for purposes of cyber operations, depends upon organizations outside of the Department, including industry and international partners.

(6) Methods for ensuring resilience, mission assurance, and continuity of operations for cyber operations.

(7) An evaluation of the potential roles of the reserve components in the concept of operations and concept of employment for cyber operations forces required under paragraph (1).

(c) REPORT REQUIRED.—Not later than 30 days after the completion of the mission analysis under subsection (a), the Secretary shall submit to the congressional defense committees a report containing—

(1) the results of the mission analysis; and

(2) recommendations for improving or changing the roles, organization, missions, concept of operations, or authorities related to the cyber operations of the Department.

(d) NATIONAL GUARD ASSESSMENT.—Not later than 30 days after the date on which the Secretary submits the report required under subsection (c), the Chief of the National Guard Bureau shall submit to the congressional defense

committees an assessment of the role of the National Guard in supporting the cyber operations mission of the Department of Defense as such mission is described in such report.

(e) FORM.—The report under subsection (c) shall be submitted in unclassified form, but may include a classified annex.

#### SEC. 934. NOTIFICATION OF INVESTIGATIONS RELATED TO COMPROMISE OF CRITICAL PROGRAM INFORMATION.

(a) NOTIFICATION OF INVESTIGATION INITIATION.—

(1) NOTIFICATION.—Not later than 30 days after the date of the initiation of any investigation related to the potential compromise of Department of Defense critical program information related to a weapons system or other developmental activity, the Secretary of Defense shall submit to the congressional defense committees a written notification of such investigation including the elements required under paragraph (2).

(2) ELEMENTS.—The written notification required under paragraph (1) shall include, with respect to an investigation described in such subsection, the following elements:

(A) A statement of the reason for such investigation.

(B) An identification of each party affected by such investigation.

(C) An identification of the party responsible for conducting such investigation.

(D) Any preliminary observations, findings, or recommendations related to such investigation.

(E) A timeline and methodology for conducting such investigation.

(b) NOTIFICATION OF COMPLETION OF CERTAIN INVESTIGATIONS.—Not later than 30 days after the date of the completion of any investigation conducted or overseen by the Damage Assessment Management Office of the Department of Defense, the Secretary of Defense shall submit to the congressional defense committees a written notification of such investigation, including a summary of the findings and recommendations of such investigation.

(c) REPORT ON INTRUSIONS AFTER JANUARY 1, 2000.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report detailing the known network cyber intrusions that occurred on or after January 1, 2000, and before August 1, 2013, and resulted in the compromise of critical program information related to a weapons system, information system development, or another research and development initiative of the Department of Defense. Such report shall include a description of the critical program information that was compromised, the source of each network that was compromised, the systems or developmental activities that were compromised, and the suspected origin of each cyber intrusion.

#### SEC. 935. ADDITIONAL REQUIREMENTS RELATING TO THE SOFTWARE LICENSES OF THE DEPARTMENT OF DEFENSE.

(a) UPDATED PLAN.—

(1) UPDATE.—The Chief Information Officer of the Department of the Defense shall, in consultation with the chief information officers of the military departments and the Defense Agencies, update the plan for the inventory of selected software licenses of the Department of Defense required under section 937 of the National Defense Authorization Act for 2013 (Public Law 112–239; 10 U.S.C. 2223 note) to include a plan for the inventory of all software licenses of the Department of Defense for which a military department spends more than \$5,000,000 annually on any individual title, including a comparison of licenses purchased with licenses installed and of those uninstalled and then reinstalled.

(2) ELEMENTS.—The update required under paragraph (1) shall—

(A) be done in a comprehensive and auditable format that is verified by an independent third party;

(B) include details on the process and business systems necessary to regularly perform reviews, a procedure for validating and reporting deregistering and registering new software, and a mechanism and plan to relay that information to the enterprise provider; and

(C) a proposed timeline for implementation of the updated plan in accordance with paragraph (3).

(3) **IMPLEMENTATION.**—Not later than September 30, 2013, the Chief Information Officer of the Department of Defense shall implement the updated plan required under paragraph (1).

(b) **PERFORMANCE PLAN.**—If the Chief Information Officer of the Department of Defense determines through the update required by subsection (a) that the number of software licenses of the Department for an individual title for which a military department spends greater than \$5,000,000 annually exceeds the needs of the Department for such software licenses, or the inventory discloses that there is a discrepancy between the number of software licenses purchased and those in actual use, the Secretary of Defense shall implement a plan to bring the number of such software licenses into balance with the needs of the Department and the terms of any relevant contract.

#### **Subtitle E—Total Force Management**

### **SEC. 941. REQUIREMENT TO ENSURE SUFFICIENT LEVELS OF GOVERNMENT OVERSIGHT OF FUNCTIONS CLOSELY ASSOCIATED WITH INHERENTLY GOVERNMENTAL FUNCTIONS.**

(a) **REQUIREMENT.**—Section 129a of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g) **REQUIREMENT FOR OVERSIGHT OR APPROPRIATE CORRECTIVE ACTIONS.**—For purposes of subsection (f)(3)(B), if insufficient levels of Government oversight are found, the Secretary of the military department or head of the Defense Agency responsible shall provide such oversight or take appropriate corrective actions, including potential conversion to Government performance, consistent with this section and sections 129 and 2463 of this title.”

(b) **AMENDMENT RELATING TO REVIEW OF CERTAIN CONTRACTS.**—Subsection (e)(2)(C) of section 2330a of such title is amended by adding after “governmental functions” the following: “in which there is inadequate oversight of the contractor personnel performing such functions”.

### **SEC. 942. FIVE-YEAR REQUIREMENT FOR CERTIFICATION OF APPROPRIATE MANPOWER PERFORMANCE.**

Section 2330a of title 10, United States Code, is amended—

(1) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively; and

(2) by inserting after subsection (f) the following new section (g):

“(g) **CERTIFICATIONS OF APPROPRIATE MANPOWER PERFORMANCE.**—(1) Beginning in fiscal year 2014 and continuing through fiscal year 2018, the Secretary of Defense, or an official designated personally by the Secretary, no later than February 1 of each reporting year, shall submit to the congressional defense committees the findings of the reviews required under subsection (e) and certify in writing that—

“(A) all Department of Defense contractor positions identified as being responsible for the performance of inherently governmental functions have been eliminated;

“(B) each Department of Defense contract that is a personal services contract has been entered into, and is being performed, in accordance with applicable laws and regulations; and

“(C) any contract for services that includes any functions that are closely associated with

inherently governmental functions or designated as critical have been reviewed to determine if those activities should be—

“(i) subject to action pursuant to section 2463 of this title; or

“(ii) converted to an acquisition approach that would be more advantageous to the Department of Defense.

“(2) If the certifications required in paragraph (1) are not submitted by the date required in a reporting year, the Inspector General of the Department of Defense shall assess the Department’s compliance with subsection (e) and determine why the Secretary could not make the certifications required in paragraph (1). The Inspector General shall submit to the congressional defense committees, not later than May 1 of the reporting year, a report on such assessment and determination.

“(3) Not later than May 1 of each reporting year, the Comptroller General of the United States shall submit to the congressional defense committees a report containing the Comptroller General’s assessment of the reviews conducted under subsection (e) and the actions taken to resolve the findings of the reviews.”

## **TITLE X—GENERAL PROVISIONS**

### **Subtitle A—Financial Matters**

#### **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

(a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.**—

(1) **AUTHORITY.**—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2014 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) **LIMITATION.**—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed \$3,500,000,000.

(3) **EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.**—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) **LIMITATIONS.**—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) **NOTICE TO CONGRESS.**—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

#### **SEC. 1002. BUDGETARY EFFECTS OF THIS ACT.**

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, as long as such statement has been submitted prior to the vote on passage of this Act.

#### **SEC. 1003. AUDIT OF DEPARTMENT OF DEFENSE FISCAL YEAR 2018 FINANCIAL STATEMENTS.**

(a) **SENSE OF CONGRESS.**—Congress—

(1) reaffirms the findings of the Panel on Defense Financial Management and Auditability Reform of the Committee on Armed Services of the House of Representatives;

(2) points to the Government Accountability Office’s most recent High Risk List recommendations;

(3) is encouraged by the important progress the Department of Defense has made in achieving auditability; and

(4) stands ready to continue helping in this effort.

(b) **SENSE OF CONGRESS ON DOD FINANCIAL MANAGEMENT REFORM.**—It is the sense of Congress that, in the aftermath of the effects of sequestration as enacted by the Budget Control Act of 2011 (Public Law 112–25), financial management reform is imperative, and the Department of Defense should place continued importance on, and remain vigilant in, its financial management reform efforts.

(c) **AUDIT OF DOD FINANCIAL STATEMENTS.**—In addition to the requirement under section 1003(a)(2)(A)(ii) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2222 note) that the Financial Improvement and Audit Readiness Plan describe specific actions to be taken and the costs associated with ensuring that the financial statements of the Department of Defense are validated as ready for audit by not later than September 30, 2017, upon the conclusion of fiscal year 2018, the Secretary of Defense shall ensure that a full audit is performed on the financial statements of the Department of Defense for such fiscal year. The Secretary shall submit to Congress the results of that audit by not later than March 31, 2019.

#### **SEC. 1004. AUTHORITY TO TRANSFER FUNDS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO SUSTAIN NUCLEAR WEAPONS MODERNIZATION.**

(a) **TRANSFER AUTHORIZED.**—If the amount authorized to be appropriated for the weapons activities of the National Nuclear Security Administration under section 3101 or otherwise made available for fiscal year 2014 is less than \$8,400,000,000 (the amount projected to be required for such activities in fiscal year 2014 as specified in the report under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549)), the Secretary of Defense may transfer, from amounts authorized to be appropriated for the Department of Defense for fiscal year 2014 pursuant to this Act, to the Secretary of Energy an amount, not to exceed \$150,000,000, to be available only for weapons activities of the National Nuclear Security Administration.

(b) **NOTICE TO CONGRESS.**—In the event of a transfer under subsection (a), the Secretary of Defense shall promptly notify Congress of the transfer, and shall include in such notice the Department of Defense account or accounts from which funds are transferred.

(c) **TRANSFER MECHANISM.**—Any funds transferred under this section shall be transferred in accordance with established procedures for reprogramming under section 1001 or successor provisions of law.

(d) **CONSTRUCTION OF AUTHORITY.**—The transfer authority provided under subsection (a) is in addition to any other transfer authority provided under this Act.

#### **Subtitle B—Counter-Drug Activities**

### **SEC. 1011. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTER-DRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.**

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as most recently amended by section 1010 of the National Defense Authorization Act for Fiscal

Year 2013 (Public Law 112-239; 126 Stat. 1907), is amended—

(1) in subsection (a), by striking “2013” and inserting “2014”; and

(2) in subsection (c), by striking “2013” and inserting “2014”.

**SEC. 1012. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.**

Section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1594; 10 U.S.C. 371 note), as most recently amended by section 1011 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1907) is amended by striking “2013” and inserting “2014”.

**SEC. 1013. TWO-YEAR EXTENSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.**

Subsection (a)(2) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1881), as most recently amended by section 1006(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1557), is amended by striking “2013” and inserting “2015”.

**SEC. 1014. SENSE OF CONGRESS REGARDING THE NATIONAL GUARD COUNTER-NARCOTIC PROGRAM.**

It is the sense of Congress that—

(1) the National Guard Counter-Narcotic Program is a valuable tool to counter-drug operations across the United States, especially on the southwest border;

(2) the National Guard has an important role in combating drug trafficking into the United States; and

(3) the program should receive continued funding.

**Subtitle C—Naval Vessels and Shipyards**

**SEC. 1021. CLARIFICATION OF SOLE OWNERSHIP RESULTING FROM SHIP DONATIONS AT NO COST TO THE NAVY.**

(a) CLARIFICATION OF TRANSFER AUTHORITY.—Subsection (a) of section 7306 of title 10, United States Code, is amended to read as follows:

“(a) AUTHORITY TO MAKE TRANSFER.—The Secretary of the Navy may convey, by donation, all right, title, and interest to any vessel stricken from the Naval Vessel Register or any captured vessel, for use as a museum or memorial for public display in the United States, to—

“(1) any State, the District of Columbia, any Commonwealth or possession of the United States, or any municipal corporation or political subdivision thereof; or

“(2) any nonprofit entity.”.

(b) CLARIFICATION OF LIMITATIONS ON LIABILITY AND RESPONSIBILITY.—Subsection (b) of such section is amended to read as follows:

“(b) LIMITATIONS ON LIABILITY AND RESPONSIBILITY.—(1) The United States and all departments and agencies thereof, and their officers and employees, shall not be liable at law or in equity for any injury or damage to any person or property occurring on a vessel donated under this section.

“(2) Notwithstanding any other law, the United States and all departments and agencies thereof, and their officers and employees, shall have no responsibility or obligation to make, engage in, or provide funding for, any improvement, upgrade, modification, maintenance, preservation, or repair to a vessel donated under this section.”.

(c) CLARIFICATION THAT TRANSFERS TO BE MADE AT NO COST TO UNITED STATES.—Subsection (c) of such section is amended by insert-

ing after “under this section” the following: “, the maintenance and preservation of that vessel as a museum or memorial, and the ultimate disposal of that vessel, including demilitarization of Munitions List items at the end of the useful life of the vessel as a museum or memorial.”.

(d) APPLICATION OF ENVIRONMENTAL LAWS; DEFINITIONS.—Such section is further amended by adding at the end the following new subsections:

“(e) APPLICATION OF ENVIRONMENTAL LAWS.—Nothing in this section shall affect the applicability of Federal, State, interstate, and local environmental laws and regulations, including the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), to the Department of Defense or to a donee.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘nonprofit entity’ means any entity qualifying as an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986.

“(2) The term ‘Munitions List’ means the United States Munitions List created and controlled under section 38 of the Arms Export Control Act (22 U.S.C. 2778).

“(3) The term ‘donee’ means any entity receiving a vessel pursuant to subsection (a).”.

(e) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

**“§ 7306. Vessels stricken from Naval Vessel Register; captured vessels: conveyance by donation”.**

(2) TABLE OF SECTIONS.—The item relating to such section in the table of sections at the beginning of chapter 633 of such title is amended to read as follows:

“‘7306. Vessels stricken from Naval Vessel Register; captured vessels: conveyance by donation.’”.

**SEC. 1022. AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA CLASS CRUISERS OR DOCK LANDING SHIPS.**

(a) LIMITATION ON AVAILABILITY OF FUNDS.—(1) IN GENERAL.—Except as provided in paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to retire, prepare to retire, inactivate, or place in storage a cruiser or dock landing ship.

(2) EXCEPTION.—Notwithstanding paragraph (1), the funds referred to in such subsection may be obligated or expended to retire the U.S.S. Denver, LPD9.

(b) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Subject to the availability of appropriations for such purpose, the Secretary of Defense may transfer amounts of authorizations made available to the Department of Defense for fiscal year 2013 specifically for the modernization of vessels referred to in subsection (a)(1). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed \$914,676,000.

(3) ADDITIONAL AUTHORITY.—The transfer authority provided by this subsection is in addition to the transfer authority provided under section 1001 of this Act and under section 1001 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1902).

**SEC. 1023. REPAIR OF VESSELS IN FOREIGN SHIPYARDS.**

(a) NONHOMEPORTED VESSELS.—Subsection (a) of section 7310 of title 10, United States Code, is amended—

(1) by striking “A naval” and inserting “(1) A naval”; and

(2) by adding at the end the following new paragraph:

“(2) For purposes of this section, a naval vessel that does not have a designated homeport shall be treated as being homeported in the United States or Guam.”.

(b) VOYAGE REPAIR.—Such section is further amended—

(1) in subsection (c)(3)(C), by striking “as defined in Commander Military Sealift Command Instruction 4700.15C (September 13, 2007) or Joint Fleet Maintenance Manual (Commander Fleet Forces Command Instruction 4790.3 Revision A, Change 7), Volume II”;

(2) by adding at the end the following new subsection:

“(d) VOYAGE REPAIR DEFINED.—In this section, the term ‘voyage repair’ has the meaning given such term in Navy Instruction COMFLTFORCOMINST 4790.3B.”.

**SEC. 1024. SENSE OF CONGRESS REGARDING A BALANCED FUTURE NAVAL FORCE.**

(a) FINDINGS.—Congress makes the following findings:

(1) The battle force of the Navy must be sufficiently sized and balanced in capability to meet current and anticipated future national security objectives.

(2) A robust and balanced naval force is required for the Department of Defense to fully execute the President’s National Security Strategy.

(3) To develop and sustain required capabilities the Navy must balance investment and maintenance costs across various ship types, including—

(A) aircraft carriers;

(B) surface combatants;

(C) submarines;

(D) amphibious assault ships; and

(E) other auxiliary vessels, including support vessels operated by the Military Sealift Command.

(4) Despite a Marine Corps requirement for 38 amphibious assault ships, the Navy possesses only 30 amphibious assault ships with an average of 22 ships available for surge deployment.

(5) The inadequate level of investment in Navy shipbuilding over the last 20 years has resulted in—

(A) a fragile shipbuilding industrial base, both in the construction yards and secondary suppliers of materiel and equipment; and

(B) increased costs per vessel stemming from low production volume.

(6) The Department of Defense, Military Construction and Veterans Affairs, and Full-Year Continuing Appropriations Act for Fiscal Year 2013 provided \$263,000,000 towards the advance procurement of materiel and equipment required to continue the San Antonio LPD 17 amphibious transport dock class to a total of 12 ships, a key first step in rebalancing the amphibious assault ship force structure.

(b) SENSE OF CONGRESS.—It is the Sense of Congress that—

(1) the Department of Defense and the Department of the Navy must prioritize funding towards increased shipbuilding rates to enable the Navy to meet the full-range of combatant commander requests;

(2) the Department of the Navy’s future budget requests and the Long Range Plan for the Construction of Naval Forces must realistically anticipate and reflect the true investment necessary to meet stated force structure goals;

(3) without modification to Long Range Plan for the Construction of Naval Forces shipbuilding plan, the future of the industrial base that enables construction of large, combat-survivable amphibious assault ships is at significant risk; and

(4) the Department of Defense and Congress should act expeditiously to restore the force structure and capability balance of the Navy fleet as quickly as possible.

**SEC. 1025. AUTHORITY FOR SHORT-TERM EXTENSION OR RENEWAL OF LEASES FOR VESSELS SUPPORTING THE TRANSIT PROTECTION SYSTEM ESCORT PROGRAM.**

(a) **IN GENERAL.**—Notwithstanding section 2401 of title 10, United States Code, the Secretary of the Navy may extend or renew the lease of not more than four blocking vessels supporting the Transit Protection System Escort Program after the date of the expiration of the lease of such vessels, as in effect on the date of the enactment of this Act. Such an extension shall be for a term that is the shorter of—

(1) the period beginning on the date of the expiration of the lease in effect on the date of the enactment of this Act and ending on the date on which the Secretary determines that a substitute is available for the capabilities provided by the lease, or that the capabilities provided by the vessel are no longer required; or

(2) 180 days.

(b) **FUNDING.**—Amounts authorized to be appropriated by section 301 and available for operation and maintenance, Navy, as specified in the funding tables in section 4301, may be available for the extension or renewal of a lease under subsection (a).

(c) **NOTICE TO CONGRESS.**—Prior to extending or renewing a lease under subsection (a), the Secretary of the Navy shall submit to the congressional defense committees notification of the proposed extension or renewal. Such notification shall include—

(1) a detailed description of the term of the proposed contract for the extension or renewal of the lease and a justification for extending or renewing the lease rather than obtaining the capability provided for by the lease, charter, or services involved through purchase of the vessel; and

(2) a plan for meeting the capability provided for by the lease upon the completion of the term of the lease contract, as extended or renewed under subsection (a).

**Subtitle D—Counterterrorism**

**SEC. 1030. CLARIFICATION OF PROCEDURES FOR USE OF ALTERNATE MEMBERS ON MILITARY COMMISSIONS.**

(a) **PRIMARY AND ALTERNATE MEMBERS.**—

(1) **NUMBER OF MEMBERS.**—Subsection (a) of section 948m of title 10, United States Code, is amended—

(A) in paragraph (1)—

(i) by striking “at least five members” and inserting “at least five primary members and as many alternate members as the convening authority shall detail”; and

(ii) by adding at the end the following new sentence: “Alternate members shall be designated in the order in which they will replace an excused primary member.” and

(B) in paragraph (2), by inserting “primary” after “the number of”.

(2) **GENERAL RULES.**—Such section is further amended—

(A) by redesignating subsection (b) and (c) as subsections (d) and (e), respectively; and

(B) by inserting after subsection (a) the following new subsections (b) and (c):

“(b) **PRIMARY MEMBERS.**—Primary members of a military commission under this chapter are voting members.

“(c) **ALTERNATE MEMBERS.**—(1) A military commission may include alternate members to replace primary members who are excused from service on the commission.

“(2) Whenever a primary member is excused from service on the commission, an alternate member, if available, shall replace the excused primary member and the trial may proceed.”.

(3) **EXCUSE OF MEMBERS.**—Subsection (d) of such section, as redesignated by paragraph (2)(A), is amended—

(A) in the matter before paragraph (1), by inserting “primary or alternate” before “member”;

(B) by striking “or” at the end of paragraph (2),

(C) by striking the period at the end of paragraph (3) and inserting “; or”; and

(D) by adding at the end the following new paragraph:

“(4) in the case of an alternate member, in order to reduce the number of alternate members required for service on the commission, as determined by the convening authority.”.

(4) **ABSENT AND ADDITIONAL MEMBERS.**—Subsection (e) of such section, as redesignated by paragraph (2)(A), is amended—

(A) in the first sentence—

(i) by inserting “the number of primary members of” after “Whenever”;

(ii) by inserting “primary” before “members required by”; and

(iii) by inserting “and there are no remaining alternate members to replace the excused primary members” after “subsection (a)”; and

(B) by adding at the end the following new sentence: “An alternate member who was present for the introduction of all evidence shall not be considered to be a new or additional member.”.

(b) **CHALLENGES.**—Section 949f of such title is amended—

(1) in subsection (a), by inserting “primary or alternate” before “member”; and

(2) by adding at the end of subsection (b) the following new sentence: “Nothing in this section prohibits the military judge from awarding to each party such additional peremptory challenges as may be required in the interests of justice.”.

(c) **NUMBER OF VOTES REQUIRED.**—Section 949m of such title is amended—

(1) by inserting “primary” before “members” each place it appears; and

(2) by adding at the end of subsection (b) the following new paragraph:

“(4) The primary members present for a vote on a sentence need not be the same primary members who voted on the conviction if the requirements of section 948m(d) of this title are met.”.

**SEC. 1031. MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM FELLOWSHIP PROGRAM REPORTING REQUIREMENT.**

(a) **IN GENERAL.**—Section 2249c(c) of title 10, United States Code, is amended—

(1) in paragraph (3), by inserting “, including engagement activities for program alumni,” after “effectiveness of the program”; and

(2) in paragraph (4), by inserting after “program” the following: “, including a list of any unfunded or unmet training requirements and requests”; and

(3) by adding at the end the following new paragraph:

“(5) A discussion and justification of how the program fits within the theater security priorities of each of the commanders of the geographic combatant commands.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply with respect to a report submitted for a fiscal year beginning after the date of the enactment of this Act.

**SEC. 1032. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

(a) **IN GENERAL.**—No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used during

the period beginning on the date of the enactment of this Act and ending on December 31, 2014, to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) **EXCEPTION.**—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) **INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.**—In this section, the term “individual detained at Guantanamo” has the meaning given that term in section 1033(f)(2).

**SEC. 1033. REQUIREMENTS FOR CERTIFICATIONS RELATING TO THE TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.**

(a) **CERTIFICATION REQUIRED PRIOR TO TRANSFER.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer, during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, any individual detained at Guantanamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) **EXCEPTION.**—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(b) **CERTIFICATION.**—A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign

country or entity in relation to the Secretary's certifications.

(c) **PROHIBITION IN CASES OF PRIOR CONFIRMED RECIDIVISM.**—

(1) **PROHIBITION.**—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise made available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) **EXCEPTION.**—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(d) **NATIONAL SECURITY WAIVER.**—

(1) **IN GENERAL.**—The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by subsection (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) **REPORTS.**—Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States;

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated; and

(iii) a classified summary of—

(1) the individual's record of cooperation while in the custody of or under the effective control of the Department of Defense; and

(II) the agreements and mechanisms in place to provide for continuing cooperation.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and

to mitigate the risks addressed in, the paragraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) **RECORD OF COOPERATION.**—In assessing the risk that an individual detained at Guantanamo will engage in terrorist activity or other actions that could affect the security of the United States if released for the purpose of making a certification under subsection (b) or a waiver under subsection (d), the Secretary of Defense may give favorable consideration to any such individual—

(1) who has substantially cooperated with United States intelligence and law enforcement authorities, pursuant to a pre-trial agreement, while in the custody of or under the effective control of the Department of Defense; and

(2) for whom agreements and effective mechanisms are in place, to the extent relevant and necessary, to provide for continued cooperation with United States intelligence and law enforcement authorities.

(f) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term “foreign terrorist organization” means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

**SEC. 1034. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

**SEC. 1035. UNCLASSIFIED SUMMARY OF INFORMATION RELATING TO INDIVIDUALS DETAINED AT PARWAN, AFGHANISTAN.**

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall make publicly available an unclassified summary of information relating to the individuals detained by the Department of Defense at the Detention Facility at Parwan, Afghanistan, pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) who have been determined to represent an enduring security threat to the United States. Such summary shall cover any individual detained at such facility as of the date of the en-

actment of this Act and any individual so detained during the two-year period preceding the date of the enactment of this Act. Such summary shall include for each such covered individual—

(1) a description of the relevant organization or organizations with which the individual is affiliated;

(2) whether the individual had ever been in the custody or under the effective control of the United States at any time before being detained at such facility and, if so, where the individual had been in such custody or under such effective control; and

(3) whether the individual has been directly linked to the death of any member of the United States Armed Forces or any United States Government employee.

**SEC. 1036. ASSESSMENT OF AFFILIATES AND ADHERENTS OF AL-QAEDA OUTSIDE THE UNITED STATES.**

Not later than 120 days after the date of the enactment of this Act, the President, acting through the Secretary of Defense, shall submit to the congressional defense committees an assessment containing each of the following:

(1) An identification of any group operating outside the United States that is an affiliate or adherent of, or otherwise related to, al-Qaeda.

(2) A summary of relevant information relating to each such group, including—

(A) the extent to which members or leaders of the group have—

(i) conducted or planned to conduct lethal or significant operations outside the borders of the state or states in which the group ordinarily operates;

(ii) conducted fundraising or recruiting outside the borders of such state or states; and

(iii) have demonstrated any interest in conducting activities described in clauses (i) and (ii) outside the borders of such state or states;

(B) the extent to which the connection of the group to the senior leadership of al-Qaeda has changed over time; and

(C) whether the group has attacked or planned to purposefully attack United States citizens, members of Armed Forces of the United States, or other representatives of the United States, or is likely to do so in the future.

(3) An assessment of whether each group is part of or substantially supporting al-Qaeda or the Taliban, or constitutes an associated force that is engaged in hostilities against the United States or its coalition partners.

(4) The criteria used to determine the nature and extent of each group's relationship to al-Qaeda.

**SEC. 1037. DESIGNATION OF DEPARTMENT OF DEFENSE SENIOR OFFICIAL FOR FACILITATING THE TRANSFER OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) designate a senior official of the Department of Defense as the official with principal responsibility for coordination and management of the transfer of individuals detained at United States Naval Station, Guantanamo Bay, Cuba; and

(2) set forth the responsibilities of that senior official with respect to such transfers.

**SEC. 1038. RANK OF CHIEF PROSECUTOR AND CHIEF DEFENSE COUNSEL IN MILITARY COMMISSIONS ESTABLISHED TO TRY INDIVIDUALS DETAINED AT GUANTANAMO.**

For purposes of any military commission established under chapter 47A of title 10, United States Code, to try an alien unprivileged enemy belligerent (as such terms are defined in section 948a of such title) who is detained at United



States Naval Station, Guantanamo Bay, Cuba, the chief defense counsel and the chief prosecutor shall have the same rank.

**SEC. 1039. REPORT ON CAPABILITY OF YEMENI GOVERNMENT TO DETAIN, REHABILITATE, AND PROSECUTE INDIVIDUALS DETAINED AT GUANTANAMO WHO ARE TRANSFERRED TO YEMEN.**

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on the capability of the government of Yemen to detain, rehabilitate, and prosecute individuals detained at Guantanamo (as such term is defined in section 1033(f)(2)) who are transferred to Yemen. Such report shall include an assessment of any humanitarian issues that may be encountered in transferring individuals detained at Guantanamo to Yemen.

**SEC. 1040. REPORT ON ATTACHMENT OF RIGHTS TO INDIVIDUALS DETAINED AT GUANTANAMO IF TRANSFERRED TO THE UNITED STATES.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Attorney General shall jointly submit to the congressional defense committees, the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate a report that includes each of the following:

(1) A description of the extent to which an individual detained at Guantanamo, if transferred to the United States, could become eligible, by reason of such transfer, for—

(A) relief from removal from the United States, including pursuant to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(B) any required release from immigration detention, including pursuant to the decision of the Supreme Court in *Zadvydas v. Davis*;

(C) asylum or withholding of removal; or

(D) any additional constitutional right.

(2) For any right referred to in paragraph (1) for which the Secretary and Attorney General determine such an individual could become eligible if so transferred, a description of the reasoning behind such determination and an explanation of the nature of the right.

**SEC. 1040A. SUMMARY OF INFORMATION RELATING TO INDIVIDUALS DETAINED AT GUANTANAMO WHO BECAME LEADERS OF FOREIGN TERRORIST GROUPS.**

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall make publicly available a summary of information relating to individuals who were formerly detained at United States Naval Station, Guantanamo Bay, Cuba, who have, since being transferred or released from such detention, have become leaders or involved in the leadership structure of a foreign terrorist group.

(b) **FORM OF SUMMARY.**—The summary required under subsection (a) shall be in unclassified form, but may contain a classified annex.

**Subtitle E—Sensitive Military Operations**

**SEC. 1041. CONGRESSIONAL NOTIFICATION OF SENSITIVE MILITARY OPERATIONS.**

(a) **NOTIFICATION REQUIRED.**—

(1) **IN GENERAL.**—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 130f. Congressional notification of sensitive military operations**

“(a) **IN GENERAL.**—The Secretary of Defense shall promptly submit to the congressional defense committees notice in writing of any sen-

sitive military operation following such operation.”

“(b) **PROCEDURES.**—(1) The Secretary of Defense shall establish and submit to the congressional defense committees procedures for complying with the requirements of subsection (a) consistent with the national security of the United States and the protection of operational integrity.

“(2) The congressional defense committees shall ensure that committee procedures designed to protect from unauthorized disclosure classified information relating to national security of the United States are sufficient to protect the information that is submitted to the committees pursuant to this section.

“(c) **SENSITIVE MILITARY OPERATION DEFINED.**—The term ‘sensitive military operation’ means a lethal operation or capture operation conducted by the armed forces outside the United States pursuant to—

“(1) the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note); or

“(2) any other authority except—

“(A) a declaration of war; or

“(B) a specific statutory authorization for the use of force other than the authorization referred to in paragraph (1).

“(d) **EXCEPTION.**—The notification requirement under subsection (a) shall not apply with respect to a sensitive military operation executed within the territory of Afghanistan pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note).

“(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to provide any new authority or to alter or otherwise affect the War Powers Resolution (50 U.S.C. 1541 et seq.), the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), or any requirement under the National Security Act of 1947 (50 U.S.C. 3001 et seq.).”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130e the following new item:

“130f. Congressional notification regarding sensitive military operations.”

(b) **EFFECTIVE DATE.**—Section 130f of title 10, United States Code, as added by subsection (a), shall apply with respect to any sensitive military operation (as defined in subsection (c) of such section) executed on or after the date of the enactment of this Act.

(c) **DEADLINE FOR SUBMITTAL OF PROCEDURES.**—The Secretary of Defense shall submit to the congressional defense committees the procedures required under section 130f(b) of title 10, United States Code, as added by subsection (a), by not later than 60 days after the date of the enactment of this Act.

**SEC. 1042. REPORT ON PROCESS FOR DETERMINING TARGETS OF LETHAL OPERATIONS.**

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing an explanation of the legal and policy considerations and approval processes used in determining whether an individual or group of individuals could be the target of a lethal operation or capture operation conducted by the Armed Forces of the United States outside the United States.

**SEC. 1043. COUNTERTERRORISM OPERATIONAL BRIEFINGS.**

(a) **BRIEFINGS REQUIRED.**—Chapter 23 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 492. Quarterly briefings: counterterrorism operations**

“(a) **BRIEFINGS REQUIRED.**—The Secretary of Defense shall provide to the congressional de-

fense committees quarterly briefings outlining Department of Defense counterterrorism operations and related activities.

“(b) **ELEMENTS.**—Each briefing under subsection (a) shall include each of the following:

“(1) A global update on activity within each geographic combatant command.

“(2) An overview of authorities and legal issues including limitations.

“(3) An outline of interagency activities and initiatives.

“(4) Any other matters the Secretary considers appropriate.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“492. Quarterly briefings: counterterrorism operations.”

**Subtitle F—Nuclear Forces**

**SEC. 1051. PROHIBITION ON ELIMINATION OF THE NUCLEAR TRIAD.**

(a) **PROHIBITION ON TRIAD REDUCTIONS.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to reduce, convert, or decommission any strategic delivery system if such reduction, conversion, or decommissioning would eliminate a leg of the nuclear triad.

(b) **NUCLEAR TRIAD DEFINED.**—The term “nuclear triad” means the nuclear deterrent capabilities of the United States composed of the following:

(1) Land-based intercontinental ballistic missiles.

(2) Submarine-launched ballistic missiles and associated ballistic missile submarines.

(3) Nuclear-certified strategic bombers.

**SEC. 1052. LIMITATION ON AVAILABILITY OF FUNDS FOR REDUCTION OF NUCLEAR FORCES.**

(a) **LIMITATION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense or the National Nuclear Security Administration may be obligated or expended to carry out reductions to the nuclear forces of the United States required by the New START Treaty until—

(1) the Secretary of Defense submits to the appropriate congressional committees the plan required by section 1042(a) of the National Defense Authorization Act of Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1575); and

(2) the President certifies to the appropriate congressional committees that any further reductions to such forces that result in such forces being reduced below the level required by the New START Treaty will be carried out only pursuant to—

(A) a treaty or international agreement specifically approved with the advice and consent of the Senate pursuant to Article II, section 2, clause 2 of the Constitution; or

(B) an Act of Congress specifically authorizing such reductions.

(b) **EXCEPTION.**—The limitation in subsection (a) shall not apply to the following:

(1) Reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems.

(2) Nuclear warheads that are retired or awaiting dismantlement on the date of the enactment of this Act.

(3) Inspections carried out pursuant to the New START Treaty.

(c) **DEFINITIONS.**—In this section:

(1) The term “appropriate congressional committees” means the following:

(A) The congressional defense committees.



(B) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) The term “New START Treaty” means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

**SEC. 1053. LIMITATION ON AVAILABILITY OF FUNDS FOR REDUCTION OR CONSOLIDATION OF DUAL-CAPABLE AIRCRAFT BASED IN EUROPE.**

(a) **LIMITATION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be used to reduce or consolidate the basing of dual-capable aircraft of the United States that are based in Europe until a period of 90 days has elapsed after the date on which the Secretary of Defense certifies to the congressional defense committees that—

(1) the Russian Federation has carried out similar reductions or consolidations with respect to dual-capable aircraft of Russia;

(2) the Secretary has consulted with the member states of the North Atlantic Treaty Organization with respect to the planned reduction or consolidation of the Secretary; and

(3) there is a consensus among such member states in support of such planned reduction or consolidation.

(b) **DUAL-CAPABLE AIRCRAFT DEFINED.**—In this section, the term “dual-capable aircraft” means aircraft that can perform both conventional and nuclear missions.

**SEC. 1054. STATEMENT OF POLICY ON IMPLEMENTATION OF ANY AGREEMENT FOR FURTHER ARMS REDUCTION BELOW THE LEVELS OF THE NEW START TREATY; LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC DELIVERY SYSTEMS.**

(a) **FINDING; STATEMENT OF POLICY.**—

(1) **FINDING.**—Congress finds that it was the Declaration of the United States Senate in its Resolution of Advice and Consent to the New START Treaty that “[t]he Senate declares that further arms reduction agreements obligating the United States to reduce or limit the Armed Forces or armaments of the United States in any militarily significant manner may be made only pursuant to the treaty-making power of the President as set forth in Article II, section 2, clause 2 of the Constitution of the United States”.

(2) **STATEMENT OF POLICY.**—Congress reaffirms the Declaration described in paragraph (1) and states that any agreement for further arms reduction below the levels of the New START Treaty, including those that may seek to use the Treaty’s verification regime, may only be made pursuant to the treaty-making power of the President as set forth in Article II, section 2, clause 2 of the Constitution of the United States or by Act of Congress, as set forth in the Arms Control and Disarmament Act (22 U.S.C. 2551 et seq.).

(b) **LIMITATION.**—

(1) **IN GENERAL.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 or any fiscal year thereafter for the Department of Defense may be obligated or expended to retire, dismantle, or deactivate, or prepare to retire, dismantle, or deactivate, any covered strategic delivery vehicle if such action reduces the number of covered strategic delivery vehicles to less than the 800 required to implement the New START Treaty.

(2) **WAIVER.**—In accordance with subsection (c), the President may waive the limitation under paragraph (1) with respect to a fiscal year if the President submits to the appropriate congressional committees written notification that—

(A) the Senate has given its advice and consent to ratification of a nuclear arms reduction treaty with the Russian Federation that requires Russia to significantly and proportionally reduce its number of nonstrategic nuclear warheads, or an international agreement for such purpose is entered into pursuant to an Act of Congress as set forth in the Arms Control and Disarmament Act (22 U.S.C. 2551 et seq.);

(B) such treaty or agreement has entered into force; and

(C) such waiver is required during such fiscal year to implement such treaty or agreement.

(c) **ADDITIONAL LIMITATIONS.**—

(1) **CERTAIN COMPLIANCE OF NUCLEAR ARMS CONTROL AGREEMENTS.**—If the President makes a waiver under subsection (b)(2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 or any fiscal year thereafter for the Department of Defense may be obligated or expended to retire, dismantle, or deactivate, or prepare to retire, dismantle, or deactivate, any covered strategic delivery vehicle until 30 days elapses following the date on which the President submits to the appropriate congressional committees and the congressional intelligence committees written certification that the Russian Federation is in compliance with its nuclear arms control agreements and obligations with the United States.

(2) **CERTAIN INTELLIGENCE.**—If the President makes a waiver under subsection (b)(2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 or any fiscal year thereafter for the Department of Defense may be obligated or expended to retire, dismantle, or deactivate, or prepare to retire, dismantle, or deactivate, any covered strategic delivery vehicle in accordance with a treaty or international agreement entered into pursuant to an Act of Congress requiring such actions unless the President submits to the appropriate congressional committees and the congressional intelligence committees written certification that the intelligence community has high confidence judgments with respect to—

(A) the nuclear weapons production capacity of the People’s Republic of China;

(B) the nature, number, location, and targetability of the nuclear weapons and strategic delivery systems of China; and

(C) the nuclear doctrine of China.

(d) **EXCEPTION.**—The limitations in subsection (b) and (c) shall not apply to reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems of the United States, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery system.

(e) **DEFINITIONS.**—In this section:

(1) The term “appropriate congressional committees” means the following:

(A) The congressional defense committees.

(B) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) The term “congressional intelligence committees” means the following:

(A) The Permanent Select Committee on Intelligence of the House of Representatives.

(B) The Select Committee on Intelligence of the Senate.

(3) The term “covered strategic delivery vehicle” means the following:

(A) B–52H bomber aircraft.

(B) B–2 Spirit bomber aircraft.

(C) Trident ballistic missile submarines.

(D) Trident II D5 submarine launched ballistic missiles.

(E) Minuteman III intercontinental ballistic missiles.

(4) The term “New START Treaty” means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

**SEC. 1055. SENSE OF CONGRESS ON COMPLIANCE WITH NUCLEAR ARMS CONTROL AGREEMENTS.**

(a) **FINDINGS.**—Congress finds the following:

(1) President Obama stated in Prague in April 2009 that “Rules must be binding. Violations must be punished. Words must mean something.”.

(2) President Obama’s Nuclear Posture Review of 2010 stated, “it is not enough to detect non-compliance; violators must know that they will face consequences when they are caught.”.

(3) The July 2010 Verifiability Assessment released by the Department of State on the New START Treaty stated, “The costs and risks of Russian cheating or breakout, on the other hand, would likely be very significant. In addition to the financial and international political costs of such an action, any Russian leader considering cheating or breakout from the New START Treaty would have to consider that the United States will retain the ability to upload large numbers of additional nuclear warheads on both bombers and missiles under the New START, which would provide the ability for a timely and very significant U.S. response.”.

(4) Subsection (a) of the Resolution of Advice and Consent to Ratification of the New START Treaty of the Senate, agreed to on December 22, 2010, listed conditions of the Senate to the ratification of the New START Treaty that are binding upon the President, including the condition under paragraph (1)(B) of such subsection that requires the President to take certain actions in response to actions by the Russian Federation that are in violation of or inconsistent with such treaty, including to “seek on an urgent basis a meeting with the Russian Federation at the highest diplomatic level with the objective of bringing the Russian Federation into full compliance with its obligations under the New START Treaty”.

(5) The Obama Administration demonstrated that violations of treaty obligations by other parties require corresponding action by the United States when, on November 22, 2011, the Department of State announced that the United States would “cease carrying out certain obligations under the Conventional Armed Forces in Europe (CFE) Treaty with regard to Russia. This announcement in the CFE Treaty’s implementation group comes after the United States and NATO Allies have tried over the past 4 years to find a diplomatic solution following Russia’s decision in 2007 to cease implementation with respect to all other 29 CFE States. Since then, Russia has refused to accept inspections and ceased to provide information to other CFE Treaty parties on its military forces as required by the Treaty.”.

(6) On October 17, 2012, the Chairman of the Committee on Armed Services of the House of Representatives and the Chairman of the Permanent Select Committee on Intelligence of the House of Representatives wrote a classified letter to the President stating their concerns about a major arms control violation by the Russian Federation.

(7) The Chairmen followed up their classified letter with unclassified letters on February 14 and April 12, 2013—in their latest letter, the Chairmen stated that they expect the Administration to “directly confront the Russian violations and circumventions of this and other treaties. . . [we] further ask, again, for your engagement in correcting this behavior. We also seek your commitment not to undertake further reductions to the U.S. nuclear deterrent or extended deterrent until this Russian behavior is

corrected. We are in full agreement with your policy as you articulated it in Prague four years ago this month, 'rules must be binding. Violations must be punished. Words must mean something.'"

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the President should consider not seeking to further limit or reduce the nuclear forces of the United States, including by negotiation, with a foreign country that remains in active noncompliance with existing nuclear arms obligations, such as the Russian Federation.

(c) **OBLIGATIONS OF THE PRESIDENT IN THE EVENT OF NONCOMPLIANCE.**—If the President determines that a foreign country is not in compliance with its obligations under a nuclear arms control agreement, treaty, or commitment to which the United States is a party or in which the United States is a participating government, including the Missile Technology Control Regime, the President shall—

(1) immediately consult with Congress regarding the implications of such noncompliance for—

(A) the viability of such agreement, treaty, or commitment; and

(B) the national security interests of the United States and the allies of the United States;

(2) submit to Congress a plan concerning the diplomatic strategy of the President to engage such foreign country at the highest diplomatic level with the objective of bringing such country into full compliance with such obligations; and

(3) at the earliest date practicable following the submission of the plan under paragraph (2), submit to Congress a report detailing—

(A) whether adherence by the United States to such obligation remains in the national security interests of the United States or the allies of the United States; and

(B) how the United States will redress the effect of such noncompliance to the national security interests of the United States or such allies.

**SEC. 1056. RETENTION OF CAPABILITY TO REDEPLOY MULTIPLE INDEPENDENTLY TARGETABLE REENTRY VEHICLES.**

(a) **DEPLOYMENT CAPABILITY.**—The Secretary of the Air Force shall ensure that the Air Force is capable of—

(1) deploying multiple independently targetable reentry vehicles to Minuteman III intercontinental ballistic missiles, and any ground-based strategic deterrent follow-on to such missiles; and

(2) commencing such deployment not later than 270 days after the date on which the President determines such deployment necessary.

(b) **WARHEAD CAPABILITY.**—The Nuclear Weapons Council established by section 179 of title 10, United States Code, shall ensure that—

(1) the nuclear weapons stockpile contains a sufficient number of nuclear warheads that are capable of being deployed as multiple independently targetable reentry vehicles with respect to Minuteman III intercontinental ballistic missiles, and any ground-based strategic deterrent follow-on to such missiles; and

(2) such deployment is capable of being commenced not later than 270 days after the date on which the President determines such deployment necessary.

**SEC. 1057. ASSESSMENT OF NUCLEAR WEAPONS PROGRAM OF THE PEOPLE'S REPUBLIC OF CHINA.**

Section 1045(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1933) is amended—

(1) in paragraph (4), by striking "August 15, 2013" and inserting "August 15, 2014"; and

(2) by adding at the end the following new paragraph:

"(5) **LIMITATION.**—Of the funds authorized to be appropriated by the National Defense Au-

thorization Act for Fiscal Year 2014 or otherwise made available for fiscal year 2014 for the Office of the Secretary of Defense for travel, not more than 75 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of Defense notifies the appropriate congressional committees that the Secretary has entered into an agreement under paragraph (1) with a federally funded research and development center."

**SEC. 1058. COST ESTIMATES FOR NUCLEAR WEAPONS.**

Section 1043(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1576), as amended by section 1041 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1931), is amended—

(1) in paragraph (2)(F), by inserting "personnel," after "maintenance,"; and

(2) in paragraph (3), by inserting before the period at the end the following: "including how and which locations were counted".

**SEC. 1059. REPORT ON NEW START TREATY.**

Not later than January 15, 2014, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on whether the New START Treaty (as defined in section 494(a)(2)(D)(ii) of title 10, United States Code) is in the national security interests of the United States.

**Subtitle G—Miscellaneous Authorities and Limitations**

**SEC. 1061. ENHANCEMENT OF CAPACITY OF THE UNITED STATES GOVERNMENT TO ANALYZE CAPTURED RECORDS.**

(a) **IN GENERAL.**—Chapter 21 of title 10, United States Code, is amended by inserting after section 426 the following new section:

**"§427. Conflict Records Research Center**

"(a) **CENTER AUTHORIZED.**—The Secretary of Defense may establish a center to be known as the 'Conflict Records Research Center' (in this section referred to as the 'Center').

"(b) **PURPOSES.**—The purposes of the Center shall be the following:

"(1) To establish a digital research database including translations and to facilitate research and analysis of records captured from countries, organizations, and individuals, now or once hostile to the United States, with rigid adherence to academic freedom and integrity.

"(2) Consistent with the protection of national security information, personally identifiable information, and intelligence sources and methods, to make a significant portion of these records available to researchers as quickly and responsibly as possible while taking into account the integrity of the academic process and risks to innocents or third parties.

"(3) To conduct and disseminate research and analysis to increase the understanding of factors related to international relations, counterterrorism, and conventional and unconventional warfare and, ultimately, enhance national security.

"(4) To collaborate with members of academic and broad national security communities, both domestic and international, on research, conferences, seminars, and other information exchanges to identify topics of importance for the leadership of the United States Government and the scholarly community.

"(c) **CONCURRENCE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.**—The Secretary of Defense shall seek the concurrence of the Director of National Intelligence to the extent the efforts and activities of the Center involve the entities referred to in subsection (b)(4).

"(d) **SUPPORT FROM OTHER UNITED STATES GOVERNMENT DEPARTMENTS OR AGENCIES.**—The

head of any non-Department of Defense department or agency of the United States Government may—

"(1) provide to the Secretary of Defense services, including personnel support, to support the operations of the Center; and

"(2) transfer funds to the Secretary of Defense to support the operations of the Center.

"(e) **ACCEPTANCE OF GIFTS AND DONATIONS.**—(1) Subject to paragraph (3), the Secretary of Defense may accept from any source specified in paragraph (2) any gift or donation for purposes of defraying the costs or enhancing the operations of the Center.

"(2) The sources specified in this paragraph are the following:

"(A) The government of a State or a political subdivision of a State.

"(B) The government of a foreign country.

"(C) A foundation or other charitable organization, including a foundation or charitable organization that is organized or operates under the laws of a foreign country.

"(D) Any source in the private sector of the United States or a foreign country.

"(3) The Secretary may not accept a gift or donation under this subsection if acceptance of the gift or donation would compromise or appear to compromise—

"(A) the ability of the Department of Defense, any employee of the Department, or any member of the armed forces to carry out the responsibility or duty of the Department in a fair and objective manner; or

"(B) the integrity of any program of the Department or of any person involved in such a program.

"(4) The Secretary shall provide written guidance setting forth the criteria to be used in determining the applicability of paragraph (3) to any proposed gift or donation under this subsection.

"(f) **CREDITING OF FUNDS TRANSFERRED OR ACCEPTED.**—Funds transferred to or accepted by the Secretary of Defense under this section shall be credited to appropriations available to the Department of Defense for the Center, and shall be available for the same purposes, and subject to the same conditions and limitations, as the appropriations with which merged. Any funds so transferred or accepted shall remain available until expended.

"(g) **DEFINITIONS.**—In this section:

"(1) The term 'captured record' means a document, audio file, video file, or other material captured during combat operations from countries, organizations, or individuals, now or once hostile to the United States.

"(2) The term 'gift or donation' means any gift or donation of funds, materials (including research materials), real or personal property, or services (including lecture services and faculty services)."

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter I of such chapter is amended by inserting after the item relating to section 426 the following new item:

"427. Conflict Records Research Center."

**SEC. 1062. EXTENSION OF AUTHORITY TO PROVIDE MILITARY TRANSPORTATION SERVICES TO CERTAIN OTHER AGENCIES AT THE DEPARTMENT OF DEFENSE REIMBURSEMENT RATE.**

(a) **IN GENERAL.**—Section 2642(a) of title 10, United States Code, is amended—

(1) by striking "airlift" each place it appears and inserting "transportation"; and

(2) in paragraph (3)—

(A) by striking "October 28, 2014" and inserting "September 30, 2019";

(B) by inserting and "military transportation services provided in support of foreign military sales" after "Department of Defense"; and

(C) by striking "air industry" and inserting "transportation industry".

(b) **TECHNICAL AMENDMENT.**—The heading for such section is amended by striking “**Airlift**” and inserting “**Transportation**”.

(c) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 157 of such title is amended by striking the item relating to section 2642 and inserting the following new item:

“2642. Transportation services provided to certain other agencies: use of Department of Defense reimbursement rates”.

**SEC. 1063. LIMITATION ON AVAILABILITY OF FUNDS FOR MODIFICATION OF FORCE STRUCTURE OF THE ARMY.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of the Army may be used to modify the force structure or basing strategy of the Army until the Secretary of the Army—

(1) submits to Congress the report on force structure required by section 1066 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1943); and

(2) provides to the congressional defense committees a briefing on the most recent force mix analysis conducted by the Secretary, including—

(A) the assumptions and scenarios used to determine the type and mix of Brigade Combat Teams;

(B) the rationale for the recommended force mix; and

(C) the risks involved with the recommended force mix.

**SEC. 1064. LIMITATION ON USE OF FUNDS FOR PUBLIC-PRIVATE COOPERATION ACTIVITIES.**

No amounts authorized to be appropriated or otherwise made available to the Department of Defense by this Act or any other Act may be obligated or expended on any public-private cooperation activity undertaken by a combatant command until the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives the report on the conclusions of the Defense Business Board that the Secretary was directed to provide under the Report of the Committee on Armed Services to accompany H.R. 4310 of the 112th Congress (H. Rept. 112-479).

**Subtitle H—Studies and Reports**

**SEC. 1071. OVERSIGHT OF COMBAT SUPPORT AGENCIES.**

Section 193(a)(1) of title 10, United States Code, is amended in the matter preceding subparagraph (A) by inserting “and the congressional defense committees” after “the Secretary of Defense”.

**SEC. 1072. INCLUSION IN ANNUAL REPORT OF DESCRIPTION OF INTERAGENCY COORDINATION RELATING TO HUMANITARIAN DEMINING TECHNOLOGY.**

Section 407(d) of title 10, United States Code, is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(5) a description of interagency efforts to coordinate and improve research, development, test, and evaluation for humanitarian demining technology and mechanical clearance methods, including the transfer of relevant counter-improvised explosive device technology with potential humanitarian demining applications.”.

**SEC. 1073. EXTENSION OF DEADLINE FOR COMPTROLLER GENERAL REPORT ON ASSIGNMENT OF CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE AS ADVISORS TO FOREIGN MINISTRIES OF DEFENSE.**

Section 1081(d) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1599; 10 U.S.C. 168 note) is amended by striking “December 30, 2013” and inserting “December 30, 2014”.

**SEC. 1074. REPEAL OF REQUIREMENT FOR COMPTROLLER GENERAL ASSESSMENT OF DEPARTMENT OF DEFENSE EFFICIENCIES.**

Section 1054 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1582) is repealed.

**SEC. 1075. MATTERS FOR INCLUSION IN THE ASSESSMENT OF THE 2013 QUADRENNIAL DEFENSE REVIEW.**

(a) **IN GENERAL.**—For purposes of conducting the assessment of the 2013 quadrennial defense review under section 118 of title 10, United States Code, the National Defense Panel established under subsection (f) of such section (hereinafter in this section referred to as the “Panel”) shall—

(1) conduct an assessment of the recommendation included in the assessment of the 2009 quadrennial defense review under such section regarding the establishment of a standing, independent strategic review panel;

(2) include in the report required by paragraph (7) of such subsection the recommendations of the Panel regarding the establishment of such a standing panel; and

(3) take into consideration the Strategic Choices and Management Review directed by the Secretary of Defense during 2013, particularly in carrying out the responsibilities of the Panel under clauses (i), (ii), and (v) of paragraph (5) of such subsection.

(b) **UPDATES FROM SECRETARY OF DEFENSE.**—In providing updates to the panel regarding the 2013 quadrennial defense review under paragraph (8) of such subsection, or providing information requested by the panel pursuant to paragraph (9)(A) of such subsection, the Secretary of Defense or head of the department or agency, as appropriate, shall also provide information related to the Strategic Choices and Management Review.

**SEC. 1076. REVIEW AND ASSESSMENT OF UNITED STATES SPECIAL OPERATIONS FORCES AND UNITED STATES SPECIAL OPERATIONS COMMAND.**

(a) **IN GENERAL.**—The Secretary of Defense shall conduct a review of the United States Special Operations Forces organization, capabilities, and structure.

(b) **REPORT.**—Not later than the date on which the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2015, the Secretary of Defense shall submit to the congressional defense committees a report on the review conducted under subsection (a). Such report shall include an analysis of each of the following:

(1) The organizational structure of the United States Special Operations Command and each subordinate component, as in effect as of the date of the enactment of this Act.

(2) The policy and civilian oversight structures for Special Operations Forces within the Department of Defense, as in effect as of the date of the enactment of this Act, including the statutory structures and responsibilities of the Office of the Secretary of Defense for Special Operations and Low Intensity Conflict within the Department.

(3) The roles and responsibilities of United States Special Operations Command and Special Operations Forces under section 167 of title 10, United States Code.

(4) Current and future special operations peculiar requirements of the commanders of the geographic combatant commands, Theater Special Operations Commands, and command relationships between United States Special Operations Command and the geographic combatant commands.

(5) The funding authorities, uses, and oversight mechanisms of Major Force Program-11.

(6) Changes to structure, authorities, oversight mechanisms, Major Force Program-11 funding, roles, and responsibilities assumed in the 2014 Quadrennial Defense Review.

(7) Any other matters the Secretary of Defense determines are appropriate to ensure a comprehensive review and assessment.

(c) **IN GENERAL.**—Not later than 60 days after the date on which the report required by subsection (b) is submitted, the Comptroller General of the United States shall submit to the congressional defense committees a review of the report. Such review shall include an assessment of United States Special Operations Forces organization, capabilities, and force structure with respect to conventional force structures and national military strategies.

**SEC. 1077. REPORTS ON UNMANNED AIRCRAFT SYSTEMS.**

(a) **REPORT ON COLLABORATION, DEMONSTRATION, AND USE CASES AND DATA SHARING.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Transportation, the Administrator of the Federal Aviation Administration, and the Administrator of the National Aeronautics and Space Administration, on behalf of the UAS Executive Committee, shall submit jointly to the appropriate committees of Congress a report setting forth the following:

(1) The collaboration, demonstrations, and initial fielding of unmanned aircraft systems at test sites within and outside of restricted airspace.

(2) The progress being made to develop public and civil sense-and-avoid and command-and-control technology.

(3) An assessment on the sharing of operational, programmatic, and research data relating to unmanned aircraft systems operations by the Federal Aviation Administration, the Department of Defense, and the National Aeronautics and Space Administration to help the Federal Aviation Administration establish civil unmanned aircraft systems certification standards, pilot certification and licensing, and air traffic control procedures, including identifying the locations selected to collect, analyze, and store the data.

(b) **REPORT ON RESOURCE REQUIREMENTS NEEDED FOR UNMANNED AIRCRAFT SYSTEMS DESCRIBED IN THE FIVE-YEAR ROADMAP.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, on behalf of the UAS Executive Committee, shall submit to the appropriate committees of Congress a report setting forth the resource requirements needed to meet the milestones for unmanned aircraft systems integration described in the five-year roadmap under section 332(a)(5) of the FAA Modernization and Reform Act (Public Law 112-95; 49 U.S.C. 40101 note).

(c) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Commerce, Science and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives.

(2) The term “UAS Executive Committee” means the Department of Defense–Federal Aviation Administration executive committee described in section 1036(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4596) established by the Secretary of Defense and the Administrator of the Federal Aviation Administration.

**SEC. 1078. ONLINE AVAILABILITY OF REPORTS SUBMITTED TO CONGRESS.**

(a) IN GENERAL.—Subsection (a)(1) of section 122a of title 10, United States Code, is amended to read as follows:

“(1) made available on a publicly accessible Internet website of the Department of Defense; and”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to reports submitted to Congress after the date of the enactment of this Act.

**SEC. 1079. PROVISION OF DEFENSE PLANNING GUIDANCE AND CONTINGENCY OPERATION PLAN INFORMATION TO CONGRESS.**

(a) IN GENERAL.—Section 113(g) of title 10, United States Code is amended by adding at the end, the following new paragraph:

“(3) At the time of the budget submission by the President for a fiscal year, the Secretary of Defense shall submit to the congressional defense committees an annual report containing summaries of the guidance developed under paragraphs (1) and (2), as well as summaries of any plans developed in accordance with the guidance developed under paragraph (2). Such summaries shall be sufficient to allow the congressional defense committees to evaluate fully the requirements for military forces, acquisition programs, and operations and maintenance funding in the President’s annual budget request for the Department of Defense.”.

(b) REPORT REQUIRED.—Notwithstanding the requirement under paragraph (3) of section 113(g) of title 10, United States Code, as added by subsection (a), that the Secretary of Defense submit reports under that paragraph at the time of the President’s annual budget submission, the Secretary shall submit to the congressional defense committees the first report required under that paragraph by not later than 120 days after the date of the enactment of this Act.

(c) LIMITATION ON OBLIGATION OF FUNDS PENDING REPORT.—Of the funds authorized to be appropriated by this Act for Operation and Maintenance, Defense-wide, for the office of the Secretary of Defense, not more than 75 percent may be obligated or expended before the date that is 15 days after the date on which the Secretary submits the report described in subsection (b).

**Subtitle I—Other Matters**

**SEC. 1081. TECHNICAL AND CLERICAL AMENDMENTS.**

(a) TITLE 10.—Title 10, United States Code, is amended as follows:

(1) The table of chapters at the beginning of subtitle A, and at the beginning of part I of such subtitle, are each amended by striking the item relating to chapter 24 and inserting the following:

**24. Nuclear Posture ..... 491**

(2) Section 122a(a) is amended by striking “subsection (b) is” and inserting “subsection (b) is—”.

(3) The table of sections at the beginning of chapter 3 is amended by striking the item relating to section 130e and inserting the following new item:

“130e. Treatment under Freedom of Information Act of critical infrastructure security information.”.

(4) The table of sections at the beginning of chapter 9 is amended by striking the item relat-

ing to section 231 and inserting the following new item:

“231. Budgeting for construction of naval vessels: annual plan and certification.”.

(5) Section 231a(a) is amended by striking “fiscal year of Defense” and inserting “fiscal year, the Secretary of Defense”.

(6) Chapter 24 is amended by adding a period at the end of the enumerator of section 498.

(7) Section 494(c) is amended by striking “the date of the enactment of this Act” each place it appears and inserting “December 31, 2011”.

(8) Section 673(a) is amended by inserting “of the Uniform Code of Military Justice” after “120c”.

(9) Section 1401a is amended by striking “before the enactment of the National Defense Authorization Act for Fiscal Year 2008” in subsections (d) and (e) and inserting “before January 28, 2008”.

(10) Section 2359b(k)(4)(B) is amended by adding a period at the end.

(11) Section 2461(a)(5)(E)(i) is amended by striking “the a” and inserting “the”.

(b) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.—Effective as of January 2, 2013, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239) is amended as follows:

(1) Section 322(e)(2) (126 Stat. 1695) is amended by striking “Section 2366b(A)(3)(F)” and inserting “Section 2366b(a)(3)(F)”.

(2) Section 371(a)(1) (126 Stat. 1706) is amended by striking “subsections (f) and (g) as subsections (g) and (h), respectively” and inserting “subsection (f) as subsection (g)”.

(3) Section 611(7) (126 Stat. 1776) is amended by striking “Section 408a(e)” and inserting “Section 478a(e)”.

(4) Section 822(b) (126 Stat. 1830) is amended by striking “such Act” and inserting “such section”.

(5) Section 1031(b)(3)(B) (126 Stat.1918) is amended by striking the subclause (III) immediately below clause (iv).

(6) Section 1031(b)(4) (126 Stat.1919) is amended by striking “Section 1031(b)” and inserting “Section 1041(b)”.

(7) Section 1086(d)(1) (126 Stat.1969) is amended by striking “paragraph (1)” and inserting “paragraph (2)”.

(8) Section 1221(a)(2) (126 Stat. 1992) is amended by striking “FISCAL” both places it appears and inserting “FISCAL”.

(9) Section 1804 (126 Stat. 2111) is amended—(A) in subsection (h)(1)(B), by striking “inserting”; and;” and inserting “inserting a semicolon;”; and

(B) in subsection (i), by inserting after “it appears” the following: “(except in those places in which ‘Administrator of FEMA’ already appears)”.

(c) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012.—Effective as of December 31, 2011, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended as follows:

(1) Section 312(b)(6)(F) (125 Stat. 1354) is amended by striking “subsection (D)” and inserting “subsection (d)”.

(2) Section 585(a)(1) (125 Stat. 1434; 10 U.S.C. 1561 note) is amended “experts sexual” and inserting “experts in sexual”.

(d) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004.—Section 338(a) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 5013 note), as most recently amended by section 321 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1694), is amended by striking “subsection 4703” and inserting “section 4703”.

(e) AMENDMENT TO TITLE 41.—Section 4712(i) is amended by inserting before “the enactment” the following: “that is 180 days after the date”.

(f) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any amendment made by other provisions of this Act.

**SEC. 1082. TRANSPORTATION OF SUPPLIES FOR THE UNITED STATES BY AIRCRAFT OPERATED BY UNITED STATES AIR CARRIERS.**

(a) DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—Chapter 157 of title 10, United States Code, is amended by inserting after section 2631a the following new section:

**“§2631b. Supplies: preference to United States aircraft**

“(a) PREFERENCE.—Only aircraft owned by the United States, or aircraft operated by or under the supervision of United States air carriers holding a certificate under section 41102 of title 49 and registered in the Civil Reserve Air Fleet, may be used for the transportation by air of supplies on behalf of any component of the Department of Defense. However, if the President finds that the rates charged for the use of those aircraft is excessive or otherwise unreasonable, contracts for transportation may be made as otherwise provided by law. Charges made for the transportation of those supplies by those aircraft may not be higher than the charges made for transporting like goods for private persons.

“(b) OUTSIZE AND OVERSIZE CARGOES.—(1) The preference under subsection (a) shall not apply to outsize or oversize cargoes if no air carrier registered in the Civil Reserve Air Fleet nor any aircraft owned by the United States is capable and available of transporting such a cargo.

“(2) The Secretary of Defense shall ensure that, to the maximum extent practicable, outsize and oversize cargoes are transported by aircraft owned and operated by the United States or by air carriers in the Civil Reserve Air Fleet.

“(3) Not later than March 30 of each year, the Secretary of Defense shall submit to the congressional defense committees a report on outsize and oversize cargo flights. Each such report shall include, for the year covered by the report, each of the following:

“(A) The number of outsize and oversize cargo flights, including the number of flights and tonnage of each flight, flown both by aircraft owned and operated by the United States and by carriers in the Civil Reserve Air Fleet.

“(B) For any cargo carried by aircraft that is neither owned and operated by the United States nor by an air carrier in the Civil Reserve Air Fleet, an explanation for the use of such a carrier.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2631a the following new item:

“2631b. Supplies: preference to United States aircraft.”.

(b) OTHER DEPARTMENTS AND AGENCIES.—

(1) IN GENERAL.—Chapter 401 of title 49, United States Code, is amended by adding at the end the following new section:

**“§40131. Air transportation procured by the United States Government**

“(a) GUARANTEE.—Consistent with the provisions of section 40118 of title 49, when the United States procures, enters into a contract for, or otherwise obtains for its own account, or furnishes to or for the account of a foreign country, organization, or person without provision for reimbursement, any equipment, materials, or commodities, or provides financing in

any way with Federal funds for the account of any person unless otherwise exempted, within or without the United States, or advances funds or credits, or guarantees the convertibility of foreign currencies in connection with the furnishing or obtaining of the equipment, materials, or commodities, the appropriate agencies shall take steps necessary and practicable to ensure that at least 50 percent of the gross tonnage of the equipment, materials, or commodities which may be transported on fixed wing aircraft are transported on privately-owned commercial aircraft that are owned, operated, or otherwise supervised by air carriers holding a certificate under section 41102 of this title and registered in the Civil Reserve Air Fleet, to the extent those aircraft are appropriate and available at fair and reasonable rates.

“(b) EXCEPTION.—

“(1) IN GENERAL.—The requirements of this section shall not apply to any equipment, materials, or commodities transported for the use of the military services of the United States or to respond to a humanitarian disaster.

“(2) HUMANITARIAN DISASTER DEFINED.—For purposes of this subsection, the term ‘humanitarian disaster’ means a man-made or natural occurrence that causes loss of life, health, property, or livelihood, inflicting severe destruction and distress.

“(c) WAIVER.—

“(1) IN GENERAL.—The President, the Secretary of Transportation, or the Secretary of State, in coordination with the Secretary of Defense, as appropriate, may issue a temporary waiver of this section—

“(A) to respond to an emergency; or

“(B) if such a waiver is in the national interests of the United States.

“(2) COMMITTEE NOTICE.—The President, the Secretary of Transportation, or the Secretary of State, as appropriate, shall notify the following Committees within 30 days of exercising a waiver under paragraph (1):

“(A) The Committees on Armed Services and Appropriations of the Senate and the House of Representatives.

“(B) The Committee on Commerce, Science, and Transportation of the Senate.

“(C) The Committee on Transportation and Infrastructure of the House of Representatives.

“(D) The Committee on Foreign Relations of the Senate.

“(E) The Committee on Foreign Affairs of the House of Representatives.

“(3) EXPIRATION AND RENEWAL OF WAIVER.—Any waiver issued under paragraph (1) shall expire not later than 180 days after the date on which it is issued. The President, the Secretary of Transportation, or the Secretary of State, as appropriate, may renew an expired or expiring waiver as long as the President or Secretary provides notice to the committees referred to in paragraph (2) in accordance with that paragraph.

“(d) REGULATIONS.—Each department or agency of the Government shall administer its air transport operations according to regulations and guidance issued by the Secretary of Transportation.

“(e) ENFORCEMENT.—The Secretary of Transportation may impose on any person violating this section, or a regulation issued under this section, a civil penalty of up to \$25,000 for each violation knowingly committed, with each day of a continuing violation following the initial shipment to be a separate violation.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“40131. Air transportation procured by the United States Government.”

**SEC. 1083. REDUCTION IN COSTS TO REPORT CRITICAL CHANGES TO MAJOR AUTOMATED INFORMATION SYSTEM PROGRAMS.**

(a) EXTENSION OF A PROGRAM DEFINED.—Section 2445a of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g) EXTENSION OF A PROGRAM.—In this chapter, the term ‘extension of a program’ means, with respect to a major automated information system program or other major information technology investment program, the further deployment or planned deployment to additional users of the system which has already been found operationally effective and suitable by an independent test agency or the Director of Operational Test and Evaluation, beyond the scope planned in the original estimate or information originally submitted on the program.”

(b) REPORTS ON CRITICAL CHANGES IN MAIS PROGRAMS.—Subsection (d) of section 2445c of such title is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraph (3)”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph (2):

“(2) NOTIFICATION WHEN VARIANCE DUE TO CONGRESSIONAL ACTION OR EXTENSION OF PROGRAM.—If a senior Department of Defense official who, following receipt of a quarterly report described in paragraph (1) and making a determination described in paragraph (3), also determines that the circumstances resulting in the determination described in paragraph (3) either (A) are primarily the result of congressional action, or (B) are primarily due to an extension of a program, the official may, in lieu of carrying out an evaluation and submitting a report in accordance with paragraph (1), submit to the congressional defense committees, within 45 days after receiving the quarterly report, a notification that the official has made those determinations. If such a notification is submitted, the limitation in subsection (g)(1) does not apply with respect to that determination under paragraph (3).”

(c) CONFORMING CROSS-REFERENCE AMENDMENT.—Subsection (g)(1) of such section is amended by striking “subsection (d)(2)” and inserting “subsection (d)(3)”.

(d) TOTAL ACQUISITION COST INFORMATION.—Title 10, United States Code, is further amended—

(1) in section 2445b(b)(3), by striking “development costs” and inserting “total acquisition costs”; and

(2) in section 2445c—

(A) in subparagraph (B) of subsection (c)(2), by striking “program development cost” and inserting “total acquisition cost”; and

(B) in subparagraph (C) of subsection (d)(3) (as redesignated by subsection (b)(2)), by striking “program development cost” and inserting “total acquisition cost”.

(e) CLARIFICATION OF CROSS-REFERENCE.—Section 2445c(g)(2) of such title is amended by striking “in compliance with the requirements of subsection (d)(2)” and inserting “under subsection (d)(1)(B)”.

**SEC. 1084. EXTENSION OF AUTHORITY OF SECRETARY OF TRANSPORTATION TO ISSUE NON-PREMIUM AVIATION INSURANCE.**

Section 44310 of title 49, United States Code, is amended—

(1) by inserting “(a) IN GENERAL.—” before “The authority”;

(2) by striking “this chapter” and inserting “any provision of this chapter other than section 44305”; and

(3) by adding at the end the following new subsection:

“(b) INSURANCE OF UNITED STATES GOVERNMENT PROPERTY.—The authority of the Secretary of Transportation to provide insurance and reinsurance for a department, agency, or instrumentality of the United States Government under section 44305 is not effective after December 31, 2018.”

**SEC. 1085. REVISION OF COMPENSATION OF MEMBERS OF THE NATIONAL COMMISSION ON THE STRUCTURE OF THE AIR FORCE.**

(a) REVISION.—Section 365(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat.1705) is amended—

(1) by striking “shall be compensated” and inserting “may be compensated”;

(2) by striking “equal to” and inserting “not to exceed”; and

(3) by inserting “of \$155,400” after “annual rate”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to compensation for a duty performed on or after April 2, 2013.

**SEC. 1086. PROTECTION OF TIER ONE TASK CRITICAL ASSETS FROM ELECTROMAGNETIC PULSE AND HIGH-POWERED MICROWAVE SYSTEMS.**

(a) CERTIFICATION REQUIRED.—Not later than June 1, 2014, the Secretary of the Defense shall submit to the congressional defense committees certification that defense critical assets designated as tier one task critical assets (hereinafter referred to as “TCAs”) are protected from the adverse effects of man-made or naturally occurring electromagnetic pulse and high-powered microwave weapons. Any such assets found not to be so protected shall be included in the plan required under subsection (b).

(b) PLAN REQUIRED.—Not later than January 1, 2015, the Secretary of the Defense shall submit to the congressional defense committees a plan for tier one TCAs to receive electricity by means that are protected from the adverse effects of man-made or naturally occurring electromagnetic pulse and high-powered microwave weapons. The plan shall include the following elements:

(1) An analysis of how the Department of Defense plans to mitigate any risks to mission assurance for non-certified tier one TCAs, including any steps that may be needed for remediation.

(2) The development or adoption by the Department of a standard of resistance or protection against man-made and natural electromagnetic threats for electricity sources that supply electricity to tier one TCAs.

(3) The development by the Department of a strategy to certify by December 31, 2015, that all electricity sourced to tier one TCAs is provided by facilities that meet the standard developed under paragraph (2).

(c) PREPARATION OF PLAN.—In preparing the plan required by subsection (b), the Secretary of Defense shall use the guidance and recommendations of the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack established by section 1401 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-345).

(d) FORM OF SUBMISSION.—The plan required by subsection (b) shall be submitted in classified form.

(e) DEFINITIONS.—In this section:

(1) The term “task critical asset” means an asset of such extraordinary importance to operations in peace, crisis, and war that its incapacitation or destruction would have a debilitating effect on the ability of the Department of Defense to fulfill its missions.

(2) The term “tier one” with respect to a task critical asset means such an asset the loss, incapacitation, or disruption of which could result

in mission (or function) failure at the Department of Defense, military department, combatant command, sub-unified command, Defense Agency, or defense infrastructure sector level.

**SEC. 1087. STRATEGY FOR FUTURE MILITARY INFORMATION OPERATIONS CAPABILITIES.**

(a) **STRATEGY REQUIRED.**—The Secretary of Defense shall develop and implement a strategy for developing and sustaining military information operations capabilities for future contingencies. The Secretary shall submit such strategy to the congressional defense committees by not later than February 1, 2014.

(b) **CONTENTS OF STRATEGY.**—The strategy required in subsection (a) shall include each of the following:

(1) A plan for the sustainment of existing capabilities that have been developed during the ten-year period prior to the date of the enactment of this Act, including such capabilities developed using funds authorized to be appropriated for overseas contingency operations.

(2) A discussion of how the capabilities referred to in paragraph (1) are being integrated into both operational plans (OPLANS) and contingency plans (CONPLANS).

(3) An assessment of the force structure that is necessary to support operational planning and potential contingency operations, including the relative balance across the active and reserve components.

(4) Estimates of the steady-state resources needed to support the force structure referred to in paragraph (3), as well as estimates for resources that might be needed based on selected OPLANS and CONPLANS.

(5) A description of how new and emerging technologies can be incorporated into the projected force structure and future OPLANS and CONPLANS.

(6) A description of new capabilities that may be needed to fill any identified gaps and programs that might be required to develop such capabilities.

**SEC. 1088. COMPLIANCE OF MILITARY DEPARTMENTS WITH MINIMUM SAFE STAFFING STANDARDS.**

In implementing the sequester required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as ordered on March 1, 2013, the Secretary of Defense shall ensure that all military departments remain fully compliant with minimum safe staffing standards, as outlined in the Department of Defense Fire and Emergency Services Program (DoD Instruction 6055.06).

**SEC. 1089. DETERMINATION AND DISCLOSURE OF TRANSPORTATION COSTS INCURRED BY SECRETARY OF DEFENSE FOR CONGRESSIONAL TRIPS OUTSIDE THE UNITED STATES.**

(a) **DETERMINATION AND DISCLOSURE OF COSTS BY SECRETARY.**—In the case of a trip taken by a Member, officer, or employee of the House of Representatives or Senate in carrying out official duties outside the United States for which the Department of Defense provides transportation, the Secretary of Defense shall—

(1) determine the cost of the transportation provided with respect to the Member, officer, or employee;

(2) not later than 10 days after completion of the trip involved, provide a written statement of the cost—

(A) to the Member, officer, or employee involved, and

(B) to the Committee on Armed Services of the House of Representatives (in the case of a trip taken by a Member, officer, or employee of the House) or the Committee on Armed Services of the Senate (in the case of a trip taken by a Member, officer, or employee of the Senate); and

(3) upon providing a written statement under paragraph (2), make the statement available for

viewing on the Secretary's official public website until the expiration of the 4-year period which begins on the final day of the trip involved.

(b) **EXCEPTIONS.**—

(1) **EXCEPTIONS DESCRIBED.**—This section does not apply with respect to any trip for which any of the following applies:

(A) The purpose of the trip is to visit one or more United States military installations or to visit United States military personnel in a war zone (or both).

(B) The use of transportation provided by the Department of Defense is necessary to protect the safety and security of the individuals taking the trip.

(2) **CONSULTATION.**—In determining whether or not a trip is described in paragraph (1), the Secretary of Defense shall consult with the Speaker of the House of Representatives (in the case of a trip taken by a Member, officer, or employee of the House) or the Majority Leader of the Senate (in the case of a trip taken by a Member, officer, or employee of the Senate).

(c) **DEFINITIONS.**—In this section:

(1) **MEMBER.**—The term “Member”, with respect to the House of Representatives, includes a Delegate or Resident Commissioner to the Congress.

(2) **UNITED STATES.**—The term “United States” means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, and any other territory or possession of the United States.

(d) **EFFECTIVE DATE.**—This section shall apply with respect to trips taken on or after the date of the enactment of this Act, except that this section does not apply with respect to any trip which began prior to such date.

**TITLE XI—CIVILIAN PERSONNEL MATTERS**

**SEC. 1101. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.**

Effective January 1, 2014, section 1101(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4615), as most recently amended by section 1101 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1973), is further amended by striking “through 2013” and inserting “through 2014”.

**SEC. 1102. ONE-YEAR EXTENSION OF DISCRETIONARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.**

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4616) and most recently amended by section 1104 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 125 Stat. 1973), is further amended by striking “2014” and inserting “2015”.

**SEC. 1103. EXTENSION OF VOLUNTARY REDUCTION-IN-FORCE AUTHORITY FOR CIVILIAN EMPLOYEES OF DEPARTMENT OF DEFENSE.**

Section 3502(f)(5) of title 5, United States Code, is amended by striking “September 30, 2014” and inserting “September 30, 2015”.

**SEC. 1104. EXTENSION OF AUTHORITY TO MAKE LUMP-SUM SEVERANCE PAYMENTS TO DEPARTMENT OF DEFENSE EMPLOYEES.**

Section 5595(i)(4) of title 5, United States Code, is amended by striking “October 1, 2014” and inserting “October 1, 2018”.

**SEC. 1105. REVISION TO AMOUNT OF FINANCIAL ASSISTANCE UNDER DEPARTMENT OF DEFENSE SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION (SMART) DEFENSE EDUCATION PROGRAM.**

Paragraph (2) of section 2192a(b) of title 10, United States Code, is amended by striking “the amount determined” and all that follows through “room and board” and inserting “an amount determined by the Secretary of Defense”.

**SEC. 1106. EXTENSION OF PROGRAM FOR EXCHANGE OF INFORMATION-TECHNOLOGY PERSONNEL.**

(a) **IN GENERAL.**—Section 1110(d) of the National Defense Authorization Act for Fiscal Year 2010 (5 U.S.C. 3702 note) is amended by striking “2013.” and inserting “2023.”.

(b) **REPORTING REQUIREMENT.**—Section 1110(i) of such Act is amended by striking “2015,” and inserting “2024,”.

**SEC. 1107. DEFENSE SCIENCE INITIATIVE FOR PERSONNEL.**

(a) **STATEMENT OF POLICY.**—It is the policy of the United States to assure the scientific and technological preeminence of its defense laboratories, which are essential to the national security, by requiring the Department of Defense to provide to its science and technology laboratories—

(1) the personnel and support services needed to carry out their mission; and

(2) decentralized management authority.

(b) **ESTABLISHMENT OF INITIATIVE.**—There is hereby established within the Department of Defense a program to be known as the Defense Science Initiative for Personnel (hereinafter in this section referred to as the “Initiative”).

(c) **LABORATORIES COVERED BY INITIATIVE.**—The laboratories covered by the Initiative—

(1) shall be those designated as Science and Technology Reinvention Laboratories (hereinafter in this section referred to as “STRLs”) by the Secretary or by paragraph (2); and

(2) shall include the laboratories enumerated in section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 2358 note), which laboratories are hereby designated as STRLs.

(d) **SCIENCE AND ENGINEERING DEGREE AND TECHNICAL POSITIONS AT STRLS.**—

(1) **IN GENERAL.**—The director of any STRL may appoint qualified candidates, without regard to sections 3309-3319 of title 5, United States Code, directly to scientific, technical, engineering, mathematical, or medical positions within such STRL, on either a temporary, term, or permanent basis.

(2) **QUALIFIED CANDIDATE DEFINED.**—Notwithstanding any provision of chapter 51 of title 5, United States Code, for purposes of this subsection, the term “qualified candidate” means an individual who is—

(A) a candidate who has earned a bachelor's or master's degree;

(B) a student enrolled in a program of undergraduate or graduate instruction leading to a bachelor's or master's degree in a scientific, technical, engineering, mathematical, or medical course of study at an institution of higher education (as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

(C) a veteran, as defined in section 2108 of title 5, United States Code, who served in the armed forces in an engineering, scientific, or medical technician occupational specialty.



(3) **RULE OF CONSTRUCTION.**—Any exercise of authority under paragraph (1) shall be considered to satisfy section 2301(b)(1) of title 5, United States Code.

(e) **EXCLUSION FROM PERSONNEL LIMITATIONS, ETC.**—The director of any STRL shall manage the workforce strength of such STRL—

(1) without regard to any limitation on appointments or any allocation of positions with respect to such STRL, subject to paragraph (2); and

(2) in a manner consistent with the budget available with respect to such STRL.

(f) **SENIOR EXECUTIVE SERVICE ROTATION AUTHORITY.**—Section 3131 of title 5, United States Code, is amended—

(1) in paragraph (5), by striking “mission;” and inserting “mission, subject to paragraph (15);”;

(2) in paragraph (13), by striking “and” at the end;

(3) in paragraph (14), by striking the period and inserting “; and”; and

(4) by adding at the end the following new paragraph:

“(15) permit the director of each Science and Technology Reinvention Laboratory (as described in section 1107(c) of the National Defense Authorization Act for Fiscal Year 2014) to determine the duration of appointments for senior executives (which shall in no event be less than 5 years), consistent with carrying out the mission of that laboratory.”.

(g) **SENIOR SCIENTIFIC TECHNICAL MANAGERS.**—

(1) **ESTABLISHMENT.**—There is hereby established in each STRL a category of senior professional scientific positions, the incumbents of which shall be designated as “senior scientific technical managers” and which shall be positions classified above GS-15 of the General Schedule pursuant to section 5108 of title 5, United States Code. The primary functions of such positions shall be—

(A) to engage in research and development in the physical, biological, medical, or engineering sciences, or another field closely related to the mission of such STRL; and

(B) to carry out technical supervisory responsibilities.

(2) **APPOINTMENTS.**—The positions described in paragraph (1) may be filled, and shall be managed, by the director of the STRL involved, under criteria established pursuant to section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2721), relating to personnel demonstration projects at laboratories of the Department of Defense, except that the director of the laboratory involved shall determine the number of such positions at such laboratory, not to exceed 3 percent of the number of scientists and engineers (determined on a full-time equivalent basis) employed at such laboratory at the end of the fiscal year prior to the fiscal year in which any appointments subject to that numerical limitation are made.

(h) **SELECTION AND COMPENSATION OF SPECIALLY-QUALIFIED SCIENTIFIC AND PROFESSIONAL PERSONNEL.**—Section 3104 of title 5, United States Code, is amended by adding at the end the following new subsection:

“(d) In addition to the number of positions authorized by subsection (a), the director of each Science and Technology Reinvention Laboratory (as described in section 1107(c) of the National Defense Authorization Act for Fiscal Year 2014), may establish, without regard to the second sentence of subsection (a), such number of scientific or professional positions as may be necessary to carry out the research and development functions of the laboratory and which require the services of specially-qualified personnel. The selection process governing appoint-

ments made under this subsection shall be determined by the director of the laboratory involved, and the rate of basic pay for the employee holding any such position shall be set by the laboratory director at a rate not to exceed the rate for level II of the Executive Schedule.”.

## TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

### Subtitle A—Assistance and Training

#### SEC. 1201. MODIFICATION AND EXTENSION OF AUTHORITIES RELATING TO PROGRAM TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES.

(a) **AUTHORITY.**—Subsection (a) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3456), as most recently amended by section 1206 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4625), is further amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following new subparagraph:

“(C) support the theater security priorities of a Geographic Combatant Commander.”; and

(2) by adding at the end the following new paragraph:

“(3) To build the capacity of a foreign country’s security forces to conduct counterterrorism operations.”.

(b) **ANNUAL FUNDING LIMITATION.**—Subsection (c)(1) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006, as so amended, is further amended by striking “\$350,000,000” and inserting “\$425,000,000”.

(c) **NOTIFICATION OF PLANNING AND EXECUTION OF FUNDS.**—Subsection (e) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006, as most recently amended by section 1201 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1979), is further amended—

(1) by redesignating paragraph (3) as paragraph (4);

(2) by inserting after paragraph (2) the following new paragraph:

“(3) **NOTIFICATION OF PLANNING AND EXECUTION OF FUNDS.**—In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2016, and each subsequent fiscal year, the Secretary of Defense shall include the following:

“(A) For programs to be conducted or supported under subsection (a) (other than subsection (a)(1)(C)) for such fiscal year, a description of the proposed planning and execution of not less than 50 percent of the total amount of funds to be made available for such programs.

“(B) For programs to be conducted or supported under subsection (a)(1)(C) for such fiscal year, a description of the proposed planning and execution of 100 percent of the total amount of funds to be made available for such programs.”; and

(3) in subparagraph (B) of paragraph (4), as so redesignated, by striking “Committee on International Relations” and inserting “Committee on Foreign Affairs”.

(d) **TERMINATION OF PROGRAM.**—Subsection (g) of the National Defense Authorization Act for Fiscal Year 2006, as most recently amended by section 1201 of the National Defense Authorization Act for Fiscal Year 2013, is further amended by striking “2014” each place it appears and inserting “2016”.

(e) **REPEAL OF AUTHORITY TO BUILD THE CAPACITY OF CERTAIN COUNTERTERRORISM FORCES IN YEMEN AND EAST AFRICA.**—Section 1203 of the

National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1980) is hereby repealed.

#### SEC. 1202. THREE-YEAR EXTENSION OF AUTHORITY FOR NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

Section 943(h) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4579), as amended by section 1205(g) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1624), is further amended by striking “2013” and inserting “2016”.

#### SEC. 1203. GLOBAL SECURITY CONTINGENCY FUND.

(a) **AUTHORITY.**—Subsection (b) of section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1625; 22 U.S.C. 2151 note) is amended—

(1) in the matter preceding paragraph (1), by inserting “or regions” after “countries”; and

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “and other national security forces” and inserting “or other national security forces”; and

(B) in subparagraph (A)—

(i) by striking “and counterterrorism operations” and inserting “or counterterrorism operations”; and

(ii) by striking “and” at the end and inserting “or”.

(b) **NOTICES TO CONGRESS.**—Subsection (l) of such section is amended to read as follows:

“(l) **NOTICES TO CONGRESS.**—Not less than 30 days before initiating an activity under a program of assistance under subsection (b), the Secretary of State and the Secretary of Defense shall jointly submit to the specified congressional committees a notification that includes the following:

“(1) A request for the transfer of funds into the Fund under subsection (f) or any other authority, including the original source of the funds.

“(2) A detailed justification for the total anticipated program plan for each country to include total anticipated costs and the specific activities contained therein.

“(3) The budget, execution plan and timeline, and anticipated completion date for the activity.

“(4) A list of other security-related assistance or justice sector and stabilization assistance that the United States is currently providing the country concerned and that is related to or supported by the activity.

“(5) Such other information relating to the program or activity as the Secretary of State or Secretary of Defense considers appropriate.”.

(c) **TRANSITIONAL AUTHORITIES; ANNUAL REPORTS; GUIDANCE AND PROCESSES FOR EXERCISE OF AUTHORITY.**—Such section, as so amended, is further amended—

(1) by striking subsection (n);

(2) by redesignating subsection (m) as subsection (n); and

(3) by inserting after subsection (l), as so amended, the following new subsection:

“(m) **GUIDANCE AND PROCESSES FOR EXERCISE OF AUTHORITY.**—The Secretary of State and the Secretary of Defense shall jointly submit a report to the specified congressional committees 15 days after the date on which the necessary guidance has been issued and processes for implementation of the authority in subsection (b). The Secretary of State and Secretary of Defense shall jointly submit additional reports not later than 15 days after the date on which any future modifications to the guidance and processes for implementation of the authority in subsection (b) are issued.”.

(d) **FUNDING.**—Subsection (o) of such section is amended by striking “(o) FUNDING.—” and all that follows through “(2) FISCAL YEARS 2013 AND AFTER.—” and inserting “(o) FUNDING.—”.



**SEC. 1204. CODIFICATION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM.**

(a) STATE PARTNERSHIP PROGRAM.—

(1) IN GENERAL.—Chapter 1 of title 32, United States Code, is amended by adding at the end the following new section:

**“§ 116. State Partnership Program****“(a) PURPOSES OF PROGRAM.**—The purposes of the State Partnership Program of the National Guard are the following:**“(1)** To support the objectives of the commander of the combatant command for the theater of operations in which such contacts and activities are conducted.**“(2)** To support the objectives of the United States chief of mission of the partner nation with which contacts and activities are conducted.**“(3)** To build international partnerships and defense and security capacity.**“(4)** To strengthen cooperation between the departments and agencies of the United States Government and agencies of foreign governments to support building of defense and security capacity.**“(5)** To facilitate intergovernmental collaboration between the United States Government and foreign governments in the areas of defense and security.**“(6)** To facilitate and enhance the exchange of information between the United States Government and foreign governments on matters relating to defense and security.**“(b) AVAILABILITY OF APPROPRIATED FUNDS FOR PROGRAM.**—(1) Funds appropriated to the Department of Defense, including funds appropriated for the Air and Army National Guard, shall be available for the payment of costs incurred by the National Guard to conduct activities under the State Partnership Program, whether those costs are incurred inside or outside the United States.**“(2)** Costs incurred by the National Guard and covered under paragraph (1) may include the following:**“(A)** Costs of pay and allowances of members of the National Guard.**“(B)** Travel and necessary expenses of United States personnel outside of the Department of Defense in support of the State Partnership Program.**“(C)** Travel and necessary expenses of foreign participants directly supporting activities under the State Partnership Program.**“(c) LIMITATIONS ON USE OF FUNDS.**—(1) Funds shall not be available under subsection (b) for activities conducted in a foreign country unless jointly approved by—**“(A)** the commander of the combatant command concerned; and**“(B)** the chief of mission concerned, with the concurrence of the Secretary of State.**“(2)** Funds shall not be available under subsection (b) for the participation of a member of the National Guard in activities in a foreign country unless the member is on active duty in the armed forces at the time of such participation.**“(3)** Funds shall not be available under subsection (b) for interagency activities involving United States civilian personnel or foreign civilian personnel unless the participation of such personnel in such activities—**“(A)** contributes to responsible management of defense resources;**“(B)** fosters greater respect for and understanding of the principle of civilian control of the military;**“(C)** contributes to cooperation between the United States armed forces and civilian governmental agencies and foreign military and civilian government agencies; or**“(D)** improves international partnerships and capacity on matters relating to defense and security.**“(d) REIMBURSEMENT.**—(1) In the event of the participation of United States Government participants (other than personnel of the Department of Defense) in activities for which payment is made under subsection (b), the head of the department or agency concerned shall reimburse the Secretary of Defense for the costs associated with the participation of such personnel in such contacts and activities.**“(2)** Amounts received under paragraph (1) shall be deposited in the appropriation or account from which amounts for the payment concerned were derived. Any amounts so deposited shall be merged with amounts in such appropriation or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such appropriation or account.**“(e) DEFINITIONS.**—In this section:**“(1)** The term ‘State Partnership Program’ means a program that establishes a defense and security relationship between the National Guard of a State or territory and the military and security forces, and related disaster management, emergency response, and security ministries, of a foreign country.**“(2)** The term ‘activities’, for purposes of the State Partnership Program, means any military-to-military activities or interagency activities for a purpose set forth in subsection (a)(1).**“(3)** The term ‘interagency activities’ means the following:**“(A)** Contacts between members of the National Guard and foreign civilian personnel outside the ministry of defense of the foreign country concerned on a matter within the core competencies of the National Guard.**“(B)** Contacts between United States civilian personnel and members of the military and security forces of a foreign country or foreign civilian personnel on a matter within the core competencies of the National Guard.**“(4)** The term ‘matter within the core competencies of the National Guard’ means matters with respect to the following:**“(A)** Disaster response and mitigation.**“(B)** Defense support to civil authorities.**“(C)** Consequence management and installation protection.**“(D)** Response to a chemical, biological, radiological, nuclear, or explosives (CBRNE) event.**“(E)** Border and port security and cooperation with civilian law enforcement.**“(F)** Search and rescue.**“(G)** Medicine.**“(H)** Counter-drug and counter-narcotics activities.**“(I)** Public affairs.**“(J)** Employer support and family support for reserve forces.**“(5)** The term ‘United States civilian personnel’ means the following:**“(A)** Personnel of the United States Government (including personnel of departments and agencies of the United States Government other than the Department of Defense) and personnel of State and local governments of the United States.**“(B)** Members and employees of the legislative branch of the United States Government.**“(C)** Non-governmental individuals.**“(6)** The term ‘foreign civilian personnel’ means the following:**“(A)** Civilian personnel of a foreign government at any level (including personnel of ministries other than ministries of defense).**“(B)** Non-governmental individuals of a foreign country.”.**(2) CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 1 of such title is amended by adding at the end the following new item:**“116. State Partnership Program.”.****(b) REPEAL OF SUPERSEDED AUTHORITY.**—Section 1210 of the National Defense Authorization

Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2517; 32 U.S.C. 107 note) is repealed.

**SEC. 1205. AUTHORITY TO CONDUCT ACTIVITIES TO ENHANCE THE CAPABILITY OF CERTAIN FOREIGN COUNTRIES TO RESPOND TO INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION IN SYRIA AND THE REGION.****(a) AUTHORITY.**—The Secretary of Defense, with the concurrence of the Secretary of State, may provide assistance to the military and civilian response organizations of Jordan, Kuwait, Bahrain, the United Arab Emirates, Iraq, Turkey, and other countries in the region of Syria in order for such countries to respond effectively to incidents involving weapons of mass destruction in Syria and the region.**(b) AUTHORIZED ELEMENTS.**—Assistance provided under this section may include training, equipment, and supplies.**(c) AVAILABILITY OF FUNDS FOR ACTIVITIES ACROSS FISCAL YEARS.**—The Secretary of Defense may use up to \$4,000,000 of the funds made available to the Department of Defense for operation and maintenance for a fiscal year to carry out the program authorized in subsection (a) and may provide assistance under such program that begins in that fiscal year but ends in the next fiscal year.**(d) REPORT.**—Not later than 60 days after the date on which the authority of subsection (a) is first exercised, and annually thereafter through December 31, 2015, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives an annual report to include at least the following:**(1)** A detailed description by country of assistance provided.**(2)** An overview of how such assistance fits into, and is coordinated with, other United States efforts to build the capability and capacity of countries in the region of Syria to counter the threat of weapons of mass destruction in Syria and the region.**(3)** A listing of equipment and supplies provided to countries in the region of Syria.**(4)** Any other matters the Secretary of Defense and the Secretary of State determine appropriate.**(e) EXPIRATION.**—The authority provided under subsection (a) may not be exercised after September 30, 2015.**SEC. 1206. ONE-YEAR EXTENSION OF AUTHORITY TO SUPPORT FOREIGN FORCES PARTICIPATING IN OPERATIONS TO DISARM THE LORD’S RESISTANCE ARMY.****(a) FUNDING.**—Subsection (c)(1) of section 1206 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1624) is amended—**(1)** by striking “fiscal years 2012 and 2013” and inserting “fiscal years 2012, 2013, and 2014”; and**(2)** by striking “for operation and maintenance” and inserting “to provide additional operation and maintenance funds for overseas contingency operations being carried out by the Armed Forces as specified in the funding table in section 4302”.**(b) EXPIRATION.**—Subsection (h) of such section is amended by striking “September 30, 2013” and inserting “September 30, 2014”.**Subtitle B—Matters Relating to Iraq, Afghanistan, and Pakistan****SEC. 1211. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.****(a) EXTENSION OF AUTHORITY.**—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law

110–181; 122 Stat. 393), as most recently amended by section 1227 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2000), is further amended by striking “for fiscal year 2013” and inserting “for fiscal year 2014”.

(b) **LIMITATION ON AMOUNTS AVAILABLE.**—Subsection (d) of such section, as so amended, is further amended—

(1) in paragraph (1), by striking “during fiscal year 2013 may not exceed \$1,650,000,000” and inserting “during fiscal year 2014 may not exceed \$1,500,000,000”; and

(2) in paragraph (3), by striking “Fiscal Year 2013” and inserting “Fiscal Year 2014”.

(c) **LIMITATION ON REIMBURSEMENT OF PAKISTAN IN FISCAL YEAR 2014 PENDING CERTIFICATION ON PAKISTAN.**—

(1) **IN GENERAL.**—Effective as of the date of the enactment of this Act, no amounts authorized to be appropriated by this Act, and no amounts authorized to be appropriated for fiscal years before fiscal year 2014 that remain available for obligation, may be used for reimbursements of Pakistan under the authority in subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008, as amended by this section, until the Secretary of Defense certifies to the congressional defense committees each of the following:

(A) That Pakistan is maintaining security and is not through its actions or inactions at any level of government limiting or otherwise restricting the movement of United States equipment and supplies along the Ground Lines of Communications (GLOCs) through Pakistan to Afghanistan so that such equipment and supplies can be transshipped and such equipment and supplies can be retrograded out of Afghanistan.

(B) That Pakistan is taking demonstrable steps to—

(i) support counterterrorism operations against al Qaeda, Tehrik-i-Taliban Pakistan, and other militant extremists groups such as the Haqqani Network and the Quetta Shura Taliban located in Pakistan;

(ii) disrupt the conduct of cross-border attacks against United States, coalition, and Afghanistan security forces located in Afghanistan by such groups (including the Haqqani Network and the Quetta Shura Taliban) from bases in Pakistan;

(iii) counter the threat of improvised explosive devices, including efforts to attack improvised explosive device networks, monitor known precursors used in improvised explosive devices, and systematically address the misuse of explosive materials (including calcium ammonium nitrate) and accessories and their supply to legitimate end-users in a manner that impedes the flow of improvised explosive devices and improvised explosive device components into Afghanistan; and

(iv) conduct cross-border coordination and communication with Afghan security forces and United States Armed Forces in Afghanistan.

(2) **WAIVER AUTHORITY.**—The Secretary of Defense may waive the limitation in paragraph (1) if the Secretary certifies to the congressional defense committees in writing that the waiver is in the national security interests of the United States and includes with such certification a justification for the waiver.

**SEC. 1212. ONE-YEAR EXTENSION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.**

Section 1216 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4392), as most recently amended by section 1218 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1990), is further amended—

(1) in subsection (a)—

(A) by striking “\$35,000,000” and inserting “\$25,000,000”; and

(B) by striking “for fiscal year 2013” and inserting “for fiscal year 2014”; and

(2) in subsection (e), by striking “December 31, 2013” and inserting “December 31, 2014”.

**SEC. 1213. EXTENSION OF COMMANDERS’ EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.**

(a) **ONE YEAR EXTENSION.**—

(1) **IN GENERAL.**—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619), as amended by section 1221 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1992), is amended by striking “fiscal year 2013” each place it appears and inserting “fiscal year 2014”.

(2) **CONFORMING AMENDMENT.**—The heading of subsection (a) of such section is amended by striking “FISCAL YEAR 2013” and inserting “FISCAL YEAR 2014”.

(b) **AMOUNT OF FUNDS AVAILABLE DURING FISCAL YEAR 2014.**—Subsection (a) of such section is further amended by striking “\$200,000,000” and inserting “\$60,000,000”.

**SEC. 1214. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.**

(a) **LIMITATION ON AMOUNT.**—Subsection (c) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631), as amended by section 1211 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1982), is further amended by striking “fiscal year 2012” and all that follows and inserting “fiscal year 2014 may not exceed \$209,000,000”.

(b) **SOURCE OF FUNDS.**—Subsection (d) of such section, as so amended, is further amended—

(1) by striking “fiscal year 2012 or fiscal year 2013” and inserting “fiscal year 2014”; and

(2) by striking “fiscal year 2012 or 2013, as the case may be,” and inserting “that fiscal year”.

(c) **ADDITIONAL AUTHORITY FOR THE ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.**—Subsection (f) of such section, as so amended, is further amended—

(1) by striking “fiscal year 2013” and inserting “fiscal year 2014”; and

(2) by striking “and Counter Terrorism Service”.

**SEC. 1215. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY FOR PROGRAM TO DEVELOP AND CARRY OUT INFRASTRUCTURE PROJECTS IN AFGHANISTAN.**

Section 1217(f) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4393), as most recently amended by section 1219 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1991), is further amended—

(1) in paragraph (1), by adding at the end the following new subparagraph:

“(C) Up to \$279,000,000 made available to the Department of Defense for operation and maintenance for fiscal year 2014.”;

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “fiscal year 2011” and inserting “fiscal year 2013”; and

(ii) by inserting “, or phase of a project,” after “each project”;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph:

“(C) An assessment of the capability of the Afghan National Security Forces (ANSF) to provide security for such project after January 1,

2015, including ANSF force levels required to secure the project. Such assessment should include the estimated costs of providing security and whether or not the Government of Afghanistan is committed to providing such security.”; and

(3) in paragraph (3), by adding at the end the following new subparagraph:

“(D) In the case of funds for fiscal year 2014, until September 30, 2015.”.

**SEC. 1216. SPECIAL IMMIGRANT VISAS FOR CERTAIN IRAQI AND AFGHAN ALLIES.**

(a) **PROTECTION FOR AFGHAN ALLIES.**—Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in paragraph (2)(A)(ii), by striking “on or after October 7, 2001,” and inserting “during the period beginning on October 7, 2001, and ending on December 31, 2014,”;

(2) in paragraph (2)(D), by adding at the end the following: “A principal alien described in subparagraph (A) seeking special immigrant status under this section shall apply for an approval described in this subparagraph not later than September 30, 2015.”; and

(3) in paragraph (3)(A), by striking “2013.” and inserting “2013, and may not exceed 435 for each of fiscal years 2014, 2015, 2016, 2017, and 2018.”.

(b) **SPECIAL IMMIGRANT STATUS FOR CERTAIN IRAQIS.**—Section 1244(a)(1) of the Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note) is amended by striking the semicolon at the end and inserting “on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.”.

**SEC. 1217. REQUIREMENT TO WITHHOLD DEPARTMENT OF DEFENSE ASSISTANCE TO AFGHANISTAN IN AMOUNT EQUIVALENT TO 100 PERCENT OF ALL TAXES ASSESSED BY AFGHANISTAN TO EXTENT SUCH TAXES ARE NOT REIMBURSED BY AFGHANISTAN.**

(a) **REQUIREMENT TO WITHHOLD ASSISTANCE TO AFGHANISTAN.**—An amount equivalent to 100 percent of the total taxes assessed during fiscal year 2013 by the Government of Afghanistan on all Department of Defense assistance shall be withheld by the Secretary of Defense from obligation from funds appropriated for such assistance for fiscal year 2014 to the extent that the Secretary of Defense certifies and reports in writing to the Committees on Armed Services of the Senate and the House of Representatives that such taxes have not been reimbursed by the Government of Afghanistan to the Department of Defense or the grantee, contractor, or subcontractor concerned.

(b) **WAIVER AUTHORITY.**—The Secretary of Defense may waive the requirement in subsection (a) if the Secretary determines that such a waiver is necessary to achieve United States goals in Afghanistan.

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the total taxes assessed during fiscal year 2013 by the Government of Afghanistan on all Department of Defense assistance.

(d) **DEPARTMENT OF DEFENSE ASSISTANCE DEFINED.**—In this section, the term “Department of Defense assistance” means funds provided during fiscal year 2013 to Afghanistan by the Department of Defense, either directly or through grantees, contractors, or subcontractors.

**Subtitle C—Matters Relating to Afghanistan Post 2014**

**SEC. 1221. MODIFICATION OF REPORT ON PROGRESS TOWARD SECURITY AND STABILITY IN AFGHANISTAN.**

(a) **IN GENERAL.**—Section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 385), as most recently amended by section 1214(a) of the National Defense Authorization Act for Fiscal

Year 2013 (Public Law 112-239; 126 Stat. 1986), is further amended—

(1) by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (i), respectively; and

(2) by inserting after subsection (e) the following new subsection:

“(f) **MATTERS TO BE INCLUDED: REDEPLOYMENT OF UNITED STATES ARMED FORCES FROM AFGHANISTAN.**—The report required under subsection (a) shall include a detailed description of the following matters relating to the redeployment of United States Armed Forces from Afghanistan:

“(1) The number and a description of United States Armed Forces redeployed, vehicles and equipment redeployed, and bases closed during the reporting period.

“(2) A summary of tasks and functions conducted by the United States Armed Forces or the Department of Defense that have been transferred to other United States Government departments and agencies, Afghan Government ministries and agencies, other foreign governments, or nongovernmental organizations, or discontinued during the reporting period. The summary shall include a discussion of the formal and informal arrangements and working groups that have been established to coordinate and execute the transfer of such tasks and functions.”.

(b) **EFFECTIVE DATE.**—The amendments made this section apply with respect to any report required to be submitted under section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 385) on or after the date of the enactment of this Act.

**SEC. 1222. SENSE OF CONGRESS ON UNITED STATES MILITARY SUPPORT IN AFGHANISTAN.**

It is the sense of Congress that—

(1) since the United States engagement in Afghanistan beginning in 2001, United States and coalition forces have achieved substantial progress toward security and stability in Afghanistan, including the training of the Afghan National Security Forces;

(2) a stable and secure Afghanistan with a credible government is in the long-term national security interests of the United States and would contribute to the overall stability and security in the region;

(3) as the United States accelerates transfer of the lead for security to the Afghan National Security Forces by the spring of 2013, the United States should assist the Afghan National Security Forces to maintain gains in security and should continue to evaluate the capability and capacity of the Afghan National Security Forces through the fighting season in 2013;

(4) following the duration of the North Atlantic Treaty Organization (NATO) mission on December 31, 2014, the United States should continue efforts to disrupt, dismantle, and defeat al Qaeda;

(5) the Haqqani Network continues to be the most important enabler of al Qaeda in Afghanistan and Pakistan;

(6) the operational requirements of the Afghan National Security Forces, in part due to the threat to the Government of Afghanistan from the Haqqani Network, al Qaeda, and other associated groups, necessitate that the Afghan Security National Forces have sufficient operational capacity to maintain the security of Afghanistan, including enabler capabilities such as aviation, casualty evacuation, logistics, intelligence, and indirect fire;

(7) the United States, with its Afghan partners, should provide assistance to the Government of Afghanistan so that the Taliban, the Haqqani Network, and associated terrorist and insurgent groups cannot militarily overthrow the Government of Afghanistan or plan and

launch attacks against United States and Afghan interests from safe havens in Afghanistan;

(8) the United States military's transition to counterterrorism and advise and assist missions should occur consistent with agreements between the United States, Afghanistan, and international partners as well as conditions on the ground;

(9) a bilateral security agreement that preserves vital United States interests between the United States and the Government of Afghanistan, achieved at the earliest practicable time, is critical to the long-term stability of Afghanistan as well as United States' long term interests; however, the United States should not sign a bilateral security agreement that is antithetical to United States national security interests or commits to funding not directly linked to achieving those interests;

(10) the United States should support the achievement of a bilateral security agreement between NATO and the Government of Afghanistan because such a bilateral security agreement also will contribute to the long term stability and security of Afghanistan;

(11) the United States should conduct the required oversight and audits of United States stability programs to ensure that the activities are in line with the intended purpose of these programs;

(12) the United States should assist the Government of Afghanistan to provide security for the Afghan elections scheduled for 2014 and provide such assistance as requested by Afghan Government entities overseeing the elections and judged necessary by the United States to help guarantee a credible and legitimate election; and

(13) significant uncertainty exists within Afghanistan regarding the level of future United States military support following the end of the NATO mission on December 31, 2014, and therefore in order to reduce such uncertainty and promote further stability and security in Afghanistan following the end of the NATO mission, the President should—

(A) publicly support a residual United States military presence in Afghanistan consistent with United States national security interests;

(B) as part of the announcement of residual force levels, publicly define the mission sets and the support that the United States will provide to the Afghan National Security Forces; and

(C) publicly support sufficient funding for the Afghan National Security Forces until the Government of Afghanistan is able to independently sustain the security of Afghanistan consistent with United States national security interests.

**SEC. 1223. DEFENSE INTELLIGENCE PLAN.**

(a) **PLAN REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a Department of Defense plan regarding covered defense intelligence assets in relation to the drawdown of the United States Armed Forces in Afghanistan. Such plan shall include—

(1) a description of the covered defense intelligence assets;

(2) a description of any such assets to remain in Afghanistan after December 31, 2014, to continue to support military operations;

(3) a description of any such assets that will be or have been reallocated to other locations outside of the United States in support of the Department of Defense;

(4) the defense intelligence priorities that will be or have been addressed with the reallocation of such assets from Afghanistan;

(5) the necessary logistics, operations, and maintenance plans to operate in the locations

where such assets will be or have been reallocated, including personnel, basing, and any host country agreements; and

(6) a description of any such assets that will be or have been returned to the United States.

(b) **COVERED DEFENSE INTELLIGENCE ASSETS DEFINED.**—In this section, the term “covered defense intelligence assets” means Department of Defense intelligence assets and personnel supporting military operations in Afghanistan at any time during the one-year period ending on the date of the enactment of this Act.

**SEC. 1224. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN AUTHORITIES FOR AFGHANISTAN.**

(a) **REINTEGRATION ACTIVITIES AND INFRASTRUCTURE PROJECTS IN AFGHANISTAN.**—

(1) **IN GENERAL.**—None of the funds authorized to be appropriated by this Act may be obligated or expended to carry out the provisions of law described in paragraph (2) until 15 days after the date on which the Secretary of Defense submits to the specified congressional committees the certification described in subsection (d).

(2) **PROVISIONS OF LAW.**—The provisions of law referred to in paragraph (1) are the following:

(A) Section 1216 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4392; relating to authority to use funds for reintegration activities in Afghanistan).

(B) Section 1217 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4393; relating to authority for program to develop and carry out infrastructure projects in Afghanistan).

(b) **COMMANDERS' EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.**—Of the funds authorized to be appropriated by this Act to carry out section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1619; relating to the Commanders' Emergency Response Program in Afghanistan), \$45,000,000 may not be obligated or expended until 15 days after the date on which the Secretary of Defense submits to the specified congressional committees the certification described in subsection (d).

(c) **AFGHANISTAN SECURITY FORCES FUND.**—Of the funds authorized to be appropriated by this Act for the Afghanistan Security Forces Fund, \$2,615,000,000 may not be obligated or expended until 15 days after the date on which the Secretary of Defense submits to the specified congressional committees the certification described in subsection (d).

(d) **CERTIFICATION DESCRIBED.**—The certification referred to in subsections (a), (b), and (c) is a certification of the Secretary of Defense, in consultation with the Secretary of State, that the United States and Afghanistan have signed a bilateral security agreement that—

(1) protects the Department of Defense, its military and civilian personnel, and contractors from liability to pay any tax, or similar charge, associated with efforts to carry out missions in the territory of Afghanistan that have been agreed to by both the Government of the United States and the Government of Afghanistan;

(2) ensures exclusive jurisdiction for the United States over United States Armed Forces located in Afghanistan;

(3) ensures that there is no infringement on the right of self-defense of the United States military mission or United States military personnel in Afghanistan;

(4) ensures that the United States military in Afghanistan is permitted to take the efforts deemed necessary to protect other United States Government offices and personnel in Afghanistan as may be required;

(5) ensures that the United States military mission in Afghanistan has sufficient access to

bases and basing rights as may be necessary to carry out the activities in Afghanistan that the President has assigned to the military; and

(6) ensures that the United States has the freedom of movement to carry out those military missions as may be required to continue the effort to defeat al Qaeda and its associated forces.

(e) SPECIFIED CONGRESSIONAL COMMITTEES.—In this section, the term “specified congressional committees” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

#### **Subtitle D—Matters Relating to Iran**

#### **SEC. 1231. REPORT ON UNITED STATES MILITARY PARTNERSHIP WITH GULF COOPERATION COUNCIL COUNTRIES.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the United States military partnership with Gulf Cooperation Council countries.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) An explanation of the steps that the Department of Defense is taking to improve the interoperability of United States-Gulf Cooperation Council countries missile defense systems.

(2) An outline of the defense agreements with Gulf Cooperation Council countries, including caveats and restrictions on United States operations.

(3) An outline of United States efforts in Gulf Cooperation Council countries that are funded by overseas contingency operations funding, an explanation of overseas contingency operations funding for such efforts, and a plan to transition overseas contingency operations funding for such efforts to long-term, sustainable funding sources.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex, if necessary.

#### **SEC. 1232. ADDITIONAL ELEMENTS IN ANNUAL REPORT ON MILITARY POWER OF IRAN.**

(a) IN GENERAL.—Section 1245(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2542) is amended—

(1) in subparagraph (C), by striking “and” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

“(E) a description of the strategy and structure of the global Iranian Threat Network and an assessment of the capability of such Network and how such Network operates to reinforce Iran’s grand strategy; and

“(F) a description of the gaps in intelligence of the Department of Defense with respect to Iran and a prioritization of those gaps in intelligence by operational need.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply with respect to reports required to be submitted under section 1245 of the National Defense Authorization Act for Fiscal Year 2010, as so amended, on or after that date.

#### **SEC. 1233. SENSE OF CONGRESS ON THE DEFENSE OF THE ARABIAN GULF.**

(a) FINDINGS.—Congress finds the following:

(1) In response to U.S. Central Command requirements, the United States Navy has maintained, on average, more than one aircraft carrier in the Arabian Gulf for more than five years.

(2) In February 2013, the senior leadership of the Department of Defense elected to reduce the

number of aircraft carriers deployed to the Arabian Gulf in light of budget constraints and limitation of the overall carrier force structure to support the two aircraft carrier requirement.

(3) In reference to the decision to indefinitely delay the deployment of the USS Harry Truman, CVN 75, and the USS Gettysburg, its cruiser escort, Chairman of the Joint Chiefs, General Martin Dempsey stated, “We’re trying to stretch our readiness out by keeping this particular carrier in homeport in our global response force, so if something happens elsewhere in the world, we can respond to it. Had we deployed it and ‘consumed’ that readiness, we could have created a situation where downstream we wouldn’t have a carrier present in certain parts of the world at all.”.

(4) Highlighting the risks of having only one aircraft carrier in the region and relying on land-based aircraft, General Dempsey stated, “When you have carrier-based aircraft, you have complete autonomy and control over when you use them. When you use land-based aircraft, you often have to have host-nation permission to use them.”.

(5) Addressing the perception of the United States commitment to the region, General James Mattis, Commander of U.S. Central Command, testified in March 2013, “Perhaps the greatest risk to U.S. interests in the region is a perceived lack of an enduring U.S. commitment to collective interests and the security of our regional partners.”. He went on to testify that, “The drawdown of our forces can be misinterpreted as a lack of attention, a lack of commitment to the region.”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) maintaining only one aircraft carrier battle group in the Arabian Gulf constrains United States’ options and could put at risk the ability to have diversified platforms from which to defend the Arabian Gulf and, if necessary, to conduct military operations to prevent Iran from threatening the United States, United States allies, or Iran’s neighbors with nuclear weapons;

(2) it is in the interests of the United States to maintain both land-based and sea-based capabilities in the region to project force;

(3) land-based locations in the region could restrict United States military options and critically impact the operational capability if required to conduct a defense of the Arabian Gulf because the United States has not finalized bilateral security agreements with key Gulf Cooperation Council countries;

(4) as a result of these and other critical limitations associated with maintaining one aircraft carrier battle group in the Arabian Gulf, United States military commanders have expressed concerns about the operational constraints, the increasing uncertainty among United States allies, and the emboldening of potential adversaries such as Iran;

(5) regarding the ability of the United States Navy to maintain a two aircraft carrier presence in the Arabian Gulf, the Chief of Naval Operations, Admiral Jonathan Greenert, stated, “We need 11 carriers to do the job. That’s been pretty clearly written, and that’s underwritten in our defense strategic guidance.”.

(6) the United States should construct and sufficiently sustain a fleet of at least eleven aircraft carriers and associated battle force ships in order to meet current and future requirements and to support at least a two aircraft carrier battle group presence in the Arabian Gulf, in addition to meeting other operational requirements; and

(7) the United States should finalize bilateral agreements with key Gulf Cooperation Council countries that support the Defense of the Arabian Gulf requirements, at the earliest possible date.

#### **Subtitle E—Reports and Other Matters**

#### **SEC. 1241. REPORT ON POSTURE AND READINESS OF UNITED STATES ARMED FORCES TO RESPOND TO FUTURE TERRORIST ATTACKS IN AFRICA AND THE MIDDLE EAST.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the terrorist attack in Benghazi, Libya on September 11, 2012, may have never occurred or could have been prevented had there been an international stabilizing force following NATO-led operations in order to help stabilize the country, build capacity within the security forces, and pursue terrorist groups that threaten the local government as well as United States interests;

(2) the attack also highlighted the limitations of the United States military to alert, deploy, and decisively counter a no-notice terrorist attack such as the one in Benghazi, or another security contingency, due to the limitations stemming from United States military posture in Africa and the Middle East and when there is a lack of a layered defense at United States diplomatic facilities;

(3) the United States military is more effectively able to respond to terrorist attacks on United States facilities outside of the United States if the responding United States military assets are forward deployed;

(4) when an intelligence threat assessment determines that a United States facility overseas is vulnerable to attack, such facility should have robust force protection measures sufficient to safeguard personnel and assets until a United States military response can arrive;

(5) the continually evolving terrorist threat to United States interests on the Continent of Africa and the Middle East necessitates that the United States military maintains a forward deployed posture in Europe, Middle East, and Africa in order to be able to respond to terrorist events, or other security contingencies, and to effectively evacuate and recover United States personnel;

(6) the United States military, in conjunction with the Department of State and the intelligence community, should continue to evaluate the assumptions underpinning the terrorist threat in order to ensure that it is effectively able to respond globally to future terrorist attacks;

(7) the United States military should regularly re-evaluate the posture and alert status requirements of its crisis response elements in order to be more responsive to the evolving and global nature of the terrorist threat, and all United States military crisis response elements should be fully equipped with the required supporting capabilities to conduct their missions;

(8) on April 16, 2013, Chairman of the Joint Chiefs of Staff, General Martin Dempsey, testified before the House Appropriations Committee that the military is, “. . . adapting our force posture to a new normal of combustible violence in North Africa and in the Middle East”;

(9) The President stated in a press conference on May 16, 2013, “I have directed the Defense Department to ensure that our military can respond lightening quick in times of crisis.”;

(10) the Chairman of the Joint Chiefs should continue to evaluate the posture of United States forces to respond to the global terrorist threat, including an evaluation of whether United States Africa Command should have forces and necessary equipment permanently assigned to the command to respond more promptly to this “new normal”; and

(11) although the Department of State-initiated Accountability Review Board found that the Marine Security Guard program should be expanded and that there should be greater coordination between the Department of Defense and the Department of State to identify additional resources for security at high risk posts,

the United States military may be challenged to provide additional security to Department of State facilities due to budget shortfalls, ongoing force structure constraints, and increasing operational requirements for the Department of Defense.

(b) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall submit to the appropriate congressional committees a report on the posture and readiness of United States Armed Forces to respond to future terrorist attacks in Africa and the Middle East.

(2) **MATTERS TO BE INCLUDED.**—The plan required under paragraph (1) shall include, at a minimum, the following:

(A) An assessment of terrorist groups and other non-state groups that threaten United States interests and facilities in Africa, including a description of the key assumptions underpinning such assessment.

(B) A description of the readiness, posture, and alert status of relevant United States Armed Forces in Europe, the Middle East, Africa, and the United States and any changes implemented or planned to be implemented since the terrorist attack in Benghazi, Libya on September 11, 2012, to respond to the “new normal” and President Obama’s directive for the military to respond “lightening quick” in times of crisis.

(C) In consultation with the Secretary of State, a description of new or modified requirements of the Department of State, if any, for—

(i) United States Marine Security Guard Detachments;

(ii) any other Department of Defense assets to provide enhanced security at Department of State facilities;

(iii) an explanation of how any new requirements for Marine Security Detachments or other Department of Defense assets affect the capacity of the Armed Forces, including specifically the capacity of the Marine Corps, to fulfill Department of Defense operational requirements; and

(iv) an explanation of how any unfulfilled requirements for Marine Security Detachments would adversely impact security at Department of State facilities.

(3) **DEFINITION.**—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1242. ROLE OF THE GOVERNMENT OF EGYPT TO UNITED STATES NATIONAL SECURITY.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) Egypt is undergoing a significant political transition and the ultimate outcome of this political process and its implications for United States national security interests remain uncertain;

(2) the United States continues to have considerable concerns about the intentions and actions of the Egyptian Muslim Brotherhood and whether the government of President Morsi is committed to a pluralistic, democratic Egypt;

(3) the United States has a stake in Egypt becoming a mature, pluralistic democracy in which the rights of Egyptian citizens, including women and minorities, are protected;

(4) the United States should continue to closely monitor President Morsi’s support for the peace treaty with the Government of Israel, which has been a stabilizing force in the region for over 30 years;

(5) the United States military relationship with the Egyptian military is long-standing and

should remain a key pillar to, and component of, United States engagement with Egypt;

(6) the close military-to-military relationship between the United States and Egypt has been a critical component in enabling counterterrorism cooperation between the two governments to ensure the United States military has freedom of movement throughout the region in order to deter aggression and respond to threats to United States national security interests, particularly in light of the security situation in Libya and the Sinai;

(7) the Egyptian military has exercised restraint and professionalism during the unrest in Egypt over the last two years and hopefully will remain a key mechanism through which the United States can support the people of Egypt in achieving their goals for a representative and democratic political system, while promoting peace and security in the region; and

(8) therefore, with appropriate vetting, United States military assistance and support to the Egyptian military should continue, even as civilian aid to Egypt receives greater scrutiny as a result of the uncertainty associated with Egypt’s current political leadership and economic policies.

(b) **PLAN REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report that contains a comprehensive plan for United States military assistance and cooperation with Egypt.

(2) **MATTERS TO BE INCLUDED.**—The plan required under paragraph (1) shall include, at a minimum, a detailed description of the following:

(A) How United States security assistance and cooperation enables—

(i) freedom of movement for the United States military throughout the region; and

(ii) the Government of Egypt to disrupt, dismantle, and defeat al Qaeda, affiliated groups, and other terrorist organizations, whether based in and operating from Egyptian territory or the region.

(B) The capacity of the Government of Egypt to prevent the illicit movement of terrorists, criminals, weapons, and other dangerous material across Egypt’s borders or administrative boundaries, including through tunnels and other illicit points of entry into Gaza.

(C) The extent to which the Egyptian military is—

(i) supporting the protection of the political, economic, and religious freedoms and human rights of all citizens and residents in Egypt;

(ii) supporting credible and legitimate elections in Egypt;

(iii) supporting the Egypt-Israel Peace Treaty;

(iv) taking effective steps to eliminate smuggling networks and to detect and destroy tunnels between Egypt and Gaza; and

(v) supporting action to combat terrorism in the Sinai.

(3) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this subsection, the term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1243. SENSE OF CONGRESS ON THE MILITARY DEVELOPMENTS ON THE KOREAN PENINSULA.**

(a) **FINDINGS.**—Congress finds the following:

(1) The Democratic People’s Republic of Korea (“North Korea”) has escalated regional tensions with hostile rhetoric and provocative actions.

(2) North Korea threatened a nuclear attack on the United States and a resumption of open war against the Republic of Korea (“South Korea”).

(3) North Korea’s nuclear weapons and ballistic missile programs constitute a threat to the national security of the United States and to regional stability.

(4) On April 14, 2009, North Korea halted negotiations regarding its nuclear weapons program when it abandoned the Six-Party Talks with the People’s Republic of China (“China”), Japan, the Russian Federation (“Russia”), South Korea, and the United States.

(5) On May 25, 2009, North Korea detonated a nuclear device in an underground explosive test.

(6) On March 26, 2010, North Korea sank a South Korean naval vessel, the Cheonan, killing 46 South Korean sailors.

(7) On November 23, 2010, North Korea shelled the border island of Yeonpyeong-do, killing four people. This was the first direct artillery attack on South Korean territory since the signing of the 1953 armistice.

(8) On April 13, 2012, North Korea conducted a rocket launch that failed to send a satellite into orbit. This launch violated United Nations Security Council (UNSC) Resolutions 1718 and 1874.

(9) On December 12, 2012, North Korea used banned long-range missile technology to launch an earth observation satellite into orbit. In response, the UNSC unanimously adopted Resolution 2087, condemning the launch.

(10) On February 12, 2013, North Korea conducted a third underground nuclear test in violation of UNSC Resolution 1718, 1874, and 2087. The test also contravened North Korea’s commitments under the September 2005 Joint Statement of the Six-Party Talks.

(11) On March 7, 2013, the UNSC unanimously adopted Resolution 2094, condemning North Korea’s third nuclear test and imposed additional sanctions against the regime.

(12) On March 28, 2013, North Korea unilaterally nullified the armistice agreement with the United States that suspended military conflict on the Korean peninsula.

(13) On March 30, 2013, North Korea declared a state of war with South Korea.

(14) On April 4, 2013, North Korea placed two intermediate-range Musudan missiles on mobile launchers and temporarily relocated them to the eastern coast of the Korean peninsula before removing them a month later from the launch sites.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the United States and its allies, South Korea and Japan, share the goal of a stable and peaceful Korean Peninsula, free of nuclear weapons;

(2) the United States remains committed to defending its allies in the Asia-Pacific region and stability in Northeast Asia requires restraint by all parties from activities that would complicate international relations or escalate international tensions, and international disputes should be mitigated in a constructive manner consistent with established principles of international law;

(3) Congress supports—

(A) the verifiable denuclearization of the Korean Peninsula in a peaceful manner,

(B) North Korea’s abandonment of its nuclear programs and return to the Treaty on the Non-proliferation of Nuclear Weapons and to International Atomic Energy Agency safeguards; and

(C) North Korea’s full acceptance of and compliance with the terms of the 1953 Armistice Agreement;

(4) the United States has national interests in security and stability in the Asia-Pacific region, the implementation of the United States-Korea Free Trade Agreement, nuclear non-proliferation efforts, the promotion of respect for the fundamental human rights of the North Korean people, international cyber-security cooperation, and full implementation of United States and multilateral sanctions against illicit activities;

(5) the United States encourages China and Russia to fully implement and enforce United States and United Nations Security Council sanctions against North Korea; and

(6) the President, the Secretary of State, and the Secretary of Defense should keep Congress fully informed on security developments on the Korean Peninsula.

**SEC. 1244. SENSE OF CONGRESS ON DEFENSE CO-OPERATION WITH GEORGIA.**

It is the sense of Congress that the United States should enhance its defense cooperation efforts with Georgia and support the efforts of the Government of Georgia to provide for the defense of its government, people, and sovereign territory.

**SEC. 1245. LIMITATION ON ESTABLISHMENT OF REGIONAL SPECIAL OPERATIONS FORCES COORDINATION CENTERS.**

(a) **LIMITATION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to plan, prepare, establish, or implement any “Regional Special Operations Forces Coordination Center” (RSCC) or similar regional coordination entities.

(b) **EXCLUSION.**—The limitation contained in subsection (a) shall not apply with respect to any RSCC or similar regional coordination entity authorized by statute, including the North Atlantic Treaty Organization Special Operations Headquarters authorized under section 1244 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2541).

(c) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the congressional committees specified in subsection (d) a report on the following:

(1) A detailed description of the intent and purpose of the RSCC concept.

(2) Defined and validated requirements justifying the establishment of RSCCs or similar entities within each geographic combatant command, to include how such centers have been coordinated and de-conflicted with existing regional and multilateral frameworks or approaches.

(3) An explanation of why existing regional centers and multilateral frameworks cannot satisfy the requirements and needs of the Department of Defense and geographic combatant commands.

(4) Cost estimates across the Future Years Defense Program for such centers, to include estimates of contributions of nations participating in such centers.

(5) Any other matters that the Secretary of Defense or Secretary of State determines appropriate.

(d) **SPECIFIED CONGRESSIONAL COMMITTEES.**—The congressional committees referred to in subsection (c) are—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1246. ADDITIONAL REPORTS ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.**

(a) **REPORT.**—Subsection (a) of section 1236 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1641), as amended by section 1292 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2042), is further amended by striking “November 1, 2012, and November 1, 2013,” and inserting “November 1, 2013, November 1, 2015, and November 1, 2017,”.

(b) **UPDATE.**—Section 1236 of the National Defense Authorization Act for Fiscal Year 2012 is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

“(c) **UPDATE.**—The Secretary of Defense shall revise or supplement the most recent report submitted pursuant to subsection (a) if, in the Secretary's estimation, interim events or developments occurring in a period between reports required under subsection (a) warrant revision or supplement.”.

**SEC. 1247. AMENDMENTS TO ANNUAL REPORT UNDER ARMS CONTROL AND DISARMAMENT ACT.**

(a) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—Section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a) is amended—

(1) in subsection (a), by striking “the Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate” and inserting “the appropriate congressional committees”; and

(2) by adding at the end the following new subsection:

“(e) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term ‘appropriate congressional committees’ means—

“(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

“(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.”.

(b) **CONGRESSIONAL BRIEFING.**—Section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a), as amended by subsection (a) of this section, is further amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

“(e) **CONGRESSIONAL BRIEFING.**—Not later than May 15 of each year, the President shall provide to such committees a briefing on such report.”.

**SEC. 1248. LIMITATION ON FUNDS TO PROVIDE THE RUSSIAN FEDERATION WITH ACCESS TO CERTAIN MISSILE DEFENSE TECHNOLOGY.**

None of the funds authorized to be appropriated or otherwise made available for each of the fiscal years 2014 through 2018 for the Department of Defense may be used to provide the Russian Federation with access to information regarding—

(1) missile defense technology of the United States relating to hit-to-kill technology; or

(2) telemetry data with respect to missile defense interceptors or target vehicles.

**SEC. 1249. REPORTS ON ACTIONS TO REDUCE SUPPORT OF BALLISTIC MISSILE PROGRAMS OF CHINA, SYRIA, IRAN, AND NORTH KOREA.**

(a) **DISCLOSURE OF AND REPORT ON RUSSIAN SUPPORT OF BALLISTIC MISSILE PROGRAMS OF CHINA, SYRIA, IRAN, AND NORTH KOREA.**—

(1) **IN GENERAL.**—The President shall seek to encourage the Government of the Russian Federation to disclose any support by the Russian Federation or Russian entities for the ballistic missile programs of the People's Republic of China, Syria, Iran, or North Korea.

(2) **REPORT REQUIRED.**—The President shall submit to the congressional defense committees a semi-annual report on any disclosure by the Government of the Russian Federation of any such support during the preceding six-month period.

(3) **INITIAL REPORT.**—The initial report required by paragraph (2) shall be submitted not later than 180 days after the date of the enact-

ment of this Act and in addition to addressing any such support during the preceding six-month period shall also address any such support during the 10-year period ending on the date of the enactment of this Act.

(b) **COOPERATION OF RUSSIA AND CHINA TO REDUCE TECHNOLOGY AND EXPERTISE THAT SUPPORTS THE BALLISTIC MISSILE PROGRAMS OF SYRIA, IRAN, NORTH KOREA, AND OTHER COUNTRIES.**—

(1) **IN GENERAL.**—The Secretary of State, in coordination with the Secretary of Defense, shall develop a plan to seek and secure the cooperation of the Russian Federation and the People's Republic of China to verifiably reduce the spread of technology and expertise that supports the ballistic missile programs of the Syria, Iran, North Korea, or any other country that the Secretary of State determines has a ballistic missile program.

(2) **REPORT AND BRIEFINGS REQUIRED.**—The Secretary of State, in coordination with the Secretary of Defense and the Director of National Intelligence, shall submit to the appropriate congressional committees not later than 180 days after the date of the enactment of this Act a report describing the plan required in paragraph (1) and provide briefings to such committees annually thereafter until 2018 on the progress and results of these efforts.

(3) **DEFINITION.**—In this subsection, the term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate; and

(C) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(c) **FORM.**—Each report required by this section shall be submitted in unclassified form, but may contain a classified annex, if necessary.

**SEC. 1250. CONGRESSIONAL NOTIFICATIONS RELATING TO STATUS OF FORCES AGREEMENTS.**

(a) **IN GENERAL.**—With respect to an agreement on the status of forces between the United States and a foreign country, the Secretary of Defense, in consultation with the Secretary of State, shall notify the appropriate congressional committees not later than 15 days after the date on which the agreement is signed, renewed, amended or otherwise revised, or terminated.

(b) **BRIEFINGS REQUIRED.**—Not later than February 1 of each calendar year, the Secretary of Defense, in consultation with the Secretary of State, shall provide a briefing to the appropriate congressional committees on the following:

(1) Status of forces agreements that the United States will seek to enter into in such calendar year.

(2) Status of forces agreements that have expired and which the United States will seek to renew in such calendar year.

(3) Amendments to status of forces agreements that the Secretary of Defense determines to be substantial and are likely to be negotiated in such calendar year.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(d) **EFFECTIVE DATE.**—This section shall take effect on the date of the enactment of this Act and shall apply with respect to an agreement described in subsection (a) that is signed on or after the date of the enactment of this Act.

**SEC. 1251. SENSE OF CONGRESS ON THE CONFLICT IN SYRIA.**

(a) **FINDINGS.**—Congress finds the following:



(1) The conflict in Syria began in March 2011.  
 (2) As of February 2013, the United Nations High Commissioner for Human Rights estimated that approximately 70,000 Syrians have been killed during the conflict.

(3) According to the United Nations High Commissioner for Refugees, over 1,200,000 Syrians are registered refugees or persons of concern including, over 66,000 in Egypt, over 145,000 in Iraq, over 461,000 in Jordan, over 462,000 in Lebanon, and over 329,000 in Turkey.

(4) Jabhat al-Nusra, a group located in Syria and categorized as an affiliate of al-Qaeda by the intelligence community, presents a direct threat to the interests of the United States and could present a direct threat to the United States.

(5) On August 19, 2011, President Obama stated: "The future of Syria must be determined by its people, but President Bashar al-Assad is standing in their way. We have consistently said that President Assad must lead a democratic transition or get out of the way. He has not led. For the sake of the Syrian people, the time has come for President Assad to step aside."

(6) The United States is deploying 200 military personnel from the headquarters of the 1st Armored Division to Jordan in order to "improve readiness and prepare for a number of scenarios".

(7) In a letter from Miguel Rodriguez, the Assistant to the President for Legislative Affairs, to Senators McCain and Levin, dated April 25, 2013, it stated that "our intelligence community does assess with varying degrees of confidence that the Syrian regime has used chemical weapons on a small scale in Syria, specifically, the chemical agent sarin. . . We do believe that any use of chemical weapons in Syria would very likely have originated with the Assad regime. . . the President has made it clear that the use of chemical weapons—or the transfer of chemical weapons to terrorist groups—is a red line for the United States of America".

(8) In a press conference with Israel Prime Minister, Benjamin Netanyahu, President Obama stated: "I have made clear that the use of chemical weapons is a game-changer".

(9) In August 2012, during a White House press conference, President Obama stated: "We have been very clear to the Assad regime, but also to other players on the ground, that a red line for us is we start seeing a whole bunch of chemical weapons moving around or being utilized."

(10) It is a threat to the vital national security interest of the United States if terrorist groups, such as al-Qaeda, obtain chemical or biological material or weapons in Syria.

(11) At a Pentagon press conference on May 2, 2013, Secretary Hagel confirmed that the Obama Administration is re-thinking its opposition to arming the rebels.

(12) On April 11, 2013, responding to a question about the need for a supplemental funding request for any potential United States military effort in Syria, Secretary Hagel stated: "Yes, I think it is pretty clear that a supplemental would be required."

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) President Obama should have a comprehensive policy and should ensure robust contingency planning to secure United States' interests in Syria;

(2) President Obama should fully consider all courses of action to remove President Bashar al-Assad from power;

(3) the conflict in Syria threatens the vital national security interests of Israel, which should be sufficiently weighed by the President when considering policy approaches towards the conflict in Syria;

(4) the President should fully consider all courses of action to reinforce his stated "red-line" regarding the use of weapons of mass destruction by the Assad regime in Syria, which could threaten the credibility of the United States with its allies in the region and embolden the Assad regime;

(5) the United States should continue to conduct rigorous planning and operational preparation to support any efforts to secure the chemical and biological stockpiles and associated weapons;

(6) the United States should have a policy that supports the stability of countries on Syria's border, including Jordan, Turkey, Iraq, Lebanon, and Israel;

(7) the United States should continue to support Syrian opposition forces with non-lethal aid;

(8) the President, the Department of Defense, the Department of State, and the intelligence community, in cooperation with European and regional allies, should ensure that the risks of all courses of action or inaction regarding Syria are fully explored and understood and that Congress is kept fully informed of such risks;

(9) the President should fully consider, and the Department of Defense should conduct prudent planning for, the provision of lethal aid and relevant operational training to vetted Syrian opposition forces, including an analysis of the risks of the provision of such aid and training; and

(10) should the President decide to employ any military assets in Syria, the President should provide a supplemental budget request to Congress.

**SEC. 1252. REVISION OF STATUTORY REFERENCES TO FORMER NATO SUPPORT ORGANIZATIONS AND RELATED NATO AGREEMENTS.**

(a) TITLE 10, UNITED STATES CODE.—Section 2350d of title 10, United States Code, is amended—

(1) by striking "NATO Maintenance and Supply Organization" each place it appears and inserting "NATO Support Organization and its executive agencies";

(2) in subsection (a)(1)—

(A) by striking "Weapon System Partnership Agreements" and inserting "Support Partnership Agreements"; and

(B) in subparagraph (B), by striking "a specific weapon system" and inserting "activities"; and

(3) in subsections (b), (c), (d), and (e), by striking "Weapon System Partnership Agreement" each place it appears and inserting "Support Partnership Agreement".

(b) ARMS EXPORT CONTROL ACT.—Section 21(e)(3) of the Arms Export Control Act (22 U.S.C. 2761(e)(3)) is amended—

(1) in subparagraphs (A) and (C)(i), by striking "Maintenance and Supply Agency of the North Atlantic Treaty Organization" and inserting "North Atlantic Treaty Organization (NATO) Support Organization and its executive agencies";

(2) in subparagraph (A)(i), by striking "weapon system partnership agreement" and inserting "support partnership agreement"; and

(3) in subparagraph (C)(i)(II), by striking "a specific weapon system" and inserting "activities".

**SEC. 1253. LIMITATION ON FUNDS TO IMPLEMENT EXECUTIVE AGREEMENTS RELATING TO UNITED STATES MISSILE DEFENSE CAPABILITIES.**

(a) STATEMENT OF POLICY.—Congress reaffirms, with respect to executive agreements relating to the missile defense capabilities of the United States, including basing, locations, capabilities and numbers of missiles with respect to such missile defense capabilities, that section 303(b) of the Arms Control and Disarmament Act

(22 U.S.C. 2573(b)) provides the following: "No action shall be taken pursuant to this or any other Act that would obligate the United States to reduce or limit the Armed Forces or armaments of the United States in a militarily significant manner, except pursuant to the treaty-making power of the President set forth in Article II, Section 2, Clause 2 of the Constitution or unless authorized by the enactment of further affirmative legislation by the Congress of the United States."

(b) LIMITATION ON FUNDS.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2014 or any fiscal year thereafter for the Department of Defense may be used—

(1) to implement any executive agreement relating to the missile defense capabilities of the United States, including basing, locations, capabilities, and numbers of missiles with respect to such missile defense capabilities; or

(2) to implement rules of engagement or Guidance for Employment of Force relating to such executive agreement.

(c) RULE OF CONSTRUCTION.—Subsection (b) shall not apply with respect to the use of funds to negotiate or implement any executive agreement with a country with respect to which the United States has entered into a treaty of alliance or has a security guarantee.

(d) EXECUTIVE AGREEMENT DEFINED.—In this section, the term "executive agreement" means an international agreement other than—

(1) an agreement that is in the form of a treaty under article II, section 2, clause 2 of the Constitution of the United States; or

(2) an agreement that requires implementing legislation to be enacted into law for the agreement to enter into force with respect to the United States.

**SEC. 1254. LIMITATION ON AVAILABILITY OF FUNDS FOR THREAT REDUCTION ENGAGEMENT ACTIVITIES AND UNITED STATES CONTRIBUTIONS TO THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY ORGANIZATION.**

(a) IN GENERAL.—None of the funds made available for fiscal year 2014 for Threat Reduction Engagement activities may be obligated or expended for such purposes until the President certifies to Congress that no state party to the Comprehensive Nuclear-Test-Ban Treaty has undertaken nuclear weapons test activities in fiscal year 2013 that are inconsistent with United States interpretations regarding obligations under such Treaty.

(b) LOBBYING OR ADVOCACY ACTIVITIES.—None of the funds made available for fiscal year 2014 for contributions of the United States to the CTBTO entities may be used for lobbying or advocacy in the United States relating to the Comprehensive Nuclear-Test-Ban Treaty.

(c) CTBTO ENTITIES.—In subsection (b), the term "CTBTO entities" means—

(1) the Comprehensive Nuclear-Test-Ban Treaty Organization International Monitoring System; and

(2) the Comprehensive Nuclear-Test-Ban Treaty Organization Preparatory Commission-Special Contributions.

**SEC. 1255. SENSE OF CONGRESS ON MILITARY-TO-MILITARY COOPERATION BETWEEN THE UNITED STATES AND BURMA.**

It is the sense of the Congress that—

(1) as the United States policy rebalances towards Asia, it is critical that the United States military comprehensively evaluate its engagement with Burma;

(2) the future of the military-to-military relationship between the United States and Burma should take into account the current ethnic conflict in Burma and persecution of ethnic and religious minorities;

(3) while the United States has national security interests in Burma's peace and stability, the



peaceful settlement of armed conflicts with the ethnic minority groups requires the Burmese military to respect ceasefire agreements, laws of war, and human rights provisions; and

(4) the Department of Defense should fully consider and assess the Burmese military's efforts to implement reforms, end impunity for human rights abuses, and increase transparency and accountability before expanding military-to-military cooperation beyond initial dialogue and isolated engagements.

**SEC. 1256. SENSE OF CONGRESS ON THE STATIONING OF UNITED STATES FORCES IN EUROPE.**

(a) FINDINGS.—Congress finds the following:

(1) During the past several years, over 700 kinetic terror incidents have occurred in the U.S. European Command (EUCOM) area of operations. Rising tensions in the region due to unemployment, fiscal insolvency, ethnic strife, hegemonic desires, and terrorism, pose risks to the security and stability of Europe.

(2) Arab Spring uprisings in Middle Eastern and North African countries, including the Republic of Mali, the Arab Republic of Egypt, Libya, and the Syrian Arab Republic (Syria), have presented emerging strategic challenges that present significant implications for regional stability, the security of the State of Israel (Israel), and the national security interests of the United States and many European allies.

(3) U.S. Africa Command does not have formally assigned Army or Marine Corps units assigned to it and it continues to share Air Force and Navy component commands with EUCOM. Consequently, United States forces stationed in Europe have been deployed to support contingencies associated with the Arab Spring in North Africa.

(4) The Commander of U.S. European Command is responsible for developing operational plans for the defense of Israel. Moreover, forces stationed in Europe would be deployed to defend Israel in the event of such a contingency.

(5) Regimes, including the Islamic Republic of Iran and Syria, continue efforts to procure, develop, and proliferate advanced ballistic missile technologies that pose a serious threat to United States forces and installations in the theater, as well as to the territory, populations, and forces of Israel and European allies. United States missile defense capabilities in Europe seek to mitigate these threats.

(6) Violent extremist organizations, including Kongra-Gel, al Qaida, Lebanese Hizballah, and Iranian Qods Force, may utilize Europe as an important venue for recruitment, logistical support, financing, and the targeting of the United States and Western interests.

(7) Congress has lacked sufficient data to compare the strategic benefits and the costs associated with permanently stationing forces in Europe. The Government Accountability Office (GAO) has found that the combatant commands do not completely and consistently report cost data in their theater posture plans. In particular, GAO reported in February 2011 that EUCOM lacks comprehensive cost data in its theater posture plans and therefore decision makers lack critical information that could be used to make fully informed posture decisions. Additionally, in June 2012, GAO found that the Department of Defense has taken steps to align posture initiatives with strategy and cost, but continues to lack comprehensive and consistent cost estimates of initiatives.

(8) The Department of Defense has reported that the cost of permanently stationing forces in the United States rather than overseas is often offset by such factors as increased rotational costs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) an enduring United States presence and engagement across Europe and Eurasia provides

the critical access and infrastructure necessary to accomplish United States strategic priorities, expand United States global reach to Europe, Eurasia, the Middle East, Africa, as well as the Mediterranean and Atlantic Oceans, and facilitates a rapid United States response for complex contingencies;

(2) the United States continues to have an interest in supporting the stability and security of Europe, especially in a dynamic and challenging global security environment;

(3) forward-stationed active duty service members, forward-deployed rotational units, and reserve forces assigned to U.S. European Command remain essential for United States planning, logistics, and operations in support of U.S. Central Command, U.S. Africa Command, U.S. Transportation Command, U.S. Special Operations Command, and U.S. Strategic Command, as well as fulfilling commitments under Article V of the North Atlantic Charter;

(4) in light of the benefits associated with defense of the homeland forward and strategic access, as well as the potential for rotational deployments to increase cost to the Department of Defense, the Department of Defense should implement the recommendations of the Government Accountability Office with regard to improved cost estimation to enable informed force posture decisions prior to making any further significant changes to the United States force posture in Europe that could increase risk for the United States; and

(5) the Secretary of Defense should keep Congress fully and currently informed regarding the requirements of the United States force posture in Europe and the costs associated with maintaining such force.

**SEC. 1257. SENSE OF CONGRESS ON MILITARY CAPABILITIES OF THE PEOPLE'S REPUBLIC OF CHINA.**

Congress—

(1) notes the People's Republic of China (PRC) continues to rapidly modernize and expand its military capabilities across the land, sea, air, space, and cyberspace domains;

(2) is concerned by the rate and scope of PRC military developments, including its military-focused cyber espionage, which indicate a desire to constrain or prevent the peaceful activities of the United States and its allies in the Western Pacific;

(3) concurs with Admiral Samuel Locklear, commander of U.S. Pacific Command, that "China's rapid development of advanced military capabilities, combined with its unclear intentions, certainly raises strategic and security concerns for the U.S. and the region";

(4) notes the United States remains committed to a robust forward military-presence in the Asia-Pacific and will continue to vigorously support mutual defense arrangements with treaty allies while also building deeper relationships with other strategic partners in the region; and

(5) urges the Government of the PRC to work peacefully to resolve existing territorial disputes and to adopt a maritime code of conduct with relevant parties to guide all forms of maritime interaction and communications in the Asia-Pacific.

**SEC. 1258. RULE OF CONSTRUCTION.**

Nothing in this Act shall be construed as authorizing the use of force against Syria.

**TITLE XIII—COOPERATIVE THREAT REDUCTION**

**SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.**

(a) SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (50 U.S.C. 2362 note).

(b) FISCAL YEAR 2014 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term "fiscal year 2014 Cooperative Threat Reduction funds" means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs shall be available for obligation for fiscal years 2014, 2015, and 2016.

**SEC. 1302. FUNDING ALLOCATIONS.**

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the \$528,455,000 authorized to be appropriated to the Department of Defense for fiscal year 2014 in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, \$5,655,000.

(2) For chemical weapons destruction, \$13,000,000.

(3) For global nuclear security, \$32,793,000.

(4) For cooperative biological engagement, \$293,142,110.

(5) For proliferation prevention, \$149,314,890.

(6) For threat reduction engagement, \$6,375,000.

(7) For activities designated as Other Assessments/Administrative Costs, \$28,175,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2014 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (7) of subsection (a) until 15 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2014 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—

(1) IN GENERAL.—Subject to paragraph (2), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2014 for a purpose listed in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for that purpose.

(2) NOTICE-AND-WAIT REQUIRED.—An obligation of funds for a purpose stated in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

**SEC. 1303. EXTENSION FOR USE OF CONTRIBUTIONS TO THE COOPERATIVE THREAT REDUCTION PROGRAM.**

Section 1303(g) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 22 U.S.C. 5952 note) is amended by striking "2015" and inserting "2018".

**TITLE XIV—OTHER AUTHORIZATIONS****Subtitle A—Military Programs****SEC. 1401. WORKING CAPITAL FUNDS.**

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

**SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.**

Funds are hereby authorized to be appropriated for the fiscal year 2014 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

**SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) **USE.**—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

**SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

**SEC. 1405. DEFENSE INSPECTOR GENERAL.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

**SEC. 1406. DEFENSE HEALTH PROGRAM.**

Funds are hereby authorized to be appropriated for fiscal year 2014 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

**Subtitle B—National Defense Stockpile****SEC. 1411. USE OF NATIONAL DEFENSE STOCKPILE FOR THE CONSERVATION OF A STRATEGIC AND CRITICAL MATERIALS SUPPLY.**

(a) **PRESIDENTIAL RESPONSIBILITY FOR CONSERVATION OF STOCKPILE MATERIALS.**—Section 98e(a) of title 50, United States Code, is amended—

(1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

(2) by inserting after paragraph (4) the following new paragraph (5):

“(5) provide for the recovery of any strategic and critical material from excess materials made available for recovery purposes by other Federal agencies;”.

(b) **USES OF NATIONAL DEFENSE STOCKPILE TRANSACTION FUND.**—Section 98h(b)(2) of title 50, United States Code, is amended—

(1) by redesignating subparagraphs (D) through (L) as subparagraphs (E) through (M), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph (D):

“(D) Encouraging the conservation of strategic and critical materials.”.

(c) **DEVELOPMENT OF DOMESTIC SOURCES.**—Section 98h-6(a) of title 50, United States Code, is amended, in the matter preceding paragraph (1), by inserting “and conservation” after “development”.

**SEC. 1412. AUTHORITY TO ACQUIRE ADDITIONAL MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.**

(a) **ACQUISITION AUTHORITY.**—Using funds available in the National Defense Stockpile Transaction Fund, the National Defense Stockpile Manager may acquire the following materials determined to be strategic and critical materials required to meet the defense, industrial, and essential civilian needs of the United States:

(1) Ferroniobium.

(2) Dysprosium Metal.

(3) Yttrium Oxide.

(4) Cadmium Zinc Tellurium Substrate Materials.

(5) Lithium Ion Precursors.

(6) Triamino-Trinitrobenzene and Insensitive High Explosive Molding Powders.

(b) **AMOUNT OF AUTHORITY.**—The National Defense Stockpile Manager may use up to \$41,000,000 of the National Stockpile Transaction Fund for acquisition of the materials specified in subsection (a).

(c) **FISCAL YEAR LIMITATION.**—The authority under this section is available for purchases during fiscal year 2014 through fiscal year 2019.

**Subtitle C—Other Matters****SEC. 1421. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.**

(a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Of the funds authorized to be appropriated for section 507 and available for the Defense Health Program for operation and maintenance, \$143,087,000 may be transferred by the Secretary of Defense to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) **USE OF TRANSFERRED FUNDS.**—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

**SEC. 1422. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.**

There is hereby authorized to be appropriated for fiscal year 2014 from the Armed Forces Retirement Home Trust Fund the sum of \$67,800,000 for the operation of the Armed Forces Retirement Home.

**SEC. 1423. CEMETERY EXPENSES.**

Funds are hereby authorized to be appropriated for the Department of the Army for fiscal year 2014 for cemetery expenses, not otherwise provided for, in the amount of \$45,800,000.

**TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS****Subtitle A—Authorization of Additional Appropriations****SEC. 1501. PURPOSE.**

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2014 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

**SEC. 1502. PROCUREMENT.**

Funds are hereby authorized to be appropriated for fiscal year 2014 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

**SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.**

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

**SEC. 1504. OPERATION AND MAINTENANCE.**

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

**SEC. 1505. MILITARY PERSONNEL.**

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

**SEC. 1506. WORKING CAPITAL FUNDS.**

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

**SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

**SEC. 1508. DEFENSE INSPECTOR GENERAL.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

**SEC. 1509. DEFENSE HEALTH PROGRAM.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

**Subtitle B—Financial Matters****SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

**SEC. 1522. SPECIAL TRANSFER AUTHORITY.**

(a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.**—

(1) **AUTHORITY.**—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made

available to the Department of Defense in this title for fiscal year 2014 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) **LIMITATION.**—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed \$3,000,000,000.

(b) **TERMS AND CONDITIONS.**—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) **ADDITIONAL AUTHORITY.**—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

#### **Subtitle C—Limitations and Other Matters**

#### **SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.**

(a) **CONTINUATION OF EXISTING LIMITATIONS ON USE OF FUNDS IN FUND.**—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2014 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4424).

(b) **REVISION OF PLAN FOR USE OF AFGHANISTAN SECURITY FORCES FUND.**—

(1) **REVISION AND PURPOSE.**—The Secretary of Defense shall revise the plan required by section 1531(e) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2056) regarding use of the Afghanistan Security Forces Fund through September 30, 2017, to ensure that an office or official of the Department of Defense is identified as responsible for each program or activity supported using funds available to the Department of Defense through the Afghanistan Security Forces Fund.

(2) **SUBMISSION.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional committees the plan as revised pursuant to paragraph (1).

(c) **PROMOTION OF RECRUITMENT AND RETENTION OF WOMEN.**—Of the funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2014, no less than \$47,300,000 shall be used for the recruitment and retention of women in the Afghanistan National Security Forces. This requirement does not modify the distribution of funds for programs and activities supported using the Afghanistan Security Forces Fund, but will ensure attention to recruitment and retention of women within each program and activity.

#### **SEC. 1532. FUTURE ROLE OF JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT ORGANIZATION.**

(a) **REPORT REQUIRED.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the future plans of the Department of Defense for the Joint Improvised Explosive Device Defeat Organization (JIEDDO).

(b) **REQUIRED ELEMENTS.**—The report required by subsection (a) shall include the following elements:

(1) An analysis of alternatives considered in determining the future plans for JIEDDO.

(2) If the Secretary of Defense plans to discontinue JIEDDO—

(A) a description of how JIEDDO's major programs and capabilities will be integrated into other components within the Department of Defense or discontinued; and

(B) a statement of the estimated costs to other components of the Department for any JIEDDO programs and capabilities that are reassigned to such components.

(3) If the Secretary of Defense plans to continue JIEDDO—

(A) a statement of the expected mission of JIEDDO;

(B) a description of the expected organizational structure for JIEDDO, including the reporting structure and lines of authority within the Department and personnel strength, including contractors; and

(C) a statement of the estimated costs and budgetary impacts related to implementing any changes to the mission of JIEDDO and its organizational structure.

(4) A timeline for implementation of the selected alternative described in paragraph (2) or (3).

(5) A description on how the Department will identify and incorporate lessons learned from establishing and managing JIEDDO and its programs.

#### **SEC. 1533. LIMITATION ON INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE SUPPORT FOR OPERATION OBSERVANT COMPASS.**

None of the amounts authorized to be appropriated for operation and maintenance by section 1504, as specified in the funding table in section 4302, may be obligated or expended for intelligence, surveillance, and reconnaissance support for Operation Observant Compass until the Secretary of Defense submits to the congressional defense committees a report on Operation Observant Compass, including the specific goals of the campaign to counter the Lord Resistance Army, the precise metrics used to measure progress in such campaign, and the required steps that will be taken to transition such campaign if it is determined that it is no longer necessary for the United States to support the mission of such campaign.

#### **SEC. 1534. REPORT ON UNITED STATES FORCE LEVELS AND COSTS OF MILITARY OPERATIONS IN AFGHANISTAN.**

Not later than January 15, 2014, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and Senate a report on the following:

(1) The estimated United States force levels in Afghanistan for each of years 2015 through 2020.

(2) The estimated costs of United States military operations in Afghanistan for each of fiscal years 2015 through 2020.

#### **TITLE XVI—INDUSTRIAL BASE MATTERS**

#### **SEC. 1601. PERIODIC AUDITS OF CONTRACTING COMPLIANCE BY INSPECTOR GENERAL OF DEPARTMENT OF DEFENSE.**

(a) **REQUIREMENT FOR PERIODIC AUDITS OF CONTRACTING COMPLIANCE.**—The Inspector General of the Department of Defense shall conduct periodic audits of contracting practices and policies related to procurement under section 2533a of title 10, United States Code. Such an audit shall be conducted at least once every three years.

(b) **REQUIREMENT FOR ADDITIONAL INFORMATION IN SEMIANNUAL REPORTS.**—The Inspector General of the Department of Defense shall ensure that findings and other information resulting from audits conducted pursuant to subsection (a) are included in the semiannual report transmitted to congressional committees under section 8(f)(1) of the Inspector General Act of 1978 (5 U.S.C. App).

#### **SEC. 1602. EXPANSION OF THE PROCUREMENT TECHNICAL ASSISTANCE PROGRAM TO ADVANCE SMALL BUSINESS GROWTH.**

(a) **ADVANCING SMALL BUSINESS GROWTH.**—

(1) **IN GENERAL.**—Chapter 142 of title 10, United States Code, is amended—

(A) by redesignating section 2419 as section 2420; and

(B) by inserting after section 2418 the following new section 2419:

#### **“§2419. Advancing small business growth**

“(a) **IDENTIFICATION OF RECOMMENDED BUSINESS CAPABILITIES AND CHARACTERISTICS.**—(1) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall publish in the Federal Register and on the website of the Office of Small Business Programs of the Department of Defense a list of capabilities and characteristics recommended for the successful transition of a qualified small business concern to become competitive as an other-than-small business for contracts awarded by the Department of Defense. The capabilities and characteristics on the list shall be set forth by North American Industry Classification System sector.

“(2) The list shall be reviewed and updated appropriately on an annual basis.

“(b) **CONTRACT CLAUSE REQUIRED.**—(1) The Under Secretary shall require the clause described in paragraph (2) to be included in each covered contract awarded by the Department of Defense.

“(2) The clause described in this paragraph is a clause that—

“(A) requires the contractor to acknowledge that acceptance of the contract may cause the business to exceed the applicable small business size standards (established pursuant to section 3(a) of the Small Business Act) for the industry concerned and that the contractor may no longer qualify as a small business concern for that industry; and

“(B) encourages the contractor to develop capabilities and characteristics identified in the list required by subsection (a) if the contractor intends to remain competitive as an other-than-small business in that industry.

“(c) **ASSISTANCE FOR ADVANCING CERTAIN SMALL BUSINESSES.**—Eligible small businesses may be provided specific assistance with developing the capabilities and characteristics identified in the list required by subsection (a), as part of any procurement technical assistance furnished pursuant to this chapter.

“(d) **DEFINITIONS.**—In this section:

“(1) The term ‘covered contract’ means a contract—

“(A) awarded to a qualified small business concern as defined pursuant to section 3(a) of the Small Business Act; and

“(B) with an estimated annual value—

“(i) that will exceed the applicable receipt-based small business size standard; or

“(ii) if the contract is in an industry with an employee-based size standard, that will exceed \$70,000,000.

“(2) The term ‘eligible small business’ means a qualified small business concern as defined pursuant to section 3(a) of the Small Business Act that has entered into a contract with the Department of Defense that includes a contract clause described in subsection (b)(2).”

(2) **CLERICAL AMENDMENT.**—The table of sections as the beginning of such chapter is amended by striking the item relating to section 2419 and inserting the following:

“2419. Advancing small business growth.

“2420. Regulations.”

(b) **EXCEPTION TO LIMITATION ON FUNDING.**—Section 2414 of such title is amended—

(1) in subsection (a), by striking “The value” and inserting “Except as provided in subsection (c), the value”; and

(2) by adding at the end the following new subsection (c):

“(c) **EXCEPTION.**—The value of the assistance provided in accordance with section 2419(c) of this title is not subject to the limitations in subsection (a).”

(c) REVISIONS TO COOPERATIVE AGREEMENTS.—

(1) FULL FUNDING ALLOWED FOR CERTAIN ASSISTANCE.—Section 2413(b) of such title is amended—

(A) by striking “except that in the case” and inserting: “except that—

“(1) in the case”;

(B) by striking the period at the end and inserting “; and”;

(C) by adding at the end the following new paragraph:

“(2) in the case of a program sponsored by such an entity that provides specific assistance for eligible small businesses pursuant to section 2419(c) of this title, the Secretary may agree to furnish the full cost of such assistance.”.

(2) ADDITIONAL CONSIDERATIONS.—Section 2413 of such title is further amended by adding at the end the following new subsection:

“(e) In determining the level of funding to provide under an agreement under subsection (b), the Secretary shall consider the forecast by the eligible entity of demand for procurement technical assistance, and, in the case of an established program under this chapter, the outlays and receipts of such program during prior years of operation.”.

(3) CONFORMING AMENDMENT.—Section 2413(d) of such title is amended by striking “and in determining the level of funding to provide under an agreement under subsection (b),”.

(d) REPORT REQUIRED.—Not later than March 15 of 2015, 2016, and 2017, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation of the amendments made by this section, along with any recommendations for improving the Procurement Technical Assistance Cooperative Agreement Program.

#### SEC. 1603. AMENDMENTS RELATING TO PROCUREMENT TECHNICAL ASSISTANCE COOPERATIVE AGREEMENT PROGRAM.

(a) INCREASE IN GOVERNMENT SHARE.—Section 2413(b) of title 10, United States Code, is amended—

(1) by striking “one-half” both places it appears and inserting “65 percent”;

(2) by striking “three-fourths” and inserting “75 percent”.

(b) INCREASE IN LIMITATIONS ON VALUE OF ASSISTANCE.—Section 2414(a) of such title is amended—

(1) in paragraphs (1) and (4), by striking “\$600,000” and inserting “\$750,000”;

(2) in paragraph (2), by striking “\$300,000” and inserting “\$450,000”;

(3) in paragraph (3), by striking “\$150,000” and inserting “\$300,000”.

#### SEC. 1604. STRATEGIC PLAN FOR REQUIREMENTS FOR WAR RESERVE STOCKS OF MEALS READY-TO-EAT.

(a) LIMITATION; STRATEGIC PLAN.—The Administrator of the Defense Logistics Agency may not make any reductions in the requirements for war reserve stocks of meals ready-to-eat until the Administrator and the heads of the military services, in consultation with manufacturers of meals ready-to-eat, develop a comprehensive strategic plan to address—

(1) the aggregate meals ready-to-eat requirements for each of the military departments;

(2) industrial base sustainment and war-time surge capacity requirements for meals ready-to-eat; and

(3) timely rotation of the war reserves of meals-ready-to-eat.

(b) BRIEFING REQUIRED.—The Administrator shall brief the congressional defense committees on the strategic plan developed under subsection (a) before making any reductions in the requirements for war reserve stocks of meals ready-to-eat.

#### SEC. 1605. FOREIGN COMMERCIAL SATELLITE SERVICES.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, as amended by section

911(b) of this Act, is further amended by adding at the end the following new section:

#### “§2279. Foreign commercial satellite services

“(a) PROHIBITION.—The Secretary of Defense may not enter into a contract for satellite services with a foreign entity if—

“(1) the foreign entity is an entity in which the government of a covered foreign country has an ownership interest; or

“(2) the foreign entity plans to or is expected to provide launch or other satellite services under the contract from a covered foreign country.

“(b) WAIVER.—The Secretary of Defense may waive subsection (a) for a particular contract if the Secretary, in consultation with the Director of National Intelligence, submits to the congressional defense committees a national security assessment for such contract that includes the following:

“(1) The projected period of performance (including any period covered by options to extend the contract), the financial terms, and a description of the services to be provided under the contract.

“(2) To the extent practicable, a description of the ownership interest that a covered foreign country has in the foreign entity providing satellite services to the Department of Defense under the contract and the launch or other satellite services that will be provided in a covered foreign country under the contract.

“(3) A justification for entering into a contract with such foreign entity and a description of the actions necessary to eliminate the need to enter into such a contract with such foreign entity in the future.

“(4) A risk assessment of entering into a contract with such foreign entity, including an assessment of mission assurance and security of information and a description of any measures necessary to mitigate risks found by such risk assessment.

“(c) DELEGATION OF WAIVER AUTHORITY.—The Secretary of Defense may only delegate the authority under subsection (b) to waive subsection (a) to the Deputy Secretary of Defense, the Under Secretary of Defense for Policy, or the Under Secretary of Defense for Acquisition, Technology, and Logistics and such authority may not be further delegated.

“(d) FORM OF WAIVER ASSESSMENTS.—Each assessment under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

“(e) COVERED FOREIGN COUNTRY DEFINED.—In this section, the term ‘covered foreign country’ means a country described in section 1261(c)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2019).”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 911(c) of this Act, is further amended by adding at the end the following item:

“2279. Foreign commercial satellite services.”.

#### SEC. 1606. PROOF OF CONCEPT COMMERCIALIZATION PILOT PROGRAM.

(a) PILOT PROGRAM.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering, shall establish and implement a pilot program, to be known as the “Proof of Concept Commercialization Pilot Program”, in accordance with this section.

(b) PURPOSE.—The purpose of the pilot program is to accelerate the commercialization of basic research innovations from qualifying institutions.

(c) AWARDS.—

(1) IN GENERAL.—Under the pilot program, the Secretary shall make financial awards to quali-

fying institutions in accordance with this subsection.

(2) COMPETITIVE, MERIT-BASED PROCESS.—An award under the pilot program shall be made using a competitive, merit-based process.

(3) ELIGIBILITY.—A qualifying institution shall be eligible for an award under the pilot program if the institution agrees to—

(A) use funds from the award for the uses specified in paragraph (5); and

(B) oversee the use of the funds through—

(i) a rigorous, diverse review board comprised of experts in translational and proof of concept research, including industry, start-up, venture capital, technical, financial, and business experts and university technology transfer officials;

(ii) technology validation milestones focused on market feasibility;

(iii) simple reporting on program progress; and

(iv) a process to reallocate funding from poor performing projects to those with more potential.

(4) CRITERIA.—An award may be made under the pilot program to a qualifying institution in accordance with the following criteria:

(A) The extent to which a qualifying institution—

(i) has an established and proven technology transfer or commercialization office and has a plan for engaging that office in the program’s implementation or has outlined an innovative approach to technology transfer that has the potential to increase or accelerate technology transfer outcomes and can be adopted by other qualifying institutions;

(ii) can assemble a project management board comprised of industry, start-up, venture capital, technical, financial, and business experts;

(iii) has an intellectual property rights strategy or office; and

(iv) demonstrates a plan for sustainability beyond the duration of the funding from the award.

(B) Such other criteria as the Secretary determines necessary.

(5) USE OF AWARD.—

(A) IN GENERAL.—Subject to subparagraph (B), the funds from an award may be used to evaluate the commercial potential of existing discoveries, including activities that contribute to determining a project’s commercialization path, including technical validations, market research, clarifying intellectual property rights, and investigating commercial and business opportunities.

(B) LIMITATIONS.—

(i) The amount of an award may not exceed \$500,000 a year.

(ii) Funds from an award may not be used for basic research, or to fund the acquisition of research equipment or supplies unrelated to commercialization activities.

(d) REPORT.—Not later than one year after the establishment of the pilot program, the Secretary shall submit to the congressional defense committees and to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report evaluating the effectiveness of the activities of the pilot program. The report shall include—

(1) a detailed description of the pilot program, including incentives and activities undertaken by review board experts;

(2) an accounting of the funds used in the pilot program;

(3) a detailed description of the institutional selection process;

(4) a detailed compilation of results achieved by the pilot program; and

(5) an analysis of the program’s effectiveness, with data supporting the analysis.

(e) QUALIFYING INSTITUTION DEFINED.—In this section, the term “qualifying institution” means

a nonprofit institution, as defined in section 4(3) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703(3)), or a Federal laboratory, as defined in section 4(4) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703(4)).

(f) **TERMINATION.**—The pilot program conducted under this section shall terminate on September 30, 2018.

**DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

**SEC. 2001. SHORT TITLE.**

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2014”.

**SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.**

(a) **EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.**—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX of this division

for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

- (1) October 1, 2016; or
- (2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017.

(b) **EXCEPTION.**—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

- (1) October 1, 2016; or
- (2) the date of the enactment of an Act authorizing funds for fiscal year 2017 for military construction projects, land acquisition, family housing projects and facilities, or contributions

to the North Atlantic Treaty Organization Security Investment Program.

**SEC. 2003. EFFECTIVE DATE.**

Titles XXI through XXVII and title XXIX shall take effect on the later of—

- (1) October 1, 2013; or
- (2) the date of the enactment of this Act.

**TITLE XXI—ARMY MILITARY CONSTRUCTION**

**SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

State	Installation or Location	Amount
Alaska .....	Fort Wainwright .....	\$103,000,000
Colorado .....	Fort Carson, Colorado .....	\$242,200,000
Florida .....	Eglin AFB .....	\$4,700,000
Georgia .....	Fort Gordon .....	\$61,000,000
Hawaii .....	Fort Shafter .....	\$65,000,000
Kansas .....	Fort Leavenworth .....	\$17,000,000
Kentucky .....	Fort Campbell, Kentucky .....	\$4,800,000
Maryland .....	Aberdeen Proving Ground .....	\$21,000,000
Missouri .....	Fort Detrick .....	\$7,100,000
North Carolina .....	Fort Leonard Wood .....	\$90,700,000
Texas .....	Fort Bragg .....	\$5,900,000
Texas .....	Fort Bliss .....	\$46,800,000
Virginia .....	Joint Base Langley-Eustis .....	\$50,000,000
Washington .....	Joint Base Lewis-McChord .....	\$144,000,000
	Yakima .....	\$9,100,00

(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects out-

side the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out the military construction project for the instal-

lation or location outside the United States, and in the amount, set forth in the following table:

**Army: Outside the United States**

Country	Installation or Location	Amount
Marshall Islands .....	Kwajalein Atoll .....	\$63,000,000

(c) **UNSPECIFIED WORLDWIDE.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects at unspecified

worldwide locations as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for unspecified instal-

lations or locations in the amounts set forth in the following table:

**Army: Unspecified**

Location	Location or Installation	Amount
Worldwide Unspecified .....	Unspecified Worldwide Locations .....	\$33,000,000

**SEC. 2102. FAMILY HOUSING.**

(a) **CONSTRUCTION AND ACQUISITION.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and

available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land ac-

quisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

**Army: Family Housing**

Country	Installation	Units	Amount
Germany .....	South Camp Vilseck .....	29 .....	\$16,600,000

**Army: Family Housing—Continued**

<b>Country</b>	<b>Installation</b>	<b>Units</b>	<b>Amount</b>
Wisconsin .....	Fort McCoy .....	56 .....	\$23,000,000

(a) **PLANNING AND DESIGN.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,408,000.

**SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

**SEC. 2104. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2004 PROJECT.**

(a) **PROJECT AUTHORIZATION.**—In connection with the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136; 117 Stat. 1697) for Picatinny Arsenal, New Jersey, for construction of a Research and Development Loading Facility, the Secretary of the Army may carry out a military construction project in the amount of \$4,500,000 to complete work on the facility within the initial scope of the project.

(b) **USE OF UNOBLIGATED PRIOR-YEAR ARMY MILITARY CONSTRUCTION FUNDS.**—For the project described in subsection (a), the Secretary of the Army shall use unobligated Army military construction funds that were appropriated for a fiscal year before fiscal year 2014 and are available because of savings resulting from favorable bids.

(c) **CONGRESSIONAL NOTIFICATION.**—The Secretary of the Army shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a). If it becomes necessary to exceed the estimated project cost, the Secretary shall utilize the authority provided by section 2853 of such title regarding authorized cost and scope of work variations.

**SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.**

In the case of the authorization contained in the table in section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2629) for Camp Arifjan, Kuwait, for construction of APS Warehouses, the Secretary of the Army may construct up to 74,976 square meters of hardstand parking, 22,741 square meters of access roads, a 6 megawatt power plant, and 50,724 square meters of humidity-controlled warehouses.

**SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2011 PROJECT.**

In the case of the authorization contained in the table in section 2101(a) of the National Defense Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4437) for Joint Base Lewis-McCord, Washington, for construction of a Regional Logistics Support Complex, the Secretary of the Army may construct up to 98,381 square yards of Organizational Vehicle Parking.

**SEC. 2107. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.**

(a) **EXTENSIONS.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2627), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (126 Stat. 2628) and extended by section 2106 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2121), shall remain in effect until October 1, 2014, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later:

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

**Army: Extension of 2010 Project Authorizations**

<b>State</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Virginia .....	Fort Belvoir .....	Road and Access Control Point .....	\$9,500,000
Washington .....	Fort Lewis .....	Fort Lewis-McChord AFB Joint Access .....	\$9,000,000
Kuwait .....	Camp Arifjan .....	APS Warehouses .....	\$82,000,000

**SEC. 2108. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2011 PROJECTS.**

(a) **EXTENSIONS.**—Notwithstanding section 2002 of the Military Construction Authorization

Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4436), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (124 Stat. 4437), shall remain in effect until October 1, 2014, or

the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later:

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

**Army: Extension of 2011 Project Authorizations**

<b>State</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
California .....	Presidio of Monterey .....	Advanced Individual Training Barracks .....	\$63,000,000
Georgia .....	Fort Benning .....	Land Acquisition .....	\$12,200,000
New Mexico .....	White Sands Missile Range .....	Barracks .....	\$29,000,000
Germany .....	Wiesbaden Air Base .....	Access Control Point .....	\$5,100,000

**TITLE XXII—NAVY MILITARY CONSTRUCTION****SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the author-

ization of appropriations in section 2204 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installa-

tions or locations inside the United States, and in the amounts, set forth in the following table:

**Navy: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
California .....	Barstow .....	\$14,998,000
	Camp Pendleton, California .....	\$13,124,000
	Coronado .....	\$8,910,000
	Point Mugu .....	\$24,667,000

*Navy: Inside the United States—Continued*

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
Florida .....	Port Hueneme .....	\$33,600,000
	San Diego .....	\$34,331,000
	Twentynine Palms, California .....	\$33,437,000
	Jacksonville .....	\$20,752,000
	Key West .....	\$14,001,000
Georgia .....	Mayport .....	\$16,093,000
	Albany .....	\$16,610,000
	Savannah .....	\$61,717,000
Guam .....	Joint Region Marianas .....	\$318,377,000
Hawaii .....	Kaneohe Bay .....	\$236,982,000
	Pearl City .....	\$30,100,000
	Pearl Harbor .....	\$57,998,000
Illinois .....	Great Lakes .....	\$35,851,000
Maryland .....	Fort Meade .....	\$83,988,000
Maine .....	Bangor .....	\$13,800,000
	Kittery .....	\$11,522,000
North Carolina .....	Camp Lejeune, North Carolina .....	\$77,999,000
	New River .....	\$45,863,000
Nevada .....	Fallon .....	\$11,334,000
Oklahoma .....	Tinker Air Force Base .....	\$14,144,000
Rhode Island .....	Newport .....	\$12,422,000
South Carolina .....	Charleston .....	\$73,932,000
Virginia .....	Dam Neck .....	\$10,587,000
	Norfolk .....	\$3,380,000
	Quantico .....	\$38,374,000
	Yorktown .....	\$18,700,000
	Bremerton .....	\$18,189,000
Washington .....	Whidbey Island .....	\$117,649,000

(b) *OUTSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military construction projects out-

side the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installa-

tion or location outside the United States, and in the amounts, set forth in the following table:

*Navy: Outside the United States*

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
Djibouti .....	Camp Lemonier .....	\$29,000,000
Japan .....	Camp Butler .....	\$5,820,000
Japan .....	Yokosuka .....	\$7,568,000

**SEC. 2202. FAMILY HOUSING.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,438,000.

**SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed \$68,969,000.

**SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction, land acquisition, and military family housing func-

tions of the Department of the Navy, as specified in the funding table in section 4601.

**SEC. 2205. LIMITATION ON PROJECT AUTHORIZATION TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.**

The Secretary of the Navy may not obligate or expend any funds authorized in this title for land acquisition related to the Townsend Bombing Range near Savannah, Georgia, until the Secretary certifies in writing to the congressional defense committees that the Secretary has entered into mutually-acceptable agreements with the governments of Long and McIntosh Counties, Georgia, that—

(1) include specific arrangements to mitigate any economic hardships to be incurred by the counties as a result of revenue loss caused by the acquisition; or

(2) affirm that no compensation is required from the Secretary before the acquisition proceeds.

**SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2011 PROJECT.**

In the case of the authorization contained in the table in section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4441)

for Southwest Asia, Bahrain, for construction of Navy Central Command Ammunition Magazines, the Secretary of the Navy may construct additional Type C earth covered magazines (to provide a project total of eighteen), ten new modular storage magazines, an inert storage facility, a maintenance and ground support equipment facility, concrete pads for portable ready service lockers, and associated supporting facilities using appropriations available for the project.

**SEC. 2207. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.**

In the case of the authorization contained in the table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666) for Kitsap, Washington, for construction of Explosives Handling Wharf No. 2, the Secretary of the Navy may construct new hardened facilities in lieu of hardening existing structures and a new facility to replace the existing Coast Guard Maritime Force Protection Unit and the Naval Undersea Warfare Command unhardened facilities using appropriations available for the project.



**SEC. 2208. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2011 PROJECTS.**

(a) *EXTENSION.*—Notwithstanding section 2002 of the Military Construction Authorization Act

for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (124 Stat. 4441), shall remain in effect until October 1, 2014, or the

date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later.

(b) *TABLE.*—The table referred to in subsection (a) is as follows:

**Navy: Extension of 2011 Project Authorizations**

<i>State/Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
Bahrain .....	Southwest Asia .....	Navy Central Command Ammunition Magazines .....	\$89,280,000
Guam .....	Naval Activities .....	Defense Access Roads Improvements	\$66,730,000

**TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION****SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) *INSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the author-

ization of appropriations in section 2304 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installa-

tions or locations inside the United States, and in the amounts, set forth in the following table:

**Air Force: Inside the United States**

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
Arizona .....	Luke Air Force Base .....	\$26,900,000
California .....	Beale Air Force Base .....	\$62,000,000
Florida .....	Tyndall Air Force Base .....	\$9,100,000
Guam .....	Joint Region Marianas .....	\$176,230,000
Hawaii .....	Joint Base Pearl Harbor-Hickam .....	\$4,800,000
Kansas .....	McConnell Air Force Base .....	\$219,120,000
Kentucky .....	Fort Campbell, Kentucky .....	\$8,000,000
Mariana Islands .....	Saipan .....	\$29,300,000
Maryland .....	Fort Meade .....	\$358,000,000
Missouri .....	Joint Base Andrews .....	\$30,000,000
North Dakota .....	Whiteman Air Force Base .....	\$5,900,000
New Mexico .....	Minot Air Force Base .....	\$23,830,000
.....	Cannon Air Force Base .....	\$34,100,000
.....	Holloman Air Force Base .....	\$2,250,000
.....	Kirtland Air Force Base .....	\$30,500,000
Nevada .....	Nellis Air Force Base .....	\$78,500,000
Oklahoma .....	Altus Air Force Base .....	\$30,850,000
.....	Tinker Air Force Base .....	\$8,600,000
Texas .....	Fort Bliss .....	\$3,350,000
Utah .....	Hill Air Force Base .....	\$32,000,000
Virginia .....	Joint Base Langley-Eustis .....	\$4,800,000

(b) *OUTSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction projects out-

side the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installa-

tions or locations outside the United States, and in the amounts, set forth in the following table:

**Air Force: Outside the United States**

<i>Country</i>	<i>Installation</i>	<i>Amount</i>
Greenland .....	Thule AB .....	\$43,904,000
United Kingdom .....	RAF Lakenheath .....	\$22,047,000

**SEC. 2302. FAMILY HOUSING.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,267,000.

**SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

Subject to section 2825 of title 10, United States Code, and using amounts appropriated

pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed \$72,093,000.

**SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction, land acquisition, and military family housing func-

tions of the Department of the Air Force, as specified in the funding table in section 4601.

**SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.**

The table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2126) is amended in the item relating to Andersen Air Force Base, Guam, for construction of a hangar by striking “\$58,000,000” in the amount column and inserting “\$128,000,000”.

**SEC. 2306. LIMITATION ON PROJECT AUTHORIZATION TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.**

The Secretary of the Air Force may not obligate or expend any funds authorized in this title for the construction of a maintenance facility, a hazardous cargo pad, or an airport storage facility at Saipan, Commonwealth of the Northern Mariana Islands, until the Secretary certifies to

Congress that the Secretary will purchase an interest in the real estate associated with these military construction projects.

**SEC. 2307. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2011 PROJECT.**

(a) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law

111–383; 124 Stat. 4436), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (124 Stat. 4444), shall remain in effect until October 1, 2014, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later.

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

**Air Force: Extension of 2011 Project Authorization**

<b>State</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Bahrain .....	Southwest Asia .....	North Apron Expansion .....	\$45,000,000

**TITLE XXIV—DEFENSE AGENCIES  
MILITARY CONSTRUCTION****Subtitle A—Defense Agency Authorizations****SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the author-

ization of appropriations in section 2403 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

**Defense Agencies: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Alaska .....	Clear Air Force Base .....	\$17,204,000
	Fort Greely .....	\$82,000,000
California .....	Brawley .....	\$23,095,000
	Defense Distribution Depot-Tracy .....	\$37,554,000
	Miramar .....	\$6,000,000
Colorado .....	Fort Carson, Colorado .....	\$22,282,000
Florida .....	Hurlburt Field .....	\$7,900,000
	Jacksonville .....	\$7,500,000
	Panama City .....	\$2,600,000
	Tyndall Air Force Base .....	\$9,500,000
Georgia .....	Fort Benning .....	\$43,335,000
	Fort Stewart, Georgia .....	\$44,504,000
	Hunter Army Airfield .....	\$13,500,000
	Moody Air Force Base .....	\$3,800,000
Hawaii .....	Ford Island .....	\$2,615,000
	Joint Base Pearl Harbor-Hickam .....	\$2,800,000
Kentucky .....	Fort Campbell, Kentucky .....	\$124,211,000
	Fort Knox .....	\$303,023,000
Massachusetts .....	Hanscom Air Force Base .....	\$36,213,000
Maryland .....	Aberdeen Proving Ground .....	\$210,000,000
	Bethesda Naval Hospital .....	\$66,800,000
North Carolina .....	Camp Lejeune .....	\$28,977,000
	Fort Bragg .....	\$172,065,000
North Dakota .....	Minot Air Force Base .....	\$6,400,000
New Jersey .....	Joint Base McGuire-Dix-Lakehurst .....	\$10,000,000
New Mexico .....	Holloman Air Force Base .....	\$81,400,000
Oklahoma .....	Altus Air Force Base .....	\$2,100,000
	Tinker Air Force Base .....	\$36,000,000
Pennsylvania .....	Defense Distribution Depot New Cumberland .....	\$9,000,000
South Carolina .....	Beaufort .....	\$41,324,000
Tennessee .....	Arnold Air Force Base .....	\$2,200,000
Texas .....	Joint Base San Antonio .....	\$12,600,000
Virginia .....	Defense Distribution Depot Richmond .....	\$87,000,000
	Joint Expeditionary Base Little Creek - Story .....	\$30,404,000
	Pentagon .....	\$59,450,000
	Quantico .....	\$40,586,000
Washington .....	Whidbey Island .....	\$10,000,000

(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for military construction projects out-

side the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installa-

tions or locations outside the United States, and in the amounts, set forth in the following table:

**Defense Agencies: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
Bahrain Island .....	Southwest Asia .....	\$45,400,000
Belgium .....	Brussels .....	\$67,613,000
Germany .....	Kaiserlautern Air Base .....	\$49,907,000
	Ramstein Air Base .....	\$98,762,000
	Weisbaden .....	\$109,655,000
Japan .....	Atsugi .....	\$4,100,000
	Iwakuni .....	\$34,000,000
	Kadena Air Base .....	\$38,792,000
	Torri Commo Station .....	\$63,621,000
	Yokosuka .....	\$10,600,000
Korea, Republic Of .....	Camp Walker .....	\$52,164,000
United Kingdom .....	Raf Mildenhall .....	\$84,629,000
	Royal Air Force Lakenheath .....	\$69,638,000

(c) **UNSPECIFIED CLASSIFIED.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for military construction projects at unspecified

worldwide locations as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for unspecified instal-

lations or locations in the amounts set forth in the following table:

**Defense Agencies: Classified**

<b>Location</b>	<b>Location or Installation</b>	<b>Amount</b>
Worldwide Classified .....	Classified Worldwide Locations .....	\$15,000,000

**SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.**

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and

available for energy conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects

under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

**Energy Conservation Projects: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Alabama .....	Anniston Army Depot .....	\$2,700,000
California .....	MCAS Miramar .....	\$17,968,000
	Parks DRTA .....	\$4,150,000
Florida .....	NAS Jacksonville .....	\$2,840,000
Hawaii .....	Camp Smith .....	\$7,966,000
	Hickam .....	\$3,100,000
	Hickam .....	\$3,000,000
	Mt. Home .....	\$2,630,000
Indiana .....	Tokepka Readiness Center .....	\$2,050,000
Kansas .....	Devens .....	\$2,600,000
Massachusetts .....	US Military Academy .....	\$3,200,000
New York .....	Shaw .....	\$2,500,000
South Carolina .....	NAS Corpus Christi .....	\$2,340,000
Texas .....	Sheppard .....	\$3,779,000
	Laughlin .....	\$2,800,000
Utah .....	Dugway Proving Ground .....	\$9,966,000
	Tooele Army Depot .....	\$5,900,000
	Tooele Army Depot .....	\$5,500,000
	Tooele Army Depot .....	\$4,300,000
Virginia .....	NSA Hampton Roads .....	\$4,060,000
	Pentagon .....	\$2,120,000
Various Locations .....	Various Locations .....	\$20,476,000

(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for energy conservation projects out-

side the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United

States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

**Energy Conservation Projects: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
Italy .....	NAS Sigonella .....	\$3,300,000
Japan .....	CFA Sasebo .....	\$14,766,000
Japan .....	Yokota .....	\$5,674,000
Germany .....	Ramstein .....	\$2,140,000
Greenland .....	Thule .....	\$5,175,000
Various Locations .....	Various Locations .....	\$3,000,000

**SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

**Subtitle B—Chemical Demilitarization Authorizations**

**SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction and land acquisition for chemical demilitarization, as specified in the funding table in section 4601.

**TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM****SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

**SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for contributions by the Secretary of Defense under section 2806 of title 10,

United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

**TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES**

**Subtitle A—Project Authorizations and Authorization of Appropriations**

**SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

**Army National Guard: Inside the United States**

<b>State</b>	<b>Location</b>	<b>Amount</b>
Alabama .....	Decatur .....	\$4,000,000
Arkansas .....	Fort Chaffee .....	\$21,000,000
Florida .....	Pinellas Park .....	\$5,700,000
Illinois .....	Kankakee .....	\$42,000,000
Massachusetts .....	Camp Edwards .....	\$19,000,000
Michigan .....	Camp Grayling .....	\$17,000,000
Minnesota .....	Stillwater .....	\$17,000,000
Missouri .....	Macon .....	\$9,100,000
Mississippi .....	Whiteman AFB .....	\$5,000,000
.....	Camp Shelby .....	\$3,000,000
.....	Pascagoula .....	\$4,500,000
New York .....	New York .....	\$31,000,000
Ohio .....	Ravenna Army Ammunition Plant .....	\$5,200,000
Pennsylvania .....	Fort Indiantown Gap .....	\$40,000,000
Puerto Rico .....	Camp Santiago .....	\$5,600,000
South Carolina .....	Greenville .....	\$26,000,000
Texas .....	Fort Worth .....	\$14,270,000
Wyoming .....	Afton .....	\$10,200,000

**SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606

and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction

projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

**Army Reserve**

<b>State</b>	<b>Location</b>	<b>Amount</b>
California .....	Camp Parks .....	\$17,500,000
.....	Fort Hunter Liggett .....	\$16,500,000
Maryland .....	Bowie .....	\$25,500,000
North Carolina .....	Fort Bragg .....	\$24,500,000
New Jersey .....	Joint Base Mcguire-Dix-Lakehurst .....	\$36,200,000
New York .....	Bullville .....	\$14,500,000
Wisconsin .....	Fort McCoy .....	\$23,400,000

**SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606

and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps

Reserve locations inside the United States, and in the amounts, set forth in the following table:

*Navy Reserve and Marine Corps Reserve*

<i>State</i>	<i>Location</i>	<i>Amount</i>
California .....	March Air Force Base .....	\$11,086,000
Missouri .....	Kansas City .....	\$15,020,000
Tennessee .....	Memphis .....	\$4,330,000

**SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606

and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construc-

tion projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

*Air National Guard*

<i>State</i>	<i>Location</i>	<i>Amount</i>
Alabama .....	Birmingham International Airport .....	\$8,500,000
Indiana .....	Hulman Regional Airport .....	\$7,300,000
Montana .....	Great Falls International Airport .....	\$22,000,000
New York .....	Fort Drum, New York .....	\$4,700,000
Ohio .....	Springfield Beckley-Map .....	\$7,200,000
Pennsylvania .....	Fort Indiantown Gap .....	\$7,700,000
Rhode Island .....	Quonset State Airport .....	\$6,000,000
Tennessee .....	McGhee-Tyson Airport .....	\$18,000,000

**SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606

and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construc-

tion projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

*Air Force Reserve*

<i>State</i>	<i>Location</i>	<i>Amount</i>
California .....	March Air Force Base .....	\$19,900,000
Florida .....	Homestead Air Reserve Base .....	\$9,800,000
Oklahoma .....	Tinker Air Force Base .....	\$12,200,000

**SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

**Subtitle B—Other Matters****SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.**

In the case of the authorization contained in the table in section 2603 of the Military Con-

struction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2135) for Fort Des Moines, Iowa, for construction of a Joint Reserve Center at that location, the Secretary of the Navy may, instead of constructing a new facility at Camp Dodge, acquire up to approximately 20 acres to construct a Joint Reserve Center and associated supporting facilities in the greater Des Moines, Iowa, area using amounts appropriated for the project pursuant to the authorization of appropriations in section 2606 of such Act (126 Stat. 2136).

**SEC. 2612. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2011 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law

111–383; 124 Stat. 4436), the authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and 2604 of that Act (124 Stat. 4452, 4453, 4454), shall remain in effect until October 1, 2014, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

*Extension of 2011 National Guard and Reserve Project Authorizations*

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
Puerto Rico .....	Camp Santiago .....	Multi Purpose Machine Gun Range	\$9,200,000
Tennessee .....	Nashville International Airport .....	Intelligence Group and Remotely Piloted Aircraft Remote Split Operations Group .....	\$5,500,000
Virginia .....	Fort Story .....	Army Reserve Center .....	\$11,000,000

# **TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES**

## **Subtitle A—Authorization of Appropriations**

### **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140)), as specified in the funding table in section 4601.

## **Subtitle B—Other Matters**

### **SEC. 2711. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.**

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round, and none of the funds appropriated pursuant to the authorization of appropriations contained in this Act may be used to propose, plan for, or execute an additional BRAC round.

### **SEC. 2712. ELIMINATION OF QUARTERLY CERTIFICATION REQUIREMENT REGARDING AVAILABILITY OF MILITARY HEALTH CARE IN NATIONAL CAPITAL REGION.**

Section 1674(c) of the Wounded Warrior Act (title XVI of Public Law 110–181; 122 Stat. 483) is amended by striking “on a quarterly basis”.

# **TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS**

## **Subtitle A—Military Construction Program and Military Family Housing Changes**

### **SEC. 2801. MODIFICATION OF AUTHORITY TO CARRY OUT UNSPECIFIED MINOR MILITARY CONSTRUCTION.**

(a) **INCREASED THRESHOLD FOR APPLICATION OF SECRETARY APPROVAL AND CONGRESSIONAL NOTIFICATION REQUIREMENTS.**—Subsection (b)(1) of section 2805 of title 10, United States Code, is amended by striking “\$750,000” and inserting “\$1,000,000”.

(b) **INCREASE IN MAXIMUM AMOUNT OF OPERATION AND MAINTENANCE FUNDS AUTHORIZED TO BE USED FOR CERTAIN PROJECTS.**—Subsection (c)(1)(B) of such section is amended by striking “\$750,000” and inserting “\$1,000,000”.

(c) **ANNUAL LOCATION ADJUSTMENT OF DOLLAR LIMITATIONS.**—Such section is further amended by adding at the end the following new subsection:

“(f) **ADJUSTMENT OF DOLLAR LIMITATIONS FOR LOCATION.**—Each fiscal year, the Secretary concerned shall adjust the dollar limitations specified in this section applicable to an unspecified minor military construction project to reflect the area construction cost index for military construction projects published by the Department of Defense during the prior fiscal year for the location of the project.”.

### **SEC. 2802. REPEAL OF REQUIREMENTS FOR LOCAL COMPARABILITY OF ROOM PATTERNS AND FLOOR AREAS FOR MILITARY FAMILY HOUSING AND SUBMISSION OF NET FLOOR AREA INFORMATION.**

(a) **REPEAL.**—Section 2826 of title 10, United States Code, is repealed.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter II of chapter 169 of such title is amended by striking the item relating to section 2826.

### **SEC. 2803. REPEAL OF SEPARATE AUTHORITY TO ENTER INTO LIMITED PARTNERSHIPS WITH PRIVATE DEVELOPERS OF HOUSING.**

(a) **REPEAL.**—  
(1) **IN GENERAL.**—Section 2837 of title 10, United States Code, is repealed.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter II of chapter 169 of such title is amended by striking the item relating to section 2837.

(b) **EFFECT ON EXISTING CONTRACTS.**—The repeal of section 2837 of title 10, United States Code, shall not affect the validity or terms of any contract in connection with a limited partnership under subsection (a) or a collateral incentive agreement under subsection (b) of such section entered into before the date of the enactment of this Act.

(c) **EFFECT ON DEFENSE HOUSING INVESTMENT ACCOUNT.**—Any unobligated amounts remaining in the Defense Housing Investment Account on the date of the enactment of this Act shall be transferred to the Department of Defense Family Housing Improvement Fund. Amounts transferred shall be merged with amounts in such fund and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund.

### **SEC. 2804. MILITARY CONSTRUCTION STANDARDS TO REDUCE VULNERABILITY OF STRUCTURES TO TERRORIST ATTACK.**

Section 2859(a)(2) of title 10, United States Code, is amended by striking “develop construction standards designed” and inserting “develop construction standards that, taking into consideration the probability of a terrorist attack, are designed”.

### **SEC. 2805. TREATMENT OF PAYMENTS RECEIVED FOR PROVIDING UTILITIES AND SERVICES IN CONNECTION WITH USE OF ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.**

(a) **CREDITING OF PAYMENTS.**—Section 2872a(c)(2) of title 10, United States Code, is amended by striking “from which the cost of furnishing the utilities or services concerned was paid” and inserting “available to the Secretary concerned to furnish utilities or services under subsection (a)”.

(b) **APPLICATION OF AMENDMENT.**—The amendment made by subsection (a) shall apply only with respect to cash payments received under subsection (c)(1) of section 2872a of title 10, United States Code, as reimbursement for utilities or services furnished, after the date of the enactment of this Act, under subsection (a) of such section.

### **SEC. 2806. REPEAL OF ADVANCE NOTIFICATION REQUIREMENT FOR USE OF MILITARY HOUSING INVESTMENT AUTHORITY.**

Section 2875 of title 10, United States Code, is amended by striking subsection (e).

### **SEC. 2807. ADDITIONAL ELEMENT FOR ANNUAL REPORT ON MILITARY HOUSING PRIVATIZATION PROJECTS.**

Section 2884(c)(3) of title 10, United States Code, is amended by inserting before the period at the end the following: “, to specifically include any variances associated with litigation costs”.

### **SEC. 2808. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS IN CERTAIN AREAS OUTSIDE THE UNITED STATES.**

Section 2808(h) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2804 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2149), is further amended—

(1) in paragraph (1), by striking “September 30, 2013” and inserting “September 30, 2014”;

and

(2) in paragraph (2), by striking “fiscal year 2014” and inserting “fiscal year 2015”.

## **Subtitle B—Real Property and Facilities Administration**

### **SEC. 2811. CODIFICATION OF POLICIES AND REQUIREMENTS REGARDING CLOSURE AND REALIGNMENT OF UNITED STATES MILITARY INSTALLATIONS IN FOREIGN COUNTRIES.**

(a) **REDESIGNATION OF EXISTING REPORTING REQUIREMENT.**—Section 2687a of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) of subsection (a) as subparagraphs (A) and (B), respectively;

(2) by redesignating paragraphs (1), (2), and (3) of subsection (b) as subparagraphs (A), (B), and (C), respectively, and in subparagraph (A), as redesignated, by striking “subsection (a)(2)” and inserting “paragraph (1)(B)”;

(3) by striking “(b) REPORT ELEMENTS.—A report under subsection (a)” and inserting “(2) A report under paragraph (1)”;

(4) by striking “(a) ANNUAL STATUS REPORT.—” and inserting “(b) ANNUAL REPORT ON STATUS OF OVERSEAS CLOSURES AND REALIGNMENTS AND MASTER PLANS.—(1)”.

(b) **TRANSFER OF PROVISIONS.**—

(1) **SENSE OF CONGRESS.**—Subsection (a) of section 2921 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2687 note)—

(A) is transferred to section 2687a of title 10, United States Code; and

(B) is inserted after the heading of such section as subsection (a).

(2) **OTHER PROVISIONS.**—Subsections (c), (d), (f), and (g) of such section 2921—

(A) are transferred to section 2687a of title 10, United States Code;

(B) are inserted at the end of such section in that order; and

(C) are redesignated as subsections (c), (d), (e), and (f) of such section; respectively.

(3) **DEFINITIONS.**—Section 2687a of title 10, United States Code, is further amended by adding after subsection (f), as added and redesignated by paragraph (2), the following new subsection:

“(g) **DEFINITIONS.**—In this section:  
“(1) The term ‘fair market value of the improvements’ means the value of improvements determined by the Secretary of Defense on the basis of their highest use.  
“(2) The term ‘improvements’ includes new construction of facilities and all additions, improvements, modifications, or renovations made to existing facilities or to real property, without regard to whether they were carried out with appropriated or nonappropriated funds.”.

(c) **CONFORMING AMENDMENTS.**—Section 2687a of title 10, United States Code, is further amended—

(1) in subsection (c), as transferred and redesignated by subsection (b)(2)—

(A) in paragraph (1)—

(i) by striking “ESTABLISHMENT OF”;

(ii) by striking the first sentence; and

(iii) in the second sentence, by striking “such account” and inserting “the Department of Defense Overseas Military Facility Investment Recovery Account”; and

(B) in paragraph (2)(B), by striking “Armed Forces” and inserting “armed forces”;

(2) in subsection (d), as transferred and redesignated by subsection (b)(2)—

(A) in paragraph (1), by inserting “(Public Law 100–526; 10 U.S.C. 2687 note)” after “Realignment Act”; and

(B) in paragraph (2)—

(i) in subparagraph (A)(i), by striking “section 2685 of title 10, United States Code” and inserting “section 2685 of this title”; and

(ii) in paragraph (2), by striking “Armed Forces” both places it appears and inserting “armed forces”; and

(3) in subsection (f), as transferred and redesignated by subsection (b)(2), by striking “section 480 of title 10, United States Code” in paragraph (3) and inserting “section 480 of this title 10”.

(d) **REPEAL OF SUPERSEDED PROVISIONS.**—

(1) **REPEAL.**—Section 2921 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2687 note) is repealed.

(2) **TREATMENT OF SPECIAL ACCOUNT.**—The repeal of such section shall not affect the Department of Defense Overseas Military Facility Investment Recovery Account established by subsection (c)(1) of such section, amounts in such account, or the continued use of such account as provided in section 2687a of title 10, United States Code, as amended by this section.

#### **Subtitle C—Energy Security**

#### **SEC. 2821. CONTINUATION OF LIMITATION ON USE OF FUNDS FOR LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) GOLD OR PLATINUM CERTIFICATION.**

Section 2830(b)(1) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1695), as amended by section 2823(b) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2153), is amended by striking “or 2013” and inserting “, 2013, or 2014”.

#### **Subtitle D—Provisions Related to Asia-Pacific Military Realignment**

#### **SEC. 2831. CHANGE FROM PREVIOUS CALENDAR YEAR TO PREVIOUS FISCAL YEAR FOR PERIOD COVERED BY ANNUAL REPORT OF INTERAGENCY COORDINATION GROUP OF INSPECTORS GENERAL FOR GUAM REALIGNMENT.**

Section 2835(e)(1) of the Military Construction Authorization Act for Fiscal Year 2010 (Public Law 111-84; 10 U.S.C. 2687 note) is amended in the first sentence by striking “calendar year” and inserting “fiscal year”.

#### **SEC. 2832. REPEAL OF CERTAIN RESTRICTIONS ON REALIGNMENT OF MARINE CORPS FORCES IN ASIA-PACIFIC REGION.**

Section 2832 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2155) is repealed.

#### **Subtitle E—Land Conveyances**

#### **SEC. 2841. REAL PROPERTY ACQUISITION, NAVAL BASE VENTURA COUNTY, CALIFORNIA.**

(a) **AUTHORITY.**—The Secretary of the Navy may acquire all right, title, and interest in and to real property, including improvements thereon, located at Naval Base Ventura County, California, that was initially constructed under the former section 2828(g) of title 10, United States Code (commonly known as the “Build to Lease program”), as added by section 801 of the Military Construction Authorization Act, 1984 (Public Law 98-115; 97 Stat. 782).

(b) **USE.**—Upon acquiring the real property under subsection (a), the Secretary of the Navy may use the improvements as provided in sections 2835 and 2835a of title 10, United States Code.

#### **SEC. 2842. LAND CONVEYANCE, FORMER OXNARD AIR FORCE BASE, VENTURA COUNTY, CALIFORNIA.**

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Navy may convey, without consideration, to Ventura County, California (in this section referred to as the “County”), all right, title, and interest of the United States in and to the real property, including any improvements thereon, consisting of former Oxnard Air Force Base for

the purpose of permitting the County to use the property for public purposes.

(b) **PAYMENT OF COSTS OF CONVEYANCE.**—

(1) **PAYMENT REQUIRED.**—The Secretary of the Navy shall require the County to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the County in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the County.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

(d) **ADDITIONAL TERMS.**—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

#### **SEC. 2843. LAND CONVEYANCE, PHILADELPHIA NAVAL SHIPYARD, PHILADELPHIA, PENNSYLVANIA.**

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Navy may convey to the Philadelphia Regional Port Authority (in this section referred to as the “Port Authority”) all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately .595 acres located at the Philadelphia Naval Shipyard, Philadelphia, Pennsylvania. The Secretary may void any land use restrictions associated with the property to be conveyed under this subsection.

(b) **CONSIDERATION.**—

(1) **AMOUNT AND DETERMINATION.**—As consideration for the conveyance under subsection (a), the Port Authority shall pay to the Secretary of the Navy an amount that is not less than the fair market value of the property conveyed, as determined by the Secretary. The Secretary's determination of fair market value shall be final. In lieu of all or a portion of cash payment of consideration, the Secretary may accept in-kind consideration.

(2) **TREATMENT OF CASH CONSIDERATION.**—The Secretary shall deposit any cash payment received under paragraph (1) in the special account in the Treasury established for that Secretary under subsection (e) of section 2667 of title 10, United States Code. The entire amount deposited shall be available for use in accordance with paragraph (1)(D) of such subsection.

(c) **PAYMENT OF COSTS OF CONVEYANCE.**—

(1) **PAYMENT REQUIRED.**—The Secretary of the Navy shall require the Port Authority to reimburse the Secretary to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected in advance of the Sec-

retary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Port Authority.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) **COMPLIANCE WITH ENVIRONMENTAL LAWS.**—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(e) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the parcel of real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

#### **SEC. 2844. LAND CONVEYANCE, CAMP WILLIAMS, UTAH.**

(a) **CONVEYANCE REQUIRED.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Interior, acting through the Bureau of Land Management, shall convey, without consideration, to the State of Utah all right, title, and interest of the United States in and to certain lands comprising approximately 420 acres, as generally depicted on a map entitled “Proposed Camp Williams Land Transfer” and dated June 14, 2011, which are located within the boundaries of the public lands currently withdrawn for military use by the Utah National Guard and known as Camp Williams, Utah, for the purpose of permitting the Utah National Guard to use the conveyed land as provided in subsection (c).

(b) **SUPERSEDEDENCE OF EXECUTIVE ORDER.**—Executive Order No. 1922 of April 24, 1914, as amended by section 907 of the Camp W.G. Williams Land Exchange Act of 1989 (title IX of Public Law 101-628; 104 Stat. 4501), is hereby superseded, only insofar as it affects the lands identified for conveyance to the State of Utah under subsection (a).

(c) **REVERSIONARY INTEREST.**—The lands conveyed to the State of Utah under subsection (a) shall revert to the United States if the Secretary of Defense determines that the land, or any portion thereof, is sold or attempted to be sold, or that the land, or any portion thereof, is used for non-National Guard or non-national defense purposes.

(d) **HAZARDOUS MATERIALS.**—With respect to any portion of the land conveyed under subsection (a) that the Secretary of Defense determines is subject to reversion under subsection (c), if the Secretary of Defense also determines that the portion of the conveyed land contains hazardous materials, the State of Utah shall pay the United States an amount equal to the fair market value of that portion of the land, and the reversionary interest shall not apply to that portion of the land.



**SEC. 2845. CONVEYANCE, AIR NATIONAL GUARD RADAR SITE, FRANCIS PEAK, WASATCH MOUNTAINS, UTAH.**

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Air Force may convey, without consideration, to the State of Utah (in this section referred to as the “State”), all right, title, and interest of the United States in and to the structures, including equipment and any other personal property related thereto, comprising the Air National Guard radar site located on Francis Peak, Utah, for the purpose of permitting the State to use the structures to support emergency public safety communications, including 911 emergency response service for Northern Utah.

(b) **PAYMENT OF COSTS OF CONVEYANCE.**—

(1) **PAYMENT REQUIRED.**—The Secretary of the Air Force may require the State to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) **DESCRIPTION OF PROPERTY.**—The exact inventory of equipment and other personal property to be conveyed under subsection (a) shall be determined by the Secretary of the Air Force.

(d) **TIME OF CONVEYANCE.**—The conveyance under this section shall occur as soon as practicable after the date of the enactment of this Act. Until such time as the conveyance occurs, the Secretary of the Air Force shall take no action with regard to the structures described in subsection (a) that will result in the likely disruption of emergency communications by the State and local authorities.

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) **CONTINUATION OF LAND USE PERMIT.**—The conveyance of the structures under subsection (a) shall not affect the validity and continued applicability of the land use permit, in effect on the date of the enactment of this Act, that was issued by the Forest Service for placement and use of the structures.

(g) **DURATION OF AUTHORITY.**—The authority to make a conveyance under this section shall expire on the later of—

(1) September 30, 2014; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015.

**SEC. 2846. LAND CONVEYANCE, FORMER FORT MONROE, HAMPTON, VIRGINIA.**

(a) **SENSE OF CONGRESS REGARDING NEED FOR CONVEYANCE.**—It is the sense of Congress that—

(1) the historic features of former Fort Monroe in Hampton, Virginia, are being degraded because of the lack of Department of the Army facility sustainment associated with the former Fort Monroe; and

(2) it is in the best interest of the Secretary of the Army and the Commonwealth of Virginia (in this section referred to as the “Commonwealth”) to expeditiously convey, consistent with the Fort

Monroe Reuse Plan and the Programmatic Agreement dated April 27, 2009, certain portions of former Fort Monroe to the Commonwealth.

(b) **CONVEYANCE AUTHORIZED.**—Pursuant to 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), the Secretary of the Army shall convey to the Commonwealth all right, title, and interest of the United States in and to approximately 70.431 acres of real property at former Fort Monroe depicted as areas 4-1 and 4-2 on the map titled “Plat Showing 8 Parcels of Land Totaling +/- 564.519 Acres Situated on Fort Monroe, Virginia, Boundary Survey”, prepared by the Norfolk District, Army Corps of Engineers, and dated August 17, 2009 (in this section referred to as the “Map”).

(c) **TIMING OF CONVEYANCE.**—The Secretary of the Army shall exercise the authority provided by subsection (b) only concurrent, as near in time as possible, with the reversion to the Commonwealth of approximately 371.77 acres of property depicted as areas 3 and 5 on the Map.

(d) **CONDITIONS OF CONVEYANCE.**—As a condition of the conveyance of real property under subsection (b)—

(1) the Commonwealth shall enter into an agreement with the Secretary of the Army to share equally with the United States, after conveyance of property areas 4-1 and 4-2, the net proceeds derived from any subsequent conveyance of these parcels to third-party buyers or from any lease of areas 4-1 or 4-2, payable over a period of seven years following the conveyance by the Secretary;

(2) the parties shall agree to transfer authority over the utility systems at Fort Monroe to the Commonwealth in return for receiving service on the same relative terms and conditions that the Department of the Army provided service during its ownership of the utilities; and

(3) the Secretary will resolve all issues with Dominion Virginia Power and will be responsible for maintaining electrical service in its name until such resolution has been obtained.

(e) **SAVINGS PROVISION.**—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The parties may agree to such additional terms and conditions in connection with the conveyance under this section as the parties consider appropriate to protect their respective interests.

**SEC. 2847. LAND CONVEYANCE, MIFFLIN COUNTY UNITED STATES ARMY RESERVE CENTER, LEWISTOWN, PENNSYLVANIA.**

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Army may convey, without consideration, to Derry Township, Pennsylvania (in this section referred to as the “Township”), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon and improvements related thereto, consisting of approximately 4.52 acres and containing the Mifflin County Army Reserve Center located at 73 Reserve Lane, Lewistown, Pennsylvania (parcel number 16,01-0113J), for the purpose of permitting the Township to use the parcel for a regional police headquarters or other public purposes.

(b) **INTERIM LEASE.**—Until such time as the real property described in subsection (a) is conveyed to the Township, the Secretary may lease the property to the Township.

(c) **PAYMENT OF COSTS OF CONVEYANCE.**—

(1) **PAYMENT REQUIRED.**—The Secretary shall require the Township to cover costs (except costs for environmental remediation of the property)

to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the Township in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Township.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) **CONDITIONS OF CONVEYANCE.**—The conveyance of the real property under subsection (a) shall be subject to the condition that the Township not use any Federal funds to cover—

(1) any portion of the conveyance costs required by subsection (c) to be paid by the Township; or

(2) to cover the costs for the design or construction of any facility on the property.

(e) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) **ADDITIONAL TERMS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

**Subtitle F—Other Matters**

**SEC. 2861. REPEAL OF ANNUAL ECONOMIC ADJUSTMENT COMMITTEE REPORTING REQUIREMENT.**

Subsection (d) of section 4004 of the Defense Economic Adjustment, Diversification, Conversion, and Stabilization Act of 1990 (division D of Public Law 101-510; 10 U.S.C. 2391 note), as amended by section 4212(b) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2664), is further amended—

(1) by inserting “and” at the end of paragraph (1);

(2) by striking “; and” at the end of paragraph (2) and inserting a period; and

(3) by striking paragraph (3).

**SEC. 2862. REDESIGNATION OF THE ASIA-PACIFIC CENTER FOR SECURITY STUDIES AS THE DANIEL K. INOUE ASIA-PACIFIC CENTER FOR SECURITY STUDIES.**

(a) **REDESIGNATION.**—The Department of Defense regional center for security studies known as the Asia-Pacific Center for Security Studies is hereby renamed the “Daniel K. Inouye Asia-Pacific Center for Security Studies”.

(b) **CONFORMING AMENDMENTS.**—

(1) **REFERENCE TO REGIONAL CENTERS FOR STRATEGIC STUDIES.**—Section 184(b)(2)(B) of title 10, United States Code, is amended by striking “Asia-Pacific Center for Security Studies” and inserting “Daniel K. Inouye Asia-Pacific Center for Security Studies”.

(2) **ACCEPTANCE OF GIFTS AND DONATIONS.**—Section 2611(a)(2)(B) of such title is amended by striking “Asia-Pacific Center for Security Studies” and inserting “Daniel K. Inouye Asia-Pacific Center for Security Studies”.

(c) **REFERENCES.**—Any reference to the Department of Defense Asia-Pacific Center for Security Studies in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Daniel K. Inouye Asia-Pacific Center for Security Studies.

**SEC. 2863. REDESIGNATION OF THE GRADUATE SCHOOL OF NURSING AT THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES AS THE DANIEL K. INOUE GRADUATE SCHOOL OF NURSING.**

(a) **REDESIGNATION.**—The Graduate School of Nursing at the Uniformed Services University of the Health Sciences is hereby renamed the “Daniel K. Inouye Graduate School of Nursing”.

(b) **REFERENCES.**—Any reference to the Graduate School of Nursing at the Uniformed Services University of the Health Sciences in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Daniel K. Inouye Graduate School of Nursing.

**SEC. 2864. RENAMING SITE OF THE DAYTON AVIATION HERITAGE NATIONAL HISTORICAL PARK, OHIO.**

Section 101(b)(5) of the Dayton Aviation Heritage Preservation Act of 1992 (16 U.S.C. 410uu(b)(5)) is amended by striking “Aviation Center” and inserting “National Museum”.

**SEC. 2865. DESIGNATION OF DISTINGUISHED FLYING CROSS NATIONAL MEMORIAL IN RIVERSIDE, CALIFORNIA.**

(a) **FINDINGS.**—Congress finds the following:

(1) The most reliable statistics regarding the number of members of the Armed Forces who have been awarded the Distinguished Flying Cross indicate that 126,318 members of the Armed Forces received the medal during World War II, approximately 21,000 members received the medal during the Korean conflict, and 21,647 members received the medal during the Vietnam War. Since the end of the Vietnam War, more than 203 Armed Forces members have received the medal in times of conflict.

(2) The National Personnel Records Center in St. Louis, Missouri, burned down in 1973, and thus many more recipients of the Distinguished Flying Cross may be undocumented. Currently, the Department of Defense continues to locate and identify members of the Armed Forces who have received the medal and are undocumented.

(3) The United States currently lacks a national memorial dedicated to the bravery and sacrifice of those members of the Armed Forces who have distinguished themselves by heroic deeds performed in aerial flight.

(4) An appropriate memorial to current and former members of the Armed Forces is under construction at March Field Air Museum in Riverside, California.

(5) This memorial will honor all those members of the Armed Forces who have distinguished

themselves in aerial flight, whether documentation of such members who earned the Distinguished Flying Cross exists or not.

(b) **DESIGNATION.**—The memorial to members of the Armed Forces who have been awarded the Distinguished Flying Cross, located at March Field Air Museum in Riverside, California, is hereby designated as the Distinguished Flying Cross National Memorial.

(c) **EFFECT OF DESIGNATION.**—The national memorial designated by this section is not a unit of the National Park System, and the designation of the national memorial shall not be construed to require or permit Federal funds to be expended for any purpose related to the national memorial.

**TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION**

**SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECT.**

(a) **OUTSIDE THE UNITED STATES.**—The Secretary of the Army may acquire real property and carry out the military construction project for the installation outside the United States, and in the amount, set forth in the following table:

**Army: Outside the United States**

Country	Installation	Amount
Cuba .....	Guantanamo Bay .....	\$247,400,000

(b) **USE OF UNOBLIGATED PRIOR-YEAR MILITARY CONSTRUCTION FUNDS.**—To carry out the military construction project set forth in the table in subsection (a), the Secretary of Defense may make available to the Secretary of the Army available, unobligated military construction funds appropriated for a fiscal year before fiscal year 2014.

(c) **CONGRESSIONAL NOTIFICATION.**—The Secretary of the Army shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the military construction project set forth in the table in subsection (a). If it becomes necessary to exceed the estimated project cost, the Secretary shall utilize the authority provided by section 2853 of such title regarding authorized cost and scope of work variations.

(d) **BRIEFING ON INFRASTRUCTURE TO SUPPORT JOINT TASK FORCE, GUANTANAMO.**—

(1) **BRIEFING REQUIRED.**—The Secretary of Defense shall brief the congressional defense committees on each of the following:

(A) A description of each of the following costs, broken down by fiscal year, for each of fiscal years 2002 through 2013:

(i) The costs of constructing the permanent and temporary infrastructure to support the detention operations at such Naval Station.

(ii) The costs of facility repair, sustainment, maintenance, and operation of all infrastructure supporting the detention operations at such Naval Station.

(iii) The costs of military personnel, civilian personnel, and contractors associated with the detention operations at such Naval Station.

(iv) The costs of operation and maintenance, shown for each military department and account, associated with carrying out military commissions for individuals detained at such Naval Station.

(v) The costs associated with the Office of the Deputy Assistant Secretary of Defense (Rule of Law and Detainee Policy), the Periodic Review Services, and studies and task forces funded by the Department of Defense that relate to the detention operations at such Naval Station.

(vi) Any other costs associated with supporting the detention operations at such Naval Station.

(B) A master plan for the continuation of detention operations by Joint Task Force Guantanamo, at United States Naval Station, Guantanamo Bay, Cuba, during the time period beginning on the date of the enactment of this Act and ending on the date of the 66th birthday of the youngest individual who is detained at United States Naval Station, Guantanamo Bay, Cuba, on the date of the enactment of this Act, including—

(i) a description of any infrastructure projects that the Secretary determines are required for the continuation of such detention operations, including new requirements and replacement of existing infrastructure;

(ii) an estimate of the total military personnel, civilian personnel, and contractor costs associated with the continuation of such detention operations;

(iii) an estimate of the total operation and maintenance costs associated with the continuation of such detention operations;

(iv) an estimate of the total costs associated with carrying out military commissions for individuals detained at such Naval Station; and

(v) an estimate of any other costs associated with the continuation of such detention operations.

(C) A cost estimate, itemized by construction project, of the infrastructure investments identified in the master plan described in subparagraph (B).

(D) A detailed estimate of the annual costs projected to repair, sustain, and maintain the facilities that are in use by Joint Task Force, Guantanamo, as of the date of the enactment of this Act, or are identified in the master plan described in subparagraph (B).

(2) **PRESIDENTIAL PLAN.**—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees a plan describing each of the following:

(A) The locations to which the President seeks to transfer individuals detained at Guantanamo

who have been identified for continued detention or prosecution.

(B) The individuals detained at Guantanamo who the President seeks to transfer to overseas locations, the overseas locations to which the President seeks to transfer such individuals, and the conditions under which the President would transfer such individuals to such locations.

(C) The proposal of the President for the detention and treatment of individuals captured overseas in the future who are suspected of being terrorists.

(D) The proposal of the President regarding the disposition of the individuals detained at the detention facility at Parwan, Afghanistan, who have been identified as enduring security threats to the United States.

(E) For any location in the United States to which the President seeks to transfer such an individual, estimates of each of the following costs:

(i) The costs of constructing infrastructure to support detention operations or prosecution at such location.

(ii) The costs of facility repair, sustainment, maintenance, and operation of all infrastructure supporting detention operations or prosecution at such location.

(iii) The costs of military personnel, civilian personnel, and contractors associated with the detention operations or prosecution at such location, including any costs likely to be incurred by other Federal departments or agencies or State or local governments.

(iv) Any other costs associated with supporting the detention operations or prosecution at such location.

**TITLE XXX—MILITARY LAND TRANSFERS AND WITHDRAWALS TO SUPPORT READINESS AND SECURITY**

**Subtitle A—Limestone Hills Training Area, Montana**

**SEC. 3001. WITHDRAWAL AND RESERVATION OF PUBLIC LANDS FOR LIMESTONE HILLS TRAINING AREA, MONTANA.**

(a) **WITHDRAWAL.**—Subject to valid existing rights and except as provided in this subtitle,

the public lands and interests in lands described in subsection (c), and all other areas within the boundaries of such lands as depicted on the map provided for by subsection (d) that may become subject to the operation of the public land laws, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral leasing and geothermal leasing laws.

(b) **RESERVATION; PURPOSE.**—Subject to the limitations and restrictions contained in section 3003, the public lands withdrawn by subsection (a) are reserved for use by the Secretary of the Army for the following purposes:

(1) The conduct of training for active and reserve components of the Armed Forces.

(2) The construction, operation, and maintenance of organizational support and maintenance facilities for component units conducting training.

(3) The conduct of training by the Montana Department of Military Affairs, except that any such use may not interfere with purposes specified in paragraphs (1) and (2).

(4) The conduct of training by State and local law enforcement agencies, civil defense organizations, and public education institutions, except that any such use may not interfere with military training activities.

(5) Other defense-related purposes consistent with the purposes specified in the preceding paragraphs.

(c) **LAND DESCRIPTION.**—The public lands and interests in lands withdrawn and reserved by this section comprise approximately 18,644 acres in Broadwater County, Montana, as generally depicted as “Proposed Land Withdrawal” on the map titled “Limestone Hills Training Area Land Withdrawal”, dated April 10, 2013.

(d) **LEGAL DESCRIPTION AND MAP.**—

(1) **IN GENERAL.**—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall publish in the Federal Register a legal description of the public land withdrawn under subsection (a) and a copy of a map depicting the legal description of the withdrawn land.

(2) **FORCE OF LAW.**—The legal description and map published under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct errors in the legal description.

(3) **REIMBURSEMENT OF COSTS.**—The Secretary of the Army shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior in implementing this subsection.

(e) **INDIAN TRIBES.**—Nothing in this subtitle shall be construed as altering any rights reserved for an Indian tribe for tribal use of lands within the military land withdrawal by treaty or Federal law. The Secretary of the Army shall consult with any Indian tribes in the vicinity of the military land withdrawal before taking action within the military land withdrawal affecting tribal rights or cultural resources protected by treaty or Federal law.

#### **SEC. 3002. MANAGEMENT OF WITHDRAWN AND RESERVED LANDS.**

During the period of the withdrawal and reservation specified in section 3005, the Secretary of the Army shall manage the public lands withdrawn by section 3001 for the purposes specified in subsection (b) of such section, subject to the limitations and restrictions contained in section 3003.

#### **SEC. 3003. SPECIAL RULES GOVERNING MINERALS MANAGEMENT.**

(a) **INDIAN CREEK MINE.**—

(1) **IN GENERAL.**—Of the lands withdrawn by section 3001, locatable mineral activities in the approved Indian Creek Mine plan of operations, MTM-78300, shall be regulated pursuant to subparts 3715 and 3809 of title 43, Code of Federal Regulations. Of the lands withdrawn by section

3001, the land area subject to the approved plan of operations shall permanently remain open to the amendment or relocation of mining claims (or both) under the Act of May 10, 1872 (commonly known as the General Mining Act of 1872; 30 U.S.C. 22 et seq.) to the extent necessary to preserve the mining operations described in the approved plan of operations.

(2) **RESTRICTIONS ON SECRETARY OF THE ARMY.**—The Secretary of the Army shall make no determination that the disposition of or exploration for minerals as provided for in the approved plan of operations is inconsistent with the defense-related uses of the lands covered by the military land withdrawal. The coordination of such disposition of and exploration for minerals with defense-related uses of such lands shall be determined pursuant to procedures in an agreement provided for under subsection (c).

(b) **REMOVAL OF UNEXPLODED ORDNANCE ON LANDS TO BE MINED.**—

(1) **REMOVAL ACTIVITIES.**—Subject to the availability of funds appropriated for such purpose, the Secretary of the Army shall remove unexploded ordnance on lands withdrawn by section 3001 that are subject to mining under subsection (a), consistent with applicable Federal and State law. The Secretary of the Army may engage in such removal of unexploded ordnance in phases to accommodate the development of the Indian Creek Mine pursuant to subsection (a).

(2) **REPORT ON REMOVAL ACTIVITIES.**—The Secretary of the Army shall annually submit to the Secretary of the Interior a report regarding the unexploded ordnance removal activities for the previous fiscal year performed pursuant to this subsection. The report shall include—

(A) the amounts of funding expended for unexploded ordnance removal on the lands withdrawn by section 3001; and

(B) the identification of the lands cleared of unexploded ordnance and approved for mining activities by the Secretary of the Interior.

(c) **IMPLEMENTATION AGREEMENT FOR MINING ACTIVITIES.**—The Secretary of the Interior and the Secretary of the Army shall enter into an agreement to implement this section with regard to coordination of defense-related uses and mining and the ongoing removal of unexploded ordnance. The duration of the agreement shall be the same as the period of the withdrawal under section 3001, but may be amended from time to time. The agreement shall provide the following:

(1) That Graymont Western US, Inc., or any successor or assign of the approved Indian Creek Mine mining plan of operations, MTM-78300, is invited to be a party to the agreement.

(2) Provisions regarding the day-to-day joint-use of the Limestone Hills Training Area.

(3) Provisions addressing when military and other authorized uses of the withdrawn lands will occur.

(4) Provisions regarding when and where military use or training with explosive material will occur.

(5) Provisions regarding the scheduling of training activities conducted within the withdrawn area that restrict mining activities and procedures for deconfliction with mining operations, including parameters for notification and sanction of anticipated changes to the schedule.

(6) Provisions regarding liability and compensation for damages or injury caused by mining or military training activities.

(7) Provisions for periodic review of the agreement for its adequacy, effectiveness, and need for revision.

(8) Procedures for access through mining operations covered by this section to training areas within the boundaries of the Limestone Hills Training Area.

(9) Procedures for scheduling of the removal of unexploded ordnance.

(d) **EXISTING MEMORANDUM OF AGREEMENT.**—Until such time as the agreement required under subsection (c) becomes effective, the compatible joint use of the lands withdrawn and reserved by section 3001 shall be governed, to the extent compatible, by the terms of the 2005 Memorandum of Agreement among the Montana Army National Guard, Graymont Western US Inc. and the Bureau of Land Management.

#### **SEC. 3004. GRAZING.**

(a) **ISSUANCE AND ADMINISTRATION OF PERMITS AND LEASES.**—The issuance and administration of grazing permits and leases, including their renewal, on the public lands withdrawn by section 3001 shall be managed by the Secretary of the Interior consistent with all applicable laws, regulations, and policies of the Secretary of the Interior relating to such permits and leases.

(b) **SAFETY REQUIREMENTS.**—With respect to any grazing permit or lease issued after the date of the enactment of this Act for lands withdrawn by section 3001, the Secretary of the Interior and the Secretary of the Army shall jointly establish procedures that are consistent with Department of the Army explosive and range safety standards and that provide for the safe use of any such lands.

(c) **ASSIGNMENT.**—The Secretary of the Interior may, with the agreement of the Secretary of the Army, assign the authority to issue and to administer grazing permits and leases to the Secretary of the Army, except that such an assignment may not include the authority to discontinue grazing on the lands withdrawn by section 3001.

#### **SEC. 3005. DURATION OF WITHDRAWAL AND RESERVATION.**

The military land withdrawal made by section 3001 shall terminate on March 31, 2039.

#### **SEC. 3006. PAYMENTS IN LIEU OF TAXES.**

The lands withdrawn by section 3001 shall remain eligible as entitlement land under section 6901 of title 31, United States Code.

#### **SEC. 3007. HUNTING, FISHING AND TRAPPING.**

All hunting, fishing and trapping on the lands withdrawn by section 3001 shall be conducted in accordance with section 2671 of title 10, United States Code.

#### **SEC. 3008. WATER RIGHTS.**

(a) **WATER RIGHTS.**—Nothing in this subtitle shall be construed—

(1) to establish a reservation in favor of the United States with respect to any water or water right on lands withdrawn by section 3001; or

(2) to authorize the appropriation of water on lands withdrawn by section 3001, except in accordance with applicable State law.

(b) **EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.**—This section shall not be construed to affect any water rights acquired or reserved by the United States before the date of the enactment of this Act.

#### **SEC. 3009. BRUSH AND RANGE FIRE PREVENTION AND SUPPRESSION.**

(a) **REQUIRED ACTIVITIES.**—The Secretary of the Army shall, consistent with any applicable land management plan, take necessary precautions to prevent, and actions to suppress, brush and range fires occurring as a result of military activities on the lands withdrawn and reserved by section 3001, including fires outside those lands that spread from the withdrawn land and which occurred as a result of such activities.

(b) **COOPERATION OF SECRETARY OF THE INTERIOR.**—At the request of the Secretary of the Army, the Secretary of the Interior shall provide assistance in the suppression of such fires and shall be reimbursed for such assistance by the Secretary of the Army. Notwithstanding section 2215 of title 10, United States Code, the Secretary of the Army may transfer to the Secretary

of the Interior, in advance, funds to reimburse the costs of the Department of the Interior in providing such assistance.

#### SEC. 3010. ON-GOING DECONTAMINATION.

During the withdrawal and reservation authorized by section 3001, the Secretary of the Army shall maintain, to the extent funds are available for such purpose, a program of decontamination of contamination caused by defense-related uses on such lands consistent with applicable Federal and State law. The Secretary of Defense shall include a description of such decontamination activities in the annual report required by section 2711 of title 10, United States Code.

#### SEC. 3011. APPLICATION FOR RENEWAL OF A WITHDRAWAL AND RESERVATION.

(a) NOTICE.—To the extent practicable, no later than five years before the termination of the withdrawal and reservation made by section 3001, the Secretary of the Army shall notify the Secretary of the Interior whether the Secretary of the Army will have a continuing defense-related need for any of the lands withdrawn and reserved by section 3001 after the termination date of such withdrawal and reservation. The Secretary of the Army shall provide a copy of the notice to the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate and the Committee on Armed Services and the Committee on Natural Resources of the House of Representatives.

(b) FILING FOR EXTENSION.—If the Secretary of the Army concludes that there will be a continuing defense-related need for any of the withdrawn and reserved lands after the termination date, the Secretary of the Army shall file an application for extension of the withdrawal and reservation of such needed lands in accordance with the regulations and procedures of the Department of the Interior applicable to the extension of withdrawals and reservations.

#### SEC. 3012. LIMITATION ON SUBSEQUENT AVAILABILITY OF LANDS FOR APPROPRIATION.

At the time of termination of a withdrawal and reservation made by section 3001, the previously withdrawn lands shall not be open to any form of appropriation under the public land laws, including the mining laws and the mineral leasing and geothermal leasing laws, until the Secretary of the Interior publishes in the Federal Register an appropriate order specifying the date upon which such lands shall be restored to the public domain and opened for such purposes.

#### SEC. 3013. RELINQUISHMENT.

(a) NOTICE OF INTENTION TO RELINQUISH.—If, during the period of withdrawal and reservation under section 3001, the Secretary of the Army decides to relinquish any or all of the lands withdrawn and reserved, the Secretary of the Army shall file a notice of intention to relinquish with the Secretary of the Interior.

(b) DETERMINATION OF CONTAMINATION.—As a part of the notice under subsection (a), the Secretary of the Army shall include a written determination concerning whether and to what extent the lands that are to be relinquished are contaminated with explosive materials or toxic or hazardous substances.

(c) PUBLIC NOTICE.—The Secretary of the Interior shall publish in the Federal Register the notice of intention to relinquish, including the determination concerning the contaminated state of the lands.

(d) DECONTAMINATION OF LANDS TO BE RELINQUISHED.—

(1) CONDITIONS REQUIRING DECONTAMINATION.—If land subject of a notice of intention to relinquish pursuant to subsection (a) is contaminated, and the Secretary of the Interior, in consultation with the Secretary of the Army, determines that decontamination is practicable and

economically feasible (taking into consideration the potential future use and value of the land) and that, upon decontamination, the land could be opened to operation of some or all of the public land laws, including the mining laws and the mineral leasing and geothermal leasing laws, the Secretary of the Army shall decontaminate the land to the extent that funds are appropriated for such purpose.

(2) DISCRETION IF CONDITIONS NOT MET.—If the Secretary of the Interior, after consultation with the Secretary of the Army, concludes that decontamination of land subject of a notice of intention to relinquish pursuant to subsection (a) is not practicable or economically feasible, or that the land cannot be decontaminated sufficiently to be opened to operation of some or all of the public land laws, or if Congress does not appropriate sufficient funds for the decontamination of such land, the Secretary of the Interior shall not be required to accept the land proposed for relinquishment.

(3) RESPONSE.—If the Secretary of the Interior declines to accept the lands that have been proposed for relinquishment because of their contaminated state, or if at the expiration of the withdrawal and reservation made by section 3001 the Secretary of the Interior determines that some of the lands withdrawn and reserved are contaminated to an extent which prevents opening such contaminated lands to operation of the public land laws—

(A) the Secretary of the Army shall take appropriate steps to warn the public of the contaminated state of such lands and any risks associated with entry onto such lands;

(B) after the expiration of the withdrawal and reservation, the Secretary of the Army shall undertake no activities on such lands except in connection with decontamination of such lands; and

(C) the Secretary of the Army shall report to the Secretary of the Interior and to the Congress concerning the status of such lands and all actions taken in furtherance of this paragraph.

(e) REVOCATION AUTHORITY.—Upon deciding that it is in the public interest to accept the lands proposed for relinquishment pursuant to subsection (a), the Secretary of the Interior may order the revocation of the withdrawal and reservation made by section 3001 as it applies to such lands. The Secretary of the Interior shall publish in the Federal Register the revocation order, which shall—

(1) terminate the withdrawal and reservation;

(2) constitute official acceptance of the lands by the Secretary of the Interior; and

(3) state the date upon which the lands will be opened to the operation of some or all of the public land laws, including the mining laws.

(f) ACCEPTANCE BY SECRETARY OF THE INTERIOR.—Nothing in this section shall be construed to require the Secretary of the Interior to accept the lands proposed for relinquishment if the Secretary determines that such lands are not suitable for return to the public domain. If the Secretary makes such a determination, the Secretary shall provide notice of the determination to Congress.

#### Subtitle B—White Sands Missile Range, New Mexico

#### SEC. 3021. TRANSFER OF ADMINISTRATIVE JURISDICTION, WHITE SANDS MISSILE RANGE, NEW MEXICO.

(a) TRANSFER REQUIRED.—Not later than September 30, 2014, the Secretary of the Interior shall transfer to the administrative jurisdiction of the Secretary of the Army certain public land administered by the Bureau of Land Management in Dona Ana County, New Mexico, consisting of approximately 5,100 acres depicted as “Parcel 1” on the map titled “White Sands Missile Range Land Reservation” and dated January 4, 2013.

(b) USE OF TRANSFERRED LAND.—Upon the receipt of the land under subsection (a), the Secretary of the Army shall include the land as part of White Sands Missile Range, New Mexico, and authorize use of the land for military purposes.

(c) LEGAL DESCRIPTION AND MAP.—

(1) PREPARATION AND PUBLICATION.—The Secretary of the Interior shall publish in the Federal Register a legal description and map of the public land to be transferred under subsection (a).

(2) FORCE OF LAW.—The legal description and map filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct errors in the legal description.

(d) REIMBURSEMENT OF COSTS.—The transfer required by subsection (a) shall be made without reimbursement, except that the Secretary of the Army shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior to prepare the legal description and map under subsection (c).

(e) TREATMENT OF GRAZING LEASES.—If a grazing permit or lease exists on the date of the enactment of this Act for any portion of the public land to be transferred under subsection (a), the Secretary of the Interior shall transfer or relocate the grazing allotments associated with the permit or lease to other public land, acceptable to the permit or lease holder, so that the grazing continues to have the same value to the holder.

#### SEC. 3022. WATER RIGHTS.

(a) WATER RIGHTS.—Nothing in this subtitle shall be construed—

(1) to establish a reservation in favor of the United States with respect to any water or water right on lands transferred by this subtitle; or

(2) to authorize the appropriation of water on lands transferred by this subtitle except in accordance with applicable State law.

(b) EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.—This section shall not be construed to affect any water rights acquired or reserved by the United States before the date of the enactment of this Act.

#### SEC. 3023. WITHDRAWAL.

Subject to valid existing rights, the public land to be transferred under section 3021 is withdrawn from all forms of appropriation under the public land laws, including the mining laws and geothermal leasing laws, so long as the lands remain under the administrative jurisdiction of the Secretary of the Army.

#### Subtitle C—Naval Air Weapons Station China Lake, California

#### SEC. 3031. TRANSFER OF ADMINISTRATIVE JURISDICTION, NAVAL AIR WEAPONS STATION CHINA LAKE, CALIFORNIA.

(a) TRANSFER REQUIRED.—Not later than September 30, 2014, the Secretary of the Interior shall transfer to the administrative jurisdiction of the Secretary of the Navy certain public land administered by the Bureau of Land Management in Inyo, Kern, and San Bernardino Counties, California, consisting of approximately 1,045,000 acres in Inyo, Kern, and San Bernardino Counties, California, as generally depicted on the map titled “Naval Air Weapons Station China Lake Withdrawal - Renewal” and dated 2012.

(b) USE OF TRANSFERRED LAND.—Upon the receipt of the land under subsection (a), the Secretary of the Navy shall include the land as part of the Naval Air Weapons Station China Lake, California, and authorize use of the land for military purposes.

(c) LEGAL DESCRIPTION AND MAP.—

(1) PREPARATION AND PUBLICATION.—The Secretary of the Interior shall publish in the Federal Register a legal description and map of the

public land to be transferred under subsection (a).

(2) **FORCE OF LAW.**—The legal description and map filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct errors in the legal description and map.

(d) **REIMBURSEMENT OF COSTS.**—The transfer required by subsection (a) shall be made without reimbursement, except that the Secretary of the Navy shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior to prepare the legal description and map under subsection (c).

#### **SEC. 3032. WATER RIGHTS.**

(a) **WATER RIGHTS.**—Nothing in this subtitle shall be construed—

(1) to establish a reservation in favor of the United States with respect to any water or water right on lands transferred by this subtitle; or

(2) to authorize the appropriation of water on lands transferred by this subtitle except in accordance with applicable State law.

(b) **EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.**—This section shall not be construed to affect any water rights acquired or reserved by the United States before the date of the enactment of this Act.

#### **SEC. 3033. WITHDRAWAL.**

Subject to valid existing rights, the public land to be transferred under section 3031 is withdrawn from all forms of appropriation under the public land laws, including the mining laws and geothermal leasing laws, so long as the lands remain under the administrative jurisdiction of the Secretary of the Navy.

#### **Subtitle D—Chocolate Mountain Aerial Gunnery Range, California**

#### **SEC. 3041. TRANSFER OF ADMINISTRATIVE JURISDICTION, CHOCOLATE MOUNTAIN AERIAL GUNNERY RANGE, CALIFORNIA.**

(a) **TRANSFER REQUIRED.**—The Secretary of the Interior shall transfer to the administrative jurisdiction of the Secretary of the Navy certain public land administered by the Bureau of Land Management in Imperial and Riverside Counties, California, consisting of approximately 226,711 acres, as generally depicted on the map titled "Chocolate Mountain Aerial Gunnery Range Proposed-Withdrawal" dated 1987 (revised July 1993), and identified as WESTDIV Drawing No. C-102370, which was prepared by the Naval Facilities Engineering Command of the Department of the Navy and is on file with the California State Office of the Bureau of Land Management.

(b) **VALID EXISTING RIGHTS.**—The transfer of administrative jurisdiction under subsection (a) shall be subject to any valid existing rights, including any property, easements, or improvements held by the Bureau of Reclamation and appurtenant to the Coachella Canal. The Secretary of the Navy shall provide for reasonable access by the Bureau of Reclamation for inspection and maintenance purposes not inconsistent with military training.

(c) **TIME FOR CONVEYANCE.**—The transfer of administrative jurisdiction under subsection (a) shall occur pursuant to a schedule agreed to by the Secretary of the Interior and the Secretary of the Navy, but in no case later than the date of the completion of the boundary realignment required by section 3043.

(d) **MAP AND LEGAL DESCRIPTION.**—

(1) **PREPARATION AND PUBLICATION.**—The Secretary of the Interior shall publish in the Federal Register a legal description of the public land to be transferred under subsection (a).

(2) **SUBMISSION TO CONGRESS.**—The Secretary of the Interior shall file with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives—

(A) a copy of the legal description prepared under paragraph (1); and

(B) a map depicting the legal description of the transferred public land.

(3) **AVAILABILITY FOR PUBLIC INSPECTION.**—Copies of the legal description and map filed under paragraph (2) shall be available for public inspection in the appropriate offices of—

(A) the Bureau of Land Management;

(B) the Office of the Commanding Officer, Marine Corps Air Station Yuma, Arizona;

(C) the Office of the Commander, Navy Region Southwest; and

(D) the Office of the Secretary of the Navy.

(4) **FORCE OF LAW.**—The legal description and map filed under paragraph (2) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct clerical and typographical errors in the legal description or map.

(5) **REIMBURSEMENT OF COSTS.**—The transfer required by subsection (a) shall be made without reimbursement, except that the Secretary of the Navy shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior to prepare the legal description and map under this subsection.

#### **SEC. 3042. MANAGEMENT AND USE OF TRANSFERRED LAND.**

(a) **USE OF TRANSFERRED LAND.**—Upon the receipt of the land under section 3041, the Secretary of the Navy shall administer the land as the Chocolate Mountain Aerial Gunnery Range, California, and continue to authorize use of the land for military purposes.

(b) **PROTECTION OF DESERT TORTOISE.**—Nothing in the transfer required by section 3041 shall affect the prior designation of certain lands within the Chocolate Mountain Aerial Gunnery Range as critical habitat for the desert tortoise (*Gopherus agassizii*).

(c) **WITHDRAWAL OF MINERAL ESTATE.**—Subject to valid existing rights, the mineral estate of the land to be transferred under section 3041 are withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral and geothermal leasing laws, for as long as the land is under the administrative jurisdiction of the Secretary of the Navy.

(d) **INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN.**—Not later than one year after the transfer of the land under section 3041, the Secretary of the Navy, in cooperation with the Secretary of the Interior, shall prepare an integrated natural resources management plan pursuant to the Sikes Act (16 U.S.C. 670a et seq.) for the transferred land and for land that, as of the date of the enactment of this Act, is under the jurisdiction of the Secretary of the Navy underlying the Chocolate Mountain Aerial Gunnery Range.

#### **SEC. 3043. REALIGNMENT OF RANGE BOUNDARY AND RELATED TRANSFER OF TITLE.**

(a) **REALIGNMENT; PURPOSE.**—The Secretary of the Interior and the Secretary of the Navy shall realign the boundary of the Chocolate Mountain Aerial Gunnery Range, as in effect on the date of the enactment of this Act, to improve public safety and management of the Range, consistent with the following:

(1) The northwestern boundary of the Chocolate Mountain Aerial Gunnery Range shall be realigned to the edge of the Bradshaw Trail so that the Trail is entirely on public land under the jurisdiction of the Department of the Interior.

(2) The centerline of the Bradshaw Trail shall be delineated by the Secretary of the Interior in consultation with the Secretary of the Navy, beginning at its western terminus at Township 8 South, Range 12 East, Section 6 eastward to Township 8 South, Range 17 East, Section 32 where it leaves the Chocolate Mountain Aerial Gunnery Range.

(b) **TRANSFERS RELATED TO REALIGNMENT.**—The Secretary of the Interior and the Secretary of the Navy shall make such transfers of administrative jurisdiction as may be necessary to reflect the results of the boundary realignment carried out pursuant to subsection (a).

(c) **APPLICABILITY OF NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.**—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to any transfer of land made under subsection (b) or any decontamination actions undertaken in connection with such a transfer.

(d) **DECONTAMINATION.**—The Secretary of the Navy shall maintain, to the extent funds are available for such purpose and consistent with applicable Federal and State law, a program of decontamination of any contamination caused by defense-related uses on land transferred under subsection (b). The Secretary of Defense shall include a description of such decontamination activities in the annual report required by section 2711 of title 10, United States Code.

(e) **TIMELINE.**—The delineation of the Bradshaw Trail under subsection (a) and any transfer of land under subsection (b) shall occur pursuant to a schedule agreed to by the Secretary of the Interior and the Secretary of the Navy, but in no case later than two years after the date of the enactment of this Act.

#### **SEC. 3044. EFFECT OF TERMINATION OF MILITARY USE.**

(a) **NOTICE AND EFFECT.**—Upon a determination by the Secretary of the Navy that there is no longer a military need for all or portions of the land transferred under section 3041, the Secretary of the Navy shall notify the Secretary of the Interior of such determination. Subject to subsections (b), (c), and (d), the Secretary of the Navy shall transfer the land subject to such a notice back to the administrative jurisdiction of the Secretary of the Interior.

(b) **CONTAMINATION.**—Before transmitting a notice under subsection (a), the Secretary of the Navy shall prepare a written determination concerning whether and to what extent the land to be transferred are contaminated with explosive, toxic, or other hazardous materials. A copy of the determination shall be transmitted with the notice. Copies of the notice and the determination shall be published in the Federal Register.

(c) **DECONTAMINATION.**—The Secretary of the Navy shall decontaminate any contaminated land that is the subject of a notice under subsection (a) if—

(1) the Secretary of the Interior, in consultation with the Secretary of the Navy, determines that—

(A) decontamination is practicable and economically feasible (taking into consideration the potential future use and value of the land); and

(B) upon decontamination, the land could be opened to operation of some or all of the public land laws, including the mining laws; and

(2) funds are appropriated for such decontamination.

(d) **ALTERNATIVE.**—The Secretary of the Interior is not required to accept land proposed for transfer under subsection (a) if the Secretary of the Interior is unable to make the determinations under subsection (c)(1) or if Congress does not appropriate a sufficient amount of funds for the decontamination of the land.

#### **SEC. 3045. TEMPORARY EXTENSION OF EXISTING WITHDRAWAL PERIOD.**

Notwithstanding subsection (a) of section 806 of the California Military Lands Withdrawal and Overflights Act of 1994 (title VIII of Public Law 103-433; 108 Stat. 4505), the withdrawal and reservation of the land transferred under section 3041 shall not terminate until the date on which the land transfer required by section 3041 is executed.

**SEC. 3046. WATER RIGHTS.**

(a) **WATER RIGHTS.**—Nothing in this subtitle shall be construed—

(1) to establish a reservation in favor of the United States with respect to any water or water right on lands transferred by this subtitle; or

(2) to authorize the appropriation of water on lands transferred by this subtitle except in accordance with applicable State law.

(b) **EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.**—This section shall not be construed to affect any water rights acquired or reserved by the United States before the date of the enactment of this Act.

**Subtitle E—Marine Corps Air Ground Combat Center Twentynine Palms, California**

**SEC. 3051. DESIGNATION OF JOHNSON VALLEY NATIONAL OFF-HIGHWAY VEHICLE RECREATION AREA.**

(a) **DESIGNATION.**—The approximately 188,000 acres of public land and interests in land administered by the Secretary of the Interior through the Bureau of Land Management in San Bernardino County, California, as generally depicted as the “Johnson Valley Off-Highway Vehicle Recreation Area” on the map titled “Johnson Valley National Off-Highway Vehicle Recreation Area and Transfer of the Southern Study Area” and dated April 11, 2013, are hereby designated as the “Johnson Valley National Off-Highway Vehicle Recreation Area”.

(b) **RECREATIONAL AND CONSERVATION USE.**—The Johnson Valley National Off-Highway Vehicle Recreation Area is designated for the following purposes:

(1) Public recreation (including off-highway vehicle use, camping, and hiking) when the lands are not used for military training as authorized by section 3052.

(2) Natural resources conservation.

(c) **WITHDRAWAL.**—The public land and interests in land included in the Johnson Valley National Off-Highway Vehicle Recreation Area are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral leasing and geothermal leasing laws.

(d) **TREATMENT OF EXISTING RIGHTS.**—The designation of the Johnson Valley National Off-Highway Vehicle Recreation Area and the withdrawal of the public land and interests in land included in the Recreation Area are subject to valid existing rights.

**SEC. 3052. LIMITED BIENNIAL MARINE CORPS AIR GROUND COMBAT CENTER TWENTYNINE PALMS USE OF JOHNSON VALLEY NATIONAL OFF-HIGHWAY VEHICLE RECREATION AREA.**

(a) **USE FOR MILITARY PURPOSES AUTHORIZED.**—Subject to subsection (b), the Secretary of the Interior shall authorize the Secretary of the Navy to utilize portions of Johnson Valley National Off-Highway Vehicle Recreation Area twice in each calendar year for up to a total of 60 days per year for the following purposes:

(1) Sustained, combined arms, live-fire, and maneuver field training for large-scale Marine air-ground task forces.

(2) Individual and unit live-fire training ranges.

(3) Equipment and tactics development.

(4) Other defense-related purposes consistent with the purposes specified in the preceding paragraphs.

(b) **CONDITIONS ON MILITARY USE.**—

(1) **CONSULTATION AND PUBLIC PARTICIPATION REQUIREMENTS.**—Before the Secretary of the Navy requests the two time periods for military use of the Johnson Valley National Off-Highway Vehicle Recreation Area in a calendar year, the Secretary of the Navy shall—

(A) consult with the Secretary of the Interior regarding the best times for military use to re-

duce interference with or interruption of non-military activities authorized by section 3051(b); and

(B) provide for public awareness of and participation in the selection process.

(2) **PUBLIC NOTICE.**—The Secretary of the Navy shall provide advance, wide-spread notice before any closure of public lands for military use under this section.

(3) **PUBLIC SAFETY.**—Military use of the Johnson Valley National Off-Highway Vehicle Recreation Area during the biannual periods authorized by subsection (a) shall be conducted in the presence of sufficient range safety officers to ensure the safety of military personnel and civilians.

(4) **CERTAIN TYPES OF ORDNANCE PROHIBITED.**—The Secretary of the Navy shall prohibit the use of dud-producing ordnance in any military training conducted under subsection (a).

(c) **IMPLEMENTING AGREEMENT.**—

(1) **AGREEMENT REQUIRED; REQUIRED TERMS.**—The Secretary of the Interior and the Secretary of the Navy shall enter into a written agreement to implement this section. The agreement shall include a provision for periodic review of the agreement for its adequacy, effectiveness, and need for revision.

(2) **ADDITIONAL TERMS.**—The agreement may provide for—

(A) the integration of the management plans of the Secretary of the Interior and the Secretary of the Navy;

(B) delegation to civilian law enforcement personnel of the Department of the Navy of the authority of the Secretary of the Interior to enforce the laws relating to protection of natural and cultural resources and of fish and wildlife; and

(C) the sharing of resources in order to most efficiently and effectively manage the lands.

(d) **DURATION.**—Any agreement for the military use of the Johnson Valley National Off-Highway Vehicle Recreation Area shall terminate not later than March 31, 2039.

**SEC. 3053. TRANSFER OF ADMINISTRATIVE JURISDICTION, SOUTHERN STUDY AREA, MARINE CORPS AIR GROUND COMBAT CENTER TWENTYNINE PALMS, CALIFORNIA.**

(a) **TRANSFER REQUIRED.**—Not later than September 30, 2014, the Secretary of the Interior shall transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Navy certain public land administered by the Bureau of Land Management consisting of approximately 20,000 acres in San Bernardino County, California, as generally depicted as the “Southern Study Area” on the map referred to in section 3051.

(b) **USE OF TRANSFERRED LAND.**—Upon the receipt of the land under subsection (a), the Secretary of the Navy shall include the land as part of the Marine Corps Air Ground Combat Center Twentynine Palms, California, and authorize use of the land for military purposes.

(c) **LEGAL DESCRIPTION AND MAP.**—

(1) **PREPARATION AND PUBLICATION.**—The Secretary of the Interior shall publish in the Federal Register a legal description and map of the public land to be transferred under subsection (a).

(2) **FORCE OF LAW.**—The legal description and map filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct clerical and typographical errors in the legal description and map.

(d) **REIMBURSEMENT OF COSTS.**—The Secretary of the Navy shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior to carry out this section.

**SEC. 3054. WATER RIGHTS.**

(a) **WATER RIGHTS.**—Nothing in this subtitle shall be construed—

(1) to establish a reservation in favor of the United States with respect to any water or water right on lands transferred by this subtitle; or

(2) to authorize the appropriation of water on lands transferred by this subtitle except in accordance with applicable State law.

(b) **EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.**—This section shall not be construed to affect any water rights acquired or reserved by the United States before the date of the enactment of this Act.

**Subtitle F—Naval Air Station Fallon, Nevada**

**SEC. 3061. TRANSFER OF ADMINISTRATIVE JURISDICTION, NAVAL AIR STATION FALLON, NEVADA.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall transfer to the Secretary of the Navy, without consideration, the Federal land described in subsection (b).

(b) **DESCRIPTION OF FEDERAL LAND.**—The Federal land referred to in subsection (a) is the parcel of approximately 400 acres of land under the jurisdiction of the Secretary of the Interior that—

(1) is adjacent to Naval Air Station Fallon in Churchill County, Nevada; and

(2) was withdrawn under Public Land Order 6834 (NV-943-4214-10; N-37875).

(c) **MANAGEMENT.**—On transfer of the Federal land described under subsection (b) to the Secretary of the Navy, the Secretary of the Navy shall have full jurisdiction, custody, and control of the Federal land.

**SEC. 3062. WATER RIGHTS.**

(a) **WATER RIGHTS.**—Nothing in this subtitle shall be construed—

(1) to establish a reservation in favor of the United States with respect to any water or water right on lands transferred by this subtitle; or

(2) to authorize the appropriation of water on lands transferred by this subtitle except in accordance with applicable State law.

(b) **EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.**—This section shall not be construed to affect any water rights acquired or reserved by the United States before the date of the enactment of this Act.

**SEC. 3063. WITHDRAWAL.**

Subject to valid existing rights, the Federal land to be transferred under section 3061 is withdrawn from all forms of appropriation under the public land laws, including the mining laws and geothermal leasing laws, so long as the land remains under the administrative jurisdiction of the Secretary of the Navy.

**DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS**

**TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**

**Subtitle A—National Security Programs Authorizations**

**SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2014 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) **AUTHORIZATION OF NEW PLANT PROJECTS.**—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 14-D-710, Device Assembly Facility Argus Installation Project, Nevada National Security Site, Las Vegas, Nevada, \$14,000,000

Project 14-D-901, Spent Fueling Handling Recapitalization Project, Naval Reactors Facility, Idaho, \$45,400,000.



Project 14-D-902, KL Materials Characterization Laboratory, Knolls Atomic Power Laboratory, Schenectady, New York, \$1,000,000.

#### SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2014 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

#### SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2014 for other defense activities in carrying out programs as specified in the funding table in section 4701.

#### SEC. 3104. ENERGY SECURITY AND ASSURANCE.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2014 for energy security and assurance programs necessary for national security as specified in the funding table in section 4701.

#### Subtitle B—Program Authorizations, Restrictions, and Limitations

#### SEC. 3111. CLARIFICATION OF PRINCIPLES OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Subsection (c) of section 3211 of the National Nuclear Security Administration Act (50 U.S.C. 2401) is amended to read as follows:

“(c) OPERATIONS AND ACTIVITIES TO BE CARRIED OUT CONSISTENT WITH CERTAIN PRINCIPLES.—In carrying out the mission of the Administration, the Administrator shall ensure that all operations and activities of the Administration are consistent with the principles of—

“(1) protecting the environment;

“(2) safeguarding the safety and health of the public and of the workforce of the Administration; and

“(3) ensuring the security of the nuclear weapons, nuclear material, and classified information in the custody of the Administration.”.

#### SEC. 3112. TERMINATION OF DEPARTMENT OF ENERGY EMPLOYEES TO PROTECT NATIONAL SECURITY.

(a) IN GENERAL.—Subtitle C of the National Nuclear Security Administration Act (50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

#### “SEC. 3245. TERMINATION OF EMPLOYEES TO PROTECT NATIONAL SECURITY.

“(a) TERMINATION AUTHORITY.—Notwithstanding any other provision of law, the Secretary of Energy may terminate an employee of the Administration or any element of the Department of Energy that involves nuclear security if the Secretary—

“(1) determines that the employee acted in a manner that endangers the security of special nuclear material or classified information;

“(2) considers the termination to be in the interests of the United States; and

“(3) determines that the procedures prescribed in other provisions of law that authorize the termination of the employment of such employee cannot be invoked in a manner that the Secretary considers consistent with national security.

“(b) STATEMENTS AND AFFIDAVITS.—(1) To the extent that the Secretary determines that the interests of national security permit, the Secretary shall notify an employee whose employment is terminated under this section of the reasons for the termination.

“(2) During the 30-day period beginning on the date on which a terminated employee is notified under paragraph (1), the employee may submit to the Secretary statements or affidavits to show why the employee should be restored to duty.

“(3) If a terminated employee submits statements and affidavits under paragraph (2), the Secretary—

“(A) shall provide a written response to the employee; and

“(B) may restore the employment of the employee.

“(c) FINALITY.—A decision by the Secretary to terminate the employment of an employee under this section is final and may not be appealed or reviewed outside the Department.

“(d) NOTIFICATION TO CONGRESSIONAL COMMITTEES.—Whenever the Secretary terminates the employment of an employee under the authority of this section, the Secretary shall promptly notify the congressional defense committees of such termination.

“(e) PRESERVATION OF RIGHT TO SEEK OTHER EMPLOYMENT.—Any termination of employment under this section does not affect the right of the employee involved to seek or accept employment with any other department or agency of the United States if that employee is declared eligible for such employment by the Director of the Office of Personnel Management.

“(f) PROHIBITION ON DELEGATION.—The authority of the Secretary under this section may not be delegated.”.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 3244 the following new item:

“Sec. 3245. Termination of employees to protect national security.”.

#### SEC. 3113. MODIFICATION OF INDEPENDENT COST ESTIMATES ON LIFE EXTENSION PROGRAMS AND NEW NUCLEAR FACILITIES.

(a) IN GENERAL.—Section 4217 of the Atomic Energy Defense Act (50 U.S.C. 2537) is amended—

(1) in subsection (b)(2), by adding after the period at the end the following: “Such cost estimates shall be conducted by the Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation. The Director may delegate carrying out such a cost estimate to another element of the Department of Defense.”; and

(2) by amending subsection (c) to read as follows:

“(c) AUTHORITY FOR FURTHER ASSESSMENTS.—(1) In consultation with the Administrator, the Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation, may conduct an independent cost assessment of any initiative or program of the Administration that is estimated to cost more than \$500,000,000. The Director may delegate carrying out such a cost estimate to another element of the Department of Defense.

“(2) The Secretary, acting through the Administrator, shall request an appropriate official or entity to conduct an independent review of each—

“(A) guidance for the analysis of alternatives for each covered system or facility before such analysis is conducted; and

“(B) results of such analysis.

“(3) The Secretary, acting through the Administrator, shall submit to the congressional defense committees and the Nuclear Weapons Council each independent review conducted under paragraph (2).

“(4) In this subsection:

“(A) The term ‘appropriate official or entity’ means the following:

“(i) The Director of Cost Assessment and Program Evaluation.

“(ii) An organization selected by the Director of Cost Assessment and Program Evaluation.

“(iii) The JASON Defense Advisory Panel.

“(B) The term ‘covered system or facility’ means the following:

“(i) Each nuclear weapon system undergoing life extension at the completion of phase 6.2A, relating to design definition and cost study.

“(ii) Each new nuclear facility within the nuclear security enterprise (as defined in section 4002(5) of the Atomic Energy Defense Act (50 U.S.C. 2501(5)) that is estimated to cost more than \$500,000,000 before such facility achieves critical decision 2 in the acquisition process.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(2) shall expire on the date that is three years after the date of the enactment of this Act. Effective on the day after such expiration date, subsection (c) of section 4217 of the Atomic Energy Defense Act (50 U.S.C. 2537), as in effect on the day before the date of the enactment of this Act, is hereby revised.

(c) SENSE OF CONGRESS.—It is the sense of Congress that Congress encourages the Administrator for Nuclear Security and the Nuclear Weapons Council to follow the results of the analysis of alternatives of a life extension program or a defense nuclear facility construction project when selecting a final option.

#### SEC. 3114. PLAN FOR RETRIEVAL, TREATMENT, AND DISPOSITION OF TANK FARM WASTE AT HANFORD NUCLEAR RESERVATION.

(a) IN GENERAL.—Subtitle D of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2621 et seq.) is amended by adding at the end the following new section:

#### “SEC. 4445. PLAN FOR RETRIEVAL, TREATMENT, AND DISPOSITION OF TANK FARM WASTE AT HANFORD NUCLEAR RESERVATION.

“(a) PLAN.—Not later than March 1, 2014, the Secretary of Energy shall submit to the congressional defense committees a comprehensive plan through 2025 for the safe and effective retrieval, treatment, and disposition of nuclear waste contained in the tank farms of Hanford Nuclear Reservation, Richland, Washington.

“(b) MATTERS INCLUDED.—The plan under subsection (a) shall include the following:

“(1) A list of all requirements, assumptions, and criteria needed to design, construct, and operate the Waste Treatment and Immobilization Plant and any required infrastructure facilities at the Hanford Tank Farms.

“(2) A schedule of activities, construction, and operations at the Hanford Tank Farms and Waste Treatment and Immobilization Plant required before 2025 to carry out the safe and effective retrieval, treatment, and disposition of waste in the Hanford Tank Farms.

“(3) Actions required to accelerate, to the extent possible, the retrieval and treatment of lower-risk, low-activity waste while continuing efforts to accelerate the resolution of technical challenges associated with higher-risk, high-activity waste.

“(4) A description of how the Secretary will—

“(A) provide adequate protection to workers and the public under the plan; and

“(B) incorporate into the plan any new science and technical information that was not available before the development of the plan, including new science and technical information not available as of March 2014.

“(c) DETERMINATIONS.—(1) For each requirement, assumption, or criterion identified by the Secretary under subsection (b)(1), the Secretary shall include in the plan under subsection (a) a determination regarding whether such requirement, assumption or criterion is finalized and will be used to inform planning, design, construction, and operations of the Waste Treatment and Immobilization Plant project.

“(2) For each requirement, assumption, or criterion that the Secretary cannot make a finalized determination for under paragraph (1) by the date the plan under subsection (a) is submitted to the congressional defense committees, the Secretary shall—

“(A) include in the plan—

“(i) a description of the requirement, assumption, or criterion;



“(ii) a list of activities required for the Secretary to make such determination; and

“(iii) the date on which the Secretary anticipates making such determination; and

“(B) once the Secretary makes the finalized determination with respect to the requirement, assumption, or criterion, submit to such committees notification that the requirement, assumption, or criterion is finalized and will be used to inform the planning, design, construction, and operations of the Waste Treatment and Immobilization Plant project.

“(3)(A) Subject to subparagraph (B), the Secretary may authorize a change to a requirement, assumption, or criterion that the Secretary determines as finalized under paragraph (1) or (2)(B).

“(B) The Secretary shall make changes to a requirement, assumption, or criterion under subparagraph (A) if the Secretary cannot provide adequate protection without making such changes.

“(C) If the Secretary authorizes a change to a requirement, assumption, or criterion under subparagraph (A) or (B) that will have a material effect on any aspect of the schedule or cost of the Waste Treatment and Immobilization Plant project, the Secretary shall promptly notify the congressional defense committees of such change.

“(D) The authority of the Secretary under this paragraph may be delegated only to the Deputy Secretary of Energy.”

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4444 the following new item: “Sec. 4445. Plan for retrieval, treatment, and disposition of tank farm waste at Hanford Nuclear Reservation.”

#### **SEC. 3115. ENHANCED PROCUREMENT AUTHORITY TO MANAGE SUPPLY CHAIN RISK.**

(a) IN GENERAL.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by adding at the end the following:

#### **“SEC. 4806. ENHANCED PROCUREMENT AUTHORITY TO MANAGE SUPPLY CHAIN RISK.**

“(a) AUTHORITY.—Subject to subsection (b), a covered official may—

“(1) carry out a covered procurement action; and

“(2) notwithstanding any other provision of law, limit, in whole or in part, the disclosure of information relating to the basis for carrying out a covered procurement action.

“(b) DETERMINATION AND NOTIFICATION.—Before exercising the authority under subsection (a), a covered official shall—

“(1) obtain a joint recommendation by the Deputy Secretary of Energy and the Chief Information Officer of the Department of Energy, on the basis of a risk assessment conducted by the Office of Intelligence and Counterintelligence of the Department of Energy, that there is a significant supply chain risk to a covered system;

“(2) make a determination in writing, with the concurrence of the Deputy Secretary of Energy, that—

“(A) carrying out a covered procurement action under subsection (a)(1) is necessary to protect national security by reducing supply chain risk;

“(B) less intrusive measures are not reasonably available to reduce such supply chain risk; and

“(C) if the covered official plans to limit disclosure of information under subsection (a)(2), the risk to national security that may result from the disclosure of such information is greater than such risk that may result from not disclosing such information; and

“(3) submit to the congressional defense committees, the Committee on Energy and Natural

Resources of the Senate, and the Committee on Energy and Commerce of the House of Representatives written notification of—

“(A) the joint recommendation under paragraph (1), including a summary of the risk assessment by the Office of Intelligence and Counterintelligence that serves as the basis for such joint recommendation;

“(B) the determination under paragraph (2), including—

“(i) a summary of the basis for such determination; and

“(ii) a discussion of the less intrusive measures that were considered under subparagraph (B) of such paragraph and the reason that the official determined such measures to not be reasonably available; and

“(C) the information required by section 2304(f)(3) of title 10, United States Code.

“(c) LIMITATION ON DISCLOSURE.—If a covered official exercises the authority under subsection (a), the covered official shall—

“(1) notify appropriate parties of the covered procurement action and the basis for such action only to the extent necessary to carry out the covered procurement action;

“(2) notify other elements of the Department of Energy or other departments or agencies of the United States that are responsible for procurement that may be subject to the same or similar supply chain risk of the covered procurement action, consistent with the requirements of national security; and

“(3) ensure the confidentiality of any notification made under paragraph (1) or (2).

“(d) DELEGATION.—A covered official may not delegate the authority provided under this section to an official of the Department of Energy below the level of the Deputy Assistant Secretary of Energy.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘covered item of supply’ means an item that is purchased for inclusion in a covered system, and the loss of integrity of which could result in a supply chain risk for a covered system.

“(2) The term ‘covered official’ means any of the following:

“(A) The Under Secretary of Energy.

“(B) The Under Secretary of Energy for Science.

“(C) The Administrator for Nuclear Security.

“(D) The Administrator of the Energy Information Administration.

“(E) The Administrator of the Bonneville Power Administration.

“(F) The Administrator of the Southeastern Power Administration.

“(G) The Administrator of the Southwestern Power Administration.

“(H) The Administrator of the Western Area Power Administration.

“(I) The Chief Information Officer of the Department of Energy.

“(3) The term ‘covered procurement’ means—

“(A) a source selection for a covered system or a covered item of supply involving either a performance specification, as described in paragraph (1)(C)(ii) of section 2305(a) of title 10, United States Code, or an evaluation factor, as described in paragraph (2)(A) of such section, relating to supply chain risk;

“(B) the consideration of proposals for and issuance of a task or delivery order for a covered system or a covered item of supply if the task or delivery order contract concerned includes a contract clause establishing a requirement relating to supply chain risk; or

“(C) any contract action involving a contract for a covered system or a covered item of supply if such contract includes a clause establishing requirements relating to supply chain risk.

“(4) The term ‘covered procurement action’ means, with respect to an action that occurs in

the course of conducting a covered procurement, any of the following:

“(A) The exclusion of a source that fails to meet qualification standards established in accordance with the requirements of section 2319 of title 10, United States Code, for the purpose of reducing supply chain risk in the acquisition of covered systems.

“(B) The exclusion of a source that fails to achieve an acceptable rating with respect to an evaluation factor providing for the consideration of supply chain risk in the evaluation of proposals for the award of a contract or the issuance of a task or delivery order.

“(C) The withholding of consent for a contractor to subcontract with a particular source or the direction to a contractor for a covered system to exclude a particular source from consideration for a subcontract under the contract.

“(5) The term ‘covered system’ means—

“(A) nuclear weapons;

“(B) components of nuclear weapons;

“(C) items associated with the design, development, production, and maintenance of nuclear weapons or components of nuclear weapons; and

“(D) items associated with the surveillance of the nuclear weapon stockpile; and

“(E) any national security system (as defined in section 3542(b)(2) of title 44, United States Code).

“(6) The term ‘supply chain risk’ means the risk that an adversary may sabotage, maliciously introduce an unwanted function, or otherwise subvert the design, integrity, manufacturing, production, distribution, installation, operation, or maintenance of a covered system so as to surveil, deny, disrupt, or otherwise degrade the function, use, or operation of such system.”

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 4805 the following new item:

“Sec. 4806. Enhanced procurement authority to manage supply chain risk.”

(c) EFFECTIVE DATE.—Section 4806 of the Atomic Energy Defense Act, as added by subsection (a), shall apply with respect to—

(1) contracts that are awarded on or after the date that is 180 days after the date of the enactment of this Act; and

(2) task and delivery orders that are issued on or after the date that is 180 days after such date of enactment under contracts awarded before, on, or after such date of enactment.

#### **SEC. 3116. LIMITATION ON AVAILABILITY OF FUNDS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

(a) LIMITATION.—Except as provided by subsection (c), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the National Nuclear Security Administration, \$139,500,000 may not be obligated or expended until the date on which the Administrator for Nuclear Security submits to the congressional defense committees—

(1) a detailed plan to realize the planned efficiencies; and

(2) written certification that the planned efficiencies will be achieved during fiscal year 2014.

(b) UNREALIZED EFFICIENCIES.—If the Administrator does not submit to the congressional defense committees the matters described in paragraphs (1) and (2) of subsection (a) by the date that is 60 days after the date of the enactment of this Act, the Administrator shall submit to the congressional defense committees a report on—

(1) the amount of planned efficiencies that will not be realized during fiscal year 2014; and

(2) any effects caused by such unrealized planned efficiencies to the programs funded under the directed stockpile work and nuclear programs accounts.

(c) **EXCEPTION.**—The limitation in subsection (a) shall not—

(1) apply to funds authorized to be appropriated for directed stockpile work, nuclear programs, or Naval Reactors; or

(2) affect the authority of the Secretary under sections 4702, 4705, and 4711 of the Atomic Energy Defense Act (50 U.S.C. 2742, 2745, and 2751).

(d) **PLANNED EFFICIENCIES DEFINED.**—In this section, the term “planned efficiencies” means the \$106,800,000, with respect to directed stockpile work, and \$32,700,000, with respect to nuclear programs, that the Administrator plans to save during fiscal year 2014 through management efficiency and workforce restructuring reductions, as described in the budget request for fiscal year 2014 that the President submitted to Congress under section 1105(a) of title 31, United States Code.

**SEC. 3117. LIMITATION ON AVAILABILITY OF FUNDS FOR OFFICE OF THE ADMINISTRATOR.**

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Office of the Administrator, not more than 75 percent may be obligated or expended until—

(1) the President transmits to Congress the matters required to be transmitted during 2013 and 2014 under section 4205(f)(2) of the Atomic Energy Defense Act (50 U.S.C. 2525(f)(2));

(2) the President transmits to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives the matters required to be transmitted during 2013 and 2014 under section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576) with respect to such matters for which the Secretary of Energy is responsible;

(3) the Administrator for Nuclear Security submits to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives the reports required to be submitted during 2013 and 2014 under section 3122(b)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1710); and

(4) the Administrator submits to the congressional defense committees—

(A) the detailed report on the stockpile stewardship, management, and infrastructure plan required to be submitted during 2013 under paragraph (2) of section 4203(b) of the Atomic Energy Defense Act (50 U.S.C. 2523(b)(2)); and

(B) the summary of the plan required to be submitted during 2014 under paragraph (1) of such section.

**SEC. 3118. LIMITATION ON AVAILABILITY OF FUNDS FOR GLOBAL THREAT REDUCTION INITIATIVE.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that, particularly in the current constrained budget environment, the National Nuclear Security Administration should—

(1) prioritize its primary mission of sustaining and modernizing the nuclear weapons stockpile; and

(2) shift funding from secondary missions if required to ensure critical nuclear weapons modernization programs stay on schedule and deliver nuclear warheads needed to support the military requirements of the United States.

(b) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Global Threat Reduction Initiative of the National Nuclear Security Administration, not more than 80 percent may be obligated or expended unless, by not later than 60 days after the date of the enactment of this Act, the Administrator for Nu-

clear Security certifies to the congressional defense committees that the B61 life extension program will deliver a first production unit in fiscal year 2019.

(c) **EXCEPTION.**—The limitation in subsection (b) shall not affect the authority of the Secretary under Section 4702 of the AEDA (50 U.S.C. 2742).

**SEC. 3119. ESTABLISHMENT OF CENTER FOR SECURITY TECHNOLOGY, ANALYSIS, TESTING, AND RESPONSE.**

(a) **ESTABLISHMENT.**—The Administrator for Nuclear Security shall establish within the nuclear security enterprise (as defined in section 4002(5) of the Atomic Energy Defense Act (50 U.S.C. 2501(5)) a Center for Security Technology, Analysis, Testing, and Response.

(b) **DUTIES.**—The center established under subsection (a) shall carry out the following:

(1) Provide to the Administrator, the Chief of Defense Nuclear Security, and the management and operating contractors of the nuclear security enterprise a wide range of objective expertise on security technologies, systems, analysis, testing, and response forces.

(2) Assist the Administrator in developing standards, requirements, analysis methods, and testing criteria with respect to security.

(3) Collect, analyze, and distribute lessons learned with respect to security.

(4) Support inspections and oversight activities with respect to security.

(5) Promote professional development and training for security professionals.

(6) Provide for advance and bulk procurement for security-related acquisitions that affect multiple facilities of the nuclear security enterprise.

(7) Advocate for continual improvement and security excellence throughout the nuclear security enterprise.

**SEC. 3120. COST-BENEFIT ANALYSES FOR COMPETITION OF MANAGEMENT AND OPERATING CONTRACTS.**

(a) **BID PROTEST.**—Subsection (a) of section 3121 of the National Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2175) is amended by inserting “or the date on which a protest with respect to such a contract is resolved” before the period at the end.

(b) **EXPECTED COST SAVINGS.**—Subsection (b)(1) of such section is amended by inserting “, including a description of the assumptions used and analysis conducted to determine such expected cost savings” before the semicolon.

(c) **NAVAL REACTORS.**—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(3) **NAVAL REACTORS.**—The requirement for reports under subsection (a) shall not apply with respect to a management and operations contract for a Naval Reactor facility.”.

**SEC. 3121. W88–1 WARHEAD AND W78–1 WARHEAD LIFE EXTENSION OPTIONS.**

In carrying out Phase 6.2 and Phase 6.2A of the Joint W78–1 Warhead Life Extension Program, the Secretary of Defense and the Secretary of Energy, acting through the Nuclear Weapons Council established by section 179 of title 10, United States Code, shall include during such phases a full analysis of feasibility, design definition, and cost estimation for each of the following life extension options:

(1) A separate life extension option to produce a W78–1 warhead.

(2) A separate life extension option to produce a W88–1 warhead.

(3) An interoperable W78–1 life extension option.

(4) Any other option that the Nuclear Weapons Council considers appropriate.

**SEC. 3122. EXTENSION OF PRINCIPLES OF PILOT PROGRAM TO ADDITIONAL FACILITIES OF THE NUCLEAR SECURITY ENTERPRISE.**

(a) **FINDINGS.**—Congress finds the following:

(1) In April 2006, the Administrator for Nuclear Security initiated a pilot program to improve and streamline oversight of the Kansas City Plant of the National Nuclear Security Administration.

(2) In a memorandum initiating the pilot, the Administrator cited slow progress in implementing previous efforts to streamline such oversight, saying that such slow progress “is a reflection of excessive risk aversion”.

(3) The pilot program shifted away from reliance on directives of the Department of Energy and toward third-party certification and industrial standards whenever possible—but the pilot program specifically exempted certain high-hazard operations from its scope.

(4) An independent assessment conducted one year after initiation of the pilot found approximately \$14,000,000 had been saved in fiscal year 2007 because of the pilot program.

(5) The independent assessment found that “the replacement of Department of Energy prescriptive requirements with site specific standards and operating systems was observed to be a significant cost reduction driver. . . in several business areas, this reduction was accomplished by moving toward the use of metrics and benchmarks rather than transactional oversight.”.

(6) The independent assessment further found that “no immediate or negative impacts were observed as a result” of the pilot program and that “the lessons learned at [the Kansas City Plant] can and should be applied at other NNSA and DOE sites”, while acknowledging that application of such lessons would be limited by the presence of high-risk, high-hazard activities at such locations.

(7) The independent assessment concluded, “it is our opinion that these elements can be encouraged and developed over time at each NNSA facility, subject to the limitations made necessary by the nature of the site.”.

**(b) EXTENSION OF POLICIES.**—

(1) **IN GENERAL.**—Except as provided by paragraph (2), the Administrator for Nuclear Security shall—

(A) ensure that the principles of the pilot program are permanently implemented at the Kansas City Plant of the National Nuclear Security Administration; and

(B) in accordance with paragraph (3), extend such principles of the pilot program, with modifications as the Administrator determines appropriate, to not less than two additional facilities of the nuclear security enterprise (as defined in section 4002(5) of the Atomic Energy Defense Act (50 U.S.C. 2501(5)), with such principles commencing at each facility not later than one year after the date of the enactment of this Act.

(2) **EXEMPTION.**—In carrying out the extension of the principles of the pilot program pursuant to subparagraph (A) and (B) of paragraph (1), the Administrator—

(A) may exempt high-hazard or high-risk activities from such extension;

(B) shall exempt nuclear operations from such extension; and

(C) shall focus the initial extension of such principles on low-risk, high-reward initiatives.

**(3) IMPLEMENTATION.**—

(A) In extending the principles of the pilot program to not less than two facilities under paragraph (1)(B), the Administrator shall certify to the appropriate congressional committees that—

(i) the management and operating contractor for such a facility has sufficiently mature processes, as well as high performance, to enable the extension without undue risk; and

(ii) Federal oversight mechanisms are in place and sufficiently mature to enable the extension without undue risk.

(B) If the Administrator cannot make a certification under subparagraph (A) with respect to a facility—

(i) the Administrator shall delay the extension of the principles of the pilot program to such facility until the date on which the Administrator makes such certification; and

(ii) not later than one year after the date of the enactment of this Act, the Administrator shall submit to the appropriate congressional committees a report regarding—

(I) the improvements to processes, procedures, and performance that are required to make such certification;

(II) a plan with respect to the activities that the Administrator will carry out to make such improvements; and

(III) the date by which the Administrator expects to make such certification and extend the principles of the pilot program.

(4) **DEFINITIONS.**—In this subsection:

(A) The term “appropriate congressional committees” means the following:

(i) The congressional defense committees.

(ii) The Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(B) The term “principles of the pilot program” means the principles regarding the use of third-party certification, industrial standards, best business practices, and verification of internal procedures and performance to improve and streamline oversight, as demonstrated in the pilot program at the Kansas City Plant of the Administration described in subsection (a)(1).

#### Subtitle C—Reports

#### SEC. 3131. ANNUAL REPORT AND CERTIFICATION ON STATUS OF THE SECURITY OF THE NUCLEAR SECURITY ENTERPRISE.

(a) **IN GENERAL.**—Section 4506 of the Atomic Energy Defense Act (50 U.S.C. 2657) is amended to read as follows:

#### “SEC. 4506. ANNUAL REPORT AND CERTIFICATION ON STATUS OF THE SECURITY OF THE NUCLEAR SECURITY ENTERPRISE.

“Not later than September 30 of each year, the Administrator shall submit to the Secretary of Energy and to the congressional defense committees—

“(1) a report detailing the status of the security of the nuclear security enterprise, including the status of the security of special nuclear material, nuclear weapons, and classified information at each nuclear weapons production facility and national security laboratory; and

“(2) written certification that the special nuclear material, nuclear weapons, and classified information in the custody of the Administration are secure.”.

(b) **CLERICAL AMENDMENT.**—The table of contents at the beginning of such Act is amended by striking the item relating to section 4506 and inserting the following new item:

“Sec. 4506. Annual report and certification on status of the security of the nuclear security enterprise.”.

#### SEC. 3132. MODIFICATIONS TO ANNUAL REPORTS REGARDING THE CONDITION OF THE NUCLEAR WEAPONS STOCKPILE.

(a) **REPORT ON ASSESSMENTS.**—Subsection (e) of section 4205 of the Atomic Energy Defense Act (50 U.S.C. 2525) is amended—

(1) in paragraph (3)—

(A) in subparagraph (C), by striking “; and” and inserting a semicolon;

(B) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(E) a concise summary of any significant finding investigations initiated or active during the previous year for which the head of the national security laboratory has full or partial responsibility.”; and

(2) by amending paragraph (4) to read as follows:

“(4) In the case of a report submitted by the Commander of the United States Strategic Command—

“(A) a discussion of the relative merits of other nuclear weapon types (if any), or compensatory measures (if any) that could be taken, that could enable accomplishment of the missions of the nuclear weapon types to which the assessments relate, should such assessments identify any deficiency with respect to such nuclear weapon types; and

“(B) a summary of all major assembly releases in place as of the date of the report for the active and inactive nuclear weapon stockpiles.”.

(b) **REPORTS SUBMITTED TO THE PRESIDENT AND CONGRESS.**—Subsection (f) of such section is amended by adding at the end the following new paragraph:

“(3) If the President does not forward to Congress the matters required under paragraph (2) by the date required under such paragraph, each official specified in subsection (b) shall submit to the congressional defense committees the report, without change, that the official submitted to the Secretary concerned under subsection (e).”.

#### SEC. 3133. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) **REPORT ON COUNTERINTELLIGENCE AND SECURITY PRACTICES AT NATIONAL LABORATORIES.**—

(1) **IN GENERAL.**—Section 4507 of the Atomic Energy Defense Act (50 U.S.C. 2658) is repealed.

(2) **CLERICAL AMENDMENT.**—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4507.

(b) **REPORTS ON ADVANCED SUPERCOMPUTER SALES TO CERTAIN FOREIGN NATIONS.**—Section 3157 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 50 U.S.C. App. 2404 note) is repealed.

#### Subtitle D—Other Matters

#### SEC. 3141. CONGRESSIONAL ADVISORY PANEL ON THE GOVERNANCE OF THE NUCLEAR SECURITY ENTERPRISE.

Section 3166 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2208) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “180 days after the date of the enactment of this Act” and inserting “October 1, 2013”; and

(B) in paragraph (2), by striking “February 1, 2014” and inserting “March 1, 2014”; and

(2) by amending subsection (f) to read as follows:

“(f) **TERMINATION.**—

“(1) **IN GENERAL.**—The advisory panel shall terminate not later than September 30, 2014.

“(2) **FINAL REPORT.**—Before terminating, the advisory panel may submit to the officials and committees specified in subsection (d)(1) a final report that includes a summary of the activities and recommendations of the advisory panel and such other matters as the advisory panel considers appropriate.”.

#### SEC. 3142. STUDY OF POTENTIAL REUSE OF NUCLEAR WEAPON SECONDARIES.

(a) **STUDY.**—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall conduct a study of the potential reuse of nuclear weapon secondaries that includes an assessment of the potential for reusing secondaries in future life extension programs, including—

(1) a description of which secondaries could be reused;

(2) the number of such secondaries available in the stockpile as of the date of the study; and

(3) the number of such secondaries that are planned to be available after such date as a result of the dismantlement of nuclear weapons.

(b) **MATTERS INCLUDED.**—The study under subsection (a) shall include the following:

(1) The feasibility and practicability of potential full or partial reuse options with respect to nuclear weapon secondaries.

(2) The benefits and risks of reusing such secondaries.

(3) A list of technical challenges that must be resolved to certify aged materials under dynamic loading conditions and the full stockpile-to-target sequence of weapons, including a program plan and timeline for resolving such technical challenges and an assessment of the importance of resolving outstanding materials issues on certifying aged secondaries.

(4) The potential costs and cost savings of such reuse.

(5) The effects of such reuse on the requirements for secondaries manufacturing.

(6) An assessment of how such reuse affects plans to build a responsive nuclear weapons infrastructure.

(c) **SUBMISSION.**—Not later than March 1, 2014, the Administrator shall submit to the congressional defense committees the study under subsection (a).

#### SEC. 3143. CLARIFICATION OF ROLE OF SECRETARY OF ENERGY.

The amendment made by section 3113 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2169) to section 4102 of the Atomic Energy Defense Act (50 U.S.C. 2512) may not be construed as affecting the authority of the Secretary of Energy, in carrying out national security programs, with respect to the management, planning, and oversight of the National Nuclear Security Administration or as affecting the delegation by the Secretary of Energy of authority to carry out such activities, as set forth under subsection (a) of such section 4102 as it existed before the amendment made by such section 3113.

#### SEC. 3144. TECHNICAL AMENDMENT TO ATOMIC ENERGY ACT OF 1954.

Chapter 10 of the Atomic Energy Act of 1954 (42 U.S.C. 2131 et seq.), as amended by section 3176 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2215), is amended in the matter following section 111 by inserting before “a. The Commission” the following: “**SEC. 112. DOMESTIC MEDICAL ISOTOPE PRODUCTION.**—”.

#### TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

#### SEC. 3201. AUTHORIZATION.

There is authorized to be appropriated for fiscal year 2014 \$29,915,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

#### SEC. 3202. IMPROVEMENTS TO THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

(a) **COST-BENEFIT ANALYSIS.**—Subsection (a) of section 315 of the Atomic Energy Act of 1954 (42 U.S.C. 2286d(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

“(3) The Secretary may request an analysis from the Board regarding the costs and benefits of any draft or final recommendation. If the Secretary requests such an analysis, the Board shall transmit to the Secretary such analysis by not later than 30 days after the date of the request. The Board shall make such analysis available to the public when the associated recommendation is made available to the public under subsection (b) or promptly thereafter. Additionally, if the Secretary requests such an analysis, the Secretary shall conduct an analysis of the costs and benefits of the recommendation and make such analysis available

to the public together with the response of the Secretary to the Board under subsection (c).”.

(b) **RECOMMENDATIONS.**—Paragraph (5) of section 312(b) of such Act (42 U.S.C. 2286a(b)(5)) is amended to read as follows:

“(5) **RECOMMENDATIONS.**—The Board shall make such recommendations to the Secretary of Energy with respect to Department of Energy defense nuclear facilities, including operations of such facilities, standards, and research needs, as the Board determines are necessary to ensure adequate protection of public health and safety. In making its recommendations, the Board shall—

“(A) use rigorous, quantitative analysis;

“(B) specifically assess risk (whenever sufficient data exists);

“(C) specifically assess the use of various administrative, passive, and engineered controls for implementing the recommended measures; and

“(D) specifically assess the technical and economic feasibility of implementing the recommended measures.”.

#### **TITLE XXXIV—NAVAL PETROLEUM RESERVES**

##### **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

(a) **AMOUNT.**—There are hereby authorized to be appropriated to the Secretary of Energy \$20,000,000 for fiscal year 2014 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) **PERIOD OF AVAILABILITY.**—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

#### **TITLE XXXV—MARITIME ADMINISTRATION**

##### **SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SECURITY ASPECTS OF THE MERCHANT MARINE FOR FISCAL YEAR 2014.**

Funds are hereby authorized to be appropriated for fiscal year 2014, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, \$81,268,000, of which—

(A) \$67,268,000 shall remain available until expended for Academy operations; and

(B) \$14,000,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, \$17,100,000, of which—

(A) \$2,400,000 shall remain available until expended for student incentive payments;

(B) \$3,600,000 shall remain available until expended for direct payments to such academies; and

(C) \$11,100,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, \$2,000,000, to remain available until expended.

(4) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, \$183,000,000.

(5) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, \$72,655,000, of which \$2,655,000 shall remain available until expended for administrative expenses of the program.

##### **SEC. 3502. 5-YEAR REAUTHORIZATION OF VESSEL WAR RISK INSURANCE PROGRAM.**

Section 53912 of title 46, United States Code, is amended by striking “December 31, 2015” and inserting “December 31, 2020”.

##### **SEC. 3503. SENSE OF CONGRESS.**

(a) **FINDINGS.**—Congress finds the following:

(1) It is in the interest of United States national security that the United States merchant marine, both ships and mariners, serve as a naval auxiliary in times of war or national emergency.

(2) The readiness of the United States merchant fleet should be augmented by a Government-owned reserve fleet comprised of ships with national defense features that may not be available immediately in sufficient numbers or types in the active United States-owned, United States-flagged, and United States-crewed commercial industry.

(3) The Ready Reserve Force of the Maritime Administration, a component of the National Defense Reserve Fleet, plays an important role in United States national security by providing necessary readiness and efficiency in the form of a Government-owned sealift fleet.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) maintaining a United States shipbuilding base is critical to meeting United States national security requirements;

(2) it is of vital importance that the Ready Reserve Force of the Maritime Administration remains capable, modern, and efficient in order to best serve the national security needs of the United States in times of war or national emergency;

(3) Federal agencies must consider investment options for replacing aging vessels within the Ready Reserve Force to meet future operational commitments;

(4) investment in recapitalizing the Ready Reserve Force may include—

(A) construction of dual-use vessels, based on need, for use in the America's Marine Highway Program of the Department of Transportation, as a recent study performed under a cooperative agreement between the Maritime Administration and the Navy demonstrated that dual-use vessels transporting domestic freight between United States ports could be called upon to supplement sealift capacity;

(B) construction of tanker vessels to meet military transport needs; and

(C) construction of vessels for use in transporting potential new energy exports; and

(5) the Department of Transportation, in consultation with the Navy, should pursue the most cost-effective means of recapitalizing the Ready Reserve Force, including by promoting the building of new vessels that are militarily useful and commercially viable.

#### **DIVISION D—FUNDING TABLES**

##### **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.**

(a) **IN GENERAL.**—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) **MERIT-BASED DECISIONS.**—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) **RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.**—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) **APPLICABILITY TO CLASSIFIED ANNEX.**—This section applies to any classified annex that accompanies this Act.

(e) **ORAL AND WRITTEN COMMUNICATIONS.**—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

#### **TITLE XLI—PROCUREMENT**

##### **SEC. 4101. PROCUREMENT.**

#### **SEC. 4101. PROCUREMENT (In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
<b>AIRCRAFT PROCUREMENT, ARMY FIXED WING</b>			
001	UTILITY F/W AIRCRAFT .....	19,730	19,730
002	AERIAL COMMON SENSOR (ACS) (MIP) .....	142,050	142,050
003	MQ-1 UAV .....	518,460	518,460
004	RQ-11 (RAVEN) .....	10,772	10,772
<b>ROTARY</b>			
005	HELICOPTER, LIGHT UTILITY (LUH) .....	96,227	231,327
	Program increase for additional aircraft .....		[115,100]
	Program increase for fielding .....		[20,000]
006	AH-64 APACHE BLOCK IIIA REMAN .....	608,469	608,469
007	ADVANCE PROCUREMENT (CY) .....	150,931	150,931
011	UH-60 BLACKHAWK M MODEL (MYP) .....	1,046,976	1,046,976
012	ADVANCE PROCUREMENT (CY) .....	116,001	116,001

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
013	CH-47 HELICOPTER .....	801,650	801,650
014	ADVANCE PROCUREMENT (CY) .....	98,376	98,376
	<b>MODIFICATION OF AIRCRAFT</b>		
015	MQ-1 PAYLOAD—UAS .....	97,781	97,781
016	GUARDRAIL MODS (MIP) .....	10,262	10,262
017	MULTI SENSOR ABN RECON (MIP) .....	12,467	12,467
018	AH-64 MODS .....	53,559	53,559
019	CH-47 CARGO HELICOPTER MODS (MYP) .....	149,764	149,764
020	UTILITY/CARGO AIRPLANE MODS .....	17,500	17,500
021	UTILITY HELICOPTER MODS .....	74,095	74,095
022	KIOWA MODS WARRIOR .....	184,044	184,044
023	NETWORK AND MISSION PLAN .....	152,569	152,569
024	COMMS, NAV SURVEILLANCE .....	92,779	92,779
025	GATM ROLLUP .....	65,613	65,613
026	RQ-7 UAV MODS .....	121,902	121,902
	<b>GROUND SUPPORT AVIONICS</b>		
027	AIRCRAFT SURVIVABILITY EQUIPMENT .....	47,610	47,610
028	SURVIVABILITY CM .....	5,700	5,700
029	CMWS .....	126,869	126,869
	<b>OTHER SUPPORT</b>		
030	AVIONICS SUPPORT EQUIPMENT .....	6,809	6,809
031	COMMON GROUND EQUIPMENT .....	65,397	65,397
032	AIRCREW INTEGRATED SYSTEMS .....	45,841	45,841
033	AIR TRAFFIC CONTROL .....	79,692	79,692
034	INDUSTRIAL FACILITIES .....	1,615	1,615
035	LAUNCHER, 2.75 ROCKET .....	2,877	2,877
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY</b> .....	<b>5,024,387</b>	<b>5,159,487</b>
	<b>MISSILE PROCUREMENT, ARMY</b>		
	<b>SURFACE-TO-AIR MISSILE SYSTEM</b>		
002	MSE MISSILE .....	540,401	540,401
	<b>AIR-TO-SURFACE MISSILE SYSTEM</b>		
003	HELLFIRE SYS SUMMARY .....	4,464	4,464
	<b>ANTI-TANK/ASSAULT MISSILE SYS</b>		
004	JAVELIN (AAWS-M) SYSTEM SUMMARY .....	110,510	110,510
005	TOW 2 SYSTEM SUMMARY .....	49,354	49,354
006	ADVANCE PROCUREMENT (CY) .....	19,965	19,965
007	GUIDED MLRS ROCKET (GMLRS) .....	237,216	237,216
008	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR) .....	19,022	19,022
	<b>MODIFICATIONS</b>		
010	PATRIOT MODS .....	256,438	256,438
011	STINGER MODS .....	37,252	37,252
012	ITAS/TOW MODS .....	20,000	20,000
013	MLRS MODS .....	11,571	11,571
014	HIMARS MODIFICATIONS .....	6,105	6,105
	<b>SPARES AND REPAIR PARTS</b>		
015	SPARES AND REPAIR PARTS .....	11,222	11,222
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
016	AIR DEFENSE TARGETS .....	3,530	3,530
017	ITEMS LESS THAN \$5.0M (MISSILES) .....	1,748	1,748
018	PRODUCTION BASE SUPPORT .....	5,285	5,285
	<b>TOTAL MISSILE PROCUREMENT, ARMY</b> .....	<b>1,334,083</b>	<b>1,334,083</b>
	<b>PROCUREMENT OF W&amp;TCV, ARMY</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
001	STRYKER VEHICLE .....	374,100	374,100
	<b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>		
002	STRYKER (MOD) .....	20,522	20,522
003	FIST VEHICLE (MOD) .....	29,965	29,965
004	BRADLEY PROGRAM (MOD) .....	158,000	158,000
005	HOWITZER, MED SP FT 155MM M109A6 (MOD) .....	4,769	4,769
006	PALADIN INTEGRATED MANAGEMENT (PIM) .....	260,177	260,177
007	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) .....	111,031	186,031
	Program increase .....		[75,000]
008	ASSAULT BRIDGE (MOD) .....	2,500	2,500
009	ASSAULT BREACHER VEHICLE .....	62,951	93,951
	Program increase .....		[31,000]
010	M88 FOV MODS .....	28,469	28,469
011	JOINT ASSAULT BRIDGE .....	2,002	2,002
012	M1 ABRAMS TANK (MOD) .....	178,100	178,100
013	ABRAMS UPGRADE PROGRAM .....		168,000
	Program increase .....		[168,000]
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
014	PRODUCTION BASE SUPPORT (TCV-WTCV) .....	1,544	1,544
	<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>		
015	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY .....	69,147	8,147
	Funding ahead of need .....		[-50,000]
	Transfer to PE 64601A per Army's request .....		[-11,000]
018	MORTAR SYSTEMS .....	5,310	5,310

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
019	XM320 GRENADE LAUNCHER MODULE (GLM) .....	24,049	24,049
021	CARBINE .....	70,846	48,846
	Funding ahead of need .....		[-22,000]
023	COMMON REMOTELY OPERATED WEAPONS STATION .....	56,580	56,580
024	HANDGUN .....	300	300
	<b>MOD OF WEAPONS AND OTHER COMBAT VEH</b>		
026	M777 MODS .....	39,300	39,300
027	M4 CARBINE MODS .....	10,300	10,300
028	M2 50 CAL MACHINE GUN MODS .....	33,691	33,691
029	M249 SAW MACHINE GUN MODS .....	7,608	7,608
030	M240 MEDIUM MACHINE GUN MODS .....	2,719	2,719
031	SNIPER RIFLES MODIFICATIONS .....	7,017	7,017
032	M119 MODIFICATIONS .....	18,707	18,707
033	M16 RIFLE MODS .....	2,136	2,136
034	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV) .....	1,569	1,569
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
035	ITEMS LESS THAN \$5.0M (WOCV-WTCV) .....	2,024	2,024
036	PRODUCTION BASE SUPPORT (WOCV-WTCV) .....	10,108	10,108
037	INDUSTRIAL PREPAREDNESS .....	459	459
038	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG) .....	1,267	1,267
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY</b> .....	<b>1,597,267</b>	<b>1,788,267</b>
	<b>PROCUREMENT OF AMMUNITION, ARMY</b>		
	<b>SMALL/MEDIUM CAL AMMUNITION</b>		
002	CTG, 5.56MM, ALL TYPES .....	112,167	87,167
	Unit cost efficiencies—Army requested reduction .....		[-25,000]
003	CTG, 7.62MM, ALL TYPES .....	58,571	53,571
	Unit cost efficiencies—Army requested reduction .....		[-5,000]
004	CTG, HANDGUN, ALL TYPES .....	9,858	9,858
005	CTG, .50 CAL, ALL TYPES .....	80,037	55,037
	Unit cost efficiencies—Army requested reduction .....		[-25,000]
007	CTG, 25MM, ALL TYPES .....	16,496	16,496
008	CTG, 30MM, ALL TYPES .....	69,533	50,033
	Unit cost efficiencies—Army requested reduction .....		[-19,500]
009	CTG, 40MM, ALL TYPES .....	55,781	55,781
	<b>MORTAR AMMUNITION</b>		
010	60MM MORTAR, ALL TYPES .....	38,029	38,029
011	81MM MORTAR, ALL TYPES .....	24,656	24,656
012	120MM MORTAR, ALL TYPES .....	60,781	60,781
	<b>TANK AMMUNITION</b>		
013	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES .....	121,551	121,551
	<b>ARTILLERY AMMUNITION</b>		
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES .....	39,825	39,825
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES .....	37,902	37,902
016	PROJ 155MM EXTENDED RANGE M982 .....	67,896	67,896
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....	71,205	71,205
	<b>ROCKETS</b>		
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....	1,012	1,012
021	ROCKET, HYDRA 70, ALL TYPES .....	108,476	108,476
	<b>OTHER AMMUNITION</b>		
022	DEMOLITION MUNITIONS, ALL TYPES .....	24,074	24,074
023	GRENADES, ALL TYPES .....	33,242	33,242
024	SIGNALS, ALL TYPES .....	7,609	7,609
025	SIMULATORS, ALL TYPES .....	5,228	5,228
	<b>MISCELLANEOUS</b>		
026	AMMO COMPONENTS, ALL TYPES .....	16,700	16,700
027	NON-LETHAL AMMUNITION, ALL TYPES .....	7,366	7,366
028	CAD/PAD ALL TYPES .....	3,614	3,614
029	ITEMS LESS THAN \$5 MILLION (AMMO) .....	12,423	12,423
030	AMMUNITION PECULIAR EQUIPMENT .....	16,604	16,604
031	FIRST DESTINATION TRANSPORTATION (AMMO) .....	14,328	14,328
032	CLOSEOUT LIABILITIES .....	108	108
	<b>PRODUCTION BASE SUPPORT</b>		
033	PROVISION OF INDUSTRIAL FACILITIES .....	242,324	242,324
034	CONVENTIONAL MUNITIONS DEMILITARIZATION .....	179,605	179,605
035	ARMS INITIATIVE .....	3,436	3,436
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY</b> .....	<b>1,540,437</b>	<b>1,465,937</b>
	<b>OTHER PROCUREMENT, ARMY</b>		
	<b>TACTICAL VEHICLES</b>		
001	TACTICAL TRAILERS/DOLLY SETS .....	4,000	4,000
002	SEMITRAILERS, FLATBED: .....	6,841	6,841
003	FAMILY OF MEDIUM TACTICAL VEH (FMTV) .....	223,910	223,910
004	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP .....	11,880	11,880
005	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....	14,731	14,731
006	PLS ESP .....	44,252	44,252
009	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV .....	39,525	39,525
011	TACTICAL WHEELED VEHICLE PROTECTION KITS .....	51,258	25,958
	Funding ahead of need .....		[-25,300]

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
012	MODIFICATION OF IN SVC EQUIP .....	49,904	49,904
013	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS .....	2,200	2,200
	<b>NON-TACTICAL VEHICLES</b>		
014	HEAVY ARMORED SEDAN .....	400	400
015	PASSENGER CARRYING VEHICLES .....	716	716
016	NONTACTICAL VEHICLES, OTHER .....	5,619	5,619
	<b>COMM—JOINT COMMUNICATIONS</b>		
018	WIN-T—GROUND FORCES TACTICAL NETWORK .....	973,477	973,477
019	SIGNAL MODERNIZATION PROGRAM .....	14,120	14,120
020	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY .....	7,869	7,869
021	JCSE EQUIPMENT (USREDCOM) .....	5,296	5,296
	<b>COMM—SATELLITE COMMUNICATIONS</b>		
022	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS .....	147,212	147,212
023	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS .....	7,998	7,998
024	SHF TERM .....	7,232	7,232
025	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE) .....	3,308	3,308
026	SMART-T (SPACE) .....	13,992	13,992
028	GLOBAL BRDCST SVC—GBS .....	28,206	28,206
029	MOD OF IN-SVC EQUIP (TAC SAT) .....	2,778	2,778
	<b>COMM—C3 SYSTEM</b>		
031	ARMY GLOBAL CMD & CONTROL SYS (AGCCS) .....	17,590	17,590
	<b>COMM—COMBAT COMMUNICATIONS</b>		
032	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO) .....	786	786
033	JOINT TACTICAL RADIO SYSTEM .....	382,930	382,930
034	MID-TIER NETWORKING VEHICULAR RADIO (MNVF) .....	19,200	19,200
035	RADIO TERMINAL SET, MIDS LVT(2) .....	1,438	1,438
036	SINGGARS FAMILY .....	9,856	9,856
037	AMC CRITICAL ITEMS—OPA2 .....	14,184	14,184
038	TRACTOR DESK .....	6,271	6,271
040	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS .....	1,030	1,030
041	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM .....	31,868	31,868
042	UNIFIED COMMAND SUITE .....	18,000	18,000
044	RADIO, IMPROVED HF (COTS) FAMILY .....	1,166	1,166
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE .....	22,867	22,867
	<b>COMM—INTELLIGENCE COMM</b>		
048	CI AUTOMATION ARCHITECTURE .....	1,512	1,512
049	ARMY CA/MISO GPF EQUIPMENT .....	61,096	61,096
	<b>INFORMATION SECURITY</b>		
050	TSEC—ARMY KEY MGT SYS (AKMS) .....	13,890	13,890
051	INFORMATION SYSTEM SECURITY PROGRAM-ISSP .....	23,245	23,245
052	BIOMETRICS ENTERPRISE .....	3,800	3,800
053	COMMUNICATIONS SECURITY (COMSEC) .....	24,711	24,711
	<b>COMM—LONG HAUL COMMUNICATIONS</b>		
055	BASE SUPPORT COMMUNICATIONS .....	43,395	43,395
	<b>COMM—BASE COMMUNICATIONS</b>		
057	INFORMATION SYSTEMS .....	104,577	104,577
058	DEFENSE MESSAGE SYSTEM (DMS) .....	612	612
059	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM .....	39,000	39,000
060	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....	248,477	248,477
	<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>		
064	JTT/CIBS-M .....	824	824
065	PROPHET GROUND .....	59,198	59,198
067	DCGS-A (MIP) .....	267,214	267,214
068	JOINT TACTICAL GROUND STATION (JTAGS) .....	9,899	9,899
069	TROJAN (MIP) .....	24,598	24,598
070	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP) .....	1,927	1,927
071	CI HUMINT AUTO REPRTING AND COLL(CHARCS) .....	6,169	6,169
072	MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M .....	2,924	2,924
	<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>		
074	LIGHTWEIGHT COUNTER MORTAR RADAR .....	40,735	40,735
075	EW PLANNING & MANAGEMENT TOOLS (EWPMT) .....	13	13
076	ENEMY UAS .....	2,800	2,800
079	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES .....	1,237	1,237
080	CI MODERNIZATION .....	1,399	1,399
	<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>		
082	SENTINEL MODS .....	47,983	47,983
083	SENSE THROUGH THE WALL (STTW) .....	142	142
084	NIGHT VISION DEVICES .....	202,428	202,428
085	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM .....	5,183	5,183
086	NIGHT VISION, THERMAL WPN SIGHT .....	14,074	14,074
087	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF .....	22,300	22,300
089	GREEN LASER INTERDICTION SYSTEM (GLIS) .....	1,016	1,016
090	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS .....	55,354	55,354
091	ARTILLERY ACCURACY EQUIP .....	800	800
092	PROFILER .....	3,027	3,027
093	MOD OF IN-SVC EQUIP (FIREFINDER RADARS) .....	1,185	1,185
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P) .....	103,214	103,214
096	MOD OF IN-SVC EQUIP (LLDR) .....	26,037	26,037
097	MORTAR FIRE CONTROL SYSTEM .....	23,100	23,100



**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
098	COUNTERFIRE RADARS .....	312,727	312,727
	<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>		
101	FIRE SUPPORT C2 FAMILY .....	43,228	43,228
102	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM .....	14,446	14,446
103	FAAD C2 .....	4,607	4,607
104	AIR & MSL DEFENSE PLANNING & CONTROL SYS .....	33,090	33,090
105	IAMD BATTLE COMMAND SYSTEM .....	21,200	21,200
107	LIFE CYCLE SOFTWARE SUPPORT (LCSS) .....	1,795	1,795
109	NETWORK MANAGEMENT INITIALIZATION AND SERVICE .....	54,327	54,327
110	MANEUVER CONTROL SYSTEM (MCS) .....	59,171	59,171
111	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A) .....	83,936	83,936
113	LOGISTICS AUTOMATION .....	25,476	25,476
114	RECONNAISSANCE AND SURVEYING INSTRUMENT SET .....	19,341	19,341
	<b>ELECT EQUIP—AUTOMATION</b>		
115	ARMY TRAINING MODERNIZATION .....	11,865	11,865
116	AUTOMATED DATA PROCESSING EQUIP .....	219,431	219,431
117	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM .....	6,414	6,414
118	HIGH PERF COMPUTING MOD PGM (HPCMP) .....	62,683	62,683
120	RESERVE COMPONENT AUTOMATION SYS (RCAS) .....	34,951	34,951
	<b>ELECT EQUIP—AUDIO VISUAL SYS (A/V)</b>		
121	ITEMS LESS THAN \$5.0M (A/V) .....	7,440	7,440
122	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT) .....	1,615	1,615
	<b>ELECT EQUIP—SUPPORT</b>		
123	PRODUCTION BASE SUPPORT (C-E) .....	554	554
124	BCT EMERGING TECHNOLOGIES .....	20,000	20,000
	<b>CLASSIFIED PROGRAMS</b>		
124A	CLASSIFIED PROGRAMS .....	3,558	3,558
	<b>CHEMICAL DEFENSIVE EQUIPMENT</b>		
126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE) .....	762	762
127	BASE DEFENSE SYSTEMS (BDS) .....	20,630	20,630
128	CBRN DEFENSE .....	22,151	22,151
	<b>BRIDGING EQUIPMENT</b>		
130	TACTICAL BRIDGING .....	14,188	14,188
131	TACTICAL BRIDGE, FLOAT-RIBBON .....	23,101	23,101
132	COMMON BRIDGE TRANSPORTER (CBT) RECAP .....	15,416	15,416
	<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>		
134	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS) .....	50,465	50,465
135	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS) .....	6,490	6,490
136	EOD ROBOTICS SYSTEMS RECAPITALIZATION .....	1,563	1,563
137	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT) .....	20,921	20,921
138	REMOTE DEMOLITION SYSTEMS .....	100	100
139	< \$5M, COUNTERMINE EQUIPMENT .....	2,271	2,271
	<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>		
140	HEATERS AND ECU'S .....	7,269	7,269
141	LAUNDRIES, SHOWERS AND LATRINES .....	200	200
142	SOLDIER ENHANCEMENT .....	1,468	1,468
143	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS) .....	26,526	26,526
144	GROUND SOLDIER SYSTEM .....	81,680	71,680
	Unjustified unit cost growth .....		[-10,000]
147	FIELD FEEDING EQUIPMENT .....	28,096	28,096
148	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM .....	56,150	56,150
149	MORTUARY AFFAIRS SYSTEMS .....	3,242	3,242
150	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS .....	38,141	38,141
151	ITEMS LESS THAN \$5M (ENG SPT) .....	5,859	5,859
	<b>PETROLEUM EQUIPMENT</b>		
152	DISTRIBUTION SYSTEMS, PETROLEUM & WATER .....	60,612	60,612
	<b>MEDICAL EQUIPMENT</b>		
153	COMBAT SUPPORT MEDICAL .....	22,042	22,042
154	MEDEVAC MISSION EQUIPMENT PACKAGE (MEP) .....	35,318	35,318
	<b>MAINTENANCE EQUIPMENT</b>		
155	MOBILE MAINTENANCE EQUIPMENT SYSTEMS .....	19,427	19,427
156	ITEMS LESS THAN \$5.0M (MAINT EQ) .....	3,860	3,860
	<b>CONSTRUCTION EQUIPMENT</b>		
157	GRADER, ROAD MTZD, HVY, 6X4 (CCE) .....	2,000	2,000
159	SCRAPERS, EARTHMOVING .....	36,078	36,078
160	MISSION MODULES—ENGINEERING .....	9,721	9,721
162	HYDRAULIC EXCAVATOR .....	50,122	50,122
163	TRACTOR, FULL TRACKED .....	28,828	28,828
164	ALL TERRAIN CRANES .....	19,863	19,863
166	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) .....	23,465	23,465
168	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP .....	13,590	13,590
169	CONST EQUIP ESP .....	16,088	16,088
170	ITEMS LESS THAN \$5.0M (CONST EQUIP) .....	6,850	6,850
	<b>RAIL FLOAT CONTAINERIZATION EQUIPMENT</b>		
171	ARMY WATERCRAFT ESP .....	38,007	19,007
	Funding ahead of need .....		[-19,000]
172	ITEMS LESS THAN \$5.0M (FLOAT/RAIL) .....	10,605	10,605
	<b>GENERATORS</b>		
173	GENERATORS AND ASSOCIATED EQUIP .....	129,437	129,437

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<b>MATERIAL HANDLING EQUIPMENT</b>			
174	ROUGH TERRAIN CONTAINER HANDLER (RTCH) .....	1,250	1,250
175	FAMILY OF FORKLIFTS .....	8,260	8,260
<b>TRAINING EQUIPMENT</b>			
176	COMBAT TRAINING CENTERS SUPPORT .....	121,710	121,710
177	TRAINING DEVICES, NONSYSTEM .....	225,200	225,200
178	CLOSE COMBAT TACTICAL TRAINER .....	30,063	30,063
179	AVIATION COMBINED ARMS TACTICAL TRAINER .....	34,913	34,913
180	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING .....	9,955	9,955
<b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>			
181	CALIBRATION SETS EQUIPMENT .....	8,241	8,241
182	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) .....	67,506	67,506
183	TEST EQUIPMENT MODERNIZATION (TEMOD) .....	18,755	18,755
<b>OTHER SUPPORT EQUIPMENT</b>			
184	M25 STABILIZED BINOCULAR .....	5,110	5,110
185	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT .....	5,110	5,110
186	PHYSICAL SECURITY SYSTEMS (OPA3) .....	62,904	62,904
187	BASE LEVEL COMMON EQUIPMENT .....	1,427	1,427
188	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3) .....	96,661	96,661
189	PRODUCTION BASE SUPPORT (OTH) .....	2,450	2,450
190	SPECIAL EQUIPMENT FOR USER TESTING .....	11,593	11,593
191	AMC CRITICAL ITEMS OPA3 .....	8,948	8,948
192	TRACTOR YARD .....	8,000	8,000
<b>OPA2</b>			
195	INITIAL SPARES—C&E .....	59,700	59,700
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>6,465,218</b>	<b>6,410,918</b>
<b>AIRCRAFT PROCUREMENT, NAVY</b>			
<b>COMBAT AIRCRAFT</b>			
001	EA-18G .....	2,001,787	1,956,787
	Program adjustment .....		[-45,000]
003	F/A-18E/F (FIGHTER) HORNET .....	206,551	206,551
004	ADVANCE PROCUREMENT (CY) .....		75,000
	Program increase .....		[75,000]
005	JOINT STRIKE FIGHTER CV .....	1,135,444	1,135,444
006	ADVANCE PROCUREMENT (CY) .....	94,766	94,766
007	JSF STOVL .....	1,267,260	1,267,260
008	ADVANCE PROCUREMENT (CY) .....	103,195	103,195
009	V-22 (MEDIUM LIFT) .....	1,432,573	1,432,573
010	ADVANCE PROCUREMENT (CY) .....	55,196	55,196
011	H-1 UPGRADES (UH-1Y/AH-1Z) .....	749,962	749,962
012	ADVANCE PROCUREMENT (CY) .....	71,000	71,000
013	MH-60S (MYP) .....	383,831	383,831
014	ADVANCE PROCUREMENT (CY) .....	37,278	37,278
015	MH-60R (MYP) .....	599,237	599,237
016	ADVANCE PROCUREMENT (CY) .....	231,834	231,834
017	P-8A POSEIDON .....	3,189,989	3,189,989
018	ADVANCE PROCUREMENT (CY) .....	313,160	313,160
019	E-2D ADV HAWKEYE .....	997,107	962,107
	Unjustified CRI Funding .....		[-35,000]
020	ADVANCE PROCUREMENT (CY) .....	266,542	266,542
<b>TRAINER AIRCRAFT</b>			
021	JPATS .....	249,080	249,080
<b>OTHER AIRCRAFT</b>			
022	KC-130J .....	134,358	134,358
023	ADVANCE PROCUREMENT (CY) .....	32,288	32,288
025	ADVANCE PROCUREMENT (CY) .....	52,002	52,002
026	MQ-8 UAV .....	60,980	60,980
028	OTHER SUPPORT AIRCRAFT .....	14,958	14,958
<b>MODIFICATION OF AIRCRAFT</b>			
029	EA-6 SERIES .....	18,577	18,577
030	AEA SYSTEMS .....	48,502	48,502
031	AV-8 SERIES .....	41,575	41,575
032	ADVERSARY .....	2,992	2,992
033	F-18 SERIES .....	875,371	875,371
034	H-46 SERIES .....	2,127	2,127
036	H-53 SERIES .....	67,675	67,675
037	SH-60 SERIES .....	135,054	135,054
038	H-1 SERIES .....	41,706	41,706
039	EP-3 SERIES .....	55,903	77,903
	12th Aircraft Spiral 3 Upgrade .....		[8,000]
	Multi-INT Sensor Kits & Installation .....		[14,000]
040	P-3 SERIES .....	37,436	37,436
041	E-2 SERIES .....	31,044	31,044
042	TRAINER A/C SERIES .....	43,720	43,720
043	C-2A .....	902	902
044	C-130 SERIES .....	47,587	47,587
045	FEWSG .....	665	665
046	CARGO/TRANSPORT A/C SERIES .....	14,587	14,587

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047	E-6 SERIES .....	189,312	189,312
048	EXECUTIVE HELICOPTERS SERIES .....	85,537	85,537
049	SPECIAL PROJECT AIRCRAFT .....	3,684	16,684
	Engineering and Technical Services Support .....		[8,000]
	Multi-INT Sensor Kits & Installation .....		[5,000]
050	T-45 SERIES .....	98,128	98,128
051	POWER PLANT CHANGES .....	22,999	22,999
052	JPATS SERIES .....	1,576	1,576
053	AVIATION LIFE SUPPORT MODS .....	6,267	6,267
054	COMMON ECM EQUIPMENT .....	141,685	141,685
055	COMMON AVIONICS CHANGES .....	120,660	120,660
056	COMMON DEFENSIVE WEAPON SYSTEM .....	3,554	3,554
057	ID SYSTEMS .....	41,800	41,800
058	P-8 SERIES .....	9,485	9,485
059	MAGTF EW FOR AVIATION .....	14,431	14,431
060	MQ-8 SERIES .....	1,001	1,001
061	RQ-7 SERIES .....	26,433	26,433
062	V-22 (TILT/ROTOR ACFT) OSPREY .....	160,834	160,834
063	F-35 STOVL SERIES .....	147,130	147,130
064	F-35 CV SERIES .....	31,100	31,100
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
065	SPARES AND REPAIR PARTS .....	1,142,461	1,142,461
	<b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>		
066	COMMON GROUND EQUIPMENT .....	410,044	410,044
067	AIRCRAFT INDUSTRIAL FACILITIES .....	27,450	27,450
068	WAR CONSUMABLES .....	28,930	28,930
069	OTHER PRODUCTION CHARGES .....	5,268	5,268
070	SPECIAL SUPPORT EQUIPMENT .....	60,306	60,306
071	FIRST DESTINATION TRANSPORTATION .....	1,775	1,775
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY .....</b>	<b>17,927,651</b>	<b>17,957,651</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>MODIFICATION OF MISSILES</b>		
001	TRIDENT II MODS .....	1,140,865	1,126,765
	Equipment related to New START treaty implementation .....		[-14,100]
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
002	MISSILE INDUSTRIAL FACILITIES .....	7,617	7,617
	<b>STRATEGIC MISSILES</b>		
003	TOMAHAWK .....	312,456	312,456
	<b>TACTICAL MISSILES</b>		
004	AMRAAM .....	95,413	95,413
005	SIDEWINDER .....	117,208	117,208
006	JSOW .....	136,794	136,794
007	STANDARD MISSILE .....	367,985	367,985
008	RAM .....	67,596	67,596
009	HELLFIRE .....	33,916	33,916
010	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM) .....	6,278	6,278
011	AERIAL TARGETS .....	41,799	41,799
012	OTHER MISSILE SUPPORT .....	3,538	3,538
	<b>MODIFICATION OF MISSILES</b>		
013	ESSM .....	76,749	76,749
014	HARM MODS .....	111,902	111,902
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
015	WEAPONS INDUSTRIAL FACILITIES .....	1,138	1,138
016	FLEET SATELLITE COMM FOLLOW-ON .....	23,014	23,014
	<b>ORDNANCE SUPPORT EQUIPMENT</b>		
017	ORDNANCE SUPPORT EQUIPMENT .....	84,318	84,318
	<b>TORPEDOES AND RELATED EQUIP</b>		
018	SSTD .....	3,978	3,978
019	ASW TARGETS .....	8,031	8,031
	<b>MOD OF TORPEDOES AND RELATED EQUIP</b>		
020	MK-54 TORPEDO MODS .....	125,898	125,898
021	MK-48 TORPEDO ADCAP MODS .....	53,203	53,203
022	QUICKSTRIKE MINE .....	7,800	7,800
	<b>SUPPORT EQUIPMENT</b>		
023	TORPEDO SUPPORT EQUIPMENT .....	59,730	59,730
024	ASW RANGE SUPPORT .....	4,222	4,222
	<b>DESTINATION TRANSPORTATION</b>		
025	FIRST DESTINATION TRANSPORTATION .....	3,963	3,963
	<b>GUNS AND GUN MOUNTS</b>		
026	SMALL ARMS AND WEAPONS .....	12,513	12,513
	<b>MODIFICATION OF GUNS AND GUN MOUNTS</b>		
027	CIWS MODS .....	56,308	56,308
028	COAST GUARD WEAPONS .....	10,727	10,727
029	GUN MOUNT MODS .....	72,901	72,901
030	CRUISER MODERNIZATION WEAPONS .....	1,943	1,943
031	AIRBORNE MINE NEUTRALIZATION SYSTEMS .....	19,758	19,758
	<b>SPARES AND REPAIR PARTS</b>		
033	SPARES AND REPAIR PARTS .....	52,632	52,632

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	<b>TOTAL WEAPONS PROCUREMENT, NAVY</b>	<b>3,122,193</b>	<b>3,108,093</b>
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>		
	<b>NAVY AMMUNITION</b>		
001	GENERAL PURPOSE BOMBS	37,703	37,703
002	AIRBORNE ROCKETS, ALL TYPES	65,411	65,411
003	MACHINE GUN AMMUNITION	20,284	20,284
004	PRACTICE BOMBS	37,870	37,870
005	CARTRIDGES & CART ACTUATED DEVICES	53,764	53,764
006	AIR EXPENDABLE COUNTERMEASURES	67,194	67,194
007	JATOS	2,749	2,749
008	LRLAP 6" LONG RANGE ATTACK PROJECTILE	3,906	3,906
009	5 INCH/54 GUN AMMUNITION	24,151	24,151
010	INTERMEDIATE CALIBER GUN AMMUNITION	33,080	33,080
011	OTHER SHIP GUN AMMUNITION	40,398	40,398
012	SMALL ARMS & LANDING PARTY AMMO	61,219	61,219
013	PYROTECHNIC AND DEMOLITION	10,637	10,637
014	AMMUNITION LESS THAN \$5 MILLION	4,578	4,578
	<b>MARINE CORPS AMMUNITION</b>		
015	SMALL ARMS AMMUNITION	26,297	26,297
016	LINEAR CHARGES, ALL TYPES	6,088	6,088
017	40 MM, ALL TYPES	7,644	7,644
018	60MM, ALL TYPES	3,349	3,349
020	120MM, ALL TYPES	13,361	13,361
022	GRENADES, ALL TYPES	2,149	2,149
023	ROCKETS, ALL TYPES	27,465	27,465
026	FUZE, ALL TYPES	26,366	26,366
028	AMMO MODERNIZATION	8,403	8,403
029	ITEMS LESS THAN \$5 MILLION	5,201	5,201
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b>	<b>589,267</b>	<b>589,267</b>
	<b>SHIPBUILDING &amp; CONVERSION, NAVY</b>		
	<b>OTHER WARSHIPS</b>		
001	CARRIER REPLACEMENT PROGRAM	944,866	944,866
003	VIRGINIA CLASS SUBMARINE	2,930,704	3,422,704
	Increase to Virginia class		[492,000]
004	ADVANCE PROCUREMENT (CY)	2,354,612	2,354,612
005	CVN REFUELING OVERHAULS	1,705,424	1,705,424
006	ADVANCE PROCUREMENT (CY)	245,793	245,793
007	DDG 1000	231,694	310,994
	Increase to DDG 1000		[79,300]
008	DDG-51	1,615,564	1,615,564
009	ADVANCE PROCUREMENT (CY)	388,551	388,551
010	LITTORAL COMBAT SHIP	1,793,014	1,793,014
	<b>AMPHIBIOUS SHIPS</b>		
012	AFLOAT FORWARD STAGING BASE	524,000	524,000
014	JOINT HIGH SPEED VESSEL	2,732	2,732
	<b>AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST</b>		
016	ADVANCE PROCUREMENT (CY)	183,900	183,900
017	OUTFITTING	450,163	450,163
019	LCAC SLEP	80,987	80,987
020	COMPLETION OF PY SHIPBUILDING PROGRAMS	625,800	988,800
	DDG-51		[332,000]
	Joint High Speed Vessel		[7,600]
	MTS		[23,400]
	<b>TOTAL SHIPBUILDING &amp; CONVERSION, NAVY</b>	<b>14,077,804</b>	<b>15,012,104</b>
	<b>OTHER PROCUREMENT, NAVY</b>		
	<b>SHIP PROPULSION EQUIPMENT</b>		
001	LM-2500 GAS TURBINE	10,180	10,180
002	ALLISON 501K GAS TURBINE	5,536	5,536
003	HYBRID ELECTRIC DRIVE (HED)	16,956	16,956
	<b>GENERATORS</b>		
004	SURFACE COMBATANT HM&E	19,782	19,782
	<b>NAVIGATION EQUIPMENT</b>		
005	OTHER NAVIGATION EQUIPMENT	39,509	39,509
	<b>PERISCOPES</b>		
006	SUB PERISCOPES & IMAGING EQUIP	52,515	52,515
	<b>OTHER SHIPBOARD EQUIPMENT</b>		
007	DDG MOD	285,994	285,994
008	FIREFIGHTING EQUIPMENT	14,389	14,389
009	COMMAND AND CONTROL SWITCHBOARD	2,436	2,436
010	LHA/LHD MIDLIFE	12,700	12,700
011	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	40,329	40,329
012	POLLUTION CONTROL EQUIPMENT	19,603	19,603
013	SUBMARINE SUPPORT EQUIPMENT	8,678	8,678
014	VIRGINIA CLASS SUPPORT EQUIPMENT	74,209	74,209
015	LCS CLASS SUPPORT EQUIPMENT	47,078	47,078
016	SUBMARINE BATTERIES	37,000	37,000

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017	LPD CLASS SUPPORT EQUIPMENT .....	25,053	25,053
018	STRATEGIC PLATFORM SUPPORT EQUIP .....	12,986	12,986
019	DSSP EQUIPMENT .....	2,455	2,455
020	CG MODERNIZATION .....	10,539	10,539
021	LCAC .....	14,431	14,431
022	UNDERWATER EOD PROGRAMS .....	36,700	36,700
023	ITEMS LESS THAN \$5 MILLION .....	119,902	119,902
024	CHEMICAL WARFARE DETECTORS .....	3,678	3,678
025	SUBMARINE LIFE SUPPORT SYSTEM .....	8,292	8,292
	<b>REACTOR PLANT EQUIPMENT</b>		
027	REACTOR COMPONENTS .....	286,744	286,744
	<b>OCEAN ENGINEERING</b>		
028	DIVING AND SALVAGE EQUIPMENT .....	8,780	8,780
	<b>SMALL BOATS</b>		
029	STANDARD BOATS .....	36,452	36,452
	<b>TRAINING EQUIPMENT</b>		
030	OTHER SHIPS TRAINING EQUIPMENT .....	36,145	36,145
	<b>PRODUCTION FACILITIES EQUIPMENT</b>		
031	OPERATING FORCES IPE .....	69,368	69,368
	<b>OTHER SHIP SUPPORT</b>		
032	NUCLEAR ALTERATIONS .....	106,328	106,328
033	LCS COMMON MISSION MODULES EQUIPMENT .....	45,966	45,966
034	LCS MCM MISSION MODULES .....	59,885	59,885
035	LCS SUW MISSION MODULES .....	37,168	37,168
	<b>LOGISTIC SUPPORT</b>		
036	LSD MIDLIFE .....	77,974	77,974
	<b>SHIP SONARS</b>		
038	SPQ-9B RADAR .....	27,934	27,934
039	AN/SQQ-89 SURF ASW COMBAT SYSTEM .....	83,231	83,231
040	SSN ACOUSTICS .....	199,438	199,438
041	UNDERSEA WARFARE SUPPORT EQUIPMENT .....	9,394	9,394
042	SONAR SWITCHES AND TRANSDUCERS .....	12,953	12,953
043	ELECTRONIC WARFARE MILDEC .....	8,958	8,958
	<b>ASW ELECTRONIC EQUIPMENT</b>		
044	SUBMARINE ACOUSTIC WARFARE SYSTEM .....	24,077	24,077
045	SSTD .....	11,925	11,925
046	FIXED SURVEILLANCE SYSTEM .....	94,338	94,338
047	SURTASS .....	9,680	9,680
048	MARITIME PATROL AND RECONNSAISANCE FORCE .....	18,130	18,130
	<b>ELECTRONIC WARFARE EQUIPMENT</b>		
049	AN/SLQ-32 .....	203,375	203,375
	<b>RECONNAISSANCE EQUIPMENT</b>		
050	SHIPBOARD IW EXPLOIT .....	123,656	123,656
051	AUTOMATED IDENTIFICATION SYSTEM (AIS) .....	896	896
	<b>SUBMARINE SURVEILLANCE EQUIPMENT</b>		
052	SUBMARINE SUPPORT EQUIPMENT PROG .....	49,475	49,475
	<b>OTHER SHIP ELECTRONIC EQUIPMENT</b>		
053	COOPERATIVE ENGAGEMENT CAPABILITY .....	34,692	34,692
054	TRUSTED INFORMATION SYSTEM (TIS) .....	396	396
055	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS) .....	15,703	15,703
056	ATDLS .....	3,836	3,836
057	NAVY COMMAND AND CONTROL SYSTEM (NCCS) .....	7,201	7,201
058	MINESWEEPING SYSTEM REPLACEMENT .....	54,400	54,400
059	SHALLOW WATER MCM .....	8,548	8,548
060	NAVSTAR GPS RECEIVERS (SPACE) .....	11,765	11,765
061	AMERICAN FORCES RADIO AND TV SERVICE .....	6,483	6,483
062	STRATEGIC PLATFORM SUPPORT EQUIP .....	7,631	7,631
	<b>TRAINING EQUIPMENT</b>		
063	OTHER TRAINING EQUIPMENT .....	53,644	53,644
	<b>AVIATION ELECTRONIC EQUIPMENT</b>		
064	MATCALS .....	7,461	7,461
065	SHIPBOARD AIR TRAFFIC CONTROL .....	9,140	9,140
066	AUTOMATIC CARRIER LANDING SYSTEM .....	20,798	20,798
067	NATIONAL AIR SPACE SYSTEM .....	19,754	19,754
068	FLEET AIR TRAFFIC CONTROL SYSTEMS .....	8,909	8,909
069	LANDING SYSTEMS .....	13,554	13,554
070	ID SYSTEMS .....	38,934	38,934
071	NAVAL MISSION PLANNING SYSTEMS .....	14,131	14,131
	<b>OTHER SHORE ELECTRONIC EQUIPMENT</b>		
072	DEPLOYABLE JOINT COMMAND & CONTROL .....	3,249	3,249
073	MARITIME INTEGRATED BROADCAST SYSTEM .....	11,646	11,646
074	TACTICAL/MOBILE C4I SYSTEMS .....	18,189	18,189
075	DCGS-N .....	17,350	17,350
076	CANES .....	340,567	340,567
077	RADIAC .....	9,835	9,835
078	CANES-INTELL .....	59,652	59,652
079	GPETE .....	6,253	6,253
080	INTEG COMBAT SYSTEM TEST FACILITY .....	4,963	4,963
081	EMI CONTROL INSTRUMENTATION .....	4,664	4,664

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
082	ITEMS LESS THAN \$5 MILLION .....	66,889	66,889
	<b>SHIPBOARD COMMUNICATIONS</b>		
084	SHIP COMMUNICATIONS AUTOMATION .....	23,877	23,877
086	COMMUNICATIONS ITEMS UNDER \$5M .....	28,001	28,001
	<b>SUBMARINE COMMUNICATIONS</b>		
087	SUBMARINE BROADCAST SUPPORT .....	7,856	7,856
088	SUBMARINE COMMUNICATION EQUIPMENT .....	74,376	74,376
	<b>SATELLITE COMMUNICATIONS</b>		
089	SATELLITE COMMUNICATIONS SYSTEMS .....	27,381	27,381
090	NAVY MULTIBAND TERMINAL (NMT) .....	215,952	215,952
	<b>SHORE COMMUNICATIONS</b>		
091	JCS COMMUNICATIONS EQUIPMENT .....	4,463	4,463
092	ELECTRICAL POWER SYSTEMS .....	778	778
	<b>CRYPTOGRAPHIC EQUIPMENT</b>		
094	INFO SYSTEMS SECURITY PROGRAM (ISSP) .....	133,530	133,530
095	MIO INTEL EXPLOITATION TEAM .....	1,000	1,000
	<b>CRYPTOLOGIC EQUIPMENT</b>		
096	CRYPTOLOGIC COMMUNICATIONS EQUIP .....	12,251	12,251
	<b>OTHER ELECTRONIC SUPPORT</b>		
097	COAST GUARD EQUIPMENT .....	2,893	2,893
	<b>SONOBUOYS</b>		
099	SONOBUOYS—ALL TYPES .....	179,927	179,927
	<b>AIRCRAFT SUPPORT EQUIPMENT</b>		
100	WEAPONS RANGE SUPPORT EQUIPMENT .....	55,279	55,279
101	EXPEDITIONARY AIRFIELDS .....	8,792	8,792
102	AIRCRAFT REARMING EQUIPMENT .....	11,364	11,364
103	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT .....	59,502	59,502
104	METEOROLOGICAL EQUIPMENT .....	19,118	19,118
105	DCRS/DPL .....	1,425	1,425
106	AVIATION LIFE SUPPORT .....	29,670	29,670
107	AIRBORNE MINE COUNTERMEASURES .....	101,554	101,554
108	LAMPS MK III SHIPBOARD EQUIPMENT .....	18,293	18,293
109	PORTABLE ELECTRONIC MAINTENANCE AIDS .....	7,969	7,969
110	OTHER AVIATION SUPPORT EQUIPMENT .....	5,215	5,215
111	AUTONOMIC LOGISTICS INFORMATION SYSTEM (ALIS) .....	4,827	4,827
	<b>SHIP GUN SYSTEM EQUIPMENT</b>		
112	NAVAL FIRES CONTROL SYSTEM .....	1,188	1,188
113	GUN FIRE CONTROL EQUIPMENT .....	4,447	4,447
	<b>SHIP MISSILE SYSTEMS EQUIPMENT</b>		
114	NATO SEASPARROW .....	58,368	58,368
115	RAM GMLS .....	491	491
116	SHIP SELF DEFENSE SYSTEM .....	51,858	51,858
117	AEGIS SUPPORT EQUIPMENT .....	59,757	59,757
118	TOMAHAWK SUPPORT EQUIPMENT .....	71,559	71,559
119	VERTICAL LAUNCH SYSTEMS .....	626	626
120	MARITIME INTEGRATED PLANNING SYSTEM-MIPS .....	2,779	2,779
	<b>FBM SUPPORT EQUIPMENT</b>		
121	STRATEGIC MISSILE SYSTEMS EQUIP .....	224,484	198,565
	New START treaty implementation .....		[-25,919]
	<b>ASW SUPPORT EQUIPMENT</b>		
122	SSN COMBAT CONTROL SYSTEMS .....	85,678	85,678
123	SUBMARINE ASW SUPPORT EQUIPMENT .....	3,913	3,913
124	SURFACE ASW SUPPORT EQUIPMENT .....	3,909	3,909
125	ASW RANGE SUPPORT EQUIPMENT .....	28,694	28,694
	<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>		
126	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	46,586	46,586
127	ITEMS LESS THAN \$5 MILLION .....	11,933	11,933
	<b>OTHER EXPENDABLE ORDNANCE</b>		
128	ANTI-SHIP MISSILE DECOY SYSTEM .....	62,361	62,361
129	SURFACE TRAINING DEVICE MODS .....	41,813	41,813
130	SUBMARINE TRAINING DEVICE MODS .....	26,672	26,672
	<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>		
131	PASSENGER CARRYING VEHICLES .....	5,600	5,600
132	GENERAL PURPOSE TRUCKS .....	3,717	3,717
133	CONSTRUCTION & MAINTENANCE EQUIP .....	10,881	10,881
134	FIRE FIGHTING EQUIPMENT .....	14,748	14,748
135	TACTICAL VEHICLES .....	5,540	5,540
136	AMPHIBIOUS EQUIPMENT .....	5,741	5,741
137	POLLUTION CONTROL EQUIPMENT .....	3,852	3,852
138	ITEMS UNDER \$5 MILLION .....	25,757	25,757
139	PHYSICAL SECURITY VEHICLES .....	1,182	1,182
	<b>SUPPLY SUPPORT EQUIPMENT</b>		
140	MATERIALS HANDLING EQUIPMENT .....	14,250	14,250
141	OTHER SUPPLY SUPPORT EQUIPMENT .....	6,401	6,401
142	FIRST DESTINATION TRANSPORTATION .....	5,718	5,718
143	SPECIAL PURPOSE SUPPLY SYSTEMS .....	22,597	22,597
	<b>TRAINING DEVICES</b>		
144	TRAINING SUPPORT EQUIPMENT .....	22,527	22,527
	<b>COMMAND SUPPORT EQUIPMENT</b>		

**SEC. 4101. PROCUREMENT**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
145	COMMAND SUPPORT EQUIPMENT .....	50,428	50,428
146	EDUCATION SUPPORT EQUIPMENT .....	2,292	2,292
147	MEDICAL SUPPORT EQUIPMENT .....	4,925	4,925
149	NAVAL MIP SUPPORT EQUIPMENT .....	3,202	3,202
151	OPERATING FORCES SUPPORT EQUIPMENT .....	24,294	24,294
152	C4ISR EQUIPMENT .....	4,287	4,287
153	ENVIRONMENTAL SUPPORT EQUIPMENT .....	18,276	18,276
154	PHYSICAL SECURITY EQUIPMENT .....	134,495	134,495
155	ENTERPRISE INFORMATION TECHNOLOGY .....	324,327	324,327
	<b>CLASSIFIED PROGRAMS</b>		
156A	CLASSIFIED PROGRAMS .....	12,140	12,140
	<b>SPARES AND REPAIR PARTS</b>		
157	SPARES AND REPAIR PARTS .....	317,234	316,959
	New START treaty implementation .....		[-275]
	<b>TOTAL OTHER PROCUREMENT, NAVY</b> .....	<b>6,310,257</b>	<b>6,284,063</b>
	<b>PROCUREMENT, MARINE CORPS</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
001	AAV7A1 PIP .....	32,360	32,360
002	LAV PIP .....	6,003	6,003
	<b>ARTILLERY AND OTHER WEAPONS</b>		
003	EXPEDITIONARY FIRE SUPPORT SYSTEM .....	589	589
004	155MM LIGHTWEIGHT TOWED HOWITZER .....	3,655	3,655
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM .....	5,467	5,467
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION .....	20,354	20,354
	<b>OTHER SUPPORT</b>		
007	MODIFICATION KITS .....	38,446	38,446
008	WEAPONS ENHANCEMENT PROGRAM .....	4,734	4,734
	<b>GUIDED MISSILES</b>		
009	GROUND BASED AIR DEFENSE .....	15,713	15,713
010	JAVELIN .....	36,175	36,175
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H) .....	1,136	1,136
	<b>OTHER SUPPORT</b>		
013	MODIFICATION KITS .....	33,976	33,976
	<b>COMMAND AND CONTROL SYSTEMS</b>		
014	UNIT OPERATIONS CENTER .....	16,273	16,273
	<b>REPAIR AND TEST EQUIPMENT</b>		
015	REPAIR AND TEST EQUIPMENT .....	41,063	41,063
	<b>OTHER SUPPORT (TEL)</b>		
016	COMBAT SUPPORT SYSTEM .....	2,930	2,930
	<b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>		
018	ITEMS UNDER \$5 MILLION (COMM & ELEC) .....	1,637	1,637
019	AIR OPERATIONS C2 SYSTEMS .....	18,394	18,394
	<b>RADAR + EQUIPMENT (NON-TEL)</b>		
020	RADAR SYSTEMS .....	114,051	114,051
021	RQ-21 UAS .....	66,612	66,612
	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>		
022	FIRE SUPPORT SYSTEM .....	3,749	3,749
023	INTELLIGENCE SUPPORT EQUIPMENT .....	75,979	75,979
026	RQ-11 UAV .....	1,653	1,653
027	DCGS-MC .....	9,494	9,494
	<b>OTHER COMME/ELEC EQUIPMENT (NON-TEL)</b>		
028	NIGHT VISION EQUIPMENT .....	6,171	6,171
	<b>OTHER SUPPORT (NON-TEL)</b>		
029	COMMON COMPUTER RESOURCES .....	121,955	121,955
030	COMMAND POST SYSTEMS .....	83,294	83,294
031	RADIO SYSTEMS .....	74,718	74,718
032	COMM SWITCHING & CONTROL SYSTEMS .....	47,613	47,613
033	COMM & ELEC INFRASTRUCTURE SUPPORT .....	19,573	19,573
	<b>CLASSIFIED PROGRAMS</b>		
033A	CLASSIFIED PROGRAMS .....	5,659	5,659
	<b>ADMINISTRATIVE VEHICLES</b>		
034	COMMERCIAL PASSENGER VEHICLES .....	1,039	1,039
035	COMMERCIAL CARGO VEHICLES .....	31,050	31,050
	<b>TACTICAL VEHICLES</b>		
036	5/4T TRUCK HMMWV (MYP) .....	36,333	36,333
037	MOTOR TRANSPORT MODIFICATIONS .....	3,137	3,137
040	FAMILY OF TACTICAL TRAILERS .....	27,385	27,385
	<b>OTHER SUPPORT</b>		
041	ITEMS LESS THAN \$5 MILLION .....	7,016	7,016
	<b>ENGINEER AND OTHER EQUIPMENT</b>		
042	ENVIRONMENTAL CONTROL EQUIP ASSORT .....	14,377	14,377
043	BULK LIQUID EQUIPMENT .....	24,864	24,864
044	TACTICAL FUEL SYSTEMS .....	21,592	21,592
045	POWER EQUIPMENT ASSORTED .....	61,353	61,353
046	AMPHIBIOUS SUPPORT EQUIPMENT .....	4,827	4,827
047	EOD SYSTEMS .....	40,011	40,011
	<b>MATERIALS HANDLING EQUIPMENT</b>		
048	PHYSICAL SECURITY EQUIPMENT .....	16,809	16,809



**SEC. 4101. PROCUREMENT**  
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<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
049	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE) .....	3,408	3,408
050	MATERIAL HANDLING EQUIP .....	48,549	48,549
051	FIRST DESTINATION TRANSPORTATION .....	190	190
	<b>GENERAL PROPERTY</b>		
052	FIELD MEDICAL EQUIPMENT .....	23,129	23,129
053	TRAINING DEVICES .....	8,346	8,346
054	CONTAINER FAMILY .....	1,857	1,857
055	FAMILY OF CONSTRUCTION EQUIPMENT .....	36,198	36,198
056	RAPID DEPLOYABLE KITCHEN .....	2,390	2,390
	<b>OTHER SUPPORT</b>		
057	ITEMS LESS THAN \$5 MILLION .....	6,525	6,525
	<b>SPARES AND REPAIR PARTS</b>		
058	SPARES AND REPAIR PARTS .....	13,700	13,700
	<b>TOTAL PROCUREMENT, MARINE CORPS</b> .....	<b>1,343,511</b>	<b>1,343,511</b>
	<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
	<b>TACTICAL FORCES</b>		
001	F-35 .....	3,060,770	3,060,770
002	ADVANCE PROCUREMENT (CY) .....	363,783	363,783
	<b>OTHER AIRLIFT</b>		
005	C-130J .....	537,517	537,517
006	ADVANCE PROCUREMENT (CY) .....	162,000	162,000
007	HC-130J .....	132,121	132,121
008	ADVANCE PROCUREMENT (CY) .....	88,000	88,000
009	MC-130J .....	389,434	389,434
010	ADVANCE PROCUREMENT (CY) .....	104,000	104,000
	<b>HELICOPTERS</b>		
015	CV-22 (MYP) .....	230,798	230,798
	<b>MISSION SUPPORT AIRCRAFT</b>		
017	CIVIL AIR PATROL A/C .....	2,541	2,541
	<b>OTHER AIRCRAFT</b>		
020	TARGET DRONES .....	138,669	138,669
022	AC-130J .....	470,019	470,019
024	RQ-4 .....	27,000	27,000
027	MQ-9 .....	272,217	352,217
	Program increase .....		[80,000]
028	RQ-4 BLOCK 40 PROC .....	1,747	1,747
	<b>STRATEGIC AIRCRAFT</b>		
029	B-2A .....	20,019	20,019
030	B-1B .....	132,222	132,222
031	B-52 .....	111,002	110,502
	B-52 conversions related to New START treaty implementation .....		[-500]
032	LARGE AIRCRAFT INFRARED COUNTERMEASURES .....	27,197	27,197
	<b>TACTICAL AIRCRAFT</b>		
033	A-10 .....	47,598	47,598
034	F-15 .....	354,624	354,624
035	F-16 .....	11,794	11,794
036	F-22A .....	285,830	285,830
037	F-35 MODIFICATIONS .....	157,777	157,777
	<b>AIRLIFT AIRCRAFT</b>		
038	C-5 .....	2,456	2,456
039	C-5M .....	1,021,967	1,021,967
042	C-17A .....	143,197	143,197
043	C-21 .....	103	103
044	C-32A .....	9,780	9,780
045	C-37A .....	452	452
046	C-130 AMP .....		47,300
	LRIP Kit Procurement .....		[47,300]
	<b>TRAINER AIRCRAFT</b>		
047	GLIDER MODS .....	128	128
048	T-6 .....	6,427	6,427
049	T-1 .....	277	277
050	T-38 .....	28,686	28,686
	<b>OTHER AIRCRAFT</b>		
052	U-2 MODS .....	45,591	45,591
053	KC-10A (ATCA) .....	70,918	70,918
054	C-12 .....	1,876	1,876
055	MC-12W .....	5,000	5,000
056	C-20 MODS .....	192	192
057	VC-25A MOD .....	263	263
058	C-40 .....	6,119	6,119
059	C-130 .....	58,577	74,277
	C-130H Propulsion System Engine Upgrades .....		[15,700]
061	C-130J MODS .....	10,475	10,475
062	C-135 .....	46,556	46,556
063	COMPASS CALL MODS .....	34,494	34,494
064	RC-135 .....	171,813	171,813
065	E-3 .....	197,087	197,087
066	E-4 .....	14,304	14,304

**SEC. 4101. PROCUREMENT**  
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<b>Line</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
067	E-8 .....	57,472	57,472
068	H-1 .....	6,627	6,627
069	H-60 .....	27,654	27,654
070	RQ-4 MODS .....	9,313	9,313
071	HC/MC-130 MODIFICATIONS .....	16,300	16,300
072	OTHER AIRCRAFT .....	6,948	6,948
073	MQ-1 MODS .....	9,734	9,734
074	MQ-9 MODS .....	102,970	102,970
076	RQ-4 GSRA/CSRA MODS .....	30,000	30,000
077	CV-22 MODS .....	23,310	23,310
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
078	INITIAL SPARES/REPAIR PARTS .....	463,285	639,285
	F100-229 spare engine shortfall .....		[165,000]
	MQ-9 spares .....		[11,000]
	<b>COMMON SUPPORT EQUIPMENT</b>		
079	AIRCRAFT REPLACEMENT SUPPORT EQUIP .....	49,140	49,140
	<b>POST PRODUCTION SUPPORT</b>		
081	B-1 .....	3,683	3,683
083	B-2A .....	43,786	43,786
084	B-52 .....	7,000	7,000
087	C-17A .....	81,952	81,952
089	C-135 .....	8,597	8,597
090	F-15 .....	2,403	2,403
091	F-16 .....	3,455	3,455
092	F-22A .....	5,911	5,911
	<b>INDUSTRIAL PREPAREDNESS</b>		
094	INDUSTRIAL RESPONSIVENESS .....	21,148	21,148
	<b>WAR CONSUMABLES</b>		
095	WAR CONSUMABLES .....	94,947	94,947
	<b>OTHER PRODUCTION CHARGES</b>		
096	OTHER PRODUCTION CHARGES .....	1,242,004	1,242,004
	<b>CLASSIFIED PROGRAMS</b>		
101A	CLASSIFIED PROGRAMS .....	75,845	67,545
	Program Decrease .....		[-8,300]
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE</b>	<b>11,398,901</b>	<b>11,709,101</b>
	<b>MISSILE PROCUREMENT, AIR FORCE</b>		
	<b>MISSILE REPLACEMENT EQUIPMENT—BALLISTIC</b>		
001	MISSILE REPLACEMENT EQ-BALLISTIC .....	39,104	39,104
	<b>TACTICAL</b>		
002	JASSM .....	291,151	291,151
003	SIDEWINDER (AIM-9X) .....	119,904	119,904
004	AMRAAM .....	340,015	340,015
005	PREDATOR HELLFIRE MISSILE .....	48,548	48,548
006	SMALL DIAMETER BOMB .....	42,347	42,347
	<b>INDUSTRIAL FACILITIES</b>		
007	INDUSTR'L PREPAREDNS/POL PREVENTION .....	752	752
	<b>CLASS IV</b>		
009	MM III MODIFICATIONS .....	21,635	21,635
010	AGM-65D MAVERICK .....	276	276
011	AGM-88A HARM .....	580	580
012	AIR LAUNCH CRUISE MISSILE (ALCM) .....	6,888	6,888
013	SMALL DIAMETER BOMB .....	5,000	5,000
	<b>MISSILE SPARES AND REPAIR PARTS</b>		
014	INITIAL SPARES/REPAIR PARTS .....	72,080	71,377
	Spares and repair parts related to New START treaty implementation .....		[-703]
	<b>SPACE PROGRAMS</b>		
015	ADVANCED EHF .....	379,586	379,586
016	WIDEBAND GAFILLER SATELLITES(SPACE) .....	38,398	38,398
017	GPS III SPACE SEGMENT .....	403,431	403,431
018	ADVANCE PROCUREMENT (CY) .....	74,167	74,167
019	SPACEBORNE EQUIP (COMSEC) .....	5,244	5,244
020	GLOBAL POSITIONING (SPACE) .....	55,997	55,997
021	DEF METEOROLOGICAL SAT PROG(SPACE) .....	95,673	95,673
022	EVOLVED EXPENDABLE LAUNCH VEH(SPACE) .....	1,852,900	1,852,900
023	SBIR HIGH (SPACE) .....	583,192	583,192
	<b>SPECIAL PROGRAMS</b>		
029	SPECIAL UPDATE PROGRAMS .....	36,716	36,716
	<b>CLASSIFIED PROGRAMS</b>		
029A	CLASSIFIED PROGRAMS .....	829,702	829,702
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE</b>	<b>5,343,286</b>	<b>5,342,583</b>
	<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
	<b>ROCKETS</b>		
001	ROCKETS .....	15,735	15,735
	<b>CARTRIDGES</b>		
002	CARTRIDGES .....	129,921	129,921
	<b>BOMBS</b>		
003	PRACTICE BOMBS .....	30,840	30,840

**SEC. 4101. PROCUREMENT**  
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<b>Line</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
004	GENERAL PURPOSE BOMBS .....	187,397	187,397
005	JOINT DIRECT ATTACK MUNITION .....	188,510	188,510
	<b>OTHER ITEMS</b>		
006	CAD/PAD .....	35,837	35,837
007	EXPLOSIVE ORDNANCE DISPOSAL (EOD) .....	7,531	7,531
008	SPARES AND REPAIR PARTS .....	499	499
009	MODIFICATIONS .....	480	480
010	ITEMS LESS THAN \$5 MILLION .....	9,765	9,765
	<b>FLARES</b>		
011	FLARES .....	55,864	55,864
	<b>FUZES</b>		
013	FUZES .....	76,037	76,037
	<b>SMALL ARMS</b>		
014	SMALL ARMS .....	21,026	21,026
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE</b> .....	<b>759,442</b>	<b>759,442</b>
	<b>OTHER PROCUREMENT, AIR FORCE</b>		
	<b>PASSENGER CARRYING VEHICLES</b>		
001	PASSENGER CARRYING VEHICLES .....	2,048	2,048
	<b>CARGO AND UTILITY VEHICLES</b>		
002	MEDIUM TACTICAL VEHICLE .....	8,019	8,019
003	CAP VEHICLES .....	946	946
004	ITEMS LESS THAN \$5 MILLION .....	7,138	7,138
	<b>SPECIAL PURPOSE VEHICLES</b>		
005	SECURITY AND TACTICAL VEHICLES .....	13,093	13,093
006	ITEMS LESS THAN \$5 MILLION .....	13,983	13,983
	<b>FIRE FIGHTING EQUIPMENT</b>		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES .....	23,794	23,794
	<b>MATERIALS HANDLING EQUIPMENT</b>		
008	ITEMS LESS THAN \$5 MILLION .....	8,669	8,669
	<b>BASE MAINTENANCE SUPPORT</b>		
009	RUNWAY SNOW REMOV & CLEANING EQUIP .....	6,144	6,144
010	ITEMS LESS THAN \$5 MILLION .....	1,580	1,580
	<b>COMM SECURITY EQUIPMENT(COMSEC)</b>		
012	COMSEC EQUIPMENT .....	149,661	149,661
013	MODIFICATIONS (COMSEC) .....	726	726
	<b>INTELLIGENCE PROGRAMS</b>		
014	INTELLIGENCE TRAINING EQUIPMENT .....	2,789	2,789
015	INTELLIGENCE COMM EQUIPMENT .....	31,875	31,875
016	ADVANCE TECH SENSORS .....	452	452
017	MISSION PLANING SYSTEMS .....	14,203	14,203
	<b>ELECTRONICS PROGRAMS</b>		
018	AIR TRAFFIC CONTROL & LANDING SYS .....	46,232	46,232
019	NATIONAL AIRSPACE SYSTEM .....	11,685	11,685
020	BATTLE CONTROL SYSTEM—FIXED .....	19,248	19,248
021	THEATER AIR CONTROL SYS IMPROVEMENTS .....	19,292	19,292
022	WEATHER OBSERVATION FORECAST .....	17,166	17,166
023	STRATEGIC COMMAND AND CONTROL .....	22,723	22,723
024	CHEYENNE MOUNTAIN COMPLEX .....	27,930	27,930
025	TAC SIGNIT SPT .....	217	217
	<b>SPCL COMM-ELECTRONICS PROJECTS</b>		
027	GENERAL INFORMATION TECHNOLOGY .....	49,627	49,627
028	AF GLOBAL COMMAND & CONTROL SYS .....	13,559	13,559
029	MOBILITY COMMAND AND CONTROL .....	11,186	11,186
030	AIR FORCE PHYSICAL SECURITY SYSTEM .....	43,238	43,238
031	COMBAT TRAINING RANGES .....	10,431	10,431
032	C3 COUNTERMEASURES .....	13,769	13,769
033	GCSS-AF FOS .....	19,138	19,138
034	THEATER BATTLE MGT C2 SYSTEM .....	8,809	8,809
035	AIR & SPACE OPERATIONS CTR-WPN SYS .....	26,935	26,935
	<b>AIR FORCE COMMUNICATIONS</b>		
036	INFORMATION TRANSPORT SYSTEMS .....	80,558	80,558
038	AFNET .....	97,588	97,588
039	VOICE SYSTEMS .....	8,419	8,419
040	USCENTCOM .....	34,276	34,276
	<b>SPACE PROGRAMS</b>		
041	SPACE BASED IR SENSOR PGM SPACE .....	28,235	28,235
042	NAVSTAR GPS SPACE .....	2,061	2,061
043	NUDET DETECTION SYS SPACE .....	4,415	4,415
044	AF SATELLITE CONTROL NETWORK SPACE .....	30,237	30,237
045	SPACELIFT RANGE SYSTEM SPACE .....	98,062	98,062
046	MILSATCOM SPACE .....	105,935	105,935
047	SPACE MODS SPACE .....	37,861	37,861
048	COUNTERSPACE SYSTEM .....	7,171	7,171
	<b>ORGANIZATION AND BASE</b>		
049	TACTICAL C-E EQUIPMENT .....	83,537	83,537
050	COMBAT SURVIVOR EVADER LOCATER .....	11,884	11,884
051	RADIO EQUIPMENT .....	14,711	14,711
052	CCTV/AUDIOVISUAL EQUIPMENT .....	10,275	10,275

**SEC. 4101. PROCUREMENT**  
**(In Thousands of Dollars)**

<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
053	BASE COMM INFRASTRUCTURE .....	50,907	50,907
	<b>MODIFICATIONS</b>		
054	COMM ELECT MODS .....	55,701	55,701
	<b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>		
055	NIGHT VISION GOGGLES .....	14,524	14,524
056	ITEMS LESS THAN \$5 MILLION .....	28,655	28,655
	<b>DEPOT PLANT+MTRLS HANDLING EQ</b>		
057	MECHANIZED MATERIAL HANDLING EQUIP .....	9,332	9,332
	<b>BASE SUPPORT EQUIPMENT</b>		
058	BASE PROCURED EQUIPMENT .....	16,762	16,762
059	CONTINGENCY OPERATIONS .....	33,768	33,768
060	PRODUCTIVITY CAPITAL INVESTMENT .....	2,495	2,495
061	MOBILITY EQUIPMENT .....	12,859	12,859
062	ITEMS LESS THAN \$5 MILLION .....	1,954	1,954
	<b>SPECIAL SUPPORT PROJECTS</b>		
064	DARP RC135 .....	24,528	24,528
065	DCGS-AF .....	137,819	137,819
067	SPECIAL UPDATE PROGRAM .....	479,586	479,586
068	DEFENSE SPACE RECONNAISSANCE PROG. ....	45,159	45,159
	<b>CLASSIFIED PROGRAMS</b>		
068 A	CLASSIFIED PROGRAMS .....	14,519,256	14,519,256
	<b>SPARES AND REPAIR PARTS</b>		
069	SPARES AND REPAIR PARTS .....	25,746	25,746
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE</b> .....	<b>16,760,581</b>	<b>16,760,581</b>
	<b>PROCUREMENT, DEFENSE-WIDE</b>		
	<b>MAJOR EQUIPMENT, OSD</b>		
038	MAJOR EQUIPMENT, OSD .....	37,345	37,345
039	MAJOR EQUIPMENT, INTELLIGENCE .....	16,678	16,678
	<b>MAJOR EQUIPMENT, NSA</b>		
037	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) .....	14,363	14,363
	<b>MAJOR EQUIPMENT, WHS</b>		
041	MAJOR EQUIPMENT, WHS .....	35,259	35,259
	<b>MAJOR EQUIPMENT, DISA</b>		
008	INFORMATION SYSTEMS SECURITY .....	16,189	16,189
011	TELEPORT PROGRAM .....	66,075	66,075
012	ITEMS LESS THAN \$5 MILLION .....	83,881	83,881
013	NET CENTRIC ENTERPRISE SERVICES (NCES) .....	2,572	2,572
014	DEFENSE INFORMATION SYSTEM NETWORK .....	125,557	125,557
016	CYBER SECURITY INITIATIVE .....	16,941	16,941
	<b>MAJOR EQUIPMENT, DLA</b>		
017	MAJOR EQUIPMENT .....	13,137	13,137
	<b>MAJOR EQUIPMENT, DSS</b>		
021	MAJOR EQUIPMENT .....	5,020	5,020
	<b>MAJOR EQUIPMENT, DCAA</b>		
001	ITEMS LESS THAN \$5 MILLION .....	1,291	1,291
	<b>MAJOR EQUIPMENT, TJS</b>		
040	MAJOR EQUIPMENT, TJS .....	14,792	14,792
	<b>MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY</b>		
025	THAAD .....	581,005	581,005
026	AEGIS BMD .....	580,814	580,814
027	BMDS AN/TPY-2 RADARS .....	62,000	62,000
028	AEGIS ASHORE PHASE III .....	131,400	131,400
030	IRON DOME .....	220,309	220,309
032	ADVANCE PROCUREMENT (CY) .....		107,000
	Advanced Procurement of 14 GBIs, beginning with booster motor sets .....		[107,000]
	<b>MAJOR EQUIPMENT, DHRA</b>		
003	PERSONNEL ADMINISTRATION .....	47,201	47,201
	<b>MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY</b>		
022	VEHICLES .....	100	100
023	OTHER MAJOR EQUIPMENT .....	13,395	13,395
	<b>MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY</b>		
020	EQUIPMENT .....	978	978
	<b>MAJOR EQUIPMENT, DODEA</b>		
019	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS .....	1,454	1,454
	<b>MAJOR EQUIPMENT, DCMA</b>		
002	MAJOR EQUIPMENT .....	5,711	5,711
	<b>MAJOR EQUIPMENT, DMACT</b>		
018	MAJOR EQUIPMENT .....	15,414	15,414
	<b>CLASSIFIED PROGRAMS</b>		
041 A	CLASSIFIED PROGRAMS .....	544,272	544,272
	<b>AVIATION PROGRAMS</b>		
043	ROTARY WING UPGRADES AND SUSTAINMENT .....	112,456	112,456
044	MH-60 MODERNIZATION PROGRAM .....	81,457	81,457
045	NON-STANDARD AVIATION .....	2,650	2,650
046	U-28 .....	56,208	56,208
047	MH-47 CHINOOK .....	19,766	19,766
048	RQ-11 UNMANNED AERIAL VEHICLE .....	850	850
049	CV-22 MODIFICATION .....	98,927	98,927

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
050	MQ-1 UNMANNED AERIAL VEHICLE .....	20,576	20,576
051	MQ-9 UNMANNED AERIAL VEHICLE .....	1,893	1,893
053	STUASLO .....	13,166	13,166
054	PRECISION STRIKE PACKAGE .....	107,687	107,687
055	AC/MC-130J .....	51,870	51,870
057	C-130 MODIFICATIONS .....	71,940	71,940
	<b>SHIPBUILDING</b>		
059	UNDERWATER SYSTEMS .....	37,439	37,439
	<b>AMMUNITION PROGRAMS</b>		
061	ORDNANCE ITEMS <\$5M .....	159,029	159,029
	<b>OTHER PROCUREMENT PROGRAMS</b>		
064	INTELLIGENCE SYSTEMS .....	79,819	79,819
066	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	14,906	14,906
068	OTHER ITEMS <\$5M .....	81,711	81,711
069	COMBATANT CRAFT SYSTEMS .....	35,053	35,053
072	SPECIAL PROGRAMS .....	41,526	41,526
073	TACTICAL VEHICLES .....	43,353	43,353
074	WARRIOR SYSTEMS <\$5M .....	210,540	210,540
076	COMBAT MISSION REQUIREMENTS .....	20,000	20,000
080	GLOBAL VIDEO SURVEILLANCE ACTIVITIES .....	6,645	6,645
081	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	25,581	25,581
087	OPERATIONAL ENHANCEMENTS .....	191,061	191,061
	<b>CBDP</b>		
089	INSTALLATION FORCE PROTECTION .....	14,271	14,271
090	INDIVIDUAL PROTECTION .....	101,667	101,667
092	JOINT BIO DEFENSE PROGRAM (MEDICAL) .....	13,447	13,447
093	COLLECTIVE PROTECTION .....	20,896	20,896
094	CONTAMINATION AVOIDANCE .....	144,540	144,540
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE</b> .....	<b>4,534,083</b>	<b>4,641,083</b>
	<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>		
001	JOINT URGENT OPERATIONAL NEEDS FUND .....	98,800	0
	Program reduction .....		[-98,800]
	<b>TOTAL JOINT URGENT OPERATIONAL NEEDS FUND</b> .....	<b>98,800</b>	<b>0</b>
	<b>TOTAL PROCUREMENT</b> .....	<b>98,227,168</b>	<b>99,666,171</b>

**SEC. 4102. PROCUREMENT FOR OVERSEAS CON-  
TINGENCY OPERATIONS.**

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
	<b>AIRCRAFT PROCUREMENT, ARMY</b>		
	<b>FIXED WING</b>		
001A	SATURN ARCH (MIP) .....	48,000	48,000
003	MQ-1 UAV .....	31,988	31,988
	<b>ROTARY</b>		
008	AH-64 APACHE BLOCK IIIB NEW BUILD .....	142,000	142,000
010	KIOWA WARRIOR WRA .....	163,800	163,800
013	CH-47 HELICOPTER .....	386,000	386,000
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY</b> .....	<b>771,788</b>	<b>771,788</b>
	<b>MISSILE PROCUREMENT, ARMY</b>		
	<b>SURFACE-TO-AIR MISSILE SYSTEM</b>		
002	MSE MISSILE .....		25,887
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[25,887]
	<b>AIR-TO-SURFACE MISSILE SYSTEM</b>		
003	HELLFIRE SYS SUMMARY .....	54,000	54,000
	<b>ANTI-TANK/ASSAULT MISSILE SYS</b>		
007	GUIDED MLRS ROCKET (GMLRS) .....	39,045	39,045
009A	ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM .....	35,600	35,600
	<b>TOTAL MISSILE PROCUREMENT, ARMY</b> .....	<b>128,645</b>	<b>154,532</b>
	<b>PROCUREMENT OF W&amp;TCV, ARMY</b>		
	<b>MOD OF WEAPONS AND OTHER COMBAT VEH</b>		
033	M16 RIFLE MODS .....		15,422
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[15,422]
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY</b> .....		<b>15,422</b>
	<b>PROCUREMENT OF AMMUNITION, ARMY</b>		
	<b>SMALL/MEDIUM CAL AMMUNITION</b>		
002	CTG, 5.56MM, ALL TYPES .....	4,400	4,400
004	CTG, HANDGUN, ALL TYPES .....	1,500	1,500

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
005	CTG, .50 CAL, ALL TYPES .....	5,000	10,000
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[5,000]
008	CTG, 30MM, ALL TYPES .....	60,000	60,000
	<b>MORTAR AMMUNITION</b>		
010	60MM MORTAR, ALL TYPES .....	5,000	5,000
	<b>ARTILLERY AMMUNITION</b>		
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES .....	10,000	30,000
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[20,000]
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES .....	10,000	10,000
016	PROJ 155MM EXTENDED RANGE M982 .....	11,000	11,000
	<b>MINES</b>		
018	MINES & CLEARING CHARGES, ALL TYPES .....		9,482
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[9,482]
	<b>ROCKETS</b>		
021	ROCKET, HYDRA 70, ALL TYPES .....	57,000	57,000
	<b>OTHER AMMUNITION</b>		
022	DEMOLITION MUNITIONS, ALL TYPES .....	4,000	4,000
023	GRENADES, ALL TYPES .....	3,000	3,000
024	SIGNALS, ALL TYPES .....	8,000	8,000
	<b>MISCELLANEOUS</b>		
028	CAD/PAD ALL TYPES .....	2,000	2,000
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY</b> .....	<b>180,900</b>	<b>215,382</b>
	<b>OTHER PROCUREMENT, ARMY</b>		
	<b>TACTICAL VEHICLES</b>		
003	FAMILY OF MEDIUM TACTICAL VEH (FMTV) .....		2,500
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[2,500]
005	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....		2,050
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[2,050]
013	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS .....	321,040	562,596
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[241,556]
	<b>COMM—BASE COMMUNICATIONS</b>		
060	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....	25,000	25,000
	<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>		
067	DCGS-A (MIP) .....	7,200	7,200
071	CI HUMINT AUTO REPRTING AND COLL(CHARCS) .....	5,980	5,980
	<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>		
074	LIGHTWEIGHT COUNTER MORTAR RADAR .....	57,800	83,255
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[25,455]
078	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE .....	15,300	15,300
079	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES .....	4,221	4,221
	<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>		
091	ARTILLERY ACCURACY EQUIP .....	1,834	1,834
093	MOD OF IN-SVC EQUIP (FIREFINDER RADARS) .....		8,400
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[8,400]
096	MOD OF IN-SVC EQUIP (LLDR) .....	21,000	21,000
098	COUNTERFIRE RADARS .....	85,830	85,830
	<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>		
110	MANEUVER CONTROL SYSTEM (MCS) .....		3,200
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[3,200]
112	SINGLE ARMY LOGISTICS ENTERPRISE (SALE) .....		5,160
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[5,160]
	<b>CHEMICAL DEFENSIVE EQUIPMENT</b>		
126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE) .....		15,000
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[15,000]
127	BASE DEFENSE SYSTEMS (BDS) .....		24,932
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[24,932]
	<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>		
137	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT) .....		3,565
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[3,565]
	<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>		
146	FORCE PROVIDER .....	51,654	51,654
147	FIELD FEEDING EQUIPMENT .....	6,264	6,264
	<b>PETROLEUM EQUIPMENT</b>		
152	DISTRIBUTION SYSTEMS, PETROLEUM & WATER .....		2,119
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[2,119]
	<b>TRAINING EQUIPMENT</b>		
176	COMBAT TRAINING CENTERS SUPPORT .....		7,000
	Restoral of funds based on offsets used for April 2013 reprogramming .....		[7,000]
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>603,123</b>	<b>944,060</b>
	<b>JOINT IMPR EXPLOSIVE DEV DEFEAT FUND</b>		
	<b>NETWORK ATTACK</b>		
001	ATTACK THE NETWORK .....	417,700	417,700
	<b>JIEDDO DEVICE DEFEAT</b>		
002	DEFEAT THE DEVICE .....	248,886	248,886
	<b>FORCE TRAINING</b>		
003	TRAIN THE FORCE .....	106,000	106,000
	<b>STAFF AND INFRASTRUCTURE</b>		

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
004	OPERATIONS .....	227,414	227,414
	<b>TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND .....</b>	<b>1,000,000</b>	<b>1,000,000</b>
	<b>AIRCRAFT PROCUREMENT, NAVY</b>		
	<b>COMBAT AIRCRAFT</b>		
011	H-1 UPGRADES (UH-1Y/AH-1Z) .....	29,520	29,520
	<b>OTHER AIRCRAFT</b>		
026	MQ-8 UAV .....	13,100	13,100
	<b>MODIFICATION OF AIRCRAFT</b>		
031	AV-8 SERIES .....	57,652	57,652
033	F-18 SERIES .....	35,500	35,500
039	EP-3 SERIES .....	2,700	2,700
049	SPECIAL PROJECT AIRCRAFT .....	3,375	3,375
054	COMMON ECM EQUIPMENT .....	49,183	49,183
055	COMMON AVIONICS CHANGES .....	4,190	4,190
059	MAGTF EW FOR AVIATION .....	20,700	20,700
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
065	SPARES AND REPAIR PARTS .....	24,776	24,776
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY .....</b>	<b>240,696</b>	<b>240,696</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>TACTICAL MISSILES</b>		
009	HELLFIRE .....	27,000	27,000
009A	LASER MAVERICK .....	58,000	58,000
010	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM) .....	1,500	1,500
	<b>TOTAL WEAPONS PROCUREMENT, NAVY .....</b>	<b>86,500</b>	<b>86,500</b>
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>		
	<b>NAVY AMMUNITION</b>		
001	GENERAL PURPOSE BOMBS .....	11,424	11,424
002	AIRBORNE ROCKETS, ALL TYPES .....	30,332	30,332
003	MACHINE GUN AMMUNITION .....	8,282	8,282
006	AIR EXPENDABLE COUNTERMEASURES .....	31,884	31,884
011	OTHER SHIP GUN AMMUNITION .....	409	409
012	SMALL ARMS & LANDING PARTY AMMO .....	11,976	11,976
013	PYROTECHNIC AND DEMOLITION .....	2,447	2,447
014	AMMUNITION LESS THAN \$5 MILLION .....	7,692	7,692
	<b>MARINE CORPS AMMUNITION</b>		
015	SMALL ARMS AMMUNITION .....	13,461	13,461
016	LINEAR CHARGES, ALL TYPES .....	3,310	3,310
017	40 MM, ALL TYPES .....	6,244	6,244
018	60MM, ALL TYPES .....	3,368	3,368
019	81MM, ALL TYPES .....	9,162	9,162
020	120MM, ALL TYPES .....	10,266	10,266
021	CTG 25MM, ALL TYPES .....	1,887	1,887
022	GRENADES, ALL TYPES .....	1,611	1,611
023	ROCKETS, ALL TYPES .....	37,459	37,459
024	ARTILLERY, ALL TYPES .....	970	970
025	DEMOLITION MUNITIONS, ALL TYPES .....	418	418
026	FUZE, ALL TYPES .....	14,219	14,219
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC .....</b>	<b>206,821</b>	<b>206,821</b>
	<b>OTHER PROCUREMENT, NAVY</b>		
	<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>		
135	TACTICAL VEHICLES .....	17,968	17,968
	<b>TOTAL OTHER PROCUREMENT, NAVY .....</b>	<b>17,968</b>	<b>17,968</b>
	<b>PROCUREMENT, MARINE CORPS</b>		
	<b>GUIDED MISSILES</b>		
010	JAVELIN .....	29,334	29,334
011	FOLLOW ON TO SMAW .....	105	105
	<b>OTHER SUPPORT</b>		
013	MODIFICATION KITS .....	16,081	16,081
	<b>REPAIR AND TEST EQUIPMENT</b>		
015	REPAIR AND TEST EQUIPMENT .....	16,081	16,081
	<b>OTHER SUPPORT (TEL)</b>		
017	MODIFICATION KITS .....	2,831	2,831
	<b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>		
018	ITEMS UNDER \$5 MILLION (COMM & ELEC) .....	8,170	8,170
	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>		
023	INTELLIGENCE SUPPORT EQUIPMENT .....	2,700	2,700
026	RQ-11 UAV .....	2,830	2,830
	<b>OTHER SUPPORT (NON-TEL)</b>		
029	COMMON COMPUTER RESOURCES .....	4,866	4,866
030	COMMAND POST SYSTEMS .....	265	265
	<b>ENGINEER AND OTHER EQUIPMENT</b>		
042	ENVIRONMENTAL CONTROL EQUIP ASSORT .....	114	114
043	BULK LIQUID EQUIPMENT .....	523	523
044	TACTICAL FUEL SYSTEMS .....	365	365



**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
045	POWER EQUIPMENT ASSORTED .....	2,004	2,004
047	EOD SYSTEMS .....	42,930	42,930
	<b>GENERAL PROPERTY</b>		
055	FAMILY OF CONSTRUCTION EQUIPMENT .....	385	385
	<b>TOTAL PROCUREMENT, MARINE CORPS</b> .....	<b>129,584</b>	<b>129,584</b>
	<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
	<b>STRATEGIC AIRCRAFT</b>		
032	LARGE AIRCRAFT INFRARED COUNTERMEASURES .....	94,050	94,050
	<b>OTHER AIRCRAFT</b>		
052	U-2 MODS .....	11,300	11,300
059	C-130 .....	1,618	1,618
064	RC-135 .....	2,700	2,700
	<b>COMMON SUPPORT EQUIPMENT</b>		
079	AIRCRAFT REPLACEMENT SUPPORT EQUIP .....	6,000	6,000
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE</b> .....	<b>115,668</b>	<b>115,668</b>
	<b>MISSILE PROCUREMENT, AIR FORCE</b>		
	<b>TACTICAL</b>		
005	PREDATOR HELLFIRE MISSILE .....	24,200	24,200
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE</b> .....	<b>24,200</b>	<b>24,200</b>
	<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
	<b>ROCKETS</b>		
001	ROCKETS .....	326	326
	<b>CARTRIDGES</b>		
002	CARTRIDGES .....	17,634	17,634
	<b>BOMBS</b>		
004	GENERAL PURPOSE BOMBS .....	37,514	37,514
005	JOINT DIRECT ATTACK MUNITION .....	84,459	84,459
	<b>FLARES</b>		
011	FLARES .....	14,973	14,973
012	FUZES .....	3,859	3,859
	<b>SMALL ARMS</b>		
014	SMALL ARMS .....	1,200	1,200
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE</b> .....	<b>159,965</b>	<b>159,965</b>
	<b>OTHER PROCUREMENT, AIR FORCE</b>		
	<b>ELECTRONICS PROGRAMS</b>		
022	WEATHER OBSERVATION FORECAST .....	1,800	1,800
	<b>SPACE PROGRAMS</b>		
046	MILSATCOM SPACE .....	5,695	5,695
	<b>BASE SUPPORT EQUIPMENT</b>		
059	CONTINGENCY OPERATIONS .....	60,600	60,600
061	MOBILITY EQUIPMENT .....	68,000	68,000
	<b>SPECIAL SUPPORT PROJECTS</b>		
068	DEFENSE SPACE RECONNAISSANCE PROG. ....	58,250	58,250
	<b>CLASSIFIED PROGRAMS</b>		
068A	CLASSIFIED PROGRAMS .....	2,380,501	2,380,501
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE</b> .....	<b>2,574,846</b>	<b>2,574,846</b>
	<b>PROCUREMENT, DEFENSE-WIDE</b>		
	<b>MAJOR EQUIPMENT, DISA</b>		
011	TELEPORT PROGRAM .....	4,760	4,760
	<b>CLASSIFIED PROGRAMS</b>		
041A	CLASSIFIED PROGRAMS .....	78,986	78,986
	<b>AMMUNITION PROGRAMS</b>		
060	ORDNANCE REPLENISHMENT .....	2,841	2,841
	<b>OTHER PROCUREMENT PROGRAMS</b>		
064	INTELLIGENCE SYSTEMS .....	13,300	13,300
082	SOLDIER PROTECTION AND SURVIVAL SYSTEMS .....	8,034	8,034
087	OPERATIONAL ENHANCEMENTS .....	3,354	3,354
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE</b> .....	<b>111,275</b>	<b>111,275</b>
	<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>		
	<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>		
001	JOINT URGENT OPERATIONAL NEEDS FUND .....	15,000	0
	Program reduction .....		[-15,000]
	<b>TOTAL JOINT URGENT OPERATIONAL NEEDS FUND</b> .....	<b>15,000</b>	<b>-15,000</b>
	<b>NATIONAL GUARD &amp; RESERVE EQUIPMENT</b>		
	<b>UNDISTRIBUTED</b>		
999	MISCELLANEOUS EQUIPMENT .....		400,000
	Program increase .....		[400,000]
	<b>TOTAL NATIONAL GUARD &amp; RESERVE EQUIPMENT</b> .....		<b>400,000</b>
	<b>TOTAL PROCUREMENT</b> .....	<b>6,366,979</b>	<b>7,168,707</b>

**TITLE XLII—RESEARCH, DEVELOPMENT,  
TEST, AND EVALUATION**

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND  
EVALUATION.**

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>				
<b>BASIC RESEARCH</b>				
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....	21,803	21,803
002	0601102A	DEFENSE RESEARCH SCIENCES .....	221,901	221,901
003	0601103A	UNIVERSITY RESEARCH INITIATIVES .....	79,359	79,359
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS .....	113,662	113,662
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>436,725</b>	<b>436,725</b>
<b>APPLIED RESEARCH</b>				
005	0602105A	MATERIALS TECHNOLOGY .....	26,585	26,585
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY .....	43,170	43,170
007	0602122A	TRACTOR HIP .....	36,293	36,293
008	0602211A	AVIATION TECHNOLOGY .....	55,615	55,615
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY .....	17,585	17,585
010	0602303A	MISSILE TECHNOLOGY .....	51,528	51,528
011	0602307A	ADVANCED WEAPONS TECHNOLOGY .....	26,162	26,162
012	0602308A	ADVANCED CONCEPTS AND SIMULATION .....	24,063	24,063
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY .....	64,589	64,589
014	0602618A	BALLISTICS TECHNOLOGY .....	68,300	68,300
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY .....	4,490	4,490
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM .....	7,818	7,818
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY .....	37,798	37,798
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES .....	59,021	59,021
019	0602709A	NIGHT VISION TECHNOLOGY .....	43,426	43,426
020	0602712A	COUNTERMINE SYSTEMS .....	20,574	20,574
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY .....	21,339	21,339
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY .....	20,316	20,316
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY .....	34,209	34,209
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY .....	10,439	10,439
025	0602784A	MILITARY ENGINEERING TECHNOLOGY .....	70,064	70,064
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY .....	17,654	17,654
027	0602786A	WARFIGHTER TECHNOLOGY .....	31,546	31,546
028	0602787A	MEDICAL TECHNOLOGY .....	93,340	93,340
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>885,924</b>	<b>885,924</b>
<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>				
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY .....	56,056	56,056
030	0603002A	MEDICAL ADVANCED TECHNOLOGY .....	62,032	62,032
031	0603003A	AVIATION ADVANCED TECHNOLOGY .....	81,080	81,080
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY .....	63,919	63,919
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY .....	97,043	97,043
034	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY .....	5,866	5,866
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY .....	7,800	7,800
036	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY .....	40,416	40,416
037	0603009A	TRACTOR HIKE .....	9,166	9,166
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS .....	13,627	13,627
039	0603020A	TRACTOR ROSE .....	10,667	10,667
040	0603105A	MILITARY HIV RESEARCH .....		
041	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT .....	15,054	15,054
042	0603130A	TRACTOR NAIL .....	3,194	3,194
043	0603131A	TRACTOR EGGS .....	2,367	2,367
044	0603270A	ELECTRONIC WARFARE TECHNOLOGY .....	25,348	25,348
045	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY .....	64,009	64,009
046	0603322A	TRACTOR CAGE .....	11,083	11,083
047	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM .....	180,662	180,662
048	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY .....	22,806	22,806
049	0603607A	JOINT SERVICE SMALL ARMS PROGRAM .....	5,030	5,030
050	0603710A	NIGHT VISION ADVANCED TECHNOLOGY .....	36,407	36,407
051	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS .....	11,745	11,745
052	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY .....	23,717	23,717
053	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY .....	33,012	33,012
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>882,106</b>	<b>882,106</b>
<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>				
054	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION .....	15,301	15,301
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION .....	13,592	13,592
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV .....	10,625	10,625
057	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV .....		
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION .....	30,612	30,612
059	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS) .....	49,989	49,989
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY .....	6,703	6,703
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV .....	6,894	6,894
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT .....	9,066	9,066
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL .....	2,633	2,633

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
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<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
064	0603782.A	WARFIGHTER INFORMATION NETWORK-TACTICAL—DEM/VAL .....	272,384	272,384
065	0603790.A	NATO RESEARCH AND DEVELOPMENT .....	3,874	3,874
066	0603801.A	AVIATION—ADV DEV .....	5,018	5,018
067	0603804.A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV .....	11,556	11,556
068	0603805.A	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS .....		
069	0603807.A	MEDICAL SYSTEMS—ADV DEV .....	15,603	15,603
070	0603827.A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT .....	14,159	14,159
071	0603850.A	INTEGRATED BROADCAST SERVICE .....	79	79
072	0604115.A	TECHNOLOGY MATURATION INITIATIVES .....	55,605	55,605
073	0604131.A	TRACTOR JUTE .....		
074	0604319.A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2-INTERCEPT (IFPC2) .....	79,232	79,232
075	0604785.A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4) .....	4,476	4,476
076	0305205.A	ENDURANCE UAVS .....	28,991	991
		LEMV program reduction .....		[-28,000]
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b> .....	<b>636,392</b>	<b>608,392</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
077	0604201.A	AIRCRAFT AVIONICS .....	76,588	76,588
078	0604220.A	ARMED, DEPLOYABLE HELOS .....	73,309	73,309
079	0604270.A	ELECTRONIC WARFARE DEVELOPMENT .....	154,621	154,621
080	0604280.A	JOINT TACTICAL RADIO .....	31,826	31,826
081	0604290.A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR) .....	23,341	23,341
082	0604321.A	ALL SOURCE ANALYSIS SYSTEM .....	4,839	4,839
083	0604328.A	TRACTOR CAGE .....	23,841	23,841
084	0604601.A	INFANTRY SUPPORT WEAPONS .....	79,855	90,855
		Transfer from WTCV line 15—XM25 development .....		[11,000]
085	0604604.A	MEDIUM TACTICAL VEHICLES .....	2,140	2,140
086	0604611.A	JAVELIN .....	5,002	5,002
087	0604622.A	FAMILY OF HEAVY TACTICAL VEHICLES .....	21,321	21,321
088	0604633.A	AIR TRAFFIC CONTROL .....	514	514
089	0604641.A	TACTICAL UNMANNED GROUND VEHICLE (TUGV) .....		
090	0604642.A	LIGHT TACTICAL WHEELED VEHICLES .....		
091	0604661.A	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT .....		
092	0604663.A	FCS UNMANNED GROUND VEHICLES .....		
093	0604710.A	NIGHT VISION SYSTEMS—ENG DEV .....	43,405	43,405
094	0604713.A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT .....	1,939	1,939
095	0604715.A	NON-SYSTEM TRAINING DEVICES—ENG DEV .....	18,980	18,980
096	0604716.A	TERRAIN INFORMATION—ENG DEV .....		
097	0604741.A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV .....	18,294	18,294
098	0604742.A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT .....	17,013	17,013
099	0604746.A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT .....	6,701	6,701
100	0604760.A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV .....	14,575	14,575
101	0604780.A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE .....	27,634	27,634
102	0604798.A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION .....	193,748	193,748
103	0604802.A	WEAPONS AND MUNITIONS—ENG DEV .....	15,721	15,721
104	0604804.A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV .....	41,703	41,703
105	0604805.A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV .....	7,379	7,379
106	0604807.A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV .....	39,468	39,468
107	0604808.A	LANDMINE WARFARE/BARRIER—ENG DEV .....	92,285	92,285
108	0604814.A	ARTILLERY MUNITIONS—EMD .....	8,209	8,209
109	0604818.A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE .....	22,958	22,958
110	0604820.A	RADAR DEVELOPMENT .....	1,549	1,549
111	0604822.A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBs) .....	17,342	17,342
112	0604823.A	FIREFINDER .....	47,221	47,221
113	0604827.A	SOLDIER SYSTEMS—WARRIOR DEM/VAL .....	48,477	48,477
114	0604854.A	ARTILLERY SYSTEMS—EMD .....	80,613	80,613
115	0604869.A	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP) .....		
116	0604870.A	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK .....		
117	0605013.A	INFORMATION TECHNOLOGY DEVELOPMENT .....	68,814	68,814
118	0605018.A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A) .....	137,290	137,290
119	0605028.A	ARMORED MULTI-PURPOSE VEHICLE (AMPV) .....	116,298	116,298
120	0605030.A	JOINT TACTICAL NETWORK CENTER (JTNC) .....	68,148	68,148
121	0605380.A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS) .....	33,219	33,219
122	0605450.A	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	15,127	15,127
123	0605455.A	SLAMRAAM .....		
124	0605456.A	PAC-3/MSE MISSILE .....	68,843	68,843
125	0605457.A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD) .....	364,649	364,649
126	0605625.A	MANNED GROUND VEHICLE .....	592,201	592,201
127	0605626.A	AERIAL COMMON SENSOR .....	10,382	10,382
128	0605766.A	NATIONAL CAPABILITIES INTEGRATION (MIP) .....	21,143	21,143
129	0605812.A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH. ....	84,230	84,230
130	0303032.A	TROJAN—RH12 .....	3,465	3,465
131	0304270.A	ELECTRONIC WARFARE DEVELOPMENT .....	10,806	10,806
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b> .....	<b>2,857,026</b>	<b>2,868,026</b>
		<b>RDT&amp;E MANAGEMENT SUPPORT</b>		
132	0604256.A	THREAT SIMULATOR DEVELOPMENT .....	16,934	16,934
133	0604258.A	TARGET SYSTEMS DEVELOPMENT .....	13,488	13,488

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134	0604759A	MAJOR T&E INVESTMENT .....	46,672	46,672
135	0605103A	RAND ARROYO CENTER .....	11,919	11,919
136	0605301A	ARMY KWAJALEIN ATOLL .....	193,658	193,658
137	0605326A	CONCEPTS EXPERIMENTATION PROGRAM .....	37,158	37,158
138	0605502A	SMALL BUSINESS INNOVATIVE RESEARCH .....		
139	0605601A	ARMY TEST RANGES AND FACILITIES .....	340,659	340,659
140	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS .....	66,061	66,061
141	0605604A	SURVIVABILITY/LETHALITY ANALYSIS .....	43,280	43,280
142	0605605A	DOD HIGH ENERGY LASER TEST FACILITY .....		
143	0605606A	AIRCRAFT CERTIFICATION .....	6,025	6,025
144	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES .....	7,349	7,349
145	0605706A	MATERIEL SYSTEMS ANALYSIS .....	19,809	19,809
146	0605709A	EXPLOITATION OF FOREIGN ITEMS .....	5,941	5,941
147	0605712A	SUPPORT OF OPERATIONAL TESTING .....	55,504	55,504
148	0605716A	ARMY EVALUATION CENTER .....	65,274	65,274
149	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG .....	1,283	1,283
150	0605801A	PROGRAMWIDE ACTIVITIES .....	82,035	82,035
151	0605803A	TECHNICAL INFORMATION ACTIVITIES .....	33,853	33,853
152	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY .....	53,340	53,340
153	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT .....	5,193	5,193
154	0605898A	MANAGEMENT HQ—R&D .....	54,175	54,175
155	0909999A	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS .....		
		<b>SUBTOTAL RDT&amp;E MANAGEMENT SUPPORT .....</b>	<b>1,159,610</b>	<b>1,159,610</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
156	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM .....	110,576	110,576
157	0607141A	LOGISTICS AUTOMATION .....	3,717	3,717
158	0607665A	FAMILY OF BIOMETRICS .....		
159	0607865A	PATRIOT PRODUCT IMPROVEMENT .....	70,053	70,053
160	0102419A	AEROSTAT JOINT PROJECT OFFICE .....	98,450	68,450
		JLENS program reduction .....		[-30,000]
161	0203726A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM .....	30,940	30,940
162	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS .....	177,532	177,532
163	0203740A	MANEUVER CONTROL SYSTEM .....	36,495	36,495
164	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS .....	257,187	257,187
165	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM .....	315	315
166	0203758A	DIGITIZATION .....	6,186	6,186
167	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM .....	1,578	1,578
168	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS .....	62,100	62,100
169	0203808A	TRACTOR CARD .....	18,778	18,778
170	0208053A	JOINT TACTICAL GROUND SYSTEM .....	7,108	7,108
171	0208058A	JOINT HIGH SPEED VESSEL (JHSV) .....		
173	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES .....	7,600	7,600
174	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM .....	9,357	9,357
175	0303141A	GLOBAL COMBAT SUPPORT SYSTEM .....	41,225	41,225
176	0303142A	SATCOM GROUND ENVIRONMENT (SPACE) .....	18,197	18,197
177	0303150A	WWWCCS/GLOBAL COMMAND AND CONTROL SYSTEM .....	14,215	14,215
179	0305204A	TACTICAL UNMANNED AERIAL VEHICLES .....	33,533	33,533
180	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	27,622	27,622
181	0305219A	MQ-1C GRAY EAGLE UAS .....	10,901	10,901
182	0305232A	RQ-11 UAV .....	2,321	2,321
183	0305233A	RQ-7 UAV .....	12,031	12,031
184	0305235A	VERTICAL UAS .....		
185	0307665A	BIOMETRICS ENABLED INTELLIGENCE .....	12,449	12,449
186	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES .....	56,136	56,136
186A	9999999999	CLASSIFIED PROGRAMS .....	4,717	4,717
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>1,131,319</b>	<b>1,101,319</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY .....</b>	<b>7,989,102</b>	<b>7,942,102</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>		
		<b>BASIC RESEARCH</b>		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES .....	112,617	122,617
		Program increase .....		[10,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....	18,230	18,230
003	0601153N	DEFENSE RESEARCH SCIENCES .....	484,459	484,459
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>615,306</b>	<b>625,306</b>
		<b>APPLIED RESEARCH</b>		
004	0602114N	POWER PROJECTION APPLIED RESEARCH .....	104,513	104,513
005	0602123N	FORCE PROTECTION APPLIED RESEARCH .....	145,307	145,307
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY .....	47,334	47,334
007	0602235N	COMMON PICTURE APPLIED RESEARCH .....	34,163	34,163
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH .....	49,689	49,689
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH .....	97,701	97,701
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH .....	45,685	63,685
		AGOR mid life refit .....		[18,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH .....	6,060	6,060
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH .....	103,050	103,050

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH .....	169,710	169,710
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH .....	31,326	31,326
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>834,538</b>	<b>852,538</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY .....	48,201	48,201
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY .....	28,328	28,328
017	0603235N	COMMON PICTURE ADVANCED TECHNOLOGY .....		
018	0603236N	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY .....		
019	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY .....	56,179	56,179
020	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) .....	132,400	132,400
021	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT .....	11,854	11,854
022	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT .....	247,931	247,931
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY .....	4,760	4,760
024	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY .....		
025	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS .....	51,463	51,463
026	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY .....	2,000	2,000
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>583,116</b>	<b>583,116</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
027	0603207N	AIR/OCEAN TACTICAL APPLICATIONS .....	42,246	42,246
028	0603216N	AVIATION SURVIVABILITY .....	5,591	5,591
029	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL .....	3,262	3,262
030	0603251N	AIRCRAFT SYSTEMS .....	74	74
031	0603254N	ASW SYSTEMS DEVELOPMENT .....	7,964	7,964
032	0603261N	TACTICAL AIRBORNE RECONNAISSANCE .....	5,257	5,257
033	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY .....	1,570	1,570
034	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES .....	168,040	168,040
035	0603506N	SURFACE SHIP TORPEDO DEFENSE .....	88,649	88,649
036	0603512N	CARRIER SYSTEMS DEVELOPMENT .....	83,902	83,902
037	0603525N	PILOT FISH .....	108,713	108,713
038	0603527N	RETRACT LARCH .....	9,316	9,316
039	0603536N	RETRACT JUNIPER .....	77,108	77,108
040	0603542N	RADIOLOGICAL CONTROL .....	762	762
041	0603553N	SURFACE ASW .....	2,349	2,349
042	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT .....	852,977	874,977
		Unmanned Underwater Vehicle Development .....		[22,000]
043	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS .....	8,764	8,764
044	0603563N	SHIP CONCEPT ADVANCED DESIGN .....	20,501	20,501
045	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES .....	27,052	27,052
046	0603570N	ADVANCED NUCLEAR POWER SYSTEMS .....	428,933	428,933
047	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS .....	27,154	27,154
048	0603576N	CHALK EAGLE .....	519,140	519,140
049	0603581N	LITTORAL COMBAT SHIP (LCS) .....	406,389	406,389
050	0603582N	COMBAT SYSTEM INTEGRATION .....	36,570	36,570
051	0603609N	CONVENTIONAL MUNITIONS .....	8,404	8,404
052	0603611M	MARINE CORPS ASSAULT VEHICLES .....	136,967	136,967
053	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM .....	1,489	1,489
054	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	38,422	38,422
055	0603658N	COOPERATIVE ENGAGEMENT .....	69,312	69,312
056	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT .....	9,196	9,196
057	0603721N	ENVIRONMENTAL PROTECTION .....	18,850	18,850
058	0603724N	NAVY ENERGY PROGRAM .....	45,618	45,618
059	0603725N	FACILITIES IMPROVEMENT .....	3,019	3,019
060	0603734N	CHALK CORAL .....	144,951	144,951
061	0603739N	NAVY LOGISTIC PRODUCTIVITY .....	5,797	5,797
062	0603746N	RETRACT MAPLE .....	308,131	308,131
063	0603748N	LINK PLUMERIA .....	195,189	195,189
064	0603751N	RETRACT ELM .....	56,358	56,358
065	0603764N	LINK EVERGREEN .....	55,378	55,378
066	0603787N	SPECIAL PROCESSES .....	48,842	48,842
067	0603790N	NATO RESEARCH AND DEVELOPMENT .....	7,509	7,509
068	0603795N	LAND ATTACK TECHNOLOGY .....	5,075	5,075
069	0603851M	JOINT NON-LETHAL WEAPONS TESTING .....	51,178	51,178
070	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL .....	205,615	205,615
071	0603889N	COUNTERDRUG RDT&E PROJECTS .....		
072	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM) .....	37,227	37,227
073	0604279N	ASE SELF-PROTECTION OPTIMIZATION .....	169	169
074	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW) .....	20,874	10,874
		Schedule delay .....		[-10,000]
075	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM .....	2,257	2,257
076	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT .....	38,327	38,327
077	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT .....	135,985	135,985
078	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH. ....	50,362	50,362
079	0303354N	ASW SYSTEMS DEVELOPMENT—MIP .....	8,448	8,448
080	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP .....	153	153
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>4,641,385</b>	<b>4,653,385</b>

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>				
081	0604212N	OTHER HELO DEVELOPMENT .....	40,558	40,558
082	0604214N	AV-8B AIRCRAFT—ENG DEV .....	35,825	35,825
083	0604215N	STANDARDS DEVELOPMENT .....	99,891	99,891
084	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT .....	17,565	17,565
085	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING .....	4,026	4,026
086	0604221N	P-3 MODERNIZATION PROGRAM .....	1,791	1,791
087	0604230N	WARFARE SUPPORT SYSTEM .....	11,725	11,725
088	0604231N	TACTICAL COMMAND SYSTEM .....	68,463	68,463
089	0604234N	ADVANCED HAWKEYE .....	152,041	152,041
090	0604245N	H-1 UPGRADES .....	47,123	47,123
091	0604261N	ACOUSTIC SEARCH SENSORS .....	30,208	30,208
092	0604262N	V-22A .....	43,084	43,084
093	0604264N	AIR CREW SYSTEMS DEVELOPMENT .....	11,401	11,401
094	0604269N	EA-18 .....	11,138	11,138
095	0604270N	ELECTRONIC WARFARE DEVELOPMENT .....	34,964	34,964
096	0604273N	VH-71A EXECUTIVE HELO DEVELOPMENT .....	94,238	94,238
097	0604274N	NEXT GENERATION JAMMER (NGJ) .....	257,796	257,796
098	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY) .....	3,302	3,302
099	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING .....	240,298	240,298
100	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION .....	1,214	1,214
101	0604329N	SMALL DIAMETER BOMB (SDB) .....	46,007	46,007
102	0604366N	STANDARD MISSILE IMPROVEMENTS .....	75,592	75,592
103	0604373N	AIRBORNE MCM .....	117,854	117,854
104	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION ..	10,080	10,080
105	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING .....	21,413	21,413
106	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM.	146,683	146,683
107	0604501N	ADVANCED ABOVE WATER SENSORS .....	275,871	275,871
108	0604503N	SSN-688 AND TRIDENT MODERNIZATION .....	89,672	89,672
109	0604504N	AIR CONTROL .....	13,754	13,754
110	0604512N	SHIPBOARD AVIATION SYSTEMS .....	69,615	69,615
111	0604518N	COMBAT INFORMATION CENTER CONVERSION .....		
112	0604558N	NEW DESIGN SSN .....	121,566	121,566
113	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM .....	49,143	49,143
114	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E .....	155,254	155,254
115	0604574N	NAVY TACTICAL COMPUTER RESOURCES .....	3,689	3,689
116	0604601N	MINE DEVELOPMENT .....	5,041	5,041
117	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT .....	26,444	26,444
118	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	8,897	8,897
119	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS .....	6,233	6,233
120	0604727N	JOINT STANDOFF WEAPON SYSTEMS .....	442	442
121	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL) .....	130,360	130,360
122	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL) .....	50,209	50,209
123	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) .....	164,799	164,799
124	0604761N	INTELLIGENCE ENGINEERING .....	1,984	1,984
125	0604771N	MEDICAL DEVELOPMENT .....	9,458	9,458
126	0604777N	NAVIGATION/ID SYSTEM .....	51,430	51,430
127	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD .....	512,631	512,631
128	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD .....	534,187	534,187
129	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT .....	5,564	5,564
130	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT .....	69,659	69,659
131	0605018N	NAVY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (N-IMHRS) .....		
132	0605212N	CH-53K RDTE .....	503,180	503,180
133	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	5,500	5,500
134	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA) .....	317,358	317,358
135	0204202N	DDG-1000 .....	187,910	187,910
136	0304231N	TACTICAL COMMAND SYSTEM—MIP .....	2,140	2,140
137	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS .....	9,406	9,406
138	0305124N	SPECIAL APPLICATIONS PROGRAM .....	22,800	22,800
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>5,028,476</b>	<b>5,028,476</b>
<b>MANAGEMENT SUPPORT</b>				
139	0604256N	THREAT SIMULATOR DEVELOPMENT .....	43,261	43,261
140	0604258N	TARGET SYSTEMS DEVELOPMENT .....	71,872	71,872
141	0604759N	MAJOR T&E INVESTMENT .....	38,033	38,033
142	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION .....	1,352	1,352
143	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY .....	5,566	5,566
144	0605154N	CENTER FOR NAVAL ANALYSES .....	48,345	48,345
145	0605502N	SMALL BUSINESS INNOVATIVE RESEARCH .....		
146	0605804N	TECHNICAL INFORMATION SERVICES .....	637	637
147	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT .....	76,585	76,585
148	0605856N	STRATEGIC TECHNICAL SUPPORT .....	3,221	3,221
149	0605861N	RDTE&E SCIENCE AND TECHNOLOGY MANAGEMENT .....	72,725	72,725
150	0605863N	RDTE&E SHIP AND AIRCRAFT SUPPORT .....	141,778	141,778
151	0605864N	TEST AND EVALUATION SUPPORT .....	331,219	331,219
152	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY .....	16,565	16,565
153	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT .....	3,265	3,265
154	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT .....	7,134	7,134

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
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<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
155	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT .....	24,082	24,082
156	0305885N	TACTICAL CRYPTOLOGIC ACTIVITIES .....	497	497
157	0909999N	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS .....		
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>886,137</b>	<b>886,137</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
159	0604227N	HARPOON MODIFICATIONS .....	699	699
160	0604402N	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT. X-47B Aerial Refueling Test & Evaluation .....	20,961	40,961
				[20,000]
161	0604717M	MARINE CORPS COMBAT SERVICES SUPPORT .....		
162	0604766M	MARINE CORPS DATA SYSTEMS .....	35	35
163	0605525N	CARRIER ONBOARD DELIVERY (COD) FOLLOW ON .....	2,460	2,460
164	0605555N	STRIKE WEAPONS DEVELOPMENT .....	9,757	9,757
165	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT .....	98,057	121,957
		Reentry System Applications and Strategic Guidance Applications .....		[23,900]
166	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM .....	31,768	31,768
167	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT .....	1,464	1,464
168	0101402N	NAVY STRATEGIC COMMUNICATIONS .....	21,729	21,729
169	0203761N	RAPID TECHNOLOGY TRANSITION (RTT) .....	13,561	13,561
170	0204136N	F/A-18 SQUADRONS .....	131,118	131,118
171	0204152N	E-2 SQUADRONS .....	1,971	1,971
172	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL) .....	46,155	46,155
173	0204228N	SURFACE SUPPORT .....	2,374	2,374
174	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC) .....	12,407	12,407
175	0204311N	INTEGRATED SURVEILLANCE SYSTEM .....	41,609	41,609
176	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT) .....	7,240	7,240
177	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....	78,208	78,208
178	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT .....	45,124	45,124
179	0204574N	CRYPTOLOGIC DIRECT SUPPORT .....	2,703	2,703
180	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT .....	19,563	19,563
181	0205601N	HARM IMPROVEMENT .....	13,586	13,586
182	0205604N	TACTICAL DATA LINKS .....	197,538	197,538
183	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION .....	31,863	31,863
184	0205632N	MK-48 ADCAP .....	12,806	12,806
185	0205633N	AVIATION IMPROVEMENTS .....	88,607	88,607
186	0205658N	NAVY SCIENCE ASSISTANCE PROGRAM .....		
187	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS .....	116,928	116,928
188	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS .....	178,753	178,753
189	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS .....	139,594	113,794
		Marine personnel carrier—funding ahead of need .....		[-20,800]
		Precision extended range munition program reduction .....		[-5,000]
190	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT .....	42,647	42,647
191	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) .....	34,394	34,394
192	0207161N	TACTICAL AIM MISSILES .....	39,159	39,159
193	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) .....	2,613	2,613
194	0208058N	JOINT HIGH SPEED VESSEL (JHSV) .....	986	986
199	0303109N	SATELLITE COMMUNICATIONS (SPACE) .....	66,231	66,231
200	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES) .....	24,476	24,476
201	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM .....	23,531	23,531
202	0303150M	WWWCCS/GLOBAL COMMAND AND CONTROL SYSTEM .....		
203	0303238N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)—MIP .....		
205	0305149N	COBRA JUDY .....		
206	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC) .....	742	742
207	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES .....	4,804	4,804
208	0305204N	TACTICAL UNMANNED AERIAL VEHICLES .....	8,381	8,381
209	0305206N	AIRBORNE RECONNAISSANCE SYSTEMS .....		
210	0305207N	MANNED RECONNAISSANCE SYSTEMS .....		
211	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	5,535	5,535
212	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	19,718	19,718
213	0305220N	RQ-4 UAV .....	375,235	375,235
214	0305231N	MQ-8 UAV .....	48,713	48,713
215	0305232M	RQ-11 UAV .....	102	102
216	0305233N	RQ-7 UAV .....	710	710
217	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLO) .....	5,013	5,013
218	0305237N	MEDIUM RANGE MARITIME UAS .....		
219	0305239M	RQ-21A .....	11,122	11,122
220	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT .....	28,851	28,851
221	0308601N	MODELING AND SIMULATION SUPPORT .....	5,116	5,116
222	0702207N	DEPOT MAINTENANCE (NON-IF) .....	28,042	28,042
223	0708011N	INDUSTRIAL PREPAREDNESS .....	50,933	50,933
224	0708730N	MARITIME TECHNOLOGY (MARITECH) .....	4,998	4,998
224A	9999999999	CLASSIFIED PROGRAMS .....	1,185,132	1,185,132
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>3,385,822</b>	<b>3,403,922</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY .....</b>	<b>15,974,780</b>	<b>16,032,880</b>

**RESEARCH, DEVELOPMENT, TEST & EVAL, AF  
BASIC RESEARCH**



**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
001	0601102F	DEFENSE RESEARCH SCIENCES .....	373,151	373,151
002	0601103F	UNIVERSITY RESEARCH INITIATIVES .....	138,333	138,333
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES .....	13,286	13,286
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>524,770</b>	<b>524,770</b>
		<b>APPLIED RESEARCH</b>		
004	0602102F	MATERIALS .....	116,846	116,846
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES .....	119,672	119,672
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH .....	89,483	89,483
007	0602203F	AEROSPACE PROPULSION .....	197,546	197,546
008	0602204F	AEROSPACE SENSORS .....	127,539	127,539
009	0602601F	SPACE TECHNOLOGY .....	104,063	104,063
010	0602602F	CONVENTIONAL MUNITIONS .....	81,521	81,521
011	0602605F	DIRECTED ENERGY TECHNOLOGY .....	112,845	112,845
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS .....	138,161	138,161
013	0602890F	HIGH ENERGY LASER RESEARCH .....	40,217	40,217
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>1,127,893</b>	<b>1,127,893</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS .....	39,572	49,572
		Program increase .....		[10,000]
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) .....	12,800	12,800
016	0603203F	ADVANCED AEROSPACE SENSORS .....	30,579	30,579
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO .....	77,347	77,347
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY .....	149,321	149,321
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY .....	49,128	49,128
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY .....	68,071	68,071
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS) .....	26,299	26,299
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT .....	20,967	20,967
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY .....	33,996	33,996
024	0603605F	ADVANCED WEAPONS TECHNOLOGY .....	19,000	19,000
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM .....	41,353	41,353
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION .....	49,093	49,093
027	0603924F	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM .....		
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>617,526</b>	<b>627,526</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
028	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT .....	3,983	3,983
029	0603287F	PHYSICAL SECURITY EQUIPMENT .....	3,874	3,874
030	0603430F	ADVANCED EHF MILSATCOM (SPACE) .....		
031	0603432F	POLAR MILSATCOM (SPACE) .....		
032	0603438F	SPACE CONTROL TECHNOLOGY .....	27,024	27,024
033	0603742F	COMBAT IDENTIFICATION TECHNOLOGY .....	15,899	15,899
034	0603790F	NATO RESEARCH AND DEVELOPMENT .....	4,568	4,568
035	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D .....	379	379
036	0603830F	SPACE PROTECTION PROGRAM (SPP) .....	28,764	28,764
037	0603850F	INTEGRATED BROADCAST SERVICE—DEM/VAL .....		
038	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL .....	86,737	86,737
039	0603854F	WIDEBAND GLOBAL SATCOM RDT&E (SPACE) .....		
040	0603859F	POLLUTION PREVENTION—DEM/VAL .....	953	953
041	0603860F	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL .....		
042	0604015F	LONG RANGE STRIKE .....	379,437	379,437
043	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT .....		
044	0604317F	TECHNOLOGY TRANSFER .....	2,606	2,606
045	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM .....	103	103
046	0604330F	JOINT DUAL ROLE AIR DOMINANCE MISSILE .....		
047	0604337F	REQUIREMENTS ANALYSIS AND MATURATION .....	16,018	16,018
048	0604422F	WEATHER SYSTEM FOLLOW-ON .....		
049	0604458F	AIR & SPACE OPS CENTER .....	58,861	58,861
050	0604618F	JOINT DIRECT ATTACK MUNITION .....	2,500	2,500
051	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT .....	21,175	21,175
052	0604857F	OPERATIONALLY RESPONSIVE SPACE .....		
053	0604858F	TECH TRANSITION PROGRAM .....	13,636	13,636
054	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES .....	2,799	2,799
055	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR) .....	70,160	70,160
056	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE) .....	137,233	137,233
057	0305178F	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS) .....		
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>876,709</b>	<b>876,709</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
058	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT .....	977	977
059	0603840F	GLOBAL BROADCAST SERVICE (GBS) .....		
060	0604222F	NUCLEAR WEAPONS SUPPORT .....		
061	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING .....	3,601	3,601
062	0604270F	ELECTRONIC WARFARE DEVELOPMENT .....	1,971	1,971
063	0604280F	JOINT TACTICAL RADIO .....		
064	0604281F	TACTICAL DATA NETWORKS ENTERPRISE .....	51,456	51,456
065	0604287F	PHYSICAL SECURITY EQUIPMENT .....	50	50

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<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
066	0604329F	SMALL DIAMETER BOMB (SDB)—EMD .....	115,000	115,000
067	0604421F	COUNTERSPACE SYSTEMS .....	23,930	23,930
068	0604425F	SPACE SITUATION AWARENESS SYSTEMS .....	400,258	400,258
069	0604429F	AIRBORNE ELECTRONIC ATTACK .....	4,575	4,575
070	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD .....	352,532	372,532
		Space Based Infrared Systems (SBIRS) Data Exploitation .....		[20,000]
071	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT .....	16,284	16,284
072	0604604F	SUBMUNITIONS .....	2,564	2,564
073	0604617F	AGILE COMBAT SUPPORT .....	17,036	17,036
074	0604706F	LIFE SUPPORT SYSTEMS .....	7,273	7,273
075	0604735F	COMBAT TRAINING RANGES .....	33,200	33,200
076	0604740F	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A) .....		
077	0604750F	INTELLIGENCE EQUIPMENT .....		
078	0604800F	F-35—EMD .....	816,335	816,335
079	0604851F	INTERCONTINENTAL BALLISTIC MISSILE—EMD .....	145,442	145,442
080	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD .....	27,963	27,963
081	0604932F	LONG RANGE STANDOFF WEAPON .....	5,000	5,000
082	0604933F	ICBM FUZE MODERNIZATION .....	129,411	129,411
083	0605213F	F-22 MODERNIZATION INCREMENT 3.2B .....	131,100	131,100
084	0605221F	KC-46 .....	1,558,590	1,558,590
085	0605229F	CSAR HH-60 RECAPITALIZATION .....	393,558	393,558
086	0605278F	HC/MC-130 RECAP RDT&E .....	6,242	6,242
087	0605431F	ADVANCED EHF MILSATCOM (SPACE) .....	272,872	272,872
088	0605432F	POLAR MILSATCOM (SPACE) .....	124,805	124,805
089	0605433F	WIDEBAND GLOBAL SATCOM (SPACE) .....	13,948	13,948
090	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM .....	303,500	303,500
091	0101125F	NUCLEAR WEAPONS MODERNIZATION .....	67,874	67,874
092	0207100F	LIGHT ATTACK ARMED RECONNAISSANCE (LAAR) SQUADRONS .....		
093	0207604F	READINESS TRAINING RANGES, OPERATIONS AND MAINTENANCE .....		
094	0207701F	FULL COMBAT MISSION TRAINING .....	4,663	4,663
095	0305230F	MC-12 .....		
096	0401138F	C-27J AIRLIFT SQUADRONS .....		
097	0401318F	CV-22 .....	46,705	46,705
098	0401845F	AIRBORNE SENIOR LEADER C3 (SLC3S) .....		
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>5,078,715</b>	<b>5,098,715</b>
		<b>MANAGEMENT SUPPORT</b>		
099	0604256F	THREAT SIMULATOR DEVELOPMENT .....	17,690	17,690
100	0604759F	MAJOR T&E INVESTMENT .....	34,841	34,841
101	0605101F	RAND PROJECT AIR FORCE .....	32,956	32,956
102	0605502F	SMALL BUSINESS INNOVATION RESEARCH .....		
103	0605712F	INITIAL OPERATIONAL TEST & EVALUATION .....	13,610	13,610
104	0605807F	TEST AND EVALUATION SUPPORT .....	742,658	742,658
105	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) .....	14,203	14,203
106	0605864F	SPACE TEST PROGRAM (STP) .....	13,000	13,000
107	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT .....	44,160	44,160
108	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT .....	27,643	27,643
109	0606323F	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE .....	13,935	13,935
110	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE .....	192,348	192,348
111	0702806F	ACQUISITION AND MANAGEMENT SUPPORT .....	28,647	28,647
112	0804731F	GENERAL SKILL TRAINING .....	315	315
113	0909999F	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS .....		
114	1001004F	INTERNATIONAL ACTIVITIES .....	3,785	3,785
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>1,179,791</b>	<b>1,179,791</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
115	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT .....	383,500	383,500
116	0604263F	COMMON VERTICAL LIFT SUPPORT PLATFORM .....		
117	0604445F	WIDE AREA SURVEILLANCE .....	5,000	5,000
118	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) .....	90,097	90,097
119	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY .....	32,086	32,086
121	0101113F	B-52 SQUADRONS .....	24,007	24,007
122	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM) .....	450	450
123	0101126F	B-1B SQUADRONS .....	19,589	19,589
124	0101127F	B-2 SQUADRONS .....	100,194	100,194
125	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM .....	37,448	37,448
126	0101314F	NIGHT FIST—USSTRATCOM .....		
128	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM .....	1,700	1,700
129	0102823F	STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES .....		
130	0203761F	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND .....	3,844	3,844
131	0205219F	MQ-9 UAV .....	128,328	128,328
132	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT .....		
133	0207131F	A-10 SQUADRONS .....	9,614	9,614
134	0207133F	F-16 SQUADRONS .....	177,298	177,298
135	0207134F	F-15E SQUADRONS .....	244,289	244,289
136	0207136F	MANNED DESTRUCTIVE SUPPRESSION .....	13,138	13,138
137	0207138F	F-22A SQUADRONS .....	328,542	328,542
138	0207142F	F-35 SQUADRONS .....	33,000	33,000
139	0207161F	TACTICAL AIM MISSILES .....	15,460	15,460

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<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
140	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) .....	84,172	84,172
141	0207170F	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS) .....		
142	0207224F	COMBAT RESCUE AND RECOVERY .....	2,582	2,582
143	0207227F	COMBAT RESCUE—PARARESCUE .....	542	542
144	0207247F	AF TENCAP .....	89,816	89,816
145	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT .....	1,075	1,075
146	0207253F	COMPASS CALL .....	10,782	10,782
147	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM .....	139,369	139,369
148	0207277F	ISR INNOVATIONS .....		
149	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM) .....	6,373	6,373
150	0207410F	AIR & SPACE OPERATIONS CENTER (AOC) .....	22,820	22,820
151	0207412F	CONTROL AND REPORTING CENTER (CRC) .....	7,029	7,029
152	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) .....	186,256	186,256
153	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS .....	743	743
154	0207423F	ADVANCED COMMUNICATIONS SYSTEMS .....		
156	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES .....	4,471	4,471
157	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I .....		
158	0207444F	TACTICAL AIR CONTROL PARTY-MOD .....	10,250	10,250
159	0207448F	C2ISR TACTICAL DATA LINK .....	1,431	1,431
160	0207449F	COMMAND AND CONTROL (C2) CONSTELLATION .....	7,329	7,329
161	0207452F	DCAPES .....	15,081	15,081
162	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS) .....	13,248	13,248
163	0207590F	SEEK EAGLE .....	24,342	24,342
164	0207601F	USAF MODELING AND SIMULATION .....	10,448	10,448
165	0207605F	WARGAMING AND SIMULATION CENTERS .....	5,512	5,512
166	0207697F	DISTRIBUTED TRAINING AND EXERCISES .....	3,301	3,301
167	0208006F	MISSION PLANNING SYSTEMS .....	62,605	62,605
168	0208021F	INFORMATION WARFARE SUPPORT .....		
169	0208059F	CYBER COMMAND ACTIVITIES .....	68,099	68,099
170	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS .....	14,047	14,047
171	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS .....	5,853	5,853
179	0301400F	SPACE SUPERIORITY INTELLIGENCE .....	12,197	12,197
180	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) .....	18,267	18,267
181	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....	36,288	36,288
182	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM .....	90,231	90,231
183	0303141F	GLOBAL COMBAT SUPPORT SYSTEM .....	725	725
184	0303150F	GLOBAL COMMAND AND CONTROL SYSTEM .....		
185	0303601F	MILSATCOM TERMINALS .....	140,170	140,170
187	0304260F	AIRBORNE SIGINT ENTERPRISE .....	117,110	117,110
190	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM) .....	4,430	4,430
191	0305103F	CYBER SECURITY INITIATIVE .....	2,048	2,048
192	0305105F	DOD CYBER CRIME CENTER .....	288	288
193	0305110F	SATELLITE CONTROL NETWORK (SPACE) .....	35,698	35,698
194	0305111F	WEATHER SERVICE .....	24,667	24,667
195	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS) .....	35,674	35,674
196	0305116F	AERIAL TARGETS .....	21,186	21,186
199	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES .....	195	195
200	0305145F	ARMS CONTROL IMPLEMENTATION .....	1,430	1,430
201	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES .....	330	330
203	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE) .....		
204	0305165F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS) .....		
206	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER .....	3,696	3,696
207	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT .....	2,469	2,469
208	0305179F	INTEGRATED BROADCAST SERVICE (IBS) .....	8,289	8,289
209	0305182F	SPACELIFT RANGE SYSTEM (SPACE) .....	13,345	13,345
210	0305193F	CYBER INTELLIGENCE .....		
211	0305202F	DRAGON U-2 .....	18,700	18,700
212	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES .....	3,000	3,000
213	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS .....	37,828	37,828
214	0305207F	MANNED RECONNAISSANCE SYSTEMS .....	13,491	13,491
215	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	7,498	7,498
216	0305219F	MQ-1 PREDATOR A UAV .....	3,326	3,326
217	0305220F	RQ-4 UAV .....	134,406	134,406
218	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING .....	7,413	7,413
219	0305236F	COMMON DATA LINK (CDL) .....	40,503	40,503
220	0305238F	NATO AGS .....	264,134	264,134
221	0305240F	SUPPORT TO DCGS ENTERPRISE .....	23,016	23,016
222	0305265F	GPS III SPACE SEGMENT .....	221,276	221,276
223	0305614F	JSPOC MISSION SYSTEM .....	58,523	58,523
224	0305881F	RAPID CYBER ACQUISITION .....	2,218	2,218
225	0305887F	INTELLIGENCE SUPPORT TO INFORMATION WARFARE .....		
226	0305913F	NUDET DETECTION SYSTEM (SPACE) .....	50,547	50,547
227	0305940F	SPACE SITUATION AWARENESS OPERATIONS .....	18,807	18,807
228	0307141F	INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEVELOPMENT .....		
229	0308699F	SHARED EARLY WARNING (SEW) .....	1,079	1,079
230	0401115F	C-130 AIRLIFT SQUADRON .....	400	26,400
		C-130H Propulsion System Propeller Upgrades .....		[26,000]
231	0401119F	C-5 AIRLIFT SQUADRONS (IF) .....	61,492	61,492
232	0401130F	C-17 AIRCRAFT (IF) .....	109,134	109,134

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233	0401132F	C-130J PROGRAM .....	22,443	22,443
234	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM) .....	4,116	4,116
235	0401139F	LIGHT MOBILITY AIRCRAFT (LIMA) .....		
236	0401218F	KC-135S .....		
237	0401219F	KC-10S .....		
238	0401314F	OPERATIONAL SUPPORT AIRLIFT .....	44,553	44,553
239	0408011F	SPECIAL TACTICS / COMBAT CONTROL .....	6,213	6,213
240	0702207F	DEPOT MAINTENANCE (NON-IF) .....	1,605	1,605
241	0708012F	LOGISTICS SUPPORT ACTIVITIES .....		
242	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT) .....	95,238	95,238
243	0708611F	SUPPORT SYSTEMS DEVELOPMENT .....	10,925	10,925
244	0804743F	OTHER FLIGHT TRAINING .....	1,347	1,347
245	0808716F	OTHER PERSONNEL ACTIVITIES .....	65	65
246	0901202F	JOINT PERSONNEL RECOVERY AGENCY .....	1,083	1,083
247	0901218F	CIVILIAN COMPENSATION PROGRAM .....	1,577	1,577
248	0901220F	PERSONNEL ADMINISTRATION .....	5,990	5,990
249	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY .....	786	786
250	0901279F	FACILITIES OPERATION—ADMINISTRATIVE .....	654	654
251	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT .....	135,735	135,735
252	0902998F	MANAGEMENT HQ—ADP SUPPORT (AF) .....		
252A	999999999	CLASSIFIED PROGRAMS .....	11,874,528	11,894,528
		Program Increase .....		[20,000]
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b> .....	<b>16,297,542</b>	<b>16,343,542</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b> .....	<b>25,702,946</b>	<b>25,778,946</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>		
		<b>BASIC RESEARCH</b>		
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE .....	45,837	45,837
002	0601101E	DEFENSE RESEARCH SCIENCES .....	315,033	315,033
003	0601110D8Z	BASIC RESEARCH INITIATIVES .....	11,171	11,171
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE .....	49,500	49,500
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM .....	84,271	89,271
		Restore PK-12 funding .....		[5,000]
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS .....	30,895	35,895
		Program increase .....		[5,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	51,426	51,426
		<b>SUBTOTAL BASIC RESEARCH</b> .....	<b>588,133</b>	<b>598,133</b>
		<b>APPLIED RESEARCH</b>		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY .....	20,065	13,565
		Decrease to insensitive munitions program .....		[-6,500]
009	0602115E	BIOMEDICAL TECHNOLOGY .....	114,790	114,790
010	0602228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE .....		
011	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM .....	46,875	46,875
012	0602250D8Z	SYSTEMS 2020 APPLIED RESEARCH .....		
013	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES .....	45,000	45,000
014	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY .....	413,260	413,260
015	0602304E	COGNITIVE COMPUTING SYSTEMS .....	16,330	16,330
016	0602305E	MACHINE INTELLIGENCE .....		
017	0602383E	BIOLOGICAL WARFARE DEFENSE .....	24,537	24,537
018	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	227,065	217,065
		Program decrease .....		[-10,000]
019	0602663D8Z	DATA TO DECISIONS APPLIED RESEARCH .....		
020	0602668D8Z	CYBER SECURITY RESEARCH .....	18,908	18,908
021	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH .....		
022	0602702E	TACTICAL TECHNOLOGY .....	225,977	225,977
023	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY .....	166,654	166,654
024	0602716E	ELECTRONICS TECHNOLOGY .....	243,469	243,469
025	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES .....	175,282	175,282
026	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH .....	11,107	11,107
027	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT .....	29,246	29,246
		<b>SUBTOTAL APPLIED RESEARCH</b> .....	<b>1,778,565</b>	<b>1,762,065</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
028	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY .....	26,646	26,646
029	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT .....	19,420	19,920
		Program increase for future information operations strategy .....		[500]
030	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT .....	77,792	77,792
031	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT .....	274,033	274,033
032	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY .....	309,203	239,203
		Decrease in funding of Common Kill Vehicle Technology Program .....		[-70,000]
033	0603200D8Z	JOINT ADVANCED CONCEPTS .....		
034	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT .....	19,305	19,305
035	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY .....	7,565	7,565
036	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY .....	40,426	40,426
037	0603286E	ADVANCED AEROSPACE SYSTEMS .....	149,804	149,804
038	0603287E	SPACE PROGRAMS AND TECHNOLOGY .....	172,546	172,546
039	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT .....	170,847	170,847

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<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
040	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY .....	9,009	9,009
041	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS .....	174,428	167,428
		Decrease to Strategic Capabilities Office efforts .....		[-7,000]
042	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES .....	20,000	20,000
043	0603663D8Z	DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOPMENT .....		
044	0603665D8Z	BIOMETRICS SCIENCE AND TECHNOLOGY .....		
045	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH .....	19,668	19,668
046	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT .....		
047	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM .....	34,041	34,041
048	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT .....	61,971	53,971
		Decrease to Strategic Capabilities Office efforts .....		[-8,000]
049	0603711D8Z	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS .....		
050	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS .....	20,000	20,000
051	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY .....	30,256	30,256
052	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM .....	72,324	72,324
053	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT .....	82,700	82,700
054	0603727D8Z	JOINT WARFIGHTING PROGRAM .....	8,431	8,431
055	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES .....	117,080	117,080
056	0603755D8Z	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM .....		
057	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS .....	239,078	239,078
058	0603765E	CLASSIFIED DARPA PROGRAMS .....		
059	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY .....	259,006	259,006
060	0603767E	SENSOR TECHNOLOGY .....	286,364	286,364
061	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT .....	12,116	12,116
062	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE .....	19,008	19,008
063	0603826D8Z	QUICK REACTION SPECIAL PROJECTS .....	78,532	78,532
064	0603828D8Z	JOINT EXPERIMENTATION .....		
065	0603828J	JOINT EXPERIMENTATION .....	12,667	12,667
066	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE .....	41,370	41,370
067	0603901C	DIRECTED ENERGY RESEARCH .....		
068	0603902C	NEXT GENERATION AEGIS MISSILE .....		
069	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY .....	92,508	92,508
070	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT .....	52,001	60,001
		Operational Energy Capability Improvement Fund .....		[8,000]
071	0303310D8Z	CWMD SYSTEMS .....	52,053	52,053
072	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT .....	46,809	46,809
073	1160422BB	AVIATION ENGINEERING ANALYSIS .....		
074	1160472BB	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY .....		
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>3,109,007</b>	<b>3,032,507</b>
		<b>ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES</b>		
075	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P .....	63,641	63,641
076	0603527D8Z	RETRACT LARCH .....	19,152	19,152
077	0603600D8Z	WALKOFF .....	70,763	70,763
078	0603709D8Z	JOINT ROBOTICS PROGRAM .....		
079	0603714D8Z	ADVANCED SENSORS APPLICATION PROGRAM .....	17,230	17,230
080	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM .....	71,453	71,453
081	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT .....	268,990	268,990
082	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT .....	1,033,903	1,174,303
		Planning and Design (35% to 100% design) .....		[50,000]
		RDT&E Ground Systems Development .....		[70,000]
		RDT&E Site Activities, including EIS .....		[20,400]
082A	0603XXXX	COMMON KILL VEHICLE TECHNOLOGY AND CAPABILITY DEVELOPMENT PROGRAM .....		70,000
		Common Kill Vehicle Technology Program .....		[70,000]
083	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL .....	196,237	196,237
084	0603884C	BALLISTIC MISSILE DEFENSE SENSORS .....	315,183	315,183
085	0603888C	BALLISTIC MISSILE DEFENSE TEST & TARGETS .....		
086	0603890C	BMD ENABLING PROGRAMS .....	377,605	377,605
087	0603891C	SPECIAL PROGRAMS—MDA .....	286,613	286,613
088	0603892C	AEGIS BMD .....	937,056	937,056
089	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM .....	44,947	44,947
090	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS .....	6,515	6,515
091	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI. ....	418,355	418,355
092	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT .....	47,419	47,419
093	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC) .....	52,131	52,131
094	0603906C	REGARDING TRENCH .....	13,864	13,864
095	0603907C	SEA BASED X-BAND RADAR (SBX) .....	44,478	44,478
096	0603913C	ISRAELI COOPERATIVE PROGRAMS .....	95,782	283,782
		Development of increased capabilities for Iron Dome .....		[15,000]
		Increase Israeli Cooperative Programs .....		[173,000]
097	0603914C	BALLISTIC MISSILE DEFENSE TEST .....	375,866	375,866
098	0603915C	BALLISTIC MISSILE DEFENSE TARGETS .....	495,257	495,257
099	0603920D8Z	HUMANITARIAN DEMINING .....	11,704	11,704
100	0603923D8Z	COALITION WARFARE .....	9,842	9,842
101	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM .....	3,312	13,312
		Corrosion Prevention, Control, and Mitigation .....		[10,000]
102	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES .....	130,000	25,000
		Decrease to SCO efforts .....		[-105,000]

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103	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	8,300	8,300
104	0604445J	WIDE AREA SURVEILLANCE .....	30,000	30,000
105	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING.		
106	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM .....		250,000
		Rapid Innovation Program .....		[250,000]
107	0604787D8Z	JOINT SYSTEMS INTEGRATION COMMAND (JSIC) .....		
108	0604787J	JOINT SYSTEMS INTEGRATION .....	7,402	7,402
109	0604828D8Z	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM .....		
110	0604828J	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM .....	7,506	7,506
111	0604880C	LAND-BASED SM-3 (LBSM3) .....	129,374	129,374
112	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT .....	308,522	308,522
113	0604883C	PRECISION TRACKING SPACE SYSTEM .....		
114	0604886C	ADVANCED REMOTE SENSOR TECHNOLOGY (ARST) .....		
115	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM .....	3,169	3,169
116	0305103C	CYBER SECURITY INITIATIVE .....	946	946
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES .....</b>	<b>5,902,517</b>	<b>6,455,917</b>
		<b>SYSTEM DEVELOPMENT AND DEMONSTRATION</b>		
117	0604051D8Z	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP) .....		
118	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD .....	8,155	8,155
119	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT .....	65,440	65,440
120	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD .....	451,306	451,306
121	0604709D8Z	JOINT ROBOTICS PROGRAM—EMD .....		
122	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO) .....	29,138	29,138
123	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS) .....	19,475	19,475
124	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES .....	12,901	12,901
125	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT .....	13,812	13,812
126	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE .....	386	386
127	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM .....	3,763	3,763
128	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES .....	6,788	6,788
129	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION .....	27,917	27,917
130	0605075D8Z	DCMO POLICY AND INTEGRATION .....	22,297	22,297
131	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM .....	51,689	51,689
132	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES .....	6,184	6,184
133	0303141K	GLOBAL COMBAT SUPPORT SYSTEM .....	12,083	12,083
134	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM) .....	3,302	3,302
		<b>SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION .....</b>	<b>734,636</b>	<b>734,636</b>
		<b>MANAGEMENT SUPPORT</b>		
135	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS) .....	6,393	6,393
136	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT .....	2,479	2,479
137	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP) .....	240,213	240,213
138	0604942D8Z	ASSESSMENTS AND EVALUATIONS .....	2,127	2,127
139	0604943D8Z	THERMAL VICAR .....	8,287	8,287
140	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC) .....	31,000	31,000
141	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS .....	24,379	24,379
142	0605110D8Z	USD(A&T)—CRITICAL TECHNOLOGY SUPPORT .....		
143	0605117D8Z	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION .....	54,311	54,311
144	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO) .....	47,462	47,462
145	0605128D8Z	CLASSIFIED PROGRAM USD(P) .....		
146	0605130D8Z	FOREIGN COMPARATIVE TESTING .....	12,134	12,134
147	0605142D8Z	SYSTEMS ENGINEERING .....	44,237	44,237
148	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD .....	5,871	5,871
149	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY .....	5,028	5,028
150	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION .....	6,301	6,301
151	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE) .....	6,504	6,504
152	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	92,046	92,046
153	0605502BR	SMALL BUSINESS INNOVATION RESEARCH .....		
154	0605502C	SMALL BUSINESS INNOVATION RESEARCH—MDA .....		
155	0605502D8Z	SMALL BUSINESS INNOVATIVE RESEARCH .....		
156	0605502E	SMALL BUSINESS INNOVATIVE RESEARCH .....		
157	0605502S	SMALL BUSINESS INNOVATIVE RESEARCH .....		
158	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER (S).	1,868	1,868
159	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS .....	8,362	8,362
160	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC) .....	56,024	56,024
161	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION .....	6,908	6,908
162	0605804D8Z	DEVELOPMENT TEST AND EVALUATION .....	15,451	19,451
		Program increase .....		[4,000]
163	0605897E	DARPA AGENCY RELOCATION .....		
164	0605898E	MANAGEMENT HQ—R&D .....	71,659	71,659
165	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS .....	4,083	4,083
166	0606301D8Z	AVIATION SAFETY TECHNOLOGIES .....		
167	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI) .....	5,306	5,306
168	0204571J	JOINT STAFF ANALYTICAL SUPPORT .....	2,097	2,097
171	0303166D8Z	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES .....		
172	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES .....	8,394	8,394

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173	0303169D8Z	INFORMATION TECHNOLOGY RAPID ACQUISITION .....		
174	0305103E	CYBER SECURITY INITIATIVE .....		
175	0305193D8Z	CYBER INTELLIGENCE .....	7,624	7,624
177	0305400D8Z	WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT .....		
178	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2) .....	43,247	43,247
179	0901598C	MANAGEMENT HQ—MDA .....	37,712	37,712
180	0901598D8W	MANAGEMENT HEADQUARTERS WHS .....	607	607
181	0909999D8Z	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS .....		
181A	9999999999	CLASSIFIED PROGRAMS .....	54,914	54,914
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>913,028</b>	<b>917,028</b>
		<b>OPERATIONAL SYSTEM DEVELOPMENT</b>		
182	0604130V	ENTERPRISE SECURITY SYSTEM (ESS) .....	7,552	7,552
183	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA. ....	3,270	3,270
184	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS) .....	287	287
185	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT .....	14,000	14,000
186	0607310D8Z	OPERATIONAL SYSTEMS DEVELOPMENT .....	1,955	1,955
187	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS). ....	13,250	13,250
188	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT) .....	13,026	13,026
189	0607828D8Z	JOINT INTEGRATION AND INTEROPERABILITY .....		
190	0607828J	JOINT INTEGRATION AND INTEROPERABILITY .....	12,652	12,652
191	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS) .....	3,061	3,061
192	0208045K	C4I INTEROPERABILITY .....	72,726	72,726
194	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING .....	6,524	6,524
201	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT .....	512	512
202	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION .....	12,867	12,867
203	0303126K	LONG-HAUL COMMUNICATIONS—DCS .....	36,565	36,565
204	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....	13,144	13,144
205	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI) .....	1,060	1,060
206	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI) .....	33,279	33,279
207	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM .....	10,673	10,673
208	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM .....	181,567	179,291
		Excess to need .....		[-2,276]
209	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM .....		
210	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM .....	34,288	34,288
211	0303153K	DEFENSE SPECTRUM ORGANIZATION .....	7,741	7,741
212	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES) .....	3,325	3,325
213	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO) .....	1,246	1,246
214	0303610K	TELEPORT PROGRAM .....	5,147	5,147
216	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES .....	17,352	17,352
220	0305103K	CYBER SECURITY INITIATIVE .....	3,658	3,658
221	0305125D8Z	CRITICAL INFRASTRUCTURE PROTECTION (CIP) .....	9,752	9,752
225	0305186D8Z	POLICY R&D PROGRAMS .....	3,210	3,210
227	0305199D8Z	NET CENTRICITY .....	21,602	21,602
230	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	5,195	5,195
233	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	3,348	3,348
235	0305219BB	MQ-1 PREDATOR A UAV .....	641	641
237	0305231BB	MQ-8 UAV .....		
238	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM .....	2,338	2,338
239	0305600D8Z	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES .....	4,372	4,372
244	0305889G	COUNTERDRUG INTELLIGENCE SUPPORT .....		
247	0708011S	INDUSTRIAL PREPAREDNESS .....	24,691	24,691
248	0708012S	LOGISTICS SUPPORT ACTIVITIES .....	4,659	4,659
249	0902298J	MANAGEMENT HQ—OJCS .....	3,533	3,533
250	1105219BB	MQ-9 UAV .....	1,314	1,314
251	1105232BB	RQ-11 UAV .....		
252	1105233BB	RQ-7 UAV .....		
253	1160279BB	SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH TRANSFER PILOT PROG .....		
254	1160403BB	AVIATION SYSTEMS .....	156,561	156,561
255	1160404BB	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT .....		
256	1160405BB	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT .....	7,705	7,705
257	1160408BB	SOF OPERATIONAL ENHANCEMENTS .....	42,620	42,620
258	1160421BB	SPECIAL OPERATIONS CV-22 DEVELOPMENT .....		
259	1160427BB	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS) .....		
260	1160429BB	AC/MC-130J .....		
261	1160431BB	WARRIOR SYSTEMS .....	17,970	17,970
262	1160432BB	SPECIAL PROGRAMS .....	7,424	7,424
263	1160474BB	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS .....		
264	1160476BB	SOF TACTICAL RADIO SYSTEMS .....		
265	1160477BB	SOF WEAPONS SYSTEMS .....		
266	1160478BB	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS .....		
267	1160479BB	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS .....		
268	1160480BB	SOF TACTICAL VEHICLES .....	2,206	2,206
269	1160481BB	SOF MUNITIONS .....		
270	1160482BB	SOF ROTARY WING AVIATION .....		
271	1160483BB	MARITIME SYSTEMS .....	18,325	18,325
272	1160484BB	SOF SURFACE CRAFT .....		



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273	1160488BB	SOF MILITARY INFORMATION SUPPORT OPERATIONS .....		
274	1160489BB	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES .....	3,304	3,304
275	1160490BB	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	16,021	16,021
275A	999999999	CLASSIFIED PROGRAMS .....	3,773,704	3,773,704
		<b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT .....</b>	<b>4,641,222</b>	<b>4,638,946</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW .....</b>	<b>17,667,108</b>	<b>18,139,232</b>
		<b>OPERATIONAL TEST &amp; EVAL, DEFENSE</b>		
		<b>MANAGEMENT SUPPORT</b>		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION .....	75,720	75,720
002	0605131OTE	LIVE FIRE TEST AND EVALUATION .....	48,423	48,423
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES .....	62,157	62,157
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>186,300</b>	<b>186,300</b>
		<b>TOTAL OPERATIONAL TEST &amp; EVAL, DEFENSE .....</b>	<b>186,300</b>	<b>186,300</b>
		<b>TOTAL RDT&amp;E .....</b>	<b>67,520,236</b>	<b>68,079,460</b>

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.**

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
087	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES .....	7,000	7,000
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>7,000</b>	<b>7,000</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY .....</b>	<b>7,000</b>	<b>7,000</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
224A	999999999	CLASSIFIED PROGRAMS .....	34,426	34,426
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>34,426</b>	<b>34,426</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY .....</b>	<b>34,426</b>	<b>34,426</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
252A	999999999	CLASSIFIED PROGRAMS .....	9,000	9,000
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>9,000</b>	<b>9,000</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF .....</b>	<b>9,000</b>	<b>9,000</b>
		<b>OPERATIONAL SYSTEM DEVELOPMENT</b>		
275A	999999999	CLASSIFIED PROGRAMS .....	66,208	66,208
		<b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT .....</b>	<b>66,208</b>	<b>66,208</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW .....</b>	<b>66,208</b>	<b>66,208</b>
		<b>TOTAL RDT&amp;E .....</b>	<b>116,634</b>	<b>116,634</b>

**TITLE XLIII—OPERATION AND MAINTENANCE**

**SEC. 4301. OPERATION AND MAINTENANCE.**

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
	<b>OPERATION &amp; MAINTENANCE, ARMY</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	888,114	1,096,714
	Missile Defense Deployment to Guam .....		[13,100]
	Restore Army OPTEMPO to 90% .....		[195,500]
020	MODULAR SUPPORT BRIGADES .....	72,624	72,624
030	ECHELONS ABOVE BRIGADE .....	617,402	617,402
040	THEATER LEVEL ASSETS .....	602,262	602,262
050	LAND FORCES OPERATIONS SUPPORT .....	1,032,484	1,032,484
060	AVIATION ASSETS .....	1,287,462	1,303,262
	Restore Army Flying Hour Program to 90% .....		[15,800]
070	FORCE READINESS OPERATIONS SUPPORT .....	3,559,656	3,559,656
080	LAND FORCES SYSTEMS READINESS .....	454,477	454,477

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
090	LAND FORCES DEPOT MAINTENANCE .....	1,481,156	1,481,156
100	BASE OPERATIONS SUPPORT .....	7,278,154	7,278,154
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	2,754,712	3,011,712
	Realignment of Arlington National Cemetery operations .....		[-25,000]
	Sustainment to 90% .....		[282,000]
120	MANAGEMENT AND OPERATIONAL HQ'S .....	425,271	425,271
130	COMBATANT COMMANDERS CORE OPERATIONS .....	185,064	185,064
170	COMBATANT COMMANDERS ANCILLARY MISSIONS .....	463,270	456,594
	Realignment of SOUTHCOM Information Operations .....		[3,100]
	Unjustified EUCOM Growth .....		[-9,776]
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>21,102,108</b>	<b>21,576,832</b>
	<b>MOBILIZATION</b>		
180	STRATEGIC MOBILITY .....	360,240	360,240
190	ARMY PREPOSITIONING STOCKS .....	192,105	192,105
200	INDUSTRIAL PREPAREDNESS .....	7,101	7,101
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>559,446</b>	<b>559,446</b>
	<b>TRAINING AND RECRUITING</b>		
210	OFFICER ACQUISITION .....	115,992	115,992
220	RECRUIT TRAINING .....	52,323	52,323
230	ONE STATION UNIT TRAINING .....	43,589	43,589
240	SENIOR RESERVE OFFICERS TRAINING CORPS .....	453,745	453,745
250	SPECIALIZED SKILL TRAINING .....	1,034,495	1,034,495
260	FLIGHT TRAINING .....	1,016,876	1,016,876
270	PROFESSIONAL DEVELOPMENT EDUCATION .....	186,565	186,565
280	TRAINING SUPPORT .....	652,514	652,514
290	RECRUITING AND ADVERTISING .....	485,500	485,500
300	EXAMINING .....	170,912	170,912
310	OFF-DUTY AND VOLUNTARY EDUCATION .....	251,523	251,523
320	CIVILIAN EDUCATION AND TRAINING .....	184,422	184,422
330	JUNIOR ROTC .....	181,105	181,105
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>4,829,561</b>	<b>4,829,561</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
350	SERVICEWIDE TRANSPORTATION .....	690,089	690,089
360	CENTRAL SUPPLY ACTIVITIES .....	774,120	779,120
	Corrosion Prevention, Control, and Mitigation .....		[5,000]
370	LOGISTIC SUPPORT ACTIVITIES .....	651,765	651,765
380	AMMUNITION MANAGEMENT .....	453,051	453,051
390	ADMINISTRATION .....	487,737	487,737
400	SERVICEWIDE COMMUNICATIONS .....	1,563,115	1,563,115
410	MANPOWER MANAGEMENT .....	326,853	326,853
420	OTHER PERSONNEL SUPPORT .....	234,364	234,364
430	OTHER SERVICE SUPPORT .....	1,212,091	1,212,091
440	ARMY CLAIMS ACTIVITIES .....	243,540	243,540
450	REAL ESTATE MANAGEMENT .....	241,101	241,101
460	BASE OPERATIONS SUPPORT .....	226,291	226,291
470	SUPPORT OF NATO OPERATIONS .....	426,651	457,851
	Realignment of NATO Special Operations Headquarters from O&M Defense-wide .....		[31,200]
480	MISC. SUPPORT OF OTHER NATIONS .....	27,248	24,148
	Realignment of SOUTHCOM Information Operations .....		[-3,100]
525	CLASSIFIED PROGRAMS .....	1,023,946	1,023,946
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES</b> .....	<b>8,581,962</b>	<b>8,615,062</b>
	<b>UNDISTRIBUTED</b>		
530	UNDISTRIBUTED .....		-740,300
	Average civilian end strength above projection .....		[-284,300]
	Unobligated balances .....		[-456,000]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-740,300</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY</b> .....	<b>35,073,077</b>	<b>34,840,601</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RES</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	1,621	1,621
020	MODULAR SUPPORT BRIGADES .....	24,429	24,429
030	ECHELONS ABOVE BRIGADE .....	657,099	657,099
040	THEATER LEVEL ASSETS .....	122,485	122,485
050	LAND FORCES OPERATIONS SUPPORT .....	584,058	584,058
060	AVIATION ASSETS .....	79,380	79,380
070	FORCE READINESS OPERATIONS SUPPORT .....	471,616	471,616
080	LAND FORCES SYSTEMS READINESS .....	74,243	74,243
090	LAND FORCES DEPOT MAINTENANCE .....	70,894	70,894
100	BASE OPERATIONS SUPPORT .....	569,801	569,801
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	294,145	323,245
	Sustainment to 90% .....		[29,100]
120	MANAGEMENT AND OPERATIONAL HQ'S .....	51,853	51,853
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>3,001,624</b>	<b>3,030,724</b>

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
130	SERVICEWIDE TRANSPORTATION .....	10,735	10,735
140	ADMINISTRATION .....	24,197	24,197
150	SERVICEWIDE COMMUNICATIONS .....	10,304	10,304
160	MANPOWER MANAGEMENT .....	10,319	10,319
170	RECRUITING AND ADVERTISING .....	37,857	37,857
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>93,412</b>	<b>93,412</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES .....</b>	<b>3,095,036</b>	<b>3,124,136</b>
<b>OPERATION &amp; MAINTENANCE, ARNG</b>			
<b>OPERATING FORCES</b>			
010	MANEUVER UNITS .....	800,880	800,880
020	MODULAR SUPPORT BRIGADES .....	178,650	178,650
030	ECHELONS ABOVE BRIGADE .....	771,503	771,503
040	THEATER LEVEL ASSETS .....	98,699	98,699
050	LAND FORCES OPERATIONS SUPPORT .....	38,779	38,779
060	AVIATION ASSETS .....	922,503	922,503
070	FORCE READINESS OPERATIONS SUPPORT .....	761,056	761,056
080	LAND FORCES SYSTEMS READINESS .....	62,971	62,971
090	LAND FORCES DEPOT MAINTENANCE .....	233,105	233,105
100	BASE OPERATIONS SUPPORT .....	1,019,059	1,019,059
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	712,139	786,339
	Sustainment to 90% .....		[74,200]
120	MANAGEMENT AND OPERATIONAL HQ'S .....	1,013,715	1,013,715
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>6,613,059</b>	<b>6,687,259</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
130	SERVICEWIDE TRANSPORTATION .....	10,812	10,812
140	REAL ESTATE MANAGEMENT .....	1,551	1,551
150	ADMINISTRATION .....	78,284	78,284
160	SERVICEWIDE COMMUNICATIONS .....	46,995	46,995
170	MANPOWER MANAGEMENT .....	6,390	6,390
180	RECRUITING AND ADVERTISING .....	297,105	297,105
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>441,137</b>	<b>441,137</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARNG .....</b>	<b>7,054,196</b>	<b>7,128,396</b>
<b>OPERATION &amp; MAINTENANCE, NAVY</b>			
<b>OPERATING FORCES</b>			
010	MISSION AND OTHER FLIGHT OPERATIONS .....	4,952,522	4,952,522
020	FLEET AIR TRAINING .....	1,826,404	1,826,404
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES .....	38,639	38,639
040	AIR OPERATIONS AND SAFETY SUPPORT .....	90,030	90,030
050	AIR SYSTEMS SUPPORT .....	362,700	362,700
060	AIRCRAFT DEPOT MAINTENANCE .....	915,881	915,881
070	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	35,838	35,838
080	AVIATION LOGISTICS .....	379,914	448,414
	CLS for AVN Logistics .....		[68,500]
090	MISSION AND OTHER SHIP OPERATIONS .....	3,884,836	3,884,836
100	SHIP OPERATIONS SUPPORT & TRAINING .....	734,852	734,852
110	SHIP DEPOT MAINTENANCE .....	5,191,511	5,191,511
120	SHIP DEPOT OPERATIONS SUPPORT .....	1,351,274	1,351,274
130	COMBAT COMMUNICATIONS .....	701,316	691,722
	New START treaty implementation, excluding verification and inspection activities .....		[-9,594]
140	ELECTRONIC WARFARE .....	97,710	97,710
150	SPACE SYSTEMS AND SURVEILLANCE .....	172,330	172,330
160	WARFARE TACTICS .....	454,682	454,682
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....	328,406	328,406
180	COMBAT SUPPORT FORCES .....	946,429	946,429
190	EQUIPMENT MAINTENANCE .....	142,249	148,249
	Corrosion Prevention, Control, and Mitigation .....		[6,000]
200	DEPOT OPERATIONS SUPPORT .....	2,603	2,603
210	COMBATANT COMMANDERS CORE OPERATIONS .....	102,970	102,970
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	199,128	199,128
230	CRUISE MISSILE .....	92,671	92,671
240	FLEET BALLISTIC MISSILE .....	1,193,188	1,193,188
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT .....	105,985	105,985
260	WEAPONS MAINTENANCE .....	532,627	532,627
270	OTHER WEAPON SYSTEMS SUPPORT .....	304,160	304,160
280	ENTERPRISE INFORMATION .....	1,011,528	1,011,528
290	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	1,996,821	2,182,021
	Sustainment to 90% .....		[185,200]
300	BASE OPERATING SUPPORT .....	4,460,918	4,460,918
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>32,610,122</b>	<b>32,860,228</b>
<b>MOBILIZATION</b>			
310	SHIP PREPOSITIONING AND SURGE .....	331,576	331,576

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS .....	6,638	6,638
330	SHIP ACTIVATIONS/INACTIVATIONS .....	222,752	222,752
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	73,310	73,310
350	INDUSTRIAL READINESS .....	2,675	2,675
360	COAST GUARD SUPPORT .....	23,794	23,794
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>660,745</b>	<b>660,745</b>
	<b>TRAINING AND RECRUITING</b>		
370	OFFICER ACQUISITION .....	148,516	148,516
380	RECRUIT TRAINING .....	9,384	9,384
390	RESERVE OFFICERS TRAINING CORPS .....	139,876	139,876
400	SPECIALIZED SKILL TRAINING .....	630,069	630,069
410	FLIGHT TRAINING .....	9,294	9,294
420	PROFESSIONAL DEVELOPMENT EDUCATION .....	169,082	169,082
430	TRAINING SUPPORT .....	164,368	164,368
440	RECRUITING AND ADVERTISING .....	241,733	242,833
	Naval Sea Cadets .....		[1,100]
450	OFF-DUTY AND VOLUNTARY EDUCATION .....	139,815	139,815
460	CIVILIAN EDUCATION AND TRAINING .....	94,632	94,632
470	JUNIOR ROTC .....	51,373	51,373
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>1,798,142</b>	<b>1,799,242</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
480	ADMINISTRATION .....	886,088	886,088
490	EXTERNAL RELATIONS .....	13,131	13,131
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT .....	115,742	115,742
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	382,150	382,150
520	OTHER PERSONNEL SUPPORT .....	268,403	268,403
530	SERVICEWIDE COMMUNICATIONS .....	317,293	317,293
550	SERVICEWIDE TRANSPORTATION .....	207,128	207,128
570	PLANNING, ENGINEERING AND DESIGN .....	295,855	295,855
580	ACQUISITION AND PROGRAM MANAGEMENT .....	1,140,484	1,140,484
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT .....	52,873	52,873
600	COMBAT/WEAPONS SYSTEMS .....	27,587	27,587
610	SPACE AND ELECTRONIC WARFARE SYSTEMS .....	75,728	75,728
620	NAVAL INVESTIGATIVE SERVICE .....	543,026	543,026
680	INTERNATIONAL HEADQUARTERS AND AGENCIES .....	4,965	4,965
705	CLASSIFIED PROGRAMS .....	545,775	545,775
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>4,876,228</b>	<b>4,876,228</b>
	<b>UNDISTRIBUTED</b>		
710	UNDISTRIBUTED .....		-278,200
	Average civilian end strength above projection .....		[-38,500]
	Unobligated balances .....		[-239,700]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-278,200</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY .....</b>	<b>39,945,237</b>	<b>39,918,243</b>
	<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>		
	<b>OPERATING FORCES</b>		
010	OPERATIONAL FORCES .....	837,012	902,012
	Crisis Response Force .....		[30,000]
	Marine Security Guard .....		[35,000]
020	FIELD LOGISTICS .....	894,555	898,555
	Corrosion Prevention, Control, and Mitigation .....		[4,000]
030	DEPOT MAINTENANCE .....	223,337	221,337
	Unjustified Growth HUMVEE Modifications .....		[-2,000]
040	MARITIME PREPOSITIONING .....	97,878	97,878
050	SUSTAINMENT, RESTORATION & MODERNIZATION .....	774,619	781,719
	Sustainment to 90% .....		[7,100]
060	BASE OPERATING SUPPORT .....	2,166,661	2,166,661
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>4,994,062</b>	<b>5,068,162</b>
	<b>TRAINING AND RECRUITING</b>		
070	RECRUIT TRAINING .....	17,693	17,693
080	OFFICER ACQUISITION .....	896	896
090	SPECIALIZED SKILL TRAINING .....	100,806	100,806
100	PROFESSIONAL DEVELOPMENT EDUCATION .....	46,928	46,928
110	TRAINING SUPPORT .....	356,426	356,426
120	RECRUITING AND ADVERTISING .....	179,747	179,747
130	OFF-DUTY AND VOLUNTARY EDUCATION .....	52,255	52,255
140	JUNIOR ROTC .....	23,138	23,138
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>777,889</b>	<b>777,889</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
150	SERVICEWIDE TRANSPORTATION .....	43,816	43,816
160	ADMINISTRATION .....	305,107	305,107
180	ACQUISITION AND PROGRAM MANAGEMENT .....	87,500	87,500
185	CLASSIFIED PROGRAMS .....	46,276	46,276

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>482,699</b>	<b>482,699</b>
	<b>UNDISTRIBUTED</b>		
190	UNDISTRIBUTED .....		-50,000
	Unobligated balances .....		[-50,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-50,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS .....</b>	<b>6,254,650</b>	<b>6,278,750</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RES</b>		
	<b>OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	586,620	586,620
020	INTERMEDIATE MAINTENANCE .....	7,008	7,008
040	AIRCRAFT DEPOT MAINTENANCE .....	100,657	100,657
050	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	305	305
060	AVIATION LOGISTICS .....	3,927	3,927
070	MISSION AND OTHER SHIP OPERATIONS .....	75,933	75,933
080	SHIP OPERATIONS SUPPORT & TRAINING .....	601	601
090	SHIP DEPOT MAINTENANCE .....	44,364	44,364
100	COMBAT COMMUNICATIONS .....	15,477	15,477
110	COMBAT SUPPORT FORCES .....	115,608	115,608
120	WEAPONS MAINTENANCE .....	1,967	1,967
130	ENTERPRISE INFORMATION .....	43,726	43,726
140	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	69,011	74,011
	Sustainment to 90% .....		[5,000]
150	BASE OPERATING SUPPORT .....	109,604	109,604
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>1,174,808</b>	<b>1,179,808</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
160	ADMINISTRATION .....	2,905	2,905
170	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	14,425	14,425
180	SERVICEWIDE COMMUNICATIONS .....	2,485	2,485
190	ACQUISITION AND PROGRAM MANAGEMENT .....	3,129	3,129
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>22,944</b>	<b>22,944</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES .....</b>	<b>1,197,752</b>	<b>1,202,752</b>
	<b>OPERATION &amp; MAINTENANCE, MC RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	OPERATING FORCES .....	96,244	96,244
020	DEPOT MAINTENANCE .....	17,581	19,081
	Restore Critical Depot Maintenance .....		[1,500]
030	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	32,438	32,738
	Sustainment to 90% .....		[300]
040	BASE OPERATING SUPPORT .....	95,259	95,259
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>241,522</b>	<b>243,322</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
050	SERVICEWIDE TRANSPORTATION .....	894	894
060	ADMINISTRATION .....	11,743	11,743
070	RECRUITING AND ADVERTISING .....	9,158	9,158
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>21,795</b>	<b>21,795</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MC RESERVE .....</b>	<b>263,317</b>	<b>265,117</b>
	<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>		
	<b>OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	3,295,814	3,295,814
020	COMBAT ENHANCEMENT FORCES .....	1,875,095	1,875,095
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....	1,559,109	1,559,109
040	DEPOT MAINTENANCE .....	5,956,304	5,961,304
	Corrosion Prevention, Control, and Mitigation .....		[5,000]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	1,834,424	2,224,454
	Restoration, Modernization, and Demolition project shortfalls .....		[170,530]
	Sustainment to 90% .....		[219,500]
060	BASE SUPPORT .....	2,779,811	2,779,811
070	GLOBAL C3I AND EARLY WARNING .....	913,841	913,841
080	OTHER COMBAT OPS SPT PROGRAMS .....	916,837	916,837
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES .....	720,349	720,349
110	LAUNCH FACILITIES .....	305,275	305,275
120	SPACE CONTROL SYSTEMS .....	433,658	433,658
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	1,146,016	1,147,116
	NORTHCOM VOICE program .....		[1,100]
140	COMBATANT COMMANDERS CORE OPERATIONS .....	231,830	231,830
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>21,968,363</b>	<b>22,364,493</b>
	<b>MOBILIZATION</b>		
150	AIRLIFT OPERATIONS .....	2,015,902	2,015,902
160	MOBILIZATION PREPAREDNESS .....	147,216	147,216

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
170	DEPOT MAINTENANCE .....	1,556,232	1,556,232
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	167,402	167,402
190	BASE SUPPORT .....	707,040	707,040
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>4,593,792</b>	<b>4,593,792</b>
	<b>TRAINING AND RECRUITING</b>		
200	OFFICER ACQUISITION .....	102,334	102,334
210	RECRUIT TRAINING .....	17,733	17,733
220	RESERVE OFFICERS TRAINING CORPS (ROTC) .....	94,600	94,600
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	217,011	217,011
240	BASE SUPPORT .....	800,327	800,327
250	SPECIALIZED SKILL TRAINING .....	399,364	399,364
260	FLIGHT TRAINING .....	792,275	792,275
270	PROFESSIONAL DEVELOPMENT EDUCATION .....	248,958	248,958
280	TRAINING SUPPORT .....	106,741	106,741
290	DEPOT MAINTENANCE .....	319,331	319,331
300	RECRUITING AND ADVERTISING .....	122,736	122,736
310	EXAMINING .....	3,679	3,679
320	OFF-DUTY AND VOLUNTARY EDUCATION .....	137,255	137,255
330	CIVILIAN EDUCATION AND TRAINING .....	176,153	176,153
340	JUNIOR ROTC .....	67,018	67,018
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>3,605,515</b>	<b>3,605,515</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
350	LOGISTICS OPERATIONS .....	1,103,684	1,103,684
360	TECHNICAL SUPPORT ACTIVITIES .....	919,923	919,923
370	DEPOT MAINTENANCE .....	56,601	52,601
	Heavy bomber eliminations related to New START treaty implementation .....		[-400]
	ICBM reductions related to New START implementation .....		[-3,600]
380	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	281,061	281,061
390	BASE SUPPORT .....	1,203,305	1,203,305
400	ADMINISTRATION .....	593,865	593,865
410	SERVICEWIDE COMMUNICATIONS .....	574,609	574,609
420	OTHER SERVICEWIDE ACTIVITIES .....	1,028,600	1,013,200
	De-MIRVing ICBMs related to New START treaty implementation .....		[-700]
	ICBM eliminations and Environmental Impact Study related to New START treaty implementation .....		[-14,700]
430	CIVIL AIR PATROL .....	24,720	24,720
460	INTERNATIONAL SUPPORT .....	89,008	89,008
465	CLASSIFIED PROGRAMS .....	1,227,796	1,222,996
	Classified Adjustment .....		[-4,800]
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>7,103,172</b>	<b>7,078,972</b>
	<b>UNDISTRIBUTED</b>		
470	UNDISTRIBUTED .....		-205,100
	Average civilian end strength above projection .....		[-18,700]
	Unobligated balances .....		[-186,400]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-205,100</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE .....</b>	<b>37,270,842</b>	<b>37,437,672</b>
	<b>OPERATION &amp; MAINTENANCE, AF RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	1,857,951	1,857,951
020	MISSION SUPPORT OPERATIONS .....	224,462	224,462
030	DEPOT MAINTENANCE .....	521,182	521,182
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	89,704	98,804
	Sustainment to 90% .....		[9,100]
050	BASE SUPPORT .....	360,836	360,836
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>3,054,135</b>	<b>3,063,235</b>
	<b>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b>		
060	ADMINISTRATION .....	64,362	64,362
070	RECRUITING AND ADVERTISING .....	15,056	15,056
080	MILITARY MANPOWER AND PERS MGMT (ARPC) .....	23,617	23,617
090	OTHER PERS SUPPORT (DISABILITY COMP) .....	6,618	6,618
100	AUDIOVISUAL .....	819	819
	<b>SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES .....</b>	<b>110,472</b>	<b>110,472</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE .....</b>	<b>3,164,607</b>	<b>3,173,707</b>
	<b>OPERATION &amp; MAINTENANCE, ANG</b>		
	<b>OPERATING FORCES</b>		
010	AIRCRAFT OPERATIONS .....	3,371,871	3,371,871
020	MISSION SUPPORT OPERATIONS .....	720,305	720,305
030	DEPOT MAINTENANCE .....	1,514,870	1,514,870
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	296,953	323,853
	Sustainment to 90% .....		[26,900]
050	BASE SUPPORT .....	597,303	597,303
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>6,501,302</b>	<b>6,528,202</b>

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized
<b>ADMINISTRATION AND SERVICE-WIDE ACTIVITIES</b>			
060	ADMINISTRATION .....	32,117	32,117
070	RECRUITING AND ADVERTISING .....	32,585	32,585
	<b>SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES .....</b>	<b>64,702</b>	<b>64,702</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ANG .....</b>	<b>6,566,004</b>	<b>6,592,904</b>
<b>OPERATION &amp; MAINTENANCE, DEFENSE-WIDE OPERATING FORCES</b>			
010	JOINT CHIEFS OF STAFF .....	472,239	472,239
020	SPECIAL OPERATIONS COMMAND .....	5,261,463	5,230,711
	AFSOC Flying Hour Program .....		[70,100]
	International SOF Information Sharing System .....		[-7,017]
	Ongoing baseline contingency operations .....		[-35,519]
	Pilot program for SOF family members .....		[5,000]
	Preserve the force and families—human performance program .....		[-16,605]
	Preserve the force and families—resiliency .....		[-8,786]
	Realignment of NATO Special Operations Headquarters to O&M, Army .....		[-31,200]
	Regional SOF Coordination Centers .....		[-14,725]
	SOCOM National Capitol Region .....		[-10,000]
	USASOC Flying Hour Program .....		[18,000]
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>5,733,702</b>	<b>5,702,950</b>
<b>TRAINING AND RECRUITING</b>			
040	DEFENSE ACQUISITION UNIVERSITY .....	157,397	157,397
050	NATIONAL DEFENSE UNIVERSITY .....	84,899	84,899
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>242,296</b>	<b>242,296</b>
<b>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b>			
060	CIVIL MILITARY PROGRAMS .....	144,443	165,443
	STARBASE .....		[21,000]
080	DEFENSE CONTRACT AUDIT AGENCY .....	612,207	612,207
090	DEFENSE CONTRACT MANAGEMENT AGENCY .....	1,378,606	1,378,606
110	DEFENSE HUMAN RESOURCES ACTIVITY .....	763,091	763,091
120	DEFENSE INFORMATION SYSTEMS AGENCY .....	1,326,243	1,326,243
140	DEFENSE LEGAL SERVICES AGENCY .....	29,933	29,933
150	DEFENSE LOGISTICS AGENCY .....	462,545	462,545
160	DEFENSE MEDIA ACTIVITY .....	222,979	222,979
170	DEFENSE POW/MIA OFFICE .....	21,594	21,594
180	DEFENSE SECURITY COOPERATION AGENCY .....	788,389	788,389
190	DEFENSE SECURITY SERVICE .....	546,603	546,603
210	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION .....	35,151	35,151
220	DEFENSE THREAT REDUCTION AGENCY .....	438,033	438,033
240	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .....	2,713,756	2,713,756
250	MISSILE DEFENSE AGENCY .....	256,201	256,201
270	OFFICE OF ECONOMIC ADJUSTMENT .....	371,615	217,715
	Program reduction .....		[-153,900]
280	OFFICE OF THE SECRETARY OF DEFENSE .....	2,010,176	1,992,676
	BRAC 2015 Initiative .....		[-8,000]
	Combatant Commanders Exercise Engagement Training Transformation .....		[90,500]
	Procurement Technical Assistance Program—Enhanced Business Support .....		[10,000]
	Realignment to Building Partnership Capacity authorities .....		[-35,000]
	Reduction to Building Partnership Capacity authorities .....		[-75,000]
290	WASHINGTON HEADQUARTERS SERVICES .....	616,572	616,572
295	CLASSIFIED PROGRAMS .....	14,283,558	14,287,648
	Classified adjustment .....		[4,090]
	<b>SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES .....</b>	<b>27,021,695</b>	<b>26,875,385</b>
<b>UNDISTRIBUTED</b>			
305	UNDISTRIBUTED .....		-320,000
	Section 514. Study of Reserve Component General and Flag Officers .....		[3,000]
	Section 551. Department of Defense Recognition of Spouses of Members of Armed Forces who Serve in Combat Zones .....		[5,000]
	Section 571 .DOD Supplementary Impact Aid .....		[25,000]
	Section 621. Expand the victims transitional compensation benefit .....		[10,000]
	Unobligated balances .....		[-363,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-320,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, DEFENSE-WIDE .....</b>	<b>32,997,693</b>	<b>32,500,631</b>
<b>MISCELLANEOUS APPROPRIATIONS</b>			
<b>MISCELLANEOUS APPROPRIATIONS</b>			
050	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID .....	109,500	109,500
060	COOPERATIVE THREAT REDUCTION .....	528,455	528,455
080	ACQ WORKFORCE DEV FD .....	256,031	256,031
090	ENVIRONMENTAL RESTORATION, ARMY .....	298,815	298,815
160	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND .....	5,000	0
	Program reduction .....		[-5,000]



**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
	<b>SUBTOTAL MISCELLANEOUS APPROPRIATIONS</b>	<b>1,197,801</b>	<b>1,192,801</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
100	ENVIRONMENTAL RESTORATION, NAVY	316,103	316,103
	<b>SUBTOTAL MISCELLANEOUS APPROPRIATIONS</b>	<b>316,103</b>	<b>316,103</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
110	ENVIRONMENTAL RESTORATION, AIR FORCE	439,820	439,820
	<b>SUBTOTAL MISCELLANEOUS APPROPRIATIONS</b>	<b>439,820</b>	<b>439,820</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
040	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	13,606	12,626
	Unjustified Growth		[-980]
120	ENVIRONMENTAL RESTORATION, DEFENSE	10,757	10,757
	<b>SUBTOTAL MISCELLANEOUS APPROPRIATIONS</b>	<b>24,363</b>	<b>23,383</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
130	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	237,443	237,443
	<b>SUBTOTAL MISCELLANEOUS APPROPRIATIONS</b>	<b>237,443</b>	<b>237,443</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b>	<b>2,215,530</b>	<b>2,209,550</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE</b>	<b>175,097,941</b>	<b>174,672,459</b>

**SEC. 4302. OPERATION AND MAINTENANCE FOR  
OVERSEAS CONTINGENCY OPERATIONS.**

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
	<b>OPERATION &amp; MAINTENANCE, ARMY OPERATING FORCES</b>		
010	MANEUVER UNITS	217,571	247,571
	Missile Defense Deployment—Other		[15,000]
	Missile Defense Deployment to Turkey		[15,000]
020	MODULAR SUPPORT BRIGADES	8,266	8,266
030	ECHELONS ABOVE BRIGADE	56,626	56,626
040	THEATER LEVEL ASSETS	4,209,942	4,209,942
050	LAND FORCES OPERATIONS SUPPORT	950,567	950,567
060	AVIATION ASSETS	474,288	474,288
070	FORCE READINESS OPERATIONS SUPPORT	1,349,152	1,349,152
080	LAND FORCES SYSTEMS READINESS	655,000	655,000
090	LAND FORCES DEPOT MAINTENANCE	301,563	796,563
	Restore High Priority Depot Maintenance		[495,000]
100	BASE OPERATIONS SUPPORT	706,214	706,214
140	ADDITIONAL ACTIVITIES	11,519,498	11,519,498
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	60,000	60,000
160	RESET	2,240,358	3,740,358
	Restore Critical Army Reset		[1,500,000]
	<b>SUBTOTAL OPERATING FORCES</b>	<b>22,749,045</b>	<b>24,774,045</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
350	SERVICEWIDE TRANSPORTATION	4,601,356	4,601,356
380	AMMUNITION MANAGEMENT	17,418	17,418
400	SERVICEWIDE COMMUNICATIONS	110,000	110,000
420	OTHER PERSONNEL SUPPORT	94,820	94,820
430	OTHER SERVICE SUPPORT	54,000	54,000
450	REAL ESTATE MANAGEMENT	250,000	250,000
525	CLASSIFIED PROGRAMS	1,402,994	1,402,994
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES</b>	<b>6,530,588</b>	<b>6,530,588</b>
	<b>UNDISTRIBUTED</b>		
530	UNDISTRIBUTED		91,100
	Increase to support higher fuel rates		[91,100]
	<b>SUBTOTAL UNDISTRIBUTED</b>		<b>91,100</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY</b>	<b>29,279,633</b>	<b>31,395,733</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RES OPERATING FORCES</b>		
030	ECHELONS ABOVE BRIGADE	6,995	6,995
050	LAND FORCES OPERATIONS SUPPORT	2,332	2,332
070	FORCE READINESS OPERATIONS SUPPORT	608	608
090	LAND FORCES DEPOT MAINTENANCE		75,800
	Restore High Priority Depot Maintenance		[75,800]

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
100	BASE OPERATIONS SUPPORT .....	33,000	33,000
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>42,935</b>	<b>118,735</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES</b> .....	<b>42,935</b>	<b>118,735</b>
	<b>OPERATION &amp; MAINTENANCE, ARNG OPERATING FORCES</b>		
010	MANEUVER UNITS .....	29,314	29,314
020	MODULAR SUPPORT BRIGADES .....	1,494	1,494
030	ECHELONS ABOVE BRIGADE .....	15,343	15,343
040	THEATER LEVEL ASSETS .....	1,549	1,549
060	AVIATION ASSETS .....	64,504	64,504
070	FORCE READINESS OPERATIONS SUPPORT .....	31,512	31,512
100	BASE OPERATIONS SUPPORT .....	42,179	42,179
120	MANAGEMENT AND OPERATIONAL HQ'S .....	11,996	11,996
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>197,891</b>	<b>197,891</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
160	SERVICEWIDE COMMUNICATIONS .....	1,480	1,480
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>1,480</b>	<b>1,480</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARNG</b> .....	<b>199,371</b>	<b>199,371</b>
	<b>AFGHANISTAN SECURITY FORCES FUND MINISTRY OF DEFENSE</b>		
010	SUSTAINMENT .....	2,735,603	2,735,603
020	INFRASTRUCTURE .....	278,650	278,650
030	EQUIPMENT AND TRANSPORTATION .....	2,180,382	2,180,382
040	TRAINING AND OPERATIONS .....	626,550	626,550
	<b>SUBTOTAL MINISTRY OF DEFENSE</b> .....	<b>5,821,185</b>	<b>5,821,185</b>
	<b>MINISTRY OF INTERIOR</b>		
060	SUSTAINMENT .....	1,214,995	1,214,995
080	EQUIPMENT AND TRANSPORTATION .....	54,696	54,696
090	TRAINING AND OPERATIONS .....	626,119	626,119
	<b>SUBTOTAL MINISTRY OF INTERIOR</b> .....	<b>1,895,810</b>	<b>1,895,810</b>
	<b>DETAINEE OPS</b>		
110	SUSTAINMENT .....	7,225	7,225
140	TRAINING AND OPERATIONS .....	2,500	2,500
	<b>SUBTOTAL DETAINEE OPS</b> .....	<b>9,725</b>	<b>9,725</b>
	<b>TOTAL AFGHANISTAN SECURITY FORCES FUND</b> .....	<b>7,726,720</b>	<b>7,726,720</b>
	<b>AFGHANISTAN INFRASTRUCTURE FUND AFGHANISTAN INFRASTRUCTURE FUND</b>		
010	POWER .....	279,000	279,000
	<b>SUBTOTAL AFGHANISTAN INFRASTRUCTURE FUND</b> .....	<b>279,000</b>	<b>279,000</b>
	<b>TOTAL AFGHANISTAN INFRASTRUCTURE FUND</b> .....	<b>279,000</b>	<b>279,000</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	845,169	845,169
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES .....	600	600
040	AIR OPERATIONS AND SAFETY SUPPORT .....	17,489	17,489
050	AIR SYSTEMS SUPPORT .....	78,491	78,491
060	AIRCRAFT DEPOT MAINTENANCE .....	162,420	202,420
	Restore critical depot maintenance .....		[40,000]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	2,700	2,700
080	AVIATION LOGISTICS .....	50,130	50,130
090	MISSION AND OTHER SHIP OPERATIONS .....	949,539	960,939
	Spares .....		[11,400]
100	SHIP OPERATIONS SUPPORT & TRAINING .....	20,226	20,226
110	SHIP DEPOT MAINTENANCE .....	1,679,660	1,843,660
	Program increase .....		[164,000]
120	SHIP DEPOT OPERATIONS SUPPORT .....		126,000
	Program increase .....		[126,000]
130	COMBAT COMMUNICATIONS .....	37,760	37,760
160	WARFARE TACTICS .....	25,351	25,351
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....	20,045	20,045
180	COMBAT SUPPORT FORCES .....	1,212,296	1,665,296
	Combat forces equipment .....		[148,000]
	Combat forces shortfall .....		[305,000]
190	EQUIPMENT MAINTENANCE .....	10,203	10,203
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT .....	127,972	127,972
260	WEAPONS MAINTENANCE .....	221,427	221,427
290	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	13,386	13,386
300	BASE OPERATING SUPPORT .....	110,940	110,940

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
	<b>SUBTOTAL OPERATING FORCES</b>	<b>5,585,804</b>	<b>6,380,204</b>
	<b>MOBILIZATION</b>		
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	18,460	18,460
360	COAST GUARD SUPPORT	227,033	227,033
	<b>SUBTOTAL MOBILIZATION</b>	<b>245,493</b>	<b>245,493</b>
	<b>TRAINING AND RECRUITING</b>		
400	SPECIALIZED SKILL TRAINING	50,269	50,269
430	TRAINING SUPPORT	5,400	5,400
	<b>SUBTOTAL TRAINING AND RECRUITING</b>	<b>55,669</b>	<b>55,669</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
480	ADMINISTRATION	2,418	2,418
490	EXTERNAL RELATIONS	516	516
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,107	5,107
520	OTHER PERSONNEL SUPPORT	1,411	1,411
530	SERVICEWIDE COMMUNICATIONS	2,545	2,545
550	SERVICEWIDE TRANSPORTATION	153,427	153,427
580	ACQUISITION AND PROGRAM MANAGEMENT	8,570	8,570
620	NAVAL INVESTIGATIVE SERVICE	1,425	1,425
705	CLASSIFIED PROGRAMS	5,608	5,608
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b>	<b>181,027</b>	<b>181,027</b>
	<b>UNDISTRIBUTED</b>		
710	UNDISTRIBUTED		155,400
	Increase to support higher fuel rates		[155,400]
	<b>SUBTOTAL UNDISTRIBUTED</b>		<b>155,400</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY</b>	<b>6,067,993</b>	<b>7,017,793</b>
	<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>		
	<b>OPERATING FORCES</b>		
010	OPERATIONAL FORCES	992,190	992,190
020	FIELD LOGISTICS	559,574	559,574
030	DEPOT MAINTENANCE	570,000	626,000
	Restore High Priority Depot Maintenance		[56,000]
060	BASE OPERATING SUPPORT	69,726	69,726
	<b>SUBTOTAL OPERATING FORCES</b>	<b>2,191,490</b>	<b>2,247,490</b>
	<b>TRAINING AND RECRUITING</b>		
110	TRAINING SUPPORT	108,270	108,270
	<b>SUBTOTAL TRAINING AND RECRUITING</b>	<b>108,270</b>	<b>108,270</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
150	SERVICEWIDE TRANSPORTATION	365,555	365,555
160	ADMINISTRATION	3,675	3,675
185	CLASSIFIED PROGRAMS	825	825
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b>	<b>370,055</b>	<b>370,055</b>
	<b>UNDISTRIBUTED</b>		
190	UNDISTRIBUTED		5,400
	Increase to support higher fuel rates		[5,400]
	<b>SUBTOTAL UNDISTRIBUTED</b>		<b>5,400</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS</b>	<b>2,669,815</b>	<b>2,731,215</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RES</b>		
	<b>OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS	17,196	17,196
020	INTERMEDIATE MAINTENANCE	200	200
040	AIRCRAFT DEPOT MAINTENANCE	6,000	6,000
070	MISSION AND OTHER SHIP OPERATIONS	12,304	12,304
090	SHIP DEPOT MAINTENANCE	6,790	6,790
110	COMBAT SUPPORT FORCES	13,210	13,210
	<b>SUBTOTAL OPERATING FORCES</b>	<b>55,700</b>	<b>55,700</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES</b>	<b>55,700</b>	<b>55,700</b>
	<b>OPERATION &amp; MAINTENANCE, MC RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	OPERATING FORCES	11,124	11,124
040	BASE OPERATING SUPPORT	1,410	1,410
	<b>SUBTOTAL OPERATING FORCES</b>	<b>12,534</b>	<b>12,534</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MC RESERVE</b>	<b>12,534</b>	<b>12,534</b>
	<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>		
	<b>OPERATING FORCES</b>		

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
010	PRIMARY COMBAT FORCES .....	1,712,393	1,782,393
	Restore Critical Depot Maintenance .....		[70,000]
020	COMBAT ENHANCEMENT FORCES .....	836,104	836,104
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....	14,118	14,118
040	DEPOT MAINTENANCE .....	1,373,480	1,473,480
	Program increase .....		[100,000]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	122,712	122,712
060	BASE SUPPORT .....	1,520,333	1,520,333
070	GLOBAL C3I AND EARLY WARNING .....	31,582	31,582
080	OTHER COMBAT OPS SPT PROGRAMS .....	147,524	147,524
110	LAUNCH FACILITIES .....	857	857
120	SPACE CONTROL SYSTEMS .....	8,353	8,353
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	50,495	50,495
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>5,817,951</b>	<b>5,987,951</b>
	<b>MOBILIZATION</b>		
150	AIRLIFT OPERATIONS .....	3,091,133	3,141,133
	Restore Critical Depot Maintenance .....		[50,000]
160	MOBILIZATION PREPAREDNESS .....	47,897	47,897
170	DEPOT MAINTENANCE .....	387,179	887,179
	Program increase .....		[500,000]
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	7,043	7,043
190	BASE SUPPORT .....	68,382	68,382
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>3,601,634</b>	<b>4,151,634</b>
	<b>TRAINING AND RECRUITING</b>		
200	OFFICER ACQUISITION .....	100	100
210	RECRUIT TRAINING .....	478	478
240	BASE SUPPORT .....	19,256	19,256
250	SPECIALIZED SKILL TRAINING .....	12,845	12,845
260	FLIGHT TRAINING .....	731	731
270	PROFESSIONAL DEVELOPMENT EDUCATION .....	607	607
280	TRAINING SUPPORT .....	720	720
320	OFF-DUTY AND VOLUNTARY EDUCATION .....	152	152
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>34,889</b>	<b>34,889</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
350	LOGISTICS OPERATIONS .....	86,273	86,273
360	TECHNICAL SUPPORT ACTIVITIES .....	2,511	2,511
390	BASE SUPPORT .....	19,887	19,887
400	ADMINISTRATION .....	3,493	3,493
410	SERVICEWIDE COMMUNICATIONS .....	152,086	152,086
420	OTHER SERVICEWIDE ACTIVITIES .....	269,825	269,825
460	INTERNATIONAL SUPPORT .....	117	117
465	CLASSIFIED PROGRAMS .....	16,558	16,558
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>550,750</b>	<b>550,750</b>
	<b>UNDISTRIBUTED</b>		
470	UNDISTRIBUTED .....		284,000
	Increase to support higher fuel rates .....		[284,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>284,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE .....</b>	<b>10,005,224</b>	<b>11,009,224</b>
	<b>OPERATION &amp; MAINTENANCE, AF RESERVE</b>		
	<b>OPERATING FORCES</b>		
030	DEPOT MAINTENANCE .....	26,599	26,599
050	BASE SUPPORT .....	6,250	6,250
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>32,849</b>	<b>32,849</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE .....</b>	<b>32,849</b>	<b>32,849</b>
	<b>OPERATION &amp; MAINTENANCE, ANG</b>		
	<b>OPERATING FORCES</b>		
020	MISSION SUPPORT OPERATIONS .....	22,200	22,200
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>22,200</b>	<b>22,200</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ANG .....</b>	<b>22,200</b>	<b>22,200</b>
	<b>OPERATION &amp; MAINTENANCE, DEFENSE-WIDE</b>		
	<b>OPERATING FORCES</b>		
020	SPECIAL OPERATIONS COMMAND .....	2,222,868	2,222,868
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>2,222,868</b>	<b>2,222,868</b>
	<b>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b>		
080	DEFENSE CONTRACT AUDIT AGENCY .....	27,781	27,781
090	DEFENSE CONTRACT MANAGEMENT AGENCY .....	45,746	45,746
120	DEFENSE INFORMATION SYSTEMS AGENCY .....	76,348	76,348
140	DEFENSE LEGAL SERVICES AGENCY .....	99,538	99,538

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
160	DEFENSE MEDIA ACTIVITY .....	9,620	9,620
180	DEFENSE SECURITY COOPERATION AGENCY .....	1,950,000	1,950,000
240	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .....	100,100	100,100
280	OFFICE OF THE SECRETARY OF DEFENSE .....	38,227	73,227
	Realignment to Building Partnership Capacity authorities .....		[35,000]
290	WASHINGTON HEADQUARTERS SERVICES .....	2,784	2,784
295	CLASSIFIED PROGRAMS .....	1,862,066	1,862,066
	<b>SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES .....</b>	<b>4,212,210</b>	<b>4,247,210</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, DEFENSE-WIDE .....</b>	<b>6,435,078</b>	<b>6,470,078</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE .....</b>	<b>62,829,052</b>	<b>67,071,152</b>

**TITLE XLIV—MILITARY PERSONNEL**

**SEC. 4401. MILITARY PERSONNEL.**

**SEC. 4401. MILITARY PERSONNEL**  
(In Thousands of Dollars)

<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
<b>Military Personnel Appropriations .....</b>	<b>130,399,881</b>	<b>130,219,281</b>
Flight Paramedic Training Pay and Allowances—Army Guard .....		[4,500]
Flight Paramedic Training Pay and Allowances—Army Reserve .....		[900]
Military Personnel unobligated balances .....		[-186,000]
<b>Medicare-Eligible Retiree Health Fund Contributions .....</b>	<b>6,676,750</b>	<b>6,676,750</b>

**SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS  
CONTINGENCY OPERATIONS.**

**SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
<b>Military Personnel Appropriations .....</b>	<b>9,689,307</b>	<b>9,689,307</b>
<b>Medicare-Eligible Retiree Health Fund Contributions .....</b>	<b>164,033</b>	<b>164,033</b>

**TITLE XLV—OTHER AUTHORIZATIONS**

**SEC. 4501. OTHER AUTHORIZATIONS.**

**SEC. 4501. OTHER AUTHORIZATIONS**  
(In Thousands of Dollars)

<b>Item</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
<b>WORKING CAPITAL FUND, ARMY</b>		
PREPOSITIONED WAR RESERVE STOCKS .....	25,158	25,158
<b>TOTAL WORKING CAPITAL FUND, ARMY .....</b>	<b>25,158</b>	<b>25,158</b>
<b>WORKING CAPITAL FUND, AIR FORCE</b>		
SUPPLIES AND MATERIALS (MEDICAL/DENTAL) .....	61,731	61,731
<b>TOTAL WORKING CAPITAL FUND, AIR FORCE .....</b>	<b>61,731</b>	<b>61,731</b>
<b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>		
DEFENSE LOGISTICS AGENCY (DLA) .....	46,428	46,428
<b>TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE .....</b>	<b>46,428</b>	<b>46,428</b>
<b>WORKING CAPITAL FUND, DECA</b>		
WORKING CAPITAL FUND, DECA .....	1,412,510	1,412,510
<b>TOTAL WORKING CAPITAL FUND, DECA .....</b>	<b>1,412,510</b>	<b>1,412,510</b>
<b>NATIONAL DEFENSE SEALIFT FUND</b>		
MPF MLP .....	134,917	134,917
POST DELIVERY AND OUTFITTING .....	43,404	43,404
LG MED SPD RO/RO MAINTENANCE .....	116,784	116,784
DOD MOBILIZATION ALTERATIONS .....	60,703	60,703
TAH MAINTENANCE .....	19,809	19,809
RESEARCH AND DEVELOPMENT .....	56,058	56,058
READY RESERVE FORCE .....	299,025	299,025
<b>TOTAL NATIONAL DEFENSE SEALIFT FUND .....</b>	<b>730,700</b>	<b>730,700</b>
<b>DEFENSE HEALTH PROGRAM</b>		
IN-HOUSE CARE .....	8,880,738	8,880,738

**SEC. 4501. OTHER AUTHORIZATIONS**  
(In Thousands of Dollars)

<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
PRIVATE SECTOR CARE .....	15,842,732	15,842,732
CONSOLIDATED HEALTH SUPPORT .....	2,505,640	2,505,640
INFORMATION MANAGEMENT .....	1,450,619	1,450,619
MANAGEMENT ACTIVITIES .....	368,248	368,248
EDUCATION AND TRAINING .....	733,097	733,097
BASE OPERATIONS/COMMUNICATIONS .....	1,872,660	1,872,660
R&D RESEARCH .....	9,162	9,162
R&D EXPLORATORY DEVELOPMENT .....	47,977	47,977
R&D ADVANCED DEVELOPMENT .....	291,156	291,156
R&D DEMONSTRATION/VALIDATION .....	132,430	132,430
R&D ENGINEERING DEVELOPMENT .....	161,674	161,674
R&D MANAGEMENT AND SUPPORT .....	72,568	72,568
R&D CAPABILITIES ENHANCEMENT .....	14,646	14,646
PROC INITIAL OUTFITTING .....	89,404	89,404
PROC REPLACEMENT & MODERNIZATION .....	377,577	377,577
PROC IEHR .....	204,200	204,200
UNDISTRIBUTED .....		-276,800
DHP Unobligated .....		[-440,800]
Section 711. Future Availability of TRICARE Prime for Certain Beneficiaries Enrolled in TRICARE Prime .....		[164,000]
<b>TOTAL DEFENSE HEALTH PROGRAM .....</b>	<b>33,054,528</b>	<b>32,777,728</b>
<b>CHEM AGENTS &amp; MUNITIONS DESTRUCTION</b>		
OPERATION & MAINTENANCE .....	451,572	451,572
RDT&E .....	604,183	604,183
PROCUREMENT .....	1,368	1,368
<b>TOTAL CHEM AGENTS &amp; MUNITIONS DESTRUCTION .....</b>	<b>1,057,123</b>	<b>1,057,123</b>
<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>		
OPERATING FORCES .....	815,965	815,965
DRUG DEMAND REDUCTION PROGRAM .....	122,580	122,580
<b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF .....</b>	<b>938,545</b>	<b>938,545</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>		
OPERATION AND MAINTENANCE .....	311,131	311,131
PROCUREMENT .....	1,000	1,000
<b>TOTAL OFFICE OF THE INSPECTOR GENERAL .....</b>	<b>312,131</b>	<b>312,131</b>
<b>TOTAL OTHER AUTHORIZATIONS .....</b>	<b>37,638,854</b>	<b>37,362,054</b>

**SEC. 4502. OTHER AUTHORIZATIONS FOR OVER-  
SEAS CONTINGENCY OPERATIONS.**

**SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
<b>WORKING CAPITAL FUND, ARMY .....</b>		
PREPOSITIONED WAR RESERVE STOCKS .....	44,732	44,732
<b>TOTAL WORKING CAPITAL FUND, ARMY .....</b>	<b>44,732</b>	<b>44,732</b>
<b>WORKING CAPITAL FUND, AIR FORCE</b>		
C-17 CLS ENGINE REPAIR .....	78,500	78,500
TRANSPORTATION FALLEN HEROES .....	10,000	10,000
<b>TOTAL WORKING CAPITAL FUND, AIR FORCE .....</b>	<b>88,500</b>	<b>88,500</b>
<b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>		
DEFENSE LOGISTICS AGENCY (DLA) .....	131,678	131,678
<b>TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE .....</b>	<b>131,678</b>	<b>131,678</b>
<b>DEFENSE HEALTH PROGRAM</b>		
<b>OPERATION &amp; MAINTENANCE</b>		
IN-HOUSE CARE .....	375,958	375,958
PRIVATE SECTOR CARE .....	382,560	382,560
CONSOLIDATED HEALTH SUPPORT .....	132,749	132,749
INFORMATION MANAGEMENT .....	2,238	2,238
MANAGEMENT ACTIVITIES .....	460	460
EDUCATION AND TRAINING .....	10,236	10,236
<b>TOTAL DEFENSE HEALTH PROGRAM .....</b>	<b>904,201</b>	<b>904,201</b>
<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>		
OPERATING FORCES .....	376,305	376,305
<b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF .....</b>	<b>376,305</b>	<b>376,305</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>		
OPERATION AND MAINTENANCE .....	10,766	10,766
<b>TOTAL OFFICE OF THE INSPECTOR GENERAL .....</b>	<b>10,766</b>	<b>10,766</b>

**SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<i>Item</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
<b>TOTAL OTHER AUTHORIZATIONS</b> .....	<b>1,556,182</b>	<b>1,556,182</b>

**TITLE XLVI—MILITARY CONSTRUCTION**  
**SEC. 4601. MILITARY CONSTRUCTION.**

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<i>Account</i>	<i>State/Country and Installation</i>	<i>Project Title</i>	<i>Budget Request</i>	<i>House Agreement</i>
	Alaska			
Army	Fort Wainwright	Aviation Battalion Complex .....	45,000	45,000
Army	Fort Wainwright	Aviation Storage Hangar .....	58,000	58,000
	Colorado			
Army	Fort Carson	Aircraft Maintenance Hangar .....	66,000	66,000
Army	Fort Carson	Aircraft Maintenance Hangar .....	73,000	73,000
Army	Fort Carson	Central Energy Plant .....	34,000	34,000
Army	Fort Carson	Fire Station .....	12,000	12,000
Army	Fort Carson	Headquarters Building .....	33,000	33,000
Army	Fort Carson	Runway .....	12,000	12,000
Army	Fort Carson	Simulator Building .....	12,200	12,200
	Florida			
Army	Eglin AFB	Automated Sniper Field Fire Range .....	4,700	4,700
	Georgia			
Army	Fort Gordon	Adv Individual Training Barracks Cplx, Ph2 .....	61,000	61,000
	Hawaii			
Army	Fort Shafter	Command and Control Facility—Admin .....	75,000	65,000
	Kansas			
Army	Fort Leavenworth	Simulations Center .....	17,000	17,000
	Kentucky			
Army	Fort Campbell	Battlefield Weather Support Facility .....	4,800	4,800
	Maryland			
Army	Aberdeen Proving Ground	Operations and Maintenance Facilities .....	21,000	21,000
Army	Fort Detrick	Entry Control Point .....	2,500	2,500
Army	Fort Detrick	Hazardous Material Storage Building .....	4,600	4,600
	Missouri			
Army	Fort Leonard Wood	Adv Individual Training Barracks Cplx, Ph1 .....	86,000	86,000
Army	Fort Leonard Wood	Simulator Building .....	4,700	4,700
	New York			
Army	U.S. Military Academy	Cadet Barracks, Incr 2 .....	42,000	42,000
	North Carolina			
Army	Fort Bragg	Command and Control Facility .....	5,900	5,900
	Texas			
Army	Fort Bliss	Control Tower .....	10,800	10,800
Army	Fort Bliss	Unmanned Aerial Vehicle Complex .....	36,000	36,000
	Virginia			
Army	Joint Base Langley-Eustis	Adv Individual Training Barracks Cplx, Ph3 .....	50,000	50,000
	Washington			
Army	Joint Base Lewis-Mcchord	Aircraft Maintenance Hangar .....	79,000	79,000
Army	Joint Base Lewis-Mcchord	Airfield Operations Complex .....	37,000	37,000
Army	Joint Base Lewis-Mcchord	Aviation Battalion Complex .....	28,000	28,000
Army	Yakima	Automated Multipurpose Machine Gun Range .....	9,100	9,100
	Worldwide Classified			
Army	Classified Location	Company Operations Complex .....	33,000	33,000
	Kwajalein			
Army	Kwajalein Atoll	Pier .....	63,000	63,000
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Host Nation Support Fy14 .....	33,000	23,000
Army	Unspecified Worldwide Locations	Minor Construction Fy14 .....	25,000	25,000
Army	Unspecified Worldwide Locations	Planning and Design Fy14 .....	41,575	41,575
<b>Total Military Construction, Army</b> .....			<b>1,119,875</b>	<b>1,099,875</b>
	California			
Navy	Barstow	Engine Dynamometer Facility .....	14,998	14,998
Navy	Camp Pendleton	Ammunition Supply Point Upgrade .....	13,124	13,124
Navy	Coronado	H-60 Trainer Facility .....	8,910	8,910
Navy	Point Mugu	Aircraft Engine Test Pads .....	7,198	7,198
Navy	Point Mugu	Bams Consolidated Maintenance Hangar .....	17,469	17,469
Navy	Port Hueneme	Unaccompanied Housing Conversion .....	33,600	33,600
Navy	San Diego	Steam Plant Decentralization .....	34,331	34,331
Navy	Twentynine Palms	Camp Wilson Infrastructure Upgrades .....	33,437	33,437
	Florida			



**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
Navy	Jacksonville	P-8a Training & Parking Apron Expansion .....	20,752	20,752
Navy	Key West	Aircraft Crash/Rescue & Fire Headquarters .....	14,001	14,001
Navy	Mayport	Lcs Logistics Support Facility .....	16,093	16,093
	Georgia			
Navy	Albany	Cers Dispatch Facility .....	1,010	1,010
Navy	Albany	Weapons Storage and Inspection Facility .....	15,600	15,600
Navy	Savannah	Townsend Bombing Range Land Acq—Phase 1 .....	61,717	61,717
	Guam			
Navy	Joint Region Marianas	Aircraft Maintenance Hangar—North Ramp .....	85,673	85,673
Navy	Joint Region Marianas	Bams Forward Operational & Maintenance Hangar .....	61,702	61,702
Navy	Joint Region Marianas	Dehumidified Supply Storage Facility .....	17,170	17,170
Navy	Joint Region Marianas	Emergent Repair Facility Expansion .....	35,860	35,860
Navy	Joint Region Marianas	Modular Storage Magazines .....	63,382	63,382
Navy	Joint Region Marianas	Sierra Wharf Improvements .....	1,170	1,170
Navy	Joint Region Marianas	X-Ray Wharf Improvements .....	53,420	53,420
	Hawaii			
Navy	Kaneohe Bay	3rd Radio Bn Maintenance/Operations Complex .....	25,336	25,336
Navy	Kaneohe Bay	Aircraft Maintenance Expansion .....	16,968	16,968
Navy	Kaneohe Bay	Aircraft Maintenance Hangar Upgrades .....	31,820	31,820
Navy	Kaneohe Bay	Armory Addition and Renovation .....	12,952	12,952
Navy	Kaneohe Bay	Aviation Simulator Modernization/Addition .....	17,724	17,724
Navy	Kaneohe Bay	Mv-22 Hangar .....	57,517	57,517
Navy	Kaneohe Bay	Mv-22 Parking Apron and Infrastructure .....	74,665	74,665
Navy	Pearl City	Water Transmission Line .....	30,100	30,100
Navy	Pearl Harbor	Drydock Waterfront Facility .....	22,721	22,721
Navy	Pearl Harbor	Submarine Production Support Facility .....	35,277	35,277
	Illinois			
Navy	Great Lakes	Unaccompanied Housing .....	35,851	35,851
	Maine			
Navy	Bangor	Nctams Vlf Commercial Power Connection .....	13,800	13,800
Navy	Kittery	Structural Shops Consolidation .....	11,522	11,522
	Maryland			
Navy	Fort Meade	Marforcybercom HQ-Ops Building .....	83,988	83,988
	Nevada			
Navy	Fallon	Wastewater Treatment Plant .....	11,334	11,334
	North Carolina			
Navy	Camp Lejeune	Landfill—Phase 4 .....	20,795	20,795
Navy	Camp Lejeune	Operations Training Complex .....	22,515	22,515
Navy	Camp Lejeune	Steam Decentralization—BEQ Nodes .....	18,679	18,679
Navy	Camp Lejeune	Steam Decentralization—Camp Johnson .....	2,620	2,620
Navy	Camp Lejeune	Steam Decentralization—Hadnot Point .....	13,390	13,390
Navy	New River	Ch-53k Maintenance Training Facility .....	13,218	13,218
Navy	New River	Corrosion Control Hangar .....	12,547	12,547
Navy	New River	Regional Communication Station .....	20,098	20,098
	Oklahoma			
Navy	Tinker AFB	Tacamo E-6B Hangar .....	14,144	14,144
	Rhode Island			
Navy	Newport	Hewitt Hall Research Center .....	12,422	12,422
	South Carolina			
Navy	Charleston	Nuclear Power Operational Training Facility .....	73,932	73,932
	Virginia			
Navy	Dam Neck	Aerial Target Operation Consolidation .....	10,587	10,587
Navy	Norfolk	Pier 11 Power Upgrades for Cvn-78 .....	3,380	3,380
Navy	Quantico	Academic Instruction Facility Tecom Schools .....	25,731	25,731
Navy	Quantico	Atc Transmitter/Receiver Relocation .....	3,630	3,630
Navy	Quantico	Fuller Road Improvements .....	9,013	9,013
Navy	Yorktown	Small Arms Ranges .....	18,700	18,700
	Washington			
Navy	Bremerton	Integrated Water Treatment Sys Dry Docks 3&4 .....	18,189	18,189
Navy	Kitsap	Explosives Handling Wharf #2 (Inc) .....	24,880	24,880
Navy	Whidbey Island	Ea-18g Facility Improvements .....	32,482	32,482
Navy	Whidbey Island	P-8a Hangar and Training Facilities .....	85,167	85,167
	Djibouti			
Navy	Camp Lemonier	Armory .....	6,420	6,420
Navy	Camp Lemonier	Unaccompanied Housing .....	22,580	22,580
	Japan			
Navy	Camp Butler	Airfield Security Upgrades .....	5,820	5,820
Navy	Yokosuka	Communication System Upgrade .....	7,568	7,568
	Worldwide Unspecified			
Navy	Unspecified	Worldwide Loca- Mcon Design Funds .....	89,830	89,830
Navy	Unspecified	Worldwide Loca- Unspecified Minor Construction .....	19,740	19,740
<b>Total Military Construction, Navy .....</b>			<b>1,700,269</b>	<b>1,700,269</b>
	Arizona			
AF	Luke AFB	F-35 Field Training Detachment .....	5,500	5,500
AF	Luke AFB	F-35 Sq Ops/Aircraft Maintenance Unit #3 .....	21,400	21,400

**SEC. 4601. MILITARY CONSTRUCTION**  
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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
AF	California Beale AFB	Distributed Common Ground Station Ops Bldg .....	62,000	62,000
AF	Florida Tyndall AFB	F-22 Munitions Storage Complex .....	9,100	9,100
AF	Guam Joint Region Marianas	Par—Fuel Sys Hardened Bldgs .....	20,000	20,000
AF	Joint Region Marianas	Par—Strike Tactical Missile Mns Facility .....	10,530	10,530
AF	Joint Region Marianas	Par—Tanker Gp Mx Hangar/AMU/Sqd Ops .....	132,600	132,600
AF	Joint Region Marianas	Prtc Red Horse Airfield Operations Facility .....	8,500	8,500
AF	Joint Region Marianas	Prtc Sf Fire Rescue & Emergency Mgt .....	4,600	4,600
AF	Kansas McConnell AFB	KC-46a 2-Bay Corrosion Control/Fuel Cell Hangar .....	0	82,000
AF	McConnell AFB	KC-46a 3-Bay General Purpose Maintenance Hangar .....	0	80,000
AF	McConnell AFB	KC-46a Aircraft Parking Apron Alteration .....	0	2,200
AF	McConnell AFB	KC-46a Aprons Fuels Distribution System .....	0	12,800
AF	McConnell AFB	KC-46a Flight Simulator Facility Phase 1 .....	0	2,150
AF	McConnell AFB	KC-46a General Maintenance Hangar .....	0	32,000
AF	McConnell AFB	KC-46a Miscellaneous Facilities Alteration .....	0	970
AF	McConnell AFB	KC-46a Pipeline Student Dormitory .....	0	7,000
AF	Hawaii Joint Base Pearl Harbor-Hickam	C-17 Modernize Hgr 35, Docks 1&2 .....	4,800	4,800
AF	Kentucky Fort Campbell	19th Air Support Operations Sqdrn Expansion .....	8,000	8,000
AF	Maryland Fort Meade	Cybercom Joint Operations Center, Increment 1 .....	85,000	85,000
AF	Joint Base Andrews	Helicopter Operations Facility .....	30,000	30,000
AF	Missouri Whiteman AFB	Wsa Mop Igloos and Assembly Facility .....	5,900	5,900
AF	Nebraska Offutt AFB	Usstratcom Replacement Facility, Incr 3 .....	136,000	136,000
AF	Nevada Nellis AFB	Add Rpa Weapons School Facility .....	20,000	20,000
AF	Nellis AFB	Dormitory (240 Rm) .....	35,000	35,000
AF	Nellis AFB	F-35 Alt Mission Equip (Ame) Storage .....	5,000	5,000
AF	Nellis AFB	F-35 Fuel Cell Hangar .....	9,400	9,400
AF	Nellis AFB	F-35 Parts Store .....	9,100	9,100
AF	New Mexico Cannon AFB	Airmen and Family Readiness Center .....	5,500	5,500
AF	Cannon AFB	Dormitory (144 Rm) .....	22,000	22,000
AF	Cannon AFB	Satellite Dining Facility .....	6,600	6,600
AF	Holloman AFB	F-16 Aircraft Covered Washrack and Pad .....	2,250	2,250
AF	Kirtland AFB	Nuclear Systems Wing & Sustainment Center (Ph .....	30,500	30,500
AF	North Dakota Minot AFB	B-52 Adal Aircraft Maintenance Unit .....	15,530	15,530
AF	Minot AFB	B-52 Munitions Storage Igloos .....	8,300	8,300
AF	Oklahoma Altus AFB	KC-46a Ftu Adal Fuel Systems Maintenance Dock .....	0	3,350
AF	Altus AFB	KC-46a Ftu Adal Squad Ops/AMU .....	0	7,400
AF	Altus AFB	KC-46a Ftu Flight Training Center Simulators Facility Phase 1 .....	0	12,600
AF	Altus AFB	KC-46a Ftu Fuselage Trainer Phase 1 .....	0	6,300
AF	Altus AFB	KC-46a Ftu Renovate Facility .....	0	1,200
AF	Tinker AFB	KC-46a Land Acquisition .....	8,600	8,600
AF	Texas Fort Bliss	F-16 Bak 12/14 Aircraft Arresting System .....	3,350	3,350
AF	Utah Hill AFB	F-35 Aircraft Mx Unit Hangar 45e Ops #1 .....	13,500	13,500
AF	Hill AFB	Fire Crash Rescue Station .....	18,500	18,500
AF	Virginia Joint Base Langley-Eustis	4-Bay Conventional Munitions Inspection Bldg .....	4,800	4,800
AF	Greenland Thule Ab	Thule Consolidation, Phase 2 .....	43,904	43,904
AF	Mariana Islands Saipan	Par—Airport Pol/Bulk Storage Ast .....	18,500	18,500
AF	Saipan	Par—Hazardous Cargo Pad .....	8,000	8,000
AF	Saipan	Par—Maintenance Facility .....	2,800	2,800
AF	United Kingdom Croughton Raf	Main Gate Complex .....	12,000	0
AF	Royal Air Force Lakenheath	Guardian Angel Operations Facility .....	22,047	22,047
AF	Worldwide Unspecified Unspecified Worldwide Loca- tions	KC-46a Ftu Facility Projects .....	63,000	0
AF	Unspecified Worldwide Loca- tions	KC-46a Mob #1 Facility Projects .....	192,700	0
AF	Unspecified Worldwide Loca- tions	Planning & Design .....	11,314	11,314
AF	Unspecified Worldwide Loca- tions	Unspecified Minor Construction .....	20,448	20,448
<b>Total Military Construction, Air Force .....</b>			<b>1,156,573</b>	<b>1,138,843</b>

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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
	<i>Alaska</i>			
Def-Wide	Clear AFS	Bmds Upgrade Early Warning Radar .....	17,204	17,204
Def-Wide	Fort Greely	Mechanical-Electrical Bldg Missile Field #1 .....	82,000	82,000
	<i>California</i>			
Def-Wide	Brawley	SOF Desert Warfare Training Center .....	23,095	23,095
Def-Wide	Defense Distribution Depot-Tracy	General Purpose Warehouse .....	37,554	37,554
Def-Wide	Miramar	Replace Fuel Pipeline .....	6,000	6,000
	<i>Colorado</i>			
Def-Wide	Fort Carson	SOF Group Support Battalion .....	22,282	22,282
	<i>Florida</i>			
Def-Wide	Hurlburt Field	SOF Add/Alter Operations Facility .....	7,900	7,900
Def-Wide	Jacksonville	Replace Fuel Pipeline .....	7,500	7,500
Def-Wide	Key West	SOF Boat Docks .....	3,600	0
Def-Wide	Panama City	Replace Ground Vehicle Fueling Facility .....	2,600	2,600
Def-Wide	Tyndall AFB	Replace Fuel Pipeline .....	9,500	9,500
	<i>Georgia</i>			
Def-Wide	Fort Benning	Faith Middle School Addition .....	6,031	6,031
Def-Wide	Fort Benning	White Elementary School Replacement .....	37,304	37,304
Def-Wide	Fort Stewart	Diamond Elementary School Replacement .....	44,504	44,504
Def-Wide	Hunter Army Airfield	Replace Fuel Island .....	13,500	13,500
Def-Wide	Moody AFB	Replace Ground Vehicle Fueling Facility .....	3,800	3,800
	<i>Hawaii</i>			
Def-Wide	Ford Island	DISA Pacific Facility Upgrades .....	2,615	2,615
Def-Wide	Joint Base Pearl Harbor-Hickam	Alter Warehouse Space .....	2,800	2,800
	<i>Kentucky</i>			
Def-Wide	Fort Campbell	Fort Campbell High School Replacement .....	59,278	59,278
Def-Wide	Fort Campbell	Marshall Elementary School Replacement .....	38,591	38,591
Def-Wide	Fort Campbell	SOF Group Special Troops Battalion .....	26,342	26,342
Def-Wide	Fort Knox	Ambulatory Health Center .....	265,000	265,000
Def-Wide	Fort Knox	Consolidate/Replace Van Voorhis-Mudge Es .....	38,023	38,023
	<i>Maryland</i>			
Def-Wide	Aberdeen Proving Ground	Public Health Command Lab Replacement .....	210,000	110,000
Def-Wide	Bethesda Naval Hospital	Mech & Electrical Improvements .....	46,800	46,800
Def-Wide	Bethesda Naval Hospital	Parking Garage .....	20,000	20,000
Def-Wide	Fort Detrick	USAMRIID Replacement Stage 1, Incr 8 .....	13,000	0
Def-Wide	Fort Meade	High Performance Computing Capacity Inc 3 .....	431,000	431,000
Def-Wide	Fort Meade	NSAW Recapitalize Building #1/Site M Inc 2 .....	58,000	58,000
Def-Wide	Joint Base Andrews	Ambulatory Care Center Inc 2 .....	76,200	63,800
	<i>Massachusetts</i>			
Def-Wide	Hanscom AFB	Hanscom Primary School Replacement .....	36,213	36,213
	<i>New Jersey</i>			
Def-Wide	Joint Base Mcguire-Dix-Lakehurst	Replace Fuel Distribution Components .....	10,000	10,000
	<i>New Mexico</i>			
Def-Wide	Holloman AFB	Medical Clinic Replacement .....	60,000	60,000
Def-Wide	Holloman AFB	Replace Hydrant Fuel System .....	21,400	21,400
	<i>North Carolina</i>			
Def-Wide	Camp Lejeune	SOF Performance Resiliency Center .....	14,400	0
Def-Wide	Camp Lejeune	SOF Sustainment Training Complex .....	28,977	28,977
Def-Wide	Fort Bragg	Consolidate/Replace Pope Holbrook Elementary .....	37,032	37,032
Def-Wide	Fort Bragg	SOF Civil Affairs Battalion Annex .....	37,689	37,689
Def-Wide	Fort Bragg	SOF Combat Medic Skills Sustain. Course Bldg .....	7,600	7,600
Def-Wide	Fort Bragg	SOF Engineer Training Facility .....	10,419	10,419
Def-Wide	Fort Bragg	SOF Language and Cultural Center .....	64,606	64,606
Def-Wide	Fort Bragg	SOF Upgrade Training Facility .....	14,719	14,719
	<i>North Dakota</i>			
Def-Wide	Minot AFB	Replace Fuel Pipeline .....	6,400	6,400
	<i>Oklahoma</i>			
Def-Wide	Altus AFB	Replace Refueler Parking .....	2,100	2,100
Def-Wide	Tinker AFB	Replace Fuel Distribution Facilities .....	36,000	36,000
	<i>Pennsylvania</i>			
Def-Wide	Def Distribution Depot New Cumberland	Upgrade Hazardous Material Warehouse .....	3,100	3,100
Def-Wide	Def Distribution Depot New Cumberland	Upgrade Public Safety Facility .....	5,900	5,900
	<i>South Carolina</i>			
Def-Wide	Beaufort	Bolden Elementary/Middle School Replacement .....	41,324	41,324
	<i>Tennessee</i>			
Def-Wide	Arnold Air Force Base	Replace Ground Vehicle Fueling Facility .....	2,200	2,200
	<i>Texas</i>			
Def-Wide	Fort Bliss	Hospital Replacement Incr 5 .....	252,100	152,100
Def-Wide	Joint Base San Antonio	Sammc Hyperbaric Facility Addition .....	12,600	12,600
	<i>Virginia</i>			
Def-Wide	Dam Neck	SOF Human Performance Center .....	11,147	0
Def-Wide	Def Distribution Depot Richmond	Operations Center Phase 1 .....	87,000	87,000
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Logsu Two Operations Facility .....	30,404	30,404

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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
Def-Wide	Pentagon	Boundary Channel Access Control Point .....	6,700	6,700
Def-Wide	Pentagon	Pentagon South Pedestrian Safety Project .....	1,850	1,850
Def-Wide	Pentagon	Pfpa Support Operations Center .....	14,800	14,800
Def-Wide	Pentagon	Raven Rock Administrative Facility Upgrade .....	32,000	32,000
Def-Wide	Pentagon	Raven Rock Exterior Cooling Tower .....	4,100	4,100
Def-Wide	Quantico	Quantico Middle/High School Replacement .....	40,586	40,586
	Washington			
Def-Wide	Whidbey Island	Replace Fuel Pier Breakwater .....	10,000	10,000
Def-Wide	Worldwide Classified			
	Classified Location	an/Tpy-2 Radar Site .....	15,000	15,000
Def-Wide	Bahrain Island			
	Sw Asia	Medical/Dental Clinic Replacement .....	45,400	45,400
Def-Wide	Belgium			
	Brussels	NATO Headquarters Facility .....	38,513	38,513
Def-Wide	Brussels	NATO Headquarters Fit-Out .....	29,100	29,100
	Germany			
Def-Wide	Kaiserlautern Ab	Kaiserslautern Elementary School Replacement .....	49,907	49,907
Def-Wide	Ramstein Ab	Ramstein High School Replacement .....	98,762	98,762
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement, Incr 3 .....	151,545	151,545
Def-Wide	Weisbaden	Hainerberg Elementary School Replacement .....	58,899	58,899
Def-Wide	Weisbaden	Wiesbaden Middle School Replacement .....	50,756	50,756
	Japan			
Def-Wide	Atsugi	Replace Ground Vehicle Fueling Facility .....	4,100	4,100
Def-Wide	Iwakuni	Construct Hydrant Fuel System .....	34,000	34,000
Def-Wide	Kadena Ab	Kadena Middle School Addition/Renovation .....	38,792	38,792
Def-Wide	Torri Commo Station	SOF Facility Augmentation .....	71,451	64,071
Def-Wide	Yokosuka	Upgrade Fuel Pumps .....	10,600	10,600
	Korea			
Def-Wide	Camp Walker	Daegu Middle/High School Replacement .....	52,164	52,164
	Romania			
Def-Wide	Deveselu	Aegis Ashore Missile Def Sys Cmplx, Increm. 2 .....	85,000	80,000
	United Kingdom			
Def-Wide	Raf Mildenhall	Replace Fuel Storage .....	17,732	17,732
Def-Wide	Raf Mildenhall	SOF Airfield Pavements and Hangar/AMU .....	0	48,448
Def-Wide	Raf Mildenhall	SOF Airfield Pavements .....	24,077	0
Def-Wide	Raf Mildenhall	SOF Hangar/AMU .....	24,371	0
Def-Wide	Raf Mildenhall	SOF Mrsp and Parts Storage .....	6,797	6,797
Def-Wide	Raf Mildenhall	SOF Squadron Operations Facility .....	11,652	11,652
Def-Wide	Royal Air Force Lakenheath	Lakenheath High School Replacement .....	69,638	69,638
	Worldwide Unspecified			
Def-Wide	Unspecified	Worldwide Loca- Contingency Construction .....	10,000	0
Def-Wide	Unspecified	Worldwide Loca- Energy Conservation Investment Program .....	150,000	150,000
Def-Wide	Unspecified	Worldwide Loca- Exercise Related Minor Construction .....	9,730	9,730
Def-Wide	Unspecified	Worldwide Loca- Planning & Design .....	10,891	10,891
Def-Wide	Unspecified	Worldwide Loca- Planning and Design .....	75,905	75,905
Def-Wide	Unspecified	Worldwide Loca- Planning and Design .....	36,866	36,866
Def-Wide	Unspecified	Worldwide Loca- Planning and Design .....	6,931	6,931
Def-Wide	Unspecified	Worldwide Loca- Planning and Design .....	50,192	50,192
Def-Wide	Unspecified	Worldwide Loca- Planning and Design .....	57,053	57,053
Def-Wide	Unspecified	Worldwide Loca- Unspecified Minor Construction .....	2,000	2,000
Def-Wide	Unspecified	Worldwide Loca- Unspecified Minor Construction .....	7,430	7,430
Def-Wide	Unspecified	Worldwide Loca- Unspecified Minor Construction .....	5,170	5,170
Def-Wide	Unspecified	Worldwide Loca- Unspecified Minor Construction .....	5,409	5,409
Def-Wide	Unspecified	Worldwide Loca- Unspecified Minor Construction .....	1,500	1,500
Def-Wide	Unspecified	Worldwide Loca- Unspecified Minor Construction .....	9,578	9,578
Def-Wide	Unspecified	Worldwide Loca- Unspecified Minor Construction .....	3,000	3,000
<b>Total Military Construction, Defense-Wide .....</b>			<b>3,985,300</b>	<b>3,708,373</b>
	Kentucky			
Chem Demil	Blue Grass Army Depot	Ammunition Demilitarization Facility, Ph Xiv .....	122,536	122,536
<b>Total Chemical Demilitarization Construction, Defense .....</b>			<b>122,536</b>	<b>122,536</b>

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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
NATO	Worldwide Unspecified NATO Security Investment Program	NATO Security Investment Program .....	239,700	199,700
<b>Total NATO Security Investment Program .....</b>			<b>239,700</b>	<b>199,700</b>
Army NG	Alabama Decatur	National Guard Readiness Center Add/Alt .....	4,000	4,000
Army NG	Arkansas Fort Chaffee	Scout/Recce Gunnery Complex .....	21,000	21,000
Army NG	Florida Pinellas Park	Ready Building .....	5,700	5,700
Army NG	Illinois Kankakee	Aircraft Maintenance Hangar .....	28,000	28,000
Army NG	Kankakee	Readiness Center .....	14,000	14,000
Army NG	Massachusetts Camp Edwards	Enlisted Barracks, Transient Training Add .....	19,000	19,000
Army NG	Michigan Camp Grayling	Enlisted Barracks, Transient Training .....	17,000	17,000
Army NG	Minnesota Stillwater	Readiness Center .....	17,000	17,000
Army NG	Mississippi Camp Shelby	Water Supply/Treatment Building, Potable .....	3,000	3,000
Army NG	Pascagoula	Readiness Center .....	4,500	4,500
Army NG	Missouri Macon	Vehicle Maintenance Shop .....	9,100	9,100
Army NG	Whiteman AFB	Aircraft Maintenance Hangar .....	5,000	5,000
Army NG	New York New York	Readiness Center Add/Alt .....	31,000	31,000
Army NG	Ohio Ravenna Army Ammunition Plant	Sanitary Sewer .....	5,200	5,200
Army NG	Pennsylvania Fort Indiantown Gap	Aircraft Maintenance Instructional Building .....	40,000	40,000
Army NG	Puerto Rico Camp Santiago	Maneuver Area Training & Equipment Site Addit .....	5,600	5,600
Army NG	South Carolina Greenville	Readiness Center .....	13,000	13,000
Army NG	Greenville	Vehicle Maintenance Shop .....	13,000	13,000
Army NG	Texas Fort Worth	Armed Forces Reserve Center Add .....	14,270	14,270
Army NG	Wyoming Afton	National Guard Readiness Center .....	10,200	10,200
Army NG	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design .....	29,005	24,005
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction .....	12,240	12,240
<b>Total Military Construction, Army National Guard .....</b>			<b>320,815</b>	<b>315,815</b>
Army Res	California Camp Parks	Army Reserve Center .....	17,500	17,500
Army Res	Fort Hunter Liggett	Tass Training Center (Ttc) .....	16,500	16,500
Army Res	Maryland Bowie	Army Reserve Center .....	25,500	25,500
Army Res	New Jersey Joint Base Mcguire-Dix-Lakehurst	Automated Multipurpose Machine Gun (Mpmg) .....	9,500	9,500
Army Res	Joint Base Mcguire-Dix-Lakehurst	Central Issue Facility .....	7,900	7,900
Army Res	Joint Base Mcguire-Dix-Lakehurst	Consolidated Dining Facility .....	13,400	13,400
Army Res	Joint Base Mcguire-Dix-Lakehurst	Modified Record Fire Range .....	5,400	5,400
Army Res	New York Bullville	Army Reserve Center .....	14,500	14,500
Army Res	North Carolina Fort Bragg	Army Reserve Center .....	24,500	24,500
Army Res	Wisconsin Fort McCoy	Access Control Point/Mail/Freight Center .....	17,500	17,500
Army Res	Fort McCoy	Nco Academy Dining Facility .....	5,900	5,900
Army Res	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design .....	14,212	14,212
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction .....	1,748	1,748

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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
<b>Total Military Construction, Army Reserve .....</b>			<b>174,060</b>	<b>174,060</b>
N/MC Res	California March AFB	NOSC Moreno Valley Reserve Training Center .....	11,086	11,086
N/MC Res	Missouri Kansas City	Reserve Training Center—Belton, Missouri .....	15,020	15,020
N/MC Res	Tennessee Memphis	Reserve Boat Maintenance and Storage Facility .....	4,330	4,330
N/MC Res	Worldwide Unspecified Unspecified Worldwide Loca-	Mcnr Planning & Design .....	1,500	1,500
N/MC Res	Unspecified Worldwide Loca-	Usmcr Planning and Design .....	1,040	1,040
<b>Total Military Construction, Navy and Marine Corps Reserve .....</b>			<b>32,976</b>	<b>32,976</b>
Air NG	Alabama Birmingham IAP	Add to and Alter Distributed Ground Station F .....	8,500	8,500
Air NG	Indiana Hulman Regional Airport	Add/Alter Bldg 37 for Dist Common Ground Sta .....	7,300	7,300
Air NG	Maryland Fort Meade	175th Network Warfare Squadron Facility .....	4,000	0
Air NG	Martin State Airport	Cyber/ISR Facility .....	8,000	0
Air NG	Montana Great Falls IAP	Intra-Theater Airlift Conversion .....	22,000	22,000
Air NG	New York Fort Drum	Mq-9 Flight Training Unit Hangar .....	4,700	4,700
Air NG	Ohio Springfield Beckley-Map	Alter Intelligence Operations Facility .....	7,200	7,200
Air NG	Pennsylvania Fort Indiantown Gap	Communications Operations and Training Facili .....	7,700	7,700
Air NG	Rhode Island Quonset State Airport	C-130J Flight Simulator Training Facility .....	6,000	6,000
Air NG	Tennessee Mcghee-Tyson Airport	Tec Expansion- Dormitory & Classroom Facility .....	18,000	18,000
Air NG	Worldwide Unspecified Various Worldwide Locations	Planning and Design .....	13,400	13,400
Air NG	Various Worldwide Locations	Unspecified Minor Construction .....	13,000	13,000
<b>Total Military Construction, Air National Guard .....</b>			<b>119,800</b>	<b>107,800</b>
AF Res	California March AFB	Joint Regional Deployment Processing Center, .....	19,900	19,900
AF Res	Florida Homestead AFS	Entry Control Complex .....	9,800	9,800
AF Res	Oklahoma Tinker AFB	Air Control Group Squadron Operations .....	12,200	12,200
AF Res	Worldwide Unspecified Various Worldwide Locations	Planning and Design .....	2,229	2,229
AF Res	Various Worldwide Locations	Unspecified Minor Construction .....	1,530	1,530
<b>Total Military Construction, Air Force Reserve .....</b>			<b>45,659</b>	<b>45,659</b>
FH Con Army	Wisconsin Fort Mccooy	Family Housing New Construction (56 Units) .....	23,000	23,000
FH Con Army	Germany South Camp Vilseck	Family Housing New Construction (29 Units) .....	16,600	16,600
FH Con Army	Worldwide Unspecified Unspecified Worldwide Loca-	Family Housing P & D .....	4,408	4,408
<b>Total Family Housing Construction, Army .....</b>			<b>44,008</b>	<b>44,008</b>
FH Ops Army	Worldwide Unspecified Unspecified Worldwide Loca-	Furnishings .....	33,125	33,125
FH Ops Army	Unspecified Worldwide Loca-	Leased Housing .....	180,924	180,924
FH Ops Army	Unspecified Worldwide Loca-	Maintenance of Real Property Facilities .....	107,639	107,639
FH Ops Army	Unspecified Worldwide Loca-	Management Account .....	54,433	54,433
FH Ops Army	Unspecified Worldwide Loca-	Military Housing Privatization Initiative .....	25,661	25,661
FH Ops Army	Unspecified Worldwide Loca-	Miscellaneous .....	646	646

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>			<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
FH Ops Army	Unspecified tions	Worldwide	Loca-	Services .....	13,536	13,536
FH Ops Army	Unspecified tions	Worldwide	Loca-	Utilities .....	96,907	96,907
<b>Total Family Housing Operation &amp; Maintenance, Army .....</b>					<b>512,871</b>	<b>512,871</b>
FH Con AF	Worldwide Unspecified Unspecified tions	Worldwide	Loca-	Improvements .....	72,093	72,093
FH Con AF	Unspecified tions	Worldwide	Loca-	Planning and Design .....	4,267	4,267
<b>Total Family Housing Construction, Air Force .....</b>					<b>76,360</b>	<b>76,360</b>
FH Ops AF	Worldwide Unspecified Unspecified tions	Worldwide	Loca-	Furnishings Account .....	39,470	39,470
FH Ops AF	Unspecified tions	Worldwide	Loca-	Housing Privatization .....	41,436	41,436
FH Ops AF	Unspecified tions	Worldwide	Loca-	Leasing .....	54,514	54,514
FH Ops AF	Unspecified tions	Worldwide	Loca-	Maintenance (Rpma Rpme) .....	110,786	110,786
FH Ops AF	Unspecified tions	Worldwide	Loca-	Management Account .....	53,044	53,044
FH Ops AF	Unspecified tions	Worldwide	Loca-	Miscellaneous Account .....	1,954	1,954
FH Ops AF	Unspecified tions	Worldwide	Loca-	Services Account .....	16,862	16,862
FH Ops AF	Unspecified tions	Worldwide	Loca-	Utilities Account .....	70,532	70,532
<b>Total Family Housing Operation &amp; Maintenance, Air Force .....</b>					<b>388,598</b>	<b>388,598</b>
FH Con Navy	Worldwide Unspecified Unspecified tions	Worldwide	Loca-	Design .....	4,438	4,438
FH Con Navy	Unspecified tions	Worldwide	Loca-	Improvements .....	68,969	68,969
<b>Total Family Housing Construction, Navy and Marine Corps .....</b>					<b>73,407</b>	<b>73,407</b>
FH Ops Navy	Worldwide Unspecified Unspecified tions	Worldwide	Loca-	Furnishings Account .....	21,073	21,073
FH Ops Navy	Unspecified tions	Worldwide	Loca-	Leasing .....	74,962	74,962
FH Ops Navy	Unspecified tions	Worldwide	Loca-	Maintenance of Real Property .....	90,122	90,122
FH Ops Navy	Unspecified tions	Worldwide	Loca-	Management Account .....	60,782	60,782
FH Ops Navy	Unspecified tions	Worldwide	Loca-	Miscellaneous Account .....	362	362
FH Ops Navy	Unspecified tions	Worldwide	Loca-	Privatization Support Costs .....	27,634	27,634
FH Ops Navy	Unspecified tions	Worldwide	Loca-	Services Account .....	20,596	20,596
FH Ops Navy	Unspecified tions	Worldwide	Loca-	Utilities Account .....	94,313	94,313
<b>Total Family Housing Operation &amp; Maintenance, Navy and Marine Corps .....</b>					<b>389,844</b>	<b>389,844</b>
FH Ops DW	Worldwide Unspecified Unspecified tions	Worldwide	Loca-	Furnishings Account .....	67	67
FH Ops DW	Unspecified tions	Worldwide	Loca-	Furnishings Account .....	20	20
FH Ops DW	Unspecified tions	Worldwide	Loca-	Furnishings Account .....	3,196	3,196
FH Ops DW	Unspecified tions	Worldwide	Loca-	Leasing .....	10,994	10,994
FH Ops DW	Unspecified tions	Worldwide	Loca-	Leasing .....	40,433	40,433
FH Ops DW	Unspecified tions	Worldwide	Loca-	Maintenance of Real Property .....	311	311
FH Ops DW	Unspecified tions	Worldwide	Loca-	Maintenance of Real Property .....	74	74



**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>			<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
FH Ops DW	Unspecified	Worldwide	Loca-	Management Account .....	418	418
FH Ops DW	Unspecified	Worldwide	Loca-	Services Account .....	32	32
FH Ops DW	Unspecified	Worldwide	Loca-	Utilities Account .....	288	288
FH Ops DW	Unspecified	Worldwide	Loca-	Utilities Account .....	12	12
<b>Total Family Housing Operation &amp; Maintenance, Defense-Wide .....</b>					<b>55,845</b>	<b>55,845</b>
FHIF	Worldwide Unspecified	Unspecified	Worldwide	Loca- Family Housing Improvement Fund .....	1,780	1,780
<b>Total DOD Family Housing Improvement Fund .....</b>					<b>1,780</b>	<b>1,780</b>
BRAC	Worldwide Unspecified	Base Realignment & Closure,	Army	Base Realignment and Closure .....	180,401	180,401
BRAC	Worldwide Unspecified	Base Realignment & Closure,	Navy	Base Realignment & Closure .....	108,300	108,300
BRAC	Unspecified	Worldwide	Loca-	Dod BRAC Activities—Air Force .....	126,376	126,376
BRAC	Unspecified	Worldwide	Loca-	Don-100: Planing, Design and Management .....	7,277	7,277
BRAC	Unspecified	Worldwide	Loca-	Don-101: Various Locations .....	20,988	20,988
BRAC	Unspecified	Worldwide	Loca-	Don-138: NAS Brunswick, ME .....	993	993
BRAC	Unspecified	Worldwide	Loca-	Don-157: Mcsa Kansas City, MO .....	40	40
BRAC	Unspecified	Worldwide	Loca-	Don-172: NWS Seal Beach, Concord, CA .....	5,766	5,766
BRAC	Unspecified	Worldwide	Loca-	Don-84: JRB Willow Grove & Cambria Reg Ap .....	1,216	1,216
<b>Total Base Realignment and Closure—Army .....</b>					<b>451,357</b>	<b>451,357</b>
PYS	Worldwide Unspecified	Unspecified	Worldwide	Loca- Prior Year Savings—ANG Unspecified Minor Construction .....	0	–45,623
PYS	Unspecified	Worldwide	Loca-	Prior Year Savings—Army Bid Savings .....	0	–14,000
PYS	Unspecified	Worldwide	Loca-	Prior Year Savings—Army Planning and Design Fy12 .....	0	–50,000
PYS	Unspecified	Worldwide	Loca-	Prior Year Savings—Defense Wide Bid Savings .....	0	–358,400
PYS	Unspecified	Worldwide	Loca-	Prior Year Savings—Defense Wide Unspecified Minor Construction ....	0	–16,470
PYS	Unspecified	Worldwide	Loca-	Prior Year Savings—Navy Bid Savings .....	0	–49,920
PYS	Unspecified	Worldwide	Loca-	Prior Year Savings—Section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, As Amended.	0	–50,000
<b>Total Prior Year Savings .....</b>					<b>0</b>	<b>–584,413</b>
<b>Total Military Construction .....</b>					<b>11,011,633</b>	<b>10,055,563</b>

**TITLE XLVII—DEPARTMENT OF ENERGY**  
**NATIONAL SECURITY PROGRAMS**

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.**

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

<b>Program</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
<b>Discretionary Summary By Appropriation</b>		
<b>Energy And Water Development, And Related Agencies</b>		
<b>Appropriation Summary:</b>		
<b>Energy Programs</b>		
Electricity delivery and energy reliability .....	16,000	0
Nuclear Energy .....	94,000	94,000
<b>Atomic Energy Defense Activities</b>		

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

<i>Program</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
<b>National nuclear security administration:</b>		
Weapons activities .....	7,868,409	8,088,409
Defense nuclear nonproliferation .....	2,140,142	2,140,142
Naval reactors .....	1,246,134	1,246,134
Office of the administrator .....	397,784	389,784
<b>Total, National nuclear security administration .....</b>	<b>11,652,469</b>	<b>11,864,469</b>
<b>Environmental and other defense activities:</b>		
Defense environmental cleanup .....	5,316,909	4,958,909
Other defense activities .....	749,080	749,080
<b>Total, Environmental &amp; other defense activities .....</b>	<b>6,065,989</b>	<b>5,707,989</b>
<b>Total, Atomic Energy Defense Activities .....</b>	<b>17,718,458</b>	<b>17,572,458</b>
<b>Total, Discretionary Funding .....</b>	<b>17,828,458</b>	<b>17,666,458</b>
<b>Electricity Delivery &amp; Energy Reliability</b>		
<b>Electricity Delivery &amp; Energy Reliability</b>		
Infrastructure security & energy restoration (HS) .....	16,000	0
<b>Nuclear Energy</b>		
Idaho sitewide safeguards and security .....	94,000	94,000
<b>Weapons Activities</b>		
<b>Life extension programs and major alterations</b>		
B61 Life extension program .....	537,044	581,044
W76 Life extension program .....	235,382	245,082
W78/88-1 Life extension program .....	72,691	78,291
W88 ALT 370 .....	169,487	169,487
<b>Total, Stockpile assessment and design .....</b>	<b>1,014,604</b>	<b>1,073,904</b>
<b>Stockpile systems</b>		
B61 Stockpile systems .....	83,536	83,536
W76 Stockpile systems .....	47,187	47,187
W78 Stockpile systems .....	54,381	54,381
W80 Stockpile systems .....	50,330	50,330
B83 Stockpile systems .....	54,948	60,948
W87 Stockpile systems .....	101,506	101,506
W88 Stockpile systems .....	62,600	62,600
<b>Total, Stockpile systems .....</b>	<b>454,488</b>	<b>460,488</b>
<b>Weapons dismantlement and disposition</b>		
Operations and maintenance .....	49,264	49,264
<b>Stockpile services</b>		
Production support .....	321,416	351,016
Research and development support .....	26,349	29,549
R&D certification and safety .....	191,259	209,559
Management, technology, and production .....	214,187	214,187
Plutonium sustainment .....	156,949	166,449
<b>Total, Stockpile services .....</b>	<b>910,160</b>	<b>970,760</b>
<b>Total, Directed stockpile work .....</b>	<b>2,428,516</b>	<b>2,554,416</b>
<b>Campaigns:</b>		
<b>Science campaign</b>		
Advanced certification .....	54,730	54,730
Primary assessment technologies .....	109,231	109,231
Dynamic materials properties .....	116,965	116,965
Advanced radiography .....	30,509	30,509
Secondary assessment technologies .....	86,467	86,467
<b>Total, Science campaign .....</b>	<b>397,902</b>	<b>397,902</b>
<b>Engineering campaign</b>		
Enhanced surety .....	51,771	54,271
Weapon systems engineering assessment technology .....	23,727	23,727
Nuclear survivability .....	19,504	19,504
Enhanced surveillance .....	54,909	58,909
<b>Total, Engineering campaign .....</b>	<b>149,911</b>	<b>156,411</b>
<b>Inertial confinement fusion ignition and high yield campaign</b>		
Ignition .....	80,245	80,245
Support of other stockpile programs .....	15,001	15,001
Diagnostics, cryogenics and experimental support .....	59,897	59,897
Pulsed power inertial confinement fusion .....	5,024	5,024
Joint program in high energy density laboratory plasmas .....	8,198	8,198
Facility operations and target production .....	232,678	232,678
<b>Total, Inertial confinement fusion and high yield campaign .....</b>	<b>401,043</b>	<b>401,043</b>
Advanced simulation and computing campaign .....	564,329	564,329
<b>Readiness Campaign</b>		

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

<b>Program</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
Component manufacturing development .....	106,085	106,085
Tritium readiness .....	91,695	91,695
<b>Total, Readiness campaign .....</b>	<b>197,780</b>	<b>197,780</b>
<b>Total, Campaigns .....</b>	<b>1,710,965</b>	<b>1,717,465</b>
<b>Nuclear programs</b>		
Nuclear operations capability .....	265,937	265,937
Capabilities based investments .....	39,558	39,558
<b>Construction:</b>		
12-D-301 TRU waste facilities, LANL .....	26,722	26,722
11-D-801 TA-55 Reinvestment project Phase 2, LANL .....	30,679	30,679
07-D-220 Radioactive liquid waste treatment facility upgrade project, LANL .....	55,719	55,719
06-D-141 PED/Construction, Uranium Capabilities Replacement Project Y-12 .....	325,835	325,835
<b>Total, Construction .....</b>	<b>438,955</b>	<b>438,955</b>
<b>Total, Nuclear programs .....</b>	<b>744,450</b>	<b>744,450</b>
<b>Secure transportation asset</b>		
Operations and equipment .....	122,072	122,072
Program direction .....	97,118	97,118
<b>Total, Secure transportation asset .....</b>	<b>219,190</b>	<b>219,190</b>
<b>Site stewardship</b>		
Nuclear materials integration .....	17,679	17,679
Corporate project management .....	13,017	13,017
Minority serving institution partnerships program .....	14,531	14,531
<b>Enterprise infrastructure</b>		
Site Operations .....	1,112,455	1,112,455
Site Support .....	109,561	109,561
Sustainment .....	433,764	498,864
Facilities disposition .....	5,000	5,000
<b>Subtotal, Enterprise infrastructure .....</b>	<b>1,660,780</b>	<b>1,725,880</b>
<b>Total, Site stewardship .....</b>	<b>1,706,007</b>	<b>1,771,107</b>
<b>Defense nuclear security</b>		
Operations and maintenance .....	664,981	664,981
<b>Construction:</b>		
14-D-710 DAF Argus, NNSS .....	14,000	14,000
<b>Total, Defense nuclear security .....</b>	<b>678,981</b>	<b>678,981</b>
NNSA CIO activities .....	148,441	170,941
Legacy contractor pensions .....	279,597	279,597
<b>Subtotal, Weapons activities .....</b>	<b>7,916,147</b>	<b>8,136,147</b>
<b>Adjustments</b>		
Use of prior year balances .....	-47,738	-47,738
<b>Total, Adjustments .....</b>	<b>-47,738</b>	<b>-47,738</b>
<b>Total, Weapons Activities .....</b>	<b>7,868,409</b>	<b>8,088,409</b>
<b>Defense Nuclear Nonproliferation</b>		
<b>Defense Nuclear Nonproliferation Programs</b>		
Global threat reduction initiative .....	424,487	447,487
<b>Defense Nuclear Nonproliferation R&amp;D</b>		
Operations and maintenance .....	388,838	388,838
Nonproliferation and international security .....	141,675	141,675
International material protection and cooperation .....	369,625	346,625
<b>Fissile materials disposition</b>		
<b>U.S. surplus fissile materials disposition</b>		
<b>Operations and maintenance</b>		
U.S. plutonium disposition .....	157,557	157,557
U.S. uranium disposition .....	25,000	25,000
<b>Total, Operations and maintenance .....</b>	<b>182,557</b>	<b>182,557</b>
<b>Construction:</b>		
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC .....	320,000	320,000
<b>Total, Construction .....</b>	<b>320,000</b>	<b>320,000</b>
<b>Total, U.S. surplus fissile materials disposition .....</b>	<b>502,557</b>	<b>502,557</b>
<b>Total, Fissile materials disposition .....</b>	<b>502,557</b>	<b>502,557</b>
Legacy contractor pensions .....	93,703	93,703
<b>Total, Defense Nuclear Nonproliferation Programs .....</b>	<b>1,920,885</b>	<b>1,920,885</b>

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

<b>Program</b>	<b>FY 2014 Request</b>	<b>House Authorized</b>
Nuclear counterterrorism incident response program .....	181,293	181,293
Counterterrorism and counterproliferation programs .....	74,666	74,666
<b>Subtotal, Defense Nuclear Nonproliferation</b> .....	<b>2,176,844</b>	<b>2,176,844</b>
<b>Adjustments</b>		
Use of prior year balances .....	-36,702	-36,702
<b>Total, Adjustments</b> .....	<b>-36,702</b>	<b>-36,702</b>
<b>Total, Defense Nuclear Nonproliferation</b> .....	<b>2,140,142</b>	<b>2,140,142</b>
<b>Naval Reactors</b>		
Naval reactors operations and infrastructure .....	455,740	453,740
Naval reactors development .....	419,400	419,400
Ohio replacement reactor systems development .....	126,400	126,400
S8G Prototype refueling .....	144,400	144,400
Program direction .....	44,404	44,404
<b>Construction:</b>		
14-D-902 KL Materials characterization laboratory expansion, KAPL .....	1,000	1,000
14-D-901 Spent fuel handling recapitalization project, NRF .....	45,400	45,400
13-D-905 Remote-handled low-level waste facility, INL .....	21,073	21,073
13-D-904 KS Radiological work and storage building, KSO .....	600	2,600
Naval Reactor Facility, ID .....	1,700	1,700
<b>Total, Construction</b> .....	<b>69,773</b>	<b>71,773</b>
<b>Subtotal, Naval Reactors</b> .....	<b>1,260,117</b>	<b>1,260,117</b>
<b>Adjustments:</b>		
Use of prior year balances (Naval reactors) .....	-13,983	-13,983
<b>Total, Naval Reactors</b> .....	<b>1,246,134</b>	<b>1,246,134</b>
<b>Office Of The Administrator</b>		
Office of the administrator .....	397,784	389,784
<b>Total, Office Of The Administrator</b> .....	<b>397,784</b>	<b>389,784</b>
<b>Defense Environmental Cleanup</b>		
<b>Closure sites:</b>		
Closure sites administration .....	4,702	4,702
<b>Hanford site:</b>		
River corridor and other cleanup operations .....	393,634	393,634
Central plateau remediation .....	513,450	513,450
Richland community and regulatory support .....	14,701	14,701
<b>Total, Hanford site</b> .....	<b>921,785</b>	<b>921,785</b>
<b>Idaho National Laboratory:</b>		
Idaho cleanup and waste disposition .....	362,100	362,100
Idaho community and regulatory support .....	2,910	2,910
<b>Total, Idaho National Laboratory</b> .....	<b>365,010</b>	<b>365,010</b>
<b>NNSA sites</b>		
Lawrence Livermore National Laboratory .....	1,476	1,476
Nuclear facility D & D Separations Process Research Unit .....	23,700	23,700
Nevada .....	61,897	61,897
Sandia National Laboratories .....	2,814	2,814
Los Alamos National Laboratory .....	219,789	219,789
<b>Total, NNSA sites and Nevada off-sites</b> .....	<b>309,676</b>	<b>309,676</b>
<b>Oak Ridge Reservation:</b>		
OR Nuclear facility D & D .....	73,716	73,716
OR cleanup and disposition .....	115,855	115,855
OR reservation community and regulatory support .....	4,365	4,365
<b>Total, Oak Ridge Reservation</b> .....	<b>193,936</b>	<b>193,936</b>
<b>Office of River Protection:</b>		
<b>Waste treatment and immobilization plant</b>		
01-D-416 A-E/ORP-0060 / Major construction .....	690,000	690,000
<b>Tank farm activities</b>		
Rad liquid tank waste stabilization and disposition .....	520,216	520,216
<b>Total, Office of River protection</b> .....	<b>1,210,216</b>	<b>1,210,216</b>
<b>Savannah River sites:</b>		
Savannah River risk management operations .....	432,491	432,491
SR community and regulatory support .....	11,210	11,210
<b>Radioactive liquid tank waste:</b>		
Radioactive liquid tank waste stabilization and disposition .....	552,560	647,560

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

<i>Program</i>	<i>FY 2014 Request</i>	<i>House Authorized</i>
<b>Construction:</b>		
05–D–405 Salt waste processing facility, Savannah River .....	92,000	92,000
<b>Total, Construction</b> .....	<b>92,000</b>	<b>92,000</b>
<b>Total, Radioactive liquid tank waste</b> .....	<b>644,560</b>	<b>739,560</b>
<b>Total, Savannah River site</b> .....	<b>1,088,261</b>	<b>1,183,261</b>
<b>Waste Isolation Pilot Plant</b>		
Waste isolation pilot plant .....	203,390	203,390
<b>Total, Waste Isolation Pilot Plant</b> .....	<b>203,390</b>	<b>203,390</b>
Program direction .....	280,784	280,784
Program support .....	17,979	17,979
<b>Safeguards and Security:</b>		
Oak Ridge Reservation .....	18,800	18,800
Paducah .....	9,435	9,435
Portsmouth .....	8,578	8,578
Richland/Hanford Site .....	69,078	69,078
Savannah River Site .....	121,196	121,196
Waste Isolation Pilot Project .....	4,977	4,977
West Valley .....	2,015	2,015
Technology development .....	24,091	34,091
<b>Subtotal, Defense environmental cleanup</b> .....	<b>4,853,909</b>	<b>4,958,909</b>
Uranium enrichment D&D fund contribution .....	463,000	0
<b>Total, Defense Environmental Cleanup</b> .....	<b>5,316,909</b>	<b>4,958,909</b>
<b>Other Defense Activities</b>		
<b>Health, safety and security</b>		
Health, safety and security .....	143,616	143,616
Program direction .....	108,301	108,301
<b>Total, Health, safety and security</b> .....	<b>251,917</b>	<b>251,917</b>
Specialized security activities .....	196,322	196,322
<b>Office of Legacy Management</b>		
Legacy management .....	163,271	163,271
Program direction .....	13,712	13,712
<b>Total, Office of Legacy Management</b> .....	<b>176,983</b>	<b>176,983</b>
<b>Defense-related activities</b>		
<b>Defense related administrative support</b>		
Chief financial officer .....	38,979	38,979
Chief information officer .....	79,857	79,857
<b>Total, Defense related administrative support</b> .....	<b>118,836</b>	<b>118,836</b>
Office of hearings and appeals .....	5,022	5,022
<b>Subtotal, Other defense activities</b> .....	<b>749,080</b>	<b>749,080</b>
<b>Total, Other Defense Activities</b> .....	<b>749,080</b>	<b>749,080</b>

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 113–108 and amendments en bloc described in section 3 of House Resolution 260.

Except as provided by the order of the House of today, each amendment printed in part B of House Report 113–108 shall be considered only by the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer

amendments en bloc consisting of amendments printed in part B of House Report 113–108 not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The original proponent of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

□ 1440

AMENDMENT NO. 1 OFFERED BY MR. MCKEON

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in Part B of House Report 113–108.

Mr. MCKEON. Mr. Chairman, I rise in support of the manager's amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 400, line 15, after "committees" insert the following: "the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives".

Page 405, line 9, after the period insert the following: "The Secretary of Defense shall submit any such classified annex to the congressional defense committees."

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from California (Mr. MCKEON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. McKEON. This is the manager's amendment, and it has been worked on and agreed to by the minority. It contains technical and conforming changes, and it's noncontroversial.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, although I'm not in opposition, I rise to claim the time in opposition.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Washington. I yield myself the balance of my time just to say I agree with the chairman. These are technical corrections that we have agreed to, and I urge support.

I yield back the balance of my time.

Mr. McKEON. Mr. Chairman, I ask our colleagues to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. McKEON).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in Part B of House Report 113-108.

Mr. BLUMENAUER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title I, insert the following new section:

**SEC. 123. MODIFICATION OF REQUIREMENT FOR CERTAIN NUMBER OF AIRCRAFT CARRIERS OF THE NAVY.**

(a) IN GENERAL.—Section 5062(b) of title 10, United States Code, is amended by striking "11" and inserting "10".

(b) CONFORMING REPEAL.—Section 1023 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2447) is repealed.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 2 minutes.

I appreciate the hard work that the committee has undertaken. We have before you a bipartisan amendment also offered by my colleagues Mr. MULVANEY and Mr. BENTIVOLIO. The purpose of the amendment is simple: it will help make the naval fleet stronger and more sustainable by allowing the Navy to decide the level of aircraft carriers in the future; stay at the current level of 10 at some point in the future instead of going back to a congressionally mandated level. It does not eliminate any aircraft carriers.

The entire Department of Defense is in the midst of a major reality check

as budgets shrink, priorities change, and new technologies emerge. I don't pretend to be a naval expert, but our Navy is being pushed into shallow waters as a result of sequestration. And now more than ever, we should allow them to make the decisions.

I have been a little concerned that some people in opposition say that this amendment would make a 10-carrier fleet permanent. Nothing could be further from the truth. It simply will allow the Navy to decide if it wants 10 aircraft carriers at some point in the next three decades. Now, if they're afraid that this will happen, then it means they think that the Navy 5 years, 10 years, 20 years from now will decide that they have higher strategic needs.

The history of the 12-carrier requirement was imposed for the first time in two centuries by Congress in 2006. That number, being unsustainable, was reduced to 11 in 2007. That cap still being too high, the Navy had to seek a waiver from the Congress to temporarily drop it to 10.

If the amendment passes, the Navy will still go back to 11 carriers in 2016 when the *Ford* is commissioned. But at that point, we should allow the Navy to decide, not people in Congress.

I reserve the balance of my time.

Mr. McKEON. Mr. Chairman, I rise to claim the 5 minutes in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. McKEON. I yield 1 minute to the gentleman from North Carolina (Mr. MCINTYRE).

Mr. MCINTYRE. I rise to oppose this amendment. The Navy is already down to 11 aircraft carriers from a high of 15 during the Cold War. We clearly need these 11 aircraft carriers to maintain a continuous presence in the Middle East, the western Pacific, and wherever else we may be called upon to go. Protecting our national security interests with our allies, such as Israel and Japan, and keeping trade lanes open, require the fleet of carriers that we have today.

Also, these carriers allow the U.S. to maintain influence without having a base in a foreign country. Talk about saving money; carriers are, in reality, mobile bases. This is a critical military capability for the United States, and it must be maintained. Keeping aircraft carrier production on track is also a major jobs issue. We know that tens of thousands of skilled workers support building and maintaining our aircraft carriers, and without them, we would soon lose our ability to build large ships of any kind.

Mr. BLUMENAUER. I reserve the balance of my time.

Mr. McKEON. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. WITTMAN), a subcommittee chairman on the Armed Services Committee.

Mr. WITTMAN. Simply put, this amendment seriously jeopardizes national security and also our ability to project power and maintain a forward presence in an ever-growing dangerous world. The backbone of our Navy is our carrier strike force. In order to have seven carriers, we need to have 11. There are carriers that are in port to be refueled, sailors that have to rest. Eleven equals seven.

Today we see in the Central Command, they request two aircraft carriers. They're only provided one in the most dangerous area of the world, the Middle East. If we can't meet the requirements that our commanders are asking for, then why would we want to be reducing the number of carriers? That just doesn't make sense.

There's a misconception, too, that because we're moving out of Afghanistan, that somehow there won't be a need for a presence of an aircraft carrier there in the Arabian Gulf. That is absolutely wrong. We need that presence there. The way we maintain that presence is to make sure that we have a minimum of 11 aircraft carriers.

Our forward presence is needed today, and we want to make sure that this is done, especially with the reposturing to the Asian Pacific.

With that, Mr. Chairman, I urge my colleagues to vote against this amendment.

Mr. BLUMENAUER. I yield 2 minutes to the gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. Mr. Chairman, you can imagine my surprise when I found out that for the last 7 years, Congress has been dictating the number of carriers that are in the Navy. For 230 years we were satisfied to let the Navy make that decision. I was just stunned to find that this was actually happening. I wish I had known. I could have offered an amendment to simply get rid of the requirement entirely, but I applaud my friend from Oregon for at least offering this small improvement.

I would respectfully disagree with my friend from Virginia—this amendment has no impact at all on national security or national defense. Again, there's no impact on national security or national defense.

If the amendment passes, the Navy could have 20 carriers next year if the Navy decided that that's what it wanted to do. All we're doing is taking the congressional mandate down from 11 to 10.

I go back to the words of former Secretary Gates in 2010 to the Navy League. I thought it was interesting what he said. He said:

Our current plan is to have 11 carrier strike groups through 2040 to be sure the need to project power across the seas will never go away, but consider the massive overmatch the U.S. already enjoys. Consider, too, the growing anti-ship capabilities of adversaries. Do we really need 11 carrier strike groups for another 30 years when no other

country has more than one? Any future plans must address these realities.

That's all we are doing, Mr. Chairman, is simply giving the Navy more control over how many carriers the Navy has.

With all due respect to all of my colleagues here, I am perfectly willing to trust the Navy with the operations of our naval warfare, more so than I am Congress. With that, I ask my friends to support this amendment, which has no impact on national defense but gives more control to the Navy, to the experts in the field.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, as long as we are on the subject of the Navy, the Navy actually did report to Congress in February 2013 with their force structure assessment, which called for 11 carriers to be in the force, which followed the strategic review which President Obama and Secretary Gates conducted in 2011, reported in early 2012, which talked about the repositioning to the Asian Pacific, which my friend, Mr. WITTMAN, talked about. And, in fact, articulated the fact that we are going to need more naval projection with that shift in strategy and focus for our country's future national security needs.

Strategy should drive decisions here in Congress, both in terms of the defense bill and our budgets. The Navy has spoken, in fact, as recently as February of this year, with a report which I would be happy to share with any of my colleagues, which clearly articulated an 11-carrier force is what we need today and fits within the strategic review, which we have just exhaustively conducted under the leadership of Secretary Gates and President Obama. I urge a "no" vote on the amendment.

□ 1450

Mr. BLUMENAUER. Mr. Chairman, I yield myself 30 seconds just to say the Navy is going to have 11 carriers when the one under construction goes into operation. Nothing in this amendment denies them that.

What it says is that, subsequently, going out 20 or 30 years, the decision about the minimum level will be left to the Navy, not Congress.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, who has the right to close?

The Acting CHAIR. The gentleman from California has the right to close and has 2 minutes remaining.

Mr. MCKEON. I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, I yield myself the remainder of the time.

The notion here that somehow, unless we impose a permanent mandate on the Navy, they are not going to do

what my friends from Connecticut and Virginia say they're going to do, I think, is ludicrous.

This is a symbol of Congress micromanaging, substituting its judgment for that of the command structure. It is, I think, important for us to, in a small way, express confidence in them. They will have their 11 aircraft carriers, as the *Gerald Ford* is commissioned. They'll be back at 11.

The question is, are we going to have a mandate in perpetuity to substitute our judgment for the realities of the Navy in 5 years, 10 years, 30 years, regardless of force structure, threats or technology?

This is a small symbol of what's wrong with the process here and why we can't get control over many of the budget issues.

I'd respectfully suggest support for this bipartisan amendment.

I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield the balance of our time to the gentleman from Virginia (Mr. FORBES), subcommittee chairman on the Armed Services Committee.

Mr. FORBES. I thank the chairman.

Mr. Chairman, one of the things that unites Republicans and Democrats in opposition to this amendment, that's why you've heard them take this floor, is that the Constitution of the United States mandates Congress to build strong navies. It doesn't mandate the Pentagon, it doesn't mandate the White House, it doesn't mandate anybody. It mandates us, and we will not walk away from that mandate.

And if you look at every independent analysis, every QDR since 2001 says we need 11 carriers. If you really believe the Navy's going to come in here and say they don't need them, that's not the truth. What's going to happen is somebody's going to give them a budget figure and say the budget needs to drive the strategy, and that's why you need to cut it down. And we're not going to put them in that position.

Three things: they talk about costs. The reality is it could cost more to have fewer carriers because they don't take into consideration the deployment times we're going to put on the backs of our sailors, or the turnaround time we're going to have, or the increased maintenance cost.

The second thing they don't look at is the fact that, in 2007, we were able to meet 90 percent of our combatant commanders' needs through the Navy. This year we'll only meet 51 percent because of cuts we've placed on their backs.

But the final thing, Mr. Chairman—and this is the essence of all of it—they will come in here, and the people who advocate that will say this is acceptable risk.

Do you know what acceptable risk means to them?

It means how many ships we can lose, how many men and women we can

lose, how much equipment we can lose in a conflict and still have the potential of winning if every other assumption we've made holds true.

Mr. Chairman, we're committed to changing the definition of acceptable risk, and saying this: when one of our men and women go into battle, we're going to make sure we've done everything we can reasonably do to make sure they have the highest probability possible of returning to the country they're fighting for and the families that they love. And you can't do it with fewer than 11 carriers.

That's why we're standing with this, and that's why I hope we will reject soundly this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BLUMENAUER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT NO. 3 OFFERED BY MRS. LUMMIS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in Part B of House Report 113-108.

Mrs. LUMMIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 79, after line 23, insert the following:

**SEC. 241. READINESS OF INTERCONTINENTAL BALLISTIC MISSILE FORCE.**

The Secretary of Defense shall preserve each intercontinental ballistic missile silo that contains a deployed missile as of the date of the enactment of this Act in, at minimum, a warm status that enables such silo to—

- (1) remain a fully functioning element of the interconnected and redundant command and control system of the missile field; and
- (2) be made fully operational with a deployed missile.

The Acting CHAIR. Pursuant to House Resolution 260, the gentlewoman from Wyoming (Mrs. LUMMIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wyoming.

Mrs. LUMMIS. Mr. Chairman, my amendment is cosponsored by Mr. DAINES of Montana and Mr. CRAMER of North Dakota. It would require DOT to maintain all current 450 intercontinental ballistic missile silos in warm status.

This amendment would maintain our nuclear triad, where ICBMs, along with submarines and bombers, work together to complicate and deter any attempts at a successful first strike on our country and our allies.



China's nuclear arsenal is expanding. Russia and other nuclear states like Pakistan are modernizing. With inexperienced leaders like Kim Jung Un in North Korea, now is the time not to reduce our most reliable and transparent deterrence.

President Obama continues to suggest further reductions in U.S. nuclear forces beyond the New START Treaty levels and is now bypassing Congress to negotiate directly with President Putin on additional unilateral reductions.

It's important for Congress to legislatively require that any final force structure decisions occur in FY15, as currently planned, and not be prematurely executed.

The ICBM force is in the final stages of more than a decade-long effort to replace and modernize critical-mission components. This makes it extremely cost effective to maintain the Minuteman III fleet over the next two decades.

This amendment is budget-neutral. It simply keeps silos in warm status, so as not to take steps backward that would be costly to reverse at a later date, especially if we encountered unforeseen geopolitical changes.

Congress needs to weigh in on the importance of maintaining our land-based forces so the decision is not made without us.

Mr. Chairman, I yield 1 minute to the gentleman from North Dakota (Mr. CRAMER).

Mr. CRAMER. Mr. Chairman, George Washington said:

To be prepared for war is one of the most effective means of preserving peace.

Besides the United States and the United Kingdom, the rest of the world has never seriously considered entertaining the idea of eliminating their nuclear weapons. China, France, India, Iran, North Korea, Pakistan, and Russia are all engaged in maintaining, expanding, or modernizing their weapons programs.

We should not continue down the path of reduction and degradation of our nuclear programs, including this important ICBM force. The cost of maintaining this force is minor compared to the price tag associated with rebuilding it should we judge incorrectly.

Now, some will argue that the U.S. taxpayer is funding the maintenance of weapons never used. I submit, Mr. Chairman, that the U.S. taxpayer is funding the maintenance of weapons being used every day, successfully deterring our enemies from launching their own nuclear weapons.

Mr. Chairman, this amendment will save money and may very well save our country.

Mrs. LUMMIS. Mr. Chairman, I reserve the balance of my time.

Mr. COOPER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COOPER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have the highest regard for the gentlelady from Wyoming. She is an outstanding Member of this body. She is doing a superb job of representing her constituents in Wyoming.

I haven't had the pleasure of really getting to know the other gentlemen, but it is no secret that these three, the sponsors of the amendment, each represent an ICBM missile silo field. And these are wonderful bases in our fine country, but these are also bases that we should not give a blank check to and allow to flourish in perpetuity.

The Cold War is over. Our men and women in uniform, led by our generals and admirals, are making some very important decisions about the best way to structure our triad, not to, in any way, give up on the triad, but to accommodate such things as, for example, the New START Treaty, which was overwhelmingly ratified by the other body just a few years ago.

□ 1500

There are lots of technical factors having to do with the silo fields and with the capability of Minuteman III missiles. There are lots of technical factors having to do with the other elements of our triad. But I would urge my colleagues to oppose this amendment despite the fine qualities of the sponsors of this amendment because what's good for a missile base in Wyoming is not necessarily good for American defense policy. And while I have the highest admiration for the gentlelady from Wyoming, we really need to put this in perspective.

This should be seriously considered by our colleagues; and I would urge them, at this point, to reject the amendment overwhelmingly.

I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield 90 seconds to the gentleman from Montana (Mr. DAINES).

Mr. DAINES. Mr. Chairman, I want to thank Representative LUMMIS for her leadership on this critically important issue and show my strong support for this amendment which I have joined her and our friend from North Dakota in introducing today.

Our Nation's intercontinental ballistic missiles are a vital component of our nuclear deterrence strategy to keep the American people safe from mankind's most dangerous threat. And for several decades, this "peace through strength" policy has worked.

Malmstrom Air Force Base in Great Falls, Montana, is home to 150 of our Nation's ICBMs. I recently visited Malmstrom and met with the leaders of the 341st Missile Wing to discuss the importance of our ICBM mission to our

national security. In fact, at the conclusion of the visit, Colonel Robert Stanley, the commander at Malmstrom, gave me this commander's coin. The motto embossed on it summarizes why our defense strategy is effective. And let me read it. It says this: Scaring the hell out of America's enemies since 1962.

I am grateful for their role in keeping America secure and their enormous contributions to Montana. I believe it will be deeply unwise to rewrite our effective policy for peace. Our potential adversaries in the 21st century may differ from those during the Cold War, but a comprehensive nuclear deterrence capability will remain crucial to our national security.

Our amendment requires the Pentagon to keep our ICBM silos in warm status even as adjustments pursuant to the New START Treaty are made. It will keep potential adversaries at bay and ensure that our crucial nuclear force remains flexible and responsive.

I urge all my colleagues to vote for it.

Mr. COOPER. Mr. Chairman, I yield 2 minutes to the ranking member of the Armed Services Committee, Mr. SMITH of Washington.

Mr. SMITH of Washington. Mr. Chairman, there are two very compelling reasons to oppose this amendment.

First of all, this is, again, not recognizing the reality of sequestration and the defense budget. The way Congress seems to have reacted to the reality of the fact that the defense budget has already been cut substantially and that because of sequestration—which nobody seems to want to put forward a plan to get rid of or certainly won't pass the House and the Senate—the defense budget is going to be cut. So the way Congress reacts is, okay, fine, but I have to protect mine. Don't close my base, don't shut down a ship, don't shut down a plane, and don't move anything out of the National Guard.

All of this is an effort to preserve, in these three States, their military presence, which means money. And I get that. But the Pentagon is going to have to reduce their budget. Every time we pass one of these things that says you can't do this and you can't save money here and you can't save money there, we are creating a hollow force. The Pentagon will not have the funds necessary to train our troops to be ready to perform the missions that we need to if they can't save money anywhere because Congress has stepped in and said you can't because it's mine and I don't want to give it up.

The second reason is we have well over 5,000 nuclear weapons. We will be amply able to scare the living crap out of everybody in the world for a very long time even if we reduce that somewhat and sensibly.

This amendment just cramps the ability of the Pentagon to make those

types of sensible decisions. It will not eliminate our nuclear deterrence. Our nuclear deterrence is overwhelming. There is money to be saved in the nuclear programs. The Pentagon can sensibly do that. But here comes Congress, again, to say, I have to protect my own, and I don't care what it does to the budget.

Fiscal conservatives should not support this amendment. We've got to get our budget in order. We've got to do it logically, and logically is not "protect mine and I don't care about the big picture." That's not the way to approach this budget if we're going to have an adequate national security.

Mrs. LUMMIS. Mr. Speaker, I yield 30 seconds to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. I thank the gentlelady.

As chairman of the Strategic Forces Subcommittee, I rise in support of this amendment, and I don't have any silos in Alabama, although I would like to have some.

One of the things I want people to be cognizant of is we need to maintain our resiliency as we go through these negotiations. The New START Treaty does not require these silos be demolished. The fact is, as we just learned with our ground-based interceptors which President Obama decided 4 years ago to reduce from 44 to 30, he reversed course when the world got a little bit more dangerous, and now we're going back to put those additional 14 GBIs in Fort Greeley.

We never know when the world's landscape is going to change. It is much more expensive and cumbersome to try to put new silos in than it is to keep these warm. I urge my colleagues to vote "yes" on this amendment.

Mr. COOPER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. HULTGREN). The gentleman from Tennessee has 1½ minutes remaining. The gentlewoman from Wyoming's time has expired.

Mr. COOPER. Mr. Chairman, let me close.

Again, I have the highest regard for the gentlelady from Wyoming, but this is an issue of national importance. We should not allow parochial concerns to dominate here. She is doing an extraordinary job of representing her constituents, particularly those of that base. But I would urge, particularly my colleague from North Dakota, to be aware that to the extent he preserves these ICBM missile fields, he may be hurting, unintentionally, his nuclear-capable bomber force. So watch out. If you're going to be parochial, let's go all the way and be thoroughly parochial and don't leave part out.

So this is a very important thing. We realize, as Members, we should put the national interests first. Let's listen to the Air Force, let's listen to STRATCOM, and let's not make pork-

barrel decisions back home that may benefit us politically but are not in the national interest. We're all for a strong national defense, and I think there is overwhelming and bipartisan opposition to this amendment.

So I urge my colleagues to strongly and forcefully oppose it.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wyoming (Mrs. LUMMIS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Wyoming will be postponed.

#### AMENDMENT NO. 4 OFFERED BY MR. PEARCE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in Part B of House Report 113-108.

Mr. PEARCE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 93, after line 7, insert the following:

#### SEC. 267. APPROVAL OF CERTAIN NEW USES OF RESEARCH, DEVELOPMENT, TEST, AND EVALUATION LAND.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Defense, or the head of any other department or agency of the Federal Government, may not finalize any decision regarding new land use activity on covered land unless the Secretary concerned approves such activity in writing.

(b) DEFINITIONS.—In this section:

(1) The term "covered land" means ranges, test areas, or other land in the contiguous United States used by the Secretary of Defense for activities related to research, development, test, and evaluation that the Secretary determines, for purposes of this section, to be critical to national security.

(2) The term "new land use activity" means an activity regarding the use of covered land that—

(A) as of the date of the enactment of this Act, is not carried out on covered land; and

(B) is carried out by, or in cooperation with, a department or agency of the Federal Government other than the Department of Defense.

(3) The term "Secretary concerned" has the meaning given that term in section 101(a)(9) of title 10, United States Code.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, I yield myself 1½ minutes.

Right now, emerging technologies critical to our readiness and the safety of our soldiers has developed 23 major

range and test facilities within DOD. Recently, a problem has come to our attention, and that problem plays out in the White Sands Missile Range that's in my district.

Basically, this center piece of the range is controlled by DOD, the land and the air above it. These pieces here, the north and the south, the air is controlled by the Department of Defense, the Secretary of the Army, but the land is controlled by the BLM. And the BLM recently has approved an encroachment across this land which threatens 33 percent of the missions in White Sands.

There's a launch facility that is up in this very northern corner, and we use the entire 140-mile length. It's the largest overland test base, and we use that to test these new emerging technologies. With the encroachment, then it endangers fully one-third of the missions of the base.

So our amendment simply says that no Secretary of any agency should be able to come in here and put at risk these tests of the 23 different sites located with DOD and with a split jurisdiction like we have here. It's a very simple amendment. It simply says that you've got to go through the process and ask the people here.

With that, I reserve the balance of my time.

□ 1510

Mr. SMITH of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. I yield myself such time as I may consume.

While I understand the importance of the Department of Defense's role in all this, there are other agencies that also have an important role.

The National Resources Committee minority has expressed concerns about this because the Bureau of Land Management has their interests, as well as a bunch of other Federal agencies. So this basically gives the Department of Defense a veto power over land use. I want to make sure that the Department of Defense's interests are looked after, but they're not the only interests that exists in our country. So a proper balance of those interests I think would be a proper approach.

This amendment just says Department of Defense basically gets the ultimate veto, and I think that gives it too much power. So I'd prefer to see a more balanced approach and oppose the amendment.

I reserve the balance of my time.

Mr. PEARCE. I yield the gentlewoman from Tennessee (Mrs. BLACK) 1½ minutes.

Mrs. BLACK. I thank the gentleman for yielding.

Mr. Chairman, as a cochairman of the Congressional Range and Testing

Center Caucus, I rise in support of Congressman PEARCE's amendment to the National Defense Authorization Act.

The Major Range and Test Facility Base is made up of 23 installations across the country, including the Arnold Air Force Base based in Tullahoma, Tennessee. The critical testing and evaluation capabilities of the installations are truly a national asset vital to our security. The testing and evaluation performed at these facilities, though often done behind the scenes, helps to ensure that our men and women in uniform have the equipment and the technologies they need to defend our country.

It is vital that we protect these facilities against the various forms of encroachment that can undermine the effectiveness of their operation. My colleague's amendment would ensure that any new use of lands already owned by the Federal Government around these installations be approved by the Department of Defense.

I urge my colleagues to join me in support of this commonsense amendment that strengthens our national security.

Mr. SMITH of Washington. I reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, I yield 1 minute to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. I appreciate the invitation from Mr. PEARCE.

This problem illustrates a couple of overwhelming problems we have. One is that agencies don't talk one with another. When the FAA closed towers down, they put three military bases in a difficult situation because they didn't talk. When NASA changed its policy on manned space flight, it increased the cost of our missile defense system because the agencies flat out didn't talk.

Here is another situation of agencies that simply are not working together, which illustrates a second reason why, in this bill, when we try to talk about land, we're not talking about withdrawing land so that two different agencies have the same land. We're trying to do transfers of land so one agency can make the decision—in this case, it should be the military.

Now, as subcommittee chairman for the Public Lands Subcommittee in the Resources, I want to say I support this amendment, and I would ask that people would pass this amendment. There may be some areas of trying to change some of the language to limit the scope of what we are doing here, which could easily be done in conference if this amendment is placed on the table in the first place. We already have language in there that deals with White Sands, but this amendment would have to be in addition to that.

So I would urge my colleagues to actually vote in favor of this. If there are some areas that we need to scope down

again, we can easily accomplish that if we have the opportunity of doing so in a conference.

Mr. SMITH of Washington. I continue to reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, again, the situation is quite simple and quite transparent. We're just trying to resolve who can make the decisions on land that is owned by one agency and aerospace owned by the other.

Nowhere else in the U.S., nowhere else in the world do we have this long, uninterrupted range in which we can test weapons. The recovery of the bodies of those weapons gives us great insight into the failures or the successes. So if we're going to preserve this national asset, this ability to test new and different weapons, then let's get a clear line of understanding.

I would urge passage of the amendment and yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time and just say I think the gentleman from Utah makes a very reasonable point. Certainly, one agency shouldn't be shutting something down that has a negative impact on another without consulting them. Perhaps if we work on this amendment to figure out some way where consultation is required, there is some sort of balance. It's just the way this amendment is written, it gives the Department of Defense the ability to do what the gentleman from Utah just said the other agency did, which is just whack it and not talk to anybody else.

So we're happy to continue to work on this going forward. In its present form, I am still opposed to it.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE). The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. COFFMAN

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in Part B of House Report 113-108.

Mr. COFFMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 301, strike "Funds are hereby authorized" and insert the following:

(a) IN GENERAL.—Funds are hereby authorized

In section 301, add at the end the following:

(b) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts specified in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, as specified in the corresponding funding table in section 4301, is hereby increased by a total of \$250,000,000, to alleviate training and readiness shortfalls, to be derived as follows:

(A) Operation and Maintenance, Army, for Maneuver Units, Line 010, \$85,000,000.

(B) Operation and Maintenance, Army, for Aviation Assets, Line 060, \$35,000,000.

(C) Operation and Maintenance, Navy, for Mission and Other Flight Operations, Line 010, \$32,500,000.

(D) Operation and Maintenance, Navy, for Fleet Air Training, Line 020, \$7,500,000.

(E) Operation and Maintenance, Marine Corps, for Operational Forces, Line 010, \$25,000,000.

(F) Operation and Maintenance, Air Force, for Primary Combat Forces, Line 010, \$65,000,000.

(2) OFFSET.—Notwithstanding the amounts specified in the funding tables in division D, the amount authorized to be appropriated in section 201 for Research, Development, Test, and Evaluation, Defense-wide, as specified in the corresponding funding table in section 4201 for the Defense Rapid Innovation Program, is hereby reduced by \$250,000,000.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Colorado (Mr. COFFMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. COFFMAN. Mr. Chairman, my amendment, No. 208, cuts \$250 million from the Defense Rapid Innovation Program—or commonly called DRIP—and moves the money to alleviate training and readiness shortfalls.

The DRIP program is a relatively new program started by Congress in the wake of the earmark ban in 2010. The funding was not requested by the Department of Defense, and Congress uses the program through DOD to provide grants to small businesses. The funding can be better applied.

Yesterday, Deputy Defense Secretary Ash Carter said the sequester hits particularly hard in the operations and maintenance accounts. As a result, training is hurt and our Nation's military readiness plummets. This is unacceptable.

But we can't just bemoan this fact; we have to address it. It is our duty to our men and women in uniform and our Nation's security to ensure that we spend our defense dollars in the most efficient and critical way possible. A quarter billion dollars for the DRIP program is not the wisest use of our tax dollars.

As a former small business owner, I am naturally very protective of our Nation's small businesses. I understand the pressures they operate under.

But I am also aware of the effect sequestration is having on our military's operations and maintenance accounts. We are seeing across-the-board cuts to vital operational funding. The Air Force grounded 13 squadrons for the year. The Navy has canceled ship deployments and deferred maintenance. The Army has canceled major training exercises for the year.

While I am sure that there have been good results from some of the spending in the DRIP program, I am sure that this program is duplicative of many other efforts in the Department of Defense.

There is already \$76 million for quick reaction special projects, \$62 million

for emerging capabilities technology development, \$174 million for joint capability technology demonstrations, and \$34 million for the Defense-Wide Manufacturing Science & Technology program.

There is over \$1 billion for Department of Defense Small Business Innovation Research funding, and so on, DARPA, joint programs, and technical support programs. Transferring this money will not leave small businesses or technology development without funding. What it will do is signal to the American people that we are willing to make the hard choices necessary to prioritize our men and women in uniform by supporting the operations and maintenance accounts they rely on, which are a higher priority than the potential DRIP results.

I repeat, the DRIP program was set up in 2010 as a way to get around the ban on earmarks. In today's restrictive fiscal climate, we have higher defense spending priorities that we should fund instead. I ask for your support for this amendment.

I reserve the balance of my time.

Mr. LARSEN of Washington. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chairman, if this amendment passes, we will strip away one of the main tools that we have in the defense budget to ensure that small businesses continue to be part of the defense industrial base.

□ 1520

The Rapid Innovation Fund was created a couple of years ago in order to ensure that small businesses that had technology, that had resources to help the war fighter could get funding to develop that technology to develop those resources and get service to the warfighter sooner rather than later.

In 2011 alone, over 3,500 white papers were submitted and evaluated—proposals for the Rapid Innovation Fund—3,500. Two hundred final proposals were invited. Out of that total 3,500, 177 awards were made, 95 percent of which went to small businesses, 80 percent to current or prior SBIR participants; and the average product value of \$2.2 million, awards to companies in 32 States and in the District of Columbia.

This is an important program to help small businesses continue to be part of the defense industrial base. We should not strip RIF funding out of the bill. If we are going to deal with operations and maintenance, let's do what everybody on the committee wants to do: let's stop the sequester, replace the sequester with something more balanced to ensure that the O&M accounts, as well as great programs like RIF, are funded.

With that, I reserve the balance of my time.

Mr. COFFMAN. Mr. Chairman, every dollar wasted in the defense budget is a dollar not spent on defending this country. This is not a program that was ever requested by the Department of Defense. This is a jobs program. I think, given the fact that the Defense Department is under incredible stress, that we've got to fund the priorities that our men and women on the front lines need. And that is putting this \$250 million to operations and maintenance—\$250 million to the spending program that is already duplicated in other parts of the Department of Defense budget.

Mr. Chairman, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I would like to request how much time I have remaining.

The Acting CHAIR. The gentleman from Washington has 3½ minutes. The gentleman from Colorado has 1½ minutes.

Mr. LARSEN of Washington. Mr. Chairman, I would like to yield 1 minute to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for yielding.

I just want to echo what the gentleman from Washington said. This is an extremely important program to small business that operates in the defense industrial base. We are making it more and more difficult for them to operate. This fund, the Rapid Innovation Fund, is just the solution to keeping them involved in the innovation and coming out with new products, faster products. So in the long run, this is going to save money. It is going to have new products the warfighters need. This fund has been very important to them.

Mr. LARSEN and I chaired a panel on this, a panel on business challenges in the defense industry. We traveled the country listening to small businesses. This was what they asked for. It was so important to the development of their products. In fact, when we started this, we had Secretary Rumsfeld come before the committee and say, when I asked him, What would you recommend to businesses doing business with the Department of Defense? And he said, I recommend they don't do business. It's so difficult. In fact, he said, It's like sleeping with a hippopotamus. Eventually, it's going to roll over and crush you, and it will never know that it did it.

This is extremely important to the small business community to keep them engaged. The big defense contractors need the small folks there developing and innovating.

I urge a "no" vote on the Coffman amendment.

Mr. COFFMAN. Mr. Chairman, the question before us, in an environment of limited resources, is whether we fund an economic development pro-

gram for small business. And as a former small business owner, I certainly would think under normal circumstances that would be important. But we're doing it out of the Department of Defense budget, and we're doing it at the expense of priorities within the Department of Defense.

The Department of Defense is not asking for this program. What the Department of Defense is saying is that there are shortages in funding operations and maintenance. So I believe that it's critically important to take this \$250 million that the Department of Defense is now requesting and put it into an area where they are requesting.

Mr. Chairman, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I yield 1 minute to the gentlelady from California (Ms. SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise in opposition to this amendment. I understand my colleague's concern with the shortfall in the Department's operations and maintenance accounts, but that's really a product of sequestration.

What we are really talking about is innovation here. Innovation generally doesn't happen in the big companies. It happens in the small companies, the companies that are able to move quickly so that we get what we need. That's what the RIF program is about. This is not an earmark. In fact, just yesterday, the pre-notification for the fiscal year '13 process was released. It said: "Any and all companies can put forward proposals." That's not an earmark.

The RIF process contributes to cost savings to the services' training activities. In fact, the Navy added "cost reduction" as a critical focus area in the fiscal year '12 Rapid Innovation Fund broad agency announcement. Several of these selected RIF projects actually seek to reduce operations and maintenance costs to include the cost of training.

I urge a "no" vote on this amendment.

Mr. COFFMAN. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Colorado has 30 seconds remaining.

Mr. COFFMAN. Mr. Chairman, in this bill, there's already \$76 million for Quick Reaction Special Projects, \$62 million for emerging capabilities technology development, \$174 million for joint capability technology demonstrations, and \$34 million for the Defense-Wide Manufacturing Science and Technology program. The Department of Defense Small Business Innovation Research and Small Business Technology Transfer programs spend about \$1 billion per year in research and development funding for our Nation's small technology companies. The issues that they're talking about are already addressed in multiple ways; and this is,

unfortunately, wasteful Pentagon spending that should be cut.

I yield back the balance of my time. Mr. LARSEN of Washington. Mr. Chairman, could I request how much time I have remaining.

The Acting CHAIR. The gentleman from Washington has 1½ minutes remaining.

Mr. LARSEN of Washington. Thank you. Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island (Mr. LANGEVIN).

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Chairman, I thank the gentleman for yielding.

While I fully understand and appreciate the gentleman from Colorado's intention, I must strongly disagree with his amendment, specifically its choice of offset. Cutting our future to pay for the present is the very definition of penny-wise and pound-foolish. This amendment would have a severe negative impact on small businesses in the defense industry.

The Rapid Innovation Fund was created by the Armed Services Committee. It is a fully competitive program to facilitate the rapid insertion of innovative small business technologies and processes into military systems or programs that meet critical national security needs of the warfighter. Projects are under way now, and just yesterday the pre-notification for the FY 13 process was released.

The Rapid Innovation Fund process contributes to the cost savings of the services' training activities. In fact, the Navy added cost reduction as a critical focus area in its FY 12 Rapid Innovation Fund broad agency announcement. Several of the selected RIF projects actually seek to reduce O&M costs, to include the cost of training. According to the Department:

RIF has a high return on investment while providing a venue for the timely, innovative solutions from small businesses to our near-term challenges.

The Acting CHAIR. The gentleman from Washington is recognized for 30 seconds.

Mr. LARSEN of Washington. Thank you, Mr. Chairman.

In conclusion, I would ask my colleagues to vote "no" on this amendment. I think we have made a good case. I think folks have heard the argument.

Just a final note. The defense business panel that Mr. SHUSTER of Pennsylvania spoke of, we did travel around the country, talking to small businesses all around the country in many States; and everywhere we heard that this is the program, the Rapid Innovation Fund is the program that they see as most valuable. They want us to keep this in place.

I would ask my colleagues to vote "no" on this amendment, and with

that I yield back the balance of my time.

□ 1530

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. COFFMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COFFMAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, pursuant to H. Res. 260, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 7, 8, 16, 17, 24, 26, 30, 34, 35, 40, 41, 42, 48, 62, 94, 111, 113, 130, 154, and 159, printed in House Report No. 113-108, offered by Mr. MCKEON of California:

AMENDMENT NO. 7 OFFERED BY MS. FRANKEL OF FLORIDA

At the end of section 549, add the following new subsections:

(c) ADDITIONAL DUTY FOR RESPONSE SYSTEMS PANEL REGARDING INSTANCES OF MEMBERS' ABUSING CHAIN OF COMMAND POSITION TO GAIN ACCESS TO OR COERCE ANOTHER PERSON FOR A SEX-RELATED OFFENSE.—

(1) IN GENERAL.—The independent panel established by the Secretary of Defense under subsection (a)(1) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1758) shall conduct an assessment of instances in the Armed Forces in which a member of the Armed Forces has committing a sexual act upon another person by abusing one's position in the chain of command of the other person to gain access to or coerce the other person.

(2) SUBMISSION OF RESULTS.—The panel shall include the results of the assessment and its recommendations and comments in the report required by subsection (c)(1) of such section 576, as amended by subsection (b) of this section.

(d) ADDITIONAL DUTY FOR JUDICIAL PROCEEDINGS PANEL REGARDING ADDITIONAL REVISION OF DEFINITION OF ARTICLE 120 SEX-RELATED OFFENSES.—The independent panel established by the Secretary of Defense under subsection (a)(2) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1758) shall assess the likely consequences of amending of definition of rape and sexual assault under article 120 of the Uniform Code of Military Justice to expressly cover a situation in which a person subject to the Uniform Code of Military Justice commits a sexual act upon another person by abusing one's position in the chain of command of the other person to gain access to or coerce the other person. The panel shall include the results of the assessment in one of the reports required by subsection (c)(2)(B) of such section 576.

AMENDMENT NO. 8 OFFERED BY MR. PIERLUISI OF PUERTO RICO

Page 110, after line 15, insert the following new section:

#### SEC. 334. ORDNANCE RELATED RECORDS REVIEW AND REPORTING REQUIREMENT FOR VIEQUES AND CULEBRA ISLANDS, PUERTO RICO.

(a) IDENTIFICATION OF MILITARY MUNITIONS AND NAVY OPERATIONAL HISTORY.—

(1) RECORDS REVIEW.—The Secretary of Defense shall conduct a review of all existing Department of Defense records to determine and describe the historical use of military munitions and military training on the islands of Vieques and Culebra, Puerto Rico, and in the nearby cays and waters. The review shall, to the extent practicable and based on historical documents available, identify the type of munitions, the quantity of munitions, and the location where such munitions may have potentially been used or may be remaining on the islands of Vieques and Culebra, Puerto Rico, and in the nearby cays or waters. The historical review shall also determine the type of various military training exercises that occurred on each island and in the nearby cays and waters.

(2) COOPERATION AND CONSULTATION.—The Secretary of Defense may request the assistance of other Federal agencies and may consult the Governor of Puerto Rico as may be deemed appropriate in conducting the review required by this subsection and in preparing the report required by subsection (b).

(b) REPORT.—Not later than 450 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate, and shall make publicly available, a report detailing the findings and determinations of the review required by subsection (a). The report shall be organized to include the information detailed in subsection (a) in addition to site history, site description, real estate ownership information, and any other information about known military munitions and military training that occurred historically on the islands of Vieques and Culebra, Puerto Rico, and in the nearby cays and waters. The report shall include any information and recommendations that the Secretary deems appropriate about the potential hazards to the public associated with unexploded ordnance on the islands of Vieques and Culebra, Puerto Rico, and in the nearby cays and waters.

(c) DEFINITIONS.—In this section:

(1) The term "military munitions" has the meaning given that term in section 101(e)(4) of title 10, United States Code.

(2) The term "unexploded ordnance" has the meaning given that term in section 101(e)(5) of title 10, United States Code.

AMENDMENT NO. 16 OFFERED BY MR. HUELSKAMP OF KANSAS

At the end of subtitle C of title V, add the following:

#### SEC. 5. MEETINGS WITH RESPECT TO RELIGIOUS LIBERTY.

(a) NOTICE.—

(1) IN GENERAL.—The Department of Defense shall provide to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate advance written notice of any meeting to be held between Department employees and civilians for the purpose of writing, revising, issuing, implementing, enforcing, or seeking advice, input, or counsel regarding military policy related to religious liberty.

(2) CONTENTS OF NOTICE.—Notice provided under paragraph (1) shall include information on the time, date, location, and anticipated attendees of the meeting and information on who initiated the meeting.

(3) VERBAL NOTICE.—If a meeting to which this subsection applies is scheduled less than

24 hours in advance of the meeting, the notice requirement under paragraph (1) may be satisfied by a phone call if Committee staff provide verbal confirmation of receipt of the notice.

(b) **REPORTS.**—Not later than 72 hours after the conclusion of a meeting to which subsection (a) applies, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on the meeting, which shall include information on the time, date, location, duration, and attendees of the meeting and information on who initiated the meeting.

AMENDMENT NO. 17 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

Page 243, after line 8, insert the following:  
**SEC. 568. REQUIREMENT TO CONTINUE PROVISION OF TUITION ASSISTANCE FOR MEMBERS OF THE ARMED FORCES.**

The Secretary of each military department shall carry out tuition assistance programs for members of an Armed Force under the jurisdiction of that Secretary during fiscal year 2014 using an amount not less than the sum of any amounts appropriated or otherwise made available for tuition assistance for members of that Armed Force for fiscal year 2014.

AMENDMENT NO. 24 OFFERED BY MR. GRAYSON OF FLORIDA

Beginning on page 270, strike line 23 and all that follows through page 271, line 2.

Page 270, line 22, after “State” insert “, the District of Columbia, Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.”

AMENDMENT NO. 26 OFFERED BY MR. BILIRAKIS OF FLORIDA

At the end of title VI, add the following new section:

**SEC. 6. TRANSPORTATION ON MILITARY AIRCRAFT ON A SPACE-AVAILABLE BASIS FOR DISABLED VETERANS WITH A SERVICE-CONNECTED, PERMANENT DISABILITY RATED AS TOTAL.**

(a) **AVAILABILITY OF TRANSPORTATION.**—Section 2641b of title 10, United States Code, as amended by section 622 of National Defense Authorization Act for Fiscal Year 2013, is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) **SPECIAL PRIORITY FOR CERTAIN DISABLED VETERANS.**—(1) The Secretary of Defense shall provide, at no additional cost to the Department of Defense and with no aircraft modification, transportation on scheduled and unscheduled military flights within the continental United States and on scheduled overseas flights operated by the Air Mobility Command on a space-available basis for any veteran with a service-connected, permanent disability rated as total.

“(2) Notwithstanding subsection (d)(1), in establishing space-available transportation priorities under the travel program, the Secretary shall provide transportation under paragraph (1) on the same basis as such transportation is provided to members of the armed forces entitled to retired or retainer pay.

“(3) The requirement to provide transportation on Department of Defense aircraft on a space-available basis on the priority basis described in paragraph (2) to veterans covered by this subsection applies whether or

not the travel program is established under this section.

“(4) In this subsection, the terms ‘veteran’ and ‘service-connected’ have the meanings given those terms in section 101 of title 38.”.

(b) **EFFECTIVE DATE.**—Subsection (f) of section 2641b of title 10, United States Code, as added by subsection (a), shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act.

AMENDMENT NO. 30 OFFERED BY MR. GRAYSON OF FLORIDA

At the end of title VIII, add the following new section:

**SEC. 833. REPORT ON PROCUREMENT SUPPLY CHAIN VULNERABILITIES.**

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on how sole source suppliers of components to the Department of Defense procurement supply chain create vulnerabilities to military attack, terrorism, natural disaster, industrial shock, financial crisis, or geopolitical crisis, such as an embargo of key raw materials or industrial inputs.

(b) **MATTERS COVERED.**—The report required by subsection (a) shall include, at a minimum, the following:

(1) A list of the components in the Department of Defense procurement supply chain for which there is a supplier that controls over 50 percent of the global market.

(2) A list of parts of the supply chain where there is inadequate information to ascertain whether there is a single source supplier of components.

(3) The Secretary's recommendations on which single source suppliers create vulnerabilities, as well recommendations on how to reduce those vulnerabilities.

(c) **FORM OF REPORT.**—The report required by subsection (a) may be classified.

AMENDMENT NO. 34 OFFERED BY MR. CUELLAR OF TEXAS

At the end of subtitle G of title X, add the following new section:

**SEC. . UNMANNED AIRCRAFT JOINT TRAINING AND USAGE PLAN.**

(a) **METHODS.**—The Secretary of Defense, the Secretary of Homeland Security, and the Administrator of the Federal Aviation Administration jointly shall develop and implement plans and procedures to review the potential of joint testing and evaluation of unmanned aircraft equipment and systems with other appropriate departments and agencies of the Federal Government that may serve the dual purpose of providing capabilities to the Department of Defense to meet the future requirements of combatant commanders and domestically to strengthen international border security.

(b) **REPORT.**—Not later than 270 days after date of the enactment of this Act, the Secretary of Defense, the Secretary of Homeland Security, and the Administrator of the Federal Aviation Administration shall jointly submit to Congress a report on the status of the development of the plans and procedures required under subsection (a), including a cost benefit analysis of the shared expenses between the Department of Defense and other appropriate departments and agencies of the Federal Government to support such plans.

AMENDMENT NO. 35 OFFERED BY MR. MCCAUL OF TEXAS

At the end of subtitle I of title X, add the following:

**SEC. 1090. TRANSFER OR LOAN OF EQUIPMENT TO THE DEPARTMENT OF HOMELAND SECURITY RELATING TO BORDER SECURITY.**

The Secretary of Defense may coordinate with the Secretary of Homeland Security to identify and provide for the transfer or long-term loan to the Department of Homeland Security of equipment the Secretary of Defense determines to be excess and the Secretary of Homeland Security determines to be appropriate in order to increase situational awareness and achieve operational control of the international borders of the United States.

AMENDMENT NO. 40 OFFERED BY MS. DUCKWORTH OF ILLINOIS

Page 582, insert after line 25 the following (and conform the table of contents accordingly):

**SEC. 1607. REPORTING ON GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.**

Subsection (h) of section 15 of the Small Business Act (15 U.S.C. 644) is amended to read as follows:

“(h) **REPORTING ON GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.**—

“(1) **AGENCY REPORTS.**—At the conclusion of each fiscal year, the head of each Federal agency shall submit to the Administrator a report describing—

“(A) the extent of the participation by small business concerns, small business concerns owned and controlled by veterans (including service-disabled veterans), qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women in the procurement contracts of such agency during such fiscal year;

“(B) whether the agency achieved the goals established for the agency under subsection (g)(2) with respect to such fiscal year;

“(C) any justifications for a failure to achieve such goals; and

“(D) a remediation plan with proposed new practices to better meet such goals, including analysis of factors leading to any failure to achieve such goals.

“(2) **REPORTS BY ADMINISTRATOR.**—Not later than 60 days after receiving a report from each Federal agency under paragraph (1) with respect to a fiscal year, the Administrator shall submit to the President and Congress, and to make available on a public Web site, an annual report that includes—

“(A) a copy of each report submitted to the Administrator under paragraph (1);

“(B) a determination of whether each goal established by the President under subsection (g)(1) for such fiscal year was achieved;

“(C) a determination of whether each goal established by the head of a Federal agency under subsection (g)(2) for such fiscal year was achieved;

“(D) the reasons for any failure to achieve a goal established under paragraph (1) or (2) of subsection (g) for such fiscal year and a description of actions planned by the applicable agency to address such failure, including the Administrator's comments and recommendations on the proposed remediation plan; and

“(E) for the Federal Government and each Federal agency, an analysis of the number and dollar amount of prime contracts awarded during such fiscal year to—

“(i) small business concerns—

“(I) in the aggregate;



“(II) through sole source contracts;  
 “(III) through competitions restricted to small business concerns; and  
 “(IV) through unrestricted competition;  
 “(ii) small business concerns owned and controlled by service-disabled veterans—  
 “(I) in the aggregate;  
 “(II) through sole source contracts;  
 “(III) through competitions restricted to small business concerns;  
 “(IV) through competitions restricted to small business concerns owned and controlled by service-disabled veterans; and  
 “(V) through unrestricted competition;  
 “(iii) qualified HUBZone small business concerns—  
 “(I) in the aggregate;  
 “(II) through sole source contracts;  
 “(III) through competitions restricted to small business concerns;  
 “(IV) through competitions restricted to qualified HUBZone small business concerns;  
 “(V) through unrestricted competition where a price evaluation preference was used; and  
 “(VI) through unrestricted competition where a price evaluation preference was not used;  
 “(iv) small business concerns owned and controlled by socially and economically disadvantaged individuals—  
 “(I) in the aggregate;  
 “(II) through sole source contracts;  
 “(III) through competitions restricted to small business concerns;  
 “(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals;  
 “(V) through unrestricted competition; and  
 “(VI) by reason of that concern’s certification as a small business owned and controlled by socially and economically disadvantaged individuals;  
 “(v) small business concerns owned by an Indian tribe (as such term is defined in section 8(a)(13)) other than an Alaska Native Corporation—  
 “(I) in the aggregate;  
 “(II) through sole source contracts;  
 “(III) through competitions restricted to small business concerns;  
 “(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and  
 “(V) through unrestricted competition;  
 “(vi) small business concerns owned by a Native Hawaiian Organization—  
 “(I) in the aggregate;  
 “(II) through sole source contracts;  
 “(III) through competitions restricted to small business concerns;  
 “(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and  
 “(V) through unrestricted competition;  
 “(vii) small business concerns owned by an Alaska Native Corporation—  
 “(I) in the aggregate;  
 “(II) through sole source contracts;  
 “(III) through competitions restricted to small business concerns;  
 “(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and  
 “(V) through unrestricted competition;  
 “(viii) small business concerns owned and controlled by women—  
 “(I) in the aggregate;

“(II) through competitions restricted to small business concerns;  
 “(III) through competitions restricted using the authority under section 8(m)(2);  
 “(IV) through competitions restricted using the authority under section 8(m)(2) and in which the waiver authority under section 8(m)(3) was used; and  
 “(V) through unrestricted competition; and  
 “(F) for the Federal Government, the number, dollar amount, and distribution with respect to the North American Industry Classification System of subcontracts awarded during such fiscal year to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women, provided that such information is publicly available through data systems developed pursuant to the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), or otherwise available as provided in paragraph (3).

“(3) ACCESS TO DATA.—  
 “(A) FEDERAL PROCUREMENT DATA SYSTEM.—To assist in the implementation of this section, the Administration shall have access to information collected through the Federal Procurement Data System, Federal Subcontracting Reporting System, or any new or successor system.  
 “(B) AGENCY PROCUREMENT DATA SOURCES.—To assist in the implementation of this section, the head of each contracting agency shall provide, upon request of the Administration, procurement information collected through agency data collection sources in existence at the time of the request. Contracting agencies shall not be required to establish new data collection systems to provide such data.”.

AMENDMENT NO. 41 OFFERED BY MR. MURPHY OF FLORIDA

At the end of subtitle B of title XXVIII, add the following new section:

**SEC. 28. REPORT ON UTILIZATION OF DEPARTMENT OF DEFENSE REAL PROPERTY.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the utilization of real property across the Department of Defense.

(b) ELEMENTS OF REPORT.—The report required by subsection (a) shall describe the following:

(1) The strategy of the Department of Defense for maximizing utilization of existing facilities, progress implementing this strategy, and obstacles to implementing this strategy.

(2) The efforts of the Department of Defense to systematically collect, process, and analyze data on real property utilization to aid in the planning and implementation of the strategy referred to in paragraph (1).

(3) The number of underutilized Department facilities, to be defined as facilities rated less than 66 percent utilization, and unutilized Department facilities, to be defined as facilities rated at zero percent utilization, in the Real Property Inventory Database of the Department of Defense.

(4) The annual cost of maintaining and improving such underutilized and unutilized Department facilities.

(5) The efforts of the Department of Defense to dispose of underutilized and unutilized facilities.

(c) CLASSIFIED ANNEX.—The report required by subsection (a) may include a classified annex if necessary to fully describe the matters required by subsection (b).

AMENDMENT NO. 42 OFFERED BY MR. MCCAUL OF TEXAS

At the end of subtitle I of title X, add the following:

**SEC. 1090. TRANSFER TO THE DEPARTMENT OF HOMELAND SECURITY OF THE TETHERED AEROSTAT RADAR SYSTEM.**

Notwithstanding any other provision of law, not later than September 30, 2013, the Secretary of Defense is authorized to transfer to the Secretary of Homeland Security, and the Secretary of Homeland Security is authorized to accept from the Secretary of Defense, full contract ownership and management responsibilities for the existing Tethered Aerostat Radar System (TARS) program and contracts. Neither the Department of Defense nor the Department of Homeland Security shall be required to reimburse the other agency for any services under the TARS program.

AMENDMENT NO. 48 OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of subtitle B of title III, add the following new section:

**SEC. 3. MILITARY READINESS AND SOUTHERN SEA OTTER CONSERVATION.**

(a) ESTABLISHMENT OF THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—Chapter 631 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 7235. Establishment of the Southern Sea Otter Military Readiness Areas**

“(a) ESTABLISHMENT.—The Secretary of Defense shall establish areas to be known as ‘Southern Sea Otter Military Readiness Areas’ for national defense purposes. Such areas shall include each of the following:

“(1) The area that includes Naval Base Ventura County, San Nicolas Island, and Begg Rock and the adjacent and surrounding waters within the following coordinates:

“N. Latitude/W. Longitude

“33°27.8’/119°34.3’

“33°20.5’/119°15.5’

“33°13.5’/119°11.8’

“33°06.5’/119°15.3’

“33°02.8’/119°26.8’

“33°08.8’/119°46.3’

“33°17.2’/119°56.9’

“33°30.9’/119°54.2’;

“(2) That area that includes Naval Base Coronado, San Clemente Island and the adjacent and surrounding waters running parallel to shore to 3 nautical miles from the high tide line designated by 33 C.F.R. part 165 on May 20, 2010, as the San Clemente Island 3NM Safety Zone.

“(b) ACTIVITIES WITHIN THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—

“(1) INCIDENTAL TAKINGS UNDER ENDANGERED SPECIES ACT OF 1973.—Sections 4 and 9 of the Endangered Species Act of 1973 (16 U.S.C. 1533, 1538) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting a military readiness activity.

“(2) INCIDENTAL TAKINGS UNDER MARINE MAMMAL PROTECTION ACT OF 1972.—Sections 101 and 102 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371, 1372) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting military readiness activities.



“(3) TREATMENT AS SPECIES PROPOSED TO BE LISTED.—For purposes of any military readiness activity, any southern sea otter while within the Southern Sea Otter Military Readiness Areas shall be treated for the purposes of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) as a member of a species that is proposed to be listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

“(c) REMOVAL.—Nothing in this section or any other Federal law shall be construed to require that any southern sea otter located within the Southern Sea Otter Military Readiness Areas as of the effective date of this section or thereafter be removed from the Areas.

“(d) REVISION OR TERMINATION OF EXCEPTIONS.—The Secretary of the Interior may revise or terminate the application of subsection (b) if the Secretary, in consultation with the Secretary of the Navy, determines that military activities authorized under subsection (b) are impeding southern sea otter conservation or the return of southern sea otters to optimum sustainable population levels.

“(e) MONITORING.—

“(1) IN GENERAL.—The Secretary of the Navy shall conduct monitoring and research within the Southern Sea Otter Military Readiness Areas to determine the effects of military readiness activities on the growth or decline of the sea otter population and on the near-shore eco-system. Monitoring and research parameters and methods shall be determined in consultation with the service.

“(2) REPORTS.—Within 24 months after the effective date of this section and every three years thereafter, the Secretary of the Navy shall report to Congress and the public on monitoring undertaken pursuant to paragraph (1).

“(f) DEFINITIONS.—In this section:

“(1) INCIDENTAL TAKING.—The term ‘incidental taking’ means any take of a southern sea otter that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

“(2) OPTIMUM SUSTAINABLE POPULATION.—The term ‘optimum sustainable population’ means, with respect to any population stock, the number of animals that will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element.

“(3) SOUTHERN SEA OTTER.—The term ‘southern sea otter’ means any member of the subspecies *Enhydra lutris nereis*.

“(4) TAKE.—The term ‘take’—

“(A) when used in reference to activities subject to regulation by the Endangered Species Act of 1973 (16 U.S.C. 1531–1544) shall have the meaning given such term in that statute; and

“(B) when used in reference to activities subject to regulation by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1423h), shall have the meaning given such term in that statute.

“(5) MILITARY READINESS ACTIVITY.—The term ‘military readiness activity’ has the meaning given that term in section 315(f) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2509; 16 U.S.C. 703 note), and includes all training and operations of the Armed Forces that relate to combat, and the adequate and realistic testing of military equipment, vehicles, weapons, and sensors for proper operation and suitability for combat use.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following: “7235. Establishment of the Southern Sea Otter Military Readiness Areas.”.

(c) CONFORMING AMENDMENT.—Section 1 of Public Law 99–625 (16 U.S.C. 1536 note) is repealed.

AMENDMENT NO. 62 OFFERED BY MS. BROWNLEY OF CALIFORNIA

Page 232, after line 18, insert the following:

**SEC. 555. TRANSITION OF MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES FROM MILITARY TO CIVILIAN LIFE.**

(a) FINDINGS.—The Congress finds the following:

(1) Members of the Armed Forces and their families make great sacrifices on behalf of the United States, and, when their active duty service is successfully concluded, members deserve the opportunity to also make a successful transition to the civilian labor force.

(2) When transitioning from active duty in the Armed Forces to civilian employment, members often face barriers that make it difficult to fully utilize the skills and training they gained during their military service.

(3) Members and veterans are too often required to repeat education or training in order to receive industry certifications and State occupational licenses, even though their military training and experience often overlaps with the certification or licensing requirements.

(4) When members are transferred from military assignment to military assignment, their spouses often face barriers to transferring their credentials and to securing employment in their new location.

(5) More than one million members will make the transition to civilian life in the coming years.

(6) The Department of Defense established the Military Credentialing and Licensing Task Force in 2012.

(7) The Joining Forces program, a national initiative to mobilize all sectors of society to give members of the Armed Forces and their families the opportunities and support they have earned, will make it easier for members and their families to transfer skills learned while the member was serving in the Armed Forces to civilian employment.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Federal Government and State governments should make the transition of a member of the Armed Forces and the member's spouse from military to civilian life as seamless as possible by creating opportunities for the member and spouse to earn, while the member is in the Armed Forces, civilian occupational credentials and licenses, with an emphasis on well-paying industries and occupations that have a high demand for skilled workers, including: manufacturing, information technology, transportation and logistics, health care, and emergency medical services;

(2) the Federal Government should assist State governments in translating military training and experience into credit towards professional licensure; and

(3) State governments should streamline approaches for assessing the equivalency of military training and experience, and accelerate occupational licensing processes for members, veterans, and their spouses.

AMENDMENT NO. 94 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

Page 335, after line 12, insert the following:

**SEC. 833. STUDY ON THE IMPACT OF CONTRACTING WITH VETERAN-OWNED SMALL BUSINESSES.**

(a) IN GENERAL.—Not later than 180 days after the enactment of this Act, the Secretary of Defense, in coordination with the Administrator of the Small Business Administration and the Secretary of Veterans Affairs, shall issue a report that includes—

(1) a description of the impacts of Department of Defense contracting with small business concerns owned and controlled by veterans and small business concerns owned and controlled by service-disabled veterans on veteran entrepreneurship and veteran unemployment;

(2) a description of the effect that increased economic opportunity for veterans has on issues such as veteran suicide and veteran homelessness; and

(3) an analysis of the feasibility and expected impacts of the implementation within the Department of Defense of a contracting program modeled on the program authorized under section 8127 of title 38, United States Code.

(b) DEFINITIONS.—In this section—

(1) the term “veteran” has the meaning given the term under section 101(2) of title 38, United States Code; and

(2) the terms “small business concern owned and controlled by veterans” and “small business concern owned and controlled by service-disabled veterans” have the meanings given such terms under section 3 of the Small Business Act (15 U.S.C. 632).

AMENDMENT NO. 111 OFFERED BY MR. MCCAUL OF TEXAS

At the end of subtitle I of title X, add the following:

**SEC. 1090. SALE OR DONATION OF EXCESS PERSONAL PROPERTY FOR BORDER SECURITY ACTIVITIES.**

Section 2576a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A), by inserting “border security activities and” before “law enforcement activities”; and

(B) in paragraph (2), by inserting “, the Secretary of Homeland Security,” after “Attorney General”; and

(2) in subsection (d), by inserting “border security activities or” before “counterdrug”.

AMENDMENT NO. 113 OFFERED BY MR. TURNER OF OHIO

Page 463, after line 6, insert the following:

**SEC. 10 \_\_\_\_ . UNMANNED AIRCRAFT SYSTEMS AND NATIONAL AIRSPACE.**

(a) MEMORANDA OF UNDERSTANDING.—Notwithstanding any other provision of law, the Secretary of Defense may enter into a memorandum of understanding with a non-Department of Defense entity that is engaged in the test range program authorized under section 332(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) to allow such entity to access non-regulatory special use airspace if such access—

(1) is used by the entity as part of such test range program; and

(2) does not interfere with the activities of the Secretary or otherwise interrupt or delay missions or training of the Department of Defense.

(b) ESTABLISHED PROCEDURES.—The Secretary shall carry out subsection (a) using the established procedures of the Department of Defense with respect to entering into a memorandum of understanding.

(c) CONSTRUCTION.—A memorandum of understanding entered into under subsection

(a) between the Secretary and a non-Department of Defense entity shall not be construed as establishing the Secretary as a partner, proponent, or team member of such entity in the test range program specified in such subsection.

AMENDMENT NO. 130 OFFERED BY MR. TURNER OF OHIO

Amend section 1244 to read as follows:

**SEC. 1244. STATEMENT OF CONGRESS ON DEFENSE COOPERATION WITH GEORGIA.**

(a) FINDINGS.—Congress finds the following:

(1) The Republic of Georgia is a highly valued ally of the United States and has repeatedly demonstrated its commitment to advancing the mutual interests of both countries, including the deployment of Georgian forces as part of the NATO-led International Security Assistance Force in Afghanistan and the Multi-National Force in Iraq.

(2) The peaceful transfer of power as the result of the free and fair parliamentary elections in Georgia in October 2012 represents a major accomplishment toward the Georgian people's creation of a free society and full democracy.

(3) However, since the October 2012 parliamentary elections the new Georgian Government has taken a series of measures against former officials and members of the current political opposition that appear to be motivated by political considerations.

(4) Over 100 former Georgian Government officials have been charged with criminal violations since the October 2012 parliamentary elections.

(5) Similar charges have been filed against members of the political opposition, including Vano Merabishvili, the Secretary General of the United National Movement.

(6) The arrest of the leader of an opposition party is especially troubling, particularly its chilling effect on political freedom prior to the presidential election scheduled for October 2013.

(7) The Georgian Government has taken insufficient action to prevent further violence against members of the United National Movement and to punish offenders.

(8) These actions call into question the Georgian Government's continued progress toward the creation of a free and democratic society in which basic freedoms, including freedom for political opposition, are guaranteed.

(b) STATEMENT OF CONGRESS.—Congress declares that—

(1) the United States remains committed to assisting the people of Georgia in establishing a free and democratic society in their country;

(2) the measures taken by the Georgian Government against former officials and political opponents, apparently in part motivated by political considerations, may have a significant negative impact on cooperation between the United States and Georgia, including efforts to build a stronger relationship in political, economic, and security matters, as well as progress on integrating Georgia into international organizations;

(3) the United States must be unambiguous when democratic backsliding occurs in a key ally after a peaceful and democratic transfer of power between political parties; and

(4) the people of the United States and the Members of Congress express their deepest condolences to the Georgian people on the tragic loss of seven soldiers of Georgia in a suicide bombing on June 6, 2013, and the deaths of three soldiers killed in another suicide bombing on May 13, 2013, while they

were supporting United States and NATO forces in Afghanistan.

AMENDMENT NO. 154 OFFERED BY MR. TURNER OF OHIO

At the end of section 2801, add the following new subsection:

(d) MODIFICATION AND EXTENSION OF AUTHORITY FOR LABORATORY REVITALIZATION PROJECTS.—

(1) IN GENERAL.—Subsection (d) of section 2805 of title 10, United States Code, is amended—

(A) in paragraph (1)(A), by striking “not more than \$2,000,000” and inserting “not more than \$4,000,000, notwithstanding subsection (c)”;

(B) in paragraph (2), by striking the first sentence and inserting the following: “For purposes of this subsection, an unspecified minor military construction project is a military construction project that (notwithstanding subsection (a)) has an approved cost equal to or less than \$4,000,000.”

(C) in paragraph (5), by striking “2016” and inserting “2020”.

(2) APPLICATION TO CURRENT PROJECTS.—The amendments made by paragraph (1) do not apply to any laboratory revitalization project for which the design phase has been completed as of the date of the enactment of this Act.

AMENDMENT NO. 159 OFFERED BY MR. BILIRAKIS OF FLORIDA

At the end of title XXVIII, add the following new section:

**SEC. 28. ESTABLISHMENT OF MILITARY DIVERS MEMORIAL AT WASHINGTON NAVY YARD.**

(a) MEMORIAL AUTHORIZED.—Consistent with the sense of the Congress expressed in section 2855 of the National Defense Authorization Act for Fiscal Year 2013, the Secretary of the Navy may permit a third party to establish and maintain, at a suitable location at the former Navy Dive School at the Washington Navy Yard in the District of Columbia, a memorial to honor the members of the United States Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world.

(b) LOCATION AND DESIGN OF MONUMENT.—The actual location at the Washington Navy Yard for the memorial authorized by subsection (a) and the final design of the memorial shall be subject to the approval of the Secretary. In selecting the site to serve as the location for the memorial, the Secretary shall seek to maximize visitor access to the memorial.

(c) MILITARY SUPPORT.—The Secretary shall provide military ceremonial support at the dedication of the memorial authorized by subsection (a).

(d) USE OF FEDERAL FUNDS PROHIBITED.—Federal funds may not be used to design, procure, prepare, install, or maintain the memorial authorized by subsection (a), but the Secretary may accept and expend contributions of non-Federal funds and resources for such purposes.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from California (Mr. McKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. McKEON. Mr. Chairman, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

At this time, I yield 1 minute to my friend and colleague, the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Thank you, Mr. Chairman.

I rise today in support of my amendment, which would allow disabled veterans with a service-connected permanent disability rated as “total” to travel on military aircraft on a space-available basis.

My amendment would allow disabled veterans, who have bravely served our country and who have made enormous personal sacrifices that follow them in their daily lives, to travel through the Space-A program at no additional cost to the Department of Defense. The space-available program is a DOD program which allows Active Duty servicemembers, their families, retirees, and certain others to fill empty seats on DOD flights. While Active Duty members and their families will remain the primary beneficiaries of this program in order to assist them with the rigors of military life, my amendment allows these veterans the same benefit.

I would like to thank Chairman McKEON and Ranking Member SMITH and their staffs for their assistance in the amendment process.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentlelady from Illinois (Ms. DUCKWORTH).

Ms. DUCKWORTH. Mr. Chairman, I rise in support of my amendment, which will strengthen small business participation in government contracts.

In my district and across the country, small businesses are the backbone of our economy. Small businesses innovate, know how to operate on a tight budget and know how to create good-paying jobs. I want small businesses in places like Elgin, Illinois, to be able to win government contracts from the Department of Defense because I know they will do more with taxpayer dollars and provide superior products and services for our men and women in uniform.

However, the government is lagging behind on awarding contracts to small businesses. We are not meeting our goal of 23 percent of contracts going to small businesses, and 23 percent is a pretty low bar that we should be raising even higher, not be struggling to meet. It is even more unfortunate that we are also failing to award enough contracts to women- and veteran-owned small businesses.

My amendment seeks to remedy this problem by asking the Small Business Administration and Federal agencies to include remediation plans in their annual reports on small business contracting goals. The government should explain why it is not meeting its small business goals. It should identify faulty past practices and propose new practices to increase small business participation. We need an action plan to support our small businesses, and my amendment will do just that.

I thank Chairman McKEON and Ranking Member SMITH and the committee staffs for their help on this amendment, and I urge my colleagues to support this amendment and our small businesses.

Mr. McKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. I thank the chairman for the opportunity to address two amendments which are part of this package.

The first is my amendment to protect military tuition assistance, an important tool for members of the armed services to obtain the necessary professional development education and to prepare themselves for the civilian job market upon leaving the service. Last year, approximately 300,000 servicemembers used tuition assistance to pursue their educational goals. Unfortunately, last March, the administration chose to end this program, and it took congressional action to overturn that decision.

This amendment would prevent even the specter of ending this benefit from ever happening again. Our soldiers, sailors, airmen, and marines deserve better.

Second, included in this package is an amendment requiring the Secretary of Defense to conduct a study on veteran-owned small business contracting and to examine the feasibility of putting a priority on meeting veteran-owned small business contracting goals first, similar to a successful program in the VA. They will be examining how fair contracting practices for veteran-owned small businesses could positively affect veteran unemployment, homelessness and even suicide.

Mr. Chairman, the fact is there are 250,000 servicemembers transitioning each year from military life to civilian life. One in seven is self-employed or is a small business owner, and about a quarter of our veterans say they are interested in starting or in buying their own small businesses.

They play an important role in our economy. This Congress needs to help them in the transition and in getting America back to work. So I would like to thank the chairman and ranking member on the bill, and I urge support of these amendments.

Mr. SMITH of Washington. I yield 2 minutes to the gentlelady from Florida (Ms. FRANKEL).

Ms. FRANKEL of Florida. I am the mother of a United States marine war veteran, and I remember well the pride my son felt when he put on his uniform. My constituent, Elisha Morrow, felt the same pride when at age 22 she joined the United States Coast Guard. She started boot camp full of hope for her future.

That hope quickly turned into humiliation and sorrow as her company com-

mander became her enemy. First, he ordered her to clean his office, and he later harassed her with sexual innuendoes and advances night after night. Feeling hopeless and fearing retribution, Elisha stayed silent until the commander became more emboldened. He again ordered another female recruit to his office at night. This time, he ordered her to remove her clothes and engage in unwanted sex.

Thankfully, the victimized servicewoman was brave enough to pursue charges, but because it was determined that she was not under physical threat and that she did not fear for her life, her assailant got away with the lesser offenses of cruelty and maltreatment and adultery, instead of being charged with rape.

This is not full justice. When our daughters and our sons put on the uniform to protect us, the United States, they must be protected to the utmost extent from such an abuse of power. Mr. Chair, the intention of this amendment is to do just that.

Mr. McKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. I want to thank the chairman for yielding to me. I appreciate, especially, his efforts on the NDAA last year in which we were able to add language that would require the Department of Defense to adopt new regulations to protect the religious liberties of our military personnel, especially of our brave chaplains.

However, since March and since the adoption of that law, we have sent three letters to the Department of Defense, asking for progress updates. The Department has only responded with an acknowledgment that it has received our letters, but, to date, we are unaware of any progress. Instead, it seems that secretive meetings continue with individuals actually opposed to religious liberties.

In light of this delay, my amendment is very simple. It would require the Department to provide Congress with a report of meetings between employees and civilians with respect to the development of military policy related to religious liberty. I encourage my colleagues to support this amendment.

Mr. SMITH of Washington. I yield 1 minute to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Mr. Chairman, I rise today to encourage my colleagues to support my amendment to the National Defense Authorization Act. This amendment will bring the Department of Defense and other Federal, State and local agencies together to map out the futures of UAVs.

I first want to thank Chairman McKEON and Ranking Member SMITH and their staffs for their assistance on this important issue. I also want to thank those who have cosponsored this

amendment—Representative GENE GREEN, Representative TED POE and Chairman MICHAEL MCCAUL.

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This amendment calls for the Secretary of Defense, in consultation with the Department of Homeland Security and the Federal Aviation Administration, to develop and implement plans to review the potential of joint testing training that might serve the dual purpose of providing capabilities to the Department of Defense to protect us abroad and on the international border. This amendment will go a long way to make sure we utilize all available resources and not waste taxpayers' money.

I urge all my colleagues to vote "yes" on this amendment.

Mr. McKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Oklahoma (Mr. BRIDENSTINE).

Mr. BRIDENSTINE. Mr. Chairman, I'd like to thank my friend from Kansas (Mr. HUELSKAMP) for offering amendment No. 236. He is a champion for religious freedom.

As a Navy pilot with Iraq and Afghanistan combat tours, I am concerned that senior Air Force officials have taken advice from an anti-Christian zealot when drafting guidance on culture and standards.

The president of the badly misnamed Military Religious Freedom Foundation, Mr. Mikey Weinstein, has described Christians as human monsters and monstrously savage, responsible for racism, bigotry, and prejudice. He even called the presence of committed Christians in the military a national security threat comparable to al Qaeda.

Mr. Chairman, we're not asking to approve the military's calendar appointments, but given this situation, Congress needs to know when the military meets with anti-Christian fanatics on issues regarding religious liberty.

With that, I urge my colleagues to support this amendment.

Mr. SMITH of Washington. I reserve the balance of my time.

Mr. McKEON. Mr. Chairman, we have no further speakers.

Mr. SMITH of Washington. As I have no further speakers either, I yield back the balance of my time.

Mr. McKEON. I encourage our colleagues to support the en bloc amendment, and I yield back the balance of my time.

Mr. MURPHY of Florida. Mr. Chair, I rise today to offer an amendment to the National Defense Authorization Act that would address wasteful government spending on unused and underutilized facilities. The Department of Defense has hundreds, possibly thousands, of buildings and structures that it has rated at zero percent utilization. This is an incredible number of useless facilities that taxpayers are paying to maintain.

The extent of this wasteful spending, however, is not currently known, even by the Department itself. My amendment would fix that, requiring the Department of Defense to disclose just how many of its facilities are unused or underutilized and how much it is costing American taxpayers to maintain these facilities. The Department of Defense would be required to report back to Congress in six months, explaining what they are doing either to dispose of these wasteful facilities or increase their utilization.

By forcing the Department of Defense to take a serious look at its facilities, gather data on how these facilities are managed, and develop a coherent plan for reducing costs and improving efficiency, my amendment seeks to eliminate this wasteful government spending.

Unfortunately, the Department of Defense is not the only federal agency that is currently wasting taxpayer money on maintaining unused or underutilized facilities. As a whole, the federal government must do a better job at managing its facilities. At times of record debt, taxpayers should not continue paying for unused and underused buildings. That is not good government, and that is not smart spending.

That is why I recently introduced the SAVE Act to root out up to \$200 billion in wasteful and duplicative government spending over the next 10 years. This amendment is an extension of one of the 11 common-sense solutions included in the bipartisan SAVE Act, holding the Department of Defense accountable for spending taxpayer money on facilities the Department itself has found to be unused or underutilized.

We all agree that we need to reduce government spending. We should also all agree that the best place to start is by rooting out waste. This is a common-sense solution to do just that and I urge my colleagues on both sides of the aisle to support this amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. McKEON).

The en bloc amendments were agreed to.

AMENDMENT NO. 6 OFFERED BY MR. TURNER

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in Part B of House Report 113-108.

Mr. TURNER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title V, add the following new section:

**SEC. 5. DISCHARGE OR DISMISSAL, AND CONFINEMENT REQUIRED FOR CERTAIN SEX-RELATED OFFENSES COMMITTED BY MEMBERS OF THE ARMED FORCES.**

(a) MANDATORY PUNISHMENTS.—

(1) IMPOSITION.—Section 856 of title 10, United States Code (article 56 of the Uniform Code of Military Justice) is amended—

(A) by inserting “(a)” before “The punishment”; and

(B) by adding at the end the following new subsection:

“(b)(1) While a person subject to this chapter who is found guilty of an offense specified

in paragraph (2) shall be punished as a general court-martial may direct, such punishment must include, at a minimum—

“(A) dismissal or dishonorable discharge; and

“(B) confinement for two years.

“(2) Paragraph (1) applies to the following offenses:

“(A) An offense in violation of subsection (a) or (b) of section 920 (article 120(a) or (b)).

“(B) Forcible sodomy under section 925 of this title (article 125).

“(C) An attempt to commit an offense specified in subparagraph (A) or (B) that is punishable under section 880 of this title (article 80).”.

(2) CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended to read as follows:

“**§ 856. Art. 56. Maximum and minimum limits.**”.

(B) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter VIII of chapter 47 of such title is amended by striking the item relating to section 856 and inserting the following new item:

“856. Art. 56. Maximum and minimum limits.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act, and apply to offenses specified in section 856(b)(2) of title 10, United States Code (article 56(b)(2) of the Uniform Code of Military Justice), as added by subsection (a)(1), committed after that date.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Ohio (Mr. TURNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. TURNER. Mr. Chairman, I yield myself such time as I may consume.

I want to thank Chairman McKEON and Ranking Member ADAM SMITH for their efforts. They had given to Representative TSONGAS and myself the task of doing a bipartisan package to address the issue of sexual assault in the military.

We all know and people have spoken on this House floor eloquently of the tragedy of the issue of sexual assault in the military. We have to do something both to change the culture and to change the legislative regime that affects the prosecution and the prevention of sexual assault and the protection of victims.

Many times victims report they are revictimized by the system. It is our effort in changing the system so that the perpetrator fears the system, not the victim.

There is one other thing that we need to address. Mr. Chairman, many people have taken this House floor and say we need to go further. The Turner amendment is what we need to do to go further.

We have put in this bill currently a mandatory minimum, meaning if you commit a sexual assault, you are subject to a statutory minimum. That minimum in this bill, unfortunately, is only that you're out of the military. We want to increase that to include 2 years of confinement.

Mr. Chairman, 22 States have mandatory minimums that include confinement, incarceration. Of those 22 States, we took the minimum of those so that we're not going higher than any State.

But here is the issue, Mr. Chairman, that we need to remedy: unfortunately, under current law, if you commit a sexual assault on a base that's in a State that has a mandatory minimum, you might actually avoid a mandatory minimum. That has happened.

In the case of Marine Corps Gunnery Sergeant Nicholas Howard, he committed a rape on a 23-year-old woman. He was a recruiter in Alaska. He was convicted of sexual assault due to DNA testing, and he was found guilty of first degree sexual assault. He was given a dishonorable discharge but no jail time. In Alaska, he would have been subject to incarceration.

Mr. Chairman, we should not have people who are in uniform or on base committing sexual assaults actually avoid jail time because they're in the military. We shouldn't have a lower standard.

With that, Mr. Chairman, I yield 1½ minutes to Mrs. WALORSKI.

Mrs. WALORSKI. Mr. Chairman, I'd like to thank Representative TURNER for giving me this opportunity to speak in favor of his amendment. He's been a leader on this issue, and I applaud his efforts and commitment to this cause.

Currently, there's no minimum punishment required when someone is convicted of military sexual assault. This means a servicemember can be convicted of a serious crime and receive no punishment. The amendment will impose a mandatory minimum sentence of 2 years confinement and a dishonorable discharge for conviction of rape and sexual assault.

Right now, 22 States have mandatory minimum sentences for those convicted of rape and sexual assault. My State, Indiana, is one of those States. In Indiana, there's a mandatory sentence of not less than 6 years for rape.

It's inexcusable that servicemembers guilty of the most heinous crime should be allowed to remain in the military, allowing them to coexist with victims and potentially commit repeated offenses. Criminals must receive the full weight of justice for their wrongdoings.

America's sons and daughters deserve protection while serving in the military and should never feel vulnerable or revictimized after suffering from any form of sexual assault or misconduct. This amendment is a much-needed reform that ensures victims receive the justice they deserve.

Mrs. DAVIS of California. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Mrs. DAVIS of California. Mr. Chairman, I really respect the gentleman and what he's bringing forward, but the

reality is that mandatory minimums have been shown to actually reduce the incidence of reporting.

Judges and juries need the ability to decide with discretion and not strictly by its appearance. Sometimes—and we've seen this many times—mandatory minimums can have the opposite effect: encouraging jurors to make a decision based on the potential sentence as opposed to the facts.

That's why I'm standing in opposition, because we also know that organizations who have worked very hard to look at this issue worry that this could go in the wrong direction. Protect our Defenders, which has been a very strong advocacy group for victims, worries that when a jury knows that a perpetrator will automatically be dishonorably discharged, that the jury will be less likely to assign confinement charges in addition. They need to see the full picture.

So we must take caution to judge every case individually.

As we have additional speakers, I reserve the balance of my time.

Mr. TURNER. I reserve the balance of my time.

Mrs. DAVIS of California. I'm pleased to yield 3 minutes to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Mr. Chairman, I value my partnership with Congressman TURNER as coauthors of the Military Sexual Assault Prevention Caucus and with the legislation we have crafted on combating the horrific crime of sexual assault in the military.

This year, our work together on the Better Enforcement for Sexual Assault Free Environments Act, otherwise known as BE SAFE, led to its incorporation into the NDAA before us today. However, I must take exception to the amendment before us.

I do agree that we must make sure that all individuals who are convicted of sexual assault in the military are punished with confinement—absolutely—but there are many different ideas about the best way to do that. Some argue that a better approach would be a system similar to Federal sentencing guidelines, and that's why Mr. TURNER and I wrote a provision in the defense authorization before us that requires the Secretary of Defense to provide Congress with a report on sentencing guidelines and mandatory minimum sentencing provisions under the UCMJ.

Before we make additional changes to the UCMJ, we need to see this report. Since we've introduced the BE SAFE Act, we have heard from many groups. One letter from the National Alliance to End Sexual Violence says:

Long mandatory minimum sentences can have a chilling effect on reporting and prosecuting sexual assault in the civilian system, and the National Alliance to End Sexual Violence does not recommend them.

We have to listen to these various voices. We cannot afford to take this

risk in the military. Reporting of sexual assault in the military already happens at abysmal rates. We need more reporting, not less. Less reporting equals fewer prosecutions, which ultimately will fail to deter the perpetrators from carrying out this heinous crime.

I urge a "no" vote on this amendment.

□ 1550

Mr. TURNER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Ohio has 2 minutes remaining.

Mr. TURNER. Do I have the right to close, Mr. Chairman?

The Acting CHAIR. The gentlewoman from California has the right to close.

Mr. TURNER. Mr. Chairman, I appreciate the concern that I have heard from the other side of the aisle. The issue, I think, comes down to being in a military uniform should not be a get-out-of-jail-free card. Basically the state of the law is that if you're in a State that has a mandatory minimum and you commit a sexual assault or a rape, you're going to jail. But yet under our law, you could be a member of the military and commit a sexual assault or rape and be free from incarceration even if you commit the assault or rape off base.

When we talk about wanting to make certain that we uphold the victims and make certain that the perpetrator is the person who feels insecure and threatened by the system, you can't have a system that threatens the perpetrator when the perpetrator knows that being a man or woman in uniform or by being on base and a member of the military that you're subject to a lower standard in conviction and sentencing.

The case we have in Alaska where a member of our military, a member of the Marine Corps, committed a rape and then received no jail time whatsoever—no jail time whatsoever—and if he had been off base or if he been a civilian in Alaska, he would have been subject to a significant mandatory minimum of incarceration.

When people ask what's different in the military, this is different. We need a mandatory minimum that says if you commit a sexual assault and you're convicted, you are out of the military, you are dishonorably discharged, and you are going to jail. And that mandatory minimum will be at least 2 years of incarceration.

I was just at a facility where I asked the commanders what had occurred on their facility with sexual assault, and they reported there had been a sexual assault and there was currently someone in jail, in the brig for 7 months. They didn't get a dishonorable discharge. That's all they got, 7 months. They were going to be out walking among their fellow men and women,

and they will have committed a sexual assault. That has a chilling effect both on reporting, and it also creates an environment where people who are perpetrators feel they could be safe.

Our law, this amendment, would make it: you're out, mandatory, dishonorable discharge, 2 years in prison, and that's it. We urge support for the Turner amendment.

I yield back the balance of my time. Mrs. DAVIS of California. I yield 1 minute to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I thank the ranking member.

I rise in opposition to this amendment. Congress is of course outraged over the ongoing cases of sexual assault and sexual harassment occurring in our military. There's no one in this Chamber who doesn't believe that criminals should pay for such violent and atrocious crime, and so I understand why my good colleague on the other side would offer such an amendment.

I'll say several things. First, I'm pretty much opposed to mandatory minimum sentences in general. But this base bill, the base bill that we're considering today, the committee requires the Department of Defense to provide a report on mandatory minimums and sentencing guidelines in order to make sure that such sentencing reforms will not discourage the victims from reporting.

And in addition to that, in the base bill, if you are convicted of these crimes, you will be dishonorably discharged. So in order to avoid imposing laws that may harm victims, I urge my colleagues to vote against this amendment.

Mrs. DAVIS of California. Mr. Chairman, I yield myself the balance of my time.

This is a complex issue. We know that. I think what we feel is this further complicates it. I think my colleague has introduced with Congresswoman TSONGAS a bill that does much of what we're talking about here, but there is an exception in terms of the way that the jury is able to move forward here. We think that this actually makes sense so that the decisions that are made are absolutely based on an individual case and what we can offer in terms of making certain that the perpetrator is held accountable.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. TURNER).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. RIGELL

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in Part B of House Report 113-108.

Mr. RIGELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, insert the following:  
**SEC. 352. MODIFICATION OF TEMPORARY SUSPENSION OF PUBLIC-PRIVATE COMPETITIONS FOR CONVERSION OF DEPARTMENT OF DEFENSE FUNCTIONS TO CONTRACTOR PERFORMANCE.**

(a) **MODIFICATION.**—Section 325 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2253) is amended—

(1) in subsection (a), by striking “Secretary of Defense submits to the congressional defense committees the certification required under subsection (d)” and inserting “Comptroller General submits to the congressional defense committees the assessment required under subsection (c)”; and

(2) by striking subsection (d).

(b) **EXEMPTION OF PUBLIC-PRIVATE PARTNERSHIPS.**—The Secretary of Defense may exempt from study or competition pursuant to Office of Management and Budget Circular A-76 those functions or workloads which are the subject of an existing public-private partnership.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Virginia (Mr. RIGELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. RIGELL. Mr. Chairman, these are very, very challenging fiscal times. Our deficit continues to grow, and that is putting pressure on every single line of our Federal budget, including defense. And yet the world has not become a safer place. So what's clear is we have a duty, an absolute duty, to invest each and every dollar of our defense dollars wisely, and that's exactly what my amendment does. It does that by eliminating a regulation that's holding back competition; and in doing so, it's hurting the American taxpayer.

When it comes to understanding the value of introducing competition into things, the American people get it. From groceries to computers, we know when competition is introduced, good things happen. The prices go down and the quality goes up.

The same is true, or it should be true, when it comes to the Department of Defense and the ability of the private sector and the public sector to compete. President Obama put it this way. He said:

Taxpayers may receive more value for their dollars if not inherently governmental activities that can be provided commercially are subject to the forces of competition.

In my service to my district, I'm always looking for commonsense ideas and common ground. On this particular issue, I see both in the President's statement.

My amendment moves competition forward by eliminating a full moratorium that Congress has put in place. The Department of Defense said in 2011 that it wanted that particular moratorium removed so it could meet its statutory obligation. What is that statutory obligation? It's this, and this

comes right out of their own report and recommendations:

The Secretary of Defense shall use the least costly form of personnel consistent with military requirements and other needs of the Department.

Well, we know that some activities are inherently governmental. For example, criminal investigations. My amendment has nothing to do with those types of activities. They should be performed by the Federal Government. But other activities, Mr. Chairman, for example, janitorial services, that's not inherently governmental and should be subject to competition. That's what this amendment opens up. It really isn't effecting what's known as the 50/50 rule and those core services that are provided by depots. I believe that the amendment represents both common sense and common ground. I urge my colleagues to vote for it.

I yield 1 minute to the gentleman from Colorado (Mr. COFFMAN).

Mr. COFFMAN. Mr. Chairman, over the past few years, the prevailing trend within the Department of Defense has been an overreliance on Federal employees to perform commercial services. Given our Nation's need for fiscal austerity, a problem made more acute by mandated sequester cuts, it is important that Congress provide the Pentagon with the necessary tools to drive efficiencies and cost savings. Public-private competitions are one such tool.

Public-private competitions are an effective way of injecting performance and accountability into government operations. The private sector constantly competes for new business opportunities. When the Federal Government performs commercial functions, they, too, should be required to compete. Unfortunately, Congress has placed a moratorium on public-private cost competitions, effectively granting monopoly power to the Federal Government when it comes to providing commercially available goods and services. We all know that without competition, both innovation and quality suffer.

The amendment does not mandate the use of public-private competitions. It simply unlocks an essential tool that the Defense Department can use to drive cost effectiveness and efficiencies, and save valuable taxpayer dollars.

Mr. RIGELL. I reserve the balance of my time.

Ms. HANABUSA. Mr. Chairman, I rise to claim the time in opposition to the Rigell amendment.

The Acting CHAIR. The gentlewoman from Hawaii is recognized for 5 minutes.

□ 1600

Ms. HANABUSA. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the Rigell amendment would lift the current moratorium on

the public-private competition to the A-76 process. Unfortunately, it is based on very faulty assumptions.

Lifting the moratorium will eliminate the incentives the Department needs to fix the A-76 process, as well as finish the service contracts inventory. It's based on the following assumption, which has been proven to be faulty, that the private contractors, for some reason, save money; and we know from the program reports that that is not true.

As DOD evaluates the correct balance between civilian and contractor personnel, it is critical to make sure that our Federal employees, the strength of our country, the backbone of defense, are protected. Efficient government requires focused attention on supporting and strengthening our dedicated Federal workforce and making sure that they have the tools they need to complete our mission.

I reserve the balance of my time.

Mr. RIGELL. Mr. Chairman, I yield myself such time as I may consume.

I just would respond to the gentle lady. I appreciate her comments. And I, too, am a strong supporter of our Federal workforce. I just believe that they can compete and should compete.

This is good for America, good for our ability to defend our great country, and good for the American taxpayer.

I reserve the balance of my time.

Ms. HANABUSA. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Thank you, Representative HANABUSA.

Mr. Chairman, I rise in opposition to this amendment and in support of the over 5,000 men and women who work at the Tobyhanna Army Depot who support our warfighters.

The OMB circular A-76 process, which this amendment seeks to reinstate, has been prohibited because it's unfair to Federal employees and wasteful of taxpayer dollars.

The OMB and the Pentagon, who have historically been the biggest boosters of this process, both acknowledge that A-76 is flawed and they oppose its revival.

The DOD acknowledges it's still improving its statutorily required improvements, and it would be rash for us to jump past their internal procedures for improvement.

Lifting the moratorium would eliminate the incentives the Department needs to fix the A-76 process, and we would not be doing our jobs if we rushed to allow a flawed procedure to lay off our dedicated civilian workforce and, in many cases, hurt the taxpayers in the process.

Mr. RIGELL. Mr. Chairman, I just refuse to agree with the gentleman's proposition there about laying Federal employees off. This does not state that, has nothing to do with that, in fact. It just simply says that this is a tool for



the Department of Defense to use. It does not require public-private competitions to go forward.

I just believe in the Federal worker. I believe in the free market as well, that competition is a good thing, and it needs to be introduced, because this is how we will make our defense dollars go as far as they can possibly go.

I see this as a duty to the American people to advance this amendment. I ask my colleagues to support it.

I yield back the balance of my time.

Ms. HANABUSA. Mr. Chairman, I yield 1 minute to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, even though I appreciate the efforts and the goals of the gentlemen who are introducing this amendment, the experience at most of our air logistics centers simply means that A-76 has brought along delays; and those delays, even if they're in the form of a study, have caused the work to delay, meaning the product given to the warfighter is delayed, and the fixed cost overhead that our depots obviously have faced have to be paid from some source, which is, indeed, the taxpayer.

A-76 is about low cost and not necessarily best value, which means if you're dealing with a market system where something goes out there, you see if it sells or not, that's okay. But you're dealing with military equipment which must be performed and must be prepared on a timely basis and in a specific way. And that is why the Department of Defense and the Office of Management and Budget are both opposing this amendment, as well as why they halted the process in the first place, because they found there are structural flaws inherent in this process.

It is better to go about finding a better solution to this, and that is public-private partnerships, which we are already doing at the air logistics centers. By taking the creativity of the private sector with the stability of the public workforce, we actually get the best of both worlds. That would be far better than tearing this open for a food fight that would affect the quality of military equipment which is at stake.

Ms. HANABUSA. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Mr. Chairman, I rise in opposition to this amendment. We fought this issue of the A-76 several years ago in a bipartisan way and we were able to put it on the shelf for a period of time, and I think trying to activate it and bring it back is absolutely the wrong thing to do.

I have Cherry Point Marine Air Station in my district. I have a depot there with over 4,000 workers. They pick up and go overseas and fight these wars in Afghanistan and Iraq, leave their families back home, and stand right there with the warfighter.

We need to kill this amendment because it is opposed by the OMB, by the

DOD, and there is no reason to reactivate the A-76. It should be dead and buried.

Ms. HANABUSA. Mr. Chairman, I yield 1 minute to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. Mr. Chairman, I had the honor of serving as a B-1 pilot in the United States Air Force for 14 years. My last assignment was working as a liaison between the Air Force and a multitude of private contractors. And because of this, I saw firsthand the struggles that the military had in successfully implementing A-76 contract requirements. I saw it lead to a slowdown in work that was being performed and, in some cases, actual complete work stoppage.

As a conservative, and I want to be clear on this, I have always supported free markets and open competition. But markets can only be free when there's a level playing field, and that is not possible under the current rules regarding A-76 contracting.

Neither the military nor the private contractors are well-served by a flawed process that leads to a flawed result, which is the reason why the Department of Defense has spoken out so strongly against this amendment.

The Department appreciates the value of A-76 public-private competition as a tool to help the Department's workforce, and I do as well. However, the Department has also identified a number of improvements in policy changes that could lead to implementation before the moratorium is removed. The Department is working hard to put these processes in place. Let's give them a little more time to do that.

Ms. HANABUSA. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, it is faulty to assume, when the Department of Defense has not resolved longstanding problems in the A-76 process that have been identified by the GAO and the DOD, that this is the way to proceed. We must keep that moratorium on until we are certain that, in fact, this is in the best interest of the people of our great Nation.

I yield back the balance of my time.

Mr. LOESACK. Mr. Chair, I rise today in strong opposition to this amendment.

The current moratorium on the use of A-76 competitions was put in place under President Bush after the Department of Defense Inspector General and the non-partisan GAO found significant flaws with the A-76 process, including that the costs of A-76 competitions often exceeded the estimated savings. Those flaws have not been fixed.

Put simply—lifting the moratorium on A-76 would not save taxpayer dollars, would not be in the best interest of our military readiness, and is not supported by the Department of Defense.

In fact, the Department of Defense opposes lifting this moratorium until the significant problems with these competitions are addressed.

Moreover, as co-chair of the Depot Caucus, I appreciate that this amendment would exempt public-private partnerships but I'm deeply concerned that lifting the A-76 moratorium and putting back into place a severely flawed system would do significant damage to our organic industrial base, including our arsenals and depots, at a time when it is critical that we maintain these facilities' capabilities to equip our troops.

I proudly represent Rock Island Arsenal, where thousands of highly skilled people work every day to equip our troops. Our organic industrial base has time and again shown their critical importance to our men and women in uniform. When our troops on the ground needed improved armor on their vehicles, it was Rock Island Arsenal that was able to rapidly produce and field that life-saving armor to protect our troops. As a military parent, I am thankful that the workforce at Rock Island Arsenal and in organic industrial base facilities across our country is there to equip our men and women in uniform.

In addition, I strongly support public-private partnerships between our organic industrial base and the private sector because they leverage the skills and capabilities from both sectors to equip our troops and improve our national security readiness while benefiting the taxpayer and supporting the highly skilled workforce at our arsenals and depots.

Conversely, A-76 competitions do not produce best value for the Department of Defense and our service men and women.

The deeply flawed A-76 process should not be reinstated and I strongly oppose lifting the moratorium.

For these reasons, I oppose this amendment and urge my colleagues to join me in voting against it.

Mr. O'ROURKE. Mr. Chair, the Federal Government is facing some of the most complex challenges in our Nation's history and dealing with serious budget constraints. In order to do more with less, it is critical that we have a first class Federal workforce. The government must make the proper investments in its employees and take the steps necessary to recruit, retain, and develop its talent.

The media often focuses on what goes wrong in government, but today I want to take a moment to recognize the important work of the more than 800,000 Department of Defense (DoD) civil servants who provide essential services to help keep our country safe. DoD civilians are partners in our national defense and integral to the success of DoD military operations.

I represent Fort Bliss in El Paso, Texas and to echo the words of Former Secretary of Defense Leon Panetta when he visited the installation, "let me be clear—Fort Bliss is the premier post in America." The critical role this post plays in our national defense is supported by more than 11,000 full-time civilian employees. We live in a world where the threats to our freedoms are diverse and we must ensure that our civilian workforce is up to the task of protecting the American people. To succeed in carrying out the complex tasks of the Department, Congress must enable all these employees to excel in their jobs. We must compensate them commensurate with their responsibilities; provide them with a quality of



work life that fosters long-term growth; and work to ensure that labor-management relationships remain strong.

This year Congress debated multiple amendments to the National Defense Authorization Act for Fiscal Year 2014 that aimed to weaken the civilian workforce at DoD. These amendments would greatly expand the A-76 process and direct the Department to contract out any function not considered to be “inherently governmental”—regardless of policy, risk, or cost to DoD. The Congress outlawed the use of the A-76 process during the Bush Administration after the finding by DoD Inspector General that it was biased against federal employees, and by the Government Accountability Office that the costs of associated with the process often exceeded estimated savings. Additionally, in testimony before the Senate Defense Appropriations Subcommittee, DoD Comptroller Robert Hale acknowledged that contractors are twice as expensive as civilian employees stating that “if you’re going to have a job over a long period of time . . . it’s probably cheaper to have a civilian government employee to do it.” For these reasons, I voted against these amendments.

As the Nation’s largest employer, I believe that the federal government has a responsibility to lead by example to be a model employer. This is especially true for the Department of Defense. Since being elected to Congress, I have met and worked with many civilian employees at DoD and am inspired by their dedication. Our military and country are stronger because of them, and I will continue to support efforts that strengthen our federal workforce.

The Acting CHAIR (Mr. SIMPSON). The question is on the amendment offered by the gentleman from Virginia (Mr. RIGELL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RIGELL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. MCGOVERN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 113-108.

Mr. MCGOVERN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 1222 and insert the following:

**SEC. 1222. COMPLETION OF ACCELERATED TRANSITION OF UNITED STATES COMBAT AND MILITARY AND SECURITY OPERATIONS TO THE GOVERNMENT OF AFGHANISTAN.**

(a) IN GENERAL.—It is the policy of the United States that, in coordination with the Government of Afghanistan, North Atlantic Treaty Organization (NATO) member countries, and other allies in Afghanistan, the President shall—

(1) complete the accelerated transition of United States combat operations to the Gov-

ernment of Afghanistan by not later than December 31, 2013;

(2) complete the accelerated transition of United States military and security operations to the Government of Afghanistan and redeploy United States Armed Forces from Afghanistan (including operations involving military and security-related contractors) by not later than December 31, 2014; and

(3) pursue robust negotiations leading to a political settlement and reconciliation of the internal conflict in Afghanistan, to include the Government of Afghanistan, all interested parties within Afghanistan and with the observance and support of representatives of donor nations active in Afghanistan and regional governments and partners in order to secure a secure and independent Afghanistan and regional security and stability.

(b) SENSE OF CONGRESS.—It is the sense of Congress that should the President determine the necessity to maintain United States troops in Afghanistan to carry out missions after December 31, 2014, and such presence and missions should be authorized by a separate vote of Congress not later than June 1, 2014.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed so as to limit or prohibit any authority of the President to—

(1) modify the military strategy, tactics, and operations of United States Armed Forces as such Armed Forces redeploy from Afghanistan;

(2) attack Al Qaeda forces wherever such forces are located;

(3) provide financial support and equipment to the Government of Afghanistan for the training and supply of Afghanistan military and security forces; or

(4) gather, provide, and share intelligence with United States allies operating in Afghanistan and Pakistan.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Massachusetts (Mr. MCGOVERN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the war in Afghanistan has gone on for more than 12 years, the longest war in American history. 2,235 U.S. military personnel have been killed, over 17,000 have been wounded, and more will fall before our troops finally come home. The human and financial costs are staggering; \$778 billion on Operation Enduring Freedom, nearly all of that in Afghanistan, \$7.2 billion each and every month.

The President has announced and is implementing a timetable to wind down U.S. military operations in Afghanistan. He’s carrying it out.

This amendment requires the President to stick to his timetable, accelerate it if he can. And depending on your point of view, this amendment puts the wind at the President’s back, or holds his feet to the fire, to fulfill the promises he made to our brave troops, their families, and the American people.

More importantly, it expresses that should U.S. troops be asked to remain

in Afghanistan beyond 2014, then Congress needs to take its constitutional responsibility seriously and hold a specific vote to authorize that mission and troop presence.

The future and fate of tens of thousands of uniformed men and women deserve a vote. I ask all my colleagues on both sides of the aisle to vote “yes” on the McGovern-Jones-Smith-Lee-Garamendi amendment.

I reserve the balance of my time.

□ 1610

Mr. McKEON. Mr. Chairman, I rise to claim the time in opposition, although I will not oppose the amendment in its current form.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. McKEON. I yield myself such time as I may consume.

This amendment is a reflection of the President’s current policy in Afghanistan. My concerns about the President’s Afghanistan policy are well documented. I do not believe we should have given our enemies the comfort of a date certain for our withdrawal. I believe the commander in chief should only commit our troops to combat if he is committed to getting the job done right.

Notwithstanding my underlying concerns, I must acknowledge the amendment articulates a policy that reflects the President’s current policy.

I look forward to working with the sponsors of this amendment to further perfect the language going forward. In particular, I note that the amendment expresses the sense of Congress that a post-2014 troop presence should be authorized by a vote in Congress. This Congressman does not agree with that assertion. The Congress does not vote on Status of Forces Agreements with other countries. They are not defense treaties. It would be bad policy and a bad precedent to treat Afghanistan any differently. Moreover, the underlying bill takes meaningful steps to ensure any Bilateral Security Agreement with Afghanistan protects U.S. interests and our troops’ ability to defend themselves.

This is not a trivial issue. Our vital national security interests are at stake during this delicate time period in Afghanistan. My position is unchanged. The transition of the mission should be based upon the conditions on the ground and the input of our commanders. I, for one, hope that the President’s decisionmaking process is not based on a non-binding restatement of his current policies. Rather, I hope his decisionmaking is commensurate with the national security interests at stake.

I look forward to working with the gentleman further and reserve the balance of my time.

Mr. MCGOVERN. Mr. Chairman, at this time, it’s my pleasure to yield 1½

minutes to the gentleman from North Carolina (Mr. JONES), a cosponsor.

Mr. JONES. Mr. Chairman, it's been said before, we have been in Afghanistan for 12 years. We in Congress should have the opportunity to vote "yes" or "no" on any commitment of troops after 2014.

As a former Commandant of the United States Marine Corps who agrees with my opinion that we should withdraw our troops from Afghanistan said to me, and I quote the Commandant:

What do we say to the mother and father—to the wife—of the last marine or soldier killed to support a corrupt government and a corrupt leader in a war that cannot be won?

Mr. Chairman, Congress has neglected this war for far too long. We should not allow another American to die in Afghanistan unless we vote on the policy.

The American people want our troops out. The American people know that Afghanistan is a failed policy. The American people do not want any more blood or any more treasure to be spent in Afghanistan.

I join my friend from Massachusetts and my other friends: please vote for this amendment offered by Mr. McGOVERN, myself, and others. It is the right thing to do for our military, it's the right thing to do for our Nation, and it is our constitutional responsibility.

Mr. McGOVERN. Mr. Chairman, I'm privileged to now yield 1½ minutes to the ranking member of the Armed Services Committee, Mr. SMITH.

Mr. SMITH of Washington. I thank the gentleman from Massachusetts for his leadership on this issue.

My opinion is that we have done what we can do in Afghanistan. A substantial portion of the mission, which was very clear, was to try to contain the Taliban and contain al Qaeda so they could never again use it as a base to attack our country. And it is not easy work. As Mr. JONES pointed out, and others, there are many, many problems and challenges in Afghanistan, not the least of which is the corruption within the government.

Our goal has always been clear: whatever the minimum is to get a government that can stand and deny a safe haven to those who threaten America. That was a fight worth doing. But we have done what we can do. We have trained hundreds of thousands of Afghan national security forces, and it is time to turn that responsibility over to Afghanistan.

It will always be a challenging part of the world. In both Afghanistan and Pakistan, violent extremists are abundant, and we'll have to keep an eye on it. But we do not need to have the troop levels that we have now. We need to draw down in a very responsible way, and I think the gentleman's amendment lays out a plan to do that.

Therefore, I support it, and, again, I support him for his efforts to get us

out of Afghanistan as soon as we reasonably can.

Mr. McGOVERN. Mr. Chairman, how much time remains?

The Acting CHAIR. The gentleman from Massachusetts has 1¼ minutes remaining.

Mr. McGOVERN. I yield 30 seconds to the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Keeping our troops in Afghanistan any longer than they have to absolutely be there is a disservice to those people who are protecting our country. They are now doing what we said they would do once we have announced that we were leaving: they're picking our people off. How do we explain to those parents who are losing their children in the next few months?

Let's not send any more over there, and if we do, let's make sure that it's a decision made by the House of the people rather than just by a clique someplace in the Pentagon or elsewhere. We need to make sure that we're watching out for our troops, and I think that this is the best amendment that would do just that.

Mr. McGOVERN. Mr. Chairman, I will close. I yield myself the remaining time.

Mr. Chairman, hundreds of billions of dollars and tens of thousands of U.S.-NATO allies and Afghan lives have been lost. It is time to end the war in Afghanistan, bring our troops home, and take seriously our duty as a Congress to specifically authorize any mission and troop presence beyond 2014.

We are not bystanders in this war. We are responsible for sending thousands and thousands of men and women over into Afghanistan. The least we can do is take seriously our duty as a Congress and authorize any mission and troop presence beyond 2014.

Members of Congress ought to go on record as to where they stand on this. We owe it to our troops, and we owe it to their families and the American people. I urge my colleagues to support the McGovern-Jones-Smith amendment on Afghanistan and send a signal to the administration and to others that we take our responsibility in this matter very seriously. We will have a vote if this war goes beyond what the President has stated.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. McKEON. Mr. Chairman, at this time, I yield the balance of my time to the gentleman from Texas, the vice chairman of the committee, Mr. THORNBERRY.

Mr. THORNBERRY. I thank the chairman for yielding.

Mr. Chairman, I would simply want to point out that Members have a variety of opinions about Afghanistan, and a number of Members have come to the floor to voice their opinion that we ought to leave Afghanistan. I under-

stand that. That's not what this amendment says. This amendment basically restates the President's policy with regard to Afghanistan, and then, as the gentleman from Massachusetts said, it says Congress ought to exercise its responsibilities under the Constitution.

Now, we can do that in a variety of ways. We can have oversight hearings, and we can have amendments dealing with funding. And we've had those sorts of things before. But the point is that some of the rhetoric doesn't match the amendment. As the chairman pointed out, the underlying bill tries to encourage a Bilateral Security Agreement so that looking ahead beyond 2014, it is very important to many of us that any American troops who are remaining in Afghanistan have the protections that they should have under such an agreement. So the underlying bill has a fence on some of the funding going to Afghanistan until there is that sort of Bilateral Security Agreement.

So the point is, moving ahead beyond 2014, there are lots of unknowns at this stage. We're trying to help shape it in a way that is beneficial for our security but also protects our troops. But the underlying amendment, to get back to what's before us, basically restates the President's position and says that Congress ought to exercise its responsibilities. I think that's true. Meanwhile, Members can have their own opinions about Afghanistan and what should happen between now and then.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. McGOVERN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. McGOVERN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 11 OFFERED BY MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 113-108.

Mr. GOODLATTE. Mr. Chairman, I offer amendment No. 11.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title X, add the following:

**SEC. 10 — . PROCEDURES GOVERNING UNITED STATES CITIZENS APPREHENDED INSIDE THE UNITED STATES PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.**

(a) AVAILABILITY OF WRIT OF HABEAS CORPUS.—Nothing in the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note), or any other law, shall be

construed to deny the availability of the writ of habeas corpus to any United States citizen apprehended inside the United States pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note).

(b) PROCEDURES.—In any habeas proceeding brought by a United States citizen apprehended inside the United States pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note), the government shall have the burden of proving by clear and convincing evidence that such citizen is an unprivileged enemy belligerent and there shall be no presumption that any evidence presented by the government as justification for the apprehension and subsequent detention is accurate and authentic.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

□ 1620

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

On September 18, 2001, Congress enacted the Authorization for the Use of Military Force, which empowered the President to “use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks,” in order to prevent “any future acts of international terrorism against the United States.”

Section 1021 of the fiscal year 2012 National Defense Authorization Act reaffirms the President’s authority to detain so-called “enemy combatants” by “affirming that the authority of the President to use all necessary and appropriate force pursuant to the Authorization for Use of Military Force includes the authority for the Armed Forces of the United States to detain covered persons pending disposition under the law of war.”

A number of Members from both sides of the aisle have expressed extreme discomfort and even outrage at the notion that a United States citizen apprehended on United States soil can potentially be held indefinitely under this act. To that end, I supported an amendment to the fiscal year 2013 National Defense Authorization Act that reaffirmed the availability of the writ of habeas corpus for any person detained in the United States pursuant to the 2001 AUMF or the fiscal year 2012 NDAA.

While this provision was a step in the right direction, many would view the current habeas proceedings as unfair to the petitioner. For instance, the government enjoys a rebuttable presumption that its evidence is accurate and authentic, and it must only prove its case by a preponderance of the evidence. To most Americans, this would not seem to be a fair fight. For United

States citizens, the burden should be on the government to prove that the detainee is an enemy belligerent. U.S. citizens should not be put in a position to prove that they are not a terrorist.

Today, with this amendment, I want to make clear that nothing in the AUMF or the fiscal year 2012 NDAA—or any other law for that matter—can be construed to deny the great writ of habeas corpus.

Further, this amendment requires that in habeas proceedings for United States citizens apprehended in the United States pursuant to the AUMF, the government must prove by clear and convincing evidence that the citizen is an unprivileged enemy combatant, and there is no presumption that the government’s evidence is accurate and authentic.

This is an important amendment that should alleviate any of the well-founded concerns of the American people concerning the possibility of indefinite detention of United States citizens. The presumption of innocence until proven guilty will be preserved by adopting this amendment.

I want to thank the chairman of the Armed Services Committee for supporting this amendment. I appreciate his commitment to ensuring that this language stays in the bill as it moves through the legislative process.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SMITH of Washington. I rise to claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. I yield myself 2 minutes.

Mr. Chairman, make no mistake about it, even with this amendment, the President of the United States and the Department of Justice will still have the ability to indefinitely detain people captured in the U.S.—be they U.S. citizens or not—without the normal due process of law. Habeas will be available, but even with this increased standard, it is a very minimum standard; and it does not afford the normal article III court rights that are in the Constitution for everybody else. The President will still have the ability to indefinitely detain people here in the U.S.

This amendment is insufficient, first of all, to deal with the concerns that I think people legitimately have about excessive executive power over people in the U.S. The Executive will continue to maintain, under the Authorization for the Use of Military Force, the ability to indefinitely detain anyone who is deemed to be a covered person, an enemy combatant; and, yes, it is a slightly higher standard, but it is not the beyond-a-reasonable standard that is normally required to incarcerate somebody.

The President doesn’t need this power. President Obama has never ex-

ercised it. President Bush only briefly exercised it in three instances. He doesn’t need the power. But to keep it on the books is a threat to liberty and a threat to freedom here in the U.S.

The specific problem with this amendment is it carves out U.S. citizens, whereas the constitutional protections—and deliberately—were for any person. If you read the Constitution and the Bill of Rights, it doesn’t say any U.S. citizen. It says any person.

Now, on habeas, you will have two different standards. You will have the standard to hold a noncitizen—which will be, I gather, still the preponderance of the evidence. The government will still have the presumption that what they’re saying is true, but for a U.S. citizen you will have a different standard. That really messes with the Constitution.

There’s a very simple way to do this. I will have an amendment in a couple of amendments that gets rid of the ability to indefinitely detain anyone captured in the U.S.—straight forward, no question, no weasel words, no back and forth between U.S. citizens and not. It gets rid of indefinite detention.

I would urge support for that amendment and opposition to this one, and I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself 1 minute. I want to respond to the gentleman.

First of all, the contention that there is no distinction drawn between United States citizens and noncitizens in the context of the Fourth Amendment of the United States Constitution, the Supreme Court has held that the Fourth Amendment does not operate to protect all citizens regardless of their connections to American society. So the 9/11 hijackers are not in the same status as individuals in this country who are citizens of the United States. Rather, the Fourth Amendment operates only to protect the class of persons who are part of a national community or who have otherwise developed sufficient connection with this country to be considered part of that community. The farther that an individual is removed from such community, then the weaker the claim he has to constitutional protection.

I agree with the gentleman that rewriting the Authorization for Use of Military Force and extending this protection, particularly as it pertains to the United States citizens, greater should be done; but what the gentleman wants to do does not have the kind of strong bipartisan support that’s necessary to pass the House. This amendment does, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in opposition to this amendment. Mr.

GOODLATTE and Chairman SMITH and I are in agreement, I think, on the goal, though I think the three of us mutually disagree on elements of this amendment.

The amendment, while intended to enhance protections for U.S. citizens, in fact does the opposite. Right now, Americans on U.S. soil cannot be detained indefinitely without charge or trial. Rather than affirming this fundamental principle, the amendment implicitly authorizes the military to detain Americans on U.S. soil indefinitely by premising its protection on the mistaken assertion that the AUMF, the Authorization for Military Force, allows such detention—which I disagree with Chairman SMITH, it does not. No such authority exists.

The AUMF does not grant this authority, and we should do nothing to suggest otherwise. In fact, we should be taking clear and immediate steps to ban indefinite military detention altogether. The Smith-Gibson amendment, which I support, takes a good first step in doing this by prohibiting the detention without charge of any person arrested or detained in the United States.

We should also pass my No Detention Without Charge Act, which would cure the problem altogether by preventing indefinite detention without charge or trial for all persons in U.S. custody, at home or overseas.

Secondly, this amendment would create greater uncertainty in habeas corpus cases and raises significant constitutional concerns. The amendment seeks to raise the burden on the U.S. Government to prove that a U.S. citizen is an unprivileged enemy belligerent. But that is not the same as requiring proof that the person is being lawfully detained, which is what habeas corpus is designed to do.

The creation of a two-tiered habeas system with one set of standards for U.S. citizens and different, lesser standards for noncitizens raises very troubling constitutional concerns. Our Constitution simply does not permit us to permit greater basic due process rights based solely on citizenship.

Although the chairman, Mr. GOODLATTE, is right in citing the case that he cited, he talked about connection with the United States. Someone who is in the United States—physically in the United States—and is arrested there has the same constitutional Fourth Amendment protections as an American citizen.

Any changes to habeas protections should be studied carefully through regular order, not through rushed attachments to the defense authorization act. Passing this amendment would be a serious and dangerous mistake. I urge my colleagues to vote against it.

Mr. GOODLATTE. Mr. Chairman, may I ask how much time each side has remaining.

The Acting CHAIR. The gentleman from Virginia has 1 minute remaining.

The gentleman from Washington has 1 minute remaining.

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of my time to say to the gentleman from New York, you cause the Members of the Congress to have a Hobson's choice of having to choose to give the protection to every single person in the United States—including the 9/11 hijackers and others—or you have the opportunity to choose to give it clearly to United States citizens who clearly are entitled to have it.

You do not have the ability, with your amendment, to draw that line between those who are lawfully present in the United States and would be entitled, and those who do not. As a result of that, I would urge my colleagues to oppose the amendment that the gentleman describes and support this amendment, which will advance the cause of giving United States citizens greater protections, reversing the burden of proof, putting that burden on the government—which is, after all, the American way. It is, after all, what the Bill of Rights provides.

You have to show that in order to convict a United States citizen in our courts—or certainly in an article III court—and it should be in these military tribunals—the burden of proof on government to do that and do it by a higher standard than they have to under the law that exists right now in the AUMF, which is only reasonable proof, not clear and convincing as this amendment requires.

I urge my colleagues to support this amendment as the best way to move forward in protecting the rights of American citizens.

I yield back the balance of my time.

□ 1630

Mr. SMITH of Washington. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I share with the author of this amendment the goal of clarifying and strengthening the time-honored writ of habeas corpus for all American citizens. But my concern is that sometimes by omission we limit people's rights.

This amendment is very carefully, but narrowly, drawn in such a way it begs questions about the exclusion of those outside the ambit of this amendment and their rights. The gentleman, I know in good faith, is trying to promulgate an amendment that broadens the right of the writ of habeas corpus. But I think when compared with the Smith-Gibson language that this modifies, that it raises by omission an intention of the Congress to narrow the right of habeas corpus. So although it is not the gentleman's intent, I believe it is the effect of this amendment.

Those who believe that the right of habeas should be strengthened and

broadened, I believe should oppose this amendment and support the underlying language as I, in fact, do.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. RADEL

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 113-108.

Mr. RADEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 442, after line 9, insert the following:  
**SEC. 1080. REPORT ON UNITED STATES CITIZENS SUBJECT TO MILITARY DETENTION.**

(a) **REPORT REQUIRED.**—The Secretary of Defense shall submit to Congress an annual report on United States citizens subject to military detention. Such report shall include, for the period covered by the report, each of the following:

(1) The name of each United States citizen subject to military detention during such period.

(2) The legal justification for such detention of such citizen.

(3) The steps taken to provide judicial process for or to release each such citizen.

(b) **FORM OF REPORT.**—The report required by subsection (a) shall be in unclassified form but may contain a classified annex.

(c) **AVAILABILITY OF REPORT.**—The report submitted under subsection (a) shall be made available to all members of Congress.

(d) **SAVINGS CLAUSE.**—Nothing in this section shall be construed to authorize or express approval for subjecting United States citizens to military detention.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Florida (Mr. RADEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. RADEL. Mr. Chairman, for too long, and at the hands of both parties, the White House has been operating with secret memos and behind closed doors hidden from you. This is why we are offering this amendment requiring the Department of Defense to submit an annual report to Congress which basically goes over who, why, and what.

Who? The names of any U.S. citizens subject to military detention.

Why? The legal justification for their detention.

What? The steps the executive branch is taking to either provide them some sort of judicial process or the path of possible release.

Now, this amendment requires that an unclassified version of the report be

made available to every Member of Congress. This amendment shines light where there has been darkness in this country, ensuring freedom, liberty, and justice for all.

While there is a legitimate need that we recognize that the government protects us from terrorism, we almost always must ensure—we must ensure—that Americans' rights to their due process and their day in court are always, always protected. You need to be guaranteed that your government is looking out for your rights.

Upon our founding, every American was guaranteed fundamental God-given rights that cannot be taken away by the government. These amendments ensure that these rights are safeguarded.

I yield such time as he may consume to the gentleman from Arizona (Mr. SALMON).

Mr. SALMON. Mr. Chairman, this little document here, the Constitution of the United States, is something that we all cherish, something when we were all sworn in we raised our right arm to the square and we said that we would uphold this document. It is the framework this Nation is built upon. There are certain unalienable rights that are created in that document that we just can't waive away.

Some concerns about these rights are embedded in this bill. I have real concerns about American citizens being detained for an unspecified amount of time. I believe that this amendment goes a long way toward shedding the light, the light of transparency, on how these American citizens are handled. I think that's the very least that we can do as a body to make sure that our people's fundamental rights of freedom are protected.

One of the great leaders and Founding Fathers of this Nation, Benjamin Franklin, once said:

Those who are willing to trade their freedom for security deserve neither and shall probably lose both.

Mr. RADEL. Mr. Chairman, I yield back the balance of my time.

#### PARLIAMENTARY INQUIRY

Mr. SMITH of Washington. Mr. Chairman, I have a parliamentary inquiry.

The ACTING CHAIR. The gentleman will state it.

Mr. SMITH of Washington. This has happened a couple of times.

Isn't it the normal order that one person speaks, then they reserve, and then the opposition speaks? A couple of times they just moved on to their next speaker and have gone through. As I understand it parliamentarily, that is not the way it is supposed to happen.

The ACTING CHAIR. That is the normal pattern of alternation, but recognition is within the discretion of the Chair.

Mr. SMITH of Washington. At the discretion of the Chair. That's fine.

Mr. Chairman, I rise to claim the time in opposition, even though I am not in opposition to the amendment.

The ACTING CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Washington. Mr. Chairman, I appreciate the opportunity to speak. I think it is very straightforward. Certainly we should acknowledge and have this bit of information made available to us, and I don't oppose that.

I just want to take the time to raise the issue of the next amendment—the Smith-Gibson amendment—that's coming up on this whole broader issue. This is a very simple, straightforward debate, that is, the militarization of U.S. law enforcement.

That's really what we're concerned about with indefinite detention. There are some who believe that any terrorist act committed within the U.S., that the U.S. military should basically take over. You should have indefinite detention; you should basically get rid of the normal due process contained in the Constitution.

I think that is dangerous, wrong, and wholly unnecessary. I think the U.S. Constitution and the Department of Justice have proven themselves more than capable of investigating, capturing, prosecuting, trying, convicting, and incarcerating all the terrorists in the U.S.; and I think it is a dangerous step towards executive and military power to allow things like indefinite detention under military control within the U.S.

That's the heart and the essence of this issue. We are dancing around the U.S. citizen question. I take Mr. GOODLATTE at his word. I believe that the Constitution doesn't apply to everybody, but it doesn't just apply to U.S. citizens either, as he acknowledged. It applies to U.S. persons, broadly speaking, people who have a connection to this country. We shouldn't just protect U.S. citizens; we should protect U.S. persons under that constitutional definition.

In a very straightforward way, do you believe the President of the United States should have the power to indefinitely detain people captured within the U.S. without the normal due process of law? I don't, and honestly I don't think most Americans do, and I don't think most Members of Congress do. We have gotten bogged down in different little subpieces of the debate and U.S. citizens and who counts and who doesn't count.

But the fundamental question is, Do you believe that the President should have the power to indefinitely detain people captured in the U.S. without normal due process of law? If you don't, if you are concerned about that executive power, then the only way to take that out of our law is to vote for

Smith-Gibson. The rest of this just sort of moves it around on the edges, but very clearly leaves that power with the President, a power I don't think that he should have.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. RADEL).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. SMITH OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 113-108.

Mr. SMITH of Washington. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 405, after line 9, insert the following:  
**SEC. 1040B. DISPOSITION OF COVERED PERSONS DETAINED IN THE UNITED STATES PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.**

(a) **SHORT TITLE.**—This section may be cited as the "Due Process and Military Detention Amendments Act".

(b) **DISPOSITION.**—Section 1021 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1562; 10 U.S.C. 801 note) is amended—

(1) in subsection (c), by striking "The disposition" and inserting "Except as provided in subsection (g), the disposition"; and

(2) by adding at the end the following new subsections:

"(g) **DISPOSITION OF PERSONS DETAINED IN THE UNITED STATES.**—

"(1) **PERSONS DETAINED PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE OR THE FISCAL YEAR 2012 NATIONAL DEFENSE AUTHORIZATION ACT.**—In the case of a covered person who is detained in the United States, or a territory or possession of the United States, pursuant to the Authorization for Use of Military Force or this Act, disposition under the law of war shall occur immediately upon the person coming into custody of the Federal Government and shall only mean the immediate transfer of the person for trial and proceedings by a court established under Article III of the Constitution of the United States or by an appropriate State court. Such trial and proceedings shall have all the due process as provided for under the Constitution of the United States.

"(2) **PROHIBITION ON TRANSFER TO MILITARY CUSTODY.**—No person detained, captured, or arrested in the United States, or a territory or possession of the United States, may be transferred to the custody of the Armed Forces for detention under the Authorization for Use of Military Force or this Act.

"(h) **RULE OF CONSTRUCTION.**—This section shall not be construed to authorize the detention of a person within the United States, or a territory or possession of the United States, under the Authorization for Use of Military Force or this Act."

(c) **REPEAL OF REQUIREMENT FOR MILITARY CUSTODY.**—

(1) **REPEAL.**—Section 1022 of the National Defense Authorization Act for Fiscal Year 2012 is hereby repealed.

(2) **CONFORMING AMENDMENT.**—Section 1029(b) of such Act is amended by striking "applies to" and all that follows through "any other person" and inserting "applies to any person".

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Washington (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

□ 1640

Mr. SMITH of Washington. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentleman for yielding.

I rise in strong support of the Smith-Gibson amendment.

When we considered the fiscal year 2012 version of this bill, I argued in opposition to sections 1021 and 1022. I argued then—and I still believe now—that these provisions go far beyond the AUMF to suggest that the President has the authority to detain even U.S. citizens without charge indefinitely. The AUMF gives the President no such authority.

Clearly, we must roll back these provisions. The Smith-Gibson amendment prohibits the detention without charge of any person arrested or detained in the United States, and it is the first step towards restoring the due process of law. It is a good first step, but the scope is limited to U.S. soil and to the present AUMF. We should do more.

That's why I've introduced the No Detention Without Charge Act, which would apply to all persons in U.S. custody—at home and overseas—and to all Authorizations to Use Military Force—present and future. It not only prohibits detention without charge of people arrested in the United States, but it also prohibits the detention of any person anywhere, except to the extent permitted by the Constitution and the law of war, and it restores a meaningful right of action for detainees to challenge the legality of the detentions.

The notion that the United States ought to conduct itself according to the Constitution and the law of war should not be controversial. Smith-Gibson takes the first step, and I have proposed the next, which is towards affirming our values and securing our liberty. This clarifies that the AUMF does not give any President the authority to detain people without the due process of law and to detain them indefinitely.

I urge my colleagues to support this amendment and to sign on as cosponsors of my bill but to, right now, support the Smith-Gibson amendment.

Mr. McKEON. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. McKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, the chairman of the Homeland Security

Committee, the gentleman from Texas (Mr. McCAUL).

Mr. McCAUL. I thank the gentleman from California, my fellow chairman.

I rise in opposition to this amendment. As the terrorist attacks in Benghazi and Boston demonstrate, our fight against those who mean us harm and those they inspire is far from over.

This amendment is of questionable constitutional standing as it seeks to deprive any President of lawful options that he needs to protect America; it hinders our ability to gather information; and it actually provides an incentive for terrorists to come here to attack us. It prohibits the President from ever detaining anyone in the United States, including a foreign terrorist, under the authority of the 2001 Authorization for Use of Military Force.

This amendment requires that foreign terrorists could only be prosecuted in civilian courts. But what if they could not be successfully prosecuted? Currently, there are detainees in Guantanamo who are too dangerous to release but who are not prosecutable. Under this amendment, if similarly situated terrorists were captured here at home, they would have to be released. Our experience in trying to deport illegal aliens whose native lands refuse to accept their return demonstrates the untenable position this amendment would leave us in.

If we can't use the AUMF to hold detainees and if we can't successfully prosecute them in a civilian court, then what can we do? The amendment ignores the reality of the threats that we face every day.

Consistent with the laws of war, we have long recognized the authority to detain enemy combatants for the duration of hostilities. In the 2004 Hamdi decision, the Supreme Court reaffirmed the authority to detain a U.S. citizen captured fighting with the Taliban and who was later detained in the United States, and that such detainees have the right to challenge their detentions. Then the 2012 NDAA reaffirmed the detention authority provided by the 2001 AUMF as well as the right to habeas corpus determinations.

The amendment overturns established legal precedent as well as undermines the statutory support for the AUMF. It does not make us safer, and it increases our peril. I urge my colleagues to vote against it.

Mr. SMITH of Washington. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. GIBSON).

Mr. GIBSON. I thank the gentleman from Washington. I am honored to be offering this amendment with him.

From our Bill of Rights, the Fifth Amendment: no person shall be deprived of life, liberty or property without due process. From our Sixth Amendment: the accused shall enjoy the right to a speedy and public trial.

That is the supreme law of the land.

Evidently, we have some ambiguity based out of the 2001 AUMF. So, clearly, we need to offer this amendment here today, and I rise in strong support of it.

We think about the founding in that period, shortly after the Revolution, and remember the fact that we had Americans who at the time did not support the Revolution. There were a lot of hard feelings in the immediate aftermath of the war, but the one thing that united everyone was the way that we arrayed our institutions—to check absolute power—and, further, to check the power between the Federal and the State governments. Of course, underpinning all of that was the Bill of Rights, the Bill of Rights that unites all of us—united us then, unites us now.

That's why I think it is very important that we bring clarity to this matter, that we pass Smith-Gibson and that we ensure that we bring clarity to the situation, which is that our Bill of Rights is the supreme law of the land.

Mr. McKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Arkansas (Mr. COTTON).

Mr. COTTON. Thank you.

When I was a child, I played a game called hide-and-seek, as I suspect many of you might have played. There was a phrase in that game called "ollie ollie oxen free," which meant you could come out, that you were safe, that you no longer had to hide.

This amendment is the "ollie ollie oxen free" amendment of the war on terrorism. It invites al Qaeda and associated forces to send terrorists to the United States and to recruit terrorists on U.S. soil.

Think about what happens if you're detained in the U.S. for committing an act of terrorism: you will not be detained while you are interrogated; you cannot be used to stop future attacks. Think about what will happen: you will get your Miranda warnings; you will get an attorney at taxpayer expense; and you will, if acquitted and not accepted by your home country, be released into the streets of the United States. We are encouraging al Qaeda to send terrorists here if we adopt this amendment.

Consider also about an illegal alien crossing our border. If he does so to get a job, Customs and Border Patrol can detain him and summarily deport him. If he is detained by intelligence or military professionals, what happens? He goes into the court system, and he gets all the rights due to a common burglar.

The concerns that we have about due process are misplaced. The law plainly lets every person—a citizen or foreigner—file a petition for the writ of habeas corpus to challenge his detention. I strongly oppose this amendment.



Mr. SMITH of Washington. Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan (Mr. AMASH).

Mr. AMASH. In 2011, Congress enacted a provision of the NDAA that authorizes the indefinite detention of Americans caught on U.S. soil. That provision, which is permanent law and continues to apply to this day, authorizes the President to detain persons who “substantially supported” forces “associated” with terrorists.

It is important to note that “substantial support” and being “associated” with terrorists were not defined in 2011 and still have not been defined by Congress. There is a good argument that this provision is unconstitutionally vague. In fact, a Federal court has already ruled that the provision is unconstitutional because it chills First Amendment association and free speech.

Our Constitution does not permit the Federal Government to detain anyone in the United States indefinitely without charge or trial. I strongly believe in protecting the country's security and in equipping our Armed Forces with the tools they need to defeat our enemies, but the American people cannot support measures that, in the name of security, violate our constitutionally protected rights.

The Constitution entitles all people to be charged with a crime and to be given a trial when the government detains them in the United States. Join me in affirming this right by voting for Smith-Gibson, which is the only amendment that protects the rights of those of you watching at home.

Mr. McKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, the gentleman from New York (Mr. KING).

Mr. KING of New York. I thank my good friend, the chairman, for yielding, and I rise in opposition to the Smith-Gibson amendment.

Let me express my deepest respect for the ranking member, Mr. SMITH, and for my colleague from New York, Mr. GIBSON, who has served his Nation long and well and who certainly acts with the very best of intentions. I certainly admire his patriotism and dedication.

Having said that, I strongly identify with the remarks of Chairman McCAUL and of Congressman COTTON. I think the ultimate fact here is that we would be giving terrorists more rights if they come to the United States than if they'd been captured overseas. To say that everyone captured in the United States is entitled to the full rights of a citizen or of a person lawfully in this country takes away from the fact that if a Nazi soldier had attacked the United States during World War II, would he have been entitled to all the rights of a citizen?

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In fact, the Supreme Court ruled on that. We had Nazi saboteurs land in

New York during World War II. They were arrested, tried before a military commission, and executed with the approval of the United States Supreme Court.

In the Hamdi decision several years ago, the plurality of the Court said:

There is no bar to this Nation's holding one of its own citizens as an enemy combatant. A citizen, no less than an alien, can be part of supporting forces hostile to the United States or coalition partners and engage in an armed conflict against the United States.

The fact is we should not be saying there's an incentive for a terrorist to come from Afghanistan and come to the United States to fight because if he's captured here, he gets more rights than if he was captured in Afghanistan. This goes against, to me, common sense, and it in no way is what is happening under the AUMF and in any way a violation of the Constitution.

With that, I yield back the balance of my time.

Mr. SMITH of Washington. I yield myself the balance of my time.

There is no incentive for U.S. terrorists to come here. They are trying to attack us. But we capture them successfully, try them, and prosecute them.

Abdulmutallab came here. He was captured. Yes, he was Mirandized. Even after he was Mirandized, he gave out an enormous amount of information that was very helpful. We convicted him.

What this is essentially saying is that we don't trust the Department of Justice to do their job, so therefore we have to give the President the power to detain someone whether they have any evidence of a crime or not. If they come here, the Department of Justice does its job.

We have tried and convicted over 400 terrorists in this country successfully. The only incentive to come here is if they're not going to commit a crime. All of the inmates down at Guantanamo were not captured in the U.S. No one who has been captured in the U.S. as a terrorist have we failed to convict.

Let's trust the Constitution. The Constitution doesn't threaten us. The Constitution protects us. Let us use it, and use it to bring these terrorists to justice, as every single time we have successfully done.

I urge support for the amendment, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I rise in support of amendment No. 13 to H.R. 1960, “National Defense Authorization Act for FY2014,” offered by Ranking Member SMITH and Congressman GIBSON of New York.

The amendment strikes Section 1022 of the FY2012 National Defense Authorization Act and amends Section 1021 of same law to eliminate indefinite military detention of any person detained under AUMF authority in the United States and its territories and possessions by providing immediate transfer to trial

and proceedings by a court established under Article III of the Constitution of the United States or by an appropriate State court.

This amendment would bar any President or any other government official from ordering the military to put anyone in the United States, or its territories or possessions, into indefinite detention without charge or trial, or to put anyone in the United States on trial before a military commission.

Federal criminal courts are open, operating, experienced, and secure—and are the appropriate venue for any proceedings here in the United States itself.

The Bill of Rights applies to all persons within the United States and its territories, this amendment is consistent with 233 years of constitutional precedent as it does not pick and choose between which persons on located on U.S. soil will receive constitutional protections.

Further, the amendment bars the transfer of anyone in the United States to the military for indefinite detention without charge or trial. This provision is consistent with the Posse Comitatus Act, and would provide an additional protection against any misuse of civilian law enforcement as a way to put suspects into military detention without charge or trial.

It is fully consistent with the Constitution, with the Posse Comitatus Act of 1878, and with the Non-Detention Act of 1971. It will reinforce the protections that most Americans assume apply—and do apply—within the United States.

Since 2001, this executive power has only been utilized 3 times which makes it clear that it is not necessary to protect our national security; however, creates a gap in our civil liberties.

This amendment would repeal section 1022 of the FY2012 NDAA. Section 1022 requires the military to put some civilian suspects into military detention.

The current Administration has waived application of section 1022 to many groups of potential suspects, but it has not foreclosed the possibility of section 1022 being applied to all categories of civilians, including even within the United States itself. To ensure this provision will not be used against those living in the United States, we must repeal section 1022.

Our military is designed to fight and win our battles overseas and to protect our borders; it is not designed to enforce domestic laws.

The military has not been required to enforce domestic laws since the Civil War. We have a Department of Justice, State and Federal Prosecutors, and local law enforcement that have been successful for hundreds of years.

The amendment reaffirms the importance and availability of due process protections for all persons within the United States. It prohibits the NDAA detention provisions from providing any authority for the military to detain persons under any claim of authority under the NDAA or the Authorization for Use of Military Force of 2001.

I urge my colleagues to join me in supporting civil liberties and upholding the constitution by supporting this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. SMITH).



The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

AMENDMENTS EN BLOC NO. 2 OFFERED BY  
MR. MC KEON

Mr. MC KEON. Mr. Chairman, pursuant to H. Res. 260, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 27, 31, 38, 43, 44, 45, 46, 47, 49, 54, 81, 84, 85, 95, 96, 97, 114, 143, 164, and 165, printed in House Report No. 113-108, offered by Mr. MC KEON of California:

AMENDMENT NO. 27 OFFERED BY MR. LARSON OF  
CONNECTICUT

Page 299, after the matter following line 23, insert the following:

**SEC. 703. BEHAVIORAL HEALTH TREATMENT OF  
DEVELOPMENTAL DISABILITIES  
UNDER TRICARE.**

(a) IN GENERAL.—Section 1077 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g)(1) Subject to paragraph (3)(A), in providing health care under subsection (a), the treatment of developmental disabilities (as defined by section 102(8) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002(8))), including autism spectrum disorder, shall include behavioral health treatment, including applied behavior analysis, when prescribed by a physician.

“(2) In carrying out this subsection, the Secretary shall ensure that—

“(A) except as provided by subparagraph (B), a person who is authorized to provide behavioral health treatment is licensed or certified by a State or accredited national certification board; and

“(B) applied behavior analysis or other behavioral health treatment may be provided by an employee, contractor, or trainee of a person described in subparagraph (A) if the employee, contractor, or trainee meets minimum qualifications, training, and supervision requirements as set forth by the Secretary.

“(3)(A) This subsection shall not apply to—

“(i) a medicare eligible beneficiary (as defined in section 1111(b) of this title); or

“(ii) a covered beneficiary who is a beneficiary by reason of being a retired member of the Coast Guard, the Commissioned Corp of the National Oceanic and Atmospheric Administration, or the Commissioned Corp of the Public Health Service, or by being a dependent of such a retired member.

“(B) Except as provided in subparagraph (A), nothing in this subsection shall be construed as limiting or otherwise affecting the benefits otherwise provided to a covered beneficiary under—

“(i) this chapter;

“(ii) title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); or

“(iii) any other law.”.

(b) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appro-

priated in section 1406 for the Defense Health Program, as specified in the corresponding funding table in section 4501, for Private Sector Care is hereby increased by \$60,000,000.

(2) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4301 for operation and maintenance, as specified in the corresponding funding table in section 4301, for the Office of the Secretary of Defense (Line 280) is hereby reduced by \$60,000,000.

AMENDMENT NO. 31 OFFERED BY MR. YOUNG OF  
ALASKA

At the end of title VIII, add the following new section:

**SEC. 833. REVISIONS TO REQUIREMENTS RELATING TO JUSTIFICATION AND APPROVAL OF SOLE-SOURCE DEFENSE CONTRACTS.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall modify the provisions of the Department of Defense Supplement to the Federal Acquisition Regulation that implement section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2401) to clarify that the authority of the head of an agency (as defined in section 811(c)(2)(A) of such section) to make an award pursuant to such section is delegable.

AMENDMENT NO. 38 OFFERED BY MR. BENTIVOLIO  
OF MICHIGAN

At the end of subtitle E of title XII, add the following:

**SEC. 1259. SENSE OF CONGRESS REGARDING RELATIONS WITH TAIWAN.**

It is the sense of Congress that the United States should—

(1) allow all high-level officials of Taiwan to enter into the United States or its embassies and consulates under conditions which demonstrate appropriate respect for the dignity of such leaders;

(2) allow meetings between all high-level Taiwan and United States officials in United States executive departments;

(3) allow the Taipei Economic and Cultural Representative Office and all other instrumentalities established in the United States by Taiwan to conduct business activities, including activities which involve participation by Members of Congress and other representatives of Federal, State, and local governments, and all high-level Taiwan officials, without obstruction from the United States Government or any foreign power; and

(4) adopt a policy of allowing high-ranking Taiwan leaders to make official visits with high-ranking officials of the United States, including official visits by Taiwan's democratically elected president, and allowing for visits between these officials in Washington, D.C.

AMENDMENT NO. 43 OFFERED BY MR. LAMBORN  
OF COLORADO

Page 59, after line 12, insert the following:

**SEC. 225. LIMITATION ON AVAILABILITY OF FUNDS FOR SPACE-BASED INFRA-RED SYSTEMS SPACE PROGRAM.**

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense, not more than 50 percent may be obligated or expended for the space-based infrared systems space modernization initiative wide-field-of-view testbed until the Executive Agent for Space of the Department of Defense certifies to the congressional defense committees that the Secretary of Defense is carrying out the Operationally Re-

sponsive Space Program Office in accordance with section 2273a of title 10, United States Code.

AMENDMENT NO. 44 OFFERED BY MR. HOLT OF  
NEW JERSEY

At the end of subtitle D of title II, insert the following:

**SEC. 255. REPORT ON SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS SCHOLARSHIP PROGRAM.**

Not later than 60 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that assesses whether the Science, Mathematics and Research for Transformation (SMART) scholarship program, or related scholarship or fellowship programs within the Department of Defense, are providing the necessary number of undergraduate and graduate students in the fields of science, technology, engineer, and mathematics to meet the recommendations contained in the report of the Commission on Research and Development in the United States Intelligence Community, as well as recommendation for how SMART and similar program might be improved to better satisfy those recommendations.

AMENDMENT NO. 45 OFFERED BY MR. HUDSON OF  
NORTH CAROLINA

At the end of subtitle E of title II, add the following:

**SEC. 2 \_\_\_\_ . CANINES AS STAND-OFF DETECTION OF EXPLOSIVES AND EXPLOSIVE PRECURSORS.**

Not later than 90 days after the date of enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall provide to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report that—

(1) describes how the Department of Defense intends to maintain the capability and infrastructure required to support canines as stand-off detection of explosives and explosive precursors;

(2) specifies the appropriate office to oversee the acquisition process, research and development, technology advancement, testing and evaluation, and production and procurement with respect to canines as stand-off detection of explosives and explosive precursors;

(3) specifies the plan to sustain and enhance the partnerships and relationships of the Department of Defense with service laboratories, private sector companies, and academic institutions to ensure that the latest data and information regarding canine capabilities are distributed throughout the Department and other Federal agencies that could benefit from such information; and

(4) specifies any technologies capable of replacing the canine as a stand-off detection capability during the next 2 years.

AMENDMENT NO. 46 OFFERED BY MRS.  
BACHMANN OF MINNESOTA

Page 93, after line 18, insert the following:

**SEC. 302. AUTHORIZATION OF APPROPRIATIONS FOR MARINE SECURITY GUARD.**

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for Operation and Maintenance, as specified in the corresponding funding table in section 4301, for Marine Security Guard is hereby increased by \$13,400,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for Operation and Maintenance,

Army, as specified in the corresponding funding table in section 4301, is hereby reduced by \$13,400,000, to be derived from the Maneuver Units.

AMENDMENT NO. 47 OFFERED BY MRS.  
BACHMANN OF MINNESOTA

Page 93, after line 18, insert the following:  
**SEC. 302. AUTHORIZATION OF APPROPRIATIONS FOR CRISIS RESPONSE FORCE.**

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for Operation and Maintenance, as specified in the corresponding funding table in section 4301, for the Crisis Response Force is hereby increased by \$10,600,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for Operation and Maintenance, Army, as specified in the corresponding funding table in section 4301, is hereby reduced by \$10,600,000, to be derived from the Maneuver Units.

AMENDMENT NO. 49 OFFERED BY MS. JACKSON  
LEE OF TEXAS

Page 106, after line 8, insert the following:  
**SEC. 324. ASSESSMENT OF OUTREACH FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN AND MINORITIES REQUIRED BEFORE CONVERSION OF CERTAIN FUNCTIONS TO CONTRACTOR PERFORMANCE.**

No Department of Defense function that is performed by Department of Defense civilian employees and is tied to a certain military base may be converted to performance by a contractor until the Secretary of Defense conducts an assessment to determine if the Department of Defense has carried out sufficient outreach programs to assist small business concerns owned and controlled by women (as such term is defined in section 8(d)(3)(D) of the Small Business Act) and small business concerns owned and controlled by socially and economically disadvantaged individuals (as such term is defined in section 8(d)(3)(C) of the Small Business Act) that are located in the geographic area near the military base.

AMENDMENT NO. 54 OFFERED BY MS. JACKSON  
LEE OF TEXAS

Page 223, after line 23, insert the following new section:

**SEC. 550A. ENHANCEMENT TO REQUIREMENTS FOR AVAILABILITY OF INFORMATION ON SEXUAL ASSAULT PREVENTION AND RESPONSE RESOURCES.**

(a) REQUIRED POSTING OF INFORMATION ON SEXUAL ASSAULT PREVENTION AND RESPONSE RESOURCES.—

(1) POSTING.—The Secretary of Defense shall require that there be prominently posted, in accordance with paragraph (2), notice of the following information relating to sexual assault prevention and response, in a form designed to ensure visibility and understanding:

(A) Resource information for members of the Armed Forces, military dependents, and civilian personnel of the Department of Defense with respect to prevention of sexual assault and reporting of incidents of sexual assault.

(B) Contact information for personnel who are designated as Sexual Assault Response Coordinators and Sexual Assault Victim Advocates.

(C) The Department of Defense “hotline” telephone number, referred to as the Safe Helpline, for reporting incidents of sexual assault, or any successor operation.

(2) POSTING PLACEMENT.—Posting under subsection (a) shall be at the following locations, to the extent practicable:

(A) Any Department of Defense duty facility.

(B) Any Department of Defense dining facility.

(C) Any Department of Defense multi-unit residential facility.

(D) Any Department of Defense health care facility.

(E) Any Department of Defense commissary or exchange.

(F) Any Department of Defense Community Service Agency.

(G) Any Department of Defense website.

(b) NOTICE TO VICTIMS OF AVAILABLE ASSISTANCE.—The Secretary of Defense shall require that procedures in the Department of Defense for responding to a complaint or allegation of sexual assault submitted by or against a member of the Armed Forces include prompt notice to the person making the complaint or allegation of the forms of assistance available to that person from the Department of Defense and, to the extent known to the Secretary, through other departments and agencies, including State and local agencies, and other sources.

AMENDMENT NO. 81 OFFERED BY MR. HOLT OF  
NEW JERSEY

At the end of subtitle C of title VII, insert the following:

**SEC. 726. DATA SHARING WITH STATE ADJUTANT GENERALS TO FACILITATE SUICIDE PREVENTION EFFORTS.**

Upon the request of any adjutant general of a State, the Secretary of Defense shall share the contact information of members of the Individual Ready Reserve and individual mobilization augmentees who reside in the State of such adjutant general for the purpose of conducting suicide prevention outreach efforts.

AMENDMENT NO. 84 OFFERED BY MS. JACKSON  
LEE OF TEXAS

Page 308, after line 21, add the following new section:

**SEC. 726. INCREASED COLLABORATION WITH NIH TO COMBAT TRIPLE NEGATIVE BREAST CANCER.**

The Office of Health of the Department of Defense shall work in collaboration with the National Institutes of Health to—

(1) identify specific genetic and molecular targets and biomarkers for triple negative breast cancer; and

(2) provide information useful in biomarker selection, drug discovery, and clinical trials design that will enable both—

(A) triple negative breast cancer patients to be identified earlier in the progression of their disease; and

(B) the development of multiple targeted therapies for the disease.

AMENDMENT NO. 85 OFFERED BY MS. JACKSON  
LEE OF TEXAS

Page 308, after line 21, insert the following:

**SEC. 726. SENSE OF CONGRESS ON MENTAL HEALTH COUNSELORS FOR MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.**

It is the sense of Congress that—

(1) the Secretary of Defense should develop a plan to ensure a sustainable flow of qualified counselors to meet the long-term needs of members of the Armed Forces and their families for counselors; and

(2) the plan should include the participation of accredited schools and universities, health care providers, professional counselors, family service or support centers, chaplains, and other appropriate resources of the Department of Defense.

AMENDMENT NO. 95 OFFERED BY MS. JACKSON  
LEE OF TEXAS

Page 335, after line 12, insert the following:  
**SEC. 833. IMPROVED MANAGEMENT OF DEFENSE EQUIPMENT AND SUPPLIES THROUGH AUTOMATED INFORMATION AND DATA CAPTURE TECHNOLOGIES.**

The Secretary of Defense shall improve the management of defense equipment and supplies throughout their life cycles by adopting and implementing Item Unique Identification (IUID), Radio Frequency Identification (RFID), biometrics, and other automated information and data capture (AIDC) technologies for the tracking, management, and accountability for assets deployed across the Department of Defense.

AMENDMENT NO. 96 OFFERED BY MR. YOUNG OF  
ALASKA

At the end of subtitle A of title IX, add the following new section:

**SEC. 9. REPORT ON STRATEGIC IMPORTANCE OF UNITED STATES MILITARY INSTALLATION OF THE U.S. PACIFIC COMMAND.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Homeland Security, shall submit to the congressional defense committees a report on the strategic value of each major installation that supports operations in the United States Pacific Command.

(b) CONTENT OF REPORT.—The report required by subsection (a) shall include, at a minimum, an assessment of the following with respect to each major installation covered by the report:

(1) The strategic value of the operations of the installation in the Pacific Command Area of Responsibility, including the strategic value of the installation for the global deployment of airpower, military personnel, and logistical support.

(2) The usefulness of the installation for potential future missions, including military, search and rescue, and humanitarian missions in a changing Pacific and Arctic region.

(3) The suitability of the installation for basing of F-35 aircraft and other future weapons systems in the Pacific Command Area of Responsibility.

(4) The suitability of the installation for mission growth, including relocation of combat-coded aircraft, Army units, naval vessels, and Marine Corps units from overseas bases.

(5) How critical the installation is in maintaining and expanding the North and Southern Pacific air refueling bridge.

(6) The availability of the installation for basing remotely piloted aircraft.

(7) The proximity of the installation to scoreable, instrumented training ranges, with an emphasis on joint-training.

(8) The impact of urban encroachment on the installation and its training ranges.

(c) CLASSIFIED ANNEX.—The report required by subsection (a) may include a classified annex if necessary to fully describe the matters required by subsection (b).

AMENDMENT NO. 97 OFFERED BY MR. YOUNG OF  
ALASKA

At the end of subtitle A of title IX, add the following new section:

**SEC. 9. COMPTROLLER GENERAL REPORT ON POTENTIAL RELOCATION OF FEDERAL GOVERNMENT TENANTS ON ASIA-PACIFIC AND ARCTIC-ORIENTED UNITED STATES MILITARY INSTALLATIONS.**

(a) REPORT REQUIRED.—Not later than March 1, 2014, the Comptroller General of the

United States shall submit to the appropriate committees of Congress a report containing the results of a review of the potential for—

(1) effectively consolidating underused facilities on military installations; or

(2) vacating costly leased space by relocating Federal Government agency tenants, activities, missions, and personnel onto such installations.

(b) **SPECIFIC CONSIDERATION OF ASIA-PACIFIC AND ARCTIC-ORIENTED INSTALLATIONS.**—As a result of the Federal Government's decision to emphasize Asia-Pacific security issues and changes in the Arctic environment, the Comptroller General shall specifically evaluate potential consolidation of Federal tenants on Asia-Pacific and Arctic-oriented installations, focusing on Federal entities with homeland security, defense, international trade, commerce, and other national security-related functions that are compatible with the missions of the military installations.

AMENDMENT NO. 114 OFFERED BY MRS. BACHMANN OF MINNESOTA

Page 463, after line 6, insert the following new section:

**SEC. 1090. DAYS ON WHICH THE POW/MIA FLAG IS DISPLAYED ON CERTAIN FEDERAL PROPERTY.**

Section 902 of title 36, United States Code, is amended by striking subsection (c) and inserting the following new subsection:

“(c) **DAYS FOR FLAG DISPLAY.**—For the purposes of this section, POW/MIA flag display days are all days on which the flag of the United States is displayed.”.

AMENDMENT NO. 143 OFFERED BY MR. LAMBORN OF COLORADO

At the end of subtitle E of title XII of division A, add the following new section:

**SEC. 12 . SENSE OF CONGRESS ON THE THREAT POSED BY HEZBOLLAH.**

(a) **FINDINGS.**—Congress finds the following:

(1) Hezbollah has been designated a foreign terrorist organization by the Department of State since October 8, 1997.

(2) Hezbollah has been responsible for numerous terrorist attacks and attempted terrorist attacks around the world, including attacks against United States citizens.

(3) Hezbollah is active in Europe and has been linked to a July 18, 2012, suicide bombing in Bulgaria which killed five people.

(4) Hezbollah operatives have been captured around the world attacking or attempting to attack Western and Israeli targets.

(5) The United States is working with its European allies to combat terrorism through a variety of means, including through NATO's Partnership Action Plan against Terrorism and the Defence Against Terrorism Programme of Work.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the United States should continue to use all necessary means to fight against terrorism, including Hezbollah;

(2) President Obama should strongly encourage his European counterparts to publicly condemn Hezbollah;

(3) European allies should seek to officially recognize Hezbollah as a terrorist organization;

(4) any attempt to distinguish between military and civilian wings in Hezbollah is meaningless; and

(5) all countries should work together to fight radical terrorist organizations like Hezbollah.

AMENDMENT NO. 164 OFFERED BY MR. YOUNG OF ALASKA

At the end of title XXXV, add the following new section:

**SEC. 35 . TREATMENT OF FUNDS FOR INTERMODAL TRANSPORTATION MARITIME FACILITY, PORT OF ANCHORAGE, ALASKA.**

Section 10205 of Public Law 109-59 (119 Stat. 1934) is amended by striking “shall” and inserting “may”.

AMENDMENT NO. 165 OFFERED BY MR. YOUNG OF ALASKA

At the end of title XXXV (page 730, after line 19) add the following:

**SEC. 350 . STRATEGIC SEAPORTS.**

(a) **PRIORITY.**—

(1) **IN GENERAL.**—Under the port infrastructure development program established under section 50302(c) of title 46, United States Code, the Maritime Administrator, in consultation with the Secretary of Defense, may give priority to providing funding to strategic seaports in support of national security requirements.

(2) **STRATEGIC SEAPORT DEFINED.**—In this subsection the term “strategic seaport” means a military port or and commercial port that is subject to a port planning order or Basic Ordering Agreement (or both) that is projected to be used for the deployment of forces and shipment of ammunition or sustainment supplies in support of military operations.

(b) **FINANCIAL ASSISTANCE.**—Section 50302(c)(2)(D) of title 46, United States Code, is amended by inserting “and financial assistance, including grants,” after “technical assistance”.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from California (Mr. McKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. McKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentlelady from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. Mr. Chairman, I rise today in support of this amendment package which includes three amendments which I've offered to protect and honor America's brave men and women in uniform.

The first and the second amendments would both properly train and equip and staff the Marine Embassy Security Group and the Crisis Response Task Force. In the wake of Benghazi and the tragedy there, protecting our Nation's Embassy personnel and classified materials has never been more important.

The third amendment requires certain Federal buildings that are already required to fly the POW/MIA flags on Federal holidays to fly those flags every day. We owe it to the memory of those who serve, to honor their commitment and give them the funding and the support that they need.

I urge my colleagues to support this package, and I want to thank Mr. McKEON.

Mr. SMITH of Washington. Mr. Chairman, I yield 4 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Let me thank the gentleman from Washington for his leadership and the gentleman from California for their work and their work with my office and staff.

One of the efforts that we have been working on—when I say that, Congress and individual Members—is to approach and to continue to work on the issue of breast cancer that impacts women throughout this country, and certainly women and men in the United States military.

I'm very pleased in this en bloc to have an amendment by Jackson Lee that really cements the collaboration between the Department of Defense Office of Health to collaborate with the National Institutes of Health to provide resources, to identify specific genetic and molecular targets and biomarkers for triple negative breast cancer, often not heard of.

I will tell you, in the course of my involvement, I've had daughters of those who lost their lives—triple negative breast cancer is a particularly negative but deadly form of breast cancer where the victim does not last very long. I've lost dear friends. And this highlighting the biomarker will bring down the cost of treatment, but more importantly will help to stem the tide of those who quickly die because there is no treatment because it accelerates so quickly and lives are lost.

I also am grateful that we are beginning to make some steps. Though I indicated my support for the Speier and Gabbard amendment, I am pleased to be able to have in this language, a board, a place where sexual assault prevention information and resources bring it out in the open and let people know, men and women, how they can access resources. Let's put it forward so that people are safe, so that we can stop it and get in the gap. I think honoring our men and women in the United States military is particularly important.

Over the years, I have supported increased funding for PTSD and recognized the crises that many of our soldiers are facing in the need for mental health services. We can see some of the impact of those in terms of family situations and violence, domestic violence. So I have in this en bloc an amendment that will provide more mental health counselors, or focus on more mental health counselors, to ensure that the 200,000 veterans of military service and Active Duty soldiers will have the ability to be able to get that kind of service.

It is also important to be fiscally responsible, and I have an amendment that improves the management of defense equipment and supplies through automated information data-captured technology. This will support the work of the DOD to adopt a proven private sector method for more efficiently

managing inventory, and that's inventory going from what we have in Afghanistan to left over in Iraq and to many other places. We want to save money.

I also am very grateful that there is a manager's amendment in this en bloc, something very close and near and dear to my heart, and that is the outreach by the Department of Defense to small businesses, minority-owned businesses and women-owned businesses. I can tell you that they are the backbone of America. Even though we are downsizing on some of the contractual relationships, I can tell you that obviously they bring about \$537 billion as obligated by Federal agencies. These small businesses can benefit. They create jobs. And the outreach is going to be vital beyond where the bases are, beyond where the areas where you would likely think.

Let me also say this. I want to thank the committee for working with me on an amendment that I thought was very important, and that is the study of the procurement practices of our intelligence assets and to be able to improve how we deal with intelligence. I know that we will work together on that going forward, and I believe that it is important that we do work together.

These are amendments that I believe will improve the conditions of our very important military personnel. And again, to all of them, Happy Father's Day.

Mr. McKEON. At this time, Mr. Chairman, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG) for the purpose of a colloquy.

Mr. YOUNG of Alaska. I thank the gentleman for yielding. I rise to thank my good friend and chairman of the House Armed Services Committee for including my amendment on section 811 of the fiscal year 2010 National Defense Authorization Act in one of today's en bloc packages and to ask if he is concerned, as I am, that implementation by Federal agencies of section 811 of the FY10 National Defense Authorization Act has been inconsistent and contrary to the congressional intent.

Mr. McKEON. Will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from California.

□ 1700

Mr. McKEON. I thank the gentleman from Alaska for raising concern over inconsistency in implementation of section 811 and bringing it to our attention.

Mr. YOUNG of Alaska. I thank the gentleman and ask the distinguished chairman of the Armed Services Committee if he agrees with me that section 811 was not intended to be a cap or bar on sole-source awards above \$20 million, and to also ask if he is con-

cerned about the growing number of reports that agencies are treating the threshold requiring sole-source justification as a prohibition on such awards.

Mr. McKEON. Will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman.

Mr. McKEON. I agree that section 811 was intended to provide increased oversight of sole-source contract awards but was not intended to be a prohibition on such contracts.

Mr. YOUNG of Alaska. Mr. Chairman, I ask you to join me and my colleague from Hawaii (Ms. HANABUSA) in continued oversight of Federal agency implementation of section 811 and in requesting the Comptroller General provide us a full report with respect to any inconsistencies in the ways agencies are implementing section 811, the negative impacts such section is having on Native American contractors, and provide recommendations on how the provision should be better implemented. Such a report will aid Congress in ensuring that section 811 is implemented so as to make clear that the provision does not impose a cap or limit on awards covered by the provision, so long as the justifications and approval are obtained pursuant to provision, and that the provision is intended to provide a level of oversight and approval, not act as a prohibition or limit on awards.

Mr. McKEON. I will be happy to work with the gentleman and with our colleague from Hawaii to send a joint letter to the Comptroller General in the manner he suggests and to continue oversight on this issue.

I reserve the balance of my time.

Mr. SMITH of Washington. I yield 2 minutes to the gentlewoman from California (Ms. HAHN).

Ms. HAHN. Mr. Chairman, I rise to speak in support of amendment 246, which is a bipartisan amendment that I cosponsored with my good friend and colleague, Congressman DON YOUNG.

Despite the vital role they play to our economic strength and national security, our ports, unlike nearly every other mode of transportation, still do not have a dedicated source of Federal funding for infrastructure projects.

Ensuring ports have the infrastructure funding they need is not only critical to strengthening our economy, but also to making sure that our ports can handle the sudden needs of rapid deployment in the outbreak of war or during a national emergency.

This amendment would allow the Maritime Administration to provide infrastructure grants to our Nation's ports and prioritize funding for our strategic seaports.

By finally giving MARAD the tools that they need to successfully mitigate congestion and increase the flow of goods at U.S. ports, we will ensure our

ports will be fully prepared to serve our national defense and continue to be the strong economic engine that drives our Nation's prosperity.

I want to thank Congressman YOUNG for working with me on this amendment, as well as my colleague from California, Chairman McKEON, and Ranking Member SMITH for accepting this amendment en bloc.

Mr. McKEON. Mr. Chairman, I yield 1 minute to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. I thank the chairman for including my amendment in this package.

My amendment is very simple. It asks the Department of Defense to report on what actually makes an installation in the Pacific strategically important. In my many meetings with military leaders, I'm always told about the strategic importance of various installations in Alaska and all across this country; however, "strategic" is never fully defined. My amendment merely asks the Department of Defense to qualify and quantify exactly what makes an installation strategic.

As every Alaskan knows, Alaska has numerous strategic installations that proudly protect this country from harm. Among those bases is Eielson Air Force Base in Fairbanks, which is the home to the 18th Aggressor Squadron. This squadron provides our Nation's pilots with real-life training they need to be the best in the world. Throughout the year, but especially during Red Flag-Alaska, the F-16 Aggressors fight realistic mock battles in the largest training range in the United States, and it's one of the most terrain diverse training areas in the world.

Eielson Air Force Base is also home to the strategically important 168th Air Guard Refueling Wing. These KC-135s provide legs for our Nation's northern air bridge, which allows us to project power into the Arctic and the Northern Pacific. I have confidence that my amendment and the following DOD report will show what General Billy Mitchell recognized in 1935, namely, that Alaska is the most strategic place in the world.

Mr. SMITH of Washington. I yield 2 minutes to the gentlewoman from Hawaii (Ms. HANABUSA).

Ms. HANABUSA. Mr. Chairman, I rise to speak in support of en bloc amendment 244, the Young-Hanabusa amendment.

Section 811 of the fiscal year 2010 NDAA required that any 8(a) Native American sole-source contract in excess of \$20 million go through a heightened justification and approval.

The justification and approval is often interpreted to be approved by a "head of agency." This requirement is shown by a recent GAO report to cause a 60 percent decline in revenue from these contracts. It has resulted in a

loss of jobs, reduced benefits to Native Americans, and has led to a large amount of unintended discrimination against Native community-owned firms. What the amendment does is it makes it a delegable authority.

In my home State of Hawaii, there are numerous 8(a) enterprises known as Native Hawaiian Organizations. These entities are conducting critical research for our defense industry and other sectors of government while also supporting critical programs within the community. It makes no sense to place onerous requirements on these successful organizations that significantly decrease the ability to conduct business.

Further, I support a letter to the GAO requesting a full and detailed report with respect to any inconsistencies in the way the agencies are implementing section 811, the negative impacts such section is having on Native American contractors, along with recommendations of how the provisions should be implemented.

Mr. Chairman, I would also like to thank the chairman, the ranking member, and my colleague Mr. YOUNG from Alaska for this amendment and for placing it in the en bloc package.

Mr. McKEON. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Chairman, I rise today to highlight my amendment No. 143, which expresses the sense of Congress highlighting the threat posed by Hezbollah.

Hezbollah is one of the world's most dangerous terrorist organizations. After al Qaeda, it is responsible for the most deaths of American citizens. Hezbollah is behind a series of terrorist attacks around the world, including the foiled plot to assassinate the Saudi Ambassador here in Washington.

Hezbollah is backed by the Iranian regime and has now joined the fight to protect another Iranian proxy, the Assad regime in Syria.

Hezbollah was behind an attack last summer in Bulgaria that killed five people. Unfortunately, the European Union has not yet listed Hezbollah as a terrorist organization.

My amendment calls on the EU to recognize that Hezbollah is a terrorist organization. Please vote "yes" on this amendment to stand against terrorism.

Mr. SMITH of Washington. Mr. Chairman, I yield back the balance of my time.

Mr. McKEON. Mr. Chairman, we have no further speakers. I urge adoption of the en bloc amendment, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I thank Chairman McKEON and Ranking Member SMITH and the Rules Committee for making in order and including in En Bloc Amendment #1 Amendment Number 35 and Amendment Number 111 to the National Defense Authorization Act for Fiscal Year 2014.

These amendments are offered by the House Committee on Homeland Security's Chairman McCaul, Ranking Member BENNIE THOMPSON, as well as the Subcommittee on Border and Maritime Security's Chairwoman MILLER and Ranking Member JACKSON LEE.

In addition to the Jackson Lee amendments offered to this bill, I joined my Colleagues on the Committee on Homeland Security in supporting an amendment to promote collaboration and cooperation between the Department of Defense and Department of Homeland Security regarding the identification of equipment, either declared excess, or made available to DHS on a long-term loan basis that will help increase security along the border.

I also request that my colleagues support another amendment that I joined in sponsoring along with the leadership of the House Committee on Homeland Security, which would allow the transfer of technology from DOD to state and local law enforcement. Before the creation of DHS a program was created to facilitate this type of equipment transfer and this amendment adds the Secretary of Homeland Security in a consultative role in the equipment transfer process. This amendment also gives applicants seeking DOD equipment for use in border security preference in this statute. This will facilitate expedited transfer of equipment that Federal, state and local first responders can use to strengthen our border security efforts.

I thank Chairman McKEON and Ranking Member SMITH for including these amendments in the En Bloc Amendment #1 and I urge all members to vote in favor of this amendment.

Ms. JACKSON LEE. Mr. Chair, I thank Chairman McKEON and Ranking Member SMITH and the Rules Committee for making in order and including in En Bloc Amendment #2 three amendments that I offered to the National Defense Authorization Act for Fiscal Year 2014.

The Jackson Lee Amendments are simple and if adopted would improve the final bill.

The Jackson Lee Amendment designated as #81 calls for the collaboration between the Department of Defense and the National Institutes of Health to combat Triple Negative Breast Cancer. The Amendment directs the Department of Defense Office of Health to collaborate with the National Institutes of Health to provide resources to identify specific genetic and molecular targets and biomarkers for TNBC.

#### TRIPLE NEGATIVE BREAST CANCER (TNBC)

Triple-negative breast cancer (TNBC) is a term used to describe breast cancers whose cells do not have estrogen receptors and progesterone receptors, and do not have an excess of the "HER2" protein on their cell membrane of tumor cells.

Between 10–17% of female breast cancer patients have the triple negative subtype.

Three times more likely to cause death than the most common form of breast cancer, 70% of women with metastatic triple negative breast cancer do not live more than five years after being diagnosed.

There is no targeted treatment available for TNBC. The American Cancer Society calls this particular strain of breast cancer "an aggressive subtype associated with lower survival rates."

Triple Negative Breast Cancer (TNBC) cells are usually of a higher grade and size; onset at a younger age; more aggressive; and more likely to metastasize.

TNBC is in fact a heterogeneous group of cancers with varying differences in prognosis and survival rate between various subtypes. This has led to a lot of confusion amongst both physicians and patients.

Apart from surgery, cytotoxic chemotherapy is the only available treatment; targeted molecular treatments, while being investigated, are not accepted treatment.

#### POPULATIONS AFFECTED BY TNBC

TNBC disproportionately impacts younger women, African American women, Hispanic/Latina women, and women with a "BRCA1" genetic mutation, which is prevalent in Jewish women.

TNBC usually affects women under 50 years of age.

More than 30% of all breast cancer diagnoses in African American are of the triple negative variety. Black women are far more susceptible to this dangerous subtype than white or Hispanic women.

Women with TNBC are more likely to have distant metastases in the brain and lung than more common subtypes of breast cancer.

Breast cancers with specific, targeted treatment methods, such as hormone and gene based strains, have higher survival rates than the triple negative subtype, highlighting the need for a targeted treatment.

The Jackson Lee Amendment designated as #88 directs the Department of Defense to post information on sexual assault prevention and response resources online for ease of access by men and women in the armed services.

There is no greater crime that an individual can commit than the crime of sexual molestation and sexual assault. The perpetrators of these crimes rob victims of their dignity and sense of wellbeing. Victimization is not easily relieved by treating the immediate physical injuries that may result, but can last for years. Moreover, victims of sexual assault are profoundly affected for the rest of their lives, often with PTSD or other medical conditions. As elected officials, we have an obligation to condemn this violence, work for stronger enforcement of laws and provide adequate funding for programs to assist individuals who may have experienced such abuse.

When the victim is a member of the armed forces, the crime is much more traumatic because the assailant may be a superior officer or the location of the crime far from our shores. Further, the mechanisms in place to support civilians who are victims of sexual violence are often not available to men and women in the military.

In 2012, the Department of Defense estimates that 26,000 men and women in the armed forces are victims of some type of unwanted sexual contact. This reflects a 40 percent increase over a two year period. The report provided by the Defense Department suggests that the majority of the crimes involved rape, aggravated sexual assault or non-consensual sodomy.

We know that victims of sexual violence or abuse among civilians are routinely underreported. The Defense Department report

states that of the 26,000 estimated victims only 3,374 crimes were reported and just 302 of the 2,558 incidents pursued by victims were prosecuted.

This crime is not limited to women who are victims of men, but include men who are victims of other men. The Defense Department report states that 81 percent of sexual violence against men goes unreported and just 5 percent of attacks are reported to civilian law enforcement. The stigma is great for any victim of sexual violence, but it may be more so for men because civilian society has accepted the reality of sexual violence against women and children but is just becoming aware of crimes against men.

In 2011, the Journal of Trauma and Disso-ciation reports that men in the military face barriers to reporting sexual crimes that include avoidance/blocking the incident, fear of retri-bution, fear of facing charges under the Uniform Code of Military Justice for associated behav-ior like drinking, fear that reporting will dam-age their military career and fear of not being believed.

Sexual assault can be verbal, visual, or any-thing that forces a person to join in unwanted sexual contact or attention. Examples of this are voyeurism (when someone watches pri-vate sexual acts), exhibitionism (when some-one exposes him/herself in public), incest (sexual contact between family members), and sexual harassment. It can happen in different situations, by a stranger in an isolated place, on a date, or in the place where a person sleeps by someone they know.

The negative impacts of sexual assault go beyond the physical trauma of the attack itself. The victims suffer psychological trauma, emo-tional scarring, shame, anger, the stigma of being victimized. Victims often suffer in silence for years before they can gain the courage to seek help.

Unfortunately, sexual assault is an issue that has plagued the Nation and we are learn-ing that men and women in the armed forces cannot escape its effects. In my home state of Texas, nearly 2 million adult Texans, or 12.6% of the population, have been sexually as-saulted, and more than half of all sexual as-saults are committed against children under age 18.

An estimated 82% of rapes go unreported. The vast majority of rape victims—nearly 80%—know the person who rapes them.

#### PURPOSE OF MY AMENDMENT

The goal of the amendment is to make sure that information is available and easily acces-sible to military personnel for the purpose of raising awareness, promoting education and the long term goal of influencing organizational culture around the issue of sexual violence.

Many in the military are just learning that there is a huge difference between sex and sexual violence. My amendment would edu-cate both victims, potential victims, witnesses or victimizers that these are acts of violence and should be treated as such. It may also help influence thinking among military leaders on the nature of these crimes and promote changes in policy to aggressively provide sup-port to victims and judicial remedies to pros-ecute and punish criminal behavior.

It will take more than just stronger preven-tion and enforcement of the law to prevent

sexual molestation and other forms of sexual assault. It is also raising awareness, which is what my amendment does. In order to end this serious epidemic that plagues the Amer-ican Armed forces, all segments of the military from the most junior to the most senior officers should be aware of what a sexual crime is and how to reduce the incidents or them. Victims are not at fault—victimizers are criminals who intend to subjugate, humiliate, dominate and hurt their victims. They are predators among those who honorably serve in defense of our nation. They should not be tolerated, con-doned, protected, given refuge or enabled in any way.

The Jackson Lee Amendment designated as #82 expresses the sense of the Congress that the Secretary of Defense should develop a plan to ensure a sustainable flow of qualified mental health counselors to meet the long-term needs of members of the Armed Forces, veterans, and their families.

I have always been a supporter of the men and women in the military, visiting every com-bat zone, including Bosnia, Kosovo, Albania, with numerous visits to Afghanistan and Iraq.

Houston is home to one of the largest popu-lations of military service members and their families in the nation. There are over 200,000 veterans of military service who live and work in Houston; more than 13,000 are veterans from Iraq and Afghanistan. For the brave men and women who have been wounded in com-bat, help is on the way.

Although some of a soldier's wounds are in-visible to the naked eye they are still wounds that should be properly treated. One of the best ways to increase access to treatment is to increase the number of medical facilities and mental health professionals who are avail-able to serve the needs of men and women currently serving and those who have become veterans.

The current conflict in Afghanistan is the most continuous combat operations since Viet-nam.

One study published in the American Jour-nal of Medicine indicated that 94% of soldiers returning from Iraq reported receiving small-arms fire.

In addition, 86% of soldiers in Iraq reported knowing someone who was seriously injured or killed, 68% reported seeing dead or seri-ously injured Americans, and 51% reported handling or uncovering human remains.

The majority, 77%, of soldiers deployed to Iraq reported shooting or directing fire at the enemy, 48% reported being responsible for the death of an enemy combatant, and 28% reported being responsible for the death of a noncombatant. (Hoge et al., 2004).

In addition to these Jackson Lee Amend-ments, I joined my Colleagues on the Com-mittee on Homeland Security in supporting an amendment to promote collaboration between the Department of Defense and Department of Homeland security regarding the identification of equipment, either declared excess, or made available to DHS on a long-term loan basis that will help increase security along the bor-der.

This is a common-sense way to leverage equipment the taxpayer has already paid for and is coming back from overseas and no longer needed for military purposes is a wise use of these resources.

I also request that my colleagues support another amendment that I joined in sponsoring along with the leadership of the House Com-mittee on Homeland Sec, which would allow the transfer of technology from DOD to state and local law enforcement. Before the creation of DHS, a program was created to facilitate this type of equipment transfer, and this amendment adds the Secretary of Homeland Security in a consultative role in the equip-ment transfer process. This amendment also gives applicants seek DOD equipment for use in border security preference in this statute. This will facilitate expedited transfer of equip-ment that Federal, state and local first re-sponders can use to strengthen our border se-curity efforts.

I thank Chairman McKEON and Ranking Member SMITH for including these amend-ments in the En Bloc Amendment #2 and I urge all members to vote in favor of this amendment.

Ms. JACKSON LEE. Mr. Chair, the Rules Committee made several amendments I of-fered to the National Defense Authorization Act for Fiscal Year 2014 in order.

The Jackson Lee Amendments are simple and if adopted would improve the final bill.

The Jackson Lee Amendment designated as #95 provides for the improved management of defense equipment and supplies through automated information and data capture tech-nologies. The private sector has leaped for-ward in using inventory tracking technology to monitor large and small products from the time they leave manufacturing facilities until they are sold at retail or wholesale stores.

Adoption and implementation of DOD's Item Unique Identification (IUID) policy for serial-ized asset control will make several asset management and supply chain management improvements. Once fully implemented, if an item is in the inventory of any DOD facility anywhere in the world, it would be easy to lo-cate and deliver where and when it is needed. This happens every day in retail settings and it should be the standard way DOD inventory is managed. My amendment would support the work of the DOD to adopt a proven private sector method for more efficiently managing inventory.

The most advanced warehouse inventory management systems are fully automated and biometrically controlled to track items and create records of people who make request to transport items from storage to use. These systems make sure that persons seeking to move items have the authority to do so and that the requests create records that can be tracked as well as track the items moved. These fully automated warehouses have no staff, but rely upon technology that is designed to store and retrieve items in the most cost ef-fective and efficient manner possible.

The automated warehouse systems are in use in the private sector and are one of the many innovations that may assist the DOD in improving efficiency of equipment manage-ment while saving potentially millions of dollars in labor and acquisition costs.

The Jackson Lee Amendment designated as #49 requires outreach by the DOD to small business concerns owned and controlled by women and minorities before conversion of certain functions to contractor performance.



Federal contracting can be an important revenue source for businesses of any size. In fiscal year 2011, federal agencies obligated a total of around \$537 billion in government contracts to businesses. However, federal agencies' goal for contracting with women and minority owned businesses is five percent.

The Department of Defense is a major consumer of products and services that range from office products to military specific equipment. The wide ranges of business opportunities provide ample reasons to engage women and minority owned businesses as contractors or subcontractors.

This Amendment requires outreach by the DOD to small business concerns owned and controlled by women and minorities before conversion of certain functions to contractor performance. Federal contracting can be an important revenue source for businesses of any size. In fiscal year 2011, federal agencies obligated a total of around \$537 billion in government contracts to businesses. However, federal agencies' goal for contracting with women and minority owned businesses is five percent.

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Fully automated warehouse systems, such as the ones operated by Genco, are in use in the private sector and are one of the many innovations that may assist the DOD in improving efficiency of equipment management while saving potentially millions of dollars in labor and acquisition costs.

I urge all members to support these amendments.

Ms. JACKSON LEE. Mr. Chair, I rise to speak on House consideration of the National Defense Authorization Act for Fiscal Year 2014.

I thank Chairman McKEON, Ranking Member SMITH and the Rules Committee, and the Armed Services Committee for their work on the National Defense Authorization Act for Fiscal Year 2014.

The National Defense Authorization Act's purpose is to address the threats our nation must deal with not just today, but into the future. This makes our work vital to our national interest and it should reflect our strong commitment to ensure that the men and women of our Armed Services receive the benefits and support that they deserve for their faithful service.

This is the 52nd consecutive National Defense Authorization Act, which speaks to the long-term commitment of the Congress and successive Administrations to provide for National Defense. This bill encompasses a number of initiatives designed to confront sexual assault in the military, making more efficient the work of protecting America, addresses the mental health needs of men and women in the armed services, and extends economic opportunity to small minority and women owned businesses.

We do live in a dangerous world, where threats are not always easily identifiable, and our enemies are not bound by borders. The recent Boston terrorist attack reminds us of how fragile our nation's security could be without a well trained and equipped military.

The definition of war has changed and with it our understanding about what is needed to combat a unique type of enemy that fights under no flag or for any nation.

U.S. Special Operations Command, a vital part of our military, provides much of the special skills needed to defend our nation today. This legislation continues to build on previous efforts to support their important work.

I am still deeply concerned about the President's authority, as stipulated by the 2001 Authorization for the Use of Military Force, AUMF, to indefinitely detain individuals apprehended in the United States—including citizens of the United States—without due process and with little independent review or oversight. As a senior member of the House Judiciary Committee, I am committed to making sure that the Constitution and its protections are enforced. The purpose to defend this nation is not just on the grounds of this Capitol, but also the foundation that supports the principles of liberty, freedom and democratic values.

The bill includes several provisions that recognize the strain of more than a decade of war has placed on our troops and the equipment, technology, and tools that they use. It supports a 1.8 percent pay raise. I had wanted a 2 percent raise for our troops.

This Congress must communicate its wholehearted support for the security of the nation by addressing mindless cuts created by sequestration, the \$174.6 billion in operation and maintenance funding the bill provides will help mend some of the damage that has been done to overused equipment and neglected facilities. It also strengthens our ability to confront cyber threats, and provides important authorities to protect vital information. The bill also continues to lay the foundation for enabling competition in military space launch.

I am also pleased that so much has occurred to improve the bill during its consider-

ation on the House Floor, including the adoption of seven amendments that I offered. Combined, these amendments will help our military families have access to mental health counseling when needed and that contracting opportunities with the Department of Defense are extended to women and minority owned businesses. In addition, the bill has been improved to include provisions that are critically important to women, including provisions to prevent and respond to sexual assault and research to combat Triple Negative Breast Cancer.

The bill amended on the House floor now also contains provisions that will help secure our borders and make the defense logistics management system more efficient.

Let me discuss briefly the amendments I offered that were adopted by the House and included in the final version of the bill.

Jackson Lee Amendment #1 directs the DoD and NIH to collaborate to combat Triple Negative Breast Cancer. The amendment directs the Department of Defense to identify specific genetic and molecular targets and biomarkers for TNBC.

Triple Negative Breast Cancer is a term used to describe breast cancers whose cells do not have estrogen receptors and progesterone receptors, and do not have an excess of the "HER2" protein on their cell membrane of tumor cells. This makes commonly used test and methods to detect breast cancer not as effective.

This is a serious illness that effects between 10–17 percent of female breast cancer patients and this condition is more likely to cause death than the most common form of breast cancer. Seventy percent of women with metastatic triple negative breast cancer do not live more than five years after being diagnosed.

Jackson Lee Amendment #1 will help to save lives. TNBC disproportionately impacts younger women, African American women, Hispanic/Latina women, and women with a "BRCA1" genetic mutation, which is prevalent in Jewish women. TNBC usually affects women under 50 years of age and makes up more than 30 percent of all breast cancer diagnoses in African American. Black women are far more susceptible to this dangerous subtype than white or Hispanic women.

Jackson Lee Amendment that #2 directs the Department of Defense to post information on sexual assault prevention and response resources online for ease of access by men and women in the armed services.

There is no greater crime that an individual can commit than the crime of sexual molestation and sexual assault. The perpetrators of these crimes rob victims of their dignity and sense of wellbeing. Victimization is not easily relieved by treating the immediate physical injuries that may result, but can last for years. Moreover, victims of sexual assault are profoundly affected for the rest of their lives often with PTSD or other medical conditions. As elected officials, we have an obligation to condemn this violence, work for stronger enforcement of laws and provide adequate funding for programs to assist individuals who may have experienced such abuse.

In 2012, we know that victims of sexual violence or abuse among civilians are routinely under reported. The Defense Department report states that of the 26,000 estimated victims only 3,374 crimes were reported and just



302 of the 2,558 incidents pursued by victims were prosecuted.

Jackson Lee Amendment #2 will make sure that information is available and easily accessible to military personnel for the purpose of raising awareness, promoting education and the long term goal of influencing organizational culture around the issue of sexual violence.

Many in the military are just learning that there is a huge difference between sex and sexual violence. Jackson Lee Amendment #3 would educate both victims, potential victims, witnesses or victimizers that these are acts of violence and should be treated as such. It may also help influence thinking among military leaders on the nature of these crimes and promote changes in policy to aggressively provide support to victims and judicial remedies to prosecute and punish criminal behavior.

Jackson Lee Amendment #4 expresses the sense of the Congress that the Secretary of Defense should develop a plan to ensure a sustainable flow of qualified mental health counselors to meet the long-term needs of members of the Armed Forces, veterans, and their families.

Houston is home to one of the largest populations of military service members and their families in the nation. There are over 200,000 veterans of military service who live and work in Houston; more than 13,000 are veterans from Iraq and Afghanistan. For the brave men and women who have been wounded in combat, help is on the way.

Although some of a soldier's wounds are invisible to the naked eye they are still wounds that should be properly treated. One of the best ways to increase access to treatment is to increase the number of medical facilities and mental health professionals who are available to serve the needs of men and women currently serving and those who have become veterans.

Jackson Lee Amendment #5 will improve the efficiency of the management system and how the Department of Defense inventory will support modernization that uses technology to tag and track items purchased to increase transparency to the agency on what it has and where it is located. This change could mean tens of millions in savings if implemented DoD wide by reducing labor cost for tracking and moving equipment, but more important prevent repurchasing of items that agency already owns, but may not be able to locate.

The private sector has leaped forward in using inventory tracking technology and protocols to monitor large and small products from the time they leave manufacturing facilities until they are sold at retail or wholesale stores.

The DoD is one of the largest customers for products in the nation and should have the benefit of the best knowledge and technology available to more efficiently manage its inventory.

The most advanced warehouse inventory management systems are fully automated and biometrically controlled to track items and create records of people who make request to transport items from storage to use. These systems make sure that persons seeking to move items have the authority to do so and that the requests create records that can be tracked as well as track the items moved. These fully automated warehouses have no

staff, but rely upon technology that is designed to store and retrieve items in the most cost effective and efficient manner possible.

Jackson Lee Amendment #5 will extend economic opportunity to small businesses by requiring DoD to small business concerns owned and controlled by women and minorities before conversion of certain functions to contractor performance would aid the economy. Federal contracting can be an important revenue source for businesses of any size. In fiscal year 2011, federal agencies obligated a total of around \$537 billion in government contracts to businesses. However, federal agencies' goal for contracting with women and minority owned businesses is five percent.

The Department of Defense is a major consumer of products and services that range from office products to military specific equipment. The wide ranges of business opportunities provide ample reasons to engage women and minority owned businesses as contractors or subcontractors.

In addition to the Jackson Lee Amendments offered to this bill, I joined my Colleagues on the Committee on Homeland Security in supporting an amendment to promote collaboration and cooperation between the Department of Defense and Department of Homeland Security regarding the identification of equipment, either declared excess, or made available to DHS on a long-term loan basis that will help increase security along the border.

I also request that my colleagues support another amendment that I joined in sponsoring along with the leadership of the House Committee on Homeland Security which would allow the transfer of technology from DoD to state and local law enforcement. Before the creation of DHS a program was created to facilitate this type of equipment transfer and this amendment adds the Secretary of Homeland Security in a consultative role in the equipment transfer process. This amendment also gives applicants who seek DoD equipment for use in border security preference in this statute. This will facilitate expedited transfer of equipment that Federal, state and local first responders can use to strengthen our border security efforts.

I do have grave concerns about some features of the National Defense Authorization Act for Fiscal Year 2014. For example this bill assumes adoption of the House Budget Resolution framework, which would hurt our economy and require draconian cuts to middle-class priorities. This is a serious concern for me because of how it would impact my constituents in the 18th Congressional District.

The Administration has communicated that it would veto this bill in its current form and I hope that the conference process will resolve the issues that are the most troubling like the treatment of the Guantanamo detainees. This issue is a mark against everything the United States stands for and it is damaging our reputation and credibility around the world.

The detentions should end and people properly processed to other facilities or tried in courts of law to address charges or crimes against the United States. My hope is that this provision will be dropped from the bill as the legislative process goes forward.

We must continue to direct our efforts as a body to ensure that our troops remain the best

equipped and prepared military force in the world. They are not just soldiers they are sons and daughters, husbands and wives, brothers and sisters—they are some of the people we represent as members of Congress. Support of them is a sacred obligation of Congress both to those who are at risk on battlefields and serving as the guard against threats around the world, but they are also those who have returned home from war.

I thank Chairman McKEON and Ranking Member SMITH for their work on this bill.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. McKEON).

The en bloc amendments were agreed to.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 113–108 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. BLUMENAUER of Oregon.

Amendment No. 3 by Mrs. LUMMIS of Wyoming.

Amendment No. 5 by Mr. COFFMAN of Colorado.

Amendment No. 9 by Mr. RIGELL of Virginia.

Amendment No. 10 by Mr. MCGOVERN of Massachusetts.

Amendment No. 11 by Mr. GOODLATTE of Virginia.

Amendment No. 12 by Mr. SMITH of Washington.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 2 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 106, noes 318, not voting 10, as follows:

[Roll No. 222]

AYES—106

Amash	Clarke	Duncan (TN)
Bass	Clay	Edwards
Becerra	Cleaver	Ellison
Benishek	Cohen	Eshoo
Bentivolio	Conyers	Farr
Blumenauer	Cooper	Foster
Bonamici	Davis, Danny	Garamendi
Braley (IA)	DeFazio	Griffith (VA)
Capps	DeGette	Grijalva
Capuano	Doggett	Gutierrez
Carson (IN)	Doyle	Hahn
Castor (FL)	Duckworth	Hastings (FL)

Higgins  
Himes  
Holt  
Honda  
Horsford  
Huffman  
Jeffries  
Johnson (GA)  
Kennedy  
Kildee  
Kind  
Labrador  
Lee (CA)  
Lipinski  
Loebsock  
Lofgren  
Lowenthal  
Maloney,  
Carolyn  
Massie  
Matsui  
McClintock  
McCollum  
McDermott

## NOES—318

Aderholt  
Alexander  
Amodei  
Andrews  
Bachmann  
Bachus  
Barber  
Barletta  
Barr  
Barrow (GA)  
Barton  
Beatty  
Bera (CA)  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Boustany  
Brady (PA)  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Bucshon  
Burgess  
Bustos  
Butterfield  
Calvert  
Camp  
Cantor  
Capito  
Cárdenas  
Carney  
Carter  
Cartwright  
Cassidy  
Castro (TX)  
Chabot  
Chaffetz  
Cicilline  
Clyburn  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Connolly  
Cook  
Costa  
Cotton  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Daines  
Davis (CA)  
Davis, Rodney

McGovern  
McNerney  
Meeks  
Meng  
Miller, George  
Moore  
Mulvaney  
Nadler  
Napolitano  
Negrete McLeod  
Nolan  
O'Rourke  
Pallone  
Peterson  
Polis  
Price (NC)  
Quigley  
Rangel  
Rohrabacher  
Roybal-Allard  
Rush  
Sanford  
Sarbanes

Schakowsky  
Schrader  
Sensenbrenner  
Serrano  
Sherman  
Sires  
Slaughter  
Speier  
Stutzman  
Swalwell (CA)  
Thompson (CA)  
Tierney  
Titus  
Van Hollen  
Velázquez  
Walz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth  
Yoho

Hunter  
Hurt  
Israel  
Issa  
Jackson Lee  
Jenkins  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Keating  
Kelly (IL)  
Kelly (PA)  
Kilmer  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Kuster  
LaMalfa  
Lamborn  
Lance  
Langevin  
Lankford  
Larsen (WA)  
Larson (CT)  
Latham  
Latta  
Levin  
LoBiondo  
Long  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lummis  
Lynch  
Maffei  
Maloney, Sean  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran  
Mullin  
Murphy (FL)  
Murphy (PA)

Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pascrell  
Pastor (AZ)  
Paulsen  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters (CA)  
Peters (MI)  
Pingree (ME)  
Pittenger  
Pitts  
Pocan  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Rahall  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Richmond  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)

Campbell  
Chumley  
Fattah  
Kaptur

Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Ruiz  
Runyan  
Ruppersberger  
Ryan (OH)  
Ryan (WI)  
Salmon  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Scalise  
Schiff  
Schneider  
Schock  
Schwartz  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sessions  
Sewell (AL)  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southernland  
Stewart  
Stivers

## NOT VOTING—10

Lewis  
Markey  
McCarthy (NY)  
Neal

□ 1734

Messrs. FRANKS of Arizona, HARPER, GENE GREEN of Texas, LUETKEMEYER, BARROW of Georgia, MEADOWS, BISHOP of Utah, CICILLINE, GARCIA, DELANEY, UPTON, LARSON of Connecticut, CLYBURN, THOMPSON of Mississippi, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KELLY of Illinois, and Mrs. KIRKPATRICK changed their vote from “aye” to “no.”

Messrs. STUTZMAN, DOYLE, MEEKS, and Ms. ROYBAL-ALLARD changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 3 OFFERED BY MRS. LUMMIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Wyoming (Mrs. LUMMIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 189, not voting 10, as follows:

[Roll No. 223]

## AYES—235

Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Rigell  
Hensarling  
Herrera Beutler  
Holding  
Rogers (AL)  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Buchanan  
Bucshon  
Burgess  
Calvert  
Camp  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cotton  
Cramer  
Crawford  
Crenshaw  
Culberson  
Daines  
Davis, Rodney  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)

## NOES—189

Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney

Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Holding  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Ruiz  
Runyan  
Ryan (OH)  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schock  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walorski  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (FL)  
Young (IN)

Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Grayson  
Green, Al  
Grijalva  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Holt  
Honda  
Horsford  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur

Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lipinski  
Loeb sack  
Lowenthal  
Lowe y  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Massie  
Matheson  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moore  
Moran  
Mulvaney  
Murphy (FL)  
Nadler  
Napolitano  
Negrete McLeod  
Nolan  
O'Rourke  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (CA)

Peters (MI)  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Richmond  
Rohrabacher  
Roybal-Allard  
Ruppersberger  
Rush  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schradler  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—10

Campbell  
Chu  
Fattah  
Gutierrez

Lewis  
Lofgren  
Markey  
McCarthy (NY)

Neal  
Shea-Porter

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1739

Ms. SINEMA changed her vote from  
“aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 5 OFFERED BY MR. COFFMAN

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Colorado (Mr. COFF-  
MAN) on which further proceedings  
were postponed and on which the noes  
prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 206, noes 220,  
not voting 8, as follows:

[Roll No. 224]

## AYES—206

Alexander  
Amash  
Amodei  
Bachmann  
Bachus  
Barletta  
Barr  
Barton  
Bentivolio  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (IN)  
Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Calvert  
Cantor  
Capito  
Carter  
Cartwright  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cooper  
Costa  
Cotton  
Cramer  
Crawford  
Lummis  
Culberson  
Daines  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fleischmann  
Fleming  
Forbes  
Fortenberry  
Foxy  
Frankel (FL)  
Franks (AZ)  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gingrey (GA)  
Gohmert

Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Hall  
Hanna  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Himes  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kelly (PA)  
King (IA)  
Kingston  
Kinsinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
Lucas  
Luetkemeyer  
Lummis  
Marchant  
Massie  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Messer  
Mica  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo

Paulsen  
Pearce  
Perlmutter  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Reichert  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Runyan  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Runyan  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schock  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Souterland  
Speier  
Stewart  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Tipton  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walorski  
Walz  
Weber (TX)  
Webster (FL)  
Wenstrup  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IN)

## NOES—220

Aderholt  
Andrews  
Barber  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Benishke  
Bera (CA)  
Bishop (GA)  
Bishop (FL)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brooks (AL)  
Brown (FL)

Brownley (CA)  
Bustos  
Butterfield  
Camp  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Castor (FL)  
Castro (TX)  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen

Connolly  
Conyers  
Courtney  
Crenshaw  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Deutch  
Dingell  
Doggett

Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Fitzpatrick  
Flores  
Foster  
Frelinghuysen  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Gibson  
Graves (MO)  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Harper  
Harris  
Hastings (FL)  
Heck (WA)  
Herrera Beutler  
Higgins  
Hinojosa  
Holt  
Honda  
Horsford  
Hoyer  
Huffman  
Hunter  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Joyce  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
King (NY)  
Kirkpatrick  
Kuster  
LaMalfa  
Langevin

Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lipinski  
LoBiondo  
Loeb sack  
Loifgren  
Long  
Lowenthal  
Lowe y  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Marino  
Matsui  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meehan  
Meeks  
Meng  
Michaud  
Miller (FL)  
Miller, George  
Moore  
Moran  
Murphy (FL)  
Nadler  
Napolitano  
Negrete McLeod  
Nolan  
O'Rourke  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Perry  
Peters (CA)  
Peters (MI)  
Peterson  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reed

Renacci  
Richmond  
Rogers (AL)  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schradler  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Stivers  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tierney  
Titus  
Tonko  
Tsongas  
Turner  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Westmoreland  
Whitfield  
Wilson (FL)  
Yarmuth  
Young (FL)

## NOT VOTING—8

Campbell  
Chu  
Fattah

Lewis  
Markey  
McCarthy (NY)

Neal  
Shea-Porter

□ 1747

Mr. DEFAZIO changed his vote from  
“aye” to “no.”

Mr. COLLINS of New York changed  
his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 9 OFFERED BY MR. RIGELL

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Virginia (Mr. RIGELL)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 178, noes 248, not voting 8, as follows:

[Roll No. 225]

AYES—178

Aderholt	Griffin (AR)	Petri
Alexander	Griffith (VA)	Pittenger
Amash	Guthrie	Pitts
Amodei	Hanna	Poe (TX)
Bachmann	Harper	Pompeo
Bachus	Harris	Posey
Barr	Hartzler	Radel
Benishek	Hastings (WA)	Reed
Bentivolio	Heck (NV)	Renacci
Bilirakis	Hensarling	Ribble
Black	Herrera Beutler	Rigell
Blackburn	Holding	Roby
Bonner	Hudson	Roe (TN)
Boustany	Huelskamp	Rogers (KY)
Brady (TX)	Huizenga (MI)	Rogers (MI)
Brooks (AL)	Hultgren	Rohrabacher
Brooks (IN)	Hunter	Rokita
Broun (GA)	Hurt	Rooney
Buchanan	Jenkins	Ros-Lehtinen
Bucshon	Johnson (OH)	Roskam
Calvert	Johnson, Sam	Ross
Camp	Jordan	Rothfus
Cantor	Kelly (PA)	Royce
Carter	King (IA)	Ryan (WI)
Cassidy	Kinzing (IL)	Salmon
Chabot	Kline	Sanford
Coble	Labrador	Scalise
Coffman	LaMalfa	Schock
Collins (NY)	Lamborn	Schweikert
Conaway	Lance	Sensenbrenner
Connolly	Latham	Sessions
Cotton	Latta	Smith (MO)
Cramer	Long	Smith (NE)
Crawford	Lucas	Smith (TX)
Culbertson	Luetkemeyer	Southerland
Daines	Lummis	Stivers
Denham	Marchant	Stockman
DeSantis	McCarthy (CA)	Stutzman
DesJarlais	McCaul	Terry
Diaz-Balart	McClintock	Thornberry
Duffy	McHenry	Upton
Duncan (SC)	McKeon	Valadao
Duncan (TN)	McMorris	Walberg
Ellmers	Rodgers	Walden
Fincher	Meadows	Walorski
Fleischmann	Messer	Weber (TX)
Fleming	Mica	Webster (FL)
Flores	Miller (FL)	Wenstrup
Fortenberry	Miller (MI)	Whitfield
Fox	Miller, Gary	Williams
Franks (AZ)	Mulvaney	Wilson (SC)
Frelinghuysen	Neugebauer	Wittman
Gardner	Noem	Womack
Garrett	Nugent	Woodall
Gibbs	Nunes	Yoder
Goodlatte	Nunnelee	Yoho
Gosar	Olson	Young (FL)
Gowdy	Palazzo	Young (IN)
Granger	Paulsen	
Graves (MO)	Perry	

NOES—248

Andrews	Capuano	Cummings
Barber	Cárdenas	Davis (CA)
Barletta	Carney	Davis, Danny
Barrow (GA)	Carson (IN)	Davis, Rodney
Barton	Cartwright	DeFazio
Bass	Castor (FL)	DeGette
Beatty	Castro (TX)	Delaney
Becerra	Chaffetz	DeLauro
Bera (CA)	Cicilline	DeiBene
Bishop (GA)	Clarke	Dent
Bishop (NY)	Clay	Deutch
Bishop (UT)	Cleaver	Dingell
Blumenauer	Clyburn	Doggett
Bonamici	Cohen	Doyle
Brady (PA)	Cole	Duckworth
Braley (IA)	Collins (GA)	Edwards
Bridenstine	Conyers	Ellison
Brown (FL)	Cook	Engel
Brownley (CA)	Cooper	Enyart
Burgess	Costa	Eshoo
Bustos	Courtney	Esty
Butterfield	Crenshaw	Farenthold
Capito	Crowley	Farr
Capps	Cuellar	Fitzpatrick

Forbes	Lowenthal	Runyan
Foster	Lowey	Ruppersberger
Frankel (FL)	Lujan Grisham	Rush
Fudge	(NM)	Ryan (OH)
Gabbard	Luján, Ben Ray	Sánchez, Linda
Gallego	(NM)	T.
Garamendi	Lynch	Sanchez, Loretta
Garcia	Maffei	Sarbanes
Gerlach	Maloney,	Schakowsky
Gibson	Carolyn	Schiff
Gingrey (GA)	Maloney, Sean	Schneider
Gohmert	Marino	Schrader
Graves (GA)	Massie	Schwartz
Grayson	Matheson	Scott (VA)
Green, Al	Matsui	Scott, Austin
Green, Gene	McCollum	Scott, David
Grijalva	McDermott	Serrano
Grimm	McGovern	Sewell (AL)
Gutierrez	McIntyre	Sherman
Hahn	McKinley	Shimkus
Hall	McNerney	Shuster
Hanabusa	Meehan	Simpson
Hastings (FL)	Meeks	Sinema
Heck (WA)	Meng	Sires
Higgins	Michaud	Slaughter
Himes	Miller, George	Smith (NJ)
Hinojosa	Moore	Smith (WA)
Holt	Moran	Speier
Honda	Mullin	Stewart
Horsford	Murphy (FL)	Swalwell (CA)
Hoyer	Murphy (PA)	Takano
Huffman	Nadler	Thompson (CA)
Israel	Napolitano	Thompson (MS)
Issa	Negrete McLeod	Thompson (PA)
Jackson Lee	Nolan	Tiberi
Jeffries	O'Rourke	Tierney
Johnson (GA)	Owens	Tipton
Johnson, E. B.	Pallone	Titus
Jones	Pascarell	Tonko
Joyce	Pastor (AZ)	Tsongas
Kaptur	Payne	Turner
Keating	Pearce	Van Hollen
Kelly (IL)	Pelosi	Vargas
Kennedy	Perlmutter	Veasey
Kildee	Peters (CA)	Vela
Kilmer	Peters (MI)	Velázquez
Kind	Peterson	Visclosky
King (NY)	Pingree (ME)	Walz
Kingston	Pocan	Wasserman
Kirkpatrick	Polis	Schultz
Kuster	Price (GA)	Waters
Langevin	Price (NC)	Watt
Lankford	Quigley	Waxman
Larsen (WA)	Rahall	Welch
Larson (CT)	Rangel	Westmoreland
Lee (CA)	Reichert	Wilson (FL)
Levin	Rice (SC)	Wolf
Lipinski	Richmond	Yarmuth
LoBiondo	Rogers (AL)	Young (AK)
Loeb sack	Roybal-Allard	
Lofgren	Ruiz	

NOT VOTING—8

□ 1750

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. MCGOVERN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 305, noes 121, not voting 8, as follows:

[Roll No. 226]

AYES—305

Alexander	Gabbard	McKeon
Amash	Garamendi	McKinley
Amodei	Garcia	McMorris
Andrews	Garrett	Rodgers
Bachus	Gibson	McNerney
Barber	Graves (GA)	Meadows
Barton	Grayson	Meeks
Bass	Green, Al	Meng
Beatty	Green, Gene	Mica
Becerra	Griffin (AR)	Michaud
Benishek	Griffith (VA)	Miller (FL)
Bentivolio	Grijalva	Miller (MI)
Bera (CA)	Guthrie	Miller, Gary
Bilirakis	Gutierrez	Miller, George
Bishop (GA)	Hahn	Moore
Bishop (NY)	Hanabusa	Moran
Blumenauer	Hanna	Mulvaney
Bonamici	Harper	Murphy (FL)
Bonner	Hartzler	Nadler
Brady (PA)	Hastings (FL)	Napolitano
Braley (IA)	Hastings (WA)	Negrete McLeod
Bridenstine	Heck (NV)	Neugebauer
Brooks (AL)	Heck (WA)	Nolan
Broun (GA)	Herrera Beutler	Nugent
Brownley (CA)	Higgins	Nunnelee
Buchanan	Himes	O'Rourke
Burgess	Hinojosa	Pallone
Bustos	Holt	Pascarell
Butterfield	Honda	Pastor (AZ)
Calvert	Horsford	Paulsen
Camp	Hoyer	Payne
Capito	Huelskamp	Pelosi
Capps	Huffman	Perlmutter
Capuano	Hultgren	Peters (CA)
Cárdenas	Hurt	Peters (MI)
Carney	Israel	Peterson
Carson (IN)	Jackson Lee	Petri
Cartwright	Jeffries	Pingree (ME)
Cassidy	Johnson (GA)	Pittenger
Castor (FL)	Johnson (OH)	Pitts
Castro (TX)	Johnson, E. B.	Pocan
Chaffetz	Johnson, Sam	Poe (TX)
Cicilline	Jones	Polis
Clarke	Jordan	Posey
Clay	Joyce	Price (GA)
Cleaver	Kaptur	Price (NC)
Clyburn	Keating	Quigley
Coble	Kelly (IL)	Rahall
Coffman	Kennedy	Rangel
Cohen	Kildee	Reed
Cole	Kilmer	Reichert
Connolly	Kind	Ribble
Conyers	King (IA)	Richmond
Cook	Kingston	Rigell
Cooper	Kirkpatrick	Roe (TN)
Costa	Kline	Rogers (AL)
Courtney	Kuster	Rogers (KY)
Crawford	Lamborn	Rohrabacher
Crowley	Lance	Rooney
Cummings	Langevin	Roybal-Allard
Daines	Larsen (WA)	Royce
Davis (CA)	Larson (CT)	Ruiz
Davis, Danny	Latham	Runyan
Davis, Rodney	Lee (CA)	Rush
DeFazio	Levin	Ryan (OH)
DeGette	Lipinski	Ryan (WI)
Delaney	LoBiondo	Salmón
DeLauro	Loeb sack	Sánchez, Linda
DeBene	Lofgren	T.
Deutch	Lowenthal	Sanchez, Loretta
Dingell	Lowey	Sanford
Doggett	Lujan Grisham	Sarbanes
Doyle	(NM)	Schakowsky
Duckworth	Luján, Ben Ray	Schiff
Duffy	(NM)	Schneider
Duncan (TN)	Lummis	Schrader
Edwards	Lynch	Schwartz
Ellison	Maffei	Scott (VA)
Engel	Maloney,	Scott, David
Eshoo	Carolyn	Sensenbrenner
Esty	Maloney, Sean	Serrano
Farr	Massie	Sherman
Fitzpatrick	Matsui	Shimkus
Forbes	McClintock	Shuster
Fortenberry	McCollum	Simpson
Foster	McDermott	Sinema
Frankel (FL)	McGovern	Sires
Fudge	McIntyre	Slaughter

Smith (NJ)  
Smith (WA)  
Southernland  
Speier  
Stivers  
Swalwell (CA)  
Takano  
Terry  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiberi  
Tierney  
Tipton  
Titus  
Tonko

## NOES—121

Aderholt  
Bachmann  
Barletta  
Barr  
Barrow (GA)  
Bishop (UT)  
Black  
Blackburn  
Boustany  
Brady (TX)  
Brooks (IN)  
Brown (FL)  
Bucshon  
Cantor  
Carter  
Chabot  
Collins (GA)  
Collins (NY)  
Conaway  
Cotton  
Cramer  
Crenshaw  
Cuellar  
Culberson  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Duncan (SC)  
Ellmers  
Enyart  
Farenthold  
Fincher  
Fleischmann  
Fleming  
Flores  
Foxo  
Franks (AZ)  
Frelinghuysen  
Gallego

## NOT VOTING—8

Campbell  
Chu  
Fattah

## □ 1754

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. GOODLATTE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 214, noes 211, not voting 9, as follows:

[Roll No. 227]

## AYES—214

Aderholt  
Alexander  
Amodei  
Bachmann  
Bachus  
Barletta  
Barr  
Barrow (GA)  
Barton  
Benish  
Bentivoglio  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Calvert  
Camp  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cramer  
Crawford  
Crenshaw  
Culberson  
Daines  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gowdy

## NOES—211

Amash  
Andrews  
Barber  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)

Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Grimm  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Herrera Beutler  
Holding  
Hudson  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce  
Kelly (PA)  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Marchant  
Marino  
McCarthy (CA)  
McCauly  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paulsen  
Pearce

Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farenthold  
Farr  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garcia  
Gibson  
Gosar  
Grayson  
Green, Al  
Green, Gene  
Griffith (VA)  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Holt  
Honda  
Horsford  
Hoyer  
Huelskamp  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Jenkins  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kelly (IL)  
Kennedy

Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Labrador  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lipinski  
Loebach  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham  
(NM)  
Lujan, Ben Ray  
(NM)  
Lynch  
Maffei  
Maloney  
Carolyne  
Maloney, Sean  
Massie  
Matheson  
Matsui  
McClintock  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moore  
Moran  
Murphy (FL)  
Nadler  
Napolitano  
Negrete McLeod  
Nolan  
O'Rourke  
Pallone  
Pascarelli  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (CA)  
Peters (MI)  
Peterson  
Pingree (ME)  
Pocan  
Polis

## NOT VOTING—9

Campbell  
Chu  
Fattah

## □ 1758

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 13 OFFERED BY MR. SMITH OF WASHINGTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. SMITH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 226, not voting 8, as follows:

## [Roll No. 228]

## AYES—200

Amash  
Andrews  
Barber  
Bass  
Beatty  
Becerra  
Bentivolio  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Broun (GA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Cicilline  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Courtney  
Crowley  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Duncan (TN)  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Farr  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Garamendi  
Garcia  
Gibson  
Gosar  
Grayson  
Green, Al

Green, Gene  
Griffith (VA)  
Grijalva  
Gutiérrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Holt  
Honda  
Horsford  
Hoyer  
Huelskamp  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Labrador  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Loebach  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maffei  
Maloney  
Carolyn  
Massie  
Matsui  
McClintock  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moore  
Moran  
Murphy (FL)  
Nadler  
Napolitano  
Negrete McLeod  
Nolan  
O'Rourke  
Pallone

Pascarell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters (CA)  
Peters (MI)  
Peterson  
Petri  
Pingree (ME)  
Pocan  
Polis  
Posey  
Price (NC)  
Quigley  
Rahall  
Rangel  
Ribble  
Richmond  
Roybal-Allard  
Ruiz  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanford  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Shimkus  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tipton  
Titus  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth  
Yoho

## NOES—226

Aderholt  
Alexander  
Amodei  
Bachmann  
Bachus  
Barletta  
Barr  
Barrow (GA)  
Barton  
Benishke  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Boustany  
Brady (TX)

Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Bucshon  
Burgess  
Calvert  
Camp  
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Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
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Collins (GA)  
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Duffy  
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Fleischmann  
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Gallego  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Grimm  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Herrera Beutler  
Holding  
Hudson  
Huizenga (MI)  
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Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce  
Kelly (PA)  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
LaMalfa  
Lamborn

Lance  
Lankford  
Latham  
Latta  
Levin  
Lipinski  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Maloney, Sean  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Mulvaney  
Murphy (PA)  
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Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paulsen  
Pearce  
Perry  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Price (GA)  
Radel  
Reed  
Reichert  
Renacci  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)

Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Runyan  
Ruppersberger  
Ryan (WI)  
Salmon  
Sanchez, Loretta  
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Schock  
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Scott, Austin  
Sensenbrenner  
Sessions  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southerland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Turner  
Upton  
Valadao  
Vela  
Wagner  
Walberg  
Walden  
Walorski  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

## NOT VOTING—8

Campbell  
Chu  
Fattah

Lewis  
Markey  
McCarthy (NY)

Neal  
Shea-Porter

## □ 1803

Ms. WATERS and Mr. CUMMINGS changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. McKEON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. POE of Texas) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

Mr. McKEON. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 1960 pursuant to House Resolution 260, amendments 14 and 23 printed in part B of House Report 113-108 may be considered out of sequence.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 260 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1960.

Will the gentleman from Texas (Mr. POE) kindly assume the chair.

## □ 1809

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. POE of Texas (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the second set of en bloc amendments offered by the gentleman from California (Mr. McKEON) had been disposed of.

## □ 1810

## AMENDMENT NO. 15 OFFERED BY MR. DENHAM

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part B of House Report 113-108.

Mr. DENHAM. I rise to offer my amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title V, add the following new section:

**SECTION 530E. AUTHORITY TO ENLIST IN THE ARMED FORCES CERTAIN ALIENS WHO ARE UNLAWFULLY PRESENT IN THE UNITED STATES AND LEGAL STATUS OF SUCH ENLISTEES BY REASON OF HONORABLE SERVICE IN THE ARMED FORCES.**

(a) CERTAIN ALIENS AUTHORIZED FOR ENLISTMENT.—Subsection (b)(1) of section 504 of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(D) An alien who was unlawfully present in the United States on December 31, 2011, who has been unlawfully and continuously present in the United States since that date, who was younger than 15 years of age on the date the alien initially entered the United States, and who, disregarding such unlawful status, is otherwise eligible for original enlistment in a regular component of the Army, Navy, Air Force, Marine Corps, or

Coast Guard under section 505(a) of this title and regulations issued to implement such section.”.

(b) **CONDITIONAL ADMISSION TO PERMANENT RESIDENCE OF ALIEN ENLISTEES.**—Such section is further amended by adding at the end the following new subsection:

“(c) **CONDITIONAL ADMISSION TO PERMANENT RESIDENCE OF ALIEN ENLISTEES.**—(1) The Secretary of Homeland Security shall adjust the status of an alien described in subsection (b)(1)(D) who enlists in a regular component of the Army, Navy, Air Force, Marine Corps, or Coast Guard to the status of an alien lawfully admitted for permanent residence under the provisions of section 249 of the Immigration and Nationality Act (8 U.S.C. 1259), except that the alien does not have to—

“(A) establish that he or she entered the United States prior to January 1, 1972; or

“(B) comply with section 212(e) of such Act (8 U.S.C. 1182(e)).

“(2) The lawful permanent resident status of an alien described in subsection (b)(1)(D) who enlisted in a regular component of the armed forces and whose status was adjusted under paragraph (1) is automatically rescinded, by operation of law, if the alien is separated from the armed forces under other than honorable conditions before the alien serves the term of enlistment of such alien. Such grounds for rescission are in addition to any other grounds for rescission provided by law. Proof of separation from the armed forces under other than honorable conditions shall be established by a duly authenticated certification from the armed force in which the alien last served.

“(3) Nothing in this subsection shall be construed to alter—

“(A) the process prescribed by sections 328, 329, and 329A of the Immigration and Nationality Act (8 U.S.C. 1439, 1440, 1440–1) by which a person may naturalize through service in the armed forces; or

“(B) the qualifications for original enlistment in the armed forces described in section 505(a) of this title and regulations issued to implement such section.”.

(c) **OFFSET AND DELAYED EFFECTIVE DATE.**—

(1) **BUDGETARY EFFECTS.**—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress an analysis of the budgetary effects of enactment of this section and a determination regarding whether such enactment would result in an increase in the deficit in the current year, the budget year, or the subsequent nine fiscal years.

(2) **DELAYED EFFECTIVE DATE.**—With the exception of paragraph (1), this section and the amendments made by this section shall become effective only upon enactment of an Act referencing this section and the title of which is as follows: “An Act to provide budgetary treatment of changes to enlistment policies of the Armed Forces.”.

(d) **CLERICAL AMENDMENTS.**—

(1) **SECTION HEADING.**—The heading of such section is amended to read as follows:

**“§ 504. Persons not qualified; citizenship or residency requirements; exceptions”.**

(2) **TABLE OF SECTIONS.**—The table of sections at the beginning of chapter 31 of such title is amended by striking the item relating to section 504 and inserting the following new item:

“504. Persons not qualified; citizenship or residency requirements; exceptions.”.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman

from California (Mr. DENHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. Mr. Chairman, thank you for giving me an opportunity to speak on behalf of my amendment to authorize the enlistment in the Armed Forces of undocumented immigrants who entered the U.S. under 15 years of age, who entered the country on or before December 31, 2011, and who are otherwise qualified for enlistment.

This amendment will also provide a way for this group of undocumented immigrants to be lawfully admitted to the United States for permanent residence by reason of their honorable service and sacrifice in the United States military.

As a Nation, we have never made citizenship a requirement for service in our Armed Forces. Half of the U.S. military enlistees in the 1840s were immigrants, and more than 660,000 military veterans sought naturalization between 1862 and 2000.

Mr. Chairman, I have worn the uniform. I have served with many immigrants in Desert Storm and Somalia. My uncle and godfather served with immigrants during Vietnam. My grandfather and grandmother served in Korea, where Europeans were encouraged to sign up for the United States military. Filipinos from 1947 to 2000 were encouraged to sign up and serve in the military.

This is one opportunity for those that have gone to school here, that have graduated from high school, that are in our communities, to show their ultimate support for this great Nation and are willing to sacrifice in support of our country.

I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. I yield to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Chairman, I would like to engage the gentleman from California in a colloquy, if I may.

The Acting CHAIR. The gentleman from Washington controls the time.

Mr. BECERRA. I would like to engage in a colloquy with the gentleman from California (Mr. DENHAM), and what I'd like to ask is, in conversations that have taken place between Members on this particular amendment, there is obviously quite a bit of support on this side of the House for legislation that would honor the service of any American, including those Americans who have come to this country through no fault of their own without documentation, have essentially become Americans through their time as youngsters in this country, and then

wanted to fulfill service to this Nation by applying to serve in our Armed Forces.

This amendment, however, has some flaws in it that make it very difficult for the very people that the gentleman is trying to help to actually receive the opportunity to serve our country and then be able to adjust their status to lawful permanent residents, and ultimately, we hope, to become United States citizens.

There is also a further flaw in the bill that would prevent any part of this from ever taking effect unless the gentleman were able to find the resources to implement this. As he and I discussed before this amendment was put on the floor, that would be very difficult unless we were prepared to make some substantial changes to the current funding of some very important mandatory programs, including retirement pay for our soldiers; TRICARE, which is health care services for our military servicemembers; mortgage refinancing for our servicemembers.

So I would ask the gentleman if the gentleman was intent on pursuing this amendment today, or if he was prepared to withdraw and have further conversation to see if these flaws could be corrected.

I would also note that for many of us who have been working for over 20 years to try to reform a broken immigration system, this is certainly one aspect of a broken immigration system that must be fixed. There are any number of hardworking individuals in this country who we believe, through a comprehensive fix of our broken immigration system, would have an opportunity to show all American citizens that they have tried to work very hard to earn a chance to become tax-paying American citizens.

So while many of us prefer to be able to deal with all aspects of a broken immigration system, this is certainly one that truly needs to be dealt with and deserves attention. But this amendment has two very substantial flaws, and I would ask the gentleman what his intentions are with regard to pursuing this amendment on the floor this evening?

With the permission of our ranking member, I would ask that Mr. DENHAM be yielded time to respond.

Mr. LARSEN of Washington. I yield to the gentleman from California (Mr. DENHAM).

Mr. DENHAM. In addressing his concern about the cost of this bill, it is yet to be defined. It's something that we will need the administration to define the cost of, as we would with any bill that goes through the appropriations process. We look forward to working not only with the gentleman from California on the amendment, but certainly working with the administration to define an unknown cost that we are realizing today.



Mr. LARSEN of Washington. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. LARSEN of Washington. I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the gentleman very much for yielding. I also want to tell him how much I appreciate him raising this very important issue.

There is no doubt that individuals brought to the United States as young children by their illegal immigrant parents are the most sympathetic group of people not lawfully present in the United States today, and that is particularly true of those who desire to serve in the Armed Forces of the United States. We should embrace these individuals whose goal it is to integrate into American society and live and work by the rules of our Nation.

This is an issue that we plan to look at in the Judiciary Committee, and so I want to thank the gentleman from California (Mr. BECERRA) also for raising the issue in the context of our overall efforts to deal with immigration reform, and if the gentleman from California would withdraw his amendment, I would commit to him to work with him in addressing the situation and immigration status of these individuals. This should and can be done in the broad spectrum of the entire immigration debate, which as you know we are fully engaged in in the House Judiciary Committee.

Mr. DENHAM. I look forward to working with the gentleman, but at this time I reserve the balance of my time.

Mr. LARSEN of Washington. I continue to reserve the balance of my time.

Mr. DENHAM. I yield 1 minute to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Mr. Chairman, actually I rise to thank you, Mr. DENHAM, for bringing up this very important issue. The gentleman mentioned historically the great contributions that the folks that he mentioned today, people just like that, have made throughout our history. Let me tell you, Mr. DENHAM, you are bringing up an issue which I am glad finally someone has brought up, and I know you're going to continue to, as you have, show the leadership on this issue that you've had from day one.

I just want to tell you that I'm willing to do whatever I can to be of help because I think the issue that you have brought up today is essential not only for a group of individuals, but more importantly, for the national security interests of the United States. So again, thank you, sir, for bringing this up.

□ 1820

Mr. LARSEN of Washington. Mr. Chairman, do I understand that we have the right to close?

The Acting CHAIR. The gentleman is correct.

Mr. LARSEN of Washington. I yield 1 minute to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the gentleman for yielding. And I appreciate the gentleman from California being willing to withdraw the amendment, and certainly appreciate the work of the chairman of the Judiciary Committee, Mr. GOODLATTE, in proposing that we try to resolve this in this Chamber.

I think we want to make it very clear. As I think every one of my colleagues who has spoken on this amendment has said, this is an important issue because we have a lot of young Americans who are trapped in a situation where they have to live in the shadows. And especially for those who wish to provide service to our country in uniform, I think all of us believe, if you're willing to give that highest calling of service, that we want to be there to be not only appreciative of your service, but recognizing the valor involved.

And so I want to make sure we're very clear. We all support the notion of trying to help these young Americans, who are Americans in everything but legal title, the opportunity to serve this country. This amendment, unfortunately, would not accomplish that if it were to go forward, and that's why I think it's so important, as Mr. GOODLATTE, our chairman of the Judiciary Committee pointed out, that we withdraw the amendment and try to make corrections so we can get to the point of dealing with immigration reform.

Mr. DENHAM. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 1½ minutes remaining.

Mr. DENHAM. I yield 1 minute to the gentleman from Colorado (Mr. COFFMAN).

Mr. COFFMAN. Mr. Chairman, I thank the gentleman from California for yielding and for bringing up this critical issue.

My father was a veteran of both World War II and Korea, and he taught me, growing up, that there's no greater demonstration of American citizenship than serving one's country in the military. And in my congressional district, there are a lot of young people who came to this country by their parents illegally, who grew up in the United States, who went to school here, and who want to serve this country in the military. It is the only country that they've known, and so they ought to be afforded the right to do that and to demonstrate what is the greatest, I think, form of citizenship, and that is service in the United States military.

So I think that this is something that we've got to accomplish as a part of comprehensive immigration reform and something, certainly, that will make our country a better place.

Mr. LARSEN of Washington. Mr. Chair, I continue to reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, let me just finish by saying the precedence is here. Legal permanent residents are already serving in our military from American Samoa, from Micronesia, from Palau. We have a long history of over 660,000 immigrants serving in our military from other countries.

This seems like something that should be a bipartisan, commonsense way to address this problem, allowing people to not only be able to serve in the military, that great opportunity that they have, but, ultimately, the ultimate sacrifice, giving your life for a great country like this.

With that, Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 21 OFFERED BY MR. TURNER

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part B of House Report 113-108.

Mr. TURNER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 79, after line 23, insert the following:  
**SEC. 241. SENSE OF CONGRESS ON NEGOTIATIONS AFFECTING THE MISSILE DEFENSES OF THE UNITED STATES.**

(a) FINDINGS.—Congress finds the following:

(1) On April 15, 2013, the National Security Advisor to the President, Tom Donilon, conveyed a personal letter from President Obama to the President of the Russian Federation, Vladimir Putin.

(2) Press reports indicate that in this letter the President proposed, "developing a legally-binding agreement on transparency, which would include exchange of information to confirm that our programs do not pose a threat to each other's deterrence forces," through "a so-called executive agreement, for which [the President] does not need to seek the consent of Congress."

(3) The Deputy Foreign Minister of Russia, Sergei Ryabkov, stated in response to the letter that, "the proposals of the U.S. side on the issue are quite concrete and are related in a certain way to the discussions our countries had at various levels in the past years. And it cannot be said from this point of view that the offers are decorative and not serious. No, I want to emphasize that we are committing to the seriousness of these proposals but we note their insufficiency."

(4) Press reports indicate that the Secretary of the Russian Security Council, Nikolai Patrushev, conveyed a response to the letter from President Putin.

(5) President Obama's proposed deal with Russian President Putin has been kept secret from Congress and the American people.

(6) The Administration has systematically denied Congress information about past offers of U.S. missile defense concessions to

Russia, including written requests from Members of the House of Representatives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should promptly convey to Congress the details of any proposed deals with the Russian Federation concerning the missile defenses or nuclear arms of the United States; and

(2) the missile defenses of the United States are central to the defense of the homeland from ballistic missile threats, particularly if nuclear deterrence fails, thus such defenses are not something that the President should continue to trade away for the prospects of nuclear arms reductions with Russia, the People's Republic of China, or any other foreign country.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Ohio (Mr. TURNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. TURNER. Mr. Chairman, last year I stood here on the House floor and I asked the President of the United States to make available to us, to Congress and the American public, the details of what I believe is, and many have seen is, a secret deal that the President has with the Russians concerning the United States missile defense.

Everyone is very much aware that the President had an open mic incident where he didn't expect the American public to hear what he was saying when he was meeting in Seoul, South Korea, with then-President Medvedev of Russia, and he said to him that he needed some space from the Russians.

He said to him, as we all are familiar with now, "This is my last election," Obama told Medvedev during the two-day nuclear summit. He said, "After my election, I will have more flexibility."

You don't have to take my word for it. You can see this on YouTube, where the President offers the issue of missile defense as one that's negotiable with the Russians after he's no longer answering to the American public through the election.

What's troubling is that, as we stood on the House floor and demanded the President make public the terms of this secret deal that he was talking about with Medvedev, the President didn't make any of those details available. But, instead, after the election, with the stroke of his pen, abandoned phase IV of his own phased adaptive approach missile defense plan that would have provided missile defense protection for the United States homeland. It was a portion of the missile defense shield that was objected to by the Russians.

So here we have the President sitting with Medvedev saying wait till after the election, I'll have more flexibility, and then subsequent to the election, abandoning a portion of the missile defense shield that was intended to protect the homeland.

But what's more troubling is Russian press reports indicate that President Putin says that they have received from the United States indications of a further deal and further negotiations, further offers from this administration to what I believe weaken and diminish our missile defense shield.

The President needs to make these public. We are asking for a sense of Congress demanding that the President of the United States make public the details of the terms of what he is offering President Putin.

The President has said he's going to be the most open, most transparent administration; and yet this is an area where not only did the administration deny negotiations are ongoing, which we know to be the case, but he even denies the American public and us the terms of those negotiations.

Our sense of Congress says, Mr. President, make these public.

As we know, South Korea is incredibly vulnerable to North Korea. Now the United States is vulnerable, as North Korea has taken missiles and put them on a launch pad. We have Iran that's emerging. We have real concerns and threats to the United States. This President should not be negotiating away our missile defense shield, especially not in a manner that's not open and transparent to the Members of Congress.

With that, I reserve the balance of my time.

Mr. LARSEN of Washington. I claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chair, I'd encourage our colleagues to vote "no" on this amendment. The amendment implies that the President is negotiating some secret deal with Russia that would weaken U.S. security for the ideological pursuit of nuclear weapons reductions.

Now, we know the President has the constitutional power to conduct formulations, and Congress has the authority to provide advice and consent to ratification and to deny funding for any implementation of any treaty. The administration has provided regular briefings and has supplied senior State and Defense officials over here to our committee and to the House Foreign Affairs Committee and informed us on talks on Russia.

This amendment also is not necessary. The bill already contains numerous provisions asking for information on U.S.-Russian missile defense cooperation and blocking nuclear weapons reductions. So I'd ask my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. TURNER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Ohio has 2 minutes remaining.

Mr. TURNER. I yield 1 minute to the gentleman from Oklahoma (Mr. BRIDENSTINE).

Mr. BRIDENSTINE. Mr. Chairman, I rise today to support the Turner amendment.

The President, as everybody remembers, told then-Russian President Medvedev that we would have more flexibility to cut a secret deal—of course, he didn't use the word "secret," but I think we all understand that's what it was—on missile defense after the 2012 elections.

We also know that the National Security Adviser, Tom Donilon, conveyed a letter from the President to Russian President Putin that reportedly proposed a missile defense agreement that would avoid congressional review and consent. Given this administration's lack of transparency, I have no confidence in the President's abilities to negotiate on missile defense or on nuclear weapons.

Mr. Chairman, missile defenses protect our Nation. They protect our deployed forces and our allies from attack. Our nuclear deterrent is a stabilizing force that promotes restraint and assures our allies of security.

□ 1830

Given our economic and military superiority currently, we have military dominance when compared to Russia. I personally don't trust this President to negotiate it away. And I think it's important that we, as Members of Congress, should have oversight here.

Mr. LARSEN of Washington. Mr. Chair, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I think virtually everyone on our side of the aisle in this Chamber would agree that if the President wants to submit a treaty, he has to follow the Constitution to get it approved. I think all of us should agree that if the President wants to implement a so-called executive agreement not subject to treaty confirmation that we should vigorously exercise our power of the purse and our oversight authority to make sure that that's in the best interest of the American people, and if it's not, we shouldn't fund it, as the Constitution gives us the prerogative.

The problem with this amendment is, if it's said that we call on the President to give us complete information about what's going on between us and Russia, I would vote for it; but I can't vote for an amendment that has findings that are hearsay at best and inaccurate at worst.

But the word "finding" in the operation of this institution implies that there's been a sober, thorough, and factual inquiry as to what's gone on. These findings are pure hearsay. They say that certain Members have read newspaper articles. Well, that's interesting, but that's not a finding. It then characterizes—characterizes—the President as trading away for the prospect of nuclear arms reductions certain

weapons system or defense systems. And I would really ask anyone on the other side if they could cite to us any instance where the President has, in fact, made an agreement where he has traded away any defense system to the Russians or anyone else. I don't think they can.

The right vote on this is "no." We should exercise oversight. We should not engage in science fiction.

Mr. TURNER. I yield the balance of my time to the chairman of the Strategic Forces Subcommittee, the gentleman from Alabama, MIKE ROGERS.

Mr. ROGERS of Alabama. Mr. Chairman, I rise in support of the Turner amendment.

This administration must be transparent with the Congress on negotiating proposals with foreign states, especially on something as important to U.S. security as missile defense. Numerous members of the HASC, including Chairman MCKEON, have written asking questions of DOD and the President as to the content of proposals that the administration is and may be making with the Russians.

We see over and over again Russian officials, after visits by U.S. officials, referencing proposals that have been made on U.S. missile defenses. We know from these press reports that the President is proposing "executive agreements" and drafting executive orders to provide "legally binding" constraints on our missile defenses. When we, as Members of Congress, ask about these proposals, we're told next to nothing.

It's unacceptable for this administration to stiff-arm the Congress when negotiating over U.S. missile defenses. I urge my colleagues to vote "yes" on this amendment.

Mr. LARSEN of Washington. Mr. Chairman, again, I would ask my colleagues to vote "no" on this amendment.

We have heard from this side not just the content of this amendment being sort of out of whack with reality, but also when we consider whether or not it's necessary to commit a case, this is not a necessary amendment given the provisions that are already in H.R. 1960.

So I ask my colleagues to vote "no" on this amendment and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. TURNER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. LARSEN of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

#### AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, pursuant to H. Res. 260, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consisting of amendment Nos. 29, 50, 51, 52, 55, 56, 57, 58, 59, 60, 61, 63, 65, 66, 68, 71, 75, 80, and 160, printed in House Report No. 113-108, offered by Mr. MCKEON of California:

#### AMENDMENT NO. 29 OFFERED BY MR. RIGELL OF VIRGINIA

Page 317, line 20, strike "and" at the end.  
Page 317, line 23, strike the period at the end and insert a semicolon.

Page 317, insert after line 23 the following new paragraphs:

- (3) by striking subsection (c);
- (4) by redesignating subsection (d) as subsection (c); and
- (5) by striking paragraphs (2) and (3) of subsection (c) (as so redesignated) and redesignating paragraph (4) as paragraph (2).

#### AMENDMENT NO. 50 OFFERED BY MR. MCKEON OF CALIFORNIA

Page 136, after line 24, insert the following:

#### SEC. 1065. DESIGNATION OF STATE STUDENT CADET CORPS AS DEPARTMENT OF DEFENSE YOUTH ORGANIZATIONS.

Section 508(d) of title 32, United States Code, is amended—

- (1) by redesignating paragraph (14) as paragraph (15); and
- (2) by inserting after paragraph (13) the following new paragraph (14):  
“(14) Any State student cadet corps authorized under State law.”.

#### AMENDMENT NO. 51 OFFERED BY MR. HECK OF WASHINGTON

Page 170, after line 4, insert the following:

#### SEC. 530F. PROOF OF PERIOD OF MILITARY SERVICE FOR PURPOSES OF INTEREST RATE LIMITATION UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT.

Section 207(b)(1) of the Servicemembers Civil Relief Act (50 U.S.C. App 527(b)(1)) is amended by inserting after "calling the servicemember to military service" the following: " , or other appropriate indicator of military service, including a certified letter from a commanding officer or information from the Defense Manpower Database Center,".

#### AMENDMENT NO. 52 OFFERED BY MR. KLINE OF MINNESOTA

At the end of subtitle C of title V, add the following new section:

#### SEC. 5 . POLICY ON MILITARY RECRUITMENT AND ENLISTMENT OF GRADUATES OF SECONDARY SCHOOLS.

(a) CONDITIONS ON USE OF TEST, ASSESSMENT, OR SCREENING TOOLS.—In the case of any test, assessment, or screening tool utilized under the policy on recruitment and enlistment required by subsection (b) of section 532 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1403; 10 U.S.C. 503 note) for the purpose of identifying persons for recruitment and enlistment in the Armed Forces, the Secretary of Defense shall—

- (1) implement a means for ensuring that graduates of a secondary school (as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)), including all persons described in subsection (a)(2) of section 532 of the Na-

tional Defense Authorization Act for Fiscal Year 2012, are required to meet the same standard on the test, assessment, or screening tool; and

(2) use uniform testing requirements and grading standards.

(b) RULE OF CONSTRUCTION.—Nothing in section 532(b) of the National Defense Authorization Act for Fiscal Year 2012 or this section shall be construed to permit the Secretary of Defense or the Secretary of a military department to create or use a different grading standard on any test, assessment, or screening tool utilized for the purpose of identifying graduates of a secondary school (as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)), including all persons described in subsection (a)(2) of section 532 of the National Defense Authorization Act for Fiscal Year 2012, for recruitment and enlistment in the Armed Forces.

#### AMENDMENT NO. 55 OFFERED BY MS. VELÁZQUEZ OF NEW YORK

At the end of subtitle D of title V, add the following new section:

#### SEC. 5 . MILITARY HAZING PREVENTION OVERSIGHT PANEL.

(a) ESTABLISHMENT.—There is established a panel to be known as the Military Hazing Prevention Oversight Panel (in this section referred to as the "Panel").

(b) MEMBERSHIP.—The Panel shall be composed of the following members:

- (1) The Secretary of the Army or the Secretary's designee.
- (2) The Secretary of the Navy or the Secretary's designee.
- (3) The Secretary of the Air Force or the Secretary's designee.
- (4) The Secretary of Homeland Security (with respect to the Coast Guard) or the Secretary's designee.
- (5) Members appointed by the Secretary of Defense from among individuals who are not officers or employees of any government and who have expertise in advocating for—

- (A) women;
- (B) racial or ethnic minorities;
- (C) religious minorities; or
- (D) gay, lesbian, bisexual, or transgender individuals.

(c) DUTIES.—The Panel shall—

(1) make recommendations to the Secretary concerned (as defined in section 101(a)(9) of title 10, United States Code) on the development of the policies, programs, and procedures to prevent and respond to hazing in the Armed Forces; and

(2) monitor any policies, programs, and procedures in place to prevent and respond to hazing in the Armed Forces and make recommendations to the Secretary concerned on ways to improve such policies, programs, and procedures.

(d) INITIAL MEETING.—Not later than 180 days after the date of the enactment of this Act, the Panel shall hold its initial meeting.

(e) MEETINGS.—The Panel shall meet not less than annually.

#### AMENDMENT NO. 56 OFFERED BY MRS. LOWEY OF NEW YORK

At the end of subtitle D of title V, add the following:

#### SEC. 550A. PREVENTION OF SEXUAL ASSAULT AT MILITARY SERVICE ACADEMIES.

The Secretary of Defense shall ensure that each of the military service academies adds a section in the ethics curricula of such academies that outlines honor, respect, and character development as such pertain to the issue of preventing sexual assault in the Armed Forces. Such curricula shall include a

brief history of the problem of sexual assault in the Armed Forces, a definition of sexual assault, information relating to reporting a sexual assault, victims' rights, and dismissal and dishonorable discharge for offenders. Such ethics training shall be provided within 60 days after the initial arrival of a new cadet or midshipman at a military services academy and repeated in annual ethics training requirements.

AMENDMENT NO. 57 OFFERED BY MS. PINGREE OF MAINE

At the end of subtitle D of title V of the bill, add the following:

**SEC. 550A. ENSURING AWARENESS OF POLICY TO INSTRUCT VICTIMS OF SEXUAL ASSAULT SEEKING SECURITY CLEARANCE TO ANSWER "NO" TO QUESTION 21.**

(a) ENSURING AWARENESS OF POLICY.—The Secretary of Defense shall inform members of the United States Armed Forces of the policy described in subsection (b)—

(1) at the earliest time possible, such as upon enlistment and commissioning; and

(2) during sexual assault awareness training and service member interactions with sexual assault response coordinators.

(b) POLICY DESCRIBED.—The policy described in this subsection is the policy of instructing an individual to answer "no" to question 21 of Standard Form 86 of the Questionnaire for National Security Positions with respect to consultation with a health care professional if—

(1) the individual is a victim of a sexual assault; and

(2) the consultation occurred with respect to an emotional or mental health condition strictly in relation to the sexual assault.

AMENDMENT NO. 58 OFFERED BY MS. LEE OF CALIFORNIA

At the end of subtitle D of title V, add the following new section:

**SEC. 550A. REPORT ON POLICIES AND REGULATIONS REGARDING SERVICE MEMBERS LIVING WITH OR AT RISK OF CONTRACTING HIV.**

(a) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress and make publicly available a report on the use of the Uniform Code of Military Justice, the Manual for Courts-Martial, and related policies, punitive articles, and regulations with regard to service members living with or at risk of contracting HIV.

(b) CONTENTS.—The report shall include the following:

(1) An assessment of whether the Uniform Code of Military Justice, the Manual for Courts-Martial, and related policies, punitive articles, and regulations are exercised in a way that demonstrates an evidence-based, medically accurate understanding of—

(A) the multiple factors that lead to HIV transmission;

(B) the relative risk of HIV transmission routes;

(C) the associated benefits of treatment and support services for people living with HIV; and

(D) the impact of HIV-specific policies and regulations on public health and on people living with or at risk of contracting HIV.

(2) A review of court-martial decisions in recent years preceding the date of enactment of this Act.

(3) Recommendations for adjustments to the Uniform Code of Military Justice, the Manual for Courts-Martial, and related policies, punitive articles, and regulations, as may be necessary, in order to ensure that

policies and regulations regarding service members living with or at risk of contracting HIV are in accordance with a contemporary understanding of HIV transmission routes and associated benefits of treatment.

(c) DEFINITION OF HIV.—In this section, the term "HIV" means infection with the human immunodeficiency virus.

AMENDMENT NO. 59 OFFERED BY MS. DELAURO OF CONNECTICUT.

At the end subtitle D of title V, add the following new section:

**SEC. 5 . . . ADDITIONAL MODIFICATION OF ANNUAL DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS REGARDING SEXUAL ASSAULTS AND PREVENTION AND RESPONSE PROGRAM.**

(a) ADDITIONAL ELEMENTS OF EACH REPORT.—Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4433; 10 U.S.C. 1561 note) is amended by adding at the end the following new paragraphs:

"(11) A description of the implementation of the comprehensive policy on the retention of and access to evidence and records relating to sexual assaults involving members of the Armed Forces required to comply with section 586 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1434; 10 U.S.C. 1561 note).

"(12) The policies, procedures, and processes implemented by the Secretary concerned to ensure detailed evidence and records are transmitted to the Department of Veterans Affairs, including medical records of sexual assault victims that accurately and completely describe the physical and emotional injuries resulting from a sexual trauma that occurred during active duty service."

(b) APPLICATION OF AMENDMENTS.—The amendment made by this section shall apply beginning with the report regarding sexual assaults involving members of the Armed Forces required to be submitted by March 1, 2014, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011.

AMENDMENT NO. 60 OFFERED BY MR. CUMMINGS OF MARYLAND

Page 232, after line 18, insert the following:

**SEC. 555. MORTGAGE PROTECTION FOR MEMBERS OF THE ARMED FORCES, SURVIVING SPOUSES, AND CERTAIN VETERANS AND OTHER IMPROVEMENTS TO THE SERVICEMEMBERS CIVIL RELIEF ACT.**

(a) MEMBERS OF THE ARMED FORCES, SURVIVING SPOUSES, AND CERTAIN DISABLED VETERANS.—

(1) IN GENERAL.—Title III of the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) is amended by inserting after section 303A, as added by section 553, the following new section:

**"SEC. 303B. MORTGAGES AND TRUST DEEDS OF CERTAIN SERVICEMEMBERS, SURVIVING SPOUSES, AND DISABLED VETERANS.**

"(a) MORTGAGE AS SECURITY.—This section applies only to an obligation on real or personal property owned by a covered individual that—

"(1) originated at any time and for which the covered individual is still obligated; and

"(2) is secured by a mortgage, trust deed, or other security in the nature of a mortgage.

"(b) STAY OF PROCEEDINGS.—

"(1) IN GENERAL.—In accordance with subsection (d)(1), in a judicial action pending or

in a nonjudicial action commenced during a covered time period to enforce an obligation described in subsection (a), a court—

"(A) may, after a hearing and on its own motion, stay the proceedings until the end of the covered time period; and

"(B) shall, upon application by a covered individual, stay the proceedings until the end of the covered time period.

"(2) OBLIGATION TO STOP PROCEEDINGS.—Upon receipt of notice provided under subsection (d)(1), a mortgagee, trustee, or other creditor seeking to foreclose on real property secured by an obligation covered by this section using any judicial or nonjudicial proceedings shall immediately stop any such proceeding until the end of the covered time period.

"(c) SALE OR FORECLOSURE.—A sale, judicial or nonjudicial foreclosure, or seizure of property for a breach of an obligation described in subsection (a) that is not stayed under subsection (b) shall not be valid during a covered time period except—

"(1) upon a court order granted before such sale, judicial or nonjudicial foreclosure, or seizure with a return made and approved by the court; or

"(2) if made pursuant to an agreement as provided in section 107.

"(d) NOTICE REQUIRED.—

"(1) IN GENERAL.—To be covered under this section, a covered individual shall provide to the mortgagee, trustee, or other creditor written notice that such individual is so covered.

"(2) MANNER.—Written notice under paragraph (1) may be provided electronically.

"(3) TIME.—Notice provided under paragraph (1) shall be provided during the covered time period.

"(4) CONTENTS.—With respect to a servicemember described in subsection (g)(1)(A), notice shall include—

"(A) a copy of the servicemember's official military orders, or any notification, certification, or verification from a servicemember's commanding officer that provides evidence of servicemember's eligibility for special pay as described in subsection (g)(1)(A); or

"(B) an official notice using a form designed under paragraph (5).

"(5) OFFICIAL FORMS.—

"(A) IN GENERAL.—The Secretary of Defense shall design and distribute an official Department of Defense form that can be used by an individual to give notice under paragraph (1).

"(B) USE OF OFFICIAL FORM NOT REQUIRED.—Failure by any individual to use a form designed or distributed under subparagraph (A) to provide notice shall not make such provision of notice invalid.

"(e) AGGREGATE DURATION.—The aggregate duration for which a covered individual (except a servicemember described in subsection (g)(1)(A)) may be covered under this section is one year.

"(f) MISDEMEANOR.—A person who knowingly makes or causes to be made a sale, foreclosure, or seizure of property that is prohibited by subsection (c), or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.

"(g) DEFINITIONS.—In this section:

"(1) COVERED INDIVIDUAL.—The term 'covered individual' means the following individuals:

"(A) A servicemember who is or was eligible for hostile fire or imminent danger special pay under section 310 of title 37, United States Code, during a period of military service.

“(B) A servicemember placed on convalescent status, including a servicemember transferred to the temporary disability retired list under section 1202 or 1205 of title 10, United States Code.

“(C) A veteran who was medically discharged and retired under chapter 61 of title 10, United States Code, except for a veteran described in section 1207 of such title.

“(D) A surviving spouse (as defined in section 101(3) of title 38, United States Code, and in accordance with section 103 of such title) of a servicemember who died while in military service if such spouse is the successor in interest to property covered under subsection (a).

“(2) COVERED TIME PERIOD.—The term ‘covered time period’ means the following time periods:

“(A) With respect to a servicemember who is or was eligible for hostile fire or imminent danger special pay under section 310 of title 37, United States Code, during a period of military service, during the period beginning on the first day on which the servicemember is or was eligible for such special pay during such period of military service and ending on the date that is one year after the last day of such period of military service.

“(B) With respect to a servicemember described in paragraph (1)(B), during the one-year period beginning on the date on which the servicemember is placed on convalescent status or transferred to the temporary disability retired list under section 1202 or 1205 of title 10, United States Code.

“(C) With respect to a veteran described in paragraph (1)(C), during the one-year period beginning on the date of the retirement of such veteran.

“(D) With respect to a surviving spouse of a servicemember as described in paragraph (1)(D), during the one-year period beginning on the date on which the spouse receives notice of the death of the servicemember.”.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 303 the following new item:

“Sec. 303B. Mortgages and trust deeds of certain servicemembers, surviving spouses, and disabled veterans.”.

(3) CONFORMING AMENDMENT.—Section 107 of the Servicemembers Civil Relief Act (50 U.S.C. App. 517) is amended by adding at the end the following:

“(e) OTHER INDIVIDUALS.—For purposes of this section, the term ‘servicemember’ includes any covered individual under section 303B.”.

(b) INCREASED CIVIL PENALTIES FOR MORTGAGE VIOLATIONS.—Paragraph (3) of section 801(b) of the Servicemembers Civil Relief Act (50 U.S.C. App. 597(b)(3)) is amended to read as follows:

“(3) to vindicate the public interest, assess a civil penalty—

“(A) with respect to a violation of section 207, 303, or 303B regarding real property—

“(i) in an amount not exceeding \$110,000 for a first violation; and

“(ii) in an amount not exceeding \$220,000 for any subsequent violation; and

“(B) with respect to any other violation of this Act—

“(i) in an amount not exceeding \$55,000 for a first violation; and

“(ii) in an amount not exceeding \$110,000 for any subsequent violation.”.

(c) CREDIT DISCRIMINATION.—Section 108 of such Act (50 U.S.C. App. 518) is amended—

(1) by striking “Application by” and inserting “(a) APPLICATION OR RECEIPT.—Application by”; and

(2) by adding at the end the following new subsection:

“(b) ELIGIBILITY.—In addition to the protections under subsection (a), an individual who is entitled to any right or protection provided under this Act may not be denied or refused credit or be subject to any other action described under paragraphs (1) through (6) of subsection (a) solely by reason of such entitlement.”.

(d) REQUIREMENTS FOR LENDING INSTITUTIONS THAT ARE CREDITORS FOR OBLIGATIONS AND LIABILITIES COVERED BY THE SERVICEMEMBERS CIVIL RELIEF ACT.—Section 207 of the Servicemembers Civil Relief Act (50 U.S.C. App. 527) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) LENDING INSTITUTION REQUIREMENTS.—

“(1) COMPLIANCE OFFICERS.—Each lending institution subject to the requirements of this section shall designate an employee of the institution as a compliance officer who is responsible for ensuring the institution’s compliance with this section and for distributing information to servicemembers whose obligations and liabilities are covered by this section.

“(2) TOLL-FREE TELEPHONE NUMBER.—During any fiscal year, a lending institution subject to the requirements of this section that had annual assets for the preceding fiscal year of \$10,000,000,000 or more shall maintain a toll-free telephone number and shall make such telephone number available on the primary Internet website of the institution.”.

(e) PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.—Section 5503(d)(7) of title 38, United States Code, is amended by striking “November 30, 2016” and inserting “March 1, 2017”.

(f) EFFECTIVE DATE.—Section 303B of the Servicemembers Civil Relief Act, as added by subsection (a), and the amendments made by this section (other than the amendment made by subsection (e)), shall take effect on the date that is one year after the date of the enactment of this Act.

AMENDMENT NO. 61 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

Page 232, after line 18, insert the following:

**SEC. 555. DEPARTMENT OF DEFENSE RECOGNITION OF DEPENDENTS OF MEMBERS OF THE ARMED FORCES WHO SERVE IN COMBAT ZONES.**

(a) ESTABLISHMENT AND PRESENTATION OF LAPEL BUTTONS.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1126 the following new section:

“§ 1126b. **Dependent-of-a-combat-veteran lapel button: eligibility and presentation**

“(a) DESIGN AND ELIGIBILITY.—A lapel button, to be known as the dependent-of-a-combat-veteran lapel button, shall be designed, as approved by the Secretary of Defense, to identify and recognize the dependent of a member of the armed forces who is serving or has served in a combat zone for a period of more than 30 days.

“(b) PRESENTATION.—The Secretary concerned may authorize the use of appropriated funds to procure dependent-of-a-combat-veteran lapel buttons and to provide for their presentation to eligible dependents of members.

“(c) EXCEPTION TO TIME-PERIOD REQUIREMENT.—The 30-day period specified in subsection (a) does not apply if the member is

killed or wounded in the combat zone before the expiration the period.

“(d) LICENSE TO MANUFACTURE AND SELL LAPEL BUTTONS.—Section 901(c) of title 36 shall apply with respect to the dependent-of-a-combat-veteran lapel button authorized by this section.

“(e) COMBAT ZONE DEFINED.—In this section, the term ‘combat zone’ has the meaning given that term in section 112(c)(2) of the Internal Revenue Code of 1986.

“(f) REGULATIONS.—The Secretary of Defense shall issue such regulations as may be necessary to carry out this section. The Secretary shall ensure that the regulations are uniform for each armed force to the extent practicable.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1126 the following new item:

“1126b. **Dependent-of-a-combat-veteran lapel button: eligibility and presentation.**”.

AMENDMENT NO. 63 OFFERED BY MR. GENE GREEN OF TEXAS

Page 243, after line 8, insert the following:

**SEC. 568. INTERNET ACCESS FOR MEMBERS OF THE ARMY, NAVY, AIR FORCE, AND MARINE CORPS SERVING IN COMBAT ZONES.**

(a) PROVISION OF INTERNET ACCESS REQUIREMENT.—The Secretaries of the military departments shall ensure that members of the Army, Navy, Air Force, and Marine Corps who are deployed in an area for which imminent danger pay or hazardous duty pay is authorized under section 310 or 351 of title 37, United States Code, have reasonable access to the Internet in order to permit the members—

(1) to engage in video-conferencing and other communication with their families and friends; and

(2) to enjoy the educational and recreational capabilities of the Internet via websites approved by the Secretary concerned.

(b) WAIVER AUTHORITY.—The Secretary of a military department may waive the requirement imposed by subsection (a) for an area, or for certain time periods in an area, if the Secretary determines that the security environment of the area does not reasonably allow for recreational Internet use.

(c) NO CHARGE FOR ACCESS AND USE.—Internet access and use shall be provided to members under this section without charge.

(d) EFFECTIVE DATE.—The requirement imposed by subsection (a) shall take effect on January 1, 2014.

AMENDMENT NO. 65 OFFERED BY MRS. BLACKBURN OF TENNESSEE

At the end of subtitle F of title V, insert the following:

**SEC. 568. REPORT ON THE TROOPS TO TEACHERS PROGRAM.**

Not later than March 1, 2014, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the Troops to Teachers program that includes each of the following:

(1) An evaluation of whether there is a need to broaden eligibility to allow service members and veterans without a bachelor’s degree admission into the program and whether the program can be strengthened.

(2) An evaluation of whether a pilot program should be established to demonstrate the potential benefit of an institutional based award for troops to teachers, as long as any such pilot maximizes benefits to soldiers

and minimizes administrative and other overhead costs at the participating academic institutions.

AMENDMENT NO. 66 OFFERED BY MR. CULBERSON  
OF TEXAS

Page 255, after line 9, insert the following new section:

**SEC. 589. REQUIRED GOLD CONTENT FOR MEDAL OF HONOR.**

(a) ARMY.—

(1) GOLD CONTENT.—Section 3741 of title 10, United States Code, is amended—

(A) by striking “The President” and inserting “(a) AWARD.—The President”; and

(B) by adding at the end the following new subsection:

“(b) GOLD CONTENT.—The metal content of the Medal of Honor shall be 90 percent gold and 10 percent alloy.”.

(2) EXCEPTION FOR DUPLICATE MEDAL.—Section 3754 of such title is amended by adding at the end the following new sentence: “Section 3741(b) of this title shall not apply to the issuance of a duplicate Medal of Honor under this section.”.

(b) NAVY.—

(1) GOLD CONTENT.—Section 6241 of title 10, United States Code, is amended—

(A) by striking “The President” and inserting “(a) AWARD.—The President”; and

(B) by adding at the end the following new subsection:

“(b) GOLD CONTENT.—The metal content of the Medal of Honor shall be 90 percent gold and 10 percent alloy.”.

(2) EXCEPTION FOR DUPLICATE MEDAL.—Section 6256 of such title is amended by adding at the end the following new sentence: “Section 6241(b) of this title shall not apply to the issuance of a duplicate Medal of Honor under this section.”.

(c) AIR FORCE.—

(1) GOLD CONTENT.—Section 8741 of title 10, United States Code, is amended—

(A) by striking “The President” and inserting “(a) AWARD.—The President”; and

(B) by adding at the end the following new subsection:

“(b) GOLD CONTENT.—The metal content of the Medal of Honor shall be 90 percent gold and 10 percent alloy.”.

(2) EXCEPTION FOR DUPLICATE MEDAL.—Section 8754 of such title is amended by adding at the end the following new sentence: “Section 8741(b) of this title shall not apply to the issuance of a duplicate Medal of Honor under this section.”.

(d) COAST GUARD.—

(1) GOLD CONTENT.—Section 491 of title 14, United States Code, is amended—

(A) by striking “The President” and inserting “(a) AWARD.—The President”; and

(B) by adding at the end the following new subsection:

“(b) GOLD CONTENT.—The metal content of the Medal of Honor shall be 90 percent gold and 10 percent alloy.”.

(2) EXCEPTION FOR DUPLICATE MEDAL.—Section 504 of such title is amended by adding at the end the following new sentence: “Section 491(b) of this title shall not apply to the issuance of a duplicate Medal of Honor under this section.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to Medals of Honor awarded after the date of the enactment of this Act.

AMENDMENT NO. 68 OFFERED BY MR. HUNTER OF  
CALIFORNIA

At the end of subtitle H of title V, add the following new section:

**SEC. 589. CONSIDERATION OF SILVER STAR AWARD NOMINATIONS.**

The Secretary of the Army shall consider the nominations for the Silver Star Award,

as previously submitted, for retired Master Sergeants Michael McElhiney, Ronnie Raikes, Gilbert Magallanes, and Staff Sergeant Wesley McGirr.

AMENDMENT NO. 71 OFFERED BY MR. MCKINLEY  
OF WEST VIRGINIA

Page 273, after line 10, insert the following:

**SEC. 595. ELECTRONIC TRACKING OF CERTAIN RESERVE DUTY.**

The Secretary of Defense shall establish an electronic means by which members of the Ready Reserve of the Armed Forces can track their operational active-duty service performed after January 28, 2008, under section 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10, United States Code. The tour calculator shall specify early retirement credit authorized for each qualifying tour of active duty, as well as cumulative early reserve retirement credit authorized to date under section 12731(f) of such title.

AMENDMENT NO. 75 OFFERED BY MR. TERRY OF  
NEBRASKA

At the end of title V, add the following new section:

**SEC. 5. . MILITARY SALUTE DURING RECITATION OF PLEDGE OF ALLEGIANCE BY MEMBERS OF THE ARMED FORCES NOT IN UNIFORM AND BY VETERANS.**

Section 4 of title 4, United States Code, is amended by adding at the end the following new sentence: “Members of the Armed Forces not in uniform and veterans may render the military salute in the manner provided for persons in uniform.”.

AMENDMENT NO. 80 OFFERED BY MR. TERRY OF  
NEBRASKA

Page 306, after line 10, insert the following new subsection:

(f) ADDITIONAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the methods, as of the date of the report, employed by the military departments to collect charges from third-party payers incurred at military medical treatment facilities, including specific data with respect to the dollar amount of third-party collections that resulted from each method currently being used throughout the military departments. The Secretary shall take into account the results of such report in evaluating the results of the pilot program under subsection (a)(1).

AMENDMENT NO. 160 OFFERED BY MR. BEN RAY  
LUJÁN OF NEW MEXICO

At the end of subtitle B of title XXXI, insert the following new section:

**SEC. 3123. EXTENSION OF AUTHORITY OF SECRETARY OF ENERGY TO ENTER INTO TRANSACTIONS TO CARRY OUT CERTAIN RESEARCH PROJECTS.**

Section 646(g)(10) of the Department of Energy Organization Act (42 U.S.C. 7256(g)(10)) is amended by striking “September 30, 2015” and inserting “September 30, 2020”.

Mr. MCKEON. Mr. Chairman, I ask unanimous consent that amendment No. 29 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

Modification to amendment No. 29 offered by Mr. MCKEON of California:

Page 317, strike lines 15 to 23 and insert the following:

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1489) is amended—

(1) in subsections (a) and (b), by striking “fiscal year 2012 or 2013” and inserting “fiscal year 2012, 2013, 2014 or 2015”;

(2) in subsection (c)—

(A) by striking “during fiscal years 2012 and 2013” in the matter preceding paragraph (1);

(B) by striking paragraphs (1) and (2) and redesignating paragraphs (3), (4), and (5) as paragraphs (1), (2), and (3), respectively; and

(C) in paragraph (3), as so redesignated, by striking “fiscal years 2012 and 2013” and inserting “fiscal years 2012, 2013, 2014, and 2015”;

(3) in subsection (d)(4), by striking “fiscal year 2012 or 2013” and inserting “fiscal year 2012, 2013, 2014 or 2015”; and

(4) by adding at the end the following new subsections:

“(e) CARRYOVER OF REDUCTIONS REQUIRED.—If the reductions required by subsection (c)(2) for fiscal years 2012 and 2013 are not implemented, the amounts remaining for those reductions in fiscal years 2012 and 2013 shall be implemented in fiscal years 2014 and 2015.

“(f) ANTI-DEFICIENCY ACT VIOLATION.—Failure to comply with subsections (a) and (e) shall be considered violations of section 1341 of title 31, United States Code (popularly referred to as the Anti-Deficiency Act).”.

Mr. MCKEON (during the reading). Mr. Chairman, I ask unanimous consent that the reading of the modification be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

At this time, I yield 1 minute to my friend and colleague, the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Chairman, my amendment No. 66 in the bill is very straightforward.

The Medal of Honor is our Nation's highest award, given only to those soldiers who have performed personal acts of valor above and beyond the call of duty. The medal has been made of brass. My amendment today would ensure that from this day forward, the Medal of Honor be made of gold. It's the least we can do for our bravest soldiers who have earned America's highest award, and I would move passage.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. Mr. Chairman, I'd also like to thank Chairman MCKEON and Ranking Member SMITH for their



leadership in bringing this bill to the floor. I also want to thank them for allowing me to speak on my amendments, even though they will be considered later on today.

The three amendments that I have offered will strengthen our Nation's cybersecurity so we can effectively defend our Nation, economy, and innovation.

We all know that cyber-based terrorism, espionage, computer intrusions, and fraud are not going away any time soon. These attacks occur far more frequently and far more rapidly and are more sophisticated than most people would care to know. Anonymity makes it difficult to trace the origin of these attacks and prosecute criminals.

These attacks are not only intended to steal defense secrets and technology, but are also targeted at some of our most critical industries. According to a Mandiant study, those industries include construction and manufacturing; media, advertisement, and entertainment; financial services; health care; food and agriculture; and education. This is not only a national security issue but also an economic issue as well.

My first amendment strengthens our preparedness and ability to fend off attacks by expanding our understanding of the economic impact of cyber intrusions on the U.S. defense industry. It also requires the Department of Defense to identify ways to protect our intellectual property when attacks occur.

My second amendment directs the Secretary of Defense to establish an outreach and education program to educate small businesses on cyber threats and assist them in developing plans to protect intellectual property and their networks.

My third amendment ensures that the comprehensive mission analysis of cyber operations mandated in this bill also includes an assessment of the retention, recruitment, and management of the cyber workforce.

The Department of Defense must provide appropriate incentives, opportunities, and professional development paths that will encourage civilians and servicemembers to enter and hone their technical skills that they need to be part of this cyber field.

These amendments will strengthen our national security, and I urge their passage.

Mr. McKEON. Mr. Chairman, at this time, I yield 2 minutes to the gentleman from Indiana (Mr. YOUNG) for the purpose of a colloquy.

Mr. YOUNG of Indiana. I thank the distinguished gentleman for yielding.

Mr. Chairman, I rise to commend the Armed Services Committee on their excellent work here, and I want to take this opportunity to highlight an issue addressed in last year's NDAA which required the Secretary of Defense to

produce a report this fall that examines an issue of great importance.

During my prior service on the Armed Services Committee, I learned of a discrepancy in the law where military facilities closed outside of the BRAC process are not given the same indemnification against liabilities that are a result of hazardous substances left over from any previous DOD activities.

Several Army ammunition plants were closed outside of the BRAC process, and because DOD is not required to maintain responsibility for potential problems related to military use, we are hindering redevelopment of these properties.

□ 1840

Last year, I wrote a bill called the Base Redevelopment and Indemnification Correction Act, or the BRIC Act, that would extend the same BRAC protections to non-BRAC closed facilities. It was included in the House-passed NDAA but was removed during conference. However, language was adopted that requires a DOD assessment of the status of these former defense facilities as well as recommendations to facilitate their redevelopment. Local redevelopers should not be held responsible for any lingering issues that were a result of DOD operations.

I anticipate the Secretary's report on this matter will provide a path forward for these former military installations that remain disadvantaged without these important indemnification protections. I thank the chairman for his continued support to address this ongoing issue and look forward to working with the committee after the report is released to address this glaring anomaly.

I yield to the gentleman from California.

Mr. McKEON. I thank the gentleman. Reuse of former military installations is essential for the local communities and in many circumstances represents a real opportunity to amortize the initial costs of a new development.

I also look forward to receiving a copy of the Secretary's report and I hope it will inform Congress so that we may address this important issue in a deliberate and thoughtful manner. I specifically look forward to hearing the Secretary's recommendations in dealing with this important matter.

I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. I thank the gentleman from Washington for yielding.

Mr. Chairman, I rise today to express my strong support for the amendments submitted by the gentleman from Maryland (Mr. CUMMINGS), known previously as H.R. 1842, the Military Family Home Protection Act.

As a member of the Veterans Affairs Committee and the ranking member of

the Economic Opportunity Subcommittee, taking care of our servicemembers and their families is one of my top priorities. This legislation does just that: it takes care of our heroes.

By staying foreclosures when servicemembers are receiving hostile fire or when they are medically discharged, by doubling the civil penalties for mortgage-related violations, and by prohibiting banks from discriminating against servicemembers, veterans or surviving spouses, the Military Family Home Protection Act no longer allows our heroes and their families to be taken advantage of.

Since the economic downturn, more than 700 servicemembers have been wrongfully foreclosed on, and more than 1,500 servicemembers have been subjected to illegal practices by mortgage providers. The men and women who fight bravely for our Nation deserve better.

The Acting CHAIR (Mr. HOLDING). The time of the gentleman has expired.

Mr. LARSEN of Washington. I yield an additional 15 seconds to the gentleman.

Mr. TAKANO. We owe it to them not to allow their families to be thrown out of their houses when they are putting their lives on the line in the name of freedom.

I urge my colleagues to support our military families.

Mr. McKEON. Mr. Chairman, I yield to the chairman of the Foreign Affairs Committee for the purpose of a colloquy.

Mr. ROYCE. Mr. Chairman, I have a colloquy on an amendment I intend to withdraw.

Mr. Chairman, we are facing a serious and growing national security threat in central Africa. Rebel groups, long active in the region, have taken on a new form of illicit activity to fill their coffers, and that form is poaching. On the black market, ivory from elephant tusks runs over \$1,000 per kilo. Rhino horns are worth more than their weight in gold—\$30,000 per pound.

The black market for wildlife is now in the league of drug smuggling. The low risk and high reward of poaching makes it ideal for criminal groups, but also for extremist groups. Indeed, groups like the Lord's Resistance Army, which the U.S. military is helping Africans to track down, and the al Qaeda-linked al-Shabaab are reaping the benefits by brutally slaughtering these majestic, defenseless animals.

These aren't your poor man's poachers either. Many poachers today are outfitted with night-vision goggles and sophisticated GPS equipment. They fly helicopters, slaughtering these endangered species from above.

A recent U.N. report cites an increase in advanced weapons used in poaching, which can be traced back to the fall of Qadhafi in Libya.

Earlier this year, testifying on worldwide threats, the head of our intelligence community noted that the



multibillion-dollar industry of illicit wildlife trade “threats to disrupt the rule of law in important countries around the world,” and that this trade involves “disparate actors—from government and military personnel to members of insurgent groups and transnational organized crime organizations.”

Unfortunately, African nations trying to fight off transnational poachers lack the capacity to address the problem. With relatively few security resources dedicated to combating them, poachers operate freely.

This amendment would have provided authority for the Defense Department to advise and assist Africans to suppress this illicit wildlife trade. AFRICOM is rightly involved in many of these regions, focusing on counterterrorism and on counternarcotics. Since these illicit activities are interwoven, this is an ideal area to further our cooperation with African partners, helping their stability, our security, and the chances that magnificent species aren’t extinguished.

The Acting CHAIR. The time of the gentleman has expired.

Mr. McKEON. I yield the gentleman 1 additional minute.

The Acting CHAIR. The chairman’s time has expired.

Mr. LARSEN of Washington. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, the sexual assault epidemic plaguing our military has taken hold at the academies, which reported 80 cases of sexual assault last year—a 23 percent increase—and these are just the cases that were reported. My amendment would require the service academies to incorporate sexual assault prevention into their ethics curricula.

Cadets and midshipmen enter academies at an impressionable age. Using ethics as an avenue to teach sexual assault prevention can strengthen the core messages of honor and respect in character development. It would also put discussion of this essential policy at the center of the service’s culture, which must be changed to stop sexual assault in the military.

I thank the chair and the ranking member for including my amendment in the en bloc.

Mr. LARSEN of Washington. I reserve the balance of my time.

Mr. McKEON. Mr. Chairman, may I inquire how much time is remaining?

The Acting CHAIR. The gentleman from California (Mr. McKEON) has 5 minutes remaining on the en bloc amendments.

Mr. McKEON. Mr. Chairman, I yield myself such time as I may consume, and I yield to the gentleman from California to finish when we were so rudely interrupted.

Mr. ROYCE. I thank the gentleman.

Chairman McKEON, I know you share my concern with this growing transnational threat of poaching. And I am hopeful that, looking ahead, we can work together to address any concerns that may exist and support a more aggressive U.S. commitment to this problem.

Mr. McKEON. Mr. Chairman, I hope you appreciate my weak attempt at humor.

The Acting CHAIR. Indeed.

Mr. McKEON. I would like to start off first by acknowledging the longstanding work that Chairman ROYCE has done on this issue.

The gentleman from California spelled out the growing links between poaching and terrorist groups in Africa. I share his concern. He is also correct that AFRICOM is continuing to engage with our African partners in a variety of ways.

Under Chairman ROYCE’s leadership, I understand that the Foreign Affairs Committee will be continuing to look into illegal wildlife trafficking in Africa and the national security consequences. I fully support that effort. I believe that we should seek a greater understanding of the linkages between these illicit activities and find an interagency approach to counter this threat.

The U.S. military has a role to play in countering terrorist groups and their networks that would target our national interests in this region. So I look forward to our two committees continuing to work together.

Mr. ROYCE. I appreciate the Chairman’s comments.

Mr. McKEON. I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentleman.

I just wanted to describe two amendments that I have that the chairman and the leadership were kind enough to include en bloc.

I am a member of the United States commission on research and development in the intelligence community. I won’t go through the whole report—in fact, it’s being declassified in part now—but we talk about the great looming threat to our technological advantage in the intelligence arena—the shortage of scientists, engineers, and mathematicians.

□ 1850

I have an amendment directing the Secretary of Defense to report to Congress within 60 days from this bill on whether the science, mathematics, and research transformation of the SMART scholarship program is providing adequate help to undergraduate and graduate students to meet our scientific and technical needs.

Mr. Chairman, I appreciate the Rules Committee making this amendment in order, My

amendment’s purpose is to ensure that the United States defense and intelligence communities have the necessary scientific and technical talent in the years ahead so that our nation maintains its ability to avoid strategic surprise and preserve our technological edge against known or potential opponents.

For the last 18 months, I have served as a member of the United States Commission on Research and Development in the Intelligence Community. Although the Commission was created in law as part of the annual Intelligence Authorization Act passed a decade ago, it was not funded and no Commissioners were appointed until the Fiscal Year 2012 budget was passed. Indeed, funding for the Commission was blocked for several years by the then chairman of HPSCI. The Commission did not formally start meeting until early 2012. My colleague from Texas, Rep. CONAWAY, is also a member of the Commission, as are Senators MARK WARNER of Virginia and DAN COATS of Indiana. The balance of the commission is made up of former government officials with S&T expertise, a former NSC official, a Silicon Valley venture capitalist, a Wall Street banker, and a university president with a deep scientific background, among others.

Our mandate was to examine the current state of the IC’s R&D efforts & make recommendations for changes where necessary. Classified and unclassified versions of our report were delivered to the House Permanent Select Committee on Intelligence just before Memorial Day, and the unclassified version will be released soon, most likely before the July 4th holiday. I encourage all Members to take the time to review the full classified report at their earliest convenience.

Because the unclassified version remains under an embargo for the moment, I cannot discuss directly our key findings. However, I can and will give you this Commissioner’s view on the single greatest looming threat to our technological advantage in the intelligence arena: a potential shortage of scientists, engineers, and mathematicians.

My amendment seeks to address that potential shortage by directing the Secretary of Defense to report to Congress within 60 days of the enactment of this bill on whether the Science, Mathematics and Research for Transformation or SMART scholarship program is providing the necessary number of undergraduate students to meet our scientific and technical needs, specifically in the defense and intelligence communities. If the Secretary assess that the existing SMART program will not be sufficient, he is to make recommendations to Congress on what measures would be necessary to ensure our scientific and technical talent pipeline is sufficient to meet our projected needs.

I offer this amendment because I have already seen evidence that such an assessment is overdue and urgently needed.

At a recent cyber briefing on the Hill, CYBERCOM officials told my staff that NSA is seeing a marked increase in employees asking to have resumes undergo clearance reviews so they can look for other jobs. During my own visit to some other NSA facilities in the DC metro area last year, I heard from NSA officials that some universities are now telling NSA—in writing—that their pay scales

are not sufficiently competitive. These are warning signs of a potential skilled personnel shortage in the S&T components of the IC, and the Commission found others as you will see in our report. If adopted, this amendment will allow us to take a much needed step towards assessing our defense and intelligence personnel needs in the areas of science, technology, mathematics and engineering. Accordingly, I urge adoption of my amendment.

I have another amendment that grew out of a suicide tragedy in my district. This amendment would allow any State adjutant general to request information for any Individual Ready Reserve or any individual mobilization augmentee living in the State so that the adjutant general can provide suicide prevention and outrage services for such Reservists.

Mr. Chairman, I thank the Rules Committee for making this amendment in order. The purpose of this amendment is to ensure that suicide outreach and prevention programs reach specific at-risk populations of Reservists.

Sergeant Coleman Bean of East Brunswick, New Jersey did two combat tours in Iraq. In between and after those tours, he sought treatment for post-traumatic stress disorder (PTSD). Because Sgt. Bean was a member of the Individual Ready Reserve (IRR)—a pool of Reserve soldiers not assigned to any unit but available for mobilization if needed—he could not get treatment for his condition because the Departments of Defense and Veterans Affairs refused to take ownership of Sgt. Bean and the thousands like him. Since his death in the fall of 2008, I have worked in a bipartisan way to secure additional funding for suicide prevention and outreach services for our active duty, Guard and Reserve members, and for our veterans. One component of that outreach effort must involve our state National Guard Adjutant Generals.

My amendment would allow any state AG to request contact information for any IRR or Individual Mobilization Augmentee (IMA) living in their state so that the AG can provide suicide prevention and outreach services to such Reservists.

Within my own state, our extremely successful Vet2Vet and the national Vets4Warriors program have been providing peer-to-peer counseling services for years. Its success was so great—no servicemember who used the program took his or her life—that the 2010 DoD Task Force on the Prevention of Suicide by Members of the Armed Forces recommended that Vet2Vet should be examined as a potential national model. In December 2011, the National Guard Bureau decided to support a parallel, national program to Vet2Vet, named Vets4Warriors to denote its national character, and designated it as the program of record for Guard personnel nationwide who were seeking counseling services.

The key reason these programs work so well is that every person who takes a call from a servicemember or veteran is also a former servicemember. This peer-to-peer connection is vital in building the trust necessary to get a soldier or veteran with a problem to open up about their experiences, fears, needs and hopes. Both Vet2Vet and Vets4Warriors work in direct partnership with the New Jersey De-

partment of Military and Veterans Affairs, and thus passing this amendment would allow all Adjutant Generals, including New Jersey's, to conduct targeted suicide prevention and outreach to IRR and IMA members in their states.

Mr. Chairman, the suicide epidemic sweeping our armed forces can only be eliminated if we utilize every tool at our disposal to reach every servicemember or veteran who may be at risk. Passing this amendment would give us one more such tool, I urge my colleagues to support this amendment.

Mr. McKEON. Mr. Chairman, I continue to reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, we have no more speakers on the en bloc, and I yield back the balance of my time.

Mr. McKEON. Mr. Chairman, how much time do I have remaining?

The ACTING CHAIR. The gentleman from California has 3¾ minutes.

Mr. McKEON. Thank you very much. Mr. Chairman, I yield myself the balance of that time.

Just an hour ago, the President confirmed chemical weapons, including sarin gas, have been used by the Assad regime against Syrian civilians. The President has stated that a red line has been crossed. But I would observe that red lines are meaningless unless they are backed by action.

The underlying bill reflects a sense of Congress that any red line should be backed with substantive measures. The White House stated this evening that President Obama agrees with this sentiment.

Tonight, representatives of the National Security Council stated:

The President has made the decision to support Syrian opposition. That includes military support.

I expect to see more details in the coming days from the White House and the Department of Defense.

I am, however, deeply concerned about our ability to honor and uphold red lines. Our military readiness and our ability to respond is degraded today. Seventeen combat coded Air Force squadrons are grounded due to budget cuts. A carrier battle group should be in the Middle East, but instead is in port. We just pulled the last A-10 ground attack squadron out of Germany because some felt that a forward-operating presence was unnecessary for a so-called Cold War mission.

Yet we have an amendment here this evening that would cut \$5 billion that, in addition to funding the troops in Afghanistan, provides support to help alleviate deep readiness problems that are porting our ships and grounding our fighter jets.

Another amendment this evening would strike the very sense of Congress that all courses of action, not just military, should be considered in Syria and that our red lines must have meaning.

Reality has overwhelmed both of these proposals.

To my friends who think there is no risk to ever-deeper cuts, I ask you to tell that to the airman and the sailor who may well face down Syrian missiles in the coming weeks. To my friends who are contemplating further cuts when they vote tomorrow, consider that you may be denying that warfighter the hour of training or the piece of hardware that means the difference between life and death. None of us is comfortable in putting them into harm's way at this time, or in that place; but that does not mean that they may not have to go. And that does not mean we shouldn't give them all they need.

Here Congress and the White House agree in principle. Boundaries are useless unless they are enforced and resourced.

I yield back the balance of my time.

Mr. KLINE. Mr. Chair, I rise today in support of my bipartisan amendment to the National Defense Authorization Act. The Kline-Hunter-Andrew-Polis amendment ensures the students I serve in Minnesota and throughout classrooms around the Nation are treated equally and given the same opportunities to enlist in the Armed Forces.

Currently, students who earn a high school diploma from charter schools, home schools, schools that use blended learning models, and other means of virtual education are required to score significantly higher on the Armed Forces Qualification Test than students enrolled in traditional secondary schools.

This policy, continued by the Department of Defense, disregards congressional intent established in the National Defense Authorization Act for Fiscal Year 2012.

Mr. Chair, as you know it is imperative that the recruiting and selection policies for enlistment are not only fair and consistent, but also in step with the evolution of the way our nation's students achieve a high school diploma.

Despite studies that show education credential tiers do not consistently reflect the attrition patterns of recruits, DOD continues to insist where you receive your education is the single best predictor of your ability to successfully adapt to service.

The bipartisan Kline-Hunter-Andrews-Polis amendment would put DOD back in line with the law and require them to set recruitment and enlistment policies that end this discriminatory requirement.

As Chairman of the House Committee on Education and Workforce, a member of the Armed Services Committee, and a retired Marine Colonel, I have a unique and fortunate position to ensure the young men and women enlisting in our Armed Forces have the best opportunity to support the defense of our nation.

Mr. Chair, the continuous innovation in education requires the adaptation of our recruiting policies. I urge my colleagues to support the dream of military service for all patriotic Americans who simply want the chance to be able to raise their hand and pledge to defend our nation without unnecessary burdens.

I urge my colleagues to support the Kline-Hunter-Andrews-Polis amendment.

Mr. GENE GREEN of Texas. Mr. Chair, I rise in support of my amendment (#63), to the

National Defense Authorization Act, which would require the Army, Navy, Air Force, and Marine Corps to provide free Internet access for servicemembers serving in a combat zone.

This amendment comes as a response to several servicemembers from our district who, while serving in Afghanistan and Iraq, found the distribution and pricing of recreational Internet usage for servicemembers to be unequal and exorbitant.

For the vast majority of our nation's servicemembers serving overseas, the Internet has become the best means to communicate with spouses, children, parents, and other loved ones. It is the key link to staying connected with home and provides a much needed boost in morale for our nation's warriors who have had to endure multiple tours of duty in some of the most difficult terrain in the world.

It is imperative that as the people's elected representatives, we make sure that this important service is provided to those who have answered the call of duty and are putting their lives in harm's way at the lowest cost for our servicemembers.

For situations in which the local security environment does not allow for recreational Internet usage, this amendment provides for a temporary waiver.

I ask for my colleagues to stand with our servicemembers and their families and vote in support of my amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. McKEON).

The en bloc amendments were agreed to.

#### AMENDMENT NO. 22 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in part B of House Report 113-108.

Mr. HOLT. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike page 59, line 15, and all that follows through page 72, line 12.

Strike page 72, line 23, and all that follows through page 79, line 23.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. I thank the Chair, and I thank the Rules Committee and the leadership of the Armed Services Committee for making this amendment in order.

Mr. Chairman, the amendment's purpose is simple: to eliminate the missile defense-related portions of the bill with the exception of the relatively successful Iron Dome program.

As some of you may know, I have been involved with arms control issues for decades, since I was a part of the U.S. Geneva delegation sent to investigate the then-Soviet phased array

radar in Krasnoyarsk in the early 1980s. My training as a physicist, as well as the decades I've spent dealing with these issues, long ago led me to conclude a couple of things: effective strategic ballistic missile defense systems have not been and are not likely to be technically feasible; and, second, attempting to build them only fuels the international arms race.

If you don't believe the latter point, let me quote from a Russian Television story on June 8 of this year:

Russia's Strategic Missile Forces have reported a successful launch of a next-generation ICBM that can supposedly pierce any antiballistic missile system. The test came after the U.S. announced it would resume its ABM program in Europe.

That is a description of the arms race that should have ended years ago.

The article goes on to quote Russian Deputy Prime Minister Dmitry Rogozin who says that the new Russian ICBM was a "missile defense killer. Neither current nor future American missile defense systems will be able to prevent that missile from hitting the target dead on."

Yes, arms race.

Just as it has for over 30 years, our continued pursuit of a strategic ballistic missile defense system is perpetuating the arms race, in this case between the United States and Russia, and would perpetuate arms races between the United States and China or others. It is also an expense we cannot afford.

The Missile Defense Agency itself estimates that since fiscal year 1985, Congress has appropriated \$149.5 billion for strategic ballistic missile defense programs, and the system has still never been tested successfully against any of the kind of real-world threats offered by missiles equipped with decoys, jammers, and so on.

This bill proposes to continue throwing good money after bad, with one exception: the tactical Iron Dome missile defense system. Our Israeli allies, with funding approved by this Congress and that I have supported, and many here have supported, have developed what is arguably the best, and certainly most well-tested, tactical missile defense system in the world. It is not perfect, and the missile defense experts, both here and in Israel, continue to debate the exact kill rate, which Israeli officials claim is 84 percent. What is clear is that this system is more practical and more immediately useful for the defense of Israel than our strategic defense system is for us.

What my amendment would do is stop the United States from throwing more money at a failed, politically destabilizing strategic missile defense system and instead would allow continuing funding for further development of efforts for Iron Dome and tactical systems like that—the kind of systems that may help save lives in

Israel and save lives of deployed American troops should they face opponents like North Korea or Iran.

Accordingly, I urge my colleagues to support this, and I reserve the balance of my time.

□ 1900

Mr. McKEON. I rise to claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. McKEON. Mr. Chairman, at this time, I yield 3 minutes to my friend and colleague, the chairman of the Strategic Forces Subcommittee, the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. I thank the chairman.

I rise in vigorous opposition to Mr. HOLT's amendment. At a time when the technical and strategic case for missile defense has never been stronger, the gentleman's amendment would strike bipartisan provisions that will improve our missile defenses.

For example, the amendment would strike a provision the committee adopted that would improve the kill assessment capability of the Ground-Based Midcourse Defense system. Why would the gentleman want a national missile defense system with a less robust kill assessment capability than is technically possible?

The amendment would strike a provision dealing with an Analysis of Alternatives on the future space sensor architecture for our missile defense system. Does the gentleman not want an informed judgment and study on a persistent overhead space sensor system? The gentleman may be laboring under misimpressions of missile defense.

I know there are so-called "experts" in the disarmament community who labor to create doubts about our missile defense system, but I ask, How many of these "experts" have been briefed on what the system does, on the incredibly technically demanding tests that the warfighters create? I would say none.

I urge the gentleman to withdraw his amendment, to come get some classified briefings; and let's see if we can't add him to the overwhelming bipartisan group of policymakers that supports a strong and robust national and regional missile defense system.

With that, Mr. Chairman, I ask the Members to vote "no."

Mr. HOLT. Mr. Chairman, may I ask the time remaining.

The Acting CHAIR. The gentleman from New Jersey has 45 seconds remaining.

Mr. HOLT. I thank the Chair.

I will just quickly say then, in closing, that the desire for a strategic missile defense system may be as strong as it ever has been; but the demonstrations, the accomplishments of the work

towards such a system are no further along than they have been for decades.

We can repeal legislation—we could repeal, perhaps, ObamaCare if the other side had its way—but we cannot repeal the laws of physics, and long experience with this tells me this is a wasteful program. The Iron Dome tactical system and systems like that, on the other hand, are worth pursuing, and I propose keeping that funding intact.

I yield back the balance of my time.

The Acting CHAIR. The gentleman from California has 3½ minutes remaining.

Mr. McKEON. Mr. Chairman, I yield the balance of my time to my friend and colleague, the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank the chairman of the full committee. I also appreciate what the chairman of the subcommittee, the gentleman from Alabama (Mr. ROGERS), has said. I totally agree with what he has already put forward.

Against this amendment, I would have to add that one of the other things it does which is harmful to our national defense is to stop the progress we are making on creating a third site on the eastern coast of the United States for missile defense.

The gentleman quoted some Russian television commentator. That has no relevance to what Ground-Based Midcourse Defense is all about. Ground-Based Midcourse Defense is against a rogue missile fired from a North Korea or an Iran or from some country like that or is an accidental single launch from another country. It is not to fight against the Russians or the Chinese. That's not it at all. We have some interceptors already in place in Alaska and in California. The eastern site would add that same capability of defense against a rogue missile on the east coast.

I happen to believe that we should be protecting the east coast better than we are today. I think the people of New Jersey, let's say, deserve just as much protection as the people of California, and we have that capability.

You said it hasn't defeated jammers and decoys. The North Koreans don't have jammers and decoys. The Iranians aren't even that far along. They're not as far along as the North Koreans.

We don't have to have the perfect. In this case, the perfect would be the enemy of the good. We have had missiles in tests like a bullet shooting down a bullet. We have had many successful tests, and we could stop a North Korean or an Iranian missile. We have that on the west coast. We should have that on the east coast. This Congress in last year's NDAA put in language calling for an environmental assessment and study of the east coast site. That should go forward. Unfortunately, this amendment, should it pass, would stop this progress in its tracks.

So for that reason and for the reasons already stated by Representative ROGERS, I would urge a strong "no." This would be destructive of our national defense. Please vote "no."

Mr. THORNBERRY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HOLT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 25 OFFERED BY MS. MCCOLLUM

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in part B of House Report 113-108.

Ms. MCCOLLUM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title V, add the following new section:

**SEC. 5. PROHIBITION ON ARMY NATIONAL GUARD SPONSORSHIPS OF PROFESSIONAL WRESTLING ENTERTAINMENT OR MOTOR SPORTS.**

Section 503(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(3) Recruiting and advertising campaigns authorized by paragraphs (1) and (2) or by any other provision of law, including section 561(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-129; 10 U.S.C. 503 note), for the purposes of branding or marketing of, or promoting enlistment in, the Army National Guard may not include payments for professional wrestling entertainment sponsorships or motor sports sponsorships. Nothing in this paragraph shall be construed to prohibit recruiters from making direct, personal contact with secondary school students and other prospective recruits."

The Acting CHAIR. Pursuant to House Resolution 260, the gentlewoman from Minnesota (Ms. McCOLLUM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Minnesota.

Ms. MCCOLLUM. The Army National Guard is spending over \$53 million in taxpayer funds this year to sponsor World Wrestling Entertainment and motor sports racing.

That's right. At a time of enormous Federal budget deficits, endless borrowing from China, sequestration's harming military readiness, and deep cuts to services for vulnerable children, seniors and people with disabilities, the Army National Guard is spending over \$53 million to have its logo highlighted at World Wrestling Entertainment

events and to sponsor NASCAR racing and IndyCar racing. After years of congressional debate, the Army National Guard still cannot provide any data—zero statistics—to demonstrate anyone has signed a recruiting contract as a result of this program.

This amendment can bring both liberals and Tea Party conservatives together. The fact that \$53 million in taxpayer funds is going to sponsor some of the most violent and sexist entertainment on television and NASCAR racing teams that result in zero recruits is a waste of money, and it should be stopped.

As a member of the Defense Appropriations Subcommittee, over and over these past 3 months, our subcommittee has heard from military leaders that sequestration is causing a crisis: military readiness is diminished; hundreds of thousands of critical civilian Pentagon employees are being furloughed; and vital services, like access to mental health care, are being cut. In fact, the National Guard testified that, because of sequestration, 115,000 traditional National Guard forces will not receive their annual medical or dental examinations.

The Guard says: "This reduction in examinations will bring total force medical readiness down by 39 percent."

Yet the National Guard can afford to pay one NASCAR race car driver \$29 million and to pay another driver \$14 million for IndyCar racing?

Clearly, this is a case of misplaced priorities. Congress has to make tough choices and smart cuts. Terminating this wasteful, ineffective program is an easy choice unless you want to protect government handouts to millionaire race car drivers and owners.

In the past, some of my conservative friends have made the claim that cutting this wasteful spending was micromanaging the Pentagon.

□ 1910

My job is not to protect race car track owners and millionaire race car drivers. Cutting government waste and protecting taxpayer dollars is not micromanaging. It is our job.

In recent years, the Army, Navy, and the Marine Corps have all terminated NASCAR sponsorships because these sponsorships failed to meet their recruiting goals. They're making other more effective investments in recruiting dollars.

The Army is sponsoring high school football, the All-American Bowl. That's fantastic. They're also sponsoring robotic competitions to engage with and help our young people develop the skills to best serve our Nation and to serve in the Armed Forces.

The very best marketing and branding the Army National Guard gets is not from a logo on a race car or a violent wrestling performance. It is from the lifesaving work that our National

Guardsmen and -women perform during times of crisis in our communities during the floods, during the forest fires, and during national disasters.

I am so proud of the service and sacrifice of the Minnesota National Guardsmen and -women who have served our Nation in Kosova, Iraq, Afghanistan, and at home in Minnesota over the past decade. They are heroes.

The opponents of my amendment believe that a \$29 million taxpayer-funded logo on a race car results in National Guard recruits and reenlistments. Based on what? The National Guard has failed to prove any data, no program measures, that this program has resulted in any recruits—zero data, zero recruits.

This Republican Congress is cutting children off of school lunch programs and kicking them off of Head Start to save money. This Congress is willing to inflict sequestration on our military, and it undermines our readiness. This amendment gives Members an opportunity to cut real waste.

Mr. Chair, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Mr. Chairman, I rise amongst a broad bipartisan coalition to oppose this misguided amendment offered by my colleague from Minnesota.

Mr. Chairman, facts are a stubborn thing. The National Guard has reiterated time and time again the immense value of their recruiting and retention programs in professional motor sports. The facts of this program show a successful return on investment for the taxpayers.

To demonstrate the success of this program, I would like to cite three crystal clear numbers which support strong opposition to this amendment:

First, 90 percent. In the June 4 letter to House Appropriations, the National Guard Association of the United States and their counterpart, the Enlisted Association of the National Guard, stated that a recent independent study found that 90 percent of the Army National Guard soldiers who enlisted or reenlisted were exposed to the Guard from recruiting or retention materials featuring NASCAR drivers and their cars. That's a real return on your investment, a return on the invest of the American people;

Second, 85 percent. Of those who enlisted or reenlisted during that time period, 85 percent agree that professional sports are beneficial to attracting and retaining good soldiers. That's, again, a good return on your investment;

And the last number is 400,000. Since embarking on a more robust use of professional sport sponsorships in fiscal year 2007, the Army National Guard has added more than 400,000 new soldiers. That, Mr. Chairman, is a return on your investment.

Mr. Chairman, these facts come from sound research and independent study which the National Guard has shared with us, and I will enter into the RECORD my remarks here today.

I submit these facts to my colleagues and encourage them to consider the tremendous return on investment we would be stealing from our Nation's military and hardworking taxpayers if this amendment were to pass. I urge my colleagues to vote "no."

NATIONAL GUARD ASSOCIATION OF  
THE UNITED STATES, ENLISTED AS-  
SOCIATION OF THE NATIONAL  
GUARD OF THE UNITED STATES,

June 4, 2013.

Hon. BILL YOUNG,

*Chairman, House Appropriations Committee,  
Defense Subcommittee, Washington, DC.*

Hon. PETE VISCLOSKEY,

*Ranking Member, House Appropriations Com-  
mittee, Defense Subcommittee, Washington,  
DC.*

DEAR CHAIRMAN AND RANKING MEMBER OF THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON DEFENSE: As you may be aware, there have been proposals in Congress to restrict the Department of Defense's ability to utilize sports sponsorships as part of recruitment and retention campaigns. We would urge you to oppose any effort to restrict DoD leadership's ability to utilize creative and innovative tactics to ensure that the National Guard is able to promote their career opportunities.

Recruiting for the all-volunteer force isn't what it used to be. Only one in every four young people today is even eligible to join. Today, you have to know how smart, fit young people think, where they live and play, and go to them. Innovative techniques such as sports sponsorships help the National Guard do just that.

The enhanced use of sponsorships was a direct response to specific recruiting challenges faced during the height of the wars in Iraq and Afghanistan in 2006 and 2007, when traditional and more expensive recruiting efforts were failing to attract enough quality applicants. It was during this time period that recruiting goals were reached, partly, by lowering minimum entrance requirements and accepting enlistees who lacked high school diplomas, had low scores on the military's aptitude test, or received waivers for criminal and medical problems. However, since embarking on a more robust use of professional sports sponsorships in fiscal year 2007, the Army National Guard has added more than 400,000 new soldiers.

A recent study has found that 90 percent of Army National Guard soldiers who enlisted or re-enlisted since 2007 were exposed to the Guard through recruiting or retention materials featuring NASCAR cars and/or drivers. Of those who enlisted or re-enlisted during that time period, 85 percent agree that professional sports are beneficial to attracting and retaining good soldiers. The survey also found that racing fans are an especially receptive group for National Guard recruiting. NASCAR enthusiasts aged 18-34, the National Guard's target age demographic, are twice as likely to consider a military career than non-fans.

For the National Guard, marketing through sports is a direct appeal to our target audience and their influencers, providing the opportunity to reach individuals who are like-minded. Any limitations or bans on this may look good on the surface in a tight fiscal environment, but, in reality, it would provide no savings and hinder the National Guard's effort to reach the most qualified potential recruits.

Sponsorships provide the Guard a national platform to build relationships, promote our image and aid in recruiting efforts. The recruiting and retention dollars spent through sports sponsorships increase the National Guard's prestige and visibility, as well as help generate recruiting leads at events.

But these sport sponsorships go beyond a race or match. They extend into the community, creating partnerships to develop a national effort to address issues affecting military personnel and their spouses, including providing education assistance, combating unemployment, fostering technology sharing and innovation, and sharing the story of the National Guard.

Pro sports sponsorships are not just a matter of money. They are an effective and important marketing platform for awareness and development to target future potential recruits, while also working to improve the lives of our Guardsmen and women.

I ask that you please support the National Guard's continued efforts to partner with professional sports programs and create lasting community partnerships that positively impact our National Guard.

Thank you for your consideration on this matter.

GUS HARGETT,

*Major General, USA,  
(Ret.), President,  
NGAUS.*

JOHN HELBERT,

*CSM, ARNG, Presi-  
dent, EANGUS.*

#### NEW RESEARCH: SPORTS SPONSORSHIPS VALUABLE TO MILITARY RECRUITMENT

New research paints a clear picture of the value sponsorships and marketing around professional sports provide the U.S. military and its efforts to recruit and retain soldiers. Conducted by respected independent firm Alan Newman Research, the empirical study was deployed through a joint initiative by the Enlisted Association of the National Guard of the United States (EANGUS) and the National Guard Association of the United States (NGAUS). The effort surveyed thousands of Americans, including general population, sports fans and, for the first time, more than 1,300 currently serving and retired National Guard soldiers and airmen.

#### NASCAR DRIVES RECRUITING

The Army National Guard has added more than 400,000 new soldiers since fiscal year 2007 when the Department of Defense embarked on a more robust use of professional sports sponsorships for recruiting purposes. During this time, the National Guard has leveraged NASCAR as a key platform to promote its career opportunities, reporting a three-to-one return on the current sponsorship program while routinely meeting and exceeding recruiting targets. Most recently, the Army National Guard exceeded fiscal-year-to-date 2013 accession goal by more than 1,000 recruits (or 104 percent). Ninety percent of Army National Guard soldiers who enlisted or re-enlisted from 2007-2013 said they have been exposed to the Guard through recruiting or retention materials that incorporated NASCAR. Of those who enlisted or re-enlisted since 2007, 85 percent

agree that professional sports are beneficial to the National Guard's overall efforts to attract and retain soldiers. More than six of ten of all National Guard respondents have seen NASCAR leveraged at a recruiting center or event.

FANS ADVOCATE FOR MILITARY CAREERS

Research confirms the NASCAR audience is tailor-made for programs promoting career opportunities in the U.S. military. Young fans (age 18–34) of NASCAR are twice as likely as non-fans in the same age group to consider the military as a career option. In addition, NASCAR fans are more passionate advocates for military careers. They are 20 percent more likely than non-fans to be “very likely” to support a friend or family members choice to pursue military service.

THE POWER OF PATRIOTISM

National Guard members consider NASCAR, which hosts swearing-in ceremonies for hundreds of new recruits each year, the most patriotic of all major professional sports. In a powerful statement for recruiting and retention programs that utilize NASCAR, a nearly unanimous 92 percent of National Guard respondents say they are more likely to engage with an organization that they perceive as pathetic over competitors.

AMERICANS SUPPORT MILITARY RECRUITMENT

Americans clearly support the ability of the U.S. military to recruit where it sees fit. An overwhelming 83 percent believe military branches should be able to promote career opportunities where the branches feel a receptive audience will be found. Just 12 percent of Americans do not feel that fans of professional sports represent a reasonable target audience for recruiting programs.

OPPORTUNITIES ACROSS PRO SPORTS

Nearly all members of the National Guard are avid fans of at least one major professional sport, notably the National Football League, Major League Baseball and NASCAR. Guard soldiers are similarly interested in pro sports in their home areas—such as minor league baseball and hockey, arena football and local short-track racing—indicating opportunities for recruiting and retention programs at the grassroots level in hundreds of communities around the country. A majority of Americans—64 percent—are more likely to engage with organizations that, like the National Guard, are affiliated with a favorite sport, team or athlete.

CONCLUSION: SPONSORSHIPS WORK FOR THE MILITARY

For the same reasons they are a preferred venue for corporate advertising, NASCAR

and other professional sports are a prime place for recruitment advertising due to wide and devoted fan bases and demographics ideal for messaging regarding military careers. For the National Guard, participation in NASCAR allows the opportunity to leverage the largest American spectator sport with a massive and loyal fan base of 75 million. Sports marketing is a widely accepted and important piece of the marketing mix for the most successful brands and organizations in the world, and it should remain so for the U.S. military.

Ms. McCOLLUM. Mr. Chairman, I yield myself such time as I may consume.

The Army decided to end its 10-year NASCAR sponsorship, calling it “not a good investment” because 5 percent of NASCAR viewers weren’t even the age for recruitment.

Let’s end this wasteful program. Let’s put the money to work to recruit and keep a strong military. I ask for the Members to support my amendment, and I yield back the balance of my time.

Name	Contract No.	Prime	2013 cost	End date
<b>Army National Guard</b>				
NASCAR .....	W9133L08D0100 .....	LM&O under marketing IDIQ .....	\$29,962,425	30-Nov-13
Indy Race League .....	W9133L08D0100 .....	LM&O under marketing IDIQ .....	\$14,496,424	28-Sep-13
American Motorcycle Association .....	W9133L09D0002 .....	MPSC .....	\$3,960,100	17-Oct-13
World Wrestling Entertainment .....	W9133L11C0057 .....	WWE, INC. ....	\$5,150,000	25-Sep-13
Total .....			\$53,568,949	
<b>Air National Guard</b>				
MOTOCROSS .....	W9133L-08-D-0100-0092 .....	Lucas Oil .....	\$380,000	30-Sep-13

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentlelady from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Chairman, I thank the gentleman for yielding and for his leadership on this issue.

NASCAR is a vital part of the National Guard's outreach to young Americans. NASCAR fans between the age of 18 and 34 are twice as likely as their peers to consider the military. Their fellow fans are more likely to support their friends and family members choosing the military as a career option.

Advertising through NASCAR gives the military a cost-effective way to reach 75 million patriotic fans. That's why it is has reported a 3-to-1 return on the program's investment.

NASCAR support of the military goes beyond mere sponsorship opportunities. NASCAR holds swearing in ceremonies for hundreds of new recruits each year, giving the fans a real-life example of the patriotism they support. NASCAR is a real part of hundreds of American communities.

The National Guard has chosen to use its limited recruiting budget through the means it feels are most effective. We should not force it to turn its back on a proven means of leveraging that budget and introducing millions of potential heroes to their opportunity to serve.

I urge my fellow Americans to oppose this amendment and thank the chairman for the opportunity to speak.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. COLLINS).

Mr. COLLINS of New York. Mr. Chairman, this amendment wrongly targets one of our best recruiting practices of the National Guard.

Motor sports sponsorship programs have helped the Guard add 400,000 new citizen soldiers since it was begun in 2007, many of whom were sworn in right at the track. Why would we want to cut something that's working?

Every season, the National Guard emblem is seen by millions on the hood of Dale Earnhardt, Jr.'s car, one of the most popular drivers during the last 10 years.

Since the National Guard is prohibited from advertising on broadcast television, motor sports sponsorships are one of the few ways the Guard can market to a national audience while still interacting with local communities.

This amendment takes a strong program proven valuable to our military readiness and arbitrarily cuts it for the sake of political posturing. This amendment does not save any money. It does not address any government excess or impropriety. It unnecessarily attacks our National Guard, and it shackles their best opportunity to re-

cruit and retain the very best for national security.

As in the previous two defense authorization acts, I urge Members to hold strong and continue to oppose this amendment.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished subcommittee chairman of the Strategic Forces Subcommittee, Mr. ROGERS of Alabama.

Mr. ROGERS of Alabama. I thank the chairman.

I rise in strong opposition to the McCollum amendment. The McCollum amendment would prohibit the Army National Guard from sponsoring and advertising in professional motor sports. This amendment would have a negative impact on the recruiting of soldiers to enlist or reenlist in the National Guard.

Recent studies have shown that around 90 percent of the Army National Guard soldiers who enlisted or reenlisted since 2007 were exposed to this form of advertising. Additionally, these creative advertising techniques reach a sport with over 75 million loyal viewers, many of whom are between the age of 18 and 34 years old, the target audience to recruit quality soldiers for the Army National Guard.

I fully recognize the need for Congress to cut unnecessary spending, and I have voted many times to rein in government spending; however, I see no



need to prohibit this successful form of advertising which works to recruit quality men and women to help protect and defend our Nation.

I urge a “no” vote on McCollum amendment No. 25.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Minnesota (Ms. McCOLLUM).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Minnesota will be postponed.

The Chair understands that amendment No. 28 will not be offered.

AMENDMENT NO. 32 OFFERED BY MR. NOLAN

The Acting CHAIR. It is now in order to consider amendment No. 32 printed in part B of House Report 113-108.

Mr. NOLAN. Mr. Chairman, I offer the amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title X, add the following new section:

**SEC. 10. ACROSS-THE-BOARD FUNDING REDUCTION.**

Notwithstanding the amounts set forth in the funding tables in division D, the total amount authorized to be appropriated in this Act is hereby reduced by 9.4 percent.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Minnesota (Mr. NOLAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

□ 1920

Mr. NOLAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today on a matter of the highest priority critical to the future of our great Nation and our people. It is time to put an end to the wars of choice and nation-building abroad, and to start rebuilding America. Daily we are reminded of our Nation's fiscal crises, massive deficits, and unemployment, and shortage of revenue for the things that we know we need to do. The simple truth is, the trillions of dollars spent on the wars of choice and nation-building abroad are the primary cause of our current financial crises, not Social Security and Medicare as some would have us believe.

The sad fact is our own bridges are falling down. Our infrastructure is crumbling, and our education system is struggling, while millions more middle class men and women are unemployed or underemployed.

Mr. Chairman, I strongly support a strong national defense, but I also agree completely with my Republican colleague, Congressman MO BROOKS of Alabama, who recently said:

I don't believe America can financially afford to be the police cop on every street corner in the world. We no longer have the financial resources to do that.

In fact, the \$652 billion we spent on the military last year amounts to 57 percent of our discretionary budget. Mind you, education is at 6 percent; agriculture at 1 percent; transportation at 2 percent.

Moreover, that \$652 billion spent last year accounts for more than the next 10-largest military budgets in the world combined—China, Russia, U.K., Japan, France, Saudi, India, Germany, Italy, Brazil—we spent more than all of them combined. This \$60 billion cut that is proposed in this amendment, or a 9.4 percent cut that I propose, is not an unreasonable amount. In fact, it is exactly the same amount the Commission on Wartime Contracting estimates to have been wasted through fraud and abuse in Iraq and Afghanistan.

Understand that my amendment is not an across-the-board cut from every line item as in sequestration, which makes no sense at all. My proposed cut is a cut from the bottom line that would give the Appropriations Committee the authority to decide where the cuts can most prudently be made. And to me, those categories are crystal clear. We want to cut our excessive network of military bases in every nook and cranny of the world. We need to cut the failed infrastructure and investments in nation-building abroad. We need to cut assistance to the armed combatants in every sectional and civil war in the world. We need to cut discretionary funds to initiate new programs not authorized by the Congress. We need to cut funds for the extravagant compensation of CEOs for giant defense contractors. We need to cut military weapons systems that were not requested by our military. We need to cut funds maintaining unnecessary facilities in Guantanamo, and we need to cut funding maintaining out-of-date weapons systems and naval vessels.

Now, let me be clear where we must not cut. We must not cut veterans benefits. We must not cut the National Guard. It's our most efficient bang for the dollar that we get in our national defense. We must not cut compensation to soldiers and their families. We must not cut assistance to Israel and our other strategic allies. We should not cut funds to the teams and other elite units that can respond to crises abroad. And we cannot cut efforts to fund reform of military justice and reduce sexual assaults in the military.

Moreover, it is my recommendation that the savings achieved here can be used for deficit reduction and used for investment in our own infrastructure—

our roads, our bridges, our ports, our education, and the unmet human development needs in this country. We can use this money to improve the quality of American lives, to stimulate our economy, to strengthen our power as a Nation, and to help restore America's confidence in the future.

Finally, Mr. Chairman, my amendment is entirely consistent with the spirit of the bipartisan Budget Control Act of 2011, which recommended \$1 trillion in defense cuts over the next decade, and consistent as well with the significant cuts recommended across the spectrum by liberal policy groups such as the Center for American Progress, as well as conservative and libertarian groups.

Mr. Chairman, we all support a strong national defense. We support our troops, and we are committed to our veterans. This amendment is not politics, it is commonsense economics.

Mr. THORNBERRY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. I yield myself 2 minutes.

Mr. Chairman, in some ways I admire the gentleman from Minnesota because he states clearly what he believes. In my opinion, his argument, however, is dangerous, and it will mean a very much more dangerous world for the United States and many of the people around the world who depend upon us.

If we're going to talk numbers, we ought to just remind everybody that in 1960 the defense budget was about half of the total budget of the United States Government. Today, it's 17 percent of the budget for the United States budget. Now it's true it's most of the discretionary spending, but that completely leaves out the entitlements or the mandatory spending programs which are a vast majority of the government.

In more recent history, let's think about that defense already took a reduction of \$487 billion over a 10-year period. In the current fiscal year, it was cut another \$55 billion. And now this amendment would take another \$60 billion on top of that.

Mr. Chairman, I think defense has been cut enough. If anyone has been listening to some of the debates we've been having today, you'd hear about readiness being down, about training not occurring, and about more expensive procurements because we can't buy at the most efficient rate. And this amendment would take another \$60 billion on top of the other things, and would include the personnel accounts which were exempt under sequestration.

But the ironic thing, Mr. Chairman, is that after you take this \$60 billion out of defense, it would get hit again once sequestration kicks in. So in effect this doubles the cuts that come on defense from sequestration. It is mistaken. It is tragically mistaken, and I think it should be rejected.



Mr. Chairman, I yield 1 minute to the distinguished gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Mr. Chairman, I never ceased to be amazed in this Chamber. The only time I see my colleagues on the other side of the aisle concerned about fiscal restraint and cutting spending is when it comes to national defense. You know, one of the most knuckle-headed things this Congress has done is the sequestration framework that I, unfortunately, was a part of setting into place. But as you just heard my colleague from Texas state, we had already cut \$480 billion out of defense before sequestration comes into play. Now we have sequestration coming into play.

The thought that we could be in a war, defend against potential areas of war that are emerging around the world with further cuts is mindless and irresponsible. We owe it to the men and women in this country who serve in uniform and their families to make sure they have everything they need to be safe and successful when we send them into a theater of war.

This amendment is dangerous, and I urge my colleagues to reject it.

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

I appreciate my colleague from Alabama and I would just conclude with two points. One, is that it is in the Constitution where it clearly provides that a primary, and I believe the primary responsibility of the Federal Government, is to defend the country. You can't do that on the cheap. Obviously, you have to be efficient. You shouldn't waste money, but the first job of the Federal Government is to defend the country.

□ 1930

The second point I'd want to make is this: there are some people who seem to want to stick their head in the sand and believe that all the threats have gone away.

As a matter of fact, the President seemed to say a few weeks ago in his speech that the war on terrorism was over. And then today, the President acknowledges that there is evidence that is clear, at least in his mind, that chemical weapons have been used in Syria.

So, whether you think about al Qaeda and its affiliates spreading out all over the world or whether you think about the very real dangers of chemical weapons in Syria, not just being used against Syrians, but potentially getting in the hands of terrorists and being used against us, or whether you think about the new domain of warfare, which is cybersecurity, or warfare in space, whether you think about the potential military rise of China and what that means for the United States and its interests, as you just wrap your mind around the head-

lines and the news of the world, my point is, the threats have not gone away. This is a dangerous world.

Only the United States is a super power to maintain stability and to protect the lives and freedoms of Americans. That takes some resources.

We've already cut defense. We've already cut defense enough, and certainly, we should not cut defense again.

This amendment, as I say, Mr. Chairman, is dangerous. It should be rejected.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. NOLAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NOLAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. THORNBERRY

Mr. THORNBERRY. Mr. Chairman, as a designee of the chairman, and pursuant to H. Res. 260, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 consisting of amendment Nos. 64, 67, 69, 70, 72, 74, 77, 78, 79, 82, 83, 102, 107, and 126, printed in House Report No. 113-108, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 64 OFFERED BY MR. ANDREWS OF NEW JERSEY

At the end of subtitle F of title V, add the following new section:

**SEC. 5. SECRETARY OF DEFENSE REPORT ON FEASIBILITY OF REQUIRING AUTOMATIC OPERATION OF CURRENT PROHIBITION ON ACCRUAL OF INTEREST ON DIRECT STUDENT LOANS OF CERTAIN MEMBERS OF THE ARMED FORCES.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, after consultation with relevant Federal agencies, shall submit to Congress a report addressing the following:

(1) Whether application of the benefits provided under section 455(o) of the Higher Education Act of 1965 (20 U.S.C. 1087e(o)) could occur automatically for members of the Armed Forces eligible for the benefits.

(2) How the Department of Defense would implement the automatic operation of the current prohibition on the accrual of interest on direct student loans of certain members, including the Federal agencies with which the Department of Defense would coordinate.

(3) If the Secretary determines that automatic operation is not feasible, an explanation of the reasons for that determination.

AMENDMENT NO. 67 OFFERED BY MRS. BUSTOS OF ILLINOIS

At the end of subtitle H of title V (page 255, after line 9), insert the following new section:

**SEC. 589. REPORT ON ARMY REVIEW, FINDINGS, AND ACTIONS PERTAINING TO MEDAL OF HONOR NOMINATION OF CAPTAIN WILLIAM L. ALBRACHT.**

Not later than 30 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the Committee on Armed Services of the House of Representatives a report describing the Army's review, findings, and actions pertaining to the Medal of Honor nomination of Captain William L. Albracht. The report shall account for all evidence submitted with regard to the case.

AMENDMENT NO. 69 OFFERED BY MS. ESTY OF CONNECTICUT

At the end of subtitle H of title V, add the following new section:

**SEC. 5. REPLACEMENT OF MILITARY DECORATIONS.**

(a) PROMPT REPLACEMENT REQUIRED; ANNUAL REPORT.—Section 1135 of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (d); and

(2) by inserting after subsection (a) the following new subsections:

“(b) PROMPT REPLACEMENT REQUIRED.—When a request for the replacement of a military decoration is received under this section or section 3747, 3751, 6253, 8747, or 8751 of this title, the Secretary concerned shall ensure that—

“(1) all actions to be taken with respect to the request, including verification of the service record of the recipient of the military decoration, are completed within one year; and

“(2) the replacement military decoration is mailed to the person requesting the replacement military decoration within 60 days after verification of the service record.

“(c) ANNUAL REPORT.—The Secretary of Defense shall submit to the congressional defense committees an annual report regarding compliance by the military departments with the performance standards imposed by subsection (b). Each report shall include—

“(1) for the one-year period covered by the report—

“(A) the average number of days it took to verify the service record and entitlement of members and former members of the armed forces for replacement military decorations;

“(B) the average number of days between receipt of a request and the date on which the replacement military decoration was mailed; and

“(C) the average number of days between verification of a service record and the date on which the replacement military decoration was mailed; and

“(2) an estimate of the funds necessary for the next fiscal year to meet or exceed such performance standards.”

(b) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code) a plan to implement the amendments made by subsection (a), including an estimate of the funds necessary for fiscal year 2015 to meet or exceed the performance standards imposed by such amendments.

AMENDMENT NO. 70 OFFERED BY MR. KIND OF WISCONSIN

At the end of subtitle H of title V, add the following new section:

**SEC. 589. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO FIRST LIEUTENANT ALONZO H. CUSHING FOR ACTS OF VALOR DURING THE CIVIL WAR.**

(a) AUTHORIZATION.—Subject to subsection (c), notwithstanding the time limitations

specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President is authorized and requested to award the Medal of Honor under section 3741 of such title to then First Lieutenant Alonzo H. Cushing for conspicuous acts of gallantry and intrepidity at the risk of life and beyond the call of duty in the Civil War, as described in subsection (b).

(b) **ACTS OF VALOR DESCRIBED.**—The acts of valor referred to in subsection (a) are the actions of then First Lieutenant Alonzo H. Cushing while in command of Battery A, 4th United States Artillery, Army of the Potomac, at Gettysburg, Pennsylvania, on July 3, 1863, during the American Civil War.

(c) **REPORT SUBMISSION.**—Subsection (a) shall take effect upon receipt by the Committees on Armed Services of the Senate and House of Representatives of the report, as required in House Report 112-705, providing information on the process and materials used by review boards for the consideration of Medal of Honor recommendations for acts of heroism that occurred during the Civil War.

AMENDMENT NO. 72 OFFERED BY MRS.  
KIRKPATRICK OF ARIZONA

Page 273, after line 10, insert the following:  
**SEC. 595. PROVISION OF SERVICE RECORDS.**

(a) **IN GENERAL.**—In accordance with subsection (b), the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall make the covered records of each member of the Armed Forces available to the Secretary of Veterans Affairs in an electronic format.

(b) **TIMELINE.**—The Secretary of Defense shall ensure that the covered records of members are made available to the Secretary of Veterans Affairs as follows:

(1) With respect to a member of the Armed Forces who was discharged or released from the Armed Forces during the period beginning on September 11, 2001, and ending on the day before the date of the enactment of this Act, not later than 120 days after the date of such discharge or release.

(2) With respect to a member of the Armed Forces who is discharged or released from the Armed Forces on or after the date of the enactment of this Act, not later than 90 days after the date of such discharge or release.

(c) **CERTIFICATION.**—For each member of the Armed Forces whose covered records are made available under subsection (a), the Secretary of Defense shall transmit to the Secretary of Veterans Affairs a letter certifying that—

(1) the Secretary of Defense thoroughly reviewed the records of the member;

(2) the information provided in the covered records of such member is complete as of the date of the letter;

(3) no other information that should be included in such covered records exist as of such date; and

(4) if other information is later discovered—

(A) such other information will be added to such covered records; and

(B) the Secretary of Defense will notify the Secretary of Veterans Affairs of such addition.

(d) **SHARING OF PROTECTED HEALTH INFORMATION.**—For purposes of the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note), making medical records available to the Secretary of Veterans Affairs under subsection (a) shall be treated as a permitted disclosure.

(e) **CURRENTLY AVAILABLE RECORDS.**—The Secretary of Veterans Affairs, in consulta-

tion with the Secretary of Defense, shall ensure that the covered records of members of the Armed Forces that are available to the Secretary as of the date of the enactment of this Act are made electronically accessible and available in real-time to the Veterans Benefits Administration.

(f) **COVERED RECORDS DEFINED.**—In this section, the term “covered records” means, with respect to a member of the Armed Forces—

(1) service treatment records;

(2) accompanying personal records;

(3) relevant unit records; and

(4) medical records created by reason of treatment or services received pursuant to chapter 55 of title 10, United States Code.

AMENDMENT NO. 74 OFFERED BY MR. BISHOP OF  
NEW YORK

At the end of title V, add the following new section:

**SEC. 5 . . . SENSE OF CONGRESS REGARDING THE RECOVERY OF THE REMAINS OF CERTAIN MEMBERS OF THE ARMED FORCES KILLED IN THURSTON ISLAND, ANTARCTICA.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) Commencing August 26, 1946, though late February 1947 the United States Navy Antarctic Developments Program Task Force 68, codenamed “Operation Highjump” initiated and undertook the largest ever-to-date exploration of the Antarctic continent.

(2) The primary mission of the Task Force 68 organized by Rear Admiral Richard E. Byrd Jr. USN, (Ret) and led by Rear Admiral Richard H. Cruzen, USN, was to do the following:

(A) Establish the Antarctic research base Little America IV.

(B) In the defense of the United States of America from possible hostile aggression from abroad - to train personnel test equipment, develop techniques for establishing, maintaining and utilizing air bases on ice, with applicability comparable to interior Greenland, where conditions are similar to those of the Antarctic.

(C) Map and photograph a full two-thirds of the Antarctic Continent during the classified, hazardous duty/volunteer-only operation involving 4700 sailors, 23 aircraft and 13 ships including the first submarine the U.S.S. Sennet, and the aircraft carrier the U.S.S. Philippine Sea, brought to the edge of the ice pack to launch (6) Navy ski-equipped, rocket-assisted R4Ds.

(D) Consolidate and extend United States sovereignty over the largest practicable area of the Antarctic continent.

(E) Determine the feasibility of establishing, maintaining and utilizing bases in the Antarctic and investigating possible base sites.

(3) While on a hazardous duty/all volunteer mission vital to the interests of National Security and while over the eastern Antarctica coastline known as the Phantom Coast, the PBM-5 Martin Mariner “Flying Boat” “George 1” entered a whiteout over Thurston Island. As the pilot attempted to climb, the aircraft grazed the glacier’s ridgeline and exploded within 5 seconds instantly killing Ensign Maxwell Lopez, Navigator and Wendell “Bud” Hendersin, Aviation Machinists Mate 1st Class while Frederick Williams, Aviation Radioman 1st Class died several hours later. Six other crewmen survived including the Captain of the “George 1’s” seaplane tender U.S.S. Pine Island.

(4) The bodies of the dead were protected from the desecration of Antarctic scavenging

birds (Skuas) by the surviving crew wrapping the bodies and temporarily burying the men under the starboard wing engine nacelle.

(5) Rescue requirements of the “George-1” survivors forced the abandonment of their crewmates’ bodies.

(6) Conditions prior to the departure of Task Force 68 precluded a return to the area to the recover the bodies.

(7) For nearly 60 years Navy promised the families that they would recover the men: “If the safety, logistical, and operational prerequisites allow a mission in the future, every effort will be made to bring our sailors home.”

(8) The Joint POW/MIA Accounting Command twice offered to recover the bodies of this crew for Navy.

(9) A 2004 NASA ground penetrating radar overflight commissioned by Navy relocated the crash site three miles from its crash position.

(10) The Joint POW/MIA Accounting Command offered to underwrite the cost of an aerial ground penetrating radar (GPR) survey of the crash site area by NASA.

(11) The Joint POW/MIA Accounting Command studied the recovery with the recognized recovery authorities and national scientists and determined that the recovery is only “medium risk”.

(12) National Science Foundation and scientists from the University of Texas, Austin, regularly visit the island.

(13) The crash site is classified as a “perishable site”, meaning a glacier that will calve into the Bellingshausen Sea.

(14) The National Science Foundation maintains a presence in area - of the Pine Island Glacier.

(15) The National Science Foundation Director of Polar Operations will assist and provide assets for the recovery upon the request of Congress.

(16) The United States Coast Guard is presently pursuing the recovery of 3 WWII air crewmen from similar circumstances in Greenland.

(17) On Memorial Day, May 25, 2009, President Barack Obama declared: “. . . the support of our veterans is a sacred trust. . . we need to serve them as they have served us. . . that means bringing home all our POWs and MIAs. . .”.

(18) The policies and laws of the United States of America require that our armed service personnel be repatriated.

(19) The fullest possible accounting of United States fallen military personnel means repatriating living American POWs and MIAs, accounting for, identifying, and recovering the remains of military personnel who were killed in the line of duty, or providing convincing evidence as to why such a repatriation, accounting, identification, or recovery is not possible.

(20) It is the responsibility of the Federal Government to return to the United States for proper burial and respect all members of the Armed Forces killed in the line of duty who lie in lost graves.

(b) **SENSE OF CONGRESS.**—In light of the findings under subsection (a), Congress—

(1) reaffirms its support for the recovery and return to the United States, the remains and bodies of all members of the Armed Forces killed in the line of duty, and for the efforts by the Joint POW-MIA Accounting Command to recover the remains of members of the Armed Forces from all wars, conflicts and missions;

(2) recognizes the courage and sacrifice of all members of the Armed Forces who participated in Operation Highjump and all missions vital to the national security of the United States of America;

(3) acknowledges the dedicated research and efforts by the US Geological Survey, the National Science Foundation, the Joint POW/MIA Accounting Command, the Fallen American Veterans Foundation and all persons and organizations to identify, locate, and advocate for, from their temporary Antarctic grave, the recovery of the well-preserved frozen bodies of Ensign Maxwell Lopez, Naval Aviator, Frederick Williams, Aviation Machinist's Mate 1ST Class, Wendell Hendersin, Aviation Radioman 1ST Class of the "George I" explosion and crash; and

(4) encourages the Department of Defense to review the facts, research and to pursue new efforts to undertake all feasible efforts to recover, identify, and return the well-preserved frozen bodies of the "George I" crew from Antarctica's Thurston Island.

AMENDMENT NO. 77 OFFERED BY MR. THOMPSON OF PENNSYLVANIA

Page 299, after the matter following line 23, insert the following:

**SEC. 703. EXTENSION OF TRANSITIONAL ASSISTANCE MANAGEMENT PROGRAM.**

(a) **TELEMEDICINE.**—In carrying out the Transitional Assistance Management Program, the Secretary of Defense shall extend the coverage of such program to individuals by an additional 180 days for treatment provided through telemedicine.

(b) **MENTAL HEALTH CARE AND BEHAVIORAL SERVICES.**—

(1) **IN GENERAL.**—The Secretary shall extend the coverage of the Transitional Assistance Management Program for covered treatment to covered individuals for a period determined necessary by a health care professional treating the covered individual.

(2) **DEFINITIONS.**—In this subsection:

(A) The term "covered individual" means an individual who—

(i) during the initial 180-day period of being enrolled in the Transitional Assistance Management Program, received any mental health care treatment or covered treatment; or

(ii) during the one-year period preceding separation or discharge from the Armed Forces, received any mental health care treatment.

(B) The term "covered treatment" means behavioral services provided through telemedicine.

(3) **SUNSET.**—The authority of the Secretary to carry out paragraph (1) shall terminate on December 31, 2018, if the Secretary determines that by that date the suicide rates for both members of the Armed Forces serving on active duty and for members of a reserve component are 50 percent less than such rates as of December 31, 2012.

(c) **TELEMEDICINE DEFINED.**—In this section, the term "telemedicine" means the use by a health care provider of telecommunications to assist in the diagnosis or treatment of a patient's medical condition, including for behavioral services.

AMENDMENT NO. 78 OFFERED BY MR. GUTHRIE OF KENTUCKY

Page 299, after the matter following line 23, insert the following:

**SEC. 703. COMPREHENSIVE POLICY ON IMPROVEMENTS TO CARE AND TRANSITION OF SERVICE MEMBERS WITH UROTRAUMA.**

(a) **COMPREHENSIVE POLICY REQUIRED.**—

(1) **IN GENERAL.**—Not later than January 1, 2014, the Secretary of Defense and the Sec-

retary of Veterans Affairs shall jointly develop and implement a comprehensive policy on improvements to the care, management, and transition of recovering service members with urotrauma.

(2) **SCOPE OF POLICY.**—The policy shall cover each of the following:

(A) The care and management of the specific needs of service members who are urotrauma patients, including eligibility for the Recovery Care Coordinator Program pursuant to the Wounded Warrior Act (10 U.S.C. 1071 note).

(B) The return of service members who have recovered to active duty when appropriate.

(C) The transition of recovering service members from receipt of care and services through the Department of Defense to receipt of care and services through the Department of Veterans Affairs.

(3) **CONSULTATION.**—The Secretary of Defense and the Secretary of Veterans Affairs shall develop the policy in consultation with the heads of other appropriate departments and agencies of the Federal Government, with representatives of military service organizations representing the interests of service members who are urotrauma patients and with appropriate nongovernmental organizations having an expertise in matters relating to the policy.

(b) **REPORT.**—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report that includes a review identifying and options for responding to gaps in the care of service members who are urotrauma patients.

AMENDMENT NO. 79 OFFERED BY MR. GALLEGO OF TEXAS

Page 308, line 7, strike "and" after the semicolon.

Page 308, line 11, strike the period and insert ":", and".

Page 308, after line 11, insert the following:

(3) determine the effectiveness of the efforts of the Department of Defense in reducing suicide rates of members of the Armed Forces.

AMENDMENT NO. 82 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

At the end of subtitle C of title VII, insert the following:

**SEC. 726. REPORT ON ROLE OF DEPARTMENT OF VETERANS AFFAIRS IN DEPARTMENT OF DEFENSE CENTERS OF EXCELLENCE.**

Not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Armed Services and Veterans' Affairs of the House of Representatives and the Committees on Armed Services and Veterans' Affairs of the Senate a report on the centers of excellence established under sections 1621, 1622, and 1623 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 1071 note). Such report shall include each of the following:

(1) The amount of resources that have been obligated by Department of Veterans Affairs in support of each of the centers since the dates on which they were established, including the amount of personnel, time, money, and function provided in support of the centers.

(2) An estimate of the amount of resources the Secretary expects the Department to dedicate to each of the centers during each of fiscal years 2014 through 2018.

(3) A description of the role of the Department within each of the centers.

AMENDMENT NO. 83 OFFERED BY MR. THOMPSON OF PENNSYLVANIA

Page 308, after line 21, insert the following:  
**SEC. 726. PRELIMINARY MENTAL HEALTH ASSESSMENTS.**

Before any individual enlists in the Armed Forces or is commissioned as an officer in the Armed Forces, the Secretary of Defense shall provide the individual with a mental health assessment. The Secretary shall use such results as a baseline for any subsequent mental health examinations, including such examinations provided under sections 1074f and 1074m of title 10, United States Code, and section 1074n of such title, as added by section 702.

AMENDMENT NO. 102 OFFERED BY MR. DE SANTIS OF FLORIDA

At the end of subtitle D of title IX, add the following new section:

**SEC. \_\_\_\_ . LIMITATION ON AVAILABILITY OF FUNDS FOR COLLABORATIVE CYBERSECURITY ACTIVITIES WITH CHINA.**

None of the funds authorized to be appropriated by this Act may be used for collaborative cybersecurity activities with the People's Republic of China or any entity owned or controlled by China, including cybersecurity war games, cybersecurity working groups, the exchange of classified cybersecurity technologies or methods, and the exchange of procedures for investigating cyber intrusions.

AMENDMENT NO. 107 OFFERED BY MR. BROUN OF GEORGIA

At the end of subtitle H of title X, add the following new section:

**SEC. 1080. REPORT ON IMPLEMENTATION OF THE RECOMMENDATIONS OF THE PALOMARES NUCLEAR WEAPONS ACCIDENT REVISED DOSE EVALUATION REPORT.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the recommendations of the Palomares Nuclear Weapons Accident Revised Dose Evaluation Report released in April by the Air Force in 2001.

AMENDMENT NO. 126 OFFERED BY MR. CONAWAY OF TEXAS

At the end of subtitle D of title XII of division A, add the following new section:

**SEC. 12 . INTEGRATED AIR AND MISSILE DEFENSE PROGRAMS AT TRAINING LOCATIONS IN SOUTHWEST ASIA.**

Section 544(c)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2347c(c)(1)) is amended—

(1) in the first sentence, by inserting after "programs" the following: "and integrated air and missile defense programs"; and

(2) in the second sentence, by striking "post-undergraduate flying and tactical leadership" and inserting "such".

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. LARSEN) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I rise in support of the en bloc amendment and encourage our colleagues to support it.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. POSEY).

Mr. POSEY. I thank the gentleman for yielding.

I am pleased that my bipartisan bill, the Deployed Troops Support Act, is part of an en bloc amendment later this evening.

My amendment simply allows the Department of Defense to transport, on a space-available basis, goods supplied by nonprofit organizations to members of the armed services who are deployed overseas.

We ensure that the Secretary has the authority to determine that there is a legitimate need for the goods being shipped, and that the supplies are suitable for distribution, and that adequate arrangements have been made for the distribution when the shipment arrives.

This legislative idea was brought to me by veterans in my congressional district, specifically, AVET Project. If enacted into law, it would give our troops the same consideration on a space available as currently granted to foreigners under the Denton Program.

Mr. LARSEN of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. ESTY).

Ms. ESTY. Mr. Chairman, I rise in support of this en bloc amendment, which includes my amendment to add the Proper Replacement of Medals and Performance Tracking, the PROMPT Act, to the underlying legislation.

I want to first thank Chairman McKEON and Ranking Member SMITH for their leadership and cooperation. And I'd also like to thank my colleague, Dr. JOE HECK, for making the PROMPT Act a bipartisan effort aimed at improving our service to veterans, servicemembers, and their families.

I drafted this legislation after working with several veterans in my district to replace medals and decorations that they've been waiting months, and sometimes years, to receive.

One constituent, a Korean War veteran, has grandchildren that want to see his medals and document his service as part of the family history. He should not have to wait indefinitely for the medals he earned in service to this country.

Nor should Paul Sypek, the Vietnam veteran in my district seeking to replace his Army Commendation Medal. He first had to correct a clerical error that omitted the decoration from his separation papers. More than 2 years later, he's still waiting for the replacement medal he requested.

The PROMPT Act creates performance standards to ensure that requests

are fulfilled in a timely and organized fashion. We can and we must do better for those who served our country with distinction. Adding the PROMPT Act to H.R. 1960 ensures that we will. I urge support for the en bloc amendment.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. COLLINS).

Mr. COLLINS of New York. I rise tonight to speak on behalf of an amendment to be offered later. This amendment provides a sense of Congress to the Secretary of Defense and urges my colleagues to support this amendment, which will help maintain a strong National Guard and Reserve.

We've seen, time and again, whether it's Superstorm Sandy or other national catastrophes, the National Guard and the Reserve that have come to the Nation and helped support us in a time of need. September 11 it was the members of the Air National Guard that flew jets over New York City and this Nation's Capitol.

Many members of both the Guard and Reserve have fought and died for this country in Iraq and Afghanistan. Time and again we have called on them to support us, and this proposed amendment just urges the Secretary of Defense to make sure that we send the message that he should make every effort to ensure our military Reserve and National Guard forces are fully manned and fully funded to help the United States fulfill its longstanding commitment to the unyielding defense of this country.

Mr. Chairman, the brave men and women who fill the ranks of both the National Guard and Reserve deserve nothing else.

Mr. LARSEN of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. GALLEG0).

Mr. GALLEG0. Mr. Chairman, I too would like to thank the chairman and the ranking member as I rise today in support of the en bloc amendments. These amendments include two amendments which I have authored to support the men and women who serve in our armed services, and to support their families.

The first amendment ensures that the Department of Defense can continue to fast-track and to expedite the hiring of critical health care workers who treat our wounded warriors and provide care to military families. Members of our armed services make incredible sacrifices, and taking care of them, and taking care of their loved ones, is one of the most sacred promises that our country can make.

This amendment helps folks who receive medical attention at places like Brooke Army Medical Center and Fort Bliss William Beaumont Army Medical Center.

The amendment would designate critical health care workers as part of a special "shortage category" and thus

make them eligible for salaries that are competitive with the higher salaries that are offered by the VA for similar positions.

We need to ensure the highest standard of treatment for the men and the women who have given so much to our country.

There is no increase in costs associated. The Department of Defense has already budgeted for this proposal.

The second amendment helps ensure that the Secretary of Defense can take measures, as he sees fit, to determine the effectiveness of our efforts to reduce suicide by members of our armed services.

The military suicide rate hit a record high last year with 349 people who took their own lives across the four branches. That averages out to 1 every 25 hours.

□ 1940

We must take any and all measures to help reduce the suicide rates among those who serve our country. As a member of the Armed Services Committee, again, I thank the chairman and the ranking member and all of the members of the committee for their hard work on a very vital piece of legislation, including these provisions to treat wounded warriors and to reduce suicide rates.

Mr. Chairman, I encourage passage of the en bloc amendments.

Mr. TURNER. We have no further speakers, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I yield back the balance of my time.

Mrs. BUSTOS. Mr. Chair, I am here to ask that you support my amendment requesting the Secretary of the Army to review and provide a report on the Medal of Honor nomination of Captain William L. Albracht of Moline, Illinois.

Many, including the Vietnam Veterans of America, strongly believe that after reviewing all of the documentation that the Silver Star is not commensurate with Captain Albracht's actions during the five days of the siege of Firebase Kate in South Vietnam.

It is the belief that the Army performed a cursory review of the nomination, given the length of time between Captain Albracht's heroic actions and his initial Medal of Honor nomination.

Forty-three years ago, Captain Albracht, then a 21-year-old Green Beret, was in charge of a U.S. military evacuation at Firebase Kate.

Captain Albracht's strong leadership, calm under extreme duress, and care for countless other soldiers was exemplary. He was responsible for saving 150 lives.

Outnumbered 40-to-1 and vulnerable, conditions grew more dire. Albracht took shrapnel to the arm. The wound easily could have landed him aboard one of the last medevac helicopters that dared approach Firebase Kate.

But he chose to stay.

He led these 150 men off the base, despite being wounded, surrounded and constantly

targeted by the enemy. After long nights, Captain Albracht's escape plan worked.

After arriving safely at a nearby outpost, word came that there would be a ceremony to honor their heroic actions. A helicopter was sent to pick up Captain Albracht, despite poor flying conditions that had grounded many other aircraft.

Upon arrival of the helicopter, Captain Albracht noted that there were several wounded soldiers who could not be airlifted due to weather conditions. He told the aircrew of his helicopter to get the men to a hospital. Giving up his seat caused him to miss the ceremony. His actions went unrecognized for four decades.

Others under Captain Albracht's command and guidance were awarded Silver Stars for their actions that day. However, Captain Albracht was not recognized for leading his soldiers to safety through the dense Vietnamese jungle while repeatedly facing extreme enemy fire.

Many believe that every man at Firebase Kate would have died if not for Captain Albracht. There was no one else capable of calling in an airstrike and no one there capable of inspiring these men to follow him into that jungle.

This is why I am requesting that the Army review and provide a report on why Captain Albracht's heroic actions and Medal of Honor nomination was downgraded two levels.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENT NO. 33 OFFERED BY MR. LARSEN OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 33 printed in part B of House Report 113-108.

Mr. LARSEN of Washington. Mr. Chairman, I rise to offer amendment 33 as the designee of Mr. COOPER.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 425, after line 23, insert the following:  
**SEC. 1060. NEW START TREATY FUNDING.**

(a) **REDUCTION.**—Notwithstanding the amounts set forth in the funding tables in division D—

(1) the amount authorized to be appropriated in section 201, as specified in the corresponding funding table in section 4201, for research, development, test, and evaluation, defense-wide, Space Programs and Technology, is decreased by \$50,000,000; and

(2) the amount authorized to be appropriated in section 301, as specified in the corresponding funding table in section 4301, for operation and maintenance, defense-wide, Office of the Secretary of Defense is decreased by \$20,491,000.

(b) **INCREASES.**—Notwithstanding the amounts set forth in the funding tables in division D:

(1) The amount authorized to be appropriated in section 101, as specified in the corresponding funding table in section 4101, for procurement is increased as follows:

(A) Weapons Procurement, Navy, Trident II Modifications by \$14,100,000.

(B) Other Procurement, Navy, Strategic Missiles System Equipment by \$25,919,000.

(C) Other Procurement, Navy, Spares and repair Parts by \$275,000.

(D) Aircraft Procurement, Air Force, B52 by \$500,000.

(2) The amount authorized to be appropriated in section 201, as specified in the corresponding funding table in section 4201, for Missile Procurement, Air Force, Initial Spares/Repair Parts is increased by \$703,000.

(3) The amount authorized to be appropriated in section 301, as specified in the corresponding funding table in section 4301, for operation and maintenance is increased as follows:

(A) Combat Communications by \$9,594,000.

(B) Depot Maintenance by \$4,000,000.

(C) Other Service-wide Activities by \$15,400,000.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Washington (Mr. LARSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. LARSEN of Washington. Mr. Chairman, this amendment would restore funding for commonsense nuclear weapons reductions that have already been approved with the advice and consent of the Senate and that the Navy and the Air Force have planned for fiscal year 2014.

The \$70 million cut in the bill keeps nuclear weapons at Cold War levels, and denying fiscal year '14 funding risks the United States missing the deadline for treaty compliance as there will be insufficient lead time for procurement and installation to support conversion efforts to implement the reductions required by 2018, the date of entry into force.

This amendment is funded by an offset of \$50 million from DARPA's space technology program due to the recently terminated System F6, which was aimed to distribute functions of big satellites into several small ones orbiting in tight formation—so this funding is available—and \$20 million from the \$2.1 billion in the Office of the Secretary of Defense O&M funds which pays OSD staff. This is a 1 percent cut with minimal impact, as the Secretary of Defense has indicated that he intends to make cuts to overhead.

So I urge my colleagues to support this amendment.

With that, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Alabama, the chairman of the Strategic Forces Subcommittee.

Mr. ROGERS of Alabama. I thank the chairman.

Today I rise in opposition to the amendment offered by my good friend and colleague from Tennessee (Mr.

COOPER) as well as my good friend from Washington State.

The committee zeroed out these funds because the administration appears to be expecting a blank check from the Congress to implement this treaty. The House, through the appropriation power, must have a chance to evaluate whether the implementation of a treaty and the manner in which an administration intends to implement a treaty is in the U.S. national security interest. That's the reason the 1042 report was required in the FY12 NDAA in the first place.

I remind the House, this report is mandated by law. Are we really comfortable in this House with letting the President ignore the law of the land as he sees fit?

Additionally, while the gentleman from Tennessee withdrew the amendment at the full committee level because the offset he selected was of concern, the offset he has now is also a problem. It takes a program in DARPA that has been eliminated recently, and the funds for that program are planned to support transition activities to two other DARPA programs. Diverting \$50 million from this effort now would significantly slow down the schedule for these two programs.

Additionally, we expect President Obama to announce, likely next week in Berlin, that he will seek to reduce our deployed nuclear forces by one-third—beyond the New START treaty reductions we have yet to put in place. We need to put the brakes on this rush to zero. This President is proposing dangerous and irreversible changes to our nuclear forces.

I urge my colleagues to reject the amendment.

Mr. LARSEN of Washington. Mr. Chairman, how much time remains?

The Acting CHAIR. The gentleman from Washington has 3¾ minutes remaining.

Mr. LARSEN of Washington. Mr. Chairman, I ask unanimous consent to yield the balance of the time to the gentleman from Tennessee (Mr. COOPER).

The Acting CHAIR. Without objection, the gentleman from Tennessee will control the remainder of the time.

There was no objection.

Mr. COOPER. Mr. Chairman, it's a shame that President Ronald Reagan would have a hard time getting nominated in today's Republican Party. If you look back at what President Reagan said, he called for the abolition of "all nuclear weapons." Furthermore, he went on to say that these weapons are "totally irrational, totally inhumane, good for nothing but killing, possibly destructive of life on Earth and civilization."

Now, no one on this side of the aisle is calling for abolition, but we are calling for the United States of America to live up to its legitimate treaty commitments as passed by an overwhelming majority of the United

States Senate. Now, I know there is very little love lost for the other body, but it was an overwhelming vote, and it was just 2 or 3 years ago.

The treaty is supposed to be implemented in 2018. Why the other side of the aisle is not more interested in reducing Russian nuclear weapons, I do not know, but this just simply allows us to live up to our legitimate and legal treaty commitments.

The other side is welcome to have suspicions of all sorts of things, but we should obey the treaties that we have ratified. So this calls for \$70 million to do that.

We can always question offsets. I've worked very hard with the other side to try to find appropriate offsets. But the key is let's restore the \$70 million that our own military wants so that we can implement this treaty which could reduce nuclear risk in this world as President Reagan called for.

This is an opportunity. This is a necessity if we're going to live up to our legal obligations. I have the utmost respect for my friend from Alabama, the chairman of the subcommittee. This is a fixable problem. This is a needless political fight. In the full committee, as the gentleman knows, we try to work very closely with folks on the other side of the aisle. This is just \$70 million to live up to our existing treaty commitments.

I would urge my colleagues of good faith on both sides of the aisle, we can do this. We must do this. Let's follow what President Reagan would have wanted and let's support this treaty commitment.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the distinguished chairman of the Tactical Air and Land Forces Subcommittee, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Chairman, let's be clear. It has been misstated that if this amendment doesn't pass that we would leave nuclear weapons at the Cold War level. Our nuclear weapons have already been reduced by 90 percent since the peak of the Cold War and 75 percent since the end of the Cold War.

Ronald Reagan never said that the United States should disarm itself at its disadvantage. He saw a world where no one would have nuclear weapons, not that we would place ourselves at a disadvantage. I certainly believe that, as Ronald Reagan would look around the world today, he would have never foreseen a nuclear-capable North Korea, and he certainly wouldn't have seen the world watch as Iran marches to become a nuclear state.

This amendment actually would take money from programs that are important, but it would put money toward something that is just not ready. We know we're not ready for New START treaty implementation, and we also know that we are certainly not going to be in breach.

This is not an issue of our walking away from a treaty obligation. This is not at all an issue of saying that Russia should not reduce their nuclear weapons. In fact, we believe that Russia ought to further reduce especially their tactical nuclear weapons, the overwhelming thousands that they have pointed at Europe that are in greater numbers than Europe or the United States would ever imagine.

We believe that we should stand up to the treaty obligations. But to fulfill those, we have to look to what the President promised, which, as the President said, in order for us to go to the New START treaty levels, that America has work to do. That work needs to be done.

While the President walks away from his commitments to nuclear modernization of our infrastructure and our weapons and fails to turn in the 1042 report that would give us the understanding of what our overall strategy is, the President wants to continue down this path of dismantling nuclear weapons when we're just not ready. New START can wait until we satisfy the convictions that even the President had put forward.

□ 1950

But even further, we have to look at what the President currently is doing. The President has signaled that he wants to reduce nuclear weapons further even before we've gone to New START. The problem is that obviously North Korea has just recently marched a weapon to the launch pad that could threaten the United States. This is not the time to do this.

Mr. COOPER. Mr. Chairman, may I inquire as to how much time I have remaining.

The Acting CHAIR. The gentleman from Tennessee has 1¾ minutes remaining.

Mr. COOPER. Mr. Chairman, let me speak very briefly, and then I will yield the balance of my time to my friend from California.

My colleagues on the other side of the aisle, no one can know for sure what President Reagan would have done today. But read what Henry Kissinger is writing today, George Shultz—keepers, I think, of the Reagan legacy. They are working with Sam Nunn and others to do what we can to have enforceable, reliable treaties with the former Soviet Union, with Russia. And I would urge my colleagues to do what our own military is requesting, to give them the means to implement this treaty.

I yield the balance of my time to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Trust and verify. Wow. In the New START treaty, it's trust and verify. But to get to the trust and verify, we're going to have to begin the process—\$70 million requested by the military to begin the process.

I know the gentleman on the other side of this question has spent days and days working through this budget. The military plans years ahead; And in order to carry out the New START treaty and see the reductions that we need to make on our side, as obligated by that treaty, we need to begin that planning process now.

It's not a matter of throwing the weapons out or disposing of these weapons today. It's how we go about getting to that point, and the \$70 million is essential for that.

We'll delay by one whole year the process of carrying out our treaty obligations. Russia is in the process of carrying out their treaty obligations, and we should too.

It's very simple, guys. It's about carrying out an obligation that we have. It's about giving the military the money that they need today to begin the planning, to do the early parts of that process.

Trust and verify. The Russians want us—they trust us, maybe, but they want verification. We want verification from them also. This is all about carrying out a treaty obligation, getting it going.

Mr. COOPER. I yield back the balance of my time.

Mr. FORTENBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, none of us of course could know what President Reagan would have done. I would suggest, however, that if we had a Reagan approach to defense, we would not still be arguing about missile defense, and we certainly wouldn't be debating \$60 billion cuts to defense.

The other point I would make is ratification of the New START treaty was conditioned in the Senate upon certain investments to our nuclear deterrent infrastructure. Unfortunately, those investments have not been forthcoming.

Let me talk about the offset for just a second. The most cutting-edge done for our military is done at DARPA. DARPA funding is flat, and there are a number of us who are concerned about that. But what they do at DARPA is they evaluate the projects they have; and if one seems less promising than others, they move that money around. So what this amendment does is punish them for doing that, because as they are moving money from one project to another that seems more promising, it takes that money away. When you're looking at funding research, it seems to me we want to encourage that sort of flexibility towards the most promising avenues of the research, and yet this amendment takes exactly the opposite approach.

For a variety of reasons, Mr. Chairman, I think this amendment is not a good idea, and I would recommend Members vote against it.

I yield back the balance of my time.



The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. LARSEN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COOPER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

AMENDMENT NO. 36 OFFERED BY MR. GIBSON

The Acting CHAIR. It is now in order to consider amendment No. 36 printed in part B of House Report 113-108.

Mr. GIBSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 1251.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from New York (Mr. GIBSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. GIBSON. Mr. Chairman, this amendment is very simple. It strikes the language in section 1251, which pertains to Syria—a very serious subject that's been talked about here this evening. In my view, we should be debating this in regular order, and there should be a stand-alone resolution that deals with Syria.

You know, this language that we have in the underlying bill, the intent of it I understand, it was supposed to deal with the weapons of mass destruction in Syria, the control of them. That would be one thing. But I just want every Member to understand what's in the underlying language.

Subsection b, subsection 1:

President Obama should fully consider all courses of action to remove President Assad from power.

That sounds a lot like unilateral action for regime change to me.

Subsection 5:

The United States should continue to support Syrian opposition forces with nonlethal aid.

I don't remember authorizing any aid to begin with, much less continuing.

Subsection 8:

Should the President decide to employ any military assets in Syria, the President should provide a supplemental budget request to Congress.

Well, yes on the supplemental budget request if it ever comes to it. But should the President decide to employ any military assets, that's for us to decide, not for the President.

So, Mr. Chairman, I have concerns. I certainly understand the initial intent. It is my strongest recommendation that we strike this language, that we

work together on language that is more suitable for an NDAA, and then, if desired, to have broader discussion with a separate resolution if somebody wants to move forward with regard to action in Syria.

I would say that I oppose military action in Syria, but I certainly think there should be voices. We should have Representatives speaking for their people.

And I hope that we learn. You know, in 2011, I came here very concerned about Libya. I spoke out against military action. We ended up taking military action. I was concerned that we would empower forces hostile to us. And I regret to say on September 11 of last year, we ended up with a situation in Benghazi that we all are very saddened by. I want to see us learn from this, and I certainly want to see us strike this language.

I reserve the balance of my time.

Mr. McKEON. I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. McKEON. Mr. Chairman, at this time I yield 2½ minutes to my friend and colleague, the gentlelady from Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. Mr. Chairman, while I greatly respect the author of this amendment, I must rise in opposition.

This amendment does, in fact, strike section 1251 of the underlying bill that expresses a sense of Congress in regard to Syria. Section 1251 says the President should have a plan in place to secure U.S. interests in Syria; that the U.S. should support the stability of our allies like Israel—our strongest ally in the region; and that the U.S. should continue to conduct rigorous planning to secure any chemical and biological stockpiles. It does not say that the U.S. should intervene in Syria. And it requires the President to provide a supplemental budget should military action be necessary.

Although much delayed, the confirmation from the Obama administration just a few hours ago that the Assad regime has used chemical weapons against rebel forces demonstrates why section 1251 is needed. It's time to get serious about addressing Syria and develop a plan to protect American interests in the region.

According to the President, Assad has crossed a red line. By turning a blind eye to this civil war that has already claimed more than 90,000 lives, we lose credibility within the region and embolden bad actors like Iran and Hezbollah.

I would ask my colleagues to vote against this amendment.

Mr. GIBSON. Mr. Chairman, I'll yield myself about 20 seconds, and then I'm going to yield to my good friend from California.

I just want to say in response that, with regard to planning, absolutely. I know our military forces are always in the process of planning.

Standing with Israel, absolutely. But I just would remind my colleagues to read the language in here. This is inappropriate for an NDAA. It is not in our interest to be affirming this language.

At this point, I'd like to yield to my good friend from California (Mr. GARAMENDI).

□ 2000

Mr. GARAMENDI. May I inquire as to the time available?

The ACTING CHAIR. The gentleman has 2¼ minutes remaining.

Mr. GARAMENDI. Thank you very much, Mr. Chairman.

A lot of analogies come to mind: slippery slopes, camel's nose under the tent.

Syria is an extremely serious matter, and the role of the United States in the serious issue of Syria needs to be fully vetted by the Congress and the Senate. We are debating; 435 of us are given 10 minutes, 10 minutes of time to this issue, plus perhaps another 5 minutes in the committee hearing, to this matter of what is the role of the United States in the serious Syrian issue.

Slippery slope, red lines, military aid, nonlethal aid. What does it all mean? Where is the House Foreign Affairs Committee on this matter? And by the way, how did this slip by the requirement of dual referencing? It did. We're here.

Ten minutes, 10 minutes on a matter that could very easily suck the United States into another war in the Middle East. We need time. We need to debate this. We need to understand all the ramifications of this. The language in this particular section is really serious language. It's far more than has been stated on the floor. Put it aside, step back, take our time, understand what all the ramifications are.

Mr. GIBSON. I would like to yield my remaining time to my colleague from Minnesota.

Mr. NOLAN. Madam Chairman, I rise in support of the Gibson-Garamendi amendment. I'm using this time to express my regret that a resolution that I presented to the Rules Committee requiring the Congress to decide on whether or not we should send arms and troops to the rebels was denied an opportunity to be heard today.

The fact is, this is a centuries old conflict between the Sunnis and the Shiites. We have no friends in this fight. Believe me, I've lived in the Middle East, I've done business in the Middle East, I've studied the language, I've studied the culture. We have no friends in this conflict. The rebels—make no mistake about it—are the al Mazraa affiliated with al Qaeda.

The Acting CHAIR (Ms. ROSELEHTINEN). The time of the gentleman has expired.



Mr. McKEON. Madam Chair, at this time, I yield the balance of my time to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Madam Chairman, I thank the chairman of the full committee for yielding me time.

I have total respect for my colleague and friend from New York who authored this amendment, but I believe on this one this amendment is misguided and we should defeat it. This does not call for a declaration of war or any kinds of the, I think exaggerated responses I've heard in favor of this amendment. This says that the President should have a course of action.

The President earlier stated that there are red lines concerning weapons of mass destruction. I believe, if the news today is correct, then belatedly maybe there is a step toward recognizing that and taking some action for red lines just in the last few hours.

But we've been working on this amendment, we debated it in committee, because up until now, and even going forward—I'm not sure how much—there hasn't been very much planning. There hasn't been a stated plan or a course of action by the administration. We need to have that in place.

We can and should and will debate this further. But the administration, I believe, has been lacking in leadership—too much leading from behind, as we've seen in other places. There needs to be leadership.

This is a volatile area of the world—there's no question about that. That doesn't mean, though, that we can be disengaged. We can't just throw our hands up and withdraw and put our heads in the sand.

We have allies in the region, especially Israel. Israel needs to be supported and defended. We are the most powerful country in the world. We need to take a role of at least planning for what's happening.

That's what this sense of Congress language does. Section 1251, the amendment offered by my friend and colleague from New York, would strike the language.

I would urge a "no" vote on this amendment. Let's have some planning for once by this administration on this important issue.

Mr. McKEON. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GIBSON).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. GIBSON. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 37 OFFERED BY MR. COFFMAN

The Acting CHAIR. It is now in order to consider amendment No. 37 printed in part B of House Report 113-108.

Mr. COFFMAN. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 1256, insert the following new section (and redesignate subsequent sections accordingly):

**SEC. 1257. REMOVAL OF BRIGADE COMBAT TEAMS FROM EUROPE.**

(a) FINDING.—Congress finds that, because defense spending among European NATO countries fell 12% since 2008, from \$314 billion to \$275 billion, so that currently only 4 out of the 28 NATO allies of the United States are spending the widely agreed-to standard of 2% of their GDP on defense, the United States must look to more wisely allocate scarce resources to provide for the national defense.

(b) REMOVAL REQUIRED.—The President shall end the permanent basing of the 2nd Cavalry Regiment (2CR) in Vilseck, Germany and return that Brigade Combat Team currently stationed in Europe to the United States, without permanent replacement, leaving one Brigade Combat Team and one Combat Aviation Brigade.

(c) USE OF ROTATIONAL FORCES TO SATISFY SECURITY NEEDS.—It is the policy of the United States that the deployment of units of the United States Armed Forces on a rotational basis at military installations in European member nations of the North Atlantic Treaty Organization pursuant to the Army Force Generation (ARFORGEN) process is a force-structure arrangement sufficient to permit the United States—

(1) to satisfy the commitments undertaken by United States pursuant to Article 5 of the North Atlantic Treaty, signed at Washington, District of Columbia, on April 4, 1949, and entered into force on August 24, 1949 (63 Stat. 2241; TIAS 1964);

(2) to address the current security environment in Europe; and

(3) to contribute to peace and stability in Europe.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed so as to require the removal of Landstuhl Regional Medical Center or to prohibit the utilization of the 82nd Airborne's Division Readiness Brigade, Marine Corps Fleet Anti-Terrorism Security Teams, Marine Corps Special-Purpose Marine Air-Ground Task Forces, Marine Corps expeditionary units, Special Operations Command forces, or other quick-response forces to respond to threats in Europe and in the vicinity of the U.S. European Command (EUCOM) area.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Colorado (Mr. COFFMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. COFFMAN. Madam Chairman, I am proud to be joined by Representatives POLIS, GRIFFITH, and BLUMENAUER in offering an amendment to move away from our Cold War posture to meet the challenges of the future. This bipartisan amendment will end the permanent basing of the 2nd Cavalry Regi-

ment in Germany and return that brigade combat team to the United States, without permanent replacement. There is no longer a strategic reason to maintain our current troop numbers in Europe.

This action will still leave one brigade combat team and one combat aviation brigade in Europe. Nothing in this amendment demands the removal of our European medical facilities or rapid response forces.

Should a crisis occur, it is not the BCTs that will be called to respond. In fact, just last month, the U.S. moved marines from a crisis-response force to Italy in anticipation that it could be needed to respond to growing unrest in Libya. In an emergency, expeditionary forces, such as the Marine Corp Special MAG Task Force and FAST teams, or even the Army's 82nd Airborne, would be called to action, not the BCTs in Germany.

Only 4 out of 28 NATO allies spend even the required 2 percent of their GDP on defense. The U.S. spends 4.7 percent. Our allies keep defense spending low because they take for granted that we will guarantee their security. This is an unfair burden to U.S. taxpayers. We should reprioritize our commitments while meeting our security obligations to our NATO allies by utilizing rotational forces.

I ask my colleagues to join in supporting this amendment to better deal with the strategic challenges of the future.

I reserve the balance of my time.

Mr. DAVID SCOTT of Georgia. Madam Chairman, I rise to claim time in opposition.

The ACTING CHAIR. The gentleman is recognized for 5 minutes.

Mr. DAVID SCOTT of Georgia. Madam Chairman, I yield myself 2 minutes.

First of all, this is, a very dangerous, dangerous amendment. I am a member of the NATO Parliamentary Assembly. I am also the vice chairman of the Science and Technology Committee of NATO. I have been a member of NATO for 11 years. That means I get to travel across the world two or three times each year into this region. I can tell you firsthand that this is a dangerous amendment, it is very dangerous at this time.

Now, you have mentioned about some of our NATO colleagues. And yes, we are having a challenge. Each nation is going through economic challenges. But let me tell you, they are increasing their input and their financial resources each year.

□ 2010

One thing is for certain: the wrong message that we should send to them now and to encourage them to contribute more is for us to cut and run and contribute less, and that's exactly what this amendment that you are offering will do.

The other point as to why it is dangerous is that we would sit here in Congress and force the hand of President Obama—or, for that matter, of any President or future President—to publicly state that he is going to remove a contingent of a brigade like the 2nd Cavalry Regiment in Vilseck, Germany, and then return that brigade to the United States and not put anything in its place. Europe and the Mediterranean and the Middle East—there is no more volatile, unpredictable place on this planet. At the same time, there is no place on this planet that we have the strength of alliances as we have here.

With that, I reserve the balance of my time.

Mr. COFFMAN. I think we both have experience in NATO. You serve on this parliamentary committee, and I served in the United States Army in the North Atlantic Treaty Organization, in the very type of unit that we are talking about today.

That unit was designed to defend the border between what was West Germany and Czechoslovakia against Warsaw Pact forces that were on the other side. That border no longer exists. The Warsaw Pact no longer exists. Yet we still maintain a regiment there, which is not an expeditionary unit, to do the very things that you're talking about. We also have the capability to move our forces when needed over there.

When I was in Europe during the height of the Cold War, protecting the very border in the same units that we are talking about today, we did the Reformer exercise on an annual basis in which U.S. forces would come over to Europe, in about the middle of western Germany, to reinforce our positions and to push those Warsaw Pact forces back.

Mr. DAVID SCOTT of Georgia. Will the gentleman yield 10 seconds?

Mr. COFFMAN. I yield to the gentleman.

Mr. DAVID SCOTT of Georgia. Even today, yes, you are absolutely right; but what did they do in Europe when we asked them to stand with us in Afghanistan? They stood with us. What did they do when we asked in Iraq? All I am simply saying is that we have an obligation today and in the future.

Mr. COFFMAN. I reclaim my time.

There is nothing in the NATO charter that says we have to maintain permanent bases in Europe. I certainly support rotational forces. I support our involvement and our obligations to the North Atlantic Treaty Organization, but it doesn't say we need to have a unit that is not an expeditionary force in the middle of Europe protecting a border that no longer exists.

I reserve the balance of my time.

Mr. DAVID SCOTT of Georgia. I yield 2 minutes to my dear friend, the gentleman from Ohio, Mr. MIKE TURNER.

Mr. TURNER. This amendment is unlike anything that you're going to see

in the National Defense Authorization Act. That's because this is not a function of Congress.

This amendment says the President shall end the permanent basing of the 2nd Cavalry Regiment in Germany and return them to the United States.

We don't move troops. There is a reason we don't move troops. There is nowhere in this bill you're going to find any provision that we move troops. That's because, in 10 minutes, we shouldn't have a debate about where troops would be.

The gentleman is absolutely, dangerously incorrect. These troops are not like the troops with whom he served in the early seventies. These troops are active in defending the United States and our allies. They are absolutely necessary for forward deployment. We need the 3 to 5 days it would take for these troops to make it to the important areas of Afghanistan, Israel, the Middle East, and it would take 20 days from the United States.

Mr. COFFMAN. Will the gentleman yield?

Mr. TURNER. No, I will not yield to the gentleman.

Here is the most important thing:

The gentleman says that these troops need to be reduced. We've reduced troops. Mind you, the gentleman served in the early seventies. Here is 1989. We had 213,000 troops. We've already drastically reduced them. They're already down to one-sixth of what they were. We are headed towards 30,000 troops in 2013.

You have to think about what it is that these troops do—they do regional security; they do international cooperation; they do partner nation training; they're part of our ISAF support in Afghanistan; they're part of NATO cooperation. These troops are active. If you go and meet with any of our troops who are currently in Europe, they are actively working—our men and women in uniform—on our operations now.

No one since the seventies has been staring down the bad Soviet Union. They are there protecting the United States and the United States' interests. They are our active men and women in uniform, and we have them forward-based because they help the United States in its functions of being able to deliver forces and our men and women to the important areas of where there are conflicts.

General Breedlove of the European Command says that this is as far as we can go. He vehemently opposes this. Even those people who might be for reducing troops should not be for this. Congress should not be specifically telling the Commander in Chief where troops should be and how to move them. This is dangerously wrong. If the gentleman wants to move troops, he should apply for a job at the DOD if he is qualified.

The Acting CHAIR. The time of the gentleman has expired.

The gentleman from Colorado has 1 minute remaining.

Mr. COFFMAN. In closing, I did apply and work for the DOD. In fact, I served in both the Army and the Marine Corps, and in the 1980s, I served in NATO as well as in the 1970s.

The mission has changed. Times have changed. We need to change. In doing so, we've got a unit there that really has no tactical purpose at this time. It is not an expeditionary force that can be readily moved. It would have to be moved to a railhead and then to a port facility and then be brought by ship in the most cost-effective manner.

We are at a time when we have excess capacity in the United States in terms of the United States Army. The last report was in 2004 of 20 percent excess capacity for the United States, and the administration wants to do another Base Realignment and Closure Commission. We ought to bring that unit home to the United States. It can deploy as needed, where needed, and not be in a country that's spending less than 2 percent of its GDP on defense when we're at 4.7 percent.

I yield back the balance of my time.

Mr. DAVID SCOTT of Georgia. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Georgia has 1 minute remaining.

Mr. DAVID SCOTT of Georgia. I would like to say this very quickly.

How things have changed. Messages that go out from this floor go out around the world. As we speak, just at our most recent NATO meeting, we were able to get 27 nations out of the 28 nations of NATO to pass a resolution supporting the United States' and Israel's position against Iran's acquiring a nuclear bomb. That's how relevant we are today.

With that, Madam Chairman, I yield the balance of my time to the gentleman from Oklahoma (Mr. BRIDENSTINE).

Mr. BRIDENSTINE. I would just like to make a couple of points.

Number one, these troops are not for NATO. These troops are for the European Command. These troops are for the United States of America. I'm a Navy pilot myself. I've been a part of units that deploy, that rotate. What I can say is that, when units rotate, the training that we get with our allies is less robust and is just not as good as if you have a permanent presence where you can integrate with our NATO allies. It's true that we are integrated with our NATO allies, but it is also true that these troops are for European Command.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. COFFMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COFFMAN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

□ 2020

AMENDMENTS EN BLOC NO. 5 OFFERED BY MR. MCKEON

Mr. MCKEON. Madam Chairman, pursuant to H. Res. 260, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 5 consisting of amendment Nos. 86, 87, 88, 89, 90, 91, 98, 99, 100, 101, 103, 104, 105, 109, 112, 115, 119, 121, and 142, printed in House Report No. 113-108, offered by Mr. MCKEON of California:

AMENDMENT NO. 86 OFFERED BY MR. PASCRELL OF NEW JERSEY

Page 308, after line 21, insert the following new section:

**SEC. 726. SENSE OF CONGRESS ON THE TRAUMATIC BRAIN INJURY PLAN.**

It is the sense of Congress that—

(1) section 739(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1822) requires the Secretary of Defense to submit a plan to Congress to improve the coordination and integration of the programs of the Department of Defense that address traumatic brain injury and the psychological health of members of the Armed Forces not later than 180 days after the date of the enactment of such Act;

(2) the requirement to submit the plan is still in effect and the contents of the plan are still important; and

(3) the Secretary of Defense should deliver the report within the required time frame.

AMENDMENT NO. 87 OFFERED BY MR. PASCRELL OF NEW JERSEY

Page 308, after line 21, insert the following:

**SEC. 726. REPORT ON MEMORANDUM REGARDING TRAUMATIC BRAIN INJURIES.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on how the Secretary will identify, refer, and treat traumatic brain injuries with respect to members of the Armed Forces who served in Operation Enduring Freedom or Operation Iraqi Freedom before the date in June 2010 on which the memorandum regarding using a 50-meter distance from an explosion as a criterion to properly identify, refer, and treat members for potential traumatic brain injury took effect.

AMENDMENT NO. 88 OFFERED BY MR. SESSION OF TEXAS

Page 308, after line 21, insert the following:

**SEC. 726. PILOT PROGRAM FOR INVESTIGATIONAL TREATMENT OF MEMBERS OF THE ARMED FORCES FOR TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.**

(a) PROCESS.—The Secretary of Defense shall carry out a five-year pilot program under which the Secretary shall establish a process through which the Secretary shall provide payment for investigational treatments (including diagnostic testing) of traumatic brain injury or post-traumatic stress disorder received by members of the Armed

Forces in health care facilities other than military treatment facilities. Such process shall provide that payment be made directly to the health care facility furnishing the treatment.

(b) CONDITIONS FOR APPROVAL.—The approval by the Secretary for payment for a treatment pursuant to subsection (a) shall be subject to the following conditions:

(1) Any drug or device used in the treatment must be approved or cleared by the Food and Drug Administration for any purpose and its use must comply with rules of the Food and Drug Administration applicable to investigational new drugs or investigational devices.

(2) The treatment must be approved by the Secretary following approval by an institutional review board operating in accordance with regulations issued by the Secretary of Health and Human Services.

(3) The patient receiving the treatment must demonstrate an improvement under criteria approved by the Secretary, as a result of the treatment on one or more of the following:

(A) Standardized independent pre-treatment and post-treatment neuropsychological testing.

(B) Accepted survey instruments including, such instruments that look at quality of life.

(C) Neurological imaging.

(D) Clinical examination.

(4) The patient receiving the treatment must be receiving the treatment voluntarily and based on informed consent.

(5) The patient receiving the treatment may not be a retired member of the Armed Forces who is entitled to benefits under part A, or eligible to enroll under part B, of title XVIII of the Social Security Act.

(c) ADDITIONAL RESTRICTIONS AUTHORIZED.—The Secretary may establish additional restrictions or conditions for reimbursement as the Secretary determines appropriate to ensure the protection of human research subjects, appropriate fiscal management, and the validity of the research results.

(d) AUTHORITY.—The Secretary shall make payments under this section for treatments received by members of the Armed Forces using the authority in subsection (c)(1) of section 1074 of title 10, United States Code.

(e) AMOUNT.—A payment under this section shall be made at the equivalent Centers for Medicare and Medicaid Services reimbursement rate in effect for appropriate treatment codes for the State or territory in which the treatment is received. If no such rate is in effect, payment shall be made on a cost-reimbursement basis, as determined by the Secretary, in consultation with the Secretary of Health and Human Services.

(f) DATA COLLECTION AND AVAILABILITY.—

(1) IN GENERAL.—The Secretary shall develop and maintain a database containing data from each patient case involving the use of a treatment under this section. The Secretary shall ensure that the database preserves confidentiality and that any use of the database or disclosures of such data are limited to such use and disclosures permitted by law and applicable regulations.

(2) PUBLICATION OF QUALIFIED INSTITUTIONAL REVIEW BOARD STUDIES.—The Secretary shall ensure that an Internet website of the Department of Defense includes a list of all civilian institutional review board studies that have received a payment under this section.

(g) ASSISTANCE FOR MEMBERS TO OBTAIN TREATMENT.—

(1) ASSIGNMENT TO TEMPORARY DUTY.—The Secretary of a military department may as-

sign a member of the Armed Forces under the jurisdiction of the Secretary to temporary duty or allow the member a permissive temporary duty in order to permit the member to receive treatment for traumatic brain injury or post-traumatic stress disorder, for which payments shall be made under subsection (a), at a location beyond reasonable commuting distance of the permanent duty station of the member.

(2) PER DIEM.—A member who is away from the permanent station of the member may be paid a per diem in lieu of subsistence in an amount not more than the amount to which the member would be entitled if the member were performing travel in connection with a temporary duty assignment.

(3) GIFT RULE WAIVER.—The Secretary of Defense may waive any rule of the Department of Defense regarding ethics or the receipt of gifts with respect to any assistance provided to a member of the Armed Forces for travel or per diem expenses incidental to receiving treatment under this section.

(h) MEMORANDA OF UNDERSTANDING.—The Secretary shall enter into memoranda of understandings with civilian institutions for the purpose of providing members of the Armed Forces with treatment carried out by civilian health care practitioners under treatment—

(1) approved by and under the oversight of civilian institutional review boards; and

(2) that would qualify for payment under this section.

(i) OUTREACH.—The Secretary of Defense shall establish a process to notify members of the Armed Forces of the opportunity to receive treatment pursuant to this section.

(j) REPORT TO CONGRESS.—Not later than 30 days after the last day of each fiscal year during which the Secretary is authorized to make payments under this section, the Secretary shall submit to Congress an annual report on the implementation of this section and any available results on investigational treatment studies authorized under this section.

(k) TERMINATION.—The authority to make a payment under this section shall terminate on the date that is five years after the date of the enactment of this Act.

(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each fiscal year during which the Secretary is authorized to make payments under this section.

(m) FUNDING INCREASE AND OFFSETTING REDUCTION.—

(1) IN GENERAL.—Notwithstanding the amounts set forth in the funding tables in division D, to carry out this section during fiscal year 2014—

(A) the amount authorized to be appropriated in section 1406 for the Defense Health Program, as specified in the corresponding funding table in division D, is hereby increased by \$10,000,000, with the amount of the increase allocated to the Defense Health Program, as set forth in the table under section 4501, to carry out this section; and

(B) the amount authorized to be appropriated in section 301 for Operation and Maintenance, Defense-wide, as specified in the corresponding funding table in division D, is hereby reduced by \$10,000,000, with the amount of the reduction to be derived from Line 280, Office of the Secretary of Defense as set forth in the table under section 4301.

(2) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in paragraph (1)(A) with or to a specific entity shall—

(A) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k), 2361, and 2374 of title 10, United States Code, or on competitive procedures; and

(B) comply with other applicable provisions of law.

AMENDMENT NO. 89 OFFERED BY MR. MCKEON OF CALIFORNIA

Page 308, after line 21, insert the following:  
**SEC. 726. INTEGRATED ELECTRONIC HEALTH RECORD OF THE DEPARTMENTS OF DEFENSE AND VETERANS AFFAIRS.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) despite repeated attempts at cooperation over the past 20 years, the Department of Defense and the Department of Veterans Affairs have failed to implement a solution that allows for seamless electronic sharing of medical health care data;

(2) the recent decision by the Secretary of Defense and the Secretary of Veterans Affairs to abandon their earlier agreement and pursue separate paths to integration jeopardizes the stated goal of providing “a patient-centered health care system that delivers excellent quality, access, satisfaction, and value, consistently across the Departments”; and

(3) despite the repeated concerns and objections of the congressional committees of jurisdiction, the Department of Defense and the Department of Veterans Affairs seem to be on a continued path to fail in achieving the goal of creating a seamless health record that integrates data across the Departments; and

(4) the President should make the necessary leadership changes to assure timely completion of this requirement.

(b) IMPLEMENTATION.—The Secretary of Defense and the Secretary of Veterans Affairs shall—

(1) implement an integrated electronic health record to be used by each of the Secretaries; and

(2) deploy such record by not later than October 1, 2016.

(c) DESIGN PRINCIPLES.—The integrated electronic health record established under subsection (b) shall adhere to the following principles:

(1) To the extent practicable, efforts to establish such record shall be based on objectives, activities, and milestones established by the Joint Executive Committee Joint Strategic Plan Fiscal Years 2013–2015, including any requirements, definition, documents, or analyses previously developed to satisfy said Joint Strategic Plan.

(2) Principles with respect to open architecture standards, including—

(A) modular designs based on standards with loose coupling and high cohesion that allow for independent acquisition of system components;

(B) if existing national standards do not exist as of the date on which the record is being established, the Secretaries shall agree upon and adopt a standard for purposes of the record until such time as national standards are established;

(C) enterprise investment strategies that maximize reuse of proven system designs;

(D) implementation of aggressive life-cycle sustainment planning that uses proven technology insertion strategies and product upgrade techniques;

(E) enforcement of system design transparency, continuous design disclosure and improvement, and peer reviews that include government, academia, and industry; and

(F) strategies for data-use rights to ensure a level competitive playing field and access

to alternative solutions and sources across the life-cycle of the program.

(3) By the point of full deployment decision, such record must be at a generation 3 level or better for a health information technology system.

(d) PROGRAM PLAN.—Not later than January 31, 2014, the Secretaries shall jointly develop and submit to the appropriate congressional committees a program plan for the oversight and execution of the integrated electronic health record program established under this section. This plan shall include—

(1) program objectives;

(2) organization;

(3) responsibilities of the Departments;

(4) technical system requirements;

(5) milestones, including a schedule for industry competitions for capabilities needed to satisfy the technical system requirements;

(6) technical system standards being adopted by the program;

(7) outcome-based metrics proposed to measure the performance and effectiveness of the program; and

(8) level of funding for fiscal years 2014 through 2017.

(e) ASSESSMENT.—

(1) IN GENERAL.—The Secretaries shall jointly commission an independent assessment of the program plan under subsection (d).

(2) SUBMISSION.—Not later than 60 days after the date on which the program plan under subsection (d) is submitted to the appropriate congressional committees, the Secretaries shall jointly submit to such committees the independent assessment conducted under paragraph (1).

(f) LIMITATION OF FUNDS.—Not more than 25 percent of the amounts authorized to be appropriated by this Act or otherwise made available for development, modernization, or enhancement of the integrated electronic health record within the Department of Veterans Affairs or for operation and maintenance for the Defense Health Agency of the Department of Defense may be obligated or expended until the date on which the program plan under subsection (d) is submitted to the appropriate congressional committees.

(g) MONTHLY REPORTING.—On a monthly basis, the Secretary of Defense and the Secretary of Veterans Affairs shall each submit to the appropriate congressional committees a report on the expenditures incurred by the Secretary in the development of an integrated electronic health record under this section. Such reports shall include obligations by major categories of spending and by support of milestones identified in the program plan required under subsection (d).

(h) REQUIREMENTS.—

(1) IN GENERAL.—Not later than October 1, 2014, all health care information contained in the Department of Defense AHLTA and the Department of Veterans Affairs VistA systems shall be available and actionable in real-time to health care providers in each Department through shared technology.

(2) CERTIFICATION.—At such time as the operational capability described in paragraph (1) is achieved, the Secretaries shall jointly certify to the appropriate congressional committees that the Secretaries have implemented such operational capability.

(3) LIMITATION OF FUNDS.—Neither the Secretary of Defense or the Secretary of Veterans Affairs may obligate or expend more than 10 percent of the amounts authorized to be appropriated by this Act or otherwise made available for the research, develop-

ment, test, and evaluation, or procurement for the Virtual Lifetime Electronic Record until the date on which the certification is made under paragraph (2).

(4) RESPONSIBLE OFFICIAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall each identify a senior official to be responsible for the electronic health record established under this section, including the operational capability described in paragraph (1). Such official shall have included within their performance evaluation performance metrics related to the execution of the responsibilities under this paragraph. Not later than 30 days after the date of the enactment of this Act, each Secretary shall submit to the appropriate congressional committees the name of the senior official selected under this paragraph.

(5) ACCOUNTABILITY REVIEW.—If the Secretary of Defense and the Secretary of Veterans Affairs fail to meet the requirements under paragraph (1), the Secretaries shall jointly conduct an accountability review to identify the following:

(A) The root cause of the failure and if the failure is a result of technology or human performance.

(B) The work sections responsible for the failure.

(C) The milestones and resource investment required to achieve such requirements.

(D) The recommendations for corrective actions, to include personnel actions, to achieve such requirements.

(6) SUBMISSION OF ACCOUNTABILITY REVIEW.—If the Secretaries conduct a review under paragraph (5), the Secretaries shall jointly submit to the appropriate congressional committees a report of the results of the review by not later than November 30, 2014.

(i) ADVISORY PANEL.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretaries shall jointly establish an advisory panel to support the development and validation of requirements, programmatic assessment, and other actions, as needed by the Secretaries, with respect to the integrated electronic health record established under subsection (b). The panel shall certify to the appropriate congressional committees that such record meets the definition of “integrated” as specified in subsection (j)(4).

(2) MEMBERSHIP.—The panel established under paragraph (1) shall consist of not more than 14 members, appointed by the Secretaries as follows:

(A) Two co-chairs, one appointed by each of the Secretaries.

(B) The chief information officer of the Department of Defense and the chief information officer of the Department of Veterans Affairs.

(C) One member from the acquisition community of the Department of Defense and one member from such community of the Department of Veterans Affairs.

(D) Two members from the academic community appointed by the Secretary of Defense.

(E) Two members from the academic community appointed by the Secretary of Veterans Affairs.

(F) Two members from industry appointed by the Secretary of Defense.

(G) Two members from industry appointed by the Secretary of Veterans Affairs.

(3) REPORTING.—The Advisory panel established under paragraph (1) shall submit to the appropriate congressional committees a quarterly report on the activities of the panel. The panel shall submit the first report by not later than December 31, 2013.

(j) DEFINITIONS.—In this section:

(1) The term “actionable” means information that is directly useful to customers for immediate use in clinical decision making.

(2) The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committees on Veterans’ Affairs of the Senate and the House of Representatives.

(3) The term “generation 3” means, with respect to an electronic health systems, a system that has the technical capability to bring evidence-based medicine to the point of care and provide functionality for multiple care venues.

(4) The term “integrated” means one single core technology or an inherent cross-platform capability without the need for additional patch development to accomplish this capability.

AMENDMENT NO. 90 OFFERED BY MR. WILSON OF SOUTH CAROLINA

Page 308, after line 21, insert the following:  
**SEC. 726. COMPTROLLER GENERAL REPORT ON RECOVERY AUDIT PROGRAM FOR TRICARE.**

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report that evaluates the similarities and differences in the approaches to identifying and recovering improper payments across Medicare and TRICARE. The report shall contain an evaluation of the following:

(1) Medicare and TRICARE claims processing efforts to prevent improper payments by denying claims prior to payment.

(2) Medicare and TRICARE claims processing efforts to correct improper payments post-payment.

(3) The effectiveness of Medicare and TRICARE post-payment audit programs in place to identify and correct improper payments that are returned to the government plans.

AMENDMENT NO. 91 OFFERED BY MR. SARBANES OF MARYLAND

At the end of title VIII, add the following new section:

**SEC. 833. REVISION OF DEFENSE SUPPLEMENT TO THE FEDERAL ACQUISITION REGULATION TO TAKE INTO ACCOUNT SOURCING LAWS.**

Not later than 60 days after the date of the enactment of this Act, the Department of Defense Supplement to the Federal Acquisition Regulation shall be revised to implement the requirements imposed by sections 129, 129a, 2330a, 2461, and 2463 of title 10, United States Code.

AMENDMENT NO. 98 OFFERED BY MR. CÁRDENAS OF CALIFORNIA

Page 360, after line 8, insert the following new paragraph:

(3) An assessment of the mechanisms for improving recruitment, retention, and management of cyber operations forces, including through focused recruiting; educational, training, or certification scholarships; bonuses; or the use of short-term or virtual deployments without the need for permanent relocation.

AMENDMENT NO. 99 OFFERED BY MR. CÁRDENAS OF CALIFORNIA

Page 363, line 10, insert after “investigation” the following: “, an estimate of the economic losses from the intrusion, and any additional actions needed to improve the protection of intellectual property”.

Page 363, line 24, insert after “compromised,” the following: “an estimate of the economic losses from the intrusion.”.

AMENDMENT NO. 100 OFFERED BY MR. RUIZ OF CALIFORNIA

Page 365, after line 22, insert the following:

**SEC. 936. SMALL BUSINESS CYBERSECURITY SOLUTIONS OFFICE.**

(a) ESTABLISHMENT.—The Secretary of Defense shall submit a report to the Congress on the feasibility of establishing a small business cyber technology office to assist small business concerns in providing cybersecurity solutions to the Federal Government.

(b) DEFINITIONS.—In this section, the terms “small business concern” has the meaning given such term in section 3 of the Small Business Act.

AMENDMENT NO. 101 OFFERED BY MR. CÁRDENAS OF CALIFORNIA

Page 365, after line 22, insert the following new section:

**SEC. 936. SMALL BUSINESS CYBER EDUCATION.**

The Secretary of Defense shall establish an outreach and education program to assist small businesses (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) contracted by the Department of Defense to assist such businesses to—

(1) understand the gravity and scope of cyber threats;

(2) develop a plan to protect intellectual property; and

(3) develop a plan to protect the networks of such businesses.

AMENDMENT NO. 103 OFFERED BY MR. LANGEVIN OF RHODE ISLAND

Page 385, after line 2, insert the following:

**SEC. 1035. REPORT COMPARING COSTS OF DDG 1000 AND DDG 51 FLIGHT III SHIPS.**

Not later than March 15, 2014, the Secretary of the Navy shall submit to the congressional defense committees a report providing an updated comparison of the costs and risks of acquiring DDG 1000 and DDG 51 Flight III vessels equipped for enhanced ballistic missile defense capability. The report shall include each of the following:

(1) An updated estimate of the total cost to develop, procure, operate, and support ballistic missile defense capable DDG 1000 destroyers equipped with the air and missile defense radar that would be procured in addition to the three prior-year-funded DDG 1000 class ships, and in lieu of Flight III DDG-51 destroyers.

(2) The estimate of the Secretary of the total cost of the current plan to develop, procure, operate, and support Flight III DDG 51 destroyers.

(3) Details on the assumed ballistic missile defense requirements and construction schedules for both the DDG 1000 and DDG 51 Flight III destroyers referred to in paragraphs (1) and (2), respectively.

(4) An updated comparison of the program risks and the resulting ship capabilities in all dimensions (not just ballistic missile defense) of the options referred to in paragraphs (1) and (2).

(5) Any other information the Secretary determines appropriate.

AMENDMENT NO. 104 OFFERED BY MR. CONYERS OF MICHIGAN

Page 401, line 23, add at the end before the period the following: “for purposes of interpreting the scope of section 2 of the Authorization for Use of Military Force (Public Law 107-40; 115 Stat. 224; 50 U.S.C. 1541 note)”.

AMENDMENT NO. 105 OFFERED BY MR. ROSS OF FLORIDA

Page 405, after line 9, insert the following:

**SEC. 1040B. PROHIBITION ON THE USE OF FUNDS FOR RECREATIONAL FACILITIES FOR INDIVIDUALS DETAINED AT GUANTANAMO.**

None of the funds authorized to be appropriated or otherwise available to the Department of Defense may be used to provide additional or upgraded recreational facilities for individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

AMENDMENT NO. 109 OFFERED BY MR. POSEY OF FLORIDA

Page 452, after line 6, insert the following new section:

**SEC. 1082A. TRANSPORTATION OF SUPPLIES TO MEMBERS OF THE ARMED FORCES FROM NONPROFIT ORGANIZATIONS.**

(a) IN GENERAL.—Chapter 20 of title 10, United States Code, is amended by inserting after section 402 the following new section:

**“§ 403. Transportation of supplies from nonprofit organizations**

“(a) AUTHORIZATION OF TRANSPORTATION.—Notwithstanding any other provision of law, and subject to subsection (b), the Secretary of Defense may transport to any country, without charge, supplies that have been furnished by a nonprofit organization and that are intended for distribution to members of the armed forces. Such supplies may be transported only on a space available basis.

“(b) LIMITATIONS.—(1) The Secretary may not transport supplies under subsection (a) unless the Secretary determines that—

“(A) the transportation of the supplies is consistent with the policies of the United States;

“(B) the supplies are suitable for distribution to members of the armed forces and are in usable condition;

“(C) there is a legitimate need for the supplies by the members of the armed forces for whom they are intended; and

“(D) adequate arrangements have been made for the distribution and use of the supplies.

“(2) PROCEDURES.—The Secretary shall establish procedures for making the determinations required under paragraph (1). Such procedures shall include inspection of supplies before acceptance for transport.

“(3) PREPARATION.—It shall be the responsibility of the nonprofit organization requesting the transport of supplies under this section to ensure that the supplies are suitable for transport.

“(c) DISTRIBUTION.—Supplies transported under this section may be distributed by the United States Government or a nonprofit organization.

“(d) DEFINITION OF NONPROFIT ORGANIZATION.—In this section, the term ‘nonprofit organization’ means an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 of such title is amended by inserting after the item relating to section 402 the following new item:

“403. Transportation of supplies from nonprofit organizations.”.

AMENDMENT NO. 112 OFFERED BY MR. HANNA OF NEW YORK

Page 463, after line 6, insert the following new section:

**SEC. 1090. SENSE OF CONGRESS ON IMPROVISED EXPLOSIVE DEVICES.**

It is the sense of Congress that—

(1) the use of improvised explosive devices (in this section referred to as “IEDs”) against members of the Armed Forces or

people of the United States should be condemned;

(2) unwavering support for members of the Armed Forces, first responders, and explosive ordnance disposal personnel of the United States who face the threat of IEDs and put their lives on the line to defeat them should be expressed;

(3) all relevant agencies of the Government should be called on to coordinate with international partners and other responsible entities to reduce the use of IEDs and curb their proliferation; and

(4) the exchange of blast trauma research data should be facilitated between all relevant agencies of the Government.

AMENDMENT NO. 115 OFFERED BY MR. COLLINS  
OF NEW YORK

Page 463, after line 6, insert the following:

**SEC. 1090. SENSE OF CONGRESS TO MAINTAIN A STRONG NATIONAL GUARD AND MILITARY RESERVE FORCE.**

(a) FINDINGS.—Congress finds the following:

(1) The first volunteer militia unit in America was formed in 1636 in Massachusetts Bay, followed by other units in the colonies of Virginia and Connecticut. The American founding fathers wrote article I, section 8, of the United States Constitution to keep the militia model, authorizing a standing military force that could organize, train, and equip militia volunteers when needed.

(2) In World War I, nearly all National Guardsmen were mobilized into Federal service, and while they represented only 15 percent of the total United States Army, they comprised 40 percent of the American divisions sent to France and sustained 43 percent of the casualties in combat. In World War II, the National Guard comprised 19 Army divisions and 29 observation squadrons with aircraft assigned to the United States Army Air Forces.

(3) On September 11, 2001, the first fighter jets over New York City and Washington, DC, were Air National Guard F-15 and F-16 aircraft from Massachusetts and North Dakota, with over 400 more Air National Guard fighter aircraft on alert by that afternoon. Over 600,000 Air and Army National Guard soldiers and airmen have deployed in the many campaigns since 9/11.

(4) Air and Army National Guard soldiers and airmen have been involved in countless domestic response missions, including missions in response to hurricanes, tornadoes, floods, and forest fires including the more recent events of Superstorm Sandy and the tornadoes in Oklahoma.

(5) The volunteer National Guard and Reserve have time and again demonstrated their readiness to meet operational requirements through cost-effective means.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of Defense should make every effort to ensure the Military Reserve and National Guard forces are sustained by a fully manned and fully funded force and that the United States fulfill its longstanding commitment to unyielding readiness in terms of defense;

(2) the Secretary of Defense should act with the knowledge that the National Guard and Reserve are critical components to the Armed Forces, particularly as means of preserving combat power during a time of budget austerity; and

(3) Congress repudiates proposals to diminish the National Guard or Reserve and affirms the growth of these components as circumstances warrant.

AMENDMENT NO. 119 OFFERED BY MR. LANGEVIN  
OF RHODE ISLAND

At the end of title XI, add the following new section:

**SEC. 1108. COMPLIANCE WITH LAW REGARDING AVAILABILITY OF FUNDING FOR CIVILIAN PERSONNEL.**

(a) REGULATIONS.—No later than 45 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations implementing the authority in subsection (a) of section 1111 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 10 U.S.C. 1580 note prec.).

(b) COORDINATION.—The Under Secretary of Defense (Comptroller), in consultation with the Under Secretary of Defense for Personnel and Readiness, shall be responsible for coordinating the preparation of the regulations required under subsection (a).

(c) LIMITATIONS.—The regulations required under subsection (a) shall not be restricted by any civilian full-time equivalent or end-strength limitation, nor shall such regulations require offsetting civilian pay funding, civilian full-time equivalents, or end-strength.

AMENDMENT NO. 121 OFFERED BY MR.  
ROHRBACHER OF CALIFORNIA

Page 490, after line 6, add the following new subparagraph:

(C) That Pakistan is not using its military or any funds or equipment provided by the United States to persecute minority groups for their legitimate and nonviolent political and religious beliefs, including the Balochi, Sindhi, and Hazara ethnic groups and minority religious groups, including Christian, Hindu, and Ahmadiyya Muslim.

AMENDMENT NO. 142 OFFERED BY MS. ROS-  
LEHTINEN OF FLORIDA

At the end of subtitle E of title XII (page 551, after line 12), add the following new section:

**SEC. 1259. COMBATING CRIME THROUGH INTELLIGENCE CAPABILITIES.**

The Secretary of Defense is authorized to deploy assets, personnel, and resources to the Joint Interagency Task Force South, in coordination with SOUTHCOM, to combat the following by supplying sufficient intelligence capabilities:

- (1) Transnational criminal organizations.
- (2) Drug trafficking.
- (3) Bulk shipments of narcotics or currency.
- (4) Narco-terrorism.
- (5) Human trafficking.
- (6) The Iranian presence in the Western Hemisphere.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from California (Mr. McKEON) and the gentleman from Washington (Mr. LARSEN) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. McKEON. Madam Chair, I urge the committee to adopt the amendments en bloc, all of which have been examined by the majority and the minority.

At this time I yield 2 minutes to my friend and colleague, the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. I rise today with an amendment that will be considered later tonight that creates a 1-year ban on the use of funds by the Department of Defense to implement

the U.N. Arms Trade Treaty, unless the ATT fulfills all constitutional and legal requirements needed to take domestic legal effect, including the passage of implementing legislation.

Over the last year, I have been joined by over 140 bipartisan Members of this body to express deep concerns with the United Nations Arms Trade Treaty and to urge its rejection.

First, the United Nations Arms Trade Treaty undermines our Second Amendment rights by omitting the fundamental, individual right to keep and bear arms and imposing a national responsibility to prevent firearms diversion, thus opening the door to new gun control measures.

Secondly, the United Nations Arms Trade Treaty undermines our sovereignty by imposing vague, readily politicized requirements on the United States and inviting United Nations-led investigations into what U.S. policymakers knew or should have known regarding arms transfers that allegedly violate the United Nations arms trade treaty.

Ultimately, the United Nations Arms Trade Treaty will stop the good from doing good without stopping the bad from doing bad. As then-Secretary of State Hillary Clinton once said, the U.S. maintains the “gold standard” of arms export controls.

My amendment upholds our current policies, as well as our enduring values.

I would like to thank the chairman and the ranking member for including this amendment in the en bloc amendments.

With that, I urge adoption of this amendment.

Mr. LARSEN of Washington. Madam Chair, I too, encourage my colleagues to support this en bloc, and I now yield 3 minutes to Mr. ELLISON from Minnesota.

Mr. ELLISON. Madam Chairman, allow me to thank the ranking member and the chair of the committee.

This graphic I have in front of me, Madam Chairman, was taken in Tahrir Square a few years ago now when the people were peacefully demonstrating to overcome the Mubarak regime which had oppressed them for so many years. They're holding up tear gas, and it says “Made in America” on it.

When our government transferred those riot and anti-riot materials to that government, I believe we didn't have any reason to know that it would be misused by a tyrannical regime to oppress and down press peaceful demonstrators. I propose, though, that when our government has reason to know that there is a tyrannical regime using repressive techniques to put down their peaceful demonstrators, that our government should withhold exports of that nature.

The fact is that the tyranny that people lived under under Hosni Mubarak was not made in America. It was



made by Hosni Mubarak. But we should not be implicated in the kind of oppression if we know about it, and therefore I think we should have the authority in our government to withhold those kinds of transfers when they come to our attention.

So the young man holding up this tear gas canister that police fired at the pro-democracy demonstrators is labeled "Made in the USA." This is a misrepresentation because it was Mubarak who oppressed his own people, but we should not be implicated in this, particularly if we have reason to know.

Madam Chairman, this is not the message we should be sending. Whether it's being sent deliberately or not, it's not the message we should send to the people who are seeking nothing more than what we want in the United States, which is to democratically control their own country. It's not in our interest, and we should have the authority to stop it.

The United States should not supply tear gas to governments that use it to repress democracy, and my amendment helps us to move to that goal.

Mr. McKEON. Madam Chair, at this time, we have no further speakers.

Mr. LARSEN of Washington. Madam Chair, we yield back the balance of our time.

Mr. McKEON. Madam Chair, I ask that all of our colleagues support this group of en bloc amendments, and I yield back the balance of my time.

Mr. ROSS. Madam Chair, I rise today to thank Chairman McKEON and Ranking Member SMITH for their hard work on this important legislation, and to speak in support of my amendment to the National Defense Authorization Act.

My amendment is very simple and straightforward—it would prohibit the Department of Defense from using taxpayer funds to provide additional or upgraded recreational facilities for detainees at U.S. Naval Station, Guantanamo Bay, Cuba.

I cannot help but remember that the federal government wasted \$750,000 last year to build a recreational soccer field in Guantanamo Bay for detainees. I thought it was a ridiculous idea then, and I think it is a ridiculous idea now.

At a time when we have an out-of-control backlog of Veterans claims pending a decision—taxpayer funding was wasted building a soccer field for terrorists?

At a time when the President's Administration is proposing to drastically raise TRICARE fees on service members and their families—\$750,000 were spent to improve the recreational facilities for terrorist detainees?

At a time when we can't give seniors a fair cost-of-living increase in benefits?

Or at a time when families across the country are making tough cutbacks in their own budgets, we're building soccer fields in Cuba?

Guantanamo Bay is a detention facility for terrorists captured on the battlefield or apprehended actively planning to do harm to Americans.

As such, Guantanamo Bay should not be a place of comfort; rather, it should house the world's most dangerous terrorists in a humane way, providing only the bare essentials.

Our Founding Fathers made it clear that the federal government has no higher duty than to "provide for the common defense."

Rather than balancing the budget on the backs of our military, Department of Defense employees, seniors, and families, Congress should prevent wasteful projects like this—period.

Once again, I want to thank the Chair and Ranking Member for their work on this legislation, and encourage my colleagues to join me in passing this fiscally responsible amendment to ensure taxpayer's funds are not used to construct or upgrade recreational facilities for terrorist detainees.

Mr. CONYERS. Madam Chair, I rise to discuss my amendment, number 104, to H.R. 1960, the "National Defense Authorization Act for Fiscal Year 2014." I would like to thank Chairman McKEON and Ranking Member SMITH for accepting this amendment in en bloc amendment number five.

This technical amendment would improve Section 1036 of the underlying bill, which requires the President to provide information to Congress as to which organizations it believes are affiliates or adherents of Al-Qaeda, the reasoning justifying such designation, and whether each group constitutes an associated force that is engaged in hostilities against the United States or its coalition partners. My amendment addresses the latter part of this assessment dealing with so-called "associated forces" affiliated with Al-Qaeda or the Taliban.

The 2001 Authorization for the Use of Military Force passed shortly after the 9/11 attacks has been interpreted by the last two Administrations as authorizing war between the United States and Al-Qaeda, the Taliban, and co-belligerent "associated forces." Although we clearly know who Al-Qaeda or the Taliban are, it is unclear which organizations the Executive Branch is referring to when referencing "associated forces." This absence of transparency as to the government's application of this legal concept allows for the possibility that the United States could rely on the AUMF as a broad, nearly limitless source of authority for military operations, including drone strikes, against groups that have little to no connection to the September 11 attacks in places like Mali, Somalia, or even Syria.

It is my understanding that Section 1036 of the bill attempts to address this ambiguity by attempting to discern the Administration's thinking about which groups it considers engaged in hostilities against our country. Unfortunately, it is unclear if Section 1036 is asking for information about "associated forces" for the purposes of interpreting the 2001 AUMF or simply seeking information about groups that affiliate with Al-Qaeda or the Taliban in a different context. This distinction is critically important, because the United States is only technically at war with "associated forces" covered by the 2001 AUMF and not with groups that have some other affiliation with Al-Qaeda or the Taliban.

My amendment eliminates this ambiguity by explicitly requiring the President to provide information about organizations it considers to

be "associated forces" for the purposes of interpreting this war authorization. In doing so, it should help the Congress understand the scope of this outdated law, which has been interpreted by the Executive Branch and the courts in an overbroad manner, and ensure that it is not being used to justify uses of force unauthorized by and inconsistent with Congress, the Constitution, and international law.

Again, I thank my colleagues for supporting my amendment.

Mr. PASCRELL. Madam Chair, it has been over 10 years since the start of the wars in Iraq and Afghanistan and I fear we are still not properly addressing traumatic brain injury, also known as "the signature injury of the war." I would like to thank Chairman McKEON and Ranking Member SMITH for their commitment to this issue in recent authorizations. I would also like to thank Mr. THOMPSON for his co-sponsorship of my first amendment.

Over the last few years, Congress has continued to emphasize the importance of this issue and has made funds available for the identification and treatment of brain injuries in our soldiers. It is important these funds be used wisely to ensure that our men and women in uniform are getting timely and proper care. A January 2012 GAO report highlighted the need to coordinate TBI and psychological health activities within the Department.

In the National Defense Authorization for FY 2013, Congress mandated that the Secretary of Defense submit a plan to Congress that would improve coordination and integration of the programs that address traumatic brain injury and psychological health of members of the Armed Forces. Specifically, this report would require the identification of gaps in services and treatments, a plan for addressing any gaps or redundancies and identifying an official to lead the implementation of any changes. This report is due in July of this year, and my amendment underscores the importance of this mandated report, and strongly urges the Secretary to deliver it to Congress within the appropriate timeframe.

My second amendment addresses the continuing issue of identification of traumatic brain injuries. Although the Department of Defense has made a strong commitment to identifying, and treating those men and women who have suffered a traumatic brain injury while serving our Nation, there are still problems with screening our troops.

In June 2010, a memorandum issued by the Department of Defense made a 50-meter distance from an explosion the criterion to identify, refer, and treat members for potential traumatic brain injury in theater. However, the Department of Defense has yet to address those service members who may have been exposed to a blast prior to that time. Many of these soldiers remain on active duty and we must ensure they are tested and treated. My amendment mandates a report on how the Secretary of Defense will identify, refer, and treat possible traumatic brain injuries with respect to members of the Armed Forces who served in Operation Enduring Freedom or Operation Iraqi Freedom prior to June 2010. This is a vitally important report for ensuring the health of our troops. I ask that my colleagues support these amendments for those service



members who are struggling with invisible wounds.

Mr. ROHRBACHER. Madam Chair, included in this en bloc package is an amendment I offered that relates to Pakistan. It adds, as a condition of aid to Pakistan, that Islamabad must not use the funding we provide to its security forces for purposes of domestic repression of ethnic and religious minority groups as it has in the past.

The State Department's 2012 Country Report on Human Rights in Pakistan states, "The most serious human rights problems were extrajudicial and targeted killings, forced disappearances, and torture, which affected thousands of citizens in nearly all parts of the country." Members of the Pakistani military as well as police are involved in these lethal abuses of human rights.

Repression of minority groups is systemic. Human rights organizations have reported that many Sindhi and Baloch nationalists were among those missing. Non-Sunni religious practitioners, Christians, Ahmadis, and Shia Muslims, are attacked with impunity.

There are already four conditions in the core bill and my amendment simply adds a fifth requirement to prevent the misuse of our aid. Thank you, Madam Chair, for accepting my amendment.

Mr. POSEY. Madam Chair, I'm pleased to rise today in support of my bipartisan bill, the Deployed Troops Support Act, which has been accepted as an Amendment to H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014.

I would like to thank House Armed Services Committee Chairman MCKEON and Ranking Member SMITH for their support in helping this important Amendment to move forward. I would also like to thank the cosponsors of H.R. 1756, the Deployed Troops Support Act for their support: FREDERICA WILSON of Florida, DENNIS ROSS of Florida, LOUIS GOHMERT of Texas, WILLIAM ENYART of Illinois, CHRISTOPHER GIBSON of New York, KERRY BENTIVOLIO of Mississippi, DONNA CHRISTENSEN of the U.S. Virgin Islands, LARRY BUCHSHON of Indiana, and DEREK KILMER of Washington.

Mr. Chairman, when our soldiers are deployed to defend our Nation, many patriotic Americans show their support for our brave men and women in uniform by putting together care packages. This Amendment simply allows the Department of Defense to transport, on a space available basis, goods supplied by nonprofit organizations to members of the Armed Services who are deployed overseas.

This Amendment gives veterans' nonprofits and other private charitable organizations that support our troops the same consideration that organizations are already given for transporting humanitarian goods to foreign nationals overseas. In this Amendment, we extend the same courtesy for our own troops that we have granted to foreigners under the "Denton Program" since 1985.

We also ensure that the Secretary has the authority to determine that there is a legitimate need for the goods being shipped, that supplies are suitable for distribution, and that adequate arrangements have been made for distribution.

This legislative idea was brought to my attention by veterans in my congressional dis-

trict, specifically AVET Project in Brevard County. I especially commend Garren and Kim Cone and the members of AVET for their service to our Nation and their support for our soldiers. Again, thanks to everyone involved for helping to advance this common sense Amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 6 OFFERED BY MR. MCKEON

Mr. MCKEON. Madam Chairman, pursuant to H. Res. 260, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 6 consisting of amendment Nos. 106, 108, 110, 116, 117, 118, 120, 127, 128, 129, 132, 133, 134, 136, 138, 139, 140 and 145, printed in House Report No. 113-108, offered by Mr. MCKEON of California:

AMENDMENT NO. 106 OFFERED BY MR. BRALEY OF IOWA

At the end of subtitle H of title X, insert the following:

**SEC. 1080. REPORT ON LONG-TERM COSTS OF OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.**

(a) **REPORT REQUIREMENT.**—Not later than 90 days after the date of the enactment of this Act, the President, with contributions from the Secretary of Defense, the Secretary of State, and the Secretary of Veterans Affairs, shall submit to Congress a report containing an estimate of previous costs of Operation New Dawn (the successor contingency operation to Operation Iraqi Freedom) and the long-term costs of Operation Enduring Freedom for a scenario, determined by the President and based on current contingency operation and withdrawal plans, that takes into account expected force levels and the expected length of time that members of the Armed Forces will be deployed in support of Operation Enduring Freedom.

(b) **ESTIMATES TO BE USED IN PREPARATION OF REPORT.**—In preparing the report required by subsection (a), the President shall make estimates and projections through at least fiscal year 2023, adjust any dollar amounts appropriately for inflation, and take into account and specify each of the following:

(1) The total number of members of the Armed Forces expected to be deployed in support of Operation Enduring Freedom, including—

(A) the number of members of the Armed Forces actually deployed in Southwest Asia in support of Operation Enduring Freedom;

(B) the number of members of reserve components of the Armed Forces called or ordered to active duty in the United States for the purpose of training for eventual deployment in Southwest Asia, backfilling for deployed troops, or supporting other Department of Defense missions directly or indirectly related to Operation Enduring Freedom; and

(C) the break-down of deployments of members of the regular and reserve components and activation of members of the reserve components.

(2) The number of members of the Armed Forces, including members of the reserve components, who have previously served in support of Operation Iraqi Freedom, Oper-

ation New Dawn, or Operation Enduring Freedom and who are expected to serve multiple deployments.

(3) The number of contractors and private military security firms that have been used and are expected to be used during the course of Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom.

(4) The number of veterans currently suffering and expected to suffer from post-traumatic stress disorder, traumatic brain injury, or other mental injuries.

(5) The number of veterans currently in need of and expected to be in need of prosthetic care and treatment because of amputations incurred during service in support of Operation Iraqi Freedom, Operation New Dawn, or Operation Enduring Freedom.

(6) The current number of pending Department of Veterans Affairs claims from veterans of military service in Iraq and Afghanistan, and the total number of such veterans expected to seek disability compensation from the Department of Veterans Affairs.

(7) The total number of members of the Armed Forces who have been killed or wounded in Iraq or Afghanistan, including noncombat casualties, the total number of members expected to suffer injuries in Afghanistan, and the total number of members expected to be killed in Afghanistan, including noncombat casualties.

(8) The amount of funds previously appropriated for the Department of Defense, the Department of State, and the Department of Veterans Affairs for costs related to Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom, including an account of the amount of funding from regular Department of Defense, Department of State, and Department of Veterans Affairs budgets that has gone and will go to costs associated with such operations.

(9) Previous, current, and future operational expenditures associated with Operation Enduring Freedom and, when applicable, Operation Iraqi Freedom and Operation New Dawn, including—

(A) funding for combat operations;

(B) deploying, transporting, feeding, and housing members of the Armed Forces (including fuel costs);

(C) activation and deployment of members of the reserve components of the Armed Forces;

(D) equipping and training of Iraqi and Afghan forces;

(E) purchasing, upgrading, and repairing weapons, munitions, and other equipment consumed or used in Operation Iraqi Freedom, Operation New Dawn, or Operation Enduring Freedom; and

(F) payments to other countries for logistical assistance in support of such operations.

(10) Past, current, and future costs of entering into contracts with private military security firms and other contractors for the provision of goods and services associated with Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom.

(11) Average annual cost for each member of the Armed Forces deployed in support of Operation Enduring Freedom, including room and board, equipment and body armor, transportation of troops and equipment (including fuel costs), and operational costs.

(12) Current and future cost of combat-related special pays and benefits, including reenlistment bonuses.

(13) Current and future cost of calling or ordering members of the reserve components

to active duty in support of Operation Enduring Freedom.

(14) Current and future cost for reconstruction, embassy operations and construction, and foreign aid programs for Iraq and Afghanistan.

(15) Current and future cost of bases and other infrastructure to support members of the Armed Forces serving in Afghanistan.

(16) Current and future cost of providing health care for veterans who served in support of Operation Iraqi Freedom, Operation New Dawn, or Operation Enduring Freedom, including—

(A) the cost of mental health treatment for veterans suffering from post-traumatic stress disorder and traumatic brain injury, and other mental problems as a result of such service; and

(B) the cost of lifetime prosthetics care and treatment for veterans suffering from amputations as a result of such service.

(17) Current and future cost of providing Department of Veterans Affairs disability benefits for the lifetime of veterans who incur disabilities while serving in support of Operation Iraqi Freedom, Operation New Dawn, or Operation Enduring Freedom.

(18) Current and future cost of providing survivors' benefits to survivors of members of the Armed Forces killed while serving in support of Operation Iraqi Freedom, Operation New Dawn, or Operation Enduring Freedom.

(19) Cost of bringing members of the Armed Forces and equipment back to the United States upon the conclusion of Operation Enduring Freedom, including the cost of demobilization, transportation costs (including fuel costs), providing transition services for members of the Armed Forces transitioning from active duty to veteran status, transporting equipment, weapons, and munitions (including fuel costs), and an estimate of the value of equipment that will be left behind.

(20) Cost to restore the military and military equipment, including the equipment of the reserve components, to full strength after the conclusion of Operation Enduring Freedom.

(21) Amount of money borrowed to pay for Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom, and the sources of that money.

(22) Interest on money borrowed, including interest for money already borrowed and anticipated interest payments on future borrowing, for Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom.

AMENDMENT NO. 108 OFFERED BY MR. ANDREWS  
OF NEW JERSEY

Page 447, line 20, strike "is capable and available" and insert "are available and capable".

Page 449, line 5, insert "or subcontract" after "contract".

AMENDMENT NO. 110 OFFERED BY MS. SPEIER OF  
CALIFORNIA

Add at the end of subtitle I of title X the following new section:

**SEC. 1090. ACCESS OF EMPLOYEES OF CONGRESSIONAL SUPPORT OFFICES TO DEPARTMENT OF DEFENSE FACILITIES.**

(a) FINDING.—Congress finds that Congressional support offices perform a critical role in enabling Congress to carry out its Constitutionally mandated task of performing oversight of the executive branch.

(b) ACCESS IN SAME MANNER AS EMPLOYEES OF DEFENSE COMMITTEES.—The Secretary of Defense shall provide employees of any Congressional support office who work on issues

related to national security with access to facilities of the Department of Defense in the same manner, and subject to the same terms and conditions, as employees of the Committees on Armed Services of the House of Representatives and Senate.

(c) CONGRESSIONAL SUPPORT OFFICES DEFINED.—In this section, the term "Congressional support office" means any of the following:

- (1) The Congressional Budget Office.
- (2) The Congressional Research Service of the Library of Congress.
- (3) The Government Accountability Office.

AMENDMENT NO. 116 OFFERED BY MR. LEWIS OF  
GEORGIA

At the end of title X, add the following new section:

**SEC. 10\_\_\_. COST OF WARS.**

The Secretary of Defense, in consultation with the Commissioner of the Internal Revenue Service and the Director of the Bureau of Economic Analysis, shall post on the public Web site of the Department of Defense the costs, including the relevant legacy costs, to each American taxpayer of each of the wars in Afghanistan and Iraq.

AMENDMENT NO. 117 OFFERED BY MR. FARR OF  
CALIFORNIA

At the end of title X, insert the following:

**SEC. 1090. SENSE OF CONGRESS REGARDING CONSIDERATION OF FOREIGN LANGUAGES AND CULTURES IN THE BUILDING OF PARTNER CAPACITY.**

It is the sense of Congress that the head of each element of the Department of Defense should take into consideration foreign languages and cultures during the development by such element of the Department of training, tools, and methodologies to engage in military-to-military activities and in the building of partner capacity.

AMENDMENT NO. 118 OFFERED BY MR. GALLEGOS  
OF TEXAS

At the end of title XI, add the following new section:

**SEC. 11\_\_\_. EXTENSION OF ENHANCED APPOINTMENT AND COMPENSATION AUTHORITY FOR CIVILIAN PERSONNEL FOR CARE AND TREATMENT OF WOUNDED AND INJURED MEMBERS OF THE ARMED FORCES.**

(a) EXTENSION.—Subsection (c) of section 1599c of title 10, United States Code, is amended by striking "December 31, 2015" both places it appears and inserting "December 31, 2020".

(b) REPEAL OF FULFILLED REQUIREMENT.—Such section is further amended—

- (1) by striking subsection (b); and
- (2) by redesignating subsection (c), as amended by subsection (a), as subsection (b).

(c) REPEAL OF REFERENCES TO CERTAIN TITLE 5 AUTHORITIES.—Subsection (a)(2)(A) of such section is amended—

- (1) by striking "sections 3304, 5333, and 5753 of title 5" and inserting "section 3304 of title 5"; and
- (2) in clause (ii), by striking "the authorities in such sections" and inserting "the authority in such section".

AMENDMENT NO. 120 OFFERED BY MR. CONNOLLY  
OF VIRGINIA

At the end of subtitle A of title XII of division A, add the following new section:

**SEC. 12\_\_\_. MONITORING AND EVALUATION OF OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID PROGRAMS OF THE DEPARTMENT OF DEFENSE.**

(a) IN GENERAL.—Of the amounts authorized to be appropriated by this Act to carry out sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code, up to 5 percent

of such amounts may be made available to conduct monitoring and evaluation of programs conducted pursuant to such authorities during fiscal year 2014.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the appropriate congressional committees on mechanisms to evaluate the programs conducted pursuant to the authorities listed in subsection (a). The briefing shall include the following:

(1) A description of how the Department of Defense evaluates program and project outcomes and impact, including cost effectiveness and extent to which programs meet designated goals.

(2) An analysis of steps taken to implement the recommendations from the following reports:

(A) The Government Accountability Office's Report entitled "Project Evaluations and Better Information Sharing Needed to Manage the Military's Efforts".

(B) The Department of Defense Inspector General Report numbered "DODIG-2012-119".

(C) The RAND Corporation's Report prepared for the Office of the Secretary of Defense entitled "Developing a Prototype Handbook for Monitoring and Evaluating Department of Defense Humanitarian Assistance Projects".

(c) DEFINITION.—In this section, the term "appropriate congressional committees" means the following:

- (1) The congressional defense committees.
- (2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 127 OFFERED BY MR. GRIMM OF  
NEW YORK

At the end of subtitle D of title XII of division A, add the following new section:

**SEC. 12\_\_\_. STATEMENT OF POLICY ON CONDEMNING THE GOVERNMENT OF IRAN FOR ITS STATE-SPONSORED PERSECUTION OF ITS BAHAI MINORITY.**

(a) FINDINGS.—Congress finds the following:

(1) In 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, 2008, 2009, 2012, and 2013, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i faith.

(2) The United States Commission on International Religious Freedom 2012 Report stated, "The Baha'i community has long been subject to particularly severe religious freedom violations in Iran. Baha'is, who number at least 300,000, are viewed as 'heretics' by Iranian authorities and may face repression on the grounds of apostasy."

(3) The United States Commission on International Religious Freedom 2012 Report stated, "Since 1979, Iranian government authorities have killed more than 200 Baha'i leaders in Iran and dismissed more than 10,000 from government and university jobs."

(4) The United States Commission on International Religious Freedom 2012 Report stated, "Baha'is may not establish places of worship, schools, or any independent religious associations in Iran."

(5) The United States Commission on International Religious Freedom 2012 Report stated, "Baha'is are barred from the military and denied government jobs and pensions as well as the right to inherit property. Their marriages and divorces also are not recognized, and they have difficulty obtaining

death certificates. Baha'i cemeteries, holy places, and community properties are often seized or desecrated, and many important religious sites have been destroyed."

(6) The United States Commission on International Religious Freedom 2012 Report stated, "The Baha'i community faces severe economic pressure, including denials of jobs in both the public and private sectors and of business licenses. Iranian authorities often pressure employers of Baha'is to dismiss them from employment in the private sector."

(7) The Department of State 2011 International Religious Freedom Report stated, "The government prohibits Baha'is from teaching and practicing their faith and subjects them to many forms of discrimination that followers of other religions do not face."

(8) The Department of State 2011 International Religious Freedom Report stated, "According to law, Baha'i blood is considered 'mobah', meaning it can be spilled with impunity."

(9) The Department of State 2011 International Religious Freedom Report stated that "members of religious minorities, with the exception of Baha'is, can serve in lower ranks of government employment", and "Baha'is are barred from all leadership positions in the government and military".

(10) The Department of State 2011 International Religious Freedom Report stated, "Baha'is suffered frequent government harassment and persecution, and their property rights generally were disregarded. The government raided Baha'i homes and businesses and confiscated large amounts of private and commercial property, as well as religious materials belonging to Baha'is."

(11) The Department of State 2011 International Religious Freedom Report stated, "Baha'is also are required to register with the police".

(12) The Department of State 2011 International Religious Freedom Report stated that "[p]ublic and private universities continued to deny admittance to and expelled Baha'i students" and "[d]uring the year, at least 30 Baha'is were barred or expelled from universities on political or religious grounds".

(13) The Department of State 2011 International Religious Freedom Report stated, "Baha'is are regularly denied compensation for injury or criminal victimization."

(14) On March 6, 2012, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/19/66), which stated that "the Special Rapporteur continues to be alarmed by communications that demonstrate the systemic and systematic persecution of members of unrecognized religious communities, particularly the Baha'i community, in violation of international conventions" and expressed concern regarding "an intensive defamation campaign meant to incite discrimination and hate against Baha'is".

(15) On May 23, 2012, the United Nations Secretary-General issued a report, which stated that "the Special Rapporteur on freedom of religion or belief . . . pointed out that the Islamic Republic of Iran had a policy of systematic persecution of persons belonging to the Baha'i faith, excluding them from the application of freedom of religion or belief by simply denying that their faith had the status of a religion".

(16) On August 22, 2012, the United Nations Secretary-General issued a report, which stated, "The international community con-

tinues to express concerns about the very serious discrimination against ethnic and religious minorities in law and in practice, in particular the Baha'i community. The Special Rapporteur on the situation of human rights in the Islamic Republic of Iran expressed alarm about the systemic and systematic persecution of members of the Baha'i community, including severe socioeconomic pressure and arrests and detention. He also deplored the Government's tolerance of an intensive defamation campaign aimed at inciting discrimination and hate against Baha'is."

(17) On September 13, 2012, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/67/369), which stated, "Reports and interviews submitted to the Special Rapporteur also continue to portray a disturbing trend with regard to religious freedom in the country. Members of both recognized and unrecognized religions have reported various levels of intimidation, arrest, detention and interrogation that focus on their religious beliefs," and stated, "At the time of drafting the report, 105 members of the Baha'i community were reported to be in detention."

(18) On November 27, 2012, the Third Committee of the United Nations General Assembly adopted a draft resolution (A/C.3/67/L.51), which noted, "[I]ncreased persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha'i faith and their defenders, including escalating attacks, an increase in the number of arrests and detentions, the restriction of access to higher education on the basis of religion, the sentencing of twelve Baha'is associated with Baha'i educational institutions to lengthy prison terms, the continued denial of access to employment in the public sector, additional restrictions on participation in the private sector, and the de facto criminalization of membership in the Baha'i faith."

(19) On December 20, 2012, the United Nations General Assembly adopted a resolution (A/RES/67/182), which called upon the government of Iran "[t]o eliminate discrimination against, and exclusion of . . . members of the Baha'i Faith, regarding access to higher education, and to eliminate the criminalization of efforts to provide higher education to Baha'i youth denied access to Iranian universities," and "to accord all Baha'is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed".

(20) On February 28, 2013, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/22/56), which stated, "110 Baha'is are currently detained in Iran for exercising their faith, including two women, Mrs. Zohreh Nikayin and Mrs. Taraneh Torabi, who are reportedly nursing infants in prison".

(21) In March and May of 2008, intelligence officials of the Government of Iran in Mashhad and Tehran arrested and imprisoned Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the seven members of the ad hoc leadership group for the Baha'i community in Iran.

(22) In August 2010, the Revolutionary Court in Tehran sentenced the seven Baha'i leaders to 20-year prison terms on charges of "spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth".

(23) The lawyer for these seven leaders, Mrs. Shirin Ebadi, the Nobel Laureate, was denied meaningful or timely access to the prisoners and their files, and her successors as defense counsel were provided extremely limited access.

(24) These seven Baha'i leaders were targeted solely on the basis of their religion.

(25) Beginning in May 2011, Government of Iran officials in four cities conducted sweeping raids on the homes of dozens of individuals associated with the Baha'i Institute for Higher Education (BIHE) and arrested and detained several educators associated with BIHE.

(26) In October 2011, the Revolutionary Court in Tehran sentenced seven of these BIHE instructors and administrators, Mr. Vahid Mahmoudi, Mr. Kamran Mortezaie, Mr. Mahmoud Badavam, Ms. Nooshin Khadem, Mr. Farhad Sedghi, Mr. Riaz Sobhani, and Mr. Ramin Zibaie, to prison terms for the crime of "membership of the deviant sect of Baha'ism, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country".

(27) Six of these educators remain imprisoned, with Mr. Mortezaie serving a 5-year prison term and Mr. Badavam, Ms. Khadem, Mr. Sedghi, Mr. Sobhani, and Mr. Zibaie serving 4-year prison terms.

(28) Since October 2011, four other BIHE educators, Ms. Faran Hessami, Mr. Kamran Rahimian, Mr. Kayvan Rahimian, and Mr. Shahin Negari have been sentenced to 4-year prison terms, which they are now serving.

(29) The efforts of the Government of Iran to collect information on individual Baha'is have recently intensified as evidenced by a letter, dated November 5, 2011, from the Director of the Department of Education in the county of Shahrar in the province of Tehran, instructing the directors of schools in his jurisdiction to "subtly and in a confidential manner" collect information on Baha'i students.

(30) The Baha'i community continues to undergo intense economic and social pressure, including an ongoing campaign in the town of Semnan, where the Government of Iran has harassed and detained Baha'is, closed 17 Baha'i owned businesses in the last three years, and imprisoned several members of the community, including three mothers along with their infants.

(31) Ordinary Iranian citizens who belong to the Baha'i faith are disproportionately targeted, interrogated, and detained under the pretext of national security.

(32) The Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under the Covenants.

#### (b) STATEMENT OF POLICY.—Congress—

(1) condemns the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the seven imprisoned leaders, the ten imprisoned educators, and all other prisoners held solely on account of their religion; and

(3) calls on the President and Secretary of State, in cooperation with responsible nations, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion.

## AMENDMENT NO. 128 OFFERED BY MR. CONNOLLY OF VIRGINIA

Page 522, line 8, insert before the semicolon the following: “, including those involved in Egyptian civil society and democratic promotion efforts through nongovernmental organizations”.

## AMENDMENT NO. 129 OFFERED BY MS. ROSELEHTINEN OF FLORIDA

Page 522, after line 18, insert the following:

(D) A description of the strategic objectives of the United States regarding the provision of United States security assistance to the Government of Egypt.

(E) A description of biennial outlays of United States security assistance to the Government of Egypt for the purposes of strategic planning, training, provision of equipment, and construction of facilities, including funding streams.

(F) A description of vetting and end-user monitoring systems in place by both Egypt and the United States for defense articles and training provided by the United States, including human rights vetting.

(G) A description of actions that the Government of Egypt is taking to—

(i) repudiate, combat, and stop incitement to violence against the United States and United States citizens and prohibit the transmission within its domains of satellite television or radio channels that broadcast such incitement; and

(ii) adopt and implement legal reforms that protect the religious and democratic freedoms of all citizens and residents of Egypt.

(H) Recommendations, including with respect to required resources and actions, to maximize the effectiveness of United States security assistance provided to Egypt.

Page 523, after line 3, insert the following:

(c) GAO REPORT.—Not later than 120 days after the date of the submission of the report required under subsection (b), the Comptroller General of the United States shall submit to the appropriate congressional committees a report that—

(1) reviews and comments on the report required under subsection (b); and

(2) provides recommendations regarding additional actions with respect to the provision of United States security assistance to Egypt, if necessary.

## AMENDMENT NO. 132 OFFERED BY MR. LAMBORN OF COLORADO

Page 539, after line 7, insert the following new paragraph:

(4) the sale or transfer of advanced anti-aircraft weapons systems to Syria poses a grave risk to Israel and the United States supports Israel's right to respond to this grave threat as needed;

Page 539, line 8, through page 540, line 12, redesignate paragraphs (4) through (10) as paragraphs (5) through (11), respectively.

## AMENDMENT NO. 133 OFFERED BY MR. KELLY OF PENNSYLVANIA

At the end of subtitle E of title XII of division A, add the following new section:

**SEC. 12. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 or any fiscal year thereafter for the Department of Defense may be obligated or expended to implement the Arms Trade Treaty, or to make any change to existing programs, projects, or activities as approved by Congress in furtherance of, pursuant to, or otherwise to imple-

ment the Arms Trade Treaty, unless the Arms Trade Treaty has been signed by the President, received the advice and consent of the Senate, and has been the subject of implementing legislation by the Congress.

## AMENDMENT NO. 134 OFFERED BY MR. RIGELL OF VIRGINIA

At the end of subtitle E of title XII of division A, add the following new section:

**SEC. 12. WAR POWERS OF CONGRESS.**

(a) FINDINGS.—Congress finds the following:

(1) In 1793, George Washington said, “The constitution vests the power of declaring war in Congress; therefore no offensive expedition of importance can be undertaken until after they shall have deliberated upon the subject and authorized such a measure.”.

(2) In a letter to Thomas Jefferson in 1798, James Madison wrote: “The constitution supposes, what the History of all Governments demonstrates, that the Executive is the branch of power most interested in war, and most prone to it. It has accordingly with studied care vested the question of war to the Legislature.”.

(3) In 1973, Congress passed the War Powers Resolution which states in section 2: “The constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised only pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) national emergency created by attack upon the United States, its territories or possessions, or its armed forces.”.

(4) In its April 1, 2011, Memorandum to President Obama, the Office of Legal Counsel concluded: “President Obama could rely on his constitutional power to safeguard the national interest by directing the anticipated military operations in Libya—which were limited in their nature, scope, and duration—without prior congressional authorization.”.

(5) On June 15, 2011, in a letter to the Speaker of the House of Representatives from the Department of Defense and Department of State, the Departments informed Congress that “The President is of the view that the current U.S. military operations in Libya are consistent with the War Powers Resolution and do not under that law require further congressional authorization, because U.S. military operations are distinct from the kind of ‘hostilities contemplated by the Resolution’s 60 day termination provision’.”.

(6) The precedence set by the Executive Branch in its assertion that Congress plays no role in military actions like those taken in Libya is contrary to the intent of the Framers and of the Constitution which vests sole authority to declare war in the Legislative Branch.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to authorize any use of military force.

## AMENDMENT NO. 136 OFFERED BY MR. BROUN OF GEORGIA

At the end of subtitle E of title XII of division A, add the following new section:

**SEC. 12. PROHIBITION ON USE OF DRONES TO KILL UNITED STATES CITIZENS.**

(a) PROHIBITION.—The Department of Defense may not use a drone to kill a citizen of the United States.

(b) EXCEPTION.—The prohibition under subsection (a) shall not apply to an individual who is actively engaged in combat against the United States.

(c) DEFINITION.—In this section, the term “drone” means an unmanned aircraft (as defined in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note)).

## AMENDMENT NO. 138 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of subtitle E of title XII of division A, add the following new section:

**SEC. 12. SALE OF F-16 AIRCRAFT TO TAIWAN.**

The President shall carry out the sale of no fewer than 66 F-16C/D multirole fighter aircraft to Taiwan.

## AMENDMENT NO. 139 OFFERED BY MR. ROSKAM OF ILLINOIS

At the end of subtitle E of title XII of division A, add the following new section:

**SEC. 12. STATEMENT OF POLICY AND REPORT ON THE INHERENT RIGHT OF ISRAEL TO SELF-DEFENSE.**

(a) FINDINGS.—Congress makes the following findings:

(1) The United States-Israel Enhanced Security Cooperation Act of 2012 (22 U.S.C. 8601 et seq.) established the policy of the United States to support the inherent right of Israel to self-defense.

(2) The United States-Israel Enhanced Security Cooperation Act of 2012 (22 U.S.C. 8601 et seq.) expressed the sense of Congress that the Government of the United States should transfer to the Government of Israel defense articles and defense services such as air refueling tankers, missile defense capabilities, and specialized munitions.

(3) The inherent right of Israel to self-defense necessarily includes the possession and maintenance by Israel of an independent capability to remove existential threats to its security and defend its vital national interests.

(b) POLICY OF THE UNITED STATES.—It is the policy of the United States to take all necessary steps to ensure that Israel possesses and maintains an independent capability to remove existential threats to its security and defend its vital national interests.

(c) SENSE OF CONGRESS.—It is the sense of Congress that air refueling tankers and advanced bunker-buster munitions should immediately be transferred to Israel to ensure our democratic ally has an independent capability to remove any existential threat posed by the Iranian nuclear program and defend its vital national interests.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the House and Senate Armed Services committees, the House Foreign Affairs Committee, the Senate Foreign Relations Committee, and the House and Senate Appropriations committees a report that—

(1) identifies all aerial refueling platforms, bunker-buster munitions, and other capabilities and platforms that would contribute significantly to the maintenance by Israel of a robust independent capability to remove existential security threats, including nuclear and ballistic missile facilities in Iran, and defend its vital national interests;

(2) assesses the availability for sale or transfer of items necessary to acquire the capabilities and platforms described in paragraph (1) as well as the legal authorities available for making such transfers; and

(3) describes the steps the President is taking to immediately transfer the items described in paragraph (1) pursuant to the policy described in subsection (b).

## AMENDMENT NO. 140 OFFERED BY MR. BRIDENSTINE OF OKLAHOMA

Add at the end of subtitle E of title XII the following:

**SEC. 1259. REPORT ON COLLECTIVE AND NATIONAL SECURITY IMPLICATIONS OF CENTRAL ASIAN AND SOUTH CAUCASUS ENERGY DEVELOPMENT.**

(a) FINDINGS.—Congress finds the following:

(1) Assured access to stable energy supplies is an enduring concern of both the United States and the North Atlantic Treaty Organization (NATO).

(2) Adopted in Lisbon in November 2010, the new NATO Strategic Concept declares that “[s]ome NATO countries will become more dependent on foreign energy suppliers and in some cases, on foreign energy supply and distribution networks for their energy needs”.

(3) The report required by section 1233 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) reaffirmed the Strategic Concept’s assessment of growing energy dependence of some members of the NATO alliance and also noted there is value in the assured access, protection, and delivery of energy.

(4) Development of energy resources and transit routes in the areas surrounding the Caspian Sea can diversify sources of supply for members of the NATO alliance, particularly those in Eastern Europe.

(b) REPORT.—

(1) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State and the Secretary of Energy, submit to the appropriate congressional committees a detailed report on the implications of new energy resource development and distribution networks, both planned and under construction, in the areas surrounding the Caspian Sea for energy security strategies of the United States and NATO.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the dependence of NATO members on a single oil or natural gas supplier or distribution network.

(B) An assessment of the potential of energy resources of the areas surrounding the Caspian Sea to mitigate such dependence on a single supplier or distribution network.

(C) Recommendations, if any, for ways in which the United States can help support increased energy security for NATO members.

(3) SUBMISSION OF CLASSIFIED INFORMATION.—The report under this subsection shall be submitted in unclassified form, but may contain a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 145 OFFERED BY MR. BRIDENSTINE OF OKLAHOMA

Page 551, after line 12, insert the following:  
**SEC. 1259. REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.**

(a) REPORT.—Not later than June 1, 2014, and June 1 of each year thereafter through 2017, the Secretary of Defense shall submit to the specified congressional committees a report, in both classified and unclassified form, on the current and future military power of the Russian Federation (in this section referred to as “Russia”). The report shall address the current and probable future

course of military-technological development of the Russian military, the tenets and probable development of Russian security strategy and military strategy, and military organizations and operational concepts, for the 20-year period following submission of such report.

(b) MATTERS TO BE INCLUDED.—A report required under subsection (a) shall include the following:

(1) An assessment of the security situation in regions neighboring Russia.

(2) The goals and factors shaping Russian security strategy and military strategy.

(3) Trends in Russian security and military behavior that would be designed to achieve, or that are consistent with, the goals described in paragraph (2).

(4) An assessment of Russia’s global and regional security objectives, including objectives that would affect the North Atlantic Treaty Organization, the Middle East, and the People’s Republic of China.

(5) A detailed assessment of the sizes, locations, and capabilities of Russian nuclear, special operations, land, sea, and air forces.

(6) Developments in Russian military doctrine and training.

(7) An assessment of the proliferation activities of Russia and Russian entities, as a supplier of materials, technologies, or expertise relating to nuclear weapons or other weapons of mass destruction or missile systems.

(8) Developments in Russia’s asymmetric capabilities, including its strategy and efforts to develop and deploy cyberwarfare and electronic warfare capabilities, details on the number of malicious cyber incidents originating from Russia against Department of Defense infrastructure, and associated activities originating or suspected of originating from Russia.

(9) The strategy and capabilities of Russian space and counterspace programs, including trends, global and regional activities, the involvement of military and civilian organizations, including state-owned enterprises, academic institutions, and commercial entities, and efforts to develop, acquire, or gain access to advanced technologies that would enhance Russian military capabilities.

(10) Developments in Russia’s nuclear program, including the size and state of Russia’s stockpile, its nuclear strategy and associated doctrines, its civil and military production capacities, and projections of its future arsenals.

(11) A description of Russia’s anti-access and area denial capabilities.

(12) A description of Russia’s command, control, communications, computers, intelligence, surveillance, and reconnaissance modernization program and its applications for Russia’s precision guided weapons.

(13) In consultation with the Secretary of Energy and the Secretary of State, developments regarding United States-Russian engagement and cooperation on security matters.

(14) The current state of United States military-to-military contacts with the Russian Federation Armed Forces, which shall include the following:

(A) A comprehensive and coordinated strategy for such military-to-military contacts and updates to the strategy.

(B) A summary of all such military-to-military contacts during the one-year period preceding the report, including a summary of topics discussed and questions asked by the Russian participants in those contacts.

(C) A description of such military-to-military contacts scheduled for the 12-month pe-

riod following such report and the plan for future contacts.

(D) The Secretary’s assessment of the benefits the Russians expect to gain from such military-to-military contacts.

(E) The Secretary’s assessment of the benefits the Department of Defense expects to gain from such military-to-military contacts, and any concerns regarding such contacts.

(F) The Secretary’s assessment of how such military-to-military contacts fit into the larger security relationship between the United States and the Russian Federation.

(15) A description of Russian military-to-military relationships with other countries, including the size and activity of military attaché offices around the world and military education programs conducted in Russia for other countries or in other countries for the Russians.

(16) Other military and security developments involving Russia that the Secretary of Defense considers relevant to United States national security.

(c) DEFINITION.—In this section the term “specified congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from California (Mr. McKEON) and the gentleman from Washington (Mr. LARSEN) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. McKEON. Madam Chair, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

At this time, I yield 2 minutes to my friend and colleague, the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. Madam Chairman, I thank the chairman for recognizing me, and I rise in strong support of the Connolly-Granger-Diaz-Balart-Gingrey-Sires-Carter amendment No. 185 to H.R. 1960 that was included in the en bloc amendment No. 6.

As a former cochair of the Congressional Taiwan Caucus, I believe this amendment embodies the spirit of the Taiwan Relations Act of 1979 in providing assistance to Taiwan for its own defense.

Through the Taiwan Relations Act, we are able to conduct arms sales to Taipei. Over the past 30 years, we have done this time and time again. Unfortunately, the Obama administration has failed to proceed on Taiwan’s top request: the F-16/CD aircraft.

Taiwan has an aging fixed-wing aircraft fleet; and with the growing military gap across the Taiwan Strait, it is critical that we sell them this aircraft.

Our bipartisan amendment does just that by requiring the President to move forward on the sale of no fewer than 66 F-16/CDs. And I urge my colleagues to uphold our commitment to Taiwan and support the Connolly-

Granger-Diaz-Balart-Gingrey-Sires-Carter amendment.

Mr. LARSEN of Washington. Madam Chair, I reserve the balance of my time.

Mr. McKEON. Madam Chair, at this time I yield 2 minutes to my friend and colleague, the gentleman from Oklahoma (Mr. BRIDENSTINE).

Mr. BRIDENSTINE. Madam Chair, I rise in support of my amendments, No. 116 and No. 158, in the en bloc package.

My first amendment requires the Department of Defense to annually assess military and security developments involving the Russian Federation.

To be quite frank, the Obama administration's so-called "reset policy" with Russia is in shambles. Moscow has been intransigent on Iran, continues to supply Syria with weapons, occupies Georgia, has repeatedly threatened our NATO allies with nuclear strikes, and continually seeks to undermine the political independence of former Soviet satellite states.

Vladimir Putin announced plans to spend about \$750 billion to modernize the Russian military. The Putin buildup envisions modernized and robust nuclear, space and cyber forces. By the way, Madam Chairman, not too long ago Putin called the Soviet Union's collapse "the greatest geopolitical catastrophe for the century."

□ 2030

Russian military modernization concerns us and our allies and our friends, particularly those in Eastern Europe and the Caucasus. It is imperative that Congress understand the implications of Russia's military buildup for our bilateral relationship and regional stability.

Mr. LARSEN of Washington. Madam Chair, I continue to reserve the balance of my time.

Mr. McKEON. How much time do we have left?

The Acting CHAIR. The gentleman from California has 7 minutes remaining.

Mr. McKEON. Madam Chair, I yield 2 minutes to my friend and colleague, the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. I thank the chairman for yielding.

I am pleased to support this en bloc amendment which includes important language to put a stop to the practice of using drones to kill Americans and prevent any administration in the future from doing so as well. The only exception would be if a citizen is actively engaged in combat against the United States. Not plotting, not suspected, but currently engaging in combat.

Attorney General Eric Holder made it perfectly clear in a recent white paper that the administration believes that they have the right to be judge, jury and executioner of any and all American citizens.

My amendment would correct this dangerous overreach and defend Americans' God-given constitutionally protected rights.

However, while this will curtail the threat of drones, I'm disappointed that another of my amendments was not made in order to address another overarching issue.

Along with my colleague from California, Congresswoman LEE, I sponsored an amendment to sunset the Authorization for Use of Military Force in Afghanistan, a provision that has outrageously expanded the powers of the Federal Government. This law has allowed our government to engage in indefinite detention, extrajudicial targeted killing, warrantless surveillance and wiretapping activities, and the open-ended expansion of military operations abroad.

It's time for this provision to go. And if we need additional war authorizations, they should be narrow and clear, as our Founders intended. It's time to end this abuse of power by our Federal Government. I will continue working with my colleagues on both sides of the aisle to meet that goal and to restore liberty in America.

Mr. LARSEN of Washington. Madam Chair, I continue to reserve the balance of my time.

Mr. McKEON. Madam Chair, I yield 1 minute to my good friend from Georgia, Dr. PHIL GINGREY.

Mr. GINGREY of Georgia. Madam Chair, I rise today to urge my colleagues to support my commonsense amendment that was included in one of the en bloc amendments to be considered tomorrow that would express the sense of Congress that Active Duty military personnel who live in or are stationed in Washington, D.C., should be exempt from existing District of Columbia firearms restrictions.

It is no secret that the District of Columbia has historically had some of the most restrictive firearm regulations in the Nation, even after the victory for Second Amendment rights in the 2008 ruling by the Supreme Court in the District of Columbia v. Heller. With approximately 40,000 servicemen and -women across all branches of the Armed Forces either living in or actually stationed on Active Duty within the Washington, D.C. metropolitan area, these individuals are subject to the very laws of the District of Columbia that make the lawful possession of firearms nearly impossible.

My amendment would recognize that the D.C. handgun law, especially in regard to trained servicemen and -women, punishes individuals.

The Acting CHAIR. The time of the gentleman has expired.

Mr. McKEON. I yield an additional 1 minute to the gentleman.

Mr. GINGREY of Georgia. I thank the gentleman.

Madam Chairman, my amendment would recognize that the D.C. handgun

law, especially in regard to trained servicemen and -women, punishes individuals well-equipped to protect themselves and others while emboldening perpetrators of violent crime.

I urge my colleagues on both sides of the aisle to support this amendment.

Mr. McKEON. We have no further speakers.

Mr. LARSEN of Washington. Madam Chair, I yield back the balance of my time.

Mr. McKEON. I yield back the balance of my time.

Mr. FARR. Madam Chair, I rise today to express my appreciation for the House Armed Services Committee's acceptance of my amendment on the importance of foreign language and cultural education in the military. While the concept of military-to-military engagement is not new, it has an increasing level of importance in our contemporary operating environment. While most military training focuses on servicemembers being able to engage with the enemy, it is equally important to educate servicemembers on cultures and foreign language so that when we partner with foreign militaries and engage in capacity building, we can speak their language and understand their culture.

The Chief of Staff of the Army, General Odierno, and the Supreme Allied Commander Europe, Admiral Stavridis, have argued that the future of our defense strategy requires strong relationships with capable partners. Unfortunately, there is a language and cultural capability gap in the Department of Defense, an organization that operates globally to accomplish its mission yet has less than 10% whom speak a second language. Effective partner capacity building requires the kind of relationships that cannot be built through using an interpreter alone.

Our military's ability to understand cultures and languages in Iraq and Afghanistan has taken a long and costly road. That road's most valuable lesson is that our military personnel need the capacity to understand foreign cultures and languages before they are deployed. The ability of our junior and senior military leaders to build partnerships and partner capacity requires training in culture and languages not only in times of conflict but also in times of peace.

Two world class military installations in my district provide this critically needed education to all the Services. The Defense Language Institute Foreign Language Center and the Naval Postgraduate School educate military personnel in the languages and cultures of our partners. Investment in language and culture enhances readiness for military intelligence, Special Forces, and general-purpose forces at a low cost. This capability enables servicemembers to connect with our partnering countries at the unit level where the mission is executed.

America's strategic challenges, including a pivot to the Pacific region that has more than 70 countries and more than 100 regional and national languages, will generate additional requirements for language and put additional strain on the current capacity for skilled foreign language analysts, Foreign Area Officers, military intelligence personnel, and attachés.



We must meet the demand and respond proactively.

Madam Chair, again, I am appreciative of the committee's support of foreign language capability and cultural understanding in the military and look forward to working with them in the future to ensure our military is resourced to meet the strategic demands of the future.

Mr. CONNOLLY. Madam Chair, I am pleased to offer this simple bipartisan amendment with Reps. WOLF and SCHNEIDER to expand an existing report required by Section 1242 of the bill. The amendment clarifies that the report ought to include information on how the Egyptian military is supporting the rights of individuals involved in civil society and democratic promotion efforts through non-governmental organizations or NGOs.

This is a timely issue, given the guilty verdict rendered by an Egyptian court June 4th against 43 NGO workers—including 17 Americans—because of their involvement with pro-democracy groups. The guilty verdict renews concerns about Egypt's commitment to democratic principles. In fact, I am circulating a bipartisan letter with my Virginia colleague, Rep. WOLF, urging Egyptian President Morsi to immediately reconsider this action and permit the NGOs to continue their important work. So far, more than 50 Members of Congress have signed our bipartisan letter, including Rep. SCHNEIDER, who also cosponsored this amendment.

The United States supports the aspirations of the Egyptian people to become a free and fair society, in which all NGOs—regardless of their nation of origin—are allowed to operate freely. I hope that Egyptian officials will come to this same realization and return property confiscated from the NGOs 18 months ago, remove their staff from the no-fly list, and permit them to continue their work supporting a fair and open election process and helping to improve the lives of all Egyptians.

If the U.S. government and the American people are to have any confidence that the Egyptian government is undertaking a genuine transition to a democratic state, under civilian control, where the freedoms of assembly, association, religion, and expression are guaranteed and the rule of law is upheld, then we must see a swift and satisfactory resolution to this case.

As my colleagues will recall, this ordeal began a year and a half ago, when Egyptian forces raided both American and non-American NGO offices. During the raids, Egyptian forces seized records, computers, other electronic equipment, and hard currency. At every turn Egyptian authorities assured the NGOs and U.S. authorities that the situation would be appropriately resolved, only to renege on their word. For example, three days after the raids, U.S. NGOs were waiting for the return of their confiscated property as promised by Field Marshal Tantawi while simultaneously, another Egyptian official—Fayza Abou Naga, the government minister in charge of coordinating foreign aid—was holding a press conference saying the property would not be returned. Abou Naga also accused the NGOs of illicitly funneling money to the April 6th Youth Movement.

When I traveled to Egypt in March of last year, my colleagues and I raised the issue of

the NGOs with General Tantawi. During that trip, we also met with the Egyptian staffers who were facing charges. They were in a precarious position, and their situation has only worsened with the June 4th verdict.

We cannot in good conscience ignore the results of the recent trial, which comes on the heels of a draft law that further restricts NGOs, fails to meet Egypt's international commitments with respect to freedom of association, and lends credence to the opinion that there is an ongoing war against civil society in Egypt.

U.S. law with regard to this issue is clear in the restrictions placed on the \$1.3 billion in military aid for Egypt:

Prior to the obligation of funds appropriated by this Act under the heading 'Foreign Military Financing Program,' the Secretary of State shall certify to the Committees on Appropriations that the Government of Egypt is supporting the transition to civilian government including holding free and fair elections; implementing policies to protect freedom of expression, association, and religion, and due process of law.

With the current state of affairs in Egypt, any such certification that Egypt is, in fact, implementing policies to guarantee the pillars of a free society would be met with skepticism. That is why news reports of Sec. Kerry's recent action to waive the restrictions on that military aid are of particular concern. It is not too late to include these important NGO issues in a larger discussion about releasing (or withholding) other tranches of money to Egypt.

Our amendment would further support the transition to democracy by requiring the Pentagon report on how Egyptian military activities contribute to an atmosphere where pro-democracy NGOs can operate freely. I encourage my colleagues to support the Connolly/Wolf/Schneider amendment and to sign the related letter to President Morsi of Egypt.

Mr. CONNOLLY. Madam Chair, I am pleased to offer this bipartisan amendment on behalf of my fellow co-chairs of the Congressional Taiwan Caucus: Reps. DIAZ-BALART, CARTER, and SIRES. We also have two other notable cosponsors: Rep. GINGREY, the former co-chair of the Caucus, and Rep. GRANGER. Our amendment would affirm the United States' longstanding economic and defensive partnership with Taiwan, which dates back to the 1940s.

This amendment reflects the same language adopted by voice vote in the House during consideration of the FY13 National Defense Authorization Act. In the 112th Congress, 181 Members of the House of Representatives sent a letter to the Administration citing the "critical" need for the United States "to sell the government of Taiwan all the F-16 C/D [aircraft] it requires." The letter urged the Administration to "move quickly" on this matter and cited the Taiwan Relations Act of 1979 (TRA) as the statutory basis for such a sale.

The Administration's announcement to sell only a retrofit package for Taiwan's older fighter jets disappointed Taiwan's supporters. After all, U.S. policy with regard to the defensive capabilities of Taiwan is clearly outlined in the TRA, which states it is the policy of the U.S. "to provide Taiwan with arms of a defensive character."

Moreover, three joint communiqués between the U.S. and the People's Republic of China (PRC), and the "Six Assurances" to Taipei offered by President Reagan, add additional context to the U.S.-Taiwan relationship. The defensive weapons provision in the TRA has been an irritant in the relationship with Beijing, but this provision is necessary for Taiwan's defense.

It should be no surprise that advocates for Taipei's defensive needs continue to push for the sale of the 66 F-16 C/D planes. It is important that U.S. obligations to provide for Taiwan's defenses—codified in and by the TRA—be dictated by our assessments of Taiwan's needs and not by the threat, implied or otherwise, of Taiwan's big neighbor. Beyond this defense relationship, the United States has strong economic ties with Taiwan. In 2010 total U.S. trade with Taiwan was \$61.9 billion, making it the 9th largest U.S. trading partner.

I encourage my colleagues to vote for this bipartisan amendment directing the President to sell 66 F-16 C/D aircraft to Taiwan.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. McKEON).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 7 OFFERED BY MR. McKEON

Mr. McKEON. Madam Chair, pursuant to H. Res. 260, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 7 consisting of amendment Nos. 76, 92, 93, 122, 124, 125, 131, 135, 141, 144, 147, 148, 151, 155, 162, 167, 168, and 169, printed in House Report No. 113-108, offered by Mr. McKEON of California:

AMENDMENT NO. 76 OFFERED BY MS. SCHAKOWSKY OF ILLINOIS

At the end of subtitle D of title VI, add the following new section:

**SEC. 6. EXCHANGE STORE SYSTEM PARTICIPATION IN THE ACCORD ON FIRE AND BUILDING SAFETY IN BANGLADESH.**

(a) SPECIAL PROCUREMENT GUIDANCE FOR GARMENTS MANUFACTURED IN BANGLADESH.—The senior official of the Department of Defense designated pursuant to section 2481(c) to oversee the defense commissary system and the exchange store system shall require, consistent with applicable international agreements, that the exchange store system—

(1) for the purchase of garments manufactured in Bangladesh for the private label brands of the exchange store system, becomes a signatory of or otherwise complies with applicable requirements set forth in the Accord on Fire and Building Safety in Bangladesh;

(2) for the purchase of licensed apparel manufactured in Bangladesh, gives a preference to licensees that are signatories to the Accord on Fire and Building Safety in Bangladesh; and

(3) for the purchase of garments manufactured in Bangladesh from retail suppliers, gives a preference to retail suppliers that are signatories to the Accord on Fire and Building Safety in Bangladesh.



(b) NOTICE OF EXCEPTIONS.—If any garments manufactured in Bangladesh are purchased from suppliers that are not signatories to the Accord on Fire and Building Safety in Bangladesh, the Department of Defense official referred to in subsection (a) shall notify Congress of the purchase and the reasons therefor.

(c) EFFECTIVE DATE.—The requirements imposed by this section shall take effect 90 days after the date of the enactment of this Act or as soon after that date as the Secretary of Defense determines to be practicable so as to avoid disruption in garment supplies for the exchange store system.

AMENDMENT NO. 92 OFFERED BY MR. RIGELL OF VIRGINIA

At the end of title VIII, add the following new section:

**SEC. 833. PROHIBITION ON PURCHASE OF MILITARY COINS NOT MADE IN UNITED STATES.**

None of the funds authorized to be appropriated by this Act may be used to purchase military coins that are not produced in the United States.

AMENDMENT NO. 93 OFFERED BY MS. TSONGAS OF MASSACHUSETTS

At the end of title VIII, insert the following new section:

**SEC. 833. COMPLIANCE WITH DOMESTIC SOURCE REQUIREMENTS FOR FOOTWEAR FURNISHED TO ENLISTED MEMBERS OF THE ARMED FORCES UPON THEIR INITIAL ENTRY INTO THE ARMED FORCES.**

(a) REQUIREMENT.—Section 418 of title 37, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) In the case of athletic footwear needed by members of the Army, Navy, Air Force, or Marine Corps upon their initial entry into the armed forces, the Secretary of Defense shall furnish such footwear directly to the members instead of providing a cash allowance to the members for the purchase of such footwear.

“(2) In procuring athletic footwear to comply with paragraph (1), the Secretary of Defense shall comply with the requirements of section 2533a of title 10, without regard to the applicability of any simplified acquisition threshold under chapter 137 of title 10 (or any other provision of law).—

“(3) This subsection does not prohibit the provision of a cash allowance to a member described in paragraph (1) for the purchase of athletic footwear if such footwear—

“(A) is medically required to meet unique physiological needs of the member; and

“(B) cannot be met with athletic footwear that complies with the requirements of this subsection.”.

(b) CERTIFICATION.—The amendment made by subsection (a) shall not take effect until the Secretary of Defense certifies that there are at least two sources that can provide athletic footwear to the Department of Defense that is 100 percent compliant with section 2533a of title 10, United States Code.

AMENDMENT NO. 122 OFFERED BY MR. LYNCH OF MASSACHUSETTS

Page 497, line 13, strike “(g), (h), and (i)” and insert “(h), (i), and (j)”.

Page 497, line 15, strike “subsection” and insert “subsections”.

Page 498, line 11, before the closing quotation marks insert the following:

“(g) MATTERS TO BE INCLUDED: ASSESSMENT OF CAPABILITY OF ANSF TO PROVIDE OPERATIONS AND MAINTENANCE FUNCTIONS.—The report required under subsection (a) shall include a detailed assessment of the capability

of the Afghan National Security Forces (ANSF) to provide operations and maintenance functions for infrastructure projects constructed for the ANSF after January 1, 2015, including—

“(1) a description of training provided to the ANSF by the United States and the International Security Assistance Force;

“(2) a comprehensive evaluation of operations and maintenance capabilities and skills; and

“(3) the Government of Afghanistan’s financial wherewithal to perform or contract out such functions.

AMENDMENT NO. 124 OFFERED BY MR. JOHNSON OF GEORGIA

At the end of subtitle C of title XII, add the following new section:

**SEC. 12 . LIMITATION ON FUNDS TO ESTABLISH PERMANENT MILITARY INSTALLATIONS OR BASES IN AFGHANISTAN.**

None of the funds authorized to be appropriated by this Act may be obligated or expended by the United States Government to establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

AMENDMENT NO. 125 OFFERED BY MR. SCHNEIDER OF ILLINOIS

Page 509, line 7, strike “and” at the end.

Page 509, line 11, strike the first period, the closing quotation marks, and the second period and insert “; and”.

Page 509, after line 11, add the following new subparagraph:

“(G) an analysis of how sanctions on Iran are effecting its military capability and its ability to export terrorism to proxy groups within its Threat Network.”.

AMENDMENT NO. 131 OFFERED BY MR. SCHNEIDER OF ILLINOIS

Page 539, strike lines 4 through 7 and insert the following:

(3) the conflict in Syria threatens the vital national security interests of Israel and the stability of Jordan, Lebanon, and Turkey, the implications of which should be sufficiently weighed by the President when considering policy approaches towards the conflict in Syria;

Page 540, line 11, strike “and” at the end.

Page 540, line 14, strike the period at the end and insert “; and”.

Page 540, after line 14, insert the following new paragraph:

(11) the President should use all diplomatic means to disrupt the flow of arms into Syria, including efforts to dissuade Russia from further arms sales with Syria, the influx of weapons and fighters from Hezbollah, and the infiltration of weapons and fighters from Iran.

AMENDMENT NO. 135 OFFERED BY MR. ELLISON OF MINNESOTA

At the end of subtitle E of title XII of division A of the bill, add the following:

**SEC. 12xx. LIMITATION ON ASSISTANCE TO PROVIDE TEAR GAS OR OTHER RIOT CONTROL ITEMS.**

None of the funds authorized to be appropriated by this Act may be used to provide tear gas or other riot control items to the government of a country undergoing a transition to democracy in the Middle East or North Africa unless the Secretary of Defense certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that the security forces of such government are not using excessive force to repress peaceful, lawful, and organized dissent.

AMENDMENT NO. 141 OFFERED BY MR. WELCH OF VERMONT

At the end of subtitle E of title XII, add the following:

**SEC. 1259. REPORT ON CERTAIN FINANCIAL ASSISTANCE TO AFGHAN MILITARY.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on measures to monitor and ensure that United States financial assistance to the Afghan National Security Forces to purchase fuel is not used to purchase fuel from Iran in violation of United States sanctions.

AMENDMENT NO. 144 OFFERED BY MR. GOSAR OF ARIZONA

At the end of subtitle E of title XII of division A, add the following new section:

**SEC. 12 . ISRAEL’S RIGHT TO SELF-DEFENSE.**

Congress fully supports Israel’s lawful exercise of self-defense, including actions to halt regional aggression.

AMENDMENT NO. 147 OFFERED BY MR. WALORSKI OF INDIANA

At the appropriate place in title XII insert the following new section:

**SEC. 12 . SENSE OF CONGRESS STRONGLY SUPPORTING THE FULL IMPLEMENTATION OF UNITED STATES AND INTERNATIONAL SANCTIONS ON IRAN AND URGING THE PRESIDENT TO CONTINUE TO STRENGTHEN ENFORCEMENT OF SANCTIONS LEGISLATION.**

(a) FINDINGS.—Congress finds the following:

(1) On May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel.

(2) On March 28, 1949, the United States Government recognized the establishment of the new State of Israel and established full diplomatic relations.

(3) Since its establishment nearly 65 years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic democratic society, and created a thriving economic, political, cultural, and intellectual life despite the heavy costs of war, terrorism, and unjustified diplomatic and economic boycotts against the people of Israel.

(4) The people of Israel have established a vibrant, pluralistic, democratic political system, including freedom of speech, association, and religion; a vigorously free press; free, fair, and open elections; the rule of law; a fully independent judiciary; and other democratic principles and practices.

(5) Since the 1979 revolution in Iran, the leaders of the Islamic Republic of Iran have repeatedly made threats against the existence of the State of Israel and sponsored acts of terrorism and violence against its citizens.

(6) On October 27, 2005, President of Iran Mahmoud Ahmadinejad called for a world without America and Zionism.

(7) In February 2012, Supreme Leader of Iran Ali Khamenei said of Israel, “The Zionist regime is a true cancer tumor on this region that should be cut off. And it definitely will be cut off.”.

(8) In August 2012, Supreme Leader Khamenei said of Israel, “This bogus and fake Zionist outgrowth will disappear off the landscape of geography.”.

(9) In August 2012, President Ahmadinejad said that “in the new Middle East . . . there will be no trace of the American presence and the Zionists”;

(10) The Department of State has designated the Islamic Republic of Iran as a state sponsor of terrorism since 1984 and has

characterized the Islamic Republic of Iran as the “most active state sponsor of terrorism” in the world.

(11) The Government of the Islamic Republic of Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hizballah, and Shiite militias in Iraq that are responsible for the murder of hundreds of United States service members and innocent civilians.

(12) The Government of the Islamic Republic of Iran has provided weapons, training, and funding to the regime of Bashar al Assad that has been used to suppress and murder its own people.

(13) Since at least the late 1980s, the Government of the Islamic Republic of Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear weapons capability.

(14) Since September 2005, the Board of Governors of the International Atomic Energy Agency (IAEA) has found the Islamic Republic of Iran to be in non-compliance with its safeguards agreement with the IAEA, which Iran is obligated to undertake as a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (NPT).

(15) The United Nations Security Council has adopted multiple resolutions since 2006 demanding of the Government of the Islamic Republic of Iran its full and sustained suspension of all uranium enrichment-related and reprocessing activities and its full cooperation with the IAEA on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program.

(16) The Government of the Islamic Republic of Iran has refused to comply with United Nations Security Council resolutions or to fully cooperate with the IAEA.

(17) In November 2011, the IAEA Director General issued a report that documented “serious concerns regarding possible military dimensions to Iran’s nuclear programme”, and affirmed that information available to the IAEA indicates that “Iran has carried out activities relevant to the development of a nuclear explosive device” and that some activities may be ongoing.

(18) The Government of Iran stands in violation of the Universal Declaration of Human Rights for denying its citizens basic freedoms, including the freedoms of expression, religion, peaceful assembly and movement, and for flagrantly abusing the rights of minorities and women.

(19) In his State of the Union Address on January 24, 2012, President Barack Obama stated, “Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.”

(20) Congress has passed and the President has signed into law legislation imposing significant economic and diplomatic sanctions on Iran to encourage the Government of Iran to abandon its pursuit of nuclear weapons and end its support for terrorism.

(21) These sanctions, while having significant effect, have yet to persuade Iran to abandon its illicit pursuits and comply with United Nations Security Council resolutions.

(22) More stringent enforcement of sanctions legislation, including elements targeting oil exports and access to foreign exchange, could still lead the Government of Iran to change course.

(23) In his State of the Union Address on February 12, 2013, President Obama reiter-

ated, “The leaders of Iran must recognize that now is the time for a diplomatic solution, because a coalition stands united in demanding that they meet their obligations. And we will do what is necessary to prevent them from getting a nuclear weapon.”

(24) On March 4, 2012, President Obama stated, “Iran’s leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.”

(25) On October 22, 2012, President Obama said of Iran, “The clock is ticking . . . And we’re going to make sure that if they do not meet the demands of the international community, then we are going to take all options necessary to make sure they don’t have a nuclear weapon.”

(26) On May 19, 2011, President Obama stated, “Every state has the right to self-defense, and Israel must be able to defend itself, by itself, against any threat.”

(27) On September 21, 2011, President Obama stated, “America’s commitment to Israel’s security is unshakeable. Our friendship with Israel is deep and enduring.”

(28) On March 4, 2012, President Obama stated, “And whenever an effort is made to delegitimize the state of Israel, my administration has opposed them. So there should not be a shred of doubt by now: when the chips are down, I have Israel’s back.”

(29) On October 22, 2012, President Obama stated, “Israel is a true friend. And if Israel is attacked, America will stand with Israel. I’ve made that clear throughout my presidency . . . I will stand with Israel if they are attacked.”

(30) In December 2012, 74 United States Senators wrote to President Obama “As you begin your second term as President, we ask you to reiterate your readiness to take military action against Iran if it continues its efforts to acquire a nuclear weapon. In addition, we urge you to work with our European and Middle Eastern allies to demonstrate to the Iranians that a credible and capable multilateral coalition exists that would support a military strike if, in the end, this is unfortunately necessary.”

(31) The United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112-150) stated that it is United States policy to support Israel’s inherent right to self-defense.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for more than sixty years and that enjoy overwhelming bipartisan support in Congress and among the people of the United States;

(2) strongly supports the close military, intelligence, and security cooperation that President Obama has pursued with Israel and urges this cooperation to continue and deepen;

(3) deplores and condemns, in the strongest possible terms, the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel;

(4) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran’s continuing pursuit of a nuclear weapons capability;

(5) reiterates that the policy of the United States is to prevent Iran from acquiring a nuclear weapon capability and to take such action as may be necessary to implement this policy;

(6) reaffirms its strong support for the full implementation of United States and international sanctions on Iran and urges the

President to continue and strengthen enforcement of sanctions legislation;

(7) declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel’s right to self-defense; and

(8) urges that, if the Government of Israel is compelled to take military action in legitimate self-defense against Iran’s nuclear weapons program, the United States Government should stand with Israel and provide, in accordance with United States law and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as an authorization for the use of force or a declaration of war.

AMENDMENT NO. 148 OFFERED BY MR. FORTENBERRY OF NEBRASKA

At the end of title XIII, add the following new section:

**SEC. 13 . STRATEGY TO MODERNIZE COOPERATIVE THREAT REDUCTION AND PREVENT THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION AND RELATED MATERIALS IN THE MIDDLE EAST AND NORTH AFRICA REGION.**

(a) STRATEGY REQUIRED.—The Secretary of Defense, in consultation with the Secretary of State and the Secretary of Energy, shall establish a comprehensive and broad nonproliferation strategy to modernize cooperative threat reduction and advance cooperative efforts with international partners to reduce the threat from the proliferation of weapons of mass destruction and related materials in the Middle East and North Africa region.

(b) ELEMENTS.—The strategy required by subsection (a) shall—

(1) build upon the current activities of the Departments of Defense, State, and Energy’s nonproliferation programs that aim to mitigate the range of threats in the Middle East and North Africa region posed by weapons of mass destruction;

(2) review issues relating to the threat from the proliferation of weapons of mass destruction and related materials in the Middle East and North Africa region on a regional basis as well as on a country-by-country basis;

(3) review the activities and achievements in the Middle East and North Africa region of the Department of Defense Cooperative Threat Reduction Program and the nonproliferation programs at the Department of State and Department of Energy and other United States Government agencies and departments designed to address nuclear, radiological, chemical, and biological safety and security issues;

(4) ensure the continued coordination of cooperative nonproliferation efforts within the United States Government and further mobilize and leverage additional resources from partner nations, nongovernmental and multilateral organizations, and international institutions;

(5) include an assessment of what countries are financially, materially, or technologically supporting proliferation in this region and how the strategy will prevent, stop or interdict the support;

(6) include an estimate of associated costs required to plan and execute the proposed cooperative threat reduction activities in order

to execute the comprehensive strategy to prevent the proliferation of weapons of mass destruction and related materials; and

(7) include a discussion of the metrics to measure the strategy's and activities' success in reducing the regional threat of the proliferation of weapons of mass destruction.

(c) **INTEGRATION AND COORDINATION.**—The strategy required by subsection (a) shall include an assessment of gaps in current cooperative nonproliferation efforts, an articulation of agencies' threat reduction priorities in the Middle East and North Africa region, the establishment of appropriate metrics for determining success in the region, and steps to ensure that the strategy fits in broader United States efforts to reduce the threat from weapons of mass destruction.

(d) **CONSULTATION.**—In establishing the strategy required by subsection (a), the Secretary of Defense may consult with both governmental and nongovernmental experts from a diverse set of views.

(e) **STRATEGY AND IMPLEMENTATION PLAN.**—Not later than March 31, 2014, the Secretary of Defense shall submit to the specified congressional committees the cooperative threat reduction modernization strategy required by subsection (a), as well as a plan for the implementation of the strategy required by subsection (a).

(f) **FORM.**—The strategy required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(g) **SPECIFIED CONGRESSIONAL COMMITTEES.**—In this section, the term “specific congressional committees” means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate.

AMENDMENT NO. 151 OFFERED BY MR. SCHRADER OF OREGON

At the end of title XVI, insert the following new section:

**SEC. 1607. PROGRAM TO PROVIDE FEDERAL CONTRACTS TO EARLY STAGE SMALL BUSINESSES.**

(a) **IN GENERAL.**—The Small Business Act (15 U.S.C. 631 et seq.) is amended by adding at the end the following:

**“SEC. 48. PROGRAM TO PROVIDE FEDERAL CONTRACTS TO EARLY STAGE SMALL BUSINESSES.**

“(a) **ESTABLISHMENT.**—The Administrator shall establish and carry out a program in accordance with the requirements of this section to provide improved access to Federal contract opportunities for early stage small business concerns.

“(b) **PROCUREMENT CONTRACTS.**—

“(1) **IN GENERAL.**—In carrying out subsection (a), the Administrator, in consultation with other Federal agencies, shall identify procurement contracts of Federal agencies for award under the program.

“(2) **CONTRACT AWARDS.**—Under the program established pursuant to this section, the award of a procurement contract of a Federal agency identified by the Administrator pursuant to paragraph (1) shall be made by the agency to an eligible program participant selected, and determined to be responsible, by the agency.

“(3) **COMPETITION.**—

“(A) **SOLE SOURCE.**—A contracting officer may award a sole source contract under this program if such concern is determined to be a responsible contractor with respect to performance of such contract opportunity and the contracting officer does not have a rea-

sonable expectation that 2 or more early stage small business concerns will submit offers for the contracting opportunity and in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.

“(B) **RESTRICTED COMPETITION.**—A contracting officer may award contracts on the basis of competition restricted to early stage small business concerns if the contracting officer has a reasonable expectation that not less than 2 early stage small business concerns will submit offers and that the award can be made at a fair market price.

“(4) **CONTRACT VALUE.**—Contracts shall be awarded under this program if its value is greater than \$3,000 and less than half the upper threshold of section 15(j)(1) of the Small Business Act.

“(c) **ELIGIBILITY.**—Only an early stage small business concern shall be eligible to compete for a contract to be awarded under the program. The Administrator shall certify that a small business concern is an early stage small business concern, or the Administrator shall approve a Federal agency, a State government, or a national certifying entity to certify that the business meets the eligibility criteria of an early stage small business concern.

“(d) **TECHNICAL ASSISTANCE.**—The Administrator shall provide early stage small business concerns with technical assistance and counseling with regard to—

“(1) applying for and competing for Federal contracts; and

“(2) fulfilling the administrative responsibilities associated with the performance of a Federal contract.

“(e) **ATTAINMENT OF CONTRACT GOALS.**—All contract awards made under the program shall be counted toward the attainment of the goals specified in section 15(g) of the Small Business Act.

“(f) **REGULATIONS.**—The Administrator shall—

“(1) issue proposed regulations to carry out this section not later than 180 days after the date of enactment of this Act; and

“(2) issue final regulations to carry out this section not later than 270 days after the date of enactment of this Act.

“(g) **REPORT TO CONGRESS.**—Not later than April 30, 2015, the Administrator shall transmit to the Congress a report on the performance of the program.

“(h) **DEFINITIONS.**—For purposes of this section, the following definitions shall apply:

“(1) **PROGRAM.**—The term ‘program’ means a program established pursuant to subsection (a).

“(2) **EARLY STAGE SMALL BUSINESS CONCERN.**—The term ‘early stage small business concern’ means a small business concern that—

“(A) has not more than 15 employees; and

“(B) has average annual receipts that total not more than \$1,000,000, except if the concern is in an industry with an average annual revenue standard that is less than \$1,000,000, as defined by the North American Industry Classification System.”.

(b) **REPEAL OF SIMILAR PROGRAM.**—Section 304 of the Small Business Administration Reauthorization and Amendments Act of 1994 (15 U.S.C. 644 note) is repealed.

AMENDMENT NO. 155 OFFERED BY MR. GARCIA OF FLORIDA

Page 617, after line 7, insert the following:

**SEC. 2807A. DEPARTMENT OF DEFENSE REPORT ON MILITARY HOUSING PRIVATIZATION INITIATIVE.**

Not later than 90 days after enactment of this Act, the Secretary of Defense shall issue

a report to Congress on the Military Housing Privatization Initiative under subchapter IV of chapter 169 of title 10, United States Code. The report shall include the details of any project where the project owner has outstanding local, county, city, town or State tax obligations dating back over 12 months, as determined by a final judgment by a tax authority.

AMENDMENT NO. 162 OFFERED BY MR. PEARCE OF NEW MEXICO

Page 723, after line 23, insert the following:

**SEC. 3145. GOVERNMENT WASTE ISOLATION PILOT PLANT EXTENSION.**

(a) **EXTENSION OF WASTE ISOLATION PILOT PLANT MISSION.**—The Secretary of Energy shall manage WIPP in such a way as to include, in addition to the disposal of wastes authorized by section 213 of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Public Law 96-164; 93 Stat. 1259, 1265), the transportation and disposal of any non-defense Federal Government-owned transuranic waste that can be shown to meet the applicable criteria described in the document entitled “Transuranic Waste Acceptance Criteria For The Waste Isolation Pilot Plant”, published by the Department of Energy on April 21, 2011, or any successor document.

(b) **DEFINITIONS.**—In this section:

(1) **DISPOSAL; TRANSURANIC WASTE.**—The terms “disposal” and “transuranic waste” have the meanings given those terms in section 2 of the Waste Isolation Pilot Plant Land Withdrawal Act (Public Law 102-579; 106 Stat. 4777).

(2) **WIPP.**—The term “WIPP” means the Waste Isolation Pilot Plant project authorized under section 213 of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Public Law 96-164; 93 Stat. 1259, 1265).

AMENDMENT NO. 167 OFFERED BY MR. WHITFIELD OF KENTUCKY

Add at the end of subtitle C of title X the following:

**SEC. 1090. SENSE OF CONGRESS ON ESTABLISHMENT OF AN ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.**

It is the sense of Congress that the President should establish an Advisory Board on Toxic Substances and Worker Health, as described in the report of the Comptroller General of the United States titled “Energy Employees Compensation: Additional Independent Oversight and Transparency Would Improve Program's Credibility”, numbered GAO-10-302, to—

(1) advise the President concerning the review and approval of the Department of Labor site exposure matrix;

(2) conduct periodic peer reviews of, and approve, medical guidance for part E claims examiners with respect to the weighing of a claimant's medical evidence;

(3) obtain periodic expert review of evidentiary requirements for part B claims related to lung disease regardless of approval;

(4) provide oversight over industrial hygienists, Department of Labor staff physicians, and Department of Labor's consulting physicians and their reports to ensure quality, objectivity, and consistency; and

(5) coordinate exchanges of data and findings with the Advisory Board on Radiation and Worker Health to the extent necessary (under section 3624 the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384o).

AMENDMENT NO. 168 OFFERED BY MR. FRANKS OF ARIZONA

At the end of subtitle E of title XII of division A of the bill, add the following new section:

**SEC. 12. SENSE OF CONGRESS ON THE ILLEGAL NUCLEAR WEAPONS PROGRAMS OF IRAN AND NORTH KOREA.**

It is the sense of Congress that—

(1) the paramount security concern of the United States is the ongoing and illegal nuclear weapons programs of the Islamic Republic of Iran and the Democratic People's Republic of Korea;

(2) it should be the primary objective of the President of the United States to ensure that North Korea's nuclear program is completely and verifiably eliminated and that Iran, and its terrorist proxies, are not allowed to develop nuclear weapons capability and the means to deliver them;

(3) the continuing failure to compel Iran and North Korea to comply with their respective obligations under international law risks greater nuclear proliferation throughout already unstable regions by states that have chosen, but not irreversibly so, to refrain from developing or acquiring their own nuclear weapons capability;

(4) nuclear arms reductions by the United States and the Russian Federation have not persuaded or otherwise incentivized Iran and North Korea to halt or reverse their destabilizing and dangerous nuclear weapons programs, nor have they resulted in increased cooperation by other states to deal with these threats; and

(5) the President should use all international fora available to the President to pursue the complete and verifiable elimination of the nuclear weapons programs of Iran and North Korea as the President's paramount obligation to the security of the American people.

AMENDMENT NO. 169 OFFERED BY MR. FRANKS OF ARIZONA

Page 456, line 12, strike "Secretary of the Defense" and insert "Secretary of Defense, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,".

Page 456, line 15, after "(TCAs)" insert the following: "that receive power supply from commercial or other non-military sources".

Page 456, line 21, strike "Secretary of the Defense" and insert "Secretary of Defense, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,".

Page 457, lines 3 through 4, after "Department of Defense" insert the following: ", in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,".

Page 457, line 8, after "Department" insert the following: ", in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,".

Page 457, line 12, after "Department" insert the following: ", in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,".

Page 457, line 18, after "Secretary of Defense" insert the following: ", in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,".

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from California (Mr. McKEON) and the gentleman from Washington (Mr. LARSEN) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. McKEON. Madam Chair, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority. We have no speakers on these amendments.

I reserve the balance of my time.

Mr. LARSEN of Washington. Madam Chair, we have no speakers, and I yield back the balance of my time.

Mr. McKEON. Madam Chair, I yield back the balance of my time.

Mr. MICHAUD. Madam Chair, I rise today to support the Tsongas-Michaud amendment, which will strengthen the Department of Defense' (DOD) Buy America requirements.

According to the Berry Amendment, the Department of Defense (DOD) cannot procure clothing items unless they are produced in the United States. In recent years, however, DOD has circumvented this policy by issuing cash allowances to soldiers for their own purchase of physical training shoes.

The amendment that Representative TSONGAS and I sponsored to the Defense Authorization bill would require that any footwear furnished or provided by cash allowance to members of the Armed Forces upon initial entry be Berry compliant. Two major, domestic athletic footwear brands—New Balance and Wolverine World Wide—are already prepared to produce 100% Berry compliant athletic shoes for the U.S. military. And at least one of those companies can do so at a lower price than the value of the cash allowances DOD gives soldiers now.

If DOD started complying with the Berry Amendment, I feel confident many more companies would jump into the market as well. This would be good for our troops and good for our economy. This amendment makes Congress' intent of the Berry Amendment explicit and will ensure that all components of our troops' PT uniforms are made in the U.S.A.

Madam Chair, this amendment will guarantee our troops fight and train in American-made uniforms from head to toe.

Ms. SCHAKOWSKY. Madam Chair, I rise in support of the Schakowsky/Miller amendment, included in this en bloc. I want to thank the Chairman and the Ranking Member of the Armed Services Committee for including this amendment.

Last November, the world was shocked by a horrific fire at Bangladesh's Tazreen Fashions garment factory. 112 workers were killed in the blaze; survivors recounted terrifying conditions, including locked exits and workers forced to jump from 4th story windows.

The Tazreen fire is far from an isolated incident. Many of Bangladesh's 4 million garment workers—most of whom are women—risk their lives every day they go to work in extremely unsafe factories. While governments and corporations alike have spoken of their dedication to improving conditions and protecting workers rights, the fact remains that many Bangladeshi garment factories are literally death traps.

In the rubble of the Tazreen fire, activists found evidence suggesting that, among other apparel, the factory produced products with Marine insignias. Photographs taken in the ashes of Tazreen show patterns and orders for sweatshirts and pants with the Marine

Corps logo, the motto "Semper Paratus," and even the tagline "The Few. The Proud."

According to public data, the Army-Air Force Exchange imported some 124,000 pounds of garments last year from factories in Bangladesh.

Madam Chair, apparel made for our brave men and women in uniform should not be made in needlessly dangerous factories. Workers making clothing for our military exchanges shouldn't face daily threats of deadly fire, building collapse, and other preventable tragedies. They shouldn't be fired for refusing to work in unsafe conditions, nor should they be denied basic, internationally-recognized worker rights.

The Schakowsky/Miller would require that garments made in Bangladesh and sold at DoD base retail stores and exchanges comply with an enforceable fire and building safety accord. Specifically, the amendment would help the United States government save lives in Bangladesh by requiring that military exchanges which sell their own branded garments made in Bangladesh must join or abide by the conditions of the Accord on Fire and Building Safety in Bangladesh. It also states that military exchanges that license production of their own brands or sell at retail other branded garments shall provide a preference to vendors which are signatories to the Accord on Fire and Building Safety in Bangladesh.

The accord is a major improvement on non-binding and voluntary social compliance programs that have failed to protect workers from mortal workplace dangers. The Accord has widespread support, and signatories include fifty major global apparel companies and retailers (including U.S. companies Abercrombie & Fitch, Sean John Apparel, and PVH Corporation). It has also received the support of civil society and international organizations, including the European Parliament, the United Nations, and the International Labour Organization.

The military exchanges should represent the best of American values—including those of fairness, justice, and commitment to human rights. This amendment is an important step toward ensuring that the United States military commissaries and exchanges are not unintentionally supporting abuses against garment workers in Bangladesh.

Mr. LYNCH. Madam Chair, this en bloc includes my amendment to address a critical aspect of oversight for U.S. funds being spent in Afghanistan. It requires an assessment of the Afghan National Security Forces' (ANSF) capability to operate and manage the facilities currently being built for the Afghan National Police and Afghan National Army.

As we speak, the United States is undertaking a process whereby our servicemembers, as well as those of our allies, are redeploying. By the end of 2014, the Afghans will be fully responsible for their security. In the meantime, our efforts are now primarily focused on training the Afghans to take on their new role.

However, we are not only providing training: we are also investing millions in constructing facilities to be used by the Afghan Army and Police forces. In order to ensure the best use of this funding, we need to make sure that the structures will be able to serve the Afghans

long after we leave. Proper operations and maintenance is the key.

Unfortunately, there is a serious deficit in this capability. In October 2012, the Special Inspector General for Afghan Reconstruction, or SIGAR, published an audit in which it noted a significant lack of trained personnel with the skills to operate and maintain ANSF critical facilities. They include vital systems such as water supply, waste water treatment and power generation.

The amendment will require the Department of Defense to assess, and report on, Afghan capability to address these needs and what is being done to prepare them to be able to do so. It is the best way to ensure that our investment will result in a national security force that will be able to meet Afghanistan's future security needs.

I would like to thank the Rules Committee for making this amendment in order and the Armed Services Committee for including it in this en bloc amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. McKEON).

The en bloc amendments were agreed to.

Mr. McKEON. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THORNBERRY) having assumed the chair, Ms. ROS-LEHTINEN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

#### ADJOURNMENT

Mr. McKEON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 39 minutes p.m.), the House adjourned until tomorrow, Friday, June 14, 2013, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1834. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Gerald R. Beaman, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

1835. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Richard P. Formica, United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1836. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Francis J. Wiercinski, United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1837. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Kendall L. Card, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

1838. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

1839. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of the determination of a waiver under Subsection 402(d)(1) of the Trade Act of 1974 with respect to Belarus; to the Committee on Foreign Affairs.

1840. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report entitled, "Country Reports on Terrorism 2012"; to the Committee on Foreign Affairs.

1841. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency blocking property of the Government of the Russian Federation relating to the disposition of the highly enriched uranium extracted from nuclear weapons that was declared in Executive Order 13617 of June 25, 2012; to the Committee on Foreign Affairs.

1842. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Foreign Affairs.

1843. A letter from the Director, International Broadcasting Bureau, Broadcasting Board of Governors, transmitting the Board's semiannual report from the Office of the Inspector General for the period October 1, 2012 through March 31, 2013; to the Committee on Oversight and Government Reform.

1844. A letter from the Acting Secretary, Department of Labor, transmitting the Department's semiannual report from the Office of the Inspector General for the period October 1, 2012 through March 31, 2013, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1845. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Atlanta, transmitting the 2012 management report and statements on system of internal controls of the Federal Home Loan Bank of Atlanta, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

1846. A letter from the Chairman, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period of October 1, 2012 through March 31, 2013; to the Committee on Oversight and Government Reform.

1847. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Final 2013-2015 Spiny Dogfish Fishery Specifications [Docket No.: 130103002-3396-02] (RIN: 0648-BC85) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1848. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Monkfish Fishery; Emergency Action [Docket No.: 121126649-3347-02] (RIN: 0648-BC79) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1849. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; 2013 Sector Operations Plans and Contracts and Allocation of Northeast Multispecies Annual Catch Entitlements [Docket No.: 120912442-3395-02] (RIN: 0648-XC240) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1850. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; West Coast Salmon Fisheries; 2013 Management Measures [Docket No.: 130108020-3409-01] (RIN: 0648-XC438) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1851. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 121018563-3148-02] (RIN: 0648-XC369) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1852. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 121009528-2729-02] (RIN: 0648-XC634) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1853. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the Southern Atlantic States; Amendment 18B [Docket No.: 120404257-3325-02] (RIN: 0648-BB58) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1854. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 121018563-3148-02] (RIN: 0648-XC654) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1855. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Temporary Rule To Extend the Increase of the Commercial Annual Catch Limit for South Atlantic Yellowtail Snapper [Docket No.: 120919471-2584-01] (RIN: 0648-BC59) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1856. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Hook-and-Line Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC612) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1857. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for South Atlantic Golden Tilefish [Docket No.: 120403249-2492-02] (RIN: 0648-XC626) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1858. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 120814338-2711-02] (RIN: 0648-BD14) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1859. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC606) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1860. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions #1 and #2 [Docket No.: 120424023-1023-01] (RIN: 0648-XC631) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1861. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, trans-

mitting the Administration's final rule — Pacific Halibut Fisheries; Catch Sharing Plan; Correcting Amendment [Docket No.: 130123063-3423-03] (RIN: 0648-BC75) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1862. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Office of Community Oriented Policing Services (COPS) Fiscal Year 2012 Annual Report; to the Committee on the Judiciary.

1863. A letter from the Adjutant General, Veterans of Foreign Wars of the U.S., transmitting proceedings of the 113th National Convention of the Veterans of Foreign Wars of the United States, held in Reno, Nevada, July 21–25, 2012, pursuant to 36 U.S.C. 118 and 44 U.S.C. 1332; (H. Doc. No. 113-35); to the Committee on Veterans' Affairs and ordered to be printed.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROE of Tennessee (for himself, Mr. KLINE, Mr. McKEON, Mr. WILSON of South Carolina, Mr. PRICE of Georgia, Mr. MARCHANT, Mr. THOMPSON of Pennsylvania, Mr. GUTHRIE, Mr. DESJARLAIS, Mr. ROKITA, Mr. BUCSHON, Mr. GOWDY, Mrs. ROBY, Mr. HECK of Nevada, Mr. HUDSON, Mr. DUNCAN of Tennessee, Mr. KING of Iowa, Mr. STUTZMAN, Mr. FINCHER, Mr. GRIFFIN of Arkansas, and Mr. LONG):

H.R. 2346. A bill to amend the National Labor Relations Act to ensure the right of employees to a secret ballot election conducted by the National Labor Relations Board; to the Committee on Education and the Workforce.

By Mr. PRICE of Georgia (for himself, Mr. KLINE, Mr. McKEON, Mr. WILSON of South Carolina, Mr. MARCHANT, Mr. ROE of Tennessee, Mr. GUTHRIE, Mr. DESJARLAIS, Mr. ROKITA, Mr. BUCSHON, Mr. GOWDY, Mrs. ROBY, Mr. HECK of Nevada, Mr. BACHUS, Mr. WESTMORELAND, and Mr. LONG):

H.R. 2347. A bill to amend the National Labor Relations Act with respect to the criteria for determining employee units appropriate for the purposes of collective bargaining; to the Committee on Education and the Workforce.

By Mr. SCHWEIKERT:

H.R. 2348. A bill to provide certainty that Congress and the Administration will undertake substantive and structural housing finance reform, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NEGRETE MCLEOD (for herself and Ms. HAHN):

H.R. 2349. A bill to restore and extend the grace period of Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans; to the Committee on Education and the Workforce.

By Mr. CARTWRIGHT (for himself, Ms. NORTON, Ms. WILSON of Florida, Mr. POCAN, Ms. TITUS, Mrs. CHRISTENSEN, Mr. CONYERS, Mr. RANGEL, Mr. PAYNE, Mr. BLUMENAUER, Mr. RUSH,

Mr. PIERLUISI, Ms. DEGETTE, Ms. KAPTUR, Ms. CLARKE, Mr. POLIS, Mr. HONDA, and Mr. CÁRDENAS):

H.R. 2350. A bill to provide employees with 2 hours of paid leave in order to vote in Federal elections; to the Committee on Education and the Workforce.

By Mr. WHITFIELD (for himself, Mr. MCKINLEY, Mr. ENYART, and Mr. RAHALL):

H.R. 2351. A bill to repeal the fossil fuel consumption percentage reduction requirements for Federal buildings under the Energy Conservation and Production Act; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mr. CARSON of Indiana, Mr. ELLISON, Mr. LANGEVIN, Ms. MOORE, Ms. NORTON, and Mr. RANGEL):

H.R. 2352. A bill to require all newly constructed, federally assisted, single-family houses and town houses to meet minimum standards of visitability for persons with disabilities; to the Committee on Financial Services.

By Mr. PETRI (for himself and Mr. RIBBLE):

H.R. 2353. A bill to amend title 23, United States Code, with respect to the operation of vehicles on certain Wisconsin highways, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. ESTY (for herself and Mr. HECK of Nevada):

H.R. 2354. A bill to amend title 10, United States Code, to require the prompt replacement of military decorations upon the request of the recipients of the decorations or their immediate next of kin; to the Committee on Armed Services.

By Mr. BRALEY of Iowa (for himself, Mr. THOMPSON of California, Mr. KING of New York, Mrs. BUSTOS, Mr. DEFAZIO, Ms. EDWARDS, Mr. CICILLINE, Mr. RAHALL, Mr. LIPINSKI, and Mr. LOBIONDO):

H.R. 2355. A bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government; to the Committee on Oversight and Government Reform.

By Mr. CAPUANO (for himself and Mr. JONES):

H.R. 2356. A bill to provide for notification to consumers before a video service collects visual or auditory information from the viewing area and to provide consumers with choices that do not involve the collection of such information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COBLE:

H.R. 2357. A bill to amend title 5, United States Code, to provide that Members must complete 12 years of creditable service in order to be vested in an annuity under the Federal Employees' Retirement System, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN:

H.R. 2358. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to give preference to local contractors, and for other purposes; to the Committee on Veterans' Affairs.



By Mr. DANNY K. DAVIS of Illinois (for himself, Mr. CARSON of Indiana, Mr. McDERMOTT, Mr. RANGEL, Mr. PAYNE, Ms. LEE of California, Mr. BISHOP of Utah, Mrs. CHRISTENSEN, Ms. WILSON of Florida, Ms. NORTON, Mr. CLAY, Ms. SEWELL of Alabama, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLEAVER, Mr. LEWIS, Ms. BROWN of Florida, Mr. CUMMINGS, Mr. BUTTERFIELD, Mr. RUSH, Mr. THOMPSON of Mississippi, Ms. MOORE, Ms. JACKSON LEE, Mr. RICHMOND, Mr. MEEKS, and Ms. CLARKE):

H.R. 2359. A bill to amend title IV of the Social Security Act to ensure funding for grants to promote responsible fatherhood and strengthen low-income families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK (for himself and Mr. CARTWRIGHT):

H.R. 2360. A bill to reauthorize the Rivers of Steel National Heritage Area, the Lackawanna Valley National Heritage Area, the Delaware and Lehigh National Heritage Corridor, and the Schuylkill River Valley National Heritage Area; to the Committee on Natural Resources.

By Mr. GRAVES of Missouri:

H.R. 2361. A bill to limit the authority of States and local governments to impose new taxes, or to increase rates of existing taxes, payable with respect to the sale of certain firearms or ammunition or payable for background checks incident to sales of firearms or ammunition; to the Committee on the Judiciary.

By Mr. AL GREEN of Texas (for himself and Mr. THOMPSON of Mississippi):

H.R. 2362. A bill to amend title 49, United States Code, with respect to urbanized area formula grants, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HONDA:

H.R. 2363. A bill to foster further innovation and entrepreneurship in the health information technology sector; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself, Mr. BLUMENAUER, Ms. BONAMICI, Mr. CAPUANO, Ms. CHU, Mr. CICILLINE, Ms. CLARKE, Mr. CLAY, Mr. CONNOLLY, Mrs. DAVIS of California, Mr. ELLISON, Mr. FARR, Mr. FATTAH, Mr. GRIJALVA, Ms. HAHN, Mr. HIMES, Mr. PETERS of Michigan, Ms. PINGREE of Maine, Mr. POLIS, Ms. SCHAKOWSKY, Mr. SHERMAN, Ms. TSONGAS, Ms. WASSERMAN SCHULTZ, and Mr. WAXMAN):

H.R. 2364. A bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit; to the Committee on Financial Services.

By Mr. KING of New York (for himself and Mr. MCCAUL):

H.R. 2365. A bill to amend the Public Health Service Act to provide for the na-

tional collection of data on stillbirths in a standardized manner, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LAMBORN (for himself and Mr. CLEAVER):

H.R. 2366. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of World War I; to the Committee on Financial Services.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. RUIZ, and Mr. PEARCE):

H.R. 2367. A bill to strengthen Indian education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. McNERNEY:

H.R. 2368. A bill to provide support to develop career and technical education programs of study and facilities in the areas of renewable energy; to the Committee on Education and the Workforce.

By Mr. SCOTT of Virginia:

H.R. 2369. A bill to apply reduced sentences for certain cocaine base offenses retroactively for certain offenders, and for other purposes; to the Committee on the Judiciary.

By Mr. SCOTT of Virginia:

H.R. 2370. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the juvenile accountability block grants program through fiscal year 2016; to the Committee on the Judiciary.

By Mr. SCOTT of Virginia:

H.R. 2371. A bill to amend title 18, United States Code, with respect to the good time credit toward service of sentences of imprisonment; to the Committee on the Judiciary.

By Mr. SCOTT of Virginia:

H.R. 2372. A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act regarding penalties for cocaine offenses, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LIPINSKI (for himself, Mr. DUNCAN of Tennessee, Mr. AMODEI, Mr. MICHAUD, and Mr. BACHUS):

H. Res. 261. A resolution expressing the sense of the House of Representatives that Members of Congress should support and promote the respectful and dignified disposal of worn and tattered American flags; to the Committee on the Judiciary.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROE of Tennessee:

H.R. 2346.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. PRICE of Georgia:

H.R. 2347.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. SCHWEIKERT:

H.R. 2348.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the Constitution

By Mrs. NEGRETE McLEOD:

H.R. 2349.

Congress has the power to enact this legislation pursuant to the following:

Article I section 8

By Mr. CARTWRIGHT:

H.R. 2350.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution relating to the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States)

By Mr. WHITFIELD:

H.R. 2351.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. SCHAKOWSKY:

H.R. 2352.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII.

By Mr. PETRI:

H.R. 2353.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 7

By Ms. ESTY:

H.R. 2354.

Congress has the power to enact this legislation pursuant to the following:

Clause 14 of Section 8 of Article I of the Constitution of the United States

By Mr. BRALEY of Iowa:

H.R. 2355.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CAPUANO:

H.R. 2356.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. COBLE:

H.R. 2357.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6 of the United States Constitution

By Mr. COHEN:

H.R. 2358.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution

By Mr. DANNY K. DAVIS of Illinois:

H.R. 2359.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Clause 1 of section 8 of Article I of the Constitution.

By Mr. FITZPATRICK:

H.R. 2360.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution



By Mr. GRAVES of Missouri:

H.R. 2361.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To regulate commerce with foreign nations, and among the several states, and with the indian tribes;

By Mr. AL GREEN of Texas:

H.R. 2362.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

Commerce Clause (Art. 1 sec. 8 cl. 3)

Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

By Mr. HONDA:

H.R. 2363.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution.

By Mr. ISRAEL:

H.R. 2364.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. KING of New York:

H.R. 2365.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. LAMBORN:

H.R. 2366.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5 states "The Congress shall have Power . . . To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 2367.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MCNERNEY:

H.R. 2368.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. SCOTT of Virginia:

H.R. 2369.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

By Mr. SCOTT of Virginia:

H.R. 2370.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

By Mr. SCOTT of Virginia:

H.R. 2371.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

By Mr. SCOTT of Virginia:

H.R. 2372.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 140: Mr. BRADY of Texas.

H.R. 176: Mr. WENSTRUP.

H.R. 207: Mr. LABRADOR.

H.R. 208: Mr. GRIJALVA.

H.R. 272: Mr. THOMPSON of California, Ms. BROWNLEY of California, Mr. WAXMAN, Mr. BECERRA, Mrs. NEGRETE MCLEOD, Ms. SPIER, Ms. ROYBAL-ALLARD, Ms. ESHOO, and Mr. MCCLINTOCK.

H.R. 351: Mr. BENTIVOLIO.

H.R. 375: Ms. BROWNLEY of California, Ms. BONAMICI, and Ms. SPEIER.

H.R. 407: Mr. MCNERNEY.

H.R. 493: Mr. BENTIVOLIO and Mr. CRAWFORD.

H.R. 523: Mr. BENTIVOLIO.

H.R. 578: Mr. FLEISCHMANN.

H.R. 647: Mrs. BEATTY, Mr. BONNER, and Mr. SIRE.

H.R. 685: Mr. HASTINGS of Florida.

H.R. 693: Mr. PALLONE and Ms. KELLY of Illinois.

H.R. 721: Mr. WALBERG, Mr. RADEL, Mr. WEBSTER of Florida, Mr. OWENS, Mr. AMODEI, Mr. RIBBLE, Mr. HARRIS, Mr. BENISHEK, Mr. HULTGREN, Mrs. BEATTY, and Mr. MARINO.

H.R. 755: Mr. WOMACK, Mr. RENACCI, Mr. THOMPSON of Pennsylvania, Mr. KING of Iowa, Mr. POSEY, Mr. AUSTIN SCOTT of Georgia, Mr. BROUN of Georgia, Ms. HERRERA BEUTLER, Mrs. CHRISTENSEN, and Mrs. MILLER of Michigan.

H.R. 863: Ms. KELLY of Illinois.

H.R. 897: Mr. RYAN of Ohio, Ms. SINEMA, Mr. COFFMAN, Mr. JOHNSON of Georgia, Mr. HOLT, and Mr. BISHOP of Georgia.

H.R. 901: Mr. BENTIVOLIO, Mr. FARENTHOLD, Mr. BARBER, and Mr. LOESACK.

H.R. 914: Mr. MARCHANT.

H.R. 915: Mr. FITZPATRICK.

H.R. 946: Mr. HENSARLING and Mr. SMITH of Texas.

H.R. 948: Ms. SHEA-PORTER and Mr. NUNES.

H.R. 961: Mr. TIERNEY.

H.R. 1015: Mr. PERLMUTTER and Mr. GRIJALVA.

H.R. 1024: Mrs. CAPPS and Mr. LAMBORN.

H.R. 1077: Mrs. MILLER of Michigan.

H.R. 1094: Mr. ANDREWS.

H.R. 1148: Mr. CRAWFORD.

H.R. 1149: Mr. KINZINGER of Illinois.

H.R. 1154: Ms. SCHWARTZ.

H.R. 1179: Mr. SENSENBRENNER.

H.R. 1199: Mr. BARBER, Mr. DENT, Mr. BERA of California, Mr. HIGGINS, Mr. PALLONE, and Ms. HAHN.

H.R. 1201: Mr. BRALEY of Iowa, Mr. HASTINGS of Florida, and Mr. LEWIS.

H.R. 1261: Mr. PALLONE and Mr. ISRAEL.

H.R. 1310: Mr. DUNCAN of South Carolina.

H.R. 1390: Mr. KINZINGER of Illinois.

H.R. 1404: Mr. JONES.

H.R. 1425: Ms. BORDALLO.

H.R. 1449: Mr. PRICE of North Carolina and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1473: Mr. BURGESS and Mr. DAVID SCOTT of Georgia.

H.R. 1491: Ms. BORDALLO.

H.R. 1518: Mr. YARMUTH.

H.R. 1528: Mr. BACHUS.

H.R. 1565: Mr. COOPER.

H.R. 1595: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SERRANO, Mr. SCOTT of Virginia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, and Mr. ENGEL.

H.R. 1667: Ms. SLAUGHTER.

H.R. 1696: Ms. KUSTER and Mr. PRICE of North Carolina.

H.R. 1717: Ms. JENKINS, Mr. FITZPATRICK, and Mr. GALLEGO.

H.R. 1731: Ms. MATSUI, Ms. TITUS, Ms. MENG, Mr. DINGELL, Mr. HECK of Nevada, and Mr. RUNYAN.

H.R. 1750: Mr. NUGENT, Mr. CRAWFORD, Mr. LONG, Mr. NEUGEBAUER, Mr. PITTENGER, and Mrs. WAGNER.

H.R. 1775: Mr. LANCE.

H.R. 1787: Mr. CRAWFORD and Mr. CARTWRIGHT.

H.R. 1797: Mr. GRAVES of Georgia, Mr. WEBSTER of Florida, and Mr. RIGELL.

H.R. 1801: Mr. PAYNE and Mr. MICHAUD.

H.R. 1814: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. HERRERA BEUTLER, Mr. HOLDING, and Mr. JOHNSON of Ohio.

H.R. 1825: Mr. MARCHANT, Mr. KELLY of Pennsylvania, Mr. SESSIONS, and Mr. GIBSON.

H.R. 1842: Mr. O'ROURKE.

H.R. 1848: Mr. BUCSHON and Mr. COBLE.

H.R. 1851: Mrs. CAPPS, Ms. LORETTA SANCHEZ of California, Mr. HONDA, and Ms. NORTON.

H.R. 1861: Mr. CRAWFORD and Mr. MAFFEL.

H.R. 1864: Mr. CASTRO of Texas and Mr. REED.

H.R. 1869: Mr. PETERSON and Mr. MATHE-SON.

H.R. 1882: Mrs. WAGNER.

H.R. 1900: Mr. HALL.

H.R. 1908: Mr. RODNEY DAVIS of Illinois, Mr. PEARCE, and Mr. STOCKMAN.

H.R. 1920: Mrs. NAPOLITANO, Mr. CARTWRIGHT, Mr. PETERS of Michigan, Mr. SCHIFF, and Mrs. BEATTY.

H.R. 1955: Mr. BISHOP of New York and Ms. MENG.

H.R. 1962: Mr. POCAN and Mr. ROKITA.

H.R. 1971: Mr. BARR.

H.R. 1979: Mr. MARKEY and Ms. SHEA-PORTE.

H.R. 1985: Mr. PETRI.

H.R. 2009: Mr. GRIFFIN of Arkansas, Mrs. WAGNER, and Mr. MILLER of Florida.

H.R. 2011: Mr. KILMER.

H.R. 2016: Mr. VEASEY.

H.R. 2020: Mr. O'ROURKE.

H.R. 2022: Mr. LONG.

H.R. 2028: Ms. HAHN, Mr. JOHNSON of Georgia, Mr. MORAN, Ms. SLAUGHTER, Mr. YARMUTH, Mr. MARKEY, Mr. HIMES, Ms. VELÁZQUEZ, and Mr. MICHAUD.

H.R. 2030: Mr. PRICE of North Carolina and Mr. PAYNE.

H.R. 2053: Mr. MCINTYRE.

H.R. 2085: Mr. BUCSHON and Mr. SCHOCK.

H.R. 2089: Mr. DESJARLAIS.

H.R. 2094: Mr. DESJARLAIS and Mr. GRIF-FITH of Virginia.

H.R. 2107: Mr. JONES.

H.R. 2112: Mr. BISHOP of New York and Mrs. LOWEY.

H.R. 2154: Mr. SABLON.

H.R. 2182: Mr. TAKANO and Mr. POCAN.

H.R. 2232: Mr. CONNOLLY.

H.R. 2238: Mr. SCHNEIDER.

H.R. 2273: Mr. DINGELL, Mr. BENTIVOLIO, and Mr. UPTON.

H.R. 2277: Mr. BENTIVOLIO.

H.R. 2278: Mr. HOLDING.

H.R. 2283: Mr. WOLF.

H.R. 2289: Mr. BURGESS.

H.R. 2291: Ms. SCHAKOWSKY.

H.R. 2293: Mr. GARAMENDI.

H.R. 2305: Mr. COOPER and Mr. SIRES.	H.R. 2328: Mr. LONG and Mr. HUNTER.	H. Res. 188: Mr. SHERMAN.
H.R. 2307: Mr. CUELLAR.	H.R. 2333: Mr. COURTNEY.	H. Res. 213: Mr. ANDREWS, Mr. ISRAEL, and
H.R. 2309: Ms. GRANGER, Mr. SIRES, Mr.	H. Con. Res. 36: Mr. TIERNEY.	Mr. GENE GREEN of Texas.
BURGESS, and Mr. SCHOCK.	H. Res. 112: Mr. BILIRAKIS, Mr. KINZINGER	H. Res. 236: Mr. LOWENTHAL.
H.R. 2310: Mr. RAHALL.	of Illinois, and Mrs. BROOKS of Indiana.	H. Res. 250: Mr. MCINTYRE.